

PLANNING AND DEVELOPMENT SERVICES

TO: Subdivision Authority
DIVISION: 4
SUBJECT: Subdivision Item: Rural Residential Subdivision

DATE: November 26, 2020
APPLICATION: PL20200077

APPLICATION: To create a ± 4.04 hectare (± 10.00 acre) parcel (Lot 1) with a ± 50.08 hectare (± 123.76 acre) remainder.

GENERAL LOCATION: Located approximately 0.8 kilometres (1/2 mile) south of Township Road 240 and on the east side of Vale View Road, 1 mile north of Langdon.

LAND USE DESIGNATION: Residential, Rural District (R-RUR) under Land Use Bylaw C-8000-2020.

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

OPTIONS:

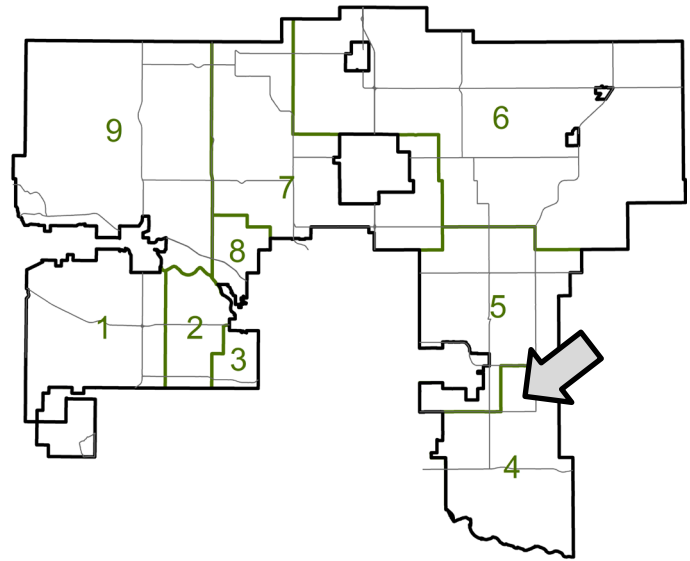
- Option #1: THAT Subdivision Application PL20200077 be approved with the conditions noted in Appendix 'C'.
- Option #2: THAT Subdivision Application PL20200077 be refused as per the reasons noted.

AIR PHOTO & DEVELOPMENT CONTEXT:



Administration Resources

Jessica Anderson, Planning and Development Services





APPLICANT: Larry Konschuk

OWNER: Cristina Santillo

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; • Land Use Bylaw; and • County Servicing Standards. 	<ul style="list-style-type: none"> • Level 1 Variation Assessment;

At redesignation stage, the assessment stated that although the proposal does not meet the definition of a first parcel out or a new or distinct agricultural operation, the proposed location and size of the single residential parcel would limit fragmentation of the wider quarter section and minimize conflict with agricultural operations. The minimum parcel size of the proposed Residential Rural District designation would also reduce the potential for any future proliferation of residential uses within the agricultural area. The proposal is not considered to conflict with the goals of Section 8.0 of the County Plan relating to agriculture. On June 13, 2020 Council approved the redesignation of the lands and this application implements that decision.

Payments and Levies

Reserves and applicable levies are outstanding.

APPLICABLE FEE/LEVY	AMOUNT OWING (ESTIMATE)
<i>TRANSPORTATION OFFSITE LEVY</i>	n/a
<i>MUNICIPAL RESERVE (\$/ACRE)</i> \$8,500.00 per acre according to the appraisal completed by Weleschuk Associates Ltd. dated August 11, 2020	\$8,500.00

Accessibility to a Road:

The parcel is currently served by an existing approach off Vale View Road. The remainder is also served by an existing farm approach. There are no proposed changes to access arrangements.

Vale View Road is part of the Long Range Transportation Network B, requiring a 30 m Road Right of Way (ROW). The current right of way for Vale View Road is 20 m. As a condition of subdivision, the Owner shall be required to dedicate, by Plan of Survey a +/- 5.0 m strip of land as road ROW along the entire western boundary of subject lands.

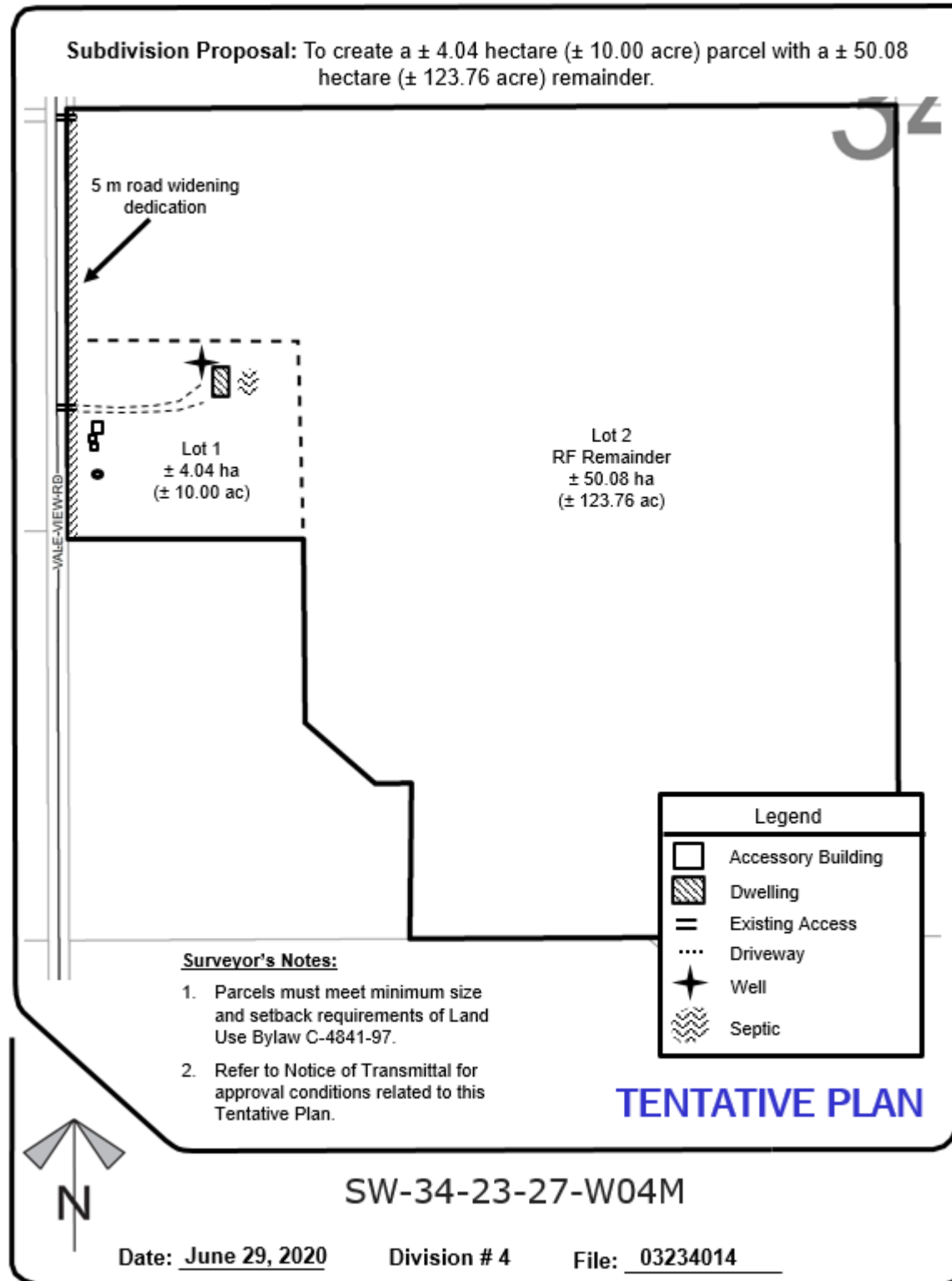
The Transportation Off-Site Levy on both parcels shall be deferred at this time as the parcel sizes are greater than 7.41 acres as per the TOL bylaw C-8007-2020.

*Servicing*

With respect to water and wastewater servicing, the existing home (Lot 1) is serviced by an existing Private Septic System and well. A Level 1 Variation Assessment was provided confirming both are functioning adequately. Where the remainder is over 30 acres in size, servicing is not required to be demonstrated.



Tentative Plan





CONCLUSION:

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

Respectfully submitted,

Concurrence,

"Theresa Cochran"

"Al Hoggan"

Executive Director
Community Development Services

Chief Administrative Officer

JA/lt

ATTACHMENTS:

ATTACHMENT 'A': Maps and Other Information

ATTACHMENT 'B': Approval Conditions

ATTACHMENT 'C': Letters



ROCKY VIEW COUNTY

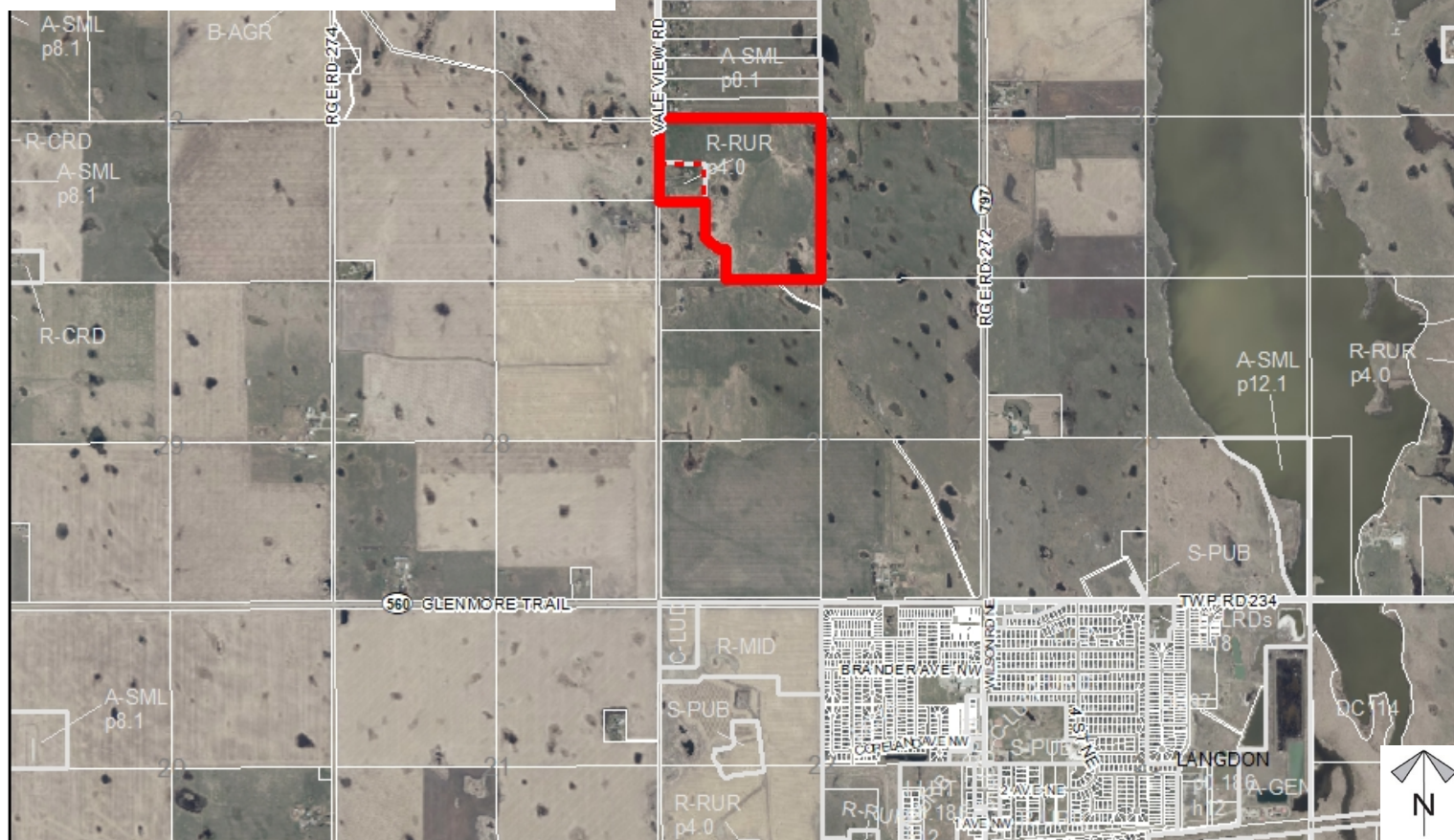
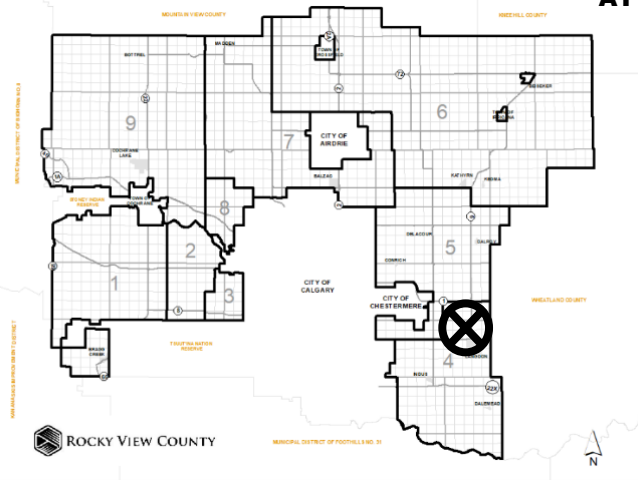
ATTACHMENT 'A': MAPS AND OTHER INFORMATION

DATE APPLICATION RECEIVED: June 29, 2020	DATE DEEMED COMPLETE: August 18, 2020
GROSS AREA: ± 54.13 hectares (± 133.76 acres)	LEGAL DESCRIPTION: Portion of SW-34-23-27-W04M
APPEAL BOARD: Subdivision and Development Appeal Board	
HISTORY: <div data-bbox="180 575 1446 726"> <div>June 23, 2020</div> <div>Council approved application PL20200022 to redesignate a portion of the subject parcel to Rural Residential District p.4.0 (R-RUR) to facilitate the subdivision of 10 acre parcel.</div> </div> <div data-bbox="180 690 1422 726"> <div>June 11, 1991</div> <div>Plan 9111174 was registered creating a ± 10.617 hectare (± 26.24 acre) parcel.</div> </div>	
PUBLIC & AGENCY SUBMISSIONS: The application was circulated to twenty five (25) adjacent landowners to which no responses were received. 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.	

Subdivision Proposal

To create a ± 4.04 hectare
(± 10.00 acre) parcel with
a ± 50.08 hectare
(± 123.76 acre) remainder.

Division: 4
Roll: 03234014
File: PL20200077
Printed: November 12, 2020
Legal: A portion of SW-34-
23-27-W04M





Development Proposal

Subdivision Proposal

To create a ± 4.04 hectare
(± 10.00 acre) parcel with
a ± 50.08 hectare
(± 123.76 acre) remainder.

Division: 4
Roll: 03234014
File: PL20200077
Printed: November 12, 2020
Legal: A portion of SW-34-
23-27-W04M

VALLE VIEW RD





Environmental

Subdivision Proposal

To create a ± 4.04 hectare
 (± 10.00 acre) parcel with
 a ± 50.08 hectare
 (± 123.76 acre) remainder.



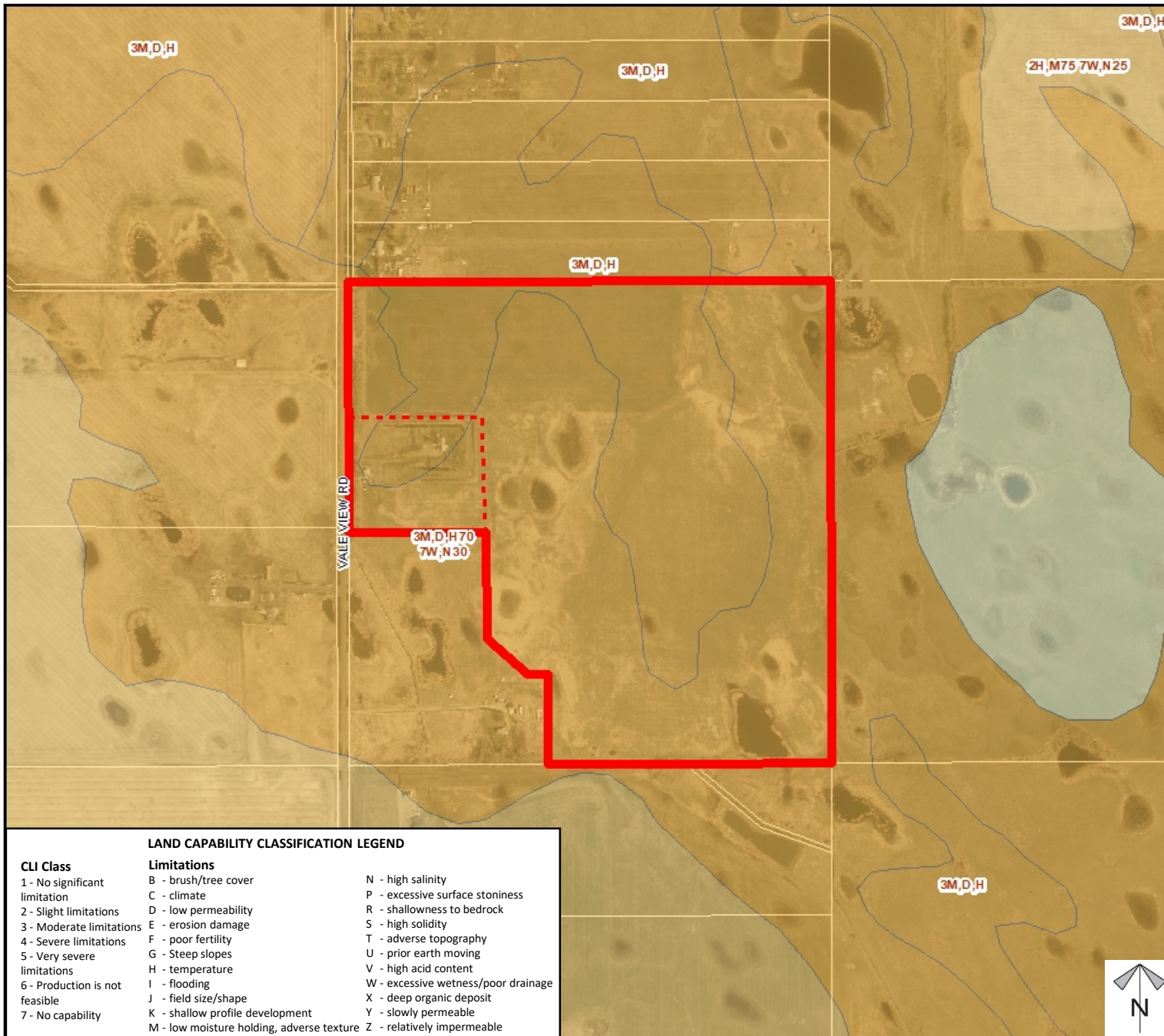
- Subject Lands
- Contour - 2 meters
- Riparian Setbacks
- Alberta Wetland Inventory
- Surface Water

Division: 4
 Roll: 03234014
 File: PL20200077
 Printed: November 12, 2020
 Legal: A portion of SW-34-
 23-27-W04M

Soil Classifications

Subdivision Proposal

To create a \pm 4.04 hectare
 (\pm 10.00 acre) parcel with
 a \pm 50.08 hectare
 (\pm 123.76 acre) remainder.



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

Division: 4
 Roll: 03234014
 File: PL20200077
 Printed: November 12, 2020
 Legal: A portion of SW-34-23-27-W04M

Landowner Circulation Area

Subdivision Proposal

To create a ± 4.04 hectare
 (± 10.00 acre) parcel with
 a ± 50.08 hectare
 (± 123.76 acre) remainder.

Legend

Support

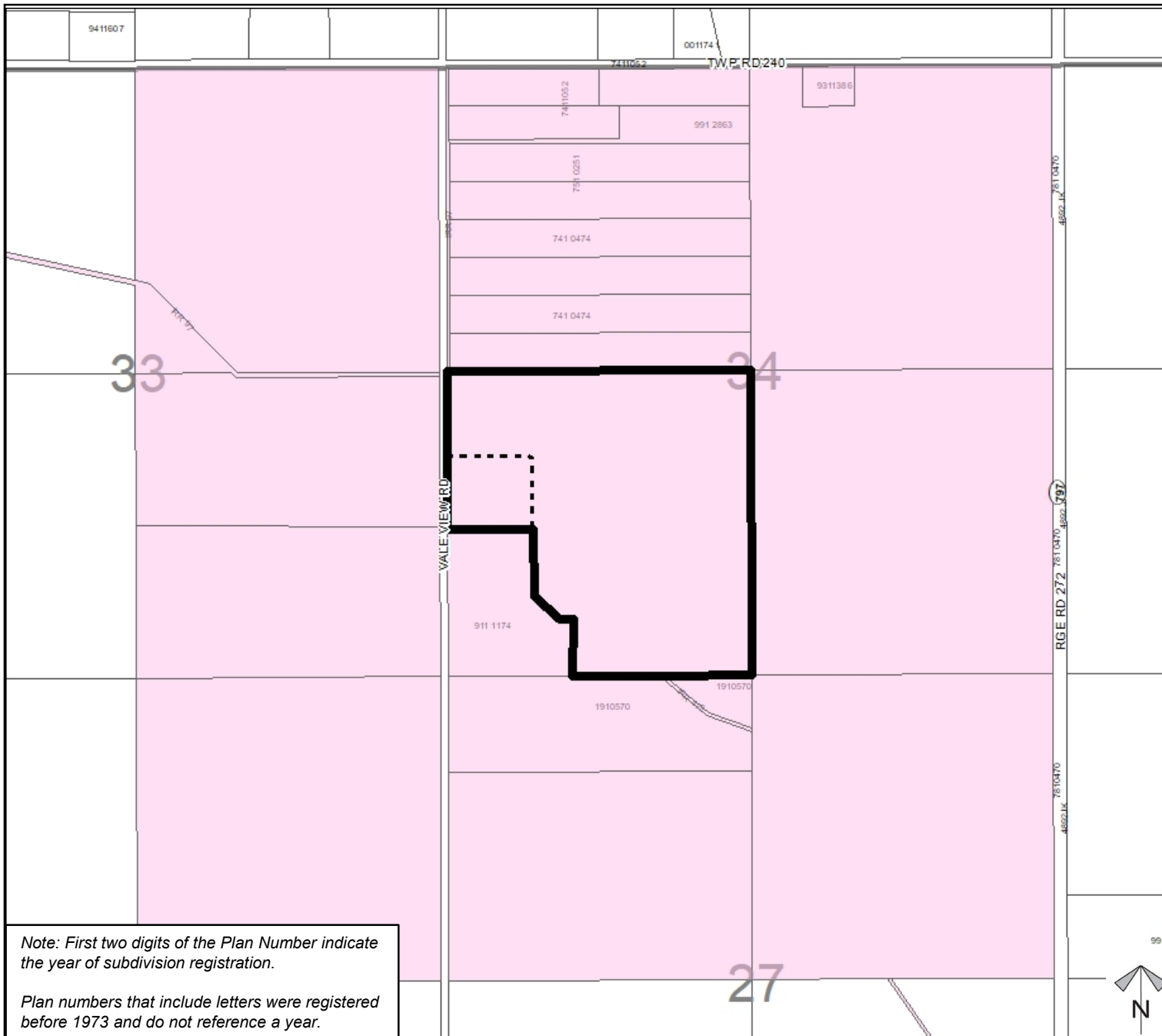


Opposition



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.



Division: 4
 Roll: 03234014
 File: PL20200077
 Printed: November 12, 2020
 Legal: A portion of SW-34-
 23-27-W04M

Tentative Plan

Subdivision Proposal

To create a ± 4.04 hectare (± 10.00 acre) parcel with a ± 50.08 hectare (± 123.76 acre) remainder.

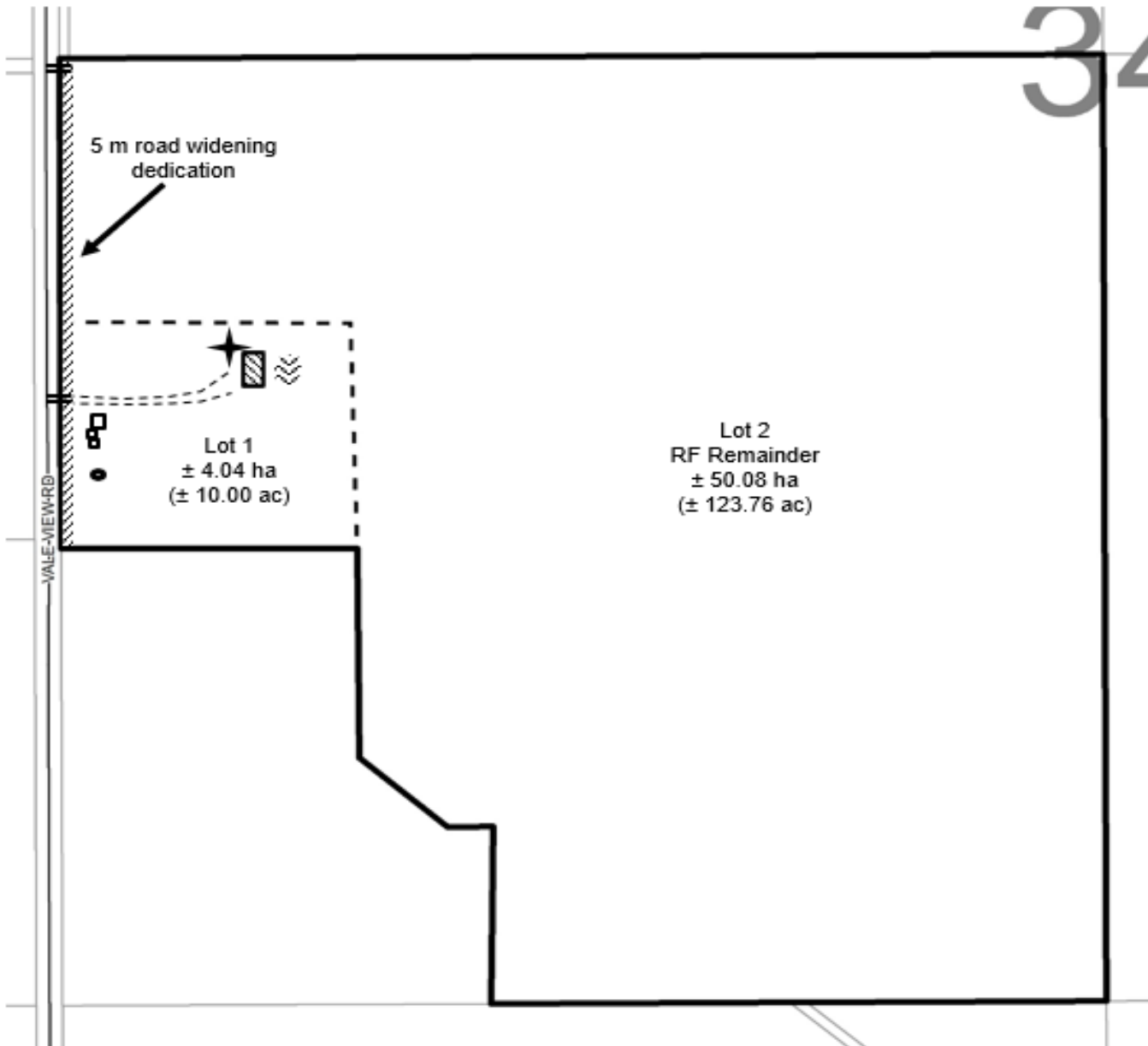
Legend

Dwelling	
Accessory Building	
Water Well	
Wastewater	
Existing Approach	
Driveway	
Road Widening	

Surveyor's Notes:

1. Parcels must meet minimum size and setback requirements of Land Use Bylaw C-4841-97.
2. Refer to Notice of Transmittal for approval conditions related to this Tentative Plan.

Division: 4
 Roll: 03234014
 File: PL20200077
 Printed: November 12, 2020
 Legal: A portion of SW-34-23-27-W04M



**ATTACHMENT B: SUBDIVISION APPROVAL CONDITIONS**

- A. The application to create a ± 4.04 hectare (± 10.00 acre) parcel (Lot 1) with a ± 50.08 hectare (± 123.76 acre) remainder within SW-34-23-27-W04M, 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 recommended to be approved as per the Tentative Plan for the reasons listed below:
1. The application is consistent with the County Plan;
 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 & Access

- 2) The Owner is to dedicate by Plan of Survey, a 5.00 m wide portion of land for road widening along the entire western boundary of Lot 1 and the remainder (Lot 2) per the Tentative Plan.

Payments and Levies

- 3) The Owner shall pay the County Subdivision Endorsement fee, in accordance with the Master Rates Bylaw, for the creation of one (1) new lot.

Municipal Reserve

- 4) The provision of Reserve in the amount of 10 percent 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 listed in the land appraisal prepared by Weleschuk Associates Ltd. dated August 11, 2020, pursuant to Section 666(3) of the *Municipal Government Act*.
 - a. Reserves owing on Lot 2 shall be deferred by caveat.

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*.



ROCKY VIEW COUNTY

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 'C': LETTERS

No letters received