

**ATTACHMENT F: RECOMMENDED CONDITIONS OF APPROVAL**

- A. THAT the application to create a ± 20.23 hectare (50.00 acre) parcel with a ± 37.75 hectare (93.27 acre) remainder within SE-10-24-03-W05M, having been evaluated in terms of Section 654 of the *Municipal Government Act* and Sections 9, 18, and 19 of the *Matters Related to Subdivision and Development Regulation*, and the *Municipal Development Plan (County Plan)*, and having considered adjacent landowner submissions, is approved as per the Tentative Plan for the reasons listed below:
1. The application is consistent with the Statutory Policy;
  2. The subject lands hold the appropriate land use designation;
  3. The technical aspects of the subdivision proposal have been considered and are further addressed through the conditional approval requirements.
- B. The Applicant/Owner is required, at their expense, to complete all conditions attached to and forming part of this conditional subdivision approval prior to Rocky View County (the County) authorizing final subdivision endorsement. This requires submitting all documentation required to demonstrate each specific condition has been met, or agreements (and necessary securities) have been provided to ensure the conditions will be met, in accordance with all County Policies, Standards, and Procedures, to the satisfaction of the County, and any other additional party named within a specific condition. Technical reports required to be submitted as part of the conditions must be prepared by a qualified professional, licensed to practice in the province of Alberta within the appropriate field of practice. The conditions of this subdivision approval do not absolve an Applicant/Owner from ensuring all permits, licenses, or approvals required by Federal, Provincial, or other jurisdictions are obtained.
- C. In accordance with Section 20(1) of the *Matters Related to Subdivision and Development Regulation*, the Subdivision Authority, with authorization from Alberta Transportation and Economic Development on behalf of the Minister of Transportation, varies the requirements of Sections 18 with regards to subdivision approvals within the prescribed distance from a highway right of way.
- D. Further, in accordance with Section 654 and 655 of the *Municipal Government Act*, the application shall be approved subject to the following conditions of approval:

**Survey Plans**

- 1) Subdivision is to be effected by a Plan of Survey, pursuant to Section 657 of the *Municipal Government Act*, or such other means satisfactory to the Registrar of the South Alberta Land Titles District.
  - a. A Plan of Survey, including the Application number (PL20230042) and Roll number (04710001) of the parcel;
  - b. Landowner's Consent to Register Plan of Survey.

**Site Plan**

- 2) The Owner is to provide a Site Plan, prepared by an Alberta Land Surveyor, which illustrates that all existing wells are located within the boundaries of Lot 2, in accordance with the Alberta Private Sewage Systems Standard of Practice 2009.

**Development Agreement**

- 3) The Owner shall enter into and comply with a Development Agreement pursuant to Section 655 of the Municipal Government Act in accordance with the approved tentative plan and shall include the following:
  - a. Design and construction of an extension to Elbow River Drive which includes the construction of a new cul-de-sac, the removal and reclamation of the existing cul-de-sac, and repair of existing approaches that are impacted by the construction works;
  - b. Design, construction and implementation of the recommendations of the approved Stormwater Management Plan;
  - c. Dedication of necessary easements and right of ways for utility line assignments;
  - d. Mailboxes are to be located in consultation with Canada Post;
  - e. Installation of power, natural gas and telephone lines;
  - f. Implementation of the recommendations of the Construction Management Plan;
  - g. Implementation of the recommendations of the Geotechnical Report;
  - h. Payment of any applicable off-site levies, at the then applicable rates, as of the date of the Development Agreement.

**Site Developability / Servicing**

- 4) The Applicant/Owner shall submit a Geotechnical Report in accordance with County's servicing standards, conducted by a qualified professional geotechnical engineer to address water table levels, construction materials for roads, water servicing, and other developmental constraints that may be applicable to the Development.
- 5) Utility Easements, Agreements, and Plans are to be provided and registered, concurrent with the plan of survey to the satisfaction of Altalink;
- 6) The Applicant/Owner shall provide a Construction Management Plan that is to include, but not be limited to, noise, sedimentation and erosion control, construction waste management, firefighting procedures, evacuation plan, hazardous material containment, construction, and management details. Other specific requirements include:
  - a. Weed management during the construction phases of the project.
  - b. Implementation of the Construction Management Plan recommendations, which will be ensured through the Development Agreement.

**Transportation and Access**

- 7) The Owner shall construct new paved approaches on Elbow River Drive, in accordance with the County Servicing Standards, in order to provide access to Lots 1 and 2:
  - a. Contact County Road Operations for a pre-construction and a post-construction inspection for final acceptance.
- 8) The Owner is to enter into a Restrictive Covenant, to be registered by Caveat prepared by the County, on the title of Lot 1, that restricts the erection of any structure on or within 45 metres of a future road right-of-way, as shown on the approved Tentative Plan.

- 9) The owner shall provide the necessary documents to discharge the existing access easement agreement (instrument No. 141 219 224) & cancellation of ROW plan 141 2236, from the lands described as SE-10-24-3-W05M, Title No. 181 187 702.

**Cost Recovery**

- 10) The County will enter into an Infrastructure Cost Recovery Agreement with the Owner to determine the proportionate recovery of infrastructure money spent by the Owner to construct municipal infrastructure that will consequently provide benefit to other lands.
  - a. This Agreement shall apply to the extension of Elbow River Drive as illustrated in the approved Tentative Plan and Development Agreement.

**Payments and Levies**

- 11) The Owner shall pay the County subdivision endorsement fee, in accordance with the Master Rates Bylaw, for the creation of the one (1) new Lot.

**Taxes**

- 12) All taxes owing up to and including the year in which subdivision is to be registered are to be paid to Rocky View County prior to signing the final documents pursuant to Section 654(1) of the *Municipal Government Act*.

**ADVISORY**







- 1) Access to part 1 of the Remainder Lot 2 as per the attached tentative plan for agricultural operations may be provided across Lot 1 for the area described as “the area of  $\pm 6.10$  metres (20.00 ft) in width extending south from the southwesterly boundary of Lot:1 Block:1 Plan:1711433 abutting the SE-10-24-03-W05M, across the proposed Lot 1 as shown on the attached tentative plan, to the boundary of the proposed part 1 of Remainder Lot 2. In accordance, the Owner may:
  - a. Provide an access right of way plan; and
  - b. Prepare and register respective easements on each title, where required.

Tentative Plan

Subdivision Proposal

To create a ± 20.23 hectare (50.00 acre) parcel with a ± 37.75 hectare (93.27 acre) remainder.

Legend

- Water Well 
- Wastewater 
- New Approach 
- Road Construction (Development Agreement) 
- Restrictive Covenant (45.0m setback) 
- Potential Access 
- Easement Agreement 

Surveyor's Notes:

1. Parcels must meet minimum size and setback requirements of Land Use Bylaw C-8000-2020.
2. Refer to Notice of Transmittal for approval conditions related to this Tentative Plan.

Division: 1  
Roll: 04710001  
File: PL20230042  
Printed: June 5, 2023  
Legal: A portion of SE-10-24-3-W5M

