

## PLANNING

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**TO:** Subdivision Authority

**DATE:** September 13, 2022 **DIVISION:** 5

**FILE:** 07308013 **APPLICATION:** PL20200115

**SUBJECT:** Residential Subdivision - Single Lot

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**APPLICATION:** To create a  $\pm$  1.62 hectare ( $\pm$  4.00 acre) parcel (Lot 1) with a  $\pm$  6.47 hectare ( $\pm$  15.99 acre) remainder (Lot 2).

**GENERAL LOCATION:** Located on the east side of Range Road 285, approximately 0.21 kilometres (0.13 miles) south of Highway 567 and 0.80 kilometres (0.50 miles) east of the City of Airdrie.

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

**EXECUTIVE SUMMARY:** The subject parcel is located within a fragmented quarter section, as defined by the Municipal Development Plan (County Plan), which consists of Agricultural, Small Parcel District and Residential, Rural District land uses.

The application seeks to subdivide a  $\pm$  1.62 hectare ( $\pm$  4.00 acre) parcel (Lot 1) from the subject land, which contains an existing dwelling and accessory buildings. The remainder  $\pm$  6.47 hectare ( $\pm$  15.99 acre) parcel (Lot 2) is undeveloped. Lot 1 is currently serviced by water well and a private sewage treatment system; Lot 2 is proposed to be serviced in the same manner. There are three restricted development areas across the quarter section, secured by a restrictive covenant, which limits the development of buildings, placement of fill, and road development on subject parcel. The County is not party to the restrictive covenant.

Alberta Transportation (AT) has deemed the intersection of Highway 567 and Range Road 285 to be at capacity and requires the upgrade of the intersection to a Type IIb standard, or submission of a Traffic Impact Assessment (TIA) to determine improvements required, as a condition of approval for this subdivision. The Applicant and landowner have expressed concerns with the requirement from AT to upgrade the intersection and have requested that this application be considered by Council, in accordance with the Subdivision Authority Bylaw (C-8275-2022), Section 5(1).

The application includes a lot and road plan and is consistent overall with applicable policies under Section 10.0 (Country Residential Development) of the County Plan relating to subdivisions within a fragmented quarter section. The proposed lot meets the minimum parcel size requirement of 1.6 hectares (3.95 acres) of the Residential, Rural District within the Land Use Bylaw (C-8000-2020).

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

**OPTIONS:**

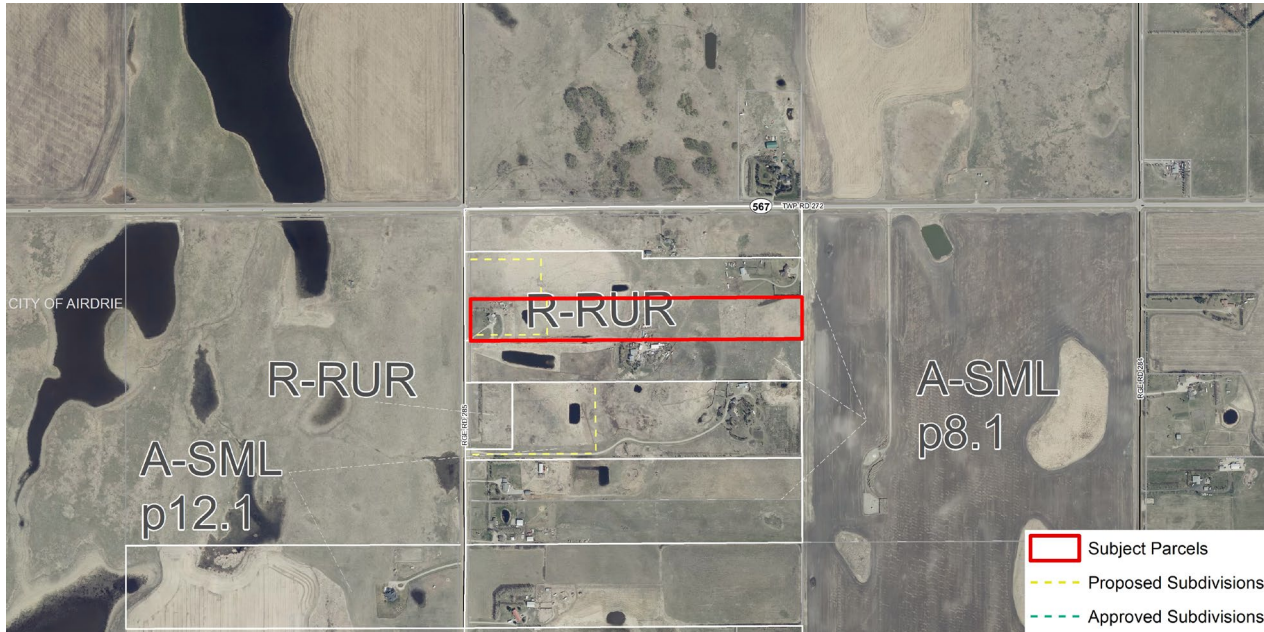
- Option #1: THAT Subdivision Application PL20200115 be approved with the conditions noted in Attachment 'A'.
- Option #2: THAT Subdivision Application PL20200115 be refused.

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**Administration Resources**

Sangeeta Vishwakarma, Planning & Development Services

**AIR PHOTO & DEVELOPMENT CONTEXT:**



**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>• City of Airdrie/M.D. of Rocky View Intermunicipal Development Plan;</li> <li>• Municipal Development Plan (County Plan);</li> <li>• Land Use Bylaw (C-8000-2020);</li> <li>• County Servicing Standards;</li> <li>• Subdivision Authority Bylaw (C-8275-2022).</li> </ul>	<p><b>TECHNICAL REPORTS SUBMITTED:</b></p> <ul style="list-style-type: none"> <li>• Stormwater Management Plan prepared by MPE Engineering Ltd. dated April 2021.</li> <li>• Appraisal Report prepared by RDS Appraisal Group, dated September 2020.</li> <li>• Level II Private Sewage Treatment System Assessment prepared by Solstice Environmental Management dated September 2020.</li> <li>• Phase 1 Groundwater Supply Evaluation prepared by Solstice Environmental Management dated November 2019.</li> </ul>
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*Payments and Levies*

APPLICABLE FEE/LEVY	AMOUNT OWING (ESTIMATE)
<p>MUNICIPAL RESERVE                      \$35,000 per acre x 4.00 acre (Lot 1) x 10% = \$14,000</p>	<p>~\$14,000</p>

### Policy Analysis

The subject parcel is located outside of an area structure plan. The application was therefore reviewed against the policies of the County Plan and the Land Use Bylaw.

#### *City of Airdrie / Rocky View County Intermunicipal Development Plan (IDP)*

While the IDP is not binding on the application due to the land being outside of the IDP area, Administration reviewed the application against relevant policies to ensure healthy working relationships with the County's municipal neighbours.

Policy 2.12.3, within the Residential Development section, encourages infill development of previously subdivided lands in accordance with applicable County policy; as such, the application complies with this section of the IDP.

The City of Airdrie responded with no objection to the proposed subdivision.

#### *Municipal Development Plan (County Plan)*

The subject parcel is located within a fragmented quarter section, as defined within Section 10.0 (Country Residential Development) of the County Plan, and complies with Policies 10.11 through 10.15, inclusive, of this section.

#### *Land Use Bylaw*

The proposed subdivision application would meet the minimum parcel size for the Residential, Rural District (R-RUR) land use set out within the Land Use Bylaw.

### Additional Considerations

#### *Transportation & Access*

The application proposes access to Lots 1 and 2 through the existing mutual approach off Range Road 285. There is an existing easement agreement on title between the subject land and the parcel directly south for shared use of the existing approach and driveway. This agreement would need to be replaced with a new easement agreement to allow access to proposed Lots 1 and 2, and the southern adjacent parcel. The landowners of the south parcel (*Lot 10, Block 1, Plan 0012395*) and the subject landowners have provided a signed letter of consent confirming they agree to sign a new easement agreement to provide legal access to their respective lots as a condition of this subdivision.

A lot and road plan has been provided, which indicates a future road along the south property line of the subject parcel to replace the driveway. The application does not propose construction of the road at this time; to allow for construction of this road in the future a Road Acquisition Agreement has been proposed as a condition of approval should Council support the proposal.

Alberta Transportation (AT) has deemed the intersection of Highway 567 and Range Road 285 to be at capacity and requires the upgrade of the intersection to a Type IIb standard, or submission of a Traffic Impact Assessment (TIA) to determine improvements required, as a condition of approval for this subdivision.

Transportation Off-site Levy is not applicable to this application as residential parcels with existing dwellings (Lot 1) and residential parcels that are greater 3.0 hectares (7.41 acres) (Lot 2) are exempt per Section 19 of the Regional Transportation Off-Site Levy Bylaw C-8007-2020.

#### *Water and Wastewater*

Lot 1, with the existing dwelling, is serviced by a water well and private sewage treatment system, Lot 2 is proposed to be serviced in the same manner. A Phase 1 Groundwater Supply Evaluation prepared by Solstice Environmental Management (November, 2019) was submitted, which concludes that there is sufficient water supply to service the site without impact to existing groundwater users. As a condition of subdivision, the Applicant/Owner would be required to drill a new well for Lot 2 and provide a Well



Driller's and Aquifer Testing report (Phase II) in accordance with the County's Servicing Standards and the Water Act.

Wastewater would be treated by a private sewage treatment system (PSTS) servicing for Lot 2. A Level II PSTS assessment was submitted and concludes that a conventional tank and treatment field is suitable.

#### *Stormwater*

A Stormwater Management report, prepared by MPE Engineering Ltd. dated April, 2021, confirms the recommendations to manage run-off within the original stormwater analysis completed in 2000 are still accurate. The report indicates that the existing dwelling on Lot 1 is outside of the 1:100 year flood extent.

As a condition of subdivision, the landowner is required to enter into a Development Agreement (Site Improvement/Servicing Agreement) to implement the Stormwater Management report findings on Lots 1 and 2.

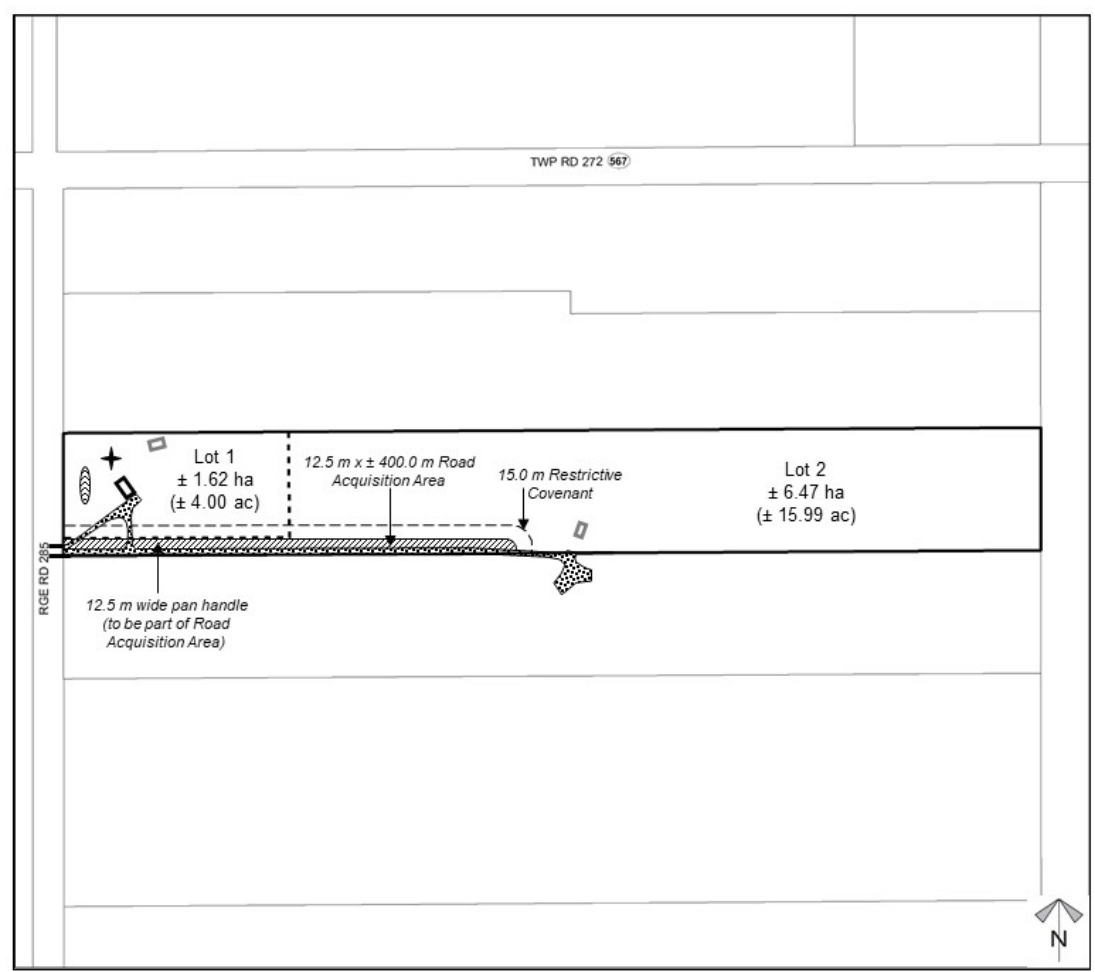
#### *Environmental*

There are three restrictive development areas that limit the development of buildings, placement of fill, and road development due to the presence of sloughs (wetlands) across the entire quarter section, which were identified within the original stormwater analysis in 2000.

#### *Municipal Reserves*

Municipal Reserves are outstanding on the subject parcel, Administration recommends collecting cash in-lieu of land at the per acre value established in the appraisal report prepared by RDS Appraisal Group, dated September 2020, in accordance with Section 667 of the *Municipal Government Act*, on proposed Lot 1; and, deferral of Municipal Reserves through registration of a caveat, in accordance with Section 669(2) of the *Municipal Government Act* on proposed Lot 2.

Tentative Plan



 ROCKY VIEW COUNTY  
**Tentative Plan**

**Subdivision Proposal**

To create a ± 1.62 hectare (± 4.00 acre) parcel with a ± 6.47 hectare (± 15.99 acre) remainder.

**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-8000-2000, as amended.
2. Refer to Notice of Transmittal for approval conditions related to this Tentative Plan.

Division: 5  
 Roll: 07308013  
 File: PL20200115  
 Printed: September 9, 2020  
 Legal: NW-8-27-28-W4M  
 Lot:11 Block:1 Plan:0012395

Respectfully submitted,

“Brock Beach”

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Acting Executive Director  
 Community Services

SV/rp

**ATTACHMENTS:**

- ATTACHMENT ‘A’: Approval Conditions
- ATTACHMENT ‘B’: Application Information
- ATTACHMENT ‘C’: Map Set
- ATTACHMENT ‘D’: Public Submissions

Concurrence,

“Dorian Wandzura”

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Chief Administrative Officer