

PLANNING AND DEVELOPMENT SERVICES

TO:	Subdivision Authority	DIVISION:	4
DATE:	July 28, 2021	APPLICATION:	PL20210043
FILE:	02335003 / 02335060		
SUBJECT:	Subdivision Item - Boundary Adjustment		

APPLICATION: To adjust the boundaries between a ± 4.86 hectare (± 12.01 acre) parcel and a ± 33.2 hectare (± 82.17 acre) parcel in order to create a ± 9.04 hectare (± 22.34 acre) parcel and a ± 29.06 hectare (± 71.70 acre) parcel.

GENERAL LOCATION: Located in the hamlet of Indus

LAND USE DESIGNATION: Residential, Rural District (R-RUR) and Agricultural, General District (A-GEN)

EXECUTIVE SUMMARY: The application is inconsistent with the relevant policies of the County Plan Indus Area Structure Plan and the Land Use Bylaw.

ADMINISTRATION RECOMMENDATION: Administration recommends tabling in accordance with Option #2.

OPTIONS:

- Option #1: THAT the Subdivision Application PL20210043 be approved with the conditions noted in Attachment 'B'.
- Option #2: THAT Subdivision Application PL20210043 be tabled until a redesignation application is approved to ensure a single consistent land use is applied to the entirety of the proposed parcel.
- Option #3: THAT Subdivision Application PL20210043 be refused.

AIR PHOTO & DEVELOPMENT CONTEXT:



Administration Resources

Scott Thompson, Planning and Development



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; • Indus Area Structure Plan; • Land Use Bylaw; and • County Servicing Standards. 	TECHNICAL REPORTS SUBMITTED: <ul style="list-style-type: none"> • No technical reports were submitted.
	TECHNICAL REPORTS REQUIRED/NOT SUBMITTED: <ul style="list-style-type: none"> • No technical reports were required.

Additional Review Considerations

Conditions were set based on the following items

Transportation

An existing approach from Township Road 225A will continue to be used to access lot 1 and a field approach exists of Township Road 230, which was inspected by County Roads staff.

Indus Area Structure Plan

The subject parcel is identified as Hamlet Residential (Sub Area- 1) within the Indus Area Structure Plan. This area is intended to provide smaller Hamlet residential areas with small parcel sizes. The proposal would see the size of the 12.01 acre parcel increase to 22.34 acres. The newly created parcel would be split zoned with Residential, Rural District (R-RUR) on the eastern portion and Agricultural, General District (A-GEN) on the western portion. As such, Administration recommends tabling the application the proposed parcel is designated a single consistent land use.

Land Use Bylaw

The parcel A-GEN does not meet the minimum size requirements in section 303 of the Land Use Bylaw, which stipulates that the parcel should be an un-subdivided quarter section, the portion remaining after a first parcel out or a minimum of 50.00 acres. As a result, Administration is recommending that the boundary adjustment be tabled until the newly created parcel has uniform land use.

Should the subdivision be approved with the split zoning on the parcel, issues may occur in the future as A-GEN and R-RUR have different regulations such as uses, general regulations, and development permit requirements.



Tentative Plan



Tentative Plan

Subdivision Proposal

To adjust the boundaries between a ± 4.86 hectare (12.01 acre) parcel and a ± 33.2 hectare (82.17 acre) parcel in order to create a ± 9.04 hectare (22.34 acre) parcel and a ± 29.06 hectare (71.70 acre) parcel.

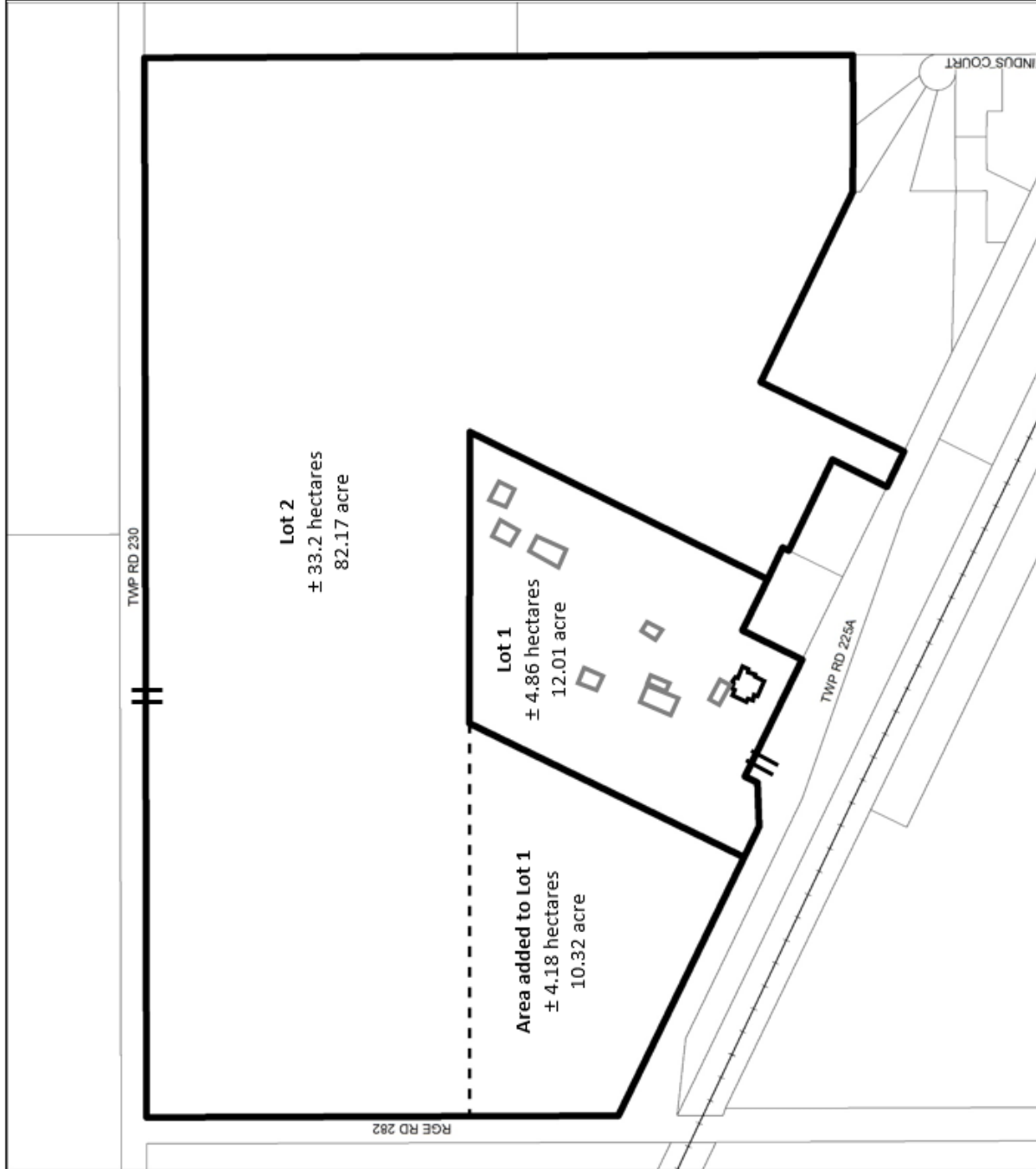
Legend

	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: 04
Roll: 02335003/02335060
File: PL20210043
Printed: March 15, 2021
Legal: Portions of NW-35-22-28-W04M





CONCLUSION:

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

Respectfully submitted,

Concurrence,

“Scott Thompson”

“Prabh Sodhi”

File Manager

Area Engineer

“Gurbir Nijjar”

SUBDIVISION AUTHORITY DELEGATE

ST/lt

ATTACHMENTS:

ATTACHMENT ‘A’: Approval Conditions

ATTACHMENT ‘B’: Maps and Other Information

ATTACHMENT 'A': APPROVAL CONDITIONS

Date Mailed: July 28, 2021

File: PL20210043 / 02335003/0235060

Kemble, Verne Charles
281242 Township Road 225A
Rocky View County, AB T1X 0H7

RE: SUBDIVISION TRANSMITTAL OF DECISION

Pursuant to a decision of the Subdivision Authority for Rocky View County, on June 17, 2021, your Subdivision Application was conditionally approved. The conditions of approval are outlined below:

- A. To adjust the boundaries between a ± 4.86 hectare (± 12.01 acre) parcel and a ± 33.2 hectare (± 82.17 acre) parcel in order to create a ± 9.04 hectare (± 22.34 acre) parcel and a ± 29.06 hectare (± 71.70 acre) parcel within Lot 4 Block 1 Plan 101 4735 within NW-35-22-28-W04M and NW-35-22-28-W04M has been evaluated in terms of Section 654 of the *Municipal Government Act*, Section 7 and 14 of the Subdivision and Development Regulation, and having considered adjacent landowner submissions, it is recommended that the application be approved as per the Tentative Plan for the reasons listed below:
- The application is consistent with Section 7 and 14 of the Subdivision and Development Regulation;
 - The subdivision conforms to the provisions of the relevant statutory plans;
 - The subject lands hold the appropriate land use designation;
 - The technical aspects of the subdivision proposal have been considered, and, where required, are further addressed through the conditional approval requirements.
- B. THAT 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. Conditions that require technical reports to be submitted, 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 Survey

- Subdivision 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.

Payments

- The Applicant/Owner shall pay the County subdivision endorsement fee, in accordance with the Master Rates Bylaw, for the creation of one (1) new Lot.

*Taxes*

- 3) 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.

ATTACHMENT 'B': MAPS AND OTHER INFORMATION

APPLICANT: Verne Kemble	OWNER: Verne and Susan Kemble and Connie Challice.
DATE APPLICATION RECEIVED: March 12, 2021	DATE DEEMED COMPLETE: March 14, 2021
GROSS AREA: ± 38.11 hectares (± 94.18 acres)	LEGAL DESCRIPTION: Lot 4 Block 1 Plan 1014735, NW-35-22-28-W04M NW-35-22-28-W04M
HISTORY: <p>July 6, 2010: Subdivision application (2009-RV-223) has four components, including the creation of two new parcels and two boundary adjustments was approved by Rocky View County Subdivision Authority.</p> <p>June 8, 2010: Council approved redesignation application (2009-RV-224) in support of this subdivision application.</p> <p>November 9, 2004: The Indus Area Structure Plan is adopted, and it identifies the subject lands as a Hamlet Residential Area.</p> <p>Mid 1980's: The first residential parcels are created on the quarter section.</p> <p>1914: Canadian Pacific Railway constructed its line and a station at approximately this time. The railway community of Indus began to form.</p>	
PUBLIC & AGENCY SUBMISSIONS: <p>The application was circulated to 51 adjacent landowners. No letters 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>	
RESERVE STATUS: Municipal Reserves are not available under section 663 of the <i>Municipal Government Act</i> .	

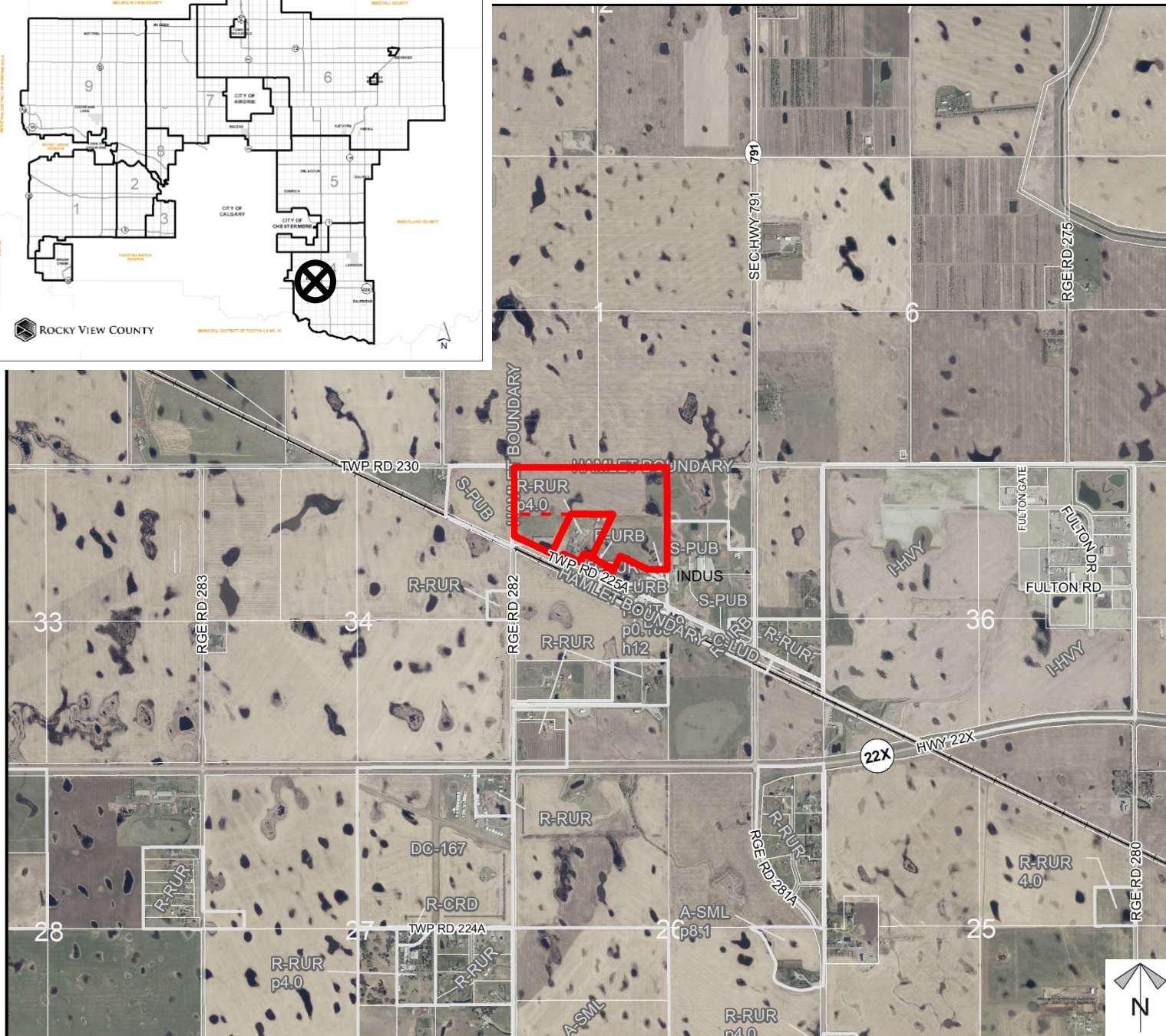
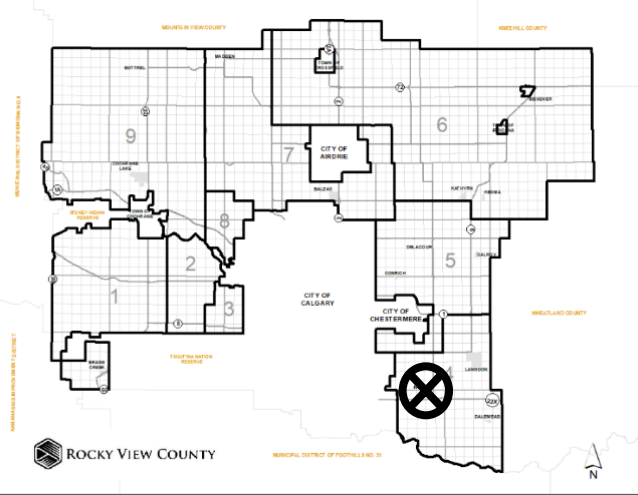


Location & Context

Boundary Adjustment Proposal

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Development Proposal

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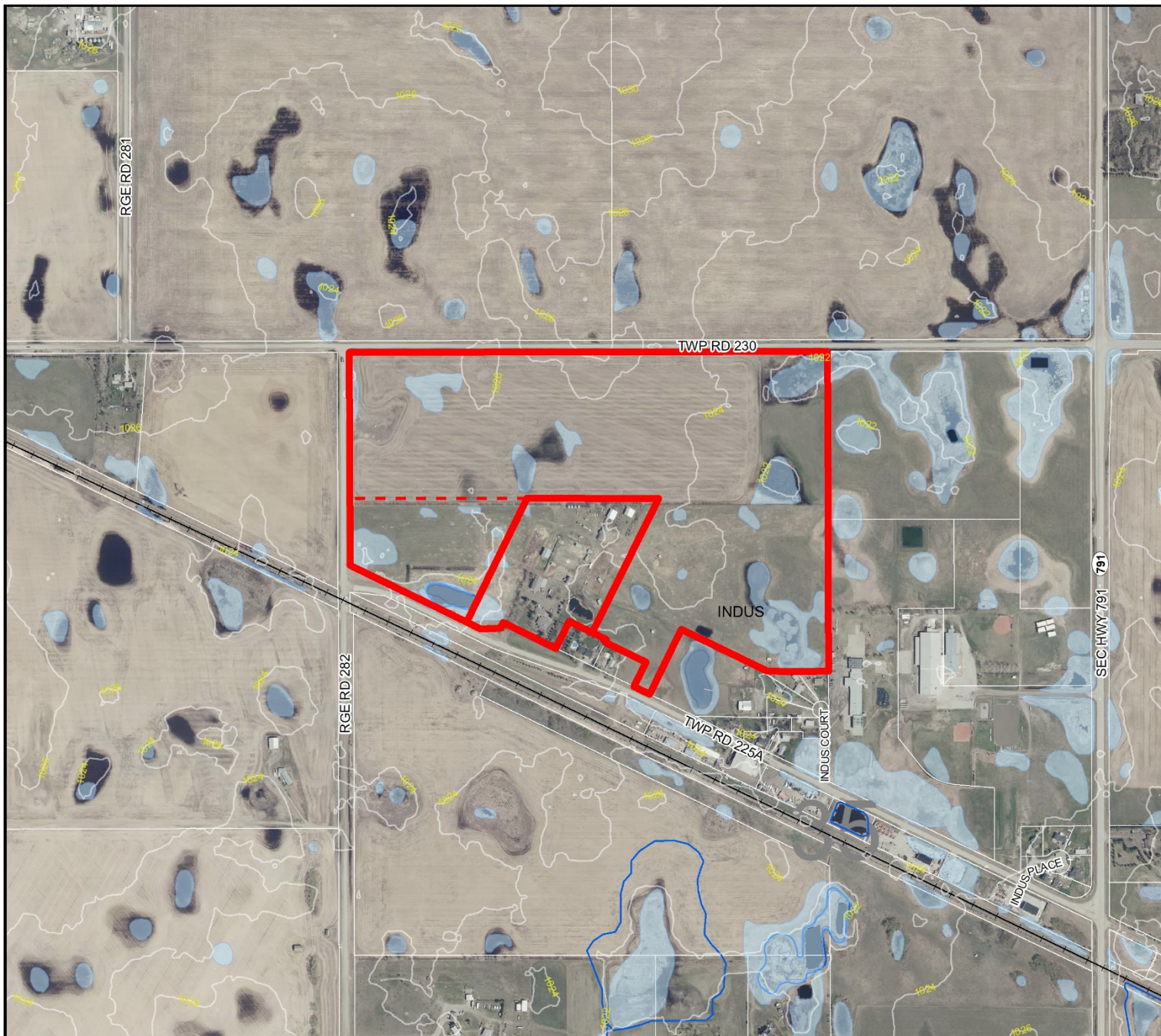
Environmental

Boundary Adjustment Proposal

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

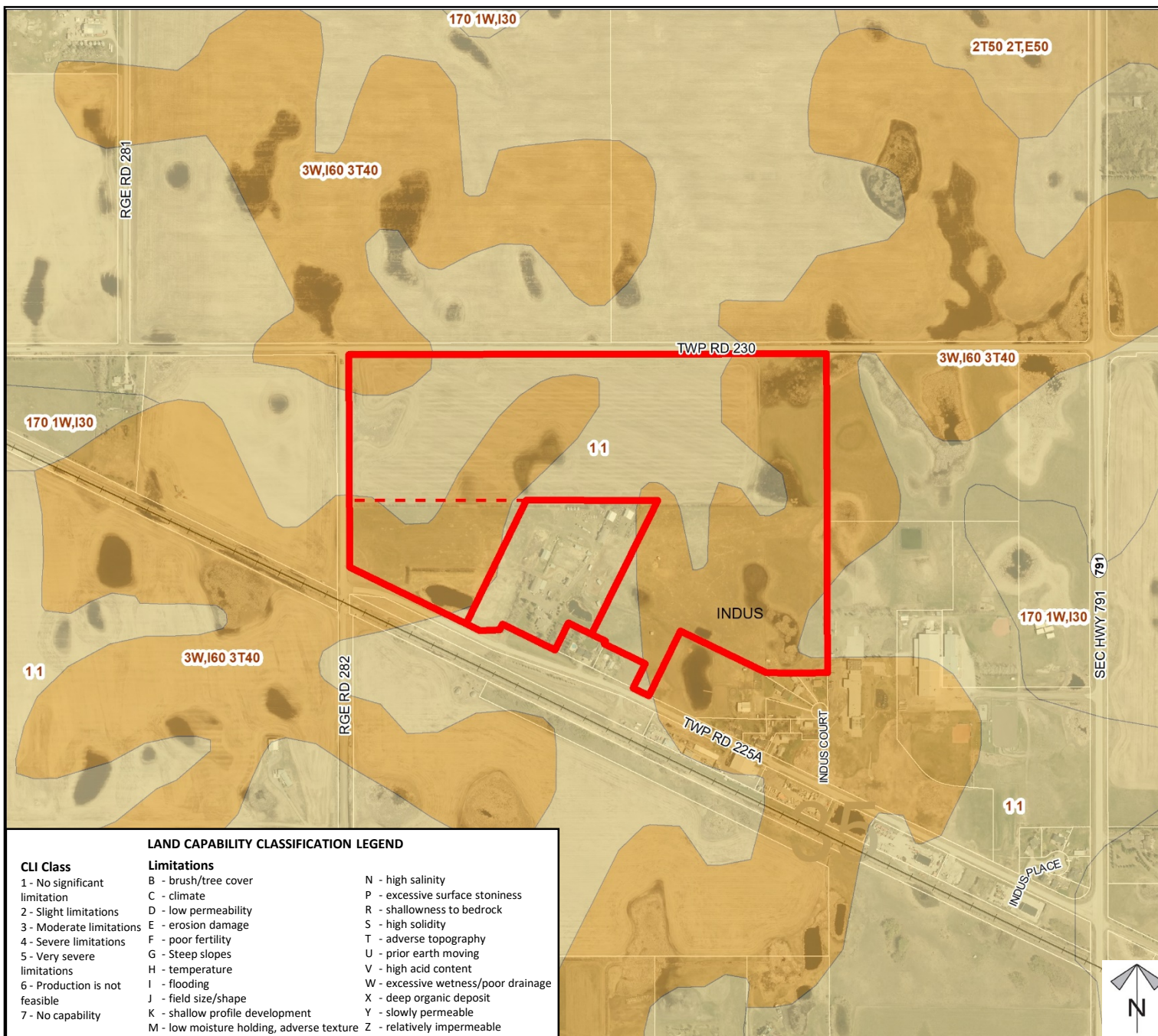
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Soil Classifications

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Landowner Circulation Area

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Legend

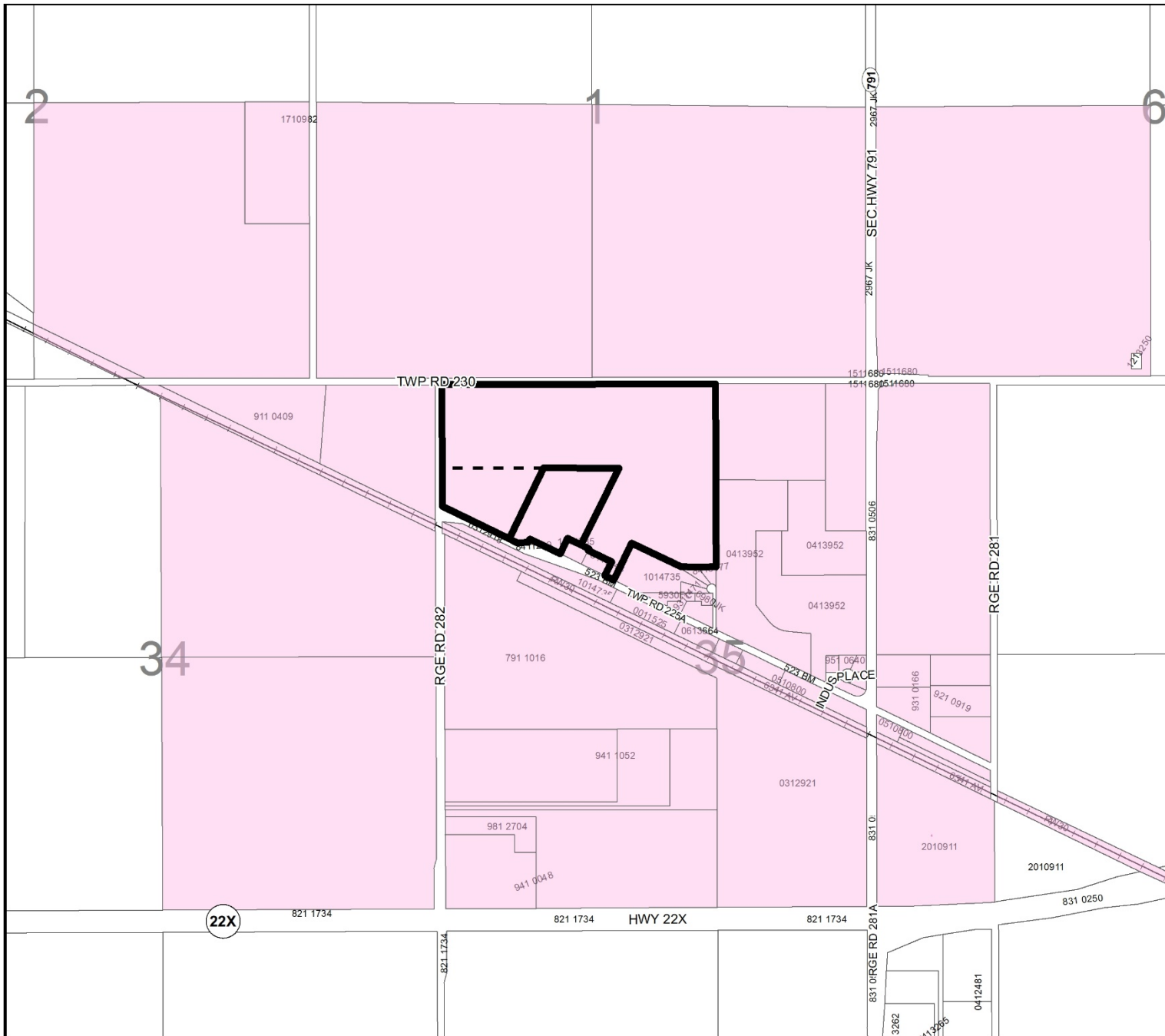
Support



Opposition



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