

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.

Rocky View County / City of Calgary Intermunicipal Development Plan (IDP)	
Introduction	
1.0	<i>The Plan Area, shown in Map 1, is divided into two parts:</i> <ol style="list-style-type: none"> 1. <i>The Policy Area contains areas immediately adjacent to the shared border. The policies contained in this plan apply in this area, including the circulation and referral process as described in Section 15.1; and</i> 2. <i>The second part of the Plan Area is the Notification Zone which is not immediately adjacent to the shared boundary but is an important area for intermunicipal communication. The Notification Zone provides The City of Calgary with the opportunity to comment on land use policies and applications circulated from Rocky View County. Although the policies of this plan do not apply to the Notification Zone, The City of Calgary is encouraged to provide comment with respect to issues affecting the Notification Zone.</i>
Consistent	The application was circulated to the city in accordance with Map 1, as subject parcel is located within the notification zone identified in proximity to the Elbow River. Although the policies of this Plan do not apply to the Notification Zone, the city of Calgary has been provided the opportunity to comment accordingly. Comments have been addressed within the report.

Municipal Development Plan (County Plan)	
Managing Residential Growth – Agricultural Area	
5.10	<i>Residential development in the agricultural area shall be guided by the goals and policies of this Plan.</i>
Inconsistent	The application is inconsistent with the relevant policies of Section 8.0 and 10.0 as further outlined below, therefore does not comply with policy 5.10. The subject parcel does not meet the definition of a first parcel out, no new or distinct agricultural operation is proposed, and the application cannot be considered under fragmented quarter section provisions of the plan as there are fewer than 6 parcels less than 24.7 acres in size within the quarter.
5.11	<i>Support first parcel out residential and agricultural subdivision in the agricultural area as per the policies of this Plan (section 8).</i>
Not Applicable	The subject parcel is located within a quarter section which does not meet the definition of a previously unsubdivided quarter section.
Agriculture – First Parcel Out	
8.17	<i>A subdivision to create a first parcel out that is a minimum of 1.60 hectares (3.95 acres) in area should be supported if the proposed site:</i> <ol style="list-style-type: none"> a. <i>meets the definition of a first parcel out;</i> b. <i>has direct access to a developed public roadway;</i> c. <i>has no physical constraints to subdivision;</i>

	<p>d. <i>minimizes adverse impacts on agricultural operations by meeting agriculture location and agriculture boundary design guidelines; and</i></p> <p>e. <i>the balance of the un-subdivided quarter section is maintained as an agricultural land use.</i></p>
Not Applicable	The subject lands do not meet the definition of an unsubdivided quarter section due to previous registration of the Mountain River Estates subdivision - Plan No. 681LK.
Agriculture – Redesignation and Subdivision for Agricultural Purposes	
8.18	<p><i>Redesignation and subdivision to smaller agriculture parcels as a new or distinct agricultural operation may be supported. Proposals will be evaluated on the following criteria:</i></p> <p>a. <i>A similar pattern of nearby small agricultural operations;</i></p> <p>b. <i>A planning rationale justifying why the existing land use and parcel size cannot accommodate the new or distinct agricultural operation;</i></p> <p>c. <i>A demonstration of the need for the new agriculture operation;</i></p> <p>d. <i>An assessment of the proposed parcel size and design, to demonstrate it is capable of supporting the new or distinct agricultural operation. Site assessment criteria include:</i></p> <p style="padding-left: 40px;">i. <i>suitable soil characteristics and topography;</i></p> <p style="padding-left: 40px;">ii. <i>suitable on-site infrastructure for the proposed use. Required infrastructure may include access areas, water wells, irrigation and sewage infrastructure, and manure management capability; and</i></p> <p style="padding-left: 40px;">iii. <i>compatibility with existing uses on the parent parcel and adjacent lands;</i></p> <p>e. <i>An assessment of the impact on, and potential upgrades to, County infrastructure; and</i></p> <p>f. <i>An assessment of the impact on the environment including air quality, surface water, and groundwater.</i></p>
Not Applicable	The application does not contemplate the creation of a new or distinct agricultural operation – the proposed parcel size, configuration, and land use designation (R-RUR p3.4) does not support intensive agricultural operations.
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 subject lands are partially located within the recently adopted Springbank ASP. Review of the relevant policies pertaining to the application is further outlined below.
10.2	<i>Country residential development in the agriculture area shall be guided by the goals and policies of this Plan.</i>
Inconsistent	The subject lands are partially located within the agricultural area of the County (Map 1). The application does not align with the County’s environmental, fiscal, and community goals.
10.4	<i>Country residential development shall address the development review criteria identified in section 29.</i>
Inconsistent	In accordance with policy 29.1, the subject application does not meet the technical requirements of the Servicing Standards, therefore conflicting with Policy 10.4.
Country Residential Development – Fragmented Country Residential Areas	
10.13	<p><i>Subdivision of residential lots or small agricultural parcels within a fragmented quarter section may be supported if:</i></p> <p>a. <i>a lot and road plan acceptable to the County has been provided;</i></p> <p>b. <i>the application area has the appropriate land use designation; and</i></p> <p>c. <i>the conditions of subdivision implement the lot and road plan.</i></p>

Not Applicable	The subject lands do not meet the definition of a Fragmented Quarter Section, therefore further development should be evaluated pursuant to the Agricultural goals and policies of the Plan.
Reserves – Municipal, School, and Community Reserves	
13.4	<i>Reserves should be provided to the maximum amount allowed by the Municipal Government Act.</i>
Generally Consistent	Should the Subdivision Authority be minded to approve the application, the provision of Municipal Reserve in accordance with the Municipal Government Act shall be provided as cash-in-lieu payment equivalent to 10% of the value as stipulated in the submitted appraisal.
Transportation Road Planning and Development	
16.7	<i>New development shall make use of and extend the existing transportation network/infrastructure.</i>
Inconsistent	The proposed parcel configuration does not include access to a developed County road for the remainder Lot 2. The extension of existing County infrastructure (Range Road 33) to support the proposal is not feasible due to topographical constraints (Attachment A) as well as environmental considerations – proximity to the Elbow River and identified Floodway.
Transportation – Road Access	
16.13	<i>Residential redesignation and subdivision applications should provide for development that:</i> <i>a. provides direct access to a road, while avoiding the use of panhandles;</i> <i>b. minimizes driveway length to highways/roads;</i> <i>c. removes and replaces panhandles with an internal road network when additional residential development is proposed; and</i> <i>d. limits the number and type of access onto roads in accordance with County Policy.</i>
Inconsistent	The only viable alternative to extension of Range Road 33 which provides direct frontage to a developed County Road for both of the proposed lots is discouraged as it would involve amending the parcel configuration to include a panhandle for access to the remainder Lot 2.
Utility Services – Water Supply	
17.6	<i>Water well performance and deliverability testing shall be required of all development relying on ground water, in accordance with the requirements of the Water Act.</i>
Generally Consistent	Proof of groundwater availability would be considered through the conditions of subdivision approval in alignment with the alternate direction (Attachment F).
Utility Services – Wastewater Management	
17.11	<i>Wastewater treatment systems shall not exceed the land's carrying capacity; in developing such systems, consideration shall be given to the following requirements:</i> <i>a. Development proponents shall assess the land's carrying capacity to determine system requirements in accordance with County Policy. The type of private on-site wastewater treatment system will be dependent on lot density, lot size, and soil capability.</i> <i>b. Construction and connection to a regional or decentralized wastewater treatment system shall be required when the density of development exceeds thresholds identified in County Policy.</i>

Generally Consistent	The application provided a Level 4 PSTS assessment identifying the suitability and capacity of the land to support wastewater treatment for the proposed Lot 1. The report has been evaluated by Administration (Attachment C) and no concerns are outstanding.
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Bylaw C-8568-2024 - Springbank Area Structure Plan	
Land Use Policies – Residential	
8.03	<i>Lands suitable for residential development are classified into two categories: Infill residential and New residential with defined boundaries as shown on Map 6. a) in accordance with Policies 26.19 and 26.20, the County will review the defined boundaries of the above residential categories and amend the areas as necessary.</i>
Generally Consistent	The portion of the subject lands within the Springbank ASP is identified within the New Residential classification area shown on Map 6.
8.06	<i>The use of panhandles to provide access to residential parcels is discouraged and shall only be permitted if it can be demonstrated that there are no other viable alternatives to access a single proposed lot.</i>
Inconsistent	The extension of the adjacent Range Road 33 in this area may not be feasible due to topographical constraints. Construction in this proximity to identified floodway of the Elbow River may negatively impact an environmentally sensitive area. Given the topographical constraints noted, a panhandle configuration providing access to the remainder Lot 2 may be permitted in this instance. The proposed parcel configuration does not provide direct access to County Road for the remainder 58.09 ha (143.54 ac) parcel.
8.12	<i>A conceptual scheme is not required for agricultural development or residential development within the New Residential Areas as identified on Map 6: Land Use Strategy when all of the following conditions are met: a) direct road access is available, without the use of a panhandle; b) one (1) lot is being created from the parent parcel in place at time of adoption of this Plan; c) the proposed lot is ± 0.8 ha (± 1.98 acres) or greater in size; and d) the creation of the new lot will not adversely affect or impede future subdivision of the balance lands.</i>
Inconsistent	The application aligns with parts b) and c) as the creation of one lot exceeding the size restriction is contemplated. However, the application does not align with parts a) and d) as direct road access is not available for the proposed remainder Lot 2 without the use of a panhandle configuration, and the remainder Lot 2 is not supported to be developed due to being located entirely within the Floodway identified on Map 9.
8.20	<i>With the exception of subdivisions which meet the criteria in Policy 8.12, no land use redesignation, subdivision, or development within the lands identified as New Residential on Map 6 will occur unless a conceptual scheme in accordance with the provisions of this Plan, is approved by Council, and is appended to the Plan.</i>
Inconsistent	The proposed subdivision does not meet the criteria of Policy 8.12.
Land Use Policies – Flood Risk Management	
25.01	<i>No development in the Plan area shall take place within the floodway or flood fringe of the Bow and Elbow River, with the following exceptions: a) essential roads and bridges that have to cross the flood risk area; b) flood or erosion protection measures or devices;</i>

	<ul style="list-style-type: none"> c) <i>pathways that are constructed level with the existing natural grades;</i> d) <i>recreation facilities, provided there are no buildings, structures, or other obstructions to flow within the floodway; and</i> e) <i>essential utility infrastructure that has to be located in the flood risk area for operational reasons.</i>
Inconsistent	The application effectively creates a lot (remainder Lot 2) which is located exclusively within the identified Floodway on Map 9, therefore any proposed development within the boundaries of Lot 2 would be within the Floodway. The extension of Range Road 33 in this area is not desirable due to topographical constraints, and proximity to environmentally significant features of the Elbow River.
Implementation	
26.03	<p><i>When considering applications for subdivision approval, the County should evaluate tentative plans of subdivision in terms of the following considerations:</i></p> <ul style="list-style-type: none"> a) <i>the natural condition of the lands proposed for subdivision and the manner in which these conditions (i.e. topography, environmentally sensitive areas, etc.) have been integrated into the design of the tentative plan of subdivision;</i> b) <i>the serviceability of the proposed parcels by private and public utilities;</i> c) <i>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> d) <i>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> e) <i>the intensification potential of the Tentative Plan of Subdivision and the flexibility of the proposed design to accommodate future subdivision;</i> f) <i>the conformity of the Tentative Plan of Subdivision with any local plan prepared and/or adopted pursuant to the provisions of this Plan;</i> g) <i>the design of the proposed road system having regard for Municipal Engineering Standards and integration with the Municipal and Provincial road hierarchy;</i> h) <i>conformity to this Plan, which may necessitate an amendment to the Plan; and</i> i) <i>any other matter referenced within this Plan or deemed appropriate by the County.</i>
Inconsistent	The environmental and topographical context in the area suggests limited potential for development without impacting environmentally sensitive areas. The proposed parcel configuration presents access challenges as discussed above and is therefore not supported by Administration. There is insufficient evidence to suggest a buildable area exists on the remainder lot, and the Subdivision Authority may determine the suitability of the proposed access strategy for the remainder parcel through easement registration.

Land Use Bylaw C-8000-2020	
Residential, Rural Residential District (R-RUR p3.4)	
319	<p>MINIMUM PARCEL SIZE:</p> <ul style="list-style-type: none"> a) 1.6 ha (3.95 ac) b) The minimum size of parcels designated with the letter “p” is the number indicated on the Land Use Map

	c) Notwithstanding b), the number following the “p” shall not be less than 1.6 ha (3.95 ac)
Consistent	The proposed 3.42 hectare (\pm 8.46 acre) Lot 1 meets the minimum parcel size requirement of 3.4 hectares.
Agricultural, General District (A-GEN)	
305	<i>MINIMUM PARCEL SIZE</i> a) <i>An un-subdivided Quarter Section</i> b) <i>The portion created and the portion remaining after registration of a First Parcel Out subdivision</i> c) <i>The portion of a parcel remaining after approval of a redesignation and subdivision provided the remainder is a minimum of 20.23 ha (50.00 ac)</i>
Consistent	The proposed remainder Lot 2 58.09 hectares (\pm 143.54 acres) meets the minimum size requirement of the A-GEN district.

Municipal Government Act	
Approval of [subdivision] Application	
654(1)	<i>A subdivision authority must not approve an application for subdivision approval unless</i> a) <i>the land that is proposed to be subdivided is, in the opinion of the subdivision authority, suitable for the purpose for which the subdivision is intended,</i> b) <i>the proposed subdivision conforms to the provisions of any growth plan under Part 17.1, any statutory plan and, subject to subsection (2), any land use bylaw that affects the land proposed to be subdivided,</i> c) <i>the proposed subdivision complies with this Part and Part 17.1 and the regulations under those Parts, and</i> d) <i>all outstanding property taxes on the land proposed to be subdivided have been paid to the municipality where the land is located or arrangements satisfactory to the municipality have been made for their payment pursuant to Part 10.</i>
Inconsistent	The subject application does not align with the relevant statutory policy framework as outlined above, therefore conflicting with Section 654(1)(b). The subject land may not be suitable for subdivision under the proposed configuration subject to the Matters Related to Subdivision and Development Regulation and applicable MDP and ASP policies further outlined below.

Matters Related to Subdivision and Development Regulation	
Road Access	
11	<i>Every proposed subdivision must provide to each lot to be created by it</i> a. <i>direct access to a road as defined in section 616(aa) of the Act, or</i> b. <i>lawful means of access satisfactory to the subdivision authority.</i>
Inconsistent	The proposed parcel configuration does not include frontage to a developed County Road for the remainder Lot 2.