



PLANNING AND DEVELOPMENT SERVICES

TO: Municipal Planning Commission
Subdivision Authority

DATE: January 27, 2021

FILE: 03218008 / 03208020 / 03209019 / 03209035

SUBJECT: Subdivision Item: Creation of Fifteen Residential Lots

DIVISION: 4

APPLICATION: PL20200013

APPLICATION: To create fifteen \pm 1.6 hectare (\pm 3.95 acre) residential lots, one \pm 1.20 hectare (\pm 2.96 acre) public utility lot (PUL) and an internal road.

GENERAL LOCATION: Located approximately 4.02 km (2.5 miles) west of Hamlet of Langdon, 0.8 km (0.5 mile) east of Highway 791 and on the north side of Township Road 233.

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

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

OPTIONS:

- Option #1: THAT Subdivision Application PL20200013 be approved with the conditions noted in Appendix 'B'.
- Option #2: THAT Subdivision Application PL20200013 be refused.

AIR PHOTO & DEVELOPMENT CONTEXT:



Administration Resources

Xin Deng, Planning and 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:	TECHNICAL REPORTS SUBMITTED:
<ul style="list-style-type: none"> • <i>Municipal Government Act</i>; • Subdivision and Development Regulations; • County Plan; • Land Use Bylaw; and • County Servicing Standards. 	<ul style="list-style-type: none"> • Level 4 PSTS Assessment (Groundwater Information Technologies Ltd., April 17, 2015) • Stormwater Management Plan (Western Water Resources, November 30, 2016) • Phase 2 Extent of Aquifer Report Underlying Canal Court Development (Groundwater Information Technologies Ltd., July 15, 2018) • Canal Court Transportation Impact Assessment – Final (Bunt & Associates, September 1, 2020) • Appraisal Report (RDS Appraisal Group, November 20, 2020)

Transportation:

The proposed development would be accessed by the proposed internal subdivision road, linking Canal Court and Township Road 233. To implement the recommendations of Transportation Impact Assessment, as a condition of subdivision, the Owner will be required to enter into a Development Agreement to construct the internal road and upgrade TWP Road 233 to a paved standard from the site access to Highway 791. Intersection improvements at TWP Road 233 and Highway 791 are also warranted to support the development (Type II improvement). Furthermore, the dedication of land along the entire southerly boundary for future road widening and payment of the Transportation Off-Site Levy are required. The applicant will be eligible to enter into a Cost Recovery Agreement with the County for the offsite improvements.

It was previously contemplated that further improvements (ie. paving) of the existing Canal Court internal roadway was to be completed as part of this development, however, as per the TIA submitted and traffic patterns in the area, future traffic is more likely to utilize TWP Road 233 rather than Canal Court to access the development.

The small panhandle at the north-west corner the site plan will be consolidated to the adjacent landowner to the west (Roll 03219005).

Water and Wastewater:

Potable water would be supplied by individual water wells. As a condition of subdivision, the Owner will be required to provide a Phase II Aquifer Testing.

Even though the proposed subdivision is within one kilometre of the East Rocky View Transmission Line, connection to the system is not feasible at this time due to the costs associated with the construction the required infrastructure (lift station). As a condition of subdivision, the Owner is required to enter into a Site Improvements Services Agreement for the installation of an advanced sewage treatment system.



Stormwater:

Drainage would be collected and managed through the proposed centralized stormwater pond within the public utility lot (PUL). As a condition of subdivision, the Owner is required to provide detailed designs of all required stormwater infrastructure, obtain Alberta Environment and Parks' approvals and licensing for the stormwater infrastructure, and provide an Erosion and Sediment Control (ESC) Plan.

Municipal Reserves:

Municipal Reserve is outstanding. As a condition of subdivision, the Owner is required to provide cash-in-lieu payment for 6.92 acres of MR owing, in accordance with Section 666(3) of the Municipal Government Act.

Payments and Levies

APPLICABLE FEE/LEVY	AMOUNT OWING (ESTIMATE)
TRANSPORTATION OFFSITE LEVY	<p>\$305,248</p> <p>Developable Area = 61.27 acres (subject land 69.17 acres – parcel size for Lots 1&14)</p> <p>Base Levy = \$4,595/acre x 61.27 acres = \$281,536</p> <p>Special Area Levy (Special Area 7) = \$387/acre x 61.27 acres = \$ 23,712</p> <p>Total = \$305,248</p>
MUNICIPAL RESERVE (\$/ACRE)	<p>\$ 173,997</p> <p>Market value \$ 25,155/acre (appraisal report) x 69.17 acres x 10%</p> <p>= \$173,997</p>

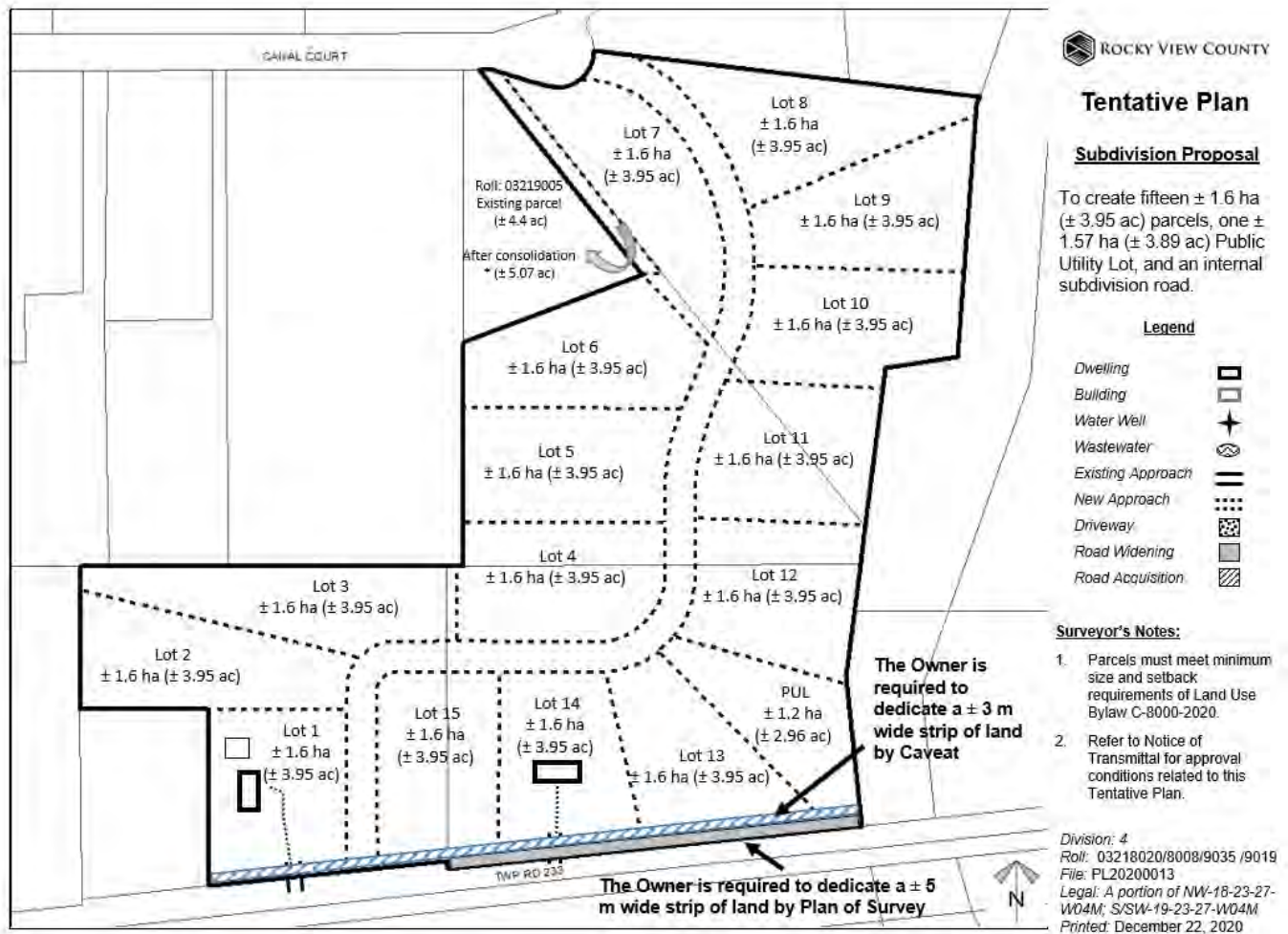
Land Use Bylaw

The proposed parcel size for each lot meets the minimum parcel size requirement under Residential, Rural District (R-RUR) within the Land Use Bylaw. However after the 5 m wide dedication and 3 m wide Caveat along Township Road 233 for future road widening, Lots 1, 13, 14, and 15 will be slightly undersized.

	Proposed Parcel Size	Parcel Size After Land Dedication (5 m by Plan of Survey)	Parcel Size After Land Dedication (Additional 3 m by a Caveat)
Lot 1 (existing dwelling)	± 1.6 ha (± 3.95 ac)	N/A	± 1.56 ha (± 3.87 ac) (2.50% variance)
Lot 13	± 1.6 ha (± 3.95 ac)	± 1.52 ha (± 3.76 ac) (5.00% variance)	± 1.48 ha (± 3.65 ac) (7.50% variance)
Lot 14 (existing dwelling)	± 1.6 ha (± 3.95 ac)	± 1.53 ha (± 3.80 ac) (4.38% variance)	± 1.50 ha (± 3.71 ac) (6.25% variance)
Lot 15	± 1.6 ha (± 3.95 ac)	± 1.58 ha (± 3.90 ac) (1.25% variance)	± 1.55 ha (± 3.83 ac) (3.13% variance)

Section 654 (2) of the *Municipal Government Act* allows the Subdivision Authority to vary the lot sizes, if it deems that the application will not materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land.

Tentative Plan





ROCKY VIEW COUNTY

CONCLUSION:

Subject to the proposed conditions of approval, the application is recommended for approval in accordance with Option #1.

Respectfully submitted,

Concurrence,

“Theresa Cochran”

“Al Hoggan”

Executive Director
Community Development Services

Chief Administrative Officer

XD/sl

ATTACHMENTS:

ATTACHMENT ‘A’: Maps and Other Information

ATTACHMENT ‘B’: Approval Conditions



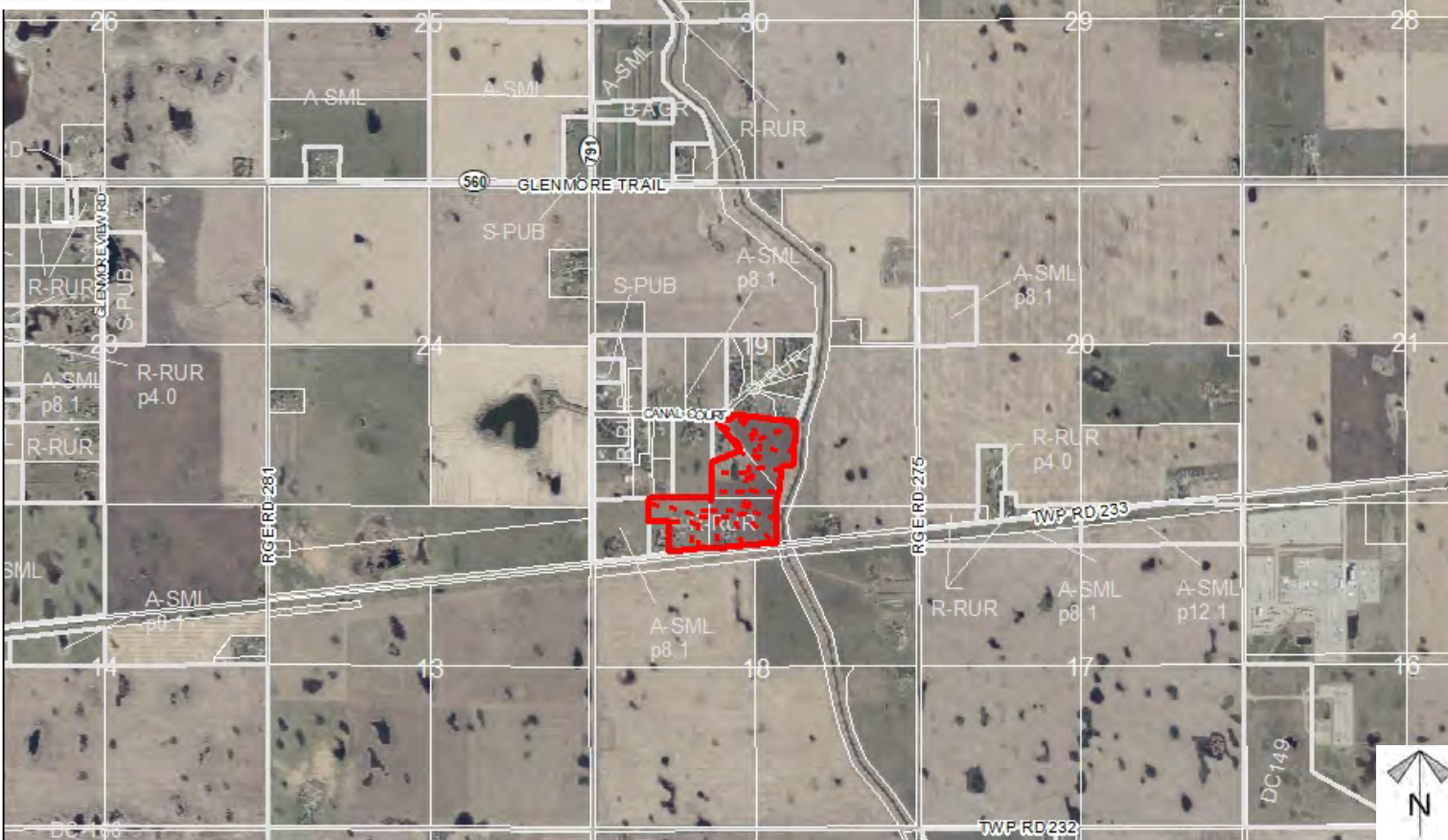
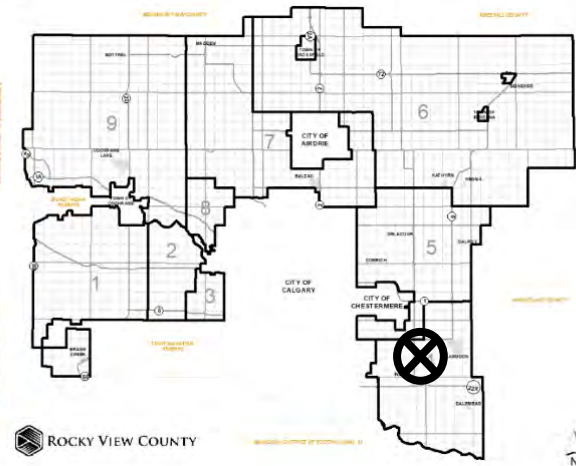
ATTACHMENT 'A': MAPS AND OTHER INFORMATION

APPLICANT: Carswell Planning	OWNER: Heather Palmer, 1234236 Alberta Ltd., Mehar Singh Banipal, Balbir & Dalhjeet Parmar, Gurmail & Gursewak Warring
DATE APPLICATION RECEIVED: January 28, 2020	DATE DEEMED COMPLETE: November 30, 2020
GROSS AREA: ± 27.99 hectares (± 69.17 acres)	LEGAL DESCRIPTION: Lot 13, Plan 7911308, NW-18-23-27-W04M Lot 14, Block 2, Plan 0613763, NW-18-23-27-W04M Lot 10, Block 1, Plan 7710827, SW-19-23-27-W04M Lot 21, Block 3, Plan 0214041, S-19-23-27-W04M
APPEAL BOARD: Development and Subdivision Appeal Board	
HISTORY: June 12, 2018 Council approved redesignation application (PL20150116) to redesignate the subject lands from Agricultural Holdings District to Residential Two District, in order to facilitate the creation of fifteen country residential lots with an internal access road.	
PUBLIC & AGENCY SUBMISSIONS: The application was circulated to 51 adjacent landowners. No letters 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.	

Location & Context

Subdivision Proposal

To create fifteen \pm 1.6 ha (\pm 3.95 ac) parcels, one \pm 1.57 ha (\pm 3.89 ac) Public Utility Lot, and an internal subdivision road.



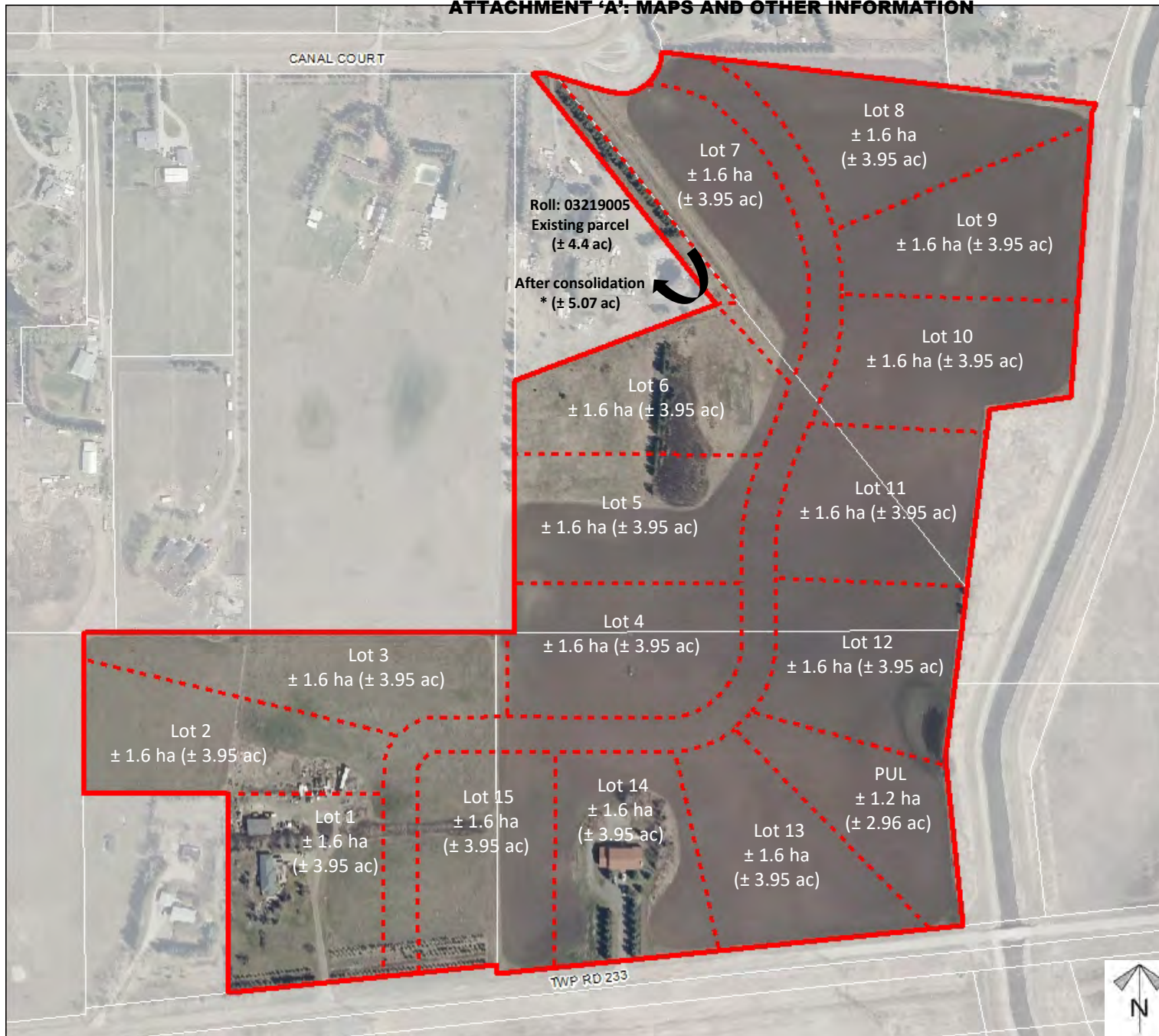
Division: 4
 Roll: 03218020/8008/9035 /9019
 File: PL20200013
 Legal: A portion of NW-18-23-27-
 W04M; S/SW-19-23-27-W04M
 Printed: December 22, 2020



Development Proposal

Subdivision Proposal

To create fifteen ± 1.6 ha (± 3.95 ac) parcels, one ± 1.57 ha (± 3.89 ac) Public Utility Lot, and an internal subdivision road.



Division: 4

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W04M; S/SW-19-23-27-W04M

Printed: December 22, 2020



Environmental

Subdivision Proposal

To create fifteen \pm 1.6 ha (\pm 3.95 ac) parcels, one \pm 1.57 ha (\pm 3.89 ac) Public Utility Lot, and an internal subdivision road.



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

Division: 4

Roll: 03218020/8008/9035 /9019

File: PL20200013

Legal: A portion of NW-18-23-27-

W04M; S/SW-19-23-27-W04M

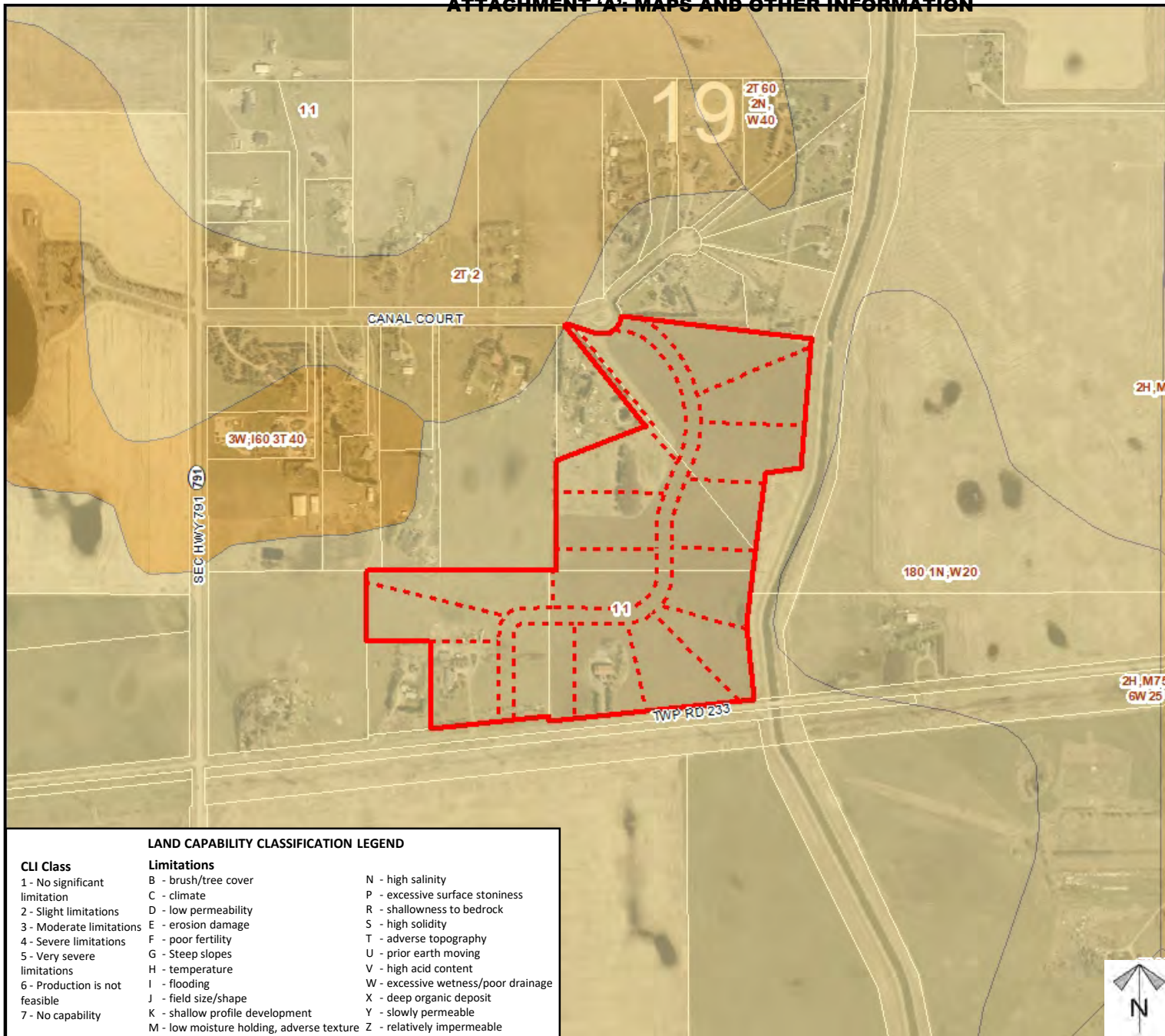
Printed: December 22, 2020



Soil Classifications

Subdivision Proposal

To create fifteen \pm 1.6 ha (\pm 3.95 ac) parcels, one \pm 1.57 ha (\pm 3.89 ac) Public Utility Lot, and an internal subdivision road.



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: 03218020/8008/9035 /9019

File: PL20200013

Legal: A portion of NW-18-23-27-W04M; S/SW-19-23-27-W04M

Printed: December 22, 2020

Landowner Circulation Area

Subdivision Proposal

To create fifteen \pm 1.6 ha (\pm 3.95 ac) parcels, one \pm 1.57 ha (\pm 3.89 ac) Public Utility Lot, and an internal subdivision road.

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.

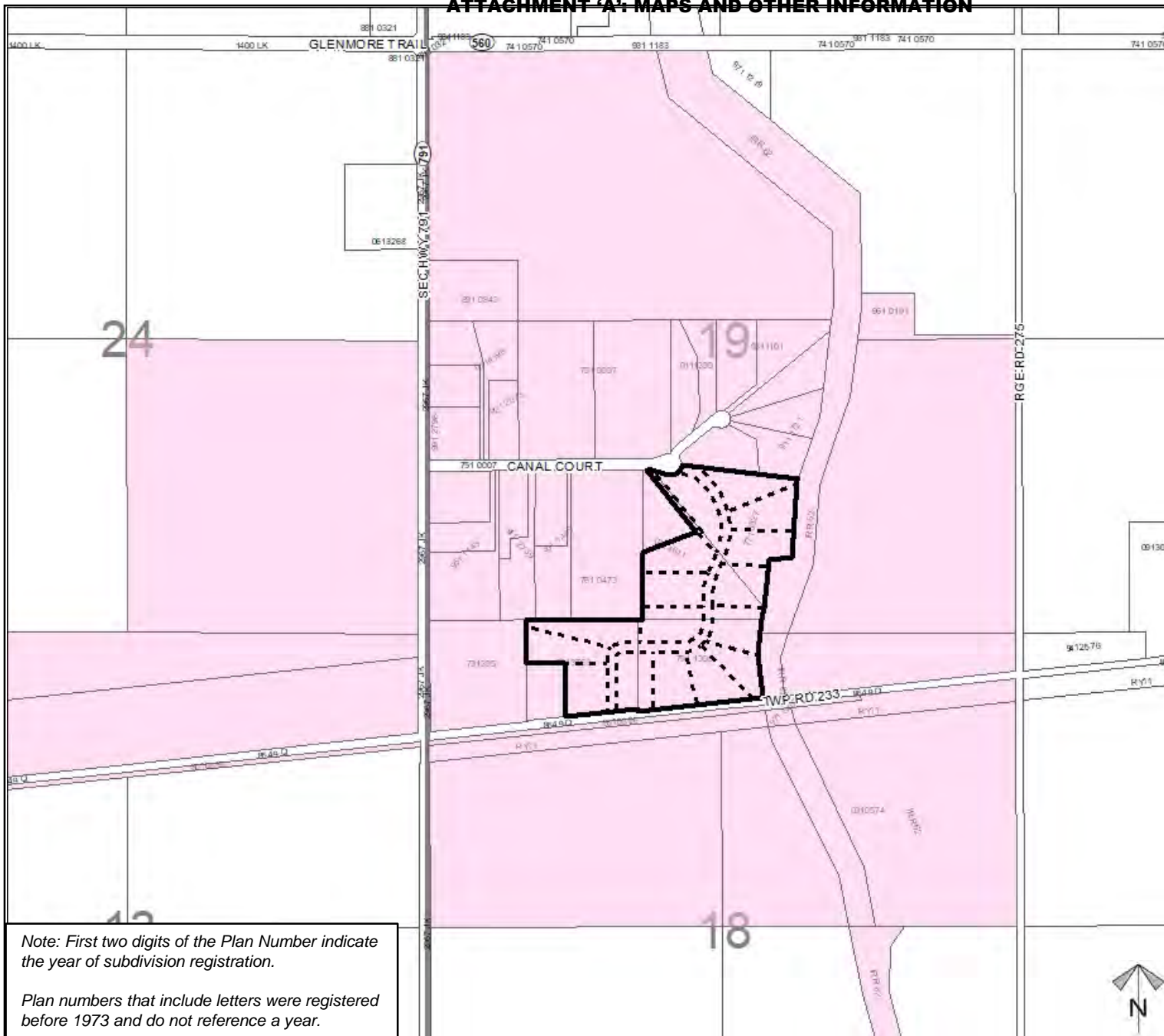
Division: 4

Roll: 03218020/8008/9035 /9019

File: PL20200013

Legal: A portion of NW-18-23-27-W04M; S/SW-19-23-27-W04M

Printed: December 22, 2020



Tentative Plan

Subdivision Proposal

To create fifteen ± 1.6 ha (± 3.95 ac) parcels, one ± 1.57 ha (± 3.89 ac) Public Utility Lot, and an internal subdivision road.

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: 4

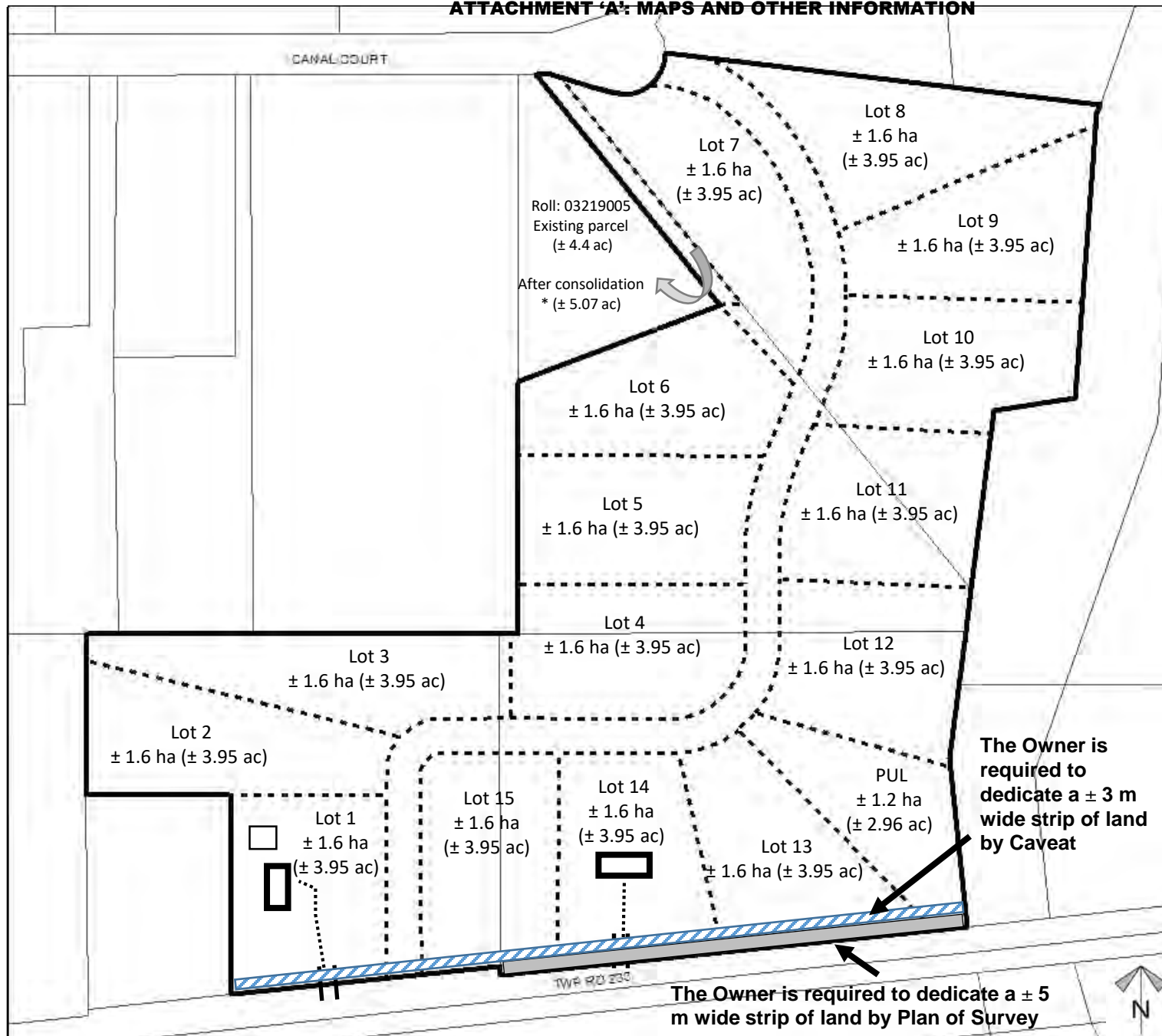
Roll: 03218020/8008/9035 /9019

File: PL20200013

Legal: A portion of NW-18-23-27-

W04M; S/SW-19-23-27-W04M

Printed: December 22, 2020



**ATTACHMENT 'B': APPROVAL CONDITIONS**

- A. The application to create fifteen ± 1.6 ha (± 3.95 ac) residential lots, one ± 1.20 ha (± 2.96 ac) public utility lot (PUL) and an internal road within a portion of SW-19-23-27-W04M and a portion of NW-18-23-27-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 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 that 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:

Plan of Survey

1. 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.
2. The Owner is to dedicate:
 - a) a ± 5 m wide strip of land by Plan of Survey, and additional ± 3 m wide strip of land by a Caveat along the southern boundary of Lot 13, Plan 7911308, for future Township Road 233 road widening, as shown on the approved Tentative Plan,
 - b) a ± 3 m wide strip of land by Caveat along the southern boundary of Lot 14, Block 2, Plan 0613763, for future Township Road 233 road widening, as shown on the approved Tentative Plan.

Development Agreement

3. The Owner is to enter into a Development Agreement for the provision of the following infrastructure and improvements:
 - a) Construction of a new internal paved road system from Township Road 233 to Canal Court (approximately 950 m) to a Country Collector (400.5) standard complete with all necessary signage and paved approaches to each lot, in accordance with the County Servicing Standards;
 - b) Construction of intersection of Township Road 233 & Site Access to Type 1a standard in accordance with the submitted TIA;



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- c) Appropriate connection of the new internal road to Township Road 233 and Canal Court;
- d) Improvements to the intersection of Township Road 233 and Highway 791 to Type IIb standard in accordance with the submitted TIA including obtaining necessary approvals from Alberta Transportation;
- e) Upgrade Township Road 233 to a Regional Transitional Paved Road (400.10) standard from the southern site access to Highway 791 (Approximately 500 m) including any paved approaches to the existing lots and appropriate tie-in to Highway 791;
- f) Design, construction and implementation of the recommendations of the approved Stormwater Management Plan with a centralized municipal pond. This will also include
 - o A drafting hydrant to address all fire suppression requirements for the proposed development in accordance with the requirements of NFPA 1142 and all applicable County standards and bylaws
 - o the registration of any overland drainage easements and/or restrictive covenants as determined by the Stormwater Management Plan, all to the satisfaction of Alberta Environment and the County.
- g) Obtain all necessary Alberta Environment and Park approval for the disturbances to any of the onsite wetlands
- h) Implementation of the recommendations of the Construction Management Plan;
- i) Implementation of the recommendations of the Geotechnical Report;
- j) Implementation of the recommendations of the Erosion & Sedimentation Control plan;
- k) Dedication of necessary easements and right of ways for utility line assignments;
- l) Installation of power, natural gas and telephone lines;
- m) Mailboxes are to be located in consultation with Canada Post.

Site Servicing

- 4. Water is to be supplied by an individual well on Lots 2-12, 13 and 15. The subdivision shall not be endorsed until:
 - a) A Phase 2 Aquifer Testing Report is provided for Lots 2-12, 13 and 15, which is to include aquifer testing and the locations of the water wells on each lot; and the results of the aquifer testing meet the requirements of the Water Act and County's servicing standards.
- 5. The Owner shall enter into a Development Agreement (Site Improvements Services Agreement) with the County for the installation of an advanced treatment system on all proposed parcels in accordance with the recommendations of the Level 4 PSTS assessment prepared by Groundwater information Technologies dated April 17, 2015.
- 6. The Owner shall enter into Deferred Services Agreement with the County, to be registered on title for each proposed Lots 1-15, indicating:
 - a) Requirements for each future Lot Owner to connect to County piped water, wastewater, and stormwater systems at their cost when such services become available;
 - b) Requirements for decommissioning and reclamation once County servicing becomes available;

Stormwater



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7. The Owner shall provide a detailed design of all required stormwater infrastructure incorporating a centralized municipal pond in accordance with County's servicing standards. Implementation shall include:
 - a) Registration of any required easements and/or utility rights-of-way;
 - b) Provision of necessary approvals and compensation to Alberta Environment and Parks for wetland disturbance;
 - c) Provision of necessary Alberta Environment and Parks registration documentation and approvals for the stormwater infrastructure system;
8. The Owner shall provide an Erosion and Sediment Control (ESC) Plan, to address all ESC measures to be implemented during the construction of all infrastructure for the proposed development, in accordance with the County's Servicing Standards.

Developability

9. The Owner shall provide a Geotechnical Investigation to determine the soil suitability to support the proposed subdivision. The Geotechnical Investigation shall also make recommendations for centralized stormwater pond design, and the pavement structure design of the proposed internal road and Township Road 233.
10. The Owner shall provide a Construction Management Plan which is to include, but not be limited to, noise, sedimentation and erosion control, traffic accommodation, construction waste management, and construction management details. Specific other requirements include:
 - a) Weed management during the construction phases of the project;
 - b) Implementation of the Construction Management Plan recommendations will be ensured through the Development Agreement.

Municipal Reserve

11. The provision of Reserve in the amount of 10% of the subject lands, as determined by the Plan of Survey, is to be provided by payment of cash-in-lieu in accordance with the value per acre listed in the appraisal report provided by RDS Appraisal Group, November 20, 2020, pursuant to Section 666(3) of the Municipal Government Act.

Others

12. The Owner is eligible to enter into a Cost Recovery Agreement with the County for the offsite upgrades in accordance with County Policy 406.

Payments

13. The Owner shall pay the Transportation Off-Site Levy in accordance with the Transportation Off-Site Bylaw C-8007-2020. The County shall calculate the total gross acreage of the lands to be subdivided, excepting proposed Lots 1 & 14 where the existing dwellings are located.
14. The Owner shall pay the County Subdivision Endorsement fee, in accordance with the Master Rates Bylaw, for the creation of fifteen (15) new lots.

Taxes

15. 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:



ROCKY VIEW COUNTY

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.