



PLANNING AND DEVELOPMENT SERVICES

TO: Municipal Planning Commission
Subdivision Authority

DATE: January 27, 2021

FILE: 08815003 / 08815008

SUBJECT: Subdivision Item: Boundary Adjustment

DIVISION: 9

APPLICATION: PL20200160

APPLICATION: To adjust the boundaries between a ± 4.04 hectare (± 9.98 acre) parcel and a ± 10.29 hectare (± 25.44 acre) parcel in order to create a ± 4.09 hectare (± 10.11 acre) parcel (Lot 1) and a ± 10.24 hectare (± 25.30 acre) parcel (Lot 2).

GENERAL LOCATION: Located approximately 1.6 km (1 mile) west of Highway 22, 0.8 km (0.5 mile) north of Township Road 281A, and on the east side of Range Road 43.

LAND USE DESIGNATION: Residential, Rural District (R-RUR) and Agricultural, Small Parcel District (A-SML p8.1)

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

OPTIONS:

- Option #1: THAT Subdivision Application PL20200160 be approved with the conditions noted in Appendix 'B'.
- Option #2: THAT Subdivision Application PL20200160 be refused as per the reasons noted

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: <ul style="list-style-type: none"> • <i>Municipal Government Act;</i> • Subdivision and Development Regulations; • County Plan; • Land Use Bylaw; and • County Servicing Standards. 	TECHNICAL REPORTS SUBMITTED: <ul style="list-style-type: none"> • None
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Transportation:

The subject two lots can be accessed through the exiting shared driveway and approach, which is protected by an Access Easement Agreement and Right-of-Way Plan.

Water and Wastewater:

The parcel in the north (08815003) is serviced by an existing water well and septic tank and field system. When that parcel was created in 2013, the Real Property Report submitted at that time did not show the location of the septic field. It is now confirmed that it is located on the neighbouring parcel to the south (08815008). The applicant intends to rectify this through this boundary adjustment by including ± 0.13 acre land where the septic field is located.

Payments and Levies

Transportation Off-Site Levy (TOL) was previously paid for 3 acres of land on the parcel in the north (08815003), and deferred on the parcel in the south (08815008). TOL will not be required for boundary adjustment application.

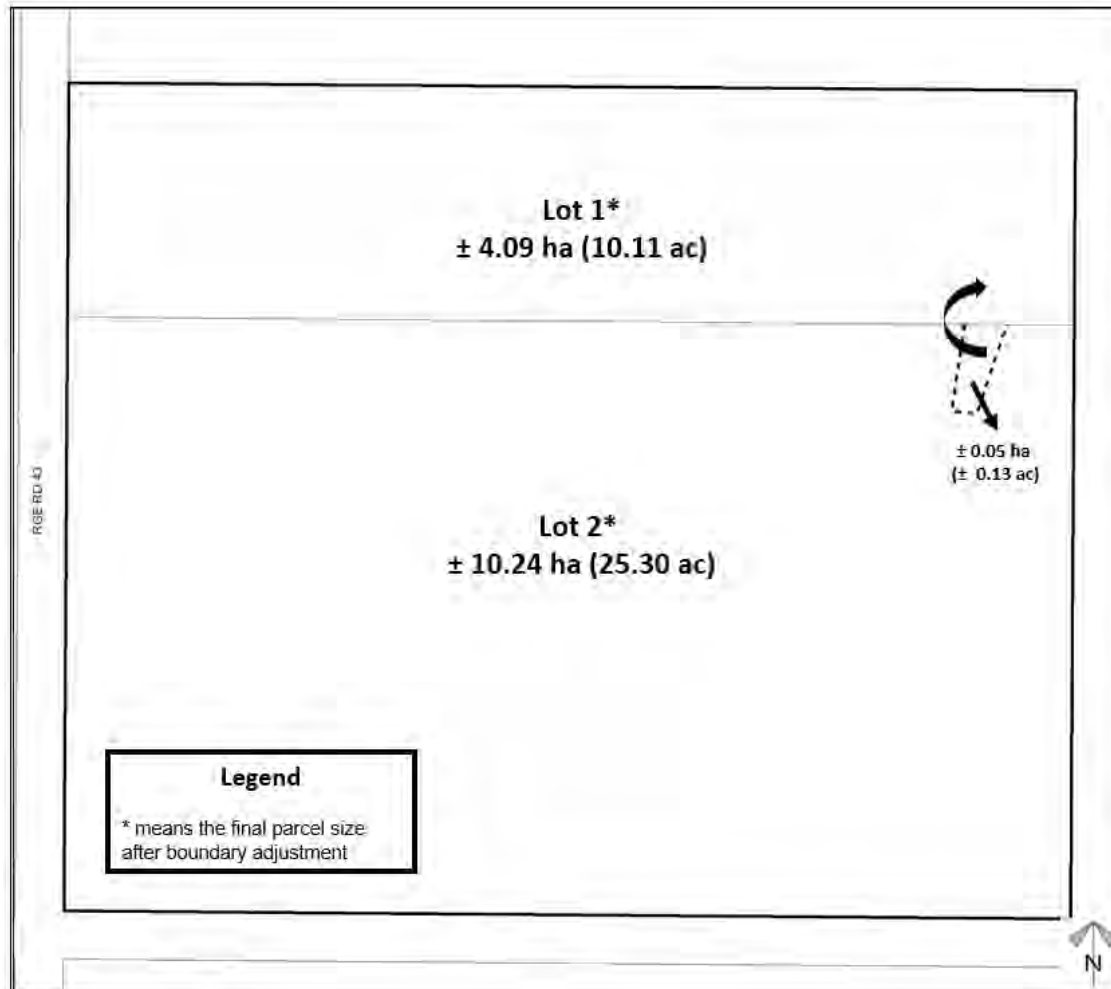
Land Use:

It should be noted that the proposed Lot 1 in the north will contain two land use districts after the boundary adjustment: the exiting residential use (R-RUR) and a ± 0.13 acre of agricultural use (A-SML p8.1) consolidated from the southern parcel that contains the septic field.

While the parcel does not meet the minimum parcel size requirement for A-SML, Administration has no concerns.



Tentative Plan



Tentative Plan

Subdivision Proposal

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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: 9

Roll: 08815003 / 08815008

File: PL20200160

Legal:

Lot 1, Block 1, Plan 1312163

Lot 2, Block 2, Plan 2010674

SW-15-28-04-W05M

Printed: November 23, 2020



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/llt

ATTACHMENTS:

ATTACHMENT ‘A’: Maps and Other Information

ATTACHMENT ‘B’: Approval Conditions



ATTACHMENT 'A': MAPS AND OTHER INFORMATION

APPLICANT: Midwest Surveys (Craig White)	OWNER: Daniel Stanger & Heidi Alexander Eldon Dahl & Agnes Dahl
DATE APPLICATION RECEIVED: November 19, 2020	DATE DEEMED COMPLETE: November 19, 2020
GROSS AREA: ± 14.33 hectares (± 35.42 acres)	LEGAL DESCRIPTION: Lot 1, Block 1, Plan 1312163, SW-15-28-04-W05M Lot 2, Block 2, Plan 2010674, SW-15-28-04-W05M
APPEAL BOARD: Development and Subdivision Appeal Board	
HISTORY: January 8, 2019 Council approved subdivision application PL20180115, to create a ± 10.25 hectare (± 25.34 acre) parcel (Lot 1) with a ± 50.46 hectare (± 124.68 acre) remainder (Lot 2). Lot 1 is one of the subject lands in this application. January 8, 2013 Council approved subdivision application 2012-RV-055, to create a ± 4.05 hectare (± 10 acre) parcel (Lot 1) with a ± 60.70 hectare (± 150 acre) remainder (Lot 2). Lot 1 is the other subject land in this application.	
PUBLIC & AGENCY SUBMISSIONS: The application was circulated to 17 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

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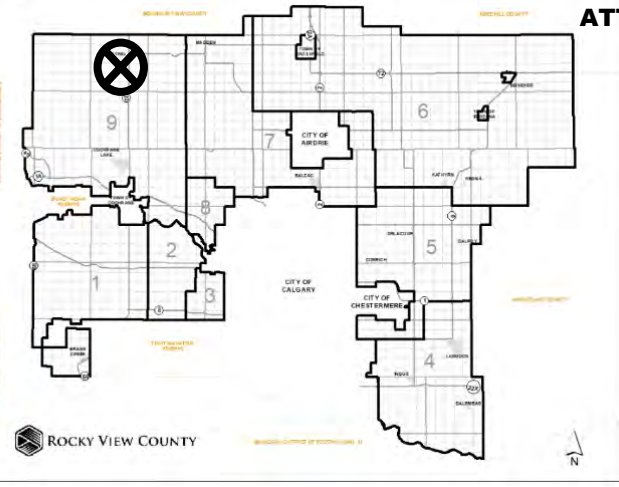
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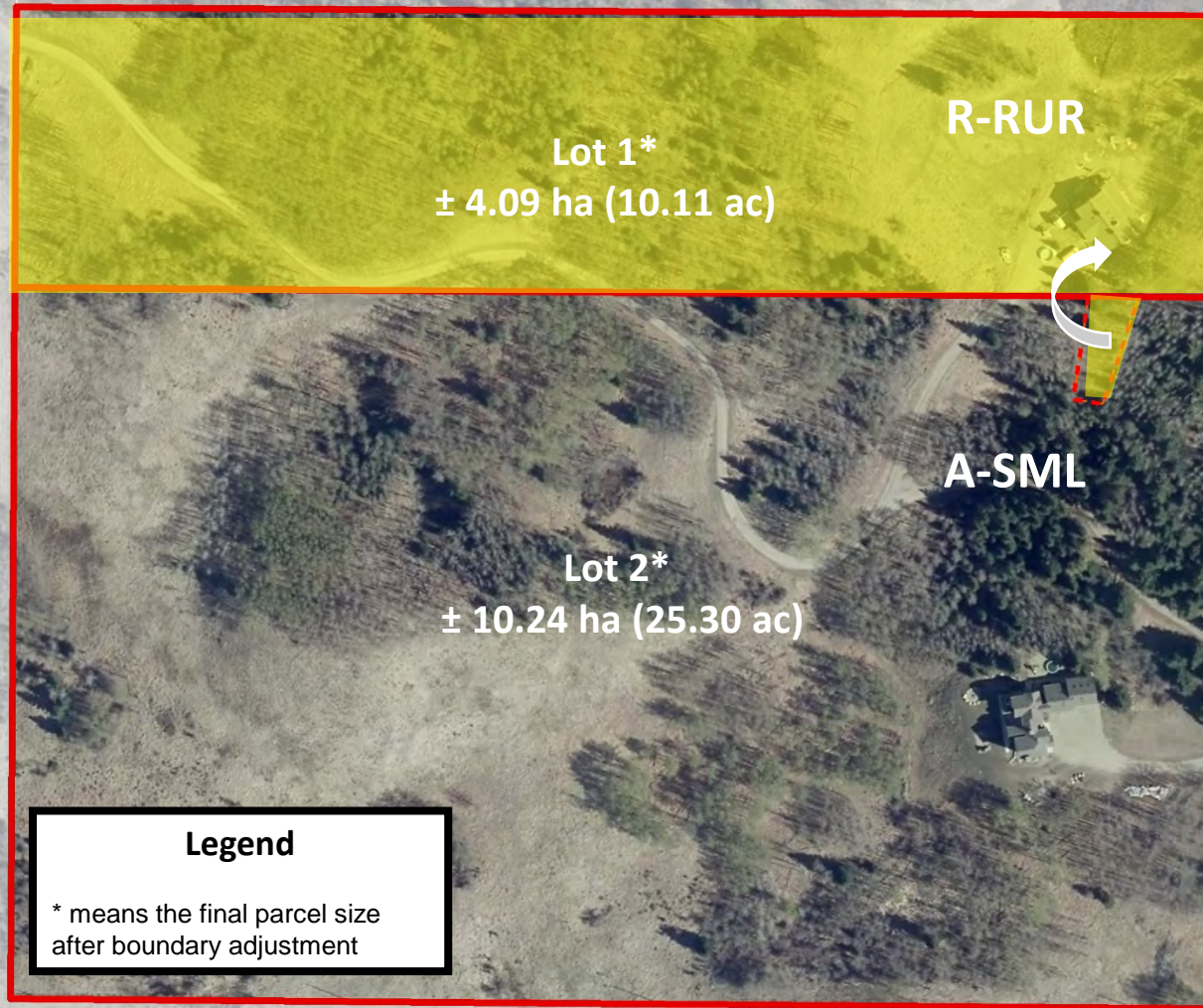
ATTACHMENT 'A': MAPS AND OTHER INFORMATION



Development Proposal

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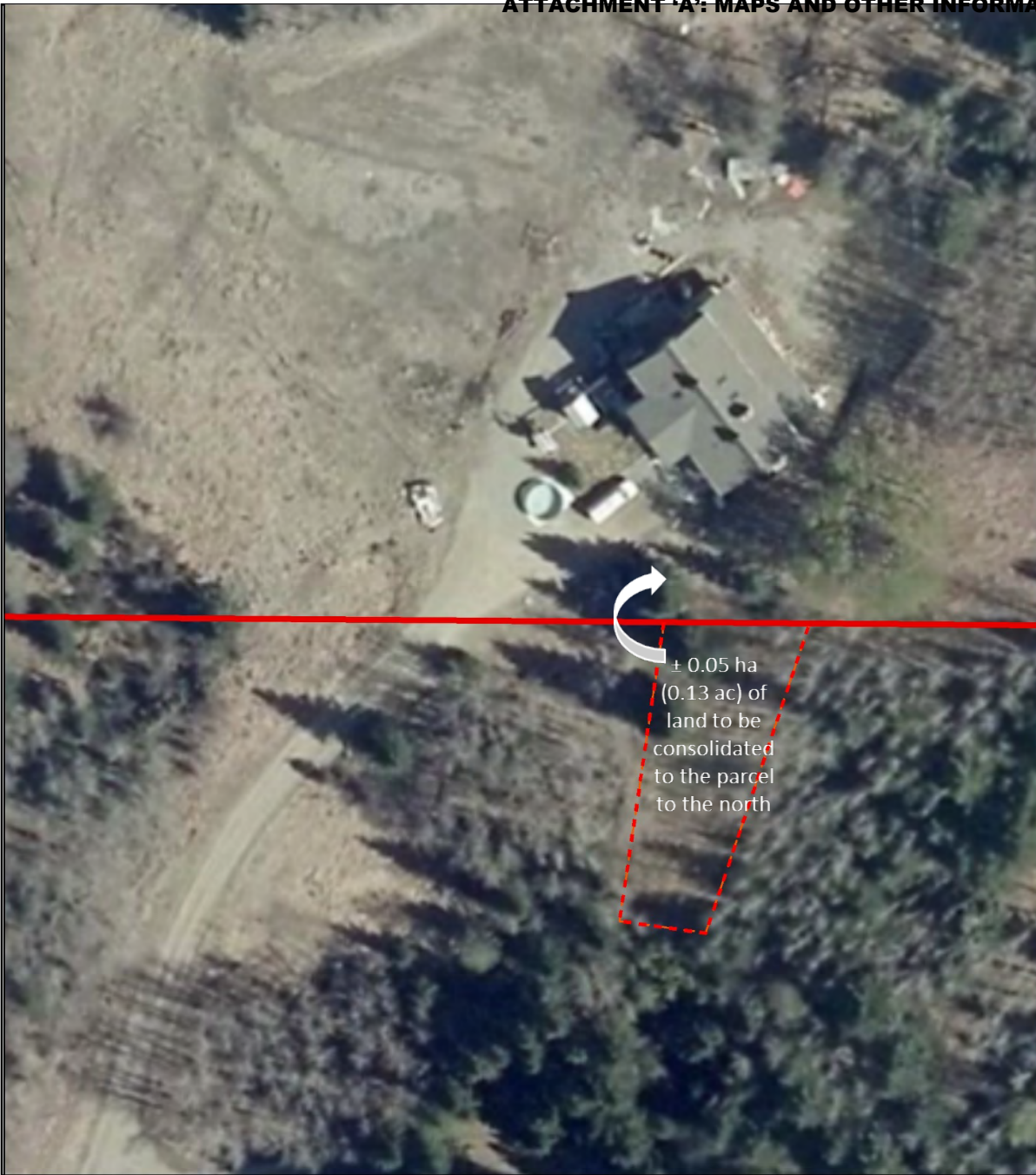
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± 0.05 ha
(0.13 ac) of
land to be
consolidated
to the parcel
to the north

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Environmental

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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

- 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

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Water Well	
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RGE RD 43

Lot 1*
 ± 4.09 ha (10.11 ac)

Lot 2*
 ± 10.24 ha (25.30 ac)

± 0.05 ha
 (± 0.13 ac)

Legend

* means the final parcel size after boundary adjustment



**ATTACHMENT 'B': APPROVAL CONDITIONS**

- A. The application to adjust the boundaries between a ± 4.04 hectare (9.98 acre) parcel and a ± 10.29 hectare (25.44 acre) parcel, in order to create a ± 4.09 hectare (10.11 acre) parcel (Lot 1) and a ± 10.24 hectare (25.30 acre) parcel (Lot 2) within Lot 1, Block 1, Plan 1312163, SW-15-28-04-W05M & Lot 2, Block 2, Plan 2010674, SW-15-28-04-W05M 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 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 Applicant/Owner is to provide a Site Plan, prepared by an Alberta Land Survey, which illustrates the following in relation to the new property lines:
 - a) The Site Plan shall confirm that the existing water well and private sewage treatment system are located within the boundary of Lot 1.

Payments

3. The Owner shall pay the County subdivision endorsement fee for the boundary adjustment, in accordance with the Master Rates Bylaw.

Taxes

4. 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:

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

**ROCKY VIEW COUNTY**

contribute to the Fund in accordance with the contributions prescribed in the Master Rates Bylaw.