

## PLANNING AND DEVELOPMENT SERVICES

<b>TO:</b>	Municipal Planning Commission Subdivision Authority	<b>DIVISION:</b> 9
<b>DATE:</b>	July 14, 2021	<b>APPLICATION:</b> PL20210064
<b>FILE:</b>	06732004	
<b>SUBJECT:</b>	Subdivision Item – Creation of One Residential Lot	

**APPLICATION:** To create a  $\pm 2.02$  hectare ( $\pm 5.00$  acre) parcel (Lot 1) with a  $\pm 20.23$  hectare ( $\pm 50.00$  acre) remainder (Lot 2).

**GENERAL LOCATION:** Located approximately 0.8 kilometres (0.5 mile) south of Highway 567, on the west side of Big Hill Springs Trail.

**LAND USE DESIGNATION:** Residential, Rural District (R-RUR) and Agricultural, Small Parcel District (A-SML)

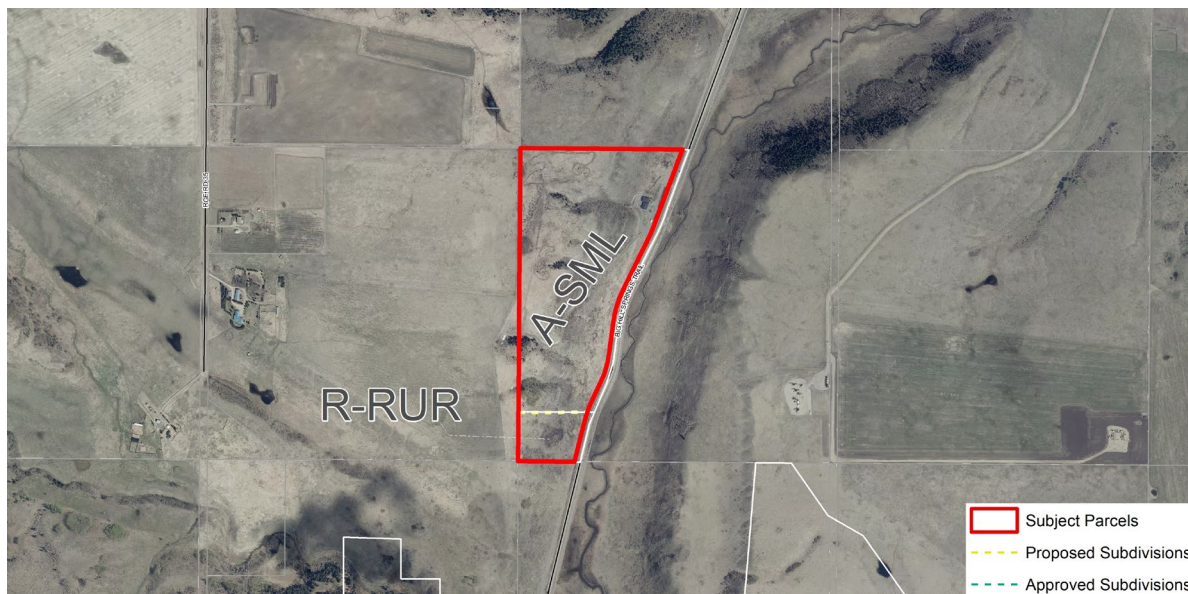
**ADMINISTRATION RECOMMENDATION:** Administration recommends approval as per Option #1.

**OPTIONS:**

Option #1: THAT Subdivision Application PL20210064 be approved with the conditions noted in Appendix 'A'.

Option #2: THAT Subdivision Application PL20210064 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.

<p><b>APPLICABLE POLICY AND REGULATIONS:</b></p> <ul style="list-style-type: none"> <li>• <i>Municipal Government Act</i>;</li> <li>• Subdivision and Development Regulations;</li> <li>• Land Use Bylaw; and</li> <li>• County Servicing Standards.</li> </ul>	<p><b>TECHNICAL REPORTS SUBMITTED:</b></p> <ul style="list-style-type: none"> <li>• Trip Generation Assessment (JCB Engineering, November 14, 2019)</li> <li>• Conceptual Water Well and Septic Field Design report (Solstice Environmental Management, November 12, 2019)</li> <li>• Level 4 PSTS Assessment (Solstice Environmental Management, October 23, 2020)</li> <li>• Site-Specific Stormwater Implementation Plan (Stormwater Solutions, November 2020)</li> <li>• Slope Stability Assessment (E2K Engineering Ltd., December 14, 2020)</li> <li>• Appraisal Report (Black Valuation Group Ltd., June 21, 2021)</li> </ul>
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*Transportation:*

The remainder lot (Lot 2) contains a dwelling and has direct access to Big Hill Springs Trail. The proposed new lot (Lot 1) would be accessed through a new approach off Big Hill Springs Trail. The Applicant provided a Trip Generation Assessment at the redesignation stage, indicating that no improvements to local road networks are warranted. As a condition of subdivision, the Owner is required to build a new paved approach for the new lot, and pay Transportation Off-Site Levy on the new lot only, as the remainder lot contains the existing dwelling.

*Water and Wastewater:*

The existing dwelling on the remainder lot is serviced by a water well and private sewage treatment system. The proposed new lot will be serviced in the same manner. Due to the steep slope on the new lot, the Applicant provided a Conceptual Water Well location and Septic Field Design report at the redesignation stage. It concluded that the current slope is too steep for rig access for well drilling and site grading will be required. The Applicant provided a Level 4 PSTS Assessment which indicates that the site would support a conventional sewage treatment system. As a condition of subdivision, the Owner is required to provide a Water Well Driller's Report for the new lot.

*Site Grading & Slope:*

A Slope Stability Assessment was received at the redesignation stage, indicating that no signs of instability were observed. Based on the results of the analysis and site reconnaissance, no geotechnical setbacks will be required for the proposed development, and it is possible to develop at least one (1) acre of contiguous land in this area. A condition of subdivision, a Site Improvements Services Agreement has been included for the building envelope within the proposed new lot to be graded to a lesser slope and for the construction of engineered retaining walls. The requirement to perform these works will be undertaken at time of Building Permit.



### *Stormwater:*

A Site-Specific Stormwater Management Plan was provided at the redesignation stage, indicating that the proposed development would be located at the bottom of the hill and any upstream flow would be diverted around the development using grass swales. Stormwater from the newly developed areas would be managed by a rain garden to control runoff rates and volumes. The report confirms that the post-development runoff would be equal to or less than the existing runoff. As a condition of subdivision, the Owner is required to enter into a Site Improvement Servicing Agreement to implement the recommendation of the stormwater management plan and Level 4 PSTS Assessment.

### *Municipal Reserves:*

Municipal Reserve owing on the new lot would be paid by cash-in-lieu of payment. The remainder lot is greater than 40 acres, Municipal Reserve is not required in accordance with Section 663 of the *Municipal Government Act* (MGA).

### *Payments and Levies:*

APPLICABLE FEE/LEVY	AMOUNT OWING (ESTIMATE)
TRANSPORTATION OFF-SITE LEVY	\$22,975 Development Area = 5.00 acres (new lot only) Base Levy \$4,595 per acre x 5.00 acres = \$22,975
MUNICIPAL RESERVE (cash in lieu payment)	\$5,454 \$10,909 / acre (market value) x 5 acres (new lot) x 10% = \$5,454

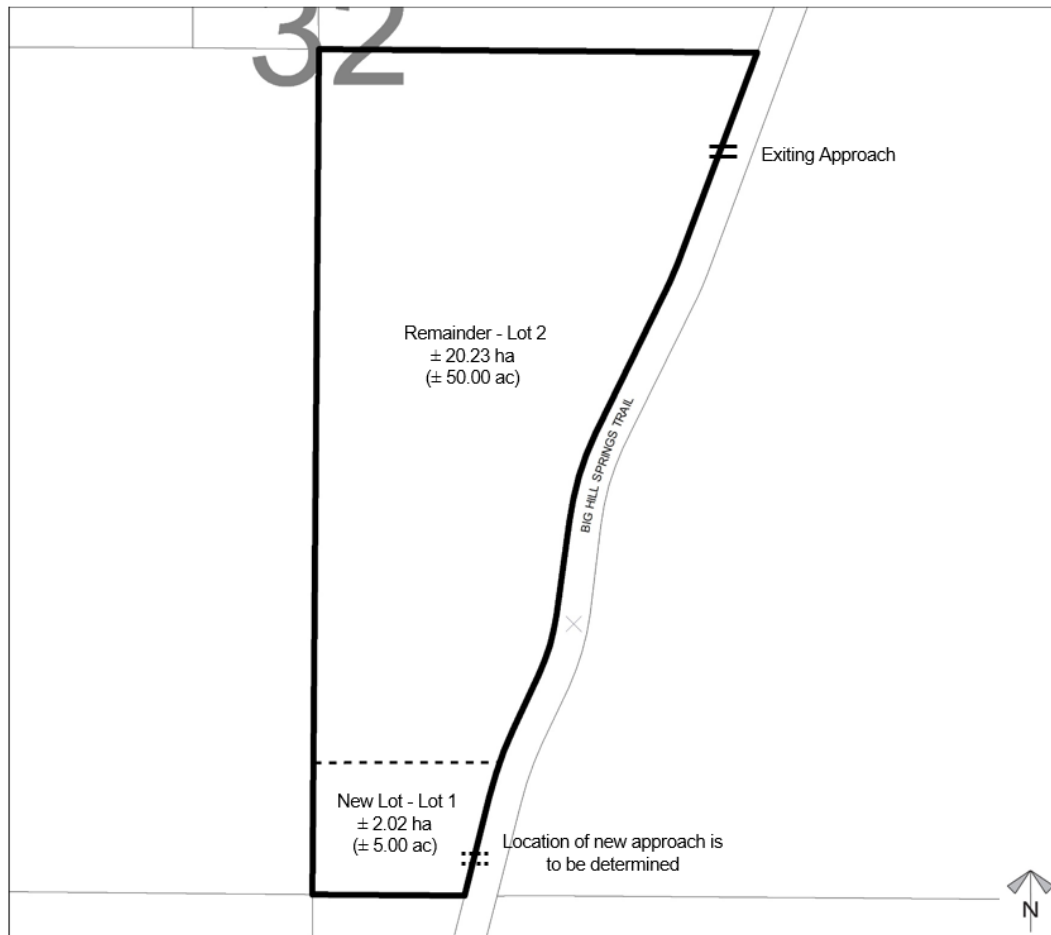
### *Land Use Bylaw:*

The proposed Lot 1 and Lot 2 meet the parcel size requirements of Residential, Rural District (R-RUR) and Agricultural, Small Parcel District (A-SML) within the Land Use Bylaw.

Due to the significant topography of the proposed Lot 1 and the associated required grading, a Development Permit will be required for regrading prior to the commencement of the construction of a new dwelling.



## Tentative Plan



## Tentative Plan

Subdivision Proposal

To create ± 2.02 hectares (± 5.00 acres) parcel (Lot 1) with a ± 20.23 hectares (± 50.00 acres) remainder (Lot 2)

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: 06732004  
 File: PL20210064  
 Legal: A portion of SE-32-26-03-W05M  
 Printed: April 8, 2021



**CONCLUSION:**

Subject to the proposed conditions of approval, the application is recommended for approval in accordance with Option #1.

Respectfully submitted,

Concurrence,

“Brock Beach”

“Kent Robinson”

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Acting Executive Director  
Community Development Services

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Acting Chief Administrative Officer

XD/llt

**ATTACHMENTS:**

ATTACHMENT ‘A’: Approval Conditions

ATTACHMENT ‘B’: Maps and Other Information

**ATTACHMENT 'A': APPROVAL CONDITIONS**

- A. The application to create a  $\pm 2.02$  hectare ( $\pm 5.00$  acre) parcel (Lot 1) with a  $\pm 20.23$  hectare ( $\pm 50.00$  acre) remainder (Lot 2) within SE-32-26-3-W5M, having been evaluated in terms of Section 654 of the *Municipal Government Act* and Section 7 and 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 that 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:

***Plan of Subdivision***

- 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 off Big Hill Springs Trail in order to provide access to the new lot (Lot 1).

***Site Servicing***

- 3) Water is to be supplied by an individual well on Lot 1. The subdivision shall not be endorsed until:
  - a) The Owner has provided a Well Driller's Report to demonstrate that an adequate supply of water is available for Lot 1.
  - b) Verification is provided that the well is located within the proposed lot's boundaries.
  - c) It has been demonstrated that the new well is capable of supplying a minimum of one (1) IGPM of water for household purposes.

***Stormwater***

- 4) The Owner shall enter into a Development Agreement (Site Improvement/Servicing Agreement) with the County for the new lot (Lot 1), which shall include the following:
  - a) Implementation of the recommendations with Site-Specific Stormwater Implementation Plan, prepared by stormwater solutions, dated November 2020.



## ROCKY VIEW COUNTY

- b) Implementation of the recommendation of a Slope Stability Assessment, prepared by E2K Engineering Ltd., dated December 14, 2020.
- c) Implementation of the recommendations of Level 4 PSTS Assessment, prepared by Solstice Environmental Management, dated, October 23, 2020.

### *Municipal Reserve*

- 5) The provision of Municipal Reserve in the amount of 10% of Lot 1, as determined by the Plan of Survey, is to be provided by payment of cash-in-lieu in accordance with the market value shown in the appraisal report prepared by Black Valuation Group Ltd., dated June 21, 2021, pursuant to Section 666(3) of the *Municipal Government Act*.

### *Payments and Levies*

- 6) 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 the new lot (Lot 1) as shown on the Plan of Survey.
- 7) The Owner shall pay the County Subdivision Endorsement fee, in accordance with the Master Rates Bylaw, for the creation of one (1) new lot.

### *Taxes*

- 8) 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.



## ATTACHMENT 'B': MAPS AND OTHER INFORMATION

<b>APPLICANT:</b> Stormwater Solutions (Paul Jacobs)	<b>OWNERS:</b> Fernando Peris
<b>DATE APPLICATION RECEIVED:</b> April 7, 2021	<b>DATE DEEMED COMPLETE:</b> June 21, 2021
<b>GROSS AREA:</b> ± 22.26 hectares (± 55.00 acres)	<b>LEGAL DESCRIPTION:</b> A portion of SE-32-26-3-W5M
<b>SOILS (C.L.I. from A.R.C.):</b> <b>Class 4, H, P</b> - Severe limitations due to temperature limiting factor and excessive surface stoniness. <b>Class 7, T, E, R</b> - No capability of agriculture due to adverse topography (steep and/or long uniform slopes), past erosion damage, and shallowness to solid bedrock	
<b>HISTORY:</b> <b>March 23, 2021:</b> Council approved redesignation application (PL20190186), to redesignate a portion of the subject land from Agricultural, General District (A-GEN) to Residential, Rural District (R-RUR) and Agricultural, Small Parcel District (A-SML), in order to facilitate the creation of a ± 5.00 acre parcel (Lot 1) with a ± 50.00 acre remainder (Lot 2). <b>February 9, 2021:</b> Council rescinded previously approved second reading, in order to allow a new public hearing to proceed. <b>July 21, 2020:</b> Council gave second reading to Bylaw C-7989-2019 (PL20190186) <b>January 14, 2020:</b> Council gave first reading to Bylaw C-7989-2019 (PL20190186) <b>1987</b> Big Hill Springs Road is constructed, separating the quarter section and creating the current parcel configuration.	
<b>PUBLIC &amp; AGENCY SUBMISSIONS:</b> The application was circulated to 10 adjacent landowners. No responses were received. The application was also circulated to a number of internal and external agencies, as depicted in Attachment 'B'; relevant comments are addressed within 'Additional Considerations' above.	

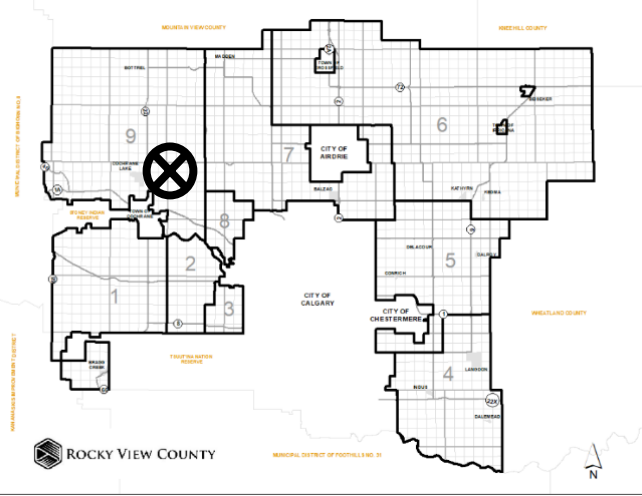


## Location & Context

### Subdivision Proposal

To create a  $\pm 2.02$  hectares ( $\pm 5.00$  acres) parcel (Lot 1) with a  $\pm 20.23$  hectares ( $\pm 50.00$  acres) remainder (Lot 2)

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 Printed: April 8, 2021

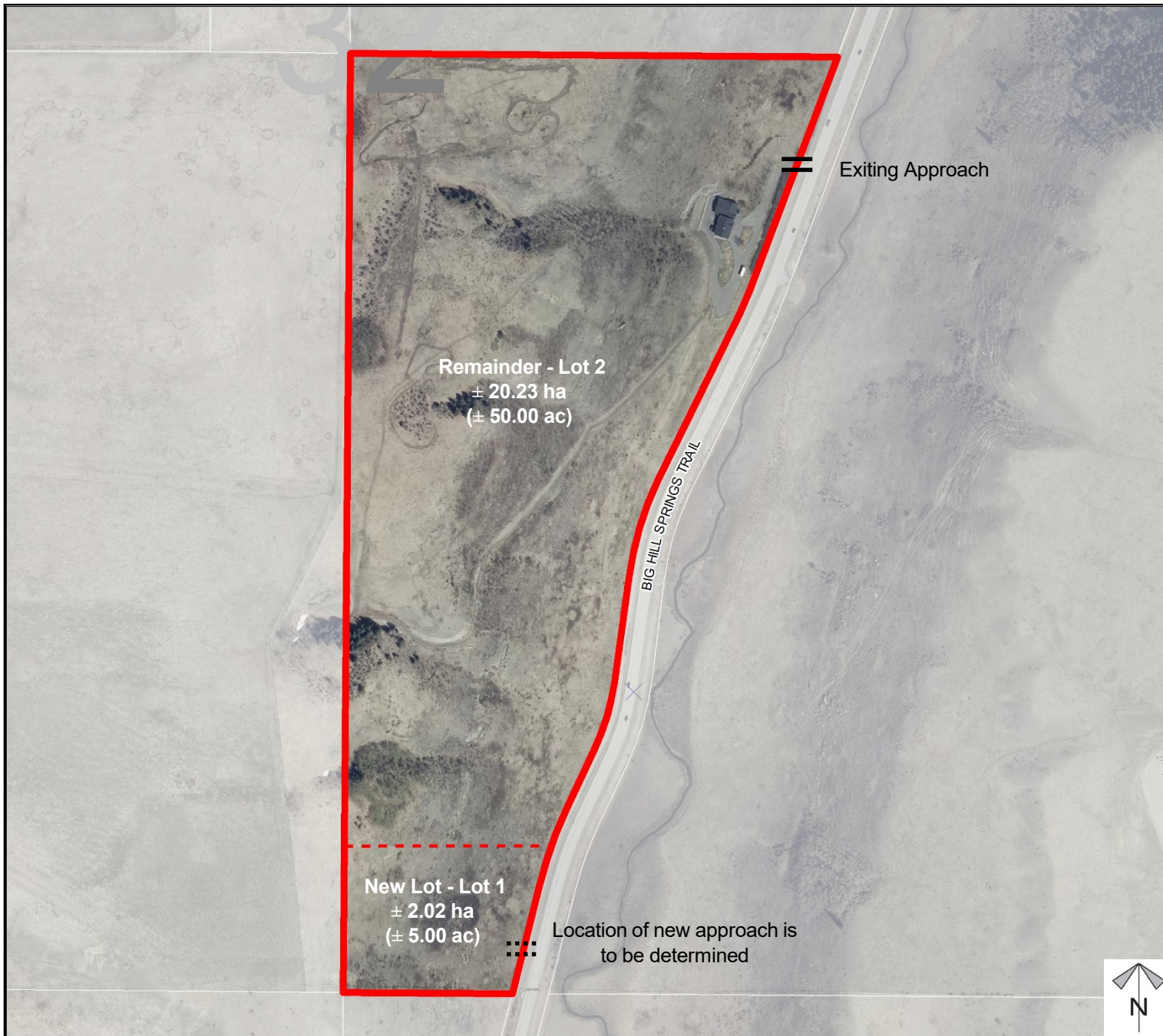




## Development Proposal

### Subdivision Proposal

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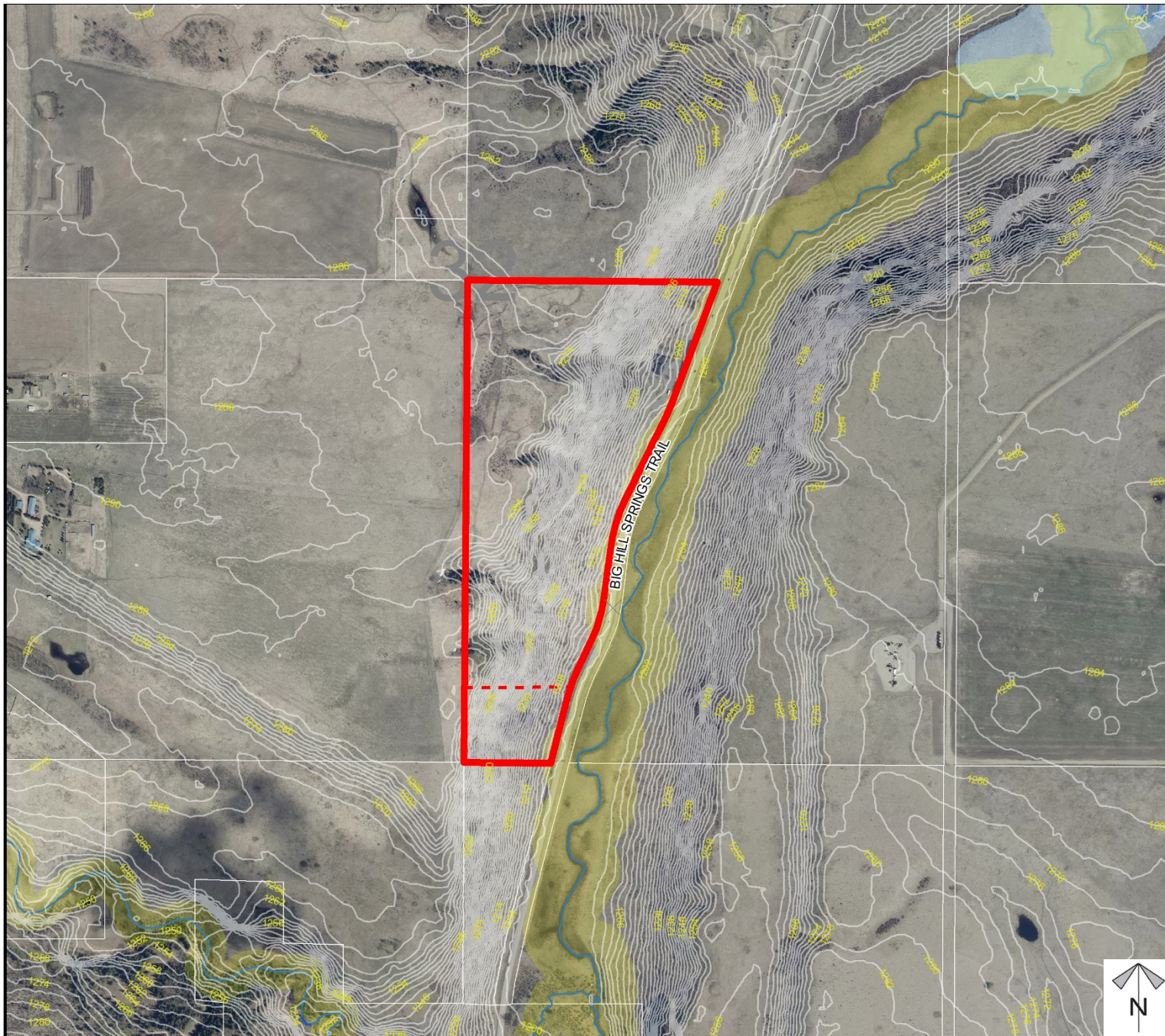
## Environmental

### Subdivision Proposal

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

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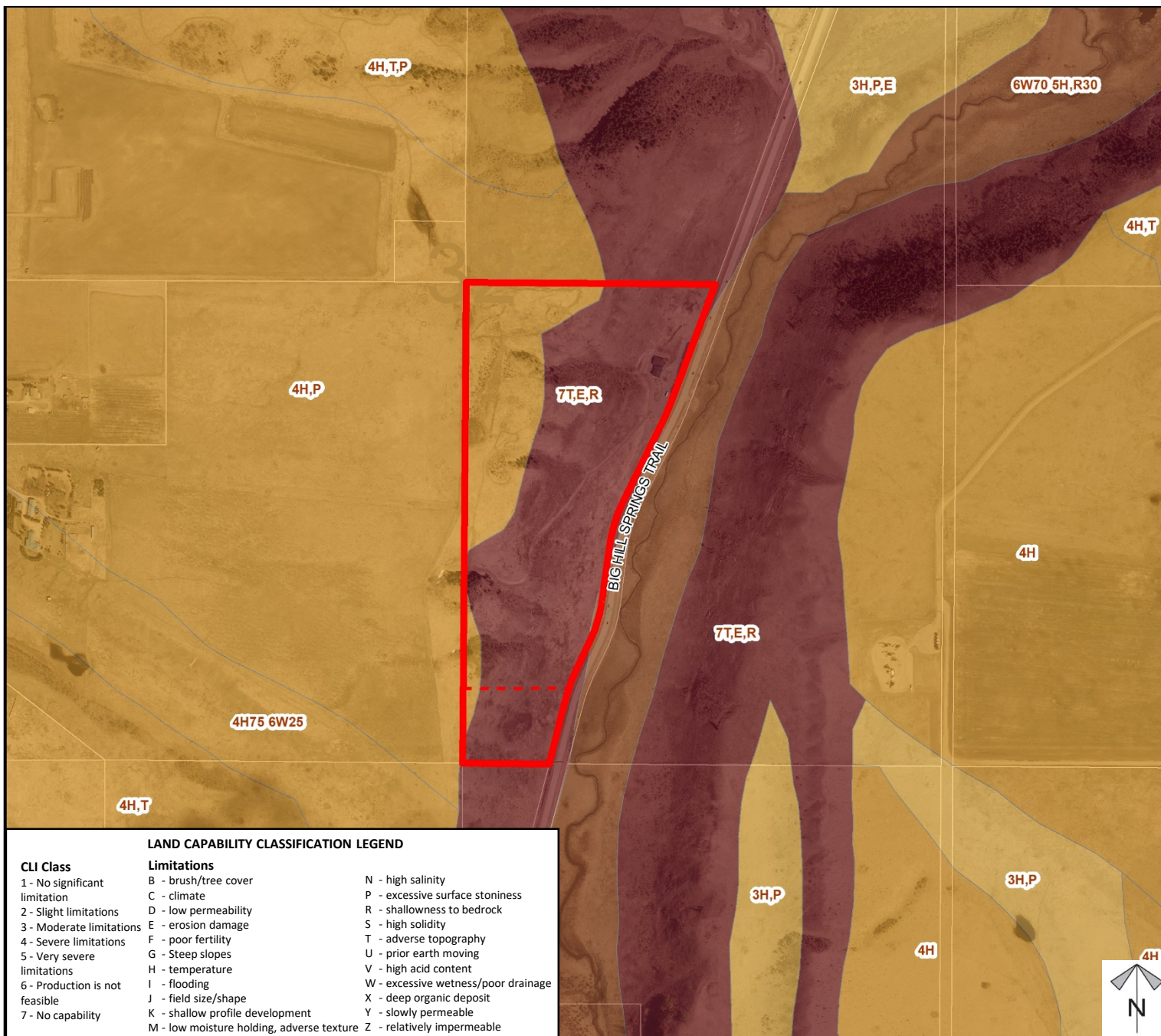




## Soil Classifications

### Subdivision Proposal

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#### LAND CAPABILITY CLASSIFICATION LEGEND

##### CLI Class

- 1 - No significant limitation
- 2 - Slight limitations
- 3 - Moderate limitations
- 4 - Severe limitations
- 5 - Very severe limitations
- 6 - Production is not feasible
- 7 - No capability

##### Limitations

- B - brush/tree cover
- C - climate
- D - low permeability
- E - erosion damage
- F - poor fertility
- G - Steep slopes
- H - temperature
- I - flooding
- J - field size/shape
- K - shallow profile development
- M - low moisture holding, adverse texture
- N - high salinity
- P - excessive surface stoniness
- R - shallowness to bedrock
- S - high solidity
- T - adverse topography
- U - prior earth moving
- V - high acid content
- W - excessive wetness/poor drainage
- X - deep organic deposit
- Y - slowly permeable
- Z - relatively impermeable

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## Landowner Circulation Area

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### Legend

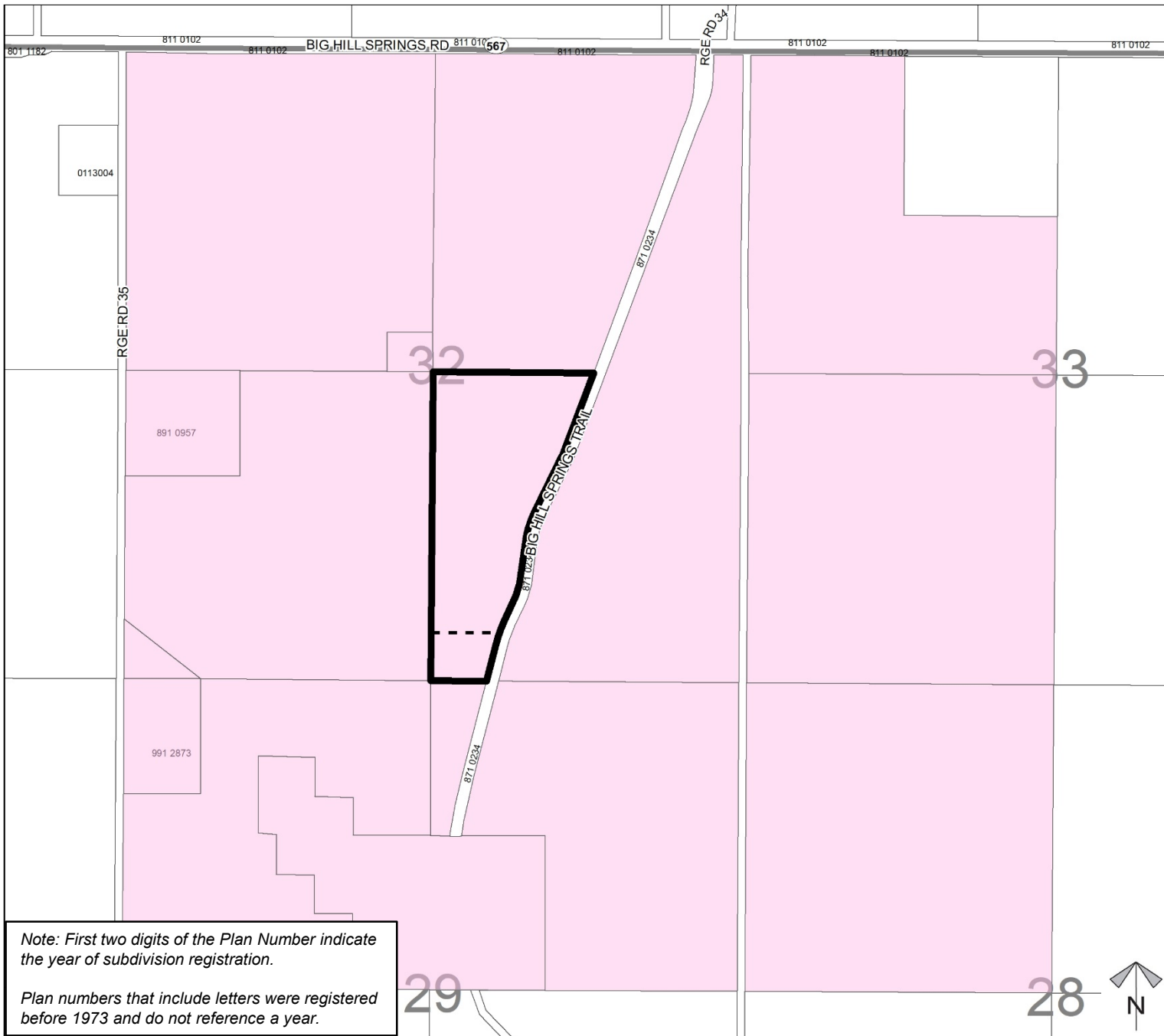
Support



Not Support



Division: 09  
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 File: PL20210064  
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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.



## Tentative Plan

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### Legend

Dwelling	
Building	
Water Well	
Wastewater	
Existing Approach	
New Approach	
Driveway	
Road Widening	
Road Acquisition	

### Surveyor's Notes:

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2. Refer to Notice of Transmittal for approval conditions related to this Tentative Plan.

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