



PLANNING AND DEVELOPMENT SERVICES

TO: Municipal Planning Commission
Subdivision Authority

DIVISION: 9

DATE: May 26, 2021

APPLICATION: PL20210001

FILE: 06822004

SUBJECT: Residential Subdivision

APPLICATION: To create a ± 2.83 hectare (± 7.00 acre) parcel (Lot 1) with a ± 5.19 hectare (± 12.82 acre) remainder (Lot 2).

GENERAL LOCATION: Located on the east side of Range Road 43 approximately 1.21 kilometres (3/4 mile) south of Cochrane Lake West.

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

EXECUTIVE SUMMARY: The application is consistent with the relevant policies of the Cochrane North Area Structure Plan and Land Use Bylaw.

The subject lands were granted subdivision approval by the Municipal Planning Commission on September 24, 2020, dividing the 19.82 acre parcel into two 9.91 acre parcels. The landowners subsequently determined they wished to adjust the resulting parcel sizes, as provided for by this application. Both policy and technical studies remain consistent.

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

OPTIONS:

Option #1: THAT Subdivision Application PL20210001 be approved with the conditions noted in Attachment 'A'.

Option #2: THAT Subdivision Application PL20210001 be refused.

AIR PHOTO & DEVELOPMENT CONTEXT:



Administration Resources

Oksana Newmen, 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:	TECHNICAL REPORTS SUBMITTED:
<ul style="list-style-type: none"> • <i>Municipal Government Act;</i> • Subdivision and Development Regulations; • Municipal Development Plan; • Cochrane North Area Structure Plan; • Land Use Bylaw; and • County Servicing Standards. 	<ul style="list-style-type: none"> • Phase 1 Groundwater Supply Evaluation prepared by Solstice Environmental Management (March 3, 2020) • Level 1 Private Sewage Treatment Systems Assessment prepared by Solstice Environmental Management (March 19, 2020) • Level 2 Private Sewage Treatment System Assessment prepared by Solstice Environmental Management (March 20, 2020)

Payments and Levies

APPLICABLE FEE/LEVY	AMOUNT OWING (ESTIMATE)
<i>TRANSPORTATION OFFSITE LEVY</i>	Not required
<i>MUNICIPAL RESERVE (\$30,000/ACRE)</i> <i>0.700 ac x \$30,000 (Lot 1)</i> <i>MR to be deferred by caveat on Lot 2</i>	\$21,000

Additional Review Considerations

Conditions were set based on the following items:

Accessibility to a Road

There is an existing access for Lot 1, and a proposed access along a 25 meter wide panhandle to Lot 2. The application seeks to provide a mutual approach with access easement. As such, the existing approach will be required to upgrade to a mutual approach.

Site Servicing

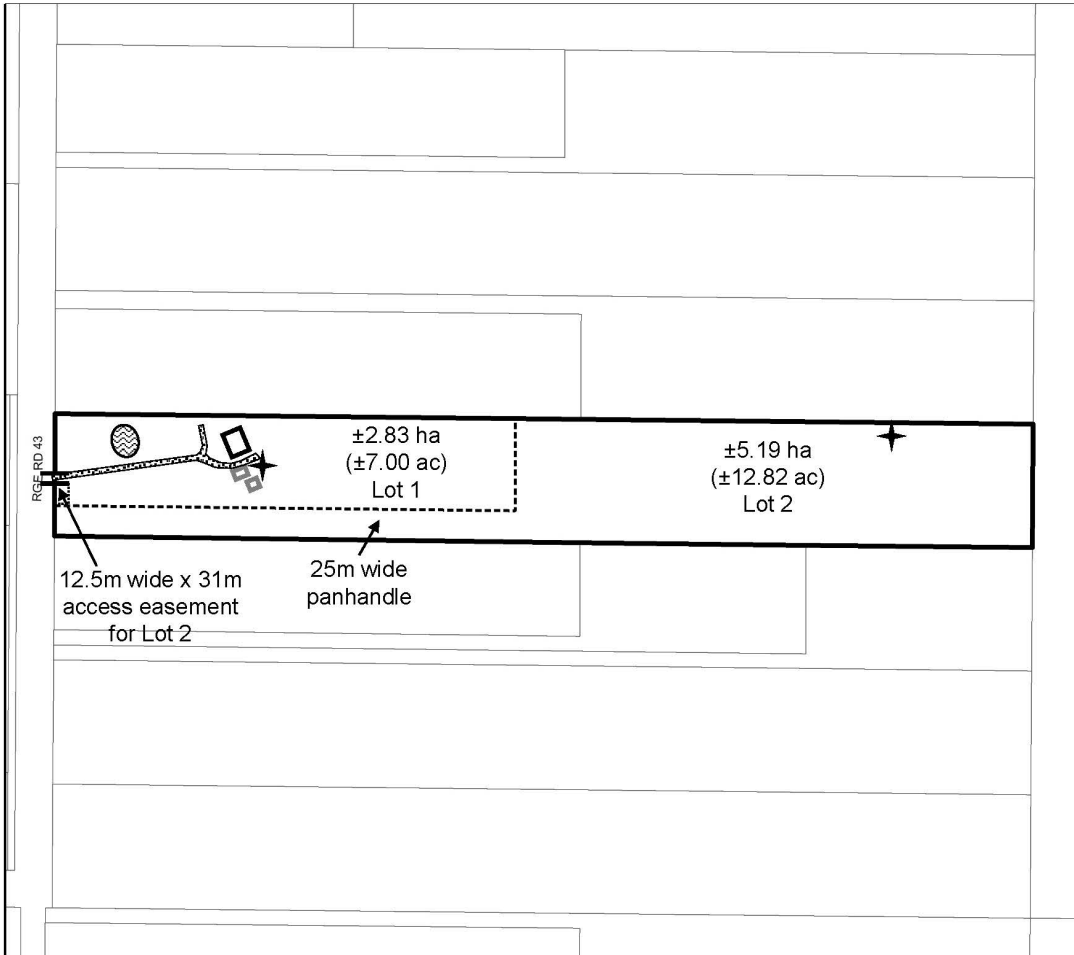
Lot 1, containing the existing home, serves the site via well and septic. The proposed Lot 2 would be served in this way as well, as the technical studies support servicing through these methods. There is an existing well on proposed Lot 2.

Area Structure Plan

The subject site is located in Residential Infill Site C, meets appropriate policies, and exceeds the four (4) acre minimum required. As such, the application is consistent with the Area Structure Plan (ASP). As only one lot is being proposed, Administration believes a conceptual scheme would not be of benefit.



Tentative Plan



Tentative Plan

Subdivision Proposal

To create a ±2.83 hectare (±7.00 acre) parcel (Lot 1) with a ±5.19 hectare (±12.82 acre) remainder (Lot 2).
 Note: this is an application to amend previously approved parcel sizes for PL20200043.

Legend

Dwelling	
Building	
Water Well	
Wastewater	
Existing Approach	
Driveway	

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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 Legal/Lot 5 Plan: 7810737
 within SW-22-26-04-W05M



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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

ON/lt

ATTACHMENTS:

ATTACHMENT ‘A’: Approval Conditions

ATTACHMENT ‘B’: Maps and Other Information

ATTACHMENT ‘C’: Application Referrals



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ATTACHMENT 'A': APPROVAL CONDITIONS

- A. The application to create a ± 2.83 hectare (± 7.00 acre) parcel (Lot 1) with a ± 5.19 hectare (± 12.82 acre) remainder (Lot 2) at Lot 5, Plan 7810737, SW-22-26-4-W5M, 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 upgrade the existing road approach to a mutual paved standard as shown on the Approved Tentative Plan, in order to provide access to Lots 1 and 2. In addition, the Owner shall:
 - a) Provide an access right of way plan; and
 - b) Prepare and register respective easements on each title, where required.

Site Servicing

- 3) The Owner is to enter into a Deferred Services Agreement with the County to be registered on title for each proposed Lots 1 and 2, indicating:
 - a) Each future Lot Owner is required 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;



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Municipal Reserves

- 4) The provision of Reserve in the amount of 10% of the 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 Altus Group, file # 13120.102658.055 dated May 11, 2020, pursuant to Section 666(3) of the *Municipal Government Act*;
 - a) Reserves for Lot 2 are to be deferred with Caveat per the Plan of Survey, pursuant to Section 669(2) of the *Municipal Government Act*.

Payments and Levies

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

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



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ATTACHMENT 'B': MAPS AND OTHER INFORMATION

APPLICANT: Stormwater Solutions (Paul Jacobs)	OWNER: Judy and Ross Rogers
DATE APPLICATION RECEIVED: Original Application April 1, 2020; revised application December 10, 2020	DATE DEEMED COMPLETE: December 10, 2020
GROSS AREA: ± 8.02 HECTARES (± 19.82 ACRES)	LEGAL DESCRIPTION: Lot 5, Plan 7810737, SW-22-26-4-W5M
APPEAL BOARD: SUBDIVISION AND DEVELOPMENT APPEAL BOARD	
HISTORY: <p>September 24, 2020 Municipal Planning Commission approved subdivision of a subject parcel into two 9.91 acre parcels.</p> <p>June 1978 Subject property registered at land titles as a result of subdivision (Lot 5, Plan 781 0737; 19.82 acres)</p>	
PUBLIC & AGENCY SUBMISSIONS: <p>The application was circulated to 70 adjacent landowners. No responses 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>	

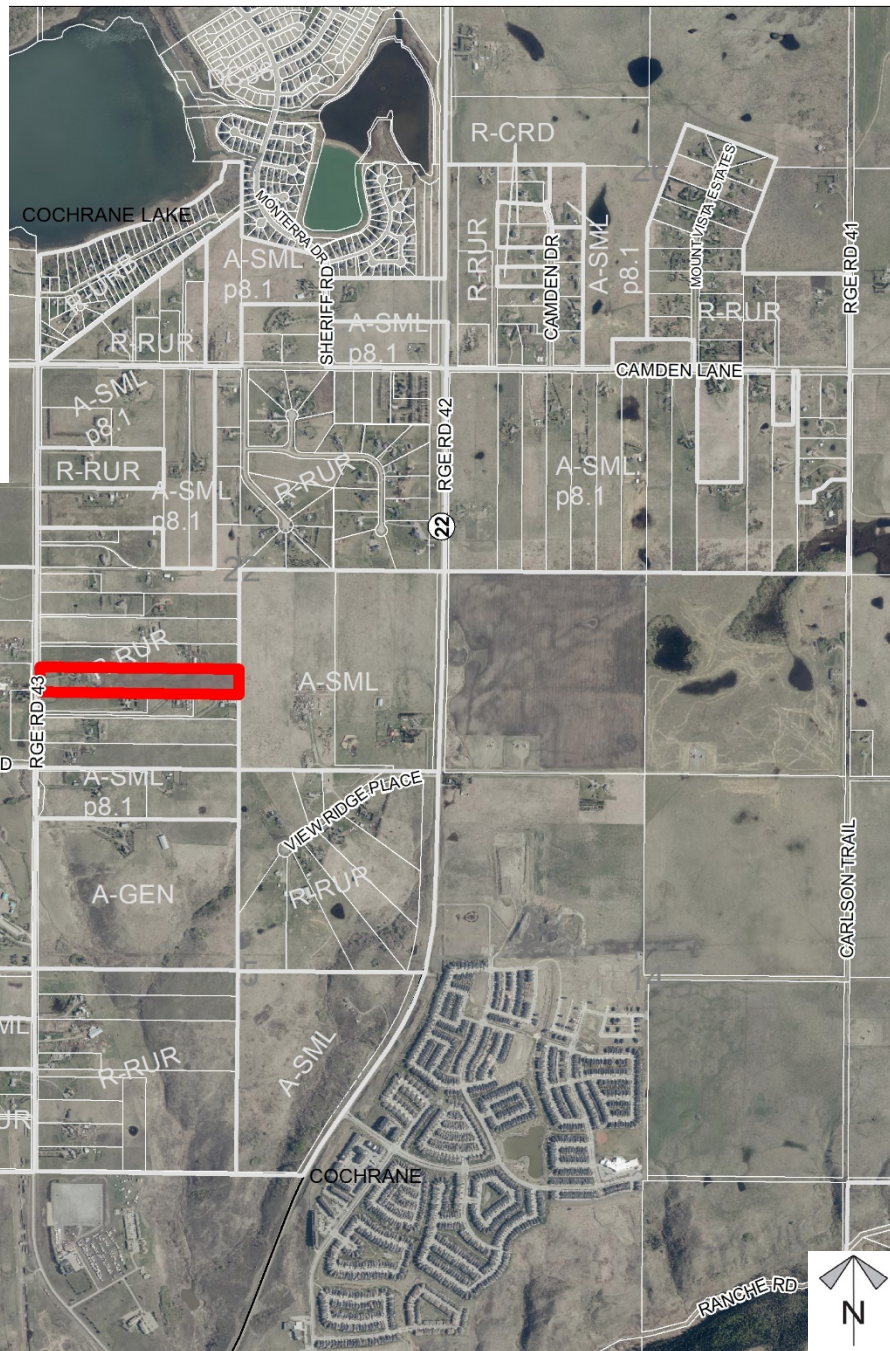
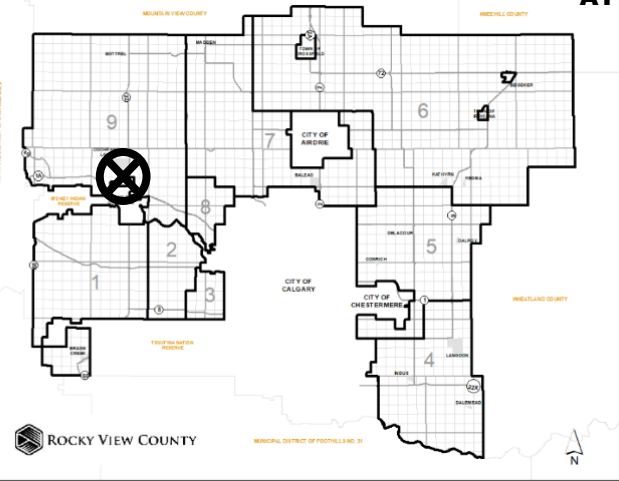


Location & Context

Subdivision Proposal

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Development Proposal

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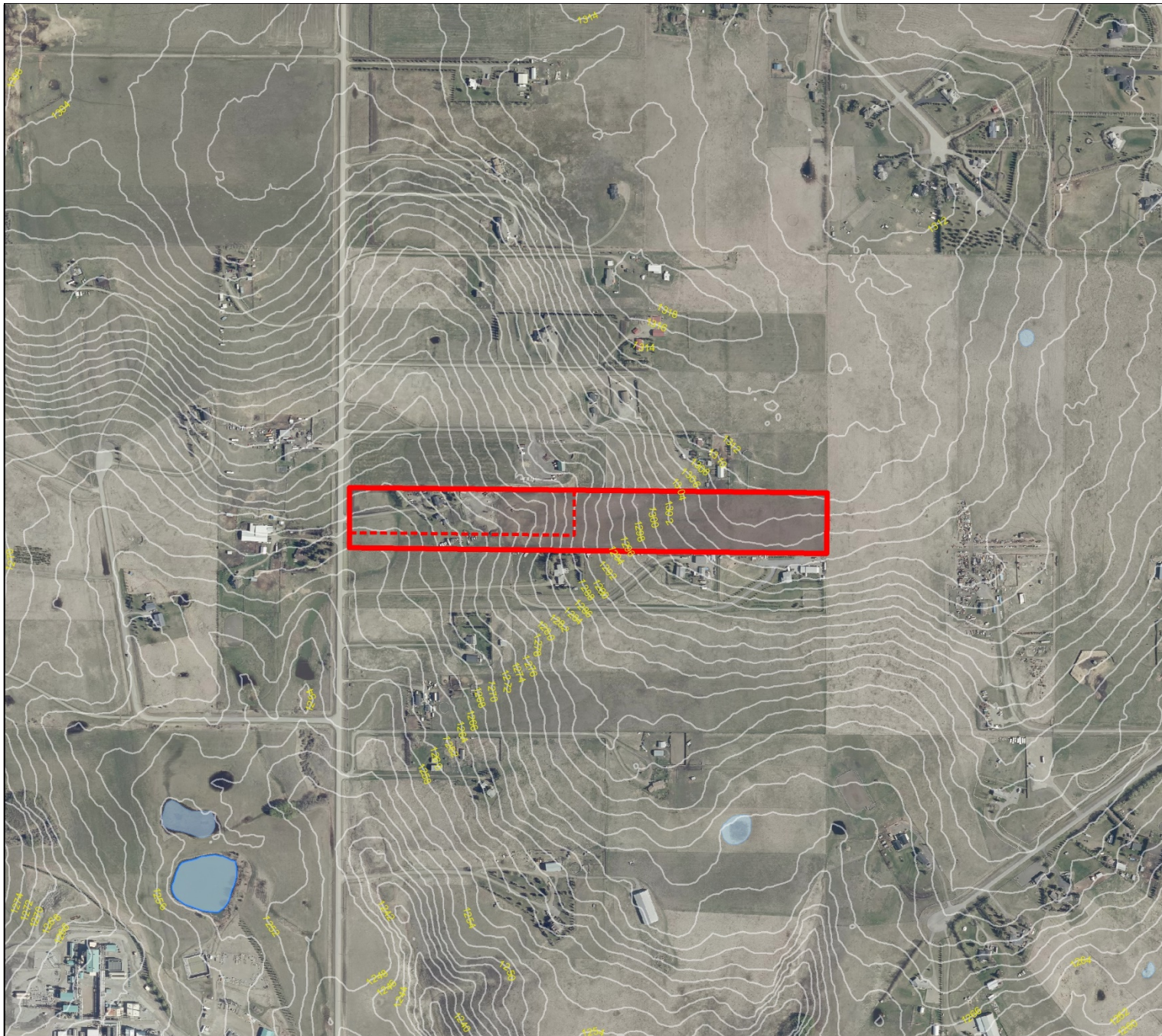
Environmental

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

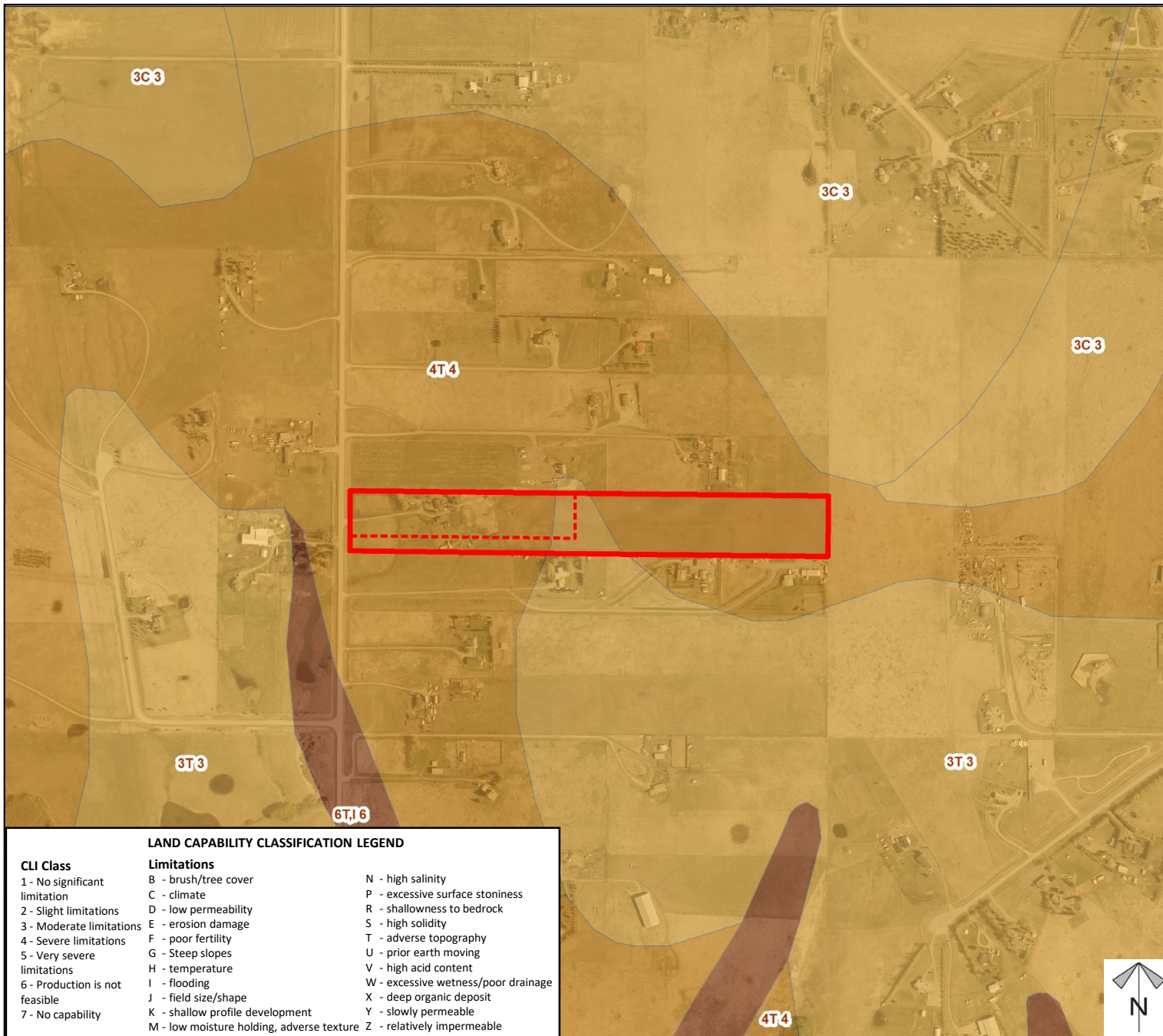
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Soil Classifications

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**Landowner
Circulation
Area**

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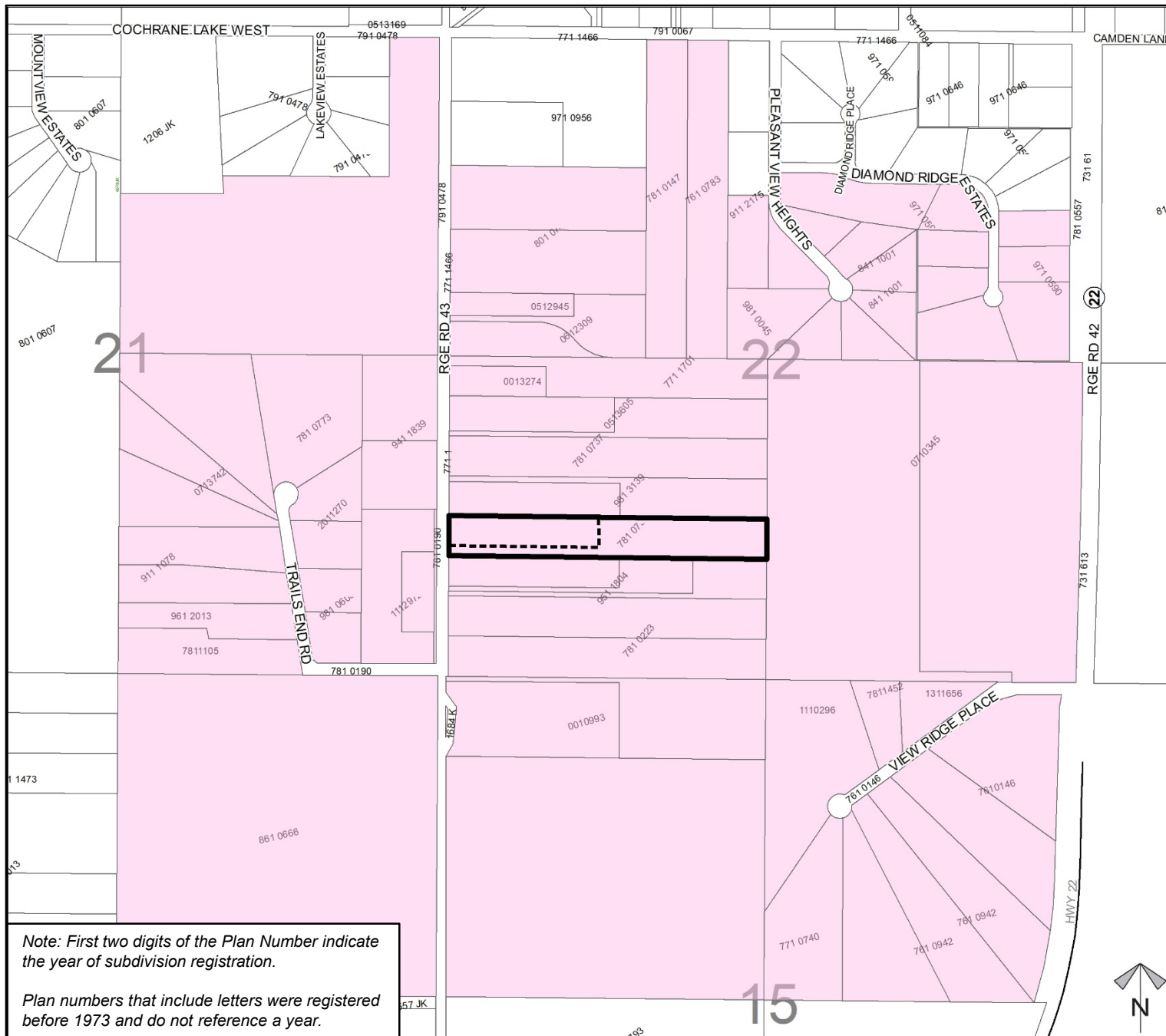
Support



Opposition



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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 Environment and Parks	No	No
Alberta Transportation	Yes	Yes
Alberta Sustainable Development (Public Lands)	No	No
Alberta Culture and Community Spirit (Historical Resources)	Yes	No
Energy Resources Conservation Board	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	No
TransAlta Utilities Ltd.	Yes	No
Adjacent Municipality		
The City of Calgary	No	No
Tsuut'ina Nation	No	No
Other External Agencies		
EnCana Corporation	Yes	No
Cochrane Lake Gas Coop	Yes	No
ASB Farm Members	Yes	No

ATTACHMENT 'C': APPLICATION REFERRALS

AGENCY	CIRCULATED	RESPONSE RECEIVED
Rocky View County Boards and Committees		
Internal Departments		
Recreation, Parks and Community Support	Yes	No
Development Authority	Yes	No
GIS Services	Yes	No
Building Services	Yes	No
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 4, 2021 to February 26, 2021.

Agencies that were not required for distribution are not listed.