



PLANNING AND DEVELOPMENT SERVICES

TO: Municipal Planning Commission
Subdivision Authority

DIVISION: 6

DATE: July 28, 2021

APPLICATION: PL20210061

FILE: 07108002, 07108004

SUBJECT: Boundary Adjustment

APPLICATION: To adjust the boundaries between an ± 8.00 acre parcel and a ± 138.33 acre parcel in order to create an ± 11.00 acre parcel and a ± 135.33 acre parcel.

GENERAL LOCATION: Located south of the junction of Township Road 272 and Range Road 264.

LAND USE DESIGNATION: Agriculture, General District

EXECUTIVE SUMMARY: The subject parcel subdivision was approved by Council in 2014 and met the intent of the Municipal Development Plan at the time. Given that the application is for a boundary adjustment with no change in existing use, the application meets policy requirements.

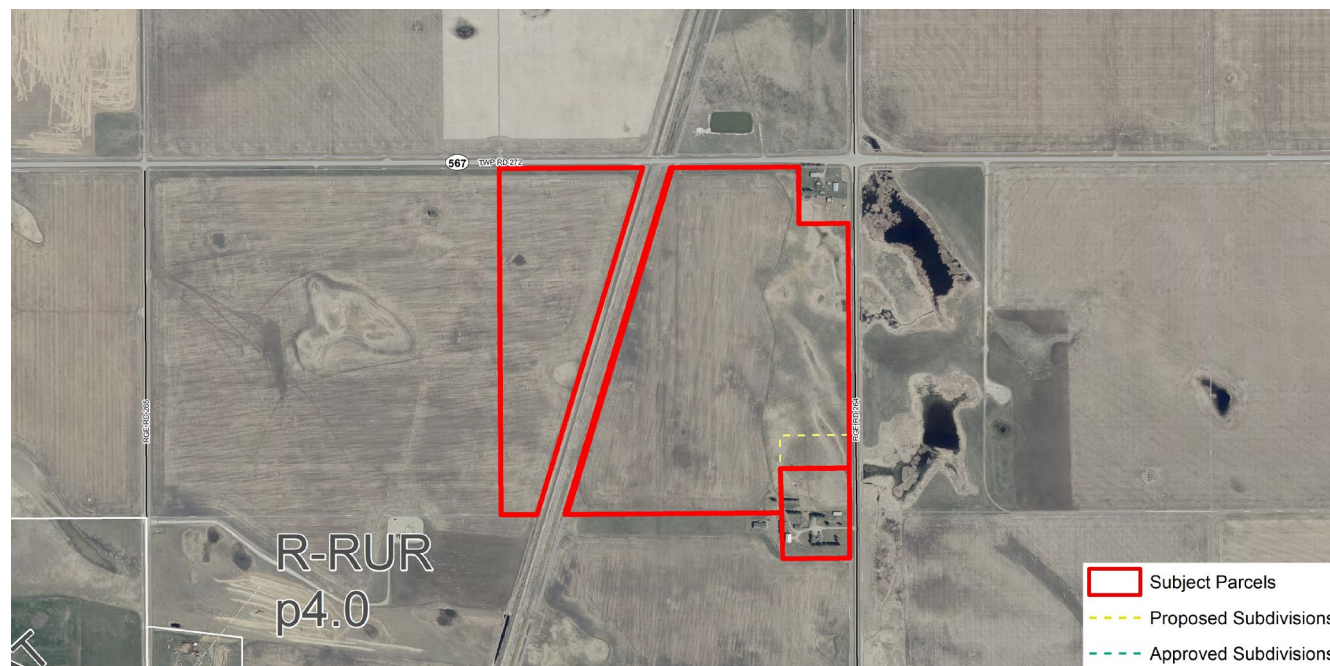
ADMINISTRATION RECOMMENDATION: Administration recommends approval in accordance with Option #1.

OPTIONS:

Option #1: THAT Subdivision Application PL20210061 be approved with the conditions noted in Attachment 'A'.

Option #2: THAT Subdivision Application PL20210061 be refused.

AIR PHOTO & DEVELOPMENT CONTEXT:



Administration Resources

Reynold Caskey, Planning & 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; • Rocky View County Plan; • Land Use Bylaw; and • County Servicing Standards. 	TECHNICAL REPORTS SUBMITTED: <ul style="list-style-type: none"> • None
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Payments and Levies

APPLICABLE FEE/LEVY	AMOUNT OWING (ESTIMATE)
TRANSPORTATION OFFSITE LEVY	NA
MUNICIPAL RESERVE (\$/ACRE) (3 acres x \$4,850.00 x 10%)	\$1,455.00

Policy Evaluation

The lands are designated Agriculture, General Use and considered in accordance with the County Plan. There is no area structure plan and the proposed boundary adjustment is neither in accordance with or opposition to the policy and meets the intent of the Zoning Bylaw.

Transportation

An existing approach from Range Road 264 will continue to be used to access the proposed parcel and field approaches exist from Range Road 264 and Township Road 272 (Highway 567).

Alberta Transportation reviewed the application with respect to the northern boundary of the subject site which fronts Highway 567 (township road 272). AT has no concerns should the subdivision authority grant approval.

As a condition of subdivision, the Owner/Applicant shall be required to dedicate, by Caveat a +/- 3.0 m strip of land as road ROW along the entire eastern boundary of the subject lands.

The applicant will not be required to pay the transportation offsite levy as this is application is for the purpose of a boundary adjustment.

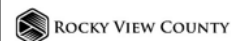
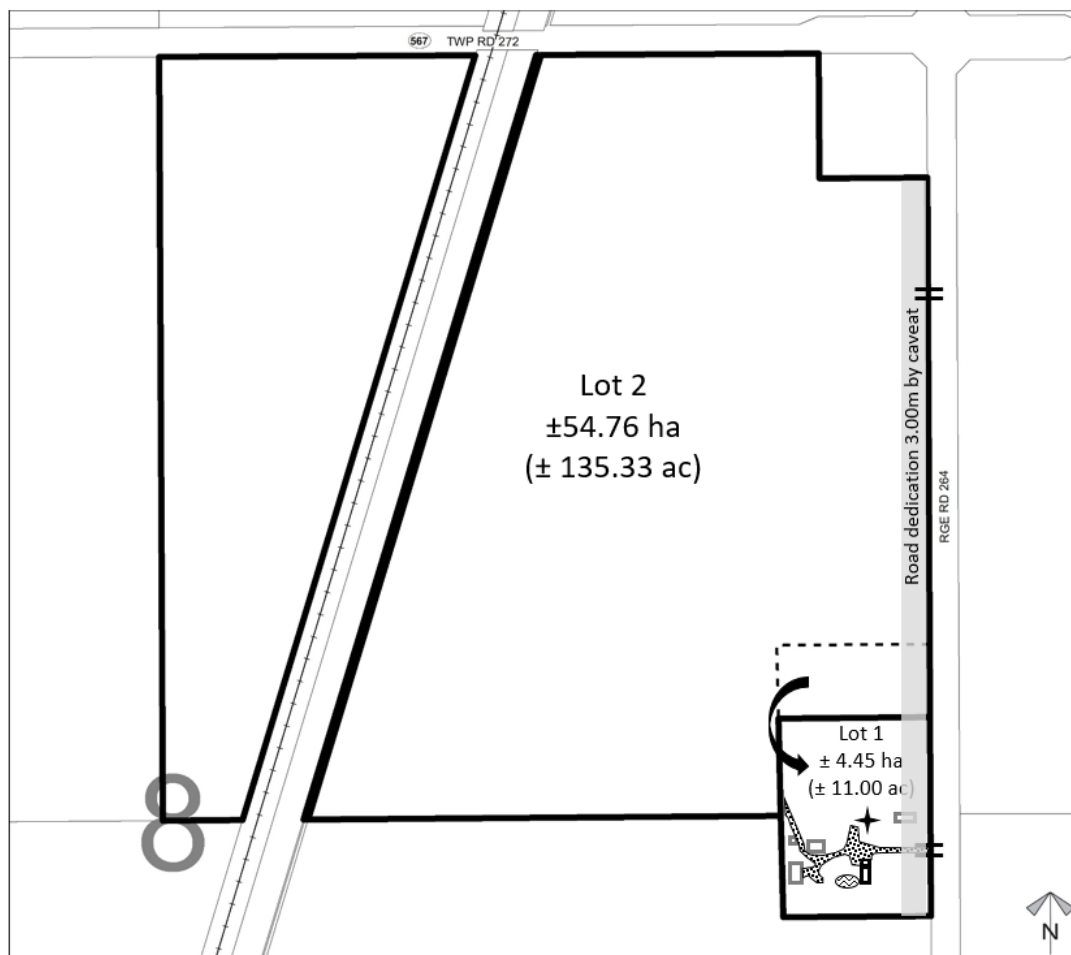
Servicing

The proposed lot is serviced by a water well and private sewage treatment system as is the remainder of the parcel. No additional servicing is required for the boundary adjustment.

Municipal Reserves

At the time of subdivision for the subject site in 2014, Municipal Reserves were calculated and taken by the County. Consistent with the previous subdivision, the three (3) additional acres proposed to be added to the subject site will provide cash-in-lieu.

Tentative Plan



Tentative Plan

Subdivision Proposal

To adjust the boundaries between a ± 3.23 hectare (± 8.00 acre) parcel and a ± 55.98 hectare (± 138.33 acre) parcel in order to create a ± 4.45 hectare (± 11.00 acre) parcel and a ± 54.76 hectare (± 135.33 acre) parcel.

Legend

Dwelling	
Building	
Existing Approach	
Driveway	
Water Well	
Wastewater	

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.
3. Parcel sizes displayed indicated final lots

Division: 06
Roll: 07108002/004
File: PLI20210061
Printed: April 1, 2021
Legal: Lot 1 Block 1
Plan: 1410073; E-08-27-26-W04M & NE-08-27-26-W04M

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

RC/llt

ATTACHMENTS:

ATTACHMENT ‘A’: Approval Conditions

ATTACHMENT ‘B’: Maps and Other Information

ATTACHMENT 'A': APPROVAL CONDITIONS

- A. The application to adjust the boundaries between an ± 8.00 acre parcel and a ± 138.33 acre parcel in order to create an ± 11.00 acre parcel and a ± 135.33 acre parcel at NE-08-27-26-W04M (no lot and block, plan number), 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.
- 2) The Owner is to dedicate, by Caveat, a ± 3.00 m wide portion of land for road widening along the eastern boundary of the new lot 1 and remainder lot 2 fronting Range Road 264;

Municipal reserves

- 3) The provision of Municipal Reserve in the amount of 10% of ± 3.00 acres of the subject land, 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 Harrison Bowker Valuation Group, dated April 26, 2021, pursuant to Section 666(3) of the *Municipal Government Act*.

Payments and Levies

- 4) The Owner shall pay the County Subdivision Endorsement fee, in accordance with the Master Rates Bylaw, for the boundary adjustment of two lots.

Taxes

- 5) 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:**

- 6) 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: Murray L. Poffenroth	OWNER: Murray L. Poffenroth
DATE APPLICATION RECEIVED: March 31, 2021	DATE DEEMED COMPLETE: April 20, 2021
GROSS AREA: ± 55.98 hectares (± 138.33 acres)	LEGAL DESCRIPTION: NE-08-27-26-W04M (no lot, block, plan number)
APPEAL BOARD: Municipal Government Board	
HISTORY: <i>January 7, 2014:</i> Subdivision of parcel from parent (07108002) to create an eight (8) acre parcel. Plan of subdivision number 1410073 within NE-08-27-26-W04M.	
PUBLIC & AGENCY SUBMISSIONS: The application was circulated to 8 adjacent landowners. There were no responses. 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.	

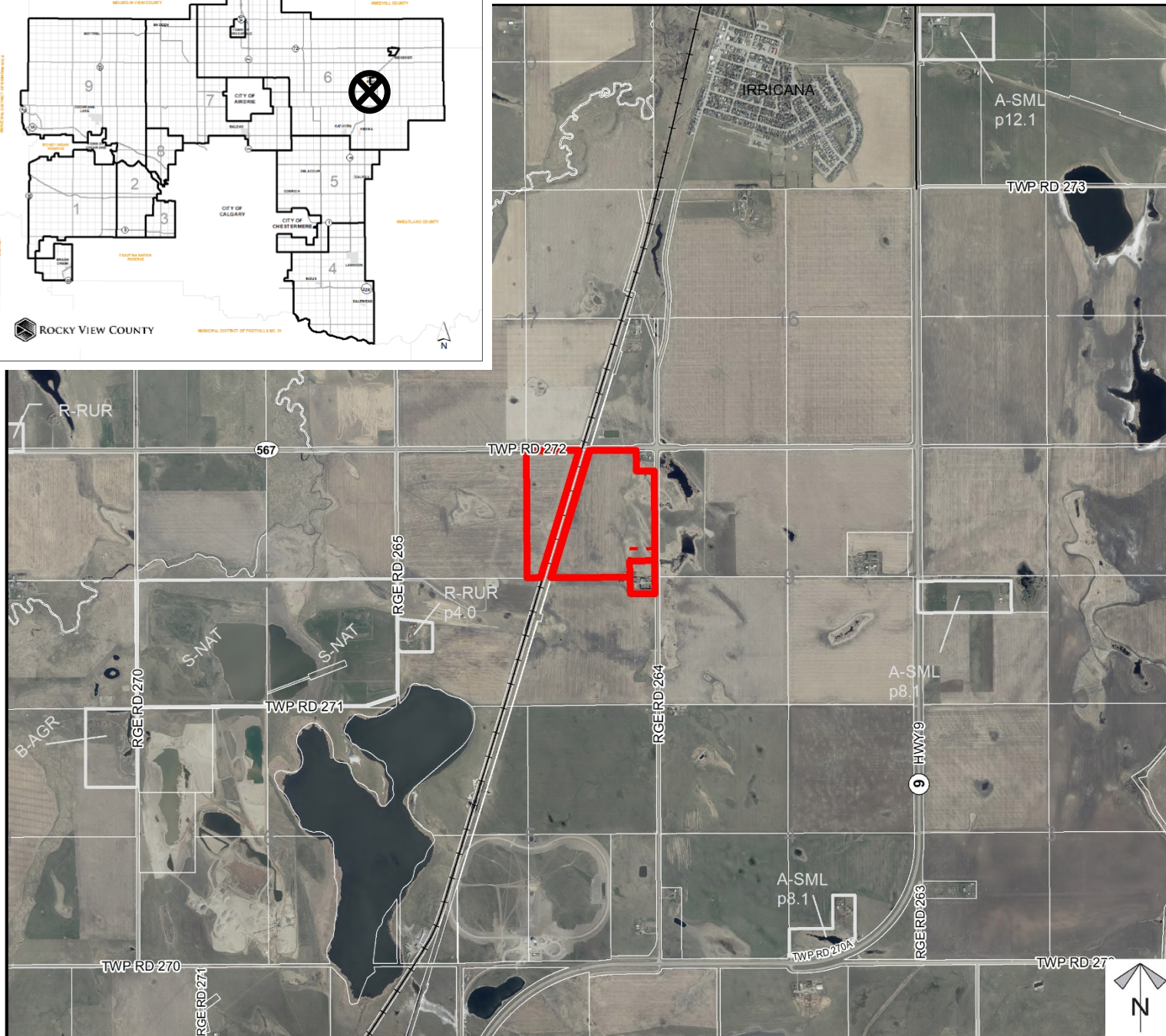
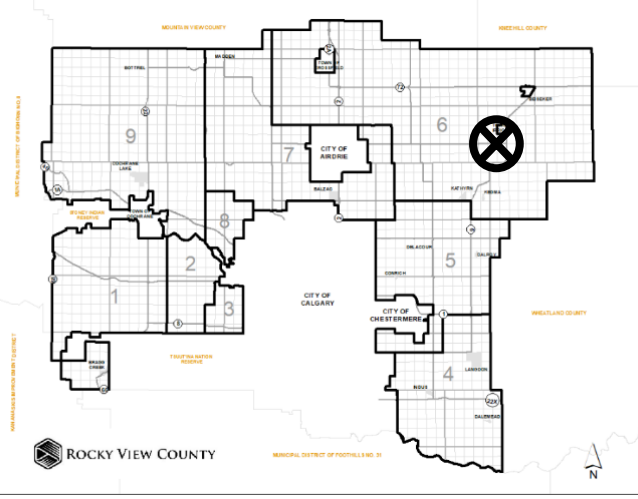


Location & Context

Subdivision Proposal

To adjust the boundaries between a ± 3.23 hectare (± 8.00 acre) parcel and a ± 55.98 hectare (± 138.33 acre) parcel in order to create a ± 4.45 hectare (± 11.00 acre) parcel and a ± 54.76 hectare (± 135.33 acre) parcel.

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 Plan:1410073; E-08-27-26-
 W04M & NE-08-27-26-W04M





Development Proposal

Subdivision Proposal

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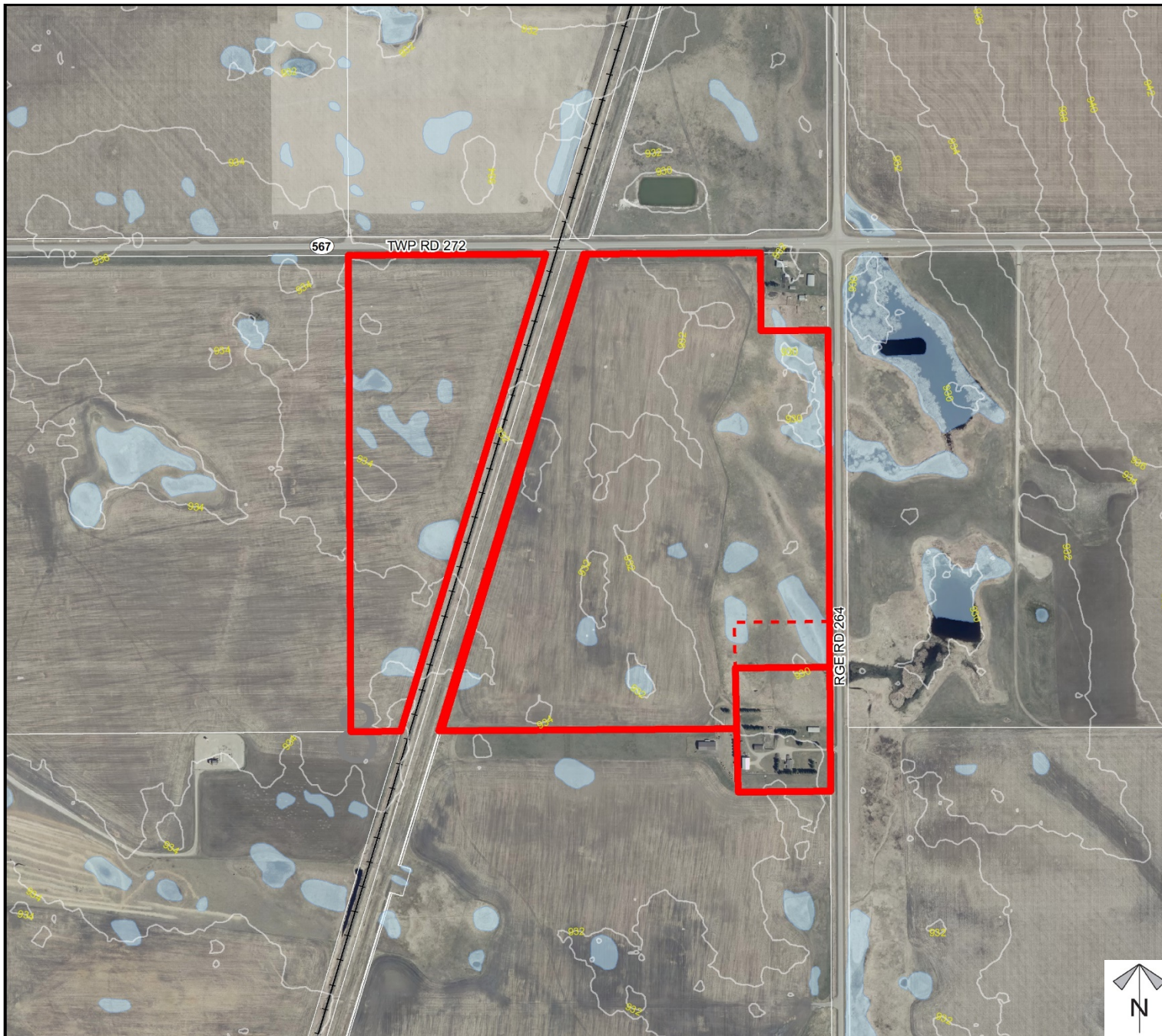
Environmental

Subdivision Proposal

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

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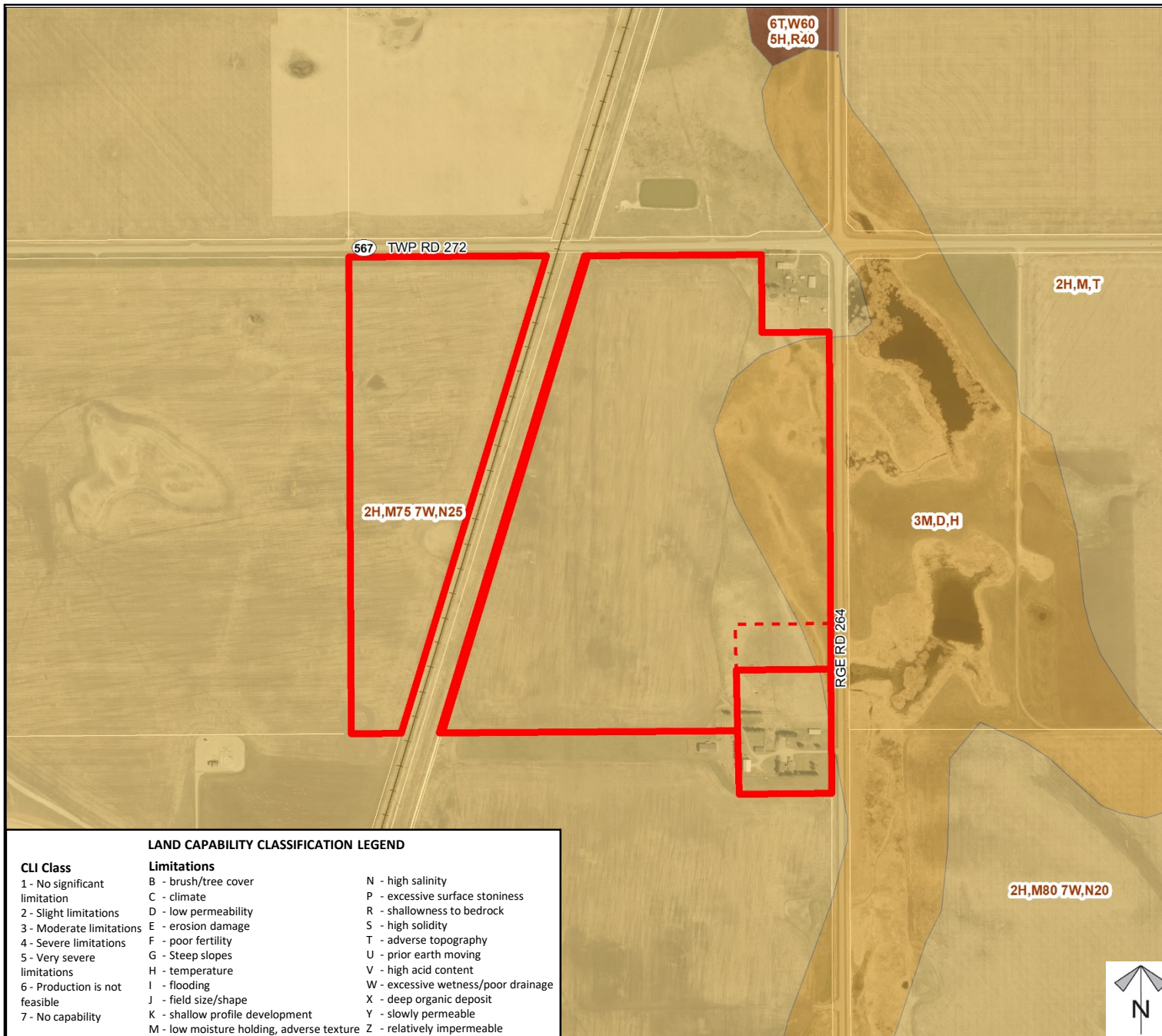




Soil Classifications

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LAND CAPABILITY CLASSIFICATION LEGEND

CLI Class	Limitations		
1 - No significant limitation	B - brush/tree cover	N - high salinity	
2 - Slight limitations	C - climate	P - excessive surface stoniness	
3 - Moderate limitations	D - low permeability	R - shallowness to bedrock	
4 - Severe limitations	E - erosion damage	S - high solidity	
5 - Very severe limitations	F - poor fertility	T - adverse topography	
6 - Production is not feasible	G - Steep slopes	U - prior earth moving	
7 - No capability	H - temperature	V - high acid content	
	I - flooding	W - excessive wetness/poor drainage	
	J - field size/shape	X - deep organic deposit	
	K - shallow profile development	Y - slowly permeable	
	M - low moisture holding, adverse texture	Z - relatively impermeable	

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Landowner Circulation Area

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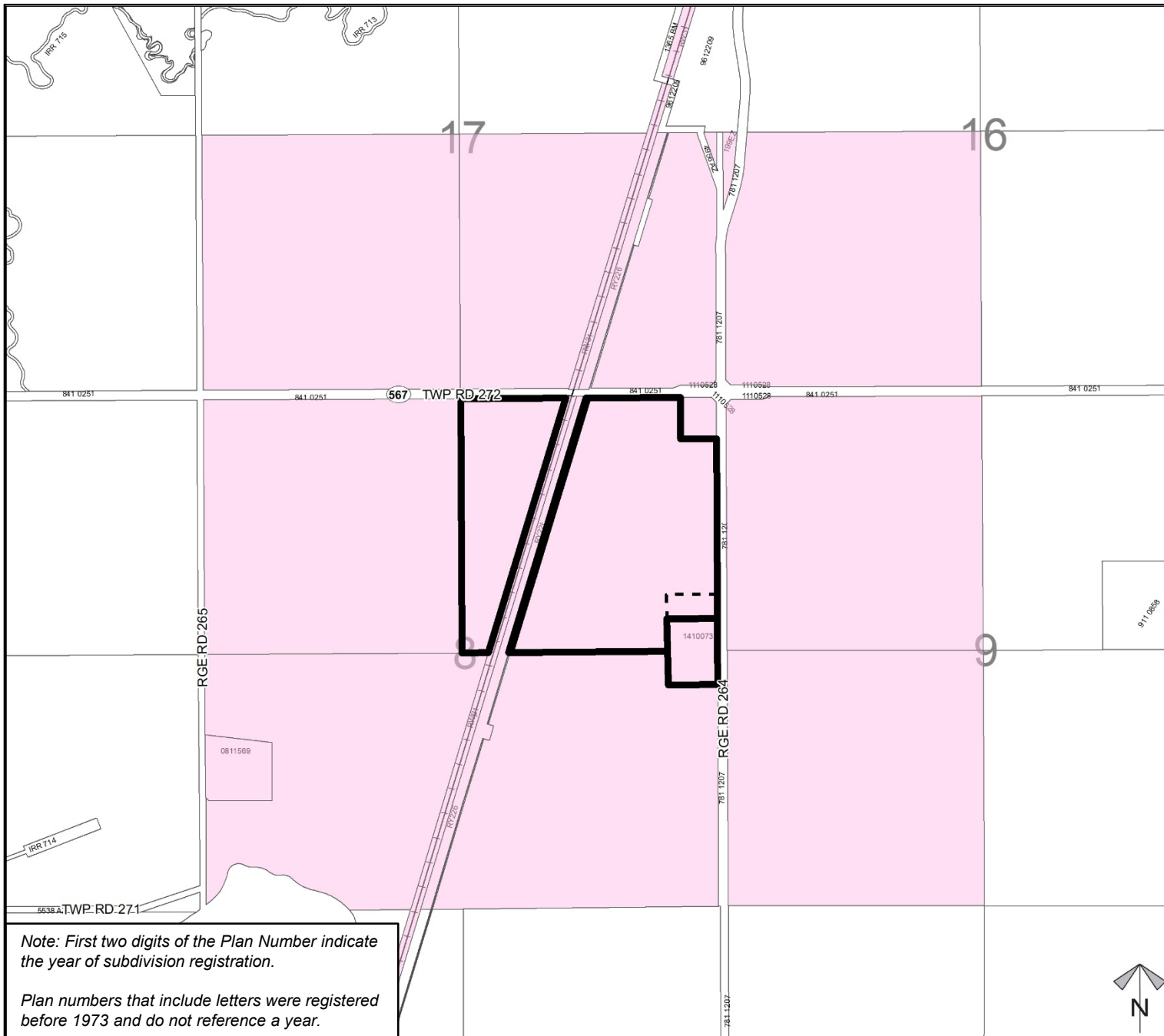
Support



Opposition



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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.

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