

# Council Meeting Agenda

January 9, 2018

9:00 a.m.



ROCKY VIEW COUNTY  
Cultivating Communities  
911 – 32 AVENUE NE  
CALGARY, AB, T2E 6X6

CALL MEETING TO ORDER

UPDATES/ACCEPTANCE OF AGENDA

**A CONFIRMATION OF MINUTES**

1. December 12, 2017 Council Meeting

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**B FINANCIAL REPORTS**

- None

**C APPOINTMENTS/PUBLIC HEARINGS**

NOTE: As per Section 606(2)(a) of the *Municipal Government Act* Public Hearings were advertised in the Rocky View Weekly on December 12, 2017 and December 19, 2017.

**MORNING APPOINTMENTS  
10:00 A.M.**

1. Division 5 – File: PL20170157 (05201011)  
Bylaw C-7744-2017 – Redesignation Item – New or Distinct Agricultural Use - Ranch and Farm District to Ranch and Farm Two District – Eastern Border of Rocky View County

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2. Division 2 – File: PL20170123 (05702033)  
Bylaw C-7738-2017 – Redesignation Item – Residential Two District to Residential One District – Springbank ASP

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**AFTERNOON APPOINTMENTS  
1:30 P.M.**

3. Division 9 – File: PL20160018  
Bylaw C-7745-2017 – Road Closure Item – Joint application to close for consolidation two portions of Road Allowance known as Range Road 45

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4. Division 7 – File: PL20160131 (08634001)  
Bylaw C-7742-2017 –Redesignation Item – First Parcel Out (Farmstead –  
Ranch and Farm District to Farmstead District) – Highway 574

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5. Division 9 – File: PL20170108 (06823011)  
Bylaw C-7708-2017 –Redesignation Item - Agricultural Holdings District to  
Residential Two District – Cochrane North ASP (Camden Lane)

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## D GENERAL BUSINESS

1. All Divisions – File: 6070-175 – Response to Notice of Motion – Donating  
Funds to the Town of Cochrane

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## E BYLAWS - None

## F UNFINISHED BUSINESS - None

## G COUNCIL REPORTS

## H MANAGEMENT REPORTS - None

## I NOTICES OF MOTION

1. Deputy Reeve Gautreau – Increase Speed Limit on Highway 1 East of  
Chestermere

Note: This Notice of Motion is to be read into the record at the January 9, 2018  
Council Meeting and debated at the January 23, 2018 Council Meeting.

Notice of Motion

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## J SUBDIVISION APPLICATIONS

1. Division 4 – File: PL20150047 (04210009) – Two Lots, Business – Highway  
Frontage near intersection of Highways 1 and 797

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2. Division 8 – File: PL20170023 (05724009) – Residential One District and Agricultural Holdings District – Bearspaw ASP

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3. Division 5 – File: PL20170149 (03332005/015) – Boundary Adjustment – Janet ASP

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4. Division 6 – File: PL20170129 (08509001) – New or Distinct Agricultural Use – Southwest of the Town of Crossfield

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- K COMMITTEE OF THE WHOLE/IN CAMERA  
- None

ADJOURN THE MEETING

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A regular meeting of the Council of Rocky View County was held in Council Chambers of the Municipal Administration Building, 911 – 32<sup>nd</sup> Avenue NE, Calgary, Alberta on December 12, 2017 commencing at 9:00 a.m.

Present:

Division 6	Reeve G. Boehlke
Division 5	Deputy Reeve J. Gautreau
Division 1	Councillor M. Kamachi
Division 2	Councillor K. McKylor
Division 3	Councillor K. Hanson
Division 4	Councillor A. Schule
Division 7	Councillor D. Henn
Division 8	Councillor S. Wright
Division 9	Councillor C. Kissel

Also Present:

K. Greig, County Manager  
K. Robinson, General Manager  
C. O'Hara, General Manager  
B. Riemann, General Manager  
A. Keibel, Manager, Legislative and Legal Services  
B. Woods, Manager, Financial Services  
M. Wilson, Supervisor, Planning Services  
J. Kwan, Planner, Planning Services  
P. Simon, Planner, Planning Services  
X. Deng, Planner, Planning Services  
M. Norman, Planner, Planning Services  
J. Anderson, Planner, Planning Services  
J. Kirychuck, Planner, Planning Services  
A. Yurkowski, Engineer, Engineering Services  
A. Pare, Support Technician, Engineering Services  
C. Satink, Deputy Municipal Clerk, Legislative and Legal Services  
T. Andreasen, Legislative Clerk, Legislative and Legal Services

**Call to Order**

The Chair called the meeting to order at 9:00 a.m. with all members present.

**1-17-12-12-01**

**Updates/Acceptance of Agenda**

MOVED by Councillor Hanson that the agenda be amended as follows:

- Add emergent item D-3 – *Budget Adjustment for Settlement with Sunterra Beef*; and
- Replace Attachment 'A' – *Bylaw C-7732-2017* in agenda item C-3.

MOVED by Councillor Hanson that the December 12, 2017 Council Meeting agenda be accepted as amended.

Carried

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**1-17-12-12-02**

**Confirmation of Minutes**

MOVED by Deputy Reeve Gautreau that the November 23, 2017 Special Council Meeting minutes be accepted as presented.

Carried

MOVED by Councillor Schule that the November 28, 2017 Council Meeting minutes be accepted as presented.

Carried

**1-17-12-12-08 (D-1)**

**Division 1 – West Bragg Creek Emergency Access Study**

**File: 1021-275/1025-600**

MOVED by Councillor Kamachi that the 2017 budget adjustment of \$30,000 to utilize funding from the Government of Alberta for the completion of West Bragg Creek Emergency Access Study be approved as per Attachment 'A'.

Carried

**1-17-12-12-09 (D-2)**

**All Divisions – 2018 Interim Operating and Capital Budget**

**File: 2025-350**

MOVED by Councillor Schule that the 2018 Interim Operating and Capital Budget be adopted as per Attachment 'A'.

Carried

**1-17-12-12-15 (D-3)**

**All Divisions – Emergent Item – Budget Adjustment for Settlement with Sunterra Beef**

**File: 0195**

MOVED by Deputy Reeve Gautreau that the budget adjustment of \$14,000,000 for settlement with Sunterra Beef be approved as per Attachment 'A'.

Carried

**1-17-12-12-10 (I-1)**

**Division 9 – Notice of Motion – Councillor Kissel – Repayment of Town of Cochrane Land Sale Proceeds**

**File: N/A**

Notice of Motion: To be read in at the December 12, 2017 Council Meeting

To be debated at the January 9, 2018 Council Meeting

Title: Donating Funds to the Town of Cochrane

Presented By: Councillor Kissel, Division 9

Whereas The Town of Cochrane is one of Rocky View County's closest municipal neighbors;

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- Whereas** The Town of Cochrane and Rocky View County are joint owners of the Spray Lakes Recreation facility and the surrounding lands;
- Whereas** The Town of Cochrane and Rocky View County have an existing Municipal Affairs award winning inter municipal relationship (The Ranchehouse Accord);
- Whereas** Rocky View County sold to the Town of Cochrane two small pieces of said lands to enable Cochrane to do town infrastructure improvements;

**THEREFORE, BE IT RESOLVED** THAT Council direct Administration to direct all funds paid to Rocky View County by Cochrane for these lands to the Pool Project, as a goodwill good partner gesture.

**1-17-12-12-11 (J-1)**

**Division 6 – Subdivision Item – Residential purposes – Township Road 264**

**File: PL20170159 (06122003)**

MOVED by Councillor Schule that condition 4 in Appendix 'A', requirement for municipal reserve, be deferred by caveat onto Lot 1.

Lost

In Favour:

Councillor Schule

In Opposition:

Councillor Kamachi

Councillor McKylor

Councillor Hanson

Reeve Boehlke

Deputy Reeve Gautreau

Councillor Henn

Councillor Wright

Councillor Kissel

MOVED by Deputy Reeve Gautreau that Subdivision Application PL20170159 be approved with the conditions noted in Appendix A:

- A. That the application to create a  $\pm 1.94$  hectare ( $\pm 4.80$  acre) parcel (Lot 1) with a  $\pm 60.94$  hectare ( $\pm 150.58$  acre) remainder (Lot 2) within NE-22-26-26-W04M, 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 condition 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

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this subdivision approval do not absolve an 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 is approved subject to the following conditions:

*Plan of Subdivision*

- 1) Subdivision is to be effected by a Plan of Survey, pursuant to Section 657 of the *Municipal Government Act*, or such other means deemed satisfactory to the Registrar of the South Alberta Land Titles District.

*Payments and Levies*

- 2) The Applicant/Owner shall pay the Transportation Off-Site Levy in accordance with the applicable levy at the time of subdivision approval. The County shall calculate the total amount owing from the total gross acreage of Lot 1 as shown on the Plan of Survey.
- 3) The Applicant/Owner shall pay the County subdivision endorsement fee, in accordance with the Master Rates Bylaw, for the creation of one (1) new lot.

*Municipal Reserves*

- 4) The provision of Reserves 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 as listed in the land appraisal prepared by Weleschuk Associates Ltd., file 17-2162, dated October 2017, pursuant to Section 666(3) of the *Municipal Government Act*.

*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*.

D. SUBDIVISION AUTHORITY DIRECTION:

- 1) The Subdivision Authority advises that the subdivision will result in one (1) existing non-conforming building within proposed Lot 1.
- 2) Prior to final endorsement of the subdivision, Administration is directed to present the Applicant / Owner 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.

Carried

**1-17-12-12-12 (J-2)**

**Division 3 – Subdivision Item – Residential One District (R-1) – North Escarpment Conceptual Scheme**  
**File: PL20170120 (04619006)**

MOVED by Councillor Hanson that Subdivision Application PL20170120 be approved with the conditions noted in Appendix A:

- A. The application to create a create nine (9)  $\geq 0.80$  hectares ( $\geq 1.98$  acres) parcels together with an internal access road within Block 3, Plan 2850 JK; NW-1/4-19-24-02-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;

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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:

*Plan of Subdivision*

- 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 and Access*

- 2) The Applicant/Owner shall enter into a Development Agreement pursuant to Section 655 of the *Municipal Government Act* respecting provision of the following:
  - i. Construction of a public internal road system (Country Residential Standard) complete with cul-de-sacs and any necessary easement agreements, including complete approaches to each lot, as shown on the Tentative Plan, at the Owner's expense, in accordance with Section 400.0 of the Rocky View County Servicing Standards for Subdivision and Road Construction, as approved by Council, all to the satisfaction of the County;
  - ii. Mailbox locations are to be located in consultation with Canada Post, to the satisfaction of the County;
  - iii. Water is to be supplied through a water distribution system in accordance with the Rocky View County Servicing Standards as approved by Council;
  - iv. Construction of storm water facilities in accordance with the recommendations of an approved Stormwater Management Plan, and the registration of any overland drainage easements and/or restrictive covenants as determined by the Stormwater Management Plan;
  - v. Installation of power, natural gas, and telephone lines;
  - vi. Removal and reclamation of the existing approach off Escarpment Drive;
  - vii. Implementation of the recommendations of the Construction Management Plan / Erosion and Sedimentation Control Plan and Weed Management Plan.
- 3) The Applicant/Owner shall submit an updated Geotechnical Report, to confirm the CBR (California Bearing Ratio) value that was assumed in the report prepared by E2K Engineering, dated January 2016, or provide alternative recommendation for road structure design based on the actual in-situ CBR value.

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*Stormwater/Developability*

- 4) The Applicant/Owner shall submit an update to the conceptual level Stormwater Management Plan previously submitted as part of Conceptual Scheme (Site Specific Storm Water Management Plan) in accordance with the County Servicing Standards and the Springbank Master Drainage Plan. Implementation of the Stormwater Management Plan shall include:
  - i. A Development Agreement, to be entered into with the County, addressing the design and construction of the required improvements;
  - ii. Registration of any required easements and/or utility rights-of-way; and
  - iii. Provision of necessary Alberta Environment and Parks registration documentation and approvals for the stormwater infrastructure system.
- 5) The Applicant/Owner shall register an encumbrance on the title of each new lot to notify future owners of specific development obligations relative to on-going operation and maintenance of the stormwater management facilities.

*Servicing*

- 6) The Applicant/Owner shall enter into a Development Agreement (Site Improvements Services Agreement) with the County, which shall include the following:
  - i. The construction of packaged sewage treatment systems for Lots 1-9, in combination with LFH at-grade systems for lots 1-5, as recommended in the Level 4 PSTS report by Osprey Engineering, dated June 2017, and in accordance with Policy 449 requirements.
- 7) The Applicant/Owner shall enter into a Deferred Services Agreement with the County, to be registered on title for each of proposed Lots 1-9, indicating:
  - i. Requirements for each future Lot Owner to connect to County piped wastewater, and stormwater systems at their cost when such services become available;
  - ii. Requirements for decommissioning and reclamation once County servicing becomes available.
- 8) The Applicant/Owner shall provide confirmation of tie-in to the Westridge Utilities water distribution system for the proposed subdivision as per the approved Tentative Plan. The Applicant will be required to provide:
  - i. Confirmation from Westridge Utilities that adequate water supply is available for the proposed subdivision;
  - ii. Documentation showing that the necessary water supply has been purchased for all proposed lots;
  - iii. Documentation showing that all necessary water infrastructure will be installed, and that the water supplier has approved the associated plans and specifications (Servicing Agreement).
- 9) The Applicant/Owner shall remove and reclaim the existing PSTS system located on the parent parcel, and provide proof of such work being completed by a qualified professional.
- 10) The Applicant/Owner shall provide proof of decommissioning of the existing well on the parent lot, and any necessary Alberta Environment and Parks approvals for this work.

*Other*

- 11) Utility Easements, Agreements, and Plans are to be provided and registered (concurrent with a Plan of Survey or prior to registration), to the satisfaction of ATCO Gas.

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- 12) The Applicant/Owner shall obtain approval for a neighborhood and road name by way of application to, and consultation with, the County;
- 13) The Applicant/Owner shall prepare and register a Restrictive Covenant on the title of each new lot created, requiring that each Lot Owner be subject to the development's Architectural Controls, which require: LIDs, obligations for building form and character, building envelopes that reasonably mitigate impacts to existing views and vistas for Lot 13, Plan 901 0715 and Lot 14, Plan 921 1467, and tree preservation in accordance with Section 4.5 of the North Escarpment Drive Conceptual Scheme.
- 14) The Applicant/Owner shall provide a Landscaping Plan, to be prepared by a qualified professional, to illustrate how the existing tree cover within each new lot will be appropriately maintained in accordance with Section 4.5.21 of the North Escarpment Drive Conceptual Scheme.

*Payments and Levies*

- 15) The Applicant/Owner shall pay the County subdivision endorsement fee, in accordance with the Master Rates Bylaw, for the creation of nine (9) new Lots.
- 16) The Applicant/Owner shall pay the Transportation Off-site Levy in accordance with applicable levy at time of subdivision approval for the total gross acreage of the lands proposed to be subdivided.

*Taxes*

- 17) 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, Administration is directed to present the Applicant/Owner 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.

Carried

**1-17-12-12-13 (J-3)**

**Division 9 – Subdivision Item – Creation of one new Residential Two District Parcel (Bears paw)**  
**File: PL20170086 (06718011)**

MOVED by Councillor Kissel that the applicants be allowed to speak on item J-2.

Carried

The applicants Darren Warren and Mandy Warren proceeded to address Council on their subdivision application.

MOVED by Councillor Kissel that condition 3 be deleted from Appendix 'A'.

Lost

In Favour:

Reeve Boehlke  
Councillor Schule  
Councillor Henn  
Councillor Kissel

In Opposition:

Councillor Kamachi  
Councillor McKylor  
Councillor Hanson  
Deputy Reeve Gautreau  
Councillor Wright



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MOVED by Councillor Kissel that the payments and levies in condition 7 in Appendix 'A' be deferred by caveat until future subdivision.

Lost

In Favour:

Reeve Boehlke  
Councillor Schule  
Councillor Kissel

In Opposition:

Councillor Kamachi  
Councillor McKylor  
Councillor Hanson  
Deputy Reeve Gautreau  
Councillor Henn  
Councillor Wright

MOVED by Councillor Kissel that the municipal reserves in condition 9 in Appendix 'A' be deferred by caveat until future subdivision.

Lost

In Favour:

Reeve Boehlke  
Councillor Schule  
Councillor Kissel

In Opposition:

Councillor Kamachi  
Councillor McKylor  
Councillor Hanson  
Deputy Reeve Gautreau  
Councillor Henn  
Councillor Wright

MOVED by Councillor Kissel that Subdivision Application PL20170086 be approved with the conditions noted in Appendix A:

- A. 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 condition 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 Owner from ensuring all permits, licenses, or approvals required by Federal, Provincial, or other jurisdictions are obtained. Further, in accordance with Section 654 and 655 of the *Municipal Government Act*, the application be approved subject to the following conditions of approval:

*Plan of Subdivision*

- 1) The subdivision is to be effected by a Plan of Survey, pursuant to Section 657 of the *Municipal Government Act*, or such other means deemed satisfactory to the Registrar of the South Alberta Land Titles District.

*Transportation*

- 2) The Applicant/Owner is to enter into an access easement agreement, to provide access to Lot 2, as per the approved tentative, which shall include:
  - a) The provision of a mutual access right-of-way plan; and
  - b) The preparation and registration of respective easements on each title, where required.
- 3) The Owner is to enter into a Road Acquisition Agreement with the County, to be registered by Caveat on the title of Lots 1 and 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:

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- a) The provision of the entire length of the panhandle portion of Lots 1 and 2, off Township Road 262, including a cul-de-sac.
  - b) The purchase of land by the County for \$1.00.

*Site Servicing*

- 4) The Applicant/Owner is to provide an update to the Stormwater Management Plan (SWMP), originally prepared by Western Water Resources Inc., dated July 29, 2013, which shall consider the new development proposal. This update shall be in accordance with the County Servicing Standards and the Bearspaw-Glenbow Master Drainage Plan, and shall include the following:
  - a) If the recommendations of the updated SWMP require improvements, then the Owner shall enter into a Development Agreement (Site Improvements/Services Agreement).
  - b) Consideration of the post development impacts to the low-lying area within the parcel to ensure that there are no negative impacts to adjacent parcels.
  - c) Registration of any required drainage easements and/or utility rights-of-way, including adjacent properties;
  - d) Any necessary Alberta Environment licensing and/or approval documentation for the stormwater infrastructure system.
- 5) The Owner is to enter into a Deferred Services Agreement with the County, to be registered on title for each of the proposed Lots 1 & 2, 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; and
  - b) Requirements for decommissioning and reclamation once County servicing becomes available.
- 6) The Owner is to enter into a Development Agreement (Site Improvements / Services Agreement) with the County, which shall include the following:
  - a) Ensure any improvements are made in accordance with the PSTS Assessment, prepared by Western Water Resources Inc., dated July 29, 2013, for the proposed Lot 2.

*Payments and Levies*

- 7) The Applicant/Owner shall pay the Transportation Off-Site Levy in accordance with Bylaw C-7356-2014 prior to subdivision endorsement. The County shall calculate the total amount owing:
  - a) From the total gross acreage of the +/- 4.38 acre parcel and deferred on the +/- 9.90 acre, as shown on the Plan of Survey.
- 8) The Applicant/Owner shall pay the County subdivision endorsement fee, in accordance with the Master Rates Bylaw, for the creation of one new lot.

*Municipal Reserves*

- 9) The provision of Reserves 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 as listed in the land appraisal prepared by Code Real Estate Appraisers, file 20170604, dated June 5 2017, pursuant to Section 666(3) of the *Municipal Government Act*.
  - a) Reserves for Lot 2 are to be deferred by caveat, pursuant to Section 669 (2) of the *Municipal Government Act*.

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**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*.

**D. Subdivision Authority Direction:**

- 1) Prior to final endorsement of the Subdivision, the Planning Department is directed to present the Applicant / Owner 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.

Carried

The Chair called for a recess at 10:04 a.m. and called the meeting back to order at 10:18 a.m. with all previously mentioned members present.

**1-17-12-12-03 (C-1)**

**Division 5 – Bylaw C-7713-2017 – Redesignation Item – New and Distinct Agricultural Use (Boundary Road)**

**File: PL20170110 (04213004)**

MOVED by Deputy Reeve Gautreau that the public hearing for item C-1 be opened at 10:18 a.m.

Carried

Person(s) who presented: Larry Konschuk, Applicant

Person(s) who spoke in favour: Wayne Hillestad, Landowner

Person(s) who spoke in opposition: None

Person(s) who spoke in rebuttal: None

MOVED by Deputy Reeve Gautreau that the public hearing for item C-1 be closed at 10:33 a.m.

Carried

MOVED by Deputy Reeve Gautreau that Bylaw C-7713-2017 be given first reading.

Carried

MOVED by Councillor Schule that Bylaw C-7713-2017 be given second reading.

Carried

MOVED by Councillor Henn that Bylaw C-7713-2017 be considered for third reading.

Carried

MOVED by Deputy Reeve Gautreau that Bylaw C-7713-2017 be given third and final reading.

Carried

The Chair called for a recess at 10:35 a.m. and called the meeting back to order at 10:50 a.m. with all previously mentioned members present.

**1-17-12-12-04 (C-2)**

**Division 8 – Bylaw C-7728-2017 – Redesignation Item – Residential Two District to Residential One District**

**File: PL20170141 (06606088)**

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MOVED by Councillor Wright that the public hearing for item C-2 be opened at 10:50 a.m.

Carried

Person(s) who presented: None

Person(s) who spoke in favour: None

Person(s) who spoke in opposition: None

Person(s) who spoke in rebuttal: None

MOVED by Councillor Wright that the public hearing for item C-2 be closed at 11:05 a.m.

Carried

MOVED by Councillor Wright that Bylaw C-7728-2017 be given first reading.

Carried

MOVED by Councillor Hanson that Bylaw C-7728-2017 be given second reading.

Carried

MOVED by Deputy Reeve Gautreau that Bylaw C-7728-2017 be considered for third reading.

Carried

MOVED by Councillor Wright that Bylaw C-7728-2017 be given third and final reading.

Carried

MOVED by Deputy Reeve Gautreau that, at the subdivision stage, the minimum lot size required in paragraph 17 of Policy 449 be varied for Lot 8, Block 1, Plan 1211572 to accommodate the two proposed parcels.

Carried

MOVED by Councillor Wright that, at the subdivision stage, the minimum lot size requirement of the Residential One District of the Land Use Bylaw (Bylaw C-4841-97) be varied for Lot 8, Block 1, Plan 1211572 to accommodate the two proposed parcels.

Carried

**1-17-12-12-14 (K-1)**

**All Divisions – In Camera Item – Legal Update**

**File: RVC2017-35**

MOVED by Councillor McKylor that Council move in camera at 11:08 a.m. to receive a legal update pursuant to the following sections of the *Freedom of Information and Protection of Privacy Act*:

- Section 24 – Advice from officials
- Section 27 – Privileged information

Carried

MOVED by Councillor McKylor that Council move out of in camera at 1:36 p.m.

Carried

ROCKY VIEW COUNTY  
COUNCIL MEETING MINUTES  
December 12, 2017

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**1-17-12-12-05 (C-3)**

**Division 6 – Bylaw C-7732-2017 – Road closure to consolidate a portion of Road Plan 642X within the Hamlet of Keoma**

**File: PL20170109**

Reeve Boehlke vacated the Chair to Deputy Reeve Gautreau because the subject lands are in his division and he was wishing to join in the debate and/or make a motion related to the item. Deputy Reeve Gautreau then assumed the Chair.

MOVED by Reeve Boehlke that the public hearing for item C-3 be opened at 1:36 p.m.

Carried

Person(s) who presented: Donald Smith, Applicant

Person(s) who spoke in favour: None

Person(s) who spoke in opposition: None

Person(s) who spoke in rebuttal: None

MOVED by Reeve Boehlke that the public hearing for item C-3 be closed at 1:44 p.m.

Carried

MOVED by Reeve Boehlke that Bylaw C-7732-2017 be given first reading.

Carried

MOVED by Reeve Boehlke that Administration be directed to forward Bylaw C-7732-2017 to the Minister of Transportation for approval.

Carried

Deputy Reeve Gautreau vacated the Chair to Reeve Boehlke. Reeve Boehlke then assumed the Chair.

**1-17-12-12-06 (C-4)**

**Division 8 – Bylaw C-7729-2017 – Redesignation Item – Agricultural Holdings District to Commercial - Village Center District, adjacent to Bearspaw Community Center**

**File: PL20170044 (05630056)**

MOVED by Councillor Wright that the public hearing for item C-4 be opened at 1:45 p.m.

Carried

Person(s) who presented: Johnny Alain, Applicant

Person(s) who spoke in favour: Ross Neyfdly, Resident  
Scott Winegrad, Resident

Person(s) who spoke in opposition: Cindy Teghtmeyer, Resident

Person(s) who spoke in rebuttal: Johnny Alain, Applicant

MOVED by Councillor Wright that the public hearing for item C-4 be closed at 2:14 p.m.

Carried

ROCKY VIEW COUNTY  
COUNCIL MEETING MINUTES  
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MOVED by Councillor Wright that Bylaw C-7729-2017 be given first reading.

Carried

MOVED by Councillor Schule that Bylaw C-7729-2017 be given second reading.

Carried

MOVED by Deputy Reeve Gautreau that Bylaw C-7729-2017 be considered for third reading.

Carried

MOVED by Councillor Wright that Bylaw C-7729-2017 be given third and final reading.

Carried

The Chair called for a recessed at 2:16 p.m. and called the meeting back to order at 2:29 p.m. with all previously mentioned members present.

**1-17-12-12-07 (C-5)**

**Division 7 – Bylaw C-7736-2017 – Redesignation Item – Direct Control Bylaw 100 Amendment**

**File: PL20170148 (06635004)**

MOVED by Councillor Henn that the public hearing for item C-5 be opened at 2:29 p.m.

Carried

Person(s) who presented: Larry Konschuk, Applicant

Person(s) who spoke in favour: None

Person(s) who spoke in opposition: None

Person(s) who spoke in rebuttal: Larry Konschuk, Applicant

MOVED by Councillor Henn that the public hearing for item C-5 be closed at 2:57 p.m.

Carried

MOVED by Councillor Henn that Bylaw C-7736-2017 be given first reading.

Carried

In Favour:

Councillor Kamachi  
Councillor McKylor  
Reeve Boehlke  
Deputy Reeve Gautreau  
Councillor Schule  
Councillor Henn  
Councillor Kissel

In Opposition:

Councillor Hanson  
Councillor Wright

MOVED by Councillor Schule that Bylaw C-7736-2017 be given second reading.

Carried

In Favour:

Councillor Kamachi  
Councillor McKylor  
Reeve Boehlke  
Deputy Reeve Gautreau  
Councillor Schule

In Opposition:

Councillor Hanson  
Councillor Wright

ROCKY VIEW COUNTY  
COUNCIL MEETING MINUTES  
December 12, 2017

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Councillor Henn  
Councillor Kissel

MOVED by Deputy Reeve Gautreau that Bylaw C-7736-2017 be considered for third reading.

Carried

MOVED by Councillor Henn that Bylaw C-7736-2017 be given third and final reading.

Carried

In Favour:

Councillor Kamachi  
Councillor McKylor  
Reeve Boehlke  
Deputy Reeve Gautreau  
Councillor Schule  
Councillor Henn  
Councillor Wright  
Councillor Kissel

In Opposition:

Councillor Hanson

MOVED by Councillor Henn that Table 400-F of the County Servicing Standards be varied for Lot 1, Block 1, Plan 0512505 by allowing a 2.0 m reduction in the minimum gravel surface width at the Development Permit stage for the two accessory buildings (tents).

Carried

**Adjournment**

MOVED by Deputy Reeve Gautreau that the December 12, 2017 Council Meeting be adjourned at 3:03 p.m.

Carried

\_\_\_\_\_  
REEVE

\_\_\_\_\_  
CAO or Designate

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**PLANNING SERVICES**

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**TO:** Council  
**DATE:** January 9, 2018 **DIVISION:** 5  
**TIME:** Morning Appointment  
**FILE:** 05201011 **APPLICATION:** PL20170157  
**SUBJECT:** Redesignation Item – New or Distinct Agricultural Use - Ranch and Farm District to Ranch and Farm Two District – Eastern Border of Rocky View County

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**<sup>1</sup>ADMINISTRATION RECOMMENDATION:**

- Motion #1 THAT Bylaw C-7744-2017 be given first reading.  
Motion #2 THAT Bylaw C-7744-2017 be given second reading.  
Motion #3 THAT Bylaw C-7744-2017 be considered for third reading.  
Motion #4 THAT Bylaw C-7744-2017 be given third and final reading.

**EXECUTIVE SUMMARY:**

The purpose of this application is to redesignate a portion of the subject land from Ranch and Farm District to Ranch and Farm Two District, in order to facilitate the creation of a  $\pm 21.04$  hectare ( $\pm 52$  acre) parcel (Lot 1) with a  $\pm 42.09$  hectare ( $\pm 104$  acre) remainder (Lot 2). (See Appendix 'B')

The *Municipal Government Act* (MGA Section 640) gives Council the authority to pass bylaws to change or redesignate a parcel's land use designation (zoning) to regulate and control the use and development of land and buildings within its jurisdiction.

The subject land is located near the eastern border of the County, approximately 1.6 kilometers (1 mile) north of Township Road 250 and immediately east of Range Road 271. The property contains a dwelling on the western portion of the land, which is serviced by an existing water well, septic tank and field system. The parcel is accessed via an existing approach off Range Road 271. The eastern portion of the land is currently leased out for crop production.

The Applicant proposes to sell the proposed Lot 2 to the current tenant, who would then continue to use the land for crop production. The Applicant has raised llamas on proposed Lot 1 since 2005, and plans to raise other livestock as well. The application was evaluated in accordance with the Agricultural Section of the County Plan. Administration recommends approval of the application for the following reasons:

- The proposal meets the intent of the Agricultural section of the County Plan, which encourages diverse, small-scale agricultural businesses;
- The information provided by the Applicant meets the criteria outlined in Policy 8.22:
  - there are similar sized agricultural parcels nearby;
  - the Applicant provided a rationale, and demonstrated the distinct uses between the two proposed Lots;
  - the soil characteristics can support the proposed uses;
  - the proposal would not have an impact on County infrastructure or the environment; and
- The proposed development on each parcel would be compatible with adjacent agricultural uses.

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**<sup>1</sup> Administration Resources**

Xin Deng, Planning Services  
Gurbir Nijjar, Engineering Services



Therefore, Administration recommends approval in accordance with **Option #1**.

**DATE APPLICATION DEEMED COMPLETE:** October 12, 2017 (Received September 29, 2017)

<b>PROPOSAL:</b>	To redesignate a portion of the subject land from Ranch and Farm District to Ranch and Farm Two District, in order to facilitate the creation of a $\pm 21.04$ hectare (52 acre) parcel (Lot 1), with a $\pm 42.09$ hectare (104 acre) remainder (Lot 2).
<b>LEGAL DESCRIPTION:</b>	Portion of NW 01-25-27-W04M
<b>GENERAL LOCATION:</b>	Located near the eastern border of the County, approximately 1.6 kilometers (1 mile) north of Township Road 250 and immediately east of Range Road 271.
<b>APPLICANT:</b>	Wolfgang & Karen Schneider
<b>OWNERS:</b>	Wolfgang & Karen Schneider
<b>EXISTING LAND USE DESIGNATION:</b>	Ranch and Farm District
<b>PROPOSED LAND USE DESIGNATION:</b>	Ranch and Farm Two District and Ranch and Farm District
<b>GROSS AREA:</b>	$\pm 63.13$ hectares ( $\pm 156.00$ acres)
<b>SOILS (C.L.I. from A.R.C.):</b>	<b>Class 3M, D, H</b> – The subject land contains soil with moderate limitation for crop production due to low moisture holding, adverse texture, low permeability, and temperature.

**PUBLIC SUBMISSIONS:**

The application was circulated to 14 adjacent landowners, to which no responses were received.

**AGENCY SUBMISSIONS:**

The application was circulated to a number of internal and external agencies. The responses are available in Appendix 'A'.

**HISTORY:**

**February 14, 1995** Council approved Redesignation and Subdivision application 1994-RV-238, to redesignate the subject quarter section from Agricultural Conservation (1) District to Agricultural (2) District, in order to facilitate the creation of a  $\pm 1.62$  hectare ( $\pm 4$  acre) parcel with a  $\pm 63.13$  hectare ( $\pm 156$  acre) remainder. The  $\pm 1.62$  hectare ( $\pm 4$  acre) parcel was registered in Plan 9610272. The remainder  $\pm 63.13$  hectare ( $\pm 156$  acre) parcel became the subject land in this application.

**BACKGROUND:**

The property contains a dwelling on the western portion of the land, which is serviced by an existing water well and septic tank and field system. The parcel is accessed via the existing approach off Range Road 271. The eastern portion of the land is currently leased out for crop production.

The Applicant proposes to sell the eastern portion of the land (proposed Lot 2) to the current tenant, who would continue to grow grain and provide better control of weeds and pests. The western portion of the land (proposed Lot 1) is currently used for pasture land. The Applicant indicated that they have raised llamas since 2005, and plan to raise other livestock as well.



The land is located in a predominantly agricultural area, with a few Farmstead and mixed Ranch and Farm parcels in the general vicinity. The hamlet of Dalroy is located approximately one mile northwest of the subject land, and Wheatland County is located approximately 0.5 miles to the east.

### **POLICY ANALYSIS:**

The application has been evaluated in accordance with the Agricultural Section of the County Plan and the Land Use Bylaw.

#### County Plan

Section 8 of the County Plan, entitled Agriculture, provides policies with which to evaluate proposals ranging from agricultural first parcels out to redesignation and subdivision for agricultural purposes.

Policy 8.22 states, *“redesignation and subdivision to smaller agriculture parcels as a new or distinct agricultural operation may be supported. Proposals will be evaluated on the following criteria:*

- a) *A similar pattern of nearby small agricultural operations;*
  - A few similar-sized Ranch and Farm parcels, Ranch and Farm Two parcels, and Ranch and Farm Three parcels are located in the quarter sections to the northwest and southwest. The proposed Ranch and Farm Two parcel would be compatible with surrounding agricultural uses.
- b) *A planning rationale justifying why the existing land use and parcel size cannot accommodate the new or distinct agricultural operation;*
  - The Applicant has no experience growing grain, does not own the equipment to do so, and has leased out the eastern portion of the land (proposed Lot 2) for crop production for several years. To ensure that proposed Lot 2 would have continuous care, especially regarding weeds and pest control, the Applicant would sell the proposed lot to the current tenant. The separate land title would facilitate the distinct farming operation and its consistent care. The Applicant has a number of years' experience raising llamas on proposed Lot 1, and plans to raise other livestock as well.
- c) *A demonstration of the need for the new agriculture operation;*
  - Proposed Lot 2 would be continually used for crop production, while proposed Lot 1 would be used for raising livestock; which demonstrates the distinct agricultural use on each parcel. In addition to the llamas, the Applicant intends to use his knowledge and experience in this area to raise other livestock as well.
- d) *An assessment of the proposed parcel size and design to demonstrate it is capable of supporting the new or distinct agricultural operation. Site Assessment criteria includes: i) suitable soil characteristics and topography; ii) suitable on-site infrastructure for the proposed use may including access areas, water well, irrigation and sewage infrastructures, manure management capability; and iii) compatibility with existing uses on the parent parcel and adjacent lands;*
  - The topography of the site is generally flat. The land contains soil that is able to support general agricultural development;
  - The property can be accessed via the existing approach along Range Road 271. The dwelling is serviced by an existing water well and septic tank and field system. The proposed new agricultural operation would not require additional infrastructure or resources; and
  - The proposed Ranch and Farm Two District would be compatible with adjacent agricultural uses.
- e) *An assessment of the impact on and potential upgrades to County infrastructure;*
  - Should this application proceed to the subdivision stage, the Applicant would be required to:

- enter into a Development Agreement with the County to upgrade Range Road 271 to a Regional Low Volume Standard from the south end of Range Road 271 to the northern boundary of the proposed parcel (approximately 40 m), complete with an offset cul-de-sac bulb to facilitate vehicle turnaround;
  - construct a new graveled approach from the newly constructed cul-de-sac to the proposed parcel in accordance with the County Servicing Standards; and
  - provide a right-of-way plan, and an access easement to be placed on title for the remainder parcel to allow for the encroachment of the offset cul-de-sac bulb.
- f) *An assessment of the impact on the environment including air quality, surface water, and groundwater.*
- The proposed agricultural operation is unlikely to have a negative impact on air quality, surface water, and groundwater.

#### Land Use Bylaw

The purpose of Ranch and Farm Two District is to, “*provide for a range of mid-sized parcels for agricultural use. Residential uses are accessory to the agricultural use.*” The proposed new agricultural operation meets the intent of Ranch and Farm Two District. The proposed ± 21.04 hectare (52 acre) parcel meets the minimum and maximum requirements of Ranch and Farm Two District within the Land Use Bylaw.

#### **CONCLUSION:**

Administration evaluated the application based on the applicable policies. The proposal meets the Agricultural policies of the County Plan. The Applicant demonstrated two distinct uses between the two parcels, and demonstrated that the proposed agricultural uses would be compatible with adjacent lands. Therefore, Administration recommends approval in accordance with **Option #1**.

#### **OPTIONS:**

- Option #1:      Motion #1      THAT Bylaw C-7744-2017 be given first reading.
- Motion #2      THAT Bylaw C-7744-2017 be given second reading.
- Motion #3      THAT Bylaw C-7744-2017 be considered for third reading.
- Motion #4      THAT Bylaw C-7744-2017 be given third and final reading.
- Option #2:      THAT application PL20170157 be refused.

Respectfully submitted,

Concurrence,

“Chris O’Hara”

“Kevin Greig”

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General Manager

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County Manager

XD/rp

#### **APPENDICES:**

- APPENDIX ‘A’: Application Referrals  
 APPENDIX ‘B’: Bylaw and Schedule A  
 APPENDIX ‘C’: Mapset

**APPENDIX A: APPLICATION REFERRALS**

<b>AGENCY</b>	<b>COMMENTS</b>
<b><i>School Authority</i></b>	
Rocky View Schools	No objection.
Calgary Catholic School District	No objection.
Public Francophone Education	No response.
Catholic Francophone Education	No response.
<b><i>Province of Alberta</i></b>	
Alberta Environment and Sustainable Resource Development	Not required for circulation.
Alberta Transportation	Not required for circulation.
Alberta Sustainable Development (Public Lands)	Not required for circulation.
Alberta Culture and Community Spirit (Historical Resources)	Not required for circulation.
Alberta Energy Regulator	No response.
Alberta Health Services	<ol style="list-style-type: none"> <li>1. AHS recommends that any water wells on the subject lands be completely contained within the proposed property boundaries. Please note that the drinking water source must conform to the most recent Canadian Drinking Water Quality Guidelines and the Alberta Public Health Act, Nuisance and General Sanitation Guideline 243/2003.</li> <li>2. Any existing or proposed private sewage disposal systems should be completely contained within the proposed property boundaries and must comply with the setback distances outlined in the most recent Alberta Private Sewage Systems Standard of Practice. Prior to installation of any sewage disposal system, a proper geotechnical assessment should be conducted by a qualified professional engineer and the system should be installed in an approved manner.</li> <li>3. The property must be maintained in accordance with the Alberta Public Health Act, Nuisance and General Sanitation Guideline 243/2003.</li> </ol> <p>If any evidence of contamination or other issues of public health concern are identified at any phase of development, AHS wishes to be notified.</p>

<b>AGENCY</b>	<b>COMMENTS</b>
<b><i>Public Utility</i></b>	
ATCO Gas	No objection.
ATCO Pipelines	No objection.
AltaLink Management	No response.
FortisAlberta	No response.
Telus Communications	No objections.
TransAlta Utilities Ltd.	No response.
<b><i>Other External Agencies</i></b>	
EnCana Corporation	No response.
Wheatland County	Wheatland County has no concerns with the redesignation of the +/-52 acre parcel from RF to RF-2.
<b><i>Rocky View County - Boards and Committees</i></b>	
Agricultural Services	The two components of the proposal appear to be acceptable operations as the land will continue to be used for agricultural purposes. The proposed new and distinct agricultural operation could also be carried out under the current land use designation.
Rocky View East Recreation Board	Has no comments or concerns regarding the MR for this application and will provide comments at Subdivision stage.
<b><i>Internal Departments</i></b>	
Municipal Lands	No concerns at this time; however, comments pertaining to reserve dedication will be provided at any future subdivision stage.
Development Authority	No response.
Enforcement Services	No concerns at this stage.
GeoGraphics	No response.
Building Services	No response.
Fire Services	No comment.
Infrastructure and Operations – Engineering Services	<b>General:</b>

AGENCY	COMMENTS
	<ul style="list-style-type: none"> <li>• The review of this file is based upon the application submitted. These conditions/recommendations may be subject to change to ensure best practices and procedures;</li> <li>• As both the proposed and remainder parcels are greater than 30 acres in size, ES have no further servicing requirements for this parcel.</li> </ul> <p><b>Geotechnical:</b></p> <ul style="list-style-type: none"> <li>• ES have no requirements at this time.</li> </ul> <p><b>Transportation:</b></p> <ul style="list-style-type: none"> <li>• The Transportation Off-site Levy shall be deferred at this time as the proposed and remainder parcels are greater than 9.88 acres in size;</li> <li>• As Range Road 271 adjacent to the proposed parcel is undeveloped, as a condition of future subdivision, the applicant will be required to enter into a Development Agreement with the County to construct Range Road 271 to a Regional Low Volume Standard (400.8) from the south end of Range Road 271 to the northern boundary of the proposed parcel (approx. 40m) complete with an offset cul-de-sac bulb to facilitate vehicle turnaround;</li> <li>• There is an existing approach at the end of Range Road 271 to the remainder parcel. As a condition of future subdivision, the applicant will be required to construct a new graveled approach from the newly constructed cul-de-sac to the proposed parcel in accordance with the County Servicing Standards;</li> <li>• As a condition of future subdivision, the applicant will be required to provide a ROW plan and access easement to place on title for the proposed parcel to allow for the encroachment of the offset cul-de-sac bulb.</li> </ul> <p><b>Sanitary/Wastewater:</b></p> <ul style="list-style-type: none"> <li>• ES have no requirements at this time;</li> <li>• At time of subdivision, the applicant is required to submit a level I assessment variation for the existing septic fields on the proposed parcel describing the existing system type, maintenance requirements and include a sketch showing its location and size. The assessment shall also provide measurements to pertinent features (wetlands, surface water, wells, property lines, home, etc.) and comment on the general suitability of the existing system based on visual inspection.</li> </ul> <p><b>Water Supply and Waterworks:</b></p> <ul style="list-style-type: none"> <li>• The existing dwelling on the proposed parcel is serviced by an existing groundwater well. ES have no requirements at this time.</li> </ul>

AGENCY	COMMENTS
	<b>Stormwater Management:</b> <ul style="list-style-type: none"><li>• ES have no requirements at this time.</li></ul> <b>Environmental:</b> <ul style="list-style-type: none"><li>• ES have no requirements at this time.</li></ul>
Utility Services	No concerns.
Road Maintenance	At subdivision stage, the applicant would be required to extend RR 271 and dedicate land for a bulb.
Capital Delivery	No concerns.
Road Operations	No concerns.
Solid Waste and Recycling	No concerns.

Circulation Period: October 13 – November 3, 2017



**ROCKY VIEW COUNTY**  
Cultivating Communities

# BYLAW C-7744-2017

## **A Bylaw of Rocky View County to amend Land Use Bylaw (C-4841-97)**

The Council of Rocky View County enacts as follows:

## PART 1 – TITLE

This Bylaw shall be known as Bylaw C-7744-2017.

## PART 2 – DEFINITIONS

In this Bylaw, the definitions and terms shall have the meanings given to them in Land Use Bylaw (C-4841-97) and the Municipal Government Act.

### PART 3 – EFFECT OF BYLAW

**THAT** Part 5, Land Use Map No. 52 of Bylaw C-4841-97 be amended by redesignating a portion of NW-01-25-27-W04M, from Ranch and Farm District to Ranch and Farm Two District, as shown on the attached Schedule 'A' forming part of this Bylaw.

**THAT** A portion of NW-01-25-27-W04M, is hereby redesignated to Ranch and Farm Two District, as shown on the attached Schedule 'A' forming part of this Bylaw.

## PART 4 – TRANSITIONAL

Bylaw C-7744-2017 comes into force when it receives third reading, and is signed by the Reeve/Deputy Reeve and the CAO or Designate, as per the Municipal Government Act.

Division: 5  
File: 05201011 / PL20170157

<i>PUBLIC HEARING WAS HELD IN COUNCIL this</i>	<i>day of</i>	<i>, 2018</i>
READ A FIRST TIME IN COUNCIL this	day of	, 2018
READ A SECOND TIME IN COUNCIL this	day of	, 2018
<i>UNANIMOUS PERMISSION FOR THIRD READING</i>	<i>day of</i>	<i>, 2018</i>
READ A THIRD TIME IN COUNCIL this	day of	, 2018

Reeve

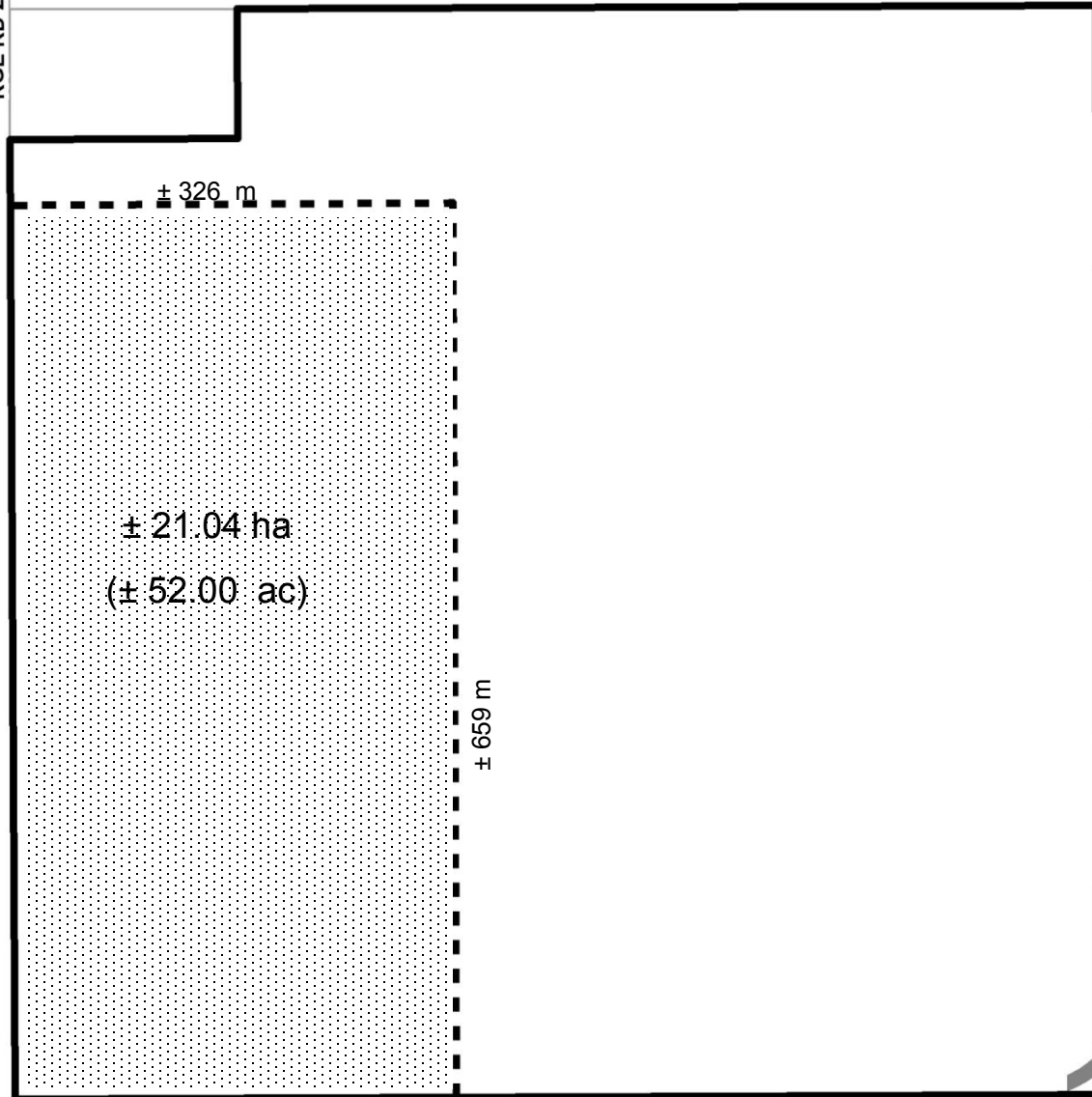
CAO or Designate

Date Bylaw Signed



BYLAW: C-7744-2017

RGE RD 271

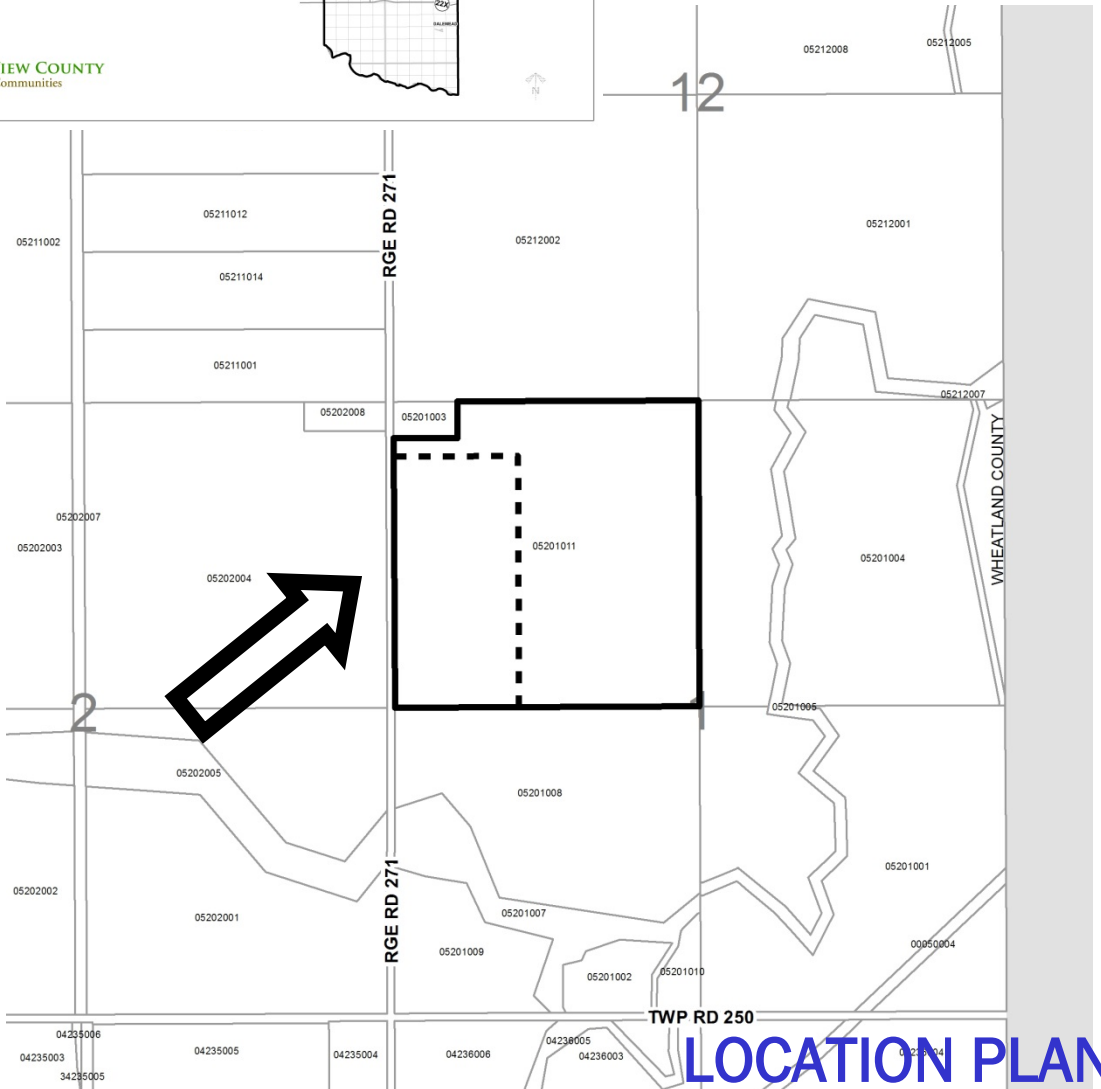
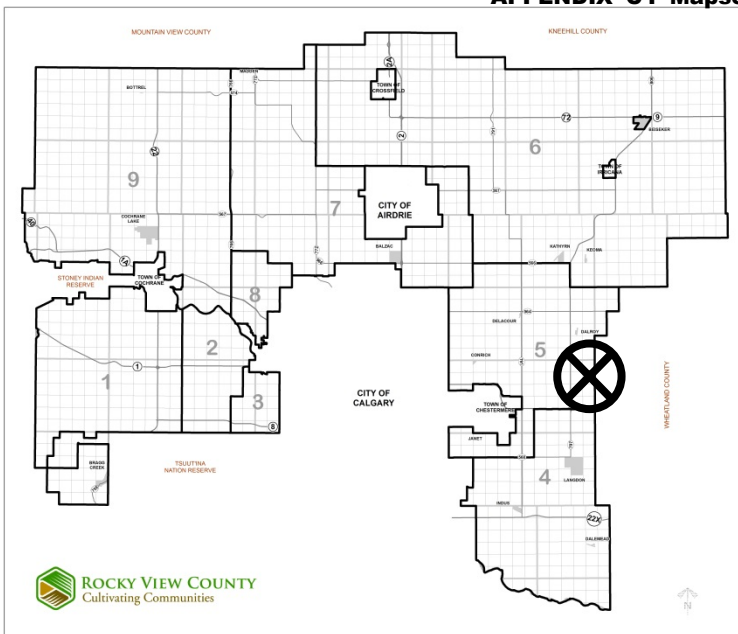


FROM Ranch and Farm District TO Ranch and Farm Two District



Subject Land \_\_\_\_\_

LEGAL DESCRIPTION: A Portion of NW 01-25-28-W04M



LOCATION PLAN

NW-01-25-27-W04M



**Redesignation Proposal:** To redesignate a portion of the subject land from Ranch and Farm District (RF) to Ranch and Farm Two District (RF-2), in order to facilitate the creation of a  $\pm 21.04$  ha ( $\pm 52$  ac) parcel (Lot 1) with a  $\pm 42.09$  ha ( $\pm 104$  ac) remainder (Lot 2).

RGE RD 271

Existing Approach

RF  $\rightarrow$  RF-2  
 $\pm 21.04$  ha ( $\pm 52$  ac)

RF Remainder  
 $\pm 42.09$  ha ( $\pm 104$  ac)

## Legend

Dwelling



Accessory Building



Water Well



Septic Field



Driveway



## DEVELOPMENT PROPOSAL

NW-01-25-27-W04M

Date: Oct 04, 2017

Division # 5

File: PL20170157 - 05204011

AGENDA

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Note: Post processing of raw aerial photography may cause varying degrees of visual distortion at the local level.

**AIR PHOTO**

Spring 2016

**NW-01-25-27-W04M**

Date: Oct 04, 2017

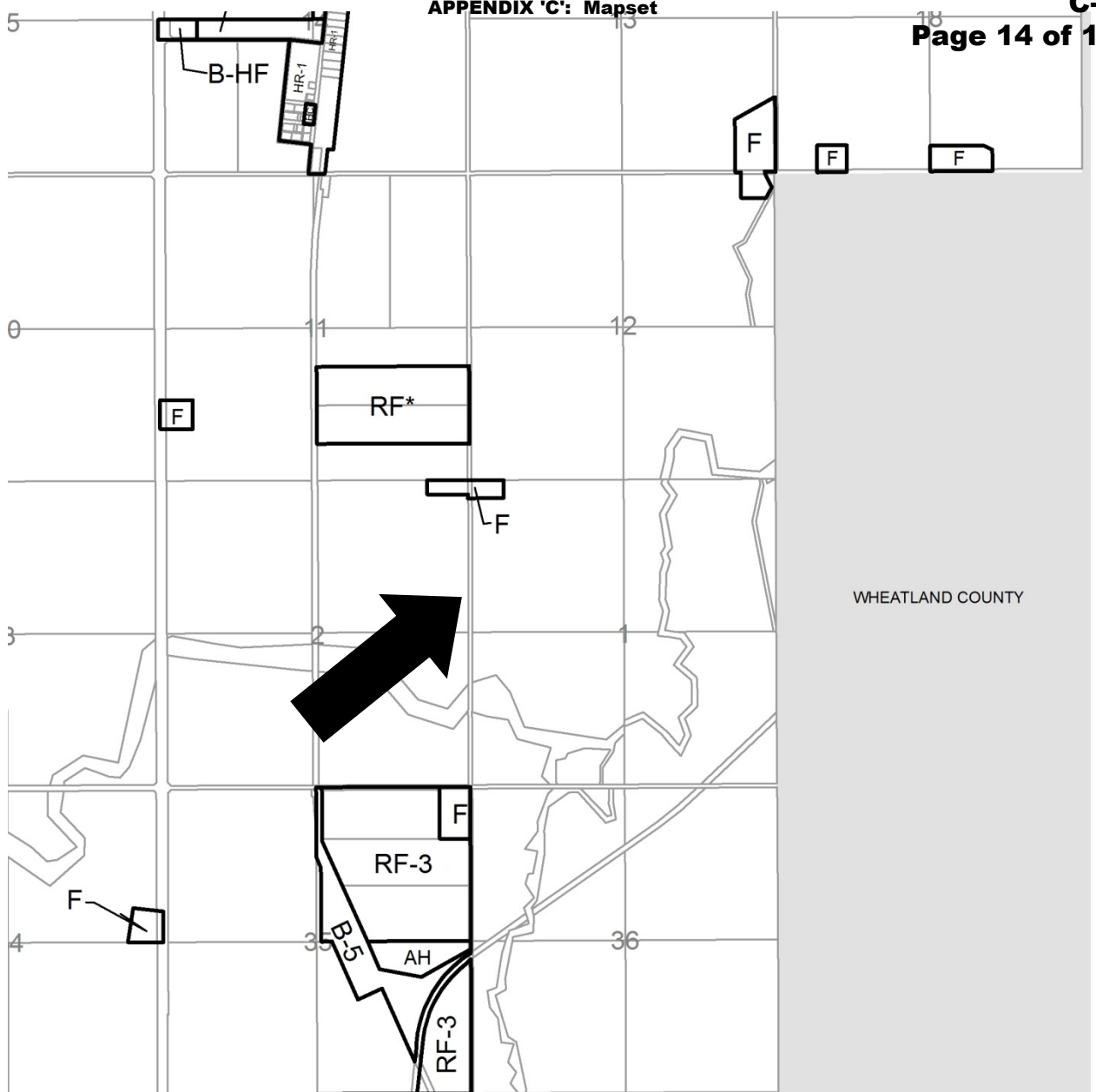
Division # 5

File: PL20170157 - 05204011

**AGENDA**

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WHEATLAND COUNTY

Ranch and Farm	B-1 Highway Business
RF2 Ranch and Farm Two	B-2 General Business
RF3 Ranch and Farm Three	B-3 Limited Business
AH Agricultural Holding	B-4 Recreation Business
F Farmstead	B-5 Agricultural Business
R-1 Residential One	B-6 Local Business
R-2 Residential Two	NRI Natural Resource Industrial
R-3 Residential Three	HR-1 Hamlet Residential Single Family
DC Direct Control	HR-2 Hamlet Residential (2)
PS Public Service	HC Hamlet Commercial
	AP Airport

## LAND USE MAP

NW-01-25-27-W04M





Contours are generated using 10m grid points, and depict general topographic features of the area. Detail accuracy at a local scale cannot be guaranteed. They are included for reference use only.

## TOPOGRAPHY

*Contour Interval 2 M*



**NW-01-25-27-W04M**

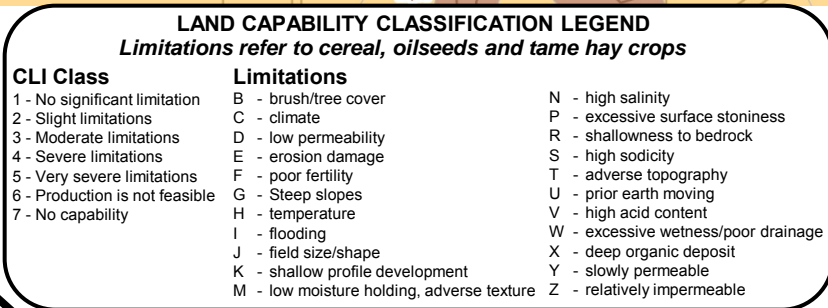
Date: Oct 04, 2017

Division # 5

File: PL20170157 - 05204091

**AGENDA**

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## SOIL MAP

**NW-01-25-27-W04M**

**AGENDA**  
**Page 33 of 256**

**Legend – Plan numbers**

- First two numbers 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

# HISTORIC SUBDIVISION MAP

NW-01-25-27-W04M

Date: Oct 04, 2017

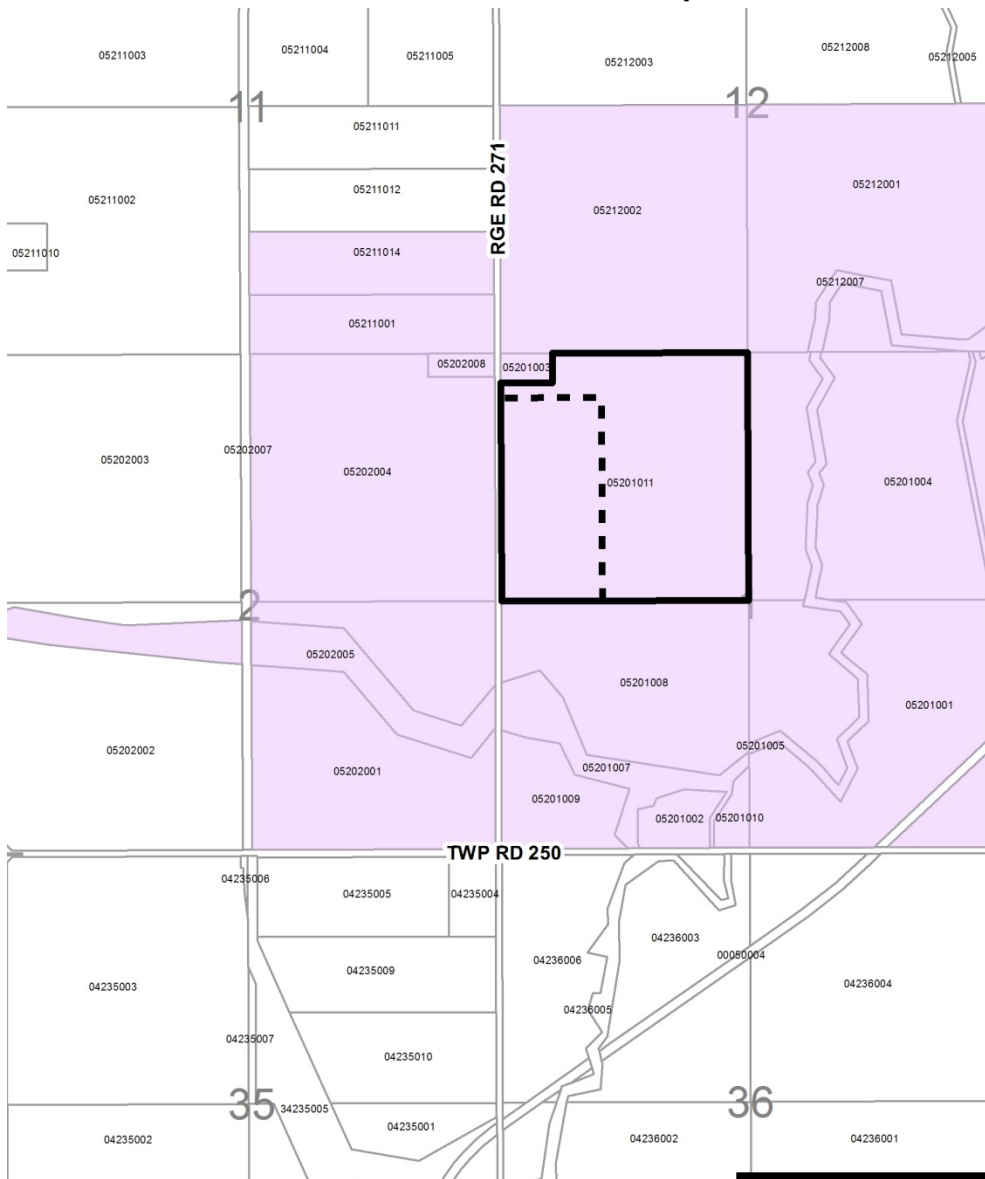
Division # 5



File: PL20170157 - 05204041



AGENDA

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 Letters in Opposition  
 Letters in Support

Legend	
	Circulation Area
	Subject Lands

## LANDOWNER CIRCULATION AREA

NW-01-25-27-W04M

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**PLANNING SERVICES**

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**TO:** Council  
**DATE:** January 9, 2018 **DIVISION:** 2  
**TIME:** Morning Appointment  
**FILE:** 05702033 **APPLICATION:** PL20170123  
**SUBJECT:** Redesignation Item – Residential Two District to Residential One District – Springbank ASP

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**<sup>1</sup>ADMINISTRATION RECOMMENDATION:**

- Motion #1 THAT Bylaw C-7738-2017 be given first reading.  
Motion #2 THAT Bylaw C-7738-2017 be given second reading.  
Motion #3 THAT Bylaw C-7738-2017 be considered for third reading.  
Motion #4 THAT Bylaw C-7738-2017 be given third and final reading.

**EXECUTIVE SUMMARY:**

The purpose of this application is to redesignate the subject lands from Residential Two District to Residential One District in order to allow for the subdivision of a  $\pm 0.83$  hectare ( $\pm 2.05$  acre) parcel with  $\pm 0.83$  hectare ( $\pm 2.05$  acre) remainder (see Appendix 'B'). The lands are located within the Lariat Loop Conceptual Scheme, and the proposal implements the development proposal outlined therein.

The *Municipal Government Act* (MGA Section 640) gives Council the authority to pass bylaws to change or redesignate a parcel's land use designation (zoning) to regulate and control the use and development of land and buildings within its jurisdiction.

The lands contain an existing dwelling and an accessory building, with the associated servicing infrastructure provided by means of a septic field and water well. The existing parcel is accessed via Lariat Loop by a paved approach that is in good condition. The Applicant/Owner intends to provide access to the proposed Lot 1 via a new approach off Lariat Loop.

Servicing is proposed to be provided to the new lot via a connection to the North Springbank Water Co-op. The Applicant submitted a Level 3 PSTS report, which confirms that the soils on-site are suitable for a packaged system. The Applicant also submitted a Site-Specific Stormwater Plan, which confirms that the proposed subdivision can adequately manage future run-off generation in accordance with the requirements of the Springbank Master Drainage Plan.

The lands are located within the policy area of the Central Springbank Area Structure Plan (ASP) and the Lariat Loop Conceptual Scheme; the application has been evaluated with those policies. Administration recommends approval of the application for the following reasons:

- The proposal is consistent with the goals and objectives of both the Central Springbank ASP and the Lariat Loop Conceptual Scheme;
- The proposal is consistent with the policies of section 2.9 of the Central Springbank ASP with respect to residential development;
- The proposal is consistent with Figure 6 of the Lariat Loop Conceptual Scheme with respect to land use and parcel size;

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**<sup>1</sup>Administrative Resources**

Jessica Anderson, Planning Services  
Angela Yurkowski, Engineering Services

- The Applicant prepared a *Development Plan*, which would be appended to the Lariat Loop Conceptual Scheme as per the Conceptual Scheme's policy 7.2.2; and
- All technical matters have been considered, including servicing, access, and stormwater, and would be addressed in detail at the subdivision stage.

Therefore, Administration recommends approval in accordance with **Option #1**.

**DATE APPLICATION DEEMED COMPLETE:** July 21, 2017

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<b>PROPOSAL:</b>	To redesignate Lot 1, Block 14, Plan 8710689 of NW-02-25-03-W05M from Residential Two District to Residential One District in order to facilitate the creation of a $\pm 0.83$ hectare ( $\pm 2.05$ acre) parcel with $\pm 0.83$ hectare ( $\pm 2.05$ acre) remainder.
<b>LEGAL DESCRIPTION:</b>	Lot 1, Block 14, Plan 8710689 of NW-02-25-03-W05M
<b>GENERAL LOCATION:</b>	Located approximately 0.41 km (1/4 mile) north of Lariat Loop and 0.41 km (1/4 mile) east of Range Road 32, 1.25 miles west of the city of Calgary (see Appendix 'C').
<b>APPLICANT:</b>	John Dowsett
<b>OWNERS:</b>	Ian & Terry Dowsett
<b>EXISTING LAND USE DESIGNATION:</b>	Residential Two District
<b>PROPOSED LAND USE DESIGNATION:</b>	Residential One District
<b>GROSS AREA:</b>	$\pm 1.66$ hectares ( $\pm 4.10$ acres)
<b>SOILS (C.L.I. from A.R.C.):</b>	<b>4T, E4</b> - Severe limitations due to adverse topography and past erosion damage.

**PUBLIC SUBMISSIONS:**

The application was circulated to 34 adjacent landowners, to which one letter was received in response (see Appendix 'D').

**AGENCY SUBMISSIONS:**

The application was circulated to a number of internal and external agencies. The responses are available in Appendix 'A'.

**HISTORY:**

<b>February 14, 2006</b>	The Lariat Loop Conceptual Scheme was adopted.
<b>October 2, 2001</b>	The Central Springbank Area Structure Plan was adopted.
<b>May 14, 1987</b>	Plan 8710689 was registered creating the subject $\pm 1.66$ hectares ( $\pm 4.10$ acres) parcel.

**BACKGROUND:**

The purpose of this application is to redesignate the subject lands from Residential Two District to Residential One District, in order to allow for the subdivision of a  $\pm 0.83$  hectare ( $\pm 2.05$  acre) parcel with  $\pm 0.83$  hectare ( $\pm 2.05$  acre) remainder (see Appendix 'B'). The lands are located within the policy area of the Lariat Loop Conceptual Scheme and the proposal implements the development plan outlined therein.

The lands contain an existing dwelling and an accessory building, with the associated servicing infrastructure provided by means of a septic field and water well. The existing parcel is accessed via Lariat Loop by a paved approach that is in good condition. The Applicant/Owner intends to provide access to the proposed Lot 1 via a new approach off Lariat Loop.

Servicing is proposed to be provided to the new lot via a connection to the North Springbank Water Co-op, the capacity for which is confirmed in a letter provided by the Applicant from the Co-op. In accordance with County Policy 449, for all parcels greater than 1.98 acres but less than 4.00 acres, the County supports the use of a Packaged Sewage Treatment Plant. The Applicant submitted a Level 3 PSTS report, which confirms that the soils on-site are suitable for a packaged system. The Applicant also submitted a Site-Specific Stormwater Plan, which confirms that the proposed subdivision can adequately manage future run-off generation in accordance with the requirements of the Springbank Master Drainage Plan.

The subject lands are in an area of the County that is largely country residential in nature. Most of the development in the vicinity of the subject lands has been to small country residential parcels, with some large agricultural parcels to the west.

## **POLICY ANALYSIS:**

### Central Springbank Area Structure Plan (Bylaw C-5354-2001)

The application has been evaluated in accordance with the policies contained within the Central Springbank Area Structure Plan (ASP).

#### *Infill Residential Policies:*

Section 2.0 of the ASP pertains to the development of residential parcels, and Map 11 of the ASP identifies infill residential areas. The subject lands are located within an infill residential area and, as such, the policies of Section 2.9.3 are applicable. Section 2.9.3 supports the creation of a residential parcel between 2.0 and 4.0 acres in size in a form compatible with adjacent properties. In accordance with policy 2.9.2 c), a concept plan was submitted and adopted for these lands and provides a policy framework for redesignation, subdivision and development. The proposal is consistent with the goals and policies for residential development in the Central Springbank ASP area.

### Lariat Loop Conceptual Scheme (Bylaw C-6197-2005)

The Conceptual Scheme provides a framework for redesignation and subdivision for the development of the subject lands. Figure 6 within the Conceptual Scheme identifies the subject lands as suitable for residential infill development for parcels not less than 1.98 acres in size. The proposal is in alignment with the provisions of the Conceptual Scheme, and the conditions of future subdivision would further implement the policies with respect to land use, water service, wastewater service, stormwater management, transportation and access, development guidelines, and phasing.

Section 7.2 Phasing reads as follows:

#### Policy 7.2.2

*The Owners within the Plan Area may proceed with redesignation and subdivision in single or multiple phases, providing they append into Part Two of this Conceptual Scheme, their proposed Development Plan and number it in alphabetical sequence, following on Section 10.0 DEVELOPMENT CELL A. The Owners shall also be required to provide the extension of infrastructure referred to in this plan. In doing so the Owners shall be required to follow the planning process necessary to obtain approvals for redesignation and subdivision and carry the cost for the development of the required infrastructure to sustain the planned subdivision of their lands.*

The Applicant submitted a *Development Plan*, which would be appended to the conceptual scheme as *Section 11.0 Development Cell F*, and provides specific provisions for subdivision and development with Cell F, being the subject lands.

Land Use Bylaw (C-4841-97):

The purpose and intent of the Residential One District is to, “*provide for a residential use on a small parcel of land which does not accommodate agriculture, general.*” This is the appropriate district for the intended parcel sizes.

**CONCLUSION:**

The lands are located within the policy area of the Central Springbank Area Structure Plan (ASP) and the Lariat Loop Conceptual Scheme; the application has been evaluated with those policies. Administration supports the application for the following reasons:

- The proposal is consistent with the goals and objectives of both the Central Springbank ASP and the Lariat Loop Conceptual Scheme;
- The proposal is consistent with the policies of section 2.9 of the Central Springbank ASP, with respect to residential development;
- The proposal is consistent with Figure 6 of the Lariat Loop Conceptual Scheme with respect to land use and parcel size;
- The Applicant has prepared a *Development Plan*, which would be appended to the Lariat Loop Conceptual Scheme as per the Conceptual Scheme’s policy 7.2.2; and
- All technical matters have been considered including servicing, access, and stormwater and would be addressed in detail at the subdivision stage.

Therefore, Administration recommends approval in accordance with **Option #1**.

**OPTIONS:**

- Option #1:      Motion #1      THAT Bylaw C-7738-2017 be given first reading.  
                         Motion #2      THAT Bylaw C-7738-2017 be given second reading.  
                         Motion #3      THAT Bylaw C-7738-2017 be considered for third reading.  
                         Motion #4      THAT Bylaw C-7738-2017 be given third and final reading.
- Option #2:      THAT application PL20170123 be refused.

Respectfully submitted,

Concurrence,

“Chris O’Hara”

“Kevin Greig”

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General Manager

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County Manager

JA/rp

**APPENDICES:**

- APPENDIX ‘A’: Application Referrals  
APPENDIX ‘B’: Bylaw and Schedules A, B, & C  
APPENDIX ‘C’: Mapset  
APPENDIX ‘D’: Landowner Comments

**APPENDIX A: APPLICATION REFERRALS**

<b>AGENCY</b>	<b>COMMENTS</b>
<b><i>School Authority</i></b>	
Rocky View Schools	No comments provided.
Calgary Catholic School District	Calgary Catholic School District (CCSD) has no objection to the above-noted circulation (PL2017-0123) located along Lariat Loop west of Calgary. As per the circulation, Municipal Reserves were previously provided.
Public Francophone Education	No comments provided.
Catholic Francophone Education	No comments provided.
<b><i>Province of Alberta</i></b>	
Alberta Environment	No comments provided.
Alberta Transportation	No comments provided.
Alberta Sustainable Development (Public Lands)	No comments provided.
Alberta Culture and Community Spirit (Historical Resources)	No comments provided.
Energy Resources Conservation Board	No comments provided.
Alberta Health Services	<p>Thank you for inviting our comments on the above-referenced application. Alberta Health Services (AHS) understands that this application is proposing to re-designate the subject lands from Residential Two District to Residential One District in order to facilitate the creation of a <math>\pm 0.83</math> hectare (<math>\pm 2.05</math> acre) parcel with <math>\pm 0.83</math> hectare (<math>\pm 2.05</math> acre) remainder. We provide the following comments for your consideration with regard to planning future development on the site:</p> <ol style="list-style-type: none"> <li>1. The application indicates that potable water will be supplied by the North Springbank Water Co-op. AHS recommends that it is confirmed that the existing water system will be able to meet any increased water demand resulting from this proposed development.</li> <li>2. Any existing or proposed private sewage disposal systems should be completely contained within the proposed property boundaries and must comply with the setback distances outlined in the most recent Alberta Private Sewage Systems Standard of Practice. Prior to installation of any sewage disposal system, a proper geotechnical assessment should be conducted by a qualified professional engineer and the</li> </ol>

AGENCY	COMMENTS
	<p>system should be installed in an approved manner.</p> <p>3. The property must be maintained in accordance with the Alberta Public Health Act, Nuisance and General Sanitation Guideline 243/2003 which stipulates,</p> <p><i>No person shall create, commit or maintain a nuisance. A person who creates, commits or maintains any condition that is or might become injurious or dangerous to the public health or that might hinder in any manner the prevention or suppression of disease is deemed to have created, committed or maintained a nuisance.</i></p> <p>If any evidence of contamination or other issues of public health concern are identified at any phase of development, AHS wishes to be notified.</p>
<b>Public Utility</b>	
ATCO Gas	ATCO Gas has no objections to the proposed.
ATCO Pipelines	ATCO PIPELINES has no objection.
AltaLink Management	No comments provided.
FortisAlberta	No comments provided.
Telus Communications	Please be advised that TELUS has no objection to the redesignation circulation, however, we will need to review the circulation for the proposed development/subdivision.
TransAlta Utilities Ltd.	No comments provided.
Rockyview Gas Co-op Ltd.	No comments provided.
<b>Other External Agencies</b>	
EnCana Corporation	No comments provided.
City of Calgary	No comments provided.
<b>Rocky View County Boards and Committees</b>	
ASB Farm Members and Agricultural Fieldman	No comments provided.
Rocky View Central Recreation Board	No comments provided.

AGENCY	COMMENTS
<b><i>Internal Departments</i></b>	
Municipal Lands	The Municipal Lands Office has no concerns with this application.
Development Authority	No comments provided.
GeoGraphics	No comments provided.
Building Services	No comments provided.
Emergency Services	Having reviewed the circulation, the Fire Service has no comments at this time.
Infrastructure and Operations - Engineering Services	Enforcement Recommendations:
	<ul style="list-style-type: none"> <li>• Concern that application appears to be missing owner authorization;</li> <li>• Maps indicate the presence of a significant wetland area on the property. Recommend that Alberta Environment and County Engineering Services be consulted at the Sub-division and Development stages to determine impact, if any, on overland water flow/drainage in the area.</li> </ul>
	<u>General</u>
	<ul style="list-style-type: none"> <li>• The review of this file is based upon the application submitted. These conditions/recommendations may be subject to change to ensure best practices and procedures;</li> <li>• At future subdivision stage, the applicant will be required to enter into a Deferred Services Agreement with the County for the tie in to future regional servicing when it becomes available to be registered on title for the proposed lot and parent parcel.</li> </ul>
	<u>Geotechnical</u>
	<ul style="list-style-type: none"> <li>• ES have no requirements at this time.</li> </ul>
	<u>Transportation</u>
	<ul style="list-style-type: none"> <li>• ES have no requirements at this time;</li> <li>• The subject lands currently have access from Lariat Loop from paved approach. At future subdivision stage, the applicant will be required to construct a new paved lot for the proposed lot, or upgrade the existing approach to a mutual approach with access provisions protected by access easement and right of way;</li> <li>• There is an existing field approach on the current lot (proposed Lot 2). At future subdivision stage, it is recommended that this approach be removed and reclaimed;</li> <li>• At future subdivision/ development permit stage, the</li> </ul>



AGENCY	COMMENTS
	<p>applicant will be required to pay TOL in accordance with the applicable levy in place at time of DP or subdivision endorsement.</p> <p><u>Sanitary/Waste Water</u></p> <ul style="list-style-type: none"> <li>• ES has no requirements at this time;</li> <li>• The applicant has submitted a Level 3 PSTS report prepared by Sedulous Engineering (dated July 2017) for the proposed new parcel. The report confirms that the soils on suite are suitable for PSTS. In accordance with County Policy 449, for all parcels greater than 1.98 acres but less than 4 acres, the County requires the use of a Packaged Sewage Treatment Plant which meets the Bureau de Normalisation du Quebec (BNQ) standards for treatment. At future subdivision stage, the applicant will be required to enter into a Development Agreement/Site Improvement Services Agreement for the installation of a packaged sewage treatment system in accordance with County Policy 449 and the recommendations of the Level 3 PSTS report;</li> <li>• At future subdivision stage, the applicant will be required to submit a Level 1 Assessment Variation for the existing septic system on site.</li> </ul> <p><u>Water Supply And Waterworks</u></p> <ul style="list-style-type: none"> <li>• The applicant has indicated that water supply will be from the North Springbank Water Co-Op and has provided a letter from the Co-Op indicating approval of the water request for the additional lot and that sufficient capacity is available to service the lot;</li> <li>• At future subdivision stage, as a condition of subdivision endorsement, the Applicant/Owners are to provide confirmation of tie-in for connection to the North Springbank Water Co-op, an Alberta Environment licensed piped water supplier for the proposed lots. This includes providing information regarding:             <ol style="list-style-type: none"> <li>1. Confirmation from the water supplier that an adequate and continuous piped water supply is available for the proposed news;</li> <li>2. Documentation proving that water supply has been purchased and secured for proposed lots;</li> <li>3. Documentation proving that water supply infrastructure requirements including servicing to the property have been installed or installation is secured between the developer and water supplier, to the satisfaction of the water supplier and the County.</li> </ol> </li> </ul> <p><u>Storm Water Management</u></p> <ul style="list-style-type: none"> <li>• ES has no requirements at this time;</li> </ul>

AGENCY	COMMENTS
	<ul style="list-style-type: none"> <li>The applicant has submitted a Site Specific Storm Water Plan prepared by Sedulous Engineering (dated July 2017). The report confirms that the proposed subdivision can handle future runoff generation in accordance with the requirements of the Springbank Master Drainage Plan;</li> <li>As a condition of future subdivision, the applicant will be required enter into a Development Agreement/Site Improvements Servicing Agreement for the recommendations contained in the SSIP (Sedulous, July 2017)to ensure future owners of the subject lands are aware of the storm water management provisions and recommendations for the site.</li> </ul> <p><u>Environmental</u></p> <ul style="list-style-type: none"> <li>ES have no requirements at this time.</li> </ul>
Infrastructure and Operations - Maintenance	Will dual approach be replaced with new approach?
Infrastructure and Operations - Capital Delivery	No concerns.
Infrastructure and Operations - Operations	Applicant to confirm how access is to be provided to each of the parcels. Road Approach Application may be required.

Circulation Period: August 2, 2017 to August 24, 2017



## BYLAW C-7738-2017

### A Bylaw of Rocky View County to amend Land Use Bylaw C-4841-97

The Council of Rocky View County enacts as follows:

#### PART 1 – TITLE

This Bylaw shall be known as Bylaw C-7738-2017.

#### PART 2 – DEFINITIONS

In this Bylaw the definitions and terms shall have the meanings given to them in Land Use Bylaw C-4841-97 and the Municipal Government Act.

#### PART 3 – EFFECT OF BYLAW

- THAT** Part 5, Land Use Map No. 57-SE of Bylaw C-4841-97 be amended by redesignating Lot 1, Block 14, Plan 8710689 of NW-02-25-03-W05M from Residential Two District to Residential One District as shown on the attached Schedule 'C' forming part of this Bylaw;
- THAT** Bylaw C-6197-2005, known as the “Lariat Loop Conceptual Scheme”, be amended in accordance with amendments contained in Schedule ‘A’, attached to and forming part of the Bylaw;
- THAT** the Central Springbank Area Structure Plan be amended to add a section in which to reflect adopted conceptual schemes, and to list the “Lariat Loop Conceptual Scheme” thereunder, as shown in Schedule ‘B’; and,
- THAT** A portion of NW-02-25-03-W05M is hereby redesignated to Residential One District as shown on the attached Schedule 'C' forming part of this Bylaw.

#### PART 4 – TRANSITIONAL

Bylaw C-7738-2017 is passed when it receives third reading, and is signed by the Reeve/Deputy Reeve and the Municipal Clerk, as per Section 189 of the *Municipal Government Act*.

**Division: 02**  
**File: 05702033/ PL20170123**

<i>PUBLIC HEARING WAS HELD IN COUNCIL this</i>	<i>day of</i>	<i>, 2018</i>
READ A FIRST TIME IN COUNCIL this	day of	, 2018
READ A SECOND TIME IN COUNCIL this	day of	, 2018
<i>UNANIMOUS PERMISSION FOR THIRD READING</i>	<i>day of</i>	<i>, 2018</i>
READ A THIRD TIME IN COUNCIL this	day of	, 2018



**ROCKY VIEW COUNTY**  
Cultivating Communities

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Reeve

---

CAO or Designate

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Date Bylaw Signed



**SCHEDULE 'A'**  
**FORMING PART OF BYLAW C-7738-2017**

Amendments to Lariat Loop Conceptual Scheme (C-6197-2005)

**Amendment #1**

*Append the following to PART TWO - DEVELOPMENT IN THE PLAN AREA after section 10.0  
Development Cell A*

**Amendment #2**

*Update the Table of Contents to include section 11.0 Development Cell F.*

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## LARIAT LOOP CONCEPTUAL SCHEME

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### PART TWO – DEVELOPMENT IN THE PLAN AREA

#### 11.0 DEVELOPMENT CELL F

##### 11.1 Proposed Development

A concept for the subdivision and development of the Lots 1, Block 14, Plan 871 0689 in the context of the Plan Area is shown in Figure 9 – Development Cell F.

###### Policy 11.1.1

Subdivision of land within the Plan Area shall be generally in accordance with Figure 9 – Development Cell F.

###### Policy 11.1.2

Lot layouts shown in Figure 9 – Development Cell F are conceptual only and may not reflect the final subdivision design or sizes of lots that may be proposed in future tentative plans of subdivision. The final size, configuration, and design of individual parcels proposed through subdivision shall be determined at the tentative subdivision plan approval stage.

###### Policy 11.1.3

Single-family residential development that is compatible with land uses adjacent and in proximity to the Plan Area is the preferred development form. Other uses may be considered appropriate where allowed as permitted and discretionary uses under the Residential One District (R-1) of the Land Use Bylaw.

##### 11.2 Municipal Reserves

The provision for reserve has been satisfied pursuant to Section 666 of the Municipal Government Act.

###### Policy 11.2.1

No further reserve requirements are necessary as the 10% reserve dedication has been provided.

##### 11.3 Phasing

The proposed Development Cell F, as illustrated with Figure 9 – Development Cell F, consists of Lots 1, Block 14, Plan 871 0689.

###### Policy 11.3.1

Subdivision and development within Development Cell F can proceed in a single phase as only one additional parcel is spilt from the original parcel.

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## LARIAT LOOP CONCEPTUAL SCHEME

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### 11.4 Transportation

The proposed new approach of the internal subdivision road, as outlined in Figure 9 – Development Cell F, provides adequate access for the future proposed lot.

#### Policy 11.4.1

The existing approach to the original permanent residence will be maintained. The new proposed lot within Development Cell F will have access through the proposed approach.

### 11.5 Landscaping Plan

Section 2.3.2.2 within the CSASP requires a landscaping plan be included with the Conceptual Scheme. The majority of the tree and brush cover within Development Cell F is located near the existing dwelling and what will be the South West corner of the proposed new lot as shown in Figure 10 – Aerial Photo.

#### Policy 11.5.1

Landscaping plans shall be provided with all future subdivision applications to the satisfaction of the Municipality, in accordance with Section 2.3.2 of the CSASP. It is the responsibility of the Developer to implement these standards.

### 11.6 Architectural Controls

Architectural controls to guide structural style, building materials and structural siting will be developed at the time of subdivision and registered against individual titles by restrictive covenant. Management of the architectural standards will be the responsibility of the Developer and subsequent Homeowner within Development Cell F.

#### Policy 11.6.1

Architectural controls shall be provided with all future subdivision applications and will conform to CSASP development guideline policies. It is the responsibility of the Developer to implement these standards.

#### Policy 11.6.2

Residences existing prior to the adoption of this Conceptual Scheme will not be subject to new architectural controls.

### 11.7 Storm Water Management

The highlights of the Storm Water Management plan prepared by Sedulous Engineering Inc. include location of existing drainage pond for the proposed lot, overland drainage routes, and confirmation that the site will conform to the volume control rates set by the MDP.

---

## LARIAT LOOP CONCEPTUAL SCHEME

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### Policy 11.7.1

The Storm Water Management plan prepared by Sedulous Engineering Inc. is specific to Development Cell F and will be implemented as shown in Figure No. 3 in the Staged Master Drainage Plan.

### **11.8 Utility Servicing**

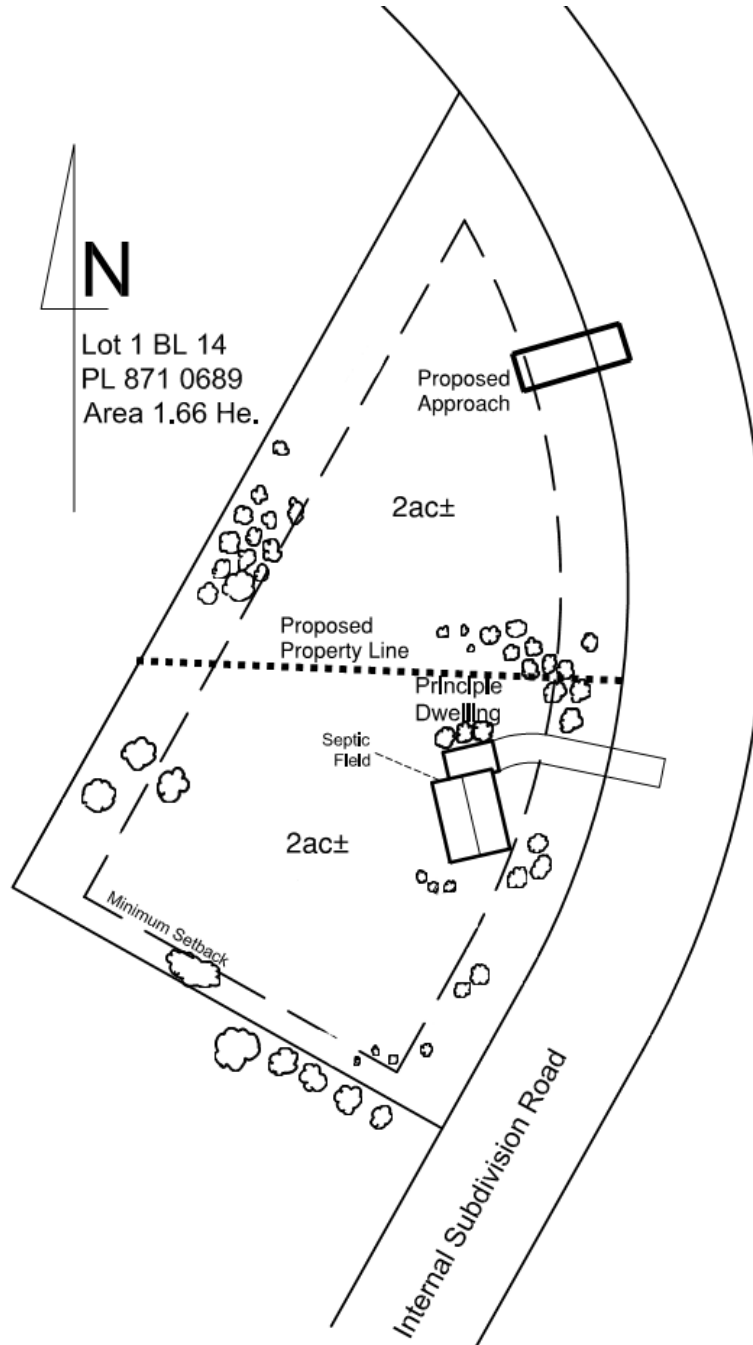
The Municipality is developing a Residential Infill Regional Servicing Strategy for the Springbank area.

### Policy 11.8.1

Utility servicing for Development Cell F shall be provided via North Springbank Water Co-op and individual septic and tile field systems that shall be consistent to the servicing standards of the Municipality.



# LARIAT LOOP CONCEPTUAL SCHEME



Development Cell F

Lariat Loop Conceptual Scheme

**Figure 9**

Lot 1, Block 14, Plan 871 0689

## LARIAT LOOP CONCEPTUAL SCHEME

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Development Cell F

Lariat Loop Conceptual Scheme

**Figure 10**

Lot 1, Block 14, Plan 871 0689

ROCKY VIEW COUNTY  
Cultivating CommunitiesSCHEDULE 'B'  
FORMING PART OF BYLAW C-7738-2017

Amendments to Central Springbank Area Structure Plan (C-5354-2001)

**Amendment #1**

*Add Section 3.3, entitled "Adopted Conceptual Schemes"*

**Amendment #2**

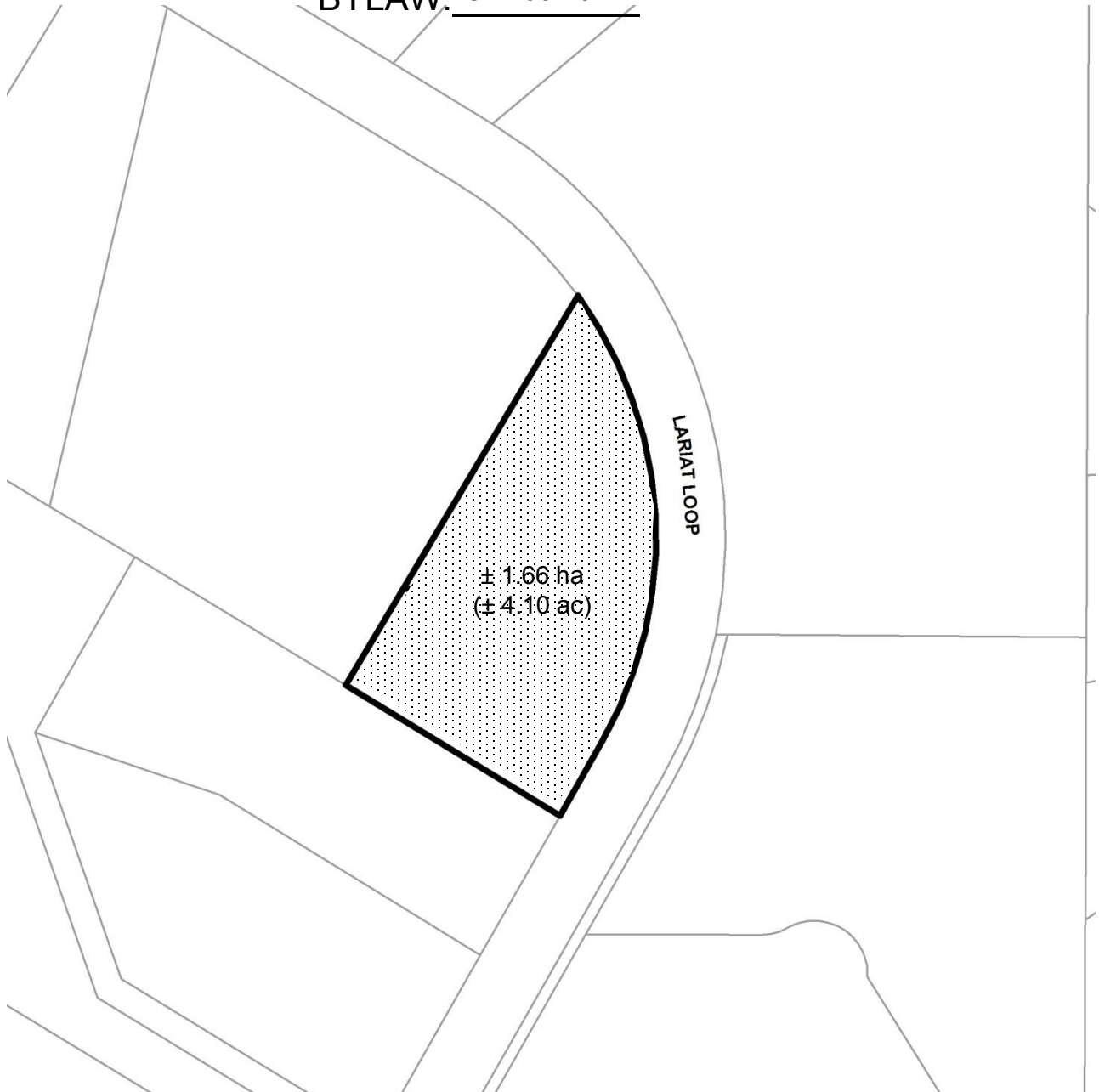
*Add text under Section 3.3, which reads:*

1. Lariat Loop Conceptual Scheme (C-6197-2005)

**Amendment #2**

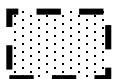
*Update the Table of Contents to include Section 3.3 Adopted Conceptual Schemes.*

BYLAW: C-7738-2017



**AMENDMENT**

FROM Residential Two District TO Residential One District



Subject Land \_\_\_\_\_

LEGAL DESCRIPTION: Lot 1, Block 14, Plan 8710689  
NW-02-25-03-W05M

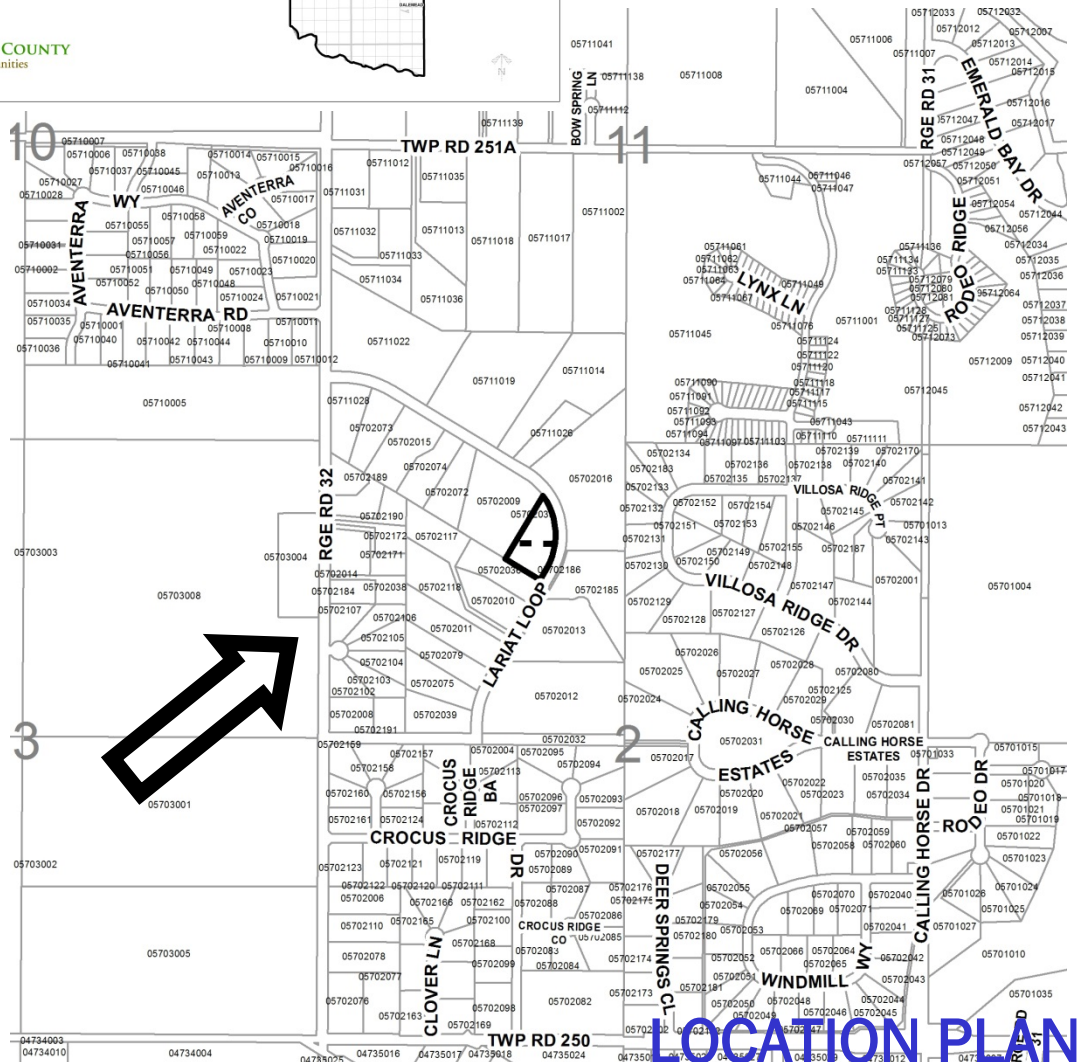
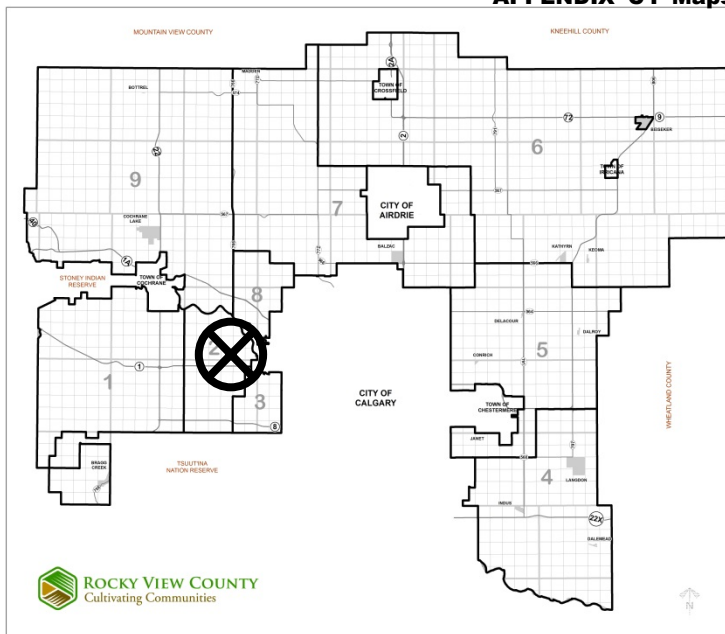


ROCKY VIEW COUNTY  
Cultivating Communities

FILE: 05702033 – PL20170123

DIVISION: 02

**AGENDA**  
Page 54 of 256



**NW-02-25-03-W05M**  
**Lot:1 Block:14 Plan:8710689**

Date: July 26, 2017

Division # 2

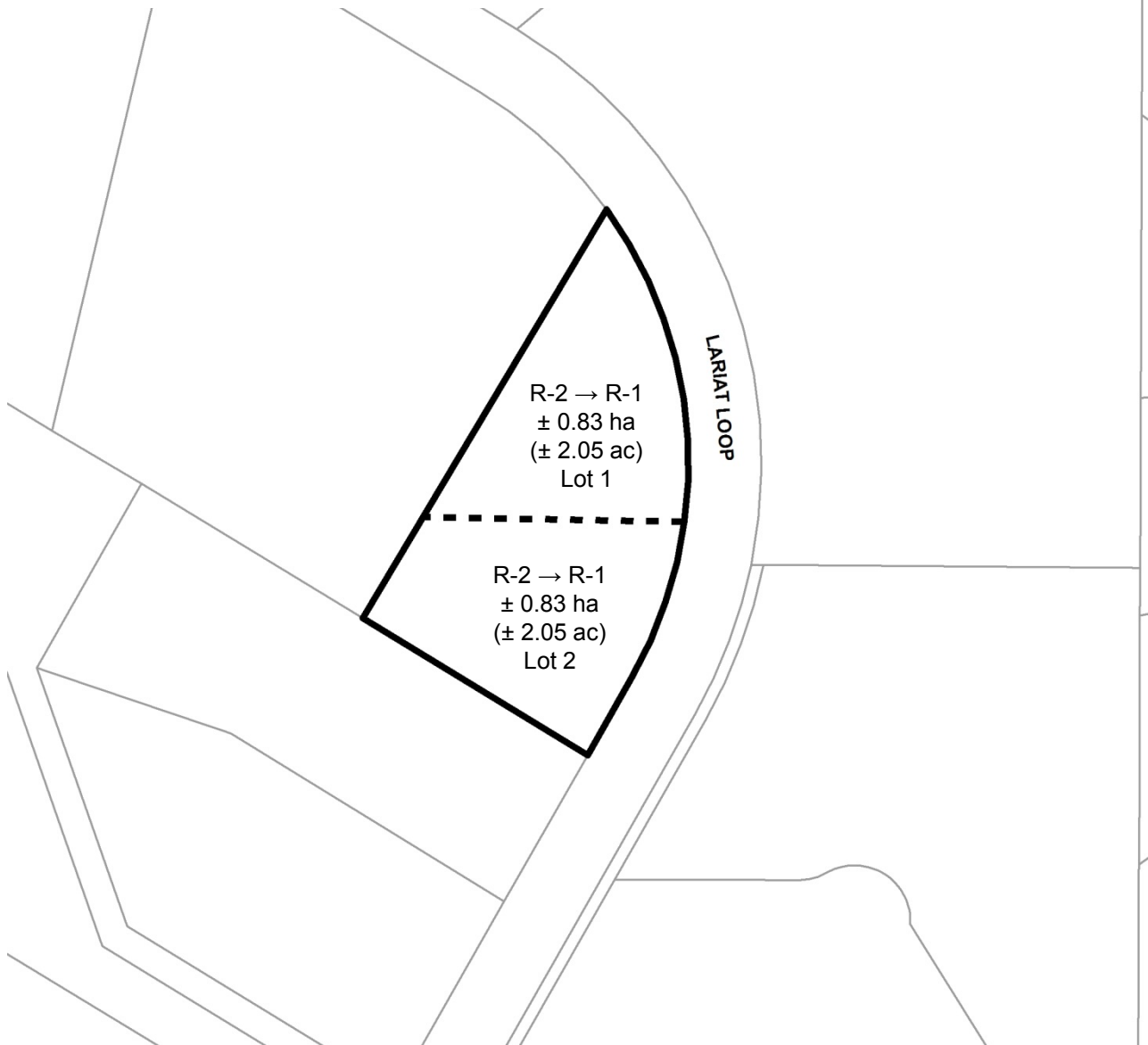
File: 05702033

**AGENDA**

**Page 55 of 256**



**Development Proposal:** To redesignate the subject lands from Residential Two District to Residential One District in order to facilitate the creation of a  $\pm 0.83$  hectare ( $\pm 2.05$  acre) parcel with  $\pm 0.83$  hectare ( $\pm 2.05$  acre) remainder.



## DEVELOPMENT PROPOSAL



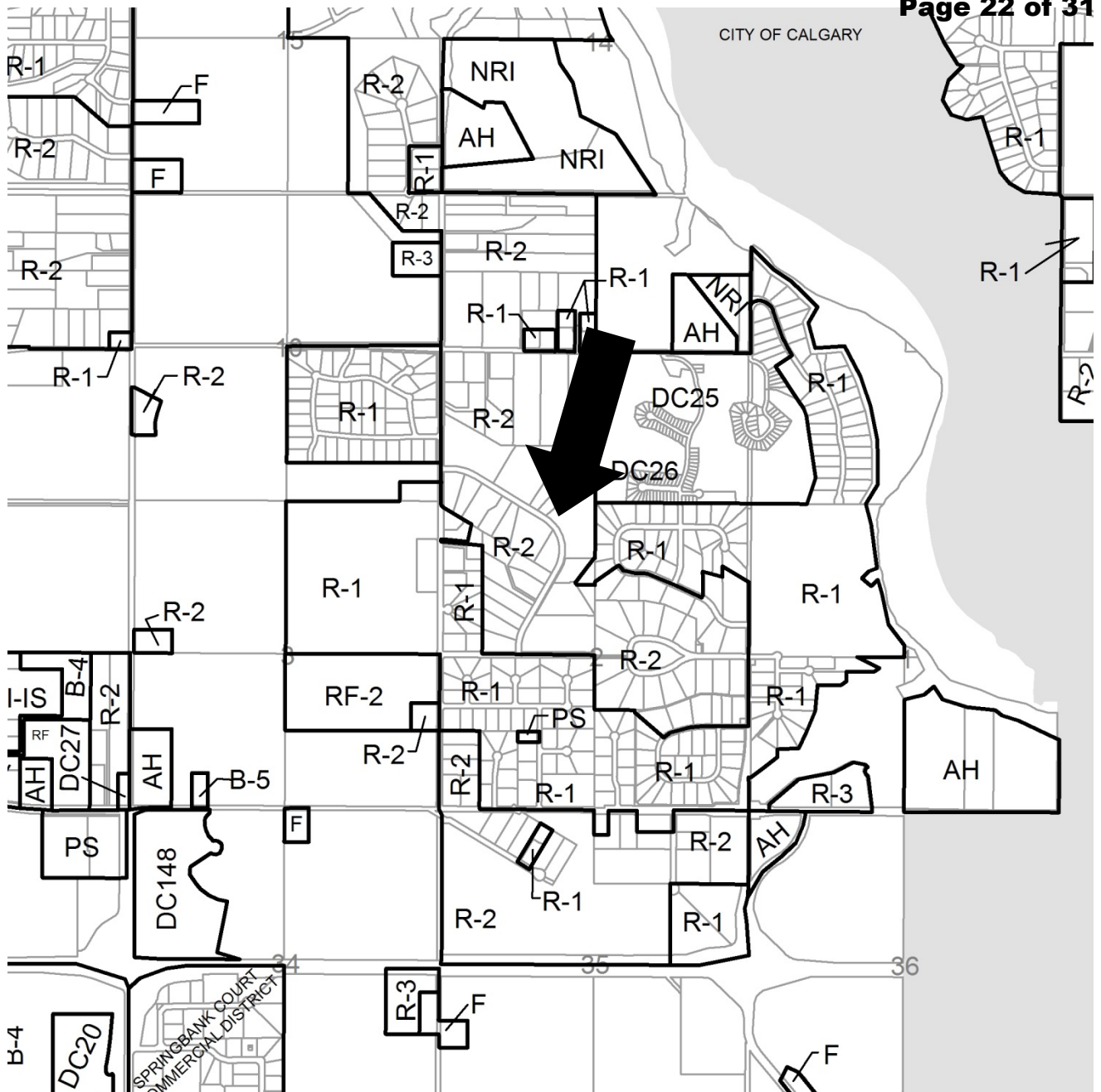
**NW-02-25-03-W05M**  
**Lot:1 Block:14 Plan:8710689**

Date: July 26, 2017

Division # 2

File: 05702033

**AGENDA**



Ranch and Farm	B-1 Highway Business
RF2 Ranch and Farm Two	B-2 General Business
RF3 Ranch and Farm Three	B-3 Limited Business
AH Agricultural Holding	B-4 Recreation Business
F Farmstead	B-5 Agricultural Business
R-1 Residential One	B-6 Local Business
R-2 Residential Two	NRI Natural Resource Industrial
R-3 Residential Three	HR-1 Hamlet Residential Single Family
DC Direct Control	HR-2 Hamlet Residential (2)
PS Public Service	HC Hamlet Commercial
	AP Airport

## LAND USE MAP

**NW-02-25-03-W05M**  
**Lot:1 Block:14 Plan:8710689**

Date: July 26, 2017

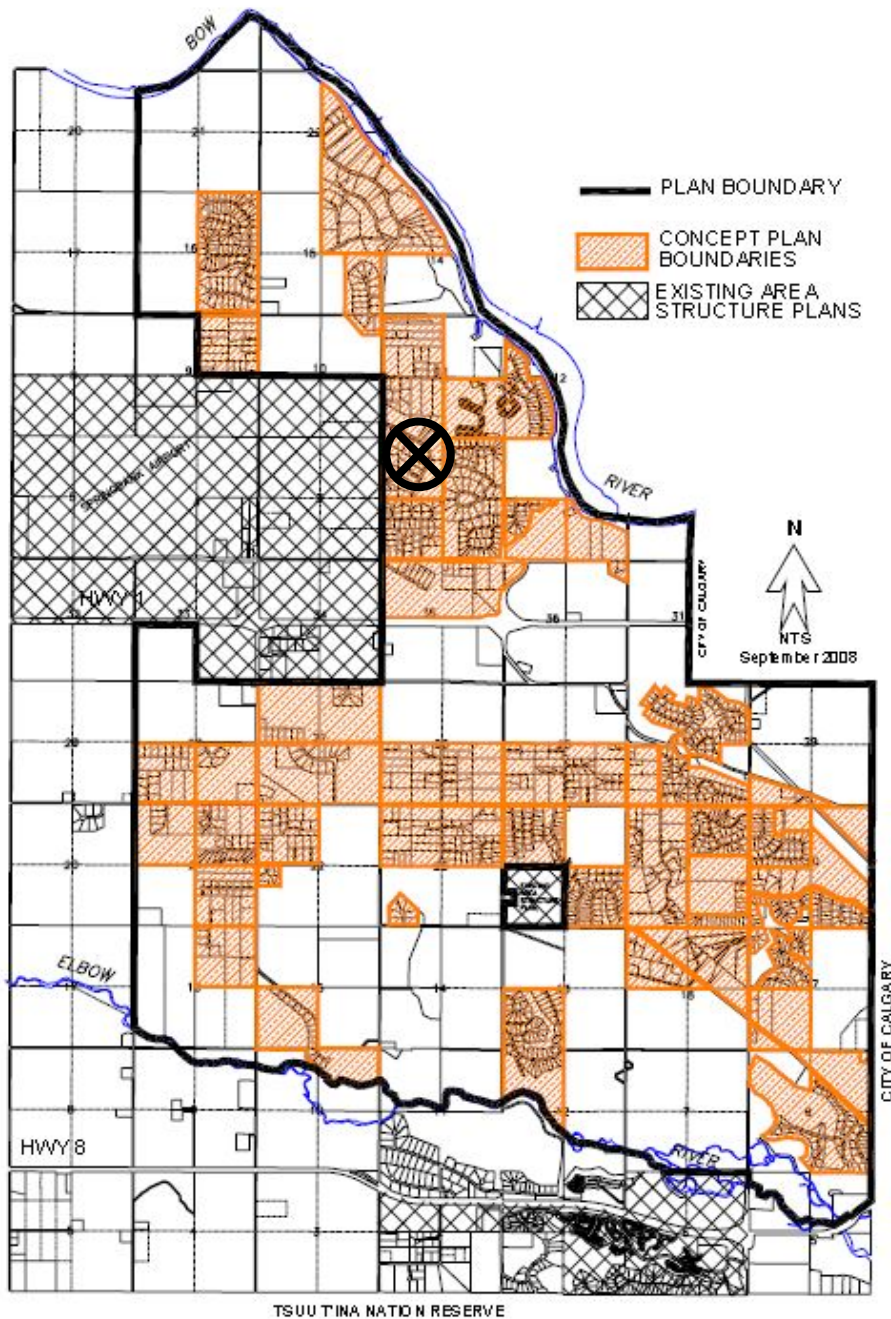
Division # 2

File: 05702033

**AGENDA**

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## Map 11 - Infill Residential



## Map 11: Central Springbank ASP

NW-02-25-03-W05M

Lot:1 Block:14 Plan:8710689

Date: July 26, 2017

Division # 2

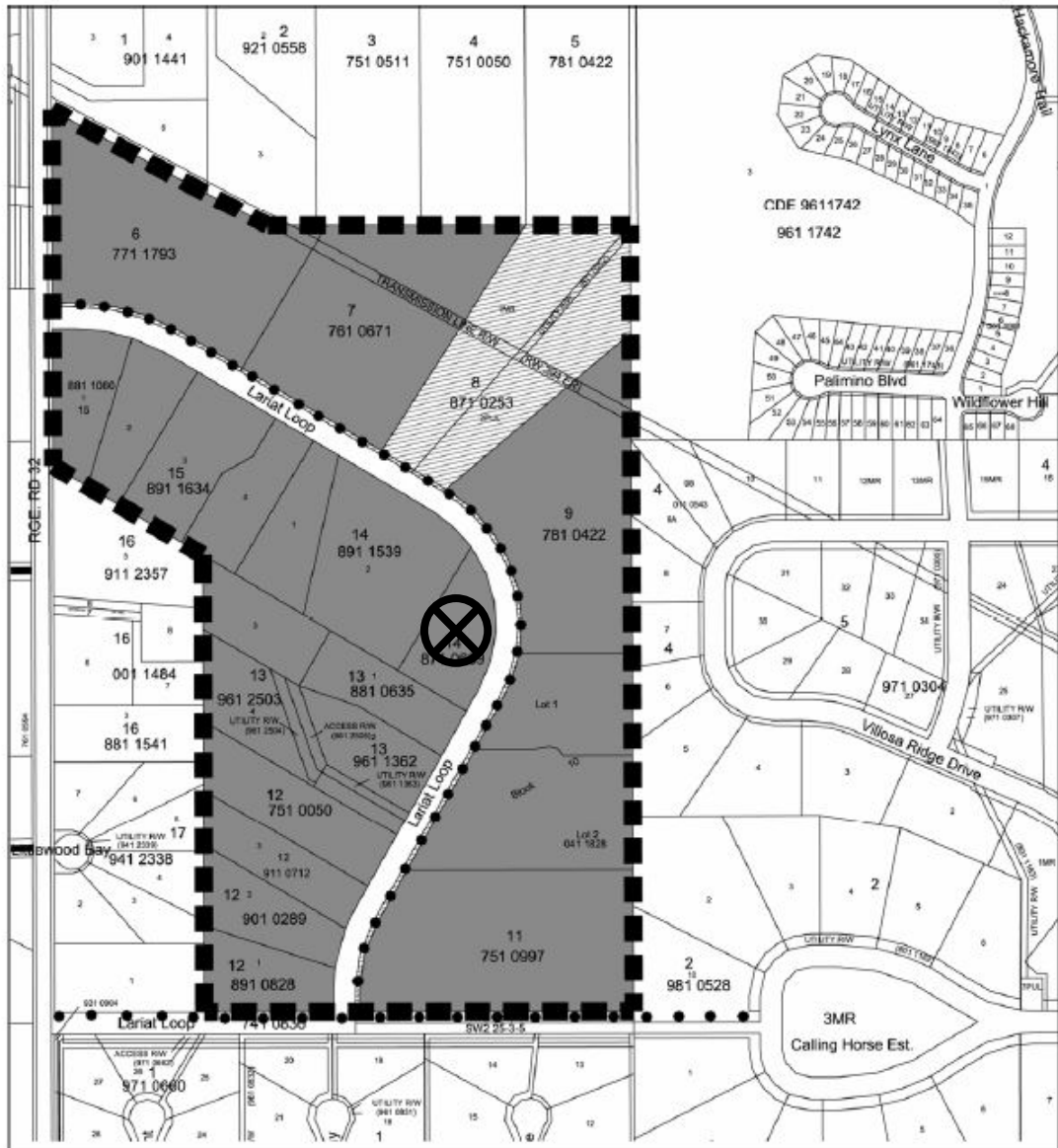
File: 05702033

AGENDA

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## LARIAT LOOP CONCEPTUAL SCHEME



- Conceptual Scheme Boundary
- R-1
- ▨ Open Space/Parks/Pathways
- Road
- Regional Pathway

Future Land Use  
Lariat Loop Conceptual Scheme

**Figure 6**

Ptn. of NW¼ Sec. 02 - 25 - 03 - W5M  
Ptn. of SW¼ Sec. 11 - 25 - 03 - W5M  
Scale: 1:7500  
2005 - 11 - 28  
130213-10-CS-6.dwg  
Source:

**Figure 6: Lariat Loop CS**

**NW-02-25-03-W05M**  
**Lot:1 Block:14 Plan:8710689**

Date: July 26, 2017

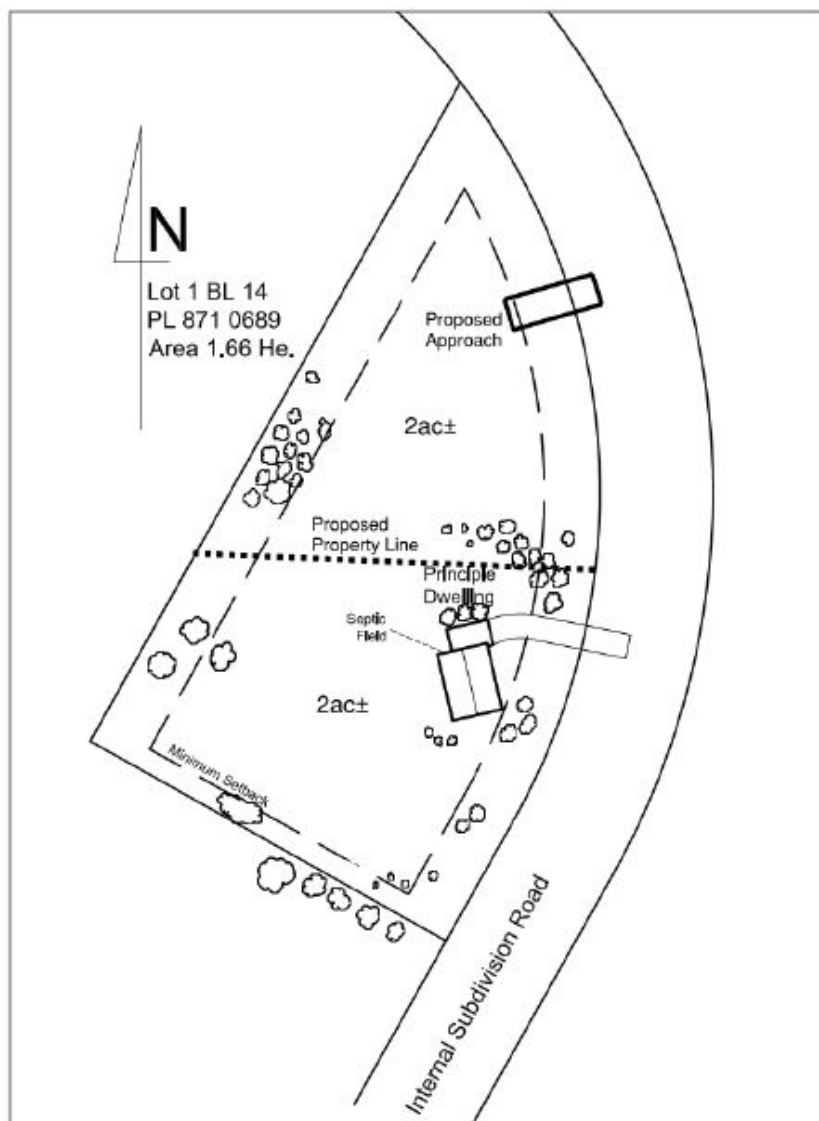
Division # 2

File: 05702033

**AGENDA**

**Page 59 of 256**

## LARIAT LOOP CONCEPTUAL SCHEME



Development Cell F  
Lariat Loop Conceptual Scheme

Figure 9

Lot 1, Block 14, Plan 8710689

## Proposed Figure 9: Lariat Loop CS

NW-02-25-03-W05M

Lot:1 Block:14 Plan:8710689







Contours are generated using 10m grid points, and depict general topographic features of the area. Detail accuracy at a local scale cannot be guaranteed. They are included for reference use only.

## TOPOGRAPHY

Contour Interval 2 M



**NW-02-25-03-W05M**  
**Lot:1 Block:14 Plan:8710689**

Date: July 26, 2017

Division # 2

File: 05702033

**AGENDA**

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Note: Post processing of raw aerial photography may cause varying degrees of visual distortion at the local level.

**AIR PHOTO**

*Spring 2016*



**NW-02-25-03-W05M**  
**Lot:1 Block:14 Plan:8710689**

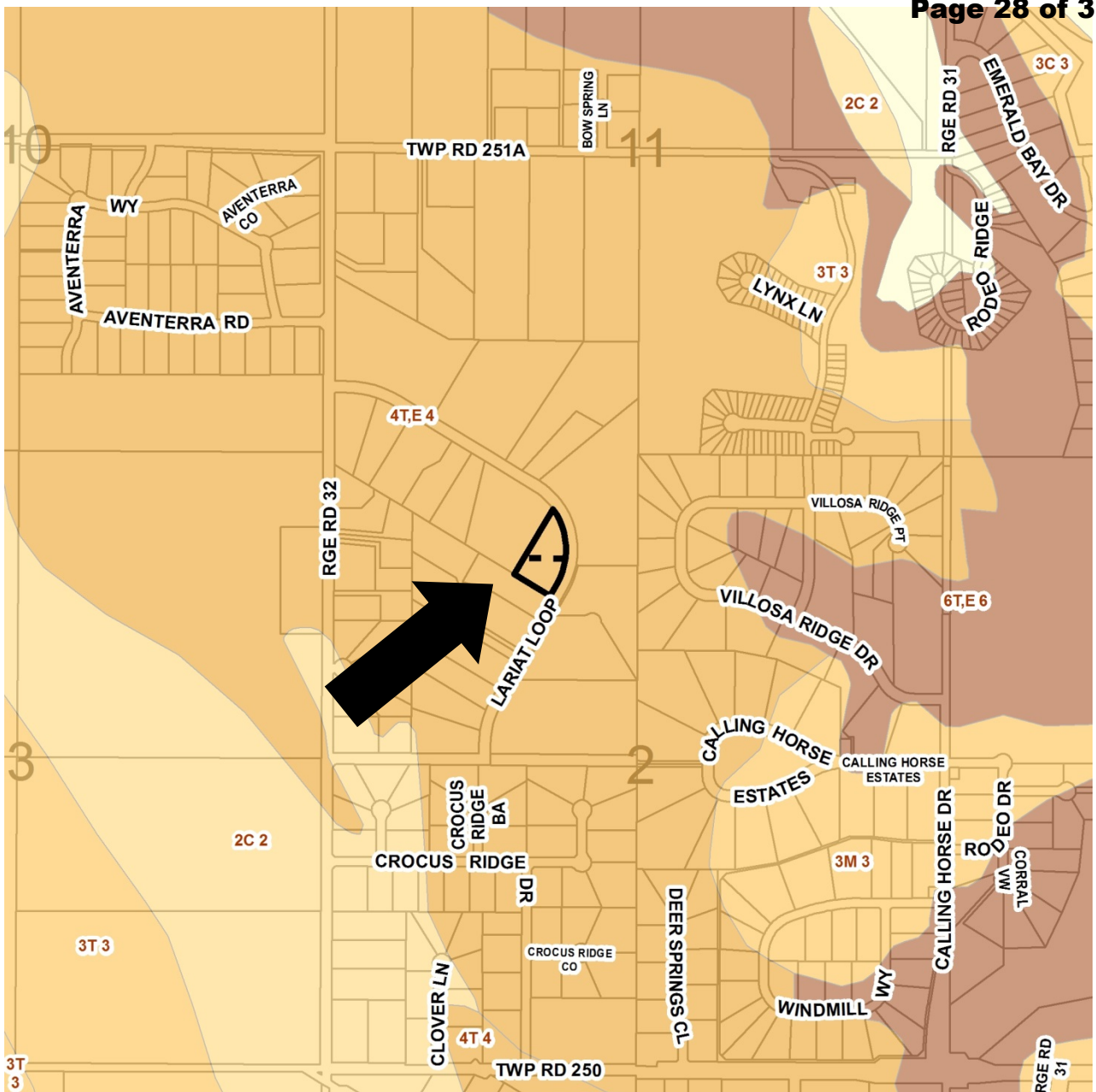
Date: July 26, 2017

Division # 2

File: 05702033

**AGENDA**

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### LAND CAPABILITY CLASSIFICATION LEGEND

*Limitations refer to cereal, oilseeds and tame hay crops*

#### 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                      | N - high salinity                   |
| C - climate                               | P - excessive surface stoniness     |
| D - low permeability                      | R - shallowness to bedrock          |
| E - erosion damage                        | S - high sodicity                   |
| F - poor fertility                        | T - adverse topography              |
| G - Steep slopes                          | U - prior earth moving              |
| H - temperature                           | V - high acid content               |
| I - flooding                              | W - excessive wetness/poor drainage |
| J - field size/shape                      | X - deep organic deposit            |
| K - shallow profile development           | Y - slowly permeable                |
| M - low moisture holding, adverse texture | Z - relatively impermeable          |

# SOIL MAP

**NW-02-25-03-W05M**  
**Lot:1 Block:14 Plan:8710689**

Date: July 26, 2017

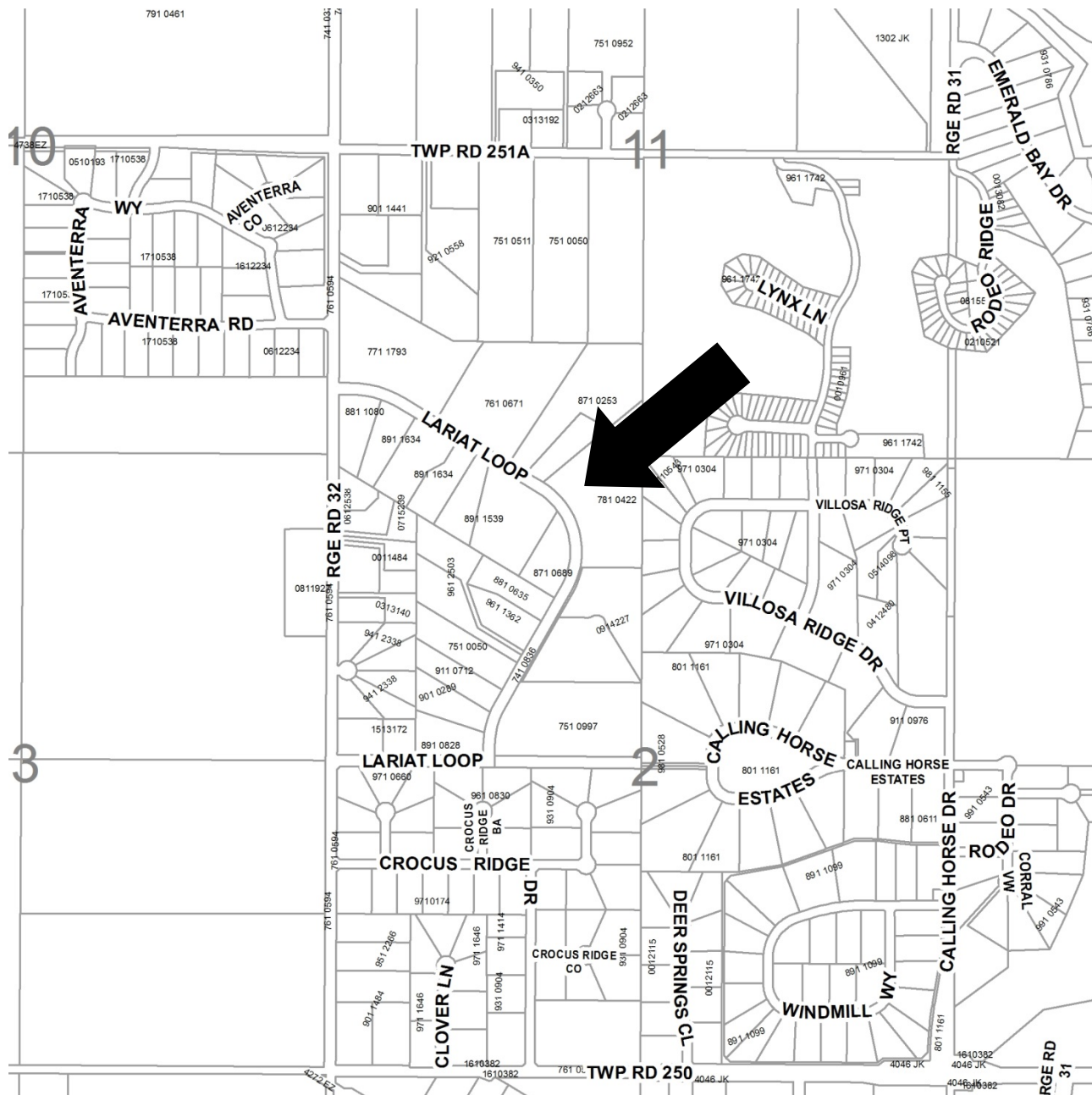
Division # 2

File: 05702033

**AGENDA**

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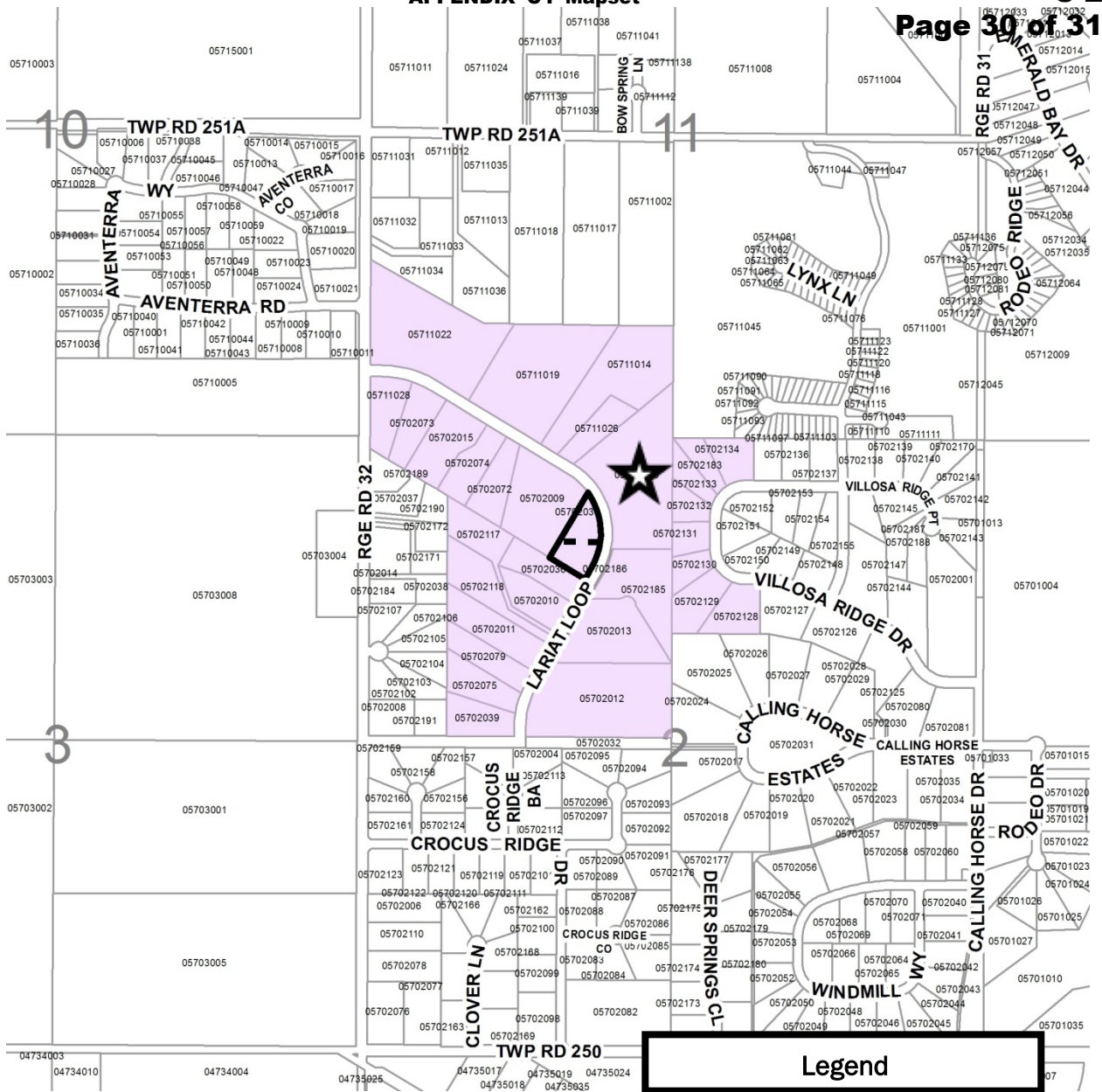
**Legend – Plan numbers**

- First two numbers 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

# HISTORIC SUBDIVISION MAP

**NW-02-25-03-W05M**  
**Lot:1 Block:14 Plan:8710689**

Date: July 26, 2017Division # 2File: 05702033**AGENDA****Page 64 of 256**



Letters in Opposition

Letters in Support

# LANDOWNER CIRCULATION AREA

**NW-02-25-03-W05M**  
**Lot:1 Block:14 Plan:8710689**

Date: July 26, 2017

Division # 2

File: 05702033

**AGENDA**

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**From:** [Tyler Andreasen](#)  
**To:** [Jessica Anderson](#)  
**Subject:** FW: Bylaw C-7738-2017  
**Date:** Monday, December 18, 2017 7:48:15 AM

---

Hey Jessica, here's a letter of support for your public hearing at the January 9 Council meeting.

**TYLER ANDREASEN**

Legislative Clerk | Legislative & Legal Services

**ROCKY VIEW COUNTY**

911 - 32 Avenue NE | Calgary | AB | T2E 6X6

Phone: 403-520-8197

[tandreasen@rockyview.ca](mailto:tandreasen@rockyview.ca) | [www.rockyview.ca](http://www.rockyview.ca)

This e-mail, including any attachments, may contain information that is privileged and confidential. If you are not the intended recipient, any dissemination, distribution or copying of this information is prohibited and unlawful. If you received this communication in error, please reply immediately to let me know and then delete this e-mail. Thank you.

---

**From:** Peter Byers [mailto:p.byers@telus.net]  
**Sent:** Sunday, December 17, 2017 6:05 PM  
**To:** PAA\_ LegislativeServices  
**Cc:** p.byers@telus.net  
**Subject:** Bylaw C-7738-2017

Rocky view County  
Councillors & Staff  
December 17, 2017

**Regarding Bylaw C-7738-2017**

As neighbours directly east of Ian & Terry Dowsett, we **support** Application PL20170123 (0570233). It is our belief that all of Lariat Loop should be zoned Residential One District to facilitate the creation of 2 acre lots where feasible.

We look forward to a young family in the neighbourhood.

Sincerely,

Simone & Peter Byers

178 Lariat Loop

Calgary, AB T3Z 1G1



## **ENGINEERING SERVICES**

**TO:** Council

**DATE:** January 9, 2018 **DIVISION:** 9

**TIME:** Afternoon Appointment

**FILE:** PL20160018

**SUBJECT:** Joint application to close for consolidation two portions of Road Allowance known as Range Road 45

### **<sup>1</sup>ADMINISTRATION RECOMMENDATION:**

Motion #1: THAT Bylaw C-7745-2017 be given first reading.

Motion #2: THAT Administration be directed to forward Bylaw C-7745-2017 to the Minister of Transportation for approval.

### **EXECUTIVE SUMMARY:**

This report is to consider the closure for consolidation of +/- 5.98 acres (to be confirmed at time of survey) of undeveloped road allowance known as Range Road 45 into two portions. The closure area is located on the east side of NE/SE-30-28-04-W5M. This portion of road allowance is not part of the 30 Year Long Range Transportation Network Plan (LRTNP), nor does Administration have any plans to construct a road within this allowance.

Council has the authority to complete road closures by bylaw under Section 22 of the *Municipal Government Act (MGA)*. This application was originally before Council in May of 2017 but is being brought back because the application process was not completed before the election of a new Council in October of 2017. If successful, these portions of road allowance would be consolidated with the two adjacent properties on the west. If Council approves first reading of Bylaw C-7745-2017 (see Attachment 'A'), Administration would seek approval from the Minister of Transportation prior to consideration of second reading.

Administration recommends **Option #1**.

### **DISCUSSION:**

This application was brought forward to the previous Council on May 23, 2017 for a public hearing and first reading to Bylaw C-7652-2017. After the public hearing was closed, Council gave first reading to the bylaw and it was then forwarded to the Minister of Transportation for approval. That approval was received back on August 30, 2017. As per section 184 of the *MGA*, a Councillor must abstain from voting on a bylaw if that Councillor was absent during the public hearing for that bylaw. As only one member of the current Council was present at the May 23, 2017 public hearing, the remainder of Council would not be able to vote on further readings of Bylaw C-7652-2017, and the bylaw is therefore considered "dead". As this is a bylaw for a road closure, another public hearing is required under the *MGA* and the Current council must vote on the new bylaw as attached (see Attachment 'B').

This is a joint application by Joel Hillis and Elmer (Buster) Fenton. The purpose is to close and consolidate +/- 5.98 acres of undeveloped road allowance into two portions. Parcel 1 (+/- 1.96 Acres)

<sup>1</sup>**Administration Resources**

Angela Pare, Engineering Services Support Technician

is to be consolidated with the NE Quarter (Hillis) and Parcel 2 (+/- 4.02 Acres) is to be consolidated with the SE Quarter (Fenton). It is a requirement of Alberta Transportation that the applicant for a road closure must be the directly adjacent landowner, therefore requiring the split of road allowance into two parcels.

This application was originally submitted only by Joel Hillis in February 2016 and circulated from February 22 to March 14, 2016. A response was received from Alberta Transportation stating that they would not be in support of the application due to the fact that Mr. Hillis was not the adjacent landowner of the lands adjacent to both portions of the road allowance. Administration recommended refusal of the application based on Alberta Transportation's response. Mr. Hillis then went back and met with his neighbors and worked with Mr. Fenton on the joint application. Mr. Hillis has gathered the support of the adjacent landowners by way of a proposed access easement agreement that would be completed by plan of survey and registered on titles, which would allow the adjacent landowners continued access to their properties through the lands.

Mr. Hillis is looking to construct a dwelling on the northeast quarter in the future. To acquire a building permit, he would be required to have access from a developed County road. If successful, this application will allow the applicants to construct a driveway in the former road allowance similar to a panhandle layout rather than be required to construct a full road to County Standard.

This portion of road allowance is not part of the 30 Year Long Range Transportation Network Plan (LRTNP), nor does Administration have any plans to construct a road within this allowance. Township Road 284 and Horse Creek Road are in close proximity to the LRTNP, but this closure will not have a negative impact on those roads. This closure and consolidation does not restrict access to any adjacent parcels, nor does it create any landlocked parcels, as remaining open road allowance is available for the adjacent parcels from both the north and south road allowances. The applicant Joel Hillis has provided a signed document advising that he will be providing a registered access easement agreement to the adjacent parcels (Attachment 'B').

This application was circulated in accordance with the *Municipal Government Act* and Administration received no concerns of note by internal or external Agencies. One letter of opposition was received and one letter of support were received by adjacent landowners (see Attachment 'C').

<b>DATE APPLICATION RECEIVED:</b>	January 22, 2017
<b>PROPOSAL:</b>	Joint application to close for consolidation purposes two portions of Road Allowance known as Range Road 45, adjacent to the NE/SE-30-28-04-W5M. Parcel 1 (+/- 1.96 Acres) would be consolidated with the NE Quarter and Parcel 2 (+/- 4.02 Acres) would be consolidated with the SE Quarter.
<b>APPLICANT:</b>	Hillis, Joel and Caryle and Fenton, Elmer
<b>OWNER:</b>	The Crown in Right of Alberta
<b>GROSS AREA:</b>	+/- 5.98 acres (to be confirmed at time of Survey)

**ADJACENT LANDOWNERS:** One Letter of support and one Letter of opposition were received from 14 adjacent landowner notifications at the time of circulation (February 27, 2017 to March 20, 2017).



**OPTIONS:**

- Option #1      Motion #1      THAT Bylaw C-7745-2017 be given first reading.
- Motion #2      THAT Administration be directed to forward Bylaw C-7745-2017 to the Minister of Transportation for approval.
- Option #2      THAT the joint application by Joel Hillis and Elmer Fenton to close for consolidation two portions of road allowance known as Range Road 45 be denied.
- Option #3      THAT Council provide alternative direction.

Respectfully submitted,

Concurrence,

“Byron Riemann”

“Kevin Greig”

---

General Manager

---

County Manager

AP

**ATTACHMENTS:**

- Attachment ‘A’ – Bylaw C-7745-2017  
Attachment ‘B’ – Mapset  
Attachment ‘C’ – Landowner Comments

<b>AGENCY</b>	<b>COMMENTS</b>
<i>School Authority</i>	
Rocky View Schools	No comments received
Calgary Catholic School District	No objection
Public Francophone Education	Not required for circulation
Catholic Francophone Education	Not required for circulation
<i>Province of Alberta</i>	
Alberta Environment	No comments received
Alberta Transportation	No Initial Concerns, Application is reviewed after 1 <sup>st</sup> Reading
Alberta Sustainable Development (Public Lands)	No comments received
Alberta Culture and Community Spirit (Historical Resources)	Not required for circulation
Energy Resources Conservation Board	No comments received
Alberta Health Services	No comments received
<i>Public Utility</i>	
ATCO Gas	No objection
ATCO Pipelines	No objection
AltaLink Management	No comments received
FortisAlberta	No objections, no easement required
Shaw Cablesystems G.P.	No comments received
Telus Communications	No comments received
TransAlta Utilities Ltd.	No comments received
Rockyview Gas Co-op Ltd.	Not required for circulation
<i>Other External Agencies</i>	
EnCana Corporation	No comments received
Mountain View County	No concerns
<i>Boards and Committees</i>	



AGENCY	COMMENTS
ASB Farm Members and Agricultural Fieldman	No comments received
Bow North Recreation Board	No comments received
<i>Internal Departments</i>	
Municipal Lands	No comments received
Agricultural & Environmental Services	No comments received
Development Authority	No comments received
GeoGraphics	No comments received
Building Services	No comments received
Emergency/Enforcement Services	No comments received
Infrastructure and Operations-Engineering Services	Closure of this road allowance limits the future access options of the adjacent parcels but does not create any landlocked parcels as access remains from the North and South.
Infrastructure and Operations-Maintenance	No Concerns
Infrastructure and Operations-Capital Projects	No Concerns
Infrastructure and Operations-Operations	No Concerns
Circulation Period: February 27, 2017 to March 20, 2017	



## BYLAW C-7745-2017

**A Bylaw of Rocky View County in the Province of Alberta for the Purpose of closing to public travel and creating title to portions of public highway in accordance with Section 22 of the *Municipal Government Act*, Chapter M26.1, Revised Statutes of Alberta 2000, as amended.**

The Council of Rocky View County enacts as follows:

### WHEREAS

The lands hereafter described are no longer required for public travel; and

### WHEREAS

Application has been made to Council to have the highway closed; and

### WHEREAS

Rocky View County Council deems it expedient to provide for a bylaw for the purpose of closing to public travel certain roads, or portions thereof, situated in the said municipality, and therefore disposing of the same; and

### WHEREAS

Notice of the intention of Council to pass a bylaw has been given in accordance with Section 606 of the Municipal Government Act, and was published in the Rocky View Weekly on Tuesday December 12<sup>th</sup>, 2017 and December 19<sup>th</sup>, 2017 the last of such publications being at least one week before the day fixed for the Public Hearing of this Bylaw; and

### WHEREAS

Rocky View County Council was not petitioned for an opportunity to be heard by any person claiming to be prejudicially affected by the bylaw.

**NOW THEREFORE BE IT RESOLVED** that the Council of Rocky View County in the Province of Alberta does hereby close to public travel for the purpose of creating title to the following described highway. Subject to the rights of access granted by other legislation:

#### PARCEL 1

A PORTION OF THE ORIGINAL GOVERNMENT ROAD ALLOWANCE ADJACENT TO THE SOUTH HALF OF THE NORTH EAST QUARTER SECTION 30, TOWNSHIP 28, RANGE 4, WEST OF THE 5<sup>TH</sup> MERIDIAN CONTAINING 0.79 HECTARES (1.96 ACRES) MORE OR LESSEXCEPTING THEREOUT ALL MINES AND MINERALS

#### PARCEL 2

THE ORIGINAL GOVERNMENT ROAD ALLOWANCE ADJACENT TO THE EAST HALF OF THE SOUTH EAST QUARTER SECTION 30, TOWNSHIP 28, RANGE 4, WEST OF THE 5<sup>TH</sup> MERIDIAN CONTAINING 1.63 HECTARES (4.02 ACRES) MORE OR LESS EXCEPTING THEREOUT ALL MINES AND MINERALS

As Shown on PLAN \_\_\_\_\_, Schedule 'A' attached to and forming part of this bylaw.

**Division: 9**  
**File: PL20160018**

READ A FIRST TIME IN COUNCIL this \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_

PUBLIC HEARING WAS HELD IN COUNCIL this \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
REEVE / DEPUTY REEVE

\_\_\_\_\_  
CAO or DESIGNATE

APPROVED BY  
ALBERTA TRANSPORTATION:

APPROVED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_

Approval Valid for \_\_\_\_ Months

\_\_\_\_\_  
MINISTER OF TRANSPORTATION

READ A SECOND TIME IN COUNCIL this \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_

READ A THIRD TIME IN COUNCIL this \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
REEVE / DEPUTY REEVE

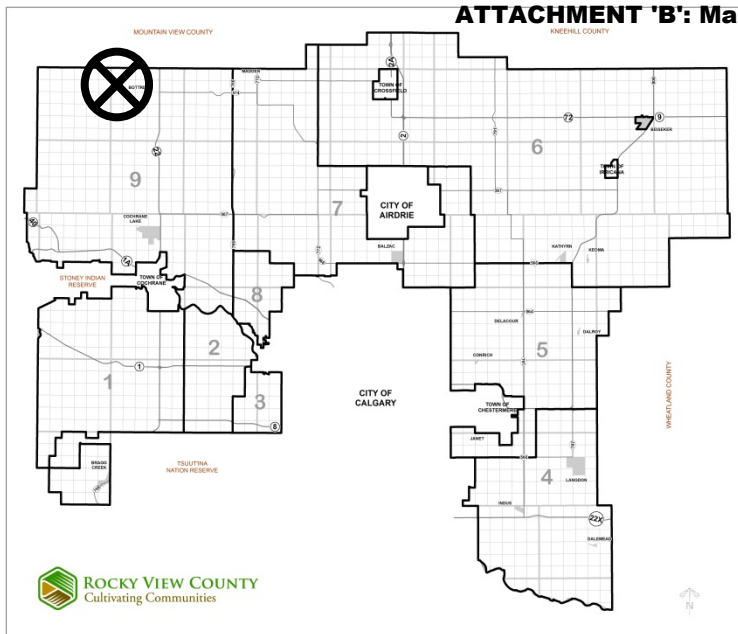
\_\_\_\_\_  
CAO or DESIGNATE

SCHEDULE 'A'

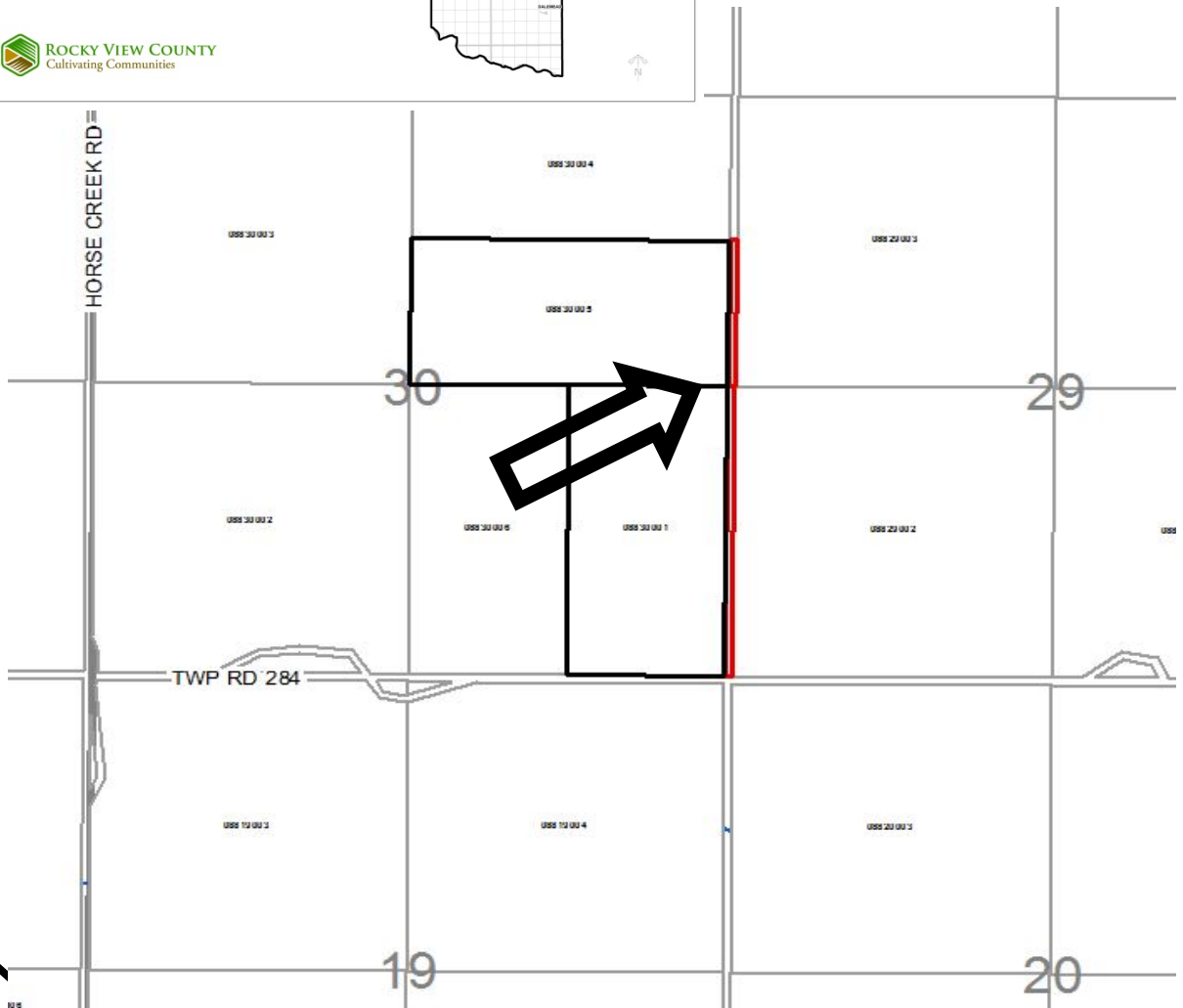
INSERT COPY OF ROAD CLOSURE PLAN ONCE REGISTERED



## ATTACHMENT 'B': Mapset

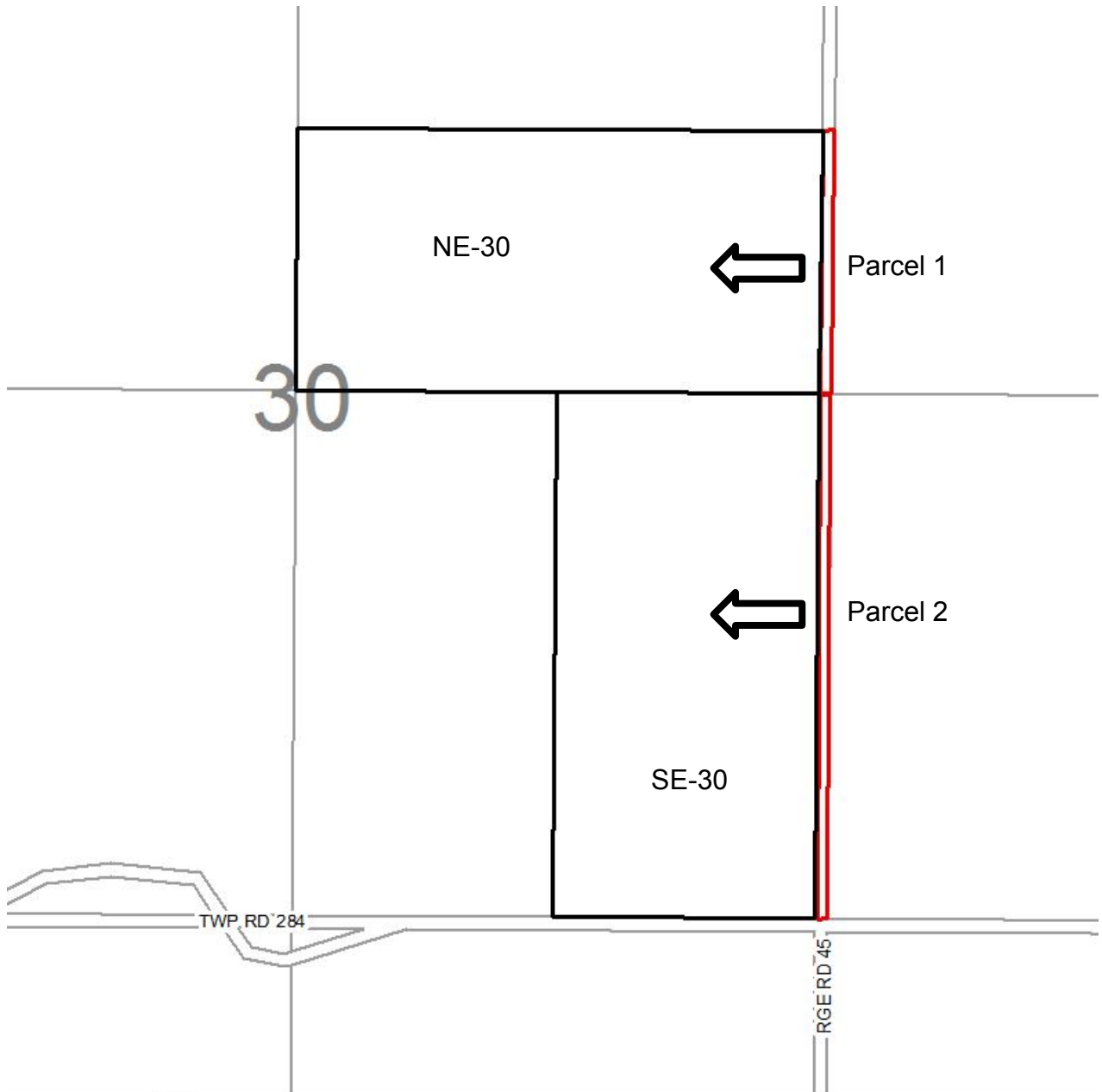


**ROCKY VIEW COUNTY**  
Cultivating Communities



**LOCATION PLAN**

**NE/SE-30-28-04-W05M**



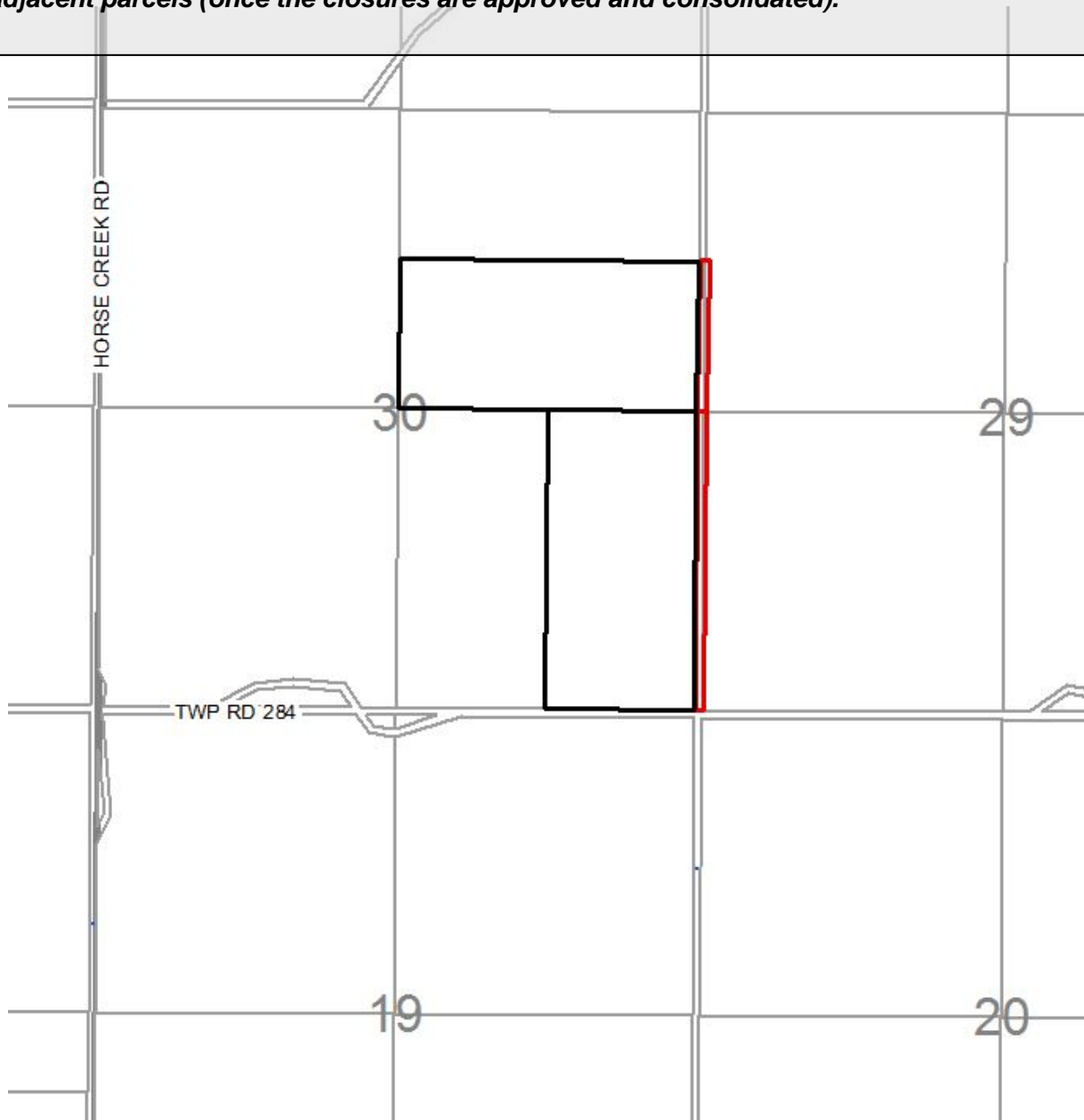
Parcel 1 to be Consolidated into NE-30  
Parcel 2 to be Consolidated into SE-30

**TENTATIVE PLAN**

**NE/SE-30-28-04-W05M**

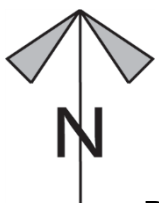


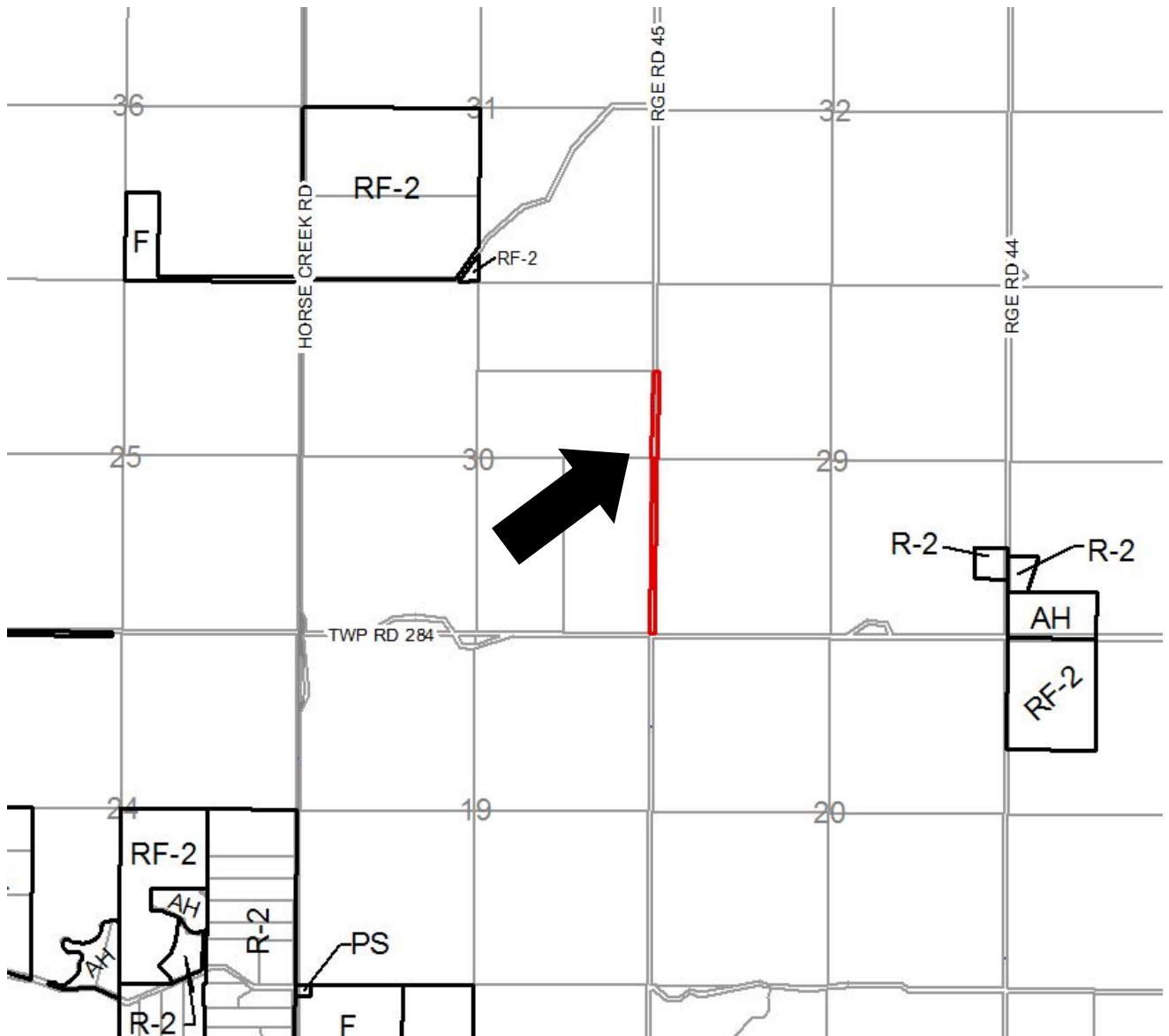
**ROAD CLOSURE PROPOSAL: Joint Application to Close for Consolidation** **Page 11 of 18**  
purposes, 2 portions of Road Allowance Adjacent to the NE/SE-30-28-04-W5M. Parcel 1 (+/- 1.96 Acres) would be consolidated with the NE Quarter. Parcel 2 (+/- 4.02 Acres) would be consolidated with the SE Quarter. *NOTE: Both Applicants are prepared to enter into Access Easement Agreements to allow access to adjacent parcels (once the closures are approved and consolidated).*



## ROAD CLOSURE PROPOSAL

**NE/SE-30-28-04-W05M**





Ranch and Farm	B-1 Highway Business
RF2 Ranch and Farm Two	B-2 General Business
RF3 Ranch and Farm Three	B-3 Limited Business
AH Agricultural Holding	B-4 Recreation Business
F Farmstead	B-5 Agricultural Business
R-1 Residential One	B-6 Local Business
R-2 Residential Two	NRI Natural Resource Industrial
R-3 Residential Three	HR-1 Hamlet Residential Single Family
DC Direct Control	HR-2 Hamlet Residential (2)
PS Public Service	HC Hamlet Commercial
	AP Airport

## LAND USE MAP

NE/SE-30-28-04-W05M





Note: Post processing of raw aerial photography may cause varying degrees of visual distortion at the local level.

**AIR PHOTO**

*Spring 2016*

**NE/SE-30-28-04-W05M**



Date: Feb 27, 2017

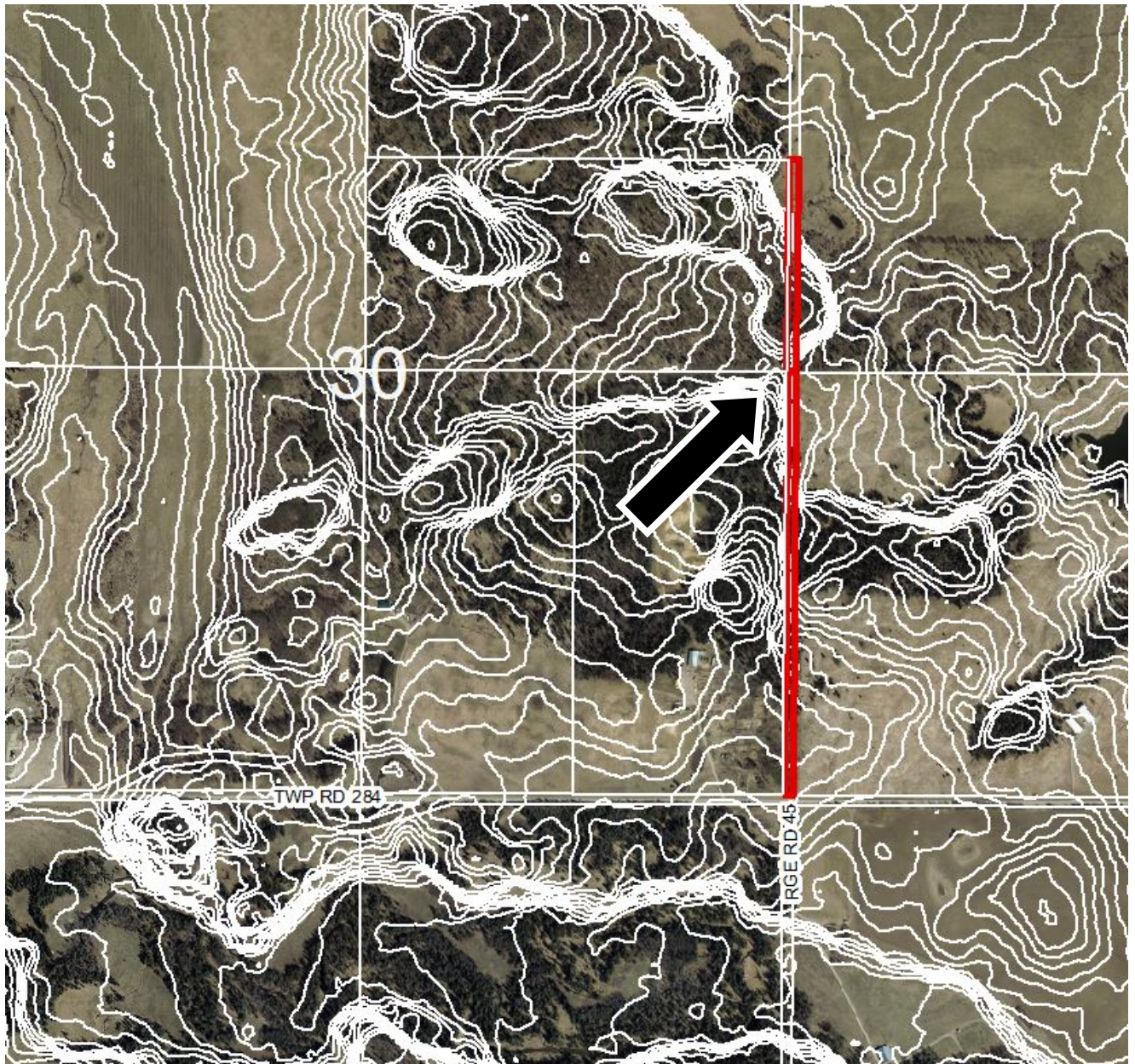
Division # 9

File: PL20160018

**AGENDA**

**Page 79 of 256**





Contours are generated using 10m grid points, and depict general topographic features of the area. Detail accuracy at a local scale cannot be guaranteed. They are included for reference use only.

## TOPOGRAPHY

*Contour Interval 2 M*



**NE/SE-30-28-04-W05M**



**OPPOSE**



**SUPPORT**

Legend	
	Circulation Area
	Subject Lands

## LANDOWNER CIRCULATION AREA

**NE/SE-30-28-04-W05M**





ATTN: ENGINEERING SERVICES, ANGELA PARE

ROAD ALLOWANCE RESPONSE FORM

FILE NUMBER: PL20160018

DESCRIPTION: Joint Application to Close for Consolidation purposes, 2 portions of Road Allowance Adjacent to the NE/SE-30-28-04-W5M. Parcel 1 (+/- 1.96 Acres) would be consolidated with the NE Quarter. Parcel 2 (+/- 4.02 Acres) would be consolidated with the SE Quarter.


GENERAL LOCATION: NE-30-28-4-W5M/SE-30-28-4-W5M  
Range Road 45 Road Allowance, North of Township Road 284.

APPLICANT: Hillis, Joel &amp; Carlye and Fenton, Elmer

OWNER: The Crown in right of Alberta

GROSS AREA: +/- 5.98 acres, to be confirmed by plan of survey

I, Pat Comer & M. Burns the owner of \_\_\_\_\_ /

and/or  NW 29 32 28 4 W 5 M

Qtr Sec Twp Rge

☒ Support

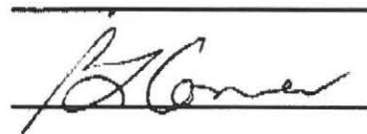
or

☐ Oppose

(Please Circle One)

this proposed Road Closure for Consolidation purposes.

Comments:



Signature

5. March 2017.

Date





**ROCKY VIEW COUNTY**  
Engineering Services

911 - 32 Avenue NE | Calgary, AB | T2E 6X6  
Phone: 403-230-1401 | Fax: 403-277-5977  
www.rockyview.ca

**ROAD ALLOWANCE RESPONSE FORM**

**FILE NUMBER:** PL20160018

**DESCRIPTION:** Joint Application to Close for Consolidation purposes, 2 portions of Road Allowance Adjacent to the NE/SE-30-28-04-W5M. Parcel 1 (+/- 1.96 Acres) would be consolidated with the NE Quarter. Parcel 2 (+/- 4.02 Acres) would be consolidated with the SE Quarter.

**GENERAL LOCATION:** NE-30-28-4-W5M/SE-30-28-4-W5M  
Range Road 45 Road Allowance, North of Township Road 284.

**APPLICANT:** Hillis, Joel & Carlye and Fenton, Elmer

**OWNER:** The Crown in right of Alberta

**GROSS AREA:** +/- 5.98 acres, to be confirmed by plan of survey

I, Jon Kinch, the owner of \_\_\_\_\_ /

			Lot	Block	Plan
and/or <u>NE 1/4</u>	<u>20</u>	<u>28</u>	<u>4</u>		<u>W5</u> M
Qtr	Sec	Twp	Rge		

Support

or

Oppose

(Please Circle One)

this proposed Road Closure for Consolidation purposes.

Comments:

---



---



---

Jon Kinch

Signature

Mar. 15/17

Date

## ROAD CLOSURE, CONSOLIDATION AND EASEMENT AGREEMENT

The parties involved in the access easement agreement are:

Joel and Carlye Hillis (Hillises)

Elmer (Buster) Fenton


#Company 406484 Alberta Limited (Fernando Peris)

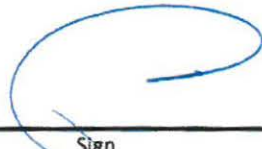
Mike Bourns and Pat Comer

The Hillises and Buster Fenton are jointly applying for road closure and consolidation of 2 portions of road allowance adjacent to the NE/SE-30-28-4-W5M. Parcel 1(+ 1.96 acres) would be consolidated with the NE quarter. Parcel 2(+4 acres) would be consolidated with the SE quarter.



To insure certainty between all parties involved, the parties agree to enter into a legal mutual access easement agreement regarding reasonable access upon successful closure and consolidation of both portions of the road allowance. Joel Hillis will be covering all costs and fees associated with the easement access agreement.

Signed by:

 Joel Hillis 16 Mar 2017  
Sign Print Date

 406484 ALBERTA 16. MAR. 2017  
Sign Print Date

 ELMER FENTON 16 Mar 2017  
Sign Print Date

 MIKE BOURNS 16. Mar. 2017  
 PAT COMER 16. Mar. 2017.  
Sign Print Date

## PLANNING SERVICES

---

<b>TO:</b>	Council	
<b>DATE:</b>	January 9, 2018	<b>DIVISION:</b> 7
<b>TIME:</b>	Afternoon Appointment	
<b>FILE:</b>	08634001	<b>APPLICATION:</b> PL20160131
<b>SUBJECT:</b>	Redesignation Item – First Parcel Out (Farmstead – Ranch and Farm District to Farmstead District) – Highway 574	

---

### **<sup>1</sup>ADMINISTRATION RECOMMENDATION:**

THAT application PL20160131 be refused.

### **EXECUTIVE SUMMARY:**

The purpose of this application is to redesignate a portion of the subject land from Ranch and Farm District to Farmstead District in order to facilitate the creation of a  $\pm$  8.25 hectare (20.39 acre) parcel (Lot 1) out with  $\pm$  54.65 hectare (135.05 acre) remainder (Lot 2) (see Appendix 'B').

The *Municipal Government Act* (MGA Section 640) gives Council the authority to pass bylaws to change or redesignate a parcel's land use designation (zoning) to regulate and control the use and development of land and buildings within its jurisdiction.

The subject parcel has historically been used for cultivation, and contains two existing dwellings. Both dwellings are serviced by water wells and private septic systems. The applicant indicated that the dwelling proposed to be located within the Farmstead parcel was constructed approximately four years ago.

The subject land falls outside of the policy area of a Conceptual Scheme or Area Structure Plan; therefore, the application was evaluated in accordance with the County Plan. Section 8.17 allows the creation of a farmstead parcel, provided the proposed site meets the definition of a farmstead, the proposed site is a minimum of 1.6 hectares (3.95 acres) and maximum of 7.99 hectares (19.7 acres), access to the proposed site is acceptable to the County, there are no physical constraints to subdivision, and the balance of the quarter section is maintained as an agricultural land use. A farmstead is defined as, "*a single parcel of land on which a habitable residence is situated for a minimum of 10 years, is used in connection with the ranching or farming operation, and is located on a previously unsubdivided quarter section.*" The definition of a farmstead includes a 10 year minimum requirement for the dwelling to be located on the parcel to help differentiate a farmstead from a first parcel out and to confirm the farmstead was used in connection with the ranching and farming operation. Administration recommends refusal for the following reasons:

- The proposed parcel does not meet the definition of a farmstead as it is less than 10 years old; and
- The proposed site exceeds the maximum of 7.99 hectares (19.7 acres) for a Farmstead parcel as described in Section 8.17 of the County Plan.

Therefore, Administration recommends refusal in accordance with **Option #2**.

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<sup>1</sup> **Administration Resources**

Andrea Bryden, Planning Services  
 Vince Diot, Engineering Services



**DATE APPLICATION DEEMED COMPLETE:** August 18, 2017 (Received December 29, 2016)

<b>PROPOSAL:</b>	To redesignate the subject land from Ranch and Farm District to Farmstead District to facilitate the creation of a $\pm 8.25$ hectare (20.39 acre) first parcel out with $\pm 54.65$ hectare (135.05 acre) remainder.
<b>LEGAL DESCRIPTION:</b>	SE-34-28-02-W05M
<b>GENERAL LOCATION:</b>	Located at the northwest junction of Hwy 574 and Rge Rd 22 (see Appendix 'C').
<b>APPLICANT:</b>	Dave Swanson
<b>OWNERS:</b>	Graham & Brenda Lays
<b>EXISTING LAND USE DESIGNATION:</b>	Ranch and Farm District
<b>PROPOSED LAND USE DESIGNATION:</b>	Farmstead District
<b>GROSS AREA:</b>	$\pm 62.9$ hectares ( $\pm 155.44$ acres)
<b>SOILS (C.L.I. from A.R.C.):</b>	<b>Class 4T, H</b> - Severe limitations due to adverse topography and temperature. <b>Class 3H</b> - Moderate limitations due to temperature.

**PUBLIC SUBMISSIONS:**

Twelve letters were circulated to adjacent and area property owners when the application was received, to which two letters were received in opposition (see Appendix 'D').

**AGENCY SUBMISSIONS:**

The application was circulated to a number of internal and external agencies. The responses are available in Appendix 'A'.

**HISTORY:**

SE 34-28-02-W05M is an unsubdivided quarter section.

**BACKGROUND:**

The purpose of this application is to redesignate a portion of the subject land from Ranch and Farm District to Farmstead District in order to facilitate the creation of a  $\pm 8.25$  hectare (20.39 acre) parcel out (Lot 1) with  $\pm 54.65$  hectare (135.05 acre) remainder (Lot 2) (see Appendix 'B').

The subject land is located at the northwest junction of Highway 574 and Range Road 22, approximately 0.81 kilometers (1/2 mile) south of the Mountain View County boundary (see Appendix 'C'). There are several first parcel out and agricultural subdivisions in the surrounding area.

The subject property contains two dwellings, both of which are serviced by water wells and private septic systems. Access is currently provided from Highway 574. Access to Lot 1 is proposed to be provided at the western property line, at the quarter section boundary, via a new, paved approach constructed to Alberta Transportation standards. The existing access may remain on a temporary basis, and would be required to be relocated to Range Road 22 or the service road when Alberta Transportation upgrades Highway 574. The Transportation Offsite Levy is deferred on both lots, as Lot 1 would be a Farmstead parcel and Lot 2 would be a Ranch and Farm parcel greater than 30.0 acres in size.



## POLICY ANALYSIS:

Section 8.0 of the County Plan addresses the development of agricultural parcels and, in particular, Section 8.17 allows the creation of a farmstead parcel, provided that the following criteria are met:

- a. *the proposed site meets the definition of a farmstead;*
- b. *the proposed site is a minimum of 1.6 hectares (3.95 acres) and maximum of 7.99 hectares (19.7 acres);*
- c. *access to the proposed site is acceptable to the County;*
- d. *there are no physical constraints to subdivision; and*
- e. *the balance of the quarter section is maintained as an agricultural land use.*

A farmstead is defined as, “a single parcel of land on which a habitable residence is situated for a minimum of 10 years, is used in connection with the ranching or farming operation, and is located on a previously unsubdivided quarter section.”

Although access to the proposed site is acceptable and there are no physical constraints, the application does not meet the definition of a farmstead as it is only four years old, and the site exceeds the maximum parcel size allowed by policy 8.17. Therefore, the creation of a farmstead parcel is not supported.

## CONCLUSION:

The application was reviewed with the policies of the County Plan; Administration determined that it does not meet the definition of a Farmstead and exceeds the maximum parcel size. Therefore, Administration recommends refusal in accordance with **Option #2**.

## OPTIONS:

- Option # 1:
- |           |  |
|-----------|--|
| Motion #1 | THAT Bylaw C-7742-2017 be given first reading.           |
| Motion #2 | THAT Bylaw C-7742-2017 be given second reading.          |
| Motion #3 | THAT Bylaw C-7742-2017 be considered for third reading.  |
| Motion #4 | THAT Bylaw C-7742-2017 be given third and final reading. |
- Option # 2: THAT application PL20160131 be refused.

Respectfully submitted,

Concurrence,

“Chris O’Hara”

“Kevin Greig”

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General Manager

---

County Manager

AB/rp

## APPENDICES:

- APPENDIX ‘A’: Application Referrals  
 APPENDIX ‘B’: Bylaw and Schedule A  
 APPENDIX ‘C’: Mapset  
 APPENDIX ‘D’: Landowner Comments

**APPENDIX A: APPLICATION REFERRALS**

<b>AGENCY</b>	<b>COMMENTS</b>
<b><i>School Authority</i></b>	
Rocky View Schools	No objections.
Calgary Catholic School District	No comments received.
Public Francophone Education	No comments received.
Catholic Francophone Education	No comments received.
<b><i>Province of Alberta</i></b>	
Alberta Environment	Not required for circulation.
Alberta Transportation	<p>As outlined in Section 15 of the Subdivision and Development Regulation, a 30-metre wide service road right of way must be dedicated by caveat across the highway frontage of the proposed 20 acre parcel. Details on preparing and registering the service road agreement and caveat can be found on Alberta Transportation's website, at <a href="http://www.transportation.alberta.ca/3633.htm">http://www.transportation.alberta.ca/3633.htm</a>.</p> <p>The existing access to Highway 574 may remain on a temporary basis, and will be relocated to Rand Road 22 or the service road when Alberta Transportation upgrades Highway 574, or additional development occurs on the 135 acre parcel. New access to the proposed 20 acre parcel may be provided at the western property line at the quarter section boundary. A roadside development permit is required for the access construction.</p>
Alberta Sustainable Development (Public Lands)	No comments received.
Alberta Culture and Community Spirit (Historical Resources)	No comments received.
Energy Resources Conservation Board	No comments received.
Alberta Health Services	No comments received.
<b><i>Public Utility</i></b>	
ATCO Gas	ATCO Gas has no objection to the proposed redesignation or subdivision as is not in our franchise area.
ATCO Pipelines	No objection.
AltaLink Management	No comments received.
FortisAlberta	No comments received.

AGENCY	COMMENTS
Telus Communications	No objections.
TransAlta Utilities Ltd.	No comments received.
Rocky View Gas Co-op	<p>Any existing Rocky View Gas Co-op Utility Right of Way concerning the said lands shall remain in effect and be registered, according to the Land Titles Act, to the subdivision parcel and registered to the remaining parcel.</p> <p>Pursuant to the Bylaws of Rockyview Gas Co-op and the Alberta Government Rural Natural Gas Program; should the newly subdivided property require natural gas service the applicant must apply for a separate contract. No secondary yard lines are permitted to supply natural gas service from one titled property to another titled property.</p> <p>The landowner shall be responsible for the cost, at time of application, for the installation of the natural gas service line.</p> <p>The applicant shall pay for alterations to the natural gas distribution system if required.</p> <p>The applicant shall be responsible for the cost of system upgrades and/or gas main extensions should natural gas service be required.</p>
<b><i>Other External Agencies</i></b>	
EnCana Corporation	No comments received.
<b><i>Rocky View County</i></b>	
<b><i>Internal Departments</i></b>	
Agricultural Services	Although the parcel is slightly oversized, Agricultural Services has no concerns. It may be of benefit to apply the Agricultural Boundary Design Guidelines as the guidelines will help mitigate areas of concerns including: trespass, litter, pets, noise and concerns over fertilizers, dust & normal agricultural practices.
Recreation & Community Support	No comments received.
Municipal Lands	The Municipal Lands Office has no concerns with this application.
Development Authority	No comments received.
Enforcement Services	No concerns.
GeoGraphics	No comments received.
Building Services	No comments received.
Emergency Services	No comments received.

AGENCY	COMMENTS
Infrastructure and Operations - Engineering Services	<p data-bbox="618 275 797 306"><u>Geotechnical:</u></p> <ul data-bbox="667 327 1203 359" style="list-style-type: none"> <li>• ES have no requirements at this time.</li> </ul> <p data-bbox="618 380 813 411"><u>Transportation:</u></p> <ul data-bbox="667 432 1459 1041" style="list-style-type: none"> <li>• Transportation Offsite Levy is deferred on the proposed <math>\pm 20.39</math> acre parcel as it relates to a subdivision of Farmstead parcel and deferred on the remainder <math>\pm 135.05</math> acre parcel as the land is a Farm District greater than 30 acres;</li> <li>• Access to the proposed <math>\pm 20.39</math> acre parcel is from an existing approach off of Hwy 574. As a condition of future subdivision, the applicant will be required to construct a new paved approach to the proposed <math>\pm 20.39</math> acre parcel at the western property line at the quarter section boundary in accordance with AT requirements;</li> <li>• As a condition of future subdivision, the applicant will be required to obtain a waiver or Roadside DP from AT as this property is within 800m of HWY 574;</li> <li>• As a condition of future subdivision, the applicant will be required to dedicate by caveat 30-metre wide service road right of way across the highway frontage of the proposed 20 acre parcel.</li> </ul> <p data-bbox="618 1052 911 1083"><u>Sanitary/Waste Water:</u></p> <ul data-bbox="667 1104 1459 1503" style="list-style-type: none"> <li>• Applicant has submitted a Level 1 Variation Assessment with the subdivision application for the proposed <math>\pm 20.39</math> acre parcel. The existing system maintains required clearance distances and the general operation of the system is in good condition within the proposed subdivision boundary.</li> <li>• ES have no requirements at this time for the proposed remainder <math>\pm 135.05</math> acre parcel. In accordance with Policy 411, Ranch and Farm Two District parcels greater than 30 acres are not required to demonstrate how the proposed parcels will treat sanitary and wastewater in accordance with the County Servicing Standards.</li> </ul> <p data-bbox="618 1524 1024 1556"><u>Water Supply And Waterworks:</u></p> <ul data-bbox="667 1577 1459 1911" style="list-style-type: none"> <li>• Applicant has submitted a Level 1 Variation Assessment with the subdivision application for the proposed <math>\pm 20.39</math> acre parcel. An existing water well is located within the parcel and meets the required setbacks.</li> <li>• ES have no requirements at this time for the proposed remainder <math>\pm 135.05</math> acre parcel. In accordance with Policy 411, <i>Ranch</i> and Farm Two District parcels greater than 30 acres are not required to demonstrate how the proposed parcels will source water in accordance with the County Servicing Standards.</li> </ul>





AGENCY	COMMENTS
	<p><u>Storm Water Management:</u></p> <ul style="list-style-type: none"> <li>ES have no requirements at this time.</li> </ul> <p><u>Environmental:</u></p> <ul style="list-style-type: none"> <li>ES have no requirements at this time.</li> </ul>
Infrastructure and Operations-Maintenance	No concerns.
Infrastructure and Operations-Capital Delivery	No concerns.
Infrastructure and Operations-Operations	No concerns.
Agriculture and Environmental Services - Solid Waste and Recycling	No concerns.
Circulation Period: January 4, 2017 – January 25, 2017	



## BYLAW C-7742-2017

### A Bylaw of Rocky View County to amend Bylaw C-4841-97, being the Land Use Bylaw.

The Council of Rocky View County enacts as follows:

#### PART 1 – TITLE

This Bylaw shall be known as Bylaw C-7742-2017.

#### PART 2 – DEFINITIONS

In this Bylaw, the definitions and terms shall have the meanings given to them in Land Use Bylaw C-4841-97 and the Municipal Government Act.

#### PART 3 – EFFECT OF BYLAW

**THAT** Part 5, Land Use Map No.86 of Bylaw C-4841-97 be amended by redesignating a portion of SE-34-28-02-W05M from Ranch & Farm District to Farmstead District as shown on the attached Schedule 'A' forming part of this Bylaw.

**THAT** A portion of SE-34-28-02-W05M, is hereby redesignated to Farmstead District, as shown on the attached Schedule 'A' forming part of this Bylaw.

#### PART 4 – TRANSITIONAL

Bylaw C-7742-2017 is passed when it receives third reading, and is signed by the Reeve/Deputy Reeve and the Municipal Clerk, as per Section 189 of the *Municipal Government Act*.

**Division: 7**  
**File: 08634001/PL20160131**

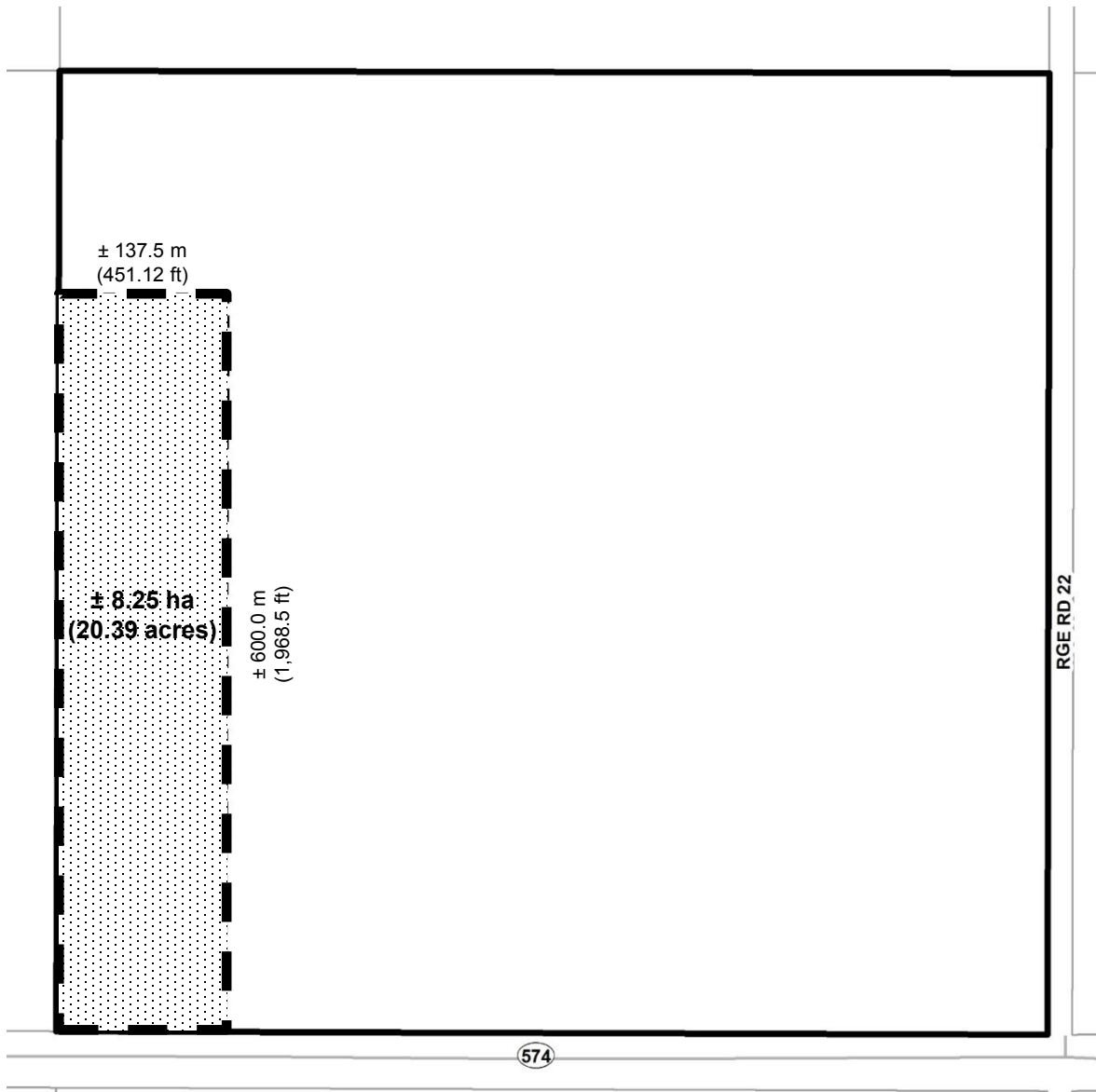
<i>PUBLIC HEARING WAS HELD IN COUNCIL this</i>	<i>day of</i>	<i>, 2018</i>
READ A FIRST TIME IN COUNCIL this	day of	, 2018
READ A SECOND TIME IN COUNCIL this	day of	, 2018
<i>UNANIMOUS PERMISSION FOR THIRD READING</i>	<i>day of</i>	<i>Á 2018</i>
READ A THIRD TIME IN COUNCIL this	day of	, 2018

\_\_\_\_\_  
Reeve

\_\_\_\_\_  
CAO or Designate

\_\_\_\_\_  
Date Bylaw Signed

BYLAW: C-7742-2017



**AMENDMENT**

FROM Ranch and Farm District TO Farmstead District



Subject Land \_\_\_\_\_

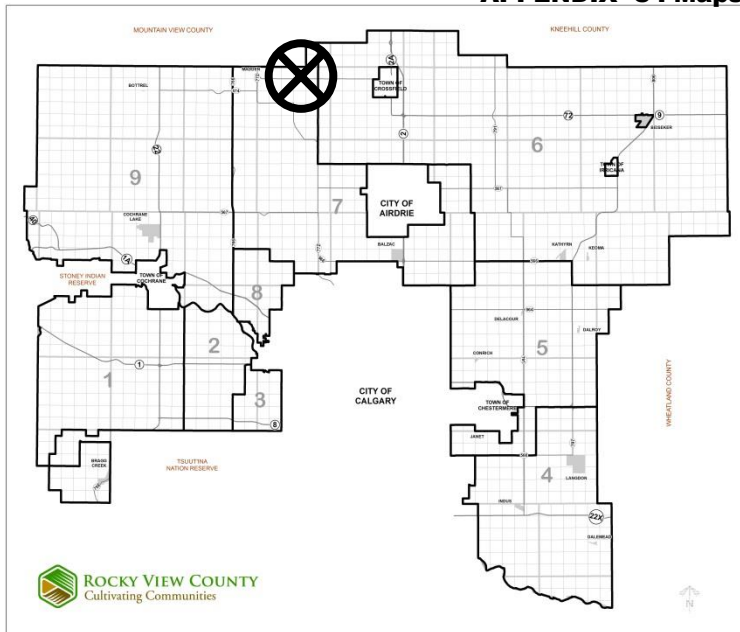
LEGAL DESCRIPTION: SE-34-28-02-W05M



ROCKY VIEW COUNTY  
Cultivating Communities

FILE: 08634001 PL20160131

DIVISION: 7



LOCATION PLAN

SE-34-28-02-W05M

**Redesignation Proposal:** To redesignate the subject lands from Ranch and Farm District to Farmstead District to facilitate the creation of a  $\pm 8.25$  hectare (20.39 acre) first parcel out with  $\pm 54.65$  hectare (135.05 acre) remainder.

RF  $\rightarrow$  F  
8.25 ha  
(20.39 ac)

RF Remainder  
54.65 ha  
(135.05 ac)

RGE RD 22

574

## DEVELOPMENT PROPOSAL

SE-34-28-02-W05M



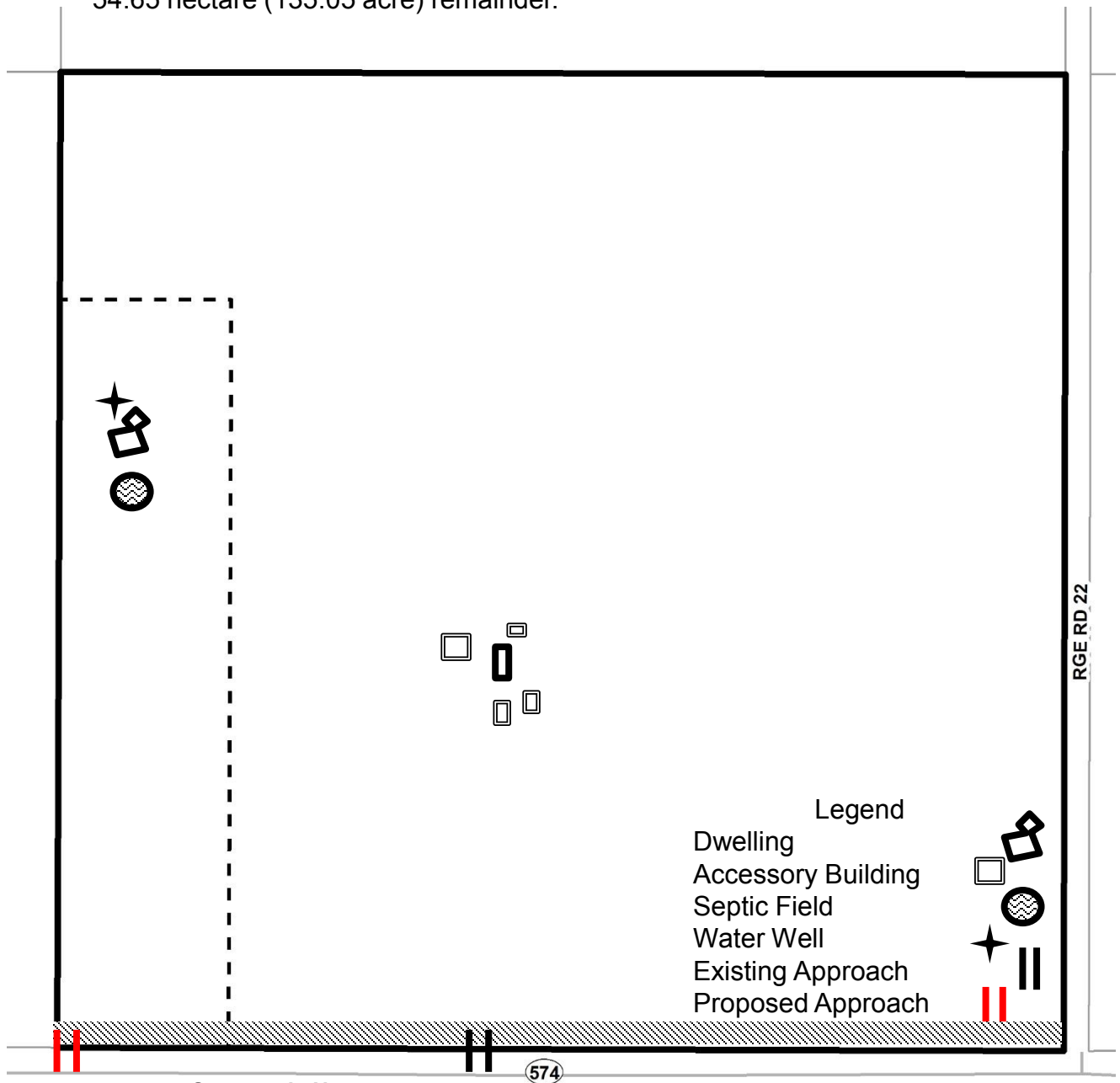
Date: Dec 30, 2016

Division # 7

File: 08634001

**AGENDA**

**Subdivision Proposal:** To create a  $\pm$  8.25 hectare (20.39 acre) parcel and a  $\pm$  54.65 hectare (135.05 acre) remainder.

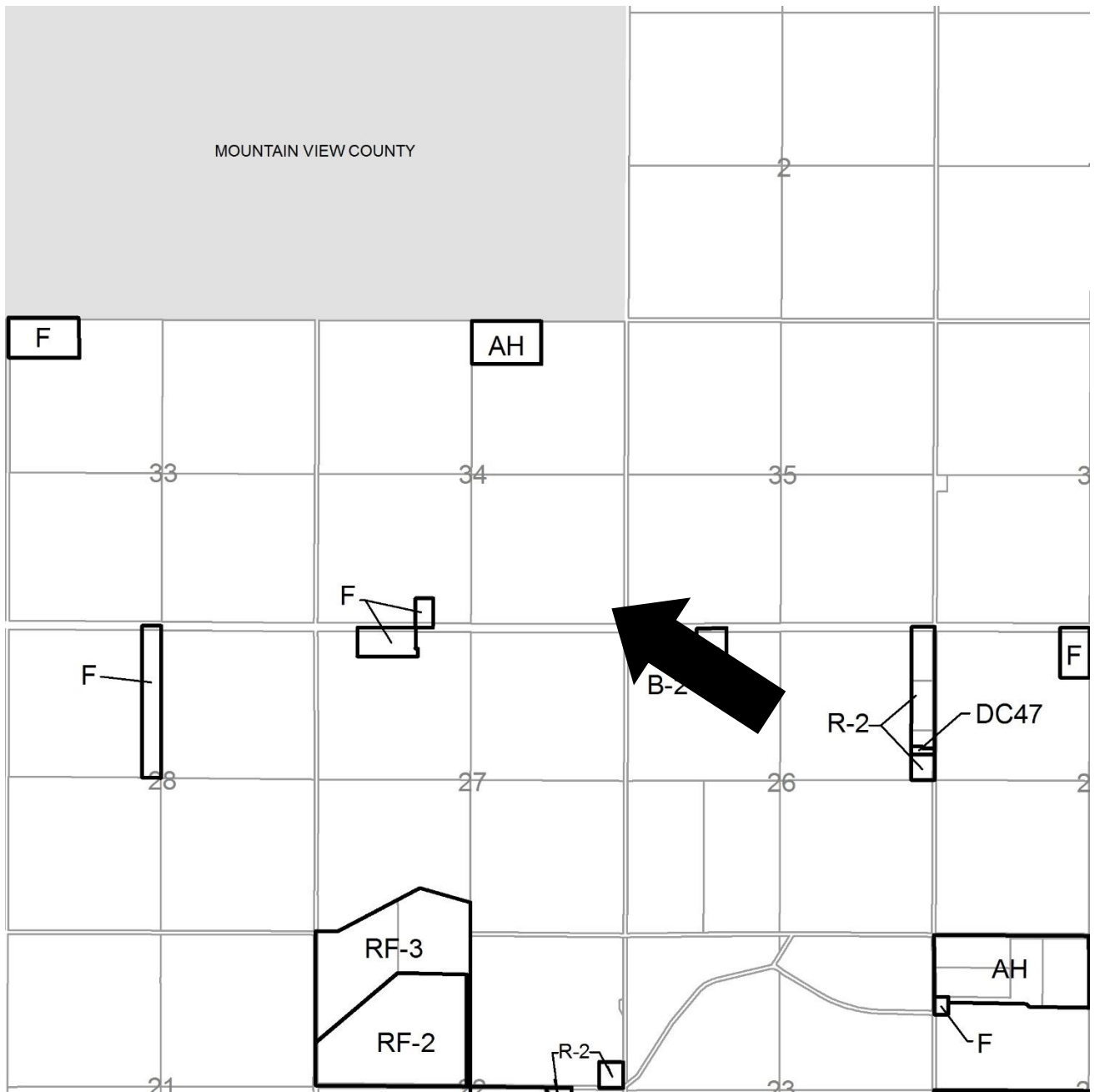


**Surveyor's Notes:**

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.

**TENTATIVE PLAN**

**SE-34-28-02-W05M**



Ranch and Farm	B-1 Highway Business
RF2 Ranch and Farm Two	B-2 General Business
RF3 Ranch and Farm Three	B-3 Limited Business
AH Agricultural Holding	B-4 Recreation Business
F Farmstead	B-5 Agricultural Business
R-1 Residential One	B-6 Local Business
R-2 Residential Two	NRI Natural Resource Industrial
R-3 Residential Three	HR-1 Hamlet Residential Single Family
DC Direct Control	HR-2 Hamlet Residential (2)
PS Public Service	HC Hamlet Commercial
	AP Airport

# LAND USE MAP

## SE-34-28-02-W05M





Contours are generated using 10m grid points, and depict general topographic features of the area. Detail accuracy at a local scale cannot be guaranteed. They are included for reference use only.

# TOPOGRAPHY

*Contour Interval 2 M*

## SE-34-28-02-W05M





Note: Post processing of raw aerial photography may cause varying degrees of visual distortion at the local level.

**AIR PHOTO**

*Spring 2016*

**SE-34-28-02-W05M**

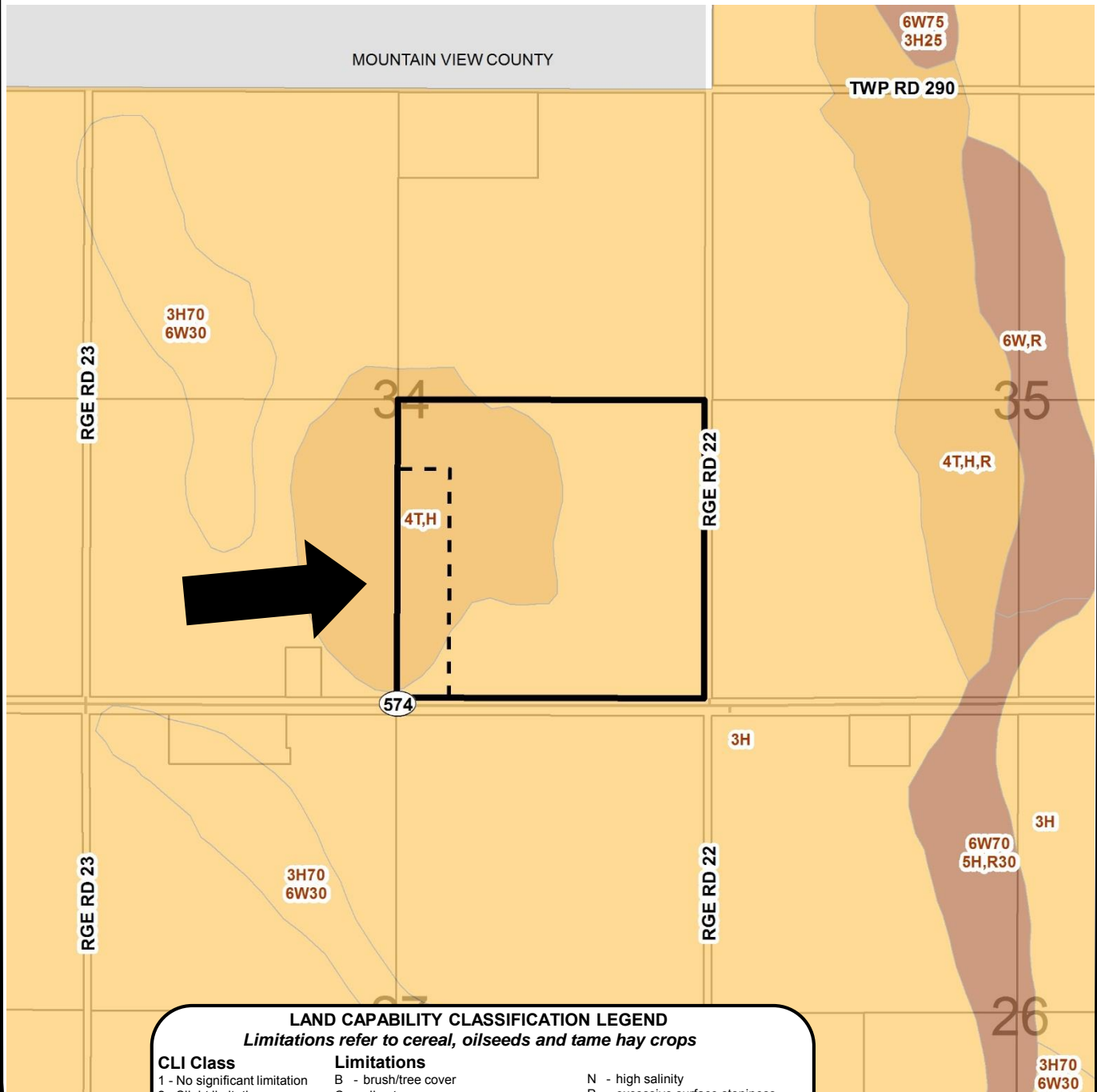
Date: Dec 30, 2016

Division # 7

File: 08634001

**AGENDA**

**Page 99 of 256**



SOIL MAP

SE-34-28-02-W05M

MOUNTAIN VIEW COUNTY

TWP. RD 290

**Legend – Plan numbers**

- First two numbers 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

**HISTORIC SUBDIVISION MAP****SE-34-28-02-W05M**Date: Dec 30, 2016

Division # 7

File: 08634001**AGENDA****Page 101 of 256**

MOUNTAIN VIEW COUNTY

09602002

09602001

TWP RD 290

08633004

08634003

08634006

08634004

08635003

08635004

RGE RD 23

RGE RD 22

08633001

08634002

08634001

08635002

08635001

08634005

574

08627003

08626004

08628004

08627007

08627004

08626010

08626005

RGE RD 23

RGE RD 22

08628001

08627002

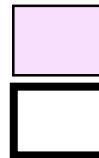
08627001

08626001

Letters in Opposition

Letters in Support

Legend

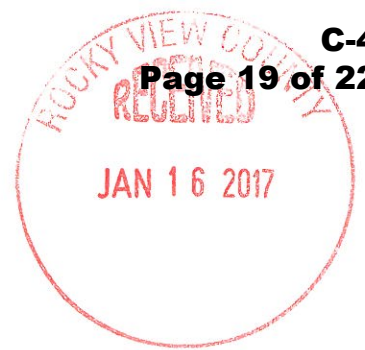


Circulation Area

Subject Lands

LANDOWNER CIRCULATION AREA

SE-34-28-02-W05M



January 12, 2017

RE: File # 08634001

Application # PL20160131/132

Attention: Andrea Bryden

Dear Ms. Bryden,

I own and actively farm the quarter of land beside and to the west of subject land. Please note that the redesignation from Ranch and Farm District to Farmstead District does not follow the criteria set out in **Section 47 Farmstead District** with regards to the "habitable residence" "for a minimum of 10 years".

*"47.1 Purpose and Intent*

*The purpose of this District is to provide for a single parcel of land containing an existing **Farmstead** from an unsubdivided quarter section."* Rocky View County Land Use Bylaw

***"Farmstead** means a single parcel of land on which a habitable residence is situated **for a minimum of 10 years**, is used in connection with the ranching or farming operation, and is located on a previously unsubdivided quarter section. "* Rocky View County Plan

The residence in question has been situated on the land for less than 5 years. The residence already has a substantial access road (see map). Subdivision and further road development of this land will destroy even more prime agricultural land.

Respectively submitted,

A handwritten signature in blue ink, appearing to read "Russell Gallelli".

Russell Gallelli

russellgallelli@live.ca

403-804-7442



Google Maps



Imagery ©2017 DigitalGlobe, Map data ©2017 Google 100 m

- A Approximately 12 acres will become non-farmable due to subdivision
- B Approximately 17 acres in remaining parcel will be non-farmable to conventional grain farming methods due to size constrictions from access roads.



**Subdivision Proposal:** To create a  $\pm$  8.25 hectare (20.39 acre) parcel with a  $\pm$  54.65 hectare (135.05 acre) remainder.

RGE RD 22

Legend

Dwelling

Accessory Building

Septic Field

Water Well

Existing Approach

Proposed Approach

**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.

**TENTATIVE PLAN**

**SE-34-28-02-W05M**

Date: Dec 30, 2016

Division # 7

File: 08634001

**AGENDA**

**Page 105 of 256**

January 16, 2017

RE: File # 08634001

Application # PL20160131/132

Attention: Andrea Bryden

Dear Ms. Bryden,

I have received the notice of the redesignation of 20.29 acres on the SE-34-28-02-W05M. My family has farmed surrounding land for over 60 years and question further destruction of superb agricultural land with the obvious intent to create another approach (blind to the west) and new access road to the home.

The home on the proposed redesignation is new and already has a relatively new access road to the east that was developed on previously good agriculture land. I know that redesignation for estate planning or financial consideration as per the Rocky View polices, does not constitute a planning rationale for changing a parcel's land use. The conditions for changing to Farmstead District are not apparent.

Thank you for your consideration.

Sincerely,



Vola Grace Murdoch

403-241-5481



## PLANNING SERVICES

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**TO:** Council  
**DATE:** January 9, 2018 **DIVISION:** 9  
**TIME:** Afternoon Appointment  
**FILE:** 06823011 **APPLICATION:** PL20170108  
**SUBJECT:** Redesignation Item - Agricultural Holdings District to Residential Two District – Cochrane North ASP (Camden Lane)

---

### <sup>1</sup>ADMINISTRATION RECOMMENDATION:

- Motion #1 THAT the Country Residential Standard Road requirement in Section 400.5 of the County Servicing Standards be varied for Lot 2 Block 6 Plan 9210341 to accommodate a paved, internal road within a 20.0 m road right-of-way.
- Motion #2 THAT Bylaw C-7708-2017 be given first reading.
- Motion #3 THAT Bylaw C-7708-2017 be given second reading.
- Motion #4 THAT Bylaw C-7708-2017 be considered for third reading.
- Motion #5 THAT Bylaw C-7708-2017 be given third and final reading.

### EXECUTIVE SUMMARY:

The purpose of this application is to redesignate the subject lands from Agricultural Holdings District to Residential Two District to facilitate the creation of three residential lots approximately  $\pm 1.77$  hectares ( $\pm 4.39$  acres),  $\pm 1.69$  hectares ( $\pm 4.18$  acres), and  $\pm 2.11$  hectares ( $\pm 5.22$  acres) in size (see Appendix 'B').

The *Municipal Government Act* (MGA 640) gives Council the authority to pass bylaws to change or redesignate a parcel's land use designation (zoning) to regulate and control the use and development of land and buildings within its jurisdiction.

The subject lands are located within the boundaries of the Cochrane North Area Structure Plan (ASP) and fall under Residential Infill Area C. The parcel is located approximately 0.13 m (0.20 km) west of Range Road 41, off Camden Lane.

The property is developed with one existing single detached dwelling, and multiple accessory buildings. The dwelling is serviced by an existing water well and septic tank and field system. The Applicant submitted a Phase 1 Groundwater Supply Evaluation in support of the application. At the future subdivision stage, the Applicant would be required to submit a Phase 2 Aquifer Pumping and Testing report to ensure that the two undeveloped parcels can be serviced for residential development.

The land use designation proposal meets the policy requirements of the Cochrane North ASP and Administration has determined that a conceptual scheme is not required because the application meets the criteria listed in Policy 5.3.1.; therefore Administration recommends approval for the following reasons:

---

<sup>1</sup> **Administration Resources**

Meghan Norman, Planning Services  
Eric Schuh, Engineering Services



- The application is consistent with the overall vision for residential infill development within the Cochrane North ASP;
- The application complies with the minimum parcel size of the Cochrane North ASP for Residential Infill Area C;
- The proposed development conforms to the purpose and intent of the Residential Two District in the Land Use Bylaw;
- The applicant submitted a Road Concept Drawing, which Administration determines to be adequate justification to demonstrate that a modified Country Residential Standard Road can be accommodated within a 20 metre right-of-way.
- All technical concerns can be addressed through the conditions of approval for the future subdivision.

Therefore, Administration recommends approval in accordance with **Option #1**.

**DATE APPLICATION DEEMED COMPLETE:** September 15, 2017 (received on July 7, 2017)

<b>PROPOSAL:</b>	To redesignate the subject lands from Agricultural Holdings District to Residential Two District to facilitate the creation of three residential lots approximately $\pm 1.77$ hectares ( $\pm 4.39$ acres), $\pm 1.69$ hectares ( $\pm 4.18$ acres), and $\pm 2.11$ hectares ( $\pm 5.22$ acres) in size.
<b>LEGAL DESCRIPTION:</b>	Lot 2 Block 6 Plan 9210341 within NE-23-26-04-W5M
<b>GENERAL LOCATION:</b>	Located approximately 0.13 m (0.20 km) west of Range Road 41, off Camden Lane (see Appendix 'C').
<b>APPLICANT:</b>	CivicWorks Planning + Design (Jocelyn Appleby)
<b>OWNERS:</b>	2043397 Alberta Ltd.
<b>EXISTING LAND USE DESIGNATION:</b>	Agricultural Holdings District (AH)
<b>PROPOSED LAND USE DESIGNATION:</b>	Residential Two District (R-2)
<b>GROSS AREA:</b>	$\pm 6.42$ hectares ( $\pm 15.87$ acres)
<b>SOILS (C.L.I. from A.R.C.):</b>	<p><b>Class 3C80, 3W20</b> - The land contains soil with moderate limitations for crop production due to climate and excessive wetness/poor drainage.</p> <p><b>Class 4T4</b> – Severe limitations, adverse topography</p> <p><b>Class 6W6</b> – Production is not feasible, excessive wetness/poor drainage</p>

#### **PUBLIC SUBMISSIONS:**

Letters were sent to 26 adjacent residents, to which four (4) letters in opposition were received in response. In addition, a signed form in opposition was submitted with 11 signatures; one of the signatories provided one of the letters in opposition, and the remaining 10 signatures are from eight (8) properties within a  $\frac{1}{4}$  mile of the subject lands. All responses are available in Appendix 'F'.

#### **AGENCY SUBMISSIONS:**

The application was circulated to a number of internal and external agencies. The responses are available in Appendix 'A'.



## HISTORY:

**February 25, 1992** Plan 9210341 was registered, creating a  $\pm 1.62$  hectare ( $\pm 4.00$  acre) lot with a  $\pm 6.42$  hectare ( $\pm 15.87$  acre) Agricultural Holdings remainder.

**October 5, 1979** Plan 7911152 registered creating a  $\pm 8.04$  hectare ( $\pm 19.87$  acre) lot.

## BACKGROUND:

The subject quarter section has experienced incremental fragmentation since the 1970s. The subject land was created through a multi-lot subdivision in 1979. The adjacent parcels to the east were further subdivided in 1993, and are zoned Residential Two District. The Applicant proposes to redesignate the subject land from Agricultural Holdings District to Residential Two District.

The proposed new parcels would be serviced by a water well and septic field. Wastewater would be treated through private sewage treatment systems. A Level 3 PSTS assessment would be required at the future subdivision stage. The assessment would conduct soil analysis and recommend a type of sewage treatment system based on the soil condition. A Phase 1 Groundwater Supply Evaluation was submitted with the application, which meets the requirements of the County Servicing Standards and concludes that the proposed subdivision could supply water without causing adverse effects on existing users.

The property contains a dwelling that is accessed by an existing panhandle approach along Camden Lane. A new paved approach and subdivision road with an offset cul-de-sac bulb would be constructed to provide access to each proposed new lot.

## POLICY ANALYSIS:

The lands are located within the policy area of the Cochrane North ASP, and as such, the application has been evaluated in accordance with the policies and guidance within that document, as well as those within the County Servicing Standards and the Land Use Bylaw.

### ***Cochrane North Area Structure Plan***

The Cochrane North ASP identifies three Residential Infill Policy Areas that are intended to, “*protect the existing rural acreage character while providing for comprehensively designed infill development of lower density residential uses.*” The subject lands are identified within the Residential Infill C Policy Area on Figure 6: Land Use Concept, and as such have a minimum parcel size of 4.0 acres.

Policy 6.1.6 states that Council may require the preparation of conceptual schemes in accordance with the requirements within Section 5.3. Policy 5.3.1 outlines the criteria that may be taken into consideration when determining whether or not a conceptual scheme is required. These include:

- i. *existing land use and development context;*
- ii. *availability of utility servicing;*
- iii. *existing and proposed open space systems and pathway linkages;*
- iv. *existing and proposed transportation systems;*
- v. *prior consultation with neighbouring landowners on potential issues (e.g., land use compatibility, open space, transportation systems); and*
- vi. *any other matter the Municipality deems necessary at the time.*

The lands are currently designated Agricultural Holdings District, and the parcel directly west carries this designation as well; however, parcels to the north and east are designated Residential Two District. The parcels to the south are unsubdivided quarter sections and are identified as a future growth area with the Cochrane North ASP. As such, the development proposal respects the existing development in the area by proposing a land use that is common for the area.

Servicing in the area is provided by water wells and Private Sewage Treatment Systems. This is considered appropriate by Policy 6.1.9, and at the future subdivision stage, all lots would be required to

register a Deferred Services Agreement on title should a piped utility solution become available in the future.

As Figure 7 identifies the southern portion of the lands as being a natural area, the Application is subject to Section 6.6 of the Cochrane North ASP, which provides a number of environmental policies in order to mitigate potential impact to environmentally sensitive areas. Policy 6.6.4 of the Cochrane North ASP states that the protection of significant natural areas, habitat connections, environmentally sensitive lands, or culturally significant sites identified within the Cochrane North ASP shall be addressed in all applications for land use redesignation. The redesignation proposes to protect that southern-most portion as Environmental Reserve, which would be dedicated at the future subdivision stage.

The lands are located off Camden Lane, which is a chip sealed road. The existing parcel is accessed via a panhandle and approach from Camden Lane. The redesignation application proposes building a new paved subdivision road to provide access to the new parcels. The current road right-of-way width is 20.0 m, and County Servicing Standards require that an internal, paved road be within a 25.0 m right-of-way (Section 400.5 of the County Servicing Standards). The applicant provided additional details on the modified standard (Appendix 'D'), which show that a 20.0 m road right-of-way is achievable, and Administration accepts this technical justification for a modified standard.

Adjacent landowners were notified of the application through the County's standard procedure as mandated by the *Municipal Government Act*. Letters from adjacent landowners were received in response, and indicated concerns regarding:

- Traffic and noise (increased dust);
- Water usage;
- Effect on wildlife corridors; and
- Lack of emergency access.

The Applicant conducted an open house information session for residents on October 18, 2017. A Community Engagement Report (Appendix 'E') was prepared after the event, which summarized the main concerns that residents expressed at the meeting:

- Previous ownership and disruptive tenants;
- Traffic and road safety;
- Water usage; and
- Septic systems overload.

The Applicant indicated that there are now new tenants on the property who are looking to work with the neighbours, and who intend to purchase the lot should future subdivision be approved. The proposal would not add any additional access points to Camden Lane, and the creation of two new lots would not significantly increase traffic. A Preliminary Groundwater Feasibility Assessment was completed, which indicates that the diversion of water for the future proposed subdivision would not cause adverse effects to other domestic or licensed water users.

In summary, the application meets the statutory policies of the Cochrane North ASP, and adjacent landowner concerns have been addressed through technical reports. Administration recommends that a conceptual scheme is not necessary because the application, and associated technical information, meets the criteria listed in Policy 5.3.1. However, the Cochrane North ASP identifies Council as the body responsible for determining whether a conceptual scheme is required; therefore, Option # 2, tabling the application, has been provided should Council determine a conceptual scheme is needed.

## **NON-STATUTORY POLICY ANALYSIS:**

### ***County Servicing Standards***

Section 400.5 of the County Servicing Standards requires that a Country Residential Standard Road have a 25.0 m right-of-way, and the proposed development is for an internal, paved road within a 20.0 m





right-of-way. The applicant has provided a sketch (Appendix 'D') indicating that, with narrow ditches, the right-of-way of 20.0 m would be sufficient for a road and stormwater management. In accordance with Policy 29.1 of the County Plan, requests to vary from County requirements must include technical justification, and the County may make a decision to approve a request to vary from County requirements if deemed appropriate after reviewing all supporting information.

The submitted Road Concept Drawing (Appendix 'D') provides technical justification showing that a modified Country Residential Standard Road can be accommodated within a 20 metre right-of-way. Administration is satisfied with the technical justification provided, and recommends that a modified standard in this instance is achievable and appropriate.

### **Land Use Bylaw**

The lands are proposed to be redesignated to Residential Two District. The purpose of this land use district is to, *"provide for a residential use on parcels which can accommodate residential, more general agricultural uses, home-based business uses, and larger accessory buildings."* The minimum parcel size of the Residential Two District is 1.60 hectares (3.95 acres), which means that, in order to provide enough area for an internal paved road, potential exists for three lots on the subject lands.

### **CONCLUSION:**

The purpose of the application is to redesignate the subject lands from Agricultural Holdings District to Residential Two District. This would allow the potential for the future subdivision of up to three parcels  $\geq 1.60$  hectares ( $\geq 3.95$  acres) in size, with an internal paved road. The proposal has been assessed in accordance with the statutory policy found within the Cochrane North Area Structure Plan and the regulations within the County Servicing Standards and Land Use Bylaw. Administration has determined that the application generally aligns with the requirements of the policy.

Therefore, Administration recommends approval in accordance with **Option #1**.

### **OPTIONS:**

- |             |   |   |
|-------------|---|---|
| Option # 1: | Motion #1   | THAT the Country Residential Standard Road requirement in Section 400.5 of the County Servicing Standards be varied for Lot 2 Block 6 Plan 9210341 to accommodate a paved, internal road within a 20.0 m road right-of-way. |
|             | Motion #2   | THAT Bylaw C-7708-2017 be given first reading.  |
|             | Motion #3   | THAT Bylaw C-7708-2017 be given second reading.   |
|             | Motion #4   | THAT Bylaw C-7708-2017 be considered for third reading.   |
|             | Motion #5   | THAT Bylaw C-7708-2017 be given third and final reading.  |
| Option # 2: | THAT Administration be directed to bring application PL20170108 back to Council only after the Applicant has submitted a conceptual scheme. |   |
| Option # 3: | THAT application PL20170108 be refused.   |   |

Respectfully submitted,

Concurrence,

"Chris O'Hara"

"Kevin Greig"

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General Manager

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County Manager



**ROCKY VIEW COUNTY**  
Cultivating Communities

MN/rp

**APPENDICES:**

APPENDIX 'A': Application Referrals

APPENDIX 'B': Bylaw and Schedule A

APPENDIX 'C': Mapset

APPENDIX 'D': Road Cross Section

APPENDIX 'E': Engagement Summary

APPENDIX 'F': Landowner Comments

**APPENDIX A: APPLICATION REFERRALS**

<b>AGENCY</b>	<b>COMMENTS</b>
<b><i>School Authority</i></b>	
Rocky View Schools	No objection.
Calgary Catholic School District	Calgary Catholic School District (CCSD) has no objection to the above-noted circulation (PL2017-0108) north of Cochrane. As per the circulation, municipal reserves will be assessed at the subdivision stage.
Public Francophone Education	No response.
Catholic Francophone Education	No response.
<b><i>Province of Alberta</i></b>	
Alberta Energy Regulator	No response.
Alberta Health Services	<ol style="list-style-type: none"> <li>1. If individual water wells are proposed for the subject lands, AHS recommends that any wells be completely contained within the proposed property boundaries. Please note that the drinking water source must conform to the most recent Canadian Drinking Water Quality Guidelines and the Alberta Public Health Act, Nuisance and General Sanitation Guideline 243/2003, Section 15(1), which states:             “A person shall not locate a water well that supplies water that is intended or used for human consumption within            a) 10 metres of any watertight septic tank, pump out tank or other watertight compartment of a sewage or waste water system,            b) 15 metres of a weeping tile field, an evaporative treatment mound or an outdoor toilet facility with a pit,            c) 30 metres of a leaching cesspool,            d) 50 metres of sewage effluent on the ground surface,            e) 100 metres of a sewage lagoon, or            f) 450 metres of any area where waste is or may be disposed of at a landfill within the meaning of the Waste Control Regulation (AR 192/96).”         </li> <li>2. Any proposed private sewage disposal systems must be completely contained within the proposed property boundaries and must comply with the setback distances outlined in the most recent Alberta Private Sewage Systems Standard of Practice. Prior to installation of any sewage disposal system, a proper geotechnical</li> </ol>

<b>AGENCY</b>	<b>COMMENTS</b>
	assessment should be conducted by a qualified professional engineer and the system should be installed in an approved manner.
	3. The property must be maintained in accordance with the Alberta Public Health Act, Nuisance and General Sanitation Guidelines 243/2003 which stipulates, No person shall create, commit or maintain a nuisance. A person who creates, commits or maintains any condition that is or might become injurious or dangerous to the public health or that might hinder in any manner the prevention or suppression of disease is deemed to have created, committed or maintained a nuisance.
<b><i>Public Utility</i></b>	
ATCO Gas	ATCO Gas has no objection to the proposed.
ATCO Pipelines	No objection.
AltaLink Management	No response.
FortisAlberta	No response.
Telus Communications	No objection.
TransAlta Utilities Ltd.	No response.
<b><i>Other External Agencies</i></b>	
EnCana Corporation	No response.
<b><i>Rocky View County Boards and Committees</i></b>	
ASB Farm Members and Agricultural Fieldmen	No response.
Ranch Lands Recreation District Board	No comments.
<b><i>Internal Departments</i></b>	
Agricultural Services	This parcel falls within the Cochrane North Area Structure Plan, Agricultural Services has no concerns.
Municipal Lands	As this location has not been identified for future Municipal Reserve acquisition to support public park, open space,

AGENCY	COMMENTS
	<p>pathway or trail development; the Municipal Lands office recommends taking cash in lieu for reserves owing. Further, as referenced in section 6.6 of the Cochrane North Area Structure Plan, the southern portion of the lands are classified as “Native Grassland- Fescue”. As such, it is recommended these recognized fescue lands within the plan area are subject to registration of an Environmental Reserve Easement for the purposes of environmental protection.</p>
Development Authority	No response.
Enforcement & Compliance	No concerns.
GeoGraphics	Please ensure a road naming application is provided at Subdivision approval stage.
Building Services	No response.
Fire Services	No comments at this time.
Infrastructure and Operations - Engineering Services	<p><b><u>General</u></b></p> <ul style="list-style-type: none"> <li>The review of this file is based upon the application submitted. These conditions/recommendations may be subject to change to ensure best practices and procedures.</li> </ul> <p><b><u>Geotechnical:</u></b></p> <ul style="list-style-type: none"> <li>As a condition of future subdivision, the applicant shall submit a Geotechnical Investigation Report, in accordance with the requirements of the County Servicing Standards. The report shall provide recommendations for road construction and include a Slope Stability Assessment if any slopes greater than 15% are identified.</li> </ul> <p><b><u>Transportation:</u></b></p> <ul style="list-style-type: none"> <li>Access to the proposed parcels is granted from Camden Lane, which is a chip sealed road.</li> <li>The Cochrane North ASP and Hamlet Plan Transportation Study (iTrans – March 2010) identifies Camden lane as a collector road, requiring 21 metres of right-of-way in the future. Adjacent to the subject lands, the current right-of-way is 30 metres. Therefore, no road dedication is required at the time of subdivision.</li> <li>The proposed panhandle accessing Lot 3 is required to be a minimum of 12.5m in width, in accordance with the County Servicing Standards.</li> <li>The applicant is proposing to dedicate the existing 20</li> </ul>

AGENCY	COMMENTS
	<p>metre wide panhandle as public road allowance and construct a road to access the subdivision. As per the County Servicing Standards, the subdivision should be accessed by a Country Residential Standard Road (section 400.5), which requires a 25 metre right-of-way.</p> <ul style="list-style-type: none"> <li>• The applicant has submitted a Road Concept Drawing (Osprey Engineering – November 22, 2017), which identifies a modified Country Residential Standard Road (within a 20 metre right-of-way) that is proposed to be constructed as part of the application. <ul style="list-style-type: none"> <li>○ In accordance with County Plan Policy 29.1, ES considers the Road Concept Drawing as adequate technical justification which demonstrates that a modified Country Residential Standard Road can be accommodated within a 20 metre right-of-way. Therefore, ES considers this to be a reasonable request for variation from technical requirements. Detailed design of the road shall be completed at the subdivision stage.</li> </ul> </li> <li>• As a condition of future subdivision, the applicant shall enter into a Development Agreement for construction of a paved approach, modified Country Residential Standard Road and cul-de-sac as identified on the proposed plan of subdivision, in accordance with the County Servicing Standards. <ul style="list-style-type: none"> <li>○ Some of the construction costs may be recovered through the County's Infrastructure Cost Recovery Policy.</li> <li>○ If required by the County Road Operations Group, the applicant will be required to enter into a Road Use Agreement.</li> </ul> </li> <li>• As a condition of future subdivision, the applicant is required to provide payment of the Transportation Off-site Levy in accordance with the applicable levy at time of subdivision approval for the total gross acreage of the lands excepting those designated Environmental Reserve, as the applicant is proposing to subdivide a Residential Two District parcel.</li> </ul> <p>Base TOL = \$4595/acre. Acreage = 15.87 – 1.84 = 14.03 acres. TOL payment = (\$4595/acre)*(14.03 acres) = \$64,468.</p> <p><b><u>Sanitary/Waste Water:</u></b></p> <ul style="list-style-type: none"> <li>• Prior to future subdivision approval, the applicant shall submit a Level 3 PSTS Assessment, to determine the suitability of the proposed parcels to be serviced by PSTS, in accordance with the County Servicing</li> </ul>



AGENCY	COMMENTS
	<p>Standards;</p> <ul style="list-style-type: none"> <li>• Prior to future subdivision approval, the applicant shall submit a Level 1 PSTS Assessment Variation for the existing septic field, describing the type, maintenance requirements and include a sketch showing its location and size. The assessment shall also provide measurements to pertinent features (wetlands, surface water, wells, property lines, home, etc.) and comment on the general suitability of the existing system based on visual inspection. This assessment may be prepared by the homeowner;</li> <li>• As a condition of future subdivision, a Deferred Services Agreement shall be registered against each new certificate of title (lot) created, requiring the owner to tie into municipal services when they become available.</li> </ul> <p><b><u>Water Supply And Waterworks:</u></b></p> <ul style="list-style-type: none"> <li>• As there are 6 or more lots in the subject quarter section, a Phase 1 Groundwater Supply Evaluation is required;</li> <li>• The applicant submitted a Phase 1 Groundwater Supply Evaluation (Groundwater Information Technologies Ltd. – August 25, 2017). The report meets the requirements of the County Servicing Standards and concludes that the aquifer underlying the proposed subdivision can supply water at a rate of 1250m<sup>3</sup>/year without causing adverse effects on existing users;</li> <li>• As a condition of future subdivision, the applicant will be required to drill a new well on both lots 2 &amp; 3, and provide the County with a Phase 2 Aquifer Pumping &amp; Testing Report for the new wells, prepared by a qualified professional, in accordance with procedures outlined in the County Servicing Standards. The report shall include a Well Driller's Report confirming a minimum pump rate of 1.0 igpm for each well;</li> <li>• As a condition of future subdivision, a Deferred Services Agreement shall be registered against each new certificate of title (lot) created, requiring the owner to tie into municipal services when they become available.</li> </ul> <p><b><u>Storm Water Management:</u></b></p> <ul style="list-style-type: none"> <li>• As a condition of future subdivision, the applicant shall submit a Site-Specific Stormwater Implementation Plan (SSIP) for the subject lands, in accordance with the County Servicing Standards and the Cochrane North Master Drainage Plan:</li> </ul>

AGENCY	COMMENTS
	<ul style="list-style-type: none"> <li>○ The SSIP shall comment on pre and post-development release rates, volume control targets and water quality;</li> <li>○ The SSIP shall demonstrate that there are no adverse impacts to adjacent properties and downstream lands on drainage routes;</li> <li>○ The applicant may be required to enter into a Site Improvements / Services Agreement for the construction of any stormwater management infrastructure if recommended in the SSIP;</li> <li>○ Alberta Environment approvals may be required if any stormwater ponds are required.</li> </ul> <p><b><u>Environmental:</u></b></p> <ul style="list-style-type: none"> <li>• Any approvals required through Alberta Environment shall be the sole responsibility of the Applicant/Owner.</li> </ul>
Infrastructure and Operations - Maintenance	No issues.
Infrastructure and Operations - Capital Delivery	No concerns.
Infrastructure and Operations - Operations	Based on attached site plan, does Applicant intend to construct cul-de-sac road with 'bulb' termination to access the 3 lots? Will this road be private or County owned and maintained?
Agriculture and Environmental Services - Solid Waste and Recycling	No response.

Circulation Period: July 17, 2017 – August 8, 2017



## BYLAW C-7708-2017

### A Bylaw of Rocky View County to amend Land Use Bylaw (C-4841-97).

The Council of Rocky View County enacts as follows:

#### PART 1 – TITLE

This Bylaw shall be known as Bylaw C-7708-2017.

#### PART 2 – DEFINITIONS

In this Bylaw, the definitions and terms shall have the meanings given to them in Land Use Bylaw C-4841-97 and the Municipal Government Act.

#### PART 3 – EFFECT OF BYLAW

**THAT** Part 5, Land Use Map No. 68, and 68 NE of Bylaw C-4841-97, be amended by redesignating a portion of NE-23-26-04-W5M from Agricultural Holdings District to Residential Two District as shown on the attached Schedule 'A' forming part of this Bylaw.

**THAT** a portion of NE-23-26-04-W5M is hereby redesignated to Residential Two District as shown on the attached Schedule 'A' forming part of this Bylaw.

#### PART 4 – TRANSITIONAL

Bylaw C-7708-2017 comes into force when it receives third reading, and is signed by the Reeve/Deputy Reeve and the CAO or Designate, as per the Municipal Government Act.

**Division: 9**  
**File: 06823011 / PL20170108**

<i>PUBLIC HEARING WAS HELD IN COUNCIL this</i>	<i>day of</i>	<i>, 2018</i>
READ A FIRST TIME IN COUNCIL this	day of	, 2018
READ A SECOND TIME IN COUNCIL this	day of	, 2018
<i>UNANIMOUS PERMISSION FOR THIRD READING</i>	<i>day of</i>	<i>, 2018</i>
READ A THIRD TIME IN COUNCIL this	day of	, 2018

\_\_\_\_\_  
Reeve

\_\_\_\_\_  
CAO or Designate

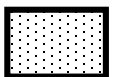
\_\_\_\_\_  
Date Bylaw Signed

BYLAW: C-7708-2017

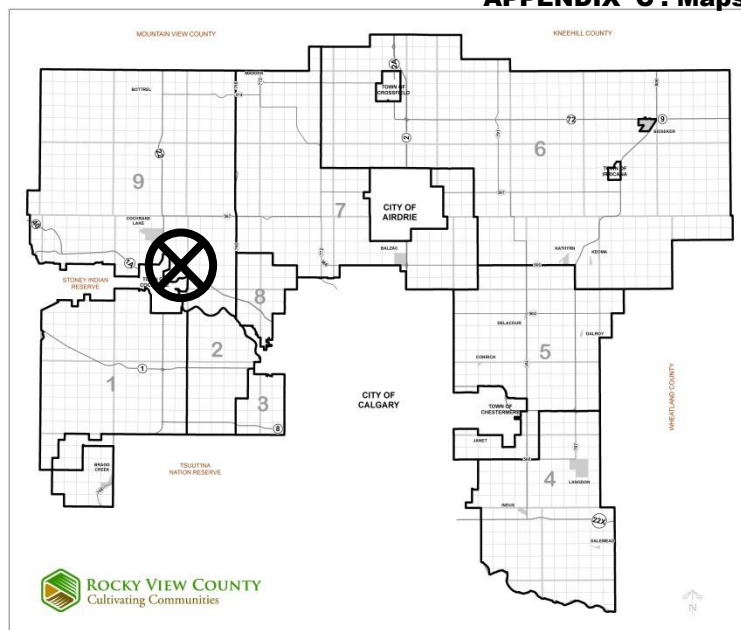


**AMENDMENT**

FROM Agricultural Holdings District TO Residential Two District  
Subject Land \_\_\_\_\_



LEGAL DESCRIPTION: A portion of NE-23-26-04-W5M



LOCATION PLAN

**NE-23-26-04-W05M**  
**Lot:2 Block:6 Plan:9210341**

**Redesignation Proposal:** To redesignate the subject lands from Agricultural Holding District to Residential Two District to facilitate the creation of three residential lots approximately  $\pm 1.77$  hectares ( $\pm 4.39$  acres),  $\pm 1.69$  hectares ( $\pm 4.18$  acres), and  $\pm 2.11$  hectares ( $\pm 5.22$  acres) in size.

CAMDEN LN

RGE RD 41

AH  $\rightarrow$  R-2  
 $\pm 6.42$  ha  
 ( $\pm 15.87$   
 ac)

23

## DEVELOPMENT PROPOSAL

NE-23-26-04-W05M  
 Lot:2 Block:6 Plan:9210341

Date: July 13, 2017

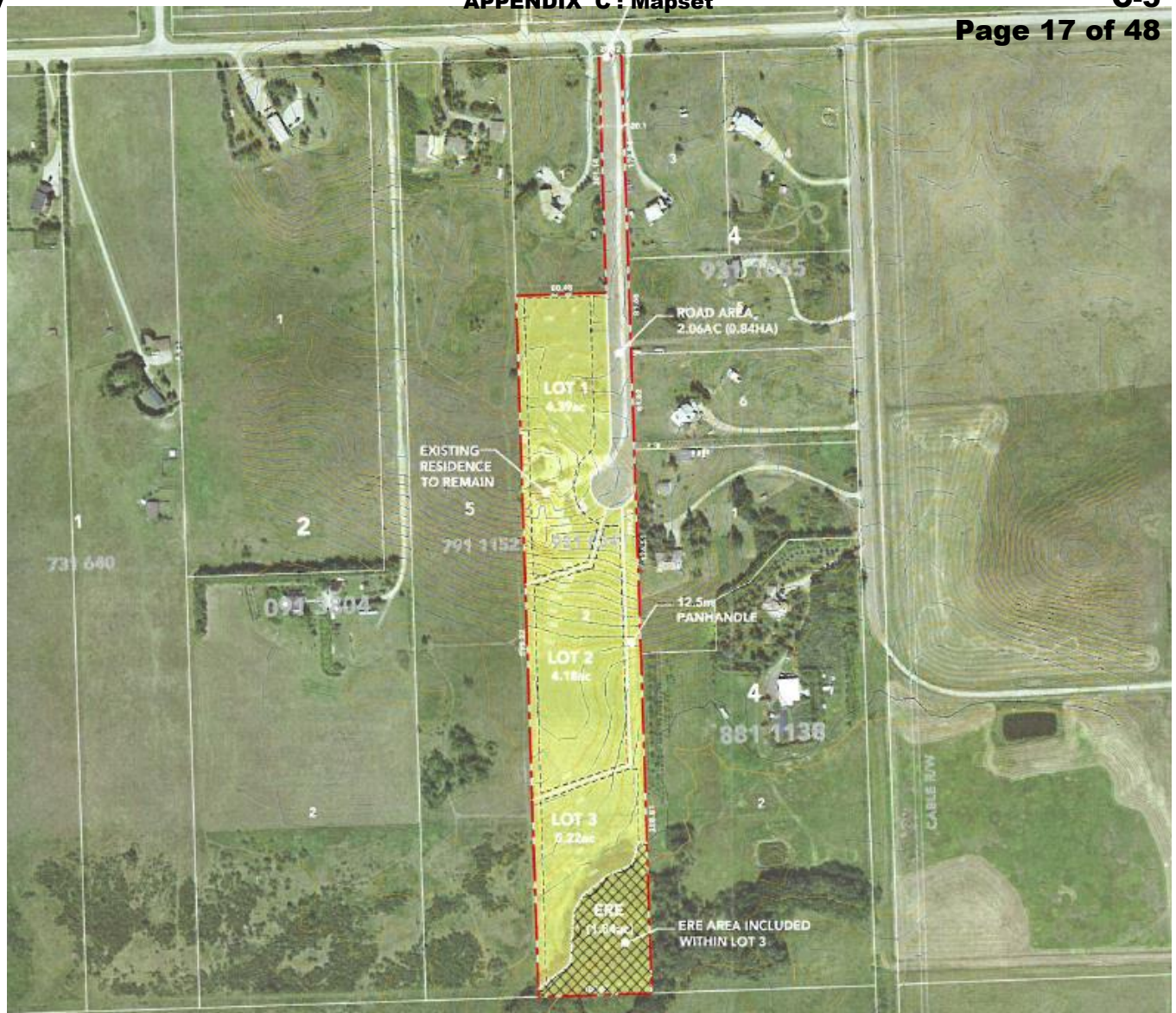
Division # 9

File: 06823011

AGENDA

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Lot 1	± 4.39 ac
Lot 2	± 4.19 ac
Lot 3	± 3.38 ac (minus ERE area)
Road	± 2.07 ac
ERE	± 1.84 ac
Total Area	± 15.87 ac

## APPLICANT'S SITE PLAN

**NE-23-26-04-W05M**  
**Lot:2 Block:6 Plan:9210341**

Date: July 13, 2017

Division # 9

File: 06823011

**AGENDA**

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Image 1: Looking north on subject lands



Image 2: Looking south on subject lands

## SITE PHOTOS



NE-23-26-04-W05M  
Lot:2 Block:6 Plan:9210341



Image 3: Looking south on subject lands towards the proposed ER



Image 4: Looking west on subject lands towards the lands proposed for redesignation

## SITE PHOTOS



**NE-23-26-04-W05M**  
**Lot:2 Block:6 Plan:9210341**

Date: July 13, 2017

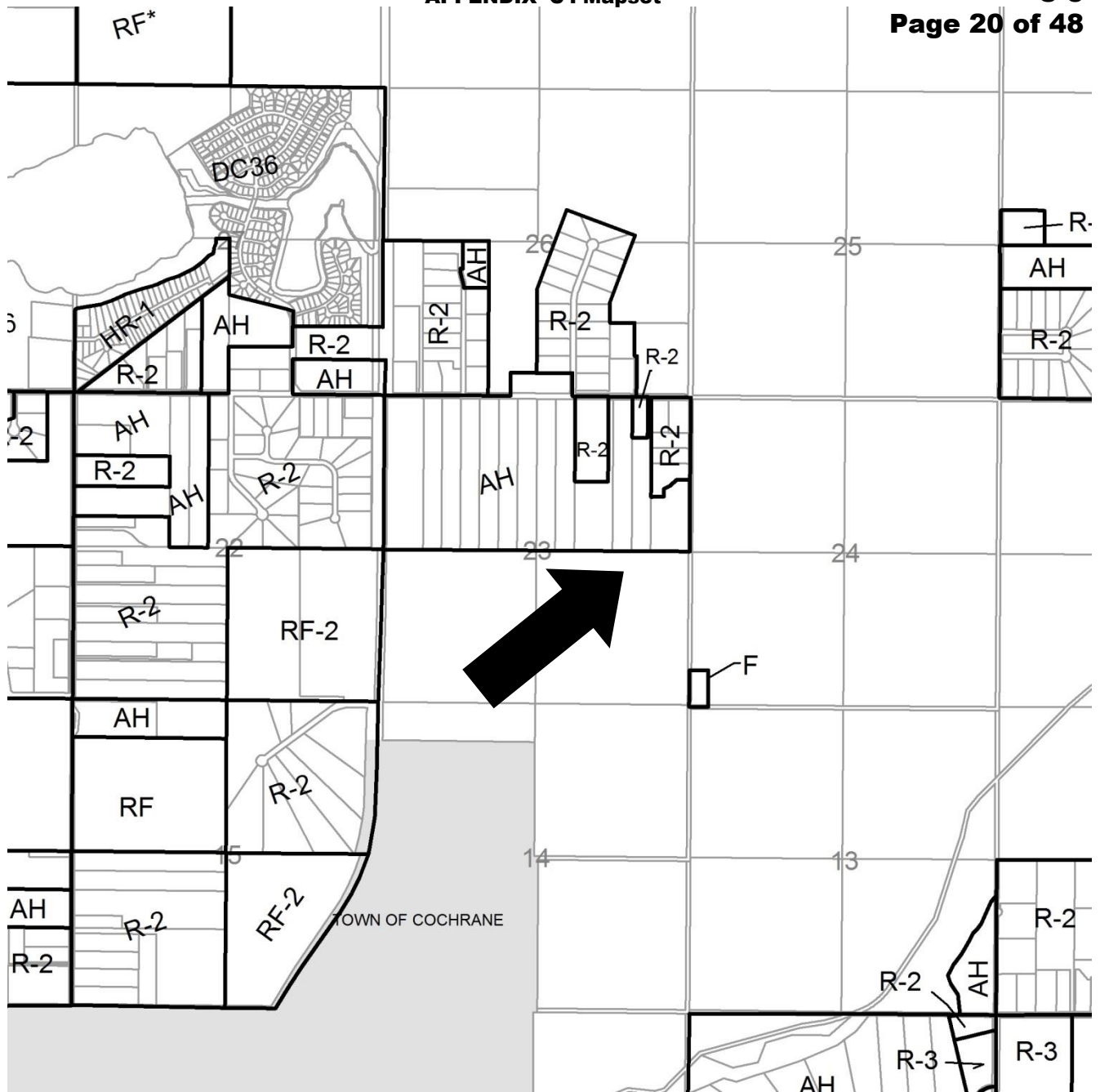
Division # 9

File: 06823011

**AGENDA**

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RF2	Ranch and Farm Two	B-1	Highway Business
RF3	Ranch and Farm Three	B-2	General Business
AH	Agricultural Holding	B-3	Limited Business
F	Farmstead	B-4	Recreation Business
R-1	Residential One	B-5	Agricultural Business
R-2	Residential Two	B-6	Local Business
R-3	Residential Three	NRI	Natural Resource Industrial
DC	Direct Control	HR-1	Hamlet Residential Single Family
PS	Public Service	HR-2	Hamlet Residential (2)
		HC	Hamlet Commercial
		AP	Airport

# LAND USE MAP

**NE-23-26-04-W05M**  
**Lot:2 Block:6 Plan:9210341**



# TOPOGRAPHY

*Contour Interval 2 M*



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Note: Post processing of raw aerial photography may cause varying degrees of visual distortion at the local level.

**AIR PHOTO**

*Spring 2016*

**NE-23-26-04-W05M**  
**Lot:2 Block:6 Plan:9210341**

Date: July 13, 2017

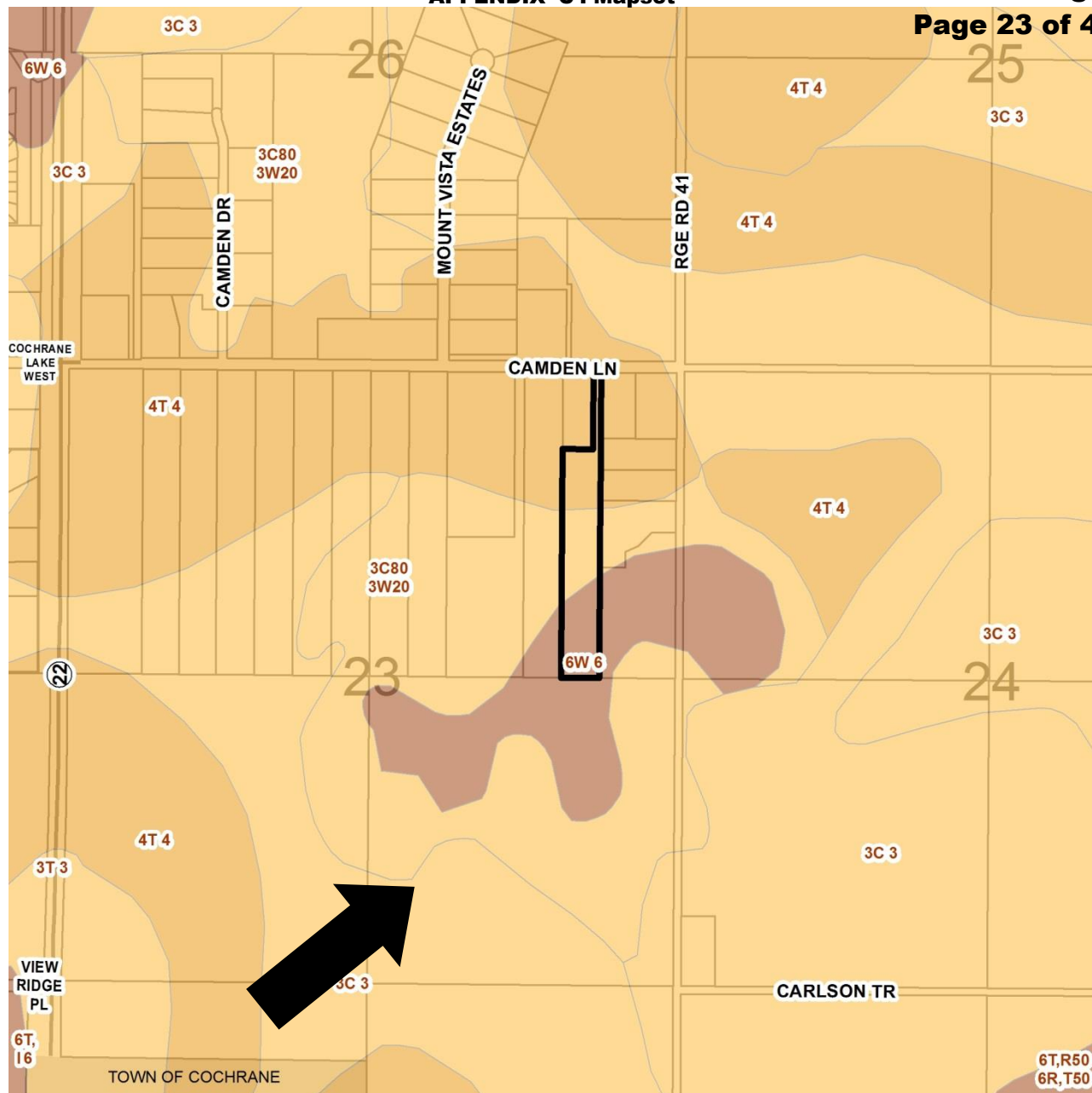
Division # 9

File: 06823011

**AGENDA**

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### LAND CAPABILITY CLASSIFICATION LEGEND

*Limitations refer to cereal, oilseeds and tame hay crops*

#### 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 sodicity
- 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

# SOIL MAP

NE-23-26-04-W05M

Lot:2 Block:6 Plan:9210341

Date: July 13, 2017

Division # 9



File: 06823011

**AGENDA**

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 Letters in Opposition  
 Letters in Support

### Legend



### Circulation Area

## Subject Lands



## LANDOWNER CIRCULATION AREA

**NE-23-26-04-W05M**  
**Lot:2 Block:6 Plan:9210341**

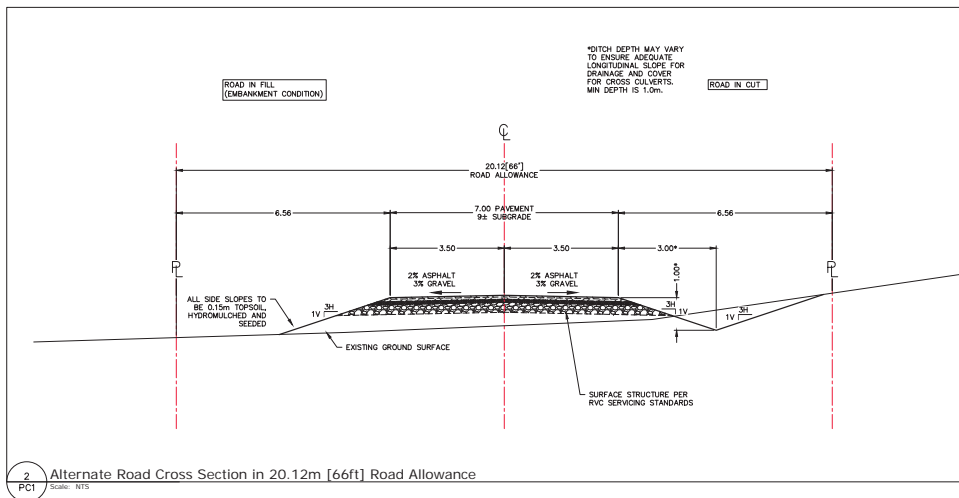
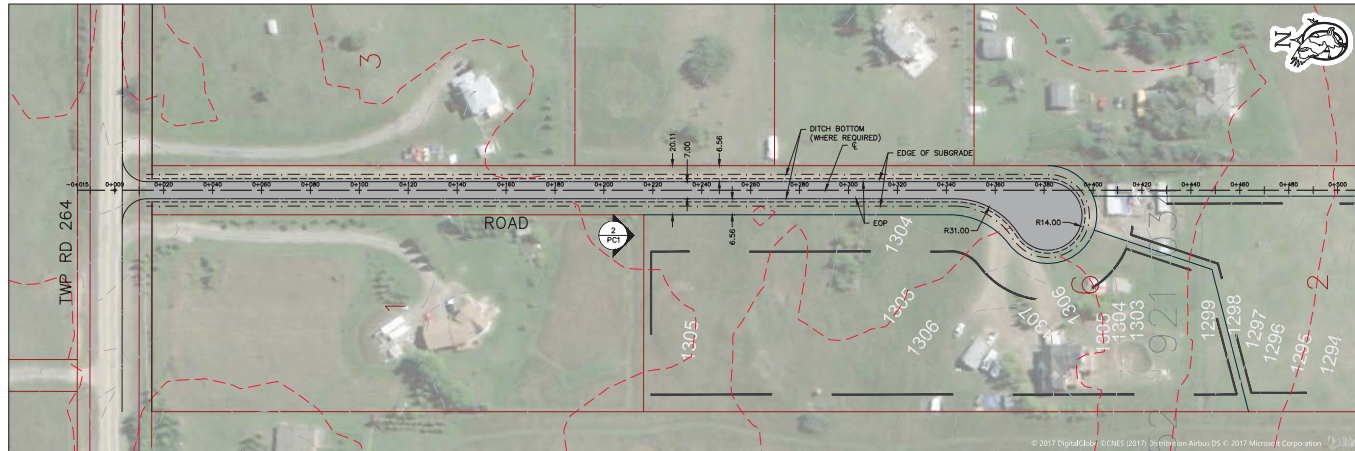
**Date:** July 13, 2017

## Division # 9

File: 06823011

## AGENDA

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- CULVERT
- EDGE OF PAVEMENT
- LIP OF GUTTER
- GRADE BREAK, DAYLIGHT LINE, TOE OF SLOPE
- SIGN, ref. ALBERTA TRANSPORTATION SIGN CATALOG FOR SIGN CODE DETAILS
- DEVELOPMENT BOUNDARY
- DETAIL CALLOUT (DETAIL No./DRAWING No.)
- VIEW DIRECTION FOR SECTIONS AND PROFILES
- LG 4.00 – LIP OF GUTTER, DISTANCE IS OFFSET TO PROPERTY LINE
- C & 0.25G – CURB AND GUTTER (NUMBER IS WIDTH OF GUTTER)
- EOP – EDGE OF PAVEMENT
- BW 2.00 – BACK OF WALK, DISTANCE IS OFFSET TO PROPERTY LINE
- CURVE LABELS
- BC – BEGIN CURVE
- Mid – MIDPOINT OF CURVE
- EC – END CURVE
- PCC – POINT OF COMMON CURVE
- PRC – POINT OF REVERSE CURVE

A	FOR CLIENT REVIEW	2017.11.22	MAK
REVISIONS (CURRENT AT BOTTOM)			

APEGA PERMIT TO PRACTICE P10743



**OSPREY  
ENGINEERING  
INC.**

BOX 1367 · BLACK DIAMOND, AB · T0L 0H0 CANADA  
TEL: 403-933-2226 FAX: 403-933-2230

Builders Capital

Road Concept

PROJECT No. 170396	DATE: Nov 2017
DRAWN: MAK	CHECKED: MAK
DESIGNED: MAK	APPROVED: MAK

DRAWING/FIGURE No. PC1	REVISION No. A
---------------------------	-------------------

## 41031 CAMDEN LANE COMMUNITY ENGAGEMENT REPORT

### TABLE OF CONTENTS

1.0 EXECUTIVE SUMMARY.....	2
2.0 COMMUNICATION.....	2
3.0 COMMUNITY INFORMATION SESSION.....	2
4.0 FEEDBACK.....	3
5.0 CONCLUSION .....	4

### APPENDICIES

A: INVITATION LETTERS  
B: OPEN HOUSE PRESENTATION BOARDS  
C: FEEDBACK FORM



23 October 2017

COMMUNITY ENGAGEMENT REPORT  
41031 CAMDEN LANE LAND USE REDESIGNATION AND SUBDIVISION

Legal Description: NE 23-26-04 W5M  
 Area: 15.87 acres (6.42 hectares)  
 Landowner: 2043397 Alberta Ltd. (Builders Capital)  
 Proposal: Application for Land Use Redesignation from "Agricultural Holdings District" to "Residential Two District" to allow for the subdivision of two additional (2) residential parcels.

**1.0 Executive Summary**

The following document provides an overview of the community engagement efforts undertaken by the applicant for the Land Use Redesignation and Subdivision application at 41031 Camden Lane. The applicant held a community information session in the form of an open house on Wednesday 18 October 2017 at the Cochrane Ranche ClubHouse in the Town of Cochrane. This report outlines the methods used for engagement and the feedback received.

**2.0 Communication and Background Information**

Invitations were sent out to neighbours two (2) weeks prior to the open house. A total of 26 letters were sent out and the circulation boundary was set as per the County (Policy #307). The letter included details about the proposal, proposed site plan and contact information.

The initial circulation of the proposal to neighbours was completed in July 2017. Letters of concerns were received by the file manager. Commonly heard concerns included:

- Previous ownership and disruptive tenants (issues with animals, dust/garbage, general upkeep and noise)
- Traffic and road safety
- Lack of agricultural value
- Water usage
- Septic systems overloaded

**3.0 Community Information Session**

CivicWorks Planning + Design hosted the Community Information session. It was intended to provide clarification to neighbours in regard to the commonly heard concerns and answer any questions about the proposal. Representatives from Builders Capital (Sandy Loutitt and Tracey McLeod) were present to meet neighbours and addresses their concerns expressed about the behavior of previous tenants on the property and the planning application.

Seven (7) people signed in at the information session. The applicant prepared presentation boards outlining the following:

1. A "Welcome" board outlining the location of the site contextually to Highway 22, Cochrane Lakes and Range Road 41.
2. Policy Alignment (Cochrane North Area Structure Plan)
3. Proposal Details



4. Topography
5. Proposed Site Plan and Methods of Servicing (water, wastewater and stormwater)
6. Next Steps and Contact

The presentation boards are provided in Appendix C. Other materials available to participants for review included:

1. Preliminary Groundwater Feasibility Assessment, prepared by Groundwater Information Technologies Ltd.
2. Cochrane North Area Stricture Plan
3. Land Use Bylaw

#### 4.0 Feedback

FEEDBACK	RESPONSE
How will the lots be serviced? Is there enough water.	<ul style="list-style-type: none"> <li>A Preliminary Groundwater Feasibility Assessment has been completed. This report indicates that the diversion of water for the proposed subdivision will not cause adverse effects to other domestic or licensed groundwater users.</li> <li>This report was available for participants to review.</li> </ul>
This property is a mess- is it being cleaned up and who lives there now?	<ul style="list-style-type: none"> <li>New tenants moved into the existing residence in June 2017. They have been working with Builder's Capital to clean up the property.</li> <li>Angela Hall, current resident, was present to introduce herself to neighbours and verify aspirations to purchase the Lot upon successful subdivision.</li> </ul>
Speed and traffic safety is a concern. The 60 km per hour limit on Camden Lane switches to 80 km per hour after Range Road 41 and the speeding is not enforced. The proliferation of approaches on Camden Lane should also be consolidated at the point of the proposed internal road.	<ul style="list-style-type: none"> <li>The proposed subdivision plan does not create an additional approach onto Camden Lane. It requires upgrades for safety such as paving and widening.</li> <li>The proposed subdivision is for two additional lots for single family residential dwellings. The increase in traffic created the additional density is minimal.</li> <li>Speed is largely an enforcement issue. Residents can contact the County to request the relocation and/or addition of speed signage.</li> <li>We cannot obligate private landowners to revise and consolidate their approach locations to the new road we are proposing.</li> </ul>





The Environmental Reserve Easement (ERE) on proposed Lot 3 is appreciated. No public access should be allowed onto my land and fences should be left intact. (Neighbour directly to the south)	<ul style="list-style-type: none"> <li>• The ERE requires the land to remain in its natural state in perpetuity.</li> <li>• There is no public access or grazing permitted on the ERE lands.</li> <li>• Trespassing should be reduced with new property ownership.</li> </ul>
--	---

Feedback forms were handed out to all attendees. To date, no feedback forms have been returned. The feedback form distributed is attached in Appendix C.

### 5.0 Conclusion

Community members who took the opportunity to attend our community information session were well informed of the application and expressed their appreciation of the efforts made by the applicant to host the information session. All attendees expressed their relief to have new tenants at the property and appreciated the efforts made by Builders Capital to clean up the property. Attendees of the open house were notified of the next steps in the application process (including public hearing at Council) and were welcomed to contact the applicant with any further questions or concerns.





Suite 460, 5119 Elbow Drive SW  
Calgary, Alberta T2V 1H2

P 403.201.5305  
F 403.201.5344

September 2017

Attention: Invitation to a Community Wide Information Session  
Wednesday, October 18 at the ClubHouse Activity Centre  
#80- 1A Highway in the Cochrane Rancho Historic Park  
Please drop in between 5:00-7:00 p.m.

Re: Application for Land Use Redesignation from "Agricultural Holdings District" to  
"Residential Two District" to allow for the subdivision of two (2) additional Country  
Residential parcels  
Legal Description: NE 23-26-04 W5M, Plan 9210341, Block 6, Lot 2  
Municipal Address: 41031 Camden Lane  
Landowner: Builder's Capital Ltd.

Dear Neighbour,

We are proposing a land use redesignation from Agricultural Holdings District to Residential Two District on the above-mentioned lands. If approved by Rocky View County Council, this will allow for a subsequent subdivision application. We are connecting with you today to formally invite you to our community information session and to provide you with the site plan. If you are unable to attend our information session, please feel free to call us directly to discuss the application should you have any questions or concerns. The following offers detailed information about this proposal:

- We are proposing a subdivision plan with a total of three (3) lots (2 new lots and 1 residual lot). The proposed lots are +/- 4.18 acres, +/- 5.22 acres and one lot containing the existing homestead of +/- 4.39 acres.
- The site plan has been strategically designed to provide an internal road built to the County standards. The cul-de-sac bulb has been purposefully located to ensure that it is not directly behind adjacent residences.
- All lots will be serviced by individual groundwater wells and individual high efficiency septic systems. A preliminary Groundwater Feasibility Assessment has been prepared by a Professional Geologist and will be available for review at our information session. As per the Water Act, we are required to ensure that the wells drilled do not adversely affect adjacent existing groundwater users. Each groundwater well requires a pump test and hydrology assessment.



CIVICWORKS.CA



- Should the opportunity become available, a connection to the Horse Creek Water Co-Operative will be made through a Deferred Servicing Agreement.

It is anticipated that this application will go to Council in November 2017. We look forward to meeting you at our information session on October 18 and addressing any questions or comments you may have. If you are unable to attend our information session, please do not hesitate to contact CivicWorks Planning + Design. We are happy to connect with you at your convenience.

Sincerely,  
CivicWorks Planning + Design Inc.

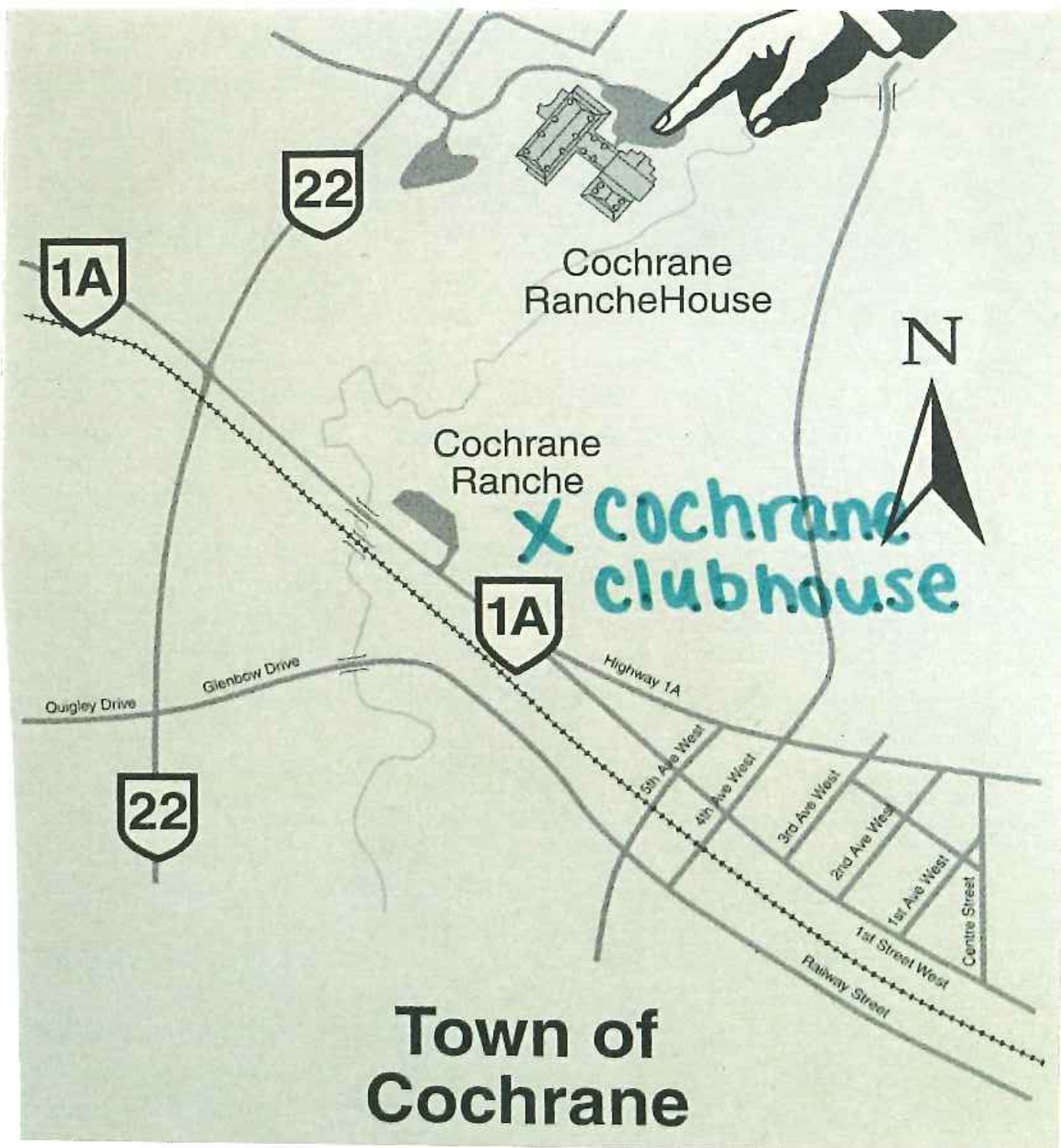
A handwritten signature in black ink that reads "Appleby".

Jocelyn Appleby, Planner



Community Information Session location:

The ClubHouse Activity Centre, #80- 1A Highway in the Cochrane Rancho Historic Park



# WELCOME



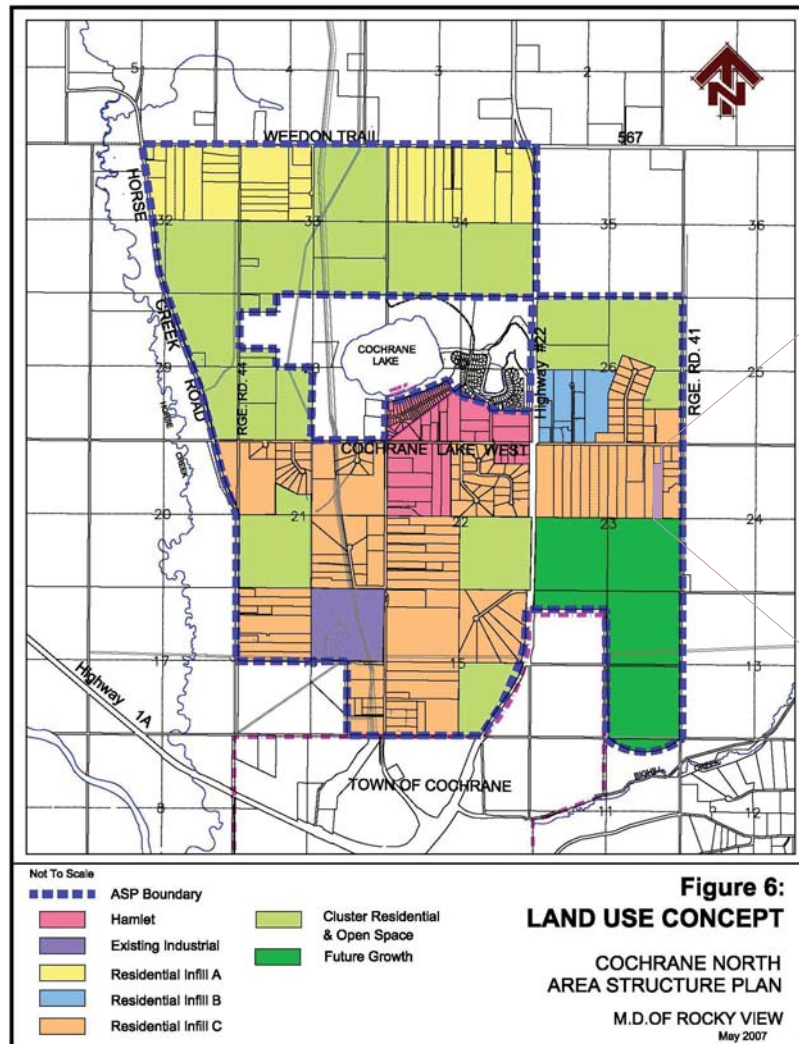
**THANK YOU FOR ATTENDING OUR COMMUNITY INFORMATION SESSION!**

The purpose of tonight's meeting is to inform our neighbours about the proposed Land Use application and discuss any comments or concerns you may have.

WE WELCOME YOUR COMMENTS AND FEEDBACK.

**CIVICWORKS**  
PLANNING + DESIGN

# POLICY ALIGNMENT



## COCHRANE NORTH AREA STRUCTURE PLAN

The following policies of Section 6.1: Residential Infill A, B, and C on pages 19 and 20 of the Cochrane North Area Structure Plan state the following of importance to this land use proposal:

- 6.1.1 The predominant land use within the Residential Infill Policy Area shall be residential development.
- 6.1.4 The minimum residential parcel size within the Residential Infill C Policy Area shall be 4 acres.
- 6.1.9 Within the Residential Infill Policy Areas, the Municipality may consider private, individual on-site water servicing solutions for new lots. The Municipality may require that deferred servicing agreements be secured in order to ensure that new lots do connect to regional, municipal or co-op water utility systems, when those systems become available.
- 6.1.11 Within the Residential Infill Policy Areas, the Municipality may consider private, individual on-site wastewater servicing solutions for new lots. The Municipality may require that deferred servicing agreements be secured in order to ensure that new lots do connect to regional or municipal wastewater utility systems, when those systems become available.

The proposed land use is contextually appropriate given the developed R-2 parcels directly east of the site and north of Camden Lane, which align with the size of the lots being proposed (approximately 4.00 acres). The addition of two (2) residential lots in this area is therefore minimal when considering the greater R-2 development context.



# PROPOSAL DETAILS

## LAND USE REDESIGNATION

The proposed land use redesignation for the subject site is from Agricultural Holdings District (AH) to Residential Two District (R-2), facilitating the future subdivision of two new residential parcels. The intent is to construct a subdivision with building spaces set back appropriately from Camden Lane that sensitively interface with the existing neighbourhood.

As exemplified by this land use figure, there exists substantial precedent for R-2 magnitude development in the vicinity. Should the subject site achieve the redesignation, two new homes would be constructed on the site that align with neighbouring R-2 parcels.

## SITE AREA

15.87 acres

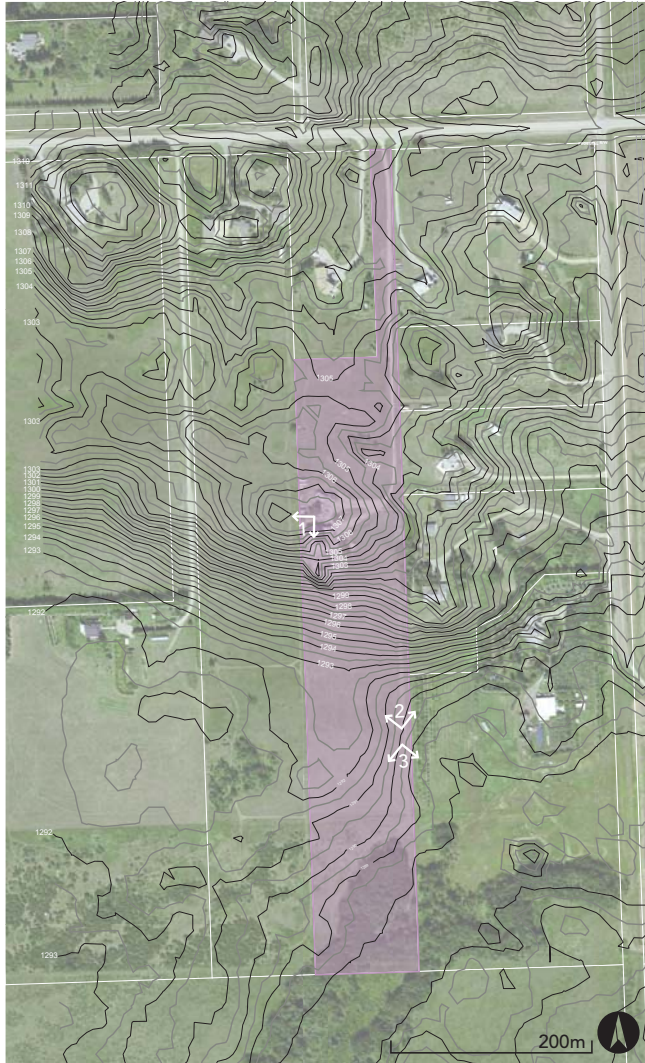
## LANDOWNER

Builders Capital (2043397 Alberta Ltd.) is the subject site landowner. Builders Capital is a multi-faceted company that specializes in construction lending, real estate development, and home building.



CIVICWORKS  
PLANNING + DESIGN

# TOPOGRAPHY



## HIGHEST ELEVATION

1307m

## LOWEST ELEVATION

1288m

## ELEVATION CHANGE

19m

## TOPOGRAPHY DETAILS

Topography generally undulates across the site, peaking in the centre. Moving south from Camden Lane, the elevation rises to its highest point in the centre of the site where the existing dwelling is located, at a height of 1307m. From here, there is a moderate grade sloping downward towards the south.

The southernmost portion of the site levels out and possesses an elevation of 1288m, resulting in a total elevation range of 19m.

A low lying area supports an Environmental Reserve Easement on the site plan. It supports an existing tree stand and will be retained as a stormwater element where flows will naturally drain. It is to be retained in its natural state in perpetuity.

# SITE PLAN + SERVICING

## SITE PLAN HIGHLIGHTS

### ROADS

The internal road will be constructed to a Country Residential standard. This includes a paved surface, two lanes, a reduced right of way of 20m, while still accommodating for the minimum surface width requirement and modified ditches.

The paved cul-de-sac bulb is strategically designed to avoid being located directly behind neighbouring homes. Its apron will allow access to all three subdivided parcels.

The panhandle paralleling Lot 2 and providing access to Lot 3 will be 12.5m wide as per County standards.

### LOTS

The subdivision will produce three lots total from the original parcel. The northernmost lot will be 4.39 acres and possess the existing residence. Lot 2, located south of Lot 1 will be 4.18 acres while Lot 3 will measure 5.22 acres at the southernmost portion of the subject site (including an ERE area).

As per the Land Use Bylaw, the proposed lot sizes allow for one Animal Unit per parcel.

In July 2017, the Hall family became the new tenants of the parcel. Should the Land Use Redesignation and Subdivision be approved, their intent is to purchase the residence and Lot 1. They have been working with Builders Capital in the interim to clean up the property.

### ENVIRONMENTAL RESERVE EASEMENT (ERE)

This land, composing a portion of Lot 3 at the southern extent of the subject site is an existing tree stand. Through this land use redesignation, it is intended to become Environmental Reserve Easement, requiring the 1.84 acres of land in the southeast corner of Lot 3 is to remain in its natural state in perpetuity.



## SITE SERVICING INFORMATION

### WATER AND WASTEWATER

All lots are proposed to be serviced by individual groundwater wells and high efficiency septic systems. A Deferred Servicing Agreement to connect to Horse Creek Water Services for piped water and wastewater connections will be made, should this servicing extend to the subject site in the future.

### STORMWATER

A Site Specific Stormwater Implementation Plan (SSIP) must be created for the subject site as a condition of subdivision approval. It will focus on natural topography and existing flows to the Environmental Reserve Easement to capture on-site stormwater.

### PRELIMINARY GROUNDWATER FEASIBILITY ASSESSMENT

A Preliminary Groundwater Feasibility Assessment has been prepared by Groundwater Information Technologies Ltd. This report is a desktop review (available for reading at this Open House) that determines expected water well yield and aquifer zones. It also reviews the history of well drilling and water quality analysis in the area.

This report has been deemed acceptable by the County Engineering Services Department.

The diversion of water for the subdivision will not cause adverse effects to other domestic or licensed groundwater users or have adverse effects on existing springs or other groundwater discharge area.

Aquifers underlying proposed subdivision can supply water at a rate of 1250 m<sup>3</sup>/year for each household for domestic purposes (as defined in the water act)

The diversion of groundwater for the households in the proposed subdivision is consistent with the approved water management plan for the area.

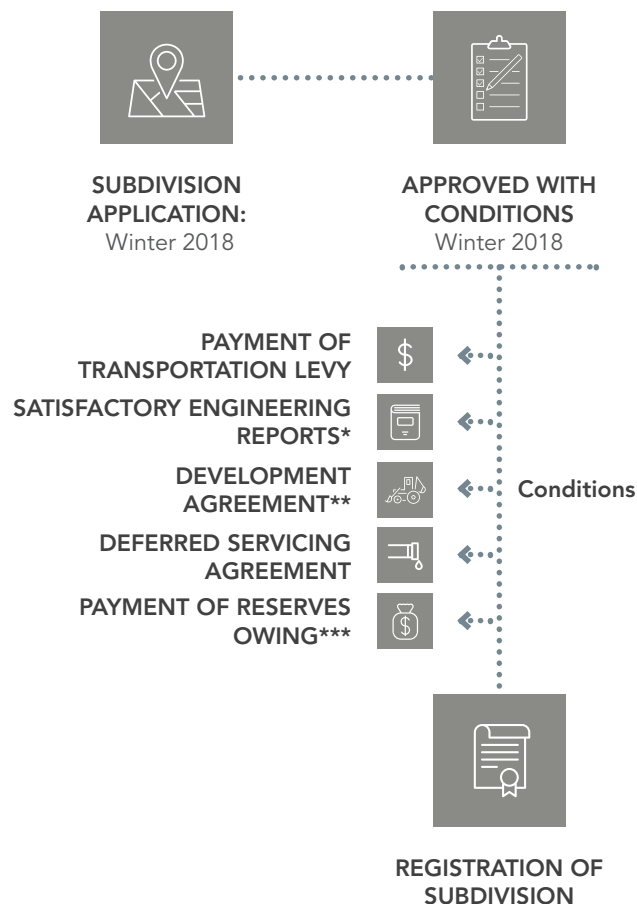


# NEXT STEPS + CONTACTS

## NEAR FUTURE:

## FOLLOWING APPROVAL:

## CONTACT:



Thank you for attending our Community Information Session. Please do not hesitate to connect with the CivicWorks team or Municipal File Manager with any further questions or comments.

### CIVICWORKS PLANNING + DESIGN INC. CONTACT

Jocelyn Appleby, Planner

403.201.5305  
jocelyn@civicworks.ca

### MUNICIPAL FILE MANAGER CONTACT

Meghan Norman, Planner

403.520.3921  
mnorman@rockyview.ca

\*Includes Geotechnical Study, Stormwater Implementation Plan, PSTS Assessment, and Aquifer Pumping + Testing Report.

\*\*Development Agreement entered for the construction of a paved road and cul de sac leading to subdivided parcels.

\*\*\*These conditions represent major subdivision registration milestones, however, the actual list may be more exhaustive.

## 41031 Camden Lane- Land Use Redesignation and Subdivision Proposal

Thank you for attending our Community Information session on October 18, 2017. We appreciate any feedback you have for our project team or questions/concerns about the project.

### 1. Do you feel we have provided a clear understanding of the proposed Land Use Redesignation?

Yes

No

*If no, please indicate if you would like a member of our Planning team to connect with you to provide clarity or further information. Please indicate preferred contact method.*

*Email:*

*Phone:*

### 2. Do you feel fully informed of the next steps involved in this proposal? This includes Public Hearing at Council (November, 2017) and Subdivision application.

Yes

No

*If no, please indicate if you would like a member of our Planning team to connect with you to provide clarity or further information. Please indicate preferred contact method.*

*Email:*

*Phone:*

### 3. What is your biggest concern regarding this proposal?

### 4. What is your biggest hope regarding this proposal?

We encourage you to contact us with any questions or feedback. You can also provide feedback to the questions below via email.

Contact:

E: [jocelyn@civicworks.ca](mailto:jocelyn@civicworks.ca)

T: 403.201.5305

---

**From:** douganddawne@xplornet.com  
**Sent:** Wednesday, July 26, 2017 10:16 PM  
**To:** Meghan Norman; Scott Kerr  
**Subject:** Against Proposal Application Number PL20170108  
**Attachments:** MD Proposal Against July 26.docx

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

**Categories:** Recorded Circ comments

Please read the attachment that is **NOT IN FAVOR** in regards to:

File Number **06823011**

Application Number **PL20170108**

Division 9

Regards

Doug and Dawne Lewis



July 26, 2017

Doug and Dawne Lewis

41035 Camden Lane

Cochrane, Alberta

T4C 1A1

Megan Norman

Email: [mnorman@rockyview.ca](mailto:mnorman@rockyview.ca)

**Re: File Number 06823011    Application Number PL20170108    Division 9**

My wife Dawne and I would like to express our concern with the application listed above.

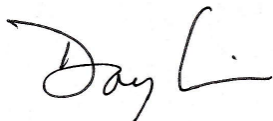
We have had previous concerns with the amount of traffic and traffic noise with just one resident and the rental within the residence. There was traffic constantly going back and forth to a supposed "Storage" Sea Cans (5) that had traffic with pick ups and trailers coming and going always during the day and night. Dust is a constant issue also with the vehicles going back and forth and travelling at increased speed on the driveway.

The driveway entrance and exit to the property in the application runs along side our property directly to the west of the road. The traffic noise and dust is annoying and disrupting my wife during the day when she is trying to sleep (my wife works shift work). We are constantly getting dust and noise when trying to sit outside with family friends and grandchildren. We would like to enjoy our peace and quiet.

With the increase of 3 properties, this will only add to the problem and we are adamantly against the division of this property. This is unreasonable and not a healthy situation with the added noise and dust in our rural community.

Please be advised that we are NOT in favor of this proposal.

Regards

A handwritten signature in black ink, appearing to read "Doug L.", with a stylized flourish at the end.

Doug Lewis

---

**From:** Cam Camden <cam57camden@gmail.com>  
**Sent:** Tuesday, August 01, 2017 8:21 AM  
**To:** Meghan Norman  
**Subject:** File 06823011 PL20170108

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

My wife, Holly and myself (William Camden), property owners directly to the south of the proposed change in the land parcels from Agriculture Holdings to residential, are opposed to the changes.

The parcel size is currently near 16 acres and could possibly be used for some agriculture value, but the sub-dividing down to approximately 4 acres has absolutely no agriculture value. One would assume there is currently one (1) water well on the 16 acres and obviously there would need to be two (2) other wells drilled to accommodate the other parcels. The water in this area is not that plentiful and anyone purchasing a 4 acre parcel most likely wants a companion animal such as a horse, donkey, llama, sheep etc and a garden, all of them taking a large amount of water.

Previously the Rocky View County was in opposition to sub-dividing a quarter section approximately 1/2 a mile east of this location and wanted the smallest parcels to be 40 acres and be able to sustain agriculture? They should most likely stick with their thoughts and not over crowd an already crowded area.

Yours truly,

William & Holly Camden  
Box 234  
Cochrane, Alberta T4C 1A5

July 29, 2017

Scott R Kerr  
41059 Camden Lane  
Cochrane, Alberta  
T4C 1A1

**Megan Norman**

Email: [mnorman@rockyview.ca](mailto:mnorman@rockyview.ca)

**Re: File Number 06823011 Application Number PL20170108 Division 9**

I would like to express our concern regarding the above application.

This place has been an ongoing issue for everyone in the surrounding area and in conjunction with a lack of attention despite repeated complaints and conversations with the count regarding numerous violations, it continues to be ongoing concern, from dogs, to horses, garbage, noise, traffic, on site contaminated landfill, and the list goes on.

Specific concerns I have with the application would be the following:

- Traffic (this approach is already a highway as far as volume)
- Construction traffic and noise if approved
- Entry to current location and secondary entry to proposed lots (how will they get secondary access?)
- Continual garbage on property that is devaluing our current property
- Water
- Noise
- Dust and garbage
- Animals and lack of attention to look after them, maintain them and keep them on their own property
- I was always told that properties such as this were only allowed to be subdivide "once"?

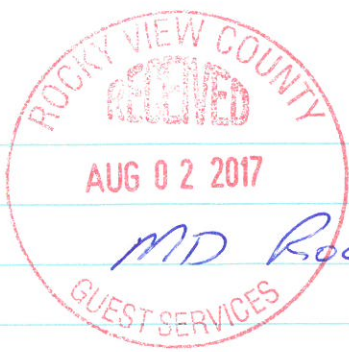
We also know that from ongoing previous dealings with the county, it is our understanding seeing it first hand that the county itself and those running it, are "coin" operated, so even though all the surrounding neighbors will reject to the proposed subdivision, as long as money exchanges hand with the county, then it will go ahead nevertheless... Be happy to discuss this in more detail with your leaders any time they would like! So, this is also why I will not spend any more time on this letter!

**NOT** in favor of this proposal.

Regards



Scott Kerr  
403-993-4766



AUG 1 2017

MD ROCKY VIEW COUNTY - PLANNING SERVICES  
ATTENTION

MEGAN NORMAN

FILE# 06823011

APPLICATION# PL20170108

WE THE LANDOWNERS IN CAMDEN LAKE AND RR 41 AREA STRONGLY DISAGREE WITH THE APPLICATION FOR REDESIGNATION OF LOT 2, BLK 6, PLW 9210341 FROM AGRICULTURAL HOLDINGS DISTRICT TO RESIDENTIAL TWO DISTRICT FOR CREATION OF THREE RESIDENTIAL LOTS.

THIS APPLICATION HAS BEEN TURNED DOWN BEFORE FOR FOLLOWING REASONS

THESE ARE SPAGETTI STRIPS OF LAND WITH NO DEVELOPMENT ON SOUTH ENDS WITH IT IS A W-5 WETLAND AREA WITH A WILDLIFE CORRIDOR WHICH WILL BE IMPACTED.

THE ACCESS OFF CAMDEN LAKE HAS THREE APPROACHES WITHIN 35 METERS OF EACH OTHER WHICH IS ON A HILL. THIS IS A HUGE CONCERN.

THERE IS NO AREA STRUCTURE PLAN OR CONCEPT PLAN AND IS NOT COMPATIBLE WITH EXISTING USE IN AREA.

HOW ARE LOTS TO BE DIVIDED UP?  
WATER ACCESSIBILITY IS POOR IN AREA!!



THERE ARE TOO MANY WELLS IN THE INFRASTRUCTURE ALREADY WITH LOW OIL PUT.

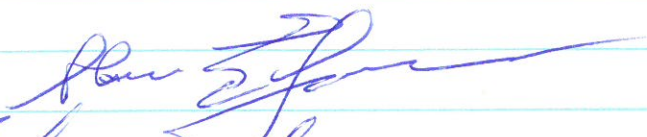
IS THE ACCESS TO THE PROPOSED LOTS LEGAL? DO THEY HAVE INDIVIDUAL ACCESS? DESIGNED ROAD WIDTH AND DITCHES? TWO WAY TRAFFIC? THE NUMBER OF POTENTIAL VEHICLES COMING AND GOING PAST EXISTING HOMES CLOSE TO ACCESS POINTS WILL HAVE A HUGE IMPACT ON QUALITY OF LIFE.

WITH THREE APPROACHES SO CLOSE TO EACH OTHER ONTO CAMDEN LAKE WILL BE UNSAFE. WITH MORE ENTERING CAMDEN LAKE. VERY BUSY ALREADY.

THE APPLICANT IS A MORTGAGE COMPANY NOT A RESIDENT IN AREA WHO HAS FORCLOSED ON THE PROPERTY AND ANOTHER ONE THAT IS ADJACENT TO IT. BOTH OF THEM HAVE HOMES THAT WERE POORLY DESIGNED AND BUILT THAT HAVE BEEN FOR SALE FOR MANY YEARS. NOW THEY ARE TRYING TO RECOVER LOSSES BY SUBDIVIDING LAND THAT IS NOT SUITABLE FOR AREA OR RESIDENCES.

SINCERLY

ALAN + WILMA ETDLECOMBE  
263195 RANGE ROAD 41  
403-932-5973

  
W Etdlecombe.

## Signatures

*[Signature]* 41050 Camden

*[Signature]* 41059 Camden Ln.

*[Signature]* 41035 Camden Ln

*[Signature]* 41035 Camden Line

*[Signature]* 263235 RR41

*[Signature]* 263225 RR41

*[Signature]* 263189 RR41

*[Signature]* 263189 RR41

*[Signature]* 263211 RR41

*[Signature]* 403-93L-6647

*[Signature]* 403-932-6647



R 4, Mp.

80.48

20.12

R 5, Mp.

33"

DOUG + DAUNE  
LEWIS

20"

20"

NARINDER  
MANNAN

RYAN  
+  
MICHELLE  
HOLT

SCOTT  
KERR

OBJECT

LOT 1

BLOCK 6

LOT 1

AREA = 1.619 Ha.  
4.00 Ac.

OBJECT

80.48

90° 00' 21"

20.14

20.14

55'

359°

BLOCK 4

PLAN ~~761 0974~~

741 0974

AC CORRECTED MARCH 19, 1992

DAVID + CHRISTINE

OBJECT FOSTER

DAN  
+  
KARNE  
CLARK

OBJECT

BLOCK 5

55'

BLOCK 6

CLARKS  
→

||  
||

799.43

55'

13.0 m ALAN + WILMA  
EDGEcombe

↑ 18.7 m  
House

881 1138

LOT 2

AREA = 6.424 Ha.  
15.87 Ac.

OBJECT

EWART  
+  
NINA  
MORRISON

BLOCK  
PLAN

PLAN

791152

598.22

DANA + MELONY

← PANTHER

OBJECT

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## **RECREATION AND COMMUNITY SERVICES**

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**TO:** Council **DIVISION:** All  
**DATE:** January 9, 2018  
**FILE:** 6070-175  
**SUBJECT:** Response to Notice of Motion - Donating Funds to the Town of Cochrane

---

### **<sup>1</sup>ADMINISTRATION RECOMMENDATION:**

THAT the \$255,000 in land sale proceeds remain in the Tax Stabilization Reserve until such time as Council has reviewed all unfunded capital projects, including current and potential recreation facilities.

### **EXECUTIVE SUMMARY:**

At the December 12, 2017 Council meeting, Councillor Kissel brought forward the following Notice of Motion to be debated at the January 9, 2018 Council meeting:

*THAT Council direct Administration to direct all funds paid to Rocky View County by Cochrane for these lands to the Pool Project, as a goodwill good partner gesture.*

Administration has reviewed the content of the notice of motion. Due to the lack of analysis and significant funding shortfalls for a number of County projects, it is recommended that Council delay assigning County funds until Council reviews 2018 capital priorities, assesses the current multi-year capital unfunded list, and has better information about pending funding requests from other adjacent municipalities on matters like recreation. Therefore, Administration recommends retaining reserve funds until Council can determine funding impacts and priorities, in accordance with **Option #2**.

### **BACKGROUND:**

In 2001, the Town of Cochrane and Rocky View County formed a partnership to purchase 27 acres of land, at market value, within Cochrane to construct an ice rink. Total cost of the project was \$3,927,000 and was funded by financial contributions of \$1.2 million, each from the County and Cochrane. The remainder of the funds came from the Ranchlands Recreation Board, volunteer labour, and community fundraising.

In 2012, Council recognized the Spray Lakes Sawmills Recreation Centre as a 'regional' facility under Community Recreation Funding Policy 317, which allowed for further capital funding up to a maximum of \$400,000 annually. Any capital projects exceeding \$400,000 are reviewed and prioritized by the criteria set out in the Council approved Capital Priorities Policy 460.

In April of 2013 Cochrane submitted a funding request for \$6.25 million to fund, in part, a \$54 million pool and curling arena expansion to the Spray Lakes Sawmills Recreation Centre. Consistent with past contributions to other communities for County resident use, Council authorized and directed \$2.2 million of Municipal Sustainability Funding (MSI) for the expansion of the Spray Lakes facility. The same funding approach was taken in 2011 for the City of Airdrie Genesis Place Arena Expansion and again in 2017 for Langdon/Indus regional facilities. In 2013, \$2.2 million was also set aside for a future infrastructure project for the Springbank area.

With respect to the \$255,000 being considered in the notice of motion, on November 14, 2017, consistent with Council's Land Acquisition/Disposition Policy 313, the County received the market value payment from Cochrane for a portion of lands previously acquired by the County at market

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<sup>1</sup> **Administration Resources**

Corwin McCullagh, Recreation & Community Services

value. Council should be aware that it is common practice for municipalities to pay market value for any land they may require. The County has done so numerous times. As per direction, funds received are placed in Council's Tax Stabilization Reserve. Councillor Kissel's motion is requesting that the payment from Cochrane be returned to the Town as a donation.

**BUDGET IMPLICATION(S):**

If Council decides to approve the \$255,000 expenditure, Administration will bring forward a budget adjustment to transfer \$255,000 out of the Tax Stabilization Reserve. The Tax Stabilization Reserve currently sits at \$22.7 million prior to year-end adjustments.

**DISCUSSION:**

While Council always has the ability to vary policy, it is noted that the previous Council considered this as an option in early 2017. Council determined, the same subject land was acquired at market value, and that if Cochrane wished to proceed, then the County should receive market value to replenish reserve funds. Additionally, it was noted that Cochrane was able to recover payment costs through its utility rate system. This would be a similar approach the County would have taken, if requiring land for utility purposes.

With respect to the example referenced in the Notice of Motion, of County lands sold below market value, the land was required by the City of Airdrie to widen Yankee Valley Boulevard. While the County lands were appraised at \$200,000, Council chose to deviate from Policy and disposed of the land for \$200 dollars.

From a financial health perspective, and referencing Council's Capital Priorities Policy #460, which outlines criteria for resourcing and prioritizing capital projects, the County currently has 29 unfunded projects totaling over \$237 million. In addition to these capital priorities and based on typical recreation industry standards associated with population forecasts of Council approved Area Structure Plans, it is estimated that over the next 30 years, the County will be faced with requests for an additional \$330 million in recreational infrastructure within the County. This estimate does not include infrastructure of adjoining municipalities and potential capital requests Council may consider from those municipalities.

The County already has numerous cost sharing agreements in place with various neighbours excluding the City of Calgary. Those inter-municipal agreements require significant time to review and have large funding implications associated with them. The County is being asked to increase contributions and is being asked by other municipalities like Calgary to start making financial contributions. Should Council agree to such financial commitments in the future, this will likely impact taxes and or development levies.

Recreation Services is assessing resident service demand, use, and County catchment areas. The data will be helpful to Council when considering setting service standards within the County boundaries and through potential inter-municipal cost sharing arrangements with neighboring municipalities. An update to the needs assessments for both the Ranchlands and Bearspaw Glendale recreation districts is also planned.

**CONCLUSION:**

The County has 29 unfunded capital projects totaling over \$237 million, in addition it is anticipated there will be further servicing funding requests from adjacent municipalities. Therefore, Administration recommends that prior to allocating funding to the Town of Cochrane Council review the broad range of capital needs.

Therefore, Administration recommends retaining the \$255,000 in the Tax Stabilization Reserve, in accordance with **Option #2**.



**OPTIONS:**

- Option #1      THAT Council direct Administration to direct all funds paid to Rocky View County by Cochrane for these lands to the Pool Project, as a goodwill good partner gesture.  
(Notice of Motion)
- Option # 2      THAT the \$255,000 in land sale proceeds remain in the Tax Stabilization Reserve until such time as Council has reviewed all in support of obtaining relevant data to assist Council in determining priorities for unfunded capital projects, including current and potential recreation facilities.
- Option #3      THAT alternative direction be provided.

Respectfully submitted,

Concurrence,

“Chris O’Hara”

“Kevin Greig”

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General Manager

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County Manager

CM/rp

**ATTACHMENTS:**

Attachment ‘A’: Notice of Motion – Councillor Kissel – December 12, 2017

**Notice of Motion:** To be read in at the December 12, 2017 Council Meeting

To be debated at the January 9, 2017 Council Meeting

**Title:** Donating funds to Town of Cochrane

**Presented By:** Councillor Kissel, Division 9

**Whereas** The Town of Cochrane is one of Rocky View County's closest municipal neighbors;

**Whereas** The Town of Cochrane and Rocky View County are joint owners of the Spray Lakes Recreation facility and the surrounding lands;

**Whereas** The Town of Cochrane and Rocky View County have an existing Municipal Affairs award winning inter municipal relationship (The Ranchehouse Accord);

**Whereas** Rocky View County sold to the Town of Cochrane two small pieces of said lands to enable Cochrane to do town infrastructure improvements;

**THEREFORE, BE IT RESOLVED** THAT Council direct Administration to direct all funds paid to Rocky View County by Cochrane for these lands to the Pool Project, as a goodwill good partner gesture.

**Background:**

Many municipal neighbors have jointly-owned properties and/or property owned in another municipality, so on occasion one partner needs some of these lands to do upgrades to municipal infrastructure.

This is not new territory for RVC, as not long ago Airdrie needed a small piece of land to improve Yankee Valley Blvd., west of 8 St. in the City. The County did due diligence and had an appraisal done, then brought the item to Council where Council made the decision to sell the land for \$1.00.

This land was not jointly-owned, but the intent is the same. Both pieces of land were of no value to any other entity so, as in the Airdrie example, it would be of good value to the Cochrane-RVC intermunicipal relationship.

**Notice of Motion:** To be read in at the January 9, 2018 Council Meeting

To be debated at the January 23, 2018 Council Meeting

**Title:** Increase Speed Limit on Highway 1 east of Chestermere

**Presented By:** Councillor Jerry Gautreau, Division 5

**Whereas** The speed limit on Highway 1 commencing approximately 1 km east of the Town of Chestermere was reduced from 110 km/h to 80 km/h in the spring of 2017;

**Whereas** The reduced speed limit of 80 km/h applies to both east bound and west bound traffic of approximately a 5 km stretch of the highway from the intersection of Range Road 281 to the intersection east of secondary highway 791;

**Whereas** Motorists continue to drive the original speed limit of 110 km/h up to 120 km/h;

**Whereas** This stretch of highway is now more dangerous as drivers can no longer judge the speed of traffic;

**Whereas** The newly constructed acceleration lane heading westbound at the intersection of secondary highway 791 and highway 1 has made the intersection more safe;

**Whereas** The Minister of Transportation should be advised of Rocky View County's safety concerns;

**THEREFORE, BE IT RESOLVED** THAT on behalf of Rocky View County Council, the Reeve shall submit a letter to the Minister of Transportation advising of the safety concerns on this stretch of highway and that the speed limit should be returned to 110 km/h.





## PLANNING SERVICES

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**TO:** Subdivision Authority  
**DATE:** January 9, 2018  
**FILE:** 04210009  
**SUBJECT:** Subdivision Item – Two Lots, Business – Highway Frontage near intersection of Highways 1 and 797.

**DIVISION:** 4  
**APPLICATION:** PL20150047

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### <sup>1</sup>ADMINISTRATION RECOMMENDATION:

THAT Subdivision Application PL20150047 be approved with the conditions noted in Appendix A.

### EXECUTIVE SUMMARY:

The purpose of this application is to create two  $\pm 1.21$  hectare ( $\pm 3.00$  acre) parcels with a  $\pm 1.62$  hectare ( $\pm 4.00$  acre) remainder. The land use designation of the existing parcel is Business – Highway Frontage.

As per the *Municipal Government Act* (MGA 623) and the *Subdivision Authority Bylaw* (C-7456-2015), Council is the Subdivision Authority for this application. Subdivision approvals are required to divide a parcel of land into two or more parcels or to realign parcel boundaries. Technical requirements such as road access, water and sewer, and stormwater are key considerations in subdivision applications.

The site is located on Vale View Road, approximately 4.83 kilometres (3.0 miles) east of the City of Chestermere, near the south-west junction of Highway 1 and Highway 797 (see Appendix 'C'). The parcel forms part of a wider quarter section that contains mainly vacant lots holding commercial and industrial land use designations on its northern half. The southern half of the quarter section also comprises vacant land owned by the Province. Much of the eastern portion of the lot is covered by substantial waterbodies.

An existing dwelling and accessory building are located on the southern portion of the subject lands and are accessed by a single approach and driveway off Vale View Road. The applicant proposes to use cisterns and pump out tanks for potable water and waste water servicing.

Municipal Reserves and Transportation Off-Site Levy would be required as a condition of any subdivision approval. As the subdivision proposes new lots designated for business uses, the Applicant would also be required to enter into a Development Agreement to pave sections of Township Road 241B and Vale View Road along the northern and western site boundaries.

Administration recommends approval of this application for the following reasons:

- The proposed subdivision is consistent with the provisions of the Land Use Bylaw and County Plan;
- The subject lands hold the appropriate land use designation (Business – Highway Frontage) for the intended development; and
- The technical considerations would be addressed by the recommended approval conditions.

Therefore, Administration recommends approval of the application in accordance with **Option #1**.

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### <sup>1</sup>Administration Resources

Dominic Kazmierczak, Planning Services  
Gurbir Nijjar, Engineering Services



<b>PROPOSAL:</b> To create two 1.21 hectare (3.00 acre) lots, with 1.62 hectare (4.00 acre) remainder.	<b>GENERAL LOCATION:</b> Located three miles east of the city of Chestermere, adjacent to Highway 1 and Vale View Road.
<b>LEGAL DESCRIPTION:</b> Lot 1, Block 1, Plan 1113617, NW-10-24-27-W04M (241202 Vale View Road).	<b>GROSS AREA:</b> ±4.06 hectares (±10.03 acres).
<b>APPLICANT:</b> Schule's Consulting (Al Schule) <b>OWNER:</b> Edwin and Le Anne Holt	<b>RESERVE STATUS:</b> Municipal Reserves for the parcel were previously deferred by Instrument Number 111325134.
<b>LAND USE DESIGNATION:</b> Business – Highway Frontage	<b>LEVIES INFORMATION:</b> Transportation Off-Site Levy (Bylaw C-7356-2014) is applicable in this case.
<b>DATE APPLICATION DEEMED COMPLETE:</b> March 01, 2017 (Application received: May 4, 2015).	<b>APPEAL BOARD:</b> Municipal Government Board
<b>TECHNICAL REPORTS SUBMITTED:</b> <ul style="list-style-type: none"> <li>Stormwater Management Report prepared by Sim-Flo Systems Inc., dated March 01, 2017;</li> <li>Traffic Impact Assessment prepared by Bunt and Associates Engineering (Alberta) Ltd., dated October 17, 2012;</li> </ul>	<b>LAND USE POLICIES AND STATUTORY PLANS:</b> <ul style="list-style-type: none"> <li>County Plan (Bylaw C-7280-2013);</li> <li>Land Use Bylaw (C-4841-97).</li> </ul>

#### **PUBLIC SUBMISSIONS:**

The application was circulated to 21 adjacent landowners. At the time of report preparation, no responses had been received.

#### **AGENCY SUBMISSIONS:**

The application was circulated to a number of internal and external agencies. The responses are available in Appendix 'B'.

#### **HISTORY:**

<b>November 2010</b>	Council approved the redesignation of the subject lands from Residential Three District and Ranch and Farm Two District to Business – Highway Frontage, Industrial – Industrial Storage and Business – Leisure and Recreation Districts(2009-RV-279).
<b>September 2010</b>	Council approved the subdivision of a ≥ 4.06 hectare (≥ 10.03 acre) lot with a ± 20.11 hectare (± 49.70 acre) remainder to create the current parcel (subdivision registered December 2011).
<b>July 2009</b>	Council approved the redesignation of the subject lands from Ranch and Farm District to Residential Three District and Ranch and Farm Two District in support of the subdivision application to create the current 10.03 acre parcel.



- May 2009** Alberta Transportation registered Plan 091 2435, widening the Highway 1 road Right-of-Way, reducing the Applicant's parcel size by 2.42 hectares (5.98 acres). This resulted in an area of 24.17 hectares (59.73 acres).
- January 1992** Alberta Transportation consolidated 8.8 acres of its land with the Applicant's parcel.
- December 1983** Alberta Transportation acquired the lower 94.55 acres of the quarter section to create an Earth Borrow Pit.

#### TECHNICAL CONSIDERATIONS:

This application has been evaluated in accordance with the matters listed in Section 7 of the Subdivision and Development Regulation, which are as follows:

a) The site's topography

The subject land is generally flat with minimal elevation change across the site and surrounding area. Three minor wetlands appear to be present on the site. A Wetland Impact Assessment would be required as a condition of any future development permits approved for development to identify wetland classes and all other necessary information as required by Alberta Environment and Parks to make application under the Water Act for the loss of the on-site wetlands. As a further condition of any future development permits on the proposed lots, Water Act approvals would need to be obtained from Alberta Environment and Parks for any disturbance or loss of wetlands within the site. There are no apparent topographical constraints to the proposed development.

Conditions: None.

b) The site's soil characteristics

The subject lands are predominantly Class 2 soils with slight limitations. Only the very northern site perimeter shows moderate limitations as Class 3 soils. There are no apparent constraints to the proposed subdivision, and no further requirements at this time.

Conditions: None

c) Stormwater collection and disposal

A Stormwater Management Plan (Sim-Flo Systems Inc., March 2017) was provided with the subdivision application. The Plan proposes to construct individual stormwater ponds on each parcel, with these ponds having outlets to the roadside ditches of Township Road 241B and Vale View Road. Release rates are anticipated to be in accordance with pre-development conditions. As a condition of any future development permit, the Applicant would be required to provide a Site Specific Stormwater Implementation Plan, detailing the stormwater management design of the parcel. The development permit conditions would also require an Erosion and Sediment Control plan to address measures to be implemented during the development of the proposed parcels.

Conditions: None

d) Any potential for flooding, subsidence, or erosion of the land

There is no concern for the potential of flooding, subsidence, or erosion of the subject lands.

Conditions: None



e) Accessibility to a road

*Road Network*

Section 14.22 of the County Plan requires that business development outside of a business area should have direct and safe access to a paved County road or Provincial Highway. Sections of Township Road 241B were previously upgraded to a paved standard by a landowner undertaking development immediately to the east of the subject lands. As the Applicant would benefit from the upgrades that have been undertaken thus far, they are required to pay cost recoveries to the adjacent developer as a condition of subdivision approval.

The paved surface of Township Road 241B currently only extends to the eastern boundary of the subject lands. Therefore, the Applicant would be required to continue paving west along the northern boundary of the site and then south along Vale View Road to the southern boundary of the subject lands. As a condition of subdivision, the Applicant would be eligible to enter into a Cost Recovery Agreement with the County to recoup costs for the upgrades from other landowners benefiting from the improved road standard.

The improvements to Township Road 241B and Vale View Road would be constructed under a Development Agreement, to be entered into by the Applicant.

Conditions: 2, 5, and 6.

*Traffic Impact Assessments (TIA) and required intersection upgrades*

The TIA submitted with the application, prepared by Bunt & Associates (dated October 17, 2012), accounted for three warehouse-style buildings that would add traffic to the existing road network, including the intersection of Highway 797 and Township Road 241B. The TIA indicates that an improvement to the intersection of Highway 797 and Township Road 241B, to allow for northbound traffic to bypass left turning vehicles, would be warranted based on the additional traffic the development would generate. However, given the low volume of left turning traffic, AT has waived the requirement to upgrade the intersection at this time.

Conditions: None.

*Transportation Offsite Levy*

The Applicant/Owner is required to provide payment for the Transportation Off-Site Levy in accordance with Bylaw C-7356-2014.

Condition: 8

Water supply, sewage, and solid waste disposal

*Water supply*

The new lots would be serviced through a cistern; no concerns were raised in relation to this proposal.

Conditions: None

*Sewage/Wastewater*

The new lots would be serviced through pump out tanks; no concerns were raised in relation to this proposal.

Conditions: None



f) The use of the land in the vicinity of the site

The subject lands are located adjacent to several lots within the wider quarter section that have a range of business land use designations including, Business – Highway Frontage, Industrial – Industrial Storage, Business – Leisure and Recreation. No Area Structure Plan or Conceptual Scheme covers the quarter section to provide a framework for these business uses. A further industrial use is located on the quarter section to the south of the site, with the site intended for the development of recreational vehicle storage uses under Direct Control Bylaw 122. The remaining area surrounding the site is predominantly agricultural with a few pockets of smaller residential lots.

Overall, land use compatibility is not a concern for the proposed subdivision, and the proposed lots would complement the existing and approved uses immediately to the east of the site.

Conditions: None

g) Other matters

*Municipal Reserves*

Municipal Reserves for the parcel were previously deferred by Instrument Number 111325134 following the subdivision that created the subject  $\pm 4.06$  hectare ( $\pm 10.03$  acre) lot. Reserves are now due for the subject lands, and it is recommended that cash-in-lieu be taken in accordance with the appraisal report submitted with the application.

A land value appraisal was conducted by Douglas Pollard (File # 15-107-MDRV, dated July 10, 2015). The appraisal placed the value of the lands at \$890,000, or \$89,000 per acre.

Condition: 10

**POLICY CONSIDERATIONS:**

The subject lands are not located within the policy area of an Area Structure Plan or Conceptual Scheme. The wider area around the intersection of Highway 1 and Highway 797 is also not designated as a business area within the County Plan.

However, subject to meeting the recommended conditions of approval, subdivision of the subject lands would be consistent with Policy 14.22 of the County Plan which applies to business development proposals outside of business areas. Policy 14.22 states:

*“Proposals for business development outside of a business area should:*

- a. be limited in size, scale, intensity, and scope;*
- b. have direct and safe access to a paved County road or Provincial highway;*
- c. provide a traffic impact and intersection assessment; and*
- d. minimize adverse impacts on existing residential, business, or agricultural uses.”*

The lands already hold the required land use designation for business uses, and the subdivision would be consistent with the minimum parcel size for Business – Highway Frontage of 1.01 hectares (2.5 acres) set out within the Land Use Bylaw. The proposal would complement existing business uses established in the surrounding area.

**CONCLUSION:**

The application is consistent with County Statutory Plans, and the subject lands hold the appropriate land use designation. The technical aspects of the application are addressed through the conditions of subdivision approval; therefore, Administration recommends approval of this application in accordance with **Option #1**.



**OPTIONS:**

- Option #1: THAT Subdivision Application PL20150047 be approved with the conditions noted in Appendix A.
- Option #2: THAT Subdivision Application PL20150047 be refused as per the reasons noted.

Respectfully submitted,

Concurrence,

“Chris O’Hara”

“Kevin Greig”

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General Manager

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County Manager

DK/rp

**APPENDICES:**

- APPENDIX ‘A’: Approval Conditions
- APPENDIX ‘B’: Application Referrals
- APPENDIX ‘C’: Mapset





## APPENDIX A: APPROVAL CONDITIONS

- A. That the application to create two  $\pm 1.21$  hectare ( $\pm 3.00$  acre) parcels (Lots 1 and 2) with a  $\pm 1.62$  hectare ( $\pm 4.00$  acre) remainder (Lot 3) from Lot 1, Block 1, Plan 1113617, NW-10-24-27-W04M having been evaluated in terms of Section 654 of the *Municipal Government Act*, 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 Plans;
  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 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 condition 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 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 Plan

- 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.

### Development Agreement

- 2) The Applicant/Owner is to enter into a Development Agreement pursuant to Section 655 of the *Municipal Government Act* in accordance with the approved Tentative Plan and shall include, without restriction, the following:
  - a. Design and construction of both Township Road 241B and Vale View Road to a Regional Transitional Paved Standard (400.10) from the existing edge of pavement immediately east of the eastern property line along Township Road 241B, to the southern boundary of the subject lands, in accordance with the County Servicing Standards as shown in the tentative plan;
  - b. Payment of all applicable cost recovery contributions to third parties for oversized or excess capacity infrastructure, roads, and/or services;
  - c. Installation of power, natural gas, telecommunication and all other shallow utilities;
  - d. Dedication of necessary easements and rights-of-way for utility line assignments;
  - e. Mailbox locations are to be located in consultation with Canada Post, to the satisfaction of the County;
  - f. Implementation of the recommendations and findings of the geotechnical report prepared in support of the proposed development; and



- g. Implementation of the recommendations of the Construction Management Plan and Weed Management Plan.

#### *Construction Management Plan*

- 3) The Applicant/Owner shall provide a Construction Management Plan that is to include, but not be limited to, noise, sedimentation and erosion control, construction waste management, fire fighting procedures, evacuation plan, hazardous material containment, construction, and management details. Other specific requirements include:
  - a. Weed management during the construction phase of the project;
  - b. Implementation of the Construction Management Plan recommendations, which will be implemented through the Development Agreement;

#### *Geotechnical Investigation*

- 4) The Applicant/Owner is to provide a Geotechnical Investigation Report, prepared by a Qualified Geotechnical Professional licensed to practice in the Province of Alberta, in accordance with the County Servicing Standards, to the satisfaction of the County;
  - a. The report is to provide recommendations for the pavement structure design for the required upgrades to Township Road 241B and Vale View Road, liner requirements for the proposed stormwater ponds, recommendations for the future grading and filling of the lots, and any other applicable geotechnical information.

#### *Cost Contribution and Recovery*

- 5) The Owner shall be required to pay cost recoveries to the original developer of the adjacent lands directly east of the subject lands (J-Squared Land Corporation) for the paving of Township Road 241B in accordance with the Infrastructure Cost Recovery Agreement between the County and J-Squared Land Corporation.
- 6) The County will enter into an Infrastructure Cost Recovery Agreement with the Owner to determine the proportionate recovery of infrastructure money spent by the Owner to construct municipal infrastructure that will also provide benefit to other lands. This Agreement shall apply to the design and construction of sections of Township Road 241B and Vale View Road to a paved standard, all to the satisfaction of the County.

#### *Site Servicing*

- 7) Utility Easements, Agreements and Plans are to be provided to the satisfaction of Telus Communications Limited, and are to be registered concurrently with the Plan of Subdivision.

#### *Payments and Levies*

- 8) The Owner shall pay the County's Transportation Off-Site Levy in accordance with Bylaw C-7356-2014 prior to entering into the Development Agreement. The County shall calculate the total amount owing from the total gross acreage of the Lands to be subdivided as shown on the Plan of Survey.
- 9) The Applicant/Owner shall pay the County subdivision endorsement fee, in accordance with the Master Rates Bylaw, for the creation of two new Lots.

#### *Municipal Reserves*

- 10) The provision of Reserve in the amount of 10 percent of the area of Lots 1 to 3 (inclusive), 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 Douglas Pollard, file 15-107-MDRV, dated July 10, 2015 pursuant to Section 666(3) of the *Municipal Government Act*.



*Taxes*

- 11) All taxes owing up to and including the year in which subdivision is to be registered, are to be paid to the 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, Administration is directed to present the Owner 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.

**APPENDIX B: APPLICATION REFERRALS**

<b>AGENCY</b>	<b>COMMENTS</b>
<b><i>School Authority</i></b>	
Rocky View Schools	No objections. It is recommended that cash in lieu be taken at the time of subdivision.
Calgary Catholic School District	No response.
Public Francophone Education	No response.
Catholic Francophone Education	No response.
<b><i>Province of Alberta</i></b>	
Alberta Environment and Sustainable Resource Development	No response.
Alberta Transportation	<p>Further to our recent discussions regarding the above referenced subdivision, Alberta Transportation has reviewed the traffic impact assessment and provides the following points to summarize the department's position:</p> <ol style="list-style-type: none"> <li>1. Alberta Transportation has reviewed and accepted the design previously provided, however recognizes that no funding is being collected by Rocky View County towards improvement of this intersection.</li> <li>2. Vehicles from the south turning left on Township Road 241B are anticipated to be 3 vehicles in the peak hour. Due to the low volumes of left turning traffic at the intersection of Highway 797 and Township Road 241B, the intersection upgrade is not required at this time.</li> <li>3. Development may continue on the existing lots, subject to review and approval of Alberta Transportation as outline in the Highways Development and Protection Act. Development of uses that generate significant traffic volumes at the intersection may require construction of improvements to the intersection at the developer's expense.</li> <li>4. Additional subdivision of lands using Township Road 241B as primary means of access must be supported by some form of pre-subdivision planning as outlined in Section 14(e) of the Subdivision and Development Regulation. This pre-subdivision planning will outline the future location and design of the Highway 797 and Township Road 241B</li> </ol>

AGENCY	COMMENTS
	intersection, and outline the responsibility for improvement to the intersection.
Alberta Culture and Community Spirit (Historical Resources)	No response.
Alberta Energy Resources Conservation Board	No response.
Alberta Health Services	<p data-bbox="618 630 1430 762">It is understood that this application is proposing to create two 1.21 hectare (3.0 acre) lots with a 1.62 hectare (4.0 acre) remainder. AHS would like to make the following comments for your consideration:</p> <ol data-bbox="618 779 1455 1850" style="list-style-type: none"> <li>1. It is recommended that any existing/new water wells on the subject lands must be completely contained within the proposed property boundaries. Please note that the drinking water source (e.g. private well) must conform to the most recent Canadian Drinking Water Quality Guidelines and the Alberta Public Health Act, Nuisance and General Sanitation Guideline 243/2003 which states the following:  <p data-bbox="675 1031 1219 1058">“No person shall locate a water well within</p> <ol data-bbox="688 1079 1455 1409" style="list-style-type: none"> <li>a) 10m of a watertight septic tank, pump out tank or other watertight compartment of a sewage or waste water system</li> <li>b) 15m of a weeping tile field, evaporative treatment mound or an outdoor pit privy</li> <li>c) 30m of a leaching cesspool</li> <li>d) 50m of sewage effluent on the ground surface</li> <li>e) 100m of a sewage lagoon, or</li> <li>f) 450m of any area where waste is or may be disposed of at a landfill” (AR 243/2003, s. 15)</li> </ol> </li> <li>2. Any existing and/or proposed private sewage disposal system(s), including the septic tank and effluent disposal field, must be completely contained within the proposed property boundaries and must comply with the setback distances outlined in the most recent Alberta sewage Systems Standard of Practice. Prior to installation of any sewage disposal system(s), a proper geotechnical assessment should be conducted by a qualified professional engineer and the system should be installed in an approved manner.</li> <li>3. Ensure the property is maintained in accordance with the Alberta Public Health Act, Nuisance and General Sanitation Regulation 243/2003 which stipulates,</li> </ol> <p data-bbox="675 1864 1463 1927"><i>No person shall create, commit or maintain a nuisance. A person who creates, commits or maintains any condition that</i></p>

<b>AGENCY</b>	<b>COMMENTS</b>
	<i>is or might become injurious or dangerous to the public health or that might hinder in any manner the prevention or suppression of disease is deemed to have created, committed or maintained a nuisance</i>
	4. If any evidence of contamination or other issues of public health concern are identified at any phase of development, AHS wishes to be notified.
<b><i>Public Utility</i></b>	
ATCO Gas	No response.
ATCO Pipelines	No objections.
AltaLink	No response.
FortisAlberta	No objections and no easements are required.
Telus Communications	Telus requires blanket easement or utility right-of-way for this property to protect its existing facility. If Telus is required to obtain and register the required easement(s) on behalf of the Subdivision Applicant, all labor costs and applicable fees shall be wholly borne by the Owner/Developer.
Direct Energy	No response.
TransAlta	No response.
<b><i>Adjacent Municipality</i></b>	
The City of Calgary	Not required for circulation.
<b><i>Other External Agencies</i></b>	
Calgary Airport Authority	Not required for consultation.
EnCana Corporation	No response.
Enmax	No response.



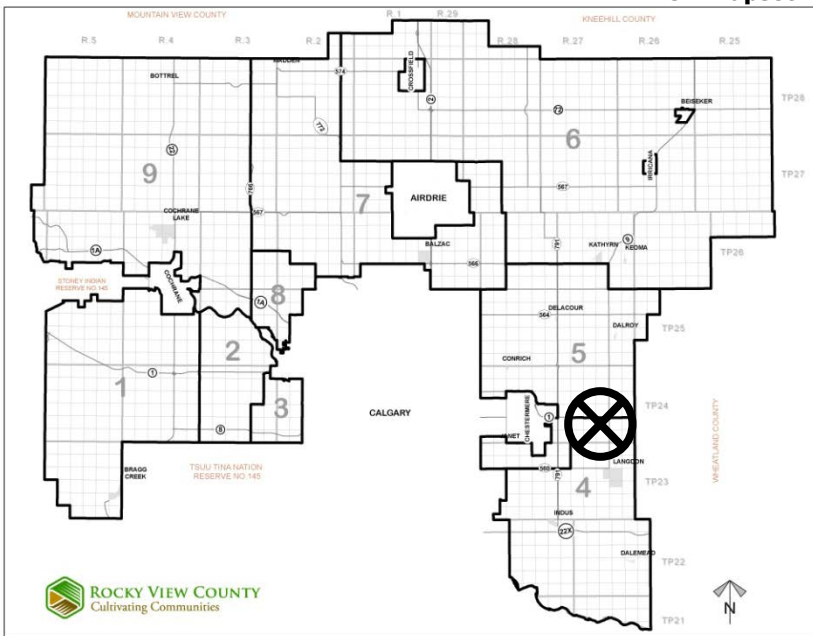
<b>AGENCY</b>	<b>COMMENTS</b>
Nexen Energy ULC	No response.
<b><i>Rocky View County Boards and Committees</i></b>	
Agricultural Service Board Farm Members and Agricultural Fieldman	No comments.
Bow North Recreation District Board	The Recreation Board recommend cash in lieu for reserves owing.
<b><i>Internal Departments</i></b>	
Municipal Lands	The Municipal Lands Office recommends taking cash in lieu for reserves owing.
Development Authority	No response.
GeoGraphics	No response.
Emergency Services	No concerns.
Enforcement Services	There are no current or historical enforcement concerns related to this application at this time. Enforcement sees no concerns with this application.
Infrastructure and Operations - Engineering Services	<p><b><u>General:</u></b></p> <ul style="list-style-type: none"> <li>• The review of this file is based upon the application submitted. These conditions/recommendations may be subject to change to ensure best practices and procedures;</li> <li>• As a condition of subdivision, the applicant is require to enter into a Development Agreement with the County for: <ul style="list-style-type: none"> <li>○ paving of TWP Road 241B and Valeview Road to a Regional Transitional Paved Standard (400.10) from the existing edge of pavement (directly east of the N/S property line along TWP Road 241B) to the southern boundary of the subject lands;</li> <li>○ signage and pavement markings;</li> <li>○ installation of power, natural gas, telecommunication and all other shallow utilities;</li> <li>○ dedication of necessary easements and rights-of-way for</li> </ul> </li> </ul>

AGENCY	COMMENTS
	<ul style="list-style-type: none"> <li>utility line assignments;</li> <li>○ mailboxes to be located in consultation with Canada Post Corporation; and</li> <li>○ implementation of the recommendations of the Construction Management Plan and Weed Management Plan.</li> </ul> <ul style="list-style-type: none"> <li>• As a condition of subdivision, the applicant is required to provide a Construction Management addressing noise mitigation measures, traffic accommodation, sedimentation and dust control, management of stormwater during construction, erosion and weed control, construction practices, waste management, firefighting procedures, evacuation plan, hazardous material containment and all other relevant construction management details;</li> <li>• As a condition of subdivision, the applicant will be eligible to enter into a Cost Recovery Agreement with the County in accordance with County Policy #406 to receive cost recoveries from others for fronting the costs associated with the paving of TWP Road 241B and Vale View Road;</li> <li>• As a condition of subdivision, the applicant will be responsible for the installation of any power, natural gas, telephone and all other utility lines and shall provide the County with written confirmation that the said utilities have been installed to the satisfaction of the utility providers;</li> <li>• As a condition of subdivision, the applicant will be required to pay cost recoveries to the developer of the adjacent lands directly east of the subject lands (J-Squared Land Corporation) for the paving of TWP Road 241B in accordance with the Cost Sharing Agreement between the County and J-Squared Land Corporation.</li> </ul> <p><b><u>Geotechnical:</u></b></p> <ul style="list-style-type: none"> <li>• As a condition of subdivision, the applicant will be required to conduct a geotechnical investigation, performed by a qualified geotechnical professional, providing recommendations for the pavement structure design for the proposed upgrades to TWP Road 241B and Vale View Road and liner requirements for the future stormwater pond and to provide any other applicable geotechnical information.</li> </ul> <p><b><u>Transportation:</u></b></p> <ul style="list-style-type: none"> <li>• The TIA submitted with the application, prepared by Bunt &amp; Associates dated October 17, 2012, which accounted for three (3) warehouse style buildings adding traffic to the existing road network including the intersection of Highway 797 and TWP Road 241B. The TIA indicates that an upgrade to the intersection of Highway 797 and TWP Road 241B to a type IVb standard is warranted in the post</li> </ul>

AGENCY	COMMENTS
	<p>development condition however, given the low volume of left turning traffic, AT has waived the requirement to upgrade the intersection at this time.</p> <ul style="list-style-type: none"> <li>As a condition of subdivision, the applicant will be required to provide payment of the Transportation Offsite Levy in accordance with applicable levy at time of subdivision approval for the total gross acreage of the lands proposed to be subdivided. As per the current bylaw, the estimated levy payment owed at time of subdivision is \$46,088;</li> <li>As per Section 14 of the County Plan, all proposals for business development outside of a business area shall have direct and safe access to a paved County road. As a condition of subdivision, the applicant will be required to provide a detailed pavement design and enter into a Development Agreement with the County for the paving of TWP Road 241B and Valeview Road to a Regional Transitional Paved Standard (400.10) from the existing edge of pavement on TWP Road 241B to the southern boundary of the subject lands on Valeview Road (approx. 450m in total length) in accordance with the County's Servicing Standards, applicable provincial regulations, standards and/or guidelines and best practices. The applicant will be eligible to enter into a Cost Recovery Agreement with the County for the upgrades to TWP Road 241B and Valeview Road in accordance with County Policy 406.</li> <li>Approaches to the proposed parcels will be required to be constructed at time of future DP based on the future site configuration and design in accordance with the County Servicing Standards</li> </ul> <p><b><u>Sanitary/Waste Water:</u></b></p> <ul style="list-style-type: none"> <li>As per the application, the applicant is proposing to utilize pump out tanks to service the proposed lots. ES has no further concerns.</li> </ul> <p><b><u>Water Supply And Waterworks:</u></b></p> <ul style="list-style-type: none"> <li>As per the application, the applicant is proposing to use a cistern to service the proposed lots. ES has no further concerns;</li> <li>As a condition of future Development Permit for the proposed lots, the applicant will be required to provide a detailed fire suppression plan in accordance with the County Servicing Standards, by-laws and any other accepted standards (NFPA).</li> </ul> <p><b><u>Stormwater Management:</u></b></p> <ul style="list-style-type: none"> <li>The applicant provided a stormwater management plan for the Holt Subdivision prepared by Sim-Flo Systems Inc. dated</li> </ul>

AGENCY	COMMENTS
	<p>March 01, 2017. The stormwater management concept consist of individual stormwater ponds to be constructed on the proposed parcels which outlet to the roadside ditches of TWP Road 241B and Vale View Road at pre-development rates. ES has reviewed the report and has no further concerns;</p> <ul style="list-style-type: none"> <li>As a condition of future Development Permits for the proposed lots, the applicant will be required to provide a site specific stormwater implementation plan, prepared by a qualified professional, providing the stormwater management design of the parcel in accordance with the stormwater management plan for the Holt Subdivision prepared by Sim-Flo Systems Inc. dated March 01, 2017 and the County Servicing Standards;</li> <li>As a condition of future Development Permits for the proposed lots, the applicant will be required to provide an erosion and sediment control (ESC) plan, prepared by a qualified professional, addressing all ESC measures to be implemented during the development of the proposed parcel.</li> </ul> <p><b><u>Environmental:</u></b></p> <ul style="list-style-type: none"> <li>As per the County's Wetland Impact Model, minor wetlands appear to exist on the subject lands. As a condition of any future Development Permit, the applicant will be required to provide a Wetland Impact Assessment, identifying wetland classes and all other necessary information as required by Alberta Environment and Parks to make application under the Water Act for the loss of the onsite wetlands;</li> <li>As a condition of any future Development Permit, the applicant will also be required to obtain all Water Act approvals from Alberta Environment and Parks for the loss to the onsite wetland areas.</li> </ul>
Infrastructure and Operations - Maintenance	No issues.
Infrastructure and Operations - Capital Delivery	No concerns.
Infrastructure and Operations - Operations	No concerns.
Agriculture and Environmental Services - Solid Waste and Recycling	No concerns.

Circulation Period: June 10, 2015 – July 2, 2015



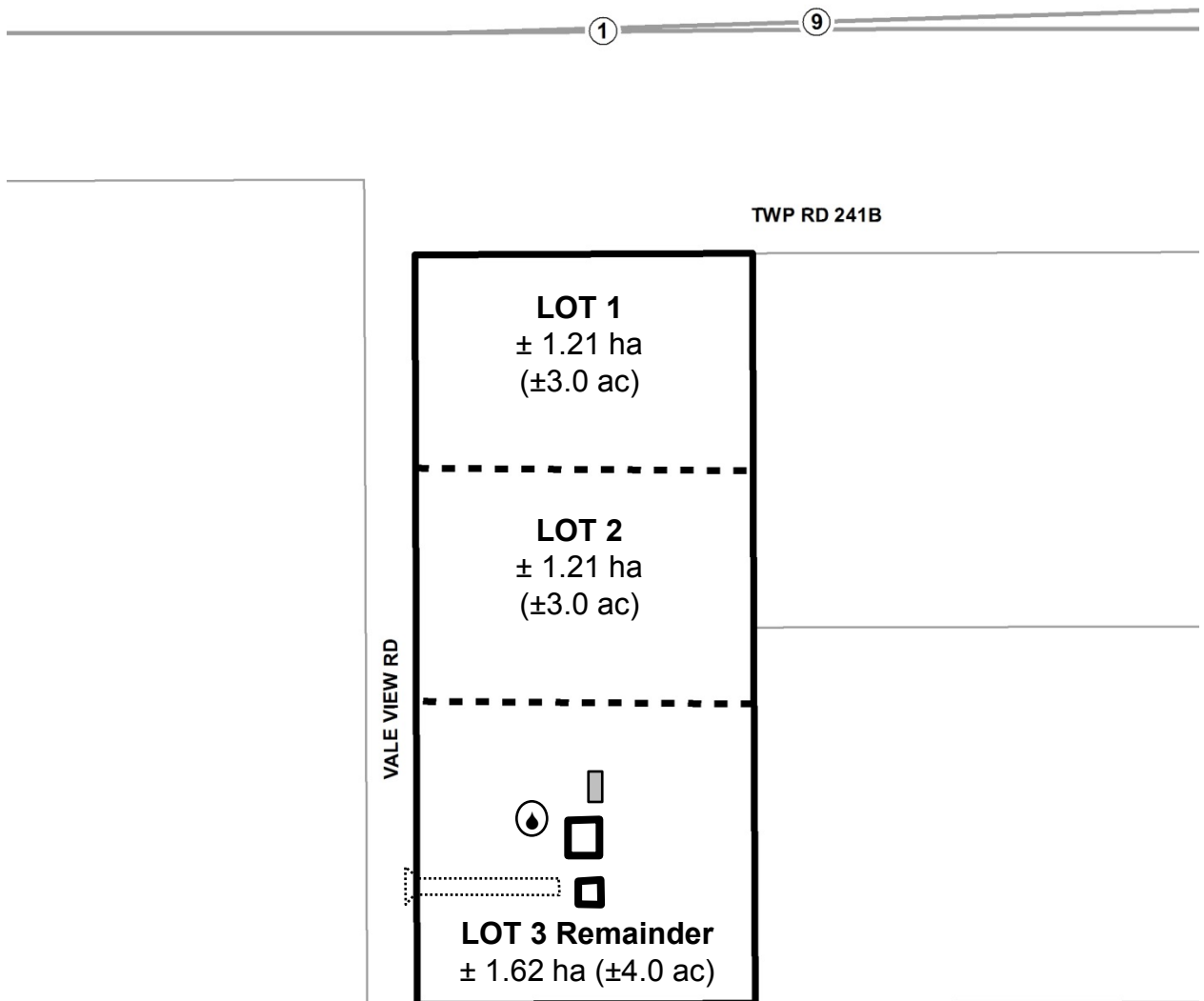
LOCATION PLAN

**Lot:1 Block:1 Plan:1113617**  
**NW-10-24-27-W04M**

Date: Oct 02, 2017Division # 4File: 04210009**AGENDA**

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**Subdivision Proposal:** To create two 1.21 hectare (3.0 acre) lots with a 1.62 hectare (4.0 acre) remainder.



**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.

**TENTATIVE PLAN**

**Lot:1 Block:1 Plan:1113617  
NW-10-24-27-W04M**

Date: Oct 02, 2017

Division # 4

File: 04210009

**AGENDA**

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Note: Post processing of raw aerial photography may cause varying degrees of visual distortion at the local level.

**AIR PHOTO**

*Spring 2016*

**Lot:1 Block:1 Plan:1113617  
NW-10-24-27-W04M**

Date: Oct 02, 2017

Division # 4

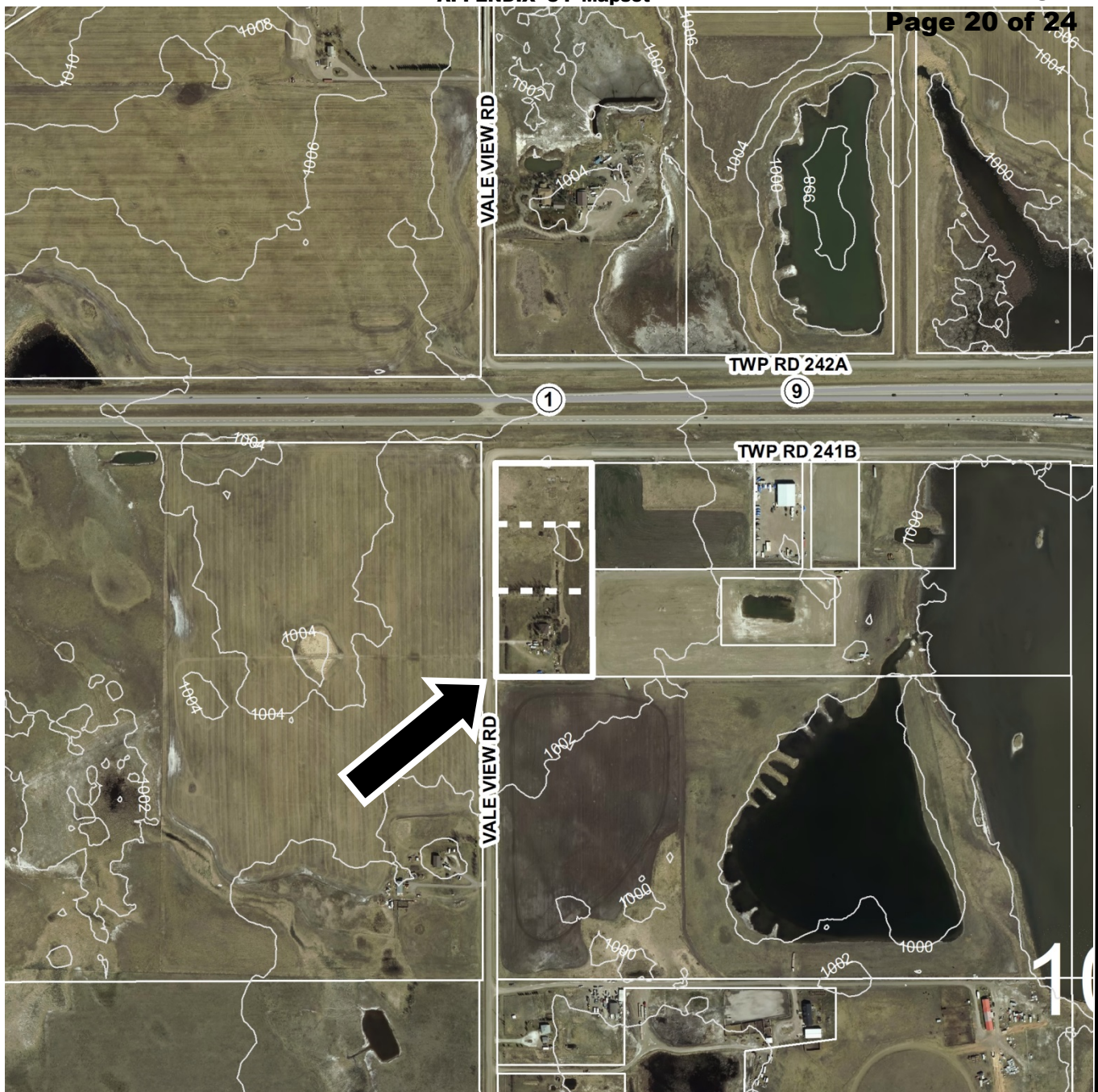
File: 04210009

**AGENDA**

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Contours are generated using 10m grid points, and depict general topographic features of the area. Detail accuracy at a local scale cannot be guaranteed. They are included for reference use only.

# TOPOGRAPHY

*Contour Interval 2 M*

**Lot:1 Block:1 Plan:1113617**  
**NW-10-24-27-W04M**

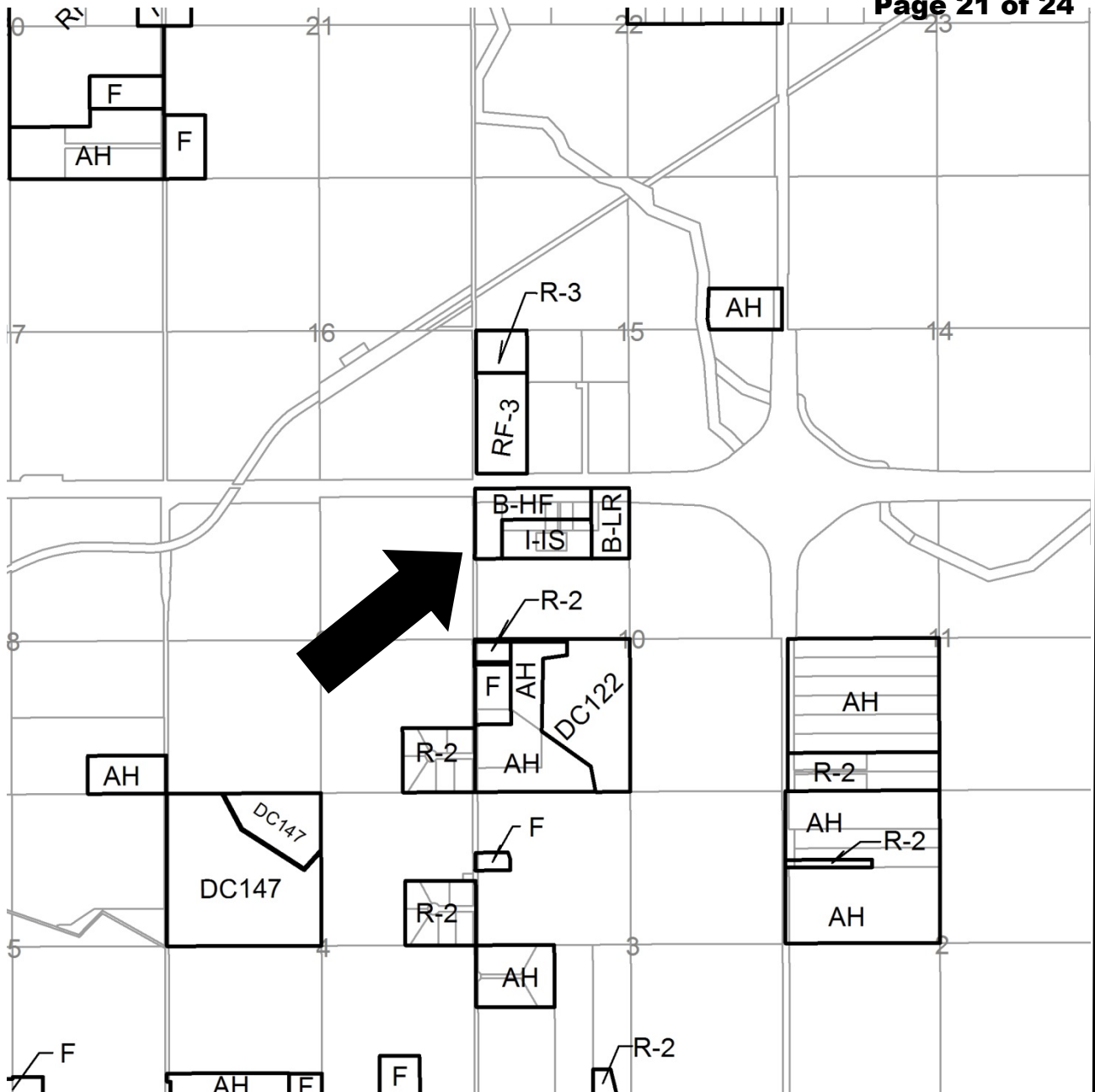
Date: Oct 02, 2017

Division # 4

File: 04210009

**AGENDA**

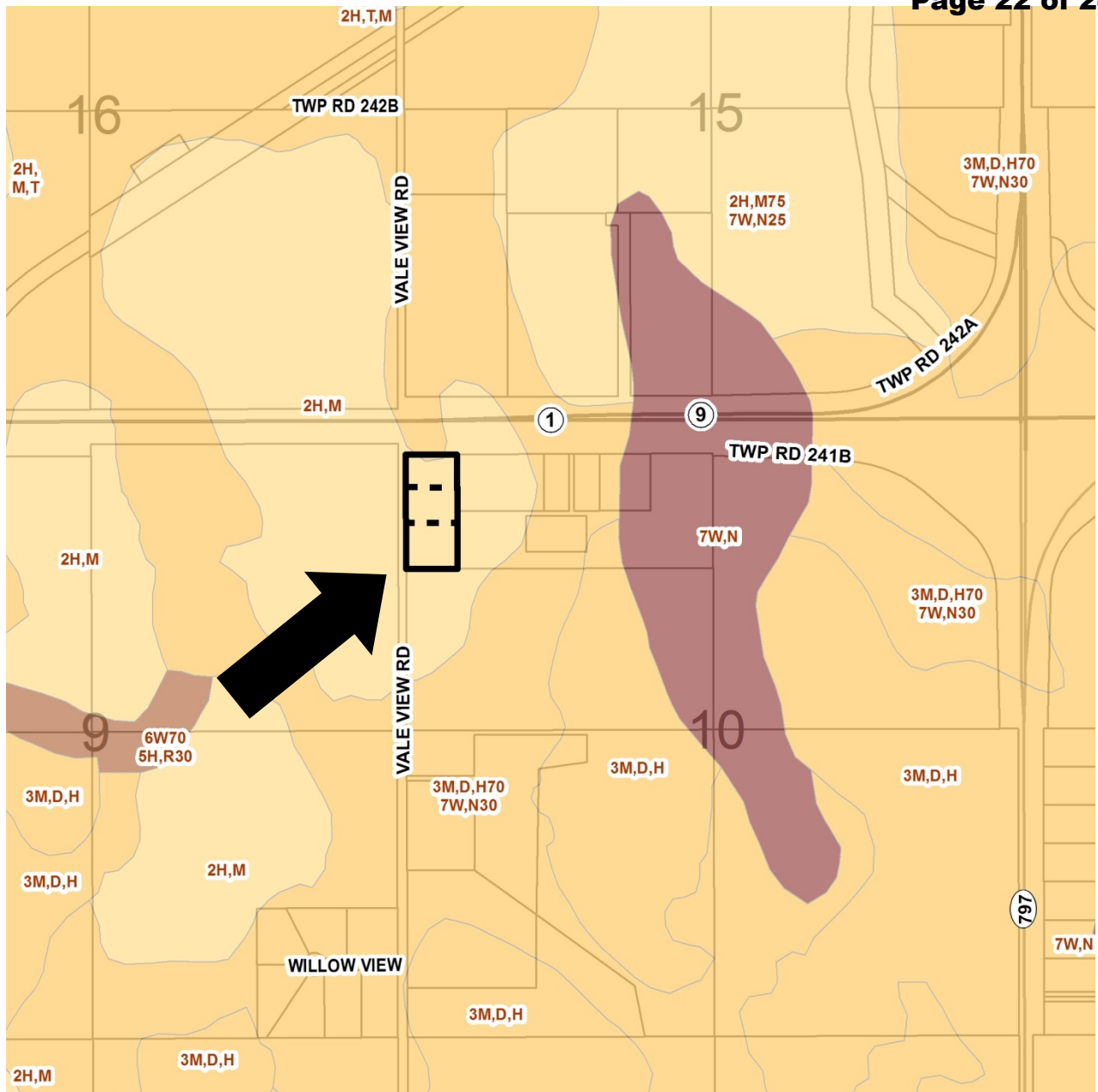
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Ranch and Farm	B-1 Highway Business
RF2 Ranch and Farm Two	B-2 General Business
RF3 Ranch and Farm Three	B-3 Limited Business
AH Agricultural Holding	B-4 Recreation Business
F Farmstead	B-5 Agricultural Business
R-1 Residential One	B-6 Local Business
R-2 Residential Two	NRI Natural Resource Industrial
R-3 Residential Three	HR-1 Hamlet Residential Single Family
DC Direct Control	HR-2 Hamlet Residential (2)
PS Public Service	HC Hamlet Commercial
	AP Airport

## LAND USE MAP

**Lot:1 Block:1 Plan:1113617**  
**NW-10-24-27-W04M**



### LAND CAPABILITY CLASSIFICATION LEGEND

*Limitations refer to cereal, oilseeds and tame hay crops*

#### 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 sodicity
- 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

# SOIL MAP

**Lot:1 Block:1 Plan:1113617**  
**NW-10-24-27-W04M**

Date: Oct 02, 2017

Division # 4

File: 04210009

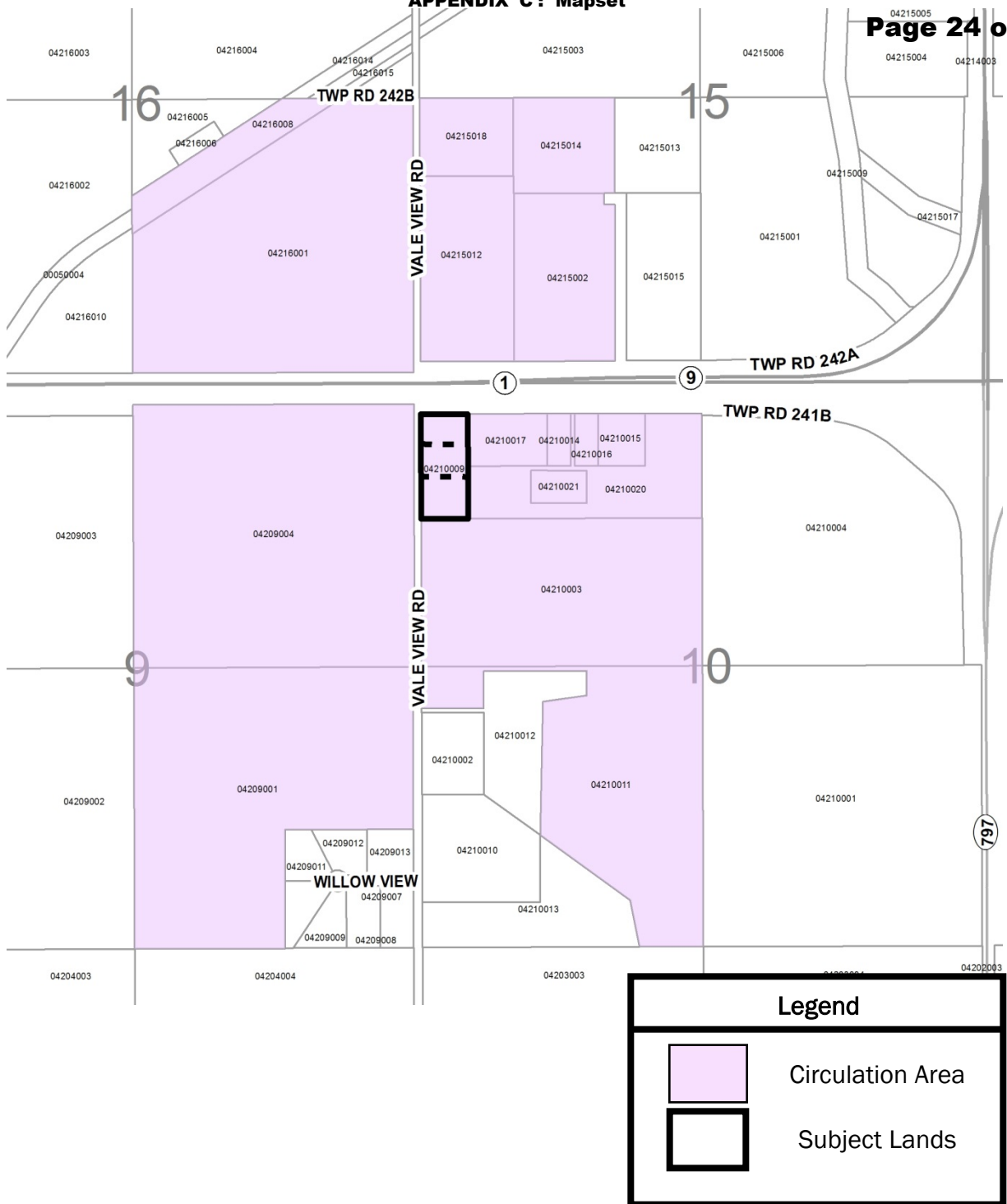
**AGENDA**

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- First two numbers 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

**Lot:1 Block:1 Plan:1113617**  
**NW-10-24-27-W04M**



## LANDOWNER CIRCULATION AREA

**Lot:1 Block:1 Plan:1113617  
NW-10-24-27-W04M**

Date: Oct 02, 2017

Division # 4

File: 04210009

**AGENDA**

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## PLANNING SERVICES

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**TO:** Subdivision Authority  
**DATE:** January 9, 2018 **DIVISION:** 8  
**FILE:** 05724009 **APPLICATION:** PL20170023  
**SUBJECT:** Subdivision Item – Residential One District and Agricultural Holdings District -  
 Bearspaw ASP

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### <sup>1</sup>ADMINISTRATION RECOMMENDATION:

THAT Subdivision Application PL20170023 be refused for the following reasons:

- 1) The minimum technical information required to assess a subdivision application as per the MGA and County policies has not been provided including information on:
  - Topographical constraints;
  - Site servicing;
  - Access and traffic;
  - Stormwater management; and,
  - Connectivity and compatibility with adjacent lands.
- 2) The proposal is inconsistent with the phasing plan outlined in Figure 8 of the Bearspaw ASP, which identifies the lands as Priority Area 3 with constraints to development such as slopes, high water tables and environmentally significant natural landscapes, as well as archeological, historical and/or cultural features;
- 3) The proposed parcel sizes are inconsistent with policies 8.1.20 and 8.1.21 of the Bearspaw ASP as a Concept Plan has not been provided; and
- 4) The Applicant has not demonstrated the serviceability of the proposed Lots 2 and 3 by private and public utilities as directed by section 8.1.19 of the Bearspaw ASP.

### EXECUTIVE SUMMARY:

The purpose of this application is to create a  $\pm 0.84$  hectare ( $\pm 2.07$  acre) parcel, a  $\pm 0.81$  hectare ( $\pm 2.00$  acre) parcel, and a  $\pm 9.09$  hectare ( $\pm 22.47$  acre) remainder (see Appendix 'C').

As per the *Municipal Government Act* (MGA 623) and the *Subdivision Authority Bylaw* (C-7456-2015), Council is the Subdivision Authority for this application. Subdivision approvals are required to divide a parcel of land into two or more parcels or to realign parcel boundaries. Technical requirements such as road access, water and sewer, and stormwater are key considerations in subdivision applications. Section 656 of the MGA requires that the Subdivision Authority give reasons for refusing a subdivision application.

The subject 10.74 hectare (26.54 acre) parcel is located within Bearspaw Pointe Place, approximately 0.41 km (1/4 mile) south of Township Road 254, on the west side of Bearspaw Road, off Bearspaw Pointe Place, 1.0 mile west of the city of Calgary (see Appendix 'C'). The property contains a dwelling and accessory buildings, and is serviced by an existing water well and septic tank and field system. The

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#### <sup>1</sup>Administration Resources

Jessica Anderson, Planning Services  
 Eric Schuh, Engineering Services



existing access from Bearspaw Pointe Place would be upgraded to a mutual approach to provide accesses to Lot 1 and Lot 2, and improvements to Bearspaw Road would be required to provide access to Lot 3. The minimum technical information required to assess a subdivision application has not been provided to demonstrate how the new lots would be serviced or how stormwater would be managed, which is a requirement of a subdivision application in accordance with the *Municipal Government Act* (Subdivision and Development Regulation's) (MGA), and County Policies.

The lands are located within the policy area of the Bearspaw Area Structure Plan (ASP) and the Rocky View County/City of Calgary Intermunicipal Development Plan (IDP), and the application was evaluated in accordance with these plans. The proposed subdivision is not supported by the Bearspaw ASP, and there are technical challenges. Administration does not recommend the application for the following reasons:

- 1) The minimum technical information required to assess a subdivision application as per the MGA and County policies has not been provided including information on:
  - Topographical constraints;
  - Site servicing;
  - Access and traffic;
  - Stormwater management; and,
  - Connectivity and compatibility with adjacent lands.
- 2) The proposal is inconsistent with the phasing plan outlined in Figure 8 of the Bearspaw ASP, which identifies the lands as Priority Area 3 with constraints to development such as slopes, high water tables and environmentally significant natural landscapes, as well as archeological, historical and/or cultural features;
- 3) The proposed parcel sizes are inconsistent with policies 8.1.20 and 8.1.21 of the Bearspaw ASP as a Concept Plan has not been provided; and
- 4) The Applicant has not demonstrated the serviceability of the proposed Lots 2 and 3 by private and public utilities as directed by section 8.1.19 of the Bearspaw ASP.

Therefore, Administration recommends refusal, in accordance with **Option #2**.

<b>PROPOSAL:</b> To create a ± 0.84 hectare (± 2.07 acre) parcel, a ± 0.81 hectare (± 2.00 acre) parcel, with a ± 9.09 hectare (± 22.47 acre) remainder.	<b>GENERAL LOCATION:</b> Located approximately 0.41 km (1/4 mile) south of Township Road 254, on the west side of Bearspaw Road off Bearspaw Pointe Place; 1.0 mile west of the city of Calgary.
<b>LEGAL DESCRIPTION:</b> Lot 18, Plan 9813169, NE-24-25-03-W05M	<b>GROSS AREA:</b> ± 10.74 hectares (± 26.54 acres)
<b>APPLICANT:</b> Tronnes Surveys <b>OWNER:</b> David Dyrholm	<b>RESERVE STATUS:</b> Municipal Reserves are outstanding and comprise 10% of the lands.
<b>LAND USE DESIGNATION:</b> Residential One District (R-1) and Agricultural Holdings District (AH)	<b>LEVIES INFORMATION:</b> Transportation Off-Site Levy (C-7356-2014)
<b>DATE SUBDIVISION DEEMED COMPLETE:</b>	<b>APPEAL BOARD:</b> Subdivision & Development



May 10, 2017	Appeal Board
<b>TECHNICAL REPORTS SUBMITTED:</b> <ul style="list-style-type: none"> <li>Level 1 Variation Assessment, Larry Tronnes, March 07, 2017</li> </ul>	<b>LAND USE POLICIES AND STATUTORY PLANS:</b> <ul style="list-style-type: none"> <li>County Plan (Bylaw C-7280-2013)</li> <li>Bearspaw Area Structure Plan (C-4129-93)</li> <li>Land Use Bylaw (Bylaw C-4841-97)</li> </ul>

#### **PUBLIC SUBMISSIONS:**

No letters were received in response to 53 letters circulated to adjacent landowners.

#### **AGENCY SUBMISSIONS:**

The application was circulated to a number of internal and external agencies. The responses are available in Appendix 'B'.

#### **HISTORY:**

- April 21, 2008** Application 2008-RV-156, to adopt a conceptual scheme to provide a policy framework to guide future redesignation, subdivision and development proposals for  $\pm 10.7$  hectares ( $\pm 26.6$  acres) of SE 24-25-3 W5M and  $\pm 8$  hectares ( $\pm 19.7$  acres) of NE 24-25-3 W5M, was submitted. Application was closed - direction from Council (conceptual scheme requirement rescinded).
- April 5, 2008** Application 2007-RV-468, to redesignate a portion of subject lands from Agricultural Holdings District to Residential One District in order to create  $11 \pm 0.8$  hectare ( $\pm 2.0$  acre) lots with an internal road, was withdrawn by the Applicant prior to a decision by Council.
- March 7, 1997** Plan 9813169 was registered to adjust the boundaries between a  $\pm 26$  acre parcel and a  $\pm 3$  acre parcel in order to create a  $\pm 2$  acre parcel and a  $\pm 27$  acre parcel. File no. 97-RV-034
- November 16, 1998** Plan 9813169 was registered creating two (2) lots including the subject  $10.74$  hectare ( $26.54$  acre) parcel.
- January 18, 1994** The Bearspaw Area Structure Plan (Bylaw C-4129-1993) was adopted by Council.

#### **TECHNICAL CONSIDERATIONS:**

This application has been evaluated in accordance with the matters listed in Section 7 of the Subdivision and Development Regulation, which are as follows:

##### **a) The site's topography**

The topography of the land slopes from northeast to southwest; slopes in the south portion of the lands are more significant. There is a Restrictive Covenant (Instrument 981 3556 972) on title, which restricts any development or surface disturbance below the geodetic elevation of 1,250 metres (as shown on Right-of-Way Plan 941 1785 & Plan 981 3169). This Restrictive Covenant prohibits development on an area that is approximately the southern one third of proposed Lots 1 and 2. Therefore, as a condition of subdivision, the Applicant shall be required to provide a Slope Stability Assessment for the proposed Lot 3, in accordance with the County Servicing Standards, as the subject lands have slopes exceeding 15%. The report will need to identify any required setbacks, and if any areas of concern are identified, a full slope stability analysis shall be required.



Conditions: 15 (see Appendix 'A')

b) The site's soil characteristics

The subject lands contain Class 6 soils, where crop production is not feasible due to past erosion damage and adverse topography (steep and/or long uniform slopes).

Conditions: None

c) Stormwater collection and disposal

The Applicant has provided no information with respect to stormwater. As a condition of subdivision, the Applicant would be required to submit a Site-Specific Stormwater Management Plan (SWMP), assessing the post-development site stormwater management to determine if any stormwater management infrastructure or strategies are required in accordance with the requirements as outlined within the County Servicing Standard for the proposed Lots 2 and 3. The Stormwater Management Plan is to assess how the existing site manages water, and how the proposed subdivision would manage stormwater. If required, the Applicant would be required to enter into a Development Agreement for construction and implementation of any required stormwater infrastructure.

The Bearspaw-Glendale Master Drainage Plan identifies an intermittent stream that runs through the subject lands, ultimately reaching the Bow River. As per the Land Use Bylaw, this stream is identified as having a 30.00 m riparian setback. The SWMP would be required to identify measures to mitigate impacts to the stream, and provide assessment of an appropriate riparian setback, in accordance with County Policy 419 – Riparian Land Conservation and Management.

Conditions: 13 (see Appendix 'A')

d) Any potential for flooding, subsidence, or erosion of the land

The County's wetland mapping indicates that there are no wetlands affecting the subject lands; however, a tributary of the Bow River flows through the southern portion of the lands and requires a 30.0 m riparian setback as noted above.

Conditions: 13 (See Appendix 'A')

e) Accessibility to a road

Access to the property is from an existing paved approach from Bearspaw Pointe Place. As a condition of subdivision, the Applicant/Owner would be required to upgrade the existing access to a paved mutual approach in accordance with the County Servicing Standards (minimum width 7.0 m). The Applicant/Owner would also need to enter into an Access Agreement with an associated Road Right-of-Way Plan for the shared use of the approach by both lots.

Access to Lot 3 is currently provided by an existing paved approach off Bearspaw Road, which is a paved surface road that does not have a cul-de-sac at the south end where access to the proposed Lot 3 is currently provided. The Applicant would be required to enter into a Development Agreement for the construction of a temporary offset cul-de-sac at the south end of Bearspaw Road, and associated infrastructure, in accordance with Rocky View County Servicing Standards. The cul-de-sac would permit the safe turnaround of emergency vehicles, school buses, passenger vehicles, etc. It would also allow for the approach for Lot 3 to be upgraded in accordance with County Servicing Standards for stormwater accommodation within the ditches. Bearspaw Pointe Place and Bearspaw Road are paved surface roads with approximately 25.00 m of right-of-way. Bearspaw Road is identified as part of Network A on the Long Range Transportation Network, requiring a 36.00 m right-of-way. In order to meet the requirements of the Long Range Transportation Network, and as 5 m was already dedicated



from the subject lands to bring the ROW to 25.00 m, an additional 3.00 m would be required to be dedicated by caveat as a condition of approval. The remaining 8.00 m would be required to be dedicated at the time of subdivision of the parcels east of Bearspaw Road.

In addition, it appears that access to Bearspaw Road from the SE-24-25-03-W05M parcel is gained through the proposed Lot 3. As a condition of approval, an Access Easement Agreement and Right-of-Way Plan would be required to be registered to ensure legal and physical access for this parcel.

Conditions: 3 – 7 (see Appendix 'A').

*Transportation Offsite Levy*

The Transportation Offsite Levy shall be collected in accordance with the applicable levy at the time of subdivision approval for the total gross acreage of the proposed Lot 1 and Lot 2 and 3.0 acres of Lot 3.

Conditions: 16 (see Appendix 'A').

f) Water supply, sewage, and solid waste disposal

It should be noted that the minimum technical information required to assess a subdivision application has not been provided to demonstrate how the new lots would be serviced, which is a requirement of a subdivision application in accordance with the Municipal Government Act (Subdivision and Development Regulation's), and County Policies.

The Applicant/Owner has confirmed that Lot 1 is currently serviced by a well and private sewage treatment system. The Applicant/Owner submitted a Level 1 Variation Assessment Report for Lot 1, which confirms that the system meets the required clearance distances and is functioning adequately.

It is noted that the proposed Lots 1 and 2 are able to connect to the Rocky View Water Co-op piped water supply, which is located in a Utility Right-of-Way on the north of the subject lands. Typically, water wells would be considered acceptable for this subdivision, with a Deferred Services Agreement also registered on title, requiring the parcels to connect to piped water when it is available. Given that there is existing piped water on the parcels, they should be connected at this time.

As a condition of subdivision, the Applicant/Owner would be required to provide confirmation of connection to the Rocky View Water Co-op, an Alberta Environment licensed piped water supplier, for Lots 1 & 2, as shown on the Approved Tentative Plan. As piped water connection is not readily available for the proposed Lot 3, a groundwater well is considered to be adequate, with a Deferred Services Agreement registered on title. As a condition of subdivision, the Applicant would be required to submit a Phase 2 Aquifer Pumping & Testing Report for the new well on proposed Lot 3, prepared by a qualified professional, in accordance with procedures outlined in the County Servicing Standards. This must include a Well Driller's Report, indicating that the well is capable of supplying water at a minimum rate of 1 iGPM. A Deferred Services Agreement must be registered against the certificate of title for the proposed Lot 3, requiring the owner to tie into municipal water services when they become available.

No information regarding the proposed wastewater servicing for the proposed Lot 2 or Lot 3 has been submitted. As a condition of subdivision, the Applicant would be required to submit a Level 4 PSTS Assessment Report for the proposed Lot 2 parcel and the proposed Lot 3 parcel in accordance with the County Servicing Standards and Policy 449. It is noted that this report was requested prior to Council presentation, but the Applicant indicated that they will not be submitting it at this time. The Applicant would be required to enter into a Development Agreement (Site Improvements / Services Agreement) to ensure any improvements are made



in accordance with the approved Level 4 PSTS Assessment Report. A Deferred Services Agreement must be registered against each new certificate of title created, requiring the owner to tie into municipal wastewater services when they become available.

Conditions: 8 – 12 (see Appendix 'A').

g) The use of the land in the vicinity of the site

The quarter section within which the subject land is located is composed of predominantly country residential development. Land to the north, west and east of the site is included in the Residential One District, with Ranch and Farm District parcels to the south.

The subdivision proposes an application generally consistent with existing land uses and parcel sizes in the area.

Conditions: None

h) Other matters

Municipal Reserves are outstanding and comprise 10% of the subject lands. An existing Deferred Reserve Caveat (981 356 973) registered on title in 1998 confirms that reserves were deferred at the time of subdivision of the remainder of the quarter. Municipal reserves would be collected in full on the proposed Lot 1 and Lot 2, and deferred on the remainder (Lot 3) as there remains development potential on these lands. The Bearspaw Glendale Recreation District Board and the Municipal Lands group recommend that reserves be provided by taking cash in lieu for this subdivision.

- Lot 1 and 2: 4.07 acres x 10% = 0.41 acres owing to be provide by cash in lieu (approximate calculation \$24,600.00, final amount to be determined by plan of survey), in accordance with the Appraisal Report prepared by Douglas Pollard, file 17-013\_MDRV, dated May 24, 2017, in the amount of \$60,000.00 per acre.

Conditions: 17 (see Appendix 'A').

## **POLICY CONSIDERATIONS:**

### City of Calgary / Rocky View County Intermunicipal Development Plan (Bylaw C-7078-2011)

The subject lands are identified in Map 4 Growth Corridors/Areas as a Rocky View County Growth Corridor.

Section 8.1.2 states:

*Rocky View County Growth Corridors should be developed in accordance with Rocky View 2060 Growth Management Plan and other Rocky View County statutory and local area plans, as they may be updated from time to time.*

The City of Calgary was circulated for comment on the application. Their comments are detailed in Appendix 'B', but generally no concerns were identified.

### Bearspaw Area Structure Plan (Bylaw C-4129-1993)

The subject land is located within the policy area of the Bearspaw Area Structure Plan (ASP). Figures 3, 7 and 8 therein indicate that the land is located in an area that is suitable for residential development, but classified as Development Area Priority 3, where a Concept Plan is required. The ASP also states that all applications proposing a parcel size of less than 4 acres require the support of a Concept Plan. The subject quarter section has been developed and serviced by individual water wells, and each parcel within the quarter section has direct access either on an internal subdivision road (Bearspaw Pointe Place or Bearspaw Pointe Way) or Bearspaw Road. The proposed two -lot subdivision would not affect the development potential on adjacent lands to the west, north or east as these lots are generally in





the range of 2.0 acres and do not have future subdivision potential under the existing ASP policies. However, proposed Lot 3, which would be 22.47 acres, does have development potential, as do the 19.96 acres of land to the west that are designated Agricultural Holdings District. Additionally, the lands within the southern portion of the subject quarter section have development potential, and would benefit from a comprehensive development proposal with consideration for servicing and transportation, and the topographical constraints.

Further, Section 8 of the Bearspaw ASP specifically addresses subdivision applications.

*Policy 8.1.19 when considering applications for subdivision approval, the Municipality should evaluate tentative plans of subdivision in terms of the following considerations:*

- a) *the natural condition of the lands proposed for subdivision and the manner in which these conditions (ie. topography, environmentally sensitive areas, etc.) have been integrated into the design of the tentative plan of subdivision;*
  - The subdivision design for Lot 1 and 2, with Lot 3 as an undeveloped remainder, is consistent with the existing subdivision layout; however, the proposal does not incorporate stormwater management, and the topography of the lands has not been considered with respect to slopes and any limitations to building envelopes.
- b) *the serviceability of the proposed parcels by private and public utilities;*
  - The Applicant has not provided the necessary reports to demonstrate that the proposed Lots are serviceable by private utilities or public utilities with the exception of confirming the existing servicing for Lot 1.
- c) *the suitability of each of the proposed parcels to accommodate a building site of sufficient area to permit the development of a residential building and ancillary structures;*
  - The proposed parcels are suitable to accommodate a dwelling and ancillary structures.
- d) *the context of the lands proposed for subdivision and the compatibility of the proposed design with adjacent lands including, but not limited to, site conditions, parcel sizes, visual impact, etc.;*
  - The proposed subdivision design is compatible with adjacent lands, and provides access directly from Bearspaw Pointe Place and Bearspaw Road, which would limit any negative impact to adjacent lands by way of increased access points or traffic; however, a comprehensive development proposal with consideration for transportation and access between Lot 3 and adjacent lands has not been considered.
- e) *the intensification potential of the tentative plan of subdivision and the flexibility of the proposed design to accommodate future subdivision;*
  - The designation of the lands would not allow for future subdivision potential without further redesignation. At a future application stage, the flexibility of the proposed design to accommodate future subdivision would be further assessed.
- f) *the conformity of the tentative plan of subdivision with any Concept Plan prepared and/or adopted pursuant to the provisions of this Plan;*
  - A concept plan has not been prepared for the subject lands.



- g) *the design of the proposed road system having regard for Municipal Engineering Standards and integration with the Municipal and Provincial road hierarchy;*
  - The existing road system providing access to Lot 1 and Lot 2 is consistent with the County Servicing Standards; however, Bearspaw Road would require the construction of a paved cul-de-sac with an upgraded approach for Lot 3.
- h) *conformity to this Plan, which may necessitate an amendment to the Plan;*
  - The proposal is inconsistent with the Bearspaw ASP, as noted above.
- i) *any other matter deemed appropriate by the Municipality.*
  - No other matters have been identified for assessment with the subject application.

Concept Plans are considered to be an important component of long-range planning for the development of lands within the Bearspaw area. These Plans are generally focused at the quarter section scale, are strategic in character, and are intended to:

- establish the appropriateness of land uses proposed for the quarter section;
- identify development issues (i.e. storm water management, sewage disposal, aesthetics, densities), assess their impact on surrounding land uses and establish appropriate and comprehensive mitigation measures;
- facilitate the phasing of subdivision and development through the establishment of a comprehensive phasing plan;
- facilitate efficient and comprehensive development by encouraging innovative subdivision design that maximizes lot yields, servicing efficiencies and on-site development opportunities; and
- facilitate community input.

In cases where an Applicant has demonstrated, with the submission of the required technical information, that all development related matters have been reasonably addressed Administration may support waiving a Concept Plan requirement. For this particular application, no supporting information has been provided to address development matters (topographical constraints, site servicing, access and traffic, stormwater management, or connectivity and compatibility with adjacent lands); therefore, Administration cannot support the proposal nor recommend waiving the Concept Plan requirement.

#### Land Use Bylaw (C-4841-97)

The subject lands hold a Residential One land use designation, which is the appropriate designation for the intended parcel sizes. The remainder lands (Lot 3) are designated Agricultural Holdings District (AH), which would not allow for future subdivision potential without further redesignation.

#### **CONCLUSION:**

The lands are located within the policy area of the Bearspaw Area Structure Plan (ASP) and the Rocky View County/City of Calgary Intermunicipal Development Plan (IDP), and the application was evaluated in accordance with these plans. The proposed subdivision is not supported by the Bearspaw ASP, and there are technical challenges. Administration does not support the application for the following reasons:

- 1) The minimum technical information required to assess a subdivision application as per the MGA and County policies has not been provided including information on:



- Topographical constraints;
  - Site servicing;
  - Access and traffic;
  - Stormwater management; and,
  - Connectivity and compatibility with adjacent lands.
- 2) The proposal is inconsistent with the phasing plan outlined in Figure 8 of the Bearspaw ASP, which identifies the lands as Priority Area 3 with constraints to development such as slopes, high water tables and environmentally significant natural landscapes, as well as archeological, historical and/or cultural features;
  - 3) The proposed parcel sizes are inconsistent with policies 8.1.20 and 8.1.21 of the Bearspaw ASP as a Concept Plan has not been provided; and
  - 4) The Applicant has not demonstrated the serviceability of the proposed Lots 2 and 3 by private and public utilities as directed by section 8.1.19 of the Bearspaw ASP.

Therefore, Administration recommends refusal, in accordance with **Option #2**.

#### **OPTIONS:**

- Option #1:
- |           |  |
|-----------|--|
| Motion #1 | THAT the requirement for the preparation of a Concept Plan, as set out in the Bearspaw Area Structure Plan, be waived for Subdivision Application PL20170023.  |
| Motion #2 | THAT the supporting technical materials (servicing, stormwater and access) as required by section 8 of the ASP and the County Servicing Standards be deferred to a condition of approval for Subdivision Application PL20170023. |
| Motion #3 | THAT Subdivision Application PL20170023 be approved with the conditions as noted in Appendix A.  |
- Option #2: THAT Subdivision Application PL20170023 be refused for the following reasons:
- 1) The minimum technical information required to assess a subdivision application as per the MGA and County policies has not been provided including information on:
    - Topographical constraints;
    - Site servicing;
    - Access and traffic;
    - Stormwater management; and,
    - Connectivity and compatibility with adjacent lands.
  - 2) The proposal is inconsistent with the phasing plan outlined in Figure 8 of the Bearspaw ASP, which identifies the lands as Priority Area 3 with constraints to development such as slopes, high water tables and environmentally significant natural landscapes, as well as archeological, historical and/or cultural features;
  - 3) The proposed parcel sizes are inconsistent with policies 8.1.20 and 8.1.21 of the Bearspaw ASP as a Concept Plan has not been provided; and
  - 4) The Applicant has not demonstrated the serviceability of the proposed Lots 2 and 3 by private and public utilities as directed by section 8.1.19 of the Bearspaw ASP.



Respectfully submitted,

“Chris O’Hara”

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General Manager

JA/rp

Concurrence,

“Kevin Greig”

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County Manager

**APPENDICES:**

APPENDIX ‘A’: Approval Conditions

APPENDIX ‘B’: Application Referrals

APPENDIX ‘C’: Mapset

## APPENDIX A: APPROVAL CONDITIONS

- A. Should the Subdivision Authority wish to approve the application, the written decision of the Subdivision Authority must include the reasons for the decision, including an indication of how the Subdivision Authority has considered submissions made by adjacent landowners and the matters listed in Section 7 of the Subdivision and Development Regulation. The following reasons are to be provided:
- 1.
  - 2.
- B. The 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 condition 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 Owner from ensuring all permits, licenses, or approvals required by Federal, Provincial, or other jurisdictions are obtained. 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 Subdivision*

- 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.
- 2) The Owner is to provide a Site Plan, prepared by an Alberta Land Surveyor, which illustrates the following in relation to the new property lines:
  - i) All existing buildings and structures are to conform to the setback requirements in relation to the new property lines, as described in the Residential One Land Use District, as per the Land Use Bylaw C-4841-97;
  - ii) The Site Plan is to confirm that all existing private sewage treatment systems are located within the boundaries of Lot 1, in accordance with the The Alberta Private Sewage Systems Standard of Practice 2009, or that they have been removed;
  - iii) The Site Plan is to confirm that all water wells are located within the boundaries of Lot 1 and/or 2, or have been decommissioned; and
  - iv) The Site Plan is to confirm removal of the greenhouse, as shown on the Approved Tentative Plan, or compliance with the setbacks as per the Land Use Bylaw C-4841-97.
- 3) The Owner is to dedicate, by caveat, 3.00 m of road dedication along the east boundary of Lot 3, to the satisfaction of Alberta Transportation.

### *Transportation*

- 4) The Owner shall upgrade the existing approach on Bearspaw Pointe Place in order to provide access to Lots 1 and 2. If a mutual approach is constructed, the Owner shall:
  - i) Provide an access right-of-way plan; and
  - ii) Prepare and register respective easements on each title, where required.



- 5) The Owner is to enter into a Development Agreement for provision of the following infrastructure and improvements:
  - i) A temporary off-set cul-de-sac at the south end of Bearspaw Road, and associated infrastructure, in accordance with Rocky View County Servicing Standards. Associated infrastructure refers to the approach to proposed Lot 3 and Stormwater Infrastructure.
- 6) The Owner is to enter into an Access Easement Agreement, to provide access to SE-24-25-03-W05M, as per the approved Tentative Plan, which shall include:
  - i) Registration of the applicable access right of way plan;
- 7) A copy of Alberta Transportation's Waiver and Roadside Development Permit shall be provided.

*Servicing*

- 8) The Applicant/Owner shall submit a Level 4 PSTS Assessment Report for Lot 2 and Lot 3 in accordance with the County Servicing Standards and Policy 449.
- 9) The Applicant/Owner shall enter into a Site Improvements/Services Agreement with the County, which shall include the following:
  - i) All necessary improvements and recommendations in accordance with the approved Level 4 PSTS Assessment.
- 10) The Applicant/Owner shall provide confirmation of connection to the Rocky View Water Co-op, an Alberta Environment licensed piped water supplier, for Lots 1 & 2, as shown on the Approved Tentative Plan. This includes providing the following information:
  - i) Confirmation from the water supplier that an adequate and continuous piped water supply is available for the proposed Lots 1 & 2;
  - ii) Documentation proving that water supply has been purchased for proposed Lots 1 & 2; and
  - iii) Documentation proving that water supply infrastructure requirements, including servicing to the property, have been installed, or that installation is secured between the developer and water supplier, to the satisfaction of the water supplier and the County.
- 11) The Applicant/Owner shall submit a Phase 2 Aquifer Pumping & Testing Report for the new well on proposed Lot 3, prepared by a qualified professional, in accordance with procedures outlined in the County Servicing Standards. This shall include a Well Driller's Report indicating that the well is capable of supplying water at a minimum rate of 1 iGPM.
- 12) The Applicant/Owner shall enter into a Deferred Services Agreement with the County to be registered on title for Lot 1 - 3 indicating the following:
  - i) Each future Lot Owner is required to connect to tie into municipal wastewater services at their cost when they become available;
  - ii) Each future Lot Owner of Lot 3 is required to connect to County piped water at their cost when such services become available; and
  - iii) Requirements for decommissioning and reclamation once County Servicing becomes available.

*Developability*

- 13) The Applicant shall provide and implement a Site Specific Stormwater Management Plan, prepared by a qualified professional, assessing the post development site stormwater management to determine if any stormwater management infrastructure or strategies are





required, in accordance with the requirements outlined within the County Servicing Standard for the proposed Lot 2 and Lot 3. The Stormwater Management Plan shall assess how the existing site manages water, and how the proposed subdivision will manage stormwater.

- i) If required, the Applicant shall enter into a Site Improvements Services Agreement (Development Agreement) to ensure the owner of the property (at any given time) is held responsible for the proper management and control of stormwater/wastewater arising from the proposed and/or future development of the lands in question, in accordance with the recommendations of an approved Site Specific Plan and the registration of any overland drainage easements and/or restrictive covenants as determined by the Stormwater Plan, all to the satisfaction of Alberta Environment and the County.
- 14) The Applicant/Owner shall provide a Historical Resources Impact Assessment (HRIA) for the subject lands, to the satisfaction of Alberta Community Development.
- i) If the HRIA identifies that any portion of the subject lands requires mitigation or excavation, as directed by Alberta Community Development, the recommendations of the HRIA shall be implemented prior to the stripping and grading of any portion of the site;
- 15) The Applicant/Owner is to provide a Slope Stability Assessment for the proposed Lot 3, addressing the suitability of the land for the development proposal:
- i) The report shall identify any required setbacks;
  - ii) A Slope Stability Analysis may be required pending the recommendations of the Slope Stability Assessment;
  - iii) The Applicant/Owner is to provide for the implementation of the recommendations of the Assessment;
  - iv) Registration of any required easements and/or Restrictive Covenants;

#### *Payments and Levies*

- 16) The Applicant/Owner shall pay the Transportation Off-Site Levy in accordance with Bylaw C-7356-2014 for the total gross acreage of proposed Lot 1 and Lot 2, and 3.0 acres of proposed Lot 3, prior to subdivision endorsement. The County shall calculate the total amount owing:
- i) From the total gross acreage of the Lands to be subdivided as shown on the Plan of Survey; or
  - ii) From the total gross acreage of lot(s) 1 and 2, and 3.00 acres of Lot 3 as shown on the Plan of Survey.
- 17) The provision of Reserve in the amount of 10 percent of the area of Lots 1 and 2, as determined by the Plan of Survey, is to be provided by payment of cash-in-lieu in accordance with the per acre value as listed in the land appraisal prepared by Douglas Pollard, file 17-013\_MDRV, dated May 24, 2017, pursuant to Section 666(3) of the Municipal Government Act:
- i) A Deferred Reserve Caveat shall be registered on the title of Lot 3 deferring reserves owing to a future subdivision application.
- 18) The Applicant/Owner shall pay the County subdivision endorsement fee, in accordance with the Master Rates Bylaw, for the creation of two (2) new Lots.

#### *Taxes*

- 19) All taxes owing up to and including the year in which the 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.



C. SUBDIVISION AUTHORITY DIRECTION:

- 1) Prior to final endorsement of the subdivision, Administration 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.

**APPENDIX B: APPLICATION REFERRALS**

AGENCY	COMMENTS
<b><i>School Authority</i></b>	
Rocky View Schools	Rocky View Schools has no objection to this circulation.
Calgary Catholic School District	Please note that Calgary Catholic School District (CCSD) has no objection to the above noted circulation (PL2017-0023) in Bearspaw. As per the circulation, MR dedication is outstanding and comprises 10% of the parent parcel.
Public Francophone Education	No comments provided.
Catholic Francophone Education	No comments provided.
<b><i>Province of Alberta</i></b>	
Alberta Environment	No comments provided.
Alberta Transportation	<p>This will acknowledge receipt of your circulation memorandum regarding the <i>above</i> noted proposal, which must meet the requirements of Section 14 of the Subdivision and Development Regulation, due to the proximity of Highway 1 A. Presently, the application does not appear to comply with any category of Section 14 of the Regulation.</p> <p>The department recognizes that the land involved in this application is removed from the provincial highway system, and relies on the municipal road network for access. It appears that the two residential parcels being created by this application would not have a significant impact on the provincial highway system. Alberta Transportation has no objection to this proposal and grants an unconditional variance of Section 14 of the Subdivision and Development Regulation. Pursuant to Section 678(2.1) of the Municipal Government Act, Alberta Transportation varies the distance to a highway set out in Section 5 of the Subdivision and Development Regulation.</p> <p>From the department's perspective any appeals to be heard regarding this subdivision application may be heard by the local Subdivision and Development Appeal Board rather than the Municipal Government Board.</p>
Alberta Sustainable Development (Public Lands)	No comments provided.
Alberta Culture and Community Spirit (Historical Resources)	<p>The applicant must obtain <i>Historical Resources Act</i> approval prior to proceeding with any land surface disturbance associated with subdivision development by submitting a Historic Resources Application through Alberta Culture and Tourism's Online Permitting and Clearance (OPaC) system –</p>



AGENCY	COMMENTS
	<p><a href="http://www.opac.alberta.ca">www.opac.alberta.ca</a>.</p> <p>The applicant should review the Land Use Procedures Bulletin: Subdivision Development <i>Historical Resources Act</i> Compliance (<a href="http://culture.alberta.ca/documents/LandUse-SubdivisionBulletin-Jul1-2014.pdf">http://culture.alberta.ca/documents/LandUse-SubdivisionBulletin-Jul1-2014.pdf</a>) prior to OPaC submission (copy attached).</p>
Energy Resources Conservation Board	No comments provided.
Alberta Health Services	<p>We provide the following comments for your consideration with regard to planning future development on the site:</p> <ol style="list-style-type: none"> <li> <p>It is noted that there is no information contained in the application that states what the proposed source of drinking water is, or how wastewater will be managed. AHS would appreciate knowing what the proposed drinking water and wastewater systems are.</p> <p>If individual water wells are proposed, AHS recommends that any water wells on the subject lands be completely contained within the proposed property boundaries. Please note that the drinking water source must conform to the most recent Canadian Drinking Water Quality Guidelines and the Alberta Public Health Act, Nuisance and General Sanitation Guideline 243/2003, which states:</p> <p><i>"No person shall locate a water well within</i></p> <ol style="list-style-type: none"> <li><i>10m of a watertight septic tank, pump out tank or other watertight compartment of a sewage or waste water system</i></li> <li><i>15m of a weeping tile field, evaporative treatment mound or an outdoor pit privy</i></li> <li><i>30m of a leaching cesspool</i></li> <li><i>50m of sewage effluent on the ground surface</i></li> <li><i>100m of a sewage lagoon, or</i></li> <li><i>450m of any area where waste is or may be disposed of at a landfill"</i> (AR 243/2003, s.15)</li> </ol> <p>Also, any proposed private sewage disposal system must be completely contained within the proposed property boundaries and must comply with the setback distances outlined in the most recent Alberta Private Sewage Systems Standard of Practice. Prior to installation of any sewage disposal system, a proper geotechnical assessment should be conducted by a qualified professional engineer and the system should be installed in an approved manner.</p> </li> <li> <p>The property must be maintained in accordance with the Alberta Public Health Act, Nuisance and General Sanitation</p> </li> </ol>

AGENCY	COMMENTS
	<p>Guideline 243/2003 which stipulates,</p> <p><i>No person shall create, commit or maintain a nuisance. A person who creates, commits or maintains any condition that is or might become injurious or dangerous to the public health or that might hinder in any manner the prevention or suppression of disease is deemed to have created, committed or maintained a nuisance.</i></p> <p>If any evidence of contamination or other issues of public health concern are identified at any phase of development, AHS wishes to be notified.</p>
<b>Public Utility</b>	
ATCO Gas	Existing UROW #941 195 941. No objections.
ATCO Pipelines	ATCO PIPELINES has no objection.
AltaLink Management	No comments provided.
FortisAlberta	No comments provided.
Telus Communications	No comments provided.
TransAlta Utilities Ltd.	No comments provided.
Rockyview Gas Co-op Ltd.	No comments provided.
<b>Other External Agencies</b>	
EnCana Corporation	No comments provided.
City of Calgary	<p>The City of Calgary has reviewed the below noted circulated application referencing the <i>Rocky View/Calgary Intermunicipal Development Plan (IDP)</i> and other applicable policies.</p> <p>The City of Calgary has no comments regarding Application # PL20170023 – To create a ± 0.84 hectare (± 2.07 acre) parcel, a ± 0.81 hectare (± 2.00 acre) parcel, and a ± 9.09 hectare (± 22.47 acre) remainder.</p>
<b>Rocky View County – Boards and Committees</b>	
ASB Farm Members and Agricultural Fieldman	No comments provided.
Bearspaw Glendale Recreation Board	<p>The Bearspaw Glendale Recreation District Board recommends that the County take cash in lieu for this subdivision.</p> <p>They expressed their belief that one of the paramount goals with respect to the pathway system is that the County creates and</p>



AGENCY	COMMENTS
<i>Internal Departments</i>	executes a comprehensive plan to link the Bearspaw Lifestyle Centre and school with Glenbow and Haskayne Parks to the South.
Municipal Lands	The Municipal Lands office recommends taking cash in lieu for all reserves owing, as this location has not been identified for future Municipal Reserve acquisition to support public park, open space, pathway or trail development.
Development Authority	No comments provided.
GeoGraphics	No comments provided.
Building Services	No comments provided.
Emergency Services	Having reviewed this circulation, the Fire Service has no comments at this time. Enforcement has no concerns at this stage
Infrastructure and Operations – Engineering Services	<p data-bbox="618 961 724 997"><u>General</u></p> <ul data-bbox="618 1014 1458 1119" style="list-style-type: none"> <li data-bbox="618 1014 1458 1119">• The applicant has indicated within the application that the proposed dwelling is to remain and that the greenhouse is to be removed.</li> </ul> <p data-bbox="618 1136 789 1171"><u>Geotechnical</u></p> <ul data-bbox="618 1188 1458 1724" style="list-style-type: none"> <li data-bbox="618 1188 1458 1472">• It is noted that there is a Restrictive Covenant (Instrument 981 3556 972) on title of the subject lands, which restricts any development or surface disturbance below the geodetic elevation of 1250 metres (as shown on Right-of-Way Plan 941 1785 &amp; Plan 981 3169). <ul data-bbox="678 1371 1458 1472" style="list-style-type: none"> <li data-bbox="678 1371 1458 1472">○ This Restrictive Covenant prohibits development on an area that is approximately the southern one third of proposed Lots 1 &amp; 2.</li> </ul> </li> <li data-bbox="618 1493 1458 1724">• As a condition of subdivision, the applicant shall be required to provide a Slope Stability Assessment for the proposed Lot 3, in accordance with the County Servicing Standards, as the subject lands have slopes exceeding 15%. The report shall identify any required setbacks, and if any areas of concern are identified a full slope stability analysis shall be done.</li> </ul> <p data-bbox="618 1740 808 1776"><u>Transportation</u></p> <ul data-bbox="618 1793 1458 1921" style="list-style-type: none"> <li data-bbox="618 1793 1458 1921">• As a condition of subdivision, the applicant/owner will be required to provide payment of the Transportation Offsite Levy in accordance with applicable levy at time of subdivision approval, as amended, for the total gross</li> </ul>





AGENCY	COMMENTS
	<p>acreage of the proposed +/-2.07 acre parcel and +/-2.00 acre parcel, as they are designated Residential One District and less than 9.88 acres in size. Transportation Offsite Levy shall also apply to 3.0 acres of the Agricultural Holdings District portion of the subject lands.</p> <ul style="list-style-type: none"> <li>○ Base Levy = \$4595/acre. Acreage = 7.07 acres. Estimated TOL payment = (\$4595/acre)*(7.07 acres) = \$32,487.</li> <li>• As a condition of subdivision, the applicant shall be required to enter into an Access Easement Agreement and register a Right-of-Way Plan for the proposed +/-2.00 acre (Lot 1) and the proposed +/-2.07 acre (Lot 2). <ul style="list-style-type: none"> <li>○ The applicant proposes to use the existing paved approach off of Bearspaw Pointe Place to access proposed Lots 1 &amp; 2.</li> </ul> </li> <li>• Bearspaw Road is a paved surface that does not have a cul-de-sac at the south-end of the road which is used to access to the proposed +/-22.47 acre (Lot 3) parcel;</li> <li>• As a condition of subdivision, the applicant shall enter into a Development Agreement for the construction of: <ul style="list-style-type: none"> <li>○ A temporary offset cul-de-sac at the South End of Bearspaw Road, and approach to the proposed +/-22.47 acre (Lot 3) parcel. This shall include an easement agreement and register a Right-of-Way Plan for the cul-de-sac encroachment on private lands.</li> </ul> </li> <li>• As a condition of subdivision, the applicant shall be required to enter into an Access Easement Agreement and register a Right-of-Way Plan for the proposed +/-22.47 acre (Lot 3), to ensure legal and physical access to the south adjacent lands (SE-24-25-03-W05M). <ul style="list-style-type: none"> <li>○ Access to the SE-24-25-03-W05M quarter is gained through the proposed +/-22.47 acre (Lot 3) parcel from the paved portion of Bearspaw Road.</li> </ul> </li> <li>• As a condition of subdivision, the applicant shall provide 3 metres of road dedication by caveat, along the eastern boundary of the proposed Lot 3. <ul style="list-style-type: none"> <li>○ Bearspaw Road is identified as a Network A road on the Long Range Transportation Network, ultimately requiring 36 metres of ROW. Current ROW is 25 metres, with 5 metres having already been dedicated from the subject lands. Therefore, 3 metres is required to be dedicated by Caveat. The additional 8 metres shall be dedicated from the parcels east of Bearspaw Road.</li> </ul> </li> <li>• As a condition of subdivision, an Alberta Transportation Waiver is required, as this property is within 800 metres of</li> </ul>



AGENCY	COMMENTS
	<p>Highway 1A.</p> <p><u>Sanitary/Waste Water</u></p> <p>20) In accordance with Policy 411, Agricultural Holdings District and Residential One District parcels are required to demonstrate adequate servicing;</p> <p>21) A Level 1 Variation Assessment was submitted for the proposed +/-2.00 acre (Lot 1). There is an existing PSTS for the existing dwelling. The existing system maintains required clearance distances and the general operation of the system is in good condition within the proposed subdivision boundary;</p> <p>22) As a condition of subdivision, the applicant/owner shall submit a Level 4 PSTS Assessment Report for the proposed +/-2.07 acre (Lot 2) parcel and the proposed +/- 22.47 acre (Lot 3) parcel in accordance with the County Servicing Standards and Policy 449.</p> <ul style="list-style-type: none"> <li>i) If required, the owner shall enter into a Site Improvement / Site Services Agreement to ensure any improvements are made in accordance with the approved Level 2 PSTS Assessment;</li> <li>ii) It is noted that this report was requested prior to Council, but the applicant indicated that they will not be submitting it at this time.</li> </ul> <ul style="list-style-type: none"> <li>• As a condition of subdivision, a Deferred Services Agreement shall be registered against each new certificate of title created, requiring the owner to tie into municipal wastewater services when they become available.</li> </ul> <p><u>Water Supply And Waterworks</u></p> <p>23) In accordance with Policy 411, Agricultural Holdings District and Residential One District parcels are required to demonstrate adequate servicing;</p> <p>24) The applicant submitted a plan of survey, which identifies a water well on the proposed +/-2.00 acre (Lot 1) parcel, that is currently servicing the existing dwelling. The proposed +/- 2.07 acre (Lot 2) parcel also has an existing well located within the parcel boundary.</p> <ul style="list-style-type: none"> <li>i) It is noted that the proposed Lots 1 &amp; 2 are able to connect to the Rocky View Water Co-op piped water supply, which is located in a Utility Right-of-Way on the north of the subject lands. Typically water wells would be considered acceptable for this subdivision, with a Deferred Services Agreement also registered on title, requiring the parcels to connect to piped water when it is available. Given that there is existing piped water on the parcels, they should be connected at this time.</li> </ul> <p>25) As a condition of subdivision, the applicant/owner shall</p>

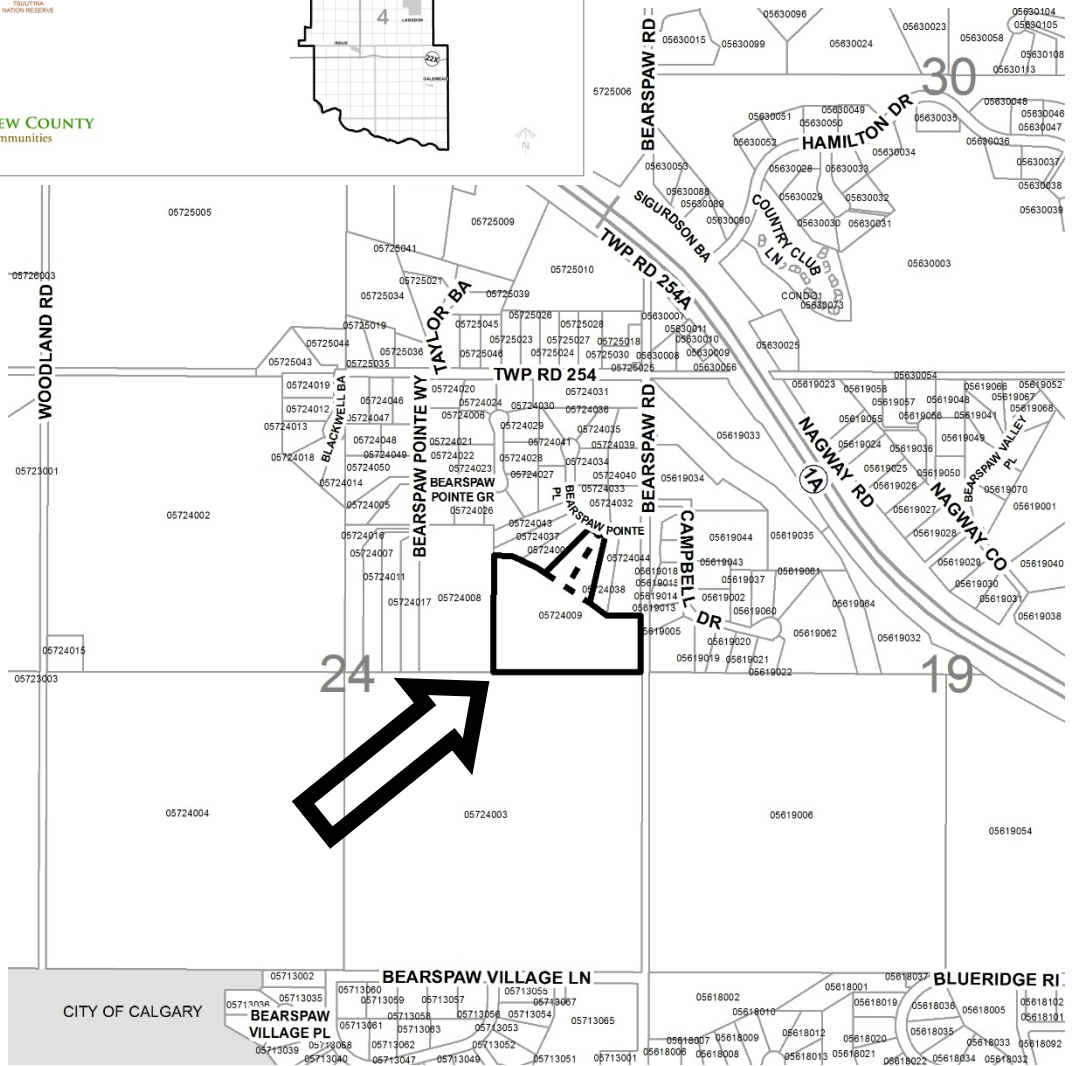
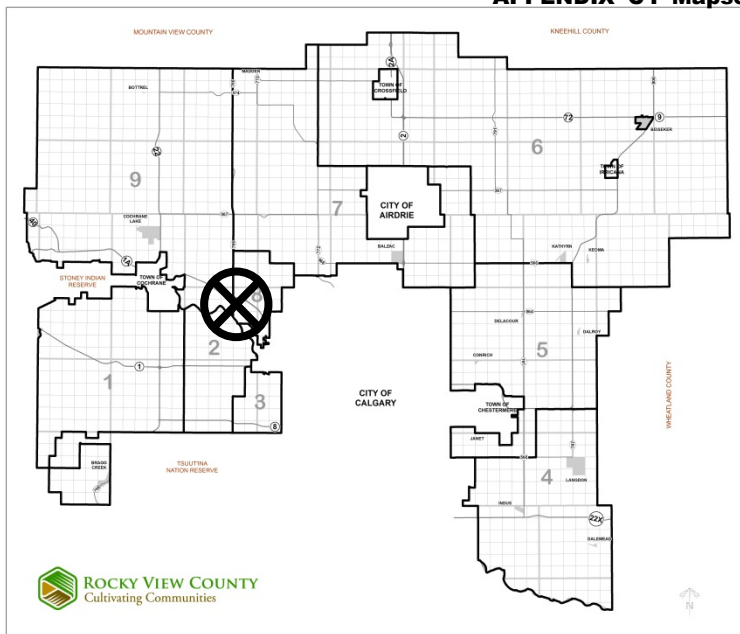


AGENCY	COMMENTS
	<p>provide confirmation of connection to the Rocky View Water Co-op, an Alberta Environment licensed piped water supplier, for Lots 1 &amp; 2, as shown on the Approved Tentative Plan. This includes providing information regarding:</p> <ul style="list-style-type: none"> <li>i) Confirmation from the water supplier that an adequate and continuous piped water supply is available for the proposed Lots 1 &amp; 2;</li> <li>ii) Documentation proving that water supply has been purchased for proposed Lots 1 &amp; 2;</li> <li>iii) Documentation proving that water supply infrastructure requirements including servicing to the property have been installed or installation is secured between the developer and water supplier, to the satisfaction of the water supplier and the County.</li> </ul> <p>26) As piped water connection is not readily available for the proposed Lot 3, a groundwater well is considered to be adequate, with a Deferred Services Agreement registered on title;</p> <p>27) As a condition of subdivision, the applicant will be required to submit Phase 2 Aquifer Pumping &amp; Testing Report for the new well on proposed Lot 3, prepared by a qualified professional, in accordance with procedures outlined in the County Servicing Standards. This shall include a Well Driller's Report indicating that the well is capable of supplying water at a minimum rate of 1 iGPM;</p> <p>28) As a condition of subdivision, a Deferred Services Agreement shall be registered against the certificate of title for the proposed Lot 3, requiring the owner to tie into municipal water services when they become available.</p> <p><u>Storm Water Management</u></p> <ul style="list-style-type: none"> <li>• As a condition of subdivision, Engineering Services recommends applicant/owner to submit a Stormwater Management Plan (SWMP) for proposed subdivision, prepared by a qualified professional. The SWMP shall assess the post development site stormwater management to determine if any stormwater management infrastructure is required in accordance with the requirements of the County Servicing Standards and the Bearspaw-Glenbow Master Drainage Plan (BGMDP). <ul style="list-style-type: none"> <li>○ If required, owner is to enter into a Site Improvements Services Agreement (Development Agreement) to ensure the owner of the property (at any given time) of the above noted lands is held responsible for the proper management and control of stormwater arising from the proposed and/or future development of the subject lands in accordance with the recommendations of an approved SWMP and the registration of any overland drainage</li> </ul> </li> </ul>



AGENCY	COMMENTS
	<p>easements and/or restrictive covenants as determined by the Stormwater Plan, all to the satisfaction of Alberta Environment and the County;</p> <ul style="list-style-type: none"> <li>○ The BGMDP identifies an intermittent stream which runs through the subject lands, ultimately reaching the Bow River. In County GISMO, this stream is identified as having a 30 metre riparian setback. The SWMP shall identify measures to mitigate impacts to the stream, and provide assessment of an appropriate riparian setback, in accordance with County Policy 419 – Riparian Land Conservation and Management.</li> <li>• As a condition of subdivision, a Deferred Services Agreement shall be registered against each new certificate of title created, requiring the owner to tie into municipal storm sewer services when they become available.</li> </ul> <p><u>Environmental</u></p> <ul style="list-style-type: none"> <li>• Any Alberta Environment Approvals shall be the sole responsibility of the applicant/owner.</li> </ul>
Infrastructure and Operations - Maintenance	No concerns.
Infrastructure and Operations - Capital Delivery	No concerns.
Infrastructure and Operations - Operations	How does the Applicant intend to access the proposed Lot #2? Applicant will be required to submit approach application if new approach construction required.
Infrastructure and Operations – Utility Services	No detail provided on proposed water/wastewater servicing of newly created lots cannot comment.

Circulation Period: May 24, 2017 to June 14, 2017



LOCATION PLAN

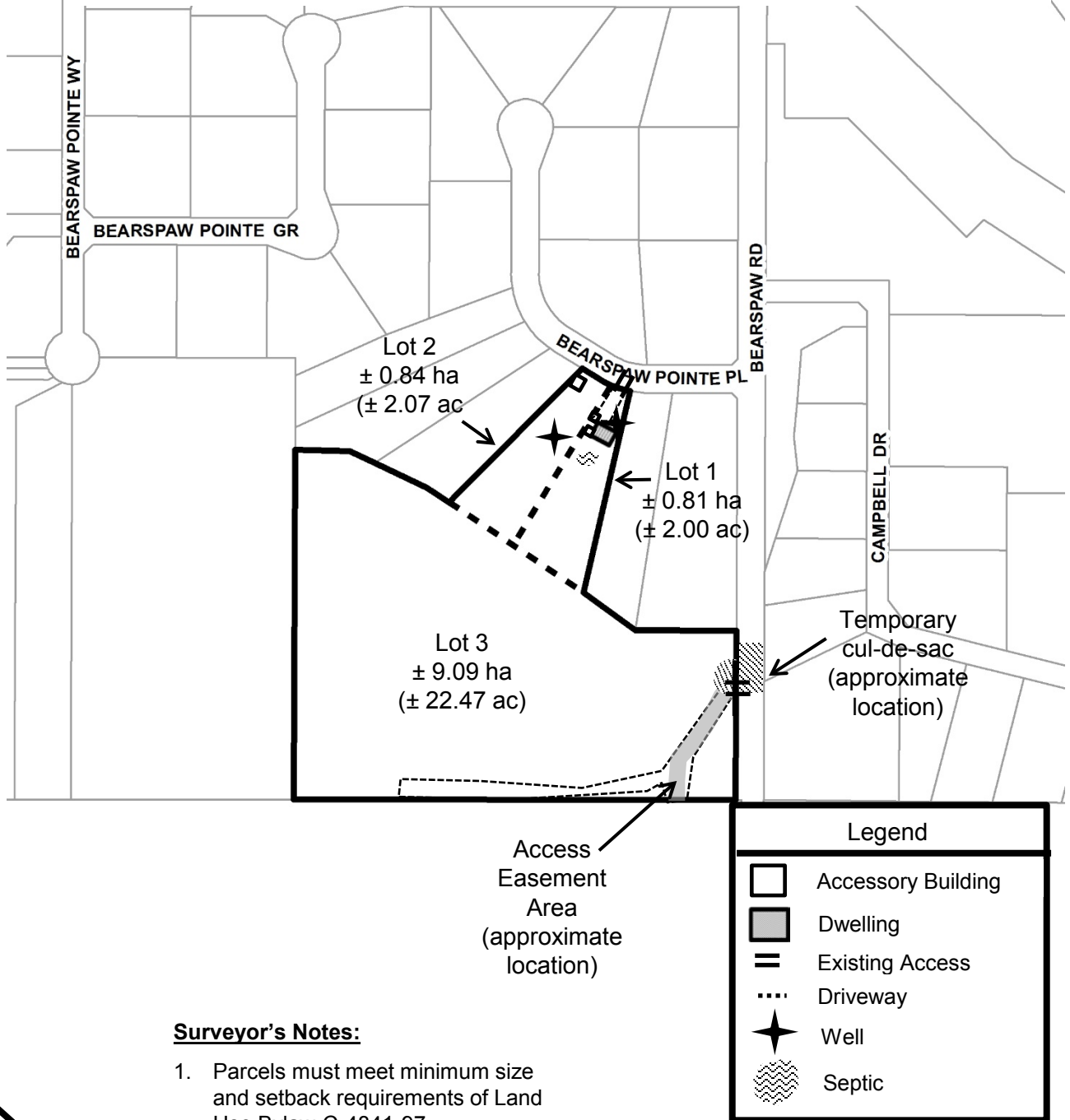
**NE-24-25-03-W05M**  
**Lot:18 Plan:9813169**

Date: May 17, 2017

Division # 8

File: 05724009**AGENDA****Page 206 of 256**

**Subdivision Proposal:** To create a  $\pm 0.84$  hectare ( $\pm 2.07$  acre) parcel, a  $\pm 0.81$  hectare ( $\pm 2.00$  acre) parcel, with a  $\pm 9.09$  hectare ( $\pm 22.47$  acre) remainder.



**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.

**TENTATIVE PLAN**

**NE-24-25-03-W05M**  
**Lot:18 Plan:9813169**

Date: May 17, 2017

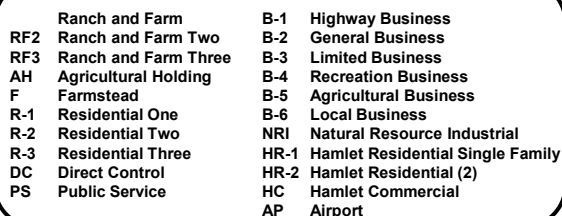
Division # 8

File: 05724009

**AGENDA**

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# LAND USE MAP

**NE-24-25-03-W05M**  
**Lot:18 Plan:9813169**

**Date:** May 17, 2017

## Division # 8

**File: 05724009**

## AGENDA

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Contours are generated using 10m grid points, and depict general topographic features of the area. Detail accuracy at a local scale cannot be guaranteed. They are included for reference use only.

# TOPOGRAPHY

Contour Interval 2 M

**NE-24-25-03-W05M**  
**Lot:18 Plan:9813169**

Date: May 17, 2017

Division # 8

File: 05724009

**AGENDA**

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Note: Post processing of raw aerial photography may cause varying degrees of visual distortion at the local level.

**AIR PHOTO**

Spring 2016

**NE-24-25-03-W05M**  
**Lot:18 Plan:9813169**

Date: May 17, 2017

Division # 8

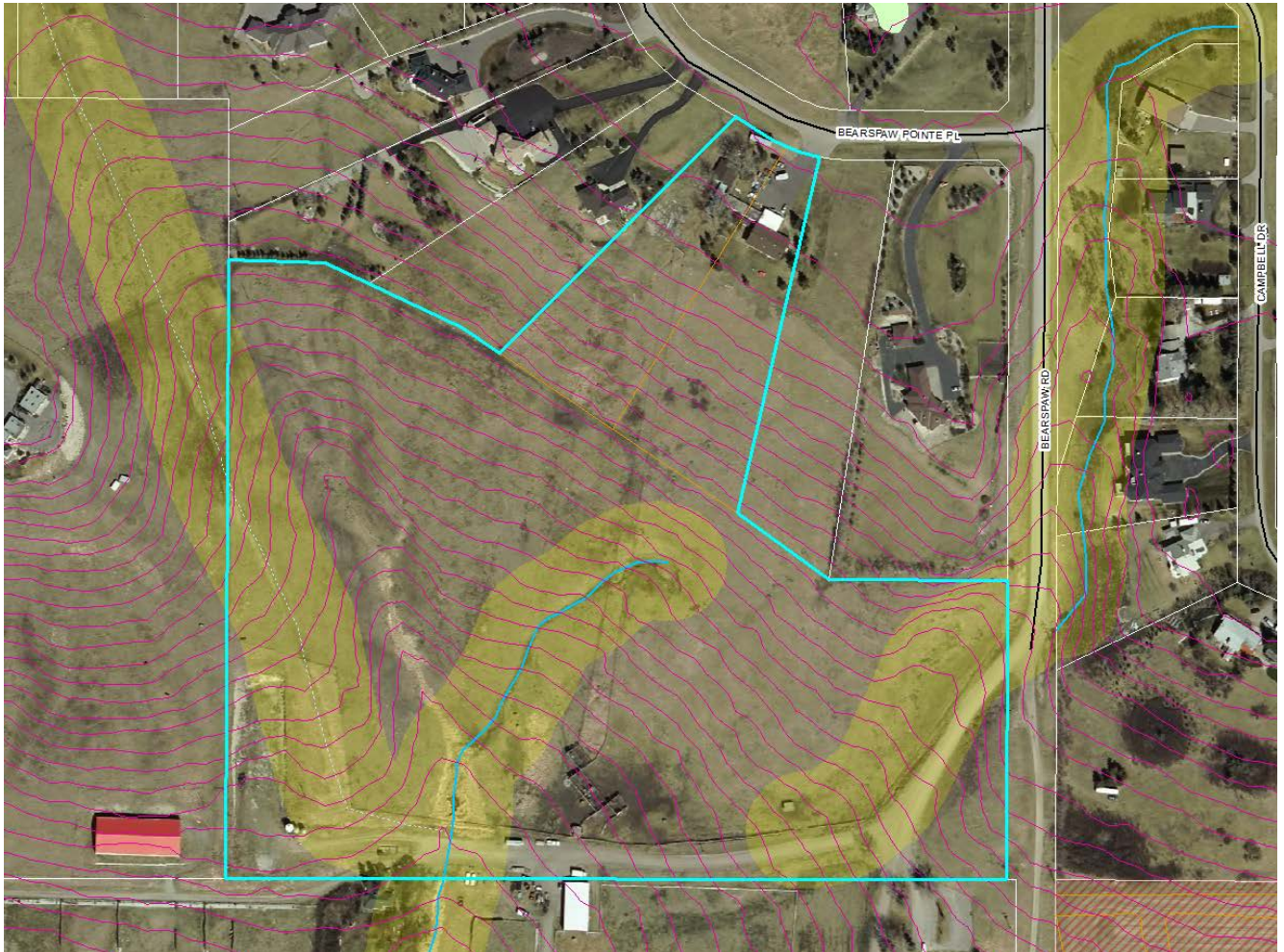
File: 05724009

**AGENDA**

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Note: Post processing of raw aerial photography may cause varying degrees of visual distortion at the local level.

**AIR PHOTO**

*Spring 2016*

**NE-24-25-03-W05M**  
**Lot:18 Plan:9813169**

Date: May 17, 2017

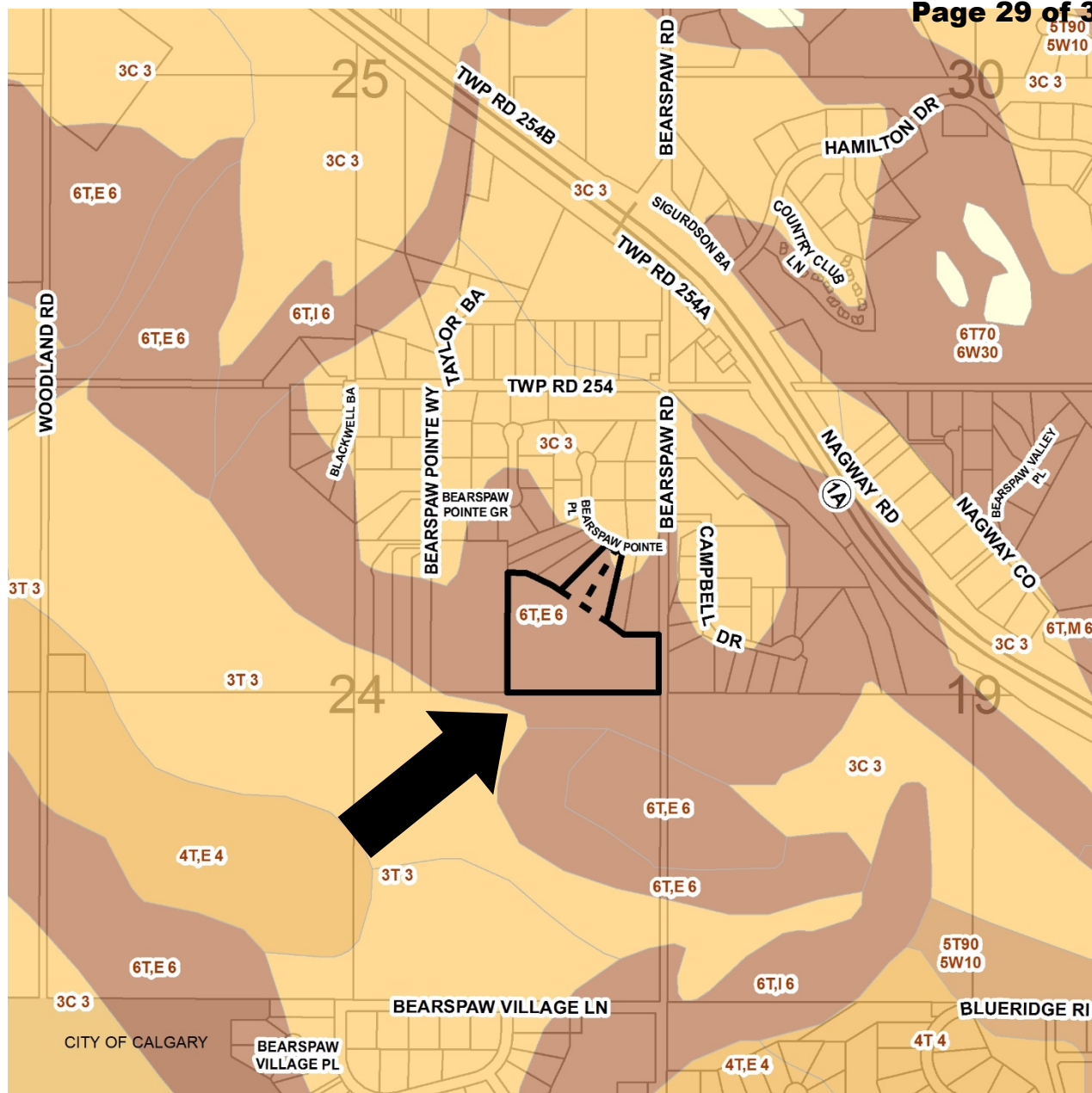
Division # 8

File: 05724009

**AGENDA**

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**LAND CAPABILITY CLASSIFICATION LEGEND***Limitations refer to cereal, oilseeds and tame hay crops***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 sodicity
- 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

**SOIL MAP**

**NE-24-25-03-W05M**  
**Lot:18 Plan:9813169**

Date: May 17, 2017

Division # 8

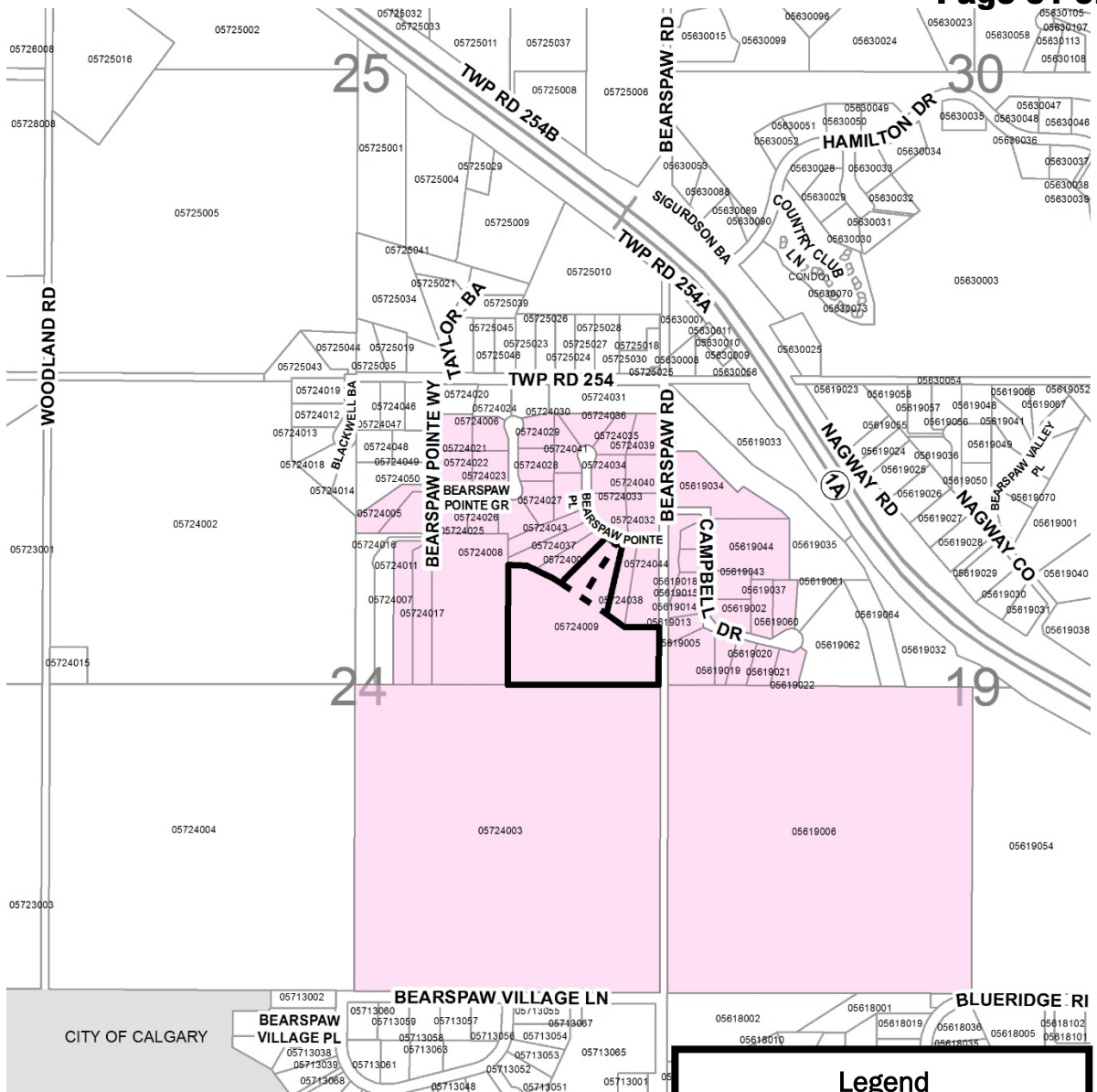
File: 05724009**AGENDA**



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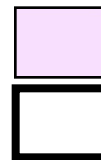
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 Letters in Opposition  
 Letters in Support

### Legend



Circulation Area

Subject Lands

## LANDOWNER CIRCULATION AREA

**NE-24-25-03-W05M**  
**Lot:18 Plan:9813169**

Date: May 17, 2017

Division # 8

File: 05724009**AGENDA****Page 214 of 256**

## **PLANNING SERVICES**

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<b>TO:</b>	Subdivision Authority	
<b>DATE:</b>	January 9, 2018	<b>DIVISION:</b> 5
<b>FILE:</b>	03332005/015	<b>APPLICATION:</b> PL20170149
<b>SUBJECT:</b>	Subdivision Item – Boundary Adjustment – Janet ASP	

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### **<sup>1</sup>ADMINISTRATION RECOMMENDATION:**

That Subdivision Application PL20170149 be approved with the conditions noted in Appendix A.

### **EXECUTIVE SUMMARY:**

The purpose of this application is to adjust the boundaries between a  $\pm 3.21$  hectare ( $\pm 7.94$  acre) parcel and a  $\pm 26.35$  hectare ( $\pm 65.11$  acre) parcel, in order to create a  $\pm 11.31$  hectare ( $\pm 27.94$  acre) Hamlet Industrial parcel (northern portion, Lot 1) and a  $\pm 18.26$  hectare ( $\pm 45.11$  acre) Ranch and Farm Three parcel (southern portion, Lot 2), as shown in Appendix 'C'.

As per the *Municipal Government Act* (MGA 623) and the *Subdivision Authority Bylaw* (C-7456-2015), Council is the Subdivision Authority for this application. Subdivision approvals are required to divide a parcel of land into two or more parcels or to realign parcel boundaries. Technical requirements such as road access, water and sewer, and stormwater are key considerations in subdivision applications.

The purpose of the boundary adjustment is to expand the existing recycling operation conducted by Recycling Worx Solutions Inc. The site currently operates on the existing  $\pm 3.21$  hectare ( $\pm 7.94$  acre) Hamlet Industrial District site, and is proposed to expand  $\pm 8.09$  hectares ( $\pm 20.00$  acres) to the south. A future development permit application would be required for the industrial development on these lands. As further details regarding site coverage and area are required at that stage, many technical considerations have been deferred, in order to allow for the provision of the highest level of detail.

The southern Ranch and Farm Three parcel is undeveloped, and has been primarily used for the cultivation of grain crops. The proposed northern Hamlet Industrial parcel would be consolidated with the existing  $\pm 3.21$  hectare ( $\pm 7.94$  acre) site, which is serviced by a pump and haul system for potable water and waste water servicing. The Ranch and Farm Three portion is not proposed to be developed and, as an agriculturally designated parcel over 30 acres in size, is not required to account for servicing at this time. Access is provided by an approach in the northeastern corner of the parcel, via Range Road 284. As a condition of approval, a new farm approach would be required to provide access to the Ranch and Farm Three District remainder.

The lands are located within the policy area of the Janet Area Structure Plan (ASP) and the Rocky View/Calgary Intermunicipal Development Plan (IDP). These documents were considered during the previous redesignation application, when it was determined that the application was in accordance with relevant Statutory Policy. Administration recommends approval of the application for the following reasons:

- The County Servicing Standards have been considered, and
- There are no outstanding technical considerations with regard to the proposal.

Therefore, Administration recommends approval in accordance with **Option #1**.

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### **<sup>1</sup> Administration Resources**

Stefan Kunz, Planning Services  
Angela Yurkowski, Engineering Services

<b>PROPOSAL:</b> To adjust the boundaries between a $\pm 3.21$ hectare ( $\pm 7.94$ acre) parcel and a $\pm 26.35$ hectare ( $\pm 65.11$ acre) parcel, in order to create a $\pm 11.31$ hectare ( $\pm 27.94$ acre) parcel and a $\pm 18.26$ hectare ( $\pm 45.11$ acre) parcel.	<b>GENERAL LOCATION:</b> Located immediately southwest of the city of Chestermere, to the southwest of the intersection of Township Road 240 and Range Road 284.
<b>LEGAL DESCRIPTION:</b> Block 2, Plan 9610137, NE-32-23-28-W4M, and a portion of NE-32-23-28-W4M	<b>GROSS AREA:</b> $\pm 29.56$ hectares ( $\pm 73.05$ acres)
<b>APPLICANT:</b> Mark Jette <b>OWNER:</b> Recycling Worx Solutions Inc., Louson Investments Ltd., Gleneagle Investments Ltd.	<b>RESERVE STATUS:</b> Municipal Reserves are outstanding and comprise 10% of the parent parcel.
<b>LAND USE DESIGNATION:</b> Hamlet Industrial District (HI) and Ranch and Farm Three District (RF-3)	<b>LEVIES INFORMATION:</b> Transportation Off-Site Levy is applicable in this case
<b>DATE SUBDIVISION APPLICATION DEEMED COMPLETE:</b> August 30, 2017	<b>APPEAL BOARD:</b> Municipal Government Board
<b>TECHNICAL REPORTS SUBMITTED:</b> <ul style="list-style-type: none"><li>None</li></ul>	<b>LAND USE POLICIES AND STATUTORY PLANS:</b> <ul style="list-style-type: none"><li>Janet Area Structure Plan (C-7418-2014)</li><li>Land Use Bylaw (C-4841-97)</li></ul>

#### **PUBLIC SUBMISSIONS:**

The application was circulated to 10 adjacent landowners. At the time of report preparation, no responses had been received.

#### **AGENCY SUBMISSIONS:**

The application was circulated to a number of internal and external agencies, including the City of Calgary per the Rocky View County/City of Calgary Intermunicipal Development Plan (IDP). The responses are available in Appendix 'B'.

#### **HISTORY:**

**July 11, 2017** A portion of the subject lands are redesignated to Hamlet Industrial District with the approval of application PL20160099.

**1996** Plan 961 0137 is registered, resulting in the creation of a 3.21 hectare (7.94 acre) parcel immediately south of the railway line. This parcel currently houses the Recycling Worx Solutions Inc. business. Recycling collection has been conducted on this site since 1998.

**1975** Janet Lumber and Trading Co. Ltd. is granted a development permit allowing the operation of a *Lumber and Building Supply Outlet*.

**Prior to 1968** Although available records do not indicate exactly when the remainder of the NE-32-23-28-W4M is subdivided, records pertaining to fence removal along the railway line make reference to north and south halves of the quarter section.



- 1916** RW 67 is registered along the northern boundary of the quarter section, allowing for the construction of the CN Railway. This includes the subject 3.21 hectare (7.94 acre) parcel, which at the time was intended to be used as Station Grounds.

#### **TECHNICAL CONSIDERATIONS:**

This application has been evaluated in accordance with the matters listed in Sections 7 and 14 of the Subdivision and Development Regulation, which are as follows:

a) The site's topography

The topography of the land does not pose significant concerns with regard to developability, and the lands do not feature any significant slopes. There are a handful of ephemeral wetlands on-site, as well as a low area in the centre-west that drains to a wetland complex located on the adjacent parcel to the south. At this time, the extent and location of development on site is undetermined. At the development permit stage, the Applicant would be required to provide details regarding final site conditions. Requirement for the submission of a Biophysical Impact Assessment would be determined at that time.

Conditions: None

b) The site's soil characteristics

The soils on-site are Class 1 and 5, with no limitations and very severe limitations to cereal, oilseed, and tame hay crop production due to high salinity and excessive wetness/poor drainage. As the application anticipates industrial development, there are no concerns with regard to soil conditions at this time. During the evaluation of the future development permit, the Applicant may be required to submit a Geotechnical Report, which must evaluate the soil characteristics, existing groundwater conditions, and provide a recommendation on soil suitability for the proposed industrial use.

Conditions: None

c) Stormwater collection and disposal

The existing recycling operation has a stormwater management facility in order to service the existing development. Further stormwater considerations are to be considered at development permit stage, when the Applicant would be required to provide comprehensive site details for the area of the expansion. At that time, the Applicant would be required to update the existing stormwater management plan to incorporate any new development proposed on the subject lands. The complete plan must meet the requirements of the Janet Master Drainage Plan, and may result in the construction of improvements in accordance with the approved site specific stormwater management plan.

Payment of the Storm Water Off-site Levy (Bylaw C-7535-2015) is required, but is more appropriately addressed at the development permit stage, when detailed stormwater plans are finalized.

No further concerns at this time.

Conditions: None

d) Any potential for flooding, subsidence or erosion of the land

The lands are not located in the vicinity of a water body or significant drainage course, and the site has not been identified on Alberta Environment's Flood Hazard Map. While there are a number of wetlands on-site, there is no concern with regard to flooding, subsidence or erosion of the land.

No further concerns.



Conditions: None

e) Accessibility to a road

The Applicant submitted a Preliminary Traffic Assessment conducted by JCB Engineering (May 3, 2017) in order to provide traffic information for the existing recycling business. The report confirms that no additional traffic would be generated as a result of the proposal, and concludes that no offsite improvements would be required. The report also provides information regarding possible trip generation for a number of other Hamlet Industrial District uses for which an application could be submitted, in accordance with the Land Use Bylaw. At the future development permit stage, if it is determined that the proposal would result in an increase to traffic on the local road network, the Applicant would be required to submit a full Traffic Impact Assessment (TIA) in accordance with the County Servicing Standards.

Access to the southern parcel is provided by an approach in the northeastern corner of the lands, via Range Road 284. Should this application be approved, the approach would be within the boundaries of the Hamlet Industrial parcel, so a new farm approach would be required to provide access to the Ranch and Farm Three lot.

The northern parcel, which contains the recycling operation, similarly accesses Range Road 284 but is located approximately 20 m south of a Canadian National railway crossing. Policy 402, the County's policy regarding road approaches, states that, "*no road approach shall be located less than 150m (492') from an at-grade railway crossing, unless approved by Council.*"

Given the size of the site, however, it is not possible to achieve a 150 m setback. Administration recognizes that, as the business has been in operation for a number of years, some degree of flexibility in regards to the location of the approach is appropriate. As such, Administration recommends that the approach be permitted within the 150 m setback, but be relocated further south. This would enhance the safety of the transportation network, and better reflect the principles supporting Policy 402.

Range Road 284 is identified as a Network B Road in the County's Long Range Transportation Plan, which requires a 30 m right of way. As the current right of way width is 20 m, road widening of 5 m is required to be dedicated by plan of survey along the entire east boundary of the subject lands.

*Transportation Off-Site Levy*

The Transportation Off-Site Levy (TOL) is outstanding; however, payment of the levy is more appropriately required at the development permit stage. The levy would apply to the entire development area of the Hamlet Industrial parcel. The TOL may be deferred to the development permit stage for the Hamlet Industrial lot, as further information on the full development area would be required at that time. TOL would not be required for the remainder portion of the lands, as the application does not create a new parcel, and is only for a boundary adjustment.

Conditions: 2, 3, 4, and 5 (see Appendix 'A').

f) Water supply, sewage and solid waste disposal

Servicing for the Hamlet Industrial portion of the lands uses an existing pump and haul system for potable water and waste water servicing. The Ranch and Farm Three portion is not developed, and, as an agriculturally designated parcel over 30 acres in size, it is not required to account for servicing at this time.

Further development on the expanded Hamlet Industrial area would continue to use the existing pump and haul system. At future Development Permit stage, the Applicant would be required to provide a detailed drawing showing the location of the cistern and holding tanks on-site.

Conditions: None





g) The use of the land in the vicinity of the site

The subject lands are located within the hamlet of Janet, immediately southwest of the city of Chestermere, to the southwest of the intersection of Township Road 240 and Range Road 284. This is an area of the County that primarily consists of business, commercial, and industrial development, but also features a mix of land uses. The bulk of business uses are found to the west, where numerous Business, Industrial, and Direct Control Districts are located. To the south and east, lands are predominantly agricultural, with scattered pockets of country residential development. The quarter section immediately to the northeast is located within the city of Chestermere. Currently, that parcel is unsubdivided, features no dwelling or other structures, and is used for agricultural purposes. In terms of future development potential, the Chestermere lands are located within the Waterbridge Master Area Structure Plan, which anticipates predominantly residential land uses.

Conditions: None

h) Other matters

*Municipal Reserves*

Municipal Reserves are outstanding in the amount of 10% of the lands. As this location has not been identified for future Municipal Reserve acquisition to support public parks, open space, or pathway and trail development, dedication of lands is not required. As the Hamlet Industrial site is significantly larger than the minimum parcel size provided by the Land Use Bylaw, further subdivision may be possible in the future. The Ranch and Farm Three parcel is not currently designated for further subdivision, but it is indicated as appropriate for industrial development within the Janet ASP. In both cases, it is preferable to defer the provision of Municipal Reserves to future development. Deferred reserve caveats are required as a condition of subdivision.

Conditions: 7 (see Appendix 'A')

**POLICY CONSIDERATIONS:**

The application was reviewed with respect to the Janet Area Structure Plan (ASP), the Rocky View County/City of Calgary Intermunicipal Development Plan (IDP), and the Land Use Bylaw (LUB). Policy consideration for the application was considered during the previous redesignation application. Review of the relevant policies determined that the proposal was in accordance with the ASP, IDP, and LUB.

The application proposes a 20 acre adjustment of the boundaries between a Hamlet Industrial District parcel and a Ranch and Farm Three District parcel. The ultimate goal of the application is to expand the existing recycling business currently located on the northern parcel. The Hamlet Industrial district features *General Industry Type II and III* as a discretionary use. Previous Development Permits granted for the operation of the business have fallen under this use as well, so the proposed land use district is appropriate for the type of use proposed.

**CONCLUSION:**

The application proposes to adjust the boundaries between a  $\pm 3.21$  hectare ( $\pm 7.94$  acre) parcel and a  $\pm 26.35$  hectare ( $\pm 65.11$  acre) parcel, in order to create a  $\pm 11.31$  hectare ( $\pm 27.94$  acre) parcel and a  $\pm 18.26$  hectare ( $\pm 45.11$  acre) parcel. This application is in accordance with the Janet Area Structure Plan, the Land Use Bylaw, and County Servicing Standards. Many of the technical requirements would be appropriately managed at the development permit stage, and those that are relevant to this stage of development have been accounted for through conditions of approval.

Therefore, Administration recommends approval of the application in accordance with **Option #1**.

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**~~CDH-CBG.~~**

Option #1: THAT Subdivision Application PL20170149 be approved with the conditions noted in Appendix A.

Option #2: THAT Subdivision Application PL20170149 be refused as per the reasons noted.

Respectfully submitted,

“Chris O’Hara”

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General Manager, Development Services

SK/rp

Concurrence,

“Kevin Greig”

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County Manager

**APPENDICES:**

APPENDIX ‘A’: Approval Conditions

APPENDIX ‘B’: Application Referrals

APPENDIX ‘C’: Mapset

**APPENDIX A: APPROVAL CONDITIONS**

- A. That the application to adjust the boundaries between a  $\pm 3.21$  hectare ( $\pm 7.94$  acre) parcel and a  $\pm 26.35$  hectare ( $\pm 65.11$  acre) parcel, in order to create a  $\pm 11.31$  hectare ( $\pm 27.94$  acre) parcel and a  $\pm 18.26$  hectare ( $\pm 45.11$  acre) parcel between Block 2, Plan 9610137, NE-32-23-28-W4M, and a portion of NE-32-23-28-W4M has been evaluated in terms of Section 654 of the *Municipal Government Act* and Sections 7 and 14 of the Subdivision and Development Regulations and, having considered adjacent landowner submissions, it is recommended that the application be approved as per the Tentative Plan for the reasons listed below:
1. The application is consistent with 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 condition 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 Owner from ensuring all permits, licenses, or approvals required by Federal, Provincial, or other jurisdictions are obtained. Further, in accordance with Section 654 and 655 of the *Municipal Government Act*, the application be approved subject to the following conditions of approval:

*Plan of Subdivision*

- 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.
- 2) The Owner is to dedicate by Plan of Survey, a 5 metre wide portion of land for road widening along the eastern boundary of Lots 1 & 2, as shown on the approved Tentative Plan.

*Transportation and Access*

- 3) The Owner shall construct a new industrial/commercial standard approach on Range Road 284 in order to provide access to Lot 1.
- 4) The Owner shall construct a new farm approach on Range Road 284 in order to provide access to Lot 2.
- 5) The Owner shall remove and reclaim the existing approaches, as shown on the approved Tentative Plan.

*Fees and Levies*

- 6) The Owner shall pay the County subdivision endorsement fee, in accordance with the Master Rates Bylaw, for the two (2) lots involved in the boundary adjustment.

*Municipal Reserves*

- 7) The provision of Reserve, in the amount of 10% of Lots 1 & 2, is to be deferred by caveat proportionately to Lots 1 & 2, pursuant to Section 669(2) of the *Municipal Government Act*.



*Taxes*

- 8) All taxes owing, up to and including the year in which subdivision is to be registered, are to be paid to the County prior to signing the final documents pursuant to Section 654(1) of the Municipal Government Act.

**C. SUBDIVISION AUTHORITY DIRECTION**

- 1) Prior to final endorsement of the Subdivision, Administration is directed to present the Owner with a Voluntary Recreation Contribution Form and to ask them if they will contribute to the Fund in accordance with the contributions prescribed in the Master Rates Bylaw.

**APPENDIX 'B': APPLICATION REFERRALS**

AGENCY	COMMENTS
<b><i>School Authority</i></b>	
Rocky View Schools	No comment.
Calgary Catholic School District	Calgary Catholic School District (CCSD) has no objection to the above-noted circulation (PL2017-0149) located southwest of Chestermere. As per the circulation, Municipal Reserves are still outstanding and comprise 10% of the parent parcel.
Public Francophone Education	No comment.
Catholic Francophone Education	No comment.
<b><i>Province of Alberta</i></b>	
Alberta Environment	No comment.
Alberta Transportation	Not required.
Alberta Sustainable Development (Public Lands)	Not required.
Alberta Culture and Community Spirit (Historical Resources)	Not required.
Energy Resources Conservation Board	No comment.
Alberta Health Services	<p>AHS provides the following comments for your consideration:</p> <ol style="list-style-type: none"> <li>1. AHS supports connection to a licensed communal, regional or municipal drinking water system if made available to this area in future. Based on the application, it is the understanding of AHS that cistern(s) have been proposed as a water servicing solution for the subject site. Please note that the Alberta Public Health Act specifies that: <p><i>The owner of a cistern that is used to hold a potable water supply intended for consumption by the public shall ensure that the cistern</i></p> <p><i>a. is maintained in a clean and sanitary condition, and</i></p> <p><i>b. is not used for any other purpose (AR 243/2003, s14).</i></p> <p>If future use of these lands includes any public facilities (i.e., food establishments, schools, daycares, personal service establishments, etc.) regular bacteriological sampling of the potable water supply may be required.</p> </li> <li>2. Any existing and/or proposed private sewage disposal</li> </ol>

AGENCY	COMMENTS
	<p>system(s), must be completely contained within the proposed property boundaries and must comply with the setback distances outlined in the most recent Alberta Sewage Systems Standard of Practice.</p> <p>3. The property must be maintained in accordance with the Alberta Public Health Act, Nuisance and General Sanitation Guideline 243/2003 which stipulates,</p> <p><i>No person shall create, commit or maintain a nuisance. A person who creates, commits or maintains any condition that is or might become injurious or dangerous to the public health or that might hinder in any manner the prevention or suppression of disease is deemed to have created, committed or maintained a nuisance.</i></p>
<b>Public Utility</b>	
ATCO Gas	No objections.
ATCO Pipelines	No objections.
AltaLink Management	No comment.
Enmax	<p>We have reviewed this plan and have the following comments.</p> <ol style="list-style-type: none"> <li>1. There are existing 25 kV three-phase underground power lines and pad-mounted transformers installed west of the subject area (as approximately shown on the attached plan).</li> <li>2. Prior to construction, all underground utilities within the subject area must be located. Please contact Alberta One-Call at 1-800-242-3447 to locate and identify the buried utilities. If the Developer crosses any existing Enmax underground installations, the Developer should notify Enmax for inspection prior to backfilling the crossing.</li> <li>3. Any relocation, removal, extension, or alteration of the exiting Enmax facilities will be done at the Developer's expense.</li> <li>4. If the Developer requires servicing from Enmax please contact.</li> </ol>
FortisAlberta	No concerns or requirements.
Telus Communications	No objection.
TransAlta Utilities Ltd.	No comment.
<b>Other External Agencies</b>	
EnCana Corporation	No comment.

<b>AGENCY</b>	<b>COMMENTS</b>
City of Calgary	No concern.
City of Chestermere	No comment.
<i>Rocky View County</i>	
<b><i>Boards and Committees</i></b>	
ASB Farm Members and Agricultural Fieldmen	No comment.
Chestermere-Conrich Recreation Board	No comment.
<b><i>Internal Departments</i></b>	
Municipal Lands	No comment.
Development Authority	No comment.
GeoGraphics	No comment.
Building Services	No comment.
Emergency Services	No comments.
Enforcement Services	Due to the presence of wetlands and apparent overland drainage routes, recommend that County Engineering Services and Alberta Environment be consulted.
Infrastructure and Operations – Engineering Services	<p><b>General:</b></p> <ul style="list-style-type: none"> <li>This application is for boundary adjustment only. At this time, no additional development or new lots are proposed to be created.</li> </ul> <p><b>Geotechnical:</b></p> <ul style="list-style-type: none"> <li>ES has no requirements at this time;</li> <li>At future development permit stages, the Applicant may be required to submit a Geotechnical report prepared by a qualified professional depending on the nature of the proposed development. The report would evaluate the soil characteristics, existing groundwater conditions and provide a recommendation on soil suitability for the proposed industrial use.</li> </ul> <p><b>Transportation:</b></p> <ul style="list-style-type: none"> <li>The applicant submitted a Preliminary Traffic Assessment by JCB Engineering (May 3, 2017) to accompany the previous land use file (PL20160099). The Assessment provided</li> </ul>

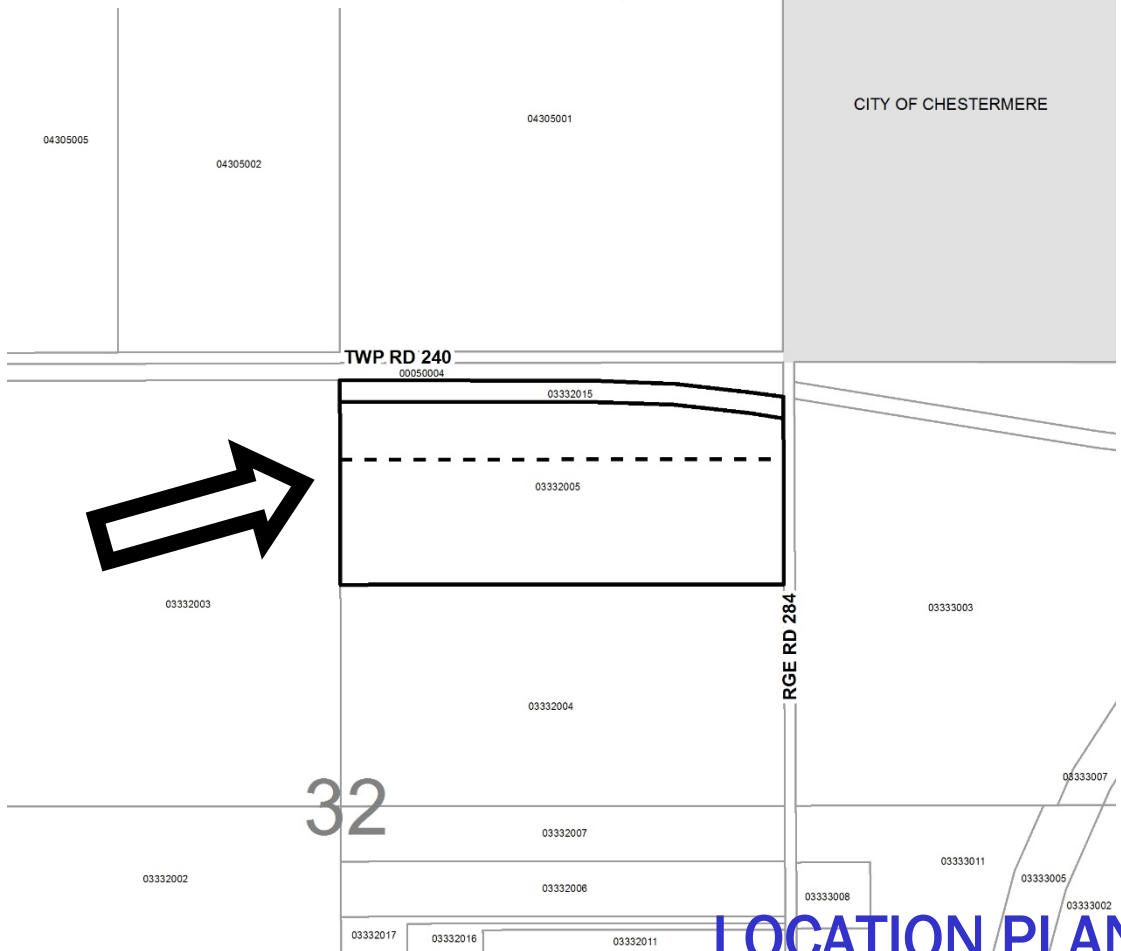
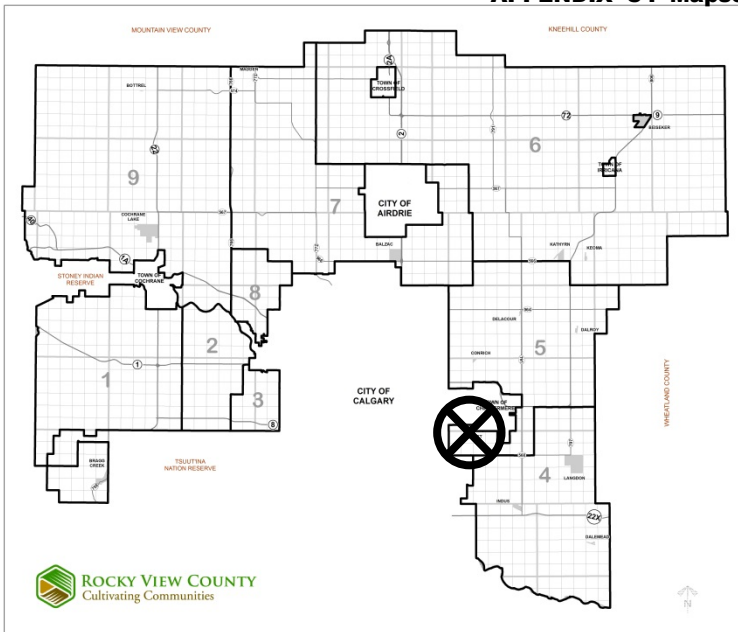


AGENCY	COMMENTS
	<p>information on the existing traffic for the recycling business (located immediately north), and confirms that no additional traffic will be generated as a result of the current proposal from the applicant, therefore it is not anticipated that any offsite improvements would be required. The report also provides information regarding possible trip generation for a number of industrial uses that could be applied for on the subject lands once re-designated. It is recommended in the report that should a proposal for subdivision or development of the land be applied for which is outside of the scope of what's currently being proposed, a complete updated TIA shall be performed. ES is in agreement with this recommendation and this requirement will be determined by the County at future development permit stage or if further subdivision of the lands is proposed;</p> <ul style="list-style-type: none"> <li>• At future development permit stage, if the proposal will result in an increased to traffic on the local road network, the applicant will be required to submit a full TIA in accordance with the County Servicing Standards;</li> <li>• There are currently two paved approaches that are within the boundary of the proposed Lot 1. The existing approach that is in use for the existing business is approximately 25-30m from the rail crossing. The Traffic Assessment submitted indicates that due to adequate sight distance, very low usage of the rail line by CN, and no overall increase in traffic proposed, that re-location of the access is not required. The County Servicing standards, however, state that no road approaches shall be located less than 150m from an at-grade rail crossing. It is not possible to achieve the minimum spacing of 150m on the proposed Lot 1, however ES still recommends that as a condition of subdivision, the approach to the proposed Lot 1 be relocated to the south end of the proposed Lot 1 (immediately north of the newly proposed lot line). This will achieve a minimum distance from the rail crossing of approximately 110-120m. While this still does not meet the minimum requirements of the servicing standards, it is a significant improvement compared to the existing approach location. The new approach shall be constructed to an industrial/commercial standard. Further, as a condition of subdivision, the existing approaches within the proposed Lot 1 shall be removed and reclaimed;</li> <li>• As a condition of subdivision, a field approach to access the remainder parcel will be required, as the existing access to the remainder parcel is now within the boundary of the proposed Lot 1;</li> <li>• Range Road 284 is a paved road. The majority of site traffic for the existing recycling facilities uses this road as their primary route. However, Township Road 240 is in close proximity to the business and is also is used by the business.</li> </ul>

AGENCY	COMMENTS
	<p>While the Traffic Assessment submitted does not recommend offsite upgrades based on the current proposal (as there is no net increase in traffic), it should be noted that TWP 240 is a gravel road and therefore subject to road bans per County policy until such time as it is upgraded to a ban free status. Should the ultimate proposal for the lands change as part of a future development permit, off-site upgrades may be required in accordance with the final TIA;</p> <ul style="list-style-type: none"> <li>• At development permit stage, the applicant will be required to provide payment of transportation offsite levy for the gross area of lands to be developed in accordance with the applicable TOL Bylaw. As this application is for boundary adjustment only, it is exempt from the collection of Transportation Offsite Levy;</li> <li>• Range Road 284 is identified as a Network B road in the County's Long Range Transportation Plan requiring 30m right of way in future. The current right of way width is 20m, therefore, as a condition of subdivision, the County will require 5m be dedicated by plan of survey along the entire east boundary of the subject lands.</li> </ul> <p><b>Sanitary/Waste Water:</b></p> <ul style="list-style-type: none"> <li>• ES has no requirements at this time;</li> <li>• The County requires sewage holding tanks for industrial and commercial uses;</li> <li>• At future Development Permit stage, the Applicant will be required to provide a detailed drawing showing the location of sewage tanks and truck out connections for any industrial/commercial uses.</li> </ul> <p><b>Water Supply And Waterworks:</b></p> <ul style="list-style-type: none"> <li>• ES has no requirements at this time;</li> <li>• ES recommends the use of cistern tanks for potable water supply for non-residential uses including commercial and industrial uses. At future Development Permit stage, the applicant will be required to provide a detailed drawing showing the location of the cistern tanks on site;</li> <li>• Should the applicant wish to pursue the use of groundwater for any other uses on site, ES will require proof of approval from AENV.</li> </ul> <p><b>Storm Water Management:</b></p> <ul style="list-style-type: none"> <li>• ES has no requirements at this time;</li> <li>• At future Development Permit stage, the applicant will be required to update the existing storm water management plan to incorporate any new development proposed on the subject lands and must meet the requirements of the Janet Master Drainage Plan. The applicant will also be responsible to construct improvements as necessary in accordance with the</li> </ul>

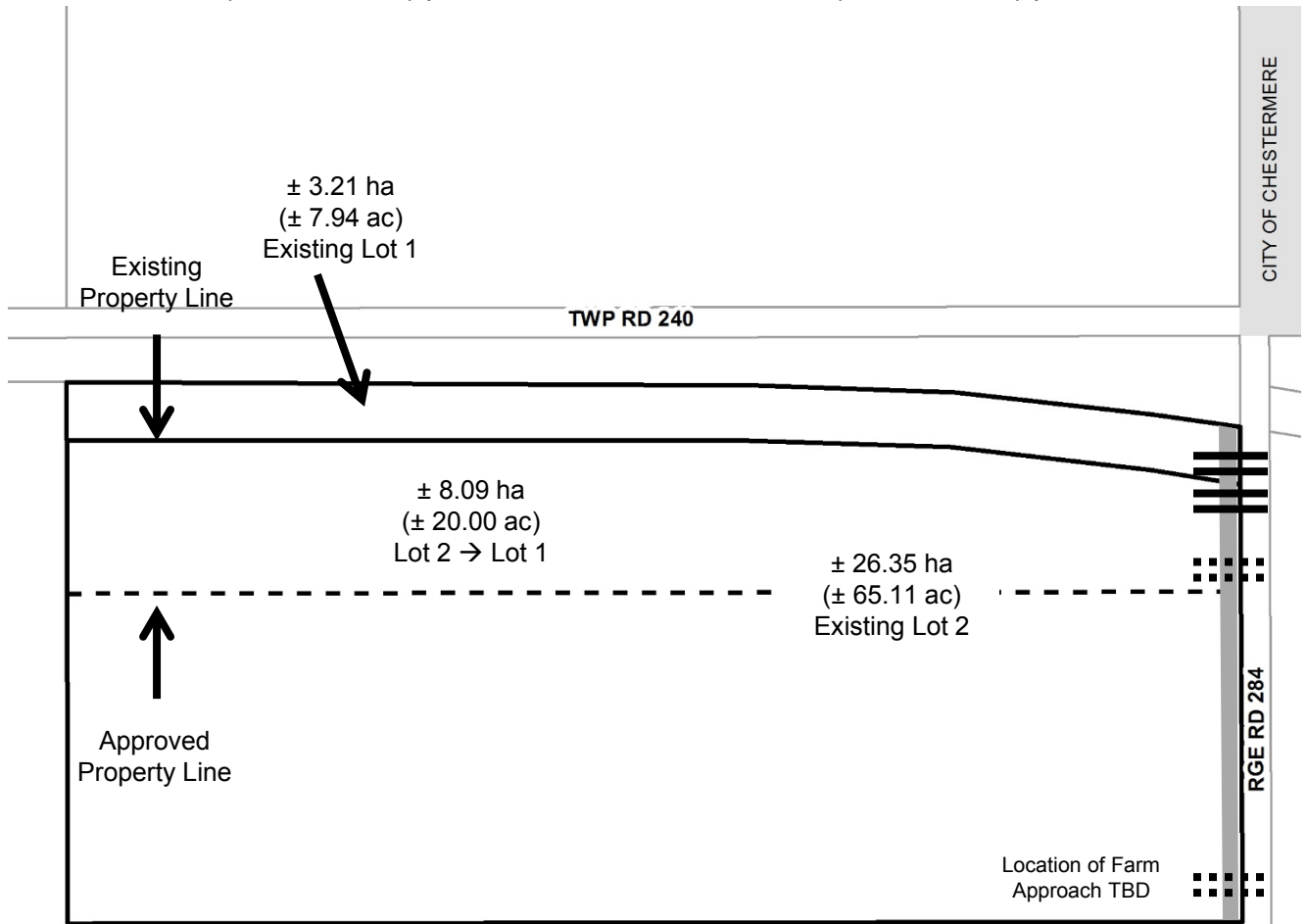
AGENCY	COMMENTS
	<p>approved site specific storm water management plan;</p> <ul style="list-style-type: none"> <li>At future development permit stage, the applicant will be required to provide payment of the Storm Water Offsite Levy in accordance with the applicable bylaw at time of development permit. The current application is exempt from payment of the Storm Water Levy as it is for boundary adjustment only.</li> </ul> <p><b>Environmental</b></p> <ul style="list-style-type: none"> <li>ES has no requirements at this time;</li> <li>The County Wetland inventory shows that active wetlands exist on this property. At future development permit stage, the Applicant may be required to submit a Wetland Impact Assessment or Biophysical Impact Assessment in accordance with County Servicing Standards depending on the extent of development proposed and proximity to wetlands;</li> <li>The applicant will be responsible for obtaining the required approvals from AEP should any disturbance to wetlands be proposed.</li> </ul>
Infrastructure and Operations – Maintenance	No concerns.
Infrastructure and Operations - Capital Delivery	No concerns.
Infrastructure and Operations - Operations	<p>Applicant to confirm how he intends to access Lot 2. If new approach required, Applicant to contact County Road Operations for Approach Application.</p> <p>Applicant to confirm if he intends to expand his existing recycling business. If yes, recommend Applicant prepare a TIA to confirm if road upgrade work required along Rge Rd 284.</p>
Infrastructure and Operations – Utility Services	No concerns.

Circulation Period: September 6, 2017 to October 6, 2017



NE-32-23-28-W04M

**Subdivision Proposal:** To adjust the boundaries between a  $\pm 3.21$  hectare ( $\pm 7.94$  acre) parcel and a  $\pm 26.35$  hectare ( $\pm 65.11$  acre) parcel, in order to create a  $\pm 11.31$  hectare ( $\pm 27.94$  acre) parcel and a  $\pm 18.26$  hectare ( $\pm 45.11$  acre) parcel.



### Legend

Existing Approach (to be removed) 

New Approach 

5m Road Widening Dedication 

### Surveyor's Notes:

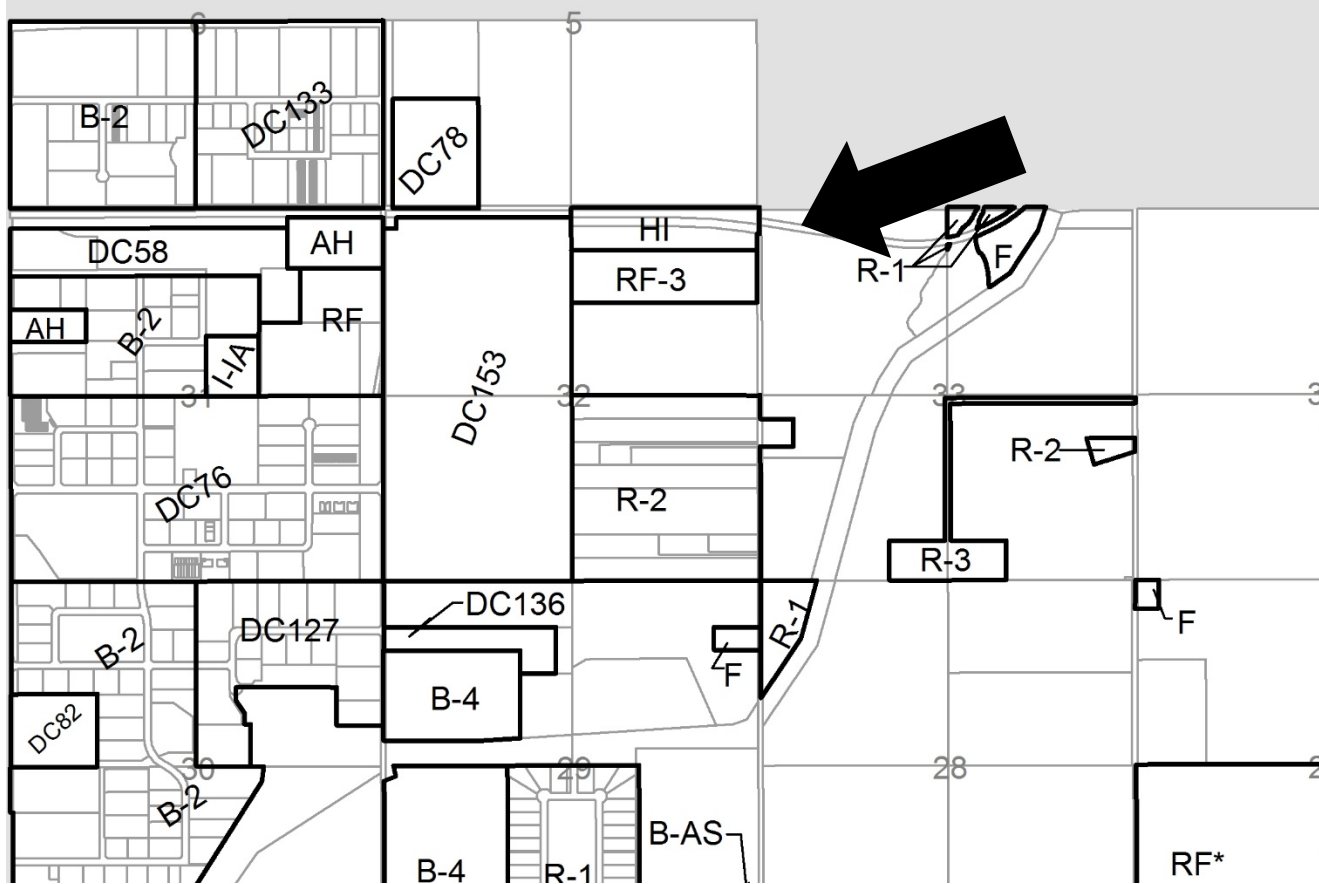
1. Parcels must meet minimum size and setback requirements of Land Use Bylaw C-4841-97.
2. Refer to Notice of Transmittal for approval conditions related to this Tentative Plan.

# TENTATIVE PLAN

## NE-32-23-28-W04M

CITY OF CALGARY

CITY OF CHESTERMERE



Ranch and Farm	B-1 Highway Business
RF2 Ranch and Farm Two	B-2 General Business
RF3 Ranch and Farm Three	B-3 Limited Business
AH Agricultural Holding	B-4 Recreation Business
F Farmstead	B-5 Agricultural Business
R-1 Residential One	B-6 Local Business
R-2 Residential Two	NRI Natural Resource Industrial
R-3 Residential Three	HR-1 Hamlet Residential Single Family
DC Direct Control	HR-2 Hamlet Residential (2)
PS Public Service	HC Hamlet Commercial
	AP Airport

LAND USE MAP

NE-32-23-28-W04M





Contours are generated using 10m grid points, and depict general topographic features of the area. Detail accuracy at a local scale cannot be guaranteed. They are included for reference use only.

**TOPOGRAPHY**

*Contour Interval 2 M*

**NE-32-23-28-W04M**





Note: Post processing of raw aerial photography may cause varying degrees of visual distortion at the local level.

**AIR PHOTO**

*Spring 2016*

**NE-32-23-28-W04M**

Date: Sept 5, 2017

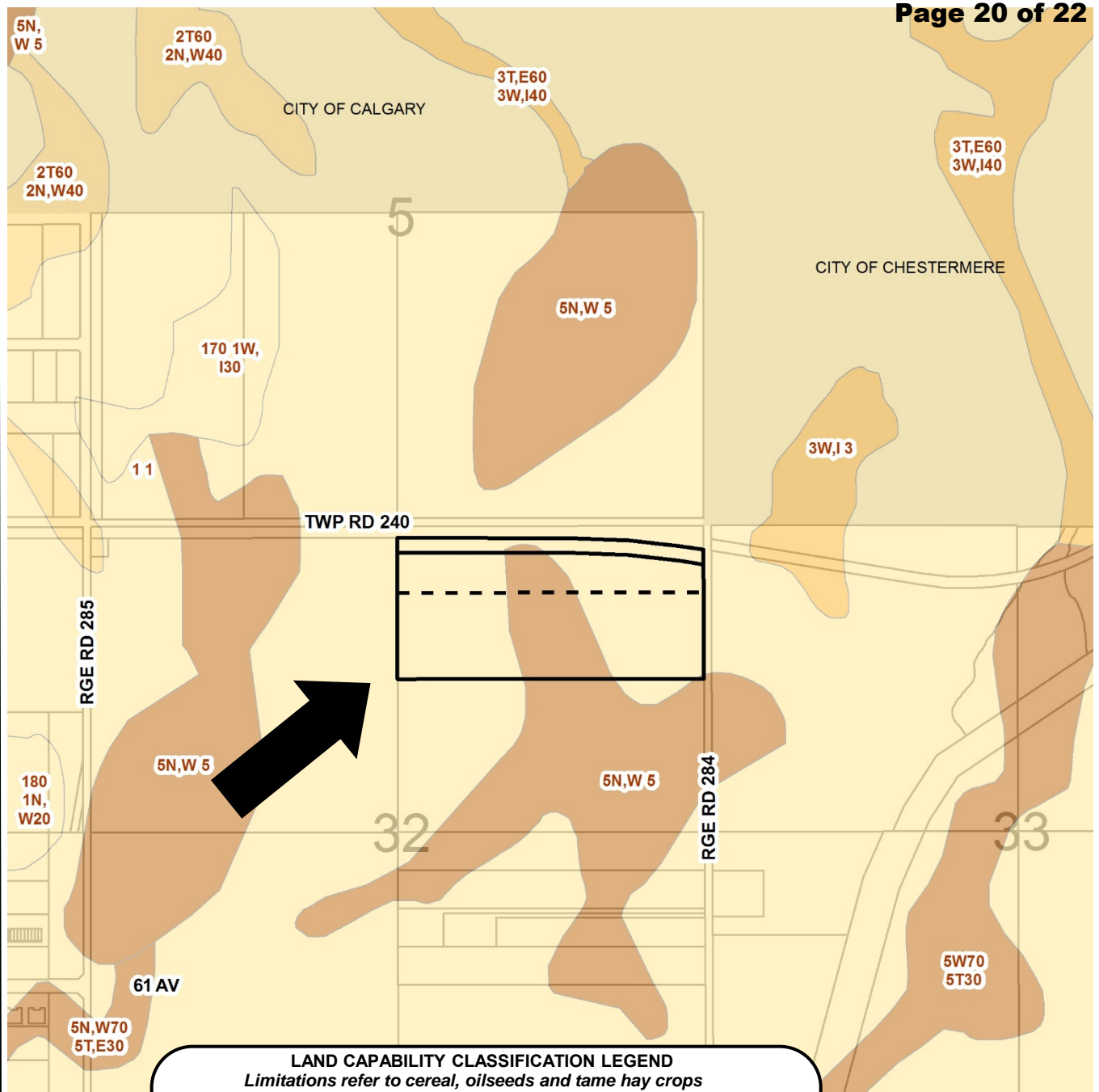
Division # 5

File: 03332005/15

**AGENDA**

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**LAND CAPABILITY CLASSIFICATION LEGEND***Limitations refer to cereal, oilseeds and tame hay crops***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 sodicity
- 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

**SOIL MAP****NE-32-23-28-W04M**

CITY OF CALGARY

CITY OF CHESTERMERE

5

1113710

1710591

TWP RD 240

RW67

9610137

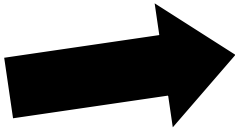
RW67

0614552

1359AH

RGE RD 285

2175 JK



1410 K

32

RGE RD 284

33

114221

0610818

0610488

114108

0610488

61 AV

741 0073

921 0002

741 0073

0111882

0112715

861 0075

861 0075

861 0075

**Legend – Plan numbers**

- First two numbers 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

**HISTORIC SUBDIVISION MAP****NE-32-23-28-W04M**Date: Sept 5, 2017

Division # 5

File: 03332005/15**AGENDA****Page 235 of 256**

CITY OF CHESTERMERE

TWP RD 240

RGE RD 285

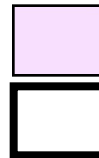
RGE RD 284

**61 AV**

## Letters in Opposition

## Letters in Support

### Legend



### Circulation Area

## Subject Lands

## LANDOWNER CIRCULATION AREA

**NE-32-23-28-W04M**

**Date:** Sept 5, 2017

## Division # 5

**File: 03332005/15**

## AGENDA

Page 236 of 256





## PLANNING SERVICES

<b>TO:</b>	Subdivision Authority	<b>DIVISION:</b>	6
<b>DATE:</b>	January 9, 2018	<b>APPLICATION:</b>	PL20170129
<b>FILE:</b>	08509001		
<b>SUBJECT:</b>	Subdivision Item – New or Distinct Agricultural Use – Southwest of the Town of Crossfield		

### **<sup>1</sup>ADMINISTRATION RECOMMENDATION:**

That Subdivision Application PL20170129 be approved with the conditions noted in Appendix A.

### **EXECUTIVE SUMMARY:**

The purpose of this application is to create a  $\pm 8.10$  hectare ( $\pm 20.01$  acre) parcel (Lot 1) with a  $\pm 8.09$  hectare ( $\pm 20.00$  acre) remainder (Lot 2).

As per the *Municipal Government Act* (MGA 623) and the *Subdivision Authority Bylaw* (C-7456-2015), Council is the Subdivision Authority for this application. Subdivision approvals are required to divide a parcel of land into two or more parcels or to realign parcel boundaries. Technical requirements such as road access, water and sewer, and stormwater are key considerations in subdivision applications.

Lot 2 is currently developed with a dwelling and a number of accessory buildings, and servicing is provided by means of a water well and a Private Sewage Treatment System. Lot 1 is undeveloped, and servicing is proposed to be provided through similar means. Access is available to both proposed parcels via Range Road 13. One approach exists, which provides access to Lot 2, and a new approach would be required to provide access to Lot 1.

The subject lands hold the Agricultural Holdings District land use designation. As the lands are not located within the boundaries of an area structure plan or conceptual scheme, the County Plan and County Servicing Standards have been used in the assessment of this application.

- The application is generally consistent with County policy; and
- All technical considerations are addressed through the conditions of approval.

Therefore, Administration recommends approval of this application in accordance with **Option #1**.

<b>PROPOSAL:</b> To create a $\pm 8.10$ hectare ( $\pm 20.01$ acre) parcel with a $\pm 8.09$ hectare ( $\pm 20.00$ acre) remainder.	<b>GENERAL LOCATION:</b> Located approximately 3.9 kilometres (2.4 miles) southwest of the town of Crossfield, immediately west of Range Road 13, and 1.4 kilometres (0.87 miles) south of Township Road 282.
<b>LEGAL DESCRIPTION:</b> Block 1, Plan 1628 LK, SE-9-28-01-W05M	<b>GROSS AREA:</b> $\pm 16.19$ hectares ( $\pm 40.01$ acres)
<b>APPLICANT:</b> Kyle Silbernagel <b>OWNER:</b> Richard and Brenda Silbernagel	<b>RESERVE STATUS:</b> Municipal Reserves are outstanding and comprise 10% of the parent parcel.

<sup>1</sup> **Administration Resources**  
Stefan Kunz, Planning Services  
Michele Habrylo, Engineering Services



<b>LAND USE DESIGNATION:</b> Agricultural Holdings District (AH)	<b>LEVIES INFORMATION:</b> Transportation Off-Site Levy is applicable in this case
<b>DATE SUBDIVISION DEEMED COMPLETE:</b> July 7, 2017	<b>APPEAL BOARD:</b> Subdivision and Development Appeal Board
<b>TECHNICAL REPORTS SUBMITTED:</b> <ul style="list-style-type: none"> <li>Level 2 PSTS Evaluation (Strom Eng., July 2017)</li> </ul>	<b>LAND USE POLICIES AND STATUTORY PLANS:</b> <ul style="list-style-type: none"> <li>County Plan (C-7280-2013)</li> <li>Land Use Bylaw (C-4841-97)</li> </ul>

#### **PUBLIC SUBMISSIONS:**

The application was circulated to 12 adjacent landowners. At the time of report preparation, no responses had been received.

#### **AGENCY SUBMISSIONS:**

The application was circulated to a number of internal and external agencies. The responses are available in Appendix 'B'.

#### **HISTORY:**

- September 27, 2016** Application PL20160067 was approved, redesignating the subject lands from Ranch and Farm District to Agricultural Holdings District.
- January 11, 1972** Two 40.01 acre parcels, including the subject parcel, were established within quarter section SE-9-28-1-W5M.

#### **TECHNICAL CONSIDERATIONS:**

This application has been evaluated in accordance with the matters listed in Sections 7 and 14 of the Subdivision and Development Regulation, which are as follows:

a) The site's topography

The subject lands do not feature slopes of any significant nature, certainly not to the degree as to impose constraints on the developability of the site. There are no wetlands or drainage courses existing on site, and there is a substantial amount of area on which to construct a dwelling, or for continued agricultural production.

No further concerns.

Conditions: None

b) The site's soil characteristics

The soils on-site are Class 2, with slight limitations to cereal, oilseed, and tame hay crop production due to temperature and low moisture holding conditions. As these conditions are existing, there are no concerns that soil conditions would have an impact on future agricultural operations.

Conditions: None

c) Stormwater collection and disposal

The subdivision for two ± 20 acre lots does not warrant a Stormwater Management Plan as the development of a dwelling would cause minimal effects to drainage patterns. There is no requirement for a stormwater management plan at this time.



No further concerns.

Conditions: None

d) Any potential for flooding, subsidence or erosion of the land

The lands are not located in the vicinity of a wetland, water body, or drainage course, and the site has not been identified on Alberta Environment's Flood Hazard Map. There is no concern with regard to flooding, subsidence or erosion of the land.

No further concerns.

Conditions: None

e) Accessibility to a road

The proposed parcel is located immediately west of Range Road 13. Access is provided to the site by means of an approach servicing the northern Lot 2. The approach is in good condition and does not require upgrades. Lot 1 is currently undeveloped, and requires construction of a gravel approach in order to provide access. There is an approach servicing the adjacent lands to the east in this vicinity, immediately east of Range Road 13. In the interest of public safety, it is recommended that the new approach to Lot 1 be located opposite of this existing approach. This would avoid creating an off-set intersection of these approaches.

The Transportation Off-Site Levy is owing, and is applicable to 1.2 hectares (3.0 acres) of each proposed lot (6 acres in total).

Conditions: 2, 3 (see Appendix 'A')

f) Water supply, sewage and solid waste disposal

The lands contain a dwelling, which is located within proposed Lot 2. Servicing is provided by means of a water well and a Private Sewage Treatment System. A Level 1 Variation Assessment was provided, confirming that this infrastructure is located within the proposed lot, and is operational.

In order to confirm provision of servicing to Lot 1, a Level 2 PSTS Assessment was provided. The report confirms that the site is appropriate for the construction of an additional wastewater treatment system. As a condition of subdivision, the applicant would be required to provide a well driller's report confirming the pump rates and location of the well within Lot 1.

Conditions: 5 (see Appendix 'A')

g) The use of the land in the vicinity of the site

The subject lands are located approximately 3.9 kilometres (2.4 miles) southwest of the Town of Crossfield, immediately west of Range Road 13, and 1.4 kilometres (0.87 miles) south of Township Road 282, in an area of the County that is predominantly agricultural in nature. The quarter section that contains the subject lands is subdivided into four parcels, each approximately 40 acres in size. The quarter section immediately to the east is developed in an identical fashion. The majority of the other parcels in the vicinity of the lands are unsubdivided quarter sections; however, scattered residential uses and small agricultural uses can be found.

Conditions: None

h) Other matters

*Municipal Reserves*

Municipal Reserves are outstanding in the amount of 10% of the lands. As this location has not been identified for future Municipal Reserve acquisition to support public parks, open space, or pathway and trail development, dedication of lands is not required. Additionally, as the County Plan does not support further fragmentation of the lands, future subdivision of the parcels is

unlikely. As such, dedication is required to be provided by a cash-in-lieu payment for all reserves owing.

The Applicant has provided a land value appraisal, conducted by Black Valuation Group Ltd. (File No. 43984, dated November 27, 2017). The appraisal placed the value of the lands at \$420,000, or \$10,497.38 per acre. 10% of the lands equates to 4.00 acres, or \$41,989.50.

Conditions: 6 (see Appendix 'A')

## **POLICY CONSIDERATIONS:**

As the subject lands are not located within the boundaries of an area structure plan or conceptual scheme, the application has been evaluated in accordance with the County Plan. This assessment was undertaken during consideration of the previous redesignation application, PL20160067. At that time, it was determined that the application did not satisfy the requirements of Policy 8.22 of the County Plan, which establishes criteria for the subdivision of lands for the creation of a new or distinct agricultural operation. Despite this, the application was approved.

Additionally, the parcel size of the subject lands is insufficient to fully satisfy the minimum parcel size of the AH district. Section 46.5(a) of the Land Use Bylaw states that the minimum parcel size for AH parcels shall be 8.10 hectares (20.01 acres). As the parcel is currently 16.19 hectares (40.01 acres) in size, subdivision of the parcel would result in one parcel being 20.00 acres, marginally below the minimum requirement. The established lot would therefore not be compliant with the Land Use Bylaw.

However, the Subdivision Authority does have some degree of flexibility with regard to minimum parcel sizes. Section 654(2) of the *Municipal Government Act* states:

*654(2) A subdivision authority may approve an application for subdivision approval even though the proposed subdivision does not comply with the land use bylaw if, in its opinion,*

*a) the proposed subdivision would not*

*i. unduly interfere with the amenities of the neighbourhood, or*

*ii. materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land,*

*and*

*b) the proposed subdivision conforms with the use prescribed for that land in the land use bylaw.*

This means that if the Subdivision Authority is convinced that the requested variance will not cause any off-site impacts, it has the authority to vary the minimum parcel size of a proposed lot. In this case, the small size of the variance sought by the Applicant (0.01 acre is 40.47 sq. m, and accounts for 0.05% of the proposed parcel size) is unlikely to affect neighbouring parcels. Administration recommends that this application proceed.

## **CONCLUSION:**

The application proposes to create a  $\pm 8.10$  hectare ( $\pm 20.01$  acre) parcel with a  $\pm 8.09$  hectare ( $\pm 20.00$  acre) remainder, on a parcel that was redesignated to Agricultural Holdings District in 2016. While one of the parcels is proposed to be slightly below the minimum parcel size for that land use district, the degree of variance required to allow the application to proceed is quite minor, and is unlikely to cause undue impacts or material interference to adjacent parcels. Additionally, technical considerations are the most important factor in consideration of subdivision approval, and there are no concerns in regards to that aspect of the application. Therefore, Administration recommends approval of the application in accordance with **Option #1**.

**OPTIONS:**

- Option #1: THAT Subdivision Application PL20170129 be approved with the conditions noted in Appendix A.
- Option #2: THAT Subdivision Application PL20170129 be refused as per the reasons noted.

Respectfully submitted,

Concurrence,

“Chris O’Hara”

“Kevin Greig”

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General Manager, Development Services  
SK/rp

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County Manager

**APPENDICES:**

- APPENDIX ‘A’: Approval Conditions  
APPENDIX ‘B’: Application Referrals  
APPENDIX ‘C’: Mapset

**APPENDIX 'A': APPROVAL CONDITIONS**

- A. That the application to create a  $\pm 8.10$  hectare ( $\pm 20.01$  acre) parcel with a  $\pm 8.09$  hectare ( $\pm 20.00$  acre) remainder from Block 1, Plan 1628 LK, SE-9-28-1-W5M has been evaluated in terms of Section 654 of the Municipal Government Act and Sections 7 and 14 of the Subdivision and Development Regulations and, having considered adjacent landowner submissions, it is recommended that the application be approved as per the Tentative Plan for the reasons listed below:
1. The application is consistent with statutory policy;
  2. The subject lands hold the appropriate land use designation:
    - a. The variance to the minimum parcel size will not unduly interfere with the amenities of the neighbourhood, or materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land;
  3. The technical aspects of the subdivision proposal have been considered, and are further addressed through the conditional approval requirements.
- B. The 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 condition 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 Owner from ensuring all permits, licenses, or approvals required by Federal, Provincial, or other jurisdictions are obtained. 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 Subdivision*

- 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 and Access*

- 2) The Owner shall construct a new gravel approach on Range Road 13 in order to provide access to Lot 1.

*Payments and Levies*

- 3) The Owner shall pay the Transportation Off-Site Levy in accordance with Bylaw C-7356-2014 prior to subdivision endorsement. The County shall calculate the total amount owing:
  - i. from 3.0 acres each of Lot 1 & Lot 2 (total of 6.0 acres) to be subdivided as shown on the Plan of Survey;
- 4) The Owner shall pay the County subdivision endorsement fee, in accordance with the Master Rates Bylaw, for the creation of one new lot.

*Site Servicing*

- 5) Water is to be supplied by an individual well on Lot 1. The subdivision shall not be endorsed until:
  - i. The Owner has provided a Well Driller's Report to demonstrate that an adequate supply of water is available for Lot 1;



- ii. Verification is provided that each well is located within each respective proposed lot's boundaries;
- iii. It has been demonstrated that the new well is capable of supplying a minimum of one (1) IGPM of water for household purposes;

*Municipal Reserves*

- 6) The provision of Reserve in the amount of 10 percent of the area of Lots 1 & 2, as determined by the Plan of Survey, is to be provided by payment of cash-in-lieu in accordance with the per acre value as listed in the land appraisal, pursuant to Section 666(3) of the Municipal Government Act;

*Taxes*

- 7) All taxes owing, up to and including the year in which subdivision is to be registered, are to be paid to the County prior to signing the final documents pursuant to Section 654(1) of the Municipal Government Act.

**C. SUBDIVISION AUTHORITY DIRECTION**

- 1) Prior to final endorsement of the Subdivision, Administration is directed to present the Owner 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.



**APPENDIX 'B': APPLICATION REFERRALS**

<b>AGENCY</b>	<b>COMMENTS</b>
<b><i>School Authority</i></b>	
Rocky View Schools	No objection.
Calgary Catholic School District	Calgary Catholic School District (CCSD) has no objection to the above-noted circulation (PL2017-0129) located just south of Crossfield. As per the circulation, Municipal Reserves are still outstanding and comprise 10% of the parent parcel.
Public Francophone Education	No comment.
Catholic Francophone Education	No comment.
<b><i>Province of Alberta</i></b>	
Alberta Environment	No comment.
Alberta Transportation	Not required.
Alberta Sustainable Development (Public Lands)	Not required.
Alberta Culture and Community Spirit (Historical Resources)	Not required.
Energy Resources Conservation Board	No comment.
Alberta Health Services	<p>Based on the information provided, AHS has no concerns with this application. We provide the following comments for your consideration with regard to planning future development on the subject lands:</p> <ol style="list-style-type: none"> <li>1. AHS recommends that any existing or future water wells on the subject lands be completely contained within the proposed property boundaries. Please note that the drinking water source must conform to the most recent Canadian Drinking Water Quality Guidelines and the Alberta Public Health Act, Nuisance and General Sanitation Guideline 243/2003, Section 15(1), which states:  <i>"A person shall not locate a water well that supplies water that is intended or used for human consumption within</i> <ol style="list-style-type: none"> <li>a) 10 metres of any watertight septic tank, pump out tank or other watertight compartment of a sewage or waste water system,</li> <li>b) 15 metres of a weeping tile field, an evaporative treatment mound or an outdoor toilet facility with a pit,</li> <li>c) 30 metres of a leaching cesspool,</li> </ol> </li> </ol>

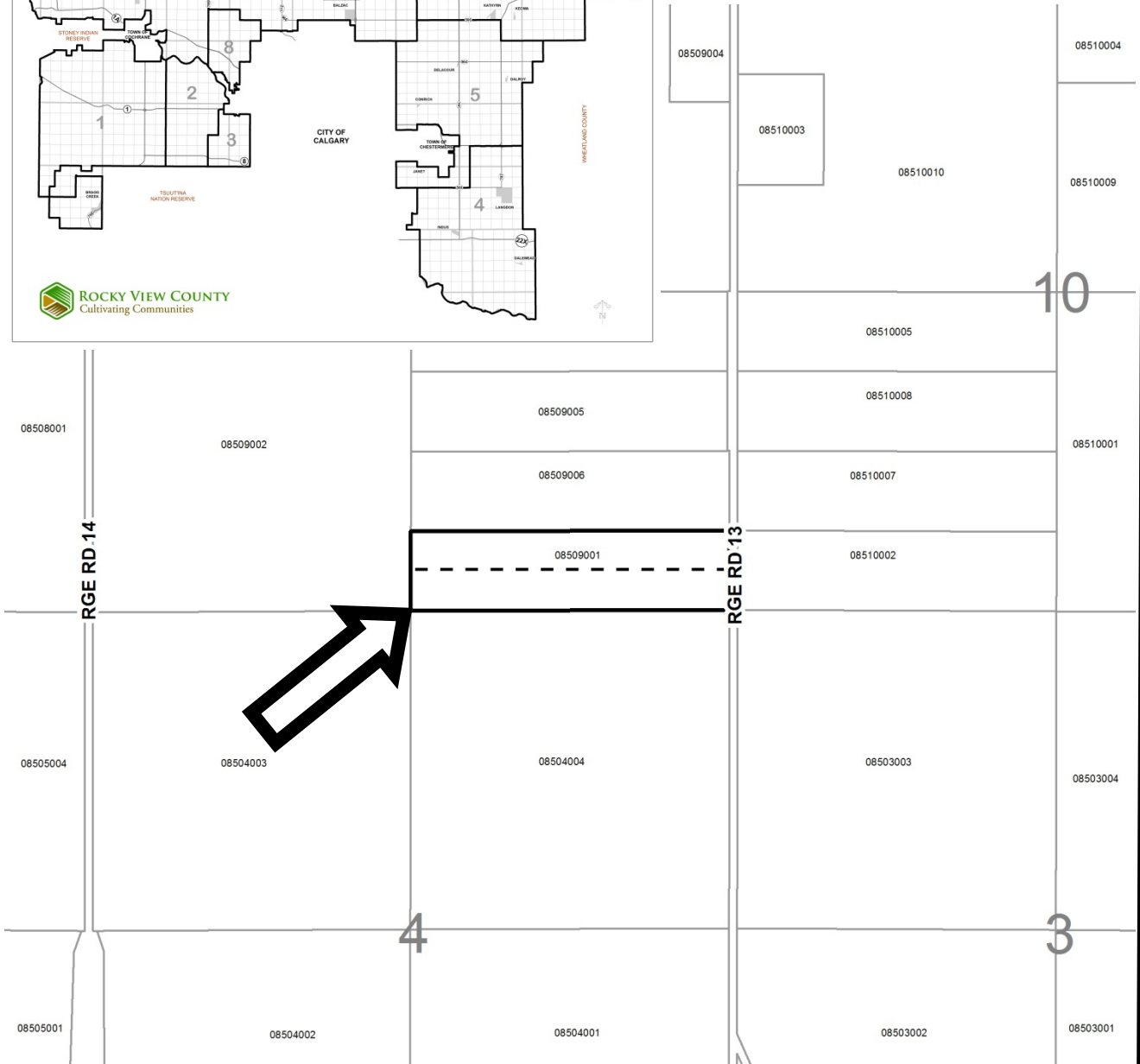
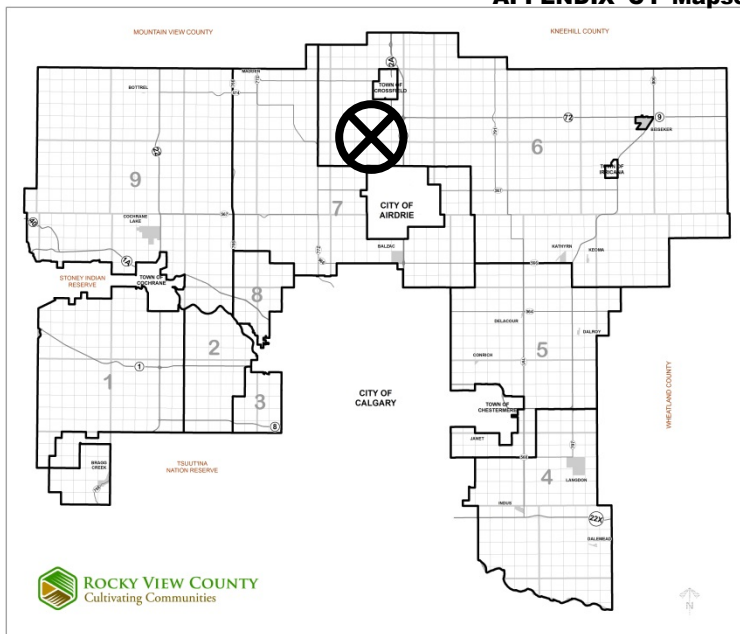
AGENCY	COMMENTS
	<p>d) 50 metres of sewage effluent on the ground surface,</p> <p>e) 100 metres of a sewage lagoon, or</p> <p>f) 450 metres of any area where waste is or may be disposed of at a landfill within the meaning of the Waste Control Regulation (AR 192/96)."</p> <p>2. Any existing or proposed private sewage disposal systems should be completely contained within the proposed property boundaries and must comply with the setback distances outlined in the most recent Alberta Private Sewage Systems Standard of Practice. Prior to installation of any sewage disposal system, a proper geotechnical assessment should be conducted by a qualified professional engineer and the system should be installed in an approved manner.</p> <p>3. The property must be maintained in accordance with the Alberta Public Health Act, Nuisance and General Sanitation Guideline 243/2003 which stipulates,</p> <p><i>No person shall create, commit or maintain a nuisance. A person who creates, commits or maintains any condition that is or might become injurious or dangerous to the public health or that might hinder in any manner the prevention or suppression of disease is deemed to have created, committed or maintained a nuisance.</i></p> <p>If any evidence of contamination or other issues of public health concern are identified at any phase of development, AHS wishes to be notified.</p>
<b>Public Utility</b>	
ATCO Gas	No objection to the proposed as it is not in our franchise area.
ATCO Pipelines	No objections.
AltaLink Management	No comment.
FortisAlberta	No objections to the proposal and no easements are required.
Telus Communications	No concerns.
TransAlta Utilities Ltd.	No comment.
Rockyview Gas Co-op Ltd.	<p>Rockyview Gas Co-op Ltd. conditionally approves the subdivision application. The conditions of approval are outlined below.</p> <ol style="list-style-type: none"> <li>Any existing Rockyview Gas Co-op Utility Right of Way concerning the said lands shall remain in effect and be registered, according to the Land Titles Act, to the subdivision parcel and registered to the remaining parcel.</li> <li>Pursuant to the Bylaws of Rockyview Gas Co-op Ltd. and</li> </ol>

AGENCY	COMMENTS
	<p>the Alberta Government Rural Natural Gas Program; should the newly subdivided property require natural gas service the applicant must apply for a separate contract. No secondary yard lines are permitted to supply natural gas service from one titled property to another titled property.</p> <p>3. The landowner shall be responsible for the cost, at time of application, for the installation of the natural gas service line.</p> <p>4. The applicant shall pay for any alterations to the natural gas distribution system if required.</p> <p>5. The applicant shall be responsible for the cost of system upgrades and /or gas main extensions should natural gas service be required.</p>
<b><i>Other External Agencies</i></b>	
EnCana Corporation	No comment.
Shaw Cablesystems	No comment.
<i>Rocky View County</i>	
<b><i>Boards and Committees</i></b>	
ASB Farm Members and Agricultural Fieldmen	No comment.
Crossfield Recreation Board	Recommends taking Cash In Lieu.
<b><i>Internal Departments</i></b>	
Municipal Lands	As this location has not been identified for future Municipal Reserve acquisition to support public park, open space, pathway or trail development; the Municipal Lands office recommends taking cash in lieu for all reserves owing.
Development Authority	No comment.
GeoGraphics	No comment.
Building Services	No comment.
Emergency Services	No comments.
Enforcement Services	<p>Recommend that applicants be made aware of effect of subdivision on number of permitted Animal Units.</p> <p>Recommend that I&amp;O be consulted regarding any new approaches required for access to Range Road 13.</p>
Infrastructure and Operations – Engineering Services	<b>Geotechnical:</b>

AGENCY	COMMENTS
	<ul style="list-style-type: none"> <li>• ES has no requirements at this time.</li> </ul> <p><b>Transportation:</b></p> <ul style="list-style-type: none"> <li>• Access to the proposed Lot 2 is existing gravel access off of Rge Rd 13;</li> <li>• As a condition of subdivision, the Owner will be required to construct a new gravel approach off of Rge Rd 13 in accordance with the approach standard within the 2013 County Servicing Standard. It is recommended that this approach is installed opposite of the existing eastern approach off of Rge Rd 13 in order to avoid an offset intersection;</li> <li>• Rge Rd 13 is a gravel road with a ROW of approximately 20m along the boundary of the parcel. Rge Rd 13 is not a Long Range Transportation Network Road;</li> <li>• Transportation Offsite Levy bylaw shall be imposed at the approval of Subdivision application for which approvals are obtained after the date of passing the bylaw for all lands within the County for which Subdivision Approval of Agricultural Holdings District parcels of all lot size is granted, the Transportation Offsite Levy will be deemed applicable for 1.2 hectares (3.0 acres) of each of the those parcels: <ul style="list-style-type: none"> <li>○ Therefore TOL is applicable on 3 acres of each of the proposed Lot 1 and Lot 2 parcel. For the subject lands, only the base levy is applicable (no special area levies). The approximate levy amount is as follows: (\$4595 x 6 acres) = \$27, 570</li> </ul> </li> </ul> <p><b>Sanitary/Waste Water:</b></p> <ul style="list-style-type: none"> <li>• ES have no requirements at this time;</li> <li>• Engineering Services has reviewed the Level 2 PSTS Assessment that was prepared by Strom Engineering Inc dated July 2017 for the proposed ± 20.01 acre Lot 1. The Assessment concludes that the proposed Lot 2 is suitable for a conventional septic tank and field;</li> <li>• Applicant has submitted a Level 1 Variation Assessment with the subdivision application for the proposed Lot 2. The existing system maintains required clearance distances and the general operation of the system is in good condition.</li> </ul> <p><b>Water Supply And Waterworks:</b></p> <ul style="list-style-type: none"> <li>• The applicant indicated on the application that there are two existing water well on the site. Written confirmation of setbacks and location of existing well(s) with scaled drawing has been provided and the wells are included within the proposed Lot 2;</li> <li>• The current quarter section contains less than six lots and therefore requires as a condition of approval: <ul style="list-style-type: none"> <li>○ A H2O well drillers report, and</li> <li>○ Details on the location of the well required for the ± 20.01</li> </ul> </li> </ul>

AGENCY	COMMENTS
	<p>acre proposed Lot 1.</p> <p><b>Storm Water Management:</b></p> <ul style="list-style-type: none"> <li>ES have no requirements at this time. <ul style="list-style-type: none"> <li>A Stormwater Management Plan is not warranted for this proposal as the development of a dwelling will cause minimal effects to drainage patterns.</li> </ul> </li> </ul> <p><b>Environmental</b></p> <ul style="list-style-type: none"> <li>ES have no requirements at this time.</li> </ul>
Infrastructure and Operations – Maintenance	No concerns.
Infrastructure and Operations - Capital Delivery	No concerns.
Infrastructure and Operations - Operations	Applicant to confirm how he intends to access each of the 2 parcels. Approach application may be required.
Infrastructure and Operations – Utility Services	No concerns.

Circulation Period: August 8, 2017 to August 29, 2017



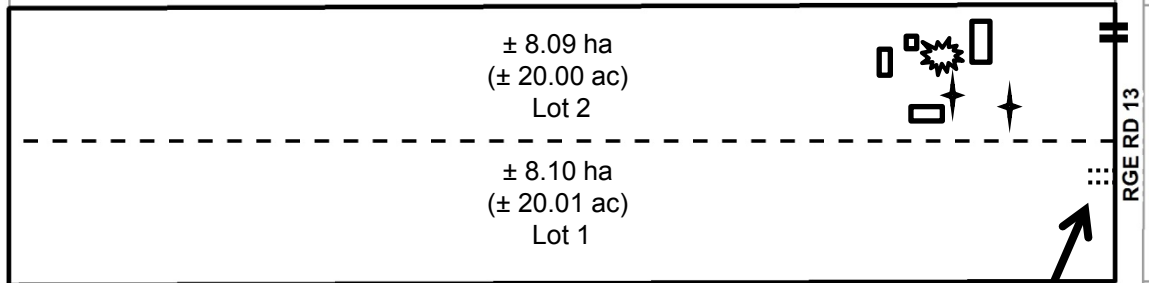
## LOCATION PLAN



**Block 1, Plan 1628 LK, SE-9-28-1-W5M**



**Subdivision Proposal:** To create a  $\pm 8.09$  hectare ( $\pm 20.00$  acre) parcel with a  $\pm 8.10$  hectare ( $\pm 20.01$  acre) remainder.



Legend	
Structure	
Well	
Septic Field	
Existing Approach	
Required Approach	

Approach to be located opposite the one to the east

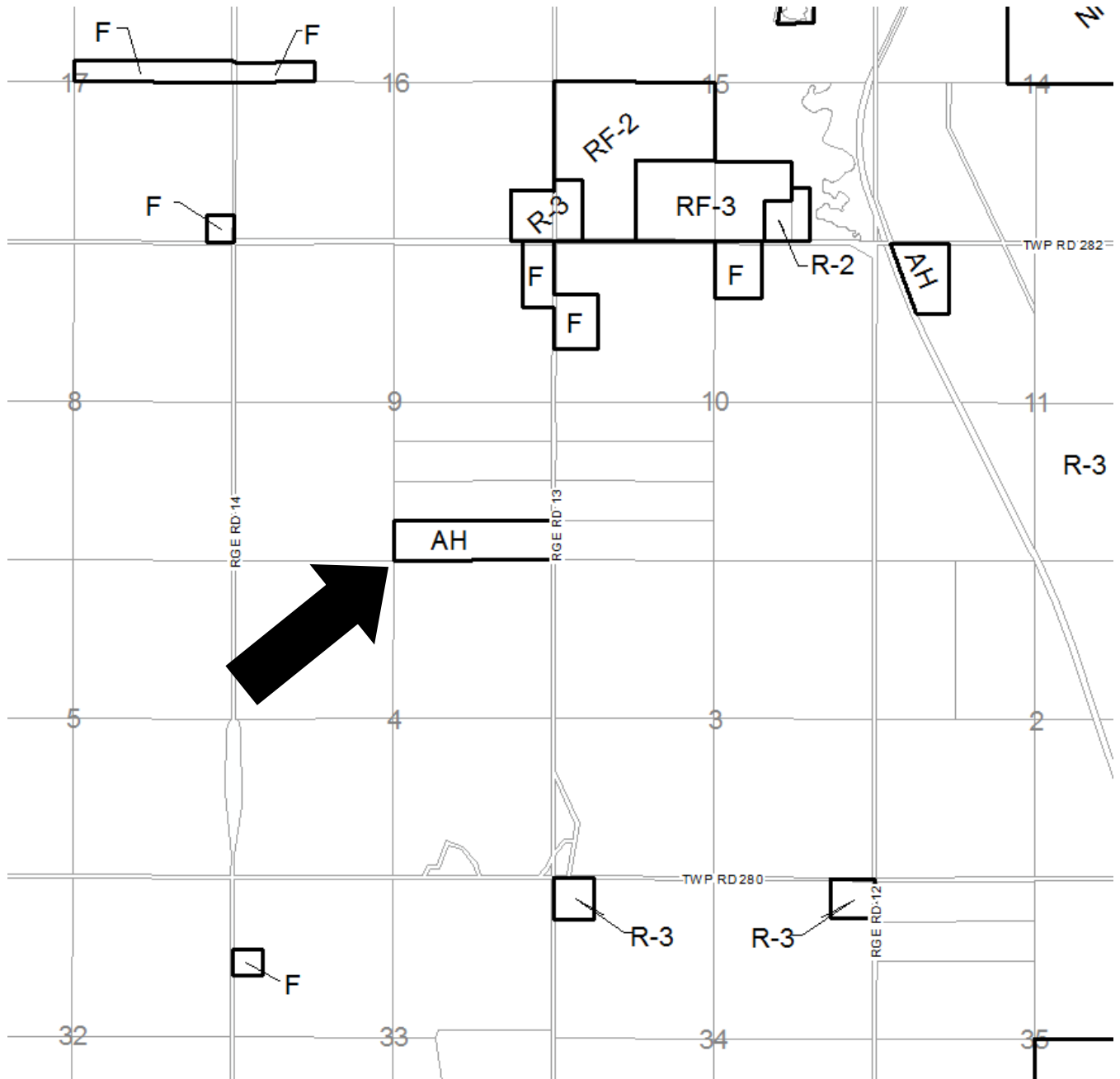
**Surveyor's Notes:**

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.

**TENTATIVE PLAN**



**Block 1, Plan 1628 LK, SE-9-28-1-W5M**



RF2	Ranch and Farm	B-1	Highway Business
RF3	Ranch and Farm Two	B-2	General Business
AH	Ranch and Farm Three	B-3	Limited Business
F	Agricultural Holding	B-4	Recreation Business
R-1	Farmstead	B-5	Agricultural Business
R-2	Residential One	B-6	Local Business
R-3	Residential Two	NRI	Natural Resource Industrial
DC	Residential Three	HR-1	Hamlet Residential Single Family
PS	Direct Control	HR-2	Hamlet Residential (2)
	Public Service	HC	Hamlet Commercial
		AP	Airport

## LAND USE MAP

**Block 1, Plan 1628 LK, SE-9-28-1-W5M**



Note: Post processing of raw aerial photography may cause varying degrees of visual distortion at the local level.

**AIR PHOTO**

*Spring 2016*



**Block 1, Plan 1628 LK, SE-9-28-1-W5M**

Date: August 3, 2017

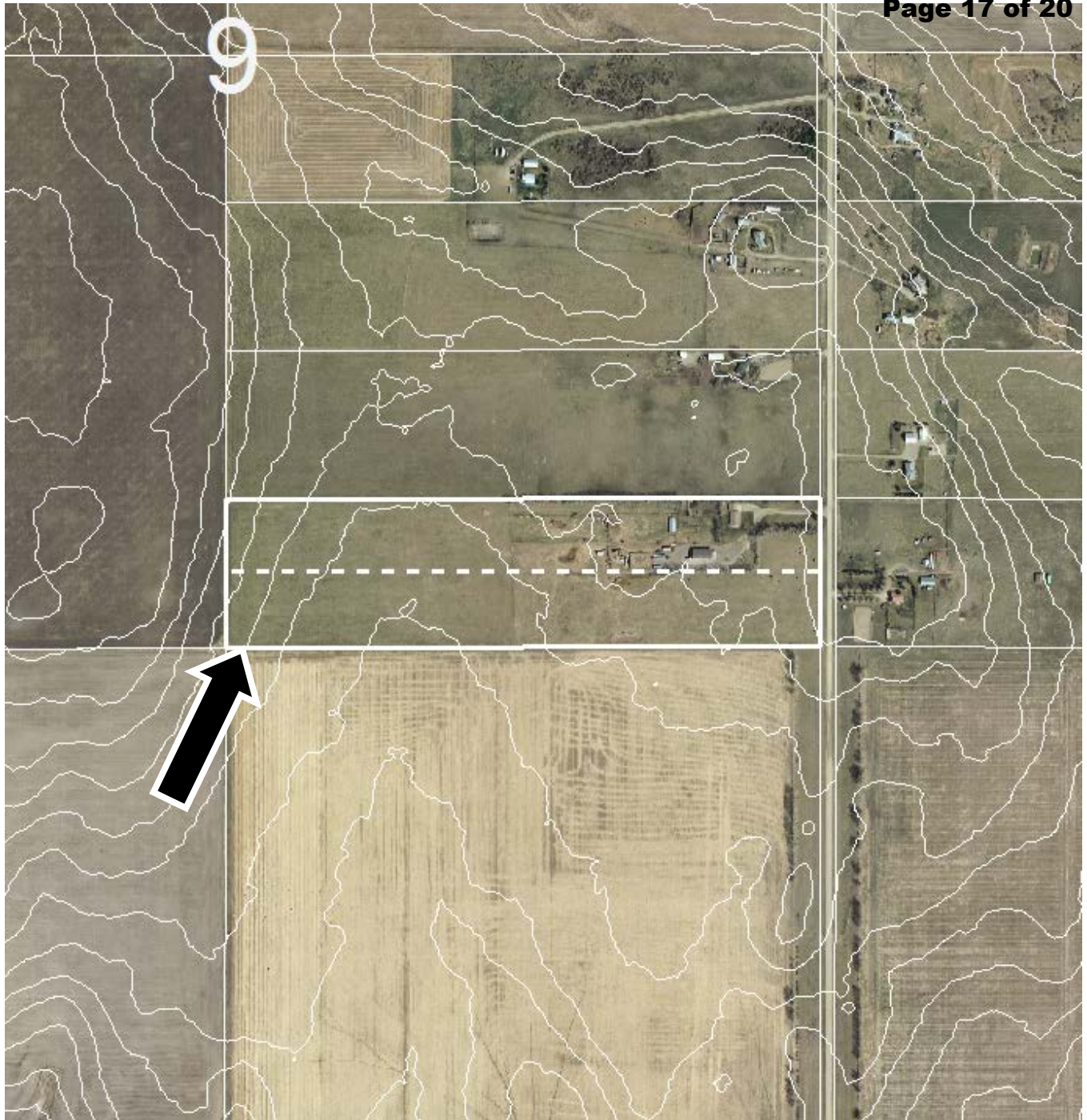
Division # 6

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**AGENDA**

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Contours are generated using 10m grid points, and depict general topographic features of the area. Detail accuracy at a local scale cannot be guaranteed. They are included for reference use only.

## TOPOGRAPHY

*Contour Interval 2 M*



### Block 1, Plan 1628 LK, SE-9-28-1-W5M

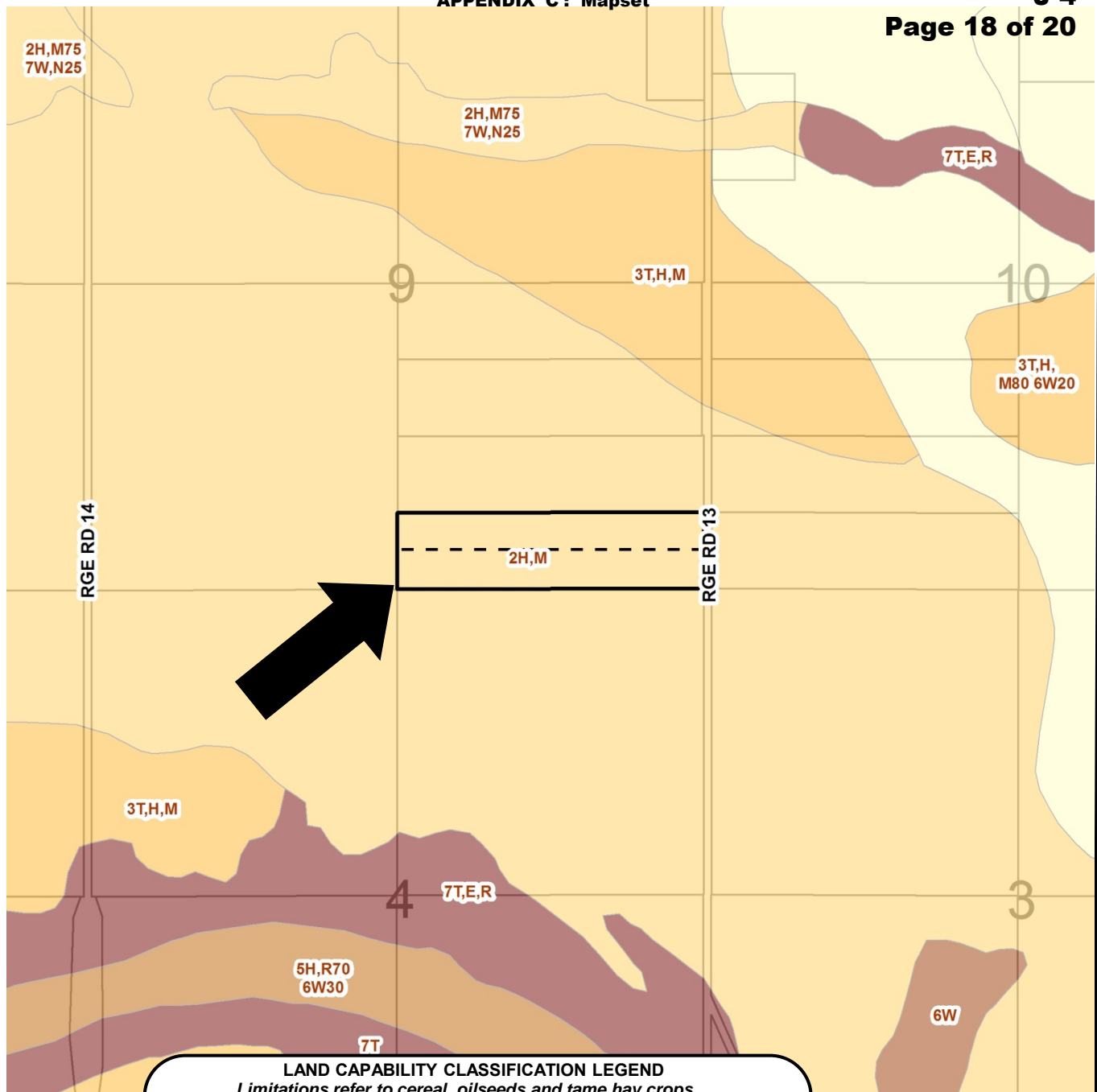
Date: August 3, 2017

Division # 6

File: 08509001

**AGENDA**

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### LAND CAPABILITY CLASSIFICATION LEGEND

*Limitations refer to cereal, oilseeds and tame hay crops*

#### 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

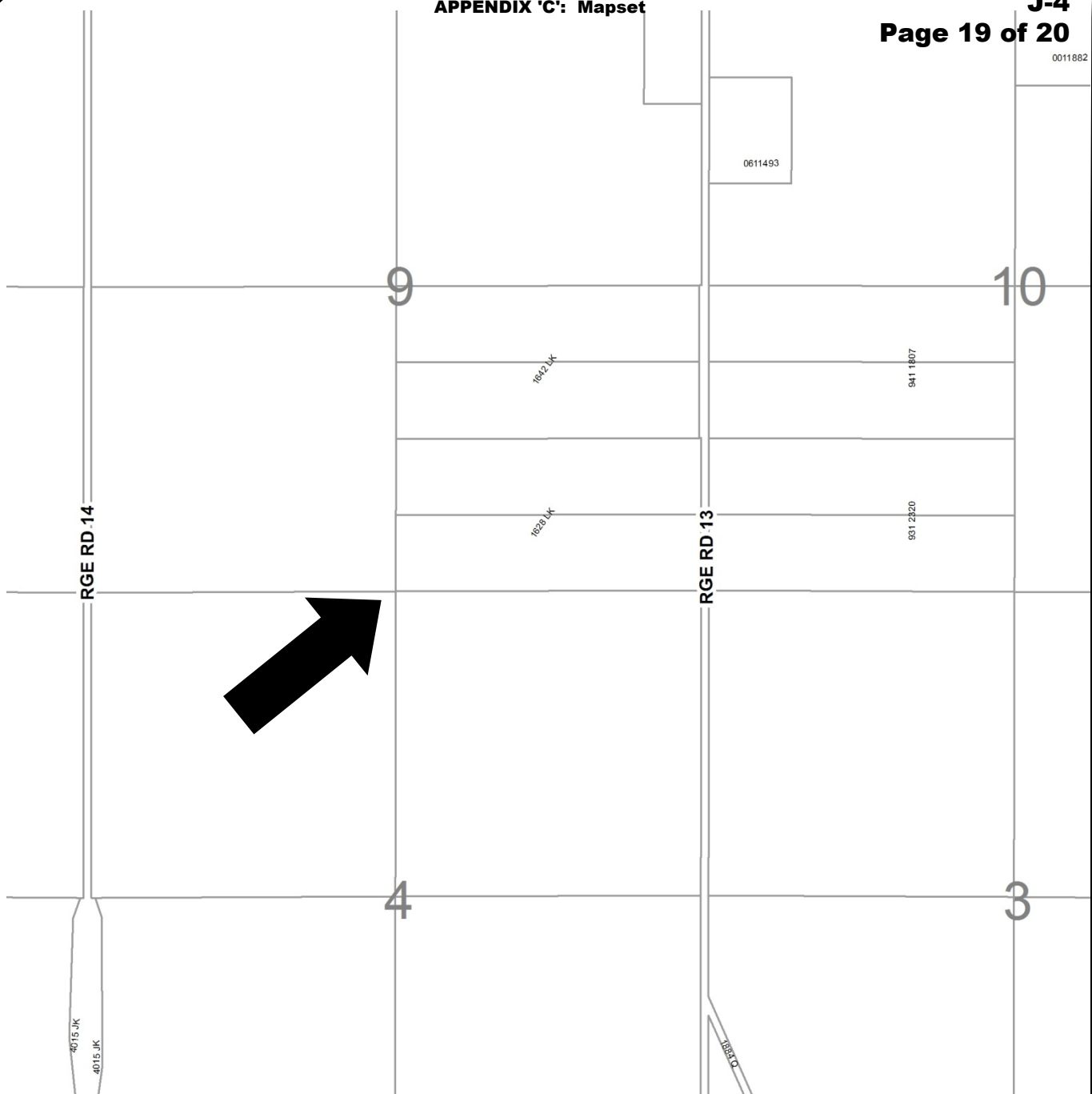
#### Limitations

- 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 sodicity
- 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

## SOIL MAP



## Block 1, Plan 1628 LK, SE-9-28-1-W5M

**Legend – Plan numbers**

- First two numbers 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

**HISTORIC SUBDIVISION MAP****Block 1, Plan 1628 LK, SE-9-28-1-W5M**



