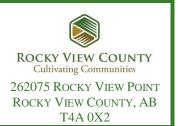
June 11, 2019

9:00 a.m.



CALL MEETING TO ORDER

**UPDATES/ACCEPTANCE OF AGENDA** 

- A CONFIRMATION OF MINUTES
  - 1. May 28, 2019 Council Meeting

Page 5

- B FINANCIAL REPORTS
  - None
- C APPOINTMENTS/PUBLIC HEARINGS

# MORNING APPOINTMENTS 9:00 A.M.

1. All Divisions – File: N/A – Todd Hirsch Economic Overview Presentation

Presenters: Todd Hirsch, Vice President and Chief Economist, ATB

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# MORNING APPOINTMENTS 10:00 A.M.

2. Division 4– File: PL20190019 (03208009) – Bylaw C-7883-2019 – Redesignation Item – Ranch and Farm District to Agricultural Holdings District

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3. Division 5 – File: PL20190009 (05219002/03/04/05/10/11/12/13/14) – Bylaw C-7891-2019 – Redesignation Item - Fairways at Delacour Redesignation

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June 11, 2019

9:00 a.m.



# AFTERNOON APPOINTMENTS 1:30 P.M.

Division 2 – File: PL20180120 (05711004) – Bylaw C-7889-2019 – Conceptual Scheme Item – Devonian Ridge Conceptual Scheme
Note: This item should be considered in conjunction with item C-5

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5. Division 2 – File: PL20180121 (05711004) – Bylaw C-7890-2019 – Redesignation Item – Agricultural Holdings District to Residential One District Note: This item should be considered in conjunction with item C-4

Staff Report Page 180

6. All Divisions – File: 1013-135 – Bylaw C-7885-2019 – Amendments to the Rocky View County Municipal Development Plan (The County Plan)

Staff Report Page 209

## D GENERAL BUSINESS

1. All Divisions - File: 4050-100 - Boundary Roads Update

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2. Division 1 – File: 1025-700 – Expropriation of Lands for Bragg Creek Flood Mitigation Project

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Division 6 - File: 2020-250 - Tax Relief Due to Fire Loss - Roll #06313002

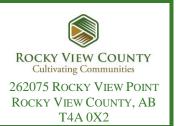
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4. Divisions 1, 6, 7 and 9 – File: 1011-100 – Draft Intermunicipal Collaboration Frameworks and Intermunicipal Development Plans for the M.D. of Bighorn and Rocky View County, and for Mountain View County and Rocky View County

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June 11, 2019

9:00 a.m.



5. Division 7 - File: PRDP20190505 (07320007) - Development Permit - Compost Facility, Type II & Manure Storage Facility

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6. Division 7 - File: N/A - Response to Notice of Motion - Road Renaming

Staff Report Page 611

7. All Divisions – File: N/A – Request for Time Extension: Notice of Motion Response – Springbank Dry Dam

Staff Report Page 621

- E BYLAWS
  - 1. All Divisions File: 2025-350 Borrowing Bylaws C-7877-2019 to Bylaw C-7882-2019 2019 Special Initiatives

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- F UNFINISHED BUSINESS
  - None
- G COUNCIL REPORTS
- H MANAGEMENT REPORTS
  - None
- I NOTICES OF MOTION
  - All Divisions Notice of Motion Deputy Reeve Schule and Councillor Gautreau – Joint Highway 1 Corridor Area Structure Plan

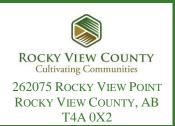
Staff Report Page 638

- J SUBDIVISION APPLICATIONS
  - 1. Division 2 File: PL20190001 (05707001) Subdivision Item Harmony Stage 1, Phase 5 Re-Subdivision

Staff Report Page 640

June 11, 2019

9:00 a.m.



2. Division 2 – File: PL20190005 (05708082) – Subdivision Item – Harmony Stage 2, Phase 10 Re-Subdivision

Staff Report Page 669

3. Division 3 – File: PL20180104 (04702183) – Subdivision Item – Elbow Valley West Multi-Lot Subdivision

Staff Report Page 688

4. Division 5 – File: PL20180147 (03329002) – Subdivision Item – Heatherglen Industrial Business Park – Direct Control District

Staff Report Page 725

# K COMMITTEE OF THE WHOLE/IN CAMERA

#### 1. RVC2019-13

THAT Council move in camera to consider the confidential item "Municipal Development Plan Proposal Recommendation" pursuant to the following sections of the *Freedom of Information and Protection of Privacy Act:* 

Section 16 – Disclosure harmful to business interests of a third party Section 24 – Advice from officials

## 2. RVC2019-14

THAT Council move in camera to consider the confidential item "Personnel Matter" 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

## 3. RVC2019-15

THAT Council move in camera to consider the confidential item "Advice to Government Officials" pursuant to the following sections of the *Freedom of Information and Protection of Privacy Act:* 

Section 24 – Advice from officials

Section 27 – Privileged Information

Page 1

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 May 28, 2019 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

Also Present:

- K. Robinson, Executive Director, Corporate Services
- B. Riemann, Executive Director, Operations
- G. Kaiser, Executive Director, Community and Business
- R. Barss, A/Executive Director, Community Development Services
- C. Satink, Municipal Clerk, Municipal Clerk's Office S. Hulsman, Manager, Transportation Services
- T. Cochran, Manager, Recreation, Parks, and Community Support
   S. de Caen, Community Services Coordinator, Recreation, Parks, and Community Support
- A. Panaguiton, Community Services Coordinator, Recreation, Parks, and Community Support
- R. Ell, FCSS Coordinator, Recreation, Parks, and Community Support
- C. Graham, Municipal Lands Administrator, Legal and Land Administration
- O. Newmen, Planner, Planning and Development X. Deng, Planner, Planning and Development P. Simon, Planner, Planning and Development J. Kirychuk, Planner, Planning and Development
- T. Andreasen, Legislative and Bylaw Coordinator, Municipal Clerk's Office

## Call to Order

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

# 1-19-05-28-01

#### Updates/Acceptance of Agenda

MOVED by Deputy Reeve Schule that the May 28, 2019 Council meeting agenda be amended as follows:

• Add Emergent Business Item D-7 – Airdrie and District Victims Assistance Society Letter

Carried

MOVED by Deputy Reeve Schule that the May 28, 2019 Council meeting agenda be approved as amended.

Carried

## 1-19-05-28-02 Confirmation of Minutes

MOVED by Councillor Gautreau that the May 14, 2019 Council meeting minutes be approved as presented.

Carried

AGENDA Page 5 of 756

Page 2

1-19-05-28-03 (D-1)

All Divisions – Spring 2019 Community Recreation Funding Grant: Capital Funding Requests File: 6060

MOVED by Deputy Reeve Schule that the Bow Valley Community Club's funding request for up to \$7,113.75 to replace the ice scraper be approved from the Bow North Recreation District Public Reserve.

Carried

MOVED by Councillor Gautreau that the Delacour Community Club's funding request for up to \$9,566.00 to replace the flooring in the upper level of the Delacour Community Hall be approved from the Rocky View East Recreation District Public Reserve.

Carried

MOVED by Councillor Kamachi that the Greater Bragg Creek Trails Association's request for up to \$10,000.00 to place and compact GreenDrop Trail Gravel on the 2 km long Banded Peak Trail (BPT) from the hamlet of Bragg Creek to the Banded Peak School be approved from the Rocky View West Recreation District Public Reserve.

Carried

MOVED by Councillor Wright that the Bearspaw Glendale Community Association's request for up to \$16,275.00 to add air conditioning in the banquet hall, stage, and kitchen of the Bearspaw Glendale Lifestyle Centre be approved from the Bearspaw Glendale Recreation District Public Reserve.

Carried

## 1-19-05-28-04 (D-2)

All Divisions – Spring 2019 Community Recreation Funding Grant: Operational Funding Requests File: 6060

MOVED by Councillor McKylor that recreation operational district funding be approved as recommended by the Recreation District Boards in the amount of \$632,716.35, as per Attachment 'A'.

Carried

The Chair called for a recess at 9:14 a.m. and called the meeting back to order at 9:19 a.m. with all previously mentioned members present.

1-19-05-28-05 (D-3)

Division 5 – Spring 2019 Community Recreation Funding Grant Requests for the Chestermere-Conrich Recreation District File: 6060-350

MOVED by Councillor Gautreau that the Camp Chestermere's funding request for \$30,832.93 for insurance and utility costs be approved from the Recreational Tax Levy.

Carried

MOVED by Councillor Gautreau that the Crushers Baseball of Chestermere Rocky View Little League's funding request for \$7,500.00 to subsidize the cost of indoor space and coach clinics and for the purchase of jerseys and three equipment bags be approved from the Recreational Tax Levy.

Carried

Page 3

MOVED by Councillor Gautreau that the Synergy Youth and Community Development Society's request for \$5,944.80 to offset the cost of operating the Centre for Community Leaderships be approved from the Recreational Tax Levy.

Carried

MOVED by Councillor Gautreau that the Chestermere Regional Community Association's request for \$10,651.19 of capital funding to purchase an outdoor utility vehicle (RTV) to be used for maintenance of the outdoor spaces be approved from the Chestermere-Conrich Recreation District Public Reserve.

Carried

## MOTION ARISING

MOVED by Councillor Gautreau that Administration be directed to work with and investigate an emergency funding request from the Chestermere Regional Recreation Centre, with a report to be brought back to Council by the end of July, 2019.

Carried

## 1-19-05-28-06 (D-4)

All Divisions – GPC Recommendations for Spring 2019 Regional Recreation Funding Applications File: 6070-175

MOVED by Councillor McKylor that the capital funding request for Springbank Park For All Seasons Agricultural Society (SPFAS) in the amount of \$80,000.00 for the purchase of a used bobcat or skid steer, replacement of outdoor rink cover and side membranes, and the replacement of door sets within the SPFAS facilities be approved from the Recreational Tax Levy.

Carried

MOVED by Councillor McKylor that the operational funding request for Springbank Park For All Seasons Agricultural Society in the amount of \$320,000.00 for operating and maintenance costs be approved from the Recreational Tax Levy.

Carried

MOVED by Councillor Kissel that the operational funding request for Spray Lake Sawmills Recreation Park Society in the amount of \$159,020.00 for general operating expenses, including insurance and utilities, at the Spray Lake Sawmills Family Sports Centre be approved from the Recreational Tax Levy.

Carried

MOVED by Deputy Reeve Schule that the capital funding request for Bow Valley Agricultural Society in the amount of \$100,000.00 for the purchase and installation of a new ice plant be approved from the Recreational Tax Levy.

Carried

### 1-19-05-28-15 (J-2)

Division 1 – Subdivision Item – Agriculture File: PL20180157 (05818002)

Councillor Henn left the meeting at 9:36 a.m.

MOVED by Councillor Kamachi that Subdivision Application PL20180157 be approved with the conditions noted in Appendix 'A':

Page 4

- A. Should the Subdivision Authority with to approve the application to create a ± 16.19 hectare (± 40.00 acre) parcel with a ± 16.19 hectare (± 40.00 acre) remainder within NW-18-25-04-W05M, having been evaluated in terms of Section 654 of the *Municipal Government Act* and Section 7 of the *Subdivision and Development Regulations*, and having considered adjacent landowner submissions, is approved as per the Tentative Plan for the reasons listed below:
  - 1) The application is consistent with the Statutory Policy;
  - 2) The subject lands hold the appropriate land use designation;
  - 3) The technical aspects of the subdivision proposal have been considered and are further addressed through the conditional approval requirements.
- B. The Applicant/Owner is required, at their expense, to complete all conditions attached to and forming part of this conditional subdivision approval prior to Rocky View County (the County) authorizing final subdivision endorsement. This requires submitting all documentation required to demonstrate 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

 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) In order to provide access to Lots 1 & 2, the Owner shall:
  - a) Provide a new access easement agreement and right-of-way plan; or
  - b) Amend the existing access easement agreement (instrument # 141 214 626) and provide a right-of-way plan.

## **Utility Easements**

3) Utility easements, agreements, and right-of-way plans are to be registered separately or concurrently with the Plan of Survey, to the satisfaction of FortisAlberta.

#### Payments and Levies

4) 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.

### **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*.

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## 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 Henn

## 1-19-05-28-16 (J-3)

Reeve Boehlke Councillor Kissel

Division 4 – Subdivision Item - Settlers Green Conceptual Scheme – Hamlet Residential Three District File: PL20180132 (03214001/03214009)

Deputy Reeve Schule declared a pecuniary interest and abstained from the discussion and voting on subdivision application PL20180132. Deputy Reeve Schule proceeded to leave the meeting at 9:40 a.m.

The Chair called for a recess at 9:46 a.m. and called the meeting back to order at 9:54 a.m. with all previously mentioned members present with the exception of Councillor Henn and Deputy Reeve Schule.

MOVED by Councillor Gautreau that condition 3(a) and 3(b) under Phase 1B in Appendix 'A' be moved to condition 3 under Phase 2A and that the conditions be renumbered as necessary.

Carried

Abstained: Deputy Reeve Schule

Absent: Councillor Henn

In Favour:

Councillor Kamachi
Councillor McKylor
Councillor Hanson
Councillor Gautreau

MOVED by Councillor Gautreau that Subdivision Application PL20180132 be approved with the conditions noted in Appendix 'A' as amended:

- A. **PHASE 1A**: That the application to create 77 residential lots, 3 municipal reserves lots, 1 environmental reserve lot, two public utility lots, and internal subdivision roads within SE-14-23-27-W4M, having been evaluated in terms of Section 654 of the *Municipal Government Act* and Section 7 of the *Subdivision and Development Regulations*, and having considered adjacent landowner submissions, is approved as per the Tentative Plan for the reasons listed below:
  - 1) The application is consistent with the statutory policy;
  - 2) The subject lands hold the appropriate land use designation; and
  - 3) The technical aspects of the subdivision proposal have been considered and are further addressed through the conditional approval requirements.
- B. The Owner is required, at their expense, to complete all conditions attached to and forming part of this conditional subdivision approval prior to Rocky View County (the County) authorizing final subdivision endorsement. This requires submitting all documentation required to demonstrate that each specific condition has been met, or agreements (and necessary securities) have been provided to ensure the condition will be met, in accordance with all County Policies, Standards and Procedures, to the satisfaction of the County, and any other additional party named within a specific condition. Technical report required to be submitted as part of the conditions must be prepared by a Qualified Professional, licensed to

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practice in the Province of Alberta, within the appropriate field of practice. The conditions of this subdivision approval do not absolve an Owner from ensuring all permits, licenses, or approvals required by Federal, Provincial, or other jurisdictions are obtained.

C. Further, in accordance with Section 654 and 655 of the *Municipal Government Act*, the application shall be approved subject to the following conditions of approval:

#### Plan of Subdivision

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

## Development Agreement

- 2) The Owner shall enter into a Development Agreement pursuant to Section 655 of the *Municipal Government Act*, in accordance with the approved Tentative Plan, and shall include the following:
  - a) Upgrade of TWP Road 232 from Centre Street east to the site access to a Regional Transitional Paved Standard (400.10) in accordance with the County Servicing Standards as shown in the tentative plan.
  - b) Construction of Range Road 271 from the northeast corner of the subject lands to Dead Horse Road to a Regional Transitional Standard (400.10) with the exception of asphalt paving in accordance with the County Servicing Standards as shown in the tentative plan which includes but is not limited to:
    - Complete with offset cul-de-sac bulb at the south end of Range Road 271 where the road enters private property; and
    - Appropriate signage
  - c) Design and construction of an emergency access road (400.20) from the east boundary of phase I through the undeveloped portion of the lands to the road allowance of Range Road 271 in accordance with the County Servicing Standards as shown in the tentative plan, which includes but is not limited to:
    - Gated access at the east end of the emergency road where it meets Range Road 271; and
    - Appropriate signage
  - d) Design and construction of the internal Urban Residential Collector standard (400.2) road network in accordance with the County Servicing Standards as shown in the tentative plan, which includes but is not limited to:
    - Access onto Township Road 232, complete with appropriate curb returns and culvert;
    - temporary graveled cul-de-sacs as needed;
    - sidewalks on both sides of the collector roads;
    - landscaped boulevards;
    - curb and gutters;
    - trapped lows and catch basins tied to the stormwater collection system;
    - signage and pavement markings; and
    - dark sky street lighting.

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- e) Design and construction of the internal Urban Residential standard (400.1) road network in accordance with the County Servicing Standards as shown in the tentative plan, which includes but is not limited to:
  - temporary cul-de-sacs as needed;
  - sidewalks abutting one side of the internal roads;
  - curb and gutters;
  - trapped lows and catch basins tied to the stormwater collection system;
  - signage and pavement markings; and
  - · dark sky street lighting.
- f) Design and implementation of the overall site grading, including a building grade plan for all newly created lots, to the satisfaction of the County.
- g) Design and construction of a new Sanitary Lift Station and force main tying into the East Rocky View Wastewater Transmission Main, sized to service Phase I and future phases of the development, all in accordance with requirements of the County Servicing Standards, which includes but is not limited to:
  - a wet well to accommodate the interim and ultimate pumps and flows to be received by the lift station;
  - a pump system, including a single standby pump, to convey flows to the East Rocky View Wastewater Transmission Main;
  - pump controls, including the external generation set;
  - a single connection point to the East Rocky View Wastewater Transmission Main;
  - a blower/heater unit to prevent icing of the wet well; and
  - inlet and outlet piping.
- h) Design and construction of an internal wastewater collection system tying into the new Sanitary Lift Station, and service stubs to each proposed lot, all in accordance with requirements of the County Servicing Standards.
- i) Implementation of all landscaping improvements in all open spaces and Municipal Reserve parcels as per the approved Landscaping Plans.
- j) Design and construction of the necessary stormwater management infrastructure required to service the proposed subdivision in accordance with the recommendations of the approved Stormwater Management Plan, including the registration of any overland drainage easements and/or restrictive covenants as determined by the Stormwater Management Plan, all to the satisfaction of the County.
- k) Implementation of the recommendations of the updated Traffic Impact Assessment;
- I) Installation of power, natural gas, telecommunication, and all other shallow utilities;
- m) Dedication of necessary easements and rights-of-way for utility line assignments;
- n) Mailboxes to be located in consultation with Canada Post Corporation;
- o) Implementation of the recommendations and findings of the geotechnical reports prepared in support of the proposed development;
- p) Implementation of the recommendations of the Erosion & Sedimentation Control Plan; and

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q) Implementation of the recommendations of the Construction Management Plan and Weed Management Plan.

#### Stormwater

- 3) The Owner shall provide an updated Stormwater Management Plan, in accordance with Staged Master Drainage Plan Report for the Settlers Green Development, Langdon Comprehensive Stormwater Review and County Servicing Standards. Implementation of the Stormwater Management Plan shall include the following:
  - a) If the recommendations of the Stormwater Management Plan require improvements, then the Owner shall enter into a Development Agreement with the County;
  - b) Registration of any required easements and / or utility rights-of-way;
  - c) Necessary approvals and compensation provided to Alberta Environment for wetland loss and mitigation, and
  - d) Any necessary Alberta Environment licensing documentation for the stormwater infrastructure system.

## Transportation

- 4) The Owner shall provide an updated Traffic Impact Assessment, demonstrating the validity of the previously provided Traffic Impact Assessment, or identifying any changes and detailing the related required improvements:
  - a) If the recommendations of the Traffic Impact Assessment identify improvements are required, then the Owner shall enter into a Development Agreement with the County, addressing the design and construction of the required improvements.
- 5) The Applicant/Owner shall receive approval for a road naming application from the County.

## Site Servicing

- 6) The Owner shall provide design drawings for the water distribution and fire hydrant systems required to support the proposed subdivision, meeting the requirements of the County Servicing Standards and Fire Hydrant Water Suppression Bylaw C-7152-2012.
- 7) The Owner shall provide a Wastewater Lift Station Design Report including:
  - a) All technical requirements and design considerations (pressure at tie-in location, minimum flows, impacts to the overall system, etc.) for connection into the County's East Rocky View Wastewater Transmission Main;
  - b) Pump sizing rationale;
  - c) Metering information and data transmission:
  - d) Infrastructure Improvement Plan based on the future buildout of the development;
  - e) Lifecycle costs;
  - f) Operating and maintenance costs; and
  - g) Maintenance and operation requirements for the Lift Station.
- 8) Utility easements, agreements, rights-of-way, and plans are to be provided and registered to the satisfaction of the utility provider.
- 9) The Owner is to provide confirmation of the tie-in for connection to Langdon Waterworks Ltd. for Lots 1-77 (inclusive) as shown on the Approved Tentative Plan. This includes providing the following information:

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- a) Watermain alignments and the looping strategy shall conform to the Settlers Green Conceptual Scheme.
- b) Provision of any temporary access easements in favor of the County and Langdon Waterworks Ltd. From the phase boundary through the undevelopable lands (future phases) along the alignment of the new watermain to provide legal access to the watermain until such a time future phases of the development are subdivided and lands appropriately dedicated.
- c) Confirmation from Langdon Water Works that adequate and continuous piped water supply is available for Lots 1-77 (inclusive).
- d) Documentation proving that water supply has been purchased for proposed Lots 1-77 (inclusive).
- e) Documentation showing that all necessary water infrastructure will be installed and that the water supplier has approved the associated plans and specifications (Development Service Agreement).

## Site Construction

- 10) The Owner is to provide a Construction Management Plan that is to include, but not be limited to, noise, sedimentation and erosion control, construction waste management, firefighting procedures, evacuation plan, hazardous material containment, traffic accommodation, management of stormwater during construction, weed control, construction, and management details.
- 11) The Owner is to provide an erosion and sediment control plan (ESC), prepared by a qualified professional, identifying ESC measures to be taken during construction and to protect the onsite wetlands and municipal infrastructure. The drawings and plans shall be in accordance with the requirements of the County's Servicing Standards and best management practices.

## Payments and Levies

- 12) The Owner shall pay the County subdivision endorsement fee, in accordance with the *Master Rates Bylaw*, for the creation of 77 lots.
- 13) The Owner shall pay the Transportation Off-Site Levy (TOL) in accordance with Bylaw C-7356-2014 prior to subdivision endorsement. The County shall calculate the total amount owing:
  - a) From the total gross acreage of Phase 1A as shown on the Plan of Survey.
- 14) The Owner shall provide payment of the Stormwater Off-Site Levy, in accordance with Bylaw C-7535-2015 prior to subdivision endorsement:
  - a) The Stormwater Off-Site Levy shall be applicable on total gross acreage of Phase 1A as shown on the Plan of Survey.
- 15) The Owner shall pay the Wastewater Off-Site Levy, in accordance with Bylaw C-7273-2013, for the total wastewater capacity required to support the proposed subdivision for Phase 1A, prior to subdivision endorsement. The County shall assess the available capacity of the Langdon Waste Water Treatment Facility when the Wastewater Off-Site Levy has been paid by the Applicant. In the event that the Langdon facility does not have sufficient capacity to service the development at the time, the Applicant shall be required to enter into an agreement with the County to pay for the actual costs for the required upgrades to the plants described in Schedule "C-1" of the Rocky View County Bylaw No. C-7273-2013, inclusive of excess capacity within the Stage 1 upgrades (the "Excess Capacity"). The Applicant would be eligible to receive appropriate cost recoveries for the amounts paid in respect to the creation of the Excess Capacity from which other lands will benefit when those benefitting lands are developed or subdivided.

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Municipal Reserves

16) The provision of Municipal Reserve is to be provided by the dedication of ± 5.56 hectares (± 13.74 acres) of land, to be determined by a Plan of Survey, as indicated on the Approved Tentative Plan.

#### **Environmental Reserves**

17) The provision of Environmental Reserve is to be provided by the dedication of  $\pm$  1.04 hectares ( $\pm$  2.59 acres) of land, to be determined by a Plan of Survey, as indicated on the Approved Tentative Plan.

## Cost Recovery

- 18) 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 construction of off-site infrastructure (stormwater, water, wastewater, and transportation).

## Utility Right of Way

- 19) The Owner shall prepare and register a Utility Right-of-Way plan and associated access agreement in favor of the County:
  - a) from the eastern boundary of Phase 1A to the eastern boundary of the site over the emergency access road until such time that the future phases of the development are subdivided and lands appropriately dedicated.
- 20) Utility easements, agreements, rights-of-way, and plans are to be provided and registered to the satisfaction of the utility provider.
- 21) The Owner shall obtain all Water Act approvals from AEP for the disturbance and loss to the onsite wetland areas prior to entering into the Development Agreement with the County.
- 22) The Applicant/Owner is to provide an updated Geotechnical Investigation Report, prepared by a Qualified Geotechnical Professional, licensed to practice in the Province of Alberta, in accordance with the County Servicing Standards, to the satisfaction of the County, which shall include:
  - a) Implementation of a groundwater measurement program within the boundaries of the proposed phase in accordance with the procedures and duration indicated in the County's Servicing Standards, to get an accurate representation of the groundwater table within the subject lands for consideration into detailed design of the onsite infrastructure; and
  - b) Review of the findings of the groundwater measurement program to determine if the infrastructure design recommendations need to be updated or revised.
- 23) The Owner shall provide a detailed landscaping plan, prepared by a qualified professional, for all open spaces and Municipal Reserve parcels to the satisfaction of the County's Municipal Lands department.

#### Architectural Controls

- 24) The Owner shall provide Architecture and Design Guidelines in accordance with Section 8.6 of the Langdon Area Structure Plan and Policy 5.3.11 of the Settlers Green Conceptual Scheme.
- 25) The Owner shall prepare and register a Restrictive Covenant on the title of each new lot created, requiring that each Lot Owner be subject to the development's approved Architectural and Design Guidelines.

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Taxes

26) 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*.

### SUBDIVISION AUTHORITY DIRECTION

- D. Prior to final endorsement of the subdivision, Administration is directed to present the Applicant/Owner with a Voluntary Recreation Contribution Form and ask them if they will contribute to the Fund in accordance with the contributions prescribed in the *Master Rates Bylaw*.
- A. **PHASE 1B**: That the application to create 51 residential lots, 2 municipal reserves lots, and internal subdivision roads within SE-14-23-27-W4M, having been evaluated in terms of Section 654 of the *Municipal Government Act* and Section 7 of the *Subdivision and Development Regulations*, and having considered adjacent landowner submissions, is approved as per the Tentative Plan for the reasons listed below:
  - 1) The application is consistent with the statutory policy;
  - 2) The subject lands hold the appropriate land use designation; and
  - 3) The technical aspects of the subdivision proposal have been considered and are further addressed through the conditional approval requirements.
- B. The Owner is required, at their expense, to complete all conditions attached to and forming part of this conditional subdivision approval prior to Rocky View County (the County) authorizing final subdivision endorsement. This requires submitting all documentation required to demonstrate that each specific condition has been met, or agreements (and necessary securities) have been provided to ensure the condition will be met, in accordance with all County Policies, Standards and Procedures, to the satisfaction of the County, and any other additional party named within a specific condition. Technical report required to be submitted as part of the conditions must be prepared by a Qualified Professional, licensed to practice in the Province of Alberta, within the appropriate field of practice. The conditions of this subdivision approval do not absolve an Owner from ensuring all permits, licenses, or approvals required by Federal, Provincial, or other jurisdictions are obtained.
- C. Further, in accordance with Section 654 and 655 of the *Municipal Government Act*, the application shall be approved subject to the following conditions of approval:

#### **Phasing**

1) Prior to the endorsement and registration of a survey plan associated with Phase 1B, the survey plan for Phase 1A must be registered and titles issued.

#### Plan of Subdivision

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

#### Development Agreement

- 3) The Owner shall enter into a Development Agreement pursuant to Section 655 of the *Municipal Government Act*, in accordance with the approved Tentative Plan, and shall include the following:
  - a) Design and construction of the internal Urban Residential Collector standard (400.2) road network in accordance with the County Servicing Standards as shown in the tentative plan, which includes but is not limited to:

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- temporary graveled cul-de-sacs as needed;
- sidewalks on both sides of the collector roads;
- landscaped boulevards;
- curb and gutters;
- trapped lows and catch basins tied to the stormwater collection system;
- signage and pavement markings; and
- dark sky street lighting.
- b) Design and construction of the internal Urban Residential standard (400.1) road network in accordance with the County Servicing Standards as shown in the tentative plan, which includes but is not limited to:
  - temporary cul-de-sacs as needed;
  - sidewalks abutting one side of the internal roads;
  - curb and gutters;
  - trapped lows and catch basins tied to the stormwater collection system;
  - · signage and pavement markings; and
  - dark sky street lighting.
- c) Design and implementation of the overall site grading, including a building grade plan for all newly created lots, to the satisfaction of the County.
- d) Design and construction of any necessary improvements to the Sanitary Lift Station, all in accordance with requirements of the County Servicing Standards.
- e) Design and construction of an internal wastewater collection system tying into the new Sanitary Lift Station, and service stubs to each proposed lot, all in accordance with requirements of the County Servicing Standards.
- f) Implementation of all landscaping improvements in all open spaces and Municipal Reserve parcels as per the approved Landscaping Plans.
- g) Design and construction of the necessary stormwater management infrastructure required to service the proposed subdivision in accordance with the recommendations of the approved Stormwater Management Plan, including the registration of any overland drainage easements and/or restrictive covenants as determined by the Stormwater Management Plan, all to the satisfaction of the County.
- h) Implementation of the recommendations of the updated Traffic Impact Assessment;
- i) Installation of power, natural gas, telecommunication, and all other shallow utilities;
- j) Dedication of necessary easements and rights-of-way for utility line assignments;
- k) Mailboxes to be located in consultation with Canada Post Corporation;
- I) Implementation of the recommendations and findings of the geotechnical reports prepared in support of the proposed development;
- m) Implementation of the recommendations of the Erosion & Sedimentation Control Plan; and
- n) Implementation of the recommendations of the Construction Management Plan and Weed Management Plan.

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### Stormwater

- 4) The Owner shall provide an updated Stormwater Management Plan, in accordance with Staged Master Drainage Plan Report for the Settlers Green Development, Langdon Comprehensive Stormwater Review and County Servicing Standards. Implementation of the Stormwater Management Plan shall include the following:
  - a) If the recommendations of the Stormwater Management Plan require improvements, then the Owner shall enter into a Development Agreement with the County;
  - b) Registration of any required easements and / or utility rights-of-way;
  - Necessary approvals and compensation provided to Alberta Environment for wetland loss and mitigation, and
  - d) Any necessary Alberta Environment licensing documentation for the stormwater infrastructure system.

## **Transportation**

- 5) The Owner shall provide an updated Traffic Impact Assessment, demonstrating the validity of the previously provided Traffic Impact Assessment, or identifying any changes and detailing the related required improvements:
  - a) If the recommendations of the Traffic Impact Assessment identify improvements are required, then the Owner shall enter into a Development Agreement with the County, addressing the design and construction of the required improvements.
- 6) The Applicant/Owner shall receive approval for a road naming application from the County.

## Site Servicing

- 7) The Owner shall provide design drawings for the water distribution and fire hydrant systems required to support the proposed subdivision, meeting the requirements of the County Servicing Standards and Fire Hydrant Water Suppression Bylaw C-7152-2012.
- 8) Utility easements, agreements, rights-of-way, and plans are to be provided and registered to the satisfaction of the utility provider.
- 9) The Owner is to provide confirmation of the tie-in for connection to Langdon Waterworks Ltd. for lots 1-51 (inclusive) as shows on the Approved Tentative Plan. This includes providing the following information:
  - a) Watermain alignments and the looping strategy shall conform to the Settlers Green Conceptual Scheme.
  - b) Confirmation from Langdon Water Works that adequate and continuous piped water supply is available for proposed Lots 1-51 (inclusive).
  - c) Documentation proving that water supply has been purchased for proposed Lots 1-51 (inclusive).
  - d) Documentation showing that all necessary water infrastructure will be installed and that the water supplier has approved the associated plans and specifications (Development Service Agreement).

### Site Construction

10) The Owner is to provide a Construction Management Plan that is to include, but not be limited to, noise, sedimentation and erosion control, construction waste management, firefighting procedures, evacuation plan, hazardous material containment, traffic accommodation, management of stormwater during construction, weed control, construction, and management details.

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11) The Owner is to provide an erosion and sediment control plan (ESC), prepared by a qualified professional, identifying ESC measures to be taken during construction and to protect the onsite wetlands and municipal infrastructure. The drawings and plans shall be in accordance with the requirements of the County's Servicing Standards and best management practices.

## Payments and Levies

- 12) The Owner shall pay the County subdivision endorsement fee, in accordance with the *Master Rates Bylaw*, for the creation of 51 lots.
- 13) The Owner shall pay the Transportation Off-Site Levy (TOL) in accordance with Bylaw C-7356-2014 prior to subdivision endorsement. The County shall calculate the total amount owing:
  - a) From the total gross acreage of Phase 1B as shown on the Plan of Survey.
- 14) The Owner shall provide payment of the Stormwater Off-Site Levy, in accordance with Bylaw C-7535-2015 prior to subdivision endorsement:
  - a) The Stormwater Off-Site Levy shall be applicable on total gross acreage of Phase 1B as shown on the Plan of Survey.
- 15) The Owner shall pay the Wastewater Off-Site Levy, in accordance with Bylaw C-7273-2013, for the total wastewater capacity required to support the proposed subdivision for Lots 1-51 (inclusive), prior to subdivision endorsement. The County shall assess the available capacity of the Langdon Waste Water Treatment Facility when the Wastewater Off-Site Levy has been paid by the Applicant. In the event that the Langdon facility does not have sufficient capacity to service the development at the time, the Applicant shall be required to enter into an agreement with the County to pay for the actual costs for the required upgrades to the plants described in Schedule "C-1" of the Rocky View County Bylaw No. C-7273-2013, inclusive of excess capacity within the Stage 1 upgrades (the "Excess Capacity"). The Applicant would be eligible to receive appropriate cost recoveries for the amounts paid in respect to the creation of the Excess Capacity from which other lands will benefit when those benefitting lands are developed or subdivided.

#### Municipal Reserves

16) The provision of Municipal Reserve is to be provided by the dedication of ± 1.27 hectares (± 3.16 acres) of land, to be determined by a Plan of Survey, as indicated on the Approved Tentative Plan.

## Cost Recovery

- 17) 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:
- 18) This Agreement shall apply to the construction of off-site infrastructure (stormwater, wastewater, water, and transportation).

## Utility Right of Way

- 19) Utility easements, agreements, rights-of-way, and plans are to be provided and registered to the satisfaction of the utility provider.
- 20) The Owner shall obtain all Water Act approvals from AEP for the disturbance and loss to the onsite wetland areas prior to entering into the Development Agreement with the County.
- 21) The Applicant/Owner is to provide an updated Geotechnical Investigation Report, prepared by a Qualified Geotechnical Professional, licensed to practice in the Province of Alberta, in accordance with the County Servicing Standards, to the satisfaction of the County, which shall include:

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- a) Implementation of a groundwater measurement program within the boundaries of the proposed phase in accordance with the procedures and duration indicated in the County's Servicing Standards, to get an accurate representation of the groundwater table within the subject lands for consideration into detailed design of the onsite infrastructure; and
- b) Review of the findings of the groundwater measurement program to determine if the infrastructure design recommendations need to be updated or revised.
- 22) The Owner shall provide a detailed landscaping plan, prepared by a qualified professional, for all open spaces and Municipal Reserve parcels to the satisfaction of the County's Municipal Lands department.

## Architectural Controls

- 23) The Owner shall provide Architecture and Design Guidelines in accordance with Section 8.6 of the Langdon Area Structure Plan and Policy 5.3.11 of the Settlers Green Conceptual Scheme.
- 24) The Owner shall prepare and register a Restrictive Covenant on the title of each new lot created, requiring that each Lot Owner be subject to the development's approved Architectural and Design Guidelines.

#### Taxes

25) 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*.

### SUBDIVISION AUTHORITY DIRECTION

- D. Prior to final endorsement of the subdivision, Administration is directed to present the Applicant/Owner with a Voluntary Recreation Contribution Form and ask them if they will contribute to the Fund in accordance with the contributions prescribed in the *Master Rates Bylaw*.
- A. PHASE 2A: That the application to create 53 residential lots, and internal subdivision roads within SE-14-23-27-W4M, having been evaluated in terms of Section 654 of the *Municipal Government Act* and Section 7 of the *Subdivision and Development Regulations*, and having considered adjacent landowner submissions, is approved as per the Tentative Plan for the reasons listed below:
  - 1) The application is consistent with the statutory policy;
  - 2) The subject lands hold the appropriate land use designation; and
  - 3) The technical aspects of the subdivision proposal have been considered and are further addressed through the conditional approval requirements.
- B. The Owner is required, at their expense, to complete all conditions attached to and forming part of this conditional subdivision approval prior to Rocky View County (the County) authorizing final subdivision endorsement. This requires submitting all documentation required to demonstrate that each specific condition has been met, or agreements (and necessary securities) have been provided to ensure the condition will be met, in accordance with all County Policies, Standards and Procedures, to the satisfaction of the County, and any other additional party named within a specific condition. Technical report required to be submitted as part of the conditions must be prepared by a Qualified Professional, licensed to practice in the Province of Alberta, within the appropriate field of practice. The conditions of this subdivision approval do not absolve an Owner from ensuring all permits, licenses, or approvals required by Federal, Provincial, or other jurisdictions are obtained.
- C. Further, in accordance with Section 654 and 655 of the *Municipal Government Act*, the application shall be approved subject to the following conditions of approval:

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## **Phasing**

1) Prior to the endorsement and registration of a survey plan associated with Phase 2A, the survey plan for Phase 1B must be registered and titles issued.

## Plan of Subdivision

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

## Development Agreement

- 3) The Owner shall enter into a Development Agreement pursuant to Section 655 of the *Municipal Government Act*, in accordance with the approved Tentative Plan, and shall include the following:
  - a) Design and construction of the internal Urban Residential Collector standard (400.2) road network in accordance with the County Servicing Standards as shown in the tentative plan, which includes but is not limited to:
    - temporary graveled cul-de-sacs as needed;
    - sidewalks on both sides of the collector roads;
    - landscaped boulevards;
    - curb and gutters;
    - trapped lows and catch basins tied to the stormwater collection system;
    - signage and pavement markings; and
    - dark sky street lighting.
  - b) Design and construction of the internal Urban Residential standard (400.1) road network in accordance with the County Servicing Standards as shown in the tentative plan, which includes but is not limited to:
    - temporary cul-de-sacs as needed;
    - sidewalks abutting one side of the internal roads;
    - curb and gutters;
    - trapped lows and catch basins tied to the stormwater collection system;
    - signage and pavement markings; and
    - dark sky street lighting.
  - c) Design and implementation of the overall site grading, including a building grade plan for all newly created lots, to the satisfaction of the County.
  - d) Design and construction of any necessary improvements to the Sanitary Lift Station, all in accordance with requirements of the County Servicing Standards.
  - e) Design and construction of an internal wastewater collection system tying into the new Sanitary Lift Station, and service stubs to each proposed lot, all in accordance with requirements of the County Servicing Standards.
  - f) Implementation of all landscaping improvements in all open spaces and Municipal Reserve parcels as per the approved Landscaping Plans.

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- g) Design and construction of the necessary stormwater management infrastructure required to service the proposed subdivision in accordance with the recommendations of the approved Stormwater Management Plan, including the registration of any overland drainage easements and/or restrictive covenants as determined by the Stormwater Management Plan, all to the satisfaction of the County.
- h) Implementation of the recommendations of the updated Traffic Impact Assessment;
- Installation of power, natural gas, telecommunication, and all other shallow utilities;
- j) Dedication of necessary easements and rights-of-way for utility line assignments;
- k) Mailboxes to be located in consultation with Canada Post Corporation:
- I) Implementation of the recommendations and findings of the geotechnical reports prepared in support of the proposed development;
- m) Implementation of the recommendations of the Erosion & Sedimentation Control Plan;
- n) Implementation of the recommendations of the Construction Management Plan and Weed Management Plan;
- o) Completion of Range Road 271 (paving) from the northeast corner of the subject lands to Dead Horse Road to a Regional Transitional Standard (400.10) in accordance with the County Servicing Standards as shown in the tentative plan; and
- Upgrade of Dead Horse Road to a 10.0m wide modified collector paved standard from the existing edge of pavement (east of Boulder Creek Drive) to Range Road 271 in accordance with the County Servicing Standards as shown in the tentative plan.

## Stormwater

- 4) The Owner shall provide an updated Stormwater Management Plan, in accordance with Staged Master Drainage Plan Report for the Settlers Green Development, Langdon Comprehensive Stormwater Review and County Servicing Standards. Implementation of the Stormwater Management Plan shall include the following:
  - a) If the recommendations of the Stormwater Management Plan require improvements, then the Owner shall enter into a Development Agreement with the County;
  - b) Registration of any required easements and / or utility rights-of-way;
  - c) Necessary approvals and compensation provided to Alberta Environment for wetland loss and mitigation, and
  - d) Any necessary Alberta Environment licensing documentation for the stormwater infrastructure system.

## Transportation

- 5) The Owner shall provide an updated Traffic Impact Assessment, demonstrating the validity of the previously provided Traffic Impact Assessment, or identifying any changes and detailing the related required improvements:
  - a) If the recommendations of the Traffic Impact Assessment identify improvements are required, then the Owner shall enter into a Development Agreement with the County, addressing the design and construction of the required improvements.
- 6) The Applicant/Owner shall receive approval for a road naming application from the County.

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Site Servicing

- 7) The Owner shall provide design drawings for the water distribution and fire hydrant systems required to support the proposed subdivision, meeting the requirements of the County Servicing Standards and Fire Hydrant Water Suppression Bylaw C-7152-2012.
- 8) Utility easements, agreements, rights-of-way, and plans are to be provided and registered to the satisfaction of the utility provider.
- 9) The Owner is to provide confirmation of the tie-in for connection to Langdon Waterworks Ltd. for proposed Lots 1-53 as shows on the Approved Tentative Plan. This includes providing the following information:
  - a) Watermain alignments and the looping strategy shall conform to the Settlers Green Conceptual Scheme.
  - b) Provision of any temporary access easements in favor of the County and Langdon Waterworks Ltd. From the phase boundary through the undevelopable lands (future phases) along the alignment of the new watermain to provide legal access to the watermain until such a time future phases of the development are subdivided and lands appropriately dedicated.
  - c) Confirmation from Langdon Water Works that adequate and continuous piped water supply is available for proposed Lots 1-53 (inclusive).
  - d) Documentation proving that water supply has been purchased for proposed Lots 1-53 (inclusive).
  - e) Documentation showing that all necessary water infrastructure will be installed and that the water supplier has approved the associated plans and specifications (Development Service Agreement).

#### Site Construction

- 10) The Owner is to provide a Construction Management Plan that is to include, but not be limited to, noise, sedimentation and erosion control, construction waste management, firefighting procedures, evacuation plan, hazardous material containment, traffic accommodation, management of stormwater during construction, weed control, construction, and management details.
- 11) The Owner is to provide an erosion and sediment control plan (ESC), prepared by a qualified professional, identifying ESC measures to be taken during construction and to protect the onsite wetlands and municipal infrastructure. The drawings and plans shall be in accordance with the requirements of the County's Servicing Standards and best management practices.

#### Payments and Levies

- 12) The Owner shall pay the County subdivision endorsement fee, in accordance with the *Master Rates Bylaw*, for the creation of 53 lots.
- 13) The Owner shall pay the Transportation Off-Site Levy (TOL) in accordance with Bylaw C-7356-2014 prior to subdivision endorsement. The County shall calculate the total amount owing:
  - a) From the total gross acreage of Phase 2A as shown on the Plan of Survey.
- 14) The Owner shall provide payment of the Stormwater Off-Site Levy, in accordance with Bylaw C-7535-2015 prior to subdivision endorsement:
  - a) The Stormwater Off-Site Levy shall be applicable on total gross acreage of Phase 2A as shown on the Plan of Survey.

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15) The Owner shall pay the Wastewater Off-Site Levy, in accordance with Bylaw C-7273-2013, for the total wastewater capacity required to support the proposed subdivision for proposed Lots 1-53 prior to subdivision endorsement. The County shall assess the available capacity of the Langdon Waste Water Treatment Facility when the Wastewater Off-Site Levy has been paid by the Applicant. In the event that the Langdon facility does not have sufficient capacity to service the development at the time, the Applicant shall be required to enter into an agreement with the County to pay for the actual costs for the required upgrades to the plants described in Schedule "C-1" of the Rocky View County Bylaw No. C-7273-2013, inclusive of excess capacity within the Stage 1 upgrades (the "Excess Capacity"). The Applicant would be eligible to receive appropriate cost recoveries for the amounts paid in respect to the creation of the Excess Capacity from which other lands will benefit when those benefitting lands are developed or subdivided.

## Cost Recovery

- 16) The County will enter into an Infrastructure Cost Recovery Agreement with the Owner to determine the proportionate recovery of infrastructure money spent by the Owner to construct municipal infrastructure that will consequently provide benefit to other lands:
  - a) This Agreement shall apply to the construction of off-site infrastructure (stormwater, water, wastewater, and transportation).

## Utility Right of Way

- 17) Utility easements, agreements, rights-of-way, and plans are to be provided and registered to the satisfaction of the utility provider.
- 18) The Owner shall obtain all Water Act approvals from AEP for the disturbance and loss to the onsite wetland areas prior to entering into the Development Agreement with the County.
- 19) The Applicant/Owner is to provide an updated Geotechnical Investigation Report, prepared by a Qualified Geotechnical Professional, licensed to practice in the Province of Alberta, in accordance with the County Servicing Standards, to the satisfaction of the County, which shall include:
  - a) Implementation of a groundwater measurement program within the boundaries of the proposed phase in accordance with the procedures and duration indicated in the County's Servicing Standards, to get an accurate representation of the groundwater table within the subject lands for consideration into detailed design of the onsite infrastructure; and
  - b) Review of the findings of the groundwater measurement program to determine if the infrastructure design recommendations need to be updated or revised.
- 20) The Owner shall provide a detailed landscaping plan, prepared by a qualified professional, for all open spaces and Municipal Reserve parcels to the satisfaction of the County's Municipal Lands department.

# Architectural Controls

- 21) The Owner shall provide Architecture and Design Guidelines in accordance with Section 8.6 of the Langdon Area Structure Plan and Policy 5.3.11 of the Settlers Green Conceptual Scheme.
- 22) The Owner shall prepare and register a Restrictive Covenant on the title of each new lot created, requiring that each Lot Owner be subject to the development's approved Architectural and Design Guidelines.

#### Taxes

23) 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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# SUBDIVISION AUTHORITY DIRECTION:

- D. Prior to final endorsement of the subdivision, Administration is directed to present the Applicant/Owner with a Voluntary Recreation Contribution Form and ask them if they will contribute to the Fund in accordance with the contributions prescribed in the *Master Rates Bylaw*.
- A. PHASE 2B: That the application to create 53 residential lots and internal subdivision roads within SE-14-23-27-W4M, having been evaluated in terms of Section 654 of the *Municipal Government Act* and Section 7 of the *Subdivision and Development Regulations*, and having considered adjacent landowner submissions, is approved as per the Tentative Plan for the reasons listed below:
  - 1) The application is consistent with the statutory policy;
  - 2) The subject lands hold the appropriate land use designation; and
  - 3) The technical aspects of the subdivision proposal have been considered and are further addressed through the conditional approval requirements.
- B. The Owner is required, at their expense, to complete all conditions attached to and forming part of this conditional subdivision approval prior to Rocky View County (the County) authorizing final subdivision endorsement. This requires submitting all documentation required to demonstrate that each specific condition has been met, or agreements (and necessary securities) have been provided to ensure the condition will be met, in accordance with all County Policies, Standards and Procedures, to the satisfaction of the County, and any other additional party named within a specific condition. Technical report required to be submitted as part of the conditions must be prepared by a Qualified Professional, licensed to practice in the Province of Alberta, within the appropriate field of practice. The conditions of this subdivision approval do not absolve an Owner from ensuring all permits, licenses, or approvals required by Federal, Provincial, or other jurisdictions are obtained.
- C. Further, in accordance with Section 654 and 655 of the *Municipal Government Act*, the application shall be approved subject to the following conditions of approval:

## Phasing

1) Prior to the endorsement and registration of a survey plan associated with Phase 2B, the survey plan for Phase 2A must be registered and titles issued.

#### Plan of Subdivision

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

## Development Agreement

- 3) The Owner shall enter into a Development Agreement pursuant to Section 655 of the *Municipal Government Act*, in accordance with the approved Tentative Plan, and shall include the following:
  - a) Design and construction of the internal Urban Residential Collector standard (400.2) road network in accordance with the County Servicing Standards as shown in the tentative plan, which includes but is not limited to:
    - temporary graveled cul-de-sacs as needed;
    - sidewalks on both sides of the collector roads;
    - landscaped boulevards;
    - curb and gutters;

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- trapped lows and catch basins tied to the stormwater collection system;
- signage and pavement markings; and
- dark sky street lighting.
- b) Design and construction of the internal Urban Residential standard (400.1) road network in accordance with the County Servicing Standards as shown in the tentative plan, which includes but is not limited to:
  - temporary cul-de-sacs as needed;
  - sidewalks abutting one side of the internal roads;
  - curb and gutters;
  - trapped lows and catch basins tied to the stormwater collection system;
  - signage and pavement markings; and
  - dark sky street lighting.
- c) Design and implementation of the overall site grading, including a building grade plan for all newly created lots, to the satisfaction of the County.
- d) Design and construction of any necessary improvements to the Sanitary Lift Station, all in accordance with requirements of the County Servicing Standards.
- e) Design and construction of an internal wastewater collection system tying into the new Sanitary Lift Station, and service stubs to each proposed lot, all in accordance with requirements of the County Servicing Standards.
- f) Implementation of all landscaping improvements in all open spaces and Municipal Reserve parcels as per the approved Landscaping Plans.
- g) Design and construction of the necessary stormwater management infrastructure required to service the proposed subdivision in accordance with the recommendations of the approved Stormwater Management Plan, including the registration of any overland drainage easements and/or restrictive covenants as determined by the Stormwater Management Plan, all to the satisfaction of the County.
- h) Implementation of the recommendations of the updated Traffic Impact Assessment;
- i) Installation of power, natural gas, telecommunication, and all other shallow utilities;
- j) Dedication of necessary easements and rights-of-way for utility line assignments;
- k) Mailboxes to be located in consultation with Canada Post Corporation;
- I) Implementation of the recommendations and findings of the geotechnical reports prepared in support of the proposed development;
- m) Implementation of the recommendations of the Erosion & Sedimentation Control Plan; and
- n) Implementation of the recommendations of the Construction Management Plan and Weed Management Plan.

#### Stormwater

4) The Owner shall provide an updated Stormwater Management Plan, in accordance with Staged Master Drainage Plan Report for the Settlers Green Development, Langdon Comprehensive Stormwater Review and County Servicing Standards. Implementation of the Stormwater Management Plan shall include the following:

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- a) If the recommendations of the Stormwater Management Plan require improvements, then the Owner shall enter into a Development Agreement with the County:
- b) Registration of any required easements and / or utility rights-of-way;
- c) Necessary approvals and compensation provided to Alberta Environment for wetland loss and mitigation, and
- d) Any necessary Alberta Environment licensing documentation for the stormwater infrastructure system.

## Transportation

- 5) The Owner shall provide an updated Traffic Impact Assessment, demonstrating the validity of the previously provided Traffic Impact Assessment, or identifying any changes and detailing the related required improvements:
  - a) If the recommendations of the Traffic Impact Assessment identify improvements are required, then the Owner shall enter into a Development Agreement with the County, addressing the design and construction of the required improvements.
- 6) The Applicant/Owner shall receive approval for a road naming application from the County.

# Site Servicing

- 7) The Owner shall provide design drawings for the water distribution and fire hydrant systems required to support the proposed subdivision, meeting the requirements of the County Servicing Standards and Fire Hydrant Water Suppression Bylaw C-7152-2012.
- 8) Utility easements, agreements, rights-of-way, and plans are to be provided and registered to the satisfaction of the utility provider.
- 9) The Owner is to provide confirmation of the tie-in for connection to Langdon Waterworks Ltd. for proposed Lots 1-53 (inclusive) as shows on the Approved Tentative Plan. This includes providing the following information:
  - a) Watermain alignments and the looping strategy shall conform to the Settlers Green Conceptual Scheme.
  - b) Provision of any temporary access easements in favor of the County and Langdon Waterworks Ltd. From the phase boundary through the undevelopable lands (future phases) along the alignment of the new watermain to provide legal access to the watermain until such a time future phases of the development are subdivided and lands appropriately dedicated.
  - c) Confirmation from Langdon Water Works that adequate and continuous piped water supply is available for proposed Lots 1-53 (inclusive).
  - d) Documentation proving that water supply has been purchased for proposed Lots 1-53 (inclusive).
  - e) Documentation showing that all necessary water infrastructure will be installed and that the water supplier has approved the associated plans and specifications (Development Service Agreement).

## Site Construction

- 10) The Owner is to provide a Construction Management Plan that is to include, but not be limited to, noise, sedimentation and erosion control, construction waste management, firefighting procedures, evacuation plan, hazardous material containment, traffic accommodation, management of stormwater during construction, weed control, construction, and management details.
- 11) The Owner is to provide an erosion and sediment control plan (ESC), prepared by a qualified professional, identifying ESC measures to be taken during construction and to protect the onsite

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wetlands and municipal infrastructure. The drawings and plans shall be in accordance with the requirements of the County's Servicing Standards and best management practices.

## Payments and Levies

- 12) The Owner shall pay the County subdivision endorsement fee, in accordance with the *Master Rates Bylaw*, for the creation of 53 lots.
- 13) The Owner shall pay the Transportation Off-Site Levy (TOL) in accordance with Bylaw C-7356-2014 prior to subdivision endorsement. The County shall calculate the total amount owing:
  - a) From the total gross acreage of Phase 2B as shown on the Plan of Survey.
- 14) The Owner shall provide payment of the Stormwater Off-Site Levy, in accordance with Bylaw C-7535-2015 prior to subdivision endorsement:
  - a) The Stormwater Off-Site Levy shall be applicable on total gross acreage of Phase 2B as shown on the Plan of Survey.
- 15) The Owner shall pay the Wastewater Off-Site Levy, in accordance with Bylaw C-7273-2013, for the total wastewater capacity required to support the proposed subdivision for proposed Lots 1-53 (inclusive), prior to subdivision endorsement. The County shall assess the available capacity of the Langdon Waste Water Treatment Facility when the Wastewater Off-Site Levy has been paid by the Applicant. In the event that the Langdon facility does not have sufficient capacity to service the development at the time, the Applicant shall be required to enter into an agreement with the County to pay for the actual costs for the required upgrades to the plants described in Schedule "C-1" of the Rocky View County Bylaw No. C-7273-2013, inclusive of excess capacity within the Stage 1 upgrades (the "Excess Capacity"). The Applicant would be eligible to receive appropriate cost recoveries for the amounts paid in respect to the creation of the Excess Capacity from which other lands will benefit when those benefitting lands are developed or subdivided.

## Cost Recovery

- 16) The County will enter into an Infrastructure Cost Recovery Agreement with the Owner to determine the proportionate recovery of infrastructure money spent by the Owner to construct municipal infrastructure that will consequently provide benefit to other lands:
  - a) This Agreement shall apply to the construction of off-site infrastructure (stormwater, and transportation).

#### Utility Right of Way

- 17) Utility easements, agreements, rights-of-way, and plans are to be provided and registered to the satisfaction of the utility provider.
- 18) The Owner shall obtain all Water Act approvals from AEP for the disturbance and loss to the onsite wetland areas prior to entering into the Development Agreement with the County.
- 19) The Applicant/Owner is to provide an updated Geotechnical Investigation Report, prepared by a Qualified Geotechnical Professional, licensed to practice in the Province of Alberta, in accordance with the County Servicing Standards, to the satisfaction of the County, which shall include:
  - a) Implementation of a groundwater measurement program within the boundaries of the proposed phase in accordance with the procedures and duration indicated in the County's Servicing Standards, to get an accurate representation of the groundwater table within the subject lands for consideration into detailed design of the onsite infrastructure; and
  - b) Review of the findings of the groundwater measurement program to determine if the infrastructure design recommendations need to be updated or revised.

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20) The Owner shall provide a detailed landscaping plan, prepared by a qualified professional, for all open spaces and Municipal Reserve parcels to the satisfaction of the County's Municipal Lands department.

## Architectural Controls

- 21) The Owner shall provide Architecture and Design Guidelines in accordance with Section 8.6 of the Langdon Area Structure Plan and Policy 5.3.11 of the Settlers Green Conceptual Scheme.
- 22) The Owner shall prepare and register a Restrictive Covenant on the title of each new lot created, requiring that each Lot Owner be subject to the development's approved Architectural and Design Guidelines.

#### **Taxes**

23) 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*.

### SUBDIVISION AUTHORITY DIRECTION:

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

Carried Absent: Councillor Henn Abstained: Deputy Reeve Schule

The Chair called for a recess at 9:59 a.m. and called the meeting back to order at 10:01 a.m. with all previously mentioned members present.

## 1-19-05-28-14 (J-1)

Division 3 – Subdivision Item – Creation of Nine Residential Condominium Units (Alandale Estates Final Phase) and Boundary Adjustment

File: PL20190004 (04724177/04724003/04724101)

Councillor Henn left the meeting at 10:04 a.m.

MOVED by Councillor Hanson that the applicant be allowed to speak to Council on the subdivision conditions.

Carried

Absent: Councillor Henn

In Favour: Opposed:

Councillor Kamachi Councillor McKylor
Councillor Hanson Reeve Boehlke
Councillor Gautreau

Deputy Reeve Schule Councillor Wright Councillor Kissel

The applicant, David Wyatt, proceeded to address Council on the proposed conditions of approval for subdivision application PL20190004.

MOVED by Councillor Hanson that condition 13 in Appendix 'A' be amended to read as follows:

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The provision of Municipal Reserve, in the amount of  $\pm$  2.30 hectares ( $\pm$  5.69 acres), is to be provided by payment of cash-in-lieu, in accordance with the value as listed in the land appraisal prepared by Bradford Real Estate Services, dated December 19, 2018, pursuant to Section 666(3) of the Municipal Government Act. Cash-in-lieu payment shall be calculated as follows:

- a) That reserves deferred from the previous subdivision Plan 901 0945 in the amount of  $\pm$  0.939 ha ( $\pm$  2.32 acres) be provided by payment of cash-in-lieu in accordance with the value as listed in the land appraisal prepared by Bradford Real Estate Services, dated December 19, 2018, pursuant to Section 666(3) of the *Municipal Government Act*.
- b) The total amount of money that may be required to be provided shall not exceed 10% of the appraised market value, of the parcel of land less all land required to be provided as conservation reserve or environmental reserve or made subject to an environmental reserve easement.
  - That Unit 10 comprising  $\pm$  2.97 ha ( $\pm$  7.34 ac) be given the same consideration as land required to be provided as environmental reserve and the land subject to an environmental reserve easement.
- c) The provision of Municipal Reserve, in the amount of ± 1.064 hectares (± 2.629 acres), is to be provided by payment of cash-in-lieu, in accordance with the value as listed in the land appraisal prepared by Bradford Real Estate Services, dated December 19, 2018, pursuant to Section 666(3) of the Municipal Government Act.
- d) That all calculations for Reserves and money's owing shall be verified by the approved Plan of Survey as submitted, all to the satisfaction of Rocky View County.

Carried Absent: Councillor Henn

MOVED by Councillor Hanson that Subdivision Application PL20190004 be approved with the conditions noted in Appendix 'A' as amended:

- A. That the application to create a bareland condominium with nine ± 0.81 hectare (± 2.00 acre) residential lots (Units 1-9), one ± 2.97 hectare (± 7.34 acre) common property unit containing Hogdson Pond (Unit 10), one ± 0.99 hectare (± 2.45 acre) common property unit containing open space (Unit 11), one ± 0.93 hectare (± 2.30 acre) common property unit containing open space (Unit 12), and boundary adjustment within NW-24-24-03-W05M (04724177); Lot 1, Block 3, Plan 1412805, NW-24-24-03-W05M (04724003); Lot 30, Plan 9010945, NW-24-24-03-W05M (04724101), having been evaluated in terms of Section 654 of the *Municipal Government Act* and Section 7 of the *Subdivision and Development Regulations*, and having considered adjacent landowner submissions, is approved as per the Tentative Plan for the reasons listed below:
  - 1) The application is consistent with the statutory policy;
  - 2) The subject lands hold the appropriate land use designation; and
  - 3) The technical aspects of the subdivision proposal have been considered and are further addressed through the conditional approval requirements.
- B. The Owner is required, at their expense, to complete all conditions attached to and forming part of this conditional subdivision approval prior to Rocky View County (the County) authorizing final subdivision endorsement. This requires submitting all documentation required to demonstrate each specific condition has been met, or agreements (and necessary securities) have been provided to ensure the condition will be met, in accordance with all County Policies, Standards and Procedures, to the satisfaction of the County, and any other additional party named within a specific condition. Technical reports required to be submitted as part of the conditions must be prepared by a Qualified Professional, licensed to practice in the Province of Alberta, within the appropriate field of practice. The conditions of this subdivision approval

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do not absolve an Owner from ensuring all permits, licenses, or approvals required by Federal, Provincial, or other jurisdictions are obtained.

C. Further, in accordance with Section 654 and 655 of the *Municipal Government Act*, the application shall be approved subject to the following conditions of approval:

#### Plan of Subdivision

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

#### Geotechnical

- 2) The Owner shall provide an updated Geotechnical Investigation Report, prepared by a Qualified Geotechnical Professional, licensed to practice in the Province of Alberta, in accordance with the County Servicing Standards, to the satisfaction of the County, which shall include:
  - a) Confirmation of the California Bearing Ratio (CBR) value for the site and provide recommendation for asphalt pavement design.
  - b) Provide the results and relevant recommendations associated with the laboratory testing for boreholes on the subject lands.
  - c) Confirmation of one (1) contiguous acre of land for development on the proposed Units 4 and 5.

#### Stormwater

- 3) The Owner is to provide and implement a Site-Specific Storm Water Management Plan that meets the requirements outlined in the Springbank Master Drainage Plan. Implementation of the Storm Water Management Plan shall include:
  - a) Registration of any required easements, utility rights-of-way, and utility right-of-way agreements;
  - 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 storm water infrastructure system; and
  - d) Should the Storm Water Management Plan indicate that improvements are required, the Applicant/Owner shall enter into a Development Agreement (Site Improvements/Services Agreement) with the County.
- 4) Registration of a Drainage Easement and Right of Way Plan for the existing drainage course on Lot 30, Plan 9010945, NW-24-24-03-W05M (Roll: 04724101).
- 5) The Owner is to provide a detailed Erosion and Sedimentation Control Plan, prepared by a qualified professional, in accordance with the County Servicing Standards and best management practices.

#### Development Agreement

- 6) The Owner is to enter into a Development Agreement for provision of the following infrastructure and improvements:
  - a) Construction of extension of 100 Alandale Place (Country Residential Standard), complete with cul-de-sacs, and any necessary easement agreements, including complete approaches to each lot, at the Owner's expense, in accordance with the County Servicing Standards;
  - b) Mailbox locations are to be located in consultation with Canada Post to the satisfaction of the County;
  - c) Water is to be supplied through a water distribution system in accordance with the County

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Servicing Standards;

- d) Installation of hydrants;
- e) Construction of storm water facilities in accordance with the recommendations of an approved Storm Water Management Plan and the registration of any overland drainage easements and/or restrictive covenants as determined by the Storm Water Management Plan;
- f) Installation of power, natural gas, and telephone lines;
- g) Implementation of the recommendations of the Construction Management Plan;
- h) Implementation of the recommendations of the Erosion and Sedimentation Management Plan.
- Construction of a gated Secondary Emergency Access road (gravel standard) that would connect the proposed internal road and 200 Alandale Place, crossing the Municipal Reserve land (Lot 31 MR, Plan 9010945, NW-24-24-03-W05M)

## Site Servicing

- 7) The Owner is to provide confirmation of the tie-in for connection to Westridge Utilities, an Alberta Environment licensed piped water supplier, for the proposed new residential lots (Units 3-9), as shown on the Approved Tentative Plan. This includes providing the following information:
  - a) Confirmation from the water supplier that an adequate and continuous piped water supply is available for the proposed new residential lots;
  - b) Documentation proving that water supply has been purchased for proposed new residential lots;
  - c) Documentation proving that water supply infrastructure requirements, including servicing to the property, have been installed, or that installation is secured between the developer and water supplier, to the satisfaction of the water supplier and the County.
- 8) The Owner is to enter into a Development Agreement (Site Improvements/Services Agreement) with the County for proposed new residential lots (Units 1, 3-9):
  - a) The Development Agreement (Site Improvements/Services Agreement) shall be in accordance with the Level 4 PSTS Assessment, prepared by Sedulous Engineering Inc., September 18, 2018, for the installation of a Packaged Sewage Treatment Plan that meets Bureau de Normalisation du Quebec (BNQ) standards for treatment on Units 1, 3-9.
- 9) The Owner is to enter into a Deferred Services Agreement with the County, to be registered on title for each of proposed Units 1-9, indicating the following:
  - a) Each future lot Owner is required to connect to County piped waste water and storm water systems at their cost when such services become available; and
  - b) Requirements for decommissioning and reclamation once County servicing becomes available.

## Condominium Association

- 10) The Owner shall legally establish a Condominium Board for the subdivision, pursuant to the Condominium Property Act:
  - a) The Condominium Board will be responsible for maintaining all common property units owned by the Condominium Board (Unit 10, 11, 12, stormwater system, and associated infrastructure, etc.);
  - b) Upon registration of the Condominium Plan, the Owner shall cause the Condominium Board to register Bylaws, satisfactory to the County, similar to the Bylaws of other Condominium Boards within the Springbank Area Structure Plan area.
- 11) The Owner shall prepare and register a Restrictive Covenant on the title of each new lot created,

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requiring that each Lot Owner be subject to development's Architectural Design Guidelines. The Architectural Design Guidelines shall respect the intent of Lazy H Estates Conceptual Scheme and Springbank Area Structure Plan.

12) The Owner is to prepare a Solid Waste Management Plan that outlines the responsibility of the Developer and/or Condominium Board for solid waste management.

## Municipal Reserves

- 13) The provision of Municipal Reserve, in the amount of ± 2.30 hectares (± 5.69 acres), is to be provided by payment of cash-in-lieu, in accordance with the value as listed in the land appraisal prepared by Bradford Real Estate Services, dated December 19, 2018, pursuant to Section 666(3) of the *Municipal Government Act*. Cash-in-lieu payment shall be calculated as follows:
  - a) That reserves deferred from the previous subdivision Plan 901 0945 in the amount of  $\pm$  0.939 ha ( $\pm$  2.32 acres) be provided by payment of cash-in-lieu in accordance with the value as listed in the land appraisal prepared by Bradford Real Estate Services, dated December 19, 2018, pursuant to Section 666(3) of the *Municipal Government Act*.
  - b) The total amount of money that may be required to be provided shall not exceed 10% of the appraised market value, of the parcel of land less all land required to be provided as conservation reserve or environmental reserve or made subject to an environmental reserve easement.
    - That Unit 10 comprising  $\pm$  2.97 ha ( $\pm$  7.34 ac) be given the same consideration as land required to be provided as environmental reserve and the land subject to an environmental reserve easement.
  - c) The provision of Municipal Reserve, in the amount of ± 1.064 hectares (± 2.629 acres), is to be provided by payment of cash-in-lieu, in accordance with the value as listed in the land appraisal prepared by Bradford Real Estate Services, dated December 19, 2018, pursuant to Section 666(3) of the Municipal Government Act.
  - d) That all calculations for Reserves and money's owing shall be verified by the approved Plan of Survey as submitted, all to the satisfaction of Rocky View County.

#### Payments and Levies

- 14) The Owner is to pay the Transportation Off-Site Levy in accordance with the Bylaw C-7356-2014 prior to endorsement of the subdivision. The County shall calculate the total amount owing on the subject lands (31.24 acres) as shown on the Plan of Survey.
- 15) The Owner is to pay the County subdivision endorsement fee for creating eight new bareland condominium units, in accordance with the *Master Rates Bylaw*.
- 16) The Owner is to pay the County subdivision endorsement fee for boundary adjustment, in accordance with the Master Rates Bylaw.

#### Others:

- 17) The Owner is required to obtain Historical Resources Act Approval from Alberta Historic Resource Management Branch.
- 18) The Owner is to provide a Construction Management Plan that is to include, but not be limited to, noise, sedimentation and erosion control, construction waste management, firefighting procedures, evacuation plan, hazardous material containment, construction, and management details. Other specific requirements include:
  - a) Implementation of the Construction Management Plan recommendations, which will be ensured through the Development Agreement;

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Taxes

19) 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 Henn

Councillor Henn returned to the meeting at 10:28 a.m.

## 1-19-05-28-07 (D-5)

Division 5 – Janet Area Structure Plan Amendment – Expanded Study Area File: 1015-251

MOVED by Councillor Gautreau that the Terms of Reference, as presented in Appendix 'D' for the Janet Area Structure Plan Amendments Long Term Development Area, be approved;

AND THAT the Budget Adjustment, as presented in Appendix 'E' for the Janet Area Structure Plan Amendments, be approved.

Carried

#### MOTION ARISING:

MOVED by Councillor Gautreau that Administration be directed to bring a report to Council before the end of September 2019 outlining feasibility options for proceeding with a new Area Structure Plan for lands along Glenmore Trail, east of Calgary, including potential costs and resources needed.

Carried

<u>In Favour:</u> <u>Opposed:</u>

Councillor Kamachi Councillor Hanson Councillor McKylor Councillor Gautreau Councillor Kissel

Reeve Boehlke Deputy Reeve Schule Councillor Henn

## 1-19-05-28-08 (D-6)

All Divisions - Hard Surface Road Update

File: 4050-200

MOVED by Councillor McKylor that the Hard Surface Road update be received as information.

Carried

## 1-19-05-28-09 (E-1)

All Divisions – Bylaw C-7867-2019B – Consideration of third and final reading to Bylaw C-7867-2019B to repeal *Firearms Bylaw C-7782-2018* 

File: N/A

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MAIN MOTION:

MOVED by Deputy Reeve Schule that Bylaw C-7867-2019B be given third and final reading.

## **TABLING MOTION:**

MOVED by Councillor Wright that the main motion be tabled until this afternoon.

Carried

<u>In Favour:</u> <u>Opposed:</u>

Councillor Kamachi Deputy Reeve Schule

Councillor McKylor Councillor Hanson Councillor Gautreau Reeve Boehlke Councillor Henn Councillor Wright Councilor Kissel

The Chair called for a recess at 11:14 a.m. and called the meeting back to order at 11:21 a.m. with all previously mentioned members present.

## 1-19-05-28-10 (E-2)

All Divisions – Bylaw C-7892-2019 and Bylaw C-7895-2019 – Amendments to the *Appeal and Review Panel Bylaw* and *Boards and Committees Bylaw* File: N/A

MOVED by Councillor Hanson that Bylaw C-7892-2019 be given first reading.

Carried

MOVED by Councillor Henn that Bylaw C-7892-2019 be given second reading.

Carried

MOVED by Councillor Kissel that Bylaw C-7892-2019 be considered for third reading.

Carried

MOVED by Councillor Wright that Bylaw C-7892-2019 be given third and final reading.

Carried

MOVED by Councillor Hanson that Bylaw C-7895-2019 be given first reading.

Carried

MOVED by Councillor McKylor that Bylaw C-7895-2019 be given second reading.

Carried

MOVED by Councillor Henn that Bylaw C-7895-2019 be considered for third reading.

Carried

MOVED by Councillor Kamachi that Bylaw C-7895-2019 be given third and final reading.

Carried

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## 1-19-05-28-11 (E-3)

All Divisions – Bylaw C-7899-2019 – Amendments to *Chief Administrative Officer Bylaw C-7350-2014* – CAO Hiring Process

File: N/A

MOVED by Councillor Wright that Bylaw C-7899-2019 be referred to Administration for a review of the bylaw, and to be brought forward to the June 18, 2019 Policy Review Subcommittee for consideration, and then to be brought forward to the June 25, 2019 Council meeting for consideration.

Lost

<u>In Favour:</u> <u>Opposed:</u>

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

Councillor Henn

The Chair called for a recess at 11:46 a.m. and called the meeting back to order at 11:53 a.m. with all previously mentioned members present.

MOVED by Deputy Reeve Schule that Bylaw C-7899-2019 be given first reading.

Lost

<u>In Favour:</u> <u>Opposed:</u>

Deputy Reeve Schule Councillor Kamachi
Councillor Henn Councillor McKylor

Councillor Hanson Councillor Gautreau Reeve Boehlke Councillor Wright Councilor Kissel

MOVED by Councillor Gautreau that Schedule 'A' of proposed Bylaw C-7899-2019 be severed from the bylaw and be approved as a recommended CAO hiring process.

Carried

In Favour: Opposed:

Councillor Kamachi Councillor Hanson
Councillor McKylor Councillor Gautreau Councillor Kissel

Reeve Boehlke Deputy Reeve Schule Councillor Henn

#### 1-19-05-28-20 (D-7)

All Divisions – Emergent Business Item – Airdrie and District Victims Assistance Society Letter <u>File: 4050-200</u>

MOVED by Councillor Hanson that the Reeve be authorized to sign the letter from the Airdrie and District Victims Assistance Society to the Minister of Justice & Solicitor General.

Carried

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1-19-05-28-12 (I-1)

All Divisions – Notice of Motion – Councillor McKylor – Advocating Rocky View County's Position on the Springbank Off-Stream Reservoir Project

File: N/A

Notice of Motion: Read in at the May 28, 2019 Council Meeting

To be debated at the June 11, 2019 Council Meeting

Title: Advocating Rocky View County's Position on the Springbank Off-Stream Reservoir

Project

Presented By: Councillor Kim McKylor, Division 2

WHEREAS Rocky View County Council passed a unanimous resolution at its December 11,

2018 meeting stating that it cannot support the Springbank Off-Stream Reservoir

(SR1) Project;

AND WHEREAS the same resolution also called for the provincial government to halt the SR1

Project so that all other flood mitigation options can be equally considered;

AND WHEREAS Rocky View County submitted a letter, dated January 11, 2019, to the previous

Ministers of Alberta Transportation and Alberta Environment and Parks outlining

the County's position and its concerns with the SR1 Project;

AND WHEREAS Rocky View County received a letter of response, dated February 1, 2019,

indicating that the provincial government is committed to proceeding with the SR1

Project despite the concerns raised by the County;

AND WHEREAS a provincial election was held on April 16, 2019 and a new provincial government

took office on April 30, 2019 led by Premier Jason Kenney and his cabinet;

AND WHEREAS a new provincial government provides a new opportunity for Rocky View County to

advocate its position on SR1;

AND WHEREAS Rocky View County Council passed a unanimous resolution at its March 14, 2019

meeting to resend its letter to the new Premier, Ministers, and MLAs representing

County residents;

THEREFORE BE IT RESOLVED THAT Administration be directed to engage a lobbyist or lobby firm to advocate for Rocky View County's position on the SR1 project to the new provincial government;

AND THAT a budget of \$40,000 be assigned from the Tax Stabilization Reserve for this purpose.

## 1-19-05-28-13 (I-2)

Division 7 – Notice of Motion – Councillor Henn – Road Name Change and Fee Waiver Request File: N/A

Notice of Motion: Read in at the May 28, 2019 Council Meeting

To be debated at the June 11, 2019 Council Meeting

Title: Road Name Change and Fee Waiver Request

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Presented By: Councillor Dan Henn, Division 7

WHEREAS On February 5, 2019, Council passed the Road Naming Policy C-701 that provides

guidance for considering road name or road renaming requests for new and

existing streets and roads in Rocky View County;

AND WHEREAS In its policy, the County is committed to choosing road names that acknowledge

and honour the history of the County, as well as are consistent with the geographic

areas;

AND WHEREAS It is important to recognize the County's legacy families in the Balzac community

and also to maintain the existing character of the community;

AND WHEREAS A formal request has been made by the Balzac Business Community to change the

name of Range Road 291 to John Church Lane which recognizes a strong historical

family reference in the Balzac Community;

AND WHEREAS The Master Rates Bylaw C-7857-2019 provides that the fee applicable for road

renaming applications is \$500.00; and

AND WHEREAS Only Council can waive fees outlined in the Master Rates Bylaw.

THEREFORE, BE IT RESOLVED THAT Range Road 291 be renamed to John Church Lane;

AND THAT the \$500.00 application fee be waived.

#### 1-19-05-28-17 (K-1)

All Divisions – Confidential In Camera Item – 2019 Surplus Land Sale Work Plan File: RVC2019-12

MOVED by Deputy Reeve Schule that Council move in camera at 12:10 p.m. to consider the confidential item "2019 Surplus Land Sale Work Plan" pursuant to the following sections of the *Freedom of Information and Protection of Privacy Act*:

- 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 confidential item K-1 with the following people in attendance to provide a report and advice to Council:

Rocky View County: K. Robinson, Executive Director, Corporate Services

B. Riemann, Executive Director, Operations

G. Kaiser, Executive Director, Community and Business Connections R. Barss, A/Executive Director, Community Development Services

C. Graham, Municipal Lands Administrator, Legal and Land Administration

MOVED by Councillor Henn that Council move out of in camera at 1:35 p.m.

Carried

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MOVED by Councillor McKylor that Administration be directed to proceed with the 2019 Surplus Land Sale Work Plan discussed in confidential report # RVC2019-12 and to sell County surplus lands, excluding any municipal reserve properties and the Airdrie Grader Shed property, at Fair Market Value.

Carried

#### MOTION ARISING:

MOVED by Councillor McKylor that Administration be directed to notify the Rocky View School Division and the Calgary Roman Catholic Separate School District that the County intends to commence a review of the 1998 Reserves Agreement;

AND THAT Administration be further directed to schedule a meeting of the Reserves Coordination Committee as set out in the 1998 Reserves Agreement.

Carried

#### 1-19-05-28-09 (E-1)

All Divisions – Bylaw C-7867-2019B – Consideration of third and final reading to Bylaw C-7867-2019B to repeal *Firearms Bylaw C-7782-2018* 

File: N/A

#### MOTION TO LIFT FROM THE TABLE:

MOVED by Councillor Henn that the main motion be lifted from the table.

Carried

#### MAIN MOTION:

MOVED by Deputy Reeve Schule that Bylaw C-7867-2019B be given third and final reading.

Carried

<u>In Favour:</u> <u>Opposed:</u>

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

Councillor Henn

#### MOTION ARISING:

MOVED by Councillor McKylor that Administration be directed to begin the preparation of a new Firearms Bylaw.

Lost

In Favour: Opposed:

Councillor McKylor Councillor Kamachi
Councillor Hanson Councillor Gautreau
Councillor Wright Reeve Boehlke
Councilor Kissel Deputy Reeve Schule

Councillor Henn

#### 1-19-05-28-18 (K-2)

All Divisions - Confidential In Camera Item - Personnel Matter

File: RVC2019-14

#### 1-19-05-28-19 (K-3)

All Divisions - Confidential In Camera Item - Advice for Government Officials

File: RVC2019-15

#### ROCKY VIEW COUNTY COUNCIL MEETING MINUTES May 28, 2019

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MOVED by Councillor Henn that Council move in camera at 2:08 a.m. to consider the following confider	ntial
items pursuant to the following sections of the Freedom of Information and Protection of Privacy Act:	

#### K-2 (Personnel Matter)

- Section 17 Disclosure harmful to personal privacy
- Section 24 Advice from officials

#### K-3 (Advice for Government Officials)

- Section 24 Advice from officials
- Section 27 Privileged Information

Carried

Council held the in camera session for confidential items K-2 and K-3 without any additional persons in attendance.

MOVED by Councillor McKylor that Council move out of in camera at 3:12 p.m.

Carried

Absent: Councillor Hanson

Councillor Hanson returned to the meeting at 3:13 p.m.

#### **Adjournment**

MOVED by Councillor McKylor that the May 28, 2019 Council meeting be adjourned at 3:13 p.m.

Carried

Reeve or Deputy Reeve
Chief Administrative Officer or Designate



#### **COMMUNITY & BUSINESS CONNECTIONS**

TO: Council

**DATE**: June 11, 2019 **DIVISION**: All

FILE: N/A APPLICATION: N/A

**SUBJECT:** Todd Hirsch Economic Overview Presentation

#### <sup>1</sup>EXECUTIVE SUMMARY:

Todd Hirsch, Vice President and Chief Economist for ATB Financial, will make a presentation to Council on Alberta's and Canada's economic outlook.

#### **BACKGROUND:**

As outlined in the *Strategic Plan*, ensuring the Financial Health and Responsible Growth of Rocky View County are important goals for the municipality. Council's decision-making in these areas may be enriched by information on the broader economic environment impacting the region, the province, and the nation.

Noted economist, author, speaker, and ATB Financial Vice President Todd Hirsch will provide Council with a current-state economic overview, and a forecast of possible future-states. This presentation may be valuable as background information for councillors as they make important governance decisions for Rocky View County.

#### **BUDGET IMPLICATIONS:**

There are no budget implications.

#### **COMMUNICATIONS:**

While Mr. Hirsch's presentation takes place in a public forum, the information is not Rocky View County's intellectual property. Public communication will consist making Mr. Hirsch's presentation available online as part of the Council Meeting video, and of any media stories that may result from the agenda item.

#### **OPTIONS:**

Option #1 THAT Council receive the presentation, Todd Hirsch Economic Overview, for

information.

Option #2 THAT alternative direction be provided.

Respectfully submitted, Concurrence,

"Grant Kaiser" "Al Hoggan"

Executive Director Chief Administrative Officer

Grant Kaiser, Community & Business Connections

<sup>&</sup>lt;sup>1</sup> Administration Resources



#### PLANNING & DEVELOPMENT

TO: Council

**DATE:** June 11, 2019 **DIVISION:** 4

**TIME:** Morning Appointment

**FILE**: 03208009 **APPLICATION**: PL20190019

**SUBJECT:** Redesignation Item: Ranch and Farm District to Agricultural Holdings District

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

The application was evaluated in accordance with the 'New or Distinct Agricultural Operation' criteria of the County Plan.

#### **EXECUTIVE SUMMARY:**

The purpose of this application is to redesignate a portion of the subject land from Ranch and Farm District to Agricultural Holdings District in order to facilitate the creation of a  $\pm$  20.01 acre parcel with a  $\pm$  64.97 acre remainder.

The subject land consists of an indoor riding arena, hayshed, outdoor horse paddocks, accessory buildings and the associated residences. The Applicant proposes to redesignate ± 20 acres of the subject land for the use of a new Berry Farm/U-Pick Operation. There are no technical constrains for the proposal.

Administration determined that the application meets policy.

**DATE APPLICATION RECEIVED:** February 22, 2019 **DATE DEEMED COMPLETE:** February 22, 2019

**PROPOSAL:** To redesignate a portion of the subject land in order to

facilitate the creation of a  $\pm$  20.01 ac parcel with a  $\pm$  64.97

ac remainder.

**LEGAL DESCRIPTION:** NW-08-23-27-W4M

**GENERAL LOCATION:** Located approximately 4.83 km southwest of the hamlet

of Langdon

APPLICANT: Jay & Sarah Morris

OWNERS: Jay & Sarah Morris

**EXISTING LAND USE DESIGNATION:** Ranch and Farm District (RF) **PROPOSED LAND USE DESIGNATION:** Agricultural Holdings District (AH)

GROSS AREA: ± 84.98 acres

SOILS (C.L.I. from A.R.C.): Class 2, H, M - Slight limitations due to temperature

limiting factor and low moisture holding or supplying

capability, adverse texture.

Johnson Kwan & Milan Patel, Planning & Development

<sup>&</sup>lt;sup>1</sup> Administration Resources



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

The Applicant included three support letters as part of the application (see Appendix 'D'). No letters were received in response to 19 letters circulated to adjacent and area property owners. The application was also circulated to a number of internal and external agencies (Appendix 'A').

#### **HISTORY:**

1990 and 1996 The subject lands were created by the subdivision of an Agriculture Holding

district and a Farmstead from an unsubdivided quarter section.

August 1906 Subdivision Plan IRR62 was registered at Land Titles and created the irrigation

cannel that is now owned by Western Irrigation District.

#### **BACKGROUND:**

The subject land consists of an indoor riding arena, hayshed, outdoor horse paddocks, accessory buildings and the associated residences. The Applicant proposed to redesignate ± 20 acres of the subject land for the use of a new Berry Farm/U-Pick Operation. There are no technical constrains for the proposal.

#### **POLICY ANALYSIS:**

#### Interim Growth Plan

The subject land is located in an agricultural area. The Interim Growth Plan (IGP) does not have policy related specific to new and distinct agricultural operations.

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

The proposal was evaluated against the Agricultural Policies (Section 8) of the County Plan; specifically, Policy 8.18, which details requirements for Redesignation and subdivision for the purposes of new or distinct agricultural operations.

The County Plan defines New Agricultural Operation as 'operations that are distinctly different from the existing use of the land in terms of agricultural products, livestock, and/or facilities'.

The proposed new agricultural operation is compliant with both Policy 8.18 and the New Agricultural Operation as it would be a Local U-Pick Berry and Apple Farm that the Applicant intends to open and run as a long-term family business, and which would offer children and families a fun and educational self-pick experience (see Appendix D for Applicant submission).

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

The purpose of the Agricultural Holdings District is to provide for a range of smaller parcel sizes for agricultural purposes. The minimum parcel size for an Agricultural Holdings parcel is 20.01 acres, and as such, the proposed parcels would meet the Land Use Bylaw provisions.

#### CONCLUSION:

The application was reviewed based on the County Plan agricultural policies and was found to be compliant.

#### **OPTIONS:**

Option # 1: Motion #1 THAT Bylaw C-7883-2019 be given first reading.

Motion #2 THAT Bylaw C-7883-2019 be given second reading.



Motion #3 THAT Bylaw C-7883-2019 be considered for third reading.

Motion #4 THAT Bylaw C-7883-2019 be given third and final reading.

Option # 2: That application PL20190019 be refused

Respectfully submitted, Concurrence,

"Richard Barss" "Al Hoggan"

Chief Administrative Officer

Acting Executive Director Community Development Services

JKwan/IIt

**APPENDICES:** 

APPENDIX 'A': Application Referrals

APPENDIX 'B': Bylaw C-7883-2019 and Schedule A

APPENDIX 'C': Map Set

APPENDIX 'D': Applicant submission



## **APPENDIX A: APPLICATION REFERRALS**

AGENCY	COMMENTS
School Authority	
Rocky View Schools	No comments received.
Calgary Catholic School District	No comments received.
Public Francophone Education	No comments received.
Catholic Francophone Education	No comments received.
Province of Alberta	
Energy Resources Conservation Board	No comments received.
Alberta Health Services	No concerns.
Public Utility	
ATCO Gas	No objection.
ATCO Pipelines	No objection.
AltaLink Management	No comments received.
FortisAlberta	No objection.
Telus Communications	No objection.
TransAlta Utilities Ltd.	No comments received.
Other External Agencies	
EnCana Corporation	Not required for circulation.
Western Irrigation Districts	No concerns.
Rocky View County Boards and Committees	
ASB Farm Members and Agricultural Fieldmen	The two components of the proposal appear to be acceptable operations as the land will continue to be used for agricultural purposes. The proposed new and distinct agricultural operation, i.e. the U-Pick, could also be carried out under the current land use designation.
Bow North Recreation Board	No comments.



AGENCY	COMMENTS
Internal Departments	
Legal and Land Administration	No concerns.
Development Authority	No comments.
GIS Services	No comments.
Building Services	No comments.
Fire Services & Emergency Management	No comments.
Municipal Enforcement	No concerns.
Planning & Development -	General
Engineering	<ul> <li>The review of this file is based upon the application submitted. These conditions/recommendations may be subject to change to ensure best practices and procedures.</li> </ul>
	Geotechnical - Section 300.0 requirements:
	<ul> <li>Based on the review of site contours on GIS, site have slope less than 15%.</li> </ul>
	Engineering has no requirements at this time.
	Transportation - Section 400.0 requirements:
	<ul> <li>Road approaches are present from Range Road 274A to both the proposed and remainder parcels</li> </ul>
	<ul> <li>As condition of future subdivision, the applicant is required to provide payment of the Transportation Offsite Levy in accordance with the applicable levy bylaw at time of subdivision approval for three (3) Acres of proposed re- designated parcel as they are proposed to be re-designated to the Agricultural Holdings (AH) District.</li> </ul>
	<ul> <li>Engineering have no requirement at this time.</li> </ul>
	Sanitary/Waste Water - Section 500.0 requirements:
	No information was provided.
	<ul> <li>At the time of subdivision application, the applicant will be required to provide a Level I PSTS Variation Assessment for proposed re-designated parcel describing the existing system type, maintenance requirements and include a sketch showing its location and size. The assessment shall also provide measurements to pertinent features (wetlands, surface water, wells, property lines, home, etc.) and comment</li> </ul>



AGENCY	COMMENTS
	on the general suitability of the existing system based on visual inspection.
	<ul> <li>As per Policy#411, remainder parcel doesn't require proof of servicing as it's more than 30 acres in size.</li> </ul>
	<ul> <li>Engineering have no requirement at this time.</li> </ul>
	Water Supply And Waterworks - Section 600.0 & 800.0 requirements:
	No information was provided.
	<ul> <li>As a condition of future subdivision, the applicant will be required to have a well drilled on proposed lot with Well Driller's report confirming flow of 4.5L/min (1 igpm) or greater</li> </ul>
	<ul> <li>As per Policy#411, remainder parcel doesn't require proof of servicing as it's more than 30 acres in size.</li> </ul>
	<ul> <li>Engineering have no requirement at this time.</li> </ul>
	Storm Water Management – Section 700.0 requirements:
	<ul> <li>Engineering have no requirements at this time as no land disturbance is proposed.</li> </ul>
	Environmental – Section 900.0 requirements:
	<ul> <li>Base on GIS review, wetlands are present on site. No disturbance is proposed at this time. Alberta environment approval for wetland disturbance is sole responsibility of applicant/owner.</li> </ul>
	<ul> <li>ES have no requirements at this time.</li> </ul>
Transportation Services	No concerns.
Capital Project Management	No concerns.
Operational Services	No concerns.
Utility Services	No concerns.
Agriculture and Environment Services	No concerns.

Circulation Period: March 13, 2019 to April 3, 2019.



#### BYLAW C-7883-2019

# 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-7883-2019

#### PART 2 – DEFINITIONS

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

#### PART 3 - EFFECT OF BYLAW

- **THAT** Part 5, Land Use Map No.32 be amended by redesignating a portion of NW-08-23-27-W04M from Ranch and Farm District to Agricultural Holdings District as shown on the attached Schedule 'A' forming part of this Bylaw.
- **THAT** A portion of NW-08-23-27-W04M is hereby redesignated to Agricultural Holdings District as shown on the attached Schedule 'A' forming part of this bylaw.

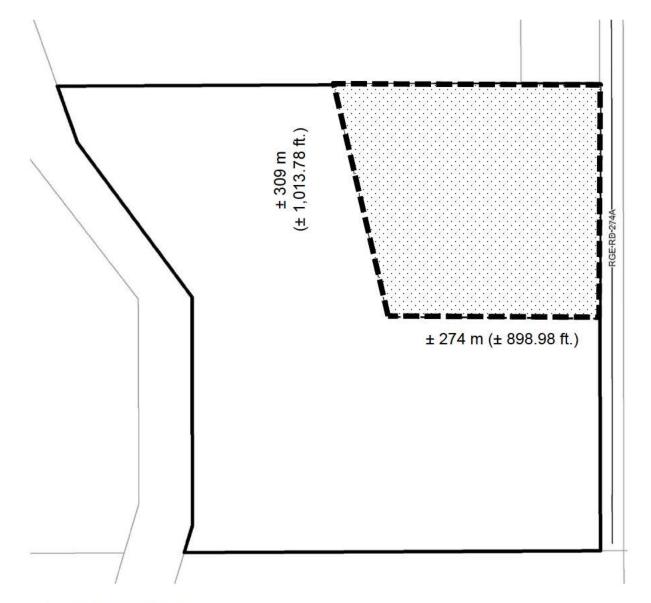
#### **PART 4 – TRANSITIONAL**

Bylaw C-7883-2019 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: 4 File: 03208009/ PL20190019 PUBLIC HEARING WAS HELD IN COUNCIL this day of , 2019 READ A FIRST TIME IN COUNCIL this , 2019 day of 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

SCHEDULE "A"

# BYLAW: C-7883-2019



# **AMENDMENT**

FROM Ranch and Farm District (RF) TO Agricultural Holdings District (AH)



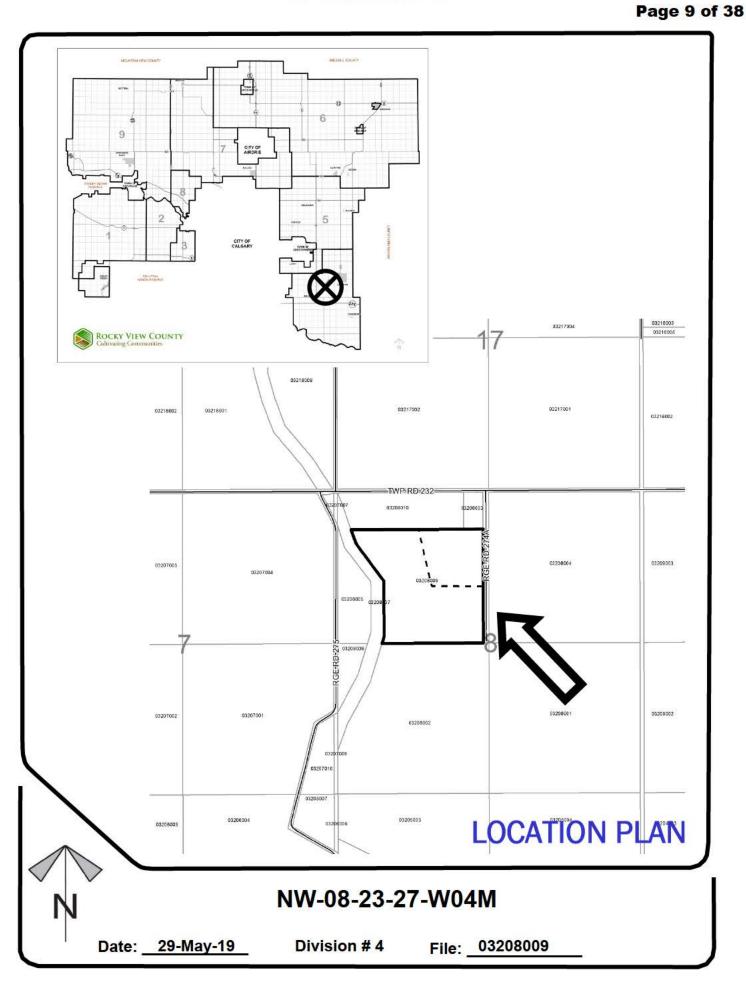
Subject Land -

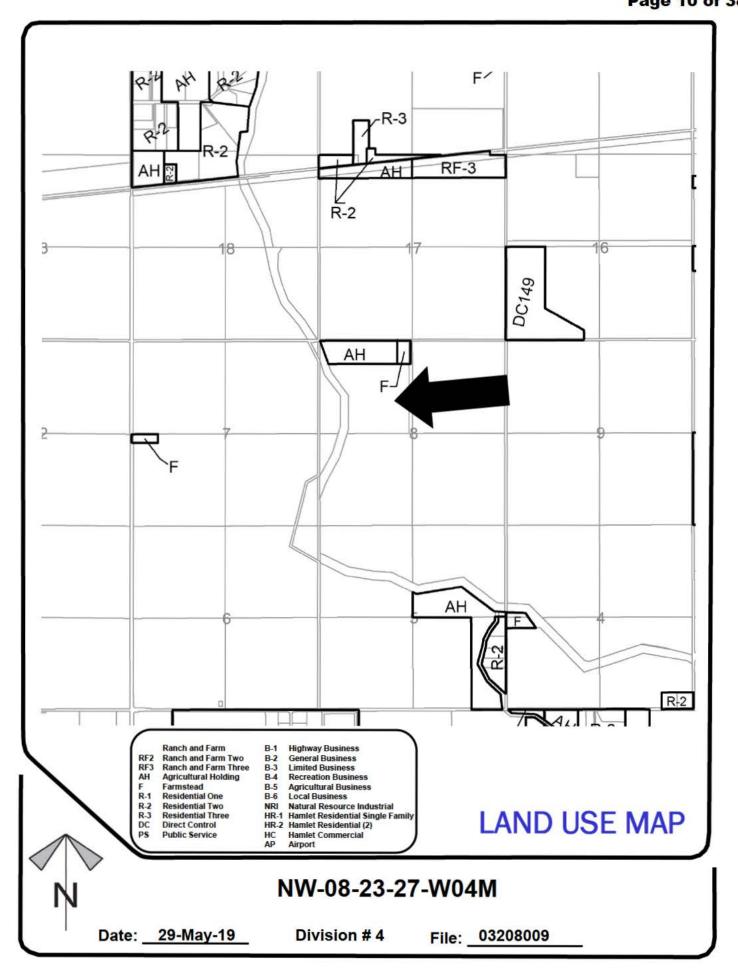
LEGAL DESCRIPTION: A portion of NW-08-23-27-W04M

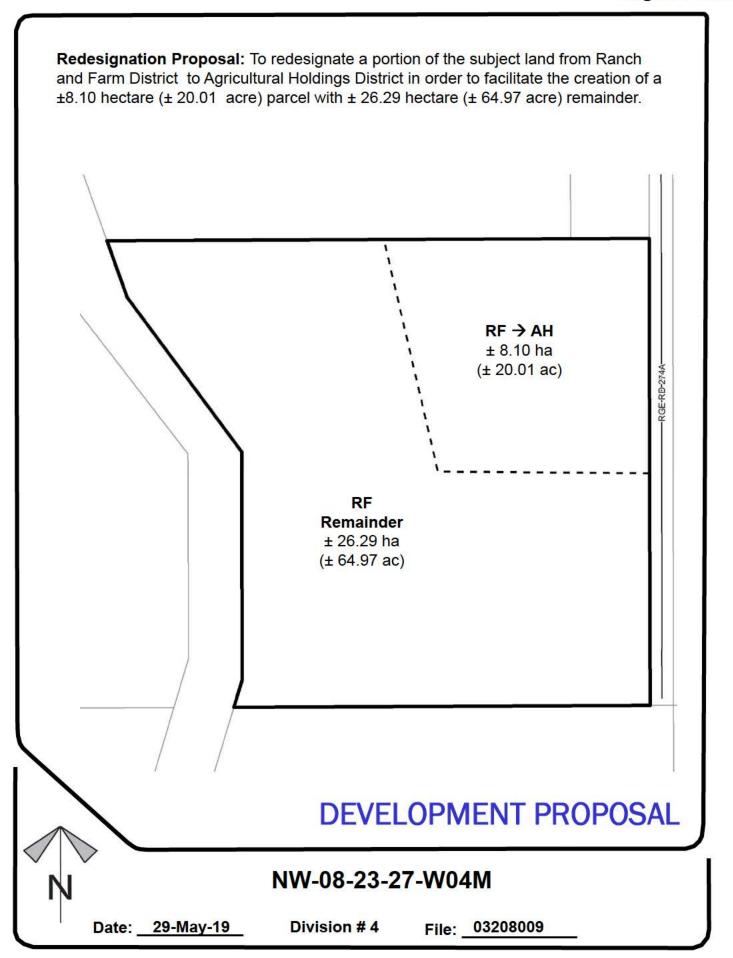
FILE: 03208009 - PL20190019

**DIVISION: 4** 











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

**AIR PHOTO** 

Spring 2018

NW-08-23-27-W04M

Date: 29-May-19

Division #4

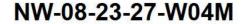
File: 03208009



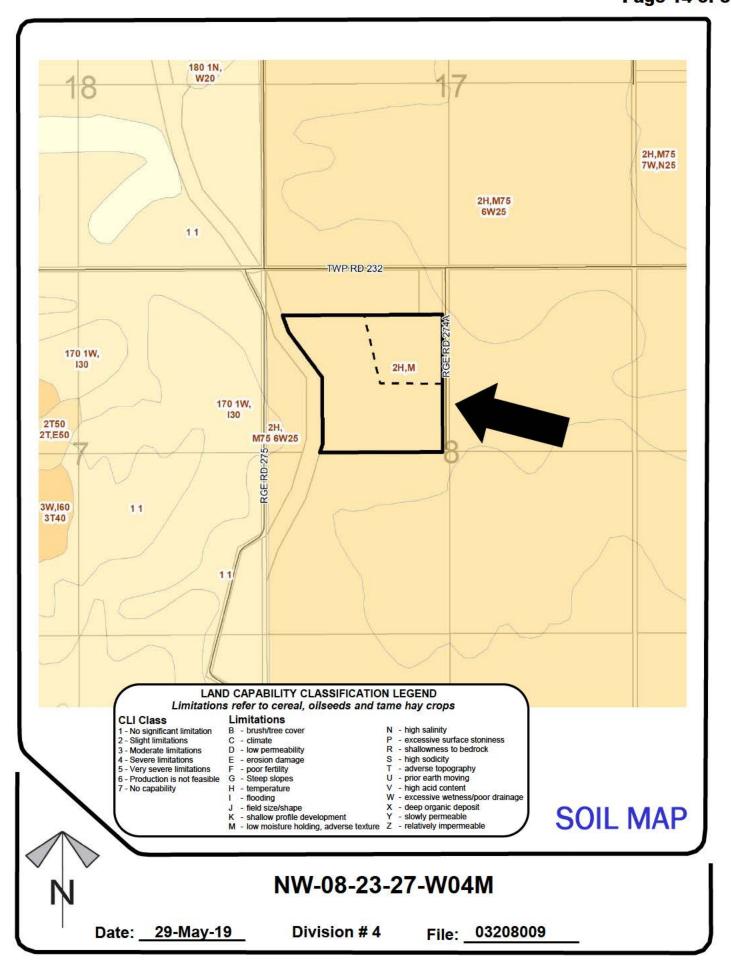
Contours are generated using 10m grid points, and depict general topographic features of the area. Detail accuracy at a local scale cannot be guaranteed. They are included for reference use only.

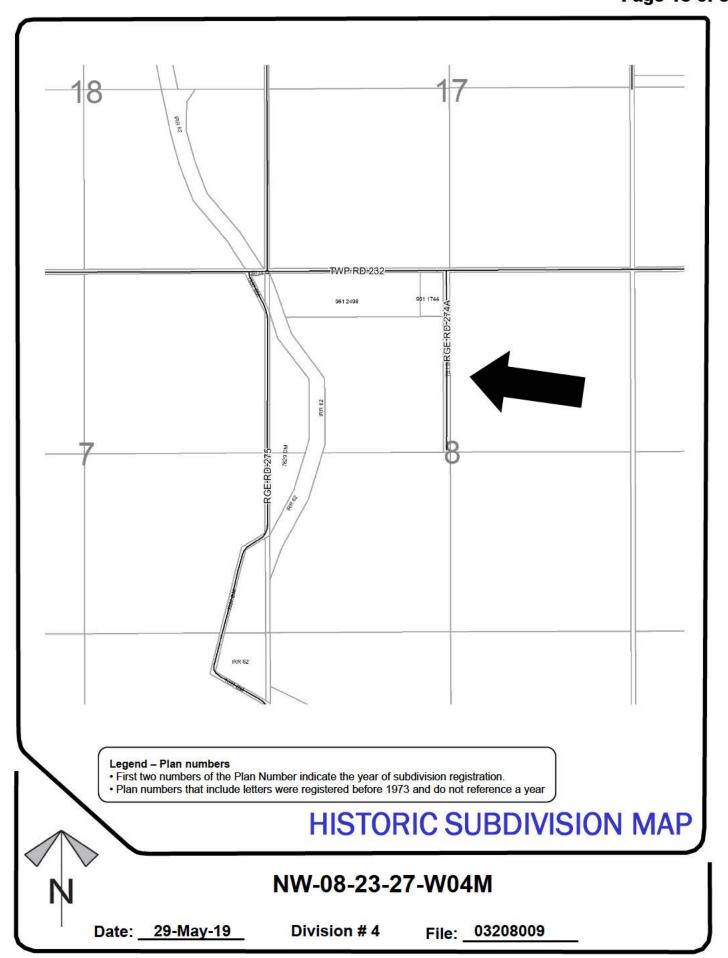
# **TOPOGRAPHY**

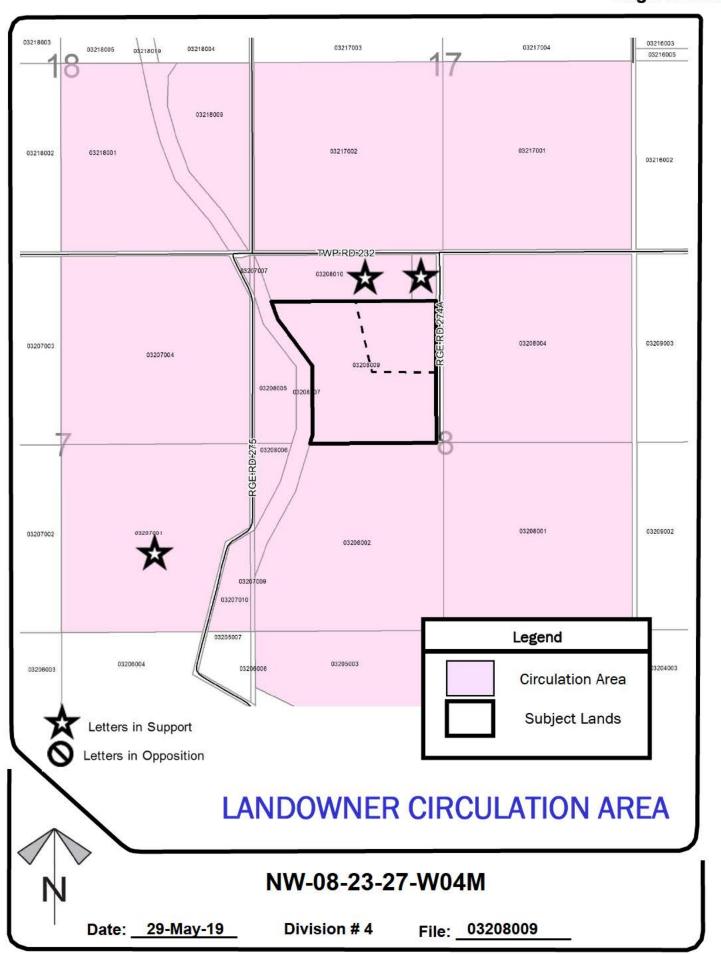
Contour Interval 2 M



Date: 29-May-19 Division # 4 File: 03208009







# LAND REDESIGNATION PROPOSAL 231149 RGE RD 274A, T0J 1X0, ROCKY VIEW COUNTY

December 12, 2018

Rocky View County Council 262075 Rocky View Point Balzac, Alberta, T4A 0X2

Dear Council,

It is our pleasure to submit this letter of intent to pursue land use redesignation approval for 20.01 acres (8.10 Hectors) of current Ranch and Farm District to Agricultural Holdings District for our proposed Berry and Apple Farm. The land is currently apart of 84.98 acres (34.39 Hectares) located at 231149 RGE RD 274A, T0J 1X0, Rocky View County. The property is currently owned by Jay Morris.

# **OVERVIEW**

- o PROJECT SUMMARY
- o PROPOSED LAND USE
- NEED FOR NEW AGRICULTURE OPERATION
- o REDESIGNATION AND SUBDIVISION FOR AGRICUTURAL PURPOSES
- EXECUTION
- o MAPS
- o CONCLUSION

#### **PROJECT SUMMARY**

The project will include the development of a small driving lane on our property starting from RGE RD 274A to a developed parking pad located on the west end of the proposed redesignation property. There will also be the development of a small fruit stand/pay station located approximately 30 feet from the proposed parking lot. Development of watering system and watering tanks for throughout the Berry and Apple farm and apple/pear orchard, as well.

#### The Objective

Redesignate 20.01 acres of property land use from RF to AH (20.01 Acres = Square 933.61427' x 933.61427')

- Incorporating new business plan(s) for Berry and Apple Farm
- Subdivision of land

#### **Land Amendments**

- · Planting of many trees and bushes,
- · Adding a temporary watering system,
- · Will not compromise future land uses,
- · No permanent buildings will be erected

#### The Goal

- To offer Rocky View County and Fresh and Local U-Pick Berry and Apple farm,
- To open and run a long-term family business,
- To offer children and families a fun and educational self-pick experience

#### PROPOSED LAND USE

The land use redesignation from RF to AG for 20.01 acres (8.10 Hectors) will allow development for our proposed business plan. Our business plan will be developed over a two to three-year period. Having a section of the lot cultivated for 50 plus fruit trees, 100-150 berry plants and 20 hydro-stacking planters for strawberries. Watering tanks located in the inner lot (away from public view), small parking lot, temporary fruit stand, porta potties, picnic tables and small play area. Our Berry and Apple Farm will be available for public to pick the fruit themselves or available for purchase from our property and possibly farmers market in the future.

#### **New Agricultural Use**

Our land is currently comprised of an indoor riding arena, hayshed, outdoor horse paddocks, shop, single family dwelling and a 3/4<sup>th</sup> built dwelling. We are proposing to have 20.01 acres (8.10 Hectares) redesignated for the use of a proposed Berry Farm. This property will have 200+ berry bushes and fruit trees. Currently there is only one single dwelling on this portion of the land, the remainder will stay under its current land use of Ranch and Farm District, if approved.

#### **Rationale**

- There is currently less than a dozen U-Pick berry and apple farms in the greater Calgary area,
- Fresh, organic produce is always in demand,
- The Berry Farm will a be a family run business.

#### Similar Pattern of Nearby Operation: 8.18 a

Prairie Berry has a very similar operation plan as our proposed future Berry and Apple Farm. Although we will have much more in regard to variety of fruits and berries, small play structure for children, porta potties and a picnic area. The lay out will be very similar to Prairie Berry, with easily accessible rows of bushes/tress throughout the property with small parking area.

(Prairie Berry Website: http://www.prairieberry.ca/)

#### NEED FOR THE NEW AGRICULTURE OPERATION: 8.18 c

A recent study was done by Infact Research and Consulting Inc., funded by Growing Forward 2, a federal-provincial-territorial initiative. The study is regarding the demand of local food in Alberta and focuses on Census 6 which includes Rocky View County.

The study shows there is a greater need for local produce, especially berries of all types. Fruit came in third on the list of local produce in demand and most purchased local produce.

Not only would opening the proposed Berry and Apple farm be beneficial for the community, it would be beneficial to Alberta's economy. It is undeniable that local, Alberta-grown produce will always be in demand. There is a lack of local berry farms within the greater Calgary area and we are aiming to change this, one farm at a time.

'Canada NewsWire. (Aug 20 2013) "Canadians have growing appetite for local food.""

Rocky View County Plan Policy 8.2 Support and encourage operators involved in regional and local food production, marketing, distribution, diversification, and food security as per the Agriculture Master Plan.

#### **Existing Land Use and Parcel Size Cannot Accommodate 8.18 b**

The existing property is unable to accommodate the business needs proposed. For operational and financing reasons the smaller lot is needed to proceed with our proposed berry and apple farm

#### An assessment of the impact on, and potential upgrades to, County infrastructure 8.18 e;

We are only expecting anywhere from 2-40 vehicles to our property on only Saturdays and Sundays. We have attached an email regarding our future plan to go through with transportation assessment upon approval.

#### **EXECUTION STRATEGY**

Our execution strategy incorporates a highly responsive watering system, researched fruit plants and trees that grow best in Alberta's climate and development strategies from highly knowledgeable personnel. The project with develop over a two to three-year period.

During the earlier stages we will level land for a gravel parking pad and driving lane on proposed property, test for the most suitable area for planting, prepare the land, intergrade a watering system and plant saplings and bushes. In the later stages, once saplings and bushes are mature, we will add the last few touches for the public such as; porta potties, picnic tables and small play set for children and open our business to the public for picking. Furthermore, we will have our produce for sale seasonally in local farmers markets in the Rocky View County and Calgary Area.

- Water irrigation sourced from cannel that property borders with WID (Western Irrigation District).
- Have water rights in place currently.
- Plant trees and berries year one.
- Set up irrigation year one.
- Utilize horse manure for fertilizer.
- Other sources of organic fertilizer will be considered.

# **Proposed Redesignation Area:** (Approximate area size)

20.01 Acres = Square 933.61427' x 933.61427'



# **Current structures on property:** (Approximate size of area and structures) one single family dwelling and one none active well

20.01 Acres = Square 933.61427' x 933.61427'



# **Proposed Business Layout:8.18 d** (Approximate size of land, structures and placement)

20.01 Acres = Square 933.61427' x 933.61427'



# MAP (property)



# MAP(property)



## **CONCLUSION**

We look forward to hearing from you. We hope you can see our excitement regarding the redesignation of our property through our Business Plan. We are confident we can meet the challenges ahead given the opportunity.

If you have questions on this proposal, feel free to contact Jay Morris at 403-542-3333 or email jaymorris@gateq.com.

Thank you for your consideration,

**Jay Morris**Property Owner



# Rocky View Berry Farm U-Pick Apple&Berry Farm

**BUSINESS PLAN** 

## **BUSINESS PLAN OVERVIEW**

- Page 3: Company Overview
- Page 4: Product Description
- Page 5: Operating Plan
- Page 6: Marking and Sales
- Page 7: Conclusion

#### **COMPANY OVERVIEW**

- Company View: Growing up, one of the best memories I have is of berry and apple picking with my family as a young child. I would like to give families in Rocky View County and South Calgary to do the same with they're families. There is less than a handful of Farms in the surrounding area that offer this experience. Allowing young families to learn the importance of organically grown produce by giving them an opportunity to come and pick fresh fruits themselves. It is not only an education opportunity but a great family outing.
- Mission Statement: Providing organically grown fruit to families in Rocky View County and South
   Calgary and teaching our youth the importance of locally grown produce for our health and economy.
- Locations and Facilities: Rocky View Berry Farm will be in Rocky View County, a 20-minute drive from Auburn Bay area Calgary, just east of Highway 22x. Consisting of Saskatoon Berries, Strawberry's, Cherries, Golden Spice Pears, Plums, Norland Apple's and Alberta Gold Apples. We will have a single Fruit Stand/Pay station, a Parking lot accommodating nearly forty vehicles, a half dozen to a dozen Picnic Tables with Umbrella's, Porta Potty's, a small Play Ground area for children.

#### PRODUCT DESCRIPTION

- Opportunity: Now more than ever the importance of fresh, organically grown produce is being known across the world. We have seen in the past five years the drastic change in awareness the public has on the quality of produce we consume. There will forever be a need for organically grown produce. There is no better way to teach our youth the importance of organically grown produce then being at the farm themselves. I would like to take the opportunity to share my passion of fresh produce with our community. Offering a wide verity of fruits at an affordable cost and give the community the opportunity to teach their families about where food comes from by harvesting themselves.
- Product Overview: Organically grown and local produce at affordable cost. We will be offering several
  different fruits available for picking and/or purchase. Depending of season, we will offer: Saskatoon
  Berries, Strawberry's, Cherries, Golden Spice Pears, Plums, Norland Apples, and Alberta Gold Apples.
- **Key Participants:** Rocky View Berry Farm will be a solely Family ran business

**OPERATING PLAN** 

- Payment: Rocky View Berry Farm with accept Cash, Visa, Debit or Mastercard for payment methods.
   We will price fruit by the bag or pint, trying to keep cost to a minimum to ensure it is affordable for everyone in the area. Pricing will also be determined by season and availability of the fruit itself.
- Watering Technology: A drip irrigation watering system will be used throughout the most part of Rocky View Berry Farms. However, we will be using a Hydro-Stacker growing system for our Strawberries. This has been proven to be very efficient when growing strawberry's and tomatoes. The stacking method will make it very accessible for customers during picking season. Water will be sourced from Western Irrigation district water cannel that property boundaries and has water rights.
- **Key Customers:** Targeting local communities of Rocky View County and South Calgary. Young Families looking for an experience and locals looking for a near by farm offering fresh fruits. Also local craft breweries have expressed interest in organic, locally grown fruits.
- Facilities: Rocky View Berry Farm will consist of a Hydro-Stacker strawberry farm. This style of growing will make it ideal for picking for the young and old due to the variation in height levels. We will also have numerous rows with apples, plums, saskatoon berries, strawberry's, and cherries for self-picking. If guest is only interest in quickly picking up fresh produce, we will have a single Fruit Stand/Pay station with fruit already available for purchase. Other amenities include a Parking lot accommodating nearly forty vehicles, a half dozen to a dozen Picnic Tables with Umbrella's, Porta Potty's and a small Play Ground area for children.

# MARKETING AND SALES

- **Key Messages:** Rocky View Berry farm will only be open on weekends and after four pm during harvesting season and will otherwise be closed for the remainder of the year.
- Marketing Activities:
  - Website
  - o Facebook Page
  - Word of Mouth
  - Local Signs
- Sales Strategy: During our first year our main goal is to satisfy our neighbors and community.
   Ensuring our product and picking experience is one to remember. We will take advantage of the minimal advertisement within our first year to ensure our product and guest satisfaction is at its best.

# **CONCLUSION**

We hope you share our excitement when it comes to local organically gown fruit picking in our community. I believe this is not only an opportunity to have fresh produce around the corner or to educate our youth on the growing process but also a great opportunity to have our community come together.

Thank you for your time,

Jay Morris

Dear Neighbour,

This letter if to inform you that we will be submitting to the Rocky View County Council for a land use redesignation for a section of our property on 231149 RGE RD, TOJ 1X0, Rocky View County.

We will be submitting the application in order to use a portion of our property as a local berry farm. Our hopes are to have numerous berry bushes and fruit trees on our property for a U-Pick berry farm for our community. Our property is currently 84.98 acres of Ranch and Farm District, we submitting to have 20.01 acres redesignated to the Agricultural Holding District in order to put our dreams to a reality.

Your support in the approval of out application for this variance would be greatly appreciated. Please provide your name, address, contact information and approval of the variance request to Rocky View County Council.

Please do not hesitate to call if you have any questions regarding out request.

Sincerely,

Jay and Sarah Morris

Name: Friesen (Robert - Peter - Dorothy)
Address: Contact Number:
Approval: Jay + Savah Morris have our approval.
Signature: 2

Dear Neighbour,

This letter if to inform you that we will be submitting to the Rocky View County Council for a land use redesignation for a section of our property on 231149 RGE RD, TOJ 1XO, Rocky View County.

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Your support in the approval of out application for this variance would be greatly appreciated. Please provide your name, address, contact information and approval of the variance request to Rocky View County Council.

Please do not hesitate to call if you have any questions regarding out request.

Sincerely,

Jay and Sarah Morris

Name: JEREMY & CHELSEA LINDSA	1
Address:	
Contact Number:	
Approval: YES.	
Signature:	

Dear Neighbour,

This letter if to inform you that we will be submitting to the Rocky View County Council for a land use redesignation for a section of our property on 231149 RGE RD, TOJ 1X0, Rocky View County.

We will be submitting the application in order to use a portion of our property as a local berry farm. Our hopes are to have numerous berry bushes and fruit trees on our property for a U-Pick berry farm for our community. Our property is currently 84.98 acres of Ranch and Farm District, we submitting to have 20.01 acres redesignated to the Agricultural Holding District in order to put our dreams to a reality.

Your support in the approval of out application for this variance would be greatly appreciated. Please provide your name, address, contact information and approval of the variance request to Rocky View County Council.

Please do not hesitate to call if you have any questions regarding out request.

Sincerely,

Jay and Sarah Morris

Name:	ALand BRENDA Westerson.
Address:	
Contact Num	nber: [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [
Approval:	Ges we approve
Signature:	Bundallestor



# PLANNING & DEVELOPMENT

TO: Council

**DATE:** June 11, 2019 **DIVISION:** 5

TIME: Morning Appointment

FILE: 05219002/03/04/05/10/11/12/13/14 APPLICATION: PL20190009

**SUBJECT:** Redesignation Item - Fairways at Delacour Redesignation

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

The application was evaluated in accordance with the Interim Growth Plan, the Delacour Community Area Structure Plan, and the Fairways at Delacour Conceptual Scheme.

## **EXECUTIVE SUMMARY:**

The purpose of this application is to redesignate a portion of the subject lands from various farm districts to Hamlet Residential (4) District (HR-4) and Business-Leisure and Recreation District (B-LR), in order to facilitate the residential development and golf course business within the adopted Fairways at Delacour Conceptual Scheme.

The subject lands cover two quarter sections of land located at the southeast junction of Highway 564 and Highway 791. The proposed development would contain 480 condominium lots with various lot sizes. There are no concerns with the proposed access or servicing, all of which are discussed in the background section of this report.

# The application:

- Meets the Intensification and Infill Development policies within the Interim Growth Plan;
- Complies with the Golf Course Business Area policies, Golf Course Residential Area policies, and the Hamlet Expansion Area I policies within the Delacour Community Area Structure Plan; and
- Is consistent with the adopted Fairways at Delacour Conceptual Scheme.

**DATE APPLICATION RECEIVED:** February 27, 2019 **DATE DEEMED COMPLETE:** March 18, 2019

**PROPOSAL:** To redesignate a portion of the subject lands from various

farm districts to Hamlet Residential (4) District (HR-4) and Business-Leisure and Recreation District (B-LR) in order to facilitate the residential development and golf course business within the adopted Fairways at Delacour

Conceptual Scheme.

**LEGAL DESCRIPTION:** A portion of W ½ 19-25-27-W04M

GENERAL LOCATION: Located approximately 0.5 miles south of Highway 564 and

immediately east of Highway 791.

APPLICANT: Wescott Consulting Group

**OWNERS:** McIntosh Tree Farms Inc. and others multiple landowners

Xin Deng & Milan Patel, Planning & Development

<sup>&</sup>lt;sup>1</sup> Administration Resources



**EXISTING LAND USE DESIGNATION:** Residential Two District (R-2), Ranch and Farm District

(RF), Ranch and Farm Three District (RF-3), Farmstead

District (F) and Recreation Business District (B-4)

PROPOSED LAND USE DESIGNATION: Hamlet Residential (4) District (HR-4) and Business -

Leisure and Recreation District (B-LR)

**GROSS AREA:** ± 127.58 hectares (± 315.26 acres)

**SOILS (C.L.I. from A.R.C.):** Class 1 1 – No significant limitation for crop production.

Class 2T 2 – Slight limitations for crop production due to

adverse topography.

Class 3T, E60 3W, I40 - Moderate limitations for crop production due to adverse topography, erosion damage,

excessive wetness/poor drainage and flooding.

## **PUBLIC & AGENCY SUBMISSIONS:**

The application was circulated to 75 landowners in the area between March 27 and April 17, 2019. No responses were received. The application was also circulated to a number of internal and external agencies (Appendix 'A').

## HISTORY:

**December 11, 2018** The Fairways at Delacour Conceptual Scheme PL20150148 was approved to

provide a policy framework to guide future development for residential and golf course business development within the Delacour Community Area Structure

Plan.

**December 11, 2018** Policy amendment application PL20180055 was approved to amend the Figure

3 of the Delacour Community Area Structure Plan to expand Golf Course Business Area, in order to support the Fairways at Delacour Conceptual

Scheme.

September 13, 2005 The Delacour Community ASP is adopted

**December 5, 2002** Development Permit (2002-DP-9843) for Outdoor Participant Recreation

Services (18-hole golf course) was issued for what is now the Canal at Delacour

Golf Course.

July 9, 2002 Redesignation application 2002-RV-030 was approved to redesignate the lands

(05219002/003) from Ranch and Farm District to:

a) Recreation Business District (B-4) in order to facilitate the creation of an 18-hole golf course, clubhouse and driving range on ± 161 acres;

- b) Agricultural Holdings District and Ranch and Farm Three District to accommodate two tree farms of ± 15 acres and ± 51 acres respectively;
- c) Residential Two District in order to facilitate the creation of four residential parcels of  $\pm$  5.56 acres,  $\pm$  4.92 acres,  $\pm$  4.68 acres, and  $\pm$  4.67 acres to accommodate the existing residences.

#### **BACKGROUND:**

The site generally slopes inward towards the irrigation canal, which bisects the plan area from south to north. There are two high pressure gas lines crossing the plan area, and no residential development is proposed within the Utility Right of Way.



Adjacent land uses include residential development to the north, small agricultural lands, and small scale hamlet industrial and hamlet commercial lands to the west. The rest of the surrounding lands are primarily agricultural use. The proposed development would contain 480 condominium lots, which would surround the existing golf course. The development would be accessed via the proposed internal roads and new access points along Highway 791 and Highway 564, and a road would be constructed to cross the existing canal.

The development would be serviced by a County piped water system and an on-site communal wastewater treatment system. Wastewater and stormwater would be collected, treated, and reused for golf course irrigation. Pathway and open space provided within the plan area would promote pedestrian connection, provide an appropriate buffer to adjacent agricultural lands, and would be owned and managed by the future Condominium Corporation.

#### **POLICY ANALYSIS:**

The application was evaluated in accordance with the Interim Growth Plan, the Delacour Community Area Structure Plan and the Fairways at Delacour Conceptual Scheme.

## Interim Growth Plan

The Interim Growth Plan provides planning direction and guidance on certain areas of regional significance related to population and employment growth, land-use, infrastructure, and services. The Plan provides policies for four development types. "Intensification and Infill Development" refers to development that results in increasing in population and employment density in existing settlement areas, with the aim to optimize existing infrastructure and services.

The proposed residential development within the hamlet meets the policies of Intensification and Infill Development, as the proposed development will increase efficient use of the land and infrastructure planned for the development.

# Delacour Community Area Structure Plan

The proposal is compliant with Figure 3 and Policies 5.6.1, 5.6.2, 5.3.2, and 5.6.3 as it is a golf course providing a recreational use, contains a clubhouse, is approved for year-round business operation, and will enhance and stimulate economic development by providing recreational opportunities for the residents in the community, which is complimentary to the Delacour Community Hall. Further, the proposal requests redesignation from a use that is no longer available to Business-Leisure and Recreation District, which would support this use. Residential development within the Hamlet Expansion Area and Golf Course Residential Area would be serviced by piped water and wastewater, which would also support the higher density development of the Estate Villas - one of the housing types proposed with small lots containing duplex dwellings. The Estate Villas parcel sizes would be between 228 – 435 sq. m (2,454 – 4,843 sq. ft.), which are smaller than what is suggested in policy 5.3.2, but would be supported with this servicing strategy.

# Fairways at Delacour Conceptual Scheme

The Fairways at Delacour Conceptual Scheme was adopted by Council on December 11, 2018, to provide a policy framework to guide future redesignation, subdivision, and development for residential and golf course business development within the Delacour Community Area Structure Plan. The proposal is in alignment with the Fairways at Delacour Conceptual Scheme.

#### CONCLUSION:

Administration evaluated this application based on the applicable policies. The proposal meets the Interim Growth Plan, the Delacour Community Area Structure Plan, and the Fairways at Delacour Conceptual Scheme.



# **OPTIONS:**

Option #1: Motion #1 THAT Bylaw C-7891-2019 be given first reading.

Motion #2 THAT Bylaw C-7891-2019 be given second reading.

Motion #3 THAT Bylaw C-7891-2019 be considered for third reading.

Motion #4 THAT Bylaw C-7891-2019 be given third and final reading.

Option #2: THAT application PL20190009 be refused.

Respectfully submitted, Concurrence,

"Richard Barss" "Al Hoggan"

Acting Executive Director

Community Development Services

Chief Administrative Officer

XD/IIt

**APPENDICES:** 

APPENDIX 'A': Application Referrals

APPENDIX 'B': Bylaw C-7891-2019 and Schedule A

APPENDIX 'C': Map Set



# **APPENDIX A: APPLICATION REFERRALS**

AGENCY         COMMENTS           School Authority         No objection.           Rocky View Schools         No objection.           Calgary Catholic School District         No response.           Public Francophone Education         No response.           Province of Alberta         Not required for circulation.           Alberta Environment         Not required for circulation.           Alberta Transportation previously provided comments with respect to the Conceptual Scheme. No changes from these comments are required due to the land use redesignation as proposed, as it appears generally consistent with the previously reviewed conceptual scheme.           All subsequent subdivision applications will be reviewed to determine the scope of improvements to transportation infrastructure that will be required to support individual subdivision applications as well as the cumulative impacts on Highway 791 and Highway 564.           Alberta Sustainable Development (Public Lands)         Not response.           Alberta Energy Regulator         No response.           Alberta Health Services         No response.           Public Utility           ATCO Gas         No objection.           ATCO Pipelines         No response.           AltaLink Management         No response.           FortisAlberta         No response.           Telus Communications         No response.		ALL ENDIX A. ALL EIGATION RELEXIVAES
Rocky View Schools Calgary Catholic School District No objection.  Public Francophone Education Catholic Francophone Education No response.  No response.  Province of Alberta  Alberta Environment Alberta Transportation previously provided comments with respect to the Conceptual Scheme. No changes from these comments are required due to the land use redesignation as proposed, as it appears generally consistent with the previously reviewed conceptual scheme. All subsequent subdivision applications will be reviewed to determine the scope of improvements to transportation infrastructure that will be required to support individual subdivision applications as well as the cumulative impacts on Highway 791 and Highway 564.  Not required for circulation.  No response.  Alberta Culture and Community Spirit (Historical Resources)  No response.  No response.  Public Utility  ATCO Gas No objection.  ATCO Pipelines No response.  No response.  PortisAlberta No response.  FortisAlberta No response.  No response.	AGENCY	COMMENTS
Calgary Catholic School District Public Francophone Education No response.  Catholic Francophone Education Province of Alberta  Alberta Environment Alberta Transportation previously provided comments with respect to the Conceptual Scheme. No changes from these comments are required due to the land use redesignation as proposed, as it appears generally consistent with the previously reviewed conceptual scheme. All subsequent subdivision applications will be reviewed to determine the scope of improvements to transportation infrastructure that will be required to support individual subdivision applications as well as the cumulative impacts on Highway 791 and Highway 564.  Alberta Sustainable Development (Public Lands) Alberta Culture and Community Spirit (Historical Resources) Alberta Energy Regulator No response.  No response.  No response.  No response.  AtCO Gas No objection.  ATCO Gas No objection.  ATCO Pipelines No response.  AtaLink Management No response.  FortisAlberta No response.  No response.	School Authority	
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Alberta Transportation Alberta Transportation Alberta Transportation Alberta Transportation Alberta Transportation previously provided comments with respect to the Conceptual Scheme. No changes from these comments are required due to the land use redesignation as proposed, as it appears generally consistent with the previously reviewed conceptual scheme. All subsequent subdivision applications will be reviewed to determine the scope of improvements to transportation infrastructure that will be required to support individual subdivision applications as well as the cumulative impacts on Highway 791 and Highway 564.  Alberta Sustainable Development (Public Lands) Alberta Culture and Community Spirit (Historical Resources) Alberta Energy Regulator Alberta Health Services No response.  Public Utility  ATCO Gas No objection.  ATCO Pipelines No response.  AltaLink Management No response.  FortisAlberta No response.  No response.  FortisAlberta No response.  No response.	Catholic Francophone Education	No response.
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ATCO Gas No objection.  ATCO Pipelines No response.  AltaLink Management No response.  FortisAlberta No response.  Telus Communications No response.	Alberta Energy Regulator	No response.
ATCO Gas No objection.  ATCO Pipelines No response.  AltaLink Management No response.  FortisAlberta No response.  Telus Communications No response.	Alberta Health Services	No response.
ATCO Pipelines No response.  AltaLink Management No response.  FortisAlberta No response.  Telus Communications No response.	Public Utility	
AltaLink Management No response.  FortisAlberta No response.  Telus Communications No response.	ATCO Gas	No objection.
FortisAlberta No response.  Telus Communications No response.	ATCO Pipelines	No response.
Telus Communications No response.	AltaLink Management	No response.
	FortisAlberta	No response.
TransAlta Utilities Ltd. No response.	Telus Communications	No response.
	TransAlta Utilities Ltd.	No response.



AGENCY	COMMENTS
Other External Agencies	
EnCana Corporation	No response.
Rocky View Gas Co-op	Rockyview Gas Co-op has no objections to this redesignation proceeding. Rockyview Gas Co-op Ltd. Will require notification when/if a subdivision application is to follow the redesignation application.
CN Railway	CN Rail does not object to the land redesignation. However, given the proximity to the existing rail line, we would request that as the project moves forward, the applicant is required to complete a noise study to determine if higher standards of construction would be required to address noise issues. As these houses will be within 300 meters of the rail line, we would also ask that the applicant is required to register a noise caveat on title.
Western Irrigation District (WID)	Please be advised that WID has no objections to the crossing; however the crossing design will be required to be approved by WID and built to WID's specifications. A crossing agreement will be required prior to the crossing being installed.
Rocky View County Boards and Committees	
ASB Farm Members and Agricultural Fieldmen	No agricultural concerns as the parcels fall within the Delacour Area Structure Plan. The application of the buffer treatments referenced in the Fairways at Delacour Conceptual Scheme will help to mitigate areas of concern including, trespass, litter, pets, noise and concern over fertilizers, dust & normal agricultural practices.
Rocky View East Recreation Board	Recommends cash in lieu be taken at the future subdivision stage.
Internal Departments	
Recreation, Parks, and Community Support	No concerns with this land use redesignation application. Comments pertaining to reserve dedication to support development of parks, open spaces, or an active transportation network will be provided at any future subdivision stage.
Development Authority	No response.
Municipal Enforcement	No response.
GIS Solution	Please ensure the applicant submits a road naming application to our GIS group for approval.



## **COMMENTS**

## **Building Services**

No response.

# Fire Services & Emergency Management

The developer needs to develop a construction Emergency Response plan for the construction phase of this project. Have him contact the Rocky View Fire Services to get that started.

The water is going to connect to Rocky View County's main. Please ensure that the required flows are as per Rocky View County's Municipal Servicing Standards, and that the reservoir is as per the Alberta Building Code.

Please have the developer consult with the Rocky View Fire Service as to the placement of the fire hydrants in the development.

Phases 1 & 3 will need to have a secondary access route built as per the Alberta Building Code.

Although it has been stated that the community will be built to FireSmart standards, this is not a requirement at this time. It is a recommendation which recognizes the developers commitment to the Fire Life Safety of the residents of the community.

# Planning & Development - Engineering

## General:

- 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.
- It is to be noted that the applicant is proposing a Bareland Condominium concept and ownership structure. As a condition of future subdivision, the applicant will be required to create a Condominium Corporation, in accordance with the requirements of the Condominium Property Act.
- County Policy & Servicing Standards generally require that communal servicing systems (storm, water and wastewater) be eventually turned over to the County. Given that the proposed wastewater and stormwater systems are to be located on private lands (golf course) and are integral to the long term operation of those lands, it was determined that the franchised utility model was most appropriate for this development proposal. The Franchise Agreement provides the County the ability to take control of the systems should the utility corporation be in default. The proposed water distribution system is to be directly tied into the County's potable water system; further discussion is to be had to confirm if the potable water systems within the development are to be turned over to the County or if they are also to be included under the pursue of the Franchised Utility Provider.
- As a condition of future subdivision, the applicant will be required to create a utility corporation and enter into



## COMMENTS

Franchise Agreements with the County for the control, operation and maintenance of the wastewater treatment, stormwater and water distribution systems.

 The proposed Condominium Corporation is to own and control the road allowances and open spaces within the development area. The golf course operator is expected to own and manage the proposed utility corporation (storm, water and wastewater).

#### **Geotechnical:**

- The applicant provided a Shallow Subsoil and Groundwater Site Investigation for the Fairways at Delacour development prepared by Almor Testing Services dated December 2016. The assessment evaluated the subsurface soil and groundwater conditions within the project boundaries and provides preliminary geotechnical recommendations for the design and construction of site grading, underground services, residential concrete foundations and asphaltic concrete pavement structures. The findings of the report indicate favorable subsurface and soil conditions to support the proposed development.
- At time of detailed design, the applicant will be required to implement the recommendations made in the Geotechnical Investigation prepared by a Shallow Subsoil and Groundwater Site Investigation for the Fairways at Delacour development prepared by Almor Testing Services dated December 2016 into the detailed design of the development infrastructure.

# **Transportation:**

- As per comments received from AT, the applicant will be required to implement all necessary improvements to the highway network such as the paving of Highway 791 between Highway 564 and the site access as well as all necessary intersectional improvements as a condition of future subdivision.
- The applicant provided a TIA for the proposed development prepared by D&A Paulichuk Consulting Ltd. dated January 15, 2016. The TIA takes into consideration the existing background traffic and evaluates the impacts of the proposed development onto the adjacent highway network (Highway 791 and 564) and provides a recommended upgrade at the intersection of Highway 791 and 564 (Type II and partial illumination). The TIA also provides recommendations for the intersections configurations to be implemented at the site access locations onto the highway network.
- It is to be noted that the current rail crossing at Highway 564 is a signalized crossing (with warning flashers) however all



## COMMENTS

future TIA updates shall also consider the adequacy of the existing rail crossing on Highway 564.

- As the applicant is proposing a Bareland Condominium concept and ownership structure, all ROW areas will be required to be common property owned and maintained by the Condominium Corporation.
- As a condition of future subdivision, the applicant is required to provide payment of the Transportation Off-Site Levy, in accordance with the applicable levy at time of subdivision approval, for the total gross acreage of the lands proposed to be subdivided and developed.
- It is to be noted that the applicant shall be responsible for any ROW acquisitions (if required) required to support the proposed development.

# Sanitary/Wastewater:

- As per the Conceptual Scheme, the applicant is proposing to utilize a communal wastewater treatment and disposal system that will be designed to service the entire development and be capable of expansion in the future. The wastewater collection system is proposed to consist of a combination of pressurized/gravity sewers tied to communal septic tanks required for primary treatment (settling of solids). Wastewater will then be conveyed to the WWTP which consists of an AdvanTex Technology (AX Max treatment system) developed by Orenco and an ultraviolet (UV) disinfection unit. Treated effluent is then pumped through various constructed wetlands to two (2) new stormwater wet ponds to be constructed on the golf course property and then pumped to the main irrigation ponds. The new stormwater ponds to be constructed on the golf course shall be sized for adequate winter/off season storage. It is to be noted that the Silverhorn Development in Bearspaw as well as the Spring Hill RV Park (north of Cochrane) both utilize a similar wastewater treatment system (Orenco).
- It is to be noted that the stormwater management plan prepared by Westhoff Engineering Resources Ltd. has taken into consideration flows from the WWTP when sizing and providing the overall stormwater/water management concept for the proposed development.
- The conceptual scheme takes into consideration the water quality of the irrigation supply (combination of stormwater, wastewater effluent and WID water intake) and states that the proposed treatment system will exceed AEP requirements (Guidelines for Municipal Wastewater Irrigation (April 2000)). The routing of the treated effluent through the constructed wetlands will provide further treatment prior to



#### **COMMENTS**

flows entering the onsite wet ponds.

- The Conceptual Scheme is estimated a build out population of about 1350 residents with an estimated wastewater flow projection of 410 cubic meters per day. The projections provided align with typical residential flows seen in other similarly developed areas in the County and align with the County's Water & Wastewater Facilities By-law.
- As the applicant is proposing to own, maintain and operate
  the proposed wastewater system to control the quantity and
  quality of water as it is to be used for the irrigation of the golf
  course, as a condition of future subdivision, the applicant will
  be required to create a Utility Corporation and enter into a
  Franchise Agreements with the County for the operation and
  maintenance of the collection, treatment and disposal
  systems.
- As per the development concept, a relaxation to the setback distances for the WWTP will be necessary as residences have been proposed within 300m of the WWTP (proposed relaxation is approx. 200m). Closer setbacks may be supported by the County provided that the County is comfortable with the level of wastewater treatment and potential odors produced from the WWTP. The applicant has indicated that the treatment process is to be underground and fenced area. As a condition of future subdivision, the applicant will be required to obtain approvals from AEP (via County application) for the development of phases within the setback area as defined by AEP guidelines.

# Water Supply And Waterworks:

- A new alignment was proposed to serve the Fairways at Delacour Conceptual Plan Area, dated March 2, 2019.
   Proposed alignment will gain access to 'A' Avenue as well as Lot 8 & Lot 25, Block 3, Plan 4333 AV, (which are owned by Rocky View County) and Broadway Avenue. Engineering have no concern with this.
- As per the Conceptual Scheme, the applicant is proposing to construct an underground storage reservoir and a new transmission main tying into the existing Conrich Transmission Main (located on RR 281 – approx. 2km to the west of the subject lands) to service the proposed development. The Conceptual Scheme estimates a build out population of 1350 residents with an estimated water demand of 410 cubic meters per day;
- The applicant provided a Preliminary Design Brief for the proposed Potable Water and Wastewater Systems for the proposed development prepared by the SD Consulting Group dated May 22, 2017. The design brief provides an overview



# **COMMENTS**

of the water and wastewater systems necessary to support the proposed development;

- The County's Graham Creek Water Treatment plant has been sized to provide approx. 4000 m³ of potable water supply per day and services the East Balzac and Conrich areas. At this time, average daily demand for the East Balzac area is approx. 800 m³ per day and limited users (CN Business Park) in the Conrich area. At this time, the estimated water demand of 410 cubic meters per day is within the capabilities and capacity of the County's Graham Creek Water Plant.
- It is to be noted that the proposed development is outside of an identified service area for the Conrich Transmission Main and Graham Creek Water Treatment plant as identified in the County's Water & Wastewater Levy Bylaw. At time of future subdivision, the applicant will be required to re-assess the available capacity at the Graham Creek Water Treatment plant and the Conrich Transmission Main to provide the necessary capacity to the proposed development taking into the consideration the build-out of the other areas within the County (East Balzac, Conrich & Omni). Should further improvements to the County's water system outside of those outlined in the County's Water and Wastewater Levy Bylaw be warranted, the applicant will be responsible for the implementation of the improvements as a condition of future subdivision;
- As the applicant is proposing a Bareland Condominium concept and ownership structure, as a condition of future subdivision, the applicant will be required to create a Utility Corporation and enter into a Franchise Agreements with the County for the operation and maintenance of the water distribution system;
- As a condition of future subdivision, the applicant will be required to provide payment of the County's Water & Wastewater Offsite Levy in accordance with the applicable levy at time of subdivision approval, for the use of the County's water distribution infrastructure. As the proposed development is outside of the identified services areas, the components of the levy that will be applicable to this development will be determined at time of subdivision;
- The applicant may be eligible to receive cost recoveries if any oversizing or allowance for future tie-in is made in the proposed water distribution system;
- It is to be noted that the proposed reservoir and pump station is required to be located on a Public Utility Lot.



## **COMMENTS**

# **Stormwater Management:**

- The applicant provided a Sub Catchment Drainage Plan for the Fairways at Delacour Development prepared by Westhoff Engineering Resources dated April 04, 2017. The stormwater management concept consists of a series of interconnected ponds throughout the golf course property to safely manage stormwater from the proposed development. The storm ponds within the golf course also accept the treated effluent from the WWTP which is then used to irrigate the golf course. Engineering has reviewed the report and its findings and has no further concerns with the proposal;
- As per the stormwater management concept, the proposed stormwater management infrastructure is primarily located on the golf course property with the exception of a few linear and small ponds which are to be located within the proposed open space. As the system is to be located on private property (golf course and open space to be owned by the future condo association), as a condition of future subdivision, the applicant will be required to provide a blanket access and utility easement across all of the golf course property and open space to allow the County to legally access the stormwater ponds in case of emergency. The stormwater management system is to be completely operated, maintained and owned by the golf course operator and/or future Condominium Corporation;
- As the applicant is proposing to own, maintain and operate the proposed stormwater management system which relies on the irrigation of the golf course, as a condition of future subdivision, the applicant will be required to create a Utility Corporation and enter into a Franchise and Infrastructure Transfer Agreements with the County for the operation and maintenance of the stormwater management system.

#### **Environmental:**

- The applicant conducted an Archaeological and Historical Assessment, prepared by Lifeways of Canada Ltd. dated November 2002, taking into consideration any historical or environmental significance onsite and concluded that no known natural, paleontological, archaeological, traditional or historic sites exist within the subject lands. Prior to entering into any Development Agreement with the County, the applicant will be required to obtain clearance under the Alberta Culture & Tourism Act:
- As the subject lands have been previously disturbed through the development of the existing golf course and aerial imagery does not indicate that wetland exist on the subject lands, Engineering has no further requirements at this time.



AGENCY	COMMENTS
Transportation Services	Applicant to confirm mail service to the development. Any mailbox pullouts will be constructed by the applicant to current County Servicing Standards.
	Application involves Development along Alberta Transportation Road Allowance. Therefore, applications to be circulated to Alberta Transportation for review and comments.
	Circulation to Western Irrigation District for Comments
Capital Project Management	No response.
Utility Services	No Concerns at this time. Servicing requirements to be dealt with at the time of subdivision

Circulation Period: March 27 - April 17, 2019



# BYLAW C-7891-2019

# 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-7891-2019.

# **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

- Part 5, Land Use Map No. 52 of Bylaw C-4841-97 be amended by redesignating a portion of W 1/2 19-25-27-W04M, from Residential Two District (R-2), Ranch and Farm District (RF), Ranch and Farm Three District (RF-3), Farmstead District (F) and Recreation Business District (B-4) to Hamlet Residential (4) District (HR-4) and Business Leisure and Recreation District (B-LR), as shown on the attached Schedule 'A' forming part of this Bylaw.
- THAT A portion of W 1/2 19-25-27-W04M, is hereby redesignated to Hamlet Residential (4) District (HR-4) and Business Leisure and Recreation District (B-LR), as shown on the attached Schedule 'A' forming part of this Bylaw.

## **PART 4 – TRANSITIONAL**

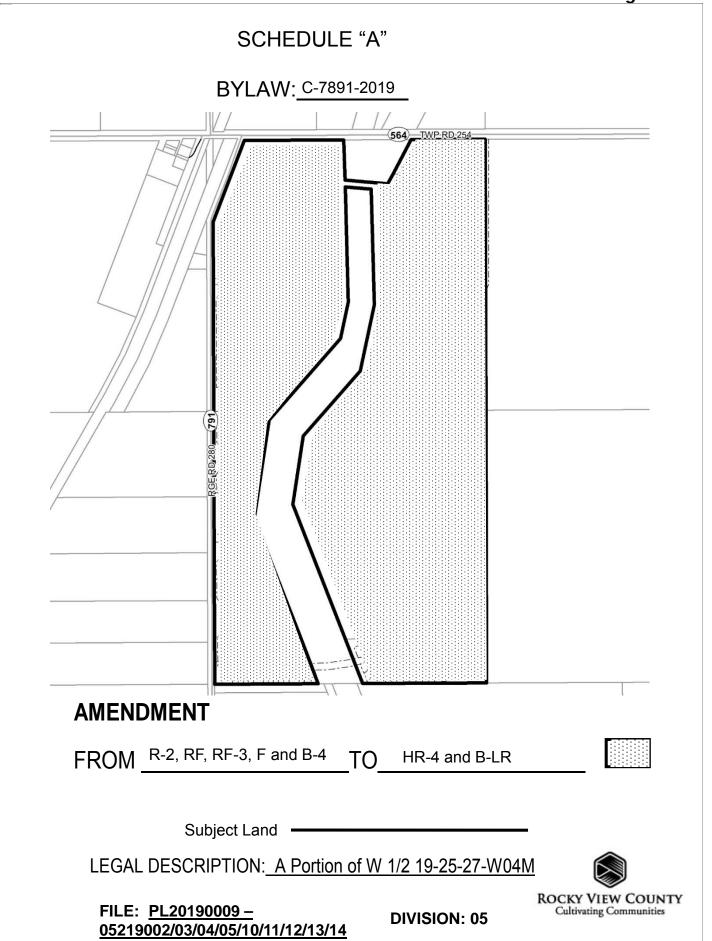
Bylaw C-7891-2019 comes into force when it receives third reading, and is signed by the Reeve/Deputy Reeve and the CAO or Designate, as per the Municipal Government Act.

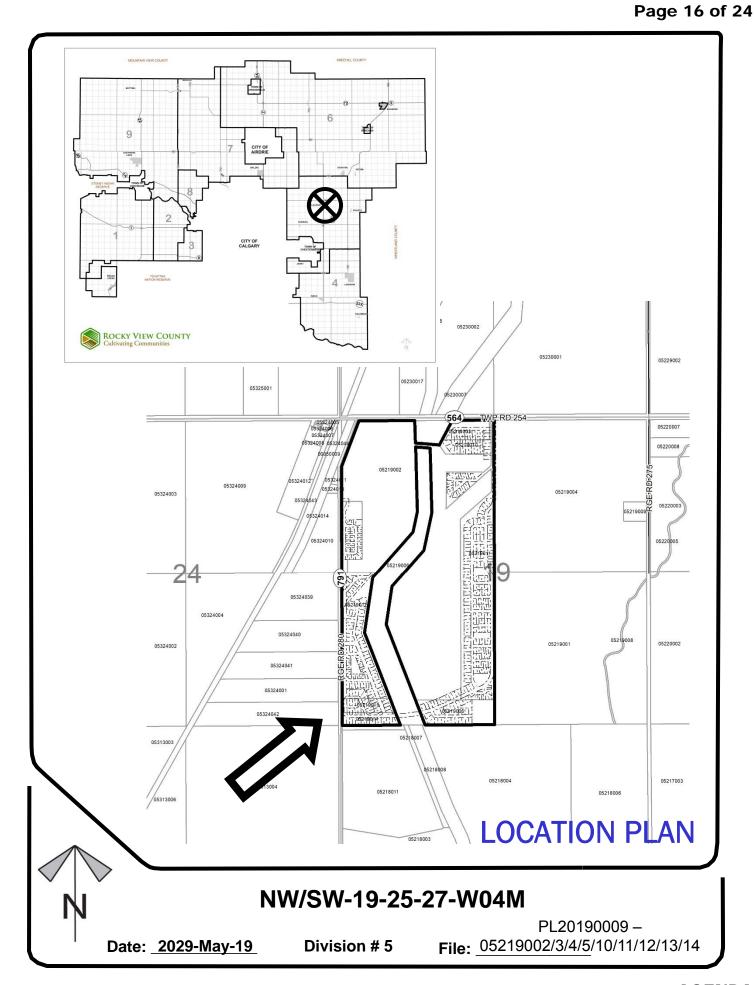
Division: 05

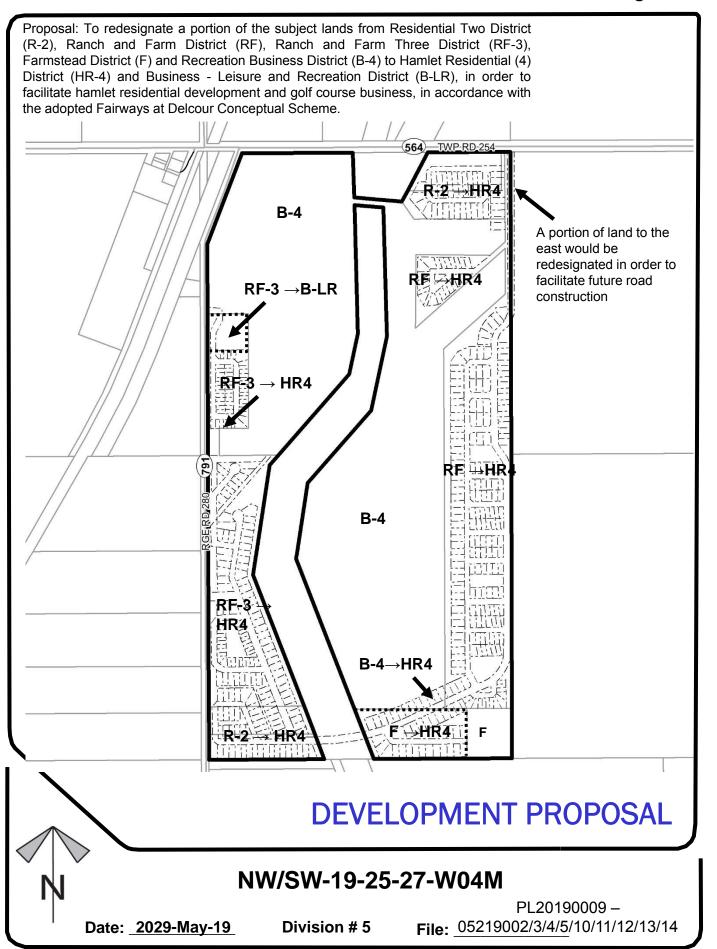
File: 05219002/03/04/05/10/11/12/13/14 / PL20190009

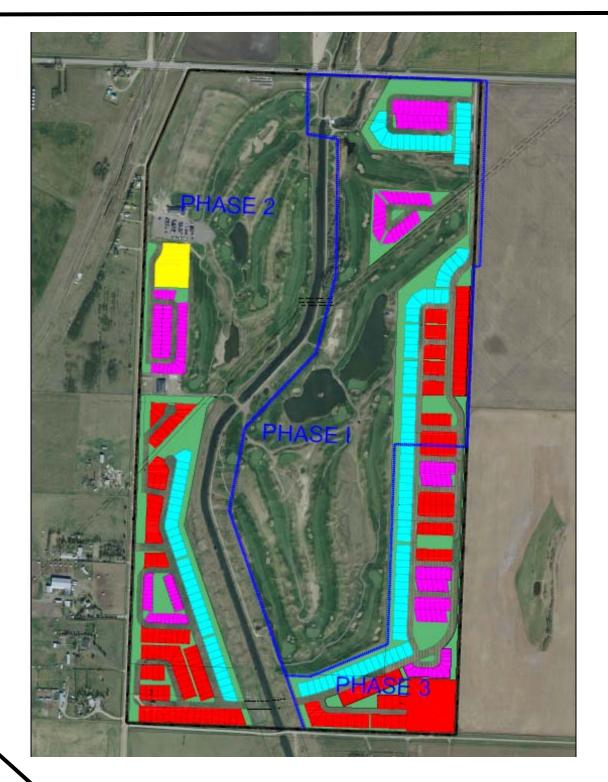
PUBLIC HEARING WAS HELD IN COUNCIL this	day of	, 2019
READ A FIRST TIME IN COUNCIL this	day of	, 2019
READ A SECOND TIME IN COUNCIL this	day of	, 2019
UNANIMOUS PERMISSION FOR THIRD READING	day of	, 2019
READ A THIRD TIME IN COUNCIL this	day of	, 2019
	Reeve	
	CAO or Designate	<b>)</b>
	Date Bylaw Signe	d

Bylaw C-7891-2019



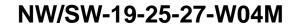






# Fairways at Delacour Conceptual Scheme

(Adopted by Council on Dec 11, 2018)



PL20190009 -

Date: <u>2029-May-19</u> Division # 5 File: 05219002/3/4/5/10/11/12/13/14



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

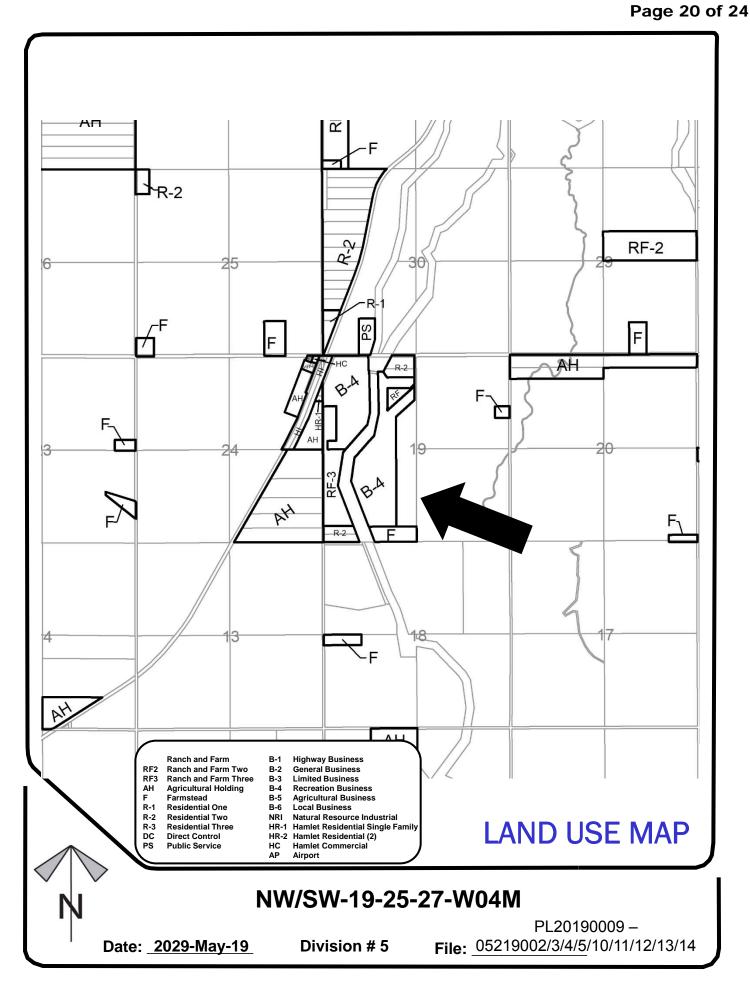
# **AIR PHOTO**

Spring 2018



PL20190009 -

File: 05219002/3/4/5/10/11/12/13/14 Date: 2029-May-19 Division # 5

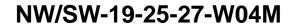




Contours are generated using 10m grid points, and depict general topographic features of the area. Detail accuracy at a local scale cannot be guaranteed. They are included for reference use only.

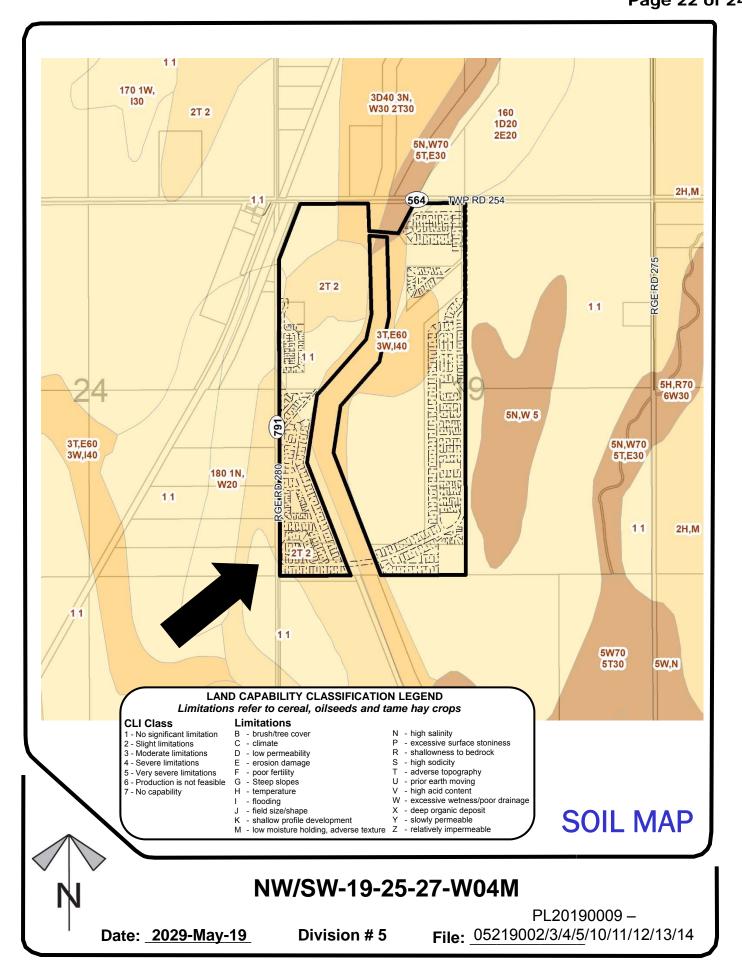
# **TOPOGRAPHY**

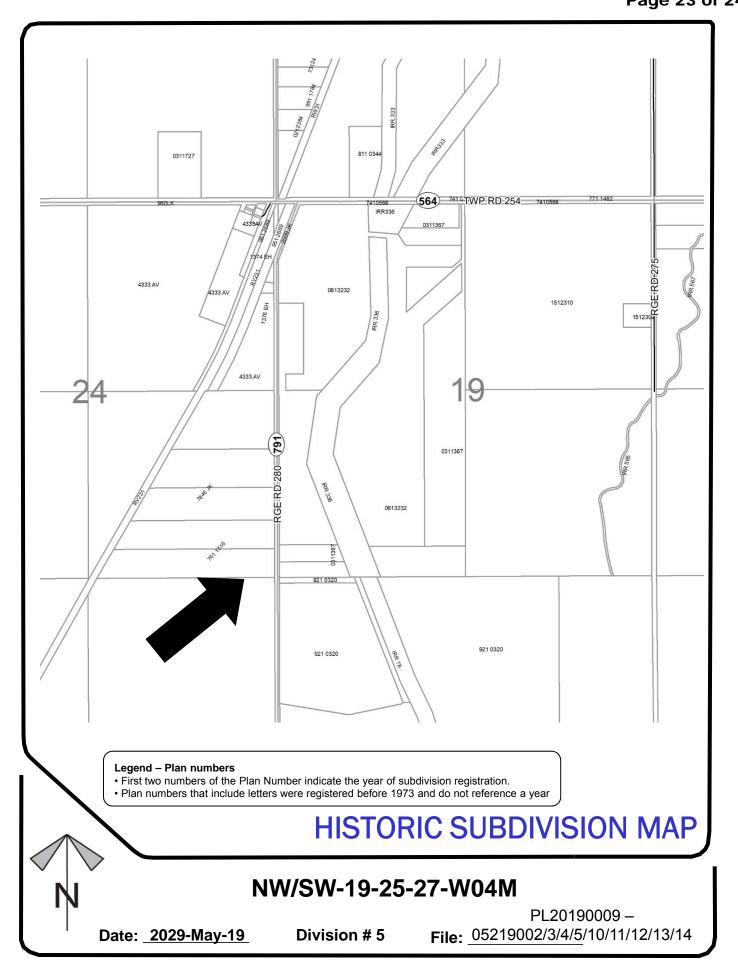
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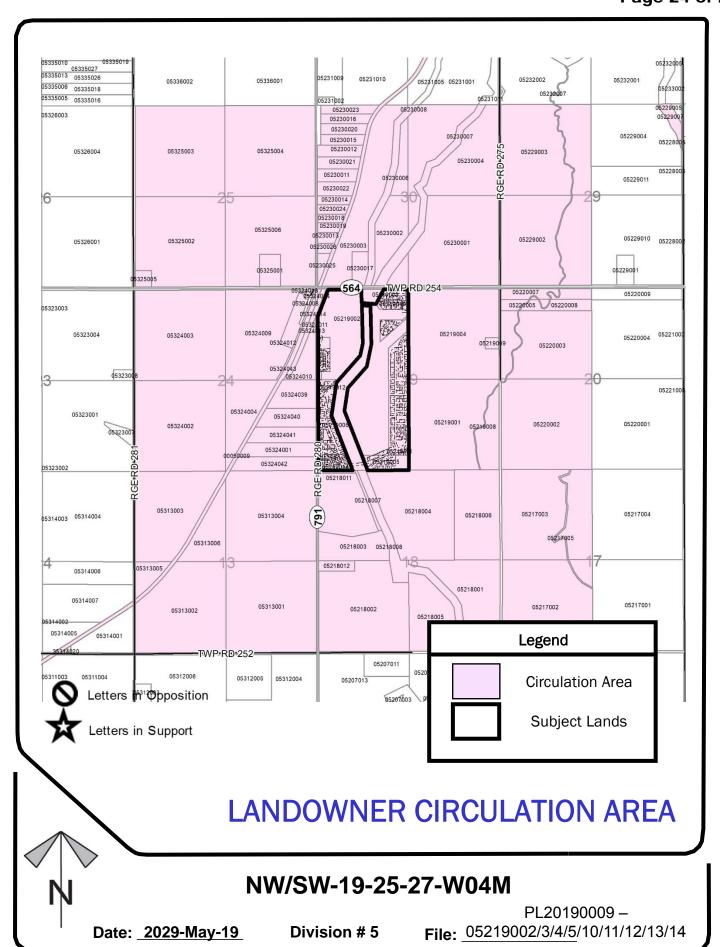


PL20190009 -

Date: <u>2029-May-19</u> Division # 5 File: <u>05219002/3/4/5/10/11/12/13/14</u>









# **PLANNING & DEVELOPMENT**

TO: Council

**DATE:** June 11, 2019 **DIVISION**: 2

TIME: Afternoon Appointment

**FILE:** 05711004 **APPLICATION**: PL20180120

**SUBJECT:** Conceptual Scheme – Devonian Ridge Estates Conceptual Scheme

Note: To be considered in conjunction with PL20180121 - Land Use Redesignation

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

The application was evaluated in accordance with the Interim Growth Plan, and the Central Springbank Area Structure Plan.

# **EXECUTIVE SUMMARY:**

The purpose of this application is to amend the Central Springbank Area Structure Plan to include the Devonian Ridge Estates Conceptual Scheme, and to adopt the Devonian Ridge Estates Conceptual Scheme to provide a policy framework for future redesignation, subdivision, and development proposals within NE-11-25-03-W05M (31038 Township Road 251A). The applicant submitted a corresponding application (PL20180121) to redesignate the subject lands from Agricultural Holdings to Residential One District.

The Devonian Ridge Estates Conceptual Scheme proposes an eleven-lot private community managed by a condominium corporation with single family homes and amenities. Proposed lot sizes would range from 1.98 to 2.01 acres and would include a private internal road off of Township Road 251A. Servicing would be provided by groundwater wells and private sewage treatment systems.

The internal road is proposed to be constructed to a modified Residential Local Road Standard, with a 7.00 metre right-of-way and 7.5 metre drainage easements on both sides. Administration recommends that the road have a 14.5 metre right-of-way to align with the Residential Local Road Standard (RL1 – 800.2), and that the conceptual scheme be amended to reflect this (see Appendix 'C'). It should be noted that this would result in some of the parcels being slightly undersized at the time of subdivision.

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

• The proposed use of water wells instead of tie-in to the regional water servicing.

The proposed conceptual scheme states that the developer and the existing water distributors in the area (Emerald Bay Water & Sewer Co-op, and North Springbank Water Co-op) were unable to reach an agreement to provide services to the proposed development. Due to the inability to tie-in to the existing water servicing, the Applicant submitted a Phase 1 Aquifer Analysis report, which states that, theoretically, there is adequate groundwater to supply 11 residential lots with 1250m³/year without affecting existing users. At the future subdivision stage, the Applicant would be required to drill new wells on Lots 1 to 11, and provide the County with a Phase 2 Aquifer Testing Report.

Administration recommends that the Applicant and Utility operators continue to explore options at the future subdivision stage in providing services to the proposed development. If an agreement cannot

Jamie Kirychuk and Gurbir Nijjar, Planning & Development

<sup>&</sup>lt;sup>1</sup> Administration Resources



be reached, individual wells may be supported with a successful well driller's report for each lot and a Phase 2 Aquifer Testing Report.

Administration reviewed the application and determined that:

- The application generally complies with the Central Springbank Area Structure Plan;
- The proposed land use is compatible with the surrounding area; and

 Detailed technical assessment would be further addressed at the future subdivision and/or development stages.

**DATE APPLICATION RECEIVED:** October 3, 2018 **DATE DEEMED COMPLETE:** March 11, 2019

**PROPOSAL:** To amend the Central Springbank Area Structure Plan to

include the Devonian Ridge Estates Conceptual Scheme, and to adopt the Devonian Ridge Estates Conceptual Scheme to provide a policy framework for future

redesignation, subdivision, and development proposals

within NE-11-25-03-W05M

**LEGAL DESCRIPTION**: NE-11-25-03-W05M

GENERAL LOCATION: Located approximately 1.20 kilometres (3/4 mile) east of

Range Road 32 and 3.21 kilometres (2 miles) north of

Highway 1.

**APPLICANT:** Westhoff Engineering Resources, Inc.

**OWNERS:** 2036122 Alberta Ltd.

**EXISTING LAND USE DESIGNATION:** Agricultural Holdings District.

PROPOSED LAND USE DESIGNATION: Residential One District.

**GROSS AREA:**  $\pm$  9.38 hectares ( $\pm$  23.18 acres)

SOILS (C.L.I. from A.R.C.): Class 3T 3: Moderate limitations to cereal crop production

due to adverse topography.

Class 5T 5: Very Severe limitations to cereal crop

production due to adverse topography.

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

The application was circulated to 365 adjacent landowners, to which three letters in opposition were received in response (Appendix 'D'). The application was also circulated to a number of internal and external agencies, and those comments are available in Appendix 'A'.

## HISTORY:

**2001** The Central Springbank Area Structure Plan (Bylaw C-5354-2001) was adopted.

1962 Plan No. 1302 JK was registered, which created an 11.70 acre parcel within NE-11-25-03-

W05M.

#### **BACKGROUND:**

The subject lands are accessed from Township Road 251A and are developed with one single-family detached dwelling and accessory building. The surrounding area comprises of a variety of uses, including a golf course to the south, a City of Calgary-owned park to the west and north, and a County-



owned gravel pit directly to the east. Country residential is the primary land use within the vicinity of the area with lots ranging from 0.25 acres (Springbank Links Golf Course) to 6.00 acres. The lands are also in close proximity to the Bow River / Bearspaw Reservoir and have been identified as a Special Planning area as per the Central Springbank Area Structure Plan (See Policy Analysis).

## **POLICY ANALYSIS:**

## Interim Growth Plan

The proposed application is located within a Country Residential area of the region. The proposed application does not propose 50 new dwelling units or greater, and therefore does not need to be referred to the Calgary Metropolitan Region Board.

# Rocky View County / City of Calgary Intermunicipal Development Plan

The subject lands fall within Map 1 of the Rocky View County / City of Calgary Intermunicipal Development Plan. The City of Calgary was circulated for comment and responded with concerns primarily related to the use of private sewage treatment systems (PSTS) in such close proximity to the Bearspaw Reservoir (See Appendix "E"). The Applicant provided a response letter dated March 11, 2019, which addressed some of these concerns. In a revised letter dated May 23, 2019, the City of Calgary stated concerns still exist; however, at this time, they have no further comments (See Appendix "E").

# Central Springbank Area Structure Plan

The Central Springbank Area Structure Plan states that all comprehensive residential development must submit a conceptual scheme outlining criteria listed under Policy 2.3.22. These requirements include both land use planning and technical considerations such as a land use scenario, phasing plan, utility servicing plan, and environmental, geotechnical, traffic, and stormwater studies. The proposed Devonian Ridge Estates Conceptual Scheme includes and addresses these requirements, and a more thorough review is provided under the Technical Analysis section of this report.

The subject lands are located within the Bow River / Bearspaw Reservoir Special Planning Area as identified on Map 3 of the Central Springbank Area Structure Plan. As per the CSASP, lands in this area are environmentally significant and are required to provide additional requirements when considering residential development (in addition to criteria listed under 2.3.2.2). These additional requirements include:

- maintenance of drinking water quality and supply in the Bow River;
- identification and integration of wildlife corridors;
- Preservation of fisheries;
- Limited removal of vegetation cover;
- Flood fringe and flood way considerations;
- Slope stability;
- Gravel resources and their extraction potential;
- Open space connections to the rivers.

In support of these requirements, The Applicant submitted a biophysical impact assessment report, policies preserving vegetation cover, background information regarding gravel resources, a slope stability assessment report, and a geotechnical investigation. These submittals indicate the requirements listed above are considered and would be further addressed at the future subdivision or development permit stages. Furthermore, the Applicant stated that the subject lands are approximately 300 metres from the Bow River / Bearspaw Reservoir and are therefore outside the flood fringe and floodway.



## TECHNICAL ANALYSIS:

# Land Use Scenario

The intent of the Conceptual Scheme is to develop a small eleven-lot private community with single family homes and amenities. Lot sizes would range from 1.98 to 2.01 acres with a private internal road approximately 0.5 acres in size.

# **Development Constraints (Slope Stability)**

The topography of the subject lands slopes from the northwest to the southeast. The Applicant provided a Geotechnical Investigation that includes a slope stability analysis. The report identifies some areas with slopes up to 75%. The report concludes that the subject lands are suitable for residential development. At the future subdivision or development permit stage, the Applicant would be required to submit an update to the slope stability analysis that confirms proposed post-development slope stability and identify any required setback areas.

# **Architectural Control**

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

# Landscaping

The site entrance would be designed as an amenity space with a landscaped transition from Township Road 251A. Site perimeter landscaping, including a pathway at the southern boundary, would be provided by the developer and would be maintained by the condominium corporation.

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

Municipal reserves would be dedicated by cash in lieu at the time of subdivision.

# Stormwater Management

The Applicant submitted a Stormwater Management Plan, which proposes an overland drainage system using natural drainage patterns. A stormwater pond would be located in the south east corner of the development, which would be owned and maintained by the Condo Corporation. It is expected that eight of the 11 proposed lots would drain into the pond, while the remaining three lots (6, 7, and 8) would drain to a linear bio-detention / raingarden system along the perimeter.

The Conceptual Scheme indicates that the stormwater pond would be constructed with a drafting hydrant for firefighting purposes. A groundwater well would be required to augment the water levels of the pond to ensure sufficient volume for firefighting purposes. The location of the drafting hydrant is proposed within the road allowance of Township Road 251A. At the time of future subdivision, the location of the hydrant is to be confirmed to the satisfaction of Fire Services.

At the future subdivision stage, the Applicant would be required to submit a Site Specific Stormwater Management Plan, enter into a Development Agreement for the construction of the stormwater management infrastructure, provide an overland drainage right-of-way plan /agreement, and submit an erosion and sedimentation control plan.

## Transportation

The subject lands are currently accessed from an approach off of Township Road 251A, which is a paved road. The proposed conceptual scheme proposes an internal cul-de-sac road, which is to be privately owned and maintained by a Condominium Association. The internal road is proposed to be



constructed to a modified Residential Local Road Standard, with a 7.00 metre right-of-way and 7.50 metre drainage easements on both sides. Administration recommends that the road have a 14.5 metre right-of-way to align with the Residential Local Road Standard (RL1 – 800.2), and that the conceptual scheme be amended to reflect this. It should be noted that this would result in some of the parcels being slightly undersized at the time of subdivision.

The Applicant submitted a Transportation Impact Assessment that concludes the proposed development would not have any impacts on the local road network and would not trigger the need for any offsite upgrades. At the future subdivision stage, the Applicant would be required to provide an overland drainage right-of-way plan for all roadside ditches, enter into a utility right-of-way agreement, enter into a development agreement for the construction of the internal road and related infrastructure, provide payment of the transportation off-site levy, provide an access right-of-way plan / agreement for proposed Lots 1 & 2, and provide an emergency access easement right-of-way plan / agreement registered on proposed lot 11.

# <u>Utility Servicing – Water</u>

The proposed conceptual scheme indicates the development would be serviced with individual groundwater wells. In support of this, the Applicant submitted a Phase 1 Aquifer Analysis, which concludes that, theoretically, there is adequate groundwater to supply 11 residential lots with 1250m<sup>3</sup>/year without affecting existing users. At the future subdivision stage, the Applicant would be required to drill new wells on Lots 1 to 11, and provide the County with a Phase 2 Aquifer Testing Report.

Policy 2.8.2 of the Central Springbank Area Structure Plan requires connection to an existing water distribution system for residential purposes where feasible and/or cost effective. Two utility operators, North Springbank Water Co-op and Emerald Bay Water & Sewer Co-op, currently provide services in the vicinity of the subject area and have both written letters in opposition (See Appendix "D").

The proposed conceptual scheme indicates the developer communicated with both Emerald Bay Water & Sewer and North Springbank Water Co-op, but was unsuccessful in reaching an agreement. Therefore, after failing to reaching an agreement with either party, the developer has proceeded with individual groundwater wells.

Administration recommends that the Applicant and Utility operators continue to explore options at the future subdivision stage in providing regional services to the proposed development. If an agreement cannot be reached, individual wells may be supported with a successful well driller's report for each lot and a Phase 2 Aquifer Testing Report.

# <u>Utility Servicing – Wastewater</u>

The proposed conceptual scheme indicates the use of private treatment sewage systems for wastewater disposal. The Applicant submitted a memo regarding "Soil Texture for Septic Fields", which contains soil texture analysis of four test holes and concludes that the subject lands are suitable for septic fields. At the future subdivision stage, the Applicant would be required to submit a Level 4 PSTS assessment, enter into a Site Improvement / Services Agreement, and Deferred Services Agreement.

# **ADMINISTRATION-PROPOSED AMENDMENTS:**

- 1. Amend Figure 8 of the Devonian Ridge Estates Conceptual Scheme to reflect the increase in width of the proposed internal condominium unit road from 7.00 metres to 14.50 metres, in accordance with the County Servicing Standards (800.2 = Residential Local 1).
- 2. Removal of Policy 7.6 of the Devonian Ridge Estates Conceptual Scheme, which states "Roadside ditches shall be located within a 7.5 meter utilities right-of-way (URW) from the internal road."

The proposed amendments are highlighted in "Schedule C" attached to the report in Appendix 'C'.



# **CONCLUSION:**

Administration evaluated this application based on the applicable policies. The proposal meets the Interim Growth Plan and Central Springbank Area Structure Plan.

# **OPTIONS:**

Option # 1:	Motion #1	THAT the use of water wells for the proposed Devonian Ridge Estates Conceptual Scheme be accepted, subject to further studies and confirmation at the subdivision stage.
	Motion #2	THAT Bylaw C-7889-2019 be given first reading.
	Motion #3	THAT Bylaw C-7889-2019 be given second reading.
	Motion #4	THAT Bylaw C-7889-2019 be considered for third reading.
	Motion #5	THAT Bylaw C-7889-2019 be given third and final reading.
Option # 2:	Motion #1	THAT the use of water wells for the proposed Devonian Ridge Estates Conceptual Scheme be accepted, subject to further studies and confirmation at the subdivision stage.
	Motion#2	THAT Administration's proposed amendments, as outlined in Appendix 'C', be accepted.
	Motion #2	THAT Bylaw C-7889-2019, as amended, be given first reading.
	Motion #3	THAT Bylaw C-7889-2019, as amended, be given second reading.
	Motion #4	THAT Bylaw C-7889-2019, as amended, be considered for third reading.
	Motion #5	THAT Bylaw C-7889-2019, as amended, be given third and final reading.
Option # 3:	THAT Applica	ation PL20180120 be refused.
Respectfully	submitted,	Concurrence,
"Ric	chard Barss"	"Al Hoggan"
Acting Execu Community D	tive Director Development Se	Chief Administrative Officer ervices
JK/rp		



**APPENDICES:** 

APPENDIX 'A': Application Referrals

APPENDIX 'B': Bylaw C-7889-2019 and Schedule A and B

APPENDIX 'C': Proposed Amendments to the Devonian Ridge Estates Conceptual Scheme, &

Redline Excerpt

APPENDIX 'D': Map Set

APPENDIX 'E': Landowner Letters APPENDIX 'F': City of Calgary Letters



# **APPENDIX A: APPLICATION REFERRALS**

AGENCY	COMMENTS
School Authority	
Rocky View Schools	No comments.
Calgary Catholic School District Public Francophone Education Catholic Francophone Education	No comments.  No comments.  No comments.
Province of Alberta  Alberta Environment and Parks	No comments.
Alberta Transportation	No comments.
Alberta Culture and Community Spirit (Historical Resources)	No comments.
Energy Resources Conservation Board	No comments.
Alberta Health Services	I would like to confirm that 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.
City of Calgary	Monday, December 3, 2018 – Original Letter
	The City of Calgary has reviewed the above noted application in reference to the <i>Rocky View County/City of Calgary Intermunicipal Development Plan (IDP)</i> and other applicable policies. The City of Calgary Administration has the following comments for your consideration.
	The Devonian Ridge Estates proposal of a private sewage treatment system for 11 lots with single family homes is upstream of the Bearspaw Water Treatment Plant Intake which is a highly sensitive location.
	The City is not supportive of the use of private sewage treatment systems (PSTS) in such close proximity to the Bearspaw Reservoir, a major source of water for The City. While their initial construction/design are subject to Alberta codes of practice and have minimal risk to water quality, their long term maintenance and monitoring is a concern to The City's source water quality. Either assurances of continual monitoring requirements through RVC bylaws, or a communal system that requires AEP monitoring and approvals would be better suited



for this area.

Because of its sensitive location, the private sewage treatment system for below grade septic fields for each lot would need to be operated and maintained sufficiently to ensure no impact on the water supply for Calgary. The report states that 'Sewerage disposal and stormwater management will be designed as per Alberta Environment and Parks (AEP) and Rocky View County design standards and guidelines.' It may be worthwhile to set up an ongoing inspection schedule by The City to ensure continued maintenance is sufficiently being done if the area gets approved.

These lands are on a cliff (1135m+) relative to the Bow River (1092m) so any potential spillage issue, if any of the septic fields stop working, could potentially reach the river. The report states that about 23% of the area has slopes larger than 20%. The contours of the plan area can be seen below from the report:

One of the geotechnical testing conclusions was that no groundwater was encountered up to depths of 5 meter below surface. This should reduce some of the risk of any sewage contaminating the groundwater flow and contamination getting to the river.

### **STORMWATER**

- 1. The Devonian Ridge document treats the site without appropriate consideration for City Source Water Protection Plan (SWPP). Rocky View County will require that consultants, creating documents on their behalf, take the City SWPP into consideration and address, to their best ability, concerns associated with runoff water quality generated from urbanized areas and draining toward the City source water.
- a) The following studies pertaining to the area are all finalized now and should be referenced in the Devonian Ridge Estates Scheme document:
- i. Source Watershed Risk Characterization Summary (2018)
- ii. Source Water Protection Plan (2018) (available at calgary.ca http://www.calgary.ca/UEP/Water/Documents/Water-Documents/Source-

Water-Protection-Plan.pdf) In particular, see pages 23, 26, and 34-35 related to stormwater.

- iii. ISL (RVC) "Glenbow Ranch ASP MDP", Jan 2017
- iv. KWL "Haskayne MDP", Nov 2017
- b) The Springbank Master Drainage Plan was also prepared on behalf of Rocky View County by MPE Engineering Ltd., dated April 26, 2016, and in Section 4.1.5 (page 33) states "Consideration should be given to providing additional measures to mitigate significant source water protection risks." The



### **AGENCY**

### **COMMENTS**

SWMP, however, does not address the source water protection aspect of the proposed stormwater management despite the recommendation in Rocky View County's Springbank MDP.

- c) The constituents of concern are listed in the referenced documents. Nutrients, pesticides and herbicides are included on the list of constituents of concern. They need to be addressed prior to allowing stormwater release to The City of Calgary's source water.
- 2. The Devonian Ridge Estates Conceptual Scheme recommends "An Erosion and Sediment Control Plan (ESC Plan) shall be developed that meets Rocky View County standards and guidelines." A review of the performance of the downstream conveyance system all the way to the source water body is recommended as the maximum allowable release rate off of the site is based on pre-development flows without consideration for the flow duration and shear stresses along the conveyance system.

The introduction of infiltration features promote subsurface travel paths for constituents of concern. Due to the proximity of the site to the source water, a hydrogeological investigation is recommended to determine the travel paths and travel times toward the source water and potentially eliminate infiltration as the venue of controlling the offsite annual average depth of runoff. If the volume targets are not possible to meet without infiltration, we are prepared to discuss an alternative approach with Rocky View County.

4. Based on air photo and topography review, and The City's Ephemeral and Intermittent Stream Mapping study (2017), proposed Lot #5 as well as Lot #6 include distinct overland flow paths while also bisecting temporary ephemeral drainage channels. These drain directly into the Bearspaw Reservoir approximately 200 m downstream. These pose special challenges for stormwater management and watershed preservation that must be addressed and managed, including avoidance of grading or loss of these features, and avoidance of new overland flow paths or stormwater discharge generated by any development into these systems for source water protection purposes. If not carefully sited and managed, some of the septic systems could interact with these non-permanent stream systems as well.

### May 23, 2019 - Revised Letter

The City of Calgary notes that there will still be residual risks to source water from this proposed development's wastewater. Therefore, it remains preferable for a more formal system, such as a communal system with Alberta Environment and Parks approvals, or a Rocky View County bylaw, rather than the proposed approach of the "Condominium Corporation"



establishing a long-term contract for monitoring and maintenance of the packaged sewage treatment plants".

The responses provided by Westhoff Engineering Resources, Inc. states that "the monitoring and maintenance records can be sent to both RVC and The City;" however, this process has not been discussed with The City of Calgary's Water Resources department. Therefore, questions remain regarding the process, who would be the contact, how to ensure all records are sent, and fail safes if circulations do not occur. Further discussion is likely required here.

With respect to the letter of April 18, 2019:

- Items 1a), 1b), 2, and 3 indicate the recommended methodologies and considerations will be implemented. The City of Calgary requests we be circulated and have an opportunity to comment on the updated versions of the stormwater document prior to approval by Rocky View County.
- <u>Item 1c</u> The City welcomes and encourages commitments to reducing the constituents of concern loadings from a source point or area of their application.

In general, The City of Calgary has concerns regarding the cumulative effects, planning, and policy development implications resulting from these individual subdivisions, especially as they grow over time. Nonetheless, The City of Calgary has **no further comments** at this time regarding **PL20180129/0121**.

### **Public Utility**

ATCO Gas

ATCO Pipelines

No comment received.

No comment received.

No comment received.

No comment received.

No concerns.

Enmax

No comment received.

No comment received.

No comment received.

Telus Communications

No comment received.

No comment received.



**AGENCY** 

COMMENTS

Rocky View County

**Boards and Committees** 

ASB Farm Members and Agricultural Fieldmen

No comment received.

Rocky View West Recreation District Board

The Rocky View West Recreation Board recommends that Cash in Lieu be taken for this application at the time of subdivision.

Internal Departments

Recreation, Parks and Community Support

### **General comments:**

- The Parks and Open Space Master Plan has not identified a need for parks, open space affecting this property.
- The Active Transportation Plan: South County has not identified an alignment of the regional active transportation network affecting this property.
- The proposal is for a condominium community as indicated in Section 5.1.
- It is noted the document does not provide information/policy or otherwise with respect to dedication of reserves; providing cash in lieu of reserves or a combination thereof.
- Section 5.1 indicates: "A landscaped area along Township Road 251, including the stormwater pond will create a central place for the community to enjoy the views and the natural, historical and landscaped features. Devonian Ridge Estates residents and the public will enjoy this as an attractive walking destination within the community."
  - As it is presumed the pond will be under condominium ownership and management; as such, provision for public access and enjoyment as described is expected.
- Section 5.4 indicates; "In the south-east corner of the site a stormwater storage facility, a gazebo and surrounding landscaping will allow for enjoyment of the local community."
  - As a condominium development; in absence of declared definitions; it is presumed the term "local community" refers to condominium owners.
- The parcel identified as the "Homestead Park" in Figure



### **AGENCY**

### COMMENTS

7 is identified as "Green Space" as per Table 1.

- Ownership of this parcel is not indicated.
- Maintenance of this parcel's "park features" have been declared to be undertaken by the Condo Association.

With reference to the above comments; the Municipal Lands office recommends the following:

 Cash in lieu of reserve dedication shall be provided for all applicable reserves owing.

**Development Authority** 

**GIS Services** 

**Building Services** 

Fire Services & Emergency Management

No comment received.

No comment received.

No comment received.

### Fire Services:

- 1. Please ensure that water supplies and hydrants are sufficient for firefighting purposes.
- 2. Dependent on the occupancies, the Fire Service recommends that the buildings be sprinklered, if applicable, as per the Alberta Building Code.
- 3. The Fire Service also recommends that the water co-op be registered with Fire Underwriters.
- 4. Please ensure that access routes are compliant to the designs specified in the Alberta Building Code.

## Planning & Development - Engineering

### General

 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.

**Geotechnical** - Section 300.0 requirements:

- The Applicant submitted a Geotechnical Investigation Report (Curtis Geo Solutions Inc. – June 2018).
- The report included site specific CBR testing which was used for road structure design. Test results indicated a soaked CBR value of 1.4, which is below the CBR value of 3 considered for the road structures in County Servicing Standards.
- The report includes a Slope Stability Analysis which identifies some areas with slopes up to 75%. The report concludes that the subject lands are suitable for



residential development, and recommends that all slope modifications are carried out under the supervision of a qualified geotechnical engineer.

- As a condition of future subdivision, the applicant shall submit finished grade plans, and cut and fill plans.
- As a condition of future subdivision, the applicant shall submit an update to the Slope Stability Analysis, prepared by a qualified professional, which shall confirm proposed post-development slopes are stable, and identify any required setback areas.
- As a condition of future subdivision, the applicant shall provide a Geotechnical Developable Area assessment, indicating that there is at least one contiguous acre of developable area for each parcel.

### **Transportation** - Section 400.0 requirements:

- The subject lands are currently accessed from an approach off Township Road 251A which is a paved road.
- The CS proposes an internal cul-de-sac road, which is to be privately owned and maintained by a Condominium Association.
- The applicant is proposing the internal road be constructed to a modified Residential Local Road Standard (800.2). The finished surface width of the proposed internal road is 7 metres, and the proposed right-of-way is 7 metres, with 7.5 metre wide drainage easements on each side. However, The Residential Local standard (RL1 800.2) standard requires a minimum 14.5 metre right-of-way.. Engineering recommends that the internal road design be aligned with the RL1 Standard. It is noted that this would result in some parcels below 1.98 acres.
- As a condition of future subdivision, the developer shall enter into a <u>Development Agreement</u> with the County, for the construction of the internal road and related infrastructure, including but not limited to:
  - The Residential Local (RL1 800.2) internal road, including ditches, culverts, cul-de-sac bulb and paved approaches;
  - Secondary emergency egress gravel road;
  - o Stripping and grading of the site.
- It is noted that Lots 5, 6, 10 & 11 use panhandle access.
   All panhandles shall be required to be 12.5 metres wide, in accordance with the requirements of the County



Servicing Standards. In accordance with CSASP 2.7.3, the use of panhandles is discouraged.

- As a condition of future subdivision, as access to Lot 1 is identified as an easement through Lot 2, the applicant shall provide a Right-of-Way Plan and Access Easement Agreement to be registered on title of proposed Lots 1 & 2.
- The subdivision includes an emergency access to Township Roads 251A via an easement through private lands. This meets the requirements of section 411 of the County Servicing Standards, and Policy 410.
- As a condition of future subdivision, the applicant shall provide a Right-of-Way Plan and enter an Emergency Access Easement Agreement to be registered on title of Lot 11, to the satisfaction of the County.
- The applicant submitted a Transportation Impact
   Assessment (Bunt & Associates July 18, 2018). The
   report concludes that the proposed development will not
   have any impacts on the local road network and does not
   trigger the need for any offsite upgrades. Engineering
   =has no further concerns.
- The location of the proposed internal road is located approximantley 270 metres west of Range Road 31, and 200 metres east of Hackmore Trail. This satisfies the requirements of County Procedure 410, which states that an intersection spacing of 100 metres should be maintained for local roads.
- As a condition of subdivision, the applicant is required to provide payment of the Transportation Off-site Levy in accordance with the applicable levy at time of subdivision approval for the total gross acreage of the lands, as the applicant is proposing to subdivide a Residential One District Parcel.
  - Estimated levy payment owed at the time of subdivision endorsement is \$370,300 (Base = (\$4595/acre)\*(23.18acres) = \$106,512; Special Area 4 = (\$11,380/acre)\*(23.18acres) = \$263,788).

### Sanitary/Waste Water - Section 500.0 requirements:

- The applicant is proposing to use PSTS for wastewater disposal.
- County GIS indicates that there is an Emerald Bay Water & Sewer Coop wastewater collection pipe which serves the adjacent subdivision. The nearest possible connection is approximately 75 metres southeast of the



### AGENCY

### **COMMENTS**

subject lands, within the Rodeo Ridge road right-of-way.

- ES recommends that the applicant further explore the possibility of connecting to this system at the time of future subdivision application. If connection is not feasible, ES considers PSTS as an appropriate means of wastewater disposal.
- The applicant has submitted a memo regarding "Soil Texture for Septic Fields" (Curtis Geo Solutions – September 5, 2018). The memo contains soil texture analysis of four test holes and concludes that the subject lands are suitable for septic fields. Detailed PSTS reports for each lot shall be required at the subdivision application stage.
- At the time of future subdivision application, the applicant shall submit a Level 4 PSTS Assessment in accordance with the requirements of the County Servicing Standards, for proposed Lots 1 to 11.
  - The subject lands are adjacent to the Bow River.
     Therefore, in accordance with the Model Process
     Tool, a Level 4 PSTS Assessment is required.
  - In accordance with County Policy 449, for parcel sizes less than 3.95 acres and greater than 1.98 acres, the County requires the use a Package Sewage Treatment Plant meeting BNQ standards.
- As a condition of future subdivision, the Owner shall enter into a Site Improvements / Services Agreement with the County, which shall be registered on title of Lots 1 to 11, and shall include the following:
  - The system to be in accordance with the Level 4 PSTS Assessment to be submitted at the time of future subdivision;
  - For the construction of a Packaged Sewage Treatment Plant meeting Bureau de Normalisation du Quebec (BNQ) standards.
- As a condition of future subdivision, a Deferred Services Agreement shall be registered against each new certificate of title (lot) created, requiring the owner to tie into municipal services when they become available.

**Water Supply And Waterworks** - Section 600.0 & 800.0 requirements:

- The applicant is proposing to service the development with individual groundwater wells.
- County GIS indicates that both Emerald Bay Water &



Sewer Coop, and the North Springbank Water Coop have potable water distribution lines in the vicinity of the subject lands. The nearest possible connection is approximately 70 metres east of the subject lands within the Range Road 31 right-of-way.

- Engineering recommends the applicant further explore the possibility of connection to one of the piped water distribution systems at the time of future subdivision application. According to CSASP 2.8.2.a: "connection to an existing piped water system is required for residential purposes where access if feasible and/or cost effective." If connection is not feasible, Engineering considers groundwater wells as an acceptable water supply.
- The applicant submitted a Phase 1 Aquifer Analysis (Groundwater Information Technologies Ltd. – August 29, 2018). The report concludes that theoretically there is adequate groundwater to supply 11 residential lots with 1250m3/year without affecting existing users.
- As a condition of future subdivision, the applicant will be required to drill new wells on Lots 1 to 11, and provide the County with a Phase 2 Aquifer Testing Report, prepared by a qualified professional, in accordance with procedures outlined in the County Servicing Standards. The report shall include a Well Driller's Report confirming a minimum pump rate of 1.0 igpm for each well.

### **Storm Water Management** – Section 700.0 requirements:

- The applicant submitted a Stormwater Management Plan (Westhoff Engineering Resources Inc. – October 1, 2018), which proposes to maintain as much of the natural drainage patterns and use overland drainage systems, consisting of traplows on each lot which release into swales draining to a stormwater pond and infiltration gallery.
  - In accordance with County Servicing Standards 706.5.2 "Preference is given to one common pond protected by a Stormwater Utility Right of Way rather than multiple ponds on more than one lot."
- The applicant proposes a stormwater pond to be located on private property which is owned and maintained by the Condo Corporation. Although the subdivision is 11 lots, only 8 lots drain to the pond.
  - In accordance with County Servicing Standards 706.5.2 "When a residential subdivision is 10 or



more lots and the stormwater management report requires the need for a stormwater pond, the pond must become a Municipal pond (PUL)."

- The proposed pond does not include a 4 metre wide access road. In accordance with County Servicing Standards 706.5.7, the wet pond shall have a 4 metre wide maintenance access road surrounding the entire boundary, which is 0.5 metres above HWL.
- The Conceptual Scheme indicates that the stormwater pond shall be constructed with a drafting hydrant for firefighting purposes. A groundwater well will be required to augment the water levels of the pond to ensure sufficient volume for firefighting purposes. The location of the drafting hydrant is proposed within the road allowance of Township Road 251A. Engineering recommends that at the time of future subdivision, the location of the hydrant be confirmed to the satisfaction of Fire Services.
- As a condition of future subdivision, the applicant shall submit a Site Specific Stormwater Management Plan, which shall include the detailed design of all stormwater management infrastructure.
- As a condition of future subdivision, the applicant shall be required to enter into a <u>Development Agreement</u> for the construction of the stormwater management infrastructure, including but not limited to:
  - Swales, ditches, traplows, infiltration gallery, stormwater pond including forebay and maintenance access road, and outlet control structures.
  - Drafting hydrant and roadside pullout in accordance with CSS figure 700.6
  - AE approval & registration for the stormwater pond and augmentation well.
- As a condition of future subdivision, the applicant shall provide an Overland Drainage Right-of-Way plan and enter into a Utility Right-of-Way Agreement with the County, which shall protect all swales, traplows, ditches and infiltrations galleries, and the stormwater pond as it is proposed to be located on private property.
- As a condition of future subdivision, the applicant shall submit an Erosion and Sedimentation Control Plan, in accordance with the requirements of the County Servicing Standards.



**Environmental** – Section 900.0 requirements:

- The applicant submitted a Phase 1 Environment Site Assessments (Curtis Geo Solutions Inc. – November 2017).
  - The ESA concludes that there is no indication of past land uses which would have involved hazardous materials.
  - A Phase 2 ESA is not recommended. ES has no further concerns.
- The applicant submitted a Biophysical Impact
   Assessment (Westhoff Engineering Resources Inc. –
   December 7, 2018). The BIA notes that 17 different
   species were observed within the subject lands and
   recommends that an Environmental Protection Plan be
   prepared at the time of subdivision.
- City of Calgary comments identify that there is ephemeral channels. County GIS does not identify any surface water.
- As a condition of future subdivision, the applicant shall submit an Environmental Protection Plan, which shall be based on the recommendations of the BIA, in accordance with the requirements of the County Servicing Standards.
- Any Alberta Environment approvals shall be the sole responsibility of the applicant/owner.

Transportation Services No comment received.

Capital Project Management No comment received.

Utility Services No comment received.

Operational Services No comment received.

Agriculture and Environmental No comment received.
Services - Solid Waste and
Recycling

Circulation Period: October 31 – November 28, 2018



# BYLAW C-7889-2019

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

The Council of Rocky View County enacts as follows:

### PART 1 - TITLE

This bylaw shall be known as Bylaw C-7889-2019.

### **PART 2 – DEFINITIONS**

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

### PART 3 – EFFECT OF BYLAW

- **THAT** Bylaw C-5354-2001, known as the "Central Springbank Area Structure Plan", be amended in accordance with the amendments contained in Schedule 'A', attached to and forming part of the Bylaw; and
- the "Devonian Ridge Estates Conceptual Scheme" be adopted to provide a policy framework for future redesignation, subdivision, and development proposal within NE-11-25-03-W05M consisting of an area of approximately ± 9.38 hectares (± 23.18 acres) as defined in Schedule 'B' attached to and forming part of this Bylaw.

### **PART 4 – TRANSITIONAL**

Bylaw C-7889-2019 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: 2
File:	05711004 -	PL20180120

PUBLIC HEARING WAS HELD IN COUNCIL this	day of	, 2019
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

Bylaw C-7889-2019 Page 1 of 4



Reeve	
CAO or Designate	
Date Bylaw Signed	



### SCHEDULE 'A'

### FORMING PART OF BYLAW C-7889-2019

Schedule of Amendments to Bylaw C-5354-2001:

- 1. Amend the Table of Contents by adding a reference to Section 3.3 and numbering accordingly:
  - 3.3 Adopted Conceptual Schemes
    - 3. Devonian Ridge Estates Conceptual Scheme (C-7889-2019)
- 2. Attach the "Devonian Ridge Estates Conceptual Scheme" as defined in Schedule 'B' attached to and forming part of this Bylaw.

Bylaw C-7889-2019 Page 3 of 4



### **SCHEDULE 'B'**

### FORMING PART OF BYLAW C-7889-2019

A Conceptual Scheme affecting the area within NE-11-25-03-W05M (31038 Twp. Rd. 251A), consisting of an area of approximately  $\pm$  9.38 hectares ( $\pm$  23.18 acres) herein referred to as the "Devonian Ridge Estates Conceptual Scheme".

Bylaw C-7889-2019 Page 4 of 4

# Devonian Ridge Estates Conceptual Scheme



Prepared by:

Westhoff Engineering Resources, Inc.

Land & Water Resources Management Consultants

# **Devonian Ridge Estates Conceptual Scheme**

Re-Issued for Approval April 2019

Prepared for:

2036122 Alberta Ltd.

File: WER117-53

Prepared by:

# Westhoff Engineering Resources, Inc.

Suite 601 1040 – 7th Avenue SW Calgary, Alberta T2P 3G9

Phone: 403.264.9366 Fax: 403.264.8796

Email: werinc@westhoff.ab.ca

In association with:

# Bunt & Associates Engineering Ltd.





# **Devonian Ridge Estates Conceptual Scheme**

Re-Issued for Approval April 2019

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# **Devonian Ridge Estates Conceptual Scheme**

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# **Devonian Ridge Estates Conceptual Scheme**

Re-Issued for Approval March 2018

### 1 Introduction

## 1.1 Vision

The vision of the Devonian Ridge Estates Conceptual Scheme is to develop a 11 private lot community for a select group of owners who wish to build single family homes and amenities on a site with spectacular views to the Bow River, Rocky Mountains and skyline of The City of Calgary. The new community will have proximity to regional amenities, direct access to existing transportation infrastructure and to most unique environmental features of the Bow River valley.

The new lots will be accessed by a private road off Township Road 251 across from the Springbank Links golf course. Existing landscape features and additional hard and soft landscaping will be integrated with the visual aspects of the homes. Each single home will be customized and situated to maximize scenic views, respectfully integrated with the existing slopes and to provide privacy and tranquility.

# 1.2 Purpose of this Conceptual Scheme

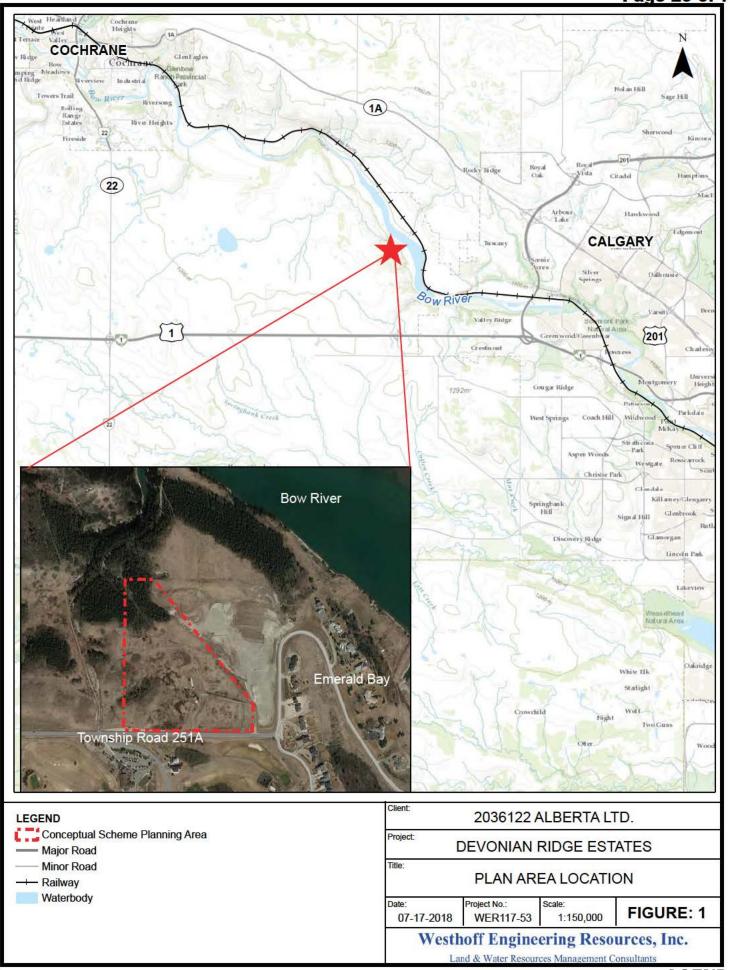
The Devonian Ridge Estates Conceptual Scheme describes the owner's philosophy to establish a uniquely developed residential neighborhood that complements and integrates the existing landscape and the surrounding area.

# 1.3 Objectives

The objectives of The Devonian Ridge Estates Conceptual Scheme are to:

- a) Identify the rationale for the proposed land use re-designation;
- b) Identify opportunities and constraints within the plan area for subdivision and development;
- c) Establish a proposed land use concept to facilitate the development of a new residential development in the Springbank Area;
- d) Establish a strategy to implement appropriate servicing to support the new residential development.

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# **Devonian Ridge Estates Conceptual Scheme**

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## 2 Planning Frame work

# 2.1 Rocky View County Plan

The Rocky View County Plan (Bylaw C-7280-2013) was approved on October 1, 2013 and Amended on July 25, 2017. The County Plan's vision is "Rocky View is an inviting, thriving, and sustainable county that balances agriculture with diverse residential, recreational, and business opportunities."

The County Plan establishes a framework of principles for future developments within the municipality including:

- Growth and Fiscal Sustainability;
- The Environment;
- Agriculture;
- Rural Communities;
- Rural Service; and
- Partnerships.

The County Plan's Residential Policies will direct new growth to designated development areas. The Country Plan encourages country residential development to continue to locate within existing communities where Area Structure Plans are adopted. The Devonian Ridge Estates Conceptual Scheme proposes to amend the existing Central Springbank Area Structure Plan (CSASP) to allow for the location of new residential developments within the Plan Area so that the Conceptual Scheme is supported by an adopted statutory plan.

# 2.2 Central Springbank Area Structure Plan

The Plan Area is located within the existing Central Springbank Area Structure Plan (CSASP). The CSASP vision is:

"Central Springbank offers a rural lifestyle that blends residential uses with its agricultural heritage. The beauty and tranquility of Central Springbank coupled with the environmental sensitivity of the area, including the Bow and Elbow Rivers and their watersheds, requires responsible integration of further development through the guidance of the Area Structure Plan."

Concluding from Maps 1 to 14 within the CSASP, the Plan Area has the following characteristics:

- Current Land Use is Small Agricultural;
- Surrounding Land Use is public or institutional use (owned by The City of Calgary), a
  gravel extraction pit (owned by Rocky View County), special land use (golf course) and
  residential use;
- Is located within the Special Planning Area "Elbow River/ Bow River Planning Area";
- Partially contains potential gravel deposits;
- Contains treed areas as well slopes larger than 15%;
- Located adjacent to a City of Calgary Park Site;
- Accessed from a minor collector road (TWP Rd 251A);

# **Devonian Ridge Estates Conceptual Scheme**

Re-Issued for Approval **April 2019** 

- Is not crossed by major gas or electric utilities;
- Is not identified as Infill residential or New Residential Area;
- Is located within in the Joint Planning Area.

#### 2.2.1 **Bow and Elbow Rivers Special Planning Area**

The Plan Area is located within the Bow and Elbow Rivers special planning area and additional requirements in the preparation of a conceptual scheme include, but are not limited to the following (CSASP):

- Maintenance of drinking water quality and supply in the Bow and the Elbow rivers;
- Identification and integration of wildlife corridors;
- Preservation of fisheries;
- Limited removal of vegetation cover;
- Flood fringe and flood way considerations;
- Slope stability;
- Gravel resources and their extraction potential.

#### 2.3 **Devonian Ridge Estates Conceptual Scheme Rationale**

As the Plan Area is identified in the CSASP as "Small Agricultural", re-designation of the subject lands as "New Residential Area" is proposed. This conceptual scheme plan is developed to support the application for the re-designation to "New Residential Area".

The proposed development is located between lands that have already been fragmented. Adjacent to the east is a gravel pit, to the south and west is existing residential development and a golf course and west is a natural area planned by The City of Calgary as a park. The productivity, health and viability of local agricultural activities will not be comprised as the lands are not intended for future agricultural purposes.

Other characteristics of the Plan Area include:

- The adjacent gravel pit is nearing the end of active operation. The potential gravel resources within a small portion of the Plan Area will not be extracted.
- The Plan Area is about 300 meter away from the Bow River / Bearspaw Reservoir. The Plan Area is outside the flood fringe and floodway of the Bow River.
- Sewerage disposal and stormwater management will be designed as per Alberta and County design standards and guidelines.
- A Biophysical Impact Study for the Plan Area (Westhoff, 2018) documents the vegetative coverage of the Plan Area and address potential wildlife aspects.
- Geotechnical investigation will address any potential slope instability.

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Westhoff Engineering Resources, Inc.

# **Devonian Ridge Estates Conceptual Scheme**

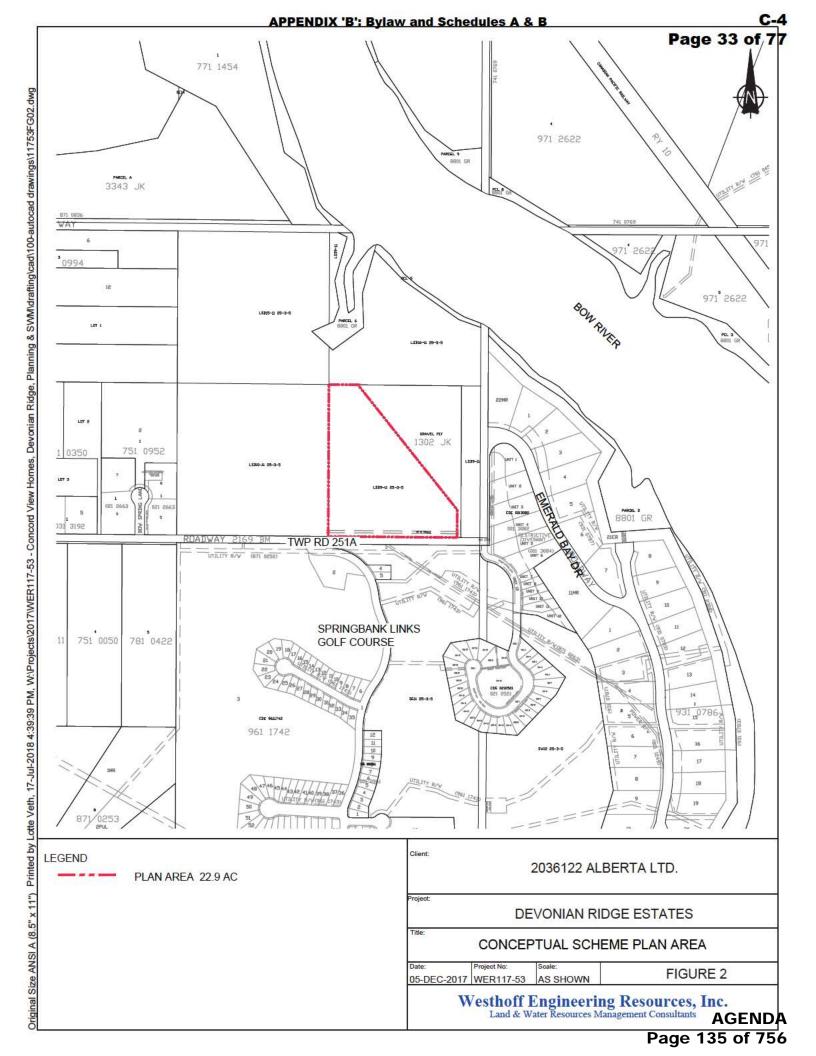
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# 3 Devonian Ridge Conceptual Scheme Plan Area

## 3.1 Plan Area

Figure 2 shows the proposed Devonian Ridge Estates Conceptual Scheme Plan Area and boundaries. The Plan Area measures approximately 23.0 acres (9.30 ha) which provides a land base for development of a private community comprising 11 lots with a single road access from Township Road 251A.

Policy 3.1: Where applicable, the policies of the conceptual scheme shall apply to lands identified in Figure 2 Conceptual Scheme Plan Area.



# **Devonian Ridge Estates Conceptual Scheme**

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## 4 Existing Conditions

# 4.1 Location and Legal Description

The Devonian Ridge Estates Conceptual Scheme Plan Area location information is summarized as follows:

- Plan area size: 23.0 acres/ 9.30 ha;
- Address: 31038 Township Road 251A within Rocky View County;
- Bounded by Township Road 251A (south), The City of Calgary owned land (west and north) and a County owned gravel pit (east);
- Legal land description: Portion of NE-11-25-03-W05M, No Plan Number;
- A Restrictive Covenant, Plan 7412JL and Utility Right of Way 991321831 are located on the land; and
- A copy of the current title is presented in Appendix A of this conceptual scheme.

### 4.2 Historical Context

From the early 1900s Springbank was primary an agricultural community. The Plan Area was surrounded by dairy farming. Starting in the 1970s the area began to develop into residential parcels. East of the Plan Area a gravel pit operated starting from the early 1940s. Since the mid 1990s, the area located east along the Bow River was developed residential subdivision, as well as the Springbank Links golf course, located to the south.

The following is a narrative of the previous land owner, Stew Bradley.

Our land belonged to dairy farmers Morris and Marion Smith. They lived on the corner just as you turn to come east to our land. The whole area surrounding our land was occupied by dairy people. The McKnight farm directly below us was a homestead dairy farm situated along the Bow River, three generations of McKnights lived there. My 130-year-old rebuilt antique wagon sat in the field just south east of your place, for over 60 years. The oak draw bar and axels are original. We believe the wagon belonged to well-known Springbank stable owner horse trainer, Art Andersons parents who also were homesteaders. Back in the early days Goddard Lake was located were Harmony "3 miles west" has a 140 acre made Lake today. Billie Bradley my grandfather known as the "Cochrane Strongman" would come down to the McKnight farm right below your land, with two other men to unload logs from a sleigh were they cut and hauled logs from Bragg Creek. It used to take 2 men to lift the small end of the log off the sleigh Billie, would lift the heavy end off by himself. He was known for his feats of strength out lifting all comers at the "Murphy Hotel" in Cochrane. The sloughs still seen at the corner of Highway 22 and the Trans-Canada Highway were called the Bradley Sloughs or ponds that was the original location of the Bradley homestead. Jim Robinson Val Vista Farms started the first milk haul by truck in the Springbank district, he would pick up milk cans on the corner right where you are going to build homes.

# **Devonian Ridge Estates Conceptual Scheme**

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### 4.3 Current Land Use

The Area is designated as Agricultural Holdings (AH) and will require land use re-designation to Residential (R-1).

Policy 4.1: Prior to subdivision the Agricultural Holdings (AH) land will require land use re-designation to Residential (R-1).

### 4.4 Plan Area Land Context

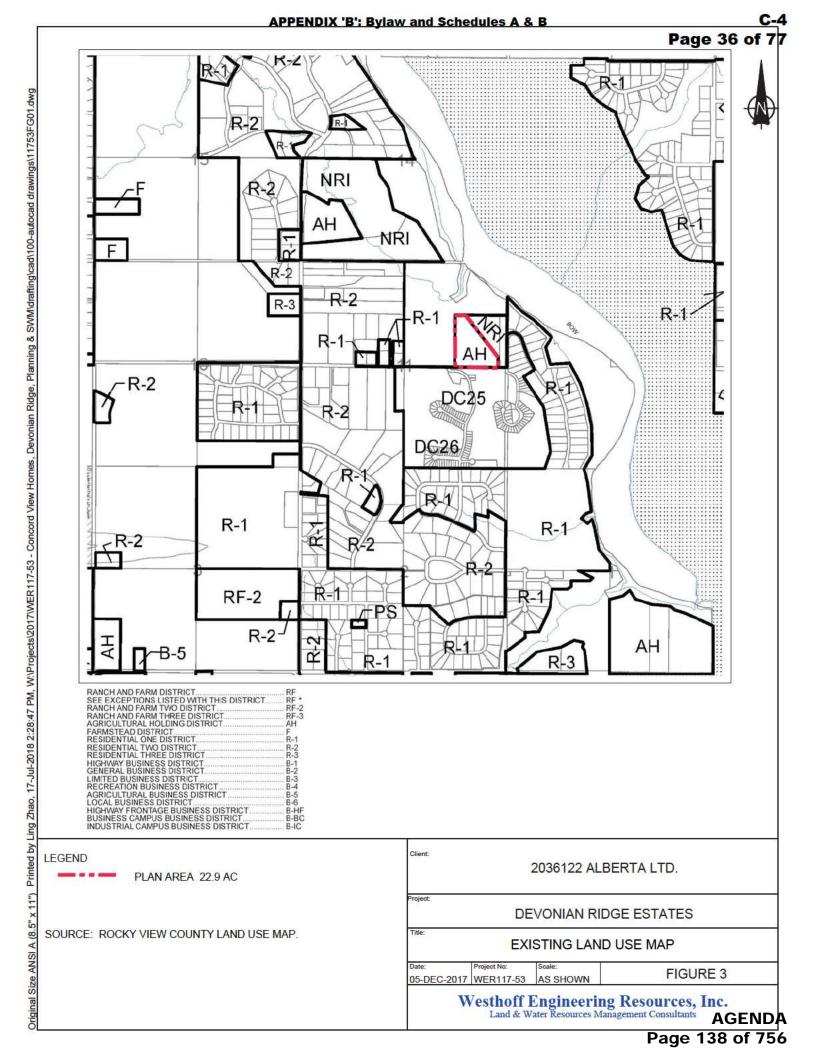
Existing residential development of the lands near the Devonian Ridge Estates Conceptual Scheme area include R-2 (Residential Two), R-1 (Residential One) and DC25/DC26 (Residential mixed/Public Services) land uses with parcel sizes ranging from 0.2 acres, 2 acres and larger. The land use in the proximity of the plan area is presented on Figure 3.

### 4.5 Terrain

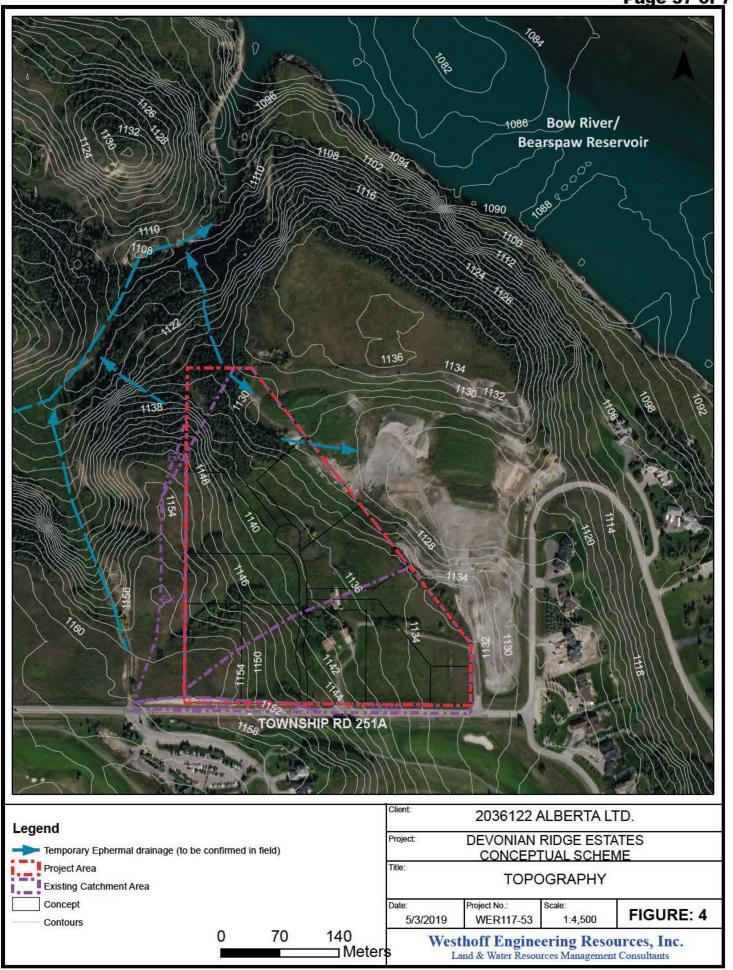
The Plan Area slopes from the southwest to the east. For approximately 60% of the area, slopes are below 15%; about 17% of the area is sloped between 15 and 20% and about 23% of the area has slopes larger than 20%.

## 4.6 Existing Structures

On the south end of the Plan Area is a house, garage, shed and dog kennel and two access roads. These buildings were built in the late 1960s and late 1970s and will be redeveloped.



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# **Devonian Ridge Estates Conceptual Scheme**

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## 5 Devonian Ridge Estates Land Use Concept

# 5.1 Proposed Site Plan

Figure 5 and Figure 6 show the land use concept for the Plan Area and the land use concept overlain on the aerial photo of the site. Lots 1 through 11 are new lots to be created by subdivision. A private road owned and maintained by the Condominium Corporation will access the development from Township Road 251A. Lots have panhandles or driveway right of ways to allow access to the main road. The triangular shape of the Plan Area as well as the topography makes the location of the lots very unique situated which are best accessed by panhandles as opposed to road access.

Eleven (11) residential lots are 1.98 acres (0.80 ha) in size and have been strategically situated to ensure integration in the existing site conditions. The existing buildings on Lot 9 will be demolished.

Retaining as much of the existing trees and vegetation as well as added landscaping will provide privacy and tranquility for the individual lots. The stormwater management system has been integrated into the natural drainage patterns of the Plan Area with onsite lot drainage features as well as a central stormwater pond.

A landscaped area along Township Road 251, including the stormwater pond will create a central place for the community to enjoy the views and the natural, historical and landscaped features. Devonian Ridge Estates residents and the public will enjoy this as an attractive walking destination within the community.

A 6-meter-wide gravel road located along the perimeter will provide a second access from the internal road with Twp Rd 251A in case of emergency.

- Policy 5.1: There shall be a maximum of 11 residential R-1 lots within Devonian Ridge Estates.
- Policy 5.2: As a condition of subdivision, the Condo Corporation shall be established as well as bylaws, establishing maintenance responsibilities of internal road, PSTS, overland drainage system, stormwater pond and green space.
- Policy 5.3: A 6 meter URW shall be established on Lots 9 & 10 for the provision of the secondary emergency escape gravel road.
- Policy 5.4: A 7.5 meter URW along the road shall be established on Lots 2,3,45,6,7,8,9, and 10 for the provision of the roadside drainage and utilities right of way.
- Policy 5.5: A 7 meter URW shall be established on the outside perimeter of Lots 5, 6 7 and 8 for the provision of stormwater infiltration.
- Policy 5.6: The Stormwater Pond will be property of and maintained by the Condo Corporation.

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Page 40 of 77 Lot 5 Lot 6 2.01 ACRES 1.98 ACRES Lot 7 **2.01 ACRES** Lot 4 1.98 ACRES Internal Roa Lot 8 2 ACRES Lot 3 **1.99 ACRES** Lot 11 2 ACRES Lot 1 Lot 2 Lot 10 Lot 9 **1.98 ACRES** 1.98 ACRES 1.98 ACRES **1.98 ACRES** 0.6 ACRES Utility R/W 152R9 **TOWNSHIP RD 251A** Client 2036122 ALBERTA LTD. Legend Prop 7.0m Infiltration Facility R/W Project: Conceptual Scheme Planning Area **DEVONIAN RIDGE ESTATES** Park Prop 7.5m Ditch and Utilities R/W Title: Lot Prop 6m Emergency Access R/W LAND USE CONCEPT Utility R/W Road Pond Parcels Project No.: Date: Scale: FIGURE: 5 31-01-2019 WER117-53 1:2,500 0 Proposed Dry Hydrant Location R/W 30 60 Westhoff Engineering Resources, Inc. □ Meters Land & Water Resources Management Consultants

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Westhoff Engineering Resources, Inc.

# **Devonian Ridge Estates Conceptual Scheme**

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## 5.2 Green Space

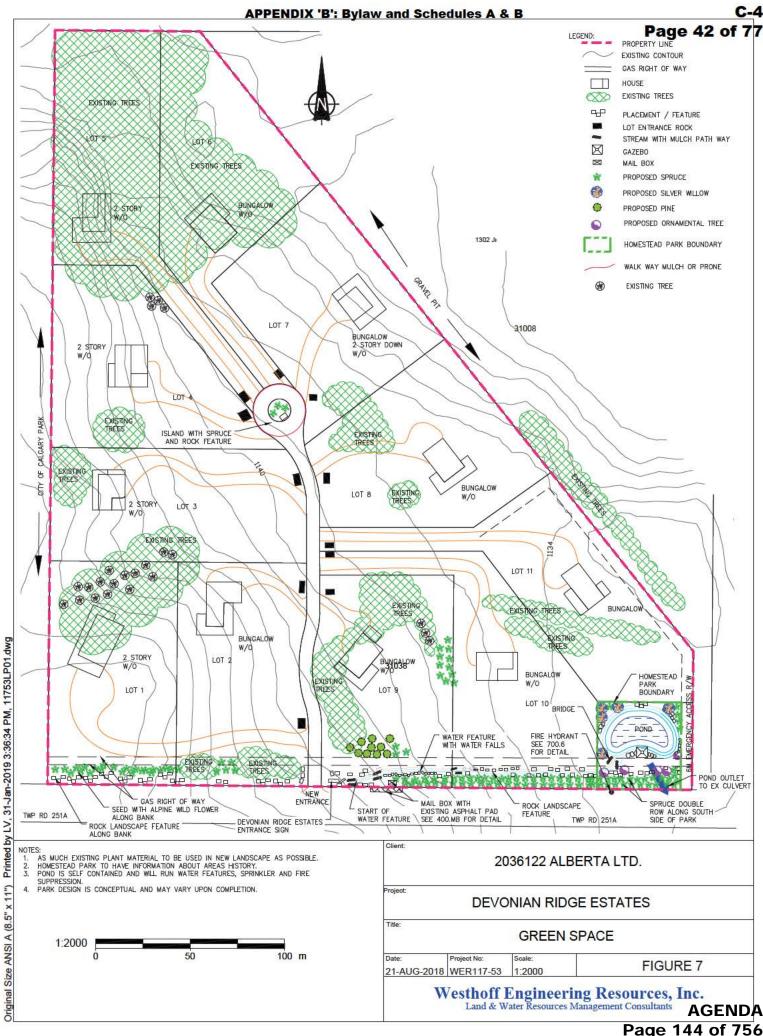
Green space will be a signature feature of Devonian Ridge Estates. The lot design will be specific for each site and will be based on topography, view lines, landscaping and sun angles. Buildings and structures will be integrated into the natural features of the site with minimal site disturbance.

In the south-east corner of the site a stormwater storage facility, a gazebo and surrounding landscaping will allow for enjoyment of the local community. On the south side of the Plan Area a 10-meter-wide strip will be green space with landscaped features. This will be an easement on Lots 9 and 10. The park features will be maintained by the Condominium Corporation. Municipal Reserve dedication will be dedicated by cash-in-lieu payment.

Figure 7 presents the existing tree cover and the proposed green space. A targeted 75% of the existing 1.7 hectare tree cover will remain undisturbed. Trees and shrubs removed will be reused within the development as much as possible.

Policy 5.7: The green space shall be maintained by the Condominium Corporation.

Policy 5.8: Municipal Reserve dedication will be dedicated by cash-in-lieu payment at the time of subdivision.



# **Devonian Ridge Estates Conceptual Scheme**

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## 6 Proposed Subdivision Layout

### 6.1 Subdivision Lot Size Considerations

All of the residential lots provided in the Plan Area are 1.98 acres (0.8 ha) or greater which meet the requirements of Rocky View County Land Use Bylaw for Residential Two District (R-1).

### 6.2 Site Lotting and Setbacks

Proposed setback for each lot is 10 meter and may be reduced at the discretion of the developer on a site-specific basis to match the Residential District R-1 bylaw requirements of 3 meters. Minimum building setback as per bylaw requirement is 45 meter from the Township Road 251A and 15 meter from the internal road.

### 6.3 Architectural Design Guidelines

Prior to subdivision architectural design guidelines will be prepared which will be consistent with the development vision and lot design principles. The guidelines will require site specific design solutions.

Architectural design guidelines will be implemented by the developer with ongoing responsibility to be turned over to the Condominium Corporation when all the lots have been developed.

Policy 6.1: Architectural Design Guidelines shall be prepared at the subdivision application stage, and be registered by as a restrictive covenant against individual titles at the time of subdivision registration.

Policy 6.2: Enforcement of the Architectural Design Guidelines shall be the responsibility of the Developer and/or the Condominium Corporation.

### 6.4 Lot Development Design Principles

Each lot will be designed and developed according to the following design principals:

- The lot design will be specific for each site and will be based on topography, view lines, landscaping and sun angles. Buildings, structures will be integrated into the natural features of the site with minimal site disturbance;
- Internal lot landscaping with berms and planting will be professionally designed and is
  intended to be a significant part of the development of each lot and allow for privacy and
  tranquility.

# **Devonian Ridge Estates Conceptual Scheme**

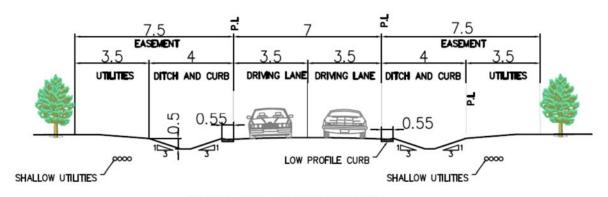
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### 7 Transportation

# 7.1 Internal Private Road Design

The entrance to the Plan Area will be from Twp Rd 251A via an internal road. The internal road will be privately owned and maintained by the Condominium Corporation. Design and construction standards will generally follow those published in Rocky View County 2013 County Servicing Standards 800.2 Residential Local (RL1) with a 7 meter paved road surface. Figure 7 shows the proposed cross section of the road right of way. The road right of way is located within the lots adjacent to the road and will provide drainage easement for road runoff as well as lot drainage. The shallow utility easements will be in the right of way on one side of the road as necessary.

Figure 8: Internal Road



TYPICAL ROAD ROADSIDE DITCHES ON BOTH SIDES

Policy 7.1: Internal road construction standards will be designed and certified by a qualified professional and shall be acceptable to the County.

Policy 7.2: The internal road shall be maintained by the Condominium Corporation.

### 7.2 Traffic Impact Assessment

Bunt & Associates Engineering Ltd. (Bunt) conducted a Traffic Impact Assessment (TIA) to "identify any improvements required as a result of the proposed development or conversely confirm no impacts results from the development".

As recommended by Alberta Transportation's technical guidelines traffic volumes at nearby intersections were reviewed to confirm where approach volumes would increase by 5% or more due to the proposed development. Additionally, traffics counts were reviewed conducted in 2018 by Bunt for the plan Area (RR 32 & Twp Rd 251A; RR 32 & Twp Rd 250; Old Banff Coach RD & Twp Rd 250), by Bunt from previously conducted traffic counts in 2018 (RR 33 & Twp Rd 250) and by Alberta Transportation (Hwy 1 & RR 33; Hwy 1 & RR 31).

# **Devonian Ridge Estates Conceptual Scheme**

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An "Am Intersection Capacity Analysis" was undertaken for the study area as per Rocky View County TIA Guidelines. The Intersection Capacity Analysis confirms that all study area intersections will continue to operate acceptably even with the additional traffic associated with the proposed development.

Conclusions of the TIA report confirm the following:

- The proposed development is expected to generate 8 AM peak hour trips and 10 PM peak hour trips;
- All roadways will continue to carry traffic volumes within Rocky View County guidelines with the addition of site traffic;
- All intersections will continue to operate acceptably with the addition of site traffic;
- No external roadway or intersection upgrades are required to accommodate the proposed development.
- Policy 7.3: At time of subdivision, no external roadway or intersection upgrades are required to accommodate the proposed development as per the Traffic Impact Assessment by Bunt & Associates Engineering Ltd. dated July 18, 2018.
- Policy 7.4: At time of subdivision, the developer shall pay Transportion Off-site Levies in accordance with the applicable bylaw at the time of approval.
- Policy 7.5: At time of subdivision, the developer shall enter into a Development Agreement for the construction of the internal roadway.
- Policy 7.6: Roadside ditches shall be located within a 7.5 meter utilities right-of-way (URW) from the internal road.

### 8 Servicing Strategy

There are currently no piped services for sewage disposal, potable water or stormwater for the existing residence. There is a gas pipeline utility right of way located within the subject lands along Township Road 251A.

### 8.1 Attempt to Connect to Regional Water Servicing

Policy 2.8.2 of CSASP requires connection to an existing water distribution system for residential purposes where access is feasible and/or cost effective. North Springbank Water Co-Op Limited and Emerald Bay Water & Sewer Co-op have water distribution systems near the Plan Area.

The developer started communications with Emerald Bay Water & Sewer Co-op, but concluded that connection would not be economically feasible. The North Springbank Water Co-Op Limited did not approve the application to connect to their system.

After communications with both co-ops have not succeeded in a letter of intent to connect to one of the systems, the developer has decided to proceed with intention to provide domestic water wells for each lot.

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#### 8.2 Potable Water

The developer has decided to service the lots by individual water wells. All eleven lots will have a well drilled and tested for suitability as potable water. Testing will provide insight to treatment requirements.

Groundwater Information Technologies Ltd. prepared a Phase 1 Aquifer Analysis report (August 2018) to determine the zone of influence of the wells and an analysis of capacity and viability of the wells to meet Rocky View County requirements. Findings of the Phase 1 Aquifer Analysis report include:

- Assuming the wells at the site encounter average aquifer conditions for the area there
  should be sufficient water to provide water needs for the lots as specified in the Water
  Act of 1250 m³/year without causing adverse effects to existing domestic, licensed or
  traditional groundwater users in the area.
- Approximately 20 meter of silts and clays are underlaying the site as well as a gravel deposit. These units are dry and no usable aquifers are present. Aquifers in the area consists of sandstones underlying the silts, clays and gravels. Expected wells depths would be 200-300 feet due to the relatively deep static water levels in the area.
- Existing groundwater demand in the area is moderate to high. No evidence of aquifer dewatering with time is occurring. As the property is near the Bow River/ Bearspaw Reservoir, some recharge of the aquifers is likely to occur.
- Pumping test data from wells in the areas was interpreted and an average water yield of 128 m³/day (46,9000 m³/year or 20 gpm) is calculated.
- The water quality in the area is good to fair consisting of a sodium bicarbonate type water with moderate levels of total dissolved solids concentration. Treatment may be required to make the water acceptable as a potable water source.

Policy 8.1: At the time of subdivision test wells will be drilled to confirm a flow of 4.5 L/min or greater at each lot.

#### 8.3 Wastewater

The 11 lots will not be connected to a regional or decentralized wastewater treatment system. Each lot will be installing individual sewage treatment and septic fields to collect, treat and dispose of sewage.

In 2018 Curtis Geo Solutions Inc. provided a Soil Texture for Septic Fields letter that concludes that the soil conditions are suitable for the installation of below grade septic fields. For each lot a Private Septic Treatment System (PSTS) Report is required. Packaged sewer treatment system meeting BNQ Standards will be required for each new residence to comply to Alberta Environment and Parks (AEP) and Rocky View County standards.

Packaged sewer treatment system meeting BNQ Standards will be required for each new residence to comply to Alberta Environment and Parks (AEP) and Rocky View County standards. As the Plan Area is located in the vicinity of the City of Calgary water source Bearspaw Reservoir, installation of manufactured packaged sewage treatment plants will be required for each lot

### **Devonian Ridge Estates Conceptual Scheme**

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through the architectural controls. These systems are considered advanced treatment systems and will produce cleaner effluent than the typical septic tank and septic field. The Condominium Corporation will establish a long-term contract with a professional company for the monitoring and maintenance of the manufactured packaged sewage treatment plants.

Part of lots 5 and 6 surficial drainage is towards the northwest to a creek draining directly into Bearspaw Reservoir. The location of the sewage treatment and septic fields of these lots will be such that they will drain in eastern direction which will generate a longer flowpath to Bearspaw Reservoir (>500 meter).

- Policy 8.2: Each new building site shall install a manufactured packaged sewage treatment plant as required by the Condominium Corporation and shall meet a minimum of BNQ Standards.
- Policy 8.3: A Level 4 Private Sewage Treatment System Assessment shall be submitted at the time of subdivision meeting the County Servicing Standards.

### 8.4 Shallow Utilities

Shallow utilities (i.e. electricity, telecommunication, natural gas, etc.) will be provided within the Plan Area at the subdivision stage in consultation with all applicable shallow utility providers.

- Policy 8.4: Shallow utilities shall be installed by the developer at the subdivision stage in consultation with all applicable utility providers.
- Policy 8.5: Easements will be provided by the Developer to the utility provider as required.

### 8.5 Fire Suppression

In the southeast green space area, the stormwater pond will be designed to provide the dual function as a water reservoir equipped with a dry hydrant for fire suppression.

Policy 8.6: Fire suppression infrastructure shall be provided through a dry hydrant and reservoir system that is consistent with Rocky View County policy servicing standards.

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# **Devonian Ridge Estates Conceptual Scheme**

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### **Geotechnical Investigation**

A Geotechnical Investigation Study including slope stability analysis has been completed in September 2018 and revised by Curtis Geo Solutions Inc. in February 2019. The geotechnical testing conclusions indicate the following:

- Subsurface conditions are considered suitable for residential development;
- Stratigraphy of the site consists of a topsoil layer overlying firm to stiff till to depths of 3.6 to 5.79 meters below ground surface;
- No groundwater was encountered up to depths of 5 meter below surface;
- Loads of the proposed buildings should be supported on strip footings or piles depending on the location, topography and size of the residence;
- Buildings shall be constructed with on strip footings or piles. A qualified geotechnical engineer shall perform inspections during foundation construction to verify the findings of the Geotech report;
- Modifications to existing slopes should be carried out under the supervision of a qualified geotechnical engineer to ensure slope stability.

It is anticipated that unique buildings will be constructed for which special geotechnical investigations may be required.

Policy 9.1: A qualified geotechnical engineer shall perform inspection during foundation excavation of home sites to verify the findings of the Geotechnical Investigation Report.

Policy 9.2: As condition of subdivision the following plans are required:

- Finished grading plan;
- Updated slope stability analysis;
- Contiguous acre assessment.

#### 10 **Biophysical Impact Assessment**

Westhoff (2018) completed a Biophysical Impact Assessment (BIA) which identifies potential impacts of the proposed development as well as mitigation measures to reduce or eliminate these potential impacts.

Findings of the BIA include:

- The Plan Area is located within the Parkland Natural Region and the Foothills Parkland Natural Subregion. Terrain conditions are variable with the majority of the site consisting of non-native grasslands;
- The range of natural habitats are expected to support a number of wildlife species. A total of eight (8) upland plant communities were identified with more natural conditions persist in the western and northern portions of the Project Site;
- Field sampling indicates there are no rare plants or rare ecological communities within the Site;

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- Approximately 1.7 hectare of the Plan Area is tree covered with scattered forested areas consisting of Aspen, Balsam Poplar and White Spruce;
- On a regional scale the Project Site is surrounded by country residential development. However, much of the natural landscape maintains a level of connectivity suitable for wildlife to travel in areas within and adjacent to the Project Site;
- A total of 17 species were observed within the Site, including the western wood pee-wee observed in the white spruce forest in the north, which is listed as May be at Risk in Alberta;
- No wetlands or watercourses are identified within the Plan Area.

Potential impacts of the proposed development include loss or alteration of soil, terrain and native vegetation as well as potential loss or disturbance of wildlife and wildlife habitat. The following mitigation measures will be implemented to reduce, eliminate, or control the potential negative impacts of the proposed development.

- Erosion and Sediment Control (ESC) Plan to limit or control deleterious substances leaving the Site or entering area water bodies;
- Environmental Protection Plan (EPP) to manage potential environmental impacts resulting from construction;
- Landscape and Weed Management Program to reduce post-development impacts to native plant communities and wildlife habitat;
- Stormwater management strategies;
- A Land Owner's Manual to educate area residents on what they can do to maintain the health of natural open spaces over the long-term and how to avoid conflicts with wildlife; and
- Timing of construction to avoid critical time periods for wildlife (Feb 1 to August 31).
- Policy 10.1: As condition of subdivision, an Environmental Protection Plan (EPP) shall be prepared that meets Rocky View County standards and guidelines.
- Policy 10.2: As condition of subdivision, a Landscape and Weed Management Program shall be developed to reduce post-development impacts to native plant communities and wildlife habitat and implemented for the site in accordance with the Weed Control Act (Government of Alberta, 2008).
- Policy 10.3: As condition of subdivision, stripping and grading of or within treed areas should be completed outside the breeding bird season between April 1 to August 31.
- Policy 10.4: As condition of subdivision, an Erosion and Sediment Control Plan (ESC Plan) shall be developed that meets Rocky View County standards and guidelines.

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### 11 Stormwater Management

A Stormwater Management Plan (SWMP) was prepared by Westhoff Engineering Resources Inc. in September 2018 and updated in March 2019. The SWMP is in accordance with the Springbank Master Drainage Plan (MDP) (MPE, 2013). In the Springbank MDP the following stormwater targets are recommended:

- Providing peak rate control to minimize flood risk based on previous guidance of 1.71
   L/s/ha and lower rates in areas where downstream restrictions exist.
- Provide a volume control target of less than 45 mm to achieve water quality improvement for stormwater discharging to receiving streams/water bodies and minimize erosion impacts in existing streams.

The Plan Area is located within the subcatchment Artist's View Creek that drains to the Bow River, which has potentially a very high risk of stream erosion (MPE, 2013)¹. Therefor adequately managed stormwater and particularly runoff volume is required. Furthermore, the Plan Area lies within the City of Calgary's Source Water Protection Plan (SWPP) (2018). In the SWPP stormwater from new and existing residential areas are considered a key risk factor. Either from ongoing loadings of low concentrations of pollutants or nutrients, or acute impacts due to spill events or runoff after severe storms. Secondary concern is temporary impact on water quality during construction and moderate concern associated with increasing volumes of treated wastewater discharges.

The storm water management concept provides for an overland drainage system without an underground piping system. Runoff from a small undeveloped external catchment area from the west will flow overland through the development. Stormwater runoff from each lot will manage storm runoff on its site individually with the use of Low Impact Development (LID's) technologies and Best Management Practices (BMP's). Use of absorptive landscaping and traplows will be incorporated to promote infiltration, evapotranspiration and improvement of water quality and to reduce water volumes for discharge downstream.

Lots 6, 7 and 8 will drain to a linear bio-detention/raingarden system along the perimeter infiltration gallery. The remaining 8 lots will drain to a stormwater pond in the south-east corner of the site. As the pond will serve less than 10 lots, it will be owned, operated and maintained by the Condominium Corporation and not be designated as PUL. The stormwater pond will serve for stormwater retention and will also provide a reservoir for fire suppression.

The site naturally drains from west to east to the low-lying area in the south-east corner. Lots 6, 7 and 8 cannot drain to the pond by gravity and these lots will be serviced by onsite raingarden/bio-detention system.

A temporary ephemeral drainage originates in lot 5. The building, driveway and services for this lot will be situated to the south property line so the temporary ephemeral drainage will not be bisected. All stormwater from impervious area and sewage treatment effluent infiltration will drain southeast and have a longer drainage path towards the Bearspaw reservoir. No grading is

<sup>&</sup>lt;sup>1</sup>A detailed erosion potential study will be required at the time a development permit is submitted. The study should identify areas of concern and recommendations to stabilize Artist's View Creek and protect the downstream source water.

# **Devonian Ridge Estates Conceptual Scheme**

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anticipated northeast of the watershed boundary draining northeast towards the Bearspaw Reservoir.

Conclusions of the SWMR report confirm the following:

- The proposed stormwater management concept is able to meet the permissible Unit
  Area Release Rate at 1.71 L/s/ha and to achieve a volume control target of less than 45
  mm; and,
- Water Quality will be achieved by the overland drainage system and the stormwater pond whereby suspended solids are filtered out.
- Policy 11.1: The components of the stormwater system will include natural overland drainage courses, naturalized depressions (traplows) on lots, roadside ditches and a constructed pond.
- Policy 11.2: The components of the stormwater system will be within overland drainage rights-of way and the green space.
- Policy 11.3: The stormwater plan will adhere to the Springbank Master Drainage Plan.
- Policy 11.4: As condition of subdivision, a detailed Site Specific Stormwater Implementation Plan (SSIP) shall be prepared for each lot.
- Policy 11.5: As condition of subdivision, a detailed erosion potential study will be required. The study should identify areas of concern and recommendations to stabilize Artist's View Creek and protect the downstream source water.
- Policy 11.6: Easements will be established on the lots for the overland drainage features where applicable.

# 12 Plan Area Implementation

The policies of this Conceptual Scheme will be used as the foundation for the lot design and configuration on the tentative plan submitted for subdivision approval. To minimize the impact of construction activities the phasing of the development of the lots will proceed as follows:

- Site stripping and grading will be limited to road and utility construction and the green space area, including stormwater pond, as part of the first phase.
- As high standards are set for this development, a building envelope will be delineated to preserve the natural state as much as possible.
- When lots are developed:
  - A finished grading plan shall be submitted including an updated slope stability analysis and a contiguous acre assessment if necessary;
- a Site-specific Stormwater Implementation Plan (SSIP) will be prepared to demonstrate the management of drainage onsite and in compliance with current guidelines and regulations.

# **Devonian Ridge Estates Conceptual Scheme**

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Policy 12.1: As condition to subdivision approval the following documents shall be submitted to Rocky View County:

- Architectural Design Guidelines;
- Stormwater Management plan, including detailed design of the stormwater management components;
- Erosion and Sediment Control Plan;
- Environmental Protection Plan (EPP);
- Landscape and Weed Management Program; and
- A Construction Management Plan;

Policy 12.2: At the time of subdivision, a Site Improvements/Services Agreement (SISA) will be registered for each lot including the required foundation based on detailed geotechnical investigation;

Policy 12.3: A Deferred Services Agreement (DSA) will be registered for each lot.

## 13 Bare Land Condominium Corporation

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

Policy 13.1: The Developer and/or the Condominium Corporation shall be responsible for the ownership, management, operation, and maintenance of the following within the plan area:

- The internal road and associated infrastructure;
- Landscaping and associated infrastructures;
- All stormwater management infrastructure, including but not limited to the stormwater pond, green space, and the associated conveyance system;

Policy 13.2: The Developer and/or the Condominium Corporation shall be responsible for the implementation and enforcement the architectural design guidelines.

### 14 Public Consultation

The owners of the proposed Devonian Ridge Estates Development are committed to consulting with the adjacent landowners and key stakeholders from the community about the intentions of their project.

On Wednesday September 5, 2018 an open house was held from 5pm to 8pm at the existing house on the property. Appendix I contains the following open house materials:

- Open House Invitation published in Rocky View Weekly;
- Photo of bold sign posted on Twp Rd 251A two weeks prior to Open House;
- Open House invitation spread around the neighbourhood;
- Open House Information boards;
- Photos taken during open house;

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• Feedback email from a neighbor.

Twenty-six persons signed the attendance sheet. No written feedback was provided during the open house. One email was received after the open house which is attached in Appendix C. Overall feedback was positive. During the open house the following comments were provided:

- Concern about dust control from developments and the neigbouring gravel pit.
- Will there be architectural controls?
- How will potable water and sewerage be serviced to the site?
- Interested in keeping updated with the progress of the project

### 15 Conceptual Scheme Policies Summary

- Policy 3.1: Where applicable, the policies of the conceptual scheme shall apply to lands identified in Figure 2 Conceptual Scheme Plan Area.
- Policy 4.1: Prior to subdivision the Agricultural Holdings (AH) land will require land use re-designation to Residential (R-1).
- Policy 5.1: There shall be a maximum of 11 residential R-1 lots within Devonian Ridge Estates.
- Policy 5.2: As a condition of subdivision, the Condo Corporation shall be established as well as bylaws, establishing maintenance responsibilities of internal road, PSTS, overland drainage system, stormwater pond and green space.
- Policy 5.3: A 6 meter URW shall be established on Lots 9 & 10 for the provision of the secondary emergency escape gravel road.
- Policy 5.4: A 7.5 meter URW along the road shall be established on Lots 2,3,45,6,7,8,9, and 10 for the provision of the roadside drainage and utilities right of way.
- Policy 5.5: A 7 meter URW shall be established on the outside perimeter of Lots 5, 6 7 and 8 for the provision of stormwater infiltration.
- Policy 5.6: The Stormwater Pond will be property of and maintained by the Condo Corporation.
- Policy 5.7: The green space shall be maintained by the Condominium Corporation.
- Policy 5.8: Municipal Reserve dedication will be dedicated by cash-in-lieu payment at the time of subdivision.
- Policy 6.1: Architectural Design Guidelines shall be prepared at the subdivision application stage, and be registered by as a restrictive covenant against individual titles at the time of subdivision registration.
- Policy 6.2: Enforcement of the Architectural Design Guidelines shall be the responsibility of the Developer and/or the Condominium Corporation.
- Policy 7.1: Internal road construction standards will be designed and certified by a qualified professional and shall be acceptable to the County.
- Policy 7.2: The internal road shall be maintained by the Condominium Corporation.

# **Devonian Ridge Estates Conceptual Scheme**

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- Policy 7.3: At time of subdivision, no external roadway or intersection upgrades are required to accommodate the proposed development as per the Traffic Impact Assessment by Bunt & Associates Engineering Ltd. dated July 18, 2018.
- Policy 7.4: At time of subdivision, the developer shall pay Transportion Off-site Levies in accordance with the applicable bylaw at the time of approval.
- Policy 7.5: At time of subdivision, the developer shall enter into a Development Agreement for the construction of the internal roadway.
- Policy 7.6: Roadside ditches shall be located within a 7.5 meter utilities right-of-way (URW) from the internal road.
- Policy 8.1: At the time of subdivision test wells will be drilled to confirm a flow of 4.5 L/min or greater at each lot.
- Policy 8.2: Each new building site shall install a manufactured packaged sewage treatment plant as required by the Condominium Corporation and shall meet a minimum of BNQ Standards.
- Policy 8.3: A Level 4 Private Sewage Treatment System Assessment shall be submitted at the time of subdivision meeting the County Servicing Standards.
- Policy 8.4: Shallow utilities shall be installed by the developer at the subdivision stage in consultation with all applicable utility providers.
- Policy 8.5: Easements will be provided by the Developer to the utility provider as required.
- Policy 8.6: Fire suppression infrastructure shall be provided through a dry hydrant and reservoir system that is consistent with Rocky View County policy servicing standards.
- Policy 9.1: A qualified geotechnical engineer shall perform inspection during foundation excavation of home sites to verify the findings of the Geotechnical Investigation Report.
- Policy 9.2: As condition of subdivision the following plans are required:
  - Finished grading plan;
  - Updated slope stability analysis;
  - Contiguous acre assessment.
- Policy 10.1: As condition of subdivision, an Environmental Protection Plan (EPP) shall be prepared that meets Rocky View County standards and quidelines.
- Policy 10.2: As condition of subdivision, a Landscape and Weed Management Program shall be developed to reduce post-development impacts to native plant communities and wildlife habitat and implemented for the site in accordance with the Weed Control Act (Government of Alberta, 2008).
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- Policy 11.1: The components of the stormwater system will include natural overland drainage courses, naturalized depressions (traplows) on lots, roadside ditches and a constructed pond.

### **Devonian Ridge Estates Conceptual Scheme**

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- Policy 11.2: The components of the stormwater system will be within overland drainage rights-of way and the green space.
- Policy 11.3: The stormwater plan will adhere to the Springbank Master Drainage Plan.
- Policy 11.4: As condition of subdivision, a detailed Site Specific Stormwater Implementation Plan (SSIP) shall be prepared for each lot.
- Policy 11.5: As condition of subdivision, a detailed erosion potential study will be required. The study should identify areas of concern and recommendations to stabilize Artist's View Creek and protect the downstream source water.
- Policy 11.6: Easements will be established on the lots for the overland drainage features where applicable.
- Policy 12.1: As condition to subdivision approval the following documents shall be submitted to Rocky View County:
  - Architectural Design Guidelines;
  - Stormwater Management plan, including detailed design of the stormwater management components;
  - Erosion and Sediment Control Plan;
  - Environmental Protection Plan (EPP);
  - Landscape and Weed Management Program; and
  - A Construction Management Plan;
- Policy 12.2: At the time of subdivision, a Site Improvements/Services Agreement (SISA) will be registered for each lot including the required foundation based on detailed geotechnical investigation;
- Policy 12.3: A Deferred Services Agreement (DSA) will be registered for each lot.
- Policy 13.1: The Developer and/or the Condominium Corporation shall be responsible for the ownership, management, operation, and maintenance of the following within the plan area:
  - The internal road and associated infrastructure;
  - Landscaping and associated infrastructures;
  - All stormwater management infrastructure, including but not limited to the stormwater pond, green space, and the associated conveyance system;
- Policy 13.2: The Developer and/or the Condominium Corporation shall be responsible for the implementation and enforcement the architectural design guidelines.

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# **Devonian Ridge Estates Conceptual Scheme**

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# 16 Appendices



# ADMINISTRATION'S PROPOSED AMENDMENTS TO THE DEVONIAN RIDGE ESTATES CONCEPTUAL SCHEME

#### Amendment #1:

Amend Figure 8 of the Devonian Ridge Estates Conceptual Scheme to reflect an increase in width to the proposed internal condominium unit road from 7.00 metres to 14.50 metres, in accordance with the County Servicing Standards (800.2 = Residential Local 1).

### Amendment #2:

Remove Policy 7.6 of the Devonian Ridge Estates Conceptual Scheme, which states, "Roadside ditches shall be located within a 7.5 meter utilities right-of-way (URW) from the internal road.

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### **Devonian Ridge Estates Conceptual Scheme**

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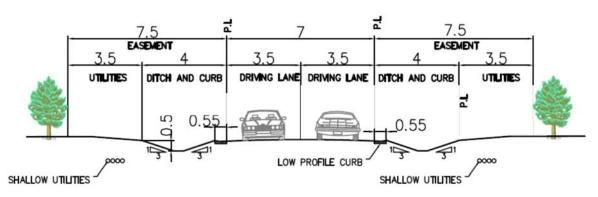
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### 7 Transportation

# 7.1 Internal Private Road Design

The entrance to the Plan Area will be from Twp Rd 251A via an internal road. The internal road will be privately owned and maintained by the Condominium Corporation. Design and construction standards will generally follow those published in Rocky View County 2013 County Servicing Standards 800.2 Residential Local (RL1) with a 7 meter paved road surface. Figure 7 shows the proposed cross section of the road right of way. The road right of way is located within the lots adjacent to the road and will provide drainage easement for road runoff as well as lot drainage. The shallow utility easements will be in the right of way on one side of the road as necessary.

Figure 8: Internal Road



TYPICAL ROAD ROADSIDE DITCHES
ON BOTH SIDES

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Bunt & Associates Engineering Ltd. (Bunt) conducted a Traffic Impact Assessment (TIA) to "identify any improvements required as a result of the proposed development or conversely confirm no impacts results from the development".

As recommended by Alberta Transportation's technical guidelines traffic volumes at nearby intersections were reviewed to confirm where approach volumes would increase by 5% or more due to the proposed development. Additionally, traffics counts were reviewed conducted in 2018 by Bunt for the plan Area (RR 32 & Twp Rd 251A; RR 32 & Twp Rd 250; Old Banff Coach RD & Twp Rd 250), by Bunt from previously conducted traffic counts in 2018 (RR 33 & Twp Rd 250) and by Alberta Transportation (Hwy 1 & RR 33; Hwy 1 & RR 31).

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An "Am Intersection Capacity Analysis" was undertaken for the study area as per Rocky View County TIA Guidelines. The Intersection Capacity Analysis confirms that all study area intersections will continue to operate acceptably even with the additional traffic associated with the proposed development.

Conclusions of the TIA report confirm the following:

- The proposed development is expected to generate 8 AM peak hour trips and 10 PM peak hour trips;
- All roadways will continue to carry traffic volumes within Rocky View County guidelines with the addition of site traffic;
- All intersections will continue to operate acceptably with the addition of site traffic;
- No external roadway or intersection upgrades are required to accommodate the proposed development.
- Policy 7.3: At time of subdivision, no external roadway or intersection upgrades are required to accommodate the proposed development as per the Traffic Impact Assessment by Bunt & Associates Engineering Ltd. dated July 18, 2018.
- Policy 7.4: At time of subdivision, the developer shall pay Transportion Off-site Levies in accordance with the applicable bylaw at the time of approval.
- Policy 7.5: At time of subdivision, the developer shall enter into a Development Agreement for the construction of the internal roadway.
- Policy 7.6: Roadside ditches shall be located within a 7.5 meter utilities right-of-way (URW) from the internal road.

### 8 Servicing Strategy

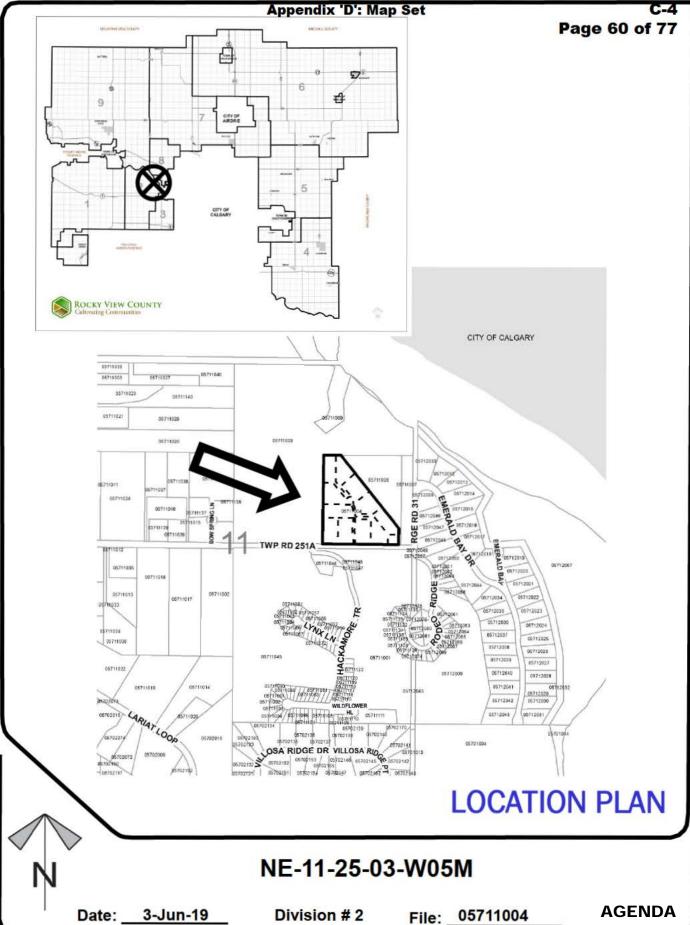
There are currently no piped services for sewage disposal, potable water or stormwater for the existing residence. There is a gas pipeline utility right of way located within the subject lands along Township Road 251A.

### 8.1 Attempt to Connect to Regional Water Servicing

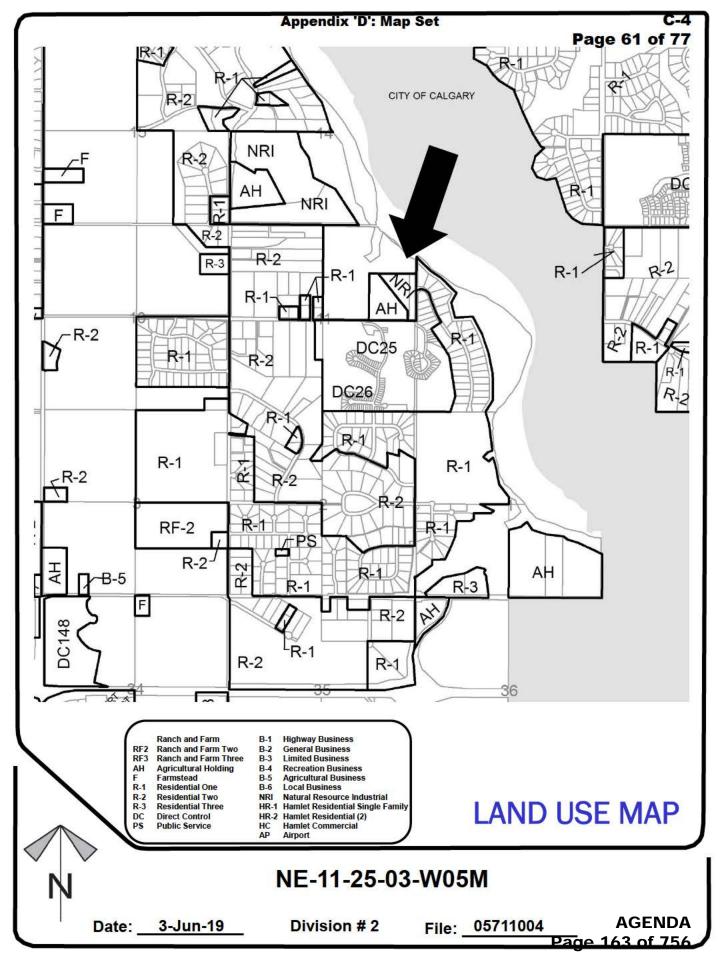
Policy 2.8.2 of CSASP requires connection to an existing water distribution system for residential purposes where access is feasible and/or cost effective. North Springbank Water Co-Op Limited and Emerald Bay Water & Sewer Co-op have water distribution systems near the Plan Area.

The developer started communications with Emerald Bay Water & Sewer Co-op, but concluded that connection would not be economically feasible. The North Springbank Water Co-Op Limited did not approve the application to connect to their system.

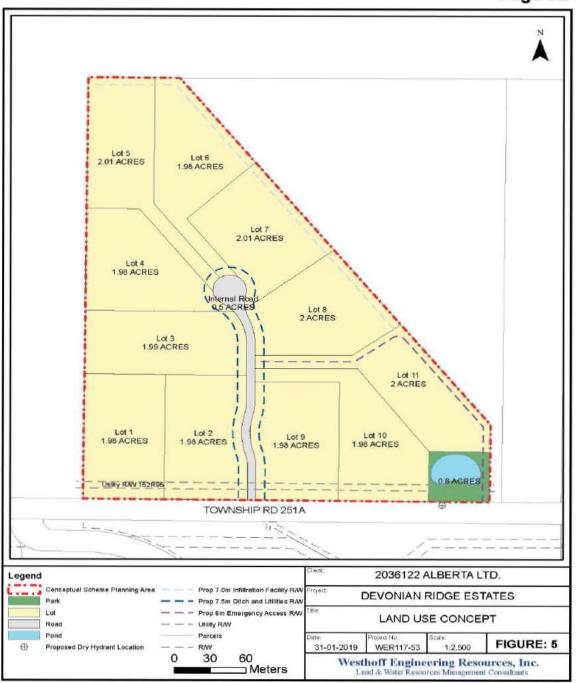
After communications with both co-ops have not succeeded in a letter of intent to connect to one of the systems, the developer has decided to proceed with intention to provide domestic water wells for each lot.



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# **DEVELOPMENT CONCEPT**

# NE-11-25-03-W05M

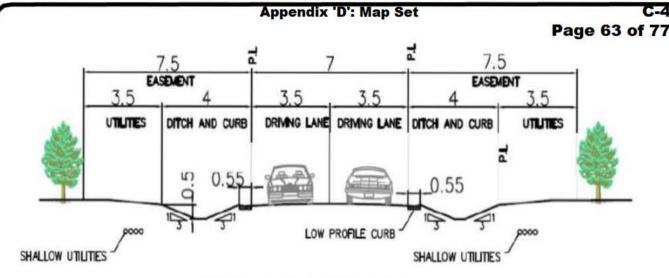
Date: 3-Jun-19

Division # 2

File: 05711004

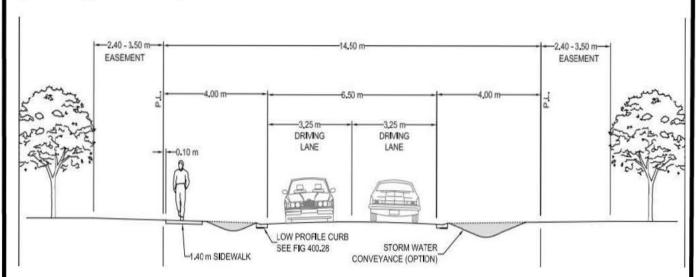
AGENDA

Page 164 of 756



TYPICAL ROAD ROADSIDE DITCHES ON BOTH SIDES

**Devonian Ridge Estates Proposed Road Configuration:** Road Width – 7.00 metres (excluding easements).



County Servicing Standards – Residential Local 1(RL1): Road Width – 14.50 metres (excluding easements).

# **ROAD CONFIGURATION**

# NE-11-25-03-W05M

Date: 3-Jun-19

Division # 2

File: 05711004

AGENDA

Page 165 of 756



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

# **AIR PHOTO**

Spring 2018

NE-11-25-03-W05M

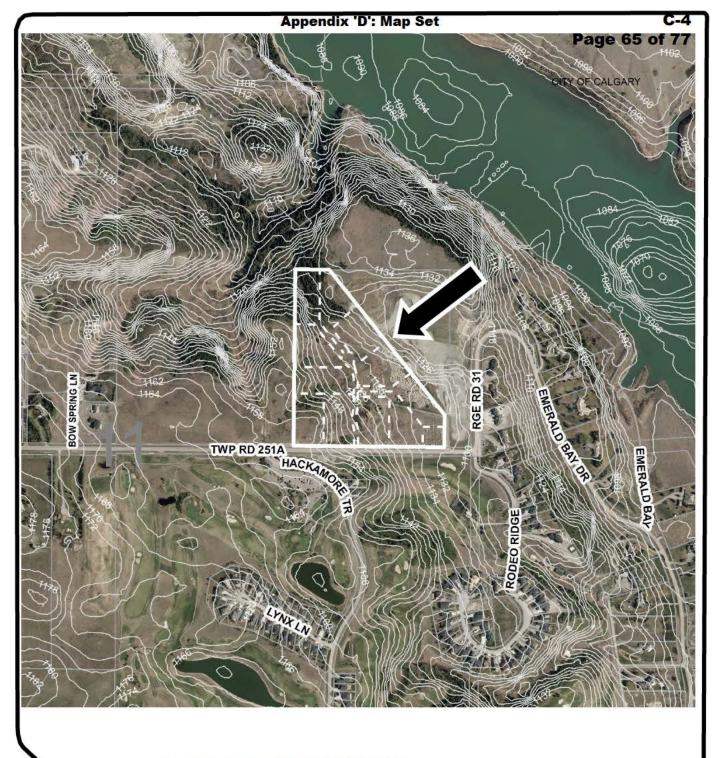
Date: 3-Jun-19

Division # 2

File: 05711004

**AGENDA** 

Page 166 of 756



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

# **TOPOGRAPHY**

Contour Interval 2 M

# NE-11-25-03-W05M

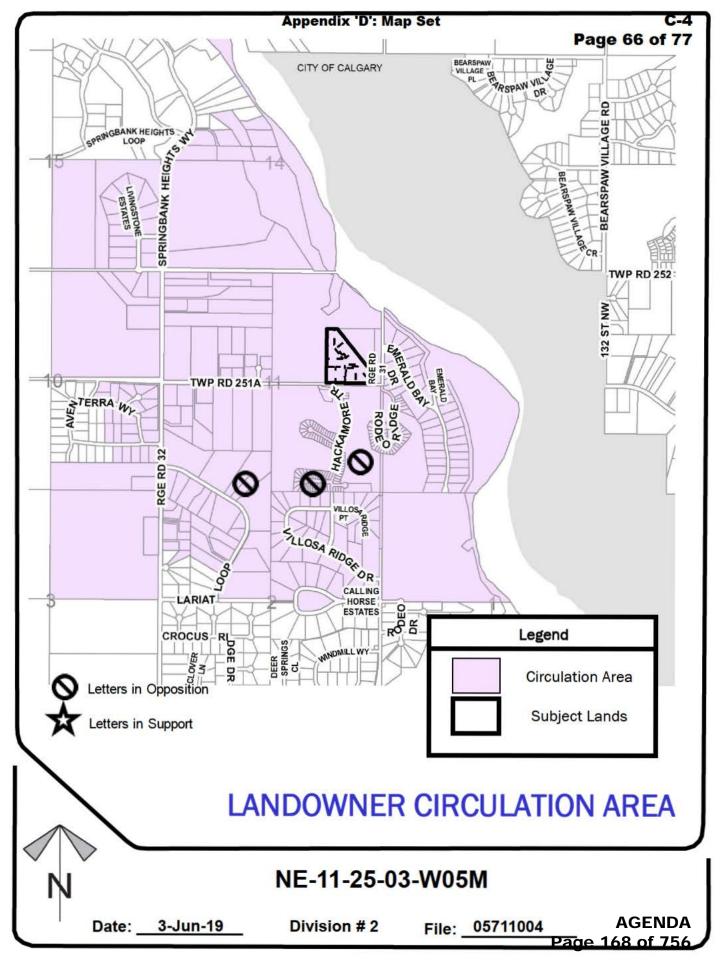
Date: 3-Jun-19

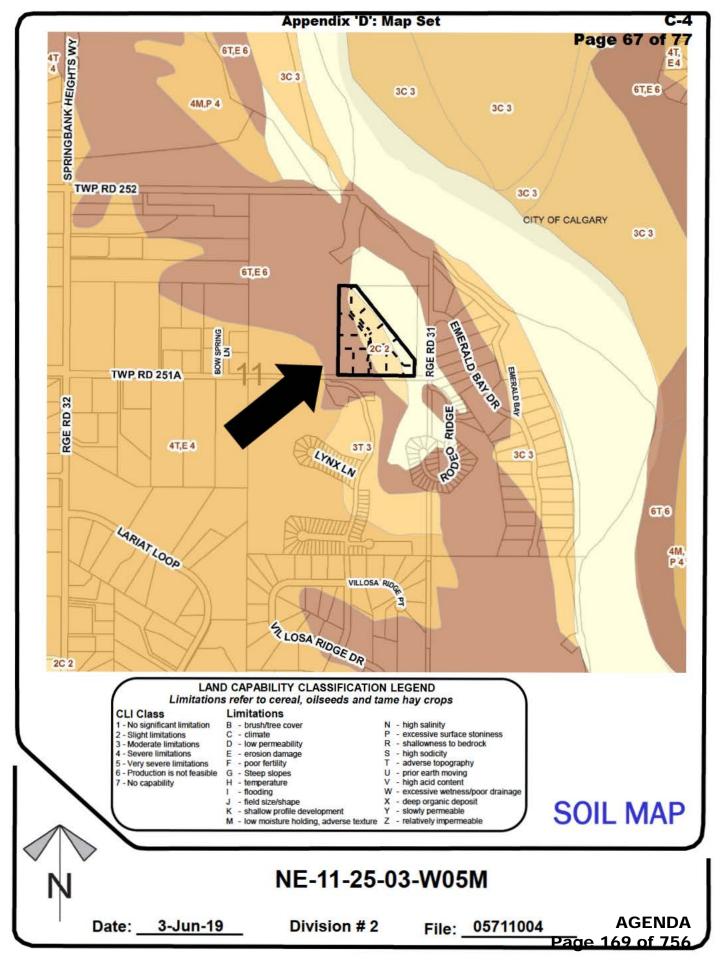
Division # 2

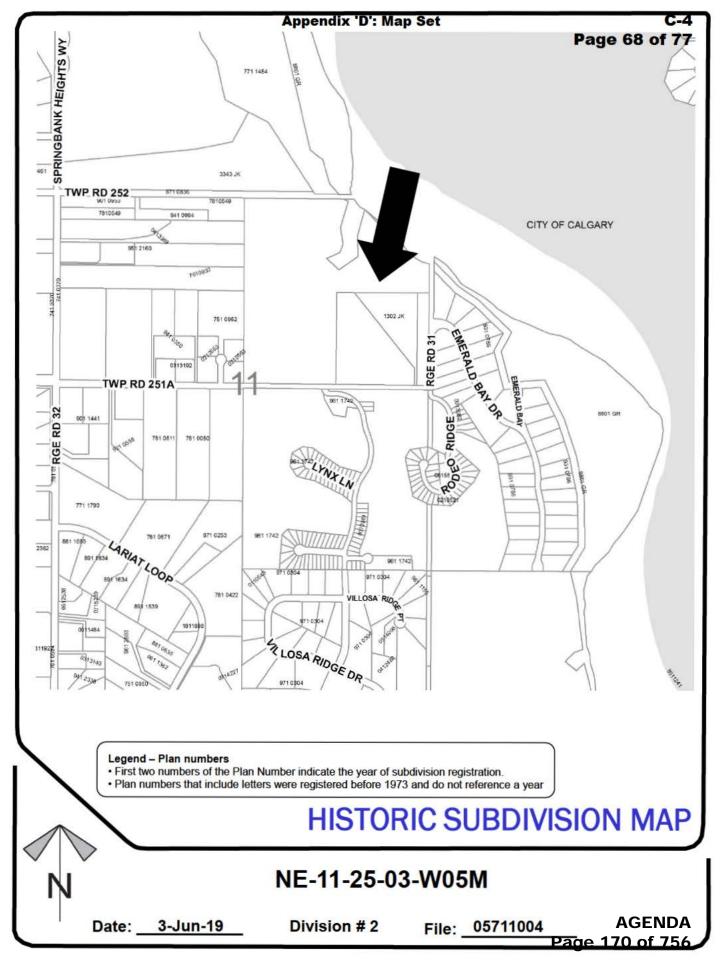
File: 05711004

AGENDA

Page 167 of 756









November 21, 2018

Rocky View County 262075 Rocky View Point Rocky View County, Alberta T4A 0X2

Dear Sir / Madam: via electronic mail

# Re: RVC File Number 05711004, Application numbers 20180120 and 20180121 - Letter of Objection -

We write this letter to you after receiving a copy of the referenced application proposing 11 new lots directly adjacent to our service area.

The Emerald Bay Water & Sewer Coop is an incorporated not-for-profit utility company servicing 188 customers.

We operate our water system under Alberta Environment and Parks Approval number 1542 – 02 – 00. All potable water for our service area is drawn from groundwater wells which are situated downgradient from the proposed development.

We operate our wastewater system under Alberta Environment and Parks Approval number 18892-01-00. This approval includes an extensive monitoring program to collect data on potential impacts to three (3) local water Coop water wells primarily from surface runoff. This program is very expensive and our source wells would be at great risk of contamination should eleven septic fields (as proposed) be placed upgradient from our water source wells.

As a result, the Emerald Bay Water & Sewer Coop, *strongly objects* to the proposed application(s) and will file additional objections to Alberta Environment and Parks should this application proceed.

Please acknowledge receipt of this letter of objection.

Should you have any questions in regard to this statement of concern, please contact me by telephone at 403.888.2849
Sincerely,

David Laurie

Chairman, Emerald Bay Water & Sewer Co-Op Ltd.

From:
To:
Jamie Kirychuk
Subject:
File 05711004

**Date:** November-24-18 4:20:28 PM

ΗΙ

### Comment

TWP RD 251A is a dangerous road as people speed on this road, and with the deer makes it tough and no shoulders

And now adding more people to this road – We are not in favour.

The entry to this new development is at a bad spot as traffic is speeding up the hill so residents coming out of the area

Are at great risk.

Coming out of Hackamore Trail onto this road is not ideal as it is hard to see at the angle to the road. This should be taken into consideration and do something to mitigate the risk - give us some shoulders as

Runners and bikers also use this road - very dangerous!

Thanks

Jo

# NORTH SPRINGBANK WATER CO-OP LIMITED

196 Lariat Loop, Calgary, Alberta T3Z 1G1 Phone/Fax 403-286-8396 Email

Jamie Kirychuk Rocky View Planning 262075 Rocky View Point Rocky View County T4A 0X2

December 14, 2018

Reference: Devonian Ridge Plan of Subdivision and Conceptual Scheme

The North Springbank Water Co-op ("NSWC") is a major water supplier for the North Springbank community. At total buildout NSWC could supply over 500 homes. The same aquifer also provides water to the Emerald Bay subdivision and is the single source of water for most of the North Springbank area east of the Springbank airport. The NSWC water production is mainly from a well along the southeast shore of the Bearspaw reservoir from an interval 7 to 36 meters in depth. The aquifer consists of sandstones in the Porcupine Hills Formation.

### Related Technical Studies

The NSWC has done several technical studies related to the raw water source aquifer and overlying sedimentary material along the terraces upslope of the Bow River. Technical studies done by Bel MK Engineering Ltd. (now MMM Engineering), in June 1997, demonstrate that the aquifer is extensively fractured which allows flow rates up to 300 igpm, whereas unfractured sandstone would only produce at a maximum rate of 5 igpm. In places fracturing is evident at the surface. Bel MK studies indicate that the aquifer is being charged, in part through the fracture system, from rainfall on the upgradient areas with a capture area including the Springbank Links Golf Course. In another study done by Ground Water Solutions, in July 1997, entitled "Review of Existing Hydrogeological Reports and Independent Assessment of the Potential for Groundwater Contamination in SW 12-25-3-W5M", the study concluded that upslope diluted sewage effluent could contaminate down-gradient water supply wells located in SW 12-25-3-W5M. In addition to fracturing, surface gravels and an adjacent, now abandoned, gravel pit add to the concerns that surface runoff of wastewater and sewage could contaminate the water supply aquifer.

### Alberta Environment Guidelines

Alberta Environment guidelines are applicable to all wastewater irrigation sites in the province. Guidelines warn that "Contamination of groundwater by effluent is possible under certain conditions, i.e. very shallow soils over gravel or fractured bed rock". Moreover Alberta Environment will not allow any discharge of sewage or waste water into the adjacent Bearspaw reservoir.

North Springbank Water Co-op Concerns

The North Springbank Water Co-op ("NSWC") has concerns related to the proposed Devonian Ridge subdivision in North Springbank as outlined below.

- 1) As described in the Conceptual Scheme submitted by the developer, plan is for 11 lots to be developed upslope from the NSWC water source wells that supply raw water from the aquifer to the NSWC water treatment plant. Plan is to have individual land owners treat their waste water and sewage using an approved system such as a Norweco or other system. With individual land owners treating their water, the risk of an eventual home treatment system failure, either due to a lack of system maintenance, owner inattention to developing problems, or by other means, will be a continual concern. Who will assure that all systems are maintained and functioning adequately? As indicated above there is considerable risk that any leakage could invade the aquifer due to fracturing and surface gravel. In the event that the raw water in the aquifer is compromised due to waste water/sewage leakage, who will pay for required remedial work to restore water quality in the aquifer?
- 2) The number of test pits dug to 16-19 ft. (4 pits as indicated by the developer in discussion with NSWC) provides only a very minimal evaluation of the surface material under the subdivision considering potential of gravel stringers between existing pits.
- 3) There is an existing sewer line from Cochrane to Calgary south of the proposed development. Currently the Springbank Middle school is putting pipe in the ground that will allow them to connect into this line. The Springbank High School, from what I understand, has also been connected. This option should be an alternate plan for Devonian Ridge to investigate for discharge of waste water. The City of Calgary, from what I understand, will consider proposals where there are environmental concerns from discharge by using other means. The fact that any surface waste water and sewage near surface runoff could potentially invade the Bearspaw Reservoir should be of concern to Calgary.
- 4) In the Conceptual Scheme, it is stated that the Bow River and aquifer water are assumed to be in communication. Based on the fact that the water analysis from the Bow and aquifer are different it is evident that this is not the case.

### Conclusion:

Based on the above material, and other considerations, the NSWC is very concerned that the Devonian Ridge development, if approved, will pose a significant threat to the future quality of water in the down slope raw water source aquifer. As a result, we are not in favour of this development to proceed as planned.

Iko OeI krrkxtc{ I gpgtcnOcpci gt PUY E



Monday, December 3, 2018

City File: RV18-19

MD File: PL20180120 & 0121

Department of Planning and Development Rocky View County 911 – 32<sup>nd</sup> Avenue NE Calgary, Alberta T2E 6X6

Attention: Jamie Kirychuk

**SUBJECT:** PL20180121 - To redesignate the subject lands from Agricultural Holdings District to

Residential One District in order to facilitate the creation of  $11 \pm 0.80$  hectare (2.00 acre)

parcels.

PL20180120 - To adopt a conceptual scheme to provide a policy framework to guide future redesignation, subdivision and development proposals within NE-11-25-03-W05M.

Dear Mr. Kirychuk,

The City of Calgary has reviewed the above noted application in reference to the *Rocky View County/City* of Calgary Intermunicipal Development Plan (IDP) and other applicable policies. The City of Calgary Administration has the following comments for your consideration.

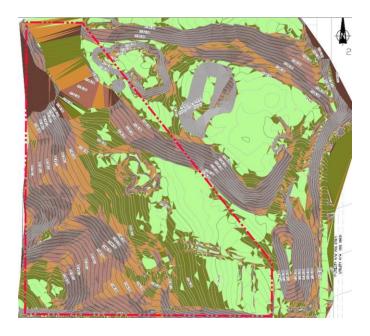
The Devonian Ridge Estates proposal of a private sewage treatment system for 11 lots with single family homes is upstream of the Bearspaw Water Treatment Plant Intake which is a highly sensitive location.



The City is not supportive of the use of private sewage treatment systems (PSTS) in such close proximity to the Bearspaw Reservoir, a major source of water for The City. While their initial construction/design are subject to Alberta codes of practice and have minimal risk to water quality, their long term maintenance and monitoring is a concern to The City's source water quality. Either assurances of continual monitoring requirements through RVC bylaws, or a communal system that requires AEP monitoring and approvals would be better suited for this area.

Because of its sensitive location, the private sewage treatment system for below grade septic fields for each lot would need to be operated and maintained sufficiently to ensure no impact on the water supply for Calgary. The report states that 'Sewerage disposal and stormwater management will be designed as per Alberta Environment and Parks (AEP) and Rocky View County design standards and guidelines.' It may be worthwhile to set up an ongoing inspection schedule by The City to ensure continued maintenance is sufficiently being done if the area gets approved.

These lands are on a cliff (1135m+) relative to the Bow River (1092m) so any potential spillage issue, if any of the septic fields stop working, could potentially reach the river. The report states that about 23% of the area has slopes larger than 20%. The contours of the plan area can be seen below from the report:



One of the geotechnical testing conclusions was that no groundwater was encountered up to depths of 5 meter below surface. This should reduce some of the risk of any sewage contaminating the groundwater flow and contamination getting to the river.

### **STORMWATER**

- The Devonian Ridge document treats the site without appropriate consideration for City Source Water Protection Plan (SWPP). Rocky View County will require that consultants, creating documents on their behalf, take the City SWPP into consideration and address, to their best ability, concerns associated with runoff water quality generated from urbanized areas and draining toward the City source water.
  - a) The following studies pertaining to the area are all finalized now and should be referenced in the Devonian Ridge Estates Scheme document:
    - i. Source Watershed Risk Characterization Summary (2018)
    - ii. *Source Water Protection Plan* (2018) (available at calgary.ca http://www.calgary.ca/UEP/Water/Documents/Water-Documents/Source-

<u>Water-Protection-Plan.pdf</u>) In particular, see pages 23, 26, and 34-35 related to stormwater.

- iii. ISL (RVC) "Glenbow Ranch ASP MDP", Jan 2017
- iv. KWL "Haskayne MDP", Nov 2017
- b) The Springbank Master Drainage Plan was also prepared on behalf of Rocky View County by MPE Engineering Ltd., dated April 26, 2016, and in Section 4.1.5 (page 33) states "Consideration should be given to providing additional measures to mitigate significant source water protection risks." The SWMP, however, does not address the source water protection aspect of the proposed stormwater management despite the recommendation in Rocky View County's Springbank MDP.
- c) The constituents of concern are listed in the referenced documents. Nutrients, pesticides and herbicides are included on the list of constituents of concern. They need to be addressed prior to allowing stormwater release to The City of Calgary's source water.
- 2. The Devonian Ridge Estates Conceptual Scheme recommends "An Erosion and Sediment Control Plan (ESC Plan) shall be developed that meets Rocky View County standards and guidelines." A review of the performance of the downstream conveyance system all the way to the source water body is recommended as the maximum allowable release rate off of the site is based on pre-development flows without consideration for the flow duration and shear stresses along the conveyance system.
- 3. The introduction of infiltration features promote subsurface travel paths for constituents of concern. Due to the proximity of the site to the source water, a hydrogeological investigation is recommended to determine the travel paths and travel times toward the source water and potentially eliminate infiltration as the venue of controlling the offsite annual average depth of runoff. If the volume targets are not possible to meet without infiltration, we are prepared to discuss an alternative approach with Rocky View County.
- 4. Based on air photo and topography review, and The City's Ephemeral and Intermittent Stream Mapping study (2017), proposed Lot #5 as well as Lot #6 include distinct overland flow paths while also bisecting temporary ephemeral drainage channels. These drain directly into the Bearspaw Reservoir approximately 200 m downstream. These pose special challenges for stormwater management and watershed preservation that must be addressed and managed, including avoidance of grading or loss of these features, and avoidance of new overland flow paths or stormwater discharge generated by any development into these systems for source water protection purposes. If not carefully sited and managed, some of the septic systems could interact with these non-permanent stream systems as well.

Thank you for the opportunity to review and comment on this application. We look forward to working with you to address our comments and concerns.

Sincerely,

Austin Weleschuk Planner, City Wide Policy

A. We Deschute

Calgary Growth Strategies Planning & Development

T. 403.268.1163 | F. 403.268.3011 | E. <u>austin.weleschuk@calgary.ca</u> The City of Calgary | Mail Code #8117

### **APPENDIX 'F': City of Calgary Letters**

From: <u>Harper, Ian</u>
To: <u>Jamie Kirychuk</u>

Cc: Weleschuk, Austin J.; Deederly, Scott; Norman, Meghan

Subject: The City of Calgary - Circulation Response: PL20180129/0121

**Date:** May-23-19 2:41:07 PM

Good afternoon Jamie,

# Re: Intermunicipal Circulation: RV18-19 & PL20180129/0121: Redesignation and Conceptual Scheme for 11 lots near Bearspaw Reservoir

The City of Calgary notes that there will still be residual risks to source water from this proposed development's wastewater. Therefore, it remains preferable for a more formal system, such as a communal system with Alberta Environment and Parks approvals, or a Rocky View County bylaw, rather than the proposed approach of the "Condominium Corporation establishing a long-term contract for monitoring and maintenance of the packaged sewage treatment plants".

The responses provided by Westhoff Engineering Resources, Inc. states that "the monitoring and maintenance records can be sent to both RVC and The City;" however, this process has not been discussed with The City of Calgary's Water Resources department. Therefore, questions remain regarding the process, who would be the contact, how to ensure all records are sent, and fail safes if circulations do not occur. Further discussion is likely required here.

With respect to the letter of April 18, 2019:

- <u>Items 1a), 1b), 2, and 3</u> indicate the recommended methodologies and considerations <u>will</u> be implemented. The City of Calgary requests we be circulated and have an opportunity to comment on the updated versions of the stormwater document prior to approval by Rocky View County.
- <u>Item 1c</u> The City welcomes and encourages commitments to reducing the constituents of concern loadings from a source point or area of their application.

In general, The City of Calgary has concerns regarding the cumulative effects, planning, and policy development implications resulting from these individual subdivisions, especially as they grow over time. Nonetheless, The City of Calgary has **no further comments** at this time regarding **PL20180129/0121**.

Please let me know if you have any questions.

Sincerely,

#### lan Harper

Planner 2, City Wide Policy
Calgary Growth Strategies | Planning & Development
The City of Calgary | Mail code: #8117
T 403.268.3204 E jan.harper@calgary.ca

Floor 4, Municipal Building, 800 Macleod Tr. S.E.

P.O. Box 2100, Station M, Calgary, AB Canada T2P 2M5

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### **PLANNING & DEVELOPMENT**

TO: Council

**DATE:** June 11, 2019 **DIVISION:** 2

**TIME:** Afternoon Appointment

**FILE:** 05711004 **APPLICATION**: PL20180121

**SUBJECT:** Redesignation Item – Agricultural Holdings District to Residential One District.

Note: To be considered in conjunction with PL20180120 – Devonian Ridge Estates

Conceptual Scheme

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

The application was evaluated in accordance with the Central Springbank Area Structure Plan, and the proposed Devonian Ridge Estates Conceptual Scheme.

#### **EXECUTIVE SUMMARY:**

The purpose of this application is to redesignate the subject lands from Agricultural Holdings District to Residential One District in order to facilitate the creation of  $11 \pm 1.98$  acre parcels within NE-11-25-03-W05M to facilitate a multi-lot subdivision.

The Applicant submitted a conceptual scheme in support of this land use redesignation (PL20180120); the details of which are discussed in the corresponding staff report. This application was evaluated in accordance with the Central Springbank Area Structure Plan, the proposed Devonian Ridge Estates Conceptual Scheme, and the Land Use Bylaw.

Administration reviewed the application and determined that:

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

**DATE APPLICATION RECEIVED:** October 3, 2018 **DATE DEEMED COMPLETE:** October 23, 2018

**PROPOSAL:** To redesignate NE-11-25-03-W05M from Agricultural

Holdings District to Residential One District to facilitate a

multi-lot subdivision.

**LEGAL DESCRIPTION:** NE-11-25-03-W05M

GENERAL LOCATION: Located approximately 1.20 kilometres (3/4 mile) east of

Range Road 32 and 3.21 kilometres (2 miles) north of

Highway 1.

**APPLICANT:** Westhoff Engineering Resources Inc.

OWNERS: 2036122 Alberta Ltd.

**EXISTING LAND USE DESIGNATION:** Agricultural Holdings District.

Jamie Kirychuk and Gurbir Nijjar, Planning & Development

<sup>&</sup>lt;sup>1</sup> Administration Resources



PROPOSED LAND USE DESIGNATION: Residential One District.

**GROSS AREA:**  $\pm$  9.38 hectares ( $\pm$  23.18 acres)

SOILS (C.L.I. from A.R.C.): Class 3T 3: Moderate limitations due to adverse

topography.

Class 5T 5: Very Severe limitations due to adverse

topography.

# **PUBLIC & AGENCY SUBMISSIONS:**

The application was circulated to 365 adjacent landowners, and three letters in opposition were received (Appendix 'D'). The application was also circulated to a number of internal and external agencies (Appendix 'A').

## **HISTORY:**

**2001** The Central Springbank Area Structure Plan (Bylaw C-5354-2001) was adopted.

1962 Plan No. 1302 JK was registered, which created an 11.70 acre parcel within NE-11-25-03-

W05M.

#### **BACKGROUND:**

The subject lands are accessed from Township Road 251A and are developed with one single-family detached dwelling and accessory building. The surrounding area comprises a variety of uses, including a golf course to the south, a City of Calgary-owned park to the west and north, and a County-owned gravel pit directly to the east. Country residential is the primary land use within the vicinity of the area with lots ranging from 0.25 acres (Springbank Links Golf Course) to 6.00 acres. The lands are also in close proximity to the Bow River / Bearspaw Reservoir and have been identified as a Special Planning area as per the Central Springbank Area Structure Plan (See Conceptual Scheme Report – PL20180120).

#### **POLICY ANALYSIS:**

The subject lands fall within the proposed Devonian Ridge Estates Conceptual Scheme area and Central Springbank Area Structure Plan; the proposed residential use is consistent with the policies of those plans.

# Land Use Bylaw

The purpose of the Residential One District to provide for a residential use on a small parcel of land that does not accommodate agriculture, general. The development, as proposed, would meet the minimum parcel size and other minimum / maximum requirements outlined in the district. It should be noted, however, that if Administration's proposed amendments (to allow for a wider road width) are adopted, the proposed lot sizes would be under the minimum required lot size of 1.98 acres at the time of subdivision.

## **CONCLUSION:**

Administration evaluated the application and determined that:

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



# **OPTIONS:**

Option # 1: Motion #1 THAT Bylaw C-7890-2019 be given first reading.

Motion #2 THAT Bylaw C-7890-2019 be given second reading.

Motion #3 THAT Bylaw C-7890-2019 be considered for third reading.

Motion #4 THAT Bylaw C-7890-2019 be given third and final reading.

Chief Administrative Officer

Option # 2: THAT Application PL20180121 be refused.

Respectfully submitted, Concurrence,

"Richard Barss" "Al Hoggan"

<del>\_\_\_\_</del>

Acting Executive Director Community Development Services

JK/rp

# **APPENDICES:**

APPENDIX 'A': Application Referrals APPENDIX 'B': Bylaw C-7890-2019

APPENDIX 'C': Map Set

APPENDIX 'D': Landowner letters



# **APPENDIX A: APPLICATION REFERRALS**

AGENCY	COMMENTS
School Authority	
Rocky View Schools	No comments.
Calgary Catholic School District Public Francophone Education Catholic Francophone Education  Province of Alberta	No comments.  No comments.  No comments.
Alberta Environment and Parks	No comments.
Alberta Transportation	No comments.
Alberta Culture and Community Spirit (Historical Resources)	No comments.
Energy Resources Conservation Board	No comments.
Alberta Health Services	I would like to confirm that 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.
City of Calgary	Monday, December 3, 2018 – Original Letter
	The City of Calgary has reviewed the above noted application in reference to the <i>Rocky View County/City of Calgary Intermunicipal Development Plan (IDP)</i> and other applicable policies. The City of Calgary Administration has the following comments for your consideration.
	The Devonian Ridge Estates proposal of a private sewage treatment system for 11 lots with single family homes is upstream of the Bearspaw Water Treatment Plant Intake which is a highly sensitive location.
	The City is not supportive of the use of private sewage treatment systems (PSTS) in such close proximity to the Bearspaw Reservoir, a major source of water for The City. While their initial construction/design are subject to Alberta codes of practice and have minimal risk to water quality, their long term maintenance and monitoring is a concern to The City's source water quality. Either assurances of continual monitoring requirements through RVC bylaws, or a communal system that requires AEP monitoring and approvals would be better suited



#### **COMMENTS**

for this area.

Because of its sensitive location, the private sewage treatment system for below grade septic fields for each lot would need to be operated and maintained sufficiently to ensure no impact on the water supply for Calgary. The report states that 'Sewerage disposal and stormwater management will be designed as per Alberta Environment and Parks (AEP) and Rocky View County design standards and guidelines.' It may be worthwhile to set up an ongoing inspection schedule by The City to ensure continued maintenance is sufficiently being done if the area gets approved.

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One of the geotechnical testing conclusions was that no groundwater was encountered up to depths of 5 meter below surface. This should reduce some of the risk of any sewage contaminating the groundwater flow and contamination getting to the river.

### **STORMWATER**

- 1. The Devonian Ridge document treats the site without appropriate consideration for City Source Water Protection Plan (SWPP). Rocky View County will require that consultants, creating documents on their behalf, take the City SWPP into consideration and address, to their best ability, concerns associated with runoff water quality generated from urbanized areas and draining toward the City source water.
- a) The following studies pertaining to the area are all finalized now and should be referenced in the Devonian Ridge Estates Scheme document:
- i. Source Watershed Risk Characterization Summary (2018)
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Water-Protection-Plan.pdf) In particular, see pages 23, 26, and 34-35 related to stormwater.

- iii. ISL (RVC) "Glenbow Ranch ASP MDP", Jan 2017
- iv. KWL "Haskayne MDP", Nov 2017
- b) The Springbank Master Drainage Plan was also prepared on behalf of Rocky View County by MPE Engineering Ltd., dated April 26, 2016, and in Section 4.1.5 (page 33) states "Consideration should be given to providing additional measures to mitigate significant source water protection risks." The



#### **COMMENTS**

SWMP, however, does not address the source water protection aspect of the proposed stormwater management despite the recommendation in Rocky View County's Springbank MDP.

- c) The constituents of concern are listed in the referenced documents. Nutrients, pesticides and herbicides are included on the list of constituents of concern. They need to be addressed prior to allowing stormwater release to The City of Calgary's source water.
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The introduction of infiltration features promote subsurface travel paths for constituents of concern. Due to the proximity of the site to the source water, a hydrogeological investigation is recommended to determine the travel paths and travel times toward the source water and potentially eliminate infiltration as the venue of controlling the offsite annual average depth of runoff. If the volume targets are not possible to meet without infiltration, we are prepared to discuss an alternative approach with Rocky View County.

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# May 23<sup>rd</sup>, 2019 - Revised Letter

The City of Calgary notes that there will still be residual risks to source water from this proposed development's wastewater. Therefore, it remains preferable for a more formal system, such as a communal system with Alberta Environment and Parks approvals, or a Rocky View County bylaw, rather than the proposed approach of the "Condominium Corporation"



## AGENCY COMMENTS

establishing a long-term contract for monitoring and maintenance of the packaged sewage treatment plants".

The responses provided by Westhoff Engineering Resources, Inc. states that "the monitoring and maintenance records can be sent to both RVC and The City;" however, this process has not been discussed with The City of Calgary's Water Resources department. Therefore, questions remain regarding the process, who would be the contact, how to ensure all records are sent, and fail safes if circulations do not occur. Further discussion is likely required here.

With respect to the letter of April 18, 2019:

- Items 1a), 1b), 2, and 3 indicate the recommended methodologies and considerations will be implemented. The City of Calgary requests we be circulated and have an opportunity to comment on the updated versions of the stormwater document prior to approval by Rocky View County.
- <u>Item 1c</u> The City welcomes and encourages commitments to reducing the constituents of concern loadings from a source point or area of their application.

In general, The City of Calgary has concerns regarding the cumulative effects, planning, and policy development implications resulting from these individual subdivisions, especially as they grow over time. Nonetheless, The City of Calgary has **no further comments** at this time regarding **PL20180129/0121**.

**Public Utility** 

ATCO Gas No comment received.
ATCO Pipelines No comment received.

AltaLink Management No comment received.

Fortis Alberta No concerns.

Enmax No comment received.

Telus Communications No comment received.

TransAlta Utilities Ltd. No comment received.

Rocky View County

**Boards and Committees** 



AGENCY	COMMENTS		
ASB Farm Members and Agricultural Fieldmen	No comment received.		
Rocky View West Recreation District Board	The Rocky View West Recreation Board recommends that Cash in Lieu be taken for this application at the time of subdivision.		
Internal Departments			
Recreation, Parks and	General comments		
Community Support	<ul> <li>The Parks and Open Space Master Plan has not identified a need for parks, open space affecting this property.</li> </ul>		
	<ul> <li>The Active Transportation Plan: South County has not identified an alignment of the regional active transportation network affecting this property.</li> </ul>		
	<ul> <li>The proposal is for a condominium community as indicated in Section 5.1.</li> </ul>		
	<ul> <li>It is noted the document does not provide information/policy or otherwise with respect to dedication of reserves; providing cash in lieu of reserves or a combination thereof.</li> </ul>		
	<ul> <li>Section 5.1 indicates: "A landscaped area along Township Road 251, including the stormwater pond will create a central place for the community to enjoy the views and the natural, historical and landscaped features. Devonian Ridge Estates residents and the public will enjoy this as an attractive walking destination within the community."</li> </ul>		
	<ul> <li>As it is presumed the pond will be under condominium ownership and management; as such, provision for public access and enjoyment as described is expected.</li> </ul>		
	<ul> <li>Section 5.4 indicates; "In the south-east corner of the sit a stormwater storage facility, a gazebo and surrounding landscaping will allow for enjoyment of the local community."</li> </ul>		
	<ul> <li>As a condominium development; in absence of declared definitions; it is presumed the term "loca community" refers to condominium owners.</li> </ul>		
	<ul> <li>The parcel identified as the "Homestead Park" in Figure 7 is identified as "Green Space" as per Table 1.</li> </ul>		
	<ul> <li>Ownership of this parcel is not indicated.</li> </ul>		

o Maintenance of this parcel's "park features" have



#### COMMENTS

been declared to be undertaken by the Condo Association.

With reference to the above comments; the Municipal Lands office recommends the following:

 Cash in lieu of reserve dedication shall be provided for all applicable reserves owing.

Development Authority

**GIS Services** 

**Building Services** 

Fire Services & Emergency Management

No comment received.

No comment received.

No comment received.

#### Fire Services:

- 1. Please ensure that water supplies and hydrants are sufficient for firefighting purposes.
- 2. Dependent on the occupancies, the Fire Service recommends that the buildings be sprinklered, if applicable, as per the Alberta Building Code.
- 3. The Fire Service also recommends that the water co-op be registered with Fire Underwriters.
- 4. Please ensure that access routes are compliant to the designs specified in the Alberta Building Code.

Planning & Development - Engineering

#### General

 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.

# **Geotechnical** - Section 300.0 requirements:

- The Applicant submitted a Geotechnical Investigation Report (Curtis Geo Solutions Inc. – June 2018).
- The report included site specific CBR testing which was used for road structure design. Test results indicated a soaked CBR value of 1.4, which is below the CBR value of 3 considered for the road structures in County Servicing Standards.
- The report includes a Slope Stability Analysis which identifies some areas with slopes up to 75%. The report concludes that the subject lands are suitable for residential development, and recommends that all slope modifications are carried out under the supervision of a qualified geotechnical engineer.
- As a condition of future subdivision, the applicant shall submit finished grade plans, and cut and fill plans.



## **COMMENTS**

- As a condition of future subdivision, the applicant shall submit an update to the Slope Stability Analysis, prepared by a qualified professional, which shall confirm proposed post-development slopes are stable, and identify any required setback areas.
- As a condition of future subdivision, the applicant shall provide a Geotechnical Developable Area assessment, indicating that there is at least one contiguous acre of developable area for each parcel.

# **Transportation** - Section 400.0 requirements:

- The subject lands are currently accessed from an approach off Township Road 251A which is a paved road.
- The CS proposes an internal cul-de-sac road, which is to be privately owned and maintained by a Condominium Association.
- The applicant is proposing the internal road be constructed to a modified Residential Local Road Standard (800.2). The finished surface width of the proposed internal road is 7 metres, and the proposed right-of-way is 7 metres, with 7.5 metre wide drainage easements on each side.
- As a condition of future subdivision, as the roadside ditches are proposed to be on private property and not part of the internal private road allowance, the applicant shall provide an Overland Drainage Right-of-Way plan for all roadside ditches, and enter into a Utility Right-of-Way Agreement with the County.
- As a condition of future subdivision, the developer shall enter into a <u>Development Agreement</u> with the County, for the construction of the internal road and related infrastructure, including but not limited to:
  - The modified Residential Local (800.2) internal road, including ditches, culverts, cul-de-sac bulb and paved approaches;
  - Secondary emergency egress gravel road;
  - Stripping and grading of the site.
- It is noted that Lots 5, 6, 10 & 11 use panhandle access. All panhandles shall be required to be 12.5 metres wide, in accordance with the requirements of the County Servicing Standards. In accordance with CSASP 2.7.3, the use of panhandles is discouraged.
- As a condition of future subdivision, as access to Lot 1 is identified as an easement through Lot 2, the applicant



#### COMMENTS

shall provide a Right-of-Way Plan and Access Easement Agreement to be registered on title of proposed Lots 1 & 2.

- The subdivision includes an emergency access to Township Roads 251A via an easement through private lands. This meets the requirements of section 411 of the County Servicing Standards, and Policy 410.
- As a condition of future subdivision, the applicant shall provide a Right-of-Way Plan and enter an Emergency Access Easement Agreement to be registered on title of Lot 11, to the satisfaction of the County.
- The applicant submitted a Transportation Impact
   Assessment (Bunt & Associates July 18, 2018). The
   report concludes that the proposed development will not
   have any impacts on the local road network and does not
   trigger the need for any offsite upgrades. ES has no
   further concerns.
- The location of the proposed internal road is located approximantley 270 metres west of Range Road 31, and 200 metres east of Hackmore Trail. This satisfies the requirements of County Procedure 410, which states that an intersection spacing of 100 metres should be maintained for local roads.
- As a condition of subdivision, the applicant is required to provide payment of the Transportation Off-site Levy in accordance with the applicable levy at time of subdivision approval for the total gross acreage of the lands, as the applicant is proposing to subdivide a Residential One District Parcel.
  - Estimated levy payment owed at the time of subdivision endorsement is \$370,300 (Base = (\$4595/acre)\*(23.18acres) = \$106,512; Special Area 4 = (\$11,380/acre)\*(23.18acres) = \$263,788).

# **Sanitary/Waste Water** - Section 500.0 requirements:

- The applicant is proposing to use PSTS for wastewater disposal.
- County GIS indicates that there is an Emerald Bay Water & Sewer Coop wastewater collection pipe which serves the adjacent subdivision. The nearest possible connection is approximately 75 metres southeast of the subject lands, within the Rodeo Ridge road right-of-way.
  - ES recommends that the applicant further explore the possibility of connecting to this system at the time of future subdivision application. If



## AGENCY COMMENTS

connection is not feasible, ES considers PSTS as an appropriate means of wastewater disposal.

- The applicant has submitted a memo regarding "Soil Texture for Septic Fields" (Curtis Geo Solutions September 5, 2018). The memo contains soil texture analysis of four test holes and concludes that the subject lands are suitable for septic fields. Detailed PSTS reports for each lot shall be required at the subdivision application stage.
- At the time of future subdivision application, the applicant shall submit a Level 4 PSTS Assessment in accordance with the requirements of the County Servicing Standards, for proposed Lots 1 to 11.
  - The subject lands are adjacent to the Bow River.
     Therefore, in accordance with the Model Process
     Tool, a Level 4 PSTS Assessment is required.
  - In accordance with County Policy 449, for parcel sizes less than 3.95 acres and greater than 1.98 acres, the County requires the use a Package Sewage Treatment Plant meeting BNQ standards.
- As a condition of future subdivision, the Owner shall enter into a Site Improvements / Services Agreement with the County, which shall be registered on title of Lots 1 to 11, and shall include the following:
  - The system to be in accordance with the Level 4 PSTS Assessment to be submitted at the time of future subdivision;
  - For the construction of a Packaged Sewage Treatment Plant meeting Bureau de Normalisation du Quebec (BNQ) standards.
- As a condition of future subdivision, a Deferred Services Agreement shall be registered against each new certificate of title (lot) created, requiring the owner to tie into municipal services when they become available.

**Water Supply And Waterworks** - Section 600.0 & 800.0 requirements:

- The applicant is proposing to service the development with individual groundwater wells.
- County GIS indicates that both Emerald Bay Water & Sewer Coop, and the North Springbank Water Coop have potable water distribution lines in the vicinity of the subject lands. The nearest possible connection is approximately 70 metres east of the subject lands within



AGENCY COMMENTS

the Range Road 31 right-of-way.

- ES recommends the applicant further explore the possibility of connection to one of the piped water distribution systems at the time of future subdivision application. According to CSASP 2.8.2.a: "connection to an existing piped water system is required for residential purposes where access if feasible and/or cost effective." If connection is not feasible, ES considers groundwater wells as an acceptable water supply.
- The applicant submitted a Phase 1 Aquifer Analysis (Groundwater Information Technologies Ltd. – August 29, 2018). The report concludes that theoretically there is adequate groundwater to supply 11 residential lots with 1250m3/year without affecting existing users.
- As a condition of future subdivision, the applicant will be required to drill new wells on Lots 1 to 11, and provide the County with a Phase 2 Aquifer Testing Report, prepared by a qualified professional, in accordance with procedures outlined in the County Servicing Standards. The report shall include a Well Driller's Report confirming a minimum pump rate of 1.0 igpm for each well.

# **Storm Water Management** – Section 700.0 requirements:

- The applicant submitted a Stormwater Management Plan (Westhoff Engineering Resources Inc. – October 1, 2018), which proposes to maintain as much of the natural drainage patterns and use overland drainage systems, consisting of traplows on each lot which release into swales draining to a stormwater pond and infiltration gallery.
  - In accordance with County Servicing Standards 706.5.2 "Preference is given to one common pond protected by a Stormwater Utility Right of Way rather than multiple ponds on more than one lot."
- The applicant proposes a stormwater pond to be located on private property which is owned and maintained by the Condo Corporation. Although the subdivision is 11 lots, only 8 lots drain to the pond.
  - In accordance with County Servicing Standards 706.5.2 "When a residential subdivision is 10 or more lots and the stormwater management report requires the need for a stormwater pond, the pond must become a Municipal pond (PUL)."



#### COMMENTS

- The proposed pond does not include a 4 metre wide access road. In accordance with County Servicing Standards 706.5.7, the wet pond shall have a 4 metre wide maintenance access road surrounding the entire boundary, which is 0.5 metres above HWL.
- The Conceptual Scheme indicates that the stormwater pond shall be constructed with a drafting hydrant for firefighting purposes. A groundwater well will be required to augment the water levels of the pond to ensure sufficient volume for firefighting purposes. The location of the drafting hydrant is proposed within the road allowance of Township Road 251A. ES recommends that at the time of future subdivision, the location of the hydrant be confirmed to the satisfaction of Fire Services.
- As a condition of future subdivision, the applicant shall submit a Site Specific Stormwater Mangement Plan, which shall include the detailed design of all stormwater management infrastructure.
- As a condition of future subdivision, the applicant shall be required to enter into a <u>Development Agreement</u> for the construction of the stormwater management infrastructure, including but not limited to:
  - Swales, ditches, traplows, infiltration gallery, stormwater pond including forebay and maintenance access road, and outlet control structures.
  - Drafting hydrant and roadside pullout in accordance with CSS figure 700.6
  - AE approval & registration for the stormwater pond and augmentation well.
- As a condition of future subdivision, the applicant shall provide an Overland Drainage Right-of-Way plan and enter into a Utility Right-of-Way Agreement with the County, which shall protect all swales, traplows, ditches and infiltrations galleries, and the stormwater pond as it is proposed to be located on private property.
- As a condition of future subdivision, the applicant shall submit an Erosion and Sedimentation Control Plan, in accordance with the requirements of the County Servicing Standards.

# **Environmental** – Section 900.0 requirements:

 The applicant submitted a Phase 1 Environment Site Assessments (Curtis Geo Solutions Inc. – November 2017).



AGENCY	COMMENTS
	<ul> <li>The ESA concludes that there is no indication of past land uses which would have involved hazardous materials.</li> </ul>
	<ul> <li>A Phase 2 ESA is not recommended. ES has no further concerns.</li> </ul>
	<ul> <li>The applicant submitted a Biophysical Impact Assessment (Westhoff Engineering Resources Inc. – December 7, 2018). The BIA notes that 17 different species were observed within the subject lands and recommends that an Environmental Protection Plan be prepared at the time of subdivision.</li> </ul>
	<ul> <li>City of Calgary comments identify that there is ephemeral channels. County GIS does not identify any surface water.</li> </ul>
	<ul> <li>As a condition of future subdivision, the applicant shall submit an Environmental Protection Plan, which shall be based on the recommendations of the BIA, in accordance with the requirements of the County Servicing Standards.</li> </ul>
	<ul> <li>Any Alberta Environment approvals shall be the sole responsibility of the applicant/owner.</li> </ul>
Transportation Services	No comment received.
Capital Project Management	No comment received.
Utility Services	No comment received.
Operational Services	No comment received.
Agriculture and Environmental Services - Solid Waste and Recycling	No comment received.
Circulation Period: October 31 – N	ovember 28, 2018

Circulation Period: October 31 – November 28, 2018



# BYLAW C-7890-2019

# 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-7890-2019

# **PART 2 - DEFINITIONS**

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

## PART 3 – EFFECT OF BYLAW

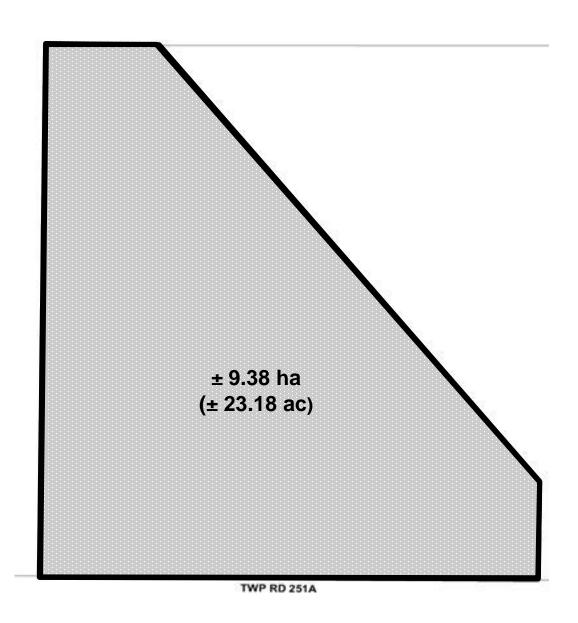
- **THAT** Part 5, Land Use Map No. 57-SE of Bylaw C-4841-97 be amended by redesignating NE-11-25-03-W05M from Agricultural Holdings District to Residential One District, as shown on the attached Schedule 'A' forming part of this Bylaw.
- **THAT** NE-11-25-03-W05M is hereby redesignated to Residential One District as shown on the attached Schedule 'A' forming part of this Bylaw.

### **PART 4 – TRANSITIONAL**

Bylaw C-7890-2019 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.

	File	Division: 2 : 05711004 – PL20180121
PUBLIC HEARING WAS HELD IN COUNCIL this	day of	, 2019
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 Designat	e
	Date Bylaw Signe	ed

# SCHEDULE "A" BYLAW: <u>C-7890-2019</u>

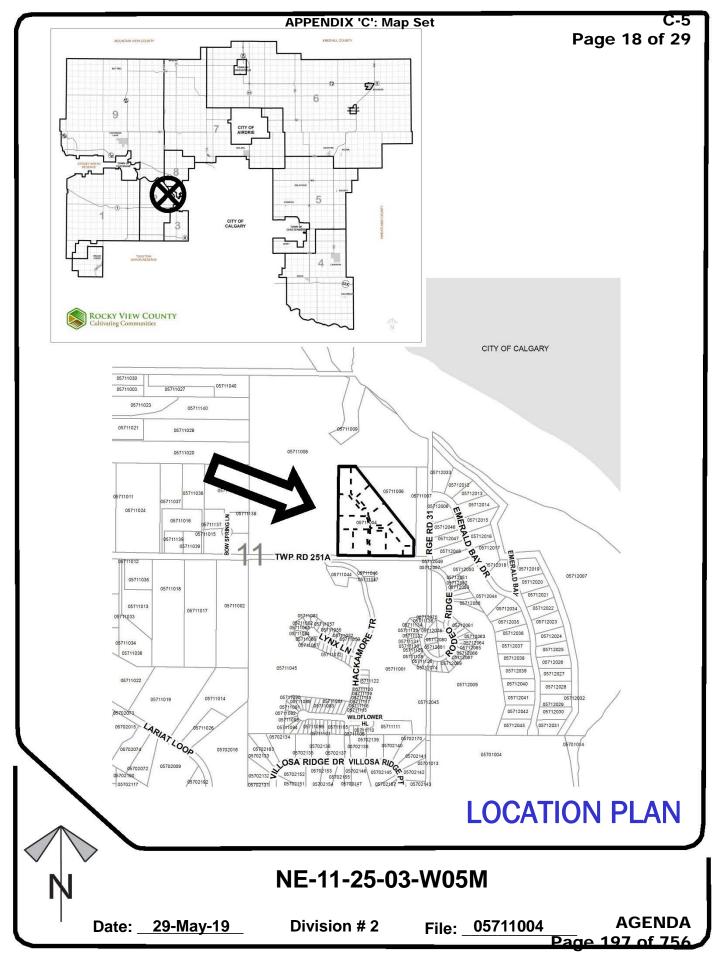


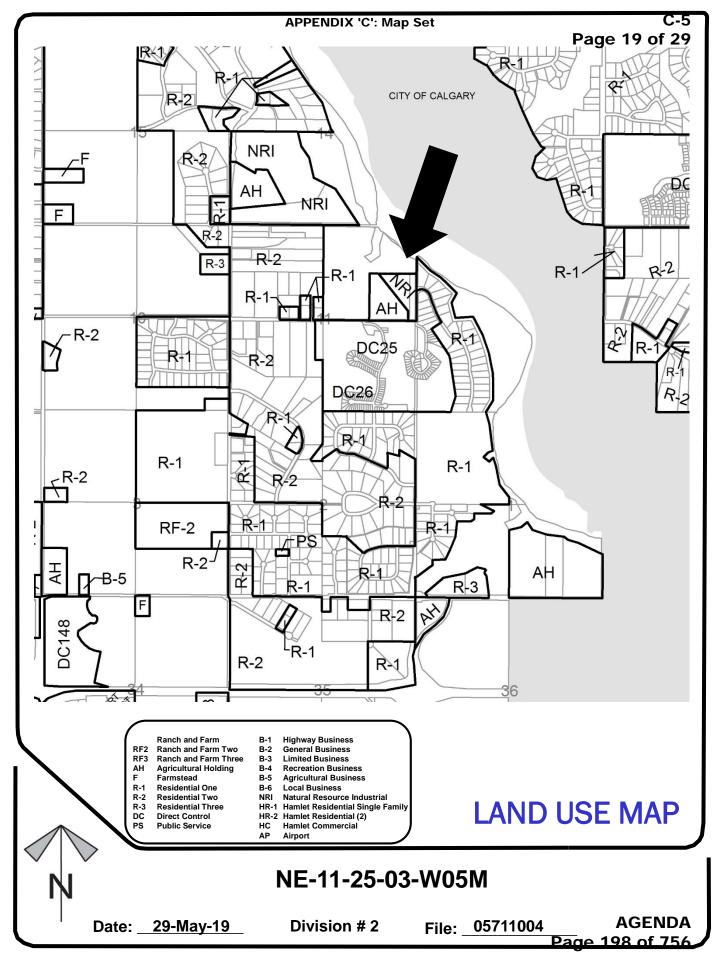
AMEND FROM_	MENT Agricultural Holdings	District_TO_	Residential One	e District
LEGAL	Subject Land • DESCRIPTION:_	NE-11-2	25-03-W05M	ROCKY VIEW COUNT

FILE: 05711004 PL20180121

**DIVISION: 02** 

**AGENDA** Page 196 of 756





C-5
Development Proposal: To redesignate the subject lands from Agricultural of 29 Holdings District to Residential One District in order to facilitate the creation of  $11 \pm 0.80$  hectare (2.00 acre) parcels. Lot 6 Lot 5 ± 0.80 ha ± 0.81 ha (2.01 ac) I (1.98 ac) Private Internal Road AH → R-1 I  $AH \rightarrow R-1$ ± 0.20 ha (0.50 ac)Lot 7 ± 0.81ha (2.01 ac)AH → R-1 Lot 4 ± 0.80 ha (1.98 ac) AH → R-1 Lot 8 ± 0.80 ha Lot 3 (2.00 ac)± 0.80 ha  $AH \rightarrow R-1$ (1.99 ac)AH → R-1 Lot 1  $\pm 0.80$ (2.00 ac) Lot 1 Lot 2 Lot 9  $H \rightarrow R-1$ ± 0.80 ha ± 0.80 ha ± 0.80 ha (1.98 ac) (1.98 ac) (1.98 ac) Lot 10 AH → R-1 AH  $\rightarrow$  R-1 ± 0.80 ha AH → R-1 PUL (1.98 ac) ± 0.24 ha AH → R-1 (0.6 ac) **TWP RD 251A** HACKAMORE TR **DEVELOPMENT PROPOSAL:** NE-11-25-03-W05M **AGENDA** Date: 29-May-19 File: 05711004 Division # 2

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

# **AIR PHOTO**

Spring 2018

# NE-11-25-03-W05M

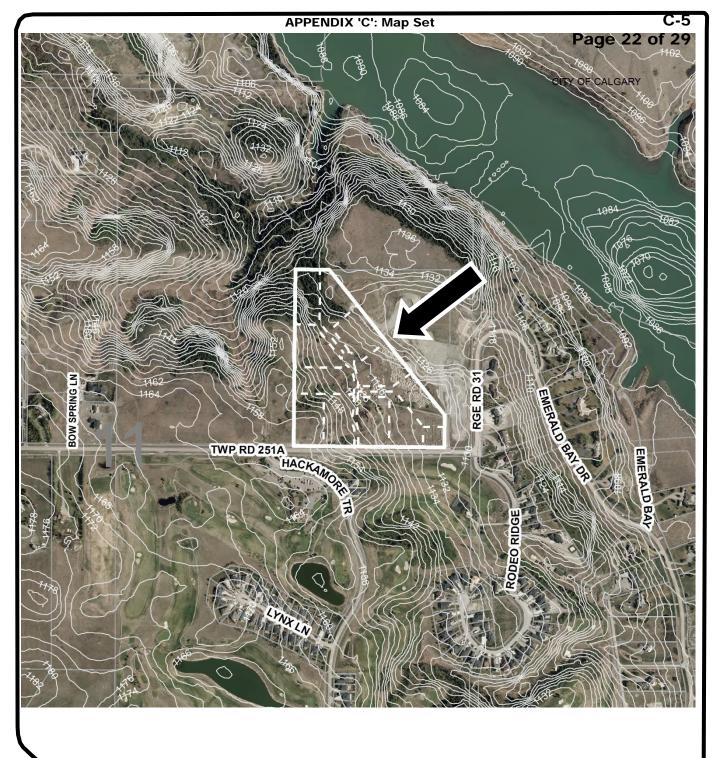
Date: <u>29-May-19</u>

Division # 2

File: 05711004

AGENDA

Page 200 of 756



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

# **TOPOGRAPHY**

Contour Interval 2 M

# NE-11-25-03-W05M

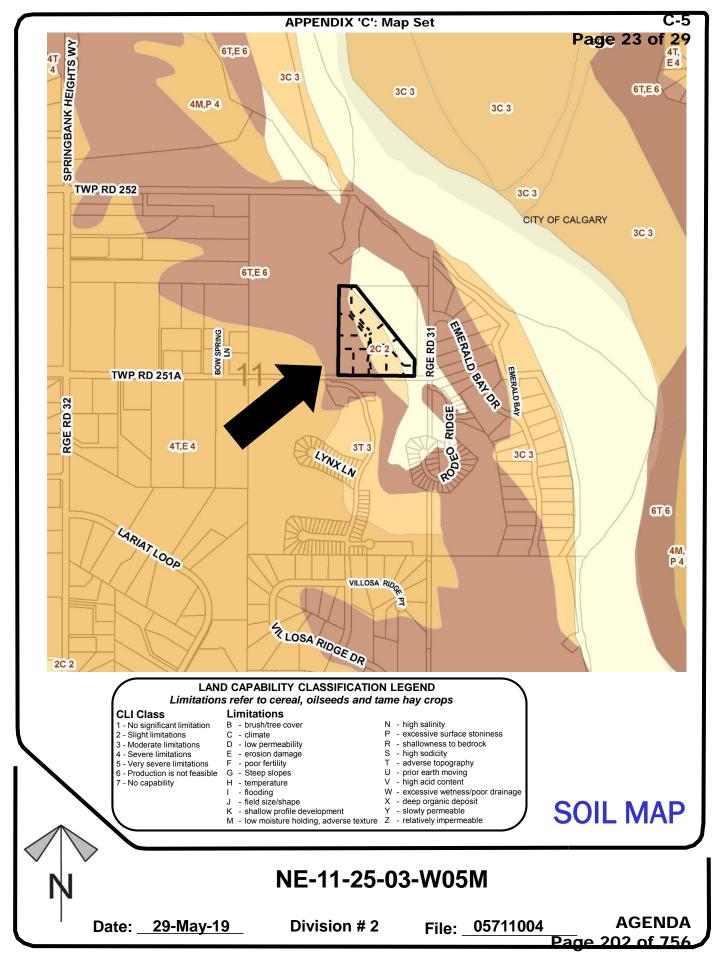
Date: 29-May-19

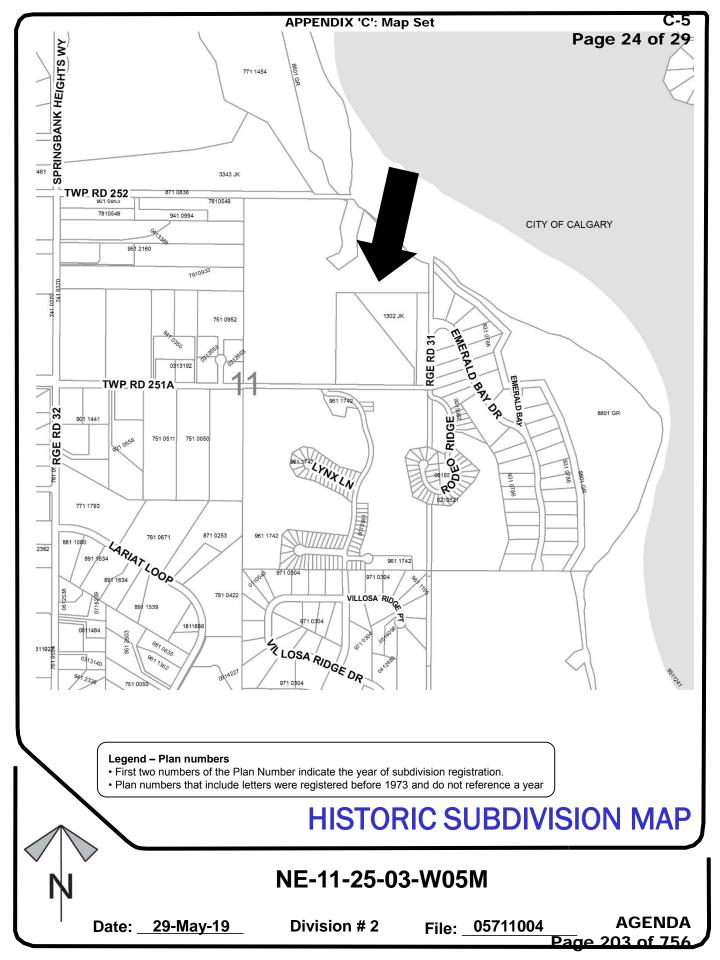
Division # 2

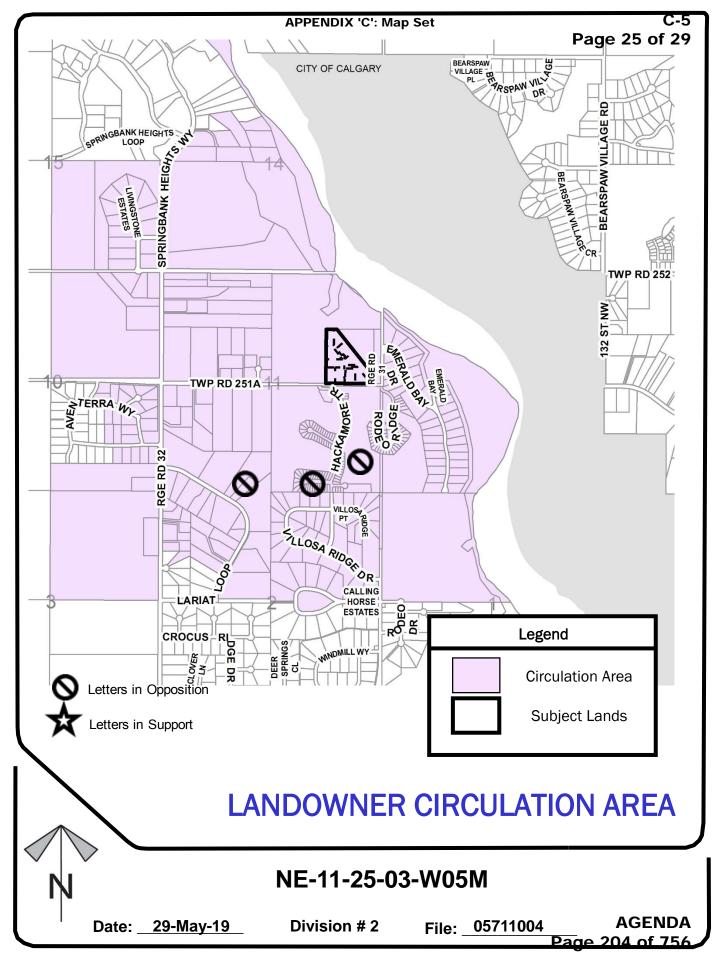
File: 05711004

AGENDA

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November 21, 2018

Rocky View County 262075 Rocky View Point Rocky View County, Alberta T4A 0X2

Dear Sir / Madam: via electronic mail

# Re: RVC File Number 05711004, Application numbers 20180120 and 20180121 - Letter of Objection -

We write this letter to you after receiving a copy of the referenced application proposing 11 new lots directly adjacent to our service area.

The Emerald Bay Water & Sewer Coop is an incorporated not-for-profit utility company servicing 188 customers.

We operate our water system under Alberta Environment and Parks Approval number 1542 – 02 – 00. All potable water for our service area is drawn from groundwater wells which are situated downgradient from the proposed development.

We operate our wastewater system under Alberta Environment and Parks Approval number 18892-01-00. This approval includes an extensive monitoring program to collect data on potential impacts to three (3) local water Coop water wells primarily from surface runoff. This program is very expensive and our source wells would be at great risk of contamination should eleven septic fields (as proposed) be placed upgradient from our water source wells.

As a result, the Emerald Bay Water & Sewer Coop, *strongly objects* to the proposed application(s) and will file additional objections to Alberta Environment and Parks should this application proceed.

Please acknowledge receipt of this letter of objection.

Should you have any questions in regard to this statement of concern, please contact me by telephone at 403.888.2849
Sincerely,

David Laurie

Chairman, Emerald Bay Water & Sewer Co-Op Ltd.

From:
To:
Jamie Kirychuk
Subject:
File 05711004

**Date:** November-24-18 4:20:28 PM

ΗΙ

# Comment

TWP RD 251A is a dangerous road as people speed on this road, and with the deer makes it tough and no shoulders

And now adding more people to this road – We are not in favour.

The entry to this new development is at a bad spot as traffic is speeding up the hill so residents coming out of the area

Are at great risk.

Coming out of Hackamore Trail onto this road is not ideal as it is hard to see at the angle to the road. This should be taken into consideration and do something to mitigate the risk - give us some shoulders as

Runners and bikers also use this road - very dangerous!

Thanks

Jo

# NORTH SPRINGBANK WATER CO-OP LIMITED

196 Lariat Loop, Calgary, Alberta T3Z 1G1 Phone/Fax 403-286-8396 Email:

Jamie Kirychuk Rocky View Planning 262075 Rocky View Point Rocky View County T4A 0X2

December 14, 2018

Reference: Devonian Ridge Plan of Subdivision and Conceptual Scheme

The North Springbank Water Co-op ("NSWC") is a major water supplier for the North Springbank community. At total buildout NSWC could supply over 500 homes. The same aquifer also provides water to the Emerald Bay subdivision and is the single source of water for most of the North Springbank area east of the Springbank airport. The NSWC water production is mainly from a well along the southeast shore of the Bearspaw reservoir from an interval 7 to 36 meters in depth. The aquifer consists of sandstones in the Porcupine Hills Formation.

# Related Technical Studies

The NSWC has done several technical studies related to the raw water source aquifer and overlying sedimentary material along the terraces upslope of the Bow River. Technical studies done by Bel MK Engineering Ltd. (now MMM Engineering), in June 1997, demonstrate that the aquifer is extensively fractured which allows flow rates up to 300 igpm, whereas unfractured sandstone would only produce at a maximum rate of 5 igpm. In places fracturing is evident at the surface. Bel MK studies indicate that the aquifer is being charged, in part through the fracture system, from rainfall on the upgradient areas with a capture area including the Springbank Links Golf Course. In another study done by Ground Water Solutions, in July 1997, entitled "Review of Existing Hydrogeological Reports and Independent Assessment of the Potential for Groundwater Contamination in SW 12-25-3-W5M", the study concluded that upslope diluted sewage effluent could contaminate down-gradient water supply wells located in SW 12-25-3-W5M. In addition to fracturing, surface gravels and an adjacent, now abandoned, gravel pit add to the concerns that surface runoff of wastewater and sewage could contaminate the water supply aquifer.

# Alberta Environment Guidelines

Alberta Environment guidelines are applicable to all wastewater irrigation sites in the province. Guidelines warn that "Contamination of groundwater by effluent is possible under certain conditions, i.e. very shallow soils over gravel or fractured bed rock". Moreover Alberta Environment will not allow any discharge of sewage or waste water into the adjacent Bearspaw reservoir.

North Springbank Water Co-op Concerns

The North Springbank Water Co-op ("NSWC") has concerns related to the proposed Devonian Ridge subdivision in North Springbank as outlined below.

- 1) As described in the Conceptual Scheme submitted by the developer, plan is for 11 lots to be developed upslope from the NSWC water source wells that supply raw water from the aquifer to the NSWC water treatment plant. Plan is to have individual land owners treat their waste water and sewage using an approved system such as a Norweco or other system. With individual land owners treating their water, the risk of an eventual home treatment system failure, either due to a lack of system maintenance, owner inattention to developing problems, or by other means, will be a continual concern. Who will assure that all systems are maintained and functioning adequately? As indicated above there is considerable risk that any leakage could invade the aquifer due to fracturing and surface gravel. In the event that the raw water in the aquifer is compromised due to waste water/sewage leakage, who will pay for required remedial work to restore water quality in the aquifer?
- 2) The number of test pits dug to 16-19 ft. (4 pits as indicated by the developer in discussion with NSWC) provides only a very minimal evaluation of the surface material under the subdivision considering potential of gravel stringers between existing pits.
- 3) There is an existing sewer line from Cochrane to Calgary south of the proposed development. Currently the Springbank Middle school is putting pipe in the ground that will allow them to connect into this line. The Springbank High School, from what I understand, has also been connected. This option should be an alternate plan for Devonian Ridge to investigate for discharge of waste water. The City of Calgary, from what I understand, will consider proposals where there are environmental concerns from discharge by using other means. The fact that any surface waste water and sewage near surface runoff could potentially invade the Bearspaw Reservoir should be of concern to Calgary.
- 4) In the Conceptual Scheme, it is stated that the Bow River and aquifer water are assumed to be in communication. Based on the fact that the water analysis from the Bow and aquifer are different it is evident that this is not the case.

# Conclusion:

Based on the above material, and other considerations, the NSWC is very concerned that the Devonian Ridge development, if approved, will pose a significant threat to the future quality of water in the down slope raw water source aquifer. As a result, we are not in favour of this development to proceed as planned.

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I gpgtcn'O cpci gt"P UY E"



# **PLANNING & DEVELOPMENT**

TO: Council

DATE: June 11, 2019 DIVISION: All

**TIME:** Afternoon Appointment

**FILE**: 1013-135

**SUBJECT:** Amendments to the Rocky View County Municipal Development Plan (The County Plan)

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

The proposed amendments to the Municipal Development Plan (The County Plan) were evaluated in accordance with the Calgary Metropolitan Region Board Interim Growth Plan (IGP).

### **EXECUTIVE SUMMARY:**

On March 12, 2019, Council directed Administration to prepare amendments to the Rocky View County Municipal Development Plan (The County Plan):

Moved by Deputy Reeve Schule that Council direct Administration to amend the following sections of the County Plan for Council's consideration:

- a) Amend Policy 5.5 and 9.5 to remove wording for hamlet population targets and any related references within the document:
- b) Amend Policy 14.19 with respect to business development adjacent to existing business areas; and
- c) Amend Map 1 of the County Plan to include Langdon business area as possibly a Regional Business Area.

Administration prepared amendments to the County Plan, which are attached as Appendix B; the proposed amendments were circulated to internal and external agencies, including all adjacent municipalities, the responses from which are contained in Appendix A. The proposed amendments were posted on the County's website for public review, and an open house was held at the County Hall on April 17, 2019. All public comments received during the process are included in Appendix C.

The proposed amendments were evaluated in accordance with the Calgary Metropolitan Region Board's (CMRB's) Interim Growth Plan (IGP). The IGP provides guidance for the intensification or expansion of existing settlement areas and for the designation of employment areas in the Calgary Region. The IGP provides policy guidance to plan these types of developments through the preparation of statutory plans, such as an Area Structure Plan (ASP).

Administration has prepared amendments to address parts a) and b) of the Council motion. No amendments are provided for part c) as administrative analysis determined there were no policy barriers to the consideration of additional business land uses within the hamlet of Langdon.

The proposed County Plan amendments align with the overall intent of the IGP, and specific direction for development of the hamlet areas would be addressed through the subsequent ASP processes.

Amy Zaluski & Xin Deng, Planning & Development

<sup>&</sup>lt;sup>1</sup> Administration Resources



**DATE PROJECT INITIATED:** March 12, 2019

**PROPOSAL:** To amend the Municipal Development Plan (County Plan) to remove

hamlet population targets and to allow flexibility when considering business development adjacent to the existing business areas.

**LOCATION:** County wide

APPLICANT: Rocky View County

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

Sixteen (16) public responses were received and are included in Appendix C. Comments from internal and external agencies, including adjacent municipalities, are compiled in Appendix A. Additional letters received from Intermunicipal discussions after the responses were received are included in Appendix D.

# **HISTORY:**

March 12, 2019 Council directed Administration to prepare several amendments to the

County Plan to address hamlet population targets and business

flexibility.

October 4, 2018 The Calgary Metropolitan Region Board adopts the Interim Growth Plan

and the Interim Regional Evaluation Framework.

October 1, 2013 The new Municipal Development Plan (The County Plan) was adopted

by Council.

#### **BACKGROUND:**

The County Plan was adopted in 2013 to guide overall land use, development, and service delivery in the County. Council's motion directed amendments to the County Plan with respect to three areas:

1. Remove wording related to hamlet population targets.

The County Plan contains a policy statement that the upper limit of a hamlet should be 5,000-10,000 people in order to retain the rural character of the community.

Amendments #1 and #2 shown in Schedule A would address this direction by removing the upper hamlet population targets from the County Plan (Policy 5.5 and 9.5). Hamlet size would be determined through the applicable ASP process, and addressed in the criteria outlined in Policy 5.5 and Section 9 of the County Plan.

2. Amend policy with respect to business development adjacent to existing business areas.

The County Plan contains policy that states business development shall not be allowed immediately adjacent to an existing business area (existing ASP). Business ASPs are planned comprehensively with technical evaluations for transportation, water/wastewater, and stormwater, resulting in levies to fund the necessary infrastructure. Business development directly adjacent to planned areas is subject to different technical standards and does not contribute to the levies for the business area.

Amendments #3 and #4 would change this policy to provide more flexibility to consider business development adjacent to business areas on a case-by-case basis in accordance with the business criteria of the County Plan.

Administration has also prepared for Council's consideration additional amendments that would require any businesses adjacent to business area ASPs to ensure they have prepared the appropriate technical information and contributed to the applicable levies. Should Council wish to proceed with this suggestion, Schedule A can be amended accordingly. The bold text below for Policy 14.19 of the County Plan illustrates Administration's suggested amendments:



- Policy 14.19 Applications to redesignate land for business uses adjacent to, or in the vicinity of, the boundaries of an identified business area should not be supported **unless**:
  - a) A rationale has been provided that justifies why the proposed development cannot be located in a business area;
  - b) Technical studies have been submitted that address and incorporate the relevant master technical studies associated with the adjacent Area Structure Plan; and
  - c) The applicable levies of the adjacent Area Structure Plan are applied.
- 3. Amend Map 1 to possibly change the Langdon Business designation to Regional Business Centre

The County Plan identifies several categories of business areas including Regional Business Centre, Highway Business Area, and Hamlet Business Area. The main difference is the amount of land included in the business area. Regional Business Centres, such as Conrich, contain a large area of land as compared to the other types of business areas. There is often little difference in the types of businesses between the different categories. Item c) was examined further with respect to types of businesses currently allowed in Langdon. The existing Langdon Area Structure Plan (ASP) allows for a wide variety of business and industrial uses within the hamlet. Changing the designation of Langdon's business area from Hamlet Business Area to Regional Business Centre would not change the allowed business types within Langdon, as current policy does not impede business development within the Langdon ASP. Therefore, Administration considers that this amendment may not be necessary and has not included it in Appendix B. Should Council wish to proceed with the proposed amendment outlined in item c), Administration can be directed to prepare it.

#### **POLICY ANALYSIS:**

The Interim Growth Plan was prepared by the CMRB to guide land use, growth, and infrastructure planning on an interim basis, prior to the development and approval of the long-term Growth and Servicing Plan. Any amendments to statutory plans, prepared after January 1, 2018, must conform to the IGP. As the Municipal Development Plan (The County Plan) is a statutory document, the proposed amendments were evaluated in accordance with the applicable policies of the IGP.

The IGP provides policies to guide planning and development based on the following development types:

- intensification and infill development in existing settlement areas;
- expansion of settlement areas:
- new freestanding settlement areas;
- country residential development; and
- employment areas.

The IGP requires statutory plans to be prepared for the above listed development types.

1) Hamlet population targets

With respect to removal of the hamlet population targets, proposed amendments #1 and #2 are consistent with the first two development types: intensification and infill, or expansion of settlement areas. The County Plan, Policy 5.5, requires the hamlet size to be determined through an area structure plan process. During that process, it would be determined if the hamlet were intensifying or expanding. The policies of the IGP, particularly 3.4.1.2 (Intensification and Infill in Hamlets) and 3.4.2 (Expansion of Settlement Areas), would apply to the area structure plan. Administration's assessment concludes that the criteria of Policy 5.5 of the County Plan as well as the County Plan Hamlet Policies (Section 9 of County Plan), would fulfill the policy requirements of the IGP.



# 2) Adjacent Business Development

The IGP states the importance of planning for employment and job growth and provides guidance for creation of employment areas, which includes:

- planning employment areas through statutory plans (IGP Section 3.4);
- planning in a manner that is efficient and cost-effective, using existing and planned infrastructure and services (IGP Policy 3.4.5.1).

Proposed amendments #3 and #4 are also consistent with the IGP as it encourages business development, but still requires certain criteria to be met to ensure efficient and cost-effective use of services. As the County Plan is a statutory plan that provides guidance for businesses development, the IGP requirements would be fulfilled.

It is Administration's assessment that the proposed County Plan amendments align with the intent of the IGP direction for development types including intensification and infill, expansion of settlement areas, and employment areas. The specific direction of the IGP for development of the hamlet areas will be addressed through the ASP processes.

### INTERMUNICIPAL DISCUSSIONS

The County received three letters of concern from adjacent municipalities: City of Airdrie, City of Calgary, and Town of Cochrane (responses in Appendix D). Administration had follow-up meetings with each of these municipalities to discuss the concern raised in the letters.

#### **NEXT STEPS:**

In accordance with the CMRB Regulation, the County must use the Interim Regional Evaluation Framework (IREF) to determine if the proposed amendments shall be submitted to the Board for approval. Administration examined the relevant IREF submission criteria, which are as follows:

- 4.1 A municipality shall refer to the Board:
  - c) All amendments to MDPs, IDPs, ARPs and ASPs proposing employment areas and/or 50 or more new dwelling units; and
  - d) Amendments and new statutory plans proposing less than 50 new dwelling units and located within 1.6 km of an adjacent municipality or a notification area, unless contained within an IDP.
- 4.2 Notwithstanding Section 4.1, municipalities do not need to submit proposed statutory plans and/or amendments to existing statutory plans in the following circumstances:
  - 4.2.2 Amendments to existing statutory plans that are not substantive in effect, such as:
    - d) Amendments that the member municipality in their discretion has determined to not be regionally significant.

It is Administration's assessment that the proposed amendments meet criteria 4.1 c) because they allow for the possibility of creating employment areas and 50 or more new dwelling units in the hamlets. 4.2.2 does not apply as the amendments would be regionally significant given that each hamlet could experience high population in the future.

# CONCLUSION:

Administration has provided amendments regarding 1) Hamlet Population Targets and 2) Business Development next to Business Area. No amendments are proposed with respect to designating Langdon as a Regional Busienss Centre. Furthermore, Administration has concluded that the intent and policies of the Calgary Metropolitan Region Board's Interim Growth Plan are met. Option #1



provides Council with motions to give first and second reading, then to complete the CMRB Interim Regional Evaluation Framework process prior to third reading. Option #3 gives Council the option to provide different direction to Administration.

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Option #1: Motion #1 THAT Bylaw C-7885-2019 be given first reading.

Motion #2 THAT Bylaw C-7885-2019 be given second reading.

Motion #3 THAT Bylaw C-7885-2019 be referred to the Calgary Metropolitan Region

Board for approval.

Option #2: THAT Bylaw C-7885-2019 be refused.
Option #3: THAT alternate direction be provided.

Respectfully submitted, Concurrence,

"Richard Barss" "Al Hoggan"

Acting Executive Director Chief Administrative Officer Community Development Services

AZ/XD/IIt

# **APPENDICES:**

APPENDIX 'A': Application Referrals

APPENDIX 'B': Bylaw C-7885-2019 and Schedule A

APPENDIX 'C': Public Comments

APPENDIX 'D': Additional Intermunicipal Comments



# **APPENDIX A: APPLICATION REFERRALS**

AGENCY	COMMENTS
School Authority	
Rocky View Schools	No objection.
Calgary Catholic School District	No response.
Public Francophone Education	No response.
Catholic Francophone Education	No response.
Federal Government	
Department of Fisheries and Oceans	No response.
Revenue Canada	No response.
Canada Post	No response.
Province of Alberta	
Alberta Environment	Not response.
Alberta Transportation	Alberta Transportation has no concerns or requirements with respect to this proposal.
Alberta Infrastructure	Alberta Infrastructure has no concerns with the proposed changes, as they should not have any significant impact on our properties or facilities
Alberta Sustainable Development (Public Lands)	No response.
Alberta Culture and Community Spirit (Historical Resources)	No response.
Alberta Energy Regulator	No response.
Alberta Health Services	Alberta Health Services, Environmental Public Health has received the proposed County Plan amendments and does not have any concerns with the information as provided
Public Utility	
ATCO Gas	No objection to the proposal.
ATCO Pipelines	No comment.



AGENCY	COMMENTS
AltaLink Management	No response.
FortisAlberta	No response.
Telus Communications	No objection.
Shaw Communications	Shaw has no concerns with the proposed amendments to the Rocky View County Municipal Development Plan.
TransAlta Utilities Ltd.	No response.
Other External Agencies	
Calgary Airport Authority	No response.
Ducks Unlimited	No response.
EnCana Corporation	No response.
TransCanada Corporation	B&A Planning Group (B&A) is the land use planning consultant for TransCanada Corporation (TC) in Western Canada.
	As per the National Energy Board's (NEB) requirements, additional development within 200m of TC's pipelines with potential new residents, employees, structures, ground disturbance, and crossings could warrant pipeline remediation. Consultation between TC and the applicant prior to development assists both parties in determining the best course of action to proceed with potential remediation and development. This is to help prevent pipeline damage, unwarranted crossings, and identify development within proximity (200m) to the pipeline that may trigger a pipeline Class upgrade.
	The areas with increased potential for development are within proximity to TC's pipelines and facilities. Please consider our recommendations for the County Plan as follows:
	1. Mapping pipeline data in the plan area:
	All long-range land use plans should identify a 200m referral zone/area around NEB regulated pipelines or around all pipelines. This will help support a referral and communication process between municipalities, developers, and pipeline operators. It ensures the pipeline operator is circulated on secondary plans, development permit applications, etc.
	Please consider adding policy to the Plan (and supportive mapping) regarding the circulation of any type of plan or proposal when located within the 200 metre referral zone/area of TC pipelines and infrastructure. This will allow for TC to provide comments and requirements to the municipality for an ASP, a Conceptual Scheme, an MSDP, a land use amendment, a



#### **COMMENTS**

development permit, a subdivision or any other type of development approval when it is located within this notification zone.

To support your County Plan and general referral process, TC can make GIS data available to you for pipeline and facility identification purposes. This data will also assist you as you proceed through your other policy planning processes such as the preparation of Area Structure Plans, etc. This data is subject to a confidentiality agreement between TC and the County.

2. Policy Recommendations for Upper Tier Plans:

The following represent some practices and suggested policy recommendations to assist in ensuring the circulation of future land development related referrals.

Incorporate considerations for pipeline systems at all scales of land use planning:

- The Municipality acknowledges the importance of incorporating consideration for pipeline systems as part of land use planning in the vicinity of pipeline systems
- The proponent / developer shall educate themselves as to the restrictions regarding the use of land within ROWs
- As part of plan preparation at all stages, applicants shall identify the location of all pipeline systems within the plan area and include contact information for the pipeline systems operator.

Establish a communication process:

 The Municipality should, as part of its standard referral process, refer development applications to the pipeline systems operator when a propose development is located in the referral zone

The proponent / developers shall contact the pipeline systems operator prior to finalizing development plans and filing a community plan, neighborhood plan, land use, subdivision, or development application located in the referral zone. Early Engagement will ensure the pipeline systems operator is aware of new development along the pipeline system. Pipeline systems operators shall provide information to municipalities and proponents / developers as required to incorporate considerations for pipeline systems

General guidelines for development on or near TC's pipelines and infrastructure are included in Attachment 02 Development within Proximity to TC Infrastructure and in Attachment 03 Work

Safely Booklet. Additionally, we recommend that you purchase and review the Canadian Standards Association's Z663-18 Standard regarding "Land use planning in the vicinity of pipeline systems" for information and recommended best practices and



AGENCY COMMENTS

policies related to planning and development in proximity to pipelines and related infrastructure (https://store.csagroup.org/).

Please continue to keep us informed on this application and of any further land use and development related activities in proximity to TC's pipeline and facilities.

Eastlink Resources Inc.

No response.

**Enmax Energy** 

We have reviewed this plan and have the following comments regarding Enmax Power Corporation's service area.

Enmax has existing 240 kV overhead Transmission lines and Substations installed within the subject County Area Structure Plan (as approximately shown on the attached plan). If the Developer requests the overhead Transmission lines to be relocated, then the Transmission lines may be relocated to an approved alternate overhead Transmission line route at the Developer's expense. If an alternate overhead Transmission line route is not available, then the Developer is responsible for all associated costs for converting the overhead Transmission line to underground and to provide a utility right-of-way required for the underground Transmission line newly installed within the subject area. Please contact Enmax Transmission Design department at 403-514-2741 for more details.

Enmax Distribution Service area extends into the subject Area Structure Plan, thus there are presently existing 25 kV I 13 kV three-phase and 14.4 kV I 8 kV single phase overhead and underground power lines installed within the subject area. If the Developer requests any overhead power lines to be relocated, then the power lines may be relocated to an approved alternate overhead power line route at the Developer's expense. If an alternate overhead power line route is not available, then the Developer is responsible for all associated costs for converting the overhead power lines to underground and to provide utility right-of-way required for the underground power lines newly installed within the subject area. If the existing overhead or underground power lines are no longer required, then all associated costs for removal of the power lines shall be at the Developer's expense.

Utility right-of-way may be required for electrical servicing referred to in Section 17.0 of the County Plan, as identified by Enmax planning groups at the time of development. Any relocation or removal of existing En max facilities will be done at Developer's expense.

The Developer is responsible to maintain clearance of buildings from the above-mentioned 25 kV, 13 kV, 14.4 kV and 8 kV overhead power lines in accordance with the Enmax safety clearance criteria (i.e. no temporary or permanent structures to



#### **AGENCY**

#### **COMMENTS**

be built within the noncompliance zone, see attached Table 9 of AEUC).

Anyone working near the above-mentioned overhead Transmission and distribution power lines must maintain Safe Limits of Approach in accordance with the Alberta Electrical and Communication Utility Code, Table 2.1 (i.e. minimum 4.0 m and 3.0 m, respectively).

If the Developer requests underground power lines or where underground power lines are required in accordance with the Alberta Electrical and Communication Utility Code, Rule #1 0-002(6)(1) (i.e. Park and Recreation areas), then all the associated costs for providing the underground power lines will be at the Developer's expense.

Enmax Power Corporation will be providing overhead electrical power service to the proposed areas as requested. If the Developer requests underground power lines, then all associated costs for providing the underground power lines will be at the Developer's expense.

The Developer is responsible to provide all necessary utility right-of-way to cover any new installations with the subject Area Structure Plan. Specific utility right-of-way requirements shall be determined by the electrical design company in consultation with the Developer at the design stage of the projects.

Any exposure of Enmax facilities will be subject to inspection prior to backfilling.

Prior to construction, all underground utilities within the subject area must be located. Please contact Alberta One-Call at 1-800-242-3447 to locate and identify the buried utilities. If the Developer crosses any existing Enmax underground installations, the Developer should notify Enmax for inspection prior to backfilling the crossing.

If the Developer requests any change that could affect the existing Enmax structures in the vicinity (e.g. grade changes, relocation, or removal of lines, etc.), the Developer is responsible for all the associated costs for making the changes.

The Developer would need approval from Enmax before proceeding with changes that could affect Enmax installations.

There are existing Altalink overhead Transmission lines installed within the subject area. Contact Altatink Corporation at 403-267-3400 if you have any questions regarding these lines.

There are existing Fortis power lines installed within the subject area. Contact Fortis at (403) 514-4000 if you have any questions regarding these lines.

Rocky View Gas Co-op

No response.



AGENCY	COMMENTS
Cochrane Gas Co-op	No response.
Inter-Pipeline	No response.
Canadian Pacific Railway	No response.
CN Railway	CN Rail has no comments on the amendments.
Western Irrigation District (WID)	No response.
Rocky View Water Co-op	No response.
Westridge Utilities Inc.	No response.
Langdon Waterworks	No response.
Horse Creek Water Services	No response.
North Springbank Water Co-op	No response.
Bragg Creek Design Review Committee	No response.
Summer Vilalge of Ghost Lake	No response.
Ajacent Municipalities	
City of Airdrie	The City of Airdrie thanks you for the opportunity to provide comments on the proposed amendments to the County's Municipal Development Plan. The Planning & Development Department has completed its review of the proposed amendments, and offers the following:
	<ol> <li>While we are supportive of the County's desire and need to manage the growth within its boundary, we are concerned that the cumulative impact of the proposed amendments has the potential to create unnecessary growth pressures within the region.</li> </ol>
	2. The removal of the limits on population for the ultimate size of a hamlet opens the door for the creation of settlement areas similar in size to a town (minimum population of 1000) or even a city (minimum population 10,000), which may have a regional impact for the delivery of infrastructure and services. The removal of the population limits is also not in keeping with the scope and scale of a hamlet type of development.
	3. The proposed revisions to policy 14.19 have the potential to create new business areas by allowing for the proliferation of non-residential development outside the boundaries of the areas identified in the County Plan as 'Business Areas'.



#### **AGENCY**

#### **COMMENTS**

4. The proposed amendments are a deviation from the direction taken by the County's Municipal Development Plan. Specifically, one of the growth principles articulated on page 7 of the County Plan states that the County 'will encourage moderate level of residential growth'. The removal of the population limit does not support this vision for 'moderate growth'.

Overall, we believe the proposed amendments may have significant regional impacts, and trust that the County will be able to speak to the rationale for the proposed amendments as well as the viability of development that would be permitted under these amendments within the regional context at the CMRB.

City of Calgary

The City of Calgary (The City) Administration has reviewed the draft plan and has the following comments for your consideration. The proposed amendments to the Rocky View County (County) Municipal Development Plan (County Plan) are significant. They mark a shift from supporting and retaining the character of rural communities to charting a path to establishing towns within the County. It is a new vision for the County.

Though The City encourages efficient use of land and expansion of current settlements, Administration has significant concerns regarding the deletion of the allowable population range for hamlets, and the softening of policy directing the location of business development. The proposed deletion of the population limits would leave the County Plan with less direction on residential intensification than what currently exists. It is anticipated that deleting population limits and enabling business development on business area boundaries will have significant implications for The City of Calgary and must be accompanied by a robust policy framework. The proposed amendment defers unfettered expansion to the area structure plan stage with no guiding framework or policy.

Linking the proposed amendments to the potential for the County to achieve Specialized Municipality status heightens the concerns that hamlets will grow appreciably without considering the impacts of intermunicipal population growth. This further detracts from the vision of the County Plan. As the proposed amendments stand, there is little understanding how the County will manage growth in the future.

When considering the proposed amendments in the broader planning framework for the Calgary Metropolitan Region, it is difficult to provide comments because of the developing incongruence between the County Plan's vision and the amendments. Areas that are difficult to understand include:



AGENCY	COMMENTS
	<ul> <li>Understanding the development types: does deleting the population limits of hamlets result in intensification of land or the expansion of lands?</li> <li>Determining appropriate service levels and how they will be achieved</li> <li>Conducting proper planning of employment areas</li> <li>Transit provision</li> </ul>
	Overall, The City does not support these amendments and suggests that the County incorporate these proposed amendments into the more fulsome County Plan update, as the amendments represent a significant change.
	In light of the recently approved Calgary Metropolitan Region Board Interim Growth Plan (IGP), The City was surprised twofold: to not have been consulted in a more collaborative manner on these proposed amendments, and that the County made little attempt to craft policy in consideration of the IGP. The City looks forward a more fulsome discussion with the County prior to the proposed amendments proceeding to Council.
City of Chestermere	City of Chestermere Administration has reviewed the draft and has the following comments:
	The City of Chestermere encourages that the proposed regionally significant County Plan amendments be considered in conjunction with the Calgary Metropolitan Region Board's (CMRB) Interim Growth Plan to ensure the proposed amendments are in alignment with the plan.
	The City of Chestermere does not have an intermunicipal development plan which speaks to planning matters of mutual interest with Rocky View County and the City of Chestermere. The CMRB's Interim Growth Plan is the relevant policy document which provides guidance for regional growth and planning.
MD of Bighorn	No response.
Foothills County	We have reviewed the material provided, and Foothills has no concerns with the four proposed amendments outlined in the circulation package. Foothills County looks forward to continuing to work collaboratively with Rocky View County for the benefit of residents in both of our municipalities.
Mountain View County	There were no comments on this circulation from the Planning and Development Services Department nor the Operational Services Department.
Wheatland County	No concerns at this time.



AGENCY	COMMENTS
Kneehill County	No response.
Town of Cochrane	Thank you for the opportunity to review and provide comments on the proposed amendments to the County Plan. Town of Cochrane Administration has reviewed the proposal and has concerns with the overall change from specific to general policy direction for both hamlet population growth and business development within the County. The Town appreciates the need for flexibility, however the proposed amendment would create uncertainty in ultimate hamlet size and the extent of business development outside of the planned areas. This change to more general, non-definitive policy makes it difficult to fully understand and anticipate the implications and impact to Cochrane.
	At this time, the Town does not support the amendments as proposed. The Town is committed to collaborate with the County and welcomes your offer to meet and discuss the proposed amendments at your earliest convenience. Thank you again for providing the opportunity to comment on the proposed changes and I look forward to meeting with you.
Town of Crossfield	No response.
Town of Irricana	No response.
Village of Beiseker	No response.
T'suu Tina Nation	No response.
Rocky View County Boards and Committees	
Division Councilors 1-9	No response.
ASB Farm Members and Agricultural Fieldmen	No agricultural concerns.
Rocky View Recreation Board	No comments or concerns.
Internal Departments	
Recreation, Parks and Community Support	With respect to the proposed population threshold adjustments; provision should be given for the following considerations:
	Recreation
	A record of formally sanctioned community engagement results indicate recreation is a significant contributor to people's quality of life and serves as a cornerstone for community enrichment and place making.
	<ul> <li>Increased population growth results in a proportional increase</li> </ul>



#### AGENCY COMMENTS

in demand for recreational and community amenities; therefore, consideration for how the County will meet future recreational and related community services is prudent.

• It is recommended the County Plan takes into consideration the increased provision for recreational facilities, amenities and programs, and supports development of policy for long-term lifecycle planning backed by sufficient resourcing.

#### **Parks**

Increased population density and associated park dedication in expanding and new communities should be mindful of increased operational and capital costs associated with adding to the municipal park asset inventory.

- Consideration for directing proportional parks operational budgeting associated with an increased asset inventory should be formally declared via plan policy and prioritized during annual budget preparation.
- Consideration for directing a responsive parks asset management program inclusive of capital improvement and/or lifecycle capital replacement strategies should be formally declared via plan policy and accounted for during preparation of annual budgets.

# **Community Support**

Communities that provide a variety of social, cultural and recreational opportunities, a range of housing choices, a mix of land uses and a diversity of transportation choices generally result in an enhanced quality of life.

 Provision for providing rate payers with access to healthy choices, social supports and accommodations for safe neighbourhoods should be formally declared via plan policy to ensure any consideration for increased community population receives proportional budgetary and resourcing support to meet future needs.

Development Authority No response.

Municipal Enforcement No recommendations or concerns at this time.

GIS Services No response.

Building Services No concerns with the amendments.

Economic Development No comment.

Fire Services & Emergency No comment at this time. Management



AGENCY	COMMENTS
Planning & Development - Engineering	No response.
Transportation Services	No response.
Operational Services	No response.
Capital Project Management	No response.
Utility Services	No concerns.
Solid Waste & Recycling	No response.

Circulation Period: March 27 - April 26, 2019



# BYLAW C-7885-2019

# A Bylaw of Rocky View County to amend the Municipal Development Plan (County Plan) Bylaw C-7280-2013

The Council of Rocky View County enacts as follows:

#### PART 1 - TITLE

This Bylaw shall be known as Bylaw C-7885-2019.

#### **PART 2 - DEFINITIONS**

In this Bylaw, the definitions and terms shall have the meanings given to them in the County Plan and the Municipal Government Act.

#### PART 3 - EFFECT OF BYLAW

**THAT** Bylaw C-7280-2013 be amended as per Schedule "A" attached to and forming part of this Bylaw.

#### **PART 4 – TRANSITIONAL**

Bylaw C-7885-2019 is passed 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: All File: 1013-135
PUBLIC HEARING WAS HELD IN COUNCIL this	day of	, 2019
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	

Bylaw C-7885-2019

#### **SCHEDULE 'A'**

#### FORMING PART OF BYLAW C-7885-2019

#### Amendment #1

Revise Policy 5.5 to read:

- In order to retain rural character and a sense of community, consideration should be given to the ultimate size of a hamlet. Hamlet size shall be determined through the Area Structure Plan based on the following criteria:
  - a. county residential population goals;
  - b. existing hamlet population goals;
  - c. community input;
  - d. local commercial service requirements;
  - e. fiscal impact;
  - f. infrastructure capacity; and
  - g. retaining rural character.

# **Amendment #2**

Delete Policy 9.5, which reads:

9.5 In order to retain their rural character, hamlets are not encouraged to grow beyond a population range of 5,000 - 10,000 residents

# **Amendment #3**

Revise wording in Section 14.0 Business Development, Other Business Development, on page 63 to read:

Substantive planning, time, and public and private investment have resulted in identifying and developing business areas. This Plan encourages new businesses to locate within the existing business areas as identified on Map 1 and discourages business development on business area boundaries. Proposals for small scale business development outside identified business areas must justify their need and location.

#### **Amendment #4**

Revise Policy 14.19 to read:

14.19 Applications to redesignate land for business uses adjacent to, or in the vicinity of, the boundaries of an identified business area should not be supported.

Bylaw C-7885-2019 Page 2 of 2

From:

**Sent:** Tuesday, April 16, 2019 12:58 PM

To: Xin Deng

Subject: Fwd: County Plan Amendments - REMINDER: Open House: April 17th

Hello Xin,

I am emailing in regards to the feedback to the below amendments.

We are totally in support of removing the hamlet population targets. Let the market dictate an appropriate market base population, which will be economically sustainable for the Hamlet. Vision of the hamlet will not be lost with these amendments as Area Structure Plans will stay intact.

Regards

Asad and Saira Niazi

From: "Rocky View Forward"
To: "Rocky View Forward"

Sent: Monday, April 15, 2019 7:52:15 PM

Subject: County Plan Amendments - REMINDER: Open House: April 17th

# Greetings:

We just wanted to send out a quick reminder that the County's open house for the County Plan amendments is this Wednesday, April 17th. The details are in our earlier email, which we've pasted in below.

all the best,

Rocky View Forward

----- Forwarded message \_-----

From: Rocky View Forward

Date: Thu, Apr 4, 2019 at 6:00 PM

Subject: County Plan Amendments - Open House: April 17th

To: Rocky View Forward

Greetings everyone:

The County will be holding an open house on proposed amendments to the County Plan on Wednesday, April 17<sup>th</sup> from 4:00 pm – 7:00 pm at the County Hall, 262075 Rocky View Point. Comments can be submitted until Friday, April 26<sup>th</sup> to Xin Deng in Planning Services – <u>xdeng@rockyview.ca</u>. A public hearing for the amendments will be held in May 2019. Further details, including the draft amendments, are available on the County website at

https://www.rockyview.ca/BuildingPlanning/PlansUnderReview/CountyPlanAmendments.aspx

The amendments deal with two of the three motions made by Deputy Reeve Schule at the March 12<sup>th</sup> Council meeting:

- Removing the population ceiling for hamlets; and
- Permitting business development outside of approved business areas.

It appears that Admin decided that it is not necessary to amend the County Plan to change the "dot" for Langdon's business area on the County Plan maps from a local business area to a regional business area.

From our perspective, neither of these amendments are appropriate. There is also no apparent justification to bring them forward in advance of the complete review of the County's municipal development plan that Council has also set in motion.

The **hamlet population target** is part of the County Plan's overall objective to support moderate growth. Removing the population target weakens that objective. As a result, it prejudges the upcoming public engagement on the entire municipal development plan. Unless that process supports doing away with the moderate growth objective, removing the hamlet population targets make no sense.

From a practical perspective, there is also no need to remove the population target since none of Rocky View's hamlets are anywhere close to the population targets. This raises the question of why bother?

The County Plan supports **business development in identified areas** within Area Structure Plans. This restriction is to provide for orderly growth – focusing new business development in identified areas rather than permitting it in random locations. It also assists the County in providing transportation and other infrastructure in a more economically efficient manner. There is still substantial undeveloped land within the County Plan's identified business areas. Again, this raises the question of why bother?

In this case, there is an answer – land is cheaper outside of approved ASPs. Not surprisingly, many businesses prefer cheaper land. Is it really in the County's best interest to accommodate those preferences by permitting development outside of the ASPs? Randomly located development costs the County far more to service. It is also very prejudicial to existing landowners within the ASP areas.

We encourage everyone to attend the open house, if possible, and send in your comments and concerns regarding these amendments by the April 26<sup>th</sup> deadline.

All the best, Rocky View Forward From:

**Sent:** Friday, April 19, 2019 8:36 AM

To: Xin Deng

Cc: Gloria Wilkinson

Subject: County Plan Amendments

# Good morning Xin,

I have reviewed the handout from the open house in the context of the full County Plan.

#### Here are my comments:

Hamlet changes will be determined by the market -currently RVC does not even meet it's 2.3% growth target, so I do not understand the need for this amendment. Why is it there? Is it developer-driven persuasion?

Business Development refers to map 1. These changes cannot be based on a map that indicates ONLY symbols. There must be a map with boundaries showing both regional business and highway business intended sizes. If no such map then ALL the wording is meaningless. Look at the following wording: "---business area boundaries." Therefore the first step is to develop a clear map. Second step would be to then clearly define how close to a boundary a proposal can come.

Additionally, for most of the public, who do not understand that all parts of the County Plan have to be considered together; all amendment documents must state up-front that that is the process e.g. not negatively impact agricultural operations, etc.

Respectfully, Gloria Wilkinson Division 3



# Proposed County Plan Amendment Comment Form

If you have any comment on the proposed amendments, or wish to provide general comment to the County Plan, please write down your comment below:

I hAUE CONCERNS WITH THE CHANGES
TO THE BUSINESS. DEVELOPMENT SECTIONS
OF THE PHAN. BUSINESSES SHOULD BE
CONFINED TO AREAS THAT ARE TOWED.
FOR. THIS USE OR IT IS ALLOWED UNDER
AN AREA STRUCTURE PLAN. THE PROPOSED
WORDING DRENS THE DOOK FOR THE
PROLIFERATION OF BUSINESSES OUTSIDE
OF THESE AREAS WITHOUT A PROPER
ASSESSMENT OF THEIR IMPACTS OR
WITHOUT A PROPIER RE-DESIGNATION
DE THE LAND USE.



# Proposed County Plan Amendment Comment Form

If you have any comment on the proposed amendments, or wish to provide general comment to the County Plan, please write down your comment below:

#3	Ludge next should not occur setted the defined
	get Levelogments through without du process
	This change sounds like a "trick" was to
	get developments through without du process
<u>() — — — — — — — — — — — — — — — — — — —</u>	

From:

**Sent:** Friday, April 26, 2019 11:56 AM

To: Xin Deng

Subject: County Plan amendments

We feel that amending the County Plan that proposes removing the hamlet population ceilings and relaxing the restrictions on business development outside of approved business areas is ridiculous and unnecessary. They are in place in order to keep our areas rural, not create an extension of city living. Rockyview council continues to show that it is becoming less desirable to live out here because they are removing what makes it unique.

Regards, Robert & Corii Williams Woodlands Estates To: Xin Deng, Planning Services, Rocky View County

From: Rocky View Forward

Date: April 26, 2019

**Subject:** Proposed Amendments to the County Plan

Rocky View Forward is a resident advocacy group that represents 300 – 400 families across the County. Rocky View Forward does not support any of the proposed amendments to the County Plan scheduled to be considered at the public hearing on May 28, 2019. Decisions on their appropriateness should be deferred until the comprehensive review of Rocky View's entire municipal development plan. The reasons for our position are outlined below.

# Amendments #1 & #2 – Revising Policy 5.5 and Deleting Policy 9.5

As described in the County's material, these amendments will remove the population targets for hamlets and have hamlet populations determined by the relevant Area Structure Plans.

Rocky View Forward believes that these amendments are pointless and introduce potential bias into the overall review of the County Plan that is scheduled to begin very soon.

None of Rocky View's hamlets are close to the population ceilings specified in the County Plan. Since the County Plan's provisions are not a binding constraint anywhere in the County, the amendments are unnecessary.

Langdon is the only hamlet in Rocky View that is even close to the County Plan's target of 5,000 – 10,000. At about 5,500 residents, Langdon is still well within the County Plan's range. In any case, Langdon's population is set by its ASP at 13,000, a ceiling already higher than the County Plan guidelines. Langdon's population ceiling was set in exactly the way this amendment proposes – as part of its ASP. So, why is the amendment needed?

Given this reality, Rocky View Forward can see no rationale for rushing these amendments through. They should be left to the full review of the County Plan. To do otherwise biases that review.

The hamlet population targets support the County Plan's objectives to encourage moderate growth and to balance urban and rural demands in the County. To remove one of the policies that support the current Plan's objectives at this point signals that Council may have prejudged the relevance of these objectives. The continuing appropriateness of these objectives will be a critical part of the County Plan review. A review of population projections and anticipated growth rates is a key component of any review of the municipal development plan.

If Council wants unbiased, objective input from residents and other stakeholders on what Rocky View's future municipal development plan should look like, these amendments should be deferred until they can be reviewed in their proper context.

# Amendments #3 & #4 – Revising wording for location of business development

These amendments are described as providing flexibility to locate business development adjacent to, but outside of, existing business areas in approved Area Structure Plans.

Rocky View Forward believes that these amendments should not be supported because they erode the core purpose of the County Plan. The fundamental rationale for a municipal development plan is to identify how development should proceed in the municipality. If that plan then allows business development outside of identified areas, what is the purpose of a municipal development plan?

To enshrine the ability to override the County Plan's land use policy disregards key requirements of the Municipal Government Act. Section 632(3) clearly states that a municipal development plan "must address the future land use within the municipality."

These amendments would permit business development in any location for which Council felt an applicant made a justifiable argument. This fails to meet the test of having the municipal development plan address and identify future land uses for assessing land use applications.

These amendments also send an extremely negative message to landowners who "played by the rules" and own land within approved ASP business areas. The County has identified their property as land that will be developed before land outside of the ASP areas.

These amendments, if passed, will disadvantage these landowners. The message will be that the County doesn't value its commitments and that there is no benefit to following the rules. Rocky View Forward believes that this would be a very damaging message to overall business confidence in the County. What business will want to invest in Rocky View if its competitors, who ignore the County's rules, can gain advantages over them by locating on cheaper land outside of the approved business areas?

If the existing business areas are no longer suitable, the comprehensive review of the County Plan is the appropriate time to re-examine this issue. As with the hamlet amendments, there is no pressing need to fast-track these amendments when a thorough review is scheduled so soon.

From: Division 4, Al Schule

**Sent:** Monday, April 29, 2019 8:36 AM

To: Xin Deng

**Subject:** Fwd: Population cap

# Begin forwarded message:

From: Tom Craig

Date: April 29, 2019 at 8:33:02 AM MDT

To: "aschule@rockyview.ca" <ASchule@rockyview.ca>

Subject: Population cap

Hello Al

I am in favour of removing the population cap on hamlets with Rv. The onus should be placed on the county for responsible growth. We need to have a solid plan and stick with it.

From: Ena Spalding

**Sent:** Friday, April 26, 2019 4:39 PM

To: Xin Deng

**Subject:** Proposed Amendments to the County Plan

To: Xin Deng, Planning Services, Rocky View County

Date: April 26, 2019

Subject: Proposed Amendments to the County Plan

I do not support any of the proposed amendments to the County Plan scheduled to be considered at the public hearing on May 28, 2019.

Decisions on their appropriateness should be deferred until the comprehensive review of Rocky View's entire municipal development plan.

Amendments #1 & #2 – Revising Policy 5.5 and Deleting Policy 9.5: As described in the County's material, these amendments will remove the population targets for hamlets and have hamlet populations determined by the relevant Area Structure Plans. None of Rocky View's hamlets are close to the population ceilings specified in the County Plan. Since the County Plan's provisions are not a binding constraint anywhere in the County, the amendments are unnecessary. These amendments should be left to the full review of the County Plan.

Amendments #3 & #4 – Revising wording for location of business development: These amendments are described as providing flexibility to locate business development adjacent to but outside existing business areas in approved Area Structure Plans. I don't support these amendments because they erode the core purpose of the County Plan. The fundamental rationale for a municipal development plan is to identify how development should proceed in the municipality. So that plan shouldn't allow business development outside identified areas.

These amendments also send an extremely negative message to landowners who "played by the rules" and own land within approved ASP business areas. These amendments, if passed, will disadvantage these landowners.

thank you for your consideration of my comments.

Ena Spalding

From: Martin polach

**Sent:** Friday, April 26, 2019 2:50 PM

To: Xin Deng

**Subject:** proposed amendments to the County Plan

Good Afternoon Ms Deng,

I am writing to express my position to amendments # 3 & #4.

The County has a plan ...which indicates in which areas development can proceed and the scope of such proposed development.

It makes little sense to construct an area plan and then allow developers to simply go outside the areas identified area..on an ad hoc basis.

Enshrining the ability to Override the County's Plan...smacks of unfair influences?

If there is indeed a need to modify the plan to suit ALL residents ..not just elite special interests, then modify the Plan....don't allow those with more money and resources to 'Jump the queue".

I thank you for considering my opinion.

Cheers

Martin Polach

From: Keith Koebisch

**Sent:** Friday, April 26, 2019 2:19 PM

To: Xin Deng

Cc: Division 9, Crystal Kissel

Subject: Amendments to County Plan

Dear Xin;

I understand the county is looking for public input to amending the County Plan. "The Powers That Be" say you are looking for input but I question if you are being truthful about that. The county received more public input on the proposed ARP than the County Plan itself and residents were not listened to whatsoever! Are we engaged in another exercise of the same?

Relaxing boundaries around Business Districts is a damn bad idea on several fronts. If you personally owned property in a Business District and paid a premium dollar for that zoning, would you appreciate your neighbour being able to do the same, on their property that they paid a fraction for? No way! Right now there is an abundance of commercial real estate that is sitting empty. How would you find tenants if they can just go next door to areas without the right zoning and open shop? Tomorrow I need to write to you again about a similar situation with respect to the fake Cochrane Lake Gas Co-op MSDP application.

Second problem will be for those that do not want to live in a Business District. How do you select and purchase a property/home in a nice quiet neighbourhood

when zoning seems to be irrelevant? You buy an Ag zoned farm and next thing you know, you are living in clouds of dust from a gravel pit or next to a muffler shop.

People are getting very, very upset with the lack of planning and your department dancing around, bending over backwards to support business at any expense. This has got to stop 'cause the public is ready to revolt.

A possible solution could be to further relax discretional uses in residential and Ag properties to include more home business. This should only be done with community support for these uses on an individual bases. The way to do this is list these extra uses, but rather that applicants going to the county first and forcing the community to keep an eye on newspaper announcement and spring into a defence mode, it should be the other way around. Applicant should be required to seek written neighbourhood support and if that exists, they can seek planning department and council support to approve the application. Nobody gets hurt and everyone would be happy.

At the moment there are fewer and fewer residents that have confidence that their county employees and elected officials are there to help. More and more the county only listens to paid lobbyists, to forward hidden agendas.

Residents need to resume control of who is driving the bus.

Keith Koebisch

From: Division 4, Al Schule

**Sent:** Monday, April 29, 2019 10:59 AM

To: Xin Deng

**Subject:** Fwd: Upcoming County Plan Discussion

Al Schule Sent from I phone

# Begin forwarded message:

From: Langdon ChamberOfCommerce

Date: April 29, 2019 at 10:32:24 AM MDT

To: aschule@rockyview.ca

Subject: Upcoming County Plan Discussion

Good Morning Councillor Schule,

I want to begin by thanking you for the work you have been doing to secure a positive future for Langdon and all of Division 4. In the last while, discussions have re-emerged discussing the effects of a population cap on Hamlets within Rocky View County. It is with this in mind that I am writing to you today.

Within the Hamlet of Langdon, since the introduction of the recommended population threshold in 2013 we have experienced significant growth, which does not include the approved developments of Bridges of Langdon, Painted Sky and Settlers Green which will again add many new residents to the community. Just with the added developments we anticipate over 2,000 new residents and based off of an approximate population currently of 5,600 (unsure the official number until the most recent census numbers are released), we are almost near capacity based on the current population threshold recommendations.

A population threshold does not support future growth. Corporations coming in view it as not a threshold but a cap, and during their future planning they will see no room for future growth and development that will help their businesses grow. We have seen this happen often within Langdon where businesses are interested and in the end chose to go elsewhere where restrictions are not in place.

As you are aware, business property taxes bring in a fair amount of income to the county, but more so they help keep residential property taxes low which encourages many to move into the area. With no commercial growth due to a perceived population cap, residential taxes will inevitably increase, causing an exodus of current resident looking at decreasing their living expenses. And based on the current economic status of the Province and our try, more people are needing to refuse their expenditures.

To aid in the potential growth and sustainability of Langdon as well as all hamlets in the County, the Langdon & District Chamber of Commerce is fully in support of the proposed amendments to the current County Plan, especially seeing recommended population thresholds removed. We would also like to see these threshold removed in our current Area Structure Plan to maintain congruence amongst the Plans.

Thank you,

Alysha Bates
President
Langdon & District Chamber of Commerce

# **Rhonda Pusnik**





Al Schule Sent from I phone

Begin forwarded message:

From: Launa Austin

**Date:** April 28, 2019 at 10:29:55 PM MDT

To: aschule@rockyview.ca

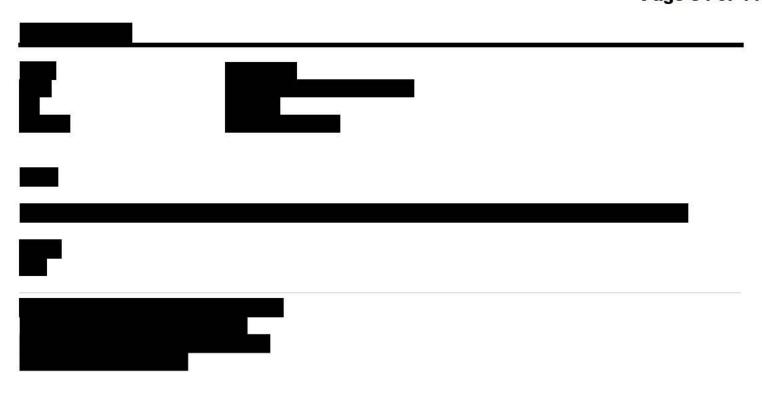
**Subject: Keep the population cap!** 

Dear Mr. Schule,

Our family is against removing the population cap. We moved to Langdon to live in a small town.

We have bought pre-owner to not be hypocritical about decreasing new residential growth. Please do not remove the population gap. Leave it as is.

Thank you, Launa Austin



From: Division 4, Al Schule

Sent: Monday, April 29, 2019 6:52 AM
To: Richard Barss < rbarss@rockyview.ca>

Subject: Fwd: Population cap

Al Schule

Sent from I phone

# Begin forwarded message:

From: Jennifer Cross

Date: April 28, 2019 at 10:23:21 PM MDT

To: <u>aschule@rockyview.ca</u> Subject: Population cap

To whom it may concern.

I support removing the population cap on the hamlet of Langdon Alberta if it helps to get a high

school built in town.

Thank you, Jennifer Cross From: Shanta Harker

**Sent:** Tuesday, April 30, 2019 10:09 AM

To: Xin Deng

Subject: Re: Hight School and Cap

Hello,

Sorry to clarify I would like to remove the cap so we can possibly get our high school we so desperately need.

Shanta

On Apr 30, 2019, at 9:25 AM, "XDeng@rockyview.ca" <XDeng@rockyview.ca> wrote:

Hello Shanta,

I received your email sent to the division Councilor Al Schule. You said "I would like to officially say I would the cap of 10,000 people living in Landon." Could you please clarify if you would like to keep the population cap, or remove the cap? Could you please send your comment to me? I will include your comment to the staff report package for council consideration. Thank you.

XIN DENG MPlan, RPP, MCIP Municipal Planner | Planning Services

#### ROCKY VIEW COUNTY

262075 Rocky View Point | Rocky View County | AB | T4A 0X2

Phone: 403-520-3911

xdeng@rockyview.ca | www.rockyview.ca

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

From: Division 4, Al Schule

Sent: Monday, April 29, 2019 7:48 PM To: Xin Deng < XDeng@rockyview.ca > Subject: Fwd: Hight School and Cap

Al Schule

Sent from I phone

Begin forwarded message:

From: Shanta Harker

Date: April 29, 2019 at 7:16:04 PM MDT

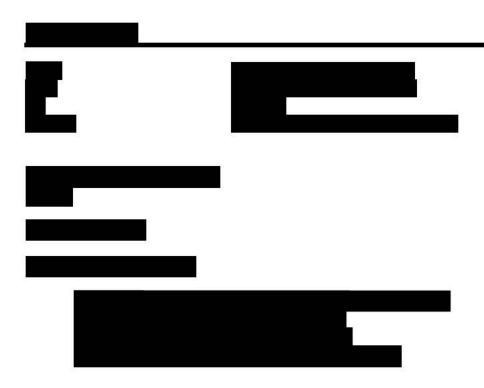
To: "aschule@rockyview.ca" <aschule@rockyview.ca>

Subject: Hight School and Cap

Hi Al,

I would like to officially say I would the cap of 10,000 people living in Landon.

Shanta



Al Schule Sent from I phone

Begin forwarded message:

From: Warren Cole

Date: April 28, 2019 at 10:22:16 PM MDT

To: "aschule@rockyview.ca" <aschule@rockyview.ca>

Cc: Honeybee

Subject: Langdon population cap removal

Good evening Al. Please ad our family of 4 to the list of those that want that cap removed.

Thank you.

Warren Cole General Manager

Calgary Liftboss Materials Handling

From: Bradford Chorley

**Sent:** Wednesday, May 22, 2019 1:14 PM **To:** Xin Deng; Division 4, Al Schule

**Subject:** Proposed Amendments to County Plan

We are writing to you on behalf of the Fulton Industrial JV which owns +/- 525 acres in Rocky View County that is currently being developed under the Fulton Industrial Conceptual Scheme (Bylaw C-6919-2010).

We write to you as landowners and rate payers in support of the Proposed County Plan Amendments as published on the County website. We are in support of ALL FOUR amendments as written.

We do note with regard to Amendment #3 that the original language in Policy 14.19 provides some protections for those parties that invest significant amounts of time, effort and capital to advance planning and development initiatives within the County. The amended language slightly softens this protection, however we acknowledge that the County requires flexibility in some cases and we support the amendment as written.

### PROPOSED ADDITIONAL AMENDMENT:

We respectfully submit for your consideration a request to revisit the status of the Indus area and the Fulton Conceptual Scheme area in the County Plan – specifically as it relates to its designation on 'Map 1 – Managing Growth' on page 26 of the County Plan.

At 525 acres directly fronting both Highway 22x and the CP Rail main line, the Fulton Industrial area and by extension Indus itself represent a significant growth opportunity as a Regional Business Center in Rocky View County – and one that is distinctly outside of the Regional Planning area and the near term boundary for potential annexation by the City. In the 5 years since we began developing in 2014, we have attracted 15 businesses to locate in the Fulton Industrial area and we are just getting started.

In our view – the Fulton/Indus area are a highly strategic growth corridor that are a compliment to the growing populations in the Hamlet of Langdon and the City of Chestermere.

We will appreciate your consideration in this regard.

Respectfully, Brad Chorley

**BRAD CHORLEY** 



#### TOWN OF COCHRANE

101 RancheHouse Rd. Cochrane, AB T4C 2K8 P: 403-851-2500 F: 403-932-6032



May 31, 2019

Your File: 1013-135

Rocky View County Planning Services Attn: Amy Zaluski 262075 Rocky View Point Rocky View County, AB T4A 0X2

Dear Ms. Zaluski,

RE: Proposed County Plan Amendment 1013-135 – Changes to Hamlet and Business Developments

Thank you for meeting to discuss and clarify the proposed amendments to the County Plan. Town of Cochrane Administration has completed its review and offers the following comments:

#### 1. General:

The Town is concerned with the overall change from specific to general policy direction for both hamlet population growth and business development within the County. The Town appreciates the need for flexibility, however the proposed amendment would create uncertainty in ultimate hamlet size and the extent and scope of business development outside of the planned areas. This change to more general, non-definitive policy direction makes it difficult to fully understand and anticipate the implications and impacts to the Town of Cochrane and the Calgary region.

# 2. Proposed Amendment #1 and #2:

These amendments propose to remove the upper population limit of 10,000 people for all hamlets within the County. The County Plan identifies three scales of hamlets: *Hamlet-Full Service*; *Hamlet-Growth, as per adopted plan*; and *Small Hamlet*. The removal of the existing population limit for all hamlets is not consistent with the hamlet types identified in The County Plan. The County may want to consider utilizing these hamlet types to clearly identify which hamlets within the county would grow beyond the 10,000 population limit. Identifying the hamlets that are intended to grow beyond the existing 10,000 population in the County's MDP, rather than at the area structure plan level, would help the Town and the CRMB understand, anticipate and plan for the long-term impacts and implications that arise with communities of this size and scale.

#### 3. Proposed Amendment #3 and #4:

These amendments propose to remove language related to not supporting business development on identified business area boundaries. Without supporting information, such as current land supply and absorption rates in the business areas, it is difficult to understand the justification for the amendments at this time.

# 4. Intermunicipal Committee and CMRB:

The RancheHouse Accord between the Town and County suggests that amendments such as these are reviewed and discussed by the Intermunicipal Committee prior to formal adoption. As a result, we request the proposed amendments be added as an agenda item to the next IMC meeting taking place on June 12, 2019.

The proposed amendments have regionally significant implications. As such, can you please confirm the amendments will be brought forward to the CMRB for its review and consideration.

The Town understands the County is initiating a review and re-write of its Municipal Development Plan this summer. Given this, and the potential significance of the proposed amendments on the Town of Cochrane and Calgary region, these amendments seem premature and should be included as part of the scope of the larger MDP review.

Thank you again for providing the opportunity to comment on the proposed changes. Please contact me if you have any questions or require any clarification on the comments provided.

Kind regards,

Riley Welden

Manager, Planning Services

Town of Cochrane 403-851-2577

Riley.Welden@cochrane.ca

FOR THE STANDARD CONTRACTOR AND STANDARD CONTRACTOR AN

Cc: Drew Hyndman, Senior Manager, Development Services

Suzanne Gaida, Deputy CAO



Friday, April 26, 2019 City File: RV19-04

RVC Application #: 1013-135

Attention: Xin Deng

Planning and Development Services Rocky View County 262075 Rocky View Point Rocky View County, AB, T4A 0X2 XDeng@rockyview.ca

SUBJECT: Proposed Amendments to Rocky View County's Municipal Development Plan

Dear Mr. Deng,

The City of Calgary (The City) Administration has reviewed the draft plan and has the following comments for your consideration. The proposed amendments to the Rocky View County (County) Municipal Development Plan (County Plan) are significant. They mark a shift from supporting and retaining the character of rural communities to charting a path to establishing towns within the County. It is a new vision for the County.

Though The City encourages efficient use of land and expansion of current settlements, Administration has significant concerns regarding the deletion of the allowable population range for hamlets, and the softening of policy directing the location of business development. The proposed deletion of the population limits would leave the County Plan with less direction on residential intensification than what currently exists. It is anticipated that deleting population limits and enabling business development on business area boundaries will have significant implications for The City of Calgary and must be accompanied by a robust policy framework. The proposed amendment defers unfettered expansion to the area structure plan stage with no guiding framework or policy.

Linking the proposed amendments to the potential for the County to achieve *Specialized Municipality* status heightens the concerns that hamlets will grow appreciably without considering the impacts of intermunicipal population growth. This further detracts from the vision of the County Plan. As the proposed amendments stand, there is little understanding how the County will manage growth in the future.

When considering the proposed amendments in the broader planning framework for the Calgary Metropolitan Region, it is difficult to provide comments because of the developing incongruence between the County Plan's vision and the amendments. Areas that are difficult to understand include:

- Understanding the development types: does deleting the population limits of hamlets result in intensification of land or the expansion of lands?
- Determining appropriate service levels and how they will be achieved
- Conducting proper planning of employment areas
- Transit provision

Overall, The City does not support these amendments and suggests that the County incorporate these proposed amendments into the more fulsome County Plan update, as the amendments represent a significant change.

In light of the recently approved Calgary Metropolitan Region Board Interim Growth Plan (IGP), The City was surprised twofold: to not have been consulted in a more collaborative manner on these proposed amendments, and that the County made little attempt to craft policy in consideration of the IGP. The City looks forward a more fulsome discussion with the County prior to the proposed amendments proceeding to Council.

Thank you for the opportunity to review and comment on this draft plan. Please feel free to contact me at the number below if you have any questions or concerns regarding the above comments.

Sincerely,

Natasha Kuzmak, MEDes, RPP, MCIP

Strategist

Intergovernmental & Corporate Strategy

The City of Calgary | Mail code: #8003

T 403.268.5694 | C 403.801.3658 | E Natasha.Kuzmak@calgary.ca | calgary.ca

Municipal Building, 800 Macleod Trail S.E.

P.O. Box 2100, Station M, Calgary, AB T2P 2M5

**Cc:** Diane Shearer, A/Manager, Intergovernmental & Corporate Strategy



Monday, June 3, 2019

City File: RV19-04

RVC Application #: 1013-135

Attention: Amy Zaluski

Planning and Development Services Rocky View County 262075 Rocky View Point Rocky View County, AB, T4A 0X2 AZaluski@rockyview.ca

SUBJECT: Proposed Amendments to Rocky View County's Municipal Development Plan (1013-135)

Dear Ms. Zaluski,

I am writing to provide further comments of behalf of The City of Calgary Administration with respect to the Proposed Amendments to Rocky View County's Municipal Development Plan (1013-135). This letter is intended to supplement comments originally provided in the letter from Natasha Kuzmak to Xin Deng on April 26, 2019. **All comments from our initial letter remain**. This letter reflects discussion on this item from both the May 5, 2019 Rocky View County – City of Calgary Intermunicipal Committee meeting and an Administrative meeting held on May 21, 2019.

The City of Calgary continues to advise that the proposed County Plan amendments are premature in absence of a planning framework to guide Hamlet expansions and cost sharing agreements. The amendment is also premature given that Rocky View County will soon initiate a comprehensive review of The County Plan (Rocky View County's Municipal Development Plan).

There appears to be limited urgency to proceed with the proposed amendments at this time. A review of the Rocky View County census indicates that of the eleven Hamlets in Rocky View County, only Langdon (currently population is 5,364) has a population between 5,000 and 10,000. The remaining ten Hamlets are all less than 800 persons and seven Hamlets have less than 100 persons. As stated by Rocky View County officials at our recent Intermunicipal Committee meeting, the Hamlet of Langdon is experiencing development pressure. However, the current County Plan allows significant growth to occur provided that rural character is retained. Policy 5.5 states that Hamlets can grow but not to exceed a population of 10,000. Since Langdon's population is just under 5,400, why is the amendment needed prior to fulsome review of the County Plan?

This amendment would be more acceptable if accompanied by a planning framework for rational, sustainable and efficient population growth. As mentioned in our previous letter this amendment appears to be non-compliant with the CMRB Interim Growth Plan. The City of Calgary Administration is also concerned that amendments initiated for one Hamlet will be broadly applied to all Hamlets in the County and that there is no direction in policy for how Area Structure Plan's will address the population growth.

Should Rocky View County Council wish to proceed with these amendments, The City of Calgary believes that it would be more appropriate to focus the amendment to only the Hamlet of Langdon and to provide a planning framework to accommodate significant increases in population. Other Hamlets could be considered through a thoughtful, comprehensive review of The County Plan. Applying the proposed amendments to Hamlets other that Langdon, and in absence of a fulsome approach to cost-sharing, will be detrimental to The City of Calgary. For example, in can be reasonably anticipated that growth of Hamlets near The City (Harmony, Glenbow Ranch, West Balzac and Conrich) will result in additional population and will impact the City's transportation network by adding additional cars and necessitate upgrades in the City. The need to fully address cost-sharing for mutually beneficial infrastructure and services also remains unaddressed.

In conclusion, for the reasons outlined in this letter and our previous letter dated April 26,2019, The City is unable to support the proposed amendments. Given our significant concerns with this proposed amendment to The County Plan, The City of Calgary requests that as per the policies of the Intermunicipal Development Plan, administrative mediation prior to consideration of the proposed amendments. Mediation should include, at minimum, a planning framework for growth including the provisions of services (e.g. transit, social services, recreations) at an urban level. As Rocky View County continues to urbanize in locations close to Calgary, it is imperative that the true cost of growth and provision of citizen services be accommodated and not subsidized by the services and infrastructure of The City of Calgary.

Please feel free to contact me at the number below if you have any questions or concerns regarding the above comments.

Sincerely,

Diane Shearer, MEDes, RPP, MCIP

A/ Manager

Intergovernmental & Corporate Strategy
The City of Calgary | Mail code: #8003

T 403.268.3538 | C 403.803.1251 | E Diane.Shearer@calgary.ca | calgary.ca

Municipal Building, 800 Macleod Trail S.E. P.O. Box 2100, Station M, Calgary, AB T2P 2M5

Cc: Brad Stevens, Deputy City Manager

Cllr. George Chahal, Ward 5, Member of the Rocky View – Calgary Intermunicipal Committee Cllr. Jyoti Gondek, Ward 3, Member of the Rocky View – Calgary Intermunicipal Committee



#### TRANSPORTATION SERVICES

TO: Council

**DATE**: June 11, 2019 **DIVISION**: All

FILE: 4050-100 APPLICATION: N/A

**SUBJECT:** Boundary Roads Update

#### <sup>1</sup>EXECUTIVE SUMMARY:

The purpose of this report is to update Council on the current status of boundary roads throughout the County.

#### **BACKGROUND:**

The County's Transportation Services has met with all bordering municipalities to discuss road maintenance initiatives and issues concerning boundary roads. The majority of the discussions involved road upgrade projects which would require joint closures, land acquisitions, or potential cost sharing. These discussions are ongoing.

The existing maintenance agreements with Mountain View County and the M.D. of Bighorn are positive with no current issues. There are no negative impacts to residents living adjacent to or using those roads.

While no maintenance agreements are in place or desired by the City of Calgary, Transportation Services is confident the current method of communication has been effective. The City has and is committed to maintaining the roads under their jurisdiction with Transportation Services understanding their respective level of service. Two specific boundary roads will be monitored, Township Road 250 east of Range Road 31 and Range Road 23 south of Township Road 262. Regular inspections by County staff will allow for sufficient notification to the City to perform repairs. If this preferred method proves to be insufficient, the item will then be brought forward via the IMC process for further discussion.

#### **BUDGET IMPLICATIONS:**

There are no budget implications at this time.

OPTIONS:		
Option #1	THAT the boundary roads update re	eport be received as information.
Option #2	THAT alternative direction be provide	led.
Respectfully submitte	ed,	Concurrence,
"Byron Riemann"		"Al Hoggan"
Executive Director		Chief Administrative Officer

<sup>1</sup>Administration Resources Steve Hulsman, Transportation Services



#### CAPITAL PROJECT MANAGEMENT

TO: Council

**DATE**: June 11, 2019 **DIVISION**: 1

**FILE**: 1025 - 700

**SUBJECT:** Expropriation of Lands for Bragg Creek Flood Mitigation Project

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

Administration evaluated the proposed Notice of Intention to Expropriate and Resolution to acquire project lands for the Bragg Creek Flood Mitigation Project.

#### **EXECUTIVE SUMMARY:**

In February 2017, the County entered into a Contribution Agreement with the Government of Alberta to plan, design, and construct the Bragg Creek Flood Mitigation Project. The agreement included a budget of \$15.6 Million to acquire lands required for construction of the proposed flood barrier structures.

The County is legally empowered under Section 14 of the *Municipal Government Act* R.S.A., 2000, Chapter M-26 with the authority to expropriate for any municipal purpose, and Administration has determined that:

- 1. The application is consistent with the Contribution Agreement with the Government of Alberta;
- 2. The application is consistent with the statutory policy; and
- 3. The application is consistent with Section 8 of the *Expropriation Act* R.S.A. 2000, Chapter E-13.

From the time Council pass the resolution authorizing and approving the expropriation and Notice of Intention to expropriate the subject lands, possession could take up to 7 months. There are provisions in the *Expropriation Act* that allows land procession to be taken earlier, however, Administration is seeking to present a worst case scenario.

The expropriation along with the costs to purchase the other project lands acquired to date will be within budget allotted in the Contribution Agreement with the Government of Alberta.

#### **BACKGROUND:**

The 2013 Southern Alberta floods were the costliest disaster in Canadian history and Albertan's remain vulnerable to extreme flood. Flooding of the Elbow River caused widespread damage to municipal infrastructure, flood protection works, residences, public and private property, and businesses throughout the Bragg Creek area. This damage has further been associated with long-term business loss due to an interruption in services. Although 2013 flood was a particularly severe event, the Hamlet of Bragg Creek has been subject to regular flooding, with significant events recorded as early as 1915.

The County has acquired project lands from over 50 properties through temporary workspace easements, utility rights of way, and purchase. The remaining lands are across six adjacent properties owned by one landowner. Administration has been in land discussions with the landowner

Doug Hafichuk, Capital Project Management

<sup>&</sup>lt;sup>1</sup> Administration Resources



and have agreed to the compensation amount, however, are at an impasse due to closing conditions that are not project related and cannot be agreed to by Administration. Administration will continue the land discussions but would like to initiate expropriation proceedings as a contingency in case those discussions fail.

The *Water Act* Application is in the final review stage at Alberta Environment and Parks and, based on discussions with AEP, there are no outstanding items. The County has met consultation adequacy with Treaty 7 First Nations and have addressed statements of concern submitted in response to the advertisement of the *Water Act* Public Notice.

In anticipation of an approval, Administration is preparing the construction tender documents with a tentative construction start in August 2019.

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

The expropriation along with the costs to purchase the other project lands acquired to date will be within budget allotted in the Contribution Agreement with the Government of Alberta.

#### **OPTIONS:**

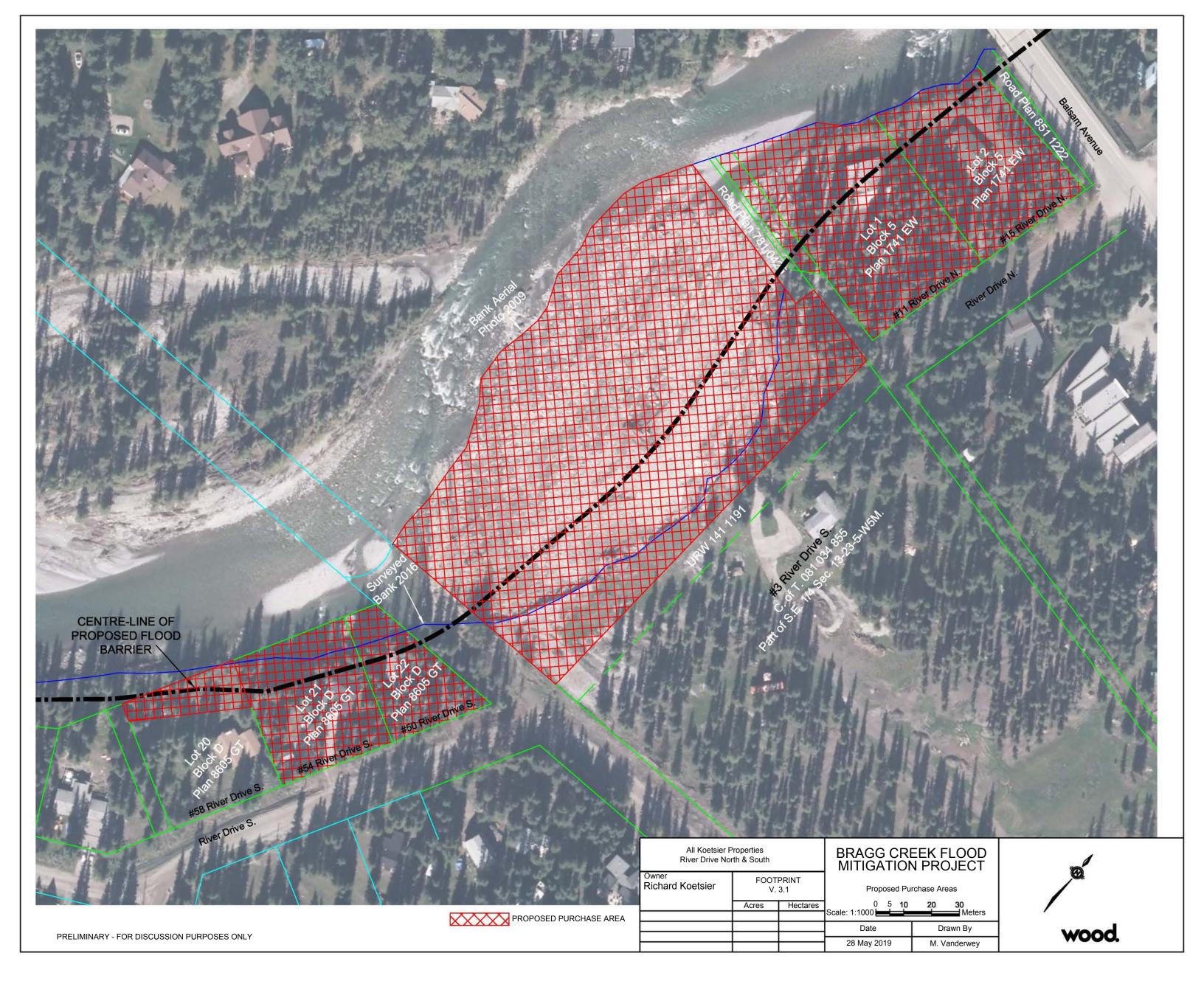
Option #1	Motion #1	THAT the resolution authorizing and approving the expropriation, as shown in Attachment 'B', be passed.
	Motion #2	THAT the Notice of Intention to expropriate the subject lands, as shown in Attachment 'C', be approved.
Option #2	THAT alter	native direction be provided.
Respectfully submitte	ed,	Concurrence,
"Byron Riemann"		"Al Hoggan"
Executive Director		Chief Administration Officer

#### ATTACHMENTS:

Attachment 'A' – Overall Site Plan

Attachment 'B' - Resolution of Council

Attachment 'C' – Notice of Intention to Expropriate (one notice for each property; six in total)



### EXPROPRIATION ACT R.S.A. 2000, Chapter E-13, as amended

#### **RESOLUTION**

REGARDING EXPROPRIATION FOR THE PURPOSE OF ACQUIRING A FEE SIMPLE ESTATE OVER CERTAIN LANDS LOCATED WITHIN ROCKY VIEW COUNTY

WHEREAS ROCKY VIEW COUNTY is desirous of obtaining a fee simple estate for the purposes of facilitating the construction of flood mitigation works to protect surrounding lands from future flooding events in the following lands legally described as:

 Short Legal
 Title Number

 1741EW;5;2
 061 463 121

#### **LEGAL DESCRIPTION**

PLAN 1741EW
BLOCK 5
LOT 2
EXCEPTING THEREOUT:
PORTION FOR ROAD ON PLAN 8511222
EXCEPTING THEREOUT ALL MINES AND MINERALS
AND THE RIGHT TO WORK THE SAME

#### - and -

**Short Legal Title Number** 1741EW;5;1;OT 061 463 121 +1

#### **LEGAL DESCRIPTION**

FIRST:

**PLAN 1741EW** 

BLOCK 5

LOT 1

EXCEPTING THEREOUT ALL MINES AND MINERALS AS

SET FORTH IN TRANSFER REGISTERED AS 142EN

SECONDLY: PLAN 1741EW

**BLOCK 5** 

THAT PORTION OF THE LANE WHICH LIES WEST OF A

STRAIGHT LINE DRAWN FROM A POINT ON THE SOUTH

BOUNDARY OF LOT 1 IN SAID BLOCK AS SHOWN ON

SAID PLAN, 96.1 FEET WESTERLY THEREON FROM THE

SOUTHEAST CORNER THEREOF TO A POINT ON THE SOUTH

LIMIT OF SAID LANE, 116.1 FEET WESTERLY THEREON

FROM THE INTERSECTION OF THE SAID SOUTH LIMIT

WITH THE PRODUCTION SOUTHERLY OF THE EAST BOUNDARY

2

OF SAID LOT 1 CONTAINING 0.093 HECTARES (0.23 OF AN ACRE) MORE OR LESS EXCEPTING THEREOUT ALL MINES AND MINERALS

- and -

**Short Legal**8605GT;D;22 **Title Number**141 347 436

#### **LEGAL DESCRIPTION**

PLAN 8605GT BLOCK D LOT 22 EXCEPTING THEREOUT ALL MINES AND MINERALS

- and -

 Short Legal
 Title Number

 8605GT;D;21
 141 033 684

#### **LEGAL DESCRIPTION**

PLAN 8605GT
BLOCK D
LOT 21
EXCEPTING THEREOUT ALL MINES AND MINERALS

AND WHEREAS ROCKY VIEW COUNTY is also desirous of obtaining a fee simple estate for the purposes of facilitating the construction of flood mitigation works to protect surrounding lands from future flooding events in those portions of the following lands as shown on the plan attached as Schedule "A" to this Resolution:

 Short Legal
 Title Number

 5;5;23;13 SE
 081 034 855

#### **LEGAL DESCRIPTION**

THAT PORTION OF THE SOUTH EAST QUARTER OF SECTION 13
IN TOWNSHIP 23
RANGE 5
WEST OF THE FIFTH MERIDIAN,
LYING TO THE EAST OF THE ELBOW RIVER SOUTH OF THE
SOUTHERLY LIMIT OF THE LAND COMPRISED WITHIN PLAN
BRAGG CREEK 1741EW AND WEST OF THE SURVEYED ROADWAYS
ON PLAN 3196BZ AND 1319EZ, RESPECTIVELY,
CONTAINING 5.54 HECTARES (13.7 ACRES) MORE OR LESS,
EXCEPTING THEREOUT:
FIRST: THE SUBDIVISION ON PLAN 2571JK,

3

CONTAINING 0.761 OF A HECTARE (1.88 ACRES) MORE OR LESS, SECONDLY: THAT PORTION DESCRIBED AS FOLLOWS: COMMENCING AT THE INTERSECTION OF THE SOUTH LIMIT OF THE LANEWAY IN BLOCK 1 ON PLAN BRAGG CREEK 1741EW WITH THE SOUTHERLY PROJECTION OF THE WEST BOUNDARY OF LOTS 1 AND 2. THENCE EASTERLY ALONG THE SOUTH LIMIT OF THE SAID LANEWAY A DISTANCE OF 129.6 FEET, THENCE SOUTHERLY PERPENDICULAR TO THE SAID LANEWAY A DISTANCE OF 26.5 FEET, THENCE WESTERLY PARALLEL WITH THE SOUTH LIMIT OF THE SAID LANEWAY TO INTERSECTION WITH THE SOUTHERLY PROJECTION OF THE WEST BOUNDARY OF LOTS 1 AND 2 AND THENCE NORTHERLY ALONG THE SOUTHERLY PROJECTION OF THE WEST BOUNDARY OF LOTS 1 AND 2 TO THE POINT OF COMMENCEMENT. **EXCEPTING THEREOUT ALL MINES AND MINERALS** AND THE RIGHT TO WORK THE SAME

AND WHEREAS ROCKY VIEW COUNTY is also desirous of obtaining a fee simple estate and a temporary working space for the purposes of facilitating the construction of flood mitigation works to protect surrounding lands from future flooding events in those portions of the following lands as shown on the plan attached as Schedule "B" to this Resolution:

 Short Legal
 Title Number

 8605GT;D;20
 141 140 710

#### **LEGAL DESCRIPTION**

PLAN 8605GT BLOCK D LOT 20 EXCEPTING THEREOUT ALL MINES AND MINERALS

(all such lands to be the subject of the taking hereinafter collectively referred to as the "Lands").

AND WHEREAS pursuant to the provisions of the *Municipal Government Act*, Chapter M-26, R.S.A. 2000, **ROCKY VIEW COUNTY** has the authority to acquire fee simple estates and a temporary working space as outlined above with respect to the Lands by expropriation;

AND WHEREAS **ROCKY VIEW COUNTY** deems it to be in the public interest and good that the said fee simple estates and temporary working space be acquired by expropriation;

AND WHEREAS **ROCKY VIEW COUNTY** is desirous of acquiring the said fee simple estates and temporary working space pursuant to the provisions of the *Expropriation Act*, being Chapter E-13, R.S.A. 2000, and amendments thereto;

#### NOW THEREFORE BE IT RESOLVED:

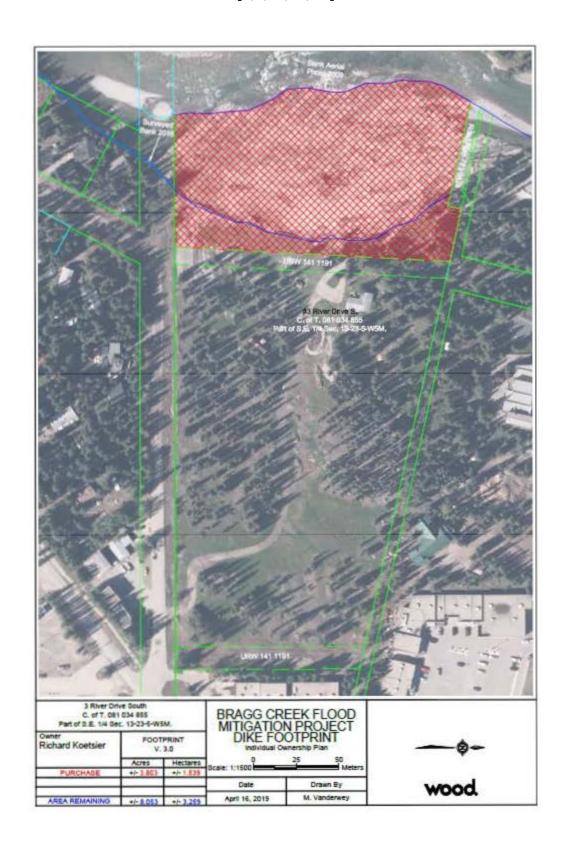
1. THAT the proceedings shall be commenced by **ROCKY VIEW COUNTY**, its servants, officers or agents to expropriate the fee simple estates and temporary working space in the Lands.

4

2. THAT the officers, servants or agents of **ROCKY VIEW COUNTY** and the solicitors for **ROCKY VIEW COUNTY** be, and are hereby authorized and directed to do all things necessary to initiate, carry out and conclude the expropriation proceedings under the provisions of the *Expropriation Act*, Chapter E-13, R.S.A. 2000, as amended, and they are hereby authorized and empowered to sign, seal, serve and publish the necessary documents to initiate, proceed with and conclude the said expropriation, as applicable.

DONE AND PASSE	D by Council this	_ day of	2019.
	ROCKY VIEW COUNTY	Y	
	Per:		
	Per:		
	CERTIFIED TO BE A TORIGINAL OF WHICH BE A COPY OF THE, 2019.	IT PURPORTS	TO

Schedule "A" [5;5;23;13;SE]



Schedule "B" [8605GT;D;20]



#### **NOTICE OF INTENTION TO EXPROPRIATE**

REGARDING EXPROPRIATION FOR THE PURPOSE OF ACQUIRING A FEE SIMPLE ESTATE OVER CERTAIN LANDS LOCATED WITHIN ROCKY VIEW COUNTY

1. TAKE NOTICE that **ROCKY VIEW COUNTY** intends to expropriate the following lands:

**Short Legal Title Number** 1741EW;5;1;OT 061 463 121 +1

#### **LEGAL DESCRIPTION**

FIRST:

PLAN 1741EW BLOCK 5 LOT 1

EXCEPTING THEREOUT ALL MINES AND MINERALS AS SET FORTH IN TRANSFER REGISTERED AS 142EN

#### SECONDLY:

**PLAN 1741EW** 

**BLOCK 5** 

THAT PORTION OF THE LANE WHICH LIES WEST OF A STRAIGHT LINE DRAWN FROM A POINT ON THE SOUTH BOUNDARY OF LOT 1 IN SAID BLOCK AS SHOWN ON SAID PLAN, 96.1 FEET WESTERLY THEREON FROM THE SOUTHEAST CORNER THEREOF TO A POINT ON THE SOUTH LIMIT OF SAID LANE, 116.1 FEET WESTERLY THEREON FROM THE INTERSECTION OF THE SAID SOUTH LIMIT WITH THE PRODUCTION SOUTHERLY OF THE EAST BOUNDARY OF SAID LOT 1 CONTAINING 0.093 HECTARES (0.23 OF AN ACRE) MORE OR LESS

**EXCEPTING THEREOUT ALL MINES AND MINERALS** 

- 2. The nature of the interest in the Lands to be expropriated is a fee simple estate.
- 3. The purpose for which the interest in the Lands is required is to construct flood mitigation

works to protect surrounding lands from future flooding events.

- 4. Section 6 of the *Expropriation Act* provides that:
  - (1) No person may in any proceedings under this Act dispute the right of an expropriating authority to have recourse to expropriation.
  - (2) In any proceedings under this Act the owner may question whether the taking of the land, or the estate or interest therein, is fair, sound and reasonably necessary in the achievement of the objectives of the expropriating authority.
- 5. Section 10 of the *Expropriation Act* provides that:
  - (1) An Owner who desires an inquiry shall serve the approving authority with a notice of objection:
    - (a) in the case of an owner served in accordance with section 8(2), within 21 days of service on him of the notice of intention, and
    - (b) in any other case, within 21 days after the first publication of the notice of intention.
  - (2) The notice of objection shall state:
    - (a) the name and address of the person objecting,
    - (b) the nature of the objection,
    - (c) the grounds on which the objection is based, and
    - (d) the nature of the interest of the person objecting.
- 6. A person affected by the proposed expropriation does not need to serve an objection to the expropriation in order to preserve his or her right to have the amount of compensation payable determined by the Board or the Court, as the case may be.

7. VIEW	•	•		expropriation is Municipal Council for Int, Rocky View County, AB T4A 0X2.	ROCKY
	Dated this	_ day of	_, 2019.		
				ROCKY VIEW COUNTY	
				Per:	c/s
				Per:	
The fu	ill name and addr	ess of the expropri	iating auth	ority is:	

**ROCKY VIEW COUNTY** 

Attention: Al Hoggan 262075 Rocky View Point Rocky View County, AB T4A 0X2

Fax: 403-277-5977

#### NOTICE OF INTENTION TO EXPROPRIATE

## REGARDING EXPROPRIATION FOR THE PURPOSE OF ACQUIRING A FEE SIMPLE ESTATE OVER CERTAIN LANDS LOCATED WITHIN ROCKY VIEW COUNTY

1. TAKE NOTICE that **ROCKY VIEW COUNTY** intends to expropriate those portions of the following lands as shown on the plan which is Schedule "A" to this Notice of Intention to Expropriate:

**Short Legal Title Number** 5;5;23;13 SE 081 034 855

#### LEGAL DESCRIPTION

THAT PORTION OF THE SOUTH EAST QUARTER OF SECTION 13 IN TOWNSHIP 23

RANGE 5

WEST OF THE FIFTH MERIDIAN,

LYING TO THE EAST OF THE ELBOW RIVER SOUTH OF THE

SOUTHERLY LIMIT OF THE LAND COMPRISED WITHIN PLAN

BRAGG CREEK 1741EW AND WEST OF THE SURVEYED ROADWAYS

ON PLAN 3196BZ AND 1319EZ, RESPECTIVELY,

CONTAINING 5.54 HECTARES (13.7 ACRES) MORE OR LESS,

**EXCEPTING THEREOUT:** 

FIRST: THE SUBDIVISION ON PLAN 2571JK,

CONTAINING 0.761 OF A HECTARE (1.88 ACRES) MORE OR LESS,

SECONDLY: THAT PORTION DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE SOUTH LIMIT OF THE

LANEWAY IN BLOCK 1 ON PLAN BRAGG CREEK 1741EW WITH THE

SOUTHERLY PROJECTION OF THE WEST BOUNDARY OF LOTS 1 AND 2.

THENCE EASTERLY ALONG THE SOUTH LIMIT OF THE SAID LANEWAY

A DISTANCE OF 129.6 FEET.

THENCE SOUTHERLY PERPENDICULAR TO THE SAID LANEWAY A

DISTANCE OF 26.5 FEET,

THENCE WESTERLY PARALLEL WITH THE SOUTH LIMIT OF

THE SAID LANEWAY TO INTERSECTION WITH THE SOUTHERLY

PROJECTION OF THE WEST BOUNDARY OF LOTS 1 AND 2 AND

THENCE NORTHERLY ALONG THE SOUTHERLY PROJECTION OF THE

WEST BOUNDARY OF LOTS 1 AND 2 TO THE POINT OF COMMENCEMENT.

EXCEPTING THEREOUT ALL MINES AND MINERALS

AND THE RIGHT TO WORK THE SAME

- 2. The nature of the interest in the Lands to be expropriated is a fee simple estate.
- 3. The purpose for which the interest in the Lands is required is to construct flood mitigation works to protect surrounding lands from future flooding events.
- 4. Section 6 of the *Expropriation Act* provides that:
  - (1) No person may in any proceedings under this Act dispute the right of an expropriating authority to have recourse to expropriation.
  - (2) In any proceedings under this Act the owner may question whether the taking of the land, or the estate or interest therein, is fair, sound and reasonably necessary in the achievement of the objectives of the expropriating authority.
- 5. Section 10 of the *Expropriation Act* provides that:
  - (1) An Owner who desires an inquiry shall serve the approving authority with a notice of objection:
    - (a) in the case of an owner served in accordance with section 8(2), within 21 days of service on him of the notice of intention, and
    - (b) in any other case, within 21 days after the first publication of the notice of intention.
  - (2) The notice of objection shall state:
    - (a) the name and address of the person objecting,
    - (b) the nature of the objection,
    - (c) the grounds on which the objection is based, and
    - (d) the nature of the interest of the person objecting.
- 6. A person affected by the proposed expropriation does not need to serve an objection to the expropriation in order to preserve his or her right to have the amount of compensation payable determined by the Board or the Court, as the case may be.

- 3 -

•		,	•	expropriation is Municipal Council fo oint, Rocky View County, AB T4A 0X	
Dated t	:his	_ day of	, 2019.		
				ROCKY VIEW COUNTY	
				Per:	_ c/s
				Per:	_
The full name	and addr	ess of the ex	propriating auth	ority is:	
			D. O. O. C. V.		

**ROCKY VIEW COUNTY** 

Attention: Al Hoggan 262075 Rocky View Point Rocky View County, AB T4A 0X2

Fax: 403-277-5977

Schedule "A"



#### **NOTICE OF INTENTION TO EXPROPRIATE**

# REGARDING EXPROPRIATION FOR THE PURPOSE OF ACQUIRING A FEE SIMPLE ESTATE OVER CERTAIN LANDS LOCATED WITHIN ROCKY VIEW COUNTY

1. TAKE NOTICE that **ROCKY VIEW COUNTY** intends to expropriate the following lands:

**Short Legal Title Number** 8605GT;D;22 141 347 436

#### LEGAL DESCRIPTION

PLAN 8605GT BLOCK D LOT 22 EXCEPTING THEREOUT ALL MINES AND MINERALS

- 2. The nature of the interest in the Lands to be expropriated is a fee simple estate.
- 3. The purpose for which the interest in the Lands is required is to construct flood mitigation works to protect surrounding lands from future flooding events.
- 4. Section 6 of the *Expropriation Act* provides that:
  - (1) No person may in any proceedings under this Act dispute the right of an expropriating authority to have recourse to expropriation.
  - (2) In any proceedings under this Act the owner may question whether the taking of the land, or the estate or interest therein, is fair, sound and reasonably necessary in the achievement of the objectives of the expropriating authority.
- 5. Section 10 of the *Expropriation Act* provides that:
  - (1) An Owner who desires an inquiry shall serve the approving authority with a notice of objection:
    - (a) in the case of an owner served in accordance with section 8(2), within 21 days of service on him of the notice of intention, and

- (b) in any other case, within 21 days after the first publication of the notice of intention.
- (2) The notice of objection shall state:
  - (a) the name and address of the person objecting,
  - (b) the nature of the objection,
  - (c) the grounds on which the objection is based, and
  - (d) the nature of the interest of the person objecting.
- 6. A person affected by the proposed expropriation does not need to serve an objection to the expropriation in order to preserve his or her right to have the amount of compensation payable determined by the Board or the Court, as the case may be.
- 7. The approving authority with respect to this expropriation is Municipal Council for **ROCKY VIEW COUNTY** located at 262075 Rocky View Point, Rocky View County, AB T4A 0X2.

Dated this day of, 2019.		
	ROCKY VIEW COUNTY	
	Per:	c/s
	Per:	

The full name and address of the expropriating authority is:

#### **ROCKY VIEW COUNTY**

Attention: Al Hoggan 262075 Rocky View Point Rocky View County, AB T4A 0X2

Fax: 403-277-5977

#### **NOTICE OF INTENTION TO EXPROPRIATE**

# REGARDING EXPROPRIATION FOR THE PURPOSE OF ACQUIRING A FEE SIMPLE ESTATE OVER CERTAIN LANDS LOCATED WITHIN ROCKY VIEW COUNTY

1. TAKE NOTICE that **ROCKY VIEW COUNTY** intends to expropriate the following lands:

**Short Legal Title Number** 8605GT;D;21 141 033 684

#### **LEGAL DESCRIPTION**

PLAN 8605GT BLOCK D LOT 21 EXCEPTING THEREOUT ALL MINES AND MINERALS

- 2. The nature of the interest in the Lands to be expropriated is a fee simple estate.
- 3. The purpose for which the interest in the Lands is required is to construct flood mitigation works to protect surrounding lands from future flooding events.
- 4. Section 6 of the *Expropriation Act* provides that:
  - (1) No person may in any proceedings under this Act dispute the right of an expropriating authority to have recourse to expropriation.
  - (2) In any proceedings under this Act the owner may question whether the taking of the land, or the estate or interest therein, is fair, sound and reasonably necessary in the achievement of the objectives of the expropriating authority.
- 5. Section 10 of the *Expropriation Act* provides that:
  - (1) An Owner who desires an inquiry shall serve the approving authority with a notice of objection:
    - (a) in the case of an owner served in accordance with section 8(2), within 21 days of service on him of the notice of intention, and

- (b) in any other case, within 21 days after the first publication of the notice of intention.
- (2) The notice of objection shall state:
  - (a) the name and address of the person objecting,
  - (b) the nature of the objection,
  - (c) the grounds on which the objection is based, and
  - (d) the nature of the interest of the person objecting.
- 6. A person affected by the proposed expropriation does not need to serve an objection to the expropriation in order to preserve his or her right to have the amount of compensation payable determined by the Board or the Court, as the case may be.
- 7. The approving authority with respect to this expropriation is Municipal Council for **ROCKY VIEW COUNTY** located at 262075 Rocky View Point, Rocky View County, AB T4A 0X2.

Dated this day of, 2019.		
	ROCKY VIEW COUNTY	
	Per:	c/s
	Per:	

The full name and address of the expropriating authority is:

#### **ROCKY VIEW COUNTY**

Attention: Al Hoggan 262075 Rocky View Point Rocky View County, AB T4A 0X2

Fax: 403-277-5977

#### **NOTICE OF INTENTION TO EXPROPRIATE**

REGARDING EXPROPRIATION FOR THE PURPOSE OF ACQUIRING A FEE SIMPLE ESTATE AND AN EASEMENT OVER CERTAIN LANDS LOCATED WITHIN ROCKY VIEW COUNTY

1. TAKE NOTICE that **ROCKY VIEW COUNTY** intends to expropriate those portions of the following lands as shown on the plan which is Schedule "A" to this Notice of Intention to Expropriate:

**Short Legal Title Number** 8605GT;D;20 141 140 710

#### LEGAL DESCRIPTION

PLAN 8605GT BLOCK D LOT 20 EXCEPTING THEREOUT ALL MINES AND MINERALS

- 2. The nature of the interest in the Lands to be expropriated is a fee simple estate as well as the right to occupy and utilize as a temporary working space an additional portion of the Lands, not exceeding an additional five meters (5m) in width as shown on the plan which is Schedule "A" to this Notice of Intention, in relation to conduct and completion of flood mitigation works.
- 3. The purpose for which the interest in the Lands is required is to construct flood mitigation works to protect surrounding lands from future flooding events.
- 4. Section 6 of the *Expropriation Act* provides that:
  - (1) No person may in any proceedings under this Act dispute the right of an expropriating authority to have recourse to expropriation.
  - (2) In any proceedings under this Act the owner may question whether the taking of the land, or the estate or interest therein, is fair, sound and reasonably necessary in the achievement of the objectives of the expropriating authority.
- 5. Section 10 of the *Expropriation Act* provides that:

- (1) An Owner who desires an inquiry shall serve the approving authority with a notice of objection:
  - (a) in the case of an owner served in accordance with section 8(2), within 21 days of service on him of the notice of intention, and
  - (b) in any other case, within 21 days after the first publication of the notice of intention.
- (2) The notice of objection shall state:
  - (a) the name and address of the person objecting,
  - (b) the nature of the objection.

located at 262075 Rocky View Point, Rocky View County, AB T4A 0X2

- (c) the grounds on which the objection is based, and
- (d) the nature of the interest of the person objecting.
- 6. A person affected by the proposed expropriation does not need to serve an objection to the expropriation in order to preserve his or her right to have the amount of compensation payable determined by the Board or the Court, as the case may be.

The approving authority with respect to this expropriation is ROCKY VIEW COUNTY

Per:

Dated this day of, 2019.	
	ROCKY VIEW COUNTY

\_\_\_\_\_\_ Per:

The full name and address of the expropriating authority is:

#### **ROCKY VIEW COUNTY**

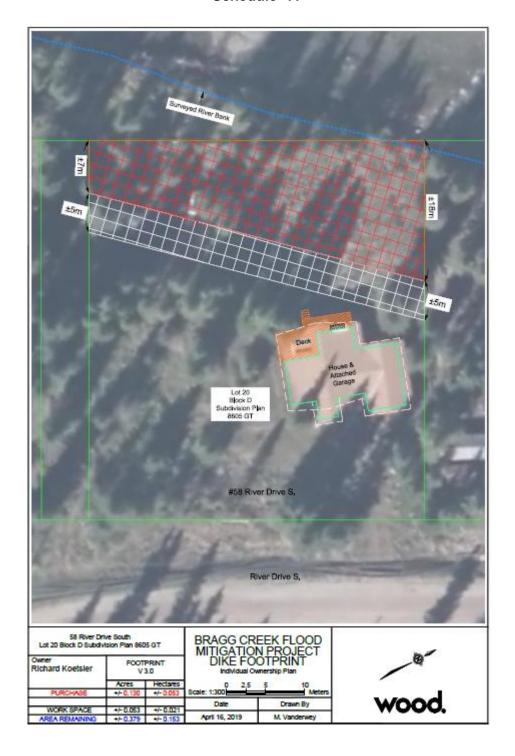
Attention: Al Hoggan 262075 Rocky View Point Rocky View County, AB T4A 0X2

Fax: 403-277-5977

7.

c/s

Schedule "A"



#### **NOTICE OF INTENTION TO EXPROPRIATE**

# REGARDING EXPROPRIATION FOR THE PURPOSE OF ACQUIRING A FEE SIMPLE ESTATE OVER CERTAIN LANDS LOCATED WITHIN ROCKY VIEW COUNTY

1. TAKE NOTICE that **ROCKY VIEW COUNTY** intends to expropriate the following lands:

**Short Legal Title Number** 1741EW;5;2 061 463 121

#### **LEGAL DESCRIPTION**

PLAN 1741EW
BLOCK 5
LOT 2
EXCEPTING THEREOUT:
PORTION FOR ROAD ON PLAN 8511222
EXCEPTING THEREOUT ALL MINES AND MINERALS
AND THE RIGHT TO WORK THE SAME

- 2. The nature of the interest in the Lands to be expropriated is a fee simple estate.
- 3. The purpose for which the interest in the Lands is required is to construct flood mitigation works to protect surrounding lands from future flooding events.
- 4. Section 6 of the *Expropriation Act* provides that:
  - (1) No person may in any proceedings under this Act dispute the right of an expropriating authority to have recourse to expropriation.
  - (2) In any proceedings under this Act the owner may question whether the taking of the land, or the estate or interest therein, is fair, sound and reasonably necessary in the achievement of the objectives of the expropriating authority.
- 5. Section 10 of the *Expropriation Act* provides that:
  - (1) An Owner who desires an inquiry shall serve the approving authority with a notice of

objection:

- (a) in the case of an owner served in accordance with section 8(2), within 21 days of service on him of the notice of intention, and
- (b) in any other case, within 21 days after the first publication of the notice of intention.
- (2) The notice of objection shall state:
  - (a) the name and address of the person objecting,
  - (b) the nature of the objection,
  - (c) the grounds on which the objection is based, and
  - (d) the nature of the interest of the person objecting.
- 6. A person affected by the proposed expropriation does not need to serve an objection to the expropriation in order to preserve his or her right to have the amount of compensation payable determined by the Board or the Court, as the case may be.

1.	he approving authority with respect to this expropriation is Municipal Council for <b>ROCK</b>
VIEW (	<b>DUNTY</b> located at 262075 Rocky View Point, Rocky View County, AB T4A 0X2.

Dated this day of, 2019.		
	ROCKY VIEW COUNTY	
	Per:	c/s
	Per:	

The full name and address of the expropriating authority is:

#### **ROCKY VIEW COUNTY**

Attention: Al Hoggan 262075 Rocky View Point Rocky View County, AB T4A 0X2

Fax: 403-277-5977



#### FINANCIAL SERVICES

TO: Council

**DATE:** June 11, 2019 **DIVISION:** 6

**FILE:** 2020-250

**SUBJECT:** Tax Relief Due to Fire Loss – Roll # 06313002

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

In accordance with section 347 (1) (b) of the *Municipal Government Act*, Council may cancel or refund all or part of a tax if it considers it equitable to do so. A policy currently does not exist that would provide guidance when tax relief requests are received. In the absence of policy, Administration evaluated this request in accordance with the Council approved Fire Protocol.

#### **EXECUTIVE SUMMARY:**

The purpose of this report is to seek Council approval of a request for tax cancellation in accordance with the Fire Protocol approved by Council on December 14, 2004 (Attachment B). This protocol deals with tax impacts arising from fire incidents that are inspected and adjusted for fire damage as necessary by the Assessment department. A policy is currently being developed for Council's guidance and will be brought before the Governance and Policies Committee.

Administration has received a written request from the ratepayer for property tax relief due to fire in 2018. The County's Assessment department inspected the property and has provided an estimate of municipal and emergency taxes that Council may consider for cancellation (Attachment A). Should Council approve the tax cancellation in response to the above noted request, the 2018 municipal and emergency taxes for the subject property would be adjusted on the tax account, or by written request, refunded to the property owner. Confirmation has been received that there is no insurance coverage for property taxes. The subject property was not under investigation since the fire occurrence, and the file is closed.

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

The 2019 budget included funding for tax adjustments of this nature, so a budget adjustment is not required.

#### **COMMUNICATIONS PLAN:**

Not Required.

#### **OPTIONS:**

Option #1 THAT the 2018 municipal and emergency tax cancellation request for roll

06313002 due to fire damage in the amount of \$1,418.48 be approved.

Option #2 THAT alternative direction be provided.

<sup>&</sup>lt;sup>1</sup> Administration Resources
Barry Woods, Financial Services



Respectfully submitted,	Concurrence,
"Kent Robinson"	"Al Hoggan"
Executive Director Corporate Services	Chief Administrative Officer

#### **ATTACHMENTS:**

Attachment 'A' – Calculation for Fire Report Attachment 'B' – Fire Protocol

Fire Loss (Assessment Value) Roll # 06313002		240,200	Non-Use Of Bldg. (286/365) days 78.30%
Category	Non-Residential 2018 Tax Rate	2018 Tax Amount	2018 Tax Refund
Municipal	5.9826	\$1,437.02	\$1,125.19
Emergency Services	1.5594	\$374.57	\$293.29
Education (ASFF)	3.5486	\$852.37	\$0.00
Rocky View Foundation	0.0375	\$9.01	\$0.00
Designated Industrial Property		\$0.00	\$0.00
Total	11.1281	\$2,672.97	\$1,418.48

## Fire Protocol Report

A "guideline or protocol" is being established to determine when a tax relief should be warranted for property sustained by fire damage. This protocol addresses the key issues for review as to how fire damaged properties will be assessed and taxed for the current taxation year. Once approved by Council, the Assessor will exercise this practice on an on going basis.

#### **Purpose:**

The Fire Protocol Report will create a more uniform and consistent approach for the occurrences of fire damage both at the time of the fire and for the current taxation year. Any assessment and tax adjustments will be determined and exercised by the Assessor through the relevant sections of the Municipal Government Act (MGA) as outlined below.

#### **Relevant Legislation:**

#### Assessments for property other than linear property

- 289(1) Assessments for all property in a municipality, other than linear property, must be prepared by the assessor appointed by the municipality.
  - (2) Each assessment must reflect
- (a) the characteristics and physical condition of the property on December 31 of the year prior to the year in which a tax is imposed under Part 10 in respect of the property, and
  - (b) the valuation standard set out in the regulations for that property

#### Cancellation, reduction, refund or deferral of taxes

- 347(1) If a council considers it equitable to do so, it may, generally or with respect to a particular taxable property or business or a class of taxable property or business, do one or more of the following, with or without conditions:
  - (a) cancel or reduce tax arrears;
  - (b) cancel or refund all or part of a tax;
  - (c) defer the collection of a tax.
- (2) A council may phase in a tax increase or decrease resulting from the preparation of any new assessment.

#### Fire insurance proceeds

349(1) Taxes that have been imposed in respect of improvements are a first charge on any money payable under a fire insurance policy for loss or damage to those improvements.

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

#### **Review Process:**

Insurance companies reimburse the Municipality for property taxes when fire damage occurs to any subject real property. Real property refers to improvements, structures, buildings and any items that are assessed. These items are usually affixed to land that would transfer without special mention. Personal property and possessions are not assessable and not part of the real property that is valued for assessment and taxation purposes. Insurance companies deal with both real property and personal property while assessments deal only with real property.

Most municipalities elect not to make any current tax adjustments for fire damage since the assessment of a property represents the physical characteristics of each property as of year end, December 31<sup>st</sup>. Since not all properties are insured, the Assessor will consider the following items during the fire damage review and determine the next necessary steps of action:

- The Assessment Department receives the Fire Report identifying the property, property damage sustained to the structures as required. The Fire Report is the formal document that initiates the assessment and tax review.
- Assessors will investigate the property to determine the extent of the damage for valuation purposes.
- The Supervisor of Assessment & Tax Services will calculate and determine the current valuation and any amount of municipal tax adjustment, if warranted. Depending on the time frame of the fire occurrence, there may or may not be a tax adjustment warranted. This further explains the process.
- Taxes imposed are a first charge on any money payable under a fire insurance policy for loss or damage. The Municipality will issue a letter for that claim once notified with the Fire Report.
- A property tax reduction should be the last resort for relief.
- Improvements to the land, ie, structures such as homes, garages, outbuildings, or other assessed structures are the items addressed in this protocol.

- Farm buildings and other exempt items cannot be dealt with in this review. These items are exempt from taxation.
- Generally, land is excluded from the insurance policy (any adjustments for fire damage will occur to the assessed improvements only).
- Personal property and contents are not assessable and are excluded from this guideline.
- Injury or loss of life is paramount to those affected but does not fall within the parameters of property valuation and taxation. Subjective emotions and feelings for sympathy during these occurrences are not considered for financial relief in the valuation or taxation process.

#### **Documentation & Summary:**

The final process will involve summarizing the information relevant to assessment and taxation for any adjustments.

- 1) A letter of first claim will be sent to the insurance company (as indicated on the Fire Report) showing the status of the property tax account with the current amount taxes either paid or still outstanding.
- 2) A tax ledger account will be included with the letter.
- 3) Appropriate changes will be made to the assessment roll.
- 4) Tax implications from these changes will be processed.
- 5) Any tax relief that is warranted pursuant to Section 347 of the MGA will be recommended to Council for their decision on the tax refund. The municipal portion of the taxes will be pro-rated in this calculation.
- 6) Any relief of Education taxes for these properties is not reimbursed to the Municipality. If Council chooses to refund the education portion, these requisitions will not be refunded to the Municipality.
- 7) A letter will follow to the property owner or agent with any refunded tax amount.



## INTERGOVERNMENTAL AFFAIRS AND PLANNING AND DEVELOPMENT

TO: Council

**DATE:** June 11, 2019 **DIVISION:** Divisions 1, 6, 7, & 9

**FILE**: 1011-100

**SUBJECT:** Draft Intermunicipal Collaboration Frameworks and Intermunicipal

Development Plans for the M.D. of Bighorn and Rocky View County, and for Mountain

View County and Rocky View County

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

In fulfillment of the *Municipal Government Act's* requirement to create an Intermunicipal Collaboration Framework and an Intermunicipal Development Plan with adjacent municipalities, Administration is presenting drafts of these documents for Council's consideration for adoption. In June 2018, Council adopted Terms of Reference to develop Intermunicipal Collaboration Frameworks and Intermunicipal Development Plans with the M.D. of Bighorn and Mountain View County.

#### **EXECUTIVE SUMMARY:**

The *Municipal Government Act* requires that municipalities sharing a common border create an Intermunicipal Collaboration Framework (ICF) and Intermunicipal Development Plan (IDP) by April 1, 2020. The ICF and IDP must be adopted as matching bylaws by both municipalities. ICF and IDP drafts have been developed with direction from the M.D. of Bighorn and Rocky View County Review Committee, and the Mountain View County and Rocky View County Review Committee. The purpose of this report is to share the drafts with all members of Council and allow opportunity to provide further direction prior to consideration for adoption.

#### **BACKGROUND:**

Rocky View County (Rocky View) has a long history of collaboration with the M.D. of Bighorn (the M.D.) and Mountain View County (Mountain View) on planning and servicing matters.

An Intermunicipal Collaboration Framework, (ICF) Section 702 of the MGA, identifies how municipal services (such as water, recreation, and emergency services) are delivered between two adjacent municipalities. An Intermunicipal Development Plan (IDP) Section 631 of the MGA, is a planning document that aims to minimize land use and development conflicts, provides opportunities for collaboration and communication, and outlines processes for resolution of issues that may arise within the areas adjacent to a municipal boundary.

Administrative staff at Rocky View have worked in good faith with staff from both the M.D. and Mountain View to create the draft ICF and IDP documents. Input from the Review Committee, comprised of area Councillors and senior administrative staff, was received in order to ensure that the documents reflect the needs and interests of area residents. These documents are being presented to Council to ensure that the ICF and IDP reflect Council's vision for collaboration with the neighbouring municipalities, and to confirm the next steps in the project timeline.

Nesreen Ali, Intergovernmental Affairs Stefan Kunz, Planning and Development

<sup>&</sup>lt;sup>1</sup> Administration Resources



M.D. of Bighorn and Rocky View ICF and IDP

In the ICF, the M.D. and Rocky View have agreed to collaborate on the following areas (Attachment 'A'):

- Emergency Services through the South Central Mutual Aid Agreement; and
- Solid Waste and Recycling at the Scott Lake Hill Waste Transfer Site through a Cost-Sharing Agreement.

The IDP (Attachment B), addresses planning and development matters along the intermunicipal border.

Mountain View and Rocky View ICF and IDP

In the ICF, Mountain View and Rocky View agreed to collaborate on the following areas (Attachment 'D'):

- Agriculture Services: collaborate on the delivery of training, sharing of information, and other opportunities related to agricultural services;
- Counties share road maintenance on Range Road 292 and 284;
- Fire services delivery;
- Water license from the Mountain View Water Commission.

The IDP (Attachment E) addresses planning and development matters along the intermunicipal border.

#### **Adoption Process**

Steps for IDP Adoption:

- As a statutory plan, the IDP is required to be circulated to area residents and agencies for comment;
- Once this process has been completed, the final draft will be presented to Council at a public hearing in the fall of 2019.
- Following Council consideration, the document requires review by the Calgary Metropolitan Regional Board (CMRB). As such, Administration recommends considering the document for first and second reading. CMRB review can then proceed before returning to Council for the final reading.

#### Steps for ICF Adoption:

- The ICF is not a statutory plan, and therefore, does not require circulation, public hearing, or CMRB review. Administration suggests that adoption of the ICF follow a similar timeline;
- ICF will be presented for adoption by both Councils in the fall of 2019.

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

No budget implications at this time.

#### **OPTIONS:**

Option #1 THAT the draft Intermunicipal Collaboration Framework and Intermunicipal

Development Plan for the M.D. of Bighorn and Rocky View County be accepted

for information.

Option #2 THAT the draft Intermunicipal Collaboration Framework and Intermunicipal

Development Plan for Mountain View County and Rocky View County be

accepted for information.



Option #3 THAT alternative direction be provided.

Respectfully submitted,

"Richard Barss"

"Al Hoggan"

Executive Director
Community Development Services

Concurrence,

"Al Hoggan"

Chief Administrative Officer

NA/SK/IIt

#### **ATTACHMENTS:**

Attachment 'A': DRAFT Intermunicipal Collaboration Framework –

M.D. of Bighorn and Rocky View County

Attachment 'B': DRAFT Intermunicipal Development Plan –

M.D. of Bighorn and Rocky View County

Attachment 'C': Map Set for M.D. of Bighorn and Rocky View County Intermunicipal Development

Plan

Attachment 'D': DRAFT Intermunicipal Collaboration Framework –

Mountain View County and Rocky View County

Attachment 'E': DRAFT Intermunicipal Development Plan –

Mountain View County and Rocky View County

Attachment 'F': Map Set for Mountain View County and Rocky View County Intermunicipal

**Development Plan** 

### Intermunicipal Collaboration Framework

### Between

### M.D. of Bighorn

(hereinafter referred to as "Bighorn")

### And

## **Rocky View County**

(hereinafter referred to as "Rocky View")

WHEREAS Bighorn and Rocky View share a common border spanning: Township Road 290 south to Township Road 280, Township Road 272 (undeveloped) south to the northern boundary of the Stoney Nakoda Nation; and from the south of the southern boundary of the Stoney Nakoda Nation to Township Road 240 (undeveloped);

AND WHEREAS the Bighorn and Rocky View share common interests and desire working together to provide services to their ratepayers where there are reasonable and logical opportunities to do so;

AND WHEREAS, the *Municipal Government Act* stipulates that municipalities that have a common boundary must create a framework with each other to:

- provide for the integrated and strategic planning, delivery, and funding of intermunicipal services;
- steward scarce resources efficiently in providing local services; and
- ensure municipalities contribute funding to services that benefit their residents;

NOW THEREFORE, by mutual covenant of the Bighorn and Rocky View, it is agreed to enter into the Intermunicipal Collaboration Framework as follows in Schedule A.





# Schedule "A"

#### A. DEFINITIONS

- l) Words in this Agreement have the same meaning as in the *Municipal Government Act* except for the following:
  - a. "Capital Costs" means new facilities, expansions to existing facilities, and intensification of use of existing facilities;
  - b. "CAO" means Chief Administrative Officer;
  - c. "Framework" means Intermunicipal Collaboration Framework;
  - d. "Intermunicipal Collaboration Framework" means the Intermunicipal Collaboration Framework between the M.D. and Rocky View County, as required under Part 17.2 of the *Municipal Government Act*;
  - e. "Intermunicipal Collaboration Framework Regulation" means the Intermunicipal Collaboration Framework Regulation, AR 191/2017, as amended or replaced from time to time;

- f. "Municipal Government Act" means the Municipal Government Act, RSA 2000, c M-26, as amended from time to time;
- g. "Bighorn" means the Municipal District of Bighorn as a municipal corporation and the geographical area within its jurisdictional boundaries, as the context requires;
- h. "Rocky View" means Rocky View County as a municipal corporation and the geographical area within its jurisdictional boundaries, as the context requires;
- i. "Services" means those services that both parties must address within the Framework, which are:
  - i. Transportation;
  - ii. Water and wastewater;
  - iii. Solid Waste;
  - iv. Emergency Services;
  - v. Recreation; or
  - vi. Any other services that might benefit residents in both municipalities;
- j. "Service Agreements" means those agreements between the Parties to provide for the delivery of Services, whether on a joint, collaborative, or other basis, as described in Part D.2 of this Agreement and as amended from time to time; Services are shared in one or more of the following ways:
  - i. Municipal no collaboration: No intermunicipal collaboration is used to delivery a service between the parties named in this agreement.
  - ii. Intermunicipal collaboration: Service is delivered through the exchange of funds or resources between the parties named in this agreement.
  - iii. Third Party: A third party is employed to deliver a service that is of mutual benefit to the parties named in this agreement
- k. "Year" means the calendar year beginning on January 1 and ending on December 31.

#### **B. TERM AND REVIEW**

- 1) In accordance with the *Municipal Government Act*, this is a permanent Agreement and shall come into full force and effect on final passing of the bylaws by both Bighorn and Rocky View.
- 2) This Agreement may be amended by mutual consent of both parties unless specified otherwise in this Agreement through an amending bylaw.
- 3) It is agreed by Bighorn and Rocky View that the Intermunicipal Committee shall meet at least once every five years to review the terms and conditions of the agreement.

#### C. INTERMUNICIPAL COOPERATION

- 1) Bighorn and Rocky View agree to create a body known as the Intermunicipal Committee (hereinafter referred to as "the Committee").
- 2) The Committee will work together in good faith to share information about business that is of mutual interest to each municipality.
- 3) The Committee will meet on an annual basis, and will share information and provide feedback on intermunicipal or multi-jurisdictional opportunities and issues. Topics may include planning policy, service delivery, or other matters that the Committee deems necessary.
- 4) The Committee shall consist of four members: two Councillors from Bighorn and two Councillors from Rocky View.
- 5) Meetings of the Committee can be called by either party's Councillors or CAO who are members of the Committee to this Agreement by requesting a meeting via electronic mail. The parties shall jointly determine a meeting date within thirty (30) days of the receipt of the request.
- 6) The CAOs or designates of both municipalities will be advisory staff to the Committee and are responsible for developing agendas and recommendations on all matters and for forwarding all outcomes from the Committee to their respective Councils.

# D. MUNICIPAL SERVICES

- 1) Bighorn delivers a range of services to its residents including but not limited to:
  - Bylaw Enforcement;

- Building Permits;
- Family and Community Support Services;
- Fire and Emergency Management Services;
- Library Services (through the Marigold)Library System);
- Recreation Services;
- Water and Wastewater;
- Seniors' Housing (through the Bow Valley Regional Housing Commission); and
- Solid Waste and Recycling: (through the Bow Valley Waste Management Commission [Class III landfill services]).

Rocky View delivers a range of services to its residents including but not limited to:

- Agricultural Services;
- Bylaw Enforcement (municipal and RCMP);
- Building Permits;
- Cemetery Services;
- Family and Community Support Services;
- Fire and Emergency Management Services;
- Library Services (through the Marigold Library System);
- Recreation Services;
- Seniors' Housing (through the Rocky View County Seniors Foundation);
- Solid Waste and Recycling through various private third party partnerships; and
- Water and Wastewater Services (through individually owned or privately owned systems, municipal partners' systems, or Rocky View systems.

2) The M.D. and Rocky View have a history of working together to jointly provide the following municipal services, either directly, or indirectly to their residents:

SERVICE AREA	DELIVERY METHOD between the Bighorn. & Rocky View	SERVICE SHARED	IMPLEMENTATION Terms, and Funding Arrangement
Transportation	Municipal – No Intermunicipal Collaboration	No shared service	No implementation required
Water and Wastewater	Municipal – No Intermunicipal Collaboration	No shared service	No implementation required
Solid Waste and Recycling	Municipal – No Intermunicipal Collaboration	Shared use of the Scott Lake Hill Waste Transfer Site in the MD.	Implement through a cost-sharing agreement.
Fire	Municipal – No Intermunicipal Collaboration	No shared service	No implementation required
Emergency Services	Intermunicipal Collaboration	Delivery of emergency management services in the case of a disaster or major event.	Bighorn and Rocky View are signatories to the South Central Mutual Aid Agreement.
Recreation	Municipal – No Intermunicipal Collaboration	No shared service	No implementation required
Other: Agriculture	Intermunicipal Collaboration	Delivering of agricultural services programming.	Bighorn and Rocky View's Agricultural Services departments collaborate on the delivery of training, information, and other opportunities related to agricultural services. This is a part of operational business and does not require a service agreement.

## Table 1: Services Inventory

#### E. FUTURE PROJECTS & AGREEMENTS

- 1) Additions or changes to the services that the adjacent municipalities partner upon can be made prior to the end of the five-year review period (B.3).
- 2) Whether it is a new service, or elimination of an existing service, the municipality whose Chief Administrative Officer (CAO) is initiating the change shall, in writing, contact the CAO of the adjacent municipality.
- 3) Once the receiving municipality has received written notice of a new project or elimination of an existing service, an Intermunicipal Committee meeting date will be determined within thirty (30) days of receiving the notice.
- 4) The Intermunicipal Committee will be the forum used to address and develop next steps to proceed with changes to the ICF. Committee members will inform the whole of their respective Councils of the outcome of this meeting.
- 5) If respective Councils agree to add a new service, or eliminate an existing service, both Councils must adopt an updated ICF through a matching updated bylaw.
- 6) Notwithstanding E.5, the parties may amend or update any of the Service Agreements by agreement from time to time without having to amend or replace this Agreement.

#### F. DISPUTE RESOLUTION

- l) The Intermunicipal Committee will meet and attempt to resolve any disputes that may arise under this Framework.
- 2) In the event the Committee is unable to resolve a dispute, the parties will follow the process outlined in the Model Default Dispute Resolution Provisions in the *Intermunicipal Collaboration Framework Regulation*.
  - a Any new Service Agreement or an update to an existing service agreement will adopt and include the Model Default Dispute Resolution Provisions referred to in F.2 as its dispute resolution clause.

#### G. OTHER PROVISIONS

1) **Further Assurances.** The Municipalities covenant and agree to do such things and execute such further documents, agreements, and assurances as may be reasonably

necessary or advisable from time to time to carry out the terms and conditions of this Framework in accordance with their true intent.

- 2) **Assignment of Framework.** Neither Municipality will assign its interest in this Framework.
- 3) **Notices.** Any notice required to be given hereunder by any Municipality will be deemed to have been well and sufficiently given if it is delivered personally or mailed by pre-paid registered mail to the address of the Municipality for whom it is intended. A notice or other document sent by registered mail will be deemed to be sent at the time when it was deposited in a post office or public letter box and will be deemed to have been received on the fourth business day after it was postmarked. A copy of the notice shall also be provided via email.
- 4) **Entire Framework.** This Framework and any applicable Service Agreements constitute the entire agreement between the Municipalities relating to the subject matter contained within them and supersedes all prior understandings, negotiations, and discussions, whether oral or written, of the Municipalities in relation to that subject matter. There are no warranties, representations or other agreements among the Municipalities in connection with the subject matter of the Framework except as specifically set forth within them.
- 5) Unenforceable Terms. If any term, covenant, or condition of this Framework, or the application thereof to any Municipality or circumstance is invalid or unenforceable to any extent, the remainder of this Framework or the application of such term, covenant, or condition to a Municipality, or circumstance other than those to which it is held invalid or unenforceable, will not be affected thereby, and each remaining term, covenant, or condition of this Framework will be valid and enforceable to the fullest extent permitted by law.
- 6) **Amendments.** This Framework may only be altered or amended in any of its provisions when any such changes are put in writing and signed by all of the Municipalities. (See also Section B of this Framework).
- 7) **Remedies Not Exclusive.** No remedy herein conferred upon any Municipality is intended to be exclusive of any other remedy available to that Municipality, but each remedy will be cumulative and will be in addition to every other remedy given hereunder either now, hereafter existing by law, in equity, or by statute.
- 8) **No Waiver.** No consent or waiver, expressed or implied, by any Municipality to or of any breach or default by any other Municipality in the performance by such other Municipality of their obligations hereunder will be deemed or construed to be a consent to or waiver of any other breach or default in the performance of obligations hereunder by such Municipality. Failure on the part of any Municipality to complain

- of any act or failure to act of another Municipality, or to declare such Municipality in default, irrespective of how long such failure continues, will not constitute a waiver by such Municipality of its rights hereunder.
- 9) **Counterparts.** This Framework may be executed in several counterparts, each of which when so executed will be deemed to be an original. Such counterparts will constitute the one and same instrument as of their Effective Date.
- 10) **Governing Law.** This Framework will be exclusively governed by and construed in accordance with the laws of the Province of Alberta.
- 11) **Time.** Time will be of the essence for this Framework.
- 12) **Binding Nature.** This Framework will be binding upon the Municipalities and their respective successors and permitted assigns.

#### H. CORRESPONDENCE

- 1) Written notice under this Framework shall be addressed as follows:
  - a. In the case of the Municipal District of Bighorn, to:
    M.D. of Bighorn
    c/o, Chief Administrative Officer
    2 Heart Mountain Drive
    Exshaw, Alberta, T0L 2C0
  - b. In the case of Rocky View County, to:

Rocky View County c/o, Chief Administrative Officer 262075 Rocky View County Point Rocky View County, AB, T4A 0X2

	palities have hereunto executed this Framework and by the hands of their proper officers duly
Signed this day ofAlberta.	
M.D. OF BIGHORN	ROCKY VIEW COUNTY
Per:	Per:
Dene Cooper, Reeve	Greg Boehlke, Reeve
Robert Ellis, CAO	Al Hoggan, CAO





# INTERMUNICIPAL DEVELOPMENT PLAN

Between

THE MUNICIPAL DISTRICT OF BIGHORN

And

**ROCKY VIEW COUNTY** 

Draft Version 3.0 May 24, 2019



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# 1.0 Introduction

# **1.1** Purpose

The purpose of the Intermunicipal Development Plan (IDP) between the Municipal District of Bighorn (MD) and Rocky View County (RVC) is to formalize and define the relationship between the two municipalities.

- 1. The IDP sets the policy framework for planning matters that includes future land use and development, environmental matters, transportation, and items of mutual interest as it applies to lands in proximity to the shared boundary and defined in the IDP Area.
- 2. The IDP policies define how communication, cooperation, decision-making and dispute resolution shall occur for lands within the IDP Area.

#### **1.2** Goals

- 1. Maintain local autonomy with each municipality responsible for decision making within their municipal jurisdiction.
- 2. Ensure long-term compatibility of future land use within both municipalities.
- 3. Recognize that agriculture continues to be the primary use of land in the IDP area and support the preservation of agricultural land except where statutory plans support non-agricultural use.
- 4. Establish plan administration, amendment and dispute resolution procedures.
- 5. Identify items that are of importance to the municipalities, and items that may be mitigated through the policies of this Plan. These include:
  - Agricultural Activities
  - Economic Development
  - The Environment
  - Resource Extraction
  - Industrial Development
  - Energy Development
  - Transportation and Infrastructure

# **1.3** Municipal Profiles

#### **Municipal District of Bighorn**

The Municipal District of Bighorn encompasses an area approximately 263,216 hectares (650,407 acres) in size, and has a population of 1,334. Two Summer Villages (Ghost Lake and Waiparous) and five hamlets (Benchlands, Dead Man's Flats, Exshaw, Harvie Heights and Lac Des Arcs) are contained within the MD, which also shares borders with four municipalities, two Improvement Districts, and the Stoney Nakoda First Nation. The economy of the MD is primarily based on resource extraction/processing and agriculture. The Bow River is the major drainage course within the MD.

#### Rocky View County

Rocky View County encompasses an area approximately 393,463 hectares (972,264 acres) in size, and has a population of 39,407. 7 urban municipalities and 13 hamlets are contained within the County, which also shares borders with 5 rural municipalities, 1 Special Area, and 2 First Nations. The economy of Rocky View County is based on agriculture, energy resource development, services, and manufacturing. Two rivers, the Bow and the Elbow, are the major drainage courses within the County.

#### MAP 1: Municipal Boundaries

# **1.4** Legislative Framework

Municipal Government Act (MGA)

The IDP was prepared in accordance with the requirements of Sections 631, 636 and 638.1 of the Municipal Government Act (MGA). These sections mandate that an IDP between neighbouring municipalities must be adopted, and that the document address the following items:

- Future land use;
- Future development;
- The provision of transportation systems;
- Financing infrastructure;
- Co-ordination of physical, social, and economic programs;
- Environmental matters; and
- Provisions of services.

South Saskatchewan Regional Plan (SSRP)

The South Saskatchewan Regional Plan establishes a long-term vision for the South Saskatchewan Region and aligns provincial policies at the regional level to balance Alberta's economic, environmental and social goals. The regional plan also includes strategies for responsible energy development, sustainable farming

and ranching, recreation, forest management, and nature-based tourism. It has been established under the Alberta Land Stewardship Act, and the Land Use Framework. Both the MD and RVC are within the SSRP area boundaries, and since, pursuant to the Alberta Land Stewardship Act, a regional plan is "an expression of the public policy of the Government" of Alberta, both municipalities are required to comply with the regulations thereunder.

Calgary Metropolitan Regional Board (CMRB)

The Calgary Metropolitan Region Board was established to promote sustainable and environmentally responsible land-use planning and the coordination of regional infrastructure and services in an economically competitive manner. To this end, the CMRB has adopted a *Growth Plan* to address matters concerning regional planning and development. The Board requires that any statutory plan adopted by a member municipality satisfy the *Growth Plan*. While Rocky View County is a member municipality within the CMRB and is therefore subject to the requirements of this plan, the MD of Bighorn is not. Regardless, the MD of Bighorn & Rocky View County Intermunicipal Development Plan has been drafted in consideration of the principles of the regional plan.

## 2.0 Plan Area

## **2.1** Plan Preparation Process

The IDP was jointly prepared by the MD and RVC. The project received oversight from a Review Committee consisting of Councillors and Senior Administration from both municipalities. The plan was developed through four stages:

- Stage 1: Research, analysis, and stakeholder input
- Stage 2: Draft IDP and review of the IDP by the Committee
- Stage 3: Public review of the IDP to receive suggestions and representations
- Stage 4: IDP approval process

## 2.2 IDP Area

To determine the extent of the Plan Area, the municipalities began by analyzing a Study Area approximately 5 km (3 miles) on either side of the municipal boundary. A number of opportunities and constraints were examined within this area, including:

- Residences and Developed Areas
- Existing and Potential Land Use
- Development Potential
- Environmentally Significant Areas
- Transportation Corridors
- Oil and Gas Activity
- Confined Feeding Operations (CF0s)
- Existing and Potential Areas of Aggregate Extraction

Historical Resource Value (HRV) Sites

Through consideration of these factors, the municipalities defined the final Plan Area. In order to balance the goals and objectives of the IDP, a Plan Area encompassing 1.6 km (1 mile) on either side of the intermunicipal border was selected. In certain areas adjacent to Highways 1 and 1A, the Plan Area expands to 3.2 km (2 miles). The Plan Area is approximately 16,895 hectares (41,749 acres) in size, and is illustrated on Map 1.

MAP 2: IDP and Aerial

## 3.0 Land Use Policies

## 3.1 Referrals

#### Objective

In order to ensure that the municipalities are aware of potential developments within the Plan Area, notification and communication is required. The following policies establish a referral process where each municipality can provide comments regarding proposed changes.

- **3.1.1** Where required by the Municipal Government Act (MGA), the relevant Land Use Bylaw and any statutory plans, or the policies of this plan, applications affecting lands within the Plan Area shall be referred to:
  - a. the adjacent municipality; and
  - b. landowners within the adjacent municipality.
- **3.1.2** Where required by the MGA, a relevant statutory plan or land use bylaw, or the policies of this Plan, applications located outside of the Plan Area may be referred to the adjacent municipality.
- **3.1.3** The municipality in receipt of referral of an application within the adjacent municipality should provide a response within the time required by the MGA.
- **3.1.4** The municipality in receipt of referral of an application within the adjacent municipality should consider potential impact to the following:
  - a. Municipal roadways
  - b. Utilities
  - c. Stormwater and drainage
  - d. Adjacent land use
  - e. Environmental matters
  - f. Other matters

**3.1.5** Where required by the MGA or the policies of this Plan, both municipalities agree to provide the contact information necessary to refer application information to residents of the adjacent municipality.

## 3.2 General Land Use Policies

#### **Objective**

Applications proposing land use redesignation, subdivision, or development have the potential to impact the immediate area adjacent to the lands in question. Applications for statutory or non-statutory policy documents have the potential to impact a larger portion of the Plan Area. In either case, the policies of this section aim to reduce the potential for negative impact to the municipalities.

- **3.2.1** Applications for land use redesignation, subdivision, and development permit should be evaluated in accordance with the Municipal Development Plan (MDP), Land Use Bylaw (LUB), and any statutory or non-statutory plans relevant to the municipality in which they are received.
- **3.2.2** Applications for a new Area Structure Plan, Concept Plan, MDP, LUB, and MDP or LUB amendments within the IDP Area should be evaluated in accordance with any relevant regional plan as well as the Municipal Development Plan (MDP), Land Use Bylaw (LUB), and any statutory or non-statutory plans relevant to the municipality in which they are received.

MAP 3: Land Use
MAP 4: Historical Resources

# 3.3 Agriculture

#### Objective

Agricultural uses are the predominant use of land within the Plan Area. Non-agricultural uses may be considered in areas identified through a relevant statutory plan.

- **3.3.1** The municipalities encourage awareness of the best practices for residential uses located within agricultural areas, in accordance with the Agricultural Operations Practices Act.
- **3.3.2** Applications for non-agricultural development within agricultural areas should consider interface or transition tools such as fencing, controlled access and site design, environmental stewardship, and environmental education.
- **3.3.3** Existing CFOs shall be allowed to remain in accordance with the requirements of the Agricultural Operation Practices Act and Regulations.
- **3.3.4** Applications for new or expanded CFOs shall be reviewed in accordance with the Natural Resource Conservation Board requirements, and the applicable policies of the municipality in which it was received.
- **3.3.5** Applications for new or expanded CFOs shall be referred to the adjacent municipality.

MAP 5: Soil Classifications

# **3.4** Utilities, Resource Extraction, & Energy Development

#### Objective

Demand for energy, resources, and communication capacity is growing. Applications for facilities related to these uses have the potential to have an impact across municipal boarders. In order to balance this demand with the needs of area residents, the following policies apply to applications of this nature.

- **3.4.1** Applications for a new or expanded aggregate extraction operation within the Plan Area shall be referred to the adjacent municipality.
- **3.4.2** Applications for a new or expanded aggregate extraction operation that proposes the use of roadways within the jurisdiction of the adjacent municipality shall be referred to the adjacent municipality. Approval from the affected municipality must be provided prior to approval of the application.
- **3.4.3** Applications for a new or expanded renewable energy development within the Plan Area shall be referred to the adjacent municipality. Examples include, but are not limited to, solar power facilities, wind farms, hydroelectric facilities.
- **3.4.4** Applications for new or expanded telecommunications towers within the Plan Area shall be referred to the adjacent municipality.
- **3.4.5** Applicants shall be requested to co-locate telecommunications facilities on existing towers where feasible.

MAP 6: Oil and Gas
MAP 7: Sand and Gravel

# **3.5** Environmental & Open Space Policies

#### Objective

Environmental features do not follow pre-defined boundaries, and impacts to natural areas within one municipality can have an effect on the other side of the border. This section aims to ensure that natural areas are respected, and allows for opportunities to enhance these features where appropriate.

- 3.5.1 The municipalities acknowledge the Government of Alberta's Watershed Planning and Advisory Councils (WPACs) plans for the region, and support the Bow River Basin Council (BRBC) and the Red Deer River Watershed Alliance (RDRWA) with respect to regional watershed planning, best management practices, environmental stewardship, and environmental education.
- **3.5.2** Applications affecting wetlands and/or riparian areas located within the Plan Area shall be circulated to the adjacent municipality.
- **3.5.3** Applications affecting wetlands and/or riparian areas located within the Plan Area should be assessed in accordance with the environmental policies of the relevant plans for the municipality in which it was received.
- **3.5.4** The municipalities support the alignment and connection of open space pathways.

MAP 7: Hydrology
MAP 8: Environment & Wildlife

# **3.6** Transportation Policies

#### Objective

The municipalities are connected by a number of provincial highways and municipal roads. Mitigation of the impact of development on transportation infrastructure is an important consideration of this plan.

- **3.6.1** Land use redesignation, subdivision, or development applications proposing access directly to a roadway under the jurisdiction of the adjacent municipality should not be approved without the written consent of the affected municipality.
- 3.6.2 In order to mitigate concerns such as dust control, traffic generation, and road maintenance, municipalities may require that a developer proposing land use redesignation, subdivision, or development applications enter into a Road Use Agreement if:
  - a. Direct access to the development is required from a road within its jurisdiction;
  - b. Primary access to the development utilizes a road within its jurisdiction;
  - c. A proposed haul-route utilizes roads within its jurisdiction.

**3.6.3** The road network shall be maintained by the municipality having jurisdiction, unless a separate agreement specifies joint maintenance, maintenance swap, or any other terms acceptable to both municipalities.

# 4.0 Implementation & Administration

# **4.1** Intermunicipal Services

#### Objective

The municipalities provide their residents with services ranging from transportation, water and waste water, solid waste, emergency services, and recreation. Coordination of services among the municipalities has been considered by the Intermunicipal Collaboration Framework adopted by the MD of Bighorn and Rocky View County.

**4.1.1** Matters pertaining to service agreements shall be assessed in accordance with the requirements of the Intermunicipal Collaboration Framework adopted by the MD of Bighorn and Rocky View County.

# **4.2** Interpretation

#### **Objective**

This section ensures that the policies of this Plan are interpreted in the manner in which they were intended.

#### **Definitions**

agricultural areas – Lands within the Plan Area that are not located within the boundaries of a statutory plan (such as an area structure plan, conceptual scheme, or master site development plan).

Add as required\*

# 4.3 Intermunicipal Committee

#### Objective

The MD of Bighorn and Rocky View County agree to create an Intermunicipal Committee, consisting of Councillors from each municipality. The Committee will work together in good faith to share information that is of mutual interest to each municipality.

**4.3.1** Matters pertaining to the establishment and operation of the Intermunicipal Committee shall be assessed in accordance with the requirements of the Intermunicipal Collaboration Framework adopted by the MD of Bighorn and Rocky View County.

# **4.4** Adoption, Amendment, & Repeal Process

#### Objective

This section acknowledges the adoption of the plan, and provides requirements for on-going monitoring. Additionally, the policies recognize that periodic amendments and eventual appeal may be required.

- **4.4.1** The policies of this plan apply to lands located within the Plan Area.
- 4.4.2 This plan comes into effect following adoption by the respective Councils of the MD and RVC.
- **4.4.3** A joint Administrative review of the IDP shall be scheduled no later than four (4) years from the date of adoption and shall be steered by the Intermunicipal Committee.
- **4.4.4** The municipalities agree to comply with the adopted regional plan strategies, and are of the opinion this Plan aligns with the South Saskatchewan Regional Plan.
- **4.4.5** RVC is a member municipality in the Calgary Metropolitan Regional Board, and is therefore subject to the requirements of the CMRB and the IGP. Participation with RVC in the adoption of this IDP does not subject the MD to the requirements of the CMRB and the IGP.
- **4.4.6** Amendment of the IDP shall receive direction from both Councils prior to proceeding and shall be jointly prepared by the Administrations.
- **4.4.7** Amendments to the plan shall not come into force until they are adopted by the Councils of both municipalities, in accordance with the requirements of the MGA.
- **4.4.8** A Bylaw to repeal this IDP may be considered by both Councils if:
  - a. The repealing Bylaw considers a new IDP; or
  - b. If the repealing Bylaw complies with Provincial legislation.

# 5.0 Dispute Resolution

#### Objective

This plan is designed to facilitate communication and cooperation among the municipalities. While understanding that each municipality has the right to make decisions within their boundaries, it is acknowledged that these decisions can have an impact beyond their borders. In order to ensure that the relationship between the two municipal neighbours remains strong, the MD of Bighorn and Rocky View County agree to the following:

- The municipalities respect the right to maintain jurisdiction over decisions made within their boundaries.
- The municipalities understand the potential for those decisions to impact the adjacent municipality.
- The municipalities understand the importance of notification and communication with the adjacent municipality in order to ensure that potential concerns are addressed.

# **5.1** Dispute Resolution Process

While both municipalities are committed to a positive relationship, this plan recognizes that disputes may arise. In such an event, the following process should be used in order to reach a solution.

- **5.1.1** Should either municipality identify a potential concern related to an application referral provided through the policies of this plan, written notification shall be provided at the administrative level.
- **5.1.2** The municipalities should provide additional clarification, technical documents, or other information as required in order to satisfy the concerns of the adjacent municipality. Meetings or further discussion may be required.
- **5.1.3** Should the matter fail to be resolved, each municipality should escalate the matter to their respective Chief Administrative Officer (or designate) for further guidance.
- **5.1.4** Should the matter fail to be resolved administratively, a municipality may request that the matter be referred to the Intermunicipal Committee.
- **5.1.5** Should the matter fail to be resolved by the Intermunicipal Committee, formal mediation may be initiated.
  - a. A mutually agreed upon Mediator shall be named to facilitate resolution of the disagreement within thirty (30) days of the written request to enter into a mediation process.
  - b. The municipalities shall share equally in the cost of mediation, including any remuneration, travel and lodging expenses associated with the mediation.

- **5.1.6** Should a dispute involve an application subject to Section 690(1) of the MGA, the municipalities may submit an appeal to the Municipal Government Board within 30 days of adoption, in order to maintain the right to appeal.
- **5.1.7** Notwithstanding (above), the appeal may be withdrawn prior to the Municipal Government Board hearing should an agreement be reached to the satisfaction of the municipalities.

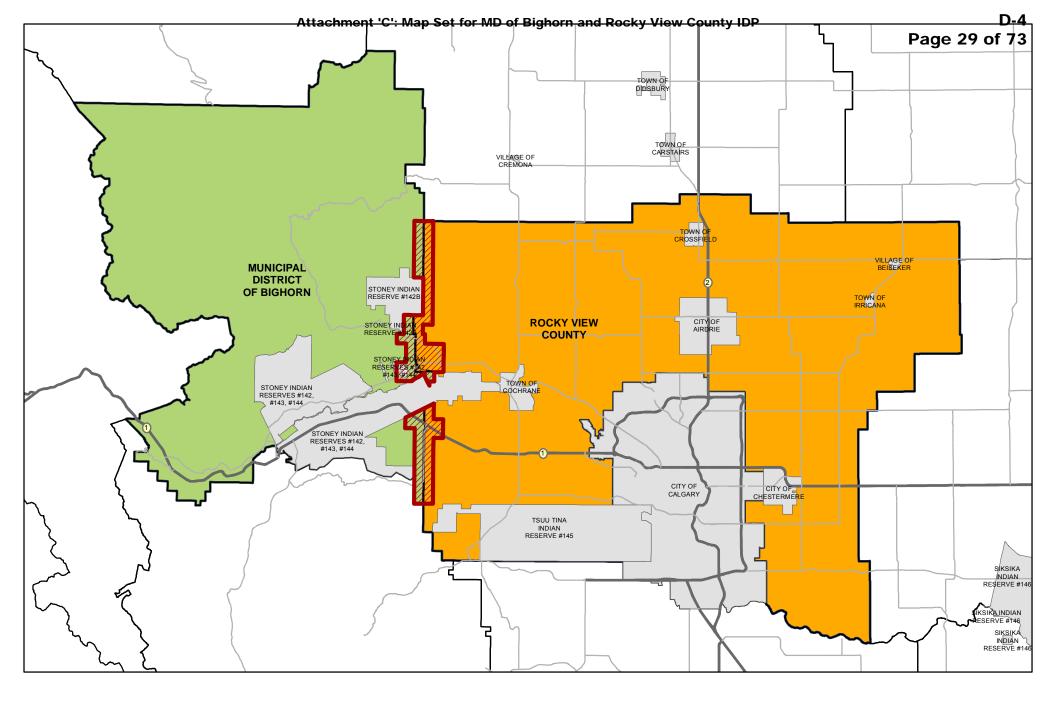
# **5.2** Dispute Resolution Process Summary

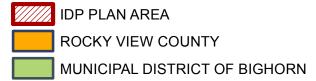
- 1. Understanding/IDP Process
- 2. Admin. Level
- 3. CAO Level
- 4. Intermunicipal Committee Level
- 5. Mediation
- 6. Appeal

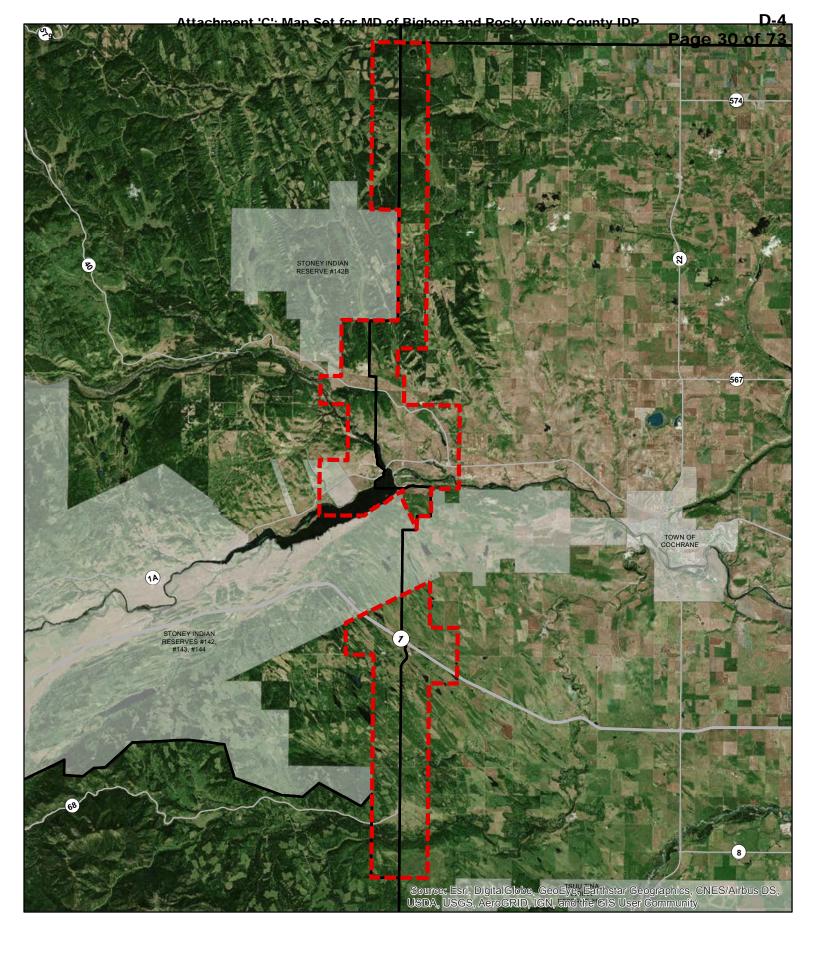
# 6.0 IDP Action Items

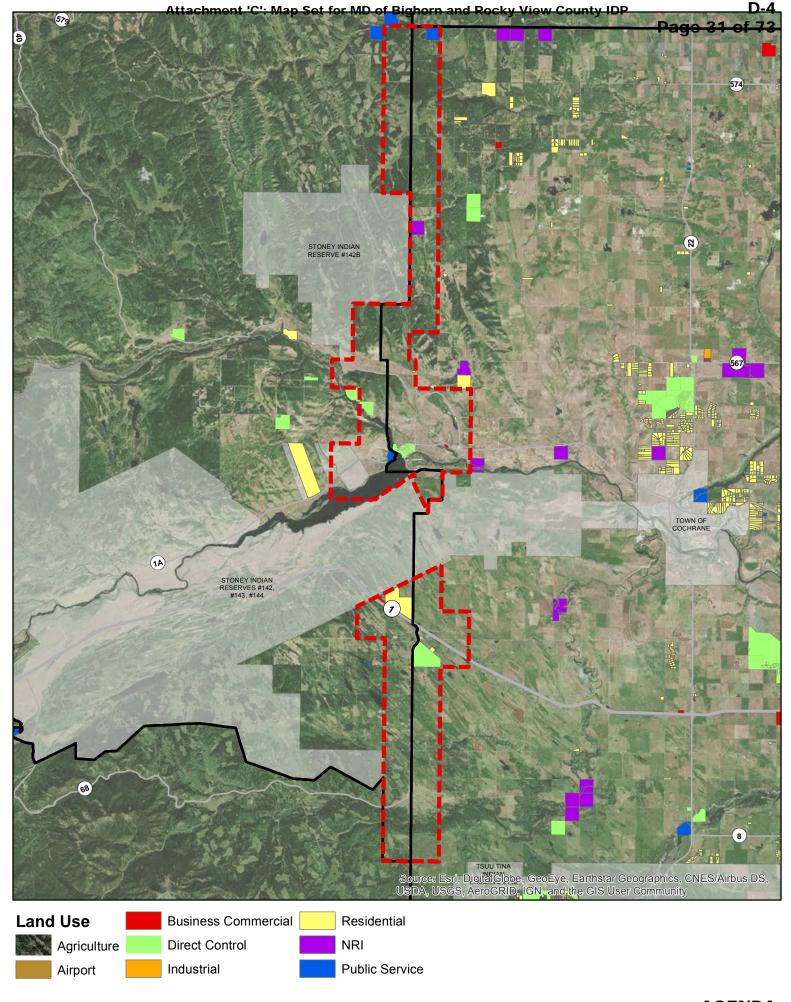
## **6.1** Action Items

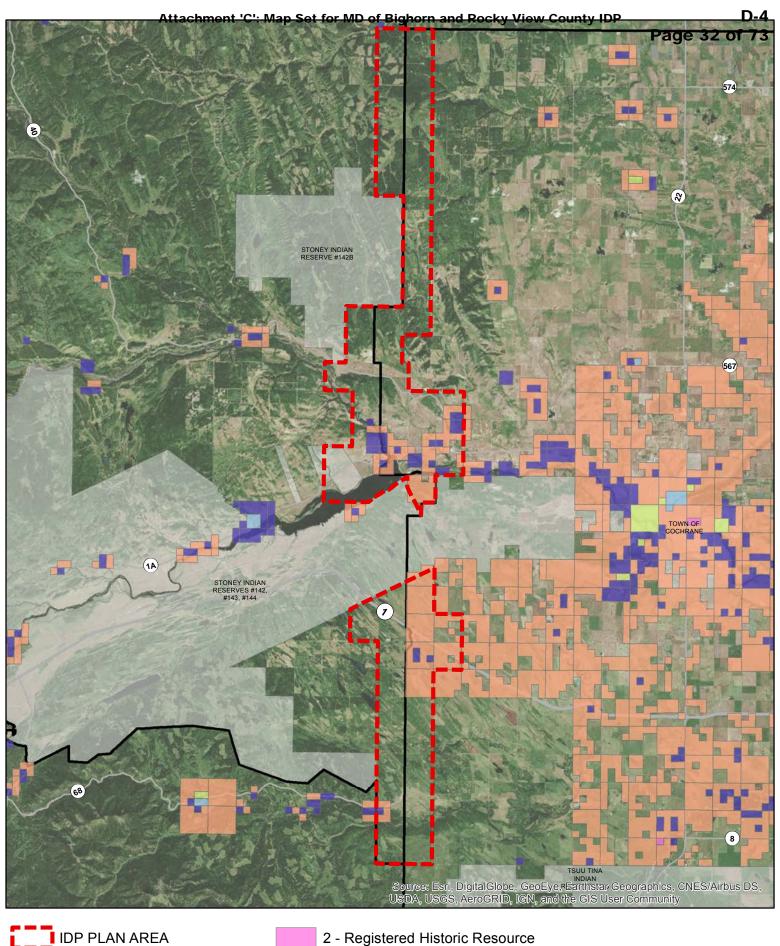
\*Add as required









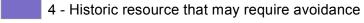




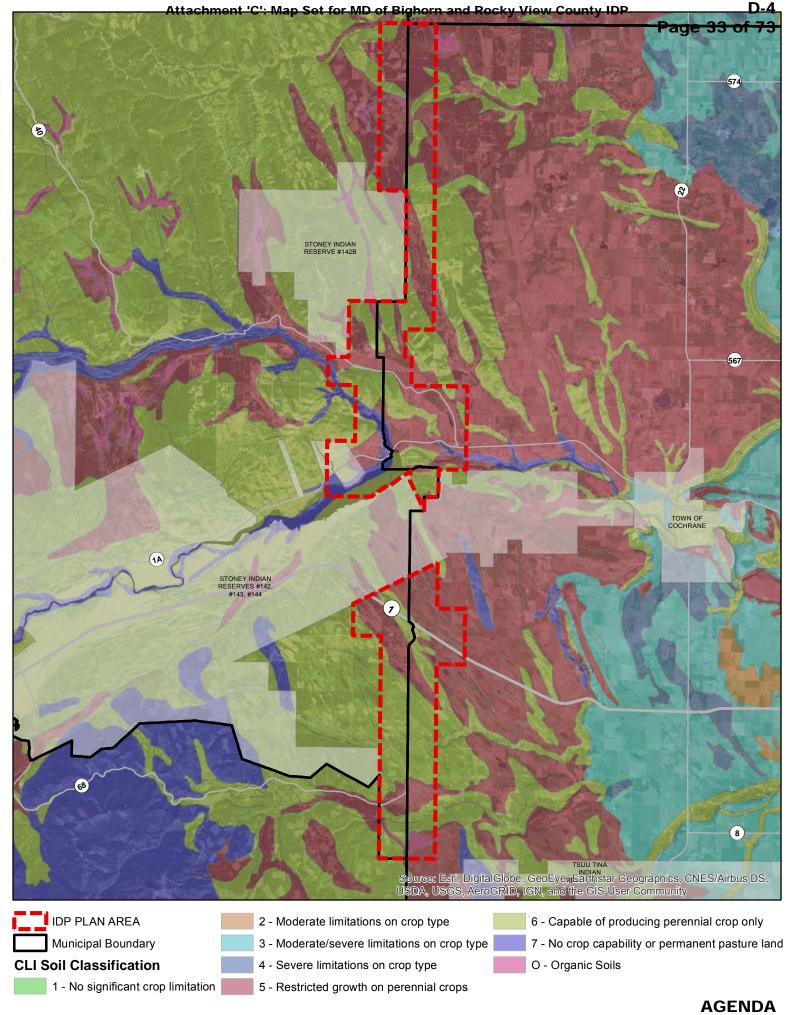
1 - Provincial Historic Resource

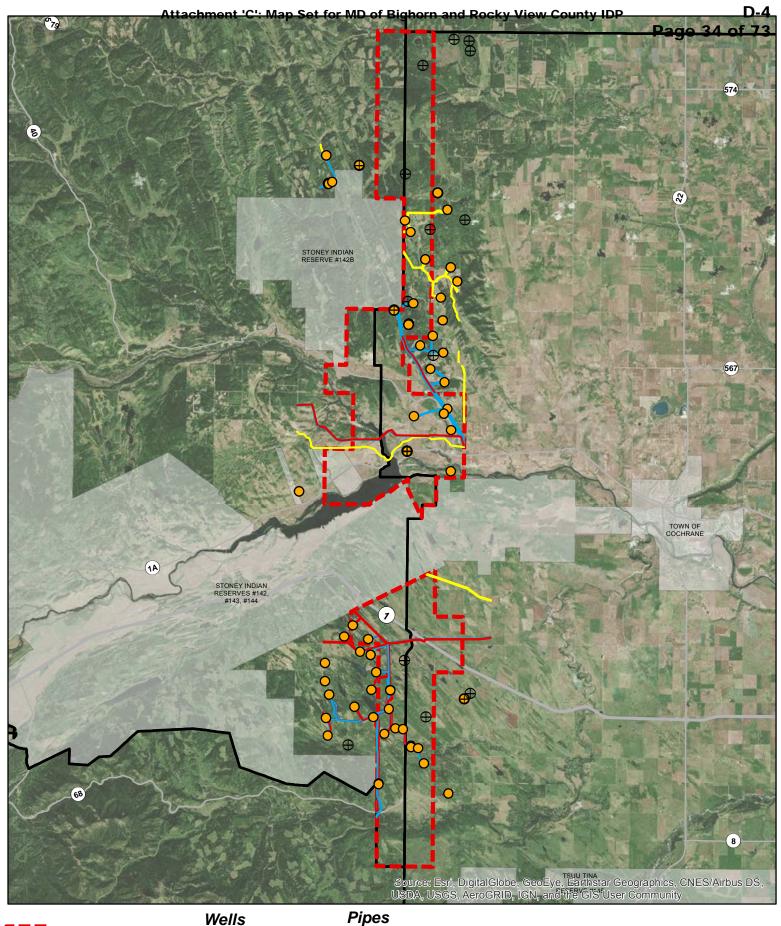
2 - Registered Historic Resource

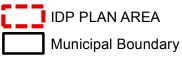
3 - Significant historic resource that will likely require avoidance



5 - Potential to contain a historic resource

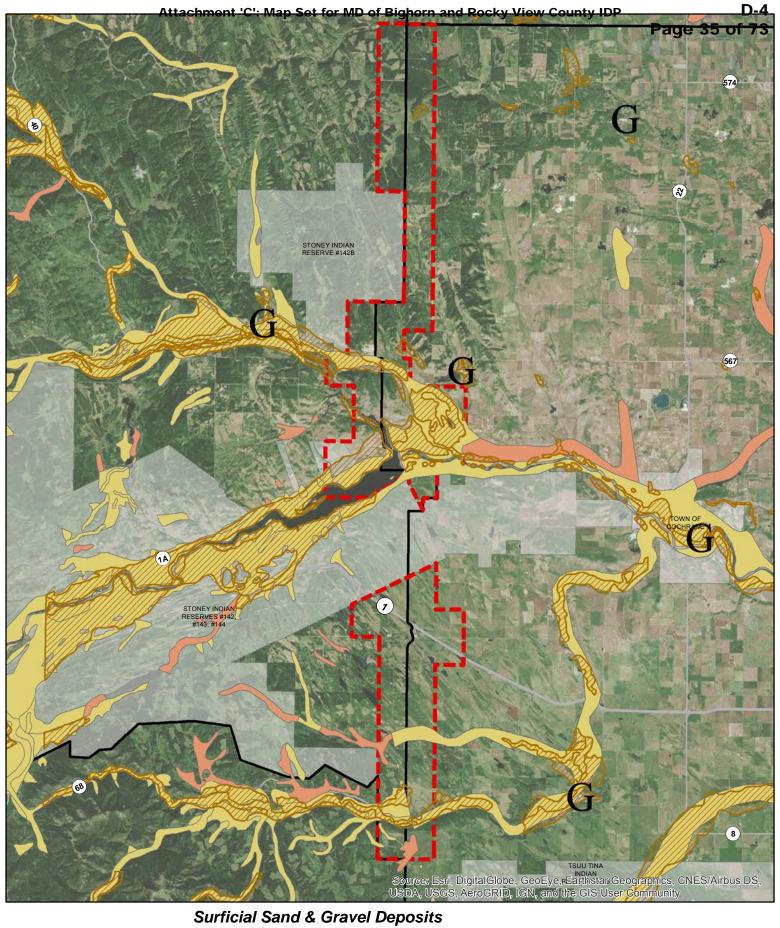


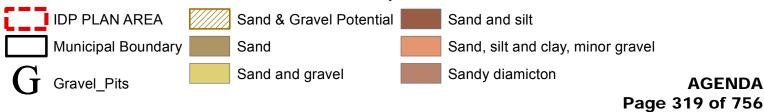




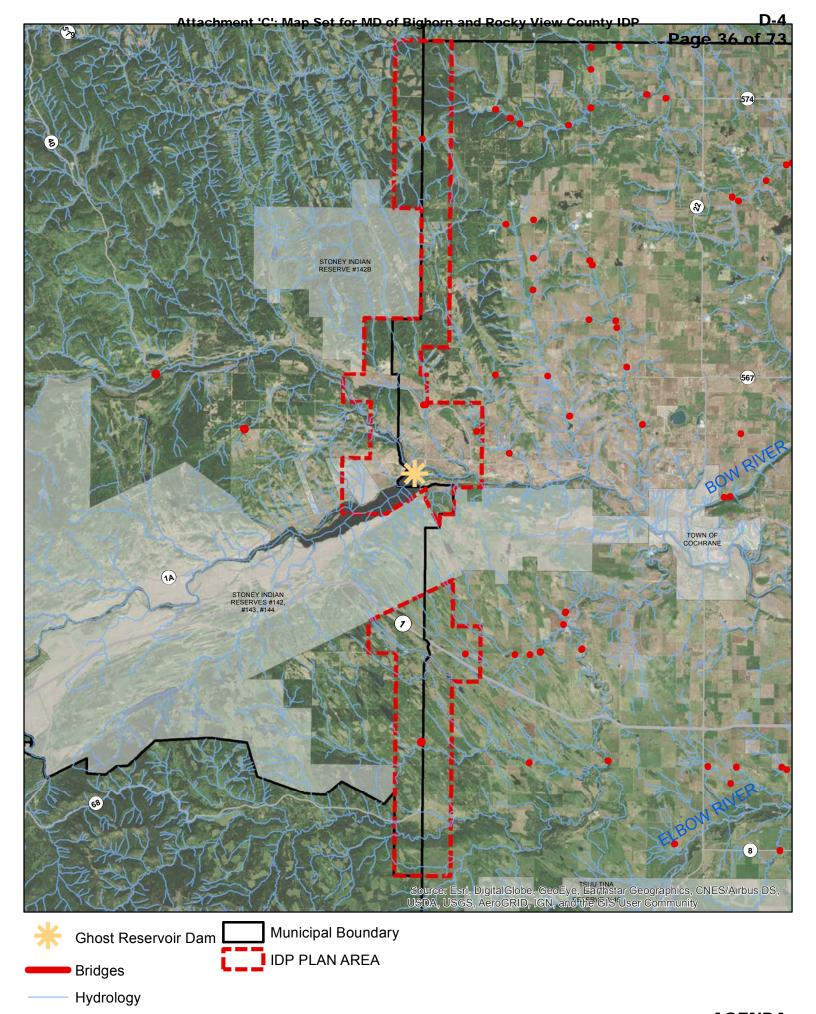
# Wells Pipes All Other Values Crude Oil Abandoned Other Natural Gas

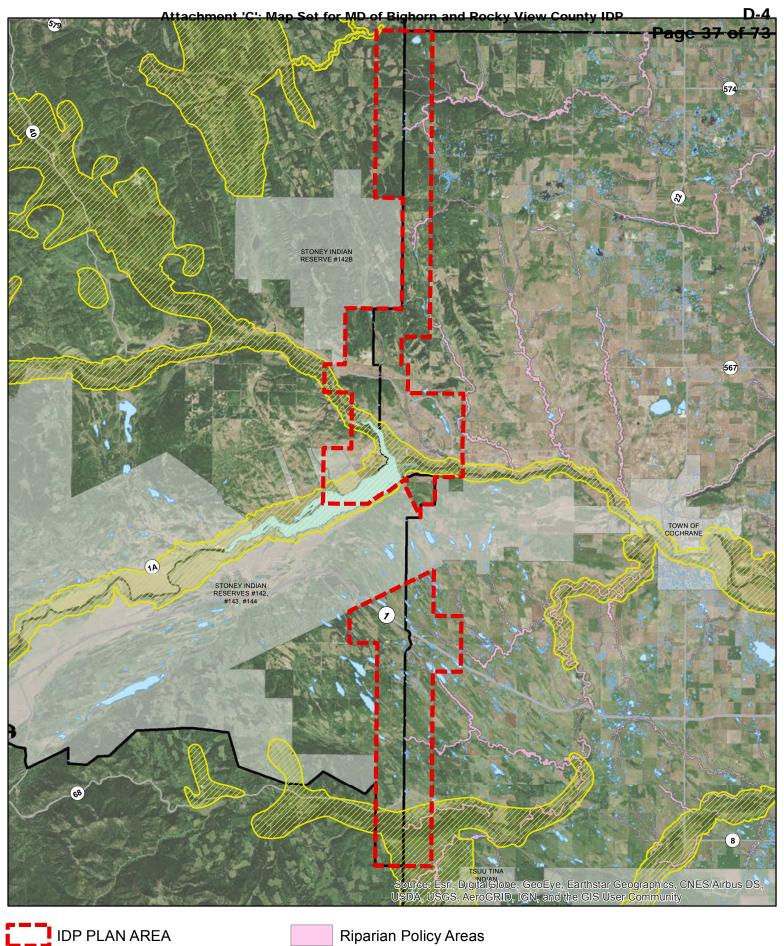
Sour Natural Gas





**AGENDA** 





# Intermunicipal Collaboration Framework

# Between

# **Mountain View County**

(hereinafter referred to as 'Mountain View')

# And

# **Rocky View County**

(hereinafter referred to as "Rocky View")

WHEREAS Mountain View and Rocky View share a common border spanning Township Road 290 from Grand Valley Road to Range Road 22, Township Road 292 from Range Road 22 to Range Road 13, and Township Road 293 from Range Road 13 to Range Road 284;

AND WHEREAS Mountain View and Rocky View share common interests and desire working together to provide services to their ratepayers where there are reasonable and logical opportunities to do so;

AND WHEREAS the *Municipal Government Act* stipulates that municipalities that have a common boundary must create a framework with each other to:

- provide for the integrated and strategic planning, delivery, and funding of intermunicipal services;
- steward scarce resources efficiently in providing local services; and
- ensure municipalities contribute funding to services that benefit their residents;

NOW THEREFORE, by mutual covenant of Mountain View and Rocky View, it is agreed to enter into the Intermunicipal Collaboration Framework as follows in Schedule A.

BYLAW NUMBER XYZ





# Schedule "A"

#### A. DEFINITIONS

- l) Words in this Agreement have the same meaning as in the *Municipal Government Act* except for the following:
  - a. "Capital Costs" means new facilities, expansions to existing facilities, and intensification of use of existing facilities;
  - b. "CAO" means Chief Administrative Officer;
  - c. "Framework" means Intermunicipal Collaboration Framework;
  - d. "Intermunicipal Collaboration Framework" means the Intermunicipal Collaboration Framework between Mountain View and Rocky View, as required under Part 17.2 of the *Municipal Government Act*;
  - e. "Intermunicipal Collaboration Framework Regulation" means the Intermunicipal Collaboration Framework Regulation, AR 191/2017, as amended or replaced from time to time;
  - f. "Municipal Government Act" means the Municipal Government Act, RSA 2000, c M-26, as amended from time to time;
  - g. "Mountain View County" means Mountain View as a municipal corporation and the geographical area within its jurisdictional boundaries, as the context requires;
  - h. "Rocky View County" means Rocky View as a municipal corporation and the geographical area within its jurisdictional boundaries, as the context requires;
  - i. "Services" means those services that both parties must address within the Framework, which are:
    - i. Transportation;
    - ii. Water and wastewater;
    - iii. Solid Waste;
    - iv. Emergency Services;
    - v. Recreation; or

- vi. Any other services that might benefit residents in both municipalities.
- j. "Service Agreements" means those agreements between the Parties to provide for the delivery of Services, whether on a joint, collaborative, or other basis, as described in D.2 of this Agreement and as amended from time to time. Services are shared in one or more of the following ways:
  - i. Municipal no collaboration: No intermunicipal collaboration is used to delivery a service between the parties named in this agreement.
  - ii. Intermunicipal collaboration: Service is delivered through the exchange of funds or resources between the the parties named in this agreement.
  - iii. Third Party: A third party is employed to deliver a service that is of mutual benefit to the the parties named in this agreement.
- k. "Year" means the calendar year beginning on January 1 and ending on December 31.

#### **B. TERM AND REVIEW**

- 1) In accordance with the *Municipal Government Act*, this Agreement shall come into full force and effect on final passing of the bylaws by both Mountain View and Rocky View.
- 2) This Agreement may be amended by mutual consent of both parties unless specified otherwise in this Agreement through an amending bylaw.
- 3) It is agreed by Mountain View and Rocky View that the Intermunicipal Committee shall meet at least once every four years to review the terms and conditions of the agreement.
- 4) The term of this is agreement begins \_\_\_\_\_, 2019 and ends \_\_\_\_\_, 2023.

#### C. INTERMUNICIPAL COOPERATION

- 1) Mountain View and Rocky View agree to create a body known as the Intermunicipal Committee (hereinafter referred to as "the Committee".
- 2) The Committee will work together in good faith to share information about business that is of mutual interest to each municipality.
- 3) The Committee will meet on an as-needed basis, and will share information and provide feedback on intermunicipal or multi-jurisdictional opportunities and issues. Topics may include planning policy, service delivery, or other matters that the Committee deems necessary.

- 4) The Committee shall consist of six members: three Councillors from Mountain View and three Councillors from Rocky View.
- 5) Meetings of the Committee can be called by either party's Councillors or CAO who are members of the Committee to this Agreement by requesting a meeting via electronic mail. The parties shall jointly determine a meeting date within thirty (30) days of the receipt of the request.
- 6) The CAOs or designates of both municipalities will be advisory staff to the Committee and are responsible for developing agendas and recommendations on all matters, and for forwarding all outcomes from the Committee to their respective Councils.

### D. MUNICIPAL SERVICES

- Mountain View provides a range of services to its residents, including but not limited to:
  - Agriculture Services;
  - Cemetery Services;
  - Family and Community Support Services;
  - Fire and Emergency Management Services;
  - Library Services (through the Parkland Regional Library System);
  - Recreation Services;
  - Business Licensing;
  - Seniors' Housing (through the Mountain View County Regional Housing Commission);
  - Solid Waste and Recycling (through the Mountain View County Waste Commission); and
  - Water and Wastewater Services.

Rocky View provides a range of services to its residents, including but not limited to:

- Agricultural Services;
- Bylaw Enforcement (municipal and RCMP);
- Building Permits;
- Cemetery Services;
- Family and Community Support Services;
- Fire and Emergency Management Services;
- Library Services (through the Marigold Library System);
- Recreation Services;
- Seniors' Housing (through the Rocky View County Seniors Foundation);
- Solid Waste and Recycling through various private third party partnerships; and

- Water and Wastewater Services (through individually owned or privately owned systems, municipal partners' systems, or Rocky View County systems.
- 2) Mountain View and Rocky View have a history of working together to jointly provide the following municipal services, either directly or indirectly to their residents:

Table 1: Services Inventory

	Table 1: Service		T
SERVICE AREA	DELIVERY METHOD Between Mountain View and Rocky View	SERVICE SHARED	IMPLEMENTATION Terms, and Funding Arrangement
Emergency Services: Fire	Intermunicipal Collaboration	Fire Services Agreement.	Implement a Fire Services Agreement between Mountain View and Rocky View.
Recreation	Municipal – No Intermunicipal Collaboration	No service shared.	No implementation required.
Solid Waste and Recycling	Municipal – No Intermunicipal Collaboration.	No service shared.	No implementation required.
Transportation	Intermunicipal Collaboration	Exchange of services for gravel road maintenance on Range Road 284 and Range Road 292.	<ul> <li>Implementation: Road Maintenance Services Agreement</li> <li>Term: June 1, 2017, to June 2022</li> <li>Funding: No funds exchanged.</li> </ul>
Water and Waste Water	Third Party –Mountain View Regional Water Services Commission	Shared Water License for 3,380,995 Cubic Metres of Water Annually.	<ul> <li>Implementation: Memorandum of Understanding.</li> <li>Mountain View County, Rocky View County, Mountain View Regional Water Services Commission.</li> <li>License issued to the Mountain View Water Commission. Rocky View County is entitled to 2,676,545 cubic metres of water annually and Mountain View County is entitled to 704,450 cubic metres of water annually as provided by the License.</li> <li>Term: Signed July 2009, no end date was assigned to this Memorandum of Understanding.</li> <li>Funding: No funding involved for the acquisition and use of the License.</li> </ul>

Other: Agriculture	Intermunicipal	Delivering of	•	Mountain View and Rocky
	Collaboration	agricultural		View's Agricultural Services
		services		department collaborate on the
		programming.		delivery of training, information,
				and other opportunities related to
				agricultural services. This is a part
				of operational business and does
				not require a service agreement.

### E. FUTURE PROJECTS & AGREEMENTS

- 1) Additions or changes to the services that the adjacent municipalities partner upon can be made prior to the end of the fouryear review period (B.3).
- 2) Whether it is a new service, or elimination of an existing service, the municipality whose Chief Administrative Officer (CAO) is initiating the change shall, in writing, contact the CAO of the adjacent municipality.
- 3) Once the receiving municipality has received written notice of a new project or elimination of an existing service, an Intermunicipal Committee meeting date will be determined within thirty (30) days of receiving the notice.
- 4) The Intermunicipal Committee will be the forum used to address and develop the next steps to proceed with changes to the ICF. Committee members will inform the whole of their respective Councils of the outcome of this meeting.
- 5) If respective Councils agree to add a new service, or eliminate an existing service, both Councils must adopt an updated ICF through a matching updated bylaw.
- 6) The parties may amend or update any existing Service Agreement from time to time without having to amend or replace this Agreement.

### F. DISPUTE RESOLUTION

- l) The Intermunicipal Committee will meet and attempt to resolve any disputes that may arise under this Framework.
- 2) In the event the Committee is unable to resolve a dispute or any Service Agreement, the parties will follow the process outlined in the Model Default Dispute Resolution Provisions in the *Intermunicipal Collaboration Framework Regulation*.
  - a Any new Service Agreement or an update to an existing service agreement will adopt and include the Model Default Dispute Resolution Provisions referred to in F.2 as its dispute resolution clause.

### G. OTHER PROVISIONS

1) **Further Assurances.** The Municipalities covenant and agree to do such things and execute such further documents, agreements, and assurances as may be reasonably necessary or advisable from time to time to carry out the terms and conditions of this Framework in accordance with their true intent.

- 2) **Assignment of Framework.** Neither Municipality will assign its interest in this Framework.
- 3) **Notices.** Any notice required to be given hereunder by any Municipality will be deemed to have been well and sufficiently given if it is delivered personally or mailed by pre-paid registered mail to the address of the Municipality for whom it is intended. A notice or other document sent by registered mail will be deemed to be sent at the time when it was deposited in a post office or public letter box and will be deemed to have been received on the fourth business day after it was postmarked. A copy of the notice shall also be provided via email.
- 4) **Entire Framework.** This Framework and any applicable Service Agreements constitute the entire agreement between the Municipalities relating to the subject matter contained within them and supersedes all prior understandings, negotiations, and discussions, whether oral or written, of the Municipalities in relation to that subject matter. There are no warranties, representations, or other agreements among the Municipalities in connection with the subject matter of the Framework except as specifically set forth within them.
- 5) **Unenforceable Terms.** If any term, covenant, or condition of this Framework, or the application thereof to any Municipality or circumstance, is invalid or unenforceable to any extent, the remainder of this Framework, or the application of such term, covenant, or condition to a Municipality, or circumstance other than those to which it is held invalid or unenforceable, will not be affected thereby, and each remaining term, covenant, or condition of this Framework will be valid and enforceable to the fullest extent permitted by law.
- 6) **Amendments.** This Framework may only be altered or amended in any of its provisions when any such changes are put in writing and signed by all of the Municipalities. (See also Section B of this Framework).
- 7) **Remedies Not Exclusive.** No remedy herein conferred upon any Municipality is intended to be exclusive of any other remedy available to that Municipality, but each remedy will be cumulative and will be in addition to every other remedy given hereunder either now, hereafter existing by law, in equity, or by statute.
- 8) **No Waiver.** No consent or waiver, expressed or implied, by any Municipality to or of any breach or default by any other Municipality in the performance by such other Municipality of their obligations hereunder will be deemed or construed to be a consent to or waiver of any other breach or default in the performance of obligations hereunder by such Municipality. Failure on the part of any Municipality to complain of any act or failure to act of another Municipality, or to declare such Municipality in default, irrespective of how long such failure continues, will not constitute a waiver by such Municipality of its rights hereunder.

- 9) **Counterparts.** This Framework may be executed in several counterparts, each of which when so executed will be deemed to be an original. Such counterparts will constitute the one and same instrument as of their Effective Date.
- 10) **Governing Law.** This Framework will be exclusively governed by and construed in accordance with the laws of the Province of Alberta.
- 11) **Time.** Time will be of the essence for this Framework.
- 12) **Binding Nature.** This Framework will be binding upon the Municipalities and their respective successors and permitted assigns.

### H. CORRESPONDENCE

- 1) Written notice under this Framework shall be addressed as follows:
  - a. In the case of the Mountain View, to:

Mountain View County c/o Chief Administrative Officer PO Bag 100 Didsbury, Alberta T0M 0W0

b. In the case of Rocky View, to:

Rocky View County c/o Chief Administrative Officer 262075 Rocky View County Point Rocky View County, AB, T4A 0X2

**IN WITNESS WHEREOF,** the Municipalities have hereunto executed this Framework under their respective corporate seals and by the hands of their proper officers duly authorized in that regard.

Signed this day of Alberta.	, 2019 in	
MOUNTAIN VIEW COUNTY	ROCKY VIEW COUNTY	
Per:	Per:	
Bruce Beattie, Reeve	Greg Boehlke, Reeve	
Jeff Holmes, CAO	Al Hoggan, CAO	





# INTERMUNICIPAL DEVELOPMENT PLAN

Between

**MOUNTAIN VIEW COUNTY** 

And

**ROCKY VIEW COUNTY** 

Draft Version 4.0 May 8, 2019



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## 1.0 Introduction

### **1.1** Purpose

The purpose of the Intermunicipal Development Plan (IDP) between the Mountain View County (MVC) and Rocky View County (RVC) is to formalize and define the relationship between the two municipalities.

- 1. The IDP sets the policy framework for planning matters that includes future land use and development, environmental matters, transportation, and items of mutual interest as it applies to lands in proximity to the shared boundary and defined in the IDP Area.
- 2. The IDP policies define how communication, cooperation, decision-making and dispute resolution shall occur for lands within the IDP Area.

### **1.2** Goals

- Maintain local autonomy with each municipality responsible for decision making within their municipal jurisdiction.
- 2. Ensure long-term compatibility of future land use within both municipalities.
- 3. Recognize that agriculture continues to be the primary use of land in the IDP area and support the preservation of agricultural land except where statutory plans support non-agricultural use.
- 4. Establish plan administration, amendment and dispute resolution procedures.
- 5. Identify items that are of importance to the municipalities, and items that may be mitigated through the policies of this Plan. These include:
  - Agricultural Activities
  - Economic Development
  - The Environment
  - Resource Extraction
  - Industrial Development
  - Energy Development
  - Transportation and Infrastructure

## **1.3** Municipal Profiles

### **Mountain View County**

Mountain View County encompasses an area approximately 380,766 hectares (940,893 acres) in size, and has a population of 13,074 (2016 Federal Census). Five urban municipalities are contained within the County, which also shares borders with five municipalities. The economy of the Mountain View County is based on agriculture, energy and natural resource development, services and manufacturing. The Red Deer and the Little Red Deer Rivers are the major drainage courses within the County.

#### **Rocky View County**

Rocky View County encompasses an area approximately 393,463 hectares (972,264 acres) in size, and has a population of 39,407. 7 urban municipalities and 13 hamlets are contained within the County, which also shares borders with 5 rural municipalities, 1 Special Area, and 2 First Nations. The economy of Rocky View County is based on agriculture, energy resource development, services, and manufacturing. Two rivers, the Bow and the Elbow, are the major drainage courses within the County.

### MAP 1: Municipal Boundaries

## **1.4** Legislative Framework

Municipal Government Act (MGA)

The IDP was prepared in accordance with the requirements of Sections 631, 636 and 638.1 of the Municipal Government Act (MGA). These sections mandate that an IDP between neighbouring municipalities must be adopted, and that the document address the following items:

- Future land use;
- Future development;
- The provision of transportation systems;
- Financing infrastructure;
- Co-ordination of physical, social, and economic programs;
- Environmental matters; and
- Provisions of services.

South Saskatchewan Regional Plan (SSRP)

The South Saskatchewan Regional Plan establishes a long-term vision for the South Saskatchewan Region and aligns provincial policies at the regional level to balance Alberta's economic, environmental and social goals. The regional plan also includes strategies for responsible energy development, sustainable farming and ranching, recreation, forest management, and nature-based tourism. It has been established under

the Alberta Land Stewardship Act, and the Land Use Framework. RVC is within the SSRP area boundaries, and since, pursuant to the Alberta Land Stewardship Act, a regional plan is "an expression of the public policy of the Government" of Alberta, both municipalities are required to comply with the regulations thereunder.

MVC is located within the Red Deer Regional Plan area however at the time of the development of this Plan the RDRP development has not started.

Calgary Metropolitan Regional Board (CMRB)

The Calgary Metropolitan Region Board was established to promote sustainable and environmentally responsible land-use planning and the coordination of regional infrastructure and services in an economically competitive manner. To this end, the CMRB has adopted a *Growth Plan* to address matters concerning regional planning and development. The Board requires that any statutory plan adopted by a member municipality satisfy the *Growth Plan*. While Rocky View County is a member municipality within the CMRB and is therefore subject to the requirements of this plan, the Mountain View County is not. Regardless, the Mountain View County & Rocky View County Intermunicipal Development Plan has been drafted in consideration of the principles of the regional plan.

## 2.0 Plan Area

## **2.1** Plan Preparation Process

The IDP was jointly prepared by the MVC and RVC. The project received oversight from a Review Committee consisting of Councillors and Senior Administration from both municipalities. The plan was developed through four stages:

- Stage 1: Research, analysis, and stakeholder input
- Stage 2: Draft IDP and review of the IDP by the Committee
- Stage 3: Public review of the IDP to receive suggestions and representations
- Stage 4: IDP approval process

### 2.2 IDP Area

To determine the extent of the Plan Area, the municipalities began by analyzing a Study Area that ranged from approximately 5 km (3 miles) to 1.6 km (1 mile) on either side of the municipal boundary. A number of opportunities and constraints were examined within this area, including:

- Residences and Developed Areas
- Existing and Potential Land Use
- Development Potential
- Environmentally Significant Areas
- Transportation Corridors
- Oil and Gas Activity
- Confined Feeding Operations (CFOs)

- Existing and Potential Areas of Aggregate Extraction
- Historical Resource Value (HRV) Sites

Through consideration of these factors, the municipalities defined the final Plan Area. In order to balance the goals and objectives of the IDP, a Plan Area encompassing half a mile (0.5) on either side of the intermunicipal border was selected. Adjacent to Highway 2, the Plan Area expands one (1) mile on the either side. The Plan Area is approximately 17,025 hectares (34,656 acres) in size, and is illustrated on Map 1.

MAP 2: IDP and Aerial

## 3.0 Land Use Policies

### 3.1 Referrals

### Objective

In order to ensure that the municipalities are aware of potential developments within the Plan Area, notification and communication is required. The following policies establish a referral process where each municipality can provide comments regarding proposed changes.

- **3.1.1** Where required by the Municipal Government Act (MGA), the relevant Land Use Bylaw and any statutory plans, or the policies of this plan, applications affecting lands within the Plan Area shall be referred to:
  - a. the adjacent municipality; and
  - b. landowners within the adjacent municipality.
- **3.1.2** Where required by the MGA, a relevant statutory plan or land use bylaw, or the policies of this Plan, applications located outside of the Plan Area may be referred to the adjacent municipality.
- **3.1.3** The municipality in receipt of referral of an application within the adjacent municipality should provide a response within the time required by the MGA.
- **3.1.4** The municipality in receipt of referral of an application within the adjacent municipality should consider potential impact to the following:
  - a. Municipal roadways
  - b. Utilities
  - c. Stormwater and drainage
  - d. Adjacent land use

- e. Environmental matters
- f. any other matter related to the physical, social or economic development of the area.
- **3.1.5** Where required by the MGA or the policies of this Plan, both municipalities agree to provide the contact information necessary to refer application information to residents of the adjacent municipality.

### 3.2 General Land Use Policies

### Objective

Applications proposing land use redesignation, subdivision, or development have the potential to impact the immediate area adjacent to the lands in question. Applications for statutory or non-statutory policy documents have the potential to impact a larger portion of the Plan Area. In either case, the policies of this section aim to reduce the potential for negative impact to the municipalities.

- **3.2.1** Applications for land use redesignation, subdivision, and development permit should be evaluated in accordance with the Municipal Development Plan (MDP), Land Use Bylaw (LUB), and any statutory or non-statutory plans relevant to the municipality in which they are received.
- **3.2.2** Applications for a new Area Structure Plan, Concept Plan, MDP, LUB, and MDP or LUB amendments within the IDP Area should be evaluated in accordance with any relevant regional plan as well as the Municipal Development Plan (MDP), Land Use Bylaw (LUB), and any statutory or non-statutory plans relevant to the municipality in which they are received.

MAPS 3A and 3B: Land Use MAP 4: Historical Resources

## 3.3 Agriculture

### Objective

Agricultural uses are the predominant use of land within the Plan Area. Non-agricultural uses may be considered in areas identified through a relevant statutory plan.

- **3.3.1** The municipalities encourage awareness of the best practices for residential uses located within agricultural areas, as defined by relevant statutory plans, in accordance with the Agricultural Operations Practices Act.
- **3.3.2** Applications for non-agricultural development within agricultural areas should consider interface or transition tools such as fencing, controlled access and site design, environmental stewardship, and environmental education.
- **3.3.3** Existing CFOs shall be allowed to remain in accordance with the requirements of the Agricultural Operation Practices Act and Regulations.
- **3.3.4** Applications for new or expanded CFOs shall be reviewed in accordance with the Natural Resource Conservation Board requirements, and the applicable policies of the municipality in which it was received.
- **3.3.5** Applications for new or expanded CFOs shall be referred to the adjacent municipality, in accordance with the Natural Resource Conservation Board requirements.

MAP 5: Soil Classifications

## 3.4 Utilities, Resource Extraction, & Energy Development

### Objective

Demand for energy, resources, and communication capacity is growing. Applications for facilities related to these uses have the potential to have an impact across municipal boarders. In order to balance this demand with the needs of area residents, the following policies apply to applications of this nature.

- **3.4.1** Applications for a new or expanded aggregate extraction operation within the Plan Area shall be referred to the adjacent municipality.
- **3.4.2** Applications for a new or expanded aggregate extraction operation that proposes the use of roadways within the jurisdiction of the adjacent municipality shall be referred to the adjacent municipality. Support from the affected municipality must be provided prior to decision approval of the application.
- **3.4.3** Applications for a new or expanded renewable energy development within the Plan Area shall be referred to the adjacent municipality. Examples include, but are not limited to commercial solar power facilities, wind farms, hydroelectric facilities.
- **3.4.4** Applications for new or expanded telecommunications towers within the Plan Area shall be referred to the adjacent municipality.
- **3.4.5** Applicants shall be requested to co-locate telecommunications facilities on existing towers where feasible.

MAPS 6A and 6B: Oil and Gas MAP 7: Sand and Gravel

## 3.5 Environmental & Open Space Policies

### Objective

Environmental features do not follow pre-defined boundaries, and impacts to natural areas within one municipality can have an effect on the other side of the border. This section aims to ensure that natural areas are respected, and allows for opportunities to enhance these features where appropriate.

- **3.5.1** The municipalities acknowledge the Government of Alberta's Watershed Planning and Advisory Councils (WPACs) plans for the region, and support the Bow River Basin Council (BRBC) and the Red Deer River Watershed Alliance (RDRWA) with respect to regional watershed planning, best management practices, environmental stewardship, and environmental education.
- **3.5.2** Applications affecting wetlands and/or riparian areas located within the Plan Area shall be circulated to the adjacent municipality.
- **3.5.3** Applications affecting wetlands and/or riparian areas located within the Plan Area should be assessed in accordance with the environmental policies of the relevant plans for the municipality in which it was received.
- **3.5.4** The municipalities support the alignment and connection of open space pathways.

MAP 8: Hydrology

## **3.6** Transportation Policies

### Objective

The municipalities are connected by a number of provincial highways and municipal roads. The impact of development on transportation infrastructure is an important consideration of this plan.

- **3.6.1** Land use redesignation, subdivision, or development applications proposing access directly to a roadway under the jurisdiction of the adjacent municipality should provide written support to the affected municipality prior to decision.
- 3.6.2 In order to mitigate concerns such as dust control, traffic generation, and road maintenance, municipalities may require that a developer proposing land use redesignation, subdivision, or development applications enter into a Road Use Agreement if:
  - a. Direct access to the development is required from a road within its jurisdiction;
  - b. Primary access to the development utilizes a road within its jurisdiction;
  - c. A proposed haul-route utilizes roads within its jurisdiction.
- 3.6.3 In order to accommodate the additional traffic generation, municipalities may require that a developer proposing land use redesignation, subdivision, or development applications enter into a Development Agreement for the improvements of a road in accordance with Municipal Development Plan (MDP), Land Use Bylaw (LUB), and any statutory or non-statutory plans if:
  - a. Direct access to the development is required from a road within its jurisdiction;
  - b. Primary access to the development utilizes a road within its jurisdiction;
  - c. A proposed haul-route utilizes roads within its jurisdiction."

**3.6.4** The road network shall be maintained by the municipality having jurisdiction, unless a separate agreement specifies joint maintenance, maintenance swap, or any other terms acceptable to both municipalities.

## 4.0 Implementation & Administration

## **4.1** Intermunicipal Services

### Objective

The municipalities provide their residents with services ranging from transportation, water and waste water, solid waste, emergency services, and recreation. Coordination of services among the municipalities has been considered by the Intermunicipal Collaboration Framework adopted by Mountain View County and Rocky View County.

**4.1.1** Matters pertaining to service agreements shall be assessed in accordance with the requirements of the Intermunicipal Collaboration Framework adopted by Mountain View County and Rocky View County.

## **4.2** Interpretation

#### **Objective**

This section ensures that the policies of this Plan are interpreted in the manner in which they were intended.

### **Definitions**

As defined in the Municipal Development Plan (MDP), Land Use Bylaw (LUB), and any statutory or non-statutory plans relevant to the municipality.

## 4.3 Intermunicipal Committee

#### **Objective**

Mountain View County and Rocky View County agree to create an Intermunicipal Committee, consisting of Councillors from each municipality. The Committee will work together in good faith to share information that is of mutual interest to each municipality.

**4.3.1** Matters pertaining to the establishment and operation of the Intermunicipal Committee shall be in accordance with the requirements of the Intermunicipal Collaboration Framework adopted by the Mountain View County and Rocky View County.

## **4.4** Adoption, Amendment, & Repeal Process

### Objective

This section acknowledges the adoption of the plan, and provides requirements for on-going monitoring. Additionally, the policies recognize that periodic amendments and eventual appeal may be required.

- **4.4.1** The policies of this plan apply to lands located within the Plan Area.
- 4.4.2 This plan comes into effect following adoption by the respective Councils of MVC and RVC.
- **4.4.3** A joint Administrative review of the IDP shall be scheduled no later than four (4) years from the date of adoption and shall be steered by the Intermunicipal Committee.
- **4.4.4** The municipalities agree to comply with the adopted regional plans, and are of the opinion this Plan aligns with the South Saskatchewan Regional Plan.
- **4.4.5** RVC is a member municipality in the Calgary Metropolitan Regional Board, and is therefore subject to the requirements of the CMRB and the IGP. Participation with RVC in the adoption of this IDP does not subject MVC to the requirements of the CMRB and the IGP.
- **4.4.6** Amendment of the IDP shall receive direction from both Councils prior to proceeding and shall be jointly prepared by the Administrations.
- **4.4.7** Amendments to the plan shall not come into force until they are adopted by the Councils of both municipalities, in accordance with the requirements of the MGA.
- **4.4.8** A Bylaw to repeal this IDP may be considered by both Councils if:
  - a. The repealing Bylaw considers a new IDP; or
  - b. If the repealing Bylaw complies with Provincial legislation.

## 5.0 Dispute Resolution

### Objective

This plan is designed to facilitate communication and cooperation among the municipalities. While understanding that each municipality has the right to make decisions within their boundaries, it is acknowledged that these decisions can have an impact beyond their borders. In order to ensure that the relationship between the two municipal neighbours remains strong, Mountain View County and Rocky View County agree to the following:

- The municipalities respect the right to maintain jurisdiction over decisions made within their boundaries.
- The municipalities understand the potential for those decisions to impact the adjacent municipality.
- The municipalities understand the importance of notification and communication with the adjacent municipality in order to ensure that potential concerns are addressed.

## **5.1** Dispute Resolution Process

While both municipalities are committed to a positive relationship, this plan recognizes that disputes may arise. In such an event, the following process should be used in order to reach a solution.

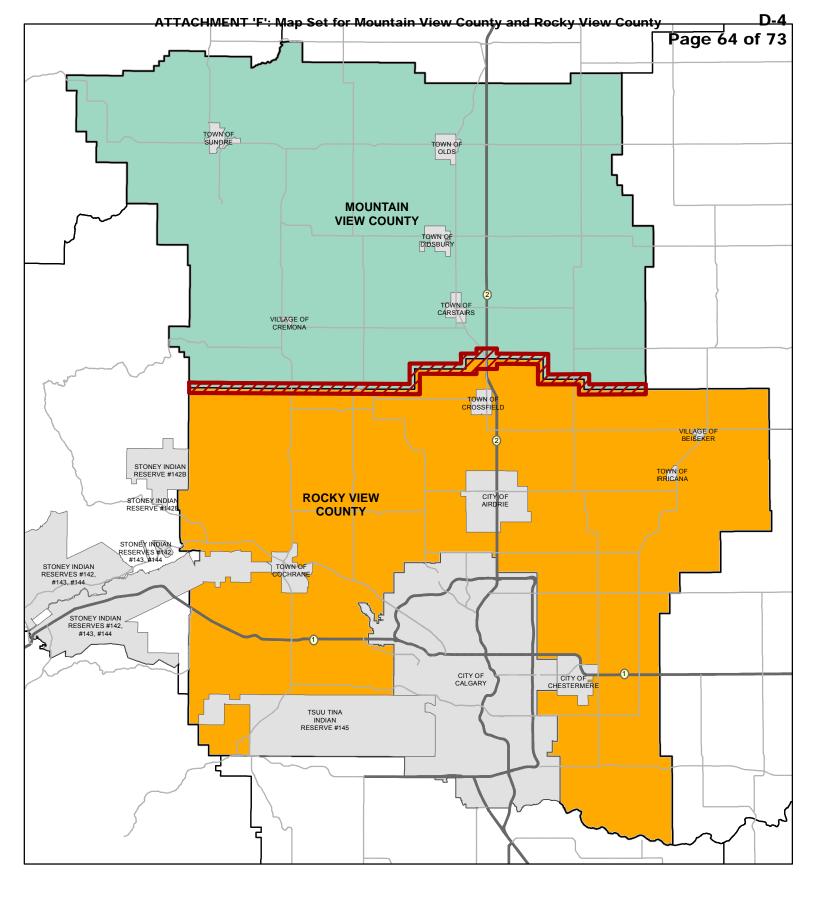
- **5.1.1** Should either municipality identify a potential concern related to an application referral provided through the policies of this plan, written notification shall be provided at the administrative level.
- **5.1.2** The municipalities should provide additional clarification, technical documents, or other information as required in order to satisfy the concerns of the adjacent municipality. Meetings or further discussion may be required.
- **5.1.3** Should the matter fail to be resolved, each municipality should escalate the matter to their respective Chief Administrative Officer (or designate) for further guidance.
- **5.1.4** Should the matter fail to be resolved administratively, a municipality may request that the matter be referred to the Intermunicipal Committee.
- **5.1.5** Should the matter fail to be resolved by the Intermunicipal Committee, formal mediation may be initiated.
  - a. A mutually agreed upon Mediator shall be named to facilitate resolution of the disagreement within thirty (30) days of the written request to enter into a mediation process.
  - b. The municipalities shall share equally in the cost of mediation, including any remuneration, travel and lodging expenses associated with the mediation.

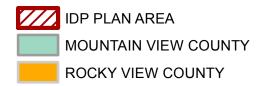
- **5.1.6** Should a dispute involve an application subject to Section 690(1) of the MGA, the municipalities may submit an appeal to the Municipal Government Board within 30 days of adoption, in order to maintain the right to appeal.
- **5.1.7** Notwithstanding (above), the appeal may be withdrawn prior to the Municipal Government Board hearing should an agreement be reached to the satisfaction of the municipalities.

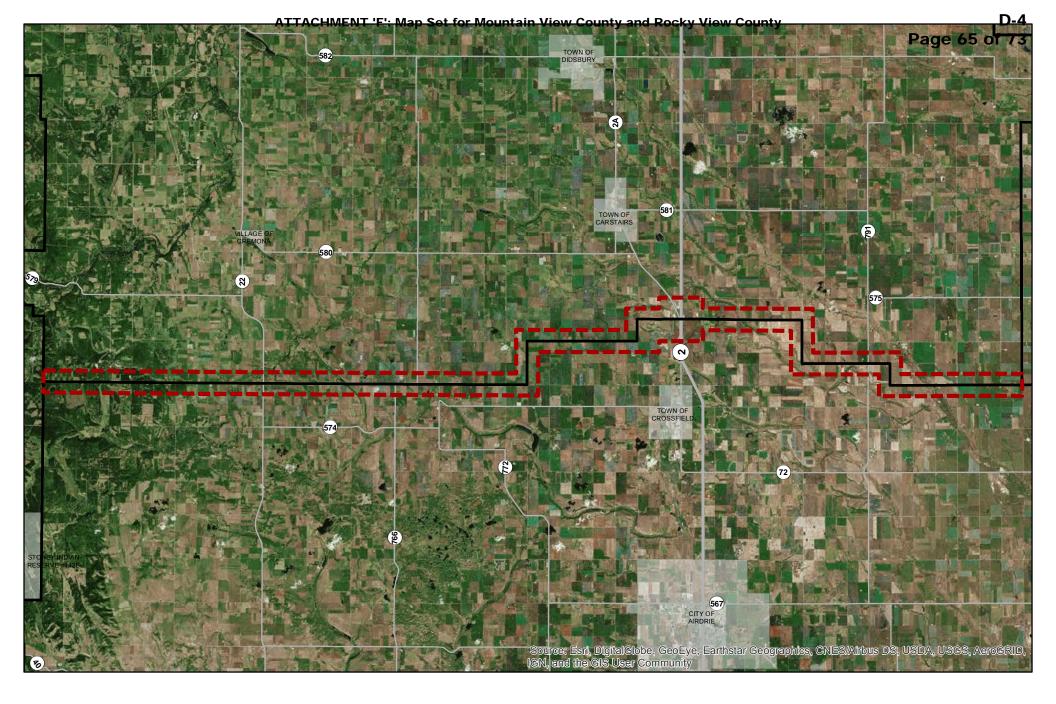
## **5.2** Dispute Resolution Process Summary

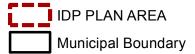
- 1. Understanding/IDP Process
- 2. Admin. Level
- 3. CAO Level
- 4. Intermunicipal Committee Level
- 5. Mediation
- 6. Appeal

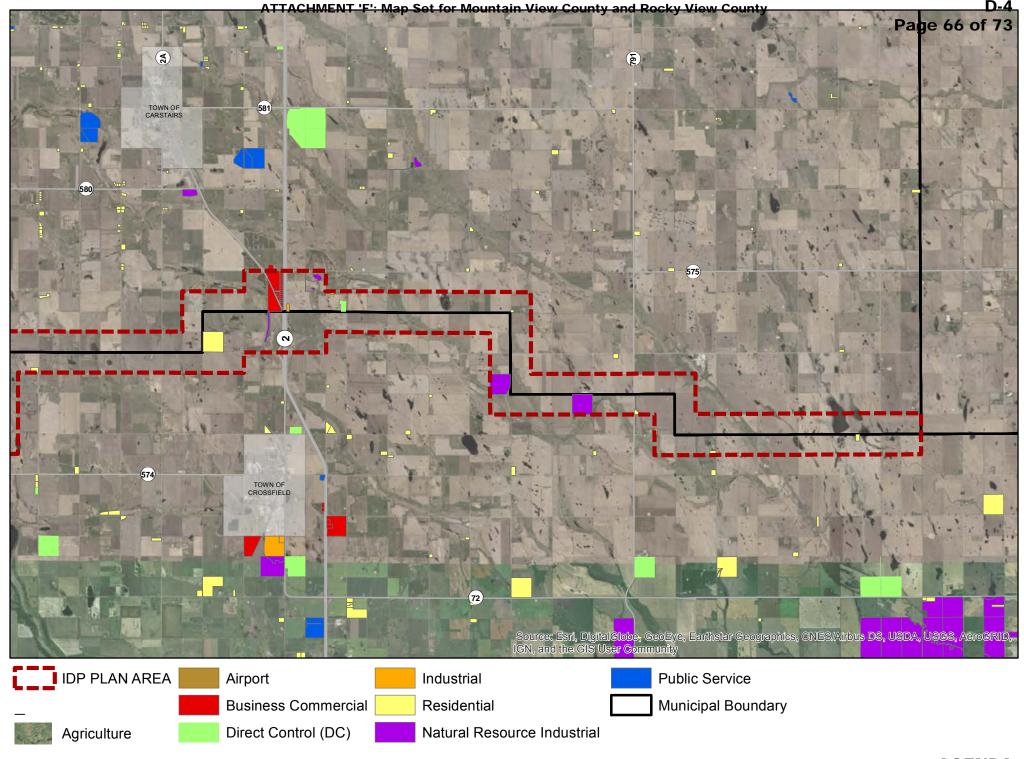


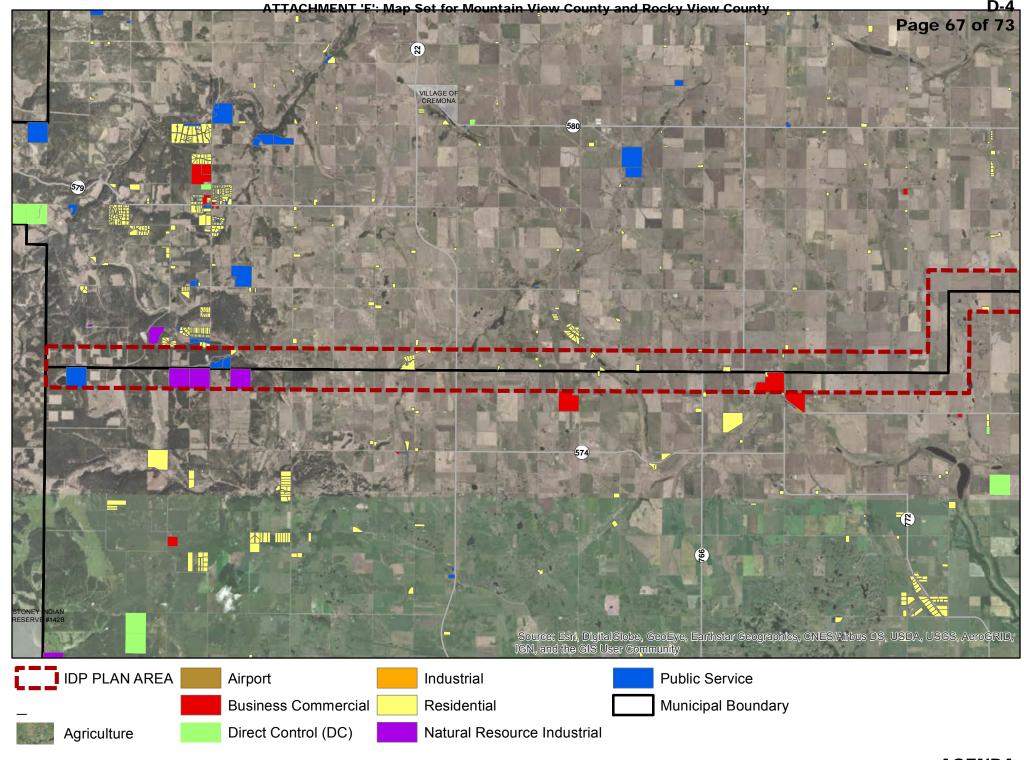


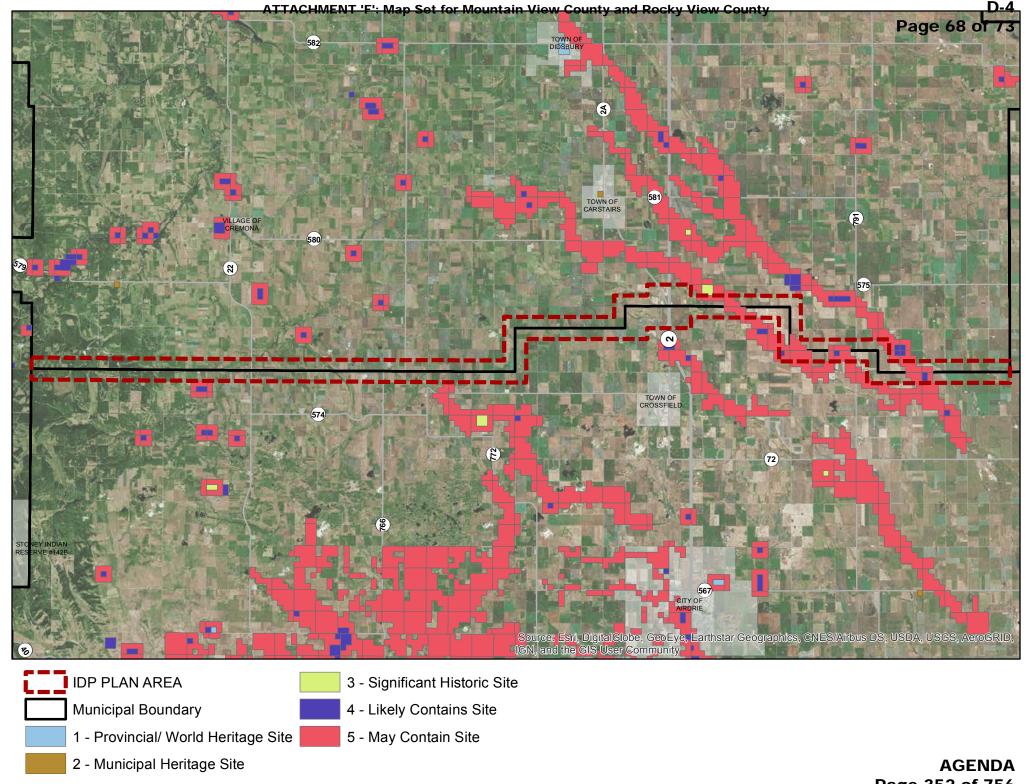


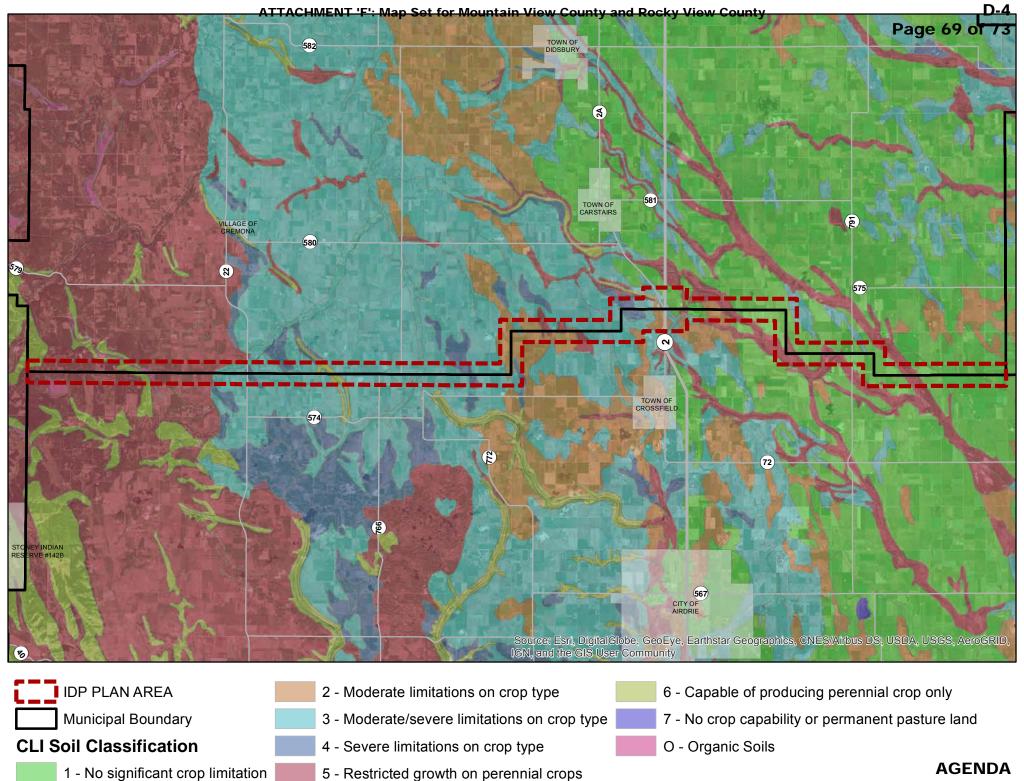




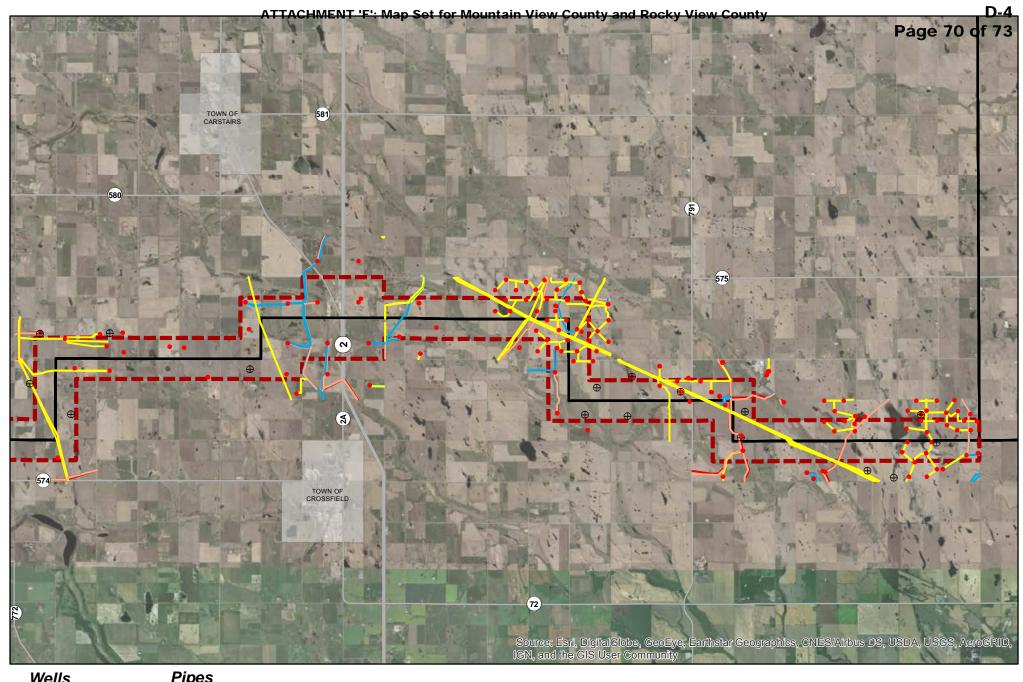




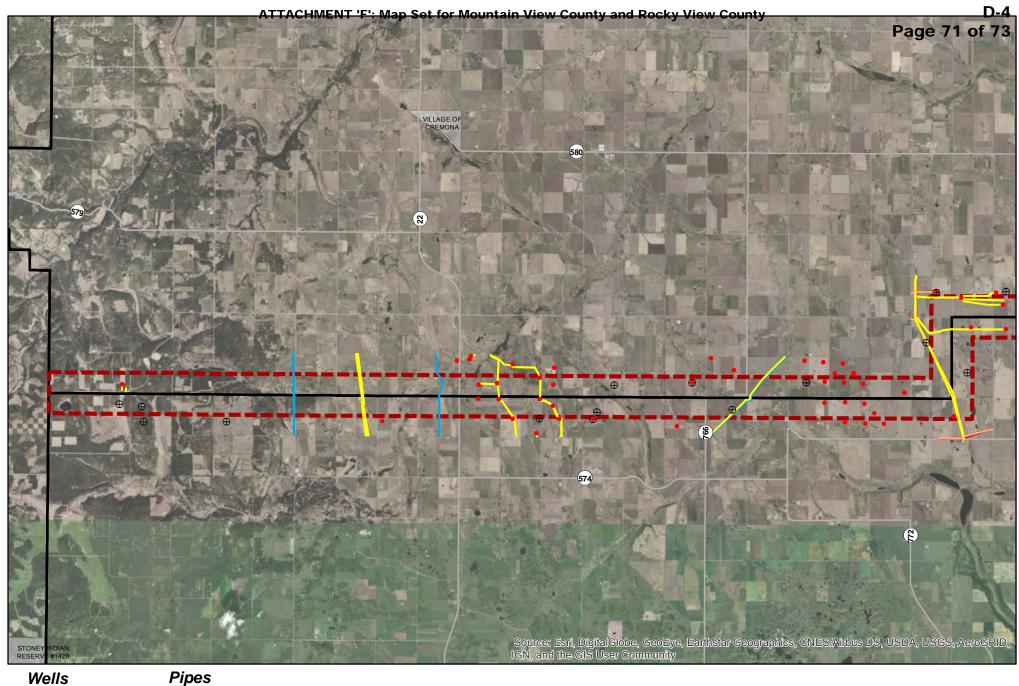




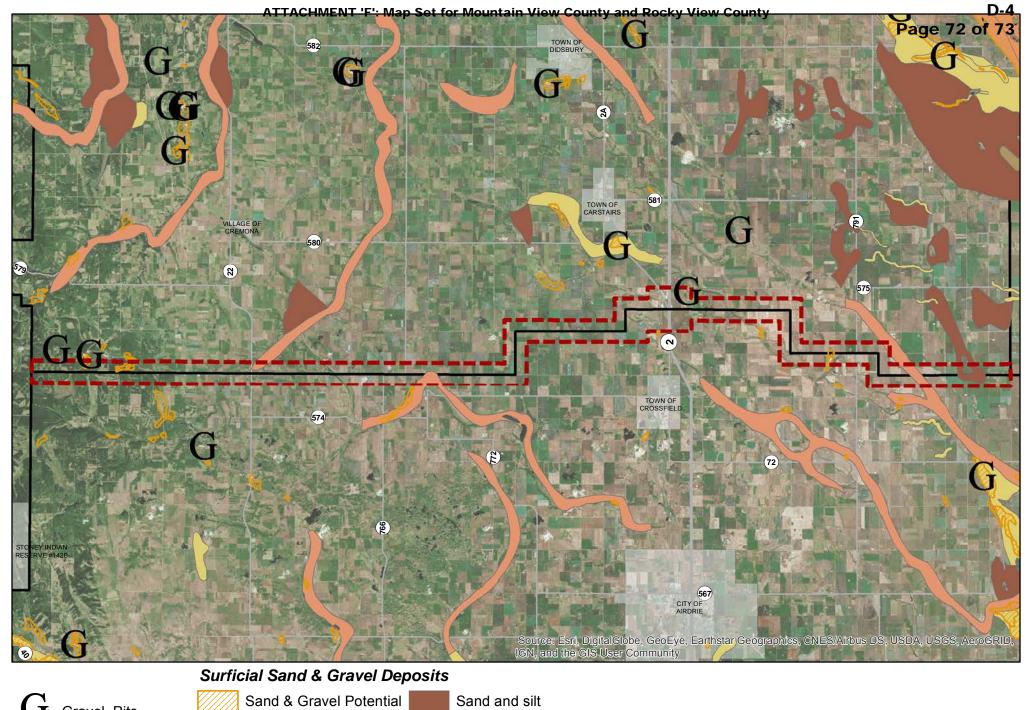
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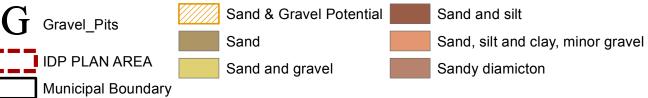


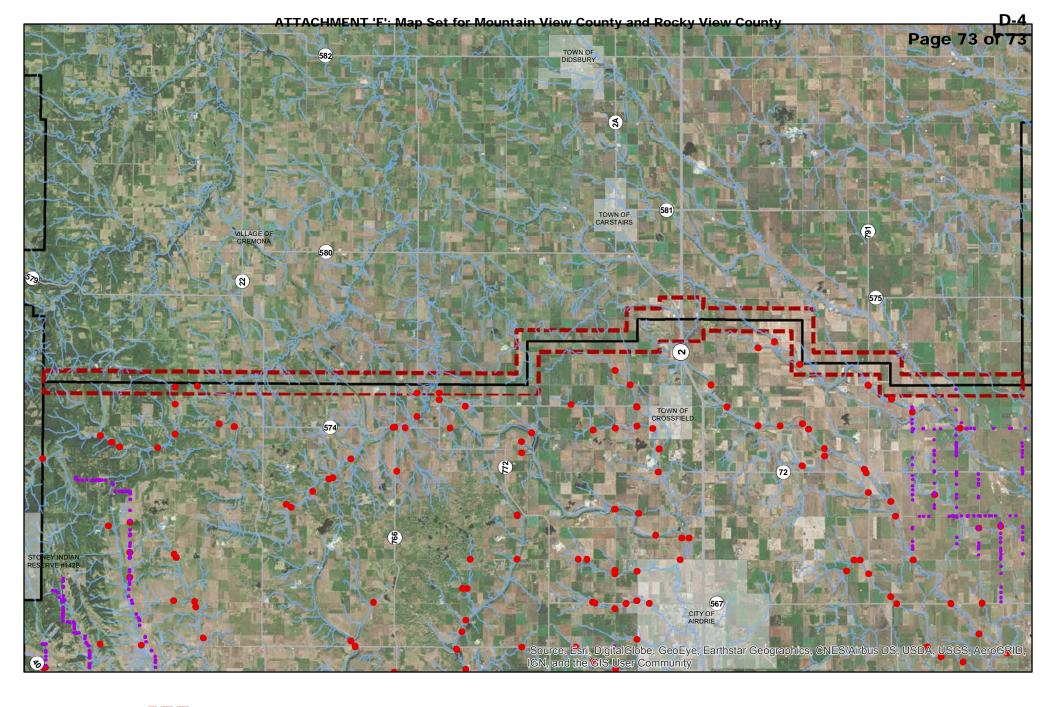


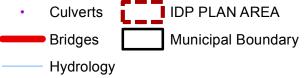


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### PLANNING & DEVELOPMENT

TO: Council

**DATE:** June 11, 2019 **DIVISION:** 7

**FILE:** 07320007 **APPLICATION:** PRDP20190505

**SUBJECT:** Development Permit – Compost Facility, Type II & Manure Storage Facility

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

The proposal was assessed in accordance with Direct Control District 162, the Land Use Bylaw, and the County Servicing Standards.

### **EXECUTIVE SUMMARY:**

The purpose of this report is to present Council with an application for a Compost Facility, Type II and Manure Storage Facility for an existing compost facility located approximately 2.0 miles east of the city of Airdrie. The subject property currently contains a Compost Facility, Type II that is operating without a Development Permit. The Thorlakson Feed Yard is located immediately north and the Scott's Fertilizer Plant is located immediately east.

The subject lands are designated Direct Control District 162, where Council is the Development Authority and responsible for decisions on Development Permits. The intent of this application is to bring the existing facility, including the expansion of composting activities, into compliance with County requirements, and to set performance standards for continued operations.

Administration has reviewed the Applicant's submissions and concluded that the following documents have not been provided with acceptable information.

- Stormwater Management Report;
- · Erosion and Sediment Control Plan;
- Construction Management Plan;
- Traffic Impact Assessment; and
- A Screening and Litter Management Plan.

Council may find that the proposed use is incompatible with the surrounding area and materially interferes with the use, enjoyment, or value of the neighboring properties.

Administration has prepared three options for Council consideration:

- 1. Approval subject to conditions as an outdoor facility (conditions noted in Appendix 'B');
- 2. Approval subject to conditions as an indoor facility:
  - i. With a suggested motion to table the application to allow a specific time period for the Applicant to prepare revised plans and studies such that suggested conditions of approval may be provided for Council's consideration; or
- 3. Refusal of the development permit application.

Jessica Anderson and Milan Patel, Planning & Development

<sup>&</sup>lt;sup>1</sup> Administration Resources



### **HISTORY:**

**December 11, 2018** Council approved an application to redesignate the subject lands from Ranch

and Farm District to Direct Control District 162 to accommodate a Compost

Facility, Type II.

May 19, 2016 Plan 161 1219 was registered creating one new lot and the subject remainder

lands (PL20150102).

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

This proposal was circulated to ninety one (91) adjacent landowners. One hundred seventy four (174) letters were received in response. Of the 174 letters, 59 appear to represent lands in the city of Airdrie, 65 are located within the circulation area, and 47 are located within the County, but not within the circulation area (the location of the remaining 3 letters could not be ascertained). All submissions are attached in Appendix 'C'. The application was also circulated to a number of internal and external agencies, and those responses are available in Appendix 'A'.

### **BACKGROUND:**

The purpose of this application is to obtain approval for a Development Permit for a Compost Facility, Type II for an existing compost facility on the subject lands. The site has been used for composting in conjunction with the adjacent feed yard since the early 1990s. In 2018, the operations reached a threshold that prompted the submission of a land use redesignation application to a Direct Control District.

The subject lands are located approximately 2.0 miles east of the city of Airdrie. The lands are accessed via an existing approach off Range Road 284. The site is not currently serviced. The lands are generally flat with a slight slope down to the east. Lands in the immediate vicinity of the subject lands are generally agricultural with some Farmstead and Residential Two parcels to the west. The Thorlakson Feed Yard is located immediately north and the Scott's Fertilizer Plant is located immediately east. Further to the south and east there is additional fragmentation with various country residential and small agricultural parcels.

### **DETAILS OF THE APPLICATION:**

### Use & Location

The facility is accessed from Range Road 284, which connects to Highway 567 approximately 1.50 miles to the south. There are two access points on the site's north boundary adjacent to the feed yard operation. In order to prevent uncontrolled dumping, disturbance of composting piles, and contamination of products, access to the composting area is limited to site staff and designated contractors.

Details submitted with the application indicate that the annual capacity of the active composting and curing pad is 20,000 tons; however, the actual amount of material on the composting pad at any given time will vary based on the types feedstocks accepted, the equipment used to turn the windrows, as well as the density and moisture content of the materials being composted. There may be as much as 25,000 cubic metres of material on the composting pad in various stages of active composting and curing at any given time.

The site has been designed to accept and process source-separated organic feedstocks generated from residential, institutional, commercial, and industrial sources. The facility is currently categorized as a Class 1 Composting Facility in accordance with provincial regulations. The accepted organic feedstocks include leaf and yard wastes, food waste and other pre/post-consumer source-separated organics from municipal solid wastes and agricultural wastes, including animal feed, bedding, and manures. The facility currently accepts vegetative matter and manure to be decomposed, but does not include a *Manure Storage Facility*. As the operation specifically composts manure from the confined



feedlot located immediately north of the subject lands, the operators would like the ability to store the manure on site.

The following are the key components of the facility:

- A composting pad constructed of clay-soils that is graded to direct run-off to the north into a stormwater pond;
- A feedstock receiving and mixing area located on the northwest portion of the composting pad;
- A windrow composting system for active composting and curing of feedstocks;
- Retention (leachate) ponds in the northern area that capture run-off from the composting pad;
- A manure storage area;
- Proposed perimeter berms that direct surface water run-off from surrounding areas and away from the site to avoid contamination; and
- Working pads adjacent to the composting pad for amendment storage, screening, and product storage.

Composting facilities in Alberta are regulated under the Environmental Protection and Enhancement Act and are required to be supervised by a Certified Operator. The Operator is responsible for regularly auditing the site and its operations to ensure it is operated in a manner that complies with local and provincial regulations and does not result in environmental impacts or nuisance conditions.

### Landscaping & Litter Management

Landscaping has been considered in accordance with Section 26 of the Land Use Bylaw.

There are no existing trees on the subject lands. The Applicant has proposed a berm along the west boundary; however, sufficient details have not been provided. A condition of approval would require a screening plan to mitigate dust and litter, and to provide a visual buffer from lands to the south and east.

### <u>Lighting</u>

Lighting has been considered in accordance with Section 27 of the Land Use Bylaw.

As per section 27.1 and 27.2, lighting for the site shall be "dark-sky" to accommodate the operations on-site, maintain security, and to provide a safe-work environment. A condition of approval would require that all lighting be "dark-sky" and that it must minimize light trespass and avoid direct glare onto surrounding properties.

### Signage

The Applicant has proposed one sign (4 ft. x 6 ft.) to be located at the entrance to the property.

### **Technical Studies**

The following technical studies were requested in accordance with the Direct Control District, the Land Use Bylaw, and County Servicing Standards. A Stormwater Management Report and Traffic Impact Assessment were submitted; however, Administration has reviewed the submissions and requested additional details and clarification on a range of matters prior to accepting these reports. An Erosion and Sediment Control Plan and Construction Management Plan are also required as per County Servicing Standards. A Screening and Litter Management Plan is requested in accordance with the Land Use Bylaw.

For proposals located in Direct Control Districts where Council is the Development Authority, it is desirable to have completed technical reports at the time of application such that Council may consider and render an informed decision based on all relevant information. Technical studies and



required updates may be requested as prior to issuance matters as proposed in Appendix 'B'; however, this would not provide Council an opportunity to consider these aspects prior to decision.

## LAND USE BYLAW REVIEW:

The lands were assessed in accordance with Direct Control District DC 162 and the County Servicing Standards.

# Direct Control District 162 (Bylaw C-7838-2018)

The purpose and intent of this district is to provide for the operation of a compost facility that includes manure composting and manure storage on the subject lands while also allowing ranching and farming activities on the land to continue.

The following definitions are included:

**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*.

**Manure Storage Facility** - means a facility for the storage of manure, composting materials and compost, and a facility for composting, but does not include such a facility as an equestrian stable, an auction market, a race track, or exhibition grounds.

The Applicant has applied for a *Compost Facility, Type II* and a *Manure Storage Facility* in accordance with the above noted definitions and the uses listed in section 2.2. As per the DC Bylaw, Council is the Development Authority and shall consider and decide on applications for Development Permits for all uses listed by this Bylaw.

Should Council choose to proceed with the Development Permit, the DC Bylaw provides regulations as to conditions of approval. Key regulatory requirements include:

- Section 1.5 All development upon the Lands shall be in accordance with all plans and specifications submitted pursuant to the Bylaw and all licenses, permits, and approvals pertaining to the Lands.
  - A suggested condition of approval requires compliance with all approved plans and specifications and all licenses, permits, and approvals pertaining to the lands.
- Section 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 suggested condition of approval limits approval to a term of one (1) year in order to assess performance.
- Section 3.1 The Development Authority may require an Environmental Impact Assessment where there is uncertainty as to potential impacts of potential significant risk from the proposed development.
  - The impacts of the use are generally understood to include odour, traffic and litter.
     An Environmental Impact Assessment has not been provided.
- Section 3.2 Development Permit applications shall consider and adhere to the Agricultural Boundary Design Guidelines in order to mitigate conflicts between agricultural and non-agricultural land uses.
  - Barbwire fencing and berming are proposed/existing along the west boundary, but no other landscaping improvements are proposed. A suggested condition of approval requires the Applicant to provide a Screening and Litter Management Plan.



- Section 3.6 Airborne particulate matter originating from the site shall, at all times, be suppressed by application of approved dust-free treatments in accordance with Alberta Environment guidelines.
  - An assessment of dust control cannot be completed until such time as a final Erosion and Sediment Control Plan, Construction Management Plan, Environmental Impact Assessment and a Screening and Litter Management Plan are provided for review.
- Section 3.7 No use or operation on-site shall cause or create hazardous materials or waste. The operations shall be in accordance with the regulations of any government authority having jurisdiction.
  - A suggested condition of approval restricts the acceptance, storage or creation of hazardous materials or wastes
- Section 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.
  - The Applicant submitted an Air Quality and Odour Assessment report prepared by Engineered Compost Systems (ECS), dated March 22, 2019.
  - The County does not have an in-house odour expert; therefore, Scentroid was commissioned to provide a third party review and assessment of these submissions.
  - The review found that the sampling approach and results outlined in the Air Quality and Odour Assessment indicate some discrepancies and irregularities. Regardless, the recommendation to minimize odours and to increase odour mitigation efficiency on the site is well researched and provides a detailed account of the steps that are recommended to be incorporated as well as each step's individual contribution to the abatement of odours from the compost facility.
    - Scentroid (the County's 3<sup>rd</sup> party review consultant) notes that the ECS report focuses heavily on the southern portion of the Thorlakson Feedyard, primarily where the compost facility is situated and not on the feedlot (northern) area of the site where a considerably higher proportion of odour is be attributed to originating from. Based on Scentroid's professional expertise, the implementation of odour mitigative technology must be incorporated into the northern portion of the facility in and around the feedlot pens and feedlot areas. If the technology is only implemented to the compost facility and not the feedlot areas, there is a strong likelihood that odour complaints will still be registered from nearby residents.
  - The recommendations include short, mid and long term solutions to optimize operations and reduce off-site impacts. These include:
    - Focus on the prevention of odour through optimized mix, timing of operations, and using top cover to reduce night time and weekend emissions. Detailed mix optimization recommendations should be in accordance with ECS BMP Handout\_R1.
    - Reduce throughput and implement an aerated static pile (ASP) facility. ASP facilities have been successfully implemented for instances such as this when immediate improvements are needed to a process or when information is needed prior to making a full facility upgrade.



- Consider constructing an ASP for primary composting. With ASP composting it
  is possible to achieve a high degree of process control which is not achievable
  with a windrow composting method.
- The implementation of these recommendations is included as a suggested condition of approval.
- In addition, Administration has included a condition to require the Applicant to install a permanent odour monitoring system to monitor the changes in odour, receive notifications when odour concentrations surpass a designated threshold, and be able to verify if registered odour complaints are due to the Compost Facility or an alternative source.
- Section 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.
  - While this provision does not restrict Council from determining that an indoor facility
    is appropriate now, it implies that a period of operation may be allowed prior to
    requiring an indoor facility. An option has been prepared for Council, should
    Council determine that an indoor facility is warranted under this permit.
  - The condition set to implement an indoor facility would be substantially different from what is provided for in this report. If Council chooses this option, Administration would request a tabling of the Development Permit until November 30, 2019 to provide the appropriate conditions.
- Section 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.
  - The Applicant submitted a Traffic Impact Assessment (TIA) prepared by R.F. Binnie & Associates Ltd.
  - The review found that the development does not generate a sufficient traffic increase to warrant off-site improvements; however, Administration has requested additional details and clarification. The TIA was also circulated to Alberta Transportation for comment. The response is detailed in Appendix 'A', but generally indicates that the intersection of Range Road 284 and Highway 567 should be upgraded to a Type III intersection. The infrastructure is within the jurisdiction of the County and Alberta Transportation and as such a condition of approval has been included to require updates to the TIA and off-site improvements to the satisfaction of Alberta Transportation.

## **OPTIONS:**

Option #1: THAT Development Permit Application PRDP20190505 be approved in accordance

with the conditions noted in Appendix 'B', which provide for an outdoor facility.

Option #2: Motion #1: THAT Development Permit Application PRDP20190505 be tabled and

the Applicant be directed to revise the application to an indoor facility, including revised site plans, facility plans, and technical studies.

Motion #2: THAT a revised proposal to an indoor facility be submitted for review no

later than September 30, 2019 and presented to Council no later than

November 30, 2019.

Option #3: THAT Development Permit Application PRDP20190505 be refused.



Respectfully submitted,	Concurrence,	
"Richard Barss"	"Al Hoggan"	
Acting Executive Director	Chief Administrative Officer	

JA/IIt

# **APPENDICES:**

APPENDIX 'A' Application Referrals

Community Development Services

APPENDIX 'B' Suggested Conditions of Approval

APPENDIX 'C' Map Set

APPENDIX 'D' Public Submissions



# **APPENDIX A: APPLICATION REFERRALS**

AGENCY	COMMENTS
School Authority	
Rocky View Schools	No comments provided.
Calgary Catholic School District	No comments provided.
Public Francophone Education	No comments provided.
Catholic Francophone Education	No comments provided.
Province of Alberta	
Alberta Environment	No comments provided.
Alberta Transportation	Based on the intersection analysis provided, we offer the following comments:  - The geometric assessment of the intersection should use Alberta Transportation's Highway Geometric Design Guide for analysis, rather than TAC.  - A Type III intersection treatment appears to be warranted at the Highway 567 and Range Road 284 intersection, due to the anticipated traffic growth and left turning volumes.  - Inadequate sight distance is available for vehicles turning left exiting the site (ie: over 400 metres of sight distance is required for left turn departures from the local road). Calculations should be provided (ie: object height, eye height, departure speed, etc.) Mitigation factors must be proposed if appropriate.
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	Thank you for inviting Alberta Health Services, Environmental Public Health (AHS-EPH) to review this application for the development of a compost facility. We provide the following comments for your consideration:
	<ol> <li>AHS-EPH supports the recommendations put forth by Engineered Compost Systems (ECS) that focus on prevention of odour through best management practices, including:</li> </ol>
	<ul> <li>Working with windrows (turning and digging into these piles) only during daylight hours;</li> </ul>



AGENCY COMMENTS

- Covering raw waste piles or other odorous sources during night time hours and weekends to minimize odor emissions;
- Installing an aeration system to allow for more control over the composting process, and potentially reduce the amount of curing time required in the windrows; and
- Using a biocover layer during the primary composting phase to mitigate heat loss (and the potential accompanying odor emissions) without impeding aeration.
- 2. AHS-EPH further recommends that the Applicant develops detailed manuals and guidelines to assist in maintaining best management processes, such as:
  - Customized Operations and Maintenance Manuals to guide regular activities on the site;
  - Pest Control Protocols to proactively address potential issues with birds, flies, mosquitos or other pests that may impact neighbouring properties due to ongoing operations;
  - Communications Program and Complaint Response
     Procedures that ensure affected neighbours and other
     concerned citizens are able to readily contact the operator
     and/or appropriate regulatory agencies to register their
     concerns regarding this operation; and
  - Mitigation and Contingency Plans that outline measures that will be taken when issues arise.
- 3. Adequate protection of surface and groundwater must be ensured throughout development, operation and expansion of the operation.
  - AHS-EPH notes that a detailed stormwater pond report has been submitted by Dillon Consulting as support for the engineering design drawings for the stormwater management facility.
  - We also note the requirement for site drainage and leachate collection in the ECS Aerated Stack Pile Composting Theory, Equipment Description and Odour Management document.

**Public Utility** 

ATCO Gas No comments provided.

ATCO Pipelines No comments provided.

AltaLink Management No comments provided.



AGENCY	COMMENTS	
FortisAlberta	No comments provided.	
Telus Communications	No comments provided.	
TransAlta Utilities Ltd.	No comments provided.	
Rockyview Gas Co-op Ltd.	No concerns.	
Other External Agencies		
Trans-Northern Pipelines Inc	TNPI has reviewed the proposed plan from Rocky View County on behalf of Dillon Consulting Ltd. to complete a new compose facility within the SE 20-27-28W4M. Please note the following below restrictions etc. regarding the development request. This information will need to be communicated/shared to the requestor to ensure they are aware of their requirement to obtain approval for any activity within 30 m of the pipeline. Please note the following (not an inclusive list):	
	Activities NOT ALLOWED on the TNPI Right-of-Way	
	<ul> <li>Permanent buildings including any overhang</li> <li>Fences parallel to the pipeline</li> <li>parking including parking lots</li> <li>storage</li> <li>extensive landscaping including trees (shrubs may be approved)</li> </ul>	
	Activities that MAY be approved	
	<ul> <li>underground utility installation with the appropriate clearance</li> <li>Over-ground crossing with appropriate mitigation (pending vehicle weight/ and weight load distribution)</li> <li>Landscaping (non-extensive)</li> </ul>	
	All of the above, including activities not listed require approval from TNPI in the form of:	
	<ul> <li>Crossing Agreement (within the right of way – o -7.5 m from the pipeline), or</li> <li>Proximity Agreement (outside of the right-of-way but within 30 m).</li> </ul>	
	To request approval for activities within 30 m of the APPL pipeline(s), please submit a request to <a href="mailto:crossingrequests@tnpi.ca">crossingrequests@tnpi.ca</a> I have also attached our current TNPI Crossing Guidelines which covers a more extensive list of activities that may or may not be approved.	
City of Airdrie	April 24, 2019 Comments:	
	Administration and Council have historically received numerous complaints from City residents regarding odour from the subject	



#### **COMMENTS**

facility. While Administration supports the goals of bringing noncompliant developments into compliance, there are still significant concerns that City residents will continue to experience nuisance odours within City limits during warmer months as a result of the operations and expansion of the proposed development.

- In order to help mitigate the odour impact to the residents downwind of the facility Administration strongly recommends that the Development Authority require that the Compost Facility, Type II be operated as an indoor facility, as per Section 3.10 of Bylaw C-7838-2018.
- 3. Administration requests that the Development Authority limit the term of a Development Permit for the proposed uses to 1 year to ensure that there is an opportunity to revisit the operations and manage existing or new offsite impacts experienced by residents of the City of Airdrie.
- 4. Based on the information provided Administration is not satisfied that operation details provided in the circulation package will adequately address concerns regarding significant offsite odour impacts experienced in the City as a result of the operations. Consequently, we request that the following information be provided to better inform our review of the proposal:
  - a. An outline of the specific operational changes that are being proposed to mitigate the offsite impact of odour, and how they differ from previous operations that have caused off-site odour impacts, since none were included in the circulation package.
  - A copy of the Air Quality and Odour Assessment and Air Quality Management System submitted as part of the application.
  - Confirmation that animal carcasses will not be com posted or stored on-site as part of the proposed development.

Administration requests a meeting with Rocky View County staff to further discuss off-site impact concerns and review the details of the proposed operations.

# May 31, 2019 Comments:

The City of Airdrie thanks you for the opportunity to provide comments on the proposed development. With reference to our previous correspondence (dated April 24, 2019) in which additional information was requested in order to better inform our review of the proposal. The City has since been provided with the requested information. Per discussion with County staff and upon review of the additional information, we understand the following:



#### **COMMENTS**

- 1. The Applicant has provided an Air Quality and Odour Assessment Report that measured the air quality on and off the facility premises. The report found that multiple sources of data indicated that the primary source of odour is from the existing feedlot immediately north of the compost facility. This report also provided for some short term, mid-term and long term recommendations for odour management at the compost facility.
- 2. The County engaged an independent third party to review the Air Quality and Odour Assessment Report submitted by the Applicant. The independent third party noted that the recommended odour mitigative measures provided for in the Applicant's report was 'we// researched and provided sound expertise'. The independent third party also noted that 'if the technology is only implemented to the compost facility and not the feedlot areas, there is a strong likelihood that odour complaints will still be registered from nearby residents'.
- 3. The Applicant has provided detailed information on the operation of the facility including an odour management plan incorporating the recommendations provided for in the Air Quality and Odour Assessment Report.
- 4. The final Transportation Impact Assessment and the Evaporation Pond report are still outstanding and as such are not available for our review.
- 5. Section1.7 of Direct Control Bylaw C-7838-2018 provides for potential term limits on development permits for any of the listed uses within the land use district.
- 6. There has been verbal confirmation to Rocky View County that animal carcasses will not be composted or stored on-site as part of the proposed development.
- 7. We further understand that the County will be implementing an odour monitoring system to monitor the odour in the area.

Given the above, the City of Airdrie offers the following comments for consideration:

A. In order to ensure that there is an opportunity to revisit the operations and manage existing or new offsite impacts experienced by residents in both the County and Airdrie, the City of Airdrie supports the use of the term limits provided for in section 1.7 of Direct Control Bylaw C-7838-2018.

- B. The City of Airdrie will work with the County to facilitate the tracking of odour nuisance complaints from Airdrie residents.
- C. The Applicant should be encouraged to manage the cumulative impact of the odour emanating from the property, including the confined feeding operation (CFO). We



AGENCY	COMMENTS
	acknowledge the lack of jurisdictional control over the operation of the CFO, however, we recommend the County engage the operators on a voluntary basis to take the necessary steps required to better manage the odour at the feedlot site by incorporating the recommended odour mitigative measures provided for in the Air Quality and Odour Assessment Report.
Rocky View County Boards and Committees	
ASB Farm Members and Agricultural Fieldmen	If approved, the application of the Agricultural Boundary Design Guidelines will be necessary to buffer Compost Facility & Manure Storage Facility from the agricultural land uses surrounding the parcel. The guidelines will help mitigate areas of concern including: trespass, litter, pets, noise and concern over fertilizers, dust & normal agricultural practices. It will be beneficial to the applicant to consider multiple buffer treatments to help minimize impacts to the surrounding land.
Chestermere-Conrich Recreation District Board	No comments provided.
Internal Departments	
Recreation, Parks and Community Support	No comments provided.
Development Authority	No comments provided.
GIS Services	No comments provided.
Building Services	No comments provided.
Municipal Enforcement	Recommend that any litter, refuse, waste, or garbage be contained on the property at all times, and not be allowed to transfer on to neighbouring properties or roadways; Recommend that an odour control program be required, and that specific, measurable limits be included in any development permit condition.
Fire Services & Emergency Management	Because this site, including Scott's, is an industrial site, they should provide an Emergency Response Plan (ERP), and that some fire protection measures be included in the DP application. The Fire Protection measures and ERP should be developed for both Thorlaksons & Scott's.
Planning & Development - Engineering	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



#### **COMMENTS**

- Air Quality and Odour Assessment Report was provided, prepared by Engineered Compost Systems (ECS), dated March 22, 2019 which incorporated air quality study (VOC, H2S) at facility site and surrounding areas. ECS provided short term, midterm and long term recommendations. As a permanent condition, applicant is required to implement the recommendations of Air Quality and Odour Assessment report.
- Prior to the issuance of the DP, the applicant is required to submit a Construction Management Plan addressing noise mitigation measures, traffic accommodation, sedimentation and dust control, management of stormwater during construction, erosion and weed control, construction practices, waste management, firefighting procedures, evacuation plan, hazardous material containment and all other relevant construction management details

### Geotechnical

- As per Evaporation Pond Report, prepared by Dillon Consulting, dated March 2019, Geotechnical investigations with Thorlakson Composting Facility indicated that the subsurface soil consists of silty clay loam and loam. The drainage area is required to have a clay liner beneath the compost facility to inhabit leachate infiltration.
- Prior to the issuance of the DP, the applicant is required to conduct an onsite geotechnical investigation, prepared by a qualified professional, providing the results of existing groundwater conditions, recommendations for clay liner as well as design recommendations for the required stormwater pond in accordance with the requirements of the County Servicing Standards.
- As a permanent condition, the applicant will be required to provide compaction testing results, prepared and provided by a qualified professional, for any areas of the site filled greater than 1.2m in depth.

#### **Transportation**

- The site is accessible via an approach from Range Road 284
- The proposed development is expected to provide six new parking stalls for staff.
- The applicant submitted a Traffic Impact Assessment (TIA), dated March 5, 2019 to assess the potential impacts to traffic operations at the intersection of Range Road 284 and Highway 567.Based on the traffic analysis results, it is expected that intersection improvements will not be required at the intersection of Range Road 284 and Highway 567 to accommodate the forecast traffic



#### COMMENTS

demands at the opening day and in future horizon. The lighting is not warranted at the study intersection. Engineering has provided feedback and comments for the submitted TIA. Prior to issuance, applicant is required to address all the concerns to the satisfaction of the Countyand AT.. Should the TIA recommend offsite improvements, the applicant will be required to enter into a Development Agreement with the County for the implementation of the necessary improvements;

- AT has reviewed the TIA and provided feedback indicating that a Type III intersection may be warranted due to the anticipate traffic growth and volume of left turning vehicles onto Range Road 284 and other comments related to sightlines. All of AT's comments are required to be addressed prior to the issuance of the DP
- Prior to issuance, the applicant shall provide payment of the Transportation Offsite Levy in accordance with the applicable levy at time of approval for the total gross acreage associated with proposed compost facility. Total acreage will be based on final site plan.

# Sanitary/Waste Water

- Washrooms are present at the existing feedlot operation adjacent to the compost facility.
- Engineering has no requirement at this time.

# **Water Supply And Waterworks**

- Water will be available at existing feedlot operation adjacent to the compost facility.
- Engineering has no requirement at this time.

# **Storm Water Management**

- An Evaporation Pond Report was provided, dated March, 2019, prepared by Dillon Consulting.
- As per Evaporation Pond Report, all stormwater generated within the site will be routed to the proposed evaporation pond located at the north end of the site.
- Based on the review of the submitted Evaporation Pond report, engineering has provided feedback and comments. Prior to issuance, applicant is required to address all the concerns to the satisfaction of the County.
- As a permanent condition, the applicant is required to operate and maintain the onsite stormwater management facilities in accordance with the approved Evaporation Pond Report, prepared for the development.
- Prior to occupancy of the proposed building, the applicant is required to provide as-built drawings of the onsite stormwater management facilities. Once received, the County shall perform an inspection of the proposed stormwater management facilities ensuring the proposed facilities were constructed as per the approved designs.



AGENCY	COMMENTS
	<ul> <li>Prior to the issuance of the DP, the applicant is required to provide an erosion and sediment control (ESC) plan identifying ESC measures to be implemented during the construction of the proposed development and infrastructure.</li> </ul>
	<ul> <li>Environmental</li> <li>Based County's GIS review, no environmental constraints are present within the proposed development as the site has been previously developed.</li> <li>Engineering has no requirements at this time</li> </ul>
Transportation Services	No comments provided.
Capital Project Management	Capital Projects has no concerns
Operational Services	No comments provided.
Utility Services – Solid Waste & Recycling	Please refer to comments submitted by the Solid Waste & Recycling section. It is essential that proper composting operations and best management practices be required to mitigate against nuisance odors and that a robust odor

monitoring and control program be implemented.

Circulation Period: March 28, 2019 to April 25, 2019



#### APPENDIX 'B': SUGGESTED CONDITIONS OF APPROVAL

# **Development Description:**

- 1) That a *Compost Facility, Type II* and a *Manure Storage Facility* development in accordance with the Site Plans prepared by Badke Consulting Ltd., dated February 2019 (Dwg. C01-02, G01, and L01) submitted with the Development Permit application is approved on the subject lands. The approved development includes:
  - A composting pad (approximately 20.14 acres in area);
  - ii. A manure storage area;
  - iii. A feedstock receiving and mixing area;
  - iv. A windrow composting system for active composting and curing of feedstocks;
  - v. Evaporation pond (approximately 8.65 acres in area);
  - vi. Retention (leachate) ponds;
  - vii. Perimeter berms (approximately 1.0 m high);
  - viii. Working pads adjacent to the composting pad for amendment storage, screening, and product storage;
  - ix. Parking areas; and,
  - x. One (1) freestanding sign in accordance with the design submitted (approximately 4 ft. x 6 ft.).

#### **Prior to Issuance Conditions:**

Prior to issuance of the Development Permit, the Applicant/Owner shall complete the following conditions:

#### Fees

- 2) The Applicant/Owner shall confirm its acceptance of or refusal to participate in the Voluntary Recreation Contribution for Community Recreation Funding on the form provided by the County. If participation is accepted, the Contribution is \$64,168.00 calculated at \$800.00 per acre for 80.21 acres.
- 3) The Applicant/Owner shall submit payment of the Transportation Offsite Levy in accordance with the applicable levy at time of approval for the total gross acreage associated with proposed compost facility. Total acreage will be based on final site plan.

# Stormwater

- 4) That prior to issuance of the permit, the Applicant/Owner shall submit an update to the Evaporation Pond Report, as prepared by Dillon Consulting, dated March 2019 to address the written correspondence, dated May 16, 2019, from Engineering Services, to the satisfaction of the County.
- 5) That prior to issuance of the permit, the Applicant/Owner shall submit an Erosion and Sediment control (ESC) plan, identifying ESC measures to be implemented during the construction of the proposed development and infrastructure, to the satisfaction of the County.



### Developability

- 6) That prior to the issuance of the permit, the Applicant/Owner shall submit a Construction Management Plan in accordance with County Servicing Standards. The plan shall address 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.
- 7) That prior to the issuance of the permit, the Applicant/Owner shall conduct an On-Site Geotechnical Investigation, prepared by a qualified professional, providing the results of existing groundwater conditions, recommendations for clay liner as well as design recommendations for the required stormwater pond in accordance with County Servicing Standards.
- 8) That prior to issuance of this permit, the Applicant/Owner shall provide an Emergency Response Plan (ERP), to the satisfaction of the County.

# Transportation and Access

- 9) That prior to issuance of this permit, the Applicant/Owner shall provide an updated Traffic Impact Assessment to the satisfaction of the County and Alberta Transportation. The TIA must include assessments and recommendations for upgrades that are required to the Highway 567 and Range Road 284 intersection. The scope of the TIA must be agreed with the County engineering services department and address the written correspondence, dated May 16, 2019, from Engineering Services.
- 10) That prior to issuance of this permit, the Applicant/Owner shall enter into a Development Agreement with the County for the recommended improvements from the approved TIA and/or as required by the County Servicing standards.
  - The requirements for road upgrades will be based on traffic volumes and vehicle classification.
  - ii. Some of the construction costs may be recovered through the County's Infrastructure Cost Recovery Policy. A Cost Recovery Agreement should be signed at the time of singing the Development Agreement.
- 11) That prior to issuance of this permit, the Applicant/Owner shall provide a Screening and Litter Management Plan, to the satisfaction of the County. The plan shall address dust, litter and visual impact to adjacent lands. The plan shall implement design elements such as setbacks, fencing, landscaping, screening and berming to provide a buffer from on-site uses to adjacent lands. Consideration of the Land Use Bylaw and Agricultural Boundary Design Guidelines shall be demonstrated.

### Other

12) That prior to issuance of this permit, the Applicant/Owner shall install a permanent odour monitoring system to monitor changes in odour, receive notifications when odour concentrations surpass a designated threshold, and demonstrate if registered odour complaints are due to the Compost Facility or an alternative source to the satisfaction of the County.



# **Prior to Occupancy Conditions:**

- 13) That prior to occupancy, the Applicant/Owner shall submit as-built drawings certified by a professional engineer licensed to practice in the Province of Alberta. The as-built drawings shall include verification of as-built stormwater infrastructure.
  - i. Following receiving the as-built drawings from the consulting engineer, the County shall complete an inspection of the site to verify stormwater infrastructure has been completed as per the stamped "examined drawings".

# **Permanent Conditions:**

- 14) That the site shall operate in accordance with the requirements of sections 1.0 to 3.0 of Direct Control District 162 in perpetuity.
- 15) That the Applicant/Owner shall provide an annual monitoring report on surface and well water quality to the County.
- 16) That the Applicant/Owner shall provide compaction testing results prepared and provided by a qualified professional, for any areas of the site filled greater than 1.20 m in depth.
- 17) That an Odor Monitoring System shall be installed and operated in accordance with condition #12 as approved by the County.
- 18) That the site shall be operated in accordance with the approved Air Quality and Odour Assessment and Air Quality Management System to the satisfaction of the County and includes:
  - The Air Quality and Odour Assessment Report prepared by Engineered Compost Systems, dated March 22, 2019 including all recommendations for the short, mid and long term improvement of odours;
  - ii. The BMP Recommendations Report (ECS BMP Handout\_R1), prepared by Engineered Compost Systems dated January 22, 2019;
  - iii. An approved Air Quality Monitoring System; and,
  - iv. A 24/7 public contact for complaints related to odour, traffic, litter and dust.
- 19) That at the County's request, the Applicant/Owner shall provide recorded data from the Air Quality Monitoring System for the period associated with a complaint and demonstrate that operations comply with the conditions of this approval.
- 20) That the maximum Development Area shall be 16.19 hectares (40.00 acres).
- 21) That there shall be adequate parking for the Development maintained on the Development Area at all times, to the satisfaction of the County.
- 22) That dust control shall be maintained on the Lands during operation of the Development. The Applicant/Owner shall take whatever means necessary to keep visible dust from blowing from the lands onto adjacent lands.
- 23) That all on-site lighting shall comply with the following requirements:
  - i. lighting shall be located and arranged so that no direct rays of light are directed at any adjoining properties;
  - ii. lighting be dark-sky as much as is possible;



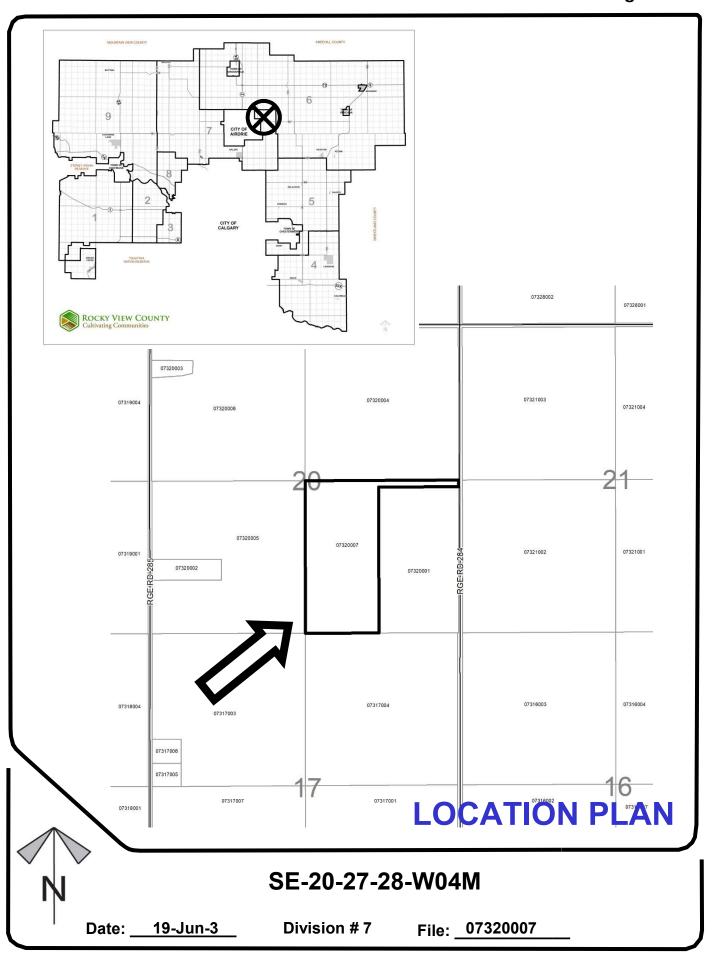
- iii. all private lighting, including site security lighting and parking area lighting shall be designed to conserve energy, reduce glare, and reduce uplight; and,
- iv. lighting design shall reduce the extent of spill-over glare, and minimize glare as viewed from nearby residential properties.
- 24) That the *Development Area* shall be maintained in a neat and orderly manner at all times, to the satisfaction of the County.
- 25) That no use or operation on-site shall cause or create hazardous materials or waste.
- 26) That domestic garbage and waste material generated by the Development shall be stored in weather-proof and animal-proof containers.
- 27) That the Applicant/Owner shall operate and maintain the on-site stormwater management facilities in accordance with the approved Evaporation Pond Report, prepared for the development.
- 28) That any plan, technical submission, agreement, matter or understanding submitted and approved as part of the application, in response to a prior to issuance or occupancy condition, shall be implemented and adhered to in perpetuity and includes:
  - Air Quality and Odour Assessment Report prepared by Engineered Compost Systems, dated March 22, 2019;
  - ii. Air Quality Management System (Pilot Composting System), prepared by Engineered Compost Systems, dated March 22, 2019;
  - iii. BMP Recommendations Report (ECS BMP Handout\_R1), prepared by Engineered Compost Systems dated January 22, 2019;
  - iv. Updated Traffic Impact Assessment prepared by R.F. Binnie & Associates Ltd., dated February 28, 2019; and,
  - v. Updated Evaporation Pond Report prepared by Dillon Consulting, dated March 2019.

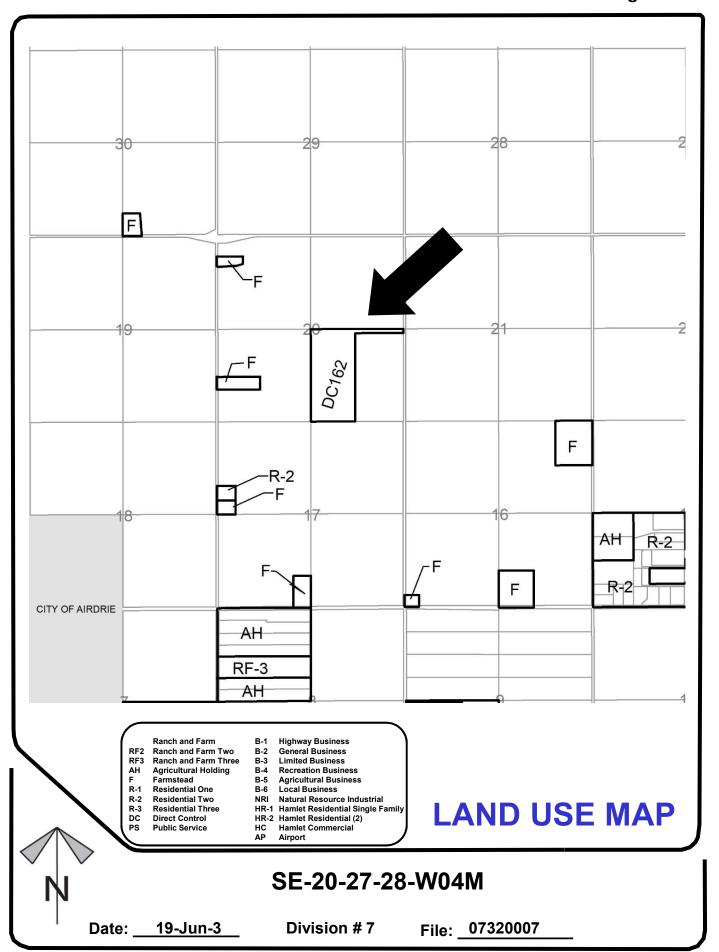
# **Advisory:**

- 29) That the Applicant/Owner shall be responsible for all required payments of 3<sup>rd</sup> party reviews and/or inspections as per the Master Rates Bylaw. For any 3<sup>rd</sup> party review work completed prior to issuance of the DP, the invoices have to be paid prior to the DP being issued. For any work completed after issuance but before occupancy, the invoices have to be paid prior to occupancy.
- 30) That the Development shall conform to the County's Noise Bylaw C-5773-2003, as amended or replaced, in perpetuity.
- 31) That the Lands shall remain free of restricted or noxious weeds, in accordance with the Alberta Weed Control Act.
- 32) That any future expansion or significant changes to the Development operation shall require new Development Permits.
- 33) That Building Permits and associated sub-trade permits shall be obtained for any proposed buildings prior to construction.
- 34) The Applicant/Owner shall be responsible for all Alberta Environment & Parks approvals and/or payment of compensation if any disturbance to wetlands is proposed.



- 35) That obtaining and complying with any other required Federal, Provincial or County permit, approval, or compliance is the sole responsibility of the Applicant/Owner and all development upon the lands shall be in accordance with all plans and specifications submitted pursuant to the Bylaw and all licenses, permits, and approvals pertaining to the lands.
- 36) If this Development Permit is not issued by **August 31, 2019** or an approved extension date, then this approval is null and void and the Development Permit shall not be issued.
- 37) That this Development Permit, if and when issued, shall be valid until **June 30, 2020.**







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-20-27-28-W04M

Date: 19-Jun-3 Divis

Division #7

File: <u>0732000</u>7



# **SITE PLAN**

# SE-20-27-28-W04M

Date: \_\_\_19-Jun-3 \_\_ Division # 7 File: \_\_07320007



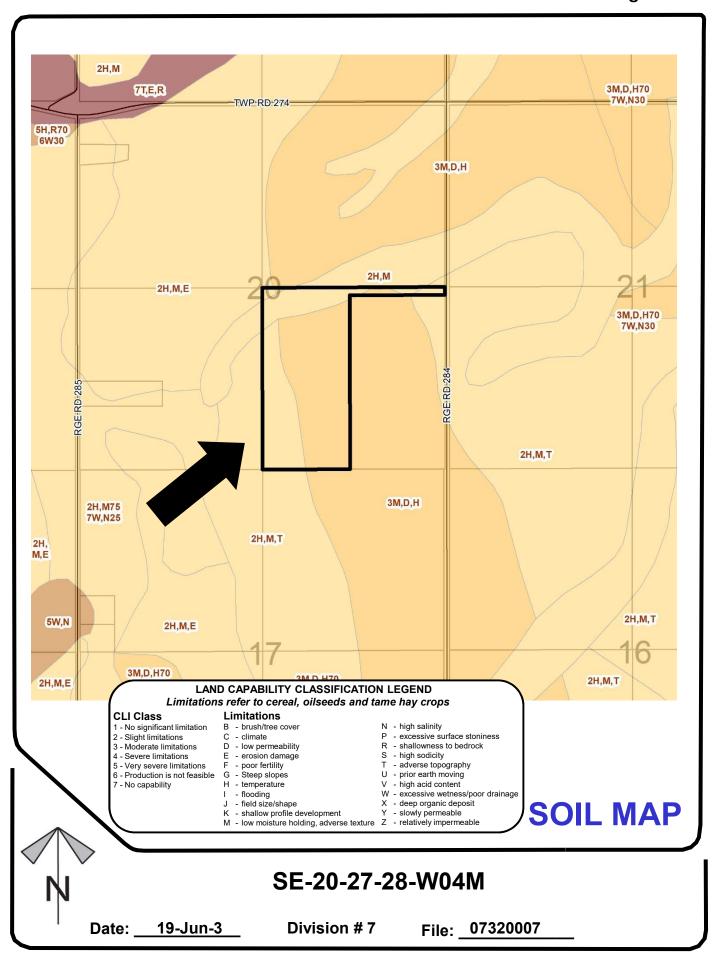
Note: Post processing of raw aerial photography may cause varying degrees of visual distortion at the local level.

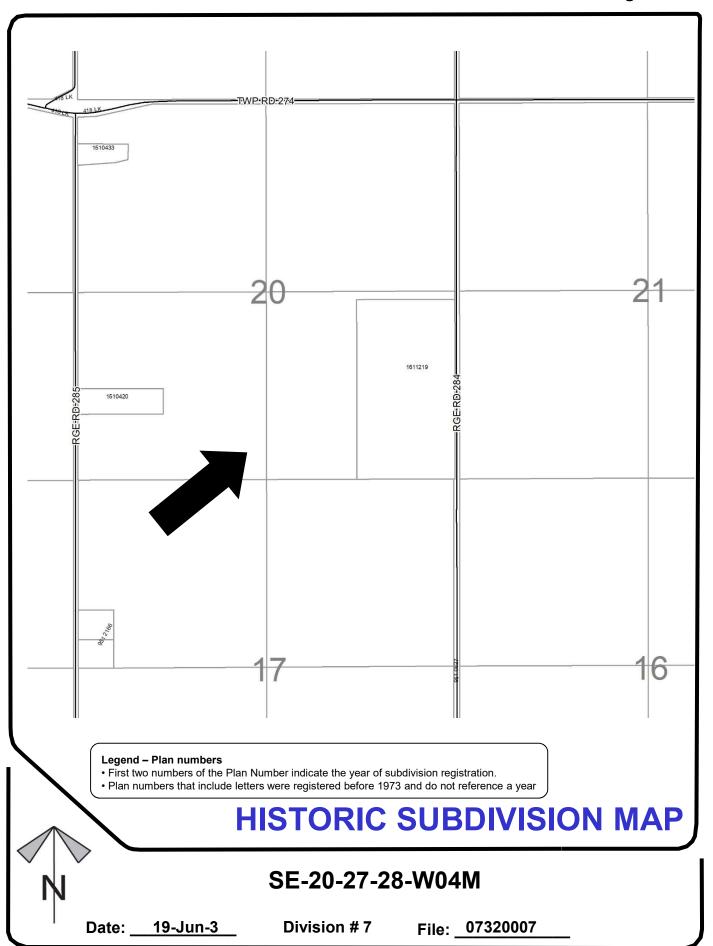
# **AIR PHOTO**

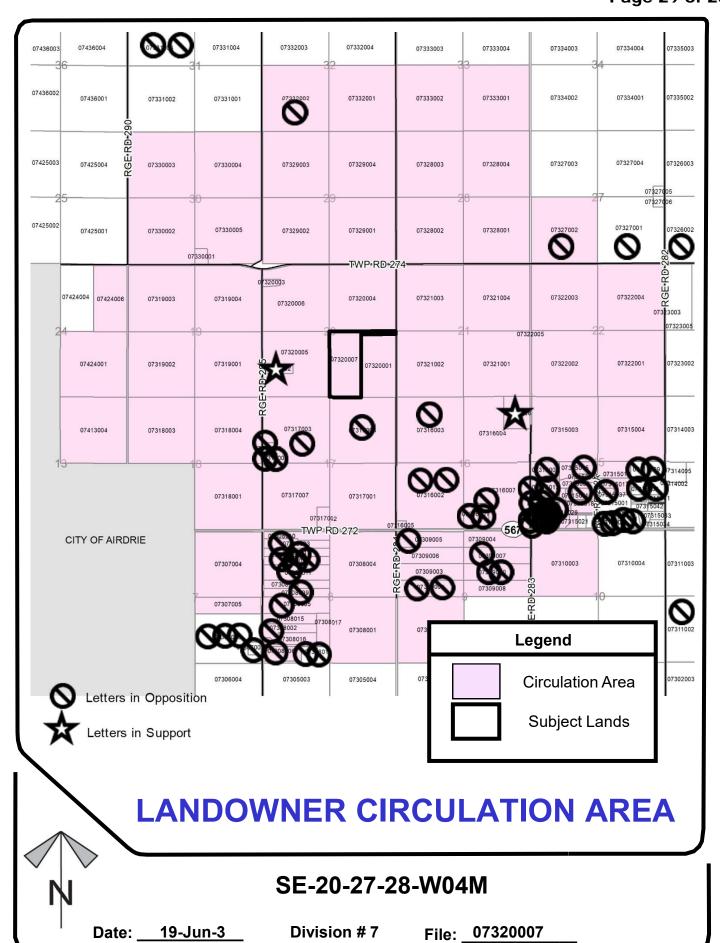
Spring 2018

SE-20-27-28-W04M

Date: <u>19-Jun-3</u> Division # 7 File: <u>07320007</u>







From: Lindsey Ganczar

Subject: Air filled Stench odour.......

**Date:** Monday, April 22, 2019 2:57:49 PM

On a trip going North by Airdrie, a drop into an acquaintance, the odour in the air was almost <u>intolerable</u>, just about to make me turn back. This acquaintance told me, they live with this day in & day out. Actually, this must be a health <u>Hazard</u> to be breathing this all day long.

From:

To: Lindsey Ganczar

**Subject:** Compost facility expansion north of highway 567

**Date:** Friday, January 18, 2019 6:29:22 PM

Thanks to your fellow employee in regards to the info on the stench when I visited my property on the past weekend.

I have been informed the feed lot located north of Hwy 567 has been granted a years permit to take residential waste for composting. As I had mentioned, I was intending to move back there at some point, and build my dream home, but now have seen what should have been a nice place be seriously devalued due to the actions of this business with the approval and blessing of the MD of Rockyview. History says, when the foot is in the door it might as well be wide open.

Currently I live in Lethbridge, and was not notified of the meeting on the 11 of December, as mentioned it would have been considerate to have sent a letter informing me, as a land owner rather than hiding behind provincial government legislation that is 1 mile. Please remember: I pay taxes!

As mentioned, The damage to the surface water and in turn the aquifers in the area have been badly damaged by the feed lots here in the Lethbridge area. The same can be said of my well at the property in the MD of Rockyview. The oil and gas industry doesn't create fecal counts, CFO's do.

I am not saying composting and breaking down organic mater into fertilizer is a bad thing, in fact I think it is a great idea, if done properly. When I look at Lethbridge Bio gas, it is a good example of how things can work. The place takes manure, processes it, burns the gas, produces electricity, and sends it to the grid. The great thing of it is it does not stink, creates jobs, improves value to the area, and reduces the enviro impact of these operations much less their carbon footprint. The exact opposite of what is happening at this facility north of the 567 at the Thorlakson feed lot. The other place to look at how reduction can be done is at Alberta processors, taking dead animals and processing them in Calgary. When working at the plant, the only smell was the trucks with the dead in the back the air out the exhaust stack was cleaner than the air going into the plant.

In any event, I believe the MD has a responsibility to balance business, home owners, future investment and enviro concerns. It is a job that is not easy at any time. As an owner I just don't believe this strikes a good balance, as this is a case of many owners (taxpayers) loosing value due to one business (also a taxpayer) gaining at the expense of others. If done properly, it can make it a great place to live work, and play. When you get a chance to read this, please contact me at your convenience.

Regards, Glen Burgess April 25, 2019

Dear Rocky View County Administration and Council,

Hello, my name is Aimee Sweetapple. I am 14 years old. We moved to out to the country when I was seven years old. My sister and I would run outdoors and play with our neighbours all the time. For the first five years of living out here in the country, my asthma was under control.

About two years ago, when we started smelling the stench, is when my asthma started to become a problem again. When I was little, I once had double pneumonia, and because of this I have to be careful with my lungs. When there is a terrible stench, it makes it harder to breath. When I go to take the dog for a walk, I now have an automatic reflex that it will stink. When there is stench, I have to cover up my nose when I walk outside and I get this slimy feeling in the back of my throat. It makes me panic, and I have to use my inhaler.

In my opinion, the stench smells like the a stinky outhouse. I quickly cover my nose but I can smell rotting garbage. The smell is all around our yard. Sometimes I don't want to get out of the vehicle when we come back home from school, stores, etc. because it smells so bad. Honestly, I would rather be in the hippo section of the zoo.

With the stench, we sometimes can't enjoy our barbeques or meals outside and we have to keep our windows closed. My parents paid such good money to live somewhere lovely, with fresh air in the country, but no. We regularly smell that wretched smell. We live in the country to enjoy a farming community like my mum had when she was a kid. When I was little and getting used to the smell of cow manure, it bothered me, but now that I know what manure smells like, it doesn't bother me at all. It is what it is.

What we smell now is stench from an industrial company. This is not right. The agricultural community out here needs to be protected. Thank you for your time. I hope you will stop this Development Permit expansion and think about people's health and quality of life.

Sincerely,

Aimee Sweetapple

From:

To:

<u>Lindsey Ganczar</u>

Subject: Compost Facility Application

**Date:** Wednesday, April 10, 2019 8:33:44 AM

Hello Lindsey, My name is Eduard Amann and I own property 272172 Range Road 284 with tax roll number 07316003.

I received your letter notifying me that a neighbouring property has applied for a development permit to add a composting facility.

I am writing in opposition to this application. I have researched composting facilities and have found overwhelming evidence to confirm my concerns that the odours from these types of facilities are strong and I am concerned that this will negatively impact my quality of life and my property value.

The compost facility just outside of Strathmore is the closest example of my concern as neighbours there have been interviewed in the media citing how they are unable to be outside of their homes due to the overwhelmingly strong odour coming from the recycling facility.

The Province has standards for composting facilities in place however they are not legally enforceable as they are not tied to the Waste Control Regulation or Act. These standards function as best practice guidelines.

I would request that the County not approve this application as it will negatively impact me.

Thank you Eduard Amann

From: To:

Lindsey Ganczar; Jessica Anderson

Subject: RE: Thorlakson Nature"s Call Development Permit

**Date:** Friday, May 03, 2019 3:34:36 PM

# To Whom it May Concern,

I am writing you today in regards to the development permit for Thorlakson Nature's Call (TNC) whereby they are seeking approval to increase the capacity of their compost facility. I stand in opposition to the approval of this business and operation as a nearby resident that has been adversely impacted since they started to increase the scale of their operation.

My home is located at NE-04-27-28W4M, approximately 6km SSE of the TNC operation. This is in the direct downwind path of the local prevailing winds where we frequently can smell the activity from both the TNC and Thorlakson Feedlot. I have lived at this location since 2008 and in the past we have occasionally been able to detect the smell of cattle or silage from the Thorlakson Feedlot operation. My wife and I both come from farming backgrounds so we are at home with these types of smells and do not take offense to this type of activity. However, within the past year, the smells emanating from that facility site have changed in nature, intensity and frequency. The consistency has changed from that which I would attribute to normal farm activity to a sickening, sweet, rotting, fermenting pungent odor. The intensity of the smell has also increased. In the past, any odors from the feedlot were mild; one could tell they were present but diluted from a distant source. Currently the odor is so intense it feels like an outright assault on your senses; being nauseating and driving us indoors, especially for my daughter who is sensitive to smells. The frequency has also increased in the last year from being in the early spring and around cutting silage to multiple times a month and at times lasting intermittently for several consecutive days.

I am employed in the oil and gas industry and am familiar with the regulations that sector must abide with concerning noise and odors from our sites. The company I work for goes to great lengths to maintain its social license in the communities we have operations, recognizing that our business is going on in people's backyards. If our operations had received as many odor complaints as TNC has, the operation would have been shut down until we could respond to the regulator with an engineered plan for mitigation and prevention. Given the frequency of events in the past year and the number of complaints that have been filed, I am lead to conclude that TNC has shown little regard for their social license and competency to operate this facility in a manner that is respectful of the community in which they are conducting their business.

My family loves to work and play outdoors. The changes in the local atmosphere by the TNC operations has adversely impacted our enjoyment of the outdoors. I plead with Rocky View County to consider what it means for a corporation to be a good neighbor and the responsibility they have to the community they operate in to respect, maintain and not infringe upon the lifestyles and values of those people.

Sincerely, Gerald Andres.

# **Jessica Anderson**

From:

**Sent:** Wednesday, April 24, 2019 9:12 AM

To: Lindsey Ganczar

**Subject:** Thorlakson Development Permit????

Importance: High

**Categories:** Emails to Me

To Who it may concern and all Rock View Councillors:

Regarding: Application PRDP20190505 Division 7

Roll number 0732007

- 1. lived here for 25 years know difference between cow manure odor and rotten compost
- 2. I believe in recycling, composting and help the environment
- 3. this is so harmful to our underground (well) supplies
- 4. Quality of life: re enjoying outside time with family and friends, interrupted by horrific smells, no one enjoys spending time out here as we never know when the stench will come. Cant leave windows open, smell enters and lingers.
- 5. My grandchildren have vomited on occasion the smell is so wretched . they no longer like to ride the horses or bikes because of the gut wrenching smell.
- 6. This affects so many things, air quality, health issues concerns: allergies increased, sore eyes when working outside, and concern how these air borne matters seep into your home.
- 7. Time to build a proper compost facility . indoors, proper control
- 8. Traffic issues as I have seen on more then one occasion that the trucks have only coming to a rolling stop (where there is a stop sign) entering onto highway 567.

Yours Sincerely,

Robert and Darlene Atkinson

2720077 RGD RD 282 Rocky View County T4A2Y6

From: <u>Lindsey Ganczar</u>
To: <u>Jessica Anderson</u>

Subject: FW: Compost facility complaint

Date: Friday, May 03, 2019 12:58:32 PM

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From: Sharon Baran

Sent: Friday, May 3, 2019 12:58:23 PM (UTC-07:00) Mountain Time (US & Canada)

To: Lindsey Ganczar

Subject: Compost facility complaint

Good Afternoon,

To whom it may concern:

I would like to file a complaint regarding the stench coming from the compost facility. I am located 1 mile east of TNC and find the smell unbearable, we are concerned for the future because of our age and we may have to sell our acreage. As soon as someone notices the smell they would have no interest in buying our property. The smell is deceiving to all of those located around TNC. As citizens who take part in compositing we stand by the process but believe that having an indoor facility to compost would be a much more beneficial option. Having an indoor facility would benefit all citizens quality of life by allowing them to spend more time outside and not be bothered by the smell that the compost facility is causing.

Thank you,

Omar & Sharon Baran

Lori Bare

2019-April-30

Re: Opposition Letter
Thorlakson Nature's Call Development Expansion Permit

To: Rocky View Council and who it may concern,

I am a very concerned and affected Rocky View County resident that lives 6km SE of Thorlakson's Feedlot and facilities. My family and I have lived here for 22 years, and both my husband and I were raised on family farms in other parts of Alberta.. In fact, my family's farm received a Centennial Award..100 years of farming...I have lived in the country my entire life..I KNOW what 'AGRICULTURE' smells like...this is NOT it!! This sweet, acidic, putrid, fermented, rotten, OFFENSIVE smell has been noted for about the past year and a half. It is beyond disgusting and really the adjectives used to try and describe it don't do it justice. It permits us from enjoying our acreage life..(the reason we live in Rocky View County)..we are forced to regularly stay indoors with all windows shut as it really is to much to bare. We live in the country to ENJOY the COUNTRY..and due to lack of respect from a large corporation (and neighbour), a County and a near by City that clearly are showing they have no regard for demonstrating or demanding responsibility and accountability, we are being negatively affected in many ways.

There is very little that we can do to our property, house, etc that we do not require a PERMIT for. What a joke..we can't build a deck without going through ridiculous hoops, and yet this is happening 6km away..!? How can this have been led to get to this point..AGAIN..are ACCOUNTABILITY AND RESPONSIBILITY not important factors in this matter..do these no longer matter in life, or does it just apply to a 'select' few..I have to say, this whole matter leaves me very unsettled and am daily losing faith with rules, regulations and governing bodies. This matter clearly shows how inefficient the system, which is clearly made up of many shades of 'grey', is. Appalling and disheartening, to say the least.

**HEALTH-** Quote, "Health and Environmental agencies in the US and Europe have concluded that normal, healthy individuals suffer with no increased health risks by either working at, or living near, a composting facility". Seriously..does this make it OK? **What is classified as 'normal'..** who and what determines that!? If you have a health concern or condition does this mean you are not normal? IF you have a health concern or condition don't you have the right to continue living on your property that you have invested time and money into!? We don't get to pick what health conditions we are sometimes handed..we get to pick how we learn to live with it. **This quote is BEYOND OFFENSIVE, DISCRIMINATORY and INSULTING. IF you have a health condition do you matter less than a 'normal', healthy individual..?! Anyone with** 

cardiac and/or respiratory issues,asthma and/or allergies, along with many other conditions will tell you how much the environment affects and contributes to their well being.

**PROPERTY VALUE-** Many years of money, blood, sweat and tears are pumped into our properties. This is our right and desire. Having an offensive smell around us frequently makes us not want to be outside enjoying our place...imagine when we decide it's time to sell.. Who would buy knowing that it stinks a good percentage of the time..!? So now our lifetime investment is worth nothing..how can this be? Is this 'right'?

Where is the line drawn between everyone's 'rights' that is involved and/or affected.. Truly something that needs to be seriously considered..

# AGAIN..ARE ACCOUNTABILITY AND RESPONSIBILITY (ON EVERYONE'S PART INVOLVED) NOT IMPORTANT..??

HEALTH, PROPERTY VALUES, HAPPINESS, THE FUTURE OF THIS AREA AND THE CREDIBILITY OF THE ROCKY VIEW COUNTY AND THE CITY OF AIRDRIE ARE ALL AT STAKE. THIS MATTER CANNOT BE TAKEN LIGHTLY. WE ARE NOT OPPOSED TO COMPOSTING IF DONE PROPERLY AND WITHIN THE REGULATIONS AND GUIDELINES SET OUT BY THE NECESSARY GOVERNING BODIES. KEEP THIS FACILITY AS A CLASS ONE COMPOSTING FACILITY AND KEEP THEM ACCOUNTABLE TO FOLLOWING THE REGULATIONS SET OUT FOR A CLASS ONE FACILITY. IT'S PLAIN AND SIMPLE AND CALLED **DUE DILIGENCE**.

Respectfully,

Lori Bare RN, BScN May 2, 2019

Attention: Jessica Anderson and Council of Rocky View

I am extremely opposed to the approval of a development permit for Thorlaksons Natures Call Application (TNC) number PRDP20190505.

I have observed with dismay the disregard that the Thorlakson family and staff have for the environment, for their neighbours, for their land, and for their animals. They operate with total disregard for any rules or regulations and are masters of delaying tactics when finally called to task.

I have watched them pollute the land for miles around. The manure polluted runoff has consistently left the feedlot property and destroyed the seasonal creek and its habitat that runs east from TNC and Thorlaksons feedlot property. A creek that used to have crystal clear water in the spring with frogs and minnows now has nothing but brown water and flies.

I know from personal experience that the entire hill where Thorlaksons are applying to place disease laden human waste stream compost material is full of springs. If the water is so close to the surface that it creates springs it is obvious that the soil strata is porous enough that anything on the surface can also enter the groundwater aquifers. I cannot even imagine the disaster this could cause. Green bin waste contains hazardous material – we cannot even pretend to know what germs may be in it. This must not be allowed to enter the ground water aquifers that so many county residents rely on.

Accidents happen, shoddy workmanship is consistent with Thorlakson's history. We cannot assume that this operation will be pristine with absolutely no leakage onto the vulnerable ground. The risk is too great. People's health and lives are at stake.

The stench from this illegal composting operation is just intolerable. It seems to just keep getting worse as TNC claims they are getting better - don't believe it. Remember, Thorlaksons have a history of being masters of delaying tactics and always "getting better" People and companies do not change. They won't "get better". The stench won't get better. The stench will continue causing health issues and ruining people's lives unless this is stopped.

Please do not approve any development permit for this land. You very wisely retained control of this property through your direct control bylaw passed in December. Use that control. Shut them down. You know by their history that Thorlaksons will not protect the environment, nor the neighbourhood – they will continue to destroy it.

You have been given enough information since the meeting in December to realize that this cannot continue. Please weigh carefully the research and feedback the community has offered you and make the only decision that you can make in good conscience. Choose the health and welfare of the citizens of Rocky View, not the profits of Ben Thorlakson who is operating illegally.

Lorraine Berreth

From: <u>Lindsey Ganczar</u>
To: <u>Jessica Anderson</u>

Subject: FW: Application PRDP20190505

Date: Tuesday, April 30, 2019 8:16:22 PM

From: Bernie Biever

Sent: Tuesday, April 30, 2019 8:16:14 PM (UTC-07:00) Mountain Time (US & Canada)

To: Lindsey Ganczar

Subject: Application PRDP20190505

Rocky View County

Attention: Lindsey Ganczar

We strongly object to the application by Thorlakson Nature's Call Inc. for a New Compost Facility(Type II) Manure Storage Facility as stated in Application: PRDP20190505.

Regards,

Bernie and Elsie Biever sw/4-6-27-28W4M

From: <u>Lindsey Ganczar</u>
To: <u>Jessica Anderson</u>

Subject: FW:

**Date:** Wednesday, May 01, 2019 12:20:19 PM

Importance: High

From: Inez Bishop

Sent: Wednesday, May 1, 2019 12:20:13 PM (UTC-07:00) Mountain Time (US & Canada)

To: Lindsey Ganczar

Subject: Re:

To Whom It May Concern:

My name is Inez Bishop (nee - Tweten). I grew up Rocky View County and still reside in Rocky View County. My late husband and I had cows, pigs and chickens. I have been around farming operations my entire life. I absolutely know what agriculture smells like.

I live 8.46 KM north east and I have been stenched six times. I do not agree with industrial scale compost being in our agricultural community. The compost is not agricultural.

Regards,

Inez

From: <u>Lindsey Ganczar</u>
To: <u>Jessica Anderson</u>

Subject: FW: Thorlaksons natures call development permit

**Date:** Thursday, May 02, 2019 10:49:44 AM

From: dave brigan

Sent: Thursday, May 2, 2019 10:49:34 AM (UTC-07:00) Mountain Time (US & Canada)

To: Lindsey Ganczar

Subject: Fwd: Thorlaksons natures call development permit

Sent from my Samsung Galaxy smartphone.

----- Original message -----

From: davebrigan

Date: 2019-05-02 10:02 AM (GMT-07:00)

To: 1ganczar@rockyview.ca

Subject: Thorlaksons natures call development permit

Sent from my Samsung Galaxy smartphone.



MAY 2 2019

RE: THORLAKSON NATURES CALL DEVELOPMENT PERMIT

Dear Ms. Ganczar,

I am writing to express my concern regarding the proposal for thorlakson nature's call to expand. A compost facility of this size is going to bring more stench than we are already dealing with which makes our country way of life unbearable. This will also bring more birds which become a pest in huge numbers. Another concern is the concentration of waste in our area will have an effect on our water. Is the run off contained and dealt with in a responsible manner. The traffic on our roads is also destroying the roads which should be graded more often which isn't happening and they are becoming very rough. I have heard that Scott's is using a small amount of the compost in there bagging facility, if the majority is being spread on the fields for fertilizer the neighbors in the area are going to get the plastic that isn't composting who will clean that up.

I have lived in this area my whole life. The mass amount the feedlot smell of manure is a way of life living by a feedlot. The new compost facility bring a worst smell which if not contained will diminish our quality of air. I have heard the smell goes as far as crossfield, irricanna and airdrie. That's a long distance for the smell to travel and this affects a lot of people. This brings up the

concern is nature's call going to deal with this responsibly or cut corners to save money.

In closing if this facility stays open there has to be a plan to deal with this expansion which will have little effect on the neighbors in the surrounding area. We should not have to adjust our lives to have this facility in our area. Natures call should have rules and practices which keep that pollution contained and the smell so it isn't a concern for others in the area.

Sincerely,

Dave Brigan

April 25, 2019

Re: Thorlakson Nature's Call Inc. Development Permit Application Number PRDP20190505

Application for New: Compost Facility (Type II), Manure Storage Facility

lganczar@rockyview.ca

Dear Ms. Lindsey Ganczar,

I am writing to express my concern in regards to the development permit for a new classification of the Thorlakson Nature's Call Inc. Compost Facility Type II, Manure Storage Facility that has been applied for. I am asking that the Rocky View County to consider the concerns of the Residents affected by this expansion and decline the development permit as per the following:

## 1) Pudrid Odour

We have lived in this area from 1992 and at that time of purchase, we took into consideration the Thorlakson Feed Lot that was close to the property and the odor that would be emitted. Over the many years we tolerated the smell as it was only a few days in the year. In the last couple of years, the odour has changed from a manure smell to an awful putrid smell and in the last 6 months it occurs mostly daily whether it's at our house or on our travels to Airdrie just depending upon the winds. This putrid odour impedes our enjoyment of the outdoors, as we have to hide indoors with the windows close and of course it seems to be even worse in the warmer days. We are also concern for the long term health risk that breathing in the foul odor will cause in the future. Thorlakson tends to dismiss our concern regarding the odor as non-existent or imaginary and just a plain annoyance to them. The foul odour is intolerable at this time and we can't imagine what it will be like if this new application for expansion would be approved. We hope the Council will research other open air facility in Alberta and in other provinces before a decision is made. We are not oppose to composting and would gladly approve an odourless enclosed facility such as the one that the City of Calgary has. We are not the first residents to complain about putrid odour from outdoor compost facilities as this is on-going issue that has led to many Counties closing this type of operations. This continuous foul odour has an effect on our real estate values of our properties and may obstruct the sale of real estate.

# 2) Water Contamination

The Thorlakson property resides on the top of two watershed basins, Bow River and the Red Deer River, and we are very concerned for the potential of groundwater contamination that would affect our water well at our resident. The TFL & TNC site has 20 or more water wells on that site and is surround by natural water springs, bacteria from the run off of the compost or feedlot facility could potentially

contaminate the surface and ground water through these many wells on site, as what has happened in **Walkerton, Ontario.** 

## 3) Traffic Safety

There has been higher volume of semi-transport trucks on the 567 Highway and turning onto Range Road 284 in the last year and a higher volume of accidents with at least 3 semi-transport trucks accidents involved with 1 or 2 fatalities. We are concern that this intersection cannot handle the increase of traffic and this semi-transport trucks are very noisy with the use of their air brakes.

## 4) Thorlakson Operations

TNC is currently operating as a Compost Facility Type I, and I am inquiring why they are accepting cattle paunch as this would only be in acceptable in a Type II facility. The local paper has reported that TNC has been fined in March by Rocky View County for failure to meet required deadlines and conditons for the development permit application. This has us questioning TNC ability to operate this facility in an ethical and environmental standards. They claimed in their open house that the newly purchased equipment would make difference to the frequency and decrease the odor and we haven't found any difference. I feel that TNC is being operated by trial and error with little to no educated composting knowledge and we the neighbors have to pay the price.

In conclusion, we feel that the TNC is a basic archaic open-air facility is not capable of processing non-vegetative feedstock without odour issues for the surrounding residents. The TNC is only open to affordable improvements, which I intrepid as little as possible. We ask that the Rocky View County Council evaluate the concerns of the RVC citizens and research other open air compost facilities and make an informed decision, there has been many open air facilities have been closed for the very same reasons as we have stated, so please take the time to investigate.

Sincerely,

Concerned Citizens of Rocky View County

**Maxine Bruce** 

Wayne Bruce

From: Lindsey Ganczar
To: Jessica Anderson
Subject: FW: Stop the Stench

**Date:** Friday, April 26, 2019 7:54:18 PM

From: Monica Burbank

Sent: Friday, April 26, 2019 7:56:29 PM (UTC-07:00) Mountain Time (US & Canada)

To: Lindsey Ganczar Subject: Stop the Stench

I am writing this letter as a 29 year resident and property owner in Airdrie.

I am appalled at the complacency over the years and the lack of action taken when complaints were repeatedly made even when the evidence was blatant and justified. It isn't just about the stench. It is about the damage to the environment and the waterways. Rocky View County has not taken responsibility or followed through with investigations to ensure the safety of the property owners in their own county. The conflict of interest was very obvious at times over the years and RVC was protecting the big business rather than the generations of pioneers who have lived there and made their living to pass on to the next generation.

I have read all the evidence and it is very clear that it is time to shut down the Thorlakson operation or enforce the law and do it right. The citizens of Airdrie and Rocky View County deserve to enjoy their properties. It is so wrong that we will have the reputation Strathmore and many other communities have had for the same reason - the stench which renders properties to be undesirable to potential buyers in our otherwise, wonderful communities. We will not be able to sell our homes or properties because who would want to live in a community that smells so terrible.

DO THE RIGHT THING>>>>>> THORLAKSON NEEDS TO DO IT RIGHT OR SHUT IT DOWN. Rocky View County needs to be held accountable.

Monica Burbank

April 11, 2019

To Lindsey Ganczar at the MD of Rockyview:

Re: Application # PRDP20190505 submitted by Thorlakson Nature's Call Inc.

As a land owner in the area, I have become aware of a motion to create a Type 2 compost facility at the legal address of SE-20-27-28W4M, along with the rezoning of the land from agricultural to industrial.

There are a number concerns I have in regards to this proposal, including:

- The decomposition of non-plant based materials;
- The odour and associated methane gas emissions from the existing and proposed system;
- The long term environmental impacts from the operation to surrounding owners, and the MD of Rockyview, including potential risk to ground water systems;
- Financial impact to landowners and MD of Rockyview;
- Have all other avenues of operation been explored by the applicant and the other parties involved.

These concerns are causing consternation amongst those of us directly living in the impacted area.

When I visited the site, I was advised by the site manager that the system is being re-worked to eliminate the offensive odours of the operation, along with larger holding ponds etc. in order to comply with Alberta Environment regulations.

It is wonderful that the site is a source of local employment and directly employs 40 people, as well as contributing to the local economy. Healthy businesses, and a great place to live, work, and play, should be, in my view, every ones' goal.

The move towards composting has been adopted in many North American cities, towns, and rural districts, to prevent landfills being needlessly filled with organics, increasing costs, and reducing their life expectancy. There is an environmental aspect that has also been much pushed in respect to the composting of organics as being "green" due to the compost acquired. In this, is a mixture of "organics" that should raise concern: not only are there veggie cuttings, apples etc., there are also non-vegetable based items such as chicken carcasses, steak bones, dog and pet feces, among others. These latter "organics" can add to the environmental impact such as leaching, methane gas, and offensive odour release that is common with existing landfills.

There are 3 types of large scale compost systems currently used worldwide. The 2 most common systems are open aerobic and closed aerobic composting systems. Both of these systems answer the land fill to compost issue, but still release methane into the atmosphere; a greenhouse gas 4 times more potent than carbon dioxide, according to Environment Canada. These two types of compost systems are

thus, no different than a conventional land fill in methane production and negative environmental impact. A couple of examples where open aerobic systems were utilized include in Richmond, BC (Harvest Power), which was recently closed due to the inability for the company to get the odour under control. A second example is the open air system in Seattle, Washington that is currently dealing with pending lawsuits. The system in Calgary is an example of a closed system that uses exhaust mitigation; however, is not a long term feasible solution to a problem that will only continue to grow with population, and changes in future proposed environmental regulations.

A third large scale compost system, is an anaerobic digestion system that is expandable as population/ feedstock increase due to its modular nature, and is capable of cost recovery. This system burns the released methane thru a power generation module; the power then sold to the provincial power grid. Alternatively, the captured methane gas can be compressed and utilized to power feedlot operations. This third large scale compost system has a potential to truly create a sustainable synergistic system with increased environmental benefits.

An Alberta example where the anaerobic digestion system is utilized is by Lethbridge Biogas, which sells enough power to the grid to service 3,000 homes. The Thorlakson operation is in a good location to use a system similar to Lethbridge Biogas, as it is in close proximity to feed stock, main roads, and nearby electrical infrastructure. Additional benefits include the elimination of offensive odours, elimination of piles that attract vermin/birds in the area, as well as potential of leachates into the environment and ground water systems.

The largest challenge with implementing such as system, are the extreme start-up costs for a farm operation. One suggestion would be to establish a private-public partnership with collaboration between Federal, Provincial, and Municipal governments, and Thorlakson Farms in a joint venture to benefit all parties and overall environmental and public health. In the case of Lethbridge Biogas, there where expertise and investment grants from a variety of federal and provincial departments for seed money totaling over 45 million dollars; with a facility that is now viable, profitable, and expanding in operation.

It is my understanding that the current proposed system in Application # PRDP20190505 submitted by Thorlakson Nature's Call Inc, is the first type of composting system outlined above; an open aerobic system. For the reasons noted in this letter, I am hereby strongly recommending that the MD of Rockyview reject the application for an open aerobic system. Instead, I recommend that there is consideration and investigation for a more sustainable and environmentally sensitive composting system as the third example outlined.

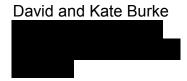
Thank you for your consideration of this urgent matter.

Henburgest

With kind regards,

Glen Burgess

May 2nd, 2019



Dear Ms. Ganczar:

We are writing this letter to register our concerns relating to the Thorlakson Nature's Calls expansion. We do not want this to move forward for the following reasons:

- Neighborhood stench
- Surface and well water contamination
- High traffic volumes
- Increased wild-fire danger
- Detrimental impact to environment/wildlife

We have lived on our land for 28 years and are 3 km East of this operation. Prior to the development of Thorlakson compost operation, the stench was significant just from the operating feedlot. Now, the odor emitted from the composting operation is even worse. We have visited neighboring landowners and the stench is unbearable to the point where we don't want to visit.

We also are concerned with surface and ground water contamination from this operation. Being so close we are concerned the Crossfield Creek and our own water well could be compromised if this were to move forward. There has been no effort to assure residents that this will not be a devastating impact- not so much of an offer of water testing for nearby residences.

We have noted a significant increase in truck traffic on highway 567 and note at times the intersection south of the operation can be dangerous with large trucks entering and exiting the highway.

We are well aware of the history at this location of operators recklessly igniting fires without permits, often times on windy days. The smoke has been a factor for nearby residents not to mention the risk of wildfires to everyone in the community!

Other unknowns is how has and will this operation impact wildlife of all kinds and their habitat. From potential water contamination, noise pollution and foul odor

	now will this	impact our	essential bird,	insect and i	reptile r	opulations?
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We sincerely believe the negative impacts of this expansion should result in denial of this application.

Sincerely,

David and Kate Burke



May 2, 2019

To whom it may concern:

This letter is to address concerns that I have with Thorlakson Nature's Call (TNC).

Our family farm, which has been operated for four generations, is northeast of this facility. Thorlaksons have been long-time friends and business associates with us. I find it very hard to write this letter, BUT when our health and livelihood are at stake, I feel compelled to state my concerns.

Our family members have health concerns that we feel are being affected by Thorlakson Nature's Call. One family member is fighting Stage 4 cancer and has only one lung as a complication of such. His breathing is encumbered at the best of times without additional air quality issues. Two other family members have asthma and allergies. We have grave concerns with our air and water quality. When ones' immune system is compromised neither of these matters can be taken lightly. We receive the predominate westerly and southwest winds from the TNC open air composting facility. Not only is the stench unbearable on these occasions, but more importantly are the air quality concerns.

Also, of concern is the land devaluation in this area because of TNC operation. To put it politely "who wants the stench filtrating through our open windows and doors?" "Who would want to be outside." "Why should our environment be jeopardized?" I don't need to mention Thorlakson Nature's Call blatant environmental issues and violations. The Rocky View County and Alberta Government are aware of these.

We are all aware of the importance of composting in today's society, but it must be done responsibly and must not affect the health of those exposed to this industrial facility.

We must all be responsible stewards of the environment! This is NOT just a concerning issue for those that are affected in the olfactory sense, but is a public health concern that must be addressed by governmental authorities before more negative ramifications are experienced.

I feel that Thorlakson Nature's Call should not be granted a development permit to expand their operation and should be mandated to totally enclose the present facility for composting that includes air purification and containment of the compost fluids.

Thank you for your consideration of this matter.

Respectfully,

Joanne Bussey

From:
To:

Jessica Anderson

Subject: letter in opposition to TNC DP

Date: Thursday, May 02, 2019 9:39:05 AM



Attention: Ms. J. Anderson

Opposition to Thorlakson Compost Facility Application PRDP20190505

Very important information was not available at the time of the land use redesignation approval for Thorlaksons Natures Call compost and manure storage application.

A detailed study of the water table and ground composition has shown that even a very small leachate spill, any failure of the clay pad, or any compost materials spilled directly on the ground pose an extreme risk to the safety of the groundwater. This composting site sits on a very shallow permeable aquifer. The risk of a Walkerton type disaster is extreme.

The risk to the safety of the groundwater is just too great to allow any type of composting operation on this particular site. I am sure Mr. Thorlakson would be devastated (as would our council members) if he learned that he had inadvertently caused illness or death to a neighbour because their well water became polluted by the composting operation. Periodic testing of the onsite wells does not mitigate the risk sufficiently. Water that tests clean today may become dangerously polluted tomorrow.

The stench from TNC is absolutely unbearable. We can't enjoy our yard. We can't enjoy our garden. We can't barbeque. My sister, whose immune system is compromised, cannot visit because she can't be exposed to the fungal spores present in stench.

Open air composting just simply does not work. All the research shows that windrow composting projects – even those using aeration - eventually get shut

down. The dreadful, unhealthy stench just cannot be controlled, regardless of the recipe or the amount of air injected.

The green bin program started before the planning and development of efficient composting was in place to handle the human waste stream. If necessary, the nearby cities should take a break on the green bins until a proper facility is available.

Our province, our county, and our cities need to collaboratively plan and build modern, indoor composting facilities. We need to harvest the electricity and make clean compost. We need to ensure that it does not harm the neighbours.

Please insist that TNC compost be quickly phased out and that the site be returned to its natural state to protect our water. Technically water is a provincial responsibility but in this case Rocky View does have the authority to prevent a disaster. Having been advised of the danger the County has a responsibility to exercise due diligence to protect the health of the residents.

Please ensure that any future composting in the County of Rocky View will be done in modern, enclosed facilities with proper air filtration systems.

Respectfully submitted,

Myrt Butler

DEVELOPMENT PERMIT APPLICATION #: PRDP20190505

DIVISION: 7

APPLICANT: Thorlakson's Nature's Call Inc. (TNC)

NEW: Compost Facility (Type II)

#### STRONGLY OPPOSED

this is true.

There are far too may negative impacts, both financial and to the quality of life of existing residents, for this Application to proceed. TNC has not met the obligations laid out by Council back on December 11, 2018. The rotten odors continue and TNC continues to be dismissive and uncooperative with respect to the negative impact they are having on the community. TNC and Milt Scott's commitment to work towards improving relations with its neighbors was nothing more than lip service. TNC/Thorlackson/Scotts Canada continue to show a blatant disregard for County rules, their neighbors and the environment. Any Councillor or resident simply needs to drive past their operations to know

This is not an opposition to composting, recycling or feedlots. This is an opposition to allowing an unscrupulous operation to negatively impact the quality of life for hundreds of Rocky View County residents.

Thorlakson's have been operating a feedlot for decades and have shown a consistent disregard for environmental rules and regulations. Residents near the operation have witnessed numerous reported and unreported violations. The most recent action against Thorlackson's was an Emergency Order issued by the Natural Resource Conservation Board on March 15, 2019. This was Thorlakson's second Emergency Order in the last five years along with two Enforcement Orders. Year after year Thorlakson's demonstrate a disregard for improving their practices, improving their reputation, improving their negative impact on the environment or improving the negative impact they have on other residents. Why would the County EVER consider allowing this kind of operator to expand?

TNC/Thorlakson, under the guise of a farming operation, is requesting approval for an eighty-acre commercial composting facility. This application comes not long after Thorlakson, under the guise of a farming operation, developed and then sold their commercial bagging facility to Scott's Canada. Is promoting the continued commercialization of the farmland along TWP RD 284 consistent with current County land uses for this area (RF/AH/F/R)?

The negative impact this Application will have on hundreds of existing residents has not been given adequate consideration. The negative impacts on residents does not change or improve over time. These negative impacts to quality of life will be there 24/7/365 in perpetuity.

No commercial development for TNC.... No commercial development for Scotts Canada.... No more commercial development for Thorlakson's along TWP RD 284....

Chris Lambie



April 28, 2019

Re: Thorlakson Nature's Call Development Permit

Dear Ms. Ganczar,

This letter is to express my concerns regarding the proposal for Thorlakson Nature's Call to expand. I am writing because of concerns for the environment not only for us but for our grandchildren and future generations.

We are dealing with a continuous foul stench from this business...no it has not gone away. Have concerns for our water and creeks, land pollution, traffic concerns (this has increased considerably) and concerns about the history of this business.

We have lived at our current address for over 5 years. Although we have only lived here for a short time we are used to country living and farm smells. We were not only brought up surrounded by farms but we also lived on a farm for many years. What we are **NOT USED TO** is the awful foul stench that we are being exposed to from the Thorlaksons compost facility as it stands. There is no comparison to the regular farm smells we are used to from this facility and other neighbouring farms, cattle and feedlots.

I am very concerned what the health implications are for the residents and the environment we live. My wife's current allergies, lung and health issues could be a result of the air pollution being released by this business or it may just be a coincidence but we do know the timeline correlates to similar timeline of operation changes. All this should be taken into consideration. We know open air composting is polluting the air and that is the air our family and neighbours have to live and breath every day. My family and my grandchildren should not have to be exposed to this.

We hope the MD of Rocky View and the City of Airdrie will develop a plan for our region that is mindful of projected growth, with ecologically sound practices, that we have not seen from Thorlakson. Both municipalities are saying they are environmentally conscious so please show us that you do care, and protect our right to live in a clean and safe environment.

Sincerely, CoOn Mac Donuld

Colin MacDonald

From:
To: Jessica Anderson

Subject: Re: Thorlakson Natures call development permit

**Date:** Thursday, May 02, 2019 10:19:50 PM



Re: Thorlakson Natures call development permit

May 2, 2019

Dear whom it may concern,

My name is Colten Stevenson, and I go to George McDougall High School in Airdrie. I live outside of Airdrie right around the compost Facility and it impacts my life a lot. The stench is horrible it makes you want to throw up on the spot. It is almost impossible to do anything outside without feeling sick. I love to scooter and ride bikes on my driveway and the stench ruins all my fun. Due to all of the garbage and such that goes there, there are lots of seagulls that fly around and come around our property. They are very annoying and my dogs go crazy over them. There is also lots of dump trucks and garbage trucks that go past my house down my Range Road. They throw lots of dust which affects my allergies and makes it hard for me to breathe. There are times where I'm in Airdrie and can still smell the horrible stench. It feels like I can't escape it.

I would hate for the smell and the amount of trucks to increase. This would happen if they get their expansion. It would make me want to move for sure. Please deny this expansion ASAP.

Yours truly,

Colten Stevenson

From:
To:

Jessica Anderson

Subject: Thorlakson Nature's Call development permit Date: Wednesday, May 01, 2019 8:22:36 PM

Date: Wed, 1 May 2019 20:13:02 -0600

Subject: Thorlakson Nature's Call Development permit



Re: Thorlakson Nature's Call

May 1, 2019

Dear, Jessica Anderson

270148 Rge RD 283 Rocky View County, AB T2A 4S9

Re: Thorlakson Nature's Call

May 1, 2019

Dear, Jessica Anderson

Hello Jessica Anderson I'm writing to you because there is a stench smell around where I live. The stench does not smells not very Pleasant, it reminds me of the smell of the dump but a little worse on a bad day. It dose not always smell like that though some days it is a terrible awful smell. Some of my friends who live in Airdrie said they can smell it too on some days. I'm getting a bit worried about this summer coming up because I'm supposed to get a pool this summer from Make A Wish and I don't know how I'm supposed to enjoy it when I can smell that awful mouth vomiting smell. thank you for taking your time and

reading my letter to you, Here's a little joke to brighten up your day. A cowboy went to town on a Friday, stayed for two days and left on a Friday how is this possible? Scroll down for the answer

His horses name was Friday

anyway peace out.

Carter Stevenson

Bruce & Sharon Rito Ai 5



Shane & Michelle Callawa Michael Callaway Jennifer Callaway



April 30, 2019

Rocky View County 262075 Rocky View Point Rocky View County, AB T4A 0X2

Attention: Lindsey Ganczar, Senior Planner

Re: Thorlakson Nature 's Call - PRDP20190505

We are writing to express our concerns regarding the proposed application for Thorlakson Nature' Inc. to expand the Composting Facility to Type II.

We moved to the area in 1980. Since then, Shane & Michelle built their house next door in 1995. It have lived here and can differentiate the farm smell, the spreading of manure on the fields, a smell only lasts about a day or two but that is not what the problem is. The smell we have been getting a fall of 2017, is a sweet, rotting smell that makes you want to vomit. It was a smell that happened for days on end during the summer of 2018, varying from a 3/10 to 10/10.

Our most important concern regarding allowing the expansion is the smell. Last summer the sme nauseating and overbearing. We were unable to leave our windows open, during the hot days to g breeze, especially during meal times. We were not able to sit on our deck or in our yards to enjoy warm weather.

Along with our concerns with the smell, we have concerns with our <u>Property Values</u>. No one would purchase our properties, if the open house was on the days that the smell is so strong. If we have our property due to the smell, our property value is zero.

Page 416 of 756

oncerns are the possibility of ground water contamination as well as the ageréase of the ner of the Highway 567 and Rge Rd. 284. Trucks at that corner often pull out when unsi

the December 11, 2018 public hearing, the County put a number of conditions on TNC. acknowledged that one Neighbour could not negatively impact people in the communimade mention of the finger pointing between Thorlakson Feedlot and Thorlakson Natu s still happening

: is, to NOT ALLOW the expansion at this time. TNC has not proven to the surrounding nity that they have the smell under control. They are constantly pointing fingers at the s stated that they have invested over \$500,000.00 in an effort to reduce the odour but i We are still calling in complaints. They should not be allowed to expand for at least two ey have no smell complaints.

ly,

I Callaway

Michelle Callaway

Jennifer Callaway

**Sharon Ritchie** 

I believe in composting. I also believe it must be done in a proper manner. It must not cause harm to neighbours. It must not cause harm to the local water nor to the quality of air we breathe.

Open air composting just simply does not work. It would be healthier if Airdrie and Calgary just paused in the green bin programs until the proper facility has been built. Thorlaksons composting reeks. It destroys the air quality and creates a great deal of unhealthy stress in the local neighbourhood since home owners can no longer enjoy having company or doing any activities outside – the stench hits at random times and is not getting any better.

The risk to our well water from Thorlaksons site is totally unacceptable.

The risk of fire from open air composting devastating a neighbourhood is too great.

Close Thorlaksons down. Stop hauling the refuse from the cities into the country until we are ready to deal with it properly.

april 30TH 2019 L. Ceresters To the Rockyview councillors:

Please do not approve the development permit for Thorlaksons Nature's Call Compost. It does not belong in such a populated area so close to a growing city.

Brooks has been rated as the 6<sup>th</sup> worst Canadian city to live in because it stinks. We do not want Airdrie to be rated the same way. Airdrie is already becoming known as stinky city!! This must stop.

Open air composting emits a very foul and unhealthy odor. Pumping air through it has been shown to do little to reduce the odor and has not been proven to reduce dangerous health effects of the bio aerosols released at all. There is better technology. We must insist on it.

This operation is putting the safety of the underground water at risk. This operation is drastically increasing the flies (which can easily travel up to 8 miles). This open air composting is increasing the starlings and the ravens as they are attracted to the stink. This open air composting creates an extreme risk of fire. This operation is putting too much truck traffic on narrow roads that weren't designed for the volume and for such big loads that turn into oncoming traffic.

Approving TNC development permit as a type 2 allows them to expand with little or no local control. Please don't give this control to the province.

A large scale, commercial operation in a farming/country residential area so close to Airdrie is wrong. Composting (and particularly open air composting) does not belong at this location.

I strongly believe in composting but it must be done safely, in the proper location and using modern methods.

Please do not approve the Thorlakson corporation application for a development permit.

Name: _	B. (PVIKS	FULK	 	 _
Address:				

To RockyView Councillors

Re: Opposition to Thorlaksons Natures Call Development Permit

I believe in protecting our environment. I believe in composting but it must be done right.

Windrow open air composting does not work. Even with air being pumped through it, it still does not work. It creates offensive and potentially harmful bio aerosols. It stinks. It is unhealthy.

Outdoor composting plants are shutting down on a regular basis. This includes plants that are pumping air through the compost. The putrid air pollution is not controllable using outdoor methods.

It is a good and idealistic thing to try to save the environment, but this should not be done at the expense of others. One person's green bin should not destroy the environment for a neighbour.

Airdrie is quickly gaining a reputation of being "stinky city". Do we want to continue down this path?

TNC is located on a hillside with springs and with a natural waterway leading through it. If there is an accident the potential harm is immeasurable, both to the surface water and to the ground water. The site needs to be chosen with more research and with greater care.

Yes, we should compost but we need to do it right. We need to harvest the energy that can be created by composting. We need to stop bio aerosols from polluting the surrounding homes. We need to stop open air composting and we have to ensure that it is being done on an appropriate site.

The technology is available. Research the site and the methodology first. Do not approve the current development permit. Take the time required to ensure it is done correctly.

Let us join together, be good neighbours, and do it right.

Name: Address:

April 24,2019

Attention: Lindsey Ganczar and Rocky View Councillors

My family has owned this land for six generations.

Thorlakson feedyard chose to construct a manure lagoon at the NE corner of the feedlot. They channel the manure to a holding pond which is on the edge of a natural waterway. Manure often overruns the ponds and flows onto my property. This has been an ongoing issue for many years.

Our creeks used to be clean and clear. There used to be frogs, minnows, waterfowl and songbirds. Now there is millions of flies and a horrible aroma. Frogs are the canary in the coal mine of the ecosystem, there are no frogs left. No frogs means we are in trouble. Our perfect and natural habitat for wildlife has been severely compromised by the careless and irresponsible actions of Thorlaksons.

The water in our seasonal creek has been tested at many hundreds above the allowable limit but no sanctions were ever placed. Thorlaksons have a history of doing whatever, whenever they want with no care, concern or respect for the neighbours or for the environment. This behaviour just continues day after day with impunity.

Our anger and frustration are at the limit.

Now Thorlaksons are hauling in the garbage green bins from the surrounding cities. There is no way to know what pathogens from travellers coming from anywhere in the world may be in those green bins.

They have no control. The garbage is spread throughout the entire neighbourhood. They are polluting our area even worse and pretending that it is environmentally friendly. This is no longer agriculture, it is commercial.

They have ruined the surface water. They have ruined our roads. They have ruined our quality of life with the absolutely intolerable stench.

They are going to ruin our groundwater, it is inevitable. I just hope no one dies from the wells Thorlakson's mismanagement has polluted.

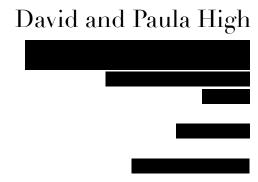
It is your duty to protect us from Thorlakson's. Don't pass the buck. Take responsibility. You have the power to stop them.

Stop the development permit.

Respectfully yours, Il Kustedet.

Dennis Custead

What we ignore, we empower.



May 2, 2019

Re:Thorlakson Nature's Call Development Permit

Dear Ms. Anderson,

We are writing to express our concern regarding the proposal for Thorlakson Nature's Call to expand. We are writing because we are very concerned the expansion will cause further negative environmental effects to the rural landscape; this includes but is not limited to the rural water supply( wells, natural springs, and creeks), the production of more waste( human and organic) resulting in excess land pollution. We are also very aware, and unhappy about, the current unpleasant aroma caused by Thorlakson Nature's Call; an expansion would only exasperate the already very strong, very unpleasant, odour in and around the community. As parents of school aged children safety is also very top of mind; expansion would bring more traffic( not limited to regular motor vehicles, but industrial sized machinery, and commercial traffic) to our quiet rural area. The current rural roads we live on, and currently share with Thorlakson Nature's Call include, unpaved, uncontrolled intersections, that are utilized by school bus traffic daily; this would be a major concern to our children's safety everyday.

We have been a part of this community for over fifteen years; the entire High family has been a part of the neighbourhood for over sixty years. We understand farming on an agricultural level does produce agricultural smells. For example, small scale open-air compost needs to decompose, which will produce small scale odours. We are not bothered by small scale smells associated with livestock in our agricultural community. We are strongly opposed to an industrial scale operation in a rural small scale farming community. The expansion would not bring any further value, or benefits, to our community.

Thank you for taking your time to thoughtfully take into consideration our concerns as outlined above. We hope the City of Airdrie, and the MD of Rocky View, will work in partnership, to develop a plan for our region, mindful to the entire community, and our projected growth.

We promote ecologically sound practices, and we have not seen evidence of this from Thorlakson Nature's Call. We remain strongly opposed to the expansion of Thorlakson Nature's Call because we believe they are not the right operation, or in the right location, for this job. We would respectfully expect nothing less than for the City of Airdrie, and the MD of Rocky View, to also promote ecologically sound practices in our community.

Sincerely yours,

Paula and Dave High

From:
Lindsey Ganczar

Subject: Opposition to the Thorlakson"s Nature Call Date: Wednesday, April 24, 2019 4:34:08 PM

# Good Afternoon,

I would like to express my strong opposition to the Thorlakson's Nature Call. I urge council members to vote against the approval of a development permit. I have family who live and work close by the Thorlakson site. I am there often to visit and whenever I go the stench is absolutely disgusting. The smell of putrid rot is terrible around there. It's alarming that families living nearby have to deal with this kind of air pollution and negative impact on their health & quality of life.

While I support environmental sustainability and recycling organic waste, it should be done in a way that is not harmful to the surrounding area. This goes way beyond reasonable farm and manure waste. The site needs to be controlled and the air quality needs to be improved before any expansion should even be considered.

Kind regards

Danielle Titley

From: <u>Lindsey Ganczar</u>
To: <u>Jessica Anderson</u>

Subject:FW: Application Number PRDP20190505Date:Friday, May 03, 2019 9:01:13 PM

\_\_\_\_\_

From: Marlene Dear

Sent: Friday, May 3, 2019 9:01:04 PM (UTC-07:00) Mountain Time (US & Canada)

To: Lindsey Ganczar

Subject: Application Number PRDP20190505

Hello Lindsey, in response to the application regarding the Development Permit for a New: Compost/Manure Storage Facility, as an affected resident I would like to submit the following material. There is certainly a strong argument for composting to enable the disposing of food waste and other organic materials. Composting has been done for generations and there are well developed parameters associated with the process. In countries with high population densities such as in Europe, where residential buildings and commercial compost facilities are in close proximity, the protocols and processes are well defined and controlled.

In The Netherlands, Germany and Belgium just to name a few locations, there are many more, an offensive odour a kilometre from a compost facility is completely unacceptable and draws quick rebuke and sanctions.

We have resided at our location, approximately ten kilometres from the Thorlakson's facility for many years. Only in the last year or so has this new putrid odour become evident. It is sufficiently strong that we are unable to enjoy the outside spaces and must close all windows and doors to our home. Other jurisdictions in many countries have completely solved this problem for their residents. The solutions to this stench already exists. We look forward to these solutions being implemented without delay as there is no reasonable explanation not to.

Regards, Unicom Holdings Inc.

Sent from my iPad

From:

To:

Jessica Anderson

**Subject:** Open Air Composting - Thorlakson Feedyards

**Date:** Tuesday, April 30, 2019 1:09:21 PM

Please be advised of our complaint and opposition of the open air composting facility operating at Thorlakson Feedyards NE of Airdrie

We work in Airdrie in the East industrial area as well as travel daily by the site and let me tell you how disgusting and unethical this is not to mention the air quality for miles and miles around. What a crisis for the environment as a whole...this is not agriculture and has no place on our lands or near our water supplies and run off. Not to mention the traffic concerns on Hiway 567, the roads are not equipped to handle this type of operation for good reason, this is a rural area not city commercial.

Please put a stop to this practice!!

Thanks for your time

Randy and Cheryl DeHoop

From:

Jessica Anderson

 Subject:
 Application PRDP20190505

 Date:
 Friday, May 03, 2019 4:32:35 PM

Hello Jessica Anderson , or to ever this may concern

I am emailing to you, in regarding to the application for the New: Compost Facility (type II), Manure Storage Facility.

Application Number PRDP20190505 Division: 7

Roll number: 07320007

Thorlakson Nature's Call Inc.

We are the land owners located approximately 2.41 km (1.5 miles) southeast of the Thorlakson Family Farm inc.

We are against this applicate Development Permit and it's facility, There is a sickening smell outside all the time. We can not enjoy being outside our acreage / house day or night .We have phoned in numerous complaints to the Alberta Environment Department We believe if this application gets approved we will never be able to sell off our property or enjoy it as planned and we should be financially compensated for the land and not have to ever pay any property taxes to the Alberta government or Local Municipal district

We inherited this acreage from my family in 2007 and originally purchased this property by my mother in 1994, we understand Farming smells as we been Farming in the Rocky View County for over 107 years but this is not a Farming smell its a Air Pollution Smell or Odour 24 / 7 and any time of the year since its started up getting worse every day, you can not travel in any direction from this local with out smelling it cause of the local wind patterns being down wind of them either East, South, West or North of the Thorlakson Facility

There is a lot more traffic, big highway trucks, garbage trucks, bring waste products to the Thorlakson facility seven days of the week along Range Road 283 and Highway 567.

Thank you for reading our concerns Cindy & Craig Dewis Carm-Em Farms also know as the C. W Ellis Farms Chestermere April 30, 2019

Rocky View County
262075 Rocky View Point
Rocky View County, AB
T4A 0X2 (Via email)

ATTENTION: Lindsey Ganczar, Senior Planner

Dear Rocky View County,

# RE: APPLICATION: PRDP 20190505 (Thorlakson Nature's Call Inc)

As Rocky View County residents and landowners who live very close to the facility where this development permit has been requested, we have huge concerns for our neighborhood as listed below:

- strong odors emitted from this facility have increased in foul smell over the last couple of years, and have steadily become worse and happen more often, which already impacts our daily life.
- 2) we object to our neighborhood becoming a dumping ground of dead animals, manure and contents of residual green bins (containing meat, pet waste, herbicide/pesticide treated grass clippings, etc) which we understand is already happening.
- 3) We are concerned with these materials being composted using open area methods which can leach contaminates into the soil and ultimately our ground water.
- 4) Our drinking well could be contaminated by area ground water east of this facility where surface water runoff flows freely
- 5) road and ditch contamination from trucking these materials. We believe a street sweeper seen next to Highway 567 sweeps trucking debris into the ditches connecting Thorlaksen road to the secondary Highway, although this is not confirmed.
- 6) air quality and the possibility of toxic organisms being spread through the air for miles with the strong winds that this area experiences.

We have no concerns with this facility composting <u>THIER</u> feedlot manure; however, we do not wish to wait and develop medical conditions related to materials from this operation before speaking out. Our health is VERY important and precious to us as well as the health of our neighbors.

In summation, we have concerns regarding our lifestyle and health caused by the strong odors already emitted and possible water and air contamination which could cause disease and ultimately deteriorated health; we do not want our neighborhood to become a dumping ground for waste.

Because of the above concerns indicated above, we do NOT support this development permit.

apreldument g. Dunon A

April 30, 2019

Rocky View County
262075 Rocky View Point
Rocky View County, AB
T4A 0X2 (Via email)

ATTENTION: Lindsey Ganczar, Senior Planner

aprel Dunor of Dunort

Dear Rocky View County,

## RE: APPLICATION: PRDP 20190505 (Thorlakson Nature's Call Inc)

As Rocky View County residents and landowners who live very close to the facility where this development permit has been requested, we have huge concerns for our neighborhood as listed below:

- strong odors emitted from this facility have increased in foul smell over the last couple of years, and have steadily become worse and happen more often, which already impacts our daily life.
- 2) we object to our neighborhood becoming a dumping ground of dead animals, manure and contents of residual green bins (containing meat, pet waste, herbicide/pesticide treated grass clippings, etc) which we understand is already happening.
- 3) We are concerned with these materials being composted using open area methods which can leach contaminates into the soil and ultimately our ground water.
- Our drinking well could be contaminated by area ground water east of this facility where surface water runoff flows freely
- 5) road and ditch contamination from trucking these materials. We believe a street sweeper seen next to Highway 567 sweeps trucking debris into the ditches connecting Thorlaksen road to the secondary Highway, although this is not confirmed.
- 6) air quality and the possibility of toxic organisms being spread through the air for miles with the strong winds that this area experiences.

We have no concerns with this facility composting <u>THIER</u> feedlot manure; however, we do not wish to wait and develop medical conditions related to materials from this operation before speaking out. Our health is VERY important and precious to us as well as the health of our neighbors.

In summation, we have concerns regarding our lifestyle and health caused by the strong odors already emitted and possible water and air contamination which could cause disease and ultimately deteriorated health; we do not want our neighborhood to become a dumping ground for waste.

Because of the above concerns indicated above, we do NOT support this development permit.

AGENDA Page 428 of 756

From: <u>Lindsey Ganczar</u>
To: <u>Jessica Anderson</u>

Subject: FW: Torlakson"s proposed Compost Facility (Typpe11), Manure Storage Facility; Application Number:

PRDP20190505

**Date:** Wednesday, May 01, 2019 6:58:07 AM

From: Terry Dunn

Sent: Wednesday, May 1, 2019 6:57:57 AM (UTC-07:00) Mountain Time (US & Canada)

To: Lindsey Ganczar

Cc:

Subject: Torlakson's proposed Compost Facility (Typpe11), Manure Storage Facility; Application

Number: PRDP20190505

Dear Lindsey:

We have lived in the surrounding area of this proposed expanded development for more than 30 years. We love the area and have put a great deal of pride; work and monies into improving and upgrading our home.

There has always been a certain level of odor coming from the Thorlakson's, but in the last while it has become at times most undesirable to be outside as the level of stench is far stronger now than ever before.

We have major concerns, if this expanded use of their facility is given approval by your board, on several levels, as follows:

- 1. Permanent stench (most undesirable).
- 2. How it could affect the quality of rural people's water wells.
- 3. Heavily increased large truck traffic in on 567 highway.
- 4. Potential decreased re-sale values of surrounding properties.
- 5. Heavily added pollution of the agricultural lands .

As people who have chosen to live in the country for over 40 years, we do understand and accept there are some smells associated with this choice of lifestyle. However this new accelerated level of strong, obnoxious odors is extremely concerning.

Condillo Foods in the City of Airdrie is the source of some terrible odors at times but they have been mandated by The City of Airdrie to control or eliminate these problems and for the most part have been successful. Thorlakson's should implement some of these systems into their operation.

Noting the expansion of City of Airdrie on it's eastern boundaries, I cannot fathom why their concerns for future growth and The MD of Rocky View's interests for it's residents would allow The Development Permit (Application Number: PRDP20190505) to be approved.

Accordingly, we are asking you to **NOT APPROVE** for the subsequent application.

Sincerely.

Terry Dunn;

From: <u>Lindsey Ganczar</u>
To: <u>Jessica Anderson</u>

Subject: FW: thorlakson Nature's Call Development Permit

**Date:** Tuesday, April 30, 2019 3:49:10 PM

\_\_\_\_\_

From: Eileen Elson

Sent: Tuesday, April 30, 2019 3:49:00 PM (UTC-07:00) Mountain Time (US & Canada)

To: Lindsey Ganczar

Subject: thorlakson Nature's Call Development Permit

I am writing to express my concerns regarding the expansion of this facility. The stench that is coming from there now is horrendous and will certainly get worse if they expand. The water around here in the ponds and running through the area are a horrible coffee colour and they smell. I am certain it is only a matter of time before it affects our well water. The traffic on the roads is becoming a lot busier. The dumping of dead cattle is another issue and the door and flies are awful no one wants to be outside. We have lived on our property for 22 years and this has become a significant issue over the last few years. It never used to stink like it does now. The manure smell is acceptable and expected but this other smell is not. This is not agricultural it is an industrial Many of us out here have some small open air compost and it never business. smells. We are becoming concerned that this will affect our water health and investments in our property. The expansion of this business is only going to destroy the environment We hope that the city of Airdrie and county of rocky view around here. consider the aspects of this in their decision. Also when all the dead cattle that wee dumped and reported we were told that Thorlaksons said that there was only a few. This was cleaned up before the environmental people came to see. We believe that they do not care about anyone else around here and are only interested in their own gains. They have also sprayed the fields that surrounds our property with round up on a very windy day so we hope it does not kill off our Sincerely Eileen and Colin Elson trees.

Good afternoon,

I live 6 miles NE of Thorlakson's Natures Call (TNC) on SW 32-27-2-7-04

The stench from TNC is having a terrible effect on my life. I have asthma and when the stench hits I have great difficulty breathing.

The stench is much worse at night. I believe they are working at night.

When the stench hits I have to keep my windows closed – this is very unfair.

Open air composting facilities fail. This is a simple fact. No matter what is tried open air composting has a stench and robs the neighbours of their right to clean air. It fails.

TNC should not be doing open air composting on this site. Do not approve their development permit. This open air composting should not be in this, or any location with neighbours within 15 miles.

Thank you

Harry England

Aday Zhu

# APPENDIX 'D': PUBLIC SUBMISSIONS

From:
To: Lindsey Ganczar
Subject: TNC

**Date:** Wednesday, April 24, 2019 9:53:35 AM

In regard to the expansion of the compost facility I totally disagree with expansion of this business. TNC can't control the mess they have right now let alone expanding it. This is not the place for a commercial business that composts city garbage including dog and cat faeces, raw meat, and other household garbage. Please do not allow this expansion.

Vicki Engstrom

Sent from my iPad

Legislative Services, Rocky View County 262075 Rocky View Point Rocky View County, AB, T4A 0X2

April 12, 2019

Attention: Lindsey Ganczar

Regarding: Bylaw C-4841-97 & C-7838-2018, Planning Application No: PRDP20190505, Roll No. 07320007

Re-designation Expansion submission by Thorlakson Nature's Call Inc.

Dear Lindsey Ganczar,

This letter is to voice serious concerns over the Thorlakson Nature's Call expansion (TNC) adjacent to Thorlakson Feed Lot Inc. (TFL). As former adjacent landowners we know the site well and strongly object to any further expansion of the composting facility run by this organization at this location.

Agriculture is our livelihood and our way of life, we take the stewardship of our agricultural community very seriously and feel that TNC and TFL has repeatedly shown serious disregard for the environment, government policies, and the surrounding communities in how they manage both the composting and feedlot facilities operating at this site. Their operating practices have had a detrimental impact on our day-to-day farm operations and on our ability to enjoy outside family activities at our home. As a citizen and business owner in Rocky View County, we hope you will carefully review and take into consideration our concerns as expressed below.

Our family has been farming in this county since the early 1920's and we pride ourselves on our commitment to safe farming practices that are also sustainable for the environment. Our agricultural operation has consistently addressed and followed the required regulations set out by both Rocky View County and by Alberta Environment and we expect no less from anyone else in our community. We are not opposed to change or recycling in the community however feel that TNC and TFL have not complied with current regulations or obtained the appropriate permits and designations to carry out their operations as they stand today. Their practices are having serious environmental impacts to the adjacent lands and to the surrounding neighbours and communities as illustrated by the submitted petition signed by 265 concerned community members that was presented to Rocky View County at the December 11, 2018 public hearing.

We farm and currently live approximately 4 miles NW of the composting and feedlot operation and have been at this location for over 20 years. The Fletcher family homestead, which we also farm, is located 4 miles straight west of the aforementioned operation. Our farming activities have been negatively impacted by TNC and TFL and we would like to address three specific areas of concern: contaminated water, odor and increased and disruptive heavy equipment traffic.

We owned property adjacent to Thorlakson's land holdings about 10 years ago and we grazed cattle during the spring and summer months and consistently ran into contaminated water issues. The TFL and TNC site is upstream from a waterway which ran through our property and was the main water source for our cattle. We had the water tested numerous times and after repeated complaints to the Natural Resource Conservation Board (NRCB) an investigation identified the source of contamination was runoff from the Thorlakson's property which had made its way into the waterway and overland into our ground water sources.

These issues were identified in June of 2005 and continue to this day. The result of which has been multiple Enforcement (08-04, 14-01) and Emergency orders (14-01, 19-01) issued to Thorlakson's limited company. As stated in the *Background and Finding* section of Enforcement order (14-01) by NRCB Inspector Lynn Stewart, "manure is utilized in a composting facility adjacent to the feedlot" (Stewart, 2014). Therefore, we believe you need to look at both TNC and TFL 's operational practices as one joint entity when considering this development request. Any overland flooding or release of contaminated water will impact both companies and the surrounding water tables. The environmental risk of further contamination of the water table must be considered if a development permit is issued for the composting facility. As of March 15, 2019 there is an Emergency order (19-01) in place for this facility. Kari Lisowski, Compliance Inspector for the NRCB, states in Emergency order (19-01) the following:

However, it is my opinion that overflow of the NE catch basin would result in the flow of catch basin contents off the CFO's property into the county ditch, on the west side of RR284, thereby constituting a 'release of manure into the environment'. There is also a risk that this release, if unchecked, may cause an 'immediate and significant risk to the environment' because it could flow into and impact an intermittent surface water course that runs east and north of the CFO.<sup>1</sup> (pp. 1)

Ms. Lisowski also goes on to state, "the NRCB has dealt with catch basin overflows at this CFO previously. Historical enforcement action has been taken at this operation in the past" (Lisowski, 2019, pp. 1). We believe that the stated Enforcement and Emergency orders reflect a pattern of non-compliance to regulations and environmental risks by TNC and TFL as a shared agricultural facility.

We would also like to address the "stench" that has been emitted from the composting facility. We are well aware of the smell manure has when it is spread on farmland. Although not pleasant, it is a smell we accept as a part of farming.

The "stench" we are experiencing on a regular basis is not from manure being spread or the normal feedlot operations but rather an intense, sweet, concentrated smell from the open air compost facility. It permeates everything; it is an offensive sickly, gut wrenching assault on our senses. With increasing occurrence and intensity the "stench" has become unbearable. When we cannot be outside, in our own place of business, working, or enjoying our land because of the smell of a composting operation miles away that creates serious consequences on our bottom line and quality of life.

We recall last summer having to retreat to the house or shop and close all the windows because the stench was so strong you would gag and your eyes would water. We seldom host family events outdoors now as the smell is over powering and envelopes you when you try to sit outside. You never know when it is going to occur. Rarely can we open our windows on hot days to enjoy the breeze or cool down the house as the smell then wafts through the house. We can only imagine how much this would intensify should TNC be granted permission to expand and exceed the composting capacity they have now. In fact we would like to request that the existing facility be reviewed to determine if open air composting should exist at this facility at all. We are aware that similar facilities to this have not been successful and been forced to shut down after a period of time.

Lastly, there has been a significant increase over the last few years in the heavy truck traffic utilizing the gravel roads surrounding the TNC and TNL operations. The number of trucks and heavy equipment involved in their operation are creating significant wear and tear on the secondary roads and we have found the repeated pounding on the road has resulted in dust storms and unsafe, extremely rough roads. On a windy day you can't even walk across the yard without choking.

We have raised these concerns with the NRCB and the county to try and rectify the situation but to no avail. Many phone calls, meetings, letters, and pictures have been submitted but our concerns seem to go unanswered. At this point we are forced to make the hard decision on whether to spend more time and energy to address these issues which takes valuable time away from our own operation or to just let it go. Knowing full well what the results of our efforts will be. We understand many of our neighbors have faced similar situations with similar results.

This letter is our attempt to once again request assistance from both NRCB and Rocky View in hopes to have our concerns addressed. TNC and TFL must be held accountable to the rules and regulations in place. These ongoing issues have created hardship and frustration for all nearby neighbor's and community members.

We all want to cut down on our carbon footprint and support a composting facility. As an alternative to TNC's proposal we would support a proper facility, a closed building with appropriate permits, that is designed and built to comply with all regulations. It should have a clean air monitoring system, that utilizes a science-based model where composting can be efficiently and environmentally disposed of for the betterment of the entire community. Much like the facility just like this that already exists within the City of Calgary. A prime example of awareness of your surrounding community and commitment to improved stewardship of your lands.

We respectfully request that you take our submission under consideration in regard to the proposed planning application from TNC and TNL. Should you have any questions please do not hesitate to contact us.

Sincerely,

Russ and Delcene Fletcher

Russ Aleteker

### **Endnotes:**

Stewart, L., Natural Resource Conservation Board., (2014). *Agricultural Operation Practices Act, Revised Statues of Alberta 2000 Chapter A-7 (Enforcement Order Number: 14-01)*. Retrieved from <a href="http://easts.ca/wp-content/uploads/EnforcementOrder\_2014May.pdf">http://easts.ca/wp-content/uploads/EnforcementOrder\_2014May.pdf</a>

Lisowski, K., Natural Resource Conservation Board., (2019). *Agricultural Operation Practices Act, Revised Statues of Alberta 2000 Chapter A-7 (Enforcement Order Number: 19-01)*. Retrieved from <a href="https://www.nrcb.ca/public/download/documents/77234">https://www.nrcb.ca/public/download/documents/77234</a>

April 11, 2019

To Lindsey Ganczar at the MD of Rockyview:

Re: Application # PRDP20190505 submitted by Thorlakson Nature's Call Inc.

As a land owner in the area, I have become aware of a motion to create a Type 2 compost facility at the legal address of SE-20-27-28W4M, along with the rezoning of the land from agricultural to industrial.

There are a number concerns I have in regards to this proposal, including:

- · The decomposition of non-plant based materials;
- The odour and associated methane gas emissions from the existing and proposed system;
- The long term environmental impacts from the operation to surrounding owners, and the MD of Rockyview, including potential risk to ground water systems;
- Financial impact to landowners and MD of Rockyview;
- Have all other avenues of operation been explored by the applicant and the other parties involved.

These concerns are causing consternation amongst those of us directly living in the impacted area.

When I visited the site, I was advised by the site manager that the system is being re-worked to eliminate the offensive odours of the operation, along with larger holding ponds etc. in order to comply with Alberta Environment regulations.

It is wonderful that the site is a source of local employment and directly employs 40 people, as well as contributing to the local economy. Healthy businesses, and a great place to live, work, and play, should be, in my view, every ones' goal.

The move towards composting has been adopted in many North American cities, towns, and rural districts, to prevent landfills being needlessly filled with organics, increasing costs, and reducing their life expectancy. There is an environmental aspect that has also been much pushed in respect to the composting of organics as being "green" due to the compost acquired. In this, is a mixture of "organics" that should raise concern: not only are there veggie cuttings, apples etc., there are also non-vegetable based items such as chicken carcasses, steak bones, dog and pet feces, among others. These latter "organics" can add to the environmental impact such as leaching, methane gas, and offensive odour release that is common with existing landfills.

There are 3 types of large scale compost systems currently used worldwide. The 2 most common systems are open aerobic and closed aerobic composting systems. Both of these systems answer the land fill to compost issue, but still release methane into the atmosphere; a greenhouse gas 4 times more potent than carbon dioxide, according to Environment Canada. These two types of compost systems are

thus, no different than a conventional land fill in methane production and negative environmental impact. A couple of examples where open aerobic systems were utilized include in Richmond, BC (Harvest Power), which was recently closed due to the inability for the company to get the odour under control. A second example is the open air system in Seattle, Washington that is currently dealing with pending lawsuits. The system in Calgary is an example of a closed system that uses exhaust mitigation; however, is not a long term feasible solution to a problem that will only continue to grow with population, and changes in future proposed environmental regulations.

A third large scale compost system, is an anaerobic digestion system that is expandable as population/ feedstock increase due to its modular nature, and is capable of cost recovery. This system burns the released methane thru a power generation module; the power then sold to the provincial power grid. Alternatively, the captured methane gas can be compressed and utilized to power feedlot operations. This third large scale compost system has a potential to truly create a sustainable synergistic system with increased environmental benefits.

An Alberta example where the anaerobic digestion system is utilized is by Lethbridge Biogas, which sells enough power to the grid to service 3,000 homes. The Thorlakson operation is in a good location to use a system similar to Lethbridge Biogas, as it is in close proximity to feed stock, main roads, and nearby electrical infrastructure. Additional benefits include the elimination of offensive odours, elimination of piles that attract vermin/birds in the area, as well as potential of leachates into the environment and ground water systems.

The largest challenge with implementing such as system, are the extreme start-up costs for a farm operation. One suggestion would be to establish a private-public partnership with collaboration between Federal, Provincial, and Municipal governments, and Thorlakson Farms in a joint venture to benefit all parties and overall environmental and public health. In the case of Lethbridge Biogas, there where expertise and investment grants from a variety of federal and provincial departments for seed money totaling over 45 million dollars; with a facility that is now viable, profitable, and expanding in operation.

It is my understanding that the current proposed system in Application # PRDP20190505 submitted by Thorlakson Nature's Call Inc, is the first type of composting system outlined above; an open aerobic system. For the reasons noted in this letter, I am hereby strongly recommending that the MD of Rockyview reject the application for an open aerobic system. Instead, I recommend that there is consideration and investigation for a more sustainable and environmentally sensitive composting system as the third example outlined.

Thank you for your consideration of this urgent matter.

Henburgest

With kind regards,

Glen Burgess

Colin and Debbie Gibbs



May 1, 2019

Re: Thorlakson Nature's Call Development Permit

Dear Lindsey Ganczar,

We have lived in Rocky View County for over 7 years now and have truly enjoyed our experience. Our home is located 3 miles east of the above, mentioned business. We too, operate a business in Rocky view, and we also, have had to go through a development permit process, and do yearly. Some of our friends and businesses that do not live in in this County, warned us of the strict policy enforcements Rocky View is known for. I saw this first hand, when we had to go through the process of building a shop. I also witness this each year as we submit a development permit for our business. One year, we added and reported a C-Can, \$ 1200.00 later, we were approved to have such an item on our property. Did I think this process was ridiculous, yes, but it is the rules and regulations that were required of the County. We can appreciate the rules for keeping our county safe, from people putting lots of lets say ccans on their property, junking up a neighborhood and lowering a neighbors property value. We also, had to go through a very thorough explanation of our road way and who was accessing our business, this is due to the hazards of increased traffic. I also remember, having to talk with our neighbors and it was explained to me that our business, could in no way, impact our neighborhood.

So, as I review this entire Thorlakson's issue I am amazed at how this business seems to get away with illegal activity according to County policy. For how many years have they operated illegally? Without a development permit, or the incorrect one? How many neighbors does it take to say, do not allow this business in our neighborhood for a permit not to be passed? Or the impact it has had on property values? Forget the pollution and waste it is creating, in the air, in the neighboring fields and in the sky. It is attracting lots of birds and rodents to the area. People from our neighboring city, Airdrie, have been complaining on media sites and even in the paper. Someone must be paying attention to all of this? Remember, it was explained to me that if my neighbors did not approve of our business then our permit would not be approved, our business could not impact our neighbors.

The County's role is to keep our properties safe and ensure that the policies that are established are followed. There is a feeling amongst the neighborhood that the County is being bought off and controlled by this business. Being a rather newcomer in the area, I find this rumor alarming. There are solutions to this business's function. They could continue to compost without any impact on the neighborhood by moving to an indoor operation. Yes, it would cost money, but as any business wishing to expand, there are growing pains. From what I have heard, there is a very similar operation in Lethbridge, AB that could offer wisdom in composting. Calgary, also, had to move to an indoor operation. Any outdoor operation, that is composting in this fashion is being closed. One, interesting fact, is that the compost being produced by this business, is not even being used by the neighboring business that uses compost to create a product that is resalable. Who does buy this compost? It is an important question as the business must be able to sell what they are composting to make this process worthwhile.

I do believe that this business is attempting to band-aid the smell, and is taking proactive actions, but they will not be long term efficient, based on what other operations have reported and said. If it would work, then why didn't other operations use it, since it is a cheaper way to take care of the smell.

My reasons for writing this letter to plead for the board to stop this development permit mainly involve the smell and the headaches, I have started to have. Especially in the summer months, for the last 2 summers, with 2018 being the worse. I also, do not like the traffic that has increased on highway 567 with large trucks. I do not live on that gravel road by the business so I can not comment on that. The reason I do not like the increased traffic on 567 by the trucks is that they often do not wait at the corner of the gravel road and 567, they already often just pull out. This has happened to me personally over 5 times in the last winter months. It is scary when the roads are icy and I need to brake because there is now a huge truck pulling onto 567, who is not stopping as they are suppose too. I can not believe that Alberta Transportation has not been involved with this issue, I am sure they would have a solution to this increased traffic flow.

Truly, I believe that there are solutions to these issues. That for the business to continue they need to develop a better process for handling the composting procedure. I also realize a development permit is for only one year, but it also sets a precedence for what the County approves. What will stop another person with land starting a compost facility similar to this one? Our County is growing and there needs to be some rules established for commercial composting and for waste. The mushroom factory had to move out of the Airdrie city limits as the city grew, I would not be surprised if one went through the history books, they would find it was related to the smell of the compost.

I do not have the answers as a resident, and I do not know every fine detail of this business. What I do know is that it is asking to grow in size and it has not yet proven it is a stable business at the size it currently is. From how I observe the development permit application process, I am assuming their regular operation must apply yearly as well. Since, this application is for a new development, I would suggest that the County does not approve it and have them re-design their current operation to be better received by their neighbors. I can appreciate the process a board takes to create new bylaws and make changes and this business has truly added new issues for the board and County employees to research. Hopefully in the near future decisions will be made in regards to how the County will manage these types of operations.

My faith and trust must be put into the County, I have no choice and no control except to voice my opinion and hope that it is listened to by those that hold that power.

Yours truly, Debbie Gibbs

#### **APPENDIX 'D': PUBLIC SUBMISSIONS**

From:
To:

Jessica Anderson

Subject: Thorlakson Composting Facility Development Permit

**Date:** Friday, May 03, 2019 7:31:19 AM

**Rocky View Councilors** 

This letter is being written on May 3, the last day the community has to send in written comments regarding the Thorlakson composting facility development permit.

It is not a letter of opposition; it is a letter explaining who is in opposition to the development permit.

It is a letter about the personal responsibility you accepted when you allowed your name to stand for council.

At this time we have had in excess of 150 residents tell us that they would send in letters of opposition. It is difficult for many of them to write these letters but they feel strongly enough about the many problems surrounding this development that they are prepared to make that extra effort to have their voices heard. Many of them have told us that all efforts will be in vain as the letters will be ignored like the petition was at the hearing on December 11, 2018. Over 265 people indicated their opposition to Bylaw 7838 at that December hearing. This group included a cross section of the population from our area. Virtually every family farm in the entire district surrounding the Thorlakson operation opposed the land use re-designation and continue to oppose the development permit.

Democracy is supposed to be about listening to the people not about making arbitrary decisions that put commercial interests before the citizens and their safety.

You should also know that some did not write letters due to fear. Fear that they would be shunned by the Thorlakson operation when it came time for grain or silage sales or other dealings affecting their livelihood and fears that council may not handle requests for approvals that some individuals contemplate needing in the future. These are unfortunate, but real-life situations that quell our freedom of speech.

Before you make the next decision in regard to the TNC development permit please think seriously about the safety of our water. We are gravely concerned, that, if council does not avail itself of this critical information, Rocky View County would still be held responsible if illness or death were to occur. When this information on the groundwater was shared with Mr. Hoggan, Ms. Baers and Mr. Reimann, we were told that council and administration had been learning a lot about composting. So too have the residents. We have looked at this from every conceivable angle because our lives, and the quality of our lives, really depend on it. It is through this exhaustive research that we have learned of the considerable concern regarding the groundwater — which to this point has not been acknowledged or adequately researched by the NRCB or AEP. As stated at the hearing - there has been deniability at many levels of governance. The recent, in depth report regarding the TNC site shows clearly that any accidental leachate or waste spillage could cause serious illness or even the death of Rocky View residents.

You, each of you, individually, will be personally responsible if that happens. It won't be the province, it will be each of you because you do still have the authority to stop this until a further independent study has been completed by qualified hydrogeologists and groundwater contamination experts. Please don't take a risk on our health.

You **each** must accept this very heavy **personal responsibility** for the health and safety of Rocky View residents as you consider all the new information that is available. We appeal to you, our county councillors, to please listen to and be the voice of the people of this community.

Thank you.

Dennis Gieck PEng

Wayne and Sue Gorko



May 2, 2019

**RE Thorlakson Natures Call Development Permit** 

Dear Ms. Ganczar,

I am writing to express my concern regarding the development and expansion of Thorlakon Natures Call continuing operation.

We have been community members for nearly 20 years in the same location. We wanted to live in the country for a variety of reasons including the immediate access we had to our horse operation and also remain close to Airdrie and Calgary. We settled in the country knowing full well there were cattle, chicken, turkey and other operations that may impact the aroma of the area. We moved in knowing that traffic may be impacted on our roads with tractors and equipment moving, cattle movement or other inconveniences that occur when living in a rural area. We have never complained about any of these farming operations as we knew having purchased here small inconveniences would occur.

We have watched for the most part farmers and ranchers in the area work to respect their neighbors and take pride in the operations they are running. I assume that land and water pollution is top of mind in most of them because without proper management both good producing land must be rotated, rested and groomed, water being of even more value and often holding ponds with proper drainage so not to impact underground water sources is also a primary concern. On these areas along with development I believe the county should be involved for the orderly operation of the county in the future.

I have seen the Thorlakon operation grow over the years, and have had no issues with the expansion of their operation. When they initially expanded from their cattle operation to include manure compost for sale to retailers selling into urban markets there was more truck traffic but we chose to believe that it's a sign of the times and rural areas are being developed for more intense operations for continued growth. It was manure and was not unusual and only for short periods in the spring.

That is NOT what we are impacted with today. I wondered why the smell had intensified to the point where several miles away we could not even sit on our back deck some days because the smell was so intense. One day driving home with my grandson, windows down in the truck as we approached Thorlaksons he said "ECH COMPOST LIKE UNDER MOMS SINK". That's what made me first aware that this was simply not manure composting but composting of a variety of items, some rotting, with sickening sweet smells. We tried to be tolerate all last year but I am opposed to expansion of this compost in our area. Unless this is covered and the aroma covered it is almost impossible to continue to live in our side of the county. If you want to have a business with this intense composting it should be where it is far enough away from communities or where there is less density of population.

Having said that I am **OPPOSED** to further development of this composting operation in the area. Without exaggeration, we could not list our places or sell it without this sickening smell. Even if we hit the right day with no smell under full disclosure we would have to tell a buyer that they would live with this sickening smell throughout the summer. That would certainly take away any value that we have built up in our acreage over the years. I would believe that the county who allowed several small acreages to be subdivided and acreages like ours must be responsible enough to maintain the county in the best interest of its residents. I also think that as Airdrie grows the city will also have concerns over future development with the residents there are impacted by this.

I do understand that Thorlaksons has been where they are for many many years, but it was established as a cattle operation, and used it's by product (manure) to add value to their operation. However, the new composting is not strictly associated with feedlot by products and as a resident I do not see this creating value in our community or our county. For this kind of operation I believe it should be moved away from people and am quite sure there are places where they could move their continued operations too. It might be a little more difficult for them to manage, but that impacts a few not a community within the county.

I find it difficult to write this letter as we know the Thorlakson family and know how hard they worked to make this operation a success. So with all due respect, please move this operation, and I must again say that We are OPPOSED TO THIS FURTHER DEVELOPMENT.

As the board representing to entire county of Rockyview, with over 40,000 current residents we ask that you respect our commitment and time invested in our homes, and acerages over the years and support only non intrusive operations continue to build and develop. We can change the future......

Respectfully	K	les	ре	ect	tu	I	ly
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Wayne and Sue Gorko

April 17, 2019

To Whom It May Concern,

I am writing to you about the proposed expansion of Thorlakson's Nature Calls compost facility located at SE-20-27-28W4M.

I grew up on an acreage nearby, at SE-16-27-28W4. I lived there from 1978 to 1997, thereafter visiting my parents at the same acreage on a regular basis until they moved into the City of Airdrie in 2017. A few times each year as I was growing up, Thorlakson's Feedlot (located adjacent to Thorlakson's Nature Calls) would spread manure — emitting a certain, distinctive odour that everyone in the area was familiar with, and accepted as a routine part of livestock husbandry.

Things changed around 2014 though, coinciding with what we believe to be the time when Nature Calls began composting non-vegetative feedstock. Frequently, when visiting my parents, a new, much more offensive odour was in the air. We all did our best to ignore this smell when it was present, but it was certainly not the familiar odour or manure being spread.

When I found out that Nature Calls wished to expand their facility, I was quite concerned. If they could not control odour on a smaller facility, how would it be possible to manage on a larger one? But it seemed likely to me that an argument against the expansion could not be built on odour – although a nuisance, it is a fleeting one, and difficult to quantify.

Looking a bit further into the history of Nature Calls, and the local geography and hydrology, raised some alarming concerns for me. This area is very hydrologically active. Natural springs are everywhere. Water wells drilled in the area have static water levels as shallow as 1m below surface. These conditions occur right at the Nature Calls site. I feel that the risk of contamination to surface and ground water is very high.

What studies have been done to confirm the suitability of this location for this operation? What studies have been done to ensure that the feedstock proposed to enter the facility will be a match to the proposed composting methodology? What will be required to prevent environmental contamination? What will be required to prevent odour? How will these things be monitored and enforced? What source of assistance will be available to us, as responsible citizens and neighbours, if the facility expansion proceeds and future concerns are not addressed?

I believe that composting is beneficial to our community and environment. But I have serious concerns about this operation being located at this particular site and the risks that it presents to both our community and environment.

Sincerely,

Valerie Groeneveldt

B.Sc. Environmental and Conservation Sciences

Locaeveldt

# HABBERFIELD CATTLE COMPANY LTD.

262228 Range Road 20 Rocky View County, Alberta T3P 1A7

**Rocky View County** 

Attn: Lindsey Ganczar lganczar@rockyview.ca

Re: Application #PRDP20190505 Thorlakson Compost Facility

Please accept this Letter In Opposition for this Development Permit.

A book could be written full of reasons to oppose this development but for me there are three significant reasons.

- 1) There are many composting facilities in the province which are developed and built correctly. These are indoor facilities with hundreds of millions of dollars invested in the infrastructure to do it right and not negatively effect the surrounding area. This sort of business can not be done outdoors in an antiquated manner. If composting is to be done it needs to be done using up to date technology with no detrimental effect on surrounding area.
- 2) We own 5 quarters of farm land 1 mile straight east of proposed site. I grew up on that property but there is not a current residence on that land. The operation of this site and subsequent air and water pollution makes habitation of those quarters extremely undesirable. Undesirable for myself or any of my family to want to live there again. This obviously deceases the value of this properly considerably.
- 3) This site has a long history of non-compliance to environmental and county requirements.

Douglas Habberfield

April 23/19

#### **APPENDIX 'D': PUBLIC SUBMISSIONS**

From: To:

Lindsey Ganczar; Jessica Anderson

Cc:

Opposition of TNC

Subject: Date:

Friday, April 26, 2019 9:42:38 PM

## Good Day,

I am writing this letter to oppose the expansion of TNC nature call outfit. I live on TWP RD 270 RR 282 Rocky View County and the horrible stench Day in and Day out has become overwhelming!

I am tired of calling in my complaints AEP.

They (TNC) are ruining our precious country side with the spilling paunch trucks going down our side roads. Ruining our roads with over loaded weighed super-bee trucks with garbage. They think they are doing this process properly! They have been in the wrong for a long time !!!! Hence their issues having with over tonnage, not filling the right paper work subject to fines.

They are not set up properly to do the composting properly. They make it all pretty when someone wants a tour. When we can't even open our kitchen window because of the stench! "Milts" reaction well we can't smell anything! He's nose blind .. he's dead to the smell! It's beyond ridiculous!

I can stand the smell of "Real Country "farm, feed, manure! That's nature of the country; Not rotting stench of to me garbage and (bodies) as a retired funeral director I know what a decaying carcasses smell like human and animal, pungent gases that takes your breath away. It's only going to get worse as the warmer weather arrives.

I have a chronic illness I know for a fact the odour has made my condition to flare up! This NOT the country side I chose to live in !!

This is a serious matter and needs to be done properly or NOT at all. Many enclosed composting facilities around the world run smoothly and you don't even know that they are there.

I hardcore oppose this expansion! They have all this money then they can take it "INSIDE"

Sincerely Opposed Neighbour,

Jennifer Hacker

Get Outlook for iOS

Colleen Hackney NE 24 27 28 W4

April 25, 2019

Dear Rocky View Council,

I am opposed to the development permit for Thorlakson's Compost Operation

I grew up here. As a child I enjoyed the fresh country air and played in the clean fresh water in the creek.

That is not the way anymore. Thorlakson's feedlot has ruined the creek and Thorlakson's compost stench has ruined the air. Property values are going downhill because no one wants to live next to a dump that reeks horribly with the gagging grossest smell ever and with ground water that is ready to burst poison into our wells.

Please stop the expansion of Thorlakson's outdoor composting. Make them enclose it in a proper compost facility. Thank you

Colleen Hackney



May 1, 2019

Dear J. Anderson and Rockyview Councillors,

Re: Opposition to Thorlakson Nature's Call Development Permit

Application Number: PRDP20190505

I believe in protecting all aspects of our environment, including water sources and ways, land and air pollution.

Windrow open air composting does not work. Even with air being pumped through the windrows it does not work. Created from this process is an unhealthy, offensive, potentially harmful bio aerosols and most importantly it STINKS!

Many outdoor composting operations are being shut down because of these noted complaints above. The process of air being pumped through the windrows proves not to work. The putrid air pollution is unable to be controlled using this method.

This operation is putting the safety of the underground water at risk. This operation has created an environment for flies to live and feed and grow in numbers. The scavenger birds have increased in population, we have many ravens nesting in our treelines and make a mess. These birds are attacked to the stink producer at the TNC operation. Not to mention the risk of fire happening at the operation, the materials will smolder for day increasing air pollution.

The increase of large truck heavy load traffic has increased a great deal over the last few years. More than once I have had a large truck turn out in front of me from Rge. Rd 284 causing me to put my family in harms way. The roads were not designed to manage the volume of traffic and load sizes.

I strongly believe in composting, it must be done safely, in the proper location, using modern methods and strategies.

I strongly demand that the development permit requested by TNC NOT be approved!

Wendy Hall

To whom it may concern,

I, Logan Harnack have lived in the Rockyview Airdrie area my whole life. My childhood was spent on my family farm where I spent most of my time playing outside with my siblings. The smell of cow manure was always something we had in our lives. It was as normal as the Cinnamon Toast Crunch we would eat for breakfast. The smell from cow manure never affected our lives.

Although the smell may have never bothered us, the constant water contamination of our dugout did. I grew up watching my mother fight a water battle with Thorlakson's my entire life and to this day for that matter. While Ben Thorlakson was earning his environmental stewardship awards, all of his neighbours were drowning in his run off from his feedlot that we would call "Shit Creek". How can a man earn so many environment awards with so much disregard for the environment and his neighbours? This is a problem to this day that goes pretty much unpunished. Issuing warnings and petty fines to a purely profit company like this is not near enough. The water contamination issue was bad when it was just a feedlot on top of that hill but now the problem is much larger. Now with a compost facility up there that accepts meat and other compostable products that can be considered bio hazardous it's a much larger issue and if they are allowed to increase the tonnage that they take in then I am concerned this could be the next big environmental disaster. If management couldn't control the water issue in the past or even now, then what makes you think that this same management will be able to get it under control in the future? It is pretty sad that the RockyView Neighbours need to go to war against such a facility when the outcome should be a no-brainer. If they haven't gotten their act together by now then I am guessing they never will.

I am now an adult and have moved from the family farm. I now reside in the community of Stonegate in the city of Airdrie. The farm will always be my home, a safe haven you could call it where I know I can go just to escape the city life. It's hard to go to a place that is my safe haven when it is under constant invasion. This isn't your normal invasion though. It's a putrid one! It used to only occur on warmer days but now it can even be smelled on the coldest of days. It's what people in the area refer to as "The Stench". It is everywhere and you can't run from it. It has turned my safe haven into a nightmare. The smell emanating from the compost facility is like somebody put some trout and strawberries into a bottle and put the lid on it and set it in the sun to bake and then opened it up to the world. It is absolutely disgusting! I can only imagine what kind of hazardous bio-aerosols that are being emitted from this wasteland. I fear for the children that now to try to have the outdoor lifestyle that I once had. I miss the days where it was the comforting smell of cow manure that reminded me of the country lifestyle that shaped me into the person I am today.

In conclusion I think it's time for the county of RockyView to step up and be the voice for the people who voted you into office. Shutdown this facility until they are actually ready to be the environmental stewards they claim to be. They should look at the state of the art compost facilities in their own backyard to aspire to be like. The indoor Calgary facility or the Lethbridge facility that uses the gases created from composting to run a power plant. That's something to be proud of! TNC on the other hand isn't! Composting should be something that brings us satisfaction knowing that we are saving our planet. Not something that is destroying it!

A concerned neighbour,

Logan Harnack



April 27,2019

Attention: Lindsey Ganczar,

This is a request to refuse the development permit for Thorlakson's Natures Call unless it is for a totally covered operation.

Our water wells are too precious to put them in jeopardy with household waste on a pad exposed to the weather on a hill full of springs.

The stench is unliveable. If Thorlaksons get a development permit they will expand and the bigger the compost the more stench.

If Thorlaksons get a development permit from the county the local government is giving control away to the province. The control of our county should remain at home.

There is no open air method that works. Please do not allow the open air composting continue.

BHay -

Respectfully,

May 2, 2019

To: Rocky View Council Members

Re: Opposition to Development Permit (Bylaw C-7838-2018) to Thorlakson Nature's Call Expansion

We are writing to express our opposition to the above proposed expansion.

For some context – we live on a farm south east of the Thorlakson site – on a farm which has been in the family for more than 100 years. I have lived here for 66 years, and my husband moved to the farm when we were married 44 years ago. We are familiar with rural smells – we have a small cattle herd, we have chickens, we occasionally get a sniff of weed sprays during spraying season and we don't even blink an eye at this – after all, we do live in farming country. In addition, we have no personal vendetta against Thorlakson's Feedlot – we have sold grain to them in the past, our daughter worked there for a period and thoroughly enjoyed it. Over the years we have been made aware of our proximity to the feedlot – when manure was being spread, silage pits were emptied etc., but these odors were "normal" farm smells and were short lived.

In recent months, there has been a marked difference in the odors that emanate from the Thorlakson site. The smell is now a sickly, almost sweet, rotten, cloying, thick odor that, in the words of my dear Dad, is enough to "gag a maggot". It turns one's stomach and makes it impossible to enjoy being outdoors, even for a short period of time. I can only predict that with the increasing temperatures of summer, the smell will be even worse.

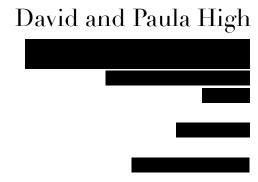
We support industry in Rocky View – we require tax dollars to fund the programs and services that our County needs. We encourage initiative in private enterprise and are happy to see a company succeed. **HOWEVER**, one person/company's success cannot overshadow the ability of **all the surrounding neighbors** to enjoy the air that they breathe. It simply is not fair – in addition to the health concerns, potential for groundwater contamination and other concerns that have been raised.

We ask that Council reject any further development, and stipulate that the operations at Nature's Call be closely monitored and remediated to eliminate the offensive odors that adversely impact all downwind properties.

Thank you for your consideration.

Calvin and Reida Heinrichs

SE 4, 27, 28, W 5



May 2, 2019

Re:Thorlakson Nature's Call Development Permit

Dear Ms. Ganczar,

We are writing to express our concern regarding the proposal for Thorlakson Nature's Call to expand. We are writing because we are very concerned the expansion will cause further negative environmental effects to the rural landscape; this includes but is not limited to the rural water supply( wells, natural springs, and creeks), the production of more waste( human and organic) resulting in excess land pollution. We are also very aware, and unhappy about, the current unpleasant aroma caused by Thorlakson Nature's Call; an expansion would only exasperate the already very strong, very unpleasant, odour in and around the community. As parents of school aged children safety is also very top of mind; expansion would bring more traffic( not limited to regular motor vehicles, but industrial sized machinery, and commercial traffic) to our quiet rural area. The current rural roads we live on, and currently share with Thorlakson Nature's Call include, unpaved, uncontrolled intersections, that are utilized by school bus traffic daily; this would be a major concern to our children's safety everyday.

We have been a part of this community for over fifteen years; the entire High family has been a part of the neighbourhood for over sixty years. We understand farming on an agricultural level does produce agricultural smells. For example, small scale open-air compost needs to decompose, which will produce small scale odours. We are not bothered by small scale smells associated with livestock in our agricultural community. We are strongly opposed to an industrial scale operation in a rural small scale farming community. The expansion would not bring any further value, or benefits, to our community.

Thank you for taking your time to thoughtfully take into consideration our concerns as outlined above. We hope the City of Airdrie, and the MD of Rocky View, will work in partnership, to develop a plan for our region, mindful to the entire community, and our projected growth.

We promote ecologically sound practices, and we have not seen evidence of this from Thorlakson Nature's Call. We remain strongly opposed to the expansion of Thorlakson Nature's Call because we believe they are not the right operation, or in the right location, for this job. We would respectfully expect nothing less than for the City of Airdrie, and the MD of Rocky View, to also promote ecologically sound practices in our community.

Sincerely yours,

Paula and Dave High

From: To:

Jessica Anderson; lganczar@rockyview.cal

Cc:

.

Subject: Date: Thorlakson and the Stench Monday, April 29, 2019 4:41:33 PM

Good afternoon,

I am writing in regards to the request for Thorlakson to expand their composing facilities. I am opposed to this, and here's why.

I have lived in Airdrie for 26 years, in Meadowbrook. Over the last 2 years, whenever the wind shifts and comes from the north east, I am gagging. I work at home most of the time, and cannot escape the smell. It comes in whether my windows are open or not. This is not the normal farm smell we've had all along, but you know that already. From social media, I see how awful this is for the farmers who live in the area, particularly those east of the facility, for they are almost always down wind. They have more than odor to complain about, but you know about all that already, too.

I understand that we have a compost program, and I understand that it needs to go somewhere, but until this facility can compost properly without causing aggravation to their neighbours (which includes Airdrie), they should not be allowed to expand. In fact, they should be ordered to change or shut down.

I would be willing to have a tax increase to provide assistance to a facility to alter their methods of composting to one that is done properly. This is not simply a case of NIMBY, as I know it's my own compost in there, too. It just needs to be done better. I hope that you are able to find a solution that works for everyone.

Thank you,

Lydia Hill

To the Rockyview councillors:

Please do not approve the development permit for Thorlaksons Nature's Call Compost. It does not belong in such a populated area so close to a growing city.

Brooks has been rated as the 6<sup>th</sup> worst Canadian city to live in because it stinks. We do not want Airdrie to be rated the same way. Airdrie is already becoming known as stinky city!! This must stop.

Open air composting emits a very foul and unhealthy odor. Pumping air through it has been shown to do little to reduce the odor and has not been proven to reduce dangerous health effects of the bio aerosols released at all. There is better technology. We must insist on it.

This operation is putting the safety of the underground water at risk. This operation is drastically increasing the flies (which can easily travel up to 8 miles). This open air composting is increasing the starlings and the ravens as they are attracted to the stink. This open air composting creates an extreme risk of fire. This operation is putting too much truck traffic on narrow roads that weren't designed for the volume and for such big loads that turn into oncoming traffic.

Approving TNC development permit as a type 2 allows them to expand with little or no local control. Please don't give this control to the province.

A large scale, commercial operation in a farming/country residential area so close to Airdrie is wrong. Composting (and particularly open air composting) does not belong at this location.

I strongly believe in composting but it must be done safely, in the proper location and using modern methods.

Please do not approve the Thorlakson corporation application for a development permit.

Name: Neren Jell

Address: Cirdria, alla

## **APPENDIX 'D': PUBLIC SUBMISSIONS**

From:
To:

Jessica Anderson

Subject: opposition to open air composting

Date: Tuesday, April 30, 2019 10:48:57 AM

Hello,

I'm in opposition to allowing TNC to expand/ continue running the way they have been. I have a list of concerns but I'm currently at work and you are already aware of them.

Please stop Airdries stink

Thank you

\_\_\_\_\_

## **Toni Hudson**

Lead Quality Control Inspector CWB Level 2 Welding Inspector

C: 1.403.559.4178

Toni.Hudson@aecom.com

## **AECOM**

#11 imperial close, Olds Alberta, T4H-1M6

T: 1.403.556-3790 www.aecom.com





02 May 2019

Jessica Anderson 262075 Rocky View Point Rocky View County, AB T4A 0X2 Email: janderson@rockyview.ca

RE:

Application Number PRDP20190505

Application for: New - Compost Facility (Type II), Manure Storage Facility

Roll Number: 07320007

Division: 7

Legal: SE-20-27-28-W4M

Dear Ms. Anderson:

My husband and I have been residents of Irricana for 20 years, which is within Rocky View County and East of the Thorlakson's facility. I drive on Highway 567 frequently and over the years have noticed an increasingly abundant stench near and around the exit to the Thorlakson's operation on Range Road 284. I shop in Airdrie and have noticed the same stench frequently and have also noticed it all the way to Irricana when the wind is in the right direction.

We are very concerned about the application put forward for expansion, given the horrific record of operation non-compliance to date. These practices put our environment at risk. These practices put the watershed at risk. These practices put the health of people at risk. These practices put the health of stock at risk. These practices put the health of neighbours and friends at risk, along with their neighbouring stock at risk. Indeed, they tarnish the whole agricultural industry.

My father, if he was alive today, would have sat reading something like this in the Western Producer and been enraged. Candler lands have been in our family in Saskatchewan for over 100 years and my brother's sons are the fifth generation on those lands. Industrial operations like Thorlakson's threaten the entire beef industry through infection of the food-chain, the water table, and the public image of farming, and indeed of proper recycling practices. Family farmers are stewards of their lands because their lives and livelihoods depend on their relationships to those lands; leaving something for their future generations is an important part of our heritage.

No Albertan would oppose anything good for the economy, the environment or agriculture because we all uphold these values. The practices at Thorlakson's facility are an insult to all of these and they should not only be disallowed from expansion, but should be shutdown until they have been brought into safe and healthy practice in compliance with agricultural and environmental standards that are compatible with industry and government regulations.

Respectfully,

Ms. Carmela Hutchison

d. D. Oulchison

Cc.: Mayor Frank Friesen of Irricana

Box 100, 222 2nd Street Irricana, AB T0M 1B0 Telephone: 403-935-4672

Fax: 403-935-4270

Email: frank@irricana.com Email: irricana@irricana.com

Mayor Peter Brown of Airdrie City of Airdrie 400 Main Street SE Airdrie, AB T4B 3C3 Phone: 403-948-8800

Fax: 403-948-6567

Fax: 403-948-6567

Premier, Jason Kenny #311A, 2525 Woodview Drive SW

Calgary, AB T2W 4N4 Phone: 403-238-1212 Fax: 403-251-5453

MLA, Mrs. Angela Pitt 209 Bowers Street Airdrie, AB T4B 0R6 Phone: 403-948-8741

Fax: 403-948-8744

MLA, Devin Dreeshen Minister of Agriculture Alberta 5007-50 Street, Innisfail, AB 5100 Lakeshore Drive, Bay 8, Sylvan Lake, AB

Email: vote@devindreeshen.com

Phone: 403-896-4909

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MLA, Jason Nixon Minister of Environment and Parks Email: info@jasonnixon.ca

MLA, Tyler Shandro Minister of Health Phone: 780-427-3665 Fax: 780-415-0961

Phone: 1-866-516-4966

Email: health.minister@gov.ab.ca

The Honourable Marie-Claude Bibeau Minister of Agriculture and Agri-Food 1341 Baseline Road Ottawa, ON K1A 0C5 Telephone: 613-995-2024

Fax: 613-995-2754

Email: Marie-Claude.Bibeau@parl.gc.ca

The Honourable Catherine McKenna Minister of Environment and Climate Change Environment and Climate Change Canada 200 Sacré-Coeur Boulevard Gatineau, QC K1A 0H3 Telephone: 819-938-3813

Fax: 819-938-9431

Email: ec.ministre-minister.ec@canada.ca

The Honourable Ginette Petitpas Taylor Minister of Health Suite 110, 272 St-George Street (Main Office) Moncton, New Brunswick E1C 1W6 Telephone: 506-851-3310

Fax: 506-851-3273



02 May 2019

Jessica Anderson 262075 Rocky View Point Rocky View County, AB T4A 0X2 Email: janderson@rockyview.ca

RE: Application Number PRDP20190505

Application for: New - Compost Facility (Type II), Manure Storage Facility

Roll Number: 07320007

Division: 7

Legal: SE-20-27-28-W4M

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No Albertan would oppose anything good for the economy, the environment or agriculture because we all uphold these values. The practices at Thorlakson's facility

are an insult to all of these and they should not only be disallowed from expansion, but should be shutdown until they have been brought into safe and healthy practice in compliance with agricultural and environmental standards that are compatible with industry and government regulations.

Respectfully,

Ms. Carmela Hutchison

S. S. Wychison

Cc.: Mayor Frank Friesen of Irricana

Box 100, 222 2nd Street Irricana, AB T0M 1B0 Telephone: 403-935-4672

Fax: 403-935-4270

Email: frank@irricana.com Email: irricana@irricana.com

Mayor Peter Brown of Airdrie City of Airdrie

400 Main Street SE Airdrie, AB T4B 3C3 Phone: 403-948-8800

Fax: 403-948-6567

Premier, Jason Kenny #311A, 2525 Woodview Drive SW

Calgary, AB T2W 4N4 Phone: 403-238-1212 Fax: 403-251-5453

MLA, Mrs. Angela Pitt 209 Bowers Street Airdrie, AB T4B 0R6 Phone: 403-948-8741

Fax: 403-948-8744

MLA, Devin Dreeshen Minister of Agriculture Alberta 5007-50 Street, Innisfail, AB 5100 Lakeshore Drive, Bay 8, Sylvan Lake, AB

Email: vote@devindreeshen.com

Phone: 403-896-4909

MLA, Jason Nixon Minister of Environment and Parks

Email: info@jasonnixon.ca Phone: 1-866-516-4966

MLA, Tyler Shandro Minister of Health Phone: 780-427-3665 Fax: 780-415-0961

Email: health.minister@gov.ab.ca

The Honourable Marie-Claude Bibeau Minister of Agriculture and Agri-Food 1341 Baseline Road Ottawa, ON K1A 0C5 Telephone: 613-995-2024

Fax: 613-995-2754

Email: Marie-Claude.Bibeau@parl.gc.ca

The Honourable Catherine McKenna Minister of Environment and Climate Change Environment and Climate Change Canada 200 Sacré-Coeur Boulevard Gatineau, QC K1A 0H3 Telephone: 819-938-3813

Fax: 819-938-9431

Email: ec.ministre-minister.ec@canada.ca

The Honourable Ginette Petitpas Taylor Minister of Health Suite 110, 272 St-George Street (Main Office) Moncton, New Brunswick E1C 1W6 Telephone: 506-851-3310

Fax: 506-851-3273

To the Rockyview councillors

I am strongly opposed to the development permit for Thorlaksons Natures Call compost operation.

My reasons for opposition are as follows.

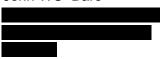
- Water. It has been clearly shown that this site poses a serious risk to the safety of our water wells. Leachate is hazardous. Accidents and extreme weather events happen. We cannot risk the water safety of so many homes
- Stench The heavy putrid stench from compost done on the ground even with aeration is impossible to prevent .This has been proven many times over. The stench can cause illness in people who are immunocompromised. This is destroying quality of life for the many neighbouring families. This is unacceptable
- Birds Thousands of huge birds are scavenging from the bacteria laden compost piles.
   These are polluting the homes nearby and creating a terrible mess as well as a health hazard and a hazard to air traffic.
- Fire Compost is known to cause many fires. This site is too exposed to our strong and erratic winds which can quickly dry a pile, allowing for spontaneous combustion, then spread it to neighbouring properties.
- Flies Flies spread germs. Compost and leachate are laden with germs. Flies easily travel up to 8 miles and will spread these germs. This is a huge health hazard.
- Rodents Rodents like the warmth of the compost. They multiply quickly and then spread to neighbouring properties taking germs with them.
- Dust Composting on the ground dries quickly and becomes dusty. This blows to neighbouring properties carrying unknown bacteria with it
- Traffic The heavy trucks are taking local county roads creating a huge issue for road
  maintenance and for safety. Over 35 heavy trucks every day on our narrow country roads is
  unacceptable. Turning off Highway 567 requires a full set of traffic lights to be safe.

This compost operation is wrong. It is using outdated methods and is on a site that is too vulnerable to creating huge health hazards. It must not be allowed to continue.

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Please oppose the Thorlakson Corporation's application for a development permit

John WC Bare



2019-April-30

Re: Opposition Letter for Application PRDP20190505
Applicant- Thorlakson Nature's Call Inc.
Owner- Thorlakson Family Farms Inc.
Application for New Compost Facility ( Type II ), Manure Storage Facility

To: Rocky View Council and who it may concern,

As a concerned land owner in the County of Rocky View and 58 years in the agricultural communities in and around Alberta, one truly knows the **DIFFERENCE** between animal waste and rotting compost. The **SICKENING STENCH** that we endure is not the manure being spread on the fields as compostable waste. To my recollection there were few complaints until the facility increased its intake and added Level II waste. With all of the environmental controls, rules and regulations, I as a tax payer find that allowing a facility to omit and endanger a community by producing leachate (that will intern enter the underground aquifer and affect all citizens, tax payers, farming communities and any resident of the county) unacceptable and appalling.

It has been proven by courts of law that the new technology that TNC speaks of and how they have upgraded their facility is **ARCHAIC** being the **LEAST** advancement of todays technology.

We as a joint community do have part to play and in turn **NO-ONE** is saying that composting is bad, but **DO NOT ALLOW** it to happen at the **COST** and **DETRIMENT** to the general land owner.

Their study, according to the States and Europe, finds that 'living by a Level II facility does not effect a normal healthy individual'...First off..we live in Canada and we all know what statistics can or cannot show! Secondly, **HOW** and **WHO** has the right to determine that only 'healthy' citizens should live near a Level II facility..!? How **DEMEANING** ..

Do your DUE DILIGENCE and keep this facility in our community no more than a Level I. Follow Calgary's protocol..invest time and money to create a viable facility within the confines of the ENVIRONMENTAL GUIDELINES.

# Respectfully,

John WC Bare General Forman Red Seal Sprinkler System Installer



May 2, 2019

To whom it may concern:

This letter is to address concerns that I have with Thorlakson Nature's Call (TNC).

Our family farm, which has been operated for four generations, is northeast of this facility. Thorlaksons have been long-time friends and business associates with us. I find it very hard to write this letter, BUT when our health and livelihood are at stake, I feel compelled to state my concerns.

Our family members have health concerns that we feel are being affected by Thorlakson Nature's Call. One family member is fighting Stage 4 cancer and has only one lung as a complication of such. His breathing is encumbered at the best of times without additional air quality issues. Two other family members have asthma and allergies. We have grave concerns with our air and water quality. When ones' immune system is compromised neither of these matters can be taken lightly. We receive the predominate westerly and southwest winds from the TNC open air composting facility. Not only is the stench unbearable on these occasions, but more importantly are the air quality concerns.

Also, of concern is the land devaluation in this area because of TNC operation. To put it politely "who wants the stench filtrating through our open windows and doors?" "Who would want to be outside." "Why should our environment be jeopardized?" I don't need to mention Thorlakson Nature's Call blatant environmental issues and violations. The Rocky View County and Alberta Government are aware of these.

We are all aware of the importance of composting in today's society, but it must be done responsibly and must not affect the health of those exposed to this industrial facility.

We must all be responsible stewards of the environment! This is NOT just a concerning issue for those that are affected in the olfactory sense, but is a public health concern that must be addressed by governmental authorities before more negative ramifications are experienced.

I feel that Thorlakson Nature's Call should not be granted a development permit to expand their operation and should be mandated to totally enclose the present facility for composting that includes air purification and containment of the compost fluids.

Thank you for your consideration of this matter.

Respectfully,

Joanne Bussey

#### **APPENDIX 'D': PUBLIC SUBMISSIONS**

From:
To: Lindsey Ganczar
Subject: Stop that awful stench....

**Date:** Thursday, April 18, 2019 8:53:49 PM

I want to make an official complaint as to the stench that I get in Airdrie at all different times of the year. The first year that I noticed it was about 2 years ago and I would ask if people knew where that awful stench was coming from (and not the natural farm smell) and there was many guesses. It has gotten so bad at times that I have gone outside in the summer to have a nice cup of tea and read my book and have to turn around and come right back into my house. I have on many occasions also have had to shut all my windows as the smell is so over whelming and I live in Summerfield area of Airdrie so can't even imagine what it must smell like living closer to it.

I have since found out that this awful stench is coming from the composting done by Thorlakson Nature's Call Inc. and have since educated myself as to what the damage it seems to be also doing to the environment, have seen the water and have talked to a few of the old time farmers who have said that the streams ran clear when they were a child and now it looks disgusting. I also worry about the air quality that we are all forced to breath in and how it might be effecting our health, maybe Rockyview County should get on top of this before the environmentalist hear about this.

I am hoping that Rockyview County will be come a good neighbour and put a stop to this stench.

Judy Jevne Airdrie AB

Sent from Mail for Windows 10



2019-03-10

Good afternoon,

The permit for Thorlaksons Natures Call Compost needs to be denied.

This compost is making life miserable for countless neighbours. The stink is unbearable. That this will go away is fantasy. They have been making our lives miserable for over 2 years now. If it was possible to stop the wretched stench they should have done it long ago.

Our homes were built in this area before Thorlaksons started hauling in the waste from the surrounding cities and ruined our lives with the stench. Our fresh air and healthy lives deserve to be grandfathered.

Yes. Composting needs to be done but not at our expense. It needs to done properly and on the proper site, not in the open air, on the ground, so near to so many neighbours.

Thorlaksons have a very bad, well documented, history in our neighbourhood when it comes to preventing polluted run off from the adjacent feedlot. They are very skilled at blaming extreme weather conditions for polluting the land. There is nothing to make us think that the compost will be any different. We cannot believe them that the compost operation will not create runoff with unknown organisms being hauled in from the cities nearby. 'Clay pads' crack and become unstable. This compost is in the wrong place — too close to neighbours and next to a ravine. The hazardous run off from the compost WILL be washed into our water systems and ruin our wells. This WILL create a health hazard.

Thorlaksons have repeatedly denied that the air is reeking with the stench of animal and vegetable matter rotting on the ground. If you deny responsibility you cannot improve. They cannot be trusted to protect our environment. Their history proves that.

The development permit for open air, on the ground, composting at Thorlaksons must be denied to protect the health and well being of the entire neighbourhood.

Sincerely,

Mr. Stefan Johansson (Land Owner)



Application Number: PRDP20190505

Roll Number: 07320007 Legal: SE-20-27-28-W4M

Application for: New: Compost Facility (Type II), Manure Storage Facility

Re: Thorlakson Nature's Call Inc. Development Permit Attn: Lindsey Ganczar, Senior Planner, Rocky View County

I write in connection with the above stated application. I strongly object the approval of the development permit submitted by TNC. The vulnerability of the TNC site is of paramount importance and it was not revealed nor discussed prior to the land designation change. This is also the third letter that I have sent to Rocky View County objecting to TNC's different applications in the past 10 months.

An in depth study of the area has shown that the compost pad is situated on a very permeable aquifer with substantial outcrops at very shallow depths of zero to 4 metres. This is not an appropriate site for any type of compost operation. A clay pad does not do enough to protect the ground water. Accidents happen and extreme weather conditions, which are becoming more prevalent, make the likelihood of accidental leachate spillage even greater. The risk of polluting the ground water is extremely high. This must be stopped before irreparable damage is done. When the groundwater gets contaminated it is almost impossible to reverse the damage.

The stench is one of the most obvious reasons to reverse this approval. This putrid heavy stink is creating a health risk and ruining the lives of so many county residents. All the research shows that windrow composting cannot be done without creating a heavy odour and should not be done in such close proximity to so many homes. There are children, elderly, and neighbours with severe health conditions (eg. Different types of Cancer) who cannot be exposed to the stench. How could anybody undergoing radiation be exposed to the Stench, when Nausea is one of the most common side effects of radiotherapy. The Stench just aggravates those conditions.

Our home is only half a mile from this operation and the danger of fire is a horrible reality. Spontaneous combustion of windrow compost piles is actually more frequent than is generally thought. TNC could cause a major disaster as our hot dry winds cause the compost to dry out and allow it to overheat.

In the past 10 months since TNC actively started their attempts at expanding their operation - which in my opinion is- of Industrial scale, they have done nothing to abide by rules and regulations. They do not have the required permits to allow the waste materials that are accepting at this facility. I can see the GFL trucks going to this place on a daily basis. These trucks are coming from various Alberta municipalities. What guarantee do we have that Rocky View County will be able to regulate this facility, when there is not even enough municipal rules to control a facility of this caliber. One that does not care nor subject to regulations.

As per DC-162, there is no indications that the following conditions have been met:

3.1 The Development Authority may require an Environmental Impact Assessment where there is uncertainty as to potential impacts of potential significant risk from the proposed development.

Where is the Environmental Impact Assessment conducted by the County that will warrant the consideration for approval of this Development Permit? This should be a matter of public record.

3.6 Airborne particulate matter originating from the site shall, at all times, be suppressed by application of approved dust-free treatments in accordance with Alberta Environment guidelines.

Not met. Shall - according to the English dictionary means "Must Happen". Alberta Environment and Parks has failed to enforce or assist the facility in meeting this condition. Otherwise the smell of putrescine and cadaverine would not be perceived around the area. There are hundreds of calls recorded by AEP on a daily basis with complaints from neighbours in Rocky View and Airdrie in the past months since this DC was created and passed by council.

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.

Not met. Sniffing and counting on reactive measures, like affected neighbours calling to complain of a level 10 odour being emitted by the facility, does not count as an Air Quality Management System. This should also be a matter of Public record if such system is in place.

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.

Rocky View Council rejected a Marijuana facility development back in July 2018 due to Odour concerns -which was to be indoor and in an industrial park- without hesitation nor consideration to the applicant. Why is this being treated differently? This TNC facility should not even be allowed to operate in an Agricultural area surrounded by residences where hundreds of people including children and the elderly live.

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.

Definitely Not met. Traffic has become a hazard in this area. We now also face the spillage from the waste trucks bringing the waste to TNC. We have found and reported Paunch on our county roads. We are now also dragging these hazardous materials into our homes where our children and pets play on the ground.

This is absolutely not an appropriate site for this compost operation. The risk is too great and it is creating great hardship for a very highly populated neighbourhood. TNC needs to cease operation at this site.

Sincerely, Lizeth Johansson (Reyes Delgadillo)

# **Jessica Anderson**

From: Wes

**Sent:** Monday, April 22, 2019 9:43 AM

**To:** Lindsey Ganczar

**Subject:** Thorlakson's Nature's call

**Importance:** High

**Categories:** Emails to Me

# Dear Ms Ganczar,

This is a quick letter regarding the Thorlakson Compost site NE of Airdrie and to let you know i STRONGLY do not agree with allowing an expansion. This operator for the last 30 years has had little to no respect for any neighbours with the stench of a 20,000 head feedlot. Now he has an improperly maintained composting site. Had he have been following the rules he wouldn't have been getting \$1500.00 / day fines for not being compliant.. Typical, no respect for the rules is his modus operandi.

I have lived in this area all my life and know many of the people affected who live within 5 miles in any direction of this site and have complained for years! The run off from the feed yards has affected the water quality down stream with high fecal count and not fit to drink for cattle and or humans. Now add in run off of 300,000 tonnes of compost with the rains and spring run off! Also, the number of dead animal carcasses from the feedlot attract wild animals, flies, and crows feeding on them, 300,000 is only going to bring more. He has added to the stench with 20.000 tonnes of compost which is everything from dog waste to chicken carcases, bones. rotting grass and vegetable household compostable waste..bringing in anther 300,000 tonnes per year is in no way going to make things better.. I live in NW Airdrie, and when the wind is in the right direction we get full on the disgusting stink from his site!

It's a cross between manure, dead what ever.. sulphurous gas, green bin funk x 1000... it gets in to your automobile, homes and business and does not go away, No way can you sleep with a window cracked when its on full strength.. summer hasnt even arrived yet so having windows open fully to catch a breeze will be impossible..and this is at 20.000 tonnes.. so What in the hell is it going to be like at 300,000? With compost you are supposed to aerate and flip to keep it somewhat oxygenated .. and i know with my 1 green bin when it is full of grass clippings with lid shut, when you open it; well its putrid! this Operation (Thorlakson) can not look after what he has now so he sure is hell isn't going to be able to look after another 300,000 tonnes per year! As mentioned for the last 30 years he has little respect for the neighbours, He (the owner) lives 25 miles northwest of this operation so of course he is not affected, but too bad for those around him.. they suffer while he doesn't get any stench.. While the surrounding farms and acreages suffer Mr Thorlakson rakes in all the money... those living around the site slowly lose property value, quality of life and live with a permanent stink! The city of Airdrie is approx. 4 miles to the south west with a population of 60,000 people plus acreages in every direction.. why should one greedy non respectful millionaire be allowed to negatively affect such a large group of people because of his greed. Also I will say it again... his disregard for following rules and policies set out by Alberta Environment.. if he was following them the water quality etc. would not be an issue but that's been on going for 15 plus years, and he never fixes it. so 300,000 tonnes of stink.. He couldn't give a "shit" it doesn't affect him, he doesn't live there. So i STRONGLY do not approve of an expansion!

Thank you for your time.

Wes Jones.

April 23, 2019

This letter is about Thorlaksons Natures Call (TNC) Composting I have lived in the area all my life. I know the smell of the stench too well. The stench is a sweet sour putrid death smell. Once you smell the stench from TNC you recognize it anywhere.

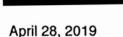
This compost site is too close to people living in the area. I have smelled the stench in the town of Crossfield when there is a southeast wind. I have checked, and it is not coming from the mushroom factory. I have smelled it on #72 highway. I have definitely smelled it east of TNC. It is gross.

TNC needs to be shut down immediately and build a proper enclosed facility.

Thank you

Johnny Jones Dogpound, Alberta

Shrafice



Re: Thorlakson Nature's Call Development Permit

Dear Ms. Ganczar,

This letter is to express my concerns regarding the proposal for Thorlakson Nature's Call to expand. I am writing because of concerns for the environment not only for us but for our future generations.

We are dealing with continuous foul stench from this business...no it has not gone away. Have concerns for our water and creeks, land pollution, traffic concerns (this has increased considerably) and concerns about the history of this business.

We have lived at our current address for over 5 years. Although we have only lived here for a short time we are used to country living and farm smells. We were not only brought up surrounded by farms but we also lived on a farm for many years. What we are **NOT USED TO** is the awful foul stench that we are being exposed to from the Thorlaksons compost facility as it stands. There is no comparison to the regular farm smells we are used to from this facility and other neighbouring farms, cattle and feedlots.

I am very concerned what the health implications are for the residents and the environment we live. My current allergies, lung and health issues could be a result of the air pollution being released by this business or it may just be a coincidence but I do know the timeline correlates to similar timeline of operation changes. All this should be taken into consideration. We do know open air composting is polluting the air and that is the air our family and neighbours have to live and breath every day. I don't have goggles or masks that I would be expected to wear as a requirement from health & safety, especially for an industrial business of this size and stature. My family and my grandchildren should not have to be exposed to this either.

We hope the MD of Rocky View and the City of Airdrie will develop a plan for our region that is mindful of projected growth, with ecologically sound practices, that we have not seen from Thorlakson. Both municipalities are saying they are environmentally conscious so please show us that you do care, and protect our right to live in a clean and safe environment.

Sincerely,

KMaDmall

Karen MacDonald

Att. Letter from Colin and Katie MacDonald

To RockyView Councillors

Re: Opposition to Thorlaksons Natures Call Development Permit

I believe in protecting our environment. I believe in composting but it must be done right.

Windrow open air composting does not work. Even with air being pumped through it, it still does not work. It creates offensive and potentially harmful bio aerosols. It stinks. It is unhealthy.

Outdoor composting plants are shutting down on a regular basis. This includes plants that are pumping air through the compost. The putrid air pollution is not controllable using outdoor methods.

It is a good and idealistic thing to try to save the environment, but this should not be done at the expense of others. One person's green bin should not destroy the environment for a neighbour.

Airdrie is quickly gaining a reputation of being "stinky city". Do we want to continue down this path?

TNC is located on a hillside with springs and with a natural waterway leading through it. If there is an accident the potential harm is immeasurable, both to the surface water and to the ground water. The site needs to be chosen with more research and with greater care.

Yes, we should compost but we need to do it right. We need to harvest the energy that can be created by composting. We need to stop bio aerosols from polluting the surrounding homes. We need to stop open air composting and we have to ensure that it is being done on an appropriate site.

The technology is available. Research the site and the methodology first. Do not approve the current development permit. Take the time required to ensure it is done correctly.

Let us join together, be good neighbours, and do it right.

Address:

To the Rockyview councillors:

Please do not approve the development permit for Thorlaksons Nature's Call Compost. It does not belong in such a populated area so close to a growing city.

Brooks has been rated as the 6<sup>th</sup> worst Canadian city to live in because it stinks. We do not want Airdrie to be rated the same way. Airdrie is already becoming known as stinky city!! This must stop.

Open air composting emits a very foul and unhealthy odor. Pumping air through it has been shown to do little to reduce the odor and has not been proven to reduce dangerous health effects of the bio aerosols released at all. There is better technology. We must insist on it.

This operation is putting the safety of the underground water at risk. This operation is drastically increasing the flies (which can easily travel up to 8 miles). This open air composting is increasing the starlings and the ravens as they are attracted to the stink. This open air composting creates an extreme risk of fire. This operation is putting too much truck traffic on narrow roads that weren't designed for the volume and for such big loads that turn into oncoming traffic.

Approving TNC development permit as a type 2 allows them to expand with little or no local control. Please don't give this control to the province.

A large scale, commercial operation in a farming/country residential area so close to Airdrie is wrong. Composting (and particularly open air composting) does not belong at this location.

I strongly believe in composting but it must be done safely, in the proper location and using modern methods.

Please do not approve the Thorlakson corporation application for a development permit.

Name: Sophic Kassam Sophia
Address:

April 23, 2019

Rocky View County Council
Re: Thorlakson's Nature Calls Inc.
Att: <a href="mailto:lganczar@orckyview.ca">lganczar@orckyview.ca</a>

Dear Rocky View County Council,

I am a concerned citizen of the City of Airdrie, that is opposed to the expansion of the TNC open air compost facility. I believe it would be a grave error to allow this facility, as it sits, expand. There are so many negative impacts on the environment and the citizens of Airdrie and Rocky View and I cannot think of one positive.

My impression of this facility and what is happening at it is, one of shock and disbelief. I am deeply dismayed that our City organics are being dumped into a field just outside of city limits and that Rocky View County has allowed it. Although most of us try to be very conscientious about putting of the right things in our organics bin we know for a fact that others are not and invariably garbage ends up in these bins. There is no way this should be allowed to be dumped into an open field, City organics should be sent to a proper waste diversion facility such as Calgary's or TNC should be mandated to build a facility that is indoors and has a properly controlled environment for composting. I can think of know one that would want to see this kind of mess expanding out in the open, creating foul smells and unbelievable mess.

My second concern is that animal carcasses and feedlot remnants are going to this same open-air facility, I am shocked that is even legal and disgusted that again it is being dumped into a field just outside city limits. Is this the kind of business that we want in beautiful Rocky View County and just outside the City of Airdrie? I can't imagine any sane person thinking this is acceptable.

Let's not be the kind of community that looks back and thinks what if we had just said NO, why didn't we make TNC accountable for good business practice? Why didn't we make TNC build a facility that is worthy of community pride, instead of a disgusting wasteland? I know that if TNC can continue as an open-air facility, as it is, we will all live to regret it and it will be TOO LATE!

Sincerely,

Lynn Kehoe Resident, City of Airdrie

From: Lindsey Ganczar
To: Jessica Anderson
Subject: FW: Dump proposal.

**Date:** Wednesday, May 08, 2019 3:50:12 PM

From

Sent: Wednesday, May 8, 2019 3:50:04 PM (UTC-07:00) Mountain Time (US & Canada)

To: Lindsey Ganczar Subject: Dump proposal.

Hi, Lindsey.

I'm a concerned tax payer that's being affected by the rotten, shit pit north of Thorlackson, feed yards, along with many family members and friends. It's appalling to have to drive down the 567 in the morning, then have to work in that God awefull, Ape shit, stench.

Hers another concern. That "facility" that is being proposed is the first steps to introducing a full on landfill, I see the design and have been involved chasing BFI out of Blackie, AB. So, you guys need to guarantee, through, PROOF, that that will never happen at that location. If you cannot prove that to the electorate, then you will have a huge, legal, "shit" mess to deal with. Not happy.

Sincerely, A concerned citizen.

Sent from my iPhone

From:

To: <u>Jessica Anderson</u>; <u>Iganczare@rockyview.ca</u>

Subject: Application # PRDP20190505 Thorlakson"s Nature"s Call Development Permit Letter of Opposition

**Date:** Wednesday, May 01, 2019 2:21:23 PM

To Whom It May Concern,

I am writing in opposition to the Development permit applied for by Thorlakson's Nature's Call. Our farm is located and is seriously negatively impacted by the Operations at this composting facility.

Environmentally we are impacted by the non stop truck traffic on range road 284, dust, garbage, noise pollution, air pollution, carrion birds which populate the area, and excessive numbers of sea gulls.

Despite repeated requests to Alberta Environment the terrible sickening odour remains. MASSIVE piles of compost are constantly being added to and the smell grows. Further to the smell the garbage and debris is spread up and down 284 spills over onto our land. No measures have been taken by Nature's call to reduce the excessive number of seagulls and ravens which spread the plastic compost bags and garbage everywhere. There are no dust control measures. No traffic and noise control measure.

Daily our farm life is negatively impacted by this operation. While composting is an environmentally friendly way to reduce our footprint on the Earth I assure you there is nothing environmentally friendly about the way TNC manages their business or their daily operations. This operation is an Environmental NIGHTMARE! One simply has to drive down Range Road 284 to witness the hypocrisy.

We are 100% for composting. We are 100% for farming. The bottom line is this business, in it's current location, NEGATIVELY impacts all those surrounding them. They have made every effort to intimidate those that express opposition to them or complained about smell, dust, noise, garbage and scavenger birds. TNC has no interest in finding solutions for the problems that plague their neighbours and every interest in making money as cheaply as possible.

Rockyview County should look at various examples within our province and country to see TNC is travelling down the same path that a number of operations traveled before being shut down or scaled back. What task force will ensure they follow the rules? TNC does not follow the rules now. They are constantly trying to circumvent the rules and the system intended to protect the population they are impacting. They do not care for their neighbours and the negative impact they have on them. Giving them a permit to continue with their shoddy operation, which has already violated so many rules, seems ludicrous.

We believe our counselors and planners should consider the farms and acreages surrounding TNC. If our government is not there to support us, to help us, to ensure our safety and well being on Environmental matters then who is? Prior to this point we were not considered by TNC as valuable or important. This entire operation was developed without anyone's input behind all of our backs. The result is horrendous.

To say I am opposed to this permit and this horrible operation is an understatement. Look at the facts. Look at their track record. Look at how they treat the environment and their neighbours. Take a look for yourself!! It is a total disgrace and blemish on our County.

Sincerely, Tara Lambie

From: <u>Lindsey Ganczar</u>
To: <u>Jessica Anderson</u>

Subject:FW: Application number PRDP20190505Date:Friday, May 03, 2019 11:45:03 AM

\_\_\_\_\_

From: Judy Lunde

Sent: Friday, May 3, 2019 11:44:37 AM (UTC-07:00) Mountain Time (US & Canada)

To: Lindsey Ganczar

Subject: Application number PRDP20190505

In regards to: TNC applying for Compost facility (Type II) Manure storage facility

This is our response to the above application...

First I feel that the "Compost Facility MANURE storage facility ".... Is very misleading! Why don't we call it like it is! GREEN BIN COMPOSTING FACILITY with some manure thrown in ....

Our farm is located approximately 5 km east of TNC. We just celebrated 100 years of farming in Alberta , east of Airdrie, and as far as I know, we , as residents of Rockyview County, have never been faced with such a problem as

What TNC is causing for all its neighbours, with this composting facility! IT STINKS!!!! It is ruining everyones quality of life, as it is impossible to be outside, when the wind is blowing in your direction! It is gradually getting worse and worse, with the more that TNC is bringing

In from the Green Bins and whatever else may be delivered there to be composted...... What is going to happen when the weather turns nice? And you can't even have your windows open?

IS THIS FAIR ??? NO, its not.... no one should be allowed to profit from something , that is causing neighbours distress and loss of land value! Who is going to buy land or an acreage near here, when they step out of their vehicle and get hit with that stench!!! NOT ONE DAMN PERSON! But yet, Rockyview County will still want their land taxes! At full assessment! Our Land prices are

going to plummet! Maybe not as much on farm land, but if anyone has an acreage or is planning on developing an acreage off a parcel of land, this permit for development will effect them big time!

A lot of open air composting facilities have been shut down, thru out Canada and the world due to the terrible air quality which can cause health issues! We have no problems if TNC still wants to compost, but they MUST be forced to put it indoors, so that the air quality can be managed, and their neighbours do not have to

Live everyday with the Stench!

Yours truly, Gord and Judy Lunde

Upr 30 Page 122 of 253 Uttention Lindsey Ganczas application Number PRD 20190505 Roll Number 07320007 Thorlakson Natures Call Inc (Lindsey Cybulshie) We are writing over our concerns for the Open aix Compost and expansion of Thorlakson Natures Call luc at Thorlakson Feed Yard. The problem is the constant stench which happens everytime the wind blows. There has also been problems with creek pollution from manure when the feedyard lagoons have over flowed in the past. Groundwater pollution will become a problem Truck traffic can become a problem over expansion because when long trucks pull onto 567 going west, they pull into east bound lanes into on coming There will also be problems with disease. From the pictures of the site the weed infestations is out of control and the county cannot allow this to spread everywhere. I have lived in this area east of airdre for 68 years and nothing like this has happened before Over the years when Thorlahson spreads manure it may small for a day or two depending on the wind but it goes away. The steach from the Open air Compost is constant. This expansion of Open Clir Compost does nothing but create more problems and doesn't work in populated areas. Look what happened at Strathmore. They got shut down. This is going to be a total environmental problem-Nobody in the affected area will be able to sell any land under these circumstances and things are only going to get worse. Sincerely Kenneth Lunde Morm Lunde

AGENDA Page 479 of 756

Re: Thorlakson's Nature's Call Development Permit

To our Council Members:

I am very strongly opposed to the approval of a development permit for Thorlakson's Natures Call.

I have lived less than 1 km from Thorlaksons for almost 30 years. I love the home where we raised our family and I want to continue enjoying it with my grandchildren but if the stench continues I will have to move.

The air pollution from TNC is absolutely disgusting. The stench is horribly strong and is nauseating. It destroys our quality of life – we can't enjoy our property and we can't invite company. Research shows that compost stench carries pathogens that are particularly dangerous to anyone who has a compromised immune system and we can't afford to jeopardize our health.

I was raised on a dairy farm so I am well aware of the smell of manure. The fact that Milt Scott tries to say the stench is manure is so extremely disrespectful. Stench has a sweet, heavy, chemical-like smell – it is not at all like manure.

We hear TNC is going to put in air pipes. Research shows that many operations like this have been shut down It does not work. Thorlaksons actually tried it in the past and found that it did not work for them either. The amount of stench is directly related to the size of the compost operation. Please don't approve an expansion at TNC.

This stench has already affected property values for many residents of Rocky View. It is unethical to sell a property hoping the wind stays in the right direction while a potential buyer views it. Selling a property that is almost always reeking of rotting compost without disclosing it could lead to the seller being sued.

Reduced equity in our farms and homes will inevitably lead to reassessments and reduced taxes to be collected by the county.

Not only is this project making the roads extremely dangerous for Rocky View residents, the county roads are being destroyed with the extra truck traffic hauling waste to TNC. This will lead to more expense for Rocky View as the roads need repair.

The site where TNC is located is extremely vulnerable. There are natural springs, a natural creek bed, and wells scattered throughout the area. The soil structure is extremely vulnerable and we know that leachate is extremely dangerous .Accidents happen. Why would we allow any project like TNC on such a site?

Who is liable if there is a leachate leakage that ruins the surrounding water wells? Who is liable if we end up with another Walkerton? Who is liable for the drop in property values? Many areas have had successful class action lawsuits. They have sued both the compost operator and the governing body which was in full knowledge of the consequences when a compost operation was approved.

On a strictly dollar sense basis this compost operation should not be allowed to continue on this site.

I believe in composting but it needs to be enclosed and it needs to be on a site that does not have the potential to cause so much harm.



May 3, 2019

Re: Thorlakson Nature's Call Development Permit

Dear Ms. Ganczar,

This letter is to express our concerns regarding the proposal for Thorlakson Nature's Call to expand.

My parents look after our son twice a week so we have noticed this smell and are aware of where it is coming from. We also have concerns about the water and creeks, land pollution and increase of heavy vehicles.

We have noticed a foul stench on many occasions while visiting our parents. We have also recently moved from east Airdrie to west Airdrie and have noticed this same smell at our home and also while at a local park over on north west of town, so the smell is travelling far.

My parents have lived in Rocky View County for many years and there was no issue of smell other than regular farm smell until the last couple of years. Now, this awful sickening smell comes through that even our 3 year old son remarks on it. You can't open the windows, barbeque or play outside when this smell is around. There is no comparison to regular farm smells to this foul stench.

We are concerned about health implications and the environment and for everyone who lives in close proximity that put up with this. What ARE the health implications? Has Rocky View done enough homework on the health, the environment and other issues associated with an open composting facility? What about those residents who are affected who pay their taxes? Who is listening to them? They should not have to be exposed to this.

Rocky View County and City of Airdrie are touting that they are environmentally conscious. Please show us that this is the honest truth. Please show us you care about those who live in your county, who are paying their taxes and whom you represent and protect. They all have a right to live in a clean and safe environment.

Sincerely,

Bryan & Emma MacDonald

Jessica Anderson Municipal Planner Rocky View County Hall 262075 Rocky View Point Rocky View County, AB T4A 0X2 MAY 02 2019

Subject: Development Permit Application Number PRDP20190505 Thorlakson Nature's Call Inc.

Dear Jessica,

Please consider this our formal objection to the development permit PRDP20190505, regarding the compost and manure storage facility. We have deep concerns over the stench, the management of the facility, their past infraction history, groundwater, garbage, and traffic. The current facility is technically inadequate, and mismanaged as it is. Thorlakson Nature's Call is a blight on Rocky View County and any expansions will only make things worse.

Sincerely,

Kelly and Allison MacKenzie

Copy in Page 126 of 253

County of Rocky View
26075 Rocky View Point
Rocky View County
T4A OX2

Attn: Lindsey Ganczar

Senior Planner

Re: Application PRDP20190505

Thorlakson Nature's Call Inc., SE-20-27-28-W4M



# Comment: It would be Irresponsible Governance for the County to Approve TNC's Application

The provincial government is in the process of reviewing the regulations in regards to green bin composting operations. You may confer with A. Hoggan, S. Bears, B. Riemann of your office with regards to county involvement with that effort. This pending review is a result of several facilities in the province that have become excessive odour nuisances to neighbouring residents, as is the case with TNC's facility. In other environment concerns, for example, the relatively nearby Strathmore facility contained 95 times their allowed Sulphur <a href="https://www.cbc.ca/news/canada/calgary/strathmore-bio-can-compost-sulphur-gypsum-stench-garbage-wheatland-county-1.4199454">https://www.cbc.ca/news/canada/calgary/strathmore-bio-can-compost-sulphur-gypsum-stench-garbage-wheatland-county-1.4199454</a> simply because of "self-policing" failure. The "\$500 cash and dump your truck on the pile without going over the scales" method of self-policing seems prevalent at these facilities.

Another issue, is that there is a need for the government to protect taxpayers from these operations going broke and leaving behind multi-million dollar cleanups.

You know this already, but for background, the current provincial norm is that composting facilities below 20,000 tonnes feedstock operate under a registration under the "Code of Practice for Compost Facilities". The "Code" is a 14 page document allowing essentially self-registration, with many statements of what an operator is to do, with NO PENALTIES for failure to comply. If you were to follow these rather simple requirements and asked TNC to produce their record of having met those requirements, you would find that these documents have never been submitted. But, TNC takes in MORE than 20,000 tonnes of compost, so is operating outside their registration limit, and should be operating under a more stringent set of rules "2007 – Standards for Composting Facilities in Alberta". TNC claims to be updating their operation to allow them to be a New Class II facility, the stated reason for this application. Why "New"? Why mention "Manure Storage Facility", the purview of the Natural Resources Conservation Board? Possibly because under the Agricultural Operations Act administered by NRCB, once a facility has a provincial registration, even if they are not compliant with county zoning, technically no mere human being or county can challenge them without intervention by the "minister". If you don't believe me just read 2(1.1) of the Ag Operations Act, noticing the "is not liable to any person" in 2(1).

Interestingly, a Class II facility under the "2007-Standards" is still only licensed for up to 20,000 tonnes of feedstock, but additional feedstock can be taken if approved by Alberta Environment (pg. 1 of that

document). So the main goal of TNC's application is clearly to facilitate increasing the capacity above 20,000 tons at some later date, because once county zoning is in place, suddenly "the sky is the limit" with whatever TNC can convince Alberta Environment they can accept. Historically, TNC's methodology is "do it first, ask forgiveness later".

The county is under the impression that its Dec. 11 bylaw C-7838-2018 gives it some ability to control the TNC operation, when under current regulations, those controls are the purview of Alberta Environment. By approving TNC's application, the county will be complicit in "grand fathering" the TNC operation land use for Class II composting, allowing it to operate under rules which are due to be changed, hopefully for better air quality, in the near future and should have been changed 10 years ago.

Please decline the opportunity to assist TNC in their goal to make a few million dollars more at the inconvenience of their neighbours, having already too long capitalized by undertaking activities the neighbourhood has never been zoned for, and taking advantage of a set of regulations that are under review due to existing difficulties and discrepancies. I do not see evidence to date in Bylaw C-7838-2018 that the county truly understands the differences between Type I and Type II facilities between the admittedly confusing "Code of Practice of Composting Facilities" that TNC is registered under, and "2007-Standards for Composting Facilities in Alberta" they wish to be recognized under. The potential for mis-step that TNC can use to legal advantage when their facility inevitably follows the track record of open air composting facilities in general, with anything other than a rejection, is quite high.

Doug MacKenzie, B.Sc.M	I.E, P.Eng.		

Respectfully,

Lindsey Ganczar Senior Planner Rocky View County Hall 262075 Rocky View Point Rocky View County, AB T4A 0X2

Subject: Development Permit Application Number PRDP20190505 Thorlakson Nature's Call Inc.

Dear Lindsey,

Please consider this our formal objection to the development permit PRDP20190505, regarding the compost and manure storage facility. We have deep concerns over the stench, the management of the facility, their past infraction history, groundwater, garbage, and traffic. The current facility is technically inadequate, and mismanaged as it is. Thorlakson Nature's Call is a blight on Rocky View County and any expansions will only make things worse.

Sincerely,

Kelly and Allison MacKenzie

To the Rockyview councillors:

Please do not approve the development permit for Thorlaksons Nature's Call Compost. It does not belong in such a populated area so close to a growing city.

Brooks has been rated as the 6<sup>th</sup> worst Canadian city to live in because it stinks. We do not want Airdrie to be rated the same way. Airdrie is already becoming known as stinky city!! This must stop.

Open air composting emits a very foul and unhealthy odor. Pumping air through it has been shown to do little to reduce the odor and has not been proven to reduce dangerous health effects of the bio aerosols released at all. There is better technology. We must insist on it.

This operation is putting the safety of the underground water at risk. This operation is drastically increasing the flies (which can easily travel up to 8 miles). This open air composting is increasing the starlings and the ravens as they are attracted to the stink. This open air composting creates an extreme risk of fire. This operation is putting too much truck traffic on narrow roads that weren't designed for the volume and for such big loads that turn into oncoming traffic.

Approving TNC development permit as a type 2 allows them to expand with little or no local control. Please don't give this control to the province.

A large scale, commercial operation in a farming/country residential area so close to Airdrie is wrong. Composting (and particularly open air composting) does not belong at this location.

I strongly believe in composting but it must be done safely, in the proper location and using modern methods.

Please do not approve the Thorlakson corporation application for a development permit.

Name:	Jalic Machean				
Address					

Dear Lindsey Ganczar
Senior Planner
Rocky View County
Iganczar@rockyview.ca OR janderson@rockyview.ca

#### RE: THORLAKSON NATURE'S CALL APPLICATION # PRDP20190505 ROLL#07320007

Living on the east side of Airdrie for the past 25 years has been truly wonderful for myself and my family. We have enjoyed watching our children grow in the community as well as the community itself.

However, the past few years, the smell emitted from the Thorlakson compost facility has impacted this idyllic setting. One must check the direction the wind is blowing if you wish to go out and enjoy the many path systems the city has to offer, or just tend to yard work. If the wind is blowing down from Thorlakson's, not only do we stay indoors, we need to shut all windows. The smell burns our throats and eyes and, if we don't get the windows shut in a timely manner, our home smells for the better part of a 24-hour time period. We can't help but wonder if this will impact our health long term. It also raises concern for the value of our home when we go to sell (sooner than later as we are empty nesters).

In reviewing some of the available information, it is documented the compost and feedlot sites are directly over a sensitive aquifer. How have they been permitted to do business in such a location for as long as they have been? This goes beyond stench that hasn't been proven not to impact people and their health; this also has a direct impact on local wells that rely on the water from this aquifer as well as the Bow River and Red Deer River basins. Have tests been carried out regarding the impact this has on those who rely on this aquifer? Let alone how the emissions from this feedlot and compost facility affect people? Have Thorlakson's been required to provide environment impact studies as other sectors have in recent years? If not, why not?

Having been informed that Thorlakson's is looking to expand their compost facility, as someone who is directly impacted by the stench, I am writing to ask that Thorlakson's request be denied. Thank you for time.

Sincerely,

Tanya Massey Thorburn Resident, Airdrie



Re: Thorlakson Nature's call Development Permit

Dear Ms. Ganczar,

I am writing to express my concern regarding the proposal for Thorlakson nature's Call to expand. I am writing because of

- Stench
- Water concerns
- Land pollution
- Concerns about Thorlakson's corporate history
- The fact they fell they can operate without proper permits

We have lived in this area for over 18 years and have never seen the amount of birds when driving past Throrlakson's that you see now. Most days the smell make you want to vomit in your car. I did not buy my 40 acres here only to have my property values go down because of one corporation that doesn't have to play by the rules.

Open air compost is fine for non-vegetative, when small scale and I am concerned about the environment which is why I oppose this expansion.

Regards

Shannon McCarron

From: Lindsey Ganczar
To: Jessica Anderson
Subject: FW: TNC composting

**Date:** Friday, May 03, 2019 2:37:18 PM

\_\_\_\_\_

From: James McCarthy

Sent: Friday, May 3, 2019 2:37:10 PM (UTC-07:00) Mountain Time (US & Canada)

To: Lindsey Ganczar

Subject: Fwd: TNC composting

Sent from my iPhone

## Begin forwarded message:

> Dear Lindsay

>

> I have lived in this area for 38 years and I have no problem with the smell of feedlot's or feed barn's. But the stench coming from TNC composting is absolutely horrible and must be dealt with.

>

> The stench is affecting neighbouring farms and acreages around the area up to 5 km away from TNC composting. It also has affected the quality of life and property values. If it is not dealt with it should be close down.

>

> Best regards Jim Mccarthy

>

> Sent from my iPhone



# Opposition to Thorlaksons Natures Call Compost

I am very strongly opposed to the TNC operation on this site

I have recently completed a great deal of research about compost sites. All the research points out that there is no methodology and no recipe that can keep windrow compost from emitting a terrible odor. As a neighbour of TNC I have repeatedly been subjected to this EXTREMELY FOUL STENCH.

Please protect our right to CLEAN AIR.

We do not know what is actually in the gases that are causing this odor but we do know that if you can smell it you are breathing these still incompletely researched and unknown gases into your body. The effects to our health or that of our children may not be fully understood until it is too late.

Please protect our right to a HEALTHY ENVIRONMENT.

I am also very concerned that this composting is being done on a site that has many springs and that is sloped to a ravine. The threat to our groundwater is very real. With extreme weather events increasing we need to be very concerned about runoff from the compost entering our groundwater. We understand the site is graded to protect against this happening but clay base compost sites have a history of cracking and complete failure. Our wells in this area are shallow and if they become polluted it may cause very serious illness or even death, and it will be impossible to make them safe again.

Please protect our right to SAFE GROUNDWATER.

I acknowledge that composting needs to be done but it needs to be done on a safer site that is a greater distance from the neighbours. It needs to be covered and properly controlled.

Please do your due diligence in regard to the safety of this site. Please believe us when we tell you that the stench is unbearable – a good business never "operates by complaint"

I urge you to rescind the development permit until a complete, INDEPENDANT, detailed environmental impact study of the site, including the ground composition and water aquifer stratas, can be completed.



From: <u>Lindsey Ganczar</u>
To: <u>Jessica Anderson</u>

Subject: FW: RVC Application #PRDP20190505 Thorlakson Natures Call

**Date:** Tuesday, April 30, 2019 2:33:28 PM

From: Peter Mills

Sent: Tuesday, April 30, 2019 2:33:19 PM (UTC-07:00) Mountain Time (US & Canada)

To: Lindsey Ganczar

Subject: RVC Application #PRDP20190505 Thorlakson Natures Call

April 30, 2019

Att'n:

Lindsey Ganczar, Senior Planner, RVC:

Relative to the above application, and your RVC letter dated April 2, 2019:

Please be advised that we, Peter & Cindy Mills, strongly object to the granting of any permits or approvals relative to either expanded or additional composting operations by the Applicant due to the following reasons:

- Current operations emit ongoing offensive and potentially harmful to health
  composting smell & strong odors into the local & expanded atmosphere, including our
  location approximately 2 miles South and 1 mile West of the applicant location.
  Prevailing winds distribute these emissions for many miles randomly.
- 2. Ongoing volume of commercial traffic on Rge Rd 285 between Twp 270 and 271 travelling to Thorlakson location is destructive to the road, safety risk to many children living in residences accessing this road, and costly to RVC roads and maintenance.
- 3. Personal tour of the composting work site in January revealed visible volume of plastic & other garbage residues mixed in with the bulk recycle product being delivered for processing, and continuing into the open composting rows. Protection from infection and disease for wildlife, birds, and other animals having access to this open operation is a concern.
- 4. See: City View article April 20, 2019 Potential harmful ground water contamination from site run off.
- 5. See: RVC press release March 1, 2019: Applicant failing to meet required deadlines and conditions for a development permit application (existing).
- 6. Issuance of permits for expanded operations since Alberta Environment 2010, Class 1 composting, may exceed the reasonable capacity for this operation / location considering proximity to others.

This operation, Thorlakson Natures Call, Thorlakson Family Farms, should cease all recycle

composting operations until a satisfactory level of modern processing technology i.e. City of Calgary, has been put into place which controls emissions of all types adequately, to respect Rocky View County, all its residents, and all surrounding communities which are negatively affected by current operations i.e. City of Airdrie, AB.

Peter & Cindy Mills

**Date:** Tuesday, April 30, 2019 1:50:18 PM

I'm amazed that Rocky View even allows TNC to operate at it's current size considering the violations to regulations and the incredible stench this operation causes so considering letting them expand is criminal! No one should have to put up with this. Why isn't Rocky View monitoring them on a weekly basis with regular and surprise visits. The people in the area deserve better for their tax dollars! Don't let TNC continue and certainly don't let them expand!! Deb Miskiw

Get Outlook for Android

From:
To:
Jessica Anderson
Cc:
Austion Morrison
Subject:
Compost

**Date:** Wednesday, May 01, 2019 6:01:35 PM

Hello, I'm Austin Morrison and I like about 3-4km just a little southeast of the compost/feedlot and my family and I rarely smell the compost and if you do smell it ever it's not a terrible smell every one puts it out to be. But you rarely smell it as it is. I have never once ever complained about the smell and I'm never gonna start complaining. There's no need to complain when it's something that doesn't effect people. Sure you smell it every now and then but as I said it's not bad. It's never bad like some people make it out to be as a hideous and awful smell.

Thank you for your time Sincerely- Austin Morrison

Sent from my iPhone

From: <u>Lindsey Ganczar</u>
To: <u>Jessica Anderson</u>

Subject: FW: thorlakson compost site

Date: Tuesday, April 30, 2019 3:49:43 PM

From: Thomas munton

Sent: Tuesday, April 30, 2019 3:49:37 PM (UTC-07:00) Mountain Time (US & Canada)

To: Lindsey Ganczar

Subject: thorlakson compost site



To Whom it may concern:

We have lived in this area for 27 years and the smells we are getting are unbearable. We have a right to an enjoyable outdoor life.

We believe in composting and are committed to doing it ourselves but there has to be a better way for large commercial facilities .

We are against the Thorlakson compost facility. Please rethink what is best for Rockyview and its neighbors.

Tom and Jean Munton Rockyview County April 30 2019

From: Lindsey Ganczar
To: Jessica Anderson
Subject: FW: Stinky road

**Date:** Sunday, April 28, 2019 8:34:07 AM

\_\_\_\_\_

From: Helen Murphy

Sent: Sunday, April 28, 2019 8:33:59 AM (UTC-07:00) Mountain Time (US & Canada)

To: Lindsey Ganczar Subject: Stinky road

## Good morning,

I just want to add my thoughts on the Thorlakson composting facility off highway 567. My friends usually go to Irricana (from Airdrie) at least once a week. Many times we have rolled the windows up tight for about a four mile area along the route. We always comment on this with "HOW IN THE WORLD CAN PEOPLE LIVE WITH THIS HORRIBLE SMELL?????" It is undescribely horrible. Not just a normal feedlot smell. I feel so sorry for the people living in this area. How can this happen so close to a city??

Please help clean up this mess!

Helen Murphy Airdrie

Sent from my

From:

To: <u>Jessica Anderson</u>
Subject: Thorlakson Nature Call

**Date:** Wednesday, May 01, 2019 6:42:22 PM



May 1, 2019

Re: Thorlakson Nature's Call Development Permit

Dear Ms. Anderson,

My son is writing to tell you about his experience with the smell coming from the compose (Thorlakson Nature's Call) and how the compost affects my life as a seven year old.

This letter is scribbed for Nicholas Stevenson

The smell sticks, it makes me feel like I will throw up and I then I don't want to play outside. I want to get rid of the smell, then I can play with my toys. I like to play sports, and jump on my trampoline. I like hockey, and sometimes I like to play with my dogs outside and throw the ball for them. When the smell is around I gag and I want it gone, cause I don't want it to happen on my birthday.

Thanks Nicholas Stevenson



To Whom It May Concern,

I am strongly opposed to Thorlakson's natures Call Composting.

This is in an extremely poor location. It is too close to Airdrie and just off a very narrow highway.

The stench is unbearable.

W. RNAY.

Thorlakson Corporation has an extremely poor reputation – it is very easy to see that they don't care about rules or about the environment or their neighbours. There is no reason to think the composting will be handled any differently.

Please don't allow this composting scar on our community to continue.

Respectfully:

AGENDA Page 498 of 756

I have lived the most of my life in and around Airdrie and did live on a farm east of Airdrie when I was younger.

The stench odor makes me want to puke. It is a rotting dead odour of decomposing flesh. It is just sickening.

I have smelt it in Airdrie more so in the early mornings.

As an Airdrie resident I believe people should be responsible for their own garbage. The City of Airdrie should put on their big boy pants and take responsibility for their own garbage.

With the amount of taxes the city collects from the taxpayers there is no reason why they shouldn't have a class #1 recycling facility.

Is one recycling facility like TNC enough for Airdrie, Crossfield and surrounding area? How come we don't keep our waste in our own backyard?

Open air facilities are a cheap idea and they don't work. Roll up your sleeves, Airdrie, and build a proper facility. When Airdrie started charging the taxpayers for the green bins that money should have been spent building a proper facility. Shut TNC down and build a proper facility that doesn't stink.

Woody Ouderkirk Airdrie, Alberta.

Book O.

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APPENDIX 'D': PUBLIC SUBMISSIONS

Attention: Lindsay Ganczer, Rockyview County

Development Permit Application # PRDP20190505

Division 7

Applicant: Thorlackson's Nature's Call Inc (TNC)

New Compost Facility (Type II)

I am writing in OPPOSITION to the development permit applied for by Thorlakson's Nature's Call.

Our farm is 4 miles east and 1 mile north of the Thorlackson's Feedlot and TNC operation. We have lived on this site for 27 years. During this time, we have endured the noxious smell of manure spread over the fields every time the pens were cleaned which luckily then dissipated over a few days after spreading. About 5 years ago we noticed a significant difference in the smell. It was like rancid putrefying raw meat or carcasses mixed with high ammonia and manure. About the same time, we also noticed an increase of ravens and gulls flying around and staying around all year. It seemed to happen over night. Ravens and gulls are indicators of meat and other food sources available in the area.

In the past 2 years I have been diagnosed with metastatic breast cancer. It has spread to my bones, my brain and my lungs. This past winter has been the worst on record for me when I was exposed to the TNC Stench. It became more and more difficult for me to breath from November 2018 to the present time. The putrid smell mixed in with high amounts of ammonia burns my lungs and sends me into violent coughing and choking episodes the moment I inhale it. I drove past the feedlot May 2, 2019 and immediately both my daughter and I had headaches and I started coughing.

The following is part of an article from the (Canadian) Beef Cattle Research Council: <a href="http://www.beefresearch.ca/research-topic.cfm/environmental-footprint-of-beef-production-6">http://www.beefresearch.ca/research-topic.cfm/environmental-footprint-of-beef-production-6</a>

"A common environmental footprint concern raised during beef production is the negative impact that intensive feedlot operations have on air quality through the generation of dust and odors. Issues often arise from acreages or towns that reside downwind of feedlots.

**Dust** can arise from pen surfaces, alleys and roads and is influenced by humidity, temperature and wind speed. Secondary emissions in the form of **ammonia** and **odoriferous organic compounds** such as amines, sulfides, phenols and volatile fatty acids may also occur. Depending on the compound, they can be transported several kilometers from the feedlot.

Long term health consequences associated with exposure to particulate matter from feedlots are largely unknown, but its impact on individuals suffering from chronic respiratory disease can be severe.

Deposition of ammonia and organics may adversely impact water quality. Ammonia can also contribute to indirect nitrous oxide emission."

This is just an article on feedlots. It does not go into the dangers of air emissions or the leaching of manure into the water system in composting practices. Does TNC do its due diligence regarding testing area wells or streams that are down stream from TNC for the possibility of ground water contamination? Are we headed for another Walkerton E. coli outbreak?

TNC claims to still be a farming operation. How can they be considered as agriculture if they are currently accepting 20,000 tons of outside waste: green bin scraps, animal paunch, and grocery store waste? How can they be considered agricultural if this compost waste does not originate from their own farming operation?? They are a manufacturing business that brings in supplies, processes them and then sells it.

TNC wants to increase their size by bringing in another 20,000 tons of compost but have done nothing to eliminate the toxic smells from their current open-air operation. How in good conscience can we allow this to happen?

These deleterious/harmful emissions from the TNC stench is impeding my quality of life and the quality of life of other residents that are suffering from serious lung impairment. I cannot work outside on my farm when the wind is blowing from the westerly direction of TNC — how can you work or do chores when you cannot breathe and are choking on noxious fumes? I cannot invite guests over to have outside get togethers for fear of wind direction and the adverse health affects on my guests, not to mention the daily threats to my family, livestock and pets.

As farmers and land owners it is our responsibility to be stewards of the air, land and water for future generations. To protect it from misuse and abuse so our children and grandchildren have a safe and healthy place to live and work. Unfortunately, not all of us want to preserve and protect our community or

environment. For some like TNC it appears that economic gain is more important than the health of the local community and environment it affects. The expense of the community and environment should never be put at risk by the exploits of big business. Thorlacksons and TNC are no longer a farming operation. They are a big business that is in it to make money at whatever the cost to the community and the environment. They have **ignored** permit regulations, limitations and restriction deadlines to make changes or become compliant with their operation. TNC is blatantly disregarding all rules and mandates set out before them. They have a proven track record of non-compliance. Their attitude in this matter is a slap in the face of Rockyview County and is a high-risk situation to the environment and the health of the community who resides here.

I OPPOSE the request of TNC to expand their operation.

Respectfully Submitted

Linda Pagenkopf



March 12, 2019

Dear Drs. McDougall and Hinshaw,

I have attached a copy of a report I prepared, regarding the potential for groundwater contamination at the Thorlakson confined feeding operation and adjoining composting facility, located east of the City of Airdrie. I had been reviewing the operation in preparation for appealing a development permit to expand the composting facility.

During the review I became aware that a unique combination of local geological attributes had been compromised by the penetration of a high permeability shallow aquifer and the underlying groundwater zones below by a localized concentration of over 20 water wells. These wells were drilled on the erosional edge of the outcropping aquifer, on top of the aquifer, and in the immediate area.

In addition to the springs located on the outcrop edge, they have created a myriad of passage ways for the surface contaminants to enter the groundwater below. The contaminants, which are in immediate contact with the passage ways, include feedlot manure and the non-vegetative waste, including cattle paunch, being composted in an adjoining open site.

The risk of contamination is undeniably high and I have, in my report, suggested a number of procedures to evaluate the situation, which I believe would fall under the category of a human health impact risk assessment.

I represent a group of concerned residents in the area and we would be available to meet with you or your staff at any time to discuss this matter. It does have a degree of urgency due to the impending approval of the development permit, which would allow the applicant to obtain approval to proceed with the expansion of the composting facility.

Sincerely,

Dennis Gieck Peng

Cc: MLA Angela Pitt, MLA Nathan Cooper, MLA David Swann

## **Executive Summary**

Thorlakson Nature's Call, a composting facility located east of Airdrie, has made an application for a Development Permit (DP) to expand their operation. In reviewing the area, with respect to water drainage, I became aware of a unique set of circumstances in the offsetting feedlot operation that are a cause for major concern for groundwater contamination.

As a preface to this discussion I have extracted an opening text from the 2008-2011 progress report on Livestock Manure Impacts on Groundwater Quality in Alberta.

"Much of Alberta's agricultural areas are located in hydro geologically stable sites as a result of relatively thick clay and till (fine-grained soils) throughout much of the landscape. The thick clay and till can limit transport of surface contaminants into groundwater. Groundwater in Alberta also tends to be relatively deep, and shallow aquifers that might be at risk to contamination from surface activities are not extensive. However, deep fractures are common in clay-rich sediments in Alberta and these fractures may increase the migration of contaminants to greater depths and into underlying aquifers, Furthermore, agricultural areas over unconfined sand aquifers (i.e., exposed to the ground surface) or bedrock overlain by a thin layer of surficial sediments may also be vulnerable to contaminate movement from the ground surface."

All of the high risk contamination indicators pointed out in this opening report statement are present at the Thorlakson location and the vulnerable fragile geological setting has been further compromised by the drilling of numerous water wells through a shallow aquifer into the underlying groundwater zones on top of, at, and in the immediate vicinity of the feedlot.

The circumstances can be summarized as follows:

Springs in the area are the first indication of an environmentally sensitive area. The presence of many more springs than the two originally mapped in a Rocky View County groundwater study, combined with localized geology, indicate that a very permeable aquifer with substantial areal extent outcrops at the feedlot site and underlies the entire feeding and compost area at very shallow depths of zero to 4 meters. This aquifer has been penetrated with over 30 water wells drilled in the area to the deeper groundwater zones which further compromises any natural protective barriers that would have existed in this sensitive setting. The aquifer is so shallow that post holes drilled for corral fencing, or ditches dug to lay water lines, will have penetrated the aquifer in many locations. The ease of water flow between the wells, through this shallow aquifer, will allow any contamination entering any one wellbore (or any other penetration including the exposed outcropping) virtually direct access to all of the other wellbores, providing a myriad of pathways for the contaminates to enter the domestic water bearing aquifers below.

To further complicate the matter, the feedlot has been allowed to continue operating with manure and manure storage sites that are at, close to, and on top of these passageways. There have been many cases in the past 10 years where runoff from this feedlot overflowed lagoons and holding ponds into the watershed and on to offsetting property owners. Every sample taken of this runoff, in locations as far as 3 miles from the facility, were shown to be highly contaminated, particularly with E.coli where counts often exceeded measurable amounts. When I recognized that the combination of all of these factors had created a situation where the probability of groundwater contamination was undeniably extreme I decided to inform your department immediately. My hope is that you will arrange to have an expert review this situation and part of the review would include a complete sampling and analysis of all water wells in a 6 kilometer radius including those wells supplying the feedlot operation. This is very important because the Thorlakson composting facility has been composting non-vegetative feedstock illegally for several years now and the location/contamination parameters for it are almost identical to those of the feedlot, making it a potential contributor of a completely new and diverse range of potential groundwater contaminates.

### Review Detail

To fully appreciate the significance of a shallow aquifer underlying the feedlot/composting operation site it is necessary to understand the role it plays in aiding the transfer of contaminants from the surface to the groundwater aquifers that extend throughout the community.

Attachments 1 through 6 are aerial photographs of the vicinity taken in 1946, 1950, 1962, 1974, 1979, and 1994 respectively. Two springs (#1 and #2) show up on virtually every government topography map and are also documented in the Rocky View Groundwater Study done in 2002. The photos also show the introduction of the feedlot and its expansion through the years into, and on top of, some of the natural springs. Attachment 7 is a surface contour map showing the Thorlakson site and the watershed directional flow patterns. It is noteworthy that there is a basinal divide less than 1 kilometer west of the Thorlakson site. All the surface waters west of this line flow south and west into the Bow River basin. All waters east of the divide flow east into the Red Deer River basin. The divide is noteworthy because it demonstrates that there is virtually no surface water basin west of the Thorlakson site and all of the erosional channels that are prominent in the area were caused by springs cutting their way back into the bank, not by surface water cutting down from the top.

It also indicates that, in this particular area, this is the very beginning of the Red Deer watershed, so any pollution found in any surface water directly downstream of the facility has to come from the Thorlakson facility as there is virtually no water coming from the narrow basin upstream. Springs in the prairie are often groundwater springs where the soil gets saturated during rains and the rain water leeches down until it comes to an impermeable barrier where it then flows along the top until it outcrops as a spring.

These springs require substantial surficial deposits in thickness and areal extent to sustain flow. The springs in this area do not have substantial surficial deposits to draw from and yet many maintain year round flow volumes sufficient to form significant erosional channels. This would indicate that these springs could originate from a confined aquifer being recharged from higher elevations in the foothills to the west. **Attachment 8** is a subsurface cross-section of the area taken from the County Groundwater Study. On the east-west cross section you will see the beds dipping to the west but eventually they get tilted back to surface in the disturbed belt of the foothills and this is where they would be water charged by lakes, rivers or regional basins.

The importance is that this aquifer, which outcrops east of Airdrie, may very well be the same potable water aquifer found at greater depths to the west which supplies drinking water to those residents. Contaminants entering at the surface outcrop edge, particularly bacterial or pathogenic ones, could contaminate those water wells to the west. There are many more smaller springs than the two identified in the groundwater study and these are also important as they are on the same structural elevation and indicate that the aquifer they are flowing from is common and has relatively large areal extent. It extends at least 4 and probably closer to 6 kilometers long in a NNW-SSE direction and the exposed outcrop is likely several meters to possibly 100 meters wide depending on the thickness of the zone and the degree of erosion of the exposed edge.

Although the outcrop edge appears to be open to the surface only where the springs are shown, there are many more seepage areas that are not apparent. For example, the spring indicated as #4 is really 2 springs separated by 40 or 50 meters. As a child, I would visit a buddy who lived here and we would drink from the spring south of the residence, but not from the spring north of the buildings, because the cows were usually present there. Spring #1 was also two springs. One was probably 100 meters west of the point shown on the map and the other was just south of the point on the map. Spring #4 was a series of separate flows with the second flow about .5

meters down and 3 meters from the first flow and the third one about the same distances away from the second one.

From an environmental contamination standpoint, the increase in areal extent is very significant. Instead of 2 springs with a surface exposure measured in tens of square meters, there is a 4 to 6 km long exposure with thousands of square meters of exposure. From a regulatory standpoint, springs are treated as sensitive areas because they are areas where the aquifer is exposed to surface and open to potential direct contamination. Normally the exposure is limited because the springs are typically one-off situations and the areal extent of the exposure is very localized. In this situation the areal extent is much larger; normal setback regulations would not allow for the exposure that exists in all the outcrop edge that exists between the springs. This situation would not be as critical in routine agricultural operations, but changes dramatically when you place a confined feeding operation of 20,000 head right on top of the exposed aquifer.

Attachments 9, 10 and 11 show the feedlot operation and composting site with the springs and spring waterways overlain to indicate where the springs have been covered or re-routed, and the water courses that remain in their original condition. Keep in mind that the entire area, about 0 to 10 meters below the surface, is a layer of high permeability (probably sandstone which is found at shallow depths in the area) material and the springs have eroded the surficial material away where the channels exist.

In excess of 30 water wells have been drilled in this area or areas in the immediate vicinity. These wells have been drilled through the aquifer to other deeper water bearing zones below. If a leak is present around the casing of any one of these wells the fluid would travel down a very short distance to the permeable aquifer and some would likely continue further down the outside of the casing to the join the water being drawn into the wellbore and some would likely spread to other well bores through the highly permeable shallow aquifer. This zone has now become an area where 30 passageways are interconnected and have been made available for contaminates to reach the deeper water zones below - in addition to contaminating the shallow aquifer itself. A list of the drilled wells has been provided in **Attachments 12(a), 12(b), and 12 (c)**.

Note that 11 wells were licensed as domestic use, 12 as stock use, 5 as domestic/stock use, 2 as observation and 4 as dry holes. When these wells are drilled the annulus (empty area between the casing and the side of the hole in the soil) is supposed to be sealed off, usually by stuffing a few bags of cement or clay (bentonite) into that annulus. The methods of sealing are poor at best and depend solely on the competence of the drilling operator who completes the hole. Any barrier that is created does not carry down the sides very far, so any fluid making it past this barrier is free to flow to the bottom where the fresh water enters the wellbore. This is why the aquifer at shallow depth has such a significant impact because any contaminates making it past the first shallow barrier, in any wellbore hole or through the aquifer outcrop face at surface, are free to flow to other wellbores because none of them are sealed beyond the first few feet at surface. They are the open passageways to the underlying groundwater zones that they penetrated. Dry holes are particularly bad because the entire wellbore hole has no casing and is likely wide open between the shallow aquifer and the groundwater zones below.

Fence post holes (drilled for corral fencing) or lighting poles may have also penetrated the permeable zone if they are located close to the outcrop edge where surface covering is less than 1 meter. Ditches dug to lay pipeline at 2 meters depth may have penetrated the zone in many places and holding ponds and lagoons may be imbedded right into the aquifer zone. Every one of these penetrations provide additional potential passageways from the surface to the aquifer to be distributed to the 30 odd wellbores which continue down to the groundwater sources below. This spring area has now been turned into an area of pinholes providing unlimited access and pathways to contaminate underlying groundwater zones. I doubt that this

unique situation where a permeable shallow aquifer has been connected to the underlying groundwater zones, through a myriad of wellbores, would exist anywhere in the rest of Canada.

Consider the Walkerton tragedy in 2000. A dairy farmer spread manure in a field where one water well is located. Shortly after spreading the manure, a heavy rainfall occurs and rainwater contaminated with E coli from the thin layer of manure is carried down the outside of the well casing and enters the groundwater stream being drawn into the well. Chlorination of the well is missed that day. The end result, several days later, was over 2000 town residents left ill and 6 deaths due to E.coli contamination. Now consider the Thorlakson operation. There are 20,000 head of cattle located on top of a highly conductive aguifer that has been penetrated by 30 wellbores that continue down to the groundwater aquifers below. Many of these wells are located far less than the required setback distances from manure and manure storage areas. Feedlot runoff flows close to, over and through the outcrop edge of this high permeability zone providing a passageway to the 30 wells connected to the lower groundwater zones. In the past ten years runoff from this feedlot has overflowed numerous times, going down the natural waterways and creeks. In every sample taken from these violations, some as far as 3 miles away from the feedlot, the samples have shown E.coli contamination so bad that the count numbers are often above the measurable limit. These bacteria live in water and are capable of migrating against the current so even the wells to the west are subject to the contamination in this confined aquifer, in addition to all of the deeper zones being used by all of the surrounding community residents. One significant difference between the Walkerton situation and the Thorlakson situation is the speed at which the contaminants reaches the water users. In Walkerton the time was a matter of hours from the pump to the water tap because the contaminants went directly from the wellbore into the water supply line to the town. In the Thorlakson case the contaminants will reach the ground water readily but the groundwater speed to transfer those contaminates from the point of contamination at the feedlot or compost facility to the private water wells in the community will take a long time. Fast groundwater moves at 10 cm a day and slow groundwater can move at 10 cm a year or even 10 cm a decade. Even very large springs like the Big Hill Springs west of Airdrie are flowing water that is estimated to be 10 years old. Therefore contamination that was initiated 40 years ago could extend from a few hundred meters to as far as 6 km. This also indicates that contamination of the groundwater zones or soil close to the facility will be the first and possibly only indication that contamination has been initiated at this time. The downside of the slow movement is that contamination takes extremely long times to remediate and many times it cannot be remediated at all.

The probability of E.coli contamination of groundwater in the community and surrounding this area is undeniably high due the combination of a naturally sensitive area being further compromised by human activities and the ever present supply of contaminates right at the surface entrance to the passageways leading to the ground waters. This precarious area is shown in **Attachment 13**.

Another cause for concern is the potential presence of sulfate reducing bacteria. This is not a common contaminate and is typically not considered in assessments, however, unique circumstances dictate closer review. It is known that landfills where they have buried drywall board (gypsum) often have a problem with sour gas (H2S) hydrogen sulphide being generated. This gas is deadly at very low concentrations. In recent years, three workers were killed and two suffered severe brain damage in a Langley compost facility incident. The workers were repairing a leachate line inside a shelter and when the pipe connection was broken the workers were overcome with sour gas. This compost facility composted chicken manure, straw and agricultural gypsum. The process is not completely understood, but sulfate reducing bacteria create a reaction where sulfates in the water (or in this case, gypsum, calcium sulfate) is reduced and combines with hydrogen to form H2S and water. The reason it is of concern at the Thorlakson operation is that they have used discarded drywall for feedlot bedding from time to time and these bacteria, once established, are difficult if not impossible to destroy. The

combination of manure, straw and gypsum has had the same deadly results several times. There are groundwater aquifers that are contaminated with this bacteria, but the bacteria are usually referred to as indigenous bacteria. This has not been proven and there is a good chance that the zones were contaminated with the bacteria and did not contain it in a native state. If these bacteria colonize and expand they cannot be killed or controlled. Entire water zones have been rendered useless and even sweet oil fields have been turned sour by the injection of contaminated water containing sulfate reducing bacteria. Any well where the water has a rotten egg smell is an indication that the water has been contaminated with sulphate reducing bacteria.. There is no question that this same rotten egg odor is present at the feedlot. All of the necessary ingredients have been brought together to create sulfate reducing bacteria contamination at this facility and it has been made clear that many passageways now exist from the surface to the underlying water zones.

Another concern is Salmonella contamination. It is a common contaminant in manure and lives readily in water. Typically groundwater is protected because the salmonella is often removed or killed by the filtering and cleansing action of the soil as the salmonella migrates down. In the Thorlakson location there is virtually no restriction between the contaminated surface and the groundwaters below, so the probability of contamination is high. In addition to manure contamination at the feedlot, a minimum of 5000 tonnes of paunch is dumped annually at the adjoining composting site.. Paunch is well known for its disease born vectors (including E. coli and Salmonella) and of being a bio-hazard. Further, it has also been shown recently that the salmonella bacteria will invade groundwater more readily in a freeze-thaw environment. Our local environment has many freeze-thaw cycles so it compounds the probability of contamination.

In recognizing the high probability of groundwater contamination from the feedlot operation, due to a combination of numerous factors unique to this location, it is apparent that the compost facility faces the same problems. The two locations share the same problem of being located right on top of the outcrop edge of a permeable aguifer, which now suffers the added problem of manmade passageways to the groundwater zones below. In the instance of the compost facility, the problems are again magnified as the potential contaminants are so varied and wide ranging that they pose more ways of contamination than manure or vegetative matter. The argument will be that a thick layer of impermeable clay with a liner will prevent any contaminant from penetrating the soil. This is virtually impossible to assure in our climate. Asphalt roads, concrete runways, and clay layered pads all suffer damage from our freeze-thaw cycles and the only sure way to prevent the leachate from entering the ground is to never let it contact the soil surface. It is of interest that the regulations covering catch basins for feedlot runoff and liquid manure storage require protective layers of 5 meters and 10 meters respectively whereas composting facility pad requirements are substantially less. To prevent the leachate from contacting the soil means that all operations at the facility involving compost or compost material has to be covered to prevent leachate build up from rain and run-off. It also means that catch basins have to constructed within the covered structure to ensure that it will not contact the soil.

In conclusion there are two items to address – the procedures and testing that should be done to determine if contamination has occurred and the reasons why these problems were created or exist at this time.

I believe that this situation should be reviewed by experts in the groundwater contamination field. It is my opinion that this location is presently one of the worst possible locations for a feedlot or composting facility site. Both facilities jeopardize the integrity of the groundwater in the community and this deserves a cautious approach as any damage will either be irreparable or at best require extremely long remediation. The sensitivity of the natural setting, combined with the damage done by opening more passageways to the aquifers below, has created a situation and environment that is simply too risky to allow continual exposure to surface

contaminants in either the feedlot or composting operations. The experts, however, should determine what has to be undertaken to evaluate how much, if any, contamination has already occurred. At a minimum I would recommend that all water wells in a 6 kilometer radius of the feedlot be sampled and tested for the routine contaminants and also for E.coli, salmonella, sulfate reducing bacteria and nitrates. I would recommend that all the dugouts and waterways where feedlot contaminates have reached have water and/or soil testing done for the same contaminates. This sampling should include the holding ponds and pump station system that brings irrigation water to the facility. As stated previously, contamination of the groundwater zones or soil close to the facility will be the first and possibly only indication that contamination has been initiated at this time. All of the springs and the soils they come in contact with should also be tested. This includes the bottom of the channels right in the feedlot area as these channels have cut through the aquifer and exposed it to the surface.

In addition there are also numerous dead animal disposal sites remote from the feedlot where water and soil samples need to be tested, as these sites have been used repeatedly for many years.

It is important that all testing be carried out on an unscheduled, no warning basis as this is the only way that reliable data can be assured. It is important that the sample points are right at the wellhead or can be confirmed that the sample is coming from the correct source.

Work done by the County Groundwater study (Attachments 14(a) and 14 (b)) indicated that three water wells supplying the towns of Irricana and Beiseker were experiencing ever decreasing water tables, indicating that recharge rates were insufficient to sustain supply. The data suggests that abnormally high concentrated well withdrawals (perhaps as many as 20 wells in the feedlot vicinity) may damage the continued supply. A study of the current withdrawal rates from the wells and a groundwater recharge assessment of the future supply potential is necessary for the feedlot area. Water supply to the feedlot is supplemented with fresh water from the western irrigation system, but we are not aware if individual water supply well production rates are monitored, or recorded, or if any control measures are in place.

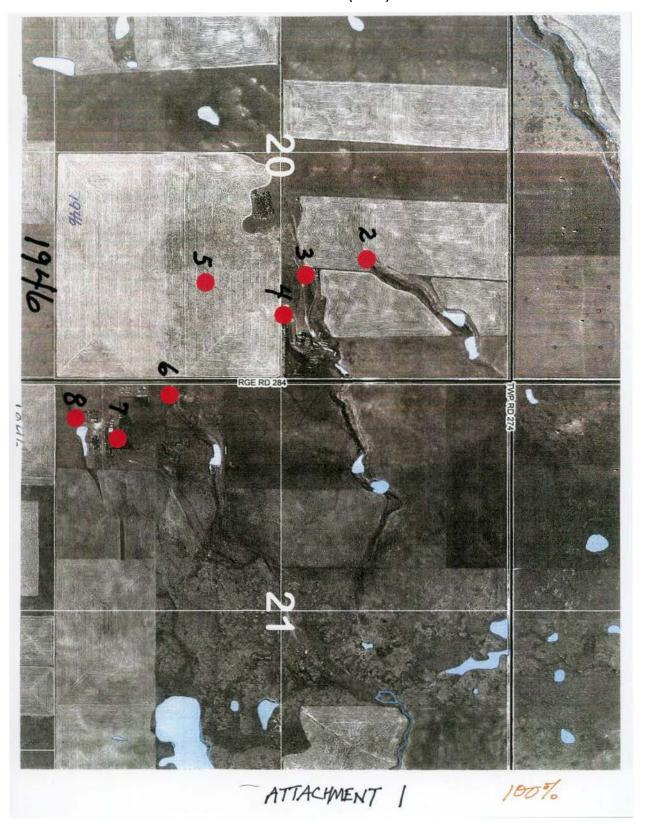
Regulatory and municipal plans need to incorporate guidance and/or direction regarding ground water vulnerability. The area is now home to many new acreage developments which rely on local groundwater supply, so contamination and assurance of a sustainable supply is of utmost importance.

When the Natural Resources Conservation Board (NRCB) changed the rules governing Confined Feedlot Operations (CFOs), this particular operation would not have survived, certainly not in its present state. This CFO was substantially overpopulated relative to feed trough lengths, it was moderately overpopulated relative to space requirements, it was located at the head of a natural waterway with setbacks from springs and water wells that were insufficient and other shortfalls too numerous to mention. A conflict of interest was created when the NRCB invited the feedlot owner to participate in their advisory committee. With full knowledge of the environmental sensitivity of the area, the owner should have, in all good consciousness, recused himself. This particular situation should be brought before the ombudsman or oversight body responsible for handing these types of situations, for review. At that point in time the new rules would have required major changes to his operation for compliance. The way to bypass the new rules was to promote grandfathering existing facilities. In some instances this is acceptable, but when violated laws create damage to the environment and are detrimental, or not in the best interests of the surrounding community, there must be recognition and acceptance of this responsibility. It is a fiduciary responsibility. However, the grandfathering clause was introduced to the legislation and a faulty operation was allowed to continue. The operator was aware that the feedlot was located in a sensitive and fragile natural spring environment, but continued to drill more wells in the immediate vicinity and continued to allow contaminating material to be in close (if not immediate contact) with those passageways to

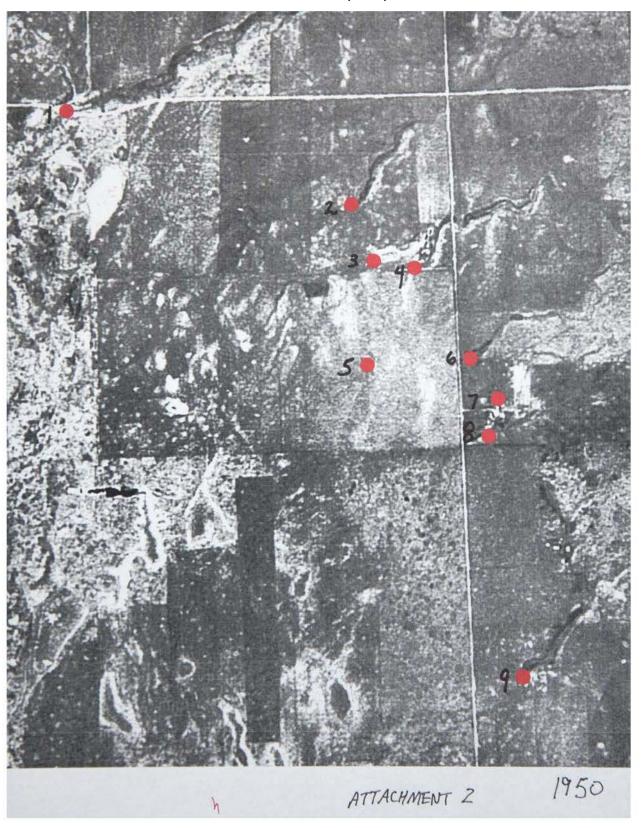
the groundwater. The operator was aware that they were endangering and jeopardizing the groundwater supply to the entire community through these faulty procedures, including the lack of adequate feedlot runoff control measures.

In the years following the rule changes, this operation has been involved in virtually continual environmental violation situations with both the feedlot and the composting facility. At the expense of the environment, and their neighbors, they have extracted millions of dollars from the area and have not been penalized once for any of their infractions. For the past five years they have been handing non-vegetative feedstock at the compost site in violation of their registered vegetative use. They are operating without a development permit and until last December 2018 were operating in contravention of their land use. They have been violating the offensive odor emission law from their compost site virtually every day. For the past decade, they have been disposing dead animals from their feedlot using open air scavenging methods for piles of carcasses in the hundreds. Feedlot runoff control measures have failed repeatedly over the past 10 years and contamination of creeks and dugouts in the area is a common occurrence. They have never been held accountable by the NRCB enforcement agency for any of these infractions. They have never faced a fine and they have never had to go to jail. The result of course is that the rest of the community has lost all confidence or trust in ever getting support from the NRCB to enforce the rules governing these operations. Groundwater protection is of such vital importance to our community that we are going to all relevant governing bodies to ask them and encourage them to review our claim and situation.

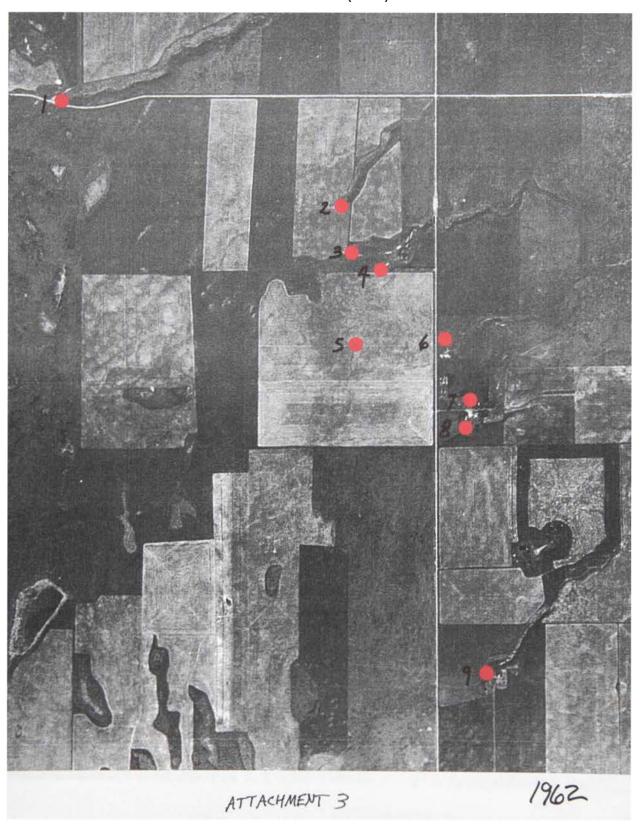
# Attachment 1 (1946)



Attachment 2 (1950)

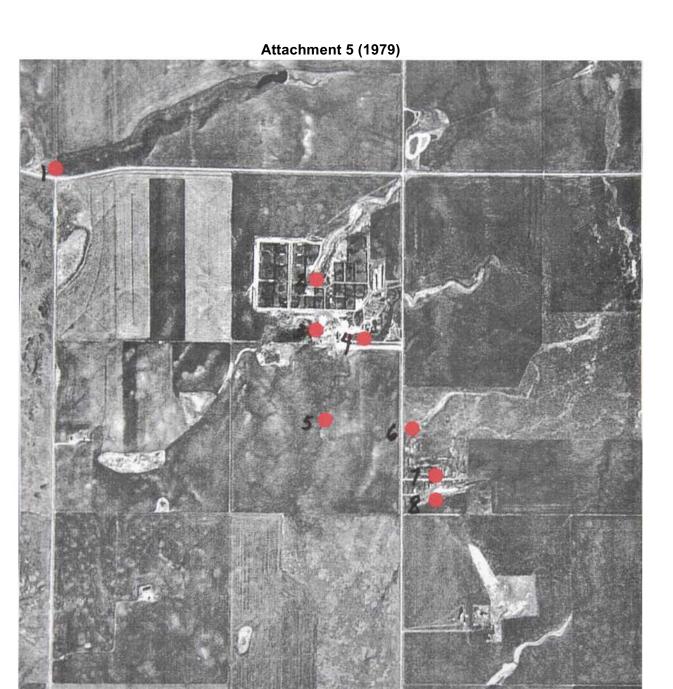


Attachment 3 (1962)



# Attachment 4 (1974)

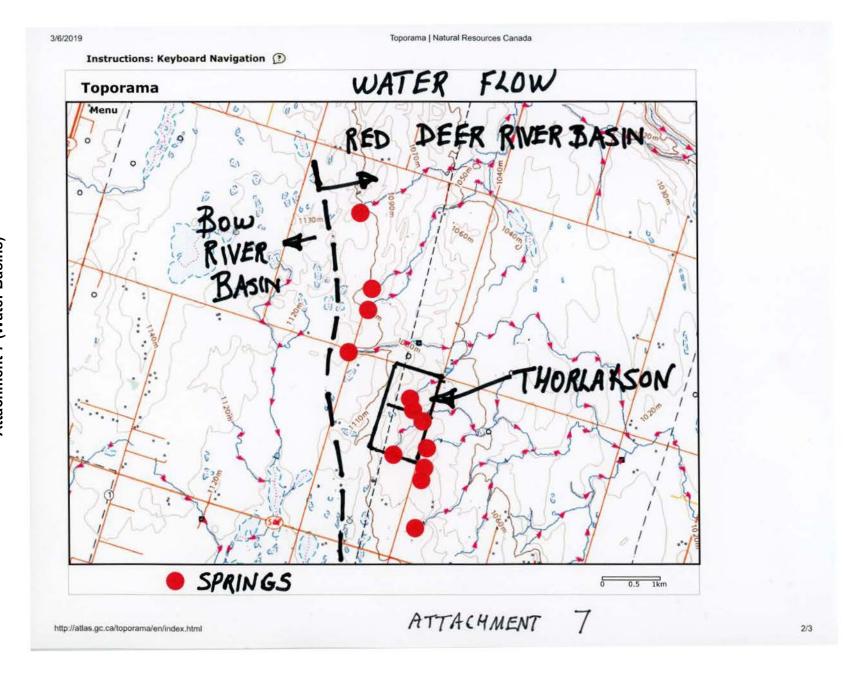




ATTACHMENT 5

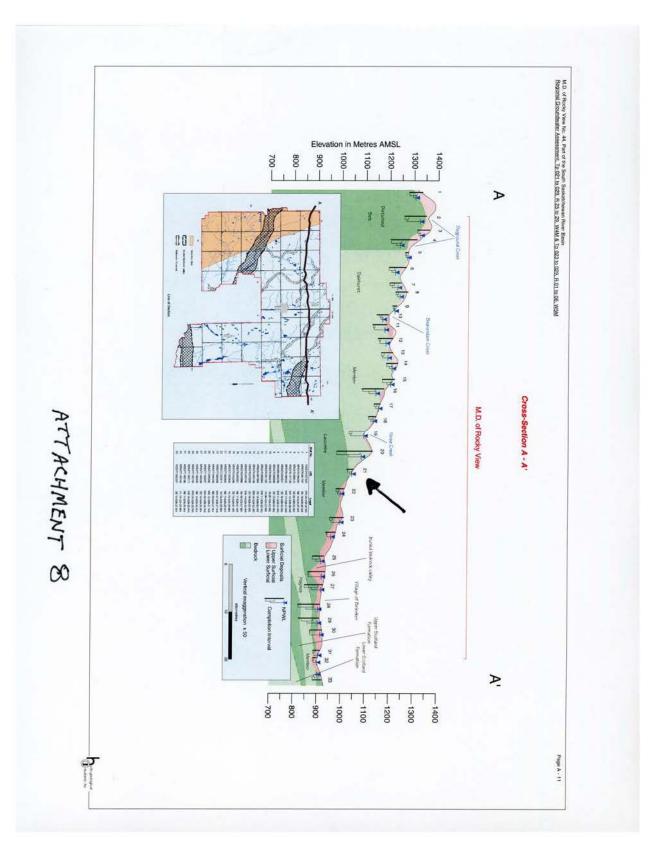
# Attachment 6 (1994)





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## **Attachment 8**



Attachment 9 (Atlas of Canada)



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Attachment 10 (Atlas of Canada)



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# Attachment 11 (Atlas of Canada)



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# Attachment 12 a (Reconnaissance Report)

A					lis		Reconi							Exp	ort to E	xcel	
IC Well	LSD					DRILLING COMPANY	DATE COMPLETED	DEPTH	TYPE OF WORK	USE	СНМ	LT	PT	WELL OWNER	STATIC LEVEL (ft)	TEST RATE (igpm)	SC_DIA
123848	SW	13	27	29	4	DEN-ALTA DRILLING LTD.	1975-10-06	100.00	New Well	Domestic & Stock		2		THORLAKSON, BEN	35.00	8.00	0.00
123849	SW	13	27	29	4	DEN-ALTA DRILLING LTD.	1973-09-10	160.00	New Well	Domestic		2		THORLAKSON, BEN	35.00	4.00	0.00
124089	SE	20	27	28	4	DEN-ALTA DRILLING LTD.	1980-11-27	160.00	New Well	Stock		2		THORLAKSON FEEDYARDS#WELL 1			0.00
124090	SE	20	27	28	4	KRIEGER DRILLING LTD.	1989-11-10	75.00	New Well	Domestic		5		THORLAKSON FEEDYARDS	30.00	15.00	6.63
124098	NE	20	27	28	4	UNKNOWN DRILLER		80.00	Chemistry	Domestic	1			THORLAKSON, BEN	25.00		0.00
124099	NE	20	27	28	4	UNKNOWN DRILLER		110.00	Chemistry	Domestic	1			THORLAKSON, BEN	25.00		0.00
124102	SE	21	27	28	4	DEN-ALTA DRILLING LTD.	1981-01-26	95.00	New Well	Stock		2		THORLAKSON FEEDYARDS	18.00	60.00	5.56
124103	SE	21	27	28	4	DEN-ALTA DRILLING LTD.	1981-02-23	100.00	New Well	Observation		2		THORLAKSON FEEDYARDS	18.00	20.00	0.00
124106	SE	21	27	28	4	DEN-ALTA DRILLING LTD.	1980-11-27	40.00	New Well	Stock				THORLAKSON FEEDYARDS #WELL 2			0.00
124107	SW	21	27	28	4	DEN-ALTA DRILLING LTD.	1980-11-27	40.00	New Well	Stock				THORLAKSON FEEDYARDS #WELL 3			0.00
124108	SW	21	27	28	4	DEN-ALTA DRILLING LTD.	1980-11-27	40.00	New Well	Stock				THORLAKSON FEEDYARDS			0.00
124109	SW	21	27	28	4	KRIEGER DRILLING LTD.	1986-07-30	240.00	Dry Hole- Decommissioned	Domestic		12		THORLAKSON FEEDYARDS #TH 1	0.00		6,63
124110	SW	21	27	28	4	KRIEGER DRILLING LTD.	1986-07-30	200.00	Dry Hole- Decommissioned	Domestic		13		THORLAKSON FEEDYARDS	0.00	2.00	6.63
124111	SW	21	27	28	4	KRIEGER DRILLING LTD.	1986-07-30	135.00	New Well	Domestic		7		THORLAKSON FEEDYARDS	70.00	12.00	6.63
124118	NW	23	27	28	4	DEN-ALTA DRILLING LTD.	1981-05-11	150.00	New Well	Domestic & Stock		3		THORLAKSON FEEDYARDS	4.00	25.00	5.56
124119	NW	23	27	28	4	DEN-ALTA DRILLING LTD.	1981-02-24	160.00	New Well	Observation		3		THORLAKSON FEEDYARDS	70.00	25.00	5.50
124132	SE	28	27	28	4	DEN-ALTA DRILLING LTD.	1977-06-23	75.00	New Well	Stock		3		THORLAKSON FEEDERS	2.00	20.00	5.50
124133	SE	28	27	28	4	M&M DRILLING CO. LTD.	1980-01-24	600.00	New Well- Decommissioned	Stock		24		THORLAKSON FEEDYARDS			0.00
124134	SE	28	27	28	4	M&M DRILLING CO. LTD.	1980-01-16	40.00	New Well	Stock		2		THORLAKSON FEEDYARDS	13.00	15.00	0.0
124135	sw	28	27	28	4	DEN-ALTA DRILLING LTD.	1975-06-13	55.00	New Well	Stock		2		THORLAKSON FEEDYARDS	6.00	15.00	0.0
A	Ti	TA	CH	1 N	1E	NT Z(s)	Domestic HJ	1	tock &	Domesti	Ste	h		Reservation 11	f 1)		

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# Attachment 12 b (Reconnaissance Report)

Alberta						R	Reconnaissance Report									View in Metric  Export to Excel				
GIC Well	LSD	SEC	TWP	RGE	М	DRILLING COMPANY	DATE COMPLETED	DEPTH (ft)	TYPE OF WORK	USE	СНМ	LT	PT	WELL OWNER	STATIC LEVEL (ft)	TEST RATE (igpm)	SC_DIA			
124136	SW	28	27	28	4	DEN-ALTA DRILLING LTD.	1975-06-16	80.00	New Well	Stock		2		THORLAKSON FEEDYARDS	6.00	15.00	0.00			
153242	NW	30	27	28	4	KRIEGER DRILLING LTD.	1990-10-22	140.00	New Well	Domestic		13		THORLAKSON, BEN E.	14.00	4.00	6.62			
251663	1	27	28	27	4	DEN-ALTA DRILLING LTD.	1977-07-20	80.00	Dry Hole	Stock		1		THORLAKSON FEEDERS			0.00			
251726	7	27	28	27	4	DEN-ALTA DRILLING LTD.	1977-07-18	75.00	New Well	Stock		3		THORLAKSON FARMS	0.00	12.00	5.56			
297691	NW	23	27	23	4	M&M DRILLING CO. LTD.	2001-08-22	210.00	New Well	Domestic		8	24	THORLAKSON FEEDYARDS LTD	12.40	15.00	0.00			
406906	SE	11	30	1	5	UNKNOWN DRILLER		0.00	Chemistry	Domestic	1			THORLAKSON, B.			0.0			
406908	SE	11	30	1	5	DEN-ALTA DRILLING LTD.	1987-06-10	75.00	New Well	Domestic & Stock		6		THORLAKSON, BEN	22.00	5.00	5.56			
7.0000000000000000000000000000000000000	000	2000	1000	1203	12	NORTH BEAUTIFUL STORY	W125012425405	200.000	0.0000000000000000000000000000000000000	I MANAGEMENT OF THE		100	0.25	THIOD AND ALL PERO	40.00	20.00				

ATTACHMENT 12 (6)

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# **Reconnaissance Report**

**View in Metric Export to Excel** 

## **Groundwater Wells**

Please click the water Well ID to generate the Water Well Drilling Report.

GIC Well ID	LSD	SEC	TWP	RGE	м	DRILLING COMPANY	DATE COMPLETED	DEPTH (ft)	TYPE OF WORK	USE	СНМ	LT	PT	WELL OWNER	STATIC LEVEL (ft)	TEST RATE (igpm)	SC_DIA (in)
124094	NE	20	27	28	4	DEN-ALTA DRILLING LTD.	1972-09-13	40.00	New Well	Domestic	1	3		FOOTHILLS FEEDERS	25.00	3.50	0.00
124095	NE	20	27	28	4	DEN-ALTA DRILLING LTD.	1973-09-07	120.00	Cathodic Protection	Domestic		3		FOOTHILLS FEEDERS	35.00	6.00	0.00
124096	NE	20	27	28	4	DEN-ALTA DRILLING LTD.	1973-04-23	75.00	New Well	Domestic & Stock		3		FOOTHILLS FEEDERS	50.00	12.00	0.00
124097	NE	20	27	28	4	DEN-ALTA DRILLING LTD.	1973-04-24	75.00	New Well	Stock		3		FOOTHILLS FEEDERS	30.00	14.00	0.00
124101	NE	20	27	28	4	DEN-ALTA DRILLING LTD.	1973-04-24	75.00	New Well	Stock		3		FOOTHILLS FEEDERS	30.00	20.00	0.00

ATTACHMENT 12 (3)



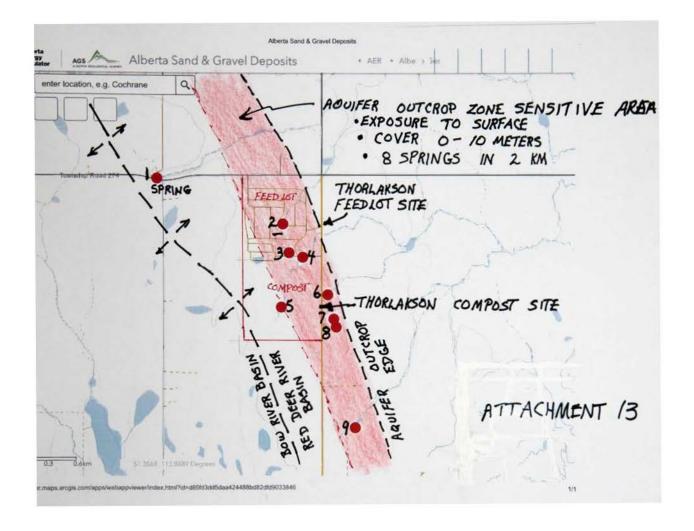
AGENDA Page 524 of 756

0124093 NW 20 1981 Peter Field

Printed on 3/1/2019 7:45:53 AM

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### **Attachment 13**



### Attachment 14 a (Groundwater Budget)

M.D. of Rocky View No. 44, Part of the South Saskatchewan River Basin Regional Groundwater Assessment, Tp 021 to 029, R 25 to 29, W4M & Tp 023 to 029, R 01 to 06, W5M

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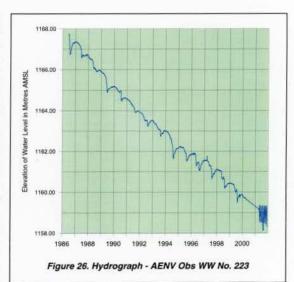
### 6. Groundwater Budget

### 6.1 Hydrographs

In the M.D., there is one observation water well that is part of the AENV regional groundwater-monitoring network where water levels are being measured and recorded with time. This observation water well, AENV Obs WW No. 223, is located in 04-28-027-26 W4M near Irricana, and is completed from 45.7 to 46.9 metres below ground level in the Haynes Aquifer.

In 1996, the Wildrose Country Ground Water Monitoring Association undertook a pilot project in the Beiseker/Irricana area that involved monitoring the groundwater levels in 26 water wells. The Beiseker/Irricana area was selected as the site for the pilot project because of the high level of interest in groundwater issues during the summer of 1996 (HCL, March 1998). The interest was in part a response to proposed industrial development and in part a response to water-level declines that had been observed by some water well owners in the area.

In an area where there are no pronounced seasonal uses of groundwater, the highest water level will usually occur in late spring/early summer and the lowest water level will be in late winter/early spring. In the Wildrose Country Ground Water Monitoring Association pilot study, it was noted that the highest water levels occur in late winter/early spring and the lowest water levels are in late summer/early fall (HCL, March 1998), as shown in the hydrograph for the AENV Obs WW No. 223 (Figure 26). This situation is a result of the significant increase in groundwater use by the villages of Irricana and Beiseker during the summer months. The villages of Irricana and Beiseker have a combined total of ten licensed water supply wells that are completed in the Haynes Aquifer. The present data indicate that water levels in the Beiseker/Irricana Area are continuing to decline at an average of 0.8 metres per year. The decline has been recorded for 15 years in the AENV Obs WW No. 223, which is two kilometres



northwest of the Village of Irricana. None of the existing hydrographs of the water wells associated with the Wildrose study show water-level rises that can be related to recharge events. This does not mean there is no recharge, only that there are no data that can be used to quantify the recharge (HCL, March 2001).

Orsultants (id.

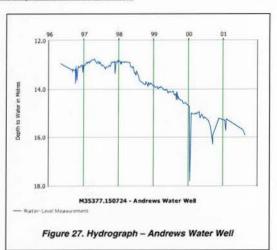
ATTACHMENT 14 (a)

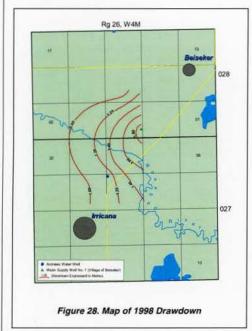
### **Attachment 14 b (Groundwater Budget)**

M.D. of Rocky View No. 44, Part of the South Saskatchewan River Basin
Regional Groundwater Assessment, Tp 021 to 029, R 25 to 29, W4M & Tp 023 to 029, R 01 to 06, W5M

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The Andrews Water Well is one of the sites that is being monitored as part of the Wildrose Country pilot project. The Andrews WW in NW 27-027-26 W4M is completed from 64.0 to 73.2 metres below ground surface in the Haynes Aquifer. The hydrograph (Figure 27) shows that in 1996 and 1997, water levels have tended to decline during the summer followed by a rise in water level throughout the winter. However, in 1998, 1999 and 2001, the annual pattern of water-level fluctuation changed and the water levels declined in the summer and continued to decline during the winter. The net result is that the water level declined nearly three metres. In 1998, a water-level decline of up to 1.9 metres was also recorded in five other water wells, including four domestic water wells and the Village of Beisker WSW No. 7.





When the 1998 water-level decline is plotted on a map, the maximum decline can be seen to occur in the SE corner of 03-028-26 W4M. The contour map shown in Figure 28 does not provide the location where the maximum decline has occurred because water-level data are not available from the eastern part of the area. However, Beiseker Water Supply Well No. 7 is located close to the area where the maximum decline is occurring.

Records of the groundwater diversion from the Village of Beiseker WSW No. 7 are available from November 1996 to March 1999. In an attempt to determine if the pumping from WSW No. 7 was the cause of the water-level decline, a mathematical simulation using a model aquifer was completed. The model aquifer was used to calculate the water levels at the Andrews Water Well, based on the production from WSW No. 7. Despite the limited data available, a reasonable match was obtained between neasured and calculated water levels between November 1996 and June 1998. However, from June 1998 to March 1999, the calculated water level is up to one metre above the measured water level. The difference between measured and calculated water levels indicates that, from the present understanding of the local hydrogeology, the

increase in water-level decline that has occurred since June 1998 is not a result of increased diversion from Beiseker WSW No. 7. This assumes that the production data from Beiseker WSW No. 7 are accurate.

ATTACHMENT 14(b)



Dead animal disposal by open air scavenging of cattle carcasses at Thorlakson site.
(Discussed in report.)





Contaminated feedlot runoff in creek.



From:
To:
Subject:
Subject:
Jessica Anderson
Subject: TNC

**Date:** Thursday, May 02, 2019 11:18:02 AM

My 1, 2019

Attention: Ms. Anderson

I wish to have my objection to Thorlaksons Natures Call Development heard.

The Thorlakson family has a long history of total disregard for the neighbors and for the rules. Past behavior predicts future behavior. There is no reason to believe that they will handle the compost carefully, respect the needs of their neighbors, nor to think that they will follow the rules nd guidelines established by the government.

The stench is horrible and it is very distinctly different from the smell of manure. Allowing Thorlaksons to expand will inevitably increase the amount of stench.

I live in Airdrie now and do not want Airdrie to become known as stinky town.

Composting must bed done in an enclosed facility with proper air controls.

Please deny any development permit for Thorlakson's Natures Call.

Linda Perkin

From:
To:

Jessica Anderson

Subject: Expansion of Thorlakson Facility

Date: Wednesday, May 01, 2019 2:23:43 PM

I am opposed to the Thorlakson facility unless it becomes a modern, enclosed facility in line with up-to-date environmental standards. I strongly feel Thorlakson will be making money on the backs of Airdrians whose home values will decrease due to stench. It has been noticeable to me several times from my home on the Eastside. This is a very different smell than spring farm thaws; it has a really putrid, sewer-like stench to it. I do not want to live in a place where the prevailing attitude becomes, "Airdrie stinks! I wouldn't want to live there!"

We need to, as a community, sit up and take notice NOW. There are many examples of enclosed facilities that meet the composting needs of populations without compromising environmental and health standards.

Please DO NOT permit the expansion without a commitment and timeline for enclosure and a commitment to the inhabitants of Airdrie.

Cathy Perrotta

Sent from my iPad

From:
To: Jessica Anderson
Cc: Lindsey Ganczar;

Subject: Thorlakson Family Farm Application Notice Date: Tuesday, April 30, 2019 9:26:43 PM

Importance: High

### Attention:

Rocky View County, Lindsey Ganczar, Jessica Anderson.

This email is in regards to a notice received by us from Rocky View County via mail pertaining to the following:

**Application Number: PRDP20190505** 

**Roll Number:** 07320007

**Applicant:** Thorlakson Nature's Call Inc. **Owner:** Thorlakson Family Farm Inc.

Application for: New: Compost Facility (type II), Manure Storage Facility

Recently I spoke with Lindsey Ganczar on the phone to voice our concerns regarding this Manure Storage Facility. I was directed by her to put our concerns into an email. We are against this and hope to put a stop to this.

We have lived at our current location (272027 Range Rd 282a) since 2012. During the first 5 – 6 years we lived here we occasionally had a smelly day or evening, which I assumed they were cleaning barns or corrals, but found it acceptable as it was not happening all the time. Last year the smell coming from Thorlakson's became extremely bad and has become a daily occurrence where the stench is unbearable to the point that we cannot enjoy our acreage outdoors or even have our windows open to enjoy fresh air circulating through our home. During the hot days last summer we could not open our windows in the evening to help cool off our house. The smell is there most of the time unless the winds change direction but unfortunately we live to the SE of Thorlaksons so the wind predominately blows in our direction.

This stench has gotten so bad that we do not have family or friends come to visit anymore as no one can handle the foul smell that we are forced to endure.

In speaking with Lindsey Ganczar, I was informed that Thorlaksons have been running this illegally and have now only tried to get the proper permits due to the county giving them fines. She also told me that currently Thorlaksons have been running this facility at a 20,000 kg tonnage but want it raised to 40,000 kg tonnage. This will only increase the smell and it will be even worse than it is now (if that's even possible).

We have considered moving as there is not much sense in owning an acreage if you can't be outside to enjoy it, but after speaking with a realtor, we were advised that it might be hard to sell our place

due to the constant stench or if we were able to sell it, it would be at a price far less then we paid. Obviously this manure facility is causing our property value to drop which is not acceptable and needs to be addressed.

### Is Thorlakson's or the County willing to compensate us for the lost property value?

I am also wondering how the County can possibly raise our property taxes with this issue so prevalent?

We are extremely upset and disappointed that this is happening and our dream place/home to live is not that any longer.

We would not have purchased our acreage had we known that 5/6 years later we were going to be subjected to such a disgusting odor most of the time day and night.

We are totally against this application by Thorlakson Family Farms and want our voice heard in this matter as well as want this stopped so we can enjoy our property again.

Sincerely,
Sheldon & Laurie Pike



**RE:Thorlaksons Natures Call** 

Ms. Ganczar,

I am writing this letter in opposition to TNC expansion, and truth be told, their continued operation in the present form.

Those of us who live in the area are regularly inundated with a terrible smell that forces us inside and prevents us from even opening our windows. We also have a large influx of Gulls. As Gulls are known to flock to and feed from garbage dumps this makes a statement in itself.

TNC has stated in the local paper that they do not compost "carcasses", however, at the December hearing the owner of Harmony Beef spoke in favor of TNC because, He said, they send their offal there to be composted.

WEBSTERS DICTIONARY: OFFAL: All parts of an animal which are removed from a carcass when it is dressed for food, eg; entrails, heart, liver, kidney, head, tail. Waste material. Refuse.

With personal composting we know not to include meat and dairy into our bins as it causes a bad smell. Imagine the smell coming from the amount of offal produced daily by a meat processor! Vegetative material is one thing but anything else is unacceptable.

And how is this affecting our water quality in the area? Is the County looking into the effect this is having on our ground water?

I am all for composting and compost my own vegetative material. The insinuation that we are all against composting and just confused about manure smell and should just suck it up if we want to live in the country is arrogant and misleading. I have lived in the County for 32 years and know what manure and normal farm smells are. I find being lied to and dismissed by this company offensive and expect the county to which I pay taxes to ensure I have some quality of life here into the future.

This whole operation needs to be stopped until they clean up their act and get rid of this smell once and for all.

Perhaps, if they are so community minded, they can build a biogas facility and produce energy for all and not adversely affect their neighbors for miles around.

Thank you,

Wanda and Tom Prescott

From: Lindsey Ganczar To: Cc:

Subject: Thorlakson Nature Call Inc.

Date: Wednesday, April 24, 2019 5:11:04 PM

Attachments:

todd sandy.jpeg rvc county.jpeg



To Rocky View Council,

Please do not give approval for a permit for Thorlaksons to continue composting using the open air composting in the location they are currently using.

The stench is dreadful. We can't stand to be outside. It is ruining our life. It is destroying our property values.

The traffic on highway 567 is extremely dangerous. It is a narrow highway and it is already very busy. Trucks turning off to get to Thorlaksons are a disaster waiting to happen—again. A turning lane would not be enough to keep it safe. Trucks are required to turn against the flow of traffic.

If you approve the development permit they will be under provincial control and allowed to expand as much as they choose. A bigger site means more stench and more traffic.

This site is also risking the safety of our drinking water. There are multitudes of springs in that area which indicate channels that could allow germs from the green bin waste to enter the water aquifer that we draw from to drink.

Please stop this composting operation. Start over. And do it right.

Diagne Portil

Respectfully submitted



Re: Opposition to Thorlakson Compost Facility Application PRDP20190505

I am strongly opposed to the approval of a development permit for Thorlaksons Natures Call Composting.

This industrial composting operation stinks. The heavy, chemical, dead stench wafting over our home is unbearable. We cannot enjoy our yards. We cannot invite company. It has totally destroyed our quality of life. The stench is terrible now and if they grow larger it will get worse. Stench is directly related to the amount of waste hauled in.

This compost is also on a very risky site. There are many springs in that area and the risk of compost germs polluting our water is extreme.

Composting needs to be done on a carefully chosen site and it needs to be done in an enclosed building which has air filters.

Please do not approve Thorlaksons development permit.

Beverly Postell

Sincerely,

From:

To: <u>Jessica Anderson; PAA Development</u>

**Subject:** Thorlakson"s Nature"s Call

**Date:** Wednesday, May 01, 2019 7:50:50 PM



May 1, 2019

Re: Thorlakson Nature's Call Development Permit

PRDP20190505

Roll # 07320007

Dear Ms. Anderson,

I am writing you about the stench/smell coming from the compost (Thorlakson's Nature's Call) and how compost affects my life here, and our water table. Being on a well I am very concerned about bacteria or ecoli getting in our water. Many water ways are connected underground; it is entirely possible that my water comes from a source over towards the Thorlakson's. The stench makes it very hard to do any work outside on our acreage. I work very hard to have this acreage so my kids can grow up out of the city. I love being outside the city. There are a lot of things we enjoy doing outside at our property.

If Thorlakson's Nature's Call increases the amount of compost that means; more stench, more often, and for longer periods of the day. If that is the case then I really don't want to live around here. Also this means the value of all our properties have decreased substantially. No one is going to want to buy our place with that stench around.

I really don't mind the normal smell of agriculture in the area, like cattle and horses, but stench from Thorlakson's makes it hard to enjoy rural living.

Also we have noticed huge increase in the amount of seagulls, crows, and ravens around our property. I see massive groups flying past our house every day. Last summer we also noticed a big increase in the amount of flies at our property. This would make sense given the rotting food at Thorlakson's.

Thank you for your time

Ross Stevenson

From: Ryan Titley
To: Lindsey Ganczar

Subject: opposing the Thorlakson's Nature Call Date: Wednesday, April 24, 2019 3:51:18 PM

To whom it may concern,

I am against any expansion of the Thorlakson's Nature Call, and I'm hoping council members vote against any proposal to expand these operations. The rotting compost is polluting the air and creating an offensive odor that is making life difficult for families and farms in the surrounding area. The air pollution, which is not at all caused by manure, is lowering the quality of life for nearby residents down by making it difficult for them to enjoy the outdoors. It is also driving property values down as no one would ever choose to move to an area with this level of air pollution. Composting is an important and sustainable way to deal with biological waste, and I think it's great we are trying to keep as much trash out of our landfills as possible. But composting has to be down in a responsible and ethical manner. This composting site needs to be enclosed and shouldn't expand until it's being operated properly.

Regards,

Ryan Titley

I believe in composting. I also believe it must be done in a proper manner. It must not cause harm to neighbours. It must not cause harm to the local water nor to the quality of air we breathe.

Open air composting just simply does not work. It would be healthier if Airdrie and Calgary just paused in the green bin programs until the proper facility has been built. Thorlaksons composting reeks. It destroys the air quality and creates a great deal of unhealthy stress in the local neighbourhood since home owners can no longer enjoy having company or doing any activities outside – the stench hits at random times and is not getting any better.

The risk to our well water from Thorlaksons site is totally unacceptable.

The risk of fire from open air composting devastating a neighbourhood is too great.

Close Thorlaksons down. Stop hauling the refuse from the cities into the country until we are ready to deal with it properly.



**Dear Rockyview Council Members** 

Re: Thorlaksons Nature's Call Composting

Although I appreciate the service that Thorlaksons Nature's Call (TNC) composting facility is trying to provide I have a deep concern that they have outgrown their present methods of composting and are now contributing significantly to the air and water contamination of the area.

It is my hope that Rocky View Council will put into place some very stringent regulations for TNC to follow along with some strict fines if these regulations are not met.

Thank you for your consideration

Kaelan Robinson

Kaelan Robinson

AGENDA The Page 541 of 756

From: Lindsey Ganczar

Subject: Stench
Date: Monday, April 22, 2019 4:03:11 PM

A friend of mine lives just North of Airdre. I had taken a trip out her way and when getting to her place upon arrival the stench was terrible. Well walking up to her house the smell was so bad I thought I was going to be sick. She can't even have her windows open without smelling this. I hope you can do something about this awful smell it must be horrible to have to live with this everyday. I'm thinking come summer when it gets really hot the smell is going to be even worse. Hope something can be done.

Barb Roman

Sent from my iPhone

Jessica Anderson Rocky View County Hall 262075 Rocky View Point Rocky View County, AB T4A 0X2

Subject: Application PRDP20190505 Thorlakson Nature's Call Inc.

Dear Jessica,

My family lives at 271081 Range Road 285 in Rocky View County, and the purpose of my letter is to formally object to the subject development permit application. My home is approximately 3km from the subject application location.

The odors from this facility are simply unacceptable in proximity to people's homes, and the City of Airdrie. Although the intent of composting is to reduce the quantity of garbage going to landfills, it is obvious that this facility operates as a lucrative business to the detriment of the environment. These negative environmental impacts include air contamination, surface water contamination, and large amounts of blowing plastic garbage. It additionally affects our lives with the significant garbage truck traffic that passes in front of my house, reduced property value, and impacts to our health and happiness.

If Rocky View County wishes to be on the "cutting edge" of composting, expanding this poorly operated and located facility is certainly not the way to go about it. This facility is already a huge liability to Rocky View County, its inhabitants, and the neighboring City of Airdrie.

Sincerely,

Stuart MacKenzie

April 28, 2019

Dear Rocky View County Administration and Council,

I oppose the Development Permit application by Thorlakson Nature's Call to expand on the following grounds:

- \*The smell has not improved, it has only gotten worse since the hearing in December as they expand the types of waste received, including human waste from trucks that empty septic tanks. I worry that it will escalate further.
- \*Significant increase in fire hazard. The temperatures in biological material can get quite warm and spontaneous combustion is not unusual. TNC has been stockpiling material which increases this risk. This, combined with them having illegal fires in the past which themselves could ignite the fire, puts the surrounding areas, and residents, at great risk.
- \*Google earth images that compare different facilities, and to the same scale, suggest that they are taking in well over the current 20,000 metric ton limit. This may be the cause of the stockpiling mentioned above.
- \*They are going to cite a recent reduction in complaints as evidence of improved practice. Anyone who lives close by will attest that incoming traffic (bringing waste) has reduced recently and this has caused a reduction of odour. The same thing occurred before their open house and when it was finished we were hit hard with stench because of a backlog of trucks and turning of piles.
- \*Milt Scott admitted on December 11, 2018 that they did not understand the science of composting. The, "We will figure it out as we go", perspective should not be supported, or permitted on this type of environmentally sensitive venture that has such a negative impact on the health and well being of local residents and the environment.
- \*They have admitted in local papers that they are interested in fixing the problem if it does not cost too much money. Properly run compost facilities cost lots of money, and should not be run by those seeking to do so with low overhead and maximum profit as the main variables.
- \*Complaints to the facility have not been handled with a manner consistent with a company committed to change. Upon a complaint the gamut will range from 1) There is no smell to 2) It is not us, it was someone else to 3) It is just agricultural (manure) to 4) It was a one off "rogue smell" to 5) Belittlement of the complainant, all in the same day. This would be the reason for their claims of no or reduced complaints. It should also be noted that prior to the December 11, 2018 hearing local residents chose to, out of respect, call Milt directly to complain about the multiple issues regarding TNC. Their mistake was doing it the old fashioned way instead of

putting it in writing. The previous claim that there were never any complaints is false, there simply was nothing documented.

- \*They did not satisfy the conditions of the previous permit in the allotted time, why would conditions on an expanded permit be any different given the well documented delay tactics in the past? See <a href="https://bit.ly/2XF8QFC">https://bit.ly/2XF8QFC</a>
- \*The owner, Ben Thorlakson, in the past, submitted six separate letters to the county showing support of a race track. The application was denied upon realization that all six were written by one person.
- \*They consistently ignore local and provincial regulations. The recent permit for a small building structure, which was upgraded to a much larger structure without the due process is just one example. Among many, the running as a Type I compost facility, "Without the benefit of an approved permit" and being an, "Oversite" are just recent examples. The illegal diverting of water from a nearby creek is also among the many, documented environmental violations. See same link above.
- \*There are literally no examples of open air compost facilities (non-vegetative) in Canada, or in any other Western nation, that have proven to be successful from a resident complaint perspective. If they are to continue as either a Type I or II it should be done in an enclosed facility as proposed with the bylaw amendments in December by Councilor Henn.
- \*The property of TNC is over a sensitive aquifer and there are nine springs in the area and allowing them to continue puts local groundwater at risk of bacteria and life threatening disease.
- \*All local residents have seen a substantial increase in scavenging, and potentially disease carrying wildlife such as rodents, coyotes, ravens, starlings, seagulls and hordes of flies.
- \*There is nothing agricultural about this business, it is purely large scale, industrial in nature and does not fit with local land use patterns. Trucks are coming and going, often at a rate of one every two minutes. The traffic study that occured for only one day is not adequate and, on that day, residents noticed trucks circling to come from the north on Range Road 284.
- \*Truck traffic throughout the region has increased substantially as trucks are carrying hazardous waste (Paunch has been deemed Hazardous Waste in some American states) that spills out the back and sides. Many of the trucks are not grain or cattle liners, they are just dump trucks hauling waste to TNC. They take the back routes to potentially avoid the weigh scales and repercussions of spilling waste on a Provincial Highway. These same trucks are most likely responsible for the increased damage to roadways which Rocky View taxpayers are paying to repair.

\*TNC has demonstrated, consistently, that they will violate local rules, industry standards, environmental rules and overall good practice when no one is looking, again refer to the link containing citations and public documents. It should not be on the shoulders of local residents to police this facility. If they want to continue to operate as a compost facility, of any classification or capacity, I ask that they be legislated to do so as an enclosed facility, as put forth by council in December, that filters the obnoxious and putrid odours that are inevitable with composting.

\*Everything I have learned about the location of this facility (environmentally) would indicate that it is not the best site for even an enclosed facility. The groundwater needs to be protected and likely a different location, with an enclosed compost facility that is municipally owned and operated, is a far superior choice for the future of our community.

\*Last, and definitely not least, we purchased a house in the country to get away from the bad neighbours who behave in a manner with no consideration of the negative impact on others. We moved to the country to better enjoy the outdoors and pursue activities not easily done in the city. Now we have the ultimate bad neighbour (6.6 kilometers away but may as well be next door) and the country air we craved, is instead a source of headache (literally), anxiety, frustration and just plain repulsion.

Please deny the application and hold Thorlakson Nature's Call to account on the existing operation.

Thank you for your time,

Shawn Sweetapple

Diploma of Criminology
Bachelor of Arts (Psychology)
Bachelor of Education

## To Greg Boehlke and Rocky View Councilors

I am not able to put my mind to rest at 1:45 am on April 28,2019

I have already sent in a letter, but really wanted to emphasize the way Thorlaksons Nature Call and Thorlaksons Feed Lot has disrupted our life.

We moved to our acreage 28 yrs ago, we are less than 1Km South of the site, on the 284! Never have we complained about the operation.

Through the last several years we infrequently smelt something, then in the past couple of years it was more often! Lately it has been frequent and sometimes a daily stench.

Why, Why, do we have to put up with this? My husband and I have made our home, "Our Dream Acreage" We have a beautiful decorated home, clean and fresh smelling. We are hard working and have manicured our yard to a beautiful property! We take pride in everything we do because we are PROUD HOME OWNERS.

We often host several gatherings in our yard and even one of our sons had his Wedding at our acreage.

I am an avid gardener, spending 6-8hrs a day in my yard.

I love to hang my laundry on the line and place that garment over my nose to smell that Fresh Scent.

We raised our Family here and we also have a Business that is employed by our children. Several years ago we built a screened in deck, to enjoy the Summers with NO WIND, NO FLIES, AND NO MOSQUITOES.

I look forward to the days that I open my windows and smell that Fresh Country Air. How lucky I am to live at this beautiful property on the Prairies of Alberta!

But wait a minute, something is happening out East of Airdrie, it's called TNC. God help me to be kind in my following paragraphs.

The STENCH has been unbearable, that often I don't even want to be home!

- -My Dream Acreage is no longer my place of PARADISE.....someone is ruining it.
- -Who wants to come to our home for a BBQ or a camp fire.
- -I'm contemplating doing minimal gardens and planters.
- -I will never hang my laundry out, could you imagine The SMELL?
- -How can we sit outside at our screened deck...NO THANK YOU.
- -What about opening my windows for Fresh Air, NOT A CHANCE.
- -Why do I hear semi trucks Jake Brakes at all hours of the day and evening? Absolutely a concern at the corner of 567 and RR 284! Good Lord please keep my Family and Friends safe at this intersection! The amount of traffic is over capacity!
- -What about the value of our Home? One would never sell living close to a facility like this!
- -Will my Grand children want to play outside?
- -Lastly we have not mentioned the FEED LOT? Two weeks ago Thorlaksons began hauling Manure, No problem, it happens every Spring!

But wait a minute, it is different, it stinks horrible...It's Manure, but it's so STRONG, it enters my HOME AND MY NOSTRILS BURN.

I drive down our RR 284 and the last 50ft of the gravel road is all manure!

THANKS THORLAKSONS

The RR 284 going North is covered in Manure "Everywhere"

We had a Snow Storm last week and the road is a mess! I come to park my car in the garage and now it smells like Manure!

It's in my house, my garage and outside my home. Oh how many more days of this?

I look outside my front window and I see a massive mount of manure. Oh don't tell be ... they get to stock pile the MANURE.

Thorlaksons don't even own this land West of me, they rent. I called to NRCB and yes they can stock pile it there for 7 months! BEN THORLAKSON owns 27 other sections, why doesn't he put it own his land?

So MANURE SMELL FROM THE WEST AND STENCH FROM THE NORTH! A No Win Situation!

Rocky View County.... What are you thinking? I am a concerned RVC Resident! I demand that you DENY the Development Permit for TNC open Air Compost Facility to Expand:)

Shelley Titley

May 2, 2019

## To Whom It May Concern:

Please accept this letter as my opposition for applications #PRDP20190505 and roll #07320007. Please note that I am not at all against composting, rather for it. My opposition to TNC application comes from the frustration that they do not follow proper guidelines and rules set forth by Rocky View MD. The smell that comes from the facility is affecting my families lives negatively in the following ways. 1. There are day when we cannot enjoy time outside on our dirt bikes or horses, 2. We cannot open the windows to allow fresh air in. 3. We cannot hang clean clothes on the laundry line to dry. 4. My children's friends don't want to come over and play because it smells to bad. I ask that you please consider the residence that have taken the time to write letters because the smell is affecting our lives. Meet with us and TNC and figure out a compromise that will make everyone happy. Don't just say yes because they are huge tax payers, hold them accountable like you do every other resident of the MD of Rocky View.

Thank you for your consideration, Amanda Sashuk

From: Lindsey Ganczar

Subject: Please do not approve the Thorlakson expansion permit

**Date:** Thursday, April 18, 2019 9:10:41 AM

Dear Ms or Mrs Ganczar,

The Thorlakson Natures Call facility is a grave concern to nearby residents, and often most of the town when the wind blows the right direction. Many such facilities have been shut down, and or sued to the best of my knowledge across Canada. (Hamilton Central, Samborski Environmental, Foundation Organics, Coast Environmental, Enviro-smarts Organics, Harvest Power, Waste Management, Cleanit Greenit, etc). Not only is the stench an issue, potential health hazards are also an issue, hence potential litigation as in the other cases mentioned.

Please do not allow this permit for expansion to pass, and in fact, it should be forced to enclose the composting, or stop altogether.

I am in Mountain VIew, however grew up and graduated in Airdrie, and pass through it every day, stopping there almost every day, spending money as I do so. I am certainly not the only person concerned with this facility.

I hope council and Rocky View do the right thing and stop this offensive facility as it currently stands.

Sincerely,

Glenn Schneider

I live East of Thorlaksons feedyard and composting.
The smell of manure is not pleasant but is tolerable and we all show what it is.

The smell of the stench coming off the compost in the last 2 years is absolutely horrible. It is just impossible to be outside when the stench hits. Some days it almost gags you. I am also very worried about the safety of my well water. Periodic testing is not an excuse to have toxic waste on a site where the lay of the land shows clearly that any spillage could get into the underground water.

Please do not approve the development permit for Thorlaksons compost unless it is totally covered and done properly.

angela Scilletoe April 28, 2019



Opposition to approval of Thorlaksons Natures Call Compost

I am extremely concerned and I am strongly opposed to the approval of the TNC operation.

- Water. Our wells are shallow and can easily become polluted from poorly managed hazards on the surface. TNC is too close to the natural springs in the area. It is inevitable that TNC will have spillage of materials containing leachate. We cannot risk the water safety of so many homes
- Stench The heavy putrid stench from compost done on the ground is impossible to prevent. This has been proven many times over. The stench can cause illness in people who are immunocompromised. This is destroying quality of life for the many neighbouring families. This is unacceptable
- 3. Birds Thousands of huge birds are scavenging from the bacteria laden compost piles.

  These are polluting the homes nearby and creating a terrible mess as well as a health hazard
- 4. Fire Compost is known to cause many fires. This site is too exposed to our strong and erratic winds which can quickly dry a pile, allowing for spontaneous combustion, then spread it to neighbouring properties.
- 5. Flies Flies spread germs. Compost and leachate are laden with germs. Flies easily travel up to 8 miles and will spread these germs. This is a huge health hazard.
- Rodents Rodents like the warmth of the compost. They multiply quickly and then spread to neighbouring properties taking germs with them.
- 7. Dust Composting on the ground dries quickly and becomes dusty. This blows to neighbouring properties carrying unknown bacteria with it
- Traffic The heavy trucks are taking local county roads creating a huge issue for road
  maintenance and for safety. Over 35 heavy trucks every day on our narrow country roads is
  unacceptable.

This compost operation is wrong. It is using outdated methods and is on a site that is too vulnerable to creating huge health hazards. It must not be allowed to continue.

Outral an Sheets

**Dear Rockyview Council Members** 

Re: Thorlaksons Nature's Call Composting

I have lived in the home that I love for many years. I have worked really hard to make my place beautiful and a peaceful place for my family.

This has been ruined by the terrible stench coming from TNC composting nearby. When the stench hits we have to go inside and close all the windows until the wind changes. The stench makes my allergies worse. If you can smell it you are breathing it in and we have no way of knowing what fungus or microbes are contained in the stench.

It has ruined our lives and now we can't even sell our place that we used to love because no one will buy a place that stinks.

I am really worried about the safety of my water – hauling in all the unknown germs from the cities nearby and putting it on the ground is bound to eventually have leakage that will escape into our water table.

Putting garbage compost on the ground where birds and mice can spread it and the wind can pick up molds and fungus and bacteria and spread it to the neighbours is totally unacceptable.

This compost is too close to too many neighbours. It is unsafe. Germ laden compost should never be placed outdoors to rot. It needs to be contained and the site should be more carefully chosen.

many Sharm

From: <u>Lindsey Ganczar</u>
To: <u>Jessica Anderson</u>

Subject: FW: Open air composting TNC

Date: Wednesday, May 01, 2019 4:33:53 PM

From: Lorraine Sim

Sent: Wednesday, May 1, 2019 4:33:25 PM (UTC-07:00) Mountain Time (US & Canada)

To: Lindsey Ganczar

Subject: Open air composting TNC

Lorraine Sim

282132 TWP RD 280 Rocky View County T2A 2Y2

The open air composting has become so bad i can't even enjoying going outside, the sour stench is so bad i can't sit outside or enjoy my hot tub, let alone hang my clothes outside

May 1 2019 Lorraine Sim

From:

To:

Lindsey Ganczar; Division 5, Jerry Gautreau; Division 3, Kevin Hanson; Division 2, Kim McKylor; Division 1, Mark Kamachi; Division 7, Daniel Henn; Division 6, Greg Boehlke; Division 4, Al Schule; Division 8, Samanntha

Wright; Division 9, Crystal Kissel; Al Hoggan

Subject: Thorlaksons Compost Permit Date: Thursday, April 25, 2019 8:35:01 AM

Attachments: audrey.jpg

audrey.jpg



## Matthew L Smith

April 18, 2019

Rocky View County

Dear Ms. Anderson and Ms. Ganczar,

I do support the expansion of Nature's Call composting. Not only from an environmental perspective, seeing the need for greener solutions in our community and globally avoiding organic waste to go toxic in landfills, but economically, as compost is coming from our local area, thus I imagine keeping costs/taxes lower.

Over the past few months there has been talk about Nature's Call composting looking to expand their facility. As my property is on the same section as the composting pad, which is about 700 yards east of my house, this was an issue I have been paying attention to. I have read a lot in the papers and online which are very attacking and very negative, which has caused me to steer clear of joining the conversation, knowing I have family and friends who work at the feedlot and not wanting my intentions to be misconstrued. However, when my property, and others, were **falsely** identified as having signed a petition opposing the business, and then subsequently that information was used in local news articles and posted online, I felt the need to share my perspective, being one of the closest neighbors to Nature's Call.

As a high school science teacher, I teach the importance of environment stewardship and taking responsibility for our actions and how they affect the environment. When I read much of the misinformation and opinion being passed as fact, I find it very troubling, which is another reason I felt the need to write this letter.

I love my community, neighborhood and small acreage that I have lived on for the past 5 years with my wife and four children. We spend a significant portion of each day outside playing, doing chores, animal watching. I have rarely ever smelt any smell coming from the

compost. Any smell that has arisen quickly passes, but I cannot recall more than 3 times where I truly smelt anything, and nothing that lingered. I wish I had a method of communicating those positives that I experience each day, as I know it is often the negative voices that are the most vocal.

I very much appreciate the opportunities Nature's Call has offered the community to visit the location, share their thoughts, ideas and concerns. I have found that despite a small group of my neighbors being very aggressive and manipulating facts they have taken the high road and stuck to the sharing facts and working with the community, and performing an essential service to our community and environment.

If you would like any additional information from my family's perspective, please feel free to contact us via phone or e-mail
Sincerely,
Matthew L Smith

I live East of Thorlaksons feedyard and composting.
The smell of manure is not pleasant but is tolerable and we all know what it is.

The smell of the stench coming off the compost in the last 2 years is absolutely horrible. It is just impossible to be outside when the stench hits. Some days it almost gags you. I am also very worried about the safety of my well water. Periodic testing is not an excuse to have toxic waste on a site where the lay of the land shows clearly that any spillage could get into the underground water.

Please do not approve the development permit for Thorlaksons compost unless it is totally covered and done properly.

M- Sattle

From: To:

iganczar@rockeyview.ca

Subject:

Re-composting Oder

Date:

Monday, April 29, 2019 12:14:28 PM

Hi to whom it may concern,

I live 290234 Twp 264, and I can occasionally smell a strong composting oder. I have never known at this point where it is coming from. I also have noticed large trucks with strong oder on range Rd 292. These trucks have such a smell coming off them that you can hardly drive behind them.

Please forward on further information,

Thank you

Tim Snyder

April 18, 2019

Joy Soepono

Lindsey Ganczar Senior Planner Rocky View County 262075 Rocky View o=Point Rocky View Country, AB T4A 0X2

Email: <a href="mailto:lganczar@rockyview.ca">lganczar@rockyview.ca</a>

Dear Lindsey:

Re: Letter of Opposition to Thorlakson Nature's Call Compost Facility (Type II)

Manure Storage Facility Development Permit Oppositio

Please consider this letter my opposition to the above development permit.

I was raised on a farm just outside of Airdrie and have lived in Airdrie and the area for over 50 years. I am familiar and enjoy "farm smells". The odour that emanates from Thorlakson's is vile and not a farm smell, it is a stench. The odour can be described as overwhelming, sickening sweet combined with a rotting meat smell. It is so disgusting that I walked out of Superstore in Airdrie one day and the stench was wafting over the parking lot. I witnessed people exiting the store and saw them gagging as they the odour hit them. This is testament to how disgusting this stench is.

Airdrie and Rocky View County is now acquiring the reputation of being a city and county that smells. Our property values will plummet, and residents and business owners will no longer be interested in purchasing land or property in Airdrie or the area due to the odour. When the smell comes upon our vicinity, we cannot open our windows or go outside.

Flies come into contact with the compost and then enter our home and contaminate the food we eat. This is a serious health concern for all people.

The stench is a quality of life issue, health issue and financial issue for all residents of Airdrie and Rocky View County and affects everyone who lives in this area.

I strongly oppose the development permit for this facility and ask that my letter go on record opposing this development request.

Sincerely,

Joy Soepono

To the Rockyview councillors:

Please do not approve the development permit for Thorlaksons Nature's Call Compost. It does not belong in such a populated area so close to a growing city.

Brooks has been rated as the 6<sup>th</sup> worst Canadian city to live in because it stinks. We do not want Airdrie to be rated the same way. Airdrie is already becoming known as stinky city!! This must stop.

Open air composting emits a very foul and unhealthy odor. Pumping air through it has been shown to do little to reduce the odor and has not been proven to reduce dangerous health effects of the bio aerosols released at all. There is better technology. We must insist on it.

This operation is putting the safety of the underground water at risk. This operation is drastically increasing the flies (which can easily travel up to 8 miles). This open air composting is increasing the starlings and the ravens as they are attracted to the stink. This open air composting creates an extreme risk of fire. This operation is putting too much truck traffic on narrow roads that weren't designed for the volume and for such big loads that turn into oncoming traffic.

Approving TNC development permit as a type 2 allows them to expand with little or no local control. Please don't give this control to the province.

A large scale, commercial operation in a farming/country residential area so close to Airdrie is wrong. Composting (and particularly open air composting) does not belong at this location.

I strongly believe in composting but it must be done safely, in the proper location and using modern methods.

Please do not approve the Thorlakson corporation application for a development permit.

Name: Kolin	arunt	
Address:	94	
d.		· //



To Whom It May Concern:

Opposition to Thorlakson's Natures Call Comport

My husband and I are strongly opposed to the TNC operation at Thorlakson's feedlot. We moved to the community 26 years ago and first lived quite close to the feedlot. At that time there was seldom smells emitting from the facility if so, only once in a while. Our present acreage is located south west of the feedlot and this past year we have experienced terrible odors. The stench has been so bad it could be smelled inside our home without any doors or windows open. Spending time outside taking care of our property and animals is not enjoyable anymore! The gasses causing the odor cannot be healthy for people or animals living in the vicinity. We moved to the country to be away from the noise and smells caused by pollution from cities or towns. It had been idyllic for many years but not now!

From what I understand the feedlot is bringing in refuse from slaughter houses to add to the waste coming from the operation. I have noticed the increase in large flocks of carrion birds such as ravens, crows and magpies. They are becoming a problem as they are nesting in our trees and defecating on our house and vehicles. They go after our animals and have driven the native birds out of the area.

What about the bacteria leeching from the compost into the ground? What is being done to protect water wells, groundwater, dugouts and native sloughs? Nothing? This facility needs to be rethought, re-examined, redesigned and put on hold until more research is completed. There should be the same environmental pressure placed on this facility as other polluting industries. Springbank residents put the kibosh on the flood mitigation for the city of Calgary, so why should other residents of this county have to put up with horrific stench? I can guarantee if this was in the Springbank or Cochrane area it would have never been allowed to be built in the first place. Just because the east isn't the second wealthiest area in Canada doesn't mean our tax dollars are not important too! Rocky View County needs to refuse the expansion of Thorlakson's compost operation!

Thank you. Marda Wright & Robin Spruit

From:
Subject: THORLAKSON

**Date:** Wednesday, April 24, 2019 1:11:38 PM

1

Rocky View County

Attention: Lindsey Ganczar:

I am very opposed to our council approving a development permit for Thorlaksons Natures Call (TNC) industrial composting operation and manure storage.

I realize that I have shared my concerns many times over the past months. Water, flies, fire, birds, traffic, garbage, and of course the absolutely terrible stench.

I realize that water is politically a provincial concern however I am sure you would agree that we all have a responsibility to do everything in our power to protect the safety of our neighbours. You do have the power to stop a disaster from occurring. Leachate contamination of the groundwater on that vulnerable site is a disaster waiting to happen. You have the power to prevent another Walkerton. Deny the development permit on that site

I have included the following documented information to display the record of Thorlakson's corporation – the same management and ownership as TNC. There is good reason to be extremely hesitant to allow them to continue to handle potentially very hazardous material.

\_Thorlakson's

### Corporate History

Documented history of the Thorlakson Corporation's regard for the environment, for governing bodies and for the neighbours. Thorlaksons feedlot is a under a different corporate name but is owned and managed by the same group that has operates Thorlakson's Natures Call.

The attached documents illustrate Thorlakson's delaying tactics and shows how well they keep promises. It shows how much they can be trusted to "work together on it".

Between 2000 and 2002 the agricultural practices act legislation was updated and NRCB (Natural Resource Conservation Board) was created. The Environmental Protection Act was also updated at this time.

Ben Thorlakson played a major part in the decision making of this new legislation. He held a co-chair position on the advisory committee for the Environment Protection Act and a Board position on the committee providing input for the NRCB and the control of feedlots.

This legislation grandfathered the existing feedlots – meaning they didn't have to follow the appropriate and stringent new rules for feedlots that protected the livestock and the environment. Being fully aware that his feedlot site and methodology was unsafe why did Ben Thorlakson choose to not update to new guidelines? June - 2005 –manure impacted water running into stream and to neighbouring properties.

June 2005 – Thorlaksons written commitment to hire consultant and upgrade facility by fall of 2005.

Commitment to stop contaminated run off

April 2006 – submitted Envirowest report (report noted manure mingling with spring water)

NRCB gave instructions and support to Thorlaksons Corporation

Sept 2006 – submitted final run off plan. (report noted manure mingling with spring water)

NRCB gave instructions and support to Thorlaksons Corporation

June 2007 – submitted amended surface runoff report

NRCB gave instructions and support to Thorlaksons Corporation

Contaminated run off continued.

Nov. 2007 - Meeting with Thorlakson, Environment and NRCB.

Thorlakson asks for another amendment. Promises to have work completed by

April 30, 2008 and provide written updates

no updates sent.

June 11, 2008 contaminated runoff continued to flow

June 13, 2008 enforcement order (Attachment 1)

Divert spring water by June 23. 2008

all work to prevent manure contaminated feedlot water runoff to be done by

Sept 30, 2008

Oct. 2008 Thorlakson reported work was done.

NRCB advised ongoing maintenance

\*NOTE: 3.5 years of delaying tactics before promised work is completed

April 1, 2011 Enforcement order (attachment 2)

Diverted water from unnamed tributary of Crossfield Creek into a dugout without a permit

April 8, 2014 emergency order (attachment 3)

Overflow catch basin and release of manure into the environment caused "immediate and significant risk to the environment – contaminating public lands and other people's private lands".

Immediately build a berm, remove run off from ditches, pump catch basin

May 6, 2014 Enforcement order (attachment 4)

Plan to be submitted by Aug 11.2014

Work to be completed Oct 31, 2014

November 6, 2014

Amended plan to be submitted by Dec 15, 2014

Oct. 31, 2014 Completion date amended to May 31, 2015

\*NOTE: 1 year and 11 months of delaying tactics before runoff situation repaired

March 15, 2019 emergency order (attachment 5)

Catch basin close to over flow, pump catch basin

\*NOTE: The above enforcement actions are all related to Thorlakson Feedyard activities however they show the business practices that we can expect from TNC.

March 2014 Started adding human waste stream compost to manure compost without proper land designation and without a development permit

Dec 2018 Application for direct control land use designation

Alberta Environment training Thorlakson Corporation how to compost

January 31 2019 - deadline for development permit and submission of technical documents

Alberta Environment training how to compost

Today - No Development permit

Stench continues unabated

Alberta Environment training Thorlakson Corporation how to compost

\*NOTE: 5 years of delaying tactics and still operate illegally

\*NOTE: Stench continues

May 4, 2016

Rockyview County issued a soil conversion Development Permit # PRDP20154858 with the following conditions

#13 That the business shall use only manure produced from the adjacent property's primary use (Confined Feedlot)

\*Thorlaksons continued hauling in compost from human waste stream \*NOTE: 3 years delaying tactics -

Thorlakson Corporation ignores rules and guidelines issued by Rockyview County

This history includes only documented infractions.

It displays very clearly the integrity of the Thorlakson group.

It illustrates their regard for the environment and for government regulations.

It displays very clearly how much we should trust them to handle compost that contains unknown and possibly extremely harmful microorganisms

Will they continue to delay, make excuses, "get educated", and refuse to follow the rules?

Will an industrial compost operation at Thorlakson's site require constant enforcement orders?

Please deny Thorlakson's development permit application.

You have the authority to stop this disaster waiting to happen. Please stop it before it causes more harm.

Thank you

Debbie Stallwood.

Lois Stauffer



May 2, 2019

Rocky View County
262075 Rocky View Point
Rocky View County, AB T4A 0X2

ATTENTION: J. Anderson

STOP THE STENCH - THORLAKSON'S NATURES' CALL COMPOSTING

This is to advise that I have lived in the area for over 20 years and never in this time have I ever encountered such a stench coming from this feed lot and composting facility. When the stench hits, everyone needs to go inside as the smell is absolutely putrid. I have had friends visit from the City of Calgary and they have had to leave as the smell was unbearable. I suffer from severe allergies and this is effecting my ability to breath and am constantly using eye drops to relieve the burning sensation. I am sure that there are probably many fungi and microbes that are being released into the air and affecting everyone in the community. I DO NOT want my grandchildren being subjected to this as they have a lifetime ahead of them and who knows what the Health Care System will provide. Also - how is this not a great concern for all the domesticated animals and wildlife in the area? How far does the chemicals that are being used to break down this waste travel in the underground water systems, be eroded into the earth and carried in the wind. What rodents and birds in the area, are carrying disease to our waterfowl and wildlife that are being consumed by humans, not to mention the fact that the feed lot is right there – how can you advertise or market Alberta Beef if this is the environment they are being raised/finished in. How many chemicals – unknown fungi, etc. can one human body take? This is not even considering – the property values of all our neighbours has significantly fallen, but we definitely have not seen a drop in our property taxes.

Will it be safe to grow a vegetable garden this year and not worry about putting contaminants in the produce grown?

Please do what's right AND STOP THE STENCH.

Lois Stauffer



# **Attention: J. Anderson and Rocky View Councillors**

I have lived on my farm which is east of Thorlakson's feedlot for over 21 years.

I have watched for many years with great dismay the disrespect Thorlakson and their staff show for both their neighbours and for their animals. They have no respect for county or for provincial rules.

Against all rules of proper farming Thorlaksons work the land right through the creek beds. They allow manure infested water to leave the feed lot premises and flow freely in creeks and ravines off the property. The run off from their cattle has killed the wild life that used to live in the seasonal creek that runs from Thorlaksons through my land. I have watched them overload their land with manure to the point that it is inevitable that the nitrates will leach into the ground water. I have witnessed their animals being sadly neglected.

Thorlakson's operation is not an agricultural nor a farming operation. Thorlakson's run an unethical money grabbing corporation. They are not stewards of the land. They are rapists of the land. They have hidden behind agriculture permits but they are certainly not farmers. They are using the feedlot to obfuscate the issue of illegal composting.

Thorlaksons have no concern for the rules or for the neighbours. They should not be allowed to handle any material that could contain biohazards like compost. They should not have control of any operation that has the potential to harm the neighbours because they just simply

don't care. They will not follow rules or guidelines or even try to comply. They just do whatever they want with no concern for others.

I was very disturbed when I observed a cows ribcage emerge from the unfinished compost rows in Thorlakson's field. The cattle were eating the same hazardous compost piles ravenously.

Since they started the unlicensed composting industry the stench has been unbearable. It is absolutely disgusting. It is ten times worse than any pig farm. It destroys our quality of life. It has only continued to get worse but we have stopped reporting it because it does no good. It just makes our frustration with the lack of control worse. This is not the smell of manure. Being insulted by a response that suggests we don't know the difference makes it intolerable. So we quit reporting.

Thorlakson's illegal composting operation is situated on a site that is extremely vulnerable to polluting the local water wells. This is totally unacceptable. It must be stopped. Our water must be protected. Our county must not allow Thorlaksons to create another Walkerton type situation in our neighbourhood.

You, our councillors, have the authority to shut this down. You hold the direct control development authority and you have the authority to deny the development permit. You have a responsibility to stop this fiasco.

Somebody has to care. Someone has to protect our future, protect our land and protect us. Please let that be you, our trusted, local elected council members.

Yours truly,

Peter Steele

From: <u>Lindsey Ganczar</u>
To: <u>Jessica Anderson</u>

Subject: FW: Thorlakson"s Nature"s call Development Permit

**Date:** Wednesday, May 01, 2019 3:46:42 PM

Importance: High

From: Leah

Sent: Wednesday, May 1, 2019 3:46:39 PM (UTC-07:00) Mountain Time (US & Canada)

To: Lindsey Ganczar

Subject: Thorlakson's Nature's call Development Permit



Wednesday May 1, 2019

Re: Thorlakson Nature's Call Development Permit

Dear Ms. Ganczar

Hi,

I am writing this letter to oppose the development permit that was applied for Thorlakson's Nature's Call. Please read further to see how it has affected our lives negatively.

I was raised on an acreage outside of the city, to me it was the perfect life. We were close to the city, close to all the things we needed, but it was so peaceful and quiet and open. I spent a good portion of my childhood outside. When I dreamed of having a family I dreamed of the same things for my own children. I wanted them to be able to spend time outside enjoying the outdoors having the space, freedom, and the quiet but still being close. Close to their friends, their activities, schools everything that is important to children. Being on an acreage is like the best of both worlds. Many people dream of that life, we are just fortunate enough to have it. Having land for an acreage close to a city can be very expensive.

My husband and I have worked very hard to make this a dream come true for our own children. We bought bare land, our property is about 5 miles south east of Thorlakson's Nature's call. We have spent hours upon hours planting trees, picking rocks, seeding grass, and watering trees. To keep things financially feasible for us we had to do a lot of the work ourselves. We still even now are always trying to make things look nicer and improve our home, our "sanctuary". It is absolutely heart-wrenching to have to deal with the smell of the compost. There have been days where I go to have my coffee in the sun on my deck and I open the door and I absolutely cannot go out there the smell is that bad. There have been days where my children want to be outside and have opened the door and said "I'm going to throw up". I have had company come over and comment on the smell. I have had relatives who don't want to come because of the smell. The day that smell is around my Sanctuary is worth \$0. My investment, my hard work, my money that has gone into making this a lovely home/property is worth \$0. I am upset, confused, angry, that Rocky View County would even consider letting Thorlakson's Nature's call increase the amount of compost they can accept. It has been obvious that the amount they're getting now they are not able to deal with. So why would we even think of letting them expand and disrupt all the lives of people around them who have worked hard to have what they have. We all feel like we pay a lot of money and deserve to keep our quality of life without the compost in it. I understand that it is a business and I feel that Rocky View County is trying to make it so that the business can survive and the landowners can be happy. I personally do not see how that is possible and with a business that doesn't follow the rules of the county and has to be fined in order to clean up their act. Is that the type of business we want to support in our County?

I have children with severe health issues. It does make me wonder when all three of my children have health issues why might this be the case? I can tell you for certain, smelling the dead rotting compost cannot be good to their health or mine.

Our back road used to have some local traffic driving by but for the most part it was quiet, again part of the appeal of living outside the city. It's gravel so everytime Vehicles drive down the road it stirs up a lot of dust which increases the amount of dirt/dust in my own house. Since the compost there are days where I can't even count how many commercial vehicles are driving up and down our road. Not only are they kicking up a lot of dust and throwing it towards my house they are also slowly destroying the road. I am sure this gravle road is not built to handle 20 commercial vehicles driving back and forth loaded every day on it.

The whole thing is so frustrating as a landowner. I asked you to please consider all the people around that are affected by this compost not only is that people in Rocky View, but Irricana, and Airdrie and possibly other areas I'm not aware of. Please do not allow this facility to increase. I think we need to go the other direction we need to decrease. We, Rocky View needs to do some research how have other open-air compost been successful. Have other open-air compost been successful? What kind of facility needs to exist in order for it to be successful? What looks successful to one may not be successful to another. For me and my family success would mean that it does not affect my life, my health, my children's health. Success would mean that if I wanted to sell I could do with a clear conscience that the next family would have a wonderful home. Basically, success would mean that I would not even be aware that this business existed.

I thank you for your time and truly hope that the words I've written resonate with you.

Sincerely Leah Stevenson

From: <u>Lindsey Ganczar</u>
To: <u>Jessica Anderson</u>

Subject: FW: Thorlakson"s Nature Call

Date: Sunday, April 28, 2019 8:44:57 AM

From: Dwight Karrie Strohan

Sent: Sunday, April 28, 2019 8:44:46 AM (UTC-07:00) Mountain Time (US & Canada)

To: Lindsey Ganczar

**Subject:** Thorlakson's Nature Call

Hello Lindsay,

We are writing this to voice our concerns regarding the stench coming from the composting business at Thorlakson's Feedlot east of Airdrie.

Being former neighbours of Thorlakson's and family of current neighbours, we find the current situation disgusting. We have been hearing about the stench for the past while but had not experienced it first hand until yesterday while visiting the Jones'.

Upon exiting our vehicle at approximately 3pm Apr 27th, we were immediately hit with a smell that can only be described as worse than rotting garbage. Enough to make me gag at the odour. We also noticed that even with all the windows closed (it was blizzarding outside) the stench was still penetrating into the house.

How the County can allow this to go on is beyond belief. People that live in the country expect to have natural rural smells but this is not natural at all and this type of business needs to be more stringently monitored and regulated.

I certainly hope that the County seriously reconsiders letting this company operate unless they build the proper structures with systems that control the odours. Which we all know is possible.

Regards,

Dwight & Karrie Strohan

April 25, 2019

Dear Mr. Hoggan and Rocky View County Council and Administration, Mr. Schulz and City of Airdrie Council and Administration,

Primarily, this letter/document is one of opposition to Thorlakson Nature's Call Development Permit request, which includes their request to expand their compost facility and to have manure storage. This letter is also meant to provide some awareness-building, for administration and council (of both Airdrie and Rocky View County) as to the conversation that is happening between and among residents of both municipalities. To say it is divisive would be an understatement.

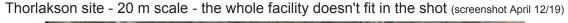
Some background - if you are on Facebook, you may be aware that on April 2, Thorlakson Nature's Call, on their FB page, posted an open letter to Rocky View residents. The letter was posted as three images, which are included on pages **8-10** of this document. The following week, on April 8, RockyView Neighbours posted their response, available at this link <a href="https://bit.ly/2VifLXR">https://bit.ly/2VifLXR</a> and in this document, pages **11 to 15**. This correspondence is included so as to become part of the formal public record. You may also be interested in viewing some brief videos, prepared by RockyView Neighbours, regarding our concerns for the air, water and land. <a href="https://bit.ly/2UNQrcS">https://bit.ly/2UNQrcS</a> They are located on the RockyView Neighbours YouTube channel.

We are aware that, since April 8, communication between Alberta Environment and Parks (AEP) and Rocky View County (RVC) has revolved around aeration static pile (ASP). It seems to us there has been a lot of promotion and support from AEP regarding this system, with the Stickland Farm facility in Penhold being cited as a good example. Quite frankly we are stunned this is being endorsed for our area - we have only to look at other municipalities across Canada (indeed, around the world) to see that large open air facilities, that accept non-vegetative matter, near urban settings, do not work - regardless of ASP or fabric covers.

Apparently, Penhold applied for a DP prior to their expansion in 2017. As the Penhold facility grows, based on what I have researched, no amount of ASP will solve the up and coming odour issues - as evidenced by Harvest Power in Richmond, BC and Cedar Grove in Washington State (and Ladner, BC - more on them later). These two facilities used ASP and were ultimately shut down, fined and/or sued for odour issues. The financial investment needed for open air (with ASP and/or fabric covers) is ultimately not viable given the odour management issues that persist as the operation expands. While Penhold is currently using ASP, they are, comparatively, a small scale facility.

Please note, the Penhold facility also had reports from neighbours of stench (dead cow smell) and had been accepting non-vegetative waste since 2011 <a href="https://bit.ly/2lyE6BM">https://bit.ly/2lyE6BM</a>. A 2013 Waste Management report from Red Deer stated that Stickland was only taking in 11,000 tonnes annually on 5 acres. A 2017 news article says Stickland is licensed by AEP <20,000 tonnes - the same as TNC. See attached images for a current aerial view comparison (same scale) of

both Thorlakson and Stickland. The comparison of these Google Maps images does cause one to wonder just how many tonnes beyond 20,000 TNC is already operating. While Stickland is not immune to the issues associated with open air composting, comparing Thorlakson's to them is like comparing a chip wagon to a Michelin Star restaurant. Stickland farms at least admitted there was a 'dead cow' smell - TNC couldn't even bring themselves to admit there were odours and then hired Dillon Consulting to discredit neighbours by conducting completely inappropriate "odour testing" with Draeger Tubes.





Stickland site - 20m scale - full view of windrows & portion of operation (screenshot April 12/19)





Stickland - full view of operation + some windrow material on left (screenshot April 12/19)

It is time for the City of Airdrie and Rocky View County to get serious (and truly visionary) about plans to sustainably and responsibly manage organic and bio-waste in this region. Open air, accepting non-vegetative, won't cut it. Consider this, Stickland is currently accepting sewage waste from Canmore. With a DP in hand from RVC (which is a green light for a Type II from AEP), TNC could further diversify (and obviously increase) their incoming waste stream and they would not have to justify to Airdrie or RVC what they accept or from where. The Direct Control land use designation is, in my opinion, a toothless tiger - the Development Permit documents are still labelled as "Commercial/Office/Industrial" and if granted, Thorlakson Nature's Call Composting operation will grow enormously. If RVC grants the DP, TNC will seek to be certified by AEP as a Type II and serve whoever pays them. (The only reason TNC's previous Type II application to AEP was turned down was because they didn't have a DP from the county.) That is how the county, city and province will lose all control of this operation.

The current situation is a marvelous case in point: "...operating without the benefit of an approved Development Permit." (Rocky View documentation.) Do not entertain such folly. Please, deny the Development Permit and regulate that TNC: be <20,000 tonnes vegetative waste only annually, implement the ASP system immediately, be given very clear direction on record keeping and ongoing monitoring as to what and how much feedstock is being accepted, with meaningful violations if broken. It is also worth noting that, according to Rocky View neighbours, Thorlakson used ASP several years ago and abandoned the system because it was problematic for their operation. Further, the previous behaviour of the operator/owner must be considered in this application. Thorlakson Family Farms Inc has, on multiple occasions,

proven they proceed, without permission, and repeatedly end up getting help from various ministries to become compliant. As stated by Mr. James Jorgensen, of AEP, in an email to me, dated January 29, 2019: "I can assure you that TNC has been a full time job since December and much work has been done and more is coming." Does the county wish to monitor TNC full-time? Does AEP wish to continue monitoring TNC full-time? It certainly should not fall on RVC residents to do so. *The best predictor of future behaviour is past behaviour and past performance.* 

With Direct Control (and <u>no</u> Development Permit to expand and no need for manure storage) TNC could still operate as a Type I facility, with their current permit from AEP for accepting non-vegetative waste, <20,000 tonnes annually, and should be expected to implement ASP - with the hope of reduced odour emission. This would allow Airdrie to continue its green-bin program (minus food scraps and animal feces). The purchase of the Scentroid by RVC would be helpful in creation of odour control bylaws to further assist with regulation and effectiveness of the ASP. Composting of paunch should stop immediately given that the current 6 inch clay pad is not even remotely acceptable for protecting the groundwater from leachate, and paunch should only be composted at Type II facilities with clay pads that are at a minimum .5 m thick. (As per the "Standards" document set out by AEP.) I repeat though, even if allowed this concession, *the best predictor of future behaviour is past behaviour and past performance.* 

To reduce odour emissions for non-vegetative waste for a Type I <20,000 (which TNC would still have to apply to AEP for), TNC would have to include in their plans the building of a large enclosed area, with appropriate ventilation, scrubbers and biofilters, for the dumping of feedstock. It is also worth noting, if feedstock is left for any length of time and not mixed in with wood chips and placed in the windrows or static piles immediately, the consistency changes and will create odours. Green bins in the summer become sloppy and wet. Use of ASP requires immediate inclusion of new feedstock, with consistency of material, otherwise odour issues will continue, regardless of an ASP system in place. Even if allowed to continue with non-vegetative waste, I remind you, *the best predictor of future behaviour is past behaviour and past performance*.

All of this would also rest on ensuring surface water, the sensitive aquifer and groundwater is protected (and ASP systems do create additional moisture/leachate) so the costs for engineering an open-air facility, or even an enclosed facility, on this site are likely cost-prohibitive. The current site location, for the compost facility, should be extensively reviewed before any decisions about the Development Permit or allowing a Type I, non-vegetative, <20,000 tonnes, permit is made. Quite frankly, if anything, a plan should be implemented for the closure and clean-up of TNC on this site, and a municipal owned compost facility built on another site - but I'm getting ahead of myself.

Finally, with respect to TNC's manure storage request, as part of the Development Permit, the activity of the adjacent feedlot must be reviewed. As part of the application, TNC is seeking

manure storage, except the Agricultural Operations Practices Act (AOPA) states the feedlot (TFL) is allowed to store as much manure as they want on site. We can only presume the request for storage is because TNC is bringing in so much feedstock and waste from other sources they cannot keep up with the manure created by 20,000 head of cattle each day. The result is that manure is being spread or stockpiled all over various quarters; large numbers of dump-trucks and double-pups are hauling and dumping manure all over east Rocky View with resulting damage to roads. Residents near these piles (which are growing daily) now have continuously strong manure smells coming into their homes through fresh-air intake vents. This lasts for hours and well beyond anything ever experienced in their 30+ years of living in the area. At this point, Rocky View neighbours do have a problem with the feedlot because Thorlaksons are not managing that operation in a way that is considerate of neighbours.

The (panoramic) image below is of manure that has been moved and stockpiled and was Wednesday, April 10/19. The second image of the house and trucks was taken on Wednesday, April 24/19. The location is on land that Thorlaksons rent from Mr. Rick Braun. The direction of this image is looking West off RR 284, south off the 567. While some manure has being spread on fields, the excess is being transported to different quarters and manure and dirt is being left all over county roads. While AOPA says TFL can store as much manure as they want, and that what they are doing is 'legal,' this doesn't make it 'right.' Drinking alcohol at 18 is legal in Alberta, but that doesn't mean alcohol can be consumed at any time of day, in any setting. Stockpiling the manure elsewhere demonstrates lack of care for neighbours and would be completely unnecessary if TFL were still composting their own manure rather than non-vegetative feedstock - for which they do not have the appropriate permit. *The best predictor of future behaviour is past behaviour and past performance.* 

This long, massive pile of manure can be seen stretching from one side of this image to the other. (No, it is not dirt from the pipeline being installed.) Yesterday I watched as truck after truck brought more manure to this location - which is on the north quarter shown on the next page - brown colour - between RR 285 and RR 284 south off the 567. There are many homes on either side of this pile, with residents now smelling the overwhelming stench of manure in their homes. Day and night, unrelenting.



It is also understood by Rocky View Neighbours (this would have to be verified) that the NRCB continues to monitor the spreading of manure on various quarters and have directed Thorlaksons to cease spreading in some areas. The reason is nutrients may become too high in the soil with risk of burn to any future crops. Risk of nitrates leaching into the groundwater is also increased by having too much manure on the land. Rocky View Neighbours are also

aware that septic trucks have brought waste to TNC, raising the question as to what exactly is being spread on fields and why we are smelling something that **cannot** be described as only manure.





Stockpiling manure on rented land gives the impression that manure storage is needed as part of this DP application. Why else would manure be moved to Mr. Rick Braun's land (surrounded by houses) when Mr. Thorlakson owns 27 quarter sections (4,320 acres) in RVC? The feedlot began as 3000 head of cattle and grew to an industrial scale of 20,000, one of the largest Confined Feedlot Operations (CFO) in the province. The composting facility was, ostensibly, established to process the manure - an appropriate and ecologically responsible plan. Now that tonnes of incoming feedstock is being deposited at TNC (without appropriate permits) that waste is being processed first while the manure is spread and stockpiled elsewhere. This, in turn, creates a false sense of urgency or 'need' for the DP to be approved so that all of the manure can be composted or stored/contained in one area. Please, send a message to TNC that co-dependency is not an issue here and that their private investment opportunities cannot negatively affect our human rights.

Finally, with respect to the manure and compost, Scott's Canada local General Manager, Mr. William Buchanan, and Ms. Karen Stephenson, Scotts Canada Director, Regulatory Affairs & Stakeholder Relations, have denied purchasing much compost from TNC (contrary to what was alluded to by TNC staff at the December 11, 2018 hearing) and they tell us that Scott's mostly brings in compost from the Calgary facility to bag at their site. Without much of their compost being purchased by Scotts, TNC is spreading their own compost on their land. When compost is spread on farmers' fields it is referred to as 'organic compost' or 'organic fertilizer' and will include whatever garbage and refuse hasn't been screened out, as well as microplastics. This practice happens all over the world and globally, concern grows around garbage and microplastics being spread on fields and leaching into the water system and/or winding up in the food chain. (We would be naive to think the compost being spread on the land in Rocky View County is sale-grade quality.)

Another notable, how is it possible that Green For Life (GFL) could be transporting non-vegetative waste, for five years, from the City of Airdrie to TNC, when TNC only has permits to accept vegetative waste? Where are the requirements from the City, or from GFL, to only dump waste at sites that have the correct permits? (Another nod to RVC for now sending Langdon's green bin waste to Olds - thank you.) Since its inception in 2007, GFL has bought out over 140 'mom and pop' compost businesses across the country, as well as several other waste management companies. By all appearances, they have a business plan in place to guarantee their continued success across North America. The business of composting is lucrative and with GFL's approximate total enterprise value of \$5.125 billion (April 23/18) they are a veritable powerhouse in the industry.

GFL bought out beleaguered compost facility, Enviro-Smarts, which was stinking up the community of Ladner and repeatedly violating Delta's odour control bylaws. Council reports from the City of Delta provide illuminating reading as do these two articles on the history of Enviro-Smarts and 'Westcoast Instant Lawns' <a href="https://bit.ly/2ZtlXeH">https://bit.ly/2WSffkZ</a>. Similar to TNC, the Ladner compost facility had also: begun as open-air vegetative only (grass clippings and garden waste), then expanded to include curbside food waste, didn't have the appropriate permits in place, had problems with scavenger birds, and in 2015 made a \$500,000 upgrade with Turned Aerated Pile (TAP)... to no avail. It still stunk. Enviro-Smarts was then bought out and GFL, as its new owner, is supposed to build a \$25 million dollar enclosed facility by 2020. (This is not as ideal as it may first appear.) The parallels of Ladner to our situation in RVC are mind boggling. Please have a read of this document, from the City of Delta, which chronicles their situation and the steps taken by that municipality.

<a href="https://delta.civicweb.net/document/174885">https://delta.civicweb.net/document/174885</a>

As the City of Airdrie and the MD of Rocky View, we implore you, please come together, cooperatively and collaboratively, and serve all of the citizens of this region on this critical situation. Open air windrow and aeration static pile systems, processing non-vegetative feedstock, on an industrial/commercial scale, should not be even remotely entertained when situated near populated areas. Especially areas experiencing the rapid growth that we are. Long-term, sustainable, enclosed, and healthy solutions for composting and recycling must be sought for the collective needs of our communities today - and for the future. I would hasten to add, solutions and facilities that are **controlled by municipal governments**, not by private for profit enterprise. The compelling evidence and lessons learned from other municipalities should inform this as being best practice.

Thank	you,

Tracey Sweetapple



April 2, 2019

Residents of Airdrie and Rocky View;

There has a been a lot of controversy lately about TNC Composting and we are writing today to hopefully clear the air.

TNC Composting and Thorlakson Feedyards Inc. are located approximately 6 km east of the City of Airdrie on Range Road 284. Thorlakson Feedyards Inc. is a cattle feedlot that has been in operation for almost 50 years. We started composting manure in 1987 as a way to deal with the excess manure. In 2010, we were approved by Alberta Environment to become a Class 1 Composting Facility, which allows us to accept up to 20,000 metric tonnes of organics waste. Together, TNC and Thorlakson Feedyards employ almost 40 people, many of which live close to our facility.

In 2017, we began an application to expand our facility, and through that process it was determined in early 2018, that our composting facility was not in accordance with Rocky View's current Land Use Bylaws. When we found this out, we approached Rocky View to advise them of this and began the process of changing our land use designation. Prior to July 2018, we did not have a single complaint about our facility or our operations.

As part of the land use redesignation, we received letters of opposition to our application. These complaints advise d us of odour and because of the timing of the letters, we were under the belief that the cause of the odour was a delayed pen cleaning and manure spreading that was done in July 2018 when the letters were sent.

On December 11, 2018, we had a hearing at Rocky View County to have our facility rezoned from Ranch and Farm District to a Direct Control Bylaw, allowing for our facility to continue to operate as it has been for the past 30 years. We heard from our neighbours about their concerns of our facility. Council unanimously passed our bylaw with additional amendments that were made based on the neighbours complaints.

Since the bearing, we have changed our procedures significantly to try to reduce any odour coming from the facility. We have changed our mixing process to include more amendments, which gets the composting process started faster and is a natural bio-filter to odour. We've purchased new equipment to help with the processing. We have began tracking weather so that we can work with problematic material during ideal weather conditions. In total, we have already invested over \$500,000 in order to mitigate odour complaints through these efforts.



It's important to note that since we have charged our mixing process, we've been advised by regulatory agencies and municipalities that the complaints they have received have decreased in frequency and intensity. Furthermore, in a recent occurrence with multiple complaints on Tuesday, March 26, 2019, we (like other farmers) were manure spreading. Based on the information received in those complaints, it was apparent that the manure spreading was the likely offensive odour.

What has made this ordeal even more difficult is that odour is subjective and highly susceptible to suggestion. While some of our neighbours have noticed a significant decrease in odour since December 11, 2018, others have noticed no decrease. While we firmly believe that we are not the only source of odour in the surrounding area, we also recognize that if we are contributing to it, that we can continue to improve.

Moving forward, we have brought in consultants from Engineered Compost System, who are experts in composting. They have helped almost 60 composting facilities across the world. Based on their recommendation, we will be installing a new acration system that will control the oxygen levels and temperature of the organic waste during the first 10 days, which has been demonstrated to reduce odour significantly. This system is successfully used in numerous outdoor facilities.

As the land was redesignated, we were required to apply for a new Development Permit, The conditions of our Direct Control Bylaw were onerous and took us significantly longer than Rocky View County had wished. We were in frequent communication with Rocky View County Administration about the application and have submitted everything that was required of us on March 22, 2019. We were being fined daily by Rocky View County as of March 1, 2019, because the Development Permit was not complete, but we are no longer being fined as of March 22, 2019.

While many of our neighbours complaints are valid, it is important to note some of the inaccuracies that are being shared by the group of concerned neighbours:

- We do not compost carcasses. We do not compost animal flesh, tissue, organs, or guts on our compost pad. Any notion that we do is completely false.
- We test our water wells on a regular basis and have appropriate measures in place to protect groundwater.
- It is continued to be shared that we received problematic material from another compost
  pad that was having odour complaints. We only diverted material that was destined to this
  facility (i.e. fresh organics), and we did not accept anything that was placed at their facility.
- Concerned neighbours have described paunch manure as a problematic material.
   Composting is a practical, environmentally friendly method for handling this material as it is similar to manure.
- Lastly, health and environmental agencies in the United States and Europe have concluded that normal, healthy individuals suffer no increased health risks by either working at, or living near, a composting facility.



But most importantly, while we recognize the concerns of our neighbours and are working to resolve them, it has to be stated that the actions of a few are spoiling the efforts of their group. We have become aware that a select few are actively advising members of the public to call in complaints about our facility even if they cannot smell anything. These efforts are petty and demonstrate that for some, their only focus is shutting us down.

We understand that this has been a difficult time for some of our neighbours but we are striving to be better. We are excited about the new system that will be incorporated to our facility and believe that it will make us more efficient composters. We had initially planned an Open House for April 12 and 13, 2019, however, we will be postponing our Open House until after the aeration system is installed because we are currently focusing all of our efforts on preparing our pad for this system.

Composting is necessary as we globally move to reduce greenhouse gases, and furthermore, it saves taxpayers money when organic waste is diverted from landfills. As an agricultural operation, the finished compost is a vital resource for our crop production. To us, composting is modern agriculture and we look forward to being a part of Airdrie and Rocky View's agricultural community for another 30 years.

Should you have any concerns, please feel free to reach out to us with your concerns at complaints@tfvine.com. We appreciate your parience as we work tirelessly to become a facility that the community can be proud of.

Respectfully yours,

TNC Composting

April 8, 2019

Dear Thorlakson Nature's Call Composting and Residents of Airdrie,

This open letter is in response to the April 1, 2019 Facebook post from TNC staff. What a fitting day you chose to 'clear the air.' The irony was not lost on us. Nevertheless, we appreciate that TNC has chosen to make some public statements in support of their operation as this gives the residents of Rocky View a chance to respond. In doing so, we hope that Airdrie residents will learn what we, Rocky View County residents, experience from 'our side of the fence.'

TNC states they are proud of the the fact they have been in operation for almost 50 years. A significant number of the 265 residents who signed the petition, opposing TNC's land use change application, have also been in Rocky View County for that length of time. In fact, many of the petitioners represent family farm operations who have been here twice as long as the Thorlakson operation. We are proud members of the agricultural community and support agriculture - this is our way of life. What we do not support are blatant abuses on the environment and using 'agriculture' to defend or minimize violations, or to cover for your industrial scale composting operation. For readers who have the time please check our website at <a href="mailto:easts.ca">easts.ca</a> to find out just how much of a negative effect the Thorlakson operation has had on its neighbors in Rocky View County during their nearly 50 year history in the area.

From what started out as a well-managed feedlot, the operation has degraded at an ever accelerating rate into one that violates numerous rules and regulations and is a detriment to the entire community. We have never said that cattle carcasses are being composted - we have simply shared publicly what the feedlot has done with their dead cattle for the past decade and what has been known by Rocky View residents for years. The dead cattle could be seen from the road and from Google Earth. The feedlot stockpiled cattle carcasses in the hundreds, over many years, for animals to scavenge, for disease to potentially be spread, and for stench to be created. From the repeated overflow of E-coli laden feedlot runoff into the community watershed, to the stench created from the illegal composting of non-vegetative feedstock from the composting site, the entire history leaves a trail of environmental violations (and no regard for neighbours) that continues to get worse and more frequent with time.

TNC mentions they were approved as a Class I composting facility accepting organic waste. TNC didn't mention their permit only allows for <u>vegetative waste</u> and that they themselves, without any provincial or municipal permits, converted to handling Class II non-vegetative feedstock and have been operating it illegally that way for over five years. So, yes, TNC, you do in fact compost animal flesh because meat, poultry, and fish are part of the green bin waste deposited at TNC. We also say illegally because, comparatively, if someone operates a motor vehicle without a license, they are operating it illegally - even if they claim to know how to drive. Residents of the City of Airdrie, you need to know your green bin waste is being sent to a facility that doesn't have the appropriate permits, infrastructure, or technology in place to handle it. This has led to unwanted stench and leachate concerns because the facility is not designed to handle the feedstock being accepted, yet has been doing so for over five years.

TNC made an application in 2018 to expand their facility which was "...operating without the benefit of an approved development permit" (RVC application package) only to find that their illegal operation was additionally violating land use laws. Does this sound like a well-managed organization or one that is being monitored properly? TNC states there had been no complaints prior to 2018 - which we know is completely false. Did TNC ever inquire with any neighbors or respond to the complaints of neighbours that were directed to them? Most farmers give up complaining when nothing happens following the first complaint. Just ask any of the neighboring farmers about filing complaints. A lot of people complained to the wrong governing body or gave up complaining to Thorlakson's - and this continues to this day. No one in the community had complaints about the feedlot manure odour - it was when the stench from the illegal composting became evident. Neighboring Rocky View County residents all agreed that the stench really started about two to three years ago - and none of us realized that the composting feedstock had changed to include human biowaste from curbside programs and paunch. TNC's application for the land use redesignation taught area residents about what was happening and who to report complaints to.

It is also interesting that TNC has stated publicly there have been no changes in the operation for 30 years - really? The type and tonnage of feedstock waste, including mixed household biowaste, commercial waste and paunch are significant changes to the operation. TNC's letter also states the complaints started in July when the RVC notice of re-designation was sent out - and TNC chose to believe the complaints had to do with their delayed pen cleaning. While residents within the immediate vicinity of TNC received letters from RVC, very few people knew about the expansion, still did not know where the stench was coming from, and did not know who to report to. It wasn't until late November when the petition was started and then one week prior to the hearing on December 11, 2018 (when RVC posted the agenda package) that the community truly started to become aware. We then knew where the stench was coming from. All affected neighbours, many of us meeting for the first time, described the stench in a similar way and could all say that it really began to stink in the past two and a bit years - but we hadn't known where the stench was coming from. Through this process, Rocky View neighbours became aware that the compost facility was operating illegally (in several ways) and that TNC, through their application to change the land designation, would be seeking to expand. The amount of concern from area residents was clearly demonstrated by having 265 signatures on a petition in less than 10 days.

TNC states that Rocky View County amended and passed the land use bylaw to satisfy the concerns of the residents. We were all at the same hearing and if TNC feels the concerns of the residents were satisfied at that hearing, this definitely shows how much they do not know about their neighbors' feelings. Contrary to some statements and accusations made, our community is very much in favor of composting, and arguably much more concerned about the environment than the Thorlakson operation. We most definitely know how devastating the stench can be to our lives, which is probably not fully appreciated by those who don't endure it on a daily basis. We would encourage all interested parties to drive by the Thorlakson operation and smell it for yourselves. We include one caveat - go out there unannounced. If you go to a TNC Open House you will get the tourist version - something like showing your house when you know guests are coming. On tour days there will be no paunch trucks dumping their loads of stench in open piles, all of the fresh windrows will be fully covered and undisturbed. We, as neighbors, appreciate Thorlakson tour days and Bullpen events because we know there will be no stench on those days. We are, however,

likely to experience even greater stench in the days following because piles that have gone anaerobic are then turned and the facility plays catch-up.

We have also become informed enough, through reading literature and talking with composting experts, to know two items critical to this issue. One - composting can be achieved, with no offensive odours, when the proper composting technology is used. Two – there is no known open-air composting operation that has been successful at processing non-vegetative feedstock. Think about that carefully - if you have the opportunity to ask any composting technology expert you will find that the Thorlakson open-air facility is the most basic, archaic, and inexpensive method and NOT capable of processing non-vegetative feedstock without odour issues for surrounding residents. Recall the terms that their manager used a short time ago - "We're open to improving in any way as long as it's something we could afford to do." <a href="https://bit.ly/2uEQAj2">https://bit.ly/2uEQAj2</a>. We are not aware of affordability being a valid argument for continuing to break environmental laws. For an example of effective composting, where the same type of feedstock is managed, and where offensive odours are NOT emitted, you simply have to tour the Calgary facility a few kilometers south of here.

TNC claims they have made changes to reduce offensive odour emissions and the number of complaints have reduced. As stated previously, many Rocky View residents have stopped communicating directly with TNC as this 'restorative opportunity' doesn't work. When we complain to TNC they give some other explanation for the stench or deny it all together - usually they say it's something associated with the feedlot. It is our opinion that the odour issues and frequency have not changed; our continued calls to Alberta Environment and Parks is evidence of this. Again just ask anyone who lives close to the operation, or several kilometers away to the east and south in the wind belt of this operation, and you will hear the truth. TNC claims they have purchased better equipment and began monitoring favourable weather conditions to deal with problematic material. What this actually means is, TNC deals with anaerobic, stinky material on days when the wind is not blowing into Airdrie - so too bad for Rocky View Neighbours. We are fewer in numbers, therefore our concerns and complaints aren't legitimized.

We can only imagine how bad it will be if the facility is allowed to double or triple in size - and then no amount of weather monitoring will change control for direction of stench. Airdrie will gain the notoriety of Brooks or Strathmore. TNC is 'excited' about the aeration system they are incorporating - perhaps they haven't been reading and researching enough. Harvest Power in Richmond tried the same technology in their open-air composting facility (also handling non-vegetative waste) and it failed: <a href="https://bit.ly/2IhrWgw">https://bit.ly/2IhrWgw</a>. Harvest Power is now being shut down and fined because of their continued odour emission infractions: <a href="https://bit.ly/2OUzffx">https://bit.ly/2OUzffx</a>. The same happened with Cedar Grove, an open-air facility in Washington state who also used the same technology that TNC plans to use. Cedar Grove came under fire for stench, was sued and had to invest millions - and they still stink: <a href="https://bit.ly/2OXo8Ta">https://bit.ly/2OXo8Ta</a>. A class action lawsuit against Cedar Grove was then launched with a settlement fund of nearly 1.5 million in the fall of 2018: <a href="https://bit.ly/2UllqnF">https://bit.ly/2UllqnF</a>.

Nothing of substance is mentioned by TNC regarding water contamination and leachate. The fact that both TNC and the feedlot are located above sensitive aquifer is highly concerning to area residents. Since 2008, Thorlakson has received two emergency orders and two enforcement orders from the Natural Resources and Conservation Board, as well as a letter of warning from Alberta

Environment regarding their use and abuse of water. Look at

http://easts.ca/backstory-infraction-history/ for further details and links to the NRCB website. If TNC is testing for groundwater contamination in the same way that Dillon Consulting did for odour, we are justifiably concerned. How do we know that the wells being tested are the ones linked to the springs, creeks and sensitive aquifer which mingles with the groundwater that is potentially connected to our homes? Are the wells being tested consistently and accurately? We don't want the wells to become polluted between tests and neighbours becoming sick or dying because of polluted well water. Please read our review of the groundwater situation at this composting/feedlot site on our web page <a href="https://www.easts.ca">www.easts.ca</a>. We would welcome any expert opinion we can get on this issue.

TNC say they have hired Engineered Composting Systems (ECS) which is an American firm based out of Seattle. We wonder why TNC didn't hire Associated Engineering, the Canadian company with offices in Calgary, who designed the Calgary Compost facility? Regardless, we hope TNC follows through on ECS' recommendations, which are likely to be costly. (Cedar Grove didn't follow ECS' recommendations <a href="https://bit.ly/2WUsfBV">https://bit.ly/2WUsfBV</a> and instead went with an aeration system; we know where that got them.) On ECS' website they also share their affiliation with the Regional Compost Facility in the Okanagan, a joint venture between the City of Vernon and Kelowna, which has been in operation since 2006. Of note, in the summer of 2018, the province of British Columbia demanded an additional \$300,000 upgrade to the facility (with a projected total cost of \$800,000) over concerns that the Regional Compost Facility was not engineered to properly protect groundwaters. As mentioned, with TNC being above sensitive aquifer, we believe any composting operation located there must be over engineered to ensure groundwater protection and hope that ECS will consider this. We also question TNC investing (according to them) \$500,000 on upgrades when they haven't even received authorization by way of a Development Permit from Rocky View County yet.

TNC claims that, according to their research, "...normal healthy individuals suffer no increased health risks from working at or living near a compost facility." First of all, Rocky View Neighbours who do have serious medical conditions, such as cancer and autoimmune illnesses, are deeply offended. Not only is TNC seemingly dismissive of the health needs of the community in which they operate, they are wrong on the potential health effects. A comprehensive literature review conducted by Cornell University https://bit.ly/2UkJwri found a number of health concerns for workers such as: "Acute and chronic respiratory health effects, mucosal membrane irritation, skin diseases and inflammatory markers were elevated...". With regards to area residents the research indicated, "Composting activities do emit bioaerosols at levels which can pose a hazard to susceptible members of the public." Further, although the research is currently limited, in general it appears that "...exposure to bioaerosols can be associated with a wide range of adverse health effects." It is important to note that research conducted on different compost facilities will yield different results and scientific data can be interpreted in ways meant to suit corporate purposes. Questions to ask include: is the facility enclosed, in-vessel, or open-air? Is the facility processing vegetative only materials or mixed human waste, animal feces and animal products/flesh (such as meat, fish, poultry and shellfish scraps) as found in green bin programs?

TNC keeps trying to confuse the stench issue by blaming the odors on the feedlot. The feedlot is not our issue. We are farm families and are very familiar with the smell of manure. We have been very

clear about this all along - as well as stating publicly that the feedlot's delayed pen cleaning in the summer of 2018 had nothing to do with our odour complaints. The stench we endure is NOT the smell of manure - and it is extremely offensive. That TNC staff would suggest Rocky View Neighbours are reporting stench when there is none, or that we would encourage others to report stench when there is none, is even more offensive. The constant discrediting of Rocky View Neighbours is why TNC no longer receives complaints directly from us. In no other instance would the victim be required to report infractions to the offender. Attempting to discredit Rocky View neighbours is shameful and is a further insult to what we already endure from TNC. If this is meant to cause dissension amongst Rocky View Neighbours, it's not working.

As a final note, throughout North America, new legislation is being introduced to control the odour emissions from marijuana facilities. Case in point, Rocky View County recently turned down a proposal for a marijuana facility because of odour concerns. We have to ask, where is the level of concern from Alberta Environment and Parks, Rocky View County or the City of Airdrie regarding odour, water and the associated health risks for residents created by this open-air compost facility? What has been demonstrated to Rocky View Neighbours is that we can just suffer the stench. Thorlaksons will continue to operate, without the appropriate permits in place, all the while receiving help from government to meet requirements for the development permit, leading to an expansion of their open-air facility. The whole situation stinks and is disgraceful.

If you have read this document in its entirety and reviewed the imbedded links, we thank you. We hope you now have a better understanding of things from our side of the fence.

Sincerely,

RockyView Neighbours

From: <u>Lindsey Ganczar</u>
To: <u>Jessica Anderson</u>

Subject: FW: Letter of Opposition for Development Permit PRDP20190505

**Date:** Wednesday, May 01, 2019 2:29:22 PM

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From: clambie

Sent: Wednesday, May 1, 2019 2:29:17 PM (UTC-07:00) Mountain Time (US & Canada)

To: Lindsey Ganczar

Subject: Letter of Opposition for Development Permit PRDP20190505

To Whom It May Concern,

I am writing in opposition to the Development permit applied for by Thorlakson's Nature's Call. Our farm is located South East of Nature's Call at Sw 16- 27-28 West of 4th and is seriously negatively impacted by the Operations at this composting facility.

Environmentally we are impacted by the non stop truck traffic on range road 284, dust, garbage, noise pollution, air pollution, carrion birds which populate the area, and excessive numbers of sea gulls.

Despite repeated requests to Alberta Environment the terrible sickening odour remains. MASSIVE piles of compost are constantly being added to and the smell grows. Further to the smell the garbage and debris is spread up and down 284 spills over onto our land. No measures have been taken by Nature's call to reduce the excessive number of seagulls and ravens which spread the plastic compost bags and garbage everywhere. There are no dust control measures. No traffic and noise control measure.

Daily our farm life is negatively impacted by this operation. While composting is an environmentally friendly way to reduce our footprint on the Earth I assure you there is nothing environmentally friendly about the way TNC manages their business or their daily operations. This operation is an Environmental NIGHTMARE! One simply has to drive down Range Road 284 to witness the hypocrisy.

We are 100% for composting. We are 100% for farming. The bottom line is this business, in it's current location, NEGATIVELY impacts all those surrounding them. They have made every effort to intimidate those that express opposition to them or complained about smell, dust, noise, garbage and scavenger birds. TNC has no interest in finding solutions for the problems that plague their neighbours and every interest in making money as cheaply as possible.

Rockyview County should look at various examples within our province and country to see TNC is travelling down the same path that a number of operations traveled before being shut down or scaled back. What task force will ensure they follow the rules? TNC does not follow the rules now. They are constantly trying to circumvent the rules and the system intended to protect the population they are impacting. They do not care for their neighbours and the negative impact they have on them. Giving them a permit to continue with their shoddy operation, which has already violated so many rules, seems ludicrous.

We believe our counselors and planners should consider the farms and acreages surrounding TNC. If our government is not there to support us, to help us, to ensure our safety and well being on Environmental matters then who is? Prior to this point we were not considered by TNC as valuable or important. This entire operation was developed without anyone's input behind all of our backs. The result is horrendous.

To say I am opposed to this permit and this horrible operation is an understatement. Look at the facts. Look at their track record. Look at how they treat the environment and their neighbours. Take a look for yourself!! It is a total disgrace and blemish on our County.

Sincerely, Tara Lambie **Terry Stauffer** 



May 2, 2019

County of Rocky View 262075 Rockyview Point County of Rockyview, Alberta T4A 0X2

ATTENTION: Jessica Anderson

RE: Nature's Call Composting

My family has lived in the County of Rocky View for over 30 years and never have we smelled such a disgusting smell as when Thorlaksons and the County of Rocky View decided to take on the contract of the City of Calgary's waste deposal that the County of Wheatland would no longer accept and the citizens of Strathmore found unacceptable. I would strongly recommend that they move this facility to south east of Carstairs in Ben Thorlaksons back yard and see how comfortable he is living with this smell next door to him.

Another recommendation is that the fines that are levied on TNC are given to the people that are affected by the stench instead of the MD of Rocky View using this for general revenue and supporting there comfortable lifestyle.

Since this composting has been carried out our RADON indication levels have tripled in our area when the winds are blowing in our direction – this is definitely detrimental to our health with these RADOM levels being in excess of 200bq/m3. I realize that this has no effect on the MD of Rocky View administration personal or TNC staff but it does on all the residents in the area that are honest taxpaying landowners.

The quality of our well water has deteriorated significantly as well as the general air quality. As you should be well aware, the excess RADON levels and air quality are direct additives to extreme cancer issues.

This is definitely not being a good Stewart of the land, but a huge windfall for a large USA corporation at the expense of the taxpaying residents of this County wishing to preserve what land and lifestyle we have and want to leave for our children and grandchildren to enjoy without having to have it declared a national park like Glenbow Ranching.

I would trust that any reasonable counsellor or voter would totally understand and approve the decline of this development permit. Especially, since they declined the development permit of a race track which would have not the detrimental impact on the area that TNC has, knowing that TNC has the financial ability to influence all the authority that have the authorization to approve the development permit.

We lay our confidence in you to DO THE RIGHT THING.

**Terry Stauffer** 

From: To:

Jessica Anderson

Subject: FW: Land Use Development Permit application number: PRDP20190505

**Date:** Friday, April 26, 2019 1:07:24 PM

#### Hi Jessica:

Could you please let me know if you received this e-mail okay. I tried printing it out to keep a copy and it printed disjointed, however, all there.

Thanks. Dianna

From: Dianna [mailto:

**Sent:** April-26-19 11:53 AM **To:** 'janderson@rockyview.ca'

Subject: Land Use Development Permit application number: PRDP20190505

Jessica Anderson - Planner - Re: Rocky View County Council

Good Morning Ms. Anderson:

I spoke via telephone with Lindsey Ganczar earlier this week. She informed me that you were taking over her position, and, that she would no longer

be the public's contact concerning this issue with the Thorlakson Family Farms Inc. application for Compost Facility (Type II), Manure Storage Facility.

I am very troubled that Council would even entertain the thought of approving this application. I am equally troubled that Council has deemed themselves

the absolute development authority, making their decision on permitting this application, absolute and not appealable. The adjoining land owners would

have to appeal that decision, if in fact it was approved by Council, and take our collaborative rejections to Queens Bench. By the same token, I am sure

that the Thorlakson Family has a great team of Lawyers behind them to fight on their behalf with the Queens Bench.

My point, is that no matter how the Thorlaksons feel about their proposal, no matter how many studies and documents they can produce in favor of this application, they should find an area, FAR removed from neighbours and an ever expanding city, Airdrie, to develop a facility such as this. They shall never

be able to convince me that this facility is safe for the environment, safe for the health of the adjoining population, and, safe for the water in the ground

that services the wells of the adjoining population. There are so many health hazards, and environmental hazards, that can simply not be documented

away. For starters, THERE IS NOT ENOUGH EVIDENCE NOR RESEARCH TO SUPPORT IT.

My question to the Thorlakson Family: Are you going to build your retirement mansion, large or small, for you and your family and your grandchildren, to live

happily adjacent to the stench of a Compost Facility (Type II), Manure Storage Facility; after all, it is only Cow Shit, and these toxic gases are, after all,

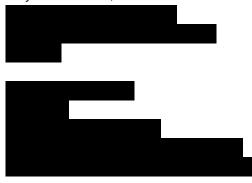
within the safe limits to permit this facility to be approved! And, the liquid off this Cow Shit that will leach into the ground, could not be possibly be harmful,

since it is deemed to be good fertilizer! The well water is already smelly and undrinkable. I will not even bathe in it. And you want to build this facility adjacent to our property!

I am hopeful that the Council will heed the objections of the adjoining land owners, and see that this type of facility, is not appropriate for this area. The Thorlakson Family may own a lot of land in the area, however, they do not have to live around this, now do they. Perhaps they should find another location!

Kindly Submitted,

Dianna L. Thornitt / Per Lloyd M. Bencze, Landowner



From: <u>Lindsey Ganczar</u>
To: <u>Jessica Anderson</u>

Subject: FW: TNC expansion opposition letter Date: Friday, April 26, 2019 11:01:13 AM

From: Kate Nevin

Sent: Friday, April 26, 2019 11:01:06 AM (UTC-07:00) Mountain Time (US & Canada)

To: Lindsey Ganczar

**Subject:** Fw: TNC expansion opposition letter

Please see the below letter. I believe I may have sent this initially to the incorrect email

From: Kate Nevin

Sent: Saturday, 27 April 2019 2:58 AM

To: Iganczar@rockyview.ca

**Subject:** TNC expansion opposition letter

Dear Lindsey Ganczar,

My name is Kate Titley and I am married to Jesse Titley who grew up and works on an acreage neighbouring the Thorlakson Family Farm. We have a 7 month old baby who often visits his Grandma at their acreage and I would like to ensure that future visits are enjoyable and safe for us all as a family.

The proposed new compost facility and manure storage facility on the Thorlakson property will impact the safety and health of neighbours, as well as any capacity they may have had in the past to enjoy the outdoors. It is unfair that this decision can have such a detrimental impact on so many families and is in the interest of only one family.

Please consider any decision made very carefully.

Kind regards, Kate and Jesse Titley

From: Lindsey Ganczar
To: Jessica Anderson
Subject: FW: TNC Expansion

**Date:** Saturday, April 27, 2019 6:43:57 PM

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From: Garry Uhrich

Sent: Saturday, April 27, 2019 6:43:49 PM (UTC-07:00) Mountain Time (US & Canada)

To: Lindsey Ganczar Subject: TNC Expansion

I respectfully request you do not approve the expansion request as it will impact area residents who are exposed to the stench. We cannot enjoy fresh air when the wind comes from the northeast now, let alone if the company increases its composting.

Thank you.

Sincerely,

Garry D Uhrich

From: <u>Lindsey Ganczar</u>
To: <u>Jessica Anderson</u>

 Subject:
 FW: Application PRDP20190505

 Date:
 Tuesday, April 30, 2019 5:20:40 PM

From: Wilf Urbanoski

Sent: Tuesday, April 30, 2019 5:20:41 PM (UTC-07:00) Mountain Time (US & Canada)

To: Lindsey Ganczar

Subject: Application PRDP20190505

I am expressing my objection to the approval of the Compost Facility

Our family has lived near the existing nearby feed lot operation for 24 years. We have occasional feed lot type smells depending on the weather, the time of year and their activity.

Not pleasant but tolerable.

However the last 2 years we have had occasional really sour stench that not only takes your breath away but makes your eyes water and drives everyone inside, sometimes for a day or 2 at a time. I cannot imagine how it would affect someone in poorer health.

I have never encountered this type of odour before and we have lived in the country for over 50 years.

As well I wonder how Rockyview is going to determine that the compost operation is the offending operation causing air quality issues. Seems to me that they could just say it's the feed lot guys.

Regards Wilfred Urbanoski From: Jessica Anderson To: Omar Baran Cc: Subject: Composting application

Date: Friday, May 03, 2019 1:08:27 PM

# Regards,

I own an acreage 1 mile east of the Thorlakson feedlot. When I first bought the acreage 20 years ago, there were a few days per year when the the stench was very strong. I was born and raised on a farm and knew that the strong smell was from the removal of manure from their feedlot. When the strong smell-days occur now, the smell is much stronger and more foul. If all they were composting was manure, straw, and other organics, I wouldn't have major objections. But I have read in the local papers about them composting animal carcasses and such. That location is not the proper place to be doing that outdoors.

I object to Thorlakson's being able to compost animal products. The taxes I pay to Rockyview County should allow me to enjow a decent quality of life.

Than you, David Vandermeulen Thursday, May 02, 2019

Via Email: janderson@rockyview.ca

Jessica Anderson Municipal Planner Rocky View County 262075 Rocky View Point Rocky View County, AB T4A 0X2

Re: Application PRDP20190505 of Thorlakson Nature's Call Inc. for New: Compost Facility (Type II), Manure Storage Facility

We act on behalf of Clarence Gordon Church, the owner of the land immediately south of the proposed development, E½ 17-28-W4M.

Our client is interested and concerned as to how this development may affect his family and lands. Frequent north and north-west winds in this area have the potential to cause significant debris and odours to travel onto Mr. Church's lands. Mr. Church is also concerned with any ground water impacts, runoff, wastewater, whether this development will cause his land value to decrease and generally whether this development is consistent with good, long-term land use and planning for the area.

Paragraph 3.9 of Bylaw C-7838-2018, which redesignated SE20-27-28-W4M as a Direct Control District, indicates that the applicant was to submit Air Quality and Odour Assessments as part of this application. We would like to review these assessments and kindly ask how we may obtain a copy. Paragraph 3.1 indicates that the County may require an Environment Impact Assessment to be conducted. If one was conducted, we would like to review a copy. If one has not been conducted, is there a reason for not doing so? The applicant has indicated, in an April 2, 2019 TNC Composting letter, that it has conducted regular water well tests. Have the results of this testing been submitted to the County in support of this Application? If so, we would like to receive a copy.

Rocky view County has suggested, in paragraph 3.10 of Bylaw C-7838-2018, that the development may be required to only be conducted indoors. Such a requirement would appear to address our debris and odour concerns and we would support such a

requirement and any other reasonable measures to minimize potential impacts upon Mr. Church's family and land.

Should other parties file technical information opposing the application, we would also like to receive a copy. In short, we would appreciate receiving additional information about this development well in advance of any Council meeting so that we may properly consider whether and how we should respond at that hearing.

We have attempted to contact Lindsey Ganczar, a Senior Planner at Rocky View County, but understand she is no longer employed with Rocky View County. Should you not be the proper person for this correspondence, we kindly ask that you direct us to the appropriate person.

Yours very truly

grant@vipondlaw.ca (403) 517-4005

Shanna Harkies / Paralegal shanna@vipondlaw.ca 403.335.9499

c. Gordon and Rosemary Church

Keith Wilson Wilson Law Office Solicitors for the Applicant APRIL 17, 2019

## DISGUSTING!

HOW DISAPPOINTING THAT ROCKYVIEW COUNTY HAS ALLOWED THORLAKSON'S COMPOST FACILITY TO EXIST AND TO EXPAND. SHAME ON YOU!

THIS FACILITY IS AFFECTING THE LIVES, SAFETY AND LIVELIHOODS OF TAX PAYING RURAL FAMILIES.

RANGE ROAD #284 HAS BECOME VERY DANGEROUS WITH SO MANY TRUCKS!

CHILDREN DON'T WANT TO PLAY OUTSIDE, THE AIR IS SO FOUL!

THE STENCH IS SEEPING INTO COLD AIR RETURNS AND MAKING HOMELIFE UNBEARABLE!

AND WHAT ABOUT THE DECLINING PROPERTY VALUES OF HARDWORKING FAMILIES!

NOT TO MENTION THE ENVIROMENTAL DISASTER THAT WILL HAPPEN FROM CONTAMINATED GROUND WATER!

MY FRIEND LIVES NEAR RANGE ROAD #284. WE NO LONGER VISIT THEM BECAUSE MYSELF AND MY CHILDREN FIND THE AIR SO DISGUSTING. IT'S INTOLERABLE.

THIS SHOULD BE AN EASY DECISION......SHUT DOWN THIS FACILITY!

AMANDA WALL

April 30, 2019

To The Rockyview Councilors:

# Re: Thorlakson Natures Call Development Permit – Application # PRDP20190505

Please do not approve the development permit for the Thorlakson Nature's Call Compost as it does not belong in a populated area so close to the City of Airdrie.

Open air composting emits an unhealthy and foul odor. My research indicates that even with air being pumped through, there is still a stench, which is offensive and potentially harmful. Breathing in the stench could be especially troublesome to those individuals who are already ill, and the effects on healthy individuals is unknow.

The ground the compost site is located is full of springs effecting the wells in the surrounding areas. The hazardous materials (leachate) leaked into the springs can be very toxic. An accidental leaking could permanently harm both the surface water and the ground water.

This type of compost site needs to be chosen with more research and greater consideration for the surrounding rural community and citizens of the City of Airdrie.

There is better technology available that all stakeholders must insist on having. Please further research the site and methodology and ensure it is done correctly. Please do not approve the Thorlakson Natures Call Development Permit.

Thank you for your consideration.

Sincerely,

Carrie Webb

**Russell & Sandra Wickes** 

May 3, 2019

Rocky View County 262075 Rocky View Point Rocky View County, AB T4A 0X2

Attn: Lindsey Ganczar

Re: Application Number PRDP20190505, Application for Compost Facility (Type II)

We are writing in opposition to the Development Permit application submitted by Thorlakson Nature's Call (TNC) requesting a new Compost Facility (Type II). Our home is located approximately 2.5 km S.E. of Thorlakson's feedlot and composting operation.

The idea of composting organic waste material, keeping as much as possible out of landfills, is a great one; however, it should be done in an environmentally responsible manner. It needs to be respectful of the rights of the surrounding community to enjoy their homes and farms. We firmly believe that this operation significantly degrades the quality of life of the surrounding community. Among the many problems with the operation, the odor can be so invasive that it simply cannot be ignored.

If TNC is permitted to increase material handling capacity it can only turn the current bad situation into a much worse situation. Airdrie will continue to grow to the east, and the number of complaints regarding the foul odor will grow with it. We have no problem with composting, we do have a problem with a composting operation that seems to have little regard for their neighbors. It is unreasonable to expect that the surrounding community should sacrifice enjoyment of their property, reducing the quality of life for so many families just for the for the benefit of this one commercial operation.

We believe this application has many other potential problems including the following:

How will TNC guarantee there will be no ground water contamination? How is this to be monitored and audited and who will take responsibility for replacing a supply should it become contaminated? A rural home without a safe potable water supply is of limited value.

Increased traffic to and from the TNC facility on Highway 567 accessing Range Road 284 will pose an increase safety risk. There are no turn lanes to exit the highway and no entry acceleration lane for truck traffic coming onto the highway from TNC from Range Road 284. In the past, large trucks, presumably feedlot traffic, have pulled out in front of us, requiring hard braking to avoid a collision. It will only become worse with increased traffic. If there are to be upgrades to the infrastructure will TNC pay for it?

The existing operation has a serious odor control problem which TNC does not seem willing to acknowledge. Odor last year was particularly bad with many summer days needing to keep windows in our home closed to help mitigate the smell. Some days this last winter were bad also. When the wind blows from the NW the odor is strong and very offensive. The smell does originate from the composting

operation, not the feedlot. It is not a manure smell and ranges from a sickly sweet rotting garbage odor to that of putrid decaying flesh. We can only presume TNC has been receiving non-vegetative material even though it is not permitted in a Type II Composting Facility. Who is going to monitor what TNC receives for composting? Is Rocky View County (RVC) going to audit TNC and enforce what is acceptable composting feedstock?

How is the quantity of material going to be accounted for and how is this going to be monitored? We would expect that TNC has a weigh scale to allow them to remain within the weight restrictions of their operating permit. When TNC reaches their yearly weight limit will they cease operation until the next calendar year? What is the penalty for operating outside of their limits? Will RVC enforce the limits?

Birds, specifically gulls, are far more prevalent then before. This increase became very noticeable last summer. Some days it seems like we are living next door to a garbage dump. I can only imagine what neighbors closer to TNC must tolerate. Does TNC have any plan for control of this problem? I don't think killing the birds is a reasonable option either. Since Calgary installed the new runway, the skies above have become part of the new flight path. Has this new bird attractant become a safety hazard for air traffic and does Transport Canada need to be consulted?

Is RVC prepared to commit the required resources to monitor and police this operation which has demonstrated in the past that they are incapable of self-governance and have little regard for rules.

We are concerned that if RVC allows TNC to expand their operation, without first having demonstrated that they can resolve the odor, bird, and traffic problems, it would be an enormous mistake. If the problems cannot be resolved now, how are they possibly going to be resolved with an operation twice the size? It would be great if TNC could become a responsible and successful operation, but we think approving any expansion would simply be setting them up for failure as they don't have their act together now.

Sincerely,

**Russell & Sandra Wickes** 



To Whom It May Concern:

Opposition to Thorlakson's Natures Call Comport

My husband and I are strongly opposed to the TNC operation at Thorlakson's feedlot. We moved to the community 26 years ago and first lived quite close to the feedlot. At that time there was seldom smells emitting from the facility if so, only once in a while. Our present acreage is located south west of the feedlot and this past year we have experienced terrible odors. The stench has been so bad it could be smelled inside our home without any doors or windows open. Spending time outside taking care of our property and animals is not enjoyable anymore! The gasses causing the odor cannot be healthy for people or animals living in the vicinity. We moved to the country to be away from the noise and smells caused by pollution from cities or towns. It had been idyllic for many years but not now!

From what I understand the feedlot is bringing in refuse from slaughter houses to add to the waste coming from the operation. I have noticed the increase in large flocks of carrion birds such as ravens, crows and magpies. They are becoming a problem as they are nesting in our trees and defecating on our house and vehicles. They go after our animals and have driven the native birds out of the area.

What about the bacteria leeching from the compost into the ground? What is being done to protect water wells, groundwater, dugouts and native sloughs? Nothing? This facility needs to be rethought, re-examined, redesigned and put on hold until more research is completed. There should be the same environmental pressure placed on this facility as other polluting industries. Springbank residents put the kibosh on the flood mitigation for the city of Calgary, so why should other residents of this county have to put up with horrific stench? I can guarantee if this was in the Springbank or Cochrane area it would have never been allowed to be built in the first place. Just because the east isn't the second wealthiest area in Canada doesn't mean our tax dollars are not important too! Rocky View County needs to refuse the expansion of Thorlakson's compost operation!

Thank you. Marda Wright & Robin Spruit

To RockyView Councillors

Re: Opposition to Thorlaksons Natures Call Development Permit

I believe in protecting our environment. I believe in composting but it must be done right.

Windrow open air composting does not work. Even with air being pumped through it, it still does not work. It creates offensive and potentially harmful bio aerosols. It stinks. It is unhealthy.

Outdoor composting plants are shutting down on a regular basis. This includes plants that are pumping air through the compost. The putrid air pollution is not controllable using outdoor methods.

It is a good and idealistic thing to try to save the environment, but this should not be done at the expense of others. One person's green bin should not destroy the environment for a neighbour.

Airdrie is quickly gaining a reputation of being "stinky city". Do we want to continue down this path?

TNC is located on a hillside with springs and with a natural waterway leading through it. If there is an accident the potential harm is immeasurable, both to the surface water and to the ground water. The site needs to be chosen with more research and with greater care.

Yes, we should compost but we need to do it right. We need to harvest the energy that can be created by composting. We need to stop bio aerosols from polluting the surrounding homes. We need to stop open air composting and we have to ensure that it is being done on an appropriate site.

The technology is available. Research the site and the methodology first. Do not approve the current development permit. Take the time required to ensure it is done correctly.

M.Well.

Let us join together, be good neighbours, and do it right.

Name: Marda Wright

Address:

To the Rockyview councillors:

Please do not approve the development permit for Thorlaksons Nature's Call Compost. It does not belong in such a populated area so close to a growing city.

Brooks has been rated as the 6<sup>th</sup> worst Canadian city to live in because it stinks. We do not want Airdrie to be rated the same way. Airdrie is already becoming known as stinky city!! This must stop.

Open air composting emits a very foul and unhealthy odor. Pumping air through it has been shown to do little to reduce the odor and has not been proven to reduce dangerous health effects of the bio aerosols released at all. There is better technology. We must insist on it.

This operation is putting the safety of the underground water at risk. This operation is drastically increasing the flies (which can easily travel up to 8 miles). This open air composting is increasing the starlings and the ravens as they are attracted to the stink. This open air composting creates an extreme risk of fire. This operation is putting too much truck traffic on narrow roads that weren't designed for the volume and for such big loads that turn into oncoming traffic.

Approving TNC development permit as a type 2 allows them to expand with little or no local control. Please don't give this control to the province.

A large scale, commercial operation in a farming/country residential area so close to Airdrie is wrong. Composting (and particularly open air composting) does not belong at this location.

I strongly believe in composting but it must be done safely, in the proper location and using modern methods.

Please do not approve the Thorlakson corporation application for a development permit.

Scott Wright

Address:

From:
To: Jessica Anderson
Subject: Letter of support

**Date:** Monday, May 06, 2019 8:43:04 PM

Hi,

This letter is a "Letter of Support" on behalf of GFL Environmental Inc . We are asking for your consideration to support Thorlakson Feedyards Inc/Nature's call Inc. in their Composting efforts conducted at their facility in your District.

Due to the growing volumes of Organic Waste in Calgary and neighbouring towns, GFL and the other waste service providers rely upon Thorlakson to accept and process a significant volume of material from the local marketplace.

Their capacity to deal with these high Volumes assists the industry in keeping these tonnes out of the landfill and recycling nutrients back into the earth.

We would like to encourage you to support Thorlakson to keep them in operation, so that they can continue taking Organic material into their facility and convert into valuable compost.

Regards,

Sent from my Bell Samsung device over Canada's largest network.

From:
To: Jessica Anderson
Subject: Thorlakson Nature"s call

**Date:** Thursday, May 02, 2019 9:43:28 AM

With respect to this application by Thorlakson Nature's Call to expand it's composting facility, I am writing to give an opinion as I live at the north end of Range Rd. 283 which is 1 mile east and slightly south of the existing operation. We have lived in this location for about 20 years. In full disclosure, our veterinary practice does the feedlot health consulting for Thorlakson Feedyards. When wind and humidity conditions are right we will occasionally notice the odor from the composting operation (which is distinct from that of the feedlot). I would say this does not impact our quality of life living in this location. Assuming they are in compliance with whatever rules the county puts in place, we are not concerned with this application.

# Michael Jelinski DVM

Veterinary Agri-Health Services Ltd.

201-151 East Lake Blvd NE

Airdrie, AB T4A 2G1

t: 403-948-2253 | f: 403-948-0520 | e: mikej@vahs.net

Visit us at: www.vahs.net | http://vahs.cloudfarm5.com/users/login

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May 3, 2019

To whom it may concern,

As a supplier and a contractor moving material in and out of TNC and Thorlakson Feed yard; I would appreciate if you would please consider some of my thoughts.

I have been involved with composting pads for approximately 12 years and have witnessed many evolving changes in the technology and processing of organic materials. There are more learning curves to this process than most are able to grasp during this phase. There are many factors in controlling order, volume, and proper blending technologies to make a nice finished product.

One main reason for voicing my opinion and expressing my thoughts is there are only a handful of private operators taking in organic waste for processing. In my professional opinion there is an overwhelming need for TNC to continue their daily intake of organic material; as well there needs to be a shared vision as to the facts of the expansion to 40,000 tons.

TNC has the most aggressive exit strategies for finished compost of any facility in Alberta, in my opinion there are some major facts that support this case:

- 1. Location
- 2. 10,000 to 15,000 Acres of land base for grain and crop production
- 3. Scotts Canada bagging facility for garden products
- 4. Willing to invest in the future of processing organic material and new technology.

There is a cloud of misconceptions that people in general think all green bin are going to the City of Calgary in the southeast quadrant; this is far from the truth.

The City of Calgary's focus is single family dwellings which leaves all multi family dwellings, as well as large grocery chains, bread plants, and produce distributors' that require TNC's services to take in organic material.

To add to the volume of what the City of Calgary will not accept are communities and small city's surrounding Calgary such as Airdrie, Strathmore, Cochrane and Okotoks'. All in which participate in the green bin program. These communities desperately need private composting processors like TNC. There

are may grumblings by people that don't understand the process; example: "Why is our community taking someone else's garbage"? It is not garbage, this material is organic material that is part of the 'great green waste, reduce, and reuse' process that managed properly can be turned into nutrient rich soil. Once reapplied to the land, can add great value to soil health that commercial fertilizers don't have.

I have done business with Ben Thorlakson and Milt Scott for many years in the cattle business and the TNC composting Facility. These gentlemen are professional business men, good neighbours as well they provide overwhelming support to their community and their business partners. They are always willing to rise to the challenge to make things work for everyone. They are working hard to appease the Council of Rocky View County on overlooked documentation that may not have existed when opening Natures Call may years ago. As well, they are complying with Alberta Environment Standards set out by the Alberta Provincial Government at the highest level of compliancy.

Without TNC's application moving forward it will apply unnecessary pressure to an already overwhelming supply of material with no where to go.

Forcing material back in to landfill will only increase costs as the Provincial Government doesn't want it in the landfill creating green house gas emission. This was a strong message sent by our provincial government to create a solution for this problem.

So, I ask this question:

Why is every consideration not being made to inform and educate people to the great importance of this expansion permit? Getting approval and moving forward with out any delay when there is such a great need for processing facilities with a rock-solid exit strategy for keeping our environment clean.

Thank you for taking the time to un understand the facts.

Yours truly,

William R Mowat

Managing Director

**Cutting Edge Consulting.** 



Jessica Anderson 403-520-8184 Janderson@rockyview.ca

Re:PRDP20190505

Waste Connections of Canada continuously works with its clients and the communities in which we operate to achieve successful environmental outcomes. We support the City of Calgary bylaws that require stakeholders divert specific materials such as organics. Many of our clients in and around Calgary have also endorsed diversion programs that we help facilitate.

Although the City of Calgary has created programs/education and bylaws to achieve diversion; it's our understanding that the infrastructure that the City of Calgary has built is for the residential curbside organics collection ONLY. At this time there isn't an opportunity to have ICI organics processed at the City of Calgary facility. Therefore it is very important that we have access to such 3<sup>rd</sup> party processors to not only adhere to the by-laws but also work towards an environmentally sustainable future.

Waste Connections of Canada has dedicated infrastructure or partnerships to manage various materials we collect from our clients. Organic processing facilities like Thorlakson Nature's Call Facility, that meet the municipal and provincial standards to operate, are facilities that have our support. Without such infrastructure achieving recycling and diversion goals are difficult to attain.

# **Dan Rochette**

www.WasteConnectionsCanada.com





To: Jessica Anderson

From: Rich Vesta

Subject: Thorlakson's Nature's Call

May 3, 2019

The purpose of this memo is to communicate our need for Thorlackson's Nature's Call. We (Harmony Beef) are dependent on this entity for the operation of our plant, which at the present time processes 550 head of cattle per day and currently employs 450 people.

As you may or may not know, each animal has a third stomach which contains 50-55 pounds of partially digested food. This is the only portion of the cattle which has zero value. This product is loaded into a truck at our plant and delivered to Nature's Call, where it is composted. Without the ability to do this, our plant would not be able to operate.

Having said this, we are currently in the process of minimizing our impact by reducing the amount of product to be recycled by about 50%. This will be accomplished by a press that will reduce the moisture content from 75-80% to around 35-40%. This will be a reduction of over 12,000 pounds per day, and because we are dramatically reducing the moisture content, the composting processing at Nature's Call will be much more efficient and timely.

We are in the process of purchasing and setting up this equipment in our plant. If you should desire, we will be glad you supply you with an accurate timeframe as we go forward.

Sincerely,

Rich Vesta

President/CEO

Harmony Beef Company, LTD

he for the



# **COMMUNITY & BUSINESS CONNECTIONS**

TO: Council

**DATE:** June 11, 2018 **DIVISION:** 7

FILE: N/A APPLICATION: N/A

**SUBJECT:** Response to Notice of Motion – Road Renaming

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

On May 28, 2019 Councillor Henn presented a Notice of Motion to rename a portion of Range Road 291 to John Church Lane, and to waive the County's \$500 road renaming application fee.

Council's Road Naming Policy (C-701) provided policy direction on the Notice of Motion.

# **EXECUTIVE SUMMARY:**

The road in question is approximately one kilometer of Range Road 291 north of Highway 566 and adjacent to Rocky View County's Municipal Campus (see map, Attachment A).

Rocky View County's Road Naming Policy encourages the use of unique road names to avoid confusion and assist with the dispatch of emergency services. There is currently a Church Ranches Lane and four other roads in Division 8 that use Church Ranches in their names.

The Road Renaming Policy points to refusing the renaming, unless Council determines that John Church Lane is sufficiently different from Church Ranches Lane and is unlikely to cause confusion with similarly named roads in Division 8.

# **BACKGROUND:**

Rocky View County has been in discussions with various individuals over renaming this road for some time, but the County has not received an application.

The County identified four adjacent landowners (not including Rocky View County itself) who could be impacted by the name change, including one business that would be required to change its municipal address. Due to the timing of Notice of Motion reports, these landowners have not been notified of the potential road name change to John Church Lane, nor given the opportunity to comment.

The County has contacted the regional 9-1-1 emergency services dispatch centre (Calgary 9-1-1) about the use of Church Lane or John Church Lane. Given the existing Church Ranches road naming in Division 8, Calgary 9-1-1 officials indicated they could not support similar road names in another area of the County due to the potential for miscommunication in dispatching emergency vehicles. Currently, named roads in the area of the proposed John Church Lane have been using "Rocky View" in their names (Rocky View Way, Rocky View Point, and Rocky View Drive).

Calgary 9-1-1 does not have authority over road naming, but their concerns have been expressed.

Most of the maps in general use (Google Maps, Apple Maps, Bing Maps, MapQuest, etc.) are notoriously poor at keeping the maps of rural and sparsely-populated areas accurate. It can take ten years or more for these maps to reflect changes in rural road networks. For example, roads around the nearby Balzac Fire Hall, opened in 2012, still do not appear on many maps. For this reason,

Grant Kaiser, Community & Business Connections

<sup>&</sup>lt;sup>1</sup> Administration Resources



confusion over road locations may be more long-lived in rural areas that change the names of existing roads or add new road names similar to those already in use.

Two of the three policy statements in Council's Road Naming Policy (C-701) speak to the issue of name similarity:

- The County promotes safer communities by selecting road names that facilitate accurate property identification by emergency services.
- The County encourages ease of movement throughout the County by using road names that are not easily confused with other road names within the County and neighbouring municipalities.

The third policy statement is more favourable to the proposed renaming, and forms the core of the Notice of Motion:

• The County chooses road names that acknowledge and honour the history of the County, as well as are consistent with the geographic areas.

## **BUDGET IMPLICATIONS:**

The County estimates annual revenue each year as part of the budgeting process. Waiving the \$500 fee may have a very minor impact on these estimates. Should Council approve the road name change, the County will incur the cost of producing and installing road signs. These costs are not available at the time of this report's writing.

# **COMMUNICATION:**

Should the name change be approved, the County will notify Calgary 9-1-1; the other relevant provincial government agencies; adjacent landowners; and larger mapping companies.

# **OPTIONS:**

Option #1 THAT Rocky View County change the name approximately 1 km of Range

Road 291 immediately north of Highway 566 to John Church Lane, and waive

the \$500 renaming application fee.

Option #2 THAT alternative direction be provided.

Respectfully submitted, Concurrence,

"Grant Kaiser" "Al Hoggan"

Executive Director Chief Administrative Officer

Community & Business Connections

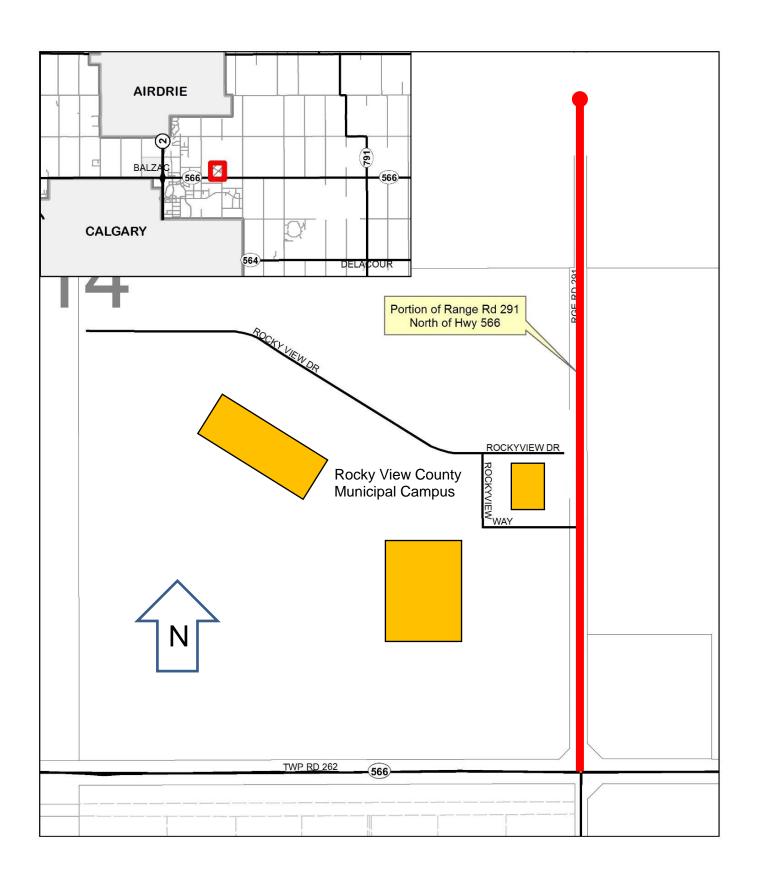
## ATTACHMENTS:

Attachment A – Location Of Proposed Road Renaming

Attachment B - Notice of Motion

Attachment C – Road Naming Policy (C-701)





Notice of Motion: To be read in at the May 28, 2019 Council Meeting

To be debated at the June 11, 2019 Council Meeting

Title: Road Name Change and Fee Waiver Request

**Presented By:** Councillor Dan Henn, Division 7

WHEREAS On February 5, 2019, Council passed the Road Naming Policy

C-701 that provides guidance for considering road name or road renaming requests for new and existing streets and roads

in Rocky View County;

**AND WHEREAS** In its policy, the County is committed to choosing road names

that acknowledge and honour the history of the County, as well

as are consistent with the geographic areas;

**AND WHEREAS** It is important to recognize the County's legacy families in the

Balzac community and also to maintain the existing character of

the community;

**AND WHEREAS** A formal request has been made by the Balzac Business

Community to change the name of Range Road 291 to John Church Lane which recognizes a strong historical family

reference in the Balzac Community;

**AND WHEREAS** The Master Rates Bylaw C-7857-2019 provides that the fee

applicable for road renaming applications is \$500.00; and

**AND WHEREAS** Only Council can waive fees outlined in the Master Rates

Bylaw.

THEREFORE, BE IT RESOLVED THAT Range Road 291 be renamed to John Church

Lane;

**AND THAT** the \$500.00 application fee be waived.



**Council Policy** 

C-701

Policy Number: C-701

Policy Owner: Information and Technology Services

Adopted By: Governance and Priorities Committee

Adoption Date: 2019 February 05

Effective Date: 2019 February 05

Date Last Amended: n/a
Date Last Reviewed: n/a

### **Purpose**

This policy provides guidance for considering road name or road renaming requests for new or existing streets and roads in Rocky View County (the County).



### **Policy Statement**

- The County promotes safer communities by selecting road names that facilitate accurate property identification by emergency services
- The County chooses road names that acknowledge and honour the history of the County, as well as are consistent with the geographic areas.
- The County encourages ease of movement throughout the County by using road names that are not easily confused with other road names within the County and neighbouring municipalities.



### **Policy**

- 5 A road name must meet the following criteria:
  - (1) The road name is not duplicated within the County or adjacent municipalities that are within the 911 response area; and
  - (2) The road name suffix adheres to standard road type classifications as per the Roadway Network Protocol & Hierarchy attached as Appendix A.



**Council Policy** 

C-701

- 6 A proposed road name is given preference where:
  - (1) The road name is compatible with existing road names;
  - (2) A historical reference is used; and
  - (3) Strong supporting rationale is provided by the applicant.
- Administration determines whether a proposed road name is acceptable using the criteria in paragraphs 5 and 6.
- 8 Where Administration rejects the proposed road name based on the criteria in paragraph 6, Council considers the proposed road name at the request of the applicant who proposed the name.



### References

Legal Authorities	•	n/a
Related Plans, Bylaws, Policies, etc.	•	n/a
Related Procedures	•	n/a
Other	•	n/a



### **Policy History**

Amendment Date(s) – Amendment Description	•	n/a
Review Date(s) – Review Outcome Description	•	n/a



### **Definitions**

1 In this policy:



### **Council Policy**

C-701

- (1) "Administration" means the operations and staff of Rocky View County under the direction of the Chief Administrative Officer as defined in the *Municipal Government Act*, RSA 2000, c M-26 or their authorized delegate;
- (2) "Council" means the duly elected Council of Rocky View County;
- (3) "Rocky View County" or "the County" means Rocky View County as a municipal corporation and the geographical area within its jurisdictional boundaries, as the context requires.

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**Council Policy** 

C-701

### Appendix A – Roadway Network Protocol and Hierarchy

North-South and East-West grid roads are numerically designated by utilizing the township-range system of survey:

- East-West roads are known as Township Roads and the numbers increment upwards from south to north.
- North-South roads are known as Range Roads and increment upward from east to west.
- Named roads officially adopted in 1996 had significant historical value and were therefore not edited to comply with any hierarchal order.

There are 3 basic road classifications in use in the County:

- "L" means local or residential;
- "C" means collector including minor and major; and
- "A" means arterial.

The classification of a road is determined by its' anticipated traffic volume, the type of subdivision it is located in (residential, commercial), the number of lots fronting onto it, and its' geometric configuration.

Road Type	Abbreviation	Definition	Classification
Alley	AL	A narrow minor roadway	(N/A)
Avenue	AV	Generally numerical east-west roadways in Hamlets	L,C,A,
Bay	ВА	A cul-de-sac of relatively short length, generally located near water	L
Bend		A roadway adjacent to or near the curved part of a moving body of water	L,C
Boulevard	BV	A major roadway that may or may not be contained within a single subdivision area	A,C
Cape	CA	A cul-de-sac located near water	L
Circle	CI	A minor roadway that completes a loop upon itself	L,C
Close	CL	A "p" shaped or racquet-shaped roadway with only one entry	L,C
Common	СМ	Generally applied to private roadways, but can be used for other roadways	L
Court	CO	A cul-de-sac	L
Cove	CV	A cul-de-sac often located near water	L
Crescent	CR	A "u" shaped minor roadway accessible at either end from the same roadway with no other intersections with through streets	L,C
Dale		A roadway located in a valley	L
Drive	DR	A collector roadway	C,A

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## **Council Policy**

C-701

Gardens	GD	A minor roadway where vegetation is noticeable	L
Gate	GA	A short minor roadway giving access to a subdivision	С
Glen		A cul-de-sac on or near the edge of a valley	L
Green	GR	A minor roadway adjacent to or embracing an open space	L
Grove	GV	A minor roadway where trees or vegetation are noticeable	L,C
Heath	HE	A minor roadway adjacent to or embracing an open space	L
Heights	HT	A minor roadway located on a hill or escarpment	L
Highway	HI	Federal or provincially designated roadways	Α
Hill	HL	A minor roadway located on lands with noticeable slope	L,C
Island	IS	A minor roadway surrounded by water	L
Landing	LD	A minor roadway located near water, or located on an escarpment overlooking a valley	L
Lane	LN	A narrow minor roadway	L
Link	LI	A minor roadway joining two cells of a subdivision, or joining two points of one roadway.	L
Manor	MR	A minor roadway	L.
Meadows		Usually a cul-de-sac. The road name adopted the subdivision name.	L
Mews	ME	A cul-de-sac	L
Mount	MT	A minor roadway located on a hill or escarpments	L
Parade	PR	A decorative minor roadway	L
Park	PA	A minor roadway located adjacent to, or embracing an open space area	L,C
Parkway	PY	A restricted or limited access roadway that can accommodate high volumes of traffic, creates a well-defined corridor, passes through a park, "park-like" conditions or landscaped surroundings	L
Passage	PS	A narrow roadway	L
Path	PH	A narrow roadway	L
Place	PL	A cul-de-sac or "p"-shaped roadway	L
Point	PT	A minor roadway near water or located on a promontory	L
Range Road	Rge. Rd.	Numerically designated north-south roadways	С
Ridge		A short roadway, usually a cul-de-sac, located in a primarily ranching environment	L
Rise	RI	A minor roadway that has a noticeable slope throughout most of its length	L
Road	RD	A roadway that may change direction	L,C

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# **Council Policy**

C-701

Row	RO	A minor roadway	L
Run	RN	A roadway adjacent to or near a natural area	L,C
Square	SQ	A minor roadway embracing an open space	L
Street	ST	Generally numerical north-south roadways in Hamlets	L,C,A
Terrace	TC	A minor roadway located on a hill or escarpment	L
Township Road	Twp. Rd.	Numerically designated east-west roadways	С
Trail	TR	High traffic transportation arteries that span more than one area of the MD.	А
Vale		A minor roadway located in a valley	L
View	vw	A minor roadway located on lands with a noticeable view	L
Villas	VI	A minor roadway, generally private	L
Walk/Walkway	WK	A pedestrian walkway within a comprehensive development	(N/A)
Way	WY	A roadway that may change direction	L,C,A

The Road Types below are no longer accepted:

Road Type	Abbreviation	Definition	Classification
Acres			n/a
Estates		Usually a cul-de-sac. The road name adopted the subdivision name	n/a
Hollow		A cul-de-sac generally of short length	n/a
Ranch			n/a

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### **COMMUNITY DEVELOPMENT SERVICES**

TO: Council

**DATE**: June 11, 2019 **DIVISION**: All

FILE: N/A APPLICATION:

SUBJECT: Request for Time Extension: Notice of Motion Response - Springbank Dry Dam

### <sup>1</sup>EXECUTIVE SUMMARY:

At the May 28, 2019 Council meeting, Coucnillor McKylor presented the following Notice of Motion:

THEREFORE BE IT RESOLVED THAT Administration be directed to engage a lobbyist or lobby firm to advocate for Rocky View County's position on the SR1 project to the new provincial government;

AND THAT a budget of \$40,000 be assigned from the Tax Stabilization Reserve for this purpose

In order to ensure that the report includes consideration of value for service, length of lobbying time, and remaining unspent budget money, Administration is requesting an extension from June 11, 2019, to July 9, 2019 to gather the necessary information and report back.

#### **BACKGROUND:**

The Springbank Dry Dam proposal is undergoing regulatory review by the Canadian Environmental Assessment Agency and the Natural Resources Conservation Board. On May 23, 2017, Council approved the expenditure in the amount of \$200,000 to complete a technical review of the Provincial Environmental Impact Assessment, for submission to the Canadian Environmental Assessment Agency (CEAA), and Natural Resources Conservation Board (NRCB) hearing.

### **BUDGET IMPLICATIONS:**

A potential budget adjustment of \$40,000 may be required.

OPTIONS	•
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Option #1 THAT Administration be granted an extension to July 9, 2019, to report back on

the options for lobbying with respect to the Springbank Dry Dam.

Option #2 THAT alternative direction be provided.

Respectfully submitted,	Concurrence,
"Richard Barss"	"Al Hoggan"
Acting Executive Director	Chief Administrative Officer

Community Development Services

<sup>&</sup>lt;sup>1</sup> Administration Resources
Richard Barss, Community Development Services



### **ATTACHMENTS:**

ATTACHMENT 'A': Notice of Motion re: Advocating Rocky View County's Position on the Springbank Off-Stream Reservoir Project

Notice of Motion: To be read in at the May 28, 2019 Council Meeting

To be debated at the June 11, 2019 Council Meeting

Title: Advocating Rocky View County's Position on the Springbank

Off-Stream Reservoir Project

Presented By: Councillor Kim McKylor, Division 2

WHEREAS Rocky View County Council passed a unanimous resolution at

its December 11, 2018 meeting stating that it cannot support

the Springbank Off-Stream Reservoir (SR1) Project;

**AND WHEREAS** the same resolution also called for the provincial government to

halt the SR1 Project so that all other flood mitigation options

can be equally considered;

**AND WHEREAS** Rocky View County submitted a letter, dated January 11, 2019,

to the previous Ministers of Alberta Transportation and Alberta Environment and Parks outlining the County's position and its

concerns with the SR1 Project;

**AND WHEREAS** Rocky View County received a letter of response, dated

February 1, 2019, indicating that the provincial government is committed to proceeding with the SR1 Project despite the

concerns raised by the County;

**AND WHEREAS** a provincial election was held on April 16, 2019 and a new

provincial government took office on April 30, 2019 led by

Premier Jason Kenney and his cabinet:

**AND WHEREAS** a new provincial government provides a new opportunity for

Rocky View County to advocate its position on SR1;

AND WHEREAS Rocky View County Council passed a unanimous resolution at

its March 14, 2019 meeting to resend its letter to the new

Premier, Ministers, and MLAs representing County residents;

**THEREFORE BE IT RESOLVED THAT** Administration be directed to engage a lobbyist or lobby firm to advocate for Rocky View County's position on the SR1 project to the new provincial government;

**AND THAT** a budget of \$40,000 be assigned from the Tax Stabilization Reserve for this purpose.



### FINANCIAL SERVICES

TO: Council

DATE: June 11, 2019 DIVISION: All

**FILE:** 2025-350

**SUBJECT:** 2019 Special Initiatives – Borrowing Bylaws

### <sup>1</sup>EXECUTIVE SUMMARY:

On April 9, 2019, Council approved a number of Special Initiatives and gave first reading to the related borrowing bylaws. These borrowing bylaws are considered long-term, and Rocky View County is required under the *Municipal Government Act* to advertise the bylaws for two consecutive weeks and wait for a period of 30 days to allow for any petition to be submitted prior to giving second and third readings. The advertisement and waiting period are now complete. As such, Administration is presenting these bylaws to Council for consideration of second and third reading, some with minor amendments.

### **BACKGROUND:**

The 2019 Operating and Capital base budget was approved on December 12, 2018. On April 9, 2019, Council approved a number of Special Initiatives for the 2019 budget year and gave first reading to the related borrowing bylaws. Administration has since determined that the life of the assets represented in Borrowing Bylaws C-7877-2019 and C-7879-2019 need to be amended to better reflect the life of the asset. As such, amendments are presented for Council's consideration.

The advertisement and 30 day waiting period, which allows time to address any petitions that may come forward after the advertisement period, are now complete; no petitions were received by the County.

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

Borrowing Bylaws Total - \$3,904,000.

### **COMMUNICATIONS PLAN:**

Previously advertised in the Rocky View Weekly for two consecutive weeks.

### **OPTIONS:**

Option #1 Motion #1: THAT the preamble in borrowing bylaw C-7877-2019 related to the Fire

Water Tender be adjusted as shown in Attachment 'A' (adjusting the life

of the asset from 15-20 years).

Motion #2: THAT Bylaw C-7877-2019, as amended, be given second reading.

Motion #3 THAT Bylaw C-7877-2019, as amended, be given third and final

reading.

Motion #4: THAT borrowing Bylaw C-7878-2019 be given second reading.

Motion #5: THAT borrowing Bylaw C-7878-2019 be given third and final reading.

Barry Woods, Manager, Financial Services

<sup>&</sup>lt;sup>1</sup> Administration Resources



Motion #6:	THAT the preamble in borrowing Bylaw C-7879-2019	related to

Township Road 252 bridge rehabilitation be adjusted as shown in Attachment 'A' (adjusting the life of the asset from 20-10 years).

Motion #7: THAT borrowing Bylaw C-7879-2019, as amended, be given second

reading.

Motion #8: THAT borrowing Bylaw C-7879-2019, as amended, be given third and

final reading.

Motion #9: THAT borrowing Bylaw C-7880-2019 be given second reading.

Motion #10: THAT borrowing Bylaw C-7880-2019 be given third and final reading.

Motion #11: THAT borrowing Bylaw C-7881-2019 be given second reading.

Motion #12: THAT borrowing Bylaw C-7881-2019 be given third and final reading.

Motion #13: THAT borrowing Bylaw C-7882-2019 be given second reading.

Motion #14: THAT borrowing Bylaw C-7882-2019 be given third and final reading.

Option #2 THAT alternative direction be provided.

Respectfully submitted, Concurrence,

"Kent Robinson" "Al Hoggan"

Executive Director Corporate Services

Chief Administrative Officer

### **ATTACHMENTS:**

Attachment 'A' – Proposed Amended Borrowing Bylaws.

Attachment 'B' – Unamended Borrowing Bylaws.



### **BYLAW C-7877-2019 AMENDED**

A Bylaw of Rocky View County to authorize the Council of the County to incur indebtedness by the issuance of debenture(s) in the amount of \$ 520,000 for the purpose of purchasing a new water tender.

**WHEREAS** the Council of the County has decided to issue a bylaw pursuant to Section 258 of the Municipal Government Act to authorize the funding of the purchase of a new water tender.

**WHEREAS** plans and specifications have been prepared and the total cost of the asset is estimated to be \$520,000 and the following contributions will be applied to the purchase:

Debenture Bylaw No. C-7877-2019 \$ 520,000

Total Cost \$520,000

**WHEREAS** in order to purchase the new water tender it will be necessary for the County to borrow the sum of \$520,000, for a period not to exceed 20 years from an authorized financial institution on the terms and conditions referred to in this bylaw.

WHEREAS the estimated remaining life of the asset financed under this bylaw is equal to, or in excess of 20 years.

**WHEREAS** the principal amount of the outstanding debt of the County at December 31, 2017 is \$54,681,047 and no part of the principal or interest is in arrears.

**WHEREAS** all required approvals for the purchase have been obtained and the project is in compliance with all Acts and Regulations of the Province of Alberta.

NOW, THEREFORE, the Council of Rocky View County, duly assembled, enacts as follows:

#### **Short Title**

1 The short title of this bylaw is the "Water Tender Purchase Borrowing Bylaw."

#### Authorization

- 2 This bylaw authorizes the Council of the County to incur indebtedness by the issuance of debenture(s) in the amount of \$ 520,000 for the purpose of purchasing a new water tender.
- 3 That for the purpose of purchasing a new water tender a sum not exceeding Five Hundred and Tweenty Thousand (\$520,000) be borrowed from time to time from an authorized financial institution on the credit and security of the County at large, of which amount the full sum of \$520,000 is to be paid by the County at large.

- 4 The proper officers of the County are hereby authorized to issue debt on behalf of the County for the amount and purpose as authorized by this bylaw, namely the Chief Administrative Officer (CAO).
- 5 The County shall repay the indebtedness according to the terms and at the interest rate fixed by the Alberta Capital Finance Authority or another authorized financial institution on the date of the borrowing(s), and not to exceed (4%) percent.
- 6 During the currency of the debt there shall be raised in each year a rate on all the rateable property in the County, collectible at the same time and in the same manner as the other rates. in an amount sufficient to pay the principal and interest falling due in such year on such debt.
- 7 The indebtedness shall be contracted on the credit and security of the County.
- 8 The net amount borrowed under the bylaw shall be applied only to the project specified by this bylaw.

### Serverability

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

### **Effective Date**

10 Bylaw C-7877-2019 is passed when it receives third reading, and is signed by the Reeve/Deputy Reeve and the CAO or Designate, as per the Municipal Government Act.

READ A FIRST TIME IN COUNCIL this	9th	day of April	, 20 <u>19</u>
READ A SECOND TIME IN COUNCIL this		day of	, 20 <u>19</u>
UNANIMOUS PERMISSION FOR THIRD READING		day of	, 20 <u>19</u>
READ A THIRD TIME IN COUNCIL this		day of	, 20 <u>19</u>
	Reeve	9	
	CAO c	or Designate	
	Date	Bylaw Signed	



### **BYLAW C-7879-2019 AMENDED**

A Bylaw of Rocky View County to authorize the Council of the County to incur indebtedness by the issuance of debenture(s) in the amount of \$ 400,000 for the purpose of funding the rehabilitation of Township Road 252 Bridge.

**WHEREAS** the Council of the County has decided to issue a bylaw pursuant to Section 258 of the Municipal Government Act to authorize the funding of the rehabilitation of Township Road 252 Bridge.

**WHEREAS** plans and specifications have been prepared and the total cost of the project is estimated to be \$400,000 and the following contributions will be applied to the project:

Debenture Bylaw No. C-7879-2019 \$ 400,000

Total Cost \$400,000

**WHEREAS** in order to complete the project it will be necessary for the County to borrow the sum of \$400,000, for a period not to exceed 10 years from an authorized financial institution on the terms and conditions referred to in this bylaw.

WHEREAS the estimated remaining life of the project financed under this bylaw is equal to, or in excess of 10 years.

**WHEREAS** the principal amount of the outstanding debt of the County at December 31, 2017 is \$54,681,047 and no part of the principal or interest is in arrears.

**WHEREAS** all required approvals for the project have been obtained and the project is in compliance with all Acts and Regulations of the Province of Alberta.

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

#### **Short Title**

1 The short title of this bylaw is the "Township Road 252 Bridge Rehabilitation Borrowing Bylaw."

#### Authorization

- 2 This bylaw authorizes the Council of the County to incur indebtedness by the issuance of debenture(s) in the amount of \$ 400,000 for the purpose of funding the rehabilitation of Township Road 252 Bridge.
- 3 That for the purpose of funding the rehabilitation of Township Road 252 Bridge a sum not exceeding Four Hundred Thousand (\$400,000) be borrowed from time to time from an authorized financial institution on the credit and security of the County at large, of which amount the full sum of \$400,000 is to be paid by the County at large.

- 4 The proper officers of the County are hereby authorized to issue debt on behalf of the County for the amount and purpose as authorized by this bylaw, namely the Chief Administrative Officer (CAO).
- 5 The County shall repay the indebtedness according to the terms and at the interest rate fixed by the Alberta Capital Finance Authority or another authorized financial institution on the date of the borrowing(s), and not to exceed (4%) percent.
- 6 During the currency of the debt there shall be raised in each year a rate on all the rateable property in the County, collectible at the same time and in the same manner as the other rates. in an amount sufficient to pay the principal and interest falling due in such year on such debt.
- 7 The indebtedness shall be contracted on the credit and security of the County.
- 8 The net amount borrowed under the bylaw shall be applied only to the project specified by this bylaw.

### Serverability

9 Each provision of this Bylaw is independent of all other provisions. If any such provision is declared invalid by a court of competent jurisdiction, all other provisions of this Bylaw will remain valid and enforceable.

### **Effective Date**

10 Bylaw C-7879-2019 is passed when it receives third reading, and is signed by the Reeve/Deputy Reeve and the CAO or Designate, as per the Municipal Government Act.

READ A FIRST TIME IN COUNCIL this	9th	day of April	, 20 <u>19</u>
READ A SECOND TIME IN COUNCIL this		day of	, 20 <u>19</u>
UNANIMOUS PERMISSION FOR THIRD READING		day of	, 20 <u>19</u>
READ A THIRD TIME IN COUNCIL this		day of	, 20 <u>19</u>
	Reev	e	
	CAO	or Designate	
	 Date	Bylaw Signed	



### BYLAW C-7878-2019

A Bylaw of Rocky View County to authorize the Council of the County to incur indebtedness by the issuance of debenture(s) in the amount of \$ 360,000 for the purpose of purchasing a new plow truck.

**WHEREAS** the Council of the County has decided to issue a bylaw pursuant to Section 258 of the Municipal Government Act to authorize the funding of the purchase of a new plow truck.

**WHEREAS** plans and specifications have been prepared and the total cost of the asset is estimated to be \$360,000 and the following contributions will be applied to the purchase:

Debenture Bylaw No. C-7878-2019 \$ 360,000

Total Cost \$ 360,000

**WHEREAS** in order to purchase the new plow truck it will be necessary for the County to borrow the sum of \$360,000, for a period not to exceed 10 years from an authorized financial institution on the terms and conditions referred to in this bylaw.

**WHEREAS** the estimated remaining life of the asset financed under this bylaw is equal to, or in excess of 10 years.

**WHEREAS** the principal amount of the outstanding debt of the County at December 31, 2017 is \$54,681,047 and no part of the principal or interest is in arrears.

**WHEREAS** all required approvals for the purchase have been obtained and the project is in compliance with all Acts and Regulations of the Province of Alberta.

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

#### **Short Title**

1 The short title of this bylaw is the "Plow Truck Purchase Borrowing Bylaw."

#### Authorization

- 2 This bylaw authorizes the Council of the County to incur indebtedness by the issuance of debenture(s) in the amount of \$ 360,000 for the purpose of purchasing a new plow truck.
- 3 That for the purpose of purchasing a new plow truck a sum not exceeding Three Hundred and Sixty Thousand (\$360,000) be borrowed from time to time from an authorized financial institution on the credit and security of the County at large, of which amount the full sum of \$360,000 is to be paid by the County at large.

- 4 The proper officers of the County are hereby authorized to issue debt on behalf of the County for the amount and purpose as authorized by this bylaw, namely the Chief Administrative Officer (CAO).
- 5 The County shall repay the indebtedness according to the terms and at the interest rate fixed by the Alberta Capital Finance Authority or another authorized financial institution on the date of the borrowing(s), and not to exceed (4%) percent.
- 6 During the currency of the debt there shall be raised in each year a rate on all the rateable property in the County, collectible at the same time and in the same manner as the other rates. in an amount sufficient to pay the principal and interest falling due in such year on such debt.
- 7 The indebtedness shall be contracted on the credit and security of the County.
- 8 The net amount borrowed under the bylaw shall be applied only to the project specified by this bylaw.

### Serverability

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

### **Effective Date**

10 Bylaw C-7878-2019 is passed when it receives third reading, and is signed by the Reeve/Deputy Reeve and the CAO or Designate, as per the *Municipal Government Act*.

READ A FIRST TIME IN COUNCIL this	9th	day of April	, 20 <u>19</u>
READ A SECOND TIME IN COUNCIL this		day of	, 20 <u>19</u>
UNANIMOUS PERMISSION FOR THIRD READING		day of	, 20 <u>19</u>
READ A THIRD TIME IN COUNCIL this		day of	, 20 <u>19</u>
	Reeve	<del>-</del>	
	CAO c	or Designate	
	Date	Bylaw Signed	



### BYLAW C-7880-2019

A Bylaw of Rocky View County to authorize the Council of the County to incur indebtedness by the issuance of debenture(s) in the amount of \$1,292,000 for the purpose of funding the replacement of Range Road 263 Bridge.

**WHEREAS** the Council of the County has decided to issue a bylaw pursuant to Section 258 of the Municipal Government Act to authorize the funding of the replacement of Range Road 263 Bridge.

**WHEREAS** plans and specifications have been prepared and the total cost of the project is estimated to be \$1,292,000 and the following contributions will be applied to the project:

Debenture Bylaw No. C-7880-2019 \$ 1,292,000

Total Cost \$ 1,292,000

**WHEREAS** in order to complete the project it will be necessary for the County to borrow the sum of \$1,292,000, for a period not to exceed 25 years from an authorized financial institution on the terms and conditions referred to in this bylaw.

**WHEREAS** the estimated remaining life of the project financed under this bylaw is equal to, or in excess of 25 years.

**WHEREAS** the principal amount of the outstanding debt of the County at December 31, 2017 is \$54,681,047 and no part of the principal or interest is in arrears.

**WHEREAS** all required approvals for the project have been obtained and the project is in compliance with all Acts and Regulations of the Province of Alberta.

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

#### **Short Title**

1 The short title of this bylaw is the "Range Road 263 Bridge Replacement Borrowing Bylaw."

#### Authorization

- 2 This bylaw authorizes the Council of the County to incur indebtedness by the issuance of debenture(s) in the amount of \$ 1,292,000 for the purpose of funding the replacement of Range Road 263 Bridge.
- That for the purpose of funding the replacement of Range Road 263 Bridge a sum not Exceeding One Million Two Hundred and Ninety Two Thousand (\$1,292,000) be borrowed from time to time from an authorized financial institution on the credit and security of the County at large, of which amount the full sum of \$1,292,000 is to be paid by the County at large.

- 4 The proper officers of the County are hereby authorized to issue debt on behalf of the County for the amount and purpose as authorized by this bylaw, namely the Chief Administrative Officer (CAO).
- 5 The County shall repay the indebtedness according to the terms and at the interest rate fixed by the Alberta Capital Finance Authority or another authorized financial institution on the date of the borrowing(s), and not to exceed (4%) percent.
- 6 During the currency of the debt there shall be raised in each year a rate on all the rateable property in the County, collectible at the same time and in the same manner as the other rates. in an amount sufficient to pay the principal and interest falling due in such year on such debt.
- 7 The indebtedness shall be contracted on the credit and security of the County.
- 8 The net amount borrowed under the bylaw shall be applied only to the project specified by this bylaw.

### Serverability

9 Each provision of this Bylaw is independent of all other provisions. If any such provision is declared invalid by a court of competent jurisdiction, all other provisions of this Bylaw will remain valid and enforceable.

### **Effective Date**

10 Bylaw C-7880-2019 is passed when it receives third reading, and is signed by the Reeve/Deputy Reeve and the CAO or Designate, as per the *Municipal Government Act*.

READ A FIRST TIME IN COUNCIL this	9th	day of April	, 20 <u>19</u>
READ A SECOND TIME IN COUNCIL this		day of	, 20 <u>19</u>
UNANIMOUS PERMISSION FOR THIRD READING		day of	, 20 <u>19</u>
READ A THIRD TIME IN COUNCIL this		day of	, 20 <u>19</u>
	Reev	e	
	CAO	or Designate	
	Date	Bylaw Signed	



### BYLAW C-7881-2019

A Bylaw of Rocky View County to authorize the Council of the County to incur indebtedness by the issuance of debenture(s) in the amount of \$666,000 for the purpose of funding the replacement of Range Road 265 Bridge.

**WHEREAS** the Council of the County has decided to issue a bylaw pursuant to Section 258 of the Municipal Government Act to authorize the funding of the replacement of Range Road 265 Bridge.

**WHEREAS** plans and specifications have been prepared and the total cost of the project is estimated to be \$666,000 and the following contributions will be applied to the project:

Debenture Bylaw No. C-7881-2019 \$ 666,000

Total Cost \$ 666,000

**WHEREAS** in order to complete the project it will be necessary for the County to borrow the sum of \$666,000, for a period not to exceed 25 years from an authorized financial institution on the terms and conditions referred to in this bylaw.

**WHEREAS** the estimated remaining life of the project financed under this bylaw is equal to, or in excess of 25 years.

**WHEREAS** the principal amount of the outstanding debt of the County at December 31, 2017 is \$54,681,047 and no part of the principal or interest is in arrears.

**WHEREAS** all required approvals for the project have been obtained and the project is in compliance with all Acts and Regulations of the Province of Alberta.

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

#### **Short Title**

1 The short title of this bylaw is the "Range Road 265 Bridge Replacement Borrowing Bylaw."

#### Authorization

- 2 This bylaw authorizes the Council of the County to incur indebtedness by the issuance of debenture(s) in the amount of \$ 666,000 for the purpose of funding the replacement of Range Road 265 Bridge.
- 3 That for the purpose of funding the replacement of Range Road 265 Bridge a sum not Exceeding Six Hundred and Sixty Six Thousand (\$666,000) be borrowed from time to time from an authorized financial institution on the credit and security of the County at large, of which amount the full sum of \$666,000 is to be paid by the County at large.

- 4 The proper officers of the County are hereby authorized to issue debt on behalf of the County for the amount and purpose as authorized by this bylaw, namely the Chief Administrative Officer (CAO).
- 5 The County shall repay the indebtedness according to the terms and at the interest rate fixed by the Alberta Capital Finance Authority or another authorized financial institution on the date of the borrowing(s), and not to exceed (4%) percent.
- 6 During the currency of the debt there shall be raised in each year a rate on all the rateable property in the County, collectible at the same time and in the same manner as the other rates, in an amount sufficient to pay the principal and interest falling due in such year on such debt.
- 7 The indebtedness shall be contracted on the credit and security of the County.
- 8 The net amount borrowed under the bylaw shall be applied only to the project specified by this bylaw.

### Serverability

9 Each provision of this Bylaw is independent of all other provisions. If any such provision is declared invalid by a court of competent jurisdiction, all other provisions of this Bylaw will remain valid and enforceable.

### **Effective Date**

Bylaw C-7881-2019 is passed when it receives third reading, and is signed by the Reeve/Deputy Reeve and the CAO or Designate, as per the *Municipal Government Act*.

	 Date	Bylaw Signed	
	CAO	or Designate	
	Reev	e	
READ A THIRD TIME IN COUNCIL this		day of	, 20 <u>19</u>
UNANIMOUS PERMISSION FOR THIRD READING		day of	, 20 <u>19</u>
READ A SECOND TIME IN COUNCIL this		day of	, 20 <u>19</u>
READ A FIRST TIME IN COUNCIL TRIS	9th	day of April	, 20 <u>19</u>



### BYLAW C-7882-2019

A Bylaw of Rocky View County to authorize the Council of the County to incur indebtedness by the issuance of debenture(s) in the amount of \$666,000 for the purpose of funding the replacement of Township Road 274 Bridge.

**WHEREAS** the Council of the County has decided to issue a bylaw pursuant to Section 258 of the Municipal Government Act to authorize the funding of the replacement of Township Road 274 Bridge.

**WHEREAS** plans and specifications have been prepared and the total cost of the project is estimated to be \$666,000 and the following contributions will be applied to the project:

Debenture Bylaw No. C-7882-2019 \$ 666,000

Total Cost \$ 666,000

**WHEREAS** in order to complete the project it will be necessary for the County to borrow the sum of \$666,000, for a period not to exceed 25 years from an authorized financial institution on the terms and conditions referred to in this bylaw.

**WHEREAS** the estimated remaining life of the project financed under this bylaw is equal to, or in excess of 25 years.

**WHEREAS** the principal amount of the outstanding debt of the County at December 31, 2017 is \$54,681,047 and no part of the principal or interest is in arrears.

**WHEREAS** all required approvals for the project have been obtained and the project is in compliance with all Acts and Regulations of the Province of Alberta.

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

#### **Short Title**

1 The short title of this bylaw is the "Township Road 274 Bridge Replacement Borrowing Bylaw."

#### Authorization

- 2 This bylaw authorizes the Council of the County to incur indebtedness by the issuance of debenture(s) in the amount of \$ 666,000 for the purpose of funding the replacement of Township Road 274 Bridge.
- 3 That for the purpose of funding the replacement of Township Road 274 Bridge a sum not Exceeding Six Hundred and Sixty Six Thousand (\$666,000) be borrowed from time to time from an authorized financial institution on the credit and security of the County at large, of which amount the full sum of \$666,000 is to be paid by the County at large.

- 4 The proper officers of the County are hereby authorized to issue debt on behalf of the County for the amount and purpose as authorized by this bylaw, namely the Chief Administrative Officer (CAO).
- 5 The County shall repay the indebtedness according to the terms and at the interest rate fixed by the Alberta Capital Finance Authority or another authorized financial institution on the date of the borrowing(s), and not to exceed (4%) percent.
- 6 During the currency of the debt there shall be raised in each year a rate on all the rateable property in the County, collectible at the same time and in the same manner as the other rates, in an amount sufficient to pay the principal and interest falling due in such year on such debt.
- 7 The indebtedness shall be contracted on the credit and security of the County.
- 8 The net amount borrowed under the bylaw shall be applied only to the project specified by this bylaw.

### Serverability

9 Each provision of this Bylaw is independent of all other provisions. If any such provision is declared invalid by a court of competent jurisdiction, all other provisions of this Bylaw will remain valid and enforceable.

### **Effective Date**

Bylaw C-7882-2019 is passed when it receives third reading, and is signed by the Reeve/Deputy Reeve and the CAO or Designate, as per the *Municipal Government Act*.

READ A FIRST TIME IN COUNCIL this	9th	day of April	, 20 <u>19</u>
READ A SECOND TIME IN COUNCIL this		day of	, 20 <u>19</u>
UNANIMOUS PERMISSION FOR THIRD READING		day of	, 20 <u>19</u>
READ A THIRD TIME IN COUNCIL this		day of	, 20 <u>19</u>
	Reev	e	
	CAO	or Designate	
	Date	Bylaw Signed	

Notice of Motion: To be read in at the June 11, 2019 Council Meeting

To be debated at the June 25, 2019 Council Meeting

Title: Joint Highway 1 Corridor Area Structure Plan

Presented By: Deputy Reeve Al Schule, Division 4

Councillor Gautreau, Division 5

WHEREAS Rocky View County and Wheatland County share a common

municipal border and share a common interest in development

along the Highway 1 Corridor;

**AND WHEREAS** development along the Highway 1 Corridor requires long-term

planning and intermunicipal collaboration between Rocky View

County and Wheatland County;

**AND WHEREAS**Rocky View County and Wheatland County would benefit from

a joint Area Structure Plan along the Highway 1 Corridor as

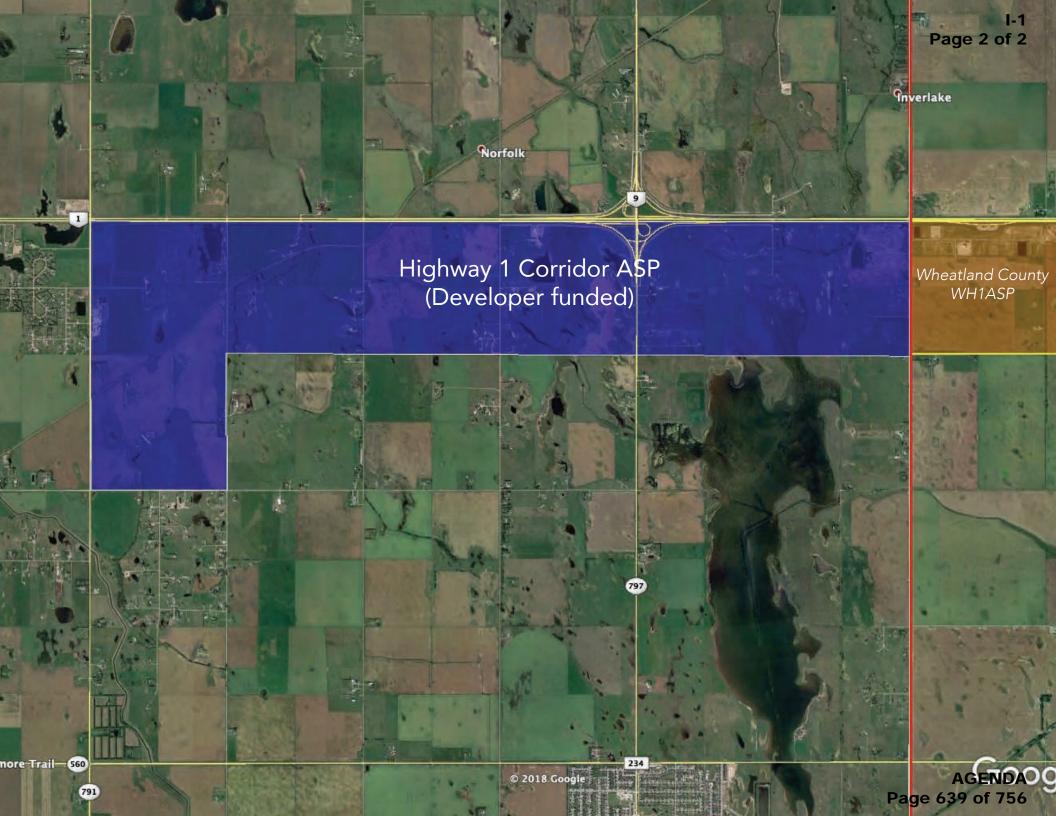
outlined on the map titled "Highway 1 Corridor ASP";

**AND WHEREAS** servicing of the Area Structure Plan would be developer-funded

and Rocky View County and Wheatland County would share the benefits of development within the Area Structure Plan;

**THEREFORE BE IT RESOLVED THAT** Administration be directed to explore a joint developer-funded Area Structure Plan for the Highway 1 Corridor between Rocky View County and Wheatland County;

**AND THAT** Administration be directed to return to Council with a report on the feasibility of the Area Structure Plan and potential expense and revenue sharing models between the two municipalities.





### **PLANNING & DEVELOPMENT**

**TO:** Subdivision Authority

**DATE:** June 11, 2019 **DIVISION:** 2

**FILE:** 05707001 **APPLICATION:** PL20190001

**SUBJECT:** Subdivision Item - Harmony Stage 1, Phase 5 re-subdivision

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

The application was evaluated against the terms of Section 654 of the *Municipal Government Act*, Section 7 of the Subdivision and Development Regulations, and the policies within the Harmony Conceptual Scheme.

### **EXECUTIVE SUMMARY:**

The purpose of this application is to create ten residential lots, an open space lot, and a Municipal School Reserve remainder. The original Harmony subdivision (2011-RV-165) was approved in 2012 and included the proposed Municipal School Reserve parcel.

The subject lands are currently vacant with access from Harmony Circle. The proposed residential lots would gain access from Elderberry Way, whereas the Open Space lot would gain access from South Harmony Drive. All ten residential lots would be serviced by the Harmony water and wastewater system. The Open Space lot would be maintained and operated by the Owners Association of Harmony.

### The application:

- Is consistent with the Harmony Conceptual Scheme and other policies;
- Holds the appropriate land use designation; and
- Includes technical aspects that were considered and addressed through the conditional approval requirements.

<b>PROPOSAL:</b> To create ten residential parcels ranging from ± 404 m² to ± 443 m² in size, with a ± 4,492 m² Green Space, and a ± 58,383 m² Municipal School Reserve remainder.	GENERAL LOCATION: Located in the community of Harmony.
LEGAL DESCRIPTION: SE-07-25-03-W05M	<b>GROSS AREA:</b> ± 48.90 hectares (± 120.84 acres)
APPLICANT: Stantec Geomatics Ltd. (Mark Woychuk)  OWNER: Harmony Developments Inc.	RESERVE STATUS: Municipal Reserves were previously deferred by Instrument Number 181028499.
LAND USE DESIGNATION: Direct Control Bylaw (DC-129)	LEVIES INFORMATION: Transportation Off-Site Levy is applicable in this case

<sup>&</sup>lt;sup>1</sup> Administration Resources

Johnson Kwan & Angela Yurkowski, Planning & Development



<b>DATE APPLICATION RECEIVED:</b> January 3, 2019 <b>DATE DEEMED COMPLETE:</b> January 3, 2019	APPEAL BOARD: Municipal Government Board
<ul> <li>Letter Confirmation for Water Treatment and Wastewater Treatment Facilities Capacities (Corix Utilities, August 28, 2017)</li> <li>Stage 1 Storm water Master Drainage Plan report (Urban Systems, September 2008)</li> <li>Geotechnical Evaluation (McIntosh Lalani Engineering Ltd., June 2000)</li> <li>Traffic Impact Assessment (Urban Systems, February 2016)</li> <li>Biophysical Impact Assessment and Environmental Protection Plan (Urban Systems, March 2006)</li> <li>Phase 1 Environmental Site Assessment (Pinchin Environmental, May 2014)</li> </ul>	LAND USE POLICIES AND STATUTORY PLANS:  • County Plan • Harmony Conceptual Scheme

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

No letters in support/opposition to the application were received out of 184 landowners notified. The application was also circulated to a number of internal and external agencies (Appendix 'B').

### HISTORY:

October 2008 Direct Control Bylaw (DC-129) approved for the area.

October 2008 Stage 1 Neighbourhood Plan (Bylaw C-6687-2008) was approved, providing a

detailed framework for land use, subdivision and development of the easterly

portion of the Harmony Conceptual Scheme area.

**February 2007** Harmony Conceptual Scheme (Bylaw C-6411-2007) was approved, which sets

out a vision and framework for the development of the Harmony community.

### **TECHNICAL CONSIDERATIONS:**

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

### a) The site's topography

The subject land is generally flat. The property has been stripped and graded under previous development permit approvals.

Conditions: None

### b) The site's soil characteristics

The site contains Class 4 soils with severe limitations to crop production due to high sodicity and excessive wetness/poor drainage, and Class 6 soils where crop production is not feasible due to excessive wetness/poor drainage, high sodicity, and adverse topography.

Conditions: None



### c) Storm water collection and disposal

As a condition of subdivision, the Owner would be required to provide and implement a Storm Water Management Plan that meets the requirements outlined in the Springbank Master Drainage Plan, the Staged Master Drainage Plan, the Integrated Water Systems Master Plan, and the Harmony Stage 1 Master Drainage Plan.

The Owner must also submit a full Erosion and Sediment Control Plan and report in accordance with the County Servicing Standards.

Conditions: 2, 5, 16, 17

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

No concerns for flooding, subsidence or erosion of the land.

As a condition of subdivision, the Owner would be required to submit a geotechnical investigation to verify that the site is suitable for the proposed buildings, site works, and utilities. A Deep Fill report would be required for any areas with greater than 1.2 m of fill.

Conditions: 6, 7

### e) Accessibility to a road

The proposed residential lots would gain access from Elderberry Way, whereas the Open Space lot would gain access from South Harmony Drive. The Applicant would be required to enter into a Development Agreement to design, dedicate, and construct the internal public road systems.

Conditions: 2, 3, 4

Transportation Offsite Levy

Payment of the Transportation Offsite Levy in accordance with Bylaw C-7356-2014 is required.

- Base Levy = \$4,595/acre. Acreage =19.99 acres. Base Levy = \$91,854.05
- Special Area 4 Levy = \$11,380/acre. Acreage = 19.99 acres. Special Area Levy = \$227,486.20
- Estimated TOL payment = Base Levy + Special Area 4 Levy = \$319,340.25

Conditions: 27

### f) Water supply, sewage and solid waste disposal

Water Supply

The proposed lots would obtain potable water servicing from the Harmony Advanced Water Systems Corporation (HAWSCO) Potable Water Treatment and Distribution System.

As a condition of subdivision, the Owner would be required provide detailed construction drawings, based on the potable water servicing study, for a potable water distribution and fire suppression system (including the registration of necessary easements), connection to the water treatment plant, and service connections to each lot.

Conditions: 2, 5, 8, 10, 11, 12

### Sewage

Wastewater would be handled through the Harmony Advanced Water Systems Corporation (HAWSCO) Sanitary Collection and treatment system in accordance with the terms of the Franchise Agreement.



As a condition of subdivision, the Owner would be required to provide detailed construction drawings, based on the approved sanitary servicing study, for a sanitary collection system (including the registration of necessary easements), connection to the wastewater treatment plant, and service connections to each lot.

Conditions: 2, 5, 9, 13, 14, 15

### Solid Waste Disposal

The management of solid waste, recycling and other community waste diversion best practices (i.e. organics – composting) would be the property owners' responsibility through the Owners Association. An update to the Waste Management Plan would be required as a condition of subdivision.

Conditions: 22

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

The surrounding area is also designated as Direct Control District (DC-129), intended to facilitate the subdivision and development of the hamlet of Harmony.

Conditions: None

### h) Other matters

Municipal School Reserves – the adjusted Municipal School Reserve (MSR) would be dedicated through plan of survey. The outstanding balance of reserves owing from the remainder parcels would be deferred by caveat to the remainder parcels and other Harmony lands.

Conditions: 2, 18

#### **POLICY CONSIDERATIONS:**

### Interim Growth Plan

The community of Harmony is considered as 'Unincorporated urban community' in accordance with the Calgary Metropolitan Region Interim Growth Plan. The proposal is compliant with Section 3.4.1.2 of the IGP, which lists requirements for the intensification and infill of existing settlement areas in hamlets and other unincorporated urban communities within rural municipalities.

### County Plan

The County Plan (Section 5.1) support the development of Harmony as a full service rural community providing a range of land uses, housing types, and rural services to their residents and local area; in accordance with their area structure plan or conceptual scheme.

### Harmony Conceptual Scheme

Harmony is not located within any Area Structure Plan. The subject lands are contained within the Harmony Conceptual Scheme, and are located in an area that the plan identifies as appropriate for Residential Use and in Stage 1 Neighbourhood Plan.

The proposal is compliant with Section 2.2.2 of the Stage 1 Neighbourhood Plan, which indicates the requirements for a future school site.

### **CONCLUSION:**

The application is consistent with the Harmony Conceptual Scheme, and 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 PL20190001 be approved with the conditions noted in

Appendix A

OPTION #2: THAT Subdivision Application PL20190001 be refused per the reasons noted.

Respectfully submitted, Concurrence,

"Richard Barss" Al Hoggan"

**Chief Administrative Officer** 

Acting Executive Director
Community Development Services

JKwan/IIt

**APPENDICES:** 

APPENDIX 'A': Approval Conditions APPENDIX 'B': Application Referrals

APPENDIX 'C': Map Set



### APPENDIX A: APPROVAL CONDITIONS

- A. THAT the application to create ten residential parcels ranging from ± 404 m² to ± 443 m² in size, with a ± 4,492 m² open space lot, and a ± 58,383 m² Municipal School Reserve remainder from SE-07-25-03-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 Harmony Conceptual Scheme;
  - 2. The subject lands hold the appropriate land use designation;
  - 3. The technical aspects of the subdivision proposal have been considered, and are further addressed through the conditional approval requirements;
- B. The Owner is required, at their expense, to complete all conditions attached to and forming part of this conditional subdivision approval prior to Rocky View County (the County) authorizing final subdivision endorsement. This requires submitting all documentation required to demonstrate each specific condition has been met, or agreements (and necessary securities) have been provided to ensure the condition will be met, in accordance with all County Policies, Standards and Procedures, to the satisfaction of the County, and any other additional party named within a specific condition. Technical reports required to be submitted as part of the conditions must be prepared by a Qualified Professional, licensed to practice in the Province of Alberta, within the appropriate field of practice. The conditions of this subdivision approval do not absolve an Owner from ensuring all permits, licenses, or approvals required by Federal Provincial, or other jurisdictions are obtained.
- C. Further, in accordance with Section 654 and 655 of the Municipal Government Act, the application 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 is to enter into a separate Development Agreement for this phase of development for provision of the following infrastructure improvements:
  - a. Design, dedication and construction of an internal public road system as shown on the Tentative Plan with associated infrastructure which includes the following:
    - i. Construction of Harmony Circle and Elderberry Way in accordance with the final approved Harmony Traffic Impact Assessment (TIA) and conceptual scheme;
    - ii. Intersection treatments in accordance with the final approved TIA:
    - iii. Additional offsite upgrades, if any, in accordance with the final approved TIA;
    - iv. Approaches to each lot;
    - v. Pathways;
    - vi. Necessary easements;
    - vii. Sidewalks;
    - viii. Dark sky street lighting;



### ix. Signage.

- b. Design and construction of Landscaping features for all public pathways, and public roadways and open space, in accordance with the approved Landscaping Plan;
- c. Design and construction of landscaping features for all Municipal Reserve and Municipal School Reserve lands, Public Utility lots, public pathways and public roadways, Owners Association of Harmony open space, all in accordance with an approved Landscaping Plan:
- Design and construction/expansion of a piped potable water and raw water distribution system (including the registration of necessary easements), connection to the potable water treatment plant, and service connections to each lot in accordance with the applicable servicing reports;
- e. Design and construction/expansion of a piped sanitary collection system (including the registration of necessary easements), connection to the wastewater treatment plant, and service connections to each lot in accordance with the applicable servicing reports;
- f. Design, construction and implementation of storm water management facilities and piped storm water collection system in accordance with the recommendations of the approved Storm Water Management Plan, and the registration of any overland drainage easements and/or restrictive covenants, as determined by the Storm Water Management Plan, all to the satisfaction of the County and Alberta Environment and Parks;
- g. Construction of a central water fire suppression and distribution system including fire hydrants for firefighting purposes, in accordance with the requirements described in the Fire Hydrant Water Suppression Bylaw (C-7259-2013) designed to meet minimum fire flows as per County Standards and Bylaws;
- h. Installation of power, natural gas and telephone lines;
- i. Dedication of necessary easements and right of ways for utility line assignments;
- j. Mailboxes are to be located in consultation with Canada Post;
- k. Implementation of the recommendations of the Construction Management Plan and Weed Management Plan;
- I. Implementation of the revised Water and Wastewater Franchise Agreement with Harmony Advanced Water Systems Corporation (as amended);
- m. Implementation of the recommendations of the Geotechnical Report:
- n. Implementation of the recommendations of the Biophysical Impact Assessment and/or Wetland Impact Assessment;
- o. Alberta Environment approvals are required for disturbance to any onsite wetlands, prior to signing of the Development Agreement.
- p. Payment of any applicable off-site levies, at the then applicable rates, as of the date of the Subdivision Approval.
- q. The construction of any oversized or excess capacity infrastructure, roads and/or services benefitting the Owner's lands and development and other lands.



### **Transportation and Access**

### Traffic Impact Assessment

- 3) The Owner shall provide an update to the Traffic Impact Assessment to reflect current on-site and off-site development and network conditions, detailing the related required improvements, to the County's satisfaction:
  - a. If the recommendations of the TIA identify improvements are required, then the Owner shall enter into a Development Agreement (on-site upgrades) or a Special Improvement Development Agreement (off-site upgrades) with the County, addressing the design and construction of the required improvements.

### Road Naming

4) The Owner shall obtain approval for road naming by way of application to, and consultation with, the County.

### Site Servicing

### Franchise Agreement

- 5) The Owner is responsible for implementation of a Franchise Utility Servicing Plan, satisfactory to the County, that reflects the operational details of water, fire protection, wastewater servicing, and storm water management in accordance with the signed Preliminary Services Agreement and Franchise Agreement and as further defined within the Development Agreement, including without restriction:
  - a. Ownership of the water treatment and distribution, fire protection, wastewater treatment and disposal, storm water management facilities, and related facilities;
  - b. Operation/Management for the water treatment and distribution, fire protection, wastewater treatment and disposal, storm water management, and related facilities
  - c. Transfer Agreement for facility, infrastructure, and associated lands;
  - d. Franchise Agreement, satisfactory to the County including, without restriction, stipulation of service levels and operational requirements to be maintained by the franchised utility provider;
  - e. Franchised utility provider, satisfactory to the County;
  - f. Dedication and transfer of water allocation(s) and associated water licenses required to provide for all water needs for the development;
  - g. The identification of the area of spray irrigation disposal, and registration of a utility right-of-way over the affected area.

### Geotechnical Conditions

- 6) The Owner shall provide a set of lot grading plans showing the depth of fill that has been or is to be placed on the subject property. Should fill depth exceed 1.2 metres, a Deep Fill Assessment shall be prepared and submitted, in accordance with the County Servicing Standards.
  - a. Compaction testing shall be performed after placement of fill to ensure that the requirements outlined in the examined Deep Fill Report have been met. Confirmation of compactions shall be submitted to the County upon completion of fill placement.
- 7) The Owner shall engage the services of qualified Geotechnical Engineering Consultant to prepare a Geotechnical Report to evaluate soil characteristics, existing groundwater conditions, suitability of soils for Low Impact Development stormwater management, and



development constraints of the proposed development, to the satisfaction of Rocky View County.

### Alberta Environment Approval for Water Treatment Plant

8) The Owner shall provide Alberta Environment and Parks licensing and approval documentation for a potable water treatment plant and distribution network.

### Alberta Environment Approval for Wastewater Treatment Facilities

9) The Owner shall provide Alberta Environment and Parks licensing and approval documentation for a wastewater treatment plant and associated storage/collection and disposal systems suitable for servicing and development.

### Developability

- 10) The Owner shall provide a detailed water servicing analysis for potable water, raw water irrigation and fire suppression, building off of the Franchise Agreement and the Integrated Water Systems Master Plan, to determine pipe type and sizes and water treatment plant capacity and reservoir storage requirements.
  - a. If the recommendations of the water servicing analysis identify improvements are required, then the Owner shall enter into a Development Agreement (on-site upgrades) or a Special Improvement Development Agreement (off-site upgrades) with the County, addressing the design and construction of the required improvements.
- 11) The Owner shall provide confirmation of the tie-in for connections to HAWCO, an Alberta Environment licensed piped water supplier, for lots, as shown on the approved Tentative Plan. This includes providing the following information:
  - a. Confirmation from the water supplier that an adequate and continuous piped water supply is available for the proposed new lots;
  - b. Documentation proving that water supply has been purchased for the proposed lots;
  - c. Documentation proving all necessary paperwork has been completed, to the County's satisfaction.
- 12) The Owner shall provide detailed construction drawings, based on the potable water servicing study, for a potable water distribution and fire suppression system (including registration of necessary easements), connection to the water treatment plant, and service connections to each lot.
- 13) The Owner shall provide a detailed wastewater servicing study, building off of the Franchise Agreement and the Integrated Water Systems Master Plan, to determine pipe type and sizes, number of lift stations (if applicable), and wastewater treatment plant capacity, and treated effluent storage requirements.
  - a. If the recommendations of the wastewater servicing analysis identify improvements are required, then the Owner shall enter into a Development Agreement (on-site upgrades) or a Special Improvement Development Agreement (off-site upgrades) with the County, addressing the design and construction of the required improvements.
- 14) The Owner shall provide confirmation of the tie-in for connections to HAWCO, an Alberta Environment licensed piped wastewater supplier, for lots, as shown on the approved Tentative Plan. This includes providing for the following information:
  - a. Confirmation from the wastewater utility supplier that adequate capacity has been allocated and reserved for the proposed new lots.



- 15) The Owner shall provide detailed construction drawings, based on the approved sanitary servicing study, for a sanitary collection system (including the registration of necessary easements), connection to the wastewater treatment plant, and service connections to each lot.
- 16) The Owner shall provide and implement a Storm Water Management Plan that meets the requirements outlined in the Springbank Master Drainage Plan, the Staged Master Drainage Plan, the Integrated Water Systems Master Plan, and the Harmony Stage 1 Master Drainage Plan, satisfactory to the County and Alberta Environment and Parks. Implementation of the Storm Water Management Plan shall include:
  - a. Registration of any required on and offsite easements and/or utility rights-of-way
  - b. Provision of necessary approvals and compensation to Alberta Environment and Parks for wetland loss and mitigation; and
  - c. Provision of necessary Alberta Environment and Parks registration documentation and approvals for the storm water infrastructure system.
  - d. If the recommendations of the storm water management plan identify improvements are required, then the Owner shall enter into a Development Agreement (on-site upgrades) or a Special Improvement Development Agreement (off-site upgrades) with the County, addressing the design and construction of the required improvements.
- 17) The Owner shall submit a full Erosion and Sedimentation Control Plan and Report in accordance with the County Servicing Standards.

## Municipal Reserves

- 18) The provision of Municipal School Reserves is to be provided by the dedication of Lot 28MSR 5.84 hectares (± 14.43 acres) being 11.95% Reserve land dedication owning, to be determined by a Plan of Survey, in respect to SE-7-25-03-W5M, as indicated on the Approved Tentative Plan.
  - a. ± 1.95% Municipal Reserve over dedication on SE-7-25-03-W5M is to be applied to the existing Deferred Reserve Caveat on NW-7-25-03-W5M, NE-7-25-03-W5M, SW-7-25-03-W5M, SE-7-25-03-W5M, Lot 1, Block 2, Plan 111 2762, Lot 1, Block 3, Plan 111 2762, Lot 1, Block 4, Plan 111 2762, and NW-05-25-03-W5M pursuant to Section 669 of the Municipal Government Act.

## Landscaping

- 19) The Owner shall provide a Landscaping Plan for all Municipal School Reserve parcels, Public Utility Lots, public pathways, public road right of ways and Owners Association of Harmony open space in accordance with the Direct Control Bylaw and the Harmony Conceptual Scheme and Stage 1 Neighbourhood Plan.
  - a. Development of the approved Landscaping Plans shall be included within the requirements of the Development Agreement.

#### **Community Association**

#### Homeowners'/Landowners' Association

20) The Owner shall legally establish a Homeowners' Landowners' Association together with all corresponding corporate structure, governance and associated agreements and restrictions satisfactory to the County including, without restrictions, an encumbrance and/or other instrument(s) concurrently registered against the title of each new lot created, requiring that each individual Lot Owner is a member of the Homeowners'/Landowners' Association, and securing all restrictions and funding mechanisms required for the orderly, efficient and



sustainable operation of the Homeowners'/Landowners' Association.

21) The Owners Association of Harmony governance and associated agreements and registration shall specify the future maintenance and operations of public lands and Owners Association of Harmony lands for public and private parks, open spaces and other amenity lands including onsite pathways, community landscaping and other features associated with these lands.

### Solid Waste Management Plan

- 22) The Owner shall prepare a Solid Waste Management Plan that will outline the responsibility of the Developer and/or Owners Association of Harmony for management of solid waste.
  - a. The Waste Management Plan shall also identify how construction waste will be controlled and diverted to landfill.

#### **Cost Recovery**

23) The County will enter into an Infrastructure Cost Recovery Agreement with the Owner to determine the proportionate recovery of infrastructure money spent by the Owner to construct municipal infrastructure that will consequently provide benefit to other lands.

#### **Site Construction**

#### Construction Management Plan

- 24) The Owner shall provide a Construction Management Plan that is to include, but not be limited to, noise, sedimentation and erosion control, dust control, construction waste management, firefighting procedures, evacuation plan, hazardous material containment, and other construction management details. Other specific requirements include:
  - a. Weed management during the construction phases of the project
  - b. Management and mitigation of environmentally significant features as identified in the approved Biophysical Assessment
  - c. Implementation of the Construction Management Plan recommendations, which will be ensured through the Development Agreement.

#### **Emergency Response Plan**

25) The Owner shall provide an Emergency Response Plan that is to include firefighting procedures, evacuation measures, containment of hazardous spills, and aircraft incidents to the satisfaction of the County.

#### **Airport Proximity**

26) The Owner shall register a caveat on all titles, to the satisfaction of the County, indicating the presence of the Springbank Airport and associated aircraft noise to alert landowners to the presence of the teaching airport and associated impacts.

#### Levies, Payments and Dedications

Transportation Offsite Levy

- 27) The Owner shall pay Transportation Off-site Levy in accordance with Bylaw C-7356-2014. The County shall calculate the total amount owing:
  - a. From the total gross area of the Lands to be subdivided as shown on the Plan of Survey to be paid in stages tied to the gross area and timing of signing of each individual phased Development Agreement.

Subdivision Endorsement Fee



28) The Owner shall pay the County subdivision endorsement fee for the creation of twelve (12) new lot(s), in accordance with the Master Rates Bylaw.

#### **Dedications**

- 29) The Owner shall provide all utility right of ways, roadways and utility lots necessary for the completion of all servicing and access contemplated within any of the foregoing.
- 30) The Owner shall dedicate and transfer all water allocation(s) and corresponding water license(s) necessary to permanently service the lots crated at no cost to the County, any applicable franchised utility provider, and the consumer.

#### **Taxes**

31) 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.



## **APPENDIX B: APPLICATION REFERRALS**

AGENCY	COMMENTS
School Authority	
Rocky View Schools	Harmony Developments Inc. (HDI) and Rocky View Schools (RVS) have been in conversation regarding the proposed school site in Stage 1 of the Harmony Development. Through these conversations and more detailed design efforts, it was determined a strip of land along the west side of the school site can be changed to accommodate single family homes (located on Elderberry Way).
	RVS supports HDI's submission to the County, on which the amendment to the MSR site has been captured. The site, even with the amendment, has enough area to accommodate a school building and ample playfields.
Calgary Catholic School District	No response.
Public Francophone Education	No response.
Catholic Francophone Education	No response.
Province of Alberta	
Alberta Environment and Parks	No response.
Alberta Transportation	On initial review of the proposal and the previously completed traffic impact assessments (2012 and 2015) the traffic from this subdivision proposal will directly impact Highway 1 at Range Road 33, and Highway 22 at Township Road 250.
Alberta Culture and Community Spirit (Historical Resources)	Not required for circulation.
Alberta Energy Resources Conservation Board	No response.
Alberta Health Services	At this time, Alberta Heath Services do not have any concerns with the information as provided.
Public Utility	



**AGENCY** COMMENTS ATCO Gas No response. ATCO Pipelines No response. AltaLink No response. **FortisAlberta** Fortis Alberta is the Distribution Wire Service Provider for this area. The developer can arrange installation of electrical services for this subdivision through Fortis Alberta. Please have the developer contact 310-WIRE (310-9473) to make application for electrical services. Please contact Fortis Alberta land services at landserv@fortisalberta.com or by calling (403) 514-4783 for any questions. **Telus Communications** No response. TransAlta No response. Calgary Airport Authority **Noise Exposure** The proposed development area is located within close proximity to the Springbank Airport and associated flight paths for training circuits. The County and prospective and owners must be aware that immediately over these lands, training aircraft are typically maintaining a lower altitude, in higher power settings than in a descent phase of flight. It is strongly recommended that a warning caveat be registered against the title for the land and information package provided to the potential home and landowners advising that the property is subject to aircraft operations on a continuous basis. The applicant is encouraged to follow acoustical requirements as set out in the Alberta Building code for areas within Airport Vicinity Protection Areas for any

## **Bird Hazard Considerations**

buildings to be constructed.

Incompatible land uses that attract bird activity by providing food sources or water must be avoided or mitigated. For further information on mitigation measures please contact the Calgary Airport Authority Environmental Group at 403.735.1405

### Land Use in the Vicinity of Airports

As this development is occurring outside of the Springbank Airport property boundary, the proposed development should ensure compatibility to the land use recommendations and



guidelines as set out in TP1247 Land Use in the Vicinity of Airports.

#### **Commitments from Bordeaux Developments**

Bordeaux Developments has given the Calgary Airport Authority and Rocky View County various commitments for this development. Items specific to this development include, among others, a commitment for caveats on title making the airport's presence clear, inclusion of additional acoustical elements into architectural guidelines, and clause in the sales agreement to gain acknowledgement from the owner recognizing the airports existence and possible effects. The County should ensure that these commitments are met prior to application approval and enforce them where able to.

#### Other External Agencies

EnCana Corporation No response.

Enmax No response.

Rocky View County

**Boards and Committees** 

Agricultural Service Board Farm Members and Agricultural Fieldman No comments.

Rocky View West Recreation Board

Recommends that the deferral of MR continues on these applications.

Internal Departments

Recreation, Parks & Community Support

The Parks office of the Recreation, Parks and Community Support department has reviewed this subdivision application to utilize a portion of pre-identified Municipal School Reserve to support the creation of ten residential and one private open space parcel and offer the following comments:

There are no objections to this application, subject to:

 Recognizing Rocky View school are amendable that the adjusted available space falls within acceptable parameters specific to Rocky View Schools established school site



AGENCY	COMMENTS
	<ul> <li>development requirements.</li> <li>The proposed subdivision generally follows the theme of the approved Harmony Conceptual Scheme.</li> <li>With respect to the registered Deferred Reserve Caveat (181 028 499); any MR owning in excess of the proposed dedication shall be further deferred and considered for future phases/stages to be applied to the ultimate buildout of the Harmony community.</li> </ul>
Development Authority	No comments.
GIS Services	GIS provided the preliminary addresses for Phase 5 Harmony.
Fire Services & Emergency Management	<ul> <li>Please ensure that water supplies and hydrants are sufficient for firefighting purposes.</li> <li>Dependent on the occupancies, the Fire Service recommends that the buildings be sprinklered, if applicable, as per the Alberta Building Code.</li> <li>Please ensure that access routes are compliant to the design specified in the Alberta Building Code and the Rocky View County Servicing Standards.</li> <li>Please ensure that there is adequate access throughout all phases of development and that the access complies with the requirements of the Alberta Building Code &amp; NFPA 1141.</li> <li>There are no further comments at this time.</li> </ul>
Municipal Enforcement	No recommendations at this time.
Planning & Development - Engineering	<ul> <li>General</li> <li>The owner will be responsible for all required payments of 3<sup>rd</sup> party reviews and/or inspections as per the Master Rates Bylaw C-7751-2018, as amended.</li> <li>The applicant shall provide for payment of the engineering services fees per the Master Rates Bylaw C-7751-2018, as amended.</li> <li>The Owner is to provide a Construction Management Plan which is to include, but not be limited to, noise, sedimentation and erosion control, traffic accommodation, construction waste management, and construction management details. Specific other requirements include:</li> </ul>

requirements include:

phases of the project;

o Weed management during the construction

Implementation of the Construction Management



Plan recommendations will be ensured through the Development Agreement.

#### **Development Agreement**

- The Owner is to enter into and comply with a
   Development Agreement pursuant to Section 655 of the
   Municipal Government Act in accordance with the
   approved tentative plan and shall include the following:
  - Design, dedication and construction of an internal public road system as shown on the Tentative Plan with associated infrastructure which includes the following:
    - Construction of Harmony Circle and Elderberry Way in accordance with the final approved Harmony TIA and conceptual scheme;
    - Intersection treatments in accordance with the final approved TIA;
    - Additional offsite upgrades, if any, in accordance with the final approved TIA;
    - Approaches to each lot;
    - Pathways;
  - Design and construction of Landscaping features for all public pathways, and public roadways and open space, in accordance with the approved Landscaping Plan;
  - Construction of a piped potable water and raw water distribution system (including the registration of necessary easements), connection to the potable water treatment plant, and service connections to each lot;
  - Construction of a piped sanitary collection system (including the registration of necessary easements), connection to the wastewater treatment plant, and service connections to each lot:
  - Construction of a fire suppression and distribution system designed to meet minimum fire flows as per County Standards and Bylaws;
  - Construction and implementation of storm water management facilities and piped storm water collection system in accordance with the recommendations of the approved Storm Water Management Plan, and the registration of any overland drainage easements and/or restrictive covenants, as determined by the Storm Water Management Plan, all to the satisfaction of the County and Alberta Environment and Parks;
  - Design and construction of landscaping features



- for all Municipal Reserve Lots, public pathways and public roadways, Owners Association of Harmony open space, all in accordance with an approved Landscaping Plan;
- Implementation of the recommendations of the Construction Management Plan and Weed Management Plan;
- Implementation of the revised Water and Wastewater Franchise Agreement with Harmony Advanced Water Systems Corporation (as amended);
- The Owner shall obtain approval for road naming by way of application to, and consultation with, the County.
- Dedication of necessary easements and right of ways for utility line assignments;
- Mailboxes are to be located in consultation with Canada Post;
- Installation of power, natural gas and telephone lines:
- Implementation of the recommendations of the Construction Management Plan;
- Implementation of the recommendations of the Geotechnical Report;
- Implementation of the recommendations of the Biophysical Impact Assessment and/or Wetland Impact Assessment;
- Alberta Environment approvals are required for disturbance to any onsite wetlands, prior to signing of the Development Agreement.
- Payment of any applicable off-site levies, at the then applicable rates, as of the date of the Development Agreement.
- The construction of any oversized or excess capacity infrastructure, roads and/or services benefitting the Owner's lands and development and other lands.

As contemplated by and in accordance with Section 650, 655, 651 and 648 of the MGA and Council policies respecting infrastructure and cost recovery.

#### Geotechnical:

 A Geotechnical Investigation in accordance with the Rocky View County 2013 Servicing Standards is required to verify the site is suitable for the proposed buildings, site works, and utilities. For any areas with greater than 1.2 m of fill a Deep Fill report is required.

#### **Transportation**

• The owner is to provide payment of the Transportation



Off-Site Levy (including the Base Levy and the Special Area Levy) in accordance with the Transportation Off-Site Bylaw C-7356-2014, as amended. The County shall calculate the total amount owing from the total gross acreage of the lands to be subdivided, as shown on the plan of survey.

- The Owner is advised that the County is currently considering updates to the Transportation Offsite Levy that could impact the amount owing. The Owner is advised to check the County's website for updates on the County's bylaw amendments.
- The Owner shall provide an updated Traffic Impact
   Assessment to reflect current on-site and off-site
   development and network conditions, detailing the related
   required improvements, to the County's satisfaction:
  - The Owner shall enter into a Development Agreement with the County, addressing the design and construction of the required improvements, if the recommendations of the Traffic Impact Assessment identify improvements are required.

## Sanitary/Waste Water:

- The proposed lots will obtain waste water servicing from the HAWSCO Sanitary Collection and Treatment System in accordance with the terms of the Franchise Agreement, as amended.
- The Owner is to provide a detailed sanitary servicing study in support of Phase 5, building off of the Franchise Agreement and the Integrated Water Systems Master Plan, to determine:
  - Pipe type and sizes;
  - Number of lift stations, if applicable; and
  - Wastewater Treatment Plan capacity, and treated effluent storage requirements.
- The Owner is to provide confirmation of the tie-in for connections to HAWSCO, an Alberta Environment licensed piped waste-water supplier, for lots, as shown on the approved Tentative Plan. This includes providing for the following information:
  - Confirmation from the wastewater utility supplier that adequate capacity has been allocated and reserved for the proposed new lots;
- The Owner is to provide detailed construction drawings, based on the approved sanitary servicing study, for a sanitary collection system (including the registration of necessary easements), connection to the wastewater treatment plant, and service connections to each lot;



### Water Supply and Waterworks:

- The proposed lot will obtain potable water servicing from the HAWSCO Potable Water Treatment and Distribution System.
- The Owner is to provide a detailed water servicing analysis for potable water, raw water irrigation and fire suppression, building off of the Franchise Agreement and the Integrated Water Systems Master Plan, to determine:
  - o Pipe type and sizes;
  - Water treatment plant capacity and reservoir storage requirements.
- The Owner is to provide confirmation of the tie-in for connections to HAWSCO, an Alberta Environment licensed piped water supplier, for lots, as shown on the approved Tentative Plan. This includes providing the following information:
  - Confirmation from the water supplier that an adequate and continuous piped water supply is available for the proposed new lots;
  - Documentation proving that water supply has been purchased for proposed lots;
  - Documentation proving all necessary paperwork has been completed, to the County's satisfaction;
- The Owner is to provide detailed construction drawings, based on the potable water servicing study, for a potable water distribution and fire suppression system (including the registration of necessary easements), connection to the water treatment plant, and service connections to each lot;

#### Storm Water Management:

- The Owner is to provide and implement a Storm Water Management Plan that meets the requirements outlined in the Springbank Master Drainage Plan, the Staged Master Drainage Plan, the Integrated Water Systems Master Plan, and the Stage 1 Master Drainage Plan. Implementation of the Storm Water Management Plan shall include:
  - Registration of any required easements and I or utility rights-of-way
  - Provision of necessary approvals and compensation to Alberta Environment and Parks for wetland loss and mitigation; and
  - Provision of necessary Alberta Environment and Parks registration documentation and approvals for the storm water infrastructure system.
  - Should the Storm Water Management Plan indicate that improvements are required, the



AGENCY	COMMENTS
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Owner shall enter into a Development Agreement with the County;

 The applicant shall submit an Erosion and Sediment Control Plan and Report in accordance with the County's Servicing Standards. We note for the applicants benefit that as this site is >2ha a full report is required.

#### Environmental:

No comments.

 The phase 5 lands have been stripped and graded under previous development permit approvals. Please reference those files for details on wetland impacts and other environmental considerations.

Transportation Services

No additional comments. Please confirm that the Harmony Circle will be constructed in front of the Municipal School Reserve to connect with Elderberry Way. If this road is not being constructed

at the same time an interim cul-de-sac will be required at the north end of Elderberry Way.

Operational Services Applicant to contact County Road Operations with haul detailed

related to material and equipment needed for site grading and lot development to confirm if Road Use Agreement will be required

for haul along County Road system.

Utility Services All water, wastewater and storm water servicing to be in

accordance with the Harmony Advanced Water Systems Corporation Water and Wastewater Franchise Agreement.

Corporation water and wastewater Franchise Agreemen

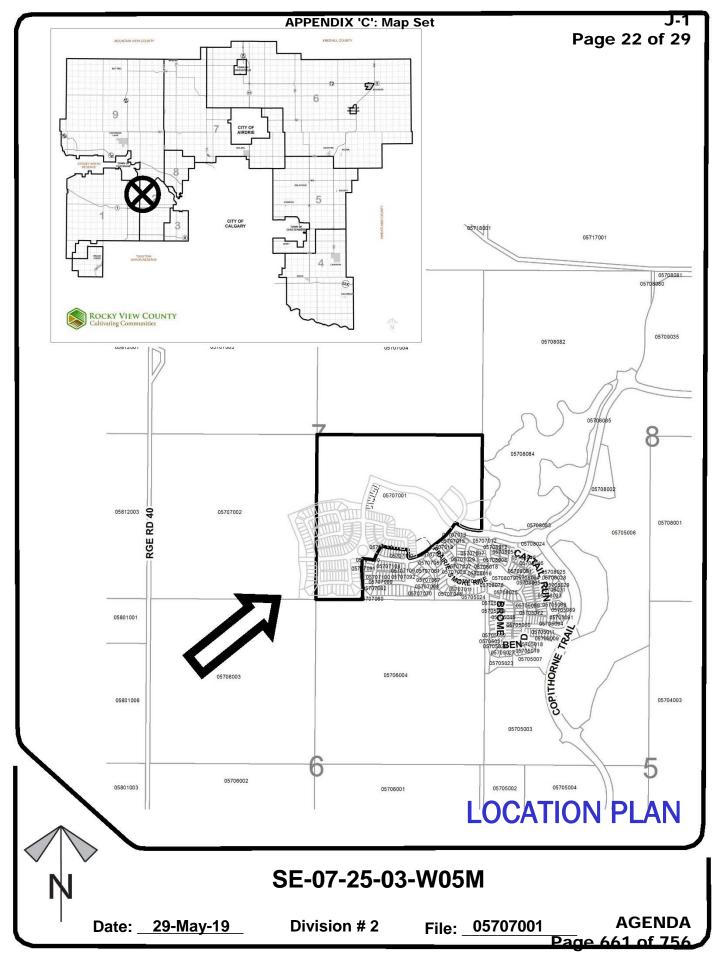
Agriculture & Environment

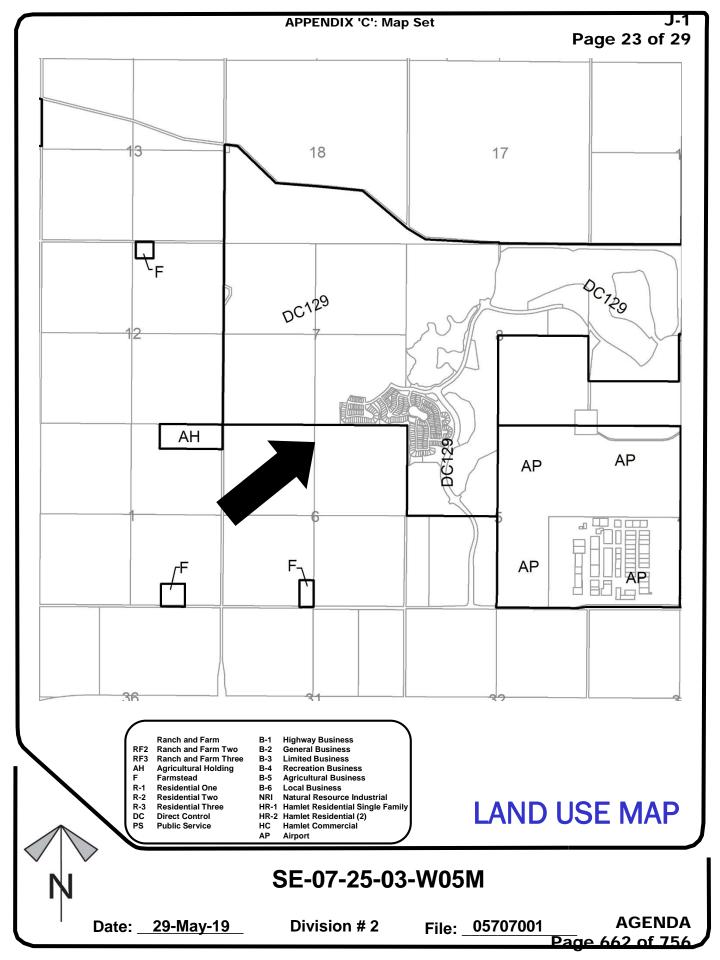
Capital Project Management

Services

No comments.

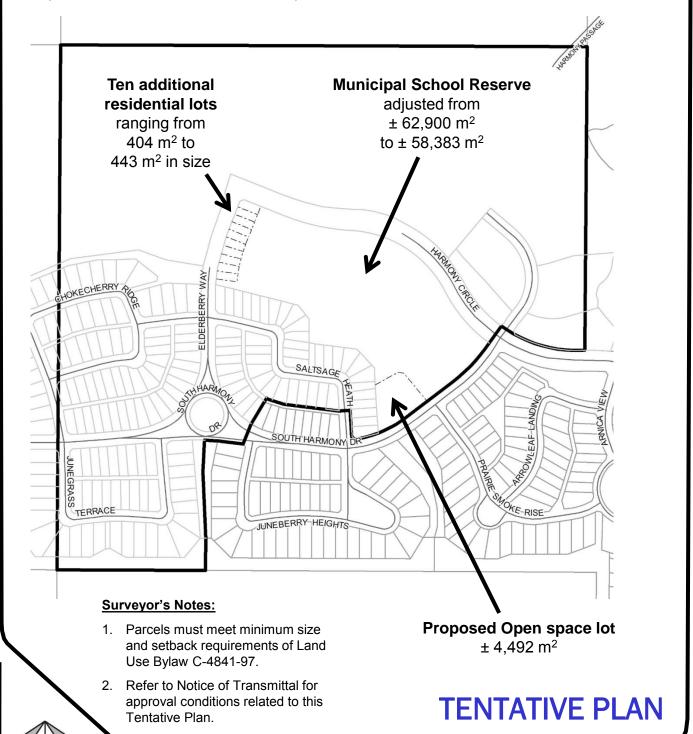
Circulation Period: January 10, 2019 – January 31, 2019





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**PL20190001 Harmony Stage 1 Phase 5 Subdivision Proposal:** To create ten residential parcels ranging from  $\pm$  404 m<sup>2</sup> to  $\pm$  443 m<sup>2</sup> in size, with a  $\pm$  4,492 m<sup>2</sup> open space lot, and a  $\pm$  58,383 m<sup>2</sup> Municipal School Reserve remainder.



SE-07-25-03-W05M

Date: <u>29-May-19</u>

Division # 2

File: 05707001

AGENDA

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

**AIR PHOTO** 

**Spring 2018** 

SE-07-25-03-W05M

Date: <u>29-May-19</u>

Division #2

File: 05707001

**AGENDA** 

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

## **TOPOGRAPHY**

Contour Interval 2 M

## SE-07-25-03-W05M

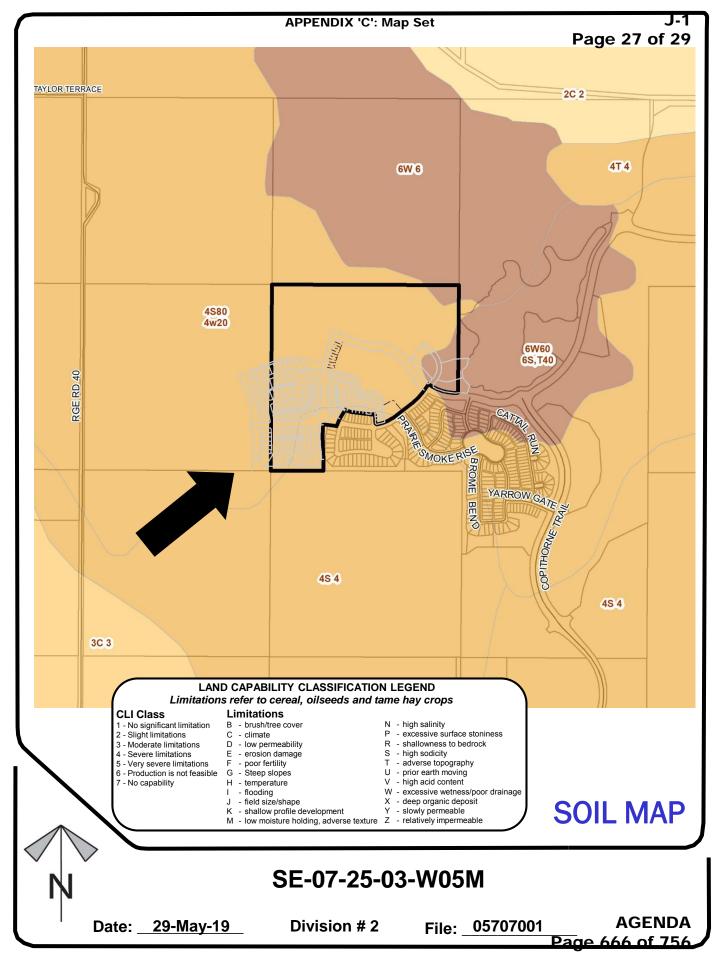
Date: <u>29-May-19</u>

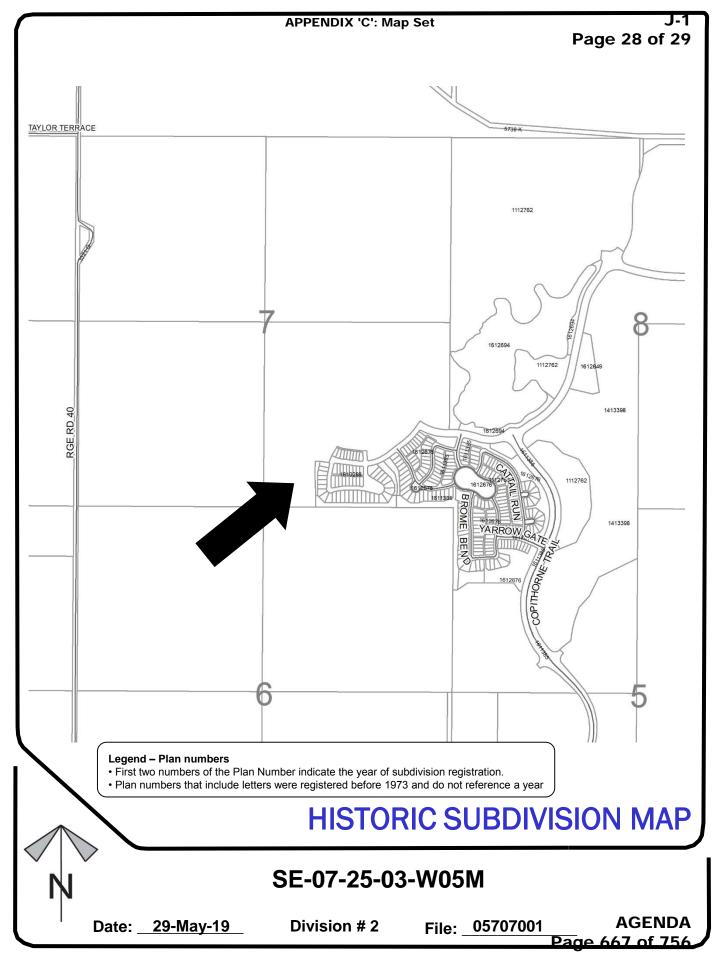
Division #2

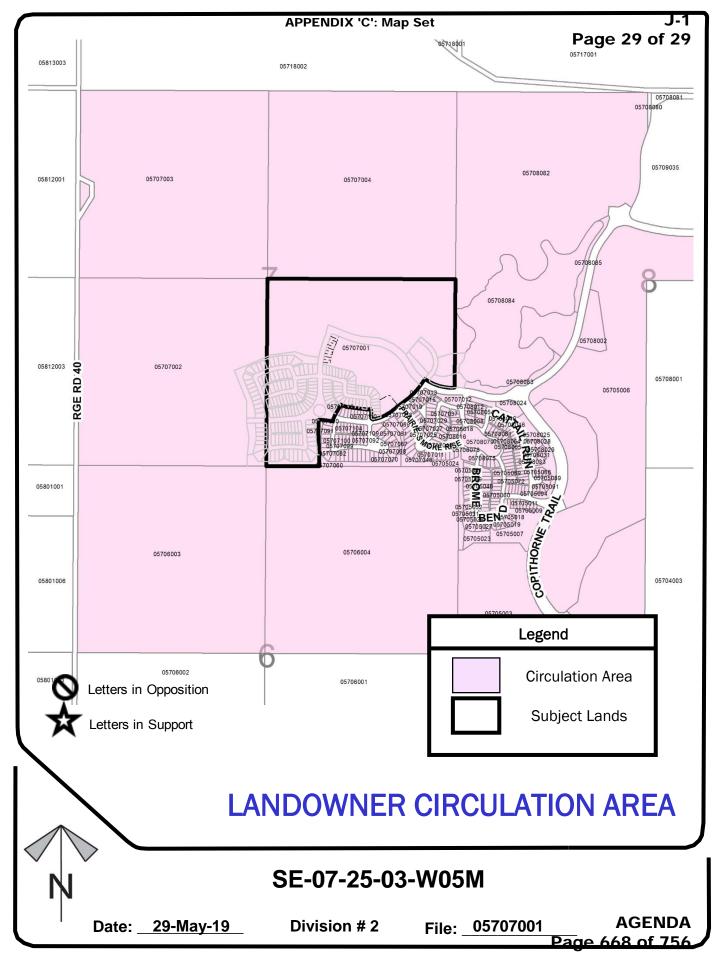
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**AGENDA** 

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### **PLANNING & DEVELOPMENT**

**TO:** Subdivision Authority

**DATE:** June 11, 2019 **DIVISION:** 2

**FILE:** 05708082 **APPLICATION:** PL20190005

**SUBJECT:** Subdivision Item - Harmony Stage 2, Phase 10 re-subdivision

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

The application was evaluated against the terms of Section 654 of the *Municipal Government Act*, Section 7 of the Subdivision and Development Regulations, the policies within the Harmony Conceptual Scheme.

#### **EXECUTIVE SUMMARY:**

The purpose of this application is to create 47 residential lots. The original Harmony Stage 2, Phase 10 subdivision (PL20170156) was approved in May 2018 and included the subject lands.

The subject lands are currently vacant. The proposed lots would gain access from Harmony Parade, and would be serviced by the Harmony water and wastewater system. All technical requirements were addressed as part of the original Phase 10 subdivision and fully secured development agreement.

## The application:

- Is consistent with the Harmony Conceptual Scheme;
- Holds the appropriate land use designation; and
- Contains required technical aspects that were considered and are addressed through the conditional approval requirements.

<b>PROPOSAL:</b> To create 47 residential lots ranging from ± 201.41 m <sup>2</sup> to ± 628.92 m <sup>2</sup> in size.	<b>GENERAL LOCATION:</b> Located in the community of Harmony.
<b>LEGAL DESCRIPTION:</b> Lot 1, Block 2, Plan 111 2762 within W-08-25-03-W05M	GROSS AREA: (± 1.35 hectares) ± 3.34 acres
APPLICANT: Stantec Geomatics Ltd. (Mark Woychuk)  OWNER: Harmony Developments Inc.	RESERVE STATUS: Municipal Reserves were previously deferred by Instrument Number 181028499.
LAND USE DESIGNATION: Direct Control Bylaw (DC-129)	<b>LEVIES INFORMATION:</b> Transportation Off-Site Levy has been provided for Stage 2, Phase 10 (Subdivision PL20170156)
DATE APPLICATION RECEIVED: January 9, 2019 DATE DEEMED COMPLETE: January 9, 2019	APPEAL BOARD: Municipal Government Board

<sup>&</sup>lt;sup>1</sup> Administration Resources

Johnson Kwan & Angela Yurkowski, Planning & Development



#### TECHNICAL REPORTS SUBMITTED:

- Letter Confirmation for Water Treatment and Wastewater Treatment Facilities Capacities (Coriz Utilities, August 28, 2017)
- Stage 1 Storm water Master Drainage Plan report (Urban Systems, September 2008)
- Geotechnical Evaluation (McIntosh Lalani Engineering Ltd., June 2000)
- Traffic Impact Assessment (Urban Systems, February 2016)
- Biophysical Impact Assessment and Environmental Protection Plan (Urban Systems, March 2006)
- Phase 1 Environmental Site Assessment (Pinchin Environmental, May 2014)

## LAND USE POLICIES AND STATUTORY PLANS:

- County Plan
- Harmony Conceptual Scheme

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

No letters in support/opposition to the application were received out of 196 landowners notified. The application was also circulated to a number of internal and external agencies (Appendix 'B').

#### **HISTORY:**

October 2008 Direct Control Bylaw (DC-129) was approved for the area.

**February 2007** Harmony Conceptual Scheme (Bylaw C-6411-2007) was approved, which sets

out a vision and framework for the development of the Harmony community.

#### TECHNICAL CONSIDERATIONS:

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

#### a) The site's topography

The subject land is generally flat. The property has been stripped and graded under previous development permit approvals.

Conditions: None

#### b) The site's soil characteristics

The site contains Class 4 soils with severe limitations to crop production due to high sodicity and excessive wetness/poor drainage, and Class 6 soils where crop production is not feasible due to excessive wetness/poor drainage, high sodicity, and adverse topography

Conditions: None

#### c) Storm water collection and disposal

These sites have been included in the original Phase 10 subdivision review and the phase 10 development agreement (File PL20170156). The Developer has signed a fully secured development agreement dated February 21, 2019. No further storm water requirements apply.

Conditions: None



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

No concerns for flooding, subsidence or erosion of the land.

Conditions: None

#### e) Accessibility to a road

The proposed lots would gain access from Harmony Parade. These sites have been covered under the Phase 10 subdivision review and the phase 10 development agreement (File PL20170156). The Developer has signed a fully secured development agreement dated February 21, 2019. No further transportation requirements apply.

The Developer has also provided the Transportation Offsite Levy for the proposed 47 lots under the original Phase 10 subdivision.

Conditions: None

## f) Water supply, sewage and solid waste disposal

Water Supply, and Sewage

The proposed lots would obtain potable water servicing from the Harmony Advanced Water Systems Corporation (HAWSCO) Potable Water Treatment and Distribution System.

Wastewater would be handled through the Harmony Advanced Water Systems Corporation (HAWSCO) Sanitary Collection and treatment system in accordance with the terms of the Franchise Agreement.

These sites have been covered under the Phase 10 subdivision review and the phase 10 development agreement (File PL20170156). The Developer has signed a fully secured development agreement dated February 21, 2019. No further servicing requirements apply.

Conditions: None

Solid Waste Disposal

The management of solid waste, recycling and other community waste diversion best practices (i.e. organics – composting) will be the property owners' responsibility through the Owners Association.

Conditions: None

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

The surrounding area is also designated as Direct Control District (DC-129), intended to facilitate the subdivision and development of the hamlet of Harmony.

Conditions: None

#### h) Other matters

Municipal Reserves – Municipal Reserve would be dedicated as part of the original Phase 10 subdivision. The outstanding balance of reserves owing from the remainder parcels will be deferred by caveat remainder parcels and other Harmony lands.

Conditions: None

#### **POLICY CONSIDERATIONS:**

#### Interim Growth Plan

The community of Harmony is considered as 'Unincorporated urban community' in accordance with the Calgary Metropolitan Region Interim Growth Plan. The proposal is compliant with Section 3.4.1.2 of the



IGP, which lists requirements for the intensification and infill of existing settlement areas in hamlets and other unincorporated urban communities within rural municipalities.

### County Plan

The County Plan (Section 5.1) support the development of the Hamlet of Harmony as a full service rural community providing a range of land uses, housing types, and rural services to their residents and local area; in accordance with their area structure plan or conceptual scheme.

#### Harmony Conceptual Scheme

Harmony is not located within any Area Structure Plan. The subject lands are contained within the Harmony Conceptual Scheme, and are located in an area identifies Residential Use in the Stage 2 Neighbourhood Plan. The Neighbourhood Plan indicates that Stage 2 will contain a diversity of housing types, including single-family detached, villas, semi-detached, and townhouses to support residents through various life stages.

The subject lands hold the Direct Control land use designation, which is the appropriate land use for the intended parcel sizes.

#### **CONCLUSION:**

The application is consistent with the Harmony Conceptual Scheme. The subject lands hold the appropriate land use designation, and the technical aspects of the subdivision proposal were considered and are further addressed through the conditional approval requirements.

#### **OPTIONS:**

OPTION #1: THAT Subdivision Application PL20190005 be approved with the conditions noted in Appendix A

OPTION #2: THAT Subdivision Application PL20190005 be refused per the reasons noted.

Respectfully submitted,	Concurrence,
"Richard Barss"	"Al Hoggan"
Acting Executive Director Community Development Services	Chief Administrative Officer
JKwan/llt	

**APPENDICES:** 

APPENDIX 'A': Approval Conditions APPENDIX 'B': Application Referrals

APPENDIX 'C': Map Set



#### APPENDIX A: APPROVAL CONDITIONS

- A. That the application to create 47 residential parcels ranging from ± 201.42 m² to ± 628.92 m² in size from Lot 1, Block 2, Plan 1112762 within W-08-25-03-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 Harmony Conceptual Scheme;
  - 2. The subject lands hold the appropriate land use designation;
  - 3. The technical aspects of the subdivision proposal have been considered, and are further addressed through the conditional approval requirements;
- B. The Owner is required, at their expense, to complete all conditions attached to and forming part of this conditional subdivision approval prior to Rocky View County (the County) authorizing final subdivision endorsement. This requires submitting all documentation required to demonstrate each specific condition has been met, or agreements (and necessary securities) have been provided to ensure the condition will be met, in accordance with all County Policies, Standards and Procedures, to the satisfaction of the County, and any other additional party named within a specific condition. Technical reports required to be submitted as part of the conditions must be prepared by a Qualified Professional, licensed to practice in the Province of Alberta, within the appropriate field of practice. The conditions of this subdivision approval do not absolve an Owner from ensuring all permits, licenses, or approvals required by Federal Provincial, or other jurisdictions are obtained.
- C. Further, in accordance with Section 654 and 655 of the Municipal Government Act, the application be approved subject to the following conditions of approval:

#### Plan of Subdivision

 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.

#### **Community Association**

Homeowners'/Landowners' Association

- 2) The Owner shall legally establish a Homeowners' Landowners' Association together with all corresponding corporate structure, governance and associated agreements and restrictions satisfactory to the County including, without restrictions, an encumbrance and/or other instrument(s) concurrently registered against the title of each new lot created, requiring that each individual Lot Owner is a member of the Homeowners'/Landowners' Association, and securing all restrictions and funding mechanisms required for the orderly, efficient and sustainable operation of the Homeowners'/Landowners' Association.
- 3) The Owners Association of Harmony governance and associated agreements and registration shall specify the future maintenance and operations of public lands and Owners Association of Harmony lands for public and private parks, open spaces and other amenity lands including onsite pathways, community landscaping and other features associated with these lands.

## **Airport Proximity**

4) The Owner shall register a caveat on all titles, to the satisfaction of the County, indicating the presence of the Springbank Airport and associated aircraft noise to alert landowners to the presence of the teaching airport and associated impacts.



## Levies, Payments and Dedications

#### Subdivision Endorsement Fee

5) The Owner shall pay the County subdivision endorsement fee for the creation of forty-seven (47) new lot(s), in accordance with the Master Rates Bylaw.

#### **Dedications**

- 6) The Owner shall provide all utility right of ways, roadways and utility lots necessary for the completion of all servicing and access contemplated within any of the foregoing.
- 7) The Owner shall dedicate and transfer all water allocation(s) and corresponding water license(s) necessary to permanently service the lots created at no cost to the County, any applicable franchised utility provider, and the consumer.

#### **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 Owner with a Voluntary Recreation Contribution Form and ask them if they will contribute to the Fund in accordance with the contributions prescribed in the Master Rates Bylaw.



## **APPENDIX B: APPLICATION REFERRALS**

AGENCY	COMMENTS
School Authority	
Rocky View Schools	No response.
Calgary Catholic School District	No response.
Public Francophone Education	No response.
Catholic Francophone Education	No response.
Province of Alberta	
Alberta Environment	No response.
Alberta Transportation	On initial review of the proposal and the previously completed traffic impact assessments (2012 and 2015) the traffic from this subdivision proposal will directly impact Highway 1 at Range Road 33, and Highway 22 at Township Road 250.
Alberta Culture and Community Spirit (Historical Resources)	Not required for circulation.
Alberta Energy Resources Conservation Board	No response.
Alberta Health Services	At this time, Alberta Heath Services do not have any concerns with the information as provided.
Public Utility	
ATCO Gas	No response.
ATCO Pipelines	No response.
AltaLink	No response.
FortisAlberta	Fortis Alberta is the Distribution Wire Service Provider for this area. The developer can arrange installation of electrical services for this subdivision through Fortis Alberta. Please have the



Cultivating Communities	
AGENCY	COMMENTS
	developer contact 310-WIRE (310-9473) to make application for electrical services.
	Please contact Fortis Alberta land services at <a href="mailto:landserv@fortisalberta.com">landserv@fortisalberta.com</a> or by calling (403) 514-4783 for any questions.
Telus Communications	No response.
TransAlta	No response.
Calgary Airport Authority	Noise Exposure
	The proposed development area is located within close proximity to the Springbank Airport and associated flight paths for training circuits. The County and prospective and owners must be aware that immediately over these lands, training aircraft are typically maintaining a lower altitude, in higher power settings than in a descent phase of flight. It is strongly recommended that a warning caveat be registered against the title for the land and information package provided to the potential home and landowners advising that the property is subject to aircraft operations on a continuous basis. The applicant is encouraged to follow acoustical requirements as set out in the Alberta Building code for areas within Airport Vicinity Protection Areas for any buildings to be constructed.

### **Bird Hazard Considerations**

Incompatible land uses that attract bird activity by providing food sources or water must be avoided or mitigated. For further information on mitigation measures please contact the Calgary Airport Authority Environmental Group at 403.735.1405

#### Land Use in the Vicinity of Airports

As this development is occurring outside of the Springbank Airport property boundary, the proposed development should ensure compatibility to the land use recommendations and guidelines as set out in TP1247 Land Use in the Vicinity of Airports.

#### **Commitments from Bordeaux Developments**

Bordeaux Developments has given the Calgary Airport Authority and Rocky View County various commitments for this development. Items specific to this development include, among others, a commitment for caveats on title making the airport's presence clear, inclusion of additional acoustical elements into architectural guidelines, and clause in the sales agreement to gain acknowledgement from the owner recognizing the airports



AGENCY	COMMENTS
	existence and possible effects. The County should ensure that these commitments are met prior to application approval and enforce them where able to.
Other External Agencies	
EnCana Corporation	No response.
Enmax	No response.
Rocky View County	
Boards and Committees	
ASB Farm Members and Agricultural Fieldman	No comments.
Rocky View West Recreation Board	Recommends that the deferral of MR continues on these applications.
Internal Departments	
Recreation, Parks & Community Support	The Municipal Lands Office has reviewed this subdivision application and offer the following comments:
	There are no objections to this application, subject to:
	<ul> <li>The proposed subdivision generally follows the theme of the approved Harmony Conceptual Scheme.</li> <li>With respect to the registered Deferred Reserve Caveat (181 028 499); any MR owning shall be further deferred</li> </ul>
	and considered for future phases/stages to be applied to the ultimate buildout of the Harmony community.
Development Authority	No comments.
GIS Services	GIS provided the preliminary addresses for Phase 10 Harmony.
Fire Services & Emergency Management	<ul> <li>Please ensure that water supplies and hydrants are sufficient for firefighting purposes.</li> <li>Dependent on the occupancies, the Fire Service</li> </ul>



#### **AGENCY**

#### **COMMENTS**

- recommends that the buildings be sprinklered, if applicable, as per the Alberta Building Code.
- Please ensure that access routes are compliant to the design specified in the Alberta Building Code and the Rocky View County Servicing Standards.
- Please ensure that there is adequate access throughout all phases of development and that the access complies with the requirements of the Alberta Building Code & NFPA 1141.
- There are no further comments at this time.

#### Municipal Enforcement

No recommendations at this time.

# Planning & Development - Engineering

#### General

- The owner will be responsible for all required payments of 3<sup>rd</sup> party reviews and/or inspections as per the Master Rates Bylaw C-7751-2018, as amended
- The applicant shall provide for payment of the engineering services fees per the Master Rates Bylaw C-7751-2018, as amended.
- Please note that all infrastructure required to accommodate the 47 MF lots proposed in this subdivision application has been provided under the Phase 10 development agreement (File PL20170156). The developer has signed a fully secured development agreement dated February 21<sup>st</sup>, 2019 and no further requirements apply.

#### Geotechnical

• No further geotechnical requirements apply. These sites have been covered under the Phase 10 engineering review.

## **Transportation**

- No further transportation requirements apply. These sites have been covered under the Phase 10 engineering review.
- Transportation Levy for the proposed 47 lots has been provided by the developer under file PL20170156 (Phase 10) and reflected on County receipt #398664.

#### Sanitary/Wastewater

 No further servicing requirements apply. These sites have been serviced under the Phase 10 engineering review and the development agreement noted above.

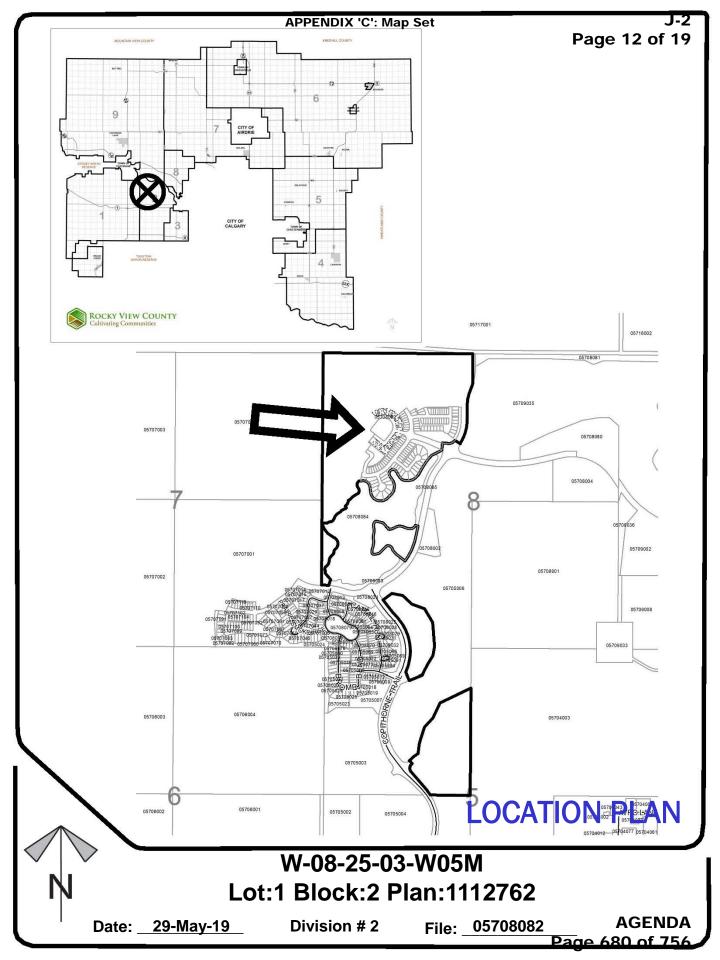
## **Storm Water Management**

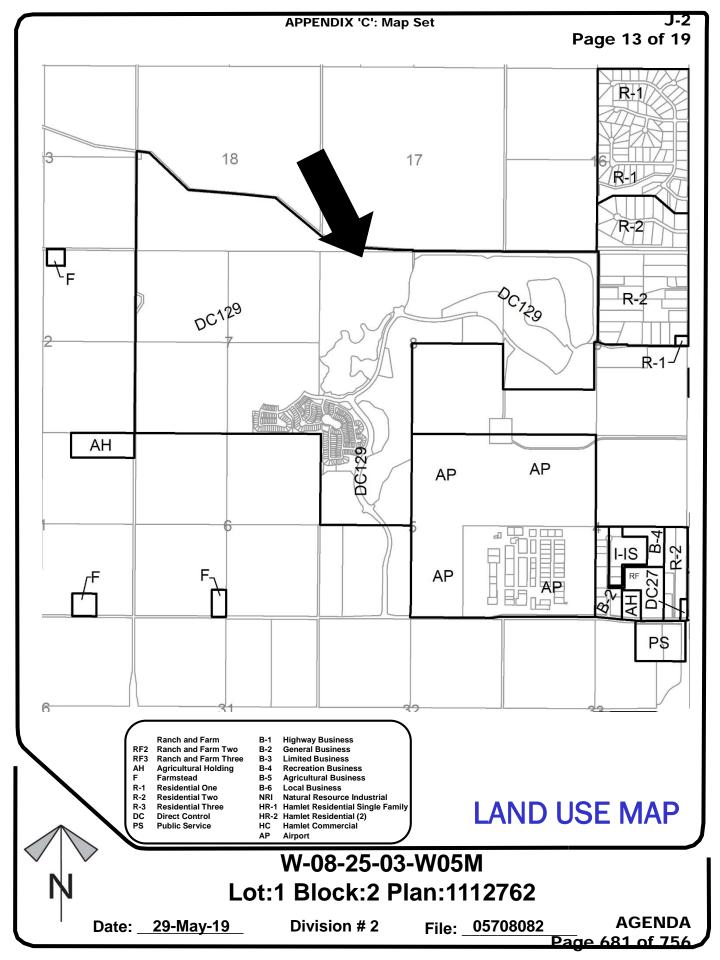
 No further storm water requirements apply. These sites have been included in the Phase 10 engineering review



AGENCY	COMMENTS
	and the development agreement noted above.
Transportation Services	No comments.
Capital Project Management	No concerns.
Operational Services	Applicant to contact County Road Operations with haul detailed related to material and equipment needed for site grading and lot development to confirm if Road Use Agreement will be required for haul along County Road system.
Utility Services	All water, wastewater and storm water servicing to be in accordance with the Harmony Advanced Water Systems Corporation Water and Wastewater Franchise Agreement.
Agriculture & Environmental Services	No comments.

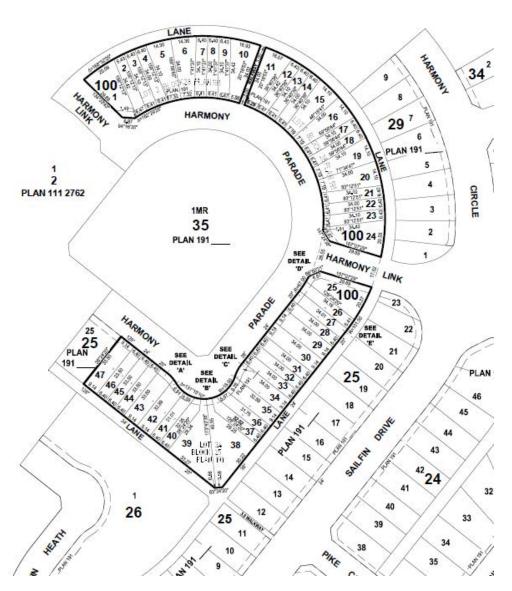
Circulation Period: January 10, 2019 – January 31, 2019





## PL20190005 Harmony Stage 2 Phase 10 re-subdivision:

To create 47 residential lots ranging from 201.42 m<sup>2</sup> to 628.92 m<sup>2</sup>.



## **Surveyor's Notes:**

- 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**

W-08-25-03-W05M Lot:1 Block:2 Plan:1112762

Date: 29-May-19

Division # 2

File: 05708082

AGENDA

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

## **TOPOGRAPHY**

Contour Interval 2 M

W-08-25-03-W05M

Lot:1 Block:2 Plan:1112762

**AGENDA** File: 05708082

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Date: <u>29-May-19</u>

Division #2



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

## **AIR PHOTO**

Spring 2018

W-08-25-03-W05M

Lot:1 Block:2 Plan:1112762

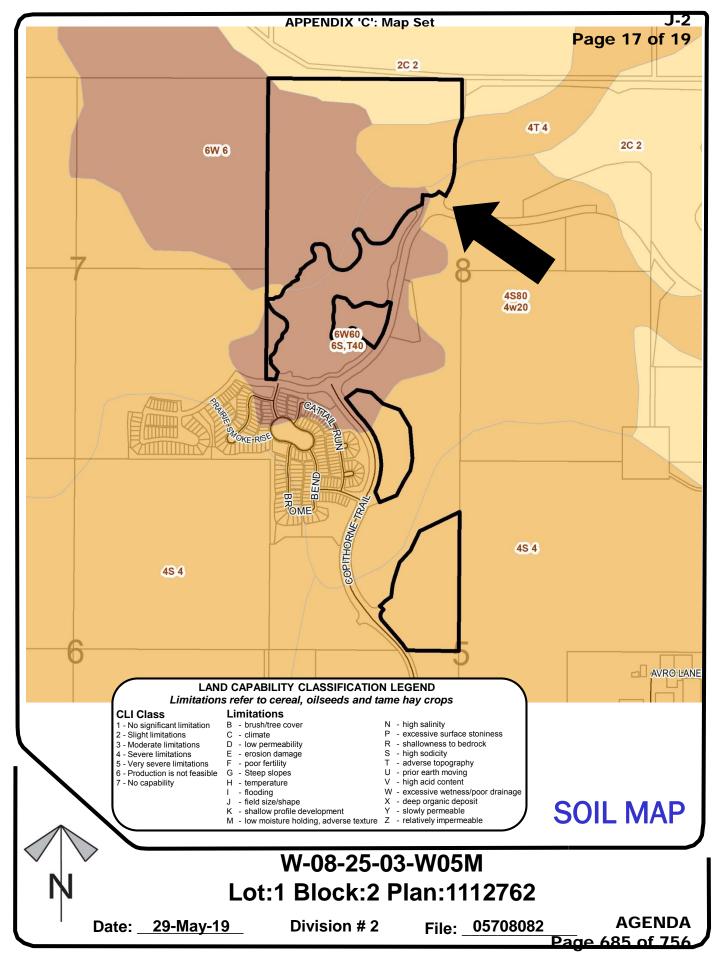
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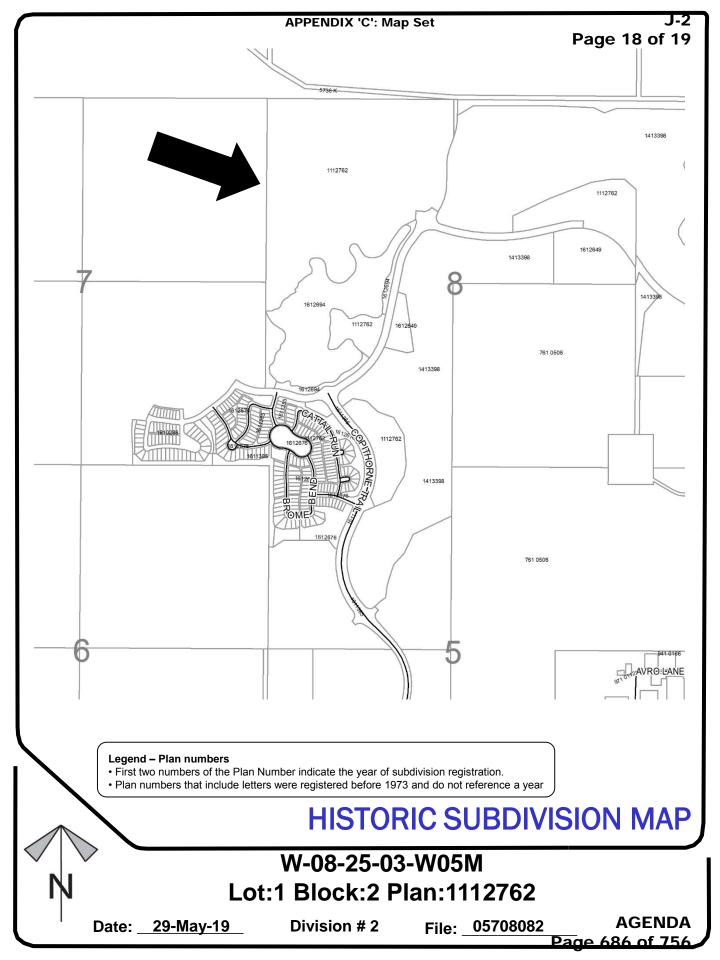
Division # 2

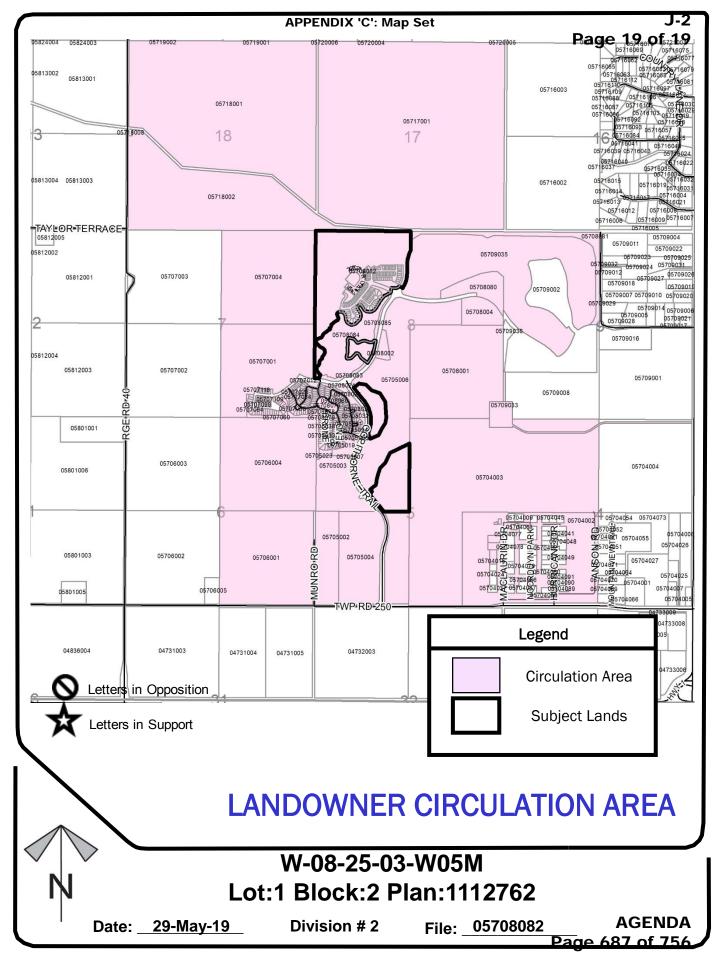
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AGENDA

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## **PLANNING & DEVELOPMENT**

**TO:** Subdivision Authority

**DATE**: June 11, 2019 **DIVISION**: 03

**FILE:** 04702183 **APPLICATION:** PL20180104

SUBJECT: Subdivision Item - Elbow Valley West multi-lot subdivision

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

The application was evaluated against Section 654 of the *Municipal Government Act*, Section 7 of the Subdivision and Development Regulations, the policies of the Elbow Valley West Conceptual Scheme, and the Direct Control Bylaw.

#### **EXECUTIVE SUMMARY:**

The ± 1.60 acre subject land is currently vacant. The parcel has access from two internal roads. Water servicing is provided by Westridge Utilities. Sanitary servicing is through the Elbow Valley Pinebrook Wastewater System.

The Elbow Valley West Conceptual Scheme allows a maximum of 121 residential dwelling units. Currently there are 115 residential parcels. The proposed five new lots plus the remainder parcel would reach the maximum of 121 residential dwelling units as intended in the Conceptual Scheme.

The proposed conditions are prepared in accordance with the County's legal counsel's recommendations (Appendix A). The Applicant/Owner also requested the Subdivision Authority to consider an alternative set of subdivision conditions (Appendix B).

## The application:

- Is consistent with the Elbow Valley West Conceptual Scheme;
- Holds the appropriate land use designation; and
- Contains technical aspects that are addressed through the conditional approval requirements.

Notwithstanding compliance, Administration recommends the Subdivision Authority move in camera to consider the confidential briefing pursuant to the following sections of the *Freedom of Information and Protection of Privacy Act* (Section 24 – Advice from officials; Section 27 – Privileged information).

<b>PROPOSAL:</b> To create five ± 0.25 acre parcels with a 0.30 acre remainder.	GENERAL LOCATION: Located approximately 5.6 kilometres west of the city of Calgary in the Elbow Valley West community.
<b>LEGAL DESCRIPTION:</b> Lot Unit 92 within Plan 0714894, within N ½ -02-24-03-W05M	GROSS AREA: ± 0.65 hectares (±1.60 acres)
APPLICANT: B&A Planning Group - Ken Venner OWNER: Elbow Valley West Ltd.	RESERVE STATUS: Municipal Reserves were previously provided on Plan 0714894.

<sup>&</sup>lt;sup>1</sup> Administration Resources

Johnson Kwan & Gurbir Nijjar, Planning and Development



LAND USE DESIGNATION: Direct Control District (DC-92)	<b>LEVIES INFORMATION:</b> Transportation Off-Site Levy has been provided.
DATE APPLICATION RECEIVED: August 30, 2018 DATE DEEMED COMPLETE: August 30, 2018	APPEAL BOARD: Municipal Government Board
TECHNICAL REPORTS SUBMITTED: N/A	LAND USE POLICIES AND STATUTORY PLANS:
	<ul><li>County Plan Bylaw</li><li>Elbow Valley West Conceptual Scheme Bylaw</li></ul>

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

Eleven (11) letters in opposition to the application were received, one of which is from the Elbow Valley West Condominium Corporation; a total of 279 landowners were notified (see Appendix 'E'). The application was also circulated to a number of internal and external agencies (Appendix 'C').

## **HISTORY:**

September 2018 Council passed a budget adjustment to fund the connection of Elbow Valley West

to the Elbow Valley Pinebrook Wastewater System.

October 2007 Subdivision Plan No. 071 4894 was registered, creating the subject parcel.

**June 2006** Subdivision application (2005-RV-409) was approved to create a comprehensively

planned subdivision with 115 residential units ranging in size between  $\pm$  0.19 and  $\pm$  2.17 acres, one common unit totaling  $\pm$  21.59 acres, a total of  $\pm$  8.5 acres of Municipal Reserve with a  $\pm$  1.63 acre remainder (to be later subdivided to create

six additional lots upon confirmation of a regional wastewater services).

May 9, 2006 Direct Control Bylaw (DC-92) amended to limit maximum number of dwelling units

to 115 or 221 upon wastewater services to the subdivision being replaced with

regional wastewater services.

March 2004 The Elbow Valley West Conceptual Scheme and the Direct Control Bylaw (DC-92)

were adopted to provide a framework for the subsequent redesignation, subdivision and development in a portion of the N ½ Sec. 2-24-03-W05M.

## **TECHNICAL CONSIDERATIONS:**

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

## a) The site's topography

The subject property is flat and has no topographical constraints.

Conditions: None

#### b) The site's soil characteristics

The site contains Class 2 soils with slight limitations to cereal crop production due to climate.

Conditions: None



## c) Storm water collection and disposal

A storm water management plan was prepared as part of the original subdivision application (2005-RV-409). As a condition of subdivision, the Applicant/Owner would be required to confirm that the lots to be subdivided conform to the previously approved Elbow Valley West grading plans prepared by Eclipse Geomatics & Engineering Ltd.

Conditions: 6, 7, 8

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

There are no issues related to flooding, subsidence, or erosion of the land that would limit or constrain the proposed subdivision.

Conditions: none

## e) Accessibility to a road

Four of the proposed parcels have direct access to 100 Glyde Park, and two proposed parcels have direct access to 200 Glyde Park, each being paved private condominium roads.

Conditions: 2

## f) Water supply, sewage and solid waste disposal

Water supply

Potable water in this subdivision is serviced by Westridge Utilities. The Applicant indicated that each proposed residential lot has been pre-serviced with water service connection. The proposed lots were included in the design of the internal water distribution system, and therefore, sufficient capacity exists to accommodate the additional residential water connections.

As a condition of subdivision, the Applicant/Owner would be required to provide documentation from Westridge Utilities proving that water supply has been purchased for the proposed lots and connection stubs are in place for each of the newly created lots.

Conditions: 3

Sewage – Connection to Elbow Valley Pinebrook Wastewater System

In the past, the Elbow Valley West development had been serviced through a wastewater collection system that discharged to holding tanks within the community. Wastewater from the holding tanks had been hauled by truck and disposed of at an approved wastewater treatment facility.

In 2018, the Elbow Valley West Development Agreement was completed, the County assumed ownership and operations of the wastewater collection system a new Master Servicing Agreement between the City of Calgary and Rocky View County was authorized by Rocky View County Council and signed, and Council passed a budget adjustment to fund the connection of Elbow Valley West to the Elbow Valley Pinebrook Wastewater System. Sanitary servicing for the area is now connected to the system.

Each proposed residential lot has been pre-serviced with a waste water service connection. The proposed lots were included in the design of the internal sanitary sewer system, and therefore, sufficient capacity exists to accommodate the additional residential sanitary connections. Video inspections show that connection stubs are in place for all proposed lots.

Conditions: None



## Solid Waste Disposal

Solid waste disposal would be the responsibility of the individual landowners or collectively managed through the Condominium Association.

Conditions: None

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

The surrounding area is primarily country residential development designated as Direct Control Bylaw (DC-92). Parcel sizes ranges from ±0.19 acres to 2.17 acres.

## h) Other matters

Municipal Reserves were previously provided on Plan 0714894.

Conditions: None

#### **POLICY CONSIDERATIONS:**

#### Interim Growth Plan

The Interim Growth Plan applies to the statutory plans and amendments thereto. Statutory plans include Intermunicipal Development Plans, Municipal Development Plans, and Area Structure Plans as established through the *Municipal Government Act*.

The application was assessed based on the Intermunicipal Development Plan, the County's Municipal Development Plan (the County Plan), and the Elbow Valley West Conceptual Scheme. The subject land is not located within any Area Structure Plan.

## Intermunicipal Development Plan

The subject land is located within the Rocky View County/City of Calgary Intermunicipal Development Plan, and the application was circulated to the City of Calgary. The City of Calgary had no comments.

## Conceptual Scheme

The subject land is located in the Elbow Valley West Conceptual Scheme. The application is consistent with the proposed concept plan and the proposed lotting plan.

The Conceptual Scheme allows a maximum of 121 residential dwelling units in the area (Policy 4.3.1). Currently there are 115 residential parcels (subdivision approved in 2006). The proposed five new lots plus the remainder parcel would reach the maximum of 121 residential dwelling units as intended in the Conceptual Scheme. The maximum of 121 residential dwelling units is also consistent with Direct Control Bylaw (DC-92) Section 1.7.0.

The conceptual scheme indicates that individual lot size and configuration can be determined at the subdivision stage (policy 4.2.1 and 4.2.4). The subject land is designated as Direct Control District (DC-92), which is the appropriate land use for the intended parcel sizes (minimum lot area of 0.25 acres).

#### **CONCLUSION:**

The application meets the intent of the Elbow Valley West Conceptual Scheme, and the subject land holds the appropriate land use designation for the intended parcel sizes. All technical matters are addressed through the conditions of approval.



## **OPTIONS:**

OPTION #1: THAT Council move in camera to consider the confidential briefing pursuant to the

following section of the Freedom of Information and Protection of Privacy Act:

• Section 24 – Advice from officials

Section 27 – Privileged information

OPTION #2: THAT Subdivision Application PL20180104 be approved with the conditions noted in

Appendix A as per the County's legal counsel's recommendation.

OPTION #3: THAT Subdivision Application PL20180104 be approved with the conditions noted in

Appendix B as per the Applicant/Landowner's request.

OPTION #4: THAT Subdivision Application PL20180104 be refused.

Respectfully submitted,	Concurrence,
"Richard Barss"	"Al Hoggan"
Acting Executive Director Community Development Services	Chief Administrative Officer

JKwan/IIt

## **APPENDICES:**

APPENDIX 'A': Approval Conditions as per the County's Legal Counsel's recommendations

APPENDIX 'B': Approval Conditions as per the Applicant/Landowner's request

APPENDIX 'C': Application Referrals

APPENDIX 'D': Map Set

APPENDIX 'E': Landowner Comments



# APPENDIX A: APPROVAL CONDITIONS AS PER THE COUNTY'S LEGAL COUNSEL'S RECOMMENDATIONS

- A. That the application to create five ± 0.10 hectare (± 0.25 acre) parcels with a ± 0.12 hectare (± 0.30 acre) remainder from Lot Unit 92, within Plan 0714894 within N ½ -02-24-03-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, the application is approved as per the Tentative Plan for the reasons listed below:
  - 1. The application is consistent with the Elbow Valley West Conceptual Scheme;
  - 2. The subject lands hold the appropriate land use designation;
  - 3. The technical aspects of the subdivision proposal have been considered, and are further addressed through the conditional approval requirements;
- B. The Owner is required, at their expense, to complete all conditions attached to and forming part of this conditional subdivision approval prior to Rocky View County (the County) authorizing final subdivision endorsement. This requires submitting all documentation required to demonstrate each specific condition has been met, or agreements (and necessary securities) have been provided to ensure the condition will be met, in accordance with all County Policies, Standards and Procedures, to the satisfaction of the County, and any other additional party named within a specific condition. Technical reports required to be submitted as part of the conditions must be prepared by a Qualified Professional, licensed to practice in the Province of Alberta, within the appropriate field of practice. The conditions of this subdivision approval do not absolve an Owner from ensuring all permits, licenses, or approvals required by Federal, Provincial, or other jurisdictions are obtained.
- C. Further, in accordance with Section 654 and 655 of the *Municipal Government Act*, the application 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.

## Accessibility to a Road

2) The private internal roadway adjacent to Lot 1, 2, 3, 4, 5 and the remainder lot, and contained within Unit 1, Condominium Plan 0714897, shall be transferred to Condominium Corporation No. 0714897, so as to ensure legal access to the lots in accordance with Section 9 of the Subdivision and Development Regulations, the Elbow Valley Area Structure Plan, and the Elbow Valley West Conceptual Scheme.

## Water Servicing

- 3) The Applicant/Owner shall provide confirmation of tie-in for connection to the Westridge water utility, an Alberta Environment licensed piped water supplier, for Lot 1, 2, 3, 4, 5 and the remainder lot as shown on the Approved Tentative Plan. This includes providing:
  - a) Documentation proving that water supply has been purchased for proposed Lots 1, 2, 3, 4, 5, and the remainder lot;
  - b) Documentation proving that all necessary water infrastructure, including the connection stubs to each proposed lots, are installed.



## Sanitary Servicing

- 4) The Developer shall, prior to registration of the plan of subdivision, directly or indirectly ensure the decommissioning and removal of the interim wastewater facilities (including all wastewater tanks storage tanks, and related facilities) from the adjacent Unit 98, Condominium Plan 0714897, and reclaim the impacted lands to the satisfaction of Alberta Environment and Parks and the County.
- 5) If the placement of fill is required as part of the reclamation of the holding tanks, the Applicant/Owner is required to provide a geotechnical report prepared by a geotechnical engineer outlining recommendations for adequate placement of fill.

OR

Should the placement of fill not be needed and the interim waste water facilities (including all wastewater tanks storage tanks, and related facilities) be decommissioning in another method acceptable to Alberta Environment and Parks and the County, this condition shall be considered satisfied.

#### Storm Water Conditions

- 6) The Applicant/Owner shall confirm that all lots to be subdivided conform to the previously approved Elbow Valley West lot grading plans prepared by Eclipse Geomatics & Engineering Ltd.
- 7) The Developer shall, prior to registration of the plan of subdivision, directly or indirectly ensure the grading of lands on Unit 98, Condominium Plan 071 4894 remain unchanged after site reclamation. Should the Applicant/Owner be required to place fill, the Applicant/Owner is required to provide a site grading plan to confirm the final site grades conform to the examined grading plans prepared by Eclipse Geomatics & Engineering Ltd. for the Elbow Valley West development for Unit 98, Condominium Plan 071 4894.
- 8) The Applicant/Owner is to submit a Construction Management Plan addressing noise attenuation and source control, dust control, erosion and sediment control, management of storm water during construction, and all other relevant construction management details due to activities related to the decommissioning and removal activities of the interim wastewater facilities (including all wastewater tanks storage tanks, and related facilities) from the adjacent Unit 98, Condominium Plan 0714897

#### Condominium Association Open Space

9) The private open space contained within Unit 98, Condominium Plan 0714897, shall be transferred to Condominium Corporation No. 0714897, so as to ensure availability to the lots in accordance with the Elbow Valley Area Structure Plan and the Elbow Valley West Conceptual Scheme.

## Payments and Levies

10) The Owner shall pay the County subdivision endorsement fee, in accordance with the Master Rates Bylaw, for the creation of five new lots.

#### 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 Owner with a Voluntary Recreation Contribution Form and ask them if they will contribute to the Fund in accordance with the contributions prescribed in the Master Rates Bylaw.



# APPENDIX B: APPROVAL CONDITIONS AS PER THE APPLICANT/LANDOWNER REQUEST

- A. That the application to create five ± 0.10 hectare (± 0.25 acre) parcels with a ± 0.12 hectare (± 0.30 acre) remainder from Lot Unit 92, within Plan 0714894 within N ½ -02-24-03-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, the application is approved as per the Tentative Plan for the reasons listed below:
  - 1. The application is consistent with the Elbow Valley West Conceptual Scheme;
  - 2. The subject lands hold the appropriate land use designation;
  - 3. The technical aspects of the subdivision proposal have been considered, and are further addressed through the conditional approval requirements;
- B. The Owner is required, at their expense, to complete all conditions attached to and forming part of this conditional subdivision approval prior to Rocky View County (the County) authorizing final subdivision endorsement. This requires submitting all documentation required to demonstrate each specific condition has been met, or agreements (and necessary securities) have been provided to ensure the condition will be met, in accordance with all County Policies, Standards and Procedures, to the satisfaction of the County, and any other additional party named within a specific condition. Technical reports required to be submitted as part of the conditions must be prepared by a Qualified Professional, licensed to practice in the Province of Alberta, within the appropriate field of practice. The conditions of this subdivision approval do not absolve an Owner from ensuring all permits, licenses, or approvals required by Federal, Provincial, or other jurisdictions are obtained.
- C. Further, in accordance with Section 654 and 655 of the *Municipal Government Act*, the application be approved subject to the following conditions of approval:

#### Plan of Subdivision

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

## Accessibility to a Road

2) The private internal roadway adjacent to Lot 1, 2, 3, 4, 5 and the remainder lot and contained within Unit 1, Condominium Plan 0714897, shall be transferred to Condominium Corporation No. 0714897 to ensure legal access to the lots in accordance with Section 9 of the Subdivision and Development Regulations, the Elbow Valley Area Structure Plan, and the Elbow Valley West Conceptual Scheme.

## The Applicant/Owner Requests that Condition #2 be removed:

EVW Ltd. assumes administration is proposing this condition to ensure title to Unit 1 is transferred to the EVW Condo Corporation to ensure all existing residential lots enjoy access to the private roads. EVW Ltd. notes that an existing Restrictive Covenant and Easement Agreement (doc #071 496 430) ensures legal access over Unit 1 is accommodated to each lot within the development area. EVW Ltd. also notes that conveyance documents intended to transfer Unit 1 were forwarded to counsel for the EVW Condo Corporation some time ago, which have not been acted upon. As such, the condition is redundant and would have the effect of assigning the obligation to satisfy it to another party, which is not appropriate.



## Water Servicing

- 3) The Applicant/Owner shall provide confirmation of tie-in for connection to the Westridge water utility, an Alberta Environment licensed piped water supplier, for Lot 1, 2, 3, 4, 5 and the remainder lot as shown on the Approved Tentative Plan. This includes providing information regarding:
  - a) Documentation proving that water supply has been purchased for proposed Lots 1, 2, 3, 4, 5, and the remainder lot;
  - b) Documentation proving that all necessary water infrastructures, including the connection stubs to each proposed lots are installed.

## Sanitary Servicing

- 4) The Developer shall, prior to registration of the plan of subdivision, directly or indirectly ensure the decommissioning and removal of the interim wastewater facilities (including all wastewater tanks storage tanks and related facilities) from the adjacent Unit 98, Condominium Plan 071 4897 reclaimed the impacted lands to the satisfaction of Alberta Environment and Parks and the County.
- 5) If the placement of fill is required as part of the reclamation of the holding tanks, the Applicant/Owner is required to provide a geotechnical report prepared by a geotechnical engineer outlining recommendations for adequate placement of fill.

#### OR

Should the placement of fill not be needed and the interim wastewater facilities (including all wastewater tanks storage tanks and related facilities) be decommissioning in another method acceptable to Alberta Environment and Parks and the County, this condition shall be considered satisfied.

The Applicant/Owner Requests that Conditions #4 & #5 be removed: EVW Ltd. assumes administration is proposing this condition because EVW Ltd. is currently the 'registered owner' of Unit 98. EVW Ltd. notes that conveyance documents intended to transfer Unit 98 were forwarded to the EVW Condo Corporation, which have not been acted upon. Notwithstanding, the EVW Condo Corporation have effectively taken ownership, operation, and maintenance of the wastewater holding tanks for nearly a decade.

As such, EVW Ltd. asserts that the obligation to decommission and remove/reclaim the wastewater holding tanks is the responsibility of the EVW Condo Corporation. Further, EVW Ltd. asserts the existing Deferred Servicing Agreement is registered against title to Unit 92 and would be carried forward to the titles for each of the new residential lots under consideration (similar to the carry forward to the titles to the other units when the initial condominium plan was registered), thereby proportionally assigning the responsibility to decommission and reclaim Unit 98 to <u>ALL</u> of the residential property owners within the Elbow Valley West condominium plan.

Clause 14 of the Deferred Servicing Agreement is stated to bind the Owner, which term under the agreement is defined as the owner of units 1 to 118 collectively – a blanket obligation such as this is to be prorated and shared amongst all unit owners as provided in section 7 of the Condominium Property Act.

It is also arguable that the obligation to remove the tanks is not a current requirement given that clause 11 of the Deferred Servicing Agreement contemplates that the obligations would arise once the Municipality is providing the public utilities noted – the tanks may be required in the future should the



City of Calgary cease to accept the wastewater generated by the project prior to the Municipality having installed its own waste water system which benefits the project.

It is also noted that the existence of the tanks was not an impediment to the initial subdivision of the lands which created other units in similar proximity to unit 98.

#### Stormwater Conditions

- 6) The Applicant/Owner shall confirm all lots to be subdivided conform to the previously approved Elbow Valley West lot grading plans prepared by Eclipse Geomatics & Engineering Ltd.
- 7) The Developer shall, prior to registration of the plan of subdivision, directly or indirectly ensure the grading of lands on Unit 98, Condominium Plan 071 4894 remain unchanged after site reclamation. Should the Applicant/Owner be required to place fill, the Applicant/Owner is required to provide a site grading plan to confirm the final site grades conform to the examined grading plans prepared by Eclipse Geomatics & Engineering Ltd. for Elbow Valley West development for Unit 98, Condominium Plan 071 4894.

## **Construction Management**

8) The Applicant/Owner is to submit a Construction Management Plan addressing noise attenuation and source control, dust control, erosion and sediment control, management of stormwater during construction, and all other relevant construction management details due to activities related to the decommissioning and removal activities of the interim wastewater facilities (including all wastewater tanks storage tanks, and related facilities) from the adjacent Unit 98, Condominium Plan 0714897.

The Applicant/Owner Requests that Conditions #7 and #8 be removed: EVW Ltd. asserts there will be no construction activities required to implement the proposed redivision of Unit 92 into 5 new residential lots with a residential lot remainder the redivision plan will merely create 6 new condominium units/titles in place of the unit 92 title. As such, these conditions are redundant.

#### **Condominium Association Open Space**

9) The private open space contained within Unit 98, Condominium Plan 0714897, shall be transferred to Condominium Corporation No. 0714897, so as to ensure availability to the lots in accordance with the Elbow Valley Area Structure Plan and the Elbow Valley West Conceptual Scheme.

The Applicant/Owner Requests that Condition #9 be removed: EVW Ltd. assumes administration is proposing this condition to ensure title to Unit 98 is transferred to the EVW Condo Corporation to ensure all existing residential lots enjoy access to the private open space. EVW Ltd. also notes that conveyance documents intended to transfer Unit 98 were forwarded to counsel for the EVW Condo Corporation some time ago, which have not been acted upon. As such, the condition is redundant and would have the effect of assigning the obligation to satisfy it to another party, which is not appropriate.

#### Payments and Levies

10) The Owner shall pay the County subdivision endorsement fee, in accordance with the Master Rates Bylaw, for the creation of five new lots.

#### **Taxes**

11) All taxes owing, up to and including the year in which subdivision the plan of redivision 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 <u>Subdivision\_plan of redivision</u>, 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.



## **APPENDIX C: APPLICATION REFERRALS**

AGENCY	COMMENTS
School Authority	
Rocky View Schools	No response.
Calgary Catholic School District	No response.
Public Francophone Education	No response.
Catholic Francophone Education	No response.
Province of Alberta	
Alberta Environment and Parks	Not required for circulation.
Alberta Transportation	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 8. Presently, the application does not appear to comply with any category of Section 14, of the Regulation because the amended Elbow Valley Area Structure Plan has not received official endorsement from the Minister of Transportation.
	The department recognizes that the land involved in this application is removed from the provincial highway systems, is consistent with other area development, and relies on the municipal road network for access. It appears that the residential parcels being created by this application should not have a significant impact on the provincial highway system.
	Alberta Transportation has no objection to this proposal and grants and 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.
	Please note that Highway 8 will be upgraded to a divided highway in the future. Noise attenuation and/or visual screening required to mitigate the negative impacts of the highway on adjacent



AGENCY	COMMENTS
	residential development is the responsibility of the developer and/or the municipality.
Alberta Culture and Community Spirit (Historical Resources)	Not required for circulation.
Alberta Energy Resources Conservation Board	No response.
Alberta Health Services	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.
Public Utility	
ATCO Gas	No response.
ATCO Pipelines	No response.
AltaLink	No response.
FortisAlberta	Fortis Alberta has no objections to the proposal and no easements are required at this time.
	Fortis Alberta is the Distribution Wire Service Provider for this area. The developer can arrange installation of electrical services for this subdivision through Fortis Alberta. Please have the developer contact 310-WIRE (310-9473) to make application for electrical services.
Telus Communications	No response.
Direct Energy	No response.
TransAlta	No response.
Adjacent Municipality	
The City of Calgary	The City of Calgary has reviewed the below noted circulation application referencing the Rocky View/Calgary Intermunicipal Development Plan (IDP) and other applicable policies.
	The City of Calgary has no comments regarding Application



AGENCY	COMMENTS
	#PL20180104.
Other External Agencies	
EnCana Corporation	No response.
Enmax	No response.
Rocky View County	
Boards and Committees	
ASB Farm Members and Agricultural Fieldmen	No response.
Rocky View West Recreation Board	Given that Municipal Reserves were previously provided on Plan 0714894, the Rocky View West Recreation Board has no comments on this circulation.
Internal Departments	
Recreation, Parks & Community Support	The Recreation, Parks and Community Support (formerly Municipal Lands) Office has no concerns with this subdivision application as applicable reserves have been previously dedicated.
Development Authority	No response.
GIS Services	No response.
Fire Services & Emergency Management	No comments at this time.
Municipal Enforcement	No concerns.
Planning & Development - Engineering	General
	<ul> <li>The review of this file is based upon the application submitted. These conditions/recommendations may be subject to change to ensure best practices and procedures;</li> <li>The current Land Use is DC92;</li> </ul>



## **AGENCY**

## **COMMENTS**

- The subject lands formed part of the Elbow Valley West subdivision (2005-RV-409). The Developer's intention was to subdivide the lands once the Elbow Valley West Wastewater System was connected to the City of Calgary Elbow Valley Sanitary Trunk Line. A Re-Division Agreement is registered against title in accordance with restrictive covenant registration #071496416. This agreement is to be discharged at the time the subdivision is endorsed;
- On July 10, 2018, Council authorized Administration to enter into the Master Servicing Agreement with the City of Calgary in order to provide reliable and affordable wastewater servicing to residents in Rocky View County, resolving the long standing wastewater servicing issue in Elbow Valley West. In a letter dated August 24, 2018, the City of Calgary provided permission to RVC to proceed with the EVW connection and this materialized in September 2018;
- The Developer shall, prior to registration of the plan of subdivision, directly or indirectly ensure the decommissioning and removal of the interim wastewater facilities (including all wastewater tanks storage tanks, and related facilities) from the adjacent Unit 98, Condominium Plan 071 4894, and reclaim the impacted lands to the satisfaction of Alberta Environment and Parks and the County;
- At the time the Elbow Valley West subdivision was planned and servicing infrastructure implemented, the proposed lots were included in the servicing plans;
- A Deferred Servicing Agreement is registered against title in accordance with caveat registration #071 496 418. The Applicant has requested this caveat be discharged by the County upon Subdivision endorsement. The County has determined the agreement addresses requirements that will continue to be relevant once this Subdivision is endorsed, and therefore should remain in place.
- As a condition of subdivision, the Applicant/Owner is to submit a Construction Management Plan addressing noise attenuation and source control, dust control, erosion and sediment control, management of stormwater during construction, and all other relevant construction management details related to the decommissioning of the interim wastewater facilities (including all wastewater tanks storage tanks, and related facilities) from Unit 98, Condominium Plan 071 4894

## **Geotechnical - Section 300.0 requirements:**

 As part of the reclamation of the holding tanks, it is likely the site will require placement of fill. Should fill be required, as a condition of subdivision the Applicant is to provide a



## AGENCY COMMENTS

geotechnical report prepared by a geotechnical engineer outlining recommendations for adequate placement of fill.

In accordance with Section 305 of the County's Servicing Standards, if fill depth exceeds 1.2m, a Deep fill report prepared by a Geotechnical Engineer is required. The report is to include and summarize compaction test results.

## **Transportation - Section 400.0 requirements:**

- Four of the proposed parcels have direct access to 100 Glyde Park and two proposed parcels have direct access to 200 Glyde Park, each being paved private condominium roads.
  - It is noted these roadways have been constructed with rolled curbs, and as such, each new lot will not require curb-cuts to provide individual driveway extensions.
- The Transportation Offsite Levy has been already paid for this site;
- The private internal roadway adjacent to Lot 1, 2, 3, 4, 5 and the remainder lot and contained within Unit 1, Condominium Plan 0714897, shall be transferred to Condominium Corporation No. 0714897, so as to ensure legal access to the lots in accordance with Section 9 of the Subdivision and Development Regulations, the Elbow Valley Area Structure Plan, and the Elbow Valley West Conceptual Scheme.

## Sanitary/Waste Water - Section 500.0 requirements:

- ES has no concerns.
  - Each proposed residential lot has been pre-serviced with wastewater service connection. The proposed lots were included in the design of the internal sanitary sewer system and therefore sufficient capacity exists to accommodate the additional residential sanitary connections:
  - CCC video inspections show that connection stubs are in place for the proposed lots.

# Water Supply And Waterworks - Section 600.0 & 800.0 requirements:

- As a condition of subdivision, the Applicant/Owner shall provide documentation from Westridge Utilities proving that water supply has been purchased for the proposed lots and connection stubs are in place for each of the newly created lots.
- Each proposed residential lot has been pre-serviced with water service connection. The proposed lots were included in the design of the internal water distribution system and



## AGENCY COMMENTS

therefore sufficient capacity exists to accommodate the additional residential water connections.

#### **Storm Water Management – Section 700.0 requirements:**

- A stormwater management report was prepared by Eclipse Engineering and Geomatics as part of the original Elbow Valley West subdivision. A wet retention pond has been constructed adjacent to the subject lands to manage part of the runoff in Elbow Valley West. The site is to conform to the approved stormwater management plan;
- As a condition of Subdivision, the Applicant/Owner shall confirm all lots to be subdivided conform to the previously approved Elbow Valley West lot grading plans prepared by Eclipse Geomatics & Engineering Ltd.;
- Should fill be required, the Developer shall, prior to registration of the plan of subdivision, directly or indirectly ensure the grading of lands on Unit 98, Condominium Plan 071 4894 remain unchanged after site reclamation.

**Transportation Services** 

Developer should be aware that direct road access to these lots is via condo roads not maintained by the County.

The private open space contained within Unit 98, Condominium Plan 0714897, shall be transferred to Condominium Corporation No. 0714897, so as to ensure availability to the lots in accordance with the Elbow Valley Area Structure Plan and the Elbow Valley West Conceptual Scheme.

Capital Project Management

No concerns.

**Operational Services** 

No concerns.

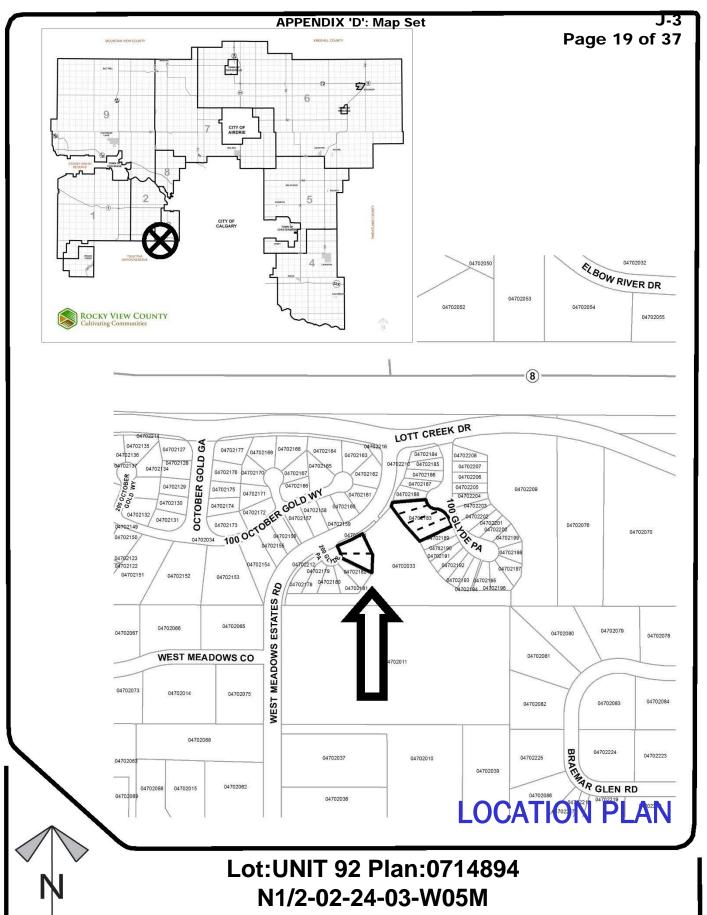
**Utility Services** 

Subdivision at these lots requires removal and reclamation of the abandoned sewage holding tanks located adjacent to 100 Glyde Park, and connection of new lots to the County wastewater collection system.

Confirmation from Westridge utilities regarding water supply agreement.

(Agriculture and Environmental Services - Solid Waste and Recycling) No comments.

Circulation Period: September 10, 2018 - October 1, 2018



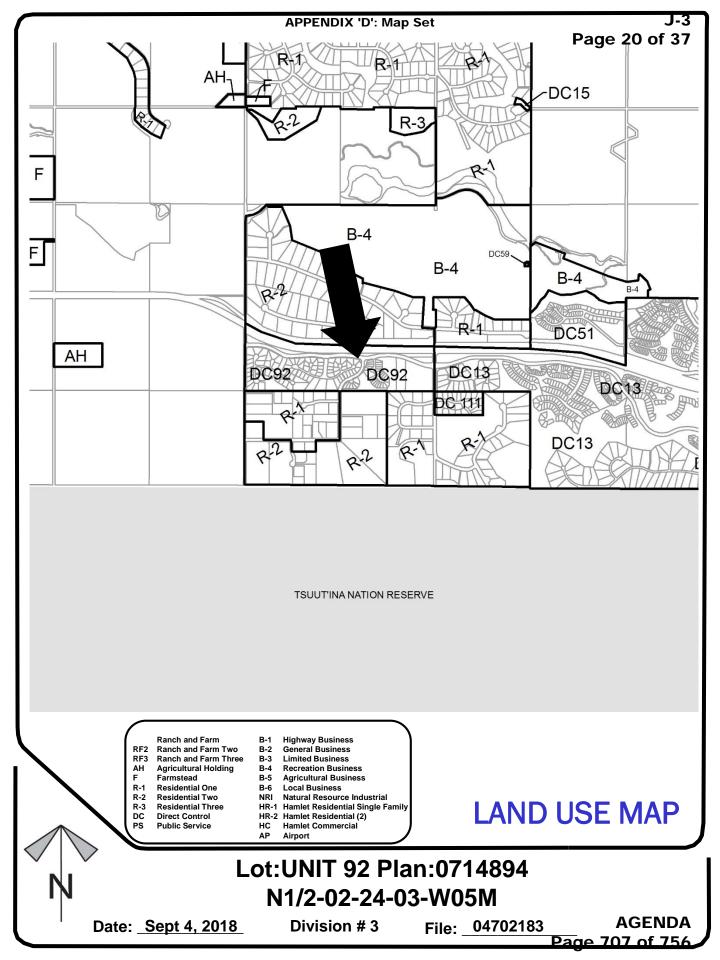
Date: Sept 4, 2018

Division # 3

File: 04702183

AGENDA

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Subdivision Proposal: To create a five  $\pm~0.25$  acre parcels with a  $\pm~0.30$  acre remainder.



## Surveyor's Notes:

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

**TENTATIVE PLAN** 

Lot:UNIT 92 Plan:0714894 N1/2-02-24-03-W05M

Date: <u>Sept 4, 2018</u>

Division #3

File: 04702183

**AGENDA** 

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

# **AIR PHOTO**

Spring 2018

Lot:UNIT 92 Plan:0714894 N1/2-02-24-03-W05M

Date: Sept 4, 2018

Division #3

File: 04702183

AGENDA

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

# **TOPOGRAPHY**

Contour Interval 2 M

Lot:UNIT 92 Plan:0714894 N1/2-02-24-03-W05M

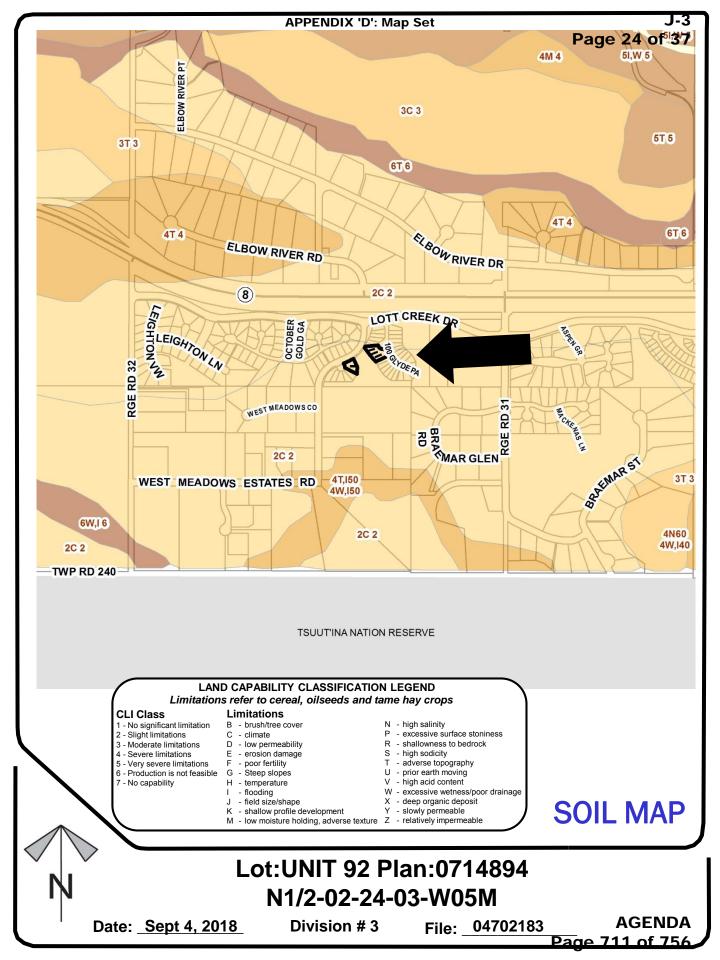
Date: Sept 4, 2018

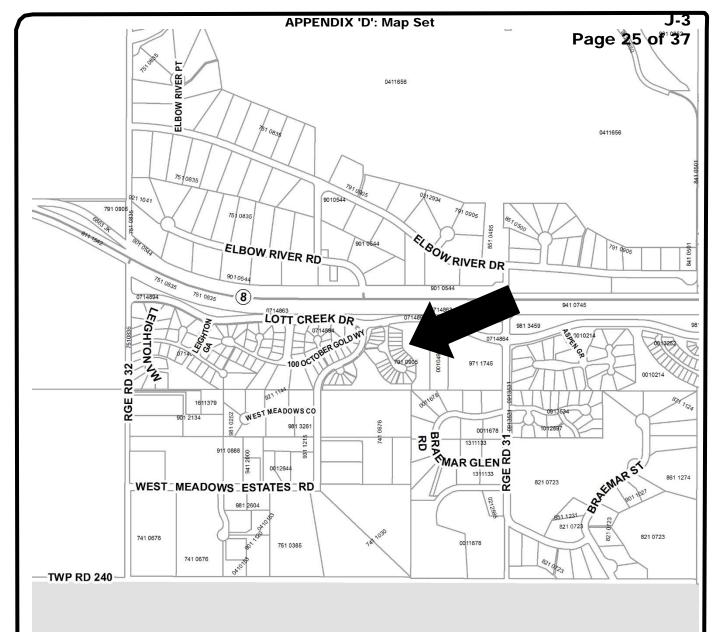
Division #3

File: 04702183

AGENDA

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TSUUT'INA NATION RESERVE

#### Legend - Plan numbers

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

# HISTORIC SUBDIVISION MAP

Lot:UNIT 92 Plan:0714894 N1/2-02-24-03-W05M

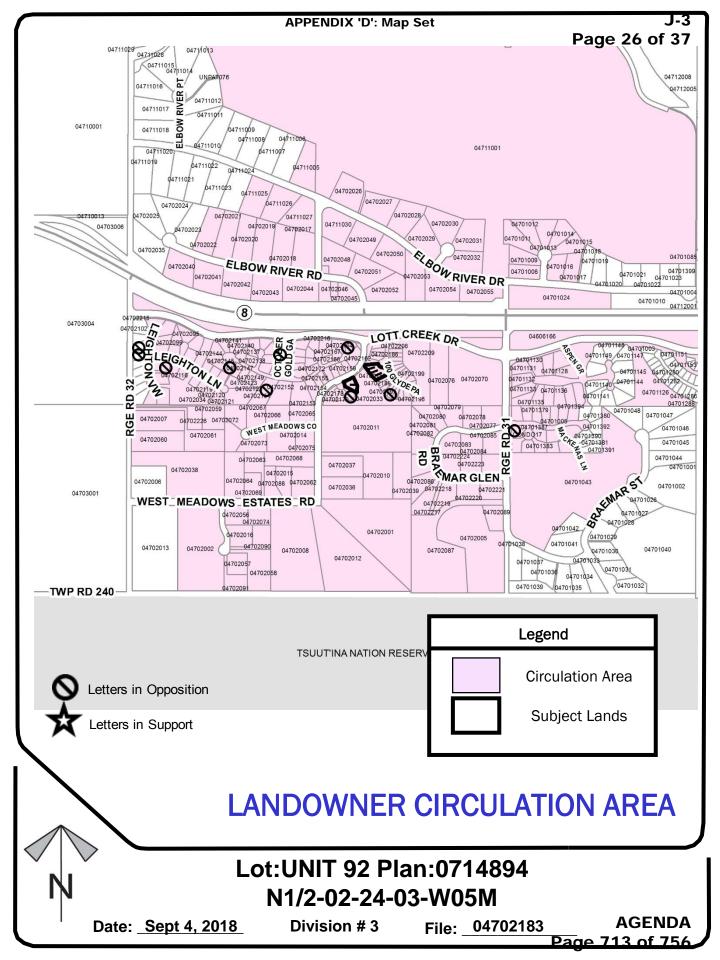
Date: Sept 4, 2018

Division # 3

File: 04702183

AGENDA

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October 9th, 2018

by email to jkwan@rockyview.ca

Rocky View County Planning Services 911 – 32nd Avenue NE Calgary, AB T2E 6X6

Attention: Johnson Kwan

Dear Mr. Kwan:

Re: Condominium Plan 0714894, Unit 92

Rocky View County Subdivision Application No. PL20180104

County File Number 04702183

Condominium Corporation No. 0714894 wishes to state its objection to the application filed by Elbow Valley West Ltd. to subdivide Unit 92, Condominium Plan 0714894, into five or six residential-sized lots, unless it is made a condition of subdivision that the applicant first undertake the work necessary to remove the sanitary sewage holding tanks located under common area Unit 98 and adjacent to Unit 92, to reclaim the surrounding area to the satisfaction of Rocky View County and Alberta Environment, and to landscape the surface to the satisfaction of the Condominium Corporation.

Elbow Valley West Ltd. was the developer of the Elbow Valley West subdivision. The original subdivision approval granted for the whole project required the developer to hold Unit 92 until a sustainable sewage removal system was in place such that the holding tanks could be removed. The developer was to be allowed to make an application at that time to subdivide this Unit into several lots.

The developer's application for subdivision is being made because a sustainable system is now in place (in the form of a connection to a City of Calgary trunk line), such that the tanks are no longer required. For reasons relating to the environment and the application of proper planning principles, it is important that the holding tanks be removed and the area reclaimed. That is clearly the responsibility of the developer, and is central to the reason the subdivision of Unit 92 was put on hold in the first place.

The Condominium Corporation does not object to the subdivision of Unit 92 assuming this condition is imposed.

More details concerning the Corporation's position will be set out in a letter to be written by the Corporation's lawyers, GowlingWLG LLP, to the lawyers for the County.

Sincerely,

Stella and Ken Cosby

Subject: Objection to subdivision application

Date: Friday, October 05, 2018 12:04:41 PM

Attachments: text of objection to subdivision application-CAL LAW-3136636-v1.docx

ATT00001.htm PastedGraphic-1.tiff ATT00002.htm

I am in support of the below statement as well .

please confirm

In mid-September we would have received a letter from Rocky View County advising of the Developers application to subdivide unit92 (open land adjacent east and west of the wastewater tanks).

Your board has sent a letter to Rocky View County with an objection to the subdivision unless the Developer removes the sewage tanks and reclaim and landscape the affected area. We want to ensure RVC makes this a condition of subdivision approval. If this condition is met, we have no objection to the subdivision. Please copy from the attached letter to send an email to Johnson Kwan ( jkwan@rockyview.ca ) with similar comment. If we aren't successful in achieving this condition, we may be required to pay for the tank removal and land reclamation. This would likely require a special assessment on all unit holders in EVW.

Subject: EVW Unit 92 objection to subdivide

Date: Tuesday, October 09, 2018 9:07:01 AM

Dear Mr. Kwan,

We are long term residents In Elbow Valley West. We have been there for 9 years. It has come to our attention that the developer is trying to subdivide unit 92 without taking responsibility of removing the wastewater tanks. We are not just asking you dear Sir, but pleading with you, that you can protect the people of EVW from any further trauma and negative impact that has been caused to us over the years due to the "pump & haul" costs, years of legal fees, and special assessments incurred to our pockets to mitigate the long awaited sewer connection.

We have been heavily damaged financially already individually as Families, as well as a Community.

The developer to date has caused great stress to us all, and has played games with people's lives and livelihoods. We have children that we should have been saving for educations, and investing in our Family lives, but instead have had to take loans for 'Special Assessment Fees' to pay for lawyers and legal, fund our monthly pump and haul fees, and clean up our own Community.

Our Community is financially exhausted. We are trying to recover from our wounds.

We are asking you to please ensure that it is <u>mandatory</u> for the developer of EVW to remove the pump & haul tanks, and to clean and restore all affected lands, and that <u>no responsibilities</u> would be the burden of the People and Residents of EVW.

We would like to personally thank you for your time and attention to this matter.

Sincerely,
Mark and Josie Ann Hanania

Subject: Condominium Plan 0714894, Unit 92 Rocky View County Subdivision Application No. PL20180104 County File

Number 04702183

**Date:** Saturday, October 06, 2018 5:56:44 PM

#### Mr Kwan,

We K. Scott & Lisa Pomeroy wish to state our objection to the application filed by Elbow Valley West Ltd. to subdivide Unit 92, Condominium Plan 0714894, into five or six residential-sized lots, unless it is made a condition of subdivision that the applicant first undertake the work necessary to remove the sanitary sewage holding tanks located under common area Unit 98 and adjacent to Unit 92, to reclaim the surrounding area to the satisfaction of Rocky View County and Alberta Environment, and to landscape the surface to the satisfaction of our Condominium Corporation.

Elbow Valley West Ltd. was the developer of the Elbow Valley West subdivision. The original subdivision approval granted for the whole project required the developer to hold Unit 92 until a sustainable sewage removal system was in place such that the holding tanks could be removed. The developer was to be allowed to make an application at that time to subdivide this Unit into several lots.

The developer's application for subdivision is being made because a sustainable system is now in place (in the form of a connection to a City of Calgary trunk line), such that the tanks are no longer required. For reasons relating to the environment and the application of proper planning principles, it is important that the holding tanks be removed and the area reclaimed. That is clearly the responsibility of the developer, and is central to the reason the subdivision of Unit 92 was put on hold in the first place. For 5 years we have been paying \$400 a month for sewage removal (\$24,000.00 out of our own pocket), the very least he can do is remove the tanks he put in place and landscape it because of his own mistake.

We do not object to the subdivision of Unit 92 assuming this condition is imposed. Thank you

The Pomeroy's

Subject: comment on RVC subdivision application

Date: Friday, October 05, 2018 12:19:15 PM

Dear Mr. Kwan:

Re: Condominium Plan 0714894, Unit 92

Rocky View County Subdivision Application No. PL20180104

County File Number 04702183

I wish to state my objection to the application filed by Elbow Valley West Ltd. to subdivide Unit 92, Condominium Plan 0714894, into five or six residential-sized lots, unless it is made a condition of subdivision that the applicant first undertake the work necessary to remove the sanitary sewage holding tanks located under common area Unit 98 and adjacent to Unit 92, to reclaim the surrounding area to the satisfaction of Rocky View County and Alberta Environment, and to landscape the surface to the satisfaction of the Condominium Corporation.

Elbow Valley West Ltd. was the developer of the Elbow Valley West subdivision. The original subdivision approval granted for the whole project required the developer to hold Unit 92 until a sustainable sewage removal system was in place such that the holding tanks could be removed. The developer was to be allowed to make an application at that time to subdivide this Unit into several lots.

The developer's application for subdivision is being made because a sustainable system is now in place (in the form of a connection to a City of Calgary trunk line), such that the tanks are no longer required. For reasons relating to the environment and the application of proper planning principles, it is important that the holding tanks be removed and the area reclaimed. That is clearly the responsibility of the developer, and is central to the reason the subdivision of Unit 92 was put on hold in the first place.

I do not object to the subdivision of Unit 92 assuming this condition is imposed.

Thank you for your consideration, Allene Hus

Subject: County File Number 04702183

Date: Tuesday, October 09, 2018 9:38:24 AM

October 5th, 2018

Rocky View County Planning Services 911 – 32nd Avenue NE Calgary, AB T2E 6X6

**Attention: Johnson Kwan** 

Dear Mr. Kwan:

Re: Condominium Plan 0714894, Unit 92

Rocky View County Subdivision Application No. PL20180104

County File Number 04702183

Condominium Corporation No. 0714894 wishes to state its objection to the application filed by Elbow Valley West Ltd. to subdivide Unit 92, Condominium Plan 0714894, into five or six residential-sized lots, unless it is made a condition of subdivision that the applicant first undertake the work necessary to remove the sanitary sewage holding tanks located under common area Unit 98 and adjacent to Unit 92, to reclaim the surrounding area to the satisfaction of Rocky View County and Alberta Environment, and to landscape the surface to the satisfaction of the Condominium Corporation.

Elbow Valley West Ltd. was the developer of the Elbow Valley West subdivision. The original subdivision approval granted for the whole project required the developer to hold Unit 92 until a sustainable sewage removal system was in place such that the holding tanks could be removed. The developer was to be allowed to make an application at that time to subdivide this Unit into several lots.

The developer's application for subdivision is being made because a sustainable system is now in place (in the form of a connection to a City of Calgary trunk line), such that the tanks are no longer required. For reasons relating to the environment and the application of proper planning principles, it is important that the holding tanks be removed and the area reclaimed. That is clearly the responsibility of the developer, and is central to the reason the subdivision of Unit 92 was put on hold in the first place.

The Condominium Corporation does not object to the subdivision of Unit 92 assuming this condition is imposed.

Sincerely,

**Devin Toth** 

 Subject:
 County File Number 04702183

 Date:
 Friday, October 05, 2018 12:42:07 PM

Dear Mr. Kwan:

Re: Condominium Plan 0714894, Unit 92

Rocky View County Subdivision Application No. PL20180104

## County File Number 04702183

We, Loretta and Gary Barker of 204 October Gold Way in Elbow Valley West, wish to state our objection to the application filed by Elbow Valley West Ltd. to subdivide Unit 92, Condominium Plan 0714894, into five or six residential-sized lots, unless it is made a condition of subdivision that the applicant first undertake the work necessary to remove the sanitary sewage holding tanks located under common area Unit 98 and adjacent to Unit 92, to reclaim the surrounding area to the satisfaction of Rocky View County and Alberta Environment, and to landscape the surface to the satisfaction of the Condominium Corporation.

Elbow Valley West Ltd. was the developer of the Elbow Valley West subdivision. The original subdivision approval granted for the whole project required the developer to hold Unit 92 until a sustainable sewage removal system was in place such that the holding tanks could be removed. The developer was to be allowed to make an application at that time to subdivide this Unit into several lots.

The developer's application for subdivision is being made because a sustainable system is now in place (in the form of a connection to a City of Calgary trunk line), such that the tanks are no longer required. For reasons relating to the environment and the application of proper planning principles, it is important that the holding tanks be removed and the area reclaimed. That is clearly the responsibility of the developer, and is central to the reason the subdivision of Unit 92 was put on hold in the first place.

We do not object to the subdivision of Unit 92 assuming this condition is imposed.

Sincerely,

Loretta Barker

October 13th, 2018

by email to jkwan@rockyview.ca

Rocky View County Planning Services 911 – 32nd Avenue NE Calgary, AB T2E 6X6

Attention: Johnson Kwan

Dear Mr. Kwan:

Re: Condominium Plan 0714894, Unit 92

Rocky View County Subdivision Application No. PL20180104

**County File Number 04702183** 

In conjunction with Condominium Corporation No. 0714894, we wish to state our objection to the application filed by Elbow Valley West Ltd. to subdivide Unit 92, Condominium Plan 0714894, into five or six residential-sized lots, unless it is made a condition of subdivision that the applicant first undertake the work necessary to remove the sanitary sewage holding tanks located under common area Unit 98 and adjacent to Unit 92, to reclaim the surrounding area to the satisfaction of Rocky View County and Alberta Environment, and to landscape the surface to the satisfaction of the Condominium Corporation.

Elbow Valley West Ltd. was the developer of the Elbow Valley West subdivision. The original subdivision approval granted for the whole project required the developer to hold Unit 92 until a sustainable sewage removal system was in place such that the holding tanks could be removed. The developer was to be allowed to make an application at that time to subdivide this Unit into several lots.

The developer's application for subdivision is being made because a sustainable system is now in place (in the form of a connection to a City of Calgary trunk line), such that the tanks are no longer required. For reasons relating to the environment and the application of proper planning principles, it is important that the holding tanks be removed and the area reclaimed. That is clearly the responsibility of the developer, and is central to the reason the subdivision of Unit 92 was put on hold in the first place.

The Condominium Corporation does not object to the subdivision of Unit 92 assuming this condition is imposed.

It is our personal opinion that under no circumstances should the residents of Elbow Valley West be responsible for the removal of the sewage holding tanks nor for the reclamation of the land. We are not the owners of the land. This land belongs to the developer and as such, it should be their responsibility to take care of the costs associated with preparing the land for sale. We ask that you seriously consider the objection of the Condominium Corporation to the approval of the developer's application until such time that the conditions mentioned in this letter are met.

Sincerely,

Michael & Nancy Darling

Date: Friday, September 28, 2018 6:25:56 PM

September 28, 2018

Reference Number: 04702183 Application Number: PL20180104

In response to the letter dated September 10, 2018 from the Rocky View County Planning Services, I would like to comment on the application for subdivision to unit 92, adjacent to my property. I have three concerns that I would want addressed prior to approval of the application:

- 1. This application does not explicitly state the use of the subdivided parcels. I do understand that a pre-approved area structure plan did define these lots for single family homes. However this application does not state that.
- 2. The original area structure plan and subdivision map showed 6 lots all for single family homes that met the specifications outlined in the architectural guidelines established by the developer for Elbow Valley West. This application shows only 5 lots presumed to be single family homes and a 0.3 acre "remainder" lot whose usage is not specified. We purchased a lot adjacent to this parcel with the knowledge that once a permanent waste water solution was in place and the tanks removed, 6 lots would be subdivided to single family homes. Any designation for the "remainder" that is not single family home development is not consistent with the originally approved area structure plan and therefore meets with my objection.
- 3. Further to the above it was our understanding that these parcels of land could NOT be developed until the removal of the septic holding tanks by the developer. A pre-existing condition was applied to unit 92 prior to release of the remaining lots. As the tanks have not yet been removed any discussion around subdivision is premature and should be put on hold pending removal of the tanks and Alberta Environment approval at the minimum.

Thank you for the opportunity to provide input.



From:
To:
Johnson Kwan
Cc:

Subject: Condominium Plan 0714894, Unit 92, Rocky View County Subdivision Application No. PL20180104

**Date:** Monday, October 08, 2018 12:09:07 PM

October 8th, 2018

by email to jkwan@rockyview.ca

Rocky View County Planning Services 911 – 32nd Avenue NE Calgary, AB T2E 6X6

**Attention: Johnson Kwan** 

Dear Mr. Kwan:

Re: Condominium Plan 0714894, Unit 92

Rocky View County Subdivision Application No. PL20180104

County File Number 04702183

As residents of Elbow Valley West we wish to state our strong objection to the application filed by Elbow Valley West Ltd. to subdivide Unit 92, Condominium Plan 0714894, into five or six residential-sized lots, unless it is made a condition of subdivision that the applicant first undertake the work necessary to remove the sanitary sewage holding tanks located under common area Unit 98 and adjacent to Unit 92, to reclaim the surrounding area to the satisfaction of Rocky View County and Alberta Environment, and to landscape the surface to the satisfaction of the Residents of Elbow Valley West.

Sincerely,

Kim & Alan Matthews

October 5th, 2018

by email to jkwan@rockyview.ca

Rocky View County Planning Services 911 – 32nd Avenue NE Calgary, AB T2E 6X6

**Attention: Johnson Kwan** 

Dear Mr. Kwan:

Re: Condominium Plan 0714894, Unit 92

Rocky View County Subdivision Application No. PL20180104

**County File Number 04702183** 

Condominium Corporation No. 0714894 wishes to state its objection to the application filed by Elbow Valley West Ltd. to subdivide Unit 92, Condominium Plan 0714894, into five or six residential-sized lots, unless it is made a condition of subdivision that the applicant first undertake the work necessary to remove the sanitary sewage holding tanks located under common area Unit 98 and adjacent to Unit 92, to reclaim the surrounding area to the satisfaction of Rocky View County and Alberta Environment, and to landscape the surface to the satisfaction of the Condominium Corporation.

Elbow Valley West Ltd. was the developer of the Elbow Valley West subdivision. The original subdivision approval granted for the whole project required the developer to hold Unit 92 until a sustainable sewage removal system was in place such that the holding tanks could be removed. The developer was to be allowed to make an application at that time to subdivide this Unit into several lots.

The developer's application for subdivision is being made because a sustainable system is now in place (in the form of a connection to a City of Calgary trunk line), such that the tanks are no longer required. For reasons relating to the environment and the application of proper planning principles, it is important that the holding tanks be removed and the area reclaimed. That is clearly the responsibility of the developer, and is central to the reason the subdivision of Unit 92 was put on hold in the first place.

The Condominium Corporation does not object to the subdivision of Unit 92 assuming this condition is imposed.

More details concerning the Corporation's position will be set out in a letter to be written by the Corporation's lawyers, GowlingWLG LLP, to the lawyers for the County.

Sincerely,

Directors, Elbow Valley West Condominium Corp

David Dzisiak Doug Pinder Allan Matthews

Dave Jerke Amie Alderson Arthur Krukowski



# PLANNING & DEVELOPMENT

**TO:** Subdivision Authority

**DATE**: June 11, 2019 **DIVISION**: 5

**FILE:** 03329002 **APPLICATION**: PL20180147

SUBJECT: Subdivision Item – Heatherglen Industrial Business Park – Direct Control District

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

The application was evaluated against the policies within the Janet Area Structure Plan (ASP), the Rocky View County / City of Calgary Intermunicipal Development Plan (IDP) plans, the Heatherglen Industrial Business Park Conceptual Scheme, and the Land Use Bylaw.

# **EXECUTIVE SUMMARY:**

The purpose of this application is to create fifteen commercial/industrial lots ranging in size from  $\pm$  0.81 hectares ( $\pm$  2.00 acres) to  $\pm$  2.23 hectares ( $\pm$  5.50 acres) in size, together with an internal access road and public utility lot. In November 2018, the lands were redesignated and subdivided from the southern golf course lands. The lands are located at the northeast junction of Hwy. 560 and Rge. Rd. 285, 1.0 mile east of the city of Calgary.

# The application:

- Is consistent with the policies of the IDP, the County Plan, the Janet ASP, the Heatherglen Industrial Business Park Conceptual Scheme, and the Land Use Bylaw; and,
- All technical matters are addressed through the suggested conditions of approval.

<b>PROPOSAL:</b> To create fifteen commercial/industrial lots ranging in size from ± 2.00 acres to ± 5.50 acres in size together with an internal access road and public utility lot.	<b>GENERAL LOCATION:</b> Located at the northeast junction of Hwy. 560 and Rge. Rd. 285, 1.0 mile east of the city of Calgary.
<b>LEGAL DESCRIPTION:</b> Lot 2, Block 11, Plan 1812235	GROSS AREA: ± 103.80 acres
APPLICANT: Heatherglen Land Company Ltd.  OWNER: Heatherglen Land Company Ltd.	RESERVE STATUS: Reserves outstanding comprise 10% of the parent parcel.
LAND USE DESIGNATION: Direct Control District	<b>LEVIES INFORMATION:</b> Transportation Off-Site Levy (Bylaw C-7356-2014) Stormwater Off-Site Levy (Bylaw C -7535-2015)
DATE APPLICATION RECEIVED: November 30, 2018 DATE DEEMED COMPLETE: November 30, 2018	APPEAL BOARD: Municipal Government Board

<sup>&</sup>lt;sup>1</sup> Administration Resources

Jessica Anderson and Gurbir Nijjar, Planning & Development



#### TECHNICAL REPORTS SUBMITTED:

- Geotechnical Investigation prepared by Lone Pine Geotechnical Ltd. (January 29, 2018);
- Transportation Impact Assessment prepared by Bunt & Associates (February 27, 2018);
- Stormwater Management Plan prepared by Westoff Engineering Resources (January 5, 2018); and,
- Environmental Screening Report prepared by Westoff Engineering Resources (December 2017).

# LAND USE POLICIES AND STATUTORY PLANS:

- City of Calgary / Rocky View County Intermunicipal Development Plan
- County Plan
- Janet Area Structure Plan
- Heatherglen Industrial Business Conceptual Scheme (PL20180022)
- Land Use Bylaw

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

The application was circulated to 123 adjacent landowners. No letters were received in response. The application was also circulated to a number of internal and external agencies (Appendix 'B').

# **HISTORY:**

November 24, 2018

Subdivision application PL20180037 was registered to separate the titles

of the north and south portions of the existing golf course.

# **TECHNICAL CONSIDERATIONS:**

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

# a) The site's topography:

The subject land is currently a golf course with ponds scattered throughout. None of these would inhibit development potential as they are intended to be removed during site grading.

Conditions: None.

# b) The site's soil characteristics:

The subject lands contain Class 1 soils with no significant limitations to cereal crop production.

Conditions: None

# c) Stormwater collection and disposal:

The Applicant/Owner submitted a Stormwater Management Plan that details the stormwater concept for the development. The concept consists of the use of a centralized stormwater pond within the business park that would be tied to a new pond on the existing golf course to the south. Stormwater would then be used to irrigate the golf course to manage stormwater from the proposed development. As a condition of subdivision, the Applicant/Owner would be required to create a utility corporation and enter into Franchise Agreement with the County for the control, operation and maintenance of the stormwater utility system servicing the proposed development.

Once the Co-operative Stormwater Management Initiative (CSMI) system and regional conveyance system within the Janet area are constructed and a permanent outfall from the proposed stormwater system are established, the County would have the ability to act on the



Franchise Agreement (transfer of infrastructure) and take over control and ownership of the stormwater management systems. Required as part of the previous subdivision approval, the Applicant/Owner provided payment of the Stormwater Offsite Levy which amounted to \$310,000 (CSMI System).

Conditions: None.

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

The Applicant/Owner previously provided an Environmental Screening Report that indicates that although the lands have been transformed through the development of the golf course, the site has the potential to support some wildlife use. The report also provides mitigation measures to reduce or eliminate the potential negative impacts of site redevelopment. The Applicant/Owner shall be responsible to obtain all necessary Alberta Environment and Parks (AEP) approvals the disturbance to these areas prior to entering into any Development Agreement with the County.

Conditions: None.

# e) Accessibility to a road:

Access is currently available via the pedestrian bridge connecting the site to the southern portion of the golf course. The proposed subdivision includes dedication and construction of a new internal subdivision road to provide access from Range Road 285 with a temporary emergency access Range Road 285 until the permanent connection to Bluegrass Drive can be realized.

As a condition of subdivision, the Applicant/Owner would be required to dedicate the lands as identified in the Road Acquisition Agreements registered at the previous subdivision stage for the widening of the right-of-way for Range Road 285.

The City of Calgary, with the involvement of both Alberta Transportation and the County, have conducted a Functional Planning Study for an all directional interchange at the intersection of Range Road 285 and Glenmore Trail. The study also includes an interim, at-grade intersectional improvement that will increase the current capacity for approximately ten years. The study has been accepted by both City and County Councils.

The Applicant/Owner previously submitted a Transportation Impact Assessment that confirms the impact of the proposed development on the adjacent road network and concludes that signalization is required at the site access onto Range Road 285, and that the intersection at Range Road 285 and Highway 560 will continue to fail as confirmed in the Functional Planning Study.

The County has recently received other TIAs prepared in support of other development lands in the near vicinity of the subject lands that make specific recommendations to improve the intersection of Range Road 285 and Highway 560. Engineering recognizes that a combination of these improvements are necessary to increase the capacity of the intersection to an acceptable level of service; however, the implementation of an improvement at this location is cost prohibitive The County has been involved with discussions with Alberta Transportation, the City of Calgary, the Applicant/Owner and other active developers in the Janet area in regards to a cost contribution arrangement in which all parties would contribute their proportionate share towards the improvements. Discussions are ongoing with no formal agreement in place at this time. Conditions of subdivision have been included which allow for the Applicant/Owner to either enter into a Development Agreement to construct the necessary improvements, pay cost recovery to others or pay the proportionate cost contribution to construct the necessary offsite improvements which benefit the area.

As part of the previous subdivision approval, the Applicant/Owner provided payment of the Transportation Offsite Levy (Base + Special Area #3 + Special Area #7) which amounted to \$820,000.00.



Conditions: 4, 6

#### f) Water supply, sewage, and solid waste disposal:

As per the adopted conceptual scheme, the development would use holding tanks and cisterns, with a trucked service disposing of wastewater and providing potable water, which is consistent with Policy 449 and the Janet ASP.

A pressurized fire water distribution system is proposed, which would utilize a pump house to draw water from the stormwater pond similar to other business parks within the Janet area. To allow for future connectivity to the system, the Applicant/Owner would include a stubbed connection at the western boundary of the subject lands to facilitate future connection to adjacent business parks.

Conditions: None.

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

The quarter section in which the subject land is located is composed of predominantly commercial and industrial land uses. Land to the north, west, and east of the site are designated for commercial, industrial, and business uses. Land to the south contains the remaining golf course, and south of that, the residential community of Prairie Schooner Estates and an agricultural parcel.

The proposed development is generally consistent with existing land uses and parcel sizes in the Janet area.

Conditions: None

# h) Other matters:

#### Municipal Reserves

This location has not been identified for future Municipal Reserve acquisition to support a public park, open space, or development of an active transportation network inclusive of pathway or trail development. Therefore, reserves shall be provided via cash in lieu in accordance with the adopted conceptual scheme for the entire development area. This is consistent with policy 4.5.1 of the adopted conceptual scheme.

Development area: ± 56.54 acres \* 10% = 5.65 acres \* \$69,912.00
 (as per the appraisal completed by Colliers International dated December 1, 2018) = \$395,002.80

# Landscaping

An 8.00 m wide landscaping easement is proposed along the southern boundary of lots 9 through 15 to improve the interface and provide buffering between the development and the Prairie Schooner Estates residential lands, Western Irrigation District Canal trail system, and the Heatherglen golf course lands. The buffer must include coniferous tree plantings, and the landscaping plan would be reviewed and approved as a condition of subdivision approval.

#### Lot Owner's Association (LOA)

A Lot Owner's Association (LOA) would be created for the proposed development. All lot owners would be required to be a member of the LOA. The LOA would be responsible for implementing Building and Development Architectural Controls, maintenance of landscaped areas, as well as solid waste management. An encumbrance must be provided that outlines the responsibilities of the LOA, and would be registered on title for each lot.

#### Building and Development Architectural Controls

An encumbrance would be registered on each lot, which would outline the Building and Development Architectural Controls that must be followed within the Heatherglen Business Park. In accordance



with the proposed conceptual scheme, these controls would be used to encourage a visually attractive development along the boundary edges of the plan area. The LOA would be responsible for implementing the Architectural Controls by reviewing Site Designs for each lot at the time of Development Permit application.

# Fire Suppression and Emergency Access

The Heatherglen Business Park development must address fire suppression, in accordance with the Fire Hydrant Water Suppression Bylaw and Policy 7.2.5 of the proposed conceptual scheme. The Heatherglen Industrial Business Park Conceptual Scheme (HIBPCS) states that the Heatherglen fire suppression system would be linked with the storm water management system, creating the ability to use water stored in the storm water pond for firefighting. Fire hydrants would be installed as part of a pressurized fire water distribution system that would be connected via a pumphouse to the stormwater pond. The hydrants and fire water mains would be designed and built in accordance with County's Servicing Standards. The fire water mains in the road would provide an opportunity for individual lots to tie-in at the Development Permit stage. As per the guidance in the Janet ASP, it is proposed that a connection from the Heatherglen fire water distribution system be made through Range Road 285 to the existing stub east of the Wesview Business Park.

Roads would be designed to provide safe and efficient access for emergency service vehicles (including a secondary emergency access onto Range Road 285).

# Pathways

In accordance with section 4.50, there are no required pathways within the HIBPCS area; however, the policy illustrates that there is an existing trail system in the Western Irrigation District Canal lands to the south. It also identifies a trail system on the west side of Range Road 285 (a portion of which has already been completed through the Wesview Industrial Park). The incomplete portion of this trail is located on Provincial crown land between the south limit of the Wesview Industrial Park and the existing pathway in the Western Irrigation District Canal. Completing this portion of pathway would require an access agreement with the Province and an agreement with Alta-Link as the alignment falls under their aerial facilities (i.e., within Transmission Line R/W 3209 JK).

If the County is able to enter into these agreements, the Developer would construct the pathway connection on the west side of Range Road 285 for the County (to a standard equivalent with the existing pathway through Wesview). The conditions of approval include direction to Administration to work with the parties to realize this connection if possible. The HIBPCS (Figure 5) also includes a trail connection within the proposed Public Utility Lot to provide a connection from the proposed business park to the existing pathway in the Western Irrigation District Canal to the south. Given the nature of the proposed development, lack of need for open spaces providing recreation opportunities municipal reserve obligations will be provided by means of cash-in-lieu of reserve.

# Lot Layout

In accordance with section 4.4 of the HIBPCS, a range of parcel sizes is envisaged for large and small businesses, according to market demand, ranging from 2.00 acres to 5.50 acres in area.

Conditions: 3, 15, 17, 18, 20

#### **POLICY CONSIDERATIONS:**

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

The subject lands are identified on Map 2 Key Focus Areas as the Highway 560 (Glenmore Trail) Joint Industrial Corridor and on Map 4 Growth Corridors/Areas as a Rocky View County growth corridor.



Section 8 of the IDP indicates that lands within the Rocky View County Growth Corridors shall be developed in accordance with the County Plan and the Land Use Bylaw. Administration has determined that the application is consistent with these plans as detailed below.

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

# Janet Area Structure Plan (Bylaw C-7418-2014)

Policy 26.4 states that subdivision and development applications shall address and adhere to the requirements of the *local plan* and the policies of the Janet Area Structure Plan.

As assessed at land use stage, the application is consistent with the land use, conceptual scheme, phasing, open space, parks and pathways, reserves and infrastructure policies of the ASP.

# Heatherglen Industrial Business Park Conceptual Scheme (Bylaw C-7817-2018)

The proposed subdivision was assessed in accordance with a number of policies within the conceptual scheme addressing matters including subdivision design, reserve dedication, pathways, agreements, servicing, stormwater, fire suppression, solid waste, landscaping, architectural controls and lot owner's association responsibilities. The proposal and conditions of approval are consistent with the framework outlined in the conceptual scheme.

# Direct Control District 161 (Bylaw C-7818-2018)

The proposed subdivision is consistent with the purpose and intent, parcel size, and subdivision regulations of the land use district.

# **CONCLUSION:**

The application was evaluated against the policies within the County Plan, Janet Area Structure Plan (ASP) and the Rocky View County / City of Calgary Intermunicipal Development Plan (IDP) plans and was found to be compliant:

- The proposal is consistent with the policies of the IDP and County Plan;
- The proposal is consistent with the Janet ASP;
- The proposal is consistent with the land use designation approved in 2018;
- The proposal is consistent with adopted Heatherglen Industrial Business Park Conceptual Scheme; and
- All technical matters are addressed through the suggested conditions of approval.

# **OPTIONS:**

JA/IIt

or monto.		
Option #1:	THAT Subdivision Application PL Appendix 'A'.	20180147 be approved with the conditions noted in
Option #2: THAT Subdivision Application PL20180147 be refused as per the reasons noted		
Respectfully	submitted,	Concurrence,
	"Richard Barss"	"Al Hoggan"
Acting Execu Community D	tive Director Development Services	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 fifteen commercial/industrial lots ranging in size from ± 0.81 hectares (± 2.00 acres) to ± 2.23 hectares (± 5.50 acres) in size together with an internal access road and public utility lot on Lot 1, Block 11, Plan 1812235, having been evaluated in terms of Section 654 of the *Municipal Government Act* and Section 7 of the Subdivision and Development Regulations, and having considered adjacent landowner submissions, is approved as per the Tentative Plan for the reasons listed below:
  - 1. The application is consistent with the Statutory Policy;
  - 2. The subject lands hold the appropriate land use designation;
  - 3. The technical aspects of the subdivision proposal have been considered and are further addressed through the conditional approval requirements.
- B. The Applicant/Owner is required, at their expense, to complete all conditions attached to and forming part of this conditional subdivision approval prior to Rocky View County (the County) authorizing final subdivision endorsement. This requires submitting all documentation required to demonstrate 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.
- 2) The Owner is to dedicate by Plan of Survey, an 8.00 m wide portion of land for road widening along the entire west boundary of Lots 1, 6 and 15.

# Development Agreement

- 3) The Owner is to enter into a Development Agreement pursuant to Section 655 of the Municipal Government Act in accordance with the approved Tentative Plan and shall include the following:
  - a) Construction of a public internal road system (Industrial/Commercial Standard 400.6) complete with cul-de-sacs and any necessary easement agreements, as shown on the Tentative Plan, in accordance with the County Servicing Standards;
  - Appropriate signalization of the site access onto RR 285 as identified in the approved TIA to the satisfaction of the County;
  - c) Construction of a gated emergency access road from the internal N/S roadway to Range Road 285 in accordance with the County Servicing Standards;
  - d) Construction of the pressurized central fire suppression system including a stubbed connection at the western boundary of the subject lands to facilitate future connection to adjacent business parks to the satisfaction of the County;



- e) Construction of stormwater management facilities including the drainage connection to the golf course ponds in accordance with the recommendations of the approved storm water Management Plan and the registration of any overland drainage easements and/or restrictive covenants as determined by the storm water Management Plan;
- f) Accommodation of a 2.5 m wide pathway as part of the 4.0 m wide maintenance access road on the west side of the proposed stormwater management pond within the proposed Public Utility Lot;
- g) Engineering and construction of the pathway alignment on the west side of Range Road 285 to provide uninterrupted connectivity between existing pathway infrastructure located on the south side of Wesview Industrial Park to the existing Pathway in the Western Headworks Main Canal upon acquisition of necessary agreements (if achievable);
- Mailbox locations are to be located in consultation with Canada Post to the satisfaction of the County;
- i) Installation of power, natural gas, and communication utilities;
- j) Obtain all necessary approvals from AEP for the loss of wetlands
- k) Obtain all necessary approvals from AEP for the use of stormwater for irrigation purposes;
- Obtain all necessary approvals from Alberta Culture & Tourism under the Historical Resources Act;
- m) Implementation of the recommendations of the approved construction management plan; and
- n) Implementation of the recommendations of the approved ESC plan.
- 4) The Owner shall enter into a Special Improvements Development Agreement for the following required off-site transportation infrastructure in accordance with an updated Traffic Impact Assessment for the intersection of Range Road 285 and Highway 560 to the satisfaction of the County and Alberta Transportation.

#### OR

Should an intersectional improvement at Range Road 285/Highway 560 be implemented by others that meets or exceeds the upgrades identified by the approved TIA, the Owner shall pay to the County the relevant cost recoveries plus applicable interest for the improvements to the intersection of Range Road 285/Highway 560, in accordance with the Infrastructure Cost Recovery Agreement or Infrastructure Cost Contribution Agreement. The County shall calculate the total amount owing from the gross acreage as shown on the Plan of Survey submitted for endorsement. Should the owner not enter into a Special Improvements Development Agreement for improvements to the intersection of Range Road 285 and Highway 560, payment of cost recovery or cost contribution to others for the intersectional improvements at Range Road 285/Highway 560 shall be satisfactory to satisfy this condition.

#### Transportation and Access

- 5) The Owner shall receive approval for a road naming application from the County.
- 6) The County shall 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:
  - i. This Agreement shall apply to the construction of the improvements to the intersection of Range Road 285 and Highway 560.



- 7) The Owner is to provide a Construction Management Plan which is to include, but not be limited to, noise, sedimentation and erosion control, construction waste management, evacuation plan, construction and management details. Specific other requirements include:
  - a) Weed management during the construction phases of the project;
  - b) Management and mitigation of environmentally significant features as identified in the approved Geotechnical Investigation;
  - c) Implementation of the Construction Management Plan recommendations will be ensured through the Development Agreement;
- 8) The Owner shall provide an Erosion & Sedimentation (ESC) Plan, prepared by a qualified professional, providing the ESC measures to be implemented during the development of the subject lands.
- 9) The Owner shall provide a 12.50 m temporary access easement and associated right-of-way plan across the southern boundary of the proposed Lot 1 and northern boundary of Lots 6 and 7 for the purposes of a temporary emergency access road to Range Road 285.
- 10) The Applicant/Owner shall enter into a Utility Right-of-Way with the County for the temporary cul-de-sac as shown on the tentative plan.
- 11) The Owner is responsible for implementation of a Franchise Utility Servicing Plan satisfactory to the County that reflects the control, operation and maintenance of the stormwater utility system servicing the proposed development in accordance with the signed Master Servicing Agreement and as further defined within the Development Agreement including, without restriction:
  - i. Ownership of the storm water management and fire suppression related facilities;
  - ii. Turnover strategy for facility, infrastructure, and associated lands;
  - iii. Franchise Agreement satisfactory to the County including, without restriction, stipulation of service levels and operational requirements to be maintained by the franchised utility provider;
  - iv. Franchised utility provider satisfactory to the County;
  - v. Once the CSMI system and regional conveyance system within the Janet area are constructed and a permanent outfall from the proposed stormwater system be established, the County shall have the ability to act on the Franchise Agreement (transfer of infrastructure) and take over control and ownership of the stormwater management systems;

# Other

- 12) The Owner shall prepare and register a Utility Right-of-Way, satisfactory to the County, on the title of Lot: 2 Block: 11 Plan: 1812235:
  - identifying that the purpose and intent of the lands (identified as Cell B in Direct Control Bylaw 153) is for utility service, for the disposal stormwater by irrigation, until such time as an amendment to the Direct Control Bylaw and/or a regional servicing solution is available; and
  - ii. securing all rights on, over, under, or through the Remainder Part C to carry out the above-noted utility service and disposal.
- 13) Utility Easements, Agreements and Plans are to be provided and registered to the satisfaction of Fortis and ATCO.



- 14) The Owner shall submit a Solid Waste Management Plan in accordance with the County Solid Waste Master Plan and shall identify how the Developer will manage solid waste during construction and how the responsibility of solid waste will be transferred to the Lot Owner's Association via the development's architectural controls.
- 15) The Owner shall submit a Landscaping Plan to the satisfaction of the County. This plan must illustrate the treatment on the proposed PUL and south interface area between the proposed industrial lands and the Prairie Schooner Estates residential lands, WH Canal trail system, and the Heatherglen south golf course lands.
  - i. Development of the approved landscaping plan shall be included within the requirements of the Development Agreement.
- That the Owner shall prepare and register an easement and right-of-way plan to ensure protection of the 8.0 m landscaping area on Lots 9 to 15 in accordance with the Tentative Plan.
- 17) The Owner shall legally establish a Lot Owners Association (LOA), and an encumbrance or instrument shall be concurrently registered against the title of each new lot created, requiring that each individual Lot Owner is a member of the Lot Owner's Association;
  - a) The LOA agreement shall specify the future maintenance obligations of the lot owner's association for: pathways and landscaping, solid waste collection, , etc.;
- 18) That a restrictive covenant shall be registered on the title of each lot implementing the Developer's Architectural Controls.

# Payments and Levies

19) The Applicant/Owner shall pay the County Subdivision Endorsement fee, in accordance with the Master Rates Bylaw, for the creation of fifteen (15) new lots.

# Municipal Reserve

20) The provision of Reserve in the amount of 10 percent of the area of Lots 1 to 15, as determined by the Plan of Survey, is to be provided by payment of cash-in-lieu in accordance with the per acre value as listed in the land appraisal prepared by (Altus Group / 13120.102658.015 / September 12, 2018), pursuant to Section 666(3) of the *Municipal Government Act*.

#### Taxes

21) 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:

- 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.
- Administration is directed to work to secure agreements with the Province and Alta-Link regarding securing a pathway alignment on the west side of Range Road 285 to provide uninterrupted connectivity between existing pathway infrastructure located on the south side of Wesview Industrial Park to the existing Pathway in the Western Headworks Main Canal in advance of pathway engineering and construction by the developer.



# **APPENDIX B: APPLICATION REFERRALS**

AGENCY	COMMENTS
School Authority	
Rocky View Schools	No comments received.
Calgary Catholic School District	No comments received.
Province of Alberta	
Alberta Transportation	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 560. Presently, the application does not comply with any category of Section 14 of the Regulation. Based on review of the proposed subdivision, Alberta Transportation is not able to provide the necessary waiver of Section 14 of the Subdivision and Development Regulation as the proposed subdivision will have a significant impact on Highway 560, particularly at the Highway 560 and Range Road 285 intersection. In order to satisfy the department's requirements in this regard, the following information is required:
	1. A Traffic Impact Assessment (TIA) would have to be prepared by a qualified transportation professional, reviewed and accepted by Alberta Transportation and Rocky View County. The TIA must be completed in accordance with the required information contained within Alberta Transportation's document entitled "Traffic Impact Assessment Guideline." This document will provide information regarding the traffic that would be generated by the proposed subdivision / development, and will identify any necessary upgrades to the intersection of Highway 560 and Range Road 285, as well as improvements to Range Road 285, if required.
	2. Subject to mutual acceptance of the TIA by the department and the municipality, if the Traffic Impact Assessment noted above includes a recommendation for highway improvements, a design report must be prepared prior to consideration of a permit for construction of the highway improvements. Please note that in the case of upgrading a municipal road intersection with a provincial highway, the Municipality must be the applicant for the purposes of issuing a permit for construction of intersection upgrades.
	3. The recently completed study conducted with participation of Alberta Transportation, Rocky View County and the City of Calgary identified a short term upgrade to the intersection of Highway 560 and Range Road 285 which may be adequate for the purposes of accommodating traffic from the proposed



#### COMMENTS

subdivision. Confirmation or clarification must be contained within the TIA referenced previously.

4. Design and construction of the proposed highway improvements are to be completed by a qualified professional at no cost to Alberta Transportation and to the satisfaction of Alberta Transportation and Rocky View County. These improvements are to be constructed or financially secured prior to final endorsement and release of the subdivision to Land Titles for Registration.

On receipt of correspondence from Rocky View County confirming that the above items will be included as conditions of subdivision approval, Alberta Transportation would not object to the proposed subdivision, and would then be in a position to grant a waiver of Section 14 of the Subdivision and Development Regulation to accommodate this application. Please note that this letter does not waive the requirements of Section 14 of the Subdivision and Development Regulation for this application.

Pursuant to Section 678(2)(a) of the *Municipal Government Act*, the proposed subdivision falls within the referral distance outlined in Section 5(5)(d) of the *Subdivision and Development Regulation*, and therefore any appeals with respect to this subdivision application will be heard by the Municipal Government Board.

Alberta Culture and Community Spirit (Historical Resources)

No comments received.

Alberta Energy Regulator

No comments received.

Alberta Health Services

AHS provides the following comments for your consideration with regard to planning future development on the site:

1. AHS would like an opportunity to review and comment on any future applications to construct public facilities on the subject lands (e.g. food establishments, daycares, personal service establishments, etc.). Finalized building plans should be forwarded to Alberta Health Services, Environmental Public Health by the applicant for approval before the building permit is granted and construction takes place. This will ensure that the proposed facility will meet the requirements of the Public Health Act and its regulations.

Health approval of some public facilities is also required after final construction, but before the facility is operational. For more information regarding health approval, applicants should contact Alberta Health Services, Environmental Public Health directly.

2. AHS would like an opportunity to review and comment on future development and building permit applications for



AGENCY	COMMENTS
AGENCI	COMMENIO

businesses which may be storing hazardous chemicals onsite and/or which might have activities which create emissions, odors, noise, or other conditions that may impact adjacent properties and/or which may otherwise constitute a public health nuisance.

- If any evidence of contamination or other issues of public health concern are identified at any phase of development, AHS wishes to be notified.
- 4. Throughout all phases of development and operation, The property must be maintained in accordance with the Alberta Public Health Act, Nuisance and General Sanitation Guideline 243/2003, which stipulates:

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.

Applicants should contact Alberta Health Services, Environmental Public Health at (403) 943-2296, or email calgaryzone.environmentalhealth@ahs.ca to communicate directly with a Public Health Inspector regarding the requirements outlined above.

**Public Utility** 

ATCO Gas No comments received.

ATCO Pipelines No comments received.

AltaLink Management No comments received.

FortisAlberta Please see attached approval.

Telus Communications No comments received.

TransAlta Utilities Ltd. No comments received.

Rockyview Gas Co-op Ltd. No comments received.

Other External Agencies

EnCana Corporation No comments received.

City of Calgary

The City of Calgary has reviewed the below noted circulated application referencing the Rocky View/Calgary Intermunicipal

Development Plan (IDP) and other applicable policies.



AGENCY	COMMENTS
	The City of Calgary has no comments regarding Application # PL20180147 – To create fourteen commercial/industrial lots ranging in size from ± 0.81 hectares (± 2.00 acres) to ± 2.23 hectares (± 5.50 acres) in size together with an internal access road and public utility lot.
Nexen Energy	No comments received.
Western Irrigation District	Further to the above noted subdivision proposal within NW 29-23-28 W4M;
	WID has no objection to the subdivision proposal; however, there are currently 42 irrigation acres on this parcel. The Irrigation Districts Act requires that the irrigation acres be removed from the parcel, prior to the subdivision being finalized as the industrial designation is inconsistent with the land use for irrigation acres under The Irrigation Districts Act.
	Please have the landowner contact WID in regard to the irrigation acres.
Rocky View County Boards and Committees	
ASB Farm Members and Agricultural Fieldmen	No comments received.
Chestermere-Conrich Recreation Board	Unfortunately, the Chestermere-Conrich Board no longer has quorum, so is unable to comment on this circulation.
Internal Departments	
Recreation, Parks and Community Support	The Municipal Lands Office has reviewed the aforementioned application and has no concerns with the proposed subdivision as presented if done in accordance to the following policies associated with the Council approved Heatherglen Industrial Business Park Conceptual Scheme:
	Policy 4.5.1:
	"Municipal Reserves for the Conceptual Scheme area shall be provided as cash in lieu of Reserves in accordance with the provisions of the Municipal Government Act."
	Policy 4.5.2:
	"A pathway connection shall be accommodated in the Conceptual Scheme as described below that provides a connection to the regional pathway that parallels the WH Canal.
	<ol> <li>A 2.5m wide pathway shall be accommodated as part of the 4 m wide maintenance access road on the west side of the proposed stormwater management pond within the proposed Public Utility Lot.</li> </ol>



#### COMMENTS

2. At the future subdivision stage, as part of the Development Agreement, if the County is able to secure agreements with the Province and Alta-Link, the developer will construct the pathway connection on the west side of Range Road 285 from its current terminus on the south side of Westview Industrial Park to the existing Pathway in the WH Canal."

# Policy 4.5.3:

"A Lot Owners Association shall be incorporated to manage and maintain the pathway system within the Heatherglen Industrial Business Park in accordance with the requirements of the County."

**Development Authority** 

No comments received.

**GIS Services** 

Road will need a name if this subdivision is approved.

**Building Services** 

No comments received.

Agricultural & Environmental Services

No comments received.

Fire Services & Emergency Management

Having reviewed the circulation, the Fire Service has the following comments:

- 1. Please ensure that water supplies and hydrants for the development are sufficient for firefighting purposes.
- 2. Dependent on the occupancies, the Fire Service recommends that the buildings be sprinklered, if applicable, as per the Alberta Building Code.
- 3. The Fire Service also recommends that the water co-op be registered with Fire Underwriters.
- 4. Please ensure that access routes are compliant to the designs specified in the Alberta Building Code and RVC's servicing standards. The drawings list the secondary access road as temporary – the Fire Service requests that this be made permanent as there is only one access route for the entire development.

There are no further comments at this time.

Municipal Enforcement

Enforcement has no concerns.

Planning & Development - Engineering

#### General

 As a condition of subdivision, the Owner is required to enter into a Development Agreement pursuant to Section 655 of the Municipal Government Act respecting provision of the following:



#### **COMMENTS**

- O) Construction of a public internal road system (Industrial/Commercial Standard – 400.6) complete with cul-de-sacs and any necessary easement agreements, as shown on the Tentative Plan, in accordance with the County Servicing Standards;
- Appropriate signalization of the site access onto RR 285 as identified in the approved TIA to the satisfaction of the County;
- q) Construction of a gated emergency access road from the internal N/S roadway to Range Road 285 in accordance with the County Servicing Standards;
- Construction of the pressurized central fire suppression system including a stubbed connection at the western boundary of the subject lands to facilitate future connection to adjacent business parks to the satisfaction of the County;
- s) Construction of stormwater management facilities in accordance with the recommendations of the approved storm water Management Plan and the registration of any overland drainage easements and/or restrictive covenants as determined by the storm water Management Plan.
- Mailbox locations are to be located in consultation with Canada Post to the satisfaction of the County;
- u) Installation of Street Lighting (Dark Sky);
- v) Installation of power, natural gas, and communication utilities;
- w) Obtain all necessary approvals from AEP for the loss of wetlands
- Obtain all necessary approvals from AEP for the use of stormwater for irrigation purposes;
- y) Obtain all necessary approvals from Alberta Culture & Tourism under the Historical Resources Act;
- z) Implementation of the recommendations of the approved construction management plan;
  - aa) Implementation of the recommendations of the approved ESC plan.
- The applicant previously received subdivision approval (PL20180037) for the subdivision of the north and south portions of the golf course to facilitate the future development of the proposed business park (north portion);



#### **COMMENTS**

- Required as part of the previous subdivision approval, the applicant provided payment of their proportionate cost recovery payment to others for the previous improvements to Range Road 285 which amounted to \$205,000. No further cost recoveries are owed at this time
- As part of the previous subdivision approval, the applicant entered into Road Acquisition Agreements for the widening of Range Road 285 along the frontage of the subject lands, southern golf course parcel and NE corner of the intersection of Range Road 285 and Highway 560. As a condition of subdivision, the applicant will be required to dedicate the lands as identified in the Road Acquisition Agreements for the subject lands and the NE corner of the intersection of Range Road 285 and Highway 560. The County shall defer the requirement to dedicate road widening along the frontage of the southern golf course parcel as the lands shall remain a golf course for the foreseeable future and would place portions of the golf course into the newly widened road ROW of Range Road 285
- As a condition of 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

#### Geotechnical

As part of the application, the applicant provided a
Geotechnical Investigation, prepared by Lone Pine
Geotechnical Ltd. dated January 29, 2018. The report
provided the subsurface conditions of the subject lands
and provided various recommendations for the
development of the subject lands. The report concludes
that the onsite soils are generally suitable to support the
proposed development. Engineering has reviewed the
report and has no further concerns at this time.

#### Transportation

 The City of Calgary, with the involvement of both AT and the County, have conducted a Functional Planning Study for an all directional interchange at the intersection of RR 285 & Glenmore Trail. The Study also includes an interim, at-grade intersectional improvement which will increase the current capacity for approx. ten years. The Study has been brought



#### **COMMENTS**

forward and accepted by both City & County Council and shall amend the previous Highway 560 Functional Planning Study conducted by AT in 2007

- The applicant previously submitted a Transportation Impact Assessment prepared by Bunt & Associates dated February 27, 2018. The TIA provides the impact of the proposed development on the adjacent road network and concludes that:
  - signalization is required at the site access onto RR 285 in the post development condition;
  - the east bound movement at Bluegrass Drive and RR
     285 will fail due to the development of lands east of RR
     285:
  - the intersection of RR 285 & Highway 560 will continue to fail as identified in the recent Functional Planning Study prepared by the City of Calgary;
  - the twinning of RR 285 between Highway 560 and 61
     Ave may be warranted in the 2035 horizon based on the buildout of the area and forecasted growth; and
  - all studied intersections along RR 285 shall operate in an acceptable condition in the post development condition.

The County has recently received other TIAs prepared in support of other development lands in the near vicinity of the subject lands which make specific recommendations to improve the intersection of RR 285 and Highway 560 such as:

- an additional through lane on eastbound (EB) and westbound (WB) Highway 560 (local widening through the intersection;
- a 100m right turn storage bay and merging lane for southbound (SB) right turns (SB to WB direction);
- implementation of a southbound left turning lane at the north leg of the intersection;
- modification of the traffic islands at the south leg of the intersection at the SE and SW corners; and
- modifications to the signal timings to include appropriate phasing required for all left turning movements at the intersection.

Engineering recognizes that a combination of these improvements are necessary to increase the capacity of the intersection to an acceptable level of service however, the implementation of an improvement at this location is cost prohibitive. At this time, the owner/applicant is to continue to work with the County to determine which of the abovementioned improvements are to be implemented as part of this subdivision application as the applicant will be required to enter into a Special Improvements Development



#### **COMMENTS**

- Agreement with the County for the implementation of these improvements
- Alternatively, should an intersectional improvement at Range Road 285/Highway 560 be implemented by others that meets or exceeds the upgrades identified by the approved TIA, the Owner shall pay to the County the relevant cost recoveries plus applicable interest for the improvements to the intersection of Range Road 285/Highway 560, in accordance with the Infrastructure Cost Recovery Agreement. The County shall calculate the total amount owing from the gross acreage as shown on the Plan of Survey submitted for endorsement. Should the owner not enter into a Special Improvements Development Agreement for improvements to the intersection of Range Road 285 and Highway 560, payment of cost recovery to others for the intersectional improvements at Range Road 285/Highway 560 shall be satisfactory to satisfy this condition.
- 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:

This Agreement shall apply to the construction of the improvements to the intersection of Range Road 285 and Highway 560.

# OR

Should an intersectional improvement at Range Road 285/Highway 560 be implemented by others that meets or exceeds the upgrades identified by the approved TIA, the Owner shall pay to the County the relevant cost recoveries plus applicable interest for the improvements to the intersection of Range Road 285/Highway 560, in accordance with the Infrastructure Cost Recovery Agreement. The County shall calculate the total amount owing from the gross acreage as shown on the Plan of Survey submitted for endorsement. Should the owner not enter into a Special Improvements Development Agreement for improvements to the intersection of Range Road 285 and Highway 560, payment of cost recovery to others for the intersectional improvements at Range Road 285/Highway 560 shall be satisfactory to satisfy this condition.

 The current proposal includes a 12.5m wide emergency access onto RR 285. Albeit this emergency access is warranted based on the development proposal, should a N/S connection to the future Bluegrass Drive be constructed, this emergency access will no longer be needed. As a condition of subdivision, the applicant will be required to register a



#### **COMMENTS**

temporary access easement and associated agreement across the southern boundary of the proposed Lot 1 to protect the emergency access road to Range Road 285

- Required as part of the previous subdivision approval, the applicant is to provide payment of the Transportation Offsite Levy which amounted to \$820,000 (Base + Special Area #3 + Special Area #7 @ 56.6 acres).
- As the subject lands are within 1600m of Highway 560, the file is to be circulated to AT for their review and comment.

# Sanitary/Waste Water

 The applicant has proposed to utilize sewage holding tanks to service the proposed lots aligning with County Policy 449 and the Janet ASP. Engineering has no further concerns

# Water Supply And Waterworks

- The applicant has proposed to utilize potable water cisterns to service the proposed lots aligning with the policies of the Janet ASP. Engineering has no further concerns
- The applicant has indicated that a pressurized fire water distribution system will be provided which utilizes a pump house to draw water from the stormwater pond similar to other business parks within the Janet area. To allow for future connectivity to the system, the applicant has included a stubbed connection at the western boundary of the subject lands to facilitate future connection to adjacent business parks.

# Storm Water Management

- The applicant prepared a stormwater management plan prepared by Westoff Engineering Resources dated January 05, 2018. The concept consists of the use of a centralized stormwater pond within the business park which will be tied to a new pond on the existing golf course to the south. Stormwater would then be used to irrigate the golf course to manage stormwater from the proposed development.
- As a condition of subdivision, the applicant will be required to create a utility corporation and enter into Franchise Agreement with the County for the control, operation and maintenance of the stormwater utility system servicing the proposed development. Once the CSMI system and regional conveyance system within the Janet area are constructed and a permanent outfall from the proposed stormwater system be established, the County shall have the ability to act on the Franchise



#### COMMENTS

Agreement (transfer of infrastructure) and take over control and ownership of the stormwater management systems;

- Engineering has reviewed the proposed drainage improvements as identified in the Janet Master Drainage Plan and there does not appear to be the need for any further land dedications for future stormwater conveyance alignments from the subject lands.
- Prior to entering into the Development Agreement with the County, the Applicant will be required to obtaining all AEP approvals and licensing for the storm water management infrastructure.
- As a condition of subdivision, the applicant will be required to provide an Erosion & Sedimentation (ESC) Plan, prepared by a qualified professional, providing the ESC measures to be implemented during the development of the subject lands
- Required as part of the previous subdivision approval, the applicant provided payment of the Stormwater Offsite Levy which amounted to \$310,000 (CSMI System).

#### Environmental

- The applicant previously provided an Environmental Screening report prepared by Westoff Engineering Resources dates December 2017. The report indicates that although the lands have been transformed through the development of the golf course, the site has the potential to support some wildlife use. The report also provides mitigation measures to reduce or eliminate the potential negative impacts of site redevelopment such as ESC measures, weed management, environmental protection planning and timing of construction activities to avoid damage or loss of individual wildlife.
- As the previous Assessment provided was solely a
  desktop study, as a condition of subdivision, the applicant
  will be required to conduct a field assessment at the
  appropriate time of year using acceptable soil and
  vegetation survey assessment in accordance with the
  Alberta Wetland Policy. Should any wetlands or areas of
  environmental significance be discovered, the applicant
  shall be responsible to obtain all necessary AEP
  approvals the disturbance to these areas prior to entering
  into any Development Agreement with the County

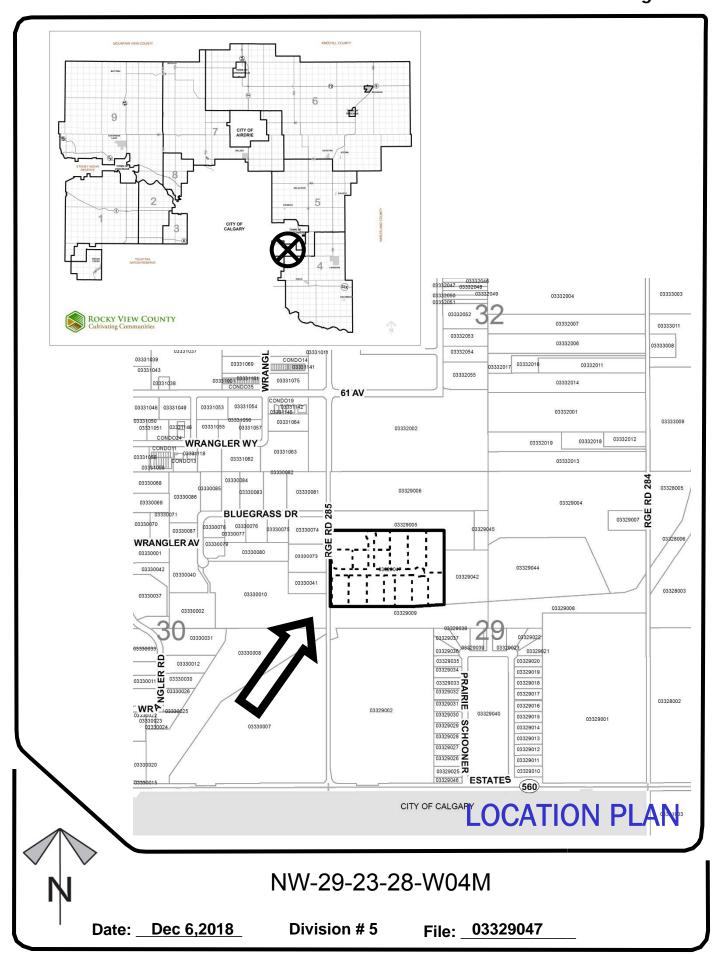
**Transportation Services** 

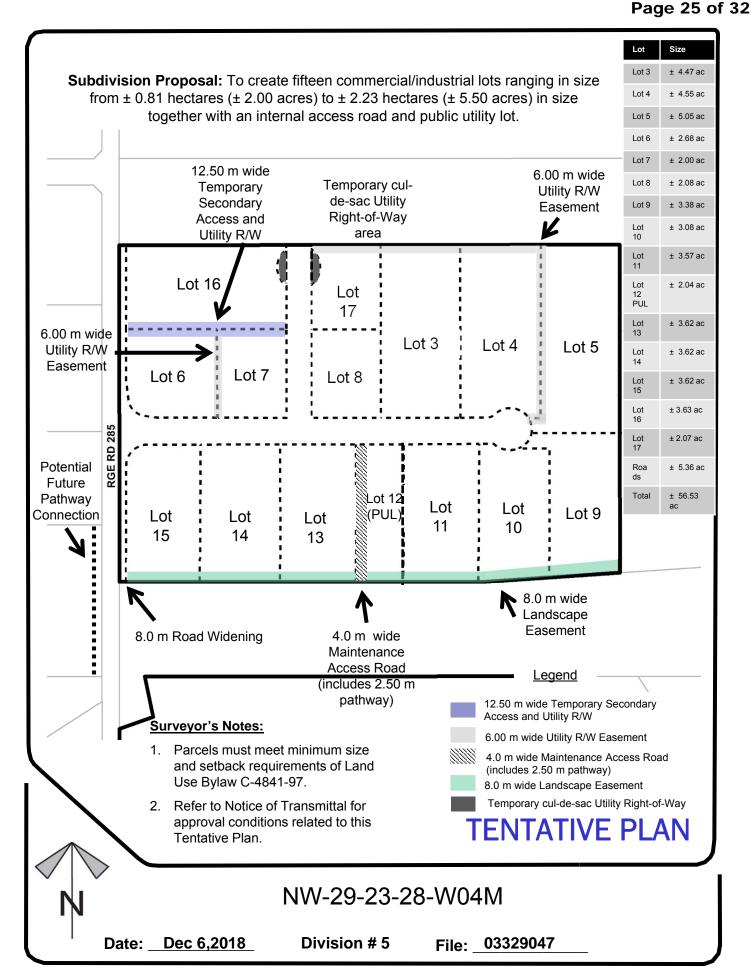
No comments received.



AGENCY	COMMENTS	
Capital Project Management	No comments received.	
Operational Services	Below, please find my comments from County Road Operations' perspective regarding attached circulation PL20180147:	
	<ol> <li>Applicant to contact County Road Operations with haul details related to material and equipment needed for site grading and subdivision development to confirm if Road Use Agreement will be required for any hauling along County road system.</li> </ol>	
	<ol> <li>Applicant to confirm via Traffic Impact Assessment if traffic generated from proposed development will trigger any upgrade work to:</li> </ol>	
	<ul> <li>a) Rge Rd 285 (Garden Road) onto which the access road for the proposed development will tie onto;</li> </ul>	
	<ul><li>b) Intersection of Rge Rd 285 (Garden Road) and Hwy560 south of proposed development;</li></ul>	
	<ul> <li>c) Existing bridge crossing WID canal south of proposed development.</li> </ul>	
Utility Services	No comments received.	

Circulation Period: December 18, 2018 – January 15, 2019





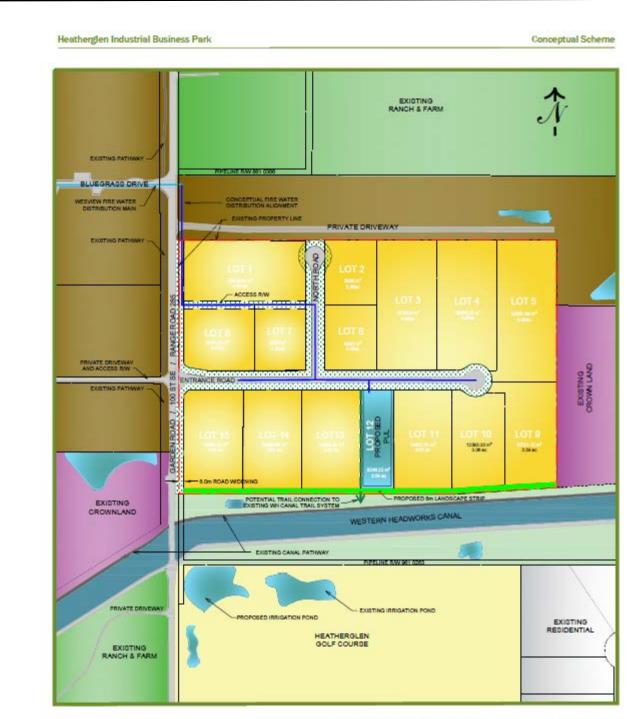
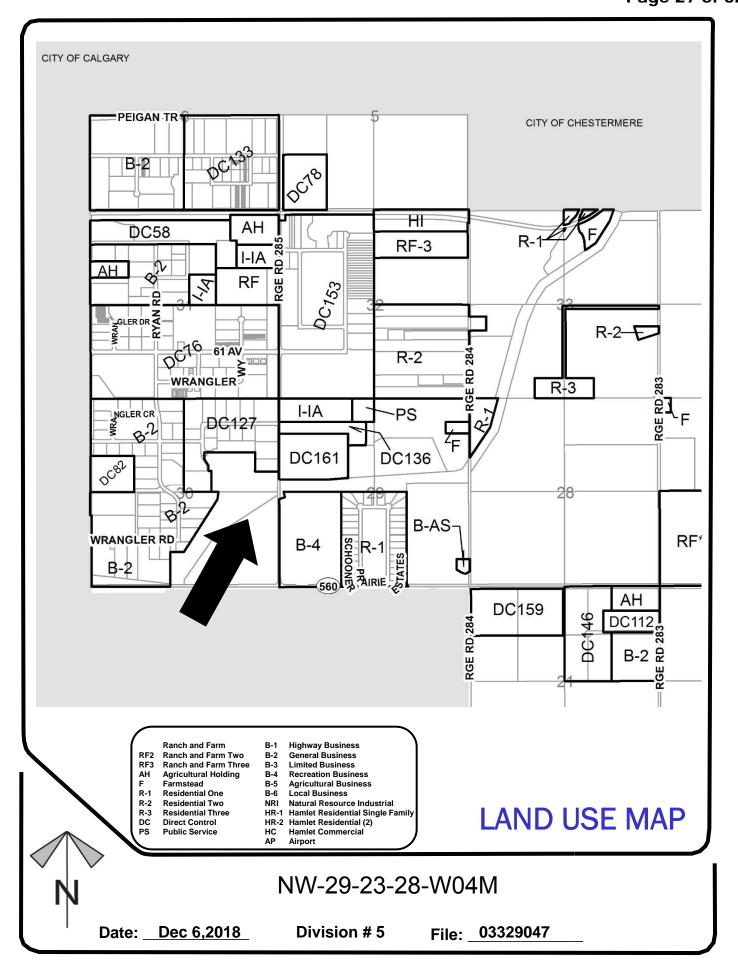


FIGURE 5: CONCEPTUAL SITE PLAN

# HEATHERGLEN INDUSTRIAL BUSINESS PARK CONCEPTUAL SCHEME

NW-29-23-28-W04M

Date: <u>Dec 6,2018</u> Division # 5 File: <u>03329047</u>





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

# **TOPOGRAPHY**

Contour Interval 2 M

NW-29-23-28-W04M

Date: <u>Dec 6,2018</u>

Division # 5

File: \_03329047



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

**AIR PHOTO** 

Spring 2018

NW-29-23-28-W04M

Date: <u>Dec 6,2018</u> Division # 5 File: <u>03329047</u>

