

PLANNING AND DEVELOPMENT SERVICES

TO: Municipal Planning Commission
Subdivision Authority

DATE: July 14, 2021

FILE: 06706011

SUBJECT: Subdivision Item: Residential Use

DIVISION: 9

APPLICATION: PL20200143

APPLICATION: To create a \pm 8.15 acre parcel with a \pm 11.48 acre remainder.

GENERAL LOCATION: Located east of Cochrane, approximately 0.81 km (1/2 mile) south of Hwy 1A and on the west side of Mountain Ridge Place.

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

EXECUTIVE SUMMARY: The application is consistent with the relevant policies of the Glenbow Ranch Area Structure Plan (ASP) and the Land Use Bylaw.

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

OPTIONS:

- Option #1: THAT Subdivision Application PL20200143 be approved with the conditions noted in Attachment 'A'.
- Option #2: THAT Subdivision Application PL20200143 be refused.

AIR PHOTO & DEVELOPMENT CONTEXT:



Administration Resources

Christina Lombardo, 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; • Cochrane Intermunicipal Development Plan; • Glenbow Ranch ASP; • Land Use Bylaw; and • County Servicing Standards. 	TECHNICAL REPORTS SUBMITTED: <ul style="list-style-type: none"> • Water Well Inspection / Titan Water Systems / June 2020 • Septic System Inspection / Titan Water Systems / June 2020
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Additional Review Considerations*Transportation and Access*

Lot 2 contains an existing dwelling and accessory building that will remain on site. There is an existing approach from Mountain Ridge Place that provides access to the existing dwelling as well as the adjacent land on the south through an access easement agreement (Instrument # 201117209). The applicant has proposed to construct a new approach to the north of the existing access in order to access Lot 1 which has been included as a condition of subdivision. There is sufficient separation distance from the existing approach to accommodate the new approach as proposed.

Servicing

The existing dwelling is serviced by the Rocky View Water Co-op and a PSTS system; the applicant has proposed the new lot be serviced via the same means. As per the Glenbow Ranch ASP, Country Residential areas shall connect to the existing piped water system, however; a letter provided by the Rocky View Water Co-op stated that at this time, the existing pipe cannot service the additional parcel. Due to this, the existing well located within Lot 1 will be utilized to service Lot 1. A Water Well report was submitted that demonstrated the well can support the proposed dwelling.

As a condition of the subdivision, a Deferred Services agreement is required for both lots, requiring the owner to tie into the water, the wastewater, and the stormwater services when they become available.

A PSTS Level 3 assessment was submitted that stated the soil was suitable for the conventional septic treatment system on Lot 2 which will be installed at the Building Permit stage.

Municipal Reserve

As per the Glenbow Ranch Area Structure Plan (ASP), the west side of the parcel has been identified as a Conservation area to support open space or parklands, and the east is identified as Country Residential. A Deferred Reserve Caveat is registered on title that states 1% of the municipal reserve was previously provided for this parcel; therefore 9% of the value of lands is outstanding.

Based on the topography and the overall width of both proposed parcels, further subdivision without a local plan is unlikely. If further fragmentation is to occur the conservation lands will most likely be taken at that time to ensure the most efficient use of land. Therefore, the Municipal Reserve will continue to be deferred for both parcels.

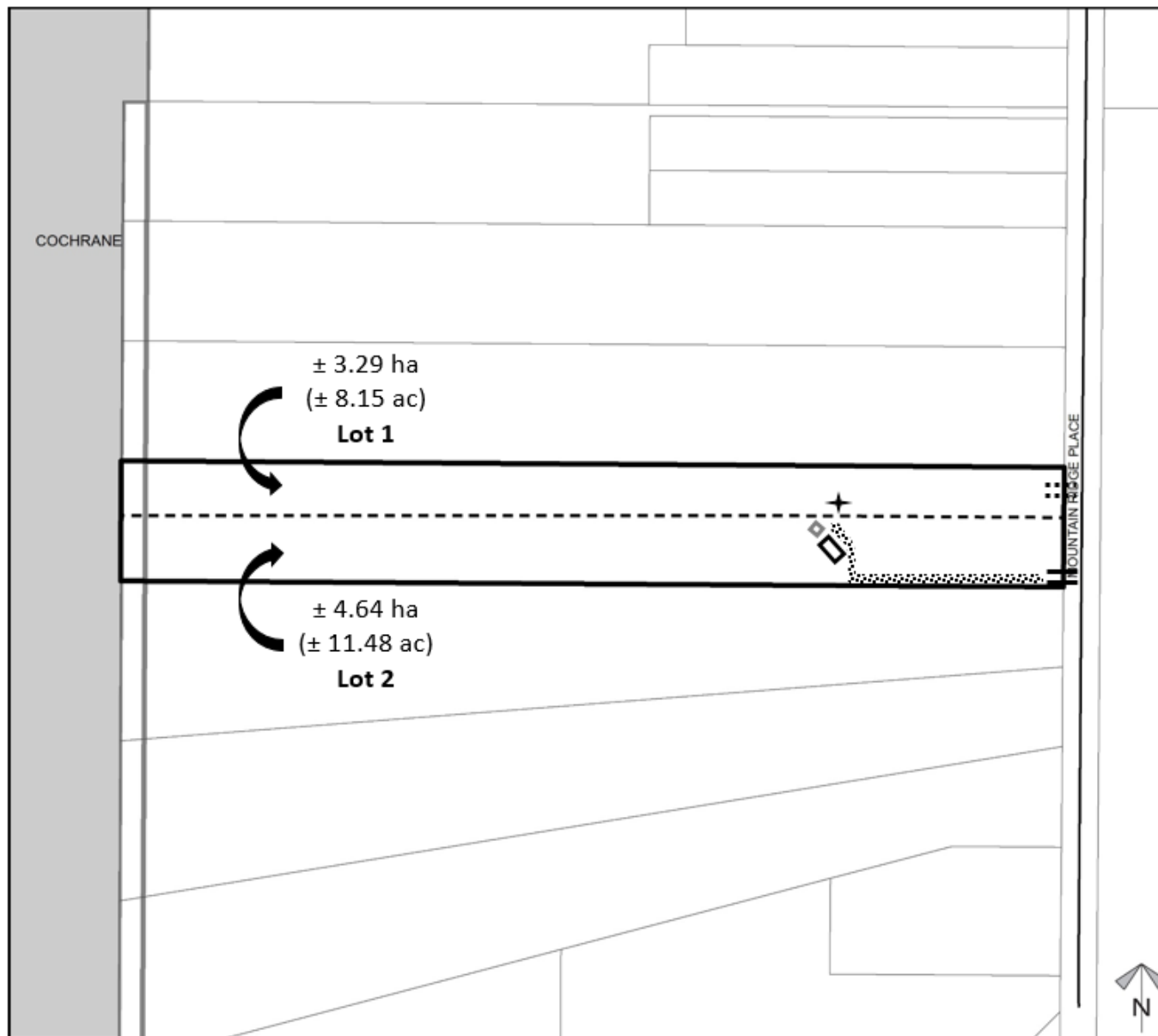
*Glenbow Ranch Area Structure Plan*

The parcel is surrounded by predominately residential uses, with undeveloped agricultural land to the east and the Glenbow Provincial Park lands to the south. The proposal meets the minimum parcel size of both the Land Use Bylaw and the Glenbow Ranch Area Structure Plan.

The Glenbow Ranch ASP identifies these lands as Country Residential within Map 7 of the Land Use Strategy, the parcel is identified for further subdivision potential. Further density with the area could be supported through a local plan.

The Glenbow Ranch ASP identifies these lands within Area A on Map 6: TDC Program Areas, where further subdivision of parcels to a minimum of 3.95 acres is generally supported. The proposed development does not encroach on the conservation area indicated on Map 5.

Located within the Cochrane IDP area, this application does not appear to negatively impact any adjacent lands as it aligns with existing land uses and does not impede any future development areas within the conservation area. Edge consideration has been taken into account as the residential or development area is away from the Cochrane municipal boundary and open space reserve.



Tentative Plan

Subdivision Proposal

To create a ± 3.29 hectare (8.15 acre) parcel with a ± 4.64 hectare (11.48 acre) remainder.



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

CL/llt

ATTACHMENTS:

ATTACHMENT ‘A’: Approval Conditions

ATTACHMENT ‘B’: Maps and Other Information

ATTACHMENT ‘C’: Public Submissions

**ATTACHMENT 'A': APPROVAL CONDITIONS**

- A. The application to create a \pm 3.29 hectare (8.15 acre) parcel with a \pm 4.64 hectare (11.48 acre) remainder on Lot 4, Plan 7410829, within SW-06-26-03-W05M, having been evaluated in terms of Section 654 of the *Municipal Government Act* and Section 7 and Section 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 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.
- 2) The Owner is to provide a Site Plan, prepared by an Alberta Land Surveyor, which illustrates the following in relation to the new property lines:
 - a) Identifying all existing buildings and structures in relation to the new property lines.
 - b) The Site Plan is to confirm that all existing private sewage treatment systems are located within the boundary of Lot 2, in accordance with the Alberta Private Sewage Systems Standard of Practice 2009;
 - c) The Site Plan is to confirm that the water well is located within the boundary of Lot 1;

Access

- 3) The Owner shall construct a new paved approach on Mountain Ridge Place in order to provide access to Lot 1.



ROCKY VIEW COUNTY

Site Servicing

- 4) The Owner is to enter into a Deferred Services Agreement with the County to be registered on title for each proposed Lot(s) 1 & 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 of the onsite water, wastewater and stormwater systems once County servicing becomes available;
- 5) Utility Easements, Agreements, and Plans are to be provided and registered (to the satisfaction of Fortis Alberta)

Municipal Reserve

- 6) The provision of Reserve in the amount of 9% of Lot(s) 1 & 2, are to be deferred by Caveat proportionately to Lot(s) 1 & 2, pursuant to Section 669(2) of the *Municipal Government Act*:
 - a) The existing Deferred Reserve Caveat, Instrument #741 090 703, is to be partially discharged.

Payments and Levies

- 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

APPLICANT: Megan Dunn	OWNER: Stephen Dunn
DATE APPLICATION RECEIVED: October 15, 2020	DATE DEEMED COMPLETE: October 15, 2020
GROSS AREA: ± 7.94 hectares (± 19.63 acres)	LEGAL DESCRIPTION: SW-06-26-03-W05M
APPEAL BOARD: Municipal Government Board	
HISTORY: <i>September 26, 1974:</i> Subdivision Plan 741 0829 was registered at Land Titles creating four new parcels (Lots 1-4).	
PUBLIC & AGENCY SUBMISSIONS: <p>The application was circulated to 29 adjacent landowners. One inquiry for information was made with no formal letter submitted. This response has been included in Appendix 'C.'</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>	

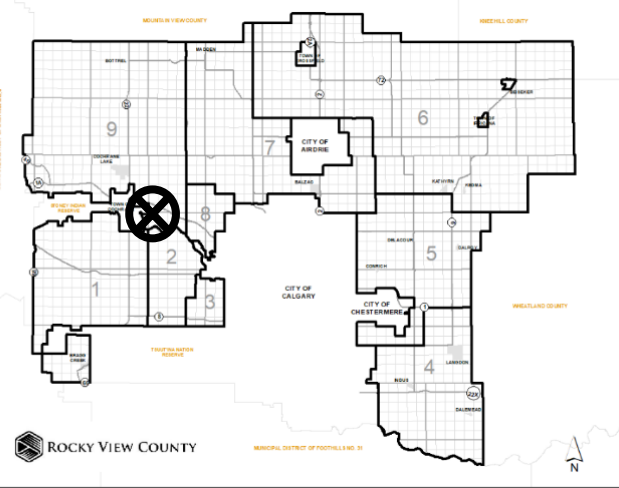


Location & Context

Subdivision Proposal

To create a ± 3.29 hectare (8.15 acre) parcel with a ± 4.64 hectare (11.48 acre) remainder.

Division: 9
 Roll: 06706011
 File: PL20200143
 Printed: October 26, 2020
 Legal: SW-06-26-03-W05M
 Lot: 4 Plan: 7410829





Development Proposal

Subdivision Proposal

To create a ± 3.29 hectare (8.15 acre) parcel with a ± 4.64 hectare (11.48 acre) remainder.

COCHRANE

MOUNTAIN RIDGE PLACE



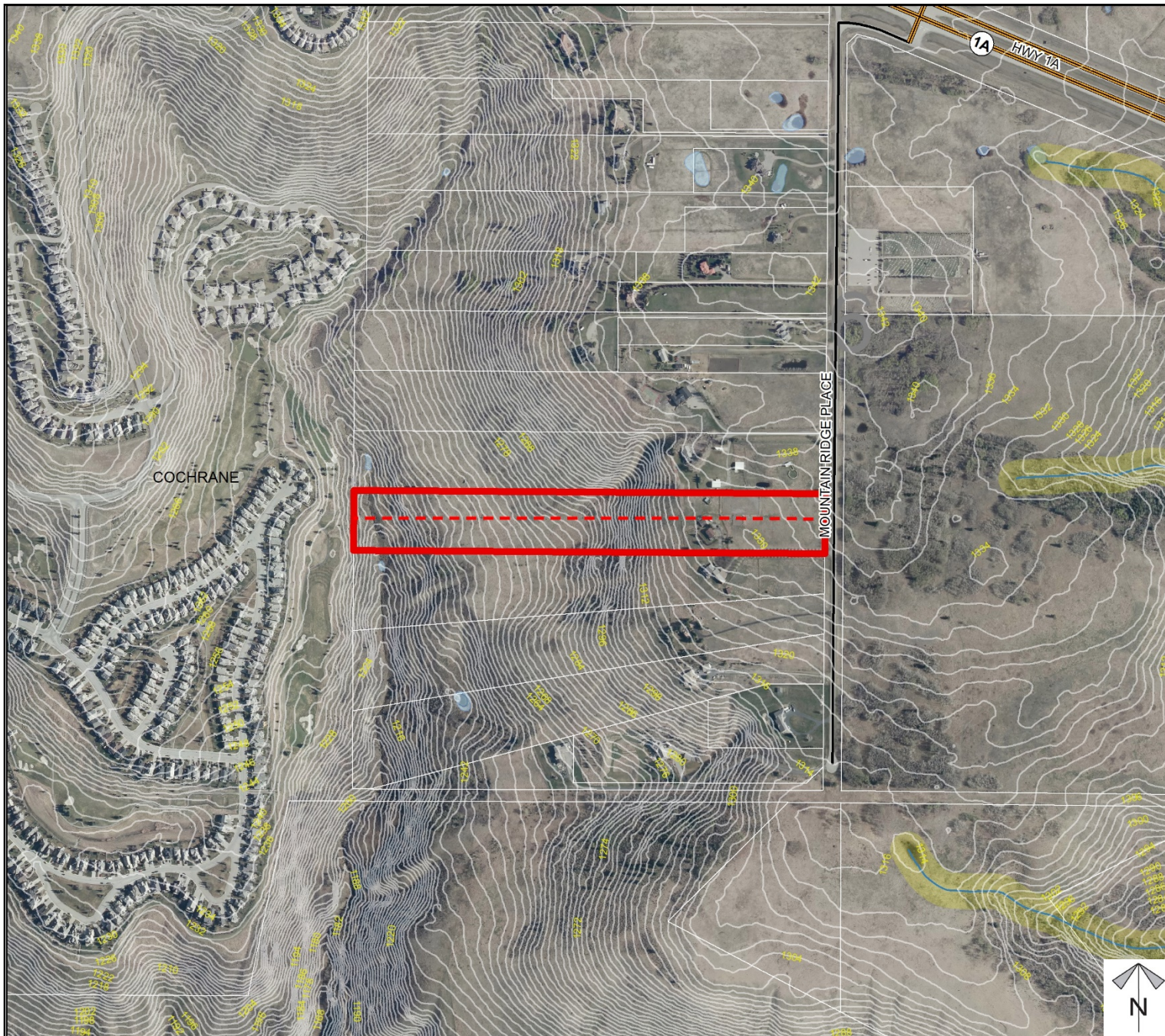
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Environmental

Subdivision Proposal

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

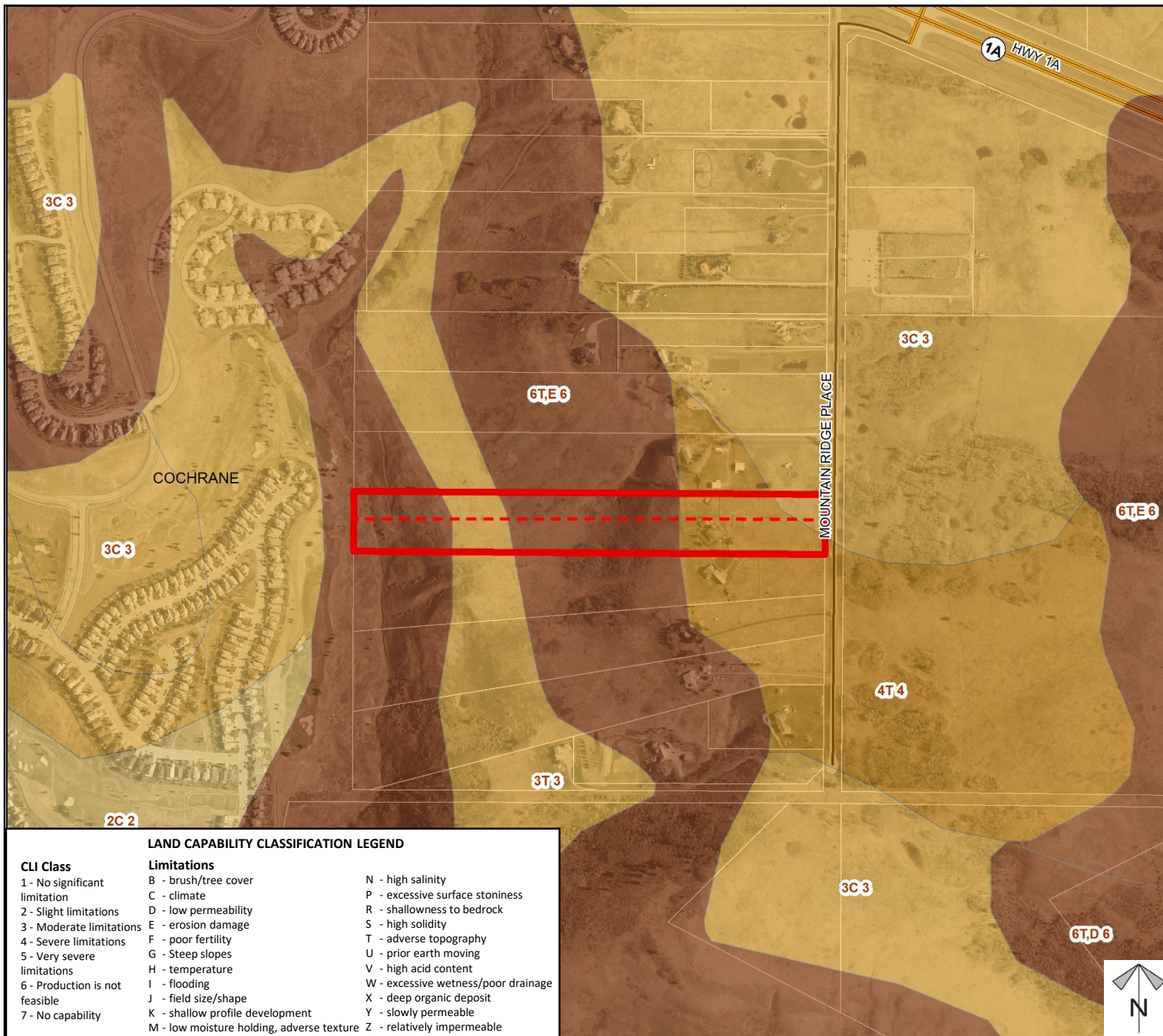
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Soil Classifications

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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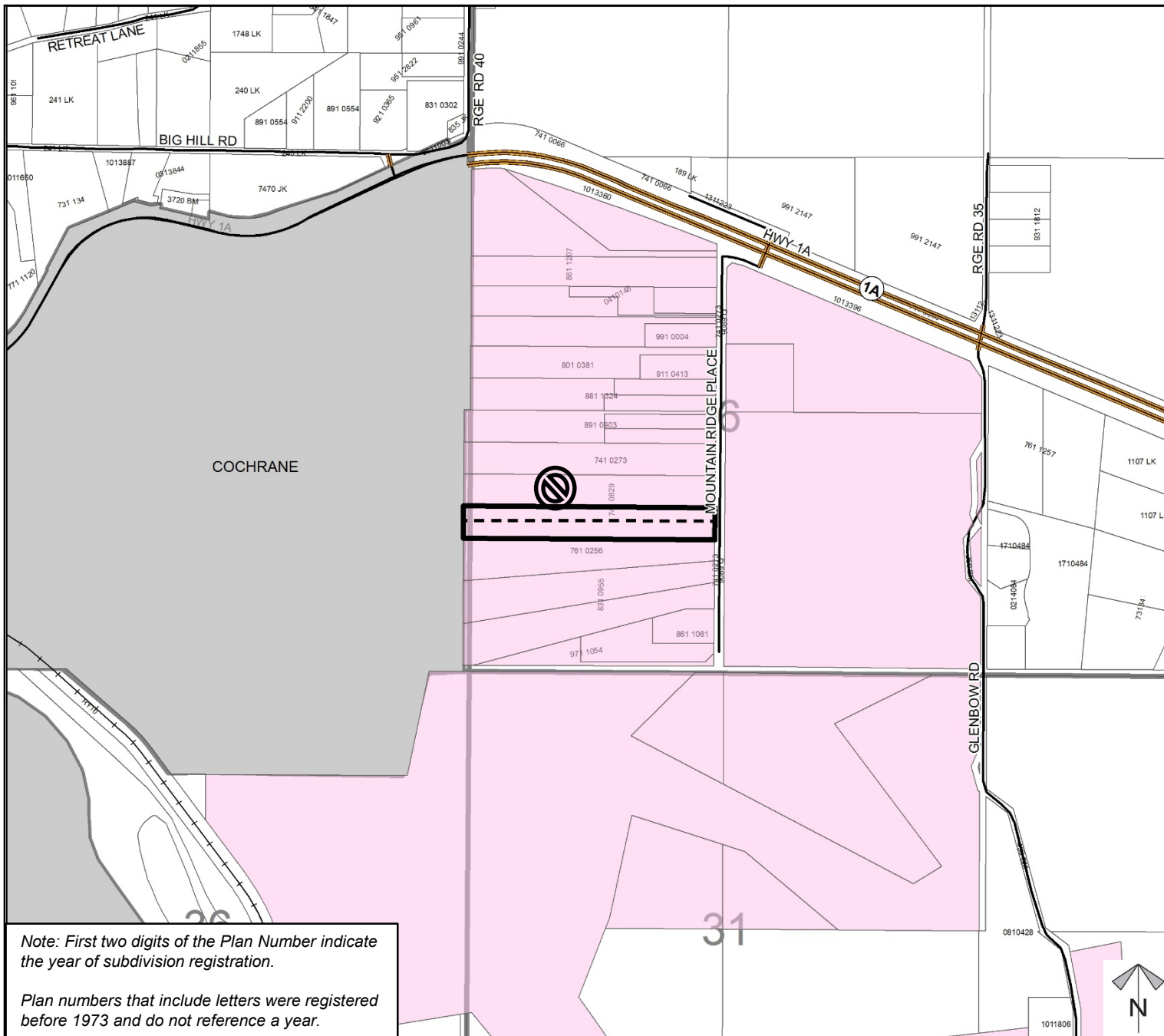
Support



Not in Support



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Tentative Plan

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Legend

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

Surveyor's Notes:

1. This subdivision may result in one legal non-conforming building located on Lot 2.
2. Refer to Notice of Transmittal for approval conditions related to this Tentative Plan.

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COCHRANE

± 3.29 ha
 (± 8.15 ac)
Lot 1

± 4.64 ha
 (± 11.48 ac)
Lot 2

MOUNTAIN RIDGE PLACE



From: [Christina Lombardo](#)
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: [EXTERNAL] - Application PL20200143 Inquiry
Date: December 3, 2020 11:54:00 AM

Good Morning Rob,

I wanted to follow up on my email from last week, to date I have not received a response in regards to subdivision application PL20200143. At this time I will note your father in laws parcel as expressing concern for the application however no formal submission in support or opposition was received.

Please let me know if you have any concerns with the above information.

Regards,

CHRISTINA LOMBARDO
Planner | Planning & Development Services

ROCKY VIEW COUNTY
262075 Rocky View Point | Rocky View County | AB | T4A 0X2
Phone: 403-520-1185 | Fax: 403-277-3066
clombardo@rockyview.ca | www.rockyview.ca

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From: Christina Lombardo
Sent: November 27, 2020 6:04 PM
To: 'Rob Weston' [REDACTED]
Cc: [REDACTED]
Subject: RE: [EXTERNAL] - Application PL20200143 Inquiry

Good Afternoon Rob,

As discussed, there are no setback requirements for an approach to a parcel, however, an access should be placed roughly a few meters from any adjacent property line. The property to the south of Mr. Bennett has applied for a temporary approach which has been approved through our Road Operations group and should be reclaimed once all work has been completed. If the current subdivision application is approved and the Applicant or Owner chooses to convert the existing access to a permanent access for the new parcel an inspection will take place by our Road Operations group and any upgrades or movement of the approach will be enforced at that time. Additionally, we do not have any specification or design guidelines in relation to a driveway granted it meets all provisions of the Land Use Bylaw and does not require an additional Development Permit.

I understand you have some additional questions regarding PL20200143, however the application you have been circulated on is for the creation of two lots (8.15 acre and 11.48 acre) with the intent to create one additional residence to the existing as per the application. The potential for further subdivision on the parcel would be assessed by a submitted application which you would again receive notice of and would be able to submit your comments. If you object to this particular application to create one additional residential lot adjacent to Mr. Bennett's land please submit your comments in writing by Tuesday December 1st by End of Day.

Thank you,

CHRISTINA LOMBARDO

Planner | Planning & Development Services

Rocky View County

262075 Rocky View Point | Rocky View County | AB | T4A 0X2

Phone: 403-520-1185 | Fax: 403-277-3066

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From: Rob Weston [REDACTED]
Sent: November 27, 2020 3:23 PM
To: Christina Lombardo <CLombardo@rockyview.ca>
Cc: [REDACTED]
Subject: [EXTERNAL] - Application PL20200143

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Good afternoon Ms. Lombardo,

This response is on behalf of Francis, J. Bennett of Box 25, Site 9 RR 2, Cochrane Alberta T4C 1A2. and concerns the subject Application for Subdivision.

My name is Rob Weston and I am Mr. Bennett's son-in-law.

For the record, Mr. Bennett asks for clarity on the following points:

1. What is the setback requirement for a road or driveway from an adjoining property line?
2. The Applicant has applied for and been granted a temporary approach for access to the property. Will this approach become permanent with approval of this Application?
3. What is the County of Rockyview design requirements for a driveway? (Setback to centreline of the road, the minimum and the maximum width of the road surface, the depth and width of a ditch, drainage requirements, etc.
4. What is the current residential spacing for this area?

5. Is there a possibility that the current residential spacing will be reduced and, if so, how does this Application effect that reduction?
6. What is the status of development within the valley area on the west end of this proposed Application?

We look forward to your timely response. If you have any questions, please feel free to contact the undersigned at [REDACTED] at your convenience.

Respectfully,

Rob Weston