

Council Meeting Agenda

June 12, 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 22, 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 May 15, 2018 and May 22, 2018.

MORNING APPOINTMENTS 10:00 A.M.

1. Division 1 – File: PL20170053 (03901008)
Bylaw C-7787-2018 – Redesignation Item – Residential Two District to Residential One District

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2. Division 8 – File: PL20170152 (06713017)
Bylaw C-7789-2018 – Redesignation Item – Residential Two District to Residential One District

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3. Division 4 – File: PL20150116 (03218008/8020/9019/9035)
Bylaw C-7674-2017 – Redesignation Item – Fragmented Country Residential – Agricultural Holdings District to Residential Two District

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D GENERAL BUSINESS

1. Division 8 – File: N/A – Tax Relief Due To Fire Loss – Roll #06712101

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2. Division 8 – File: 05736008 / 6030-100 – Road Dedication affecting County Lands

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3. All Divisions – File: 6030-200 – Municipal Lands Office 2018 Disposal Work Plan

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4. Divisions 1, 2, 7, 8, 9 – File: N/A – Bearspaw Reservoir Task Force – Terms of Reference

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E BYLAWS

1. Division 9 – File: PL20160018 – Bylaw C-7745-2017 – Road Closure and Consolidation of two portions of Road Allowance known as Range Road 45

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F UNFINISHED BUSINESS
- None

G COUNCIL REPORTS

H MANAGEMENT REPORTS
- None

I NOTICES OF MOTION

1. Councillor Kissel and Councillor Hanson – 146 acre parcel of Rocky View County Lands leased by the Cochrane and District Agricultural Society

Note: the Notice of Motion will be read into the record at the June 12, 2018 Council meeting and debated at the June 26, 2018 Council meeting.

Notice of Motion

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J SUBDIVISION APPLICATIONS

1. Division 2 – File: PL20180006 (05702033) – Subdivision Item – Residential One District

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- K COMMITTEE OF THE WHOLE/IN CAMERA
- None

ADJOURN THE MEETING

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A regular meeting of the Council of Rocky View County was held in Council Chambers of the Municipal Administration Building, 911 – 32nd Avenue NE, Calgary, Alberta on May 22, 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 3	Councillor K. Hanson
	Division 4	Councillor A. Schule
	Division 7	Councillor D. Henn
	Division 8	Councillor S. Wright
	Division 9	Councillor C. Kissel

Absent:	Division 1	Councillor M. Kamachi
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Also Present:

- K. Robinson, Interim County Manager
- B. Riemann, General Manager
- S. Baers, Manager, Planning Services
- A. Keibel, Manager, Legislative and Legal Services
- L. Wesley-Riley, Manager, Enforcement Services
- R. Smith, Fire Chief, Fire Services
- A. Zaluski, Policy Supervisor, Planning Services
- M. Wilson, Planning Supervisor, Planning Services
- V. Diot, Engineering Supervisor, Engineering Services
- D. Hafichuk, Capital Infrastructure Projects Supervisor, Engineering Services
- L. Ganczar, Planner, Planning Services
- O. Newmen, Planner, Planning Services
- J. Kirychuk, Planner, Planning Services
- J. Kwan, Planner, Planning 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 Kamachi.

1-18-05-22-01

Updates/Acceptance of Agenda

MOVED by Councillor Hanson that the May 22, 2018 Council meeting agenda be accepted as presented.

Carried

1-18-05-22-02

Confirmation of Minutes

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

Carried

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1-18-05-22-09 (D-1)

Division 1 – Bragg Creek FireSmart Committee Appointments

File: 0160

MOVED by Councillor McKylor 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.”

Carried

MOVED by Councillor McKylor 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 | |

Carried

1-18-05-22-10 (D-2)

All Divisions – PPC Recommendations for 2018 Regional Recreation Funding Applications

File: 6070-175

MOVED by Councillor Hanson 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;

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 approved 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 approved 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 approved from the Public Reserve.

Carried

1-18-05-22-11 (D-3)

Divisions 4 & 5 – Langdon Policing Solution

File: 3000-300

MOVED by Councillor Schule 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*.

Carried

MOVED by Councillor Schule that Administration be directed to assess other alternatives, including Regional Policing, for the provision of policing within the County.

Carried

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1-18-05-22-12 (D-4)

Divisions 4 & 5 – Renewal of the Strathmore RCMP Enhanced Position

File: 3000-300

MOVED by Councillor Schule 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.

Carried

The Chair called for a recess at 9:24 a.m. and called the meeting back to order at 9:30 a.m. with all previously mentioned members present.

MOTION ARISING:

MOVED by Councillor Schule that Administration be directed to bring a report back to Council regarding an additional shared watch clerk position for the Strathmore RCMP Detachment.

Carried

1-18-05-22-13 (D-5)

All Divisions – Request for Safety Audit on Highway 9 from Highway 1 north to the Town of Beiseker

File: 1021-275

MOVED by Councillor Schule 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 as per Attachment 'A' with the following amendment:

1. That the letter include the word "fatal."

Carried

1-18-05-22-14 (E-1)

All Divisions – Bylaw C-7782-2018 – Firearms Bylaw

File: 3000-300

The Chair called for a recess at 9:47 a.m. and called the meeting back to order at 9:50 a.m. with all previously mentioned members present.

MOVED by Councillor Schule that Bylaw C-7782-2018 be amended to include maps of all Rocky View County Hamlets as an additional appendix.

Carried

MOVED by Councillor McKylor that Administration be directed to bring item E-1 back to Council after the public hearings.

Carried

The Chair called for a recess at 10:00 a.m. and called the meeting back to order at 10:10 a.m. with all previously mentioned members present.

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1-18-05-22-03 (C-1)

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

MOVED by Deputy Reeve Gautreau that the public hearing for item C-1 be opened at 10:11 a.m.

Carried

Person(s) who presented: Gordon Robins, Manor House Designs, Applicant

Person(s) who spoke in favour: None

Person(s) who spoke in opposition: None

Person(s) who spoke in rebuttal: None

MOVED by Deputy Reeve Gautreau that the public hearing for item C-1 be closed at 10:26 a.m.

Carried

MOVED by Deputy Reeve Gautreau that Bylaw C-7735-2017 be given first reading.

Carried

MOVED by Councillor Schule that Bylaw C-7735-2017 be given second reading.

Carried

MOVED by Councillor Henn that Bylaw C-7735-2017 be considered for third reading.

Carried

MOVED by Deputy Reeve Gautreau that Bylaw C-7735-2017 be given third and final reading.

Carried

1-18-05-22-04 (C-2)

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

MOVED by Deputy Reeve Gautreau that the public hearing for item C-2 be opened at 10:28 a.m.

Carried

Person(s) who presented: Janice Lambert, Applicant and Owner

Person(s) who spoke in favour: None

Person(s) who spoke in opposition: None

Person(s) who spoke in rebuttal: None

MOVED by Schule that the public hearing for item C-2 be closed at 10:40 a.m.

Carried

MOVED by Councillor Schule that Bylaw C-7752-2018 be given first reading.

Carried

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MOVED by Councillor Henn that Bylaw C-7752-2018 be given second reading.

Carried

MOVED by Deputy Reeve Gautreau that Bylaw C-7752-2018 be considered for third reading.

Carried

MOVED by Councillor McKylor that Bylaw C-7752-2018 be given third and final reading.

Carried

The Chair called for a recess at 10:42 a.m. and called the meeting back to order at 10:49 a.m. with all previously mentioned members present.

1-18-05-22-05 (C-3)

Division 5 – Bylaw C-7779-2018 – Redesignation Item – From Ranch and Farm District to Agriculture Holdings District and Industrial-Industrial Activity District

File: PL20180010 (03331006)

MOVED by Deputy Reeve Gautreau that the public hearing for item C-3 be opened at 10:49 a.m.

Carried

Person(s) who presented: Chris Davis, Christopher Davis Law, Applicant
John Grove, Municipal and Community Relations Manager, AltaLink

Person(s) who spoke in favour: None

Person(s) who spoke in opposition: None

Person(s) who spoke in rebuttal: None

MOVED by Deputy Reeve Gautreau that the public hearing for item C-3 be closed at 11:12 a.m.

Carried

MOVED by Deputy Reeve Gautreau that Bylaw C-7779-2018 be given first reading.

Carried

MOVED by Councillor Schule that Bylaw C-7779-2018 be given second reading.

Carried

MOVED by Councillor Hanson that Bylaw C-7779-2018 be considered for third reading.

Carried

MOVED by Deputy Reeve Gautreau that Bylaw C-7779-2018 be given third and final reading.

Carried

The Chair called for a recess at 11:14 a.m. and called the meeting back to order at 11:29 a.m. with all previously mentioned members present.

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1-18-05-22-14 (E-1)

All Divisions – Bylaw C-7782-2018 – Firearms Bylaw

File: 3000-300

MOVED by Councillor Wright that Bylaw C-7782-2018 be amended as follows:

- 1) Add section 2(i) that reads as follows:

“‘Land Use Bylaw’ means Rocky View County Bylaw No. C-4841-97, Land Use Bylaw, or as amended from time to time;”

- 2) Amend section 2(h) to read as follows:

“Property located within a Hamlet, as illustrated in Schedule ‘I’ of this Bylaw;”

- 3) Add section 8(b) that reads as follows:

“any person who uses or discharges a Weapon for pest control within the following agricultural districts as defined in the Land Use Bylaw:

- i. Ranch and Farm District (RF),
- ii. Ranch and Farm Two District (RF-2),
- iii. Ranch and Farm Three District (RF-3),
- iv. Agricultural Holdings District (AH), and
- v. Farmstead District (F);”

- 4) That Bylaw C-7782-2018 be renumbered as necessary.

Carried

MOVED by Councillor Wright that Bylaw C-7782-2018 be given first reading as amended.

Carried

MOVED by Councillor Schule that Bylaw C-7782-2018 be given second reading as amended.

Carried

MOVED by Councillor McKylor that Administration be directed to forward Bylaw C-7782-2018 to the Minister of Environment and Parks for approval.

Carried

1-18-05-22-16 (J-1)

Division 6 – Subdivision Item – Residential Three District

File: PL20180003 (08501008)

Reeve Boehlke vacated the Chair as application PL20180003 was located in his division. Deputy Reeve Gautreau then assumed the Chair.

MOVED by Councillor Schule that condition 7, municipal reserves, in Appendix ‘A’ be amended to read as follows:

- 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*;

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- a) The provision of Reserve in the amount of 10% of the area of Lot 2 is to be deferred by caveat pursuant to section 669 of the *Municipal Government Act*.

Carried

In Favour:

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

Opposed:

Councillor Wright

MOVED by Reeve Boehlke that Subdivision Application PL20180003 be approved with the conditions noted in Appendix 'A' as amended:

- 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;

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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 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) The provision of Reserve in the amount of 10% of the area of Lot 2 is to be deferred by caveat pursuant to section 669 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

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

1-18-05-22-17 (J-2)

Division 5 – Subdivision Item – Commercial – Canadian National Railway Company

File: PL20170168 (05303002)

MOVED by Deputy Reeve Gautreau that condition 17 in Appendix 'A' be amended to read as follows:

- 17) The provision of Reserve is to be provided by the dedication of 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 1.45 % 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.

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- a) The provision of the remainder of the Reserve in the amount of 8.55% of the area of Lot(s) 1, 2, and 3, as determined by the Plan of Survey, is to be provided by payment of cash-in-lieu in the amount of \$45,000 per acre, pursuant to Section 666(3) of the *Municipal Government Act*; Carried

MOVED by Deputy Reeve Gautreau that Subdivision Application PL20170168 be approved with the conditions noted in Appendix 'A' as amended:

- A. That the application to create four parcels composed of a ± 40.56 hectare (± 103.21 acre) industrial parcel (Lot 1), a ± 4.94 hectare (± 12.21 acre) stormwater irrigation parcel (Lot 2), and a ± 6.49 hectare (± 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:
- 1) The application is consistent with the Conrich Area Structure Plan;
 - 2) The application is consistent with the Conrich Station Conceptual Scheme;
 - 3) The application is consistent with the Land Use Bylaw;
 - 4) The application is consistent with Direct Control District 156;
 - 5) The subject lands hold the appropriate land use designation; and
 - 6) 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

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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 Lot 1, 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;

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- 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;

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- 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 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 1.45 % 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) The provision of the remainder of the Reserve in the amount of 8.55% of the area of Lot(s) 1, 2, and 3, as determined by the Plan of Survey, is to be provided by payment of cash-in-lieu in the amount of \$45,000 per acre, pursuant to Section 666(3) 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%, 8.55% totaling 11.246 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 (Weleschuk Associates Ltd., file 17-2161, dated October 20, 2017), 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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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.

Carried

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1-18-05-22-18 (K-1)

All Divisions – In Camera Item – Town of Cochrane Annexation Negotiations

File: RVC2018-14

MOVED by Councillor Henn that Council move in camera at 12:09 p.m. 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

Carried

Council held the in camera session for item K-1 with the following people in attendance to provide a verbal report and advice to Council:

Rocky View County: K. Robinson, Interim County Manager
 B. Riemann, General Manager
 S. Baers, Manager, Planning Services
 M. Wilson, Planning Supervisor, Planning Services

MOVED by Councillor McKylor that Council move out of in camera at 1:37 p.m.

Carried

MOVED by Councillor Kissel that Council direct Administration to proceed with public engagement regarding the proposed annexation and report back to Council.

Carried

1-18-05-22-06 (C-4)

Division 9 – Bylaw C-7759-2018 – Redesignation Item – Ranch and Farm District to Residential Three District

File: PL20170178 (06832001)

MOVED by Councillor Kissel that the public hearing for item C-4 be opened at 1:38 p.m.

Carried

Person(s) who presented: Pam Moores, Applicant and Owner

MOVED by Councillor Wright that the letter in opposition be accepted.

Carried

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-4 be closed at 2:02 p.m.

Carried

MOVED by Councillor Kissel that Bylaw C-7759-2018 be given first reading.

Carried

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MOVED by Councillor Schule that Bylaw C-7759-2018 be given second reading.

Carried

MOVED by Councillor Kissel that Bylaw C-7759-2018 be considered for third reading.

Carried

MOVED by Councillor Kissel that Bylaw C-7759-2018 be given third and final reading.

Carried

1-18-05-22-07 (C-5)

Division 3 – Bylaw C-7755-2018 – Conceptual Scheme Item – Atkins Conceptual Scheme

File: PL20170158 (04618004/04618019)

1-18-05-22-08 (C-6)

Division 3 – Bylaw C-7756-2018 – Land Use Redesignation – Ranch and Farm District to Residential Two District

File: PL20170169 (04618019)

MOVED by Councillor Hanson that the public hearing for items C-5 and C-6 be opened concurrently at 2:04 p.m.

Carried

MOVED by Councillor Hanson that the five late letters in support be received.

Carried

Person(s) who presented: Robert Weston, ERW Consulting Inc., Applicant
Ken Hugo, Groundwater Information Technologies Ltd.

Person(s) who spoke in favour: None

Person(s) who spoke in opposition: None

Person(s) who spoke in rebuttal: Robert Weston, ERW Consulting Inc., Applicant

MOVED by Councillor Hanson that the public hearing for items C-5 and C-6 be closed at 2:51 p.m.

Carried

MOVED by Councillor Hanson that Council accepts the alternate conceptual scheme area as defined in the Atkins Conceptual Scheme;

AND that Council accepts the use of water wells for the proposed Atkins Conceptual Scheme, subject to further studies and confirmation at the subdivision stage.

Carried

MOVED by Councillor Hanson that Bylaw C-7755-2018 be given first reading.

Carried

MOVED by Councillor Henn that Bylaw C-7755-2018 be given second reading.

Carried

MOVED by Councillor Schule that Bylaw C-7755-2018 be considered for third reading.

Carried

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MOVED by Councillor Hanson that Bylaw C-7755-2018 be given third and final reading.

Carried

MOVED by Councillor Hanson that Bylaw C-7756-2018 be given first reading.

Carried

MOVED by Councillor Henn that Bylaw C-7756-2018 be given second reading.

Carried

MOVED by Councillor McKylor that Bylaw C-7756-2018 be considered for third reading.

Carried

MOVED by Councillor Hanson that Bylaw C-7756-2018 be given third and final reading.

Carried

1-18-05-22-15 (E-2)

All Divisions – Bylaw C-7748-2018 – Community Aggregate Payment Levy Bylaw

File: 1007-100

MOVED by Councillor Henn that Bylaw C-7748-2018 be given first reading.

Carried

MOVED by Councillor Schule that Bylaw C-7748-2018 be given seconding reading.

Carried

MOVED by Deputy Reeve Gautreau that Bylaw C-7748-2018 be considered for third reading.

Carried

MOVED by Councillor Henn that Bylaw C-7748-2018 be given third and final reading

Carried

Adjournment

MOVED by Councillor Henn that the May 22, 2018 Council Meeting be adjourned at 3:22 p.m.

Carried

REEVE

CAO or Designate

PLANNING SERVICES

TO: Council
DATE: June 12, 2018 **DIVISION:** 1
TIME: Morning Appointment
FILE: 03901008 **APPLICATION:** PL20170053
SUBJECT: Redesignation Item – Residential Two District to Residential One District

¹ADMINISTRATION RECOMMENDATION:

- Motion #1 THAT Bylaw C-7787-2018 be given first reading.
Motion #2 THAT Bylaw C-7787-2018 be given second reading.
Motion #3 THAT Bylaw C-7787-2018 be considered for third reading.
Motion #4 THAT Bylaw C-7787-2018 be given third and final reading.

EXECUTIVE SUMMARY:

The purpose of this application is to redesignate the subject lands from Residential Two District to Residential One District in order to facilitate the creation of a ± 0.94 hectare (± 2.33 acre) parcel with a ± 1.02 hectare (± 2.52 acre) remainder.

The subject lands are located within the boundaries of the Greater Bragg Creek Area Structure Plan (GBCASP), in south Bragg Creek. Figure 13 of the GBCASP identifies the lands as the Infill Residential area. Servicing is provided by means of water well and a private sewage treatment system. The new lot is proposed to be serviced by similar means, and the Applicant has submitted the necessary technical studies to support this servicing strategy.

The proposed application is consistent with the GBCASP as well as the Land Use Bylaw, and Administration determined that:

- The application is consistent with the infill residential policies of the GBCASP;
- The proposal aligns with the desired density for the infill residential area in south Bragg Creek;
- The application complies with the minimum parcel size for the Residential One district; 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**.

DATE APPLICATION RECEIVED: June 13, 2017
DATE APPLICATION DEEMED COMPLETE: February 15, 2018

PROPOSAL: To redesignate the subject lands from Residential Two District to Residential One District in order to facilitate the creation of a ± 0.94 hectare (± 2.33 acre) parcel with a ± 1.02 hectare (± 2.52 acre) remainder.

LEGAL DESCRIPTION: Lot 1, Block B, Plan 9511735; SE-01-23-05-W05M

¹Administrative Resources
Paul Simon, Planning Services
Erika Bancila, Engineering Services

GENERAL LOCATION:	Located approximately 0.5 km (1/3 mile) west of Highway 22, and approximately 0.25 km (1/6 mile) north of Highway 66
APPLICANT:	Element Land Surveys Inc.
OWNERS:	Jova & Aranka Vujinovic
EXISTING LAND USE DESIGNATION:	Residential Two District
PROPOSED LAND USE DESIGNATION:	Residential One District
GROSS AREA:	± 1.96 hectares (± 4.85 acres)
SOILS (C.L.I. from A.R.C.):	Class 5H, 6W – Very severe limitations due to temperature, and production is not feasible due to excessive wetness and poor drainage.

PUBLIC & AGENCY SUBMISSIONS:

The application was circulated to 24 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:

July 25, 1995 Plan 9511735 was registered, creating two ± 4.84 acre (± 1.96 hectare) parcels and two 4.00 acre (± 1.62 hectare) parcels.

BACKGROUND:

The purpose of this application is to redesignate the subject lands from Residential Two District to Residential One District in order to facilitate the creation of a ± 0.94 hectare (± 2.33 acre) parcel with a ± 1.02 hectare (± 2.52 acre) remainder. The Applicant intends to use the four parcels for residential purposes in accordance with the provisions for the Residential One district in the Land Use Bylaw.

The subject land is located within the boundaries of the GBCASP in south Bragg Creek, and is surrounded by country residential and agricultural lands. The subject parcel is one of four parties to an existing access easement agreement, which would transfer to the newly created lot to ensure legal access is maintained; this would ultimately be confirmed at the subsequent subdivision stage. Further, if the Applicant intends to access the subject lands via the development of panhandles, they would be required to enter into a Road Acquisition Agreement with the County in the event that further development occurs and the panhandle portion of the lands are to be developed as an internal roadway.

The property is currently developed with one single detached dwelling and an accessory building. The dwelling is serviced by a water well and private septic tank and field system. The Applicant submitted a Level 2 Private Sewage Treatment System Assessment and a Phase 2 Groundwater Supply Evaluation in support of the application. The newly created lot is proposed to be serviced by similar means, and this strategy is supported by the submitted technical studies.

POLICY ANALYSIS:

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

Greater Bragg Creek Area Structure Plan (Bylaw C-6260-2006)

The subject lands are located within south Bragg Creek and are identified as Infill Residential on Figure 13 of the GBCASP. Infill residential areas refer to parcels that have already experienced subdivision

greater than eight lots per quarter. In accordance with Policy 7.1(c) of the GBCASP, within residential infill areas outside of the hamlet, conceptual schemes should be required in accordance with predetermined conceptual scheme boundaries (boundaries identified on Figure 13). However, Policy 7.1(d) of the GBCASP states that, notwithstanding Policy 7.1(c), “*redesignation and subdivision for non-agricultural purposes may proceed in the absence of a conceptual scheme when:*

- *direct road access is available;*
- *one lot is being created from a parcel whose boundaries are defined at the time of adoption of this plan;*
- *the proposed lot is 2 acres or greater in size; and*
- *the creation of the new lot will not adversely affect or impede future subdivision of the balance lands.”*

The subject parcel has legal access provided by way of an existing access easement agreement, and therefore, it does have direct access to a public road. The subject lands were subdivided in 1995, prior to adoption of the GBCASP. Both the proposed lot and remainder are greater than 2 acres in size, and it is the interpretation of Administration that the proposed redesignation and subsequent subdivision would not adversely impact future subdivision of the remainder lands. Therefore, Administration recommends that a conceptual scheme is not required in accordance with Policy 7.1(c).

Future subdivision densities in the infill area should be calculated on the basis of a ratio of lots per acre of gross developable area (GDA). GDA is the amount of land that remains once areas that represent constraints to development have been subtracted from the gross area. Policy 7.4.3(d) of the GBCASP states that, “*within south Bragg Creek, parcel sizes should not be less than 2 acres with an overall density of not greater than one lot per 3 acres of GDA.*” When looking at this particular area in the south Bragg Creek infill areas, for the purposes of determining the overall density, Administration used the predetermined conceptual scheme boundaries established on Figure 13. This predetermined boundary does contain some areas of steep slopes, and based on the County’s mapping information (LIDAR), the slopes are approximately 10%. However, without further technical analysis, it cannot be confirmed at this time if any are in excess of 15%. Therefore, when accounting for topographic constraints, and given the fact that there are no wetlands, tributaries, or riparian areas in this area, for the purposes of calculating GDA, it is determined that there are no constraints. Therefore, the GDA calculation is as follows:

- Overall area of all lands within predetermined conceptual scheme boundary: 86.47 acres;
- Total number of lots (including the proposed lot and one already approved subdivision): 16;
- 86.47 acres / 16 lots = Density of 1 lot / 5.40 acres.

With an overall density of one unit per 5.40 acres, the application is consistent with Policy 7.4.3(d) of the GBCASP.

Land Use Bylaw (Bylaw C-4841-97)

The Applicant is requesting approval to redesignate the subject lands from Residential Two District to Residential One District. The purpose of this district is to provide for residential uses on a small parcel of land that does not accommodate general agriculture. The minimum parcel size of the Residential One District is 0.80 hectares (1.98 acres). Given the gross area of the subject lands, only one lot can be created under the Residential One designation at the future subdivision stage. 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 Residential One District to Residential Two District in order to facilitate the creation of a ± 0.94 hectare (± 2.33 acre) parcel with a ± 1.02 hectare (± 2.52 acre) remainder was evaluated in accordance with the GBCASP and the Land Use Bylaw. The proposal complies with the policies of the GBCASP 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-7787-2018 be given first reading.
 Motion #2 THAT Bylaw C-7787-2018 be given second reading.
 Motion #3 THAT Bylaw C-7787-2018 be considered for third reading.
 Motion #4 THAT Bylaw C-7787-2018 be given third and final reading.
- Option #2: THAT application PL20170053 be refused.

Respectfully submitted,

Concurrence,

“Chris O’Hara”

“Kent Robinson”

General Manager

Interim County Manager

PS/rp

APPENDICES:

- APPENDIX ‘A’: Application Referrals
APPENDIX ‘B’: Bylaw C-7787-2018 and Schedule A
APPENDIX ‘C’: Map Set

APPENDIX A: APPLICATION REFERRALS

AGENCY	COMMENTS
<i>School Authority</i>	
Rocky View Schools	No objection to this circulation.
Calgary Catholic School District	No objection to the circulation located southeast of Bragg Creek. As per the circulation, Municipal Reserves will be considered at the subdivision stage.
<i>Province of Alberta</i>	
Alberta Culture and Tourism	No comments received.
Alberta Energy Regulator	No comments received.
Alberta Transportation	<p>The proposal must meet the requirements of Section 14 of the Subdivision and Development Regulation, due to the proximity of Highway 22 and Highway 66. Presently, the application does not appear to comply with any category of Section 14 of this 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 residential 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.</p>
Alberta Health Services	<p>AHS has no objections to this proposal. We provide the following</p> <ol style="list-style-type: none"> 1. AHS recommends that any water wells on the subject lands must be completely contained within the proposed property boundaries. Please note that the drinking water source (e.g. private well) must conform to the most recent Canadian Drinking Water Quality Guidelines and the Alberta Public Health Act, Nuisance and General Sanitation Guideline 243/2003 which states the following: <ul style="list-style-type: none"> <i>"No person shall locate a water well within</i> <ol style="list-style-type: none"> i. <i>10m of a watertight septic tank, pump out tank or other watertight compartment of a sewage or waste water system;</i> ii. <i>15m of a weeping tile field, evaporative treatment</i>

AGENCY	COMMENTS
	<p><i>mound or an outdoor pit privy;</i></p> <p>iii. <i>30m of a leaching cesspool;</i></p> <p>iv. <i>50m of sewage effluent on the ground surface;</i></p> <p>v. <i>100m of a sewage lagoon; or</i></p> <p>vi. <i>450m of any area where waste is or may be disposed of at a landfill” (AR 243/2003, s.15);</i></p> <p>2. Any private sewage disposal system must be completely contained within the proposed property boundaries and must comply with the setback distances outlined in the most recent Alberta Sewage Systems Standard of Practice. Prior to installation of any sewage disposal system, a proper geotechnical assessment should be conducted by a qualified professional engineer and the system should be installed in an approved manner.</p> <p>3. The property must be maintained in accordance with the Alberta Public Health Act, Nuisance and General Sanitation Guideline 243/2003, which stipulates;</p> <p><i>No person shall create, commit or maintain a nuisance. A person, who creates, commits or maintains any condition that is or might become injurious or dangerous to the public health or that might hinder in any manner the prevention or suppression of disease is deemed to have created, committed or maintained a nuisance.</i></p> <p>If there is any evidence of contamination, a public health nuisance, or other issues of public health concern identified at any phase of development, AHS wishes to be notified.</p>
Public Utility	
ATCO Gas	ATCO Gas has no objection to the proposed.
ATCO Pipelines	No objection.
AltaLink Management	No comments received.
FortisAlberta	No comments received.
Telus Communications	No objections to the current land owner proceeding with this application.
TransAlta Utilities Ltd.	No comments received.

AGENCY	COMMENTS
<i>Other External Agencies</i>	
EnCana Corporation	No comments received.
<i>Rocky View County Boards and Committees</i>	
ASB Farm Members and Agricultural Fieldmen	No comments received.
Recreation District Board (all)	At their July 25 Board Meeting, the Rocky View West Recreation District Board made a motion that they would expect to recommend taking cash-in-lieu at subdivision stage.
<i>Internal Departments</i>	
Agricultural Services	No comments received.
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 comments received.
GeoGraphics	No comments received.
Building Services	No comments received.
Fire Services	No comments to this circulation at this time.
Enforcement Services	No concerns at this stage.
Infrastructure and Operations - Engineering Services	<u>General</u>
	<ul style="list-style-type: none"> 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; Application is to re-designate from R-2 to R-1; In these comments, the North Lot shall be referred to as Lot 2 and the South Lot shall be referred to as Lot 1.
	<u>Geotechnical</u> - Section 300.0 requirements:
	<ul style="list-style-type: none"> ES has no requirements at this time. <ul style="list-style-type: none"> Based on RVC lidar data, the average slope on the property is approximately 10%.
	<u>Transportation</u> - Section 400.0 requirements:
	<ul style="list-style-type: none"> Access to both the proposed and remainder parcels is

AGENCY	COMMENTS
	<p>from Boyce Ranch Road, which is identified as local oil road on GISMO. There is an access easement agreement benefitting the owner of the land south of Proposed Lot 1 (Instrument 951 165 541);</p> <ul style="list-style-type: none"> • As a condition of future subdivision: <ul style="list-style-type: none"> ○ If a new approach is proposed for Lot 2, the applicant shall construct a new paved approach in accordance with the County Servicing Standards. The existing Right – of Way Plan and Access Easement Agreements (instrument 951 165 541) will be carried forward; ○ If a mutual (shared) access is to be used by proposed Lot 1 and Lot 2, the applicant shall provide an updated Right-of-Way Plan and Access Easement Agreement registered on the title. The proposed panhandle constructed to serve access to both subdivided lots is required to be a minimum of 12.5 meters in width as it may be converted into a road allowance in the future to allow for the construction of a public roadway. • As a condition of future subdivision, the applicant will be required to enter into a Road Acquisition Agreement for the panhandle portion of the proposed parcels allowing the County to acquire the lands for future road allowance for \$1.00; • As a condition of future subdivision, the applicant is required to provide payment of the Transportation Off-site Levy in accordance with the applicable levy at time of subdivision approval for the total gross acreage of the lands, as the applicant is proposing to subdivide a Residential One District Parcel less than 9.88 acres in size. <ul style="list-style-type: none"> ○ Base TOL = \$4595/acre. Acreage = 4.85 acres. TOL payment = (\$4595/acre)*(4.85 acres) = \$22,285.75. <p><u>Sanitary/Waste Water</u> - Section 500.0 requirements:</p> <ul style="list-style-type: none"> • The applicant submitted a Level 2 PSTS Assessment prepared by Western Water Resources Inc., dated September 25, 2017. The report concludes that the subject lands are suitable for a Type II Packaged Sewage Treatment Plant, coupled with a LFH at-grade soil based sewage treatment and dispersal system. • As a condition of subdivision, the Owner is to enter into a Site Improvements / Services Agreement with the County and shall include the following: <ul style="list-style-type: none"> ○ In accordance with the Level 2 PSTS Report prepared by Western Water Resources Inc.;

AGENCY	COMMENTS
	<ul style="list-style-type: none"> ○ For the construction of a Type II Packaged Sewage Treatment Plant and LFH at-grade soil based sewage treatment and dispersal system. • 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. <p><u>Water Supply And Waterworks</u> - Section 600.0 & 800.0 requirements:</p> <ul style="list-style-type: none"> • Water is to be supplied by individual wells on each lot; • The applicant has submitted a Level 2 Groundwater Supply Evaluation report prepared by Western Water Resources Inc. (WWR), dated February 28, 2018. The report concluded the well can adequately supply water for household purposes over long term, in accordance with the Water Act requirement of maximum 1250 m³/year/lot. The maximum recommended pumping rate is 4 igpm. The well has not met section 601.1.1 requirement which states to meet the peak flow demand, water wells should produce a minimum peak flow rate of 5 igpm for 1 hour, as per the recommendations of AENV Water Wells That Last for Generations. To meet the demand of the two peak flow rate periods, WWR recommends a cistern or tank with a capacity of no less than 300 imperial gallons be installed; • As a condition of subdivision, the applicant will be required to enter into a Site Improvements / Services Agreement for the construction of the recommendations of the Level 2 Groundwater Supply Evaluation report dated February 28, 2018; • 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. <p><u>Storm Water Management</u> – Section 700.0 requirements:</p> <ul style="list-style-type: none"> • As a condition of future subdivision, the applicant shall submit a Site-Specific Stormwater Implementation Plan (SSIP) for the subject lands, in accordance with the County Servicing Standards and the Bragg Creek Master Drainage Plan. <p><u>Environmental</u> – Section 900.0 requirements:</p> <ul style="list-style-type: none"> • ES has no requirements at this time; • Any approvals required through Alberta Environment shall be the sole responsibility of the Applicant/Owner.

AGENCY	COMMENTS
Infrastructure and Operations – Maintenance	No issues.
Infrastructure and Operations – Capital Delivery	No concerns.
Infrastructure and Operations – Road Operations	Applicant to confirm how he intended to access both parcels. If new approach construction required, Applicant will need to submit approach application.
Infrastructure and Operations – Utility Services	No concerns.

Circulation Period: June 27, 2017 – July 19, 2017



BYLAW C-7787-2018

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-7787-2018.

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. 39 and No. 39-SE of Bylaw C-4841-97 be amended by redesignating Lot 1, Block B, Plan 9511735 within SE-01-23-05-W05M from Residential Two District to Residential One District as shown on the attached Schedule 'A' forming part of this Bylaw.

THAT Lot 1, Block B, Plan 9511735 within SE-01-23-05-W05M is hereby redesignated to Residential One District as shown on the attached Schedule 'A' forming part of this Bylaw.

PART 4 – TRANSITIONAL

Bylaw C-7787-2018 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: 1
File: 03901008/ PL20170053

<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

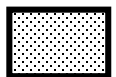
Date Bylaw Signed

BYLAW: C-7787-2018



AMENDMENT

FROM Residential Two District TO Residential One District

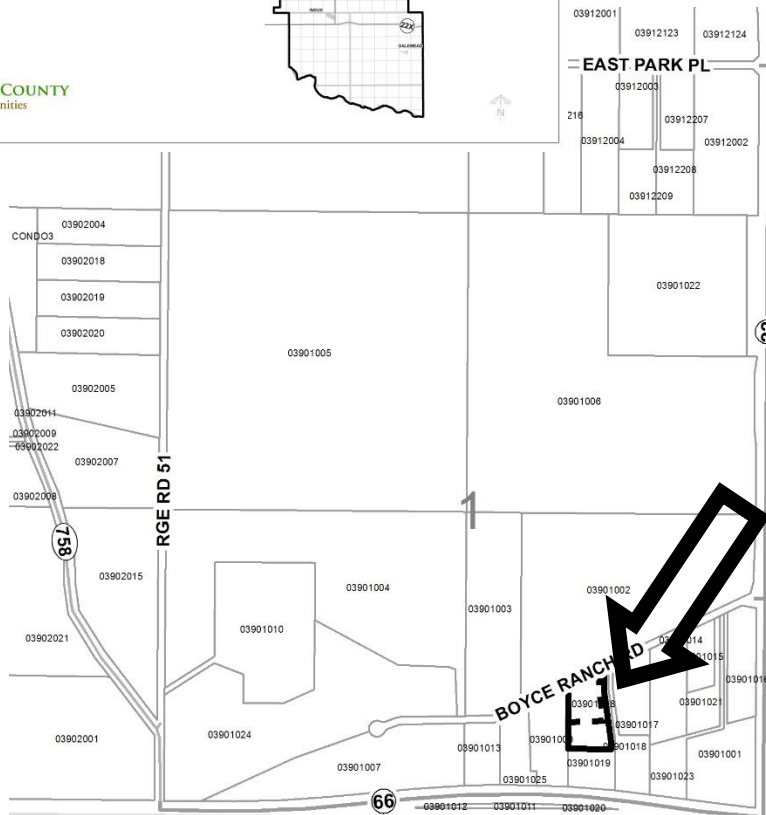
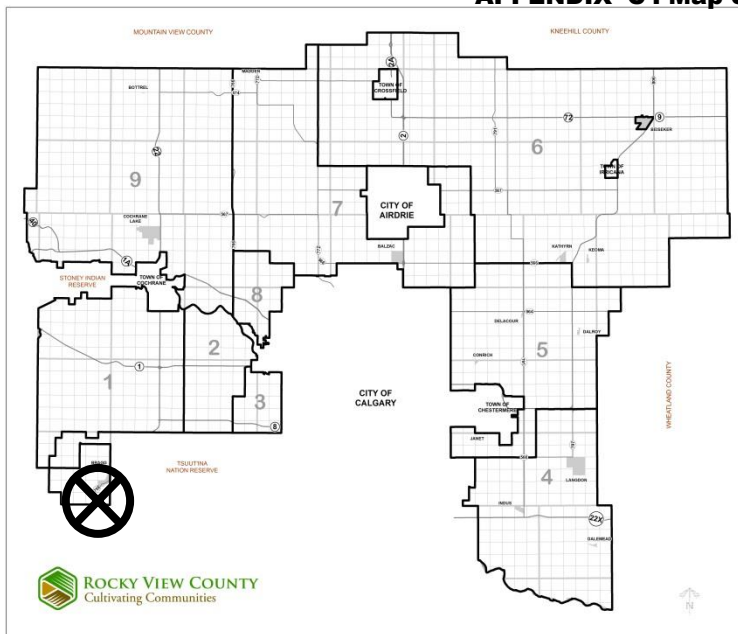


Subject Land _____

LEGAL DESCRIPTION: Lot 1, Block B, Plan 9511735
SE-01-23-05-W05M

FILE: 03901008 PL20170053

DIVISION: 1



TSUUT'INA NATION RESERVE

MUNICIPAL DISTRICT OF FOOTHILLS

LOCATION PLAN



SE-01-23-05-W05M
Lot:1 Block:B Plan:9511735

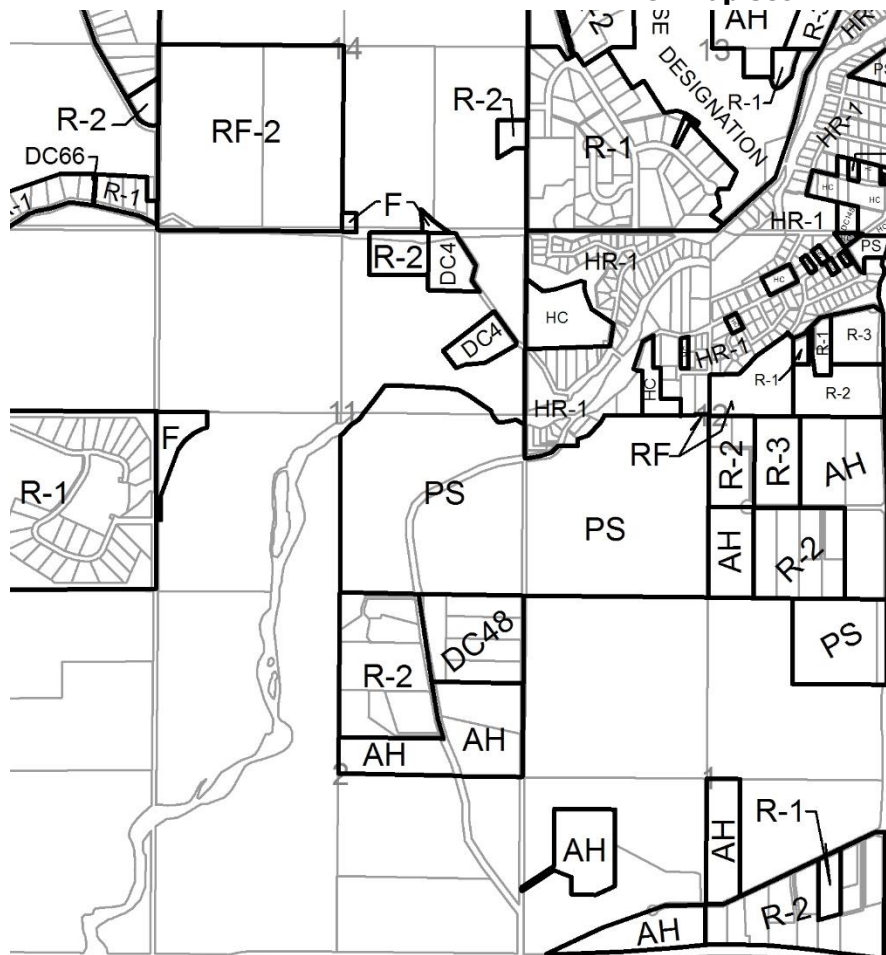
Date: June 26, 2017

Division # 1

File: 03901008

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TSUUT'INA NATION RESERVE

MUNICIPAL DISTRICT OF FOOTHILLS

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

SE-01-23-05-W05M

Lot:1 Block:B Plan:9511735

Date: June 26, 2017

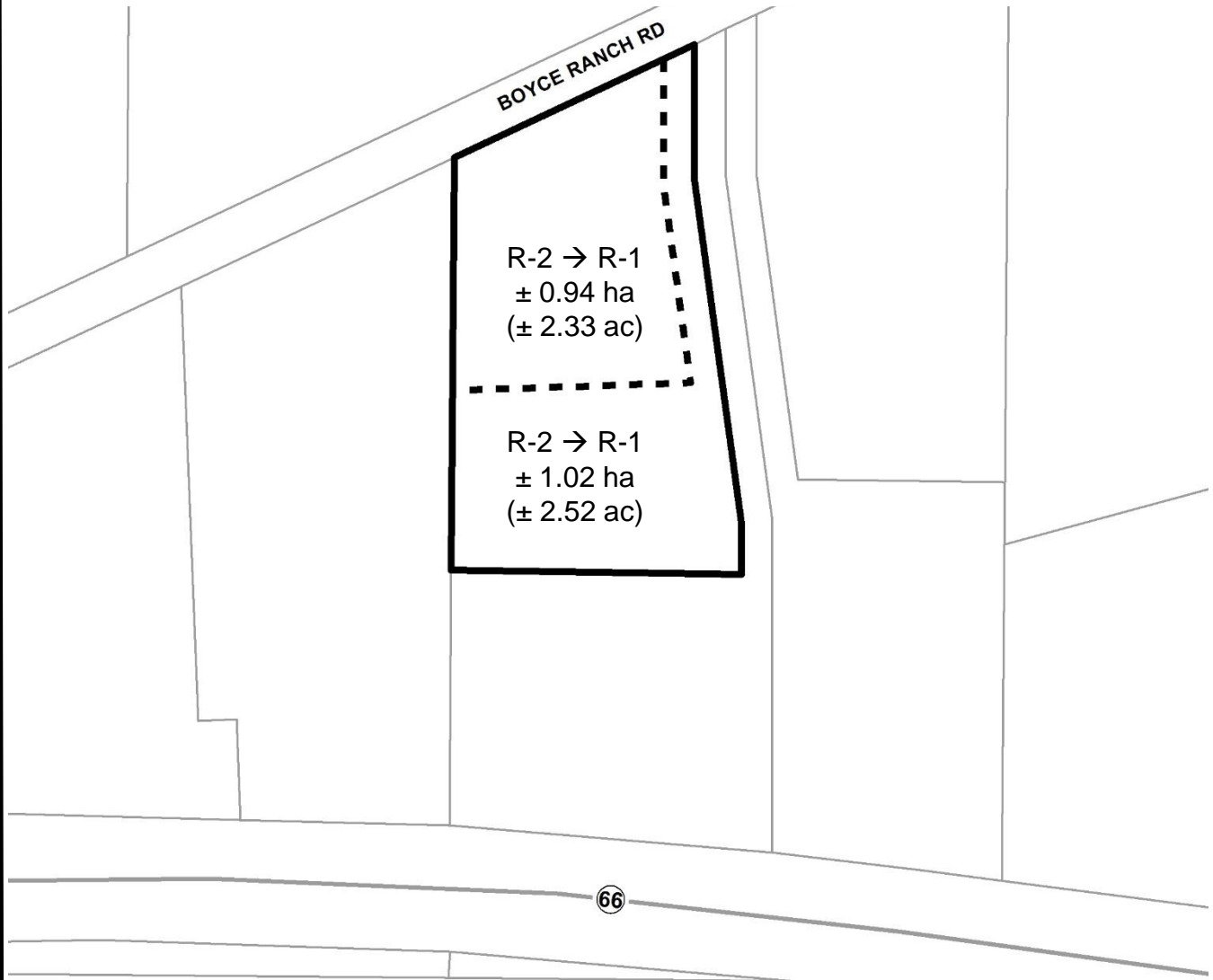
Division # 1

File: 03901008

AGENDA

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Development Proposal: To redesignate the subject lands from Residential Two District (R-2) to Residential One District (R-1) in order to facilitate the creation of a ± 0.94 hectare (± 2.33 acre) parcel with a ± 1.02 hectare (± 2.52 acre) remainder.



DEVELOPMENT PROPOSAL

SE-01-23-05-W05M

Lot:1 Block:B Plan:9511735

Date: June 26, 2017

Division # 1

File: 03901008

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

SE-01-23-05-W05M

Lot:1 Block:B Plan:9511735

Date: June 26, 2017

Division # 1

File: 03901008

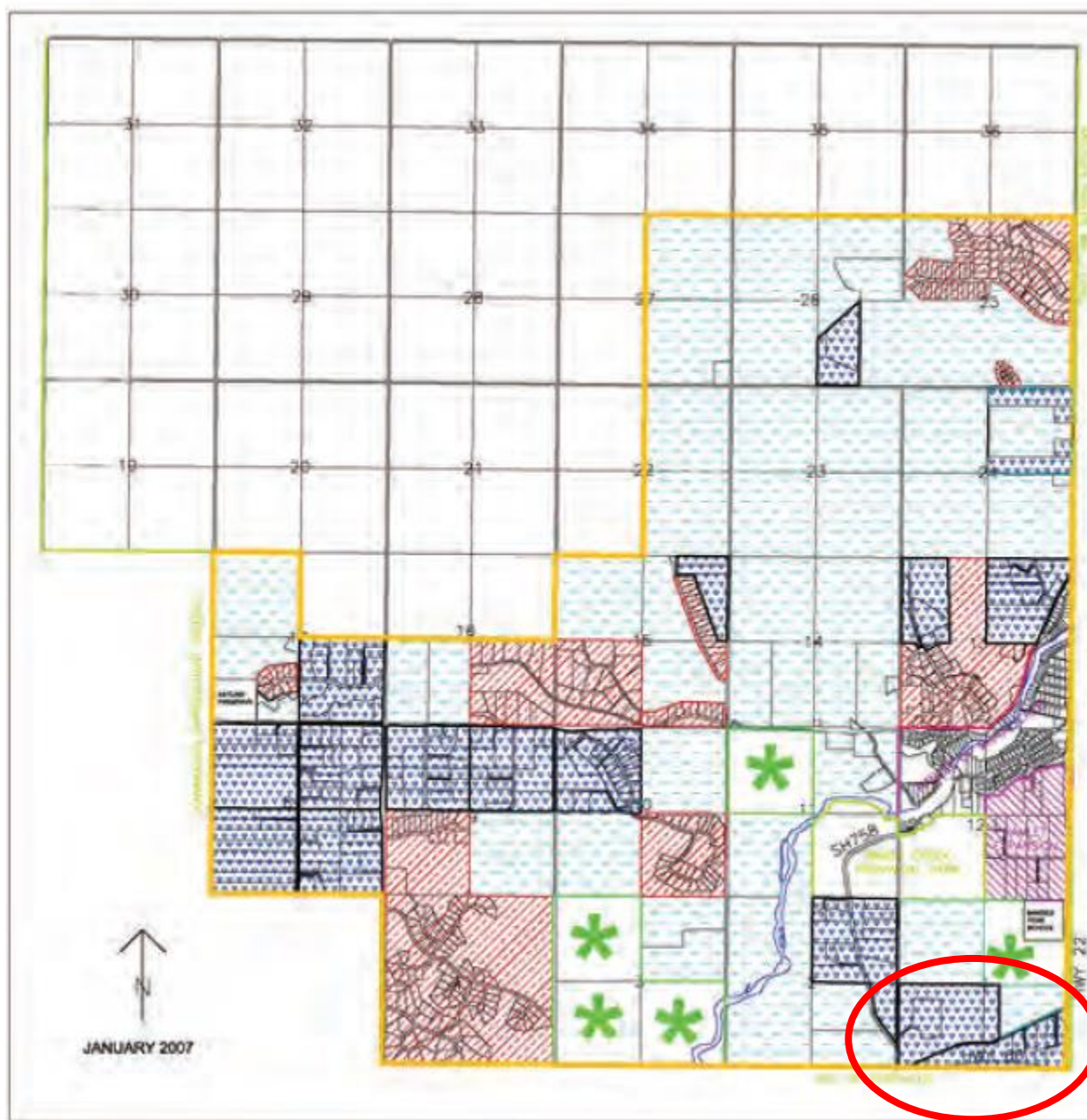
AGENDA

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**FIGURE 13: INFILL RESIDENTIAL
AREA**

SE-01-23-05-W05M

Lot:1 Block:B Plan:9511735

Date: June 26, 2017

Division # 1

File: 03901008

AGENDA

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TOPOGRAPHY

Contour Interval 1 M (LIDAR)



SE-01-23-05-W05M

Lot:1 Block:B Plan:9511735

Date: June 26, 2017

Division # 1

File: 03901008

AGENDA

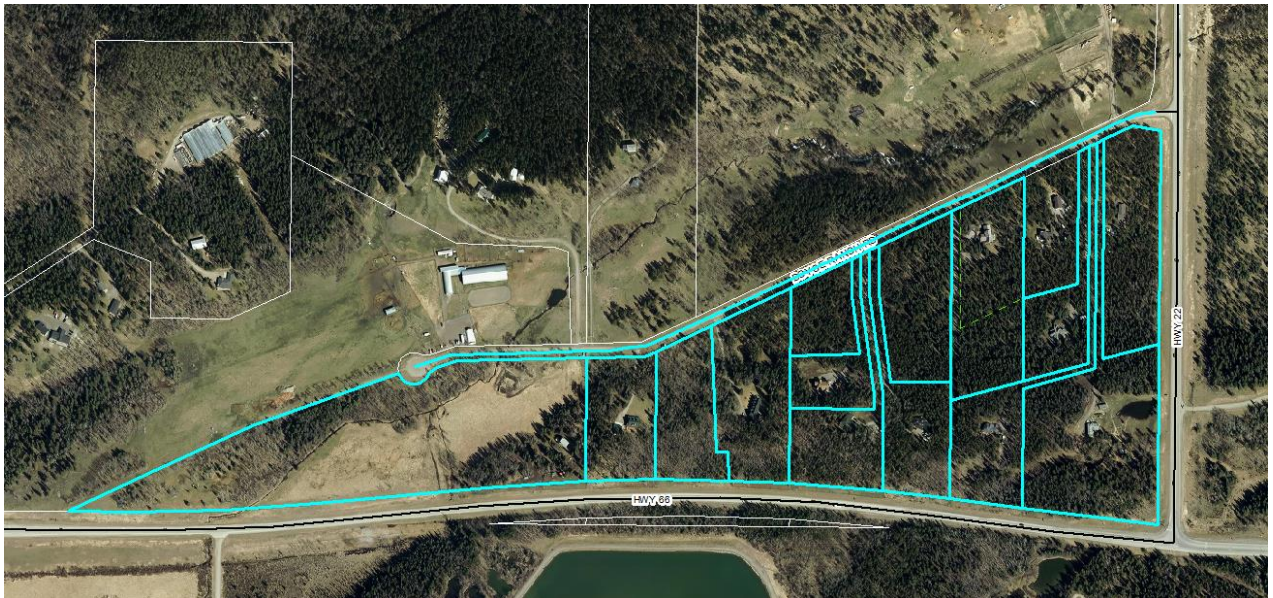
Page 38 of 232

Gross Developable Area (GDA) means the amount of land that remains once areas that represent constraints to development have been subtracted from the gross area. No topographic or environmental constraints have been determined for this area.

Policy 7.4.3(d) states that within south Bragg Creek, parcel sizes should not be less than 2 acres with an overall density of not greater than one lot per 3 acres of GDA. Given no constraints have been identified, GDA is equivalent to the gross area.

Figure 13 identifies the overall area where density can be calculated (predetermined conceptual scheme boundaries). Based on this area, the GDA density calculation is:

Overall area of lands within predetermined boundary (figure 13)	86.47 acres
Total number of lots within overall area (including proposed and already approved lots)	16
Overall density of GDA	1 lot / 5.40 acres



*Overall area used for calculating density

GROSS DEVELOPABLE AREA

SE-01-23-05-W05M

Lot:1 Block:B Plan:9511735

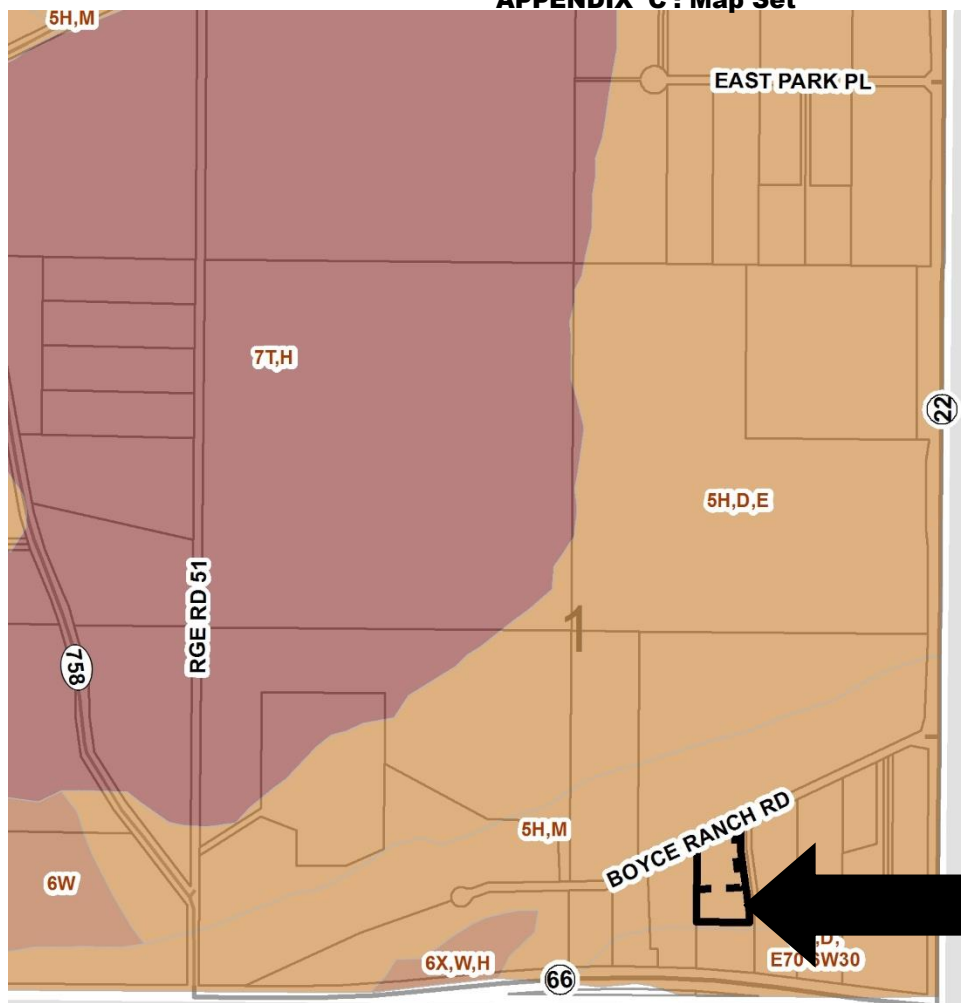
Date: June 26, 2017

Division # 1

File: 03901008

AGENDA

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TSUUT'INA NATION RESERVE

MUNICIPAL DISTRICT OF FOOTHILLS

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

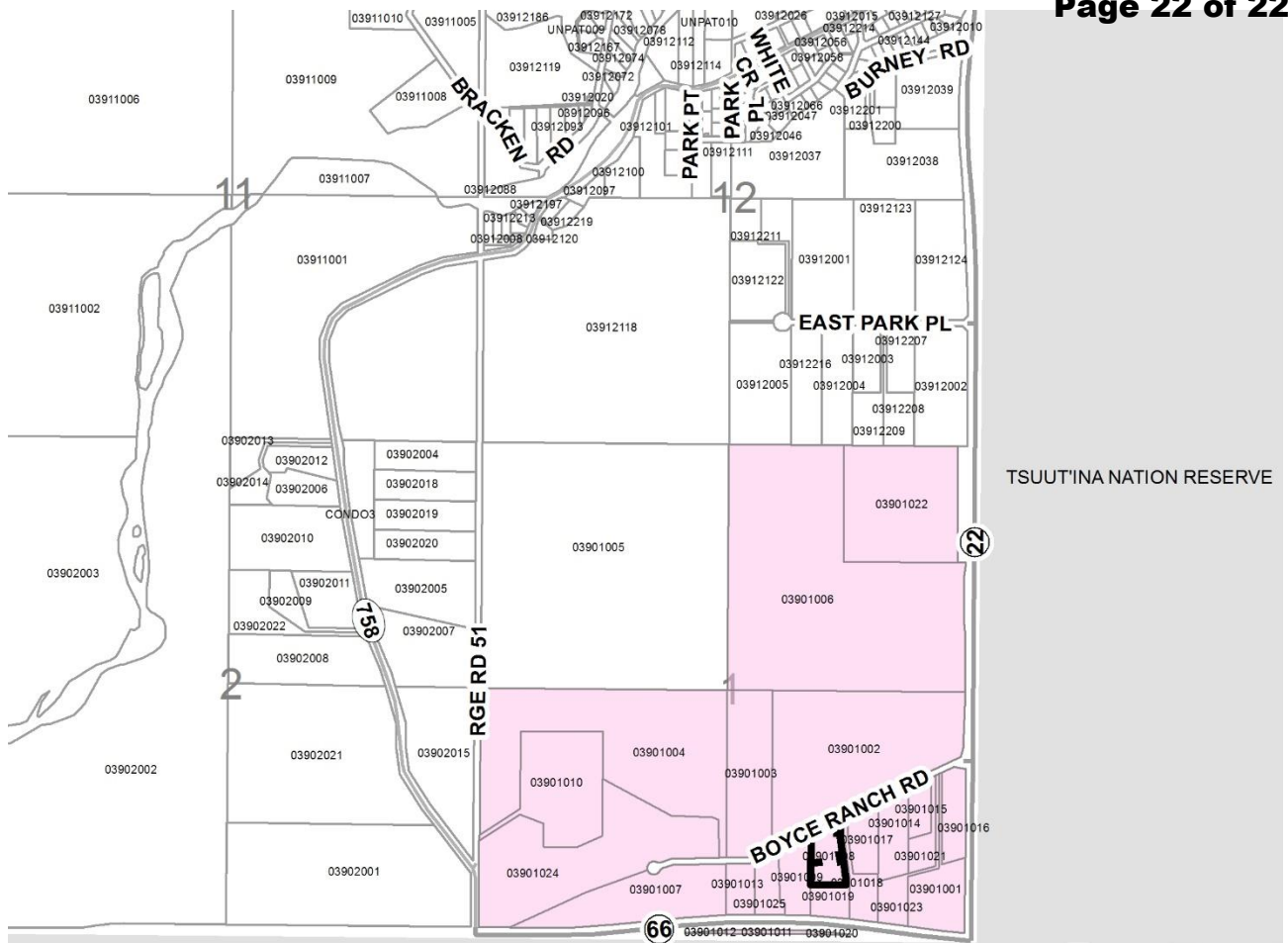
Limitations

- 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**SE-01-23-05-W05M****Lot:1 Block:B Plan:9511735**Date: June 26, 2017

Division # 1

File: 03901008**AGENDA****Page 40 of 232**



Letters in Opposition

Letters in Support

Legend



Circulation Area

Subject Lands

LANDOWNER CIRCULATION AREA

SE-01-23-05-W05M

Lot:1 Block:B Plan:9511735

Date: June 26, 2017

Division # 1

File: 03901008

AGENDA

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PLANNING SERVICES

TO: Council
DATE: June 12, 2018 **DIVISION:** 8
TIME: Morning Appointment
FILE: 06713017 **APPLICATION:** PL20170152
SUBJECT: Redesignation Item – Residential Two District to Residential One District

¹ADMINISTRATION RECOMMENDATION:

- Motion #1 THAT Bylaw C-7789-2018 be given first reading.
Motion #2 THAT Bylaw C-7789-2018 be given second reading.
Motion #3 THAT Bylaw C-7789-2018 be considered for third reading.
Motion #4 THAT Bylaw C-7789-2018 be given third and final reading.

EXECUTIVE SUMMARY:

The purpose of the application is to redesignate the subject lands from Residential Two District to Residential One District in order to facilitate the creation of a ± 1.06 hectare (± 2.63 acre) parcel with a ± 1.24 hectare (± 3.08 acre) remainder.

Servicing and access were considered and were found to be acceptable; the details of the analysis are found in the Background section of this report.

The site is located within Development Priority Area 1 of the Bearspaw Area Structure Plan (BASP). Figure 3 of the Plan identifies the subject lands as being located in an area for which a conceptual scheme is recommended to be completed in order to proceed to redesignation and subdivision. Although the Applicant has not proposed a conceptual scheme, they have indicated a willingness to comprehensively develop the overall site. After evaluating the proposal and the applicable policy, Administration concluded that a conceptual scheme would not provide any additional information or benefit for the subdivision of these lands for the following reasons:

1. Conceptual schemes are generally focused at the quarter section scale, and are put in place to guide overall development of a greater site. In this case, the submission of a conceptual scheme would be limited to the subject lands and would therefore not provide additional benefit. A proposed conceptual scheme exists directly to the north of the subject lands, and the lands immediately to the west and east are already developed and are smaller than 4 acres in size.
2. This redesignation would only facilitate the creation of one new lot.
3. There are no technical concerns from an access, stormwater, or servicing perspective.

Administration reviewed the application and determined that:

- It is consistent with the BASP and the Land Use Bylaw; and
- All technical concerns can be addressed future subdivision stage.

¹ **Administration Resources**
Jamie Kirychuk, Planning Services
Eric Schuh, Engineering Services



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 RECEIVED: September 11, 2017
DATE APPLICATION DEEMED COMPLETE: September 11, 2017

PROPOSAL: To redesignate the subject lands from Residential Two District to Residential One District in order to facilitate the creation of a ± 1.06 hectare (2.63 acre) parcel with ± 1.24 hectare (3.08 acre) remainder.

LEGAL DESCRIPTION: Lot 4, Block 8, Plan 9012421; SE-13-26-03-W05M

GENERAL LOCATION: Located approximately 0.40 kilometers (1/4 mile) west of Bearspaw Road and on the north side of Township Road 262.

APPLICANT: Kustom Projects Inc.

OWNERS: Justin & Kristie Fleming

EXISTING LAND USE DESIGNATION: Residential Two District

PROPOSED LAND USE DESIGNATION: Residential One District

GROSS AREA: ± 2.31 hectares (± 5.71 acres)

SOILS (C.L.I. from A.R.C.): **Class 1** - No significant limitations to cereal crop production.

PUBLIC & AGENCY SUBMISSIONS:

The application was circulated to 48 adjacent landowners, and no responses were received. The application was also circulated to a number of internal and external agencies. Those responses are available in Appendix 'A'.

HISTORY:

1990 Plan 9012421 is registered, resulting in the creation of the subject parcel.

BACKGROUND:

The purpose of the application is to redesignate the subject lands from Residential Two District to Residential One District in order to facilitate the creation of a ± 1.06 hectare (2.63 acre) parcel with ± 1.24 hectare (3.08 acre) remainder.

The subject lands are located within the Bearspaw Area Structure Plan (BASP) and are situated 0.40 kilometers west of Bearspaw Road on the north side of Township Road 262. The surrounding area is composed of agricultural lands to the east and north, while lands in the immediate vicinity have been undergoing gradual infilling since the 1970s. The proposed Bearspaw Meadow's Edge Conceptual Scheme is located directly north of the subject lands, while Jewel Valley and Westminster Glen are located on the south side of Township Road 262.

The parcel is currently accessed from Township Road 262, which is a paved road. The Applicant indicated that access to Lot 2 would be achieved via a panhandle, and both proposed lots would use the existing approach. At the future subdivision stage, the Applicant/Owner would be required to upgrade the existing approach to a mutual standard and enter into a mutual access easement agreement.



The subject lands contain an existing dwelling and detached garage. Servicing is provided from Rocky View Water Coop and a private sewage treatment system. Lot 2 is proposed to be serviced in a similar fashion. At the subdivision stage, the Applicant would be required to submit a Level 1 Assessment Variation for the existing septic field, and a Level 2 PSTS Assessment to determine the suitability of the proposed new parcel supporting a private sewage treatment system. The Applicant submitted a letter from Rocky View Water Co-op that indicates that the co-op has capacity to service proposed Lot 2. At the subdivision stage, the Applicant would be required to provide confirmation of tie-in of both lots to the Rocky View Water Co-op distribution system.

The topography of the subject site does not pose significant concerns with regard to developability, and there are no significant slopes. At the subdivision stage, the Applicant would be required to provide a Site-Specific Stormwater Implementation Plan that assesses the post development stormwater management of the Site. The SSIP must be in accordance with the Bearspaw-Glenbow Master Drainage Plan and the County Servicing Standards.

POLICY ANALYSIS:

The subject lands fall within the area governed by the Bearspaw Area Structure Plan (BASP), and this application was evaluated according to that document's criteria. One of the main goals of this policy is to guide growth and change within the Plan Area through the implementation of sound land use planning policies. To that end, when there is consideration for new subdivision applications, policy guides Applicants to provide a Conceptual Scheme when proposing lots less than 4 acres in size.

Although the Applicant has not proposed a conceptual scheme, they have indicated a willingness to comprehensively develop the overall site. After evaluating the proposal and the applicable policy, Administration concluded that a conceptual scheme would not provide any additional information or benefit for the subdivision of these lands for the following reasons:

1. Conceptual schemes are generally focused at the quarter section scale, and are put in place to guide overall development of a greater site. In this case, the submission of a conceptual scheme would be limited to the subject lands and would therefore not provide additional benefit. A proposed conceptual scheme exists directly to the north of the subject lands, and lands immediately to the west and east are already developed and are smaller than 4 acres in size.
2. This redesignation would only facilitate the creation of one new lot.
3. There are no technical concerns from an access, stormwater, or servicing perspective.

Proposed Lot 2 would be accessed via a 12.5 m wide panhandle. Section 8.1.22 of the BASP states that such access may only be deemed appropriate where topographic conditions preclude other design solutions. In the case of the subject lands, prior subdivisions have eliminated all other options to provide access to the site, and the proposed panhandle meets the County's Servicing Standards. Administration has no further concerns with the proposed access.

Land Use Bylaw

The application proposes to redesignate the subject lands from Residential Two District to Residential One District in order to facilitate the creation of a ± 1.06 hectare (2.63 acre) parcel with ± 1.24 hectare (3.08 acre) remainder. As the minimum parcel size and the intent of the district would be met within each proposed lot, the application is consistent with the Land Use Bylaw.

CONCLUSION:

The proposal to redesignate the subject lands from Residential Two District to Residential One District in order to facilitate the creation of a ± 1.06 hectare (2.63 acre) parcel with ± 1.24 hectare (3.08 acre) remainder complies with the policies of the BASP and the Land Use Bylaw; 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-7789-2018 be given first reading.
 Motion #2 THAT Bylaw C-7789-2018 be given second reading.
 Motion #3 THAT Bylaw C-7789-2018 be considered for third reading.
 Motion #4 THAT Bylaw C-7789-2018 be given third and final reading.
- Option # 2: THAT application PL20170152 be tabled, and the Applicant be directed to submit a conceptual scheme in support of the redesignation application.
- Option # 3: THAT application PL20170152 be refused.

Respectfully submitted,

Concurrence,

“Chris O’Hara”

“Kent Robinson”

General Manager

Interim County Manager

JK/rp

APPENDICES:

APPENDIX ‘A’: Application Referrals

APPENDIX ‘B’: Bylaw C-7789-2018 and Schedule A

APPENDIX ‘C’: Map Set

APPENDIX A: APPLICATION REFERRALS

AGENCY	COMMENTS
School Authority	
Rocky View Schools	No comments received.
Calgary Catholic School District	Calgary Catholic School District (CCSD) has no objection to the above-noted circulation (PL2017-0152) in Bearspaw. As per the circulation, Municipal Reserve has already been provided.
Public Francophone Education	No comments received.
Catholic Francophone Education	No comments received.
Province of Alberta	
Alberta Environment and Sustainable Resource Development (Public Lands)	No comments received.
Alberta Transportation	Not required for circulation.
Alberta Culture and Community Spirit (Historical Resources)	No comments received.
Energy Resources Conservation Board	No comments received.
Alberta Health Services	<p>Thank you for inviting our comments on the above-referenced application. Alberta Health Services (AHS) understands that this application is proposing to re-designate the subject lands from Residential Two District to Residential One District in order to facilitate the creation of a ±1.06 hectare (±2.63 acre) parcel with ±1.24 hectare (±3.08 acre) remainder. We provide the following comments for your consideration:</p> <ol style="list-style-type: none"> 1. The application indicates that potable water will be supplied by Rocky View Water Co-op Ltd. AHS supports the regionalization of water and wastewater utilities. 2. Any existing or proposed private sewage disposal systems should be completely contained within the proposed property boundaries and must comply with the setback distances outlined in the most recent Alberta Private Sewage Systems Standard of Practice. Prior to installation of any sewage disposal system, a proper geotechnical assessment should be conducted by a qualified professional engineer and the system should be installed in an approved manner. 3. The property must be maintained in accordance with the Alberta Public Health Act, Nuisance and General Sanitation

AGENCY	COMMENTS
	<p>Guideline 243/2003 which stipulates,</p> <p><i>No person shall create, commit or maintain a nuisance. A person who creates, commits or maintains any condition that is or might become injurious or dangerous to the public health or that might hinder in any manner the prevention or suppression of disease is deemed to have created, committed or maintained a nuisance.</i></p>
Public Utility	
ATCO Gas	No objections.
ATCO Pipelines	No comments.
AltaLink Management	No comments received.
FortisAlberta	No comments received.
Telus Communications	<p>Please be advised that TELUS has no objection to the redesignation request, however, we will need to review the circulation for the proposed development/subdivision.</p>
TransAlta Utilities Ltd.	No comments received.
Rockyview Gas Co-op Ltd.	No comments received.
Other External Agencies	
EnCana Corporation	No comments received.
Rocky View County Boards and Committees	
ASB Farm Members and Agricultural Fieldman	No comments
Recreation Board	<p>As Municipal Reserves were provided on a previous plan, Bearspaw-Glendale Recreation District Board has no comments on this circulation.</p>
Internal Departments	
Municipal Lands	The Municipal Lands Office has no concerns with this application.
Development Authority	No comments received.
GeoGraphics	No comments.
Building Services	No comments received.

AGENCY	COMMENTS
Emergency Services	<p>Enforcement Services:</p> <p>No concerns at this stage.</p>
Infrastructure and Operations - Engineering Services	<p>Fire Services:</p> <p>No comments.</p> <p><u>General</u></p> <ul style="list-style-type: none"> 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; Parcel is located in Phasing Area 1 of the Bearspaw ASP, which is a Country Residential Area. <p><u>Geotechnical</u> - Section 300.0 requirements:</p> <ul style="list-style-type: none"> ES have no requirements at this time. <p><u>Transportation</u> - Section 400.0 requirements:</p> <ul style="list-style-type: none"> The parcel is currently accessed from Township Road 262, which is a paved road; Township Road 262 is currently identified as a Network B Road in the Long Range Transportation Network, requiring 30 metres of right of way in the future. The current right of way width is 30 metres. Therefore, road dedication is not required; As a condition of future subdivision, the applicant/owner shall be required to ensure that the existing approach is built to a mutual standard, in accordance with the County Servicing Standards; As a condition of future subdivision, the applicant shall provide a Mutual Access Easement Agreement and the required Right-of-Way Plan for the shared approach: <ul style="list-style-type: none"> An additional approach on Township Road 262 is not recommended, as it is part of the Long Range Transportation Network. As a condition of future subdivision, the applicant shall be required to provide payment of the Transportation Offsite Levy in accordance with applicable levy at time of Subdivision approval, for the total gross acreage of the lands, as the applicant is proposing to subdivide an R1 parcel. <ul style="list-style-type: none"> Base Levy = \$4595/acre. Acreage = 5.71 acres. Estimated TOL payment = (5.71acres)*(\$4595/acre) = \$26,237.

AGENCY	COMMENTS
	<p><u>Sanitary/Waste Water</u> - Section 500.0 requirements:</p> <ul style="list-style-type: none"> • At the time of future subdivision application, the applicant is required to submit a Level 1 Assessment Variation for the existing septic field, describing the existing system type, maintenance requirements and include a sketch showing its location and size. The assessment shall also provide measurements to pertinent features (wetlands, surface water, wells, property lines, home, etc.) and comment on the general suitability of the existing system based on visual inspection. This assessment shall be prepared by the homeowner and shall be submitted prior to subdivision approval; • At the time of future subdivision application, the applicant will be required to submit a Level 2 PSTS Assessment, prepared by a qualified professional, to determine the suitability of the proposed new parcel to support a PSTS. <ul style="list-style-type: none"> ○ If required, the Applicant shall enter into a Site Improvement / Site Services Agreement to ensure any improvements are made in accordance with the PSTS Assessments. ○ In accordance with Policy 449, as the proposed new lot is between 1.98 & 3.95 acres, the use of a Packaged Sewage Treatment Plant meeting Bureau de Normalisation du Quebec (BNQ) standards shall be required. • 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. <p><u>Water Supply And Waterworks</u> - Section 600.0 & 800.0 requirements:</p> <ul style="list-style-type: none"> • Connection to the Rocky View Water Co-op distribution system is available in the road allowance of Township Road 262 adjacent to the subject lands; • The applicant submitted a letter from Rocky View Water Co-op (May 17, 2017), which indicates that the co-op has capacity to service the proposed development; • As a condition of future subdivision, the applicant is required to provide confirmation of tie-in of both lots to the Rocky View Water Co-op distribution system, as per the approved Tentative Plan. The applicant will be required to provide: <ul style="list-style-type: none"> ○ Documentation showing that the necessary water supply has been purchased for both lots; ○ Documentation showing that all necessary water infrastructure will be installed and that the water supplier has approved the associated plans and specifications (Servicing Agreement).

AGENCY	COMMENTS
	<p><u>Storm Water Management</u> – Section 700.0 requirements:</p> <ul style="list-style-type: none"> At future subdivision stage, the Applicant/Owner is to provide a Site-Specific Stormwater Implementation Plan assessing the post development stormwater management of the Site. The SSIP shall be in accordance with the Bearspaw-Glenbow Master Drainage Plan and the County Servicing Standards. Implementation of the SSIP shall include the following: <ul style="list-style-type: none"> If the recommendations of the SSIP require improvements, than the Applicant shall enter into a Development Agreement (Site Improvements/Services Agreement); Consideration of the post development conditions to ensure there are no negative impacts to adjacent parcels or the County Right-of-Way; Registration of any required drainage easements and/or utility right-of-way including adjacent properties; Any necessary approvals and compensation provided to Alberta Environment for wetland loss and mitigation; and Any necessary Alberta Environment licensing documentation for the stormwater infrastructure system. <p><u>Environmental</u> – Section 900.0 requirements:</p> <ul style="list-style-type: none"> ES have no requirements at this time.
Infrastructure and Operations - Maintenance	No comments received.
Infrastructure and Operations - Capital Delivery	No comments received.
Infrastructure and Operations – Road Operations	No comments received.
Infrastructure and Operations - Utility Services	No comments received,

Circulation Period: September 27 – October 18, 2017



BYLAW C-7789-2018

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-7789-2018.

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 67-SE of Bylaw C-4841-97 be amended by redesignating Lot 4, Block 8, Plan 9012421 within SE-13-26-03-W05M from Residential Two District to Residential One District as shown on the attached Schedule 'A' forming part of this Bylaw.

THAT Lot 4, Block 8, Plan 9012421 within SE-13-26-03-W05M is hereby redesignated to Residential One District as shown on the attached Schedule 'A' forming part of this Bylaw.

PART 4 – TRANSITIONAL

Bylaw C-7789-2018 comes into force when it receives third reading, and is signed by the Reeve/Deputy Reeve and CAO or Designate, as per the *Municipal Government Act*.

Division: 8

File: 06713017- PL20170152

PUBLIC HEARING WAS HELD IN COUNCIL this *day of* , 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

CAO or Designate

Date Bylaw Signed

± 2.31 ha
± 5.71 ac

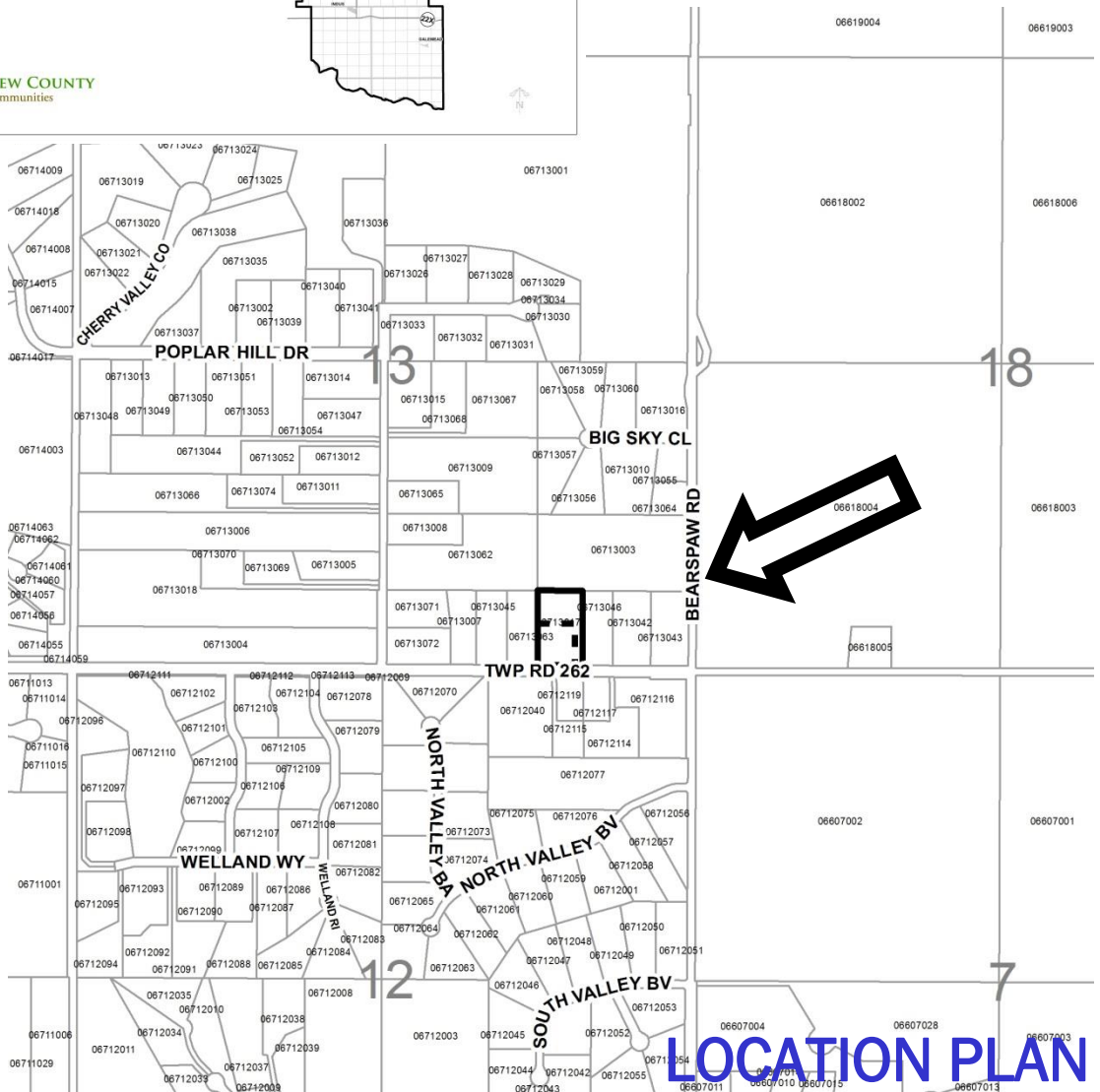
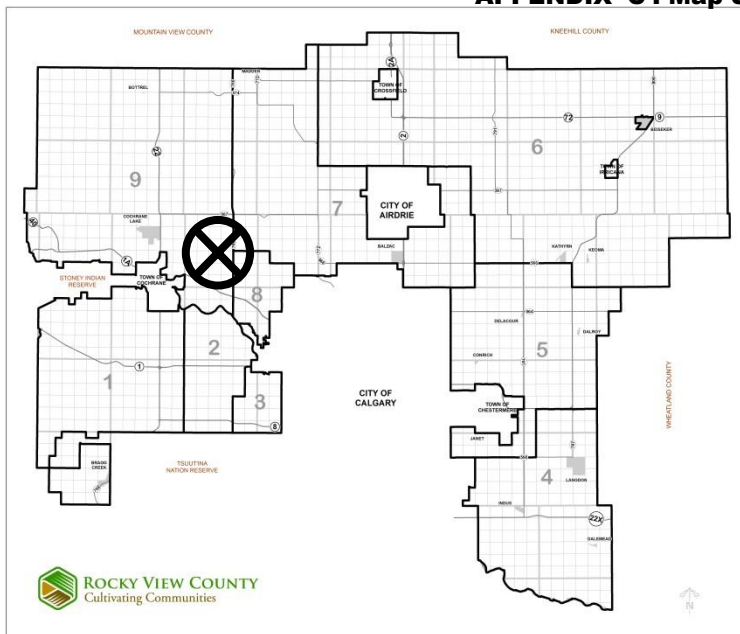
TWP RD 262

FROM Residential Two District **TO** Residential One District

Subject Land _____

LEGAL DESCRIPTION: Lot 4, Block 8, Plan 9012421;
SE-13-26-03-W05M

DIVISION: 8



LOCATION PLAN

SE-13-26-03-W05M
Lot:4 Block:8 Plan:9012421

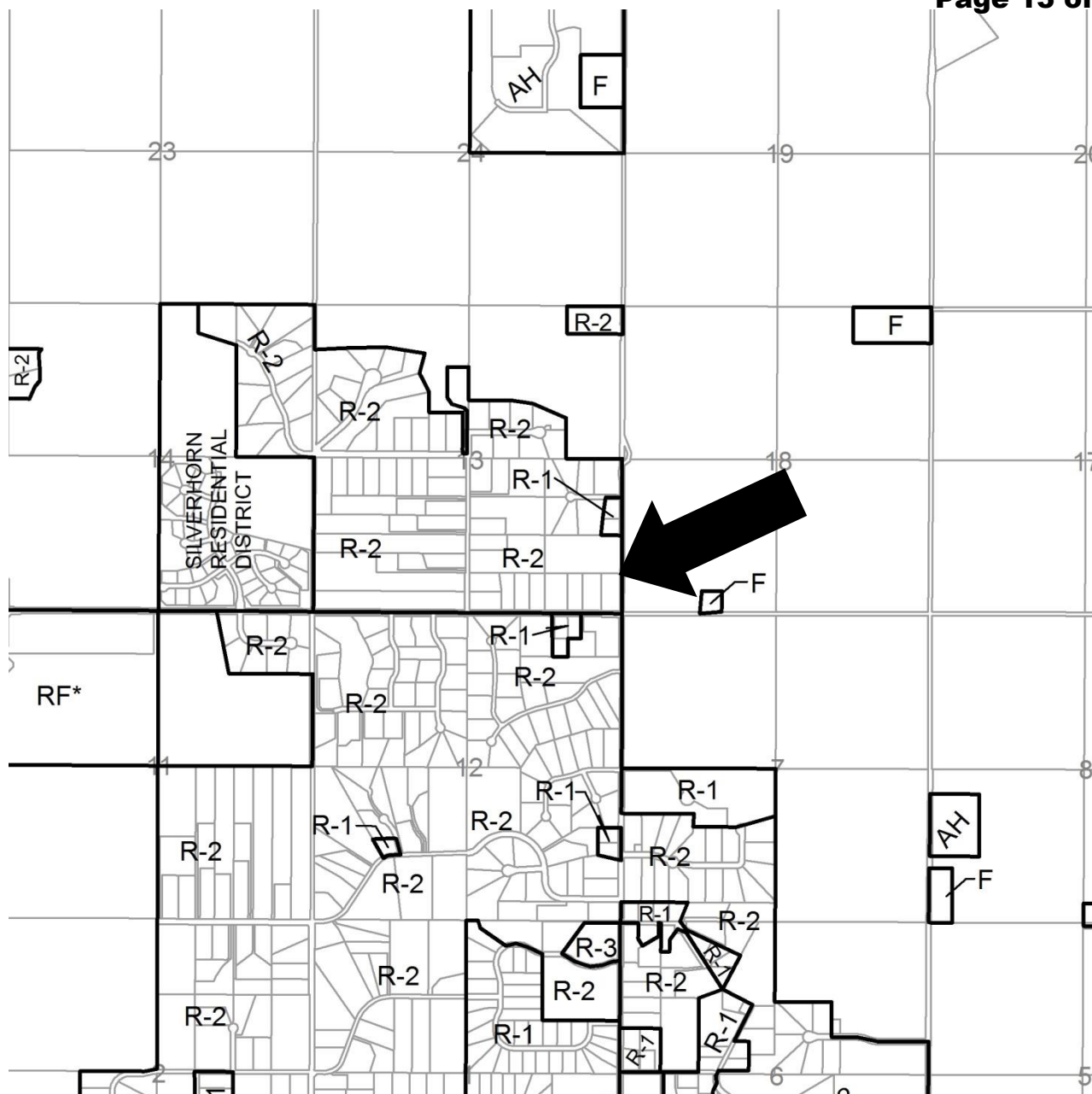
Date: Sep 11, 2017

Division # 8

File: 06713017

AGENDA

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

LAND USE MAP

SE-13-26-03-W05M

Lot:4 Block:8 Plan:9012421

Date: Sep 11, 2017

Division # 8

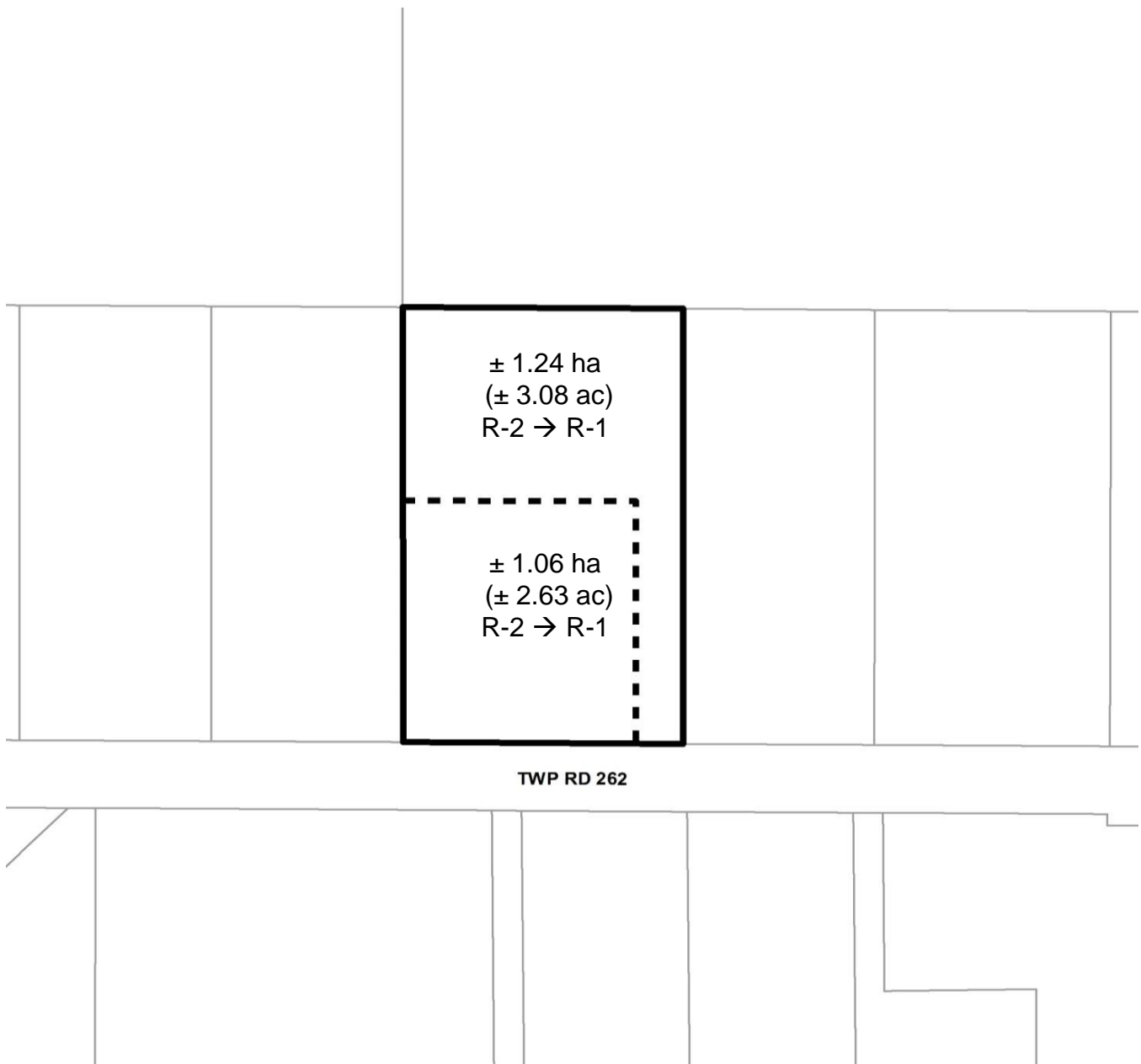
File: 06713017

AGENDA

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Redesignation Proposal: To redesignate the subject lands from Residential Two District to Residential One District in order to facilitate the creation of a

±1.06 hectare (± 2.63 acre) parcel with ± 1.24 hectare (± 3.08 acre) remainder.

**DEVELOPMENT PROPOSAL****SE-13-26-03-W05M****Lot:4 Block:8 Plan:9012421**Date: Sep 11, 2017

Division # 8

File: 06713017**AGENDA****Page 55 of 232**



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-13-26-03-W05M
Lot:4 Block:8 Plan:9012421

Date: Sep 11, 2017

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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

SE-13-26-03-W05M
Lot:4 Block:8 Plan:9012421

Date: Sep 11, 2017

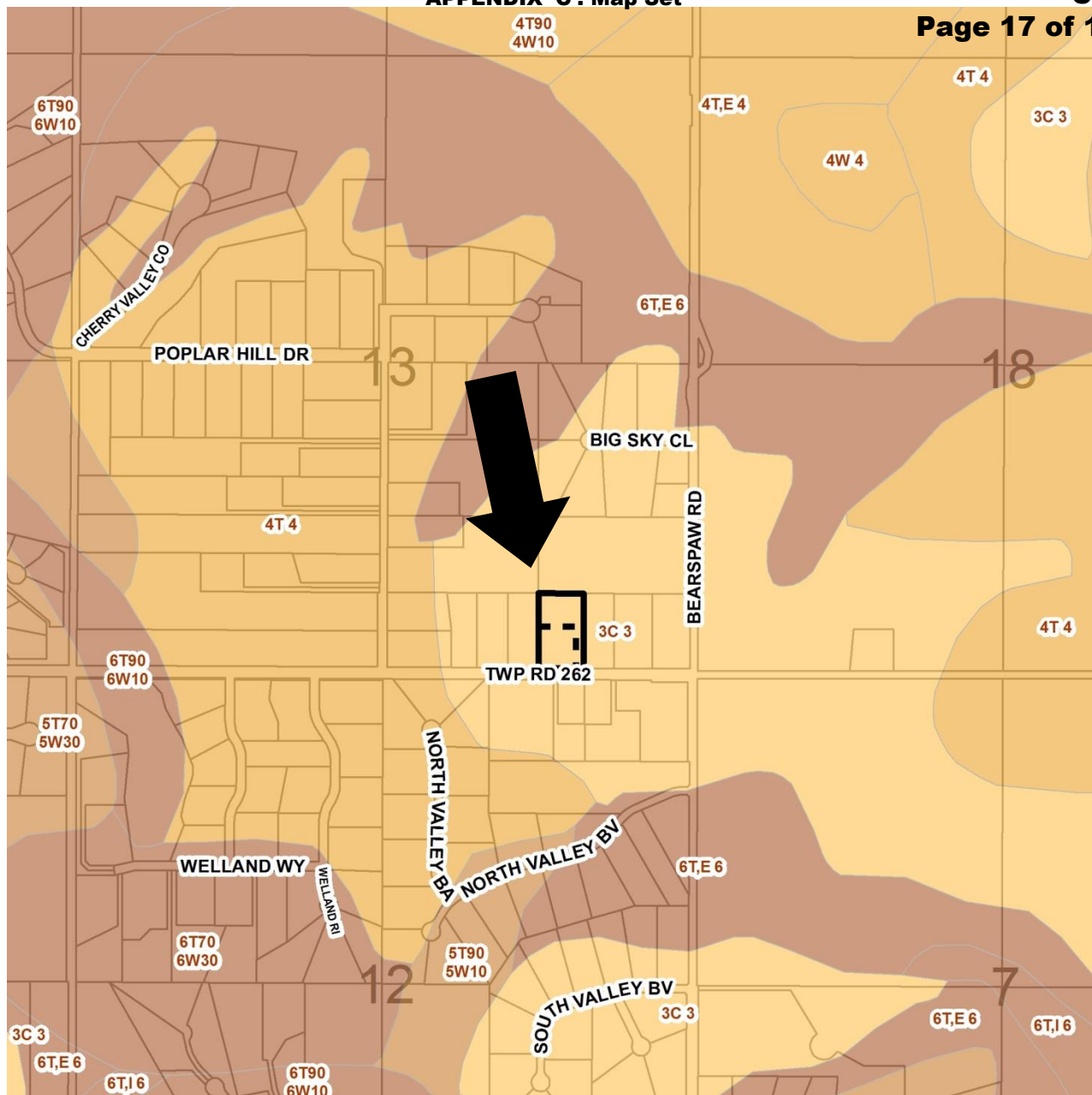
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LAND CAPABILITY CLASSIFICATION LEGEND

Limitations refer to cereal, oilseeds and tame hay crops

CLI Class

- 1 - No significant limitation
- 2 - Slight limitations
- 3 - Moderate limitations
- 4 - Severe limitations
- 5 - Very severe limitations
- 6 - Production is not feasible
- 7 - No capability

Limitations

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

SOIL MAP

SE-13-26-03-W05M

Lot:4 Block:8 Plan:9012421

Date: Sep 11, 2017

Division # 8

File: 06713017

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PLANNING SERVICES

TO: Council
DATE: June 12, 2018 **DIVISION:** 4
TIME: Morning Appointment
FILE: 03218008/8020/9019/9035 **APPLICATION:** PL20150116
SUBJECT: Redesignation Item – Fragmented Country Residential – Agricultural Holdings District to Residential Two District

¹ADMINISTRATION RECOMMENDATION:

- Motion #1 THAT Bylaw C-7674-2017 be given first reading.
Motion #2 THAT Bylaw C-7674-2017 be given second reading.
Motion #3 THAT Bylaw C-7674-2017 be considered for third reading.
Motion #4 THAT Bylaw C-7674-2017 be given third and final reading.

EXECUTIVE SUMMARY:

The purpose of this application is to redesignate the subject land from Agricultural Holdings District to Residential Two District to accommodate the development of fifteen country residential lots with an internal access road.

Access and servicing was considered, and a lot and road plan was provided, all of which were found to be acceptable; the details of the evaluation can be found in the Technical Considerations section of this report.

The subject land is not located within the policy area of an area structure plan, and as such, the application was assessed in accordance with the Fragmented Country Residential policies of the County Plan. Administration determined that:

- The proposal is consistent with the Fragmented Residential policies of the County Plan;
- The provided lot and road plan is consistent with the policies of the County Plan;
- The proposed land use is appropriate for the intended parcel sizes;
- The proposal would not limit future subdivision potential for adjacent parcels; and
- All technical matters could be further addressed through the future conditions of subdivision approval.

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

DATE APPLICATION RECEIVED: September 29, 2015
DATE APPLICATION DEEMED COMPLETE: March 1, 2018

PROPOSAL: To redesignate the subject lands from Agricultural Holdings District to Residential Two District to accommodate the development of fifteen (15) country residential lots.

¹ Administration Resources
Jessica Anderson, Planning Services
Gurbir Nijjar, Engineering Services



LEGAL DESCRIPTION:	<p>Lot 13, Plan 7911308, NW-18-23-27-W04M</p> <p>Lot 14, Block 2, Plan 0613763, NW-18-23-27-W04M</p> <p>Lot 10, Block 1, Plan 7710827, SW-19-23-27-W04M</p> <p>Lot 21, Block 3, Plan 0214041, S-19-23-27-W04M</p>
GENERAL LOCATION:	Located approximately 0.81 km (1/2 mile) east of Highway 791 and on the north side of Twp Rd 233, 2.5 miles west of Langdon.
APPLICANT:	Carswell Planning
OWNERS:	Heather Palmer, 1234236 Alberta Ltd., Mehar Singh Banipal, Balbir S & Dalhjeet K Parmar, Gurmail K & Gursewak S Warring
EXISTING LAND USE DESIGNATION:	Agricultural Holdings District (AH)
PROPOSED LAND USE DESIGNATION:	Residential Two District (R-2)
GROSS AREA:	± 27.99 hectares (± 69.17 acres)
SOILS (C.L.I. from A.R.C.):	Class 1, 1 – No significant limitations

PUBLIC & AGENCY SUBMISSIONS:

The proposal was circulated to 52 adjacent landowners. Twenty-three (23) responses were received in objection to the application (see Appendix 'D'). The application was also circulated to a number of internal and external agencies. These responses are found in Appendix 'A'.

HISTORY:

April 25, 2014	All lots in quarter	An application for a Conceptual Scheme and land use redesignation (2008-RV-295 and 2007-RV-415) was withdrawn by the applicant.
June 3, 2013	Lot 14	A subdivision application (2013-RV-056) to create one additional lot was withdrawn.
October 2, 2007	Lot 10	A land use application (2007-RV-026) to redesignate the lands from Agricultural Holdings District to Residential Two District was refused.
October 17, 2006	Lot 14	Plan 061 3763 was registered, which created two parcels including the subject 15.64 acre (6.33 hectare) Lot 14 parcel.
November 1, 2005	Lot 21	A land use application (2003-RV-075) to redesignate the lands from Agricultural Holdings District to Residential One District was refused.
November 29, 2002	Lot 21	Plan 0214041 was registered, which created two parcels including the subject 15.00 acre (6.071 hectare) Lot 21 parcel.
November 23, 1979	Lot 13	Plan 791 1308 was registered, which created thirteen (13) parcels including the subject 19.36 acre (7.83 hectare) Lot 13 parcel.
May 31, 1977	Lot 10	Plan 771 0827 was registered, which created two parcels including the subject 19.17 acre (7.76 hectare) Lot 10 parcel.



BACKGROUND:

The purpose of this application is to redesignate the subject lands from Agricultural Holdings District to Residential Two District to accommodate the development of fifteen country residential lots with an internal access road.

The subject lands are composed of four separate parcels, two of which contain dwellings. The two northern lots are accessed via Canal Court, and the two southern lots are accessed via Township Road 233, both of which are gravel standard roads. The lots are serviced by individual wells and private septic systems.

The lands are generally flat with drainage toward the east. There are four wetlands on site; however, they are minor and would not impede subdivision potential.

The lands in the vicinity of the site feature a mix of land uses. Generally, lands to the northwest feature a mix of small agricultural parcels and country residential parcels, while lands to the east and south are mainly agricultural. The Western Irrigation District Canal is located immediately east of the lands. The quarter section in which the subject lands are located is fragmented and currently contains twenty-six existing parcels.

POLICY ANALYSIS:

County Plan (Bylaw C-7280-2013)

The subject land is not located within the policy area of an area structure plan; therefore, the application was assessed in accordance with the Fragmented Country Residential Policies of the County Plan.

Historical subdivision approvals in parts of the County's agricultural area have resulted in fragmented pockets of country residential lots and small agricultural parcels. The County Plan addresses the issues related to fragmented land and provides policies to enable a gradual transition to a more orderly and efficient residential development pattern.

A Fragmented Quarter Section is defined as a quarter section of land within the agriculture area divided into six or more:

- i. Residential lots; and/or*
- ii. Small agricultural parcels, each of which is less than 10 hectares (24.7 acres) in size.*

The proposal meets this definition, and therefore, the fragmented policies in section 10 were used to evaluate this proposal:

- 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;*
 - The Applicant provided a lot and road plan to comprehensively address lot layouts and access for possible future subdivision applications. Due to the existing configuration within this fragmented quarter section, it was determined that the plan should address the subject lands and the lands immediately to the west only, as the lots to the north are serviced by an existing internal access road, and the irrigation canal abuts the lands to the east. The plan demonstrates that the proposed development would not inhibit subdivision potential on the adjacent lands.



- ii. *Includes design measures to minimize adverse impacts on existing agriculture operations; and*
 - The design provides access to the proposed parcels by way of Township Road 233 and Canal Court, and as such, it would not significantly increase the impact on existing agricultural operations. The proposal meets policy 8.30 of the County Plan as design considerations including access, boundary areas, lot configuration, and road layouts were considered in accordance with the Agricultural Boundary Design Guidelines.
 - iii. *demonstrates potential connectivity to residential or small agricultural acreages outside of the lot and road plan area.*
 - Potential connectivity to future country residential development to the north is available from Canal Court. The Applicant demonstrated that lots to the west could obtain access from the north or south, and should development proceed on the adjacent lots in the future, there is potential for further connectivity between Canal Court and lands to the west at that time.
- 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*
 - The proposed lot and road plan is capable of supporting the increased residential development proposed by this application. The proposal addresses the internal road network, water supply, sewage treatment, and stormwater management.
 - ii. *Any other assessment required by unique area conditions.*
 - There are no further assessments required at this stage.
- c. *A technical assessment of the impact on off-site infrastructure, roads, and stormwater systems is be provided;*
 - The Applicant provided a Traffic Impact Assessment and Stormwater Management Plan. The recommendations of these reports would be implemented at the subdivision stage.
- 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 adjacent landowners did not express an interest in participating in the lot and road plan. Extensive engagement was completed for a previous application for the Canal Court Conceptual Scheme, and the Applicant prepared their proposal in accordance with the concerns expressed during that engagement session.
 - The Applicant also prepared a report that documents the consultation process undertaken with adjacent landowners and details the Applicant's response to their concerns.

TECHNICAL CONSIDERATIONS:

The Applicant submitted the following reports in support of the application: a Traffic Impact Assessment, a Stormwater Management Plan, a Phase I Aquifer Evaluation, and a Level IV PSTS Assessment.

Water

Potable water is proposed to be supplied by individual water wells. A Phase I Aquifer Evaluation was submitted with the application, and it concludes that the aquifer has the capability to supply water to the proposed subdivision long-term and would have minimal impacts to existing well users in the area. A Phase 2 Aquifer Evaluation report will be required at subdivision stage to further verify that there would be minimal impacts to other users of the aquifer.

Wastewater

Wastewater is proposed to be managed through the installation of advanced treatment systems on all proposed parcels. The Level IV PSTS Assessment provided is consistent with Policy 449 and the County Servicing Standards.

Wetlands

As per the County's Wetland Impact Model, two altered wetlands appear to exist within the subject lands. The proposed stormwater management concept for the development consists of converting some of the non-wetland areas into evaporative stormwater ponds to manage the post development runoff. As a condition of future subdivision, the Applicant would be required to obtain all necessary Alberta Environment and Parks approval for the disturbances to any of the on-site wetlands.

Fire Suppression

As a condition of future subdivision, the Applicant would be required to ensure that the central stormwater pond is adequately sized and equipped (via a drafting hydrant) to address all fire suppression requirements for the proposed development in accordance with the requirements of NFPA 1142 and all applicable County standards and bylaws.

Transportation

The Applicant would be required, at the future subdivision stage, to provide payment of the Transportation Offsite Levy and enter into a Development Agreement for:

- the paving of Township Road 233 from the proposed site access to Highway 791;
- intersectional upgrades at Township Road 233 and Highway 791 to a Type IIb standard as per the findings in the TIA;
- the construction of the internal road and all associated infrastructure (approaches, ditches, lighting, etc.).

Stormwater

The proposed stormwater management concept uses roadside ditches and swales to convey stormwater flows to zero-release wet ponds, and converts some of the non-wetland areas into evaporative stormwater ponds to manage post-development stormwater flows. The proposal is consistent with County Servicing Standards.

Municipal Reserve

Municipal Reserves are outstanding on the subject lands. The Applicant proposes to provide cash-in-lieu for the outstanding reserves at the future subdivision stage.

PROPOSED AMENDMENT TO BYLAW:

As per the Land Use Bylaw, the purpose and intent of the Residential Two District is to provide a residential use on a small parcel of land that accommodates minor agricultural pursuits and required accessory buildings. The proposed Residential Two District is appropriate for the intended parcel sizes.



CONCLUSION:

The subject land is not located within the policy area of an area structure plan, and as such, the application was assessed in accordance with the Fragmented Country Residential policies within the County Plan. Administration determined that:

- The proposal is consistent with the Fragmented Residential policies of the County Plan;
- The provided lot and road plan is consistent with the policies of the County Plan;
- The proposed land use is appropriate for the intended parcel sizes;
- The proposal would not limit future subdivision potential for adjacent parcels; and
- All technical matters could be addressed through the future conditions of subdivision approval.

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

OPTIONS:

- Option #1: Motion #1 THAT Bylaw C-7674-2017 be given first reading.
 Motion #2 THAT Bylaw C-7674-2017 be given second reading.
 Motion #3 THAT Bylaw C-7674-2017 be considered for third reading.
 Motion #4 THAT Bylaw C-7674-2017 be given third and final reading.
- Option #2: THAT application PL20150116 be refused.

Respectfully submitted,

Concurrence,

“Chris O’Hara”

“Kent Robinson”

General Manager

Interim County Manager

JA/rp

APPENDICES:

- APPENDIX ‘A’: Application Referrals
 APPENDIX ‘B’: Bylaw C-7674-2017 and Schedule A
 APPENDIX ‘C’: Map Set
 APPENDIX ‘D’: Landowner comments

APPENDIX A: APPLICATION REFERRALS

AGENCY	COMMENTS
<i>School Authority</i>	
Rocky View Schools	No comments received.
Calgary Catholic School District	No comments received.
Public Francophone Education	No comments received.
Catholic Francophone Education	No comments received.
<i>Province of Alberta</i>	
Alberta Environment	No comments received.
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 791. Presently, the application does not appear to comply with any category of Section 14 of the Regulation. 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 sixteen lots being created by this application should not have a significant impact on the provincial highway system. Alberta Transportation has no objection to this proposal and would be prepared to grant an unconditional variance of Section 14 of the Subdivision and Development Regulation at the time of subdivision. Pursuant to Section 678(2.1) of the Municipal Government Act, Alberta Transportation varies the distance to a highway set out in Section 5 of the Subdivision and Development Regulation.</p> <p>From the department's perspective any appeals to be heard regarding this subdivision application may be heard by the local Subdivision and Development Appeal Board rather than the Municipal Government Board.</p>
Alberta Sustainable Development (Public Lands)	No comments received.
Alberta Culture and Community Spirit (Historical Resources)	No comments received.
Energy Resources Conservation Board	No comments received.
Alberta Health Services	Thank you for inviting our comments on the above-referenced application. Alberta Health Services (AHS) understands that this application is proposing to redesignate the subject lands from



AGENCY	COMMENTS
	<p>Agricultural Holdings District to Residential Two District in order to facilitate the creation of fifteen (15) ± 1.60 hectare (± 3.95 acre) parcels. Based on the information provided, AHS would like to make the following comments for your consideration:</p> <ol style="list-style-type: none"> 1. AHS supports the regionalization of water and wastewater utilities, and in particular supports connection to existing Alberta Environment-approved municipal or regional drinking water and wastewater systems. 2. AHS recommends that any existing/new water wells on the subject lands must be completely contained within the proposed property boundaries. Please note that the drinking water source (e.g. private well) must conform to the most recent Canadian Drinking Water Quality Guidelines and the Alberta Public Health Act, Nuisance and General Sanitation Guideline 243/2003 which states the following: <ul style="list-style-type: none"> <i>“No person shall locate a water well within</i> <ol style="list-style-type: none"> a) <i>10m of a watertight septic tank, pump out tank or other watertight compartment of a sewage or waste water system</i> b) <i>15m of a weeping tile field, evaporative treatment mound or an outdoor pit privy</i> c) <i>30m of a leaching cesspool</i> d) <i>50m of sewage effluent on the ground surface</i> e) <i>100m of a sewage lagoon, or</i> f) <i>450m of any area where waste is or may be disposed of at a landfill” (AR 243/2003, s.15)</i> 3. Any existing water wells on the subject site, if no longer used, must be decommissioned according to Alberta Environment standards and regulations. 4. Any existing and/or proposed private sewage disposal system(s), including the septic tank and effluent disposal field, must be completely contained within the proposed property boundaries and must comply with the setback distances outlined in the most recent Alberta sewage Systems Standard of Practice. Prior to installation of any sewage disposal system(s), a proper geotechnical assessment should be conducted by a qualified professional engineer and the system should be installed in an approved manner. 5. Any septic tanks and fields on the subject site that are no longer used should be properly decommissioned by a licensed contractor in an approved manner. 6. If any evidence of contamination or other issues of public health concern are identified at any phase of development, AHS wishes to be notified. 7. Ensure the property is maintained in accordance with the

AGENCY	COMMENTS
	<p>Alberta Public Health Act, Nuisance and General Sanitation Regulation 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>
Public Utility	
ATCO Gas	No comments received.
ATCO Pipelines	ATCO PIPELINES has no objection.
AltaLink Management	No comments received.
FortisAlberta	Please be advised that FortisAlberta requires easement and the subject application should only be approved conditionally, or not approved, based upon this requirement.
Telus Communications	<p>In response to the abovementioned Subdivision of Land request, TELUS Communications Inc. has no objection to the proposed Subdivision provided the following conditions are met:</p> <p>The Land Owner/applicant must execute a TELUS utility right of way agreement in order to protect TELUS's existing, and any future facilities. Our department will be' contacting the owner directly. Any relocation or rearrangement costs will be 100% by the owner/developer. TELUS approval will be granted upon receipt of confirmation of agreement registration and for payment for relocation of facilities.</p>
TransAlta Utilities Ltd.	No comments received.
Rockyview Gas Co-op Ltd.	No comments received.
Other External Agencies	
Western Irrigation District	<p>Further to the above noted Proposed Redesignation within the following locations</p> <p>Lot 13 Block Plan 7911308, NW-18-23-27-W04M</p> <p>Lot 10 Block 1 Plan 7710827, SW-19-23-27-W04M</p> <p>Lot 21 Block 3 Plan 0214041, S-19-23-27-W04M</p> <p>Lot 14 Block 2 Plan 0613763, NW-18-23-27-W04M</p> <p>WID has the following comments;</p>

AGENCY	COMMENTS
<i>Rocky View County Boards and Committees</i>	<ol style="list-style-type: none"> 1) All permanent structures and utilities must be setback a minimum of 30 Meters from the edge of our Canal ROW. 2) Any storm water release needs to meet WID Stormwater guidelines. Please refer to our website www.wid.net for a copy of the Guidelines.
ASB Farm Members and Agricultural Fieldman	<p>This residential proposal appears to fit into the fragmented adjacent parcels, but it is unclear from the information available what the water servicing and stormwater plan will be. Neighboring agricultural lands could be impacted by additional wells and stormwater runoff. Also, to reduce traffic and dust impacts to agricultural operation to the south of Twp Rd 233, consider changing the main access and using an extension to Canal Co, with an emergency access point at 233 instead. Please consider the Agricultural Boundary Design Guidelines.</p>
Rocky View Recreation Board	No comments received.
<i>Internal Departments</i>	
Municipal Lands	<p>The Municipal Lands Office has no concerns at this time; however, comments will be provided at any future subdivision stage.</p>
Development Authority	No comments received.
GeoGraphics	<p>This is early in the process but the road will eventually need a name for addressing purposes.</p>
Building Services	No comments received.
Emergency Services	<p>Fire services is concerned about the ability to protect the risks proposed for this subdivision and the impact this new development will have on existing services.</p> <p>We will recommend that:</p> <ul style="list-style-type: none"> • All structures built on site have sprinklers installed to NFPA standards • Non-combustible siding and roofing materials are used • Fire Smart Community strategies are in place • Details on the water systems and its capabilities to provide water for firefighting. A water system may be required for any development on site. • Details on the road access for firefighting will also be

AGENCY	COMMENTS
Infrastructure and Operations - Engineering Services	requested at subdivision stage.
	Previous Enforcement:
	<ul style="list-style-type: none"> • None.
	Current Enforcement:
	<ul style="list-style-type: none"> • None.
	<u>General</u>
	<ul style="list-style-type: none"> ○ 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; ○ As a condition of future subdivision, the applicant will be required to provide a detailed construction management plan including but not limited to traffic accommodation, noise control, erosion and sedimentation controls, control of stormwater during construction, construction waste management, firefighting procedures, evacuation plans, weed control, hazardous material containment and other related construction management details; ○ As a condition of future subdivision, the applicant shall be responsible to dedicate all necessary easements and ROWs for utility line assignments and provide for the installation of all underground shallow utilities and street lighting with all necessary utility providers to the satisfaction of the County; ○ As a condition of future subdivision, the applicant is required to locate all mailbox locations in consultation with Canada Post to the satisfaction of the County; ○ As a condition of future subdivision, the applicant will be required to enter into a Deferred Services Agreement with the County requiring the future owners of the proposed parcels to tie to municipal services (wastewater, water and storm) when available.
	<u>Geotechnical</u>
	<ul style="list-style-type: none"> ○ ES has no requirements at this time; ○ As a condition of future subdivision, the applicant will be required to conduct a geotechnical investigation assessing subgrade conditions and to make recommendations for the pavement structure design of the proposed internal road and TWP Road 233 and to determine the soil suitability to support proposed subdivision (groundwater measurement program, pond liner recommendations, etc.)
	<u>Transportation</u>
	<ul style="list-style-type: none"> ○ As a condition of future subdivision, the applicant will be required to provide payment of the Transportation Off-Site Levy in accordance with the applicable Levy at time of subdivision approval for the total gross acreage of the lands



AGENCY	COMMENTS
	<p>proposed to be subdivided.</p> <ul style="list-style-type: none"> ○ Base TOL = \$4595/acre + Special Area #7 \$884/acre Acreage = 69.17 acres. ○ TOL payment = (\$5,479/acre)*(69.17 acres) = \$378,982.00 ○ As part of the application, the applicant submitted a TIA prepared by D.A. Watt Consulting dated April 23, 2010. As the report was prepared based on the previous configuration of 28 parcels, the trips to be generated by the current proposal would be less. Through further correspondence with D.A. Watt Consulting, the methodology and findings within the TIA are still valid given the analyzed horizons and low traffic to be generated by the proposed development. The applicant also provided an illumination warrant for the site access which concluded that no illumination is warranted at the site site access onto TWP Road 233. ES has no further concerns; ○ It is to be noted that TWP Road 233 east and west of the proposed site access is graveled. As a condition of future subdivision, the applicant will be required to enter into a Development Agreement with the County for: <ul style="list-style-type: none"> ○ the paving of TWP Road 233 from the proposed site access to Highway 791; ○ intersectional upgrades at TWP Road 233 and Highway 797 to a Type IIb standard as per the findings in the TIA; and ○ the construction of the internal road and all associated infrastructure (approaches, ditches, lighting, etc.); • The applicant will be eligible to enter into a Cost Recovery Agreement with the County for the offsite upgrades to TWP Road 233 in accordance with County Policy 406. <p><u>Sanitary/Waste Water</u></p> <ul style="list-style-type: none"> ○ ES has no requirements at this time; ○ As part of the application, the applicant provided a Level IV PSTS assessment prepared by Groundwater information Technologies dated April 17, 2015. The report states that although the groundwater table influence (depth) is of no concern, the groundwater aquifer is not isolated from the effluent and the aquifer is at risk of contamination from primary treated effluent of typical strength and recommends that an advanced treatment system be installed to mitigate against this risk. As a condition of future subdivision, the applicant will be enter into a Site Improvements Services Agreement with the County for the installation of an advanced treatment system on all proposed parcels in accordance with the recommendations of the Level IV PSTS assessment prepared by Groundwater information

AGENCY	COMMENTS
	<p>Technologies dated April 17, 2015;</p> <ul style="list-style-type: none"> ○ It is to be noted that the proposal meets the requirements of County Policy 449 as the proposed parcel are greater than 1.98 acres as there would be a total of 37 parcels within a 600m radius of the proposed subdivision; ○ It is to be noted that although the proposed subdivision is within one (1) kilometer of the East Rocky View Transmission Line, connection to the system is not feasible at this time as the subject lands have not been identified as a service area in the Wastewater/Water Offsite Levy Bylaw and the high costs associated with the construction of the necessary infrastructure. <p><u>Water Supply And Waterworks</u></p> <ul style="list-style-type: none"> ○ As part of the application, the applicant provided a Phase I Aquifer Evaluation for the proposed subdivision prepared by Groundwater Information Technologies dated January 16, 2017. The report concludes that the aquifer has the capability to supply water to the proposed subdivision long term and will have minimal impacts to existing well users in the area; ○ As a condition of future subdivision, the applicant will be required to provide a Phase II Aquifer Testing Report to determine the safe yield and recommended pumping rate of the wells to be drilled on the proposed parcels. All testing and reporting shall be in accordance with the requirements of the County's Servicing Standards. It is to be noted that as the proposed subdivision is contained within two separate quarter sections, two separate production wells will be required to be utilized when testing the aquifer; ○ As a condition of future subdivision, the applicant will be required to drill a new well on each of the proposed parcels and provide the County with a Well Driller's Report confirming a minimum flow of 1 iGPM or greater. The Well Driller's Reports for all new wells drilled are required to be reviewed by a qualified professional to determine if the wells are drawing water from the same aquifer that was pump tested in the Phase II Report. If any of the wells are drilled into a different aquifer other than the one that was pump tested, a new Phase II Aquifer Testing report will need to be prepared to determine the safe yield and recommended pumping rate of the wells drilled into it; ○ It is to be noted that the proposed subdivision is approx. five (5) kilometers west of the Hamlet of Langdon and is outside of the Langdon Waterworks Service area. The subdivision is adjacent to the WID canal to the east for which two water diversion licenses are active. As the existing licenses are for industrial/agricultural uses, the option of converting one of these licenses for a residential use and the construction of a decentralized water treatment facility is not feasible at this

AGENCY	COMMENTS
	<p>time;</p> <ul style="list-style-type: none"> ○ As a condition of future subdivision, the applicant will be required to ensure the central stormwater pond has be adequately sized and equipped (drafting hydrant) to address all fire suppression requirements for the proposed development in accordance with the requirements of NFPA 1142 and all applicable County standards and bylaws. <p><u>Storm Water Management</u></p> <ul style="list-style-type: none"> ○ The applicant submitted a Stormwater Management Plan for the Canal Court subdivision prepared by Western Water Resources dated February 01, 2017. The proposed concept utilizes roadside ditches and swales to convey stormwater flows to an evaporative stormwater pond to be located at the southeast corner of the subject lands as well as converting some of the non-wetland areas to evaporative stormwater ponds to manage the post development runoff. ES has reviewed the report and has no further concerns or comments at this time; ○ As a condition of future subdivision, the applicant will be required provide detailed designs of all required stormwater infrastructure and enter into a development agreement with the County for the construction and implementation of the stormwater management infrastructure. The applicant will be required to register easements over all required infrastructure (ponds, swales) to the satisfaction of the County; ○ As a condition of future subdivision, the applicant will be required to provide an erosion and sediment control (ESC) plan, prepared by a qualified professional, addressing all ESC measures to be implemented during the construction of all infrastructure for the proposed development. <p><u>Environmental</u></p> <ul style="list-style-type: none"> ○ As per the County's Wetland Impact Model, two (2) altered wetlands appear to exist within the subject lands however, from the review of the aerial imagery, it appears that these wetland areas have been cultivated. As part of the stormwater management plan, the report indicated that a total of 19 wetland systems had been identified within the Subject Lands. As per a Wetland System Assessment Letter prepared by Western Water Resources dated February 10, 2017, all identified wetland areas afford no protection under the new Alberta Wetland Policy with the exception of a single Temporary Class I-II Wetland System. The proposed stormwater management concept for the development consists of converting some of the non-wetland areas to evaporative stormwater ponds to manage the post development runoff. As a condition of future subdivision and prior to signing the Development Agreement, the applicant



AGENCY	COMMENTS
	will be required to obtain all necessary AEP approval for the disturbances to any of the onsite wetlands.
Infrastructure and Operations - Maintenance	No comments received.
Infrastructure and Operations - Capital Delivery	No comments received.
Infrastructure and Operations - Operations	No comments received.
Agriculture and Environmental Services - Solid Waste and Recycling	No comments received.

Circulation Period: October 21, 2015 to November 11, 2015



BYLAW C-7674-2017

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-7674-2017.

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. 32 and 32 NW of Bylaw C-4841-97 be amended by redesignating a portion of S-19-23-27-W04M and N-18-23-27-W04M from Agricultural Holdings District (AH) to Residential Two District (R-2) as shown on the attached Schedule 'A' forming part of this Bylaw.

THAT A portion of S-19-23-27-W04M and N-18-23-27-W04M is hereby redesignated to Residential Two District (R-2) as shown on the attached Schedule 'A' forming part of this Bylaw.

PART 4 – TRANSITIONAL

Bylaw C-7674-2017 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: 04
File: 03218008/8020/9019/9035/ PL20150116

<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

Reeve

CAO or Designate

Date Bylaw Signed

BYLAW: C-7674-2017



AMENDMENT

FROM Agricultural Holdings District TO Residential Two District



Subject Land _____

LEGAL DESCRIPTION: N-18-23-27-W04M and
S-19-23-27-W04M



ROCKY VIEW COUNTY
Cultivating Communities

FILE: 03218008/8020/9019/9035-PL20150116

DIVISION: 04

AGENDA

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Development Proposal: To redesignate the subject lands from Agricultural Hedging District to Residential Two District in order to facilitate the creation of fifteen (15) \pm 1.60 hectare (\pm 3.95 acre) parcels.

CANAL CO

AH \rightarrow R-2
 \pm 27.99 ha
 (\pm 69.17 ac)

TWP RD 233

DEVELOPMENT PROPOSAL



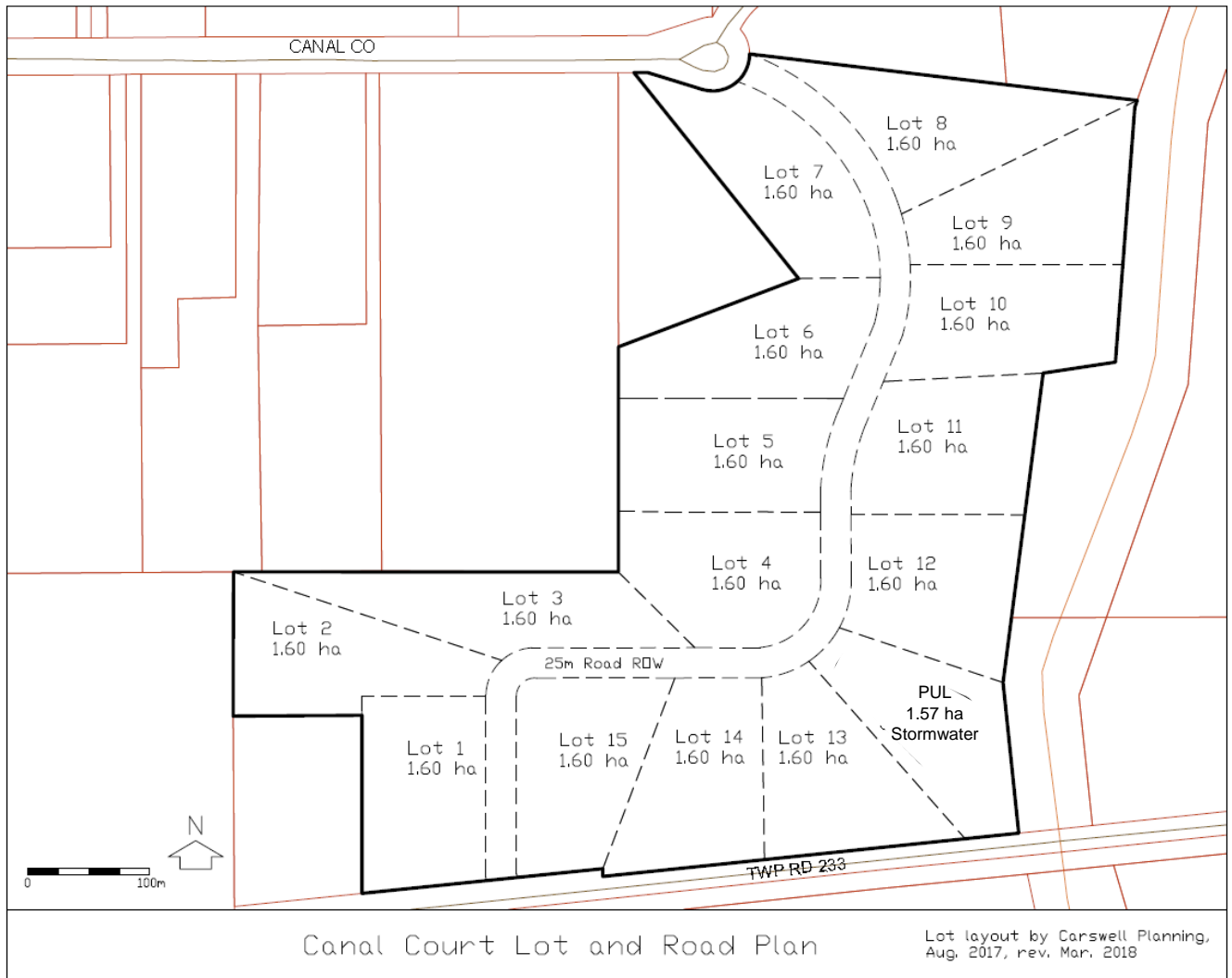
N-18-23-27-W04M & S-19-23-27-W04M

Date: Oct 20, 2015

Division # 4

03219035, 03218020,
 File: 03218008, 03219019

AGENDA



LOT & ROAD PLAN



N-18-23-27-W04M & S-19-23-27-W04M

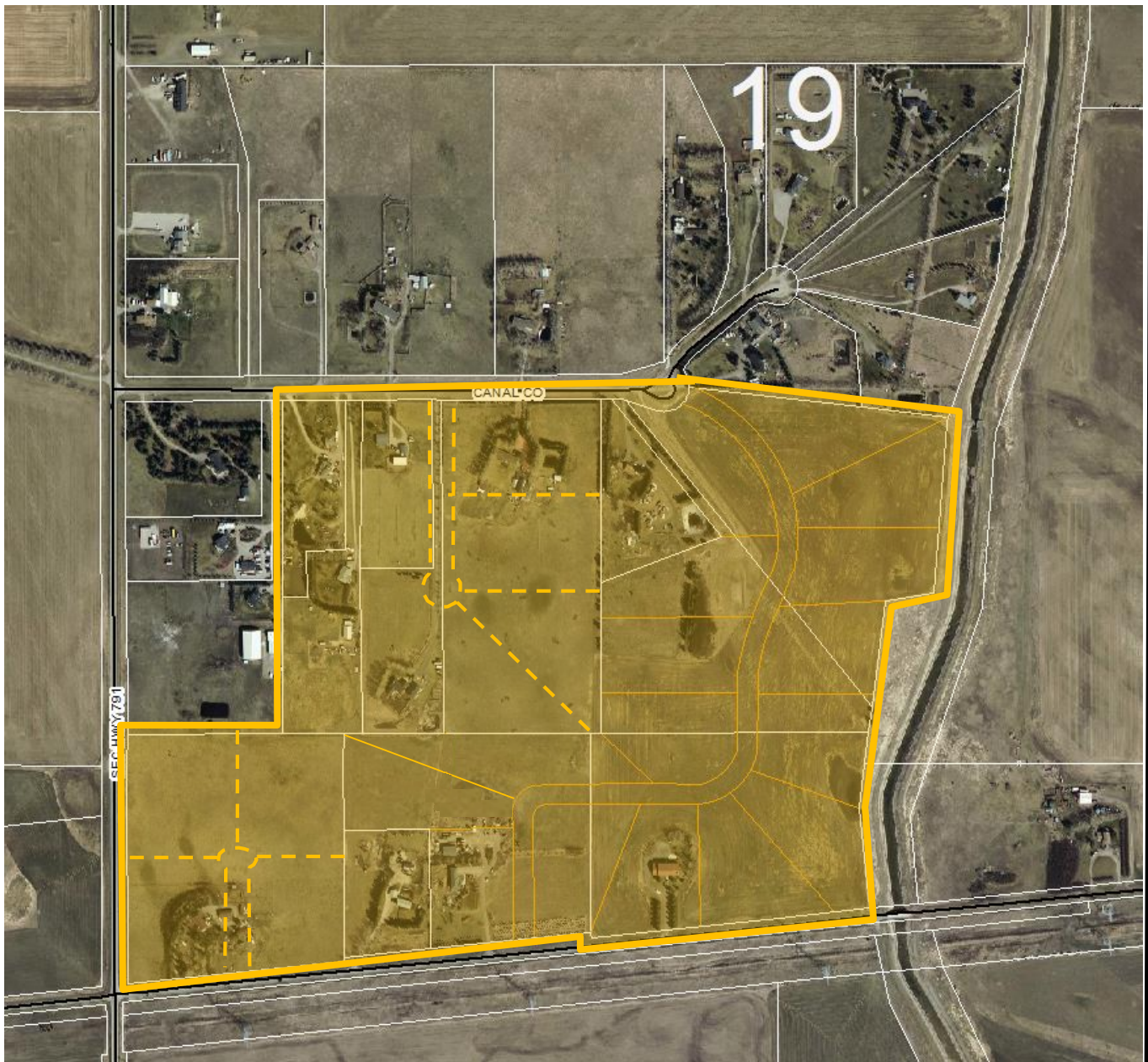
Date: Oct 20, 2015

Division # 4

03219035, 03218020,
File: 03218008, 03219019

AGENDA

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LOT & ROAD PLAN AREA



N-18-23-27-W04M & S-19-23-27-W04M

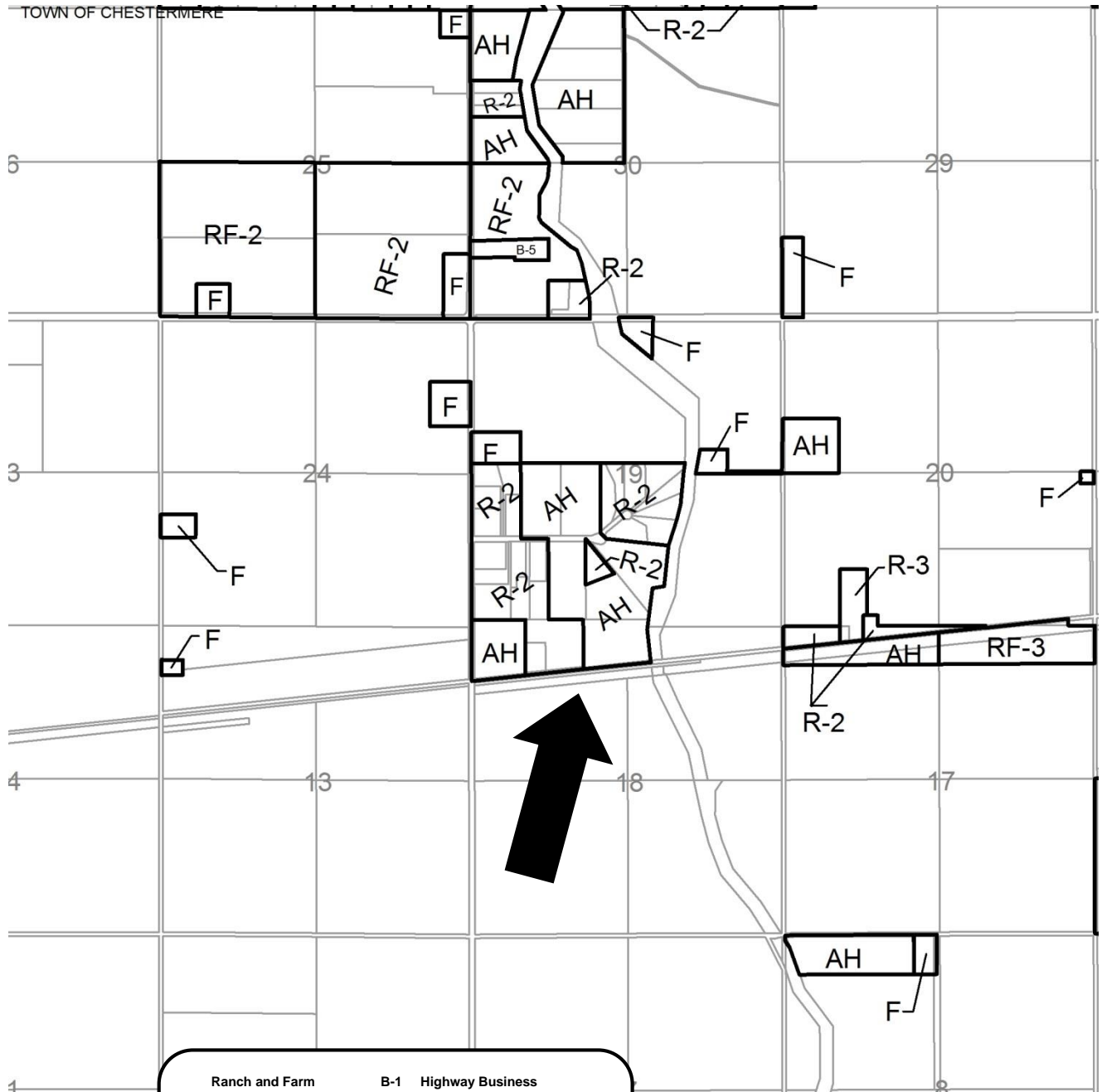
Date: Oct 20, 2015

Division # 4

03219035, 03218020,
File: 03218008, 03219019

AGENDA

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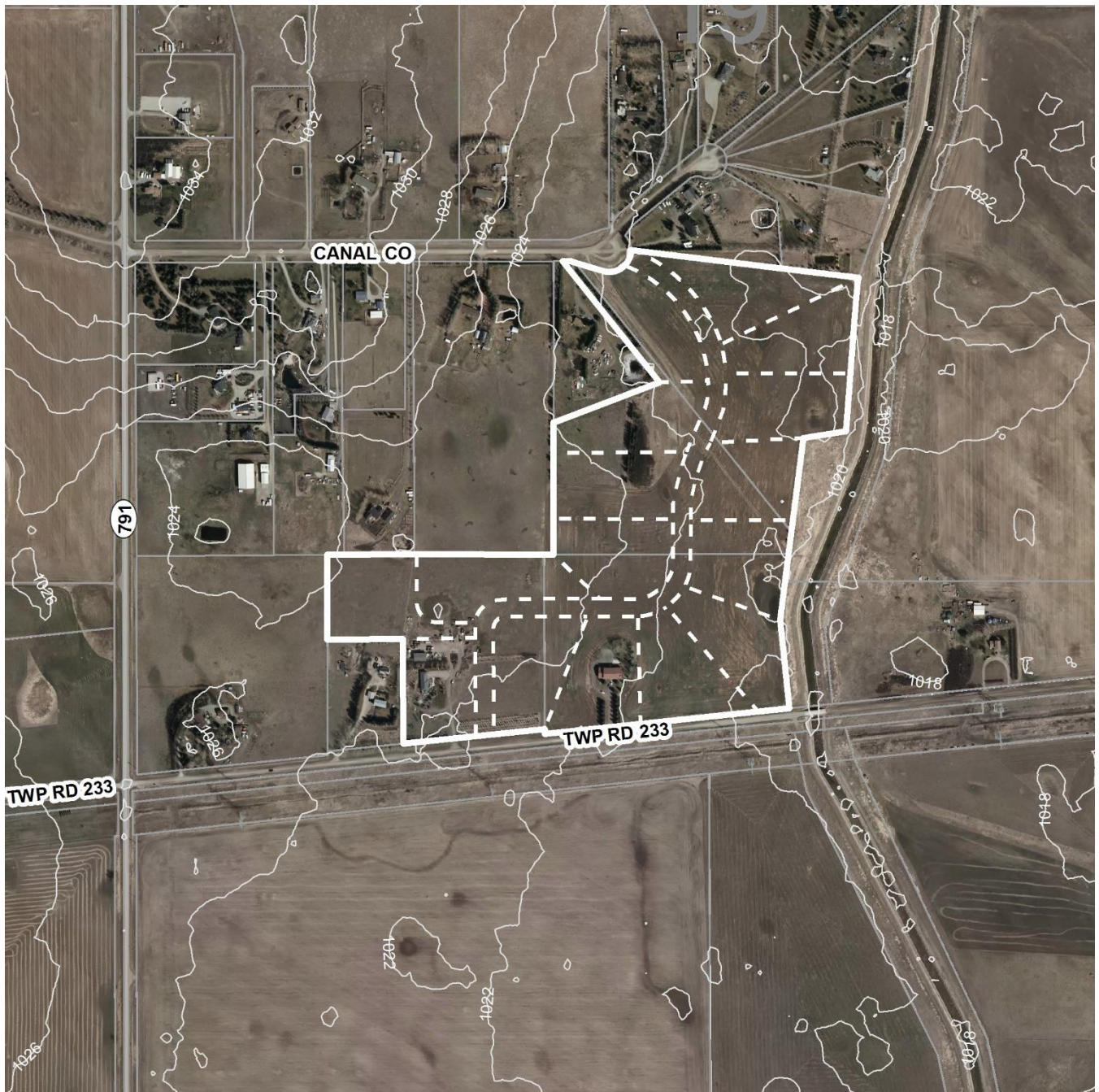
RF2 Ranch and Farm Two	B-1 Highway Business
RF3 Ranch and Farm Three	B-2 General Business
AH Agricultural Holding	B-3 Limited Business
F Farmstead	B-4 Recreation Business
R-1 Residential One	B-5 Agricultural Business
R-2 Residential Two	B-6 Local Business
R-3 Residential Three	NRI Natural Resource Industrial
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

N-18-23-27-W04M & S-19-23-27-W04M

Date: Oct 20, 2015Division # 403219035, 03218020,
File: 03218008, 03219019**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



N-18-23-27-W04M & S-19-23-27-W04M

Date: Oct 20, 2015

Division # 4

03219035, 03218020,
File: 03218008, 03219019

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 2014



N-18-23-27-W04M & S-19-23-27-W04M

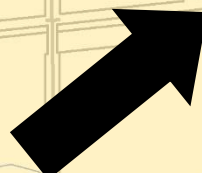
Date: Oct 20, 2015

Division # 4

03219035, 03218020,
File: 03218008, 03219019

AGENDA

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Limitations refer to cereal, oilseeds and tame hay crops

Limitations

- | | | |
|--------------------------------|---|-------------------------------------|
| 1 - No significant limitation | B - brush/tree cover | N - high salinity |
| 2 - Slight limitations | C - climate | P - excessive surface stoniness |
| 3 - Moderate limitations | D - low permeability | R - shallowness to bedrock |
| 4 - Severe limitations | E - erosion damage | S - high sodicity |
| 5 - Very severe limitations | F - poor fertility | T - adverse topography |
| 6 - Production is not feasible | G - Steep slopes | U - prior earth moving |
| 7 - No capability | H - temperature | V - high acid content |
| | I - flooding | W - excessive wetness/poor drainage |
| | J - field size/shape | X - deep organic deposit |
| | K - shallow profile development | Y - slowly permeable |
| | M - low moisture holding, adverse texture | Z - relatively impermeable |

SOIL MAP



N-18-23-27-W04M & S-19-23-27-W04M

Date: Oct 20, 2015

Division # 4

**03219035, 03218020,
File:03218008, 03219019**

AGENDA

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Mrs. Louise Treharne

April 5, 2018

Rocky View County Office
Planning and Development Department
911 - 32nd Avenue NE
Calgary, Alberta T2E 6X6

ATTENTION: Charlotte Satink, Deputy Municipal Clerk
VIA FAX: 403-520-1659

Dear Ms. Satink,

Re: Bylaw C-7674-2017, Application No. PL20150116 (03218008/8020/9019/9035)

This letter is to oppose the above application. I will try not to elaborate in great detail on the reasons for my opposition as I'm sure neighbours that are much more eloquent have already done so.

1. Well water. A major concern to all residents of Canal Court is the quality and quantity of our drinking water. The old well on this property dried up before we purchased the acreage. When the new well was dug it is way out in the back field and, at that time, the next door neighbours well dried up overnight. With the addition of 15 new properties, the potential for this to happen again is great.
2. Septic fields. One may assume each property will require a separate septic field – again posing possible contamination to the underground water stream that provides for current wells.
3. Dogs. Many people that move to the "country" assume they can let their dogs run free which always poses a problem with them chasing my farm animals. I don't want to have to contend with 10-15 of the new neighbours and their dogs!
4. Road access. It's my understanding that access to 791 will no longer be on Canal Court. I do not want to travel thru the new subdivision, especially in winters with heavy snowfalls as has been seen this year.
5. Quality of Life. This includes additional noise, additional lights, and additional traffic. My family moved here to get away from all those concerns. With each additional new dwelling comes more traffic which produces additional dust and additional potholes in the road; additional garbage in the ditches, blowing into the fields, and tangling on the barbed wire; and additional litter around the mailboxes that people are too lazy to take home to deal with. The addition of such a large development will adversely affect my family's quality of life.
6. Resale value. People interested in buying 20 acres do so for the privacy and quality of life. Selling my 20 acres to such a family adjacent to so many houses would be difficult.

Thank you for your consideration in this most important matter.

Sincerely,



M. L. Treharne

From:
To: [Jessica Anderson](#)
Subject: File Number 03218008/8020/9019/9035 and Application Number PL20150116
Date: Monday, November 09, 2015 8:15:01 PM

Attn:
Planning and Development Department
Rocky View County
911-32nd Ave. NE
Calgary, AB

To Jessica Anderson,

I have several concerns regarding the application number PL20150116, File Number 03218008/8020/9019/9035. As a resident of the Canal Court area of almost 15 years, several factors come to mind when suggesting the development of so many lots in close proximity to the existing acreages in the area.

First of all, we do have water issues in the area particularly in the eastern half of Canal Court. Several of us have had to drill new wells as the first has dried up and those of us that do have water, have very low Gallon per minute readings. In addition to this, our parcel of land actually has a caveat put on by the Municipal district of Rocky View stating that our water does not meet the Canadian Drinking Water Guidelines for TDS, iron, sodium, sulphate and alkalinity. I am concerned that this new development will not be able to support the new owners with appropriate water sources and that this may have a detrimental effect on the water that is currently in the area. I am not sure if the plan is to have individual wells on the property but 16 new wells in a relatively small area causes me a great deal of concern as to water quantities and quality. It is definitely not cheap if we were now to dry up and have to drill a new well for ourselves.

In relation to water quality, I am also concerned with sewage disposal. Every spring, we need to open our septic tank and pump out any liquid in the system due to flooding of our septic field as the snow melt comes down the Canal Court Hill and down the fields into our acreage. The area of the proposed acreages also has many low spots and is where the water from our acreages eventually runs to. With a lot more development in the area, new driveways, houses and new landscaping, I am concerned on how water will flow over the land and the eventual effects this may have on the water running over our property.

As well, there is a neighbourhood concern about the Utility Right of Way and Easements that have been registered on the properties for the use of Indus Water Inc. Indus Water Inc. has an agreement with the WID to gain access to Canal water for irrigation and animal use at 12 of the properties on Canal Court. This easement will go through 2 of the proposed acreages and the new property owners will need to be aware of this pipe system going through the middle of their properties. This could be an issue if the developers are not aware of this easement. The last time this property was in the planning stage, the owners seemed surprised to hear that there was an easement at all. As secretary of Indus Water Inc., I see many potential issues here if this is not dealt

with up front.

Lastly, I have a concern about services. This area of Canal Court is not always well serviced in terms of mowing, grading or snowplowing. The last 6 houses on the Canal Court Road are often not plowed out because the bend in the road seems to be considered a driveway and many of the equipment operators turn around before the actual end of the road. As a group on Canal Court, we deal well with this fact and many of us help each other out during snowstorms or severe weather events. As well, we also receive fire and police service from fairly long distances and there is no waste service in the area at all. I am not sure it is a good County plan to put another 16 acreages in this area when we already have concerns with services and most of us here are fairly self-sufficient. The new acreage owners would need to be aware that the area is actually quite rural despite the significant number of current acreages in the area. They would need to be able to take care of themselves for a time until the County has time to catch up during weather events or at any time regarding waste disposal.

Thank you for your time and considering my concerns,

Sincerely,

Diana Baker

April 8, 2018

Rocky View County Office
Planning and Development Department
911 - 32nd Avenue NE
Calgary, Alberta T2E 6X6

ATTENTION: Charlotte Satink, Deputy Municipal Clerk

Dear Ms. Satink,

Re: Bylaw C-7674-2017, Application No. PL20150116 (03218008/8020/9019/9035)

This letter is to oppose the above application.

1. Well water. A major concern to all residents of Canal Court is the quality and quantity of our drinking water. The water issue is of huge concern. We are currently on a parcel of land that actually has a caveat put on it by the Municipal District of Rocky View stating that our water does not meet the Canadian Drinking Water Guidelines for TDS, iron, sodium, sulphate and alkalinity. Water is not easy to find in our area, does not have great quality and is usually low in GPM. The fear of wells drying up is a real concern as this has already occurred with several of the land parcels in our area.

2. Livestock/Animal Control. Most of us have large animals and enjoy the country residential setting this area has always supported. There are still several homes that are in agricultural holdings designation and support agricultural activities as well. With allowing so many new lots, this lifestyle could be in jeopardy. Those of us with animals are worried that now we will have to deal with complaints about the corrals thawing in the spring, donkeys, chickens and roosters making noise and other general animal complaints. Included in this is the ability of these new landowners to keep any pets they may have on their properties at all times. This has already been an issue in this area with access to mailboxes on Township Road 233 and dogs that are constantly at large.

3. Country Residential Lifestyle. With 15 additional acreages, we will see increased traffic, more dust, more noise pollution, garbage and lastly light pollution. This will make this area more populated than the Indus hamlet site and Rocky View Services will need to be improved greatly to support this new population. With the snow we had this year, several of us had to help each other out on a regular basis due to the roads not being cleared quite yet.

4. Indus Water Inc. There is actually a Utility Right of Way and Easement registered on the land title of one these properties that allows a 4 inch pipeline to push WID water up through to Canal Court for agriculture purposes. At this time, Indus Water Inc. has no desire to add further members yet the pipeline will go through the middle of two of these properties. I am not convinced that the developers know or care about this based on previous development applications where they seemed to be surprised to learn about this. As a Co-op, we had these Utility Right of Way set up for just this sort of occurrence fearing someone would try to block our access to water we pay for. I am not sure how this would be resolved.

Thank you for your consideration of our concerns.

Sincerely,



Diana Baker

From:
To: [Jessica Anderson](#)
Subject: FW: Application PL20150116 -new proposed subdivision of 16 houses south of Canal court
Date: Monday, October 26, 2015 9:55:43 PM

Dear Jessica

I would like to file a very strong objection to the redesignation of the agricultural holdings from agricultural to residential as per File number 03218008/8020/9019/9035 application PL20150116 for the following reasons:

water, sewage, noise, drainage, added people, construction
'hassle.'

Lots of land available in Chestermere , Langdon, Indus that are already designated for building not Agriculture .

Sorry not for us

Thanks

Chris and Ann Blackmore

From: David Blackmore
Sent: Monday, April 09, 2018 10:01 PM
To: PAA_ LegislativeServices
Cc: blackmore
Subject: Bylaw C-7674-2017

Rocky View County Office
Planning and Development Department
911 - 32nd Avenue NE
Calgary, Alberta T2E 6X6

ATTENTION: Charlotte Satink, Deputy Municipal Clerk

Dear Ms. Satink,

Re: Bylaw C-7674-2017, Application No. PL20150116 (03218008/8020/9019/9035)

-
-
As residents of Canal Court we are writing to adamantly **OPPOSE** the above application that will result in the development of fifteen residential lots immediately to the south.

In the absence of an impact study done by either the County or the Developer, we are left to surmise how we believe we will be impacted by the above application and provide the following reasons for our opposition:

Water & Septic: The drilling of additional wells into aquifers that barely support the existing wells will create issues that decrease the current rate of flow, impact the quality of water, and in some cases necessitate the drilling of new wells. Fifteen residences will require fifteen septic systems. If these are not properly maintained, the wastewater can contaminate well water sources. For those of us whose

wells provide potable water, there will always be a concern over the safety of our drinking water.

Traffic: The potential increase in vehicular traffic through our subdivision will create safety issues for our children. An increase in maintenance requirements for the road will no doubt have an impact on our property taxes.

Internet Congestion: Our internet providers have advised us for some time now that the number of users in our area exceeds capacity for the system. We currently experience extremely slow downloading rates on the internet. The addition of multiple users from each of the fifteen residences will further exacerbate the level of service. Internet access has become an essential service for retired rural residents.

Reduction in Property Values: Any residential development around Canal Court, no matter how well designed, will not foster a sense of community. The resulting cost can be a reduction in property value. The addition of supply in housing will tend to put downward pressure on existing housing prices.

Thank you for your consideration,

David & Elizabeth Blackmore

-
-
-

From:
To: [Jessica Anderson](#)
Subject: Application number PL20150116
Date: Monday, November 09, 2015 4:35:45 AM

Hi Jessica,

I read in a letter to landowners Other application details and notes, that under the heading Legal: all land involved is not mentioned, land in NE-18-23-27-W4, is absent though shown as being a part of the project on the map accompanying the letter.

Will the lots that have a presence on TWP RD 233 each have an approach located on TWP RD 233 or will access to these lots only be from the new road that is depicted in the map?

Would an extension of Canal Co. to service these proposed new lots be more appropriate, as TWP RD 233 is a gravel road and the increased traffic may create dust and other issues for other residences along TWP RD 233

Will the lots that touch onto Canal Co. still have access to Canal Co. or only from the new road?

I note there is no mention of access to a source of fire protection water.

Will the new parcels be serviced by a water co-op or individual wells?

Will these new lots be connected to the sewage line just east of this location, and could the other properties on Canal Co. also benefit from being connected to the same line? This would lessen the impact on the groundwater from additional septic fields in the area.

Regards Vern Bretin

From:
To: [Jessica Anderson](#)
Subject: Application PL20150116 -new proposed subdivision of 16 houses south of Canal court
Date: Thursday, October 29, 2015 12:46:34 PM

Jessica

We would like to file a very strong objection to the redesignation of the agricultural holdings from agricultural to residential as per File number 03218008/8020/9019/9035 application PL20150116 for the following reasons:

- 1) WATER: This area has very little water, in fact there have been instances in our 22 years as residents of this cul-de-sac that we have run out of water. The proposal is to put in 16 houses, which in my opinion, would hinder the already low flow water table in this area.
- 2) SEWAGE: Our land does not have very good drainage, and as a result in years of unusually rainy weather our septic field has become saturated which leads to limiting clothes washing, showering, dishwashing etc.. I hazard to guess what 16 more septic fields has the potential for.
- 3) SECURITY: Currently Canal Court is a quiet, safe, neighborhood with very few security or noise concern. The introduction of 16 more houses in this area could negatively affect the local long term residents.
- 4) WATER CO-OP AND THE IRRIGATION CANAL: The proposed area is next to an existing irrigation canal designed for agricultural purposes. In conjunction with to a multi-member co-op several of us backing onto the canal have access

through the WID to water from the canal for garden and yard irrigation. As mentioned in point #1 water is at a premium from our wells, how will 16 more houses water their lawns, gardens, trees, etc..with access only to well water.

5) NOISE: As residents of Canal Court for 22 we have enjoyed the quiet and serenity of living on a cul de sac, backing onto the canal.

We can actually hear the leaves falling from the trees in the fall, and enjoy the many birds and other wildlife that can be seen and experienced in our own backyard. We don't need, nor want, more quads, snow machines, vehicle noise, household noise, smoke, and pollution. 16 more houses in this area has the potential to shatter the peace and quiet that we enjoy.

6) LOSS OF AGRICULTURAL USE: As our property borders the proposed area, and we have enjoyed all these years just looking out our window at green grass, prairie grass, and the occasional round bale dotting the open field do you think that we want to look at a housing development right next to us. The City of Chestermere is less than 15 kms away and the town of Langdon 7 kms away, with all the development occurring at these two (2) locations does the county want another large subdivision that close ? Is the existing firefighting services and police services adequate to handle this proposal, not to mention infrastructure costs for road maintenance, development, garbage concerns, school bussing, etc...

7) FLOODING: This past summer we had a very rainy stretch and the land in question flooded in several places. Would development of this proposed area cause existing properties to flood if there is more heavy rains?

In conclusion, does this land need to be developed? No. We, as a county where people have enjoyed the rural way of life for years, should be embracing our green spaces instead of developing them. At the corner of Hwy 791 and Hwy 560, there is a wild life habitat designation area. There is a parking lot there and people park there and then walk the canal path with their horses, and dogs, or on their own. Does it make sense to add more houses to an area that is considered pristine enough to have this designation?

We as residents of this cul-de-sac strongly object to application PL20150116.

I sincerely hope that our neighbors will take the time to voice their opinions to you in regards to this development as well.

Regards,

Colin and Barbara Burr

From:
Sent: Tuesday, May 22, 2018 2:32 PM
To: PAA_ LegislativeServices
Subject: Bylaw C-7674-2017, Opposed

Re: Bylaw C-7674-2017, Application No. PL20150116 (03218008/8020/9019/9035)

This letter is to add the opposition of my husband and myself to the above application. As you are aware many of our neighbours have sent in their emails opposing this development as well, I feel that we should all have our say in same.

1. Well water. A major concern to all residents of this cul-de-sac is the quality and quantity of our drinking water. Although we have been lucky so far in not having to dig a new well, several of our neighbors have, a costly endeavor to be sure. We have on occasion run out of water, mostly due to the fact that “new folks” moving from a more urban environment who do not realize the volatility of the water table, and then taking too much water out in a small time frame will affect those on the same table level. Although I am not an engineer or geologist I can imagine that with the addition of 15 new properties, the potential for water issues will be daily reality. In order to prove that the area has the minimum capacity of GPM’s all 15 wells would have to be already operational, and the flow testing would have to occur at the same time on each potential well.
2. Septic fields. One may assume each property will require a separate septic field – again posing possible ground water contamination problems to the underground water stream .
3. Hobby animals and Dogs. Many people that move to the “country” want to experience the freedom of being small hobby farmers, which again affects both ground water and water usage. As a second consideration, dogs, as the bylaws of Rockyview permit up to three (3) licensed dogs per household, I shudder to think of up to 45 dogs wandering into yards that are not their own and

chasing, and our killing, hobby farm animals might evolve into in a neighborhood. This is part of our personal experience in, having come home to have our sheep bleeding standing on our doorstep because of uncontrolled dogs, and the subsequent devastation of losing that animal.

4. Road access. As access to 791 will no longer be available from Canal Court will the county be upgrading and maintaining a new and better road through the development as in the past 25 years this road has been very poorly maintained, and without the help of neighbors in winter I can't imagine a road with 15-30 more vehicles, recreational vehicles, atv's, snow machines on it daily will look like.

5. Privacy and Resale value. For the past 25 years we have enjoyed the quiet of country life including the occasional deer, hawk, or owl family sharing our acreage space. As our property is adjacent to the proposed development, the loss of the quiet, private, and pristine country setting would not only affect our daily lives, but the resale value of our property, country acreage versus mass development (15 houses) next door.

Thank you for your time and consideration,

Sincerely,

Barbara and Colin Burr

From:
To: [Jessica Anderson](#)
Cc:
Subject: Objection to application PL20150116
Date: Tuesday, November 10, 2015 2:16:56 PM

Jessica

I would like to file an objection to the re designation of the agricultural holdings from agricultural to residential as per File number 03218008/8020/9019/9035, application PL20150116.

Part of my property, is the lowest lying land in the area and is drained onto from surrounding property an all sides. My property has no place to drain to. Historically, I have had water in my pasture area in the spring as the snow melts and for the remainder of the year area has provided good pasture. In recent years, there has been some development of additional structures as well as driveway and parking areas developed or enlarged on some of these adjacent properties. The result is that after each heavy rainfall, water rapidly runs onto my property causing much of my pasture area to remain flooded much of the summer. This has killed the grass in the field. After some heavy rains, the water rises to a level that also has been threatening flood my well. This well is the only water that supplies my house. Overland flooding of my well would definitely affect my family's health and would cause me great financial hardship should ever have to replace it.

Much of the property covered by application PL20150116 drains onto my property. I am firmly against any further development on any lands near my property that drains onto my property. We require the natural grassland to help absorb and retain the rain water. Further development will only accelerate the drainage onto my property.

It is also unknown what the effect of having 16 additional households with wells and septic fields in the immediate area would be on our existing wells. This development, as requested must not be allowed to proceed.

Regards

Andy Hamel

April 10, 2018

Rocky View County Office
Planning and Development Department
911 - 32nd Avenue NE
Calgary, Alberta T2E 6X6

ATTENTION: Charlotte Satink, Deputy Municipal Clerk

Dear Ms. Satink,

Re: Bylaw C-7674-2017, Application No. PL20150116 (03218008/8020/9019/9035)

As a resident of Canal Court, I am writing to adamantly **OPPOSE** the application to re-designate this property that will result in the development of fifteen residential lots immediately to the south.

In the absence of an impact study done by either the County or the Developer, I am left to guess how I believe I will be impacted by the above application and am in opposition for the following reasons:

Water & Septic: The drilling of additional wells into aquifers that barely support the existing wells will create issues that decrease the current rate of flow, impact the quality of water, and in some cases necessitate the drilling of new wells. Fifteen residences will require fifteen septic systems. Even if properly installed and maintained, the wastewater can contaminate well water sources. For me and my neighbours who depend on our wells to provide potable water, there will always be a concern over the safety of our drinking water.

Traffic: The potential increase in vehicular traffic through our subdivision will create safety issues for our children. Currently, maintenance on our road in Canal Court by the county is very limited. The road is often left in very poor condition, full of pot holes and very rough. Any increase in traffic will only make it worse.

Surface Water/run-off: Over the past couple decades, additional homes and outbuildings were built along with additional driveways and parking areas, on lots near my property. Surface water from these lots all drain onto my property as it is the lowest property in the area. Over the years, as more building was done, flood water levels on my property have been rising higher each year, particularly in the spring. In the spring of 2017, I had to spend considerable effort (time and money) to get rid of flood water on my property as it was threatening to flood my well. This is the first time in the nearly forty years the well has been there. Much of the west end of the property being proposed for re-designation and development, drains onto my property. I vehemently oppose any development on that part of the property where the surface drains toward my property. My only well provides water to my home. Should it become contaminated, it is likely to affect my health and that of my family and will cause me great financial harm.

Community: This subdivision was created as large acreages, most are in the six to twenty-acre range. Many residents own large animals and our community was built around this lifestyle and it has been working just fine. Should property be developed with higher density adjacent to ours, there is likely to

be more complaints about animals, etc. I know that the most common complaint of all, “Dogs running loose” is certain to rise. Along with the new house on each of the small acreages/lots, comes one or more dogs... Dogs running loose is already the most common complaint in the area.

Any residential development around Canal Court, of a density any higher than what is currently here, will not foster a sense of community. The result will be a reduction in property value.

Thank you for your consideration,

Andre Hamel

From:
To: [Jessica Anderson](#)
Subject: Application PL20150116
Date: Monday, November 09, 2015 8:41:53 PM

Dear Jessica

File number 03218008/8020/9019/9035

Application PL20150116

My husband and I are residents of Canal Court. When we moved here 7 years ago we thought we had finally found our piece of heaven.

We lived in Calgary for a number of years but never felt as if we belonged, then we found Canal Court. When we look out of our window and from our deck we see fields and horses and llamas and everything is just so peaceful. We are far enough away from our neighbours but close enough if something were to happen to us. We feel at home here.

Building 16 more houses so near to Canal Court would make the water supply practically non existent.

This area has very little water and even now some of our neighbours have no water at all and some have very slow flowing wells.

We are next to the irrigation canal so why would you consider building houses on agricultural land. The land in question floods when we have heavy rain and the snow melts.

If 16 more houses are built so close to us we will have about 32 more vehicles driving around and the noise and pollution will shatter the quite neighbourhood that we enjoy so much.

The proposed area will cut off the walking area that we have to get to the canal our neighbours ride their horses down by the canal how do they do that if this land is allowed to be developed.

We strongly disagree with the new proposal and strongly object to application PL20150116.

thank you for your time

Janet and Roy Hargreaves

We ask you to please reconsider the proposal that has been made and keep the land as it is.

Mrs Janet Hargreaves

April 10th 2018

Rocky View County Office
Planning and Development Department
911 -32nd Ave NE
Calgary Alberta T2E 6X6

Attention: Charlotte Satink, Deputy Municipal Clerk
Via Fax 403-520-1659

Re: Bylaw C-7674-2017. Application No. PL20150116 (03218008/8020/9019/9035)

This letter is to oppose the above application.
There are a few reasons for my opposition to this re-development.

When we bought this property it was to leave all the hustle and bustle of city life and have a calmer way to live.

With the development of 15 more acreages it will bring the city back to us.

Water in this area is very scarce and adding more houses people and animals is going to make it near impossible to find.

Every house or acreage is going to need a septic field and that could also impact our water.

It seems every year since we have bought out here this property has put in the same if slightly different proposal to re-designate their land to residential so it could be broken up into smaller acreages.

With so many new residences the traffic and noise the dust and the garbage will have a bigger impact on all of our lives.

The property in question floods most years when we have either heavy rain or snow falls, is it going to be any different for the families that move onto it?

Our right of way to the canal is also in jeopardy as the houses that are built will not want all of us traipsing through their land.

It is my understanding that our road at Canal Court will be closed and we will have to go through the sub division to leave our homes. If all of our winters are like this last one I will have a hard time leaving my property. I was able to get out this winter because of my neighbours help and then straight onto canal court but if we then have to drive through a sub division it will be like going back to the neighbourhoods in other cities.

I also feel that the value of our homes would be impacted by this re-development.

I strongly advise you to come and see for yourself how this would adversely affect all of us here.

Thanking you in advance for your understanding of our concerns.

Sam McConkey,

April 8 2018.

Attn.:

Planning and Development Department
Rocky View County
911-32nd Ave. NE
Calgary, AB

Application No.: PL20150116 (03218008/8020/9019/9035)

To whom it may concern

I oppose this application.

I moved to Canal Court in 2001 and within two months my water well dried up. The well produced eratically for a couple of months and then stopped completely. The ability of the well to reliably produce water was a concern so a computerized pumping system had been installed by the previous owner such that water would be pumped when available.. As the water table dropped there was no water to pump. This necessitated my having to have water delivered from Calgary or haul it myself I have been considering having a new well drilled but having fifteen new wells or one that produces enough for fifteen lots drilled raises a major concern on my part.

At this point there is no information about the size of the fifteen lots and the amount of the development dedicated to a road. If in the future Canal Court access to the 791 is blocked off will the road and route through the new development accommodate the traffic we as a neighborhood need at present? There are three twenty acre parcels that may need agricultural equipment access from time to time. Presently there are home based businesses in Canal Court that have some fairly large vehicles coming and going at present. I imagine the folk who own these businesses chose the neighborhood because of its access. Best to raise this issue at this stage than when it is too late. It means the number of lots would need to be reduced in order to have straighter access to township road 233.

Twelve properties on Canal Court have a registered Coop that has a contract with the Western Irrigation District so that they can access the canal to withdraw water for irrigation of trees and gardens and for livestock. A distribution system was developed to supply these properties and to that end had rights of way registered across properties to deliver the water. Having that distribution pipeline pass under

a road may present a major issue. Having access to a consistent water supply was a major factor in choosing to purchase a property on Canal Court in the first place. Loss or impairment of that access to water in the canal would really affect the resale value of all the properties involved.

Respectfully,

Sam McConkey

From:
 To: [Jessica Anderson](#)
 Subject: Application PL20150116 -new proposed subdivision of 16 houses south of Canal court
 Date: Thursday, October 22, 2015 5:46:27 PM

Jessica I would like to file a very strong objection to the redesignation of the agricultural holdings from agricultural to residential as per File number 03218008/8020/9019/9035 application PL20150116 for the following reasons:

- 1) WATER: This area has very little water and in my case I have a low flow well and I am aware of another property on this road that could not find water, last time there were wells drilled near range road 233 my well went dry and I had to drill another one at a cost of more than \$20,000.00. The proposal is to put in 16 houses, which could adversely affect current wells.
- 2) Sewage: My land and I know of others in the area does not have very good drainage, as a result I have two septic fields, 16 more septic fields has the potential to adversely affect the local fields
- 3) Security: Right now Canal court is a quiet safe neighbourhood with very few security or noise concerns, by adding 16 more houses this could change adversely for the local long term residents
- 4) The proposed area is next to an existing irrigation canal designed for agricultural purposes, our farm land is disappearing, during times of drought this land can be irrigated
- 5) Noise: I bought my house on Canal court more than 20 years ago to avoid the hassle and noise of the city, adding 16 more houses in this area has the potential to adversely affect the peace and quiet that I enjoy
- 6) There is the city of Chestermere close by and the town of Langdon close by, does the county want another large subdivision that close ? Is the existing firefighting services and police services adequate to handle this proposal, I do not think so. I would much prefer to see this land left in agricultural use
- 7) Flooding: during the recent heavy rains the land in question flooded, would development of this property cause existing properties to flood if there is more heavy rain ?
- 8) We have been residents of 139 Canal court since 1994 and like to peace and quiet of this neighbour hood, 16 more houses has the potential to adversely affect that peace and quiet, I would like to live here another 20 years

Please note that we strongly object to application PL20150116

Regards

Dave and Carol McNab

From: Dave McNab
Sent: Thursday, March 29, 2018 10:27 PM
To: PAA_ LegislativeServices
Subject: Bylaw C-7674-2017 "oppose"

County of Rockview
Notice of Public hearing
Tuesday April 24th 2018

Dear Sir(s):

The McNab family has lived at _____ for almost 24 years and we are in opposition to the proposed redesignation as specified in application PL20150116

I would like to give my objections to the proposed re-designation for several reasons:

1) Water: I have a low volume well and had to drill a new one when houses were added south of us, wells are expensive and water is hard to find in this area. What will this do to the existing wells when 15 more are added in this area. My last well cost me approx \$20,000.00

now that I am retired on a fixed income, this could adversely affect the quality of life of long term residents in this area.

2) I moved to this area approx. 24 years ago to enjoy the quiet country life. 15 more houses will increase the noise, light and pollution in this quiet area.

3) There have been several accidents at the corner of 791 and 560 already, will this not increase to potential for more serious accidents?

4) This land is next to an irrigation canal and should be kept agricultural, such that our farmers have access to water for agricultural purposes. Once this land has houses built on it, it will never go back to agricultural.

5) Most of us living along canal court have been here for years, we enjoy our community and do not want it to change

Thanks for listening

Regards,

Dave / Carol McNab and family

From:
To: [Jessica Anderson](#)
Subject: file-03218008/8020/9019/9035 app pl20150116
Date: Monday, November 09, 2015 4:43:07 PM

Hello, my concerns for this development : 1 there is not enough water in the area, I live east of proposed development at NE 18 23 27 w 4 according to map you sent out 03218007, We have already run out of house hold and livestock water over the years. 2 Sewage another problem, Soil gets saturated and does not run through septic fields as it should. Noise, Garbage, Police and Fire response would not be up to par as well. The land this proposal wants is Number 1 Soil and only 4 percent of Canadian Soil exists now, Please keep our Farmlands from Acreage Developers.
Jennifer Moor

Regards Leonard and

From:
 To: [Jessica Anderson](#)
 Subject: Application PL20150116 - new proposed subdivision of 16 houses south of Canal Court
 Date: Monday, November 09, 2015 7:33:01 PM

Hello Jessica,

I would like to file a strong objection to the redesignation of the agricultural holdings from agriculture to residential as per File Number 03218008/8020/9019/9035 application PL20150116 for the following reasons:

- 1) Water: In the Twenty-Seven years that I have been living on Canal Court the water flow in my has slowly deteriorated with every lot that has been subdivided off. I used to have a water flow of about 5 gallons a minute and in the last year I am now down to about 1 gallon a minute. As it is now, when I have a shower, the water stops flowing halfway through and I have to turn the tap off and wait a couple of minutes and then resume my shower to hopefully have enough water to finish. This proposal greatly affects me as it surrounds my property on two sides and It will have a large impact on my land and the hay crop that I need to feed my animals. The thought of 16 more houses sinking wells in the immediate area will impact the water table greatly and will most likely end what little water flow in my well that I have now, meaning I will have to go to the expense of drilling a new well and who knows at what cost, depending on the depth I will have to, to find potable water. What compensation would exist for myself and my neighbours if this should occur?
- 2) Sewage: I have had to replace my septic field once in the years that I have been on Canal Court, and with 16 more houses with 16 more septic fields saturating the land, I can see that this will be something that I will have to do again. During rainy years the land around Canal Court becomes saturated and does not have good drains, many of my,neighbours have sloughs on their property and I worry that this subdivision will make the situation worse.
- 3). Security: At the present time Canal Court is a very quiet, safe neighbourhood that has very little noise or security problems but this would soon end with 16 more houses in a small area in close proximity. If we fail to lock our doors at night, it is not a great worry, at the moment I feel extremely safe. We don't lock our vehicles when they are parked in our driveways, but with the number of houses that are being proposed, this will end. We will have to lock up, lock down, and worry about our property, possessions, and livestock that we own. We all moved out here to lead a quiet, rural existence and not to live in a city or town setting, but allowing a subdivision like this, in this area, will mean an end to that. Is the existing firefighting services and police services adequate to handle the number of additional homes that this proposal would mean? What about the infrastructure of road maintenance, plowing, sanding, extra school busses, and garbage disposal and recycling concerns. Has this all been taken into consideration.
- 4). Loss Of Agriculture Use: The majority of the land in this proposal is currently farmed, and is right next to the WID irrigation canal and I am wondering and worrying why you would not keep this prime farm land as agriculture use. It would make more sense as it can easily be irrigated unlike other parcels of land. Also, this proposal is EXTREMELY close to an existing Wildlife Habitat Designation Area that is on Hwy 560' just past the corner of Hwy 791. Many of the area

residents enjoy this peaceful area to see

the wildlife that inhabit the area, with 16 more homes going into the area, I feel that it will have a grave impact on this place. It was

established here for a reason and it will now be in jeopardy.

5). Flooding: Please be aware that the recent heavy rains in the last couple of years, it has caused a lot of flooding on the land that is

the subject of this proposal. Has an assessment been done to make sure that serious runoff and drainage issues will not affect my

home and land and that of my neighbours.

Thank you for taking the time to consider the issues of why I and my neighbours strongly object to this subdivision being given approval. If it was one or two lots every few years it might be more palatable to deal with, 16 will just have to huge an impact on all of our properties and lives. We enjoy a quality of life now that will end and be forever changed if you allow this subdivision to go through.

Sincerely,

Mr. Dwayne Oneski,

April 8, 2018

Rocky View County Office,
Planning and Development Department
911 - 32nd Avenue N.E.,
Calgary, AB
T2E 6X6

Attention: Charolette Satink, Deputy Municipal Clerk
Via Fax: 403-520-1659 and email:legislativeservices@rockyview.ca

Dear Ms. Satink

Re Bylaw C-7674-2017, Application No. PL20150116 (03218008/8020/9019/9035)

This letter is being written to OPPOSE this application. I have a great many reasons and concerns.

1) Well Water: When I first moved onto my acreage I had great water flow which would decrease a little with the occasional new acreage being built. My flow is now down less than 1 gallon a minute and I can only guess that with 15 more acreages being built in a condensed area what that will do to my water, dry up my well more than likely.

As a family of 3 we have to stagger our showers, we cannot all shower in the morning or all in the evening as there is not enough water. I am also limited to how many loads of laundry that I can do a week and with 15 more acreages, that will as I say reduce my flow greatly or eliminate it.

2) Septic Fields/Disposal of Effluent: I am assuming that each of these 15 lots will have a septic field which will have the potential to contaminate the underground water stream that I and my neighbours utilize for our wells.

3) Noise: I moved out to my acreage many years ago for a quiet, peaceful life, with addition of 15 acreages in a condensed area the increase of noise will be substantial. It will be like living in a community in the city which is what I wanted away from by moving into the country. The increase noise pollution, garbage pollution and light pollution are not what I wish to live next to.

4) Dogs: During the last 3 years I have lost one horse and 3 llamas due to dogs chasing them to ground. People seem to think that in the country dogs can run at large and chase livestock. The initial cost of buying these animals is great but then to have the financial cost of the removal of the dead animals and the financial cost to replace them, as they are work animals, and finally the emotional cost of losing these animals is totally unacceptable due to some people's lack of respect for rules and boundaries. The thought of 15 more homes with their dogs chasing my animals is not acceptable to me.

5) Roads: When I first moved out to my acreage, Canal Court was a quiet cul-de-sac and you could walk up and down it with no concerns, and my children could ride their bikes safely. With the addition of more acreages there has been an increase of traffic and this traffic travelling at any speed they wish, we have now had to have installed speed limits and signs which has helped slightly. Some vehicles still travel at whatever speed they wish, it is now not a safe, quiet road to go for a walk on. With 15 more dwellings it would increase the traffic, the dust, the noise and the danger of being on this road, trying to enjoy a quiet walk.

Thank you for your time and consideration of my concerns in this important matter.

Sincerely,



Dwayne Oneski

From:
To: [Jessica Anderson](#)
Subject: Application PL20150116
Date: Friday, October 30, 2015 3:46:17 PM

Hi Jessica,

File number 03218008/8020/9019/9035

Application PL20150116

My husband and I are residents of Canal Court, and we have concerns regarding the redesignation from Agricultural Holdings District to Residential Two District as described in your letter dated Oct 21, 2015.

We moved to this small community specifically because of the nice mix of properties, with 20 acre parcels interspersed with ~5 acre parcels. Canal Court has the feeling of rural living, with some livestock in the area, space and privacy, farm buildings, and just enough houses to not feel too isolated but to retain a grassroots, small neighbourly feeling to the street. Waking up to a neighbour's rooster, and watching a neighbour ride their horse down the road is exactly the rural vibe that defines this area. Building a new community of 16 houses will nearly double the house count of the existing Canal Court neighbourhood, all jammed into that section of land between the existing residences and the irrigation canal. This will completely destroy the current spacious, farming area feeling which is why we bought here.

We are also very concerned about the water requirements of so many new houses. This area is known to have very little water, and I know some of our neighbours have cisterns because they can't find water at all, while others have low flow wells. This is a tight-knit community, and I have heard of folks who had to drill a new well when development close to us ran their well dry. What kind of compensation exists for us if this new development runs the existing wells dry? Should the existing residents of Canal Court consider hiring legal council to help us defend our water supply, I'm not sure how this works, and what rights we have? But chronically low water is a known problem in this area, so nearly doubling the size of the community seems like a terrible idea.

I am wondering why the County would consider allowing a new community to be built on agricultural land that is right next to the irrigation canal?? Shouldn't this be a prime area to keep as agricultural land, because of the potential for irrigation?

Wouldn't other land that is farther away from the irrigation canal be a better choice for a new housing development? Also, the proposed development is VERY close to an existing wildlife habitat designation area that is on Hwy 560, just past the corner of Hwy 791. Many current residents enjoy this space as a wildlife viewing area, and peaceful walking area, not to mention the animals and birds that make their home there. Why would the County consider allowing a new community to be built so close to this area?

Lastly, please be aware that the recent heavy rains caused a lot of flooding on the land subject to this proposal. It does not have good drainage and often has pools of water even when the rains aren't extremely heavy, and if further developed, I can't see how it could possibly not have serious runoff and drainage issues that would affect the new houses, as well as the existing neighbouring parcels.

Thank you for considering these issues.

Sincerely,

Coral and Scott Sawkins

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<http://www.cenovus.com>

Brad Tennant

November 10, 2015

Rocky View County
911 - 32 Avenue NE
Calgary AB T2E 6X6

Attention: Jessica Anderson

File: 03218008/8020/9019/9035
Application Number: PL20150116

Dear Jessica:

I own the adjacent property . This is will be the second time that I had to protest the development of the surrounding lands adjacent to me.

Reason:

1. They're not providing any fire or emergency access to their proposed cul de sac.
2. They're not providing any curving or lighting for a development of this size.
3. The MD regulations only allow 10 new parcels per subdivision.
4. The size of their parcels do not conform to the existing properties.
5. This area has a shortage of suppliable well water, one of our neighbors cant find water on his land and several neighbors have sulfur water smell at different times of the year, especially during heavy rains. Which leads me to believe that the fresh water veins are not healthy enough to maintain 16 more wells in this area.
6. There was an underground water line that was put into Langdon from Calgary, they should be using that and if so, the rest of the surrounding community should be welcome to use it as well.
7. There was also a sewage line from Calgary to Langdon that also runs close to this parcel, they should be using that instead of septic tanks for a parcel of this size.
8. Our roads are all gravel and treacherous in the winter time. There is absolutely no street lighting and I suspect that they're not going pave their roads either. I feel this would be an error for a new subdivision.
9. I'm concerned if these residential properties are going to be single family units or multi family units as the price of a dwelling today in this area would require at least two people working in order to pay for the bills, that would require 32 more vehicles entering these road ways every day, morning and night. It may require street lights to control the traffic.

10. My main concern, which I have already protested once before, which is the panhandle that borders my property. I have an access easement on the front of the panhandle for my property and also a drainage easement for the back of the panhandle that services my pond. This panhandle runs approximately 40 feet by 250 feet. About 75 feet of the access easement runs on the front of the panhandle another 75-100 feet, roughly, give or take easement for overland drainage easement which runs through the total of the 40 feet concerning the panhandle. I also have a caveat that states that in the event the panhandle is not needed for access to any development the said panhandle will be sold to Brad Tennant for \$1.

(These caveats run as a covenant for all time and were sold to me from the previous owners, these easements and caveats can not be taken off for any reason, therefore, rendering them inaccessible and undividable for any new development. *KEAT ROBINSON*

11. When I brought this property years ago, I had long conversations with ~~Kerr~~, he assured me that Rocky View would not make proposed subdivision without the rest of the communities best interest being taken care of.

I put to the MD of Rocky View that it is their best interest that their planners plan large developments for many years to come and to not interfere with all ready developed parcels, such as mine, where the applicant is only concerned with pure profit and not really the development and prosperity of the area. Legally they do not own the said panhandle adjacent my property, they sold it to me when I brought the property in the beginning, now they want to separate and sell my property for pure profit. I would hope that Rocky View would see and acknowledge the greed and intervene instead of sending me into a court room to fend for myself.

Sincerely,

Brad Tennant

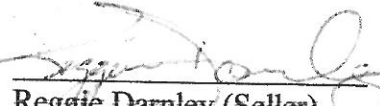


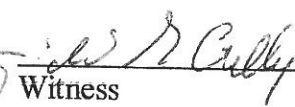
November 15, 2002


LETTER OF INTENT

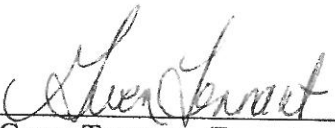
In the event the 'panhandle' that borders the 4.4 acres being purchased by Gwen & Brad Tennant at 97 Canal Court, Plan 7911308, Lot 9, is no longer required for road access for remaining 15 acre development of lot 9, and upon the approval of Rockyview, it, (the one acre panhandle) will be sold to Gwen and Brad Tennant for the sum of \$1.00. Also, in the event that Don and Reggie Darnley sell the back 15 acres, this letter of intent will be presented to and agreed to by the new buyer.



Don Darnley (Seller)


Reggie Darnley (Seller)


Witness


Brad Tennant (Buyer)


Gwen Tennant (Buyer)


Witness

ACCESS EASEMENT AGREEMENT

This indenture made the 12th day of *November*, 2002

Between:

DONALD DARNLEY and REGINA DARNLEY
P.O. Box 14, Site 7
Calgary, Alberta T2P 2G6
(hereinafter referred to as the "Grantor")

being the registered owner of all those lands situate in the Province of Alberta, and more particularly described as follows, namely:

**PLAN 021
BLOCK 3
LOT 21
CONTAINING HECTARES (ACRES) MORE OR LESS
EXCEPTING THEREOUT ALL MINES AND MINERALS
(hereinafter called the "Servient Lands")**

and

DONALD DARNLEY and REGINA DARNLEY
P.O. Box 14, Site 7
Calgary, Alberta T2P 2G6
(hereinafter referred to as the "Grantee")

being registered owner of all those lands situate in the Province of Alberta, and more particularly described as follows, namely:

**PLAN 021
BLOCK 3
LOT 20
CONTAINING HECTARES (ACRES) MORE OR LESS
EXCEPTING THEREOUT ALL MINES AND MINERALS
(hereinafter called the "Dominant Lands")**

AND WHEREAS the parties wish to provide for access to the Dominant Tenement by allowing the maintenance and repair of an existing roadway through the Servient Tenement;

AND WHEREAS to accomplish this purpose the Grantor has agreed to grant an Easement for a right of way over, across, and through Servient Tenement;

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the covenants, conditions and stipulations herein contained, the Grantor does hereby grant to the Grantee and easement for a right of way for persons, animals and vehicles over, across and through the Servient Tenement for the purpose of providing access to and from the Dominant Tenement as described above.

THE GRANTOR AND GRANTEE MUTUALLY COVENANT AND AGREE:

(a) That they will equally contribute to repairs and maintenance of the right of way so as to provide common access for the Dominant Tenement and the Servient Tenement to the point where the driveway to the house on the Servient Tenement branches off said roadway after that point each party shall be solely responsible for the maintenance and repairs to their branch of the roadway;

(b) This easement shall be deemed effective from and including June 1, 2002 being the written confirmation of a verbal agreement made effective on that earlier date.

(c) That this Agreement shall enure to the benefit of and shall be binding upon the respective heirs, executors, administrators, successors and assigns of the parties hereto;

(d) That wherever the singular or the masculine pronouns are used throughout this agreement, the same shall be construed as meaning the plural, the feminine or the neuter where the context or the parties so require;

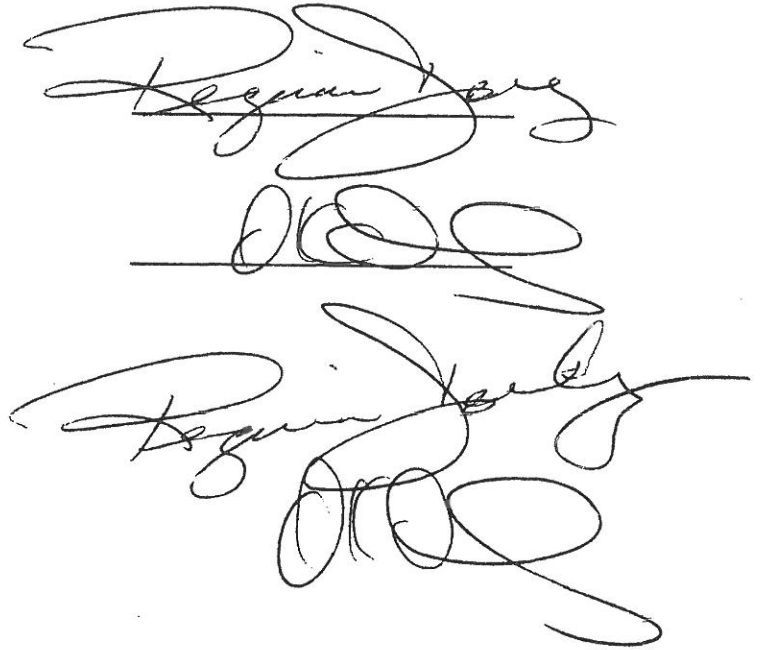
(e) That this agreement and the covenants herein contained are and shall be covenants running with the land.

The Grantees, in exercising their rights hereunder, will do so in a careful and prudent manner and will cause or do as little damage and inconvenience to the Grantor as is possible.

The Easement for Right of Way hereby granted shall not be extinguished now or in the future in the event, as now, that title to or ownership of the Dominant Tenement and/or the Servient Tenement or any adjoining portion of either of them shall be vested in the same person or persons. Further, and in any event, is any such extinguishment shall occur, and title to the Dominant Tenement or the Servient Tenement or adjoining portions thereof shall thereafter be divested from such common ownership, then and in such event the successors to and in respect of the easement hereby granted shall thereupon once again be entitled to the benefits thereof as created under and by virtue of the Easement.

IN WITNESS WHEREOF the Grantor and the Grantee have set their hands and seals the day and year first above written.

SIGNED, SEALED AND DELIVERED
by the said Grantor and Grantee in the
presence of

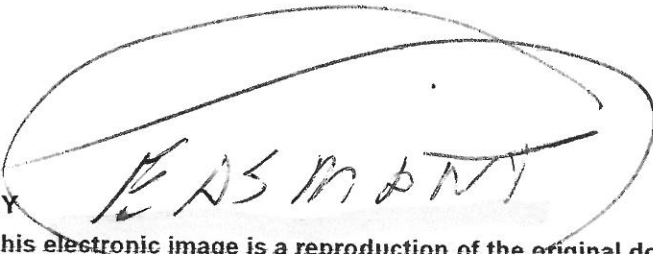


**ALBERTA GOVERNMENT SERVICES
LAND TITLES OFFICE**

IMAGE OF DOCUMENT REGISTERED AS:

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ADVISORY



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0310716 REGISTERED 2003 03 03
CAVE-CAVEAT
DOC 10F 1 DRR#: 1032872 ADR/FBELENKY
LINC/ 0029653954

THE LAND TITLES ACT
OVERLAND DRAINAGE EASEMENT

This agreement made the 12th day of November, 2002

Between: **DONALD DARNLEY and REGINA DARNLEY**
as owners of the Servient Lands (herein called the "Grantor")

being the registered owner of **PLAN 021 4041**
BLOCK 3 LOT 21

Excepting thereout all mines and minerals

and

DONALD DARNLEY and REGINA DARNLEY
as owners of the Dominant Lands (herein called the "Grantee")

being the registered owner of **PLAN 021 4041**
BLOCK 3 LOT 20

Excepting thereout all mines and minerals

Do hereby in consideration of the sum of one (\$1.00) dollar (the receipt whereof is hereby acknowledged) do hereby grant and transfer unto the Grantee and each of its successors in title the full right, license, liberty, privilege, and easement in, through and upon that portion of the said lands and premises (hereinafter called the "right-of-way"), more particularly described as follows:

Overland Drainage Right-of-Way Plan 021 4042

For the purposes of clearing, repairing, cleaning and maintaining from time to time a drainage area for drainage purposes, together with all the rights of egress to and from the drainage area the right for its servants, agents, employees, tractors, vehicles, machinery, supplies and equipment for all purposes necessary or incidental to the exercise and enjoyment of the rights herein granted as and from the date of the execution hereof, and for so long thereafter as the Grantee desires to exercise the rights and privileges hereby given on the following terms and conditions which are mutually covenanted and agreed to by and between the Grantor and the Grantee.

1. Grantor shall not in any manner whatsoever obstruct or cause to be obstructed the said drainage area by the deposit therein or thereon of any

debris or material whatsoever or by reason of the uses of the said lands, which includes but is not restricted to:

- a) build, erect, or maintain nor permit or suffer to be built, erected, or maintained on or above the Easement Area any building or structure that would prevent, restrict, or interfere with construction, operation, inspection, maintenance, replacement, or repair on the Overland Drainage Facility;
- b) cause, permit, or maintain any deviation from the grades and/or elevations that are in accordance with the Approved Storm Water Management Plan
- c) plant or maintain on the right-of-way any trees, shrubs, or landscaping which would or could prevent, restrict or interfere with the exercise of any of the rights herein granted;
- d) cause or permit any interference with, alteration to, removal of or damage to the Overland Drainage Facility; and
- e) suffer or permit dirt, fill, loam, gravel, paper debris, plant material, snow, ice, or slush to accumulate on the right-of-way in such a manner that;
 - i) the surface grades are altered to the extent that the drainage is adversely affected; or
 - ii) the use or operation of the Overland Drainage Facility is interfered with restricted, or prevented.

The Grantor shall assume the responsibility for the proper maintenance of the right-of-way to ensure the unimpeded flow of drainage through the drainage area constructed within the right-of-way, if the maintenance of the drainage area by the Grantor is not conducted in a manner satisfactory to Grantee, the Grantee retains the right to enter the right-of-way and perform the necessary maintenance to the drainage area with all costs incurred by the Grantee to be paid by the Grantor immediately upon demand by the Grantee as a debt due and owing to the Grantee and shall be a charge upon the said lands of the Grantor.

2. The Grantee, performing and observing the covenants and conditions on its part to be performed and observed, shall and may peaceably hold and enjoy the rights, liberties, privileges and easement hereby granted without hindrance, molestation, or interruption on the part of the Grantor or of any person, firm or corporation claiming by, through, under, or in trust from the Grantor. Notwithstanding the foregoing, the Grantor shall have the right to conduct his normal yard maintenance across the right-of-way providing such yard maintenance does not unduly interfere with the proper drainage of the drainage area and the Grantor properly maintains the drainage area to ensure the unimpeded flow of drainage through the drainage area within the right-of-way.

3

3. The Grantee in carrying out any operations on the right-of-way shall do so in a good and workmanlike manner and shall cause or do as little damage and inconvenience to the Grantor as is reasonably practicable.
4. The Grantee shall at all times hereafter indemnify and keep the Grantor indemnified against all actions, claims and demands that may be lawfully brought or made against the Grantor and for which the Grantor is responsible in law as a direct result of anything done by the Grantees, their agents, employees, servants, and workman in the exercise or prepared exercise of the right-of-way herein granted.
5. The right-of-way is, and shall be of the same force and effect to all intents and purposes as a covenant running with the land and these presents, including all the covenants and conditions herein contained shall extend to, be binding upon, and inure to the benefit of the heirs, executors, administrators, successors, and assigns of the Grantor and the Grantee respectively, and wherever the singular or masculine is used, it shall be considered as if the plural or the feminine or the neuter, as the case may be, had been used, where the context of the parties hereto so require and the rest of the sentence shall be construed as if the grammatical and terminological changes thereby rendered necessary had been made.

IN WITNESS WHEREOF, the Grantor and the Grantee have caused their corporate seal to be affixed under the hands of its proper officers in that behalf this 11 day of March AD, 2002

DONALD DARNLEY

Per: 

REGINA DARNLEY

Per: 

DONALD DARNLEY

Per: 

REGINA DARNLEY

Per: 

CANADA)	I, DAVID L. CAMPBELL, of the Town of
)	
PROVINCE OF ALBERTA)	Calgary in the Province of Alberta,
)	
)	Solicitor,
)	
TO WIT:)	MAKE OATH AND SAY:

1. That I was personally present and did see **DONALD DARNLEY** and **REGINA DARNLEY** named in the within instrument, who is personally known to me to be the person named therein, duly signed and executed the same for purposes named therein.
2. That the same was executed at the Town of Strathmore, in the Province of Alberta, and that I am the subscribing witness thereto.
3. That I know the said **DONALD DARNLEY** and **REGINA DARNLEY** and she is in my belief of the full age of eighteen years.

SWORN BEFORE ME at the Town)
of Strathmore, in the Province)
of Alberta, this 24th day of)
November, A.D. 2002.)

DAVID L. CAMPBELL

Ed Delord
A Commissioner for Oaths in and for
the Province of Alberta

Echo Zdebiak
My commission expires
May 25, 2005.

From the desk of Asad Virk

April 11, 2018

Rocky View County Office
Planning & Development Department
911 – 32nd Avenue NE
Calgary, AB
T2E 6X6

Attention: Charlotte Satink, Deputy Municipal Clerk

Re: Bylaw C-7674-2017, Application No. PL20160116 (03218008/8020/9019/9035)

As residents of _____, we are writing this letter to strongly oppose the application noted above, for the proposed development to subdivide into 15 country residential lots on the North side of Township Road 233.

One of the most important items that will be impacted is the quality and the quantity of the water supply. Currently, our water supply is drawn from well-water and is near to, or over, full capacity as it is, which is indicated by the relatively low rate of flow. It is our understanding that some wells in the area have already run dry. To service 15 additional lots, will be further taxing to the current system.

The 15 additional lots will also require septic services, and if these are not properly developed, constructed, and maintained, they could potentially contaminate and impact the quality of the drinking water.

The proposed development will change, or eliminate, the access to Hwy 791 from Canal Court, and re-route it through the proposed development. This is an undesirable change, since it will make our travel substantially more difficult through the winter months. The additional properties also have the obvious increase in population, which results in the undesirable increase in traffic and subsequent maintenance costs of the roads. More population, also means more garbage and the inevitable littering.

In general, the addition of 15 new properties, will lower our quality of life with additional noise, additional lights, traffic dust, and property values. Most importantly, it will remove the main reason we decided to live in this area in the first place, which is the Country Residential Living Lifestyle.

Thank you for the opportunity to present our concerns regarding this proposed development, and trust you will thoroughly deliberate all the concerns of the existing residents of Canal Court.

Yours truly,
Asad & Tahseen Virk

Reva CD Young

April 9, 2018

Rocky View County Office
Planning and Development Department
911 - 32nd Avenue NE
Calgary, Alberta T2E 6X6

ATTENTION: Charlotte Satink, Deputy Municipal Clerk

Dear Ms. Satink,

Re: Bylaw C-7674-2017, Application No. PL20150116 (03218008/8020/9019/9035)

This letter is to **oppose** the above application.

1. Water!!! The basis of all life and our survival is not a joke when living on an acreage when only water wells and septic fields work, we need to take care of our children and animals. Water is not easy to find in our area and the reality of wells drying up is very real as this has already occurred with several of the land parcels in our area.
2. Livestock/Animal Control. Most of us have animals and enjoy the country setting this area has always supported. There are several homes that are in agricultural holdings designation and support agricultural activities as well. Allowing so many new lots, our lifestyle be will be in jeopardy and not why we choose to live out here. Those of us with responsible animals are worried that now we will have to deal with complaints about the smells, corrals thawing in the spring, donkeys, chickens and roosters making noise and other general animal complaints. Included in this is the ability of these new landowners to keep any pets they may have on their properties at all times. This has already been an issue in this area with access to mailboxes on Township Road 233 and the irresponsible owners of the same dogs that are constantly at large.
3. Country Residential Lifestyle, the proposal is we should have no access to Canal Court off hwy 791?? Please take a drive out here and understand how adverse the weather affects my neighborhood and neighbors – we all help each other with our equipment just to get onto our road so we can work to pay our taxes. Based on the 15 proposed additional acreages, we do not have the water nor roads that can not handle the increased traffic. Again, I implore you to come out and see the county's response time on our road when adverse conditions arise.
4. Indus Water Inc. There is actually a Utility Right of Way and Easement- I am the registered land owner for the water line on my property for the good of my neighbors, animals, respect of life style that allows a 4 inch pipeline to push WID water up through to Canal Court. At this time, Indus Water Inc. has

no desire to add further members, yet the pipeline will go through the middle of two of these new properties. This is not the first time someone has proposed this kind of development, very interesting the two previous attempts individually – I know its hard to separate how many titles are on this one but that is why I love living here and my neighbor- each was denied and now they have joined together. Please remember why we are Rocky View County and how it effects our property value!!!

Thank you for your consideration of our concerns.

From:
To: [Jessica Anderson](#)
Subject: Application PL20150116 -new proposed subdivision of 16 houses
Date: Monday, October 26, 2015 4:57:36 PM

Hello Mrs. Anderson

We have been residents of _____ for almost 23 years now. We would like to file a very strong objection to the re-designation of the agricultural holdings from agricultural to residential as per File number 03218008/8020/9019/9035 application PL 20150116 for the same reasons as Mr. and Mrs McNab.

One more question: How is it possible to have not even 4 acres, when Rocky View county informed us that in this area lots must be no less than 6 acres. Did Rocky View county change these regulations and failed to inform us of this?

We feel that 16 more houses in this area is an outrage. We are loosing farm land because somebody wants to make money. We need farm land to survive.

We strongly object to the application PL 20150116

Regard

Vilem Zach



FINANCIAL SERVICES

TO: Council
DATE: June 12, 2018 **DIVISION:** 8
FILE: N/A
SUBJECT: Tax Relief Due To Fire Loss – Roll #06712101

¹ADMINISTRATION RECOMMENDATION:

THAT the 2016 and 2017 municipal tax cancellation request for roll #06712101 due to fire damage, in the amount of \$2,935.68, be approved.

EXECUTIVE SUMMARY:

Administration has received a written request from the rate payer for property tax relief due to fire. In accordance with the Fire Protocol approved by Council on December 14, 2004, Administration recommends that Council consider cancelling municipal tax related to this property. The County's Assessment department inspected the property and has provided an estimate (Attachment A) of municipal taxes that Council could consider for cancellation.

Administration recommends **Option #1**.

DISCUSSION:

The purpose of this report is to seek Council approval of a request for tax cancellation in accordance with Fire Protocol (Attachment B) approved by Council on December 14, 2004. This protocol deals with tax impacts arising from fire incidents that are inspected and adjusted for fire damage as necessary by the Assessment department.

In accordance with section 347(1)(b) of the *Municipal Government Act* Council may cancel or refund all or part of a tax if it considers it equitable to do so. Council in the past considered it equitable to cancel the municipal and emergency services taxes due to fire loss for the portion of that year the property was uninhabitable.

Should Council approve the tax cancellation in response to the above noted request, the 2016 and 2017 municipal and emergency services taxes for the subject property would be pro-rated and refunded to the property owner.

The subject property was not under investigation since the fire occurrence and the file is closed.

BUDGET IMPLICATIONS:

The 2018 budget includes funding for tax adjustments of this nature so a budget adjustment is not required.

OPTIONS:

- Option #1: THAT the 2016 and 2017 municipal tax cancellation request for roll #06712101 due to fire damage, in the amount of \$2,935.68, be approved.
- Option #2: THAT Council denies the request.

¹**Administration Resources**
Barry Woods, Financial Services



Respectfully submitted,

“Kent Robinson”

Interim County Manager

BW/tg

ATTACHMENTS:

Attachment ‘A’ – Calculation for Fire Report

Attachment ‘B’ – Fire Protocol



ATTACHMENT "A"

2017 Tax Refund

Municipal Tax Levy	2017 Rates	Total Municipal Tax Rate	Imp amount	Annual Tax	Monthly Tax	Months after fire	Refund Amount
Municipal	1.9625						
Emergency Services	0.5160						
	2.4785	0.0024785	\$713,450	\$1,768.29	\$147.36	9	\$1,326.24

Report Refund **\$1,326.24**

2016 Tax Refund

Municipal Tax Levy	2016 Rates	Total Municipal Tax Rate	Imp amount	Annual Tax	Monthly Tax	Months after fire	Refund Amount
Municipal	1.9422						
Emergency Services	0.4998						
	2.4420	0.002442	\$718,980	\$1,755.75	\$146.31	11	\$1,609.44

Report Refund **\$1,609.44**

Fire Incidents - Protocol for Addressing Property Assessment & Tax Impacts

Introduction:

A set of guiding principles, otherwise referred to as a Protocol, is hereby being established by the Municipal District of Rocky View for the purpose of identifying when tax relief is, or is not, warranted in instances when properties have sustained fire damage. This Protocol outlines how properties that have incurred fire damages will be assessed and taxed in the current taxation years when the fire incidents have occurred.

Purpose:

The implementation of this Protocol will provide the Municipality with a uniform and consistent approach for addressing how fire incidents and related damages may impact the assessment and taxation of properties in the future. Any assessment and tax adjustments will be determined and exercised by the Supervisor of Assessment & Taxation through the relevant sections of the Municipal Government Act (MGA).

Authority:

Subject to the approval of this Protocol by Council, the Supervisor of Assessment & Taxation will assume responsibility for administering its application on an ongoing basis. Pursuant to the Municipal Government Act, the Supervisor of Assessment & Taxation will also administer any property assessment and tax adjustments that may arise from the Municipality's review of fire incidents.

Relevant Legislation (as is outlined in the Municipal Government Act):

Assessments for Properties (Other than Linear Property)

289 (1) Assessments for all property in a municipality, other than linear property, must be prepared by the assessor appointed by the municipality.

- (2) Each assessment must reflect;
 - (a) the characteristics and physical condition of the property on December 31 of the year prior to the year in which a tax is imposed under Part 10 in respect of the property, and
 - (b) the valuation standard set out in the regulations for that property.

Cancellation, Reduction, Refund or Deferral of Taxes

347 (1) If a council considers it equitable to do so, it may, generally or with respect to a particular taxable property or business or a class of taxable property or business, do one or more of the following, with or without conditions:

- (a) cancel or reduce tax arrears;
- (b) cancel or refund all or part of a tax;
- (c) defer the collection of a tax.

- (2) A council may phase in a tax increase or decrease resulting from the preparation of any new assessment.

Fire Insurance Proceeds:

- 349 (1) Taxes that have been imposed in respect of improvements are a first charge on any money payable under a fire insurance policy for loss or damage to those improvements.
- (2) Taxes that have been imposed in respect of a business are a first charge on any money payable under a fire insurance policy for loss or damage to any personal property;
- (a) that is located on the premises occupied for the purposes of the business, and
 - (b) that is used in connection with the business and belongs to the taxpayer.

Fire Incident Review Process:

If property taxes remain unpaid at the time that a fire incident takes place, property owner(s) must work with their Insurance Company to pay to the Municipality any balances that are owing when fire damage occurs to any subject real property. "Real property" refers to improvements, structures, buildings and any items that are assessed. These items are usually affixed to land. Personal property and possessions are not assessable and are not a part of the real property that is valued for assessment and taxation purposes. Insurance Companies provide insurance coverage for both real property and personal property. However, property assessments only take into account the valuations assigned to real property.

Municipalities generally do not approve tax adjustments for a property that has incurred fire damage in the current year, since the related assessment valuation for the year reflects the property's physical characteristics as of December 31st of the previous year. Taxes imposed are a first charge on any money payable under a fire insurance policy for loss or damage.

If taxes remain unpaid at the time that a fire incident occurs, the Municipality's Supervisor of Assessment & Taxation will, after receiving the related Fire Report, issue a letter to the property owner(s) to advise them that taxes remain outstanding, as well as to inform them that they should work with their Insurance Company to ensure that the taxes are paid on a timely basis.

In all instances in which properties are fully or partially insured for fire damage, property owner(s) are responsible for; working with their Insurance Companies to ensure that property taxes are fully paid on a timely basis. When insurance coverage is available to property owner(s), the Municipality will not consider any requests to adjust property taxes for the year in which a fire incident takes place. In addition, the Municipality's Supervisor of Assessment & Taxation will review a fire incident and the related Fire Report to determine what impact, if any, a fire incident may have on the establishment of a property assessment valuation for the next taxation year.

In all instances in which properties are not insured, the affected property owner(s) can only seek property tax relief from the Municipality if they forward a written request for such relief to the Supervisor of Assessment and Taxation along with a written confirmation that the property which was damaged by fire was not fully or partially insured. If this request and the related confirmation are received from the property owner(s), then the Municipality's supervisor of Assessment & Taxation will utilize the following steps to determine whether a damages incurred to a property as a result of a fire incident will lead to a tax reduction in the year that the incident occurred:

- The Supervisor of Assessment & Taxation receives the Fire Report which identifies the property and the property damage sustained to the structure(s). The Fire Report is the formal document that initiates the assessment and tax review.
- Assessors will investigate the property to determine the extent of the damage for assessment valuation purposes. If the fire incident has led to a reduction in the valuation of improvements to land (including structures such as homes, garages, outbuildings or other assessed structures) that are assessed and taxed, then the Supervisor of Assessment & Taxation will calculate the corresponding reductions in valuation and municipal taxes (excluding taxes for education and seniors foundation requisitions) for the current year. If adjusted, the Municipal taxes will be pro-rated for the loss of improvements only from the date of the fire incident to the last day of the calendar year. No assessment or tax adjustments will be provided for the land that may have been damaged in a fire incident.
- A property tax reduction should be the last resort for tax relief.
- Tax relief will not be provided in instances in which fire damages have occurred to farm buildings and other types of structures and property that are exempt from property assessment and taxation. In addition, tax relief will not be provided in recognition of the loss of personal property and related contents that are exempt from property assessment and taxation. Finally, injury or loss of life cannot be factored into property valuation and taxation parameters and, accordingly, they will not be considered in conjunction with addressing requests for property tax relief.

Council Review of Tax Relief Requests (When Insurance Coverage Not Available):

If the affected property owner(s) seek property tax relief from the Municipality by forwarding a written request for such relief to the Supervisor of Assessment and Taxation along with a written confirmation that the property which was damaged by fire was not fully or partially insured, then upon completion of the above noted review by the Supervisor, a Report will be presented to Council which includes:

- 1) A brief summary of the Tax Account History.
- 2) The written tax relief request from the property owner(s)
- 3) A recommendation from the Supervisor of Assessment & Taxation with regards to providing tax relief that may be warranted pursuant to Section 347 of the Municipal Government Act; If an adjustment is recommended, it will only include a pro-rated reduction to the municipal portion of the annual property tax levy.

A letter will then be forwarded to the property owner(s) to inform them of Council's decision.

AGRICULTURAL & ENVIRONMENTAL SERVICES

TO: Council
DATE: June 12, 2018 **DIVISION:** 8
FILE: 05736008 / 6030-100
SUBJECT: Road Dedication affecting County Lands

¹ADMINISTRATION RECOMMENDATION:

THAT the requested assignment of the 0.08 acre portion of County Lands known legally as Block R-9; Plan 1085 LK be approved for road dedication.

EXECUTIVE SUMMARY:

The County requires that a 0.08 acre portion of County owned Municipal Reserve land, located at the Southwest corner of the intersection of Bearspaw Road and Burma Road, be dedicated to the road plan with the purposes of enhancing the intersection safety.

Rocky View Schools and the Recreation Board have been circulated with details of the proposal and have not expressed any concerns.

Administration recommends **Option #1**.

BACKGROUND:

Should Council agree and direct Administration to proceed with the Road Dedication, and in accordance to *Municipal Government Act* (s 70(2)(a)): "*The proposal does not have to be advertised if the estate or interest is to be used for the purposes of supplying a public utility*". Administration will execute the necessary transfer documents as required by the Alberta Land Titles Office.

Also, considering *Municipal Government Act* (s 677(a)) "*a municipality and a school board may authorize a roadway, public utility over reserve land*". Administration recognizes the proposed undertaking as being exempt from a public hearing requirement under the Act, and is also an acceptable use of Municipal Reserve Lands.

BUDGET IMPLICATION(S):

There are no known or anticipated budget implications.

CONCLUSION:

The portion of lands to be dedicated to the road allowance, at 0.08 acre will have a minimal impact on the existing recreational nature of the lands, and the request is consistent with the requirements of the *Municipal Government Act*. All known technical components will be addressed through the recommended subdivision conditions.

¹**Administrative Resources**
Corey Graham, Municipal Lands



OPTIONS:

- Option #1 THAT the requested assignment of the 0.08 acre portion of County Lands known legally as Block R-9; Plan 1085 LK be approved for road dedication.
- Option #2 THAT alternative direction be provided.

Respectfully submitted,

Concurrence,

Byron Riemann

Kent Robinson

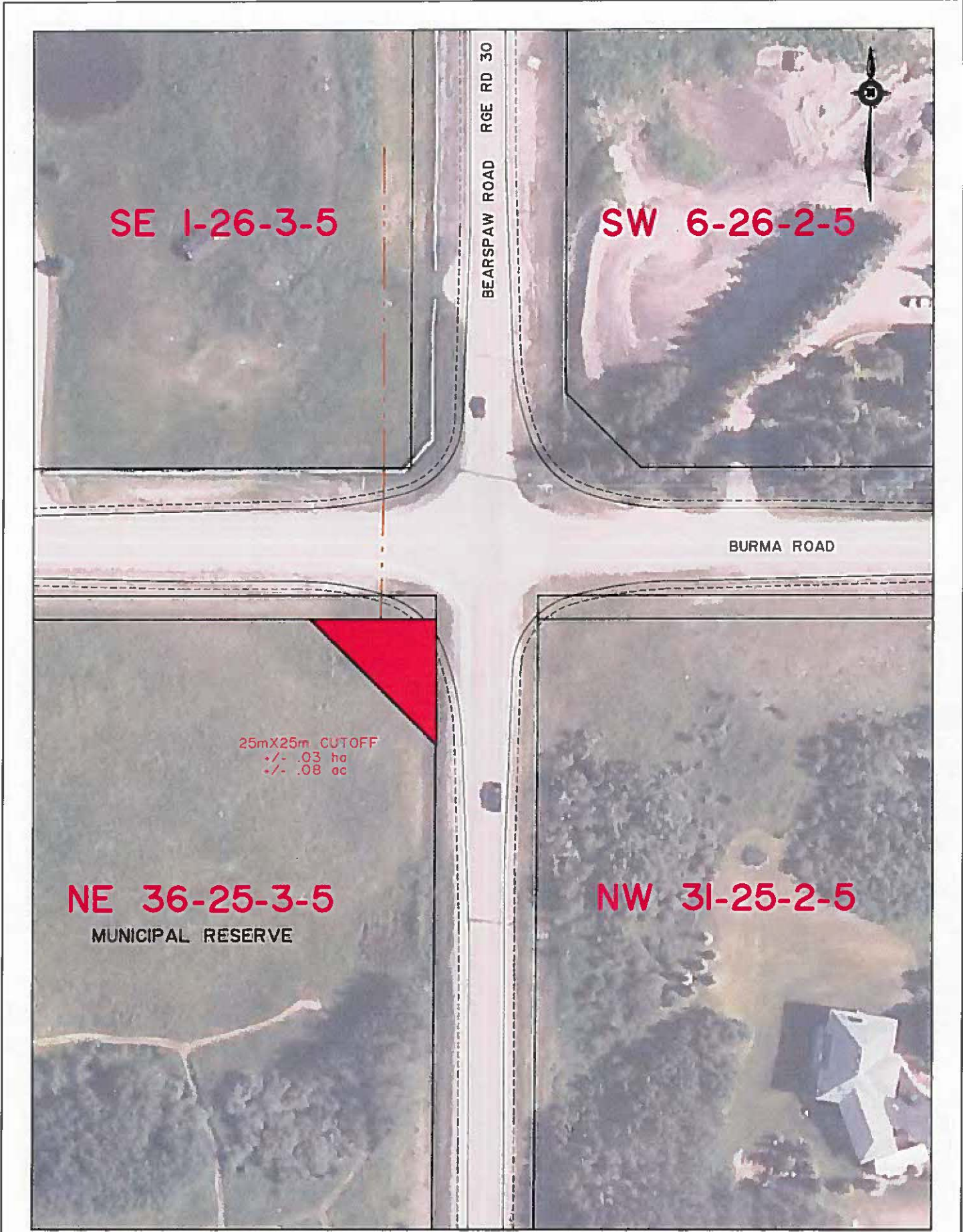
General Manager



Interim County Manager

CG

ATTACHMENTS:

- ATTACHMENT 'A' - IOP Plan
ATTACHMENT 'B' - Project Proposal Mapset
ATTACHMENT 'C' - Rocky View Schools Circulation Response



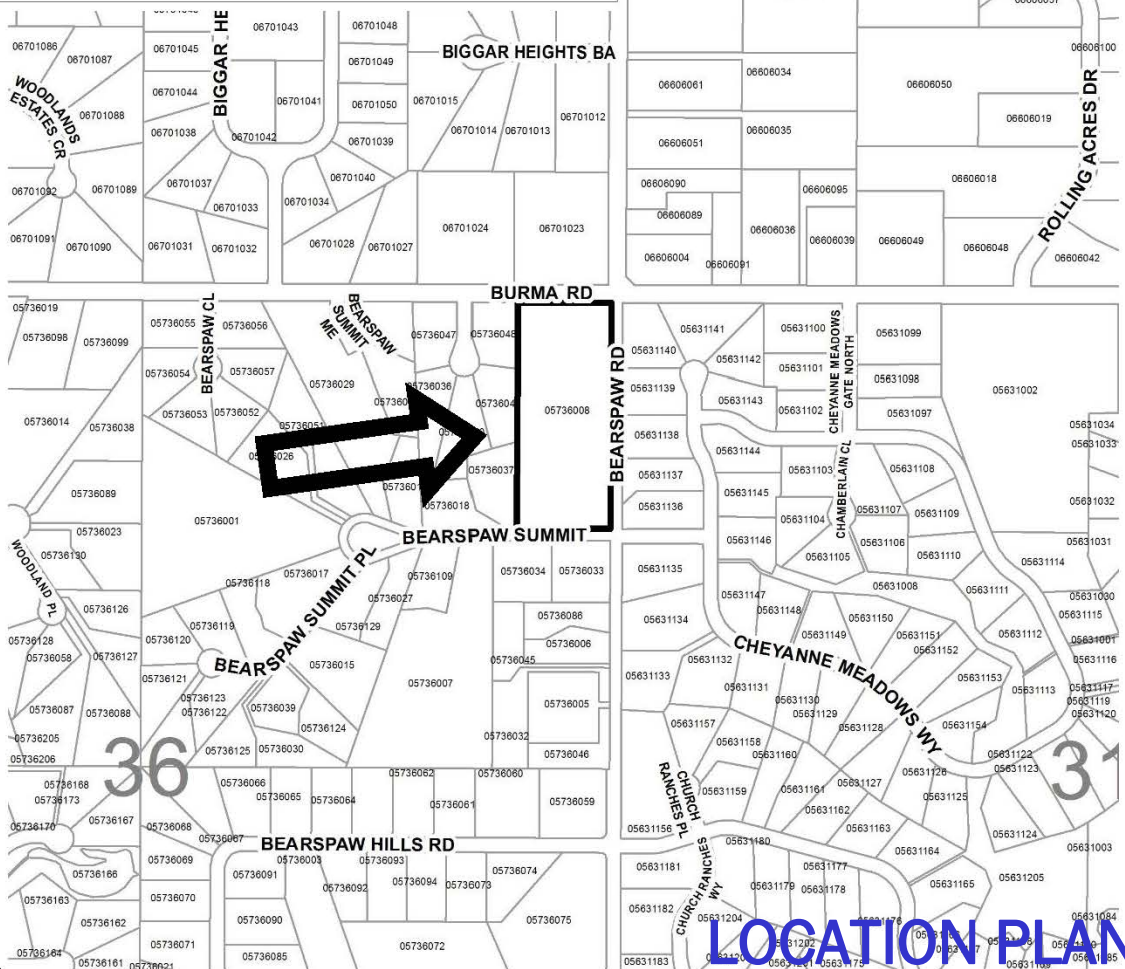
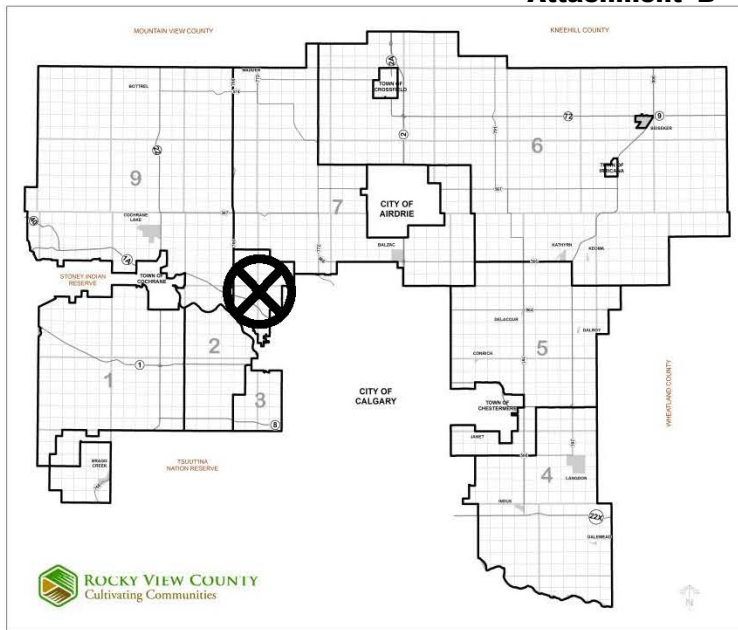
NE 36-25-3-W5			 ROCKY VIEW COUNTY Cultivating Communities	DRAWN BY KEN NAGLOREN		 amec foster wheeler	
OWNER MR		DISTURBED AREA		JOB No.			
PURCHASE		Acres +/- 0.08		Hectares +/- 0.03	CT170201		
					DATE		
					MAY 2017		
TOTAL AREA		+/- 0.08		+/- 0.03			

RGE RD 30 & BURMA RD
CORNER CUT-OFF
ROW PLAN

SCALE 1:1000 0 50 100 175 200

Approved & Accepted This _____ Day of _____ 2017

Owner _____ Witness _____



Block:R9 Plan:1085 LK
NE-36-25-03-W05M

Date: May 22, 2018

Division # 8

File: 05736008**AGENDA****Page 146 of 232**

BURMA RD

BEARSPAW SUMMIT RI

BEARSPAW RD

BEARSPAW SUMMIT

CHEYANNE MEADOWS GATE WEST

SITE PLAN

**Block:R9 Plan:1085 LK
NE-36-25-03-W05M**

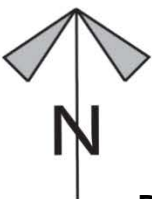
Date: May 22, 2018

Division # 8

File: 05736008

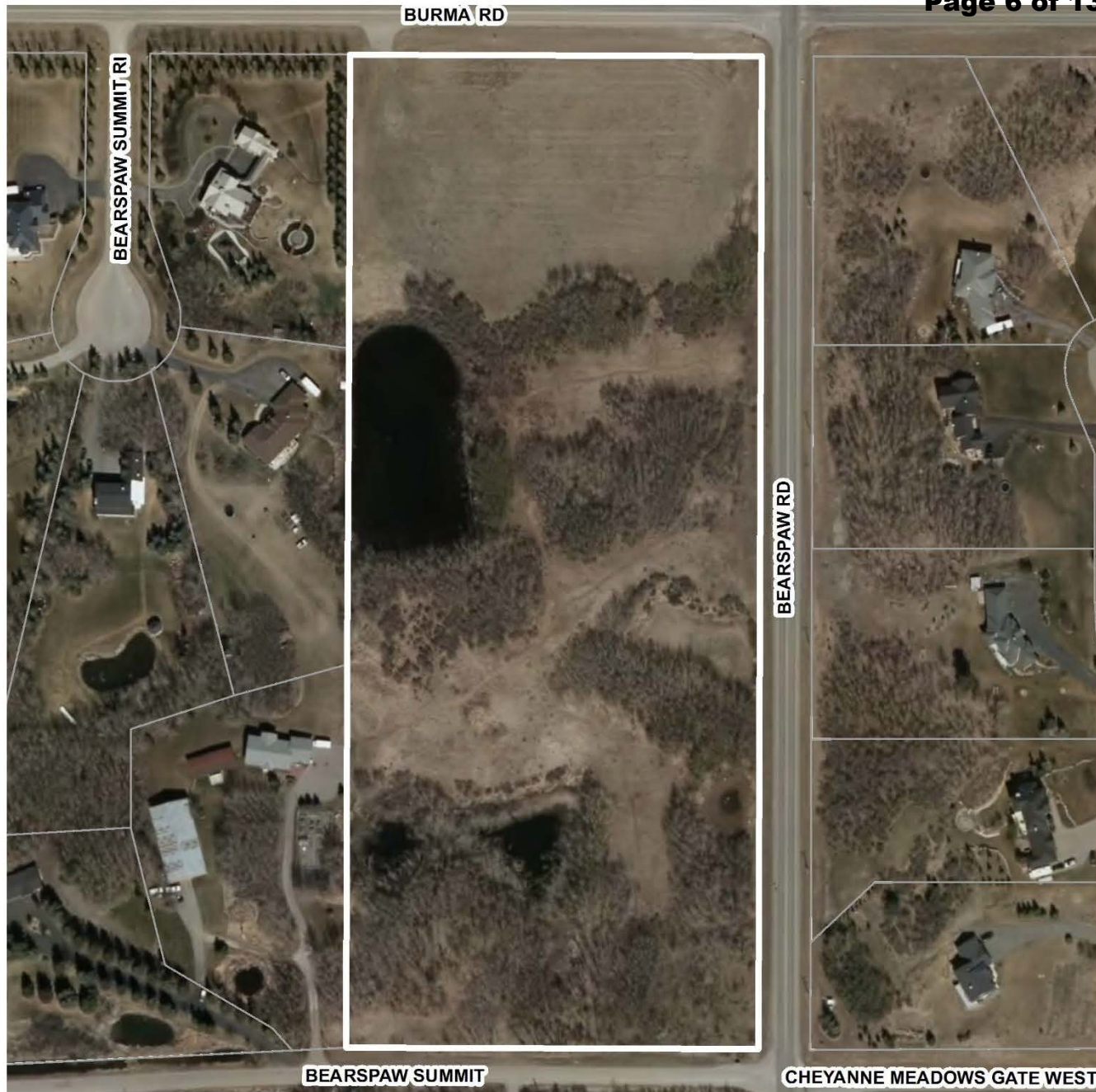
AGENDA

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BURMA RD

BEARSPAW SUMMIT RI



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

AIR PHOTO

Spring 2016

**Block:R9 Plan:1085 LK
NE-36-25-03-W05M**

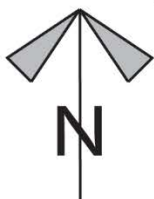
Date: May 22, 2018

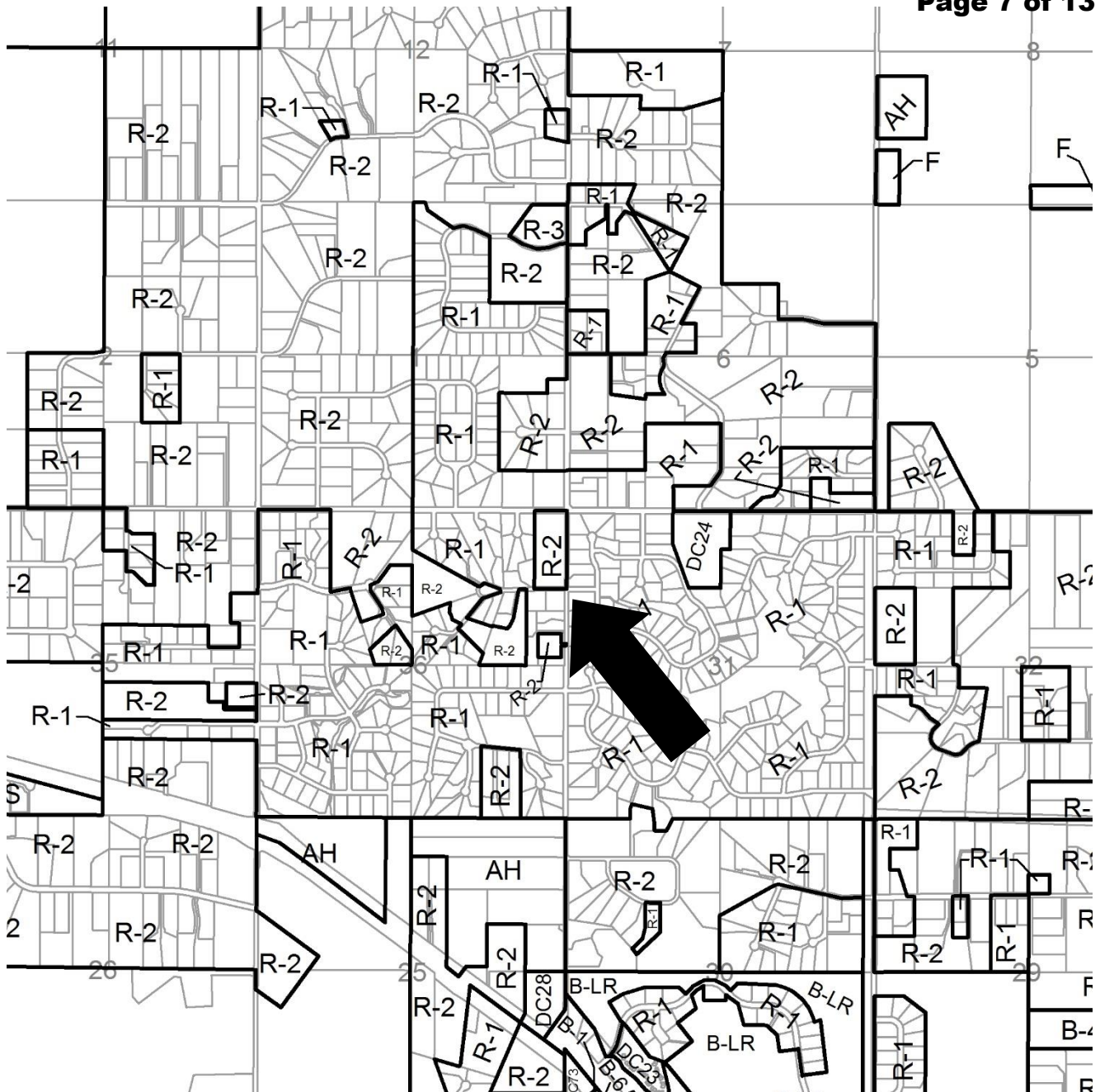
Division # 8

File: 05736008

AGENDA

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

LAND USE MAP

Block:R9 Plan:1085 LK
NE-36-25-03-W05M

Date: May 22, 2018

Division # 8

File: 05736008

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:R9 Plan:1085 LK
NE-36-25-03-W05M**

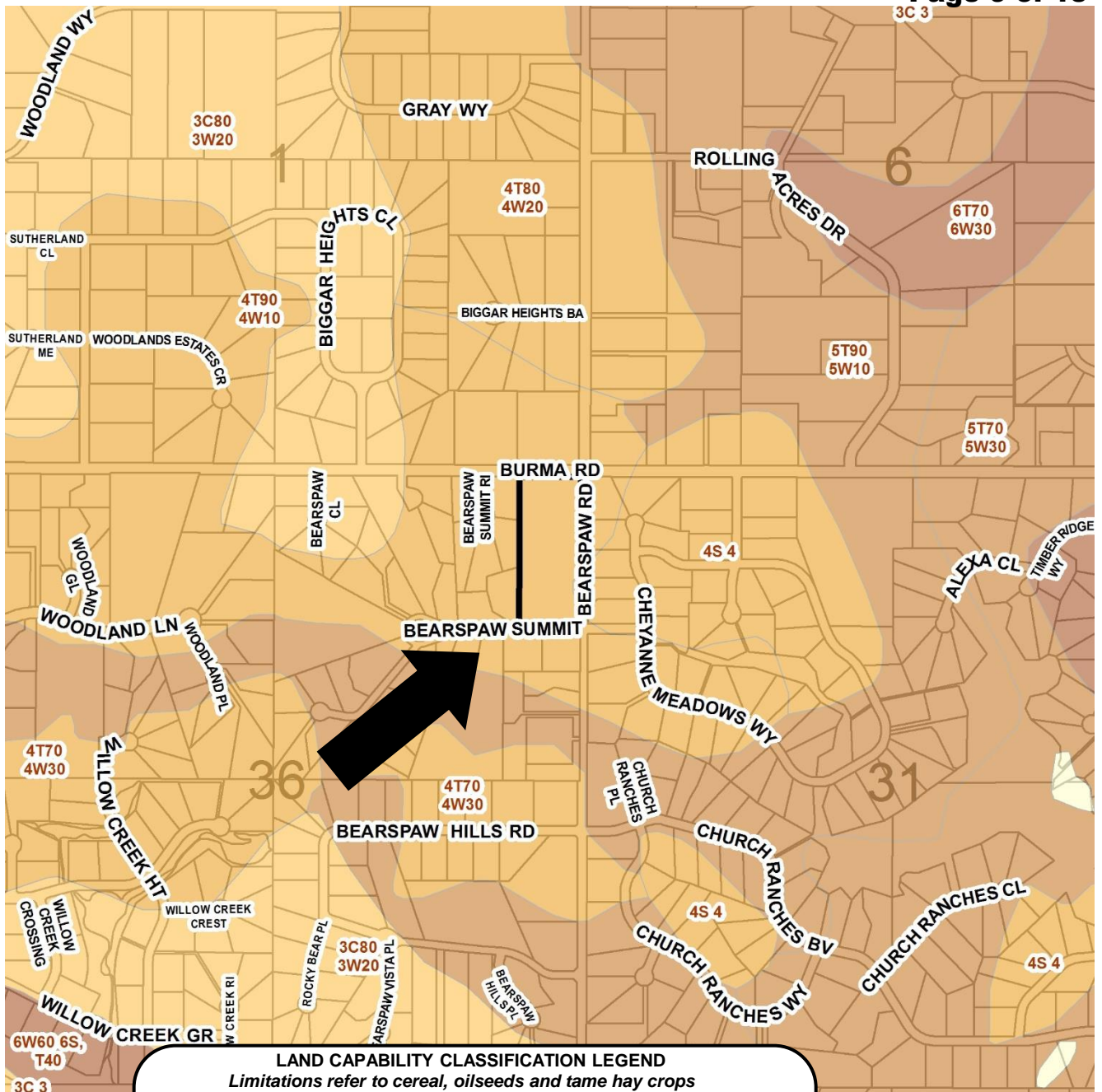
Date: May 22, 2018

Division # 8

File: 05736008

AGENDA

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LAND CAPABILITY CLASSIFICATION LEGEND

Limitations refer to cereal, oilseeds and tame hay crops

CLI Class

- 1 - No significant limitation
- 2 - Slight limitations
- 3 - Moderate limitations
- 4 - Severe limitations
- 5 - Very severe limitations
- 6 - Production is not feasible
- 7 - No capability

Limitations

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

SOIL MAP

Block:R9 Plan:1085 LK
NE-36-25-03-W05M

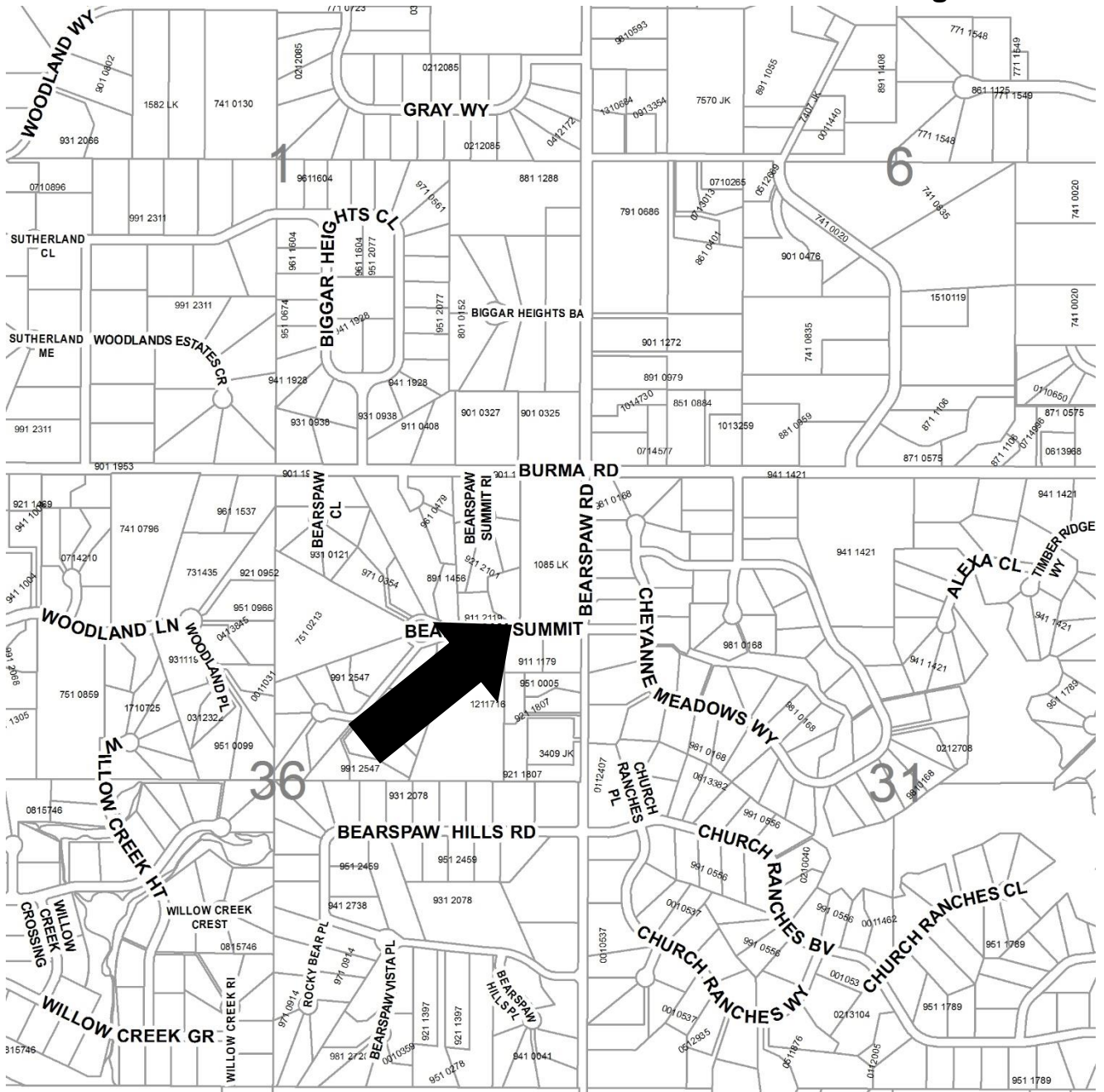
Date: May 22, 2018

Division # 8

File: 05736008

AGENDA

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**Legend – Plan numbers**

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

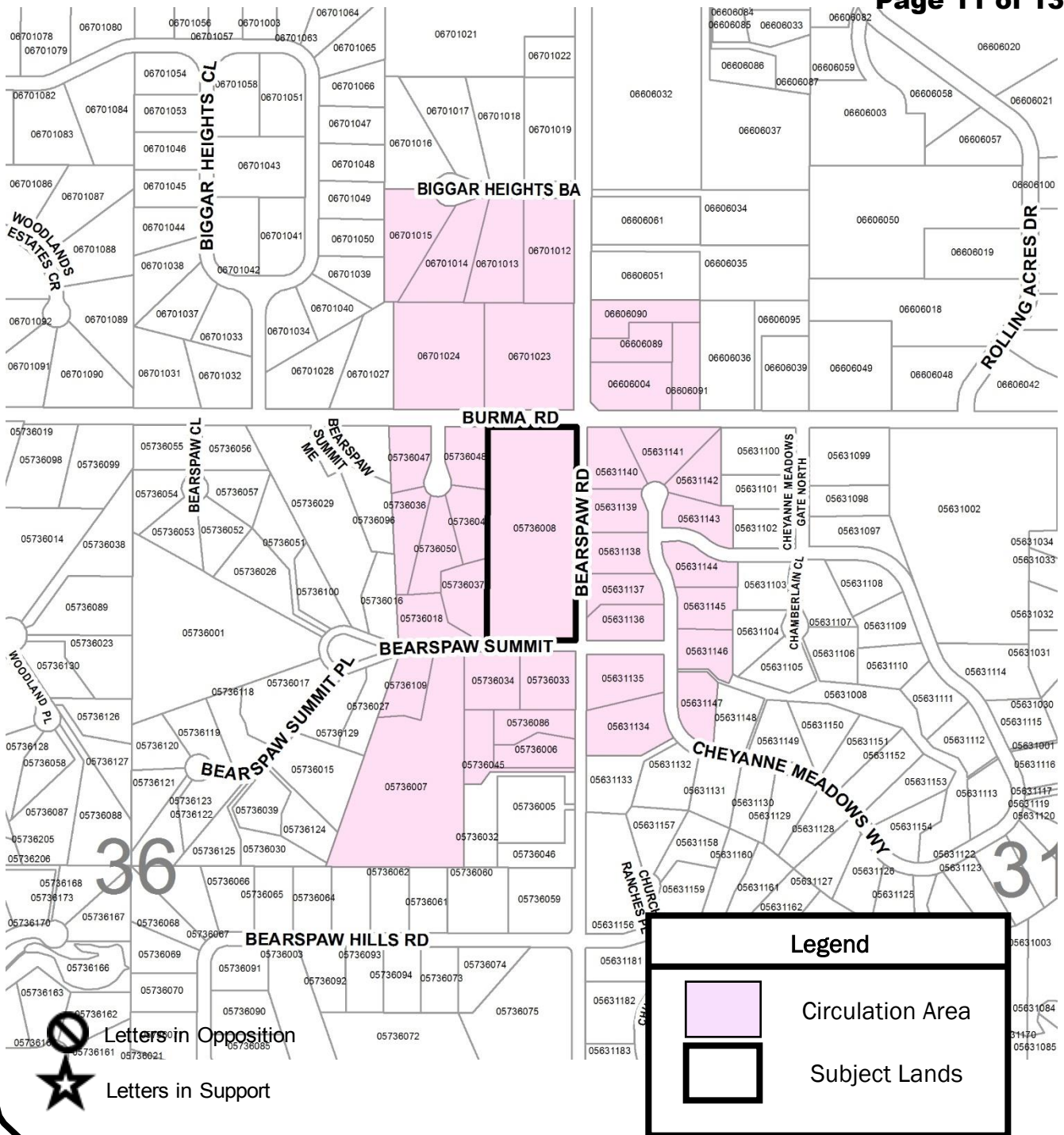
HISTORIC SUBDIVISION MAP

Block:R9 Plan:1085 LK
NE-36-25-03-W05M

Date: May 22, 2018

Division # 8

File: 05736008**AGENDA****Page 152 of 232**



LANDOWNER CIRCULATION AREA

Block: R9 Plan: 1085 LK
NE-36-25-03-W05M

Date: May 22, 2018

Division # 8

File: 05736008

AGENDA

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From: [Colette Winter](#)
To: [Corey Graham](#)
Cc: [Colette Winter](#)
Subject: RE: Circulation: Boundary Adjustment - Road Intersection Enhancement
Date: Monday, May 28, 2018 9:04:53 AM

Rocky View Schools has no objection or concerns regarding this circulation.

Colette Winter

Director of Facility Planning
Rocky View Schools
Ph:403-945-4010
cwinter@rockyview.ab.ca

From: CGraham@rockyview.ca <CGraham@rockyview.ca>
Sent: Monday, May 28, 2018 8:49 AM
To: Colette Winter <cwinter@rockyview.ab.ca>
Subject: FW: Circulation: Boundary Adjustment - Road Intersection Enhancement

Hi Colette,

I hope you had an amazing weekend.

With respect to this circulation, I apologize. The email I sent indicated that comments were optional, however as it affects the Reserves Agreement, I require RVS' comments on the 0.08acre dedication of lands to enhance the safety of the intersection.

Do you have any concerns?

Thank you,

Corey

COREY E. GRAHAM

Municipal Lands Administrator | Agriculture and Environment Services

ROCKY VIEW COUNTY

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

Phone: 403-520-6314 | Fax: 403-520-7288

cgraham@rockyview.ca | www.rockyview.ca

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From: Corey Graham
Sent: Thursday, April 19, 2018 10:19 AM
To: Corwin McCullagh; Rick Wiljamaa; Stuart Jewison; Sherry Baers; Randy Smith; Lorraine Wesley-Riley; Colette Winter (cwinter@rockyview.ab.ca)
Cc: Susan de Caen; Municipal Lands; Gord Rowland; Armando Rizzo
Subject: Circulation: Boundary Adjustment - Road Intersection Enhancement

The Capital Projects Section of Rocky View County is undertaking a public safety initiative which requires a Boundary Adjustment affecting the County's Municipal Reserve located at the intersection of Burma Road and Bearspaw Road in the community of Bearspaw Summit.

As a result, the Municipal Lands Section of Rocky View County will be facilitating the transfer of ±0.08 acres (25mx25m cutoff) from Roll 05736008, known legally as R-9; 1085LK. The lands would be added to the road plan to enable the upgrade.

Please review the attached plan and reply with comments, if any. by emailing directly to cgraham@rockyview.ca . Comments for the circulation are due on or before May 4th, 2018.

COREY E. GRAHAM

Municipal Lands Administrator | Agriculture and Environment Services

ROCKY VIEW COUNTY

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

Phone: 403-520-6314 | Fax: 403-520-7288

cgraham@rockyview.ca | www.rockyview.ca

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AGRICULTURAL & ENVIRONMENTAL SERVICES

TO: Council

DATE: June 12, 2018 **DIVISION:** All

FILE: 6030-200

SUBJECT: Municipal Lands Office 2018 Disposal Work Plan

¹ADMINISTRATION RECOMMENDATION:

THAT Administration be directed to proceed with the 2018 Disposal Work Plan and sell County surplus former road allowances to adjacent landowners.

EXECUTIVE SUMMARY:

Administration is prepared to move forward with the 2018 disposal work plan of County non-viable surplus lands.

The 2018 work plan consists of 11 closed former road allowance parcels titled fee simple. The lands have been circulated to various stakeholders and confirmed to not have a utility purpose for the County and no known affect to known community development or proposed recreation master plans.

In addition, and per *Policy #313: Sale of Fee Simple Land*, Administration has assessed the lands and engaged an independent appraisal vendor to determine limited open market discount methodology to determine a market value threshold for the subject lands.

All net proceeds will be transferred to the County's Tax Stabilization Reserve.

Administration recommends **Option #1**.

BACKGROUND:

Disposal Law and Policy

In Alberta, Section 70(1)(a) of the *Municipal Government Act* sets out the requirements surrounding any public advertisement requirements for land sales. Where land has been deemed to be sold for less than its market value, the proposal must be advertised.

In accordance with *Policy #313: Sale of Fee Simple Land*, Administration has assessed the undevelopable former road allowances and engaged an independent third party appraisal firm to provide supporting information and research for a framework for determining a fair market discount when undevelopable lands are sold directly to adjacent landowners.

Subdivision Authority

Part 4.1 of Rocky View County *Bylaw C-7546-2015: A Bylaw of Rocky View County to Establish the Subdivision Authority*, grants the Chief Administrative Officer authority to render a subdivision decision where the application:

- a) Does not establish more than six (6) lots,
- b) Does not affect boundary adjustments for more than six (6) lots,
- c) Does not involve a requirement to pay an Off-Site Levy,

¹**Administrative Resources**

Corey Graham, Municipal Lands



- d) Does not require County Infrastructure construction, expansion or upgrades with the exception of:
 - i. Road widening
- e) Does not require provision of Reserve Lands or payment of cash-in-lieu of the provision of Reserve Lands pursuant to the Act,
- f) Does not require the dedication of land for roads or Public Utilities with the exception of:
 - i. Road widening, or
 - ii. Public Utility easements or rights of ways
- g) Does not require the relaxation of applicable non-statutory plans and policies adopted by Council, and
- h) Satisfies the criteria established in Section 654 of the Act.

The Subject Lands

Div.	Roll	Acre	Assessment Services Value (Without Discount)	
			Low	High
1	04802021	2.00	\$30,000	\$60,000
2	05701013	2.76	\$50,000	\$80,000
2	05702109	0.65	\$16,000	\$19,000
2	05702032	1.46	\$70,000	\$100,000
4	02229011	0.33	\$3,000	\$6,500
5	04317005	4.00	\$26,000	\$40,000
5	04320011	2.00	\$26,000	\$40,000
6	07322005	1.85	\$20,000	\$30,000
7	08614006	2.56	\$22,000	\$36,000
9	08722006	2.41	\$20,000	\$30,000
9	06801013	3.31	\$20,000	\$30,000
			\$303,000	\$471,500

Value of the Lands

To provide a wholesome valuation, Assessment Services determined the value of the Former Road Allowances based on a traditional highest and best use unrestricted open market.

Administration's independent third party appraisal firm identified an average of 50% discount would be realistic for non-viable lands in a limited open market without free access comparables being considered.



Factors

There are many factors that Council should take into consideration in making this decision to sell, including:

- Lands sold to adjacent landowners only. No other option will be considered at this time.
- The Purchase and Sale Agreement (s) will ensure all risks and liabilities associated to the Former Road Allowance are assumed by the Purchaser. The lands are sold “as-is”.
- There is a scarcity of comparables for determining market value for the lands, a discount of at least 50% from a traditional open market value has been recommend by the County’s independent third party appraiser.
- Each site will have closing costs for the transactions. These typically include; subdivision applications and survey, Agent fees, and title transfer(s). Closing costs will be incorporated into the final sale price whenever possible.
- The County will operate with a high level of professionalism with a customer service focus. Administration will ensure all parties for each individual road allowance receive the same deal (per acre) in an effort to maintain harmony within the community.

BUDGET IMPLICATION(S):

There are no known budget implications. Administration will endeavor to include closing costs into the final purchase price with adjacent landowners. As it is not atypical in direct sale scenarios to not be able to include closing costs in certain transactions, Administration will subtract whatever closing costs (Subdivision fees, Surveys, Agent fees, title transfer) from the final sale price for the expenses as indicated in the *Dispersal of Funds: Fee Simple Lands* Chart (Attachment ‘C’).

OPTIONS:

- Option #1 THAT Administration be directed to proceed with the 2018 Disposal Work Plan and sell County surplus former road allowances to adjacent landowners.
- Option #2 THAT alternative direction be provided.

Respectfully submitted,

Concurrence,

Byron Riemann

Kent Robinson

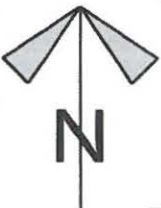
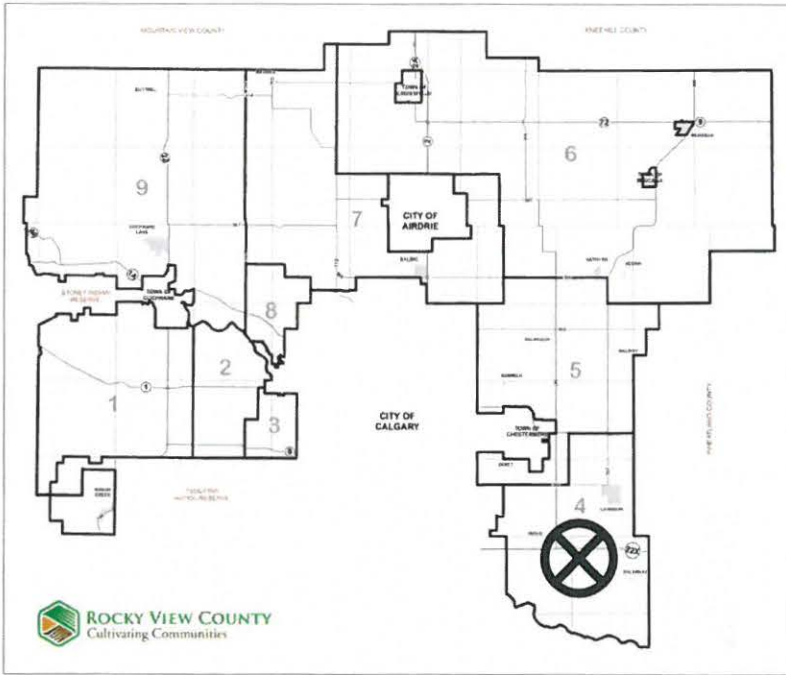
General Manager

Interim County Manager

CG

ATTACHMENTS:

ATTACHMENT ‘A’ – Road Allowance Site Plans
ATTACHMENT ‘B’ – Altus Group Review of Market Valuations
ATTACHMENT ‘C’ – Dispersal of Funds: Fee Simple Lands Chart



SW-29-22-27-W04M

Date: May 22, 2018

Division # 4

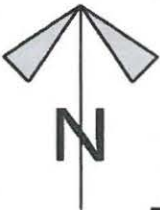
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AIR PHOTO

Spring 2016



SW-29-22-27-W04M

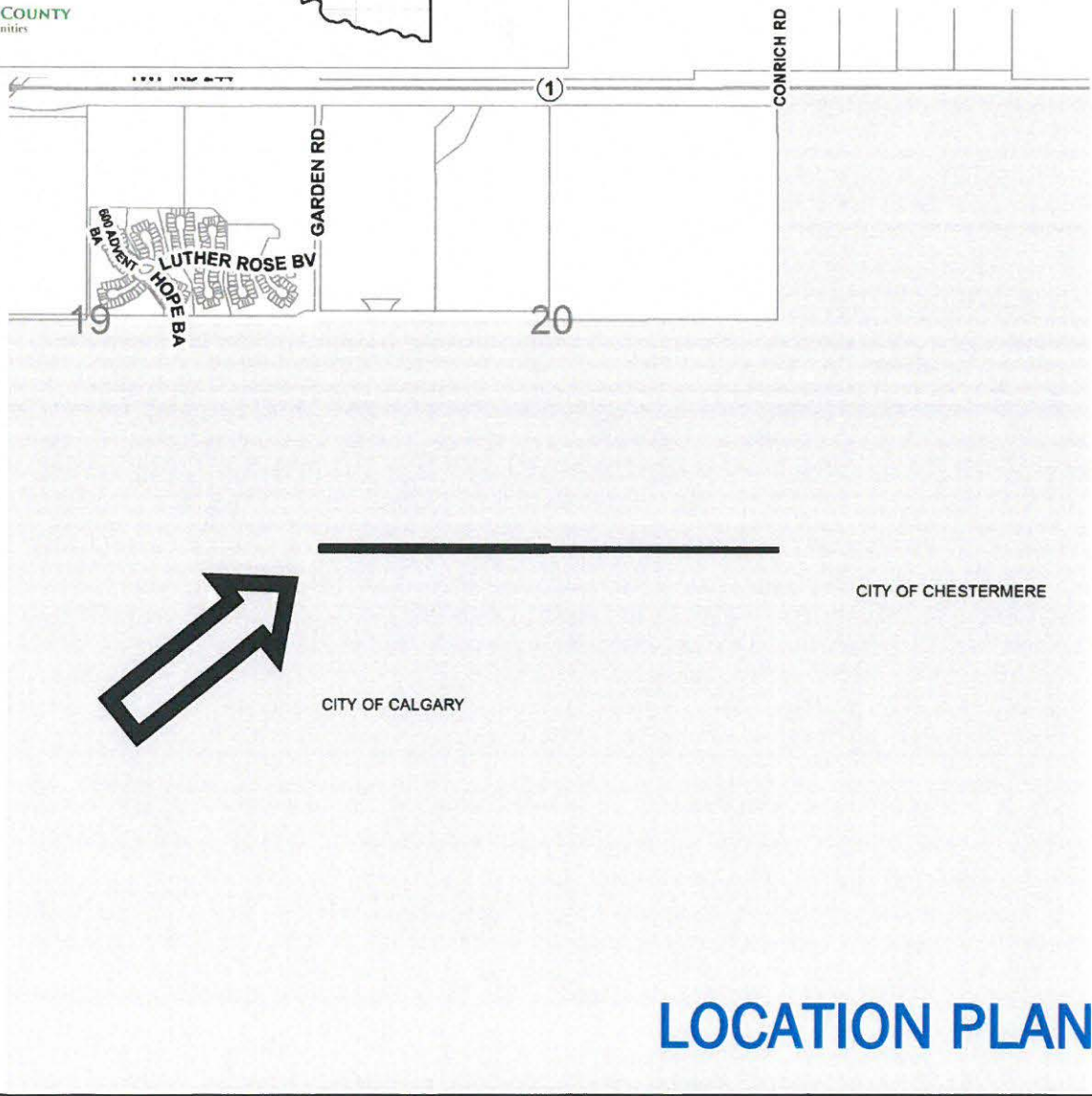
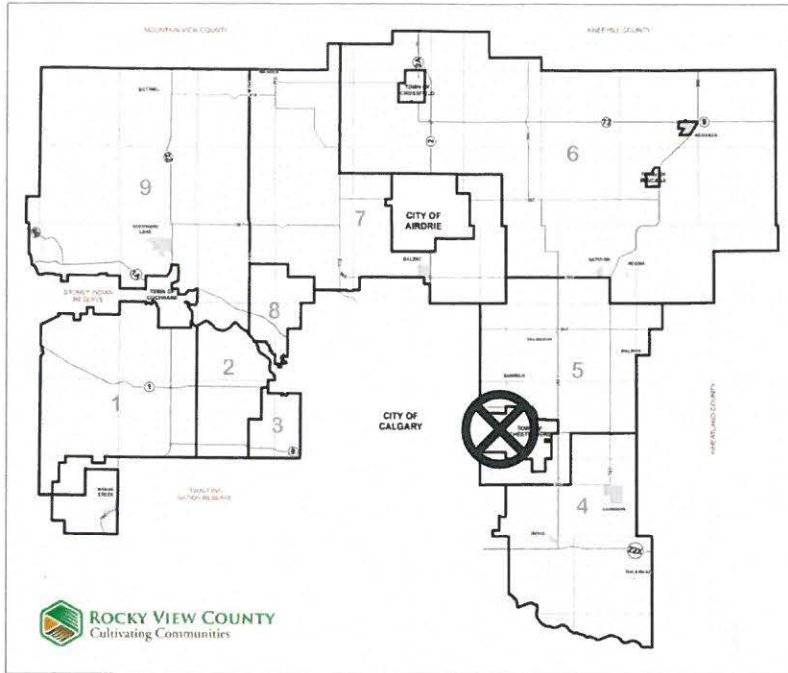
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Division # 4

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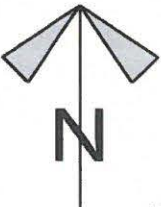
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LOCATION PLAN

SW-17 & 20-24-28-W4M

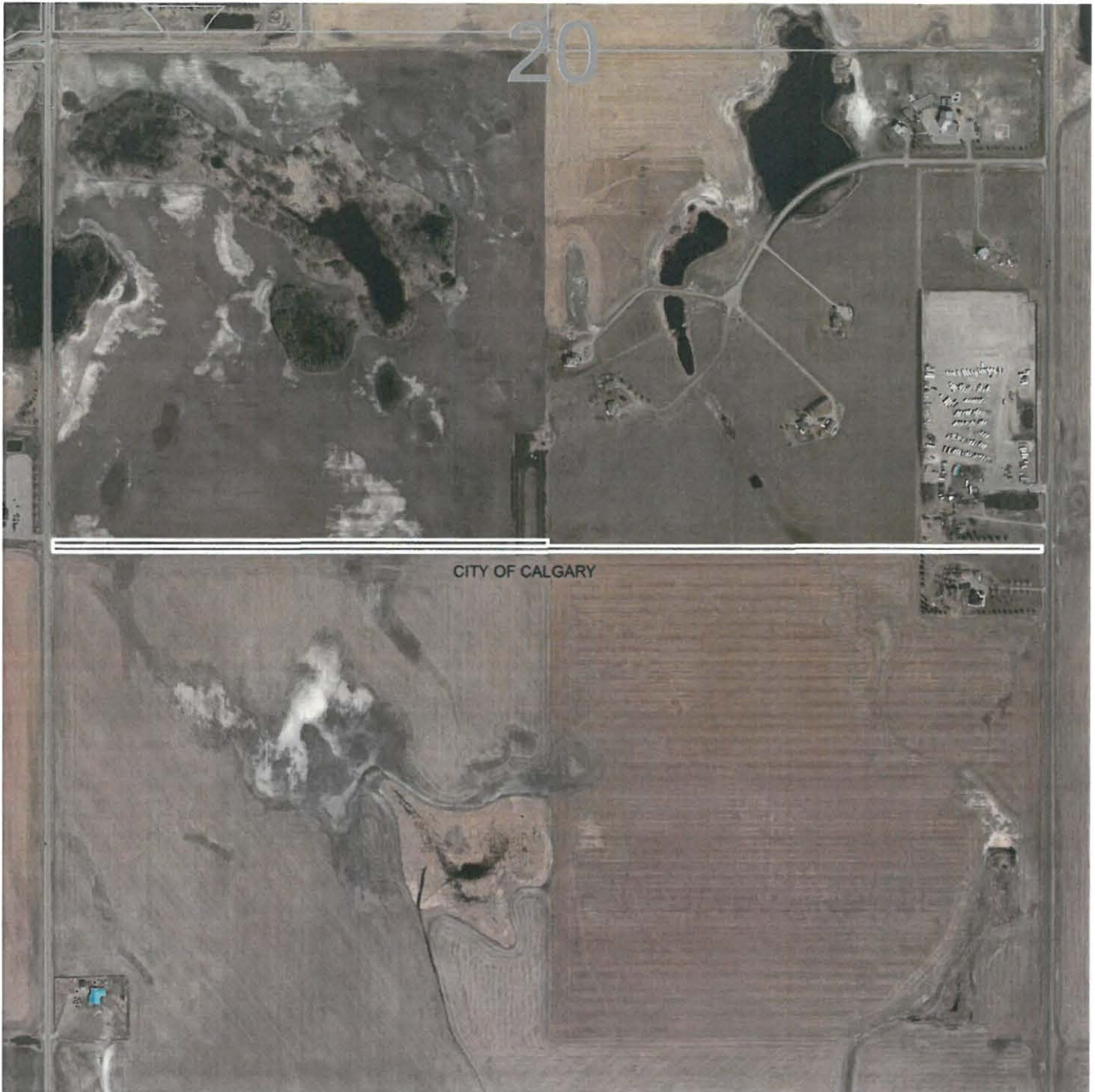


Date: May 22, 2018

Within Calgary

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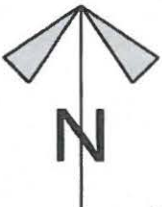
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Spring 2016

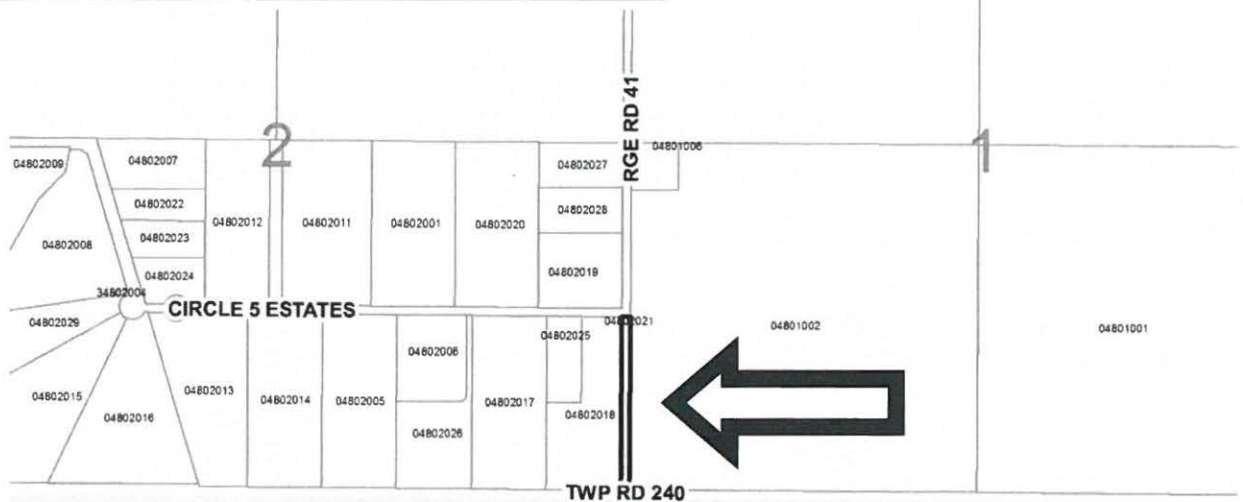
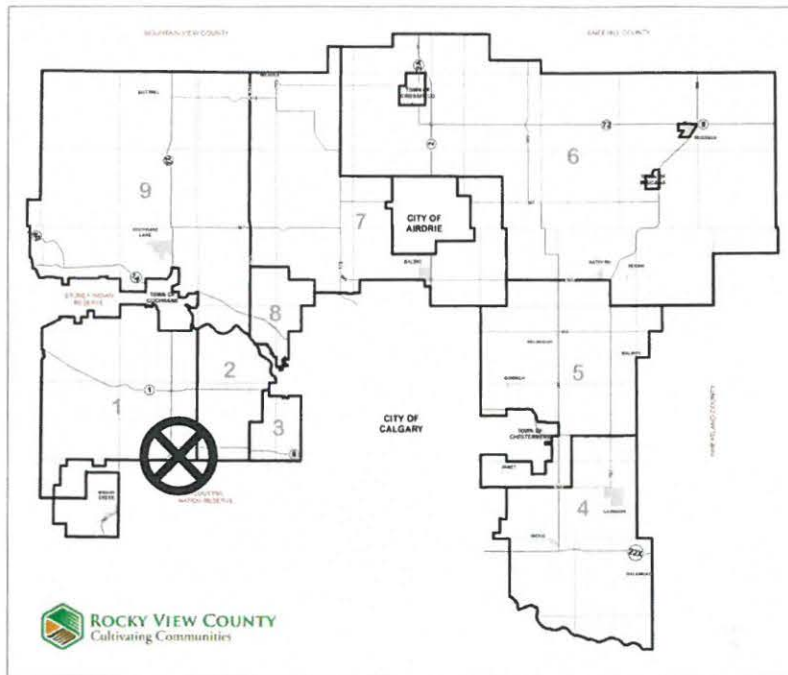


SW-17 & 20-24-28-W4M

Date: May 22, 2018

Within Calgary

04320011 &
File: 04317005



LOCATION PLAN

SE-02-24-04-W05M

Date: May 22, 2018Division # 1File: 04802021

AGENDA

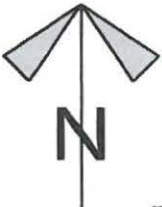
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Spring 2016



SE-02-24-04-W05M

Date: May 22, 2018

Division # 1

File: 04802021

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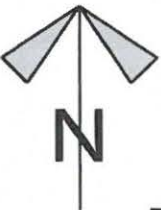




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Spring 2016



SE-02-24-04-W05M

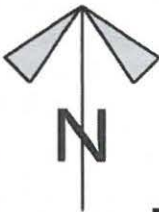
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Division # 1

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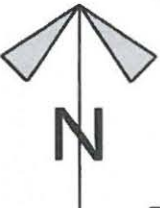
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Spring 2016



W-02-25-03-W05M

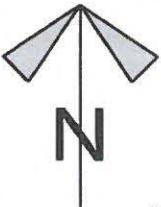
Date: May 22, 2018

Division # 2

File: 05702032

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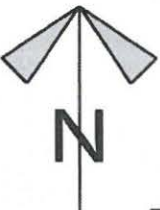
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Spring 2016



Plan:8011161
E1/2-02-25-03-W05M

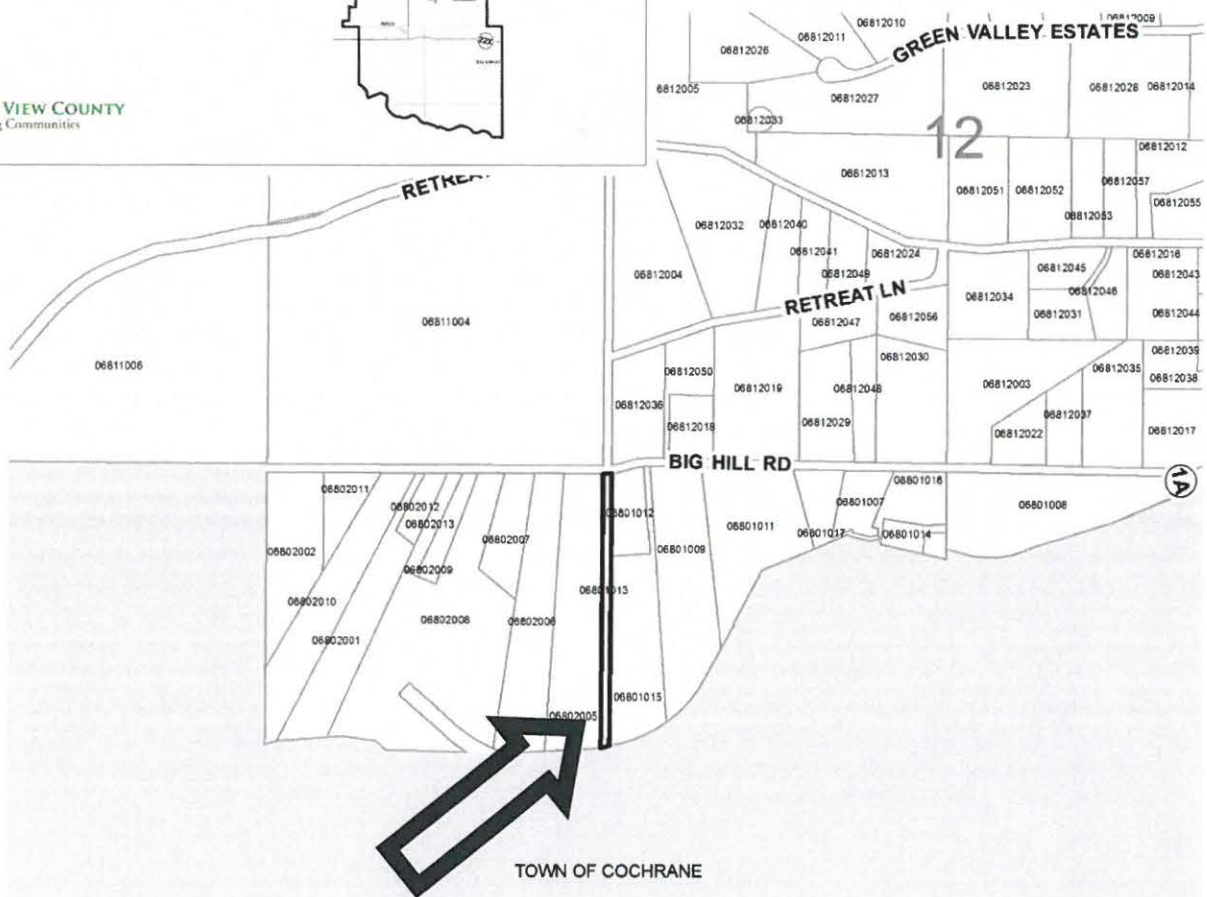
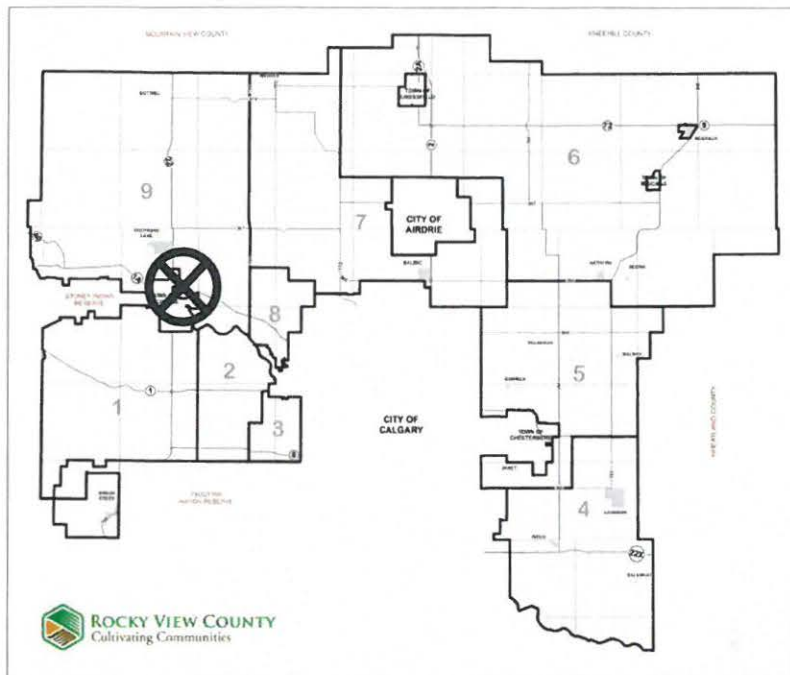
Date: May 22, 2018

Division # 2

File: 05702109

AGENDA

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LOCATION PLAN

NW-01-26-04-W05M

Date: May 23, 2018

Division # 9

File: 06801013

AGENDA

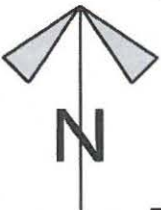
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Spring 2016



NW-01-26-04-W05M

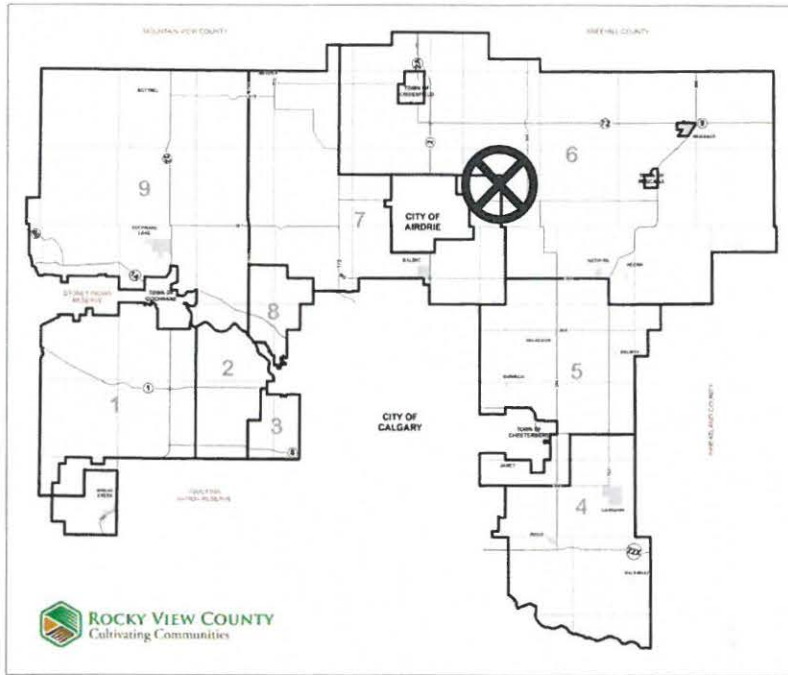
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Division # 9

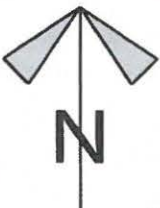
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LOCATION PLAN



W-22-27-28-W04M

Date: May 23, 2018

Division # 6

File: 07322005

AGENDA

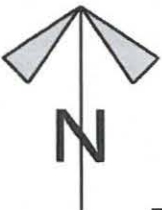
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W-22-27-28-W04M

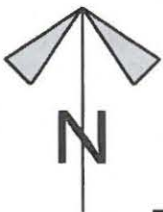
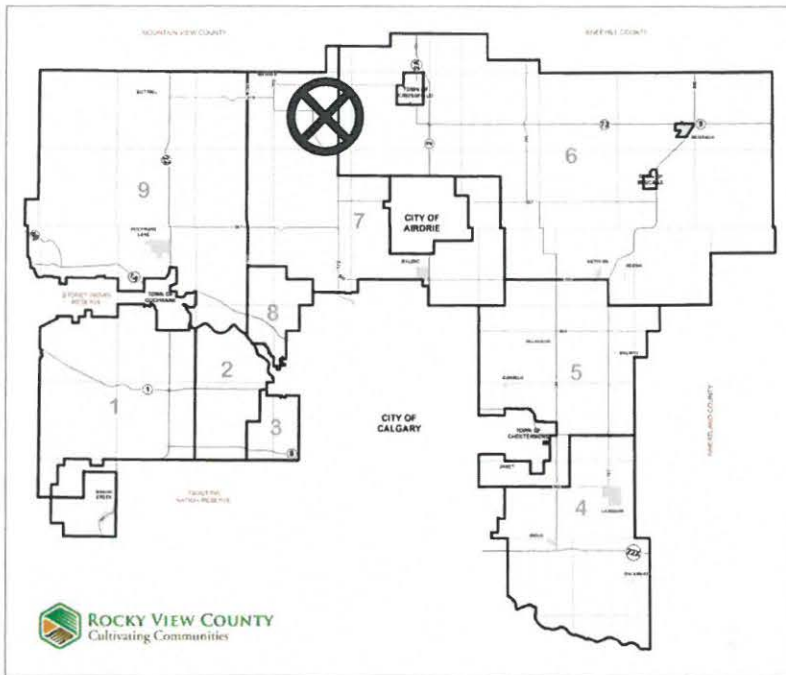
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Division # 6

File: 07322005

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NW-14-28-02-W05M

Date: May 23, 2018

Division # 7

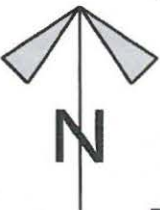
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Spring 2016



NW-14-28-02-W05M

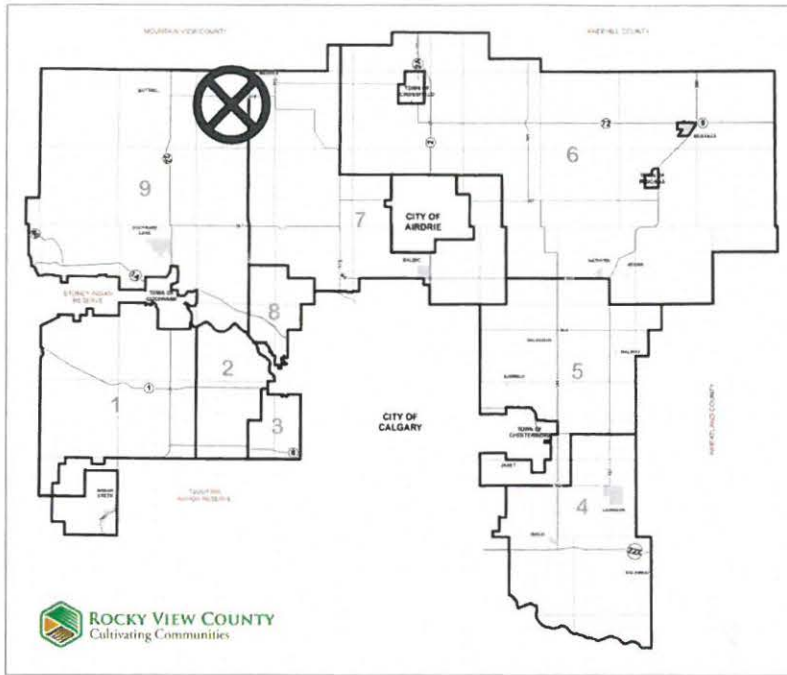
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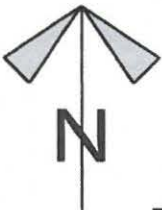
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LOCATION PLAN



W 1/2-22-28-03-W05M

Date: May 23, 2018

Division # 9

File: 08722006

AGENDA

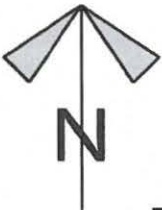
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Spring 2016



W 1/2-22-28-03-W05M

Date: May 23, 2018

Division # 9

File: 08722006

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May 1, 2018

Mr. Corey Graham
Municipal Lands Administrator,
Agriculture and Environment Services
Rocky View County,
911 – 32 Avenue NE,
Calgary, Alberta, T2E 6X6

RE: Fair Market vs. Open Market Discount Factor

Background

Based on our discussions with the client, it is our understanding that Rocky View County may have a need to dispose of 'surplus land' within the municipality. In this instance 'surplus land' is classified as land held under the jurisdiction of the County that has been determined to be no longer required for any present or anticipated future transportation purpose. This can include land acquired in conjunction with a highway project or land that was originally acquired for public transportation or transportation-related improvement project purposes, but after subsequent review and analysis is determined to be no longer necessary.

It is our understanding that Rocky View County's goal is to dispose of some of its surplus lands to minimize holding costs, generate revenue through sales whenever possible, and return unnecessary lands to the local tax roll.

In many cases, surplus lands are considered 'non-viable' meaning that no independent highest and best use exists, and therefore the parcel has limited marketability on the open market. Unless it can be tied to an adjoining property as part of a larger parcel, for which a highest and best use can be established, a non-viable parcel will have nominal or no market value.

Each larger parcel that incorporates a non-viable parcel, with only one prospective purchaser, is characterized as a bilateral market, which can significantly impact the contributory value of the non-viable parcel. Therefore, based on the limited number of purchasers, and corresponding limited marketability for the surplus parcel, a discount to the value with full marketability is considered appropriate.

The information presented below is presented in order to help provide support for conclusion of a marketability discount.

Surplus Property Valuation Issues

Generally surplus lands and surplus property rights will generally fall into one of three broad marketing categories.

'General Marketable' Surplus

'General marketable' surplus parcels are those stand-alone parcels containing characteristics of independent utility (separate entity), allowing for productive use without the need for assemblage to another parcel of land. Any parcel that has a perceived or real value within the marketplace can be considered general marketable. Values identified for 'general marketable' surplus property are defined as 'market value' (defined below)

Market Value - The economic definition of market value is defined by the Appraisal Institute as: "The most probable price that the specified property interest should sell for in a competitive market after a reasonable exposure time, as of a specified date, in cash, or in terms equivalent to cash, under all conditions requisite to a fair sale, with the buyer and seller each acting prudently, knowledgeably, for self-interest, and assuming that neither is under duress." This concept is only true when the value being achieved is for a separate entity.

Implicit in this definition are the consummation of a sale as of a specified date and passing of title from seller to buyer under conditions whereby:

1. Buyer and seller are typically motivated;
2. Both parties are well-informed or well-advised, and acting in what they consider their best interests;
3. A reasonable time is allowed for exposure in the open market;
4. Payment is made in terms of cash in Canadian dollars or in terms of financial arrangements comparable thereto;
5. Price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale.

'Limited Marketable' Surplus

'Limited marketable' surplus lands are those parcels of land lacking the characteristics necessary for independent development. These parcels may have a potential for assemblage with two or more abutting properties. Values identified for limited marketable surplus property are defined as 'contributory value'. Where there is potential for more than one assemblage parcel, the contributory value of the non-viable parcel is enhanced by the prospect of more than one buyer. Limited marketable surplus land disposal generally involves negotiating with an abutting property owner, because the highest and best use of the land in question is most likely for amalgamation with an adjacent parcel. Therefore 'limited marketable' surplus land is generally disposed of through a private sale.

'Non-marketable' Surplus

'Non-marketable' surplus lands are those parcels of land lacking the characteristics necessary for independent development. These parcels have the potential for assemblage with only one abutting property. Values identified for 'non-marketable' surplus property are defined as 'contributory value'. As with limited marketable lands, the lands identified as 'non-marketable' surplus land is generally disposed of through a private sale to an abutting owner.

Values identified for 'limited marketable' and 'non-marketable' surplus property are sometimes referred to as 'fair value' (defined below).

Fair Value - The amount of the consideration that would be agreed upon in an arm's length transaction between knowledgeable, willing parties that are under no compulsion to act.

The definition is very similar to market value opinion as defined. Like market value, fair value measurement assumes that the asset is exchanged in an orderly transaction between market participants to sell the asset at the measurement date. It is not a 'forced' sale. The fair value should be based on the assumptions that market participants would use in pricing the asset, each considering the use of the asset that is physically possible, legally permissible and financially feasible as at the measurement date.

Surplus Property Valuation Methods

As stated above, while some surplus parcels are considered general marketable, and lend themselves to typical market value based appraisal techniques or methods, many surplus parcels have characteristics that require considering atypical valuation methods. Appraisals of small, land-locked or irregular shaped parcels, for example, that lack independent utility, will generally fall within the limited or non-marketable marketing categories and may require atypical appraisal methods to determine their contributory value.

The following atypical appraisal methods can be used to identify a surplus property's contributory value:

Across the fence - An appraisal method that involves establishing a unit value for one parcel of land by determining the highest and best use and subsequent unit value for an adjacent parcel and then applying it to the first parcel, or the parcel being appraised. This method is typically used for railroad, utility or transportation corridors; however, it can also be used where both parcels are similar in type.

Before and after - This method analyzes the contributory value of a limited or non-marketable surplus property under the hypothetical condition of assemblage with one or more adjacent properties. This method has similarities with the before and after approach used in partial acquisitions; however, in the case of surplus property, the property adjacent to the surplus property is first valued independently, and then it is valued as assembled with the surplus property. The difference between the two values is the contributory value of the surplus property. The added value resulting from this assemblage can be greater than (plottage value), equal to or less than the value identified across the fence.

These methods are identified as options only, and are not to be construed as being the only methods applicable to the valuation of surplus property.

Marketable Versus Non-Marketable Parcels

An appraiser's primary objective is to develop fact-based opinions of market value, but market value does not apply in a bilateral market. A bilateral market is one in which a single seller is confronted by a single buyer. In this situation, the value of a non-marketable parcel is affected by the interdependence of the non-marketable parcel and an adjoining property under different ownership, combined to form a single larger parcel. Conveyance of a property under this condition does not meet the test of market value, which assumes an active market of many buyers and sellers, and a choice of available properties. In other words, market value does not apply to a non-marketable parcel, as it has no independent highest and best use. Instead, the value of a non-marketable parcel is tied to the market value of a larger parcel by way of contributory value, which is measured in terms of the amount the non-marketable parcel adds to the value of the larger parcel or as the amount that its absence detracts from the value of the larger parcel. As a non-marketable parcel has no independent highest and best use, and has limited marketability, it will have nominal or no market value unless it can be tied to an adjoining property as part of a larger parcel, for which a highest and best use can be established.

When estimating the contributory value of a non-marketable parcel to an adjoining property, value in contribution is based on the highest and best use of the larger parcel, as suggested by the Ontario Ministry of Transportation: "If it is concluded that the remainder is not viable, the impact of adding the Ministry lands to each adjoining property must be investigated and analysed. The value of the remainder will be its value in contribution to the adjoining property (or properties) as part of a larger parcel. The objective of the appraisal will be to estimate the increase in market value to that adjoining owner's holding if they were to acquire the Ministry lands." *Ontario Ministry of Transportation, Real Property Appraisal Guidelines (December 2008, 26)*.

An opinion of market value of a property must be predicated on a highest and best use. The highest and best use is a fundamental question of fact that must be answered before an appraiser can offer an opinion as to market value. As long as an adjoining property owner can benefit financially from acquiring a non-marketable parcel, it is assumed that the adjoining property owner is a "willing buyer." Typically, an adjoining property owner will pay something less than the contributory value for a non-marketable parcel to achieve a financial benefit.

Estimation of Adjustment Factor as a Percentage of the Market Value of the Fee Simple Interest

In order to value surplus lands, a value would typically be concluded, using one of the methods outlined above, assuming the subject parcel has full marketability to a broad range of users/buyers, with a size and shape which is adequate to support a range of uses and therefore having full utility.

Then, this value would be discounted to reflect the limited marketability of the surplus lands caused by, among other things, location, small size and irregular shape (e.g. narrow, elongated), along with the fact that, in many cases it only has one likely buyer.

Therefore, based on this limited use for the surplus site, a discount to the above value is considered necessary. The amount of the discount is considered to be commensurate with the limited use of the

subject property and the number of other potential users/buyers. A broad range of users/buyers would require a smaller discount, while a limited number of users/buyers would necessitate a greater discount.

The discount associated with conveyance of a non-marketable parcel in a bilateral market depends largely on the extent it enhances the value of the adjoining property. Where a non-marketable parcel only marginally enhances the utility of an adjoining property, the value in contribution may be virtually non-existent relative to the contributory value to the larger parcel. Conversely, if an addition of a non-marketable parcel changes the highest and best use of an abutting property in a positive way, it is likely that no discount to the contributory value on a proportionate basis would be warranted.

In selecting a percentage adjustment factor, we have had regard to our previous research and experience with valuation of surplus lands and utility corridors, as well as a review of relevant documents including studies, legal cases and publications. It should be noted that legal cases do not represent direct market evidence, and the findings can vary from case to case dependent on the differing characteristics of the individual properties, the property rights involved and the individual decisions of adjudicators.

Studies have been done by appraisers and others utilizing paired sales analyses to obtain evidence of overall impacts on market value. One such study (*Colliers - City of Vancouver Right-of-Way Restricted Appraisal Report V150114; February 2015*) researched remnant parcel sales and sales of vacated right-of-way parcels to abutting owners in the Vancouver area. The sales were gathered from a time period of over several years, and reflect the relationship between full value and discounted value, due to marketability restrictions. The comparable land sales utilized indicate a range of discounts from 50% up to 88%. Therefore, based on the number of potential buyers along with the limitations on development because of size and shape, significant discounts were evident.

Notwithstanding the above, we note that most studies have been inconclusive as to percentage impacts. In our opinion this is due to the impact in most instances being relatively small and lost in the 'noise' associated with market transactions which reflect a multiplicity of locational, physical and economic factors affecting market value.

Discussions with other appraisers and municipalities would suggest that percentage amounts for non-marketable lands vary widely. For example, upon reviewing previous cases of valuations of surplus lands, we note a range of discounts from 1% - 100% based on individual circumstances. However as a 'rule-of-thumb' we note an average 50% discount has been applied to establish non-marketable land values in multiple cases. This helps provide a benchmark for those County-owned parcels which are considered 'surplus' and for which only one likely buyer exists. Also, brokers and buyers of other properties with physical restrictions, such as power lines, have indicated that these physical restrictions necessitate a discount of approximately 50% of the unencumbered value. This also helps establish a discount for the client surplus lands.

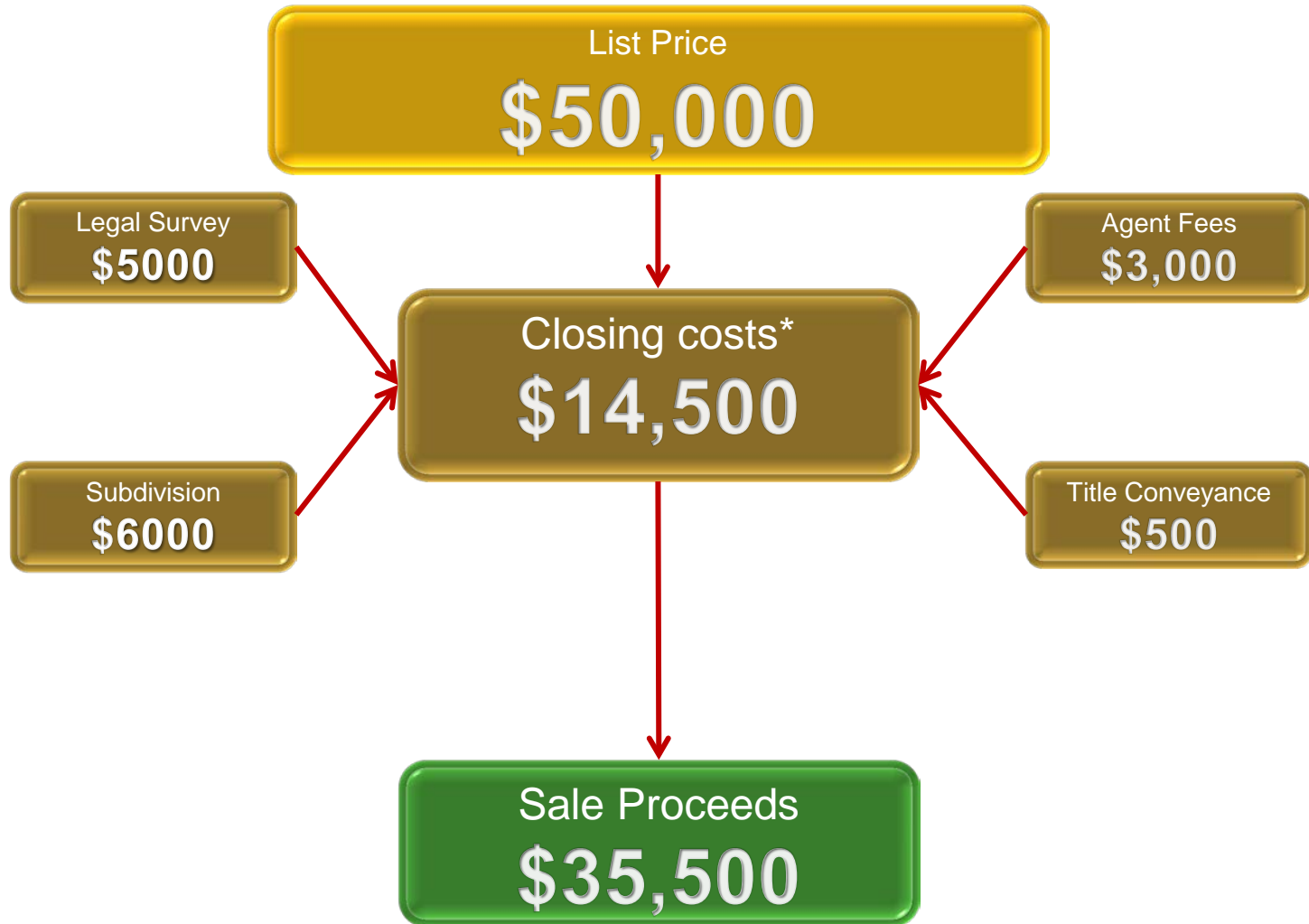
Therefore it is our view that a reasonable range for an adjustment factor for non-viable lands lies within the 50% range of the fee simple interest value on an average basis as we believe this is how the marketplace would view this type of property.

Dispersal of Funds. Fee Simple land

Attachment 'C'

D-3

Page 29 of 29



*Values estimated



PLANNING SERVICES & INTERGOVERNMENTAL AFFAIRS

TO: Council
DATE: June 12, 2018 **DIVISION:** 1, 2, 7, 8, and 9
FILE: Not Applicable
SUBJECT: Bearspaw Reservoir Task Force – Terms of Reference

¹ADMINISTRATION RECOMMENDATION:

THAT the Bearspaw Reservoir Task Force Terms of Reference be approved as per Attachment A.

EXECUTIVE SUMMARY:

Administration is seeking approval of the Bearspaw Reservoir Task Force Terms of Reference that directs the process and outcomes for a Bearspaw Tri-lateral Task Force. The purpose of the Task Force is to explore governance and management strategies for the Bearspaw Reservoir that will proactively address risks related to water quality.

The Bearspaw Reservoir provides source water for potable water use in the City of Calgary and Rocky View County. In total, five county utility providers draw water for thousands of County residents.

Administration recommends adoption of the Terms of Reference in accordance with **Option 1**.

BACKGROUND:

This report seeks Council's approval of the Terms of Reference as attached as per the attachment. The Bearspaw Reservoir (Reservoir), situated on the Bow River, is formed by a hydroelectric dam owned and operated by TransAlta. Besides hydroelectric power, the Reservoir provides source water for potable water use in The City of Calgary (The City) and Rocky View County (County). In total, five county utility providers draw water (including the Rocky View Water Coop) for use by thousands of County residents (Map 1). The Reservoir is also an attractive water body with recreational values.

In late 2017, upon invitation by The City Manager, the County agreed to participate in a Tri-lateral Task Force (Task Force) comprising The City, the County, and TransAlta. Participation was also confirmed as part of the mediated agreement between The City and the County regarding the Glenbow Ranch Area Structure Plan.

Terms of Reference Purpose and Outcome

The purpose of the Task Force is to “collaboratively explore governance and management strategies for the Bearspaw Reservoir that will proactively address risks related to source water quality, recreational access, use of the reservoir, and emergency response.”

The intended outcome is a consensus report, completed by the end of 2018, that includes:

- a. The identification and characterization of risks to water quality and public safety associated with the use of the reservoir;
- b. Options and recommendations:
 - a. to mitigate actions and uses that have the potential to affect water quality;

¹Administration Resources

Richard Barss, Intergovernmental Affairs (Planning, I & O, and Emergency Services as needed)



- b. to improve public safety and emergency response; and
- c. for the interjurisdictional governance and management of the Bearspaw Reservoir.

BUDGET IMPLICATIONS:

The report will take administrative time and may include participation from Intergovernmental Affairs, Planning, I & O, and Emergency Services. There are no monetary budget implications at this time.

RECOMMENDATION:

The Bearspaw Reservoir is an important source of water for potable purposes for both Rocky View County and The City of Calgary. Understanding the long-term risks to this water source and the possible mitigation efforts is in the interest of both municipalities. Therefore, Administration recommends adoption of the Terms of Reference (Option 1).

OPTIONS:

- Option #1: THAT the Bearspaw Reservoir Task Force Terms of Reference be approved as per Attachment A.
- Option #2: THAT alternative direction be provided.

Respectfully submitted,

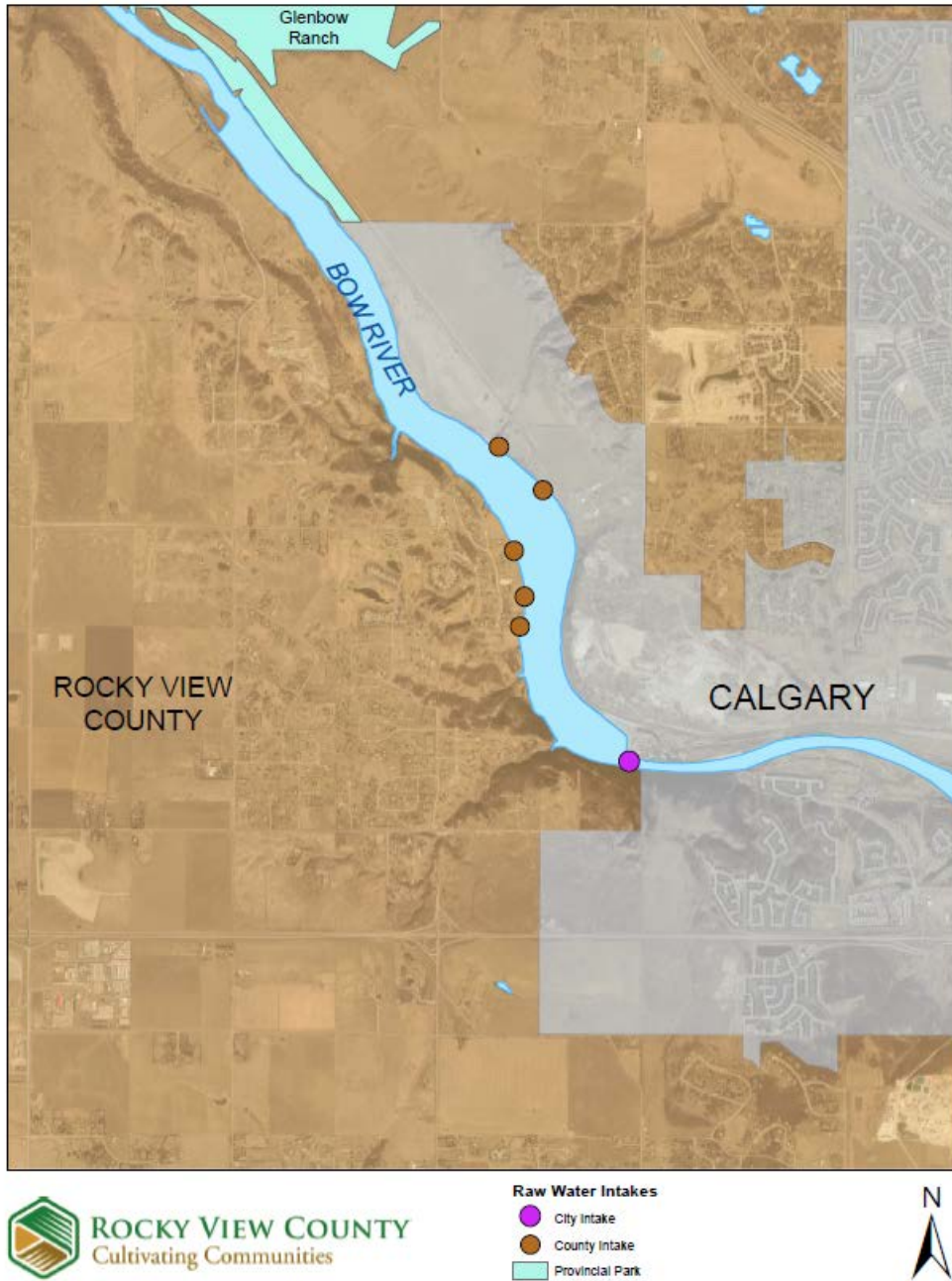
“Kent Robinson”

Interim County Manager

ATTACHMENTS:

Attachment A: Bearspaw Reservoir Tripartite Task Force Committee Terms of Reference

Map 1: Raw Water Intakes





ATTACHMENT 'A'

BEARSPAW RESERVOIR TRIPARTITE TASK FORCE COMMITTEE Terms of Reference

1.0 Background and Context

The Bearspaw Reservoir (Reservoir) along the Bow River is formed by a hydroelectric dam owned and operated by TransAlta. Besides hydroelectric power, the Reservoir also provides important source water supplies for potable water utilities servicing residents of both The City of Calgary (The City) and Rocky View County (County). Further, The Bearspaw Reservoir is also an attractive water body with high amenity and recreational values.

The governance and management of the Reservoir is challenging due to a complex jurisdictional situation. The entire Reservoir lies outside Calgary's city limits. Specifically, The City's boundary and jurisdiction ends at the water body's shoreline on the east side of the Reservoir. As a result, The City has no jurisdiction over the Reservoir itself or over the majority of the lands immediately adjacent. TransAlta has ownership title over the Bearspaw Dam, Reservoir, and shoreline, and a right-of-way surrounding the water body. Finally, access to the north side of the Bow River and a portion of the reservoir is through the Glenbow Ranch Provincial Park and is under the control of Alberta Environment and Parks.

Source water protection is an essential component of a multi-barrier approach to ensure public health through the provision of clean, safe drinking water for The City and the County. The development and implementation of a governance and management strategy for the Bearspaw Reservoir is a key action in this regard.

The County has been a stakeholder in The City's development of the Source Water Protection Plan and agreed to participate in the Tri-lateral Task Force (Task Force) upon invitation by the City Manager. Participation was also confirmed as part of the mediated agreement between The City and the County regarding the Glenbow Ranch Area Structure Plan. Both The City and the County recognize the importance of collaboration to address specific matters of common concern with regard to the Bearspaw Reservoir, including source water protection, land use, stormwater management, recreation, and emergency management response for issues of concern such as a CP Rail derailment or public water rescue. The Task Force provides an opportunity for TransAlta, the County, and The City to successfully collaborate on reservoir management.

On January 1st, 2018, the Calgary Metropolitan Region Board (CMRB) was formed. The Regulation governing the CMRB allows it to develop policies to address water and watershed protection. Accordingly, the outcomes of the Task Force may be shared with the CMRB, in order to leverage regional partnerships for watershed stewardship and conservation.

Recreational uses of the Bearspaw Reservoir to date have been relatively low. However, recreation has the potential to grow in the near future due to new residential developments, as well as new road access into Haskayne Park.

Public safety and emergency response at the Reservoir and surrounding areas also pose challenges, as the County does not have a water rescue unit. Emergency response for users



of the Reservoir would likely come from The City of Calgary. The Reservoir, however, is beyond the limits of City Council approved emergency response times. These issues should be comprehensively addressed prior to significant numbers of people accessing and using the reservoir.

2.0 Purpose

The purpose of the Task Force Committee is to collaboratively explore governance and management strategies for the Bearspaw Reservoir that will proactively address risks related to source water quality, recreational access, use of the reservoir, and emergency response.

3.0 Objectives

The objectives of the Task Force Committee are as follows:

- a. Explore governance and management structures, and identify actions and methods that aim to achieve the following:
 - i. Clearly delineate roles and responsibilities and enhanced working relationships between the parties for the purpose of implementing source water protection, so that our source watersheds continue to provide clean, high-quality water to the region through proactive stewardship and management;
 - ii. Balance human activities on or near the Bearspaw Reservoir with the protection of water quality; and
 - iii. Balance human activities on or near the Bearspaw Reservoir with the protection of public safety, access, and liability issues.

4.0 Scope

The following specific scope and topics of interest are to be addressed by the Task Force:

- a. Identify risks to water quality in the Bearspaw Reservoir due to increasing urban development and growth, stormwater release, increasing public access and recreational uses, liability, train derailment risks, and any other negative impacts the Committee may identify;
- b. Collate and package relevant available data, including existing and future access to the reservoir, key source water risks, and current and potential future uses, including areas of development;
- c. Evaluate options for proactively protecting water quality in the Bearspaw Reservoir;
- d. Evaluate options to proactively manage public access to the Bearspaw Reservoir;
- e. Evaluate options for public safety and emergency response for people using the Bearspaw Reservoir;
- f. Evaluate and discuss strengths, weaknesses, opportunities, and risks of various options for the interjurisdictional governance and management of the Bearspaw Reservoir (e.g., bylaws, signage, physical barriers, education, stormwater management requirements, liability, etc.); and
- g. Develop, select, and propose a suite of actions that will address risks to public health, safety, and the environment on and surrounding the Bearspaw Reservoir.



5.0 Constraints

The Committee has no official legislative status or decision-making authority, but is expected to provide recommendations to each Council and/or senior administrators/leaders within the respective organizations.

6.0 Membership

6.1 Number of Representatives

Up to a maximum of three (3) members of each organization should be appointed by each organization for membership on the Committee. Committee members selected should, as a whole, bring the appropriate background(s) and experience(s) in: public safety, watershed management, source water protection, planning, and bylaw development.

In addition, the Task Force may identify other jurisdictional stakeholders that may play an important role in managing public safety and water quality issues on the Bearspaw Reservoir. If necessary and agreed to by the members, the Task Force may request an amendment from their approving authority to modify the Terms of Reference to include other jurisdictional participants.

6.2 Guests of the Committee

On an issue-specific basis, the Committee may request that discussions be informed by input from other subject matter experts and staff. Consultants, if deemed appropriate, could also be guests, although it is not anticipated that consultant support will be needed to carry out the work of the Committee.

6.3 Administrative Support

Each municipality can also provide additional staff to support the work of the Committee; however, such additional staff are not considered Committee members.

7.0 General Operating Principles

7.1 Intended Outcome / Deliverable / Payoff

The intended outcome is a consensus report that summarizes the findings of the Task Force with respect to the management of the Bearspaw Reservoir. The report should include but is not limited to:

- a. The identification and characterization of risks to water quality;
- b. The identification and characterization of risks to public safety associated with the use of the reservoir;
- c. Options and recommendations to mitigate actions and uses having the potential to affect water quality;
- d. Options and recommendations to improve public safety and emergency response; and
- e. Options and recommendations for the interjurisdictional governance and management of the Bearspaw Reservoir.

It is intended that the report be presented to the respective approving authorities for information and further direction, which may include support for implementation, public engagement, and/or further work.

Timing / Schedule for Completion of the Report

The target date to complete the report is December 2018; however, the Task Force may extend this date by reporting back to their respective approving authorities on progress and an estimated completion date.

7.2 Scheduling Meetings

All efforts will be made to hold monthly or bi-monthly meetings and/or workshops until the work of the Committee is completed.

7.3 Chairing Meetings

Meetings will be chaired by The City. However, the Task Force may rotate chairs between participants at its discretion. .

8.0 Roles and Responsibilities, Committee Members

The roles and responsibilities of Committee members include:

- a. Committing to meet regularly (e.g., monthly);
- b. Working with other Committee members to attempt to reach consensus on decisions before the Committee;
- c. Representing the interests of their respective organizations;
- d. Reporting to and communicating internally with other staff and stakeholders within their respective organizations regarding Committee business;
- e. Directing staff regarding Committee work, actions and requirements; and
- f. Adhering to these Terms of Reference.

9.0 Committee Governance

9.1 Quorum

A quorum is necessary in order to hold a meeting and requires at least one representative from each of the three parties.

9.2 Decision-Making and Voting

The operation of the Committee is based on negotiation and consensus building. Therefore, the Committee employs an informal voting structure. The Committee is intended to make decisions, provide recommendations for Councils and/or administrations, and give direction to staff based on consensus.

10.0 Information Management

10.1 Recording of Proceedings

- a. Staff from the hosting agency will be responsible for drafting meeting notes, distributing notes and agendas, and general administration and coordination of meetings.



- b. The draft meeting notes are to be distributed to Committee members for comment within ten (10) business days of a Committee meeting and shall be marked as "draft".
- c. All suggested changes are to be included as part of the package for consideration at the next meeting for confirmation.
- d. The Committee members are required to confirm the meeting notes at the next meeting. Confirmed notes may specify where agreement on the contents of the notes was not reached.
- e. The notes will be circulated by staff directly after being confirmed by the Committee members and these meeting notes shall be marked as "confirmed".
- f. The record of the Committee's communications shall not be made available for review by the public unless requested under order of FOIP.

11.0 Costs and Budget

There are no anticipated third party costs associated with this work.

All other costs associated with the Committee (e.g., staff time, meeting rooms, etc.) shall be absorbed by the operating budgets of the three agencies.

IN WITNESS WHEREOF the parties have executed this Terms of Reference:

Rob Spackman, Director of Water Resources, The City of Calgary

Date of approval: _____

Kent Robinson, Acting County Manager, Rocky View County

Date of approval: _____

Darcy Wagner, TransAlta Utilities

Date of approval: _____

ENGINEERING SERVICES

TO: Council
DATE: June 12, 2018 **DIVISION:** 9
FILE: PL20160018
SUBJECT: Bylaw C-7745-2017 – Road Closure and Consolidation of two portions of Road Allowance known as Range Road 45

¹ADMINISTRATION RECOMMENDATION:

- Motion #1 THAT Bylaw C-7745-2017 be amended by replacing Schedule 'A' with the final Road Closure Plan as per Attachment 'B'.
- Motion #2 THAT Bylaw C-7745-2017 be given second reading as amended.
- Motion #3 THAT Bylaw C-7745-2017 be given third and final reading as amended.
- Motion #4 THAT the 5.98 acres of land be transferred and sold to the applicants Joel Hillis and Elmer (Buster) Fenton subject to:
- a) a sales agreement being signed at the appraised value of \$2,340.00 per acre, totaling \$14,000.00 (rounded), plus \$2,750.00 for the cost of the appraisal and all applicable taxes;
 - b) that all incidental costs to create title and consolidation with the adjacent lands are at the expense of the applicants; and
 - c) the terms of the sales agreement shall be completed within one year after Bylaw C-7745-2017 receives third and final reading.

EXECUTIVE SUMMARY:

The purpose of this report is to consider second and third readings to Bylaw C-7745-2017 as amended for the closure and consolidation of 5.98 acres of undeveloped road allowance known as Range Road 45 (in two portions). The closure area is located on the east side of NE/SE-30-28-04-W5M.

The Public Hearing and first reading for this bylaw was held on January 9, 2018. After closing the Public Hearing, Council gave first reading to Bylaw C-7745-2017 and directed Administration to forward the Bylaw to Alberta Transportation for Ministerial consent as required by the *Municipal Government Act*. On March 21, 2018, Administration received approval from the Minister and is recommending second and third readings to Bylaw C-7745-2017 as amended. The amendment made to this bylaw is the insertion of a survey plan showing the described closed road allowance portions.

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

DISCUSSION:

This is a joint application by Joel Hillis and Elmer (Buster) Fenton. The purpose of this application is to close and consolidate 5.98 acres of undeveloped road allowance in two portions. Parcel 1 (1.96 acres) is to be consolidated with the NE quarter (Hillis) and Parcel 2 (4.02 acres) is to be consolidated with the SE quarter (Fenton). It is a requirement of Alberta Transportation that the applicant for a road closure must be the directly adjacent landowner, therefore requiring the split of road allowance into 2

¹Administration Resources

Angela Pare, Engineering Services Support Technician



parcels. The applicant (Hillis) is looking to construct a dwelling on the NE Quarter section of his lands in the future. To acquire a building permit, he would be required to have access from a developed county road

If successful this will allow the applicants to construct a driveway in the former road allowance similar to a panhandle layout rather than be required to construct a full road to County Standard.

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

After closing the January 9th, 2018 Public Hearing, Council gave first reading to Bylaw C-7745-2017 and directed Administration to forward the Bylaw to Alberta Transportation for Ministerial consent as required by the *Municipal Government Act*. Administration received approval back from the Minister on March 21, 2018. Administration requested and received an appraisal of the subject lands and the value provided is \$2,340.00 per acre, for a rounded amount of \$14,000.00. The applicants are in agreement with the appraised value of the lands and Administration is now proceeding with a recommendation to finalize the closure by providing second and third (final) reading to the bylaw. The amendment made to Bylaw C-7745-2017 was the insertion of the prepared survey plan to accompany the Bylaw; this survey plan provides a visual for the description of the closure area.

OPTIONS:

- | | | |
|------------|-----------|--|
| Option #1: | Motion #1 | THAT Bylaw C-7745-2017 be amended by replacing Schedule 'A' with the final Road Closure Plan as per Attachment 'B'. |
| | Motion #2 | THAT Bylaw C-7745-2017 be given second reading as amended. |
| | Motion #3 | THAT Bylaw C-7745-2017 be given third and final reading as amended. |
| | Motion #4 | THAT the 5.98 Acres of land be transferred to the applicants Joel Hillis and Elmer (Buster) Fenton subject to: <ul style="list-style-type: none"> a) a sales agreement being signed at the established value of \$2,340.00 per acre, totaling \$14,000.00 (rounded), plus \$2,750.00 for the cost of the appraisal and all applicable taxes; b) that all incidental costs to create title and consolidation with the adjacent lands are at the expense of the applicant; and c) the terms of the sales agreement shall be completed within one year after Bylaw C-7745-2017 receives third and final reading. |

Option #2: THAT alternative direction be provided.

Respectfully submitted,

Concurrence,

"Byron Riemann"

"Kent Robinson"

General Manager

Interim County Manager

AP



ATTACHMENTS:

ATTACHMENT 'A' – Bylaw C-7745-2017 signed by Minister of Transportation

ATTACHMENT 'B' – Final Road Closure Plan for Bylaw C-7745-2017

ATTACHMENT 'C' – Maps

ATTACHMENT 'D' – Landowner Agreement for Easement

**BYLAW C-7745-2017**

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

The Council of Rocky View County enacts as follows:

WHEREAS

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

WHEREAS

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

WHEREAS

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

WHEREAS

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

WHEREAS

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

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

PARCEL 1

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

PARCEL 2

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

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

Division: 9
File: PL20160018

READ A FIRST TIME IN COUNCIL this 9th DAY OF January, 20 18PUBLIC HEARING WAS HELD IN COUNCIL this 9th DAY OF January, 20 18
REEVE / DEPUTY REEVE
CAO or DESIGNATEAPPROVED BY
ALBERTA TRANSPORTATION:APPROVED THIS 15th DAY OF March, 20 18

Approval Valid for _____ Months


MINISTER OF TRANSPORTATION

READ A SECOND TIME IN COUNCIL this _____ DAY OF _____, 20 _____

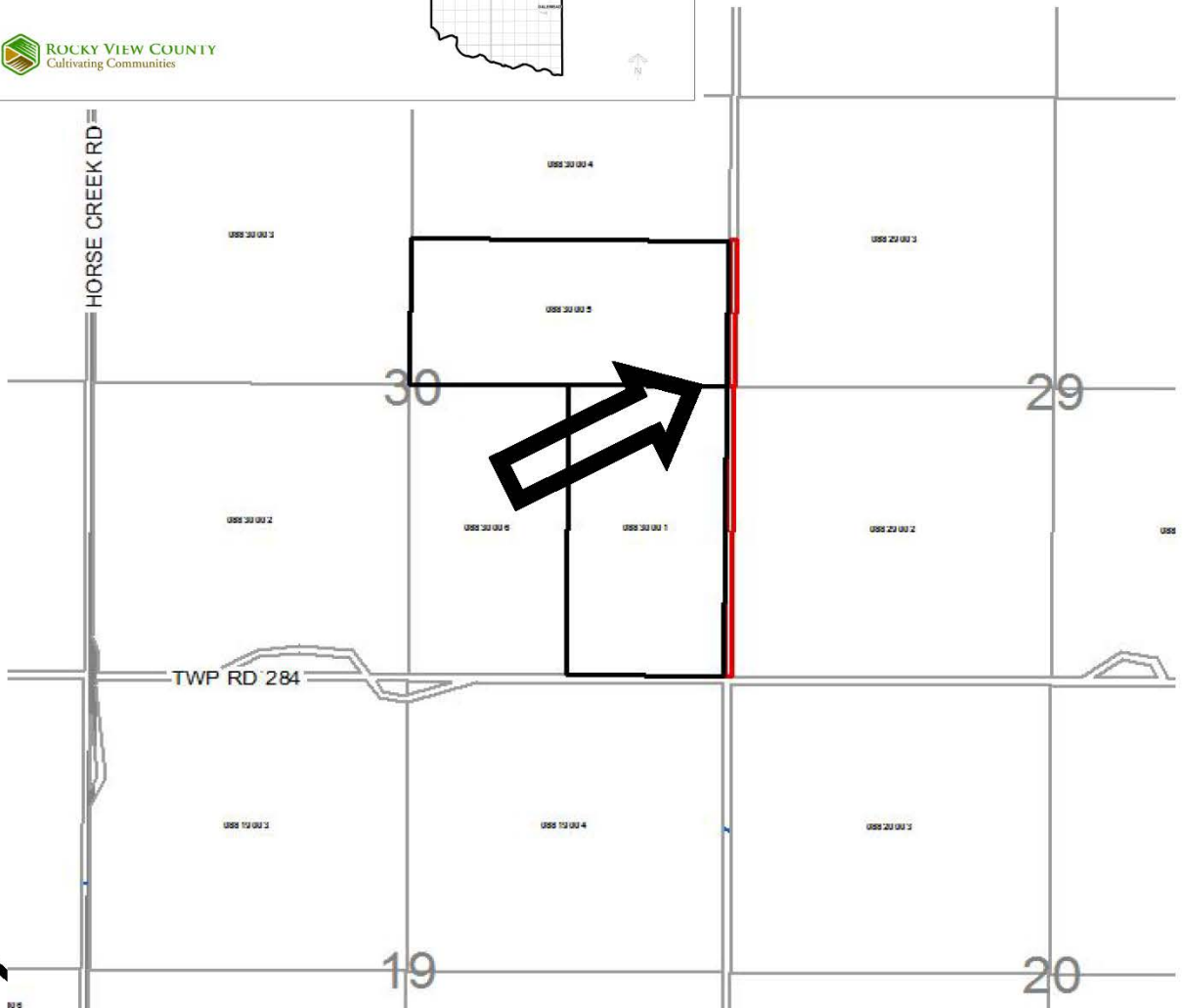
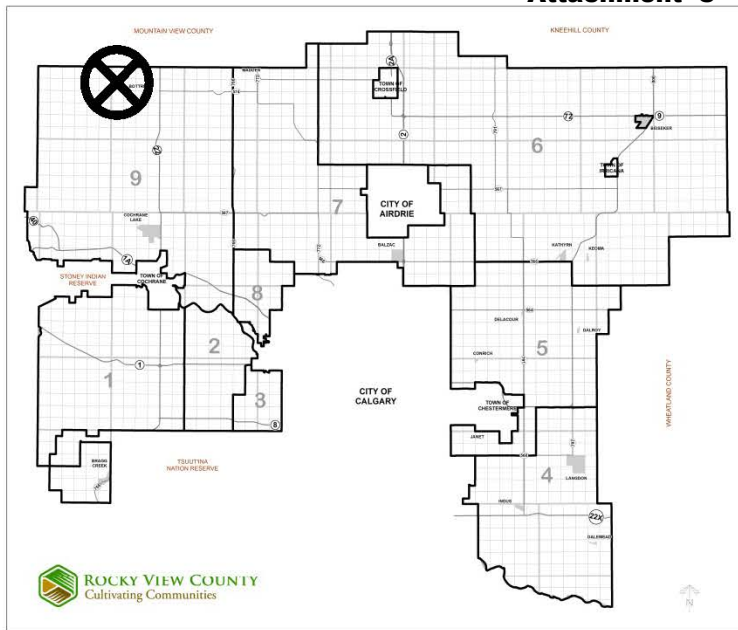
READ A THIRD TIME IN COUNCIL this _____ DAY OF _____, 20 _____

REEVE / DEPUTY REEVE_____
CAO or DESIGNATE

SCHEDULE 'A'

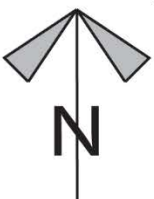
INSERT COPY OF ROAD CLOSURE PLAN ONCE REGISTERED

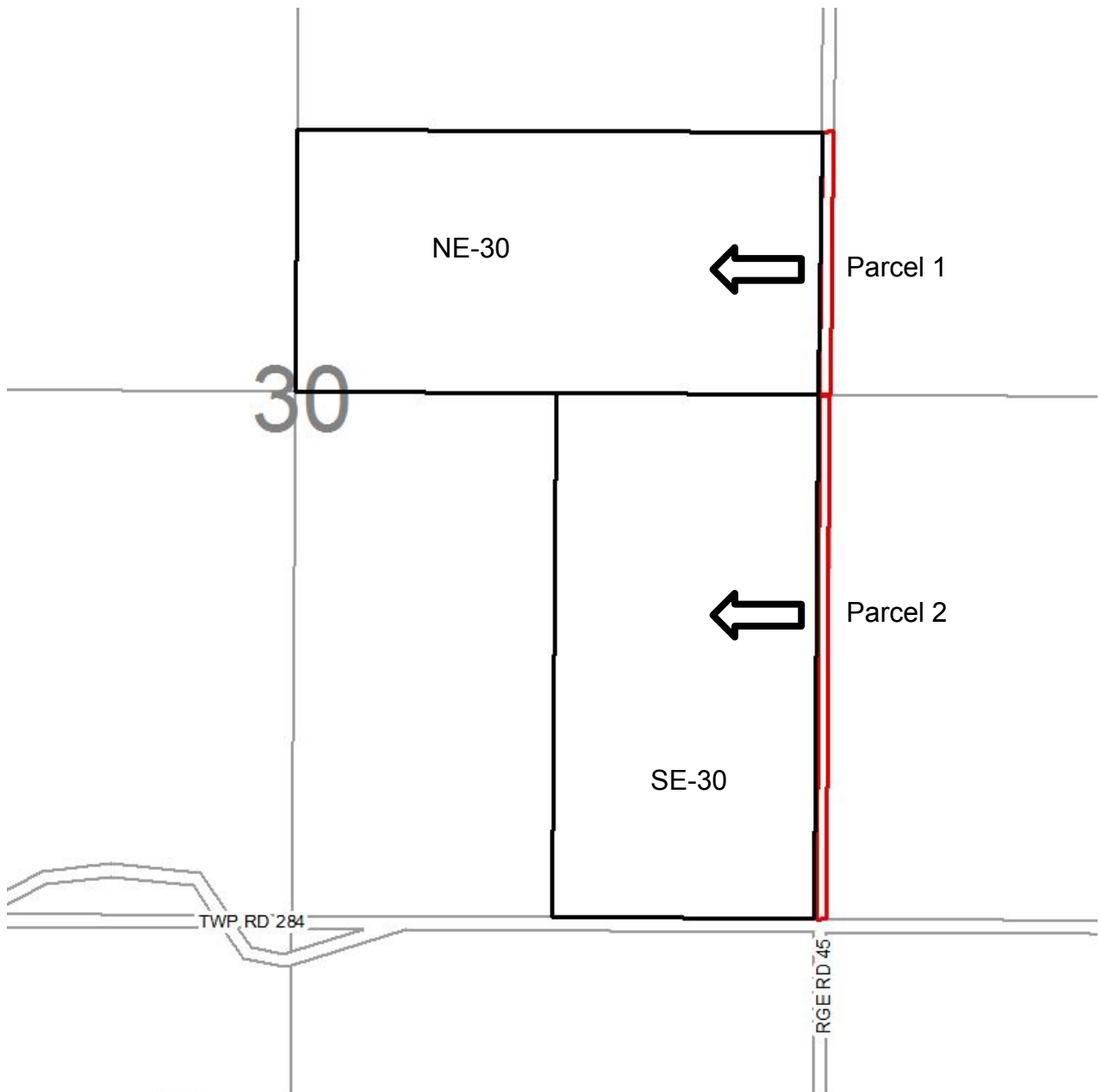
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LOCATION PLAN

NE/SE-30-28-04-W05M





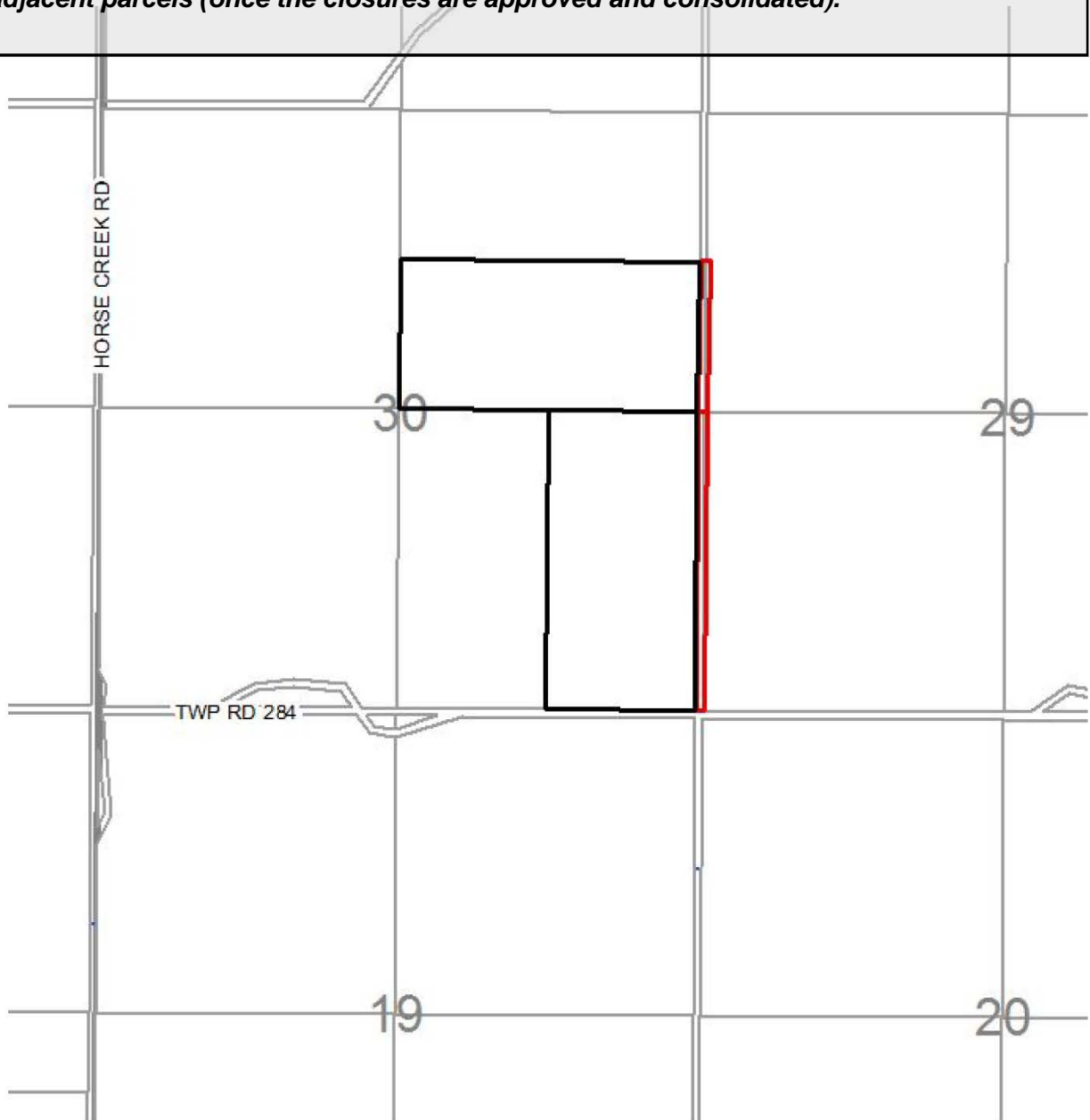
Parcel 1 to be Consolidated into NE-30
Parcel 2 to be Consolidated into SE-30

TENTATIVE PLAN

NE/SE-30-28-04-W05M

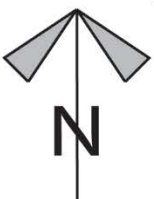


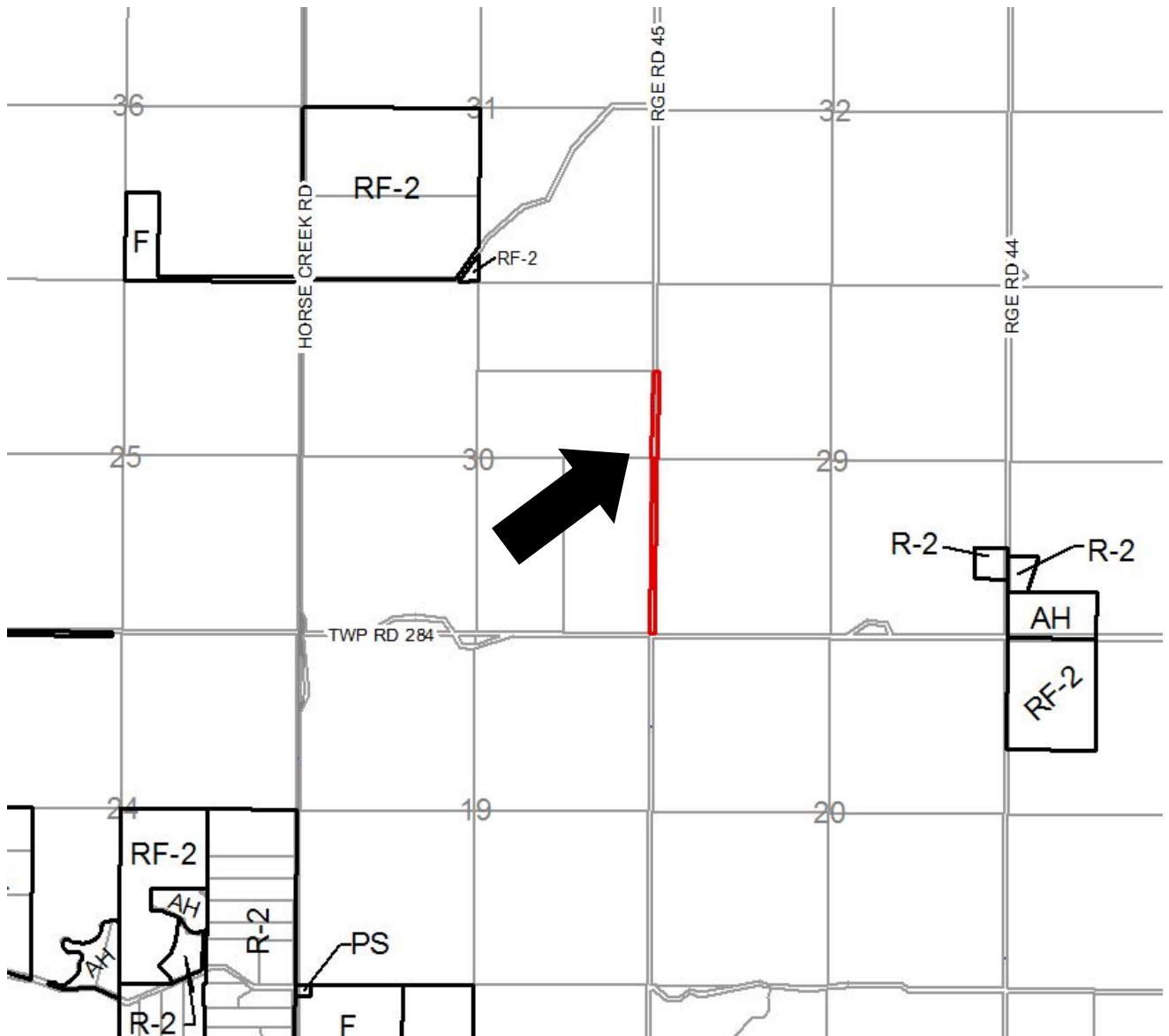
ROAD CLOSURE PROPOSAL: Joint Application to Close for Consolidation **Page 10 of 15**
 purposes, 2 portions of Road Allowance Adjacent to the NE/SE-30-28-04-W5M.
 Parcel 1 (+/- 1.96 Acres) would be consolidated with the NE Quarter. Parcel 2
 (+/- 4.02 Acres) would be consolidated with the SE Quarter. *NOTE: Both*
Applicants are prepared to enter into Access Easement Agreements to allow access to
adjacent parcels (once the closures are approved and consolidated).



ROAD CLOSURE PROPOSAL

NE/SE-30-28-04-W05M





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

LAND USE MAP

NE/SE-30-28-04-W05M

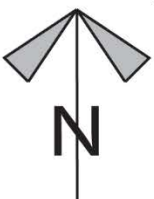


Note: Post processing of raw aerial photography may cause varying degrees of visual distortion at the local level.

AIR PHOTO

Spring 2016

NE/SE-30-28-04-W05M



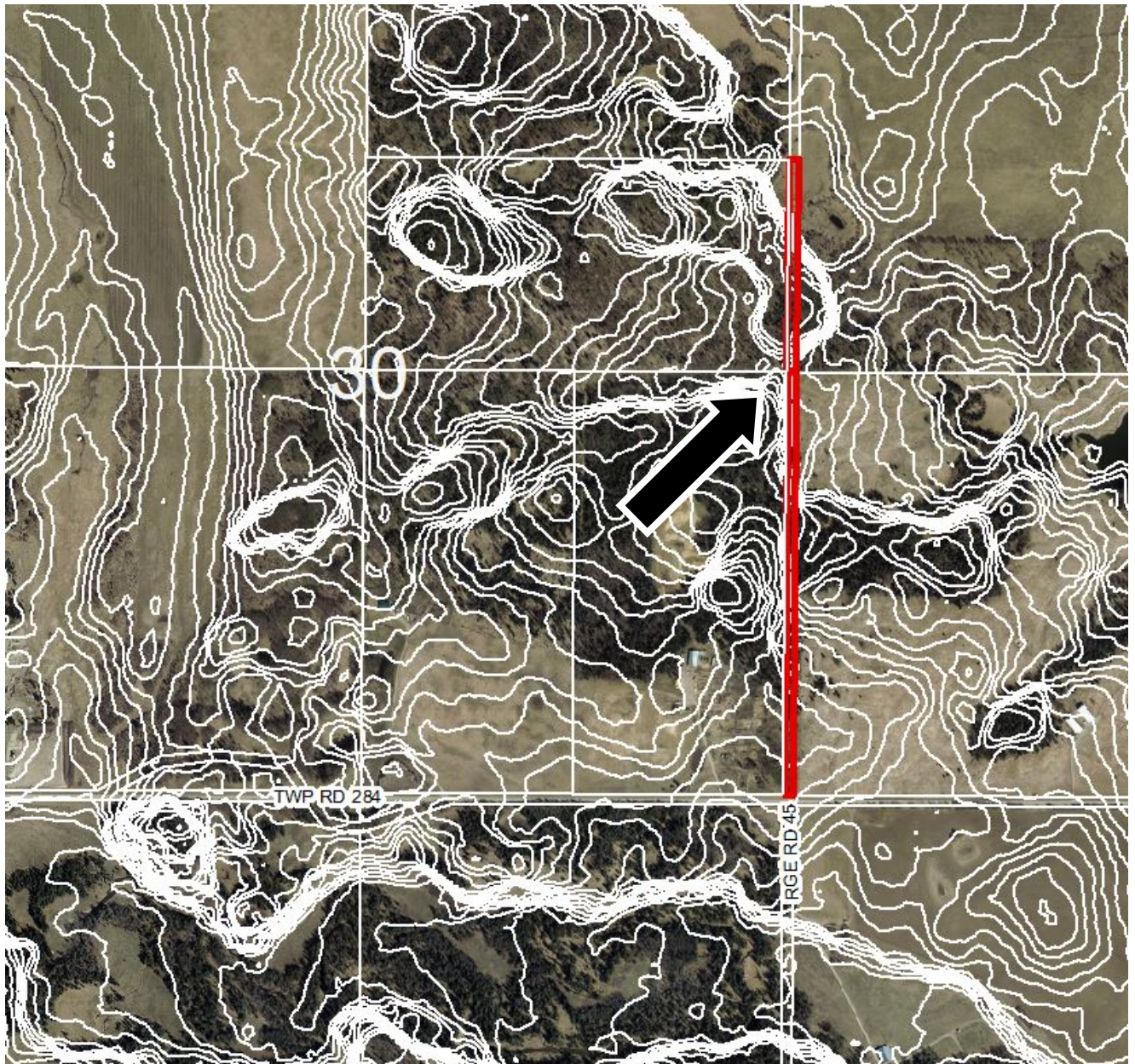
Date: Feb 27, 2017

Division # 9

File: PL20160018

AGENDA

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

TOPOGRAPHY

Contour Interval 2 M

NE/SE-30-28-04-W05M



**OPPOSE****SUPPORT****Legend**

Circulation Area



Subject Lands

LANDOWNER CIRCULATION AREA**NE/SE-30-28-04-W05M**

ROAD CLOSURE, CONSOLIDATION AND EASEMENT AGREEMENT

The parties involved in the access easement agreement are:

Joel and Carlye Hillis (Hillises)

Elmer (Buster) Fenton


#Company 406484 Alberta Limited (Fernando Peris)

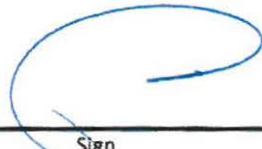
Mike Bourns and Pat Comer

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



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

Signed by:

 Joel Hillis 16 Mar 2017
Sign Print Date

 406484 ALBERTA 16. MAR. 2017
Sign Print Date

 ELMER FENTON 16 Mar 2017
Sign Print Date

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

- Notice of Motion:** **To be read in at the June 12, 2018 Council Meeting**
- To be debated at the June 26, 2018 Council Meeting**
- Title:** **146 acre parcel of Rocky View County Lands leased by the Cochrane and District Agricultural Society**
- Presented By:** **Councillor Crystal Kissel, Division 9 and Councillor Kevin Hanson, Division 3**
- Whereas** Being almost an entirely new Council, it is important that Council has a clear understanding of the best use of the land for the future; and
- Whereas** This land was gifted to the residents of Rocky View County in 1999 by Her Majesty the Queen in Right of Alberta as represented by the Minister of the Environment for the total cost of \$1.00; and
- Whereas** There has been no Council decision as a whole made through a resolution to dispose of the 146 acre parcel of land; and
- Whereas** There have been numerous studies completed, including the 2010 County Community Needs Assessment Survey, the 2010 Ranch Lands Community Survey, the 2013 Tri-Party Concept Plan, and the 2014 Town of Cochrane Community Survey; and
- Whereas** The Cochrane and District Agricultural Society presented at the May 1, 2018 Policy and Priorities Committee meeting and raised some concerns regarding its business plan that did not include how the existing land could best be utilized should the Cochrane and District Agricultural Society plan to stay; and
- Whereas** The modernized *Municipal Government Act* and mandated membership in the Calgary Growth Management Board requires each municipality to specifically outline the provision of municipal services and facilities for collaborative and beneficial outcomes; and
- Whereas** The responsibility for parks planning rests with local government and that recreation planning is a key part of the process of improving leisure opportunities available to residents and improving the health and well-being of the community; and

Whereas Open space and recreational facilities that are of particular social value to the local community should be recognized and given protection by local planning authorities through appropriate planning policy. Open space of particular quality may include:

1. Areas of open space in urban areas that provide an important local amenity and variety of recreational opportunities;
2. Areas of open space that provide a community resource and use for agricultural shows and cultural festivals; and
3. Areas of open space that benefit wildlife and biodiversity; and

Whereas Once all information is received, whether through studies, Administration, or public engagement, this Council will be able to decide the best direction for this land asset disposal serving the Rocky View County residents' best interests;

THEREFORE, BE IT RESOLVED that the Lands under the current lease by the Cochrane and District Agricultural Society be removed from the land disposal list until a time that Council has a clear understanding as to the best and most appropriate use of the land and provides direction on whether the land asset disposal is in the County's residents' best interest.

PLANNING SERVICES

TO:	Subdivision Authority		
DATE:	June 12, 2018	DIVISION:	2
FILE:	05702033	APPLICATION:	PL20180006
SUBJECT:	Subdivision Item – Residential One District		

¹ADMINISTRATION RECOMMENDATION:

- Motion #1: THAT Council acknowledges and approves the secondary approach to Lot 2 in accordance with Policy 402.
- Motion #2: THAT Subdivision Application PL20180006 be approved with the conditions noted in Appendix A.

EXECUTIVE SUMMARY:

The purpose of this application is to create a ± 0.83 hectare (± 2.05 acre) parcel with a ± 0.83 hectare (± 2.05 acre) remainder.

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

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

The lands are located within the Central Springbank Area Structure Plan (CSASP) and the Lariat Loop Conceptual Scheme. These documents, along with the County Plan, Land Use Bylaw, and County Servicing Standards, were used in the assessment of this application, and Administration determined that:

- The application is generally consistent with County policy; and
- All technical considerations are addressed through the conditions of subdivision approval.

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

PROPOSAL: To create a ± 0.83 hectare (± 2.05 acre) parcel with a ± 0.83 hectare (± 2.05 acre) remainder.	GENERAL LOCATION: Located approximately 1.6 kilometres (1 mile) west of the city of Calgary, 2.4 kilometres (1.5 miles) north of Highway 1, on the west side of Lariat Loop.
LEGAL DESCRIPTION: Lot 1, Block 14, Plan 8710689, within NW-2-25-3-W5M	GROSS AREA: ± 1.66 hectares (± 4.10 acres)

¹ Administration Resources
Stefan Kunz, Planning Services
Erika Bancila, Engineering Services

APPLICANT: John Dowsett OWNER: Ian & Terry Dowsett	RESERVE STATUS: Municipal Reserves were previously provided on Plan 871 0689.
LAND USE DESIGNATION: Residential One District (R1)	LEVIES INFORMATION: Transportation Off-Site Levy is outstanding.
DATE SUBDIVISION APPLICATION RECEIVED & DEEMED COMPLETE: January 16, 2018	APPEAL BOARD: Municipal Government Board
TECHNICAL REPORTS SUBMITTED: <ul style="list-style-type: none"> • Site Specific Stormwater Management Plan (Sedulous Engineering, July 2017); • Level 3 PSTS (Sedulous Engineering, July 2017) 	LAND USE POLICIES AND STATUTORY PLANS: <ul style="list-style-type: none"> • Central Springbank Area Structure Plan (C-5354-2001); • Land Use Bylaw (C-4841-97)

PUBLIC & AGENCY SUBMISSIONS:

The application was circulated to 213 adjacent landowners, and no responses were received. The application was also circulated to a number of internal and external agencies; those responses are available in Appendix 'B'.

HISTORY:

- 2018** Application PL20170123 was approved, resulting in the redesignation of the lands from Residential Two District to Residential One District.
- 2005** The Lariat Loop Conceptual Scheme was adopted.
- 2001** The Central Springbank Area Structure Plan was adopted.
- 1987** The subject lands were subdivided (Plan 871 0689), resulting in the creation of the current parcel configuration.
- 1970s** Incremental subdivision of the subject quarter section throughout the mid to late 1970s resulted in the creation of a number of parcels of approximately 15 acres. The parcels are accessed by an internal subdivision road, registered on Plan 741 0836. Plan 751 0511 saw the creation of the subject lands as Block 14.

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 concern with regard to developability, as the lands do not feature any significant slopes. A wetland is located on-site, as identified on Alberta Environment's Wetland Impact Model and through analysis of aerial photography of the lands.

The wetland is located in the centre-west portion of Lot 1, encompassing a significant portion of the proposed lot. In accordance with County development standards, a minimum of one contiguous developable acre of land is required in order to construct a country residential dwelling and its associated servicing infrastructure. As none of the reports provided with the application address the size and location of the wetland, an Environmental Screening (ES) letter, prepared



by a qualified biologist, would be required as a condition of subdivision. Once the area of the wetland is determined, a Geotechnical Developable Area Assessment would be able to determine whether the contiguous acre of land is available for development on-site. This assessment would also be a condition of subdivision.

Conditions: 10, 11 (see Appendix 'A').

b) The site's soil characteristics

The soils on-site are Class 4 with severe limitations due to adverse topography and past erosion damage. As the application proposes residential development, agricultural soil conditions are irrelevant to the consideration of this subdivision.

Conditions: None

c) Stormwater collection and disposal

Stormwater was considered in accordance with the Springbank Master Drainage Plan (MDP). The Applicant submitted a Site Specific Implementation Plan (SSIP) that indicates that the proposed subdivision may handle future runoff generation in accordance with the requirements of the MDP. The SSIP provides for the addition of a dwelling and other development, but does not account for the alteration of the existing drainage conditions. Given the location and relative size of the on-site wetland, development has the potential to cause off-site impacts if not adequately addressed.

As a condition of approval, the applicant would be required to update the SSIP and enter into a Development Agreement/Site Improvements Servicing Agreement to ensure the recommendations of the report are implemented.

Conditions: 8, 9 (see Appendix 'A').

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

The lands are not located in the vicinity of a major water body or significant drainage course. Additionally, as the site has not been identified as an area of concern in accordance with Alberta Environment's Flood Hazard Map, there is no concern with regard to flooding from off-site sources.

On-site potential has yet to be determined. Updates to the SSIP are required in order to ensure that the proposed development does not cause flooding of the wetland. If the required update indicates that the site can adequately addresses stormwater, and provided that the recommendations of the report are adhered to in the future, concerns in this regard can be mitigated.

Conditions: 9 (see Appendix 'A').

e) Accessibility to a road

Access is available via Lariat Loop, which is located immediately east of the subject lands. Lot 1 does not currently have access to the County transportation network, so a new approach to that portion of the lands would be required as indicated on the Tentative Plan.

Proposed Lot 2 contains a paved approach, which services the existing dwelling, and an additional field approach located in the southern portion of the lands. In order to ensure traffic safety, the County transportation network standards concerning approaches (Policy 402) aim to limit the number of approaches to each dwelling. Typically, only one is permitted; however, discretion may be applied in some instances. Given that the field approach is existing, waiver of this requirement could be granted by Council in accordance with Policy 402, provided that the approach is upgraded to meet County standards. The requirement to upgrade the field approach is included in the conditions of approval.



The Transportation Off-Site Levy is owing, and is applicable to the balance of the subject lands, in accordance with Bylaw C-7356-2014.

- The Transportation Off-Site Levy is estimated to be \$18,847.64 (1.66 hectares * \$11,354).

Conditions: 2, 3, 4 (see Appendix 'A').

f) Water supply, sewage and solid waste disposal

The lands contain a dwelling, which is located within proposed Lot 2. Servicing is provided by means of a connection to a piped water provider and a Private Sewage Treatment System. A Level 1 Assessment Variation Report confirms that the servicing infrastructure for Lot 2 is located within the proposed boundaries of the lot and that it is in good working condition.

Lot 1 is currently undeveloped. The Level 3 PSTS report submitted in support of the application confirms that the site is suitable for the construction of a new sewage treatment system. In accordance with County Policy 449, the County requires a Packaged Sewage Treatment Plant for PSTS use on parcels under 4 acres in size. As such, a requirement for the Applicant/Owner to enter into a Development Agreement/Site Improvement Services Agreement is included in the conditions of approval. Additionally, a Deferred Services Agreement would be needed to ensure that the parcels are required to connect to a regional wastewater system should one become available in the future.

Water supply to Lot 2 is provided via the North Springbank Water Co-op., and Lot 1 is proposed to be serviced in the same manner. A letter from the Co-op. provides approval of the water request and indicates that sufficient capacity is available. As a condition of subdivision approval, the Applicant/Owner would be required to provide confirmation that tie-in to the Co-op. has been approved and registered.

Conditions: 6, 7, 8 (see Appendix 'A').

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

The subject lands are located approximately 1.6 kilometres (1 mile) west of the city of Calgary, 2.4 kilometres (1.5 miles) north of Highway 1, on the west side of Lariat Loop, in an area of the County that features mixed land uses. The area in the immediate proximity of the subject lands is predominantly country residential development, but a significant agricultural component exists as well, with some large agricultural parcels located to the west of Range Road 32. Other land uses include Springbank Airport and its associated business uses located 2.5 to 3 kilometres to the west, and the Springbank Links Golf Course located 275 metres to the northeast.

The subject lands are designated Residential One District, which allows for residential uses. The application is in alignment with the use of the land in the vicinity of the site.

Conditions: None

h) Other matters

Municipal Reserves were previously provided on Plan 871 0689.

Conditions: None

POLICY CONSIDERATIONS:

The subject lands are located within the policy area of the Central Springbank Area Structure Plan and the Lariat Loop Conceptual Scheme. Policy review of these documents was previously conducted in support of application PL20170123, which considered the redesignation of the lands from Residential Two District to Residential One District. On January 9, 2018, Council found the proposal to be consistent with the goals and objectives of both the Central Springbank ASP and the Lariat Loop Conceptual

Scheme, and the application was approved.

Additionally, the application was evaluated in accordance with the Land Use Bylaw and the County Servicing Standards. Section 48.5(a) of the Land Use Bylaw indicates that the minimum parcel size for the R1 district is 0.80 hectares (1.98 acres). As the Applicant is proposing the creation of a ± 0.83 hectare (± 2.05 acre) parcel with a ± 0.83 hectare (± 2.05 acre) remainder, the application satisfies the minimum parcel size of the district. Administration is satisfied that the proposal is consistent with County policy and that all outstanding technical considerations can be addressed through the conditions of approval.

CONCLUSION:

The application proposes to create a ± 0.83 hectare (± 2.05 acre) parcel with a ± 0.83 hectare (± 2.05 acre) remainder on a parcel that was redesignated to Residential One District in 2018. The proposed parcel satisfies the statutory requirements provided within the Central Springbank Area Structure Plan, Lariat Loop Conceptual Scheme, Land Use Bylaw, and the County Servicing Standards. There are no outstanding concerns with regard to technical considerations.

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

OPTIONS:

- Option #1: Motion #1: THAT Council acknowledges and approves the secondary approach to Lot 2 in accordance with Policy 402.
- Motion #2: THAT Subdivision Application PL20180006 be approved with the conditions noted in Appendix A.
- Option #2: THAT Subdivision Application PL20180006 be refused as per the reasons noted.

Respectfully submitted,

Concurrence,

“Chris O’Hara”

“Kent Robinson”

General Manager

Interim County Manager

SK/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 ± 0.83 hectare (± 2.05 acre) parcel with a ± 0.83 hectare (± 2.05 acre) remainder from Lot 1, Block 14, Plan 8710689, within NW-2-25-3-W5M has been evaluated in terms of Section 654 of the *Municipal Government Act* and Sections 7 and 14 of the Subdivision and Development Regulations, and having considered adjacent landowner submissions, it is recommended that the application be approved as per the Tentative Plan for the reasons listed below:
1. The application is consistent with statutory policy;
 2. The subject lands hold the appropriate land use designation;
 3. The technical aspects of the subdivision proposal have been considered, and are further addressed through the conditional approval requirements.
- B. The Applicant/Owner is required, at their expense, to complete all conditions attached to and forming part of this conditional subdivision approval prior to Rocky View County (the County) authorizing final subdivision endorsement. This requires submitting all documentation required to demonstrate each specific condition has been met, or agreements (and necessary securities) have been provided to ensure the condition will be met, in accordance with all County Policies, Standards and Procedures, to the satisfaction of the County, and any other additional party named within a specific condition. Technical reports required to be submitted as part of the conditions must be prepared by a Qualified Professional, licensed to practice in the Province of Alberta, within the appropriate field of practice. The conditions of this subdivision approval do not absolve an Owner from ensuring all permits, licenses, or approvals required by Federal, Provincial, or other jurisdictions are obtained. Further, in accordance with Section 654 and 655 of the *Municipal Government Act*, the application shall be approved subject to the following conditions of approval:

Plan of Subdivision

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

Transportation and Access

- 2) The Owner shall construct a new paved approach on Lariat Loop in order to provide access to Lot 1.
- 3) The Owner shall upgrade the secondary existing field approach to Lot 2, as shown on the approved Tentative Plan, to County standards, or remove the approach.

Fees and Levies

- 4) 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:
 - a) from the total gross acreage of the Lands to be subdivided as shown on the Plan of Survey.
- 5) The Owner shall pay the County subdivision endorsement fee, in accordance with the Master Rates Bylaw, for the creation of one (1) new lot.

Site Servicing

- 6) The Owner is to provide confirmation of the tie-in for connection to North Springbank Water Co-op., an Alberta Environment licensed piped water supplier, for Lot 1, as shown on the Approved Tentative Plan. This includes providing the following information:
 - a) Documentation proving that water supply infrastructure requirements, including servicing to the property, have been installed, or installation is secured between the developer and water supplier, to the satisfaction of the water supplier and the County.
- 7) The Owner is to enter into a Deferred Services Agreement with the County, to be registered on title for each proposed Lots 1 & 2, indicating:
 - a) Requirements for each future Lot Owner to connect to County wastewater, and stormwater systems at their cost when such services become available;
 - b) Requirements for decommissioning and reclamation once County servicing becomes available.
- 8) The Owner is to enter into a Development Agreement (Site Improvements / Services Agreement) with the County that shall include the following:
 - a) The construction of a packaged sewage treatment system meeting BNQ or NSF 40 Standards, in accordance with the findings of the Private Sewage Treatment System Assessment and Site Evaluation prepared by Sedulous Engineering (July 2017).

Developability

- 9) The Owner shall provide an update to the Site Specific Implementation Plan (Sedulous Engineering, July 2017) to include the minimum building opening elevation in the report. If improvements are required, the Owner shall enter into a Development agreement (Site Improvements/Services Agreement) with the County to follow the recommendations outlined in the updated SSIP. Implementation of the Site Specific Implementation Plan shall include:
 - a) a Development Agreement (Site Improvement Service Agreement) to be entered into with the County, addressing the design and construction of the required improvements, should the recommendations of the Stormwater Management Plan indicate that improvements are required;
 - b) Registration of any required easements and / or utility rights-of-way;
 - c) Provision of necessary approvals and compensation to Alberta Environment and Parks for wetland loss and mitigation;
 - d) Provision of necessary Alberta Environment and Parks registration documentation and approvals for the stormwater infrastructure system.
- 10) The Owner shall provide an Environmental Screening (ES) letter in order to determine the area of the on-site wetland. The letter shall be prepared by a qualified biologist, in accordance with County Servicing Standards.
- 11) The Owner is to provide a Geotechnical Developable Area Assessment to prove there is a minimum of one contiguous developable acre (1.0 acre) of land within Lot 1.
 - a) Private Sewage Treatment System testing and analysis, shall be located within the defined contiguous developable acre.



Taxes

- 12) All taxes owing, up to and including the year in which subdivision is to be registered, are to be paid to the County prior to signing the final documents pursuant to Section 654(1) of the *Municipal Government Act*.

C. SUBDIVISION AUTHORITY DIRECTION

- 1) Prior to final endorsement of the Subdivision, Administration is directed to present the Owner with a Voluntary Recreation Contribution Form and to ask them if they will contribute to the Fund in accordance with the contributions prescribed in the Master Rates Bylaw.

APPENDIX 'B': APPLICATION REFERRALS

AGENCY	COMMENTS
<i>School Authority</i>	
Rocky View Schools	No comment.
Calgary Catholic School District	No comment.
Public Francophone Education	No comment.
Catholic Francophone Education	No comment.
<i>Province of Alberta</i>	
Alberta Environment	No comment.
Alberta Transportation	Not required.
Alberta Sustainable Development (Public Lands)	Not required.
Alberta Culture and Community Spirit (Historical Resources)	Not required.
Energy Resources Conservation Board	No comment.
Alberta Health Services	No comment.
<i>Public Utility</i>	
ATCO Gas	<p>Please be advised that our existing/future gas line(s) on the subject property are protected by way of a Utility Right of Way Agreement, registered as Instrument(s) # 181 058 703.</p> <p>Therefore, ATCO Gas has no objection to the proposed subdivision.</p>
ATCO Pipelines	No objections.
AltaLink Management	No comment.
Enmax	No comment.
FortisAlberta	No concerns or requirements.
Telus Communications	No objection.
TransAlta Utilities Ltd.	No comment.

AGENCY	COMMENTS
<i>Other External Agencies</i>	
EnCana Corporation	No comment.
<i>Rocky View County</i>	
<i>Boards and Committees</i>	
ASB Farm Members and Agricultural Fieldmen	No comment.
Rocky View West Recreation Board	MR previously provided on Plan 8710689.
<i>Internal Departments</i>	
Municipal Lands	As reserves have already been provided, and as this location has not been identified for future park, open space, pathway or trail development; the Municipal Lands office has no concerns with this application.
Development Authority	No comment.
GeoGraphics	No comment.
Building Services	No comment.
Emergency Services	No comments.
Enforcement Services	No concerns.
Infrastructure and Operations – Engineering Services	<p>General:</p> <ul style="list-style-type: none"> 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. The Owner is required to enter into a Deferred Service Agreement with the County for the tie in to future regional servicing when it becomes available to be registered on title for the proposed lot and parent parcel. <p>Geotechnical:</p> <ul style="list-style-type: none"> As a condition of subdivision, the Owner shall submit an update to the engineering plan submitted to the County on March 5th, 2018, demonstrating that Servicing Standards Section 307 requirements of identifying one contiguous acre has been met.

AGENCY	COMMENTS
	<p>Transportation:</p> <ul style="list-style-type: none"> • The proposed access onto Lariat Loop, a paved local residential road, is located on a curve. A field assessment was carried out on April 11, 2018 to determine if there are any sight visibility restrictions. It has been determined the sight distance requirement is met in any point along the entire east property boundary and there are no visibility issues; • The remainder parcel currently has a second approach located south of the paved approach. According to Policy 402 1c, "More than one approach is prohibited for residential lots, unless approved by Council or the Director of Infrastructure and Operations." • It is understood the owner would like to keep this approach, which has been in place for a long time. It appears the approach has been built adequately, and includes an installed culvert, but its surface does not meet current County standards. No formal application has been made with the County for the construction of this approach; • As a condition of subdivision, the second approach shall meet current County Servicing Standards; • As a condition of subdivision, the Owner is required to build a single paved residential road approach for the new lot onto Lariat Loop, as per County standards. If the Owner intends to keep its second approach, as a condition of subdivision the approach needs to meet County standards. If the second approach is to be removed and reclaimed, it will be done at the sole expense of the Owner; • The Owner shall contact the Rocky View Infrastructure and Operations department prior to the construction of these approaches. • As a condition of subdivision, the Owner shall be required to provide payment of the Transportation Off-site Levy in accordance with the applicable levy at time of subdivision approval, (Bylaw C-7356-2014). The TOL it is estimated at \$18,847.64 (1.66 ha * \$11,354). • In accordance with section 6c) i) of Bylaw C-7356-2014, these lands are exempt of the Special Area Levy Rate only because the lands are subject of a residential subdivision where the unsubdivided parcel is less than 5 acres and only one additional parcel is being created from the parent parcel. <p>Sanitary/Waste Water:</p> <ul style="list-style-type: none"> • The Owner has submitted a Level 3 PSTS report (July 2017) which concluded the Proposed Lot is suitable for PSTS. <ul style="list-style-type: none"> ○ As per Policy 449, "for residential developments relying on PSTS, where lot sizes are equal to, or greater than,

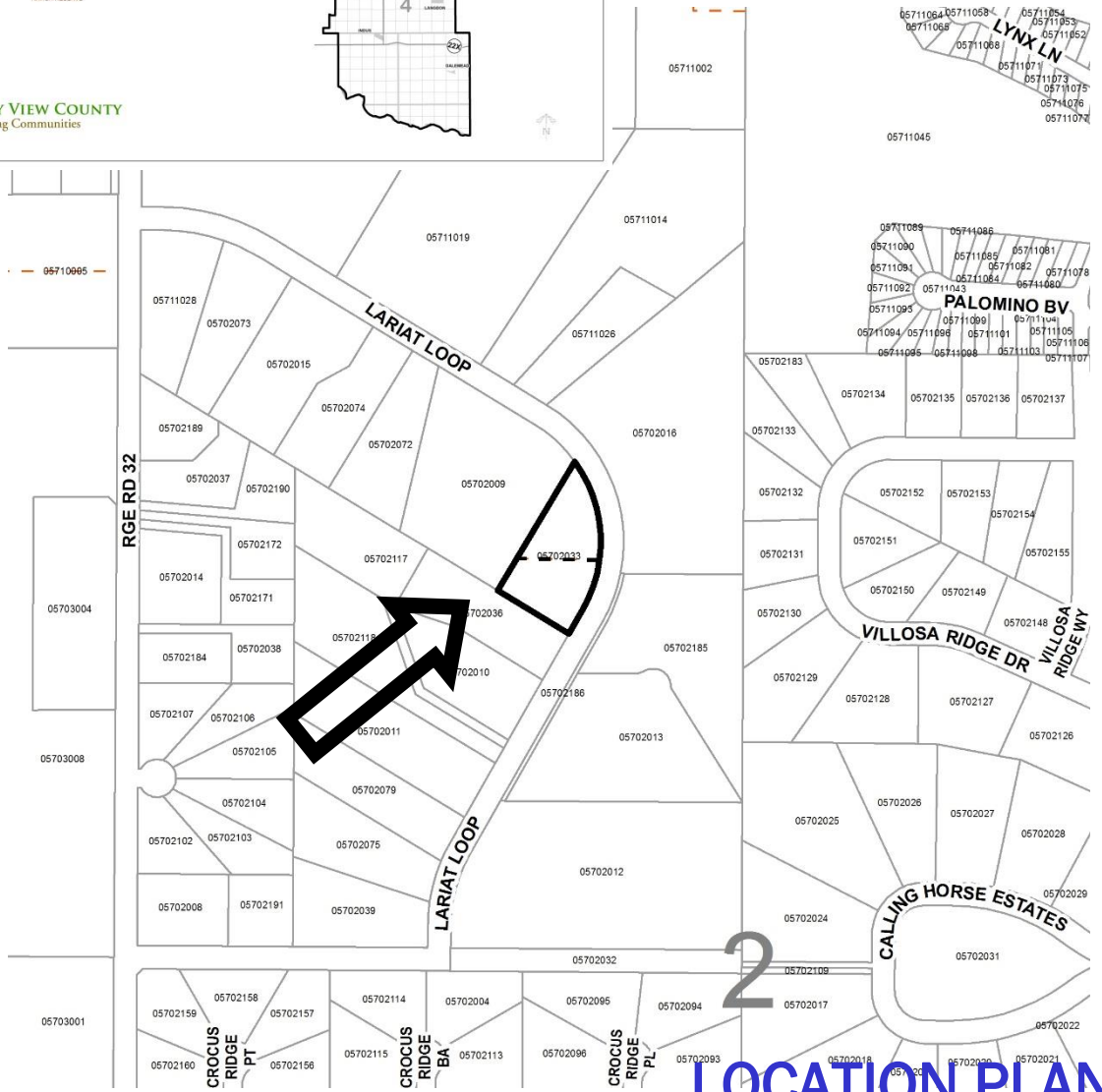
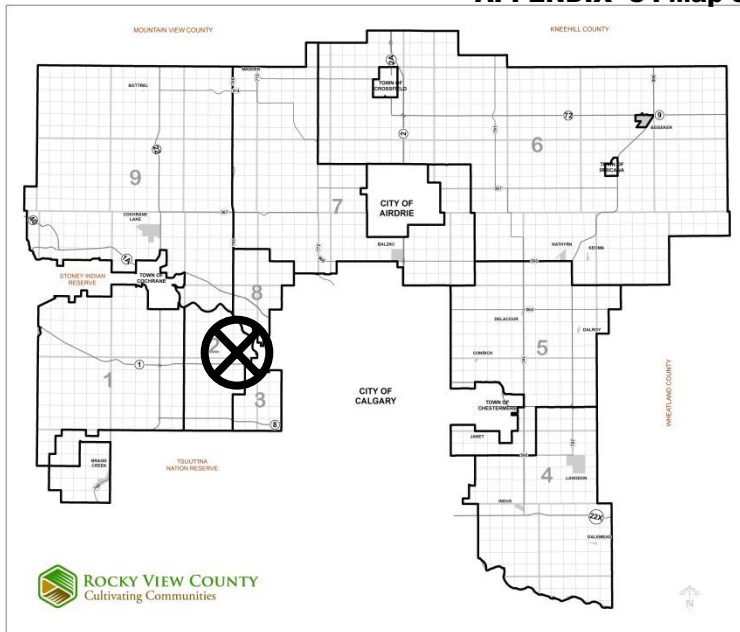
AGENCY	COMMENTS
	<p>1.98 acres but less than 3.95 acres the County requires the use of Packaged Sewage Treatment Plant on individual lots which meet the Bureau de Normalisation du Quebec (NBQ) standards for treatment and the requirements set out in Procedure 449”.</p> <ul style="list-style-type: none"> ○ Policy 449 recommends against the use of PSTS for lots less than 1.6 ha where the development density exceeds 60 proposed, conditionally approved or existing lots within a 600 m radius of the center of the proposed development that rely on PSTS. In this case, there are approximately 65 PSTS within the 600 m radius. ○ Based on parcel suitability assessment as per the Model Process Guidance Document, the report concludes the proposed new parcel is suitable for a PSTS. <ul style="list-style-type: none"> • As a condition of subdivision, the Owner shall enter into a Development Agreement (Site Improvements/Services Agreement) with the County to ensure construction of a Private Sewage Treatment System to the satisfaction of the County. • The Level 3 PSTS report acknowledged the existing septic field and tank separation distances from property lines, surface water, buildings, and rights of way are compliant with current standards. <p>Water Supply And Waterworks:</p> <ul style="list-style-type: none"> • The existing dwelling is currently serviced by the North Springbank Water Co-op. • The Owner has submitted confirmation from North Springbank Water Co-op that an adequate and continuous piped water supply is available for the proposed new lot; • The Owner has submitted documentation proving that water supply has been purchased and secured for the proposed lot; • As a condition of subdivision the Owner is required to provide confirmation of tie-in for connection to the North Springbank Water Co-op, an Alberta Environment licensed piped water supplier for the proposed lot. This includes providing information regarding: <ul style="list-style-type: none"> ○ Documentation proving that water supply infrastructure requirements including servicing to the property have been installed or installation is secured between the developer and water supplier, to the satisfaction of the water supplier and the County. <p>Storm Water Management:</p> <ul style="list-style-type: none"> • The applicant has submitted a conceptual Site Specific Storm Water Management Plan (SSIP) prepared by Sedulous Engineering, dated July 2017. The report was

AGENCY	COMMENTS
	<p>prepared in accordance with the Springbank Master Drainage Plan (MDP) prepared by MPE, dated April 26, 2016. The report concluded the site will conform to the MDP criteria. No change to site drainage is planned in the future.</p> <ul style="list-style-type: none"> As a condition of subdivision, an update to the July 2017 SSIP report prepared by Sedulous Engineering is required. The update is to include the minimum building opening elevation in the report. <ul style="list-style-type: none"> The post-development conditions simply include adding a house, garage and driveway area without altering the natural catchment area for this site (i.e. change existing drainage boundaries). The expected change in imperviousness will not result in an increase runoff which cannot be managed within the proposed lot. A low laying area has been identified on property where the site runoff is naturally directed. The report recommends runoff from the impervious areas to be directed to the undisturbed natural areas and no formal stormwater pond or other formal stormwater infrastructure is required on the Proposed Lot. As a condition of subdivision, if improvements are required, the Owner shall enter into a Development Agreement (Site Improvements/Services Agreement) agreement with the County to follow the recommendations outlined in the updated SSIP report. <p>Environmental</p> <ul style="list-style-type: none"> The County's Alberta's Merged Wetland Inventory shows that active wetland exist on the proposed lot. As a condition of subdivision, the Owner is required to submit an Environmental Screening (ES) letter prepared by a qualified biologist, in accordance with County Servicing Standards. As a condition of subdivision, if wetlands are impacted by the development, the applicant is responsible for obtaining and providing the necessary approvals from AEP prior to commencing work, however avoidance of any wetland disturbance is desirable.
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 Lot 1. If new approach required, Applicant to contact County Road Operations for Approach Application.



AGENCY	COMMENTS
Infrastructure and Operations – Utility Services	Confirmation required by North Springbank Water Supply Co-op. re: capacity agreement to supply water.

Circulation Period: January 22, 2018 to February 12, 2018



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

Date: Jan 19, 2018





Division # 2

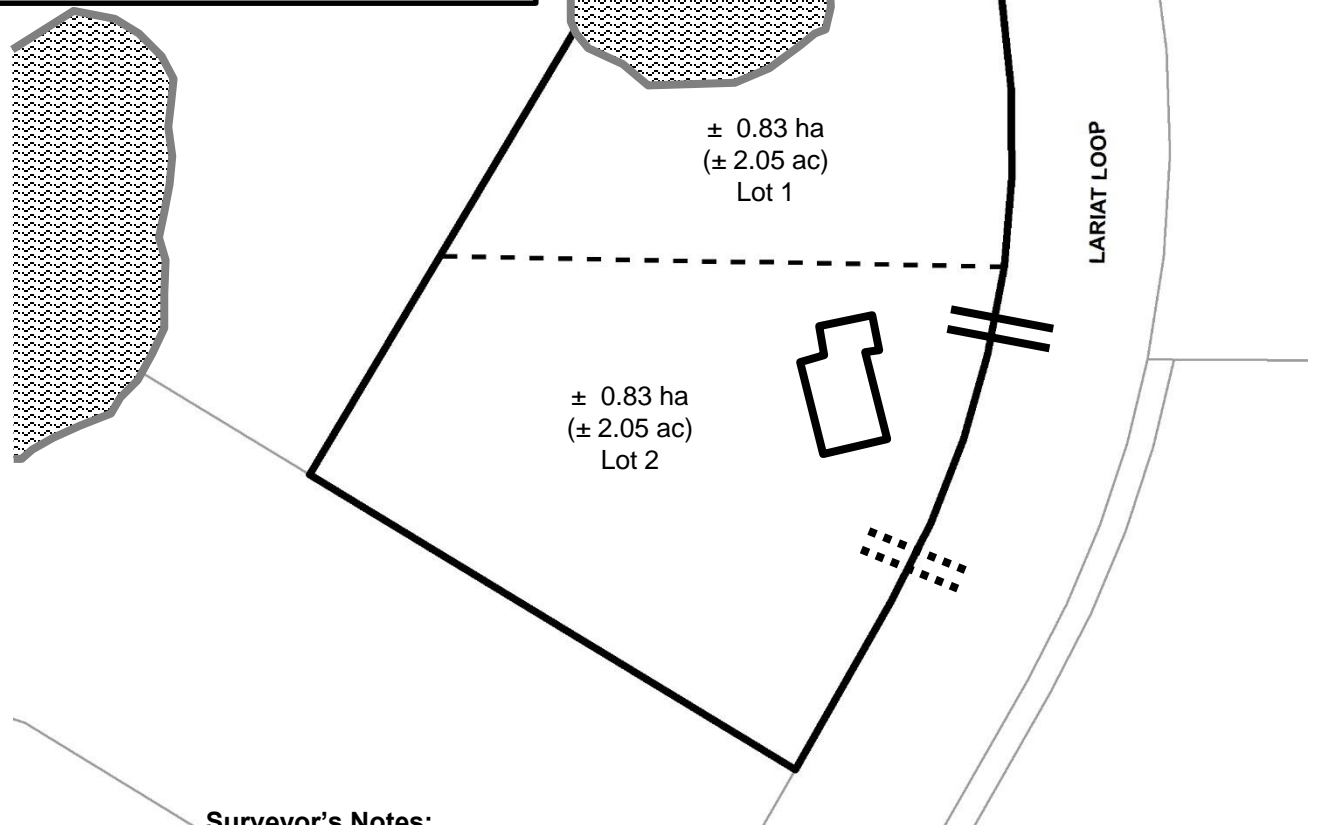
File: 05702033

AGENDA

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Subdivision Proposal: To create a ± 0.83 hectare (± 2.05 acre) parcel with a ± 0.83 hectare (± 2.05 acre) remainder.

Legend	
Structure	
Approach (to remain)	
Approach (to be upgraded)	
Wetland	



Surveyor's Notes:

1. Parcels must meet minimum size and setback requirements of Land Use Bylaw C-4841-97.
2. Refer to Notice of Transmittal for approval conditions related to this Tentative Plan.

TENTATIVE PLAN

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

Date: Jan 19, 2018

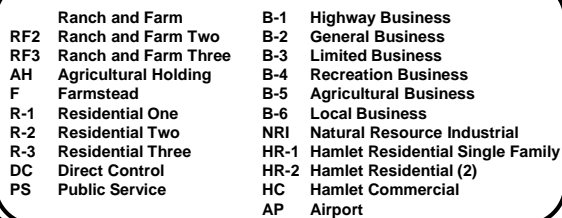
Division # 2

File: 05702033

AGENDA

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

TOPOGRAPHY

AGENDA



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

AIR PHOTO

Spring 2016

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

Date: Jan 19, 2018

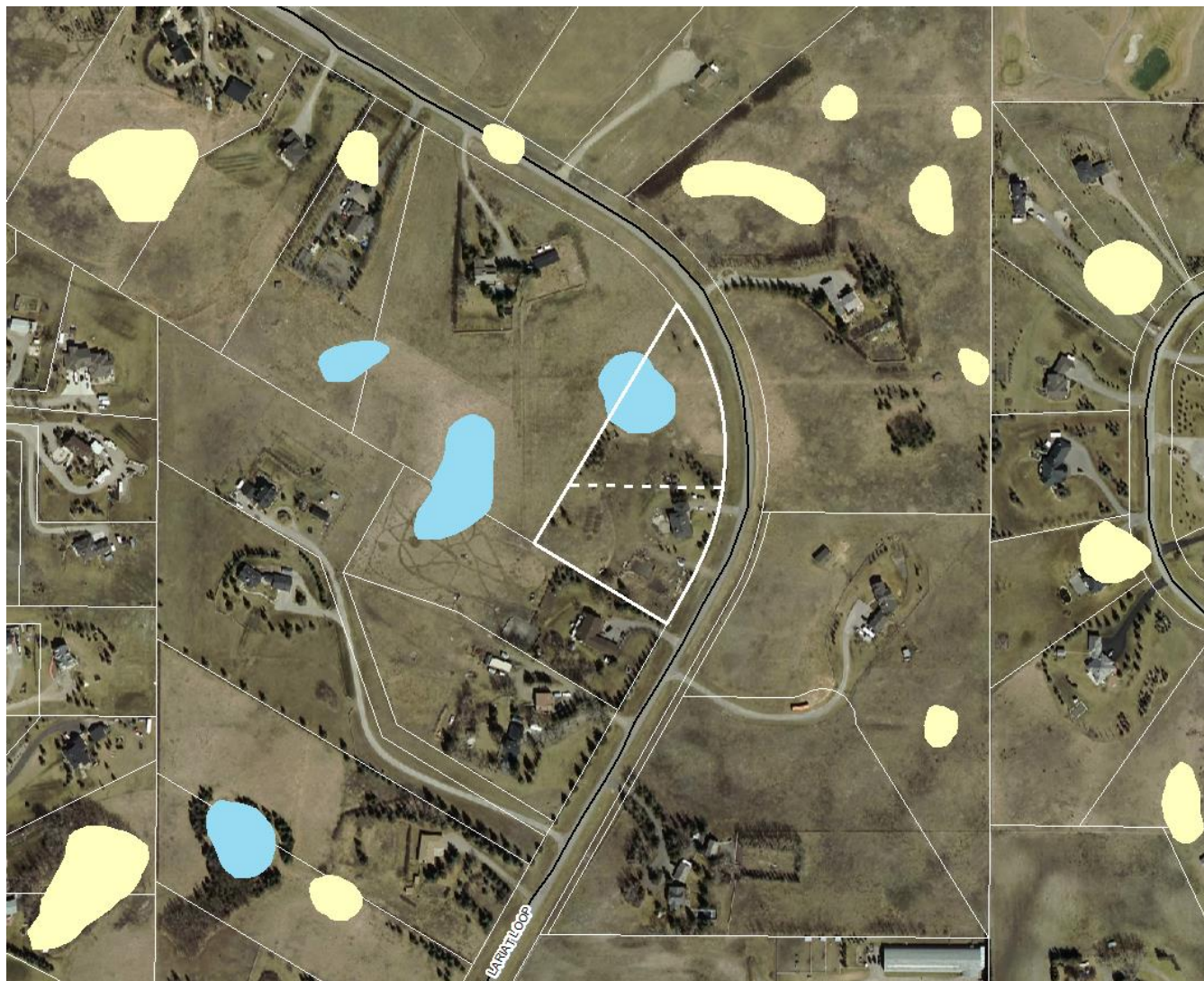
Division # 2

File: 05702033

AGENDA

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

WETLANDS

Spring 2016

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

Date: Jan 19, 2018

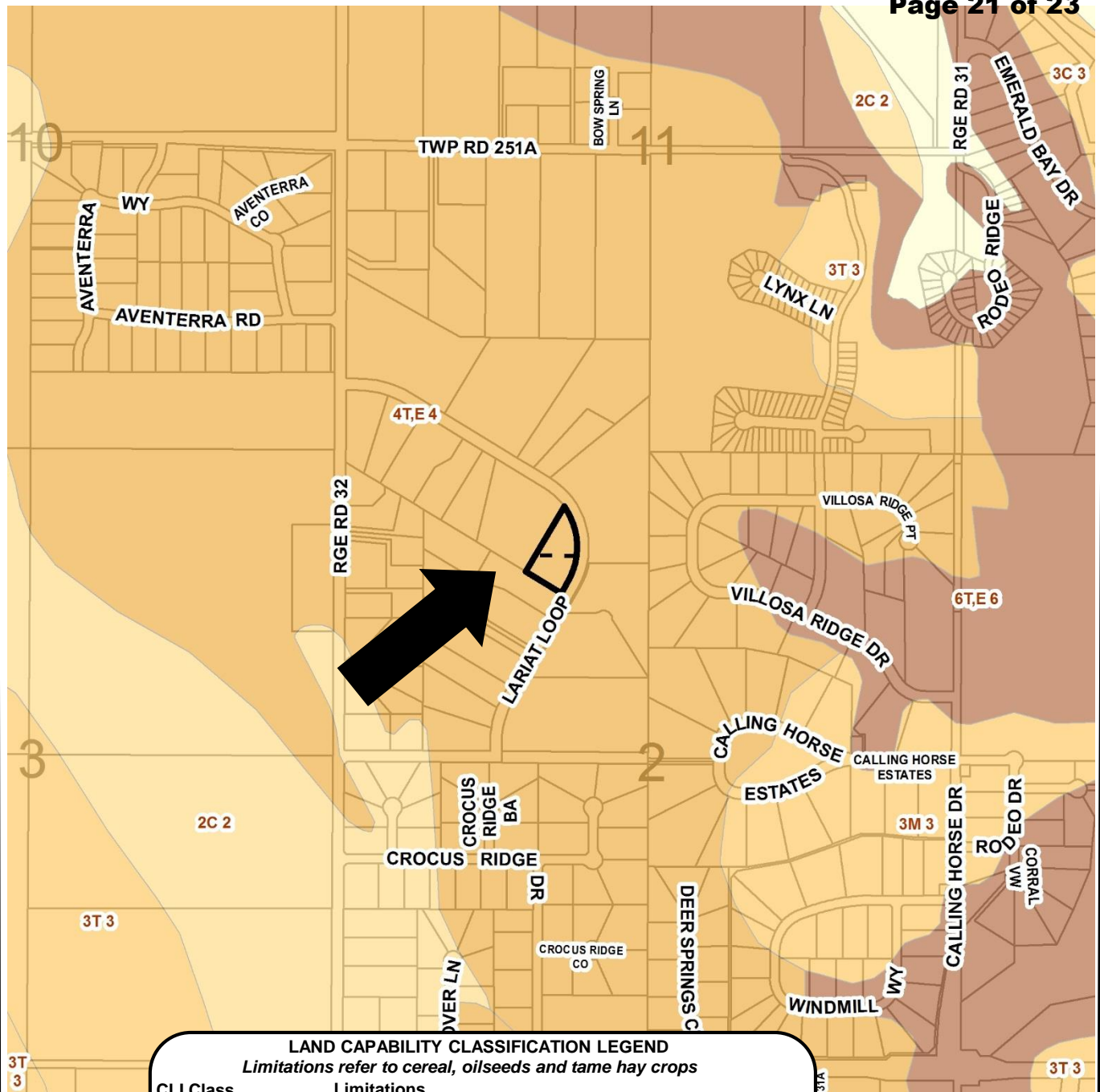
Division # 2

File: 05702033

AGENDA

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LAND CAPABILITY CLASSIFICATION LEGEND

Limitations refer to cereal, oilseeds and tame hay crops

CLI Class

- 1 - No significant limitation
- 2 - Slight limitations
- 3 - Moderate limitations
- 4 - Severe limitations
- 5 - Very severe limitations
- 6 - Production is not feasible
- 7 - No capability

Limitations

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

SOIL MAP

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

Date: Jan 19, 2018

Division # 2

File: 05702033

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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

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

Date: Jan 19, 2018Division # 2File: 05702033**AGENDA****Page 231 of 232**

