

PLANNING AND DEVELOPMENT SERVICES

TO: Municipal Planning Commission
Subdivision Authority

DIVISION: 6

DATE: March 24, 2021

APPLICATION: PL20200167

FILE: 08501007

SUBJECT: Subdivision Item - Creation of One Residential Lot

APPLICATION: To create a ± 1.62 hectare (± 4.00 acre) parcel (Lot 1) with a ± 7.82 hectare (± 19.33 acre) remainder (Lot 2).

GENERAL LOCATION: Located approximately 2.5 miles north of the city of Airdrie, at the southeast intersection of Township Road 280A and Dickson Stevenson Trail.

LAND USE DESIGNATION: Residential, Rural District (R-RUR p4.0) and Agricultural, Small Parcel District (A-SML p8.1)

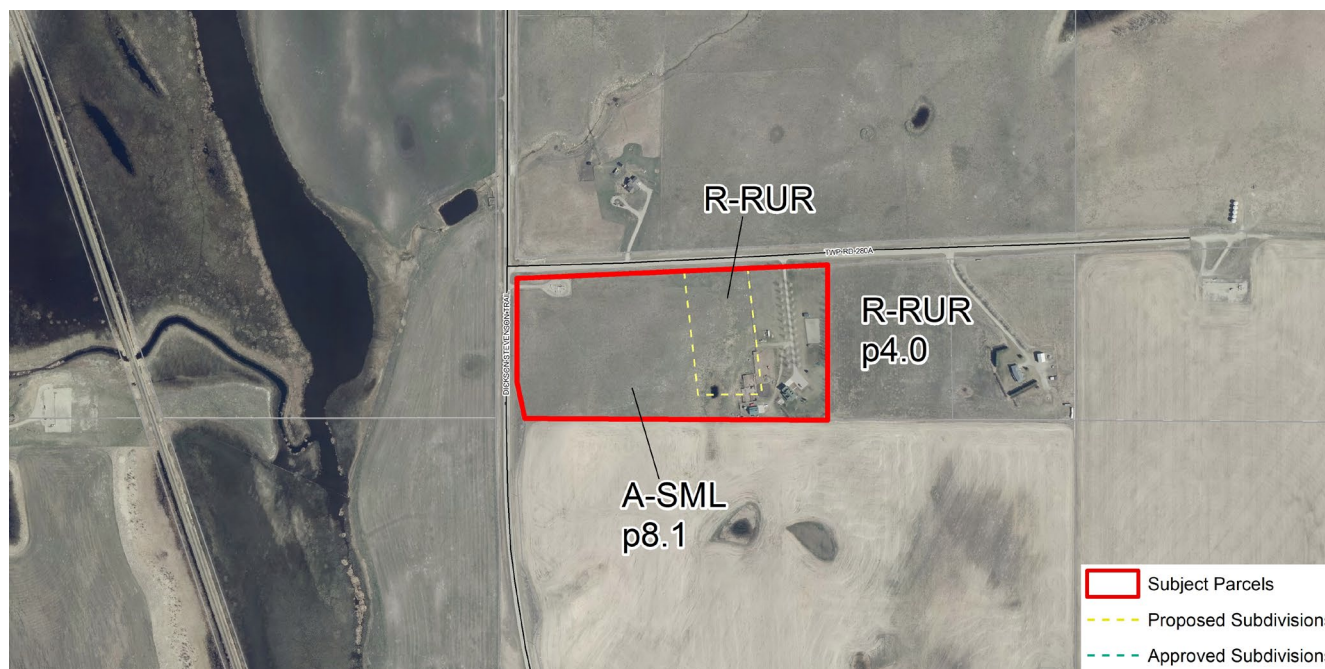
ADMINISTRATION RECOMMENDATION: Administration recommends approval as per Option #1.

OPTIONS:

Option #1: THAT Subdivision Application PL20200167 be approved with the conditions noted in Appendix 'A'.

Option #2: THAT Subdivision Application PL20200167 be refused as per the reasons noted

AIR PHOTO & DEVELOPMENT CONTEXT:



Administration Resources

Xin Deng, Planning and Development Services



APPLICATION EVALUATION:

The application was evaluated based on the technical reports submitted with the application and the applicable policies and regulations.

<p>APPLICABLE POLICY AND REGULATIONS:</p> <ul style="list-style-type: none"> • <i>Municipal Government Act;</i> • Subdivision and Development Regulations; • County Plan; • Land Use Bylaw; and • County Servicing Standards. 	<p>TECHNICAL REPORTS SUBMITTED:</p> <ul style="list-style-type: none"> • Level 2 PSTS Assessment (Sedulous Engineering Inc. November 2, 2020) • Appraisal Report (Sage Appraisals, December 31, 2020)
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Transportation:

The proposed new lot (Lot 1) will be accessed through the proposed new approach off Range Road 280A. As a condition of this subdivision, the Applicant is required to construct a new gravel approach, and also provide payment of the Transportation Off-Site Levy for Lot 1.

Water and Wastewater:

The remainder is serviced by an existing water well and private sewage treatment system. The proposed new lot would be serviced in the same method. The Applicant submitted a Level II PSTS Assessment which concluded that the new lot is suitable for conventional private sewage treatment system. As a condition of this subdivision, the Applicant is required to provide a Waste Driller's Report for the new lot.

Stormwater:

Drainage will be managed on-site. As a condition of this subdivision, the Applicant is required to prepare a site-specific stormwater management plan.

Municipal Reserve

Municipal Reserve is owing for the subject land. As a condition of this subdivision, the Applicant is required to pay cash in lieu payment for the outstanding Municipal Reserve.

Payments and Levies

APPLICABLE FEE/LEVY	AMOUNT OWING (ESTIMATE)
TRANSPORTATION OFFSITE LEVY	\$18,380 Base Levy = \$4595/ac x 4 ac = \$18,380
MUNICIPAL RESERVE (cash in lieu payment)	\$6000 Market value \$15,002/ac (shown on the appraisal report) x 4 ac x 10% = \$6000

Sour Gas Pipelines

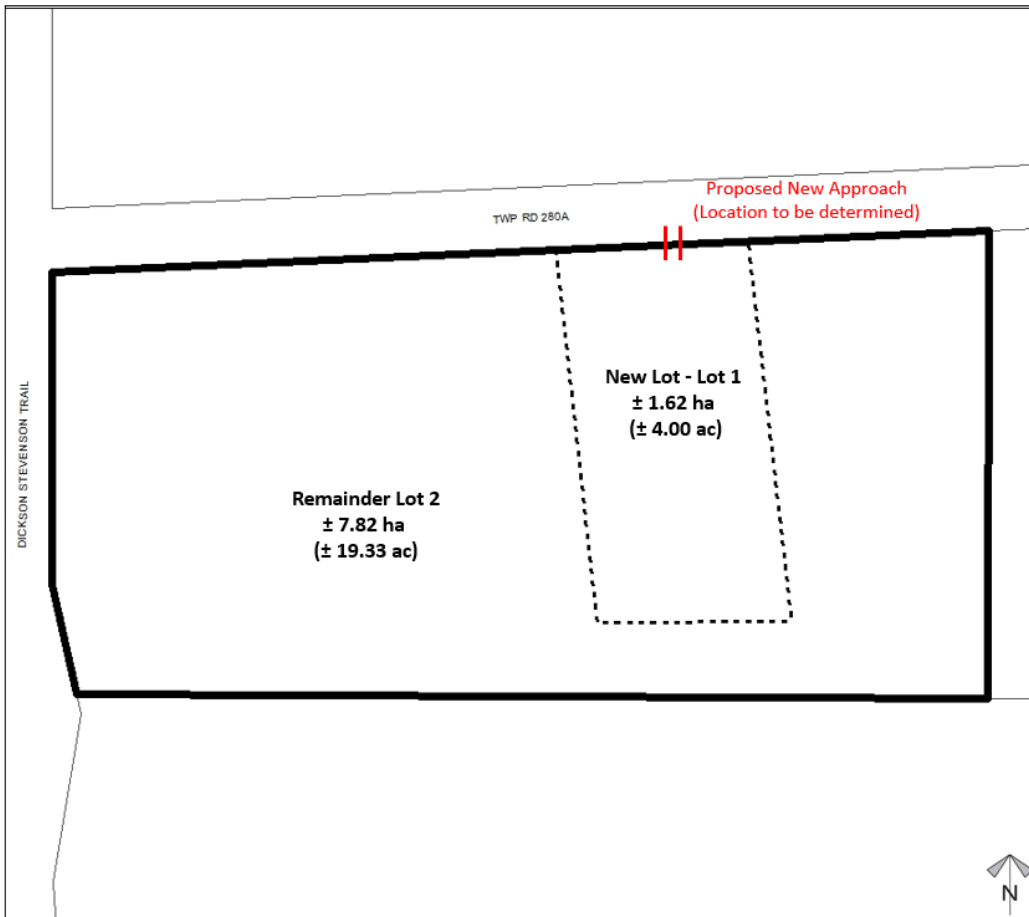
As shown on the map, there are sour gas pipelines running in the northern and western portion of the subject land. The pipeline owner TAQA North Ltd. indicated that permanent dwellings should not be built within the 100 meter setback from the pipeline right of way, with the exception of the water well and private sewage treatment system. As a condition of subdivision, the Applicant is required to contact TAQA North and register all of required utility agreements to their satisfaction.



Land Use Bylaw

The proposed new lot is designated to Residential, Rural District (R-RUR) after Council approved their redesignation application (PL20190006) on July 21, 2020. Given the required 100 m setback from the pipeline to the north, and a 7 m rear yard setback from the proposed southern property line, the building envelope area would be limited, but still able to accommodate a new dwelling (refer to the maps).

Tentative Plan






Tentative Plan

Subdivision Proposal

To create a ± 1.62 hectare (± 4.00 acre) parcel (Lot 1) with a ± 7.82 hectare (± 19.33 acre) remainder (Lot 2)

Legend

- Dwelling 
- Building 
- Water Well 
- Wastewater 
- Existing Approach 
- New Approach 
- Driveway 
- Road Widening 
- Road Acquisition 

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: 6
Roll: 06501007
File: PL20200167
Legal: Block 2
Plan: 9310095;
NW-01-28-01-W05M

Printed: November 7, 2020



CONCLUSION:

Subject to the proposed conditions of approval, the application is recommended for approval in accordance with Option #1.

Respectfully submitted,

Concurrence,

“Theresa Cochran”

“Al Hoggan”

Executive Director
Community Development Services

Chief Administrative Officer

XD/lt

ATTACHMENTS:

ATTACHMENT ‘A’: Approval Conditions

ATTACHMENT ‘B’: Maps and Other Information



ATTACHMENT 'A': APPROVAL CONDITIONS

- A. The application to create a ± 1.62 hectare (± 4.00 acre) parcel (Lot 1) with a ± 7.82 hectare (± 19.33 acre) remainder (Lot 2) within Block 2, Plan 9310095, NW-01-28-01-W05M having been evaluated in terms of Section 654 of the *Municipal Government Act* and Section 7 of the Subdivision and Development Regulations, 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. 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.

Transportation and Access

- 2) The Owner shall construct a new gravel approach off Township Road 280A in order to provide access to Lot 1.

Site Servicing

- 3) Water is to be supplied by an individual well on Lot 1. The subdivision shall not be endorsed until:
 - a) The Owner has provided a Well Driller's Report to demonstrate that an adequate supply of water is available for Lot 1.
 - b) Verification is provided that each well is located within each respective proposed lot's boundaries.
 - c) It has been demonstrated that the new well is capable of supplying a minimum of one (1) IGPM of water for household purposes.

Stormwater

- 4) The Owner is to provide Site-Specific Stormwater Management Plan for Lot 1, which meets the requirements outlined in the Nose Creek Watershed Water Management Plan and



ROCKY VIEW COUNTY

County's Servicing Standards. Implementation of the Stormwater Management Plan shall include:

- a) Registration of any required easements and/or utility rights-of-way;
- b) Should the Site-Specific Stormwater Management Plan indicate that improvements are required, the Applicant/Owner shall enter into a Development Agreement (Site Improvements/Services Agreement) with the County.

Municipal Reserve

- 5) The provision of Municipal Reserve in the amount of 10% of the gross area of Lot 1 as determined by the Plan of Survey, is to be provided by payment of cash-in-lieu, in accordance with the per acre value as listed in the land appraisal prepared by Sage Appraisals, dated December 31, 2020, pursuant to Section 666(3) of the *Municipal Government Act*.
 - a) That the Municipal Reserve dedication outstanding on the remainder Lot 2 is to be deferred by Caveat pursuant to Section 669 of the *Municipal Government Act*;

Utilities

- 6) The Owner shall contact utility provider and register required Utility Easements, Agreements and Plans on the new lot (Lot 1) (concurrent with a Plan of Survey or prior to registration) to the satisfaction of TAQA North.

Payments and Levies

- 7) The Owner shall pay the Transportation Off-Site Levy in accordance with Bylaw C-8007-2020. The County shall calculate the total amount owing for:
 - a) the total gross acreage of Lot 1 as shown on the Plan of Survey.
- 8) The Owner shall pay the County Subdivision Endorsement fee, in accordance with the Master Rates Bylaw, for the creation of one (1) new lot.

Taxes

- 9) 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*.

D. SUBDIVISION AUTHORITY DIRECTION:

- 1) Prior to final endorsement of the subdivision, the Planning Department is directed to present the Applicant/Owners with a Voluntary Recreation Contribution Form and ask them if they will contribute to the Fund in accordance with the contributions prescribed in the Master Rates Bylaw.



ATTACHMENT 'B': MAPS AND OTHER INFORMATION

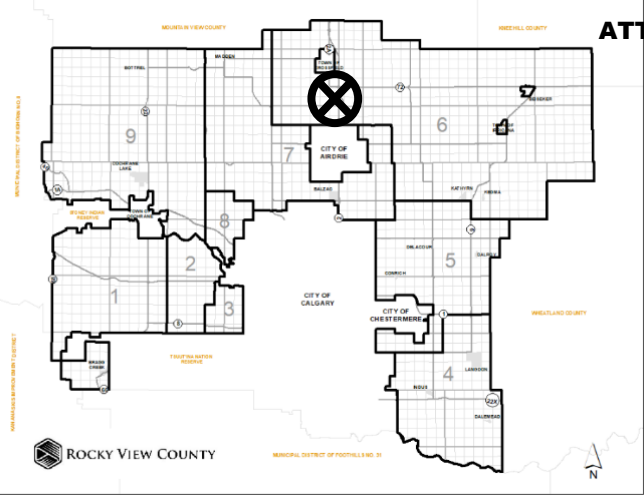
<p>APPLICANT: Katie Smith</p>	<p>OWNER: Carolyn Thomas</p>
<p>DATE APPLICATION RECEIVED: December 3, 2020</p>	<p>DATE DEEMED COMPLETE: December 31, 2020</p>
<p>GROSS AREA: ± 9.44 hectares (± 23.33 acres)</p>	<p>LEGAL DESCRIPTION: Block 2, Plan 9310095, NW-01-28-01-W05M</p>
<p>APPEAL BOARD: Development and Subdivision Appeal Board</p>	
<p>HISTORY:</p> <p>July 21, 2020 Council approved redesignation application PL20190006, to redesignate a portion of the land from Agricultural Holdings District to Residential Two District, in order to facilitate the future subdivision of a ± 3.95 acre parcel, with a ± 19.35 acre remainder.</p> <p>April 28, 1992 Council approved subdivision application 1992-RV-012, to create one ± 20 acre parcel, one ± 23 acre parcel, with a ± 100 acre remainder. The subject land is ± 23 acre parcel.</p>	
<p>PUBLIC & AGENCY SUBMISSIONS:</p> <p>The application was circulated to 13 adjacent landowners. No letters were received.</p> <p>The application was also circulated to a number of internal and external agencies and, where appropriate, conditions of approval have been proposed based on these comments.</p>	

Location & Context

Subdivision Proposal

To create a ± 1.62 hectare (± 4.00 acre) parcel with a ± 7.82 hectare (± 19.33 acre) remainder

ATTACHMENT 'B': MAPS AND OTHER INFORMATION



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Development Proposal

Subdivision Proposal

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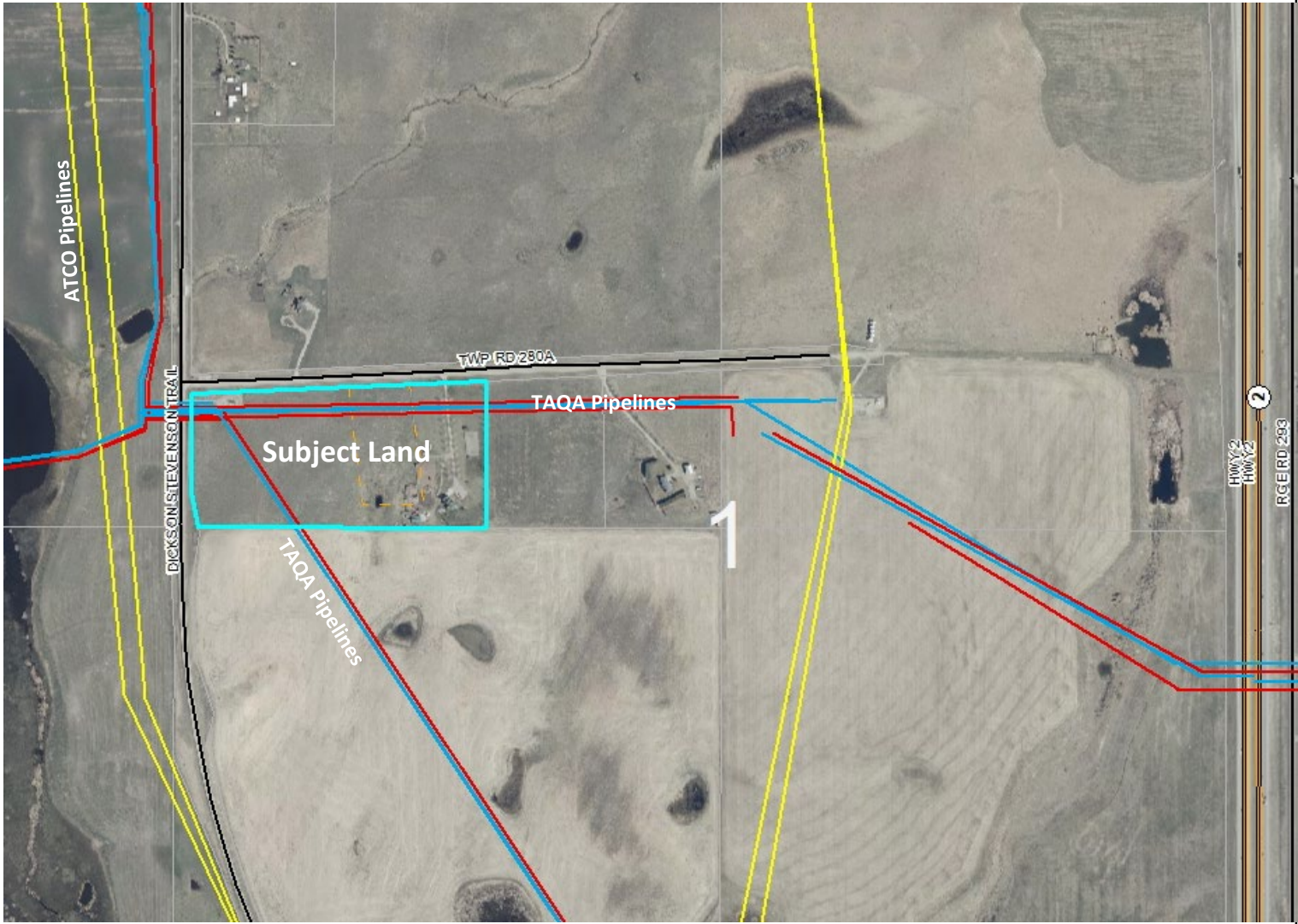
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Sour Gas & Natural Gas Pipelines Nearby

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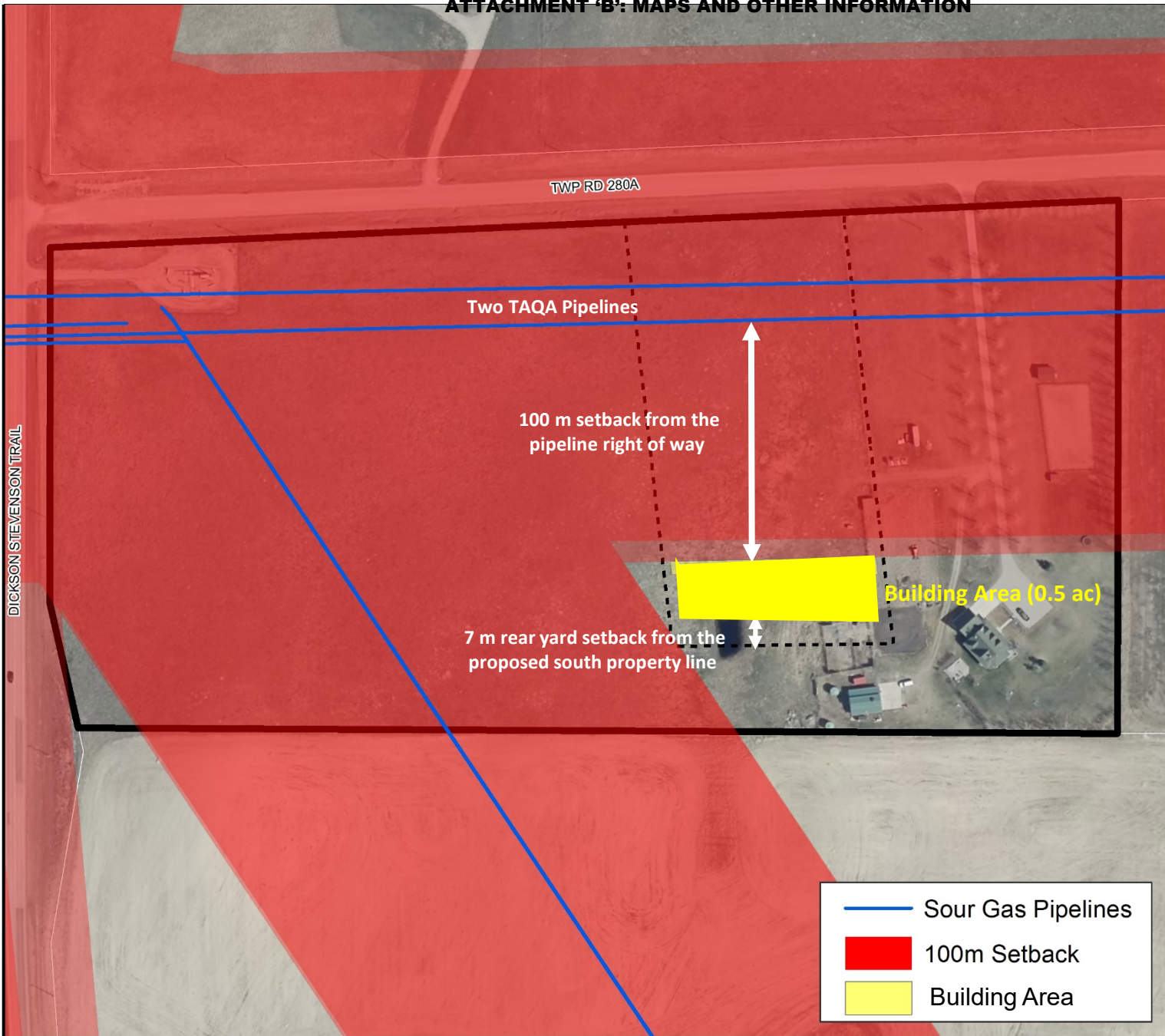
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Setbacks & Building Area

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Environmental

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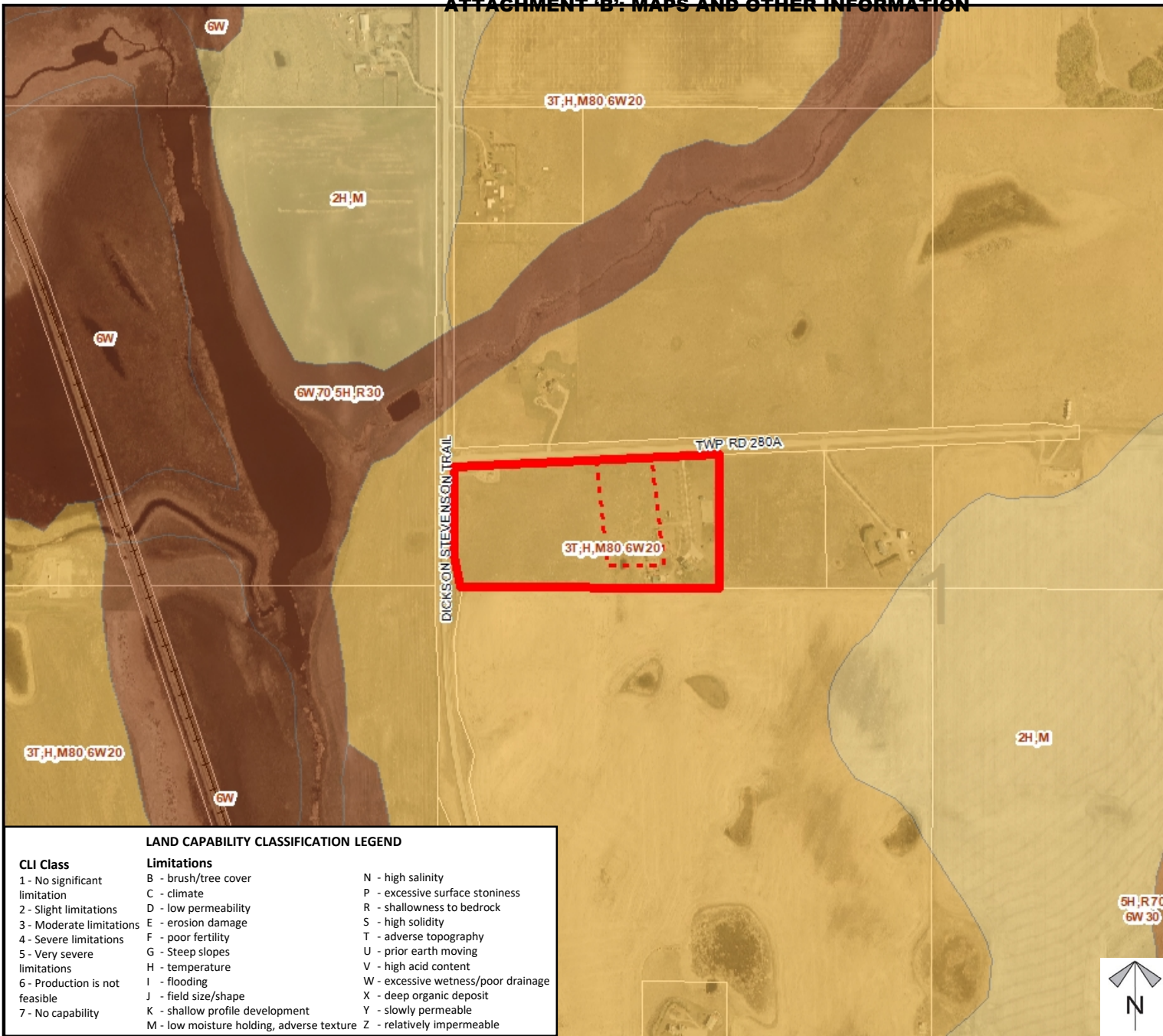
-  Subject Lands
-  Contour - 2 meters
-  Riparian Setbacks
-  Alberta Wetland Inventory
-  Surface Water

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Soil Classifications

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LAND CAPABILITY CLASSIFICATION LEGEND

CLI Class	Limitations	
1 - No significant limitation	B - brush/tree cover	N - high salinity
2 - Slight limitations	C - climate	P - excessive surface stoniness
3 - Moderate limitations	D - low permeability	R - shallowness to bedrock
4 - Severe limitations	E - erosion damage	S - high solidity
5 - Very severe limitations	F - poor fertility	T - adverse topography
6 - Production is not feasible	G - Steep slopes	U - prior earth moving
7 - No capability	H - temperature	V - high acid content
	I - flooding	W - excessive wetness/poor drainage
	J - field size/shape	X - deep organic deposit
	K - shallow profile development	Y - slowly permeable
	M - low moisture holding, adverse texture	Z - relatively impermeable

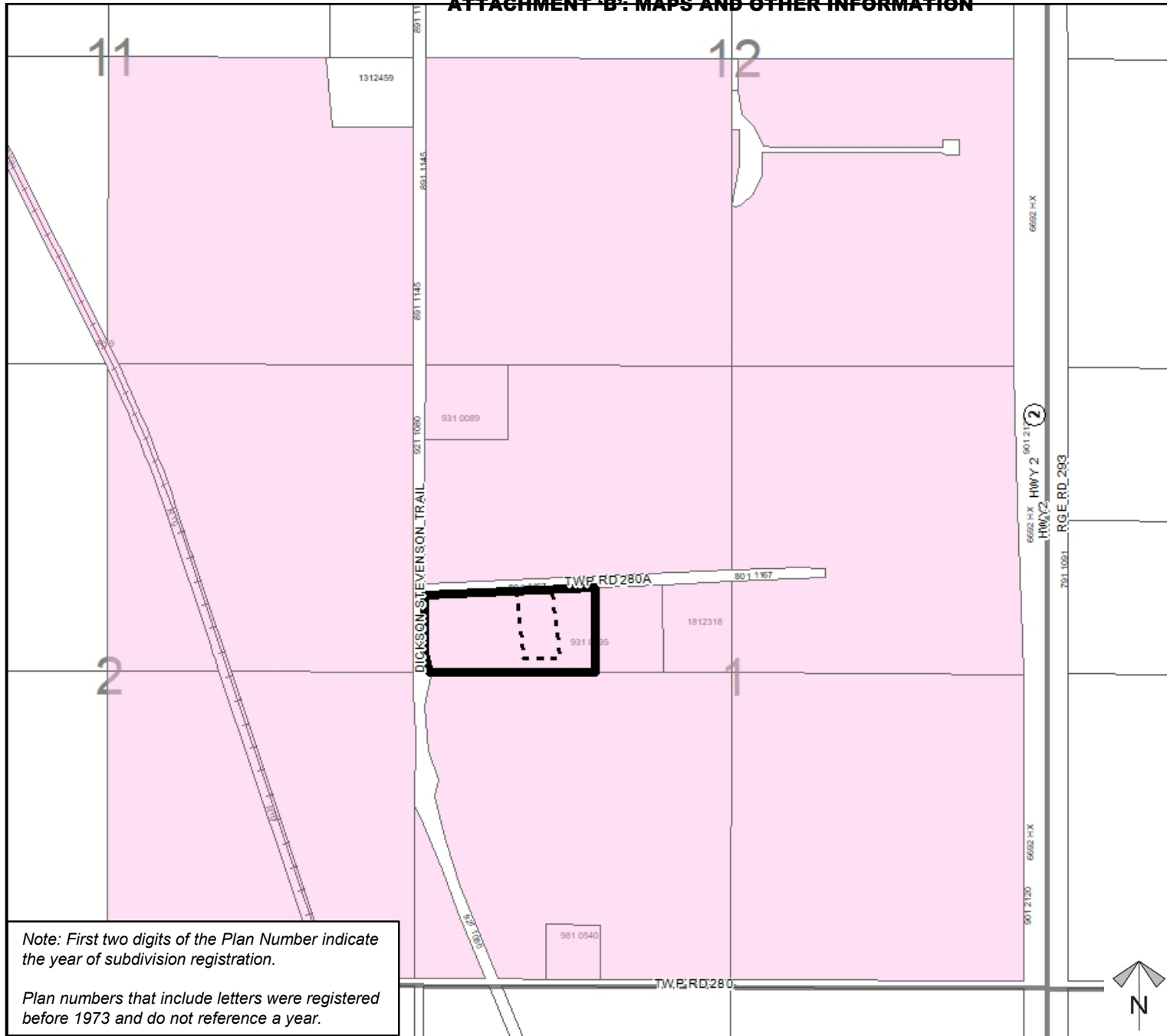


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Landowner Circulation Area

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Note: First two digits of the Plan Number indicate the year of subdivision registration.

Plan numbers that include letters were registered before 1973 and do not reference a year.

Legend

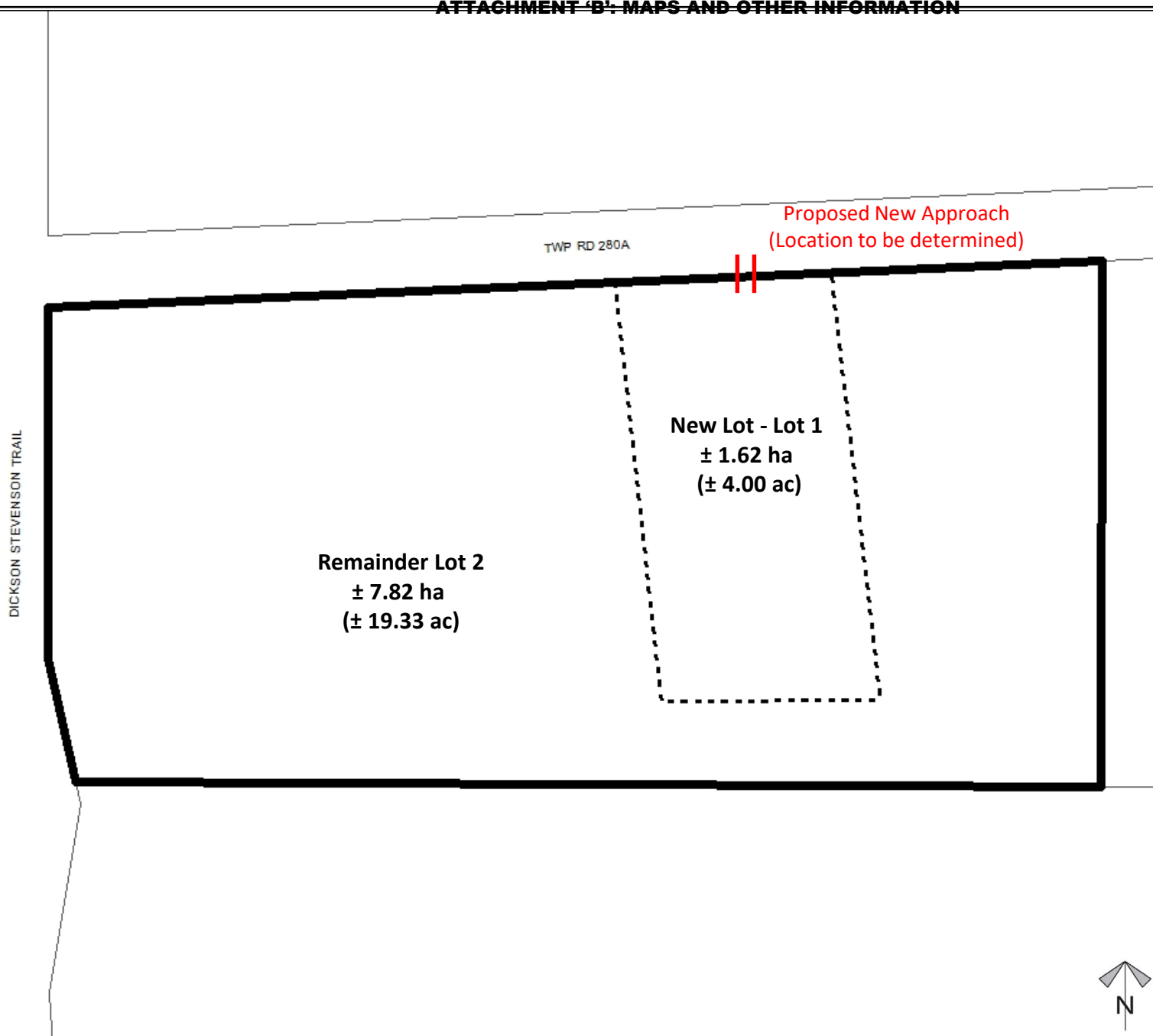
- Support 
- Opposition 

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Tentative Plan

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Surveyor's Notes:

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