

PLANNING AND DEVELOPMENT SERVICES

TO: Municipal Planning Commission
Subdivision Authority

DIVISION: 9

DATE: May 26, 2021

APPLICATION: PL20210023

FILE: 07709019

SUBJECT: Subdivision Item: Residential

APPLICATION: To create a \pm 1.70 hectare (4.0 acre) parcel with a \pm 1.71 hectare (4.22 acre) remainder.

GENERAL LOCATION: Located approximately 9.9 km (6 1/5 miles) northeast of the Town of Cochrane and 0.15 km (1/8 mile) south of Twp Rd 272 and 0.5 km (1/3 mile) east of Rge Rd 34.

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

EXECUTIVE SUMMARY: The application is consistent with the relevant policies of the the Rocky View County Plan, and the Land Use Bylaw C-8000-2020.

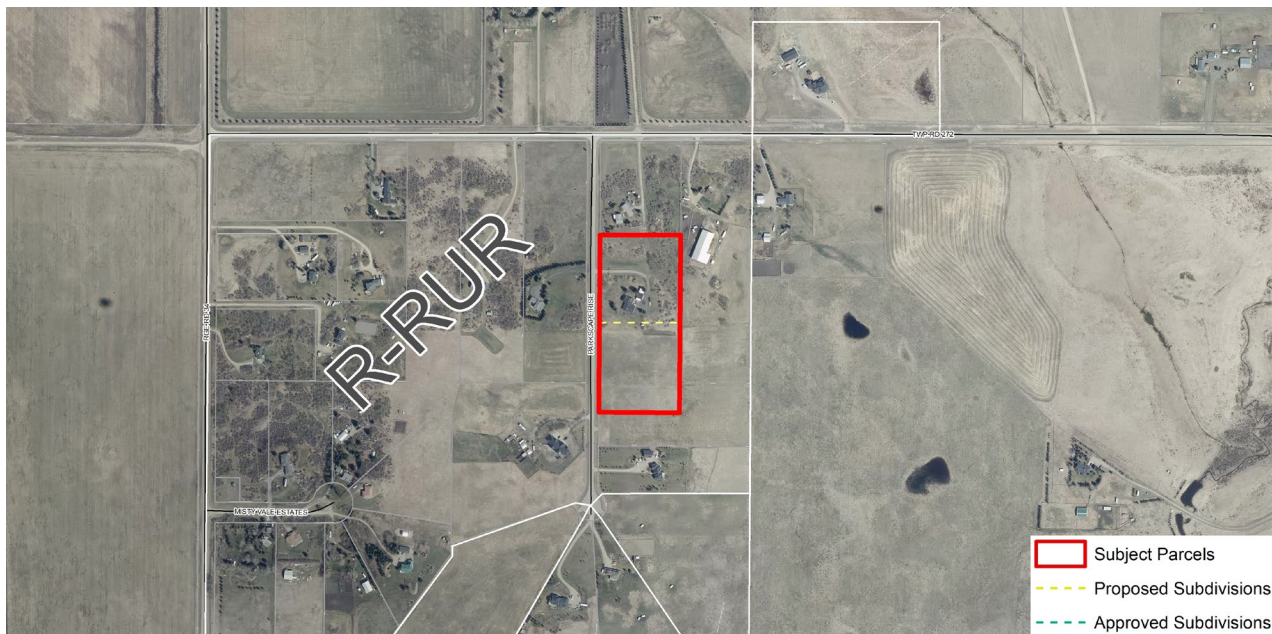
ADMINISTRATION RECOMMENDATION: Administration recommends approval in accordance with Option #1.

OPTIONS:

Option #1: THAT Subdivision Application PL20210023 be approved with the conditions noted in Attachment 'A'.

Option #2: THAT Subdivision Application PL20210023 be refused.

AIR PHOTO & DEVELOPMENT CONTEXT:



Administration Resources

Scott Thompson, 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; • Land Use Bylaw; and • County Servicing Standards. 	TECHNICAL REPORTS SUBMITTED: <ul style="list-style-type: none"> • Level III Private Sewage Treatment System Assessment for Subdivision completed by Solstice Environmental Management, dated January 27, 2021. • Phase I Groundwater Supply Evaluation completed by Solstice Environmental Management, dated December 16, 2020. • Appraisal Report completed by T.R. Moore & Associates Ltd. dated November 24, 2020.
---	---

Payments and Levies

APPLICABLE FEE/LEVY	AMOUNT OWING (ESTIMATE)
TRANSPORTATION OFFSITE LEVY(C-8007-2020) <ul style="list-style-type: none"> • 4.22 acres x \$4,595 	\$19,400.09

Additional Review Considerations

Conditions were set based on the following items:

Transportation and Access:

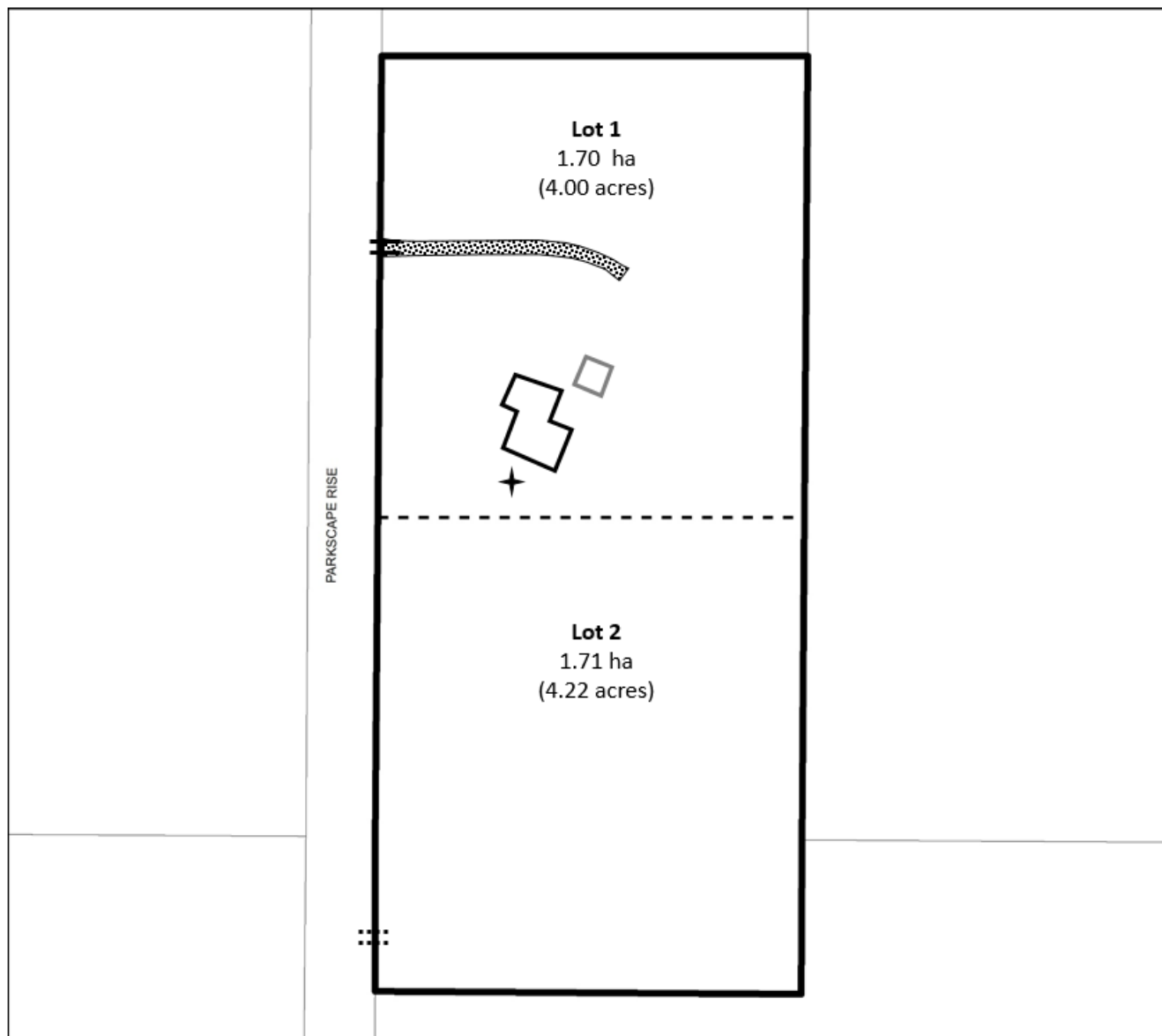
Access to Lot 1 is provided by an existing approach off of Parkscape Rise. The applicant will be required to construct a new paved approach for Lot 2 to provide access. The Transportation Off-Site Levy (Bylaw C-8007-2020) shall be paid on Lot 2.

Servicing

Lot 1 is serviced by an existing well, and the applicant has provided a Phase I Ground Water Supply Evaluation that confirms sufficient water supply for the proposed development. As a condition of the subdivision, the applicant must provide an Aquifer Testing (Phase II) Report, which confirms the location and viability of the new well in accordance with the County Servicing Standards. It is to be noted that the commission has previously removed the requirement to perform the Phase II aquifer testing and simply required a new well to be drilled to support the new parcel.

Policy Considerations

The parcel is located primarily within an agricultural area, with residential properties directly adjacent on all sides. The area is not within an Area Structure Plan and is defined as a *Fragmented Country Residential Area* within the County Plan based on the acreage size of the parcels. Per section 10.13, further subdivision can be supported if it meets three conditions; an acceptable lot road plan has been provided, the parcel has the appropriate land use, and the conditions of subdivision implement the lot road plan. The parcel is designated as Residential, Rural District (R-RUR) and the proposal meets the minimum parcel size and setback requirements. However, a lot and road plan has not been provided. Given the scope of this subdivision and that further subdivision of new lots would have access off of Parkscape Rise, this was deemed unnecessary for this application.



Tentative Plan

Subdivision Proposal

To create a \pm 1.70 hectare (4.0 acre) parcel with a \pm 1.71 hectare (4.22 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: 09
 Roll: 07707019
 File: PL20210023
 Printed: Feb 8, 2021
 Legal: Lot:17 Block:3
 Plan:0512023 within NW-09-27-03-W05M



ROCKY VIEW COUNTY

CONCLUSION:

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

Respectfully submitted,

Concurrence,

“Brock Beach”

“Kent Robinson”

Acting Executive Director
Community Development Services

Acting Chief Administrative Officer

ST/llt

ATTACHMENTS:

ATTACHMENT ‘A’: Approval Conditions

ATTACHMENT ‘B’: Maps and Other Information

ATTACHMENT ‘C’: Public Submissions



ROCKY VIEW COUNTY

ATTACHMENT 'A': APPROVAL CONDITIONS

- A. The application to create a \pm 1.70 hectare (4.0 acre) parcel with a \pm 1.71 hectare (4.22 acre) remainder at Lot: 17 Block: 3 Plan: 0512023 within NW-09-27-03-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

- 2) The Owner shall construct a new paved approach on Parkscape Rise in order to provide access to Lots 2.
 - a) Written confirmation shall be received from County Road Operations confirming the status of this condition.

Site Servicing

- 3) Water is to be supplied by an individual well on Lot 2. The subdivision shall not be endorsed the subdivision will not be endorsed until
 - a) An Aquifer Testing (Phase II) Report is provided, which is to include aquifer testing and the locations of the new well on the remainder lot in accordance with the County's servicing Standards and requirements of the *Water Act*; and
 - b) Well Driller's Report confirming a minimum pump rate of 1.0 IGPM for a new well is provided.

Payments and Levies

- 4) The Owner shall pay the County Subdivision Endorsement fee, in accordance with the Master Rates Bylaw, for the creation of 1 new lot.



ROCKY VIEW COUNTY

- 5) 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 2 as shown on the Plan of Survey.

Taxes

- 6) All taxes owing up to and including the year in which the 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

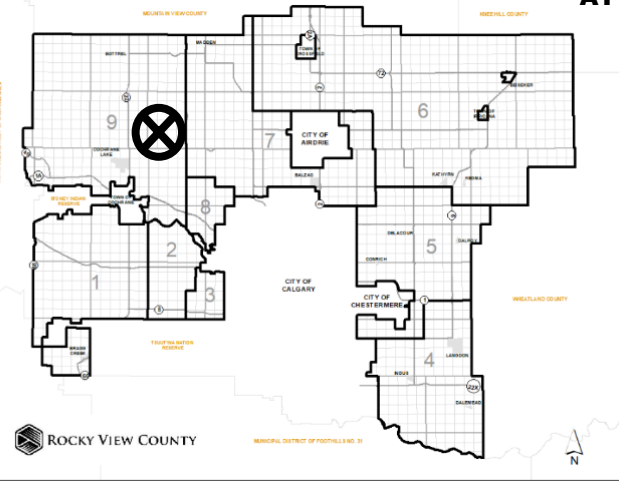
APPLICANT: Roland Davis	OWNER: Roland Davis
DATE APPLICATION RECEIVED: February 8, 2021	DATE DEEMED COMPLETE: February 10, 2021
GROSS AREA: ± 3.32 hectares (± 8.22 acres)	LEGAL DESCRIPTION: Lot: 17 Block: 3 Plan: 0512023, NW-09-27-03-W05M
APPEAL BOARD: Rocky View County Subdivision Development Appeal Board	
HISTORY: <p>March 01, 2005: Subject parcel was further subdivided into two lots, along with 8 other parcels in the area.</p> <p>December 07, 2004: Subject lands redesignated by Rocky View County Council to Redesignate the parcel from Ranch and Farm District to Residential Two District.</p> <p>July 6, 1987: Subject parcel was created as part of a subdivision that created 8 new parcels.</p>	
PUBLIC & AGENCY SUBMISSIONS: <p>The application was circulated to 40 adjacent landowners. One letter in opposition was received in regards to this application.</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 ± 1.70 hectare (4.0 acre) parcel with a ± 1.71 hectare (4.22 acre) remainder.



Division: 09
Roll: 07707019
File: PL20210023
Printed: Feb 8, 2021
Legal: Lot:17 Block:3
Plan:0512023 within NW-09-27-03-W05M



Development Proposal

Subdivision Proposal

To create a ± 1.70 hectare (4.0 acre) parcel with a ± 1.71 hectare (4.22 acre) remainder.

PARKSCAPE RISE

Lot 1
1.70 ha
(4.00 acres)

Lot 2
1.71 ha
(4.22 acres)

Division: 09
Roll: 07707019
File: PL20210023
Printed: Feb 8, 2021
Legal: Lot:17 Block:3
Plan:0512023 within NW-09-
27-03-W05M

Environmental

Subdivision Proposal

To create a ± 1.70 hectare (4.0 acre) parcel with a ± 1.71 hectare (4.22 acre) remainder.



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

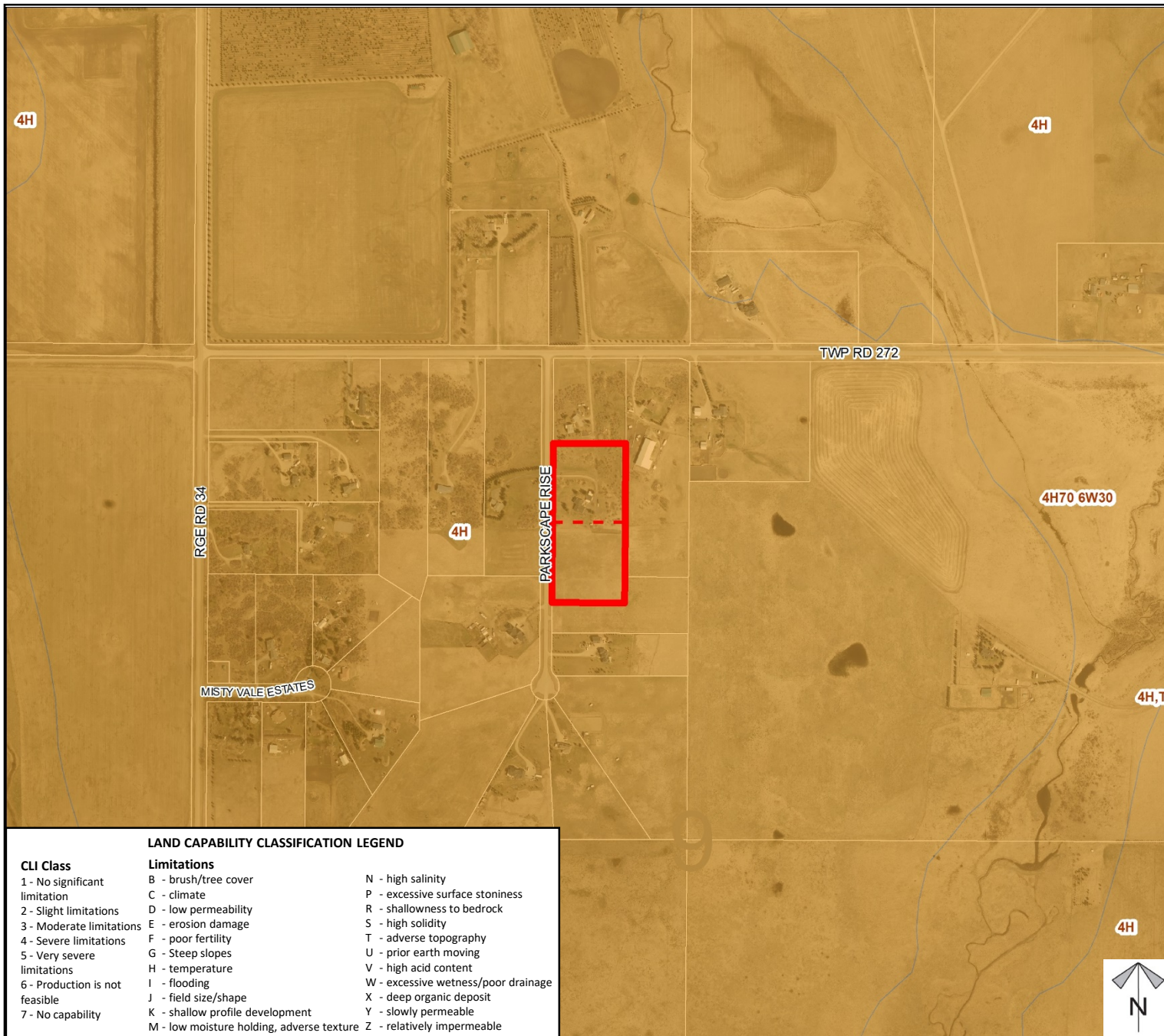
Division: 09
 Roll: 07707019
 File: PL20210023
 Printed: Feb 8, 2021
 Legal: Lot:17 Block:3
 Plan:0512023 within NW-09-
 27-03-W05M



Soil Classifications

Subdivision Proposal

To create a ± 1.70 hectare (4.0 acre) parcel with a ± 1.71 hectare (4.22 acre) remainder.

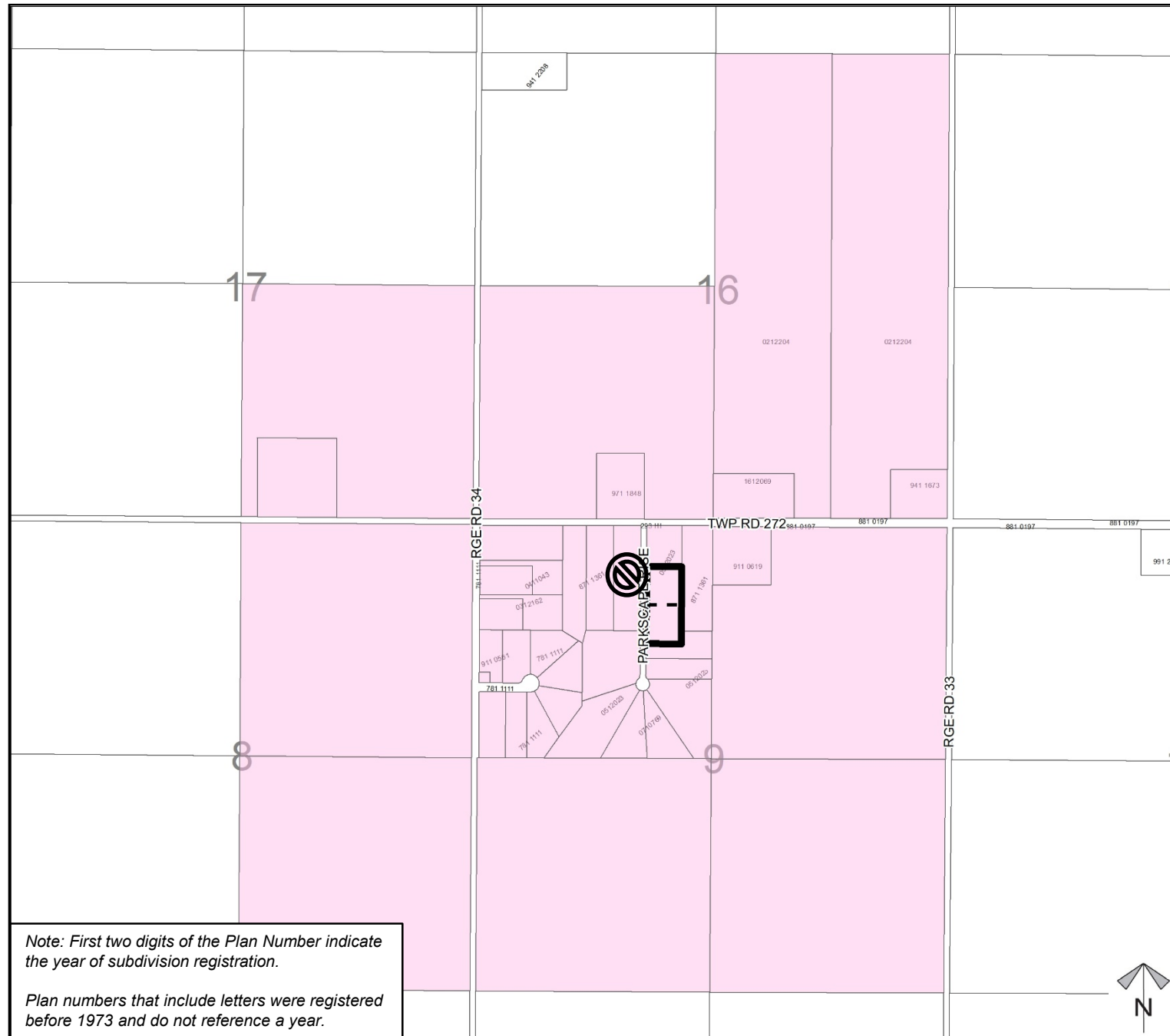


Division: 09
 Roll: 07707019
 File: PL20210023
 Printed: Feb 8, 2021
 Legal: Lot:17 Block:3
 Plan:0512023 within NW-09-27-03-W05M

Landowner Circulation Area

Subdivision Proposal

To create a ± 1.70 hectare (4.0 acre) parcel with a ± 1.71 hectare (4.22 acre) remainder.



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



Division: 09
 Roll: 07707019
 File: PL20210023
 Printed: Feb 8, 2021
 Legal: Lot:17 Block:3
 Plan:0512023 within NW-09-27-03-W05M

Tentative Plan

Subdivision Proposal

To create a \pm 1.70 hectare (4.0 acre) parcel with a \pm 1.71 hectare (4.22 acre) remainder.

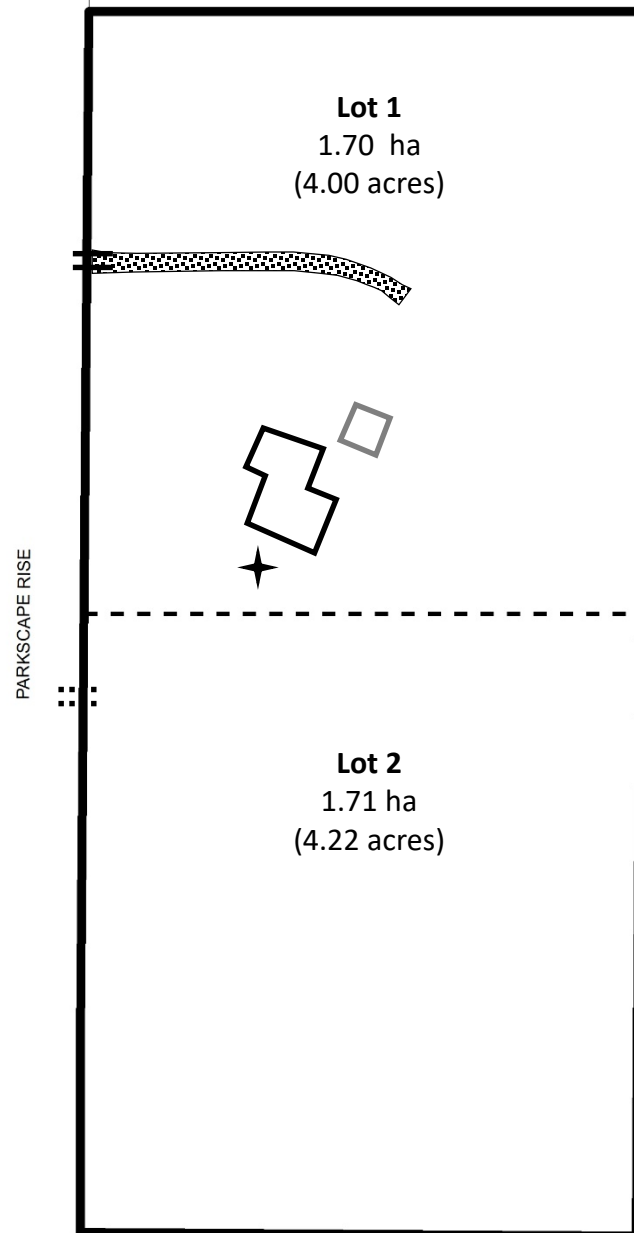
Legend

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: 09
 Roll: 07707019
 File: PL20210023
 Printed: Feb 8, 2021
 Legal: Lot:17 Block:3
 Plan:0512023 within NW-09-27-03-W05M



From: [Marilyn Carew](#)
To: [Scott Thompson](#)
Cc: [Paul Carew](#)
Subject: [EXTERNAL] - File number 07709019. Application PL20210023
Date: March 9, 2021 5:46:55 PM

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

We are writing to state our strong objections to the Planning and Development application on the division of Lot 17 Block 3 Plan 0512023 NW-09-27-03-W05M.

We assume the purpose of dividing this lot is to sell off one parcel for building on. This is an area of acreages, all having 8 acres or more. It is not and was never intended to become a housing estate. If this division is approved it will open the door for everyone to do the same with the result that the country setting will be compromised.

The addition of more dwellings will also bring more traffic and as as this piece of land is directly opposite us would affect us greatly. We purchased this property knowing that all in the area are acreages of 8+ acres and properties are well spaced and private. To add additional homes or buildings would adversely impact us and others in the locality and have the potential to lower house values.

Please note our strong objections to this application.

Paul and Marilyn Carew

Sent from my iPhone