

# Council Meeting Agenda

January 8, 2019

9:00 a.m.



ROCKY VIEW COUNTY  
Cultivating Communities  
262075 ROCKY VIEW POINT  
ROCKY VIEW COUNTY, AB  
T4A 0X2

## CALL MEETING TO ORDER

## UPDATES/ACCEPTANCE OF AGENDA

### A CONFIRMATION OF MINUTES

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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 December 11, 2018 and December 18, 2018.

## MORNING APPOINTMENTS 10:00 A.M.

1. Division 8 – File: PL20170078 (06713003) – Bylaw C-7836-2018 – Conceptual Scheme Item – Bearspaw Heights Conceptual Scheme – New County Residential Community

Note: this item should be considered in conjunction with item C-2

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2. Division 8 – File: PL20170064 (06713003) – Bylaw C-7837-2018 – Redesignation Item – Residential Two District to Residential One District

Note: this item should be considered in conjunction with item C-1

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### D GENERAL BUSINESS

1. All Divisions – File: N/A – International Award – Gold Award of Excellence

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2. All Divisions – File: N/A – Board and Committee Amendments

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**3. Division 1 – File: 1011-534 – Terms of Reference – Bragg Creek Hamlet  
Expansion Strategy**

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**4. Divisions 8/9 – File: 1011-501 – Terms of Reference – Bearspaw Area  
Structure Plan Review**

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**5. All Divisions – File: N/A – Response to Notice of Motion – High-Speed Internet  
Servicing**

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**E BYLAWS**

**1. All Divisions – File: N/A – Bylaw C-7854-2018 – Subdivision Authority Bylaw**

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**F UNFINISHED BUSINESS**  
- None

**G COUNCIL REPORTS**

**H MANAGEMENT REPORTS**  
- None

**I NOTICES OF MOTION**

**1. Councillor Gautreau – Canada Post Mailing Address Changes**

Notice of Motion

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**J SUBDIVISION APPLICATIONS**

**1. Division 9 – File: PL20180115 (08815008) – Subdivision Item – Agricultural  
Holdings District**

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2. Division 7 – File: PL20180088 (06403002) – Subdivision Item – Direct Control District 99

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- K COMMITTEE OF THE WHOLE/IN CAMERA  
- None

ADJOURN THE MEETING

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A regular meeting of Rocky View County Council was held in the Council Chambers of the County Hall, 262075 Rocky View Point, Rocky View County, Alberta on December 11, 2018 commencing at 9:00 a.m.

Present:

Division 6	Reeve G. Boehlke
Division 4	Deputy Reeve A. Schule
Division 1	Councillor M. Kamachi
Division 2	Councillor K. McKylor
Division 3	Councillor K. Hanson
Division 5	Councillor J. Gautreau
Division 7	Councillor D. Henn
Division 8	Councillor S. Wright
Division 9	Councillor C. Kissel (left the meeting at 8:08 p.m.)

Also Present:

R. McDonald, Interim County Manager  
K. Robinson, Executive Director, Corporate Services  
B. Riemann, Executive Director, Operations  
S. Baers, Executive Director, Community Development Services  
G. Kaiser, Director, Marketing and Communications  
R. Barss, Manager, Intergovernmental Affairs  
C. Satink, Municipal Clerk, Municipal Clerk's Office  
M. Wilson, Manager, Planning and Development Services  
D. Hafichuk, Manager, Capital Project Management  
R. Smith, Manager, Fire Services  
B. Woods, Manager, Financial Services  
J. Fleischer, Manager, Agricultural and Environmental Services  
G. Nijjar, Acting Engineering Supervisor, Planning and Development Services  
J. Kirychuk, Planner, Planning and Development Services  
J. Anderson, Planner, Planning and Development Services  
X. Deng, Planner, Planning and Development Services  
L. Ganczar, Planner, Planning and Development Services  
J. Kwan, Planner, Planning and Development Services  
R. Innes, Emergency Management Coordinator, Emergency Management  
C. Graham, Municipal Lands Administrator, Legal and Land Administration  
J. Koole, Lead Solid Waste and Recycling Advisor, Utility Services  
C. Hawes, Community Peace Officer, Bylaw and Municipal Enforcement  
T. Andreasen, Legislative and Bylaw Coordinator, Municipal Clerk's Office

**Call to Order**

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

**1-18-12-11-01**

**Updates/Acceptance of Agenda**

MOVED by Councillor Deputy Reeve Schule that the December 11, 2018 Council meeting agenda be amended as follows:

- Add emergent in camera item K-2 – Matter Affecting Municipal Land
- Add emergent in camera item K-3 – Personnel Matter

Carried

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**1-18-12-11-02**  
**Confirmation of Minutes**

MOVED by Councillor Hanson that the November 27, 2018 Council meeting minutes be approved as presented.

Carried

**1-18-12-11-03 (B-1)**  
**All Divisions – 2019 Draft Operating and Capital Base Budget**  
**File: 2025-350**

The Chair called for a recess at 9:28 a.m. and called the meeting back to order at 9:33 a.m. with all previously mentioned members present.

MOVED by Deputy Reeve Schule that the 2019 Draft Operating and Capital Base Budget as attached be approved as per Attachment 'A'.

Carried

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

The Chair called for a recess at 9:48 a.m. and called the meeting back to order at 9:52 a.m. with all previously mentioned members present.

**MOTION ARISING:**

MOVED by Deputy Reeve Schule that Administration be directed to schedule future budget deliberations in open Council sessions, including open public input sessions and departmental budget presentations.

Carried

The Chair called for a recess at 9:53 a.m. and called the meeting back to order at 10:05 a.m. with all previously mentioned members present.

**1-18-12-11-04 (C-1)**  
**Division 1 – Bylaw C-7842-2018 – Redesignation Item – New or Distinct Agricultural Use – Ranch and Farm District to Ranch and Farm Three District**  
**File: PL20180099 (05818002)**

MOVED by Councillor Kamachi that the public hearing for item C-1 be opened at 10:05 a.m.

Carried

Person(s) who presented: Larry Konschuk, Konschuk Consulting, Applicant

MOVED by Councillor McKylor that the late letter for item C-1 be accepted.

Carried

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Person(s) who spoke in favour: Lindsay Eklund, Owner of the subject lands

MOVED by Councillor Kamachi that the additional letters for item C-1 be accepted.

Carried

Person(s) who spoke in opposition: Gloria Wilkinson

Person(s) who spoke in rebuttal: Lindsay Eklund, Owner of the subject lands

MOVED by Councillor Kamachi that the public hearing for item C-1 be closed at 10:47 a.m.

Carried

MOVED by Councillor Kamachi that Council sets aside Section 8.18 of the County Plan.

Carried

In Favour:

Councillor Kamachi  
Councillor McKylor  
Councillor Hanson  
Reeve Boehlke  
Deputy Reeve Schule  
Councillor Henn

Opposed:

Councillor Gautreau  
Councillor Wright  
Councillor Kissel

MOVED by Councillor Kamachi that Bylaw C-7842-2018 be given first reading.

Carried

In Favour:

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

Opposed:

Councillor Wright  
Councillor Kissel

MOVED by Councillor Henn that Bylaw C-7842-2018 be given second reading.

Carried

MOVED by Deputy Reeve Schule that Bylaw C-7842-2018 be considered for third reading.

Carried

MOVED by Councillor Kamachi that Bylaw C-7842-2018 be given third and final reading.

Carried

The Chair called for a recess at 10:51 a.m. and called the meeting back to order at 11:00 a.m. with all previously mentioned members present.

**1-18-12-11-05 (C-2)**

**Division 4 – Bylaw C-7737-2017 – Redesignation Item Fragmented Country Residential – Agricultural Holdings District to Residential Two District – Outside of an Area Structure Plan**

**File: PL20170100 (03305007)**

MOVED by Deputy Reeve Schule that the public hearing for item C-2 be opened at 11:00. a.m.

Carried

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MOVED by Deputy Reeve Schule that the late letters for item C-2 be accepted.

Carried

Person(s) who presented: Paul Schneider, 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 Schule that the public hearing for item C-2 be closed at 11:08 a.m.

Carried

MOVED by Deputy Reeve Schule that Bylaw C-7737-2017 be given second reading.

Carried

MOVED by Deputy Reeve Schule that Bylaw C-7737-2017 be given third and final reading.

Carried

**1-18-12-11-10 (D-1)**

**All Divisions – Appointment of the Chief Administrative Officer**

**File: N/A**

**TABLING MOTION:**

MOVED by Councillor Hanson that item D-1 be tabled.

Lost

**In Favour:**

Councillor Hanson  
Councillor Gautreau  
Councillor Wright  
Councillor Kissel

**Opposed:**

Councillor Kamachi  
Councillor McKylor  
Reeve Boehlke  
Deputy Reeve Schule  
Councillor Henn

MOVED by Deputy Reeve Schule that in accordance with section 206 of the *Municipal Government Act*, Al Hoggan be appointed as the Chief Administrative Officer of Rocky View County effective December 17, 2018 and that the Reeve be authorized to sign an employment contract as negotiated.

Carried

**In Favour:**

Councillor Kamachi  
Councillor McKylor  
Reeve Boehlke  
Deputy Reeve Schule  
Councillor Henn

**Opposed:**

Councillor Hanson  
Councillor Gautreau  
Councillor Wright  
Councillor Kissel

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**1-18-12-11-26 (J-4)**

**Division 2 – Subdivision Item – Residential Two District**

**File: PL20180138 (04723003)**

MOVED by Councillor McKylor that the applicant be allowed to address Council on item J-4.

Carried

In Favour:

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

Opposed:

Councillor Hanson  
Reeve Boehlke

The applicant, Ryan Buckley, proceeded to address Council on the proposed conditions of approval for subdivision application PL2018038.

MOVED by Councillor McKylor that condition 8, Transportation Off-Site Levy, be amended to read as follows:

- 8) The Applicant/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:
  - a) From the total gross acreage of Lot 1 to be subdivided as shown on the Plan of Survey.
  - b) That the payment of Transportation Off-Site Levy on Lot 2 as shown on the Plan of Survey be deferred.

Carried

MOVED by Councillor McKylor that Subdivision Application PL20180138 be approved with the conditions noted in Appendix 'A' as amended:

- A. The application to create a  $\pm 1.62$  hectare ( $\pm 4.00$  acre) parcel with a  $\pm 2.43$  hectare ( $\pm 6.00$  acre) remainder within Lot 5, Plan 9111699, NW-23-24-03-W05M, has been evaluated in terms of Section 654 of the *Municipal Government Act* and Section 7 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 the Statutory Policy;
  - 2) The subject lands hold the appropriate land use designation;
  - 3) The technical aspects of the subdivision proposal have been considered and are further addressed through the conditional approval requirements.
- B. The Applicant/Owner is required, at their expense, to complete all conditions attached to and forming part of this conditional subdivision approval prior to Rocky View County (the County) authorizing final subdivision endorsement. This requires submitting all documentation required to demonstrate each specific condition has been met, or agreements (and necessary securities) have been provided to ensure the conditions will be met, in accordance with all County Policies, Standards, and Procedures, to the satisfaction of the County, and any other additional party named within a specific condition. Technical reports required to be submitted as part of the conditions must be prepared by a qualified professional, licensed to practice in the province of Alberta, within the appropriate field of practice. The conditions of this subdivision approval do not absolve an Applicant/Owner from ensuring all permits, licenses, or approvals required by Federal, Provincial, or other jurisdictions are obtained.



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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 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 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 a notice that those lands are intended for the future development as a County road, as per the approved Tentative Plan. The Agreement shall include:
  - a) The provision of a 12.5 m wide road acquisition along the panhandle of Lot 1; and
  - b) Land is to be purchased for \$1 by the County.
- 3) The Applicant/Owner is to enter into a Restrictive Covenant, to be registered by Caveat prepared by the County, on the title of Lot 2 that restricts the erection of any structure on or within 15.0 metres of a future road Right of Way, as shown on the approved Tentative Plan.

*Stormwater/Developability*

- 4) The Applicant/Owner is to provide and implement a Site Specific Stormwater Management Plan that meets the requirements of the County Servicing Standards and Springbank Master Drainage Plan. Implementation of the Stormwater Management Plan shall include:
  - a) A Site Improvements / Services Agreement or Development 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; and
  - d) Provision of necessary Alberta Environment and Parks registration documentation and approvals for the stormwater infrastructure system.

*Site Servicing*

- 5) Water is to be supplied by an individual well on Lot 1. The subdivision shall not be endorsed until:
  - a) An Aquifer Testing (Phase II) Report is provided, which is to include aquifer testing and the locations of the wells on each lot; and
  - b) The results of the aquifer testing meet the requirements of the *Water Act*; if they do not, the subdivision shall not be endorsed or registered.
- 6) The Applicant/Owner is to enter into a Deferred Services Agreement with the County to be registered on title for each proposed Lot, indicating:
  - a) Requirements for each future Lot Owner to connect to County piped water, wastewater, and stormwater systems at their cost when such services become available;
  - b) Requirements for decommissioning and reclamation once County servicing becomes available.

*Payments and Levies*

- 7) The Applicant/Owner shall pay the County subdivision endorsement fee in accordance with the *Master Rates Bylaw* for the creation of one (1) new Lot.

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- 8) The Applicant/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:
    - a) From the total gross acreage of Lot 1 to be subdivided as shown on the Plan of Survey.
    - b) That the payment of Transportation Off-Site Levy on Lot 2 as shown on the Plan of Survey be deferred.

*Taxes*

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

**D. SUBDIVISION AUTHORITY DIRECTION:**

- 1) Prior to final endorsement of the subdivision, the Planning Department is directed to present the Applicant/Owners with a Voluntary Recreation Contribution Form and ask them if they will contribute to the Fund in accordance with the contributions prescribed in the *Master Rates Bylaw*.

Carried

**1-18-12-11-11 (D-2)**

**All Divisions – Springbank Off-Stream Reservoir Report**

**File: N/A**

MOVED by Councillor Kamachi that Morten Paulson be allowed to address Council on item D-2.

Carried

In Favour:

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

Opposed:

Reeve Boehlke

Morton Paulson ceded his presentation to Lee Drewry, who proceeded to address Council on the Springbank Off-Stream Reservoir project.

**MAIN MOTION:**

MOVED by Councillor Hanson that Council prepare a letter to the Government of Alberta stating that the County cannot support the SR1 project and request a halt to the SR1 process so that all options can be equally be considered for the reasons detailed in the Springbank Off-Stream Reservoir Report of December 11, 2018.

**AMENDING MOTION:**

MOVED by Deputy Reeve Schule that the main motion be amended as follows:

THAT Council prepare a letter to the Government of Alberta stating that the County cannot support the SR1 project **in its current stage** and request a halt to the SR1 process so that all options can be equally be considered for the reasons detailed in the Springbank Off-Stream Reservoir Report of December 11, 2018.

Carried

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In Favour:

Councillor Hanson  
Deputy Reeve Schule  
Councillor Henn  
Councillor Wright  
Councillor Kissel

Opposed:

Councillor Kamachi  
Councillor McKylor  
Councillor Gautreau  
Reeve Boehlke

The Chair called for a vote on the main motion as amended.

MAIN MOTION AS AMENDED:

MOVED by Councillor Hanson that Council prepare a letter to the Government of Alberta stating that the County cannot support the SR1 project in its current stage and request a halt to the SR1 process so that all options can be equally considered for the reasons detailed in the Springbank Off-Stream Reservoir Report of December 11, 2018.

Carried

**1-18-12-11-27 (K-1)**

**Division 4 – In Camera Item – Budget Adjustment for Langdon Fire Hall Project**

**File: RVC2018-24**

**1-18-12-11-28 (K-2)**

**All Divisions – Emergent In Camera Item – Matter Affecting Municipal Land**

**File: RVC2018-25**

**1-18-12-11-29 (K-3)**

**All Divisions – Emergent In Camera Item – Personnel Matter**

**File: N/A**

MOVED by Councillor Henn that Council move in camera at 12:45 p.m. to consider the following in camera items:

- K-1 – Langdon Fire Hall Budget Adjustment
- K-2 – Matter Affecting Municipal Land (Emergent Item)
- K-3 – Personnel Matter (Emergent Item)

Pursuant to the following sections of the *Freedom of Information and Protection of Privacy Act*:

- Section 17 – Disclosure harmful to personal privacy
- Section 24 – Advice from officials
- Section 25 – Disclosure harmful to economic and other interests of a public body

Carried

Council held the in camera session for in camera item K-1 and emergent in camera item K-2 with the following people in attendance to provide a report and advice to Council:

Rocky View County: R. McDonald, Interim County Manager  
K. Robinson, Executive Director, Corporate Services  
B. Riemann, Executive Director, Operations  
S. Baers, Executive Director, Community Development Services  
G. Kaiser, Director, Marketing and Communications

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D. Hafichuk, Manager, Capital Projects Management  
R. Smith, Manager, Fire Services  
C. Graham, Municipal Lands Administrator, Legal and Land Administration

Council held the in camera session for emergent in camera item K-3 with the following people in attendance to provide advice to Council:

Rocky View County: R. McDonald, Interim County Manager  
K. Robinson, Executive Director, Corporate Services  
B. Riemann, Executive Director, Operations  
S. Baers, Executive Director, Community Development Services  
G. Kaiser, Director, Marketing and Communications

MOVED by Deputy Reeve Schule that Council move out of in camera 1:46 p.m.

Carried

MOVED by Deputy Reeve Schule that the 2018 Capital Budget be amended as described in Attachment 'A' to provide \$5,100,000 for the completion of Langdon Fire Hall Project;

AND that Administration be directed to submit an application to the Province for that funding under the Municipal Sustainability Initiative.

Carried

MOVED by Councillor Henn that Administration be directed to negotiate, subject to Council approval, a purchase sale agreement for the disposal of the former County office located at 911 – 32nd Avenue NE, Calgary, Alberta.

Carried

MOVED by Councillor Wright that Administration be directed to seek further legal advice on the personnel matter discussed in camera.

Carried

**1-18-12-11-06 (C-3)**

**Division 5 – Bylaw C-7834-2018 – Amendment to the Delacour Community Area Structure Plan**  
**File: PL20180055 (05219012/002)**

**1-18-12-11-07 (C-4)**

**Division 5 – Bylaw C-7833-2018 – Conceptual Scheme Item – Fairways at Delacour Conceptual Scheme**  
**File: PL20150148 (05219002/03/05/06/10/11/12/13/14)**

MOVED by Councillor Gautreau that the public hearing for items C-3 and C-4 be opened concurrently at 1:48 p.m.

Carried

Person(s) who presented: Bob Westcott, Westcott Consulting Group, Applicant

Person(s) who spoke in favour: Steph Brundige

Person(s) who spoke in opposition: Matthew McElroy

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MOVED by Councillor Gautreau that the late letter for item C-3 and C-4 be accepted.

Carried

In Favour:

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

Opposed:

Reeve Boehlke

The Chair called for a recess at 2:36 p.m. and called the meeting back to order at 2:42 p.m. with all previously mentioned members present.

Person(s) who spoke in rebuttal:        Bob Westcott, Westcott Consulting Group, Applicant

MOVED by Councillor Gautreau that the public hearing for items C-3 and C-4 be closed at 2:55 p.m.

Carried

MOVED by Councillor Gautreau that Bylaw C-7834-2018 be given first reading.

Carried

MOVED by Councillor McKylor that Bylaw C-7834-2018 be given second reading.

Carried

MOVED by Deputy Reeve Schule that Bylaw C-7834-2018 be considered for third reading.

Carried

MOVED by Councillor Gautreau that Bylaw C-7834-2018 be given third and final reading.

Carried

MOVED by Councillor Gautreau that Bylaw C-7833-2018 be given first reading.

Carried

MOVED by Deputy Reeve Schule that Bylaw C-7833-2018 be given second reading.

Carried

MOVED by Councillor Henn that Bylaw C-7833-2018 be considered for third reading.

Carried

MOVED by Councillor Gautreau that Bylaw C-7833-2018 be given third and final reading.

Carried

**1-18-12-11-08 (C-5)**

**Division 7 – Bylaw C-7838-2018 – Redesignation Item – Ranch and Farm District to Direct Control District**

**File: PL20180072 (07320007)**

MOVED by Councillor Henn that the public hearing for item C-5 be opened at 2:59 p.m.

Carried

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Person(s) who presented: Lindsey Cybulskie, Thorlakson Nature's Call  
Jared Kassel, Dillon Consulting, Applicant

The Chair called for a recess at 3:26 p.m. and called the meeting back to order at 3:38 p.m. with all previously mentioned members present.

Person(s) who presented: Milton Scott, Manager, Thorlakson Nature's Call  
Keith Barnes, Dillon Consulting, Applicant

Person(s) who spoke in favour: Christy Lyon  
Bill Mowet  
Boyd English  
Wendy Wenaas  
Scott Kitt  
Lora Tilley  
William Buchanan  
Brenda Moon  
Kier Scott  
Penny Longworth  
Rich Vesta  
Larry Korschuk

The Chair called for a recess at 4:27 p.m. and called the meeting back to order at 4:36 p.m. with all previously mentioned members present.

MOVED by Councillor Gautreau that the meeting proceed past 5:00 p.m.

Carried

Person(s) who spoke in opposition: Dennis Gieck, on behalf a petition  
Tracy Sweetapple  
Shawn Sweetapple, on behalf of the Ingstrom, Tanner-Deluse, and  
Bare families  
Maurice Titley, on behalf of Jim Brigam  
Shelly Titley

The Chair called for a recess at 5:29 p.m. and called the meeting back to order at 5:39 p.m. with all previously mentioned members present.

Person(s) who spoke in opposition: Lori Harnack, on behalf of John Harnack and Robyn Jones  
Audrey Sluggett  
Stefan Johansson, on behalf of Lizeth Delgadillo, Richard Bailey,  
Dennis Custead, and Gloria Custead  
Tara Lambie  
Chris Lambie  
Darlene Atkinson

MOVED by Councillor Henn that the late letters for item C-5 be accepted.

Carried

The Chair called for a recess at 6:18 p.m. and called the meeting back to order at 6:35 p.m. with all previously mentioned members present.

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Person(s) who spoke in rebuttal: Lindsey Cybulskie, Thorlakson Nature's Call  
Dana Cofell, Dillon Consulting, Applicant  
Milton Scott, Manager, Thorlakson Nature's Call

MOVED by Councillor Henn that the public hearing for item C-5 be closed at 7:02 a.m.

Carried

The Chair called for a recess at 7:04 p.m. and called the meeting back to order at 7:31 p.m. with all previously mentioned members present.

MOVED by Councillor Henn that section 1.4 of Bylaw C-7838-2018 be amended as follows:

- 1.4 ~~The Development Authority~~ **Council is the Development Authority and** shall consider and decide on applications for Development Permits for all uses listed by this Bylaw provided the provisions of Section 2 and 3 herein are completed in form and substance, satisfactory to the Municipality.

Carried

MOVED by Councillor Henn that Bylaw C-7838-2018 be amended by adding a new section 1.7 with the following wording:

- 1.7 The Development Authority may limit the term of a development permit issued for any uses listed in this Bylaw to one year.
- a) At the discretion of the *Development Authority*, a development permit may be issued for a period not exceeding three years if the following conditions have been met:
- i. The use is applying for a renewal of its development permit;
  - ii. The use has met the requirements of this Bylaw and the conditions of its development permit; and
  - iii. There are no active Bylaw Enforcement orders related to the use.

Carried

MOVED by Councillor Henn that Part 2 of Bylaw C-7838-2018 be amended by adding the following definition:

Compost Facility, Type II – means a waste management facility where only vegetative matter, food waste, and/or manure is collected and decomposed, but does not include a manure storage facility as defined in the *Agricultural Operation Practices Act*.

Carried

MOVED by Councillor Henn that Bylaw C-7838-2018 be amended by adding a new section 3.9 with the following wording:

- 3.9 At the time of Development Permit application for a *Compost Facility, Type II* and *Manure Storage Facility*, the Applicant/Owner shall submit an Air Quality and Odour Assessment and an Air Quality Management System to the satisfaction of the Development Authority.

Carried

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MOVED by Councillor Henn that Bylaw C-7838-2018 be amended by adding a new section 3.10 with the following wording:

- 3.10 The Development Authority may determine at the time of Development Permit renewal that a *Compost Facility, Type II* must be operated as an indoor facility.

Carried

MOVED by Councillor Henn that Bylaw C-7838-2018 be amended by adding a new section 3.11 with the following wording:

- 3.11 At the time of Development Permit application for a *Compost Facility, Type II* and *Manure Storage Facility*, the Applicant/Owner shall implement improvements at the intersection of Range Road 284 and Highway 567 to the satisfaction of the Development Authority and Alberta Transportation.

Carried

MOVED by Councillor Henn that Bylaw C-7838-2018 be given first reading as amended.

Carried

MOVED by Councillor Gautreau that Bylaw C-7838-2018 be given second reading as amended.

Carried

MOVED by Deputy Reeve Schule that Bylaw C-7838-2018 be considered for third reading as amended.

Carried

MOVED by Councillor Henn that Bylaw C-7838-2018 be given third and final reading as amended.

Carried

**1-18-12-11-09 (C-6)**

**Division 5 – Bylaw C-7809-2018 – Redesignation Item – Residential Two District to Business – Highway Frontage District Outside of a Business Area**  
**File: PL20170102 (05322016)**

MOVED by Councillor Gautreau that the public hearing for item C-6 be opened at 8:07 p.m.

Carried

Councillor Hanson and Councillor Kissel left the meeting at 8:08 p.m.

Councillor Kissel did not return to the meeting. Councillor Hanson returned to the meeting at 8:10 p.m.

Person(s) who presented: Tom Stepper, on behalf of the Applicant  
Sal Handel

Person(s) who spoke in favour: None

Person(s) who spoke in opposition: Muneer Gilani  
Meb Gilani  
Wade Campbell

Person(s) who spoke in rebuttal: Tom Stepper, on behalf of the Applicant



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MOVED by Councillor Gautreau that the public hearing for item C-6 be closed at 8:52 p.m.

Carried  
Absent: Councillor Kissel

MOVED by Councillor Gautreau that application PL20170102 be refused.

Carried  
Absent: Councillor Kissel

The Chair called for a recess at 8:56 p.m. and called the meeting back to order at 9:02 p.m. with all previously mentioned members present with the exception of Councillor Kissel.

**1-18-12-11-23 (J-1)**

**Division 9 – Subdivision Item - First Parcel Out**

**File: PL20180067 (08902003)**

MOVED by Councillor Wright that Subdivision Application PL20180067 be approved with the conditions noted in Appendix 'A':

- A. That the application to create a  $\pm$  8.09 hectare ( $\pm$  20.0 acre) parcel with a 56.66 hectare ( $\pm$  140.00 acre) remainder parcel from within SE-1/4-02-28-5-W05M has been evaluated in terms of Section 653 and 654 of the *Municipal Government Act* and Sections 4,5, and 7 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 the County Plan;
  - 2) The subject lands hold the appropriate land use designation;
  - 3) The technical aspects of the subdivision proposal have been considered, and there are no technical limitations to the proposal.
- 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 is approved subject to the following conditions of approval:

*Plan of Subdivision*

- 1) Subdivision to be effected by a Plan of Survey, pursuant to Section 657 of the *Municipal Government Act*, or such other means satisfactory to the Registrar of the South Alberta Land Titles District.
- 2) The Owner is to dedicate, by Plan of Survey, a  $\pm$ 5.25 m wide portion of land for road widening along the southern boundary of the entire southerly boundary of the site.

*Payments and Levies*

- 3) The Owner shall pay the County subdivision endorsement fee in accordance with the *Master Rates Bylaw* for the creation of one new Lot.

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

D. SUBDIVISION AUTHORITY DIRECTION:

- 1) Prior to final endorsement of the Subdivision, the Planning Department is directed to present the 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  
Absent: Councillor Kissel

**1-18-12-11-24 (J-2)**

**Division 3 – Subdivision Item - Residential One District**  
**File: PL20180049 (04711031)**

MOVED by Councillor Hanson that the applicant be allowed to address Council on item J-2.

Carried  
Absent: Councillor Kissel

In Favour:

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

Opposed:

Councillor Hanson

The applicant, Kevin Peterson, proceeded to address Council on the proposed conditions of approval for subdivision application PL20180049.

MOVED by Councillor Hanson that condition 10, Transportation Off-Site Levy, in Appendix 'A' be amended to read as follows:

- 10) The Owner shall pay the Transportation Off-Site Levy in accordance with Bylaw C-7356-2014. The County shall calculate the total amount owing.
  - a) From the total gross acreage of Lot 1 to be subdivided as shown on the Plan of Survey; and
  - b) That payment of the Transportation Off-Site Levy on Lot 2 to be subdivided as shown on the Plan of Survey be deferred.

Carried  
Absent: Councillor Kissel

MOVED by Councillor Hanson that Subdivision Application PL20180049 be approved with the conditions noted in Appendix 'A' as amended:

- A. That the application to create an ± 0.82 hectare (± 2.02 acre) parcel (Lot 1) with a ± 1.37 hectare (± 3.39 acre) remainder (Lot 2) from Lot 1, Block 1, Plan 0611520 within NW-11-24-03-W05M has been evaluated in terms of Section 654 of the *Municipal Government Act* and Section 7 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:

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- 1) The application is consistent with the Central Springbank Area Structure Plan;
  - 2) The subject lands hold the appropriate land use designation; and,
  - 3) The technical aspects of the subdivision proposal were considered, and there are no technical limitations to the proposal.
- 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 is approved subject to the following conditions of approval:

*Plan of Subdivision*

- 1) Subdivision is to be effected by a Plan of Survey, pursuant to Section 657 of the *Municipal Government Act*, or such other means satisfactory to the Registrar of the South Alberta Land Titles District.
- 2) The Owner is to provide a Site Plan, prepared by an Alberta Land Surveyor, which illustrates the following in relation to the new property lines:
  - a) The Site Plan is to confirm that all existing private sewage treatment systems are located within the boundaries of Lot 2, in accordance with the The Alberta Private Sewage Systems Standard of Practice 2009.

*Development Agreement – Site Improvements/Services Agreement*

- 3) The Owner is to enter into a Development Agreement (Site Improvements / Services Agreement) with the County and shall:
  - a) Be in accordance with the Level 3 Private Sewage Treatment Systems (PSTS) Assessment of Site Suitability of Lot 1, Block 1, Plan 0611520 prepared by Sedulous Engineering for the construction of a packaged Private Sewage Treatment System; and
  - b) Be in accordance with the Slope Stability Assessment (Revision 3) prepared by e2K Engineering Ltd.

*Transportation and Access*

- 4) The Owner shall construct a new paved approach on Grandview Rise in order to provide access to Lot 1. If a mutual approach is constructed, the Owner shall:
  - a) Provide an access right of way plan; and
  - b) Prepare and register respective easements on each title, where required, with those lots using the access route, and then be required to join the Homeowner's Association.
- 5) The Applicant/Owner shall enter into an Access Easement Agreement with the adjacent landowner at Lot 3, Block 1, Plan 9510791, within SW-14-24-3-W5M to provide access to Lot 2 only, as per the approved Tentative Plan, which shall include:
  - a) Registration of the applicable access right-of-way plan.

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*Water Servicing*

- 6) The Owner is to provide confirmation of tie-in for connection to the Westridge Utility System, 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 has been purchased for proposed Lot 1;
  - b) Documentation proving that all necessary water infrastructure is installed.

*Erosion and Sediment Control Plan*

- 7) The Owner is to provide a Sediment Control Plan.

*Stormwater Conditions*

- 8) The Owner is to provide and implement a Site Specific Stormwater Management Plan, which meets the requirements outlined in the Springbank Master Drainage Plan.:
  - a) Should the (Site Specific) Stormwater Management Plan indicate that improvements are required, the Applicant/Owner shall enter into a Development Agreement (Site Improvements/Services Agreement) with the County;
  - b) Provision of necessary Alberta Environment and Parks registration documentation and approvals for the stormwater infrastructure system.

*Municipal Reserves*

- 9) The provision of Reserve in the amount of 10 percent of the area of Lots 1 and 2, as determined by the Plan of Survey, is to be provided by payment of cash-in-lieu in accordance with the per acre value as listed in the land appraisal (R Home Appraisals, File 18106047 dated October 25, 2018), pursuant to Section 666(3) of the *Municipal Government Act*:

*Payments and Levies*

- 10) The Owner shall pay the Transportation Off-Site Levy in accordance with Bylaw C-7356-2014. The County shall calculate the total amount owing.
  - a) From the total gross acreage of Lot 1 to be subdivided as shown on the Plan of Survey; and
  - b) That payment of the Transportation Off-Site Levy on Lot 2 to be subdivided as shown on the Plan of Survey be deferred.
- 11) The Owner shall pay the County subdivision endorsement fee, in accordance with the *Master Rates Bylaw*, for the creation of one new Lot.

*Homeowners Association*

- 12) The Owner shall legally amend the existing Homeowners' Association (HOA), and an encumbrance or instrument shall be concurrently registered against the title of each new lot created (Lot 1), requiring that each individual Lot Owner is a member of the Home Owners' or Lot Owners' Association:
  - a) The HOA agreement shall specify the future maintenance obligations of the Homeowners' Association for on-site pathways and community landscaping, residential solid waste collection at minimum.

*Taxes*

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

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D. SUBDIVISION AUTHORITY DIRECTION:

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

Carried  
Absent: Councillor Kissel

**1-18-12-11-25 (J-3)**

**Division 9 – Subdivision Item – Residential Two District**

**File: PL20180041 (06801009)**

MOVED by Councillor Wright that the applicant be allowed to address Council on item J-3.

Carried  
Absent: Councillor Kissel

The applicant, Larry Kenschuk, proceeded to address Council on the proposed conditions of approval for subdivision application PL20180041.

MOVED by Councillor Wright that condition 10, Transportation Off-Site Levy, in Appendix 'A' be amended to read as follows:

- 10) The Applicant/Owner shall pay the Transportation Off-Site Levy in accordance with the Transportation Off-Site Bylaw C-7356-2014. The County shall calculate the total owing:
  - a) From the total gross acreage of Lot 2 as shown on the Plan of Survey.

Carried  
Absent: Councillor Kissel

The Chair called for a recess at 9:37 p.m. and called the meeting back to order at 9:39 p.m. with all previously mentioned members present with the exception of Councillor Kissel.

MOVED by Councillor Wright that condition 5 be removed from Appendix 'A' and that a new condition 6(d) be added with the following wording:

- 6(d) The construction of a cistern to supply potable water.

Carried  
Absent: Councillor Kissel

MOVED by Councillor Wright that Subdivision Application PL20180041 be approved with the conditions listed in Appendix 'A' as amended:

- A. The application to create a ± 4.66 hectare (11.51 acre) parcel with a ± 2.53 hectare (6.24 acre) remainder within NW-1/4-01-26-04-W5M, 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 subject lands hold the appropriate land use designation;
- 2) The technical aspects of the subdivision proposal have been considered and are further addressed through the conditional approval requirements.

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- B. The Applicant/Owner is required, at their expense, to complete all conditions attached to and forming part of this conditional subdivision approval prior to Rocky View County (the County) authorizing final subdivision endorsement. This requires submitting all documentation required to demonstrate each specific condition has been met, or agreements (and necessary securities) have been provided to ensure the conditions will be met, in accordance with all County Policies, Standards, and Procedures, to the satisfaction of the County, and any other additional party named within a specific condition. Technical reports required to be submitted as part of the conditions must be prepared by a qualified professional, licensed to practice in the province of Alberta within the appropriate field of practice. The conditions of this subdivision approval do not absolve an Applicant/Owner from ensuring all permits, licenses, or approvals required by Federal, Provincial, or other jurisdictions are obtained.
- C. Further, in accordance with Section 654 and 655 of the *Municipal Government Act*, the application shall be approved subject to the following conditions of approval:

*Plan of Survey*

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

*Transportation and Access*

- 2) The Owner shall construct a new mutual, paved approach off Big Hill Road in order to provide access to Lot 1 and Lot 2. The Owner shall:
  - a) Provide an access right of way plan; and
  - b) Prepare and register respective easements on each title, where required.
- 3) The Applicant/Owner will be required to complete site grading to achieve the maximum permissible slope of 8% for the future driveway, in accordance with the Alberta Building Code (ABC) Section 3.2.5.6. The Applicant is required to submit a site grading plan as well as cut and fill plans as per Section 203.1 and 203.2 of the Servicing Standards. These plans shall be reviewed by a geotechnical engineer to confirm they are in accordance with the recommendations made in the Slope Stability Assessment report dated August 9;

*Servicing*

- 4) The Owner is to provide and implement a Site Specific Stormwater Management Plan that meets the requirements of the County Servicing Standards. Implementation of the Stormwater Management Plan shall include:
  - a) Registration of any required easements and / or utility rights-of-way;
  - b) Provision of necessary approvals and compensation to Alberta Environment and Parks for wetland loss and mitigation;
  - c) Provision of necessary Alberta Environment and Parks registration documentation and approvals for the stormwater infrastructure system;
- 5) Should the Site Specific Stormwater Management Plan indicate that improvements are required, the Applicant/Owner shall enter into a Development Agreement (Site Improvements/Services Agreement) with the County.
- 6) The Owner is to enter into a Development Agreement (Site Improvements Servicing Agreement) pursuant to Section 655 of the *Municipal Government Act* and shall include the following:
  - a) The construction of a packaged sewage treatment system that meets the requirements of the Bureau de Normalisation de Quebec (BNQ) and the recommendations of the Level II PSTS report

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- prepared by Almor Testing Services Ltd, dated July 25, 2018, including the placement of the system to a maximum depth of 0.9 m below grade.
- b) The recommendations included in the Shallow Subsoil and Groundwater Site Investigation report prepared by Almor Testing, date June 2017.
  - c) The Development Agreement (Site Improvements Servicing Agreement) shall be in accordance with the recommendations in the Slope Stability Assessment prepared by Rangeland Conservation Service Ltd. dated August 9, 2017.
  - d) The construction of a cistern to supply potable water.
- 7) The Owner shall enter into a Deferred Services Agreement with the County to be registered on title for Lot 1 and Lot 2 indicating the following:
- a) Each future Lot Owner is required to connect to County piped water, wastewater, and stormwater systems at their cost when such services become available;

*Developability*

- 8) The Owner shall discharge the existing restrictive covenant on title that limits residential development to the northernmost 450 feet on the property, and shall replace it with a new restrictive covenant that addresses the recommendations of the Slope Stability Assessment dated August 9, 2017.

*Payments and Levies*

- 9) The Applicant/Owner shall pay the County Subdivision Endorsement fee, in accordance with the *Master Rates Bylaw*, for the creation of one (1) new lot.
- 10) The Applicant/Owner shall pay the Transportation Off-Site Levy in accordance with the Transportation Off-Site Bylaw C-7356-2014. The County shall calculate the total owing:
  - a) From the total gross acreage of Lot 2 as shown on the Plan of Survey.

*Taxes*

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

**D. SUBDIVISION AUTHORITY DIRECTION:**

- 1) Prior to final endorsement of the subdivision, the Planning Department is directed to present the Applicant/Owners with a Voluntary Recreation Contribution Form and ask them if they will contribute to the Fund in accordance with the contributions prescribed in the *Master Rates Bylaw*.

Carried  
Absent: Councillor Kissel

**1-18-12-11-12 (D-3)**

**All Divisions – Regional Resilience Program Approval**

**File: N/A**

MOVED by Councillor Hanson that the Regional Resilience Program be approved and Administration be directed to continue working on the funding application process with the Canadian Red Cross as per Attachment 'A'.

Carried  
Absent: Councillor Kissel

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**1-18-12-11-13 (D-4)**  
**All Divisions – 2018 Emergency Services Budget Adjustment**  
**File: N/A**

MOVED by Councillor Gautreau that the emergency services budget adjustment be approved as per Attachment 'A'.

Carried  
Absent: Councillor Kissel

**1-18-12-11-14 (D-5)**  
**All Divisions – Appointment of Deputy Directors of Emergency Management**  
**File: N/A**

MOVED by Councillor Hanson that Executive Director of Community Development Services, Sherry Baers, and Emergency Management Coordinator, Rebecca Innes, be appointed as Deputy Directors of Emergency Management.

Carried  
Absent: Councillor Kissel

**1-18-12-11-15 (D-6)**  
**Division 5 – Dalroy U.F.A. Association Emergency Funding Request**  
**File: 6060-600**

MOVED by Councillor Gautreau that the Dalroy U.F.A. Association's emergency request for \$1,343.88 to assist with replacing the north furnace at Dalroy Hall be approved from the Rocky View East Recreation District in the Public Reserve.

Carried  
Absent: Councillor Kissel

**1-18-12-11-16 (D-7)**  
**Division 9 – Cochrane and District Agricultural Society Emergency Funding Request**  
**File: 6060-500**

MOVED by Councillor Wright that emergency funding in the amount of \$9,650.00 be approved for the Cochrane and District Agricultural Society's emergency request to assist with repairing the CDAS indoor riding arena roof from the Ranch Lands Recreation District in the Public Reserve.

Carried  
Absent: Councillor Kissel

**1-18-12-11-17 (D-8)**  
**All Divisions – Terms of Reference – County Plan Amendments**  
**File: 1013-135**

MOVED by Deputy Reeve Schule that item D-8 be tabled until the January 22, 2019 Council meeting.

Carried  
Absent: Councillor Kissel



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**1-18-12-11-18 (D-9)**

**Division 1 – Update on Banded Peak Schools Wastewater System Connection**

**File: 5045-100/5045-275**

MOVED by Councillor Kamachi that all connection fees described in the *Master Rates Bylaw* for connecting Banded Peak School to the Bragg Creek Wastewater System be collected as described.

Carried  
Absent: Councillor Kissel

**1-18-12-11-19 (D-10)**

**Division 1 – Budget Adjustment for Highway 758 and Highway 22 Improvements**

**File: 5045-100/5045-275**

MOVED by Councillor Kamachi that the 2018 Operating Budget be amended as described in Attachment 'C' to provide \$180,000 for the completion of "Engineering Assessment and Design Validation for Intersection Improvements for Highways 758 and 22."

Carried  
Absent: Councillor Kissel

**1-18-12-11-20 (D-11)**

**Division 6 – Proposed Speed Limit Change on Highway 2A and Highway 72 from Highway 2 to Crossfield**

**File: N/A**

MOVED by Deputy Reeve Schule that Rocky View County not issue a letter of support regarding the proposed speed limit change.

Carried  
Absent: Councillor Kissel

**1-18-12-11-22 (I-2)**

**All Divisions – Notice of Motion – Councillor Wright and Councillor Hanson – High-Speed Internet Servicing for all Rocky View County Residents**

**File: N/A**

Notice of Motion: Read in at the December 11, 2018 Council Meeting  
To be debated at the January 8, 2019 Council Meeting

Title: High-Speed Internet Servicing for all Rocky View County Residents

Presented By: Councillor Samantha Wright, Division 8  
Councillor Kevin Hanson, Division 3

WHEREAS Internet access serves as more than just a convenience: it is an essential means by which citizens, businesses, and institutions access information, offer services, and create opportunities that could otherwise be out of reach;

AND WHEREAS 2 million Canadians cannot access a reliable internet connection;

AND WHEREAS 13% of rural households with Internet cannot even access 5 Mbps download speeds;

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- 
- AND WHEREAS 39% of rural communities report no access to download speeds between 25-50 Mbps;
- AND WHEREAS 78% of households cannot access 50 Mbps downloads – the Canadian Radio-Television and Telecommunications Commission’s (CRTC) basic service objective;
- AND WHEREAS The Federal Government has pledged \$500 million by 2021 through its Connect to Innovate program to ensure that rural and remote communities across Canada are well positioned to take advantage of the opportunities afforded by the digital age;
- AND WHEREAS the CRTC has created a \$750 million Broadband Fund to support projects to build or upgrade infrastructure to provide fixed and mobile wireless broadband Internet service to underserved Canadians;
- AND WHEREAS Some Rocky View residents may be viewed as non-rural due to their proximity to the city and through a flawed CRTC analysis and boundary design;

THEREFORE, BE IT RESOLVED THAT Rocky View County seek to provide all County residents with access to high-speed internet servicing of 50 Mbps or greater for downloads by 2021;

AND THAT Rocky View County engage in detailed analysis of County residents’ internet servicing and explore all available funding streams to provide Rocky View with best available internet servicing;

AND THAT Rocky View County ensure that broadband connectivity is supplied into Area Structure Plans with the same vital consideration given to electricity, storm water, potable water, and sewage infrastructure;

AND THAT Rocky View County explore options that eliminate the gap for last-mile connectivity;

AND THAT Rocky View County establish itself as a recognized leader of rural communities in internet service provision.

**1-18-12-11-21 (I-1)**

**All Divisions – Notice of Motion – Councillor Gautreau – Canada Post Mailing Address Changes**

**File: N/A**

MOVED by Councillor Gautreau that item I-1 be tabled until the January 22, 2019 Council meeting.

Carried  
Absent: Councillor Kissel

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**Adjournment**

MOVED by Deputy Reeve Schule that the December 11, 2018 Council meeting be adjourned at 10:22 p.m.

Carried

Absent: Councillor Kissel

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Reeve or Deputy Reeve

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Chief Administrative Officer or Designate



## PLANNING & DEVELOPMENT SERVICES

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**TO:** Council

**DATE:** January 8, 2019 **DIVISION:** 8

**TIME:** Morning Appointment

**FILE:** 06713003 **APPLICATION:** PL20170078

**SUBJECT:** Conceptual Scheme – Bearspaw Heights Conceptual Scheme – New County Residential Community.  
 Note: This application should be considered in conjunction with redesignation application PL20170064 (agenda item C-2).

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### <sup>1</sup> POLICY DIRECTION:

The application was evaluated against the policies found within the County Plan and Bearspaw Area Structure Plan (BASP), and was found to be compliant:

- The proposal is consistent with the policies of the County Plan;
- The proposal is consistent with both the overall intent and the Country Residential Land Use policies in section 8.0 of the BASP;
- The proposal meets the requirements for conceptual scheme submissions as outlined in policy 8.0 of the BASP;
- The proposal is consistent with Phasing Policies in section 7.0 of the BASP;
- The proposal is consistent with the associated land use application; and
- The Owner/Applicant demonstrated that the technical aspects of the proposal are feasible, and would provide and implement detailed design at the subdivision stage.

### EXECUTIVE SUMMARY:

The purpose of this application is to adopt the Bearspaw Heights Conceptual Scheme (BHCS) to provide a policy framework to guide the development of an eight-lot country residential community on the subject lands. The BHCS was submitted in conjunction with redesignation application PL20170064, to redesignate the subject lands from Residential Two District to Residential One District, in accordance with the policies of the BASP. This application also proposes to amend the BASP by appending the Conceptual Scheme to Section 10.0.

The lands are currently developed with a dwelling and associated accessory buildings. Access is provided from an existing approach off Bearspaw Road, which would be removed, and a new internal subdivision road would service the proposed eight lots. The lands are located in an area of the County that is primarily country residential to the north, west, and south, and agricultural to the east.

This report focuses primarily on the technical aspects of the proposal, including all development related considerations, while the report to consider the associated land use application focuses on the compatibility with the relevant statutory plans. As directed by the BASP, the BHCS provides for a comprehensive overview of the proposed development, addressing matters such as transportation, servicing, stormwater, reserves, and development on adjacent lands.

Potable water is proposed to be supplied to the new lots by Rocky View Water Co-op, and the Applicant/Owner demonstrated that capacity is available for the lots.

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

Jessica Anderson, Planning & Development Services  
 Gurbir Nijjar, Planning & Development Services

With respect to wastewater, the Applicant/Owner proposes to install Private Septic Systems. In accordance with County Policy 449, as the lots are less than four acres in size and the development density exceeds the 60 existing/conditionally approved parcels in a 600 m radius of the subject lands, the Applicant/Owner would be required to install an advanced wastewater treatment system.

The Applicant/Owner also addressed stormwater issues, submitting a conceptual level Stormwater Management Plan, and committed to providing a comprehensive plan at the time of subdivision approval. The stormwater concept consists of the use of a centralized stormwater management pond south of the proposed internal road that accepts stormwater flows from the proposed development and lands to the south.

Administration determined that the application meets policy.

**DATE APPLICATION RECEIVED:** April 26, 2017  
**DATE DEEMED COMPLETE:** November 15, 2018

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**PROPOSAL:** To adopt the Bearspaw Heights Conceptual Scheme to provide a policy framework to guide the development of a new country residential community, and to amend the Bearspaw Area Structure Plan by appending the Conceptual Scheme to Section 10.0.

**LEGAL DESCRIPTION:** Block 7, Plan 1501 LK within SE-13-26-03-W05M

**GENERAL LOCATION:** Located approximately 0.41 kilometers (1/4 mile) north of Township Road 262 and on the west side of Bearspaw Road, 3.0 miles northwest of the city of Calgary.

**APPLICANT:** Carswell Planning

**OWNERS:** Alexander Kurteev

**EXISTING LAND USE DESIGNATION:** Residential Two District

**PROPOSED LAND USE DESIGNATION:** Residential One District

**GROSS AREA:** ± 7.98 hectares (± 19.73 acres)

**SOILS (C.L.I. from A.R.C.):** **3C, 3** – Moderate limitations due to adverse climate.

**PUBLIC & AGENCY SUBMISSIONS:**

This proposal was circulated to ninety four (94) adjacent landowners; seven letters in opposition and seven letters in support were received in response and are attached to the corresponding redesignation report (PL20170064 Appendix 'D'). The application was also circulated to a number of internal and external agencies, and those responses are available in Appendix 'A'.

**HISTORY:**

January 18, 1994 The Bearspaw Area Structure Plan was adopted by Council.

January 29, 1973 Plan 1501LK was registered, creating eight lots including the subject ± 7.98 hectare (± 19.73 acre) parcel.

**BACKGROUND:**

In accordance with the policies of the BASP, the BHCS, which provides the supporting rationale and details for redesignation and subdivision of a new residential community in Bearspaw, was submitted with a redesignation application (PL20170064) to provide a policy framework to guide the future subdivision and development of the community. Application PL20170064 addresses the redesignation of the subject

lands from Residential Two District to Residential One District, to allow for the eventual subdivision of eight new 0.80 hectare (1.98 acre) residential lots.

### **CONCEPTUAL SCHEME OVERVIEW:**

As directed by the BASP, the BHCS provides for a comprehensive overview of the proposed development, addressing matters such as a description of the lands, proposed uses, parcel size and density considerations, transportation, servicing, and relevant environmental considerations.

#### Existing Lands

The subject land is undulating with drainage towards the northeast corner of the site. A preliminary Wetland Assessment was completed in 2014, which identified a small wetland within the southern portion of the lot. The presence of the wetland has been taken into account for planning, lot configuration, wastewater servicing, and stormwater management.

The lands are located in an area of the County that is primarily country residential to the north, west, and south, and agricultural to the east.

#### Shadow Plan

The proposed BHCS includes a shadow plan to address how development might proceed on adjacent lands within the quarter section. As the adjacent landowners did not participate in the preparation of the proposed plan, a shadow planning exercise was undertaken to confirm that the proposed development would not impede development on adjacent lands. The shadow plan demonstrates that there is limited development potential to the north and south, and that lands to the west may successfully gain access from Poplar Hill Drive.

#### Proposed Land Use Concept

The proposed BHCS incorporates the subject  $\pm 7.98$  hectares ( $\pm 19.73$  acres) as a comprehensive development for redesignation and subdivision into eight parcels with an internal road. The parcels are proposed to range in size from 0.79 hectares (1.94 acres) to 0.80 hectares (1.98 acres). The minimum parcel size for the Residential One District is 0.80 hectares (1.98 acres). Council may consider the creation of undersized parcels at the time of subdivision in accordance with the *Municipal Government Act* section 654 (2). The BHCS includes flexibility within the land use policies should undersized parcels be proposed at the subdivision stage. A Public Utility Lot, approximately 0.76 hectares (1.88 acres) in size, is also proposed to be dedicated.

#### Municipal Reserve

The Recreation, Parks and Community Support department and the Bears paw Glendale Recreation Board recommend taking cash-in-lieu for all reserves owing, as this location has not been identified for future Municipal Reserve acquisition to support public park, open space, pathway or trail development as indicated in Policy 5.4.1 and 5.4.2 of the proposed BHCS.

#### Transportation and Access

The parcel is currently served by an approach off Bears paw Road. This access would be replaced with a paved internal subdivision road to serve the proposed eight new lots. A Traffic Impact Study was completed, which concluded that the proposed development would not have an appreciable impact on the existing road network, and that no off-site improvements are required. Bears paw Road is identified as part of the County's Long Range Transportation Network Road as a Network A road requiring a future Right-of-Way of 36 m. The existing Right-of-Way adjacent to the subject lands is approximately 20 m. As a condition of future subdivision, the Applicant/Owner would be required to dedicate a 5.0 m strip of land along the entire easterly boundary of subject lands, and a 3.0 m strip by Caveat. In addition, as a condition of future subdivision, the Applicant/Owner would be required to provide

payment of the Transportation Offsite Levy in accordance with applicable levy at time of Subdivision approval, as amended, for the total gross acreage of the lands proposed to be subdivided.

- In accordance with the current bylaw, the estimated levy payment to be collected at time of subdivision amounts to \$92,000 (19.73 acres \* \$4595 per acre = \$92,000.00).

### Stormwater Management

The stormwater management concept for the proposed development consists of the use of a centralized stormwater management pond south of the proposed internal road that accepts stormwater flows from the proposed development and lands to the south. The pond is to have a controlled release at the allowable rate prescribed in the Bearspaw-Glenbow Master Drainage Plan via an outlet/overflow pipe that is to be installed along the internal road and west ditch of Bearspaw Road. The proposed pond outlet is located in an effective drainage area in the Bearspaw-Glenbow Master Drainage Plan, as the flows are to enter into a tributary of West Nose Creek. Planning & Development Services (Engineering) reviewed the report and has no further concerns at this time.

A detailed Stormwater Management Plan would be required at the subdivision stage in accordance with County Servicing Standards and the Bearspaw – Glenbow Master Drainage Plan. As well, the Applicant/Owner would be required to obtain the necessary Alberta Environment and Parks approvals at the subdivision stage.

### Utilities

Potable water would be supplied to the new lots by Rocky View Water Co-op through the extension of the services currently running along the west side of Bearspaw Road. The Applicant has demonstrated that capacity is available for the proposed lots. Securing all final obligations for the provision of water through the utility would occur at the subdivision stage.

With respect to wastewater, the Applicant proposes to install Private Septic Systems. In accordance with County Policy 449, as the lots are less than four acres in size and the development density exceeds the 60 existing/conditionally approved parcels in a 600 m radius of the subject lands, the County supports the use of advanced wastewater treatment systems. The Applicant submitted a Level III PSTS Assessment (2017), which indicates the lands would be well suited to support private septic systems.

At the future subdivision stage, as a condition of approval, a Deferred Services Agreement would be required to be registered against each new certificate of title (parcel) created requiring the owner to tie into stormwater and wastewater services when they become available.

### **BEARSPAW ASP AMENDMENT:**

As per section 8.1.12 of the BASP, all Conceptual Schemes shall be adopted by amendment to the BASP. The attached bylaw would add the "Bearspaw Meadows Conceptual Scheme" to section 10.0 Concept Plans. No further amendments are required to facilitate this development.

### **CONCLUSION:**

The lands are located within the policy area of the County Plan and Bearspaw Area Structure Plan (BASP), and the application was evaluated in accordance with these plans. Administration reviewed the proposal and determined that the proposed conceptual scheme provides a framework for subsequent planning stages and is consistent with the relevant higher-level plans.

**OPTIONS:**

- Option #1:    Motion #1    THAT Bylaw C-7836-2018 be given first reading.
- Motion #2    THAT Bylaw C-7836-2018 be given second reading.
- Motion #3    THAT Bylaw C-7836-2018 be considered for third reading.
- Motion #4    THAT Bylaw C-7836-2018 be given third and final reading.
- Option #2:    THAT Application PL20170078 be refused.

Respectfully submitted,

Concurrence,

“Sherry Baers”

“Al Hoggan”

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Executive Director  
Community Development Services

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Chief Administrative Officer

JA/rp

**APPENDICES:**

- APPENDIX ‘A’: Application Referrals
- APPENDIX ‘B’: Bylaw C-7836-2018 and Schedules A & B (Bears paw Heights Conceptual Scheme)
- APPENDIX ‘C’: Map Set



**APPENDIX A: APPLICATION REFERRALS**

<b>AGENCY</b>	<b>COMMENTS</b>
<i>School Authority</i>	
Rocky View Schools	No comments provided.
Calgary Catholic School District	Please note that Calgary Catholic School District (CCSD) has no objection to the above noted circulation (PL2017-0064) in Bears paw. As per the circulation, MR dedication would be anticipated at the subdivision stage.
Public Francophone Education	No comments provided.
Catholic Francophone Education	No comments provided.
<i>Province of Alberta</i>	
Alberta Environment	No comments provided.
Alberta Transportation	No comments provided.
Alberta Sustainable Development (Public Lands)	No comments provided.
Alberta Culture and Community Spirit (Historical Resources)	No comments provided.
Energy Resources Conservation Board	No comments provided.
Alberta Health Services	<p>Based on the information provided, AHS has no objections to the application. We provide the following comments for your consideration:</p> <ol style="list-style-type: none"> <li>1. The property must be maintained in accordance with the Alberta Public Health Act, Nuisance and General Sanitation Guideline 251/2001, which stipulates: <i>No person shall create, commit or maintain a nuisance. A person who creates, commits or maintains any condition that is or might become injurious or dangerous to the public health or that might hinder in any manner the prevention or suppression of disease is deemed to have created, committed or maintained a nuisance.</i></li> <li>2. AHS supports connection to the Rocky View Water Co-op system, as it is an Alberta Environment and Parks approved regional drinking water system.</li> <li>3. Any existing water wells on the subject site, if no longer used, must be decommissioned according to Alberta Environment and Parks standards and regulations.</li> </ol>

AGENCY	COMMENTS
	<p>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.</p> <p>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. AHS supports the conceptual scheme's assertion that "additional Geotechnical Evaluations including percolation and near surface water table testing confirming suitability for on-site septic field sewage treatment systems shall be required, as a condition of subdivision approval."</p> <p>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.</p> <p>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.</p>
<i>Public Utility</i>	
ATCO Gas	See letter attached.
ATCO Pipelines	ATCO PIPELINES has no objection.
AltaLink Management	No comments provided.
FortisAlberta	No comments provided.
Telus Communications	<p>We understand that application has been made for a redesignation/ proposed development over the abovementioned land.</p> <p>Please accept this letter advising TELUS Communications Inc. has <b>no objections</b> to the current land owner proceeding with this application.</p> <p>It is the land owner's responsibility to ensure they contact Alberta One-Call to ensure no facilities will be disrupted. If at any time TELUS facilities are disrupted, it will be at the sole cost of the land owner.</p>
TransAlta Utilities Ltd.	No comments provided.
Rockyview Gas Co-op Ltd.	No comments provided.

<b>AGENCY</b>	<b>COMMENTS</b>
<i>Other External Agencies</i>	
EnCana Corporation	No comments provided.
City of Calgary	No comments provided.
<i>Rocky View County Boards and Committees</i>	
ASB Farm Members and Agricultural Fieldmen	No comments provided.
Bears paw Glendale Recreation Board	The Bears paw Glendale Recreation District Board had no comments on this circulation.
<i>Internal Departments</i>	
Recreation, Parks and Community Support	<p>Upon review of the Bears paw Heights redesignation application and Conceptual Scheme; the Recreation, Parks and Community Support office recommends the following:</p> <ul style="list-style-type: none"> <li>• As this location has not been identified for future Municipal Reserve acquisition to support public park, open space, pathway or trail development, it is recommended to take cash in lieu for all reserves owing as indicated in Policy 5.4.3; and</li> <li>• Land identified which is suitable for environmental preservation shall be protected via dedication of an Environmental Reserve Easement on private lands as indicated in Policy 5.5.1.</li> </ul>
Development Authority	No comments provided.
GIS Solutions	Please ensure that a road naming application is listed as a condition of subdivision at subdivision stage.
Building Services	No comments provided.
Bylaw and Municipal Enforcement	No comments.
Fire Services	No comments.
Planning & Development Services (Engineering)	<p><b>General:</b></p> <ul style="list-style-type: none"> <li>• As a condition of future subdivision, the Owner is required to enter into a Development Agreement with the County pursuant to Section 655 of the Municipal Government Act respecting provision of the following: <ul style="list-style-type: none"> <li>○ Construction of internal public road to a Country Residential standard (400.4) complete with a cul-de-sac</li> </ul> </li> </ul>

AGENCY	COMMENTS
	<p>and paved approaches to each parcel;</p> <ul style="list-style-type: none"> <li>o Removal and reclamation of the existing approach off of Bears paw Road:               <ul style="list-style-type: none"> <li>a) Mailbox locations are to be located in consultation with Canada Post to the satisfaction of the Municipality;</li> <li>b) Water to be supplied through a water distribution system in accordance with the Rocky View County Servicing Standards as approved by Council as amended;</li> <li>c) The Owner is to provide for the implementation and construction of stormwater facilities, if any, in accordance with the recommendations of an approved Stormwater Management Plan and the registration of any overland drainage easements and/or restrictive covenants as determined by the Stormwater Management Plan, all to the satisfaction of Alberta Environment and the County;</li> <li>d) Installation of power, natural gas, and telephone lines;</li> </ul> </li> <li>• As a condition of future subdivision, the applicant will be required to provide a construction management plan providing procedures for noise mitigation measures, traffic accommodation, sedimentation and dust control, management of stormwater during construction, erosion and weed control, construction practices, waste management, firefighting procedures, evacuation plan, hazardous material containment and all other relevant construction management details;</li> <li>• As a condition of future 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 with all necessary utility providers to the satisfaction of the County.</li> </ul> <p><b>Geotechnical:</b></p> <ul style="list-style-type: none"> <li>• Engineering has no requirements at this time;</li> <li>• As a condition of future subdivision, the applicant shall engage the services of a qualified Geotechnical Engineering Consultant to conduct an onsite geotechnical investigation to evaluate the soil characteristics, make recommendations for pavement structure design of the internal road, make storm pond liner recommendations, measure existing groundwater conditions and provide all other relevant geotechnical information for the proposed development to the satisfaction of the County.</li> </ul> <p><b>Transportation</b></p> <ul style="list-style-type: none"> <li>• The applicant submitted a Traffic Impact Letter prepared by</li> </ul>

AGENCY	COMMENTS
	<p>Bunt and Associates dated December 8, 2016. The letter reviewed the conditions of Township Road 262 and Bearspaw Road and the intersection Township Road 262 and Bearspaw Road. Based on the letter no improvements are necessary at the intersection. ES has no further concerns at this time;</p> <ul style="list-style-type: none"> <li>• Bearspaw Road has been identified as part of the County's Long Range Transportation Network Road as a Network A road requiring a future Right-of-Way of 36m. The existing ROW adjacent to the subject lands is approximately 20m. As a condition of future subdivision, the Owner will be required to dedicate, by Plan of Survey, a +/- 5.0m strip of land as road ROW along entire easterly boundary of subject lands and +/- 3.0m strip by Caveat;</li> <li>• As a condition of future subdivision, the applicant will be required to provide payment of the Transportation Offsite Levy in accordance with applicable levy at time of Subdivision approval, as amended, for the total gross acreage of the lands proposed to be subdivided. The estimated levy payment owed at time of subdivision endorsement is \$90,660 (Base = \$4,595/ac x 19.73 ac = \$90,660).</li> </ul>
	<p><b>Sanitary/Waste Water</b></p> <ul style="list-style-type: none"> <li>• The applicant submitted a Level III PSTS Assessment prepared by Groundwater Information Technologies Ltd dated February 2017. The Assessment concludes that the site soils are suitable to support a PSTS however, as the assessment was completed in February 2017 during winter conditions and deep frost penetration within the lands, some of the surface soils could not be reliably assessed for soil structure. Should the application be approved, Engineering recommends the report be updated to confirm the soil structure of the subject lands prior to proceeding with subdivision;</li> <li>• In accordance with County Policy 449, as the proposed subdivision will result in the creation of lots less than 4 acres and the development density exceeds 60 proposed, conditionally approved, or existing lots within a 600m radius of the center of the proposed development, the County will not permit the use of standard PSTS to support the development, but will require a Decentralized or Regional Wastewater Treatment System. As the connection to a Decentralized or Regional Wastewater Treatment System is not possible, a Packaged Sewage Treatment Plant must be used for each newly created lot along with a deferred servicing agreement for future requirement of connection to a decentralized or regional system once available. For lot sizes less than R1 zoning (1.98 Acres), the County does</li> </ul>

AGENCY	COMMENTS
	<p>not support the use of any type PSTS;</p> <ul style="list-style-type: none"> <li>• As a condition of future subdivision, the applicant will be required to enter into a Site Improvements Services Agreement with the County for the construction of Packaged Sewage Treatment Systems Packaged Sewage Treatment Plant on the individual lots which meet the Bureau de Normalisation du Quebec (BNQ) standards for treatment quality;</li> <li>• At time of future subdivision, the applicant shall submit a Level 1 Variation Assessment Report for the existing residence on the +/- 10.5 acre lot. The assessment shall comment on the existing system, clearly indicating the required clearance distances by providing a site map and comment on the suitability and general operations;</li> <li>• As a condition of future subdivision, a Deferred Services Agreement shall be registered against each new certificate of title (parcel) created as a condition of approval, requiring the owner to tie into municipal wastewater and storm services when they become available.</li> </ul> <p><b>Water Supply And Waterworks</b></p> <ul style="list-style-type: none"> <li>• The applicant submitted a memo from the Rocky View Water Co-Op dated August 18, 2014, indicating that the Co-op has the ability to service the proposed development via an existing line along the West side of Bearspaw Road;</li> <li>• As a condition of future subdivision, the applicant is required to provide confirmation from the Water service provider stating that: <ul style="list-style-type: none"> <li>○ The applicant has completed all paperwork for water supply allocation;</li> <li>○ The applicant has paid all necessary fees for the purchase of required capacity units for subdivision;</li> <li>○ The utility has allocated and reserved the necessary capacity;</li> <li>○ The obligations of the applicant and/or utility to bring water lines to the subdivision area have been established though confirmation with Rocky View Water Co-Op.</li> </ul> </li> <li>• In support of the application, the applicant/owner also submitted a Phase I Aquifer Analysis prepared by Groundwater Information Technologies Ltd dated December 30, 2016. The subject lands are located within the Bearspaw ASP and piped water supply is available adjacent to the lands. Engineering recommends that piped water is used to supply the proposed subdivision;</li> <li>• As a condition of future subdivision, the applicant will be required to address all fire suppression requirements (drafting hydrant) for the proposed development in</li> </ul>

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<b>AGENCY</b>	<b>COMMENTS</b>
	<p>accordance with the requirements of the County Servicing Standards and Fire Hydrant Bylaw C-7152-2012;</p> <p><b>Storm Water Management</b></p> <ul style="list-style-type: none"><li>• The applicant submitted a stormwater management report for the proposed subdivision prepared by Sim-Flo System Inc. dated March 7, 2018. The stormwater management concept for the proposed development consists of the use LID measures such as rain gardens and infiltration areas together with a centralized stormwater management pond to collect and manage stormwater flows from the proposed development and lands to the south. The pond is to have a controlled release at the allowable rate prescribed in the Bearspaw-Glenbow Master Drainage Plan via an outlet/overflow pipe to be installed along the internal road and west ditch of Bearspaw Road. The proposed pond outlet location is located in an effective drainage area in the Bearspaw-Glenbow Master Drainage Plan as the flows are to enter into a tributary of West Nose Creek. Engineering has reviewed the report and has no further concerns at this time;</li><li>• As a condition of future subdivision, the applicant will be required to submit detail design drawings for the overall stormwater management system and enter into a Development Agreement with the County for the construction and implementation of the system;</li><li>• As a condition of future subdivision, the Applicant will be required to obtain all AEP approvals and licensing for the stormwater management infrastructure;</li><li>• As a condition of future subdivision, the applicant will be required to provide an Erosion &amp; Sedimentation (ESC) Plan, prepared by a qualified professional, providing the ESC measures to be implemented during the development of the subject lands.</li></ul> <p><b>Environmental</b></p> <ul style="list-style-type: none"><li>• The applicant submitted a Preliminary Wetland Assessment prepared by Western Water Resources Inc dated December 22, 2014. The assessment provided the findings of a desktop and site investigation of the subject lands and indicates that a Class III wetland exists along the southern boundary of the subject lands in the location of the proposed stormwater management pond. The assessment provided is considered to be preliminary in nature and precludes a complete wetland assessment;</li><li>• The applicant also provided a Wetland Assessment &amp; Impact Report for the proposed development prepared by Pintail Environmental Consulting dated August 01, 2018. The report provided the findings of a field investigation of</li></ul>

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AGENCY	COMMENTS
	<p>the overall site and identified wetland and provides various recommendations for wetland impact mitigation or loss. Engineering has reviewed the report and has no further concern at this time;</p> <ul style="list-style-type: none"> <li>• As a condition of future subdivision, the applicant/owner will be required to obtain approval from AEP under the Water Act for the disturbance/loss of any the onsite wetlands prior to entering into any Development Agreement with the County;</li> <li>• The applicant provided clearance from Alberta Culture &amp; Tourism under the Historical Resources Act for the proposed development dated July 31, 2018. Engineering has no further concerns.</li> </ul>
<p>Transportation Services</p>	<p>No issues.</p> <p>Recommend application be required to prepare traffic impact assessment to determine if any upgrade work required to Bears paw Road as a result of proposed new subdivision.</p> <p><i>Note: Traffic Impact Letter prepared by Bunt and Associates dated received.</i></p>
<p>Capital Project Management</p>	<p>Road dedication if applicable.</p>
<p>Utility Services</p>	<p>Confirmation required from Rocky View Water Co-op regarding capacity agreement to supply potable water.</p> <p><i>Note: Confirmation from Rocky View Water Co-op received.</i></p>

Circulation Period: May 23, 2017 to June 13, 2017.





**BYLAW C-7836-2018**  
**A Bylaw of Rocky View County**  
**known as the Bears paw Heights Conceptual Scheme**

The Council of Rocky View County enacts as follows:

**PART 1 – TITLE**

This Bylaw shall be known as Bylaw C-7836-2018.

**PART 2 – DEFINITIONS**

In this Bylaw, the definitions and terms shall have the meanings given to them in the Bears paw Heights Conceptual Scheme, and the *Municipal Government Act*.

**PART 3 – EFFECT OF BYLAW**

**THAT** Bylaw C-4129-93, known as the “Bears paw Area Structure Plan”, be amended in accordance with amendments contained in Schedule ‘A’, attached to and forming part of the Bylaw; and,

**THAT** Bylaw C-7836-2018 being the “Bears paw Heights Conceptual Scheme”, be adopted, affecting Block 7, Plan 1501 LK as defined in Schedule ‘B’ which is attached to and forms part of this Bylaw.

**PART 4 – TRANSITIONAL**

Bylaw C-7836-2018 comes into force when it receives third reading, and is signed by the Reeve/Deputy Reeve and the CAO or Designate, as per the *Municipal Government Act*.

**Division: 08**  
**File: 06713003/PL20170078**

<i>PUBLIC HEARING WAS HELD IN COUNCIL</i> this	day of	, 2019
READ A FIRST TIME IN COUNCIL this	day of	, 2019
READ A SECOND TIME IN COUNCIL this	day of	, 2019
<i>UNANIMOUS PERMISSION FOR THIRD READING</i>	day of	, 2019
READ A THIRD TIME IN COUNCIL this	day of	, 2019

\_\_\_\_\_  
Reeve

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

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



**SCHEDULE 'A'**  
**FORMING PART OF BYLAW C-7836-2018**

**Amendments to Bearspaw Area Structure Plan (C-4129-93)**

**Amendment #1**

*Add the following to section 10.0 Concept Plans:*

Bearspaw Heights Conceptual Scheme – Adopted (Month, Day, Year)



**SCHEDULE 'B'  
FORMING PART OF BYLAW C-7836-2018**

A Conceptual Scheme affecting Block 7, Plan 1501 LK, herein referred to as the "Bears paw Heights Conceptual Scheme".

# Bearspaw Heights

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## Bearspaw

### Conceptual Scheme

SE-13-26-03-W5M, being Plan 1501 LK, Block 7



Sim-Flo Systems Inc.



Western Water Resources (WWR) Inc.

Pintail Environmental Consulting Inc.



Submitted to Rocky View County, September 2018 (revised)  
December 2018 (rev. 6)

## ACKNOWLEDGEMENT PAGE

### PREPARED FOR:

Rocky View County  
Planning and Community Services

### ON BEHALF OF:

Alex Kurteev

### PROJECT CONSULTANT TEAM:

Sim-Flo Systems Inc..  
Groundwater Information Technologies Ltd.  
Bunt & Associates Engineering Ltd.  
Western Water Resources Inc.  
Pintail Environmental Consulting Inc.  
Bison Historical Services Ltd.  
Carswell Planning Inc.

Cover photo credit: Wikipedia, "View of Canadian Rockies from Bearspaw"

Bearspaw Heights

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## Bearspaw Heights

### ***Bearspaw Heights* Conceptual Scheme**

#### **1.0 INTRODUCTION**

##### **1.1 Purpose of this Plan**

The Conceptual Scheme, named ***Bearspaw Heights***, has been prepared pursuant to the Rocky View County (RVC) Plan (Bylaw C-7280-2013) and Bearspaw Area Structure Plan (Bylaw C-4129-93) to provide supporting rationale for redesignation and subdivision of ±7.98 ha (±19.73 ac) comprising one-eighth of SE-13-26-03-W5M, being Plan 1501 LK, Block 7. The site is municipally known as 262053 Bearspaw Road (Range Road 30).

The Conceptual Scheme is a non-statutory plan intended to describe the developer's rationale and motivation to establish a new subdivision with associated land uses. The policies of this Plan have been prepared to provide direction regarding subsequent land use redesignation, subdivision, and development permit applications required to implement the ***Bearspaw Heights*** development.

“A non-statutory plan, subordinate to an area structure plan, and may be adopted by bylaw or resolution. To ensure the opportunity for public input, the County will continue its practice of adopting a conceptual scheme by bylaw with a public hearing. If an area structure plan is amended to include a conceptual scheme, the conceptual scheme becomes a statutory plan. Conceptual schemes provide detailed land use direction, subdivision design, and development guidance to Council, administration, and the public. Conceptual schemes are meant to be developed within the framework of an area structure plan.” (RVC County Plan).

It is the intent to apply the policies and design of this plan to guide development as one phase. Subdivision for the development will be applied for following adoption of this Conceptual Scheme and Land Use amendment.

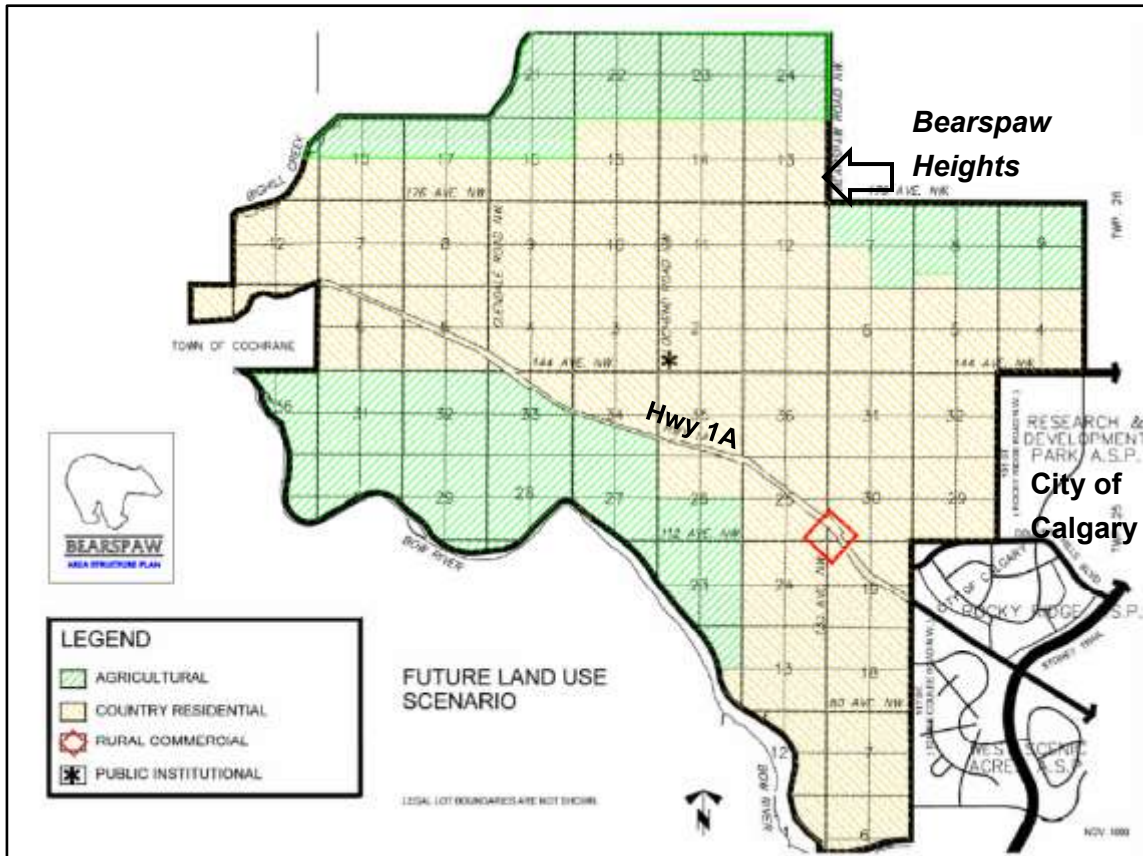
##### **1.2 Development Rationale**

The subject lands of this Conceptual Scheme are referred to as ***Bearspaw Heights*** or the *Plan Area* in this document. Originally, a Canadian Pacific Railway station was located and named Bearspaw in 1909, after Chief Bearspaw, head of the Stoney Nations who was negotiator/signatory for the 1877 Treaty No. 7. The Bearspaw area in RVC has been subject to significant pressure for development primarily due to proximity to northwestern Calgary with close access to Highway 1A and Stoney Trail. The Conceptual Scheme meets the ASP's future land use scenario by proposing Country Residential development as delineated in Figure 1: Future Land Use Scenario -Bearspaw ASP.



Bearspaw Heights

Figure 1: Future Land Use Scenario – Bearspaw ASP



In addition to servicing efficiencies, the subject site is relatively free of any issues that may hinder its development. The site has an existing residential dwelling, is relatively flat and well connected to the major transportation network.

1.3 Primary Development Considerations

Primary development considerations include:

- Compatibility of residential uses to adjacent land uses as predominantly single-family dwellings;
- Incorporation of the existing residence into the Conceptual Scheme;
- Transportation access to Bearspaw Road (Range Road 30) and the closest intersection with Township Road 262;
- Connectivity to future linear pathways between neighbourhoods;
- Open space features including the small wetland;
- Stormwater management;
- Provision of potable water;
- Sanitary wastewater treatment;

## Bearspaw Heights

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- Shallow utilities of telecommunications, phone, cable, fiber optics (where available), electrical and natural gas services;
- Solid waste disposal and recycling;
- Protective and emergency services;
- Architectural design; and
- Capital and operational considerations.

### 1.4 Conceptual Scheme Objectives

The intent of the **Bearspaw Heights** Conceptual Scheme is to:

- a) Provide a comprehensive summary of existing conditions within the *Plan Area* to identify development opportunities and significant constraints that require appropriate mitigation strategies;
- b) Present a subdivision and development concept that will comprise a preferred subdivision pattern and density;
- c) Investigate and conclude whether any post development mitigation is necessary to address traffic, environmental, or other identified issues;
- d) Present a public open space to provide connections to adjacent lands; and
- e) Provide a utility servicing strategy that will include stormwater management, potable water, and sewage collection and disposal.

## 2.0 POLICY CONTEXT

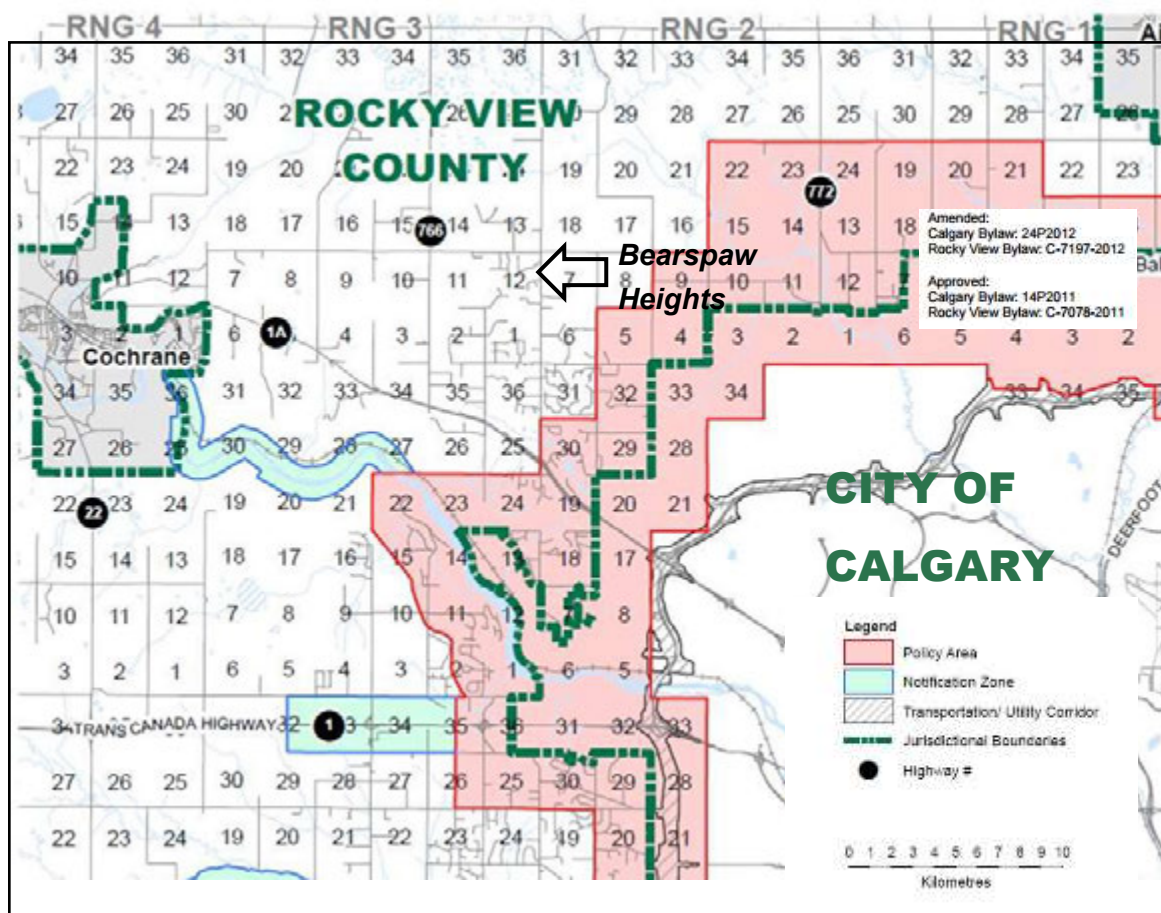
The Municipal Government Act, RVC's County Plan, Agriculture Master Plan, Parks and Open Space Plan, and the Bearspaw Area Structure Plan all provide guidance to the **Bearspaw Heights** Conceptual Scheme. These documents establish a policy framework to ensure that development respects rural character, promotes open space and recreational opportunities, respects the natural environment, implements cost-effective servicing infrastructure systems of roads, water and sanitary wastewater, and provides appropriate built form to the community.

### 2.1 Intermunicipal Development Plan

Land holdings near the fringe of the City of Calgary may fall under the policies and guidelines contained within the Rocky View County/City of Calgary Intermunicipal Development Plan (IDP), which was adopted by both municipalities. The IDP identifies an area of mutual inter-municipal interest and establishes policy direction and processes to address issues that may arise in the area. In this case, the **Bearspaw Heights** lands do not fall within the IDP designated notification area and the IDP policy and guidelines are not applicable as shown in Figure 2: RVC / Calgary Intermunicipal Development Plan NW Section.

Bearspaw Heights

Figure 2: RVC / Calgary Intermunicipal Development Plan NW Section



2.2 County Plan

The Rocky View County Plan Bylaw C-7280-2013 was approved in October 2013, in accordance with section 632 of the Municipal Government Act.

The County Plan is designed to provide policies that support the following principles:

1. Growth and Fiscal Sustainability - *direct new growth to designated development areas, and in doing so it will remain fiscally responsible.*
2. The Environment - *develop and operate in a manner that maintains or improves the quality of the environment.*
3. Agriculture - *respects, supports, and values agriculture as an important aspect of the County's culture and economy.*
4. Rural Communities - *support the development and retention of well-designed rural communities.*
5. Rural Service - *strive to provide an equitable level of rural service to its residents.*
6. Partnerships - *maintain a strong web of partnerships to help extend the range of services it provides to its residents.*

## Bears paw Heights

The County Plan sees Country Residential communities as a form of rural living. RVC has a number of country residential communities, some formally defined by area structure plan policy, as in the Bears paw ASP. The goals and policies specific to Country Residential development are as follows:

- have safe, healthy, and attractive development that provides a strong sense of community
- encouraging and supporting country residential communities in providing a high quality built environment while maintaining rural character.
- encouraging alternative residential development forms that retain rural character and reduce the overall development footprint on the landscape
- orderly, efficient, and cost effective development of fragmented quarter sections in agricultural areas.

**Bears paw Heights** aligns with the County's Plan by concentrating rural development in an ASP favouring the land use proposed. Bears paw is enhanced and strengthened as integral part of RVC through the provision of smaller traditional Country Residential development within it.

### 2.3 Bears paw Area Structure Plan

The Bears paw ASP (Bylaw C-4129-93) was approved in 1994. It provides guidance for development in its policies and corresponding figures:

Figure 1: Plan Area, shows the Bears paw ASP. **Bears paw Heights** is within the ASP.

Figure 2: Calgary Restricted Development Area, shows restricted development the southern portion of the ASP in proximity to the Bow River. The *Plan Area* is not affected.

Figure 3: Concept Plans, shows the Plan Area as lands within Development Priority Area 1 recommended for Concept Plans, which supports requiring this document.

Figure 4: Distribution of Natural Resource Aggregates, shows the *Plan Area* as containing tertiary gravel. The existence of residences in the *Plan Area* and the surrounding area make the extraction of aggregates unpractical and incompatible.

Figure 5: Transportation Hierarchy, shows Bears paw Road as a major collector road. The *Plan Area* fronts onto Bears paw Road and has conducted a traffic impact analysis showing insignificant impact.

Figure 6: Environmentally Significant Features, shows features of concern. No known areas of potential archeological and/or cultural significance exist in the *Plan Area*. No potential high water table areas exist in the *Plan Area*. No potentially steep slope areas exist in the *Plan Area*. No flood prone areas exist in the *Plan Area*.

Figure 7: Future Land Use Scenario, shows Agricultural, Country Residential, Rural Commercial and Public Institutional land uses. The *Plan Area* is shown as County Residential, which is an appropriate land use (see Figure 1 of this Conceptual Scheme).

Figure 8: Phasing, shows Development Priority Areas 1 through 4 and Urban Fringe. The *Plan Area* is shown as Development Priority Area 1 and should develop.



## Bears paw Heights

The following ASP policies are directed to parcel size.

“8.1.20 Within the country residential areas identified in Figure 7, the minimum parcel size should not be less than four (4) acres.

8.1.21 Notwithstanding Policy 8.1.20 and in accordance with Figure 3, the Municipality may consider redesignation proposals and/or application for subdivision contemplating parcel sizes of less than four (4) acres in size, provided these proposals are supported by a Concept Plan that is prepared and adopted pursuant to the provisions of this Plan.”

The following ASP policies are directed to the Plan of Subdivision.

“8.1.19 When considering applications for subdivision approval, the Municipality should evaluate tentative plans of subdivision in terms of the following considerations:

a) the natural condition of the lands proposed for subdivision and the manner in which these conditions (ie. topography, environmentally sensitive areas, etc.) have been integrated into the design of the tentative plan of subdivision;

b) the serviceability of the proposed parcels by private and public utilities;

c) the suitability of each of the proposed parcels to accommodate a building site of sufficient area to permit the development of a residential building and ancillary structures;

d) the context of the lands proposed for subdivision and the compatibility of the proposed design with adjacent lands including, but not limited to, site conditions, parcel sizes, visual impact, etc.;

e) the intensification potential of the tentative plan of subdivision and the flexibility of the proposed design to accommodate future subdivision;

f) the conformity of the tentative plan of subdivision with any Concept Plan prepared and/or adopted pursuant to the provisions of this Plan;

g) the design of the proposed road system having regard for Municipal Engineering Standards and integration with the Municipal and Provincial road hierarchy;

h) conformity to this Plan, which may necessitate an amendment to the Plan;

i) any other matter deemed appropriate by the Municipality.

8.1.24 Where a tentative plan of subdivision proposes a dead end cul-de-sac, the design and length of the cul-de-sac should sufficiently accommodate emergency vehicle access, or alternate provisions for emergency vehicle access shall be provided.”

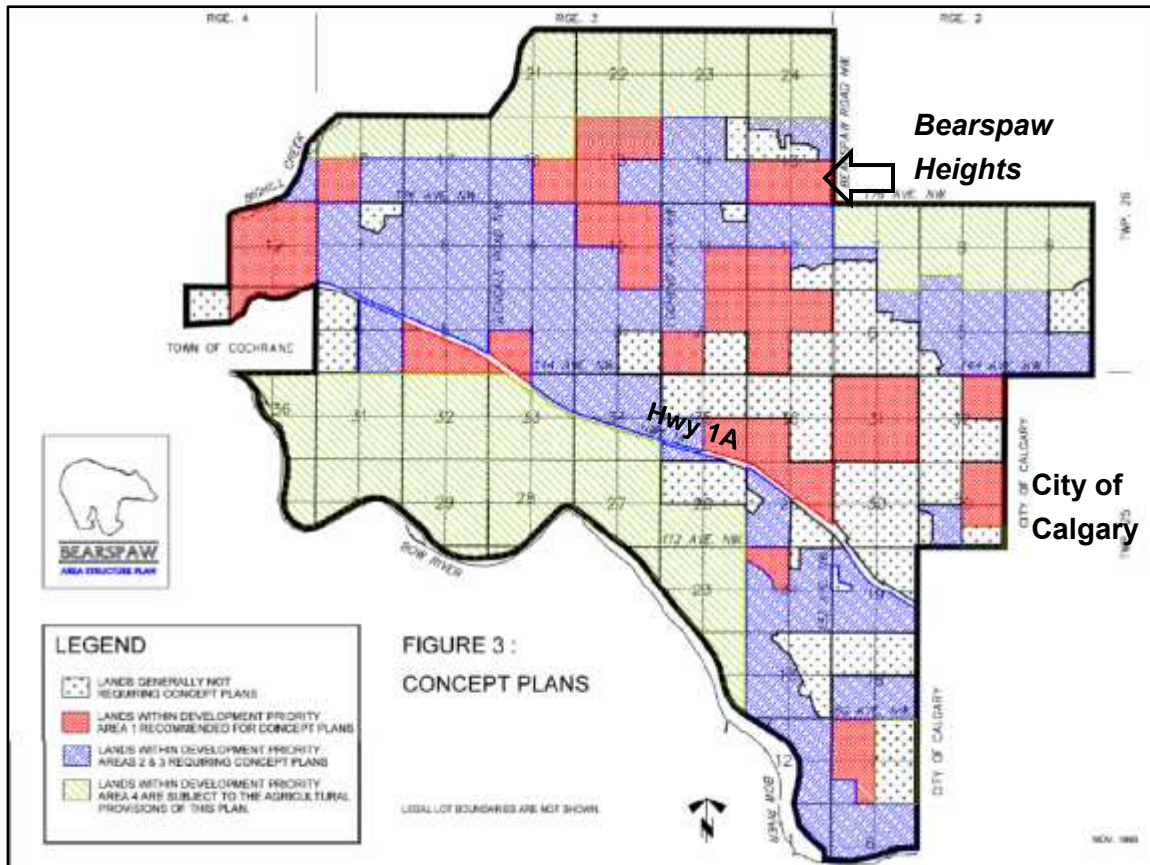
ASP Table 1: General Characteristics of Municipal Roads in the Transportation Hierarchy and associated policies show the function and specifications for Bears paw Road as a major collector road. The traffic impact analysis satisfies this and is available for viewing under separate cover.

Bearspaw Heights

ASP Appendix B: General Criteria for Development Priority Areas points out that Priority Area 1, which pertains to **Bearspaw Heights**, is favourable. The *Plan Area* is under 32 ha (80 ac.), surrounded by subdivided/developed areas and exhibits few constraints. Lands do not contain environmentally significant natural landscapes, archaeological, historical and/or cultural features. Lands generally comprise Lower Capability Agricultural Land (CLI equivalent of Class 4, 5, 6 and 7).

Figure 3: Concept Scheme Areas – Bearspaw ASP shows **Bearspaw Heights** as lands within development Priority Area 1 recommended, not necessarily required, for Concept Plans.

Figure 3: Concept Scheme Areas – Bearspaw ASP



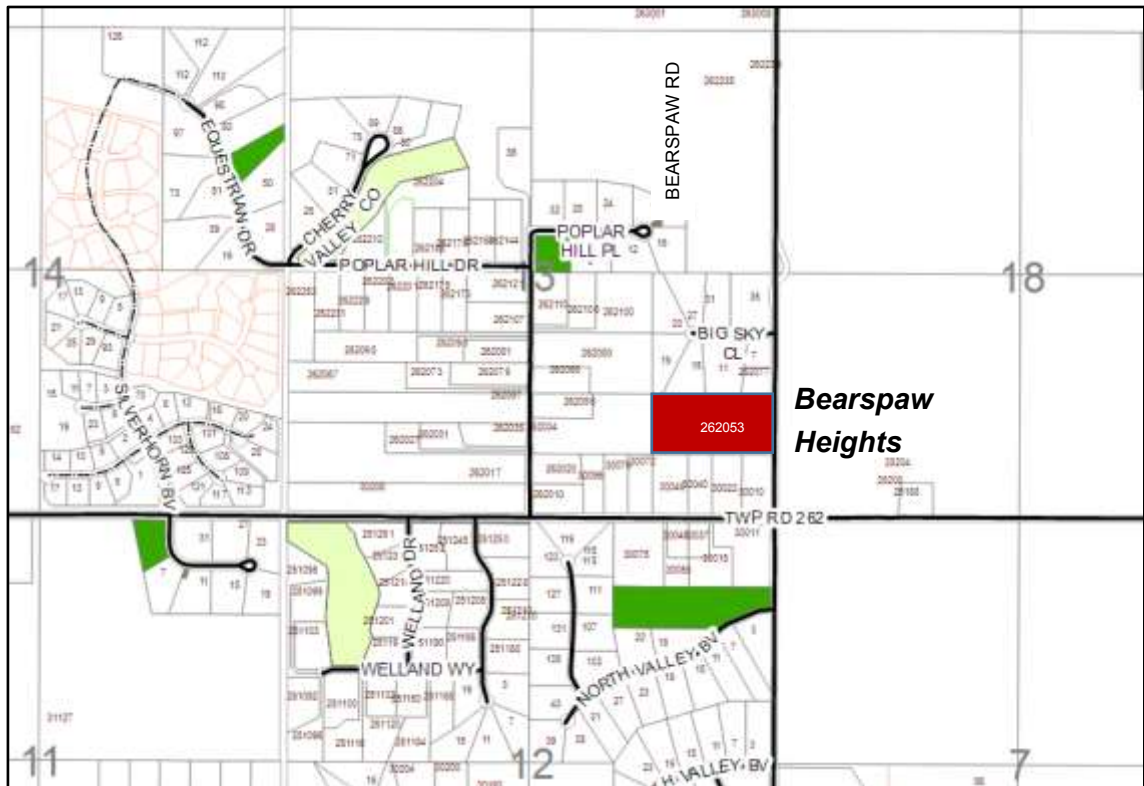
Bearspaw Heights

3.0 PLAN AREA DESCRIPTION

3.1 Location

Figure 4: Location shows **Bearspaw Heights** on a ±7.98 ha (±19.73 ac) parcel comprising one-eighth of SE-13-26-03-W5M, being Block 7, Plan 1501 LK. The site is municipally known as 262053 Bearspaw Road, located approximately 200 m north of the intersection with Township Road 262. Geographically, the residence within the *Plan Area* is centred on 51.22° N, 114.28° W at elevation 1268 m (4160 ft.) above sea level (asl). The plan area provides contiguous development to properties to the north and south.

Figure 4: Location



(Source: RVC Bearspaw Area Map, 2016)

3.2 Legal Descriptions & Ownership

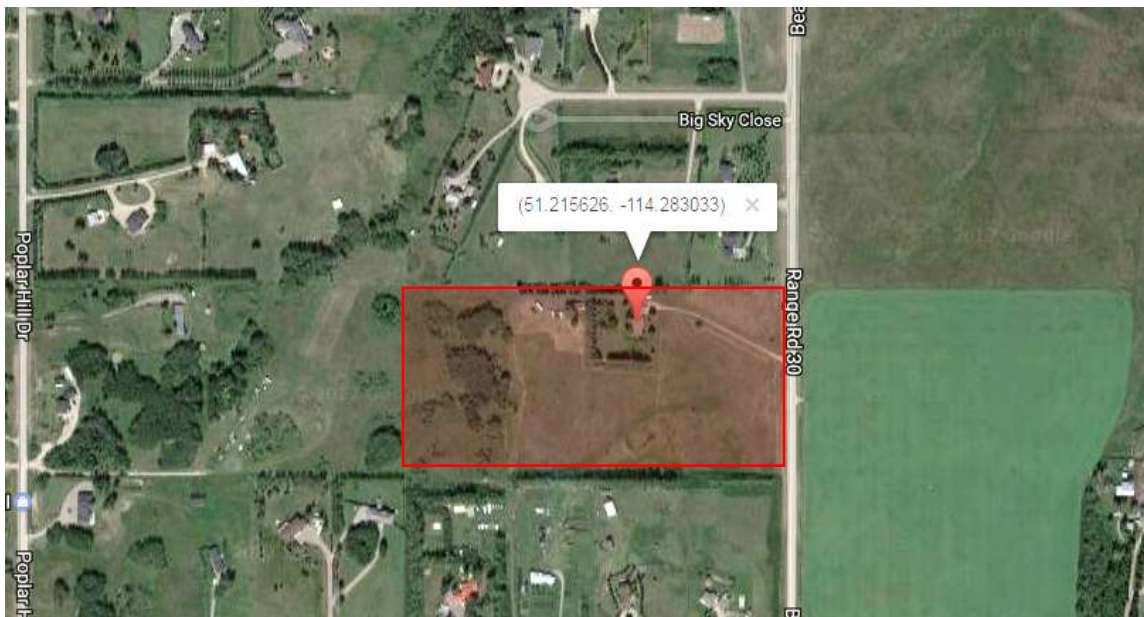
As shown below, ownership of Block 7, Plan 1501 LK of SE-13-26-03 W5M is under separate title and under single ownership to the developer, Alex Kurteev.

3.3 Adjacent Lands

Figure 5: Aerial Image of Adjacent Lands shows **Bearspaw Heights** immediately west of Bearspaw Road (Range Road 30), approximately 200 meters north of Township Road 262. The area is characterized as country residential. The lands are bordered by country residential development to the north, west and south, with agricultural lands to the east.

## Bears paw Heights

Figure 5: Aerial Image of Adjacent Lands



## 4.0 EXISTING LANDS

### 4.1 Local Development Context

Currently, community and recreational facilities in Bears paw include: Bears paw Lifestyle Centre, (banquet hall, stage, gymnasium, dance studio), Bears paw Historical Society (historical school, replication of barn), Weedon Pioneer Hall (community events, small scale waste and recycling transfer site). A mobile recycling bin is located with limited days at the Bears paw Lifestyles Centre, 253220 Bears paw Road NW, south of Highway 1A. The Airdrie Transfer Site is operated by a neighbouring municipality, but can be used by Rocky View residents for garbage.

The nearest acute care hospitals with emergency services are: Alberta Children's Hospital or the Foothills Medical Centre in Calgary, and the Cochrane Community Care Centre in Cochrane. For parks and outdoor recreation: the Bears paw Loop is accessible from Range Road 30 (natural municipal reserve area with a designated interpretive pathway), Big Hill Springs Provincial Park NE of Cochrane, Glenbow Ranch Provincial Park along the north shore of the Bow River, and 12 Mile Coulee in NW Calgary.

### 4.2 Existing Transportation Infrastructure

The transportation system serving Bears paw is flanked to the north by Big Hill Springs Road and to the south by Highway 1A, which becomes Crowchild Trail NW as it approaches Calgary. The transportation system serving Bears paw is flanked to the north by Big Hill Springs Road, which becomes Yankee Valley Blvd SW as it approaches Airdrie, then meets the Queen Elizabeth 2 Highway. The *Plan Area* fronts onto Bears paw Road (Range Road 30), which runs north-south to connect the two. The closest intersection is Bears paw Road and Township Road 262, located approximately 200 m to the south.

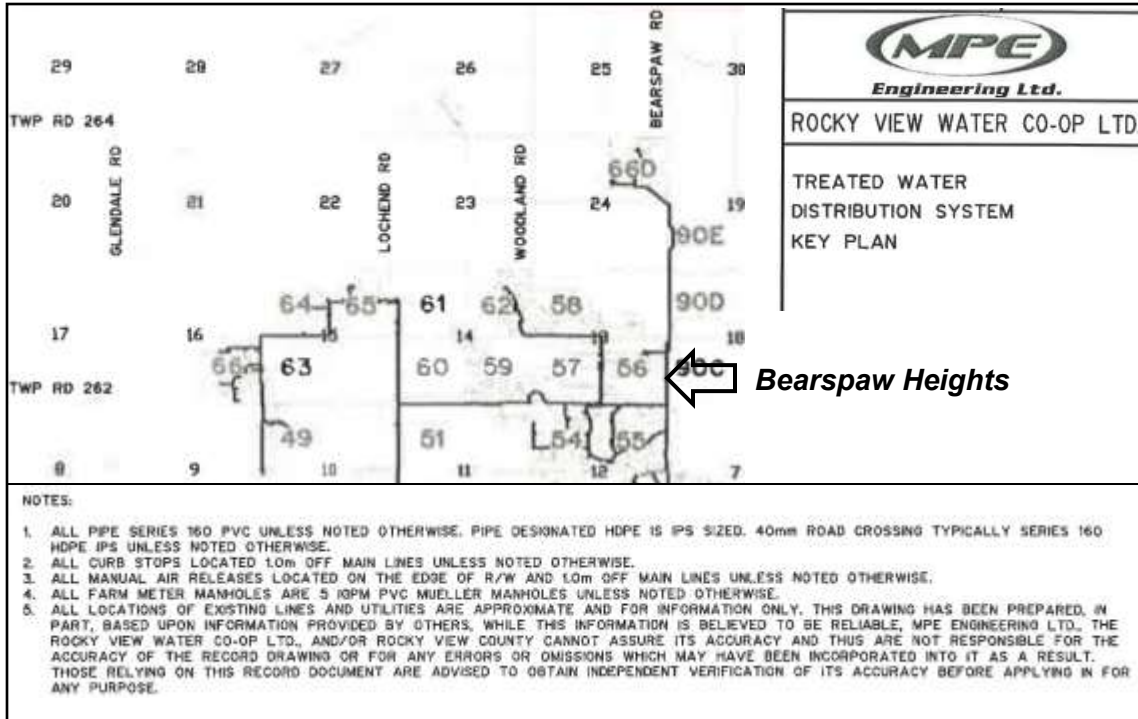


Bearspaw Heights

4.3 Existing Utility Services

Figure 6: Existing Water Servicing shows Rocky View Water Co-op Limited, a privately owned and operated utility company, provides potable water servicing throughout Bearspaw through a franchise agreement with the County. Specific to **Bearspaw Heights**, SE-13-26-03-W5M, Plan 1501 LK, Block 7, the 100 mm water line runs north to south along the west side of Bearspaw Road (Range Road 30), inside the property line. Upgrades and expansion of the water treatment system and network will be implemented, as required, to support this development.

Figure 6: Existing Water Servicing



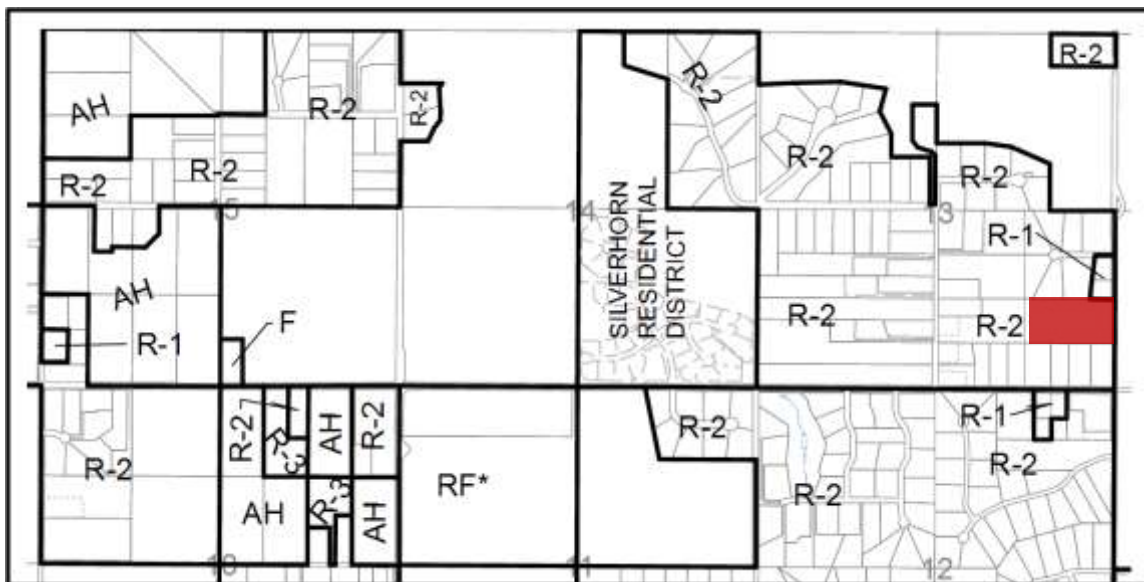
In this area of Bearspaw, wastewater servicing is through a private sewage treatment system. The Alberta Private Sewage Systems Standard of Practice (2009) specifies that a private sewage treatment system may not be installed within 15 m of a wetland. As noted later in this Conceptual Scheme, a small ±0.25 ha (±0.63 ac) wetland exists, which could remain or be used as part of the underlying mantle of a septic bed, subject to compensation. Depending on the septic system design, imported material may be needed as fill to meet the percolation rates to meet design regulations.

4.4 Existing Land Use

Figure 7: Current Land Use Bylaw Districts shows the **Bearspaw Heights Plan Area** is currently designated Residential Two District (R-2) in accordance with RVC Land Use Bylaw C-4841-97. The Plan Area is bordered by Residential One District (R-1) to the north fronting on Bearspaw Road.

Bears paw Heights

Figure 7: Current Land Use Bylaw Districts



Legend

- AGRICULTURAL HOLDING DISTRICT AH
- RANCH AND FARM DISTRICT RF
- FARMSTEAD DISTRICT F
- RESIDENTIAL ONE DISTRICT R-1
- RESIDENTIAL TWO DISTRICT R-2
- RESIDENTIAL THREE DISTRICTS R-3

(Source: RVC Land Use Map No. 67-SE, 2014, as amended)

Figure 8: Photos of Areas of Minor Grazing shows the land has been used for residential use and some minor grazing purposes. Crop production and further agricultural capability is impaired by existing vegetation, poor soil, terrain characteristics and the proximity of residential development.

Figure 8: Photos of Areas of Minor Grazing



Bearspaw Heights

4.5 Existing Site Conditions

Existing site conditions of geology, wetlands, soils, vegetation, and overland drainage are described in this section. The **Bearspaw Heights Plan Area** consists of rolling and hilly terrain comprised of glaciofluvial and surficial deposits that may include extensive areas of hummocky and ground moraine as well as more restricted areas of outwash and glaciolacustrine deposits along valleys. Figure 9: Wetland delineation shows the wetland located on the site.

Figure 9: Wetland delineation



Western Water Resources conducted a Preliminary Wetland Assessment in 2014 noting a relatively small wetland located centrally along the southern property line, as Figure 10: Mosaic Photo of Wetland in Winter (looking west showing dugout) shows. The subject wetland is classified as III-A-1 (fresh seasonal wetland) due to the presence of low-prairie and wet-meadow zones. Its estimated size is ±0.2535 ha (±0.6264 ac). No other wetlands were observed within the Subject Lands. The presence of the wetland has been taken into account for planning, lot configuration, wastewater servicing, and stormwater management.

Figure 10: Mosaic Photo of Wetland in Winter (looking west showing dugout)



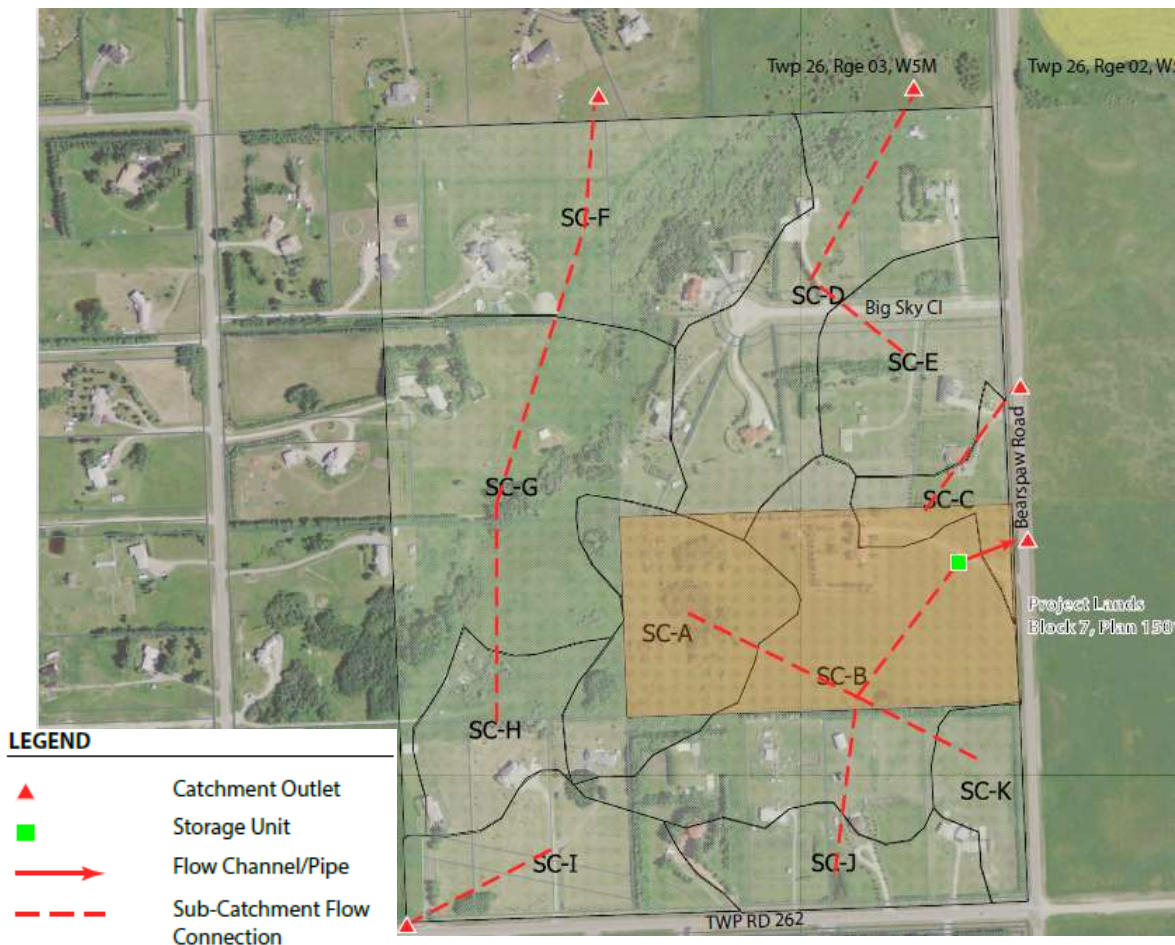


Bearspaw Heights

Soils for the *Plan Area* are within an area mapped as Dunvargan 1 (DVG1). This soil unit is generally mapped on undulating to gently sloping or rolling morainal topography. The land surface is smooth, slopes are uniform, and there are generally few wet depressions. The soil unit is comprised of approximately: 70% well drained, 20% slightly leached, and 10% imperfectly to poorly drained soils. The parent material underneath is a glacial till with limited textural range. Generally, soils in the area are Orthic Black Chernozem on medium textured till. Topography is a hummocky, low relief landform with a limiting slope of 6%. Soils and characteristic slopes influence infiltration rates, resistance to the flow of runoff and other parameter values, as outlined in the Bearspaw-Glenbow Master Drainage Plan.

Vegetation supported on the soils is largely under a typical parkland type of vegetation. Open areas are typically fescue and other grasses. Periodic forested areas generally consist of aspen, poplar, willow, white birch and spruce. The Plan Area is being utilized for the grazing of horses and has a mixture of native and non-native species representing a tame pasture landscape.

Figure 11: Pre - Development Catchment Areas



(Source: Sim-Flo, Stormwater Management Report, Sep ,2016)

Drainage for pre-development conditions is shown Figure 11: Pre - Development Catchment Areas. The sub-catchment areas that impact on the proposed development site are SC-A, SC-B, SC-J and SC-K. All of these sub-catchments drain into the low area located in SC-B. Based

## Bearspaw Heights

on simulations, the depth of ponding is estimated at 1.21 m or an elevation of 1265.96 m asl. The existing spill elevation is estimated at 1267.25 m asl. Flow is towards a storage unit, then northeast to the road ditch before travelling north.

### 4.6 Existing Wetland Assessment

Western Water Resources (WWR) conducted a preliminary wetland assessment of the Plan Area in 2014. During this assessment, only one wetland was identified. It was a seasonal wetland (Class III) according to the Stewart and Kantrud (1971) wetland classification system. The dugout was found to be the deepest portion of the wetland and contained some surface water.

Pintail Environmental Consulting Inc., August 1, 2018, prepared a Wetland Assessment and Impact Report for the Plan Area in support of the *Water Act* application to Alberta Environment and Parks (AEP) under the *Alberta Wetland Policy*, based on the *Alberta Wetland Rapid Evaluation Tool – Actual* (2015) methodology. Hydrologic, water quality, ecological/habitat and human use functions were gathered to determine an overall category (A, B, C or D) for the province and proponent to make decisions about the wetland. Figure 13: Mapping of Wetland shows this.

It was found to be a slightly brackish 0.36 ha seasonal marsh with an older dugout, being the deepest at 1 m, without an identifiable inlet or outlet. However, the water inputs could potentially come from the lands to the south as corroborated by the topography of the area. The relative wetland value was indicated to be a 'B' under the new classification.

Given the disturbed nature of the wetland, its size, and the fact that it is being proposed to be modified for stormwater purposes, it is not anticipated that the reduction of wetland area in the overall catchment will have a large effect. Many of the functions provided by the wetland currently are anticipated to be provided by the proposed stormwater facility.

**Figure 12: Mosaic Photo of Wetland in Summer (looking north)**





Bearspaw Heights

Figure 13: Mapping of Wetland



Bearspaw Heights

4.7 Existing Historical Resources

Bison Historical Services Ltd., on behalf of the proponent, received *Historical Resources Act* approval for the activities described in this application, which is available under separate cover. The chance discovery of historical resources is to be reported to the contact identified within the standard requirements under the Act.

4.8 Existing Protective and Emergency Services

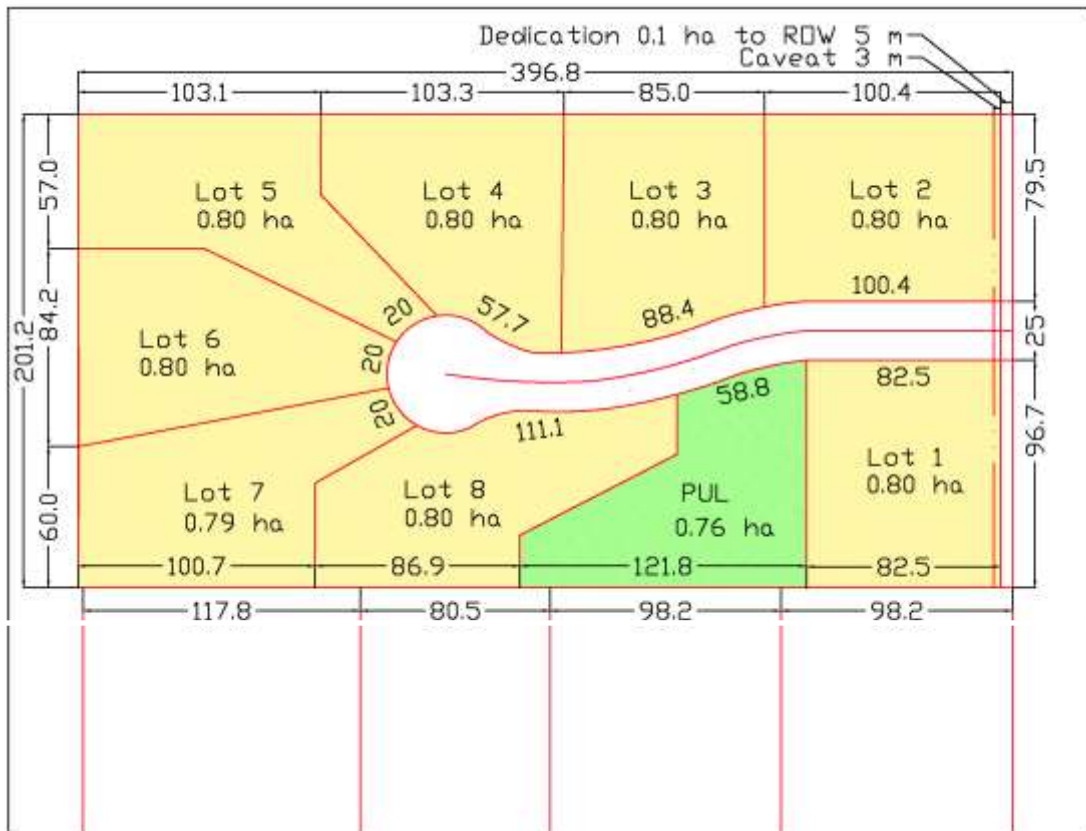
Bearspaw Fire Station 103 is a full-time staffed station providing fire coverage for the northwest area of the County and located at 291015 Rocky View Drive.

5.0 DEVELOPMENT CONCEPT

5.1 Development Concept

Figure 14: Development Concept and Table 1: Development Concept Calculations form the development concept for *Bearspaw Heights*.

Figure 14: Development Concept



Bearspaw Heights

Table 1: Development Concept Calculation

Land Use	Hectares	Acres	Percentage
Public Utility Lot	0.760	1.88	9.6%
Road	0.745	1.84	9.4%
Lot 1 Residential	0.800	1.98	10.0%
Lot 2 Residential	0.800	1.98	10.0%
Lot 3 Residential	0.800	1.98	10.0%
Lot 4 Residential	0.800	1.98	10.0%
Lot 5 Residential	0.796	1.97	10.0%
Lot 6 Residential	0.797	1.97	10.0%
Lot 7 Residential	0.784	1.94	9.8%
Lot 8 Residential	0.797	1.97	10.0%
Dedication for 5 m r-o-w widening	0.101	0.24	1.2%
<b>Total</b>	<b>7.98</b>	<b>19.73</b>	<b>100.00%</b>

Figure 15: Lot Sizes for *Bearspaw Heights*



Figure 15: Lot Sizes for *Bearspaw Heights* shows *Bearspaw Heights* as a small residential neighbourhood within the Bearspaw ASP, characterized as country residential. The neighbourhood will be designed to be compatible with the rural character and sense of place for its residents in the community. This development is designed to minimize the development footprint of buildings and infrastructure, and preserve significant natural features of the site.

*Bearspaw Heights* is to consist of eight lots and will be similar to the surrounding developments Country residential developments surround the proposed development lands. The proposed subdivision of ±7.98 ha (±19.73 ac) into 8 lots results in most parcels being approximately 0.8 ha (2 acres). Not all lots are 0.800 ha (1.98 ac.), some are slightly less due to lands for the dedication for a 5 m r-o-w widening of Bearspaw Road and lands needed for the PUL. Should the final design for the stormwater not require the full area set aside for the PUL,



## Bearspaw Heights

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then more acreage could be transferred to top-up the lots at the subdivision stage when lot configuration is finalized.

An open space of a public utility lot (PUL) approximately 0.76 ha (1.88 ac.) serves **Bearspaw Heights** by providing an area for stormwater management and is to be dedicated to RVC. Consideration of this area influenced lot yield and configuration. Future stormwater solutions such as low impact development, best management practices and green street development may alleviate the need for a stormwater pond and perhaps allow this lot to become developable land.

A cul-de-sac road, within the right-of-way of 298.6 m length along the centreline and 25 m width, serves **Bearspaw Heights** and is in character with surrounding developments.

### Policy

- 5.1.1 Policies contained in this Conceptual Scheme shall apply to lands identified in Block 7, Plan 1501 LK of SE-13-26-03 W5M.
- 5.1.2 Lot sizes and configurations shall generally be as described in the Figure 14: Development Concept, and the accompanying table of calculations.

### 5.2 Land Use Concept

Bearspaw is a highly sought-after community that offers a rural lifestyle near an urban setting with close access to major highways. The area has experienced considerable development pressure attributed to its close proximity to the City of Calgary, approximately 10 minutes away from the interchange of Highway 201 (Stoney Trail NW) and Highway 1A (Crowchild Trail NW). **Bearspaw Heights** has its identity as a country residential neighbourhood in the Bearspaw ASP with proximity to both Cochrane and Calgary.

### 5.3 Residential Area

As guided by the Bearspaw ASP, the County may consider redesignation proposals and/or application for country residential subdivision contemplating parcel sizes of less than 4 acres in size, provided these proposals are supported by a Concept Plan that is prepared and adopted pursuant to the provisions of the ASP. The lot size of 0.8 ha (2 acres) meets the suitability of each of the proposed parcels to accommodate a building site of sufficient area to permit the development of a residential building, ancillary structures and a private sewage treatment system. Figure 16: Rendering of Typical Country Residential Dwelling is an example of housing.

## Bears paw Heights

**Figure 16: Rendering of Typical Country Residential Dwelling****Policy**

- 5.3.1 Single family dwelling units shall be the dominant form of residential development.
- 5.3.2 Lot sizes shall be 0.8 ha (2 ac) or as approved by the Subdivision Authority.
- 5.3.3 Entrances to individual dwelling units should be visually prominent from the front façade.
- 5.3.4 Private lighting, including security and parking area lighting, should be designed according to the County's "dark sky" Land Use Bylaw requirements for residential lighting in outdoor areas, which requires light to be directed downward.

**5.4 Municipal Reserves**

The MGA Section 666(2) "The aggregate amount of land that may be required under subsection 1, (*namely developable land that is the subject of a proposed subdivision*) may not exceed the percentage set out in the municipal development plan, which may not exceed 10% of the parcel of land less the land required to be provided as environmental reserve and the land made subject to an environmental reserve easement." The County Plan requires 10% of net developable area.

**Policy**

- 5.4.1 Municipal reserve shall be provided to a maximum of 10% at the subdivision stage in accordance with the Municipal Government Act.
- 5.4.2 The provision of municipal reserves may be made via cash-in-lieu based on a market value appraisal determined at the time of subdivision in accordance with the MGA.

## Bearspaw Heights

### 5.5 Public Utility Lot

As directed in the MGA and Bearspaw ASP, a public utility lot (PUL) is public land dedicated to the County for public utilities during the subdivision process. This area is to be used for stormwater management and contains a small wetland on the southern boundary portion of the PUL.

#### Policy

**5.5.1** The area generally identified as PUL on Figure 14: Development Concept of the *Plan Area* shall be dedicated as public utility lot through the subdivision process.

### 5.6 Roads

As identified in the Design Concept, a 7.0 metre wide paved cul-de-sac road, 298.6 m in length, is delineated within the 25 m right-of-way. Figure 17: Rendering of Typical Cul-de-Sac Road provides an example.

**Figure 17: Rendering of Typical Cul-de-Sac Road**



To satisfy consideration of proposals for redesignation, subdivision, and/or development located adjacent to a major collector roads, as shown in Figure 18, a Traffic Impact Analysis was conducted. Assumptions were for 9 lots and not the proposed Development Concept of 8 lots.

Bearspaw Heights

Figure 18: Transportation – Bearspaw ASP

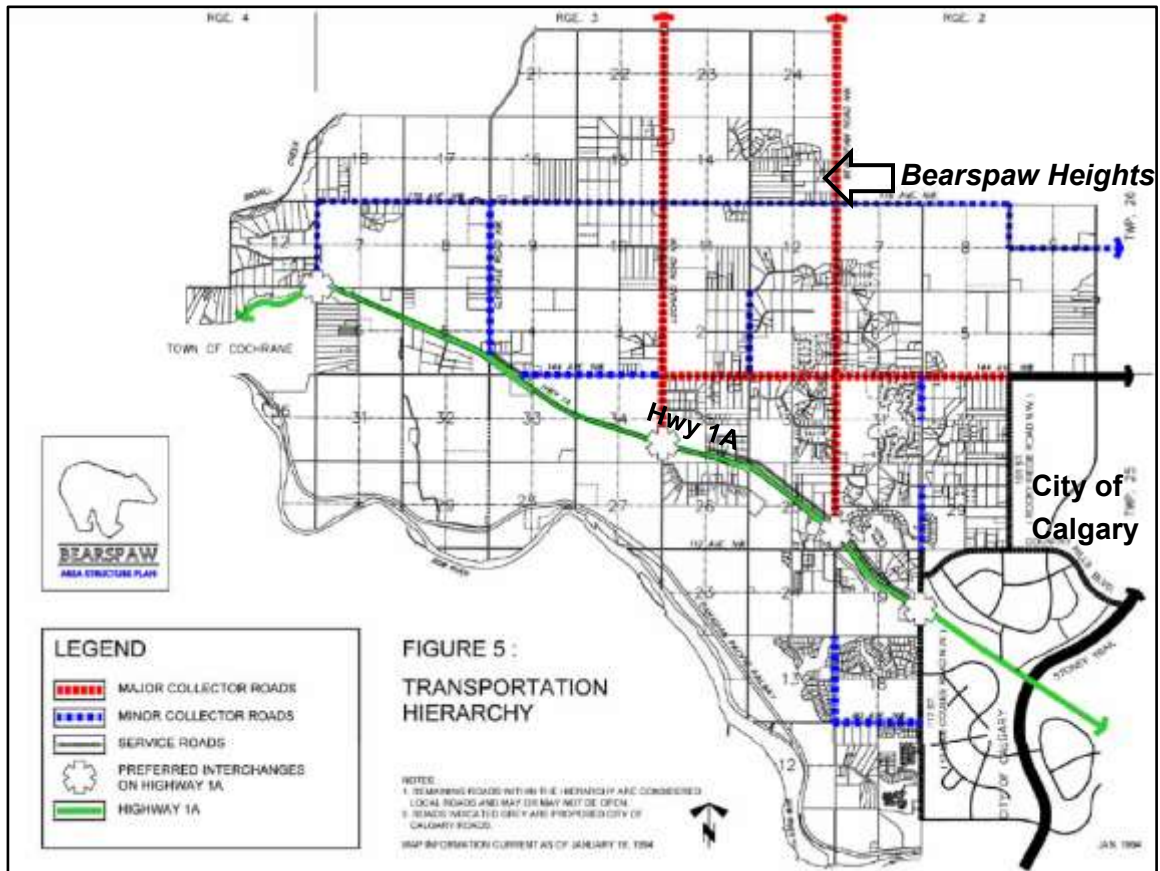


Figure 18: Transportation – Bearspaw ASP shows Bears paw Heights in relation to roads. Bunt and Associates conducted a traffic impact study for the *Plan Area*. Being located off of Range Road 30 / Bears paw Road, RVC requested the study.

Table 2: Pre and Post Development Peak Hour Analysis

Intersection	Movement	AM Peak Hour				PM Peak Hour			
		v/c	LOS	Delay	Queue	v/c	LOS	Delay	Queue
Bears paw Rd and Township Rd 262 (E-W Stop-Controlled)	EB	0.09	A	9	2	0.08	A	9	2
	WB	0.01	A	10	0	0.04	B	10	1
	NB	0.02	A	4	1	0.03	A	4	1
	SB	<0.01	A	1	0	<0.01	A	1	0

Table 2: Pre and Post Development Peak Hour Analysis shows the results of the study. The study intersection is stop controlled for the east and west movements, and both Range Road 30 and Township Road 262 are two lane undivided paved roads. The pre and post development traffic volumes at peak hours are essentially the same with no significant change. Post-

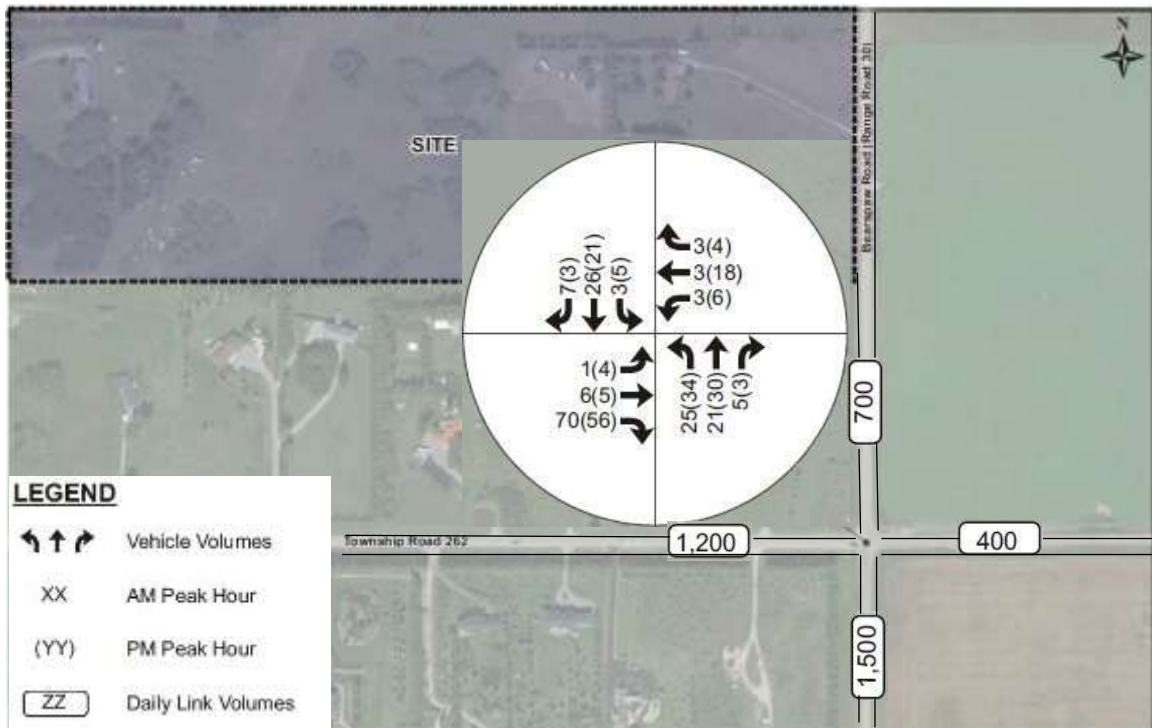
Bearspaw Heights

development of subdivided lots does not present a significant impact on transportation. As such, there is no requirement for future expansion of the existing transportation network to accommodate traffic generated from the proposed development. Further, there is no mitigation measures required.

Trip generation rates: AM peak hour traffic is estimate at 1 vehicle in and 5 vehicles out; PM peak hour traffic is estimated at 6 vehicles in and 3 vehicles out.

Investigation also looked at the nearest intersection to the *Plan Area*, being Township Road 262 and Bearspaw Road as Figure 19: Traffic Counts at Intersection of Township Rd 262 and Bearspaw Rd. shows.

Figure 19: Traffic Counts at Intersection of Township Rd 262 and Bearspaw Rd



The Traffic Impact Study concluded the development will not make an appreciable impact on the existing road network. It was also aimed to provide information on the current condition of Township Road 262 and Bearspaw Road (Range Road 30) so that the County can keep a track of the cumulative effect of these various small subdivisions on its road network. The design and length of the cul-de-sac sufficiently accommodates emergency vehicle access.

**Policy**

**5.6.1** Roads shall be constructed in accordance with Rocky View County Servicing Standards.

**5.7 Utility Services - Stormwater**

Sim-Flo Systems Inc., revised March 2018, conducted a Stormwater Management Plan for the *Plan Area* and environs. The report is available under separate cover. The stormwater

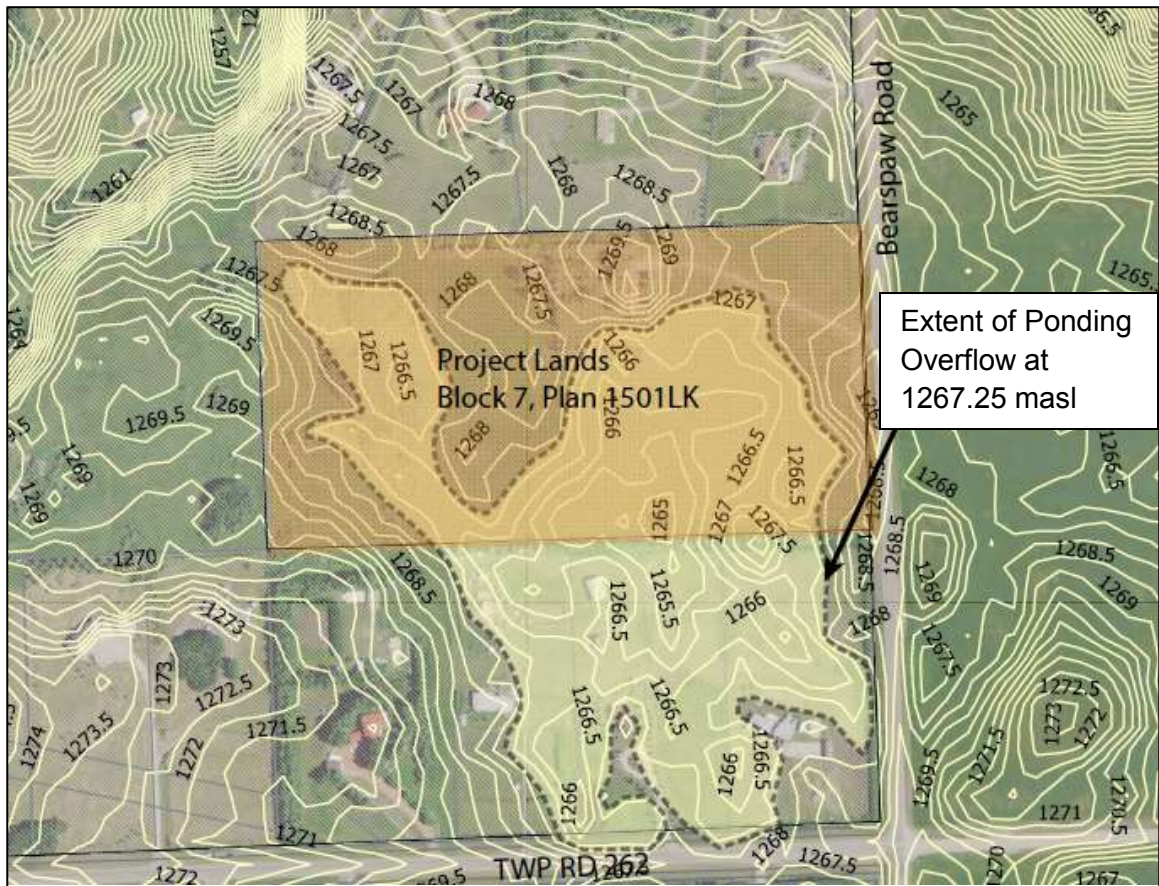


Bears paw Heights

management plan takes into account both upstream (contributing) lands and downstream (receiving) lands in order to ensure that no negative impacts are caused by the development of the land under consideration. RVC has mandated that post development peak discharges will not exceed the pre-development peak discharge rate. Pre-development mapping and parameters of the *Plan Area* and environs were presented earlier in this Conceptual Scheme.

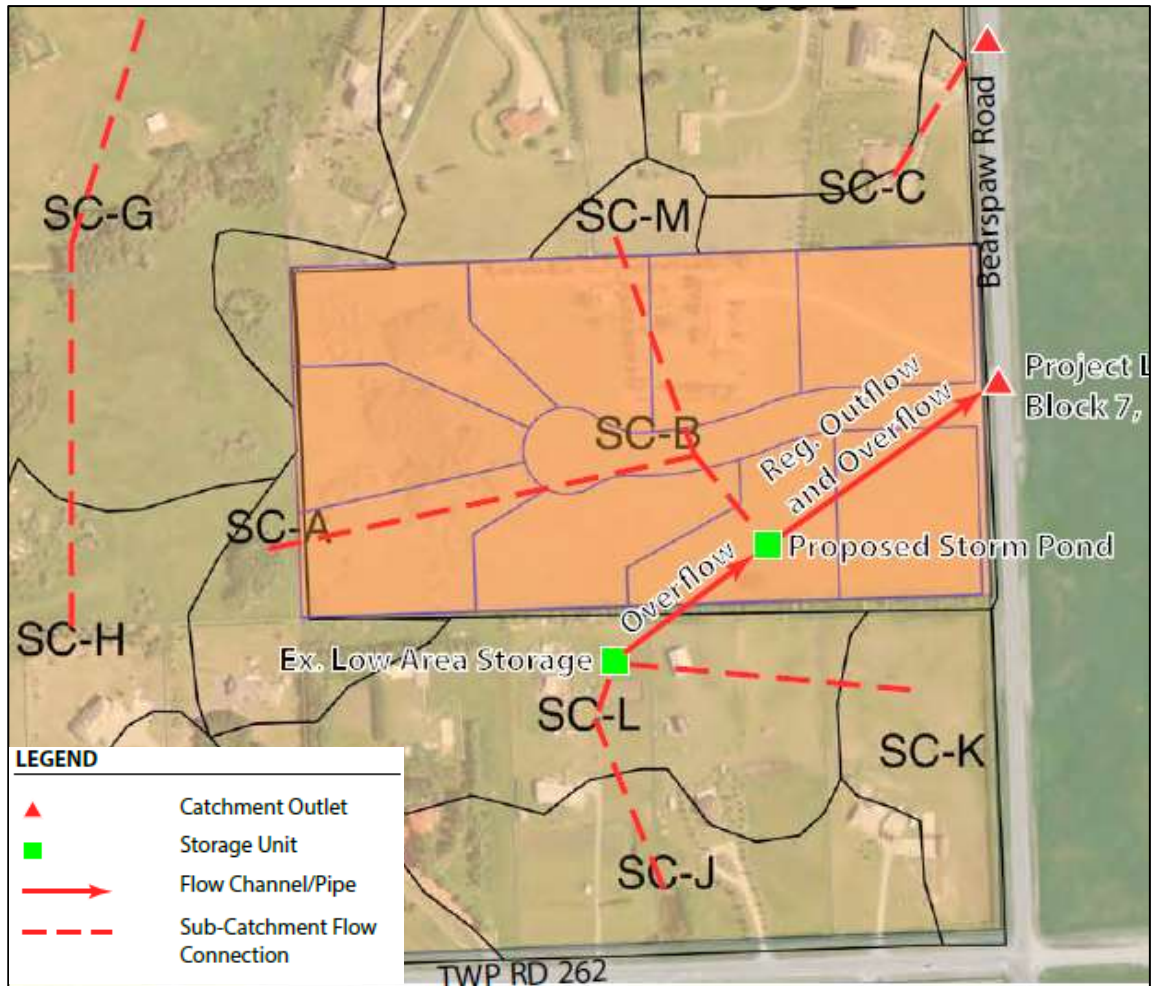
Figure 20: Ponding in *Plan Area* and Environs shows that a natural overflow of ponding for the low area is located at the northeast of the development at an approximate elevation of 1267.25 masl. The extent of possible ponding that could occur on the site can be determined by tracing the 1267.25 masl contour. Based on this analysis, it can be seen that most of the residential buildings would not be inundated should this worst case scenario occur. Based on visits to the site, there is no evidence that runoff from the existing land has ever inundated the area to this extent.

Figure 20: Ponding in *Plan Area* and Environs



Bearspaw Heights

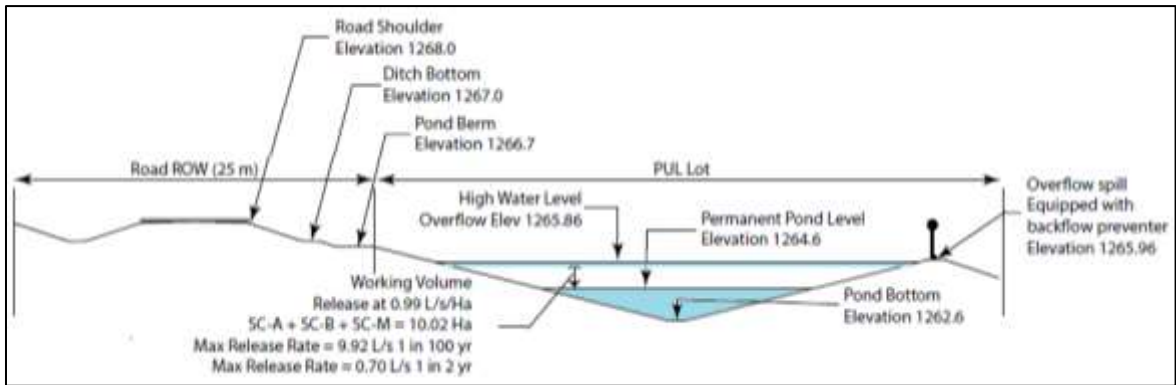
Figure 21: Post - Development Catchment Areas



To ensure runoff from the proposed development does not enter onto the adjacent lands to the south, a berm will be constructed with an overflow elevation of 1265.96 masl. An overflow structure with a one-way gate ensures that storm water from the southern lands can overflow into the proposed storm pond. Water from the proposed development will not be allowed to backflow onto the land to the south. Figure 22: Proposed Stormwater Pond shows the pond will have an overflow located at 2.0 m above the bottom of the pond at an elevation of 1264.6 masl. If the water level exceeds this elevation it is discharged through the overflow pipe at a rate of less than 0.07 L/s/Ha for the 1 in 2 year storm and 0.99 L/s/Ha for the 1 in 100 year storm.

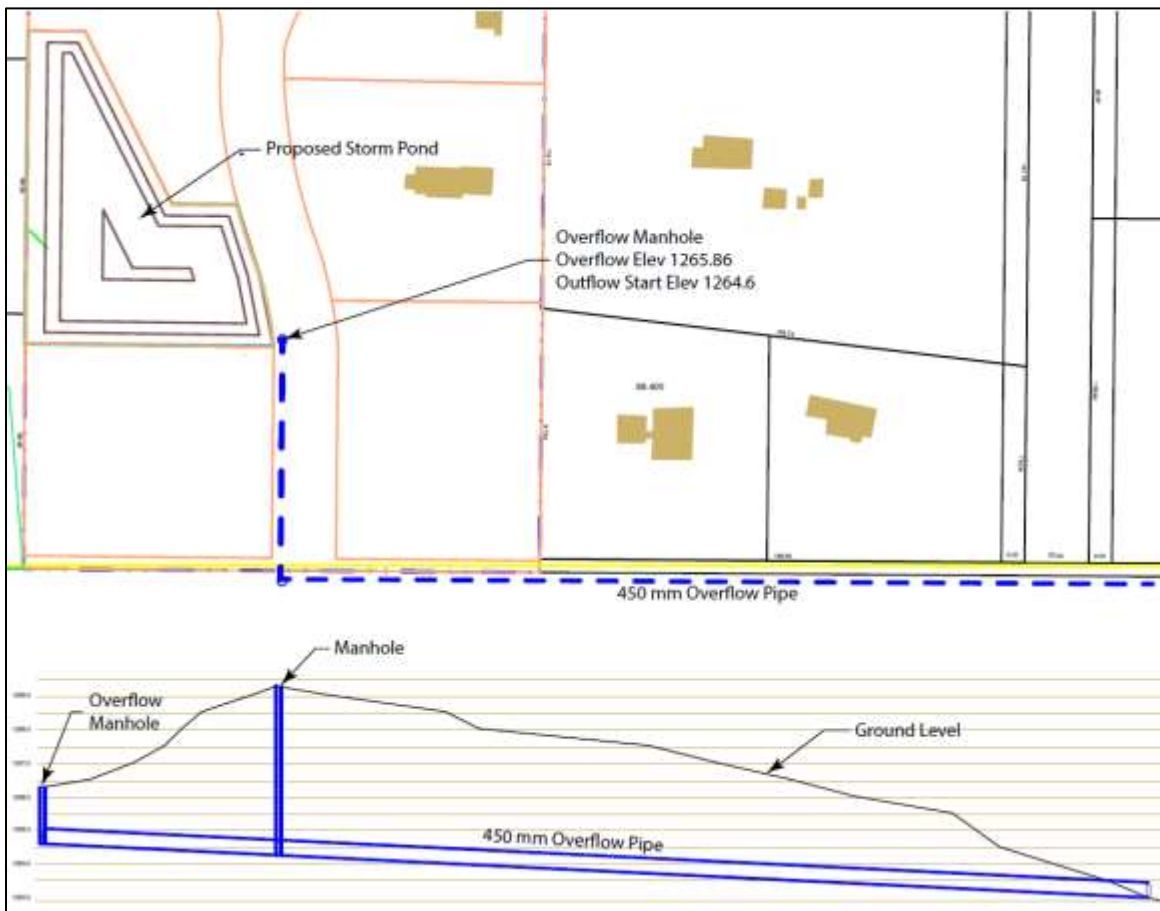
Bearspaw Heights

Figure 22: Proposed Stormwater Pond Cross-section



As Figure 23: Proposed Discharge/Overflow Pipe Schematic shows, if the water level exceeds the high water level in the pond (1265.86 masl), it overflows into the 450 mm pipeline and discharged into the county road ditch on the west side of Bearspaw Road.

Figure 23: Proposed Discharge/Overflow Pipe Schematic





## Bearspaw Heights

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Measures such as Low Impact Development (LIDs) are described in Section 800 of the RVC Servicing Standards are an evolving science offering alternative design methods dealing with stormwater. Examples include grassed swale/bioswales, absorbent landscaping, bioretention, porous pavement, stormwater/rainwater reuse, and green roofs.

### Policy

- 5.7.1 Development within the *Plan Area* shall generally conform with the Stormwater Management Plan referenced in this Conceptual Scheme that takes into consideration: best management practices, the Bearspaw – Glenbow Master Drainage Plan and the Nose Creek Watershed Water Management Plan.
- 5.7.2 In accordance with the Stormwater Management Plan, habitable buildings should be located outside of the area shown in Figure 20 - Ponding in *Plan Area* and Environs at 1,266.69 m, being 0.5 m higher than the probable maximum flood elevation.
- 5.7.3 Development shall minimize extensive stripping and grading, while also protecting natural depressions in the landscape as part of the overall design of the Stormwater Management Plan.
- 5.7.4 Detailed design of the necessary stormwater infrastructure identified in the Stormwater Management Plan shall be completed at the subdivision stage.
- 5.7.5 The use of low impact development measures such as rain gardens and infiltration areas may be required to manage and control the stormwater volumes generated by the development in order to meet the requirement of the Bearspaw Glenbow Master Drainage Plan.

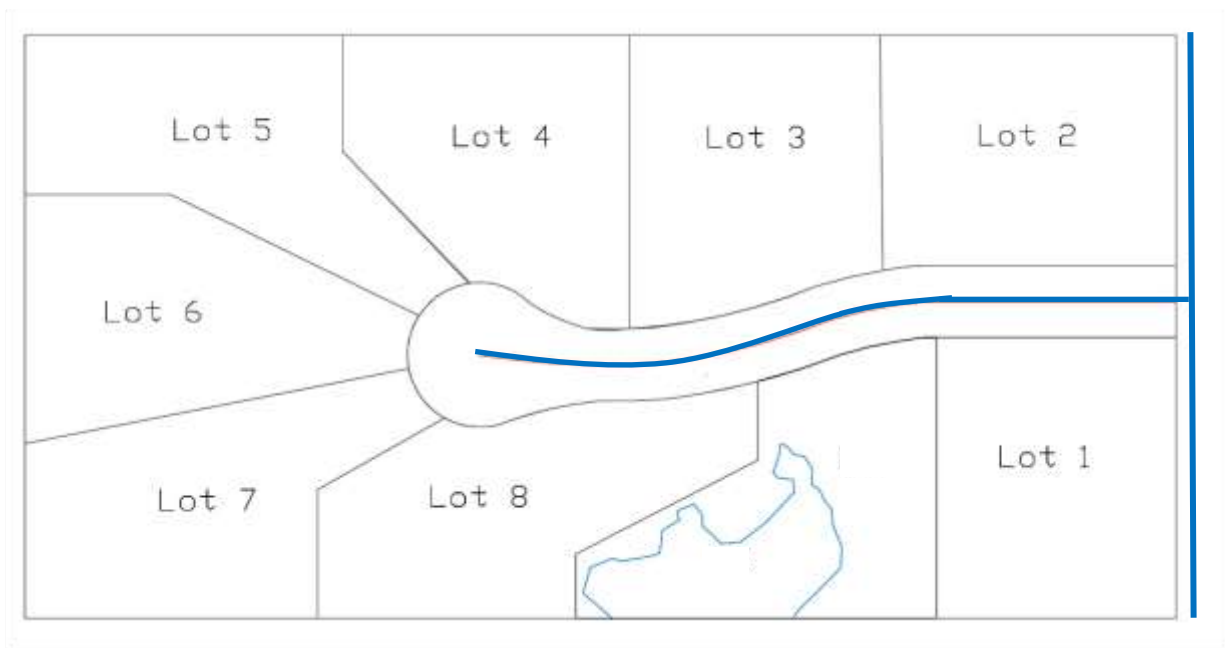
## Bears paw Heights

## 5.8 Utility Services – Water

**Bears paw Heights** will be provided with potable water via connection to the Rocky View Water Co-op regional water system that ties in to the 100 mm water line that runs north to south along the west side of Bears paw Road (Range Road 30), east of the *Plan Area*. The Rocky View Water Co-op has verified in writing that it has available capacity to provide potable water service to the *Plan Area*. Accordingly, the Developer has entered into an agreement with the Rocky View Water Co-op to provide this essential service for the future subdivision and development of the *Plan Area*. Figure 24: Water Servicing shows the water line in relation to the road.

An engineered water distribution network will be installed within the *Planning Area* with connections to each residence within **Bears paw Heights** that tie into the existing water network.

**Figure 24: Water Servicing**



**Policy**

- 5.8.1** Water mains and distribution pipes within the *Plan Area* shall be in conformance with Rocky View Water Co-Op's current servicing standards.
- 5.8.2** The water system shall incorporate fire protection via a drafting hydrant from the central pond, and shall adhere to best practices for water distribution.

## Bearspaw Heights

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### 5.9 Utility Services – Sanitary Wastewater

Sewage treatment and disposal will be managed on site with conventional septic fields. Alberta Environment prefers a minimum of 1 acre (0.4 ha) of developable land on each lot proposed through subdivision to facilitate the proper siting of tile fields. The proposed conceptual subdivision scheme has been designed to accomplish this.

#### Policy

- 5.9.1 Sewage treatment shall be provided via Packaged Sewage Treatment Systems on individual lots and shall meet the Bureau de Normalisation Du Quebec (BNQ) standards for the treatment quality.
- 5.9.2 Additional Geotechnical Evaluations including percolation and near surface water table testing confirming suitability for on-site septic field sewage treatment systems may be required as a condition of subdivision approval.

### 5.10 Shallow Utilities

Telecommunications, phone, cable, fiber optics (where available), electrical and natural gas services will be provided to the *Plan Area* at the subdivision stage, as per utility owner's guidelines and availability.

#### Policy

- 5.10.1 The development shall be serviced with private shallow utility systems such as electrical, natural gas, and telecommunications.
- 5.10.2 Locations for easements and line assignments for shallow utility extensions shall be determined at the subdivision endorsement stage.
- 5.10.3 Shallow utilities shall be provided by the appropriate utility company providing service to the *Plan Area*, at the sole expense of the Developer. The Developer of the lands shall(?) provide easements to any utility company requiring them to provide services to the *Plan Area*.

### 5.11 Solid Waste and Recycling

There are limited solid waste and recycling services available in Bearspaw, as described earlier in this Conceptual Scheme under 4.1 Local Development Context.

#### Policy

- 5.11.1 A solid waste and recycling management plan shall be provided for the Plan Area prior to endorsement of subdivision approval. Implementation of the solid waste and recycling management plan shall be the responsibility of the Developer and/or the **Bearspaw Heights** Homeowners' Association, at the discretion of the Municipality.

## Bearspaw Heights

### 5.12 Protective and Emergency Services

Bearspaw is served by a full-time fire department centrally located at Bearspaw Fire Station 103 on Highway 1A, approximately 9 km by road southwest from the *Plan Area*. Figure 25: Photo of Bearspaw Fire Station 103 shows this building. Police services are provided by the R.C.M.P. enforcing the law through a detachment in Cochrane, or by RVC Peace Officers enforcing selected government acts and municipal bylaws. Medical emergencies are directed to facilities in the City of Calgary.

**Figure 25: Photo of Bearspaw Fire Station 103**



## 6.0 IMPLEMENTATION FRAMEWORK

### 6.1 The Conceptual Scheme Implementation Process

Adoption of this Conceptual Scheme will establish specific expectations that will guide the implementation of ***Bearspaw Heights***. The Conceptual Scheme policies must be considered prior to a land use amendment and/or subdivision approval. Consideration for adoption of this Conceptual Scheme by Council will occur following a Public Hearing. Council will consider adoption pursuant to the MGA. Subsequently, consideration of land use amendment, subdivision, and development permit applications will follow.

### 6.2 Land Use Redesignation

***Bearspaw Heights*** intends to work with the County to apply relevant land use districts for a land use redesignation application. A land use amendment is expected to be applied by Council in accordance with the RVC Land Use Bylaw at the time of redesignation.

### 6.3 Subdivision Application

A subdivision application will follow land use redesignation of the *Plan Area*.

Bearspaw Heights

6.4 Architectural Design Considerations

The developer will establish and implement specific Architectural and Design Guidelines to ensure all development and landscape design reflects a consistent style and theme.

Policy

6.4.1 A document outlining Architecture and Design Guidelines for residential buildings will be submitted at the subdivision n stage of the development approval process.

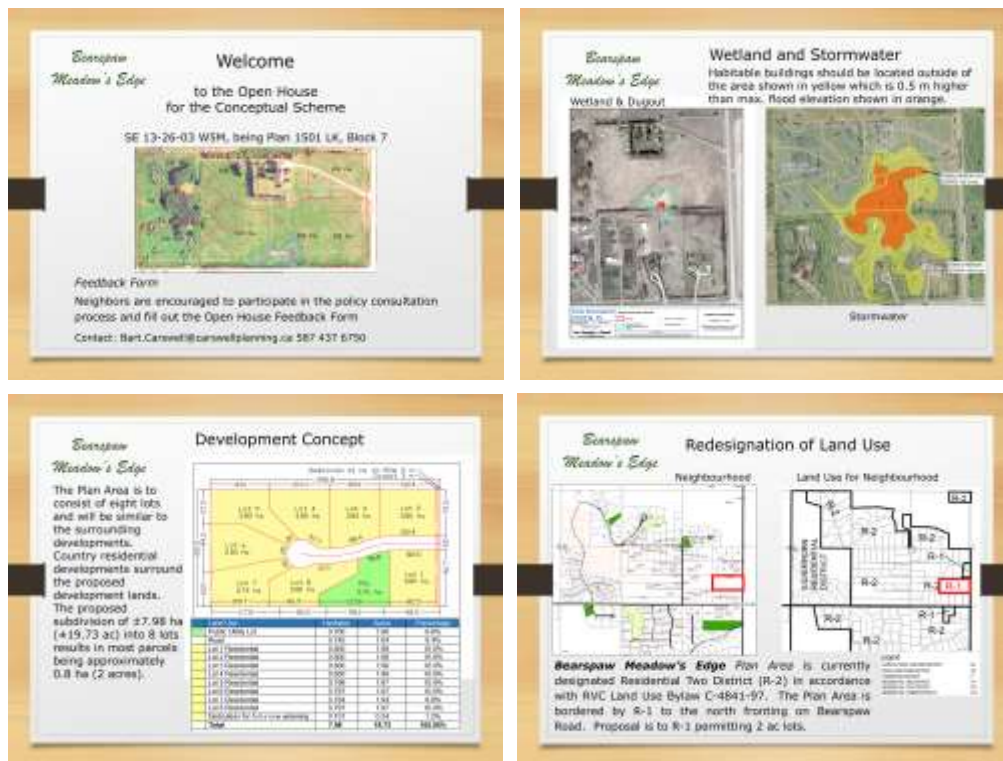
7.0 PUBLIC ENGAGEMENT

7.1 Open House

Two open houses were held on the site to engage the neighbours regarding the proposed development. Notices supplied were mailed by RVC. The first open house was at the site on July 18, 6:00 – 8:00 pm and seven attended. Numerous storyboards were on display and a question and answer session followed. Figure 26: Storyboards of Open House shows these. Brief surveys were distributed to seek public input. Primary concerns were with drainage/runoff and how it may affect the immediate neighbours.

A second open house was at the site on August 23, 6:00 – 8:00 with a stormwater engineer and groundwater engineer present to address the primary concern with drainage/runoff.

Figure 26: Storyboards of Open House



## Bearspaw Heights

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### 7.2 Potential Surrounding Development

Figure 27: Conceptual Scheme Environs, 2018 shows parcels (existing and proposed) of the quarter section and surrounding area. Bearspaw Heights is represented as eight (8) lots and a PUL lot, as shown by dashed lines. Note that other proposals have come forward that aren't depicted in this figure.

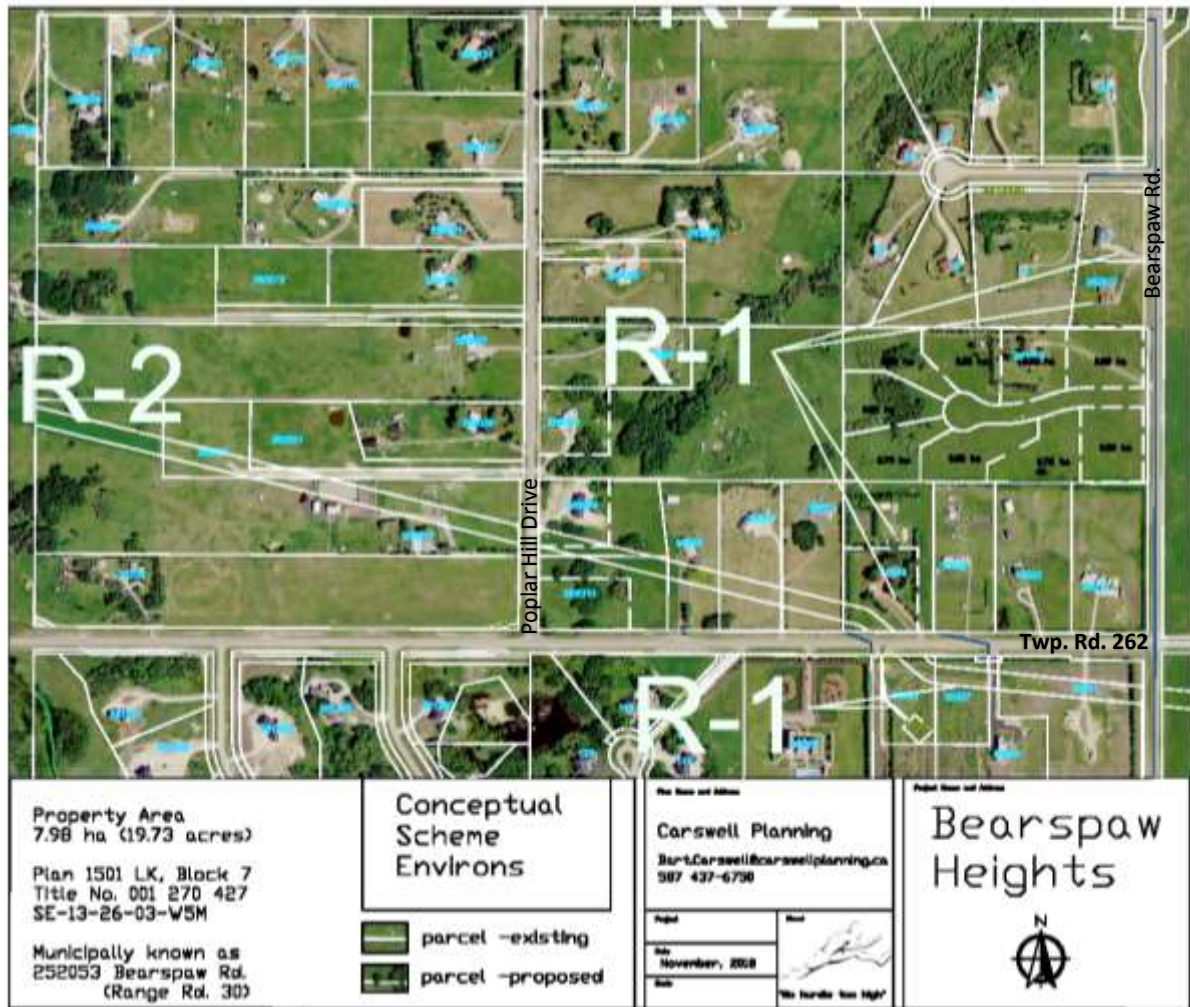
Neighbours have been consulted throughout the process on whether they were considering development and how this conceptual scheme may be able to accommodate them. To the west, a logical road connection was not supported by that property owner. That parcel has access off Poplar Hill Drive instead. To the south, some lands are susceptible to the maximum flood level, as shown previously in Figure 20: Ponding in *Plan Area* and Environs. Further over, 30046 Twp. Rd. 262 received approval (June 12, 2018) for R-1 leading to the creation of a new lot.

Other lots east of Poplar Hill Drive are also in the process of gaining approval for R-1 leading to the creation of a new lot as shown on Figure 27: Conceptual Scheme Environs, 2018. The proposal for Bearspaw Heights is in an area where R-1 is in character with surrounding development and has demonstrated through extensive technical reports that it represents good planning.



Bearspaw Heights

Figure 27: Conceptual Scheme Environs, 2018

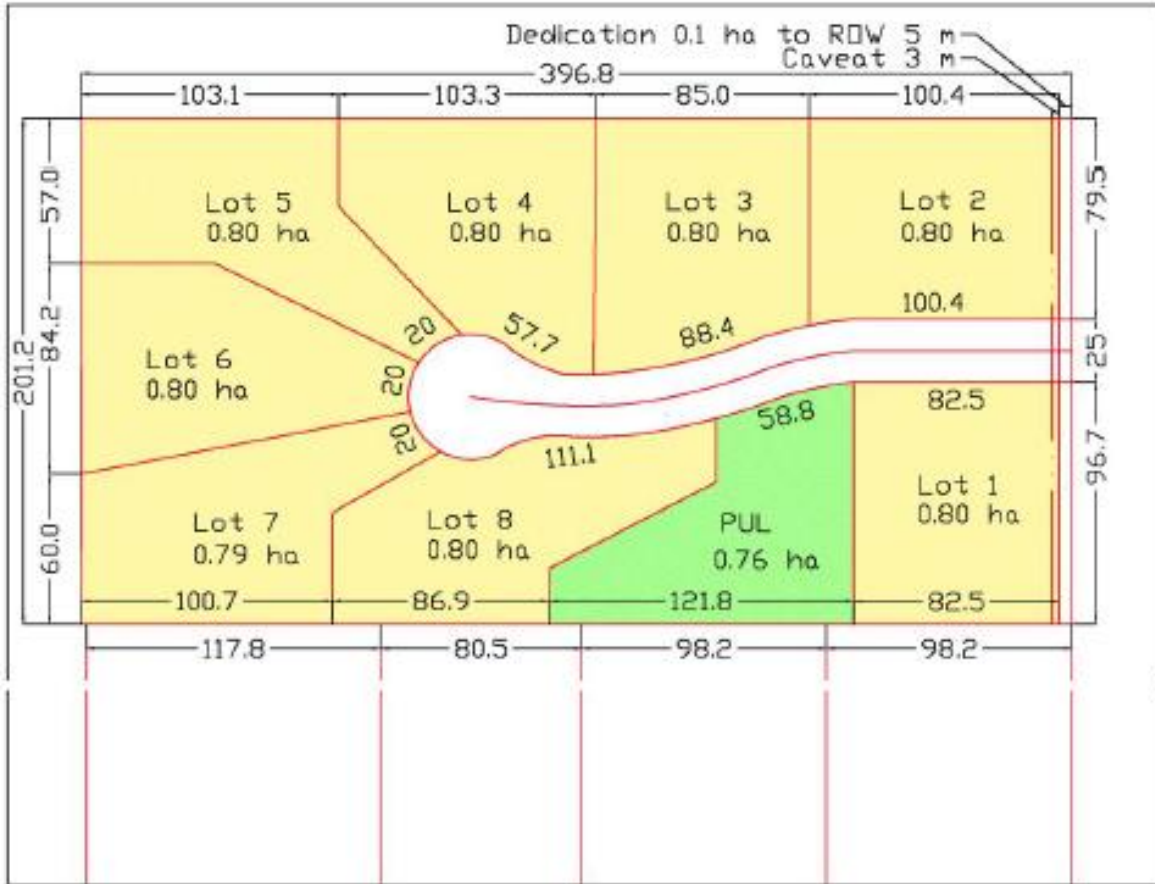






**Conceptual Scheme Proposal:** To adopt the Bearspaw Heights Conceptual Scheme, by amendment to the Bearspaw ASP, to provide a policy framework to guide and evaluate the development of a country residential community comprised of eight (8) ± 0.81 hectare (± 2.00 acre) parcels, and an internal subdivision road.

Figure 14: Development Concept

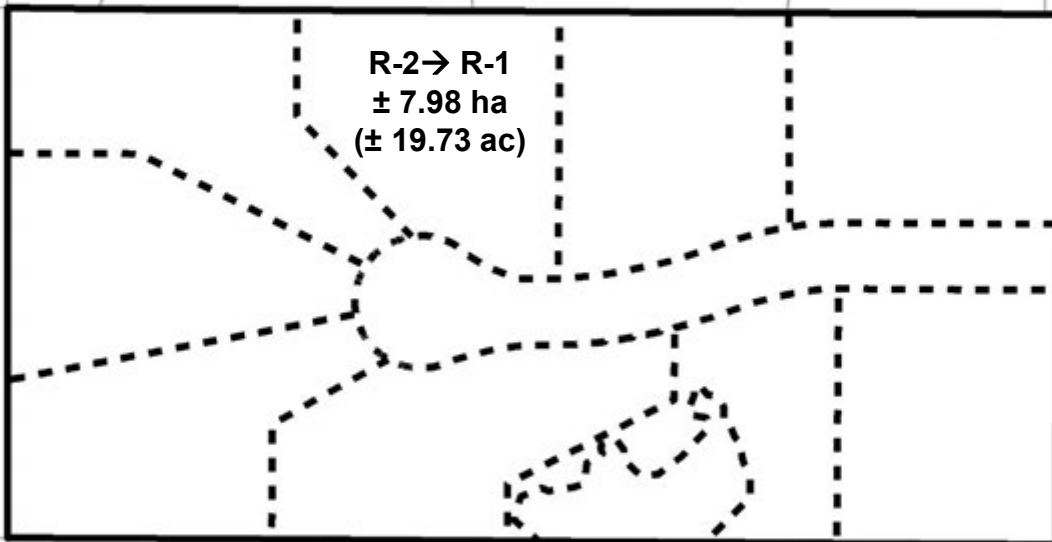


# BEARSPAW HEIGHTS CONCEPTUAL SCHEME

SE-13-26-03-W05M



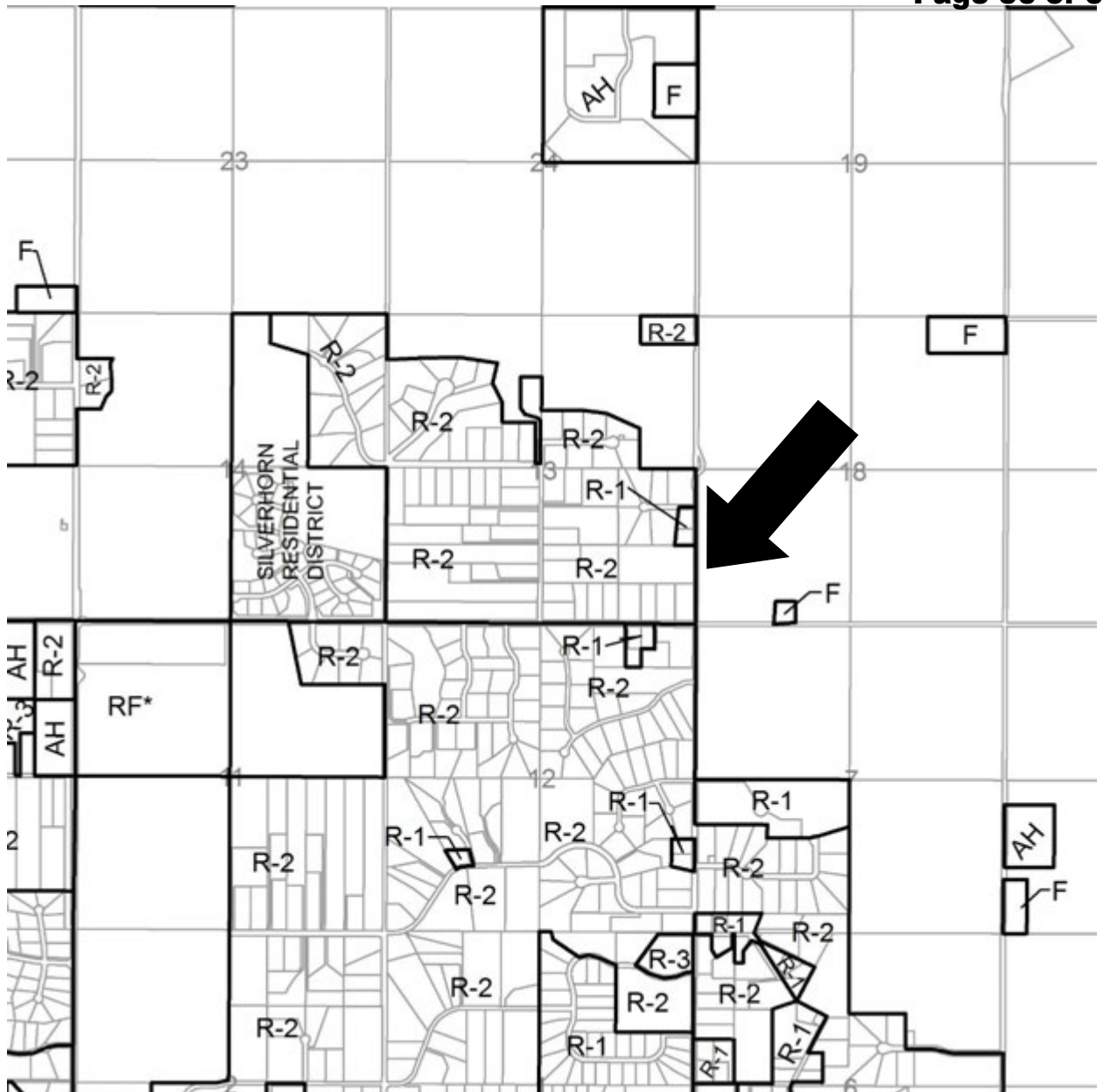
**Redesignation Proposal:** To redesignate the subject lands Residential Two District to Residential One District to facilitate the creation of eight ± 0.81 hectare (± 2.00 acre) parcels, and an internal subdivision road.



# DEVELOPMENT PROPOSAL

SE-13-26-03-W05M





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-13-26-03-W05M







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

**TOPOGRAPHY**  
 Contour Interval 2 M

**SE-13-26-03-W05M**







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**



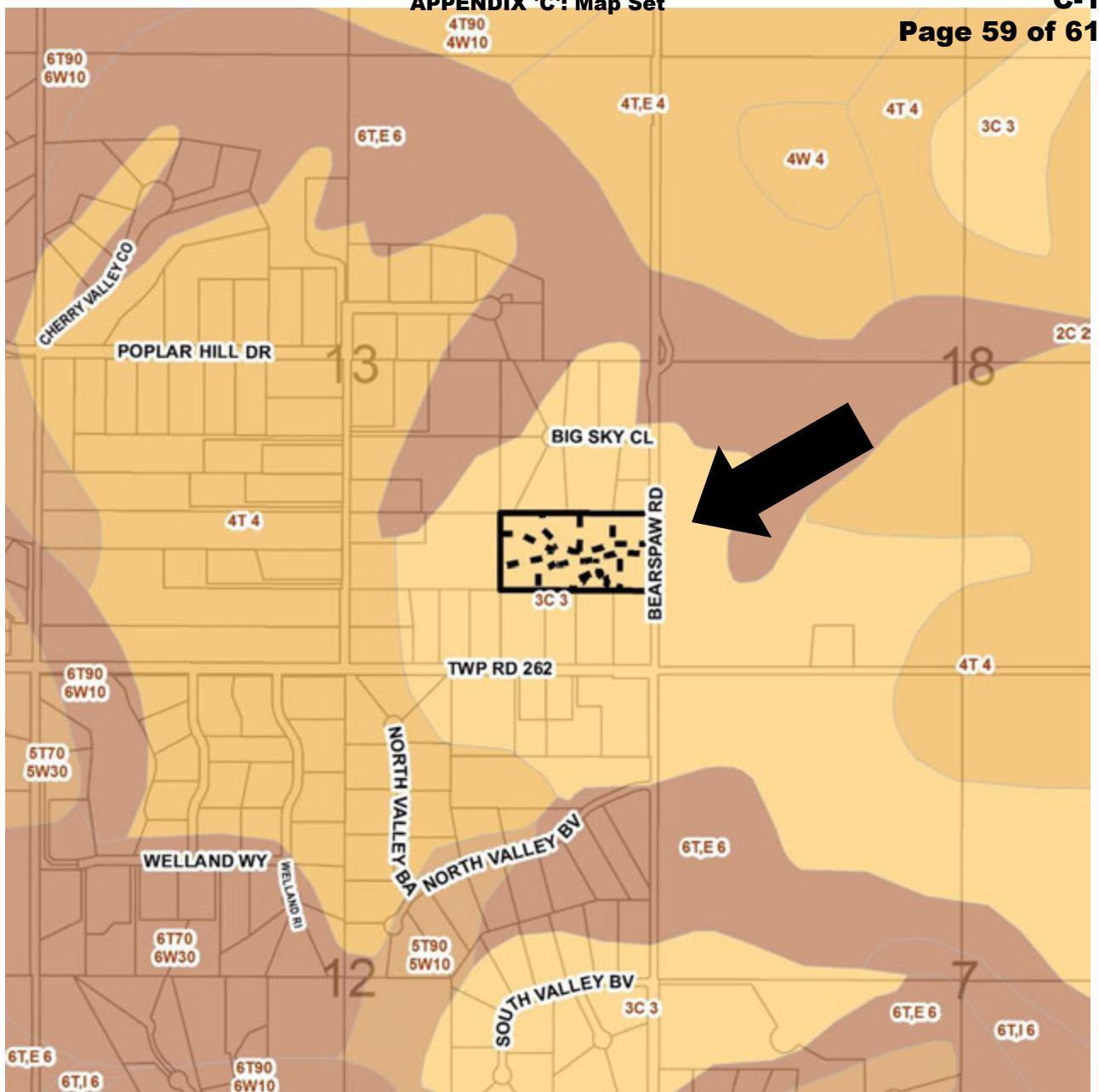
Date: May 09, 2017

Division # 8

File: 06713003

**AGENDA**

Page 85 of 257



**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

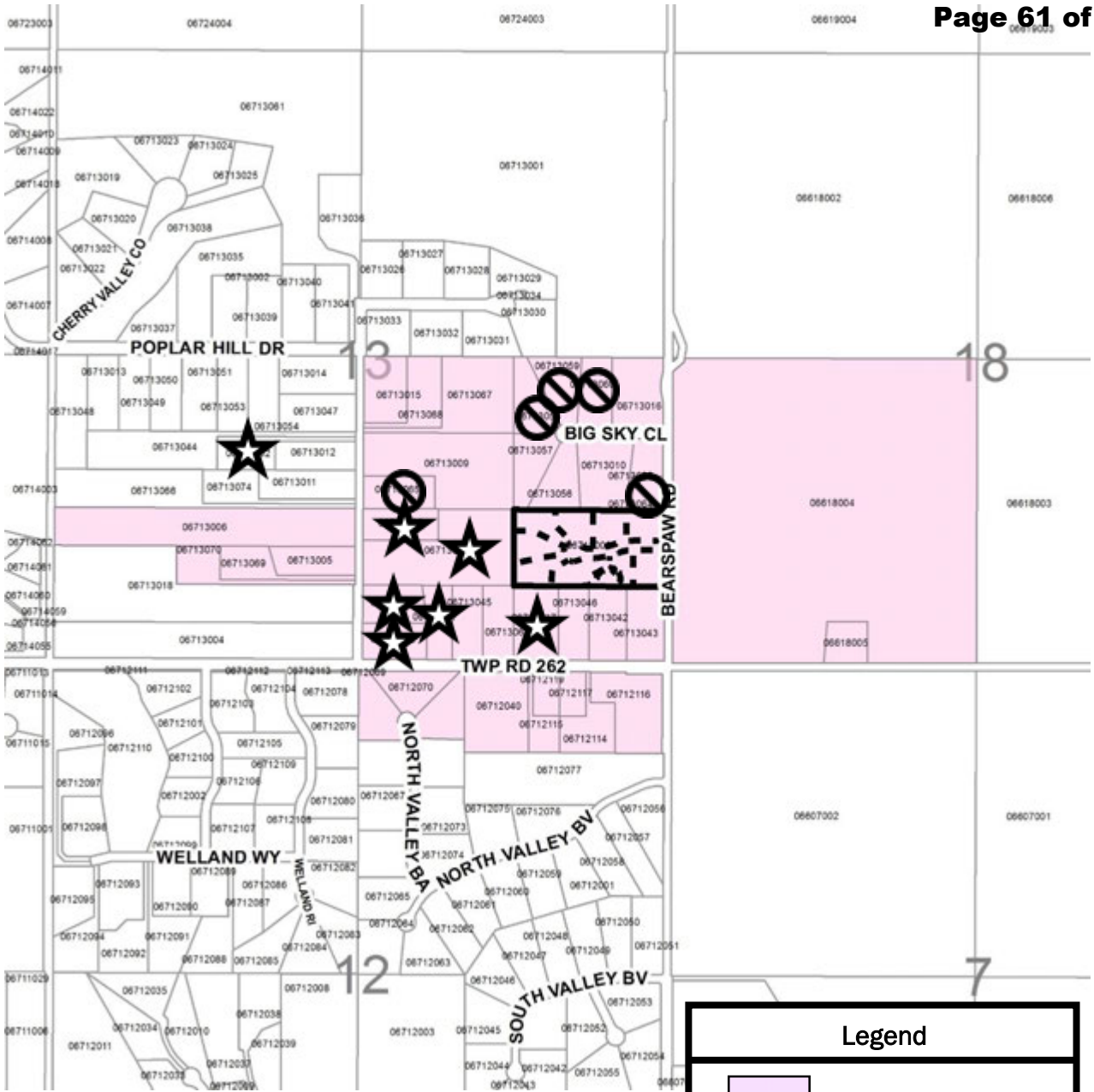
**SOIL MAP**

**SE-13-26-03-W05M**









- Letters in Opposition
- Letters in Support

Legend	
	Circulation Area
	Subject Lands

# LANDOWNER CIRCULATION AREA



## SE-13-26-03-W05M

**PLANNING & DEVELOPMENT SERVICES**

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**TO:** Council

**DATE:** January 8, 2019 **DIVISION:** 8

**TIME:** Morning Appointment

**FILE:** 06713003 **APPLICATION:** PL20170064

**SUBJECT:** Redesignation Item – Residential Two District to Residential One District  
Note: This application should be considered in conjunction with conceptual scheme application PL20170078 (agenda item C-1).

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**<sup>1</sup>POLICY DIRECTION:**

The application was evaluated against the policies within the County Plan and Bearspaw Area Structure Plan (BASP), and was found to be compliant:

- The proposal is consistent with the policies of the County Plan;
- The proposal is consistent with both the overall intent and the Country Residential policies in section 8.0 of the BASP;
- The proposal is consistent with the phasing policy 8.1.8 of the BASP;
- The proposal meets the requirements for conceptual scheme submissions as outlined in policy 8.1.9 – 8.1.15 of the BASP;
- The proposal is consistent with the associated conceptual scheme application; and
- The Applicant demonstrated that the technical aspects of the proposal are feasible; detailed design would be provided and implemented at the future subdivision stage.

**EXECUTIVE SUMMARY:**

The purpose of this application is to redesignate the subject lands from Residential Two District to Residential One District to allow for the eventual subdivision of eight new 0.80 hectare (1.98 acre) residential lots. The Bearspaw Heights Conceptual Scheme (PL20170078) was submitted in conjunction with this application, in accordance with the policies of the Bearspaw Area Structure Plan (BASP).

This report provides a detailed policy analysis that evaluates compatibility of the proposal with the relevant statutory plans. Details of the proposed development, including technical components, are discussed in the conceptual scheme report.

Administration determined that the application meets policy.

**DATE APPLICATION RECEIVED:** April 26, 2017  
**DATE DEEMED COMPLETE:** November 15, 2018

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**PROPOSAL:** To redesignate the subject lands from Residential Two District to Residential One District to accommodate the development of eight country residential lots.

**LEGAL DESCRIPTION:** Block 7, Plan 1501 LK within SE-13-26-03-W05M

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<sup>1</sup> **Administration Resources**  
Jessica Anderson, Planning & Development Services  
Gurbir Nijjar, Planning & Development Services



<b>GENERAL LOCATION:</b>	Located approximately 0.41 kilometers (1/4 mile) north of Township Road 262, on the west side of Bearspaw Road, 3.0 miles northwest of the city of Calgary.
<b>APPLICANT:</b>	Carswell Planning
<b>OWNERS:</b>	Alexander Kurteev
<b>EXISTING LAND USE DESIGNATION:</b>	Residential Two District
<b>PROPOSED LAND USE DESIGNATION:</b>	Residential One District
<b>GROSS AREA:</b>	± 7.98 hectares (± 19.73 acres)
<b>SOILS (C.L.I. from A.R.C.):</b>	<b>Class 3C, 3</b> – Moderate limitations to cereal crop production due to adverse climate.

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

This proposal was circulated to ninety four (94) adjacent landowners; seven letters in opposition and seven letters in support were received in response (see Appendix 'D'). The application was also circulated to a number of internal and external agencies, the responses from which are available in Appendix 'A'.

### **HISTORY:**

January 18, 1994	The Bearspaw Area Structure Plan was adopted by Council.
January 29, 1973	Plan 1501LK was registered, creating eight lots including the subject ± 7.98 hectares (± 19.73 acres) parcel.

### **BACKGROUND:**

The lands are currently developed with a dwelling and associated accessory buildings. Access is provided from an existing approach off Bearspaw Road, which would be removed, and a new internal subdivision road would service the proposed eight lots. The lands are located in an area of the County that is primarily country residential to the north, west, and south, and agricultural to the east.

This report focuses primarily on the compatibility with the relevant statutory plans, while the associated conceptual scheme report focuses on the technical aspects of the proposal, including all development related considerations. As directed by the BASP, the conceptual scheme provides for a comprehensive overview of the proposed development, addressing matters such as transportation, servicing, stormwater, reserves, and development on adjacent lands.

Potable water is proposed to be supplied to the new lots by Rocky View Water Co-op, and the Applicant has demonstrated that capacity is available for the lots.

The Applicant also addressed stormwater issues, submitting a conceptual level Stormwater Management Plan, and committing to providing a comprehensive plan at the future subdivision stage. The concept consists of the use of a centralized stormwater management pond south of the proposed internal road that accepts stormwater flows from the proposed development and lands to the south.

With respect to wastewater, the Applicant proposes to install Private Septic Systems. In accordance with County Policy 449, as the lots are less than four acres in size and the development density exceeds the 60 existing/conditionally approved parcels in a 600 m radius of the subject lands, the Applicant would be required to install an advanced wastewater treatment system.



## POLICY ANALYSIS:

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

Policy 10.1 states that county residential development within Bearspaw shall conform to the area structure plan. The BASP provides a detailed policy framework to guide land use.

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

Section 8 of the BASP addresses County Residential Development and phasing:

#### 8.1 COUNTRY RESIDENTIAL

##### General Land Use

- 8.1.1 *Country residential land uses may be considered appropriate within the Plan Area subject to the provisions of this Plan.*
- The application contemplates a country residential land use.
- 8.1.2 *Figure 7 identifies areas within the Plan Area generally considered appropriate for country residential land uses.*
- The subject lands are identified in Map 7 as appropriate for country residential land uses.
- 8.1.3 *Applications for redesignation that propose country residential land uses should be considered pursuant to the provisions of Figure 7 and attendant Plan policies.*
- The proposal was assessed in accordance with Figure 7 and the attendant Plan policies.
- 8.1.6 *Pursuant to Policy 8.1.5, when considering the appropriateness of a plan amendment, the Municipality may require the proponent to submit in support of the amendment, a Concept Plan and/or other studies deemed appropriate by the Municipality.*
- The Applicant submitted a Concept Plan to support the proposed land use amendment.
- 8.1.7 *The Land Use By-law shall establish Land Use Districts that will accommodate the range of country residential land uses contemplated by this Plan; and should establish rules and regulations for each Land Use District including, but not limited to:*
- a) *permitted and discretionary uses;*
  - b) *general rules and regulations for country residential development;*
  - c) *any other matter the Municipality deems necessary.*
- The proposed Residential One District establishes the permitted and discretionary uses and general rules and regulations for county residential development.
- 8.1.20 *Within the country residential areas identified in Figure 7, the minimum parcel size should not be less than four (4) acres.*
- 8.1.21 *Notwithstanding Policy 8.1.20 and Figure 3, the Municipality may consider redesignation proposals and/or application for subdivision contemplating parcel sizes of less than four (4) acres in size, provided these proposals are supported by a Concept Plan that is prepared and adopted pursuant to the provisions of this Plan.*

- The Applicant prepared a Concept Plan (PL20170078) to support the proposed 0.80 hectare (1.98 acre) parcel sizes.
- 8.1.24 Where a tentative plan of subdivision proposes a dead end cul-de-sac, the design and length of the cul-de-sac should sufficiently accommodate emergency vehicle access, or alternate provisions for emergency vehicle access shall be provided.*
- The proposed dead end cul-de-sac accommodates emergency vehicle access.
- 8.1.8 Country residential land uses as illustrated in Figure 7, should develop in accordance with the phasing sequence identified in Figure 8. Country residential development proposing to proceed out of phase shall be required to provide rationale for the proposal in accordance with the provisions of this Plan and as may be required by the Municipality.*
- The lands are identified as Priority Area 1 in Map 8. The lands are suitable for the proposed development in accordance with these priorities.

Further, the lands are identified in Map 3 as lands within development Priority Area 1 recommended for Concept Plans.

Section 8.1.14 of the BASP identifies what information is to be included in a Concept Plan. The detailed assessment is included in the report for the Conceptual Scheme (PL20170078); the proposed Conceptual Scheme meets the relevant policies of the Bears paw Area Structure Plan (BASP) and is consistent with the intentions of the land use amendment. The Conceptual Scheme further addresses utility servicing, access, and stormwater management. The proposed redesignation meets the relevant objectives of the BASP for country residential development.

**PROPOSED AMENDMENT TO BYLAW:**

As per the Land Use Bylaw, the purpose and intent of the Residential One District is to provide for a residential use on a small parcel of land that does not accommodate agriculture, general. The Residential One District is the appropriate district for the intended parcel sizes.

**CONCLUSION:**

The lands are located within the policy area of the County Plan and Bears paw Area Structure Plan (ASP); the application was evaluated in accordance with these plans. Administration determined that the proposal is consistent with the relevant plans, the technical aspects of the proposal are feasible, and detailed design would be provided and implemented at the subdivision stage.

**OPTIONS:**

- Option #1:     Motion #1     THAT Bylaw C-7837-2018 be given first reading.  
                   Motion #2     THAT Bylaw C-7837-2018 be given second reading.  
                   Motion #3     THAT Bylaw C-7837-2018 be considered for third reading.  
                   Motion #4     THAT Bylaw C-7837-2018 be given third and final reading.
- Option #2:     THAT application PL20170064 be refused.

Respectfully submitted,

Concurrence,

“Sherry Baers”

“Al Hoggan”

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Executive Director  
Community Development Services

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Chief Administrative Officer

JA/rp

**APPENDICES:**

APPENDIX ‘A’: Application Referrals

APPENDIX ‘B’: Bylaw C-7837-2018 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 provided.
Calgary Catholic School District	Please note that Calgary Catholic School District (CCSD) has no objection to the above noted circulation (PL2017-0064) in Bearspaw. As per the circulation, MR dedication would be anticipated at the subdivision stage.
Public Francophone Education	No comments provided.
Catholic Francophone Education	No comments provided.
<i>Province of Alberta</i>	
Alberta Environment	No comments provided.
Alberta Transportation	No comments provided.
Alberta Sustainable Development (Public Lands)	No comments provided.
Alberta Culture and Community Spirit (Historical Resources)	No comments provided.
Energy Resources Conservation Board	No comments provided.
Alberta Health Services	<p>Based on the information provided, AHS has no objections to the application. We provide the following comments for your consideration:</p> <ol style="list-style-type: none"> <li>1. The property must be maintained in accordance with the Alberta Public Health Act, Nuisance and General Sanitation Guideline 251/2001, which stipulates:           <p style="margin-left: 40px;"><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> </li> <li>2. AHS supports connection to the Rocky View Water Co-op system, as it is an Alberta Environment and Parks approved regional drinking water system.</li> <li>3. Any existing water wells on the subject site, if no longer used, must be decommissioned according to Alberta Environment and Parks standards and regulations.</li> </ol>



AGENCY	COMMENTS
	<p>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.</p> <p>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. AHS supports the conceptual scheme's assertion that "additional Geotechnical Evaluations including percolation and near surface water table testing confirming suitability for on-site septic field sewage treatment systems shall be required, as a condition of subdivision approval."</p> <p>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.</p> <p>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.</p>
<i>Public Utility</i>	
ATCO Gas	See letter attached.
ATCO Pipelines	ATCO PIPELINES has no objection.
AltaLink Management	No comments provided.
FortisAlberta	No comments provided.
Telus Communications	<p>We understand that application has been made for a redesignation/ proposed development over the abovementioned land.</p> <p>Please accept this letter advising TELUS Communications Inc. has <b>no objections</b> to the current land owner proceeding with this application.</p> <p>It is the land owner's responsibility to ensure they contact Alberta One-Call to ensure no facilities will be disrupted. If at any time TELUS facilities are disrupted, it will be at the sole cost of the land owner.</p>
TransAlta Utilities Ltd.	No comments provided.
Rockyview Gas Co-op Ltd.	No comments provided.

AGENCY	COMMENTS
<i>Other External Agencies</i>	
EnCana Corporation	No comments provided.
City of Calgary	No comments provided.
<i>Rocky View County Boards and Committees</i>	
ASB Farm Members and Agricultural Fieldmen	No comments provided.
Bears paw Glendale Recreation Board	The Bears paw Glendale Recreation District Board had no comments on this circulation.
<i>Internal Departments</i>	
Recreation, Parks and Community Support	<p>Upon review of the Bears paw Heights redesignation application and Conceptual Scheme; the Recreation, Parks and Community Support office recommends the following:</p> <ul style="list-style-type: none"> <li>• As this location has not been identified for future Municipal Reserve acquisition to support public park, open space, pathway or trail development, it is recommended to take cash in lieu for all reserves owing as indicated in Policy 5.4.3; and</li> </ul> <p>Land identified which is suitable for environmental preservation shall be protected via dedication of an Environmental Reserve Easement on private lands as indicated in Policy 5.5.1.</p>
Development Authority	No comments provided.
GIS Solutions	Please ensure that a road naming application is listed as a condition of subdivision at subdivision stage.
Building Services	No comments provided.
Bylaw and Municipal Enforcement	No comments.
Fire Services	No comments.
Planning & Development Services - Engineering	<p><b>General:</b></p> <ul style="list-style-type: none"> <li>• As a condition of future subdivision, the Owner is required to enter into a Development Agreement with the County pursuant to Section 655 of the Municipal Government Act respecting provision of the following: <ul style="list-style-type: none"> <li>○ Construction of internal public road to a Country Residential standard (400.4) complete with a cul-de-sac</li> </ul> </li> </ul>

AGENCY	COMMENTS
	<p>and paved approaches to each parcel;</p> <ul style="list-style-type: none"> <li>○ Removal and reclamation of the existing approach off of Bears paw Road:               <ul style="list-style-type: none"> <li>a) Mailbox locations are to be located in consultation with Canada Post to the satisfaction of the Municipality;</li> <li>b) Water to be supplied through a water distribution system in accordance with the Rocky View County Servicing Standards as approved by Council as amended;</li> <li>c) The Owner is to provide for the implementation and construction of stormwater facilities, if any, in accordance with the recommendations of an approved Stormwater Management Plan and the registration of any overland drainage easements and/or restrictive covenants as determined by the Stormwater Management Plan, all to the satisfaction of Alberta Environment and the County;</li> <li>d) Installation of power, natural gas, and telephone lines;</li> </ul> </li> <li>• As a condition of future subdivision, the applicant will be required to provide a construction management plan providing procedures for noise mitigation measures, traffic accommodation, sedimentation and dust control, management of stormwater during construction, erosion and weed control, construction practices, waste management, firefighting procedures, evacuation plan, hazardous material containment and all other relevant construction management details;</li> <li>• As a condition of future 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 with all necessary utility providers to the satisfaction of the County.</li> </ul> <p><b>Geotechnical:</b></p> <ul style="list-style-type: none"> <li>• Engineering has no requirements at this time;</li> <li>• As a condition of future subdivision, the applicant shall engage the services of a qualified Geotechnical Engineering Consultant to conduct an onsite geotechnical investigation to evaluate the soil characteristics, make recommendations for pavement structure design of the internal road, make storm pond liner recommendations, measure existing groundwater conditions and provide all other relevant geotechnical information for the proposed development to the satisfaction of the County.</li> </ul> <p><b>Transportation</b></p> <ul style="list-style-type: none"> <li>• The applicant submitted a Traffic Impact Letter prepared by</li> </ul>



AGENCY	COMMENTS
	<p>Bunt and Associates dated December 8, 2016. The letter reviewed the conditions of Township Road 262 and Bearspaw Road and the intersection Township Road 262 and Bearspaw Road. Based on the letter no improvements are necessary at the intersection. ES has no further concerns at this time;</p> <ul style="list-style-type: none"> <li>• Bearspaw Road has been identified as part of the County's Long Range Transportation Network Road as a Network A road requiring a future Right-of-Way of 36m. The existing ROW adjacent to the subject lands is approximately 20m. As a condition of future subdivision, the Owner will be required to dedicate, by Plan of Survey, a +/- 5.0m strip of land as road ROW along entire easterly boundary of subject lands and +/- 3.0m strip by Caveat;</li> <li>• As a condition of future subdivision, the applicant will be required to provide payment of the Transportation Offsite Levy in accordance with applicable levy at time of Subdivision approval, as amended, for the total gross acreage of the lands proposed to be subdivided. The estimated levy payment owed at time of subdivision endorsement is \$90,660 (Base = \$4,595/ac x 19.73 ac = \$90,660).</li> </ul> <p><b>Sanitary/Waste Water</b></p> <ul style="list-style-type: none"> <li>• The applicant submitted a Level III PSTS Assessment prepared by Groundwater Information Technologies Ltd dated February 2017. The Assessment concludes that the site soils are suitable to support a PSTS however, as the assessment was completed in February 2017 during winter conditions and deep frost penetration within the lands, some of the surface soils could not be reliably assessed for soil structure. Should the application be approved, Engineering recommends the report be updated to confirm the soil structure of the subject lands prior to proceeding with subdivision;</li> <li>• In accordance with County Policy 449, as the proposed subdivision will result in the creation of lots less than 4 acres and the development density exceeds 60 proposed, conditionally approved or existing lots within a 600m radius of the center of the proposed development, the County will not permit the use of standard PSTS to support the development, but will require a Decentralized or Regional Wastewater Treatment System. As the connection to a Decentralized or Regional Wastewater Treatment System is not possible, a Packaged Sewage Treatment Plant must be used for each newly created lot along with a deferred servicing agreement for future requirement of connection to a decentralized or regional system once available. For lot sizes less than R1 zoning (1.98 Acres), the County does not support the use of any type PSTS;</li> </ul>



AGENCY	COMMENTS
	<ul style="list-style-type: none"> <li>• As a condition of future subdivision, the applicant will be required to enter into a Site Improvements Services Agreement with the County for the construction of Packaged Sewage Treatment Systems Packaged Sewage Treatment Plant on the individual lots which meet the Bureau de Normalisation du Quebec (BNQ) standards for treatment quality;</li> <li>• At time of future subdivision, the applicant shall submit a Level 1 Variation Assessment Report for the existing residence on the +/- 10.5 acre lot. The assessment shall comment on the existing system, clearly indicating the required clearance distances by providing a site map and comment on the suitability and general operations;</li> <li>• As a condition of future subdivision, a Deferred Services Agreement shall be registered against each new certificate of title (parcel) created as a condition of approval, requiring the owner to tie into municipal wastewater and storm services when they become available.</li> </ul>
	<p data-bbox="618 888 1044 913"><b>Water Supply And Waterworks</b></p> <ul style="list-style-type: none"> <li>• The applicant submitted a memo from the Rocky View Water Co-Op dated August 18, 2014 indicated that the Co-op has the ability to service the proposed development via an existing line along the West side of Bearspaw Road;</li> <li>• As a condition of future subdivision, the applicant is required to provide confirmation from the Water service provider stating that: <ul style="list-style-type: none"> <li>- The applicant has completed all paperwork for water supply allocation;</li> <li>- The applicant has paid all necessary fees for the purchase of required capacity units for subdivision;</li> <li>- The utility has allocated and reserved the necessary capacity;</li> <li>- The obligations of the applicant and/or utility to bring water lines to the subdivision area have been established though confirmation with Rocky View Water Co-Op.</li> </ul> </li> <li>• In support of the application, the applicant/owner also submitted a Phase I Aquifer Analysis prepared by Groundwater Information Technologies Ltd dated December 30, 2016. The subject lands are located within the Bearspaw ASP and piped water supply is available adjacent to the lands. Engineering recommends that piped water is used to supply the proposed subdivision.</li> <li>• As a condition of future subdivision, the applicant will be required to address all fire suppression requirements (drafting hydrant) for the proposed development in accordance with the requirements of the County Servicing</li> </ul>

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<b>AGENCY</b>	<b>COMMENTS</b>
	<p data-bbox="678 260 1308 291">Standards and Fire Hydrant Bylaw C-7152-2012;</p> <p data-bbox="618 327 980 359"><b>Storm Water Management</b></p> <ul data-bbox="618 380 1476 1388" style="list-style-type: none"><li data-bbox="618 380 1476 947">• The applicant submitted a stormwater management report for the proposed subdivision prepared by Sim-Flo System Inc. dated March 7, 2018. The stormwater management concept for the proposed development consists of the use LID measures such as rain gardens and infiltration areas together with a centralized stormwater management pond to collect and manage stormwater flows from the proposed development and lands to the south. The pond is to have a controlled release at the allowable rate prescribed in the Bearspaw-Glenbow Master Drainage Plan via an outlet/overflow pipe to be installed along the internal road and west ditch of Bearspaw Road. The proposed pond outlet location is located in an effective drainage area in the Bearspaw-Glenbow Master Drainage Plan as the flows are to enter into a tributary of West Nose Creek. Engineering has reviewed the report and has no further concerns at this time;</li><li data-bbox="618 953 1398 1115">• As a condition of future subdivision, the applicant will be required to submit detail design drawings for the overall stormwater management system and enter into a Development Agreement with the County for the construction and implementation of the system;</li><li data-bbox="618 1121 1455 1220">• As a condition of future subdivision, the Applicant will be required to obtaining all AEP approvals and licensing for the storm water management infrastructure;</li><li data-bbox="618 1226 1455 1388">• As a condition of future subdivision, the applicant will be required to provide an Erosion &amp; Sedimentation (ESC) Plan, prepared by a qualified professional, providing the ESC measures to be implemented during the development of the subject lands.</li></ul> <p data-bbox="618 1409 821 1440"><b>Environmental</b></p> <ul data-bbox="618 1461 1476 1925" style="list-style-type: none"><li data-bbox="618 1461 1476 1755">• The applicant submitted a Preliminary Wetland Assessment prepared by Western Water Resources Inc dated December 22, 2014. The assessment provided the findings of a desktop and site investigation of the subject lands and indicates that a Class III wetland exists along the southern boundary of the subject lands in the location of the proposed stormwater management pond. The assessment provided is considered to be preliminary in nature and precludes a complete wetland assessment;</li><li data-bbox="618 1761 1476 1925">• The applicant also provided a Wetland Assessment &amp; Impact Report for the proposed development prepared by Pintail Environmental Consulting dated August 01, 2018. The report provided the findings of a field investigation of the overall site and identified wetland and provides various</li></ul>

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AGENCY	COMMENTS
	<p>recommendations for wetland impact mitigation or loss. Engineering has reviewed the report and has no further concern at this time;</p> <ul style="list-style-type: none"> <li>• As a condition of future subdivision, the applicant/owner will be required to obtain approval from AEP under the Water Act for the disturbance/loss of any the onsite wetlands prior to entering into any Development Agreement with the County;</li> <li>• The applicant provided clearance from Alberta Culture &amp; Tourism under the Historical Resources Act for the proposed development dated July 31, 2018. Engineering has no further concerns.</li> </ul>
Transportation Services	<p>No issues.</p> <p>Confirmation required from Rocky View Water Co-op regarding capacity agreement to supply potable water.</p> <p><i>Note: Confirmation from Rocky View Water Co-op received.</i></p>
Capital Project Management	Road dedication if applicable.

Circulation Period: May 23, 2017 to June 13, 2017.





# BYLAW C-7837-2018

## 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-7837-2018.

### 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. 67 & 67 SE of Bylaw C-4841-97 be amended by redesignating Block 7, Plan 1501 LK 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** Block 7, Plan 1501 LK is hereby redesignated to Residential One District as shown on the attached Schedule 'A' forming part of this Bylaw.

### PART 4 – TRANSITIONAL

Bylaw C-7837-2018 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:** 08  
**File:** 06713003/PL20170064

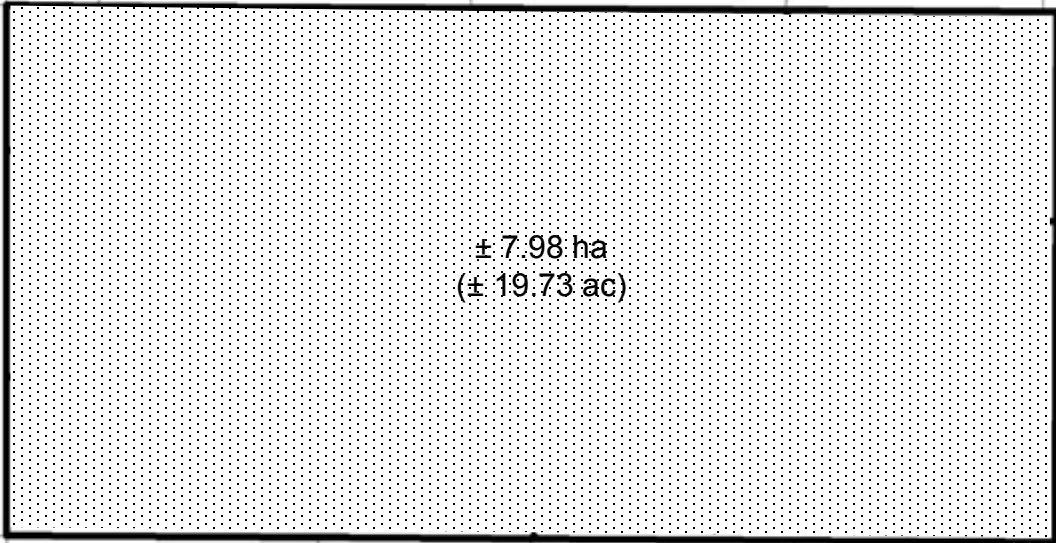
<i>PUBLIC HEARING WAS HELD IN COUNCIL</i> this	day of	, 2019
READ A FIRST TIME IN COUNCIL this	day of	, 2019
READ A SECOND TIME IN COUNCIL this	day of	, 2019
<i>UNANIMOUS PERMISSION FOR THIRD READING</i>	day of	, 2019
READ A THIRD TIME IN COUNCIL this	day of	, 2019

\_\_\_\_\_  
Reeve

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

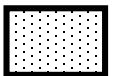
\_\_\_\_\_  
Date Bylaw Signed

BYLAW C-7837-2018



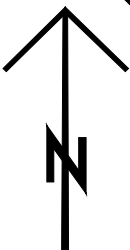
**AMENDMENT**

FROM Residential Two District TO Residential One District



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

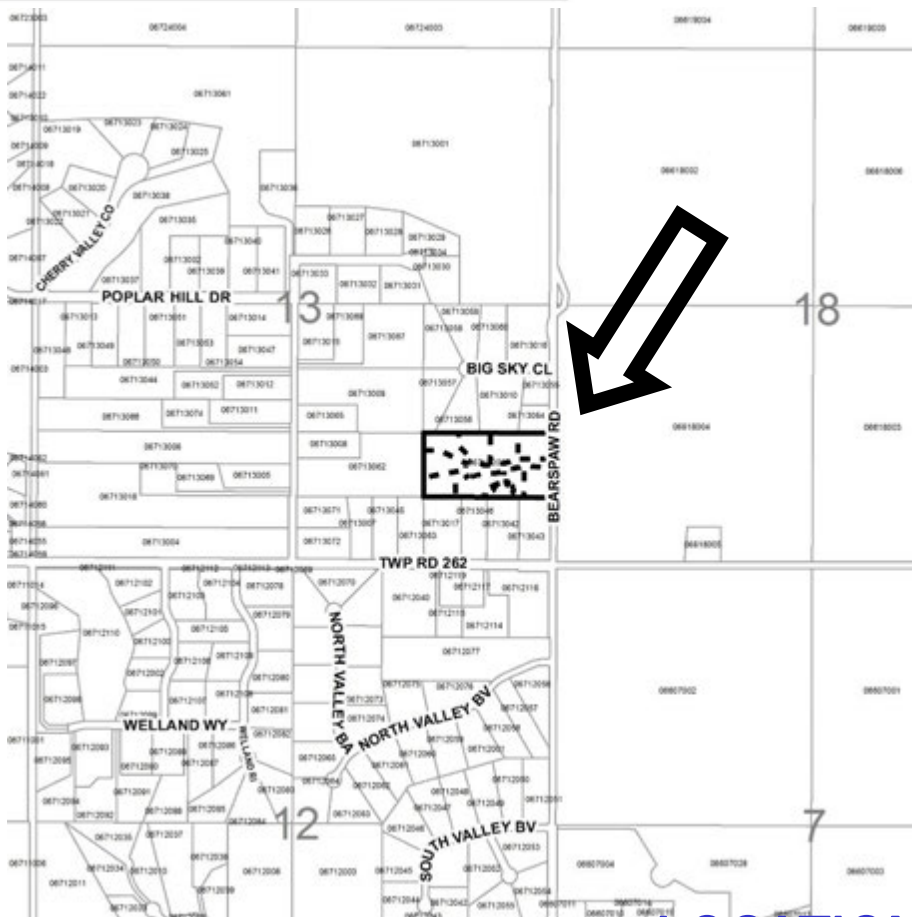
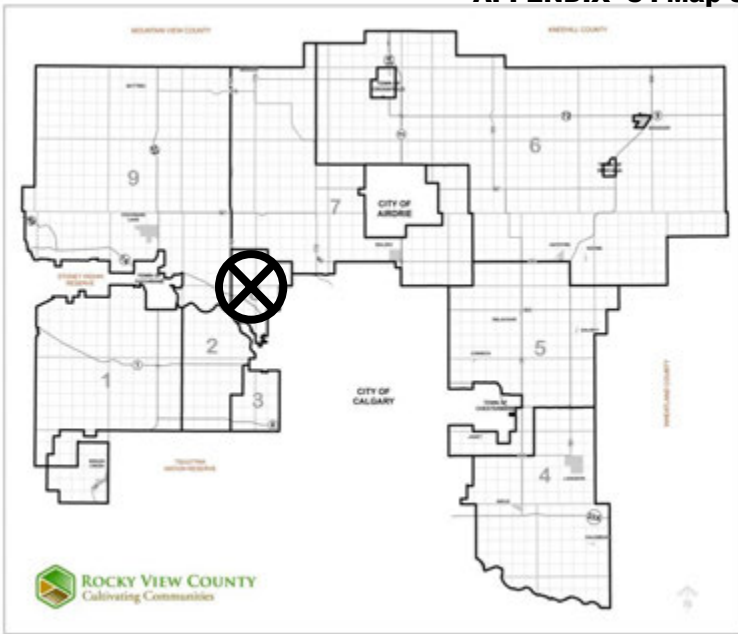
LEGAL DESCRIPTION: Portion of SE-13-26-03-W05M



ROCKY VIEW COUNTY  
Cultivating Communities

FILE: 6713003

DIVISION: 8



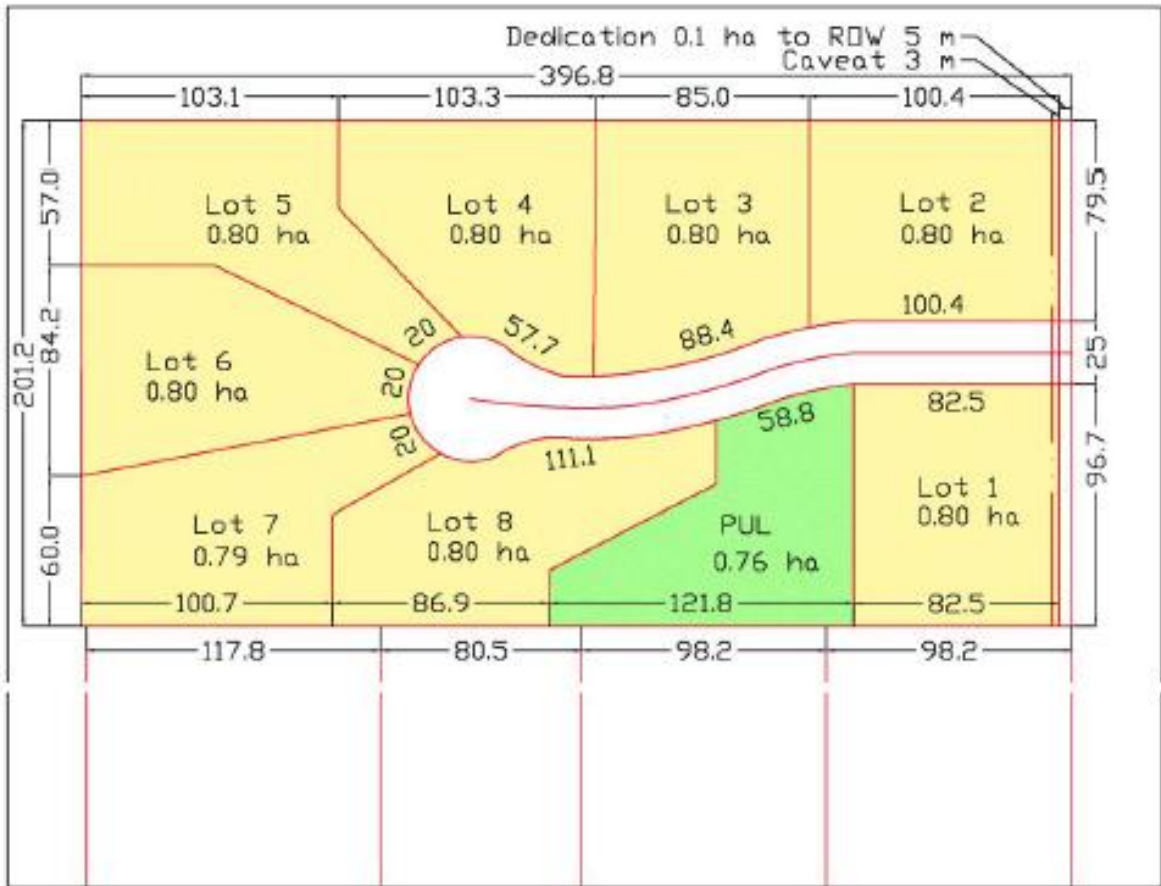
LOCATION PLAN

SE-13-26-03-W05M



**Conceptual Scheme Proposal:** To adopt the Bearspaw Heights Conceptual Scheme, by amendment to the Bearspaw ASP, to provide a policy framework to guide and evaluate the development of a country residential community comprised of eight (8) ± 0.81 hectare (± 2.00 acre) parcels, and an internal subdivision road.

Figure 14: Development Concept

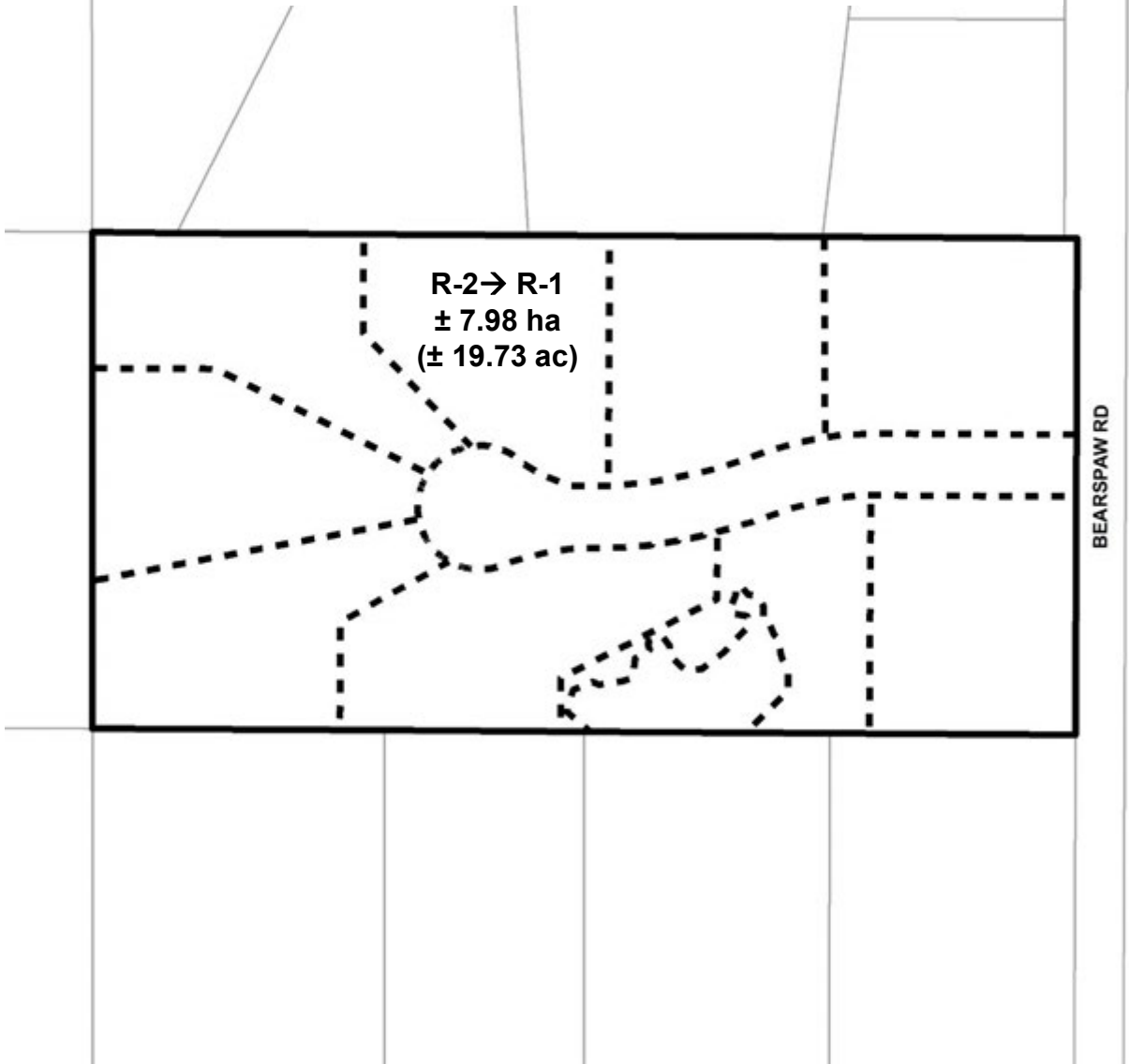


# BEARSPAW HEIGHTS CONCEPTUAL SCHEME

SE-13-26-03-W05M



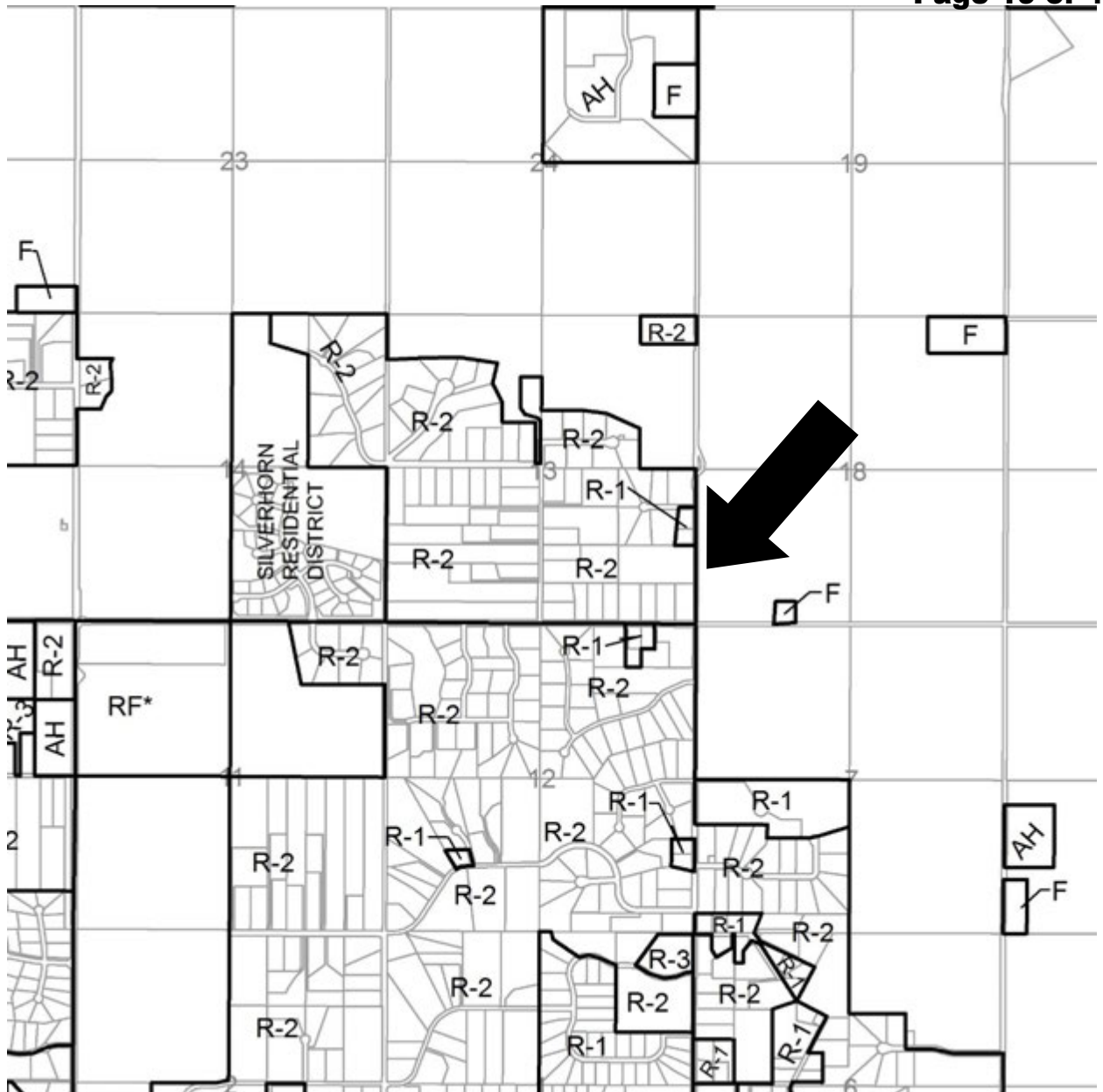
**Redesignation Proposal:** To redesignate the subject lands from Residential Two District to Residential One District to facilitate the creation of eight ± 0.81 hectare (± 2.00 acre) parcels, and an internal subdivision road.



# DEVELOPMENT PROPOSAL

SE-13-26-03-W05M





- |                          |                                       |
|--------------------------|---------------------------------------|
| 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-13-26-03-W05M







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

**TOPOGRAPHY**  
 Contour Interval 2 M

**SE-13-26-03-W05M**







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**



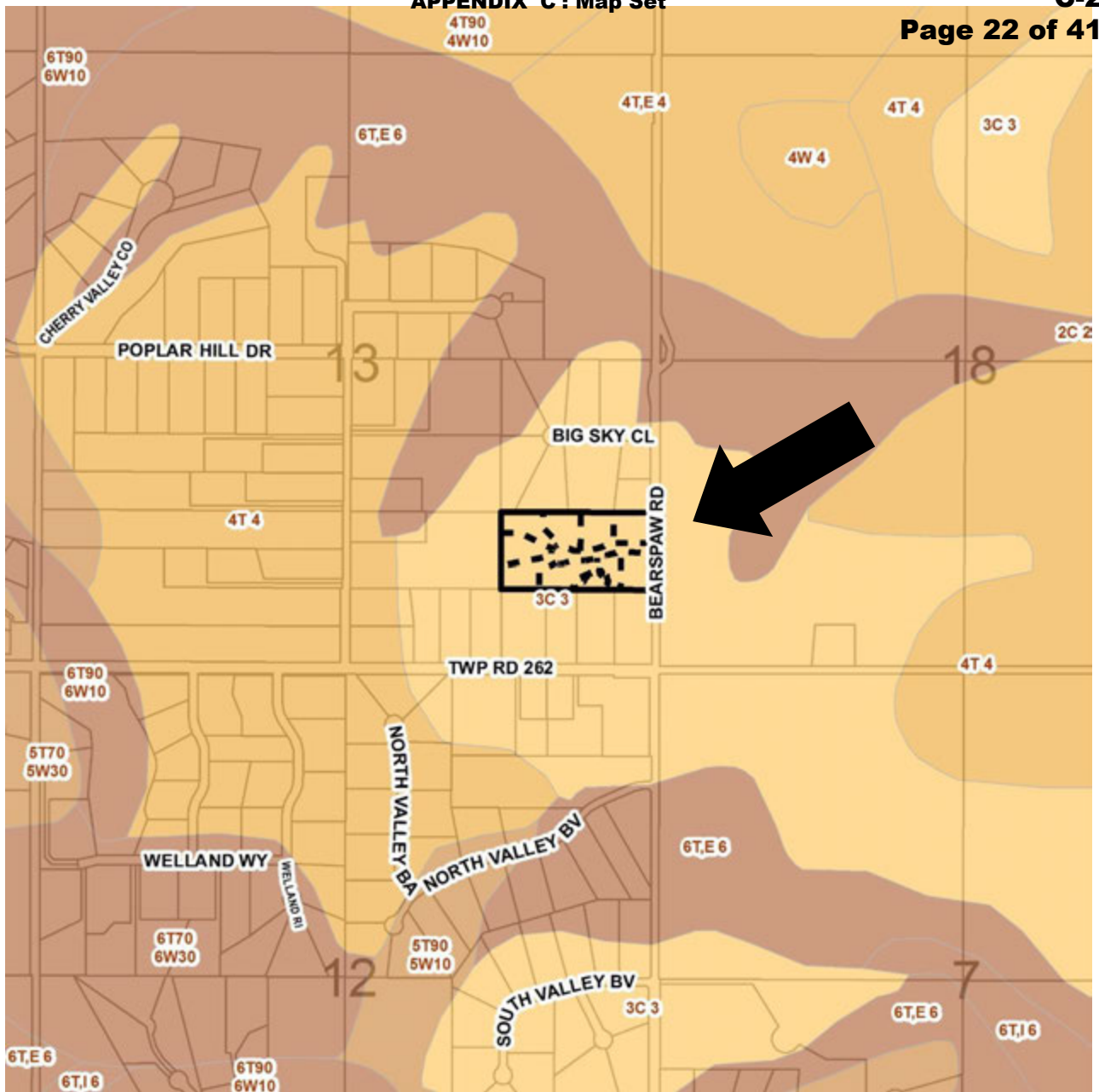
Date: May 09, 2017

Division # 8

File: 06713003

**AGENDA**

Page 109 of 257



**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

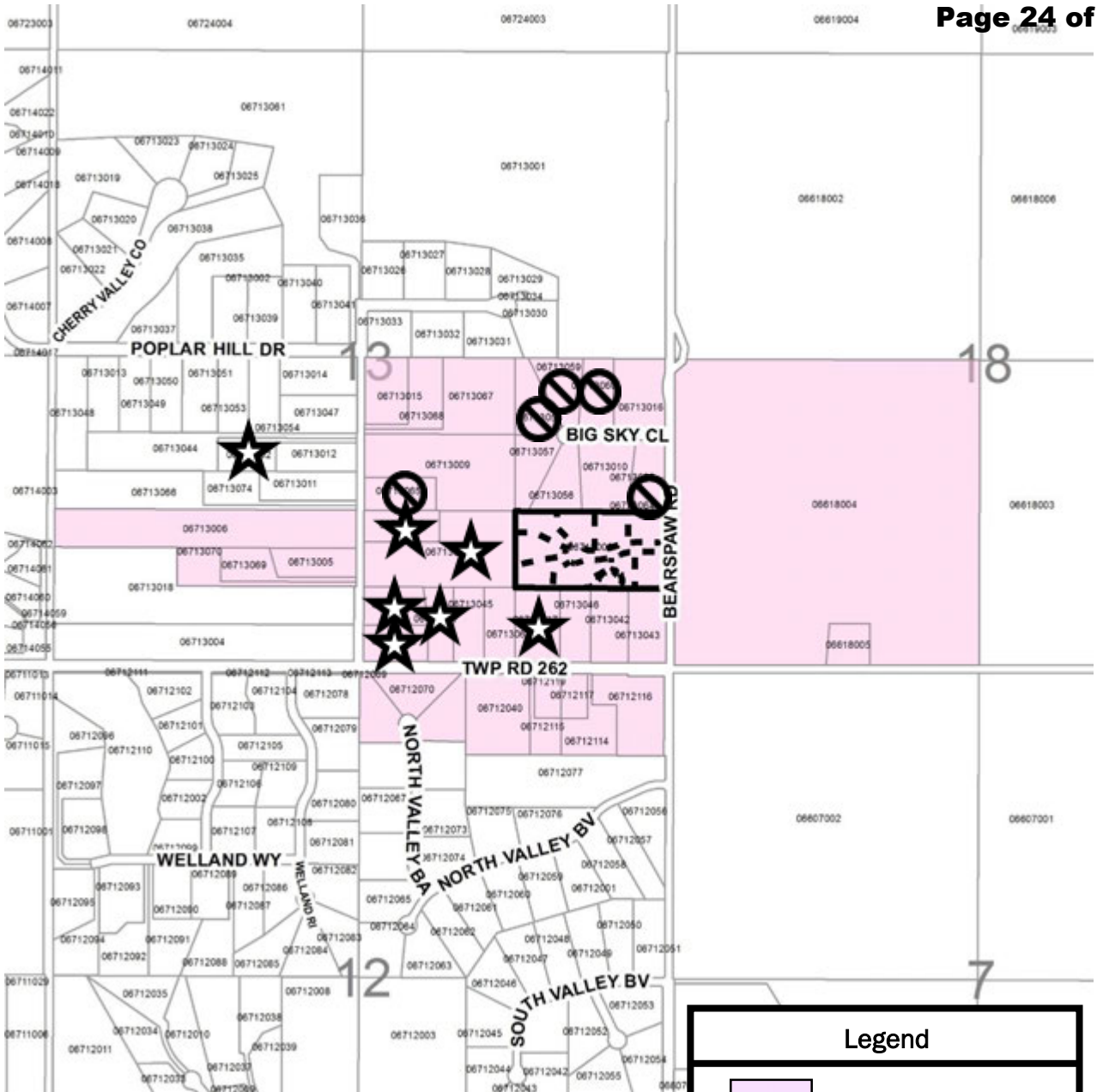
**SOIL MAP**

**SE-13-26-03-W05M**









- Letters in Opposition
- Letters in Support

Legend	
	Circulation Area
	Subject Lands

# LANDOWNER CIRCULATION AREA

## SE-13-26-03-W05M



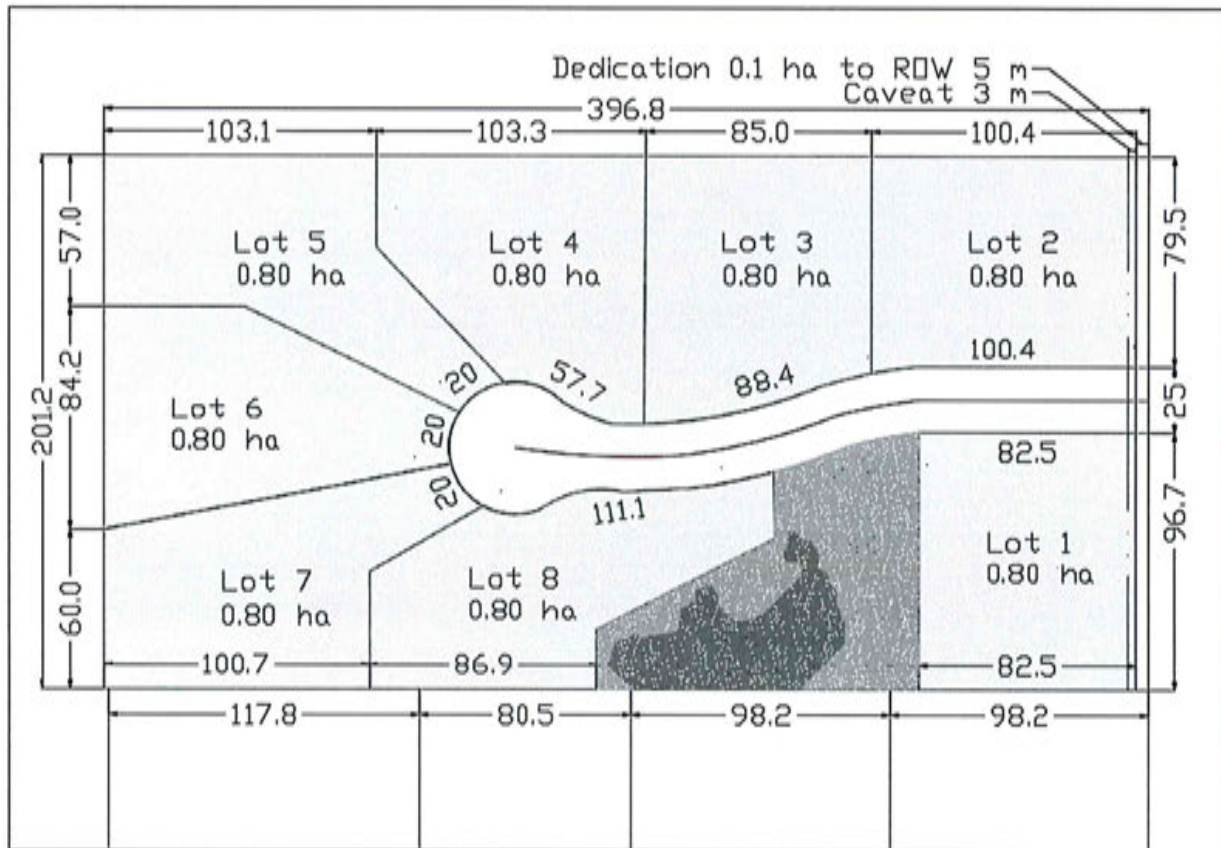
April 25, 2018

Attention: Rocky View County, Planning & Development Services  
 Fax: 403.277.3066  
[development@rockyview.ca](mailto:development@rockyview.ca)

Re: Bears paw Meadow's Edge, 262053 Bears paw Road, Rocky View County (RVC)

As neighbours to Alex Kurteev, owner of the above-mentioned property, I (we) support the application for the plan shown below. Thank you,

*INDERJIT. WADHWA* of address [REDACTED] dated *SEPT 10TH 2018*



Should you have any questions, please feel free to contact Bart Carswell of Carswell Planning.



*U. Wadhwa*

Bart Carswell  
 Carswell Planning  
 Office Address: #200, 525 – 28th St, SE Calgary, AB T2A 6W9 (within Remax Complete Commercial)  
 Mailing Address: P.O. Box 223, 104 – 1240 Kensington Rd. NW Calgary, AB T2N 3P7  
 Phone: 587 437-6750  
[Carswell@muskoka.com](mailto:Carswell@muskoka.com)



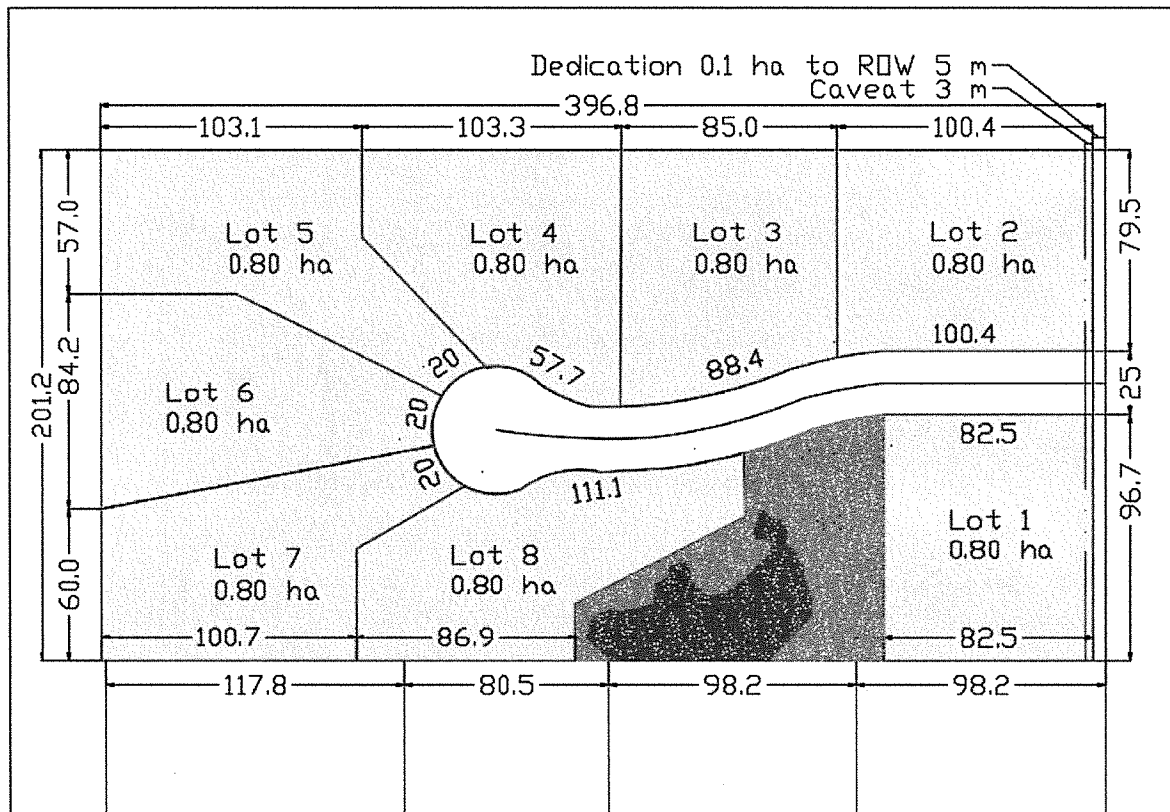
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OLEG & MAYRA LUTSU of address [REDACTED], dated 1 MAY 2018



Should you have any questions, please feel free to contact Bart Carswell of Carswell Planning.



"No Hurdle too high"

Bart Carswell  
 Carswell Planning  
 Office Address: #200, 525 – 28th St, SE Calgary, AB T2A 6W9 (within Remax Complete Commercial)  
 Mailing Address: P.O. Box 223, 104 – 1240 Kensington Rd. NW Calgary, AB T2N 3P7  
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 Carswell@muskoka.com

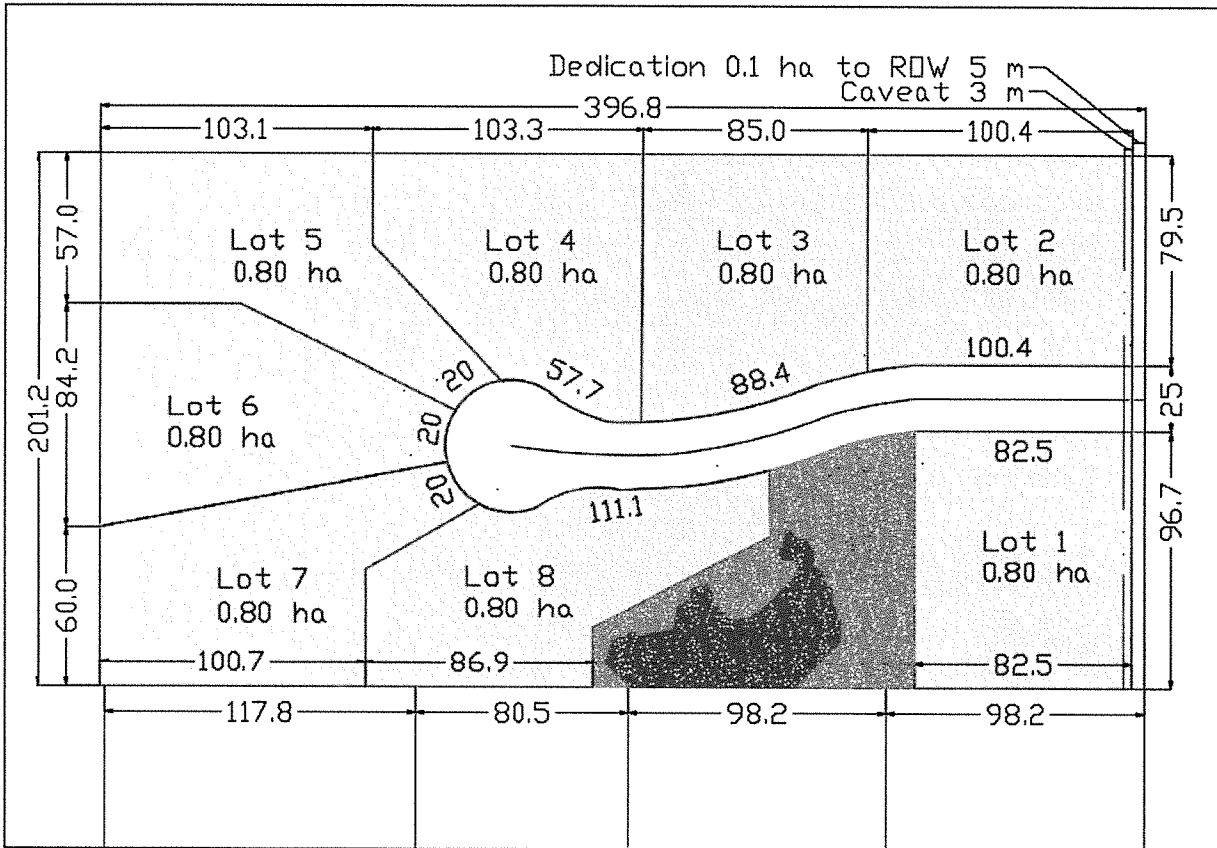
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As neighbours to Alex Kurteev, owner of the above-mentioned property, I (we) support the application for the plan shown below. Thank you,

262034 Poplar hill dr of address \_\_\_\_\_, dated June 12, 2018 | 11:07 AM M



Should you have any questions, please feel free to contact Bart Carswell of Carswell Planning.



"No Hurdle too high"

DocuSigned by:  
  
EEADF62965684D1...

Bart Carswell  
Carswell Planning  
Office Address: #200, 525 – 28th St, SE Calgary, AB T2A 6W9 (within Remax Complete Commercial)  
Mailing Address: P.O. Box 223, 104 – 1240 Kensington Rd. NW Calgary, AB T2N 3P7  
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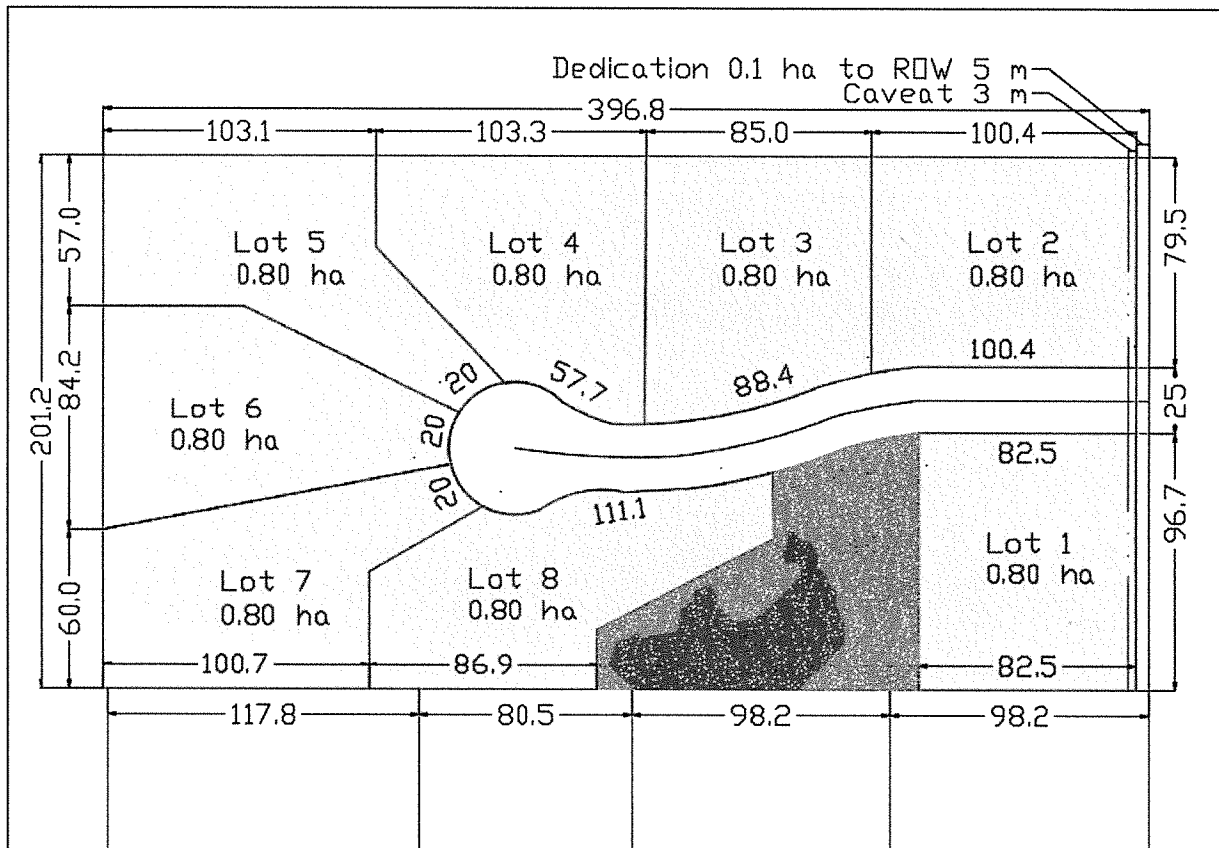
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As neighbours to Alex Kurteev, owner of the above-mentioned property, I (we) support the application for the plan shown below. Thank you,

*Higgin JIN* of address [redacted] dated *Sept 9/18*



Should you have any questions, please feel free to contact Bart Carswell of Carswell Planning.



"No Hurdle too high"

*[Handwritten signature]*

Bart Carswell  
Carswell Planning  
Office Address: #200, 525 – 28th St, SE Calgary, AB T2A 6W9 (within Remax Complete Commercial)  
Mailing Address: P.O. Box 223, 104 – 1240 Kensington Rd. NW Calgary, AB T2N 3P7  
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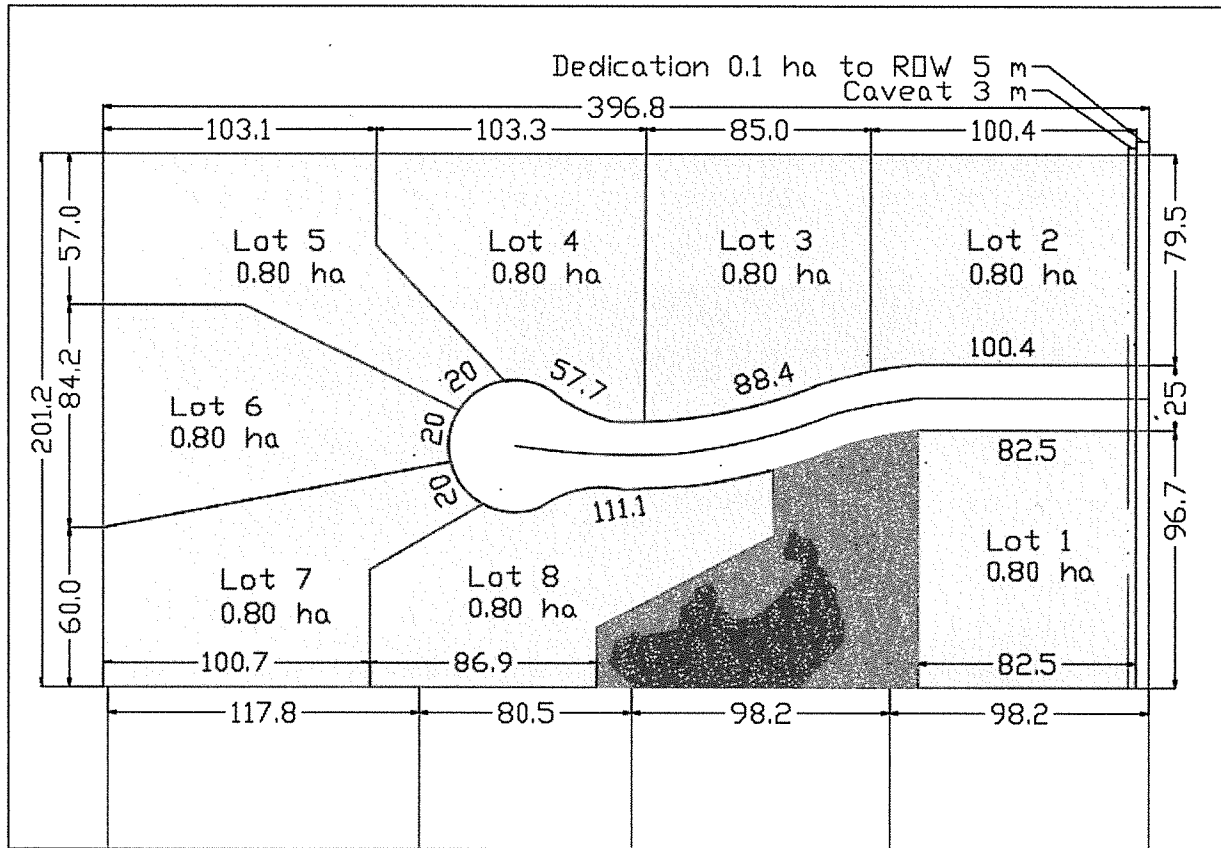
April 25, 2018

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[development@rockyview.ca](mailto:development@rockyview.ca)

Re: Bears paw Meadow's Edge, 262053 Bears paw Road, Rocky View County (RVC)

As neighbours to Alex Kurteev, owner of the above-mentioned property, I (we) support the application for the plan shown below. Thank you,

Justin Fleming of address [redacted] dated Sept. 5, 2018



Should you have any questions, please feel free to contact Bart Carswell of Carswell Planning.



Bart Carswell  
 Carswell Planning  
 Office Address: #200, 525 – 28th St, SE Calgary, AB T2A 6W9 (within Remax Complete Commercial)  
 Mailing Address: P.O. Box 223, 104 – 1240 Kensington Rd. NW Calgary, AB T2N 3P7  
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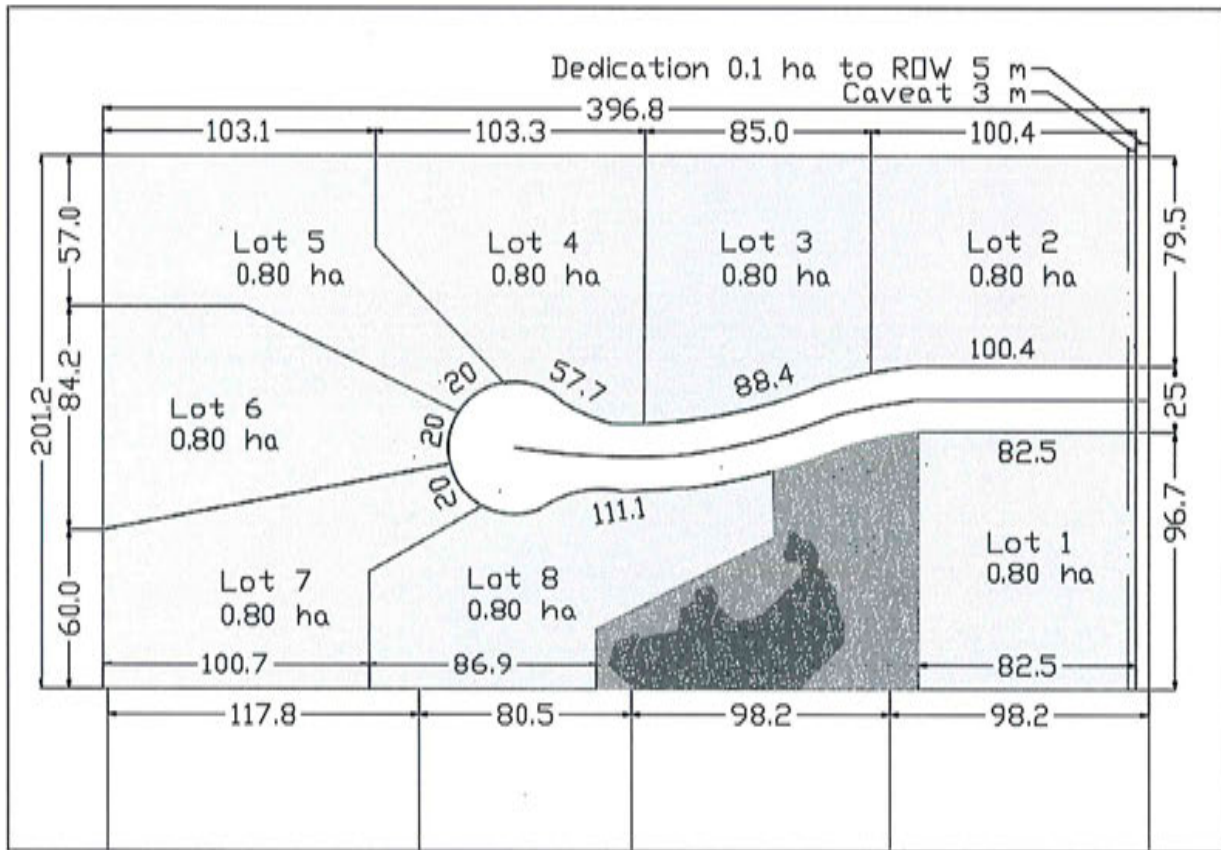
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Re: Bears paw Meadow's Edge, 262053 Bears paw Road, Rocky View County (RVC)

As neighbours to Alex Kurteev, owner of the above-mentioned property, I (we) support the application for the plan shown below. Thank you,

INDERJIT S. WADHWA of address [REDACTED] dated SEPT 10<sup>th</sup> / 2018



Should you have any questions, please feel free to contact Bart Carswell of Carswell Planning.



*I. Wadhwa*

Bart Carswell  
Carswell Planning  
Office Address: #200, 525 – 28th St, SE Calgary, AB T2A 6W9 (within Remax Complete Commercial)  
Mailing Address: P.O. Box 223, 104 – 1240 Kensington Rd. NW Calgary, AB T2N 3P7  
Phone: 587 437-6750  
[Carswell@muskoka.com](mailto:Carswell@muskoka.com)







**From:** [REDACTED]  
**To:** [Jessica Anderson](#); [Division 8, Eric Lowther](#)  
**Subject:** File 06713003 Application PL20170064 Bears paw Meadows Edge  
**Date:** Monday, June 05, 2017 7:28:50 AM

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Hi Jessica, After I received the notice for redesignation I downloaded the Conceptual scheme and read it cover to cover.

I do have serious concerns about the drainage/runoff and how it will affect the immediate neighbors.

As presented I cannot support this application.

Thank you for notifying us.

Darrin & Deborah Durda  
[REDACTED]

**From:** [Darrin Durda](#)  
**To:** [PAA LegislativeServices](#); [Division 8, Samantha Wright](#); [Division 1, Mark Kamachi](#); [Division 2, Kim McKylor](#); [Division 3, Kevin Hanson](#); [Jessica Anderson](#)  
**Cc:** [Division 4, Al Schule](#); [Division 5, Jerry Gautreau](#); [Division 6, Greg Boehlke](#); [Division 7, Daniel Henn](#); [Division 9, Crystal Kissel](#)  
**Subject:** Application: PL20170078 & PL 20170064  
**Date:** Wednesday, December 26, 2018 6:31:24 PM

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My wife and I have thought long and hard regarding these applications. The applicant has done a lot of work to proceed forward with the development but they still have not convinced us that the drainage has been properly accounted for. They seem to talk about overland drainage but do not seem to consider the subsurface water situation. This area is a swamp in the lowlands and at least one of the affected properties to the North has a very high water table and has flooded a number of times over the last 20 years that we have lived here.

Our other concern is that this road entrance is too close to the existing road "Big Sky close", Bears paw road is designated as a collector road and only gets busier every year. I fear that due to the speeds on Bears paw and the traffic coming South up the hill they will not be able to stop in an emergency situation if cars are going in or out of this new road.

It is primarily for these reasons that we object to this application.

PS: I think Al needs to reclus himself as he has been involved in putting this application together.

Best Regards,

Darrin and Deborah Durda  
31 Big Sky Close

From: [REDACTED]  
To: [Jessica Anderson](#)  
Subject: Bearspaw Meadow's Edge File # 06713003  
Date: Tuesday, June 13, 2017 8:58:49 PM

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Hello Jessica,

The following email refers to the application for Bearspaw Meadow's Edge. Application # PL2017-0064/PI2017-0078. We are the adjacent landowner at [REDACTED] and as such have some major concerns about this property and the proposed application.

Drainage, flooding and stormwater management are major concerns in Bearspaw. This area is known for such issues. One only needs to look at p.13 of the concept scheme, in particular, SC-C which shows the flow going directly through our home into what is identified as a catchment outlet. Given that my property has flooded twice in the past 10 years during times of heavy rains, our concerns are amplified.

Furthermore Figure 1 on page 23 clearly identifies that storm water impacts not only the property involved but also two properties to the south. Storm water management should not impact any neighbours negatively, nothing in this application provides sufficient measures to indicate that it will not.

There is an identified 450mm overflow pipe that seems to run into the ditch on the east side of our property. How far down Bearspaw Rd will this go? Is it just to the end of the applicant's property?

Bearspaw Rd is identified as a major road in the Bearspaw Area Structure plan. As such roads cannot be closer than 400m (at a minimum) from other roads. As identified in the application this property is 200m from TWP Rd 262. It is only 300m from Big Sky Close.

MR lands need connectivity to other MR lands. This application claims there is access to other properties. This is incorrect.

The name Bearspaw Meadow's Edge is misleading. Bearspaw Meadows is down in the south of Bearspaw. Not to mention, there is no Meadow, the property is surrounded on 3 sides by homes.

Thank you for your attention to this matter.

Regards,

Damon Maerz  
[REDACTED]

From: [REDACTED]  
 To: [Jessica Anderson](mailto:Jessica.Anderson@rockview.ca)  
 Cc: [REDACTED]  
 Subject: RE: File: 06713003 - Application PL20170064 Resignation from Residential Two to Residential One  
 Date: Monday, June 12, 2017 10:54:40 PM

Jessica Anderson  
 Rock View County Planning services

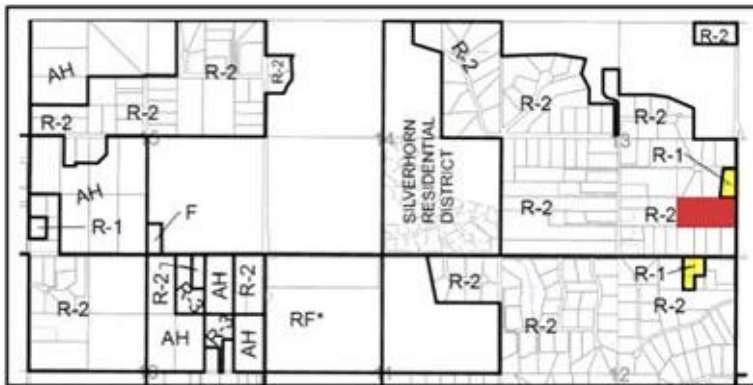
Jessica, Please accept this email as our written comments on the proposed structural plan File: 06713003 - Application PL20170064 which proposed to re-designate 20 acres from Residential Two to Residential One.

<http://www.rockyview.ca/Portals/0/Files/BuildingPlanning/Planning/UnderReview/ProposedCS/Proposed-CS-Bearspaw-Meadows-Edge.pdf>

My wife and I purchased our property [REDACTED] in May 2000. We researched many locations and chose this location in part knowing that the Rock view county designation for the area was Residential two, and the minimum parcel size should not be less than 4 acres. This was and is a very important designation as we recognized that we were and still are surrounded by 16 acre parcels and 20 acre parcels and enjoyed the protection of knowing any future developments would be of similar 4 acre parcels.

Over the years a number of nearby parcels and even large commercial development have moved into the area and again we are pleased the Rocky View planning services commitment to maintain Residential Two for these developments. Recently another neighbor subdivided but we are in full support of these residential two developments.

Figure 7: Current Land Use Bylaw Districts



**Todd Olsen, and Susanne Bateman Olsen are NOT in favor of the application to re-designate from Residential Two to Residential One proposing the creation of eight +/- (2) acres parcels.**

From our point of view this application cannot be looked at in isolation as there remain a number similar size 16 acre / 20 acre parcels within a few miles. If this application were to be approved it is our strong opinion a large number future Residential One re-designation requests will be forthcoming in the next

few years. Given our property neighbors onto 2 existing 16 acre developments this raises concern that any approval of Residential One permits will lead to many more and change dramatically the area we moved into back in 2000.

We are requesting the Rocky View Country Planning services stand firm that only Residential Two development should be allowed on this applicants submission.

Kindest Regards

Todd Olsen



Susanne T Bateman Olsen

[REDACTED]

[REDACTED]

June 12, 2017

Rocky View County  
Planning Services  
911 – 32<sup>nd</sup> Ave. N.E.  
Calgary, Alberta  
T2E 6X6

Attention: Jessica Anderson, Planning Services

Re: Application PL20170064 – Redesignation  
Application PL20170078 – Conceptual Scheme  
File Number 06713003  
Proposed Bears paw Meadow's Edge

Dear Madam;

Notwithstanding the owner having had a Conceptual Scheme prepared, we have concerns with this proposed development.

1) Road Safety

According to Figure 5 (page 13) of the BASP, Bears paw Road is a designated major collector road, and has a speed limit of 80 km/h. Table 1 on page 33 states that the frequency of approaches should be 400 m to 800 m to Locals. Our Local, Big Sky Close is +/- 600 m to the intersection of Bears paw Road and TWP Rd. 262, which is a Minor Collector with a speed limit of 80 km/h.

The proposed new cul-de-sac is +/- 300 m to a major intersection, and just +/- 300 to Big Sky Close (both are less than the minimum required distance in the BASP).

There are presently two approaches between the intersection and Big Sky Close. The shared approach to the south of Big Sky Close is just +/- 114 m from Big Sky Close.

NOTE: Direct local access to major and minor collector roads should be avoided according to the BASP. However, on January 10, 1995, Council approved the re-designation of a 4 – acre lot with access onto Big Sky Close to two 2 – acre lots with direct access onto Bears paw Road. Planning recommended refusal of this application because it did not take into consideration the transportation policies as outlined in the BASP. At that time, the pavement of Bears paw Road ended at Big Sky Close and the gravel section north to Big Hills Springs Road (567) was used by local traffic only.

The distance from the existing shared approach to the proposed local access road is +/- 200 m.

In all cases, the minimum local separation distance of 400 m would not be met and would create, in our opinion, 600 m of extremely hazardous road. Immediately north of the entrance to Big Sky Close, Bears paw Road steeply slopes down into Bigspring Creek Valley. This severely restricts line of sight to oncoming traffic. Since being completely paved from the 1A to Big Hills Springs Road (567), traffic is no longer just local and Bears paw Road is used as a north/south conduit in lieu of Highway 766 (Lochend Road). Traffic volumes on Bears paw Road have increased dramatically since we moved to Big Sky Close in 2000.



In 2010, the county planner (Drew Hyndman) for 2010-RV-166, told local residents that a new access would not be allowed onto this +/- 19.71 acre parcel from Bearspaw Road. See Attachment #1 (Project Delivery: No New Accesses Should Be Allowed On Bearspaw Road). At that time, Mr Hyndman referenced a Conceptual Scheme (Application 2007-RV-553) in which the previous owners of this land (Andrew and Helen Zadorozny) participated. This CS was to address comprehensive planning within SE 13-26-3-W5m without allowing another access to Bearspaw Road. The application was withdrawn due to financial problems for the participants. Mr Kurteev purchased the +/- 19.71 acres from Mr and Mrs Zadorozny in 2014.

2) Storm Water

This CS acknowledges that flooding and poor drainage are problems on this property. How will the construction of roads, patios, roofs and driveways in an area with a high water table solve these problems? Eight large septic systems will certainly contribute to ground water saturation and increase runoff, further exacerbating the surface water problem. Will these septic systems be prone to failure? Adjoining properties will be adversely affected, putting existing septic systems at risk of failure. Rain events are happening more frequently. Large rainfall events occurred in 2005 and 2013. Will the proposed overflow pipe be able to cope with water dumped during large rain events? The proposed 450 mm overflow pipe will discharge into the west side ditch of Bearspaw Road. Water from this pipe will not reach Bigspring Creek without entering private land and causing those lands to flood. Who is going to pay for the erosion damage caused by the water flowing down the west side ditch north of Big Sky Close? Who will be responsible for the maintenance of this drainage system – the developer, the homeowners association or the County?

Considering the water problems on this property, a comprehensive Geotechnical study should be performed prior to re-designation to evaluate the suitability of private sewage treatment systems.

3) Lot 1

The new recommended policy requires habitable buildings to be located at least 1 half meter (0.5m) above water levels caused by a rain event equivalent to that of June 2005. On page 23 of the CS, it states that habitable buildings should be located outside of the area shown in yellow, which is 0.5m higher at 1266.69m. This presents the problem of finding a building envelope on Lot 1 given the setback requirements from Bearspaw Road. The two residences north of Lot 2, which share an approach, required 60 m setbacks from Bearspaw Road. Even if the setback is relaxed to 45m, the building envelope is severely restricted and would not accommodate a representative house as shown in Figure 14 of the CS.

4) Neighbourhood Connectivity

On page 2, 1.3 Primary Development Considerations includes connectivity to future pathways between neighbourhoods. Where are these designated pathways within the CS?

For these reasons, we cannot support this re-designation application with the Conceptual Scheme as it now stands.

Why re-designate, if not to eventually subdivide? The county notification implies that our addressing these issues should be done at the subdivision stage. An appeal to the Alberta Planning Board (Board Order 171-S-95, File P95/ROCKV/MD-45 respecting the proposed subdivision of Lot 1, Plan 921 2319, within SE 13-26-3 W5M, in the Municipal District of Rocky View No. 44 was heard on March 16, 1995.

The Board stated:

"While the Board understands the concerns of the area landowners, once the land has been properly designated under the Land Use By-law, subdivision must be permitted unless subject to extraordinary circumstances. A change in density that is perceived to effect the community, should be addressed in the re-designation process, not at the time of subdivision."

Sincerely,



J.N. Peta



Lynn Davies



ATTACHMENT 1

ENTERED

TEL 403-230-1401  
FAX 403-277-5977



ROCKY VIEW COUNTY  
Cultivating Communities

RECEIVED  
OCT 1 2010  
PLANNING NO. 44

911-32 Ave NE - Calgary, AB T2E 6X6  
www.rockyview.ca

Tuesday, September 14, 2010

In accordance with Section 5 of the Subdivision and Development Regulation, we are requesting your comments, recommendations and/or requirements with respect to this application. In order that the application may be considered by Rocky View Council, we would appreciate receiving your reply by the date stated. If we have not received a response by this date, it will be assumed that you have no comments or objections regarding this application.

The information regarding this proposal is as follows:

**Application Number** 2010-RV-166 **Division:** 8 Byron Riemann  
**File Number:** 06713010/016/056/057 Project Delivery - I & O  
 Rocky View County  
**Applicant(s)** Darren and Tanis Lane, Vernon and Penny Marks, Krys Bunker, Douglas and Cheryl Geeraert  
**Owner(s)** Darren and Tanis Lane, Vernon and Penny Marks, Krys Bunker, Douglas and Cheryl Geeraert  
**Proposal:** To redesignate the subject lands from Residential Two District to Residential One District in order to facilitate the creation of ten two acre lots.  
**Existing Land Use Designation:** Residential Two District  
**Proposed Land Use Designation:** Residential One District  
**Legal:** Lots 2,3,4 and 8, Plan 9212319 in the SE-13-26-3-W5M  
**Location:** Located 4 miles northwest of the City of Calgary and 6 miles north of Highway 1A.  
**Size:** ± 8.33 hectares (20.58 acres)  
**Reserve** Municipal Reserves are not required as this application is for redesignation only.  
**County Contact:** Drew Hyndman  
**Please Reply Prior To:** Thursday, October 14, 2010

Thank you for your attention to this matter. Please reply to the attention of the Department of Planning and Development, Rocky View County. 911 - 32nd Avenue N.E., Calgary, AB T2E 6X6.

Phone: (403) 230-1401 Fax: (403) 277-5977 E-Mail: [planning@rockyview.ca](mailto:planning@rockyview.ca)  
Note: Please include our Application Number and our File Number in your response. It is not necessary to return this package with your reply.

MAINTENANCE - CURRENT ASKALAT SURFACE OF  
BIG SKY CLOSE IS IN GOOD CONDITION BUT IS SHOWING SOME  
SIGNS OF AGE: CRACKS, RIPPING, GRAVE FAILURE, WOULD RECOMMEND  
AN OVERLAY BE REQUIRED TO ACCOMMODATE ADDITIONAL TRAFFIC

PROTECT DELIVERY -> NO NEW ACCESSES SHOULD BE  
ALLOWED ON BOARDMAN ROAD

Operations :- Access to all lots will be problematic give the  
proposed layout.

**From:** [REDACTED]  
**To:** [Jessica Anderson](#)  
**Subject:** file No. 06713003  
**Date:** Friday, June 09, 2017 2:44:07 PM

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application Number: PL20170064 redesignation  
PL20170078 conceptual scheme

On receiving the application for land redesignation of the above file, we have a few comments.

1. This land is mainly surrounded by 4 acre lots and we feel that this land should only be divided into four lots rather than 8. The more houses put into this area means that the water runoff increases.
2. This brings us to the problem of water runoff. As you know, ground water is a big problem in our area. Every time more houses are built, the water runoff increases. In this situation  
the water would run into a couple of houses that are below this land and could create major water problems for them.
3. There will be a problem with road access from Bearspaw Road. It could create traffic problems with another road coming into Bearspaw Road.

Eileen and Rob Thorburn

From: [jc](#)  
To: [PAA\\_LegislativeServices](#)  
Subject: Bylaw C-7837-2018  
Date: Friday, December 28, 2018 10:47:27 AM

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## Bylaw C-7837-2018

December 26, 2018

9:33 AM

Dear Council:

I am opposed to the above Bylaw.

This application states

"In order to protect existing and future residences an overflow will be constructed and set at an elevation of 1266.19 . It is proposed that this overflow be a minimum 450 mm pipe that discharges into the west side of the Bears paw Road ditch as shown. Overflow water discharge in this area will be a tributary to West Nose Creek."

This proposed development protects itself against storm water by discharging through a 450mm overflow pipe onto the west side of the Bears paw Road ditch.

At full capacity this equates to discharging approximately 10,000 gallons per minute or the ability to fill an Olympic sized swimming pool in just over one hour ( 66 minutes).

**However, it fails to mention this discharge overflow will have to pass over the immediate four properties to the north.**

**The ditch mentioned in the report is basically non existent on my property and is replaced by a gentle grade that slopes towards my tree line, septic field and Big Sky Close As such it will pose a flooding risk to my property and neighbouring properties.**

In basic terms, if this development experiences storm water issues the current proposal will alleviate **their** problem by passing it on to **their** downstream neighbours courtesy of a 450mm pipe and in doing so will make it a neighbour and a County problem.

Unfortunately Bears paw is all too aware of flooding and the enormous damage and cost to both property owner and taxpayer. One would be under the impression that all measures should be taken by Council to minimize the risk of flooding and not to expand it.

Joseph & Gwen Carson

[Redacted signature block]

## MARKETING & COMMUNICATIONS

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**TO:** Council  
**DATE:** January 8, 2019 **DIVISION:** All  
**FILE:** N/A  
**SUBJECT:** International Award – Gold Award of Excellence

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### EXECUTIVE SUMMARY:

The purpose of this report is to inform Council of a Gold Award of Excellence the County has received from MarCom Awards.

In an awards program that judged over 6,000 entries from over a dozen countries, Rocky View County's Marketing & Communications department has won a Gold Award of Excellence.

### BACKGROUND:

Rocky View County's move to a new County Hall after 62 years in the old location was a significant communication challenge. Residents, business owners, staff, and suppliers each needed unique information to ensure a smooth transition and uninterrupted service as the new County Hall was commissioned.

The County created over 50 individual communication pieces to address the needs of all the different audiences, and the quality of this significant body of work caught the attention of communications professionals.

### BUDGET IMPLICATION(S):

None.

### OPTIONS:

- Option #1 THAT the report, International Award – Gold Award of Excellence, be received as information.
- Option #2 THAT alternative direction be provided.

Respectfully submitted,

Concurrence,

"Grant Kaiser"

"Al Hoggan"

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Director

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Chief Administrative Officer



## MUNICIPAL CLERK'S OFFICE

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**TO:** Council  
**DATE:** January 8, 2019 **DIVISION:** All  
**FILE:** N/A  
**SUBJECT:** Board and Committee Amendments

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### **<sup>1</sup>POLICY DIRECTION:**

At the October 23, 2018 organizational meeting, Council directed Administration to review Rocky View County's boards and committees. The proposed amendments incorporate suggestions made by some councillors at the organizational meeting.

At the October 2, 2018 PPC meeting, Administration presented a draft Governance and Priorities Committee (GPC) Terms of Reference to replace the Policy and Priorities Committee (PPC), and the committee directed Administration to bring forward the terms of reference for consideration at a future Council meeting.

Section 145 of the *Municipal Government Act* allows Council to pass bylaws regarding the establishment of boards and committees and their membership, functions, and procedures.

Section 203 of the *Municipal Government Act* allows Council to delegate its powers, duties, and responsibilities to a committee, the Chief Administrative Officer, or a designated officer.

### **EXECUTIVE SUMMARY:**

At the 2018 organizational meeting, some councillors expressed a desire to increase the term of appointment for Bragg Creek FireSmart Committee members and to delegate the appointment of chair and vice chair positions from Council to the boards and committees themselves, and Council passed a motion directing Administration to review the County's boards and committees. Administration has reviewed the County's boards and committees and is proposing the following amendments for consideration by Council:

- Amending the Bragg Creek FireSmart Committee Terms of Reference to increase the term of appointment for members at large and the area councillor from one year to four years;
- Amending *Assessment Review Boards Bylaw C-7778-2018* to delegate the appointment of the chair from Council to the boards and to create a vice chair position;
- Repealing Policy 500 and Procedure 500, *Operation of the Agricultural Service Board*, and replacing them with the proposed Agricultural Service Board Terms of Reference which would, among other things, delegate the appointment of the chair from Council to the board;
- Repealing the current Policy and Priorities Committee Terms of Reference and replacing it with the proposed Governance and Priorities Committee Terms of Reference which would, among other things, expand the scope of the committee and clarify presentation requirements for residents, community groups, and other organizations; and
- Repealing the current *Committees Bylaw C-6138-2005* and replacing it with the proposed *Boards and Committees Bylaw C-7840-2018*.

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

Tyler Andreasen, Legislative and Bylaw Coordinator



**BACKGROUND:***Boards and Committees Overview*

Rocky View County's boards and committees have been established as follows:

<b>Board or Committee</b>	<b>Establishing Authority</b>
<b>Policy and Priorities Committee</b> <ul style="list-style-type: none"> <li>• Chair currently appointed by Council</li> <li>• Vice Chair appointed by the Committee</li> </ul>	<i>Committees Bylaw C-6138-2005</i>
<b>Agricultural Service Board</b> <ul style="list-style-type: none"> <li>• Chair currently appointed by Council</li> <li>• Vice Chair appointed by the Board</li> </ul>	<i>Committees Bylaw C-6138-2005</i>
<b>Assessment Review Boards</b> <ul style="list-style-type: none"> <li>• Chair currently appointed by Council</li> <li>• No Vice Chair</li> </ul>	<i>Assessment Review Boards Bylaw C-7778-2018</i>
<b>Subdivision and Development Appeal Board</b> <ul style="list-style-type: none"> <li>• Chair and Vice Chair currently appointed by the Board</li> </ul>	<i>Appeal and Review Panel Bylaw C-7717-2017</i>
<b>Enforcement Appeal Committee</b> <ul style="list-style-type: none"> <li>• Chair and Vice Chair currently appointed by the Committee</li> </ul>	<i>Appeal and Review Panel Bylaw C-7717-2017</i>
<b>Family and Community Support Services Board</b> <ul style="list-style-type: none"> <li>• Chair and Vice Chair currently appointed by the Board</li> </ul>	<i>Family and Community Support Services Board Bylaw C-7387-2014</i>
<b>Municipal Emergency Advisory Committee</b> <ul style="list-style-type: none"> <li>• No Chair or Vice Chair</li> </ul>	<i>Municipal Emergency Management Bylaw C-7396-2014</i>
<b>Bragg Creek FireSmart Committee</b> <ul style="list-style-type: none"> <li>• Chair and Vice Chair currently appointed by the Committee</li> </ul>	Terms of Reference
<b>10 Recreation District Boards</b> <ul style="list-style-type: none"> <li>• Chairs and Vice Chairs currently appointed by the Boards</li> </ul>	10 Individual Bylaws

## PROPOSED AMENDMENTS:

### Bragg Creek FireSmart Committee

The Bragg Creek FireSmart Committee was established in 2018 to support the principles and practices of the national FireSmart program in the greater Bragg Creek area. The committee is currently comprised of one councillor and a minimum of six members at large appointed for one year terms.

As this committee is specific to the greater Bragg Creek area and the local councillor, it is redundant for Council to have to reappoint the membership on an annual basis. Administration is proposing an amendment to the committee's terms of reference that would increase the term of appointment from one year to four years for both the members at large and area councillor. As per the Bragg Creek FireSmart Committee Terms of Reference, the chair is already chosen by the committee itself.

### Assessment Review Boards (ARBs)

Rocky View County's Assessment Review Boards are governed by the following:

- *Municipal Government Act*;
- *Matters Relating to Assessment Complaints Regulation*;
- *Matters Relating to Assessment and Taxation Regulation*; and
- *Assessment Review Boards Bylaw C-7778-2018*, which was adopted in 2018.

Assessment Review Boards refers to the Local Assessment Review Board (LARB) and the Composite Assessment Review Board (CARB) collectively. Depending on the nature of the assessment complaint being heard, the members will sit as either the LARB or the CARB. The LARB is comprised only of the members at large appointed by Council, but the CARB always has an additional member assigned by the provincial government.

Administration is proposing an amendment to *Assessment Review Boards Bylaw C-7778-2018* that would delegate the appointment of the chair from Council to the Assessment Review Boards themselves. Under the proposed amendment, members of the ARBs would convene within thirty days of the annual organizational meeting to elect a chair and vice chair. As there is currently no provision for a vice chair in *Assessment Review Boards Bylaw C-7778-2018*, Administration is also proposing an amendment that would create a vice chair position in the event that the chair is unable to perform the duties of the position.

Under the *Municipal Government Act* (see sections 454.11 and 454.2), the chair of the Assessment Review Boards functions differently than the chair of other boards and committees. The chair's main responsibility is to assign members to sit on the panels that hear assessment complaints. When sitting as the LARB, the assigned members select their own presiding officer to "chair" the hearing. When sitting as the CARB, the provincially-assigned member is always the presiding officer at the hearing as per section 454.21(5) of the *Municipal Government Act*.

### Agricultural Service Board (ASB)

In addition to the *Agricultural Service Board Act*, Rocky View County's Agricultural Service Board is governed by Policy and Procedure 500, *Operation of the Agricultural Service Board*. While not in a traditional terms of reference format, Policy 500 and Procedure 500 have functioned as the Agricultural Service Board's terms of reference since their adoption in 2011.



Administration is proposing a new Agricultural Service Board Terms of Reference that would replace both Policy 500 and Procedure 500. The proposed Terms of Reference would delegate the appointment of the chair from Council, as well as allow the Agricultural Service Board and Administration to take a stronger role in communicating, marketing, and educating the public on the importance of agriculture.

Under the proposed Terms of Reference, the chair and vice chair would be elected at the board's first meeting after the annual organizational meeting of Council. The Agricultural Service Board Terms of Reference was endorsed by the board at its November 29, 2018 meeting with the following motion:

*MOVED by Ludwig Reicheneder that the Agricultural Service Board endorses the proposed ASB Terms of Reference, as amended, to replace Policy 500 and Procedure 500, Operation of the Agricultural Service Board.*

*Carried*

#### Governance and Priorities Committee (GPC)

The Policy and Priorities Committee was formed in 2013 by merging the Infrastructure and Operations Committee and the Public Services Committee, and is currently governed in part by *Committees Bylaw C-6138-2005* and in part by the Policy and Priorities Committee Terms of Reference.

At the October 2, 2018 PPC meeting, Administration presented a draft Governance and Priorities Committee Terms of Reference that would replace the Policy and Priorities Committee, and the committee passed a motion directing Administration to bring forward the proposed terms of reference for consideration at a future Council meeting.

One of the recurring problems with the current PPC Terms of Reference that prompted the development of the draft GPC Terms of Reference was a lack of clarity around presentation requirements for residents, community groups, and other organizations. In addition to clarifying presentation requirements, some of the other major changes in the proposed GPC Terms of Reference are the following:

- Expanding the scope of the committee from just policy to governance matters as a whole; and
- Appointing both the chair and vice chair at the annual organizational meeting rather than just the chair.

*Boards and Committees Bylaw C-7840-2018* has been drafted to refer to the proposed Governance and Priorities Committee instead of the existing Policy and Priorities Committee. If Council does not proceed with the proposed GPC Terms of Reference, a minor amendment to the proposed bylaw would be required. Administration has this motion prepared for Council.

#### Boards and Committees Bylaw C-7840-2018

Rocky View County's main board and committee document is *Committees Bylaw C-6138-2005*, which outlines the process for creating new boards and committees and is the establishing authority for the Policy and Priorities Committee and the Agricultural Service Board.

*Committees Bylaw C-6138-2005* was adopted in 2006 and has since been amended on a number of occasions. Many of the committees originally established in the bylaw no longer exist (such as the Infrastructure and Operations Committee and the Public Services Committee) or have been moved into separate bylaws (such as the Emergency Services Advisory Committee).



The only boards and committees currently established by *Committees Bylaw C-6138-2005* are the Policy and Priorities Committee and the Agricultural Service Board. All others have been established by standalone bylaws or terms of reference.

Rather than further amending the current bylaw if Council proceeds with the Governance and Priorities Committee Terms of Reference, Administration is proposing a new *Boards and Committees Bylaw C-7840-2018* that would replace *Committees Bylaw C-6138-2005*.

During a review of *Council Committee Remuneration Policy C-221* at the November 14, 2018 Policy Review Subcommittee meeting, some subcommittee members expressed a desire to implement term limits for members at large. Administration has incorporated a limit of two consecutive terms for members at large into *Boards and Committees Bylaw C-7840-2018*.

The proposed term limits would apply only to members at large (not councillors) and would apply to all boards and committees except for Recreation District Boards, as attracting new applicants to these boards is difficult and introducing term limits would likely result in a number of vacancies in the future.

There is also a provision in *Boards and Committees Bylaw C-7840-2018* that would allow Council to reappoint members at large for more than two consecutive terms if there are no other applicants (or no qualified applicants) for a vacant position.

Some of the other noteworthy changes in *Boards and Committees Bylaw C-7840-2018* include:

- Clarifying the process for creating new boards, committees, and subcommittees;
- Updating the list of boards and committees referenced in the bylaw;
- Specifying that the chair and vice chair of each board or committee will be appointed in accordance with their terms of reference instead of by Council;
- Specifying that questions of interpretation that arise from a terms of reference or from the bylaw will be referred to the chair of a board or committee for direction;
- Removing the terms of reference aspects of the Policy and Priorities Committee (such as membership, appointments, meeting procedures, etc.) from the bylaw and moving them into the proposed Governance and Priorities Committee Terms of Reference;
- Specifying that Council may, through the terms of reference of a board or committee, prescribe additional requirements or qualifications for members at large beyond just being a resident of the County.

#### **OTHER BOARDS AND COMMITTEES:**

##### *Subdivision and Development Appeal Board (SDAB) / Enforcement Appeal Committee (EAC)*

Rocky View County's Subdivision and Development Appeal Board is governed by the following:

- *Municipal Government Act*;
- *Subdivision and Development Appeal Board Regulation*; and
- *Appeal and Review Panel Bylaw C-7717-2017*, which was adopted in 2017.

*Appeal and Review Panel Bylaw C-7717-2017* also created the Enforcement Appeal Committee, which is the forum for hearing appeals on certain types of enforcement orders issued by the County. As per *Appeal and Review Panel Bylaw C-7717-2017*, the chair and vice chair are already chosen by the Subdivision and Development Appeal Board and Enforcement Appeal Committee themselves at their first meetings after the annual organizational meeting. Administration is proposing no changes to the SDAB or EAC at this time.



### Family and Community Support Services (FCSS) Board

Rocky View County's Family and Community Support Services Board is governed by the *Family and Community Support Services Act* and *Family and Community Support Services Board Bylaw C-7387-2014*, which was adopted in 2014.

As per *Family and Community Support Services Board Bylaw C-7387-2014*, the chair and vice chair are already chosen by the Family and Community Support Services Board. Administration is proposing no changes to the FCSS Board at this time.

### Municipal Emergency Advisory Committee (MEAC)

Rocky View County's Municipal Emergency Advisory Committee is governed by the *Emergency Management Act* and *Municipal Emergency Management Bylaw C-7396-2014*, which was adopted in 2014.

There are currently no provisions in *Municipal Emergency Management Bylaw C-7396-2014* for the appointment of a chair or vice chair. As per proposed *Boards and Committees Bylaw C-7840-2018*, when a board or committee's terms of reference does not specify how the chair and vice chair are chosen, the board or committee will choose its chair and vice chair itself.

### Recreation District Boards

As per Rocky View County's individual Recreation District Board bylaws, the chairs and vice chairs are already chosen by the Recreation District Boards themselves. Administration is currently working on a separate review of the County's Recreation District Boards and is not proposing any amendments at this time.

## **CONCLUSION:**

Council is currently responsible for appointing the chair of the Agricultural Service Board and the Assessment Review Boards. In accordance with Council's direction at the October 23, 2018 organizational meeting, Administration is proposing a new Agricultural Service Board Terms of Reference and an amendment to *Assessment Review Boards Bylaw C-7778-2018* that would, among other things, delegate these appointments from Council to the boards themselves.

At the October 2, 2018 PPC meeting, Administration presented a draft Governance and Priorities Committee Terms of Reference to replace the Policy and Priorities Committee, and the committee passed a motion directing Administration to bring forward the GPC Terms of Reference for consideration at a future Council meeting. The GPC Terms of Reference are included as part of these proposed amendments.

Administration is also proposing an amendment to the Bragg Creek FireSmart Committee Terms of Reference that would increase the term of appointment for members at large and the area councillor from one year to four years. As the committee is specific to the Bragg Creek area, it is redundant for Council to have to reappoint the committee's membership on an annual basis.

Finally, Administration is proposing a new *Boards and Committees Bylaw C-7840-2018* that would replace the current *Committees Bylaw C-6138-2005*. The current bylaw was adopted in 2006 and has been amended a number of times since. Rather than further amending the current bylaw, Administration is proposing a new bylaw.

*Boards and Committees Bylaw C-7840-2018* has been drafted to refer to the proposed Governance and Priorities Committee instead of the existing Policy and Priorities Committee. If Council does not proceed with the proposed GPC Terms of Reference, a minor amendment to the proposed bylaw would be required. Administration has this motion prepared for Council.



If Council believes there are other board and committee amendments that should be considered, Council could consider directing Administration to do a full review of that board or committee with a report to be brought back to a future Council meeting.

**BUDGET IMPLICATIONS:**

The proposed amendments, if passed, would not have an effect on the budget as there would be no new boards or committees established.

**NEXT STEPS:**

Administration is seeking direction from Council to review the County’s board and committee application process and remuneration rates for members at large. Motion 15 under Option 1 has been provided to Council for consideration.

**SUMMARY OF PROPOSED MOTIONS:**

Proposed Motions	Result of Motions
<p><b>Bragg Creek FireSmart Committee Terms of Reference Amendment</b></p> <ul style="list-style-type: none"> <li>Motions 1 and 2</li> </ul>	<p>Increase the term of appointment for the area councillor and members at large from one year to four years</p>
<p><b>Assessment Review Boards Bylaw Amendment</b></p> <ul style="list-style-type: none"> <li>Motions 3 to 6</li> </ul>	<p>Delegate the appointment of the chair from Council to the boards and create a vice chair position</p>
<p><b>Agricultural Service Board Terms of Reference Approval</b></p> <ul style="list-style-type: none"> <li>Motions 7 and 8</li> </ul>	<p>Delegate the appointment of the Chair from Council to the board and adopt a new terms of reference</p>
<p><b>Governance and Priorities Terms of Reference Approval</b></p> <ul style="list-style-type: none"> <li>Motions 9 and 10</li> </ul>	<p>Replace the Policy and Priorities Committee with a Governance and Priorities Committee</p>
<p><b>Boards and Committees Bylaw Replacement</b></p> <ul style="list-style-type: none"> <li>Motions 11 to 14</li> </ul>	<p>Replace the existing Committees Bylaw with a new Boards and Committee Bylaw</p>
<p><b>Board and Committee Application and Remuneration Review</b></p> <ul style="list-style-type: none"> <li>Motion 15</li> </ul>	<p>Direct Administration to review the board and committee application process and remuneration rates</p>



**OPTIONS:**Option #1: (Bragg Creek FireSmart Committee Terms of Reference Amendment)

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

“One Councillor appointed at the Organizational Meeting of Council for a four year term or for a term to coincide with the next municipal election”

Motion 2: 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 appointed at the Organizational Meeting of Council for a four year term”

(Assessment Review Boards Bylaw Amendment)

Motion 3: THAT Bylaw C-7841-2018 be given first reading.

Motion 4: THAT Bylaw C-7841-2018 be given second reading.

Motion 5: THAT Bylaw C-7841-2018 be considered for third reading.

Motion 6: THAT Bylaw C-7841-2018 be given third and final reading.

(ASB Terms of Reference Approval)

Motion 7: THAT the Agricultural Service Board Terms of Reference be approved as per Attachment ‘C’.

Motion 8: THAT Policy 500, *Operation of the Agricultural Service Board*, be rescinded.

(GPC Terms of Reference Approval)

Motion 9: THAT the Governance and Priorities Committee Terms of Reference be approved as per Attachment ‘B’.

Motion 10: THAT the Policy and Priorities Committee Terms of Reference be rescinded.

(Boards and Committee Bylaw Replacement)

Motion 11: THAT Bylaw C-7840-2018 be given first reading.

Motion 12: THAT Bylaw C-7840-2018 be given second reading.

Motion 13: THAT Bylaw C-7840-2018 be considered for third reading.

Motion 14: THAT Bylaw C-7840-2018 be given third and final reading.

(Board and Committee Application and Remuneration Review)

Motion 15: THAT Administration be directed to review the County’s board and committee application process and remuneration rates with a report to be brought back to a future Governance and Priorities Committee meeting.

Option #2: THAT Council provide alternative direction.



Respectfully submitted,

Concurrence,

“Kent Robinson”

“Al Hoggan”

\_\_\_\_\_  
Executive Director, Corporate Services

\_\_\_\_\_  
Chief Administrative Officer

**ATTACHMENTS:**

- Attachment ‘A’ – Proposed *Boards and Committees Bylaw C-7840-2018*
- Attachment ‘B’ – Proposed Governance and Priorities Committee Terms of Reference
- Attachment ‘C’ – Proposed Agricultural Service Board Terms of Reference
- Attachment ‘D’ – Proposed Bylaw C-7841-2018 to amend *Assessment Review Boards Bylaw C-7778-2018*
- Attachment ‘E’ – Bragg Creek FireSmart Committee Terms of Reference
- Attachment ‘F’ – Policy and Priorities Committee Terms of Reference
- Attachment ‘G’ – *Committees Bylaw C-6138-2005*



# BYLAW C-7840-2018

**A Bylaw of Rocky View County, in the Province of Alberta, to establish Rocky View County's Boards and Committees and their functions and procedures.**

**WHEREAS** section 145 of the *Municipal Government Act* allows Council to pass bylaws relating to the establishment, functions, and procedures of Rocky View County Boards and Committees;

**AND WHEREAS** section 203 of the *Municipal Government Act* allows Council to delegate by bylaw any of its powers, duties, or functions to Rocky View County Boards and Committees;

**NOW THEREFORE** the Council of Rocky View County enacts as follows:

## Title

- 1 This Bylaw may be cited as the *Boards and Committees Bylaw*.

## Definitions

- 2 Words in this Bylaw have the same meaning as those set out in the *Municipal Government Act* except for the definitions provided in Schedule 'A' of this Bylaw.

## Purpose, Application, and Interpretation

- 3 The purpose of this Bylaw is to establish the Standing Boards and Committees of Council and to outline the procedure and guidelines for the creation of new Boards and Committees.
- 4 This Bylaw applies to all Boards and Committees of Rocky View County.
- 5 If there is an inconsistency between this Bylaw and the Terms of Reference of a Board or Committee, this Bylaw takes precedence.
- 6 If a matter is not contemplated in the Terms of Reference of a Board or Committee, this Bylaw takes precedence.
- 7 If a matter is not contemplated in this Bylaw or the Terms of Reference of a Board or Committee, the matter will be referred to the Board or Committee Chair for direction.

## Standing Boards and Committees

- 8 The following Boards and Committees are established by this Bylaw as Standing Boards and Committees:
  - (1) Governance and Priorities Committee; and
  - (2) Agricultural Service Board.

- 9 The following Boards and Committees have been established by other Rocky View County bylaws and for the purposes of this Bylaw are considered Standing Boards and Committees:
- (1) Subdivision and Development Appeal Board;
  - (2) Enforcement Appeal Committee;
  - (3) Assessment Review Boards, comprising the Local Assessment Review Board and Composite Assessment Review Board collectively;
  - (4) Municipal Emergency Advisory Committee; and
  - (5) Family and Community Support Services Board.

### **Establishing Boards and Committees**

- 10 Council may establish Boards or Committees and their Terms of Reference by either resolution or bylaw.
- 11 Boards or Committees will have the duties, functions, membership, procedures, and other characteristics as established in their Terms of Reference.

### **Establishing Subcommittees**

- 12 A Board or Committee may recommend to Council that a Subcommittee be established to assist with the duties of the Board or Committee.
- 13 Council may establish Subcommittees and their Terms of Reference by either resolution or bylaw.
- 14 Subcommittees will have the duties, functions, membership, procedures, and other characteristics as established in their Terms of Reference.

### **Accountability and Reporting**

- 15 All Boards and Committees are accountable to Council.
- 16 Subcommittees are accountable to the Board or Committee that they were established to assist.
- 17 Councillors are responsible for keeping Council as a whole informed of the activities of the various Boards or Committees to which they are appointed.

### **Membership and Appointments**

- 18 Members are appointed to Boards or Committees by Council at its annual Organizational Meeting as required.
- 19 Membership vacancies that occur between Organizational Meetings may be filled by a resolution of Council as necessary.

- 20 Members at Large must be residents of Rocky View County unless otherwise provided for in the Terms of Reference of a Board or Committee.
- (1) The Terms of Reference of a Board or Committee may prescribe additional requirements or qualifications for the appointment of Members at Large.
- 21 A Member at Large who ceases to be a resident of Rocky View County also ceases to be a Member of the Boards or Committees to which they are appointed unless otherwise provided for in the Terms of Reference of those Boards and Committees.
- 22 The Reeve is an *ex-officio* member of all Boards and Committees pursuant to the *Municipal Government Act*.

### Term of Office and Removal from Office

- 23 Members are appointed to a Board or Committee for the term of office established in that Board or Committee's Terms of Reference.
- 24 Members serve at the pleasure of Council and may be removed from a Board or Committee by a resolution of Council.
- 25 Members may resign from a Board or Committee by providing written notice of their resignation to Rocky View County.
- 26 A Member at Large who is absent from three consecutive meetings of a Board or Committee without a valid reason ceases to be a Member of that Board or Committee unless their absence is authorized by a resolution of the Board or Committee.

### Term Limits

- 27 Members at Large may serve on a Board or Committee for a maximum of two consecutive terms. After serving a second consecutive term, Members at Large cannot serve on that Board or Committee for at least one term before being eligible for reappointment.
- (1) There are no term limits for Members at Large appointed to Rocky View County's Recreation District Boards.
- 28 If there are no other applicants or no qualified applicants to fill an expiring Member at Large appointment, Council may waive section 27 of this Bylaw and reappoint a Member at Large to a Board or Committee for an additional term.

### Chair and Vice Chair

- 29 The Chair and Vice Chair of a Board or Committee are chosen in accordance with its Terms of Reference.
- 30 If a Terms of Reference does not provide for the appointment of a Chair or Vice Chair, the Chair or Vice Chair will be chosen by a majority of the Board or Committee Members in a manner agreed upon by a majority of the Members.

### Meetings and Meeting Procedures

- 31 The following Boards and Committees will meet on the dates and times established by Council at its annual Organizational Meeting:
- (1) Governance and Priorities Committee;
  - (2) Agricultural Service Board;
  - (3) Subdivision and Development Appeal Board; and
  - (4) Enforcement Appeal Committee.
- 32 Boards and Committees not listed in section 31 of this Bylaw will meet on the dates and times established by the Board or Committee in accordance with its Terms of Reference.
- 33 Additional meetings and special meetings of a Board or Committee may be called in accordance with its Terms of Reference.
- 34 Board and Committee meetings will be conducted in accordance with Rocky View County's *Procedure Bylaw*.
- 35 Board and Committee meetings are open to the public to attend except when permitted by legislation to hold parts of the meeting in a closed session.
- 36 Individuals, community groups, and other organizations that wish to present to a Board or Committee may submit a request in accordance with that Board or Committee's Terms of Reference.
- (1) If a Board or Committee's Terms of Reference does not provide a procedure for presentation requests, the individual, community group, or other organization may submit a request in accordance with Rocky View County's *Procedure Bylaw*.

### Administrative Support

- 37 Boards and Committees will receive administrative support in a non-voting capacity as outlined in their Terms of Reference.
- 38 Administrative support may include, but is not limited to, preparing agendas and minutes, coordinating meetings, providing expertise and advice, and other duties that are reasonably required by the Board or Committee to carry out its duties.

### Budget and Remuneration

- 39 Boards and Committees have the budgets and resources established in their Terms of Reference.
- 40 Members are remunerated in accordance with Rocky View County's *Council Committee Remuneration Policy* unless the Terms of Reference for a Board or Committee provides for otherwise.



**Severability**

41 Each provision of this Bylaw is independent of all other provisions. If any provision of this Bylaw is declared invalid for any reason by a court of competent jurisdiction, the remaining provisions of this Bylaw will remain valid and enforceable.

**Repeal and Effective Date**

42 Bylaw C-6138-2005, being the *Committees Bylaw*, and all amendments thereto are repealed upon this Bylaw passing and coming into full force and effect.

43 Bylaw C-7840-2018 is passed when it receives third reading and is signed by the Reeve or Deputy Reeve and the Chief Administrative Officer or their designate as per the *Municipal Government Act*.

READ A FIRST TIME IN COUNCIL this \_\_\_\_\_ day of \_\_\_\_\_, 2019

READ A SECOND TIME IN COUNCIL this \_\_\_\_\_ day of \_\_\_\_\_, 2019

*UNANIMOUS PERMISSION FOR THIRD READING* this \_\_\_\_\_ day of \_\_\_\_\_, 2019

READ A THIRD TIME IN COUNCIL this \_\_\_\_\_ day of \_\_\_\_\_, 2019

\_\_\_\_\_  
Reeve

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

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

## Bylaw C-7840-2018

## Schedule 'A' – Definitions

- 1       **“Administration”** means the operations and staff of Rocky View County under the direction of the Chief Administrative Officer.
- 2       **“Board”** means a Board with Members appointed by Council.
- 3       **“Committee”** means a Committee with Members appointed by Council and includes a Standing Committee or Subcommittee.
- 4       **“Council”** means the duly elected Council of Rocky View County.
- 5       **“Council Committee Remuneration Policy”** means Rocky View County Policy C-221, *Council Committee Remuneration Policy*, as amended or replaced from time to time.
- 6       **“Councillor”** means a duly elected Councillor of Rocky View County Council.
- 7       **“Member”** means a person appointed to a Board or Committee and includes either a Councillor or a Member at Large.
- 8       **“Member at Large”** means a person appointed to a Board or Committee who is a member of the public and not a Councillor.
- 9       **“Municipal Government Act”** means the *Municipal Government Act*, RSA 2000, c M-26, as amended or replaced from time to time.
- 10      **“Organizational Meeting”** means an Organizational Meeting of Council held pursuant to the *Municipal Government Act*.
- 11      **“Procedure Bylaw”** means Rocky View County Bylaw C-7295-2013, the *Procedure Bylaw*, as amended or replaced from time to time.
- 12      **“Recreation District Boards”** means the following collectively:
- (1)     Bears paw Glendale Recreation District Board;
  - (2)     Beiseker Recreation District Board;
  - (3)     Bow North Recreation District Board;
  - (4)     Chestermere-Conrich Regional Recreation District Board;
  - (5)     Crossfield Recreation District Board;
  - (6)     Madden and District Recreation Board;
  - (7)     Ranch Lands Recreation District Board;

- (8) Rocky View Central Recreation District Board;
- (9) Rocky View East Recreation District Board; and
- (10) Rocky View West Recreation District Board.

- 13     **“Rocky View County”** means Rocky View County as a municipal corporation and the geographical area within its jurisdictional boundaries, as the context requires.
- 14     **“Standing Board or Committee”** means a Board or Committee listed in sections 8 and 9 of this Bylaw.
- 15     **“Subcommittee”** means a Subcommittee established to assist with the duties of a Board or Committee.
- 16     **“Terms of Reference”** means a Terms of Reference or bylaw approved by Council that establishes the functions, procedures, membership, and other governance characteristics of a Board or Committee.



# Governance and Priorities Committee

## Terms of Reference

TOR #C-GPC

### Purpose

- 1 The Governance and Priorities Committee (GPC) ensures that Rocky View County (the County):
  - (1) fulfills its governance responsibilities through appropriate bylaws and policies; and
  - (2) establishes priorities by hearing from members of the public, stakeholder groups, and Administration.



### Functions

- 2 Council delegates the following governance responsibilities to the GPC:
  - (1) reviewing and approving Council Policies; and
  - (2) reviewing governance-related bylaws for recommendation to Council.
- 3 Council delegates the following priority-making responsibilities to the GPC:
  - (1) hearing presentations from the public and stakeholder groups on matters affecting the County;
  - (2) receiving updates from Administration on emerging and ongoing projects and initiatives;
  - (3) monitoring progress towards the achievement of the County's strategic goals; and
  - (4) reviewing and making recommendations to Council on the County's priorities.
- 4 The GPC may by resolution provide direction to Administration.



### Membership

- 5 The GPC consists of the following:
  - (1) Reeve;
  - (2) Deputy Reeve; and
  - (3) All Councillors.





# Governance and Priorities Committee

## Chair

- 6 The Chair and Vice Chair are appointed by Council at the annual Organizational Meeting of Council.
- 7 The Chair is responsible for presiding over meetings when in attendance.
- 8 The Chair and Vice Chair are responsible for:
  - (1) approving third party presentations; and
  - (2) approving agendas prior to publication.
- 9 The Vice Chair will take over the duties of the Chair whenever the Chair is unavailable.



## Presentations

- 10 Presentations to the GPC are no longer than 20 minutes in duration, unless the Committee passes a resolution to extend the presentation time, and may be followed by questions from the GPC to the presenter and Administration.
- 11 Notwithstanding the process outlined in the County's *Procedure Bylaw*, the Committee may by resolution allow members of the public to address the GPC on an agenda item following the presentation and question period for that item.
- 12 All presentations and discussion are directed through the Chair and presenters are not permitted to ask questions of GPC members.
- 13 The Chair and Vice Chair may defer approved presentations to a future GPC meeting or cancel the presentation when:
  - (1) a presenter introduces new material or an amended presentation materials after the agenda has been published; or
  - (2) otherwise at the discretion of the Chair and Vice Chair.



## Presentation Request Process

- 14 A completed application form must be submitted to Administration three weeks prior to the scheduled GPC meeting in order for the presentation to be included on the agenda.
- 15 Presentations from third parties on planning and development matters are not accepted when:
  - (1) the County already has an active application from the third party;
  - (2) an applicant is in the pre-development stage (for example, pre-development meetings with Administration); or



## Governance and Priorities Committee

- (3) an applicant indicates that they intend to submit an application to the County within six months.
- 16** Administration circulates the application form to the appropriate departments and the Executive Leadership Team and provides the following information to the Chair and Vice Chair for direction:
- (1) For planning and development-related presentations:
    - (a) whether the presenter intends to submit an application for a planning bylaw amendment, a subdivision application, or a development permit application; or
    - (b) whether the County already has an active application for a planning bylaw amendment, a subdivision application, or a development permit application.
  - (2) For all other presentations, whether the subject matter of the presentation is within the mandate of the GPC:
    - (a) County governance (for example, policies, plans, and bylaws); and/or
    - (b) County priorities.
- 17** Administration circulates the Chair and Vice Chair's direction to the rest of the Committee.
- 18** If the presentation request proceeds to the GPC, Administration will contact the presenter to confirm their presentation date and time and the deadline for submitting presentation materials.
- 19** Presentation materials must be submitted to Administration 15 days prior to the scheduled GPC meeting.
- 20** Administration prepares an introductory cover report for each presentation and the presentation materials provided by presenters will be included in GPC agendas.
- 21** If the Chair and Vice Chair reject a third party presentation request, Administration advises the presenter of the reason for the rejection and that a revised presentation may be submitted in the future.



### Administrative Support

- 22** Administration supports the GPC by preparing agendas and minutes, coordinating meetings, and providing information and expertise as required.







# Governance and Priorities Committee

## Definitions

23 In these Terms of Reference, the following definitions apply:

- (1) **“Administration”** means the operations and staff of Rocky View County under the direction of the Chief Administration Officer;
- (2) **“Administrative Policy”** means policies that are approved by the Chief Administrative Officer, focus on the County’s internal operations, and govern the actions of County staff and contractors.
- (3) **“Council”** means the duly elected Council of Rocky View County;
- (4) **“Council Policy”** means policies that are approved by Council and focus on the strategic direction of programs and services provided by the County.
- (5) **“Municipal Government Act”** means the *Municipal Government Act*, RSA 2000, c M-26, as amended or replaced from time to time;
- (6) **“Organizational Meeting”** means an Organizational Meeting of Council held pursuant to section 192 of the *Municipal Government Act*;
- (7) **“Procedure Bylaw”** means Rocky View County Bylaw C-7295-2013, the Procedure Bylaw, as amended or replaced from time to time; and
- (8) **“Rocky View County”** means Rocky View County as a municipal corporation and the geographical area within its jurisdictional boundaries, as the context requires.





# Governance and Priorities Committee

Approval Date	• TBD
Replaces	• Policy and Priorities Committee Terms of Reference
Lead Role	• Governance and Priorities Committee Chair • Chief Administrative Officer
Committee Classification	• Standing Committee of Council
Last Review Date	• N/A
Next Review Date	• TBD

\_\_\_\_\_  
Reeve

\_\_\_\_\_  
Approval Date



# Agricultural Service Board

## Terms of Reference

TOR #C-ASB

### Purpose

- 1 The purpose of the Agricultural Service Board (ASB) is to fulfill the mandate set out in the *Agricultural Service Board Act* (the Act) and to promote the importance of agriculture to Rocky View County (the County).



### Scope

- 2 The duties of the ASB are set out in section 2 of the Act and are reproduced below for convenience purposes only:

The duties of an agricultural service board are:

- (a) to act as an advisory body and to assist the council and the Minister, in matters of mutual concern;
  - (b) to advise on and to help organize and direct weed and pest control and soil and water conservation programs;
  - (c) to assist in the control of animal disease under the Animal Health Act;
  - (d) to promote, enhance and protect viable and sustainable agriculture with a view to improving the economic viability of the agricultural producer; and
  - (e) to promote and develop agricultural policies to meet the needs of the municipality.
- 3 In addition to the duties set out in the Act, the ASB is responsible for the following:
    - (1) Communicating the successes of the County's agricultural services;
    - (2) Assisting with the marketing of the County's agricultural producers; and
    - (3) Educating the public on the importance of agriculture to the County.



### Membership

- 4 The ASB consists of the following Members in a voting capacity:
  - (1) Three Councillors appointed for one year terms;
  - (2) Two Members at Large from West of Highway 2 appointed for three year terms; and



## Agricultural Service Board

- (3) Two Members at Large from East of Highway 2 appointed for three year terms.
- 5 Appointments to the ASB are generally made at the annual Organizational Meeting of Council or at a regular meeting of Council if necessary.
- 6 Members at Large must be:
  - (1) Residents of the County; and
  - (2) Familiar with agricultural concerns and issues and be qualified to develop agricultural policies consistent with the Act.



### Administrative Support

- 7 Administration supports the ASB, in a non-voting capacity, by coordinating meetings and providing information and expertise as required.
- 8 Administration further supports the ASB by promoting the agricultural industry as follows:
  - (1) Communicating the successes of the County's agricultural services;
  - (2) Assisting with the marketing of the County's agricultural producers; and
  - (3) Educating the public on the importance of agriculture to the County.
- 9 Section 6 of the Act sets out that Alberta Agriculture and Forestry may provide a representative to attend ASB meetings in a non-voting capacity. This section of the Act is reproduced below for convenience purposes only:

In order to assist a board, the Minister may designate an employee under the administration of the Minister as a Minister's representative:

- (a) to advise the board on government programs, agricultural problems and needs of the municipality, and
- (b) to assist the board, on the request of the board, in the discharge of its duties.



### Chair and Vice Chair

- 10 The Chair and the Vice Chair are elected at the first ASB meeting following the annual Organizational Meeting of Council.
- 11 The previous Chair will preside over the election of the new Chair.
  - (1) If the previous Chair is no longer a Member of the ASB, the previous Vice Chair will preside over the election of the new Chair.



## Agricultural Service Board

- (2) If the previous Chair and Vice Chair are no longer Members of the ASB, the ASB will choose a Member to preside over the election of the new Chair.

### 12 The Chair:

- (1) Presides over ASB meetings when in attendance; and
- (2) Approves ASB agendas prior to publication.

### 13 The Vice Chair will take over the duties of the Chair whenever the Chair is unavailable.



## Meetings

### 14 The ASB will meet at least five times annually on the dates set at the annual Organizational Meeting of Council. Additional meetings may be called at the discretion of the Chair.

### 15 Quorum for meetings will be four Members.

### 16 Administration prepares an agenda for each ASB meeting in consultation with the Chair.

### 17 ASB Members may submit agenda items to Administration for inclusion on the next available ASB agenda.



## Recommendations to Council

### 18 The ASB may make recommendations to Council on agricultural matters affecting Rocky View County.

### 19 Recommendations made by the ASB will be presented to Council by the Chair or Administration at the next available Council meeting.



## Advisory Committees

### 20 The ASB may recommend to Council the creation of an advisory committee with respect to agricultural matters as per the Act.

### 21 Advisory committees shall act in an advisory capacity to the ASB and Council.

### 22 Advisory committee Members at Large may be reimbursed for reasonable expenses by the County in accordance with Council Policy C-221, *Board and Committee Remuneration*.





## Agricultural Service Board

### Annual Report

- 23 The ASB will present an annual report to Council containing a summary of its activities from the previous year as per the Act.



### Remuneration

- 24 ASB Members at Large may be reimbursed for reasonable expenses by the County in accordance with Council Policy C-221, *Board and Committee Remuneration*.



### Definitions

- 25 In these Terms of Reference, the following definitions apply:
- (1) **“Administration”** means the operations and staff of Rocky View County under the direction of the Chief Administrative Officer;
  - (2) **“Agricultural Service Board Act”** means the *Agricultural Service Board Act*, RSA 2000, c A-10, as amended or replaced from time to time;
  - (3) **“Council”** means the duly elected Council of Rocky View County;
  - (4) **“Councillor”** means a duly elected member of Rocky View County Council;
  - (5) **“Member”** means a person appointed to the ASB and includes either a Councillor or a Member at Large;
  - (6) **“Member at Large”** means a person appointed to the ASB who is a member of the public and not a Councillor;
  - (7) **“Municipal Government Act”** means the *Municipal Government Act*, RSA 2000, c M-26, as amended or replaced from time to time;
  - (8) **“Organizational Meeting”** means an Organizational Meeting of Council held pursuant to the *Municipal Government Act*; and
  - (9) **“Rocky View County”** means Rocky View County as a municipal corporation and the geographical area within its jurisdictional boundaries, as the context requires.







# Agricultural Service Board

Approval Date	• TBD
Replaces	<ul style="list-style-type: none"> <li>• Policy 500, <i>Operation of the Agricultural Service Board</i></li> <li>• Procedure 500, <i>Operation of the Agricultural Service Board</i></li> </ul>
Lead Role	<ul style="list-style-type: none"> <li>• Agricultural Service Board Chair</li> <li>• Manager of Agricultural and Environmental Services</li> </ul>
Committee Classification	• Standing Board of Council
Last Review Date	• N/A
Next Review Date	• TBD

\_\_\_\_\_  
Reeve

\_\_\_\_\_  
Approval Date



# BYLAW C-7841-2018

A Bylaw of Rocky View County, in the Province of Alberta, to amend Rocky View County Bylaw C-7778-2018, being the *Assessment Review Boards Bylaw*.

**WHEREAS** section 191 of the *Municipal Government Act* allows Council to amend bylaws;

**AND WHEREAS** section 203 of the *Municipal Government Act* allows Council to delegate by bylaw any of its powers, duties, or functions to a Council Committee;

**NOW THEREFORE** the Council of Rocky View County enacts as follows:

## Title

1 This Bylaw may be cited as *Assessment Review Boards Bylaw Amendment #1*.

## Definitions

2 Words in this Bylaw have the same meaning as those set out in the *Municipal Government Act* except as follows:

- (1) “***Municipal Government Act***” means the *Municipal Government Act*, RSA 2000, c M-26, as amended or replaced from time to time.

## Effect

3 Rocky View County Bylaw C-7778-2018, being the *Assessment Review Boards Bylaw*, is amended by replacing the wording of Section 8 with the following:

“Within thirty days of the annual Organizational meeting of Council, the appointed Members of the Assessment Review Boards will convene to elect a Chair and Vice Chair for the ensuing year from among the appointed Members.”

4 Rocky View County Bylaw C-7778-2018, being the *Assessment Review Boards Bylaw*, is amended by adding a new Section 8.1 with the following wording:

“The Municipal Clerk or their designate will preside over the election of the Chair of the Assessment Review Boards.”

5 Rocky View County Bylaw C-7778-2018, being the *Assessment Review Boards Bylaw*, is amended by adding a new Section 9.1 with the following wording:

“The Vice Chair will take over the duties of the Chair whenever the Chair is unable to perform the duties of the Chair.”

**Repeal and Effective Date**

6 Bylaw C-7841-2018 is passed when it receives third reading and is signed by the Reeve or Deputy Reeve and the Chief Administrative Officer or their designate as per the *Municipal Government Act*.

READ A FIRST TIME IN COUNCIL this \_\_\_\_\_ day of \_\_\_\_\_, 2019

READ A SECOND TIME IN COUNCIL this \_\_\_\_\_ day of \_\_\_\_\_, 2019

*UNANIMOUS PERMISSION FOR THIRD READING* this \_\_\_\_\_ day of \_\_\_\_\_, 2019

READ A THIRD TIME IN COUNCIL this \_\_\_\_\_ day of \_\_\_\_\_, 2019

\_\_\_\_\_  
Reeve

\_\_\_\_\_  
Chief Administrative Officer or Designate

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

# Terms of Reference



## Bragg Creek FireSmart Committee

<b>Approval Date:</b> March 24, 2018 <b>Revision Date:</b> April 22, 2018	<b>Reports to:</b> Council	<b>Supporting Department:</b> Fire Services
		<b>Authority:</b> Council Motion

### Purpose

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

### Membership

2. The Committee consists of the following voting members:
  - a) One Councillor appointed at the Organizational Meeting of Council;
  - b) 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;

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

#### **Chair**

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

#### **Quorum**

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

#### **Reporting**

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

#### **Budget**

9. The Committee has no additional budget.

#### **Meetings**

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

# Terms of Reference



**ROCKY VIEW COUNTY**  
Cultivating Communities

**Title: Policy & Priorities Committee**

(formerly Infrastructure and Operations Committee and Public Services Committee)

**Approval Date: September 10, 2013**

**Revision Date(s): October 1, 2013**  
**October 1, 2015**

**Sponsoring Department:**  
**Legislative Services**

**Authority: Bylaw C-7297-2013**

## 1. Purpose

The purpose of the Policy & Priorities Committee is to advise Council on a variety of matters impacting or potentially impacting Rocky View County.

## 2. Committee Objectives

The Policy & Priorities Committee will:

- (a) discuss:
  - (i) new initiatives;
  - (ii) proposed amendments to Provincial and municipal legislation;
  - (iii) community issues;
- (b) hear presentations from:
  - (i) the public;
  - (ii) community groups; and
  - (iii) organizations
- (c) make recommendations to Council; and
- (d) **adopt and amend Council Policy**

## 3. Membership

- (a) The Policy & Priorities Committee consists of nine members as follows:
  - (i) The Reeve; and
  - (ii) All Councillors.
- (b) The Administrative Liaisons for the Policies & Priorities Committee are the General Managers.



**4. Budget**

- (a) \$3,500 for noon meals

**5. Meetings**

- (a) Meeting dates and times to be determined at the Annual Organizational Meeting.<sup>1</sup>

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<sup>1</sup> Bylaw C-7431-2014



# OFFICE CONSOLIDATION

## BYLAW C-6138-2005

### A Bylaw of the Municipal District of Rocky View in the Province of Alberta to Establish the Committees of Council.

WHEREAS the Municipal Government Act, R.S.A. 2000, c. M-26, as amended, provides that a Council may by bylaw establish standing or special Committees of Council and to delegate to such committees certain duties and powers imposed and conferred upon a Council by the said Municipal Government Act.

AND WHEREAS the Council of the Municipal District of Rocky View considers it appropriate to establish Council committees for the purpose of supporting and facilitating the achievement of the MD's vision and goals and for the purpose of advising Council on matters relevant to the respective Committee mandates.

NOW THEREFORE the Council of the Municipal District of Rocky View, in the Province of Alberta, duly assembled, and pursuant to the authority conferred upon it by the Municipal Government Act R.S.A. 2000, c. M-26, as amended, enacts and follows:

#### 1. NAME OF BYLAW

1.1 This Bylaw may be cited as the "Committees Bylaw".

#### 2. PURPOSE OF BYLAW

2.1 The purpose of this Bylaw is to govern the establishment and regulations of Council Committees, subject to any specific variance set out in the Committee's Terms of Reference.

#### 3. SCOPE OF BYLAW

3.1 This Bylaw applies to the following Committees

##### Standing Policy Committees:

3.1.1 Policy and Priorities Committee<sup>1</sup>

3.1.2 Deleted<sup>2</sup>

<sup>1</sup> Bylaw C-7297-2013, "Committees Bylaw C-6138-2005, Amendment No. 1"

<sup>2</sup> Bylaw C-7297-2013, "Committees Bylaw C-6138-2005, Amendment No. 1"

Special Committees:

- 3.1.3 Agricultural Services Board
- 3.1.4 Deleted<sup>3</sup>
- 3.1.5 Deleted<sup>4</sup>

Ad Hoc Committees:

- 3.1.6 Deleted<sup>5</sup>
  - 3.1.7 Other Committees as required to address particular issues
- 3.2 The Meeting Procedures Bylaw shall govern Committees and shall be binding upon all Committee members whether Councillors or Members at Large.
- 3.3 Subject to specific directions within this Bylaw, the Meeting Procedure Bylaw governs all Committee Meetings and is binding upon all Committee Members, whether Councillors or Members at Large.

**4. DEFINITIONS**

- 4.1 In this Bylaw:
- 4.1.1 “**Ad Hoc**” Committee means a particular type of committee which is formed to deal with a particular issue, and disbanded after the issue is resolved.
  - 4.1.2 “**Administration**” means the Chief Administrative Officer (CAO) or an employee accountable to the CAO employed by the Municipal District of Rocky View (MD).
  - 4.1.3 “**Administrative Representative**” means the member of the MD’s administrative staff appointed to a Committee by the CAO.
  - 4.1.4 “**Agenda**” means the list of items and orders of business for any Meeting prepared pursuant to Section 16 of the Meeting Procedure Bylaw as amended.
  - 4.1.5 “**Chief Administrative Officer**” (otherwise referred to as the ‘CAO’) means the person appointed by Council into the position of CAO pursuant to Section 205 of the *Municipal Government Act (MGA)*.
  - 4.1.6 “**Committee**” means a Council Committee, Board or other body established by Council, by bylaw pursuant to the *MGA*.
  - 4.1.7 “**Chairperson**” means the person who presides at a Meeting.

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<sup>3</sup> Bylaw C-7527-2015, “Committees Bylaw C-6138-2005, Amendment No. 3”

<sup>4</sup> Bylaw C-7527-2015, “Committees Bylaw C-6138-2005, Amendment No. 3”

<sup>5</sup> Bylaw C-7527-2015, “Committees Bylaw C-6138-2005, Amendment No. 3”

- 4.1.8 “**Council**” means the Reeve and Councillors of the Municipal District of Rocky View No. 44, duly elected pursuant to the provisions of the *Local Authorities Election Act (LAEA)*, as amended from time to time, whose term is unexpired, who have not resigned and who continue to be eligible to hold office pursuant to the provisions of the *LAEA*.
- 4.1.9 “**Councillor**” means a duly elected Member of Council, including the Reeve.
- 4.1.10 “**Elector**” means a person: (i) who is eighteen [18] years or older; (ii) who is a Canadian citizen; and (iii) who [A] in the case of an election or the taking of a vote is eligible to vote, or [B] in the performance of any other function or the exercise of any right with respect to a municipality, is a resident of the Municipality on the day on which the function is performed or the right is exercised, and has resided in Alberta for the six (6) consecutive months immediately preceding that day.
- 4.1.11 “**Ex-Officio**” means a member of a Committee who is a Committee member by virtue of the right to hold a public office such as Reeve, and has the right to make motions and vote.
- 4.1.12 “**Member at Large**” means a member of the public appointed by Council to a Committee pursuant to this Bylaw.
- 4.1.13 “**Meeting**” means an organizational, regular or special meeting of Council or Committee.
- 4.1.14 “**Meeting Procedure Bylaw**” means MD Bylaw C-6095-2005 which regulates the conduct of Councillors and the conduct of members of Council Committees and other bodies established by Council.
- 4.1.15 “**Quorum**” means in the case of a Committee Meeting, unless the bylaw establish such a Committee specifies a different Quorum, the majority of the members thereto, including Members at Large.
- 4.1.16 “**Reeve**” means the Chief Elected Official of the Municipality pursuant to the *MGA, RSA 2000, Chapter M-26*, as amended from time to time.
- 4.1.17 “**Terms of Reference**” means a statement of the purpose of a Committee and shall include, but is not limited to the Committee’s composition, duties, powers and functions. Terms of Reference for specific Committees re set out by schedules which are attached to and form part of this Bylaw.

**5. ESTABLISHMENT**

- 5.1 Council hereby establishes those Committees as are set out in the Terms of Reference.
- 5.2 Each Committee shall be responsible and accountable only to Council.

**6. POWERS AND RESPONSIBILITIES OF COMMITTEES**

- 6.1 Policy & Priorities Committee has the following delegated powers, duties and functions within their mandates:
- 6.1.1 adopt new or revised policy;
  - 6.1.2 make recommendations to Council;
  - 6.1.3 receive reports for information; and
  - 6.1.4 create and be responsible for sub-committees and their Terms of Reference.<sup>6</sup>
- 6.2 An Ad-hoc Committee may be appointed at any time by the Council providing that a motion has been adopted specifying the matters, membership, duration of the Committee and Terms of Reference to be dealt with by the Committee.<sup>7</sup>
- 6.3 A Committee does not have the power to pledge the credit of the Municipality, pass bylaws, enter into any contractual agreements, or otherwise bind the Municipality in any way.
- 6.4 A Committee must not appropriate, expend or direct the expenditure of any money not provided for in that Committee's budget as approved by Council or by a special or supplementary budget adjustment approved by Council.
- 6.5 A Committee shall provide a forum for examining timely issues relevant to its mandate by considering topics from the following sources:
- 6.5.1 receipt of requests or suggestions from Council;
  - 6.5.2 requests or enquiries from the public; and
  - 6.5.3 initiation from within the Committee
- 6.6 The Committee shall be responsible for preparing letters, recommendations, resolutions, discussion papers and other documents as directed by Council.
- 6.7 A Committee may request advice and assistance in the form of verbal or written reports from any Municipal Department concerning any matter properly being considered by the Committee.
- 6.8 A Committee may solicit, hear and consider representations from any citizen or group of citizens upon any matter relating to the function of that Committee.
- 6.9 The Committee shall prepare and, on approval by Council, present briefs to hearings and commissions.

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<sup>6</sup> Bylaw C-7527-2015, "Committees Bylaw C-6138-2005, Amendment No. 3"

<sup>7</sup> Bylaw C-7527-2015, "Committees Bylaw C-6138-2005, Amendment No. 3"

**7. REPORTING TO COUNCIL**

- 7.1 Councillors appointed to a Committee are responsible to keep Council informed as to the Committee's activities through a regular report in accordance with that Committee's Terms of Reference.
- 7.2 The Terms of Reference for each Committee should specify how often the reporting is to be done.

**8. PUBLIC PARTICIPATION**

- 8.1 Community Organizations and individuals that wish to appear before or communicate directly with Council on any matter referred to within the Terms of Reference of a Committee shall be encouraged to make representations to that Committee in accordance with Sections 25, 26, and 27 of the Meeting Procedure Bylaw.

**9. MEMBERSHIP**

- 9.1 A Committee shall be composed of the number of members, both Councillors and Members at Large, as indicated in the Committee's Terms of Reference.
- 9.2 All members of a Committee shall be residents of the Municipal District of Rocky View, unless otherwise provided in the Terms of Reference for that Committee.
- 9.3 Councillors shall be appointed by Council at the Organizations Meeting or at a meeting following the Organizational Meeting.

**10. APPOINTMENTS**

- 10.1 Members at Large shall be appointed by Council to a Committee at the Organizational Meeting or as otherwise designated by Council.
  - 10.1.1 In order to ensure continuity of membership in newly established Committees, Council shall, at the date of appointment, determine which of the Members at Large will hold office for one (1) year from the date of appointment and which of the Members at Large will hold office for two (2) years from the date of appointment.
  - 10.1.2 In each succeeding year, Council shall appoint for a two (2) year term enough members to fill the vacancies created by the expiration or the terms of the Members at Large in that year.
  - 10.1.3 Retiring Members at Large may be re-appointed if they have not already served two (2) consecutive terms on a particular Committee.
- 10.2 The Reeve is an Ex-officio member of those Committees that do not name the position of Reeve in their Terms of Reference.
- 10.3 All appointment of Committees are at the pleasure of Council. Council has the right to remove any Member from a Committee at any time and for any reason.
- 10.4 Any Member at Large may resign from a Committee at any time by sending written notice to the CAO and such resignation shall take effect on the date therein stated, or where no date is stated, then upon the date when the resignation was received by the CAO.



- 10.5 A Member of a Committee may introduce for discussion and recommendation, any matter which he/she considers to be within the purview of that Committee.
- 10.6 All Members at Large shall remain in office until their respective successors are appointed.
- 10.7 Any Member of a Committee who is absent from three (3) consecutive meetings of the Committee without valid reason shall forfeit his or her office.
- 10.8 In the event of a vacancy occurring prior to the expiration of a term, the person appointed to fill such vacancy shall hold office for the remainder of that term.

## **11. CHAIRPERSON AND VICE-CHAIRPERSON**

- 11.1 At the annual Council Organization Meeting a Council shall elect a Chairperson from among its members for each of the following Committees: Agricultural Services Board, as well as the Standing Policy Committees. A Vice-Chairperson for each of these Committees shall be elected at their first meeting.<sup>8</sup>
- 11.2 The Chairperson shall hold office for a term of one (1) year from the date of appointment.
- 11.3 The Chairperson shall preside over all meetings for the Committee and decide all points of order that may arise in accordance with the provisions of the Meeting Procedure Bylaw.
- 11.4 In the absence of the Chairperson, the Vice-Chairperson shall preside over meetings and shall exercise all the same powers, duties and responsibilities that the Chairperson would be entitled to exercise if present, in accordance with the provisions of the Meeting Procedure Bylaw.
- 11.5 In the event that both Chairperson and Vice-Chairperson are absent from the meeting, the members shall elect an Acting Chairperson for that meeting.

## **12. ADMINISTRATIVE REPRESENTATIVE**

- 12.1 The CAO shall appoint an Administrative Representative to each Committee.
- 12.2 The Administrative Representative shall ensure that accurate minutes are kept of all regular and special meetings of the Committee, copies of which shall be made, filed with the CAO and or his /her designate and available to Council upon request, in accordance with the provisions of the Meeting Procedure Bylaw.
- 12.3 The Administrative Representative shall provide advice, research, information and additional support staff as required by the Committee.
- 12.4 The Administrative Representative is not a member of a Committee and shall not vote on any matter.

## **13. MEETINGS**

Notice of cancellation of meetings is to be done in accordance with the Meeting Procedure Bylaw.

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<sup>8</sup> Bylaw C-7297-2013, "Committees Bylaw C-6138-2005, Amendment No. 1"  
Bylaw C-7527-2015, "Committees Bylaw C-6138-2005, Amendment No. 3"

**14. QUORUM**

A majority of Committee Members present at the Meeting, including Members-at-Large, constitutes a quorum at a Committee Meeting.

**15. EFFECTIVE DATE**

This Bylaw shall come into effect as of the final day of passing.

**NOW THEREFORE** the Municipal District of Rocky View No. 44 hereby enacts the following:

First reading passed in open Council, assembled in the City of Calgary, in the Province of Alberta this 28<sup>th</sup> day of February, 2006 on a motion by Councillor Goode.

Second reading passed in open Council, assembled in the City of Calgary, in the Province of Alberta this 28<sup>th</sup> day of February, 2006 on a motion by Councillor Everett.

That permission for third and final reading be passed in open Council, assembled in the City of Calgary, in the Province of Alberta this 28<sup>th</sup> day of February, 2006 on a motion by Councillor Neustaedter.

Third reading passed in open Council, assembled in the City of Calgary, in the Province of Alberta this 28<sup>th</sup> day of February, 2006 on a motion by Councillor Goode



Reeve / Deputy Reeve



Municipal Clerk

# Terms of Reference



**ROCKY VIEW COUNTY**  
Cultivating Communities

**Title: Policy & Priorities Committee**

(formerly Infrastructure and Operations Committee and Public Services Committee)

**Approval Date: September 10, 2013**

**Revision Date(s): October 1, 2013**  
**October 1, 2015**

**Sponsoring Department:**  
**Legislative Services**

**Authority: Bylaw C-7297-2013**

## 1. Purpose

The purpose of the Policy & Priorities Committee is to advise Council on a variety of matters impacting or potentially impacting Rocky View County.

## 2. Committee Objectives

The Policy & Priorities Committee will:

- (a) discuss:
  - (i) new initiatives;
  - (ii) proposed amendments to Provincial and municipal legislation;
  - (iii) community issues;
- (b) hear presentations from:
  - (i) the public;
  - (ii) community groups; and
  - (iii) organizations
- (c) make recommendations to Council; and
- (d) **adopt and amend Council Policy**

## 3. Membership

- (a) The Policy & Priorities Committee consists of nine members as follows:
  - (i) The Reeve; and
  - (ii) All Councillors.
- (b) The Administrative Liaisons for the Policies & Priorities Committee are the General Managers.

**4. Budget**

- (a) \$3,500 for noon meals

**5. Meetings**

- (a) Meeting dates and times to be determined at the Annual Organizational Meeting.<sup>1</sup>

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<sup>1</sup> Bylaw C-7431-2014



**PLANNING & DEVELOPMENT SERVICES**

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**TO:** Council  
**DATE:** January 8, 2019 **DIVISION:** 1  
**FILE:** 1011-534 **APPLICATION:** N/A  
**SUBJECT:** Terms of Reference – Bragg Creek Hamlet Expansion Strategy

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**<sup>1</sup>POLICY DIRECTION:**

Council approved the Greater Bragg Creek Area Structure Plan in 2007. The ASP encourages expansion of the hamlet boundary to include the properties located just south of the hamlet once a funding commitment and a timetable for development of municipal water and wastewater systems are available for the hamlet expansion area. This project has been scheduled for inclusion on the 2019 work plan, in accordance with the criteria of Council Policy 322: Area Structure Plan Priority Policy.

**EXECUTIVE SUMMARY:**

The Greater Bragg Creek Area Structure Plan (ASP) was adopted in 2007 to guide future land use, subdivision, and development in the hamlet of Bragg Creek (the hamlet) and its surrounding area. The purpose of this report is to present Council with a Terms of Reference to guide the preparation of amendments to the Greater Bragg Creek Area Structure Plan for the purposes of creating a Hamlet Expansion Strategy, as per the policies of the existing ASP and the direction of the Hamlet of Bragg Creek Revitalization Plan.

The Terms of Reference were originally removed from Council’s agenda on November 27, 2018 pending satisfaction of the following resolution:

*MOVED by Deputy Reeve Schule that Administration be directed to schedule a County Manager workshop to discuss the Area Structure Plan review and preparation process by the end of January, 2019.*

A County Manager workshop was subsequently held on December 4, 2018 and an item regarding the Area Structure Plan review and preparation process was discussed.

The Greater Bragg Creek Area Structure Plan encourages expansion of the hamlet boundary to include the properties located just south of the hamlet once a funding commitment and a timetable for development of municipal water and wastewater systems are available for the hamlet expansion area. Since the adoption of the ASP, a municipal water distribution system and wastewater collection and treatment systems were put in place within the hamlet to provide safe and reliable services to the community.

In the summer of 2013, the major flood in southern Alberta affected the majority of the hamlet. As part of the flood recovery, the Hamlet of Bragg Creek Revitalization Plan (the Revitalization Plan) was adopted by Council to identify opportunities and actions that can be undertaken to achieve the community’s vision for the hamlet, and to revitalize the Bragg Creek area as a dynamic place to live and visit.

The Revitalization Plan indicates that a large portion of the hamlet expansion lands has the potential to accommodate cluster housing as a way to provide diverse housing types to the community. As part of the Revitalization Plan implementation, one of the recommended actions is to determine steps

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<sup>1</sup> **Administration Resources**  
Johnson Kwan, Planning & Development Services



for allowing future development in the hamlet expansion area as originally intended in the Greater Bragg Creek ASP.

For this reason, Administration is initiating the Hamlet Expansion Strategy in accordance with the Greater Bragg Creek ASP policies and the Revitalization Plan’s implementation strategy.

**BACKGROUND:**

The Greater Bragg Creek Area Structure Plan (ASP) identifies the properties located just south of the hamlet between Highway 22 and Bragg Creek Provincial Park as hamlet expansion land (see Terms of Reference location map within Appendix ‘A’).

The Greater Bragg Creek ASP (Policies 7.2.5 and 10.1.10) indicates that the County should undertake preparation of a comprehensive land use strategy (Hamlet Expansion Strategy) to accommodate hamlet expansion within the expansion lands once a funding commitment and a timetable for development of municipal water and wastewater systems to service the hamlet expansion area are available. Those systems are now in place in the hamlet, and the potential service extensions to the hamlet expansion area are currently being investigated. For this reason, Administration is initiating the Hamlet Expansion Strategy.

The Hamlet Expansion Strategy will explore the potential development scenarios and establish a land use strategy for the expansion lands in accordance with the Greater Bragg Creek ASP and other relevant planning policies (i.e.: Interim Growth Plan and the County Plan).

The Hamlet Expansion Strategy will involve public and stakeholder engagement, technical review and studies, policy writing, and development of land use scenarios. Should the proposed Terms of Reference be adopted, the project would be initiated in early 2019.

**BUDGET IMPLICATIONS:**

The Bragg Creek Hamlet Expansion Strategy ASP amendments project was budgeted for in 2018. Subject to year-end, Administration would recommend this budget be carried forward to 2019.

**OPTIONS:**

- Option #1: THAT the Bragg Creek Hamlet Expansion Strategy Terms of Reference be approved as presented in Appendix ‘A’.
- Option #2: THAT alternative direction be provided.

Respectfully submitted,

Concurrence,

“Sherry Baers”

“Al Hoggan”

\_\_\_\_\_  
Executive Director  
Community Development Services

\_\_\_\_\_  
Chief Administrative Officer

JKwan/rp

**APPENDICES:**

APPENDIX ‘A’: Terms of Reference





# Bragg Creek Hamlet Expansion Strategy

## Terms of Reference

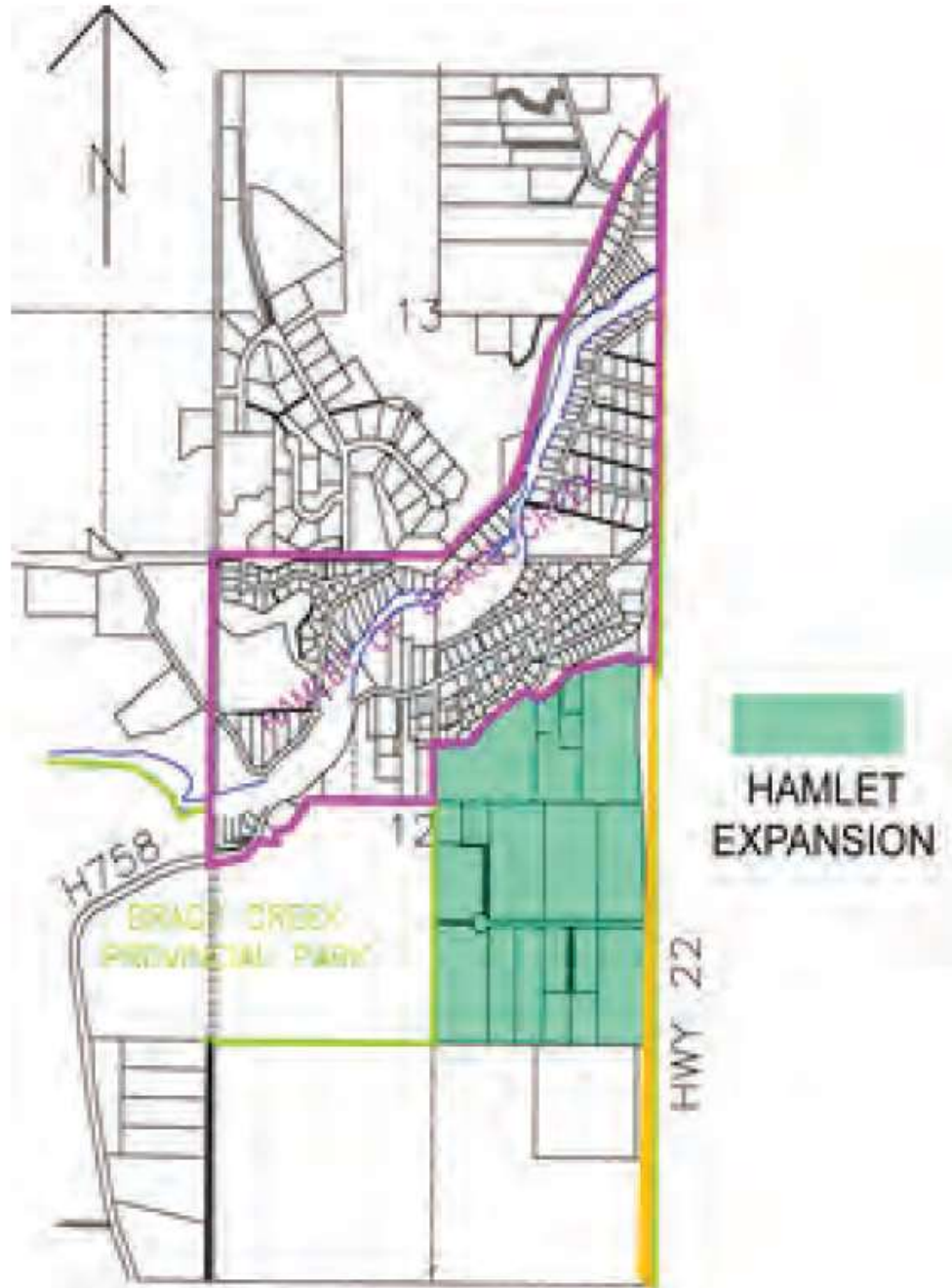
TOR #1011-534

### Introduction

- 1 The hamlet of Bragg Creek (the hamlet) is located approximately 30 km southwest of the city of Calgary. The County's Municipal Development Plan (the County Plan) supports the development of the hamlet as a small rural community with basic services in accordance with the local plan.
- 2 The Greater Bragg Creek Area Structure Plan (ASP) is the local plan that was adopted in 2007 to guide future land use, subdivision, and development in the hamlet and its surrounding area.
- 3 At the time, development in the hamlet of Bragg Creek was restrained due to geotechnical conditions that do not support effective use of private sewage treatment systems, and shallow, untreated water wells upon which most hamlet residents rely.
- 4 In the following years, the hamlet experienced little development, and the hamlet's population remained static as reflected in the 2006 and 2013 municipal censuses.
- 5 In the summer of 2013, the major flood in southern Alberta affected the majority of the hamlet. As part of the flood recovery, a municipal water distribution system and wastewater collection and treatment systems were put in place within the hamlet to provide safe and reliable services to the community.
- 6 In December 2015, the Hamlet of Bragg Creek Revitalization Plan (the Revitalization Plan) was adopted by Council to identify opportunities and actions that can be undertaken to achieve the community's vision for the hamlet, and to revitalize the Bragg Creek area as a dynamic place to live and visit after the flood in summer of 2013.
- 7 The Revitalization Plan indicates that a large portion of the hamlet expansion lands has the potential to accommodate cluster housing as a way to provide diverse housing types to the community.
- 8 As part of the Revitalization Plan implementation, one of the recommended actions is to determine steps for allowing future development in the hamlet expansion area as originally intended in the Greater Bragg Creek ASP.
- 9 The Greater Bragg Creek ASP encourages expansion of the hamlet boundary to include the properties located just south of the hamlet, between Highway 22 and Bragg Creek Provincial Park (see Figure 1).
- 10 The study area consists of 20 parcels and is approximately 86.66 hectares (214.41 acres) in size (see Figure 2).

# Bragg Creek Hamlet Expansion Strategy

Figure 1 – Lands for Hamlet of Bragg Creek Expansion



# Bragg Creek Hamlet Expansion Strategy

Figure 2 – Hamlet Expansion Land 2018 Aerial Photo



- 11 The Greater Bragg Creek ASP (Policy 7.2.5 and 10.1.10) indicates that the County should undertake preparation of a comprehensive land use strategy (Hamlet Expansion Strategy) to accommodate hamlet expansion within these lands once a funding commitment and a timetable for development of municipal water and wastewater systems to service the hamlet expansion area are available.
- 12 The municipal water and wastewater systems are now in place in the hamlet, and the potential service extensions to the hamlet expansion area are currently being investigated. For this reason, Administration is initiating the Hamlet Expansion Strategy in accordance with the Greater Bragg Creek ASP policies and the Revitalization Plan's implementation strategy.



# Bragg Creek Hamlet Expansion Strategy

## Goals

- 13 The goal of the Hamlet Expansion Strategy is to explore the potential development scenarios in the expansion area and establish a land use strategy for the expansion lands in accordance with the Greater Bragg Creek ASP and other relevant planning policies.
- 14 Contributing to Hamlet Expansion Strategy would be:
  - (1) Community and stakeholders input;
  - (2) Baseline technical studies;
  - (3) Growth projections;
  - (4) Compatibility and integration with the surrounding area (e.g. interface with Bragg Creek Provincial Park, connection to the existing hamlet, consideration for TsuuT'ina First Nation Reserve); and
  - (5) Directions and intent of higher order documents (e.g. the Interim Growth Plan and the County Plan).
- 15 The Hamlet Expansion Strategy will be a set of amendments to be adopted as part of the Greater Bragg Creek Area Structure Plan and prepared in accordance with the *Municipal Government Act*.

## Basic Assumptions and Circumstances

- 16 A number of basic assumptions and circumstances guiding the planning framework for the area have changed since adoption of the Greater Bragg Creek Area Structure Plan:
  - (1) In October 2013, the County Plan was adopted; it identifies the hamlet of Bragg Creek as a small rural community with basic services.
  - (2) In January 2018, the Calgary Metropolitan Region Board (CMRB) was established as the provincially mandated growth management board in the Calgary region. Rocky View County became a participating municipality of the Calgary Metropolitan Region Board.
    - (a) Under the Calgary Metropolitan Regional Board Regulations (AR190/2017), statutory plans that are to be adopted by a participating municipality must be submitted to the Board for approval.
  - (3) In October 2018, the Interim Growth Plan (IGP) and the Interim Regional Evaluation Framework (IREF) were approved and came into effect. Under the Interim Growth Plan, amendments to existing statutory plans shall be submitted to the Board for review and approval. The Board may approve or reject a statutory plan in accordance with the Regional Evaluation Framework.
  - (4) The 'Bragg Creek Hamlet Expansion Strategy' will be a set of amendments to the Greater Bragg Creek Area Structure Plan. For this reason, the proposed amendments would be subject to the Calgary Metropolitan Regional Board review and approval under the Interim Growth Plan and the Interim Regional Evaluation Framework.





# Bragg Creek Hamlet Expansion Strategy

## Background

### Interim Growth Plan

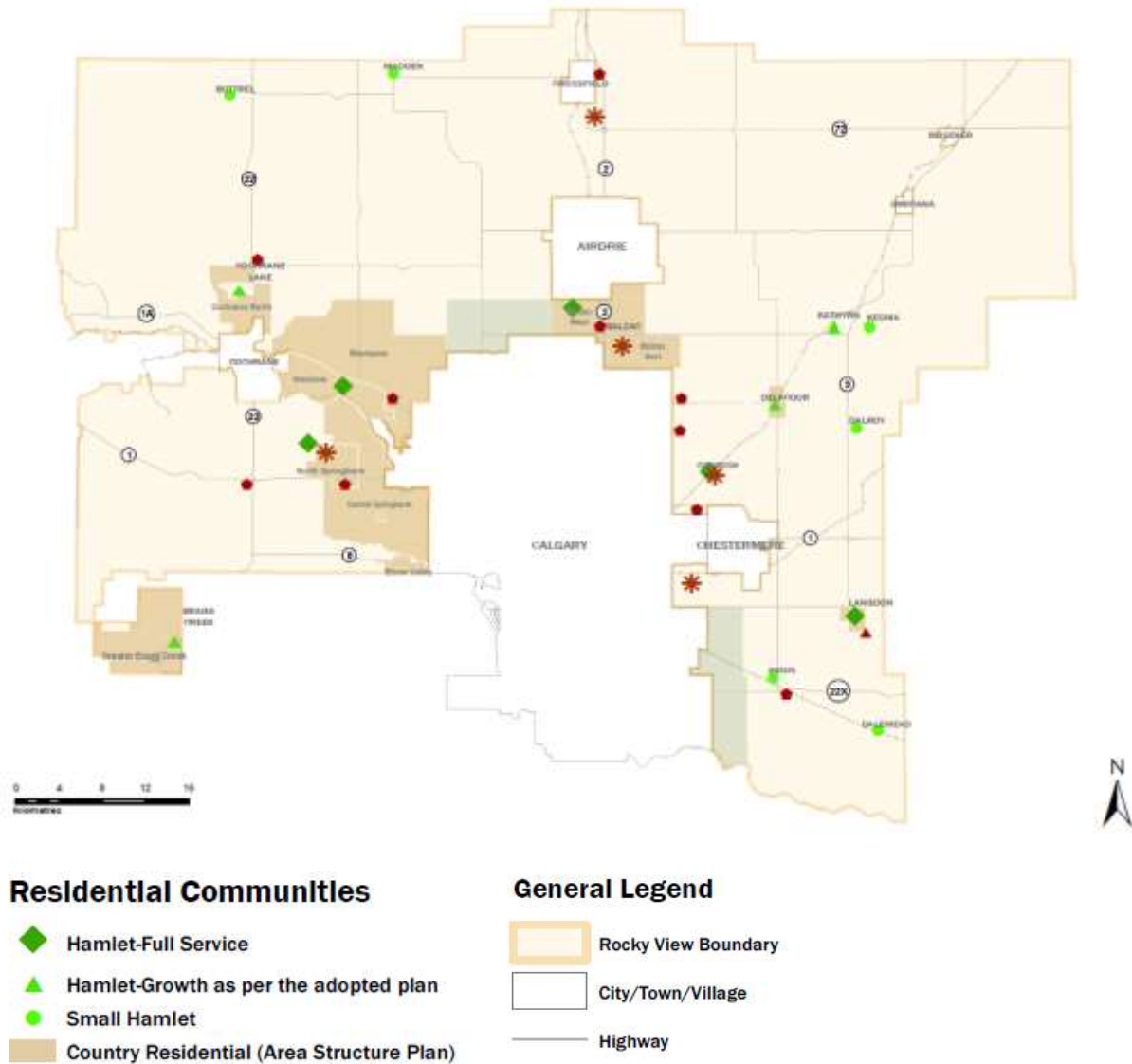
- 17** The Interim Growth Plan (IGP) identifies different types of development that would be subject to the Calgary Metropolitan Region Board review and approval.
- 18** Under the IGP, the hamlet of Bragg Creek is considered a 'Settlement area':
- (1)** *Settlement Areas* means all lands located within the limits of planned areas in cities, towns, villages, hamlets, and other unincorporated urban communities. *Settlement areas* do not include country residential areas.
  - (2)** *Hamlet* means an unincorporated urban community with a generally accepted name and boundary. *Hamlets* are designated by Counties and Municipal Districts, and each designation must specify the hamlet's name and boundaries. Only those unincorporated urban communities recognized by Alberta Municipal Affairs as *hamlets* are recognized as *hamlets* by the Calgary Metropolitan Region Board.
- 19** The IGP (3.4.1.2) indicates that *intensification and infill* in existing *settlement areas* in *hamlets* and other unincorporated urban communities within rural municipalities shall be planned and developed to:
- (1)** Achieve an efficient use of land;
  - (2)** Achieve higher density development in central core areas;
  - (3)** Accommodate residential and/or mixed-use development at a higher density than currently exists;
  - (4)** Provide for a mix of uses including community services and facilities, where appropriate; and
  - (5)** Make efficient and cost-effective use of existing and planned infrastructure through agreements with service providers.

### County Plan

- 20** The County Plan identifies Bragg Creek as a 'Hamlet – Growth as per the adopted plan' (see Figure 2 – County Plan Managing Growth Map).

# Bragg Creek Hamlet Expansion Strategy

Figure 2 - County Plan Managing Growth Map



## Greater Bragg Creek Area Structure Plan

- 21** The Greater Bragg Creek Area Structure Plan (ASP) consists of a number of goals and policies that guides the Hamlet Expansion Strategy. The ASP amendments will be prepared in a manner that meets the goals and intent of the ASP.
- 22** The ASP (Policy 7.2.5) also specifies that the Hamlet Expansion Strategy:
  - (1)** Should accommodate an appropriate range of residential and institutional land uses within the hamlet expansion lands;



## Bragg Creek Hamlet Expansion Strategy

- (2) Should provide for an appropriately staged transition from country residential to hamlet land uses in accordance with the logical extension of transportation and utility services;
- (3) Should establish controls for the rate of development of the hamlet expansion lands. These controls should identify appropriate development phasing and conditions that should exist prior to development proceeding in a subsequent phases;
- (4) Should accommodate the logical extension of transportation connections into the hamlet expansion lands (both from the hamlet and Highway 22);
- (5) Should accommodate extension of utility services and open space connections from the hamlet into the hamlet expansion lands;
- (6) Should accommodate appropriate transitioning and buffering between the hamlet expansion lands and the Bragg Creek Provincial Park; and
- (7) Shall be developed through a process of public consultation to ensure all community issues have been addressed.

### Envisioned ASP Amendments to Date

- 23 Mapping amendments for the expansion lands in the Greater Bragg Creek ASP would consider land use strategy, environmental protection, open space connectivity, transportation network, and servicing (water, wastewater, and stormwater) that reflects the public and stakeholders' input and the results of the technical studies.
- 24 Policy amendments for the expansion lands in the Greater Bragg Creek ASP would:
  - (1) Confirm and update the community's vision for the hamlet expansion area;
  - (2) Align policies with higher order planning documents such as the Interim Growth Plan and the County Plan;
  - (3) Re-evaluate the land use scenario for the expansion lands to promote the development of a full-service hamlet with a mix of residential and non-residential uses, which connects to the existing hamlet;
  - (4) Update technical policies to reflect new and revised studies; and
  - (5) Address existing policy gaps in the ASP.

### ASP Amendments' Goals

- 25 In addition to the goals already listed in the Greater Bragg Creek ASP, the Hamlet Expansion Strategy should also take into account a number of goals:
  - (1) Intent to develop the hamlet expansion area as a distinct and attractive community;
  - (2) Be supported by growth projections, desired growth size, and limitations of servicing;





## Bragg Creek Hamlet Expansion Strategy

- (3) Achieve a logical extension of growth patterns, including vehicular and pedestrian transportation infrastructure;
- (4) Explore appropriate methods to infill existing development;
- (5) Explore the use of alternate forms of development, such as compact and/or cluster housing;
- (6) Demonstrate sensitivity and respect for key environmental and natural features;
- (7) Allow the County the ability to achieve rational growth directions, cost effective utilization of resources, and fiscal accountability;
- (8) Achieve effective public consultation in a fair, open, considerate and equitable manner;
- (9) Alignment with other planning documents; and
- (10) Other achievable goals identified by the public.

### ASP Amendments' Objectives

26 The objectives for the ASP Hamlet Expansion review should be achievable, based on existing studies and additional work as described in the following subsections:

#### Land Use

- (1) To develop a land use strategy for the Hamlet Expansion Lands;
- (2) To establish a development sequence for future subdivision and development of the expansion lands; and
- (3) To determine appropriate integration and transition policies for adjacent land uses;

#### Servicing

- (4) To identify land carrying capacities and servicing options that may be available for existing and future development of the expansion lands;
- (5) To identify current and planned transportation infrastructure under both Provincial and County jurisdiction to determine future transportation needs and opportunities;
- (6) To identify possible pedestrian and other non-vehicular linkages to ensure the development of a cohesive community; and
- (7) To identify other required physical services.

#### Physical Environment

- (8) To identify key environmental and natural features within the area and suggest methods to uphold their form and function; and
- (9) To identify physical constraints to future development that may limit connectivity of land uses, such as steep slopes within the study area;



# Bragg Creek Hamlet Expansion Strategy

## Local Amenities

- (10) To identify desired and achievable amenities;

## Institutional Development

- (11) To further explore the potential for the institutional development identified in the Greater Bragg Creek ASP, with reference to the existing establishments (e.g.: Bragg Creek Community Centre and Banded Peak School);

## Phasing

- (12) To explore phasing to accommodate growth projections, and to implement an appropriate mechanism for phasing growth;
- (13) To describe the existing development within the study area and adjacent lands;
- (14) To discover where development opportunities and constraints may exist; and
- (15) To determine the fiscal impact of the proposed land uses;

## Other

- (16) To establish a framework for monitoring the long-term effectiveness of the Plan; and
- (17) To meet the intent and direction of the Interim Growth Plan, the County Plan, the Greater Bragg Creek Area Structure Plan and other relevant policy frameworks.

## Enabling Legislation

- 27 The *Municipal Government Act (MGA), Revised Statutes of Alberta, 2000, Chapter M-26, as amended*, enables Council to adopt an area structure plan for the purpose of establishing a framework to guide subsequent subdivision and development within a defined area. In accordance with the MGA, the Greater Bragg Creek Area Structure Plan must describe, provide notification, and be consistent with the Act.



# Bragg Creek Hamlet Expansion Strategy

## Work Program

28 The Work Program is anticipated to occur in four phases.



### Phase 1 – Project Initiation and Background Analysis (Jan 2019 – March 2019)

29 In this phase, the baseline technical studies will be conducted while the project initiation and background analysis take place:

- (1) Confirm goals and objectives of the project and update Terms of Reference;
- (2) Conduct technical studies including, but not limited to, water and wastewater servicing strategy, transportation Impact analysis, and updated master drainage plan;
- (3) Initiate technical studies;
- (4) Develop a public and stakeholder engagement strategy;
- (5) Create a work plan and budget to guide overall project management; and
- (6) Create a Background Report to inform the review of the Area Structure Plan. The timing of the public release of the report will be in accordance with the public engagement strategy.

30 Phase 1 Deliverables:

- (1) Draft technical studies;
- (2) Engagement and consultation strategy;



## Bragg Creek Hamlet Expansion Strategy

- (3) Work plan with project budget; and
- (4) Background report that identifies and summarizes the existing situation and potential issues.

### Phase 2 – Public Engagement and Plan Writing (March 2019-July 2019)

- 31 This phase marks the official public launch of the project. It begins with public engagement and finishes with the writing of a draft plan. Public and stakeholder engagement will be conducted as per the engagement plan.
- 32 The preparation of the draft Hamlet Expansion Strategy integrates the community's vision for the area, with:
  - (1) The goals and objectives identified in the Terms of Reference;
  - (2) The results of the technical studies; and
  - (3) Relevant planning documents.
- 33 Phase 2 Deliverables:
  - (1) A report on public and stakeholder input on setting the vision and priorities; and
  - (2) A draft of the Hamlet Expansion Strategy.

### Phase 3 – Draft Hamlet Expansion Strategy Release (July –December 2019)

- 34 This phase of the project is the release of the draft ASP amendments with an opportunity for public and agency review. Upon completion of the external review, the Hamlet Expansion Strategy will be amended as required.
- 35 Phase 3 Deliverables:
  - (1) Final version of the Hamlet Expansion Strategy with supporting technical studies;
  - (2) Release of the ASP Amendments (final - proposed) for public input; and
  - (3) Circulation of the Hamlet Expansion Strategy to agencies and adjacent municipalities.

### Phase 4 – Area Structure Plan Amendments (Public Hearing) (Jan - March 2020)

- 36 This phase of the project is the public hearing and consideration of the proposed ASP amendments. It is anticipated that the Hamlet Expansion Strategy will be completed in the last quarter of 2019.

## Conclusion

- 37 The Greater Bragg Creek ASP identifies the Bragg Creek expansion lands as a suitable location for future residential and institutional development. The Hamlet Expansion Strategy will ensure that proposed development is consistent with higher order planning policies, and that the area is prepared to accommodate future growth where appropriate.



# Bragg Creek Hamlet Expansion Strategy



Approval Date	•
Replaces	• n/a
Lead Role	• County Manager
Committee Classification	• Council/Advisory
Last Review Date	• n/a
Next Review Date	•

\_\_\_\_\_  
Reeve

\_\_\_\_\_  
Approval Date



**PLANNING & DEVELOPMENT SERVICES**

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**TO:** Council

**DATE:** January 8, 2019 **DIVISION:** 8 and 9

**FILE:** 1011-501 **APPLICATION:** N/A

**SUBJECT:** Terms of Reference – Bearspaw Area Structure Plan Review

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**<sup>1</sup>POLICY DIRECTION:**

Council approved the Bearspaw Area Structure Plan (BASP) in 1994. Since then, the Plan has not been comprehensively reviewed. The BASP (Policy 9.2) indicates that the County “*should review the Plan on a regular basis*” to ensure that the vision and policies of the BASP are effective and align with current development pressures and community input. This project has been scheduled for inclusion on the 2019 work plan, in accordance with the criteria of Council Policy 322: Area Structure Plan Priority Policy.

**EXECUTIVE SUMMARY:**

The purpose of this report is to present Council with a Terms of Reference to guide the Bearspaw Area Structure Plan Review project, in accordance with the policies of the Bearspaw ASP. The Terms of Reference were originally removed from Council’s agenda on November 27, 2018 pending satisfaction of the following resolution:

*MOVED by Deputy Reeve Schule that Administration be directed to schedule a County Manager workshop to discuss the Area Structure Plan review and preparation process by the end of January, 2019.*

A County Manager workshop was subsequently held on December 4, 2018 and an item regarding the Area Structure Plan review and preparation process was discussed.

Since the Bearspaw Area Structure Plan (BASP) was adopted in 1994, the community has experienced significant growth pressure in a variety of forms ranging from country residential to urban density. The BASP Review would explore potential development scenarios and establish a land use strategy for the various communities in accordance with the County Plan and other relevant planning policies (i.e. Interim Growth Plan).

**BACKGROUND:**

The development and regulatory context of the area has changed significantly since adoption of the BASP, including:

- 2018** The establishment of the Calgary Metropolitan Region Board and the passing of the Interim Growth Plan and Regional Evaluation Framework.
- 2017** The BASP was amended to remove lands between Highway 1A and the Bow River for the creation of the Glenbow Ranch ASP.
- 2016** The Province of Alberta reviewed and amended the MGA.
- 2015** The City of Calgary approved the Haskayne and Glacier Ridge Area Structure Plans with a combined estimated population of 71,800 adjacent to the BASP.
- 2014** The Tuscany LRT station opened approximately 1.6 km (1 mile) from Bearspaw

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<sup>1</sup> **Administration Resources**  
Sean MacLean, Planning & Development Services





ROCKY VIEW COUNTY  
Cultivating Communities

- 2013 The County Plan (Bylaw C-7280-2013) was adopted by Council.
- 2010 The City of Calgary adopted by resolution the North Regional Context Study identifying Industrial/Employment and Institutional development on the east boundary of the BASP.
- 2009 The Watermark at Bearspaw and Silverhorn Conceptual Schemes were adopted by Council.
- 2008 The Glenbow Ranch Provincial Park was created.
- 1995 The Planning Act was repealed and became Part 17 of the *Municipal Government Act* (MGA).

Since the BASP was adopted in 1994, the community of Bearspaw has been experiencing a significant amount of residential growth pressure in a diverse variety of forms ranging from country residential to urban density. Examples of this pressure can be seen in the development of various subdivisions including Silverhorn and Watermark. The BASP Review would explore the potential development scenarios and establish a land use strategy for the various communities in accordance with the County Plan and other relevant planning policies (i.e. Interim Growth Plan).

The BASP Review would involve community and stakeholder engagement, technical review and studies, policy writing, and development of land use scenarios. Should the proposed Terms of Reference be adopted, the project would be initiated in early 2019.

**BUDGET IMPLICATIONS**

The Bearspaw Area Structure Plan Review was budgeted for in 2018. Subject to year-end, Administration would recommend this budget be carried forward to 2019.

**OPTIONS:**

- Option #1: THAT the Bearspaw Area Structure Plan Review Terms of Reference be approved as presented in Appendix 'A'.
- Option #2: THAT alternative direction be provided.

Respectfully submitted,

Concurrence,

“Sherry Baers”

“Al Hoggan”

\_\_\_\_\_  
Executive Director  
Community Development Services

\_\_\_\_\_  
Chief Administrative Officer

SM/rp

**APPENDICES:**

APPENDIX 'A': Terms of Reference



# BEARSPAW AREA STRUCTURE PLAN REVIEW

## Terms of Reference

TOR # 1011-501

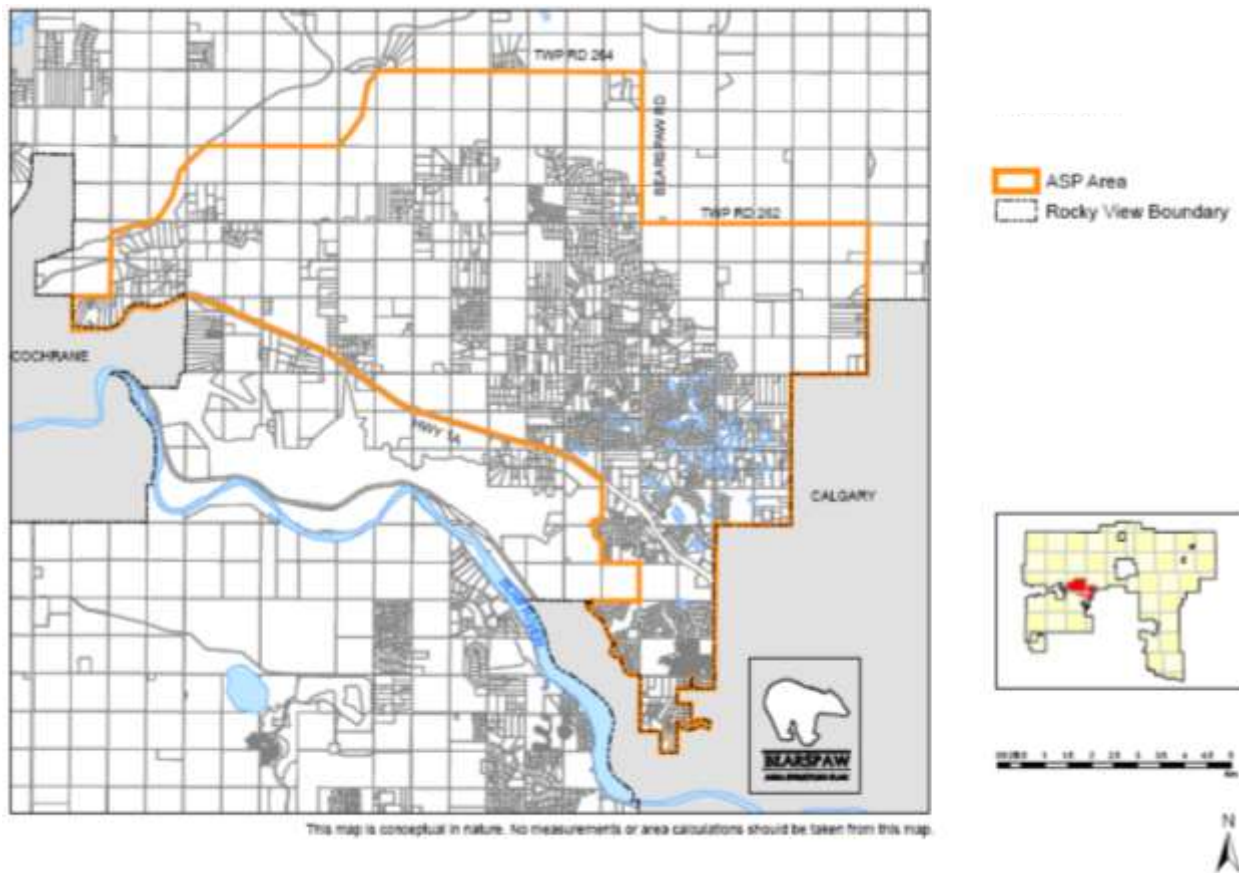
### Introduction

- 1 The communities of Bearspaw are located between the town of Cochrane and the city of Calgary, and north of the Glenbow Ranch Provincial Park. The Bearspaw Area Structure Plan (BASP) encompasses several distinct communities including Bearspaw, Glendale, and South Bearspaw (Watermark). These communities have distinct identities and development pressures that range in scale and scope.
- 2 The County's Municipal Development Plan (the County Plan) supports the development of the communities in accordance with the Area Structure Plan.
- 3 The BASP was adopted in 1994 and amended in 2017. The 2017 amendment was in response to the most significant non-residential land use change within the BASP's former boundary: the creation of the Glenbow Ranch Provincial Park in 2008. In light of this significant land use change, the BASP amendment in 2017 to remove the lands to create the Glenbow Ranch Area Structure Plan (GBRASP) was adopted by Council. The BASP continues to guide the future land use, subdivision, and development in the country residential communities.
- 4 The purpose of the review of the existing BASP is to address continued development pressure and ensure consistency with other County documents. Per section 9.2 of the BASP, the County should undertake regular reviews of the Plans in order to verify that Plan objectives and policies are current, effective, and consistent with other statutory plans.
- 5 The last review of the BASP was in 2017 and was specifically related to removal of land from the BASP for the creation of the GBRASP. Due to the limited scope of the previous review, it is now an appropriate time to review planning in the BASP.
- 6 The goal of the BASP Review is to explore the potential development scenarios and to establish a comprehensive land use strategy for lands in accordance with the BASP's visions, goals, and policies.
- 7 The BASP Review will also evaluate the various communities within the BASP to determine the most appropriate policy framework to achieve the objectives identified in this Terms of Reference.
- 8 Contributing to ASP policy and direction will be:
  - (1) Community and stakeholders input;
  - (2) Intermunicipal input;
  - (3) Baseline technical studies;
  - (4) Growth projections;
  - (5) Fiscal impact to the County;

# BEARSPAW AREA STRUCTURE PLAN REVIEW

- (6) Benefit to the communities;
  - (7) Compatibility and integration with the surrounding area (e.g.: Glenbow Ranch Provincial Park);
  - (8) Market demand; and
  - (9) Direction and intent of higher order documents (e.g.: Interim Growth Plan and County Plan).
- 9 The BASP Review will result in a new ASP that will be adopted as a statutory plan in accordance with the *Municipal Government Act* (MGA).

Figure 1 – Bearspaw Area Structure Plan



## Study Area

- 10 In keeping with the direction of policy 9.2, the study area of the BASP Review encompasses the entirety of the existing BASP lands, as shown on Map 1 – Bearspaw Area Structure Plan.
- 11 The study area does not include the lands located within the GBRASP.



# BEARSPAW AREA STRUCTURE PLAN REVIEW

## Base Assumptions and Circumstances

- 12** A number of basic assumptions and circumstances guiding the planning framework for the area have changed since adoption of the BASP in 1994:
- (1)** In 1995, the Planning Act was repealed and became Part 17 of the *MGA*.
  - (2)** In 2008, the Glenbow Ranch Provincial Park was created.
  - (3)** In October 2013, the County Plan was adopted, which identifies the BASP as country residential.
  - (4)** In 2016, the Province of Alberta reviewed and amended the *MGA*.
  - (5)** In July 2017, the BASP was amended to remove lands between Highway 1A and the Bow River for the creation of the GBRASP.
  - (6)** In January 2018, the Calgary Metropolitan Region Board (CMRB) was established as the provincially mandated growth management board in the Calgary region. Rocky View County became a participating municipality of the CMRB.
    - (a)** Under the Calgary Metropolitan Regional Board Regulations (AR190/2017), statutory plans, or amendments to statutory plans, to be adopted by a participating municipality must be submitted to the Board for approval.
  - (7)** In October 2018, the Interim Growth Plan (IGP) and the Interim Regional Evaluation Framework (IREF) were approved by the CMRB and are awaiting Ministerial approval. Under the IGP, amendments to existing statutory plans shall be submitted to the CMRB for review and approval. The CMRB may approve or reject a statutory plan in accordance with the IREF.

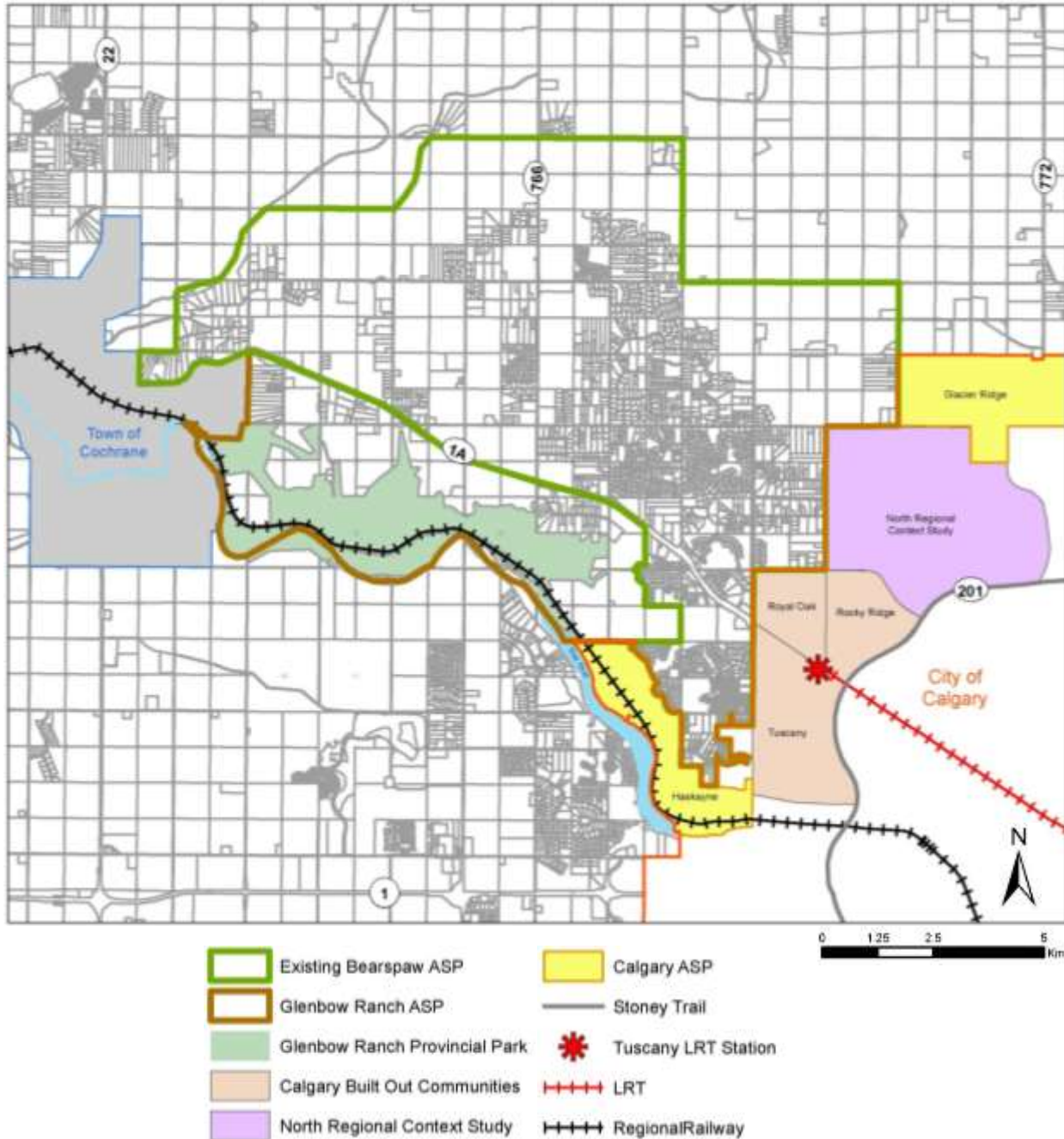
## Background

### History

- 13** The BASP encompasses approximately ±10,117 hectares (25,000 acres).
- 14** The BASP was adopted on January 15, 1994, and was amended on July 25, 2017, to implement the GBRASP and remove the lands from the BASP.
- 15** Since 1994, the communities of Bearspaw have been experiencing a significant amount of residential growth pressure in a diverse variety of forms ranging from country residential to urban density. Examples of this pressure can be seen in the development of various subdivisions, including Silverhorn and Watermark.
- 16** As shown in Figure 2 – Development Context, the surrounding development context of Bearspaw has changed substantially since 1994:
- (1)** The adjacent urban communities of Tuscany (population 19,723), Rocky Ridge (population 8,284), and Royal Oak (population 8,284) in the city of Calgary have been fully built out.

# BEARSPAW AREA STRUCTURE PLAN REVIEW

Figure 2 – Development Context



- (2) The Glenbow Ranch Provincial Park was created in 2008, providing 3,078.00 acres (1,245.62 hectares) open space and active recreational activities.





# BEARSPAW AREA STRUCTURE PLAN REVIEW

- (3) The City of Calgary adopted by resolution the North Regional Context Study in June 2010. The North Regional Context Study identifies Industrial/Employment and Institutional development on the east boundary of the BASP.
- (4) The County Plan was approved by Council on October 1, 2013. The County Plan provides the vision and principles for county development and the future aspirations of county residents.
- (5) The Tuscany LRT station opened in 2014, approximately 1.6 km (1 mile) from the BASP.
- (6) The City of Calgary approved the Haskayne ASP on June 4, 2015. The Haskayne ASP borders the BASP to the southeast and has an estimated population of 13,000 and an estimated 1,400 jobs.
- (7) The City of Calgary approved the Glacier Ridge ASP on December 8, 2015. The Glacier Ridge ASP partially borders the BASP to the east and has an estimated population of 58,800 and an estimated 12,400 jobs.

## Interim Growth Plan

- 17 The Interim Growth Plan identifies different types of development that would be subject to the CMRB review and approval.
- 18 Under the IGP, Bearspaw is considered a 'country residential development area':
  - (1) *Country Residential* means a rural settlement form in which the land-use is mainly residential and characterized by dispersed, low-density development with lot sizes generally 1 acre or greater. Country residential areas may include a variety of lot sizes, while maintaining a rural character, incorporating landscape considerations in their design, and offering passive and active recreational and cultural opportunities. Country residential households are often responsible for providing on-site water and private sewage systems.
- 19 The IGP indicates that country residential development areas shall be planned and developed in accordance with the Region-wide, Flood Prone Area, and Regional Corridors policies of the IGP.

## County Plan

- 20 The County Plan was adopted in 2013 and identifies three fundamental principles of growth for Rocky View County:
  - (1) Achieve a moderate level of growth, amounting to no more than 2.5 to 3 per cent of the region's population over the 10 to 12 year time frame;
  - (2) Direct the majority of residential growth to identified areas;
  - (3) Manage residential growth so that it conforms to the County's environmental, fiscal, and community goals, and so that the character of the County is retained.
- 21 The County Plan outlines the importance of setting priorities in order to achieve a moderate level of residential growth while maintaining fiscal sustainability. It identifies Bearspaw as a 'Country Residential' (Figure 3 – County Plan Managing Growth Map).



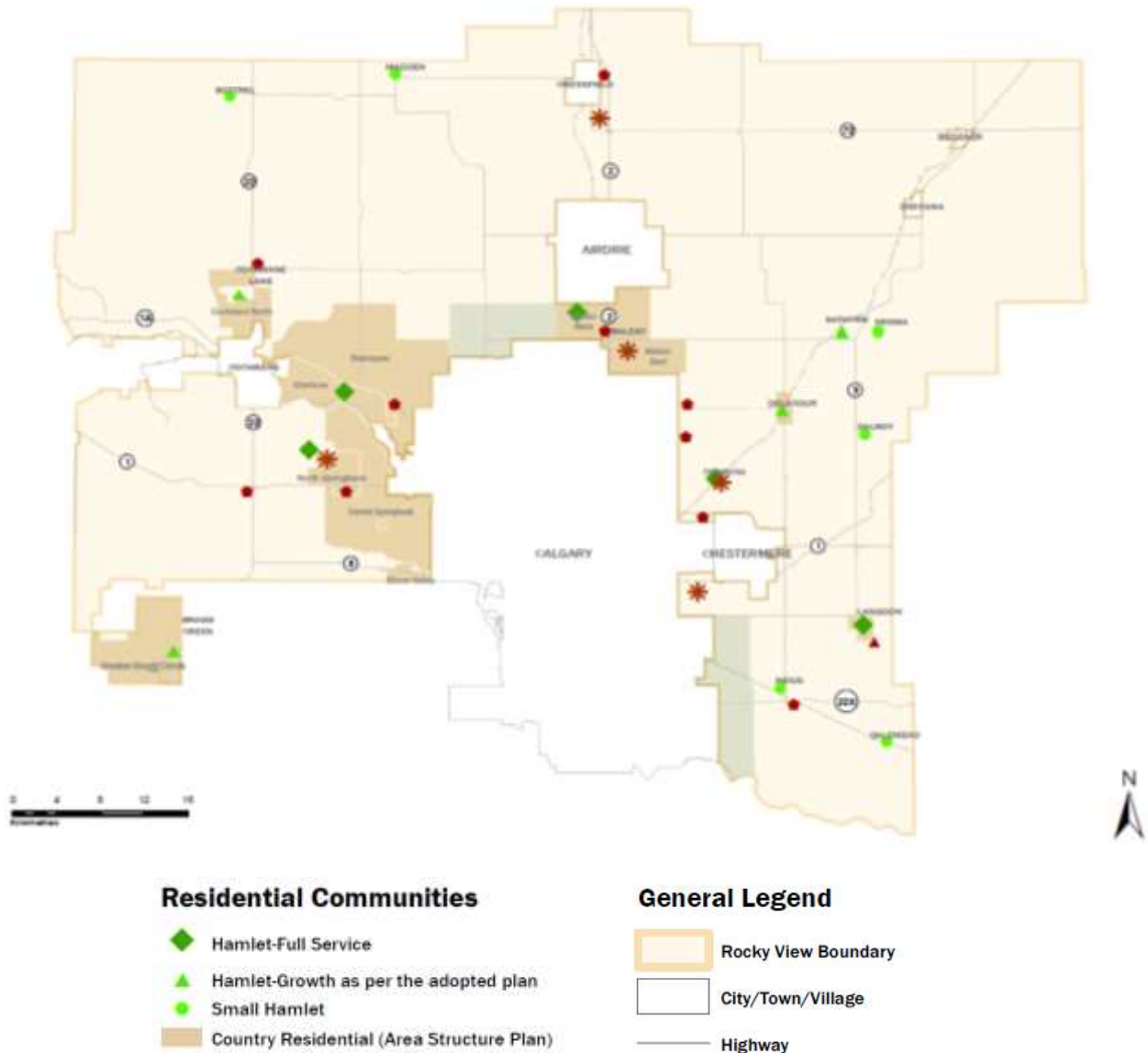
## BEARSPAW AREA STRUCTURE PLAN REVIEW

- 22** In accordance with the County Plan (Policy 10.5), when reviewing an existing Country Residential ASP, the County shall address the following:
- (1)** *Update all policies in accordance with this Plan, County Policies, and other relevant County planning documents.*
  - (2)** *Consider alternative development forms, such as compact residential development or a Conservation Community, which retain rural character and reduce the overall development footprint on the landscape.*
  - (3)** *Where an area structure plan is extensive in size and the development potential is not being achieved as expected, communities and the County should consider reducing the overall area dedicated to country residential development.*
  - (4)** *Where an area structure plan is extensive in size, and has distinct natural planning or physical boundaries, a separate area structure plan may be created to deal with the planning considerations in the identified area.*
  - (5)** *Consider the planning and design direction for new country residential communities (policy 10.6).*



# BEARSPAW AREA STRUCTURE PLAN REVIEW

Figure 3 - County Plan Managing Growth Map



### Bearspaw Area Structure Plan

**23** Section 9.2 of the BASP states that the Municipality should review the BASP on a regular basis in order to ensure that Plan objectives and policies are current and effective.

### Envisioned ASP Amendments To Date

**24** The intent of the project is to prepare a new ASP for Council’s consideration for the area as shown in Map 1 – Bearspaw Area Structure Plan. The following sections detail the objectives, goals, and project timing that will guide the review process:



# BEARSPAW AREA STRUCTURE PLAN REVIEW

- 25** Mapping amendments, which will:
- (1) Identify the most appropriate policy framework for the lands, a single ASP or multiple ASPs;
  - (2) Refine the land use strategy and reflect land use planning best practices, development feasibility, and community input;
  - (3) Reflect results of new technical studies.
- 26** Policy revisions in the plan to:
- (1) Confirm and update the vision for the various distinct communities within the BASP;
  - (2) Align policies with higher-order policy and guiding documents adopted since 1994;
  - (3) Re-evaluate the land use strategy;
  - (4) Re-evaluate the appropriateness of aggregate extraction within the BASP;
  - (5) Update technical policies to reflect new and revised studies; and
  - (6) Address policy gaps in the existing ASP identified by Administration and the communities.

## BASP Review Goals

- 27** The BASP Review should take into account a number of goals:
- (1) Determine if the lands should be contained within a single ASP or multiple ASPs;
  - (2) Intent to develop the area as distinct and attractive communities;
  - (3) Be supported by growth projections, desired growth size, and limitations of servicing;
  - (4) Achieve a logical extension of growth patterns, including vehicular and pedestrian transportation infrastructure;
  - (5) Explore appropriate methods to infill existing development;
  - (6) Explore the use of alternate forms of development, such as compact and/or cluster housing;
  - (7) Demonstrate sensitivity and respect for key environmental and natural features;
  - (8) Allow the County the ability to achieve rational growth directions, cost effective utilization of resources, and fiscal accountability;
  - (9) Achieve effective community engagement in a fair, open, considerate, and equitable manner;
  - (10) Alignment with other planning documents; and
  - (11) Other achievable goals identified by the communities.



# BEARSPAW AREA STRUCTURE PLAN REVIEW

## BASP Review Objectives

- 28** The objectives for the BASP Review are to be achievable, based on existing studies and additional work as described in the following subsections:

### Work Plan

- 29** To develop a Work Plan that identifies and implements key process requirements, timelines, and technical analysis that results in the timely creation of a new area structure plan.

### Community, Stakeholder, and Intergovernmental Engagement

- 30** To implement an effective and meaningful engagement process with the communities, identified stakeholder groups, and with intergovernmental organizations that:

- (1) Raises the awareness of the planning process and encourages participation;
- (2) Identifies how residents interpret the boundaries of the various communities;
- (3) Identifies if multiple ASPs should be used to provide policy direction to the communities;
- (4) Identifies the full set of issues and opportunities the amendments should address;
- (5) Shapes the content of the Plan through a blend of research, input, and discussion-focused activities;
- (6) Responds constructively to the interests of various audiences; and
- (7) Ensures broad support for the resulting amendments.

- 31** A detailed communication and engagement strategy will identify all relevant interest groups within the study area, within the wider Bearspaw communities, intermunicipal partners, and external stakeholders affected by the planning process outcomes. The strategy will spell out how the process will proceed through several phases, and how various tools / techniques will be used in each phase to meaningfully engage a range of participants.

- 32** The strategy will identify an engagement strategy to collaborate with our intermunicipal partners, specifically the City of Calgary and Town of Cochrane, to ensure compliance with the IGP.

- 33** The strategy will result in a participatory process that is educational, inclusive, transparent, responsive and timely, and that builds community and stakeholder trust.

### Plan Creation

- 34** The review process will result in:

- (1) A new BASP that meets the requirements of Section 633 (2) the MGA.
- (2) A new Plan that is consistent with goals and policies of the IGP, The County Plan, and where applicable, the Rocky View County / City of Calgary Intermunicipal Development Plan and Town of Cochrane / M.D. of Rocky View No. 44 Intermunicipal Development Plan.



# BEARSPAW AREA STRUCTURE PLAN REVIEW

## Land Use

- (3) To determine if a single ASP or if multiple ASPs will be applied to the lands;
- (4) Should multiple ASPs be used, determine the boundaries of the ASPs within the BASP;
- (5) To develop a land use strategy;
- (6) To establish a development sequence for future subdivision and development of lands; and
- (7) To determine appropriate integration and transition policies for adjacent land uses and municipalities;

## Servicing

- (8) To identify land carrying capacities and servicing options that may be available for existing and future development;
- (9) To identify current and planned transportation infrastructure under both Provincial and County jurisdiction to determine future transportation needs and opportunities;
- (10) To identify possible pedestrian linkages to ensure the development of cohesive communities; and
- (11) To identify other required physical services;

## Physical Environment:

- (12) To identify key environmental and natural features within the Plan area and suggest methods to uphold their form and function;
- (13) To review the appropriateness of gravel extraction within the BASP; and
- (14) To identify physical constraints to future development that may limit connectivity of land uses, such as wetlands found within the study area;

## Local Amenities

- (1) To identify desired and achievable amenities; and
- (2) To determine population thresholds needed to provide various soft services such as parks and recreation areas;

## Institutional Development

- (3) Further explore the potential for institutional development identified in the BASP (e.g.: religious assembly sites and school sites);

## Phasing

- (4) To explore phasing to accommodate growth projections, and to implement an appropriate mechanisms for phasing growth;
- (5) To describe the existing development within the study area and adjacent lands;



# BEARSPAW AREA STRUCTURE PLAN REVIEW

- (6) To discover where development opportunities and constraints may exist; and
- (7) To determine the fiscal impact of the proposed land uses;

Other

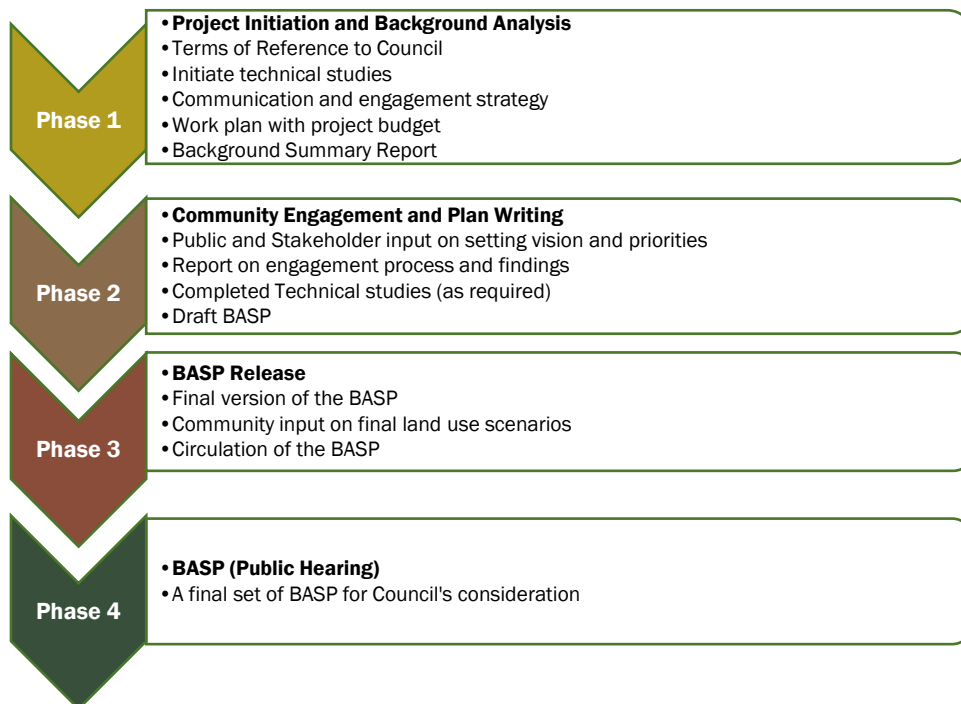
- (8) To establish a framework for monitoring the long-term effectiveness of the Plan; and
- (9) To meet the intent and direction of the IGP, the County Plan, and other relevant policy frameworks.

## Enabling Legislation

35 The *Municipal Government Act, Revised Statutes of Alberta, 2000, Chapter M-26, as amended*, enables Council to adopt an ASP for the purpose of establishing a framework to guide subsequent subdivision and development within a defined area. In accordance with the MGA, the CASP must describe, provide notification to intermunicipal partners, and be consistent with the Act.

## Work Program

- 36 The Work Program is anticipated to occur in four phases.
- 37 The BASP Review will likely be one of the first policy documents that will be considered by the CMRB. The CMRB process has not yet been implemented in the region; as such, the timelines of the four (4) phases may be subject to adjustment.





# BEARSPAW AREA STRUCTURE PLAN REVIEW

## Phase 1 – Project Initiation and Background Analysis (Mar – April 2019)

- 38** In this phase of the project, technical studies will be conducted while the project initiation and background analysis take place:
- (1) Confirm goals and objectives of the project and update Terms of Reference;
  - (2) Scope and tender technical studies including, but not limited to, Water and Wastewater Servicing Strategies and Transportation Analysis;
  - (3) Review completed Master Drainage Plan;
  - (4) Develop a community communication and engagement strategy;
  - (5) Create a work plan and budget to guide overall project management; and
  - (6) Create a Background Report to inform the BASP. The timing of the public release of the report and its findings will be in accordance with the community engagement strategy.
- 39** Phase 1 – Deliverables:
- (1) Initiate technical studies (as required);
  - (2) Communication and engagement strategy;
  - (3) Budget;
  - (4) Work plan;
  - (5) Identification of planning issues; and
  - (6) Background report.

## Phase 2 – Community Consultation and Plan Writing (April 2019 – Jan 2020)

- 40** This phase marks the official public launch of the project. It begins with community and stakeholder engagement and finishes with the writing of a draft plan. Community and stakeholder engagement will be as per the engagement plan.
- 41** The preparation of the draft area structure plan integrates the communities' vision for Bearspaw, with:
- (1) The goals and objectives identified in the Terms of Reference;
  - (2) Technical studies including, but not limited to, Water and Wastewater Servicing Strategies and Transportation Analysis;
  - (3) Other relevant planning documents;
  - (4) The IGP; and
  - (5) The County Plan.





# BEARSPAW AREA STRUCTURE PLAN REVIEW

**42** Phase 2 – Deliverables:

- (1) A report on communication and engagement process and findings;
- (2) Technical studies including, but not limited to, Water and Wastewater Servicing Strategies and Transportation Analysis; and
- (3) A draft of the revised BASP.

**Phase 3 – Draft Area Structure Plan Release (Jan – May 2020)**

**43** This phase of the project is the release of the draft BASP with an opportunity for community and agency review. Upon completion of the external review, the Plan will be amended as required.

**44** Phase 3 – Deliverables:

- (1) Final version of the BASP;
- (2) Release of the BASP (final - proposed); and
- (3) Circulation of the BASP to agencies.

**Phase 4 – Area Structure Plan (Public Hearing) (June – July 2020)**

**45** This phase of the project is the public hearing and consideration of the proposed BASP. It is anticipated that the BASP review will be completed in mid-2020.

## Conclusion

**46** The communities of Bearspaw area identified in current municipal documents as a location for country residential development. The BASP Review will ensure that the BASP maintains consistency with higher order municipal policy, and that the area is prepared to accommodate future growth.



Approval Date	•
Replaces	• n/a
Lead Role	• County Manager
Committee Classification	• Council/Advisory
Last Review Date	• n/a
Next Review Date	•



# BEARSPAW AREA STRUCTURE PLAN REVIEW

\_\_\_\_\_  
Reeve

\_\_\_\_\_  
Approval Date



**CORPORATE SERVICES**

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**TO:** Council  
**DATE:** January 8, 2019 **DIVISION:** All  
**FILE:** N/A **APPLICATION:** N/A  
**SUBJECT:** High-Speed Internet Servicing

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**<sup>1</sup>EXECUTIVE SUMMARY:**

The purpose of this report is to provide an Administrative response to a Notice of Motion received at the December 11, 2018 Council meeting. The adopted Notice of Motion seeks to have the County facilitate the provision of high-speed internet service to all County residents by 2021.

**BACKGROUND:**

As set out in the County’s *Procedure Bylaw*, Administration must provide a response to a Notice of Motion at that next scheduled Council meeting. The Notice of Motion received at the December 11, 2018 Council meeting seeks to have the County facilitate the provision of high-speed internet service to all County residents by 2021.

High-speed internet provision has traditionally been left to the private sector, however, recently some municipalities have begun to see this service as an essential part of the suite of municipal services.

In order to properly assess the resources required to address the activities set out in the Notice of Motion, Administration respectfully request additional time to assemble information for Council’s consideration. An alternative motion has been included to facilitate this request for additional time.

**BUDGET IMPLICATION(S):**

Administration is respectfully requesting time to determine the resources required to address the activities set out in the Notice of Motion. Any budget requirements will be brought back for Council’s consideration.

**OPTIONS:**

- Option #1                    THAT Rocky View County seek to provide all County residents with access to high-speed internet servicing of 50 Mbps or greater for downloads by 2021;
- AND THAT Rocky View County engage in detailed analysis of County residents’ internet servicing and explore all available funding streams to provide Rocky View with best available internet servicing;
- AND THAT Rocky View County ensure that broadband connectivity is supplied into Area Structure Plans with the same vital consideration given to electricity, storm waterpotable water, and sewage infrastructure;
- AND THAT Rocky View County explore options that eliminate the gap for last-mile connectivity;

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<sup>1</sup> **Administration Resources**  
Kent Robinson, Corporate Services



AND THAT Rocky View County establish itself as a recognized leader of rural communities in internet service provision.

- Option #2            THAT Administration be directed to prepare a report, for Council's consideration, that evaluates the activities set out in the High-Speed Internet Provision Notice of Motion and that provides an estimate of the resources required to achieve the strategic direction provided by the Notice of Motion.
- Option #3            THAT Council provides alternative direction.

Respectfully submitted,

Concurrence,

"Kent Robinson"

"Al Hoggan"

\_\_\_\_\_  
Executive Director

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

**ATTACHMENTS:**

Attachment 'A' – December 11, 2018 High-Speed Internet Notice of Motion

**Notice of Motion:** To be read in at the December 11, 2018 Council Meeting

To be debated at the January 8, 2019 Council Meeting

**Title:** High-Speed Internet Servicing for all Rocky View County Residents

**Presented By:** Councillor Samantha Wright, Division 8

Councillor Kevin Hanson, Division 3

**WHEREAS** Internet access serves as more than just a convenience: it is an essential means by which citizens, businesses, and institutions access information, offer services, and create opportunities that could otherwise be out of reach;

**AND WHEREAS** 2 million Canadians cannot access a reliable internet connection;

**AND WHEREAS** 13% of rural households with Internet cannot even access 5 Mbps download speeds;

**AND WHEREAS** 39% of rural communities report no access to download speeds between 25-50 Mbps;

**AND WHEREAS** 78% of households cannot access 50 Mbps downloads – the Canadian Radio-Television and Telecommunications Commission's (CRTC) basic service objective;

**AND WHEREAS** The Federal Government has pledged \$500 million by 2021 through its Connect to Innovate program to ensure that rural and remote communities across Canada are well positioned to take advantage of the opportunities afforded by the digital age;

**AND WHEREAS** the CRTC has created a \$750 million Broadband Fund to support projects to build or upgrade infrastructure to provide fixed and mobile wireless broadband Internet service to underserved Canadians;

**AND WHEREAS** Some Rocky View residents may be viewed as non-rural due to their proximity to the city and through a flawed CRTC analysis and boundary design;

**THEREFORE, BE IT RESOLVED THAT** Rocky View County seek to provide all County residents with access to high-speed internet servicing of 50 Mbps or greater for downloads by 2021;

**AND THAT** Rocky View County engage in detailed analysis of County residents' internet servicing and explore all available funding streams to provide Rocky View with best available internet servicing;

**AND THAT** Rocky View County ensure that broadband connectivity is supplied into Area Structure Plans with the same vital consideration given to electricity, storm water potable water, and sewage infrastructure;

**AND THAT** Rocky View County explore options that eliminate the gap for last-mile connectivity;

**AND THAT** Rocky View County establish itself as a recognized leader of rural communities in internet service provision.

**BACKGROUND:**

Two million Canadians cannot access a reliable fixed or mobile internet connection. In rural, remote and northern communities, households cannot connect with the rest of the county and businesses face barriers to growth.

Alberta's SuperNet was completed in 2005. SuperNet is a fibre optic high-speed Internet network that connects municipalities throughout the province.

Public infrastructure, such as schools, government offices and medical facilities, in rural communities received a boost. However, the network's last mile was never extended. Final connection to reach residents or businesses was left in the hands of private Internet service providers to step in. This was not done. As such, there is a major gap for last mile connectivity throughout rural Alberta.

Access to the internet is not equal. Many remote communities still rely on dial-up and have spotty mobile connections. It is not uncommon for many Rocky View households to have download speeds lower than 5 Mbps.

In Budget 2016, the Government of Canada put forward a vision to build Canada as a global centre of innovation—one that focuses on strengthening the middle class by creating jobs, driving growth across all industries and improving the lives of all Canadians. The Connect to Innovate program helps realize the Innovation Agenda's vision

The funding for Connect to Innovate is directed to new backbone infrastructure in rural and remote communities across Canada. Building this infrastructure is the modern equivalent of building roads or railway spurs into rural and remote areas, connecting them to the global economy. This backbone infrastructure is often fibre optic-based, but can be comprised of a range of technologies including microwave and satellite service.

The Connect to Innovate program supports new and upgraded backbone and last-mile infrastructure projects in rural and remote communities across Canada to ensure that our country is drawing on the strengths of all Canadians to drive innovation, growth, and the creation of new jobs.

In 2016, the CRTC declared that broadband Internet access and mobile wireless service are basic telecommunications services that should be available to all Canadians. The Broadband Fund is designed to complement existing and future private investments and public funding. The Broadband Fund will help close the gap in connectivity between rural and urban areas. The CRTC set a target that Canadians should have access to speeds of at least 50 Mbps for downloads and 10 Mbps for uploads, as well as access to mobile wireless services including on major transportation roads.

The CRTC is committed to working together with all levels of government. The CRTC recognizes the need for a collective effort to achieve the goal of providing fixed and mobile wireless broadband Internet service to underserved Canadians. However, there are areas within Rocky View that are designated as "non-rural" by the CRTC. Furthermore, this is not viewed equally by internet providers. This creates problems for those residents and the CRTC's rural mandate.



Rocky View County residents should have a choice about what internet service they want and right now there is no choice, in many areas there is no more than one provider and the service levels that provider can offer are not sufficient.

To achieve Rocky View's strategic goals for financial health, a capable broad band connectivity into all current Area Structure Plans is required to support a competitive environment for attracting new high-value business with healthy business-related tax assessment base.

In many cases, high-speed internet servicing is available within metres of existing County dwellings. Initiatives must be established to allow County residents the ability to tie into these networks should they so desire. The County must start working immediately with varying levels of government to establish funding options for high speed internet. It must also work with telecommunication companies to promote servicing strategies that provide better internet servicing to our communities and work with these providers to enable last mile connectivity.

## PLANNING & DEVELOPMENT SERVICES

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**TO:** Council

**DATE:** January 8, 2019 **DIVISION:** All

**FILE:** 1015-561

**SUBJECT:** Subdivision Authority Bylaw

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### **<sup>1</sup>POLICY DIRECTION:**

Under the *Municipal Government Act*, all municipalities in Alberta must institute a Subdivision Authority Bylaw to determine how decisions on subdivision applications will be made. Administration reviewed Rocky View County's Subdivision Authority Bylaw, and proposes a new bylaw that would provide efficient application processing, allow rendering of decisions in keeping with County policies, and provide enhanced customer service.

### **EXECUTIVE SUMMARY:**

The proposed Subdivision Authority Bylaw provides a regulatory framework to determine whether Council or the Chief Administrative Officer (CAO) acts as the Subdivision Authority on applications. The proposed bylaw provides Council with the ability to act as the Subdivision Authority in the following circumstances:

- The applicant requests Council be the Authority;
- Council approves a motion to be the Authority;
- The County receives opposition;
- The applicant requests amendments to the proposed conditions of approval;
- The application does not meet the requirements of the Subdivision and Development Regulation; or
- The application does not meet the requirements of Section 654 of the *Municipal Government Act*.

The CAO may also refer any subdivision application to Council to render a decision.

### **BACKGROUND:**

The intent of the current Subdivision Authority Bylaw (Bylaw C-7546-2015) was to delegate the Subdivision Authority to the CAO in prescribed circumstances, having Council act as the Subdivision Authority in all other circumstances.

Administration proposes that this be amended to name Council as Subdivision Authority in prescribed circumstances, and the CAO as Subdivision Authority in all other circumstances. As identified in Table 1: Average Subdivision Application Processing Time, applications processed by the CAO render decisions approximately 47% faster. With the CAO as Subdivision Authority for a greater number of applications, processing timelines will be reduced for a significant number of subdivision applications.

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

Sean MacLean, Planning and Development Services  
 Paul Simon, Planning and Development Services



Table 1: Average Subdivision Application Processing Time

Year	Avg. Council Process Time	Avg. CAO Process Time	CAO Process Time Savings
2016 to 2017	4.00 months	2.32 months	1.68 months (42%)
2018 (Q1 to present)	4.09 months	2.18 months	1.91 months (47%)

**BUDGET IMPLICATION(S):**

There are no anticipated budget implications with regard to the proposed bylaw.

**OPTIONS:**

- Option #1            Motion #1    THAT Bylaw C-7854-2018 be given first reading.
- Motion #2    THAT Bylaw C-7854-2018 be given second reading.
- Motion #3    THAT Bylaw C-7854-2018 be considered for third reading.
- Motion #4    THAT Bylaw C-7854-2018 be given third and final reading.
- Option #2            THAT alternative direction be provided.

Respectfully submitted,

Concurrence,

“Sherry Baers”

“Al Hoggan”

\_\_\_\_\_  
Executive Director  
Community Development Services

\_\_\_\_\_  
Chief Administrative Officer

**APPENDICES:**

APPENDIX ‘A’: Bylaw C-7854-2018 (Subdivision Authority Bylaw)



# BYLAW C-7854-2018

## A Bylaw of Rocky View County to Establish the Subdivision Authority.

**WHEREAS** Section 623 of the *Municipal Government Act* requires Council, by bylaw, to provide for a Subdivision Authority to exercise subdivision powers and duties on behalf of the municipality.

**AND WHEREAS** a Subdivision Authority may include one or more of:

- (1) any or all members of Council;
- (2) a Designated Officer;
- (3) a Municipal Planning Commission; and
- (4) any other person or organization.

**NOW THEREFORE** the Council of Rocky View County enacts as follows:

### Purpose and Title

- 1 The purpose of this Bylaw is to establish the Subdivision Authority for Rocky View County pursuant to the *Municipal Government Act* to exercise subdivision powers and duties on behalf of the Municipality.
- 2 This Bylaw may be cited as the *Subdivision Authority Bylaw*.

### Definitions

- 3 Words in this Bylaw have the same meaning as those set out in the *Municipal Government Act* except for the definitions provided below:
  - (1) “**Act**” means the *Municipal Government Act*;
  - (2) “**Authority**” means the Subdivision Authority for the County as established pursuant to this Bylaw;
  - (3) “**Chief Administrative Officer (CAO)**” means the individual appointed by Council into the position of Chief Administrative Officer for the County in accordance with the *Act*, or his/her designate;
  - (4) “**Council**” means the duly elected Council of Rocky View County;
  - (5) “**County**” means Rocky View County;
  - (6) “**Municipal Government Act**” means the *Municipal Government Act*, RSA 2000, c M-26, as amended or replaced from time to time;
  - (7) “**Office of Secretary**” means the individual appointed by the Chief Administrative Officer into the position of “Office of Secretary to the Authority” for the purpose of carrying out the administrative functions relating to the processing and issuing of decisions with respect to subdivision applications by the Authority; and



- (8) **“Rocky View County”** means Rocky View County as a municipal corporation and the geographical area within its jurisdictional boundaries, as the context requires; and
- (9) **“Subdivision and Development Regulation”** means the *Subdivision and Development Appeal Regulation*, Alberta Regulation 43/2002, as amended from time to time.

### Subdivision Authority

- 4 The Authority shall consist of:
- (1) Chief Administrative Officer; and
  - (2) Council, in circumstances prescribed in this Bylaw.
- 5 Council and the Chief Administrative Officer are authorized to exercise subdivision powers and duties on behalf of the County in accordance with the *Act* and the provisions of this Bylaw.

### Subdivision Application Decisions

- 6 The Authority shall consider an application and render a decision in accordance with the *Act*.
- 7 The Authority may attach conditions to a subdivision approval issued in accordance with the *Act*.
- 8 The Authority shall prepare and issue decisions in accordance with the *Act*. Where the subdivision application is refused, the Authority shall issue written reasons for the refusal in accordance with the *Act*.
- 9 Council shall be the Authority and render decisions on applications in the following circumstances:
- (1) The applicant requests Council be the Authority;
  - (2) Council approves a motion to be the Authority;
  - (3) The County receives opposition;
  - (4) The applicant requests amendments to the proposed conditions of approval;
  - (5) The application does not meet the requirements of the Subdivision and Development Regulation; or
  - (6) The application does not meet the requirements of Section 654 of the *Act*.
- 10 The Chief Administrative Officer shall be the Authority and render decisions in all other circumstances not identified in Section 9.
- 11 Where the Authority has made a decision in accordance with Section 9 and 10 that included relaxations of applicable County non-statutory plans and policies, or in the event of an appeal by the Subdivision and Development Appeal Board or Municipal Government Board, the Chief Administrative Officer may uphold and administer the relaxations in a subsequent decision if:
- (1) In the opinion of the Chief Administrative Officer, the application is materially similar to the approved application;



- (2) The application is made on the same parcel of land;
- (3) The application is within an approved Area Structure Plan or Conceptual Scheme; and
- (4) The applicable County non-statutory plans and policies have not been amended or revoked since the initial approval.

12 Notwithstanding Section 10 and 11, the Chief Administrative Officer may refer any application to Council to render a decision.

13 In circumstances where Council is the Authority, in accordance with Section 9 and 12, any affected party may address the Authority to speak in support or opposition of the application, or to address the proposed conditions of approval.

14 The Chief Administrative Officer shall sign a decision issued by the Authority.

### Subdivision Registration

15 The Chief Administrative Officer is authorized to:

- (1) Make a decision with respect to a request to extend the time that a Plan of Subdivision is required to be submitted to the Authority; and
- (2) Make a decision with respect to a request to extend the time that a Plan of Subdivision must be registered with the Land Titles Office.

16 The Chief Administrative Officer is authorized to endorse the plan of subdivision or other instrument in accordance with the *Act*.

### Authority Membership and Voting

17 No person shall consider or make a decision on an application where that person may have a pecuniary interest in the matter as defined in Part 5, Division 6 of the *Act* regardless if the person is a Councillor or not.

18 When Council is acting Authority on applications, five (5) members shall constitute a quorum.

19 Office of Secretary is not a voting member of the Authority.

20 The Office of Secretary to the Authority shall:

- (1) Notify all members and advisors of the Authority of the arrangements for the holding of each regular and special meeting of the Authority;
- (2) Issue the decisions and, where applicable, the reasons for decision of the Authority in accordance with the *Act* and the *Subdivision and Development Regulation*;
- (3) Keep and maintain on file records of all decisions in the case of refusals and the reasons therefor, written minutes of all meetings, and business transacted by the Authority, all for the inspection by the public during all reasonable hours subject to the requirements of the *Act*; and
- (4) Carry out other administrative duties as the Authority may specify.



**Transitional**

- 21 Bylaw C-7546-2015 is hereby repealed upon this Bylaw passing and coming into full force and effect.
- 22 Bylaw C-7854-2018 is passed when it receives third reading and is signed by the Reeve or Deputy Reeve and the Chief Administrative Officer or designate in accordance with the *Municipal Government Act*.

**Division: All**  
**File: N/A**

READ A FIRST TIME IN COUNCIL this \_\_\_\_\_ day of \_\_\_\_\_, 2019

READ A SECOND TIME IN COUNCIL this \_\_\_\_\_ day of \_\_\_\_\_, 2019

*UNANIMOUS PERMISSION FOR THIRD READING* \_\_\_\_\_ day of \_\_\_\_\_, 2019

READ A THIRD TIME IN COUNCIL this \_\_\_\_\_ day of \_\_\_\_\_, 2019

\_\_\_\_\_  
Reeve

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

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



**Notice of Motion:** To be read in at the January 8, 2019 Council Meeting  
To be debated at the January 22, 2019 Council Meeting

**Title:** Canada Post Mailing Address Changes

**Presented By:** Councillor Kevin Hanson, Division 3, on behalf of  
Councillor Jerry Gautreau, Division 5

**WHEREAS** Canada Post is conducting reviews of addressing information within Rocky View County to implement the municipal addressing for a future date;

**WHEREAS** Using municipal addressing for all residents and businesses will provide more efficient mail delivery;

**WHEREAS** Canada Post has recently been making adjustments to several Rocky View County mailing addresses by changing them from the names of adjacent municipalities such as Calgary, Airdrie, etc. to Rocky View County in order to align addresses with their municipal address;

**WHEREAS** It is desirable to have a matching municipal and mailing address for all properties in Rocky View County in order to facilitate delivery of mail and emergency services;

**THEREFORE, BE IT RESOLVED THAT** Rocky View County Council advise Canada Post that it is desirous that all mailing addresses within the Rocky View County be replaced with municipal addresses;

**AND THAT** Canada Post gives priority to replacing mailing addresses of all Rocky View County Residents;

**AND THAT** this resolution be sent to the Honourable Martin Shields, Member of Parliament for Bow River, the Honourable Blake Richards, Member of Parliament for Banff-Airdrie, and the Honourable John Barlow, Member of Parliament for Foothills.



**PLANNING & DEVELOPMENT SERVICES**

**TO:** Subdivision Authority  
**DATE:** January 8, 2019 **DIVISION:** 9  
**FILE:** 08815008 **APPLICATION:** PL20180115  
**SUBJECT:** Subdivision Item – Agricultural Holdings District

**<sup>1</sup>POLICY DIRECTION:**

The application was evaluated in accordance with Section 654 of the *Municipal Government Act*, and Sections 7 and 14 of the Subdivision and Development Regulations, as well as the County Plan, and was found to be compliant:

- The proposal is consistent with the requirements for a new or distinct agricultural application;
- The subject lands hold the appropriate land use designation; and
- All technical considerations are addressed through the conditions of subdivision approval.

**EXECUTIVE SUMMARY:**

The purpose of this application is to create a ± 10.25 hectare (± 25.34 acre) parcel with a ± 50.46 hectare (± 124.68 acre) remainder. The subject lands are located in an agricultural area of the County, with some residential development to the north.

Access is currently provided through an existing access easement agreement. Range Road 43 is a non-standard road and, as a condition of subdivision, would be required to be upgraded to a Regional Low Volume Gravel standard in accordance with the County Servicing Standards. Servicing is currently provided via an existing private sewage treatment system and water well. Technical studies submitted with the application in conjunction with conditions of approval as outlined in Appendix A confirm that the subdivision is feasible in accordance with application standards.

Administration determined that the application meets policy.

<b>PROPOSAL:</b> To create a ± 10.25 hectare (± 25.34 acre) parcel with a ± 50.46 hectare (± 124.68 acre) remainder.	<b>GENERAL LOCATION:</b> Located approximately 0.81 kilometre (1/2 mile) north of Township Road 281A, on the east side of Range Road 43
<b>LEGAL DESCRIPTION:</b> SW-15-28-04-W05M	<b>GROSS AREA:</b> ± 60.71 hectares (± 150.02 acres)
<b>APPLICANT:</b> Agnes and Garth Dahl <b>OWNER:</b> Eldon and Agnes Dahl	<b>RESERVE STATUS:</b> Municipal reserves are outstanding and comprise 10% of the subject lands.
<b>LAND USE DESIGNATION:</b> Agricultural Holdings District (AH)	<b>LEVIES INFORMATION:</b> The Transportation Off-Site Levy is applicable in this case.

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

Paul Simon, Planning & Development Services  
Gurbir Nijjar, Planning & Development Services



<p><b>DATE SUBDIVISION APPLICATION RECEIVED:</b> September 18, 2018</p> <p><b>DATE DEEMED COMPLETE:</b> September 18, 2018</p>	<p><b>APPEAL BOARD:</b> Municipal Government Board</p>
<p><b>TECHNICAL REPORTS SUBMITTED:</b></p> <ul style="list-style-type: none"> <li>Level 1 Variation Assessment (October, 2018)</li> </ul>	<p><b>LAND USE POLICIES AND STATUTORY PLANS:</b></p> <ul style="list-style-type: none"> <li>County Plan (Bylaw C-7280-2013)</li> <li>Land Use Bylaw (Bylaw C-4841-97)</li> </ul>

**PUBLIC & AGENCY SUBMISSIONS:**

The application was circulated to 21 adjacent landowners. No letters were received in response. The application was also circulated to a number of internal and external agencies. Those responses are available in Appendix 'B'.

**HISTORY:**

- September 11, 2018** Redesignation application PL20180013 was approved by Council, redesignating the subject lands to the Agricultural Holdings District (AH).
- August 8, 2013** Plan 131 2163 was registered, creating one 4.04 hectare (9.98 acre) parcel with the subject lands as the remainder.

**TECHNICAL CONSIDERATIONS:**

This application was evaluated in accordance with the matters listed in Section 7 and Section 14 of the Subdivision and Development Regulation, which are as follows:

- a) The site's topography:  
 Based on the County's topographic information, there are no constraints on Lot 1 that would inhibit future development for agricultural and residential purposes.  
 Conditions: None.
- b) The site's soil characteristics:  
 The subject lands contain Class 5 soils, with very severe limitations for production due to temperature factors and adverse topography. Given that the Applicant is intending to provide for a range of agricultural activities, including raising of livestock or horticultural development, the soils do not appear to be a limiting factor.  
 Conditions: None.
- c) Stormwater collection and disposal:  
 There have been no stormwater management concerns raised as a result of this application.  
 Conditions: None.
- d) Any potential for flooding, subsidence, or erosion of the land:  
 The County's wetland mapping indicates that the subject lands do not contain any existing water bodies.  
 Conditions: None.



e) Accessibility to a road:

The subject lands are currently party to an existing access easement agreement that provides legal access. As a condition of subdivision, the Owner would be required to provide documentation that confirms that this existing easement is sufficient to maintain legal access, or to provide a new access easement agreement and right-of-way plan to provide legal access.

The subject lands are immediately adjacent to Range Road 43 to the west. Range Road 43 is a non-standard road as per the County Servicing Standards, with varying widths of 6 metres to less than 2 metres between Township Road 283 (north) and Township Road 281A (south). South of the approach, parts of Range Road 43 can be impassable during certain times of the year due to inclement weather, and receives minimal maintenance from the County's Transportation department. Given the current state of the roadway, allowing further development without having access to a road developed to County standards could pose safety concerns. Further, as the Applicant is proposing subdivision on the basis of a new or distinct agricultural use, this could allow for potential agricultural related business uses, further necessitating the need for safe access. Therefore, as a condition of subdivision, the Owner would be required to enter into a Development Agreement to upgrade the roadway to a Regional Low Volume Gravel standard either from Township Road 283 (north) to the access point, or from Township Road 281A (south) to the access point.

Conditions: 2, 3.

*Transportation Off-Site Levy*

The Applicant/Owner would be required to provide payment of the Transportation Off-Site Levy (TOL) in accordance with applicable levy at time of subdivision approval. The TOL would be applicable on 3.00 acres of Lot 1 and would be deferred on Lot 2.

- TOL payment = \$4,595/acre\*3.00 acres = \$13,785.00.

Conditions: 6

f) Water supply, sewage, and solid waste disposal:

As part of the application, the Owner submitted a Level 1 Variation Assessment. The assessment found that the existing PSTS system is in good working order. The Owner submitted a Well Drillers Report, confirming that the existing well on Lot 1 can sufficiently provide water.

Conditions: None.

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

The land use in the vicinity of the subject lands is predominately agricultural in nature, with existing country residential development immediately north. As a result of the proposed subdivision, no impacts to adjacent land uses have been identified.

Conditions: None

h) Other matters:

*Municipal Reserves*

Municipal Reserves are to be provided through a cash-in-lieu payment for Lot 1. The appraisal completed for the subject lands provides an assessed value of \$5,000.00/acre. Lot 1 is approximately 25.34 acres, which amount to outstanding reserves of 2.534 acres at a value of \$5,000.00 per acre.

- MR payment = \$5,000/acre \*2.534 acres = \$12,670

Conditions: 7



**POLICY CONSIDERATIONS:**

The subject lands fall within an agricultural area of the County, and therefore, the application was assessed in accordance with the requirements of the County Plan. The Owner indicated that they are pursuing subdivision to undertake a new agricultural operation that may entail the raising of livestock and/or horticultural development. The detailed policy analysis in accordance with Section 8.18 of the County Plan with respect to redesignation and subdivision for agricultural purposes was undertaken with application PL20180013, and it was determined at that time that the proposal met applicable policy and was subsequently approved by Council. It should be noted that Policy 8.18(e) requires the evaluation for new or distinct agricultural uses to be assessed based on the impact on, and potential upgrades to, County infrastructure. The application was determined to meet policy at the time of redesignation, in part, due to the ability to require that Range Road 43 be upgraded as a condition of subdivision approval, which would ensure safe access to the subject lands.

The subject lands hold the Agricultural Holdings designation, with a minimum parcel size of 8.10 hectares (20.01 acres). The land use was granted in September, 2018, and there are no concerns with respect to the subdivided lands complying with the Agricultural Holdings District provisions in the Land Use Bylaw.

**CONCLUSION:**

The proposal was evaluated in accordance with Section 654 of the *Municipal Government Act*, Section 7 and Section 14 of the Subdivision and Development Regulations, as well as the County Plan and was found to be compliant:

- The application is consistent with the County Plan;
- The subject lands hold the appropriate land use designation;
- The technical aspects of the subdivision proposal were considered and are further addressed through the conditional approval requirements.

**OPTIONS:**

Option #1: THAT Subdivision Application PL20180115 be approved with the conditions noted in Appendix A.

Option #2: THAT Subdivision Application PL20180115 be refused as per the reasons noted.

Respectfully submitted,

Concurrence,

“Sherry Baers”

“Al Hoggan”

\_\_\_\_\_  
Executive Director  
Community Development Services  
PS/rp

\_\_\_\_\_  
Chief Administrative Officer

**APPENDICES:**

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



## APPENDIX A: Approval Conditions

- A. The application to create a  $\pm 10.25$  hectare ( $\pm 25.34$  acre) parcel with a  $\pm 50.46$  hectare ( $\pm 124.68$  acre) remainder within SW-15-28-04-W05M, has been evaluated in terms of Section 654 of the *Municipal Government Act* and Section 7 and Section 14 of the Subdivision and Development Regulations, and having considered adjacent landowner submissions, the application is approved as per the Tentative Plan for the reasons listed below:
1. The application is consistent with the Statutory Policy;
  2. The subject lands hold the appropriate land use designation;
  3. The technical aspects of the subdivision proposal have been considered and are further addressed through the conditional approval requirements.
- B. The Applicant/Owner is required, at their expense, to complete all conditions attached to and forming part of this conditional subdivision approval prior to Rocky View County (the County) authorizing final subdivision endorsement. This requires submitting all documentation required to demonstrate each specific condition has been met, or agreements (and necessary securities) have been provided to ensure the conditions will be met, in accordance with all County Policies, Standards, and Procedures, to the satisfaction of the County, and any other additional party named within a specific condition. Technical reports required to be submitted as part of the conditions must be prepared by a qualified professional, licensed to practice in the province of Alberta, within the appropriate field of practice. The conditions of this subdivision approval do not absolve an Applicant/Owner from ensuring all permits, licenses, or approvals required by Federal, Provincial, or other jurisdictions are obtained.
- C. Further, in accordance with Section 654 and 655 of the *Municipal Government Act*, the application shall be approved subject to the following conditions of approval:

### *Plan of 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.

### *Development Agreement*

- 2) The Owner shall enter into a Development Agreement for all off-site transportation infrastructure required for the development, including the following:
  - a) Upgrade of Range Road 43 to a Regional Low Volume Gravel road either from Township Road 281A or Township Road 283 to Lot 1;
  - b) All intersection improvements required at the site access points; and
  - c) Dedication of necessary easements and rights-of-way for utility line assignments.

### *Transportation and Access*

- 3) The Owner shall demonstrate that Lot 1 has been provided legal access through the existing access easement agreement (instrument # 131 195 636). If the existing access easement agreement does not provide legal access to Lot 1, the Applicant/Owner shall:
  - a) Amend the existing access easement agreement (instrument #951165 542) to ensure Lot 1 has legal access; or
  - b) Provide a new access right-of-way plan and prepare and register respective easements on title, where required.



*Cost Recovery*

- 4) The County will enter into an Infrastructure Cost Recovery Agreement with the Owner to determine the proportionate recovery of infrastructure money spent by the Owner to construct municipal infrastructure that will consequently provide benefit to other lands.
  - a) This Agreement shall apply to: the upgrade of Range Road 43 to a Regional Low Volume Gravel road.

*Payments and Levies*

- 5) The Applicant/Owner shall pay the County subdivision endorsement fee in accordance with the Master Rates Bylaw for the creation of one (1) new Lot.
- 6) The Applicant/Owner shall pay the Transportation Off-Site Levy (TOL) in accordance with Bylaw C-7356-2014 prior to subdivision endorsement:
  - a) The Transportation Off-Site Levy shall be applicable on 3.00 acres of Lot 1.
  - b) The Transportation Off-Site Levy shall be deferred on Lot 2 (the remainder).

*Municipal Reserve*

- 7) The provision of Reserve in the amount of 10 percent of the area of Lot 1, as determined by the Plan of Survey, is to be provided by payment of cash-in-lieu in accordance with the per acre value listed in the land appraisal prepared by Kyle Sande, file 030181, dated October 19, 2018, pursuant to Section 666(3) of the *Municipal Government Act*.
  - a) Reserves for Lot 2 (the remainder) are to be deferred without caveat pursuant to Section 663 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 Rocky View County prior to signing the final documents pursuant to Section 654(1) of the *Municipal Government Act*.

**D. SUBDIVISION AUTHORITY DIRECTION:**

- 1) Prior to final endorsement of the subdivision, the Planning Department is directed to present the Applicant/Owners with a Voluntary Recreation Contribution Form and ask them if they will 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 comments received.
Calgary Catholic School District	No comments received.
<i>Province of Alberta</i>	
Alberta Environment	No comments received.
Alberta Culture and Community Spirit (Historical Resources)	No comments received.
Alberta Energy Regulator	No comments received.
Alberta Health Services	<p>Alberta Health Services, Environmental Public Health, has received the above-noted application. At this time we do not have any concerns with the information as provided. Please contact me if the application is changed in any way, or you have any questions or concerns.</p>
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 22. Presently, the application does not appear to comply with any category of Section 14 of the Regulation.</p> <p>The department recognizes that the land involved in this application is removed from the provincial highway system, and relies on the municipal road network for access. It appears that the single agricultural 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 grants an unconditional variance of Section 14 of the Subdivision and Development Regulation. Pursuant to Section 678(2.1) of the Municipal Government Act, Alberta Transportation varies the distance to a highway set out in Section 5 of the Subdivision and Development Regulation. 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>
<i>Public Utility</i>	
ATCO Gas	No comments received.



AGENCY	COMMENTS
ATCO Pipelines	No comments received.
AltaLink Management	No comments received.
FortisAlberta	We have reviewed the plan and determined that no easement is required by FortisAlberta.
Telus Communications	No comments received.
TransAlta Utilities Ltd.	No comments received.
Cochrane Lake Gas Coop	No comments received.
<i>Other External Agencies</i>	
EnCana Corporation	No comments received.
<i>Rocky View County Boards and Committees</i>	
ASB Farm Members and Agricultural Fieldsmen	No comments received.
Rocky View Recreation Board (All)	At their October 24 meeting the Ranch Lands Recreation Board recommended that the County take CIL for this application.
<i>Internal Departments</i>	
Recreation, Parks and Community Support	<p>The location subject to this subdivision application has not been identified for future Municipal Reserve acquisition to support public park, open space, or development of an active transportation network inclusive of pathway or trail development.</p> <p>The Recreation, Parks and Community Support office therefore recommends taking cash in lieu for all applicable reserves owing pertaining to Lot 1 as identified in this subdivision application.</p>
Development Authority	No comments received.
GIS Solutions	No comments received.
Building Services	No comments received.
Agricultural & Environment Services	No comments received.
Fire Services	No comments at this time.
Bylaw and Municipal Enforcement	No concerns.



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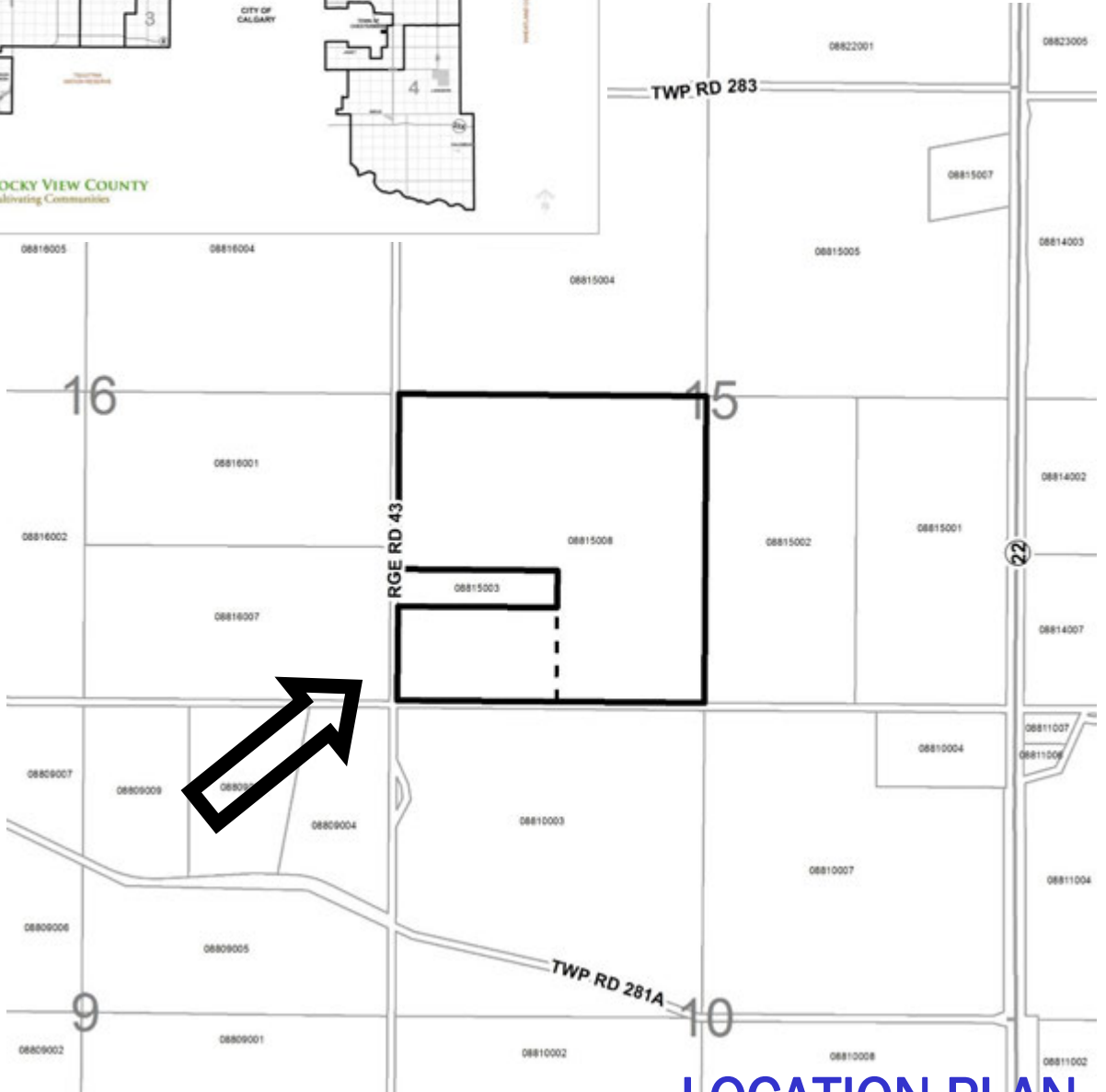
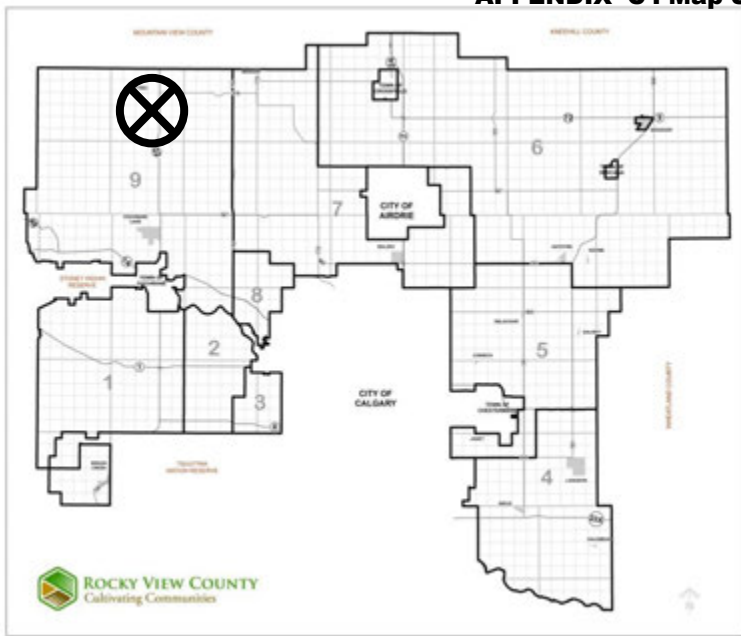
AGENCY	COMMENTS
Planning & Development Services -Engineering	<p data-bbox="618 279 729 306"><b>General</b></p> <ul data-bbox="618 331 1443 428" style="list-style-type: none"><li data-bbox="618 331 1443 428">• The review of this file is based upon the application submitted. These conditions/recommendations may be subject to change to ensure best practices and procedures.</li></ul> <p data-bbox="618 449 805 476"><b>Geotechnical</b></p> <ul data-bbox="618 501 1263 529" style="list-style-type: none"><li data-bbox="618 501 1263 529">• Engineering has no requirements at this time.</li></ul> <p data-bbox="618 550 824 577"><b>Transportation</b></p> <ul data-bbox="618 602 1463 1743" style="list-style-type: none"><li data-bbox="618 602 1417 699">• The Transportation Off-Site Levy (TOL) for the remainder (Ranch and Farm) is deferred as it is greater than 9.88 acres;</li><li data-bbox="618 703 1409 831">• The Applicant is subjected to TOL for the proposed Agricultural Holding parcel, per Bylaw C-7356-2014. The estimated levy payment owed at time of subdivision endorsement is \$13,785.00: <math data-bbox="724 852 1227 879">Base = \\$4,595/ac \times 3 ac = \\$13,785.00;</math> <math data-bbox="724 903 1260 930">Special Area = \\$11,380/ac \times 0 ac = \\$0.00</math></li><li data-bbox="618 953 1417 1081">• There is an existing approach to the proposed parcel and remainder through the adjacent ±10 acre parcel (Roll 08815003), from Range Road 43. There is an Access Easement Agreement for this access.</li><li data-bbox="618 1085 1446 1220">• As a condition of subdivision, a second Access Easement Agreement is required for both the proposed parcel and the remainder as part of the driveway to the dwelling in the proposed parcel is through the remainder.</li><li data-bbox="618 1224 1463 1743">• Range Road 43 is a non-standard road per County Servicing Standards, with varying width of six (6) meters to less than two (2) meters between Township Road 283 and 281A. South of the approach, parts of Range Road 43 can be impassable at times. Hence, as a condition of subdivision, the Applicant is required to enter a Development Agreement with the County to upgrade the road to County Standards for a gravel road either from Township Road 281A or from Township Road 283.<ul data-bbox="678 1543 1422 1743" style="list-style-type: none"><li data-bbox="678 1543 1369 1640">○ Some of the construction costs may be recovered through the County Policy 403 Infrastructure Cost Recovery Policy;</li><li data-bbox="678 1644 1422 1743">○ If required by the County Road Operations Group, the applicant will be required to enter into a Road Use Agreement, prior to issuance.</li></ul></li></ul>

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AGENCY	COMMENTS
	<p><b>Sanitary/Waste Water</b></p> <ul style="list-style-type: none"> <li>The applicant submitted a site plan, which shows distances between the eastern property line, southern property line, and water well and the existing septic field in the proposed ±25.34 acre parcel;</li> <li>As the remainder is greater than 30 acres and in the Ranch and Farm District, there are no sanitary servicing requirements in accordance with Policy 411.</li> </ul> <p><b>Water Supply And Waterworks</b></p> <ul style="list-style-type: none"> <li>The application indicates that there is a groundwater well south of the existing dwelling. The Applicant submitted Well Driller's report for the ±20 acre proposed parcel. The recommended pump rate for the well is 10 GPM, which exceeds the minimum required flow of 1 IGPM;</li> <li>There is a groundwater well in the proposed remainder. As the remainder is in the Ranch and Farm District and greater than 30 acres, there are no water servicing requirements in accordance with Policy 411.</li> </ul> <p><b>Storm Water Management</b></p> <ul style="list-style-type: none"> <li>Engineering has no requirements at this time;</li> <li>The proposed land use is Ranch and Farm and any future subdivision will have minimum impact on drainage. Hence, no SCMDP expected for the proposed subdivision.</li> </ul> <p><b>Environmental</b></p> <ul style="list-style-type: none"> <li>Engineering has no requirements at this time;</li> <li>The Alberta Merged Wetland Inventory indicates that wetlands exist on the proposed lands. The applicant will be responsible for obtaining all Alberta Environment (AESRD) approvals and permits if working in and/or near wetlands.</li> </ul>
Transportation	<p>Applicant should be aware that RR 43 is a nonstandard road not built to County Servicing Standards and as such received minimal maintenance.</p> <p>Applicant to confirm new access to remainder.</p>
Capital Project Management	No concerns.
Utility Services	No concerns.

Circulation Period: October 11, 2018 – November 1, 2018



**LOCATION PLAN**

**SW-15-28-04-W05M**



**Subdivision Proposal:** To create a ± 10.25 hectare (± 25.34 acre) parcel with a ± 50.46 hectare (± 124.68 acre) remainder.

**Lot 2  
(remainder)**  
± 50.46 ha  
(± 124.68 ac)

Existing access  
easement area (RW  
Plan 131 2164 –  
follows driveway)

RGE RD 437

**Lot 1**  
± 10.25 ha  
(± 25.34 ac)



**Surveyor's Notes:**

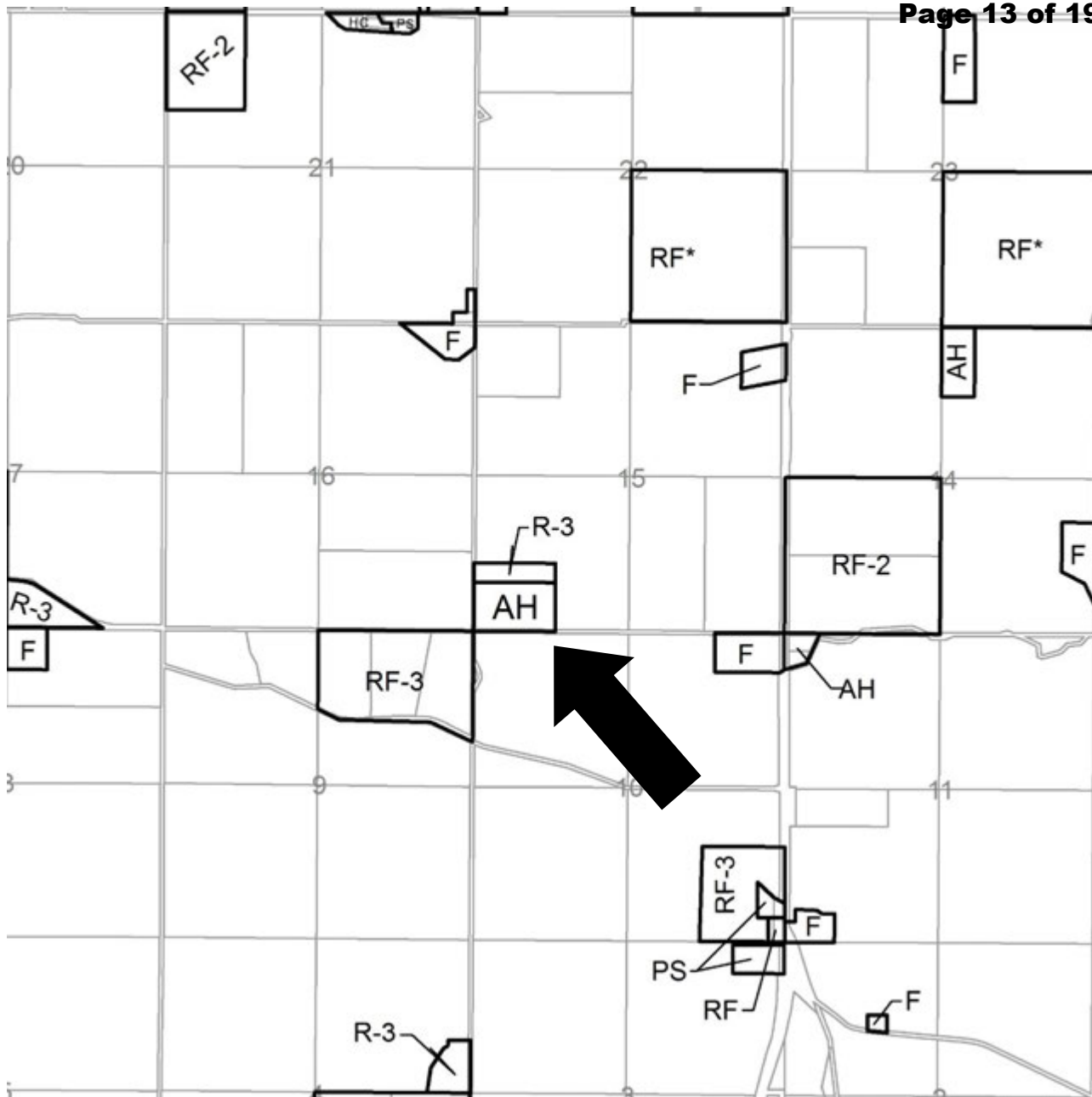
1. Parcels must meet minimum size and setback requirements of Land Use Bylaw C-4841-97.
2. Refer to Notice of Transmittal for approval conditions related to this Tentative Plan.

Legend	
Existing approach	
Existing Driveway	
Dwelling	
Water Well	
Septic Field	

**TENTATIVE PLAN**

**SW-15-28-04-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

SW-15-28-04-W05M







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

**AIR PHOTO**

*Spring 2018*

**SW-15-28-04-W05M**



Date: 21-Dec-18

Division # 9

File: 08815008

**AGENDA**

Page 228 of 257





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

**TOPOGRAPHY**  
*Contour Interval 2 M*

**SW-15-28-04-W05M**





Looking south on Range Road 43 from subject lands access point

Looking south on Range Road 43 from south of Lot 1



## SITE INSPECTION PHOTOS



SW-15-28-04-W05M

Date: 21-Dec-18

Division # 9

File: 08815008

**AGENDA**

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Looking south on Range Road 43 from Township Road 283 (north entrance onto Range Road 43)



## SITE INSPECTION PHOTOS



SW-15-28-04-W05M

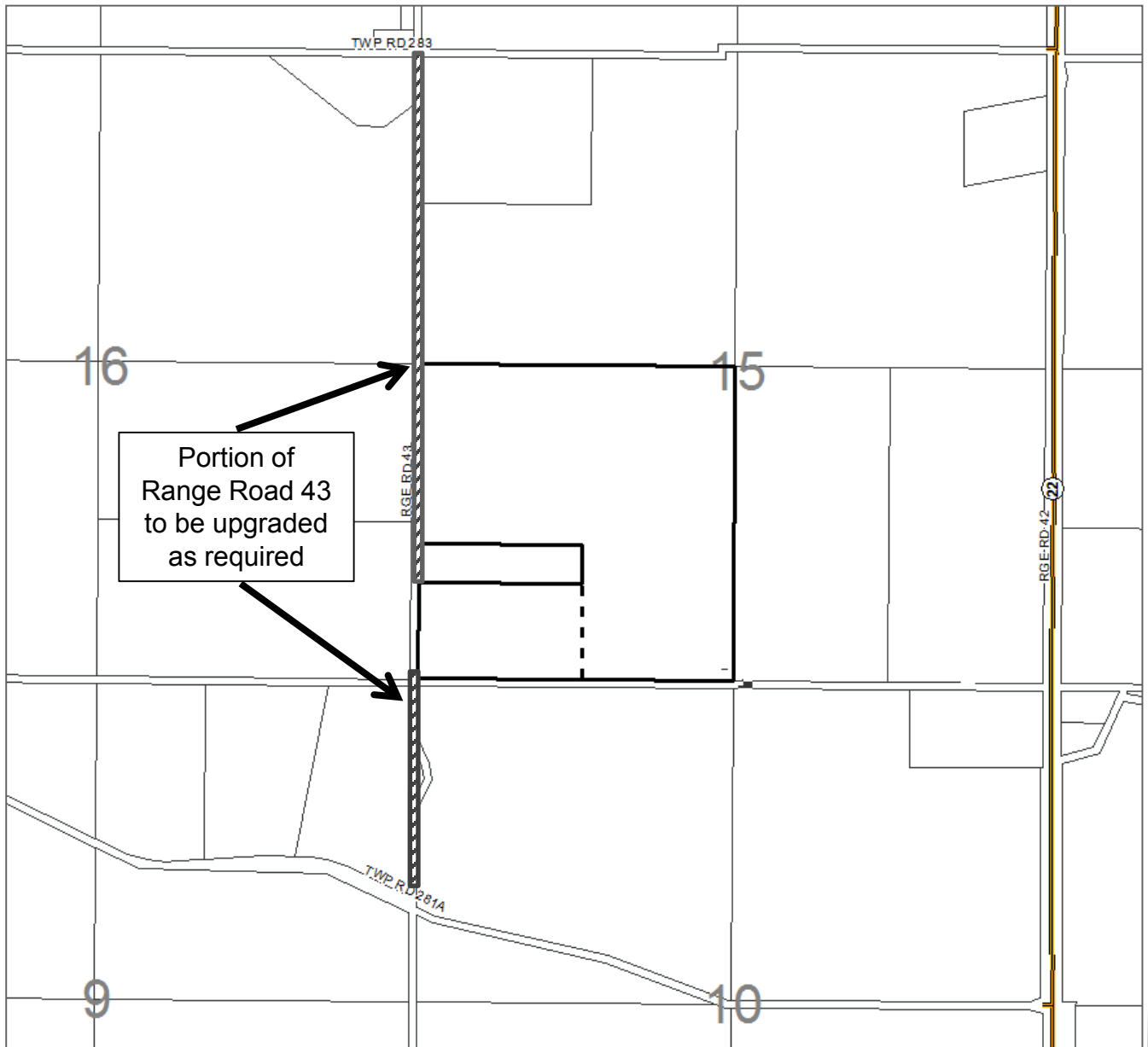
Date: 21-Dec-18

Division # 9

File: 08815008

**AGENDA**

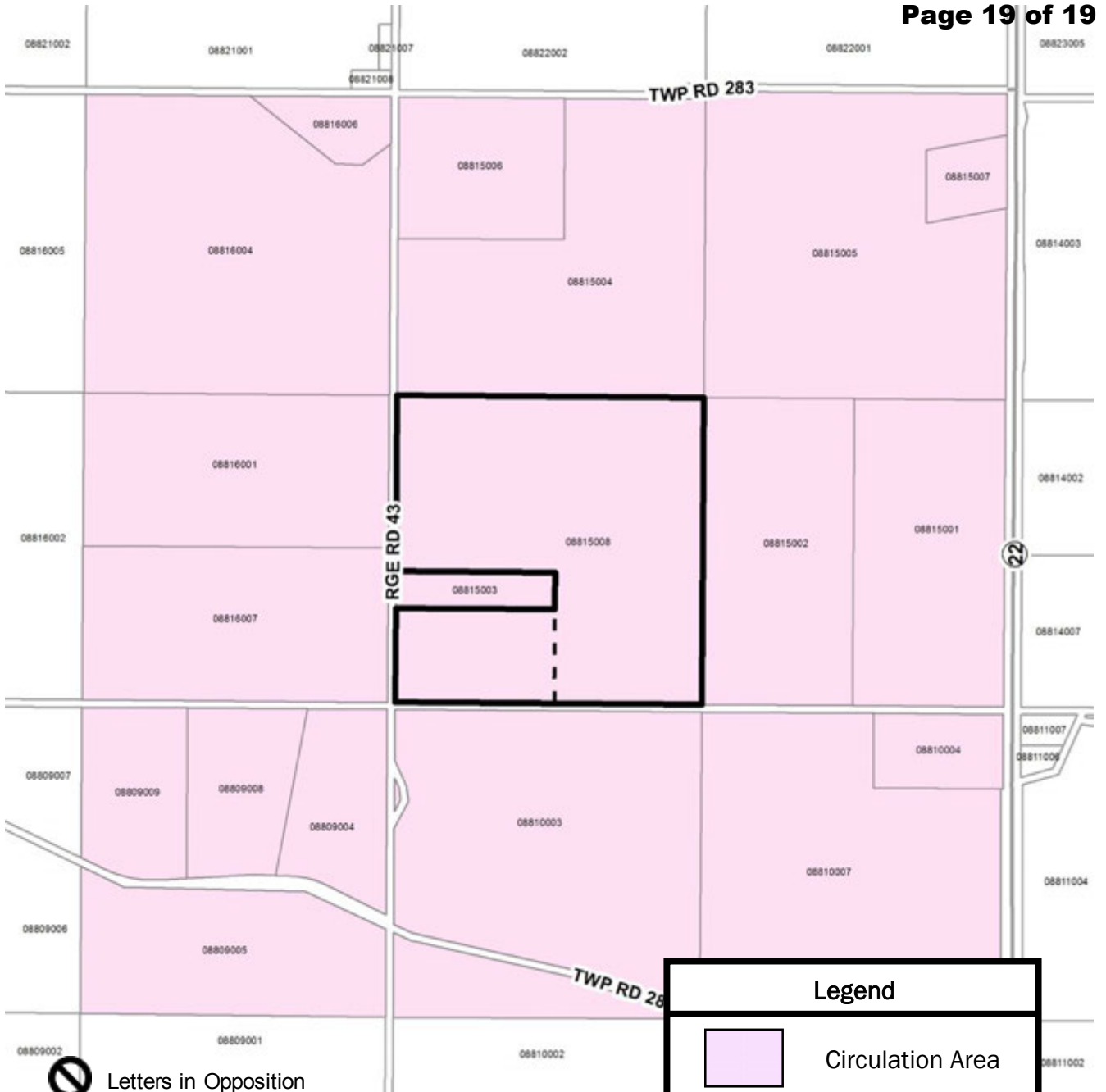
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# RANGE ROAD 43 UPGRADES

SW-15-28-04-W05M

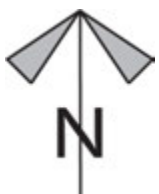




-  Letters in Opposition
-  Letters in Support

Legend	
	Circulation Area
	Subject Lands

# LANDOWNER CIRCULATION AREA



## SW-15-28-04-W05M



## PLANNING & DEVELOPMENT SERVICES

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**TO:** Subdivision Authority  
**DATE:** January 8, 2019 **DIVISION:** 7  
**FILE:** 06403002 **APPLICATION:** PL20180088  
**SUBJECT:** Subdivision Item – Direct Control District 99

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### **<sup>1</sup>POLICY DIRECTION:**

The application was evaluated in accordance with Section 654 of the *Municipal Government Act*, Section 7 and Section 14 of the Subdivision and Development Regulations, the County Plan, and the Balzac East Area Structure Plan (BEASP) and was found to be non-compliant:

- The application is inconsistent with the County Plan;
- The application is inconsistent with the BEASP;
- The application is inconsistent with Section 654(1)(a) of the *Municipal Government Act*; and
- It is unclear at this time how certain technical aspects of the subdivision proposal, including access and servicing, would be achieved in accordance with the Subdivision and Development Regulation.

### **EXECUTIVE SUMMARY:**

The purpose of this application is to create a ± 0.28 hectare (± 0.69 acre) parcel with a ± 60.51 hectare (± 149.52 acre) remainder. The subject lands are located in south Balzac East, surrounded by industrial, residential, and agricultural development. However, all lands in the proximity of the subject lands are designated for commercial and industrial development.

The Applicant indicated that proposed Lot 1 is intended to remain undeveloped, and that given its size and shape, any type of development would be extremely challenging. Therefore, they wish to sever it, as it is a liability. The Applicant indicated that they want to have the small lot available for consolidation in the future, without having to go through the subdivision process. However, as there is no confirmation of this consolidation at this time, the application needs to be assessed as a stand-alone subdivision. As the Applicant indicated that they do not intend to develop Lot 1, or to provide access, or servicing, Administration is unable to ascertain at this time what is feasible, if anything, on proposed Lot 1. Furthermore, The City of Calgary was circulated for comments and is not in support of the proposal, specifically because of the access constraints posed for proposed Lot 1.

There is some risk if this subdivision were to be approved, given that it is unclear how issues with respect to access, servicing, and developability would be addressed at this time for proposed Lot 1. Once subdivided, the parcel could be sold, and a new owner may anticipate that some of the business uses afforded under the current designation of DC 99 are feasible, as generally these technical matters related to developability are addressed at the subdivision stage. When the Subdivision Authority approves a subdivision proposal, they must have consideration for Section 7 of the Subdivision and Development Regulation. At this time is unclear of how this section could be achieved.

Administration determined that the application does not meet policy.

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

Paul Simon, Planning & Development Services  
Gurbir Nijjar, Planning & Development Services





<p><b>PROPOSAL:</b> To create a ± 0.28 hectare (± 0.69 acre) parcel with a ± 60.51 hectare (± 149.52 acre) remainder.</p>	<p><b>GENERAL LOCATION:</b> Located approximately 1.0 km (2/3 mile) south of Crossiron Drive, on the west side of Dwight Mclellan Trail.</p>
<p><b>LEGAL DESCRIPTION:</b> SW-03-26-29-W04M</p>	<p><b>GROSS AREA:</b> ± 60.92 hectares (± 150.53 acres)</p>
<p><b>APPLICANT:</b> Kellam Berg Engineering and Surveys Ltd. <b>OWNER:</b> MH Crosspointe II GP Inc.</p>	<p><b>RESERVE STATUS:</b> Municipal reserves are not applicable in accordance with Section 663 of the <i>Municipal Government Act</i>.</p>
<p><b>LAND USE DESIGNATION:</b> Direct Control District 99 (DC-99)</p>	<p><b>LEVIES INFORMATION:</b> The Transportation Off-Site Levy is not applicable in this case.</p>
<p><b>DATE APPLICATION RECEIVED:</b> August 9, 2018 <b>DATE APPLICATION DEEMED COMPLETE:</b> August 9, 2018</p>	<p><b>APPEAL BOARD:</b> Municipal Government Board</p>
<p><b>TECHNICAL REPORTS SUBMITTED:</b></p> <ul style="list-style-type: none"> <li>• None.</li> </ul>	<p><b>LAND USE POLICIES AND STATUTORY PLANS:</b></p> <ul style="list-style-type: none"> <li>• County Plan (Bylaw C-7280-2013)</li> <li>• Balzac East Area Structure Plan (Bylaw C-5177-2000)</li> <li>• Direct Control Bylaw 99 (Bylaw C-6031-2005)</li> </ul>

**PUBLIC & AGENCY SUBMISSIONS:**

The application was circulated to 18 adjacent landowners. No letters were received in response. The application was also circulated to a number of internal and external agencies, and those responses are available in Appendix 'B'.

**HISTORY:**

There is no relevant development history.

**TECHNICAL CONSIDERATIONS:**

This application was evaluated in accordance with the matters listed in Section 7 and Section 14 of the Subdivision and Development Regulation, which are as follows:

a) The site's topography:

Based on the County's topographic information, the subject lands are relatively flat and there does not appear to be any topographical constraints for future industrial development.

Conditions: None.

b) The site's soil characteristics:

The subject lands contain Class 1, 2, and 3 soils, with slight to moderate limitations due to erosion damage, low permeability, and adverse topography.

Conditions: None.



c) Stormwater collection and disposal:

The Balzac East Plan area is part of the Nose Creek basin. Section 6.5.3 of the BEASP requires that stormwater flows resulting from new development in the Plan area not exceed pre-development flows, to be verified in a stormwater management plan. No stormwater management plan was submitted with the application, as no development is proposed on the ± 0.28 hectare (± 0.69 acre) parcel to be created. Given the fact that the Applicant is seeking to create an undevelopable parcel, stormwater management provisions cannot be adequately addressed at this time.

Conditions: None.

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

The County's wetland mapping indicates that the subject land contains three altered wetlands. Based on the subdivision proposal, there does not appear to be any development constraints posed by the wetlands.

Conditions: None.

e) Accessibility to a road:

Proposed Lot 2 (the remainder) is currently accessed from Range Road 293, with an approach constructed from Dwight McLellan Trail (DMT). However, proposed Lot 1 does not contain any existing access points, and the Applicant indicated that there is no intention to provide access to this newly created lot. Access from Dwight McLellan Trail to proposed Lot 1 is not supported, as the East Balzac Master Transportation Plan identifies DMT as a skeletal major road, the highest designation on the network. It is anticipated that by 2035, the expected volume will be >119,800 vehicles per day. DMT is not intended to provide any direct access due to its nature of performing as a skeletal function.

Further, notwithstanding the constraints posed by the CPR rail line to the south, The City of Calgary was circulated for comment and indicated that access from 144 avenue (south of the subject lands) would not be supported. At this time, it is unclear how access to proposed Lot 1 would be achieved. Therefore, as a condition of subdivision approval, the Applicant would be required to demonstrate how access would be achieved, to the satisfaction of Rocky View County and the City of Calgary.

Conditions: 2.

f) Water supply, sewage, and solid waste disposal:

The BEASP area is envisioned as a fully serviced regional business center, tying in to the communal water and wastewater systems. Policy 6.5.1(b) of the BEASP allows a groundwater source to be used for residential parcels that are a minimum of 4.00 acres in size. Section 6.5.2 of the BEASP provides an overview of the municipally-owned wastewater system, which is envisioned to service the Plan area. The Applicant indicated that there is no intention of providing services to proposed Lot 1. At this time, it is unclear of how servicing for proposed Lot 1 would be achieved, and further information with respect to servicing would be required at future Development Permit stage.

Conditions: None.

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

The land use in the vicinity of the subject land is commercial and industrial in nature. As a result of the proposed subdivision, no impacts to adjacent land uses were identified.

Conditions: None



h) Other matters:

*Municipal Reserves:*

Municipal Government Act:

**Reserves Not Required**

**663** A subdivision authority may not require the owner of a parcel of land that is the subject of a proposed subdivision to provide reserve land or money in place of reserve land if

- (a) One lot is to be created from a quarter section of land,
- (b) Land is to be subdivided into lots of 16.0 hectares or more and is to be used only for agricultural purposes,
- (c) The land to be subdivided is 0.8 hectares or less, or
- (d) Reserve land, environmental reserve easement or money in place of it was provided in respect of the land that is the subject of the proposed subdivision under this Part or in the former Act.

The subject quarter section has not been subdivided, and therefore is classified as an unsubdivided quarter section. The severing of proposed Lot 1 would therefore constitute a first parcel out, and in accordance with Section 663(a) of the *Municipal Government Act*, collection of reserves at this time is not applicable. However, if the subdivision were to be approved, while further subdivision of proposed Lot 1 is unlikely due to the constraints present for developing on a parcel of this size, the gross acreage of Lot 1 would be ± 0.28 hectares (± 0.69 acres), and therefore, reserves could not be collected in accordance with Section 663(c) of the *Municipal Government Act*, as the lands would be too small to qualify for reserves being taken.

The Applicant submitted a conceptual scheme application (PL20180140) for the remainder (Lot 2), which has not been approved at the time of writing this report. The conceptual scheme does not contemplate further subdivision, and therefore, the Applicant indicated that they wish to address municipal reserve requirements at this time with the current application, through a cash-in-lieu payment, for the gross acreage of the subject lands. However, reserves cannot be collected at this time, in accordance with Section 663(a) of the *Municipal Government Act*, as discussed above. Therefore, given the ambiguity associated with reserve collection at this time, the most prudent option is to transfer reserve obligations from proposed Lot 1 to proposed Lot 2 (the remainder) via a Deferred Reserve Caveat.

Conditions: 4.

*Transportation Off-Site Levy*

The subject quarter section has not been subdivided; therefore it is classified as an unsubdivided quarter section. The severing of proposed Lot 1 would therefore constitute a first parcel out, and in accordance with Section 6(a)(ii) of the Transportation Offsite Levy Bylaw (Bylaw C-7356-2014), the Subdivision for the first parcel out of a previously unsubdivided quarter section is deferred from the imposition of the Base Levy Rate and the Special Area Levy Rate. Therefore TOL is deferred at this time.

**POLICY CONSIDERATIONS:**

*Municipal Government Act*

The *Municipal Government Act* outlines several components of assessing a subdivision application, including approval of said application. Section 654(1) of the *Municipal Government Act* states, "A subdivision authority must not approve an application for subdivision approval unless:



- (a) The land that is proposed to be subdivided is, in the opinion of the subdivision authority, suitable for the purpose for which the subdivision is intended.”

The Applicant indicated that they do not intend to develop proposed Lot 1 for any commercial purposes, nor do they intend to provide access to or service proposed Lot 1. Therefore, Administration is unable to ascertain at this time whether the land that is proposed to be subdivided is suitable for the purpose for which the subdivision is intended, as this intent has not been specified. Therefore, the application is inconsistent with Section 654(1)(a) of the *Municipal Government Act* and it would appear that the Subdivision Authority may not be able to approve the proposed subdivision.

County Plan (Bylaw C-7280-2013)

The County Plan defines a first parcel out as “the subdivision of a single residential or agricultural parcel created from a previously unsubdivided quarter section.” Given that the subject quarter section has not experienced any subdivision as of yet, it meets this definition and qualifies as a first parcel out. However, as the subject lands fall within the Balzac East Area Structure Plan (BEASP), the ASP is the appropriate document to assess the subdivision application.

Policy 16.4 of the County Plan requires that, “*Road network development shall be based on existing development, future growth areas, area structure plans, and interconnectivity with adjacent municipalities.*” As discussed above, access on to DMT is not supported as this is a high volume skeletal roadway based on the East Balzac Master Transportation Plan completed for the BEASP area. Further, the City of Calgary is not supportive of further access onto 144 Avenue to the south. Allowing this subdivision to proceed without having sufficient provisions for access would pose significant challenges for any future owner who may anticipate development potential for proposed Lot 1, which is typically associated with a subdivided parcel in one of the County’s Regional business Centers that has the appropriate land use for further commercial and industrial development.

Balzac East Area Structure Plan (Bylaw C-5177-2000)

As per figure 2 of the BEASP, the subject land falls within Cell C of Special Development Area #4. Cell C is considered the heart of the commercial/industrial business area, with varying lot sizes, but envisions maximum density being determined at the conceptual scheme level.

Policy 4.3.1(b) of the BEASP requires that subdivision applications for business uses address the potential impact on surrounding lands, operational characteristics, as well as screening/buffering. The Applicant indicated that proposed Lot 1 is intended to remain undeveloped, with no access and no servicing provided. Given that the current zoning (DC-99) permits multiple business activities, that proposed Lot 1 is intended to remain vacant, and that information such as hours of operation, and number of employees was not provided, the application is inconsistent with this policy.

Policy 4.7.4(h) of the BEASP requires that any new redesignation, subdivision and/or development be within an adopted conceptual scheme. While a conceptual scheme has been proposed for the remainder (PL20180140), proposed Lot 1 is not included within the boundaries of the proposed scheme, and therefore, the proposed subdivision does not comply with this policy.

Policy 6.5.1(b) of the BEASP allows a groundwater source to be used for residential parcels that are a minimum of 4.00 acres in size. Section 6.5.2 of the BEASP provides an overview of the municipally-owned wastewater system, which is envisioned to service the Plan area. The Applicant indicated that there is no intention of providing service to proposed Lot 1, and therefore is not complying with the preferred servicing strategy for the Plan area.

Direct Control Bylaw C-6031-2005 (DC-99)

The subject land falls within Cell C of DC-99. Cell C allows for extensive commercial and industrial development in accordance with the land use strategy identified in the BEASP. The minimum setback requirements in Cell C are 10.00 m from any property line, with a maximum site coverage of 40%. This would make potential development extremely challenging, and if the subdivision were to be approved, it



would essentially create an undevelopable lot. The Applicant submitted a Developable Area assessment that identifies approximately 235.92 sq. m (2,539.42 sq. ft.) as potentially developable. DC 99 does not contain a minimum parcel size requirement. Parcel sizes are generally addressed at the Conceptual Scheme level in Balzac East. With the development and technical constraints associated with proposed Lot 1, in conjunction with the current designation of DC 99 which allows for a multitude of business uses, there is the risk that if the subdivision were to proceed, a future owner may have unrealistic expectations about the developability of this parcel as the expectation is that these issues are addressed at the subdivision stage.

**CONCLUSION:**

The proposal was evaluated in accordance with Section 654 of the *Municipal Government Act*, Section 7 and Section 14 of the Subdivision and Development Regulations, the County Plan, and the Balzac East Area Structure Plan (BEASP). There is some risk if this subdivision were to be approved, given that it is unclear how issues with respect to access, servicing, and developability would be addressed at this time for proposed Lot 1. Once subdivided, the parcel could be sold, and a new owner may anticipate that some of the business uses afforded under the current designation of DC 99 are feasible, as generally these technical matters related to developability are addressed at the subdivision stage. When the Subdivision Authority approves a subdivision proposal, they must have consideration for the Subdivision and Development Regulation which, as discussed above, is unclear of how matters in Section 7 would be met. Administration determined that it was non-compliant.

**OPTIONS:**

Option #1: THAT Subdivision Application PL20180088 be approved with the conditions noted in Appendix A.

Option #2: THAT Subdivision Application PL20180088 be refused for the following reasons:

- 1) The application is inconsistent with the County Plan;
- 2) The application is inconsistent with the BEASP;
- 3) The application is inconsistent with Section 654(1)(a) of the *Municipal Government Act*; and
- 4) It is unclear at this time how certain technical aspects of the subdivision proposal, including access and servicing, would be achieved in accordance with the Subdivision and Development Regulation.

Respectfully submitted,

Concurrence,

“Sherry Baers”

“Al Hoggan”

Executive Director  
Community Development Services

Chief Administrative Officer

PS/rp

**APPENDICES:**

- APPENDIX ‘A’: Approval Conditions
- APPENDIX ‘B’: Application Referrals
- APPENDIX ‘C’: Map Set
- APPENDIX ‘D’: Applicant Condition Request Letter



**APPENDIX A: Approval Conditions**

- A. The application to create a ± 0.28 hectare (± 0.69 acre) parcel with a ± 60.51 hectare (± 149.52 acre) remainder within SW-03-26-29-W04M, has been evaluated in terms of Section 654 of the *Municipal Government Act* and Section 7 and Section 14 of the Subdivision and Development Regulations. Having considered adjacent landowner submissions, the application is approved as per the Tentative Plan for the reasons referenced:
  - 1.
  - 2.
  - 3.
  
- B. The Applicant/Owner is required, at their expense, to complete all conditions attached to and forming part of this conditional subdivision approval prior to Rocky View County (the County) authorizing final subdivision endorsement. This requires submitting all documentation required to demonstrate each specific condition has been met, or agreements (and necessary securities) have been provided to ensure the conditions will be met, in accordance with all County Policies, Standards, and Procedures, to the satisfaction of the County, and any other additional party named within a specific condition. Technical reports required to be submitted as part of the conditions must be prepared by a qualified professional, licensed to practice in the province of Alberta, within the appropriate field of practice. The conditions of this subdivision approval do not absolve an Applicant/Owner from ensuring all permits, licenses, or approvals required by Federal, Provincial, or other jurisdictions are obtained.
  
- C. Further, in accordance with Section 654 and 655 of the *Municipal Government Act*, the application shall be approved subject to the following conditions 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 demonstrate how access to Lot 1 is achieved, to the satisfaction of Rocky View County and the City of Calgary.

*Payments and Levies*

- 3) The Owner shall pay the County subdivision endorsement fee in accordance with the Master Rates Bylaw for the creation of one (1) new Lot.

*Municipal Reserve*

- 4) The provision of Reserve, in the amount of 10% of Lot 1, is to be deferred and transferred by caveat to Lot 2, pursuant to Section 669(2) of the *Municipal Government Act*.

*Taxes*

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



D. SUBDIVISION AUTHORITY DIRECTION:

- 1) Prior to final endorsement of the subdivision, the Planning Department is directed to present the Applicant/Owners with a Voluntary Recreation Contribution Form and ask them if they will contribute to the Fund in accordance with the contributions prescribed in the Master Rates Bylaw.





**APPENDIX B: APPLICATION REFERRALS**

<b>AGENCY</b>	<b>COMMENTS</b>
<i>School Authority</i>	
Rocky View Schools	No comments received.
Calgary Catholic School District	No comments received.
<i>Province of Alberta</i>	
Alberta Environment	No comments received.
Alberta Culture and Community Spirit (Historical Resources)	No comments received.
Alberta Energy Regulator	No comments received.
Alberta Health Services	No comments received.
Alberta Transportation	<p>By definition, this proposal must meet the requirements of Section 14 of the Subdivision and Development Regulation due to proximity of Highway 201, Stoney Trail. Presently, the application does not appear to comply with any category of Section 14 of the Regulation.</p> <p>The department recognizes that the land involved in this application is removed from the provincial highway system, and relies on the municipal road network for access. It appears that the additional lot being created by this application should not have a significant impact on the provincial highway system.</p> <p>Alberta Transportation has no objection to this proposal. The department grants an unconditional variance of Section 14 and/or Section 15 of the Subdivision and Development Regulation. From the department's perspective, any appeals regarding this subdivision application must be heard by the Municipal Government Board.</p>
<i>Public Utility</i>	
ATCO Gas	No comments received.
ATCO Pipelines	<p>The Engineering Department of ATCO Pipelines (a division of ATCO Gas and Pipelines Ltd.) has reviewed the above named plan and has no objections subject to the following conditions:</p> <ol style="list-style-type: none"> <li data-bbox="618 1751 1438 1850">1. Any existing land rights shall be carried forward in kind and registered on any newly created lots, public utility lots, or other properties.</li> <li data-bbox="618 1871 1438 1932">2. Ground disturbances and surface works within 30 meters require prior written approval from ATCO Pipelines before</li> </ol>



AGENCY	COMMENTS
	<p>commencing any work.</p> <ul style="list-style-type: none"> <li>Municipal circulation file number must be referenced; proposed works must be compliant with ATCO Pipelines' requirements as set forth in the company's conditional approval letter.</li> </ul> <p>3. Parking and/or storage is not permitted on ATCO Pipelines' pipeline(s) and/or right(s)-of-way.</p> <p>4. ATCO Pipelines recommends a minimum 15 meter setback from the centerline of the pipeline(s) to any buildings.</p> <p>5. Any revisions or amendments to the proposed plans(s) must be re-circulated to ATCO Pipelines for further review.</p>
AltaLink Management	No comments received.
FortisAlberta	No comments received.
Telus Communications	No comments received.
TransAlta Utilities Ltd.	No comments received.
<i>Other External Agencies</i>	
EnCana Corporation	No comments received.
Canadian Pacific Railway	<p>Further to your above file, Canadian Pacific (CP) is opposed to residential development adjacent to our right-of-way as this land use is <u>not</u> compatible with railway operations. The health, safety and welfare of the public could be adversely affected by railway activities.</p> <p>CP is not opposed to Commercial/Industrial type developments adjacent to our right of way. Please ensure any development does not encroach onto CP owned lands and that they do not drain onto the railway right of way.</p> <p>Notwithstanding that stated above, we recommend that residential and commercial/industrial developments meet certain criteria based upon site specific conditions and intended use/development as per the attached guidelines.</p> <p>We would appreciate being circulated on all future correspondence related to the proposed development.</p>
Calgary Airport Authority	Please be advised that the Calgary Airport Authority has no objection to this proposal as submitted. A separate review will be required should any development occur on the lands.
City of Calgary	Regarding the CPR crossing, City staff have received indications that this line has potential for future use. Unless advised by CPR that they are abandoning the line and removing the tracks, the



AGENCY	COMMENTS
	<p>City will require resolution of the issues related to the crossing with higher traffic volumes on Dwight McLellan Trail/Metis Trail.</p> <p>Installing a traffic signal at the intersection of Dwight McLellan/Metis &amp; 144 Ave is not currently budgeted by the City of Calgary; for the City to support development applications within this proposal, a funding strategy will be required.</p> <p>Providing access to Lot 1 (0.28 hectare) will be challenging; access from 144 Ave will not be supported. We wish to be circulated with potential solutions for our review prior to offering our support to this proposal.</p>
<p><i>Rocky View County Boards and Committees</i></p>	
<p>ASB Farm Members and Agricultural Fieldsmen</p>	<p>No comments received.</p>
<p>Rocky View Recreation Board (All)</p>	<p>Given that Municipal Reserves are not required pursuant to Section 663 of the Municipal Government Act, the Rocky View Central Recreation Board has no comments on this circulation.</p>
<p><i>Internal Departments</i></p>	
<p>Recreation, Parks and Community Support</p>	<p>No comments.</p>
<p>Development Authority</p>	<p>No comments received.</p>
<p>GIS Solutions</p>	<p>No comments received.</p>
<p>Building Services</p>	<p>No comments received.</p>
<p>Agriculture &amp; Environment Services</p>	<p>No agricultural concerns.</p>
<p>Fire Services</p>	<p>No comments at this time.</p>
<p>Bylaw and Municipal Enforcement</p>	<p>No concerns.</p>
<p>Planning &amp; Development Services - Engineering</p>	<p><b>General</b></p> <ul style="list-style-type: none"> <li>• The owner will be responsible for all required payments of 3rd party reviews and/or inspections as per the Master Rates Bylaw.</li> <li>• The applicant shall provide for payment of the engineering services fees per the Master Rates Bylaw, as amended.</li> <li>• The Engineering Services Department sees the</li> </ul>



AGENCY	COMMENTS
	<p>subdivision as proposed by the applicant as not feasible for any commercial or industrial uses. Access, servicing and building setbacks suggest that the parcel will not be able to accommodate any development if it's created. See comments below and we would recommend the applicant re-consider the proposed lot boundaries.</p> <ul style="list-style-type: none"> <li>• The recommendations below assume that this parcel is to be serviced at the time of Development Permit when the County has information related to the proposed use on the parcel (none exists today).</li> <li>• ES has assumed this subdivision is intended, in the long term, to accommodate inclusion of adjacent lands so that access and servicing can be reasonably achieved.</li> </ul> <p><b>Geotechnical:</b></p> <ul style="list-style-type: none"> <li>• No requirements at this time as no development is being proposed. Geotechnical reporting will required at development permit stage in accordance with the County's Servicing Standards based on more information related to the actual use of the proposed lot.</li> </ul> <p><b>Transportation</b></p> <ul style="list-style-type: none"> <li>• No requirements at this time as no development is being proposed. Future development permit may require a Traffic Impact Assessment, road upgrades, dedication of public right of way to accomplish access and the payment of applicable levies.</li> <li>• As this subdivision is a "First Parcel Out" no Transportation Offsite Levy applies in accordance with Bylaw C-7356-2014, as amended. Future development on the proposed parcel and the balance lands will be subject to applicable levies at the time of development.</li> <li>• No access to Dwight McLellan Trail will be permitted to the proposed parcel. Access will require participation with adjacent lands and/or City approval from 144th Avenue.</li> </ul> <p><b>Sanitary/Waste Water:</b></p> <ul style="list-style-type: none"> <li>• No requirements at this time as no development is being proposed. A future development permit may require detailed engineering reports/drawings, payment of levies, offsite upgrades, etc. and will be further assessed at that stage.</li> </ul> <p><b>Water Supply and Waterworks:</b></p> <ul style="list-style-type: none"> <li>• No requirements at this time as no development is being proposed by this boundary adjustment. A future application may require detailed engineering reports/drawings, payment of levies, etc. and will be</li> </ul>

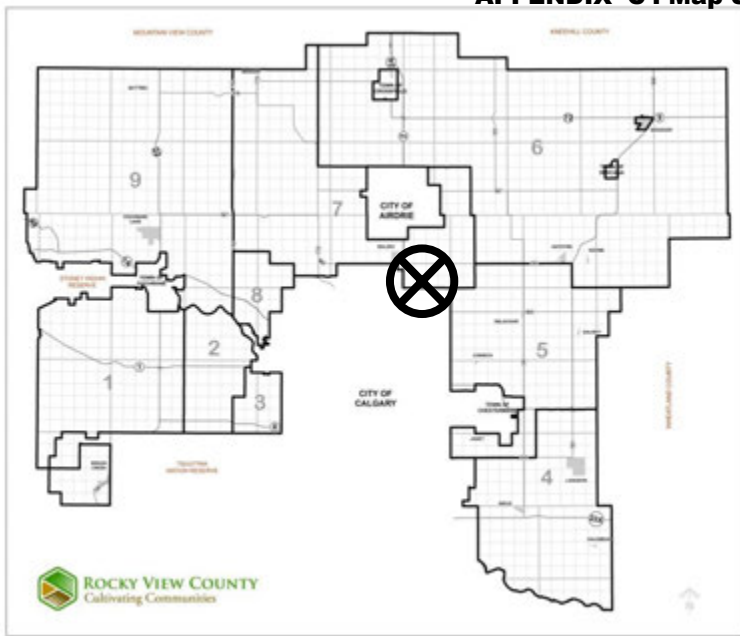


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AGENCY	COMMENTS
	assessed at that time.
	<b>Storm Water Management:</b>
	<ul style="list-style-type: none"><li>• No requirements at this time as no development is being proposed by this boundary adjustment. A future application may require detailed engineering reports/drawings and will be assessed at that time.</li></ul>
Transportation	No issues. Applicant to contact road ops re: road approach application for 0.28 hectare parcel (access not recommended from Dwight McLellan).
Capital Project Management	No concerns.
Utility Services	No concerns.

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Circulation Period: August 20, 2018 – September 11, 2018



LOCATION PLAN

SW-03-26-29-W04M



**Subdivision Proposal:** To create a ± 0.28 hectare (± 0.69 acre) parcel with a ± 60.51 hectare (± 149.52 acre) remainder.

3

RGE RD 293

DWIGHT MCLELLAN TR

**Lot 2 (remainder)**  
± 60.51 hectare  
(± 149.52 acre)

**Lot 1**  
± 0.28 hectare  
(± 0.69 acre)

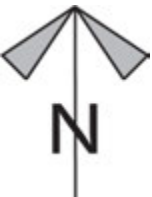


**Surveyor's Notes:**

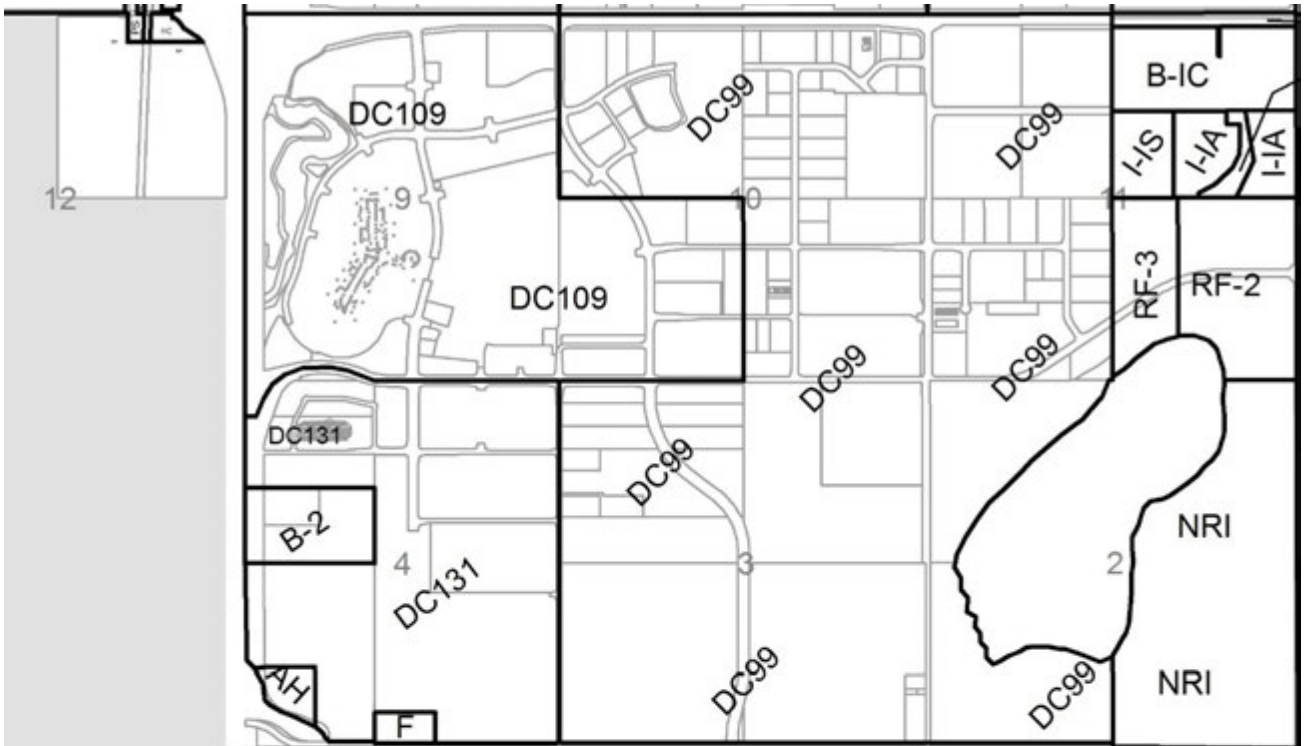
1. Parcels must meet minimum size and setback requirements of Land Use Bylaw C-4841-97.
2. Refer to Notice of Transmittal for approval conditions related to this Tentative Plan.

**TENTATIVE PLAN**

**SW-03-26-29-W04M**







CITY OF CALGARY

- |                          |                                       |
|--------------------------|---------------------------------------|
| 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

SW-03-26-29-W04M





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

**AIR PHOTO**

Spring 2016

**SW-03-26-29-W04M**



Date: Aug 14, 2018

Division # 7

File: 06403002

**AGENDA**

Page 250 of 257



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

# TOPOGRAPHY

*Contour Interval 2 M*

**SW-03-26-29-W04M**





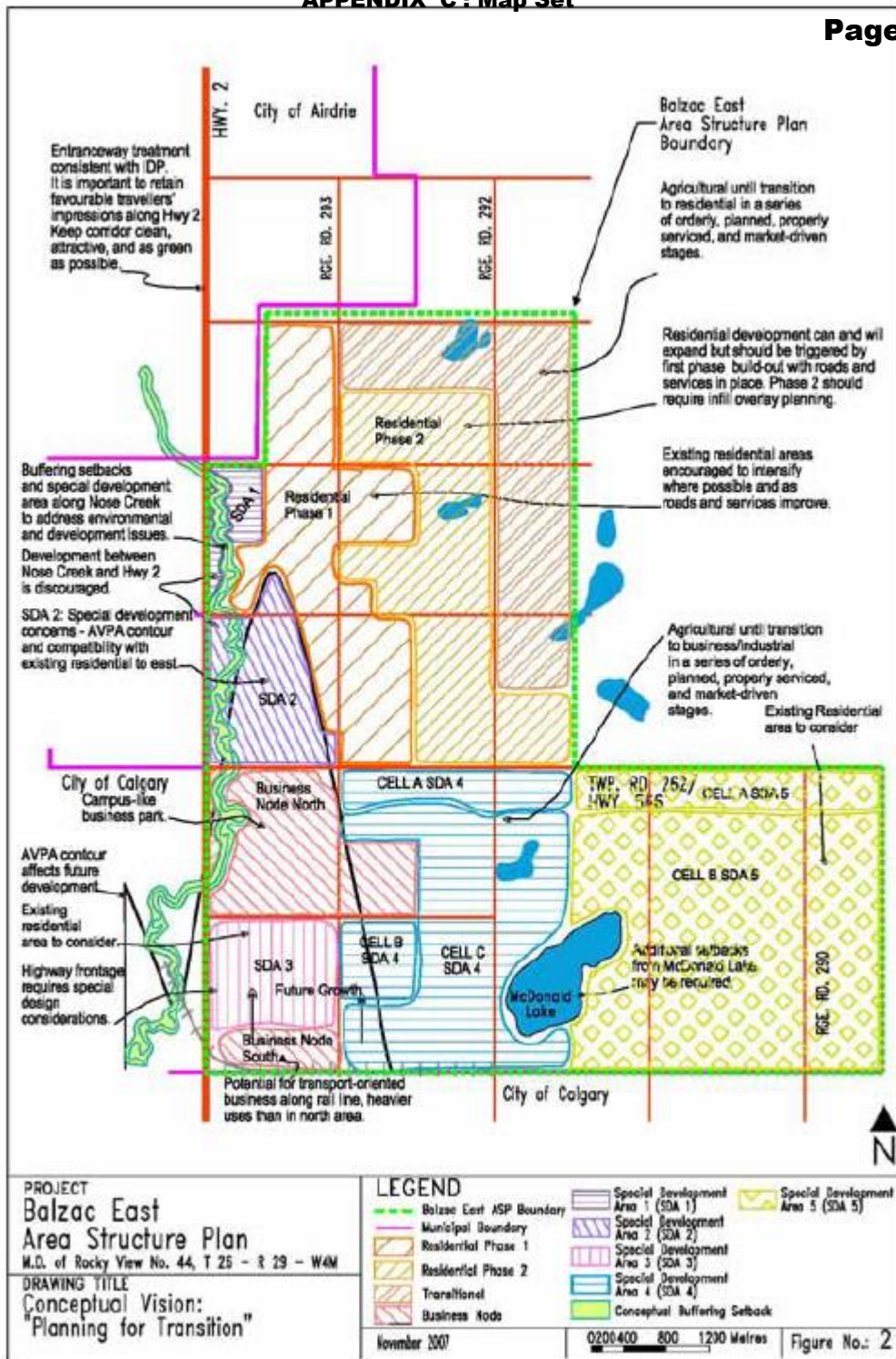
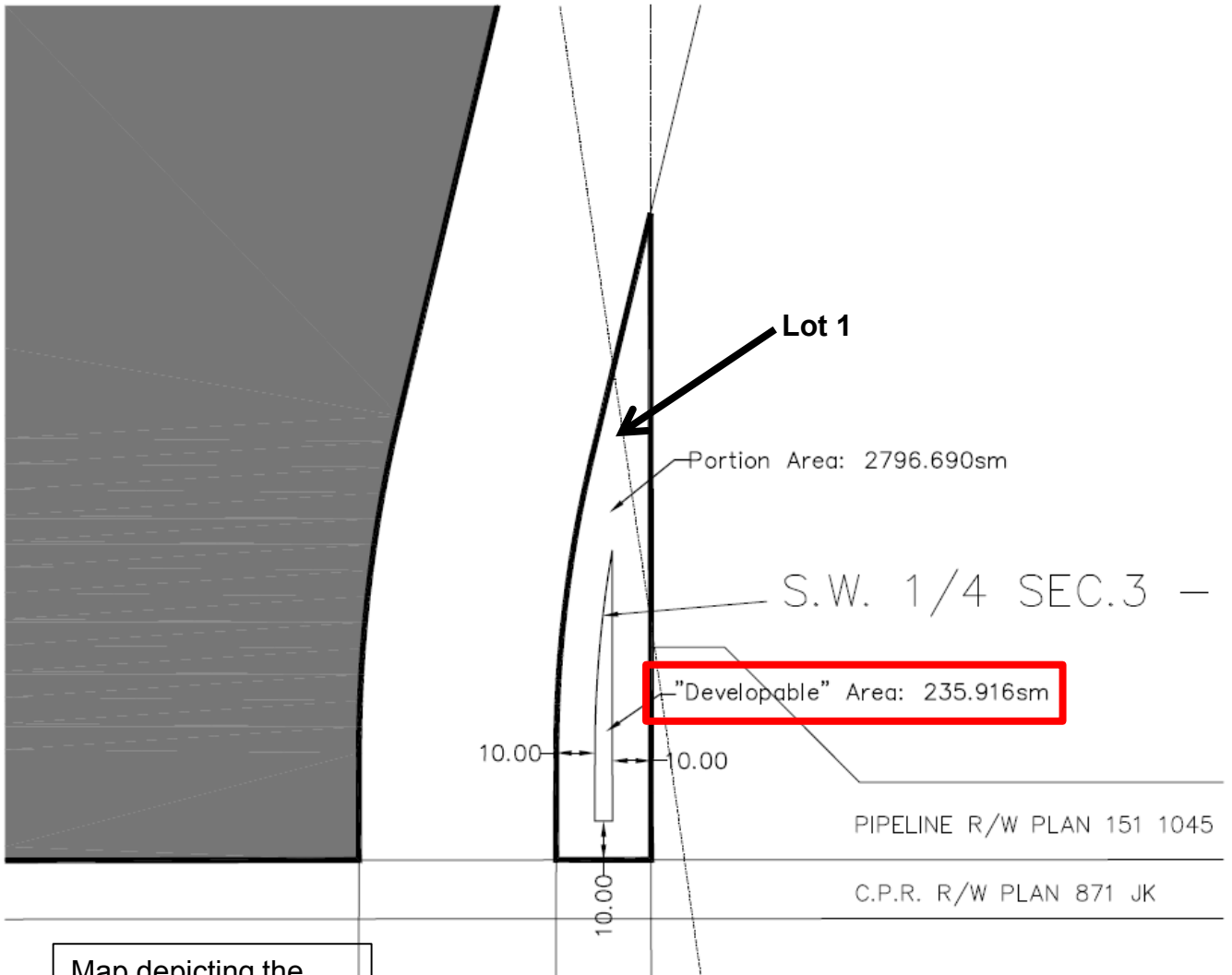


FIGURE 2: CONCEPTUAL VISION

SW-03-26-29-W04M

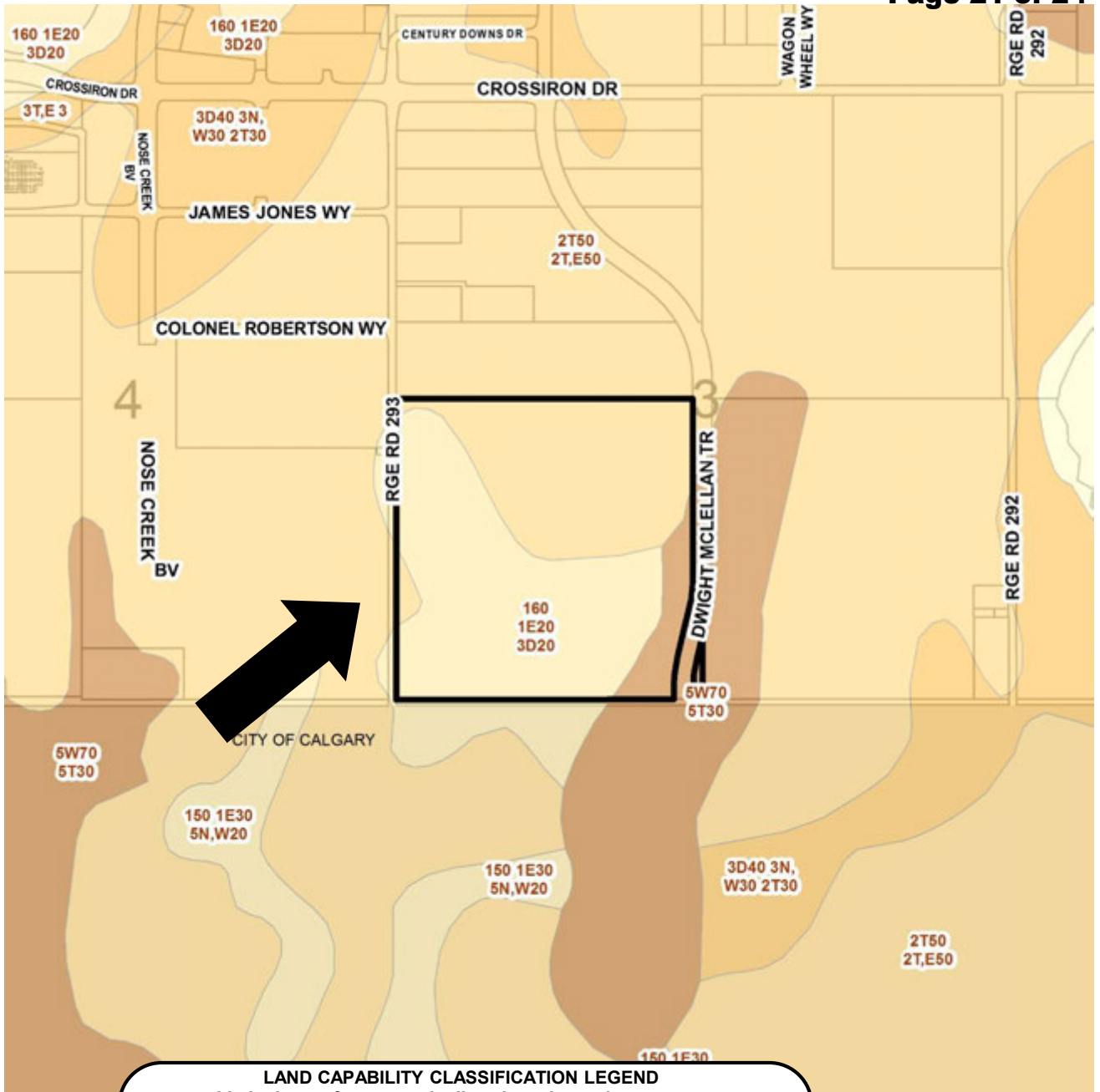


Map depicting the developable area of proposed Lot 1 when accounting for setbacks.

## DEVELOPABLE AREA

SW-03-26-29-W04M



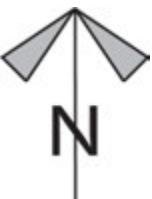


**LAND CAPABILITY CLASSIFICATION LEGEND**  
*Limitations refer to cereal, oilseeds and tame hay crops*

CLI Class	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

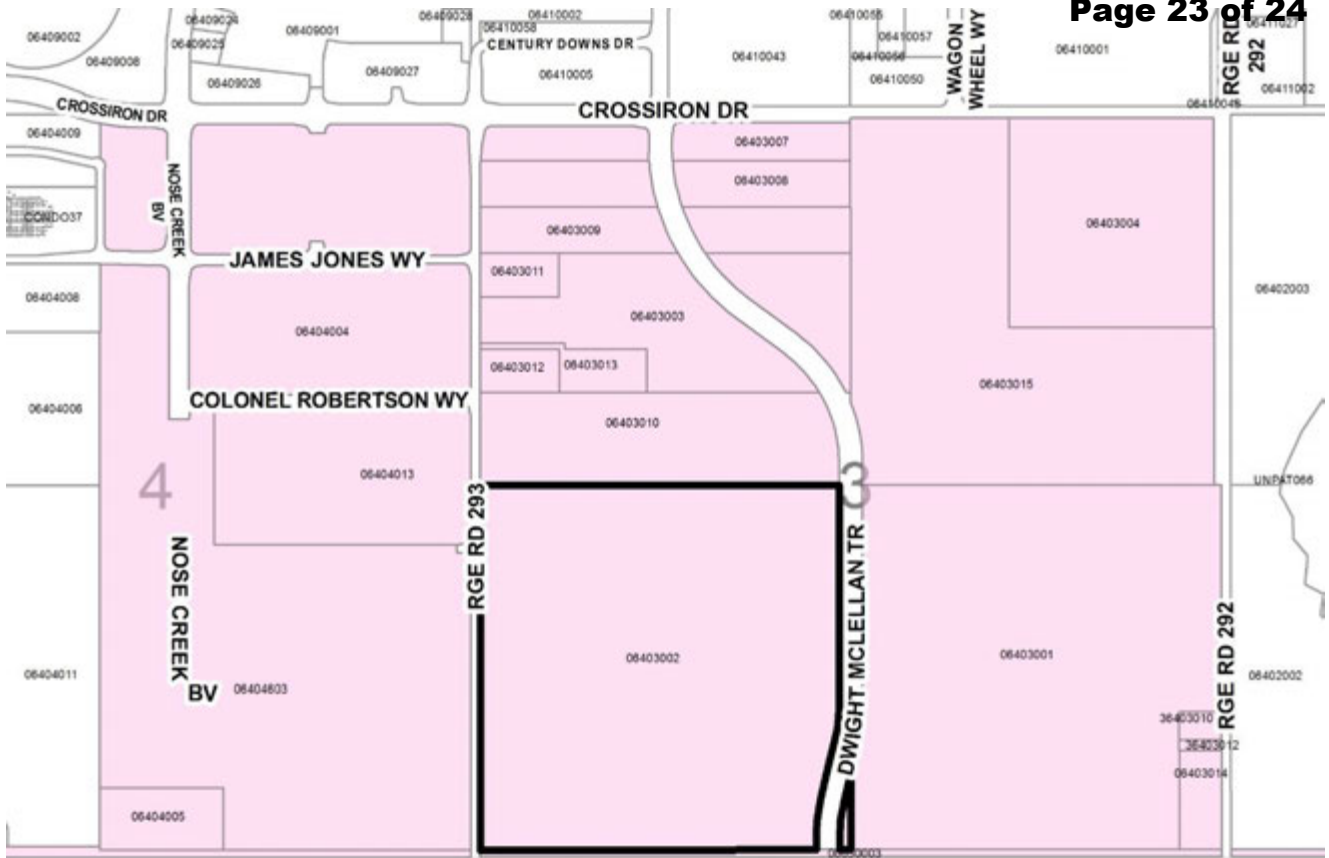
**SOIL MAP**

**SW-03-26-29-W04M**













CITY OF CALGARY

-  Letters in Opposition
-  Letters in Support

Legend	
	Circulation Area
	Subject Lands

# LANDOWNER CIRCULATION AREA

## SW-03-26-29-W04M



R.G. KELLAM, P.ENG.  
W.E. BERG, A.L.S.

November 20, 2018

Our File: 3613  
County File: PL20180017Rocky View County  
911-32 Ave. NE  
Calgary, Alberta  
T2E 6X6**Attention: Mr. Paul Simon**

Dear Mr. Simon,

**Re: Subdivision Application PL20180017 - Proposed Addition of Conditions**

The landowner requests that the following conditions be added to the subdivision approval for the registration of Block 1, Lot 1 and Block 2, Lot 1: the requirement to pay Cash-in-Lieu of 10% Municipal Reserve and secondly, the requirement to pay the Transportation Off-site Levy, both of these to be on the entire 150.21 acres.

The Interlink Logistics Park Conceptual Scheme which describes proposed development in the SW1/4 -3-26-29-W4M was submitted to Rocky View County on November 15<sup>th</sup>, 2018. The Conceptual Scheme area does not include the 0.69 acre remnant parcel (proposed Lot 1, Block 2) on the east side of Dwight McLellan Trail. The remnant 0.69 acre parcel was severed from the quarter section due to the construction of Dwight McLellan Trail. The purpose of this subdivision is to clean up the Conceptual Scheme Plan Area and provide the landowner the ability to sell the unencumbered 0.69 acre (Lot 1, Block 2) in the future should the opportunity arise. The landowner does not intend to develop or service the parcel. The proposed Lot 1, Block 2 is not large enough to accommodate a building since the minimum building setback is 10 meters from any property line according to Direct Control District-99 regulations.

In addition, this remnant parcel which is isolated from the rest of the quarter section due to Dwight McLellan Trail is somewhat of a liability for the landowner. The landowner would also like to clear up obligations with respect to Municipal Reserve and the Transportation Off-site Levy to simplify and speed up future applications. At this point in time, the landowner has the budget to pay Cash-in-Lieu of Municipal Reserve as well as the Transportation Off-site Levy for the entire quarter section.

On behalf of the landowner, Kellam Berg Engineering and Surveys requests the ability to address Council regarding this matter.

Should you require additional information, please do not hesitate to contact me in that regard.

Yours truly,

**Kellam Berg Engineering & Surveys Ltd.**

A handwritten signature in blue ink that reads 'Katherine Beatson'.

Katherine Beatson RPP, MCIP  
Manager of PlanningCc: Don Larke (Hopewell)  
Derek Fox (Hopewell)