

**ATTACHMENT 'A': APPROVAL CONDITIONS**

- A. The application to create one  $\pm$  1.62 hectare ( $\pm$  4.00 acre) parcel (Lot 1) with a  $\pm$  6.47 hectare ( $\pm$  15.99 acre) remainder (Lot 2) from Lot 11, Block 1, Plan 0012395 within NW-8-27-28-W04M has 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. The following shall be provided:
  - a) A Plan of Survey, including the Application number (PL20200115) and Roll number (07308013) of the parcel;
  - b) A Surveyor's Affidavit; and
  - c) Landowner's Consent to Register Plan of Survey.

**Transportation**

- 2) The Owner is to enter into an Access Easement Agreement for the proposed Lots 1 and 2 to be created from Lot 11, Block 1, Plan 0012395 and Lot 10, Block 1, Plan 0012395 (located south of existing Lot 11) to provide legal access over the southerly 12.5 meters of Lot 2, including:
  - a) Provision of an Access Right of Way Plan over the southerly 12.5 metres of proposed Lot 2 on the subject land, starting at the west boundary of the parcel and extending  $\pm$  400.0 metres (to encompass the entirety of the existing driveway);
  - b) Landowner's Consent to Register Access Right of Way Plan.
  - c) Completed discharge of the existing Easement, Registration Number 001 270 430, from title of Lots 10 and 11, Block 1, Plan 0012395;
  - d) Completed discharge of the existing Easement, Registration Number 001 270 431, from title of Lots 10 and 11, Block 1, Plan 0012395;



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- 3) The Owner shall provide a Traffic Impact Assessment (TIA) for the intersection of Range Road 285 and Highway 567 in accordance with County Servicing Standards and Provincial guidelines:
  - a) If the recommendations of the Traffic Impact Assessment indicate improvements are required, the Owner shall enter into a Development Agreement with the County for the construction of the off-site improvements to the satisfaction of Alberta Transportation and the County;
- 4) The Owner is to enter into a Road Acquisition Agreement with the County, to be registered by caveat on the title of Lot 2, to serve as notice that those lands are intended for future development as a County road, as per the approved Tentative Plan. The Agreement shall include:
  - a) The provision of 12.5 m x ± 400 m (±0.5 hectare/± 1.2 acre) road acquisition along the southern portion of Lot 2; and
  - b) Land is to be purchased for \$1 by the County.
- 5) The Owner is to enter into a Restrictive Covenant, to be registered by Caveat prepared by the County, on the title of proposed Lot 1 and 2 that restricts the erection of any structure within 15 metres of a future road Right of Way, as shown on the approved Tentative Plan.

*Site Servicing*

- 6) Water is to be supplied by an individual water well on Lot 2. Individual water wells are to be contained within respective boundaries of Lots 1 and 2. The subdivision shall not be endorsed until:
  - a) A Groundwater Evaluation (Phase II) Report is provided, which is to include aquifer testing and the locations of any new wells, in accordance with the County's Servicing Standards and requirements of the Water Act; and
  - b) A Well Driller's Report confirming a minimum pump rate of 1.0 IGPM for new wells is provided.
- 7) The Owner shall enter into a Development Agreement (Site Improvement/Services Agreement) with the County for Lot 1 and 2 to implement the Stormwater Management Plan prepared by MPE Engineering Ltd. dated April 22, 2021.

*Municipal Reserve*

- 8) The provision of Reserve in the amount of 10% 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 value as listed in the land appraisal, prepared by RDS Appraisal Group on September 25, 2020, and the remaining Reserve amount of the area of Lot 2 shall be deferred by Caveat pursuant to Sections 667(1) and 669(2) of the *Municipal Government Act*:
  - a) Existing Deferred Reserve Caveat, Registration Number 751 093 132 is to be discharged from title.

*Payments and Levies*

- 9) 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*

- 10) 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*.



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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.