

PLANNING AND DEVELOPMENT SERVICES

TO: Municipal Planning Commission
Subdivision Authority

DATE: March 24, 2021

FILE: 06823006

SUBJECT: Subdivision Item - Creation of Three New Residential Lots

DIVISION: 9

APPLICATION: PL20200108

APPLICATION: To create three \pm 1.62 hectare (\pm 4.00 acre) parcels (Lots 1-3) with a \pm 2.76 hectare (\pm 6.82 acre) remainder (Lot 4).

GENERAL LOCATION: Located within the Cochrane North Area Structure Plan, approximately 0.4 km (0.25 mile) west of Range Road 41 on the south side of Camden Lane.

LAND USE DESIGNATION: Residential, Rural District (R-RUR)

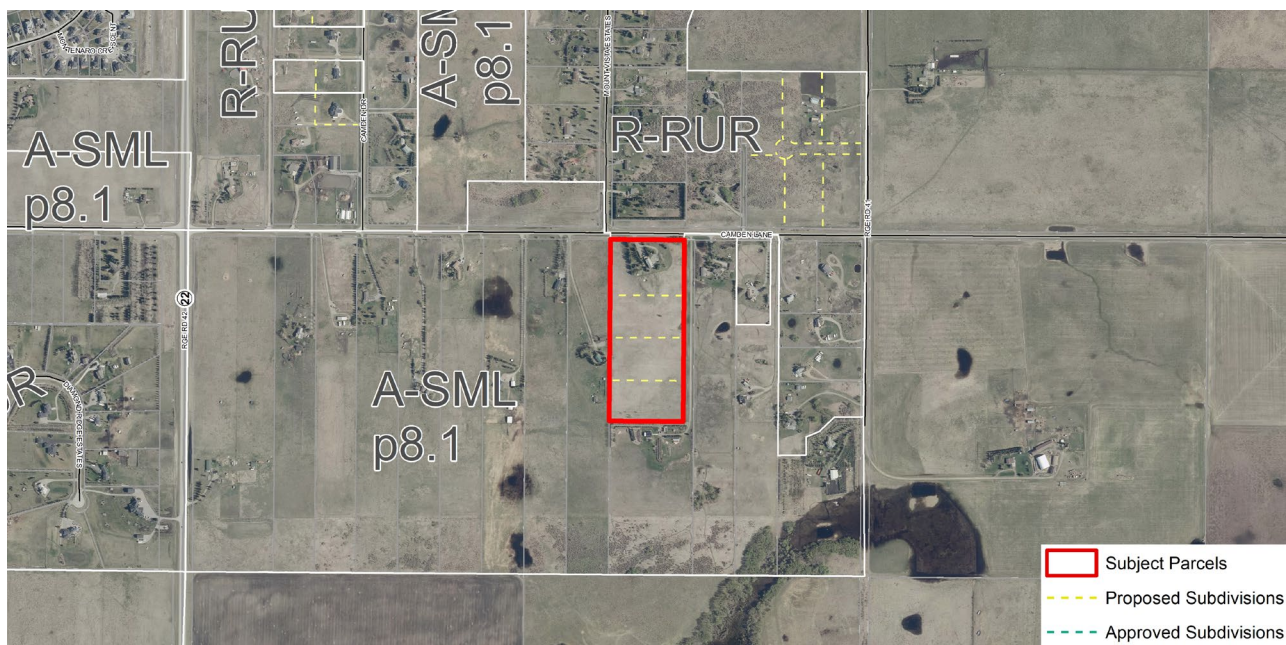
ADMINISTRATION RECOMMENDATION: Administration recommends approval as per Option #1.

OPTIONS:

Option #1: THAT Subdivision Application PL20200108 be approved with the conditions noted in Appendix 'A'.

Option #2: THAT Subdivision Application PL20200108 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.

APPLICABLE POLICY AND REGULATIONS: <ul style="list-style-type: none"> • <i>Municipal Government Act;</i> • Subdivision and Development Regulations; • County Plan; • Cochrane North Area Structure Plan; • Land Use Bylaw; and • County Servicing Standards. 	TECHNICAL REPORTS SUBMITTED: <ul style="list-style-type: none"> • Appraisal Report (Wallace Appraisal Services, September 17, 2020) • Phase 1 Groundwater Supply Evaluation (Solstice Environmental Management, September 28, 2020) • Level 3 PSTS Assessment (Solstice Environmental Management, October 22, 2020) • Site-Specific Stormwater Management Plan (Stormwater Solutions, October 30, 2020)
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Transportation:

The remainder lot (Lot 4) contains a dwelling that has direct access to Camden Lane. The proposed three new lots (Lots 1-3) would be accessed from a new internal subdivision road. The internal road would be built by converting the existing 25 m panhandle on the adjacent lands to a public road allowance using the existing Road Acquisition Agreement. As the adjacent lands have the potential for further subdivision, the construction of the internal subdivision road would benefit this potential development, and thus, the cost of road construction should be shared by adjacent landowners through a cost recovery agreement.

As a condition of this subdivision, the Owner is required to register the road right of way plan, enter into a Development Agreement for construction of an internal subdivision road and enter into a Cost Recovery Agreement. The Transportation Off-Site Levy is also triggered for the three new lots (Lots 1-3).

Water and Wastewater:

The remainder lot (Lot 4) is serviced by an existing water well and a septic tank and field. The Applicant proposes to service the three new lots (Lots 1-3) with individual water wells and private sewage treatment systems. The Phase I Groundwater Supply Evaluation indicated that there is sufficient water supply to service the proposed development. As a condition of this subdivision, the Owner is required to provide a Phase II Groundwater Study.

Stormwater:

The Applicant provided a Site-Specific Stormwater Management Plan, which recommends that drainage would be managed by construction rain gardens on the proposed three new lots. As a condition of subdivision, the Owner is required to provide an updated Site-Specific Stormwater Management Plan to include the stormwater strategy for the paved internal subdivision road and enter into a Development Agreement to implement the recommendations from the stormwater management plan.

Municipal Reserve

Municipal Reserve is owing for the subject land and would be paid by cash in lieu payment in accordance with the market value provided in the appraisal report.



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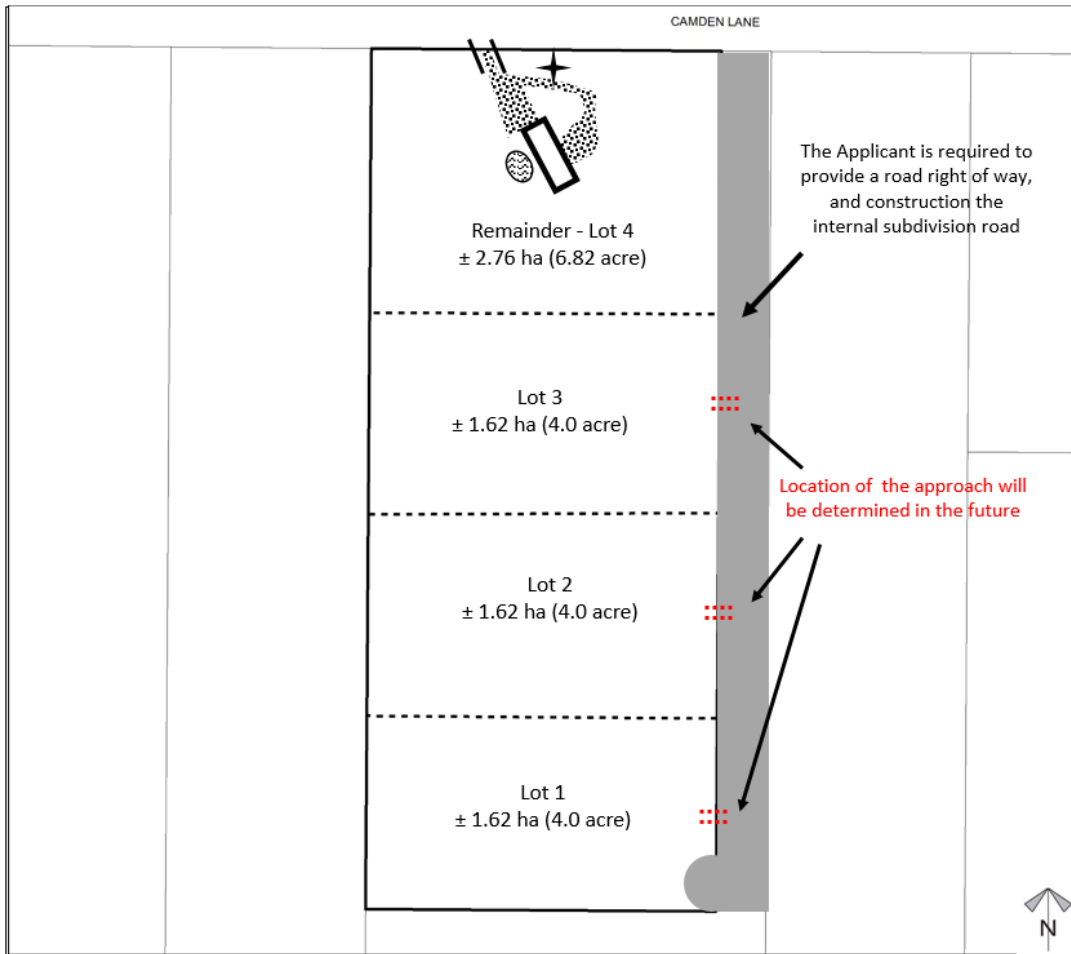
Payments and Levies

APPLICABLE FEE/LEVY	AMOUNT OWING (ESTIMATE)
TRANSPORTATION OFFSITE LEVY	\$55,140 Development Area = 3 new lots x 4 ac/lot = 12 ac Base Levy = \$4595/ac x 12 ac = \$55,140
MUNICIPAL RESERVE (cash in lieu payment)	\$56,000 Market value \$560,000 (shown on the appraisal report) x 10% = \$56,000

Cochrane North Area Structure Plan

The subject land falls within the Residential Infill C Policy Area of the Cochrane North Area Structure Plan, which requires the minimum parcel shall be four (4) acres in size. The proposed three new lots meet this requirement.

The subject quarter section contains several large lands that have the potential to be further subdivided into multiple four (4) acre parcels, as set in the Cochrane North Area Structure Plan. Construction of an internal road would facilitate future infill development and could provide linkage to a future road network.

Tentative Plan**Tentative Plan**Subdivision Proposal

To create three ± 1.62 hectare (4.0 acre) parcels with a ± 2.76 hectare (6.82 acre) remainder.



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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/llt

ATTACHMENTS:

ATTACHMENT ‘A’: Approval Conditions

ATTACHMENT ‘B’: Maps and Other Information

ATTACHMENT ‘C’: Public Submissions



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ATTACHMENT 'A': APPROVAL CONDITIONS

- A. The application to create three ± 1.62 hectare (± 4.00 acre) parcels (Lots 1-3) with a ± 2.76 hectare (± 6.82 acre) remainder (Lot 4) within Lot 1, Block 2, Plan 0913804, NE-23-26-04-W05M having been evaluated in terms of Section 654 of the *Municipal Government Act* and Section 7 and Section 14 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.
- 2) The Owner shall prepare and register all of the required documents to create the road right of way for the proposed internal subdivision road.
- 3) The Owner shall enter into an Access Easement Agreement with the County for the temporary public access through the off-site cul-de-sac bulb.

Geotechnical

- 4) The Owner shall provide a Geotechnical Investigation assessing subgrade conditions to determine the soil suitability to support the proposed subdivision and provide recommendations for the pavement structure design of the proposed internal road.

Development Agreement

- 5) The Owner shall enter into a Development Agreement with the County, pursuant to Section 655 of the *Municipal Government Act* for the following:
 - a) Construction of a new internal paved road system from Camden Lane (approximately 450 m) to a Country Residential (400.4) standard complete with a temporary off-set cul-de-sac, all necessary signage and paved approach to each lot as well as the parcel to the south (Lot 2, Block 2, Plan: 0913804) in accordance with the County Servicing Standards;



ROCKY VIEW COUNTY

- b) Appropriate tie-in of the new internal road to Camden Lane;
- c) Submission of an updated Site-Specific Stormwater Management Plan for a new paved internal road and implementation and construction of necessary stormwater facilities, in accordance with the recommendations of the approved Stormwater Management Plan including registration of any overland drainage easements and/or restrictive covenants as determined by the Stormwater Management Plan, all to the satisfaction of the County;
- d) Submission of Construction Management Plan and implementation of recommendation of the approved Construction Management Plan in accordance with County's servicing standards.
- e) Submission of Erosion & Sedimentation Control (ESC) plan and implementation of the identified ESC measures in accordance with the recommendations of the approved ESC Plan.
- f) Implementation of the recommendations of the Geotechnical Report in accordance with County's Servicing Standards.
- g) Appropriate onsite grading (if required) to facilitate drainage in accordance with the requirements of the approved Stormwater Management Plan;
- h) Mailbox locations are to be located in consultation with Canada Post to the satisfaction of the Municipality;
- i) Installation of power, natural gas, internet and communication utilities.

Transportation and Access

- 6) The Owner shall obtain approval for a road name by way of application to, and consultation with, the Rock View County;
- 7) 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 proposed internal subdivision road in accordance with Policy C-406.

Site Servicing

- 8) The Owner shall provide a Phase 2 Groundwater Report, which is to include aquifer testing and the locations of the wells on each new lot (Lots 1-3):
 - a) Confirming a minimum pump rate of 1.0 IGPM, and
 - b) The results of the aquifer testing meet the requirements of the *Water Act*; if they do not, the subdivision shall not be endorsed or registered.
- 9) The Owner is to enter into a Deferred Services Agreement with the County, to be registered on title for each proposed Lots 1-4, indicating:
 - a) Requirements for each future Lot Owner to connect to County piped water, wastewater, and stormwater systems at their cost when such services become available;
 - b) Requirements for decommissioning and reclamation once County servicing becomes available.



ROCKY VIEW COUNTY

Stormwater

- 10) The Owner shall provide an updated Stormwater Management Plan incorporating internal paved road, in accordance with the County Servicing Standards. Implementation of the Stormwater Management Plan shall include the following:
 - a) Registration of any required easements and/or utility rights-of-way;
 - b) Necessary approvals from Environment Environment for the stormwater infrastructure as required.

Site Development

- 11) The Owner shall provide a Construction Management Plan that is to include, but not be limited to, noise, sedimentation and erosion control, construction waste management, fire fighting procedures, evacuation plan, hazardous material containment, construction, and management details. Other specific requirements include:
 - a) Weed management during the construction of the project;
 - b) Implementation of the Construction Management Plan recommendations, which will be ensured through the Development Agreement;
- 12) The Owner shall provide a detailed Erosion and Sedimentation Control (ESC) Plan, prepared by a qualified professional, in accordance with the County Servicing Standards and best management practices.

Municipal Reserve

- 13) The provision of Municipal Reserve in the amount of 10% of the subject land, is to be provided by payment of cash-in-lieu in accordance with the market value listed in the appraisal report, prepared by Wallace Appraisal Services, dated September 17, 2020, pursuant to Section 666(3) of the *Municipal Government Act*.

Payments and Levies

- 14) 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 the three new lots (Lots 1-3):
- 15) The Owner shall pay the County Subdivision Endorsement fee, in accordance with the Master Rates Bylaw, for the creation of three (3) new lots.

Taxes

- 16) 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.



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ATTACHMENT 'B': MAPS AND OTHER INFORMATION

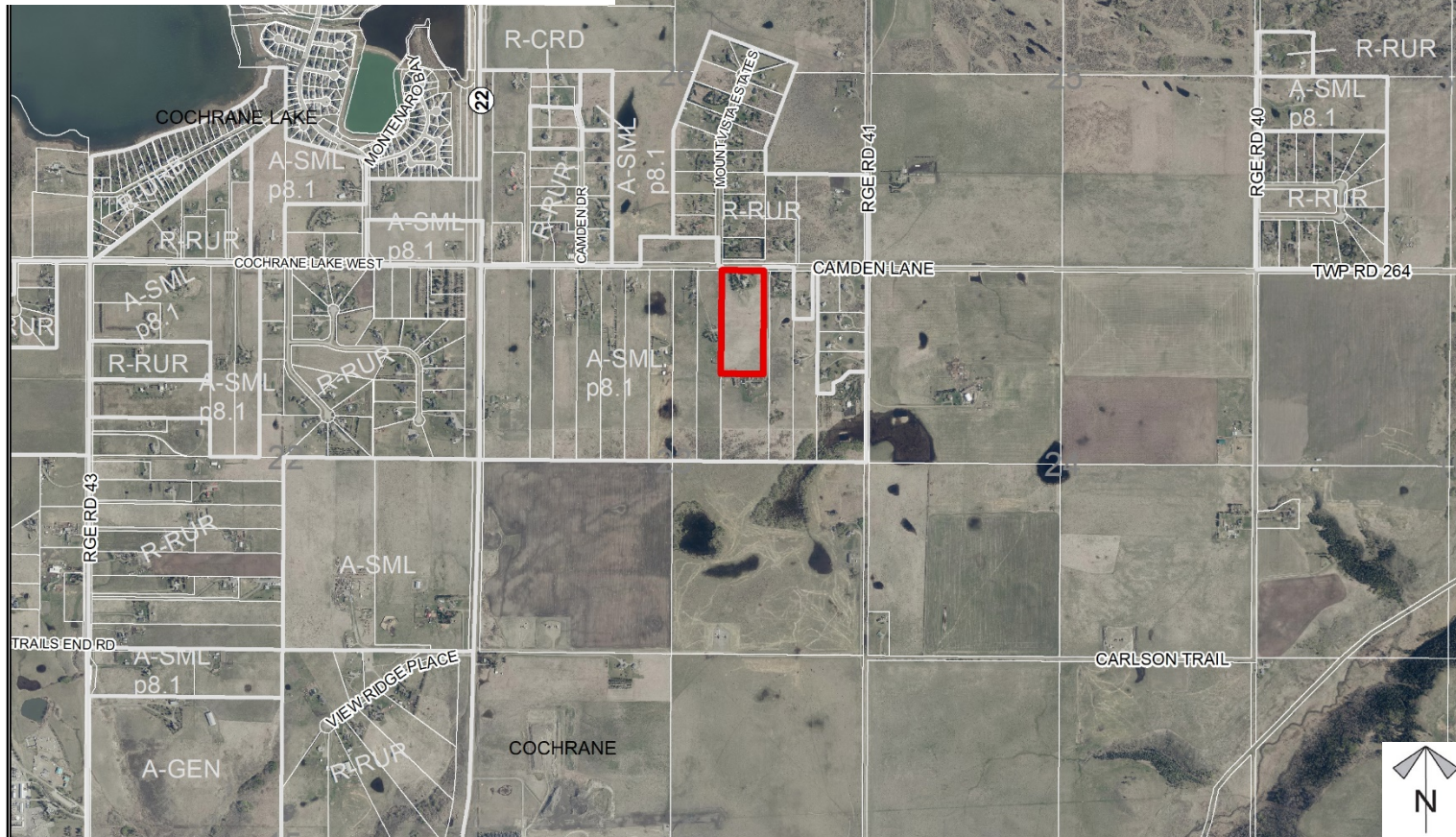
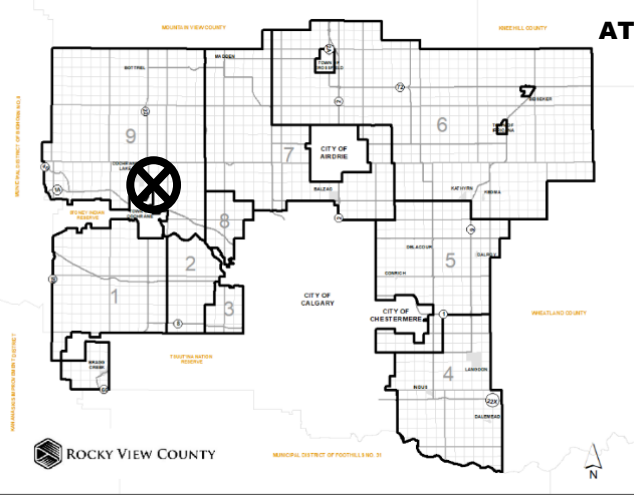
APPLICANT: Neil & Pamela Richardson, Amanda Hart, and Ian Richardson	OWNER: Neil & Pamela Richardson, Amanda Hart, and Ian Richardson
DATE APPLICATION RECEIVED: August 31, 2020	DATE DEEMED COMPLETE: October 30, 2020 (re-assigned on January 18, 2021)
GROSS AREA: ± 7.62 hectare (± 18.82 acres)	LEGAL DESCRIPTION: Lot 1, Block 2, Plan 0913804, NE-23-26-04-W05M
APPEAL BOARD: Development and Subdivision Appeal Board	
HISTORY: <div> <div>June 3, 2008</div> <div>Subdivision Authority approved subdivision application (2008-RV-060), to adjust the boundaries between two parcels to increase the width of the existing panhandle from 15 m to 25 m, in order to facilitate construction of an internal subdivision road in the future. The owners entered into a Road Acquisition Agreement through the condition of subdivision.</div> </div> <div> <div>November 6, 2007</div> <div>Council approved redesignation application (2007-RV-101), to redesignate the subject land from Agricultural Holdings District to Residential Two District, in order to facilitate the creation of four 4 acre parcels accessed by an internal road.</div> </div>	
PUBLIC & AGENCY SUBMISSIONS: The application was circulated to 85 adjacent landowners. 2 letters with concerns were received. 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.	

Location & Context

Subdivision Proposal

To create three ± 1.62 hectare (4.0 acre) parcels with a ± 2.76 hectare (6.82 acre) remainder.

ATTACHMENT 'B': MAPS AND OTHER INFORMATION



Division: 9
 Roll: 06823006
 File: PL20200108
 Legal: Lot:1, Block:2
 Plan:0913804
 NE-23-26-04-W05M
 Printed: November 9, 2020

Development Proposal

Subdivision Proposal

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Remainder - Lot 4
 ± 2.76 ha (6.82 acre)

Lot 3
 ± 1.62 ha (4.0 acre)

Lot 2
 ± 1.62 ha (4.0 acre)

Lot 1
 ± 1.62 ha (4.0 acre)

The Applicant is required to
provide a road right of way ,
and construction the internal
subdivision road



Division: 9
Roll: 06823006
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Environmental

Subdivision Proposal

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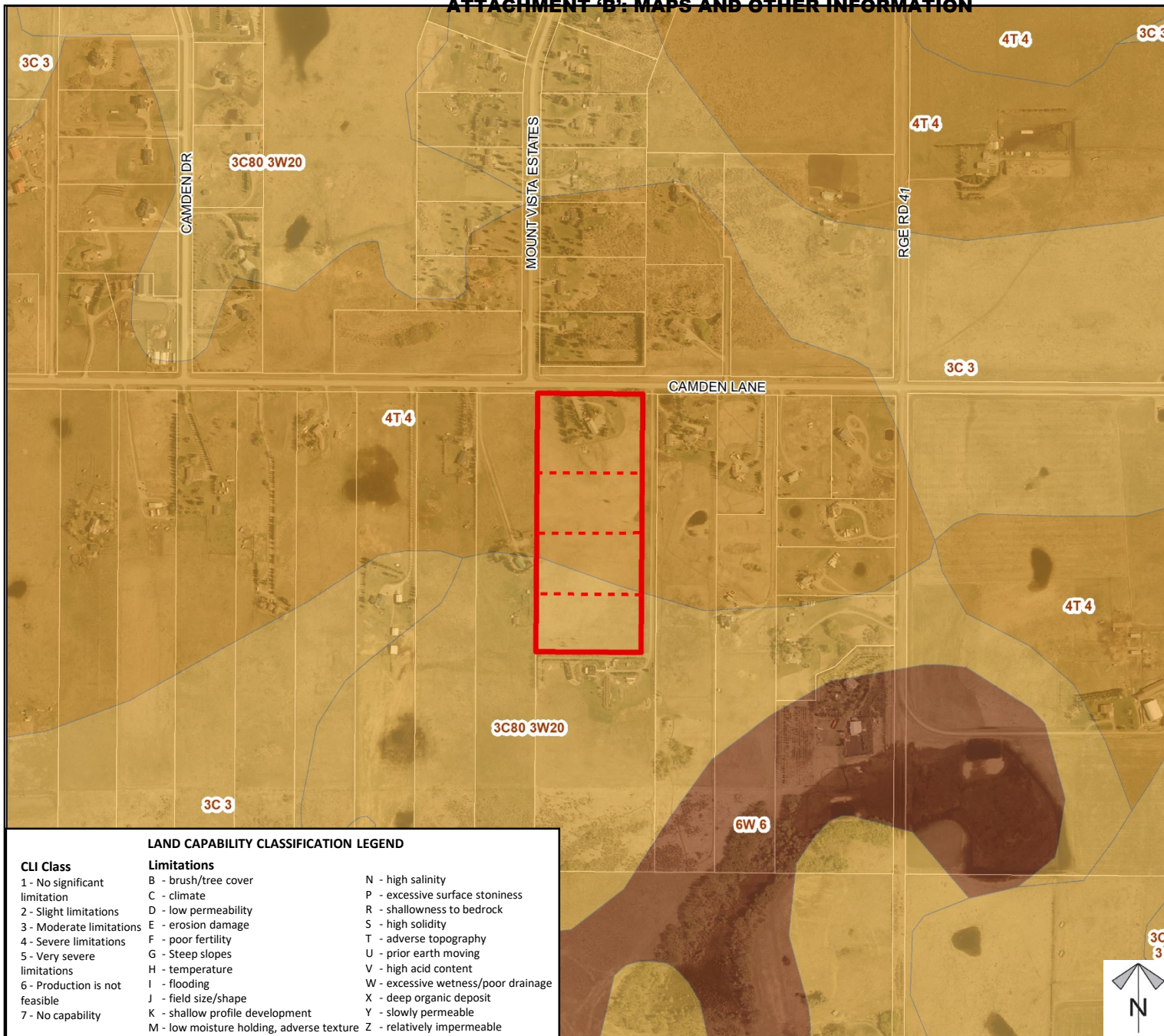
-  Subject Lands
-  Contour - 2 meters
-  Riparian Setbacks
-  Alberta Wetland Inventory
-  Surface Water

Division: 9
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Soil Classifications

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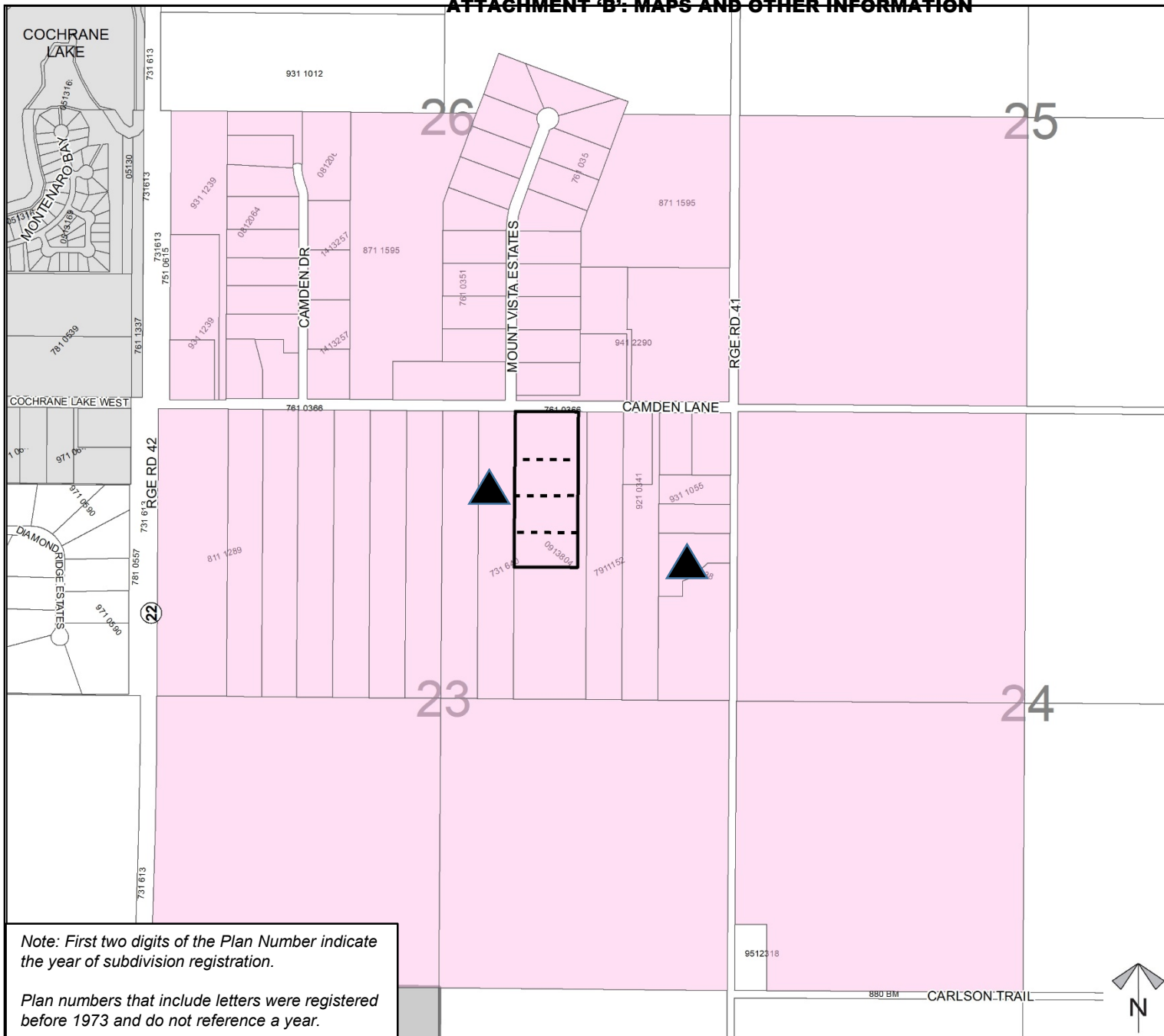


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Printed: November 9, 2020



Tentative Plan

Subdivision Proposal

To create three ± 1.62 hectare (4.0 acre) parcels with a ± 2.76 hectare (6.82 acre) remainder.

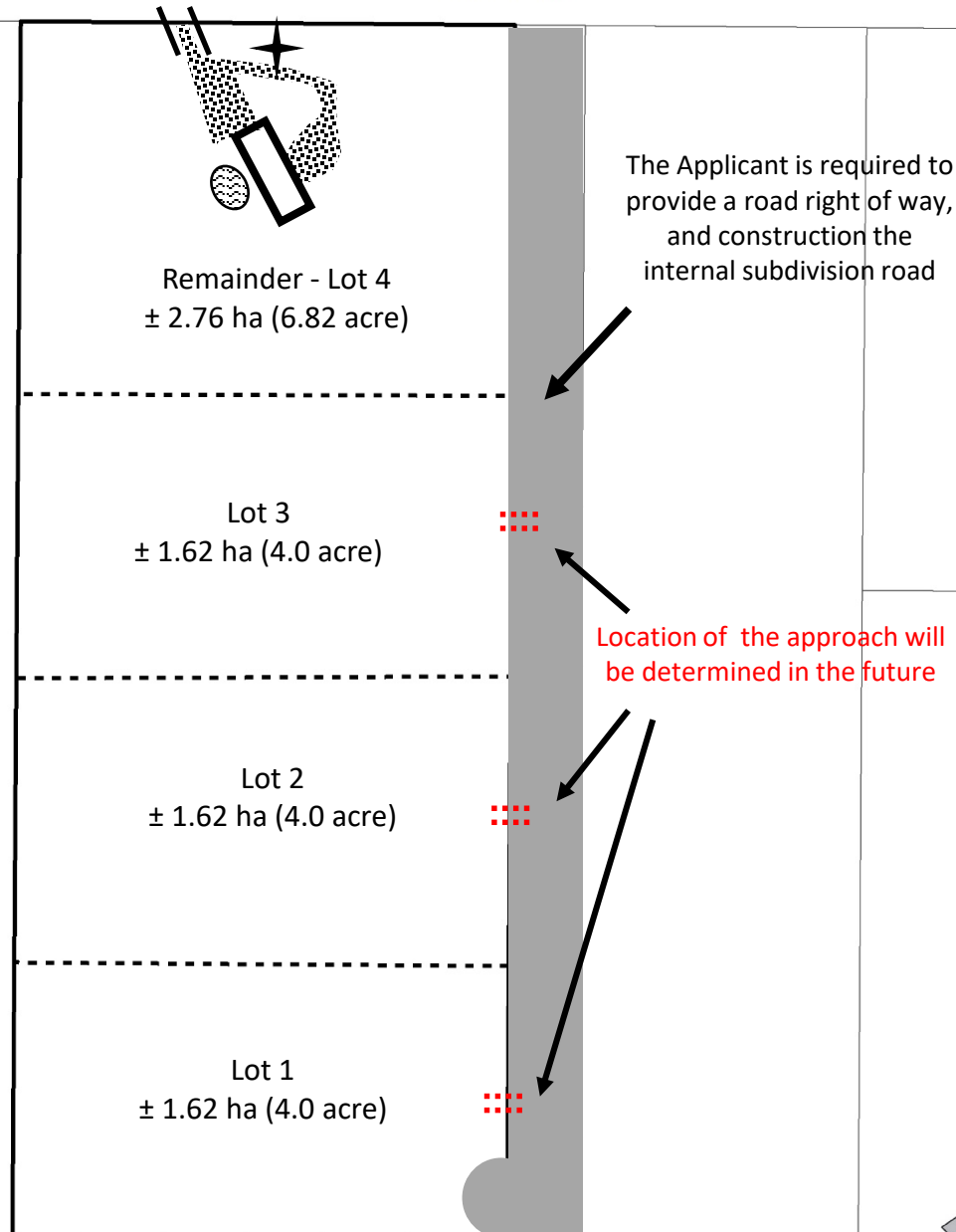
Legend

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: 9
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 NE-23-26-04-W05M
 Printed: November 9, 2020



From: [REDACTED]
To: [Andrea Bryden](#)
Subject: [EXTERNAL] - file number 06823006, application number PL20200108
Date: November 18, 2020 8:30:15 AM

Do not open links or attachments unless sender and content are known.

November 18, 2020

Planning Services Department
Rocky View County
262075 Rocky View Point
Rocky View County, ab
T4A0X2

This email is in regards with application on Camden lane Div 9 to subdivide

File number 06823006
Application number PL20200108

We Allan & Carole Hall have a few objections and / or concerns regarding this subdivision.
One is dogs running free over our land. In summer we have cattle grazing.
Therefore we would request a 4 foot farm fence be installed on our property line.

One other concern is the lack of road access information . If it is on the east side of property sight,
access to Camden Lane is not acceptable.
It would be suicidal to use for all this new traffic.

We are also very concerned about water and sewer.

The final concern is lack of communication, at least the folks could have introduced themselves and
their ideas to the neighbours

Thank you for your time

Allan & carole Hall

From: [REDACTED]
To: [Andrea Bryden](#)
Subject: [EXTERNAL] - File Number: 0623006 Application Number: PL20200108
Date: November 30, 2020 8:06:58 PM

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Sent from [Mail](#) for Windows 10
Andrea Bryden,

Alan and Wilma Edgecombe of 263195 RR41 OPPOSE the proposed subdivision.
Where's the access to the properties?
Too many parcels are being approved in the area without sufficient water available.
Prove the water source is sufficient, just not say "it's there".
Six parcels were just approved in the northeast corner of RR 41 and Camden Lane.
WE NEED A WATER PIPELINE!
Regards
Alan and Wilma Edgecombe