

PLANNING AND DEVELOPMENT SERVICES

TO: Municipal Planning Commission
Subdivision Authority

DIVISION: 4

DATE: April 14, 2021

APPLICATION: PL20210009

FILE: 03304004

SUBJECT: Residential Subdivision

APPLICATION: Subdivision of one \pm 4.00 acre parcel leaving a \pm 92.47 acre remainder.

GENERAL LOCATION: Located approximately 1.60 kilometres east of the city of Calgary, 0.80 kilometres north of Township Road 230, and on the east side of Range Road 283A.

LAND USE DESIGNATION: \pm 4.00 acres Residential, Rural and \pm 92.47 acres Agricultural, General

EXECUTIVE SUMMARY: The application is consistent with the relevant policies of Rocky View County / City of Calgary Intermunicipal Development Plan, County Plan and Land Use Bylaw.

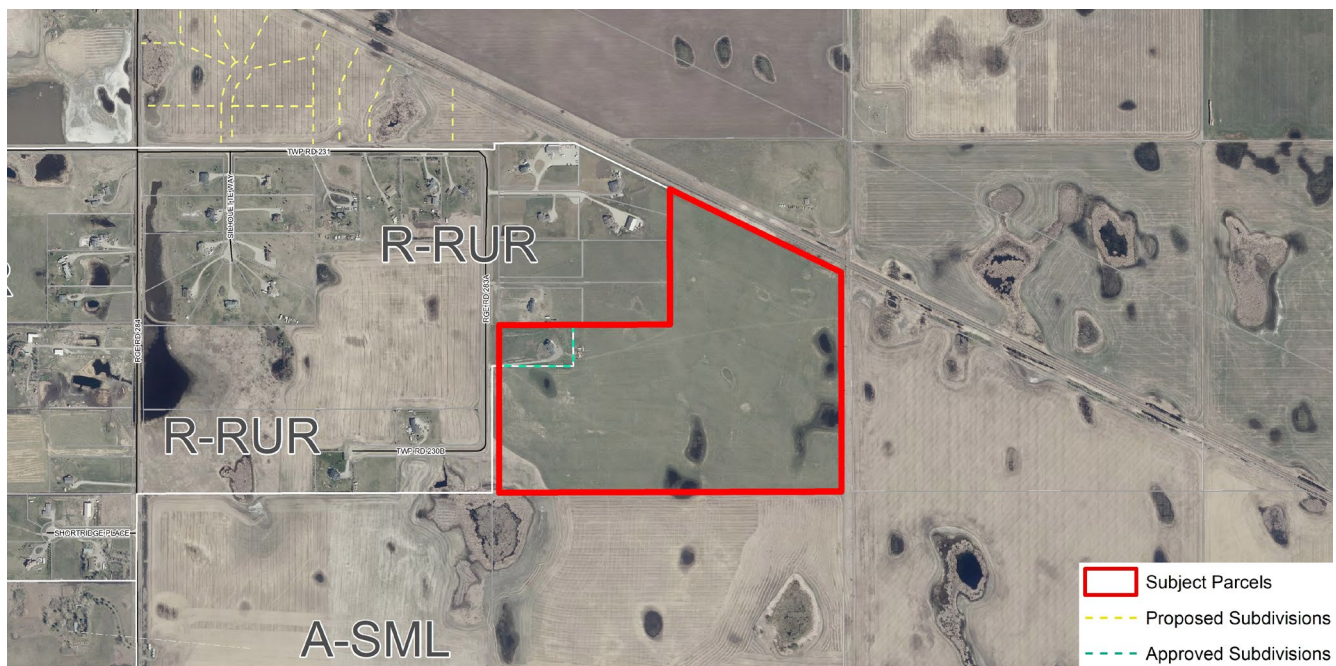
ADMINISTRATION RECOMMENDATION: Administration recommends approval in accordance with Option #1.

OPTIONS:

Option #1: THAT Subdivision Application PL20210009 be approved with the conditions noted in Attachment 'A'.

Option #2: THAT Subdivision Application PL20210009 be refused.

AIR PHOTO & DEVELOPMENT CONTEXT:



Administration Resources

Logan Cox, 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; • Municipal Development Plan; • Rocky View County / City of Calgary Intermunicipal Development Plan • Land Use Bylaw; and • County Servicing Standards. 	TECHNICAL REPORTS SUBMITTED: <ul style="list-style-type: none"> • N/A
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Payments and Levies

APPLICABLE FEE/LEVY	AMOUNT OWING (ESTIMATE)
<i>MUNICIPAL RESERVE (\$/ACRE) based on the appraisal completed by Alpine Appraisals, File No. 2021-11kw</i> <i>\$10,000 (per acre) x 4.0 acres x 10% = \$4,000</i>	\$4,000

Transportation Offsite Levy is not applicable with this application as the proposed parcel has an existing residence and the proposed balance parcel is large enough where this levy is not required.

Additional Review Considerations

There were no technical considerations that warranted additional discussion or conditioning.



Tentative Plan



Tentative Plan

Subdivision Proposal

Subdivision of one ± 1.62 ha (± 4.00 acre) parcel leaving a ± 37.43 ha (± 92.47) 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.

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CONCLUSION:

Subject to the proposed conditions of approval, the application is recommended for approval.

Respectfully submitted,

Concurrence,

“Brock Beach”

“Al Hoggan”

Acting Executive Director
Community Development Services

Chief Administrative Officer

LC/llt

ATTACHMENTS:

ATTACHMENT ‘A’: Approval Conditions

ATTACHMENT ‘B’: Maps and Other Information

ATTACHMENT ‘C’: Application Referrals

ATTACHMENT ‘D’: Public Submissions



ROCKY VIEW COUNTY

ATTACHMENT 'A': APPROVAL CONDITIONS

- A. The application to create one ± 1.62 hectare (± 4.00 acre) parcel (Lot 1) with a ± 37.43 hectare (± 92.47 acre) remainder (Lot 2) at NE-04-23-28-W04M, 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.

Access

- 2) The Owner shall construct a new gravel approach on Range Road 283A in order to provide access to the remainder parcel, Lot 2.
 - a) The applicant shall contact County Road Operations to arrange a pre-construction inspection to confirm proposed approach location and the County Servicing Standards to which the approach is to be built.
 - b) The applicant shall also contact County Road Operations for an interim-construction inspection and a post-construction inspection for final acceptance.

Site Servicing

- 3) The Owner shall provide a Level 1 Variation Assessment, provided by a qualified professional, that identifies the type of PSTS and drain field that is existing on the subject lands and demonstrates that the proposed development meets adequate setbacks in accordance with the Alberta Private Sewage Systems Standard of Practice.

Payment and Levies

- 4) The Owner shall pay the County Subdivision Endorsement fee, in accordance with the Master Rates Bylaw, for the creation of one new lot.



ROCKY VIEW COUNTY

Municipal Reserve

- 5) The provision of Reserve in the amount of 10 percent of the area of the proposed 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 Alpine Appraisals, File No. 2021-11kw, as of March 3, 2021, pursuant to Section 666(3) of the Municipal Government Act. Reserves for the remainder parcel, Lot 2, are to be deferred without Caveat pursuant to Section 669(2) of the *Municipal Government Act*.

Taxes

- 6) 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



ROCKY VIEW COUNTY

ATTACHMENT 'B': MAPS AND OTHER INFORMATION

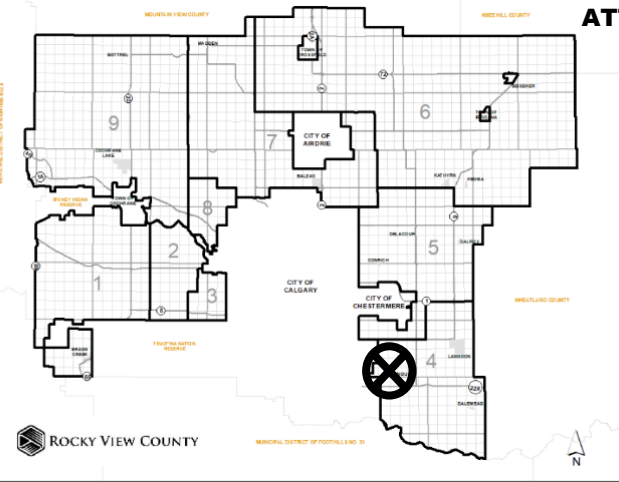
APPLICANT: Ivan Busic	OWNER: Ivan & Diana Busic
DATE APPLICATION RECEIVED: January 14, 2021	DATE DEEMED COMPLETE: February 4, 2021
GROSS AREA: ± 39.04 hectares (± 96.48 acres)	LEGAL DESCRIPTION: (± 92.47 acre) remainder of NE-04-23-28-W04M
APPEAL BOARD: Subdivision and Development Appeal Board	
HISTORY: July 29, 2014: Council gave third and final reading to Bylaw C-7371-2014 to allow for the redesignation of a ± 4.00 acre portion of the subject parcel from Ranch and Farm District to Residential Two District. November 28, 2017: The Subdivision Authority approved subdivision of one ± 4.00 parcel, subject to conditions. These conditions were not completed and the application expired.	
PUBLIC & AGENCY SUBMISSIONS: The application was circulated to forty-five adjacent landowners; two letters of support have been received and these responses have been included in Appendix 'C.' 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

Subdivision of one ± 1.62 ha
(± 4.00 acre) parcel leaving
a ± 37.43 ha (± 92.47 acre)
remainder



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Development Proposal

Subdivision Proposal

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(± 4.00 acre) parcel leaving
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remainder

RGE RD 283A

New Lot – Lot 1
 ± 1.62 ha
(± 4.0 acres)

Remainder Lot – Lot 2
 ± 37.43 ha
(± 92.47 acres)

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Environmental

Subdivision Proposal

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

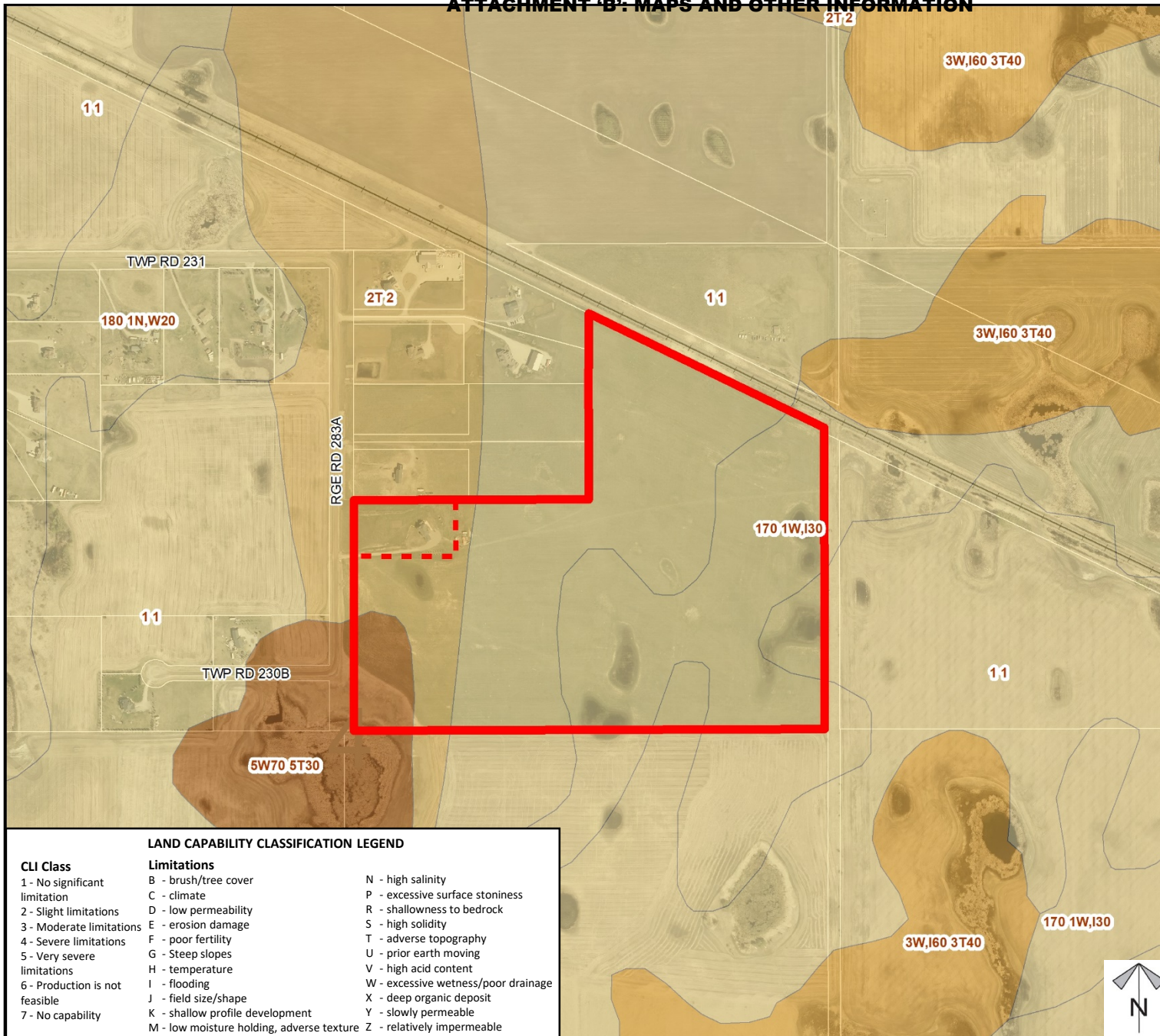
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Soil Classifications

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Legend

Support



Opposition



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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.

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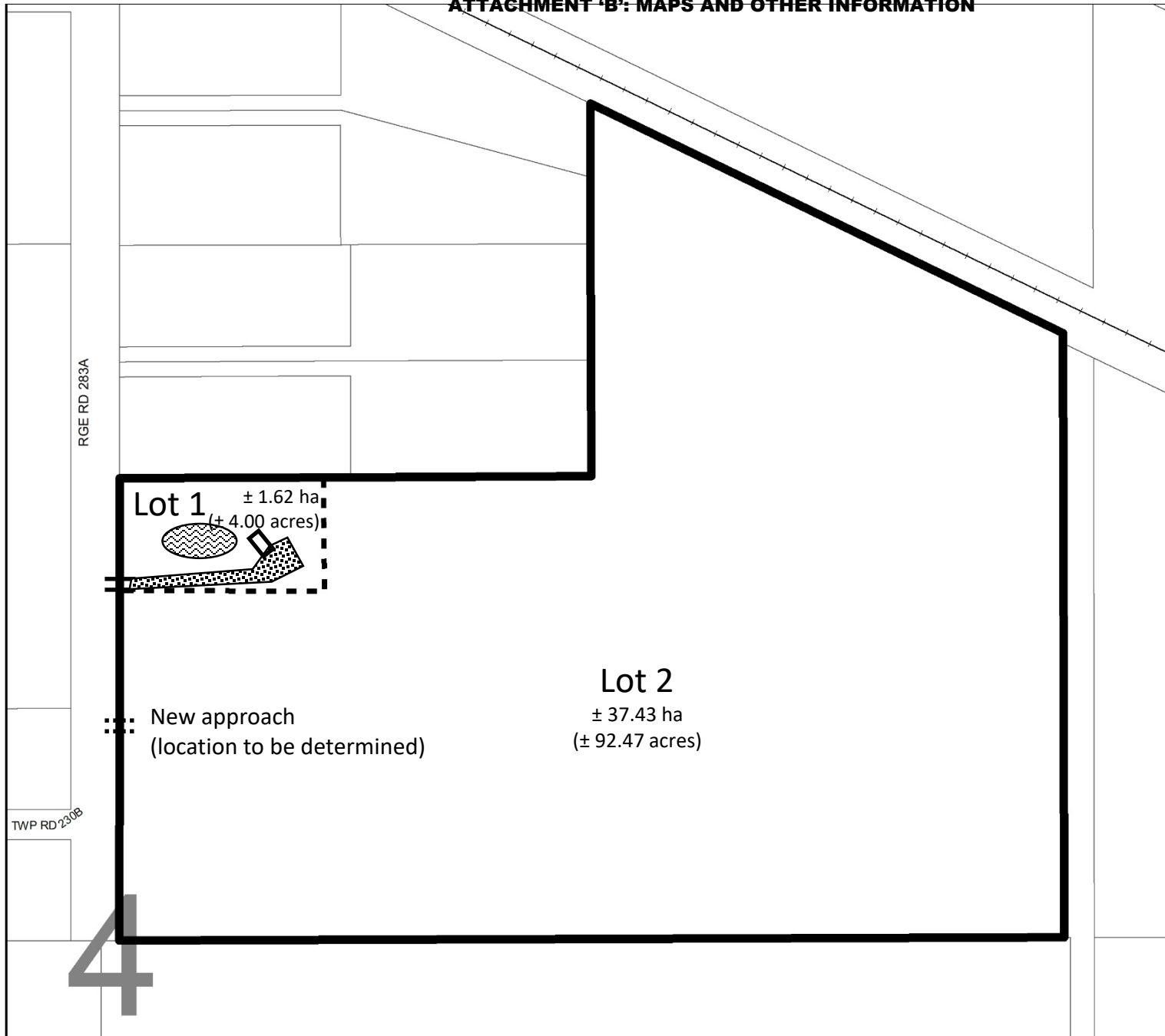
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ROCKY VIEW COUNTY

ATTACHMENT 'C': APPLICATION REFERRALS

AGENCY	CIRCULATED	RESPONSE RECEIVED
School Authority		
Rocky View Schools	Yes	No
Calgary Catholic School District	Yes	Yes
Public Francophone Education	Yes	No
Catholic Francophone Education	Yes	No
Province of Alberta		
Alberta Culture and Community Spirit (Historical Resources)	Yes	No
Alberta Energy Regulator (AER)	Yes	No
Alberta Health Services	Yes	No
Public Utility		
ATCO Gas	Yes	Yes
ATCO Pipelines	Yes	Yes
AltaLink Management	Yes	No
FortisAlberta	Yes	Yes
Telus Communications	Yes	Yes
TransAlta Utilities Ltd.	Yes	No
Adjacent Municipality		
The City of Calgary	Yes	No
Other External Agencies		
EnCana Corporation	Yes	No
Rocky View County Boards and Committees		
ASB Farm Members	No	No
Internal Departments		
Recreation, Parks and Community Support	Yes	No
Development Authority	Yes	No
GIS Services	Yes	No
Building Services	Yes	No

AGENCY	CIRCULATED	RESPONSE RECEIVED
Fire Services & Emergency Management	Yes	Yes
Development Compliance	Yes	Yes
Planning and Development Services (Engineering)	Yes	Yes
Transportation Services	Yes	Yes
Capital Project Management	Yes	Yes
Utility Services	Yes	Yes
Agricultural and Environmental Services	Yes	Yes

Circulation Period: February 10, 2021 to March 3, 2021

Agencies that were not required for distribution are not listed.

February 19, 2021

Notice of Support for Subdivision Application

This letter is to show support for the Application Number PL20210009.

File Number 03304004

Division 4.

By Ivan and Diana Busic

I'm a neighbor with vacant farmland adjacent to their property . I'm located at:

Lo 6

Block 10/ Plan 1711559

I fully support the creation of the additional lot on the property.

If you have any questions I can be reached at 403 238-8678

Thanks,

Kyra Hanson

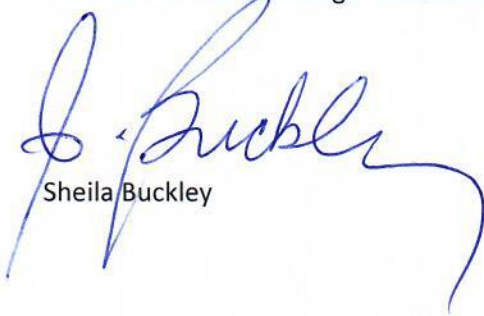


To Rocky View county

Re Application #PL23021009 - Ivan and Diana Basic Subdivision

This is my support s for this pplication I own the lot directly north of them.

I also live on 230183 range road 284 to the west.

A handwritten signature in blue ink, appearing to read 'S. Buckley', with a long, sweeping underline that extends to the right.

Sheila Buckley