

**ATTACHMENT E: POLICY REVIEW**

<b>Definitions</b>		
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.

<b>Municipal Government Act (MGA)</b>	
<b>Section 654</b>	
654(1)	<i>A subdivision authority must not approve an application for subdivision approval unless</i> <ul style="list-style-type: none"> <li>(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></li> <li>(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></li> <li>(c) <i>the proposed subdivision complies with this Part and Part 17.1 and the regulations under those Parts, and</i></li> <li>(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></li> </ul>
Consistent	The application is consistent with the Municipal Development Plan and Bearspaw Area Structure Plan - the relevant statutory plans as described above; therefore aligning with Section 654(1)(b).

<b>Matters Related to Subdivision and Development Regulation</b>	
<b>Part 3 Subdivision and Development Conditions</b>	
11	<i>Every proposed subdivision must provide to each lot to be created by it</i> <ul style="list-style-type: none"> <li>(a) <i>direct access to a road as defined in section 616(aa) of the Act, or</i></li> <li>(b) <i>lawful means of access satisfactory to the subdivision authority.</i></li> </ul>
Consistent	Direct physical access is available to Lot 1 via existing approach from Woodland Close. The proposal indicates Lot 2 utilizing a panhandle approach.

<b>Municipal Development Plan</b>	
<b>Managing Growth</b>	
5.1	<i>Development in an existing plan area:</i> <ul style="list-style-type: none"> <li>a. <i>shall maintain and enhance the distinct character and identity of the community as per the Distinct Area Profile (Appendix A: Distinct Area Profiles), when applicable;</i></li> <li>b. <i>shall align to the approved area structure plan and/or conceptual scheme; and may require the adoption of a conceptual scheme subordinate to the approved area structure plan, and/or a master site development plan, as per Appendix B: Lower-Level Plans and Technical Requirements.</i></li> </ul>
Consistent	The subject parcel is located within the identified existing plan area within the community of Bearspaw; therefore, the applications' alignment with the Bearspaw ASP complies with Policy 5.1 of the County Plan.

<b>Country Residential Communities</b>	
8.1	<i>Country Residential Communities should support a limited mix of uses, including: a. residential lots with single detached homes; b. local commercial uses; c. home-based businesses; d. local institutional and community uses; e. access to recreational and cultural opportunities; f. regionally integrated parks, open spaces, pathways, and trail networks; and g. small-scale agriculture, agribusiness, and agri-tourism.</i>
Consistent	The application aligns with the goals and policies of the applicable Bearspaw Area Structure Plan, as highlighted below.
8.2	<i>Residential development should primarily support larger lot sizes and single-detached homes.</i>
Consistent	The application purposes larger lot sizes that aligns with the policies in the Municipal Development Plan.
8.9	New development should connect, when feasible and available, to piped County or private servicing solutions for water and wastewater.
Consistent	The recommended conditions of approval included within Attachment F ensure connection to utility infrastructure when that becomes available.
<b>Transportation</b>	
13.4	<i>New development shall use, extend, and enhance existing transportation infrastructure.</i>
Generally Consistent	The proposed panhandle access is deemed appropriate based on the current level of density being considered. Future subdivision applications would require the submission of a concept plan to guide the development of further density in the area. Inclusion of a road acquisition agreement provides potential framework for interconnectivity in the area should further development occur.

<b>Bearspaw Area Structure Plan C-8588-2024</b>	
<b>6.2 Infill Country Residential Areas</b>	
<b>General</b>	
6.2.2	<i>Future residential lots in the Infill Country Residential area, as defined on Map 5, shall be a minimum of 0.8 ha (± 1.98 acres) in size. Where residential lot sizes less than 1.6 ha (± 3.95 acres) are proposed within an Infill Residential area principally occupied by larger lots, the proposal's compatibility with the immediate area should be assessed, including its impact on further subdivision potential of the subject and adjacent lands.</i>
Consistent	Proposed lot sizes of 2.91 ha (7.19 acres) and 4.38 ha (10.81 acres) are larger than the minimum lot sizes. The proposed lot layout is also consistent with the surrounding area
<b>Road Access</b>	
6.2.4	<i>Residential redesignation and subdivision applications should provide for development that: a) Provides direct access to a road, while avoiding the use of Panhandles; b) Minimizes driveway length to highways/roads; c) Removes and replaces existing Panhandles with an internal road network when additional residential development is proposed; and d) Limits the number and type of access onto roads in accordance with the County policy.</i>
Inconsistent	The proposed lot layout includes a panhandle with an additional approach for the new lot of the lots.

6.2.5	For developments where Panhandles exist or are proposed, Road Acquisition Agreements should be registered at the time of subdivision to secure future road alignments.
Inconsistent	While a panhandle is proposed, there is no corresponding Road Acquisition Agreement on the adjacent parcel. Without an agreement on the benefiting lot, registering one on the subject parcel would not facilitate a viable future road connection and is therefore not being pursued.
<b>Conceptual Scheme or Master Site Development Plan</b>	
6.2.6	A conceptual scheme shall be required for residential development within the Infill Country Residential Area as identified on Map 5: Land Use Strategy, unless the following conditions are met: <ul style="list-style-type: none"> <li>a) No more than four (4) new residential lots are being created;</li> <li>b) There is limited potential for further subdivision both within and adjoining the subject lands; and</li> <li>c) There are no subdivision or development matters that would benefit from being directed by Conceptual Scheme or Master Site Development Plan policies, including, but not limited to: <ul style="list-style-type: none"> <li>i. homeowners' association requirements;</li> <li>ii. landscape and architectural controls;</li> <li>iii. Environmental or Municipal Reserve requirements;</li> <li>iv. water, wastewater, stormwater infrastructure; and</li> <li>v. lot layout, emergency access and road layout.</li> </ul> </li> </ul>
Generally Consistent	The quarter section is heavily fragmented and may benefit from being directed by a conceptual scheme to allow for holistic planning. However, since only one new residential lot is being created, and the impact of the proposed subdivision is minimal, a conceptual scheme may not be warranted at this time.

<b>Land Use Bylaw C-8000-2020</b>	
<b>Residential, Rural Residential District</b>	
319	<i>MINIMUM PARCEL SIZE:</i> <ul style="list-style-type: none"> <li>a) 1.6 ha (3.95 ac)</li> <li>b) The minimum size of parcels designated with the letter "p" is the number indicated on the Land Use Map</li> <li>c) Notwithstanding b), the number following the "p" shall not be less than 1.6 ha (3.95 ac)</li> </ul>
Consistent	Both of the proposed Lots 1, 4.38 ha (10.81 acres) and 2, 2.91 ha (7.19 acres) exceed the minimum 1.6 hectare size restriction of the R-RUR designation.

<b>Subdivision Authority Bylaw C-8275-2022</b>	
<b>Subdivision Authority</b>	
5	<i>The Chief Administrative Officer is the Subdivision Authority and may consider and render a decision on a subdivision application except in the following circumstances, in which case Council is the Subdivision Authority and will consider and render a decision on the subdivision application:</i> <ul style="list-style-type: none"> <li>1) an applicant requests that their subdivision application be considered by Council;</li> <li>2) a landowner within the application circulation area prescribed by Rocky View County's Circulation and Notification Standards Policy, a provincial agency, an adjacent municipality, or a school board objects to the application;</li> <li>3) approval of the subdivision application would require the relaxation of any applicable non-statutory plan, policy, or standard adopted by Council;</li> </ul>

	<p>4) <i>the subdivision application does not satisfy the criteria for approval set out within section 654(1) of Municipal Government Act; or</i></p> <p>5) <i>Council passes a resolution or bylaw directing that Council is the Subdivision Authority for all subdivision applications relating to a specific amendment to the Land Use Bylaw.</i></p>
Consistent	Council is the Subdivision Authority as a landowner within the circulation area objects to the proposal.