

# Council Meeting Agenda

May 22, 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. May 8, 2018 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*, the Public Hearings were advertised in the Rocky View Weekly on April 24, 2018 and May 1, 2018.

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

1. Division 5 – File: PL20170133 (03336027)  
Bylaw C-7735-2017 – Redesignation Item – Fragmented Quarter Section – Agricultural Holdings District to Residential One District – Outside of an Area Structure Plan

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2. Division 1 – File: PL20160082 (04835001)  
Bylaw C-7752-2018 – Redesignation Item – New or Distinct Agricultural Operation – Ranch and Farm District to Agricultural Holdings District

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3. Division 5 – File: PL20180010 (03331006)  
Bylaw C-7779-2018 – Redesignation Item – From Ranch and Farm District to Agriculture Holdings District and Industrial-Industrial Activity District

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## AFTERNOON APPOINTMENTS 1:30 P.M.

4. Division 9 – File: PL20170178 (06832001)  
Bylaw C-7759-2018 – Redesignation Item – Ranch and Farm District to  
Residential Three District

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5. Division 3 – File: PL20170158 (04618004/04618019)  
Bylaw C-7755-2018 – Conceptual Scheme Item – Atkins Conceptual Scheme  
Note: This item should be considered in conjunction with item C-6

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6. Division 3 – File: PL20170169 (04618019)  
Bylaw C-7756-2018 – Land Use Redesignation – Ranch and Farm District to  
Residential Two District  
Note: This item should be considered in conjunction with item C-5

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### D GENERAL BUSINESS

1. Division 1 – File: 0160 – Bragg Creek FireSmart Committee Appointments

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2. All Divisions – File: 6070-175 – PPC Recommendations for 2018 Regional  
Recreation Funding Applications

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3. Divisions 4 & 5 – File: 3000-300 – Langdon Policing Solution

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4. Divisions 4 & 5 – File: 3000-300 – Renewal of the Strathmore RCMP  
Enhanced Position

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5. All Divisions – File: 1021-275 – Request for Safety Audit on Highway 9 from Highway 1 north to the Town of Beiseker

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## E BYLAWS

1. All Divisions – File: 3000-300 – Bylaw C-7782-2018 – Firearms Bylaw

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2. All Divisions – File: 1007-100 – Bylaw C-7748-2018 – Community Aggregate Payment Levy Bylaw

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## F UNFINISHED BUSINESS - None

## G COUNCIL REPORTS

## H MANAGEMENT REPORTS - None

## I NOTICES OF MOTION - None

## J SUBDIVISION APPLICATIONS

1. Division 6 – File: PL20180003 (08501008) – Subdivision Item – Residential Three District

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2. Division 5 – File: PL20170168 (05303002) – Subdivision Item – Commercial – Canadian National Railway Company

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## K COMMITTEE OF THE WHOLE/IN CAMERA

### 1. RVC2018-14

THAT Council move in camera to consider the in camera report “Town of Cochrane – Annexation Negotiations” pursuant to the following sections of the *Freedom of Information and Protection of Privacy Act*:

- Section 21 – Disclosure harmful to intergovernmental relations
- Section 23 – Local public body confidences
- Section 24 – Advice from officials

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 May 8, 2018 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 4	Councillor A. Schule
	Division 7	Councillor D. Henn
	Division 8	Councillor S. Wright (arrived at 9:09 a.m.)
	Division 9	Councillor C. Kissel

Absent:	Division 3	Councillor K. Hanson
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Also Present:

- K. Robinson, Interim County Manager
- B. Riemann, General Manager
- C. O'Hara, General Manager
- A. Keibel, Manager, Legislative and Legal Services
- B. Woods, Manager, Financial Services
- R. Barss, Manager, Intergovernmental Affairs
- A. Zaluski, Policy Supervisor, Planning Services
- M. Wilson, Planning Supervisor, Planning Services
- D. Hafichuk, Capital Infrastructure Projects Supervisor, Engineering Services
- A. Bryden, Planner, Planning Services
- J. Anderson, Planner, Planning Services
- J. Kirychuk, Planner, Planning Services
- J. Kwan, Planner, Planning Services
- X. Deng, Planner, Planning Services
- S. de Caen, Community Services Coordinator, Recreation and Community 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 with the exception of Councillor Hanson and Councillor Wright.

**1-18-05-08-01**

**Updates/Acceptance of Agenda**

MOVED by Councillor McKylor that the May 8, 2018 Council meeting agenda be accepted as presented.

Carried

Absent: Councillor Wright

**1-18-05-08-02**

**Confirmation of Minutes**

MOVED by Deputy Reeve Gautreau that the April 24, 2018 Council meeting minutes be accepted as presented.

Carried

Absent: Councillor Wright

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**1-18-05-08-07 (D-1)**

**All Divisions – Calgary Metropolitan Region Board – Interim Growth Plan**

**File: N/A**

Councillor Wright arrived at the meeting at 9:09 a.m.

MOVED by Councillor Schule that item D-2 be tabled.

Carried

**1-18-05-08-08 (D-2)**

**Division 7 – Budget Adjustment for Range Road 290 Subgrade Reconstruction Project**

**File: 4055-100**

MOVED by Councillor Henn that the Range Road 290 Subgrade Reconstruction Project budget adjustment in the amount of \$1,700,000 be approved as per Attachment 'A'.

Carried

**1-18-05-08-09 (D-3)**

**All Divisions – 2018 Specialized Transportation Assistance Grant Allocation**

**File: 2015-550**

MOVED by Deputy Reeve Gautreau that the 2018 Specialized Transportation Assistance Grant funds totaling \$283,700 be approved and awarded as follows:

- a) \$273,700 to the Rocky View Regional Handibus Society for operational services in the County;
- b) \$5,000 to the Bragg Creek Snowbirds Seniors Fellowship Society for operational services in Bragg Creek; and
- c) \$5,000 among qualified individual applicants.

Carried

**1-18-05-08-10 (E-1)**

**All Divisions – Borrowing Bylaws C-7771-2018 through C-7777-2018 – 2018 Capital Project Funding**

**File: 2025-350**

MOVED by Councillor Schule that Bylaw C-7771-2018 be given second reading.

Carried

MOVED by Deputy Reeve Gautreau that Bylaw C-7771-2018 be given third and final reading.

Carried

MOVED by Councillor Schule that Bylaw C-7772-2018 be given second reading.

Carried

MOVED by Councillor Schule that Bylaw C-7772-2018 be given third and final reading.

Carried

MOVED by Councillor McKylor that Bylaw C-7773-2018 be given second reading.

Carried

MOVED by Councillor McKylor that Bylaw C-7773-2018 be given third and final reading.

Carried

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- MOVED by Councillor Kamachi that Bylaw C-7774-2018 be given second reading. Carried
- MOVED by Councillor Kamachi that Bylaw C-7774-2018 be given third and final reading. Carried
- MOVED by Councillor Henn that first reading of Bylaw C-7775-2018 be rescinded. Carried
- MOVED by Councillor Henn that Administration be directed to apply to the Municipal Sustainability Initiative program for funding of \$1,500,000 for a Salt and Sand Storage Building. Carried
- MOVED by Deputy Reeve Gautreau that first reading of Bylaw C-7776-2018 be rescinded. Carried
- MOVED by Deputy Reeve Gautreau that Administration be directed to apply to the Municipal Sustainability Initiative program for funding of \$925,000 for paving of Range Road 284. Carried
- MOVED by Councillor Schule that first reading of Bylaw C-7777-2018 be rescinded. Carried
- MOVED by Councillor Schule that Administration be directed to apply to the Municipal Sustainability Initiative program for funding of \$965,000 for paving of Township Road 270. Carried
- MOVED by Deputy Reeve Gautreau that the budget adjustment be approved per Attachment 'A'. Carried

**1-18-05-08-14 (J-1)**

**Division 2 – Subdivision Item – Direct Control Bylaw (DC-129) – Harmony Conceptual Scheme Stage 2 Neighbourhood Plan**

**File: PL20170156 (05708082)**

MOVED by Councillor McKylor that Subdivision Application PL20170156 be approved with the conditions noted in Appendix 'A':

- A. The application to create 119 single detached lots ranging from  $\pm 392.87$  sq. m (0.097 acre) to  $\pm 1684.72$  sq. m (0.416 acre), four (4) townhome lots ranging from  $\pm 2,865.92$  sq. m (0.71 acre) to  $\pm 6,596.02$  sq. m (1.63 acre); two (2) Municipal Reserve lots, seven (7) Open Space lots, a Beach Club/Multi-Family lot, an internal road/walkway network, and a remainder parcel within Lot 1, Block 2, Plan 111 2762, having been evaluated in terms of Section 654 of the *Municipal Government Act* and Sections 7 & 14 of the Subdivision and Development Regulations, and having considered adjacent landowner submissions, is approved as per the Tentative Plan for the reasons listed below:
1. The application is consistent with the statutory policy;
  2. The subject lands hold the appropriate land use designation;
  3. The technical aspects of the subdivision proposal have been considered and are further addressed through the conditional approval requirements.

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- 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 Survey*

- 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 Owner is to enter into a Development Agreement for provision of the following infrastructure and improvements:
  - i. Construction of an internal road system and temporary cul-de-sacs (including the registration of necessary easements), in accordance with the County Servicing Standards and as shown in the submitted Tentative Plan, with associated infrastructure which includes the following:
    - a) Sidewalks;
    - b) Dark sky street lighting;
    - c) Signage;
  - ii. Off-site intersection and network improvements encompassed in the final, approved Traffic Impact Assessment (TIA), to the satisfaction of the County and Alberta Transportation;
  - iii. Mailbox locations are to be located in consultation with Canada Post, to the satisfaction of the County;
  - iv. Construction of a piped potable water and raw water distribution system (including the registration of necessary easements), connection to the potable water treatment plant, and service connections to each lot;
  - v. Construction of a piped sanitary collection system (including the registration of necessary easements), connection to the wastewater treatment plant, and service connections to each lot;
  - vi. Construction of a fire suppression and distribution system designed to meet minimum fire flows as per County Standards and Bylaws;
  - vii. Construction and implementation of stormwater management facilities and piped stormwater collection system in accordance with the recommendations of the approved Stormwater Management Plan, and the registration of any overland drainage easements and/or restrictive covenants, as determined by the Stormwater Management Plan, all to the satisfaction of the County and Alberta Environment and Parks;

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- viii. Design and construction of landscaping features for all Municipal Reserve Lots, public pathways and public roadways, Owners Association of Harmony open space, all in accordance with an approved Landscaping Plan;
  - ix. Implementation of the recommendations of the Construction Management Plan and Weed Management Plan;
  - x. Implementation of the revised Water and Wastewater Franchise Agreement with Harmony Advanced Water Systems Corporation (as amended);
  - xi. Installation of power, natural gas, and telephone lines; and
  - xii. Mailboxes located in consultation with Canada Post.

*Transportation and Access*

- 3) The Owner shall provide an updated Traffic Impact Assessment to reflect current on-site and off-site development and network conditions, detailing the related required improvements:
  - i. The Owner shall enter into a Development Agreement with the County, addressing the design and construction of the required improvements, if the recommendations of the Traffic Impact Assessment identify improvements are required.
- 4) The Owner shall obtain approval for road naming by way of application to, and consultation with, the County.

*Site Servicing*

- 5) The Owner is to provide a detailed water servicing analysis for potable water and raw water irrigation, building off of the Franchise Agreement and the Integrated Water Systems Master Plan, to determine:
  - i. Pipe type and sizes;
  - ii. Water treatment plant capacity and reservoir storage requirements.
- 6) The Owner is to provide confirmation of the tie-in for connections to HAWSCO, an Alberta Environment licensed piped water supplier, for lots, 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 new lots;
  - ii. Documentation proving that water supply has been purchased for proposed lots;
  - 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;
  - iv. Documentation proving all necessary paperwork has been completed.
- 7) The Owner is to provide a detailed waste-water servicing analysis for potable water and raw water irrigation, building off of the Franchise Agreement and the Integrated Water Systems Master Plan, to determine:
  - i. Pipe type and sizes;
  - ii. Number of lift stations, if applicable; and
  - iii. Wastewater Treatment Plan capacity, and treated effluent storage requirements.

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- 8) The Owner is to provide confirmation of the tie-in for connections to HAWSCO, an Alberta Environment licensed piped waste-water supplier, for lots, as shown on the approved Tentative Plan. This includes providing for the following information:
- i. Confirmation from the wastewater utility supplier that adequate capacity has been allocated and reserved for the proposed new lots;
  - ii. Documentation proving that water supply has been purchased for proposed lots;
  - iii. Documentation proving that wastewater supply infrastructure requirements, including servicing to the property, have been installed, or that installation is secured between the developer and wastewater utility, to the satisfaction of the waste-water utility and the County;
  - iv. Documentation proving all necessary paperwork has been completed.

*Developability*

- 9) The Owner shall submit an updated Geotechnical Report and a Deep Fill Report (for areas where fill exceeds 1.2 m in depth) that address existing site conditions.
- 10) The Owner is to provide and implement a Stormwater Management Plan that meets the requirements outlined in the Springbank Master Drainage Plan, the Staged Master Drainage Plan, the Integrated Water Systems Master Plan, and the Stage 1 Master Drainage Plan. Implementation of the Stormwater Management Plan shall include:
- i. Registration of any required easements and / or utility rights-of-way
  - ii. Provision of necessary approvals and compensation to Alberta Environment and Parks for wetland loss and mitigation; and
  - iii. Provision of necessary Alberta Environment and Parks registration documentation and approvals for the stormwater infrastructure system.
  - iv. Should the Stormwater Management Plan indicate that improvements are required, the Owner shall enter into a Development Agreement (Site Improvements/Services Agreement) with the County.

*Municipal Reserves*

- 11) The provision of Reserve is to be provided by the dedication of Lot 1 MR and Lot 26 MR, 1.293 hectares (3.195 acres), to be determined by a Plan of Survey, with respect to Lot 1, Block 2, Plan 1112762 as indicated on the Approved Tentative Plan:
- i. Municipal Reserve dedication outstanding on Lot 1, Block 2, Plan 111 2762 is to be deferred by Caveat to Lot 1, Block 2, Plan 111 2762; Lot 1, Block 3, Plan 111 2762; Lot 1, Block 4, Plan 111 2762; NW 5-25-3 W5M; SE 7-25-3 W5M; SW 7-25-03 W5M; NE 07-25-03 W5M; NW 07-25-03 W5M, pursuant to Section 669 of the *Municipal Government Act*;
- 12) The Owner is to provide a Landscaping Plan for all Municipal Reserves, public pathways, public road rights-of-way, and Owners Association of Harmony open space, in accordance with Direct Control Bylaw C-4841-97 and the Harmony Conceptual Scheme and Stage 2 Neighbourhood Plan:
- i. Development of the approved Landscaping Plans shall be included within the requirements of the Development Agreement.

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*Homeowners Association*

- 13) The Owner shall legally amend the existing Owners' Association of Harmony (OAH), and an encumbrance or instrument shall be concurrently registered against the title of each new lot created, requiring that each individual Lot Owner is a member of the Home Owners' Association;
- i. The HOA / LOA agreement shall specify the future maintenance obligations of the Homeowners' Association for public and Owners Association of Harmony lands for public and private parks, open spaces, and other amenity lands including on-site pathways, community landscaping, residential solid waste collection, stormwater facilities located on private lands, and other features associated with these lands.

*Architectural Controls*

- 14) The 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.

*Solid Waste Management Plan*

- 15) The Owner is to provide and implement a Waste Management Strategy that will outline the responsibility of the Developer and/or Homeowners' Association for management of solid waste.

*Cost Recovery*

- 16) 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 consequently provide benefit to other lands:

*Site Construction*

- 17) The Owner is to provide a Construction Management Plan that is to include, but not be limited to, noise, sedimentation and erosion control, construction waste management, firefighting procedures, evacuation plan, hazardous material containment, construction, and management details. Other specific requirements include:
- i. Weed management during the construction phases of the project;
- ii. Erosion and sedimentation control measures;
- iii. Dust control measures;
- iv. Best management practices;
- v. Implementation of the Construction Management Plan recommendations, which will be ensured through the Development Agreement;
- 18) The Owner is to provide an Emergency Response Plan that is to include firefighting procedures, evacuation measures, containment of hazardous spills, and aircraft incidents, to the satisfaction of the County.
- 19) The Owner Shall register a caveat on all titles, to the satisfaction of the County, indicating the presence of the Springbank Airport and associated aircraft noise to alert landowners to the presence of the teaching airport and associated impacts.

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*Levies and Payments*

- 20) The Owner shall pay the 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.
- 21) The Owner shall pay the County subdivision endorsement fee, in accordance with the Master Rates Bylaw, for the creation of 135 new lots.
- 22) 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.
- 2) Council hereby authorizes the Reeve and Municipal Secretary to sign the (Development Agreement, Deferred Services Agreement and Site Improvements Services Agreement).

Carried

The Chair called for a recess at 9:55 a.m. and called the meeting back to order at 10:06 a.m. with all previously mentioned members present with the exception of Councillor Kamachi.

**1-18-05-08-03 (C-1)**

**Division 4 – Bylaw C-7781-2018 – Road closure to consolidate a portion of Road Allowance near the Hamlet of Indus**

**File: PL20180001 (02336005)**

MOVED by Councillor Schule that the public hearing for item C-1 be opened at 10:06 a.m.

Carried

Absent: Councillor Kamachi

Councillor Kamachi returned to the meeting at 10:07 a.m.

Person(s) who presented: Darrell Barr, Applicant

Person(s) who spoke in favour: None

Person(s) who spoke in opposition: None

Person(s) who spoke in rebuttal: Darrell Barr, Applicant

MOVED by Councillor Schule that the public hearing for item C-1 be closed at 10:21 a.m.

Carried

MOVED by Councillor Schule that Bylaw C-7781-2018 be given first reading.

Carried

MOVED by Councillor Schule that Administration be directed to forward Bylaw C-7781-2018 to the Minister of Transportation for approval.

Carried



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**1-18-05-08-04 (C-2)**

**Division 9 – Bylaw C-7705-2017 – Redesignation Item –Ranch & Farm District to Agricultural Holdings District**

**File: PL20160003 (08916006)**

MOVED by Councillor Kissel that the public hearing for item C-2 be opened at 10:21 a.m.

Carried

Person(s) who presented: Patty Fraser, Applicant

Person(s) who spoke in favour: None

Person(s) who spoke in opposition: None

Person(s) who spoke in rebuttal: None

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

Carried

The Chair called for a recess at 10:51 a.m. and called the meeting back to order at 10:54 a.m. with all previously mentioned members present.

MOVED by Councillor Kissel that Bylaw C-7705-2017 be given first reading.

Carried

MOVED by Councillor Kissel that Bylaw C-7705-2017 be given second reading.

Carried

MOVED by Councillor Schule that Bylaw C-7705-2017 be considered for third reading.

Carried

MOVED by Councillor Kissel that Bylaw C-7705-2017 be given third and final reading.

Carried

The Chair called for a recess at 11:03 a.m. and called the meeting back to order at 11:11 a.m. with all previously mentioned members present.

**1-18-05-08-05 (C-3)**

**Division 3 – Bylaw C-7760-2018 – Redesignation Item – Residential Two District to Residential One District**

**File: PL20170186 (04711031)**

MOVED by Councillor McKylor that the public hearing for item C-3 be opened at 11:11 a.m.

Carried

MOVED by Councillor Wright that the late submissions for item C-3 be accepted.

Carried

Person(s) who presented: Kevin Peterson, Applicant

Person(s) who spoke in favour: Sybil Owens, Resident

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Person(s) who spoke in opposition: Brenda Broen, Resident  
Mark Crawford, Resident  
Martin Teitz, President, Granview Homeowners Association

Person(s) who spoke in rebuttal: Kevin Peterson, Applicant  
Josh Clark, E2K Engineering

MOVED by Councillor McKylor that the public hearing for item C-3 be closed at 12:07 p.m.

Carried

MOVED by Councillor McKylor that Bylaw C-7760-2018 be given first reading.

Carried

<u>In Favour:</u>	<u>Opposed:</u>
Councillor Kamachi	Deputy Reeve Gautreau
Councillor McKylor	
Reeve Boehlke	
Councillor Schule	
Councillor Henn	
Councillor Wright	
Councillor Kissel	

MOVED by Councillor Schule that Bylaw C-7760-2018 be given second reading.

Carried

<u>In Favour:</u>	<u>Opposed:</u>
Councillor Kamachi	Deputy Reeve Gautreau
Councillor McKylor	
Reeve Boehlke	
Councillor Schule	
Councillor Henn	
Councillor Wright	
Councillor Kissel	

MOVED by Councillor Henn that Bylaw C-7760-2018 be considered for third reading.

Carried

MOVED by Councillor McKylor that Bylaw C-7760-2018 be given third and final reading.

Carried

<u>In Favour:</u>	<u>Opposed:</u>
Councillor Kamachi	Deputy Reeve Gautreau
Councillor McKylor	
Reeve Boehlke	
Councillor Schule	
Councillor Henn	
Councillor Wright	
Councillor Kissel	

The Chair called for a recess at 12:10 p.m. and called the meeting back to order at 1:31 p.m. with all previously mentioned members present.

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**1-18-05-08-06 (C-4)**

**Division 3 – Bylaw C-7761-2018 – Redesignation Item – Residential Two District to Residential One District**  
**File: PL20180005 (04702038)**

MOVED by Councillor McKylor that the public hearing for item C-4 be opened at 1:31 p.m.

Carried

Person(s) who presented: Ken Venner, B&A Planning Group

Person(s) who spoke in favour: Gordon Branson, Resident  
Judie Branson, Resident  
Michael Greenberg, Resident

Person(s) who spoke in opposition: None

Person(s) who spoke in rebuttal: Ken Venner, B&A Planning Group  
Rob Deverell, Sedulous Engineering

MOVED by Deputy Reeve Gautreau that the public hearing for item C-4 be closed at 2:28 p.m.

Carried

MOVED by Deputy Reeve Gautreau that Bylaw C-7761-2018 be given first reading.

Carried

MOVED by Deputy Reeve Gautreau that Bylaw C-7761-2018 be given second reading.

Carried

MOVED by Councillor Schule that Bylaw C-7761-2018 be considered for third reading.

Carried

MOVED by Councillor McKylor that Bylaw C-7761-2018 be given third and final reading.

Carried

The Chair called for a recess at 2:30 p.m. and called the meeting back to order at 2:38 p.m. with all previously mentioned members present.

**1-18-05-08-11 (E-2)**

**Division 9 – Consideration of second and third reading for Bylaw C-7718-2017 – Area Structure Plan**  
**Amendment – Cochrane North Area Structure Plan**  
**File: PL20160091 (06834003/04)**

**1-18-05-08-12 (E-3)**

**Division 9 – Consideration of second and third reading for Bylaw C-7719-2017 – Conceptual Scheme Item –**  
**Cochrane North Conceptual Scheme**  
**File: PL20160092 (06834003/04)**

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**1-18-05-08-13 (E-4)**

**Division 9 – Consideration of second and third reading for Bylaw C-7720-2017 – Redesignation Item – Ranch and Farm District and Ranch and Farm\* District to Direct Control District**  
**File: PL20160093 (06834003/04)**

MOVED by Councillor Kissel that Bylaw C-7718-2017 be given second reading.

Carried

MOVED by Councillor Kissel that Bylaw C-7718-2017 be given third and final reading.

Carried

MOVED by Councillor Kissel that Bylaw C-7719-2017 be given second reading.

Carried

MOVED by Councillor Kissel that Bylaw C-7719-2017 be given third and final reading.

Carried

MOVED by Councillor Kissel that Bylaw C-7720-2017 be given second reading.

Carried

MOVED by Councillor Kissel that Bylaw C-7720-2017 be given third and final reading.

Carried

**1-18-05-08-15 (J-2)**

**Division 5 – Subdivision Item – Residential Two District – Conrich Road**  
**File: PL20170161 (04328021)**

MOVED by Councillor Schule that the applicant be allowed to address Council.

Carried

In Favour:

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

Opposed:

Reeve Boehlke

The applicant, Steven Grande, proceeded to address Council regarding the subdivision application.

The Chair called for a recess at 3:11 p.m. and called the meeting back to order at 3:27 p.m. with all previously mentioned members present.

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**1-18-05-08-16 (J-3)**

**Division 6 – Subdivision Item – Boundary Adjustment**

**File: PL20170182 (06224003/06/07)**

MOVED by Councillor Schule that condition 5 in Schedule 'A' be amended to only require the Transportation Off-Site Levy on Lot 1.

Lost

In Favour:

Councillor Schule

Opposed:

Councillor Kamachi

Councillor McKylor

Reeve Boehlke

Deputy Reeve Gautreau

Councillor Henn

Councillor Wright

Councillor Kissel

MOVED by Deputy Reeve Gautreau that Subdivision Application PL20170182 be approved with the conditions noted in Appendix 'A':

- A. That the application to subdivide and consolidate three existing parcels, in order to create four lots in total - one  $\pm$  2.50 hectares ( $\pm$  6.20 acres) (Lot 1), one  $\pm$  11.81 hectares ( $\pm$  29.2 acres) (Lot 2), one  $\pm$  22.17 hectares ( $\pm$  54.8 acres) (Lot 3), and the other  $\pm$  21.57 hectares ( $\pm$  53.3 acres) (Lot 4) from NW-24-26-27-W04M, Plan RY 226, and W 1/2-24-26-27-W04M - has been evaluated in terms of Section 654 of the *Municipal Government Act* and Sections 7 and 14 of the Subdivision and Development Regulations. 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 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:

*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.

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*Transportation and Access*

- 2) The Owner is to dedicate, by caveat, a 30 m wide service road along the highway frontage boundary of proposed Lot 2, to the satisfaction of Alberta Transportation.

*Site Servicing*

- 3) Water is to be supplied by individual wells on Lots 1 & 2. The subdivision shall not be endorsed until:
  - a) The Owner has provided a Well Driller's Report to demonstrate that an adequate supply of water is available for Lot 1 and Lot 2;
  - b) Verification is provided that each well is located within each respective proposed lot's boundaries.
  - c) It has been demonstrated that the new wells are capable of supplying a minimum of one (1) IGPM of water for household purposes.
- 4) The owner shall provide an update to the Level I PSTS Assessment prepared for the proposed subdivision prepared by Sedulous Engineering Ltd. dated November 2017 taking into consideration the soil conditions within the proposed Lot 2 to determine if the parcel is suitable to support a PSTS

*Payments and Levies*

- 5) The Owner shall pay the Transportation Off-Site Levy (TOL) in accordance with Bylaw C-7356-2014 prior to subdivision endorsement.
  - a) The TOL will be applicable for the total gross acreage of Lot 1 and three acres of Lot 2.
  - b) The TOL will be deferred on Lots 3, and 4.
- 6) The Owner shall pay the County subdivision endorsement fee, in accordance with the Master Rates Bylaw, for the creation of one new lot.

*Municipal Reserves*

- 7) The provision of Reserve in the amount of 10% of the area of Lot 1, as determined by the Plan of Survey, is to be provided by payment of cash-in-lieu in accordance with the per acre value as listed in the land appraisal prepared by Weleschuk Associates Ltd. File No. 17-2164 on November 3, 2017 pursuant to Section 666(3) of the *Municipal Government Act*;
  - a) Reserves for Lot 2, 3, and 4 are to be deferred by caveat, 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*.

**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.

Carried

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**1-18-05-08-15 (J-2)**

**Division 5 – Subdivision Item – Residential Two District – Conrich Road**

**File: PL20170161 (04328021)**

MOVED by Deputy Reeve Gautreau that Subdivision Application PL20170161 be approved with the conditions noted in the amended Appendix 'A':

- A. That the application to create a two  $\pm$  1.62 hectare ( $\pm$  4 acre) parcels with a  $\pm$  3.04 hectare ( $\pm$  7.5 acre) remainder from NW-28-24-28-W04M has 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, it is recommended that the application be approved as per the Tentative Plan for the reasons listed below:
- 1) The application is located in a residential corridor area; and
  - 2) The application is for the purpose of building homes for immediate family members.
- 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 be approved subject to the following conditions of approval:

*Plan of Subdivision*

- 1) Subdivision to be effected by a Plan of Survey, pursuant to Section 657 of the *Municipal Government Act*, or such other means satisfactory to the Registrar of the South Alberta Land Titles District.
- 2) The Owner shall dedicate, by Plan of Survey, a 5.0 metres wide portion of land along the entire western boundary of the Lots 1, 2, and the remainder lot for future road widening.

*Accessibility to a Road*

- 3) The Owner shall construct a new paved mutual approach on Conrich Road in order to provide access to Lots 1 and 2. The Owner shall:
  - a) Provide an access right-of-way plan; and
  - b) Prepare and register respective easements on each title, where required.
- 4) The Owner shall remove and reclaim the existing approach on Conrich Road, as shown on the approved Tentative Plan.
- 5) The Owner shall construct a new gravel approach on Township Road 244B in order to provide access to the remainder lot in accordance with the County Servicing Standards.
- 6) The Owner shall enter into an Agreement, to be register by caveat, respecting the future acquisition of lands for road widening, and shall include:
  - a) The provision of 7.5 metres road widening along the entire western boundary of Lots 1, 2, and the remainder lot; and

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- b) The purchase of land by the County for \$1.
  - 7) The Owner shall enter into a Restrictive Covenant, to be registered by Caveat prepared by the County, on the title of Lots 1, 2, and the remainder lot that restricts the erection of any structure on or within 45.0 metres of a future road-of-way, as shown on the approved Tentative Plan.

*Water Servicing*

- 8) Water is to be supplied by an individual well on Lots 1, 2, and the remainder lot. The subdivision shall not be endorsed until:
  - a) An Aquifer Testing (Phase II) Report is provided, which is to include aquifer testing and the locations of the wells on each lot; and
  - b) The results of the aquifer testing meet the requirements of the Water Act; if they do not, the subdivision shall not be endorsed or registered.

*Wastewater Servicing*

- 9) The Applicant/Owner shall enter into a Site Improvements/Services Agreement with the County, which shall include the following:
  - a) All necessary improvements and recommendations in accordance with the approved Level 3 Private Sewage Treatment System Assessment.

*Deferred Servicing Agreement*

- 10) The Applicant/Owner shall enter into a Deferred Services Agreement with the County, to be registered on title for each proposed Lots 1, 2, and the remainder lot, indicating:
  - a) Requirements for each future Lot Owner to connect to County piped water, wastewater, and stormwater systems at their cost when such services become available;
  - b) Requirements for decommissioning and reclamation once County Servicing becomes available;

*Stormwater Management*

- 11) The Applicant/Owner shall provide and implement a Stormwater Management Plan, which meets the requirements outlined in the County Servicing Standards and the Conrich Master Drainage Plan. The Stormwater Management Plan shall:
  - a) Identify all necessary infrastructure required to support the proposed subdivision;
  - b) Identify and register any necessary easements and/or utility Rights-of-Ways; and
  - c) Identify and provide any necessary approvals from Alberta Environment and Parks for wetland loss and mitigation.
- 12) Should the Stormwater Management Plan indicate the improvements are required; the Applicant/Owner shall enter into a Development Agreement (Site Improvements/Services Agreement) with the County, including the registration of any overland drainage easements and/or restrictive covenants as determined by the Stormwater Management Plan.
- 13) Implementation of the Stormwater Management Plan shall include:
  - a) Registration of any required easements and/or utility rights-of-way;
  - b) Provision of necessary approvals and compensation to Alberta Environment and Parks for wetland loss and mitigation; and
  - c) Provision of necessary Alberta Environment and Parks registration documentation and approvals for the stormwater infrastructure system.



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*Payments and Levies*

- 14) The Owner shall pay the Transportation Off-Site Levy in accordance with Bylaw C-7356-2014. 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.
- 15) The Owner shall pay the County subdivision endorsement fee, in accordance with the Master Rates Bylaw, for the creation of two new lots.
- 16) The Owner shall pay the Stormwater Off-Site Levy in accordance with Bylaw C-7535-2015, prior to entering into the Development Agreement. The County shall calculate the total amount owing from the total gross acreage of Lands to be subdivided as shown on the Plan of Survey.

*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, the Planning Department 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.

Carried

In Favour:

Councillor Kamachi  
Deputy Reeve Gautreau  
Councillor Schule  
Councillor Henn  
Councillor Kissel

Opposed:

Councillor McKylor  
Reeve Boehlke  
Councillor Wright

**1-18-05-08-07 (D-1)**

**All Divisions – Calgary Metropolitan Region Board – Interim Growth Plan**

**File: N/A**

MOVED by Councillor Schule that item D-2 be lifted from the table.

Carried

**1-18-05-08-12 (E-3)**

**Division 9 – Consideration of second and third reading for Bylaw C-7719-2017 – Conceptual Scheme Item – Cochrane North Conceptual Scheme**

**File: PL20160092 (06834003/04)**

MOVED by Councillor Kissel that third reading of Bylaw C-7719-2017 be rescinded.

Carried

MOVED by Councillor Kissel that the Cochrane North Conceptual Scheme be amended in accordance with Appendix 'A'.

Carried

MOVED by Councillor Kissel that Bylaw C-7719-2017, as amended, be given third and final reading.

Carried

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**1-18-05-08-07 (D-1)**

**All Divisions – Calgary Metropolitan Region Board – Interim Growth Plan**

**File: N/A**

MOVED by Councillor Schule that Rocky View County advocate for the principles of the County Plan, which include striving to accept 2.5 to 3% of the growth in the Calgary Metropolitan Region; recognizing the unique nature of the County; and allow for merit based decision making that factors in serviceability and marketability, as well as the social, environmental, and fiscal objectives of sustainable growth.

In doing so, Council recognizes and supports undertaking a review of the County Plan's growth strategy.

Carried

**MOTION ARISING:**

MOVED by Councillor Schule that Administration be directed to initiate the process of amending the County Plan.

Carried

**Adjournment**

MOVED by Councillor McKylor that the May 8, 2018 Council Meeting be adjourned at 3:52 p.m.

Carried

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REEVE

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CAO or Designate

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**PLANNING SERVICES**

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**TO:** Council  
**DATE:** May 22, 2018 **DIVISION:** 5  
**TIME:** Morning Appointment  
**FILE:** 03336027 **APPLICATION:** PL20170133  
**SUBJECT:** Redesignation Item – Fragmented Quarter Section – Agricultural Holdings District to Residential One District – Outside of an Area Structure Plan

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

- Motion #1 THAT Bylaw C-7735-2017 be given first reading.  
Motion #2 THAT Bylaw C-7735-2017 be given second reading.  
Motion #3 THAT Bylaw C-7735-2017 be considered for third reading.  
Motion #4 THAT Bylaw C-7735-2017 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 One District in order to facilitate the creation of three  $\pm 0.81$  hectare ( $\pm 2.00$  acre) parcels with a  $\pm 3.64$  hectare ( $\pm 9.00$  acre) remainder.

The application was evaluated in accordance with the Fragmented Quarter Section policies of the County Plan, and the Applicant submitted a lot and road plan and the accompanying technical studies that show how the proposed development could align with future development on the lot immediately to the north. Further, the Applicant provided a comprehensive shadow plan that indicates how this lot and road plan could align with future development in the entire quarter section.

Administration evaluated the application and determined that:

- The proposal meets the criteria of the Fragmented Residential policies in Section 10.0 of the County Plan;
- Given the unique development context of the surrounding lands (i.e. presence of wetlands, access strategy), the lot and road plan submitted is sufficient for the purposes of this redesignation proposal;
- Supporting technical reports were submitted in support of the lot and road plan; and
- All technical concerns can be satisfactorily addressed at the subsequent subdivision stage.

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

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**DATE APPLICATION RECEIVED:** July 28, 2017 (Deemed Complete: February 22, 2018)

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**PROPOSAL:** To redesignate the subject lands from Agricultural Holdings District to Residential One District, in order to facilitate the creation of three  $\pm 0.81$  hectare ( $\pm 2.00$  acre) parcels with a  $\pm 3.64$  hectare ( $\pm 9.00$  acre) remainder.

**LEGAL DESCRIPTION:** NW-36-23-28-W04M

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**<sup>1</sup>Administrative Resources**  
Paul Simon, Planning Services  
Erika Bancila, Engineering Services

<b>GENERAL LOCATION:</b>	Located at the northeast junction of Range Road 281 and Township Road 235A.
<b>APPLICANT:</b>	Manor House Designs
<b>OWNERS:</b>	Neil Sydney Faulkner
<b>EXISTING LAND USE DESIGNATION:</b>	Agricultural Holdings District (AH)
<b>PROPOSED LAND USE DESIGNATION:</b>	Residential One District (R-1)
<b>GROSS AREA:</b>	± 6.09 hectares (± 15.05 acres)
<b>SOILS (C.L.I. from A.R.C.):</b>	<b>Class 1W</b> – No significant limitation, excessive wetness/poor drainage.

**PUBLIC & AGENCY SUBMISSIONS:**

The application was circulated to 37 adjacent landowners. No letters in response were received. The application was also circulated to a number of internal and external agencies. Those responses are available in Appendix 'A'.

**HISTORY:**

The subject parcel was created through various quarter section subdivisions dating from the early 1980s. The parcel originally matched the strip lots to the north in size; however, the easterly 1.98 hectares (4.9 acres) was subdivided off in 1983.

**BACKGROUND:**

The intent of this redesignation is to develop the subject lands for country residential purposes in accordance with the Residential One District provisions in the Land Use Bylaw.

The subject lands are located immediately east of the city of Chestermere in a predominantly country residential area of the County. The parcel is surrounded by fragmented agricultural lands to the north, east, and south. Large agricultural parcels currently exist to the west within the city of Chestermere, which are intended to be developed for industrial purposes in accordance with the City of Chestermere Municipal Development Plan land use strategy.

The Applicant intends to access the subject lands through the development of new approaches off Township Road 235A, and the lot and road plan submitted shows a possible internal road that could be developed to access lands to the north.

The property currently contains one dwelling and multiple accessory buildings on the western portion, in what is proposed to be the ± 3.64 hectare (± 9.00 acre) remainder. The property is currently serviced by a private sewage treatment system and an in-ground cistern for water supply. The Applicant indicated that the proposed new lots would be serviced by on-site private sewage treatment systems and water wells.

**POLICY ANALYSIS:**

The application was evaluated in accordance with the policies of the County Plan as well as the regulations of the Land Use Bylaw.

*County Plan (Bylaw C-7280-2013)*

The County Plan defines a fragmented quarter section as, "a quarter section of land within the agricultural area divided into six or more residential lots and/or small agricultural parcels, each of which is less than 10 hectares (24.7 acres) in size." The subject quarter section currently contains twelve lots that are designated Residential One, Residential Two, and Agricultural Holdings districts. Parcels range in

size from  $\pm 0.82$  hectares ( $\pm 2.03$  acres) to  $\pm 14.03$  hectares ( $\pm 34.67$  acres); therefore, the subject quarter section qualifies as a fragmented quarter section. Section 10 of the County Plan provides guidance for evaluating proposals submitted as a fragmented quarter section redesignation application:

*10.11 Within a fragmented quarter section, the redesignation of residential lots or agricultural parcels less than or equal to 10 hectares (24.7 acres) in size to a new residential land use may be supported if the following criteria are met:*

*a. A lot and road plan is provided that;*

- i. plans for an area determined by the County at the time of redesignation application. The plan shall include, at a minimum, all residential or small agricultural acreages that are adjacent to the application;*
  - ii. includes design measures to minimize adverse impacts on existing agriculture operations; and*
  - iii. demonstrates potential connectivity to residential or small agricultural acreages outside of the lot and road plan area.*
- The lot and road plan submitted by the Applicant indicates that access to the proposed new lots would be accomplished through the development of new approaches off Township Road 235A. The lot and road plan also identifies a possible future road connection with the parcel immediately north, and shows a possible future subdivision design of this northern parcel. Some of the lands included in the lot and road plan are encumbered by significant wetlands, and therefore, the proposed lot and road plan does not identify subdivision potential for these portions. The Applicant also included a shadow plan to demonstrate how the lot and road plan could potentially connect to the remaining small residential and agricultural acreages in the rest of the quarter section.
  - The lot and road plan is required to indicate design measures to mitigate impacts on existing agricultural operations. The lands immediately north are designated Agricultural Holdings district, and the lands to the east and south are designated for country residential development. The lands immediately north are not being used for agricultural purposes given the wetland constraints on-site, and therefore, application of design measures to mitigate impacts with existing agricultural operations is not warranted. The lands immediately west are within the city of Chestermere, and the City did not have any comments with respect to this application.

*b. A technical assessment of the proposed design is provided to demonstrate that the lot and road plan area is capable of supporting increased residential development. The assessment shall address:*

- i. the internal road network, water supply, sewage treatment, and stormwater management; and*
- ii. any other assessment required by unique area conditions.*

*c. A technical assessment of the impact on off-site infrastructure, roads, and stormwater systems is be provided;*

- In support of the lot and road plan, the Applicant submitted a Phase 1 Groundwater Supply Evaluation, a Stormwater Management Plan, and a Septic Field Soil Samples report. While the Applicant did not provide a transportation study, there are no concerns at this time with access being provided through the development of new approaches off Township Road 235A. The Applicant proposes to service the subject lands via raised mound septic fields as well as groundwater wells. Administration reviewed the submitted technical studies and

is confident that appropriate conditions can be applied at the subsequent subdivision stage to ensure adherence to the recommendations of the technical studies, which would therefore mitigate any possible impacts as a result of increased residential development in the quarter section.

- d. *A report is provided that documents the consultation process undertaken to involve affected landowners within the plan area in the preparation and/or review of the lot and road plan.*
- The Applicant indicated that the Owner has had discussions with adjacent landowners and has received a positive response. The Applicant is in the process of attempting to engage multiple landowners in the quarter section to submit a more comprehensive lot and road plan that would include the lands immediately to the north, where the wetlands could potentially be incorporated into an overall stormwater management plan to support development in the entire quarter. The Applicant prepared a shadow plan for the quarter section that shows how development in the future could proceed on this basis. A public engagement summary was provided with the application that confirms these discussions.

Land Use Bylaw (Bylaw C-4841-97)

The Applicant is requesting approval to redesignate the subject lands from Agricultural Holdings District to Residential One District. The purpose of this district is to provide for a residential use on a small parcel of land that does not accommodate agriculture, general. The minimum parcel size of the Residential One District is 0.80 hectares (1.98 acres). Under this designation, the remainder lands would have subdivision potential; the lot and road plan submitted shows how subdivision could occur on the remainder while still allowing for an efficient internal road system. This lot and road plan would assist in guiding a future subdivision application where considerations such as subdivision design and technical factors would be further evaluated. The proposed application complies with the minimum parcel size of the Residential One District and conforms to the purpose and intent of this district.

**CONCLUSION:**

The proposal to redesignate the subject lands from Agricultural Holdings District to Residential One District in order to facilitate the creation of three  $\pm 0.81$  hectare ( $\pm 2.00$  acre) parcels with  $\pm 3.64$  hectare ( $\pm 9.00$  acre) remainder was evaluated in accordance with the County Plan and County Servicing Standards. The proposed application meets the criteria found in Section 10 of the County Plan for residential development within a fragmented quarter section, and all technical matters can be addressed at the subsequent subdivision stage. Therefore, Administration recommends approval in accordance with **Option #1**.

**OPTIONS:**

- Option #1:
- |           |  |
|-----------|--|
| Motion #1 | THAT Bylaw C-7735-2017 be given first reading.           |
| Motion #2 | THAT Bylaw C-7735-2017 be given second reading.          |
| Motion #3 | THAT Bylaw C-7735-2017 be considered for third reading.  |
| Motion #4 | THAT Bylaw C-7735-2017 be given third and final reading. |
- Option #2: THAT application PL20170133 be refused.

Respectfully submitted,

Concurrence,

“Chris O’Hara”

“Kent Robinson”

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General Manager

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Interim County Manager

PS/rp

**APPENDICES:**

APPENDIX ‘A’: Application Referrals

APPENDIX ‘B’: Bylaw C-7735-2017 and Schedule A

APPENDIX ‘C’: Map Set

**APPENDIX A: APPLICATION REFERRALS**

<b>AGENCY</b>	<b>COMMENTS</b>
<b><i>School Authority</i></b>	
Rocky View Schools	No comments received.
Calgary Catholic School District	No objection to the above-noted circulation (PL2017-0133) located just east of Chestermere. As per the circulation, Municipal Reserves will be considered at the subdivision stage.
<b><i>Province of Alberta</i></b>	
Alberta Environment	No comments received.
Alberta Culture and Community Spirit (Historical Resources)	No comments received.
Alberta Energy Regulator	No comments received.
Alberta Health Services	No comments received.
<b><i>Public Utility</i></b>	
ATCO Gas	ATCO Gas has no objections to the proposed.
ATCO Pipelines	No comments received.
AltaLink Management	No comments received.
FortisAlberta	No comments received.
Telus Communications	TELUS Communications Inc. has no objections to the above noted redesignation circulation, however TELUS will need to review the subdivision application.
TransAlta Utilities Ltd.	No comments received.
<b><i>Other External Agencies</i></b>	
EnCana Corporation	No comments received.
City of Chestermere	No comments received.
<b><i>Rocky View County Boards and Committees</i></b>	
ASB Farm Members and Agricultural Fieldmen	No comments received.
Rocky View Recreation Board	The Chestermere-Conrich Recreation District Board had no



AGENCY	COMMENTS
(All)	comments on this circulation.
<b><i>Internal Departments</i></b>	
Municipal Lands	The Municipal Lands office has no concerns with this application.
Development Authority	No comments received.
Agricultural Services	The application of the Agricultural Boundary Design Guidelines would be beneficial in buffering the residential land use from the agricultural land uses surrounding the parcel. The guidelines would help mitigate areas of concern including: trespass, litter, pets, noise and concern over fertilizers, dust and normal agricultural practices.
GeoGraphics	No comments received.
Building Services	No comments received.
Emergency Services	Fire Services: Fire Services has no comments at this time. Enforcement Services: No comments received.
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> - Section 300.0 requirements:</p> <ul style="list-style-type: none"> <li>ES has no requirements at this time;</li> <li>The Wetland Impact Model shows an intact wetland on Lot 2. As a condition of future subdivision stage, the Applicant is required to demonstrate the Geotechnical Developable Area of 1 contiguous acre requirement is met for Lot 2.</li> </ul> <p><b><u>Transportation</u></b> - Section 400.0 requirements:</p> <ul style="list-style-type: none"> <li>At future subdivision stage, as a condition of subdivision endorsement, the Applicant will be required to provide payment of the Transportation Offsite Levy (TOL) in accordance with applicable levy at time of Subdivision and/or Development Permit approval, as amended, for the total gross acreage of Lots 1, 2 and 3. Based on Bylaw C-7356-2014 currently in effect, the total TOL to be paid at subdivision stage is \$205,026.15 calculated as follows: <ul style="list-style-type: none"> <li>Base Levy: <math>\\$4595 \times 15.05 \text{ acres} = \\$69,154.75</math></li> <li>Special Area 3 Levy Rate: <math>\\$9028 \times 15.05 \text{ acres} = \\$135,871.40</math></li> </ul> </li> <li>As a condition of future subdivision, the applicant will be</li> </ul>

AGENCY	COMMENTS
	<p>required to construct an additional approach off of Township Road 235A to provide access to the proposed lots 1 and 2. ES recommends that a paved mutual approach be constructed and protected by access right of way plan in order to minimize the number of approaches coming off Township Road 235A. It is also recommended that the new approach be located opposite one of the existing approaches on the south side of TWP 235A;</p> <ul style="list-style-type: none"> <li>• There is an existing approach providing access to the proposed Lot 3, however at future subdivision stage it is recommended that this approach be upgraded to a paved standard;</li> <li>• Lot 4 has existing access off of Range Road 281 which is under Chestermere's jurisdiction.</li> </ul> <p><b><u>Sanitary/Waste Water</u></b> - Section 500.0 requirements:</p> <ul style="list-style-type: none"> <li>• Almor Testing Services Ltd. has performed a subsoil and groundwater investigation for septic field consideration purposes on Lots 1, 2 and 3. Six (6) test holes (two test holes in each proposed lot) were advanced on May 11, 2017. The report concludes groundwater is too high for standard septic systems and fields;</li> <li>• Based on the findings of geotechnical investigation of Lots 1, 2 and 3, Almor Testing Services Ltd. has been requested to comment on the suitability for septic field purposes of two adjacent lots to the west and three lots located to the northeast of the subject site. The letter report dated February 12, 2018 concludes groundwater is expected to be a consideration in the surrounding lots to the west, however the lots to the northeast may have a lower perched water table;</li> <li>• At future subdivision stage, the Applicant will be required to submit a Level 4 PSTS report in accordance with the County Servicing Standards:             <ul style="list-style-type: none"> <li>○ In accordance with Policy 449, a Packaged Sewage Treatment System that meets the Bureau de Normalisation du Quebec (BNQ) standards will be required on the future lots as the proposed lots are less than 4 acres in size.</li> </ul> </li> <li>• As a condition of future subdivision, the applicant will be required to enter into a Development Agreement (Site Improvement Servicing Agreement) for the recommendations included in the Level 4 PSTS report and for packaged sewage treatment systems that meets the requirements of the Bureau de Normalisation de Quebec (BNQ) in accordance with County Policy 449;</li> <li>• At future subdivision stage, ES requires a Level 1 Variation Assessment be submitted for the existing dwelling on the</li> </ul>

AGENCY	COMMENTS
	<p>subject lands.</p> <p><b><u>Water Supply And Waterworks</u></b> - Section 600.0 &amp; 800.0 requirements:</p> <ul style="list-style-type: none"> <li>• In accordance with the County Servicing standards the applicant has submitted a Phase 1 Groundwater Evaluation report. The report concluded the aquifers underlying the proposed subdivisions can supply water at a rate, as defined in the Water Act, of 1250 m<sup>3</sup>/year for each household for domestic purposes and that 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. The water quality is deemed acceptable, however detailed testing of the water from the supply well is recommended once the wells are installed on the site;</li> <li>• On February 21, 2018, the applicant submitted a letter report which evaluated the effect of adding 5 additional lots on groundwater supply. While the calculations show that the aquifers should be able to supply additional lots, the calculations also show a concern with some drawdown in the aquifer may be observed. The report suggests that deeper aquifers be utilized (&gt;60 m depth), if present. If upon drilling no deeper aquifers are found it should be acceptable for some of the lots to utilize shallower aquifers, if present;</li> <li>• On the application forms the Applicant indicated the use of an underground water cistern for water supply. Rocky View County Policy and Procedure 411 requires that residential subdivision applications demonstrate adequate servicing to ensure a dwelling has access to a safe, secure, and reliable drinking water supply. Water cisterns are not a long term/sustainable water supply. The future subdivision will require water servicing from groundwater wells. The applicant has been made aware of this requirement and had verbally acknowledged it.</li> </ul> <p><b><u>Storm Water Management – Section 700.0 requirements:</u></b></p> <ul style="list-style-type: none"> <li>• At future subdivision stage, a storm water management plan will be required in accordance with the County Servicing Standards and all regional plans for the area: <ul style="list-style-type: none"> <li>○ The applicant has submitted a storm water management plan dated July 20, 2017 with the land use application. The plan demonstrates that the site can meet pre-development conditions through the incorporation of LIDs (bioswales) on the proposed Lots 1,2,3. The concept is subject to final review and approval by the County at futures subdivision stage.</li> </ul> </li> <li>• At future subdivision / development permit stage, the applicant will be required to enter into a Development</li> </ul>

AGENCY	COMMENTS
	<p>Agreement and/or Site Improvements Servicing Improvements for the storm water infrastructure required as a result of the development as outlined in the final approved Storm water Management Plan. Registration of any required easements, utility right of ways and/or public utility lots is required as a condition of subdivision;</p> <ul style="list-style-type: none"> <li>• The Applicant will be required to obtaining AEP approval and licensing for the storm water management infrastructure.</li> </ul> <p><b><u>Environmental – Section 900 requirements</u></b></p> <ul style="list-style-type: none"> <li>• At future subdivision/development stage, the applicant will be required to submit an erosion and sediment control plan (ESC).</li> </ul> <p><b><u>Other</u></b></p> <ul style="list-style-type: none"> <li>• The wetland impact model shows that one existing wetland exists on the subject lands (proposed Lot 2) and an altered wetland exists on the proposed lot 1 and remainder parcel. Any proposed impact to wetlands must receive approval from AEP, however avoidance of disturbance to wetlands is recommended in accordance with County and Provincial Policies and can likely be achieved based on the lot sizes and layout proposed.</li> </ul>
Infrastructure and Operations - Maintenance	TR 235A is chip sealed. There should be some contribution to an upgrade of this road to a paved standard.
Infrastructure and Operations - Capital Delivery	No concerns.
Infrastructure and Operations – Road Operations	Applicant to confirm how he intends to access new Lots # 1, 2, 3. If new approach required, Applicant to contact County Road Operations regarding new approach application.
Infrastructure and Operations – Utility Services	No concerns.

Circulation Period: August 18, 2017 – September 15, 2017



## BYLAW C-7735-2017

### 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-7735-2017.

#### 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. 33 and 33-NE of Bylaw C-4841-97 be amended by redesignating a portion of NW-36-23-28-W04M from Agricultural Holdings District to Residential One District as shown on the attached Schedule 'A' forming part of this Bylaw.

**THAT** A portion of NW-36-23-28-W04M is hereby redesignated to Residential One District as shown on the attached Schedule 'A' forming part of this Bylaw.

#### PART 4 – TRANSITIONAL

Bylaw C-7735-2017 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: 5**  
**File: 03336027/ PL20170133**

<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

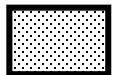
BYLAW: C-7735-2017

CITY OF CHESTERMERE

TWP RD 235A

**AMENDMENT**

FROM Agricultural Holdings District TO Residential One District

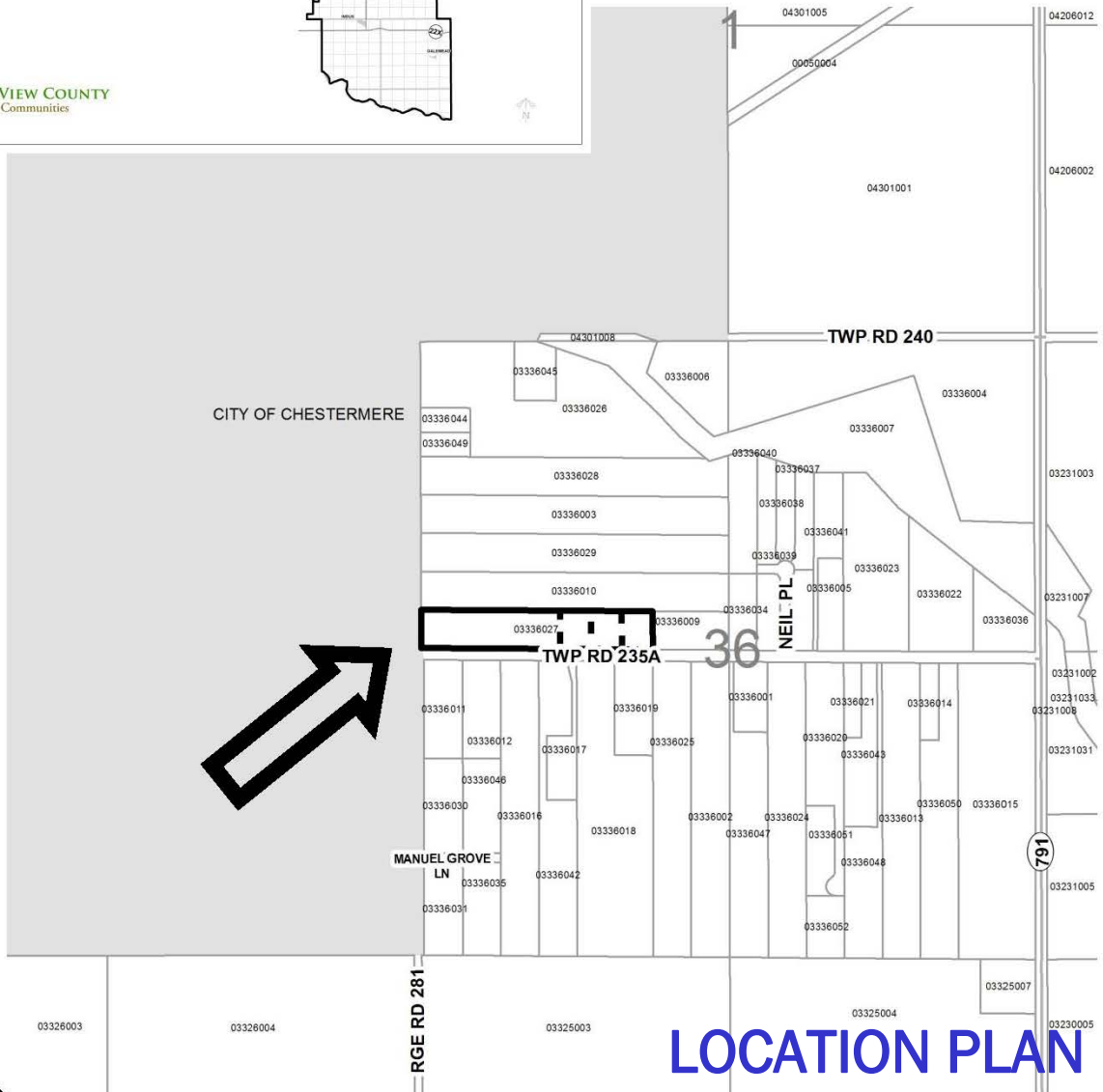
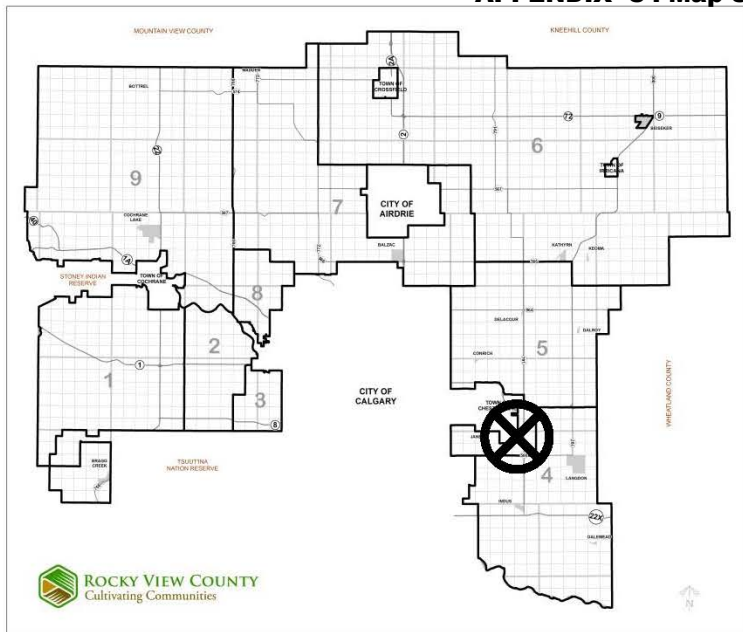


Subject Land \_\_\_\_\_

LEGAL DESCRIPTION: NW-36-23-28-W04M

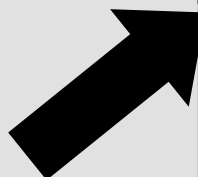
FILE: 03336027 PL20170133

DIVISION: 5



LOCATION PLAN

NW-36-23-28-W04M



# LAND USE MAP



**NW-36-23-28-W04M**



**Development Proposal:** To redesignate the subject lands from Agricultural Holdings District to Residential One District, in order to facilitate the future subdivision of three  $\pm 0.81$  hectare ( $\pm 2.00$  acre) parcels with  $\pm 3.64$  hectare ( $\pm 9.00$  acre) remainder.

CITY OF CHESTERMERE

AH  $\rightarrow$  R-1  
 $\pm 6.09$  ha  
( $\pm 15.05$  ac)

TWP RD 235A

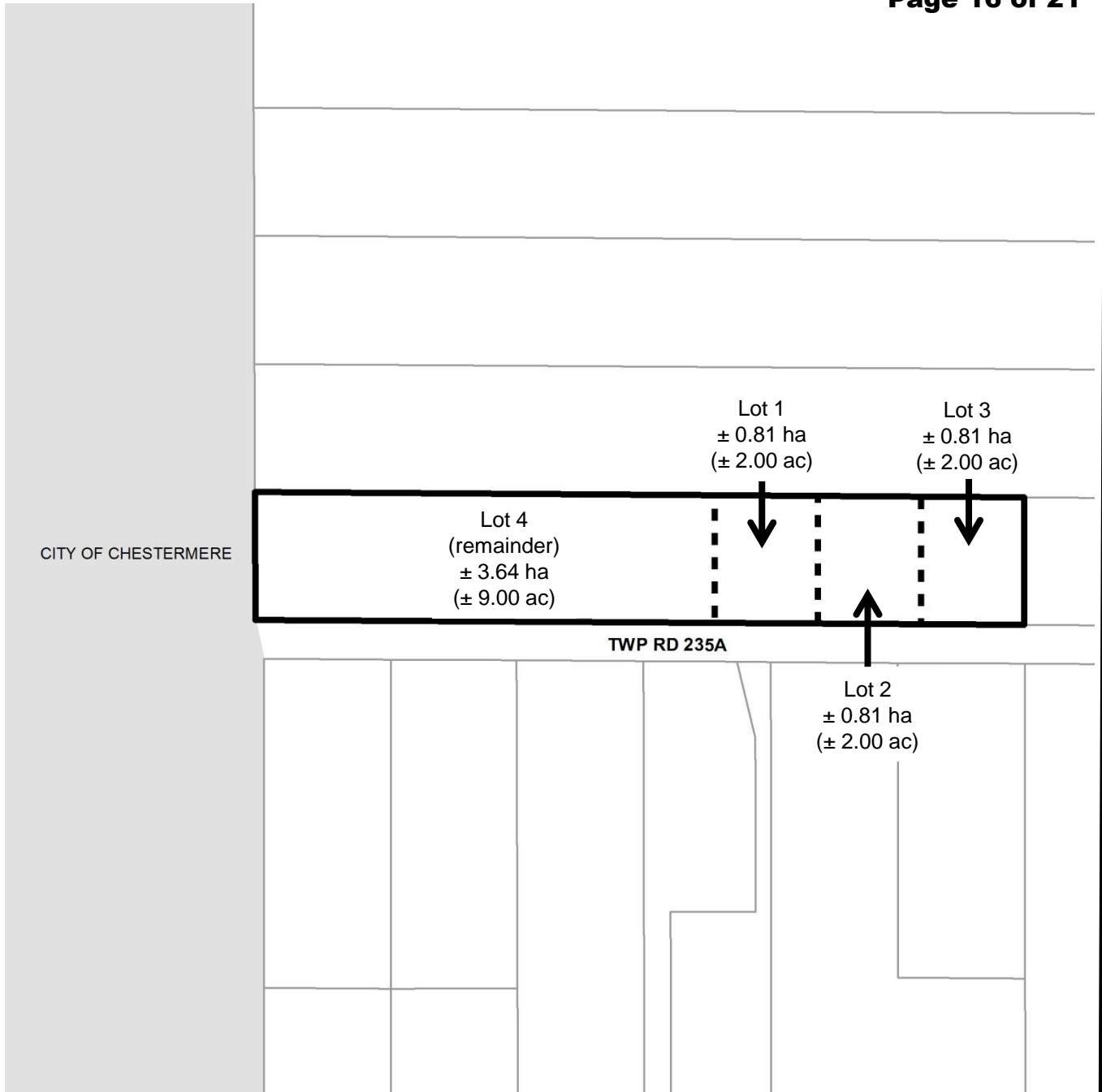
## DEVELOPMENT PROPOSAL

NW-36-23-28-W04M

Date: Aug 11, 2017

Division # 5

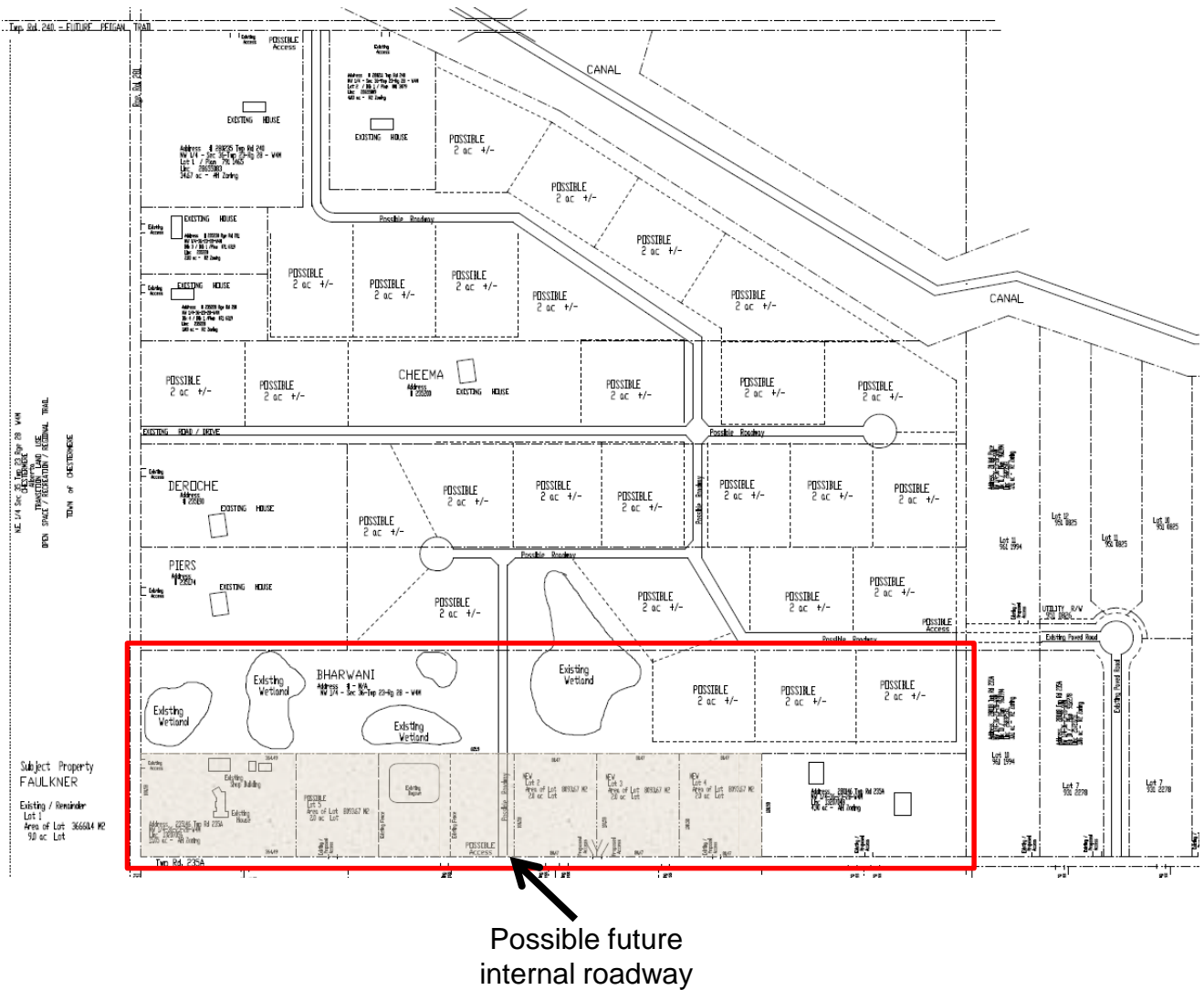
File: 03336027**AGENDA****Page 37 of 327**



## DEVELOPMENT CONCEPT

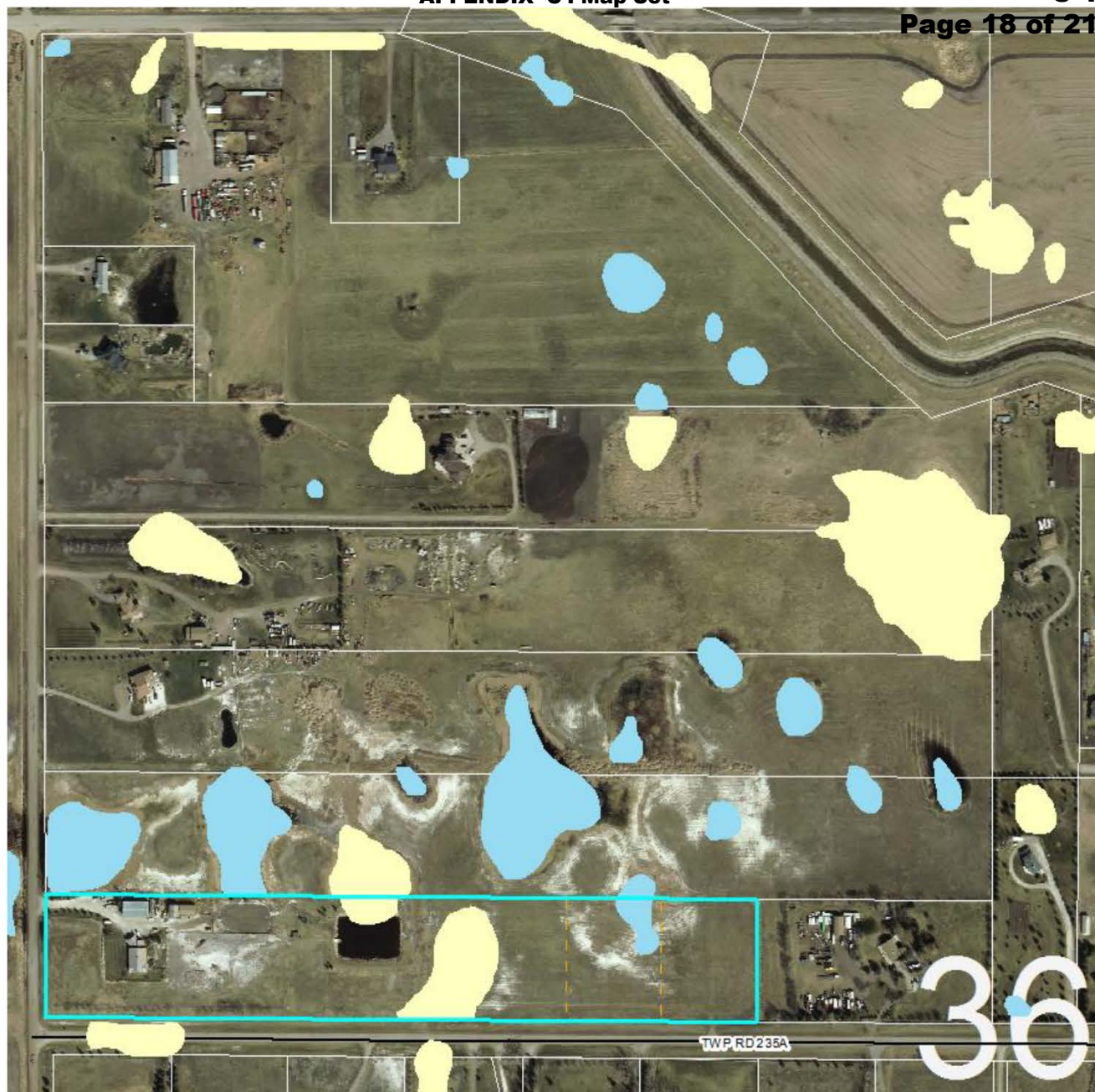
NW-36-23-28-W04M



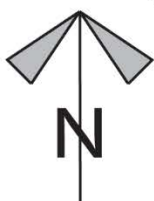


## LOT AND ROAD PLAN

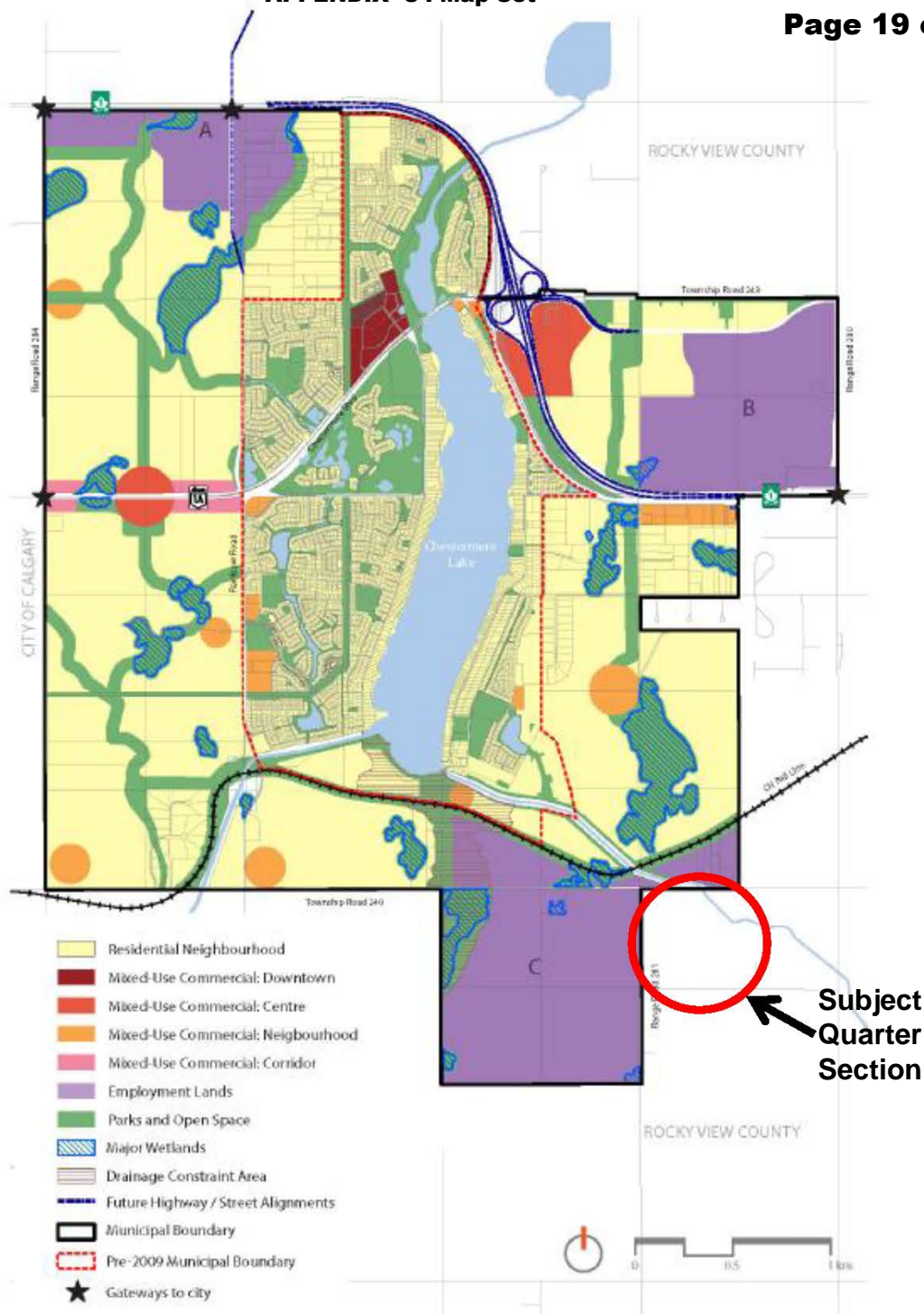
NW-36-23-28-W04M

**WETLANDS***Spring 2016***NW-36-23-28-W04M**Date: Aug 11, 2017

Division # 5

File: 03336027**AGENDA****Page 40 of 327**





# INTERMUNICIPAL DEVELOPMENT CONTEXT (CHESTERMERE MDP)

NW-36-23-28-W04M



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

**AIR PHOTO**

Spring 2016

**NW-36-23-28-W04M**

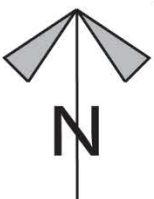
Date: Aug 11, 2017

Division # 5

File: 03336027

**AGENDA**

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**PLANNING SERVICES**

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**TO:** Council  
**DATE:** May 22, 2018 **DIVISION:** 1  
**TIME:** Morning Appointment  
**FILE:** 04835001 **APPLICATION:** PL20160082  
**SUBJECT:** Redesignation Item – New or Distinct Agricultural Operation – Ranch and Farm District to Agricultural Holdings District

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

- Motion #1 THAT Bylaw C-7752-2018 be given first reading.  
Motion #2 THAT Bylaw C-7752-2018 be given second reading.  
Motion #3 THAT Bylaw C-7752-2018 be considered for third reading.  
Motion #4 THAT Bylaw C-7752-2018 be given third and final reading.

**EXECUTIVE SUMMARY:**

The purpose of this application is to redesignate a portion of the subject lands from Ranch and Farm District to Agricultural Holdings District in order to facilitate the creation of a  $\geq 8.42$  hectare ( $\geq 20.80$  acre) parcel (Lot 1) with a  $\pm 35.40$  hectare ( $\pm 87.47$  acre) remainder to accommodate a new agricultural use (horticultural development).

The subject land does not fall within the policy areas of any established conceptual schemes or area structure plans; therefore, the application was evaluated in accordance with the County Plan.

Administration reviewed the application and determined that:

- The proposal is consistent with the overall goal of the County Plan with respect to the preservation of agricultural land, as a large portion of the land would remain as Ranch and Farm District (RF) while a smaller portion would be redesignated to Agricultural Holdings District (AH);
- The application is consistent with the definition of a new or distinct agricultural operation as defined by the County Plan;
- The application is consistent with the criteria in Policy 8.22 of the County Plan, which specifies the rules under which the redesignation may be supported as a new or distinct operation; and
- The technical aspects of the proposal can be adequately addressed through the related subdivision application and any future Development Permits.

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

**DATE APPLICATION DEEMED COMPLETE:** December 4, 2017

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**PROPOSAL:** To redesignate a portion of the subject lands from Ranch and Farm District to Agricultural Holdings District in order to facilitate the creation of a  $\geq 8.42$  hectare ( $\geq 20.80$  acre) parcel with a  $\pm 35.40$  hectare ( $\pm 87.47$  acre) remainder to

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**<sup>1</sup> Administration Resources**  
Oksana Newmen, Planning Services  
Narmeen Haq, Engineering Services



accommodate a new agricultural use (horticultural development).

**LEGAL DESCRIPTION:**

SE-35-24-04-W05M

**GENERAL LOCATION:**

Located 11 kilometres west of the city of Calgary limits, approximately 0.81 kilometre (1/2 mile) east of Highway 22, directly south of Highway 1.

**APPLICANT:**

Janice Lambert

**OWNERS:**

Janice Lambert

**EXISTING LAND USE DESIGNATION:**

Ranch and Farm District

**PROPOSED LAND USE DESIGNATION:**

Agricultural Holdings District and Ranch and Farm District

**GROSS AREA:**

± 43.81 hectares (± 108.27 acres)

**SOILS (C.L.I. from A.R.C.):**

**3,C** – Moderate limitations to cereal crop production due to climate.

**6T, E** – Cereal crop production is not feasible due to adverse topography and erosion damage

**PUBLIC & AGENCY SUBMISSIONS:**

Two letters of support were received in response to 13 letters circulated to adjacent and area property owners when the application was received. In addition, the Applicant provided three letters of support at the time of application (see Appendix 'D').

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

**HISTORY:**

**September 1, 1983** On appeal, the Alberta Planning Board approved the isolation of a farmstead, subdividing the 2.43 hectare (6.01 acre) homestead parcel. The application was refused by the M.D. of Rocky View on June 21, 1983, as it exceeded the maximum two parcels per quarter section requirements in place at the time. The remainder parcel created is the subject parcel of the current application.

**1977** The northern portion of this original quarter section, (to the north of Highway 1), was subdivided from the subject parcel in 1977, again by decision of the Alberta Planning Board on appeal. This was the first parcel out of this quarter section.

**BACKGROUND:**

The purpose of this application is to redesignate a portion of the subject land from Ranch and Farm District to Agricultural Holdings District to facilitate the creation of a ≥8.42 hectare (≥20.80 acre) Agricultural Holdings District parcel and a ±35.40 hectare (±87.47 acre) Ranch and Farm District remainder.

The subject land is located 11 kilometers west of the Calgary limits, approximately 0.81 kilometers (a 1/2 mile) east of Highway 22, directly south of Highway 1. The subject land is located in an area that remains as pastureland with some cultivation; there is little development in the area.

The subject lands contain a single family dwelling, along with a barn, two metal sheds, horse corrals, and horse shelters. The developed area would be included on proposed Lot 1. The farmland, much of which would comprise the remainder, has been and would continue to be cultivated with oats.

The dwelling is serviced by an individual water well and a septic tank and associated septic field. The remainder parcel does not propose any buildings at this time, though it would operate on water well and septic tank should future development occur as there are no services in the area. The subject property has an existing access from Township Road 245, and the remainder would be required to provide an access from the road as well. There are no technical limitations with the proposal.

The Applicant stated that the purpose of the request to redesignate is to sell the parcel to her nephew who owns and operates a landscaping business. The nephew would then build a greenhouse and plant trees for use in his landscaping business. There is no intent to develop a retail landscaping facility; this would merely be a source for his own business. The nephew also owns horses; he would be able to keep his horses and have the potential to board an additional three horses. The Applicant intends to retain the remainder parcel, and to continue renting it to his neighbour for the continued farming of oats.

### **POLICY ANALYSIS:**

There is no area structure plan applicable to guide development proposals on the subject lands; therefore, the application was evaluated in accordance with the County Plan and the Land Use Bylaw.

#### County Plan (Bylaw C-7280-2013):

The subject lands were evaluated against the Agricultural Policies (Section 8) of the County Plan.

The overall goal of the County Plan with respect to agriculture is to preserve the municipality's agricultural land base as appropriate, avoid fragmentation of agricultural lands, and at the same time encourage business opportunities.

*The following policies provide for a variety of parcel sizes to accommodate a wide range of agricultural pursuits by acknowledging that emerging trends in agriculture may be successfully developed on smaller parcels of land.*

**8.22** *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;*
  - The surrounding land uses are primarily larger, more passive farming operations (grazing) with some cultivation. There are some smaller-scale agricultural developments, including horse operations, to the north of the subject lands; and
  - While this area is largely unsubdivided at this time, the Applicant stated that there are a few smaller-scale operations in the vicinity.
- b. A planning rationale justifying why the existing land use and parcel size cannot accommodate the new or distinct agricultural operation;*
  - The application is consistent with the County Plan goal of preserving agricultural land since a large portion of the land, if approved, would remain as Ranch and Farm District, and the smaller portion would be redesignated as Agricultural Holdings District. The existing land use and parcel size could accommodate the new agricultural operation; however, the Applicant/Owner has provided an operational rationale for the separation.
- c. A demonstration of the need for the new agriculture operation;*
  - The Applicant/Owner does not wish to maintain the property, and would like to see the facilities continue with a more beneficial use;
  - The Applicant/Owner wishes to retain a farming interest separate from the nephew's proposed operations.



- 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;*
    - Soil and topography appear to be suitable for horticultural development.
  - ii. *suitable on-site infrastructure for the proposed use. Required infrastructure may include access areas, water wells, irrigation and sewage infrastructure, and manure management capability;*
    - There is an access from Township Road 245. As a condition of future subdivision, the Applicant/Owner would be required to construct a new gravel approach from Township Road 245 to the subject parcel in accordance with the requirements of the County Servicing Standards;
    - The existing home has a well and septic system, which are in good working order.
  - iii. *compatibility with existing uses on the parent parcel and adjacent lands.*
    - The Applicant/Owner notes that growing of plants is compatible with growing of oat crops, as is the keeping of horses; therefore, the proposal is compatible with the existing uses on the parent parcel and adjacent lands.
- e. *An assessment of the impact on, and potential upgrades to, County infrastructure; and*
  - There is no significant impact to County infrastructure;
  - The Greater Springbank Functional Study identifies Township Road 245 as a Road of Importance requiring a future right-of-way of 36 metres. The current right-of-way is 20 metres. Therefore, at the future subdivision and/or Development Permit stages, the Applicant/Owner would be required to dedicate, by Plan of Survey, a  $\pm 5.0$  metre strip of land as road right-of-way along the entire southerly boundary of the subject lands, and a  $\pm 3.0$  metre strip by caveat;
  - Any technical matters can be addressed at a future subdivision or Development Permit stage if required.
- f. *An assessment of the impact on the environment including air quality, surface water, and groundwater.*
  - There is no apparent impact to air quality, surface water, or groundwater.

**Land Use Bylaw (Bylaw C-4841-97):**

The minimum parcel size for Agricultural Holdings District parcel is 20.01 acres, and as such, the proposed parcel meets the Land Use Bylaw provisions for size. The listed uses associated with the Agricultural Holdings District are similar to those listed in the Ranch and Farm District, which maintains a compatibility of uses in the area.

**CONCLUSION:**

The subject land is not located within an area structure plan and was therefore evaluated under the County Plan's Agricultural policies. The proposed land use amendment is consistent with the County Plan policies for the following reasons:

- The proposal is consistent with the overall goal of the County Plan with respect to the preservation of agricultural land as a large portion of the land would remain as Ranch and Farm District, while the smaller portion would be redesignated to Agricultural Holdings District;



- The application is consistent with the definition of a new or distinct agricultural operation as defined by the County Plan;
- The application is consistent with the criteria in Policy 8.22 of the County Plan, which specifies the rules under which the redesignation may be supported as a new or distinct operation; and
- The technical aspects of the proposal can be adequately addressed through the related subdivision application and any future Development Permits.

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

**OPTIONS:**

Option # 1:

- Motion #1      THAT Bylaw C-7752-2018 be given first reading.
- Motion #2      THAT Bylaw C-7752-2018 be given second reading.
- Motion #3      THAT Bylaw C-7752-2018 be considered for third reading.
- Motion #4      THAT Bylaw C-7752-2018 be given third and final reading.

Option # 2:      That application PL20160082 be refused

Respectfully submitted,

Concurrence,

“Chris O’Hara”

“Kent Robinson”

\_\_\_\_\_  
General Manager

\_\_\_\_\_  
Interim County Manager

ON/rp

**APPENDICES:**

APPENDIX ‘A’: Application Referrals

APPENDIX ‘B’: Bylaw C-7752-2018 and Schedule A

APPENDIX ‘C’: Map Set

APPENDIX ‘D’: Landowner Comments

**APPENDIX A: APPLICATION REFERRALS**

<b>AGENCY</b>	<b>COMMENTS</b>
<i><b>School Authority</b></i>	
Rocky View Schools	Rocky View Schools has no objection to this circulation.
Calgary Catholic School District	No comments provided.
Public Francophone Education	No comments provided.
Catholic Francophone Education	No comments provided.
<i><b>Province of Alberta</b></i>	
Alberta Environment	No comments provided.
Alberta Transportation	<p>This will acknowledge receipt of your circulation memorandum regarding the above noted proposal, which must meet the requirements of Section 14 of the Subdivision and Development Regulation, due to the proximity of Highway 1. 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 single parcel being created by this application should not have a significant impact on the provincial highway system.</p> <p>Alberta Transportation has no objection to this proposal and is prepared to grant an unconditional variance of Section 14 of the Subdivision and Development Regulation, at the time of subdivision application.</p>
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	No comments provided.
<i><b>Public Utility</b></i>	
ATCO Gas	No objection.

<b>AGENCY</b>	<b>COMMENTS</b>
ATCO Pipelines	<p>ATCO Pipelines, a division of ATCO Gas and Pipelines Ltd., is in receipt of your information regarding your Subdivision Application PL20160082.</p> <p>Based on the information you provided and a review of our plans, we have determined that ATCO Pipelines does not have an interest or facility in the proposed area of activity; therefore, We have no objection.</p> <p>Should you find a discrepancy in the location of ATCO Pipelines' facilities; please contact me to discuss at your earliest convenience.</p>
AltaLink Management	No comments provided.
FortisAlberta	No comments provided.
Telus Communications	No objection.
TransAlta Utilities Ltd.	No comments provided.
Rockyview Gas Co-op Ltd.	No comments provided.
<b><i>Other External Agencies</i></b>	
EnCana Corporation	No comments provided.
<i>Rocky View County</i>	
<b><i>Boards and Committees</i></b>	
ASB Farm Members	No comments provided.
Rocky-View Central Recreation District Board	At their October 13, 2016 Board Meeting, the RV West Board indicated that they will recommend taking Cash-In-Lieu at the Subdivision Stage.
<b><i>Internal Departments</i></b>	
Municipal Lands	The Municipal Lands Office has no concerns at this time; however, comments pertaining to reserve dedication and active transportation elements will be provided at any future subdivision stage.
Development Authority	No comments provided.
GeoGraphics	No comments provided.
Building Services	No objection from a Building Code point of view.
Emergency Services	Fire Services: Having reviewed the circulation, the Fire Service has no comments at this time.

AGENCY	COMMENTS
Enforcement	No comments pertaining to enforcement.
Infrastructure and Operations- Engineering Services	<p data-bbox="618 352 729 378"><b><u>General</u></b></p> <ul data-bbox="618 405 1445 569" style="list-style-type: none"> <li data-bbox="618 405 1445 499">• 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 data-bbox="618 506 1445 569">• The comments provided herein pertain to both the land use application and future subdivision application.</li> </ul> <p data-bbox="618 590 1192 615"><b><u>Geotechnical</u></b> - Section 300.0 requirements:</p> <ul data-bbox="618 642 1146 667" style="list-style-type: none"> <li data-bbox="618 642 1146 667">• ES has no requirements at this time.</li> </ul> <p data-bbox="618 688 1216 714"><b><u>Transportation</u></b> - Section 400.0 requirements:</p> <ul data-bbox="618 741 1461 1612" style="list-style-type: none"> <li data-bbox="618 741 1146 766">• ES has no requirements at this time;</li> <li data-bbox="618 772 1461 972">• As a condition for future Subdivision or Development Permit (DP), the proposed parcel is subjected to Transportation Off-Site Levy (TOL) for 1.2 hectares (3.0 acres) at \$11,354 per gross hectare (\$4,595 per gross acre). TOL is deferred on the remainder until future Subdivision or Development Permit stage. <ul data-bbox="678 993 1370 1018" style="list-style-type: none"> <li data-bbox="678 993 1370 1018">○ Estimated TOL: 3 acres x \$4,595.00 = \$13,785.00</li> </ul> </li> <li data-bbox="618 1045 1461 1245">• There is an existing approach to the proposed parcel from Township Road 245. As a condition of future subdivision, the applicant will be required to construct a new gravel approach from Township Road 245 to the existing parcel in accordance with the requirements of the County Servicing Standards;</li> <li data-bbox="618 1251 1445 1346">• At Future Subdivision and/or Development Permit stage, an AT Waiver and/or Roadside DP shall be required as this property is within 1.6 m of Highway 1 and Highway 22;</li> <li data-bbox="618 1352 1445 1612">• The Greater Springbank Functional Study has identified Township Road 245 as a Road of Importance requiring a future right of way (ROW) of 36 m. The current ROW width is 20 m. Therefore, at Future Subdivision and/or Development Permit stage, the Owner will be required to dedicate, by Plan of Survey a +/- 5.0m strip of land as road ROW along entire southerly boundary of subject lands and +/- 3.0m strip by Caveat.</li> </ul> <p data-bbox="618 1633 1308 1659"><b><u>Sanitary/Waste Water</u></b> - Section 500.0 requirements:</p> <ul data-bbox="618 1686 1435 1913" style="list-style-type: none"> <li data-bbox="618 1686 1146 1711">• ES has no requirements at this time;</li> <li data-bbox="618 1717 1435 1812">• At future Subdivision application stage the applicant will be required to submit a Level 1 Variation Assessment for the existing PSTS system;</li> <li data-bbox="618 1818 1435 1913">• As the remainder parcel is in the Ranch and Farm District, there are no sanitary servicing requirements in accordance with Policy 411.</li> </ul>



AGENCY	COMMENTS
	<p><b><u>Water Supply And Waterworks</u></b> - Section 600.0 &amp; 800.0 requirements:</p> <ul style="list-style-type: none"> <li>• ES has no requirements at this time;</li> <li>• The existing home in the proposed parcel is serviced by a groundwater well on the property. As the remainder parcel is in the Ranch and Farm District, there is no water servicing requirement in accordance with Policy 411.</li> </ul> <p><b><u>Storm Water Management</u></b> – Section 700.0 requirements:</p> <ul style="list-style-type: none"> <li>• ES has no requirements at this time;</li> <li>• The proposed land use of Agricultural Holdings and any future subdivision will have minimum impact on drainage. Hence, no SCMDP expected for the proposed redesignation.</li> </ul> <p><b><u>Environmental</u></b> – Section 900.0 requirements:</p> <ul style="list-style-type: none"> <li>• ES have no requirements at this time.</li> </ul>
Infrastructure and Operations-Maintenance	Ensure road dedication to accommodate cul de sac large enough for maintenance equipment to turn around.
Infrastructure and Operations-Capital Delivery	Road dedication may be required.
Infrastructure and Operations-Operations	Applicant to confirm how he intends to access the 35.77 ha remainder parcel. If new approach required, applicant to contact Road Operations for New Approach application.
Agriculture and Environmental Services - Solid Waste and Recycling	Agricultural Services - The potential horticultural operation could be considered a new and distinct use. The proposed new and distinct operation could also be carried out under the current land use designation.

Circulation Period: December 14, 2017 to January 8, 2018.





## **BYLAW C-7752-2018**

### **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-7752-2018

#### **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. 48 of Bylaw C-4841-97 be amended by redesignating a portion of SE-35-24-04-W05M from Ranch and Farm District to Agricultural Holdings District, as shown on the attached Schedule 'A' forming part of this Bylaw.

**THAT** A portion of SE-35-24-04-W5M is hereby redesignated to Agricultural Holdings District as shown on the attached Schedule 'A' forming part of this Bylaw.

#### **PART 4 – TRANSITIONAL**

Bylaw C-7752-2018 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: 01**  
**File: 04835001/ PL20160082**

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

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Reeve

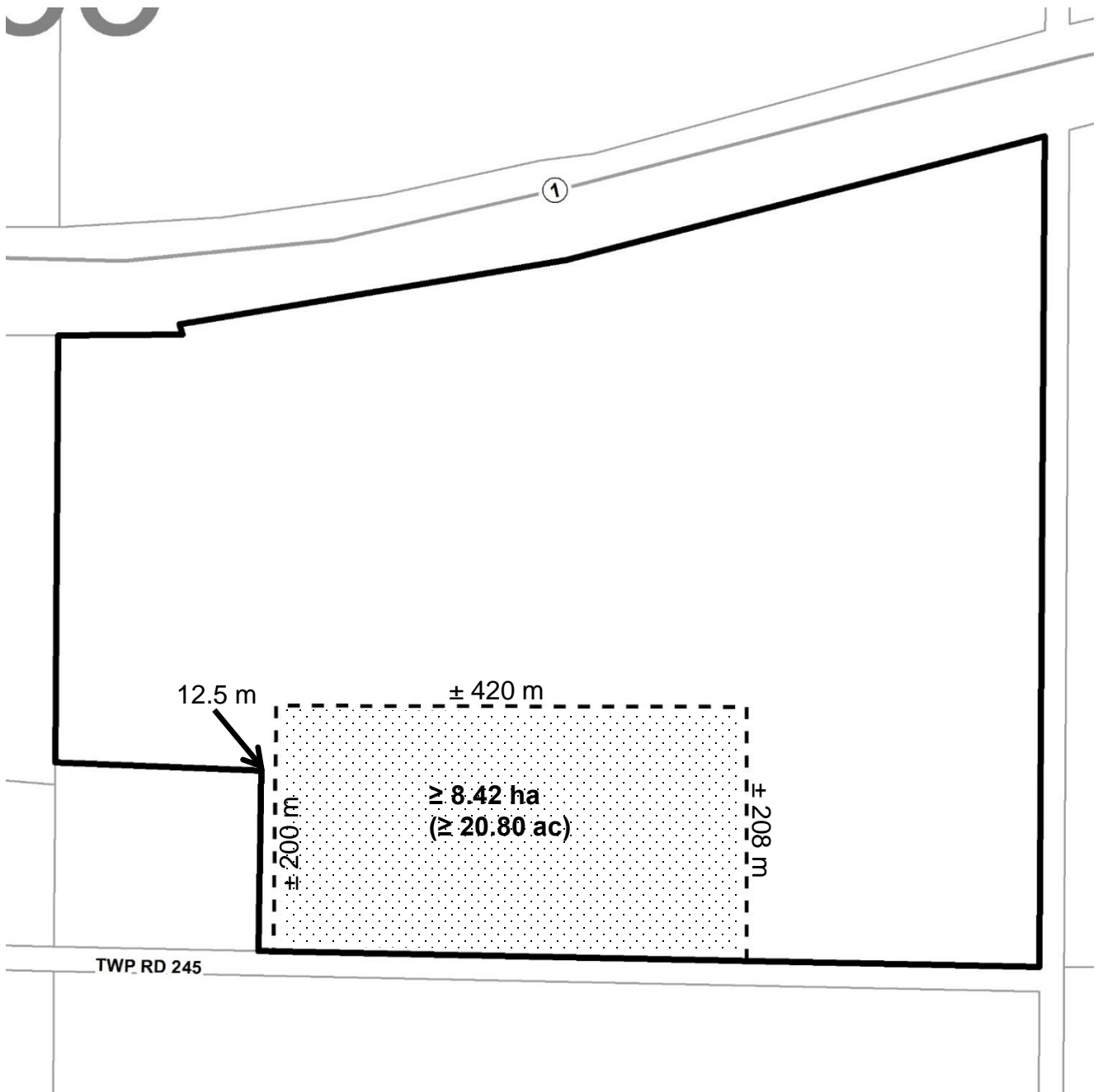
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CAO or Designate

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Date Bylaw Signed

BYLAW: C-7752-2018



**AMENDMENT**

FROM Ranch and Farm District TO Agricultural Holdings District



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

LEGAL DESCRIPTION: SE-35-24-04-W5M

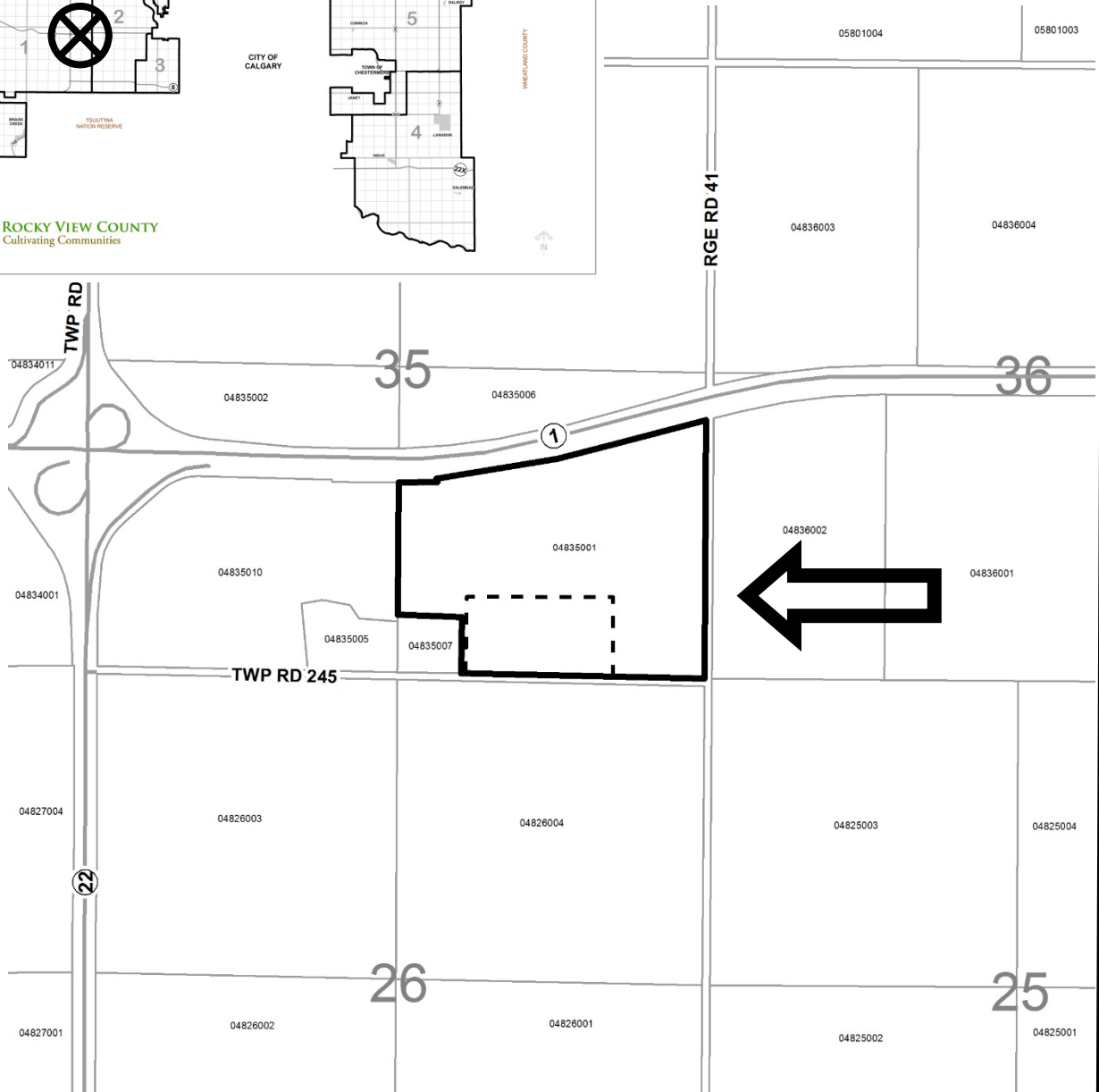
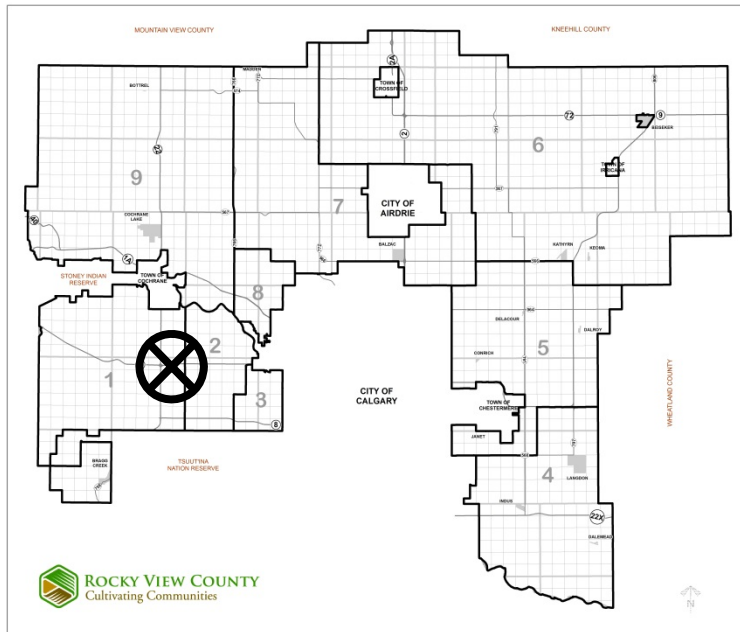


ROCKY VIEW COUNTY  
Cultivating Communities

FILE: 04835001 PL20160082

DIVISION: 1

**AGENDA**  
Page 54 of 327



LOCATION PLAN



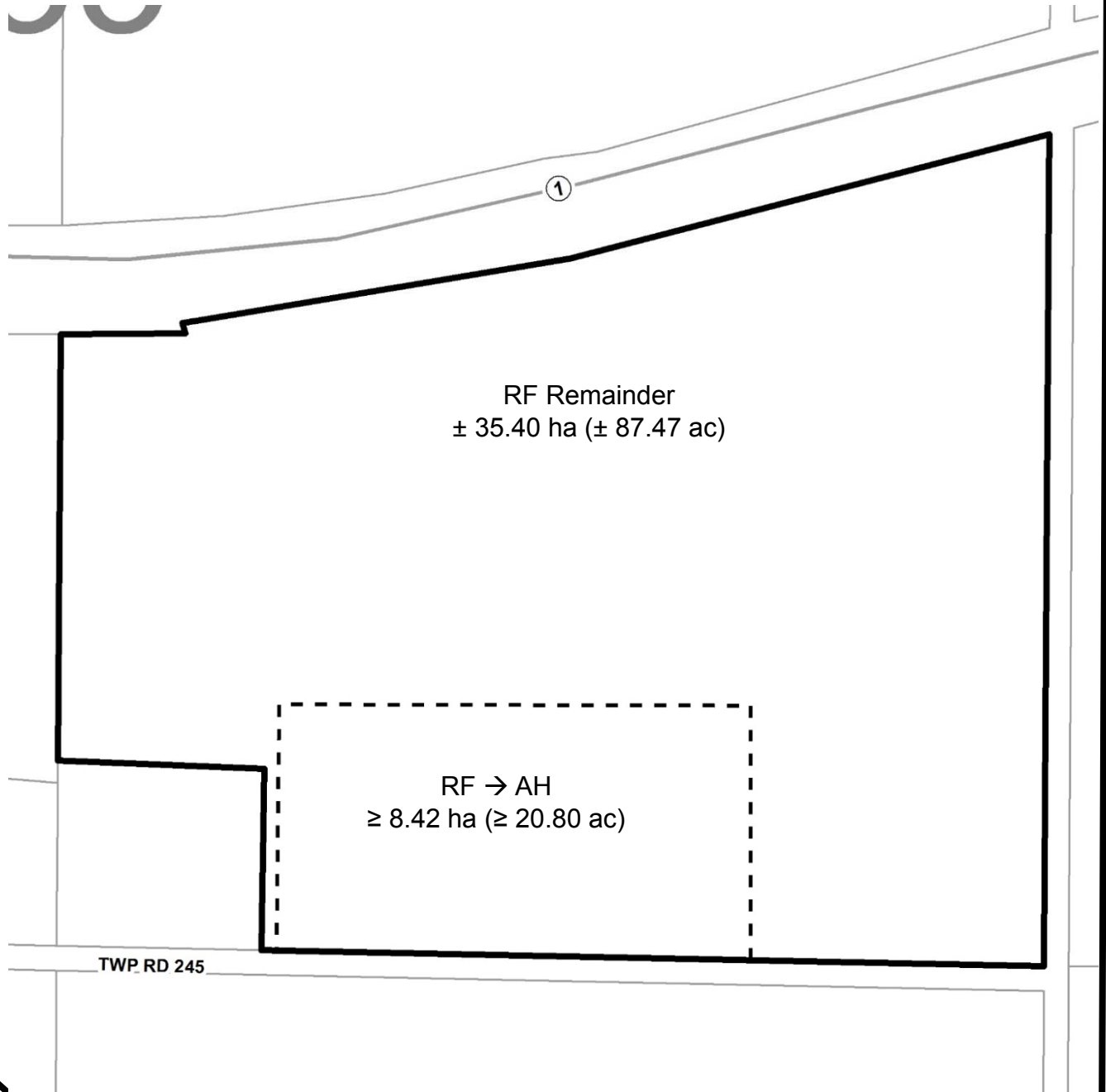
SE-35-24-04-W05M

Date: Dec 6, 2017

Division # 1

File: 04835001

**Redesignation Proposal:** To redesignate a portion of the subject land from Ranch and Farm District (RF) parcel to Agricultural Holdings District (AH) to facilitate the creation of a  $\geq 8.42$  hectare ( $\geq 20.80$  acre) parcel with a  $\pm 35.40$  hectare ( $\pm 87.47$  acre) remainder.



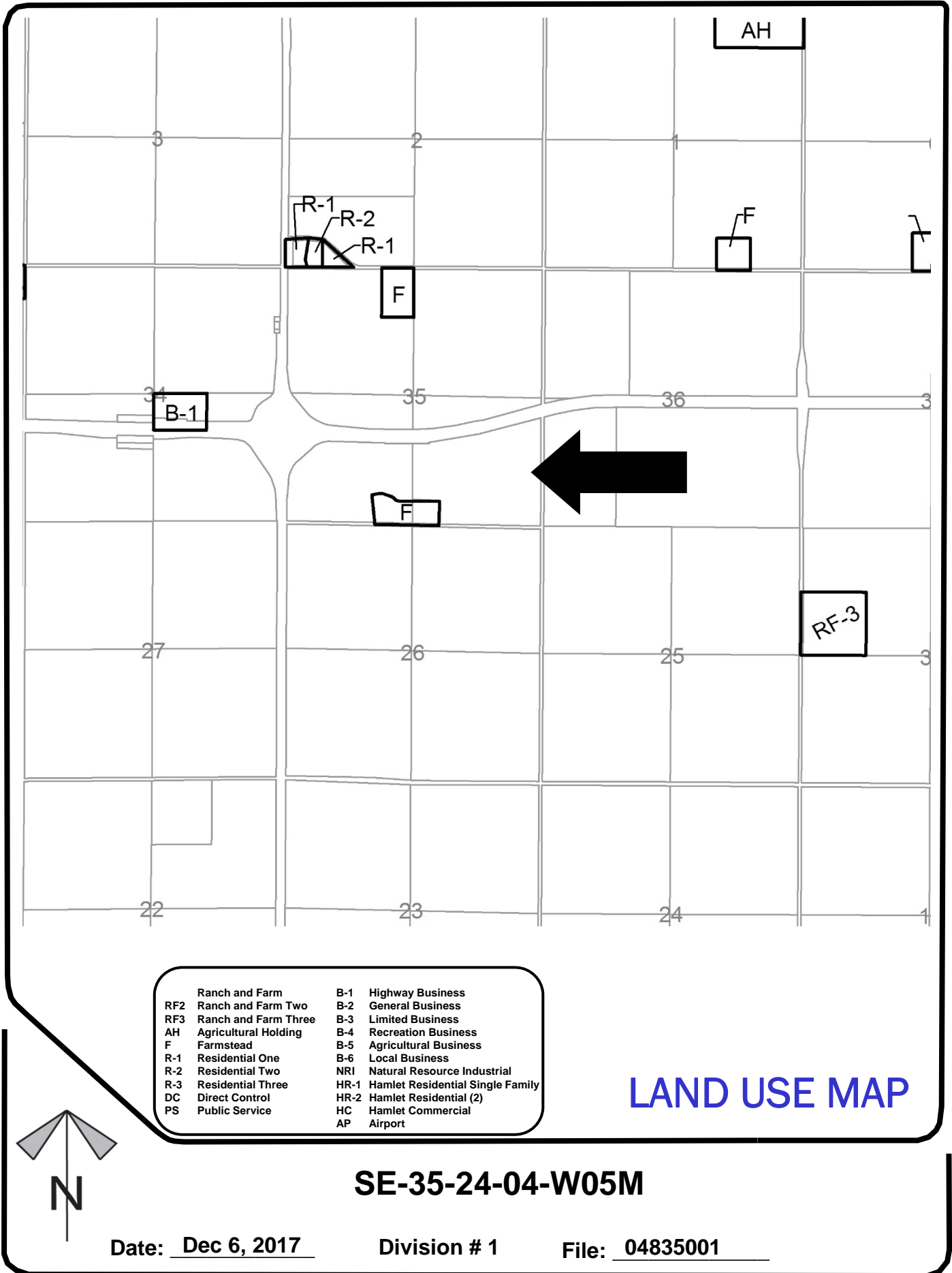
## DEVELOPMENT PROPOSAL

**SE-35-24-04-W05M**

Date: Dec 6, 2017

Division # 1

File: 04835001







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-35-24-04-W05M**

Date: Dec 6, 2017

Division # 1

File: 04835001





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

**AIR PHOTO**

*Spring 2016*

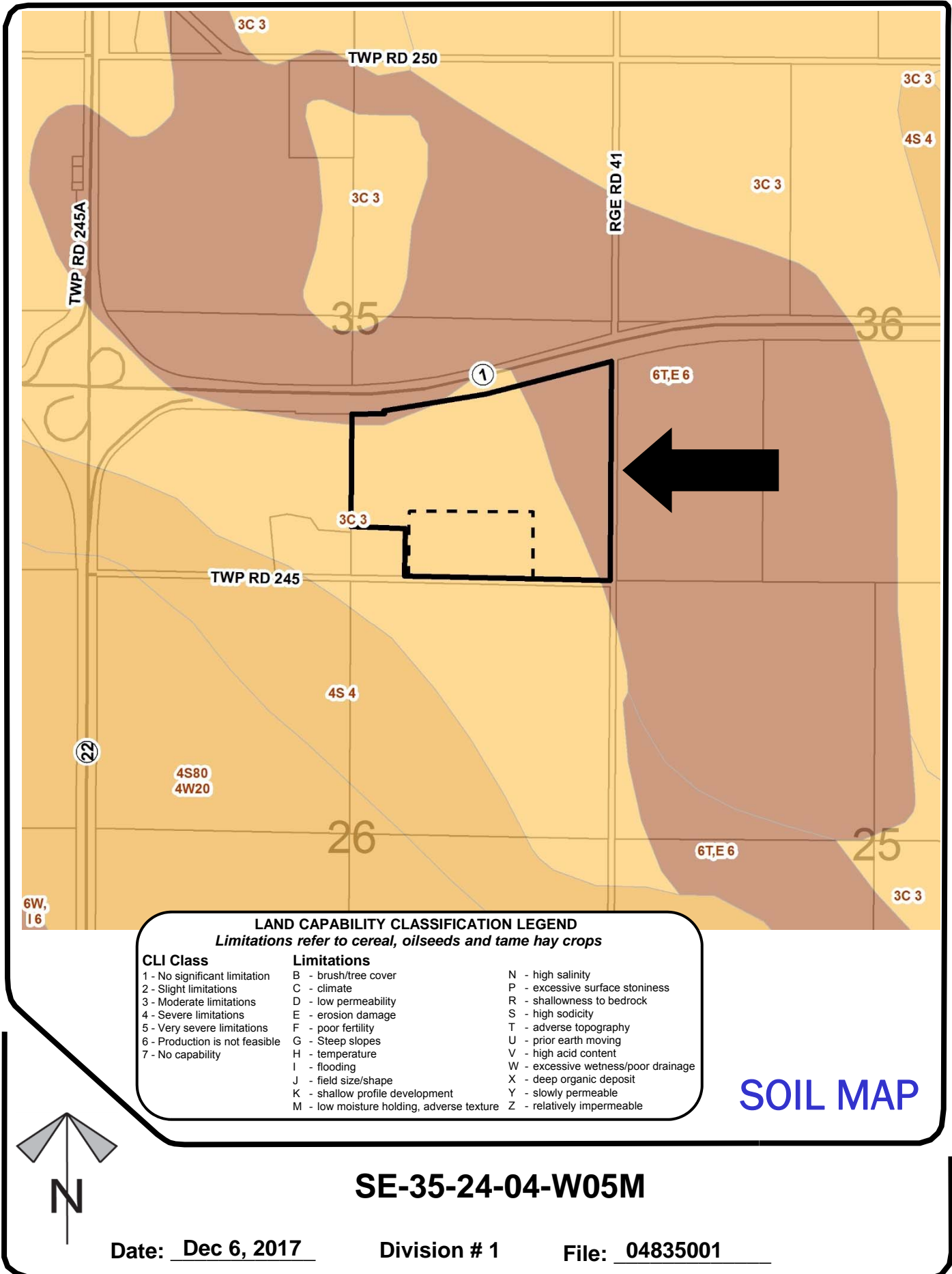


**SE-35-24-04-W05M**

Date: Dec 6, 2017

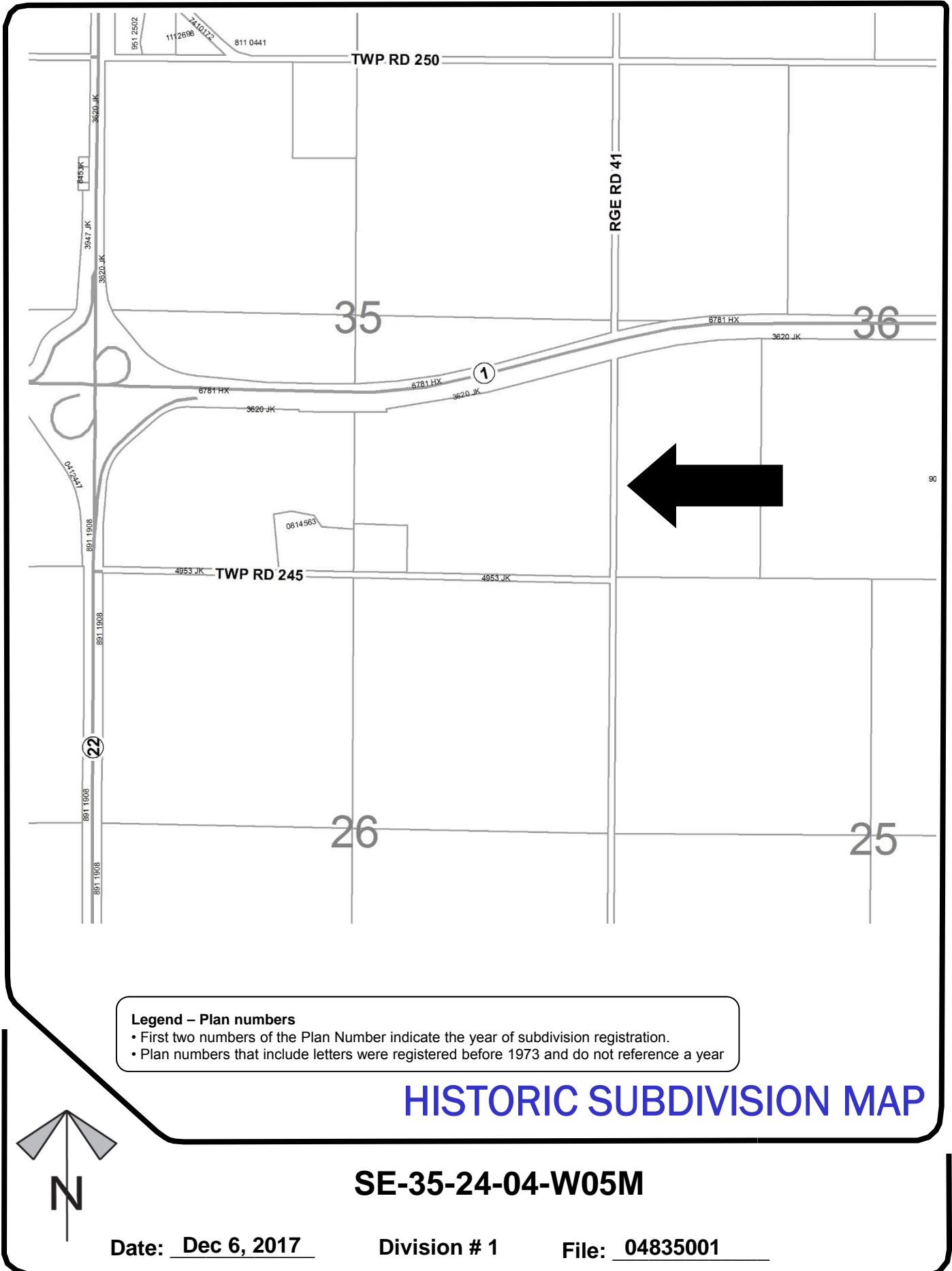
Division # 1

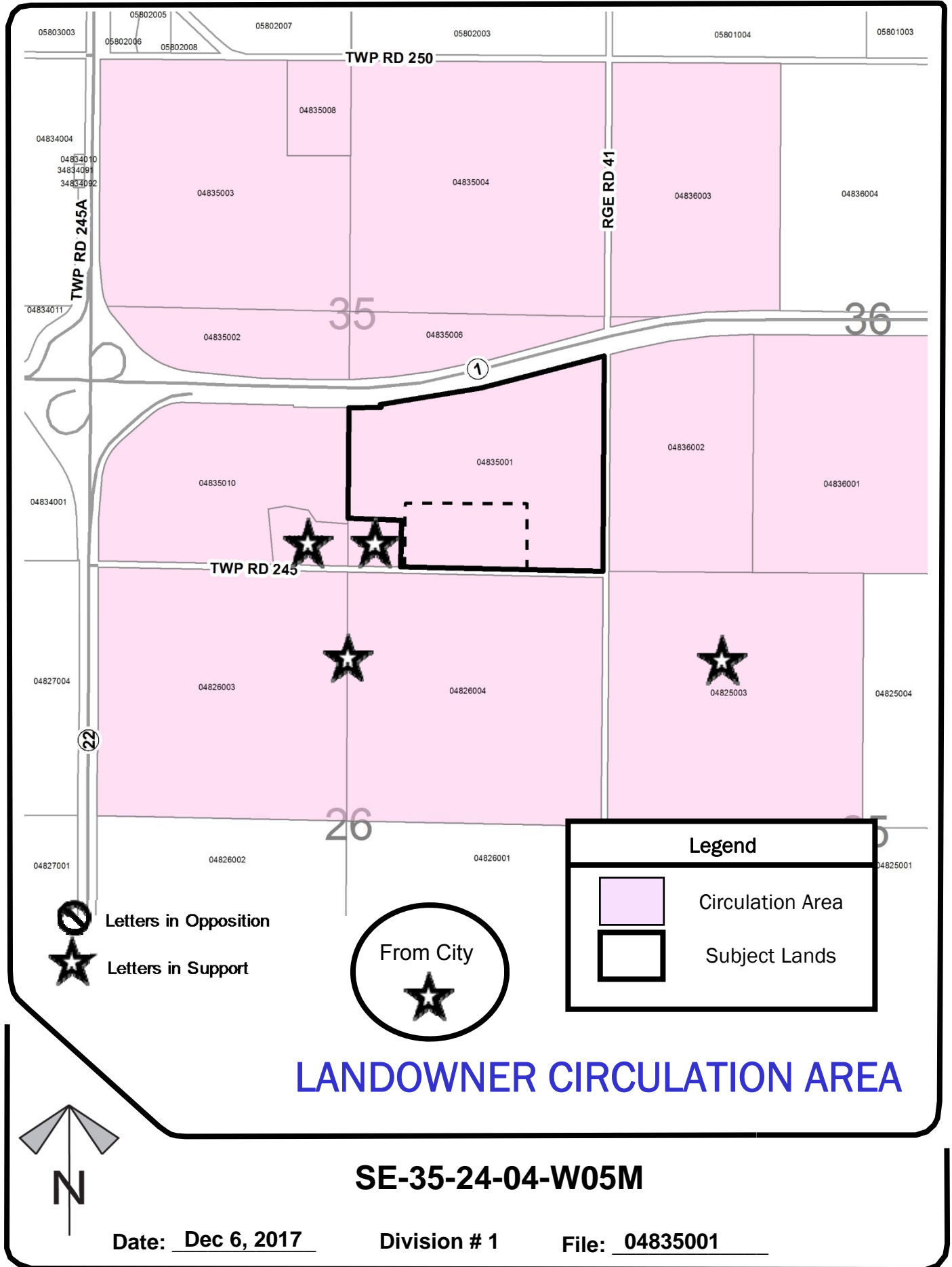
File: 04835001



SOIL MAP







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**From:** LEE DREWRY  
**Sent:** Sunday, December 31, 2017 2:04 PM  
**To:** Meghan Norman  
**Cc:** Diana Drewry  
**Subject:** Land application. file #04835001; Application # PL20160082

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

Planning Services Department  
Rocky View County

Dear Ms. Norman

In response to your notice dated December 14, 2017 regarding an application by Ms. Lambert to redesignate a portion of her property to create a 20 acre parcel, we would like to voice our support for this application.

We believe the proposed use is compatible with other existing uses in the area.

Note that our property is directly south of, and adjacent to, the subject property.

Thank you

Diana and Lee Drewry

Sent from my iPad

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**From:** Brian Copithorne  
**Sent:** Tuesday, January 02, 2018 9:44 AM  
**To:** Meghan Norman  
**Cc:** Lee Drewry; Susan Copithorne  
**Subject:** Land application File #04835001 Application # PL20160082

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

Dear Ms. Norman,

On December 14, 2017 I received notification of an application number PL20160082 (File # 04835001) by Ms. Janice Lambert. Ms. Lambert wishes to redesignate a portion of her property to create a 20 acre parcel. We believe the proposed use is compatible with other existing uses in the area and therefore are in support of the application. Note that we own the property diagonally adjacent to Ms. Lambert (NW1/4 -25-24-4-W5).  
Thank You  
Brian and Susan Copithorne

Sent from [Mail](#) for Windows 10

January 28, 2018

Attn: Oksana Newmen  
MD of Rocky View County  
911 – 32 Avenue NE  
Calgary, Alberta  
T2E 6X6

Re: Re-designation and Subdivision Application  
No. PL20160082 by Janice Lambert  
SE 35-24-4 W5M

---

Please accept this letter as documentation of support in the captioned applications being submitted by our neighbour, Janice Lambert.

Should you have any questions, please contact us directly.

Thanks,

Signature: Maureen Munro

Address:

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Phone #:

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January 21, 2018

Attn: Oksana Newmen  
MD of Rocky View County  
911 – 32 Avenue NE  
Calgary, Alberta  
T2E 6X6

Re: Re-designation and Subdivision Application  
No. PL20160082 by Janice Lambert  
SE 35-24-4 W5M

---

Please accept this letter as documentation of support in the captioned applications being submitted by our neighbour, Janice Lambert.

Should you have any questions, please contact us directly.

Thanks,

Chris Maruszewski / Laurie Maruszewski

Signature:  Laurie Maruszewski

Address: \_\_\_\_\_

Phone #: \_\_\_\_\_

January 21, 2018

Attn: Oksana Newmen  
MD of Rocky View County  
911 – 32 Avenue NE  
Calgary, Alberta  
T2E 6X6

Re: Re-designation and Subdivision Application  
No. PL20160082 by Janice Lambert  
SE 35-24-4 W5M

---

Please accept this letter as documentation of support in the captioned applications being submitted by our neighbour, Janice Lambert.

Should you have any questions, please contact us directly.

Thanks,

Gary and Dorothy Hare

Signature: Dorothy Hare / Gary Hare

Address:

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Phone #: \_\_\_\_\_

## PLANNING SERVICES

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<b>TO:</b>	Council	
<b>DATE:</b>	May 22, 2018	<b>DIVISION:</b> 5
<b>TIME:</b>	Morning Appointment	
<b>FILE:</b>	03331006	<b>APPLICATION:</b> PL20180010
<b>SUBJECT:</b>	Redesignation Item – From Ranch and Farm District to Agriculture Holdings District and Industrial-Industrial Activity District	

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

- Motion #1      THAT Bylaw C-7779-2018 be given first reading.
- Motion #2      THAT Bylaw C-7779-2018 be given second reading.
- Motion #3      THAT Bylaw C-7779-2018 be considered for third reading.
- Motion #4      THAT Bylaw C-7779-2018 be given third and final reading.

### **EXECUTIVE SUMMARY:**

The purpose of this application is to redesignate a small portion of the subject lands from Ranch and Farm District to Agricultural Holdings, and another portion of the subject lands from Ranch and Farm to Industrial- Industrial Activity. No new lots are being proposed; the redesignation is to consolidate the existing electrical substation onto a single zoning district (Agriculture Holdings) totaling ±10.37 hectares (±25.62 acres), while redesignating the required area needed to develop a field office, storage, and maintenance centre on a portion of the remaining lands (Industrial – Industrial Activity) totaling ±7.09 hectares (±17.51 acres). This facility was originally proposed at the Altalink site near Langdon; however, the site was later deemed unsuitable to support the necessary operations.

The subject lands have contained an electrical substation and electrical transmission towers for some time, and the remaining lands have contained an electrical service building, which will be relocated. Servicing to the site is possible, and the nature of connections or self-contained operation would be determined through the Development Permit process. In broad terms, there are no technical limitations to the application. Further details on servicing are provided in the Background section of this report.

The subject lands fall within the Janet Area Structure Plan (Janet ASP), the goals of which seek to develop Janet into a Regional Business Centre that blends well with adjacent industrial and commercial areas. The application was therefore evaluated in accordance with the Janet ASP and the County Plan.

Administration reviewed the application and determined that:

- The application is consistent with the County Plan;
- The application is consistent with the Janet ASP;
- The application is consistent with the Rocky View County/Calgary Intermunicipal Development Plan; and
- Technical considerations have been addressed, with any remaining technical considerations to be reviewed at the Development Permit stage.

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

Oksana Newmen, Planning Services  
Gurbir Nijjar, Engineering Services



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

**DATE APPLICATION DEEMED COMPLETE:** January 23, 2018 (Application received January 23, 2018)

<b>PROPOSAL:</b>	To redesignate ±1.25 hectares (±3.08 acres) of the subject lands from Ranch and Farm District to Agricultural Holdings District and ±7.09 hectares (±17.51 acres) from Ranch and Farm District to Industrial - Industrial Activity District to accommodate the development of a field office, storage, and maintenance centre.
<b>LEGAL DESCRIPTION:</b>	Block D&E Plan 4359AH, N-31-23-28-W4M
<b>GENERAL LOCATION:</b>	Located in the Janet ASP area, 1.6 kilometers (1 mile) east of the city of Calgary limits, at the southwest junction of Township Road 240 and Range Road 285
<b>APPLICANT:</b>	Christopher Davis Law
<b>OWNERS:</b>	Altalink Management Ltd.
<b>EXISTING LAND USE DESIGNATION:</b>	Agricultural Holdings District and Ranch and Farm District
<b>PROPOSED LAND USE DESIGNATION:</b>	Agricultural Holdings District and and Industrial – Industrial Activity
<b>GROSS AREA:</b>	± 17.45 hectares (± 43.13 acres)
<b>SOILS (C.L.I. from A.R.C.):</b>	<b>Class 1</b> – No significant limitations

**PUBLIC & AGENCY SUBMISSIONS:**

No letters were received in response to the 146 letters circulated to adjacent and area property owners. The application was also circulated to a number of internal and external agencies, and those responses are available in Appendix 'A'.

**HISTORY:**

No subdivisions have occurred in recent history, though the map of survey, completed in 1911, shows the site was originally subdivided into many residential lots. A note on the map shows that Cell D, the portion of the map where the majority of the redesignation is taking place, was subject to a cancellation of the subdivision in 1932.

In considering the remainder of the quarter section, extensive subdivision activity has occurred over the past 20 or so years, yielding business, industrial, and primarily, Direct Control districts that allow heavy industrial, business, and commercial uses; those districts were approved in 1998 and 2002. Limited agricultural zoning remains within the quarter section.

The subject parcel is one of three parcels that remain undeveloped within this quarter section.

**BACKGROUND:**

The land owner, Altalink, is seeking a new location for the placement of a field office and maintenance building. A site was previously identified and permitted near Langdon, but has since been determined unsuitable for the needed use. The Applicant has therefore determined that development of this subject parcel in Janet would support their requirements.



The current parcel totals 17.45 hectares (43.13 acres) and has two land use designations. The northern portion, approximately  $\pm 9.19$  hectares ( $\pm 22.72$  acres), contains the majority of an existing electrical substation and is designated as Agricultural Holdings District.

The remaining  $\pm 8.26$  hectares ( $\pm 20.41$  acres), designated Ranch and Farm District, contains a small portion of the electrical substation, high voltage electrical transmission lines, and a small building used for tower maintenance activities. The remainder of the site is vacant.

To consolidate the electrical substation to a single zoning district (Agriculture Holdings), the County requires the redesignation of  $\pm 1.25$  hectares ( $\pm 3.08$  acres) of the Ranch and Farm area to Agriculture Holdings, which would result in the entire  $\pm 10.44$  hectares ( $\pm 25.80$  acres) of land in which the electrical substation is contained being designated Agriculture Holdings. The remaining  $\pm 7.01$  hectares ( $\pm 17.32$  acres) would be redesignated to Industrial – Industrial Activity (I-IA) in order to support the proposed development of a field office, maintenance facility, and storage site for Altalink.

#### Supporting Technical Information

The Applicant submitted a Traffic Impact Assessment (TIA), prepared by the Watt Consulting Group, dated March 2018, which was reviewed by the County. The TIA provides an assessment of the impact of the proposed development on Range Road 285 and key intersections along the roadway, including Highway 560, and concludes that the low number of trips to be generated by the proposed facility (100 daily trips) would have minimal impact on the local road network. As “low-boy” trailer units (long, low trailers used to haul large equipment) are proposed to access the site from Range Road 285, the TIA recommends that the site access be designed at the Development Permit stage to accommodate the additional width that may be required to accommodate the expected turning maneuvers of the planned “low-boy”.

The proposed development is to be accessible via Range Road 285 to the east, not Township Road 240 to the north.

The remaining technical considerations, including a site-specific stormwater management plan, a construction management plan, a chemical management plan, a geotechnical investigation, and an erosion and sediment control plan, would be required at the Development Permit stage.

#### Proposed Servicing Plan

The Applicant had proposed the options of connecting to the wastewater treatment facility and the water distribution system located in the CARMEK Business Park, immediately adjacent to and east of the subject site. As neither facility has been commissioned, the option of connecting to the piped services within the CARMEK Business Park is not possible at this time. Given the timing of construction and the aggressive site development schedule, the Applicant would instead explore the option of connecting to piped services once available; at this time, the County has no concern with the use of holding tanks with a trucked service for wastewater disposal, and potable water cisterns with the trucking in of water to service the proposed development. In the future, should the proposed development connect to the potable water and wastewater services in the CARMEK Business Park, the Applicant may also be required to extend the existing purple pipe stormwater distribution system to the proposed development.

With regard to stormwater management, the Applicant would be required to submit a site specific stormwater management plan, prepared by a qualified professional, providing the on-site stormwater management strategy for the proposed development. The strategy must meet the requirements of the County Servicing Standards and Janet Master Drainage Plan, and would be required at the Development Permit stage.

The Applicant is proposing to use the future on-site stormwater pond for fire suppression purposes for the proposed development. As a condition of the future Development Permit, the Applicant would be required to address all fire suppression requirements for the proposed development, in accordance



with the requirements of the Alberta Building Code, County Servicing Standards, and Fire Hydrant Bylaw C-7152-2012. Should the Applicant propose to service the development via connection to the water distribution system within the CARMEK Business Park, the Applicant would be required to confirm that adequate flows and pressure can be provided to a private on-site hydrant.

#### Proposed Development Concept

The Applicant is proposing to relocate its existing Foothills Technical Services Building, which is currently located in southeast Calgary, to a new facility near its 74S Janet Substation.

Altalink's Janet Services Centre would primarily serve as an office and workshop facility to service high-voltage transformers (an HVEF Shop), and would provide truck bays for inside storage of small to medium sized trucks. The office area would be a field office for technical and transmission line staff. Large vehicles, material, and equipment used by the technical and transmission line staff would be stored in the outside yard. The facility would support Altalink field office work, training, maintenance, and operations activities.

Site access would be provided from Range Road 285, using an existing gravel driveway that is currently used to access the electrical substation.

In general, the redesignation of this site to Industrial – Industrial Activity District is in keeping with the industrial and commercial development that has occurred in the Janet area for many years. Given the proximity of the proposed office, repair, and maintenance facility to the existing electrical substation, the site is well-suited to the redesignation and development of the site.

### **POLICY ANALYSIS:**

#### County Plan

The Janet area is identified in the County Plan (Map 1: Managing Growth) as a Regional Business Centre, which will develop over time into an attractive location for more general industrial development, catering to uses that do not require municipally-owned utility servicing. The purpose of a Regional Business Centre is to provide regional and national business services, and local and regional employment opportunities. Regional Business Centres have the following characteristics:

- a concentration of commercial and / or industrial businesses;
- an efficient road connection to the provincial highway network;
- significant scale and scope of operations; and
- infrastructure with the potential to service the proposed development.

The proposed redesignation seeks to prepare the site to develop as office, warehouse, maintenance, and storage space for an electrical utility. Policies 6.8 and 14.2 of the County Plan seek to direct the majority of new commercial and industrial businesses to locate in the business areas identified on Map 1 (see Appendix 'C'). Policy 14.3 seeks to encourage the infilling or intensification of existing business areas in order to complement other businesses, maximize the use of existing infrastructure, minimize land use conflicts with agriculture uses, and minimize the amount of traffic being drawn into rural areas. Given that the parcel proposed for redesignation is located in the Janet area, which has developed as an industrial hub, the proposed redesignation is in keeping with the goals of the County Plan.

#### Janet Area Structure Plan

The subject site is located within the policy area of the Janet Area Structure Plan (Janet ASP). The western portion of the Janet ASP, where this parcel is located, is comprised primarily of industrial land uses, with a handful of sites that remain designated as Agriculture. The central portion of the Janet ASP includes agricultural uses, with some pockets of residential, while the western portion of the ASP is primarily agriculture, with a small number of single-lot residential parcels.

The vision of the Janet ASP sees the area developing into “an attractive location for small-to-medium sized industrial businesses within the transportation, construction, and manufacturing sectors.” Some of the goals of the Janet ASP seek to facilitate the development of a regional business center, establish an industrial area for small to medium industries, and prioritize development along existing roadways. Map 5 – Land Use Strategy defines the proposed parcel as industrial (see Appendix ‘C’).

Section 10.0 - Industrial outlines the objectives of the plan, which include supporting the development of industries associated with the provincial and regional economic base, and supporting the development of a well-designed, industrial-based regional business center, among many others. Specific policies in the Janet ASP that are directly applicable to the proposed redesignation include:

*Policy 10.1 Industrial development shall be located in the areas identified as Industrial on Map 5 (see Appendix ‘C’).*

- The site is consistent with this requirement.

*Policy 10.2 Development of industrial uses should proceed in an orderly manner and be supported by cost effective and efficient changes to the County’s existing infrastructure and transportation networks.*

- The site has existing access to a County-maintained road, and has good access to two interchanges.

*Policy 10.3 Industrial uses such as distribution logistics, warehousing, transportation, services, construction, and manufacturing that do not have a significant offsite nuisance impact are appropriate within the industrial area.*

- The proposed project is not anticipated to have off-site nuisance impacts, and would fit with the types of uses desired for the area.

*Policy 10.5 A local plan shall be required to support applications for industrial development (see Policy 26.1).*

*Policy 26.1 Applications for redesignation, subdivision, and/or development require the concurrent or prior adoption of a local plan, unless otherwise directed by the policies of this Plan or determined by the County not to be required.*

- Administration determined that a local plan is not required due to consideration of the following:
  - Approximately half of the site (±9.01 hectares) is already developed with an electrical substation and high voltage transmission towers;
  - There is no plan to subdivide the site, and only a portion of the already split-designation site is being redesignated;
  - The site is consistent with the industrial uses already occurring in the area;
  - The proposed development would include construction of a single large office, a storage and maintenance building, and outdoor storage for utility service maintenance/repair materials for a single tenant (Altalink);
  - The existing driveway access would continue to be used;
  - Site services were evaluated and can be addressed; and
  - The area surrounding it has already been largely developed, this being one of the last developable parcels in this quarter section.

In summary, the proposed redesignation is in keeping with the vision and goals of the Janet ASP.

Calgary Intermunicipal Development Plan

The site is also located within the Rocky View/Calgary Intermunicipal Development Plan (Calgary IDP).

As the site is located within an area structure plan, it meets Policy 5.1.2 of Section 5.0 - Municipal Planning Considerations. As such, no further review regarding municipal planning considerations is deemed necessary.

While the site is identified as being within the Residual Long-Term Growth Area, Policy 7.1.2 notes that the Residual Long-Term Growth Area shall be, "*deemed removed from Map 3: Residual Long Term Growth Areas, once included within an ASP*". Since the subject property is located within the Janet ASP, these policies no longer apply.

Section 15.1 - Circulation and Referral Process requires circulation to the City of Calgary. As required, the Applicant's proposal to redesignate the parcel was circulated to the City of Calgary; the City replied that they had no comment with regard to the proposal.

City of Chestermere

The site is located within the notification area for the Town of Chestermere. While there is no formal review process, the City of Chestermere was circulated for comment; no comments were received.

**CONCLUSION:**

The application was reviewed based on the land use strategies and policies of the County Plan, the Janet Area Structure Plan, and Rocky View County/Calgary Intermunicipal Development Plan. This application is consistent with the policies of each plan. There are several outstanding technical items which will be addressed in the Development Permit stage.

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

**OPTIONS:**

Option # 1:

- Motion #1      THAT Bylaw C-7779-2018 be given first reading.
- Motion #2      THAT Bylaw C-7779-2018 be given second reading.
- Motion #3      THAT Bylaw C-7779-2018 be considered for third reading.
- Motion #4      THAT Bylaw C-7779-2018 be given third and final reading.

Option # 2:      That application PL20180010 be refused

Respectfully submitted,

Concurrence,

"Chris O'Hara"

"Kent Robinson"

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General Manager

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Interim County Manager

ON/rp



**APPENDICES:**

APPENDIX 'A': Application Referrals

APPENDIX 'B': Bylaw C-7779-2018 and Schedule A

APPENDIX 'C': Map Set

**APPENDIX A: APPLICATION REFERRALS**

<b>AGENCY</b>	<b>COMMENTS</b>
<b><i>School Authority</i></b>	
Rocky View Schools	Rocky View Schools has no objection to this circulation.
Calgary Catholic School District	Calgary Catholic School District (CCSD) has no objection to the above-noted circulation (PL2017-0010) located just south of Chestermere.
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	No comments received.
Alberta Sustainable Development (Public Lands)	Not required for circulation.
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.
ATCO Pipelines	ATCO Pipelines has no objection.
AltaLink Management	No comments received.
FortisAlberta	<p>FortisAlberta Reference No.: 320054831</p> <p>Thank you for contacting FortisAlberta regarding the above application for subdivision. We have reviewed the plan and determined that no easement is required by FortisAlberta.</p> <p>FortisAlberta is the Distribution Wire Service Provider for this area. The developer can arrange installation of electrical services for this subdivision through FortisAlberta. Please have the developer contact 310-WIRE (310-9473) to make application for electrical services.</p> <p>Please contact FortisAlberta land services at <a href="mailto:landserv@fortisalberta.com">landserv@fortisalberta.com</a> or by calling (403) 514-4783 for any questions.</p>
Telus Communications	TELUS Communications Inc. has no objections to the above



AGENCY	COMMENTS
	noted redesignation circulation.
TransAlta Utilities Ltd.	No comments received.
Rockyview Gas Co-op Ltd.	Not required for circulation.
Enmax	<p>We have reviewed this plan and have the following comments.</p> <ol style="list-style-type: none"> <li>1. There are existing 138 kV overhead Transmission lines installed along the south side of Township Road 240 from the existing substation, inside and outside the northwest limits of the subject area (as approximately shown on the attached plan). Please contact Enmax Transmission Design department at 403-514-2741 for more information.</li> <li>2. There is an existing 25 kV underground power line installed along the west side of Range Road 285, just outside the northeast limit of the subject area (as approximately shown on the attached plan). Any relocation, removal, or alteration of the existing Enmax facilities will be done at the Developer's expense.</li> <li>3. The Developer is responsible to maintain clearance of buildings from the above-mentioned 138 kV overhead Transmission lines in accordance with the Enmax safety clearance criteria (i.e. no temporary or permanent structures to be built within the non-compliance zone, please contact Enmax Transmission Design department for non-compliance clearances).</li> <li>4. Anyone working near the above-mentioned overhead power line must maintain Safe Limits of Approach in accordance with the Alberta Electrical and Communication Utility Code, Table 2.1 (i.e. minimum 4.0 m).</li> <li>5. There are existing Substation (Janet) and 240 kV overhead Transmission lines installed within the subject area, owned by Altalink. Please contact Altalink at 403-267-3400 for more information.</li> <li>6. Prior to construction, all underground utilities within the subject area must be located. Please contact Alberta One-Call at 1-800-242-344 7 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>7. If the Developer requests any change that could affect the existing Enmax structures in the vicinity (e.g. grade changes, relocation, or removal of lines, etc.), the Developer is responsible for all the associated costs for making the changes.</li> <li>8. The Developer would need approval from Enmax before proceeding with changes that could affect Enmax installations.</li> </ol>



AGENCY	COMMENTS
	If you have any questions or concerns, please contact Rijad Tursunovic at rtursunovic@enmax.com or 403-514-1507.
<b><i>Other External Agencies</i></b>	
EnCana Corporation	No comments received.
Town of Chestermere	No comments received.
City of Calgary	The City of Calgary has reviewed the below noted circulated application referencing the Rocky View/Calgary Intermunicipal Development Plan (IDP) and other applicable policies.  The City of Calgary has no comments regarding Application # PL20180010.
Canada Post	No comments received.
<i>Rocky View County</i>	
<b><i>Boards and Committees</i></b>	
Chestermere-Conrich Recreation District Board	As Municipal Reserves are not required pursuant to Section 663 of the Municipal Government Act, the Chestermere Conrich Recreation Board has no comments on this circulation.
<b><i>Internal Departments</i></b>	
Municipal Lands	The Municipal Lands Office has no concerns at this time; however, comments pertaining to reserve dedication will be provided at any future subdivision stage.
GeoGraphics	No comments received.
Building Services	No objection to the land use change.  1. After Planning approvals at building stage, Building Permit required using the Commercial/Industrial checklist requirements.
	<u>Building Permit stage</u>
	<ul style="list-style-type: none"> <li>a. provide 3.2.2 Building Code analysis to Building Services and Fire Services;</li> <li>b. provide Hydrant location, the hydrant location depends on the 3.2.2 classification, Access Routes location and design and water supply;</li> <li>c. Dimensioned site plan with dimensions to the hydrant and Siamese connection/front entry, access route design and water supply that conform to the ABC 2014 articles below;</li> <li>d. Building shall conform to the National Energy Code 2011, with documentation/design at Building Permit</li> </ul>

AGENCY	COMMENTS
	<p>stage.</p> <p><a href="http://www.rockyview.ca/Portals/0/Files/BuildingPlanning/Building/resources/NECB-Submission-Requirements.pdf">http://www.rockyview.ca/Portals/0/Files/BuildingPlanning/Building/resources/NECB-Submission-Requirements.pdf</a></p> <p>ABC articles for applicant/designer information</p> <p>a. <u>3.2.5.16.Fire Department Connections</u></p> <ol style="list-style-type: none"> <li>1) The fire department connection for a standpipe system shall be located so that the distance from the fire department connection to a hydrant is not more than 45 m and is unobstructed.</li> <li>2) The fire department connection for an automatic sprinkler system shall be located so that the distance from the fire department connection to a hydrant is not more than 45 m and is unobstructed.</li> <li>3) The fire department connection referred to in Sentences (1)and (2) shall be located no closer than 3 m and no further than 15 m from the principal entrance to the building.</li> </ol> <p>c. <u>3.2.5.4.Access Routes</u></p> <ol style="list-style-type: none"> <li>1) A building which is more than 3 storeys in building height or more than 600 m2 in building area shall be provided with access routes for fire department vehicles <ol style="list-style-type: none"> <li>a) to the building face having a principal entrance, and</li> <li>b) to each building face having access openings for firefighting as required by Articles 3.2.5.1. and 3.2.5.2.</li> </ol> </li> </ol> <p>d. <u>3.2.5.5.Location of Access Routes</u></p> <ol style="list-style-type: none"> <li>1) Access routes required by Article 3.2.5.4. shall be located so that the principal entrance and every access opening required by Articles 3.2.5.1. and 3.2.5.2. are located not less than 3 m and not more than 15 m from the closest portion of the access route required for fire department use, measured horizontally from the face of the building.</li> <li>2) Access routes shall be provided to a building so that <ol style="list-style-type: none"> <li>a) for a building provided with a fire department connection, a fire department pumper vehicle can be located adjacent to the hydrants referred to in Article 3.2.5.16.,</li> <li>b) for a building not provided with a fire department connection, a fire department pumper vehicle can be located so that the length of the access route from a hydrant to the vehicle plus the unobstructed path of travel for the firefighter from</li> </ol> </li> </ol>

AGENCY	COMMENTS
	<p>the vehicle to the building is not more than 90 m, and</p> <p>c) the unobstructed path of travel for the firefighter from the vehicle to the building is not more than 45 m.</p> <p>3) The unobstructed path of travel for the firefighter required by Sentence (2) from the vehicle to the building shall be measured from the vehicle to the fire department connection provided for the building, except that if no fire department connection is provided, the path of travel shall be measured to the principal entrance of the building.</p> <p>4) If a portion of a building is completely cut off from the remainder of the building so that there is no access to the remainder of the building, the access routes required by Sentence (2) shall be located so that the unobstructed path of travel from the vehicle to one entrance of each portion of the building is not more than 45 m.</p> <p>e. <u>3.2.5.6.Access Route Design</u></p> <p>1) A portion of a roadway or yard provided as a required access route for fire department use shall</p> <p>a) have a clear width not less than 6 m, unless it can be shown that lesser widths are satisfactory,</p> <p>b) have a centreline radius not less than 12 m,</p> <p>c) have an overhead clearance not less than 5 m,</p> <p>d) have a change of gradient not more than 1 in 12.5 over a minimum distance of 15 m,</p> <p>e) be designed to support the expected loads imposed by firefighting equipment and be surfaced with concrete, asphalt or other material designed to permit accessibility under all climatic conditions,</p> <p>f) have turnaround facilities for any dead-end portion of the access route more than 90 m long, and</p> <p>g) be connected with a public thoroughfare.</p> <p>f. <u>3.2.5.7.Water Supply</u></p> <p>1) Except as required in Sentences (3) and (4), and except for a building that is neither more than 3 storeys in building height nor more than 600 m<sup>2</sup> in building area, a building shall have a supply of water available for firefighting purposes that is not less than the quantity derived from the following formula:</p>

AGENCY	COMMENTS
	<p>2) The private water supply referred to in Clause (1)(b) shall be</p> <p>a) capable of being delivered at a rate of not less than</p> <p>i) 2 700 L/min for a <i>building</i> required to have a quantity less than 75 000 L, and</p> <p>ii) 3 800 L/min for a <i>building</i> requiring a quantity of 75 000 L and greater, and</p> <p>b) provided with a</p> <p>i) dry hydrant conforming to Chapter 8 of NFPA 1142, "Water Supplies for Suburban and Rural Fire Fighting," or</p> <p>ii) pressurized hydrant conforming to the requirements of NFPA 24, "Installation of Private Fire Service Mains and their Appurtenances."</p> <p>3) Capacity requirements under Sentence (1) do not apply to a <i>building</i> having a standpipe system conforming to the requirements</p>
Emergency Services	Having reviewed the circulation, the Fire Service has no comments at this time.
Enforcement	Enforcement has no concerns.
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 future DP, the applicant will be required to pay the engineering review fee in accordance with the County's Master Rates Bylaw;</li> <li>• As a condition of future DP, the applicant is required to submit a Construction Management Plan 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 future DP, the applicant will be required to submit a chemical management plan describing the storage, handling and emergency response procedures related to chemical handling onsite;</li> <li>• As a permanent condition, the applicant shall be responsible to dedicate all necessary easements and ROWs for utility</li> </ul>

AGENCY	COMMENTS
	<p>line assignments and provide for the installation of all underground shallow utilities with all necessary utility providers to the satisfaction of the County</p> <p><b><u>Geotechnical</u></b> - Section 300.0 requirements:</p> <ul style="list-style-type: none"> <li>As a condition of future DP, the applicant is required to conduct an onsite geotechnical investigation, prepared by a qualified professional, providing the results of a groundwater measurement program as well as design recommendations for the required storm pond liners for the onsite ponds all in accordance with the requirements of the County Servicing Standards;</li> <li>As a permanent condition, the applicant will be required to provide compaction testing results, prepared and provided by a qualified professional, for any areas of the site filled greater than 1.2m in depth.</li> </ul> <p><b><u>Transportation</u></b> - Section 400.0 requirements:</p> <ul style="list-style-type: none"> <li>At this time, ES recommends that the applicant prepare a TIA, prepared by a qualified professional, to assess the impact of the proposed development on Range Road 285 and key intersections along the roadway including Highway 560. The County's review of the previous TIA prepared in support of the Langdon building showed that the trip generation from the proposed facility is quite low given the size of the development (160 employees @ 220 total trips per day). It is the County's understanding that Altalink is in the process of preparing a TIA for the proposed development. Should the TIA not be received prior to public hearing for the land use application, a condition of DP will be added to prepare a TIA to the satisfaction of the County and for Altalink to implement any recommendation of the TIA;</li> <li>As per the SE Industrial Growth Study, an 8m dedication is required along the entire eastern boundary of the subject lands to allow for the future road widening of Range Road 285. Given the location and close proximity of the existing power transmission lines to the western boundary of the road allowance for Range Road 285, it would be not be feasible at this time to dedicate the 8m strip of land as this would place the transmission line towers within the road allowance and require the relocation to the lines to the west which is not feasible at this time. It is to be noted that these power transmission lines run along the western boundary of Range Road 285 from the subject lands to south of Glenmore Trail;</li> <li>As a condition of future DP, the applicant will be required to obtain a waiver from AT as the subject lands are within 1600m of a provincial highway;</li> <li>As a condition of future DP, the applicant will be required to</li> </ul>

AGENCY	COMMENTS
	<p>provide payment of the Transportation Offsite Levy in accordance with the applicable bylaw at time of the issuance of the DP for the gross acreage of the lands to be developed as part of the permit application. It is to be noted that the applicant previously provided payment of the Transportation Offsite Levy (\$43,832) at the previous project location (Langdon) which is now proposed to be relocated to the subject lands;</p> <ul style="list-style-type: none"> <li>• The existing Infrastructure Cost Recovery Agreement for the improvements to Garden Road (RR 285) does not identify the subject lands as a benefiting parcel.</li> </ul> <p><b><u>Sanitary/Waste Water</u></b> - Section 500.0 requirements:</p> <ul style="list-style-type: none"> <li>• The applicant has proposed the option of connecting to the wastewater treatment facility located in the CARMEK Business Park. As the facility has not been commissioned at this time, the option of connecting to the piped services within the CARMEK Business Park is not possible at this time. Given the timing of the construction of the proposed facility, at a future time, the applicant shall explore the option of connecting to piped services once available;</li> <li>• At this time, the County has no concern with the use of holding tanks with a trucked service for wastewater disposal to service the proposed development</li> </ul> <p><b><u>Water Supply And Waterworks</u></b> - Section 600.0 &amp; 800.0 requirements:</p> <ul style="list-style-type: none"> <li>• The applicant has proposed the option of connecting to the water distribution system within the CARMEK Business Park. As the facility has not been commissioned at this time, the option of connecting to the piped services within the CARMEK Business Park is not possible at this time. Given the timing of the construction of the proposed facility, at a future time, the applicant shall explore the option of connecting to piped services once available;</li> <li>• At this time, the County has no concern with the use of potable water cisterns with a trucked service to service the proposed development;</li> <li>• As per the application, the applicant is proposing to utilize the future onsite stormwater pond for fire suppression purposes for the proposed development. As a condition of future DP, the applicant is required to address all fire suppression requirements for the proposed development in accordance with the requirements of the Alberta Building Code, County Servicing Standards and Fire Hydrant Bylaw C-7152-2012. Should the applicant propose to service the development via connection to the water distribution system within the CARMEK Business Park, the applicant will be required to confirm that adequate flows and pressure can be</li> </ul>

AGENCY	COMMENTS
	<p>provided onsite to a private onsite hydrant.</p> <p><b><u>Storm Water Management</u></b> – Section 700.0 requirements:</p> <ul style="list-style-type: none"> <li>As a condition of future DP, the applicant will be required to submit a site specific stormwater management plan, prepared by a qualified professional, providing the onsite stormwater management strategy for the proposed development which is required to meet the requirements of the County Servicing Standards and Janet Master Drainage Plan;</li> <li>Should the proposed development connect to the potable water and wastewater services in the CARMEK Business Park, the applicant may also be required to extend the existing purple pipe stormwater distribution system to the proposed development;</li> <li>Prior to occupancy of the proposed building, the County shall perform an inspection of the proposed stormwater facilities ensuring the proposed facilities were constructed as per the approved designs;</li> <li>As a condition of future DP, the applicant is required to provide an erosion and sediment control (ESC) plan identifying ESC measures to be implemented during the construction of the proposed development and infrastructure;</li> <li>As a condition of future DP, the applicant will be required to provide payment of the Stormwater Offsite Levy in accordance with the applicable bylaw at time of the issuance of the DP for the gross acreage of the lands to be developed as part of the permit application.</li> </ul> <p><b><u>Environmental</u></b> – Section 900.0 requirements:</p> <ul style="list-style-type: none"> <li>As per the County's Wetland Impact Model, the subject lands do not appear to contain any wetland areas however, should there be wetlands onsite, the applicant is to be aware that any impacts to wetland areas require AEP approval. It is the applicant's responsibility to obtain all necessary approvals from AEP</li> </ul>
Infrastructure and Operations-Maintenance	No issues.
Infrastructure and Operations-Capital Delivery	No concerns.
Infrastructure and Operations-Operations	No concerns.
Infrastructure and Operations-Utility Services	No concerns

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<b>AGENCY</b>	<b>COMMENTS</b>
Agriculture and Environmental Services	Because this parcel falls within the Janet ASP, Ag Services has no concerns.
Solid Waste and Recycling	No comments received.

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Circulation Period: (January 26, 2018 to February 26, 2018)





## BYLAW C-7779-2018

### 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-7779-2018

#### 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. 33 and 33-NW of Bylaw C-4841-97 be amended by redesignating a portion of Block D&E, Plan 4359AH, N-31-23-28-W4M from Ranch & Farm District to Agricultural Holdings District and Industrial – Industrial Activity District as shown on the attached Schedule 'A' forming part of this Bylaw.

**THAT** A portion of Block D&E, Plan 4359AH, N-31-23-28-W4M, is hereby redesignated to Agricultural Holdings District and Industrial – Industrial Activity District, as shown on the attached Schedule 'A' forming part of this Bylaw.

#### PART 4 – TRANSITIONAL

Bylaw C-7779-2018 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: 5**  
**File: 03331006/PL20180010**

<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

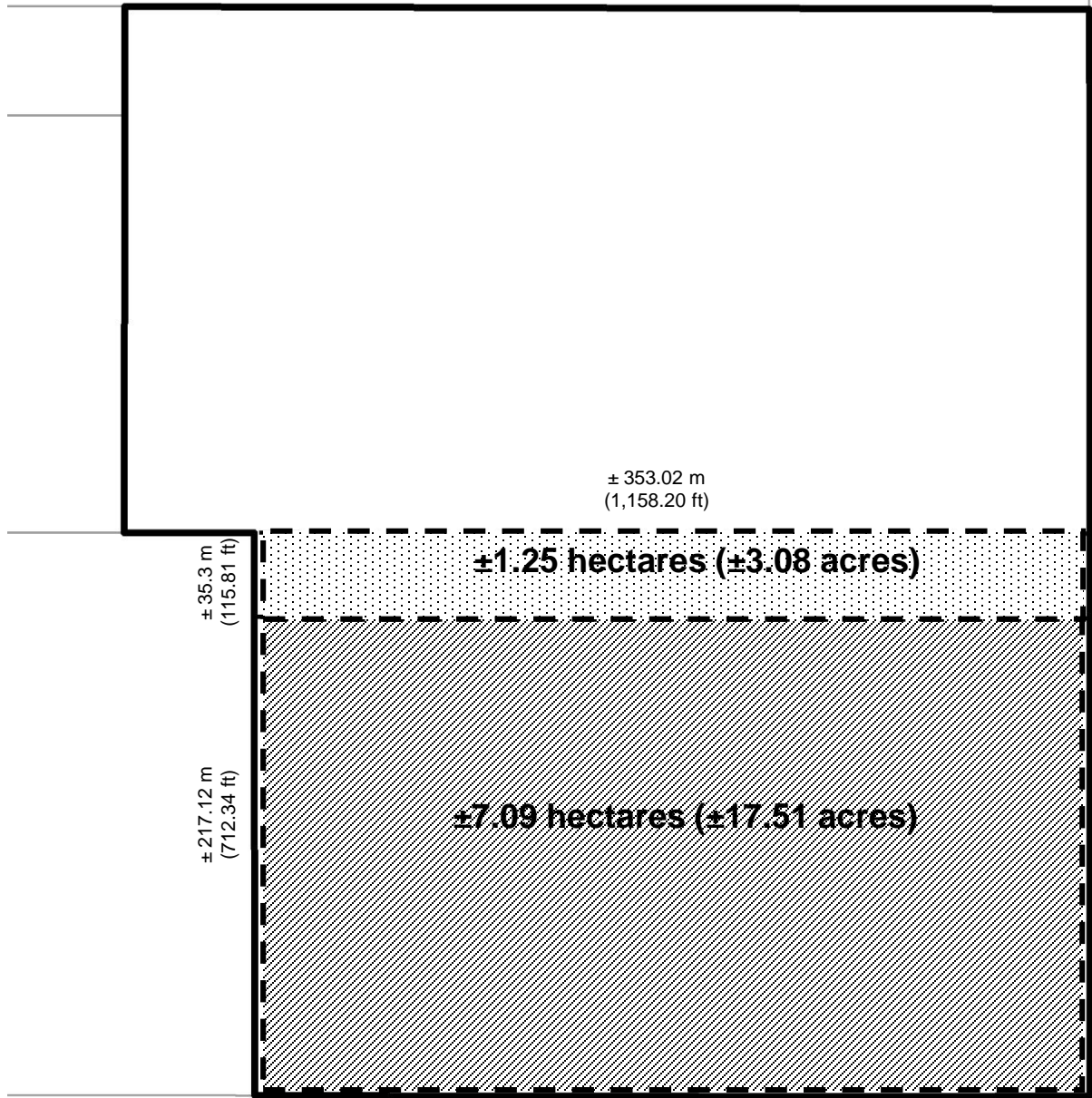
\_\_\_\_\_  
Reeve

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

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

SCHEDULE "A"

BYLAW: C-7779-2018



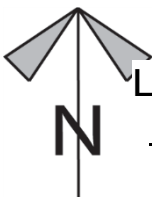
**AMENDMENT**

FROM Ranch and Farm District TO Agricultural Holdings

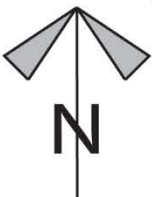
**AMENDMENT**

FROM Ranch and Farm District TO Industrial – Industrial Activity District

Subject Land           



LEGAL DESCRIPTION: N-31-23-28-W04M



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To remain as AH

RF → AH  
±1.25 hectares (±3.08 acres)

RF → I-IA  
±7.09 hectares (±17.51 acres)

RGE RD 285

**Development Proposal:** To redesignate ±1.25 hectares (±3.08 acres) of the subject lands from Ranch and Farm (RF) District to Agricultural Holdings (AH) and ±7.09 hectares (±17.51 acres) from Ranch and Farm (RF) to Industrial - Industrial Activity (I-IA) to accommodate development of a field office, storage and maintenance centre.

## DEVELOPMENT PROPOSAL

**Block: D&E Plan:4359 AH  
N-31-23-28-W04M**

Date: Jan 24, 2018

Division # 5

File: 03331006

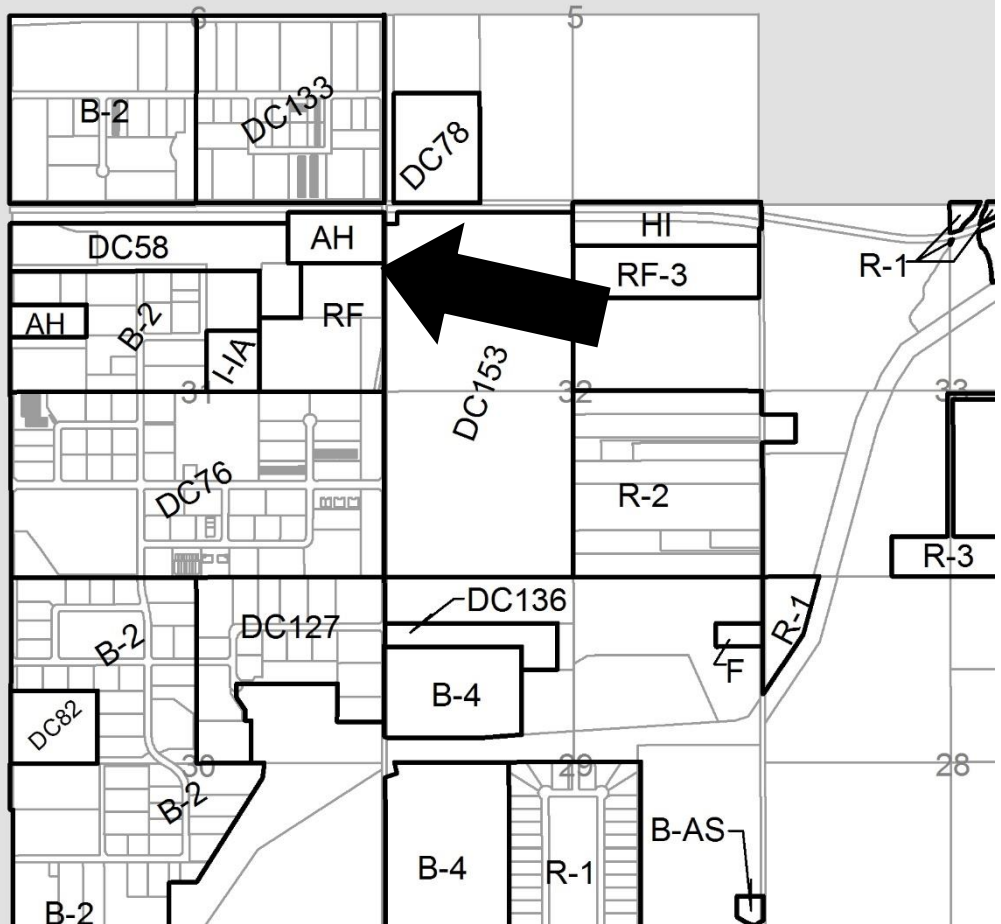
**AGENDA**

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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

**Block: D&E Plan:4359 AH**  
**N-31-23-28-W04M**

Date: Jan 24, 2018

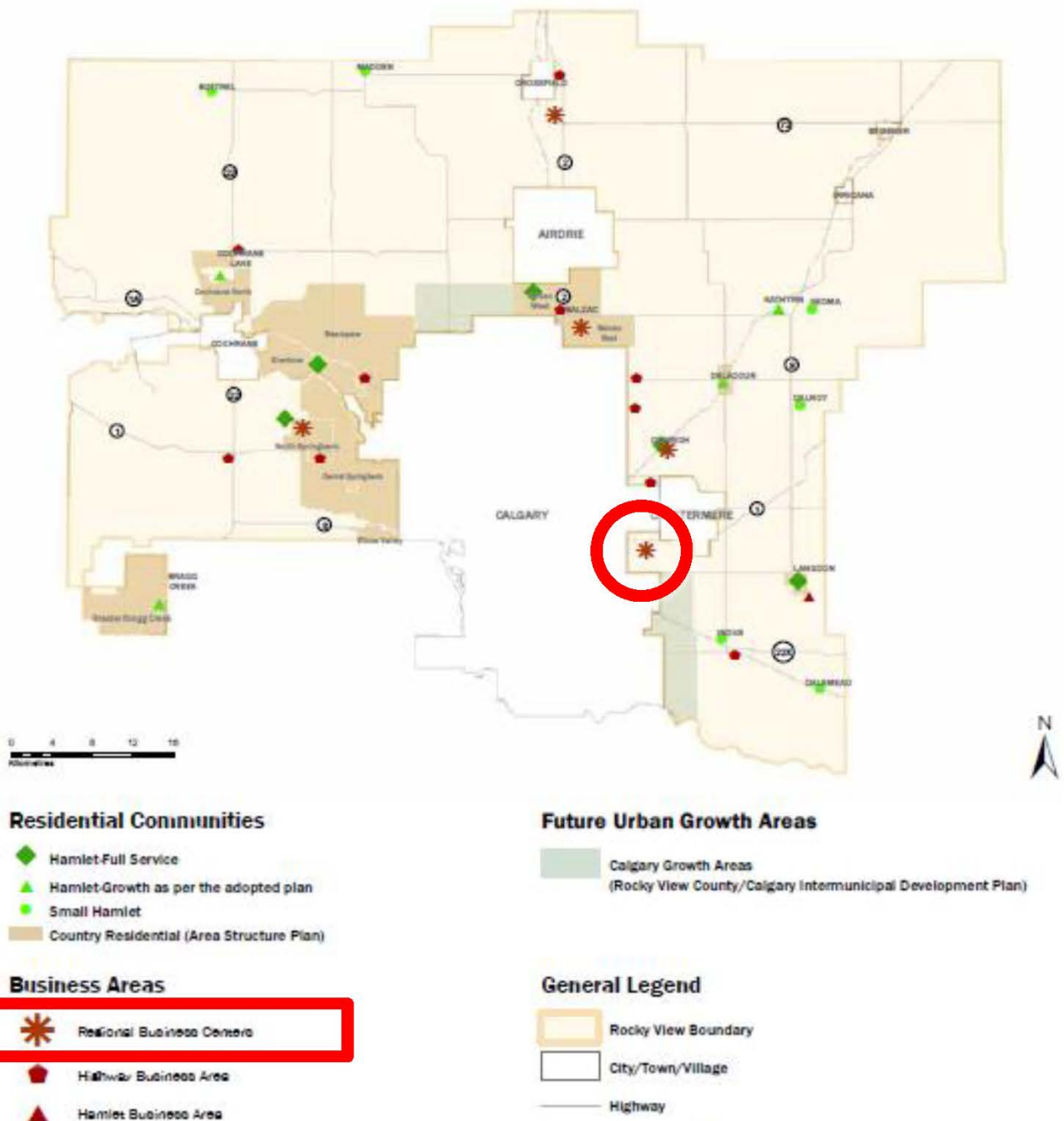
Division # 5

File: 03331006

**AGENDA**

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## MAP 1-MANAGING GROWTH



## COUNTY PLAN - Map 1: Managing Growth

Block: D&E Plan:4359 AH  
N-31-23-28-W04M

Date: Jan 24, 2018

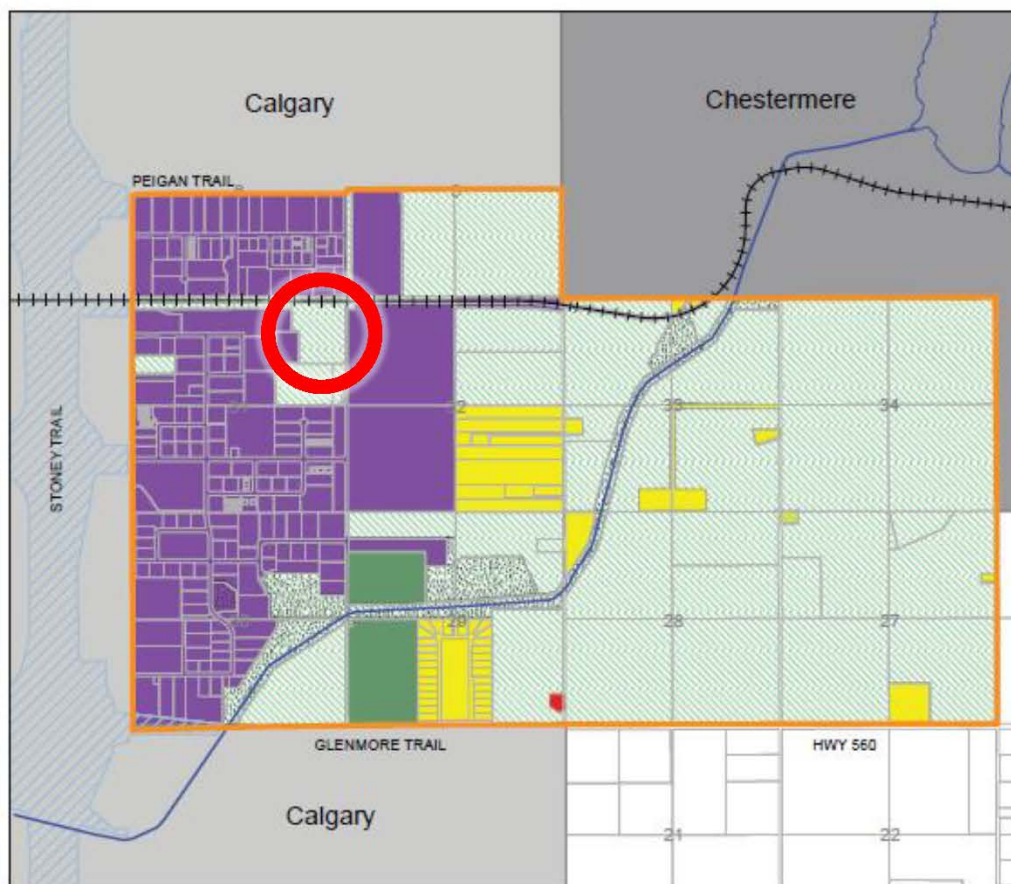
Division # 5

File: 03331006

AGENDA

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Map 3:  
Existing  
Land Use

- ASP Boundary
- Agriculture
- Recreational
- Commercial
- Industrial
- Residential
- Crown Land
- Transportation and Utility Corridor
- Western Headworks Canal
- CN Railway

0 0.25 0.5 1 1.5  
Km



Area Structure Plan  
**JANET**

This map is conceptual in nature. No measurements or areas should be taken from this map.

## JANET ASP: EXISTING LAND USE

**Block: D&E Plan:4359 AH**  
**N-31-23-28-W04M**

Date: Jan 24, 2018

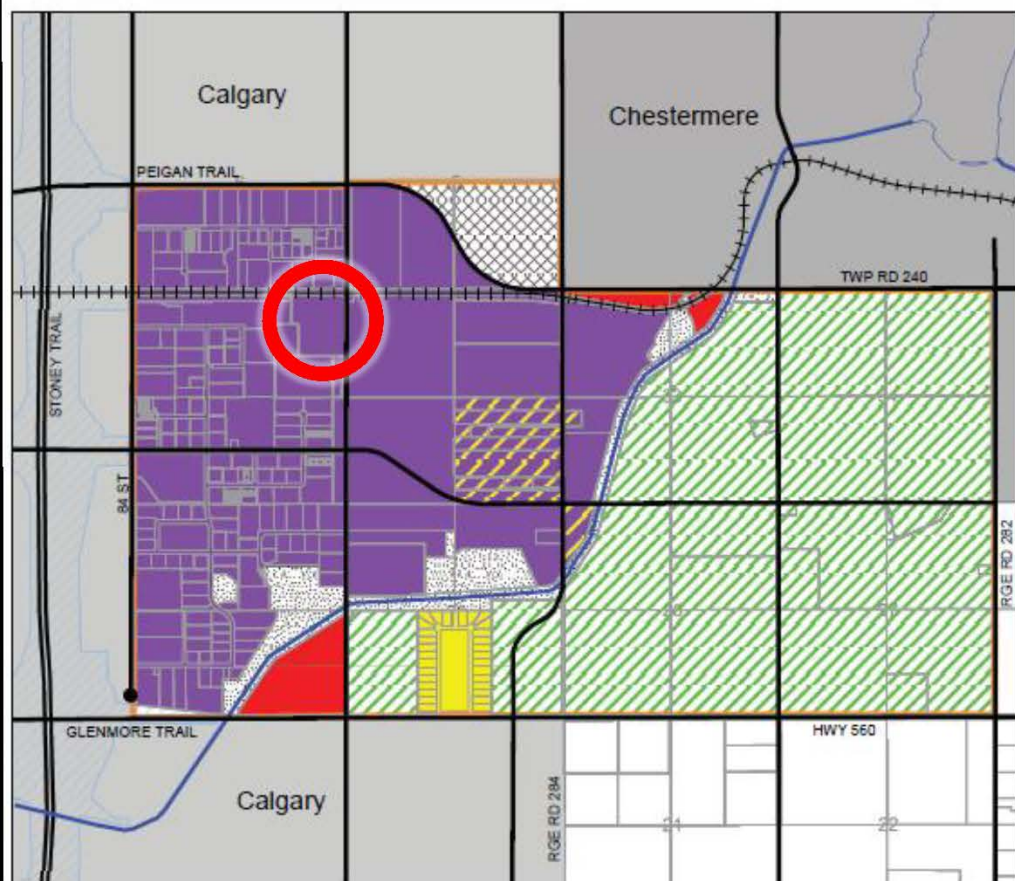
Division # 5

File: 03331006

**AGENDA**

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Map 5:  
Land Use  
Strategy

- ASP Boundary
- Country Residential
- Industrial
- Commercial
- Long Term Development (Regional Business Centre)
- Residential Transition
- Special Policy
- Crown
- Transportation and Utility Corridor
- Roads
- Western Headworks Canal
- CN Railway

0 0.25 0.5 1 1.5  
Km



Area Structure Plan  
**JANET**

This map is conceptual in nature. No measurements or areas should be taken from this map.

## JANET ASP: LAND USE STRATEGY

Block: D&E Plan:4359 AH  
N-31-23-28-W04M

Date: Jan 24, 2018

Division # 5

File: 03331006

**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: D&E Plan:4359 AH**  
**N-31-23-28-W04M**

Date: Jan 24, 2018

Division # 5

File: 03331006

**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*

**Block: D&E Plan:4359 AH  
N-31-23-28-W04M**

Date: Jan 24, 2018

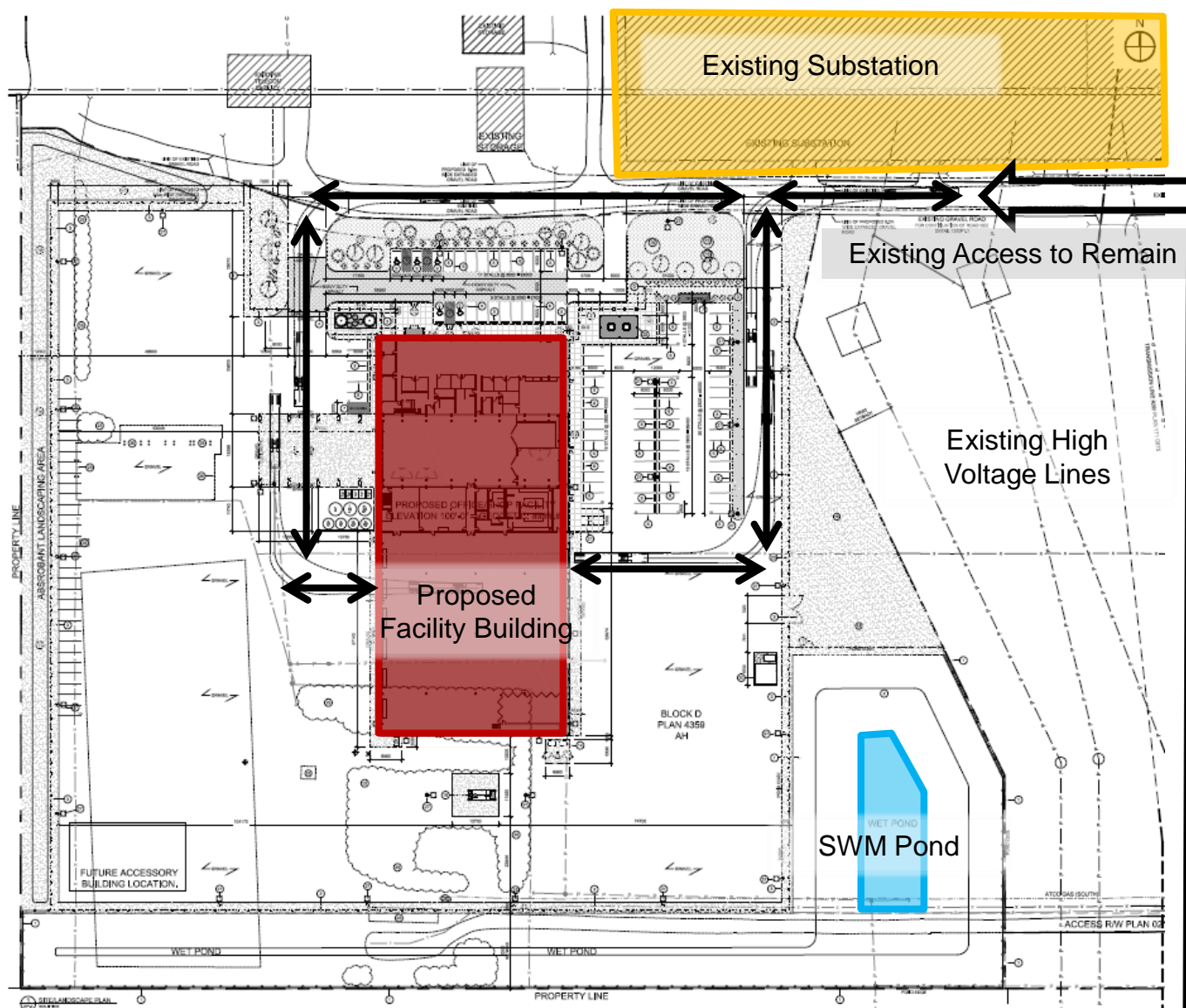
Division # 5

File: 03331006

**AGENDA**

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## PROPOSED SITE DEVELOPMENT

Block: D&E Plan:4359 AH  
N-31-23-28-W04M

Date: Jan 24, 2018

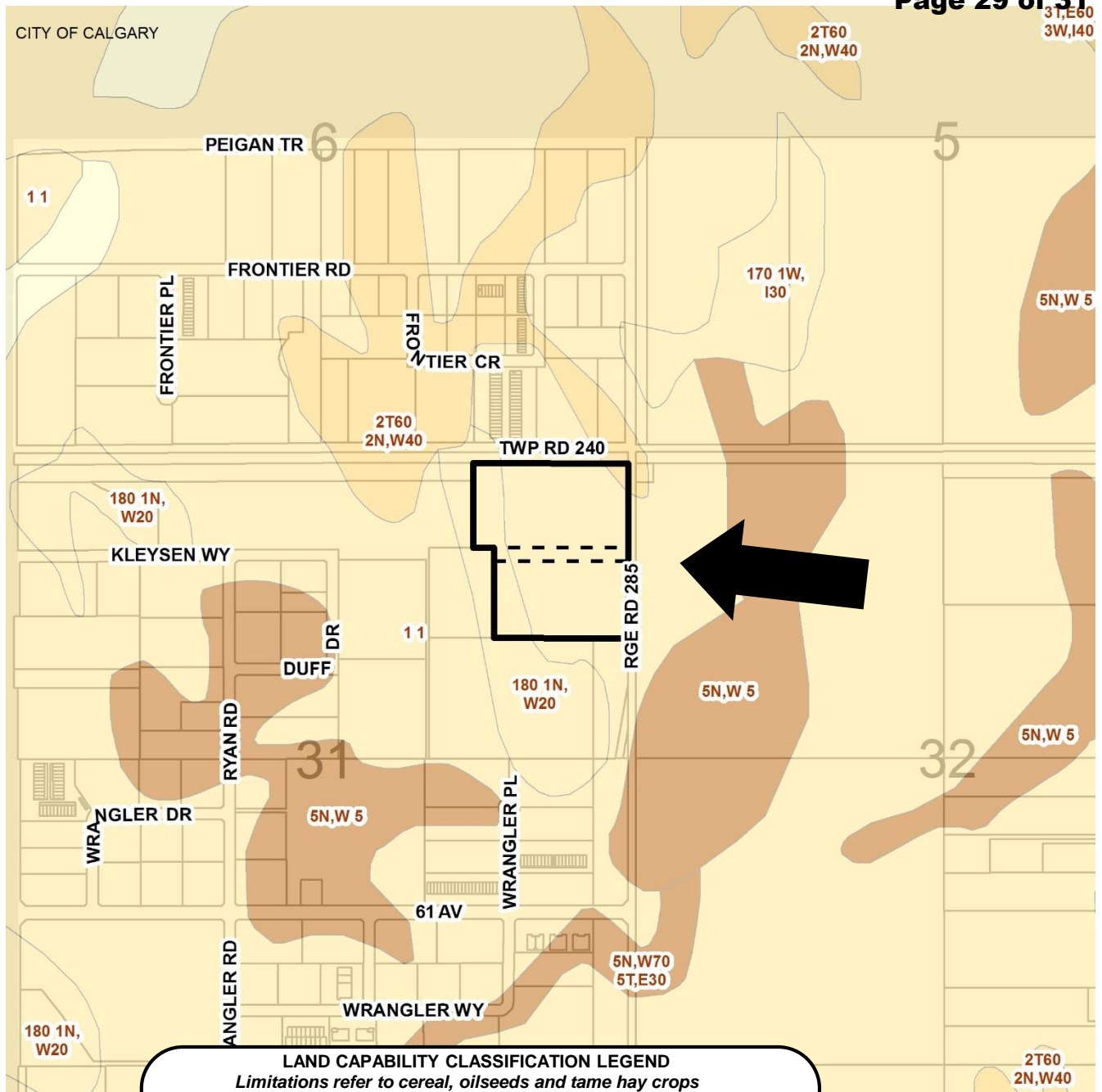
Division # 5

File: 03331006

AGENDA

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CITY OF CALGARY



SOIL MAP

**Block: D&E Plan:4359 AH**  
**N-31-23-28-W04M**

Date: Jan 24, 2018

Division # 5

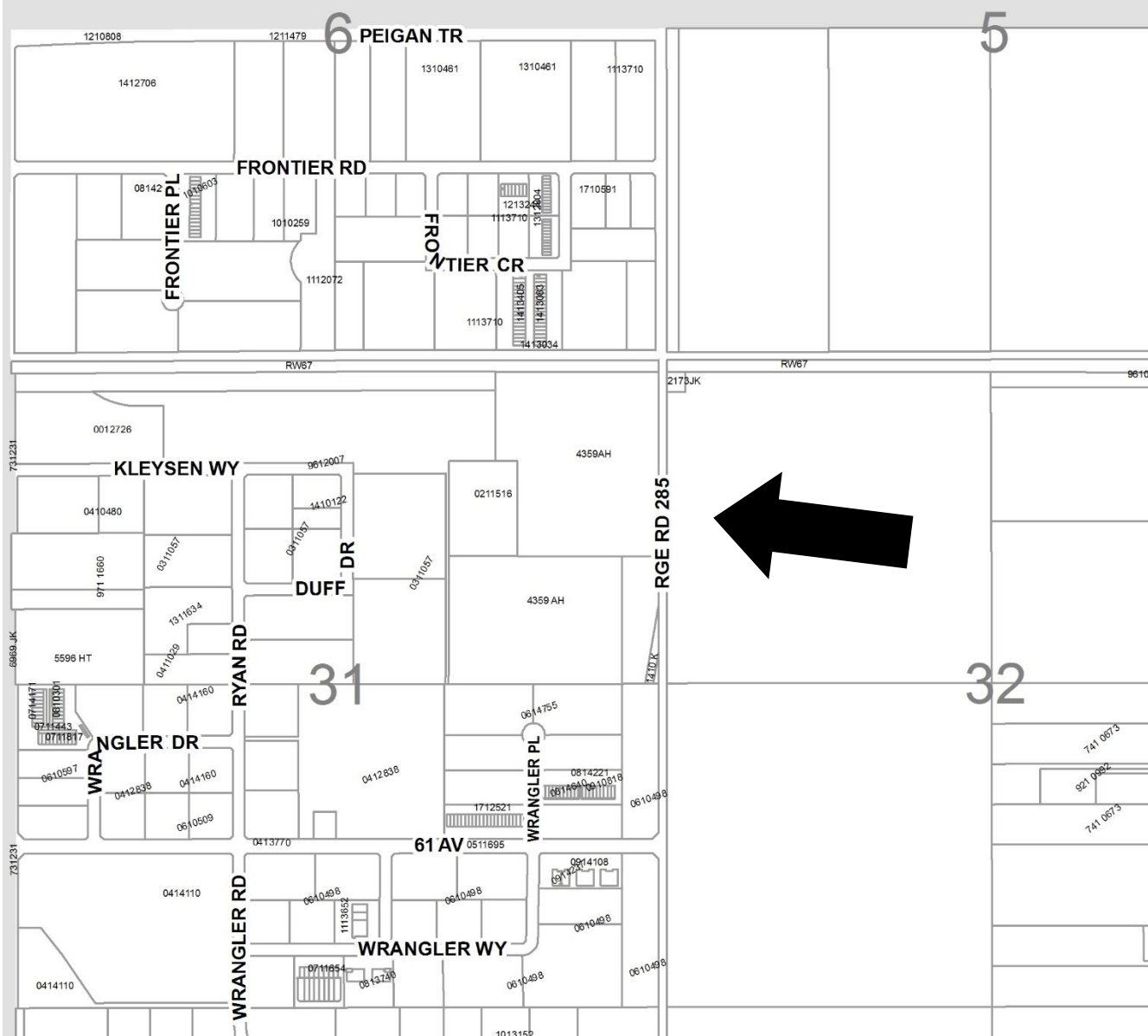
File: 03331006

AGENDA

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CITY OF CALGARY

**Legend – Plan numbers**

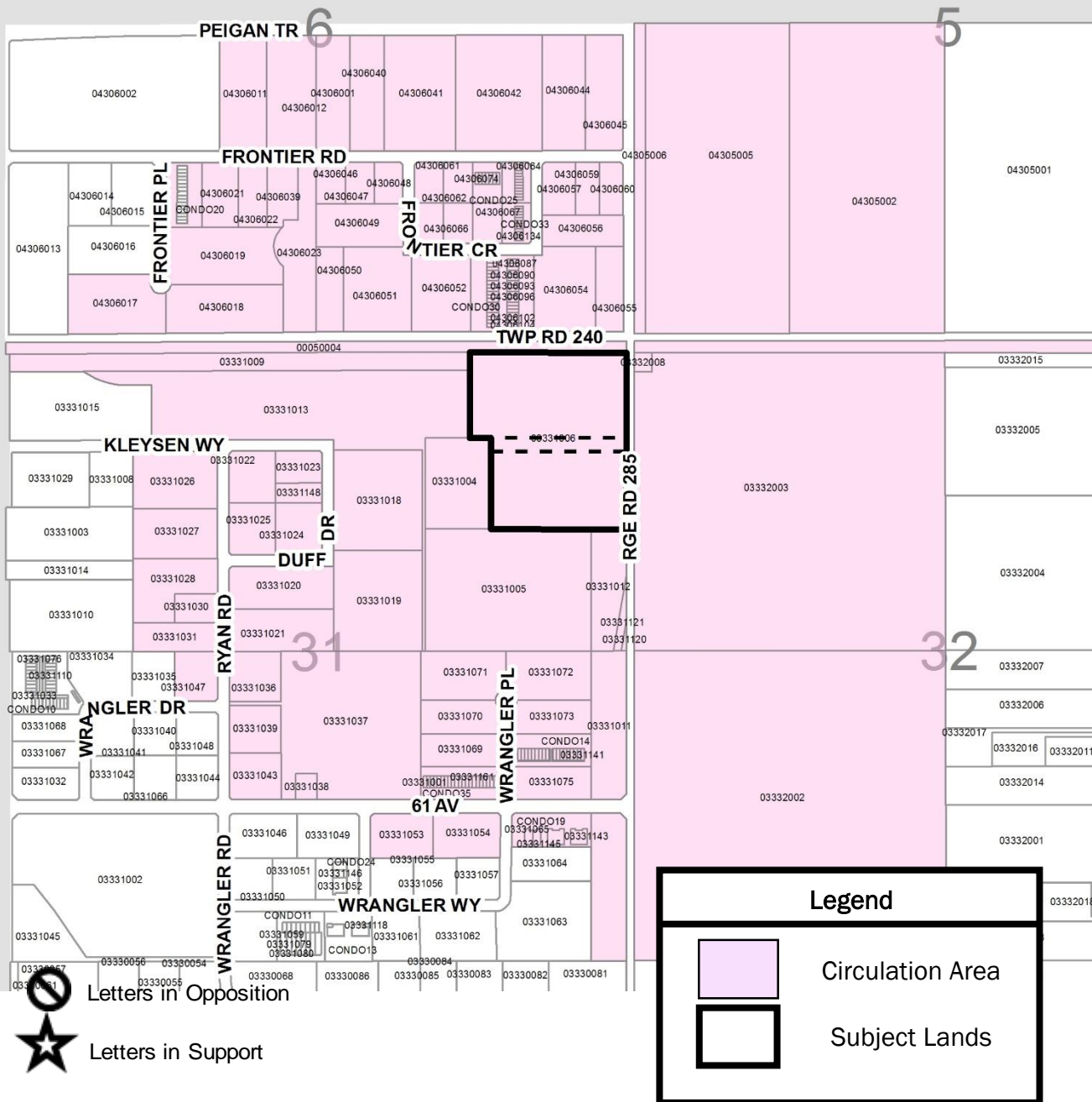
- First two numbers of the Plan Number indicate the year of subdivision registration.
- Plan numbers that include letters were registered before 1973 and do not reference a year

**HISTORIC SUBDIVISION MAP**

**Block: D&E Plan:4359 AH**  
**N-31-23-28-W04M**

Date: Jan 24, 2018Division # 5File: 03331006**AGENDA****Page 97 of 327**

CITY OF CALGARY



## LANDOWNER CIRCULATION AREA

**Block: D&E Plan:4359 AH**  
**N-31-23-28-W04M**

Date: Jan 24, 2018

Division # 5

File: 03331006

**AGENDA****Page 98 of 327**



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**PLANNING SERVICES**

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**TO:** Council  
**DATE:** May 22, 2018 **DIVISION:** 9  
**TIME:** Afternoon Appointment  
**FILE:** 06832001 **APPLICATION:** PL20170178  
**SUBJECT:** Redesignation Item – Ranch and Farm District to Residential Three District

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

- Motion #1 THAT Bylaw C-7759-2018 be given first reading.  
Motion #2 THAT Bylaw C-7759-2018 be given second reading.  
Motion #3 THAT Bylaw C-7759-2018 be considered for third reading.  
Motion #4 THAT Bylaw C-7759-2018 be given third and final reading.

**EXECUTIVE SUMMARY:**

The purpose of this application is to redesignate the subject lands from Ranch and Farm District to Residential Three District in order to facilitate the creation of four  $\pm$  4.05 hectare ( $\pm$  10.00 acre) parcels. The subject lands are located within the boundaries of the Cochrane North Area Structure Plan (CNASP) and fall under Residential Infill Area A. The parcel is surrounded by agricultural and residential lands.

The Applicant indicated that access to the new lots would be provided via the development of panhandles on the west side of the subject lands. The Applicant would be required to enter into a Road Acquisition Agreement with the County in the event that further development requires the panhandles to be dedicated as an internal roadway.

Servicing is proposed via the development of additional water wells and private sewage treatment systems on each lot. The Applicant submitted a Level 3 Private Sewage Treatment System Assessment, a Phase 1 Groundwater Supply Evaluation, and a Stormwater Management Report in support of the application; these studies find that the additional development of three lots for residential purposes is feasible.

The subject land is located in an infill residential area in which Council may require Conceptual Schemes. Administration is recommending that a Conceptual Scheme not be required in this case for the following reasons:

- The ability to realize the relatively limited development potential of the adjacent lands in a suitable manner without reliance on the subject lands;
- The absence of regional utility servicing requirements or options, including water, wastewater, stormwater, parks and open space networks; and
- The acceptable standard of the existing transportation network.

The proposed application is consistent with the CNASP as well as the Land Use Bylaw; Administration determined that:

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

Paul Simon, Planning Services  
Eric Schuh, Engineering Services



- The application is consistent with the overall vision for residential infill development within the CNASP;
- The application complies with the minimum parcel size of the CNASP for Residential Infill Area A;
- The proposed development conforms to the purpose and intent of the Residential Three District in the Land Use Bylaw; and
- All technical concerns can be addressed through the conditions of approval for the future subdivision.

Therefore, Administration recommends approval in accordance with **Option #1**. Should Council wish to require the preparation of a Conceptual Scheme to support the development of the subject lands, Option #2 is available for this purpose.

**DATE APPLICATION DEEMED COMPLETE:** November 15, 2017 (Deemed Complete November 28, 2017)

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<b>PROPOSAL:</b>	To redesignate the subject lands from Ranch and Farm District to Residential Three District to facilitate the creation of four $\pm$ 4.05 hectares ( $\pm$ 10.00 acre) parcels.
<b>LEGAL DESCRIPTION:</b>	Block 1, Plan 7410082, NE-32-26-04-W05M
<b>GENERAL LOCATION:</b>	Located approximately 1/4 mile (0.40 km) east of Horse Creek Road, on the south side of Weedon Trail.
<b>APPLICANT:</b>	Maskwa Environmental Consulting Ltd.
<b>OWNERS:</b>	Anthony & Pamela Moores
<b>EXISTING LAND USE DESIGNATION:</b>	Ranch and Farm District (RF)
<b>PROPOSED LAND USE DESIGNATION:</b>	Residential Three District (R-3)
<b>GROSS AREA:</b>	$\pm$ 16.52 hectares ( $\pm$ 40.82 acres)
<b>SOILS (C.L.I. from A.R.C.):</b>	<b>Class 4H</b> – Severe limitations due to temperature.

#### **PUBLIC & AGENCY SUBMISSIONS:**

The application was circulated to 26 adjacent landowners, and no letters in response were received. The application was also circulated to a number of internal and external agencies. Those responses are available in Appendix 'A'.

#### **HISTORY:**

<b>1978</b>	Based on the County's assessment records, a detached garage was constructed on the subject lands.
<b>1975</b>	Based on the County's assessment records, a single detached dwelling was constructed on the subject lands.
<b>January 30, 1974</b>	Plan 7410082 was registered, creating one 40.28 acre parcel and one 40.81 acre parcel within the subject quarter.

#### **BACKGROUND:**

The purpose of this application is to redesignate the subject lands from Ranch and Farm District to Residential Three District to facilitate the creation of four  $\pm$  4.05 hectare ( $\pm$  10.00 acre) parcels. The Applicant intends to use the four parcels for residential purposes and minor agricultural pursuits in accordance with the provisions for the Residential Three district in the Land Use Bylaw.

The subject lands are located within the boundaries of the CNASP. The parcel is surrounded by residential lands to the east and west, and agricultural lands to the north and south. Access is currently available from an existing paved approach from Weedon Trail. The Applicant proposes to access the new lots via panhandles from Weedon Trail.

The property is currently developed with one single detached dwelling and associated accessory buildings. The dwelling is serviced by a water well and private septic tank and field system. Servicing is proposed to be provided via the development of additional water wells and private sewage treatment systems on each lot. The Applicant submitted a Level 3 Private Sewage Treatment System Assessment and a Phase 1 Groundwater Supply Evaluation in support of the application; the technical studies support the proposed servicing strategy.

### **POLICY ANALYSIS:**

The application was evaluated in accordance with the policies contained within the Cochrane North Area Structure Plan as well as the Land Use Bylaw.

#### *Cochrane North Area Structure Plan (Bylaw C-6388-2006)*

The CNASP promotes the development of appropriate infill of existing residential areas. The subject lands fall within the Residential Infill Area A, according to the CNASP land use strategy. The purpose of the Residential Infill Areas is to protect the existing rural acreage character while providing for comprehensively designed infill development of lower density residential uses. As per Policy 6.1.2, the minimum residential parcel size within Residential Infill Area A is 10.00 acres. The Applicant is proposing the creation of four  $\pm$  4.05 hectare ( $\pm$  10.00 acre) parcels, which complies with the minimum parcel size of the CNASP.

Policy 5.3 of the CNASP provides guidance as to when conceptual schemes are required for residential infill areas. In accordance with Policy 5.3.1, Conceptual schemes are required at the discretion of Council based on the following criteria:

- 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; and*
- vi. *Any other matter the Municipality deems necessary.*

The subject lands are located in a quarter section that contains fragmented agricultural and residential parcels, and no significant infrastructure upgrades have been identified. Supporting technical studies, including a Level 3 PSTS report, a Phase 1 Groundwater Evaluation, and a Stormwater Management report, confirm availability of utility servicing for increased residential development. While the subject lands are identified as being part of the regional trail system in Figure 7 of CNASP, appropriate conditions can be applied at the future subdivision stage with respect to reserve dedication without being stipulated in a conceptual scheme. Further, the Applicant did engage neighbouring landowners with respect to further development, and at this time, no issues have been identified and there is minimal development interest.

One of the main benefits a conceptual scheme provides is ensuring the development of an efficient transportation system for not only the subject lands, but adjacent lands as well. The Applicant proposes to access the four lots via panhandles. Policy 6.8.9 of the CNASP states, "*panhandle access shall generally be discouraged, but may be considered only where it is deemed by the Municipality that an internal subdivision road is not a viable or desirable option*". In this case, it was determined that an internal subdivision road to provide access is not desirable due to the maintenance obligations of the County. In lieu of requiring an internal roadway, the Applicant would be required to enter into a Road Acquisition Agreement with the County to ensure that if further development occurs, the panhandles



could be converted into an internal roadway. Furthermore, this would not impact the future development of the adjacent 40 acre parcel to the east, as sufficient access can be provided from Range Road 44.

In conjunction with the above noted elements and technical studies submitted with the application, and in accordance with Policy 5.3 of the CNASP, the overall objectives of a conceptual scheme would be satisfied, and therefore, Administration recommends that a conceptual scheme is not required to support this application. However, the CNASP 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 to support the increased residential development.

Land Use Bylaw (Bylaw C-4841-97)

The Applicant is requesting approval to redesignate the subject lands from Ranch and Farm District to Residential Three District. The purpose of this district is to accommodate uses such as residential, general agricultural, and home-based business, as well as larger accessory buildings. The minimum parcel size of the Residential Three District is 4.0 hectares (9.88 acres). The proposed application is consistent with the land use bylaw.

**CONCLUSION:**

The proposal to redesignate the subject lands from Ranch and Farm District to Residential Three District in order to facilitate the creation of four  $\pm$  4.05 hectare ( $\pm$  10.00 acre) parcels was evaluated in accordance with the CNASP and the Land Use Bylaw. The proposal complies with the policies of the CNASP and the Land Use Bylaw, and all technical concerns can be addressed at the time of subdivision. Therefore, Administration recommends approval in accordance with **Option #1**.

**OPTIONS:**

- Option #1:      Motion #1      THAT Bylaw C-7759-2018 be given first reading.  
                      Motion #2      THAT Bylaw C-7759-2018 be given second reading.  
                      Motion #3      THAT Bylaw C-7759-2018 be considered for third reading.  
                      Motion #4      THAT Bylaw C-7759-2018 be given third and final reading.
- Option #2:      THAT application PL20170178 be tabled, and the Applicant be directed to submit a conceptual scheme in support of the redesignation application.
- Option #3:      THAT application PL20170178 be refused.

Respectfully submitted,

Concurrence,

“Chris O’Hara”

“Kent Robinson”

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General Manager

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Interim County Manager

PS/rp

**APPENDICES:**

APPENDIX 'A': Application Referrals

APPENDIX 'B': Bylaw C-7759-2018 and Schedule A

APPENDIX 'C': Map Set

**APPENDIX A: APPLICATION REFERRALS**

AGENCY	COMMENTS
<b><i>School Authority</i></b>	
Rocky View Schools	No response.
Calgary Catholic School District	Calgary Catholic School District (CCSD) has no objection to the above-noted circulation (PL2017-0178) located north of Cochrane. As per the circulation, Municipal Reserve dedication will be considered at the subdivision phase.
Public Francophone Education	No response.
Catholic Francophone Education	No response.
<b><i>Province of Alberta</i></b>	
Alberta Culture and Tourism	Alberta Culture and Tourism has no objection to the proposed redesignation of pt. NE-32-26-4-W5M from Ranch and Farm District to Residential Three District, but the applicant should be informed that the lands in question have been assigned a Historic Resources Value of 5. This means that approval under the Historical Resources Act is required prior to the onset of any development activities. The applicant can apply for this approval at <a href="http://www.opac.alberta.ca">www.opac.alberta.ca</a> .
Alberta Energy Regulator	No response.
Alberta Health Services	<p>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, which states:</p> <p>“A person shall not locate a water well that supplies water that is intended or used for human consumption within</p> <ul 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> <li>d) 50 metres of sewage effluent on the ground surface,</li> <li>e) 100 metres of a sewage lagoon, or</li> <li>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> </ul>

AGENCY	COMMENTS
	<p>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 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 Guidelines 243/2003 which stipulates, <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	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>Other External Agencies</b>	
EnCana Corporation	No response.
<b>Rocky View County Boards and Committees</b>	
ASB Farm Members and Agricultural Fieldmen	No response.
Ranch Lands Recreation District Board	No comments.



AGENCY	COMMENTS
<b><i>Internal Departments</i></b>	
Agricultural Services	No agricultural concerns as the land falls within the Cochrane North Area Structure Plan.
Municipal Lands	The Municipal Lands Office has no concerns at this time; however, comments pertaining to reserve dedication will be provided at any future subdivision stage.
Development Authority	No response.
Enforcement & Compliance	No concerns.
GeoGraphics	No response.
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> <li>• The applicant is seeking to redesignate the subject lands from RF to R3;</li> <li>• Subject lands are within the Cochrane North MDP.</li> </ul> <p><b><u>Geotechnical</u></b> - Section 300.0 requirements:</p> <ul style="list-style-type: none"> <li>• ES has no requirements at this time;</li> <li>• The subject lands are relatively flat and do not have any slopes exceeding 15%.</li> </ul> <p><b><u>Transportation</u></b> - Section 400.0 requirements:</p> <ul style="list-style-type: none"> <li>• Access to the proposed parcels is from Weedon Trail, which is a paved road.</li> <li>• The applicant is proposing panhandle access, and the site plan submitted with the application indicates that the panhandles are 12.5 metres in width (each), which meets the requirements of the County Servicing Standards. This width is required as the panhandles may be converted into road allowance in the future to allow for the construction of a public roadway. <ul style="list-style-type: none"> <li>○ It is noted that Cochrane North ASP 6.8.9 discourages the use of panhandles, but states they may be considered if an internal road is deemed not desirable by the municipality.</li> <li>○ ES does not consider an internal road as desirable for the County, as it would only provide access to the</li> </ul> </li> </ul>

AGENCY	COMMENTS
	<p>subject lands and possibly the two west adjacent parcels.</p> <ul style="list-style-type: none"> <li>○ The subject lands fall within CNASP Residential Infill Area A, where policy specifies a minimum parcel size of 10 acres. ES considers panhandles with registration of a Road Acquisition Agreement as acceptable access in this case. If there is a future ASP amendment which allows for smaller parcels in the area, the County could then acquire the panhandles for public road allowance, allowing a project proponent to construct a County standard road to facilitate higher density development.</li> <li>• As a condition of future subdivision, as a mutual (shared) approach is to be used, the applicant shall provide a Right-of-Way Plan and Access Easement Agreement to register on the title of each parcel.</li> <li>• As a condition of future subdivision, the applicant shall enter into a Road Acquisition Agreement for the panhandle portions of the proposed parcels, allowing the County to acquire the lands for future road allowance for \$1.00.</li> <li>• As a condition of future subdivision, the applicant shall provide Road Dedication of a 1 metre wide strip of land, along the entire northern boundary of the subject lands.</li> <li>○ The Cochrane North ASP and Hamlet Plan Transportation Study (iTrans – March 2010) identifies the section of Weedon Trail adjacent to the subject lands as a collector road which requires 21 metres of right-of-way in the future. Adjacent to the subject lands, the current right-of-way is 20 metres.</li> <li>○ It is noted that there is 25m of right-of-way along the parcel immediately east of the subject lands. According to the report for 2008-RV-044, 5 metres of road widening was taken from the lands to the east because Weedon Trail was previously identified as part of the Long Range Transportation Network. According to TOL Bylaw C7356-2014, Weedon Trail is no longer part of the LRTN.</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 1.2 hectares (3.0 acres) on each of the ± 10.0 acre proposed parcels, as the applicant is proposing to subdivide a Residential Three District parcel.</li> <li>○ Base Levy = \$4595/acre. Acreage = (4 parcels)*(3 acres/parcel) = 12 acres. Estimated TOL payment = (\$4595/acre)*(12 acres) = \$55,140.</li> </ul>

AGENCY	COMMENTS
	<ul style="list-style-type: none"> <li>The applicant has submitted email communication with Bunt &amp; Associates (June 19, 2017), indicating that a TIA is not required for this development, which was confirmed by ES.</li> <li>ES has no further concerns.</li> </ul> <p><b><u>Sanitary/Waste Water</u></b> - Section 500.0 requirements:</p> <ul style="list-style-type: none"> <li>The applicant submitted a Level 3 PSTS Assessment (Groundwater Information Technologies Ltd. – December 27, 2017): <ul style="list-style-type: none"> <li>The report concludes that the subject lands are suitable for a PSTS;</li> <li>The report recommends the use of a conventional treatment field for Lot 1 (north parcel);</li> <li>The report recommends the use of a packaged sewage treatment system for Lots 2 &amp; 3 (south most parcels);</li> </ul> </li> <li>As a condition of future subdivision, the applicant shall be required to enter into a Site Improvements / Services Agreement in accordance with the recommendations of the Level 3 PSTS Assessment (Groundwater Information Technologies Ltd. – December 27, 2017);</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> - Section 600.0 &amp; 800.0 requirements:</p> <ul style="list-style-type: none"> <li>The applicant submitted a Phase 1 Groundwater Supply Evaluation (Groundwater Information Technologies Ltd. – August 21, 2017): <ul style="list-style-type: none"> <li>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 1,250 m<sup>3</sup>/year without causing adverse effects on existing users;</li> </ul> </li> <li>As a condition of future subdivision, the applicant will be required to submit Phase 2 Aquifer Pumping &amp; Testing Report for the new wells on Lots 1, 2 &amp; 3, prepared by a qualified professional, in accordance with procedures outlined in the County Servicing Standards. This shall include Well Driller's Reports 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</li> </ul>

AGENCY	COMMENTS
	<p>into municipal services when they become available.</p> <p><b><u>Storm Water Management</u></b> – Section 700.0 requirements:</p> <ul style="list-style-type: none"> <li>• The applicant submitted a Site-Specific Stormwater Implementation Plan (Stormwater Solutions Inc. – September 19, 2017).</li> <li>○ The SSIP recommends the use of grass swales and bio-retention beds in each of the four lots. Design details for the bio-retention beds have been included, and swales shall be designed in accordance with the County Servicing Standards.</li> <li>• As a condition of future subdivision, the applicant shall be required to register an overland drainage easement/utility right-of-way on title of each lot, in accordance with the recommendations of the SSIP (Stormwater Solutions Inc. – September 19, 2017).</li> <li>• As a condition of future subdivision, the applicant shall be required to enter into a Site Improvements / Services Agreement in accordance with the recommendations of the SSIP (Stormwater Solutions Inc. – September 19, 2017).</li> </ul> <p><b><u>Environmental</u></b> – Section 900.0 requirements:</p> <ul style="list-style-type: none"> <li>• The Alberta Wetland Inventory on County GIS identifies a wetland on proposed Lot 3 of the subject lands. Given the proposed parcels are 10 acres, Lot 3 could be developed in such a manner that the wetland is not disturbed or impacted.</li> <li>• At future subdivision stage, the applicant shall provide further details to determine if the wetland will be impacted. <ul style="list-style-type: none"> <li>○ If the wetland will be impacted, the applicant shall provide a Wetland Impact Assessment and confirmation of AEP Water Act approvals for wetland disturbance.</li> <li>○ If deemed necessary, a restrictive covenant could be registered on title to maintain an appropriate setback from the wetland.</li> </ul> </li> <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.

AGENCY	COMMENTS
Infrastructure and Operations – Road Operations	If Applicant needs new approach or if upgrading an existing approach will need to contact County Road Operations for approach application.
Infrastructure and Operations – Utility Services	No concerns.

Circulation Period: November 29, 2017 – December 20, 2017



## **BYLAW C-7759-2018**

### **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-7759-2018.

#### **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 & 68-NW of Bylaw C-4841-97 be amended by redesignating Block 1, Plan 7410082, within NE-32-26-04-W05M from Ranch and Farm District to Residential Three District as shown on the attached Schedule 'A' forming part of this Bylaw.

**THAT** Block 1, Plan 7410082, within NE-32-26-04-W05M is hereby redesignated to Residential Three District as shown on the attached Schedule 'A' forming part of this Bylaw.

#### **PART 4 – TRANSITIONAL**

Bylaw C-7759-2018 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: 9**  
**File: 06832001/ PL20170178**

<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

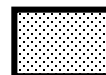
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Date Bylaw Signed

BYLAW: C-7759-2018



**AMENDMENT**

FROM Ranch and Farm District TO Residential Three District



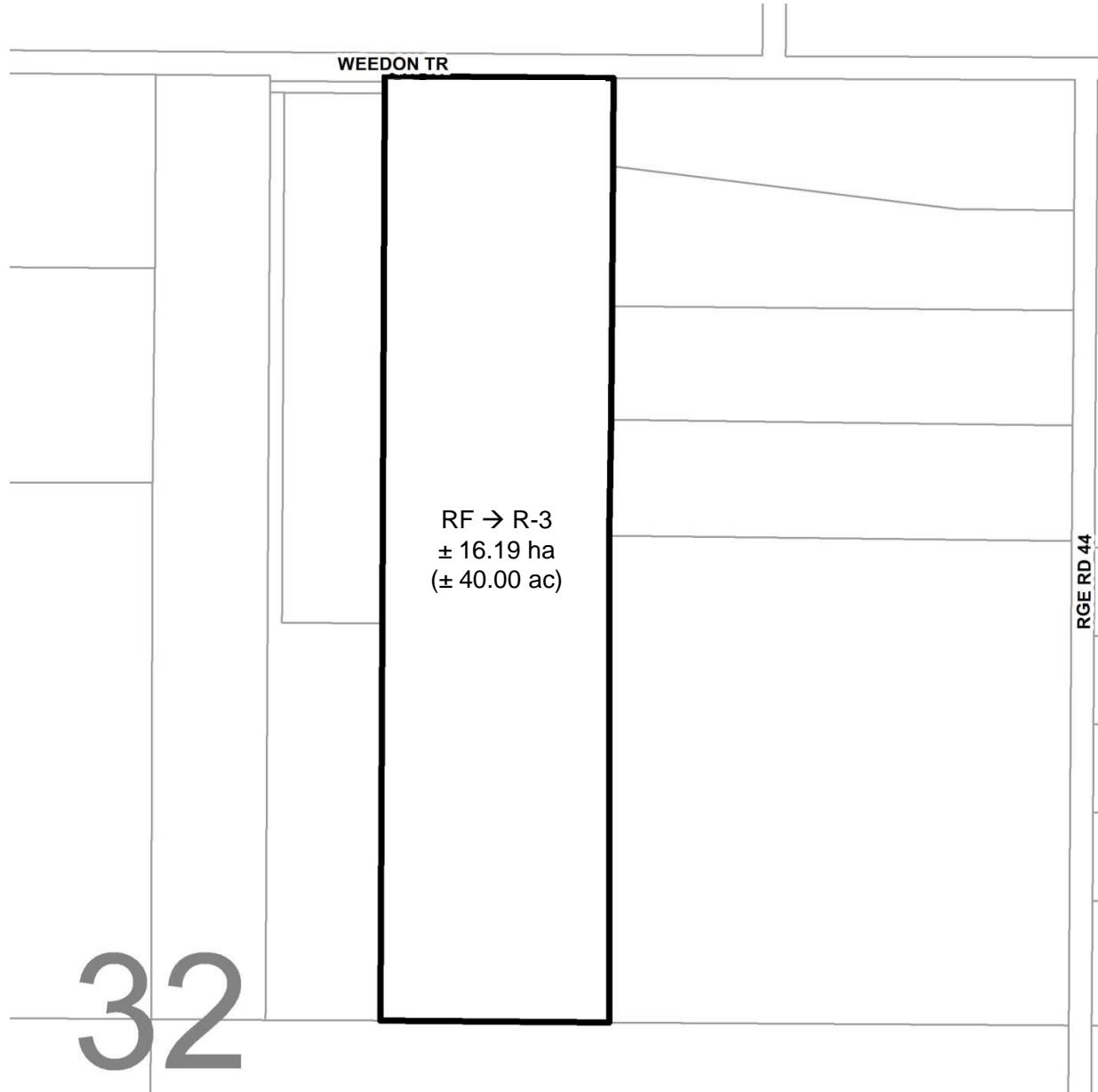
Subject Land \_\_\_\_\_

LEGAL DESCRIPTION: Block 1, Plan 7410082, NE-32-26-04-W05M





**Redesignation Proposal:** To redesignate the subject lands from Ranch and Farm District to Residential Three District to facilitate the creation of four  $\pm$  4.05 hectares ( $\pm$  10.00 acre) parcels.



## DEVELOPMENT PROPOSAL



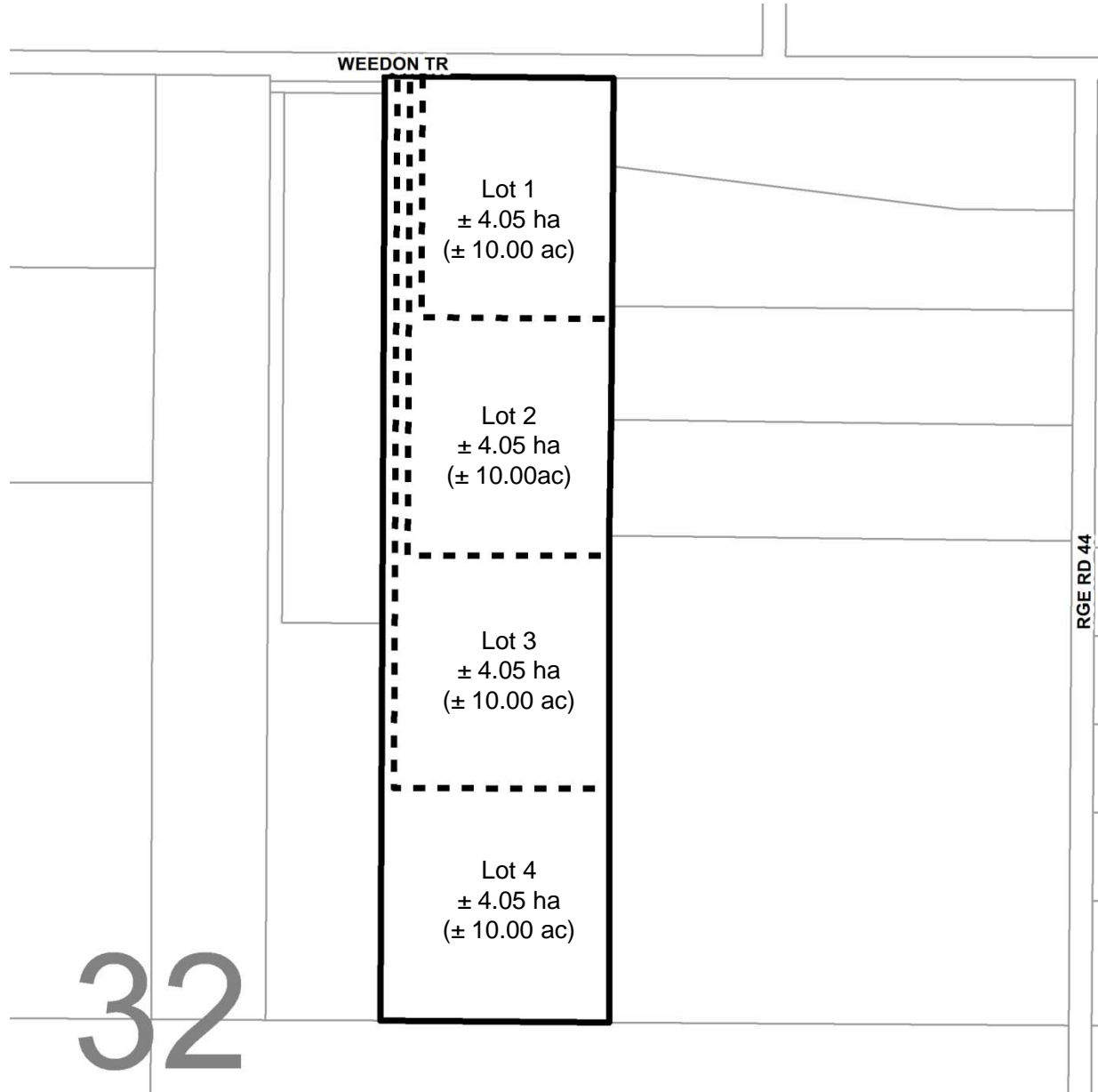
**NE-32-26-04-W05M**  
**Block:1 Plan:7410082**

Date: Nov 28, 2017

Division # 9

File: 06832001

**Redesignation Proposal:** To redesignate the subject lands from Ranch and Farm District to Residential Three District to facilitate the creation of four  $\pm 4.05$  hectares ( $\pm 10.00$  acre) parcels.



## DEVELOPMENT CONCEPT

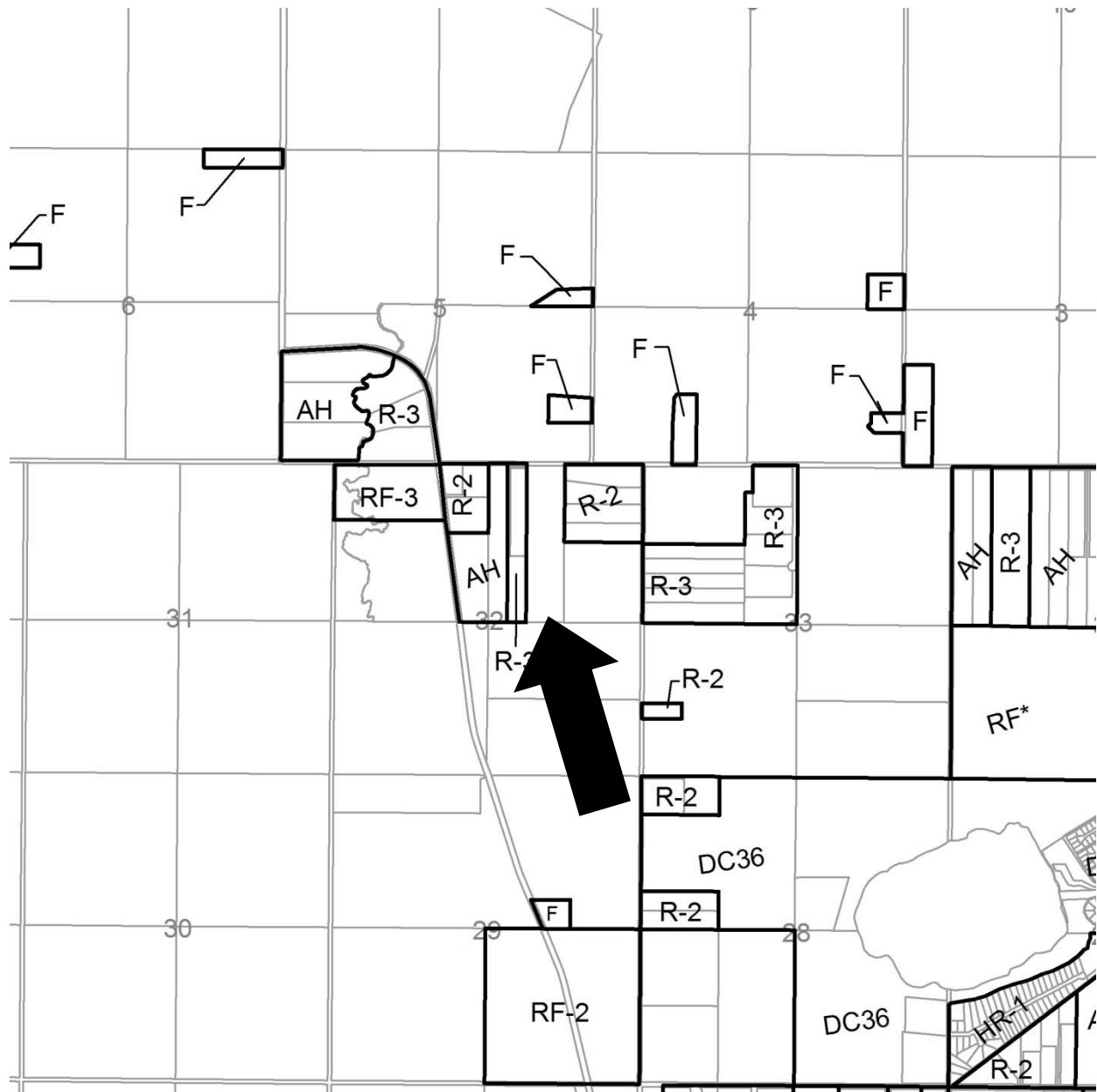


**NE-32-26-04-W05M**  
**Block:1 Plan:7410082**

Date: Nov 28, 2017

Division # 9

File: 06832001



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-32-26-04-W05M**  
**Block:1 Plan:7410082**

Date: Nov 28, 2017

Division # 9

File: 06832001





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-32-26-04-W05M**  
**Block:1 Plan:7410082**

Date: Nov 28, 2017

Division # 9

File: 06832001





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

**AIR PHOTO**

*Spring 2016*

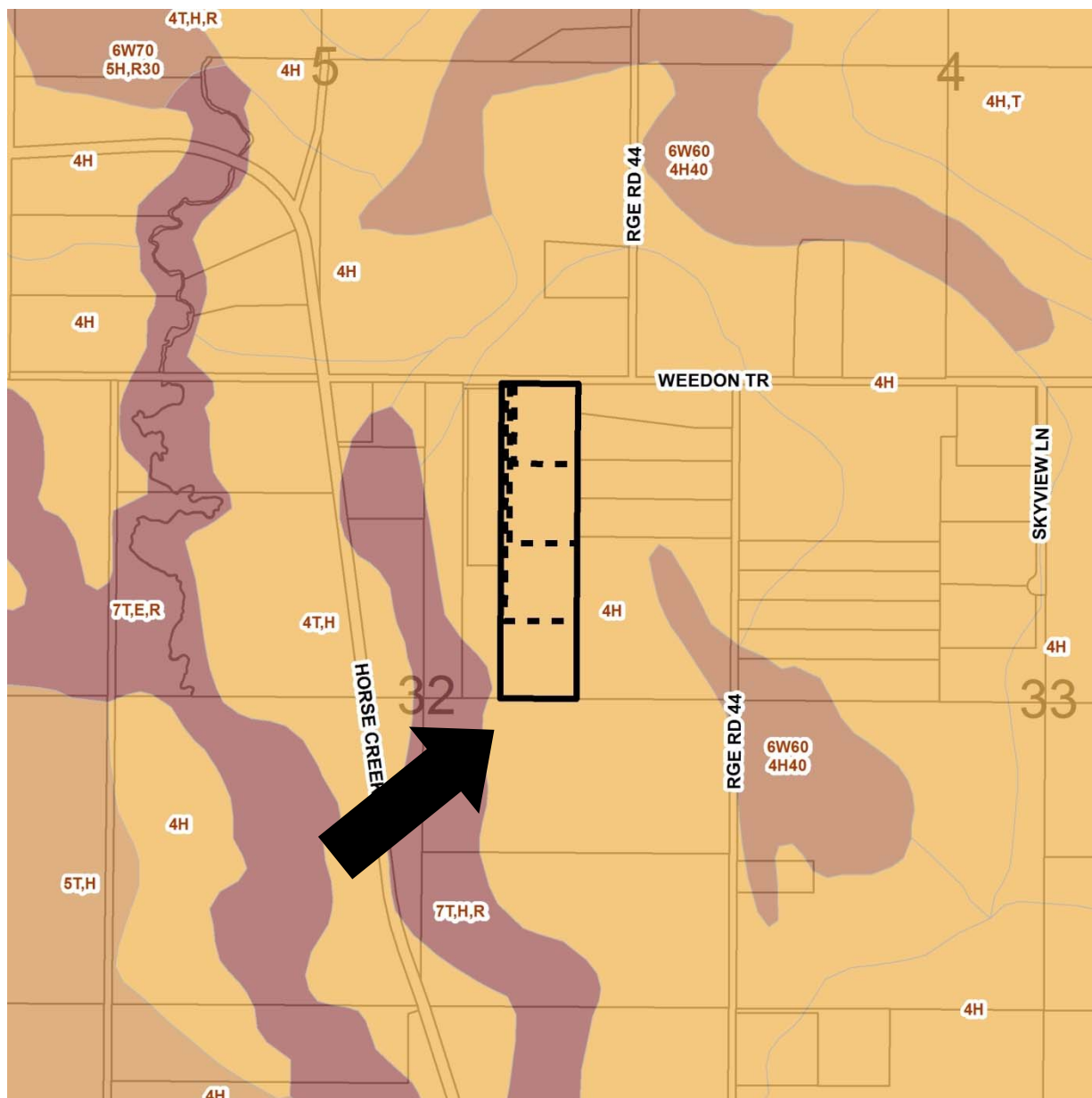


**NE-32-26-04-W05M**  
**Block:1 Plan:7410082**

Date: Nov 28, 2017

Division # 9

File: 06832001



**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**



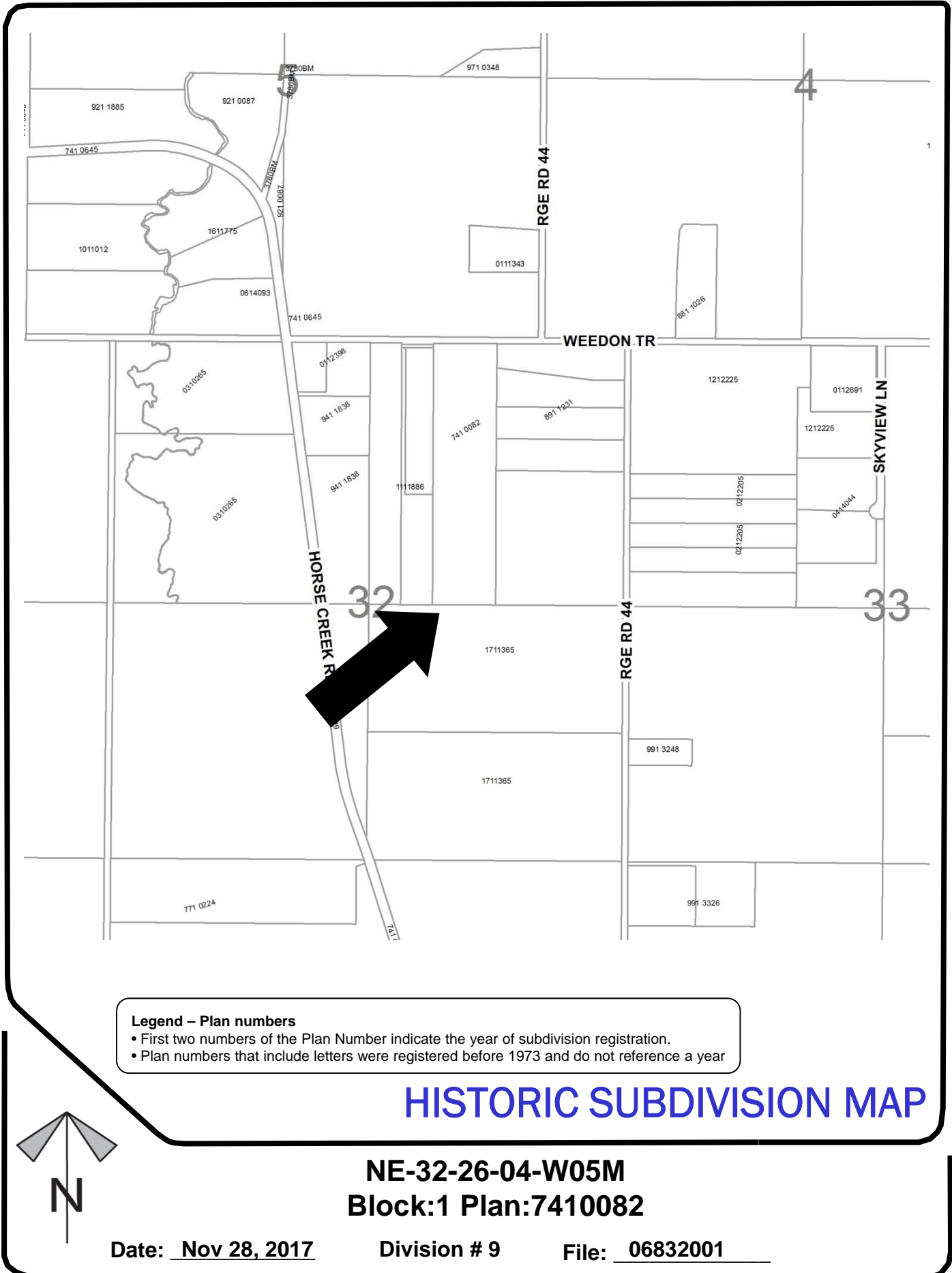
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**Block:1 Plan:7410082**

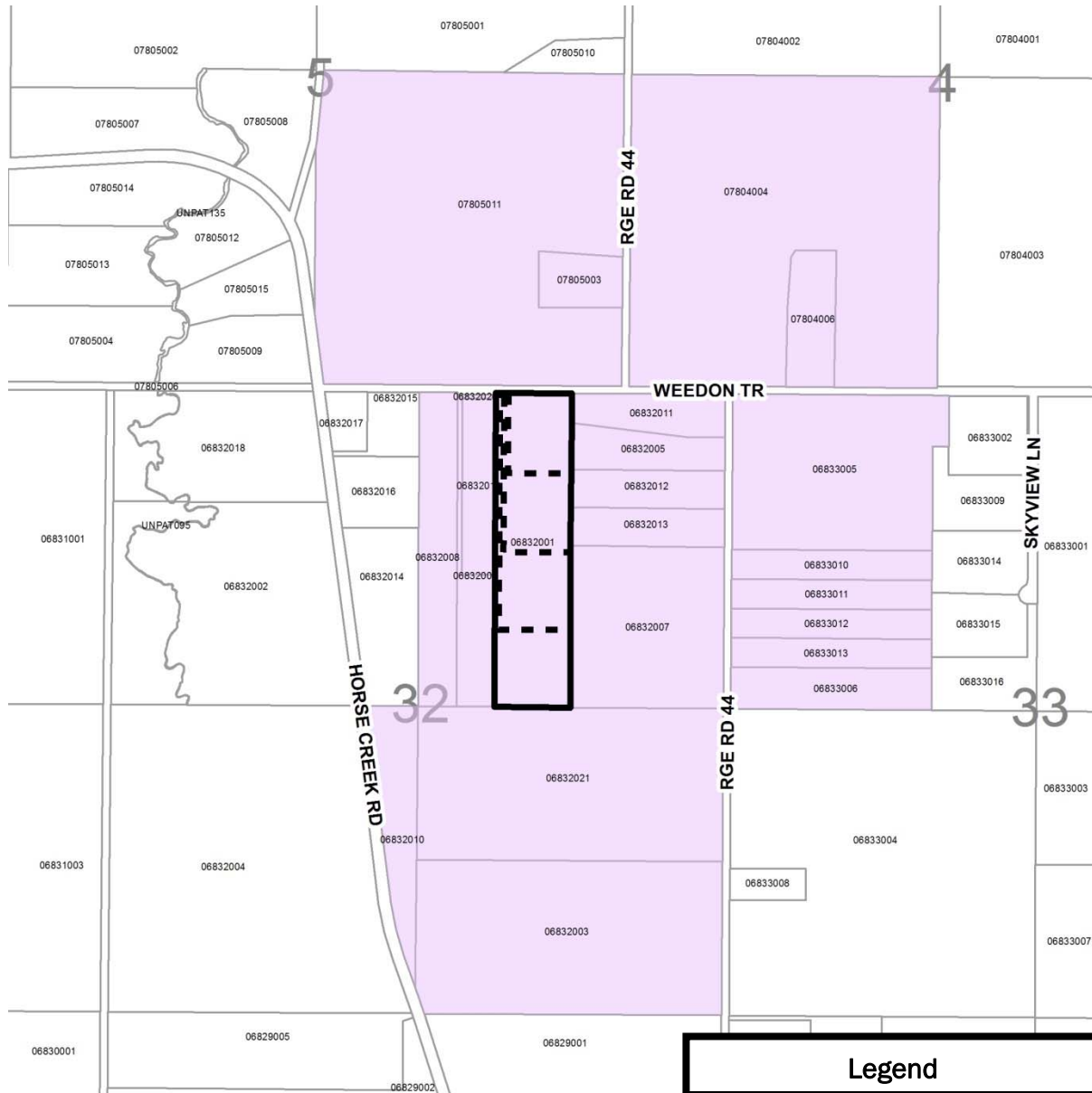
Date: Nov 28, 2017

Division # 9

File: 06832001



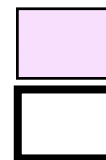




Letters in Opposition

Letters in Support

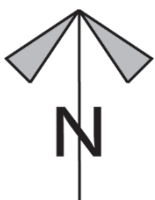
### Legend



Circulation Area

Subject Lands

## LANDOWNER CIRCULATION AREA



NE-32-26-04-W05M  
Block:1 Plan:7410082

Date: Nov 28, 2017

Division # 9

File: 06832001



## PLANNING SERVICES

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**TO:** Council

**DATE:** May 22, 2018 **DIVISION:** 3

**TIME:** Afternoon Appointment

**FILE:** 04618004/19 **APPLICATION:** PL20170158

**SUBJECT:** Conceptual Scheme – Atkins Conceptual Scheme  
Note: To be considered in conjunction with PL20170169 - Land Use Redesignation

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

- Motion #1 THAT Council accepts the alternate conceptual scheme area as defined in the Atkins Conceptual Scheme.
- Motion #2 THAT Council accepts the use of water wells for the proposed Atkins Conceptual Scheme, subject to further studies and confirmation at the subdivision stage.
- Motion #3 THAT Bylaw C-7755-2018 be given first reading.
- Motion #4 THAT Bylaw C-7755-2018 be given second reading.
- Motion #5 THAT Bylaw C-7755-2018 be considered for third reading.
- Motion #6 THAT Bylaw C-7755-2018 be given third and final reading.

### EXECUTIVE SUMMARY:

The purpose of this application is to amend the Central Springbank Area Structure Plan to include the Atkins Conceptual Scheme, and to adopt the Atkins Conceptual Scheme to provide a policy framework for future redesignation, subdivision, and development proposals within Lot 2, Block D, Plan 1415LK within NE-18-24-02-W05M (25102 Lower Springbank Road), and Block 1, Plan 7811222 within SE-18-24-02-W05M.

The application was assessed based on the Central Springbank Area Structure Plan (CSASP). The proposal meets the CSASP requirements with the exception of:

- a smaller conceptual scheme area than what is prescribed in the CSASP; and
- the proposed water servicing method (proposed use of water wells instead of tie-in to the regional water servicing).

The Applicant provided a rationale in support of the smaller conceptual scheme area (e.g. existing development fragmentation, regional traffic access, and topographic constraints), and confirmed that the existing water distributor in the area (Westridge Utility System) declined to provide additional tie-in to the proposed development.

Due to the inability to tie-in to the existing water servicing, water wells were drilled and tested in accordance with Alberta Environment and County standards. The Applicant submitted groundwater supply evaluation reports for each of the proposed lots (prepared by Groundwater Information Technologies Ltd., dated October 2017), which demonstrate adequate water servicing for each lot with no adverse effects on the neighbouring properties.

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

Johnson Kwan, Planning Services  
Narmeen Haq, Engineering Services



Administration reviewed the application and determined that:

- It complies with the Central Springbank Area Structure Plan;
- The proposed land use is compatible with the surrounding area; and
- Detailed technical assessment would be further addressed at the future subdivision and/or development stages.

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

**DATE APPLICATION DEEMED COMPLETE: October 23, 2017** (Revised February 5, 2018)

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<b>PROPOSAL:</b>	To amend the Central Springbank Area Structure Plan to include the Atkins Conceptual Scheme, and to adopt the Atkins Conceptual Scheme to provide a policy framework for future redesignation, subdivision, and development proposals within Lot 2, Block D, Plan 1415LK within NE-18-24-02-W05M (25102 Lower Springbank Road), and Block 1, Plan 7811222 within SE-18-24-02-W05M.
<b>LEGAL DESCRIPTION:</b>	Lot 2, Block D, Plan 1415 LK within NE-18-24-02-W05M; Block 1, Plan 7811222 within SE-18-24-02-W05M
<b>GENERAL LOCATION:</b>	Located in the Central Springbank area, approximately 1.6 kilometres (1 mile) west of the city of Calgary, at the northwest junction of Range Road 25 and Lower Springbank Road.
<b>APPLICANT:</b>	ERW Consulting Inc.
<b>OWNERS:</b>	Murray and Kristina Atkins
<b>EXISTING LAND USE DESIGNATION:</b>	Residential Two District and Ranch and Farm District.
<b>PROPOSED LAND USE DESIGNATION:</b>	Residential Two District.
<b>GROSS AREA:</b>	± 16.54 hectares (± 40.85 acres)
<b>SOILS (C.L.I. from A.R.C.):</b>	<p><b>Class 3T 3:</b> Moderate limitations to cereal crop production due to adverse topography.</p> <p><b>Class 5T 5:</b> Very Severe limitations to cereal crop production due to adverse topography.</p>

#### **PUBLIC & AGENCY SUBMISSIONS:**

The application was circulated to 34 adjacent landowners, to which two letters in opposition were received in response (Appendix 'D'). The application was also circulated to a number of internal and external agencies, and those comments are available in Appendix 'A'.

#### **HISTORY:**

<b>2016</b>	Subdivision application PL20150091 was conditionally approved to create a ± 1.62 hectare (± 4 acre) parcel with a ± 5.92 hectare (± 14.62 acre) remainder lot at Lot 2, Block D, Plan 1415 within NE-18-24-02-W05M.
<b>2016</b>	Redesignation application PL20150092 and subdivision application PL20150093 was conditionally approved to create a ± 1.62 hectare (± 4 acre) parcel with a ± 7.39 hectare (± 18.23 acre) remainder at Block 1, Plan 781 1222, within SE-18-24-02-W05M.
<b>2001</b>	The Central Springbank Area Structure Plan (Bylaw C-5354-2001) was adopted.



- 1978** Plan No. 781 1222 was registered, which created Block 1, Plan 781 1222 within SE-18-24-02-W05M. Public reserve pursuant to the Act was provided by 1% cash-in-lieu payment and deferment on the balance.
- 1972** Plan No. 1415 LK was registered and created Lot 2, Block D, Plan 1415 LK within NE-18-24-02-W05M. Municipal Reserves were previously dedicated on Plan 5544 JK.

### BACKGROUND:

The subject land is located in the Central Springbank area, approximately 1.6 kilometres (1 mile) west of the city of Calgary, at the northwest junction of Range Road 25 and Lower Springbank Road.

The surrounding area to the north is mainly country residential development, designated as Residential Two District and Residential One District. The surrounding area to the south is largely unsubdivided quarter sections designated as Ranch and Farm District.

The conceptual scheme area is approximately 16.54 hectares ( $\pm$  40.85 acres) in size, and comprises two properties. There is an existing residence located on the northern property (Lot 2, Block D, Plan 1415 LK), and access is provided from Lower Springbank Road. The southern property is currently vacant.

### POLICY ANALYSIS:

#### Central Springbank Area Structure Plan

The subject lands are located within the Infill Residential Area of the Central Springbank ASP (CSASP). In accordance with policy 2.9.3:

- a) *Lands within the infill residential area will not be eligible for further subdivision unless a Conceptual Scheme is prepared in accordance with the provisions of this plan, is approved by the Municipality, and is appended to the Central Springbank ASP.*
  - This conceptual scheme application is to guide future subdivision on the subject lands. The Applicant indicated that there are several factors, including existing development fragmentation, traffic access, and topographic constraints that make it impractical to develop a Conceptual Scheme with the predetermined boundary in the ASP. Detailed reasoning is described in Section 5 of the Conceptual Scheme.
- b) *Future residential lots will range between  $\pm$  0.8 ha ( $\pm$  2.0 ac) to  $\pm$  1.6 ha ( $\pm$  4.0 ac) in size, or whatever is most prevalent on adjacent lands or in the immediate area.*
  - The majority of the proposed lots are 1.60 hectares (3.95 acres) in size, with one undersized Residential Two lot at 1.41 hectares (3.50 acres), and the remainder lot with the existing residence at 2.14 hectares (5.28 acres) in size.
  - The surrounding area consists of a mix of lot sizes:
    - To the north are Residential Two parcels that range in size from 4 acres to 20 acres;
    - To the northeast are Residential One parcels that are  $\pm$  2 acres in size;
    - To the east are a few Residential Two parcels and agricultural parcels that are also identified as infill residential area in the Central Springbank ASP;
    - To the south are unsubdivided quarter sections that are identified as new residential areas in the Central Springbank ASP; and
    - To the west are pockets of Residential Two parcels that are  $\pm$  4 acres in size.
- c) *Open space connections should be facilitated through the use of cash-in-lieu, land dedication, or easement to extend pedestrian connections throughout the plan area.*
  - The Applicant is proposing a pathway connection along Range Road 25 via a public pathway that is protected by easements on the subject land; the pathway is to be owned and maintained by the proposed Bare Land Condominium Corporation;



- Outstanding Municipal Reserve on Block 1, Plan 8711222 within SE-18-24-2-W05M would be provided via cash-in-lieu at the future subdivision stage.
- d) *Modified road standard should only be considered in Infill Residential Areas when stormwater management, emergency services, school bus services and public safety are shown to not be at risk and an opportunity for future local roads with a higher priority for aesthetic appeal, quality of services and multiple uses is provided.*
- The proposed internal road would be privately owned and maintained by the Bare Land Condominium Corporation. Design and construction standards would be similar to the County Servicing Standards for a Residential Local Road, with a 14.5 metre right-of-way and a 6.5 meter paved road surface. Administration reviewed the proposed internal road design and deemed it acceptable in this case. Further details would be addressed at future subdivision stage.

Overall, the proposed Conceptual Scheme meets the CSASP's intent and policies.

## TECHNICAL ANALYSIS:

### Land Use Scenario

The intent of the Conceptual Scheme is to develop a small, nine-lot private community with upper-end, contemporary, single family homes and amenities. Eight new lots, with a private gated road providing access from Range Road 25, would be created. The existing residence on-site would set the standard for the quality and design for future development.

Sections 9 and 10 of the Conceptual Scheme illustrate the proposed concept and provide examples of the proposed development on site.

The majority of the proposed lots would be approximately 1.60 hectares (3.95 acres) in size, with the exception of proposed lot 5, which would be approximately 1.42 hectares (3.50 acres) in size.

The Applicant indicated that the creation of a slightly smaller lot within the gated community would not negatively impact the overall development or its amenities. Detailed design, lot layout, and parcel sizes would be finalized at the future subdivision stage.

The Subdivision Authority may vary the lot sizes if, in the opinion of the authority, the proposal would not:

- i) unduly interfere with the amenities of the neighbourhood; or
- ii) materially interfere with or affect the use, enjoyment, or value of the neighbouring parcels of land.

### Development Constraints (Slope Stability)

The site slopes from the north to the south, with a  $\pm 46$  m ( $\pm 150$  ft.) elevation change. The highest elevation (1,204 m) is situated at the northwest corner, and the lowest elevation (1,158 m) is situated at the southeast corner.

In accordance with Policy 2.5.2 e) of the CSASP, "*appropriate setbacks from the top of bank should be established by a geo-technical report, to the satisfaction of the Municipality.*"

The Applicant submitted three technical reports, including a geotechnical evaluation and a slope assessment, prepared by Almor Testing Services Ltd, dated January 2016. The reports indicate that there are no instabilities or concerns presently; however, the assessment only pertains to a portion of the site. Therefore, a revised geotechnical and slope stability assessment would be required at the future subdivision stage to assess the entire conceptual scheme area.

Restrictive covenants may be required to restrict development within a given setback from slopes that are greater than 20%. Detailed requirements would be confirmed at the future subdivision stage in accordance with the geotechnical and slope stability report.





### Architectural Control

The Applicant indicated that architectural design guidelines would be prepared at the subdivision stage, to be registered on the titles by the developer at the time of registration. The proposed Conceptual Scheme specifies that enforcement of the architectural design guidelines would be the responsibility of the developer and/or the proposed condominium corporation.

### Landscaping

The site entrance would be designed as an amenity space with a landscaped transition from Range Road 25. Site perimeter landscaping would be provided by the developer and would include a berm and tree and/or shrub planting to buffer the development from adjacent roads.

The Applicant also proposes landscaping features along both sides of the private road with islands planted at the median. Details of the landscaping and private road design would be confirmed at future subdivision and development permit stages.

### Stormwater Management

Policy 2.4.4 a) of the CSASP requires any stormwater management plan/site implementation plan prepared by a developer to be in accordance with the Master Drainage Plan. The stormwater management plan should identify and address the methods by which post-development runoff would be prevented from exceeding pre-development rates of discharge through the incorporation of Best Management Practices contained on each development site.

The Applicant submitted a stormwater management plan (prepared by Westhoff Engineering Resources Inc., dated September 2017, updated January 23, 2018, and April 6, 2018) with a drainage strategy that meets the criteria outlined in the Springbank Master Drainage Plan.

The proposed stormwater management concept relies on an overland drainage system with roadside ditches along the proposed internal road. Runoff from the internal road is collected by the internal ditches and conveyed to a stormwater pond on the southeast corner of the project site.

The stormwater pond provides temporary retention of the stormwater runoff and limits the discharge to the roadside ditch along Lower Springbank Road. Runoff retained in the stormwater pond may be used for fire suppression and irrigation of the area to meet the annual median volume target.

### Transportation

The Applicant submitted a Traffic Impact Assessment (TIA), prepared by Bunt & Associates Engineering Ltd., dated June 2017. The assessment concludes that smaller-scale improvements would be necessary to improve safety at the Lower Springbank Road and Range Road 25 intersection at the Opening Day. Recommended improvements include:

- Removal of vegetation impeding the sight triangle at the intersection;
- Relocation of the existing mail box structures; and
- Addition of a "Concealed/Hidden intersection (WA-12L)" sign on westbound Lower Springbank Road, west of the intersection.

These improvements would be addressed at the future subdivision stage. For the long-term conditions, the TIA suggests that the intersection would continue to operate within acceptable capacity and queuing parameters in an unsignalized capacity, assuming that Lower Springbank Road would be widened to four lanes with requisite turning lanes as projected in the County's transportation model. At such time as the Lower Springbank Road is being widened and/or twinned, the intersection should be re-aligned to improve the approach angle of Range Road 25.

### Utility Servicing – Water

In accordance with Policy 2.8.2 of the CSASP, connection to an existing water distribution system is required for residential purposes where access is feasible and/or cost effective.



The Applicant indicated that connection to the piped water system would not be possible, as the utility provider (Westridge Utility System) refuses to provide additional tie-ins. For this reason, the Applicant proposes individual water wells to service the proposed subdivision.

The existing residence would continue to use the existing well, while each new lot would have its own independent well. The Applicant submitted groundwater supply evaluation reports for each of the proposed lots (prepared by Groundwater Information Technologies Ltd., dated October 2017), which demonstrate adequate water servicing.

#### Utility Servicing – Wastewater

The existing residence would continue to use the existing septic system, whereas the proposed new parcels would have their own private sewage treatment system.

Policy 2.8.3 a) of the CSASP indicates that a lot that is two acres in size or greater can employ a Private Sewage Disposal System if each lot has at least one contiguous developable acre available, and provided that the site conditions are suitable.

To determine if site conditions are satisfactory to use a private sewage disposal system, a qualified practicing engineer in the Province of Alberta must prepare a report, to the satisfaction of the County, verifying that the site is suitable and would not negatively impact the environmental integrity of catchment basin over time.

The Applicant submitted a Level II Private Sewage Treatment System Assessment ( prepared by Almor Testing Services, dated August 2017), which concludes that the soil conditions on-site are suitable for septic fields with the requirement for packaged sewer treatment systems (PSTS).

The Applicant further submitted a Level IV PSTS report (prepared by Almor Testing Services, dated February 12, 2018). The report assesses the soil suitability for a PSTS and provides septic field sizing for the proposed lots.

#### **CONCLUSION:**

Administration evaluated the application and determined that:

- It complies with the Central Springbank Area Structure Plan;
- The proposed land use is compatible with the surrounding area; and
- Technical assessment can be further addressed at future subdivision and development stages.

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

#### **OPTIONS:**

- |             |   |  |
|-------------|---|--|
| Option # 1: | Motion #1                               | THAT Council accepts the alternate conceptual scheme area as defined in the Atkins Conceptual Scheme.  |
|             | Motion #2                               | THAT Council accepts the use of water wells for the proposed Atkins Conceptual Scheme, subject to further studies and confirmation at the subdivision stage. |
|             | Motion #3                               | THAT Bylaw C-7755-2018 be given first reading.   |
|             | Motion #4                               | THAT Bylaw C-7755-2018 be given second reading.  |
|             | Motion #5                               | THAT Bylaw C-7755-2018 be considered for third reading.  |
|             | Motion #6                               | THAT Bylaw C-7755-2018 be given third and final reading.   |
| Option # 2: | THAT Application PL20170158 be refused. |  |



ROCKY VIEW COUNTY  
Cultivating Communities

Respectfully submitted,

Concurrence,

“Chris O’Hara”

“Kent Robinson”

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General Manager

Jkwan/rp

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Interim County Manager

**APPENDICES:**

APPENDIX ‘A’: Application Referrals

APPENDIX ‘B’: Bylaw C-7755-2018 and Schedule A and B

APPENDIX ‘C’: Map Set

APPENDIX ‘D’: Landowner Letters

APPENDIX ‘E’: Westridge Utilities letter to the County

**APPENDIX A: APPLICATION REFERRALS**

AGENCY	COMMENTS
<b><i>School Authority</i></b>	
Rocky View Schools	No comments.
Calgary Catholic School District	No comments.
Public Francophone Education	No comments.
Catholic Francophone Education	No comments.
<b><i>Province of Alberta</i></b>	
Alberta Environment and Parks	No comments.
Alberta Transportation	No comments.
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> <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.</p>
Energy Resources Conservation Board	No comments.
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, Section 15(1), which states:             <p><i>"A person shall not locate a water well that supplies water that is intended or used for human consumption within</i></p> <ol style="list-style-type: none"> <li>a) <i>10 metres of any watertight septic tank, pump out tank or other watertight compartment of a sewage or waste water system,</i></li> <li>b) <i>15 metres of a weeping tile field, an evaporative treatment mound or an outdoor toilet facility with a pit,</i></li> <li>c) <i>30 metres of a leaching cesspool,</i></li> <li>d) <i>50 metres of sewage effluent on the ground surface,</i></li> </ol> </li> </ol>



AGENCY	COMMENTS
	<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 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 assessment should be conducted by a qualified professional engineer and the system should be installed in an approved manner.</p> <p>3. The properties 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.
ATCO Pipelines	No objection.
AltaLink Management	No comment received.
Enmax	No comment received.
Telus Communications	No objection. Telus will need to review the circulation for the subdivision and proposed development once at that stage.
TransAlta Utilities Ltd.	No comment received.
<b>Rocky View County Boards and Committees</b>	
ASB Farm Members and Agricultural Fieldmen	No agricultural concern as the land falls within the Central Springbank Area Structure Plan.
Rocky View West Recreation District Board	The Rec. Board is satisfied with the proposal from the developer to construct a pathway on Range Road 25 and that will be for

AGENCY	COMMENTS
	public use and made a motion to approve the proposal.
<b><i>Internal Departments</i></b>	
Municipal Lands	The Municipal Lands Office has no concerns at this time; however, comments pertaining to pathway and reserve dedication will be provided at any future subdivision stage.
Development Authority	No comments.
GeoGraphics	No comments.
Building Services	No comments.
Emergency Services	Fire Services: <ol style="list-style-type: none"> <li>1. Please ensure that water supplies and hydrants are sufficient for firefighting purposes.</li> <li>2. Dependent on the occupancies, the Fire Service recommends that the buildings be sprinklered, if applicable, as per the Alberta Building Code.</li> <li>3. The Fire Service also recommends that the water co-op be registered with Fire Underwriters.</li> <li>4. Please ensure that access routes are compliant to the designs specified in the Alberta Building Code.</li> </ol>
Infrastructure and Operations- Engineering Services	<b><u>General</u></b> <ul style="list-style-type: none"> <li>• The applicant is proposing that the community be a private community with a private/gated road;</li> <li>• As a condition of future subdivision, the Owner is required to enter into a Development Agreement pursuant to Section 655 of the Municipal Government Act respecting provision of the following:               <ol style="list-style-type: none"> <li>a) Construction of a public internal road system (Residential Collector RL1) complete 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 the County Servicing Standards;</li> <li>b) Construction of a new intersection at the location of the site with Range Road 25 in accordance with the County Servicing Standards;</li> <li>c) Construction of a piped potable water distribution system (including the registration or necessary easements);</li> <li>d) Mailbox locations are to be located in consultation with Canada Post to the satisfaction of the County;</li> <li>e) Construction and Installation of a Drafting Hydrant, designed to meet minimum fire flows as per County Standards and Bylaws;</li> <li>f) Construction of stormwater facilities in accordance with the recommendations of an approved Stormwater</li> </ol> </li> </ul>





AGENCY	COMMENTS
	<p>Management Plan and the registration of any overland drainage easements and/or restrictive covenants as determined by the Stormwater Management Plan.</p> <p>g) Installation of power, natural gas, and telephone lines</p> <ul style="list-style-type: none"> <li>As a condition of subdivision, the applicant will be required to enter into a Deferred Servicing Agreement outlining that future lot owners will be required to connect to County wastewater, storm water and potable water servicing when such services become available.</li> </ul> <p><b><u>Geotechnical - Section 300.0 requirements:</u></b></p> <ul style="list-style-type: none"> <li>The applicant has submitted a limited scope Geotechnical Investigation and Slope Assessment by Almor Testing dated January 2016. The report assesses two of the proposed sites and concludes that there is sufficient developable area within the two sites (minimum 1 contiguous acre). The report also confirms that there are slopes in excess of 20% along the north property line of the site and makes setback recommendations for two of the proposed lots.             <ul style="list-style-type: none"> <li>At future subdivision stage, the applicant shall update this report to reflect the proposed 8 lots and confirm setback recommendations for all the lots on site.</li> </ul> </li> <li>The applicant has submitted a Shallow Subsoil and Groundwater Site Investigation by Almor Testing dated August 2017. The report provides assessment of the soil conditions on site including groundwater conditions, suitability for PSTS and recommendations for pavement and building foundations. At future subdivision stage, the applicant will be required to adhere to the recommendations of the report.             <ul style="list-style-type: none"> <li>While the August 2017 report does provide recommendation for PSTS suitability, the report does not provide all the necessary details as required for a Level 4 PSTS report as outlined in the Model Process Document. Therefore, at future subdivision stage, ES requests that a full Level 4 PSTS report be submitted to accompany the application, or the August 2017 report be updated to include all necessary information required in a Level 4 PSTS report.</li> </ul> </li> </ul> <p><b><u>Transportation - Section 400.0 requirements:</u></b></p> <ul style="list-style-type: none"> <li>The applicant submitted a Traffic Access Review prepared by Bunt and Associates dated June 9, 2017. The report analyzes the intersection of Range Road 25 and Lower Springbank Road at opening day and the 20 year horizon. While the development is only proposing the addition of 8 lots, the report makes recommendation for some small scale</li> </ul>



AGENCY	COMMENTS
	<p>improvements to be done at the intersection to improve sight lines (removal of vegetation, movement of mailboxes and addition of signage). At future subdivision stage, the applicant will be required to implement the recommended improvements from the June 9, 2017 Bunt and Associates Report;</p> <ul style="list-style-type: none"> <li>• At future subdivision stage, the applicant will be responsible for entering into a Development Agreement with the County for the construction of the internal road network (Residential Collector RL1) and the intersection with Range Road 25. The road standard proposed can only be supported if maintenance of the road is the responsibility of a private corporation.</li> <li>• In accordance with the Springbank Functional Plan, Lower Springbank Road ultimately requires 36m of road right of way. The current ROW width is 30m. Therefore, as a condition of future subdivision, the applicant will be required to dedicate 3m along the entire south boundary of the site for future road widening of Lower Springbank Road;</li> <li>• As a condition of subdivision endorsement, the applicant will be required to provide payment of the Transportation Offsite Levy in accordance with applicable levy at time of Subdivision and/or Development Permit approval, as amended, for the total gross acreage of the lands proposed to be developed or subdivided.</li> </ul> <p><b><u>Sanitary/Waste Water - Section 500.0 requirements:</u></b></p> <ul style="list-style-type: none"> <li>• As reported in the geotechnical section, the applicant has submitted Level 2 PSTS assessment for two (2) of the proposed lots, and an updated Geotechnical report which comments on the suitability of the remainder of the lands for PSTS systems. <ul style="list-style-type: none"> <li>○ While the August 2017 report does provide recommendation for PSTS suitability on the remaining lots, the report does not provide all the necessary details as required for a Level 4 PSTS report as outlined in the Model Process Document.</li> </ul> </li> <li>• At future subdivision stage, the Owner shall enter into a Development Agreement/Site Improvement Services Agreement for the construction of packaged sewage treatment systems on each lot, in accordance with the Almor Geotechnical Report and County Policy 449.</li> <li>• Level 4 PSTS report was completed by Almor Testing Services Ltd., dated February 12, 2018. <ul style="list-style-type: none"> <li>○ The report outlines that 14 test holes were assessed for soil suitability and sizing for septic fields based on requirements for a four-bedroom houses. Three (3) test holes indicated presence of heavy clay and are in lots 3</li> </ul> </li> </ul>



AGENCY	COMMENTS
	<p>and 4. The report recommends further investigation or other alternative systems be evaluated for those two (2) lots;</p> <ul style="list-style-type: none"> <li>○ At future subdivision stage, the applicant shall submit an updated Level 4 PSTS report to include requirements for groundwater analysis and the impact of a PSTS on groundwater, per “The Model Process Subdivision Approval and Private Sewage”. The report to also include sewage handling options for lots 3 and 4.</li> </ul> <p><b><u>Water Supply And Waterworks - Section 600.0 &amp; 800.0 requirements:</u></b></p> <ul style="list-style-type: none"> <li>• The County’s preferred servicing solution for potable water is tie in to a piped water system. The applicant indicated that Westridge Utilities was unwilling to provide the capacity required. Westridge Utilities services land directly adjacent to the proposal. ES recommends that connection to Westridge Utilities be pursued further for the application, rather than the addition of eight (8) new wells to the area. This this aligns with County Policy 415, which states that the County is committed to taking all reasonable steps to support long-term, safe and reliable potable water supply for its residents. County Policy 415 states that this objective will be considered in all decisions related to planning, subdivision and development. Further, the Central Springbank ASP states that connection to an existing water distribution system is required for residential purposes where access is feasible and/or cost effective (Policy 2.8.2);</li> <li>• The applicant’s proposal is to service the development by individual water wells and has submitted a Phase 1 Supply Evaluation for the proposed concept. Further, the applicant has moved forward with drilling eight (8) new wells on the subject lands and performing pump tests on the subject wells. From the information provided, the Engineer has concluded that the aquifer has sufficient capacity to sustain the addition of eight (8) new wells and result in no adverse impacts for existing users. ES recommends that the use of new wells on the subject lands be at the discretion of Council, as it appears to contradict with the policies referenced above: <ul style="list-style-type: none"> <li>○ ES has reviewed the eight (8) well reports. Pump test was conducted for each well for 24 hours or greater. The result indicated that each had small drawdown and quick recovery period All eight (8) wells can yield excess of the required 1,250 m<sup>3</sup>/year, as required per the Water Act.</li> <li>○ Lots 6 and 7 have total dissolved solids level a bit higher than the recommended. However, it is an aesthetic criteria and no recommendation has been provided. Also, Groundwater Information Technologies</li> </ul> </li> </ul>



AGENCY	COMMENTS
	<p>recommended that routine sample collection and analysis for dissolved salts and bacteria be done for all wells prior to potable usage. As Total Coliform was higher than acceptable levels for Lot 8, shock chlorination and testing was recommended prior to consumption of the water.</p> <ul style="list-style-type: none"> <li>○ At future subdivision stage, should the Council agree to the usage of the new wells, Groundwater Supply Phase II Assessment should be updated, complete with bacteriological analyses.</li> </ul> <p><b><u>Storm Water Management – Section 700.0 requirements:</u></b></p> <ul style="list-style-type: none"> <li>• The applicant has submitted an updated Stormwater Management Report (SWMR), completed by Westhoff Engineering Resources Inc., revised on April 13, 2018. The report takes the latest Springbank Master Drainage Plan into consideration. The report notes that the imperviousness of each lot needs to be 35% or less. It is to ensure that the communal stormwater infrastructure is sufficient for volume control. In addition to the imperviousness restriction, each will also have lot swales and landscaping features to prevent cross drainage. For peak flow control, each lot will have traplows, which will be registered to the Bareland Condominium. <ul style="list-style-type: none"> <li>○ The revised Westhoff report recommends managing the stormwater in three (3) parts: <ul style="list-style-type: none"> <li>▪ Upland by-pass swale to manage sheet flow from the slope north of the development. The swale will run along the perimeter of the existing property and release volume to the existing ditch along the Lower Springbank Road, with check dams (or other erosion protection) for flow control;</li> <li>▪ Stormwater from lots 1, 5, 6, 7, 8, &amp; 9 will be directed along the internal roadside ditch, which will flow into the stormwater pond. The internal roadside ditch and stormwater pond will also collect water from the common areas (internal road, island, etc.). There will be a controlled release from the stormwater pond, up to 40 mm volume. The pond will also be used for firefighting purposes;</li> <li>▪ Lots 2, 3, &amp; 4 will each lot independently releases into the existing roadside ditch. This is an uncontrolled release (except during peak flow), which is compensated by a lower volume release from the remainder of the development (40 mm instead of 45 mm).</li> </ul> </li> <li>○ It should be noted that the report contains some inconsistencies in section 2.2.1, where it notes that each lot is expected to manage stormwater runoff individually.</li> </ul> </li> </ul>



AGENCY	COMMENTS
	<p>Hence, at subdivision stage, the applicant is required to revise and finalize the SWMR to reflect the agreed communal volume control approach.</p> <ul style="list-style-type: none"> <li>• The revised Conceptual Scheme indicates that the Bare Land Condominium Corporation will own and maintain the stormwater drainage system, stormwater pond, and facilities. This also includes the traplows and lot swales;</li> <li>• At future subdivision stage, the applicant will be required to submit a Site Specific Stormwater Management Plan with details on the infrastructure to be constructed to meet the requirements of the Springbank Master Drainage Plan;</li> <li>• At future subdivision stage, the applicant will be required to enter into a Development Agreement for any storm water infrastructure required as a result of the development and outlined in the final approved Storm Water Management Plan. Registration of any required easements, utility right of ways and/or public utility lots is required as a condition of subdivision;</li> <li>• The Applicant will be required to obtaining AEP approval and licensing for the storm water management infrastructure including registration of the facilities and discharge.</li> </ul> <p><b><u>Other</u></b></p> <ul style="list-style-type: none"> <li>• The applicant has submitted an Environmental Screening Report prepared by Westhoff Engineering dated September 2017. The report confirms there are no wetlands on site and reports potential project impacts as being loss of non-native vegetation and potential for damage and disturbance of wildlife. The report provides a series of mitigation measures to reduce or eliminate the predicted negative impacts, which ES recommends be followed at future subdivision and construction phases of the project.</li> </ul>
Infrastructure and Operations-Maintenance	No Issues.
Infrastructure and Operations-Capital Delivery	No concerns.
Infrastructure and Operations-Utility Services	Piped water supply is preferable.
Infrastructure and Operations-Road Operations	no concerns.
Agriculture and Environmental Services - Solid Waste and Recycling	No comments.



**ROCKY VIEW COUNTY**  
Cultivating Communities

Original Circulation Period: November 7 – November 28, 2017

Revised Re-Circulation Period: February 22, 2018 – March 15, 2017





## BYLAW C-7755-2018

**A Bylaw of Rocky View County pursuant to Division 12 of Part 17 of the Municipal Government Act to amend Bylaw C-5354-2001, known as the “Central Springbank Area Structure Plan”, and adopt a Conceptual Scheme known as the “Atkins Conceptual Scheme”.**

The Council of Rocky View County enacts as follows:

### PART 1 – TITLE

This bylaw shall be known as Bylaw C-7755-2018.

### 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** Bylaw C-5354-2001, known as the “Central Springbank Area Structure Plan”, be amended in accordance with the amendments contained in Schedule ‘A’, attached to and forming part of the Bylaw; and

**THAT** the “Atkins Conceptual Scheme” be adopted to provide a policy framework for future redesignation, subdivision, and development proposal within Lot 2, Block D, Plan 1415LK within NE-18-24-02-W05M and Block 1, Plan 7811222 within SE-18-24-02-W05M, consisting of an area of approximately 16.54 hectares (± 40.85 acres), as defined in Schedule ‘B’ attached to and forming part of this Bylaw.

### PART 4 – TRANSITIONAL

Bylaw C-7755-2018 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: 3**

**File: 04618004/04618019 – PL20170158**

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



\_\_\_\_\_  
Reeve

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

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

ROCKY VIEW COUNTY  
Cultivating Communities**SCHEDULE 'A'**  
**FORMING PART OF BYLAW C-7755-2018**

Schedule of Amendments to Bylaw C-5354-2001:

1. Amend the Table of Contents by adding a reference to Section 3.3 and numbering accordingly:
  - 3.3 Adopted Conceptual Schemes
    2. Atkins Conceptual Scheme (C-7755-2018)
2. Attach the "Atkins Conceptual Scheme" as defined in Schedule 'B' attached to and forming part of this Bylaw.

ROCKY VIEW COUNTY  
Cultivating Communities**SCHEDULE 'B'**  
**FORMING PART OF BYLAW C-7755-2018**

A Conceptual Scheme affecting the area within Lot 2, Block D, Plan 1415LK within NE-18-24-02-W05M and Block 1, Plan 7811222 within SE-18-24-02-W05M, consisting of an area of approximately 16.54 hectares ( $\pm$  40.85 acres), herein referred to as the "Atkins Conceptual Scheme".

Atkins Conceptual Scheme (Bylaw C-7755-2018)

# Atkins

## Conceptual Scheme



PREPARED FOR

Murray and Kristina Atkins  
25102 Lower Springbank Road SW  
Rocky View County

FOR SUBMISSION TO

Rocky View County

Atkins Conceptual Scheme (Bylaw C-7755-2018)

**PREPARED BY**

ERW Consulting Inc  
198 Slopeview Drive SW  
Calgary, Alberta



T3H 4G5

**IN ASSOCIATION WITH**

Bunt & Associates Engineering (Alberta Ltd)

Westhoff Engineering Resources Inc

Almor Testing Services Ltd

Groundwater Information Technologies Ltd





Atkins Conceptual Scheme (Bylaw C-7755-2018)

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Atkins Conceptual Scheme (Bylaw C-7755-2018)

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## 1. Introduction

The Rocky View County Central Springbank Area Structure Plan (ASP) adopted in 2007 requires the preparation of Conceptual Schemes within specified areas. This Conceptual Scheme is prepared as a result of this requirement.

It is noted that the proposed conceptual scheme area for this document is smaller than that noted in the Central Springbank ASP. The rationale for the smaller area is addressed in this document.

## 2. Plan Interpretation

Discussion sections within this conceptual scheme are provided for information to clarify policies within this document. Policies take precedence over inconsistencies that may be found in the discussion section.

The word “shall” is a directive term that indicates the actions outlined are mandatory and therefore must be complied with, without discretion, by administration, the developer, the Development Authority and the Subdivision Authority.

The word “should” is a directive term that indicates or directs a strongly preferred course of action by Council, administration and/or the developer but one that is not mandatory.

## 3. Purpose and Objectives

### 3.1. Purpose

The purposes of this conceptual scheme are to:

- Provide a rationale for reducing the conceptual scheme area from that identified in the Central Springbank ASP;
- Identify a conceptual scheme area specific to the land area in this document;
- Identify the planning issues that may affect the subdivision and development of the plan area;
- Identify a land use concept with associated servicing and development strategies for the subdivision and development of the plan area;
- Identify a planning policy framework that addresses the planning issues and supports the land use concept and associated servicing and development strategies; and
- Establish an implementation strategy for the subdivision and development of the plan area.

### 3.2. Objectives

The objectives of this conceptual scheme are to:

- Identify the rationale for reducing the conceptual scheme area identified in the Central Springbank ASP Map 11;
- Establish the appropriateness of the conceptual scheme and plan area in a comprehensive format for the subdivision and development for the land;
- Examine the implications of development proceeding within a reduced conceptual scheme boundary;
- Identify existing constraints and opportunities within the plan area for subdivision and development;
- Establish a land use concept with servicing and development strategies and policy framework for the plan area; and
- Accommodate the subdivision and development of the plan area.

## 4. Existing Rocky View Planning Framework

### 4.1. Rocky View County Plan (Bylaw C-7280-2013)

The County Plan identifies that residential development should occur within an approved Area Structure Plan area. The subject lands are within the Central Springbank Area Structure Plan.

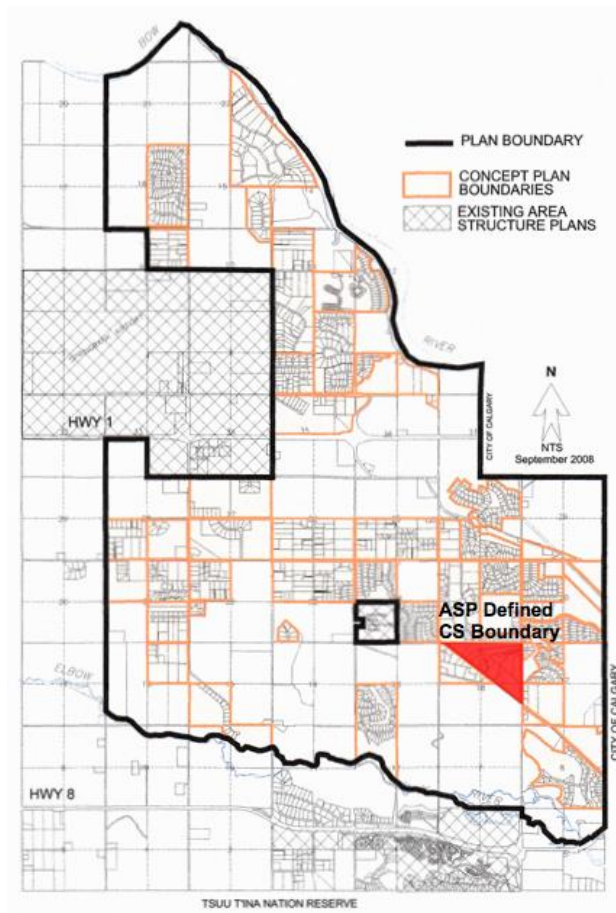
### 4.2. Central Springbank Area Structure Plan (Bylaw C-5354-2001)

The Central Springbank ASP identifies the subject lands as Infill Residential Area, with a concept plan boundary bounded by Lower Springbank Road on the south, Range Road 25 on the east and the north section line of Section 18 (Figure 1 – Boundary shown in red). The conceptual scheme area shown on Figure 1 is approximately 87.8 hectares (217 acres) in size.

Section 2.3.2.2 of the ASP provides a list of requirements for the preparation of Conceptual Schemes as follows:

“In order to provide a wholistic, efficient and through approach to community development in Central Springbank, conceptual schemes will be required to guide future land use changes and subdivision within predetermined conceptual scheme boundaries shown on Maps 11 and 12. A conceptual scheme will include, but not be limited to:

- A future land use scenario including lot design and configuration, parcel size, on and off-site visual impacts, open space connections, servicing strategic and compatibility with adjacent land use
- A scenario for the integration of the proposed development with existing and adjacent development including the preservation or improvement of existing site lines
- Development phasing including full build-out
- Any and all constraints to development including, but not limited to topography, environmentally sensitive areas as determined by a biophysical inventory, archaeological or historical sites
- Architectural controls to guide structural style, building materials and structural siting
- A landscaping plan
- A Master Drainage Plan and/or Site Implementation Plan including possible alternatives for Best Management Practices for storm water management
- The location of municipal, school and if necessary, environmental reserve areas
- The provision of open areas for the purposes of habitat preservation, archaeological or historical sites, regional Best Management Practices, agricultural uses, recreation, highway interface, and/or City of Calgary interface
- A Traffic Impact Assessment that addresses the location of existing and future transportation networks detailing traffic generation and its cumulative impacts on the road network including the necessary improvements
- Utility servicing strategies
- Population densities and projections
- Input from all directly and indirectly affected landowners within and adjacent to the conceptual scheme boundary throughout the preparation of the conceptual scheme, including a minimum of one (1) open house for the proposal
- The support of the proposed conceptual scheme by the majority of affected landowners
- Road names incorporating neighbourhood themes or heritage name.”

**Figure 1 –Infill Residential identified in the Central Springbank Area Structure Plan**

The Atkins Conceptual Scheme proposes a smaller area bounded by Lower Springbank Road on the south, Range Road 25 on the east and the half section line of Section 18. Details of the rationale for a smaller conceptual scheme area are included in the following sections.

Section 2.9.2 of the ASP states the following:

“Notwithstanding the defined conceptual scheme boundaries as defined on Maps 11 and 12, future conceptual scheme boundaries may be altered without amendment to this Plan, at the discretion of Council, provided:

- the alternate conceptual scheme area is comprehensive in nature;
- the implications of development proceeding within an alternate conceptual scheme boundary have been examined; and
- the Municipality determines that any on-site planning issues have been resolved pursuant to the provisions of this Plan.”

Section 2.9.3 of the ASP states that:

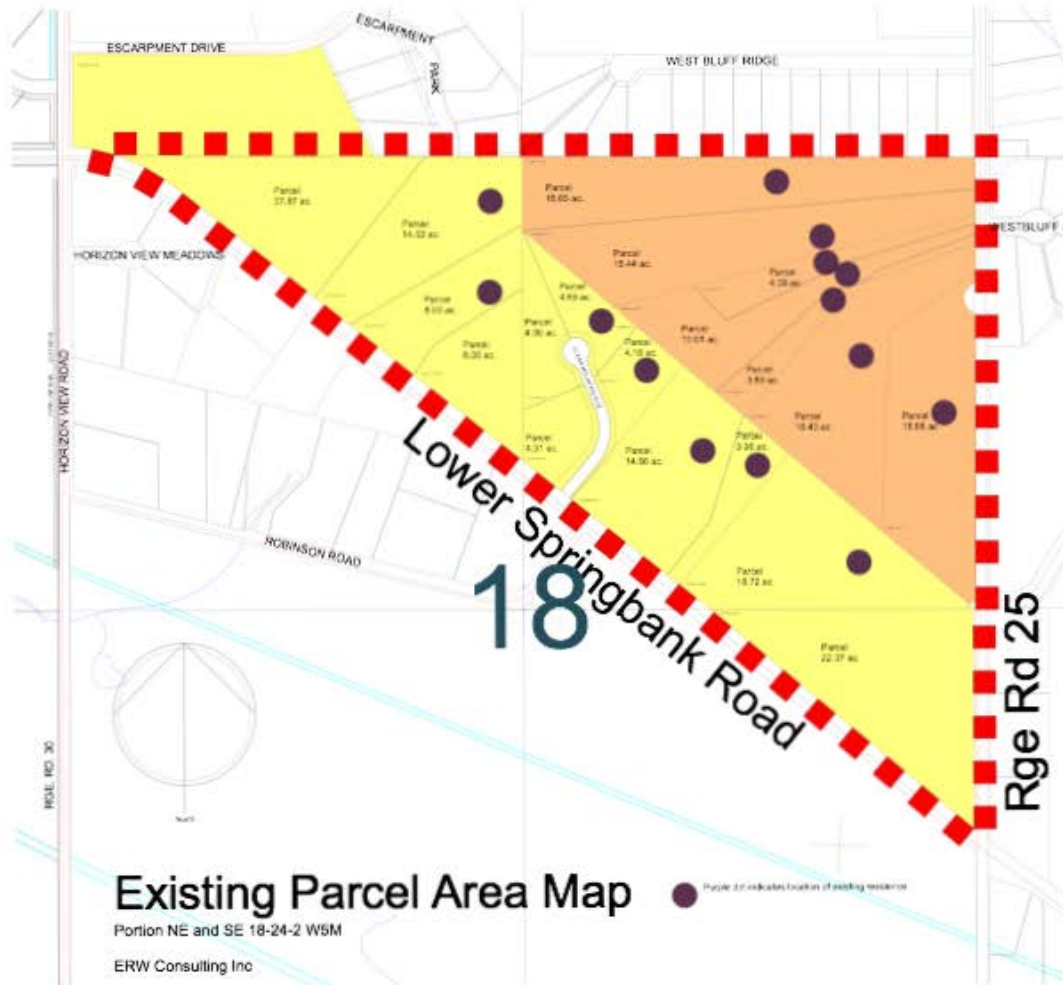
“Lots in Infill Residential Areas as shown on Map 11 are found in quarter sections that have been previously subdivided or have been developed to their current potential as 2 - 4 acre communities. Through the conceptual scheme process, the re-development of larger parcels into 2 - 4 acre lots is envisioned provided the interface considerations between existing and new residential lots have been comprehensively addressed.”

- a) Lands identified on Map 11 will not be eligible for further subdivision unless a conceptual scheme is prepared in accordance with the provisions of this plan, is approved by the Municipality, and is appended to the Central Springbank Area Structure Plan.”

Atkins Conceptual Scheme (Bylaw C-7755-2018)

- b) Future residential lots in the Infill Residential Area as defined on Map 11 will range between  $\pm$  0.8 to 1.6 ha ( $\pm$  2 to 4 acres) in size or whatever is most prevalent on adjacent lots or in the immediate area."

**Figure 2 - Existing Parcels Area Map shows the existing infill parcels and existing residences around the subject lands.**



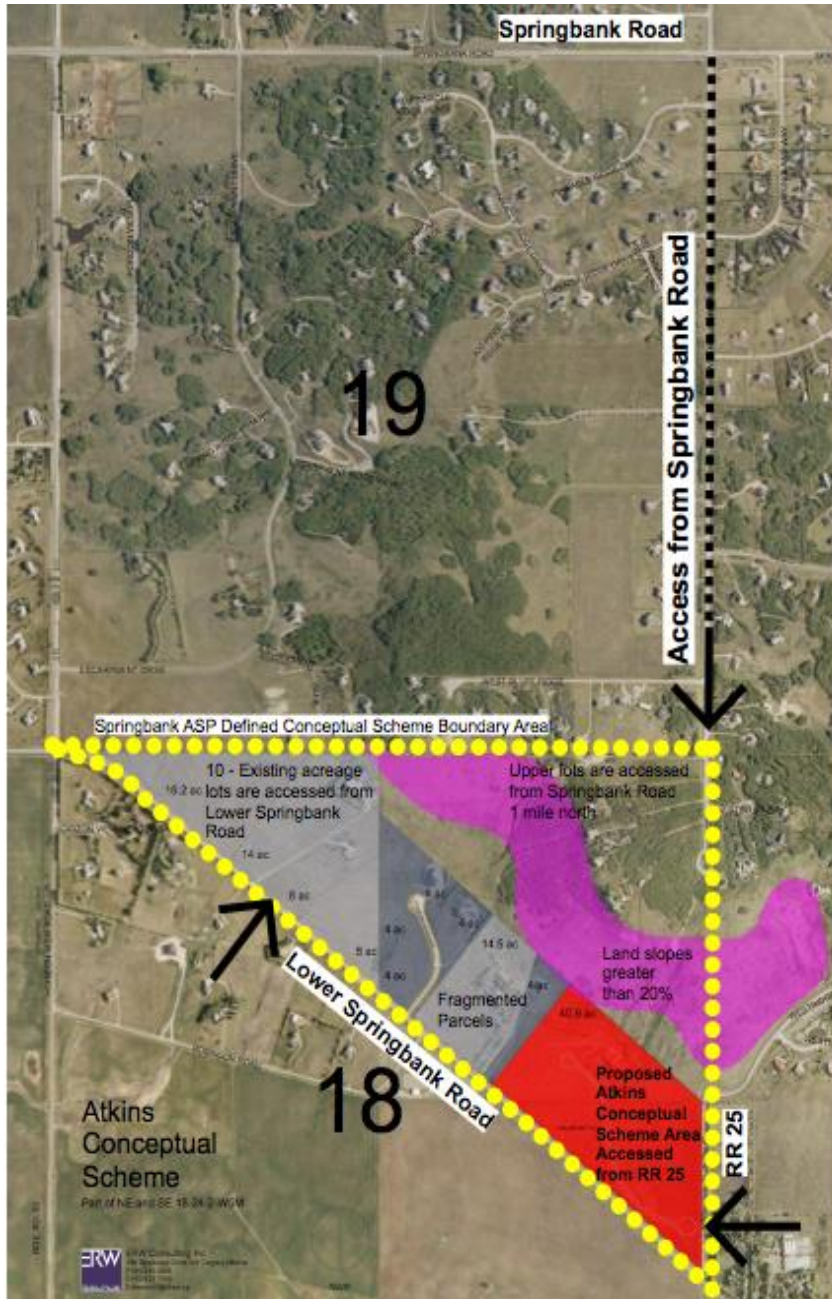
Atkins Conceptual Scheme (Bylaw C-7755-2018)

## 5. Atkins Conceptual Scheme Smaller Area Rationale

### 5.1. Regional Development Constraints

Regional Development Constraints (Figure 3) identifies the constraints within the Conceptual Scheme area identified in the Central Springbank ASP. Several important factors make it impractical to develop a logical Conceptual Scheme for all the lands contained in the area.

**Figure 3 –Regional Development Constraints Map**





## 5.2. Existing Development Fragmentation Constraints

The lands outside the proposed Atkins Conceptual Scheme Plan Area are already developed into 17 parcels in such a way that it is impractical to overlay a new plan that would satisfy the varied interests of owners that may or may not want further development of their land.

The seven parcels in the upper north east corner are of various sizes, and are configured so that additional subdivision is difficult due to the shapes and topography of the parcels.

The ten parcels on the southwest corner are fragmented into 4 acre and larger parcels configured to make an overall conceptual plan difficult to work with many different owners. Access to these parcels is only from Lower Springbank Road.

The Atkins Conceptual Scheme is the only land that is not fragmented by development in a way that precludes logical planning. It consists of two parcels containing approximately 41 acres. These two parcels will be consolidated into one to facilitate subdivision of lots for the proposed development.

The elevation difference from the Atkins north boundary to the top of hill is 96 meters (315 ft.) and is separated by 300 meters distance. The escarpment area has 20 to 35% slopes and is not suitable to be used for residential development.

**Figure 4 -Aerial Photo of subject lands shows the sloped escarpment, upper parcels and fragmented lands to the northwest and east of the Atkins Land.**



Atkins Conceptual Scheme (Bylaw C-7755-2018)

**Figure 5 - Aerial Photo of subject lands shows the fragmented lands to the west and to the east and the sloped escarpment to the north.**



### 5.3. Regional Traffic Access Constraints

The Conceptual Scheme area identified in the Springbank ASP is split into two regional road access areas.

The seven properties to the north are at a higher elevation (96 meters), and are accessed from Springbank Road one mile to the north. This area cannot be accessed by Lower Springbank Road or RR 25.

The lower properties are each accessed from Lower Springbank Road and do not connect with roads to the properties to the north.

Access to the proposed Atkins development will be from RR 25, and will eliminate the two existing access points from Lower Springbank Road when the development proceeds.

### 5.4. Topographic Constraints

Approximately 27.7 hectares (68.5 acres) that is 32% of the lands in the Conceptual Scheme area identified in the Springbank ASP is not developable due to slopes between 20 to 35% in an elevation change of 96 meters (Figure 6). The slope splits the land from upper properties and lower properties, and eliminates any potential development connection between the two areas.





Atkins Conceptual Scheme (Bylaw C-7755-2018)

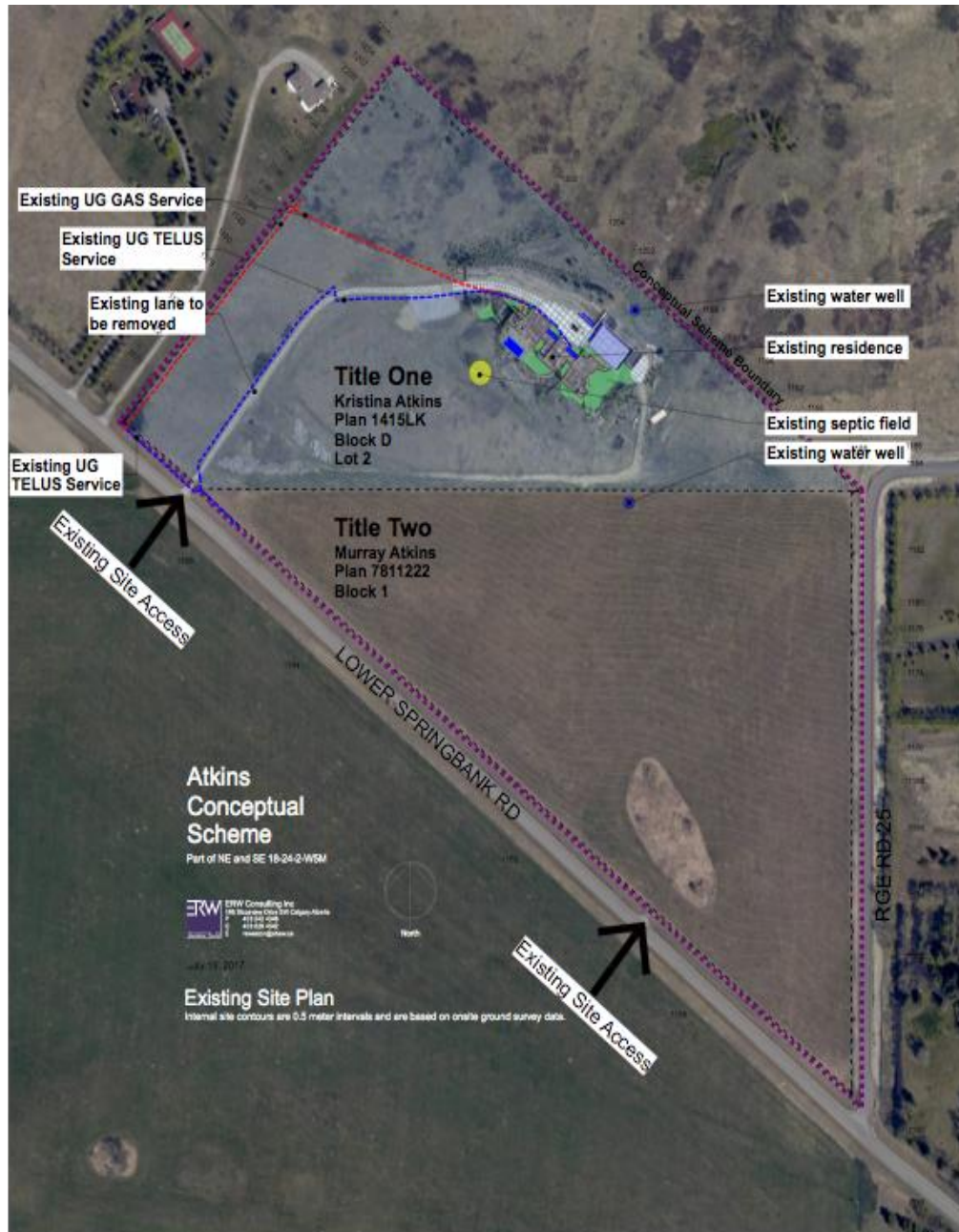
## 8. Existing Conditions

### 8.1. Location

The Atkins Conceptual Scheme Plan area is located at:

- North of and contiguous to Lower Springbank Road SW
- East of and contiguous to Range Road 25
- Within portions of the SE and NE-18-24-02-W5M

**Figure 8 – Existing Conditions**



## 8.2. Legal Description

The plan area includes two parcels with titles described as follows, and shown on Figure 8. The total area is 16.54 hectares (40.85 acres).

- Title 1: Lot 2, Block D, Plan 1415LK within NE-18-24-02-W5M owned by Kristina Atkins, and containing 7.54 hectares (18.62 acres); and
- Title 2: Block 1, Plan 7811222 within SE 18-24-02-W5M owned by Murray Atkins, and containing 9 hectares (22.23 acres)

## 8.3. Historical Context

The plan area has been used as ranch and farm land starting in the late 1800s. The surrounding area began to develop into residential parcels starting in the 1970s, and continues to fragment with mainly country residential developments of varying parcel sizes.

Country Residential development near the Atkins Conceptual Scheme include Residential Two District (R-2) and Residential One District (R-1) with parcel sizes ranging from 2 acres, 4 acres and larger. Ranch and farm operations continue to operate in the area.

## 8.4. Current Land Use

Lot 2, Block D, Plan 1415LK within NE-18-24-02-W5M (Title One) and a portion of Block 1, Plan 7811222 within SE-18-24-02-W5M (Title Two) are designated as Residential Two District (R-2). The remaining portion of Title Two is designated as Ranch and Farm District (RF).

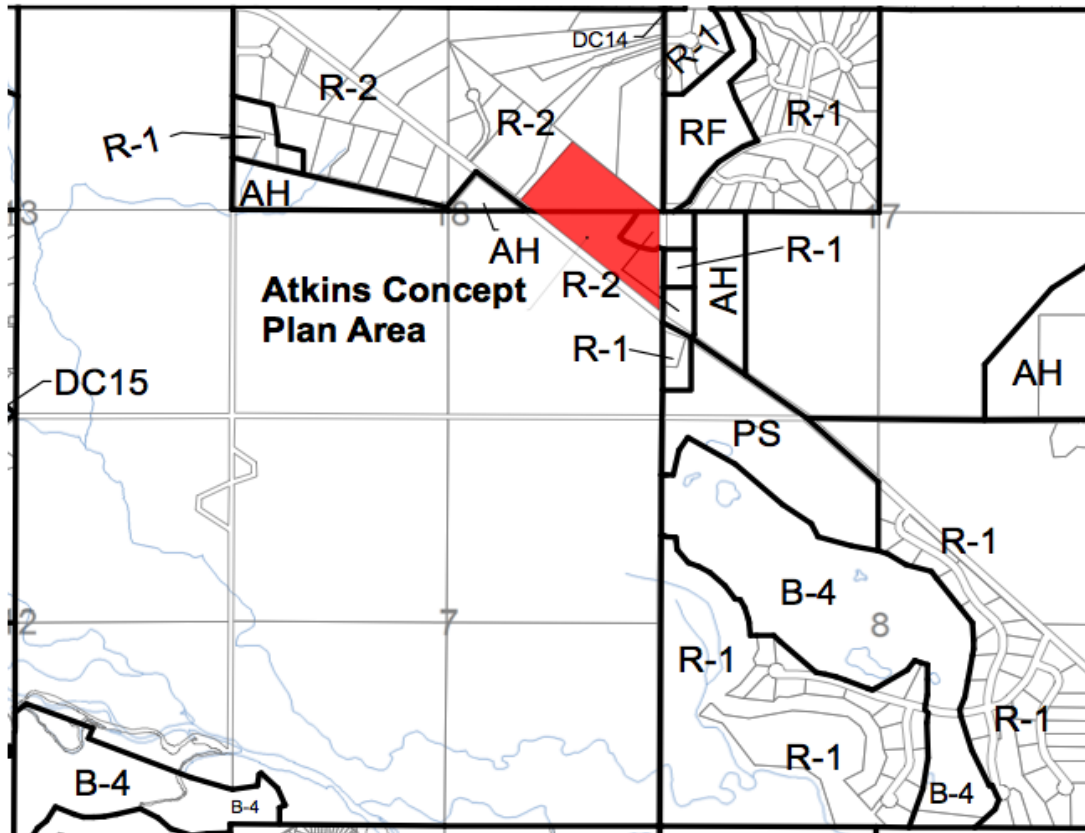
In order to facilitate the proposed subdivision, land use redesignation to Residential Two District would be required.

## 8.5. Surrounding Context

Lands in proximity and contiguous to the plan area mainly consist of Country Residential developments with parcel sizes range from 2-4 acres and larger.

Lands to the south and west of Lower Springbank Road are designated Ranch and Farm District (RF). Lands north and east of the proposed Atkins Conceptual Scheme are designated as Residential One District (R-1), with parcels sizes 2 acres and larger.

The land use mix in the surrounding area is shown on Figure 9.

**Figure 9 – Existing Land Uses in the Area****8.6. Terrain**

The plan area slopes downward from the north to the west and south. Maximum slopes at approximately 20% occur on a small portion of the north boundary. Most of the slopes are below 15%.

**8.7. Existing Development**

The plan area has a large single family residence developed within the Title 1 area, and is occupied by the Atkins family as shown on Figure 8. This residence will continue to be occupied, and will form part of the overall Bare Land Condominium.

The current access from Lower Springbank Road will be removed and a new private road will be created from Range Road 25 that will service all the proposed subdivision.

## 9. Atkins Land Use Concept

### 9.1. Vision

The vision of the Atkins Conceptual Scheme is to develop a small nine (9) lot private community for a select group of owners who wish to create upper end contemporary single family homes and amenities on a site with spectacular views to the Elbow River Valley and have close proximity to regional amenities and transportation infrastructure.

The community will be set up as a Bare Land Condominium under the Alberta Condominium Property Act. Ownership and management of the internal road and entry, the storm pond, green space, stormwater management systems, pathway systems, as well as the landscaping features and plantings will be the responsibility of the Bare Land Condominium Corporation. Eight (8) new lots will be created.

The existing 20,000 square foot estate home, landscaping and amenities will set the standard for quality and design for development of the new lots.

Significant soft and hard landscaping will be integrated with homes that will be designed specifically to be placed into each site to take advantage of slopes and protect panoramic views.



These images reflect the palette of siting design features to be considered for the development.



## 9.2. Proposed Site Plan

The Site Concept Design Plan (Figure 10) shows the proposed site layout and proposed landscaping. Lots 1 through 8 are new lots to be created by subdivision. Lot 9 (the existing home site) will be subdivided as a balance parcel around its existing amenities.

Figure 10 – Proposed Site Concept Design Plan



A private gated road owned and maintained by the Bare Land Condominium Corporation will provide access to the development from Range Road 25. The road will have a series of internal planted boulevards, and will be lined with trees on both sides.

Site perimeter landscaping will be provided by the developer and maintained by the Bare Land Condominium corporation and will include berming and tree/shrub planting to buffer the development from adjacent roads.

### 9.3. Municipal Reserve

Municipal Reserve (MR) has been dedicated for Lot 2, Block D, Plan 1415LK within NE-18-24-02-W5M, and is outstanding for Block 1, Plan 8711222 within SE-18-24-02-W5M.

The Rocky View West Recreation Board recommended taking land for MR dedication along Range Road 25 to connect to the existing MR at the north east corner of the subject land for the purpose of providing access and connectivity within the region. Instead of dedicating land as MR along Range Road 25, the developer would provide the access and connectivity desired by the West Recreation Board via a pathway along Range Road 25.

The proposed pathway on land owned and maintained by the Bare Land Condominium Corporation, and will be for public use protected by easement (Figure 11).

#### Policy

- 9.3.1. The method of Municipal Reserve dedication on Block 1, Plan 8711222 within SE-18-24-02-W5M shall be determined at the future subdivision stage.

**Figure 11 – Proposed Pathway Connectivity Map**





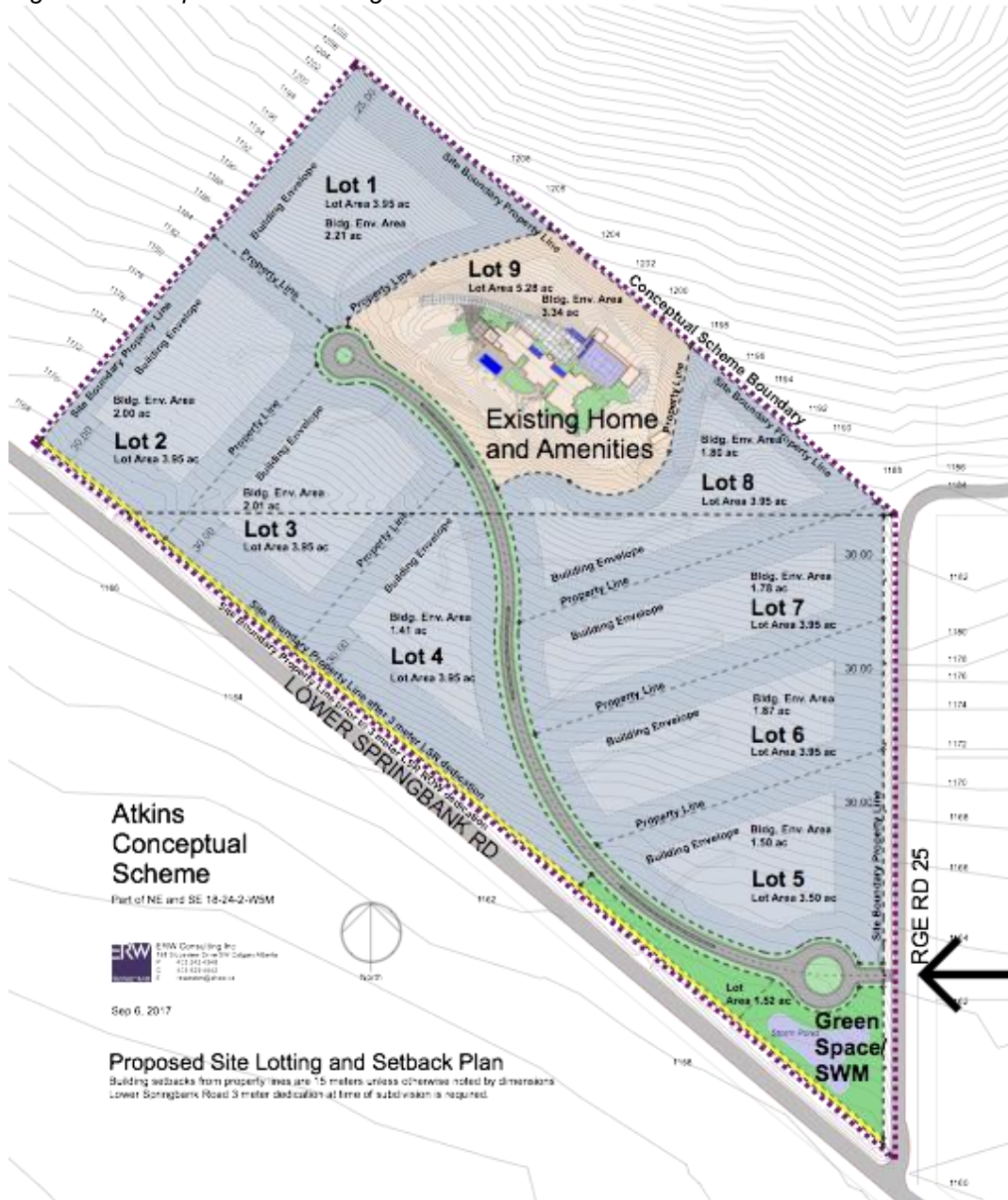
Atkins Conceptual Scheme (Bylaw C-7755-2018)

## 10. Proposed Subdivision Layout

### 10.1. Site Lotting and Setback Plan

Site Lotting and Setback Plan (Figure 12) shows the proposed lot sizes and building setback envelopes for the site. The detailed design may be subject to changes at future subdivision stage.

Figure 12 – Proposed Site Lotting and Setback Plan



### Policy

- 10.1.1. Development areas and dimensions identified in this Conceptual Scheme shall be considered approximate only, and are subject to change at the subdivision stage without the need to amend this Conceptual Scheme.

Table 1 shows the approximate lot sizes and building envelope for each lot, as well as the area allocated for the internal road, green space, and Lower Springbank Road dedication. The internal side yard setback may be reduced at the discretion of the developer on a site specific basis to match the Land Use Bylaw requirements.

*Table 1 – Proposed Lot Area, Building Envelope and Setbacks*

Proposed Lots	Lot Area	Building Envelope	Proposed Setbacks (Metres)			
			Front	Rear	Side 1	Side 2
<b>Lot 1</b>	± 1.60 ha (± 3.95 ac)	± 0.89 ha (± 2.21 ac)	15	25	15	15
<b>Lot 2</b>	± 1.60 ha (± 3.95 ac)	0.81 ha (± 2.00 ac)	15	30	15	15
<b>Lot 3</b>	± 1.60 ha (± 3.95 ac)	0.81 ha (± 2.00 ac)	15	30	15	15
<b>Lot 4</b>	± 1.60 ha (± 3.95 ac)	0.57 ha (± 1.41 ac)	15	30	15	15
<b>Lot 5</b>	± 1.42 ha (± 3.50 ac)	0.61 ha (± 1.50 ac)	15	15	15	30
<b>Lot 6</b>	± 1.60 ha (± 3.95 ac)	0.76 ha (± 1.87 ac)	15	15	15	30
<b>Lot 7</b>	± 1.60 ha (± 3.95 ac)	0.72 ha (± 1.78 ac)	15	15	15	30
<b>Lot 8</b>	± 1.60 ha (± 3.95 ac)	0.73 ha (± 1.80 ac)	15	15	15	15
<b>Lot 9</b>	± 2.14 ha (± 5.28 ac)	1.35 ha (± 3.34 ac)	15	15	15	15
<b>Green Space</b>	± 0.62 ha (± 1.52 ac)	-	-	-	-	-
<b>Internal Road</b>	± 1.00 ha (± 2.48 ac)	-	-	-	-	-
<b>Lower Springbank Road 3 meter Dedication</b>	± 0.20 ha (± 0.50 ac)	-	-	-	-	-

## 10.2. Subdivision Lot Size Considerations

All but one of residential lots in the plan area are proposed to be 1.60 ha (3.95 acres) or greater, which meet the Land Use Bylaw minimum parcel size requirement for Residential Two District.

Lot 5 would be approximately 1.42 ha (± 3.50 acres) in size, which is slightly less than what is required in the Land Use Bylaw. The proposal for slightly smaller residential lot is made for the following reasons:

- Section 654(2) of the Municipal Government Act allows the subdivision authority to approve an application for subdivision even though the proposed subdivision does not comply with the Land Use Bylaw, so long as the following criteria are satisfied, in the opinion of the subdivision authority:

- 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 the neighbouring parcels of land.*
  - b) *The proposed subdivision conforms with the use prescribed for that land in the Land Use Bylaw.*
- The master plan layout of the lots follows a logical progression along the internal road which creates a variety of lot configurations. The creation of a lot which is less than 1/2 acre smaller than the balance lots does not negatively impact the overall development and its amenities.
  - Lot 5 is being created as part of and at the same time the master planned community is designed and sold thereby not creating a negative unknown condition for the purchasers of the lots.
  - Landscaping and green space adjacent to Lot 5 make the smaller size unnoticeable.
  - Configuration of Lot 5 provides a building envelope area within setbacks that meets bylaw requirements and provides adequate space for septic field construction.
  - Lot 5 is a residential lot and thereby conforms to the residential use prescribed by the Land Use Bylaw.
  - Architectural Design Guidelines will apply to every lot in the development. The size of Lot 5 will not negatively impact the overall quality of development through the use of the design principles and guidelines that will be implemented.
  - A requirement of the Architectural Design Guidelines will be no continuous perimeter fencing along the internal lot property lines. This will have the impact of no visual determination of lot boundaries with the overall development being open. The smaller lot is not definable visually.
  - Residential One (R-1) zoned lots, which are approximately 2 acres in size, exist near this lot on the east side of Range Road 25.

### 10.3. Lot Development Design Principles

Each site will be designed and developed with the following design principals:

- The design of the homes and amenities will be specific to each site and will be informed by topography, view lines, landscaping and sun angles in such a way to fit buildings, structures, courts into the natural features of the site with minimal site disturbance.
- Building design will be “rocky mountain contemporary” with emphasis on the use of natural materials including stone, wood, metal, concrete and large expanses of glass.
- Roof structures will range from flat to low pitch depending on site conditions.
- Hard and soft landscaping features and finishes are as important as building design and will be compatible with building design to create consistency of design with all amenities developed on the lot.
- Internal lot landscaping with berms and planting will be professionally designed and is intended to be a significant part of the development of each lot.

#### 10.4. Architectural Design Guidelines

Architectural design guidelines will be prepared prior to subdivision, and will be consistent with the development vision and lot design principles in this Conceptual Scheme. The guidelines will require creative site specific design solutions, and will be used to maintain an overall high standard of excellence for home, amenity and landscaping construction over the lifetime of the development.

Architectural design guidelines will be implemented by a Design Committee initially provided by the developer with ongoing responsibility to be turned over to the Bare Land Condominium Corporation when all the lots have been developed.

##### Policy

- 10.4.1. Architectural Design Guidelines shall be prepared at the subdivision application stage by the Developer, and be registered by as a restrictive covenant against individual titles at the time of plan of subdivision registration.
- 10.4.2. Implementation and enforcement of the Architectural Design Guidelines shall be the sole responsibility of the Developer and/or a Bare Land Condominium Corporation.
- 10.4.3. Architectural Design Guidelines should include requirements restricting perimeter fencing.
- 10.4.4. Architectural Design Guidelines should encourage and recommend the owners to adopt technologies that may include solar heating, grey water recycling and the use of environmentally sustainable building materials identified as acceptable in the guidelines.



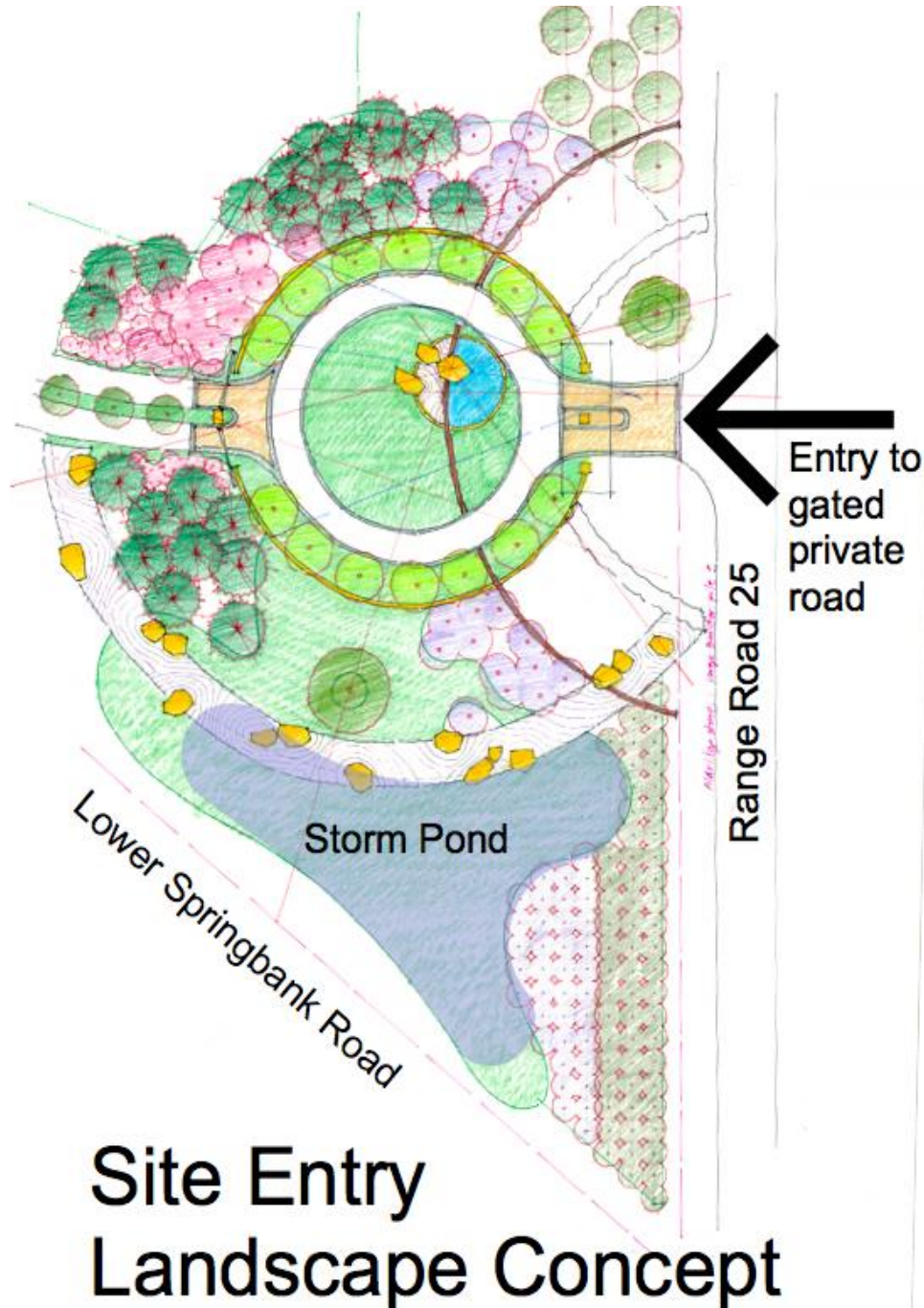
Atkins Conceptual Scheme (Bylaw C-7755-2018)

## 11. Transportation

### 11.1. Site Entry Landscape Design Concept

Entry to the site will be from Range Road 25. The entry concept will be designed as an amenity to the site, and will provide a landscaped transition from Range Road 25 with roundabout, water features, stone and/or metal sculptural devices, and entry gates. The following preliminary sketch illustrates the proposed site entry landscape design concept (Figure 13):

**Figure 13 – Proposed Site Entry Landscape Concept**



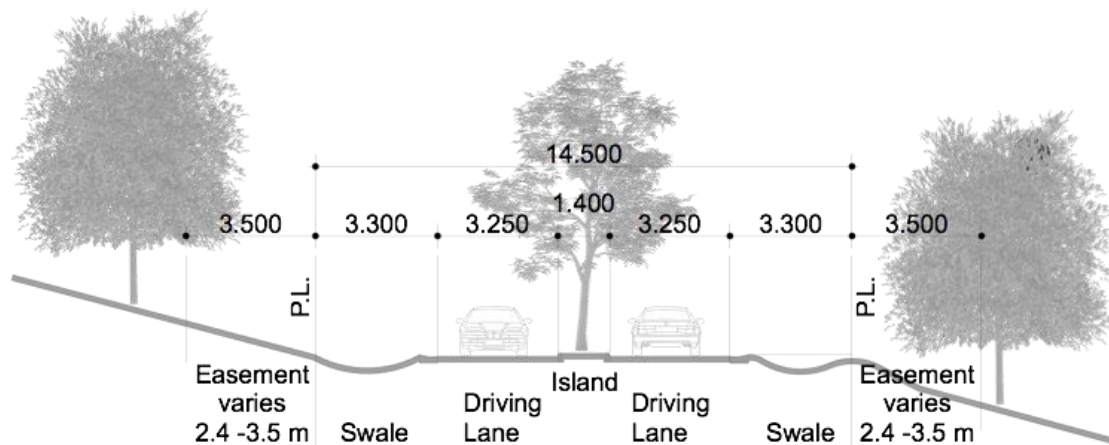
### 11.2. Internal Private Road Design

The internal road will be privately owned and maintained by the Bare Land Condominium Corporation, and forms part of the design vision for the community. It will contain a series of internal curbed planted islands and will also have a corridor of trees planted on both sides of the road. The entry feature for the road will contain a landscaped island along with entry/exit gates and entry structures.

Design and construction standards will generally follow those published in Rocky View County Road Guidelines 800.2 Residential Local (RL1) within a 14.5 meter right of way and 6.5 meter paved road surface.

Road and curb construction standards will be designed and certified by a qualified engineer and shall be acceptable to the County.

**Figure 14 - Internal Road Profile shows the proposed cross section of the road right of way.**



#### Policy

- 11.2.1. The Developer shall be responsible for any road upgrades and intersection improvements as required to serve the proposed subdivision and development.
- 11.2.2. Internal road and curb construction standards should generally follow the County Servicing Standards Section 800, be designed and certified by a qualified professional in accordance with the County Servicing Standards to the County's satisfaction.
- 11.2.3. The Developer and/or the Bare Land Condominium Corporation shall be responsible for the operation and maintenance of the private gated road and associated infrastructures including site entry feature and its landscaping, and private gate.

### 11.3. Transportation Impact Assessment

Bunt & Associates Engineering Ltd. conducted a transportation review at the request of Rocky View County to confirm the impact of the proposed development on the Lower Springbank Road / Range Road 25 intersection for both the opening day and 20 year horizon.

The review also included a requirement to comment on the safety and operational adequacy of the existing intersection geometry. A 24 hour turning movement count was conducted at the Lower Springbank Road / Range Road 25` intersection.

With respect to the safety of the intersection in its current configuration the Bunt report indicates that the limited scope and impact to traffic of the new nine lots development does not contribute to safety issues at the intersection.

Summary and conclusions of the report confirm the following:

### Opening Day Conditions

- “The intersection will operate within acceptable capacity and queuing parameters in an unsignalized capacity at the Opening Day horizon.
- Smaller scale improvements to tight lines are necessary to improve safety at this intersection. Improvements include the removal of vegetation in the LSR right of way in the northeast corner of the intersection, relocation of the existing mailboxes approximately 8 to 10 metres further to the north along RR 25, and the addition of a “Concealed/Hidden Intersection” sign along LSR just east of the intersection for the westbound movement.”

### Long Term Conditions

- “The intersection will continue to operate within acceptable capacity and queuing parameters in an unsignalized capacity at the Long Term horizon, assuming that LSR is widened to four lanes with requisite turn lanes by that time.
- At such time as RVC widens/twins LSR, the intersection should be re-aligned to improve the approach angle of Range Road 25.”

### Policy

- 11.3.1. Smaller scale improvements to sight lines should be provided at opening day as per the recommendations in the Bunt Traffic Review dated June 9, 2017.
- 11.3.2. At future subdivision, the Developer shall dedicate a 3 meter wide portion of land for future road widening along the south boundary of the subject lands adjacent to Lower Springbank Road SW.

## 12. Servicing

### 12.1. Attempt To Connect To Regional Water Servicing

County Policy 415 identifies that the County is committed to taking reasonable steps to support long term, safe and reliable potable water supply for its residents.

The Central Springbank ASP Policy 2.8.2 states that connection to an existing water distribution system is required for residential purposes where access is feasible and/or cost effective.

Westridge Utilities has existing water lines near the Atkins Conceptual Scheme area.

Westridge Utilities provided the developer with Letters of Intent to provide one water hook-up to each of the two lots for the previous subdivision applications (two 4 acre subdivisions approved in 2016 and 2017).

However, Westridge Utilities confirmed that they are unwilling to provide additional hook-ups, when the developer decided to prepare a Conceptual Scheme to develop additional lots.

Numerous unsuccessful efforts have been made over a two year period to determine their reasons to not provide additional hook-ups. Email correspondence dated July 6, 2017 confirmed Westridge's position and their intent to remove the original letters of intent for the previously approved subdivision.

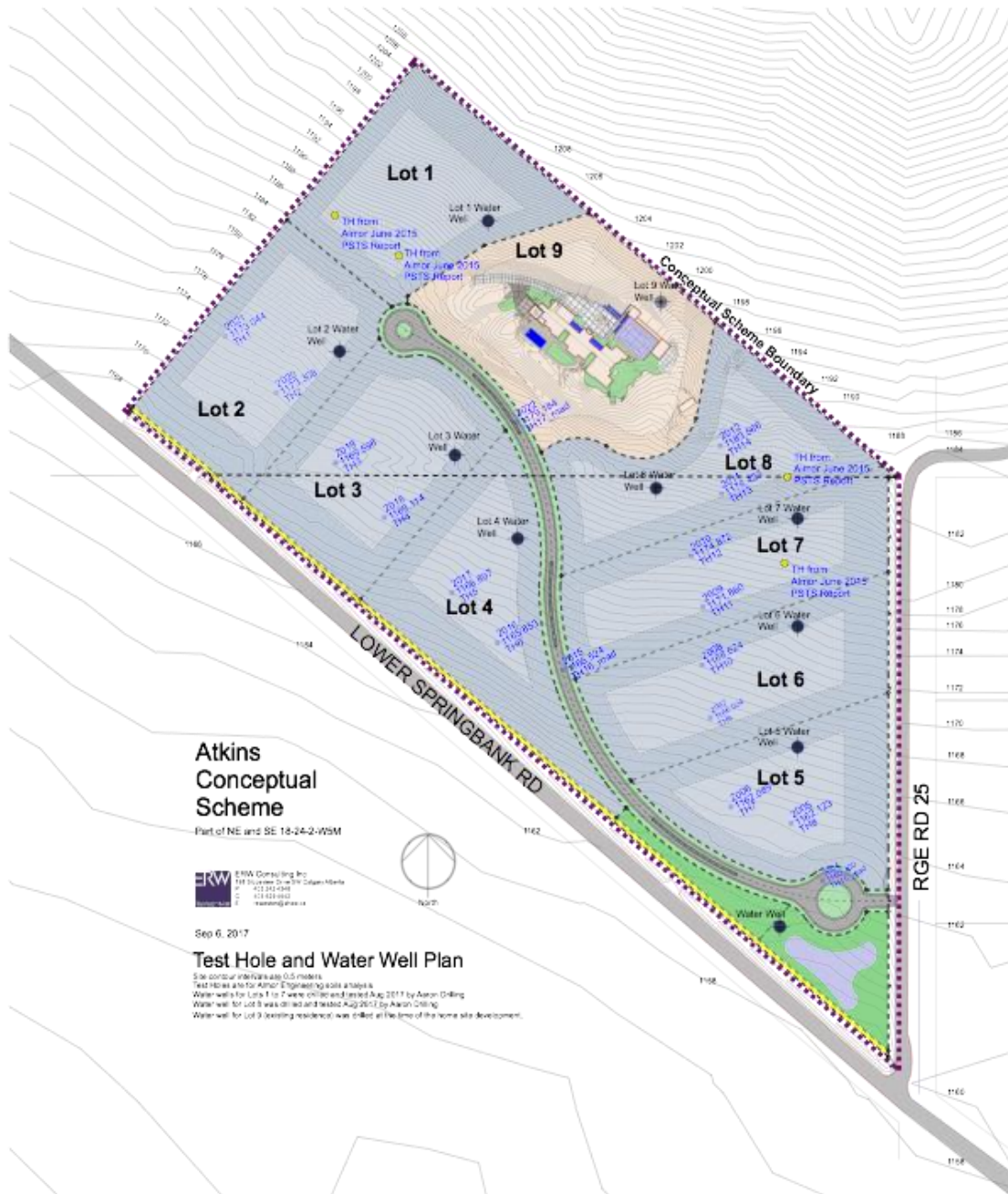
After the Developers best efforts to obtain Westridge water hook-ups for the lots, the Developer proceeded to drill domestic water wells to determine the level of available groundwater supply to meet Provincial and Rocky View standards.

## 12.2. Proposed Potable Water Wells

The Developer proposed the use of individual water wells to service the proposed subdivision. Proposed lots 1 to 8 have a well drilled and tested by Aaron Drilling as shown on the Test Hole and Water Well Plan (Figure 15). Lot 9 with the existing residence has a functioning well, which was drilled at the time the home was built.

New landowners for lots 1 to 8 will own and be responsible for the maintenance and operation of the well on their property.

**Figure 15 – Test Hole and Water Well Plan**





Groundwater Information Technologies Ltd. prepared a Groundwater Supply Evaluation report to determine the zone of influence of the wells, and analyze the capacity and viability of the wells to meet Rocky View County requirements.

Pump tests for each well were conducted by Aaron Drilling using a 10 gallon per minute pump. Wells 1 to 8 were each pumped for 24 hours and monitored for 24 hours following the pumping. The well located in the proposed green space at the south east corner of the subdivision will not be used for residential purposes. For this reason this well was pumped to meet Alberta Environment Requirements for 2 hours and monitored for 2 hours. Table 2 identifies the characteristics of each well.

#### Policy

- 12.2.1. Groundwater Supply Reports shall be prepared by a qualified professional and be submitted to Rocky View County and Alberta Environment at the time of subdivision.
- 12.2.2. The Groundwater Supply Report shall meet the applicable requirements for testing and analysis described in the County's Servicing Standards.
- 12.2.3. A Deferred Servicing Agreement or other such mechanism shall be registered on the title of each new lot and the remainder lot that is serviced by groundwater. The agreement will notify landowners of a commitment to decommission their existing groundwater system and connect to a water treatment and distribution system when deemed appropriate by the County.
- 12.2.4. Notwithstanding Policy 12.2.1 and 12.2.2, the Developer shall continue to explore the possibility of connecting to the existing water distribution system. The method of water servicing shall be confirmed at the subdivision stage.

**Table 2 – Proposed Water Well Information**

Well Lot	Drilling Well ID	Date Drilled	Depth in feet	Tested Pump Rate GPM	Chemical Test	Drilling Report Date	Groundwater Supply Evaluation
Lot 1	8596	Aug 2017	160	10	Sep 2017	Sep 2017	Oct 2017
Lot 2	8597	Aug 2017	95	10	Sep 2017	Sep 2017	Oct 2017
Lot 3	8598	Aug 2017	80	10	Sep 2017	Sep 2017	Oct 2017
Lot 4	8599	Aug 2017	95	10	Sep 2017	Sep 2017	Oct 2017
Lot 5	8600	Aug 2017	96	10	Sep 2017	Sep 2017	Oct 2017
Lot 6	8601	Aug 2017	90	10	Sep 2017	Sep 2017	Oct 2017
Lot 7	8602	Aug 2017	95	10	Sep 2017	Sep 2017	Oct 2017
Lot 8	8401	Aug 2016	95	20	Sep 2016	Aug 2016	Oct 2017
Green Space	8603	Aug 2016	115	10			
Lot 9 Existing	NA	NA	NA	NA			

### 12.3. Proposed Private Sewage Treatment Systems

The proposed new lots (lots 1-8) will be installing individual sewage treatment and septic fields to collect, treat, and dispose of sewage. Almor Testing Services Ltd has conducted three technical reports:

- Septic Field Soil Samples, dated June 3, 2015;
- Geotechnical Evaluation and Slope Assessment, dated January 11, 2016; and
- Shallow Subsoil and Groundwater Site Investigation, dated August 2017.

The 2015 and 2016 reports completed a Level II PSTS assessment and slope assessment for two 4 acre properties (previously approved subdivision). The reports indicated the land is suitable for residential development for the two subject parcels.

The Shallow Subsoil and Groundwater Site Investigation 2017 report completed 14 test holes and concluded that the soils conditions are suitable for septic fields in the test hole locations with a recommendation that field sizes of 92.64 sq. m (1,000 sq. ft.) for each lot. Packaged sewer treatment system meeting BNQ Standards will be required for each new residence.

It is recommended that a qualified professional conduct additional engineering assessments at the time of building construction.

#### Policy

- 12.3.1. A Level 4 Private Sewage Treatment System Assessment shall be submitted at the time of subdivision in accordance with the County Servicing Standards to the County's satisfaction.
- 12.3.2. Each new lot shall install a Packaged Sewer Treatment System meeting BNQ Standards in accordance with County Policy 449 and in accordance with the Almor Geotechnical reports.
- 12.3.3. Design and construction of sewage treatment and septic fields shall be acceptable to the County and Alberta Environment.

### 12.4. Solid Waste Management

A solid waste and recycling management plan would be developed for the community and implemented by the Developer and/or the Bare Land Condominium Corporation, at future subdivision stage.

## 13. Environmental Study

An Environmental Screening report was prepared by Westhoff Engineering Resources, Inc. in July 2017. The purpose of the report was to:

- Describe the existing environment (including soils, vegetation, landform, hydrology, and wildlife);
- Describe the proposed development;
- Predict the potential effects of the development on the environment;
- Recommend mitigation measures that would reduce or eliminate impacts of the development on the environment; and
- Describe how mitigation measures will be monitored over time to ensure effectiveness.

The Environmental Screening was prepared in place of a Biophysical Impact Assessment due to the lack of Valued Ecosystem Components within the Project Site. Findings of the Environmental Screening include:



- Terrain conditions are relatively low grade slopes on a south aspect.
- Three plant communities were identified on the site and include: non-native grassland, cultivated fields and manicured lawns. Seven species of plants listed as Noxious under the Weed Control Act were identified.
- There are no wetlands or other waterbodies within the site.
- Five species of wildlife were observed during field surveys.
- Due to cultivation and manicured lawn areas, the land provides little or no hiding or security cover for wildlife habitat use and movements.
- Predicted environmental impacts of development include loss of non-native vegetation and potential for damage and disturbance of wildlife.
- Mitigation measures are recommended to reduce or eliminate the predicted negative impacts of the development.

#### Policy

- 13.1.1. Mitigation measures in accordance with the recommendations of the Westhoff Engineering Environmental Screening Report should be implemented at the time of development.
- 13.1.2. An Erosion and Sediment Control Plan should be submitted in accordance with the County Servicing Standards, to the County's satisfaction.
- 13.1.3. A Weed Management Program should be developed and implements for the site in accordance with the Weed Control Act.
- 13.1.4. Stripping and grading within treed areas of the site should be completed outside the timeframe of April 1 to August 31.

## **14. Storm Water Management**

A storm water management plan (SWMP) prepared by Westhoff Engineering Resources Inc. dated July 2017 (revised in April 2018) was submitted in support of the Conceptual Scheme to provide information on the drainage strategy for the site.

The SWMP meets the criteria as outlined in the Springbank Master Drainage Plan prepared by MPE Engineering in 2016, and the report on Drainage Strategies for Springbank prepared by Westhoff in 2004.

The storm water management concept provides for an overland drainage system without an underground piping system. Perimeter lot-swales are placed at the boundary of each lot to prevent cross drainage from within the lots. Imperviousness of each lot will be limited to meet the unit area release rate and the maximum annual runoff volume, as per the Springbank Master Drainage Plan.

A trap low on each lot will act as peak flow control from each lot, and a French drain outlet system will limit the release rate from the trap low. Runoff from lots 1, 5, 6, 7, 8 and 9 will be conveyed to the storm pond at the southeast corner of the project site.

The stormwater pond at the southeast corner will serve two purposes, that of stormwater retention and treatment and to provide a water storage reservoir for fire suppression to meet County design and volume requirements for fire-fighting.

Runoff from offsite external areas to the north and west are intercepted by an upland by-pass swale. The terminus of the swale is the existing ditch along the north side of Lower Springbank Road, which is the same runoff conveyance system where the pre-development runoff would leave the project site.

Runoff leaves the project site following the current path via roadside ditches and overland drainage systems. Runoff enters the Elbow River via an existing culvert crossing (PC17-1). The MPE report identifies a capacity of 4L/s/ha for this culvert. The 1:100 year discharge rate from Springbank Sub-catchment E1 is set to 1.715 L/s/ha. An adequate outlet exists and the system capacity of the culvert is adequately sized.

The stormwater drainage system, stormwater pond and facilities will be owned and maintained by the Bare Land Condominium Corporation. All system components for conveyance, access and storage of runoff shall be protected by easements registered with Alberta Environment and Parks.

Low impact development technologies (LID's) and Best Management Practices (BMP's) will be introduced in the ultimate SWMP. Use of absorptive landscaping, bio-swales and trap lows will be incorporated to promote infiltration, evapotranspiration and improvement of water quality and to reduce water volumes for discharge into the Lower Springbank Road ditch.

Conclusions of the report include:

- The proposed stormwater management plan is able to meet the permissible Unit Area Release Rate (UARR) at 1.715 L/s/ha.
- The application of low imperviousness on each lot is essential to maintain the annual median runoff volume target below 40 mm and UARR of 1.715L/s/ha.
- Stormwater runoff retained in the stormwater pond may be used for fire suppression (minimum of 300 m3) and irrigation.

#### Policy

- 14.1.1. The Stormwater Management Plan shall be updated and finalized at future subdivision stage to the County's satisfaction. The update shall include but not limited to the method of enforcing the maximum of 35% imperviousness of each lot at the development stage.
- 14.1.2. At future subdivision stage the Developer shall:
  - a) submit a site specific stormwater management plan with details on the infrastructure to be constructed to meet the requirements of the Springbank Master Drainage Plan;
  - b) enter into a Development Agreement for any storm water infrastructure required as a result of the development and outlined in the final approved Storm Water Management Plan;
  - c) register any required easements; and
  - d) obtain AEP approval and licensing for the storm water management infrastructure including registration of the facilities and discharge.

## **15. Shallow Utilities**

Atco Gas provides natural gas services, and recently upgraded their servicing infrastructure in the area. TransAlta provides electrical services. Telus provides phone and CTV.

#### Policy

- 15.1.1. Shallow utilities shall be provided by the appropriate utility company at the sole expense of the Developer.
- 15.1.2. The Developer shall register any necessary easements and right-of-ways related to utilities such as electrical power, gas, telephone, and internet to service the proposed subdivision.

## **16. Community Service Levels**

Fire protection and ambulance services are provided by the County either directly or through agreements with other Municipalities. Protective services are provided to the area by the RCMP and the County's Protective Services.

**17. Bare Land Condominium Corporation**

The community will be set up as a Bare Land Condominium. A Condominium Corporation will be created under the Alberta Condominium Property Act, and the Corporation will be responsible for ownership, management, operation and maintenance of a range of infrastructures.

Policy

- 17.1.1. The Developer and/or the Condominium Corporation shall be responsible for the ownership, management, operation, and maintenance of the following within the plan area:
- a) the internal road and associated infrastructures;
  - b) Range Road 25 site entry feature, roundabout, entrance gate(s), landscaping, and associated infrastructures;
  - c) All stormwater management infrastructure, including but not limited to the stormwater pond, green space, and the associated conveyance system;
  - d) The pathway along Range Road 25, and the associated landscaping features and plantings.
- 17.1.2. The Developer and/or the Condominium Corporation shall be responsible for the implementation and enforcement the architectural design guidelines.

**18. Public Consultation**

Consultation with the public has occurred in the format of personal meetings and discussions with adjacent property owners at various times through the preparation of this document. The County also has public notices, which provided opportunity for adjacent landowners to review the conceptual scheme and provide input.

**19. Implementation**

Development of the land will proceed in a way to minimize the impact of construction activities in the following ways:

- Initial site stripping and grading will be limited to road and utility construction that will be part of the first phase for development of the site.
- Following internal road construction, perimeter landscaping including berms and road landscaping will proceed.
- Lots will remain as much as possible in their natural state until developed. Due to the nature of high expectations for home design and construction it is likely that the sales absorption of the lots will occur over a period of time so the intent is to keep undeveloped lots natural with existing vegetation.
- When lots are developed, owners will be required to prepare a site impact assessment with their construction documents to minimize impacts to the building site and the development. Each lot will prepare a stormwater plan design to manage onsite and overland drainage into the development system.

Policy

- 19.1.1. The County may issue a development permit for stripping and grading in accordance with the following reports as approved by the County and, where necessary, approval by Alberta Environment and Parks:
- a) Stormwater Management Plan;
  - b) Erosion and Sediment Control Plan;

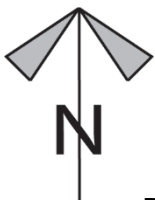
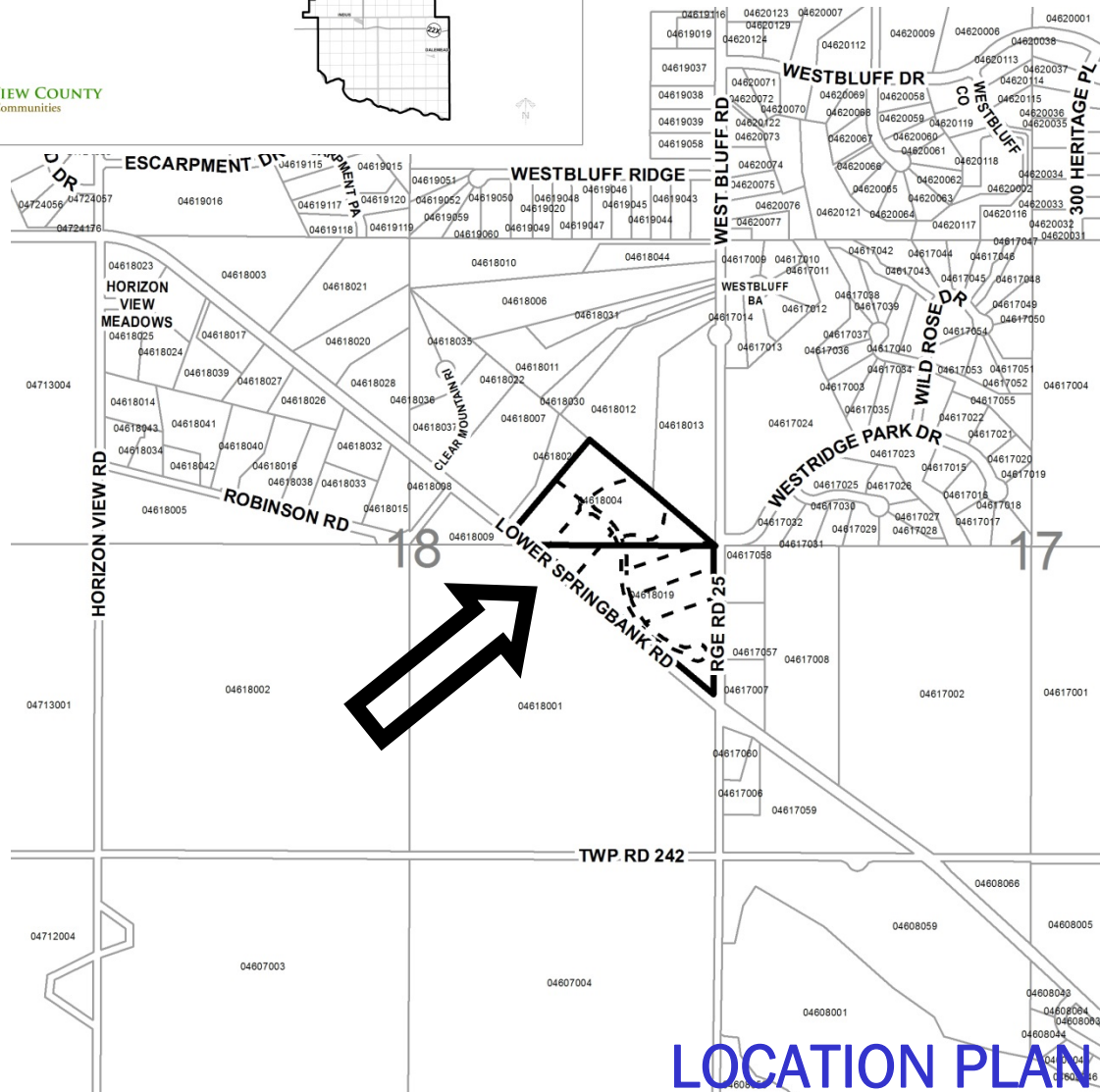
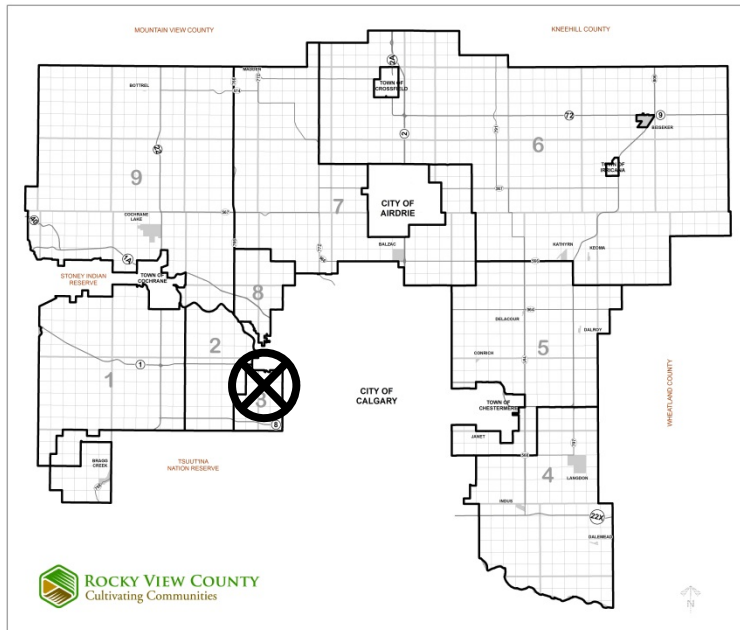
Atkins Conceptual Scheme (Bylaw C-7755-2018)

- c) Weed Control Plan; and
- d) A Construction Management Plan

## 20. Appendices

List of Technical Engineering Reports submitted with the Conceptual Scheme Application:

- Septic Field Soil Samples, Prepared by Almor Testing Services, dated June 3, 2015
- Geotechnical Evaluation and Slope Assessment , prepared by Almor Testing Services, dated January 11, 2016
- Shallow Subsoil and Groundwater Site Investigation, prepared by Almor Testing Services, dated August, 2017
- Traffic Access Review at Lower Springbank Road and Range Road 25, prepared by Bunt & Associates Engineering Ltd., dated June 9, 2017
- Environmental Screening for the Atkins Subdivision, prepared by Westhoff Engineering Resources, Inc., dated September 8, 2017
- Atkins, LSR Development - Stormwater Management Plan, prepared by Westhoff Engineering Resources, Inc., dated July 2017 (Revised April 2018)
- Groundwater Supply Evaluation Reports for Lots 1 to and including Lot 8, prepared by Groundwater Information Technologies Ltd, dated September 2017

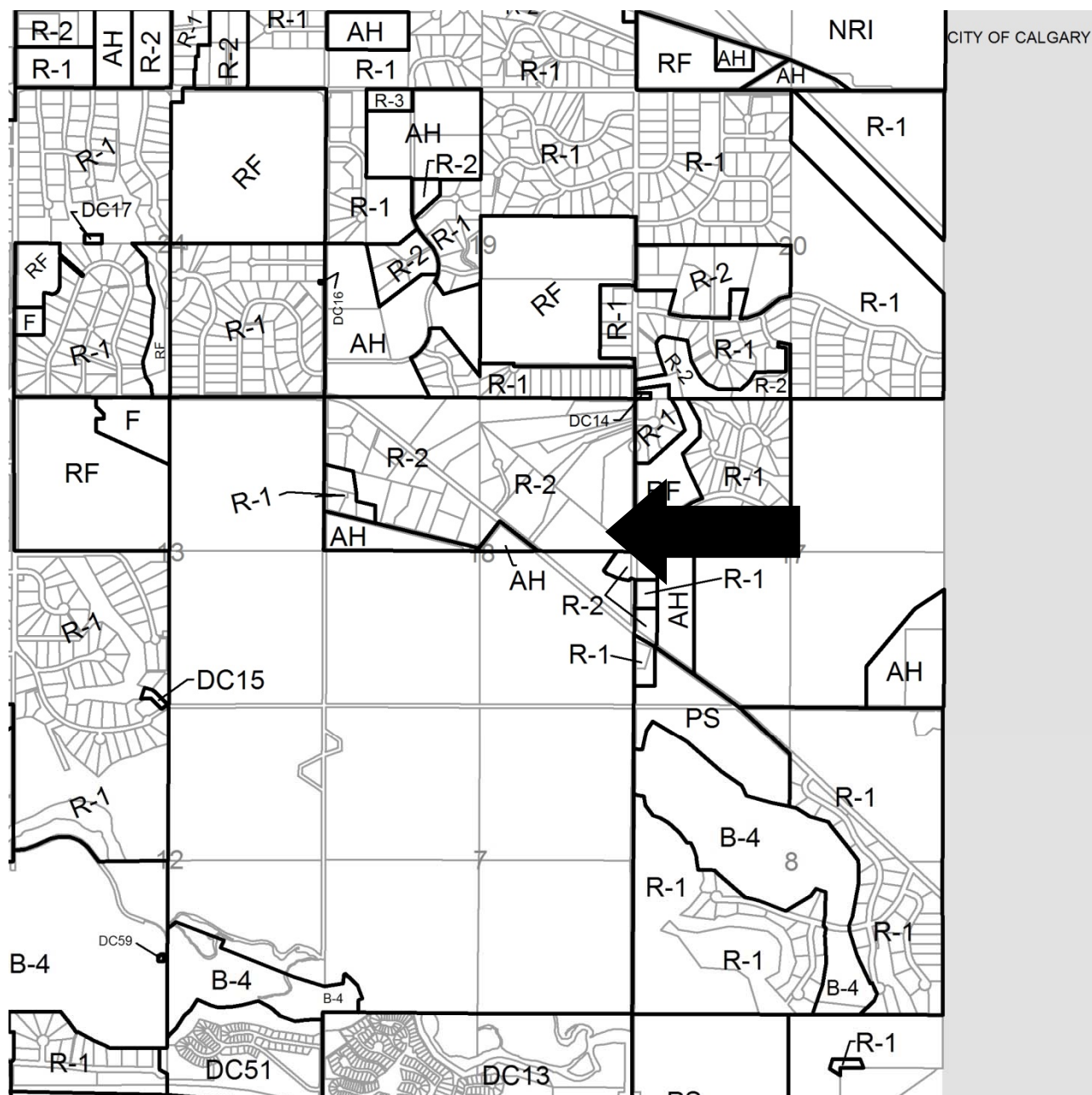


**Lot 2, Block D, Plan 1415 LK within NE-18-24-02-W05M;  
Block 1, Plan 7811222 within SE-18-24-02-W05M**

Date: **Feb 5, 2018**

Division # 3

File: **04618004 / 04618019**



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

**Lot 2, Block D, Plan 1415 LK within NE-18-24-02-W05M;  
Block 1, Plan 7811222 within SE-18-24-02-W05M**

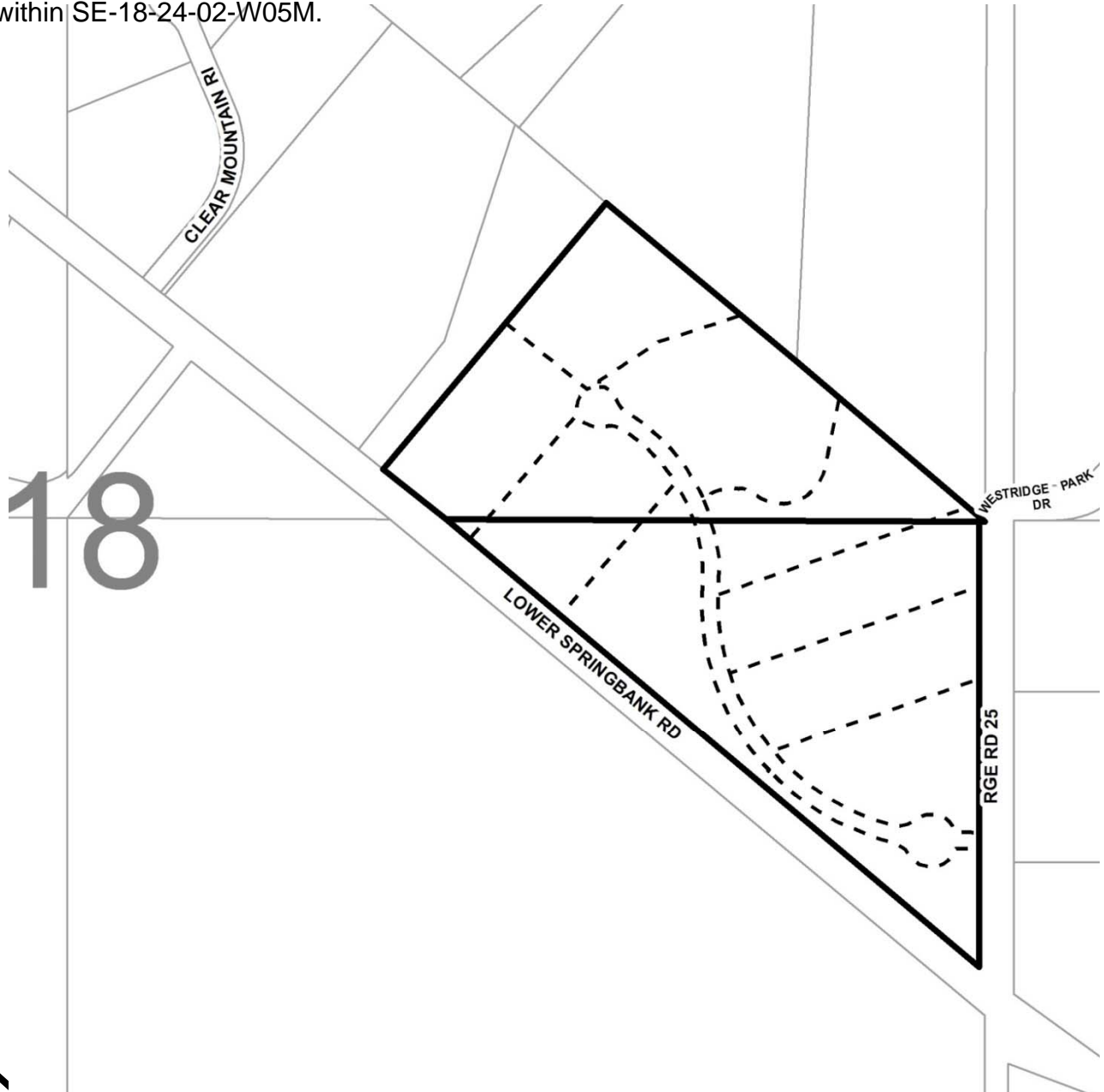
Date: **Feb 5, 2018**

Division # 3

File: **04618004 / 04618019**



**Conceptual Scheme Proposal:** To amend the Central Springbank Area Structure Plan to include the Atkins Conceptual Scheme, and to adopt the Atkins Conceptual Scheme to provide a policy framework for future redesignation, subdivision, and development proposal within Lot 2, Block D, Plan 1415LK within NE-18-24-02-W05M (25102 Lower Springbank Road), and Block 1, Plan 7811222 within SE-18-24-02-W05M.



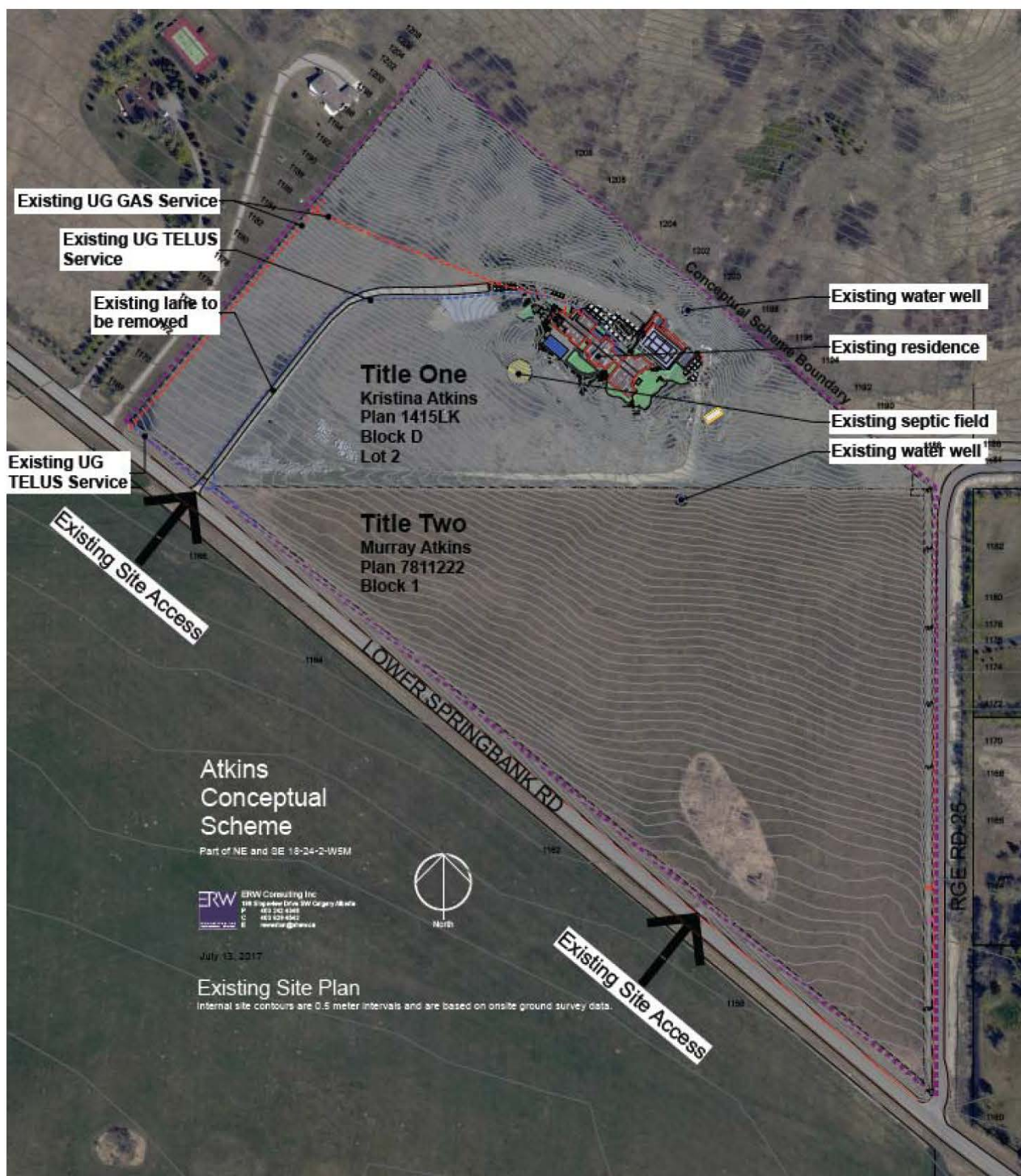
## DEVELOPMENT PROPOSAL

Lot 2, Block D, Plan 1415 LK within NE-18-24-02-W05M;  
Block 1, Plan 7811222 within SE-18-24-02-W05M

Date: Feb 5, 2018

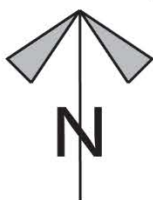
Division # 3

File: 04618004 / 04618019



## EXISTING SITE CONDITIONS

Spring 2016



NE 18-24-02-W05M  
Lot 2, Block D, Plan 1415LK within NE 18-24-02-W05M;  
Lot 2, Block D, Plan 1415LK / Block 1, Plan 7811222  
within SE 18-24-02-W05M

Date: ~~Dec 5, 2017~~  
Feb 10, 2018

Division # 3

File: 04618004 / 04618019



## DEVELOPMENT PROPOSAL

Lot 2, Block D, Plan 1415 LK within NE-18-24-02-W05M;  
 Block 1, Plan 7811222 within SE-18-24-02-W05M

Date: Feb 5, 2018

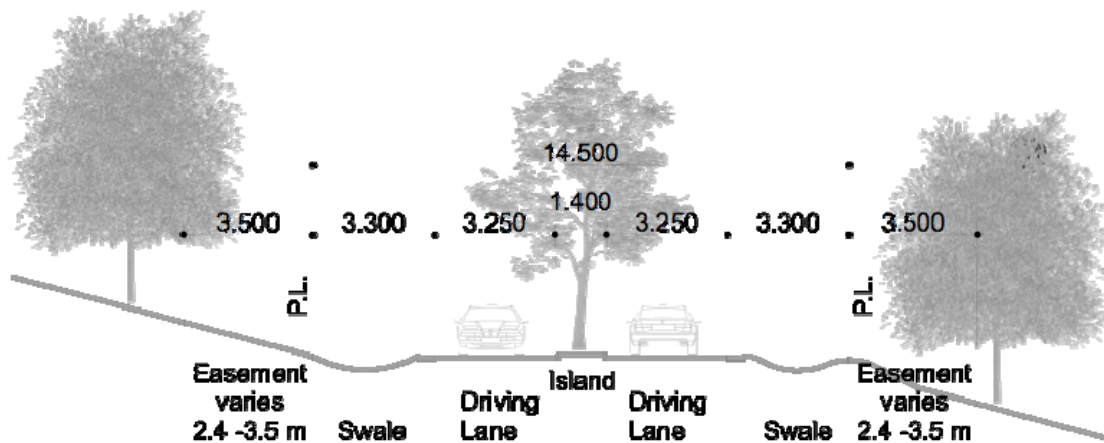
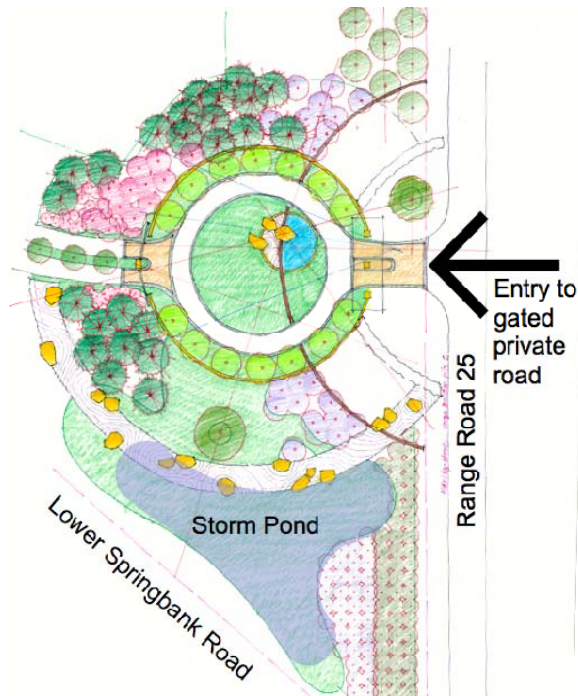
Division # 3

File: 04618004 / 04618019



The Applicant proposed a Bare land Condominium Corporation which will be responsible for the ownership, management, operation and maintenance of:

- The internal road (gated);
- Range Road 25 site entry feature;
- All stormwater management infrastructure; and
- The pathway along Rge Rd. 25.



## DEVELOPMENT PROPOSAL

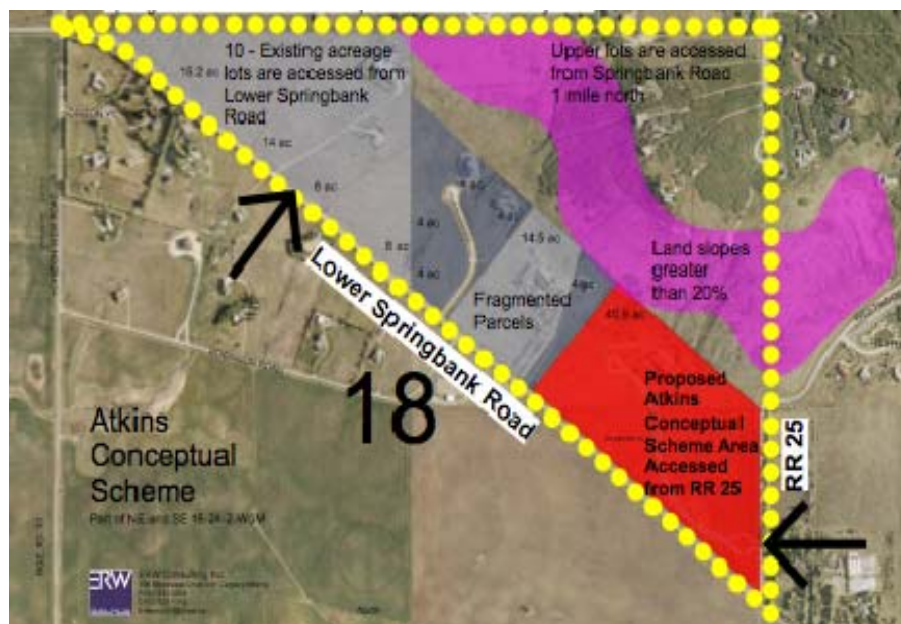


Lot 2, Block D, Plan 1415 LK within NE-18-24-02-W05M;  
Block 1, Plan 7811222 within SE-18-24-02-W05M

Date: Feb 5, 2018

Division # 3

File: 04618004 / 04618019



The proposed conceptual scheme consists of a smaller area compared to the one prescribed in the Central Springbank ASP due to existing development fragmentation, regional traffic axes, and topographic constraints

## CENTRAL SPRINGBANK ASP

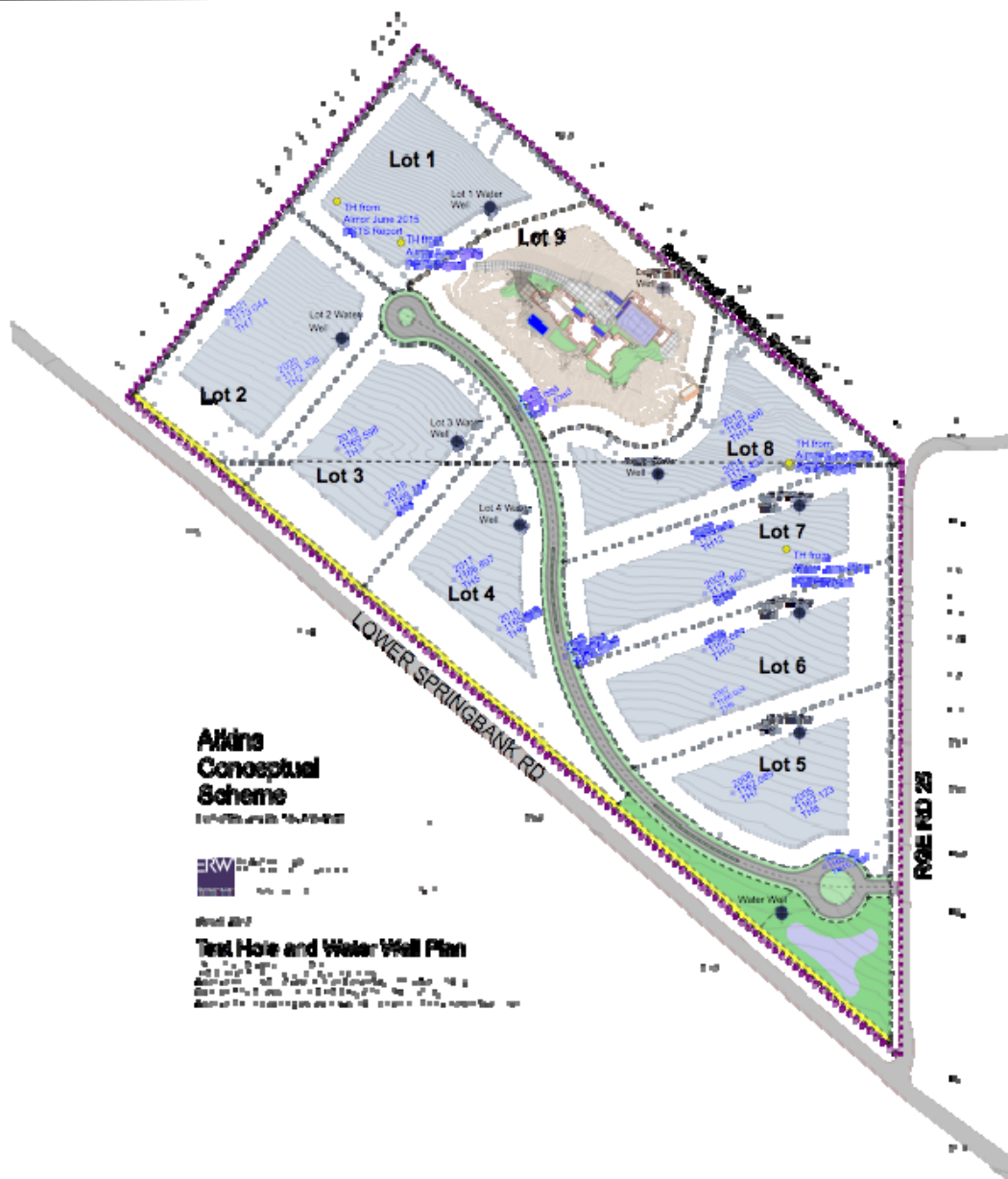


Lot 2, Block D, Plan 1415 LK within NE-18-24-02-W05M;  
Block 1, Plan 7811222 within SE-18-24-02-W05M

Date: Feb 5, 2018

Division # 3

File: 04618004 / 04618019



**Policy 2.8.2 of the CSASP:** 'connection to an existing water distribution system is required for residential purposes where access is feasible and/or cost effective'.

Due to the inability to tie-in to the existing water servicing, water wells were drilled and tested. The Applicant submitted groundwater supply evaluation reports for each of the proposed lots, which demonstrate adequate water servicing for each lot with no adverse effects on the neighbouring properties.

## CENTRAL SPRINGBANK ASP

Lot 2, Block D, Plan 1415 LK within NE-18-24-02-W05M;  
Block 1, Plan 7811222 within SE-18-24-02-W05M

Date: Feb 5, 2018

Division # 3

File: 04618004 / 04618019





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

**AIR PHOTO**

Spring 2016



**Lot 2, Block D, Plan 1415 LK within NE-18-24-02-W05M;  
Block 1, Plan 7811222 within SE-18-24-02-W05M**

Date: Feb 5, 2018

Division # 3

File: 04618004 / 04618019



Facing North – looking at Rge. Rd. 25



Facing South – looking at adjacent land

## SITE PHOTOS



Lot 2, Block D, Plan 1415 LK within NE-18-24-02-W05M;  
Block 1, Plan 7811222 within SE-18-24-02-W05M

Date: Feb 5, 2018

Division # 3

File: 04618004 / 04618019





Facing South East – looking at Lower Springbank Road intersection



Facing North West – looking at Lower Springbank Road

## SITE PHOTOS



Lot 2, Block D, Plan 1415 LK within NE-18-24-02-W05M;  
Block 1, Plan 7811222 within SE-18-24-02-W05M

Date: Feb 5, 2018

Division # 3

File: 04618004 / 04618019





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*



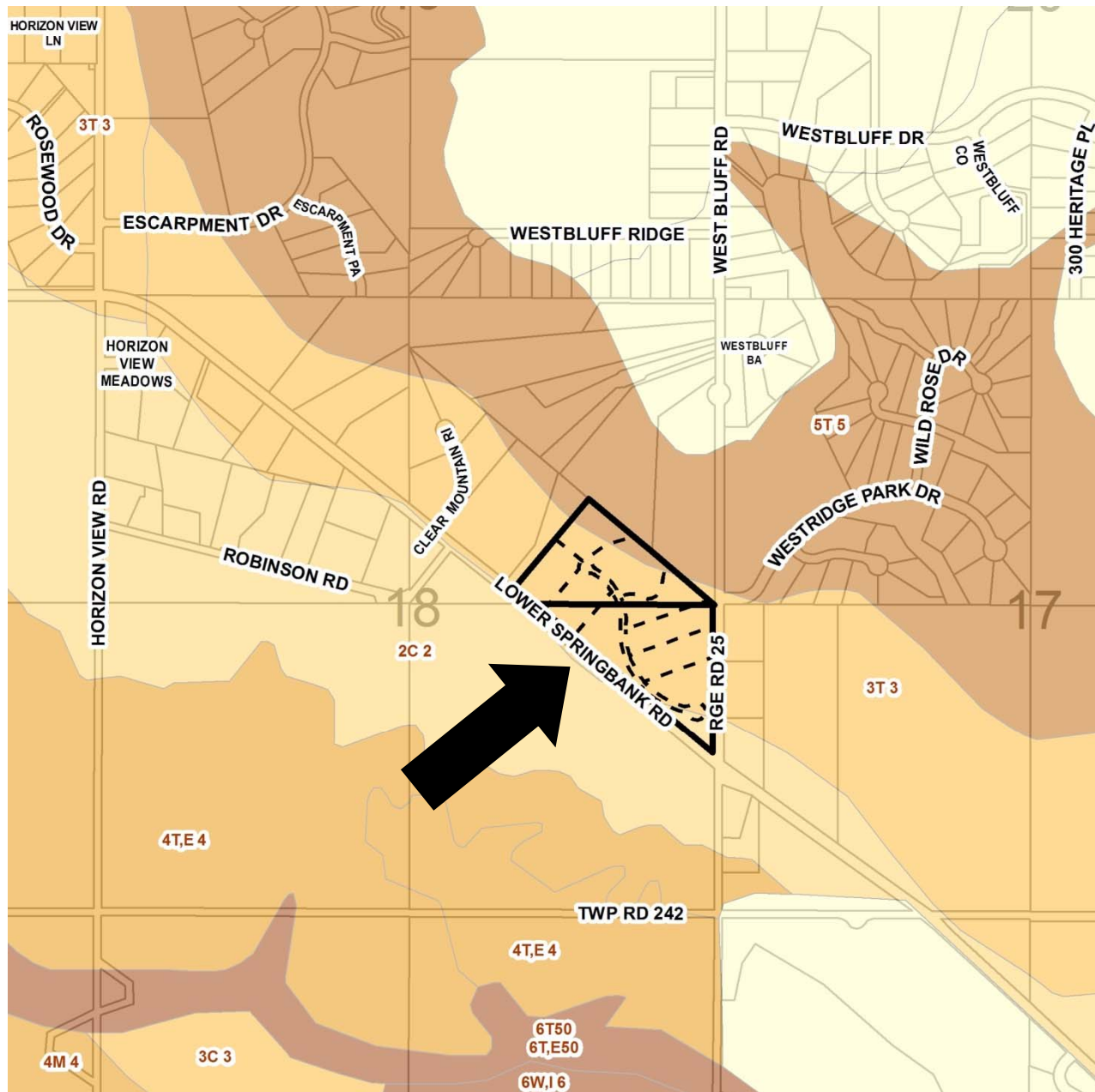
**Lot 2, Block D, Plan 1415 LK within NE-18-24-02-W05M;  
Block 1, Plan 7811222 within SE-18-24-02-W05M**

Date: **Feb 5, 2018**

Division # 3

File: **04618004 / 04618019**





**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**

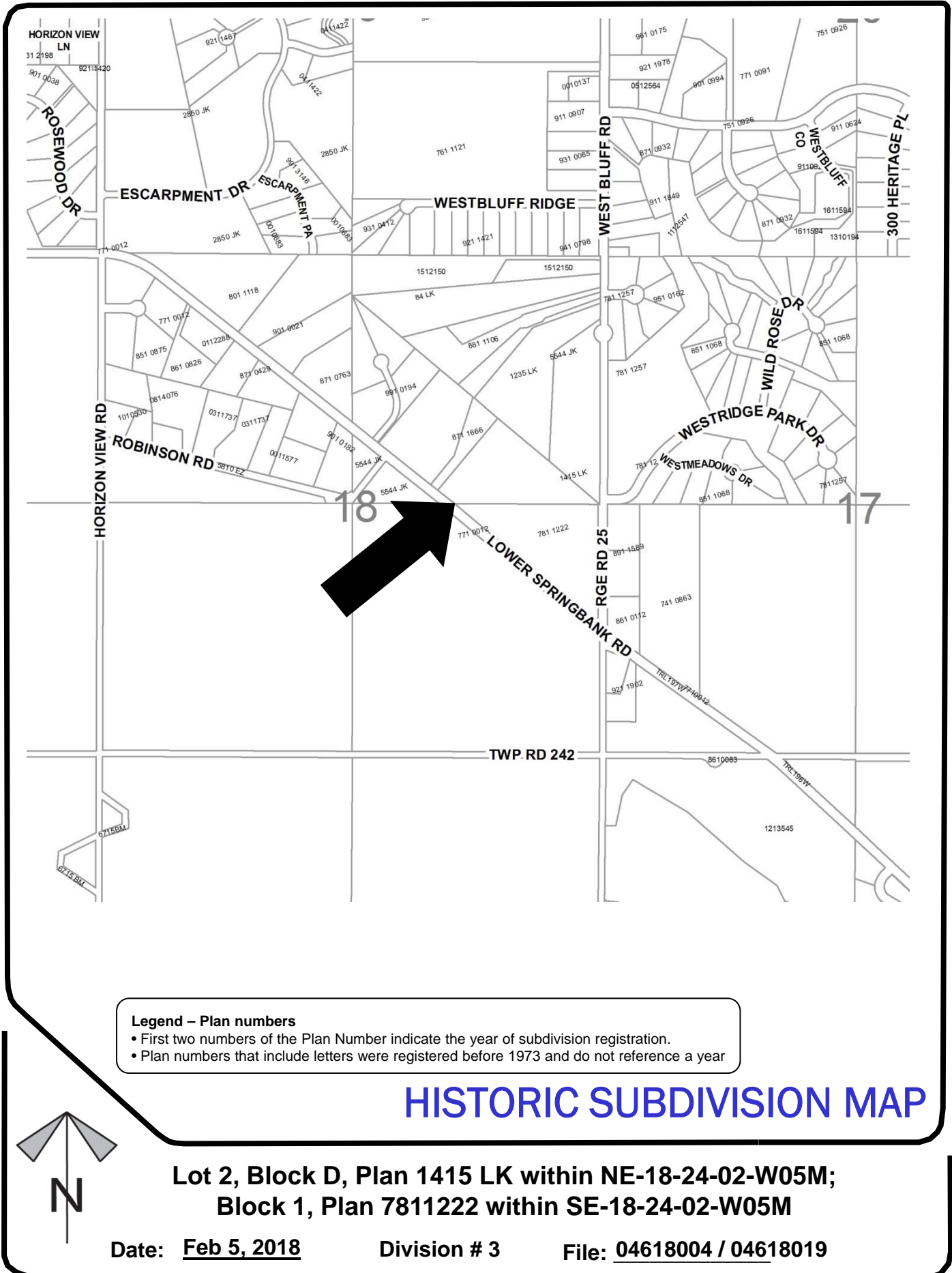


**Lot 2, Block D, Plan 1415 LK within NE-18-24-02-W05M;  
 Block 1, Plan 7811222 within SE-18-24-02-W05M**

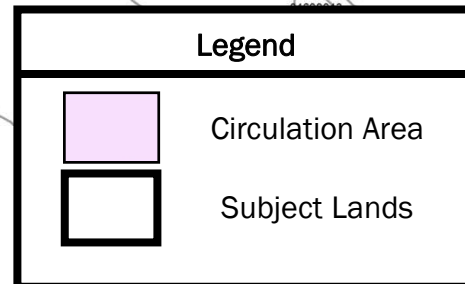
Date: **Feb 5, 2018**

Division # 3

File: **04618004 / 04618019**







**File: 04618004 / 04618019**

Re: "BYLAW C-7755-2018"

OPPOSED

Mr. Murray Atkins has applied for legal subdivision under applications number PL 20170169 and PL 20170158. I, Allan Gilders, of

, have been a resident on my property for 30 years and Jim and Kay Gilders, of

, have been residents on their property for the last 50 years. Mr. Atkins property is adjacent to ours to the east.

We have been given an opportunity to follow this subdivision process from its inception as Mr Atkins was kind enough to seek our approval. From the beginning we have told Mr. Atkins that we are not opposed to the development of the area and that our only concern about his plans was the protection of the ground water source that supplies our properties. He understood our concerns and stated that it was his intent to protect that source by tying into the water co-op(**pipd water from the Westridge Water Co-op**). When Mr Atkins ran into some unexpected problems with the water co-op, we were told that he would only subdivide two of the six properties, for which he did have water co-op tie-ins, and that he was still working on getting piped water for the other six lots. When Mr Atkins discovered that he could not get additional tie-ins from the water co-op, it all of sudden became feasible to tap into the ground water source.

We wish to make it known to all parties involved that we OPPOSE this subdivision proposal for the following reasons:

- 1.The area has been tested by several wells but has not established what the cumulative drawdown of eight additional producing wells would have on the adjacent area.
- 2.What is the effect of eight wells draw on the aquifer at the same time during peak consumption hours for domestic consumption over a period of five, ten, twenty years. Why didn't Mr. Atkins test all of the wells at the same time?
- 3.The permeability of the water formation (aquifer) reduces rapidly near the base of the escarpment to the north which creates limits on the extent of the reservoir.
- 4.There are indications that the source of water in the aquifer is already depleting over the last 50 years by the loss of several natural springs that existed in the area.
- 5.We are told that the porous water bearing formations are capped with impervious shale's that restrict surface water from leaching into acquirer. Then what is the source of the water?
- 6.We are told that there is no communication between each of these eight wells and that each of these eight wells are in different formations and acquirers from our wells. Then why did these wells all test the same flow rates?
- 7.If we assume the water is flowing from the east to the west then our access to this source would be siphoned off before it reaches us further downstream.

Jim Gilders has been a geologist for over 50 years. His experience and knowledge suggest that the water is coming from a common source that flows from east

to west through the porous formation that has been tapped into by all of these wells. We do not believe that the reservoir is a series of isolated pockets but that we are drawing from one reservoir of unknown size and of limited replenishing supply.

We are not in favour of this subdivision based on each lot serviced by individual water wells. We suggest that a compromise be made with Mr. Atkins whereby the two approved piped water co-op tie-ins are utilized for two of the proposed lots and that a maximum of two lots be allowed using water wells in order to limit the adverse effect of drainage on the acquirer. This compromise would still allow Mr Atkins to proceed with the subdivision to a maximum of four lots in the interim, with the option to subdivide the remaining four lots at some future date, once there is additional capacity in the water co-op lines or the eventual addition of new piped water sources. It would also allow for a feasibility study to be done based on the draw of these additional wells on the water formation over time.

Allan James Gilders

And

C. James (Jim) Gilders

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-----Original Message-----

From:

Sent: Wednesday, May 09, 2018 4:27 PM

To: PAA\_ LegislativeServices

Subject: Bylaw C-7756-2018

To: Deputy Municipal Clerk

From: Dr. Norm & Karin Wellington

Position: "Opposed" to Applications PL20170169 and PL20170158

There are some substantial and substantive concerns about this proposed development. The primary concern speaks to the very heart of the developmental scheme. The current owner's home stands on the escarpment above, well apart from the proposed home plots below. I guess there's nothing inherently "wrong" with this Lord/Serf schematic: it just doesn't seem to fit with typical rural surroundings, particularly in Rockyview. But the real problem is in how these schematics and land divisions run counter to planned rural surroundings, with typical minimal environmental impact as the intent. Current subdivisions and developments flow well in to the backdrop (so to speak), so that only a portion of the development is open to view from any one vantage point. Houses do not overwhelm the landscape. The current and proposed plan does anything but "blend". It's all there, plunked beneath the natural Reserve above. Thematically, it's akin to the developmental philosophy of MacLeod Trail in Calgary: put everything as close as possible to the highway, and as close as possible to each other. This kind of philosophy is just not what Rockyview County has been about. What if this becomes an acceptable model of development?

A second major concern is access - and poor planning therein. Access ,if granted, should really be from the owner's driveway off Lower Springbank Road. Access from Range Road 25, so close to Lower Springbank Road, is congestion that has to be "an accident waiting to happen". Add winter, ice and snow and it just gets worse. Back to the Lord's Castle, above. Who planned this? If accidents are predictable at this juncture, are there some inherent legal liability issues?

Finally, a procedural comment. Sure, survey markers are up. A need to plan. But servicing as already been active, with underground lines put in. Perhaps speaks to an attitude that is inherent to this entire project.

Respectfully submitted,

Dr. Norm Wellington  
Karin Wellington



From: [Narmeen Haq](#)  
To: [Johnson Kwan](#)  
Subject: FW: Westridge Infrastructure  
Date: Thursday, April 26, 2018 9:23:35 AM

---

FYI.

**NARMEEN HAQ, P.ENG.**

Municipal Engineer | Engineering Services

**ROCKY VIEW COUNTY**

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

Phone: 403-520-7279 | Fax: 403-520-7288

[nhaq@rockyview.ca](mailto:nhaq@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: Vince Diot  
Sent: Thursday, February 15, 2018 1:21 PM  
To: Engineering  
Subject: Westridge Infrastructure

FYI

While Westridge sorts out their processes, this will have an impact to some of the development applications we're dealing with.

If you have any questions, please let me know.

**VINCE DIOT, P.L.(ENG.)**

Supervisor | Engineering Services

**ROCKY VIEW COUNTY**

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

Phone: 403-520-7287

[vdidot@rockyview.ca](mailto:vdidot@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.

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From: John Gruber [<mailto:john@westridgeutilities.com>]  
Sent: Tuesday, January 23, 2018 3:04 PM  
To: Byron Riemann  
Cc: John Gruber  
Subject: Westridge Infrastructure

Byron,

Thanks for taking the time to meet with me last week.

As we discussed, Westridge had issued "Letters of Intent" as part of the protocol for additions to its potable water infrastructure. Commencing in 2018, we will no longer be issuing these letters. Any Westridge Letters of Intent that were submitted to RVC *prior to December 31, 2017* as part of a subdivision or other development application will be honoured. The holders of a number of 'stale-dated' Westridge Letters of Intent have been advised in writing that these are no longer considered by Westridge to be valid.

We are currently working on a new protocol for expansions and will advise Rocky View County when it has been finalized.

Please contact me should you have any questions or comments.

Cordially,

John Gruber

## PLANNING SERVICES

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**TO:** Council  
**DATE:** May 22, 2018 **DIVISION:** 3  
**TIME:** Afternoon Appointment  
**FILE:** 04618019 **APPLICATION:** PL20170169  
**SUBJECT:** Land Use Redesignation – Ranch and Farm District to Residential Two District  
 Note: To be considered in conjunction with PL20170158 - Atkins Conceptual Scheme

---

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

- Motion #1 THAT Bylaw C-7756-2018 be given first reading.  
 Motion #2 THAT Bylaw C-7756-2018 be given second reading.  
 Motion #3 THAT Bylaw C-7756-2018 be considered for third reading.  
 Motion #4 THAT Bylaw C-7756-2018 be given third and final reading.

### **EXECUTIVE SUMMARY:**

The purpose of this application is to redesignation a portion of Block 1, Plan 7811222 within SE-18-24-02-W05M from Ranch and Farm District to Residential Two District to facilitate a multi-lot subdivision.

The Applicant submitted a conceptual scheme in support of this land use redesignation (PL20170158); the details of which are discussed in the corresponding staff report. This Application was evaluated in accordance with the Central Springbank Area Structure Plan, the proposed Atkins Conceptual Scheme, and the Land Use Bylaw.

Administration evaluated the application and determined that:

- The application complies with the Central Springbank Area Structure Plan;
- The proposed land use is compatible with the surrounding area; and
- Detailed technical assessment would be further addressed at the future subdivision and development permit stages.

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

**DATE APPLICATION DEEMED COMPLETE: October 23, 2017** (Revised on February 5, 2018)

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**PROPOSAL:** To redesignation a portion of Block 1, Plan 7811222 within SE-18-24-02-W05M from Ranch and Farm District to Residential Two District to facilitate a multi-lot subdivision.  
**LEGAL DESCRIPTION:** Block 1, Plan 7811222 within SE-18-24-02-W05M  
**GENERAL LOCATION:** Located in the Central Springbank area, approximately 1.6 kilometres (1 mile) west of the city of Calgary, at the northwest junction of Range Road 25 and Lower Springbank Road.

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

Johnson Kwan, Planning Services  
 Narmeen Haq, Engineering Services



<b>APPLICANT:</b>	ERW Consulting Inc.
<b>OWNERS:</b>	Murray Atkins
<b>EXISTING LAND USE DESIGNATION:</b>	Ranch and Farm District.
<b>PROPOSED LAND USE DESIGNATION:</b>	Residential Two District.
<b>GROSS AREA:</b>	± 8.99 hectares (± 22.23 acres)
<b>SOILS (C.L.I. from A.R.C.):</b>	<b>Class 3T 3:</b> Moderate limitations due to adverse topography. <b>Class 5T 5:</b> Very Severe limitations due to adverse topography.

#### **PUBLIC & AGENCY SUBMISSIONS:**

The application was circulated to 34 adjacent landowners, and two letters in opposition were received in response (Appendix 'D'). The application was also circulated to a number of internal and external agencies, and those responses are available in Appendix 'A'.

#### **HISTORY:**

- 2016** Subdivision application PL20150091 was conditionally approved to create a ± 1.62 hectare (± 4 acre) parcel with a ± 5.92 hectare (± 14.62 acre) remainder lot at Lot 2, Block D, Plan 1415 within NE-18-24-02-W05M.
- 2016** Redesignation application PL20150092 and subdivision application PL20150093 was conditionally approved to create a ± 1.62 hectare (± 4 acre) parcel with a ± 7.39 hectare (± 18.23 acre) remainder at Block 1, Plan 7811222, within SE-18-24-02-W05M.
- 2001** The Central Springbank Area Structure Plan (Bylaw C-5354-2001) was adopted.
- 1978** Plan No. 7811222 was registered and created Block 1, Plan 7811222 within SE-18-24-02-W05M. Public reserve pursuant to the Act was provided by 1% cash-in-lieu payment and deferment of the balance.
- 1972** Plan No. 1415 LK was registered and created Lot 2, Block D, Plan 1415 LK within NE-18-24-02-W05M. Municipal Reserves were previously dedicated on Plan 5544 JK.

#### **BACKGROUND:**

The subject land is located in the Central Springbank area, approximately 1.6 kilometres (1 mile) west of the city of Calgary, at the northwest junction of Range Road 25 and Lower Springbank Road.

The surrounding area to the north is mainly country residential development, designated as Residential Two District and Residential One District. The surrounding area to the south is largely unsubdivided quarter sections designated as Ranch and Farm District. The subject land is currently vacant, and access is available via Lower Springbank Road.

#### **POLICY ANALYSIS:**

##### Central Springbank Area Structure Plan

The subject lands are located within the Infill Residential Area of the Central Springbank ASP. In accordance with policy 2.9.3:

- a) *Lands within the infill residential area will not be eligible for further subdivision unless a Conceptual Scheme is prepared in accordance with the provisions of this plan, is approved by the Municipality, and is appended to the Central Springbank ASP.*



- This land use application is supported by the proposed Atkins Conceptual Scheme (PL20170158, proposed Bylaw C-7755-2018).
- b) *Future residential lots will range between  $\pm 0.8$  ha ( $\pm 2.0$  ac) to  $\pm 1.6$  ha ( $\pm 4.0$  ac) in size, or whatever is most prevalent on adjacent lands or in the immediate area.*
  - The majority of the proposed residential lots are 3.95 acre in size.
- c) *Open space connections should be facilitated through the use of cash-in-lieu, land dedication, or easement to extend pedestrian connections throughout the plan area.*
  - The Applicant is proposing that an open space and pedestrian connection be established along Range Road 25 via a public pathway that is protected by easements on the subject land, to be owned and maintained by the proposed Bare Land Condominium Corporation. Outstanding Municipal Reserve on Block 1, Plan 8711222 within SE-18-24-2-W05M would be provided via cash-in-lieu at future subdivision stage.
- d) *Modified road standard should only be considered in Infill Residential Areas when stormwater management, emergency services, school bus services and public safety are shown to not be at risk and an opportunity for future local roads with a higher priority for aesthetic appeal, quality of services and multiple uses is provided.*
  - The proposed internal road would be privately owned and maintained by the Bare Land Condominium Corporation. Design and construction standards would be similar to the County Servicing Standards for a Residential Local Road, with a 14.5 metre right-of-way and a 6.5 meter paved road surface. Administration reviewed the proposed internal road design and deemed it acceptable in this case. Further details would be addressed at the future subdivision stage.

Overall, the proposed land use redesignation meets intent and policies of both the Central Springbank ASP and the proposed Atkins Conceptual Scheme.

## CONCLUSION:

Administration evaluated the application and determined that:

- It complies with the Central Springbank Area Structure Plan;
- The proposed land use is compatible with the surrounding area; and
- Detailed technical assessment would be further addressed at the future subdivision and development permit stages.

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

## OPTIONS:

- Option # 1:
- |           |  |
|-----------|--|
| Motion #1 | THAT Bylaw C-7756-2018 be given first reading.           |
| Motion #2 | THAT Bylaw C-7756-2018 be given second reading.          |
| Motion #3 | THAT Bylaw C-7756-2018 be considered for third reading.  |
| Motion #4 | THAT Bylaw C-7756-2018 be given third and final reading. |
- Option # 2: THAT Application PL20170169 be refused.



Respectfully submitted,

Concurrence,

“Chris O’Hara”

“Kent Robinson”

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General Manager

Jkwan/rp

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Interim County Manager

**APPENDICES:**

APPENDIX ‘A’: Application Referrals

APPENDIX ‘B’: Bylaw C-7756-2018 and Schedule A

APPENDIX ‘C’: Map Set

APPENDIX ‘D’: Landowner letters



**APPENDIX A: APPLICATION REFERRALS**

AGENCY	COMMENTS
<b><i>School Authority</i></b>	
Rocky View Schools	No comments.
Calgary Catholic School District	No comments.
Public Francophone Education	No comments.
Catholic Francophone Education	No comments.
<b><i>Province of Alberta</i></b>	
Alberta Environment and Parks	No comments.
Alberta Transportation	No comments.
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> <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.</p>
Energy Resources Conservation Board	No comments.
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, Section 15(1), which states: <ul style="list-style-type: none"> <li><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> <li>d) 50 metres of sewage effluent on the ground surface,</li> </ol> </li> </ul> </li> </ol>



AGENCY	COMMENTS
	<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 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 assessment should be conducted by a qualified professional engineer and the system should be installed in an approved manner.</p> <p>3. The properties 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.
ATCO Pipelines	No objection.
AltaLink Management	No comment received.
Enmax	No comment received.
Telus Communications	No objection. Telus will need to review the circulation for the subdivision and proposed development once at that stage.
TransAlta Utilities Ltd.	No comment received.
<b>Rocky View County Boards and Committees</b>	
ASB Farm Members and Agricultural Fieldmen	No agricultural concern as the land falls within the Central Springbank Area Structure Plan.
Rocky View West Recreation District Board	The Rec. Board is satisfied with the proposal from the developer to construct a pathway on Range Road 25 and that will be for



AGENCY	COMMENTS
	public use and made a motion to approve the proposal.
<b><i>Internal Departments</i></b>	
Municipal Lands	The Municipal Lands Office has no concerns at this time; however, comments pertaining to pathway and reserve dedication will be provided at any future subdivision stage.
Development Authority	No comments.
GeoGraphics	No comments.
Building Services	No comments.
Emergency Services	<p>Fire Services:</p> <ol style="list-style-type: none"> <li>1. Please ensure that water supplies and hydrants are sufficient for firefighting purposes.</li> <li>2. Dependent on the occupancies, the Fire Service recommends that the buildings be sprinklered, if applicable, as per the Alberta Building Code.</li> <li>3. The Fire Service also recommends that the water co-op be registered with Fire Underwriters.</li> <li>4. Please ensure that access routes are compliant to the designs specified in the Alberta Building Code.</li> </ol>
Infrastructure and Operations- Engineering Services	<p><b><u>General</u></b></p> <ul style="list-style-type: none"> <li>• The applicant is proposing that the community be a private community with a private/gated road;</li> <li>• As a condition of future subdivision, the Owner is required to enter into a Development Agreement pursuant to Section 655 of the Municipal Government Act respecting provision of the following:             <ol style="list-style-type: none"> <li>a) Construction of a public internal road system (Residential Collector RL1) complete 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 the County Servicing Standards;</li> <li>b) Construction of a new intersection at the location of the site with Range Road 25 in accordance with the County Servicing Standards;</li> <li>c) Construction of a piped potable water distribution system (including the registration or necessary easements);</li> <li>d) Mailbox locations are to be located in consultation with Canada Post to the satisfaction of the County;</li> <li>e) Construction and Installation of a Drafting Hydrant, designed to meet minimum fire flows as per County Standards and Bylaws;</li> <li>f) Construction of storm water facilities in accordance with the recommendations of an approved Stormwater</li> </ol> </li> </ul>



AGENCY	COMMENTS
	<p>Management Plan and the registration of any overland drainage easements and/or restrictive covenants as determined by the Stormwater Management Plan.</p> <p>g) Installation of power, natural gas, and telephone lines</p> <ul style="list-style-type: none"> <li>As a condition of subdivision, the applicant will be required to enter into a Deferred Servicing Agreement outlining that future lot owners will be required to connect to County wastewater, storm water and potable water servicing when such services become available.</li> </ul> <p><b><u>Geotechnical - Section 300.0 requirements:</u></b></p> <ul style="list-style-type: none"> <li>The applicant has submitted a limited scope Geotechnical Investigation and Slope Assessment by Almor Testing dated January 2016. The report assesses two of the proposed sites and concludes that there is sufficient developable area within the two sites (minimum 1 contiguous acre). The report also confirms that there are slopes in excess of 20% along the north property line of the site and makes setback recommendations for two of the proposed lots.             <ul style="list-style-type: none"> <li>At future subdivision stage, the applicant shall update this report to reflect the proposed 8 lots and confirm setback recommendations for all the lots on site.</li> </ul> </li> <li>The applicant has submitted a Shallow Subsoil and Groundwater Site Investigation by Almor Testing dated August 2017. The report provides assessment of the soil conditions on site including groundwater conditions, suitability for PSTS and recommendations for pavement and building foundations. At future subdivision stage, the applicant will be required to adhere to the recommendations of the report.             <ul style="list-style-type: none"> <li>While the August 2017 report does provide recommendation for PSTS suitability, the report does not provide all the necessary details as required for a Level 4 PSTS report as outlined in the Model Process Document. Therefore, at future subdivision stage, ES requests that a full Level 4 PSTS report be submitted to accompany the application, or the August 2017 report be updated to include all necessary information required in a Level 4 PSTS report.</li> </ul> </li> </ul> <p><b><u>Transportation - Section 400.0 requirements:</u></b></p> <ul style="list-style-type: none"> <li>The applicant submitted a Traffic Access Review prepared by Bunt and Associates dated June 9, 2017. The report analyzes the intersection of Range Road 25 and Lower Springbank Road at opening day and the 20 year horizon. While the development is only proposing the addition of 8 lots, the report makes recommendation for some small scale</li> </ul>



AGENCY	COMMENTS
	<p>improvements to be done at the intersection to improve sight lines (removal of vegetation, movement of mailboxes and addition of signage). At future subdivision stage, the applicant will be required to implement the recommended improvements from the June 9, 2017 Bunt and Associates Report;</p> <ul style="list-style-type: none"> <li>• At future subdivision stage, the applicant will be responsible for entering into a Development Agreement with the County for the construction of the internal road network (Residential Collector RL1) and the intersection with Range Road 25. The road standard proposed can only be supported if maintenance of the road is the responsibility of a private corporation. If this is not the proposal, RVC maintenance department must review the cross section proposed as it likely does not accommodate RVC maintenance equipment, and ES recommends that a Country Residential road standard be utilized, consistent with all the neighboring subdivision roads;</li> <li>• In accordance with the Springbank Functional Plan, Lower Springbank Road ultimately requires 36m of road right of way. The current ROW width is 30m. Therefore, as a condition of future subdivision, the applicant will be required to dedicate 3m along the entire south boundary of the site for future road widening of Lower Springbank Road;</li> <li>• As a condition of subdivision endorsement, the applicant will be required to provide payment of the Transportation Offsite Levy in accordance with applicable levy at time of Subdivision and/or Development Permit approval, as amended, for the total gross acreage of the lands proposed to be developed or subdivided.</li> </ul> <p><b><u>Sanitary/Waste Water - Section 500.0 requirements:</u></b></p> <ul style="list-style-type: none"> <li>• As reported in the geotechnical section, the applicant has submitted Level 2 PSTS assessment for 2 of the proposed lots, and an updated Geotechnical report which comments on the suitability of the remainder of the lands for PSTS systems. <ul style="list-style-type: none"> <li>○ While the August 2017 report does provide recommendation for PSTS suitability on the remaining lots, the report does not provide all the necessary details as required for a Level 4 PSTS report as outlined in the Model Process Document.</li> </ul> </li> <li>• At future subdivision stage, the Owner shall enter into a Development Agreement/Site Improvement Services Agreement for the construction of packaged sewage treatment systems on each lot, in accordance with the Almor Geotechnical Report and County Policy 449.</li> <li>• Level 4 PSTS report was completed by Almor Testing</li> </ul>



AGENCY	COMMENTS
	<p>Services Ltd., dated February 12, 2018.</p> <ul style="list-style-type: none"> <li>○ The report outlines that 14 test holes were assessed for soil suitability and sizing for septic fields based on requirements for a four-bedroom houses. Three (3) test holes indicated presence of heavy clay and are in lots 3 and 4. The report recommends further investigation or other alternative systems be evaluated for those two (2) lots;</li> <li>○ At future subdivision stage, the applicant shall submit an updated Level 4 PSTS report to include requirements for groundwater analysis and the impact of a PSTS on groundwater, per "The Model Process Subdivision Approval and Private Sewage". The report to also include sewage handling options for lots 3 and 4.</li> </ul> <p><b><u>Water Supply And Waterworks - Section 600.0 &amp; 800.0 requirements:</u></b></p> <ul style="list-style-type: none"> <li>• The County's preferred servicing solution for potable water is tie in to a piped water system. The applicant indicated that Westridge Utilities was unwilling to provide the capacity required. Westridge Utilities services land directly adjacent to the proposal. ES recommends that connection to Westridge Utilities be pursued further for the application, rather than the addition of 8 new wells to the area, as this aligns with County Policy 415 which states that the County is committed to taking all reasonable steps to support long-term, safe and reliable potable water supply for its residents. County Policy 415 states that this objective will be considered in all decisions related to planning, subdivision and development. Further, the Central Springbank ASP states that connection to an existing water distribution system is required for residential purposes where access is feasible and/or cost effective (Policy 2.8.2);</li> <li>• The applicant's proposal is to service the development by individual water wells and has submitted a Phase 1 Supply Evaluation for the proposed concept. Further, the applicant has moved forward with drilling 8 new wells on the subject lands and performing pump tests on the subject wells. From the information provided, the Engineer has concluded that the aquifer has sufficient capacity to sustain the addition of 8 new wells and result in no adverse impacts for existing users. ES recommends that the use of new wells on the subject lands be at the discretion of Council, as it appears to contradict with the policies referenced above:             <ul style="list-style-type: none"> <li>○ ES has reviewed the eight (8) well reports. Pump test was conducted for each well for 24 hours or greater. The result indicated that each had small drawdown (between 0.09 &amp; 0.76 m) and quick recovery period (during drawdown to up to 2,663 min). For short recovery times</li> </ul> </li> </ul>





AGENCY	COMMENTS
	<p>(40 minutes or less), the Cooper-Jacob solution was used to model the recovery rate, which was further used to model the 20-yield for the respective wells. All eight (8) wells can yield excess of the required 1,250 m<sup>3</sup>/year, as required per the Water Act.</p> <ul style="list-style-type: none"> <li>○ Lots 6 and 7 have total dissolved solids level a bit higher than the recommended. However, it is an aesthetic criteria and no recommendation has been provided. Also, Groundwater Information Technologies recommended that routine sample collection and analysis for dissolved salts and bacteria be done for all wells prior to potable usage. As Total Coliform was higher than acceptable levels for Lot 8, shock chlorination and testing was recommended prior to consumption of the water.</li> <li>○ At future subdivision stage, should the Council agree to the usage of the new wells, Groundwater Supply Phase II Assessment should be updated, complete with bacteriological analyses.</li> </ul> <p><b><u>Storm Water Management – Section 700.0 requirements:</u></b></p> <ul style="list-style-type: none"> <li>• The applicant has submitted an updated Stormwater Management Report (SWMR), completed by Westhoff Engineering Resources Inc., revised on April 13, 2018. The report takes the latest Springbank Master Drainage Plan into consideration. The development lies in the E1 sub-basin and will meet the UARR of 1.715 L/s/ha and 45 mm per year maximum runoff volume. The report notes that the imperviousness of each lot needs to be 35% or less. It is to ensure that the communal stormwater infrastructure is sufficient for volume control. In addition to the imperviousness restriction, each will also have lot swales and landscaping features to prevent cross drainage. For peak flow control, each lot will have traplows, which will be registered to the Bareland Condominium.</li> <li>○ The revised Westhoff report recommends managing the stormwater in three (3) parts:             <ul style="list-style-type: none"> <li>▪ Upland by-pass swale to manage sheet flow from the slope north of the development. The swale will run along the perimeter of the existing property and release volume to the existing ditch along the Lower Springbank Road, with check dams (or other erosion protection) for flow control;</li> <li>▪ Stormwater from lots 1, 5, 6, 7, 8, &amp; 9 will be directed along the internal roadside ditch, which will flow into the stormwater pond. The internal roadside ditch and stormwater pond will also collect water from the common areas (internal road, island, etc.). There will be a controlled release from the stormwater pond, up to 40 mm volume. The pond will also be used for</li> </ul> </li> </ul>



AGENCY	COMMENTS
	<p>firefighting purposes;</p> <ul style="list-style-type: none"> <li>▪ Lots 2, 3, &amp; 4 will each lot independently releases into the existing roadside ditch. This is an uncontrolled release (except during peak flow), which is compensated by a lower volume release from the remainder of the development (40 mm instead of 45 mm).</li> <li>○ It should be noted that the report contains some inconsistencies in section 2.2.1, where it notes that each lot is expected to manage stormwater runoff individually. Hence, at subdivision stage, the applicant is required to revise and finalize the SWMR to reflect the agreed communal volume control approach.</li> <li>• The revised Conceptual Scheme indicates that the Bare Land Condominium Corporation will own and maintain the stormwater drainage system, stormwater pond, and facilities. This also includes the traplows and lot swales;</li> <li>• At future subdivision stage, the applicant will be required to submit a Site Specific Stormwater Management Plan with details on the infrastructure to be constructed to meet the requirements of the Springbank Master Drainage Plan;</li> <li>• At future subdivision stage, the applicant will be required to enter into a Development Agreement for any storm water infrastructure required as a result of the development and outlined in the final approved Storm Water Management Plan. Registration of any required easements, utility right of ways and/or public utility lots is required as a condition of subdivision;</li> <li>• The Applicant will be required to obtaining AEP approval and licensing for the storm water management infrastructure including registration of the facilities and discharge.</li> </ul> <p><b><u>Other</u></b></p> <ul style="list-style-type: none"> <li>• The applicant has submitted an Environmental Screening Report prepared by Westhoff Engineering dated September 2017. The report confirms there are no wetlands on site and reports potential project impacts as being loss of non-native vegetation and potential for damage and disturbance of wildlife. The report provides a series of mitigation measures to reduce or eliminate the predicted negative impacts, which ES recommends be followed at future subdivision and construction phases of the project.</li> </ul>
Infrastructure and Operations-Maintenance	No Issues.
Infrastructure and Operations-Capital Delivery	No concerns.



AGENCY	COMMENTS
Infrastructure and Operations- Utility Services	Piped water supply is preferable.
Infrastructure and Operations- Road Operations	No concerns.
Agriculture and Environmental Services - Solid Waste and Recycling	No comments.

Original Circulation Period: November 7 – November 28, 2017

Revised Re-Circulation Period: February 22, 2018 – March 15, 2017



## BYLAW C-7756-2018

### 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-7756-2018.

#### PART 2 – DEFINITIONS

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

#### PART 3 – EFFECT OF BYLAW

**THAT** Part 5, Land Use Map No. 46 and No. 46-S of Bylaw C-4841-97 be amended by redesignating a portion of Block 1, Plan 7811222 within SE-18-24-02-W05M from Ranch and Farm District to Residential Two District, as shown on the attached Schedule 'A' forming part of this Bylaw.

**THAT** A portion of Block 1, Plan 781222 within SE-18-24-02-W05M is hereby redesignated to Residential Two District as shown on the attached Schedule 'A' forming part of this Bylaw.

#### PART 4 – TRANSITIONAL

Bylaw C-7756-2018 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: 3**

**File: 04618019 – PL20170169**

<i>PUBLIC HEARING WAS HELD IN COUNCIL this</i>	day of	, 2018
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>	day of	, 2018
READ A THIRD TIME IN COUNCIL this	day of	, 2018

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Reeve

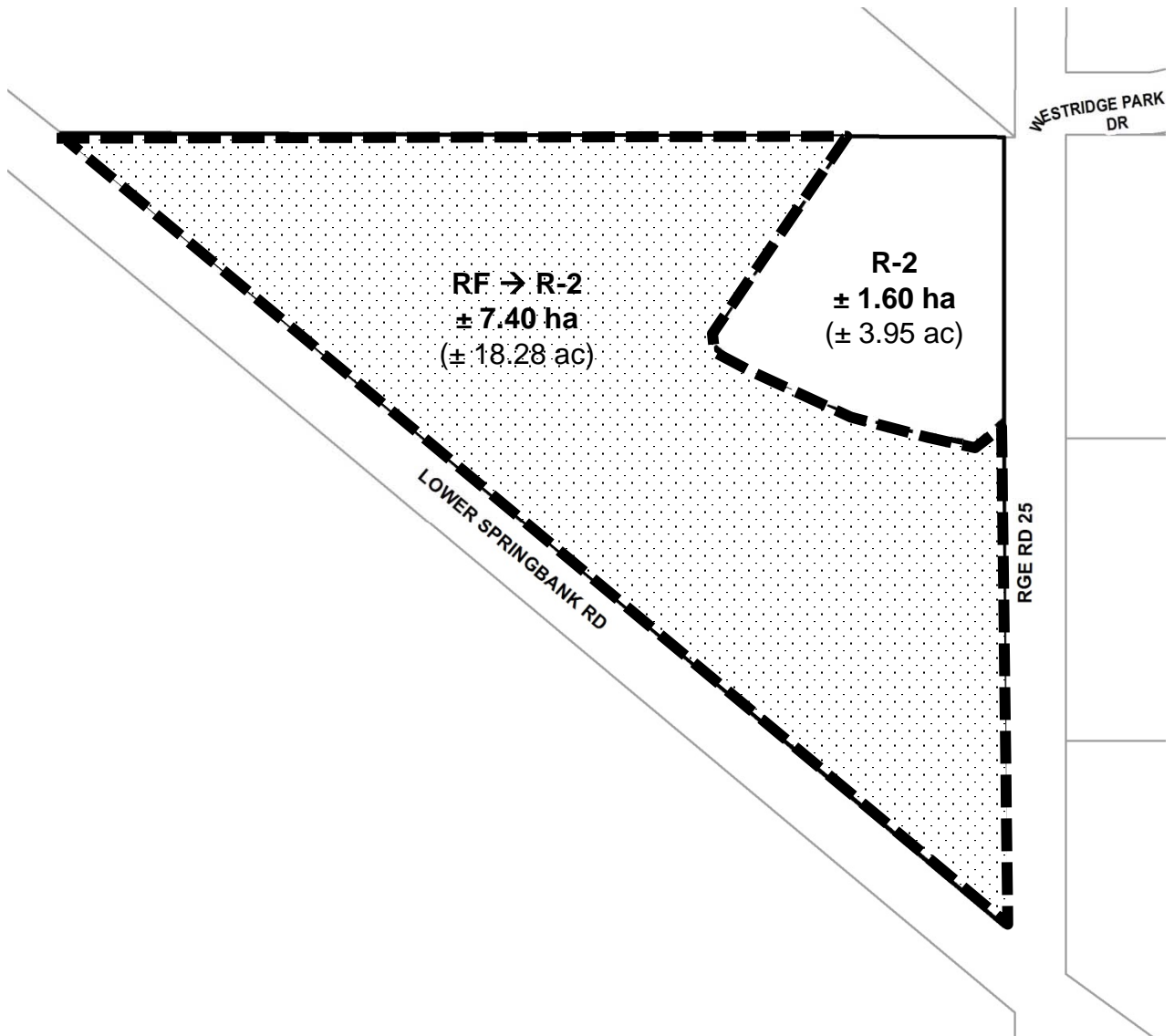
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CAO or Designate

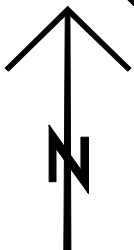
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Date Bylaw Signed

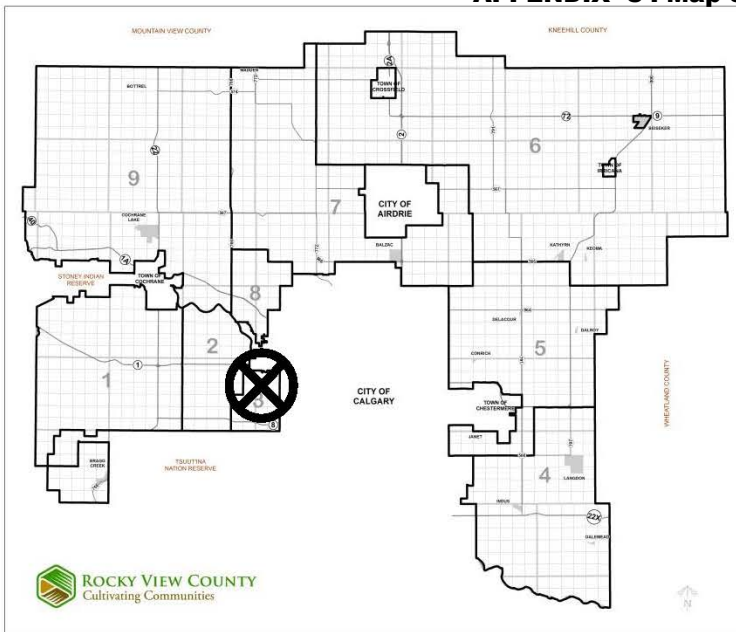
## SCHEDULE "A"

BYLAW: C-7756-2018**AMENDMENT**FROM Ranch and Farm District (RF) TO Residential Two District (R-2)

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

LEGAL DESCRIPTION: A portion of Block 1, Plan 7811222,  
Within SE-18-24-02-W05MFILE: PL20170169 - 04608019

DIVISION: 3



LOCATION PLAN

NE 18-24-02-W05M  
Block: 1, Plan: 7811222,  
SE 18-24-02-W05M

Lot: 2 Block: D Plan: 1415LK / Block: 1 Plan: 7811222

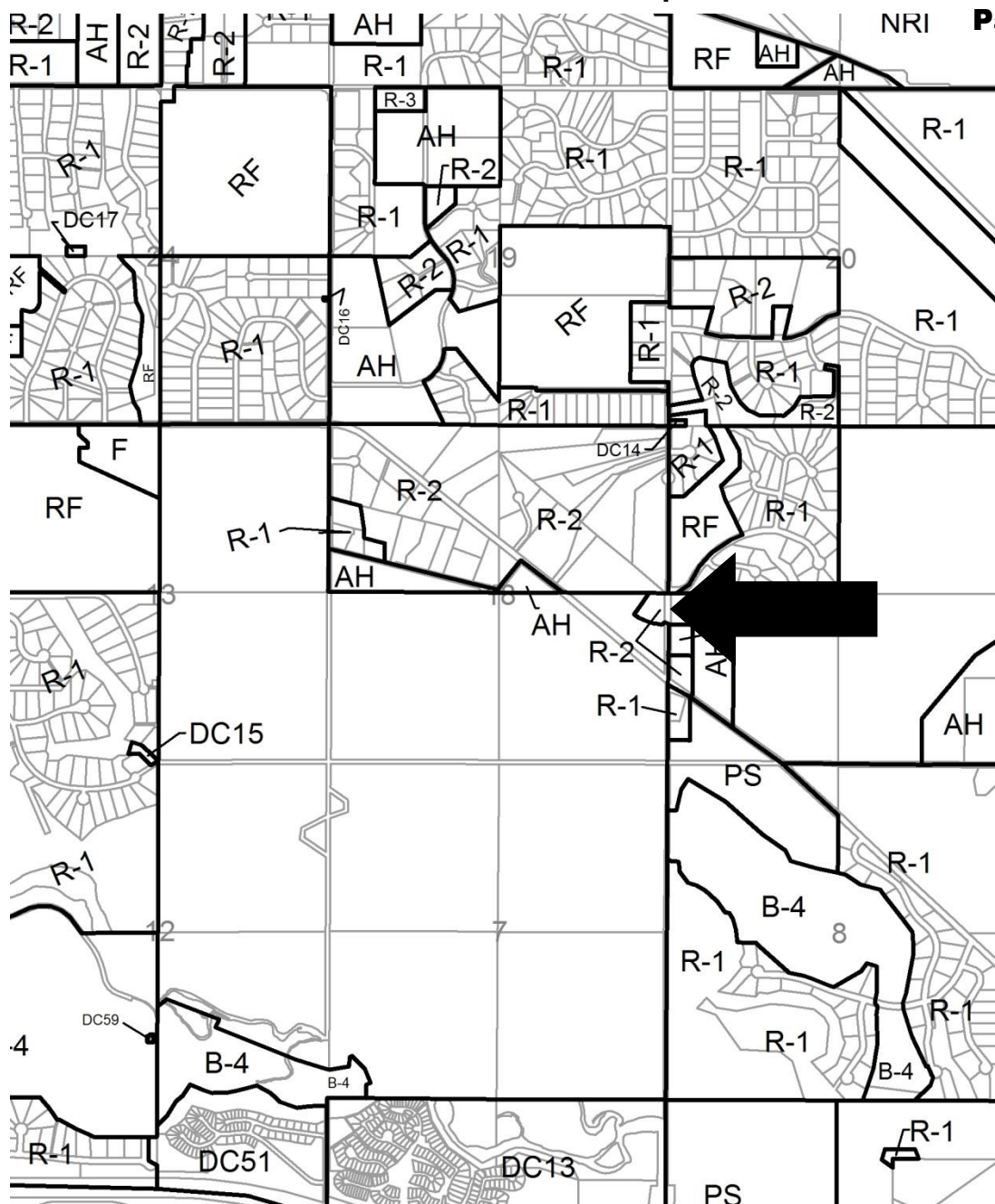
Date: Feb 5, 2017

Division # 3

File: 04608012 / 04618019

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

**Block 1, Plan 7811222,  
SE-18-24-02-W05M**

Date: Feb 5, 2018

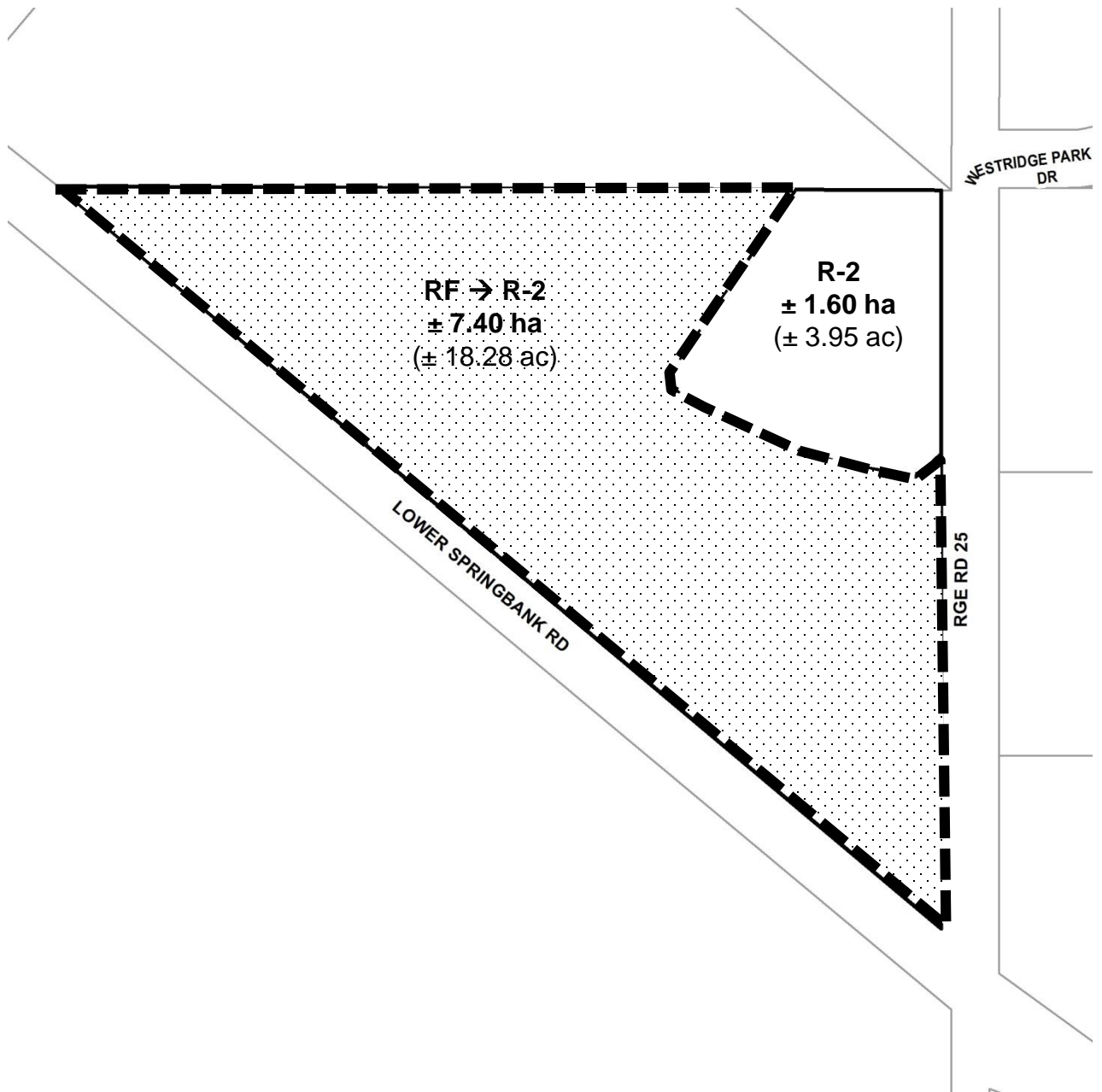
Division # 3

File: 04608019

**AGENDA**

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**Development Proposal:** To redesignate a portion of Block 1, Plan 7811222 within SE-18-24-02-W05M from Ranch and Farm District to Residential Two District to facilitate a future multi-lots subdivision.



## DEVELOPMENT PROPOSAL

Block 1, Plan 7811222,  
SE-18-24-02-W05M

Date: Feb 5, 2018

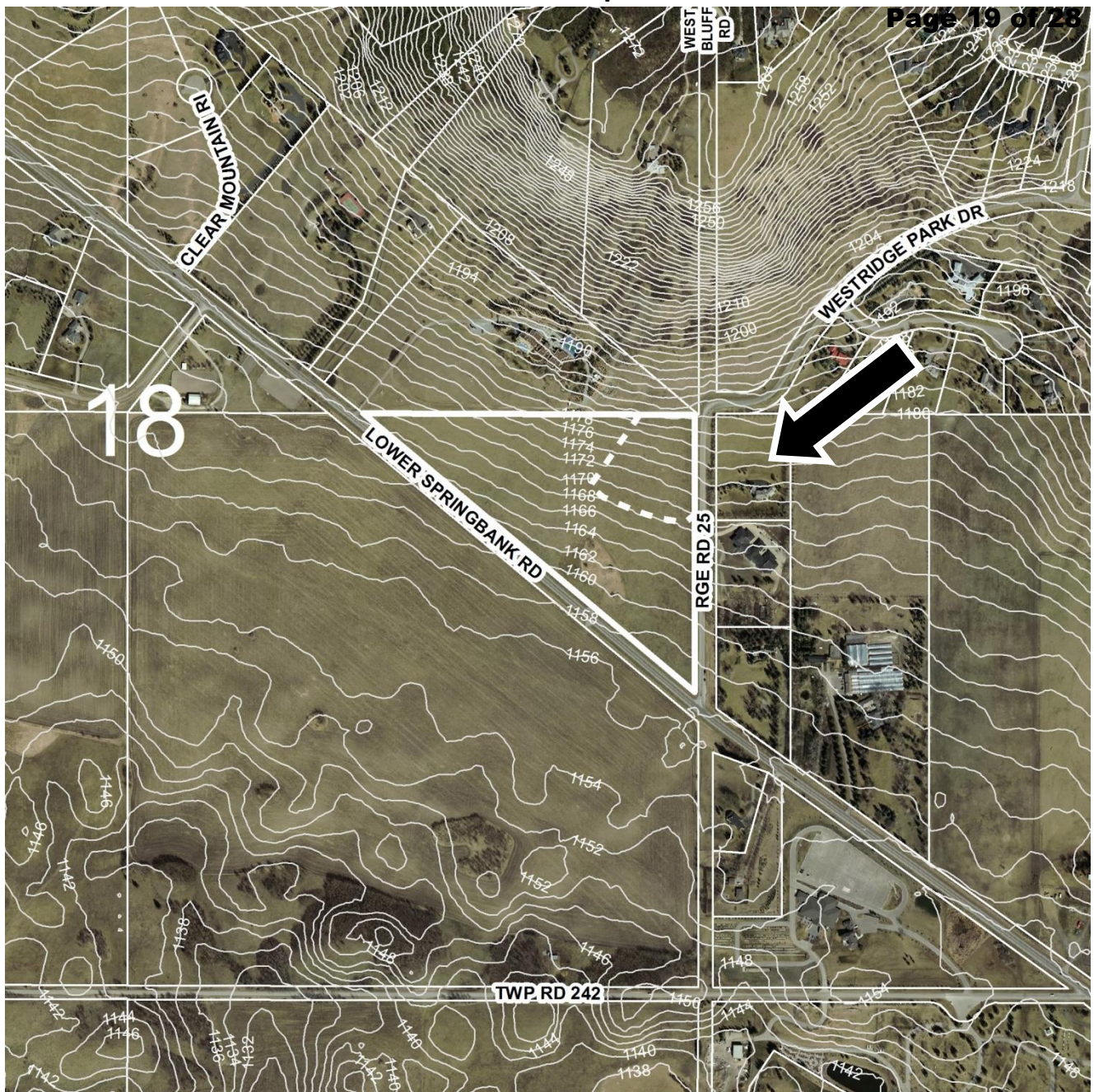
Division # 3

File: 04608019

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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 7811222,  
SE-18-24-02-W05M**

Date: Feb 5, 2018

Division # 3

File: 04608019

**AGENDA**

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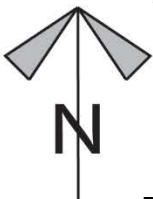




Note: Post processing of raw aerial photography may cause varying degrees of visual distortion at the local level.

**AIR PHOTO**

Spring 2016



**NE-18-24-02-W05M, Block:1, Plan:7811222, Lot:2 Block:D Plan:1415LK / Block:1 Plan:7811222 SE-18-24-02-W05M**

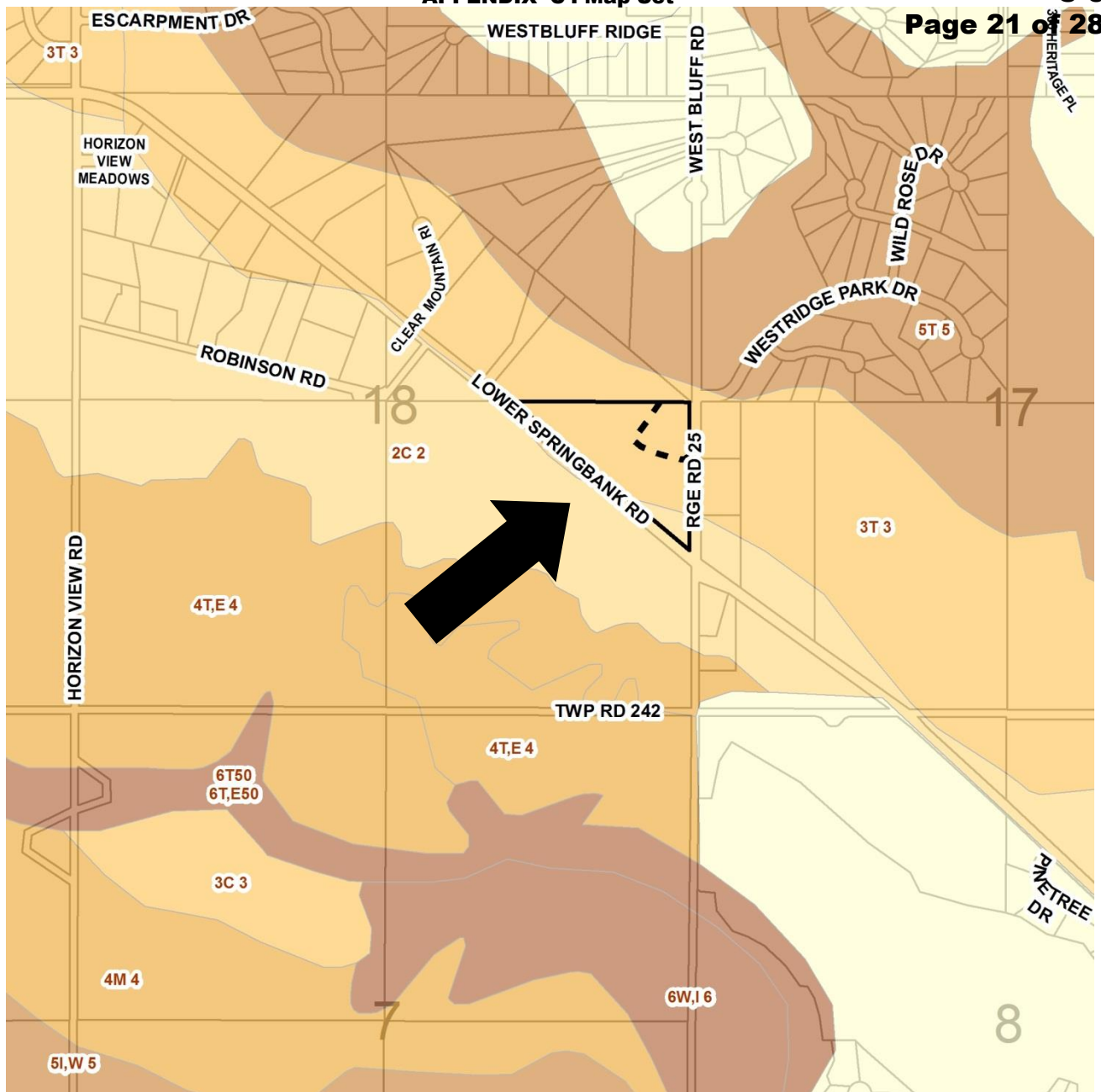
Date: Feb 5, 2017

Division # 3

File: 04618012 / 04618019

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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 7811222,  
SE-18-24-02-W05M**

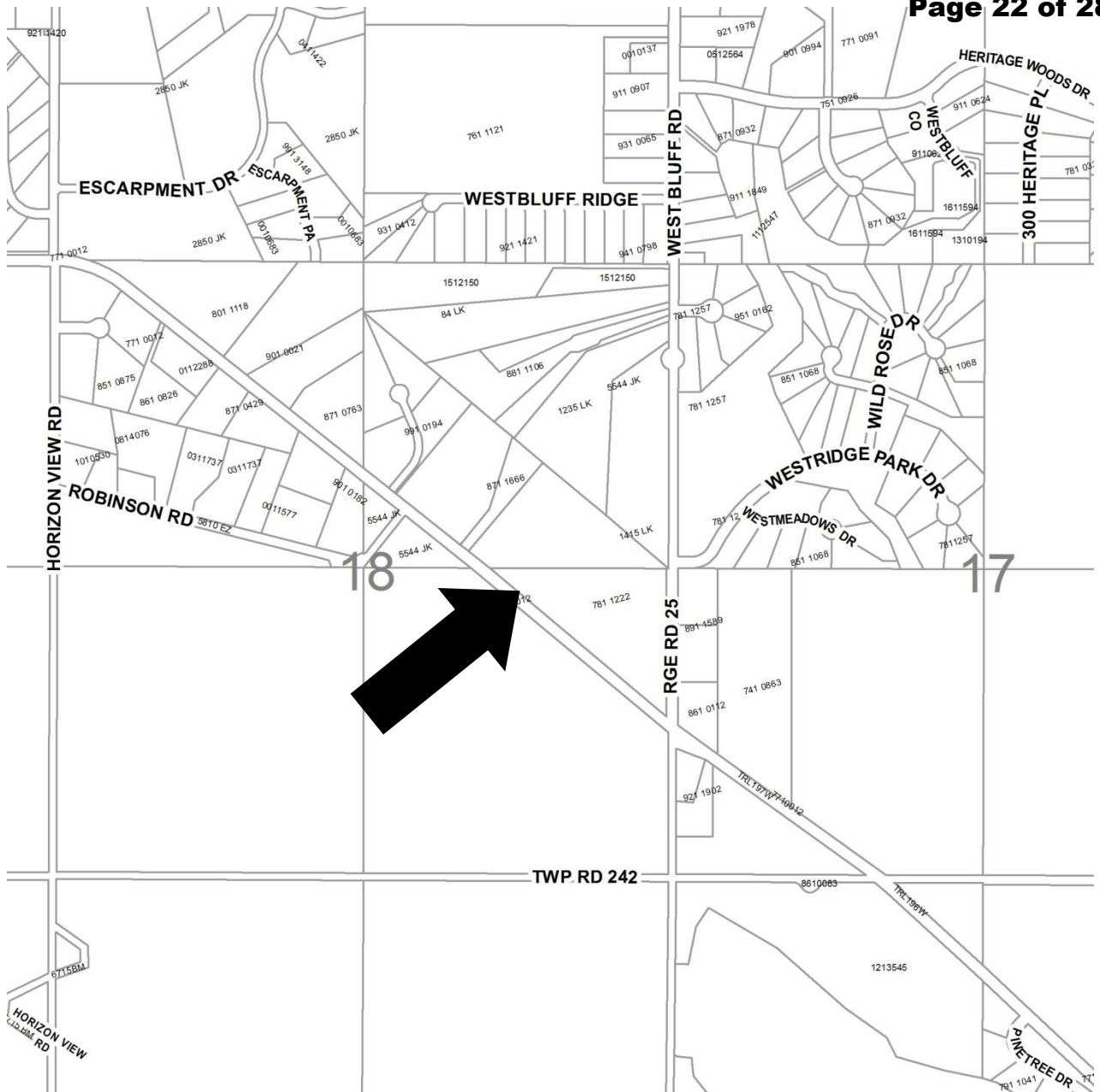
Date: Feb 5, 2018

Division # 3

File: 04608019

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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

**Block 1, Plan 7811222,  
SE-18-24-02-W05M**

**Date:** Feb 5, 2018

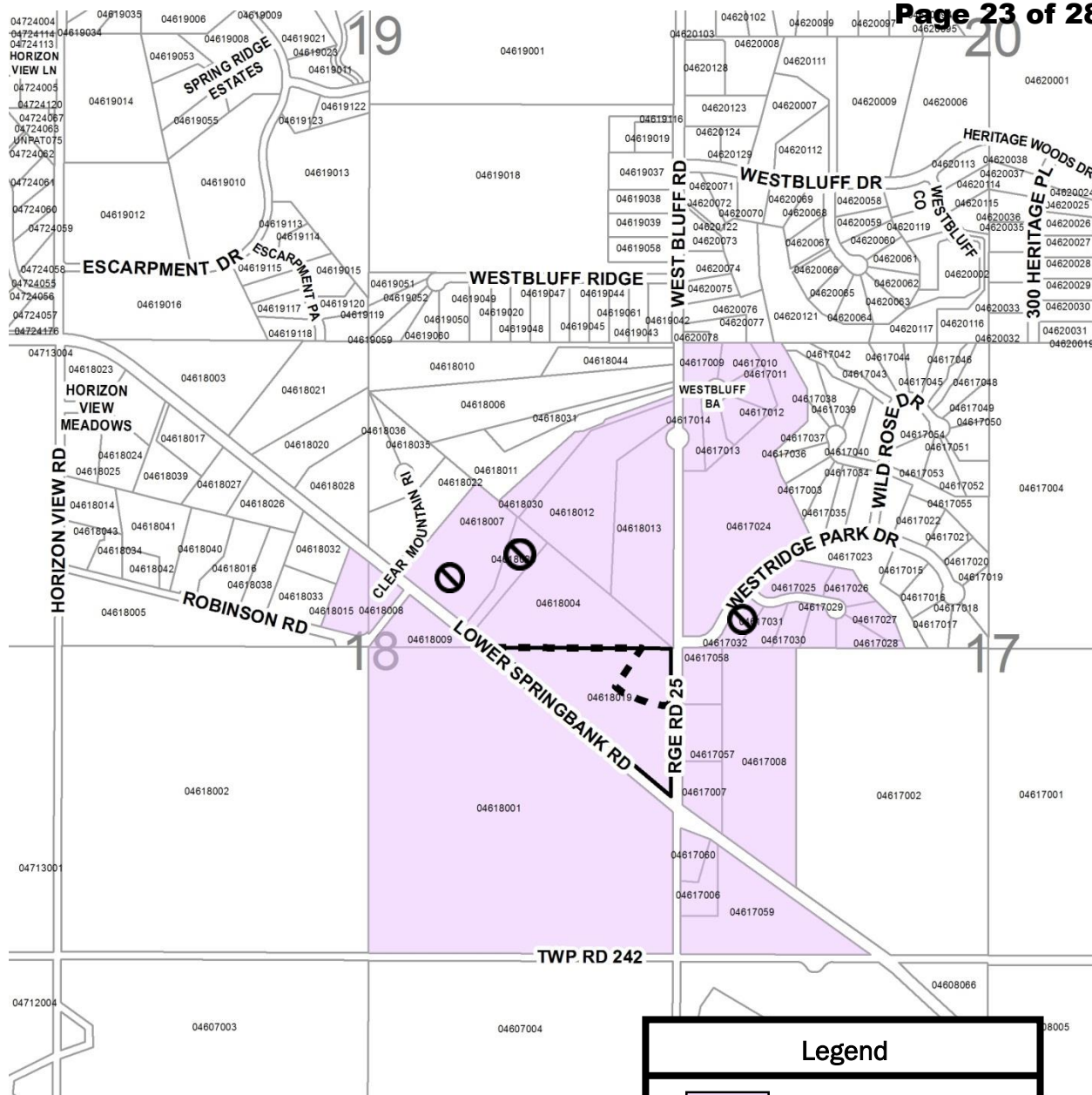
**Division #** 3



**File:** 04608019

**AGENDA**

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 Letters in Opposition  
 Letters in Support

## LANDOWNER CIRCULATION AREA

Block 1, Plan 7811222,  
SE-18-24-02-W05M

Date: Feb 5, 2018

Division # 3

File: 04608019

AGENDA

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Re: "BYLAW C-7755-2018"

OPPOSED

Mr. Murray Atkins has applied for legal subdivision under applications number PL 20170169 and PL 20170158. I, Allan Gilders, of

, have been a resident on my property for 30 years and Jim and Kay Gilders, of

, have been residents on their property for the last 50 years. Mr. Atkins property is adjacent to ours to the east.

We have been given an opportunity to follow this subdivision process from its inception as Mr Atkins was kind enough to seek our approval. From the beginning we have told Mr. Atkins that we are not opposed to the development of the area and that our only concern about his plans was the protection of the ground water source that supplies our properties. He understood our concerns and stated that it was his intent to protect that source by tying into the water co-op(**pipd water from the Westridge Water Co-op**). When Mr Atkins ran into some unexpected problems with the water co-op, we were told that he would only subdivide two of the six properties, for which he did have water co-op tie-ins, and that he was still working on getting piped water for the other six lots. When Mr Atkins discovered that he could not get additional tie-ins from the water co-op, it all of sudden became feasible to tap into the ground water source.

We wish to make it known to all parties involved that we OPPOSE this subdivision proposal for the following reasons:

- 1.The area has been tested by several wells but has not established what the cumulative drawdown of eight additional producing wells would have on the adjacent area.
- 2.What is the effect of eight wells draw on the aquifer at the same time during peak consumption hours for domestic consumption over a period of five, ten, twenty years. Why didn't Mr. Atkins test all of the wells at the same time?
- 3.The permeability of the water formation (aquifer) reduces rapidly near the base of the escarpment to the north which creates limits on the extent of the reservoir.
- 4.There are indications that the source of water in the aquifer is already depleting over the last 50 years by the loss of several natural springs that existed in the area.
- 5.We are told that the porous water bearing formations are capped with impervious shale's that restrict surface water from leaching into acquirer. Then what is the source of the water?
- 6.We are told that there is no communication between each of these eight wells and that each of these eight wells are in different formations and acquirers from our wells. Then why did these wells all test the same flow rates?
- 7.If we assume the water is flowing from the east to the west then our access to this source would be siphoned off before it reaches us further downstream.

Jim Gilders has been a geologist for over 50 years. His experience and knowledge suggest that the water is coming from a common source that flows from east

to west through the porous formation that has been tapped into by all of these wells. We do not believe that the reservoir is a series of isolated pockets but that we are drawing from one reservoir of unknown size and of limited replenishing supply.

We are not in favour of this subdivision based on each lot serviced by individual water wells. We suggest that a compromise be made with Mr. Atkins whereby the two approved piped water co-op tie-ins are utilized for two of the proposed lots and that a maximum of two lots be allowed using water wells in order to limit the adverse effect of drainage on the acquirer. This compromise would still allow Mr Atkins to proceed with the subdivision to a maximum of four lots in the interim, with the option to subdivide the remaining four lots at some future date, once there is additional capacity in the water co-op lines or the eventual addition of new piped water sources. It would also allow for a feasibility study to be done based on the draw of these additional wells on the water formation over time.

Allan James Gilders

And

C. James (Jim) Gilders

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-----Original Message-----

From:

Sent: Wednesday, May 09, 2018 4:27 PM

To: PAA\_ LegislativeServices

Subject: Bylaw C-7756-2018

To: Deputy Municipal Clerk

From: Dr. Norm & Karin Wellington

Position: "Opposed" to Applications PL20170169 and PL20170158

There are some substantial and substantive concerns about this proposed development. The primary concern speaks to the very heart of the developmental scheme. The current owner's home stands on the escarpment above, well apart from the proposed home plots below. I guess there's nothing inherently "wrong" with this Lord/Serf schematic: it just doesn't seem to fit with typical rural surroundings, particularly in Rockyview. But the real problem is in how these schematics and land divisions run counter to planned rural surroundings, with typical minimal environmental impact as the intent. Current subdivisions and developments flow well in to the backdrop (so to speak), so that only a portion of the development is open to view from any one vantage point. Houses do not overwhelm the landscape. The current and proposed plan does anything but "blend". It's all there, plunked beneath the natural Reserve above. Thematically, it's akin to the developmental philosophy of MacLeod Trail in Calgary: put everything as close as possible to the highway, and as close as possible to each other. This kind of philosophy is just not what Rockyview County has been about. What if this becomes an acceptable model of development?

A second major concern is access - and poor planning therein. Access ,if granted, should really be from the owner's driveway off Lower Springbank Road. Access from Range Road 25, so close to Lower Springbank Road, is congestion that has to be "an accident waiting to happen". Add winter, ice and snow and it just gets worse. Back to the Lord's Castle, above. Who planned this? If accidents are predictable at this juncture, are there some inherent legal liability issues?

Finally, a procedural comment. Sure, survey markers are up. A need to plan. But servicing as already been active, with underground lines put in. Perhaps speaks to an attitude that is inherent to this entire project.

Respectfully submitted,

Dr. Norm Wellington  
Karin Wellington





## FIRE SERVICES

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**TO:** Council

**DATE:** May 22, 2018 **DIVISION:** 1

**FILE:** 0160

**SUBJECT:** Bragg Creek FireSmart Committee Appointments

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

Motion 1: THAT section 2(b) of the Bragg Creek FireSmart Committee Terms of Reference be amended to read as follows:

“A minimum of six Members at Large from the Greater Bragg Creek area for a one year term to be appointed at the Organizational Meeting of Council.”

Motion 2: THAT the following individuals be appointed to the Bragg Creek FireSmart Committee as Members at Large until the October 2019 Organizational Meeting:

- |                     |                  |
|---------------------|------------------|
| 1. David Rupert     | 5. Michele Longo |
| 2. Gary Nikiforuk   | 6. Peter Dwan    |
| 3. Jorge de Freitas | 7. Roche Herbst  |
| 4. Mark Betts       |                  |

### **EXECUTIVE SUMMARY:**

The Bragg Creek FireSmart Committee was established by Council on March 27, 2018 for the purpose of supporting the principles and practises of FireSmart in the Bragg Creek area. Councillor Kamachi was appointed as the Council representative on the Committee and Administration began advertising for the Member at Large positions on April 10, 2018. Administration received seven applications for six positions during the application period.

Administration recommends that the Terms of Reference be amended to require a minimum of six Members at Large rather than a maximum of six. This would allow for more Members at Large to be appointed to the Committee with a focus on increasing the geographical balance on the Committee, as there were no applicants from west Bragg Creek.

The Terms of Reference also state that Member at Large appointments are for one year terms. However, Administration recommends that the initial appointments be until the Organizational Meeting in October 2019 instead of October 2018 to avoid another application period later this year.

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

### **BACKGROUND:**

“FireSmart” is a national program that assists with managing potential wildfires and is designed to help residents reduce the chance of their property being affected by wildfire. FireSmart activities such as tree thinning, clearing, and pruning occur in communities to help reduce the risk of a wildfire entering a community. FireSmart also involves simple actions that homeowners can take to help decrease wildfire damage.

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

Randy Smith, Fire Chief  
Tyler Andreasen, Legislative Clerk



In 2012, Rocky View County adopted the Greater Bragg Creek Wildfire Mitigation Strategy which focused on reducing wildfire intensity and the rate of spread for structures, communities, and landscapes with the intent of improving structure survival as a potential wildfire enters the community.

The intent of the plan was to provide a working document that fire managers, municipal administration, elected officials, and local residents could use to guide FireSmart development practices in the Bragg Creek area. This plan is now six years old and needs to be reviewed and updated.

The Terms of Reference state that the purpose of the Bragg Creek FireSmart Committee is to:

- Provide feedback to Rocky View County Fire Services on issues related to wildfire threat and community protection within a 10 km zone surrounding the Bragg Creek area;
- Consult with the community on a continuous and ongoing basis to respond to emerging issues and provide information on innovative solutions related to wildfire threats and community protection;
- Develop strategic and operational options to reduce wildfire threats for inclusion in municipal development, natural resource, and forest protection plans;
- Annually review and maintain the Greater Bragg Creek FireSmart Mitigation Strategy as approved by Council;
- Recognize the diverse needs of stakeholders and community members and provides ongoing education regarding the threat of wildfire and actions that can be taken to mitigate the threat;
- Research available funding options for community FireSmart activities; and
- Conduct other work as directed by Rocky View County Council.

#### **BUDGET IMPLICATION(S):**

None. The Member at Large positions are volunteer-based and the Committee has no additional budget as per the Terms of Reference.

#### **OPTIONS:**

- Option #1:      Motion 1:      THAT section 2(b) of the Bragg Creek FireSmart Committee Terms of Reference be amended to read as follows:
- “A minimum of six Members at Large from the Greater Bragg Creek area for a one year term to be appointed at the Organizational Meeting of Council”
- Motion 2:      THAT the following individuals be appointed to the Bragg Creek FireSmart Committee as Members at Large until the October 2019 Organizational Meeting:
- |                     |                  |
|---------------------|------------------|
| 1. David Rupert     | 5. Michele Longo |
| 2. Gary Nikiforuk   | 6. Peter Dwan    |
| 3. Jorge de Freitas | 7. Roche Herbst  |
| 4. Mark Betts       |                  |
- Option #2:      THAT Council provide alternative direction.



Respectfully submitted,

"Kent Robinson"

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Interim County Manager

TA/rs

**ATTACHMENTS:**

Attachment 'A' – Bragg Creek FireSmart Committee Terms of Reference

# Terms of Reference

 <b>ROCKY VIEW COUNTY</b> <i>Cultivating Communities</i>	<b>Bragg Creek FireSmart Committee</b>	
<b>Approval Date:</b> March 24, 2018 <b>Revision Date:</b> N/A	<b>Reports to:</b> Council	<b>Supporting Department:</b> Fire Services  <b>Authority:</b> Council Motion

## Purpose

1. The Bragg Creek FireSmart Committee ("the Committee"):
  - a) Provides feedback to Rocky View County Fire Services on issues related to wildfire threat and community protection within a 10 km zone surrounding the Bragg Creek area;
  - b) Consults with the community on a continuous and ongoing basis to respond to emerging issues and provide information on innovative solutions related to wildfire threats and community protection;
  - c) Develops strategic and operational options to reduce wildfire threats for inclusion in municipal development, natural resource, and forest protection plans;
  - d) Annually reviews and maintains the Greater Bragg Creek FireSmart Mitigation Strategy as approved by Council;
  - e) Recognizes the diverse needs of stakeholders and community members and provides ongoing education regarding the threat of wildfire and actions that can be taken to mitigate the threat;
  - f) Researches available funding options for community FireSmart activities; and
  - g) Conducts other work as directed by Rocky View County Council.

## Membership

2. The Committee consists of the following voting members:
  - a) One Councillor appointed at the Organizational Meeting of Council;
  - b) Six Members at Large from the Greater Bragg Creek area for a one year term to be appointed at the Organizational Meeting of Council;

3. The Committee is supported by the following resources:
  - a) One staff member from Fire Services, appointed by the Fire Chief;
  - b) One staff member from Rocky View County Emergency Management Agency, appointed by the Director of Emergency Management; and
  - c) One representative from the Department of Agriculture and Forestry will be invited to attend Committee meetings.
4. At the discretion of the Chair, additional community members may be appointed to the Committee in a non-voting capacity.

**Chair**

5. The members of the Committee choose the Chair and the Vice Chair from amongst the voting members.

**Quorum**

6. A quorum of the Committee is four voting members.

**Reporting**

7. The Committee shall provide an annual report to Council detailing the Committee's activities.
8. A Committee motion and/or recommendation to Council on any matter requires the approval of Council prior to being acted upon.

**Budget**

9. The Committee has no additional budget.

**Meetings**

10. The Committee shall hold Meetings not less than two times a year on dates and times as may be determined by the Committee or at the call of the Chair.

## **POLICY & PRIORITIES COMMITTEE**

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**TO:** Council  
**DATE:** May 22, 2018 **DIVISION:** All  
**FILE:** 6070-175  
**SUBJECT:** PPC Recommendations for 2018 Regional Recreation Funding Applications

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### **<sup>1</sup>POLICY & PRIORITIES COMMITTEE RECOMMENDATION:**

- Motion #1: THAT the operational funding request for Springbank Park For All Seasons in the amount of \$320,000.00 for operating and maintenance costs be approved from the Recreational Tax Levy.
- Motion #2: THAT the capital funding request for Springbank Park For All Seasons in the amount of \$80,000.00 for arena heaters, refrigeration equipment replacement, and curling improvements be approved from the Recreational Tax Levy.
- Motion #3: THAT the operational funding request for Spray Lake Sawmills Recreation Park Society in the amount of \$158,550.00 for operations and lifecycle and capital projects at the Spray Lake Sawmills Family Sports Centre be approved from the Recreational Tax Levy.
- Motion #4: THAT the capital funding request for Spray Lake Sawmills Recreation Park Society in the amount of \$75,000.00 for arena parking lot paving and ice resurfacers be approved from the Public Reserve.

### **EXECUTIVE SUMMARY:**

The Policy and Priorities Committee (PPC) advises Council on a variety of matters that impact or potentially impact Rocky View County. Its mandate is to discuss new initiatives, provincial and municipal legislation, community issues, and approve Council policies. The Committee also hears presentations from the public, community groups, and organizations. When required, the Committee makes recommendations to Council.

As per Community Recreation Funding Policy 317, PPC evaluates regional funding applications and makes recommendations to Council for approval. At the May 1, 2018 PPC meeting, the following regional recreational funding requests were recommended to Council for approval:

1. Two funding requests from the Springbank Park For All Seasons Agricultural Society (SPFAS) totaling \$400,000.
2. Three funding requests from the Spray Lake Sawmills Recreation Park Society's (SLSRPS) totaling \$233,550.00.

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

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

Susan de Caen, Recreation and Community Services





## **BACKGROUND:**

Rocky View County has outsourced recreation services to facilities identified as 'regional' under Community Recreation Funding Policy 317. The criteria for grant eligibility outlines that a regional facility is determined by the County to be qualified as such, and is "owned or co-owned by the County. It is financially supported by the County but resides in another municipality, provides an integrated range of recreational interests, skill levels, and service areas and public access without discrimination to County residents".

Annually, Council may allocate up to a maximum of \$400,000.00 to SPFAS for general operational expenses and/or capital project costs.

As per the intermunicipal Recreation Cost Sharing Services Agreement between Rocky View County and the Town of Cochrane, Council provides an annual grant of up to \$200,000 to the SLSRPS for either general operational expenses and/or capital project costs. An annual debenture payment of \$40,980.00 for Spray Lake Sawmills Family Sports Centre Phase II expansion will continue to be deducted until maturity in 2023, leaving \$159,020.00 in annual funding available to the Society.

On January 9, 2018, Council approved a motion that "\$255,000 in land sale proceeds be directed to the General Regional Recreation Reserve to resource future joint capital projects initiated by the Spray Lakes Sawmills Recreation Park Society".

As per Policy 317, the Policy and Priorities Committee evaluates regional applications and makes funding recommendations to Council for approval.

## **DISCUSSION:**

### **SPFAS \$400,000.00 Request: \$320,000.00 Operational and \$80,000.00 Capital**

SPFAS's operational application for \$320,000.00 will assist with operating and maintenance costs and provision of recreation opportunities for County residents.

Their matching capital application for \$80,000.00 supports:

1. Arena heaters replacement
2. Refrigeration system mechanical equipment replacement
3. Curling improvements

### **SLSRPS \$233,550.00.00 Request: \$158,550.00 Operational and \$75,000.00 Capital**

SLSRPS's 2018 operational application for \$158,550.00 will assist with operations and lifecycle and capital projects at the Spray Lake Sawmills Family Sports Centre.

SLSRPS requested that their two capital applications be sourced from the land proceeds funds set aside by Council in January, 2018. Council's aim was that these funds be available and flexible to meet Board needs, with the expectation the 50% matching principle required per Policy 317 would not apply.

1. **\$25,000.00 for ice resurfacers batteries.** On January 23, 2018, SLSRPS submitted an original emergency request for these funds. As the arena could not be operated without a functioning ice resurfacing machine, the batteries had to be purchased immediately to avoid facility closure. This was an unexpected expenditure. Administration suggested that since the batteries had already been purchased, the application for funding be submitted as part of the 2018 Spring applications. The desire is to replenish the funds by year-end to meet budget. The request is that special consideration be made for retroactively funding this cost. Under Policy 317, Council retains the right to approve funding from the Public Reserve for applications that do not meet some or all of the requirements set out in the policy.



2. **\$50,000.00 for the arena parking lot paving.** This joint capital project will cost \$200,000.00 in total. SLSRPS has received matching grants totaling \$150,000.00 for this project.

Administration has reviewed the applications and, with the exception of the request for special consideration of \$25,000.00 retroactive emergency funding from the land sales proceeds, all meet the criteria for Community Recreation Funding Policy 317.

**BUDGET IMPLICATION(S):**

The funds sought for both operational applications and SPFAS' capital application are part of the 2018 operational budget.

The \$75,000.00 of capital resourcing for SLSRPS capital applications must come from the Public Reserve. A balance of \$180,000.00 of unrestricted funds will remain if Council approves the recommendation.

**OPTIONS:**

- Option #1      Motion #1:      THAT the operational funding request for Springbank Park For All Seasons in the amount of \$320,000.00 for operating and maintenance costs be approved from the Recreational Tax Levy.
- Motion #2:      THAT the capital funding request for Springbank Park For All Seasons in the amount of \$80,000.00 for arena heaters, refrigeration equipment replacement, and curling improvements be approved from the Recreational Tax Levy.
- Motion #3:      THAT the operational funding request for Spray Lake Sawmills Recreation Park Society in the amount of \$158,550.00 for operations and lifecycle and capital projects at the Spray Lake Sawmills Family Sports Centre be approved from the Recreational Tax Levy.
- Motion #4:      THAT the capital funding request for Spray Lake Sawmills Recreation Park Society in the amount of \$75,000.00 for arena parking lot paving and ice resurfacers be approved from the Public Reserve.
- Option #2      THAT alternative direction be provided.

Respectfully submitted,

Concurrence,

CHRIS O'HARA

KENT ROBINSON

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General Manager

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Interim County Manager

**ATTACHMENTS:**

ATTACHMENT 'A' – Draft Minutes from the May 1, 2018 Policy & Priorities Committee Meeting

ROCKY VIEW COUNTY  
POLICY AND PRIORITIES COMMITTEE  
May 1, 2018

Page 1

A regular meeting of the Policy and Priorities Committee of Rocky View County was held in Council Chambers of the Municipal Administration Complex, 911 – 32<sup>nd</sup> Avenue NE, Calgary, Alberta on May 1, 2018 commencing at 9:00 a.m.

Present:	Division 2	Councillor K. McKylor (Chair)
	Division 8	Councillor S. Wright (Vice Chair)
	Division 1	Councillor M. Kamachi
	Division 3	Councillor K. Hanson
	Division 4	Councillor A. Schule
	Division 5	Deputy Reeve J. Gautreau
	Division 6	Reeve G. Boehlke
	Division 9	Councillor C. Kissel

Absent:	Division 7	Councillor D. Henn
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Also Present:

- K. Robinson, Interim County Manager
- B. Riemann, General Manager
- C. O'Hara, General Manager
- S. Baers, Manager, Planning Services
- A. Keibel, Manager, Legislative and Legal Services
- S. de Caen, Community Services Coordinator, Recreation and Community 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 with the exception of Councillor Henn.

### 1-18-05-01-01

#### Updates/Acceptance of Agenda

MOVED by Reeve Boehlke that the May 1, 2018 Policy and Priorities Committee agenda be accepted as presented.

Carried

### 1-18-05-01-02

#### Confirmation of Minutes

MOVED by Councillor Hanson that the March 6, 2018 Policy and Priorities Committee minutes be accepted as presented.

Carried

### 1-18-05-01-03 (C-1)

#### Divisions 1 and 2 – Don't Dam Springbank Presentation

#### File: 1015-750

Presenters:

- John Robinson, Don't Dam Springbank
- Grant Kelba, Camp Kiwanis
- Clayton Leonard, JFK Law Corporation
- Christina Curkovich, Don't Dam Springbank

ROCKY VIEW COUNTY  
POLICY AND PRIORITIES COMMITTEE  
May 1, 2018

Page 2

MOVED by Reeve Boehlke that the Springbank Off Stream Reservoir Project presentation by the Don't Dam Springbank organization be received as information.

Carried

The Chair called for a recess at 9:35 a.m. and called the meeting back to order at 9:44 a.m. with all previously mentioned members present.

**1-18-05-01-04 (C-2)****Divisions 4 and 5 – Synergy Youth and Community Development Society Presentation****File: N/A**

Presenters: Jennifer Massig, Director, Synergy Youth and Community Development Society  
Debbie Hitchcock, Co-Chair, Synergy Youth and Community Development Society  
Melissa Cavaliere, Synergy Youth and Community Development Society

MOVED by Councillor Schule that the Programs and Services presentation by the Synergy Youth and Community Development Society be received as information.

Carried

The Chair called for a recess at 10:21 a.m. and called the meeting back to order at 10:28 a.m. with all previously mentioned members present.

**1-18-05-01-05 (C-3)****Division 9 – Cochrane and District Agricultural Society Presentation****File: N/A**

Presenter: Justin Burwash, President, Cochrane and District Agricultural Society

Reeve Boehlke left the meeting at 11:02 a.m. and returned to the meeting at 11:05 a.m.

MOVED by Councillor Kissel that the Business Plan presentation by the Cochrane and District Agricultural Society be received as information.

Carried

The Chair called for a recess at 11:06 a.m. and called the meeting back to order at 11:14 a.m. with all previously mentioned members present.

**1-18-05-01-06 (C-4)****All Divisions – Rocky View Gravel Watch Presentation****File: N/A**

Presenters: Janet Ballantyne, Rocky View Gravel Watch  
Chris Waterhouse, Rocky View Gravel Watch  
Doug Rosholt, Rocky View Gravel Watch

MOVED by Councillor Kissel that the Residents' Perspective on the Aggregate Industry presentation by Rocky View Gravel Watch be received as information.

Carried

The Chair called for a recess at 12:00 p.m. and called the meeting back to order at 1:29 p.m. with all previously mentioned members present.

ROCKY VIEW COUNTY  
POLICY AND PRIORITIES COMMITTEE  
May 1, 2018

Page 3

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**1-18-05-01-07 (C-5)**  
**Division 4 – Axia Presentation**  
**File: N/A**

Presenter: Sibyl Bigler, Community Relations, Axia

MOVED by Councillor Schule that the Bringing Fibre Optic Internet to Langdon presentation by Axia be received as information.

Carried

**1-18-05-01-08 (C-6)**  
**All Divisions – Rocky View Regional Handibus Society Presentation**  
**File: 2015-550**

Presenter: Paul Siller, General Manager, Rocky View Regional Handibus Society

MOVED by Councillor Schule that the Specialized Transportation presentation by the Rocky View Regional Handibus Society be received as information.

Carried

**1-18-05-01-09 (C-7)**  
**Division 1 – Bragg Creek Snowbirds Seniors Fellowship Presentation**  
**File: 2015-550**

Presenter: Brian Hodgkins, President, Bragg Creek Snowbirds Seniors Fellowship

Deputy Reeve Gautreau left the meeting at 2:16 p.m.

MOVED by Councillor Kamachi that the Specialized Transportation presentation by the Bragg Creek Snowbirds Seniors Fellowship be received as information.

Carried

Absent: Deputy Reeve Gautreau

**1-18-05-01-10 (D-1)**  
**All Divisions– Policy C-120 – Death in Service Policy**  
**File: N/A**

MOVED by Reeve Boehlke that Death in Service Policy C-120 be approved with the following amendment:

1. Section 5(1) of Death in Service Policy C-120 be amended to include all employees.

Carried

Absent: Deputy Reeve Gautreau

The Chair called for a recess at 2:29 p.m. and called the meeting back to order at 2:32 p.m. with all previously mentioned members present with the exception of Deputy Reeve Gautreau.

ROCKY VIEW COUNTY  
POLICY AND PRIORITIES COMMITTEE  
May 1, 2018

Page 4

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**1-18-05-01-11 (D-2)****All Divisions – 2018 Regional Recreation Funding Applications****File: 6070-175**

**Presenters:** Lisa Skelton, President, Springbank Park For All Seasons  
Robin Mitchell, General Manager, Spray Lake Sawmills Recreation Park Society

Deputy Reeve Gautreau returned to the meeting at 2:43 p.m.

Deputy Reeve Gautreau abstained from voting on the motion for Item D-2 as he was absent during the Administrative report and presentations from the Springbank Park For All Seasons and Spray Lake Sawmills Recreation Park Society.

MOVED by Councillor Kissel that the operational funding request for Springbank Park For All Seasons in the amount of \$320,000.00 for operating and maintenance costs be recommended to Council for approval from the Recreational Tax Levy;

AND that the capital funding request for Springbank Park For All Seasons in the amount of \$80,000.00 for arena heaters, refrigeration equipment replacement, and curling improvements be recommended to Council for approval from the Recreational Tax Levy;

AND that the operational funding request for Spray Lake Sawmills Recreation Park Society in the amount of \$158,550.00 for operations and lifecycle and capital projects at the Spray Lake Sawmills Family Sports Centre be recommended to Council for approval from the Recreational Tax Levy;

AND that the capital funding request for Spray Lake Sawmills Recreation Park Society in the amount of \$75,000.00 for arena parking lot paving and ice resurfacer batteries be recommended to Council for approval from the Public Reserve.

Carried

Abstained: Deputy Reeve Gautreau

**Adjournment**

MOVED by Councillor Schule that the May 1, 2018 Policy and Priorities Committee meeting be adjourned at 3:02 p.m.

Carried

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CHAIR

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CAO or Designate



## **ENFORCEMENT SERVICES**

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**TO:** Council  
**DATE:** May 22, 2018 **DIVISION:** 4 & 5  
**FILE:** 3000-300  
**SUBJECT:** Langdon Policing Solution

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

- Motion 1: THAT the County contract the services of the RCMP as the policing solution for the Hamlet of Langdon in order to comply with the Alberta *Police Act*.
- Motion 2: THAT Administration be directed to assess other alternatives, including Regional Policing, for the provision of policing within the County.

### **EXECUTIVE SUMMARY:**

The Alberta *Police Act*, prescribes the obligations of municipalities related to policing, directs that when the population surpasses 5,000 in a town, village/hamlet, or summer village, the municipality must provide a policing solution. A municipality has three options in this regard:

- 1) Enter into an agreement for the provision of municipal policing services;
- 2) Establish a regional police service; or
- 3) Establish a municipal police service.

The *Police Act* provides for a two year transition period once the municipality attains a population greater than 5,000 in a town, village/hamlet, or summer village. As a result of the federal census in 2016, the population of Langdon surpassed 5000 and therefore the County is responsible for providing a policing solution for the Hamlet by April 1, 2020.

Due to the timeline for implementation, the RCMP was chosen as the short term policing solution for Langdon. Further investigation will continue by Administration for a long term solution for Langdon and the County as a whole.

Administration recommends **Option #1**.

### **BACKGROUND:**

While exploring the options available to the County, meetings were held with the RCMP Operations Strategy Branch, the Chief Constable of the Calgary Police, as well as several police commissions belonging to the Alberta Association of Police Governance. Ease of implementation, service level control, and cost were factors that were considered while gathering information and evaluating options. Based on the short timeline to implement, the RCMP is the most feasible option today.

The RCMP is recommending a Post Model whereby the members dedicated to the Hamlet would be stationed at the Strathmore detachment. The cost per member would be approximately \$165,000 and this would include overhead costs related to the Strathmore Detachment. Overtime would be an additional cost as well.

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

Lorraine Wesley-Riley, Enforcement Services



ROCKY VIEW COUNTY  
Cultivating Communities

The contract with the County would have the same timeline as the Provincial contract, but it could be terminated with 24 months' written notice and approval of the Minister. The County would also be obligated to pay for any moving expenses incurred in filling the RCMP position.

The implementation of an RCMP contract for the Hamlet of Langdon to satisfy the requirements of the *Police Act* by April 1, 2020 would require the signing of an agreement between the Government of Alberta and the County. This agreement would require a resolution of Council. Administration would prepare a report for Council's consideration in which the required resolution would be included. This resolution would then be forwarded to the Province for ministerial approval. Once approved by Alberta Justice and the Solicitor General, the contract could then be negotiated with Public Safety Canada. Public Safety Canada would liaise with the County and the RCMP to determine the number of members needed. Once all requirements are decided, the agreement could then be finalized.

#### **BUDGET IMPLICATION(S):**

The County would be eligible for the Provincial policing grant. The amount of the yearly grant would be \$200,000 plus \$8.00/capita. Using an approximate Hamlet population of 5000, the total grant would be approximately \$240,000. It has not yet been determined how many members will be required, but it is reasonable to plan for 2 positions at approximately \$165,000 plus overtime per year.

#### **OPTIONS:**

- |           |   |
|-----------|---|
| Option #1 | <p>Motion 1:        THAT the County contract the services of the RCMP as the policing solution for the Hamlet of Langdon in order to comply with the <i>Police Act</i>.</p> <p>Motion 2:        THAT Administration be directed to assess other alternatives, including Regional Policing, for the provision of policing within the County.</p> |
|-----------|---|

Option #2            THAT alternative direction be provided.

Respectfully submitted,

"Kent Robinson"

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Interim County Manager



## ENFORCEMENT SERVICES

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**TO:** Council

**DATE:** May 22, 2018 **DIVISION:** 4 & 5

**FILE:** 3000-300

**SUBJECT:** Renewal of the Strathmore RCMP Enhanced Position

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

THAT Administration be authorized to renew the three year agreement with Alberta Justice and Solicitor General and the Memorandum of Understanding with the RCMP K Division for an enhanced RCMP position, reporting from the Strathmore Detachment, for Division 4 and the part of Division 5 that forms Rocky View County's part of the Strathmore rural response area.

### EXECUTIVE SUMMARY:

An enhanced RCMP position reporting out of the Strathmore Detachment was approved by Council on April 26, 2016 as part of the New Initiatives budget process. This was the third enhanced position paid for by Rocky View County, with one position for Airdrie Rural and one position for Cochrane Rural.

The existing agreement expires on June 30, 2019. If renewed, the term of the new agreement would be for three years, ending approximately June 30, 2022. One year notification is required to terminate enhanced positions. Administration has verified that, at the time this report was prepared, enhanced position can be relocated with one year notification should Council deem it appropriate to shift the position to another detachment once the policing solution is implemented for Langdon in April, 2020.

Detailed in the background of this report is Section 3 of the Memorandum of Understanding that the County would enter into with the RCMP K Division outlining the expectations of the enhanced RCMP member.

Administration recommends **Option #1**.

### BACKGROUND:

As part of the 2016 budget process, Council approved the funds for an enhanced RCMP position reporting from the Strathmore Detachment. For new enhanced agreements, Alberta Justice and Solicitor General requires approval by Council to enter into a three year agreement and the purpose for which the enhanced resource will be used.

To satisfy the requirement of the purpose of the position, the duties outlined below were sent to Alberta Justice and Solicitor General for the initial agreement. Confirmation was received that there were no concerns and that the current Memorandum of Understanding (MOU) with the RCMP incorporated the duties noted below. Administration believes that the outlined duties should remain as part of the new MOU should Council support the position for another three year term. The duties could be modified if the position is relocated within the term of the agreement if required to meet the needs of the new placement.

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

Lorraine Wesley-Riley, Enforcement Services



### **3.0 DUTIES AND RESPONSIBILITIES OF THE RCMP MEMBER:**

- 3.1 The role of the RCMP Member under this MOU will be to provide an enhanced level of policing, focused on the prevention of crime, pursuant to the duties and responsibilities under the Provincial Police Service Agreement between the Government of Canada and the Government of the Province of Alberta. The RCMP Member shall not be required to perform any duties or provide any services which are not appropriate to the effective and efficient delivery of police services in the Province.
- 3.2 The primary function of the RCMP Member under this MOU will be to provide selective enforcement duties and responsibilities, including, but not limited to:
  - i. Traffic Control, under the Traffic Safety Act of Alberta;
  - ii. Liquor Infractions, under the Gaming and Liquor Act of Alberta;
  - iii. Illegal Dumping, under the Environmental Protection and Enhancement Act of Alberta; and,
  - iv. Criminal Code Offences, under the Criminal Code of Canada.
- 3.3 The RCMP Member under this MOU shall provide an enhanced level of policing as outlined in Sections 3.1, 3.2, 3.4, 3.5, 3.6, and 3.7 only within the corporate boundaries of Rocky View County except in accordance with Sections 4.2 (detachment commander's sole responsibility to determine appropriate operational and administrative use of the member) and 4.3 (assistance to other detachments and members during emergencies).
- 3.4 Additionally, the RCMP Member shall participate and offer other public safety programs which may include:
  - i. To coordinate the development of programs and presentations addressing police related topics as approved by the NCO i/c Detachment Commander to interested groups within the community with special consideration given to the strategic priorities of the RCMP and the County;
  - ii. Participation in the Enforcement Services Department meetings when needed or requested;
  - iii. The RCMP Member will give priority to community policing initiatives;
  - iv. Act as the primary liaison for the Rural Crime Watch Program, if applicable, in Rocky View County;
  - v. Act as the primary liaison for the Langdon Citizens on Patrol Program;
  - vi. Act as the primary liaison with the business owners in the Conrich and Langdon response area;
  - vii. Monthly interaction with the Enforcement Services Manager to assist with the coordination of traffic enforcement;
  - viii. Responding to traffic enforcement issues identified by Enforcement Services or the community on roadways that are the exclusive jurisdiction of the RCMP;
  - ix. Emergency Planning / Disaster Services relating to special events and policing those special events in the County; and,
  - x. Other programs as agreed to by the County and the RCMP.



**ROCKY VIEW COUNTY**  
Cultivating Communities

- 3.5 The role of the RCMP Member assigned to the County will be to provide an enhanced level of policing. The RCMP Member will not provide assistance or service in regulatory control or licenses of by-laws (for example: by laws relating to animals and building inspections).
- 3.6 The RCMP Member will ensure that the place of offence is recorded on all traffic enforcement violation tickets as Rocky View County to ensure that the revenue of said tickets is issued to the County.
- 3.7 The RCMP Member will supply the Enforcement Services Manager with copy of all violation tickets issued related to traffic enforcement by the end of the first week of each new month for the previous month to ensure revenue can be properly tracked.

#### **BUDGET IMPLICATION(S):**

The 2018/2019 annual cost for an enhanced RCMP position is \$158,000. The base year amount increases year to year and is included as part of the budget process. There is a three year commitment for the position and notice to terminate the position needs to be provided to Alberta Justice and Solicitor General one year in advance of the agreement expiry date. Notice to relocate requires one year notification provided that relocation is allowed at the time of the request. Funding for 2018 has been included in the base budget.

#### **OPTIONS:**

- Option #1 THAT Administration be authorized to renew the three year agreement with Alberta Justice and Solicitor General and the Memorandum of Understanding with the RCMP K Division for an enhanced RCMP position, reporting from the Strathmore Detachment, for Division 4 and the part of Division 5 that forms Rocky View County's part of the Strathmore rural response area.
- Option #2 THAT alternative direction be provided.

Respectfully submitted,

"Kent Robinson"

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Interim County Manager

## **ENGINEERING SERVICES**

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**TO:** Council  
**DATE:** May 22, 2018 **DIVISION:** All  
**FILE:** 1021-275  
**SUBJECT:** Request for Safety Audit on Highway 9 from Highway 1 north to the Town of Beiseker

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

THAT the County submit a letter to the Minister of Transportation requesting a Highway Safety Audit on Highway 9 from Highway 1 north to the Town of Beiseker.

### **EXECUTIVE SUMMARY:**

Following an accident along Highway 9, south of the Town of Irricana in late April, Council feel it is appropriate to request the Minister of Transportation commission a study to review the safety aspects of Highway 9, from Highway 1 north to the Town of Beiseker.

Based on past Alberta Transportation protocols, a resolution of Council is required to formally consider the request from the County.

Based on the above intent a letter from the Reeve has been drafted for the Minister of Transportation requesting a Safety Audit from Alberta Transportation be completed on Highway 9 at the noted location.

Administration recommends **Option #1**.

### **BUDGET IMPLICATIONS:**

There are no budget implications.

### **OPTIONS:**

- Option #1** THAT the County submit a letter to the Minister of Transportation requesting a Highway Safety Audit on Highway 9 from Highway 1 north to the Town of Beiseker.
- Option #2** THAT alternative direction be provided.

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<sup>1</sup>**Administration Resources**  
Byron Riemann, General Manager





Respectfully submitted,

Concurrence,

“Byron Riemann”

“Kent Robinson”

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General Manager

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Interim County Manager

BR

**ATTACHMENT:**

ATTACHMENT ‘A’ – Draft Letter to the Minister of Transportation



**ROCKY VIEW COUNTY**  
Cultivating Communities

TEL 403-230-1401  
FAX 403-277-5977

911-32 Ave NE | Calgary, AB | T2E 6X6  
www.rockyview.ca

May 22, 2018

The Honourable Brian Mason  
Minister of Transportation and Infrastructure  
320 Legislature Building  
10800 – 97 Avenue  
Edmonton, AB T5K 2B6

Dear Minister Mason,

As you may be aware a tragic accident on Highway 9 occurred in late April of this year. The accident occurred in proximity of the intersection Highway 9 and County Range Road 264, to the south of the Town of Irricana. The Highway in this area is characterized by several sweeping curves and a variety of passing and no passing zones. Rocky View County feels that this is a dangerous situation that needs to be corrected.

Based on the severity of the accident that occurred in April, we respectfully request that the Minister commission a Safety Audit on Highway 9 from Highway 1 north to the Town of Beiseker. We would request that recommendations from the audit be implemented to improve safety for Rocky View County residents and all Highway users.

We would look forward to your response on this matter.

Sincerely,  
**ROCKY VIEW COUNTY**

Greg Boehlke  
Reeve

cc: MLA, Nathan Cooper, Olds-Didsbury-Three Hills  
Rocky View County Council  
Kent Robinson, Interim County Manager, Rocky View County

## ENFORCEMENT SERVICES

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**TO:** Council  
**DATE:** May 22, 2018  
**FILE:** 3000-300  
**SUBJECT:** Firearms Bylaw C-7782-2018

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

- Motion #1: THAT Bylaw C-7782-2018 be given first reading.  
Motion #2: THAT Bylaw C-7782-2018 be given second reading.  
Motion #3: THAT Administration be directed to forward Bylaw C-7782-2018 to the Minister of Environment and Parks for approval.

### EXECUTIVE SUMMARY:

The existing Firearms Bylaw was last updated in 2003. Since that time, growth and development has continued in all areas of the County. There has been, and continues to be, public pressure for more restrictions in some areas of the County.

There has also been an identified need for greater clarity through the definitions. Additionally, section 74 of the *Municipal Government Act* has a provision that the proposed bylaw will not come into force until it has been approved by the Minister responsible for the *Wildlife Act*.

At the end of the background section of this report is a table highlighting the key points of the proposed bylaw.

Administration recommends **Option #1**.

### BACKGROUND:

Rocky View County is growing and is welcoming more subdivision and community and business development to the area. The County is also home to a diverse range of wildlife species. While there are many benefits to living near wild animals, it is important to know how to co-exist with these animals to minimize conflict and ensure the safety of residents, pets, livestock, and wildlife alike.

County Enforcement Officers work with property owners, businesses, community groups, and neighbours to help them understand and abide by these bylaws. Most of the time, this involves education of all of the parties so that they understand the purpose of the bylaws and the standards set out within them. Ideally, there is voluntary compliance with the standards once they are understood, and Enforcement Services needs not take further action.

Where there are issues that are not resolved cooperatively, this bylaw allows for a violation ticket to be issued to an offender in an effort to deter future offences. The inclusion of vicarious liability in this bylaw is intended to allow for an employer to be accountable for the actions of its employees with respect to bylaw contraventions, provided it can be shown that they took place in the course of their employment.

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

Lorraine Wesley-Riley, Enforcement Services



Legislative changes to the *Provincial Offences Procedure Act (POPA)*, which is the Act under which the County prosecutes bylaw violation tickets, have also been incorporated into this bylaw. The changes to *POPA* came into force on May 1, 2017. Since that time, Administration has changed its procedures to be in line with the new *POPA* requirements and is working to update all bylaws to ensure that they reflect the changed Act.

In order to ensure that this Bylaw does not contradict with the mandate of Fish and Wildlife, this bylaw was sent in draft form for input. The comments received from Fish and Wildlife were incorporated into the proposed bylaw.

To that end, Administration has prepared a new bylaw for Council's consideration with the following features:

Section	Change	Rationale
<u>Preamble</u>	Additions to and clean-up of the preamble provisions	To incorporate the approval from the Minister of Environment and Parks, clarification of the purpose of the bylaw and remove redundant wording.
<u>Definitions</u>	Addition/Revision of definitions	Definitions have been added or revised to add clarity to the bylaw and better reflect the bylaws intentions.
<u>General Prohibitions</u>	Addition/Clarification	Clear and specific locations have been identified as no shooting zones and the location maps are provided in the appendices. Hamlets and County lands have also been added.
<u>Exemptions</u>	Revision	Updated to allow Enforcement Officers to engage in lawful duties, wording for shooting ranges and gun clubs and Provincial bow or cross-bow hunting zones.
<u>General Penalty Provision</u>	Update	Reflects changes made to the <i>Municipal Government Act</i>
<u>Offences</u>	Addition	Provides clear and concise information on penalties associated with offences and who is accountable in an offence.
<u>Enforcement</u>	Update	Reflects changes made to the <i>Provincial Offences Procedure Act</i> .
<u>Obstruction</u>	Addition	To address issues related to persons attempting to prevent County officers from carrying out their duties, or from filing unwarranted complaints which waste County resources. Council recently took upon itself to add this provision to the recently passed Nuisance and Unsightly Property bylaw.
<u>Powers of the Chief Bylaw Enforcement</u>	Addition	A standard in all new bylaws prepared by Enforcement Services. It outlines the powers of the Chief Bylaw Enforcement Officer or designate regarding implementing policies and procedures revolving around the enforcement of



Section	Change	Rationale
<u>Officer</u>		bylaws.
<u>Vicarious Liability</u>	Addition	Clarifies that a person can be held vicariously liable for the actions of an agent or employee.

**BUDGET IMPLICATION(S):**

None

**OPTIONS:**

- Option #1      Motion #1:      THAT Bylaw C-7782-2018 be given first reading.  
                          Motion #2:      THAT Bylaw C-7782-2018 be given second reading.  
                          Motion #3:      THAT Administration be directed to forward Bylaw C-7782-2018 to the Minister of Environment and Parks for approval.
- Option #2      THAT alternative direction be provided.

Respectfully submitted,

“Kent Robinson”

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Interim County Manager

**ATTACHMENTS:**

Attachment ‘A’ – Bylaw C-7782-2018



# BYLAW C-7782-2018

## A Bylaw of Rocky View County to prohibit and regulate the discharge of weapons within the County.

**WHEREAS** Sections 7 and 8 of the *Municipal Government Act* permit Council to pass bylaws respecting the safety, health, and welfare of people and the protection of people and property;

**AND WHEREAS** Section 44 of the *Provincial Offences Procedure Act* and Section 7 of the *Municipal Government Act* permits Council by bylaw to provide for the offences in respect of which a voluntary payment may be made and prescribing the amount of these offences;

**AND WHEREAS** Section 74 of the *Municipal Government Act* provides that this bylaw does not come into force until it has been approved by the Minister responsible for the *Wildlife Act*;

**AND WHEREAS** Council recognizes that Rocky View County is large and diverse and includes areas where the discharge and use of Weapons may result in a danger to the safety, health, and welfare of people and would be contrary to the protection of people and property;

**NOW THEREFORE** the Council of Rocky View County, duly assembled in the Province of Alberta, hereby enacts as follows:

### TITLE

- 1 This Bylaw shall be known as the "Firearms Bylaw".

### DEFINITIONS

- 2 In this Bylaw, unless the context otherwise requires:
  - (a) **"Bow"** means a device composed of curved wood or other material, whose ends are joined by a taught string, and is designed to fire an arrow or other projectile by drawing and releasing the string;
  - (b) **"Chief Bylaw Enforcement Officer"** has the same meaning as in Rocky View County bylaw No. C-5546-2002, "The Bylaw Enforcement Officer Bylaw" as amended from time to time;
  - (c) **"Cross-bow"** means a device with a bow and a bowstring mounted on a stock that is designed to propel an arrow, a bolt, a quarrel or any similar projectile on a trajectory guided by a barrel or groove
  - (d) **"Council"** means the duly elected Council of Rocky View County;
  - (e) **"County"** means Rocky View County and its jurisdictional boundaries;



- (f) **"Enforcement Officer"** means a member of the Royal Canadian Mounted Police (R.C.M.P), a Community Peace Officer appointed by the Solicitor General of Alberta in accordance with the *Peace Officer Act*, SA 2006, c P-3.5 or a Bylaw Enforcement Officer employed by Rocky View County in accordance with the *Municipal Government Act*;
- (g) **"Firearm"** has the same meaning as section 2 of the *Criminal Code of Canada*, RSC 1985, c C-46, as amended from time to time, but does not include:
  - (i) a Firearm which is not designed or capable of propelling a projectile, such as a movie prop or toy Firearm; or
  - (ii) a Firearm which uses air to propel a projectile which does not exceed 500 feet per second;
- (h) **"Hamlet"** has the same meaning as the *Municipal Government Act* and includes all lands located within its boundaries;
- (i) **"Municipal Government Act"** means the *Municipal Government Act*, RSA 2000, c M-26, as amended from time to time;
- (j) **"Owner"** means jointly and severally:
  - (i) any Person registered as the Owner of land under the *Land Titles Act*, RSA 2000, c L-4, as amended from time to time;
  - (ii) the Person who is recorded as the Owner of the Property on the tax assessment roll of Rocky View County;
  - (iii) a Person holding himself out as the Person exercising the power or authority of ownership or who for the time being exercises the powers and authority of ownership over the Property;
  - (iv) a Person in control of a Property; or
  - (v) a Person who is the occupant of the Property under a lease, license, or permit;
- (k) **"Person"** means any individual or business entity including a firm, joint venture, proprietorship, association, corporation, organization, partnership, company, society, or any other legal entity;
- (l) **"Property"** means a parcel of land and any building, structure, or improvement located on such land, as the context of this Bylaw so requires;
- (m) **"Provincial Offences Procedure Act"** means the *Provincial Offences Procedure Act*, RSA 2000, c P-34, as amended from time to time;
- (n) **"Rocky View County"** means Rocky View County as a municipal corporation established pursuant to the laws of the Province of Alberta and the area within the jurisdictional boundaries of Rocky View County, as the context of this Bylaw so requires;

- (o) **“Violation Ticket”** has the same meaning as in the *Provincial Offences Procedure Act*; and
- (p) **“Weapon”** means a Firearm, Bow, Cross-Bow, or any other device that propels a projectile by means of an explosion, spring, air, gas, string, wire, or elastic material or any combination of those things.

### GENERAL PROHIBITIONS

3 No Person shall discharge or use a Weapon on:

- (a) Property located within the West Bragg Creek No Shooting Zone, as illustrated in Schedule “B” of this Bylaw, and described as:
  - (i) sections 4, 9, and 10 within Township 23, Range 5, West of the 5th Meridian;
- (b) Property located within the Springbank/Elbow Valley No Shooting Zone, as illustrated in Schedule “C” of this Bylaw, and described as:
  - (i) sections 5, 6, 7, 8, 17, 18, 19, 20, 29, and 30 within Township 24, Range 2, West of the 5th Meridian, excluding any portion of the mentioned sections located within the boundaries of the City of Calgary;
  - (ii) sections 1, 2, 3, 4, 5, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 32, 33, 34, 35, and the western ½ of 36, within Township 24, Range 3, west of the 5th Meridian;
  - (iii) sections 1 (west of the Bow River), 2, 3, 4, 5, 7, 8, 9, 10, 11, 12 (west of the Bow River), 14, 15, 16, 17, the south ½ of 18, 20, 21, 22, 23 (west of the Bow River) and 27, 28 and 29 (south of the Bow River) within Township 25, Range 3, west of the 5th Meridian;
- (c) Property located within the Bearspaw No Shooting Zone, as illustrated in Schedule “D” of this Bylaw, and described as:
  - (i) sections 7, 18, 19, 29, 30, 31, and 32, within Township 25, Range 2, west of the 5th Meridian;
  - (ii) sections 13, 24, 25, the north ½ of 26, 35, and 36, within Township 25, Range 3, west of the 5th Meridian;
  - (iii) sections 5, 6, and 7, within Township 26, Range 2, west of the 5th Meridian;
  - (iv) sections 1, 2, the east ½ of 3, 10, 11, 12, 13, 14, 15, and the south ½ of 16 within Township 26, Range 3, west of the 5th Meridian;
- (d) Property located within the Cochrane Lake No Shooting Zone, as illustrated in Schedule “E” of this Bylaw, and described as:

- (i) the north ½ of section 21, north ½ of section 22, north ½ of section 23, and sections 26, 27, and 28, within Township 26, Range 4, west of the 5th Meridian;
  - (e) Property located within the East Balzac No Shooting Zone, as illustrated in Schedule "F" of this Bylaw, and described as:
    - (i) sections 3, 4, 9, 10, 15, 16, 21, 22, 27, and the east ½ of 28, within Township 26, Range 29, west of the 4th Meridian;
  - (f) Property located within the South Conrich No Shooting Zone, as illustrated in Schedule "G" of this Bylaw, and described as:
    - (i) the north ½ of section 28, the north ½ of section 29, section 32, and section 33, within Township 24, Range 28, west of the 4th Meridian;
  - (g) Property located on Inverlake Road, as illustrated in Schedule "H" of this Bylaw, and described as:
    - (i) being the south boundary of section 26 Township 24 Range 28 West 4<sup>th</sup> Meridian;
  - (h) Property located within a Hamlet;
  - (i) Property which is privately owned without having the landowner's prior permission to do so; and
  - (j) Property owned or under the control and jurisdiction of the County.
- 4 No Person being the Owner of Property described in section 3 of this Bylaw shall permit any Person to discharge or use a Weapon on said property in any way contrary of this Bylaw.
- 5 No Person shall discharge or use a Weapon in a manner which would cause a projectile to pass within 183 metres of any occupied building.
- 6 Section 5 does not apply to the owner or occupant of the land on which the building is situated or to a Person authorized to perform the activity by the owner or occupant of the building.
- 7 No Person shall discharge or use a Weapon in a careless, unsafe, or dangerous manner anywhere within the County, and any Person discharging or using a Weapon anywhere within the County shall at all times abide by any applicable licence, permit, County Bylaw, Provincial Act, or Federal Act governing the use of Weapons.

## EXEMPTIONS

- 8 Section 3 shall not apply to:
- (a) any Enforcement Officer or other peace officer appointed pursuant to the laws of Alberta or Canada while they are engaged in the lawful execution of their duties;

- (b) any Person who uses or discharges a Weapon at a shooting range, gun club, or similar facility designed and operated for such use in accordance with the Rocky View County bylaw No. C-4841-97, the "*Land Use Bylaw*" as amended from time to time, and all Federal, Provincial, and County Bylaws and regulations; and
- (c) any Person who is lawfully engaged in hunting activities utilizing an approved Bow or Cross-Bow in any area where this activity is permitted under Provincial legislation.

## GENERAL PENALTY PROVISION

- 9 In accordance with the *Municipal Government Act*, any Person who violates any provision of this Bylaw is guilty of an offence and is liable, upon conviction, to a maximum fine of \$10,000.00 or, in default of payment of the fine, to imprisonment for a period not exceeding one year, or to both fine and imprisonment in such amounts.

## OFFENCES

- 10 A Person who violates any provision of this Bylaw is guilty of an offence and is liable, upon conviction, to a specified penalty as set out in Schedule "A" of this Bylaw. If there is no specified penalty listed in Schedule "A" for a particular offence, the specified penalty shall be \$1,000.00.
- 11 Where there is a minimum penalty listed for an offence in Schedule "A" of this Bylaw, that amount shall be the minimum penalty for that offence.
- 12 Notwithstanding section 10, a Person who commits the same offence under this Bylaw a second time within a twelve (12) month period of committing the first offence shall, on conviction, be liable to a penalty double the specified penalty for that offence.
- 13 Notwithstanding section 10, a Person who commits the same offence under this Bylaw a third or subsequent time within a 12 month period of committing the first offence shall, on conviction, be liable to a penalty triple the specified penalty for that offence.

## ENFORCEMENT

- 14 Where an Enforcement Officer has reasonable grounds to believe that a Person has violated any provision of this Bylaw, the Enforcement Officer may commence Court proceedings against such Person by:
- (a) issuing the Person a Violation Ticket pursuant to the provisions of the *Provincial Offences Procedure Act*; or
  - (b) swearing out an information and complaint against the Person.
- 15 Where an Enforcement Officer issues a Person a Violation Ticket in accordance with Section 14 of this Bylaw, the Enforcement Officer may either:
- (a) allow the Person to pay the specified penalty established in Schedule "A" for the offence by including the penalty in the Violation Ticket; or

- (b) require a Court appearance of the Person where the Enforcement Officer believes that it is in the public interest, pursuant to the *Provincial Offences Procedure Act*.
- 16 No provision of this Bylaw, nor any action taken pursuant to any provision of this Bylaw, shall in any way restrict, limit, prevent, or preclude the County from pursuing any other remedy in relation to an offence as may be provided by the *Municipal Government Act* or any other law of the Province of Alberta.

## **OBSTRUCTION**

- 17 No Person shall obstruct, hinder, or impede an Enforcement Officer in the exercise of any of their powers or duties under this Bylaw or make frivolous, malicious, or vexatious complaints pursuant to this Bylaw.

## **POWERS OF THE CHIEF BYLAW ENFORCEMENT OFFICER**

- 18 Without restricting any other power, duty, or function granted by this Bylaw, the Chief Bylaw Enforcement Officer may:
- (a) establish investigation and enforcement procedures for the purposes of this Bylaw;
  - (b) delegate any powers, duties, or functions under this Bylaw to any employee of the County.

## **VICARIOUS LIABILITY**

- 19 For the purposes of this Bylaw, an act or omission by an employee or agent of a Person is deemed also to be an act or omission of the Person if the act or omission occurred in the course of employment with the Person or in the course of the agent exercising the powers or performing the duties on behalf of the Person under their agency relationship.

## **SEVERABILITY**

- 20 Each provision of this Bylaw is independent of all other provisions. If any such provision is declared invalid by a court of competent jurisdiction, all other provisions of this Bylaw will remain valid and enforceable.

## **STRICT LIABILITY OFFENCE**

- 21 It is the intention of Council that all offences created by this Bylaw are to be interpreted as strict liability offences.

## **REPEAL AND EFFECTIVE DATE**

- 22 Bylaw C-5759-2003 is hereby repealed upon this Bylaw passing and coming into effect.
- 23 This Bylaw shall come into force and effect upon receiving the approval of the Minister responsible for the *Wildlife Act*, when it has received third and final reading, and is signed by the Reeve/Deputy Reeve and Municipal Clerk in accordance with Section 189 of the *Municipal Government Act*.

**READINGS BY COUNCIL**

READ A FIRST TIME IN COUNCIL this \_\_\_\_\_ day of \_\_\_\_\_, 2018

READ A SECOND TIME IN COUNCIL this \_\_\_\_\_ day of \_\_\_\_\_, 2018

**MINISTERIAL APPROVAL**

Pursuant to Section 74 of the *Municipal Government Act*, RSA 2000, c M-26, this Bylaw is hereby approved:

DATED at the City of Edmonton, in the Province of Alberta, this \_\_\_\_\_ day of

\_\_\_\_\_, 2018.

\_\_\_\_\_  
Minister of Environment and Parks

**READINGS BY COUNCIL**

READ A THIRD TIME IN COUNCIL this \_\_\_\_\_ day of \_\_\_\_\_, 2018

\_\_\_\_\_  
Reeve

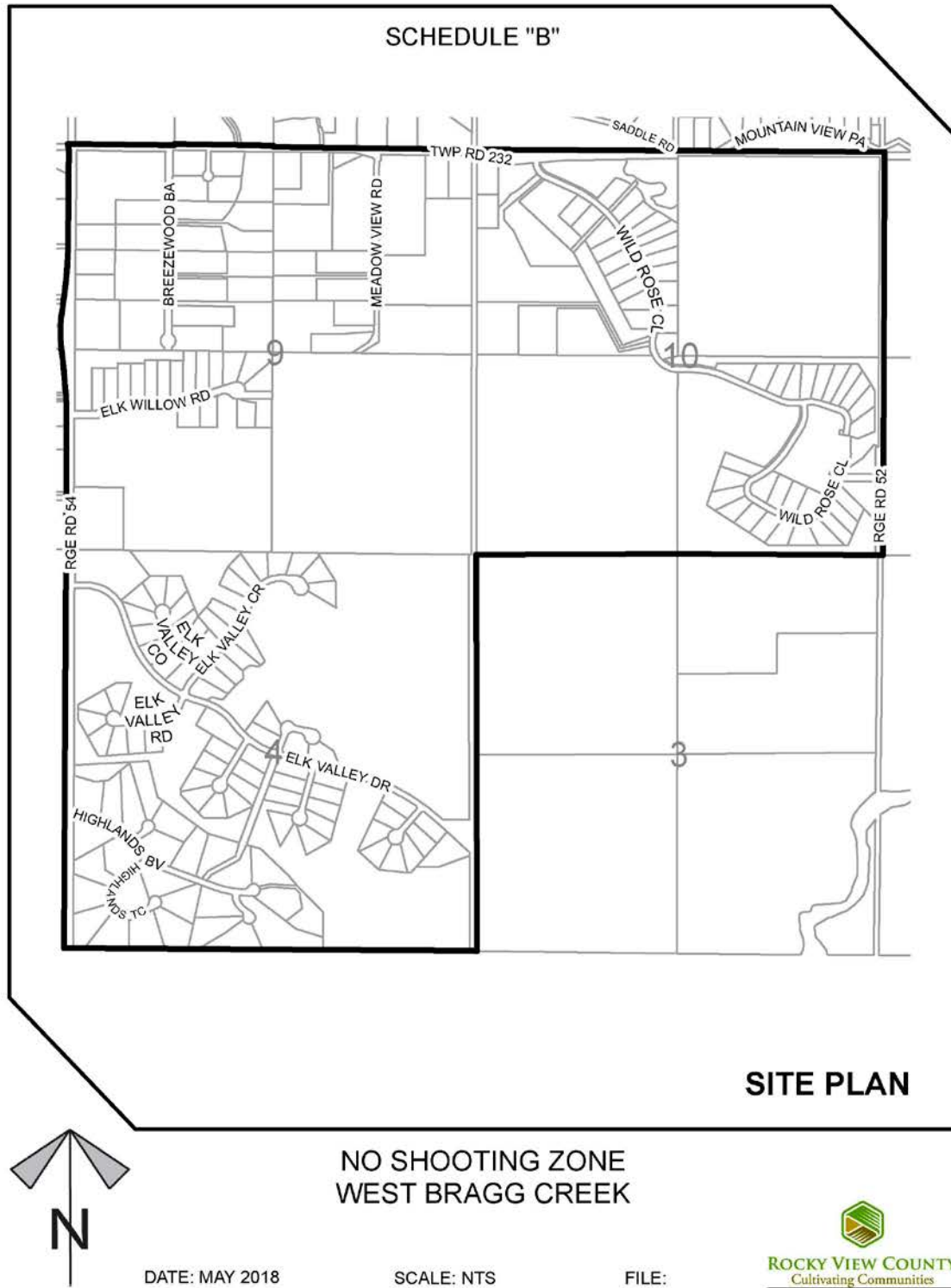
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CAO or Designate

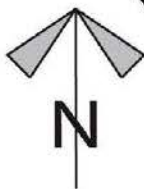
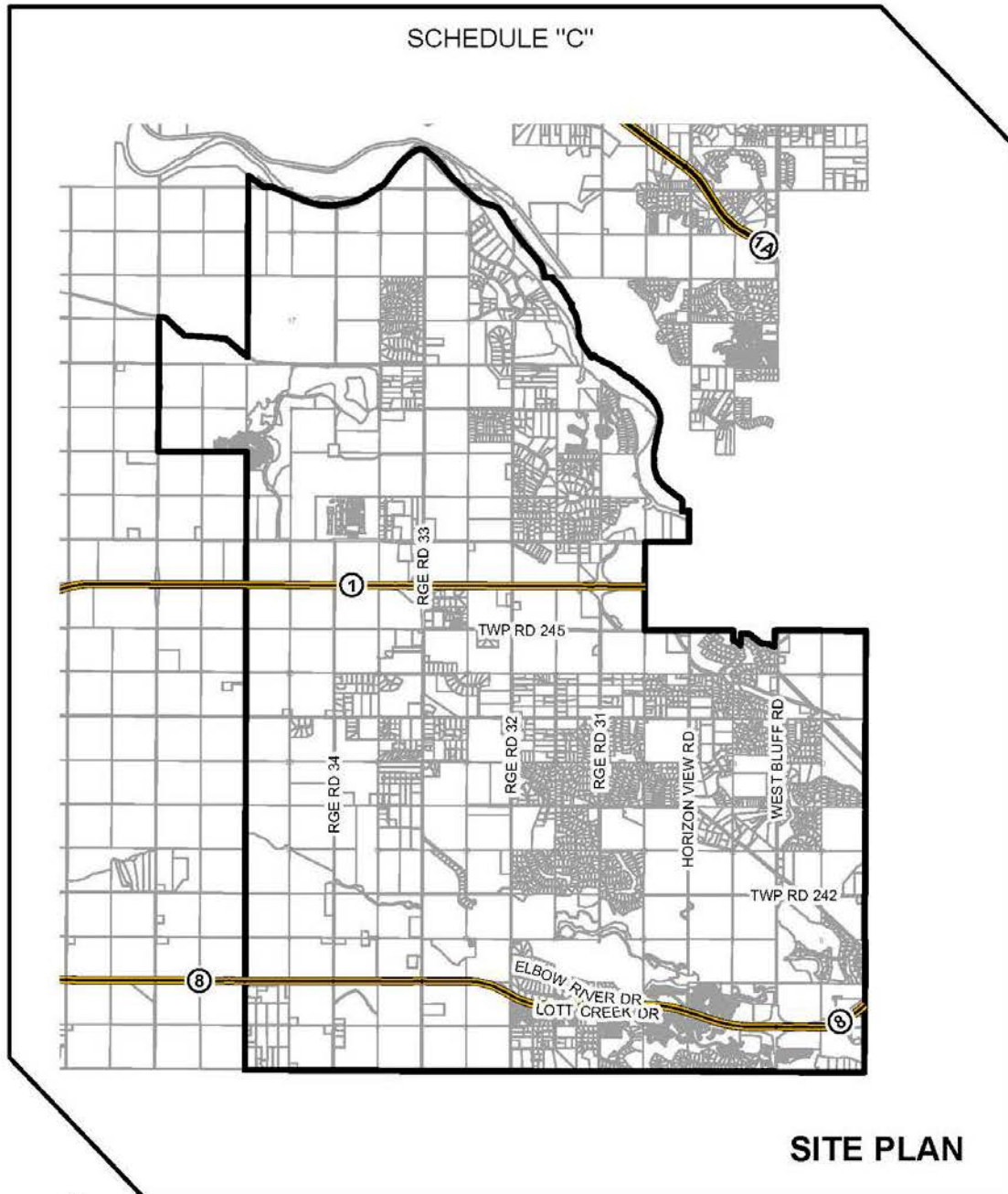
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Date Signed



**SCHEDULE "A"****SPECIFIED AND MINIMUM PENALTIES**

<b>Section Reference</b>	<b>Description</b>	<b>Specified Penalty</b>	<b>Minimum Penalty</b>
3	Use Weapon where prohibited	\$1,000	\$250
4	Permit use of Weapon on Property contrary to Bylaw	\$1,000	\$250
5	Cause projectile to pass within 183 meters of an occupied building	\$1,000	\$500
7	Use Weapon in an unlawful manner	\$2,000	\$1,000
12	Second offence within 12 months of committing first offence	Double Specified Penalty	Double Minimum Penalty
13	Third and subsequent offence within 12 months of committing first offence	Triple Specified Penalty	Triple Minimum Penalty
17	Obstruction	\$500	\$250





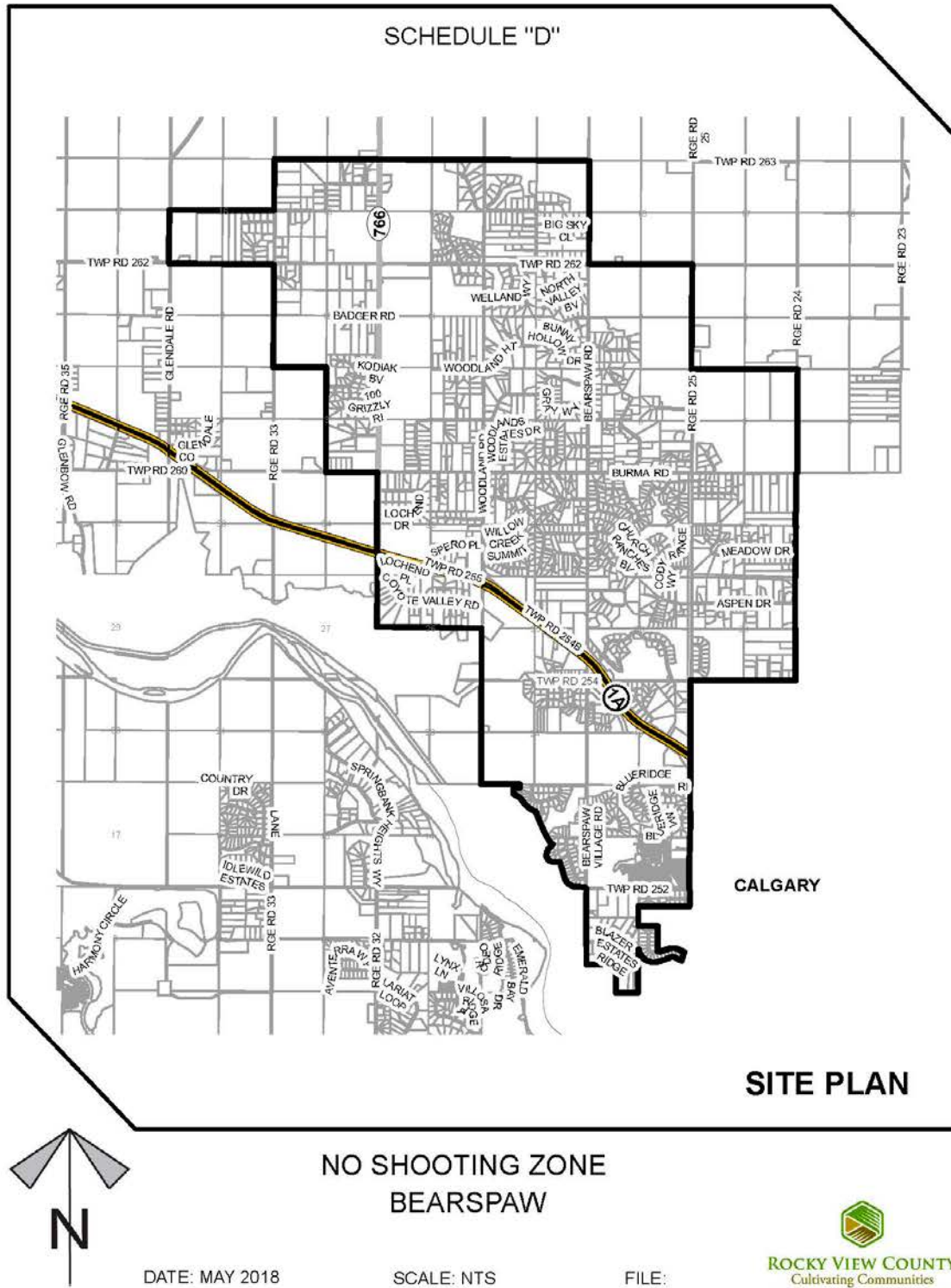
NO SHOOTING ZONE  
SPRINGBANK/ELBOW VALLEY

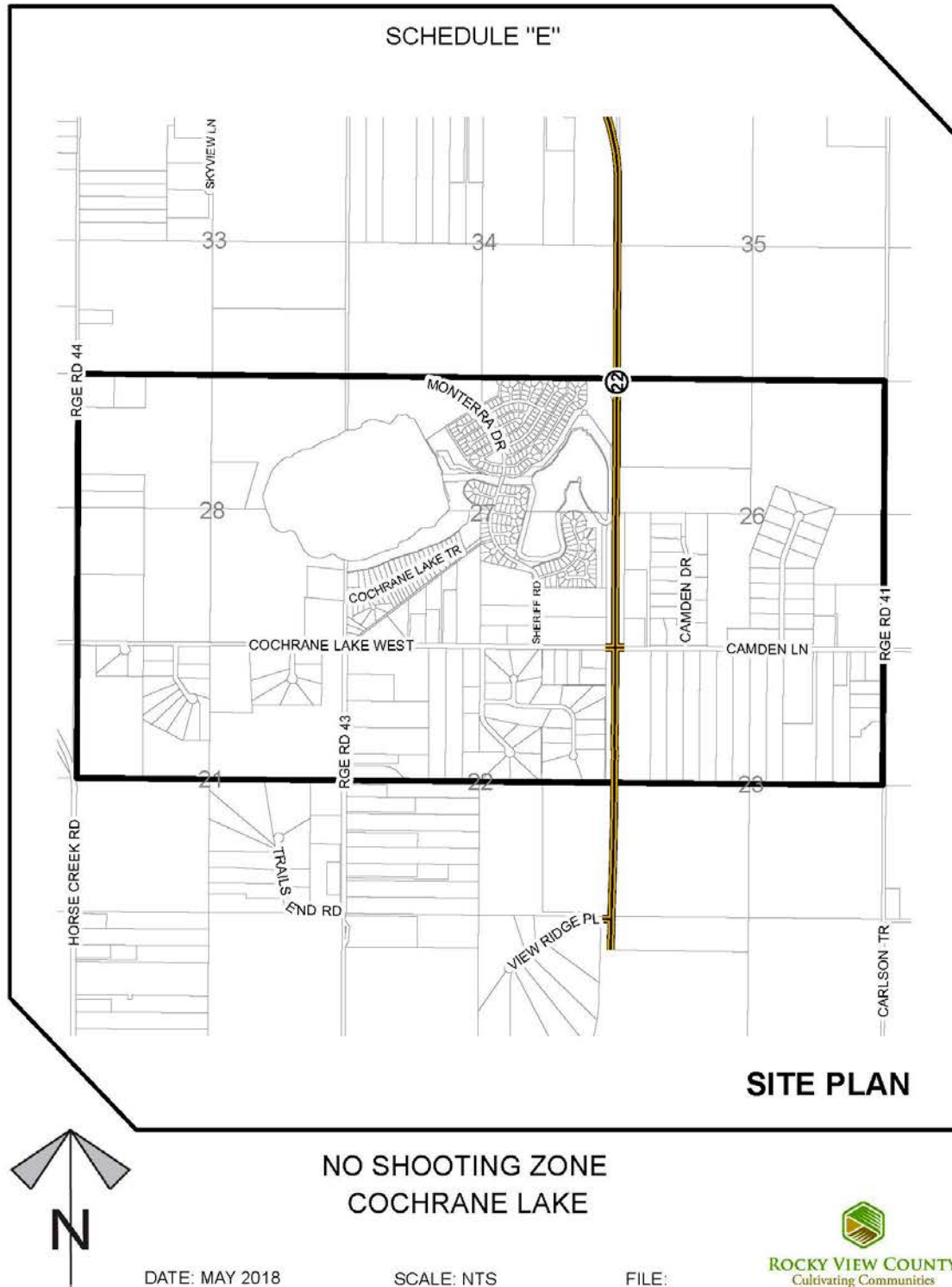
DATE: MAY 2018

SCALE: NTS

FILE:

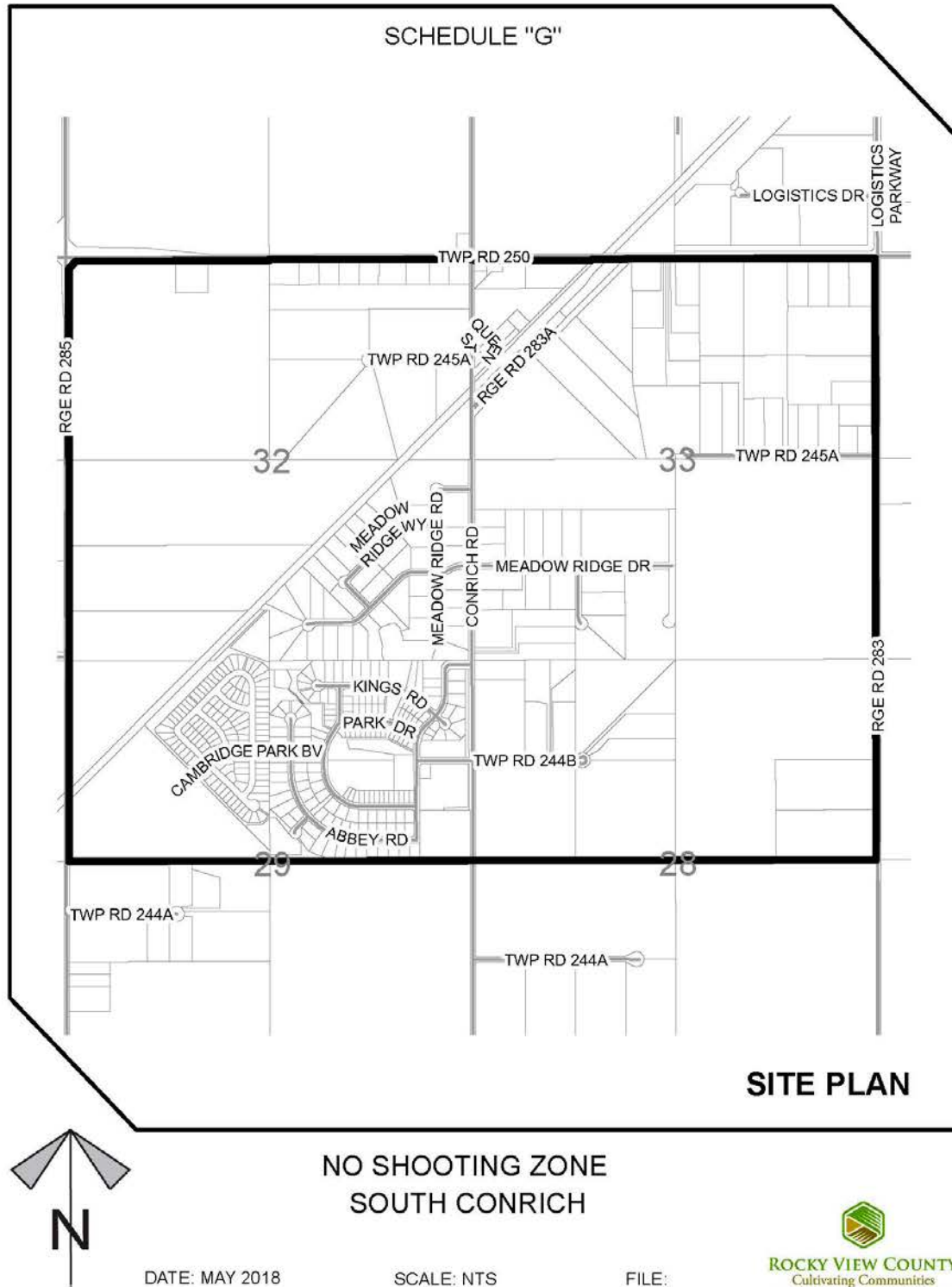


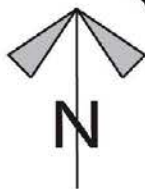












NO SHOOTING ZONE  
INVERLAKE ROAD

DATE: MAY 2018

SCALE: NTS

FILE:



## **ENGINEERING SERVICES**

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**TO:** Council

**DATE:** 22-May-2018 **DIVISION:** All

**FILE:** 1007-100

**SUBJECT:** Community Aggregate Payment Levy Bylaw C-7748-2018

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

- Motion #1: THAT Bylaw C-7748-2018 be given first reading.
- Motion #2: THAT Administration be directed to advertise Bylaw C-7748-2018 prior to bringing it forward for subsequent readings by Council.

### **EXECUTIVE SUMMARY:**

Under the *Municipal Government Act* (MGA), Rocky View County (RVC) is authorized to impose a levy on extracted Aggregate (eg. sand and gravel) for the purposes of raising revenue to pay for infrastructure and other costs. Rocky View County does so through Bylaw C-6214-2006, the Community Aggregate Payment Levy (CAP Levy) Bylaw, which has remained unchanged since its inception.

Recent revisions to the MGA allow the County to increase the rate being collected under the CAP Levy from \$0.25 per tonne to \$0.40 per tonne. Adopting the increased rate can reasonably be expected to produce approximately \$185,000 in additional revenues for 2018, and \$365,000 annually thereafter.

Administration is further recommending that the existing Bylaw be replaced with a new one in order to update the language used, align with recent guidance from outside counsel, and introduce three structural changes to the Bylaw. These changes seek to eliminate unnecessary administrative work, clarify the intent of the CAP Levy, and reduce the likelihood of legal challenges.

Administration recommends **Option #1**.

### **BACKGROUND:**

Bylaw C-6214-2006, referred to as the Community Aggregate Payment Levy Bylaw, was approved by Rocky View County Council in 2006 in accordance with the *Municipal Government Act* (Alberta Regulation 263/2005). The Bylaw established the authority for the County to levy and collect funds on all Aggregate which is mined within County boundaries.

At the time of implementation, the County approved a levy rate of \$0.25 per tonne of Aggregate and, between 2006 and 2016, approximately \$11.58 million has been collected to help fund maintenance and improvements to the County's road network.

As part of ongoing revisions to the *Municipal Government Act* (MGA), Alberta Municipal Affairs has amended the maximum rate which communities may collect from \$0.25 per tonne to \$0.40 per tonne.

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**<sup>1</sup>Administration Resources**  
Doug Hafichuk, Engineering Services



This change, effective January 1<sup>st</sup>, 2018, is the first time that the rate has been modified under the MGA since its inception in 2006.

CAP Levy revenues have historically formed a significant portion of the annual budget for Capital Road Improvements. Between 2012 and 2016, the County collected approximately \$4,530,000 in CAP Levy revenues, representing approximately 13% of the \$34,560,000 allocated towards improving the road network during that period.

Assuming that Aggregate volumes remain consistent with those reported in 2016, the \$0.15 per tonne increase could reasonably be expected to generate approximately between \$185,000 in additional revenues in 2018, and \$365,000 in additional revenues annually thereafter.

### Replacement of Existing Bylaw

Due to the age of the existing Bylaw and a recent legal challenge against it, Administration sought an opinion from outside counsel on whether the existing Bylaw ought be amended or replaced entirely.

Based on the feedback received, Administration recommends repealing the existing Bylaw and replacing it with a new one. This provides the County with an opportunity to address the existing Bylaw's issues and inconsistencies in the most straightforward fashion.

### Noteworthy Changes

In addition to modifying the Levy rate, Administration has included the following significant changes to the new Bylaw:

1. Removed statements which limit the use of CAP Levy revenues to road infrastructure improvements.

The MGA does not impose any specific requirements on the use of funds collected via a CAP Levy.

Section 409.1 (2) of the *Municipal Government Act* states that:

*"A community aggregate payment levy bylaw authorizes the council to impose a levy in respect to all sand and gravel businesses operating in the municipality to raise revenue to be used toward the payment of infrastructure and other costs in the municipality."*

Although Rocky View County will, in practice, continue using CAP Levy funds to build and maintain road infrastructure, Administration believes that limiting statements within the Bylaw itself are unnecessary and may leave the County open to challenge.

2. Clarified the language used so as to more clearly indicate that the Levy is applied to the tonnage of Aggregate shipped, and not against any specific area of land that is developed as an aggregate mine.
3. Changed the frequency with which aggregate operators must self-report from twice per year to once per year. Further, the reporting deadline has been extended by one month.

The existing Bylaw requires that industry participants submit a tonnage report semi-annually, with these reports being due within 14 days of both July 1<sup>st</sup> and December 31<sup>st</sup>.



This data is only compiled by Administration once per year (following the December 31<sup>st</sup> submissions) for the purposes of managing the Levy. Further, Industry has suggested that the December 31<sup>st</sup> deadline often conflicts with their daily operations and year-end activities.

In order to address these concerns, the updated reporting requirements require only one tonnage report per year, and that the deadline to provide the report is moved to January 31<sup>st</sup>.

**BUDGET IMPLICATION(S):**

Assuming that aggregate volumes remain consistent with 2016 numbers:

Increasing the CAP Levy rate from \$0.25 to \$0.40 per tonne as of July 1<sup>st</sup>, 2018 could reasonably be expected to generate between \$185,000 in additional revenues in 2018, bringing total 2018 collections to approximately \$820,000.

In future years, the increase could reasonably be expected to generate \$365,000 in additional revenues annually, bringing the total collected to approximately \$1,000,000.

Changes to the CAP Levy will have no associated impact on the 2018 Operating Budget.

**OPTIONS:**

Option #1      Motion #1:      THAT Bylaw C-7748-2018 be given first reading.  
                         Motion #2:      THAT Administration be directed to advertise Bylaw C-7748-2018 prior to bringing it forward for subsequent readings by Council.

Option #2      THAT alternative direction be provided.

Respectfully submitted,

Concurrence,

“Byron Riemann”

“Kent Robinson”

\_\_\_\_\_  
General Manager

\_\_\_\_\_  
Interim County Manager

/DH



# BYLAW C-7748-2018

**A Bylaw of Rocky View County, in the Province of Alberta, to authorize a Community Aggregate Payment Levy on Lands within Rocky View County proposed for Aggregate Mining Development by a developer or corporation.**

**WHEREAS** the *Municipal Government Act* allows for a community to impose a levy in respect to all sand and gravel businesses operating within the municipality;

**AND WHEREAS** the revenue raised through the levy are to be used towards the payment of infrastructure and other costs in the municipality;

**NOW THEREFORE**, the Council of Rocky View County, duly assembled, enacts as follows:

## Short Title

1 The short title of this bylaw is “*Community Aggregate Payment Levy Bylaw*.”

## Definitions

2 In this Bylaw, unless the context otherwise requires, the following definitions apply:

- (a) “**Aggregate**” means gravel and sand, individually or in combination;
- (b) “**Aggregate Mine**” means the business of excavating for the removal of Aggregates from the Land and includes the crushing, processing (includes the mixing of asphalt) and removal of materials from the Land;
- (c) “**County**” means Rocky View County or, where the context permits, the geographical area thereof;
- (d) “**Community Aggregate Payment Levy**” means a tax as defined in the *Municipal Government Act*;
- (e) “**Development**” means “development” as defined in the *Municipal Government Act*;
- (f) “**Lands**” means the private titled lands in accordance with the *Land Titles Act*, as amended;
- (g) “**Levy**” means Community Aggregate Payment Levy imposed pursuant to this Bylaw under the authority of the *Municipal Government Act*;
- (h) “**Municipal Government Act**” means the *Municipal Government Act*, RSA 2000, c M-26, as amended from time to time;





- (i) **“Rocky View County”** means Rocky View County as a municipal corporation established pursuant to the laws of the Province of Alberta and the area within the jurisdictional boundaries of Rocky View County, as the context of this Bylaw so requires; and
- (j) **“Shipment”** means the quantity of sand and gravel that is hauled from the pit where it was extracted.

### Terms and Rates

- 3 For the purposes of the Community Aggregate Payment Levy, the following Terms and Rates shall apply:
  - (a) All Shipments of Aggregate from an Aggregate Mine within Rocky View County shall be subject to a Levy of \$0.40 per tonne of Aggregate extracted and removed by Shipment from the said Aggregate Mine.
  - (b) The Levy shall be imposed on and paid by the person who operates the Aggregate Mine operations on Lands within Rocky View County.
  - (c) The Levy shall be exempt for any shipment of Aggregate for use or project being undertaken by the Crown or a Municipality from an Aggregate Mine owned or leased by the Crown or a Municipality.
  - (d) The total tonnage subject to the collection of the Levy shall be reported by the operator of an Aggregate Mine prior to January 31 of each year and will be supported by an annual tonnage report submitted to the County. All tonnage reports shall be submitted on the form attached as Schedule “A”. Notices will be sent out to the operator of the Aggregate Mine in respect to the Levy within 30 days of the date of the receipt of the Levy notice.
  - (e) Where the operator of an Aggregate Mine is unable to provide a measurement of weight for the amount of Aggregate in a Shipment, the operator of an Aggregate Mine must use the following conversion rates to report shipment in tonnes:
    - 1 cubic meter = 1.365 tonnes, for sand; and
    - 1 cubic meter = 1.632 tonnes, for gravel
    - Where 1 cubic meter = 1.308 cubic yards
  - (f) If the operator of an Aggregate Mine is in default of fulfilling the intention of the Bylaw the County may, on notice of the default, carry out necessary actions to rectify the default and charge the cost of the expense thereof to the operator of the Aggregate Mine.
  - (g) The enactment of this Bylaw shall supersede any previous similar agreements already established between the County and the operator of an Aggregate Mine.



- (h) No Levy may be imposed on Shipments of Aggregate that are subject to another tax, levy or payment that is established by and payable to the County. Further, no Levy may be imposed on Shipments of Aggregate that are required pursuant to a road haul agreement or a development agreement for construction, repair or maintenance of roads identified in the agreement, that is necessary to provide access to the pit from which the Aggregate is extracted.
- (i) The interest earned upon funds collected by the Levy shall be retained by the County.
- (j) There shall be no refunds on collected Levies.

### Transitional

- 4 Bylaw C-6214-2006 is hereby repealed, upon this bylaw coming into full force and effect.
- 5 Bylaw C-7748-2018 is passed when it receives third reading and is signed by the Reeve or Deputy Reeve and the Chief Administrative Officer or designate.
- 6 Bylaw C-7748-2018 comes into force on July 1, 2018.

READ A FIRST TIME IN COUNCIL this \_\_\_\_\_ day of \_\_\_\_\_, 2018

READ A SECOND TIME IN COUNCIL this \_\_\_\_\_ day of \_\_\_\_\_, 2018

UNANIMOUS PERMISSION FOR THIRD READING \_\_\_\_\_ day of \_\_\_\_\_, 2018

READ A THIRD TIME IN COUNCIL this \_\_\_\_\_ day of \_\_\_\_\_, 2018

\_\_\_\_\_  
Reeve or Deputy Reeve

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

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



# **ROCKY VIEW COUNTY**

## **Community Aggregate Payment Levy Bylaw C-7748-2018**

### Schedule "A" Sand and Gravel Shipments Annual Report

*A separate report must be submitted for each pit from which an operator has shipped Aggregate during the reporting period*

Name of Operator:	
Mailing Address of Operator:	
Telephone Number:	
Fax Number:	
E-mail Address:	
Location of Aggregate Mine:	
Reporting Period:	
Name of Owner of Parcel where Pit is Located:	
Mailing Address of Owner of Parcel:	
Telephone Number :	
Fax Number:	
E-mail Address:	

Total Aggregate shipped from this pit in the reporting period (tonnes)  <div style="text-align: right;">TOTAL A=</div>	
--	--

Shipments exempted from Community Aggregate Payment Levy:	
E1) Total Aggregate shipped from this pit, pursuant to a road haul agreement, for the construction, repair or maintenance of access roads to this pit (tonnes):	



Please complete sections E2 to E4 only if this pit is:

- a) Owned by the Government of Alberta or a municipality, or
- b) Leased by the Government of Alberta or a municipality from another party

E2) Total Aggregate shipped from this pit for Government of Alberta projects in the reporting period (tonnes):	
E3) Total Aggregate shipped from this pit to a project being completed by or for Rocky View County projects in the reporting period (tonnes):	
E4) Total Aggregate shipped from this pit to projects being completed by or for other municipalities (excluding Rocky View County) in the reporting period (tonnes):	
Total Exempted Shipments [add E1+E2+E3+E4] (tonnes)  TOTAL B=	
Total Shipments subject to Community Aggregate Payment Levy (tonnes):  TOTAL A minus TOTAL B=	

The weight of Aggregate in individual shipments may be estimated if weigh scales are unavailable. The conversion rates used to determine the tonnage are as follows:

1 cubic meter = 1,365 tonnes, for sand  
 1 cubic meter = 1,632 tonnes, for gravel  
 where 1 cubic meter = 1,308 cubic yards

## PLANNING SERVICES

<b>TO:</b>	Subdivision Authority		
<b>DATE:</b>	May 22, 2018	<b>DIVISION:</b>	6
<b>FILE:</b>	08501008	<b>APPLICATION:</b>	PL20180003
<b>SUBJECT:</b>	Subdivision Item – Residential Three District		

### 1 ADMINISTRATION RECOMMENDATION:

THAT Subdivision Application PL20180003 be approved with the conditions noted in Appendix A.

### EXECUTIVE SUMMARY:

The purpose of this application is to create a  $\pm 4.00$  hectare (9.88 acre) parcel (Lot 1) with a  $\pm 4.19$  hectare (10.36 acre) remainder (Lot 2).

The lands affected by this application are developed with a dwelling and four accessory buildings, which are located within the boundary of proposed Lot 2. The dwelling is serviced by means of a water well and a Private Sewage Treatment System. Proposed Lot 1 is currently undeveloped, and is proposed to be serviced in a similar fashion at the time of future development. Access to the site is provided by an approach off Township Road 280A.

The subject lands do not fall within the boundaries of any area structure plan; therefore, the application was assessed in accordance with the County Plan. Administration determined that:

- The proposed subdivision is consistent with the original land use approval (PL20170111); and
- All technical considerations are addressed through the conditions of subdivision approval.

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

<b>PROPOSAL:</b> To create a $\pm 4.00$ hectare (9.88 acre) parcel (Lot 1) with a $\pm 4.19$ hectare (10.36 acre) remainder (Lot 2).	<b>GENERAL LOCATION:</b> Located 4 kilometers (2.5 miles) north of the city of Airdrie, 0.4 kilometer (0.25 mile) east of Dickson Stevenson Trail, and on the south side of Township Road 280A.
<b>LEGAL DESCRIPTION:</b> Block 3, Plan 9310095, within NW-1-28-1-W5M	<b>GROSS AREA:</b> $\pm 8.19$ hectares ( $\pm 20.24$ acres)
<b>APPLICANT:</b> Larry Korschuk <b>OWNER:</b> 687781 Alberta Ltd.	<b>RESERVE STATUS:</b> Municipal Reserves are outstanding and comprise 10% of the parent parcel.
<b>LAND USE DESIGNATION:</b> Residential Three District	<b>LEVIES INFORMATION:</b> Transportation Off-Site Levy is applicable in this case.

### 1 Administration Resources

Jamie Kirychuk, Planning Services  
Gurbir Nijjar, Engineering Services

<b>DATE SUBDIVISION DEEMED COMPLETE:</b> January 8, 2018	<b>APPEAL BOARD:</b> Municipal Government Board
<b>TECHNICAL REPORTS SUBMITTED:</b> <ul style="list-style-type: none"> <li>• Level I Private Sewage Treatment System Variation</li> <li>• Level II Private Sewage Treatment System Assessment</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 & AGENCY SUBMISSIONS:**

The application was circulated to 14 adjacent landowners, and no responses were received. The application was also circulated to a number of internal and external agencies, and those responses are available in Appendix 'B'.

#### **HISTORY:**

- November 14, 2017** Application PL20170111 was approved, redesignating the subject lands from Agricultural Holdings District to Residential Three District.
- 1993** Plan 9310095 was registered, resulting in the creation of the subject lands, as well as the 9.44 hectare (23.33 acre) parcel immediately to the west.
- 1980** Road Plan 2011167 was registered, allowing for the construction of Township Road 280A.

#### **TECHNICAL CONSIDERATIONS:**

This application was 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. The site is flat and does not contain any watercourses, drainage channels, or waterbodies.

Conditions: None

b) The site's soil characteristics

The soils on-site are Class 2, and 3 ranging from slight to moderate limitations due to temperature and low moisture holding conditions. There are no concerns that soil conditions would have an impact on future development of the lands.

Conditions: None

c) Stormwater collection and disposal

This subdivision does not warrant a Stormwater Management Plan as the development of a dwelling would have minimal impact on drainage patterns. There is no requirement for a stormwater management plan at this time.

Conditions: None

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

The development of one new residential dwelling is expected to have minimal impacts, if any, with relation to flooding, or erosion.





Conditions: None

e) Accessibility to a road

Access is currently achieved via an existing approach off Township Road 280A. As a condition of subdivision, the Applicant/Owner would be required to upgrade the existing access to a mutual standard approach, providing shared ingress and egress to both Lots 1 and 2. The Applicant/Owner would also be required to provide a Right-of-Way Plan and Access Easement Agreement to register on the title of each parcel.

The Transportation Off-Site Levy is owing for 1.2 hectares (3.0 acres) of each parcel.

- The levy payment owed at the time of subdivision endorsement would be \$27,570.00.

Conditions: 2, 3, 5

f) Water supply, sewage and solid waste disposal

Proposed Lot 1 is currently serviced by an existing water well and a conventional private sewage treatment system. In support of the application, the Applicant/Owner submitted a Level I PSTS Assessment Variation that indicates the existing system meets the required setback distances and is in good working order.

In order to confirm provision of servicing to Lot 2, a Level II PSTS Assessment was provided. The report confirms that the site is appropriate for the construction of a Private Sewage 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 2.

Conditions: 4

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

The land use in the vicinity of the subject land consists primarily of agricultural uses. Many of the parcels are large-holdings Ranch and Farm parcels; however, there are a number of Farmstead, Agricultural Holdings, and Residential Three District parcels scattered throughout the area. The quarter section located 600 metres to the northwest of the subject lands is designated Public Service District and is the site of a highway rest stop owned by Alberta Transportation.

This area of the County also features a heavy concentration of oil and gas infrastructure. A natural gas well with an associated pipeline is located immediately to the east, within 200 metres of the subject lands. Fuel gas and sour gas pipelines are located throughout the area, with both of these running through the northern portion of the subject parcel (Right-of-Way 5677 JK).

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, Administration recommends that Municipal Reserves, comprising of 10% of the subject parcel, be taken in full for both proposed Lots 1 and 2.

- The Applicant provided a land value appraisal, conducted by Weleschuk Associates Ltd. (File No. 17-2164, dated November 3<sup>rd</sup>, 2017). The appraisal placed the value of the lands at \$20,000 per acre. 10% of the area of Lots 1 and 2 equates to 0.62 acres, or \$5,580.00.

Condition: 7

**POLICY CONSIDERATIONS:**

The application is composed of lands that are not located within an area structure plan; therefore, the application was assessed in accordance with the County Plan. The detailed policy review was provided to Council at the redesignation stage with application PL20170111. The application was recommended to be refused as there was no policy support in the County Plan to support further redesignation for residential purposes. However, Council approved the redesignation application, and this subdivision is consistent with that approval.

Both Lots 1 and 2 hold the appropriate land use designation to support subdivision in accordance with the Land Use Bylaw.

**CONCLUSION:**

The proposal was evaluated in accordance with Statutory Policy found within the County Plan, and Administration determined that:

- The subject lands hold the appropriate land use designation to support subdivision; and
- The technical aspects of the subdivision proposal can be addressed through the conditional approval requirements.

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

**OPTIONS:**

Option #1: THAT Subdivision Application PL20180003 be approved with the conditions noted in Appendix A.

Option #2: THAT Subdivision Application PL20180003 be refused as per the reasons noted.

Respectfully submitted,

Concurrence,

“Chris O’Hara”

“Kent Robinson”

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General Manager

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Interim County Manager

JK/rp

**APPENDICES:**

APPENDIX ‘A’: Approval Conditions

APPENDIX ‘B’: Application Referrals

APPENDIX ‘C’: Map Set

**APPENDIX 'A': APPROVAL CONDITIONS**

- A. That the application to create a  $\pm$  3.84 hectare (9.88 acre) parcel (Lot 1) with a  $\pm$  4.45 hectare (111.00 acre) remainder (Lot 2) within NW-1-28-1-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. 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 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:

***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 upgrade the existing road approach on Township Road 280A to a mutual GRAVEL standard as shown on the Approved Tentative Plan, in order to provide access to Lots 1 and 2.
- 3) The Owner is to enter into an Access Easement Agreement to provide access to Lots 1 and 2, as per the approved Tentative Plan, which shall include:
  - a) Registration of the applicable access right-of-way plan;

***Site Servicing***

- 4) Water is to be supplied by an individual well on Lot 2. The subdivision shall not be endorsed until:
  - a) The Owner has provided a Well Driller's Report to demonstrate that an adequate supply of water is available for Lot 1;
  - b) Verification has been provided that each well is located within each respective proposed lot's boundaries.
  - c) It has been demonstrated that the new well is capable of supplying a minimum of one (1) IGPM of water for household purposes.

*Payments and Levies*

- 5) The Owner shall pay the Transportation Off-Site Levy (TOL) in accordance with Bylaw C-7356-2014 prior to subdivision endorsement. The County shall calculate the total amount owing as follows:
  - a) The TOL will be applicable for 1.2 hectares (3.0 acres) of Lots 1 and 2.
- 6) The Owner shall pay the County subdivision endorsement fee, in accordance with the Master Rates Bylaw, for the creation of one new lot.

*Municipal Reserves*

- 7) The provision of Reserve in the amount of 10% 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 Weleschuk Associates Ltd. File No. 17-2164 on November 3, 2017 pursuant to Section 666(3) 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*.

**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>
<i>School Authority</i>	
Rocky View Schools	No comments received.
Calgary Catholic School District	Calgary Catholic School District (CCSD) has no objection to the above-noted circulation (PL2018-0003) located just north of Airdrie. As per the circulation, Municipal Reserves are still outstanding and comprise 10% of the parent parcel.
Public Francophone Education	No comments received.
Catholic Francophone Education	No comments received.
<i>Province of Alberta</i>	
Alberta Environment and Sustainable Resource Development (Public Lands)	No comments received.
Alberta Transportation	<p>By definition, this proposal must meet the requirements of Section 14 and 15 of the Subdivision and Development Regulation due to the proximity of Highway 2. 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 the additional lot being created by this application should not have a significant impact on the provincial highway system.</p> <p>Alberta Transportation has no objection to this proposal. The department grants an unconditional variance of Section 14 and/or Section 15 of the Subdivision and Development Regulation. From the department's perspective any appeals to be heard regarding this subdivision application must be heard by the Municipal Government Board.</p>
Alberta Culture and Community Spirit (Historical Resources)	Not required for circulation.
Energy Resources Conservation Board	No comments received.
Alberta Health Services	No comments received.

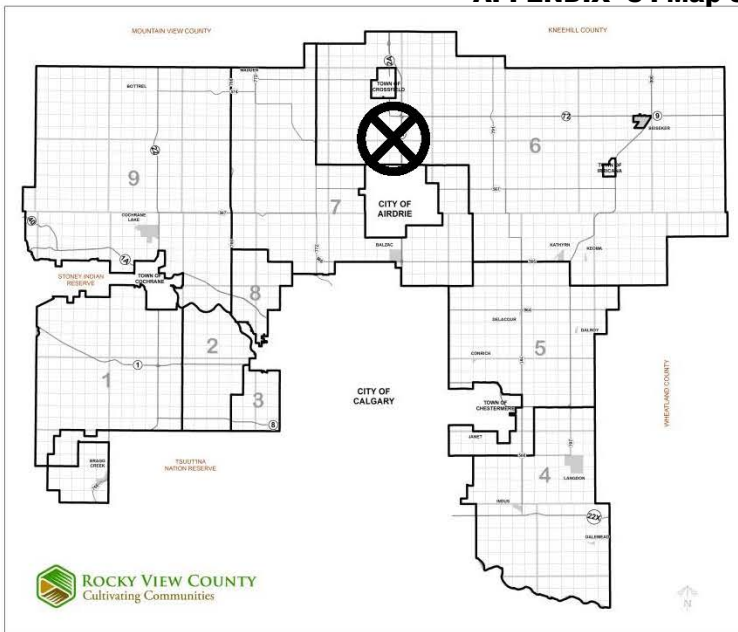
<b>AGENCY</b>	<b>COMMENTS</b>
<i>Public Utility</i>	
ATCO Gas	No comments received.
ATCO Pipelines	No objection.
AltaLink Management	No comments received.
FortisAlberta	No requirements.
Telus Communications	No comments received.
TransAlta Utilities Ltd.	No comments received.
Rockyview Gas Co-op Ltd.	<p>Rocky View Gas Co-op Ltd. conditionally approves the subdivision application. The conditions of approval are outlined below.</p> <ol style="list-style-type: none"> <li>1. 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>2. Pursuant to the Bylaws of Rockyview Gas Co-op Ltd. 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.</li> <li>3. The landowner shall be responsible for the cost, at time of application, for the installation of the natural gas service line.</li> <li>4. The applicant shall pay for any alterations to the natural gas distribution system if required.</li> <li>5. The applicant shall be responsible for the cost of system upgrades and / or gas main extensions should natural gas service be required.</li> </ol>
<i>Other External Agencies</i>	
EnCana Corporation	No comments received.
<i>Rocky View County Boards and Committees</i>	
ASB Farm Members and Agricultural Fieldman	No comments received.
Recreation Board	The Crossfield Recreation District Board recommends taking Cash-In-Lieu for MR.



AGENCY	COMMENTS
<i>Internal Departments</i>	
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 comments received.
GeoGraphics	No comments received.
Building Services	No comments received.
Emergency Services Enforcement Services	<ul style="list-style-type: none"> <li>No concerns.</li> </ul>
Fire Services	<ul style="list-style-type: none"> <li>No comments.</li> </ul>
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>The current Land Use is R3.</li> </ul> <p><b><u>Geotechnical</u></b> - Section 300.0 requirements:</p> <ul style="list-style-type: none"> <li>ES has no requirements at this time.</li> </ul> <p><b><u>Transportation</u></b> - Section 400.0 requirements:</p> <ul style="list-style-type: none"> <li>Both parcels will be accessed from Township Road 280A, which is a gravel road;</li> <li>As a condition of subdivision:               <ul style="list-style-type: none"> <li>If a mutual approach is to be used for access, the applicant shall provide a Right-of-Way Plan and Access Easement Agreement to register on the title of each parcel.</li> </ul> </li> <li>As a condition of subdivision, the applicant is required to provide payment of the Transportation Off-site Levy, in accordance with the applicable bylaw at time of subdivision approval, for 1.2 hectares (3.0 acres) of each parcel, as the applicant is proposing to subdivide a Residential 3 District parcel.               <ul style="list-style-type: none"> <li>Base Levy = \$4595/acre. Acreage = (2 parcels)*(3 acres) = 6 acres. Estimated TOL payment = (\$4595/acre)*(6 acres) = \$27,570.</li> </ul> </li> </ul>

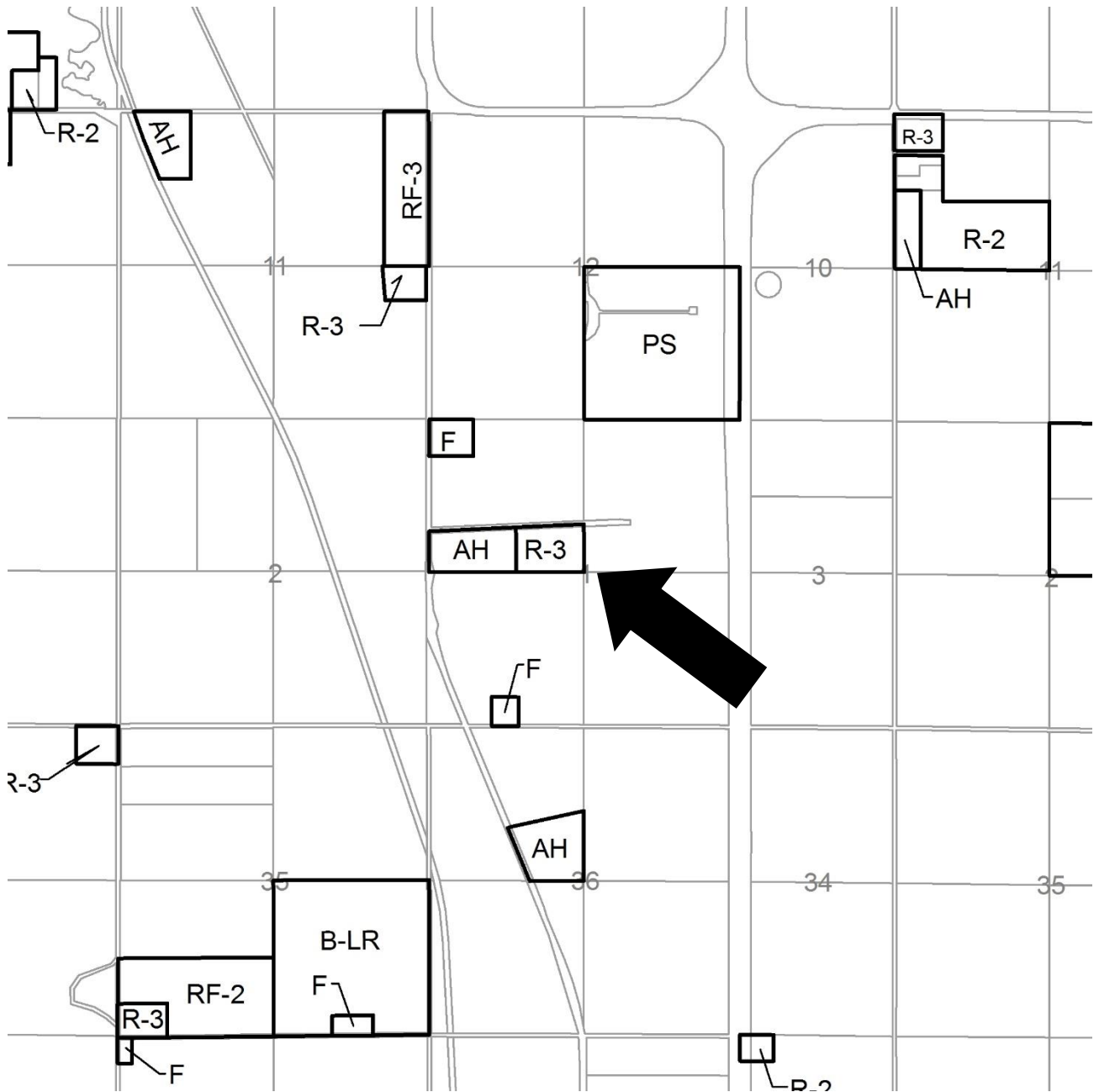
AGENCY	COMMENTS
	<p><b><u>Sanitary/Waste Water</u></b> - Section 500.0 requirements:</p> <ul style="list-style-type: none"> <li>• The applicant has submitted a Level 1 PSTS Assessment Variation for Lot 1, prepared by the homeowner. The existing system meets the required setback distances and is in good working order;</li> <li>• The applicant submitted a Level 2 PSTS Assessment (Strom Engineering Inc. – December 2017) for the proposed Lot 2. The report concludes that the soils on the subject lands are very suitable for use of a PSTS. A conventional system is recommended. ES has no further concerns.</li> </ul> <p><b><u>Water Supply And Waterworks</u></b> - Section 600.0 &amp; 800.0 requirements:</p> <ul style="list-style-type: none"> <li>• With the creation of one additional lot, there will be 5 lots in the subject quarter section. In accordance with the County Servicing Standards, as there are less than 6 lots in the subject quarter, a Phase 2 Aquifer Testing Report is not required;</li> <li>• As a condition of subdivision, the applicant will be required to submit a Well Driller's Report indicating a minimum pumping rate of 1 iGPM, for the new well on proposed Lot 2, in accordance with the requirements of the County Servicing Standards.</li> </ul> <p><b><u>Storm Water Management</u></b> – Section 700.0 requirements:</p> <ul style="list-style-type: none"> <li>• ES has no requirements at this time.</li> </ul> <p><b><u>Environmental</u></b> – Section 900.0 requirements:</p> <ul style="list-style-type: none"> <li>• ES has no requirements at this time;</li> <li>• County Wetland Impact Model does not identify any intact wetlands on the subject lands;</li> <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	Applicant to confirm how he intends to access the new lot. If he needs new approach or if upgrading an existing approach will need to contact County Road Operations for approach application.
Infrastructure and Operations – Utility Services	No concerns.

Circulation Period: January 19 – February 9, 2018



LOCATION PLAN

Block:3 Plan:9310095  
NW-01-28-01-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

**Block:3 Plan:9310095**  
**NW-01-28-01-W05M**

**Subdivision Proposal:** To create a  $\pm 4.00$  hectare (9.88 acre) parcel (Lot 1) with a  $\pm 4.19$  hectare (10.36 acre) remainder (Lot 2) **Page 13 of 18**

TWP RD 280A

**Lot 1**  
 $\pm 4.00$  hectare  
 (9.88 acres)

**Lot 2**  
 $\pm 4.19$  hectare  
 (10.36 acres)

**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.

**Legend**

Dwelling

Accessory Building

Water Well

Septic Field

Driveway

Mutual Standard Approach

**TENTATIVE PLAN****Block:3 Plan:9310095****NW-01-28-01-W05M**Date: Jan 10, 2018

Division # 6

File: 08501008**AGENDA****Page 282 of 327**





# TOPOGRAPHY

*Contour Interval 2 M*



**Block:3 Plan:9310095**  
**NW-01-28-01-W05M**

## AGENDA

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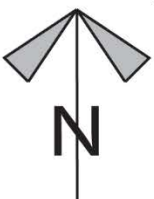


Note: Post processing of raw aerial photography may cause varying degrees of visual distortion at the local level.

**AIR PHOTO**

*Spring 2016*

**Block:3 Plan:9310095**  
**NW-01-28-01-W05M**



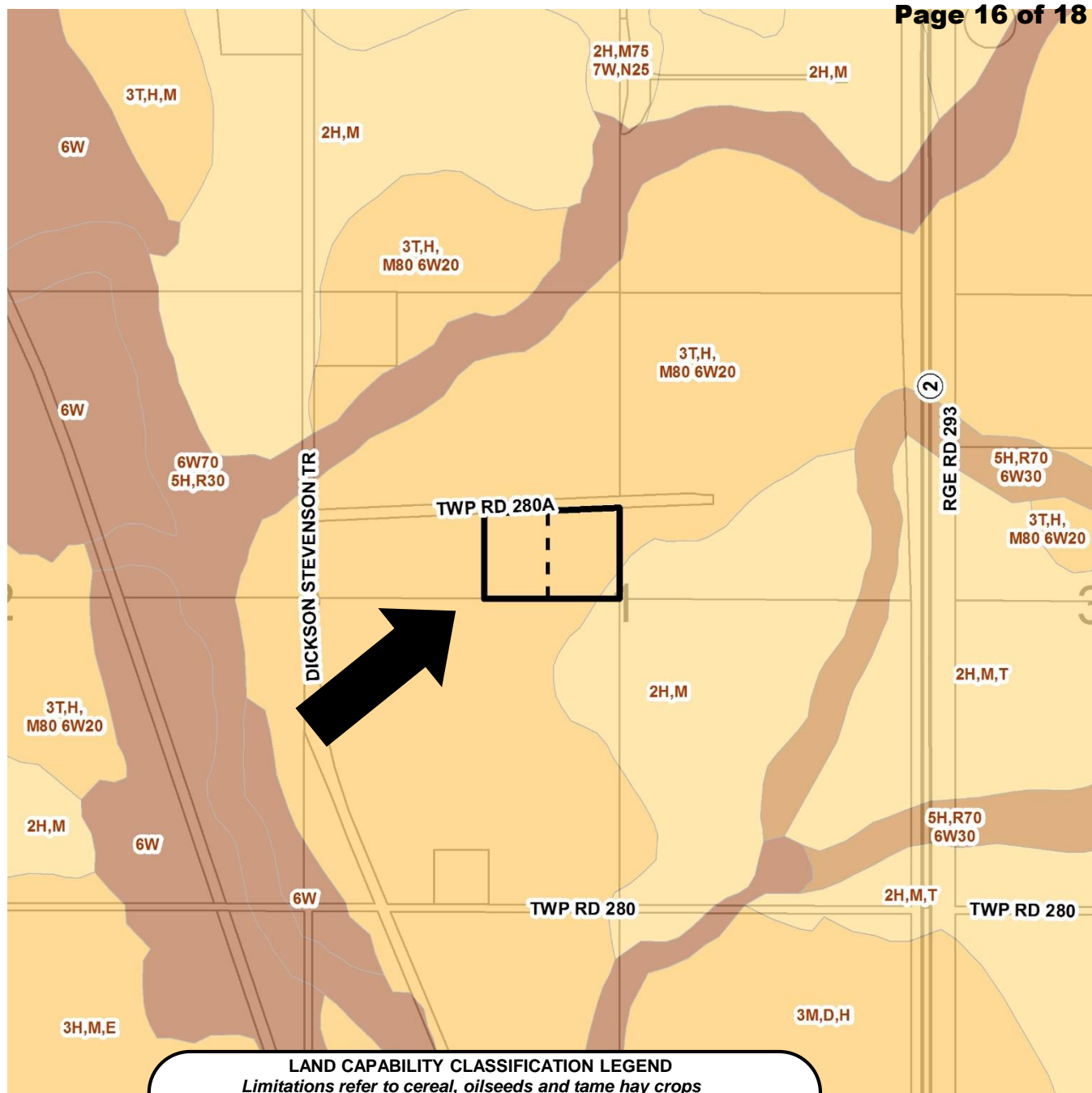
Date: Jan 10, 2018

Division # 6

File: 08501008

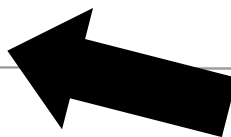
**AGENDA**

**Page 284 of 327**



SOIL MAP

**Block:3 Plan:9310095**  
**NW-01-28-01-W05M**



- 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

**Block:3 Plan:9310095**  
**NW-01-28-01-W05M**

## AGENDA

Page 286 of 327





Page 287 of 327



## PLANNING SERVICES

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**TO:** Subdivision Authority  
**DATE:** May 22, 2018  
**FILE:** 05303002  
**SUBJECT:** Subdivision Item – Commercial – Canadian National Railway Company

**DIVISION:** 5  
**APPLICATION:** PL20170168

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

THAT Subdivision Application PL20170168 be approved with the conditions noted in Appendix A.

### **EXECUTIVE SUMMARY:**

The purpose of this application is to create three parcels composed of a  $\pm 40.56$  hectare ( $\pm 103.21$  acre) industrial parcel (Lot 1), a  $\pm 4.94$  hectare ( $\pm 12.21$  acre) stormwater irrigation parcel (Lot 2), and a  $\pm 6.16$  hectare ( $\pm 15.23$  acre) public utility lot (Lot 3).

The subject lands are located within the Conrich Station Conceptual Scheme, and the redesignation of the lands to their current land uses was approved by Council September 26, 2017. The parcel is presently vacant; the anticipated development plan indicates that the parcels would access Logistics Parkway.

As the final site configuration is not yet known, the Applicant indicates that their intention with this application is to subdivide the parcels, construct the stormwater management infrastructure, and rough grade the site once Alberta Environment approvals are obtained, while deferring on-site road and utility construction to the future development stage. The Applicant would market the industrial portion of the lands, which may be sold to a single buyer or to multiple buyers. If there is a single buyer, the County would manage future development of the site through the Development Permit process. If there are multiple buyers, the site would be further subdivided, and development would be managed through conditions of subdivision endorsement.

Numerous technical studies were prepared with the redesignation proposal that was approved by Council in 2017, and all technical matters would be addressed through the conditions of subdivision or future Development Permits.

The subject lands fall within the boundaries of the Conrich Area Structure Plan, and the Conrich Station Conceptual Scheme. Administration evaluated the proposal and determined that:

- The application is supported by the relevant policies within the applicable Statutory Plans;
- The proposal is primarily consistent with the Conrich Area Structure Plan, and Conrich Station Conceptual Scheme; and
- All technical considerations would be addressed through conditions of subdivision endorsement and future subdivision or development permits.

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

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

Oksana Newmen, Planning Services  
Eric Schuh, Engineering Services





<p><b>PROPOSAL:</b> To create three parcels composed of a <math>\pm 40.56</math> hectare (<math>\pm 103.21</math> acre) industrial parcel (Lot 1), a <math>\pm 4.94</math> hectare (<math>\pm 12.21</math> acre) stormwater irrigation parcel (Lot 2), and a <math>\pm 6.49</math> hectare (<math>\pm 16.04</math> acre) public utility lot (Lot 3).</p>	<p><b>GENERAL LOCATION:</b> Located 1.3 kilometers (0.80 miles) east of the hamlet of Conrich, on the east side of Logistics Parkway, and on the north side of Township Road 250.</p>
<p><b>LEGAL DESCRIPTION:</b> SW-03-25-28-W04M</p>	<p><b>GROSS AREA:</b> <math>\pm 53.2</math> hectares (<math>\pm 131.46</math> acres)</p>
<p><b>APPLICANT:</b> B &amp; A Planning Group <b>OWNER:</b> Canadian National Railway Company</p>	<p><b>RESERVE STATUS:</b> Municipal Reserves to be provided, and unmet balance provided though cash in lieu.</p>
<p><b>LAND USE DESIGNATION:</b> Industrial-Industrial Activity (I-IA), Direct Control District 156 (DC-156), Public Services District (PS)</p>	<p><b>LEVIES INFORMATION:</b> Transportation Offsite Levy (Base Levy and Special Area 2), and Stormwater Offsite Levy are applicable.</p>
<p><b>DATE SUBDIVISION APPLICATION DEEMED COMPLETE:</b> October 24, 2017</p>	<p><b>APPEAL BOARD:</b> Municipal Government Board</p>
<p><b>TECHNICAL REPORTS SUBMITTED:</b> None with this application; prior technical reports prepared include the following:</p> <ul style="list-style-type: none"> <li>• Geotechnical Investigations Report (McIntosh Lalani Engineering Ltd. – September, 2015) with the previous Land Use application (PL20170088);</li> <li>• Transportation Impact Assessment for Cell 1 West (Bunt &amp; Associates - December 7, 2016) with the previous Land Use application PL20170088;</li> <li>• Preliminary Engineering Report (Sedulous Engineering Inc. (SEI) - December 2016);</li> <li>• Staged Master Drainage Plan (Westhoff Engineering Resources, Inc. – May 31, 2016);</li> <li>• Stormwater Use System Agreement (Westhoff Engineering Resources Inc. – May 30, 2016).</li> </ul>	<p><b>LAND USE POLICIES AND STATUTORY PLANS:</b></p> <ul style="list-style-type: none"> <li>• Land Use Bylaw (C-4841-97);</li> <li>• Conrich Area Structure Plan (C-7468-2015);</li> <li>• Conrich Station Conceptual Scheme (C-7517-2015); and</li> <li>• Direct Control District 156 (C-7692-2017)</li> </ul>

#### **PUBLIC & AGENCY SUBMISSIONS:**

The application was circulated to 12 adjacent landowners, and no letters of support or opposition were received in response. The application was also circulated to 35 internal and external agencies, and those responses are available in Appendix 'B'.

#### **HISTORY:**

##### **September 26, 2017**

Redesignation item PL20170088 was approved by Council, redesignating the subject lands from Ranch and Farm District to Industrial – Industrial Activity District, Direct Control District, and Public





Services District to accommodate industrial development, a stormwater pond, and a stormwater irrigation area.

**May 10, 2017**

Conrich Area Structure Plan was amended via Municipal Government Board Order 020/17.

**September 29, 2015**

The Conrich Station Conceptual Scheme was approved, Bylaw C-7517-2015.

**2012**

Plan 1213166 was registered creating a 9.88 acre parcel (R-3) in the southwest portion of SW-3-25-28-W4M.

#### **TECHNICAL CONSIDERATIONS:**

This application was 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 subject land is relatively flat and poses no apparent constraints to future development.

Conditions: None

b) The site's soil characteristics

The subject land contains primarily Class 1 soils, which have no significant limitation, and some Class 3 soils, which have moderate limitations for agricultural uses due to adverse topography, excessive wetness/poor drainage. The soil characteristics pose no limitations to further development, and would largely be limited to the Municipal Reserve and Public Utility lots.

Conditions: 27, 28, 29

c) Stormwater collection and disposal

The redesignation proposal provided for a parcel with industrial zoning, and Direct Control (DC) and Public Services District zonings. The DC District is meant to be a private green space used for irrigation, and the Public Services District is proposed to hold a stormwater pond.

The redesignation provided for a 17 acre stormwater pond to be designated as Public Services District and dedicated as a Public Utility Lot (PUL) at the subdivision stage. The irrigation area was accomplished through Direct Control District designation. The Direct Control District is intended to be for stormwater spray irrigation only, and is an interim land use until a regional stormwater solution is in place, such as the Cooperative Stormwater Management Initiative (CSMI). Once a regional solution is in place and stormwater can be discharged from site, the lands would be redesignated to an Industrial use, which is in line with the approved Conrich Station Conceptual Scheme. However, as the downstream stormwater conveyance route is yet to be determined, Cell 1 West will be under an interim zero discharge condition. The allowed uses within the Direct Control District are Agricultural, General, Accessory Buildings, Commercial Communications Facilities (Type A, B, C), and Utilities, providing narrow options for the site during irrigation use and potentially after this requirement is no longer necessary.

Stormwater runoff would be conveyed by overland drainage. Evaporation and irrigation would be used to manage stormwater, with primary irrigation lands being the landscaped areas, municipal reserve area, and irrigation area. Secondary irrigation areas include rooftops and paved surfaces.

A Staged Master Drainage Plan, prepared by Westhoff Engineering Resources, Inc. dated May 31, 2016, was submitted to the County. As a result of the necessity for site-specific



stormwater management, the Applicant would be required to comply with a series of requirements including:

- Submitting a detailed Stormwater Management Plan;
- Providing for implementation and registration of any overland drainage easements and/or utility rights-of-way and/or restrictive covenants as determined by the Stormwater Management Report;
- Providing an irrigation plan to be registered on title, by caveat, for each lot;
- Paying the Stormwater Offsite Levy in place at the time of Subdivision approval (currently calculated to be \$721,452);
- Entering into a Development Agreement with the County for the construction of stormwater management infrastructure (including pond, forebay, and emergency overland conveyance route); and
- Entering into a Franchise Agreement for the operation and maintenance of the stormwater irrigation system.

The County's wetland mapping identifies wetlands on the subject site. The landowner proposes filling the wetlands and has initiated consultation with Alberta Environment and Parks (AEP) for Water Act approvals. The County referred the application to AEP, but received no response. As such, two conditions of approval would be required; one requires the Applicant to submit a Wetland Impact Assessment in accordance with the County Servicing Standards and Conrich Station Conceptual Scheme, and the other requires the Applicant to provide confirmation of Alberta Environment Water Act approvals for wetland disturbances prior to Development Agreement endorsement by the County.

Conditions: 3, 8, 9, 10, 11, 16

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

Conrich experienced local flooding in 2013. However, while a review of the AEP Flood Hazard Mapping Application notes a water body on the subject parcel, no flood zones are identified in concert with the unnamed stream.

There is no known subsidence in the area.

With regard to erosion, landscaping and stormwater management would play key roles. Policy 8.2.1 of the Conceptual Scheme states that implementation of private landscaping elements will occur over the course of the development project in accordance with the provisions of the subdivision and/or development permit process. As such, landscaping plans would be required as a condition of subdivision, as well as a Construction Management Plan and Erosion and Sedimentation Control Plan.

Conditions: 26, 30

e) Accessibility to a road

Township Road 250 is the primary transportation linkage that provides access to the conceptual scheme area. Cell 1 is accessed via Logistics Parkway, via Township Road 250. The proposed industrial development would be serviced via an internal road network. It should be noted that Policy 4.3.1.2 of the Conceptual Scheme requires that the road layout be finalized at the subdivision stage. As the final configuration and end use of the site is not yet known, this requirement should be deferred at this time, and the specific design and alignment of internal roads should be established at the future subdivision or development permit stage.

The traffic impacts of the proposed development would require further analysis from the Applicant, and an updated Transportation Impact Assessment would be required at the future subdivision and/or development permit stages once the end-use of the site is known.



The Conceptual Scheme calls for a road dedication of 3 metres of land along the southern boundary of the site to achieve a 36 metre road right-of-way. The need for a 36 metre road right-of-way at this location is also identified in the Long Range Transportation Network of the current Transportation Offsite Levy (TOL) Bylaw (C-7356-2014). Administration notes that the Conrich Area Network Study (prepared in support of the Conrich ASP) identifies Township Road 250 adjacent to the subject lands as ultimately requiring a 50 metre road right-of-way. At this time, Administration recommends that a 3 metre road dedication be taken in accordance with the requirements of the Conceptual Scheme and current TOL Bylaw. This is consistent with the road dedication that was taken for the CN South Customer Warehouse Lands immediately west of subject lands. When the Conrich Station area further develops and the need for a 50 metre right-of-way is triggered, the County could dedicate portions of the linear MR as road allowance. Another option that could be explored by the County at that time is designing Township Road 250 with an urban road cross section with storm sewers, which would eliminate the need for wide ditches and would reduce the road right-of-way required.

Transportation requirements at this time include:

- Dedicating 3 metres of land along the southern border of the subject lands for road dedication;
- Entering into a road acquisition agreement to allow the County to purchase a 30 metre-wide portion of the subject lands adjacent to the existing gas pipeline utility right-of-way, along the northern boundary, for public road allowance to secure future access to the irrigation area when it is redeveloped to an industrial use. Once the site develops, if the internal road network provides access to the irrigation area, this road acquisition would not be required, and the agreement could be discharged from title;
- Constructing the maintenance vehicle access road to the public utility lot and irrigation area, and providing a 6 metre wide access right-of-way;
- Providing payment of the Transportation Offsite Levy in place at the time of Subdivision approval.

#### *Transportation Offsite Levy*

Payment of the Transportation Offsite Levy in accordance with Bylaw C-7356-2014 is required. As a condition of subdivision, the Applicant would be required to provide payment of the Transportation Offsite Levy in accordance with applicable levy at time of Subdivision and/or Development Permit approval for the total gross acreage of the lands proposed to be developed or subdivided. Specifically, the fees are as follows:

- Base Levy = \$4595/acre. Special Area 2 = \$5833/acre. Acreage = 131.46 acres.  
Estimated TOL payment = (\$10,428/acre)\*(131.46 acres) = \$1,370,865.

Conditions: 3, 4, 5, 7

#### f) Water supply, sewage and solid waste disposal

Potable water servicing for Conrich station would be from the Graham Creek Water Treatment Plant and Raw Water Reservoir. Within the road right-of-way of Logistics Parkways, a service connection to the County's water distribution system is readily available for subject lands. The detailed design of the onsite water distribution infrastructure shall be completed at the future subdivision or development permit stage, as the final configuration of the site is not yet known. Conditions of approval related to water supply include the provision of a water demand assessment.

With regard to sewage disposal, the Applicant proposes a low pressure collection system that would tie-in to the existing gravity mains, which connect to the South Customer Warehouse Lands lift station, and the East Rocky View Wastewater Transmission main. The detailed design



of the on-site, low-pressure collection system would need to be completed at the future subdivision or development permit stage as the final configuration of the site is not yet known.

Conditions of approval related to wastewater servicing include: providing a wastewater generation assessment, entering into an amended Cost Contribution and Capacity Allocation Agreement, and entering into a Development Agreement for the construction of a sanitary sewer main extension to secure a wastewater service connection for the subject lands. Policy 5.8.1 of the Conrich Station Conceptual Scheme requires that a qualified waste management provider be contracted by the developer and/or a Business Lot Owner's Association to provide solid waste management services within the plan area. As such, the Applicant would be required to manage solid waste as outlined by the Conrich ASP as well as the Conrich Station Conceptual Scheme.

Conditions: 3, 13, 14, 22, 24

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

The land use in the vicinity of the subject land is generally primarily Ranch and Farm with larger lots (160 acres) and scattered Farmsteads. The proximity to the hamlet of Conrich results in extensive residential use to the southwest. Additionally, due to the proximity of the CN logistics facility, industrial use exists to the east along the railway lines, and the Conrich Station Conceptual Scheme, of which this application forms a part, is anticipating future industrial development in the remainder of the Section 3 and part of the Section 10. The subdivision proposes an application consistent with existing land uses and parcel sizes in the area.

Conditions: None

h) Other matters

Municipal Reserves – Municipal Reserves outstanding comprise 10% of the subject land. Municipal Reserves would be required for a minimum ten foot linear width fronting Township Road 250 and would require a landscape plan and the inclusion of an asphalt regional pathway within the Municipal Reserve. The regional pathway should also tie-in directly to Public Utility Lot pond maintenance service road, which would serve a secondary use as a trail. The remainder of reserves not met shall be provided through cash in lieu.

- Lots 1, 2, and 3: 129.56 acres X 10% = 12.96 acres owing to be provide by cash in lieu (approximate calculation \$583,200.00, final amount to be determined by plan of survey), in accordance with the Appraisal Report prepared by Weleschuk Associates Ltd., file 17-2161, dated October 20, 2017, in the amount of \$45,000.00 per acre.

Conditions: 17, 18, 19, 20, 21

## POLICY CONSIDERATIONS:

### ***Conrich Area Structure Plan***

The subject lands are identified as Industrial and Direct Control District 156 within the Conrich Area Structure Plan (ASP). The Conrich ASP is supportive of industrial development in this area in order to provide growth of local and regional employment opportunities and to provide financial sustainability by increasing the County's business assessment base. The ASP states that a local plan shall be required to support applications for industrial development (Policy 11.6). The subject lands are identified within the first phase of development within the ASP (Map 13), and are located within the Conrich Station Conceptual Scheme.

The Conrich ASP identifies that a future Fire Station may potentially be located on the subject lands, pursuant to Policy 21.2. The location on the Cell 1 lands was chosen for its proximity to major



transportation routes and its separation from residential parcels. After extensive internal discussions between Fire Services and Administration, it was determined that the CN site is not ideally located for a Fire Station, and as such, the County will not seek to acquire lands on this application.

### ***Conrich Station Conceptual Scheme***

The Conrich Station Conceptual Scheme provides policy and future subdivision direction for a business and industrial development within a  $\pm 286.47$  hectare ( $\pm 707.88$  acre) area located in the vicinity of the hamlet of Conrich, adjacent to the Canadian National Railway Calgary Logistics Park facility. The Conceptual Scheme provides details regarding the internal infrastructure considerations for parcels concerning both potable and wastewater servicing as development occurs. Stormwater management was assessed in accordance with the Shepard Regional Drainage Plan and Cooperative Stormwater Management Initiative, both of which require that all post-development runoff be retained within the plan area until a regional conveyance route is realized.

Within the conceptual scheme, Cell 1 (the subject lands) is intended to support industrial development (comprehensive warehouse business park development) and stormwater infrastructure. The subdivision proposal is for the west cell of Cell 1 and is proposed to contain approximately 103 acres of industrial development, 12 acres of irrigation area, and approximately 16 acres dedicated to a stormwater management pond with an internal road network and linear Municipal Reserve dedications. The subdivision proposal meets the purpose and intent of the Conrich Station Conceptual Scheme.

### ***Land Use Bylaw***

The Conrich ASP identifies the subject lands as industrial and suggests the following uses to be suitable for industrial development: distribution logistics, warehousing, transportation, industrial services, construction, manufacturing, and industrial storage that do not have significant offsite nuisance factors. Industrial – Industrial Activity District does have discretionary uses listed that may cause off-site nuisance factors, such as General Industry Type II & III, Compost Facility Types I & II. However, at the development permit application stage, the application would be considered against the Conrich ASP, and uses such as these, which are expected to cause nuisance factors off-site, would not be permitted.

The proposed project also includes a 16 acre stormwater pond to be designated as Public Services District and dedicated as a Public Utility Lot (PUL). The irrigation area is proposed to be approximately 12 acres, and a Direct Control District designation is in place for this purpose. The Direct Control District is intended to be for stormwater spray irrigation only and is an interim land use until a regional stormwater solution is in place. Once a regional solution is in place, the lands can then be redesignated to an Industrial use, which is in line with the approved Conrich Station Conceptual Scheme. The uses proposed within the Direct Control District are Agricultural, General, Accessory Buildings, Commercial Communications Facilities (Type A, B, C), and Utilities.

### ***Direct Control District 156***

The Direct Control District is for private green space used for irrigation in concert with the stormwater pond on Lot 3.

The Direct Control District is intended to be for stormwater spray irrigation only, and is an interim land use until a regional stormwater solution is in place. Once a regional solution is in place, the lands can be redesignated to an Industrial use, which is in line with the approved Conrich Station Conceptual Scheme. The allowed uses within the Direct Control District are Agricultural, General, Accessory Buildings, Commercial Communications Facilities (Type A, B, C), and Utilities, which provides narrow options for the site during irrigation use and potentially after this requirement is no longer necessary.

Pending submission of required documents, which are detailed as conditions of approval related to site servicing, landscaping, construction etc., the proposed subdivision aligns with the Direct Control District requirements.





## CONCLUSION:

The application proposes to subdivide a portion of an existing industrial parcel for eventual development as a warehousing/logistics facility. This is supported by the Conrich ASP, the Conrich Station Conceptual Scheme, the Land Use Bylaw, and the County Plan.

Extensive conditions relating to provision of services are included, and they meet required policies and servicing needs. Administration evaluated the application and determined that:

- The land use redesignation meets the intended land use as per the Conrich Area Structure Plan;
- The application meets the purpose and intent of the Conrich Station Conceptual Scheme;
- The proposed on-site stormwater pond meets the technical requirements regarding requirements for the interim zero discharge condition; and
- The application meets County Policy objectives for the development of the Conrich area into a regional business centre and supports the County's fiscal goals.

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

## OPTIONS:

Option #1: THAT Subdivision Application PL20170168 be approved with the conditions noted in Appendix A

Option #2: THAT Subdivision Application PL20170168 be refused per the reasons noted.

Respectfully submitted,

Concurrence,

"Chris O'Hara"

"Kent Robinson"

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General Manager

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Interim County Manager

ON/rp

APPENDIX 'A': Approval Conditions  
APPENDIX 'B': Application Referrals  
APPENDIX 'C': Map Set



**APPENDIX A: APPROVAL CONDITIONS**

- A. That the application to create four parcels composed of a  $\pm 40.56$  hectare ( $\pm 103.21$  acre) industrial parcel (Lot 1), a  $\pm 4.94$  hectare ( $\pm 12.21$  acre) stormwater irrigation parcel (Lot 2), and a  $\pm 6.49$  hectare ( $\pm 16.04$  acre) public utility lot (Lot 3) within SW-03-25-28-W04M has 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, it is recommended that the application be approved as per the Tentative Plan for the reasons listed below:
- The application is consistent with the Conrich Area Structure Plan;
  - The application is consistent with the Conrich Station Conceptual Scheme;
  - The application is consistent with the Land Use Bylaw;
  - The application is consistent with Direct Control District 156;
  - The subject lands hold the appropriate land use designation; and
  - 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:

**Plan of Subdivision**

- 1) Subdivision to be effected by a Plan of Survey, pursuant to Section 657 of the *Municipal Government Act*, or such other means satisfactory to the Registrar of the South Alberta Land Titles District.
- 2) The Owner is to dedicate, by Plan of Survey, a 3 m wide portion of land for road widening along the entire southern border of the subject lands;

**Development Agreement**

- 3) The Owner is to enter into a Development Agreement for provision of the following infrastructure and improvements (further details are provided in the various sections below):
  - a) Construction and implementation of stormwater management facilities, including, but not limited to, storage facilities and forebay, overland drainage swales, an emergency overland conveyance route, and an irrigation disposal system, in accordance with the recommendations of the approved Stormwater Management Plan, and the registration of any overland drainage easements and/or restrictive covenants, as determined by the Stormwater Management Plan, all to the satisfaction of AEP and the County;
  - b) Construction of the maintenance vehicle access road;



- c) Construction of a sanitary sewer main extension, to secure a wastewater service connection for the subject lands;
- d) Implementation of the recommendations of the approved Construction Management Plan;
- e) Implementation of the site grading plan in accordance with the recommendations of the approved Geotechnical Report;
- f) Construction of a 2.5 metre wide asphalt regional pathway within the Municipal Reserve.

#### Transportation and Access

- 4) The Owner is to enter into a Road Acquisition Agreement with the County, to be registered by caveat on the title of Lot1, to serve as notice that those lands are intended for future development as a County road as per the approved Tentative Plan. The Agreement shall include:
  - a) The provision of a 30 metre wide portion of the proposed Lot 1, parallel and adjacent to the Atco Pipeline Utility Right-of-Way 0113344 (instrument 011356739), which runs along the northern boundary of the Lot 1.
- 5) The Owner is to enter into an Access Easement Agreement with the County to provide a 6 m wide access right-of-way for the maintenance vehicle access road to the Public Utility Lot and irrigation area, as per the approved Tentative Plan, which shall include:
  - a) Registration of the applicable access right-of-way plan.

#### Payments and Levies

- 6) The Owner shall pay the County subdivision endorsement fee, in accordance with the Master Rates Bylaw, for the creation of three new Lot(s);
- 7) The Owner shall pay the 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.
- 8) The Owner shall pay the Stormwater Off-Site Levy in accordance with Bylaw C-7535-2015 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.

#### Stormwater / Developability

- 9) The Owner is to provide and implement a Stormwater Management Plan that meets the requirements outlined in the County Servicing Standards. Implementation of the Stormwater Management Plan shall include:
  - a) Provision of the necessary approvals and compensation to Alberta Environment and Parks for wetland loss and mitigation;
  - b) Provision of the necessary Alberta Environment and Parks registration documentation and approvals for the stormwater infrastructure system;
  - c) For the interim, the stormwater system shall be designed to retain 100% of the surface runoff generated within the subject lands until such time that a discharge to SRDP or CSMI is secured. The Stormwater Management Plan shall include details for the outlet control structure to allow for future discharge;
  - d) Detailed design of the stormwater pond and forebay;
  - e) Detailed design of the emergency overland conveyance route to the CN stormwater pond on the South Customer Warehouse Lands;
  - f) Detailed design of the drainage swale along the Altalink URW;



- g) Detailed design of the irrigation system;
  - h) All necessary engineered drawings;
  - i) Stormwater management facilities shall be located on Public Utility Lots;
  - j) Identification of any required overland drainage easements and/or utility rights-of-way;
  - k) Identification of private landscaped easement areas; and
  - l) The Stormwater Management Plan shall follow the concepts and recommendations laid out in the Conrich Station Phase 1 – Staged Master Drainage Plan (Westhoff Engineering Resources, Inc. – May 31, 2016), the Sub Catchment Master Drainage Plan for Conrich Station (Westhoff Engineering Resources, Inc. – December 9, 2013), the Conrich ASP, and the Conrich MDP.
- 10) The Owner shall provide an irrigation plan, to be registered on title by caveat, for each lot proposed to be subdivided. The irrigation plan shall specify that each lot shall have 10% of landscaped area for irrigation purposes.
- 11) The Owner shall provide, for implementation and registration, any overland drainage easements and/or utility rights-of-way and/or restrictive covenants as determined by the Stormwater Management Plan and Irrigation Plan, all to the satisfaction of Alberta Environment and the County
- 12) The Owner shall be required to submit a Wetland Impact Assessment in accordance with the County Servicing Standards and Conrich Station Conceptual Scheme.

#### Site Servicing

- 13) The Owner shall provide an assessment of water demand and wastewater generation, which shall give consideration to the Preliminary Engineering Report (Sedulous Engineering Inc. - December 2016) and shall:
- a) Determine the wastewater capacities to be reallocated from the North or South Customer Warehouse Lands to the subject lands; and
  - b) Confirm that the water demands align with the current capacity allocated to the subject lands (under the August 30, 2011 Cost Contribution and Capacity Allocation Agreement).
- 14) The Owner shall enter into an amended Cost Contribution and Capacity Allocation (CC&CA) Agreement in order to reallocate the previously purchased wastewater capacity from the North or South Customer Warehouse Lands to the subject lands.
- 15) Utility Easements, Agreements, and Plans are to be provided and registered (concurrent with a plan of survey or prior to registration) for:
- a) Telus;
  - b) ATCO Gas; and
  - c) ATCO Pipelines
- 16) The Owner is responsible for implementation of a Franchise Utility Servicing Plan, satisfactory to the County, that reflects the operational details of stormwater management and irrigation infrastructure in accordance with the Development Agreement, including without restriction:
- a) Ownership of the stormwater management and irrigation infrastructure, and related facilities;
  - b) Operation / Maintenance of the stormwater management and irrigation infrastructure, and related facilities;



- c) A Franchise Agreement, satisfactory to the County, including, without restriction, stipulation of service levels and operational requirements to be maintained by the franchised utility provider;
- d) Franchised utility provider, satisfactory to the County.

### Municipal Reserves

#### Reserve Land Dedication

- 17) The provision of Reserve is to be provided by the dedication of Lot 4 MR, (a minimum of 10 metres in width fronting Township Road 250, outside of lands identified for future road widening, and outside of utility line assignments/easements/right(s)-of-way, 1.9 acres), being 1.47 % Reserve land dedication owing, to be determined by a Plan of Survey, in respect to parent parcel roll no. 05303002 as indicated on the Approved Tentative Plan.
  - a)  $\pm 8.53$  % Municipal Reserve dedication outstanding on parent parcel roll no. 05303002 is to be deferred by Caveat to (**List legal reference of parcel where reserves are being deferred to**), pursuant to Section 669 of the *Municipal Government Act*;
- 18) The Owner shall provide a 2.5 metre wide asphalt regional pathway within the Municipal Reserve, to ensure continuity with the existing pathway alignment west of the subdivision. The regional pathway shall tie directly in to the PUL stormwater pond maintenance access road, serving a secondary use as a trail until such time that direct access to the Municipal Reserve and pathway is achieved. The path should be located 0.5 metres adjacent from the northern extent of the Municipal Reserve property line.
- 19) The Owner shall provide County approved signage to be installed at the terminus of the pathway indicating "end of pathway" or similar messaging.
- 20) The provision of Reserve for the remainder of the required 10%, 8.53% totaling 11.06 acres of the area of Lots 1, 2, and 3, 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<sup>2</sup>, pursuant to Section 666(3) of the *Municipal Government Act*.
- 21) The Owner shall provide a Landscaping & Public Amenities Plan to detail the anticipated public improvements, including expectations for use and maintenance responsibilities.

### Association Information

- 22) The Owner shall legally establish a Lot Owner's Association (LOA), and an encumbrance or instrument shall be concurrently registered against the title of each new lot created, requiring that each individual Lot Owner is a member of the Lot Owners' Association;
  - a) The LOA agreement shall specify the future maintenance and operation obligations of the Lot Owner's Association for on-site pathways and community landscaping, solid waste collection, and stormwater infrastructure located on private and public lands.

### Architectural Controls

- 23) The 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: the architectural theme, parking and loading expectations, fencing and screening considerations, signage and lighting elements, etc.

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<sup>2</sup> Weleschuk Associates Ltd., file 17-2161, dated October 20, 2017



### Solid Waste Management Plan

- 24) The Owner is to prepare a Solid Waste Management Plan that will outline the responsibility of the Developer and/or Lot Owner's Association for management of solid waste.

### Cost Recovery

- 25) The County will enter into a Conceptual Scheme Cost Recovery Agreement with the Owner to determine the proportionate recovery of conceptual scheme money spent by the Owner to prepare the conceptual scheme that will consequently provide benefit to other lands.

### Site Construction

- 26) The Owner is to provide a Construction Management Plan that is to include, but not be limited to, noise, sedimentation and erosion control, construction waste management, firefighting procedures, evacuation plan, hazardous material containment, construction, and management details. Other specific requirements include:
- a) Weed management during the construction phases of the project;
  - b) An Erosion and Sedimentation Control Plan; and
  - c) Implementation of the Construction Management Plan recommendations, which will be ensured through the Development Agreement;
- 27) The Owner shall submit an update to the Geotechnical Report (McIntosh Lalani Engineering Ltd. – September, 2015), in accordance with the County Servicing Standards and the recommendations for the Geotechnical Investigations Report (McIntosh Lalani Engineering Ltd. – September, 2015). The updated report shall include:
- a) Road pavement structure requirements based on site CBR testing results, in accordance with the County Servicing Standards;
  - b) Recommendations for stormwater pond construction based on the suitability of native soils for use as clay liner, and effects of groundwater on stormwater pond construction; and
  - c) Updated water table measurements and considerations for groundwater effects on stormwater ponds.
- 28) The Owner shall submit a deep fill report, if any areas of fill are greater than 1.2 metres in depth.
- 29) The Owner shall submit a site grading plan, which shall be in accordance with the recommendations of the geotechnical report submitted.

### Landscaping

- 30) The Owner shall submit a Landscaping Plan for the Municipal Reserve lands.

### Taxes

- 31) 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*;

### Subdivision Authority Direction

- 32) Prior to final endorsement of the Subdivision, Administration is directed to present the Owner with a Voluntary Recreation Contribution Form and to inquire 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>
<i>School Authority</i>	
Rocky View Schools	No objection to this circulation.
Calgary Catholic School District	No objection to the above-noted circulation (PL20170168) located in an industrial area of Conrich. As per the circulation, Municipal Reserves are being provided as land and/or cash-in-lieu.
Public Francophone Education	No response.
Catholic Francophone Education	No response.
<i>Province of Alberta</i>	
Alberta Environment	No response.
Alberta Transportation	Not required for circulation.
Alberta Sustainable Development (Public Lands)	Not required for circulation.
Alberta Culture and Community Spirit (Historical Resources)	No response.
Alberta Energy Resources Conservation Board	No response.
Alberta Health Services	<p>Thank you for inviting our comments on the above-referenced application. Alberta Health Services (AHS) understands that this application proposes to create four parcels: a <math>\pm</math> 40.56 hectare (<math>\pm</math> 100.21 acre) industrial parcel (Lot 1); a <math>\pm</math> 4.94 hectare (<math>\pm</math> 12.21 acre) storm water irrigation parcel (Lot 2); a <math>\pm</math> 0.77 hectare (<math>\pm</math> 1.90 acre) municipal reserve parcel (Lot 3) and a <math>\pm</math> 6.49 hectare (<math>\pm</math> 16.04 acre) public utility lot (Parcel 4).</p> <p>Based on the information provided in this and previous related applications, AHS provides the following comments for your consideration:</p> <ol style="list-style-type: none"> <li>1. AHS supports the regionalization of water and wastewater utilities, and in particular supports connection to existing</li> </ol>



AGENCY	COMMENTS
	<p>Alberta Environment and Parks approved municipal or regional drinking water and wastewater systems. It is our understanding that potable water will be supplied via connection to Rocky View Water Coop Ltd., and wastewater services will be provided by connection to the East Rocky View Wastewater Transmission Line. AHS would appreciate being notified if any changes are made to this plan.</p> <p>2. AHS understands that currently there are existing residential land uses in proximity to the proposed industrial area, as well as a small section of undeveloped land adjacent to the proposed industrial area that is designated as Residential Three District. The Conrich Station Conceptual Scheme states that “Industrial uses such as distribution logistics, warehousing, transportation, industrial services, construction, and manufacturing that do not have significant offsite nuisance factors are appropriate within the industrial area”.</p> <p>AHS would appreciate receiving information on the proposed industrial land uses as they become available in the future. Past experience has shown that many light industrial uses have the potential for negatively impacting public health (e.g. auto body shop, manufacturing, etc. that may produce emissions, dust, noise, etc.) due to potential incompatible land uses. For this reason, we wish to have an opportunity to participate in reviewing future specific commercial/industrial land use or development applications on the subject property.</p> <p>3. The Conrich Station Conceptual Scheme indicates that “no school, recreation, cultural, or community uses (as per the County’s Recreation and Culture Master Plan) are anticipated under this Local Plan”. However, if any sensitive land uses (e.g. residential, schools, daycares, etc.) are considered, we recommend that at a minimum a Phase I Environmental Site Assessment be a requirement for the land use application. AHS would like an opportunity to review and comment on Environmental Site Assessment Reports as this information becomes available, allowing for the evaluation of any potential environmental concerns related to past or present land use of the property and surrounding area.</p> <p>4. Throughout all phases of development and operation, 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</i></p>

AGENCY	COMMENTS
	<p><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></p> <p>Please call (403) 912-8459 or e-mail <a href="mailto:carol.brittain@ahs.ca">carol.brittain@ahs.ca</a> if you have any questions.</p>
<i>Public Utility</i>	
ATCO Gas	<p>ATCO Gas has no existing Utility Right-of-Way on the subject property, or the existing Utility Right-of-Way is not sufficient for subdivision servicing. The landowner(s) is required to contact the ATCO Gas land agent listed below to execute a Utility Right-of-Way to the satisfaction of ATCO Gas. Once the Utility Right of Way has been registered at the Alberta Land Titles Office we will notify the municipality of the same. Contact Byron Thorburn at 403-245-7510.</p>
ATCO Pipelines	<p>The Engineering Department of ATCO Pipelines (A division of ATCO Gas and Pipelines Ltd.) has reviewed the above named plan and has no objections subject to the following conditions:</p> <ol style="list-style-type: none"> <li>1) Any existing land rights shall be carried forward in kind and registered on any newly created lots, public utility lots, or other properties.</li> <li>2) Ground disturbances and surface works within 30 meters require prior written approval from ATCO Pipelines before commencing any work.               <ol style="list-style-type: none"> <li>a. Municipal circulation file number must be referenced; proposed works must be compliant with ATCO Pipelines' requirements as set forth in the company's conditional approval letter.</li> <li>b. Contact ATCO Pipelines' Land Department at 1-888-420-3464 for more information.</li> </ol> </li> <li>3) Road crossings are subject to Engineering review and approval.               <ol style="list-style-type: none"> <li>a. Road crossing(s) must be paved and cross at a perpendicular angle.</li> <li>b. Parallel roads are not permitted within ATCO Pipelines' right(s)-of-way.</li> <li>c. If the road crossing(s) requires a pipeline alteration, the cost will be borne by the developer/owner and can take up to 18 months to complete.</li> </ol> </li> </ol>

AGENCY	COMMENTS
	<p>4) Parking and/or storage is not permitted on ATCO Pipelines' pipeline(s) and/or right(s)-of-way.</p> <p>5) ATCO Pipelines recommends a minimum 15 meter setback from the centerline of the pipeline(s) to any buildings.</p> <p>6) Any changes to grading that alter drainage affecting ATCO Pipelines' right-of-way of facilities must be adequate to allow for ongoing access and maintenance activities.</p> <p>a. If alterations are required, the cost will be borne by the developer/owner.</p> <p>7) Any revisions or amendments to the proposed plan(s) must be recirculated to ATCO Pipelines for further review.</p> <p>If you have any questions or concerns, please contact the undersigned (Isabel Solis-Jarek) at 780.420.3896 or email <a href="mailto:Isabel.solis@atco.com">Isabel.solis@atco.com</a>.</p>
AltaLink	No response.
FortisAlberta	FortisAlberta Inc. has no requirement for this subdivision.
Telus Communications	<p>We understand that application has been made for a proposed subdivision/ over the abovementioned land.</p> <p>TELUS will require an easement/right of way to service &amp;/or protect our facilities on the abovementioned land and we will be forwarding our URW documents the land owner.</p> <p>We ask that you place our requirement for a Utility Right of Way under the Conditions of Approval for this proposed development.</p> <p>If you have any questions or concerns, please contact us at the following:</p> <p><b>TELUS Communications Inc.</b> <b>Real Estate Dept.</b> <b>Flt. 1, 2912 Memorial Drive</b> <b>Calgary, AB T2A 6R1</b></p> <p>Any relocation or rearrangement costs will be 100% by the owner/developer.</p>

AGENCY	COMMENTS
	TELUS approval and release of conditions will be granted upon receipt of confirmation of agreement registration and/or payment for relocation of facilities.
Direct Energy	Not circulated.
TransAlta	No response.
Calgary Airport Authority	Not required for circulation.
<i>Adjacent Municipality</i>	
The 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 # PL20170168 (re-circulation) – To create four parcels composed of a ± 40.56 hectare (±100.21 acre) industrial parcel (Lot 1); a ± 4.94 hectare (±12.21 acre) stormwater irrigation parcel (Lot 2); a ± 0.77 hectare (±1.90 acre) municipal reserve parcel (Lot 3); a ± 6.49 hectare (±16.04 acre) public utility lot (Lot 4).</p>
Town of Chestermere	No response.
<i>Other External Agencies</i>	
EnCana Corporation	No response.
CN Railway	No response.
Enmax	Not required for circulation.
Nexen Oil & Gas Division	<p>Further to your letter of October 31, 2017, Nexen Energy ULC (“Nexen”) has no objections or concerns with respect to the subdivision of the lands. Nexen does not have any operating or abandoned facilities on the lands proposed for subdivision.</p> <p>Nexen has a lease for a wellsite and access road within NW 3-25-28 W4M. The wellsite contains two abandoned wellbores. We are in the process of remediation and reclamation of the leased area. Reclamation must include the removal of the access road running adjacent to SW 3-25-28 W4M in compliance with the Oil</p>

AGENCY	COMMENTS
	<p>and Gas Conservation Act. The Traffic Impact Assessment for the subdivision of SW 3-25-28 W4M should not proposed the use of Nexen's road within NW 3-25-28 W4M unless Nexen is contacted and provided with a waiver of reclamation requirements by the landowner of NW 3-25-28 W4M. We have enclosed a copy of the survey plan showing the locating of the access road.</p> <p>Please contact Troy Cameron at 403-699-5189 for any questions or concerns that you may have with respect to the above.</p>
Ducks Unlimited	No response.
Canada Post	No response.
<i>Rocky View County</i>	
<i>Boards and Committees</i>	
Agricultural Service Board Farm Members and Agricultural Fieldmen	Not required for circulation.
Chestermere-Conrich Recreation Board	The Chestermere-Conrich Recreation Board recommends taking MR.
<i>Internal Departments</i>	
Municipal Lands	<p>The Municipal Lands office has reviewed the application and offer the following comments:</p> <p>With regard to the Conrich Area Structure Plan and the Conrich Station Conceptual Scheme:</p> <p><b>Municipal Reserve</b> (C-ASP Policies 18.1 – 18.4); (C-ASP Policies 20.1 – 20.10)</p> <ul style="list-style-type: none"> <li>• Recommend the dedication of a linear Municipal Reserve, shall be no less than 10 metres in width fronting TWP RD 250, outside of lands identified for future road widening and outside of utility line assignments/easements/ROW.</li> <li>• Any improvements made to the Municipal Reserve shall be subject to the approval of a landscape plan as dictated by an applicable Development Agreement pertaining to this stage and phase of development.</li> </ul>

AGENCY	COMMENTS
	<p><b>Regional Pathway</b> (C-ASP Policies 18.5 - 18.11)</p> <ul style="list-style-type: none"> <li>Recommend inclusion of an asphalt regional pathway within the Municipal Reserve, no less than 2.5 metres in width to ensure continuity with existing pathway alignment, west of the application area.</li> <li>Recommend provision for regional pathway to tie directly into PUL pond maintenance service road, serving a secondary use as a trail, in turn providing a passive recreational opportunity.</li> <li><i>Provision for pathway and MR maintenance and operational access via the stormwater management pond maintenance road is required until such time direct access to the MR and pathway is achieved.</i></li> <li><i>County approved signage to be installed at terminus of pathway indicating “end of pathway” or similar messaging.</i></li> <li><i>Pathway alignment is recommended to be located 0.5 metres adjacent from the northern extent of the MR property line to ensure any future road widening project will not affect the constructed pathway alignment.</i></li> </ul> <p><b>Cash in Lieu</b></p> <ul style="list-style-type: none"> <li>Balance of reserve lands left owing after dedication shall be provided through cash in lieu.</li> </ul>
Development Authority	No response.
GeoGraphics	No response.
Emergency Services	<ol style="list-style-type: none"> <li>Please ensure that water supplies and hydrants are sufficient for firefighting purposes. Please contact the Fire Service to propose a design for a private hydrant systems if it is required.</li> <li>Dependent on the occupancies, the Fire Service recommends that the buildings be sprinklered, if applicable, as per the Alberta Building Code.</li> <li>Please ensure that access routes are compliant to the designs specified in the Alberta Building Code and the Rocky View County Servicing Standards.</li> <li>Please ensure that there is adequate access throughout all phases of development and that the access complies with the requirements of the Alberta Building Code &amp; NFPA 1141.</li> </ol>
	There are no further comments at this time.



AGENCY	COMMENTS
Enforcement	No enforcement-related concerns regarding this application.
Infrastructure and Operations - Engineering Services	<p><b>General</b></p> <ul style="list-style-type: none"> <li>• The applicant will be responsible for all required payments of 3<sup>rd</sup> party reviews and/or inspections as per the Master Rates Bylaw, based on the County's discretion;</li> <li>• The applicant has indicated that their intention with this application is to subdivide the parcels, construct the Stormwater Management Infrastructure and rough grade the site once Alberta Environment Approvals are obtained, while deferring road and onsite utility construction to future development stage. The applicant will market the industrial portion of the lands, which may be sold to a single buyer or multiple buyers. If there is a single buyer, RVC will manage future development of the site through the Development Permit process. If there are multiple buyers, the site will be further subdivided and development will be managed through conditions of subdivision endorsement;</li> <li>• As a condition of subdivision, the applicant is required to submit a Construction Management Plan and Erosion and Sedimentation Control plan, in accordance with the requirements of the County Servicing Standards;</li> <li>• As a condition of subdivision, the applicant shall submit a Landscaping Plan for the Municipal Reserve lands.</li> </ul> <p><b>Geotechnical</b> - Section 300.0 requirements:</p> <ul style="list-style-type: none"> <li>• The applicant submitted a Geotechnical Investigations Report (McIntosh Lalani Engineering Ltd. – September, 2015) with the previous Land Use application (PL20170088);</li> <li>• The report recommends a site evaluation upon stripping to confirm that the soils are suitable to support roadways and deep utilities;</li> <li>• The report states that all commercial and industrial structures will require site-specific geotechnical evaluations;</li> <li>• The most recent groundwater measurements in the report are from August 13, 2015;</li> <li>• As a condition of subdivision, the applicant shall submit an update to the Geotechnical Report (McIntosh Lalani Engineering Ltd. – September, 2015), in accordance with the County Servicing Standards and the recommendations of the Geotechnical Investigations Report (McIntosh Lalani Engineering Ltd. – September, 2015). The updated report shall include (CS 2.11.1): <ul style="list-style-type: none"> <li>○ Road pavement structure requirements based on site CBR testing results (CS 4.3.2.3), in accordance with the County Servicing Standards;</li> </ul> </li> </ul>

AGENCY	COMMENTS
	<ul style="list-style-type: none"> <li>○ Recommendations for stormwater pond construction based on the suitability of native soils for use as clay liner, and effects of groundwater on stormwater pond construction;</li> <li>○ Updated water table measurements, and considerations for groundwater effects stormwater ponds.</li> <li>• As a condition of subdivision, the applicant shall to submit a deep fill report, if any areas of fill are greater than 1.2 metres depth;</li> <li>• As a condition of subdivision, the applicant shall submit a site grading plan, which shall be in accordance with the recommendations of the geotechnical report submitted.</li> </ul> <p><b>Transportation</b> - Section 400.0 requirements:</p> <ul style="list-style-type: none"> <li>• The applicant submitted a Transportation Impact Assessment for Cell 1 West (Bunt &amp; Associates - December 7, 2016) with the previous Land Use application PL20170088. The TIA concludes the following: <ul style="list-style-type: none"> <li>○ Opening day is considered Cell 1 West only, with 95 acres of industrial area developed;</li> <li>○ Cell 1 West is expected to generate 130 AM, and 136 PM peak hour trips;</li> <li>○ Highway 1 &amp; Range Road 285 operation conditions will not appreciably change as a result of this traffic;</li> <li>○ All other study area intersections will continue operating at acceptable capacity parameters;</li> <li>○ Current roadway standards will be able to handle the opening day traffic volumes; therefore no upgrades are required at this point.</li> </ul> </li> <li>• The site shall be accessed from Logistics Parkway via Township Road 250;</li> <li>• As a condition of future subdivision and/or development permit, the applicant shall submit an updated Transportation Impact Assessment. Applications to develop future cells of Conrich Station will require TIAs to determine the incremental impacts of development traffic (CS 4.2.2, ASP 22.1);</li> <li>• As a condition of subdivision, the applicant shall provide road dedication of a 3 metre wide strip of land along the entire southern border of the subject lands (CS 4.3.3.2). <ul style="list-style-type: none"> <li>○ Township Road 250 is identified as a Network A road in the TOL Bylaw, which requires 36m of ROW. Current ROW is 25m wide, with the subject lands having dedicated 5m of ROW in the past. Therefore an additional 3m of ROW is required to be dedicated from the subject lands. The additional future ROW will be acquired from the lands to the south of the subject lands</li> </ul> </li> </ul>

AGENCY	COMMENTS
	<p>(NW-34-24-28-W04M);</p> <ul style="list-style-type: none"> <li>○ It is noted that the Conrich Area Network Study (Watt Consulting Group – February 2015, prepared in support of the Conrich ASP) identifies Township Road 250 as ultimately requiring a 50 metre ROW adjacent to the subject lands. Although this ROW requirement is greater than that identified in the Conrich Station Conceptual Scheme and the current LRTN of the TOL Bylaw (C-7356-2014), at this time the County will seek to acquire lands to attain a 36 metre ROW.</li> <li>○ Immediately west of the subject lands are the CN SCWL, which at the time of subdivision provided road dedication to realize a 36 metre ROW. The SCWL have a 25 metre linear MR along TWP RD 250, and Cell 1W will dedicate a 10 metre linear MR along TWP RD 250 as a condition of subdivision. As development in the area progresses and the need for a 50 metre ROW is triggered, an additional 7 metres of road ROW will be required on the north of TWP RD 250. The County may realize this additional ROW by dedicating portions of the MR land as road allowance. Although this would result in 7 metres being lost from the 10 metre linear MR on Cell 1W, a pathway could still be accommodated as the rural road cross section of TWP RD 250 will have ditches about 8 metres wide, which can allow for pathway encroachment.</li> <li>○ Another option which can be explored by the County in the future is designing TWP RD 250 with an urban road cross section with storm sewers, which would eliminate the need for large ditches and reduce the road ROW required. This could reduce or possibly eliminate the need to dedicate portions of the MR as road ROW.</li> </ul> <ul style="list-style-type: none"> <li>• As a condition of subdivision, the applicant shall enter into a road acquisition agreement to allow the County to purchase for future public road allowance, a 30 metre wide portion of the proposed Lot 1, parallel and adjacent to the Atco Pipeline Utility Right-of-Way 0113344 (instrument 011356739), which runs along the northern boundary of the subject lands. This will secure future access to the irrigation area as it will eventually be developed to industrial use when it is no longer required for stormwater management. If future development of Lot 1 provides a road layout which provides access to the irrigation area (Lot 2), the road acquisition will not be required and the agreement can be discharged from title;</li> <li>• As a condition of subdivision, the applicant shall be required to provide a 6 metre wide access right-of-way to provide access to the Public Utility Lot and irrigation area, as</li> </ul>

AGENCY	COMMENTS
	<p>identified on the proposed plan of subdivision. The applicant shall also construct the maintenance vehicle access road under the development agreement, in accordance with the requirements of the County Servicing Standards;</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 and/or Development Permit approval, as amended, for the total gross acreage of the lands proposed to be developed or subdivided: <ul style="list-style-type: none"> <li>Base Levy = \$4595/acre. Special Area 2 = \$5833/acre. Acreage = 131.46 acres. Estimated TOL payment = (\$10,428/acre)*(131.46 acres) = \$1,370,865.</li> </ul> </li> <li>As a condition of future subdivision and/or development permit, the applicant may be required to enter into a Development Agreement with the County for the construction of the internal road network, including all related infrastructure in accordance with the requirements of the County's Servicing Standards. Sufficient Emergency Egress shall be provided from the internal subdivision roads. <ul style="list-style-type: none"> <li>In the event that there is a single buyer of the industrial lot, there may not be the need for an internal public roadway.</li> </ul> </li> </ul> <p><b>Sanitary/Wastewater</b> - Section 500.0 requirements:</p> <ul style="list-style-type: none"> <li>The applicant submitted a Preliminary Engineering Report (Sedulous Engineering Inc. - December 2016), which indicates that the applicant intends to provide wastewater servicing in the form of a low pressure collection system which will tie into the existing South Customer Warehouse Lands Lift Station. Wastewater capacity can be reallocated from the NCWL and/or SCWL to the subject lands: <ul style="list-style-type: none"> <li>As per the Conrich ASP, the entire Conrich Station CS lands fall within Sanitary Catchment Area 3 (SCA 3). Future servicing of SCA 3 is ultimately to be by gravity mains that lead to Lateral Lift Station (LS-3) in the southeast corner of Conrich Station Cell 1 East. LS-3 will tie into the ERVWWTM, and wastewater will be transported to the Langdon Wastewater Treatment Plant;</li> <li>Given Cell 1 West will likely develop in advance of LS-3 being funded, the preferred wastewater servicing scenario is to develop a low pressure collection system for Cell 1 West, which could tie into the existing gravity mains in the South Customer Warehouse Lands (SCWL) to the west, as there is spare capacity. From the gravity mains, the wastewater would be received by the SCWL Local Lift Station, which has an existing connection to</li> </ul> </li> </ul>

AGENCY	COMMENTS
	<p>the ERVWWTM. It should be noted that the County does not have an interest in operating the low pressure system. The remainder of the Conceptual Scheme area would be serviced by gravity mains to LS-3.</p> <ul style="list-style-type: none"> <li>• Included in the Preliminary Engineering Report (Sedulous Engineering Inc. - December 2016), is sanitary flow estimation. This is based on the known sanitary flows for similar industrial warehouses in the Balzac area, values from the Alberta Private Sewage System Standard of Practice, and the United States Energy Information Administration. The estimated wastewater generation of Cell 1 West is in the order of 45m<sup>3</sup>/day;</li> <li>• The existing SCWL Local Lift Station was designed to service approximately 100m<sup>3</sup>/day. The Cost Contribution and Capacity Allocation Agreement between RVC and CN has allocated 41.4m<sup>3</sup>/day of capacity to the SCWL (agreement as amended April 2017, as a condition of PL20160115). Therefore, there is 58.6m<sup>3</sup>/day excess capacity in the local lift station. This excess capacity at the SCWL Local Lift Station could service the 45m<sup>3</sup>/day wastewater flow form Cell 1 West. <ul style="list-style-type: none"> <li>○ At the current time, the Langdon Wastewater Treatment Plant (LWWTP) has been fully allocated and there is no additional capacity to service this subdivision until such time as the Stage 1A upgrades have been completed. Stage 1A upgrades to the LWWTP will result in about 1000m<sup>3</sup>/day of additional capacity. The funding for the upgrades has been approved by RVC Council and Alberta Environment approvals have been obtained.</li> </ul> </li> <li>• As a condition of subdivision, the applicant shall enter into an amended Cost Contribution and Capacity Allocation (CC&amp;CA) Agreement, in order to reallocate the previously purchased wastewater capacity from the North Customer Warehouse Lands (NCWL) and/or SCWL, to Cell 1 West lands. <ul style="list-style-type: none"> <li>○ The CC&amp;CA Agreement was amended under PL20160115. There is currently 58.6m<sup>3</sup>/day allocated to the NCWL and 41.4m<sup>3</sup>/day allocated to the SCWL.</li> <li>○ As the applicant is reallocating existing capacities, payment of the W&amp;WWOL Bylaw is not applicable.</li> </ul> </li> <li>• As a condition of subdivision, the applicant shall provide a wastewater generation assessment to determine the capacity to be reallocated to the subject lands. This assessment shall give consideration to the Preliminary Engineering Report (Sedulous Engineering Inc. - December 2016);</li> </ul>

AGENCY	COMMENTS
	<ul style="list-style-type: none"> <li>Currently, there is no wastewater service connection stub at the property line of the subject lands. There are two sanitary sewers available for extension to the subject lands: <ul style="list-style-type: none"> <li>A 300mm sanitary sewer, which terminates in the Logistics Drive right-of-way, approximately 315 metres west the subject lands.</li> <li>A 300mm diameter sanitary sewer, which terminates within a URW (in parcel Lot 10, Block 1, Plan 1412228), approximately 185 metres west of the subject lands.</li> </ul> </li> <li>As a condition of subdivision, the applicant the applicant shall enter into a Development Agreement for the construction of a sanitary sewer main extension, to secure a wastewater service connection for the subject lands.</li> <li>As a condition of future subdivision and/or development permit, the applicant shall submit a detailed wastewater servicing analysis, in accordance with the requirements of the County Servicing Standards Preliminary Engineering Report (Sedulous Engineering Inc. – December, 2016), which shall include: <ul style="list-style-type: none"> <li>Detailed design of low pressure wastewater collection system, including engineered drawings;</li> <li>Identification of any offsite infrastructure upgrade requirements;</li> <li>Outline methods of tie-in to the RVC municipal wastewater system, and the SCWL lift station.</li> </ul> </li> <li>As a condition of future subdivision and/or development permit, the applicant shall enter into a Development Agreement for the construction of the wastewater collection system. <ul style="list-style-type: none"> <li>Additional agreements may be required to establish the operation and maintenance responsibilities of this system.</li> </ul> </li> <li>As a condition of future subdivision and/or development permit, the applicant will be required to secure all necessary easements and ROWs for all proposed wastewater infrastructure.</li> </ul> <p><b>Water Supply And Waterworks - Section 600.0 &amp; 800.0 requirements:</b></p> <ul style="list-style-type: none"> <li>Potable water servicing for Conrich station will be from the Graham Creek Water Treatment Plant and Raw Water Reservoir;</li> <li>Water servicing for the CN Logistics Park has been secured in the amount of 500m<sup>3</sup>/day, in accordance with the August 30, 2011 Cost Contribution and Capacity Allocation</li> </ul>



AGENCY	COMMENTS
	<p>(CC&amp;CA) Agreement:</p> <ul style="list-style-type: none"> <li>○ Per the terms of the CC&amp;CA Agreement, for water servicing to the CN lands, the water has been allocated on a proportionate per acre basis to the parcels. An amendment to this agreement may be required if the water demands are not on a proportionate per acre basis. This can be determined at future subdivision and/or development permit stage.</li> <li>• As per the Preliminary Engineering Report (Sedulous Engineering Inc. – December, 2016), the expected potable water demands are calculated based on the estimated wastewater generation of 45m<sup>3</sup>/day and the assumption that wastewater flow is 90% of water demand. Therefore, the expected potable water demand is 50m<sup>3</sup>/day;</li> <li>• As per the Preliminary Engineering Report, the estimated wastewater flows for the CN Conrich Logistics Park (CLP), NCWL &amp; SCWL is 104m<sup>3</sup>/day. This corresponds to a water demand of 115m<sup>3</sup>/day. Based on the 500m<sup>3</sup>/day allocated to CN, there is 385m<sup>3</sup>/day remaining, which is more than enough to service the Cell 1 West development. Therefore, CN does not need to purchase additional capacity through the Water and Wastewater Offsite Levy;</li> <li>• There is an existing water service line (300mm diameter) within the Logistics Parkway right-of-way which is stubbed at the property line of the subject lands. Connection to the water distribution system is readily available, and the design of the water utilities on the subject lands can be completed at future subdivision and/or development permit stage. ES has no further concerns;</li> <li>• As a condition of subdivision, the applicant shall provide a water demand assessment to confirm the demands align with the current capacity allocated to the subject lands (under the August 30, 2011 Cost Contribution and Capacity Allocation Agreement). This assessment shall give consideration to the Preliminary Engineering Report (Sedulous Engineering Inc. - December 2016);</li> <li>• As a condition of future subdivision and/or development permit, the applicant shall submit a detailed water servicing analysis, in accordance with the Preliminary Engineering Report (Sedulous Engineering Inc. – December, 2016), which shall include (CS 5.2.2 &amp; 5.2.7): <ul style="list-style-type: none"> <li>○ Detailed design of the water distribution system, including engineered drawings;</li> <li>○ Identification of any offsite infrastructure upgrade requirements;</li> <li>○ Hydraulic network analysis and outline methods of tie-in</li> </ul> </li> </ul>

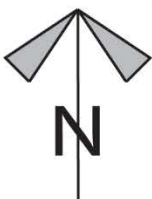
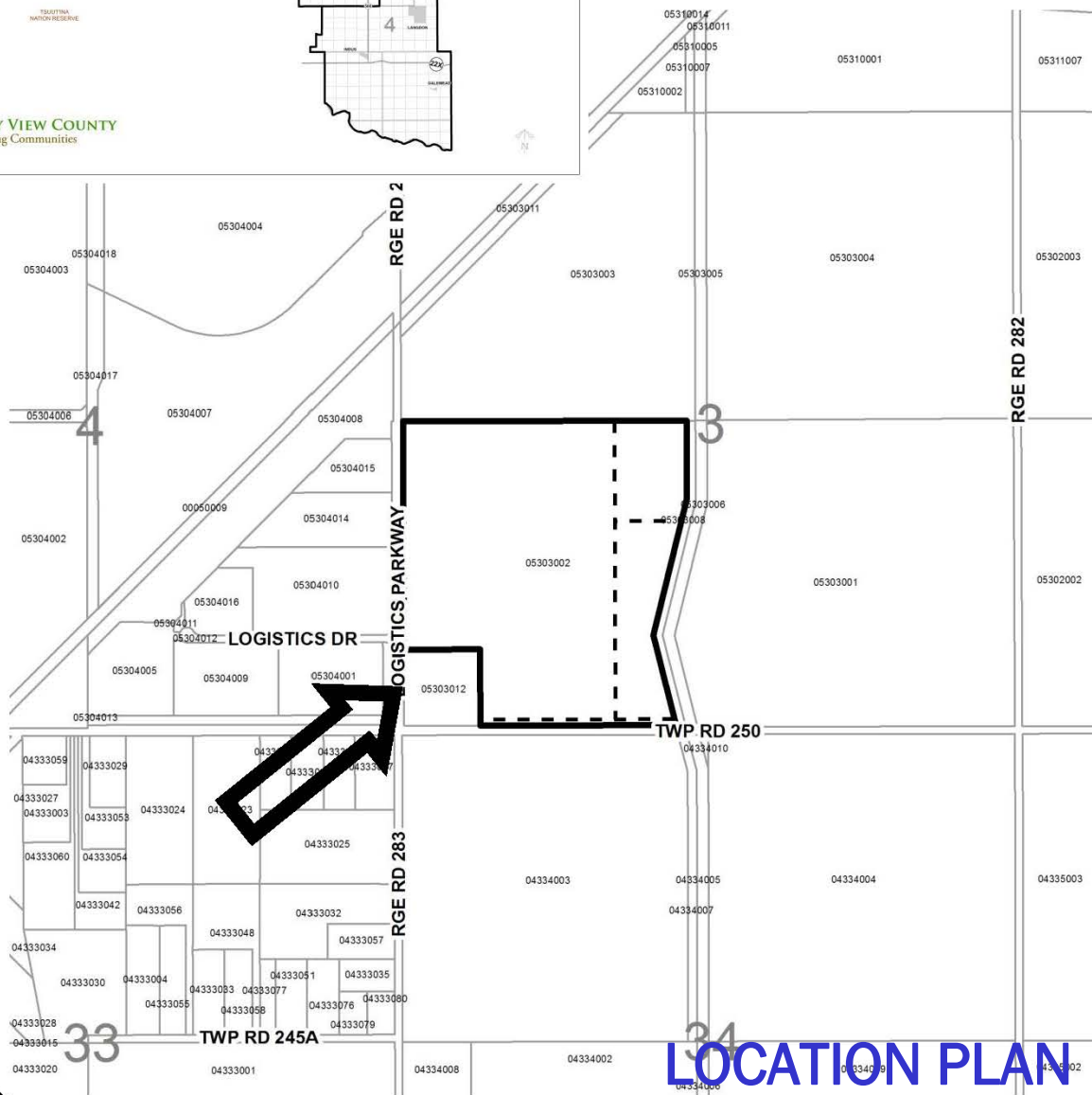
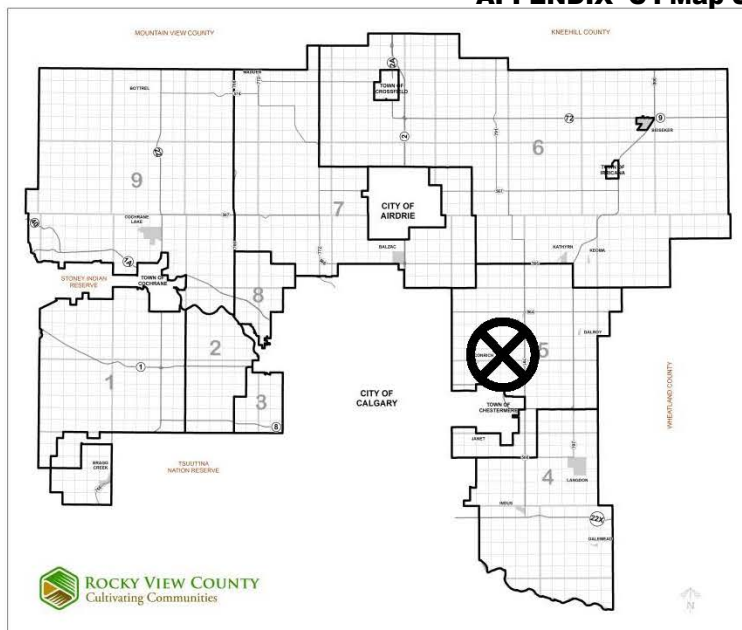
AGENCY	COMMENTS
	<p>to the RVC municipal water system.</p> <ul style="list-style-type: none"> <li>As a condition of future subdivision and/or development permit, the applicant shall enter into a Development Agreement, in accordance with the County Servicing Standards, for the construction of: <ul style="list-style-type: none"> <li>The on-site water distribution system;</li> <li>Any required off-site upgrades;</li> <li>The water distribution system shall be required to meet the fire flow requirements of the County Servicing Standards and the Fire Hydrant Water Suppression Bylaw (ASP 21.6, 23.21).</li> </ul> </li> <li>As a condition of future subdivision and/or development permit, the applicant will be required to secure all necessary easements and ROWs for all proposed water infrastructure;</li> <li>All future industrial and commercial buildings shall be required to provide fire suppression infrastructure in accordance with the requirements of the County Servicing Standards and the Fire Hydrant Water Suppression Bylaw (ASP 21.6, 23.21).</li> </ul> <p><b>Storm Water Management – Section 700.0 requirements:</b></p> <ul style="list-style-type: none"> <li>The applicant submitted a Staged Master Drainage Plan (Westhoff Engineering Resources, Inc. – May 31, 2016), for Conrich Station Phase 1;</li> <li>Stormwater runoff will be conveyed by overland drainage to eliminate the necessity for a minor system;</li> <li>As the downstream stormwater conveyance route is yet to be determined, Pond 1a will be under an interim onsite zero discharge condition. In the future, the subject lands may be connected to either SRDP or the CSML, at which time there will be a UARR = 0.8L/s/ha, and a VCT = 40mm;</li> <li>Evaporation and irrigation will be utilized to manage stormwater. Primary irrigation areas are the landscaped areas, MR and irrigation area. Secondary irrigation areas are rooftops and paved surfaces;</li> <li>Water quality objectives will be met by a forebay upstream of the stormwater pond, which will accommodate settlement of suspended solids;</li> <li>The stormwater pond will be designed for a volume of 166,075m<sup>3</sup>. The maximum stormwater volume to be retained is 157,055m<sup>3</sup>, according to the water balance analysis;</li> <li>As a condition of subdivision, the applicant shall be required to submit a detailed Stormwater Management Report (SWMR) engineered drawings, in accordance with the County Servicing Standards, which shall include: <ul style="list-style-type: none"> <li>For the interim, the stormwater system shall be designed</li> </ul> </li> </ul>

AGENCY	COMMENTS
	<p>to retain 100% of the surface drainage generated within the subject lands (CS 5.5.2), until such time that a discharge to SRDP or CSMI is secured. The SWMR shall include details for the outlet control structure to allow for future discharge;</p> <ul style="list-style-type: none"> <li>○ Detailed design of the stormwater pond and forebay;</li> <li>○ Detailed design of the emergency overland conveyance route to the CN stormwater pond on the SCWL.</li> <li>○ Detailed design of the drainage swale along the Altalink URW;</li> <li>○ All necessary engineered drawings;</li> <li>○ Stormwater management facilities shall be located on Public Utility Lots (CS 5.5.3);</li> <li>○ Identification of private landscaped easement areas;</li> <li>○ The SWMR shall follow the concepts and recommendations laid out in the Conrich Station Phase 1 – Staged Master Drainage Plan (Westhoff Engineering Resources. Inc. - May 31, 2016), the Sub Catchment Master Drainage Plan for Conrich Station (Westhoff Engineering Resources. Inc. – December 9, 2013), the Conrich ASP, and the Conrich MDP.</li> </ul> <ul style="list-style-type: none"> <li>• As a condition of subdivision, the applicant shall provide, for implementation and registration, any overland drainage easements and/or restrictive covenants as determined by the Stormwater Management Plan, all to the satisfaction of Alberta Environment and the County (CS 5.5.9);</li> <li>• As a condition of subdivision, the applicant shall provide an irrigation plan to be registered on title, by caveat, for each lot proposed to be subdivided;</li> <li>• As a condition of subdivision, the applicant will be required to provide payment of the Stormwater Offsite Levy in accordance with applicable levy at time of Subdivision and/or Development Permit approval, as amended, for the total gross acreage of the lands proposed to be developed or subdivided: <ul style="list-style-type: none"> <li>○ Base Levy = \$5488/acre. Acreage = 131.46 acres. Estimated SOL payment = (\$5488/acre)*(131.46 acres) = \$721,452.</li> </ul> </li> <li>• As a condition of subdivision, the applicant shall enter into a Development Agreement with the County for construction of the stormwater management infrastructure, including the pond, forebay and emergency overland conveyance route, and maintenance vehicle access road. <ul style="list-style-type: none"> <li>○ The Development Agreement shall include provisions for reclaiming irrigation areas (SMDP 6.2.5), and an endeavor to assist clause (SMDP 6.2.6).</li> </ul> </li> </ul>

AGENCY	COMMENTS
	<ul style="list-style-type: none"> <li>As a condition of subdivision, the applicant shall enter into a Franchise Agreement for the operation &amp; maintenance of the stormwater irrigation system.</li> <li>The applicant submitted a Stormwater Use System Agreement (Westhoff Engineering Resources Inc. – May 30, 2016). The general principles of this document lead to what should be a Franchise Agreement. If as outlined in the Staged MDP, volume control measures require interaction and reliance on private property, then appropriate control and protection is required. Consideration will need to be made as to how this Franchise will operate once CSMI is constructed and operational.</li> </ul> <p><b>Environmental</b> – Section 900.0 requirements:</p> <ul style="list-style-type: none"> <li>Numerous wetlands have been identified within the Cell 1W Area. Mitigation and compensation for wetland disturbances shall be to the satisfaction of Alberta Environment;</li> <li>There is a class 3 wetland on the east side of the subject lands, which was previously planned to be retained. The applicant is now proposing to reclaim the wetland. CS 5.6 states that no wetlands are being crown claimed;</li> <li>As a condition of subdivision, the applicant will be required to submit a Wetland Impact Assessment, in accordance with the County Servicing Standards and Conrich Station Conceptual Scheme (2.9);</li> <li>As a condition of subdivision, the applicant shall provide confirmation of Alberta Environment Water Act approvals for wetland disturbances, prior to Development Agreement endorsement by the County.</li> </ul>
Infrastructure and Operations – Utility Services	Servicing requirement details are required in order to confirm whether or not there is existing water and wastewater servicing capacity available from the County systems. Cost Contribution and capacity allocation agreement required for water and waste water servicing.
Infrastructure and Operations - Maintenance	Connection of 5 parcels to public road network needs to be defined.
Infrastructure and Operations - Capital Delivery	No concerns.
Infrastructure and Operations -	Applicant to confirm how he intends to access the 5 parcels.

AGENCY	COMMENTS
Road Operations	Approach Application required for any new approach construction.
Agriculture	Agricultural Services Staff Comments: Because this parcel falls within the Conrich Area Structure Plan, Agricultural Services has no concerns. The application of the Agricultural Boundary Design Guidelines may be beneficial in buffering the industrial land use from the agricultural land uses to the North, South and East of the parcel. The guidelines would help mitigate areas of concern including: trespass, litter, pets, noise and concern over fertilizers, dust & normal agricultural practices.
Environmental Services - Solid Waste and Recycling	<p>As a part of the Conrich ASP we would remind the applicant:</p> <ul style="list-style-type: none"> <li>• Local plans are required to address solid waste management during all stages of development;</li> <li>• The developer will aim for a diversion target of 50 per cent and will consider post-construction waste management service;</li> <li>• Industrial and commercial business owners shall be responsible for providing their own solid waste services;</li> <li>• Plans should address solid waste management through all stages of development, including occupancy;</li> <li>• Plans should identify the appropriate waste collection areas;</li> <li>• Plans are to include a waste diversion target for the subdivision construction management plan;</li> <li>• Solid waste services will be provided by a qualified company contracted to either the developer or business lot owner association for the area.</li> </ul>

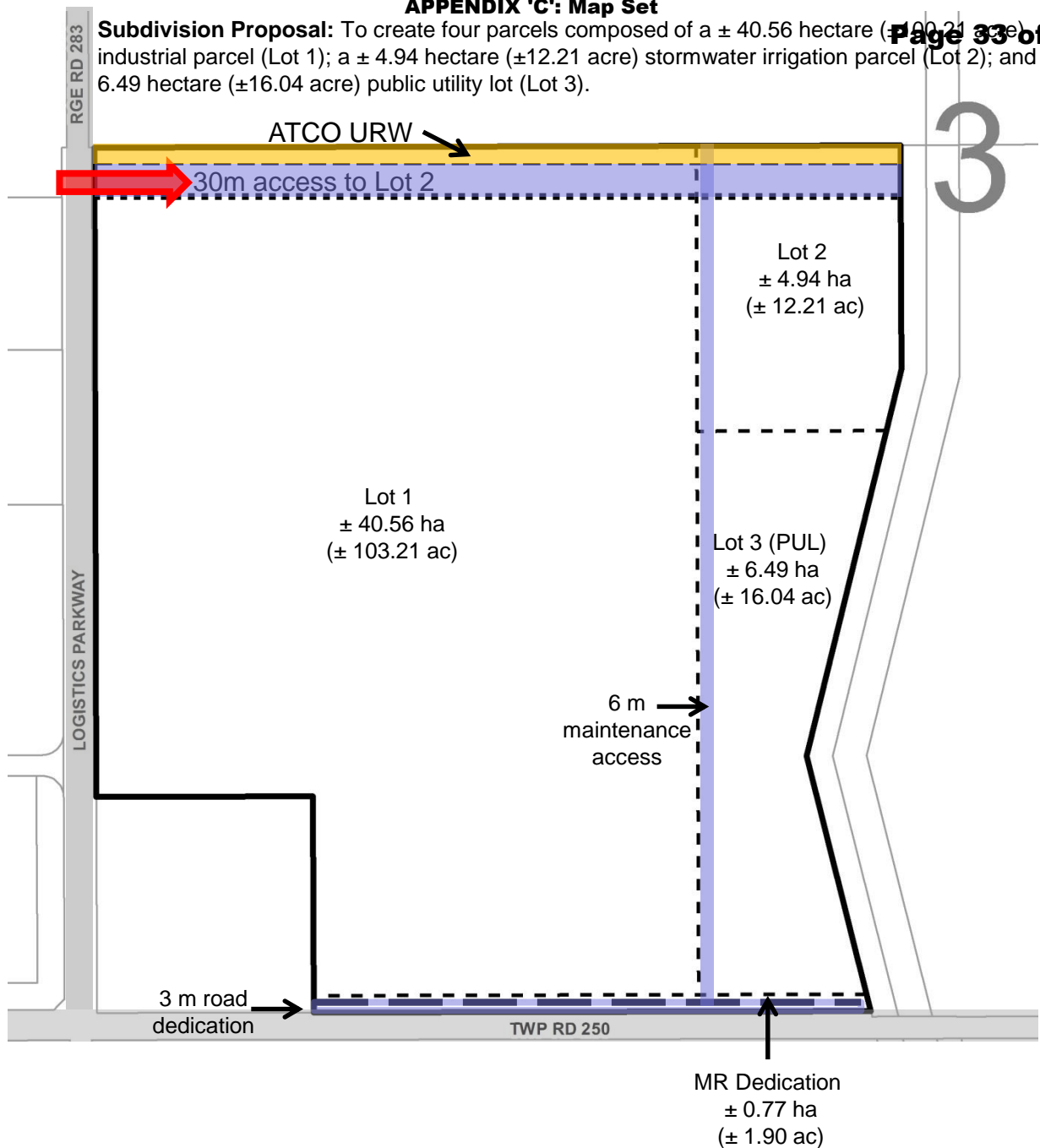
Circulation Period: November 28, 2017 – January 2, 2018



SW-03-25-28-W04M



**Subdivision Proposal:** To create four parcels composed of a  $\pm 40.56$  hectare ( $\pm 100.21$  ac) industrial parcel (Lot 1); a  $\pm 4.94$  hectare ( $\pm 12.21$  ac) stormwater irrigation parcel (Lot 2); and a  $\pm 6.49$  hectare ( $\pm 16.04$  ac) public utility lot (Lot 3).



**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**

**SW-03-25-28-W04M**



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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*

**SW-03-25-28-W04M**

Date: Nov 23, 2017

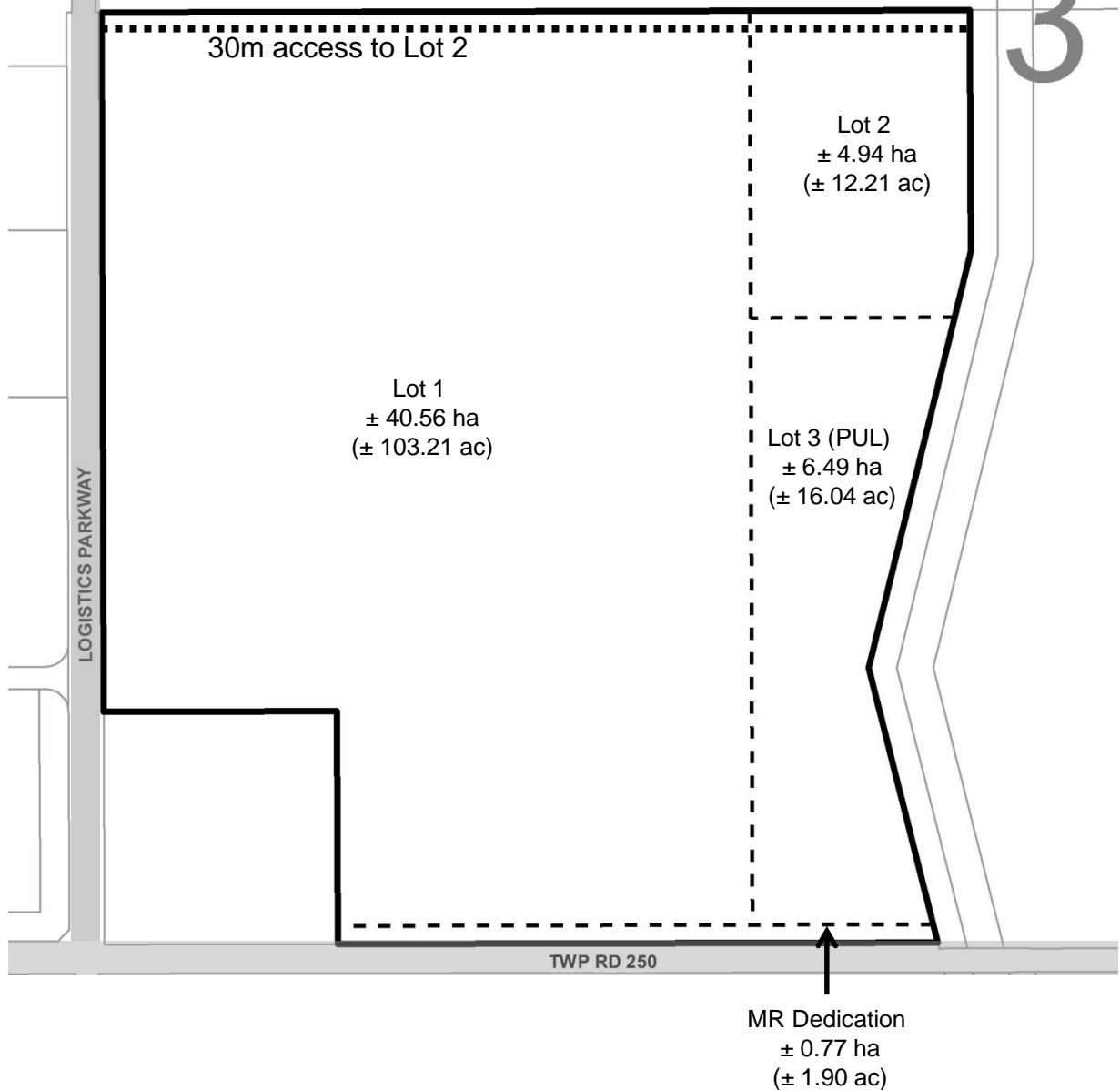
Division # 5

File: 05303002

**AGENDA**

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**TENTATIVE PLAN**

**SW-03-25-28-W04M**

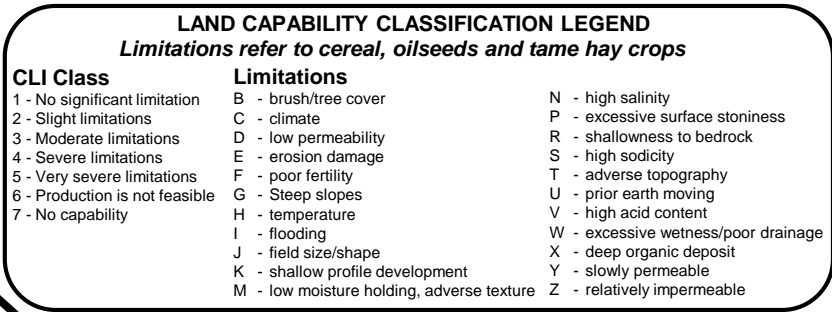




## Potential Internal Roadway Plan

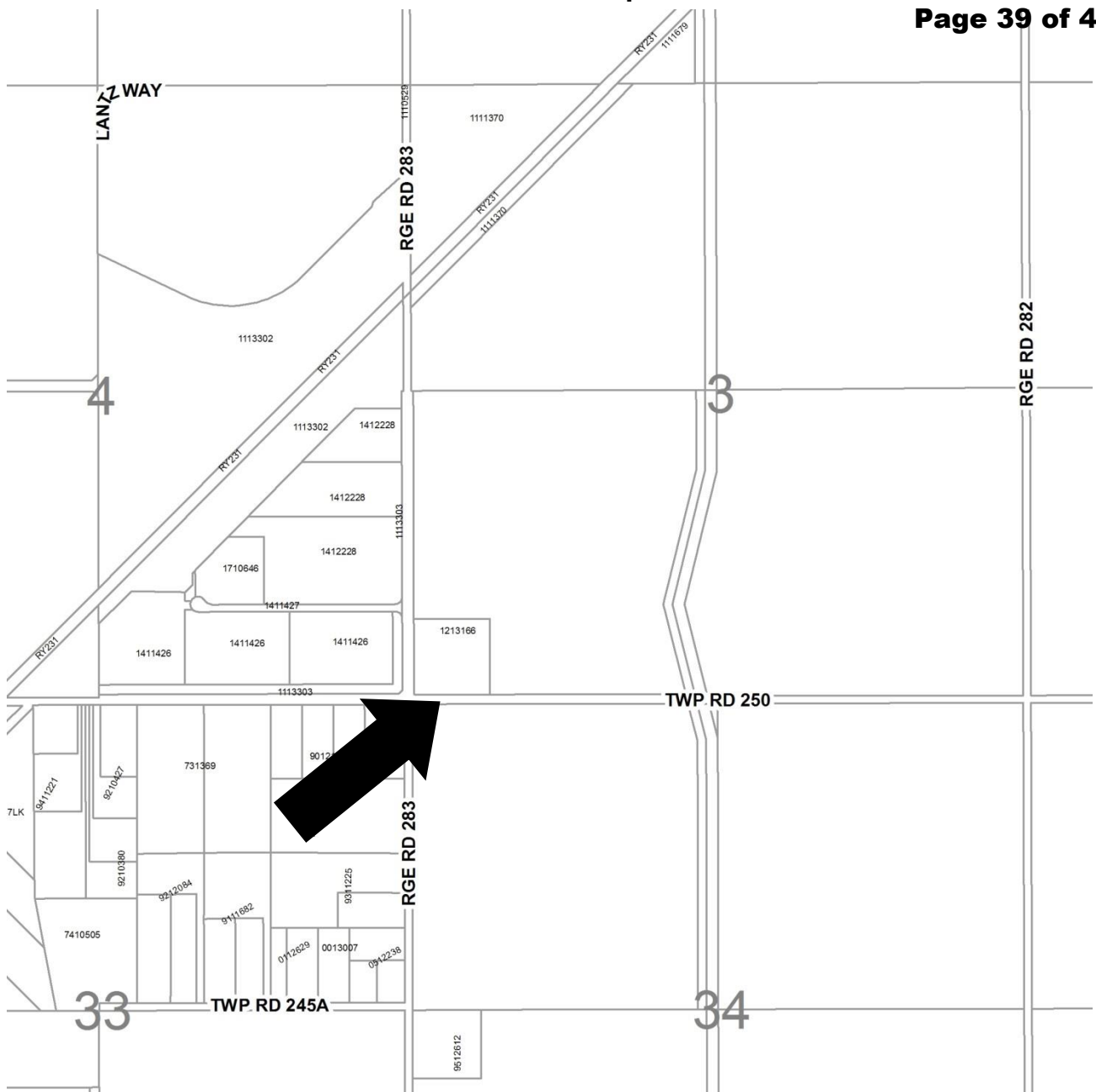


SW-03-25-28-W04M



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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****SW-03-25-28-W04M**

