

ATTACHMENT E: POLICY REVIEW

Definitions		
Consistent	Generally Consistent	Inconsistent
Clearly meets the relevant requirements and intent of the policy.	Meets the overall intent of the policy and any areas of inconsistency are not critical to the delivery of appropriate development.	Clear misalignment with the relevant requirements of the policy that may create planning, technical or other challenges.

Municipal Development Plan (County Plan)	
Managing Residential Growth – Country Residential	
5.8	<i>Support the development of existing country residential communities (identified on Map 1) in accordance with their area structure plan.</i>
Inconsistent	The application conflicts with the policies of the applicable Bearspaw Area Structure Plan as identified on Map 1; therefore, the proposal does not comply with Policy 5.8.
Country Residential Development – Country Residential Communities	
10.1	<i>Development within Greater Bragg Creek, Bearspaw, North and Central Springbank, Elbow Valley, Balzac East (Sharp Hills/Butte Hills), Cochrane North, and Glenbow Ranch shall conform to their relevant area structure plan.</i>
Inconsistent	The application conflicts with the policies of the applicable Bearspaw Area Structure Plan as identified on Map 1; therefore, the proposal does not comply with Policy 5.8.
10.4	<i>Country residential development shall address the development review criteria identified in section 29.</i>
Generally Consistent	The application proposes a parcel configuration requiring the construction of a local County Road within the southerly adjacent panhandle. This area is covered with an existing road acquisition agreement; however, the road construction necessary to provide frontage at time of future subdivision may impact an identified wetland. No technical support is provided to support this; therefore, the development review criteria of Section 29 are not met. Further analysis and support would be provided through a concept plan submission.
Reserves – Municipal, School, and Community Reserves	
13.4	<i>Reserves should be provided to the maximum amount allowed by the Municipal Government Act.</i>
Consistent	Municipal Reserves were previously provided in full via payment of cash-in-lieu on Plan 9611632.
Transportation – Road Planning and Development	
16.7	<i>New development shall make use of and extend the existing transportation network/infrastructure.</i>
Generally Consistent	The application proposes to construct a local road within the southerly adjacent panhandle in order to provide access to the proposed western 2.31 acre lot. This area is subject to road acquisition agreement via instrument No. 151 147 379.
Transportation – Road Access	
16.13	<i>Residential redesignation and subdivision applications should provide for development that:</i> a. <i>provides direct access to a road, while avoiding the use of panhandles;</i> b. <i>minimizes driveway length to highways/roads;</i>

	<p>c. removes and replaces panhandles with an internal road network when additional residential development is proposed; and</p> <p>d. limits the number and type of access onto roads in accordance with County Policy.</p>
Generally Consistent	The application proposes to replace the existing panhandle south of the subject lands with an internal subdivision road.

Bears paw Area Structure Plan C-4129-93	
7.0 Land Use and Phasing	
7.1 Land Use	
7.1.1	<i>Figure 7 is the future land use scenario for the Plan Area and generally establishes appropriate land uses within the Plan Area.</i>
Generally Consistent	The subject parcel is located within an area identified to support country residential development.
7.1.3	<i>When considering proposals for redesignation, the Municipality should confirm that the proposal is in accordance with Figure 7 and the applicable provisions of this Plan.</i>
Inconsistent	While the proposed land use designation aligns with Figure 7, the application conflicts with the attendant plan policies relating to parcel size minimums and conceptual schemes as noted in the review of policies 8.1.20 and 8.1.21 below.
7.2 Phasing	
7.2.1	<i>To facilitate a logical, efficient and planned development pattern within the Plan Area and to reflect public input, Phasing has been established in Figure 8. Appendix B provides the general criteria for determining Development Priority Areas.</i>
Inconsistent	The subject parcel is located within development priority area 1, recommended for concept plan preparation to support parcels below 4 acres in size. The level of fragmentation within the quarter section is currently such that any further intensification should be comprehensively planned to achieve a desirable and efficient settlement pattern, thereby avoiding piecemeal development.
8.0 Plan Policies	
8.1 Country Residential	
General Land Use	
8.1.1	<i>Country residential land uses may be considered appropriate within the Plan Area subject to the provisions of this Plan.</i>
Inconsistent	The application does not align with the applicable plan policies relating to parcel size minimums and concept plan preparation. No technical support for the proposed parcel configuration has been received.
Concept Plans	
8.1.9	<i>Figure 3 identifies lands within the Plan Area where the preparation of Concept Plans is required prior to the redesignation of these lands for country residential land use.</i>
Inconsistent	The subject lands are identified within an area recommended to be guided by concept plans to support country residential development. The existing level of fragmentation in the quarter section is such that further development would greatly benefit from the preparation of a concept plan to guide efficient lot configuration, servicing efficiencies, and community design.

	Should the subject proposal be supported without a concept plan, it would ultimately result in piecemeal fragmentation within the quarter section, and create additional barriers to future concept plan development therefore hindering the viability of full-buildout within the area.
8.1.10	<i>Notwithstanding Policy 8.1.9, Council may determine, at its sole discretion, that any lands within the Plan Area require the preparation of a Concept Plan prior to the redesignation of the lands for country residential land use.</i>
Generally Consistent	Council may require the preparation of a concept plan to support country residential development in this area, in alignment with Administration's recommendation.
8.1.11	<i>Where lands are designated for country residential land uses and no Concept Plan has been prepared or adopted by Council, the Municipality may require a Concept Plan to accompany an application for country residential subdivision within the Plan Area.</i>
Inconsistent	Upon submission Administration noted to the applicant that a concept plan submission should accompany the land use amendment proposed given the policy context in the area. The applicant chose to pursue the land use amendment and subdivision without further planning, acknowledging the policy conflict with 8.1.20 and 8.1.21 as discussed below.
Subdivision	
8.1.19	<i>When considering applications for subdivision approval, the Municipality should evaluate tentative plans of subdivision in terms of the following considerations:</i> <i>a) the natural condition of the lands proposed for subdivision and the manner in which these conditions (ie. topography, environmentally sensitive areas, etc.) have been integrated into the design of the tentative plan of subdivision;</i> <i>b) the serviceability of the proposed parcels by private and public utilities;</i> <i>c) the suitability of each of the proposed parcels to accommodate a building site of sufficient area to permit the development of a residential building and ancillary structures;</i> <i>d) the context of the lands proposed for subdivision and the compatibility of the proposed design with adjacent lands including, but not limited to, site conditions, parcel sizes, visual impact, etc.;</i> <i>e) the intensification potential of the tentative plan of subdivision and the flexibility of the proposed design to accommodate future subdivision;</i> <i>f) the conformity of the tentative plan of subdivision with any Concept Plan prepared and/or adopted pursuant to the provisions of this Plan;</i> <i>g) the design of the proposed road system having regard for Municipal Engineering Standards and integration with the Municipal and Provincial road hierarchy;</i> <i>h) conformity to this Plan, which may necessitate an amendment to the Plan;</i> <i>i) any other matter deemed appropriate by the Municipality.</i>
Inconsistent	The subject land is located within a historically fragmented area which would benefit from a concept plan to support intensification of residential uses in a manner which allows for servicing efficiencies and maximizing lot yields.
8.1.20	<i>Within the country residential areas identified in Figure 7, the minimum parcel size should not be less than four (4) acres.</i>
Inconsistent	The proposed Residential, Country Residential land use designation supports parcel sizes of 1.98 acres.
8.1.21	<i>Notwithstanding Policy 8.1.20 and Figure 3, the Municipality may consider redesignation proposals and/or application for subdivision contemplating parcel sizes of less than four (4) acres in size, provided these proposals are supported by a Concept Plan that is prepared and adopted pursuant to the provisions of this Plan.</i>

Inconsistent	Should the redesignation be approved, the subsequent subdivision proposal to create a 2.51 acre parcel and 2.31 acre remainder is not guided by an approved Concept Plan.
8.1.25	<i>Applications for subdivision approval shall be subject to the Municipal Reserve provisions of the Planning Act and this Plan.</i>
Consistent	Municipal reserves were previously provided by a cash-in-lieu payment with the registration of Plan 9611632.
8.5 Transportation	
General	
8.5.7	<i>All Municipal roads within the Plan Area shall be designed and constructed to Municipal Standards, as may be amended from time to time. Appendix C contains typical cross-sections of local roads, minor and major collector roads.</i>
Generally Consistent	Should Council support the proposed redesignation, a local road to designed to the County's Servicing Standards and Bears paw ASP criteria shall be required as a condition of future subdivision.
8.5.10	<i>Concept Plans contemplated by this Plan and/or proposals for subdivisions where serviced with an internal local road system, should provide a minimum of two access points for vehicular traffic.</i>
Inconsistent	There is no approved concept plan guiding development within the surrounding quarter section. Coordination with adjacent landowners
8.6 Environment	
General Land Use	
8.6.3	<i>Pursuant to Policy 8.6.2 and 8.6.3, the Municipality may require a proponent, in support of a proposal and at their sole expense, to prepare and submit the following in a form and content satisfactory to the Municipality:</i> <i>a) an Environmental Overview pursuant to the provisions of the General Municipal Plan;</i> <i>b) a geotechnical evaluation prepared by a qualified professional;</i> <i>c) a hydrological evaluation;</i> <i>d) an Archaeological/Historical Impact Assessment;</i> <i>e) identify any activities, operations or facilities requiring approval under the Environmental Protection and Enhancement Act, the Water Resources Act or the Department of Environment Act;</i> <i>f) any other analysis deemed appropriate by the Municipality.</i>
Inconsistent	The proposed future parcel configuration would require the construction of a Local Road through an area impacting an identified wetland. There has been no technical evaluation in support of the application received.
8.9 Servicing and Utilities	
8.9.1	<i>The provision of water to subdivisions within the Plan Area shall be in accordance with policy established by Council and the guidelines established by Alberta Environmental Protection.</i>
Consistent	There is existing Rocky View Water Co-Op infrastructure in the immediate area, and the application provided a letter from the Co-Op confirming capacity to service an additional lot.

Land Use Bylaw C-8000-2020	
Residential, Country Residential District (R-CRD)	
326	<p><i>MINIMUM PARCEL SIZE:</i></p> <p>a) 0.8 ha (1.98 ac)</p> <p>b) The minimum size of parcels designated with the letter “p” is the number indicated on the Land Use Map</p> <p>c) Notwithstanding b), the number following the “p” shall not be less than 0.4 ha (0.98 ac).</p>
Consistent	Should the land use amendment be supported, the proposed future parcel configuration meets the minimum parcel size requirement of the R-CRD district.