

Council Meeting Agenda

February 11, 2020

9:00 a.m.



ROCKY VIEW COUNTY

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

CALL MEETING TO ORDER

UPDATES/APPROVAL OF AGENDA

A APPROVAL OF MINUTES

1. January 28, 2020 Council Meeting

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B FINANCIAL REPORTS

- None

C APPOINTMENTS/PUBLIC HEARINGS

NOTE: In accordance with the *Municipal Government Act*, the public hearings were advertised in the January 14, 2020 and January 21, 2020 editions of the Rocky View Weekly.

MORNING APPOINTMENTS 10:00 A.M.

1. Division 4 – File: PL20190142 (03316012) – Bylaw C-7961-2019 – Redesignation Item – Agricultural Holdings District to Business-Industrial Campus District

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2. Division 5 – File: PL20180102 (03325006) – Bylaw C-7940-2019 – Redesignation Item – From Farmstead District to Public Services District
Note: this item should be considered with item D-9

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AFTERNOON APPOINTMENTS 1:30 P.M.

3. Division 9 – File: PL20190133 (07802005) – Bylaw C-7949 -2019 – Redesignation Item – Amendment to Direct Control Bylaw (DC-96)

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4. Division 5 – File: PL20190092 (05333083) – Bylaw C-7953-2019 – Redesignation Item – Residential from R-2 to R-1

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D GENERAL BUSINESS

1. All Divisions – File: N/A – Nose Creek Watershed Model Project – Grant Application

Staff Report

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2. Division 4 – File: 03214103 / 1025-450 – Boulder Creek Playground Resurfacing Project – Budget Adjustment

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3. All Divisions – File: 0194 – Potential Joint Assessment Review Board

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4. All Divisions – File: 4040-300 – 2020 Road Ban Exemption for Agriculture

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5. All Divisions – File: N/A – Building Services – 2019 Operating Highlights

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6. All Divisions – File: N/A – Intermunicipal Development Plan between Mountain View County and Rocky View County

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7. All Divisions – File: N/A – Adoption of Intermunicipal Collaboration Framework between Rocky View County and the Municipal District of Bighorn

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8. All Divisions – File: 1025-450 / 5000-540 – Cooperative Stormwater Management Initiative (CSMI) - Update

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9. **Division 5 – File: PL20180144 (03325006) – Pho Duc Vietnamese Buddhist Cultural Centre Master Site Development Plan**

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

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10. **Division 2 – File: N/A – Terms of Reference – Highway 8 Area Structure Plan**

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11. **All Divisions – File: N/A – Response to Notice of Motion – County Plan Amendments to Accommodate Developer-led Area Structure Plans.**

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E BYLAWS

1. **All Divisions – File: N/A – Adoption of Intermunicipal Collaboration Framework between Mountain View County and Rocky View County**

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2. **All Divisions – File: 0194 – Bylaw C-8017-2020 – Amendments to the Appeal and Review Panel Bylaw**

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3. **All Divisions – File: 0194 – Bylaw C-8014-2019 – Council Code of Conduct Bylaw – Complaint System**

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4. **All Divisions – File: 0194 – Bylaw C-8006-2020 – Procedure Bylaw Amendments**

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5. **Division 1 – File: PL20190198 (04834011) – First Reading Bylaw C-2004-2020 – Ranch and Farm District to Direct Control District**

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6. **Division 4 – File: PL20190192 (03309002/001) – First Reading Bylaw C-8003-2020 – Shepard Estates Conceptual Scheme**

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7. Division 4 – File: PL20190191 (03309002/001) – First Reading Bylaw C-8002-2020 – Residential Redesignation

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F UNFINISHED BUSINESS - None

G COUNCILLOR REPORTS - None

H MANAGEMENT REPORTS - None

I NOTICES OF MOTION

1. All Divisions – File: N/A – Notice of Motion – Councillor McKylor and Councillor Gautreau – Funding for Springbank Community Building & funding for future recreational requirements

Notice of Motion

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J SUBDIVISION APPLICATIONS - None

K CLOSED SESSION

1. RVC2020-04

THAT Council move into closed session to consider the confidential item “Cochrane Gravel Pit Lease Request” 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 the economic or other interests of a public body

2. RVC2020-07

THAT Council move into closed session to consider the confidential item “IAFF Contract Negotiations” 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 the economic or other interests of a public body

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9:00 a.m.

3. RVC2020-08

THAT Council move into closed session to consider the confidential item
“Request from Alberta Transportation” 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 the economic or other interests of a
public body

4. RVC2020-09

THAT Council move into closed session to consider the confidential item
“Release of Legal Opinion” pursuant to the following sections of the *Freedom
of Information and Protection of Privacy Act*:

Section 24 – Advice from officials

Section 27 – Privileged information

ADJOURN THE MEETING

ROCKY VIEW COUNTY
COUNCIL MEETING MINUTES
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A regular meeting of Rocky View County Council was held in the Council Chambers of the County Hall, 262075 Rocky View Point, Rocky View County, Alberta on January 28, 2020 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 (arrived at 9:08 a.m.)
	Division 7	Councillor D. Henn
	Division 8	Councillor S. Wright
	Division 9	Councillor C. Kissel

Also Present:

- A. Hoggan, Chief Administrative Officer
- K. Robinson, Executive Director, Corporate Services
- B. Riemann, Executive Director, Operations
- G. Kaiser, Executive Director, Community and Business
- R. Smith, Manager Fire Services, Emergency Management & Fire Chief
- C. Satink, Municipal Clerk, Municipal Clerk's Office
- C. Morrice, Manager, Legal and Land Administration
- B. Woods, Manager, Financial Services
- G. Nijjar, A/Manager, Recreation, Recreation, Parks & Community Support
- M. Wilson, Manager, Planning and Development Services
- B. Bateman, Supervisor Treasury, Financial Services
- S. MacLean, Planning Supervisor, Planning and Development Services
- S. Kunz, Senior Planner, Planning and Development Services
- J. Anderson, Planner, Planning and Development Services
- J. Kwan, Planner, Planning and Development Services
- O. Newmen, Planner, Planning and Development Services
- X. Deng, Planner, Planning and Development Services
- L. Stark, Lead Taxation Representative, Financial Services
- A. Pare, Engineering Support Technician, Planning and Development Services
- M. Mitton, Legislative Coordinator, Municipal Clerk's Office
- S. Hope, Policy Coordinator, Municipal Clerk's Office
- B. Manshanden, Intergovernmental Affairs Coordinator, Intergovernmental Affairs
- S. de Caen, Community Services Coordinator, Recreation, Parks & Community Support
- H. McInnes, Development Compliance Officer, Planning and Development Services

Call to Order

The Chair called the meeting to order at 9:00 a.m. with all members present, with the exception of Councillor Gautreau.

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1-20-01-28-01

Updates/Acceptance of Agenda

MOVED by Deputy Reeve Schule that the January 28, 2020 Council meeting agenda be amended to remove items C-2 & C-3.

Carried
Absent: Councillor Gautreau

Councillor Gautreau arrived at the meeting at 9:08 a.m.

MOVED by Councillor McKylor that an emergent item be added regarding removal of Councillor McKylor's appointment to the Subdivision and Development Appeal Board and Enforcement Appeal Committee, as agenda item D-11.

Carried

MOVED by Councillor Wright that an I item be added to the agenda to allow Councillor Wright to add a Notice of Motion.

Defeated

MOVED by Deputy Reeve Schule that the January 28, 2020 Council meeting agenda be approved as amended.
Carried

1-20-01-28-02

Approval of Minutes

MOVED by Councillor Henn that the January 14, 2020 Council meeting minutes be approved as presented.

Carried

MOVED by Deputy Reeve Schule that the January 20, 2020 Special Council meeting minutes be approved as presented.

Carried

1-20-01-28-03 (K-1)

All Divisions – Closed Session – Confidential Item – Land Sale

File: RVC2020-03

MOVED by Councillor Henn that Council move into closed session at 9:17 a.m. to consider the confidential item "Land Sale" 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 the economic or other interests of a public body

Carried

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Council held the closed session for confidential item K-1 with the following people in attendance:

Rocky View County: A. Hoggan, Chief Administrative Officer
 K. Robinson, Executive Director, Corporate Services
 B. Riemann, Executive Director, Operations
 G. Kaiser, Executive Director, Community and Business
 G. Nijjar, A/Manager, Recreation, Recreation, Parks & Community Support
 A. Zaluski, Manager, Intergovernmental Affairs
 C. Morrice, Manager, Legal and Land Administration

Others: Marshall Chalmers, Mayor, City of Chestermere
 Yvette Kind, Deputy Mayor, City of Chestermere
 Michelle Young, Councillor, City of Chestermere
 Mel Foat, Councillor, City of Chestermere
 Kathy Burness, Councillor, City of Chestermere
 Laurie Bold, Councillor, City of Chestermere
 Bernie Morton, Chief Administrative Officer, City of Chestermere
 Kathy Russell, Director Community Operations, City of Chestermere

MOVED by Deputy Reeve Schule that Council move into open session at 10:00 a.m.

Carried

MOVED by Deputy Reeve Schule that Administration be directed to review the letter of intent presented by the City of Chestermere and prepare a report for Council's consideration.

Carried

1-20-01-28-04 (C-1)
Division 8 – Bylaw C-7966-2019 – Road Closure
File: PL20190120

MOVED by Councillor Wright that the public hearing for item C-1 be opened at 10:00 a.m.

Carried

Person(s) who presented: Cameron Wallace, Catalyst Management Consultants Inc.

Person(s) who spoke in favour: None

Person(s) who spoke in opposition: None

Person(s) who spoke in rebuttal: None

MOVED by Councillor Wright that the public hearing for item C-1 be closed at 10:12 a.m.

Carried

MOVED by Councillor Wright that Administration be directed to forward Bylaw C-7966-2019 to the Minister of Transportation for Approval.

Carried

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1-20-01-28-05 (C-4)

Division 9 – Bylaw C-7807-2018 – Redesignation Item – Conceptual Scheme Amendment

File: PL20180059 (10013010)

1-20-01-28-06 (C-5)

Division 9 – Bylaw C-7808-2018 – Redesignation Item – Direct Control Bylaw Amendment

File: PL20180060 (10013010)

MOVED by Councillor Kissel that public hearing for items C-4 and C-5 be opened concurrently at 10:13 a.m.

Carried

Person(s) who presented: Randy Sieben on behalf of Cottage Club Ghost Lake Inc.

Person(s) who spoke in favour: Todd Achen
Neil MacDonald

Person(s) who spoke in opposition: Klaus Kiefer

Person(s) who spoke in rebuttal: Randy Sieben on behalf of Cottage Club Ghost Lake Inc.

MOVED by Councillor Kissel that the public hearing for items C-4 and C-5 be closed at 10:58 a.m.

Carried

MOVED by Councillor Kissel that Bylaw C-7807-2018 be given second reading.

Carried

MOVED by Councillor Kissel that Bylaw C-7807-2018 be given third and final reading.

Carried

MOVED by Councillor Kissel that Bylaw C-7808-2018 be given second reading.

Carried

MOVED by Councillor Kissel that Bylaw C-7808-2018 be given third and final reading.

Carried

The Chair called for a recess at 11:02 a.m. and called the meeting back to order at 11:14 a.m. with all previously mentioned members present.

1-20-01-28-11 (D-2)

Division 2 – Penalty Cancellation Request – Tax Roll 05707034

File: 0785

MOVED by Councillor McKylor that the request for late penalty cancellation in the amount of \$721.81 be denied.

Carried

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1-20-01-28-13 (D-4)

Division 4 – Langdon Recreation Grant Awards

File: 1025-500

MOVED by Deputy Reeve Schule that the Langdon Community Association's request for \$19,378.12 for programming and facilities maintenance be approved from the Langdon Recreation Special Tax Funding Grant. Further, that the Langdon Theatre Association's request for \$6,301.74 for relocation and storage of program materials be approved from the Langdon Recreation Special Tax Funding Grant.

Carried

1-20-01-28-14 (D-5)

All Divisions – Community Benefit Initiatives Grant Policy, C-321

File: N/A

MOVED by Councillor Gautreau that the amended Community Benefit Initiatives Grant Policy C-321 be approved as per Attachment 'A'.

Carried

1-20-01-28-15 (D-6)

Division 2 – Unclaimed Fill Material

File: 201704-0288

MOVED by Councillor McKylor that the fill material be used for County projects with any additional costs being billed back to the landowners of 33019 Township Road 250.

Carried

1-20-01-28-16 (D-7)

Division 7 – Time Extension – Council Motion – Compost Facility, Type II & Manure Storage Facility

File: PRDP20190505 (07320007)

MOVED by Councillor Henn that the applicant be allowed to speak.

Carried

Person(s) who presented: Lindsey Cybulskie, Vice President, Thorlakson Nature's Call Inc.
Kier Scott, Operations Manager, Thorlakson Nature's Call Inc.

MAIN MOTION

MOVED by Councillor Henn that the resolution dated June 11, 2019, with respect to PRDP20190505, be amended to state the following be completed by **June 1, 2020**:

- a. Screen all compost materials from the existing wind rows;
- b. Sort and remove all plastics and non-compostable materials from the site;
- c. Incorporate all 'overs' into manure compost associated with the feedlot;
- d. Provide written confirmation that any equipment remaining on site is associated with the feedlot and/or manure composting per the NRCB approval; and,
- e. All stockpiles shall be moved onto the existing pad and used for on-going manure composting or spread and incorporated into appropriate agricultural lands.

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AMENDING MOTION

MOVED by Deputy Reeve Schule that the resolution dated June 11, 2019, with respect to PRDP20190505, be amended to state the following be completed by **June 1 28, 2020**:

- a. Screen all compost materials from the existing wind rows;
- b. Sort and remove all plastics and non-compostable materials from the site;
- c. Incorporate all 'overs' into manure compost associated with the feedlot;
- d. Provide written confirmation that any equipment remaining on site is associated with the feedlot and/or manure composting per the NRCB approval; and,
- e. All stockpiles shall be moved onto the existing pad and used for on-going manure composting or spread and incorporated into appropriate agricultural lands.

Carried

Voting resumed on the main motion and it was carried.

The Chair called for a recess at 12:00 p.m. and called the meeting back to order at 1:30 p.m. with all previously mentioned members present, with the exception of Councillor Hanson and Councillor Wright.

Councillor Hanson and Councillor Wright arrived to the meeting at 1:30 p.m.

1-20-01-28-07 (C-6)

Division 7 – Bylaw C-7922-2019 – Conceptual Scheme Item – Hays Hills Outline Plan (formerly Sharp Hills Outline Plan)

File: PL20170103 (06416004)

1-20-01-28-08 (C-7)

Division 7 – Bylaw C-7923-2019 – Redesignation Item – Ranch and Farm District to Residential One District

File: PL20170104 (06416004)

MOVED by Councillor Henn that the public hearing for item C-6 and C-7 be opened concurrently at 1:30 p.m.

Carried

Person(s) who presented: Cameron Wallace, Catalyst Management Consultants Inc.
Rodney Potrie, Planning Protocol 3, Inc.
Jason Dunn, Bundt and Associates
Mike Kitchen, Osprey Engineering

Person(s) who spoke in favour: Jim Montgomery

Person(s) who spoke in opposition: None

Person(s) who spoke in rebuttal: None

MOVED by Councillor Henn that the public hearing for items C-6 and C-7 be closed at 2:16 p.m.

Carried

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MOVED by Councillor Henn that Schedule "B" Item 2.22 of Bylaw C-7922-2019 be amended by deleting Policy 17.1.3 and replacing with: Policy 17.1.3 as per the June 4, 2019 Osprey Engineering PSTS Assessment report Sewage treatment fields shall not be permitted on proposed Lot 7. A treatment mound may be a suitable option on this lot.

Carried

MOVED by Councillor Gautreau that Schedule "B" Item 2.23 of Bylaw C-7922-2019 be amended by deleting Policy 17.1.4 and replacing with: Policy 17.1.4 as per the June 4, 2019 Osprey Engineering PSTS Assessment report, Lots 9, 10, and 12 may have concerns regarding soil supporting on-site sewage treatment, and further evaluation may be required at subdivision stage. The revised site plan eliminates lots 10 & 12 and the revised lot 9 can be adequately serviced.

Carried

MOVED by Councillor Henn that Schedule "B" Item 2.25 of Bylaw C-7922-2019 be amended by adding the following policy: Policy 17.1.6 In consideration of the identified ephemeral draws identified in the June 22, 2018 Trace & Associates Wetland Assessment Report, proposed Lots 3, 6, 7 and 8 shall be subject to 15m setback from a watercourse as per Municipal Affairs Standard of Practice for the new PSTS systems, and addressed at subdivision stage.

Carried

MOVED by Councillor Gautreau that the motions to amend the Outline Plan - Conceptual Scheme to address technical deficiencies and inconsistencies with County policy, as detailed in Appendix 'E', as amended, be approved.

Carried

MOVED by Councillor Henn that Bylaw C-7922-2019 be given second reading, as amended.

Carried

MOVED by Councillor Henn that Bylaw C-7922-2019 be given third and final reading, as amended.

Carried

MOVED by Councillor Henn that Bylaw C-7923-2019 be given second reading.

Carried

MOVED by Councillor Henn that Bylaw C-7923-2019 be given third and final reading.

Carried

The Chair called for a recess at 2:26 p.m. and called the meeting back to order at 2:34 p.m. with all previously mentioned members present.

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1-20-01-28-09 (C-8)

Divisions 1 & 9 – Bylaw C-7937-2019 – Second Reading of Bylaw C-7937-2019 – Municipal District of Bighorn and Rocky View County Intermunicipal Development Plan
File: PL20190082

MOVED by Councillor Kissel that the public hearing for item C-8 be opened at 2:34 p.m.

Carried

Person(s) who presented: None

Person(s) who spoke in favour: None

Person(s) who spoke in opposition: None

Person(s) who spoke in rebuttal: None

MOVED by Councillor Kissel that the public hearing for item C-8 be closed at 2:41 p.m.

Carried

MOVED by Councillor Kissel that Bylaw C-7937-2019 be given second reading

Carried

1-20-01-28-17 (D-8)

All Divisions – Response to Notice of Motion – Moratorium on Off-Site Levies
File: N/A

The Chair called for a recess at 3:13 p.m. and called the meeting back to order at 3:20 p.m. with all previously mentioned members present.

MAIN MOTION

MOVED by Councillor Gautreau that Administration be directed to bring back a report providing a broad-based set of recommendations and options regarding levy collection and implementation to Council on May 12, 2020.

AMENDING MOTION

MOVED by Councillor Hanson that Administration be directed to bring back a report providing a broad-based set of recommendations and options regarding levy collection and implementation, **including impact to developer cash flow**, to Council on May 12, 2020.

Defeated

Voting resumed on the main motion and it was carried.

1-20-01-28-18 (D-9)

All Divisions – Request for Support from Strathcona County for their resolution to the Federation of Canadian Municipalities regarding Bill C-48, Bill C-69, and a National Utilities Corridor

File: N/A

MOVED by Councillor Henn that Administration be directed to draft a letter of support for Strathcona County's resolution to the FCM. Further that the Reeve be authorized to send the letter of support to Strathcona County for inclusion in their submission to the FCM.

Carried

1-20-01-28-19 (D-10)

All Divisions – Electoral Boundary and Governance Review – Terms of Reference

File: N/A

Person(s) who presented: Brian Conger, ISL Engineering
Darren Young, ISL Engineering

MOVED by Deputy Reeve Schule that subsection (a) be added after section 3 of the Terms of Reference as per Attachment 'A' that states the following:

- All electoral boundary options recommended must meet the $\pm 25\%$ deviation for two electoral terms.

Carried

MOVED by Councillor Hanson that subsection (b) be added after section 3 of the Terms of Reference as per Attachment 'A' that states the following:

- The data set used to conduct the population projection shall be from the Metro Economics Data Set.

Carried

MOVED by Councillor Hanson that the Terms of Reference as per Attachment 'A' be approved, as amended.

Carried

1-20-01-28-20 (D-11)

All Divisions – Subdivision Development Appeal Board and Enforcement Appeal Committee Removal of Appointment

File: N/A

MOVED by Councillor McKylor that the appointment of Councillor McKylor, as the alternate member of Council to the Subdivision and Development Appeal Board and Enforcement Appeal Board be rescinded.

Carried

MOVED by Councillor McKylor that Administration be directed to bring forward an amendment to the Appeal and Review Panel Bylaw to reflect a deletion of the requirement for an alternate member of Council on its membership.

Carried

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1-20-01-28-10 (D-1)
All Divisions – 2019 Audit Service Plan
File: 0630

Person(s) who presented: Julie Oliver, MNP LLP.

MOVED by Deputy Reeve Schule that the 2019 Audit Service Plan be received as information.

Carried

1-20-01-28-12 (D-3)
All Divisions – Bow Basin Water Management Options – Project Update
File: 5040-250

Person(s) who presented: Mark Cumerford Alberta Environment and Parks
Ken Kress, Wood PLC

Councillor Gautreau left the meeting at 4:31 p.m. and returned at 4:33 p.m.

MOVED by Councillor McKylor that the Bow Basin Water Management - Project Update be received as information.

Carried
Absent: Councillor Gautreau

1-20-01-28-21 (E-1)
All Divisions – Borrowing Bylaw C-8001-2020 – ATB Line of Credit
Files: 0640

MOVED by Deputy Reeve Schule that Bylaw C-8001-2020 be given first reading.

Carried

MOVED by Councillor Henn that Bylaw C-8001-2020 be given second reading.

Carried

MOVED by Councillor Hanson that Bylaw C-8001-2020 be considered for third and final reading.

Carried

MOVED by Deputy Reeve Schule that Bylaw C-8001-2020 be given third and final reading.

Carried

The Chair called for a recess at 4:35 p.m. and called the meeting back to order at 4:41 p.m. with all previously mentioned members present.

1-20-01-28-22 (E-2)
All Divisions – Bylaw C-7866-2019 – Fire Services Bylaw and Level of Service Policy
Files: N/A

MOVED by Deputy Reeve Schule that Fire Services Bylaw C-7886-2019 be given first reading.

Carried

MOVED by Councillor Gautreau that Fire Services Bylaw C-7886-2019 be given second reading.

Carried

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MOVED by Councillor Hanson that Fire Services Bylaw C-7886-2019 be considered for third and final reading.
Carried

MOVED by Councillor Henn that Fire Services Bylaw C-7886-2019 be given third and final reading.
Carried

MOVED by Councillor Gautreau that the proposed Fire Protection Service Levels Policy be adopted as presented in Attachment "B".
Carried

1-20-01-28-23 (E-3)
All Divisions – First Reading Bylaw – Rocky View County Land Use Bylaw
Files: 1015-565

MOVED by Deputy Reeve Schule that Bylaw C-8000-2020 be given first reading.
Carried

MOVED by Councillor Gautreau that Bylaw C-7994-2020 be given first reading.
Carried

MOVED by Councillor MyKylor that Bylaw C-7995-2020 be given first reading.
Carried

MOVED by Councillor Gautreau that Bylaw C-7996-2020 be given first reading.
Carried

MOVED by Councillor Hanson that Bylaw C-7997-2020 be given first reading.
Carried

1-20-01-28-24 (E-4, E-5, E-7 and E-8)
First Reading Bylaws
Files: Various

MOVED by Deputy Reeve Schule that the following bylaws be given first reading:

- E-4 – Bylaw C-7985-2019
- E-5 – Bylaw C-7984-2019
- E-7 – Bylaw C-7993-2020
- E-8 – Bylaw C-8005-2020

Carried

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1-20-01-28-25 (E-6)

Division 8 – Bylaw C-7991-2020 – First Reading Bylaw – Residential and Commercial Conceptual Scheme – Ascension

Files: PL20170153 (05618039/05619004/006/054)

MOVED by Councillor Wright that application PL20170153 be tabled sine die until the new Bears paw Area Structure Plan is adopted by Council.

Defeated

MOVED by Councillor Gautreau that Bylaw C-7991-2020 be given first reading.

Carried

MOTION ARISING

MAIN MOTION

MOVED by Councillor Wright that the circulation area on application PL20170153 be expanded to 1600 metres.

AMENDING MOTION

MOVED by Councillor Hanson that the circulation area on application PL20170153 be expanded to 1600 metres **within Rocky View County**.

Carried

Voting resumed on the main motion as amended and it was carried as amended.

1-20-01-28-28 (J-1)

Division 1 – Subdivision Item – First Parcel Out

File: PL20190168 (05821003)

MOVED by Councillor Kamachi that subdivision Application PL20190168 be tabled sine die.

Carried

MOVED by Councillor Kamachi that Administration be directed to prepare and amendment to the County Servicing standards that will add a minimum road standard to accommodate ranch access where there is deemed to be limited residential or commercial growth potential (eg. Dead end unmaintained road allowances with limited chance of being developed. And further that, the new standard shall allow for only residential in support of the agricultural operation.

Carried

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1-20-01-28-29 (J-2)

Division 9 – Subdivision Item – Creation of Four Agricultural Parcels

File: PL20190159 (08909001)

MOVED by Councillor Kissel that Subdivision Application PL20190159 be approved with the conditions noted in Appendix 'B':

- A. The application to create four \pm 20 acre parcels with a \pm 76 acre remainder at NE 09-28-05-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 that 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.

Survey Plans

- 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 657 of the Municipal Government Act, in accordance with the approved Tentative Plan, and shall include the following:

Realignment of the cul-de-sac (from “off-set” to “centered” cul-de-sac) at the current termination point of Township Road 282 to the access point of the proposed Lot 1 to a Regional Low Volume Standard in accordance with the County Servicing Standards as provided in a Tentative Plan which includes but is not limited to:

- Retaining existing accesses to adjacent(north) parcels;
- Remediation of the existing cul-de-sac where necessary;
- Appropriate signage – as required;

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-
- Dedication of necessary easements and rights-of-ways;
 - Preparation and implementation of the recommendation of the geotechnical report;
 - Preparation and implementation of the recommendations of the ESC Plan; and
 - Preparation and implementation of the recommendations of the Construction Management Plan.

Transportation

- 3) The Owner shall construct one new single gravel approach on Township Road 282 in order to provide access to Lot 1.
- 4) The Owner shall construct one new mutual gravel approach on Township Road 282 and one new mutual gravel approach on Range Road 53, in order to provide access to Lots 2 & 3, and Lot 4 & the remainder. The Owner shall:
 - a) Provide an Access Right of Way Plan; and
 - b) Prepare and register respective Access Easement Agreement on each title, where required.

Site Servicing

- 5) Water is to be supplied by an individual well on Lots 1-4. The subdivision shall not be endorsed until:
 - a) The Owner has provided a Well Driller's Report to determine whether an adequate supply of water is available for Lots 1-4.
 - b) Verification is provided that the new well is located within the Lots 1-4 boundaries.
 - c) It has been demonstrated that the new well is capable of supplying a minimum of one (1) IGPM of water for household purposes.

Municipal Reserves

- 6) The provision of Reserve, in the amount of 10% of the area of four new lots (Lots 1-4), 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 RDS Appraisal Group, File 199576, dated September 6, 2019, pursuant to Section 666(3) of the Municipal Government Act.
 - a) Reserves for the remainder are to be deferred by caveat, pursuant to Section 669(2) of the Municipal Government Act.

Payments and Levies

- 7) The Owner shall pay the Transportation Off-Site Levy in accordance with Bylaw C-7356-2014, prior to endorsement of the subdivision. The County shall calculate the total amount owing on 3 acres of each new lot (Lots 1- 4), as shown on the Plan of Survey.
- 8) The Owner shall pay the County Subdivision Endorsement fee, in accordance with the Master Rates Bylaw, for the creation of four (4) new lots.

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Taxes

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

D. SUBDIVISION AUTHORITY DIRECTION

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

Carried

1-20-01-28-26 (G-1)

Division 5 – Councillor Gautreau Apologies

In response to a Council resolution made on January 14, 2020. Councillor Gautreau stated the following:

To CAO Hoggan, Rocky View Staff, Reeve Boehlke and my fellow Councillors members of the public I have been asked to make a couple of apologies today. It is never fun to say you're sorry, in fact, it is very humbling. Sometimes it's something we all and can and should do to move forward.

Back in December 2018, I allowed my frustrations over what then viewed to be a flawed hiring process of our CAO to get the best of me. I allowed my name to be used along with Councillors Wright, Kissel and Hanson regarding our displeasure with the process.

I was working with this group of three when a member of the group leaked confidential in camera information to an outside lawyer. Now I want to be clear very clear, I did not authorize Councillor Hanson to send that information to the lawyer, but I had been working with them to that point, so I am responsible in some way too. And for that I say I'm sorry. I want to make a clear and heartfelt apology to you all.

I also want to point out that I truly am sorry that I got involved with these three Councillors in any of this. While I thought we had a mutual concern over process, it soon became clear of their actions that was all personal to them and I soon distanced myself from them. I made my points on the process and respectfully moved on and though asked by them repeatedly to join in bringing forward a notice of motion on the issue I refused.

I also apologized to CAO Hoggan for my actions at the time and welcomed him to the organization in January of 2019. In the end, the majority of Council decides on the CAO hiring and that's how democracy works. As I apologized to Reeve Boehlke and Council, but now I'm doing it publicly here today to reiterate my firm belief that we should be working as a team, and respectfully disagreeing when we don't share the same viewpoints. I also want to point out that this council gave the other sanctioned Councillors the opportunity to apologize at the same time, but my three colleagues refused. I moved on, they apparently did not.

So today, I apologize once again to all of Council for my actions regarding the hiring process of the CAO, Mr. Al Hoggan. Decision-making authority lies with this Council as a whole, not with individual Councillors so again, I apologize.

As well I will once again publicly apologize to Mr. Hoggan. Since Mr. Hoggan has taken the position of the CAO role, he and his staff continue to make great strides in making Rocky View County a great place to live. And for that I thank you all. To Council and Mr. Hoggan, once again, I apologize. And I want to reiterate the a terrific job Mr. Hoggan is doing as CAO. We are fortunate to have you here.

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The second code of conduct violation pertains to language I used on social media.

In this day and age, its the reality that people take to Facebook and other social media platforms to vent their frustrations, often going too far in the process. It's no secret that as public officials, we are often the victims of this scorn. Still I can do better.

I'll use the hockey analogy, I guess you could say I took a roughing penalty in the heat of the moment. And for this I apologize. I'm serving my two minutes, so be it. I'm happy to do it. The truth is, I am tremendously proud of Rocky View County and the work the Council is doing. I am also proud to serve our community, and it is frustrating to see some of the comments people post on social media. Unfortunately, I let my emotions get the best of me, and I responded to some of these posts in a manner I should not have.

As a Councillor, I am held to a higher standard, and I should not have let myself be pulled into an online debate. To the residents involved in my social media postings, I am sorry.

And to my fellow Councillors, please know that I am treating this as a learning moment about the reality of social media. In life we are going to make mistakes, but I was taught long ago that when you do, you own up to them, say you're sorry and move on.

1-20-01-28-30 (K-2)

All Divisions – Closed Session – Confidential Item – Cochrane Gravel Pit Lease Request

File: RVC2020-04

1-20-01-28-31 (K-3)

All Divisions – Closed Session – Confidential Item – Airdrie Grader Shed Sale

File: RVC2020-05

MOVED by Councillor Henn that Council move into closed session at 5:42 p.m. to consider the confidential item "Cochrane Gravel Pit Lease Request" 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 the economic or other interests of a public body

Carried

MOVED by Councillor Wright that Council move into closed session at 5:42 p.m. to consider the confidential item "Airdrie Grader Shed Sale" 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 the economic or other interests of a public body

Carried

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Council held the closed session for confidential item K-2 and K-3 the following people in attendance:

Rocky View County: A. Hoggan, Chief Administrative Officer
 K. Robinson, Executive Director, Corporate Services
 B. Riemann, Executive Director, Operations
 G. Kaiser, Executive Director, Community and Business
 G. Nijjar, A/Manager, Recreation, Recreation, Parks & Community Support
 C. Morrice, Manager, Legal and Land Administration

MOVED by Councillor McKylor that Council move into open session at 6:09 p.m.

Carried

1-20-01-28-30 (K-2)

All Divisions – Closed Session – Confidential Item – Cochrane Gravel Pit Lease Request

File: RVC2020-04

MOVED by Councillor McKylor agenda item K-2 be tabled until February 11, 2020.

Carried

1-20-01-28-31 (K-3)

All Divisions – Closed Session – Confidential Item – Airdrie Grader Shed Sale

File: RVC2020-05

MOVED by Councillor Hanson that Administration be directed to discontinue negotiations with the purchaser and investigate the possibility of transferring the land to the City of Airdrie.

Carried

Adjournment

MOVED by Deputy Reeve Schule that the January 28, 2020 Council meeting be adjourned at 6:10 p.m.

Carried

Reeve or Deputy Reeve

Chief Administrative Officer or Designate



PLANNING AND DEVELOPMENT SERVICES

TO:	Council	
DATE:	February 11, 2020	DIVISION: 4
TIME:	Morning Appointment	
FILE:	03316012	APPLICATION: PL20190142
SUBJECT:	Redesignation Item – Agricultural Holdings District to Business-Industrial Campus District	

POLICY DIRECTION:

The application was evaluated against the policies of the Rocky View County/City of Calgary Intermunicipal Development Plan and the County Plan.

EXECUTIVE SUMMARY:

The purpose of this application is to redesignate the subject land from Agricultural Holdings District to Business-Industrial Campus District, in order to support future business expansion.

Council gave first reading to Bylaw C-7961-2019 on December 10, 2019.

The following is a summary of the application assessment:

- The proposal is consistent with the industrial development identified within the Rocky View County/City of Calgary Intermunicipal Development Plan.
- The proposal is consistent with Business Development policies of the County Plan.
- The Traffic Impact Assessment concluded that the proposed development will not require upgrades to offsite network.
- The proposed development will be compatible with similar business uses in the surrounding area.

ADMINISTRATION RECOMMENDATION:

Administration recommends approval in accordance with Option #1.

DATE APPLICATION RECEIVED:	October 4, 2019
DATE DEEMED COMPLETE:	October 4, 2019

PROPOSAL:	To redesignate the subject land from Agricultural Holdings District to Business-Industrial Campus District, in order to support business expansion in the future
LEGAL DESCRIPTION:	Lot 4, Block 1, Plan 0512283, SE-16-23-28-W04M
GENERAL LOCATION:	Located approximately 1 m of Calgary, 0.5 miles north of Township Road 232, and immediately west of Range Road 283
APPLICANT:	Paul Schneider
OWNERS:	Patrick Roy, Rejean Levesque
EXISTING LAND USE DESIGNATION:	Agricultural Holdings District

Administration Resources

Xin Deng and Nathan Madigan, Planning and Development Services



PROPOSED LAND USE DESIGNATION:	Business-Industrial Campus District
GROSS AREA:	± 4.17 acres
SOILS (C.L.I. from A.R.C.):	<p>Class 2T40 2D30 5N W30 - A small portion of the land contains soil with slight limitations for crop production due to adverse topography and low permeability, and very severe limitation for crop production due to high salinity and excessive wetness/poor drainage.</p> <p>Class 1 1 – the rest of land contains soil with no significant limitation for crop production.</p>

PUBLIC & AGENCY SUBMISSIONS:

The application was circulated to 47 adjacent landowners; no responses were received. The application was also circulated to a number of internal and external agencies. The responses are available in Appendix 'A'.

HISTORY:

November 9, 2004	Subdivision application (2004-RV-217) to create a ± 4 acre parcel with a ± 8 acre remainder was approved. The plan was registered on Plan 0512283 in 2005. The ± 4 acre parcel is the subject land in this case.
October 5, 2004	Redesignation application (2004-RV-216) to redesignate the subject land from Agricultural Holdings District to Residential Two District, in order to facilitate the creation of a ± 4 acre parcel with a ± 8 acre remainder was refused.

BACKGROUND:

The property contains an existing dwelling and a large shop. The dwelling is serviced by a well and a private sewage treatment system. The property is accessed by the existing paved approach from Range Road 283.

The property had a Development Permit for Home-Based Business Type II for a stucco construction company since 2012. The permit had been renewed every year until it became invalid in May 2019. Due to limitation on the number of employees (maximum of two non-resident employees) and storage area outlined in the regulation of Home-Based Business within the Land Use Bylaw, renewal of a Development Permit would no longer meet the Owner's needs. To facilitate future business expansion, the Owner proposes to change the land use from Agricultural Holdings District to Business-Industrial Campus District, which would support business growth comprising an increase to six non-resident employees, a larger shop, and an advertising sign.

The subject land is located in an area that has several industrial parcels to the north and south. The adjacent industrial land uses consist of Business Industrial Campus District, Business Agricultural Services District, and Industrial – Industrial Storage District.

POLICY ANALYSIS:

Intermunicipal Development Plan

The subject land is located within the Rocky View County/City of Calgary Intermunicipal Development Plan future industrial growth area. The City of Calgary was circulated in accordance with the IDP policies and procedures, and has no comment on the application. The IDP identifies this area for



future industrial growth, and the surrounding properties are already designated for business development. The proposed development is consistent with the industrial development expected in this area.

County Plan

Section 14 Business Development provides policies for evaluation of proposals ranging from regional business to highway business and other business development. This section encourages new business to locate within the existing business area as identified on Map 1, but also provides flexibility for considering development that is located outside of the business area if the proposal can justify their need and location. "Other Business Development" provides policies to evaluate the proposal that is not located in the identified business areas.

Policy 14.19 states that applications to redesignate land for business uses adjacent to, or in the vicinity of, an identified business area shall not be supported. The subject land is not adjacent to, or in the vicinity of, any business area identified in the County Plan.

Policy 14.22 requires that the proposals for business development outside of a business area should be limited in size, scale, intensity, and scope; should have direct access to a paved County road or Provincial highway; should provide a traffic impact assessment; and should minimize adverse impact on existing residential and agricultural uses.

- The proposed business development on ± 4.17 acres is considered limited in size and scale;
- The property has direct access to Range Road 283. This approach would be required to be upgraded to an industrial standard at the future Development Permit stage.
- The Applicant provided a Traffic Impact Assessment that concludes that no upgrades to the offsite networks would be required at this time. It is noted that Range Road 283 has been identified as a future four lane divided road with a 36 m right-of-way; the Owner would be required to dedicate a ± 5.0 m strip of land along the entire eastern boundary of the subject lands, and to dedicate an extra ± 3.0 m strip of land by Caveat for future right-of-way. Since the Owner has no intention to subdivide the land, this would be addressed at the future Development Permit stage.
- Given the adjacent lands have been redesignated to business use within the past few years, the proposed development would be compatible with adjacent land uses.

Land Use Bylaw

The purpose of Business Industrial Campus District is to accommodate a combination of office and industrial activity, where there may be some on-site nuisance factors, but none offsite. Outdoor storage is provided for, but must be satisfactorily screened from adjacent properties.

The minimum parcel size of Business Industrial Campus is 1.01 hectares (2.50 acres). The proposed development meets the parcel size requirement and meets the purpose of the district. The Applicant indicated that technical requirement such as a storm water management plan would be provided at the future Development Permit stage.

CONCLUSION:

Administration evaluated the application against the applicable policies. The proposed development is consistent with the Business Development policies within the County Plan, and meets the intent of Rocky View County/City of Calgary Intermunicipal Development Plan. The proposed development would be compatible with adjacent business lands. Therefore, Administration recommends approval in accordance with Option #1.



OPTIONS:

- Option #1: Motion #1 THAT Bylaw C-7961-2019 be given second reading.
 Motion #2 THAT Bylaw C-7961-2019 be given third and final reading.
Option #2: THAT application PL20190142 be refused.

Respectfully submitted,

Concurrence,

“Theresa Cochran”

“Al Hoggan”

Executive Director
Community Development Services

Chief Administrative Officer

XD/llt

APPENDICES:

APPENDIX ‘A’: Application Referrals
APPENDIX ‘B’: Bylaw C-7961-2019 and Schedule A
APPENDIX ‘C’: Map Set



APPENDIX A: APPLICATION REFERRALS

AGENCY	COMMENTS
Alberta Health Services	<p>Based on the information provided AHS-EPH has no objections, but does provide the following comments for your consideration:</p> <ol style="list-style-type: none"> 1. The application indicates that the source of water will be a well. AHS recommends that any water wells on the subject lands be completely contained within the property boundaries. A drinking water source must conform to the most recent Canadian Drinking Water Quality Guidelines and the Alberta Public Health Act. 2. Any private sewage disposal systems must be completely contained within the property boundaries and must comply with the setback distances outlined in the most recent Alberta Private Sewage Systems Standard of Practice. Prior to installation of any sewage disposal system, a proper geotechnical assessment should be conducted by a qualified professional engineer and the system should be installed in an approved manner. 3. We recommend that any development that has the potential to adversely impact surrounding receptors (e.g. noise, odours, emissions etc.) should not be located in close proximity to residential or sensitive land use areas (e.g. child care facilities, schools, hospitals, adult care facilities, etc.). Appropriate setback distances and/or buffers should be developed to ensure that existing and future residential receptors are adequately protected. 4. If any future development on the subject lands includes plans to construct public facilities (e.g. food establishments, daycares, personal service establishments, etc.) AHS-EPH would like an opportunity to review and comment on these applications. 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/renovations take place. This will ensure that the proposed facility will meet the requirements of the Public Health Act and its regulations. 5. Health approval of some public facilities is also required after final construction, but before the facility is operational. For more information



AGENCY	COMMENTS
<i>Rocky View County Boards and Committees</i>	regarding health approval, applicants should contact AHS-EPH.
ASB Farm Members	If approved, the application of the Agricultural Boundary Design Guidelines will be beneficial in buffering the Business/ Industrial land use from the agricultural land. The guidelines would help mitigate areas of concern including: trespass, litter, pets, noise, providing a visual barrier and concern over fertilizers, dust & normal agricultural practices.
<i>Internal Departments</i>	
Planning and Development Services - Engineering	<p>General:</p> <ul style="list-style-type: none"> The review of this file is based upon the application submitted. These conditions/ recommendations may be subject to change to ensure best practices and procedures <p>Geotechnical:</p> <ul style="list-style-type: none"> Engineering have no requirements at this time. At future subdivision and/or development permit stages, the applicant may be required to submit a Geotechnical report prepared by a licensed professional. The report shall evaluate the soil characteristics, existing groundwater conditions and provide a recommendation on soil suitability for the proposed industrial use. <p>Transportation:</p> <ul style="list-style-type: none"> The applicant provided a Traffic Impact Assessment (TIA) for the proposed development prepared by Bunt & Associates dated December 10, 2018. The TIA considered offsite impacts to the road network and key intersections and determined that no upgrades to the offsite networks will be required at this time. Access to the parcel is currently provided by a paved approach off Range Road 283. At future subdivision/development permit stage, the applicant will be required upgrade the approach to an Industrial/Commercial standard in accordance with the County Servicing Standards. The Owner is required to dedicate, by Plan of Survey, a ± 5.0 m strip of land as road right-of-



AGENCY	COMMENTS
	<p>way along the entire eastern boundary of the subject lands. The Owner will also be required to provide a ± 3.0 m strip by caveat for future Right-of-Way. Range Road 283 has been identified as a future four lane divided road with a 36 m right-of-way.</p> <ul style="list-style-type: none"> As a condition of future subdivision endorsement, the applicant will be required to provide payment of the Transportation Offsite Levy in accordance with applicable levy at time of subdivision and/or development permit approval. The current Transportation Offsite Levy Bylaw C-7356-2014 would require an estimated payment of \$19,161 (4.17 acres x \$4595 per acre). <p>Sanitary/Waste Water:</p> <ul style="list-style-type: none"> There is an existing PSTS system on the subject site. The County Servicing Standards only support PSTS systems for normal domestic sewage and generally requires sewage holding tanks for all industrial and commercial uses. Where proposed, the septic field method of sewage disposal must be fully engineered and justified for any industrial/commercial development. At future subdivision or development permit stage, an assessment by a qualified professional must be submitted to demonstrate suitability of the existing PSTS system for the proposed development. If not sufficiently demonstrated to the satisfaction of the County, Engineering will require that as condition of future subdivision or development permit, the existing PSTS system shall be decommissioned and reclaimed, and the applicant will be required to provide a detailed drawing showing the location of sewage tanks and truck out connections. <p>Water Supply And Waterworks:</p> <ul style="list-style-type: none"> Engineering recommends the use of cistern tanks for potable water supply for non-residential uses including commercial and industrial uses. As a condition of future subdivision or development permit, the applicant will be required to decommission the existing well in accordance with all AEP requirements and the applicant will be required to provide a detailed drawing showing the location of the cisterns tanks on the site.



AGENCY	COMMENTS
Transportation Services	<ul style="list-style-type: none"> Should the applicant wish to continue use of the existing groundwater well on site for any business or industrial use, Engineering will require proof of licensing and approval from AEP. <p>Storm Water Management:</p> <ul style="list-style-type: none"> At future subdivision / development permit stage, the applicant will be required to submit a detailed site specific storm water management plan or an update to any existing storm water management plans depending on the extent of the development proposed and will be responsible for construction of all on site storm water infrastructure necessary to support the proposed development. <p>Environmental:</p> <ul style="list-style-type: none"> Engineering has no requirements at this time. The County Wetland Impact model does not show any wetlands on the subject site <p>Transportation Services has the following recommendations/advisories/comments regarding this application:</p> <ul style="list-style-type: none"> Any on site exterior lighting to be “dark sky” compliant. Applicant to be reminded staff and clientele parking is restricted to onsite only. Applicant to be reminded no business signage to be installed within the County Road Allowance Acquire 5m frontage for road dedication.

Circulation Period: October 21, 2019 – November 12, 2019

Agencies that did not respond, expressed no concerns, or were not required for distribution, are not listed.



BYLAW C-7961-2019

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-7961-2019.

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.33 & No.33 SW of Bylaw C-4841-97 be amended by redesignating Lot 4, Block 1, Plan 0512283, SE-16-23-28-W04M from Agricultural Holdings District (AH) to Business-Industrial Campus District (B-IC), as shown on the attached Schedule 'A' forming part of this Bylaw.

THAT Lot 4, Block 1, Plan 0512283, SE-16-23-28-W04M, is hereby redesignated to Business-Industrial Campus District (B-IC), as shown on the attached Schedule 'A' forming part of this Bylaw.

PART 4 - TRANSITIONAL

Bylaw C-7961-2019 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: 4
File: 03316012/ PL20190142

READ A FIRST TIME IN COUNCIL this 10th day of December , 2019

PUBLIC HEARING WAS HELD IN COUNCIL this day of , 20__

READ A SECOND TIME IN COUNCIL this day of , 20__

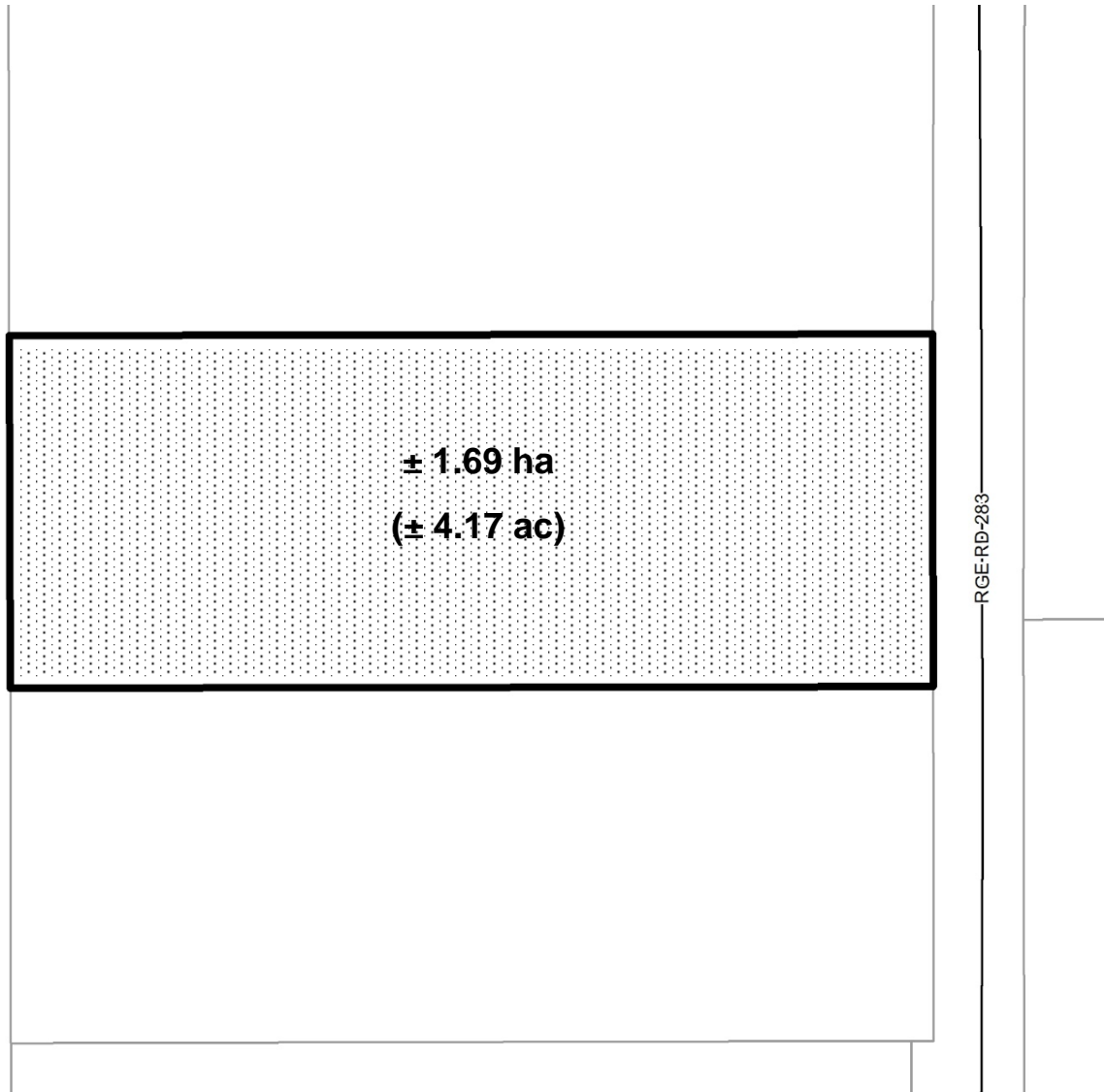
READ A THIRD TIME IN COUNCIL this day of , 20__

Reeve

CAO or Designate

Date Bylaw Signed

SCHEDULE "A"

BYLAW: C-7961-2019**AMENDMENT**

FROM Agricultural Holdings District TO Business-Industrial Campus District . 

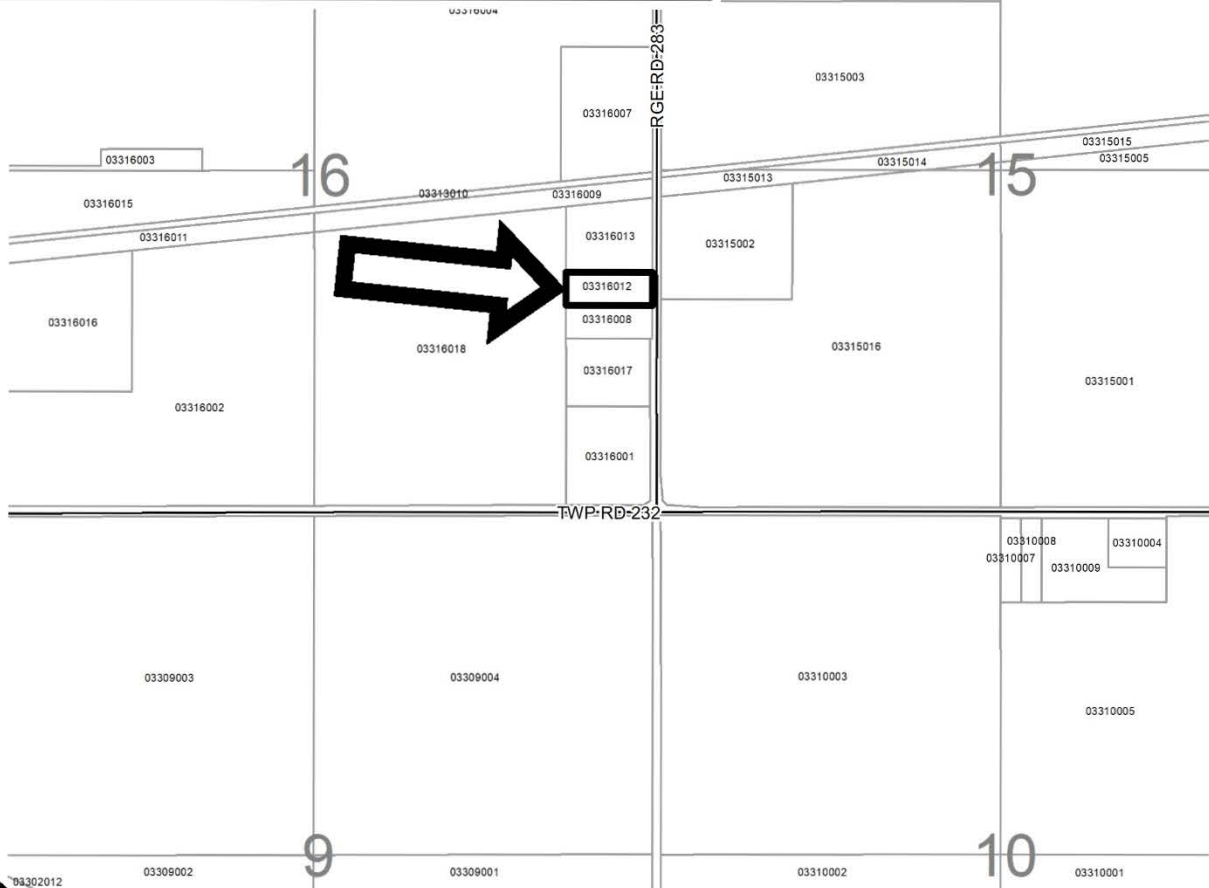
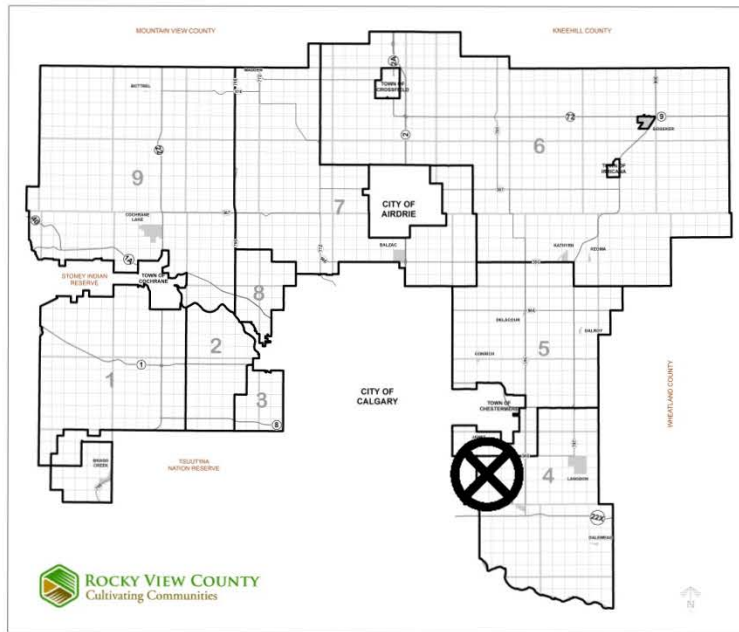
Subject Land _____

LEGAL DESCRIPTION: Lot 4, Block 1, Plan 0512283, SE 16-23-28-W04M

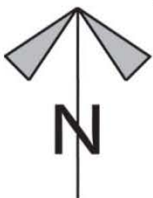


FILE: PL20190142 – 03316012

DIVISION: 4



LOCATION PLAN



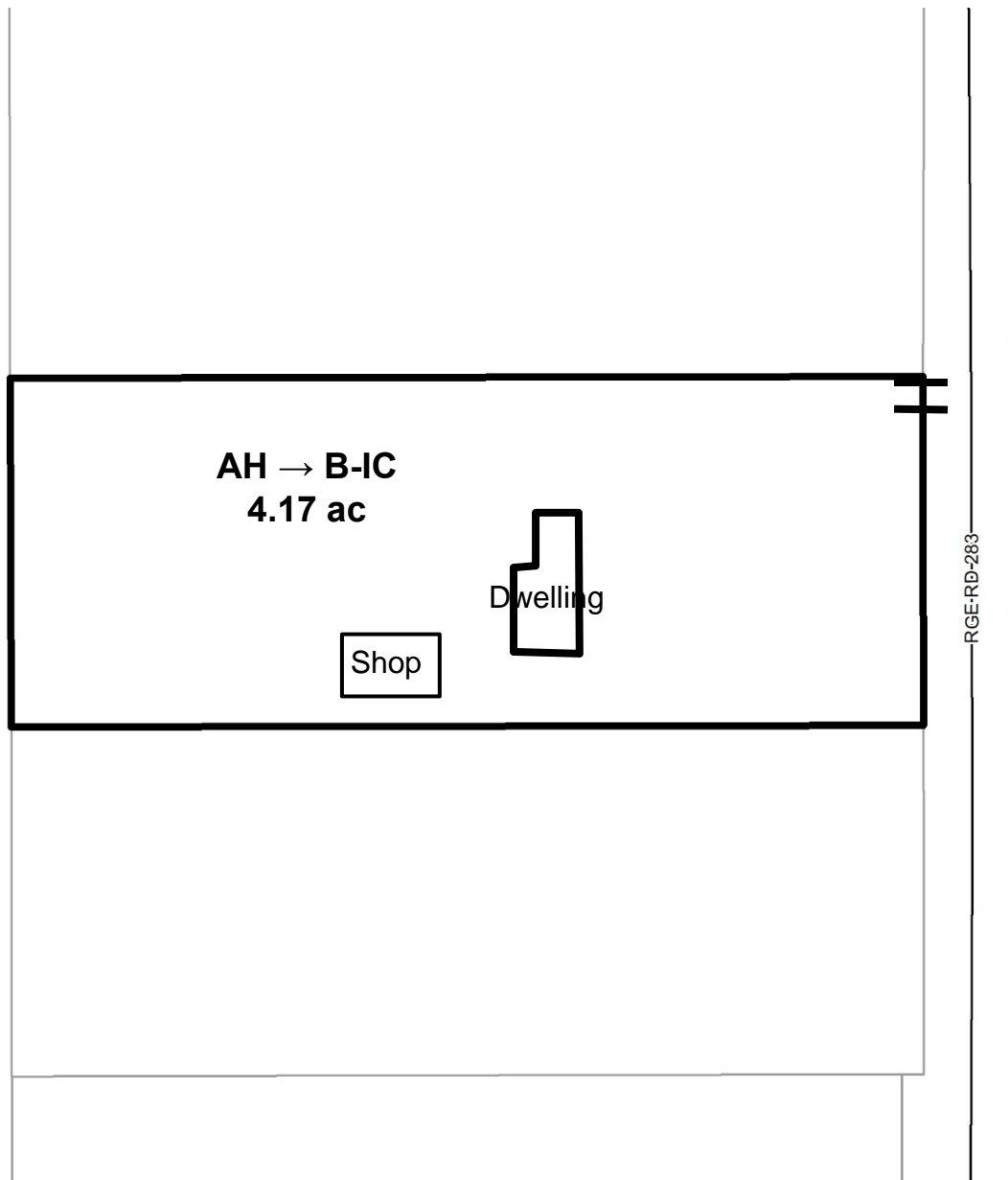
Lot 4, Block 1, Plan 0512283, SE-16-23-28-W04M

Date: Oct 18, 2019

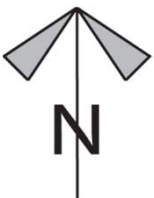
Division # 4

File: PL20190142 - 03316012

Redesignation Proposal: To redesignate the subject land from Agricultural Holdings District (AH) to Business-Industrial Campus District (B-IC), in order to support business expansion in the future.



DEVELOPMENT PROPOSAL

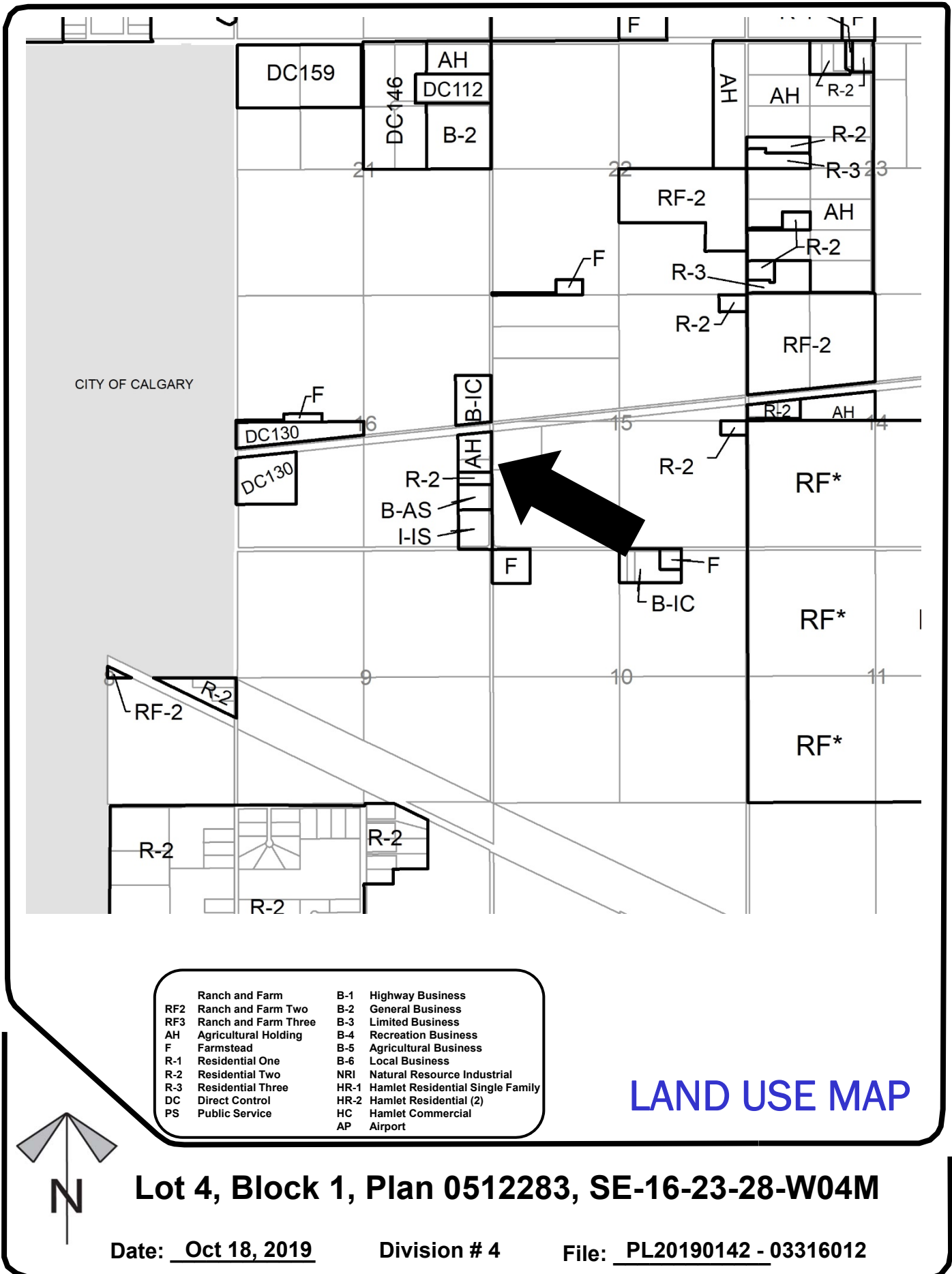


Lot 4, Block 1, Plan 0512283, SE-16-23-28-W04M

Date: Oct 18, 2019

Division # 4

File: PL20190142 - 03316012

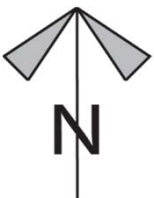




Note: Post processing of raw aerial photography may cause varying degrees of visual distortion at the local level.

AIR PHOTO

Spring 2018



Lot 4, Block 1, Plan 0512283, SE-16-23-28-W04M

Date: Oct 18, 2019

Division # 4

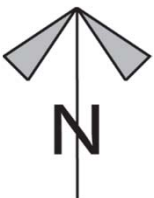
File: PL20190142 - 03316012



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

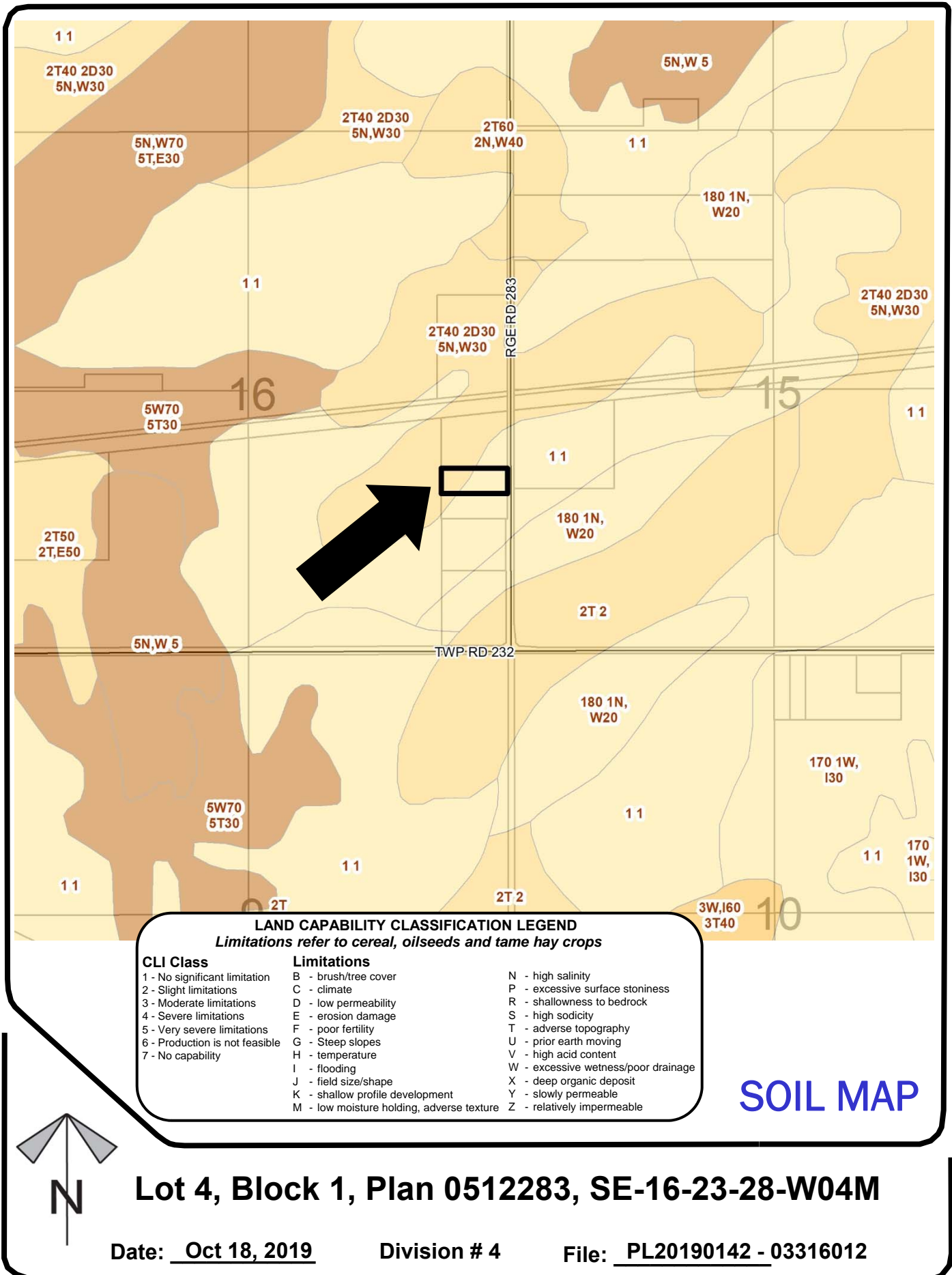


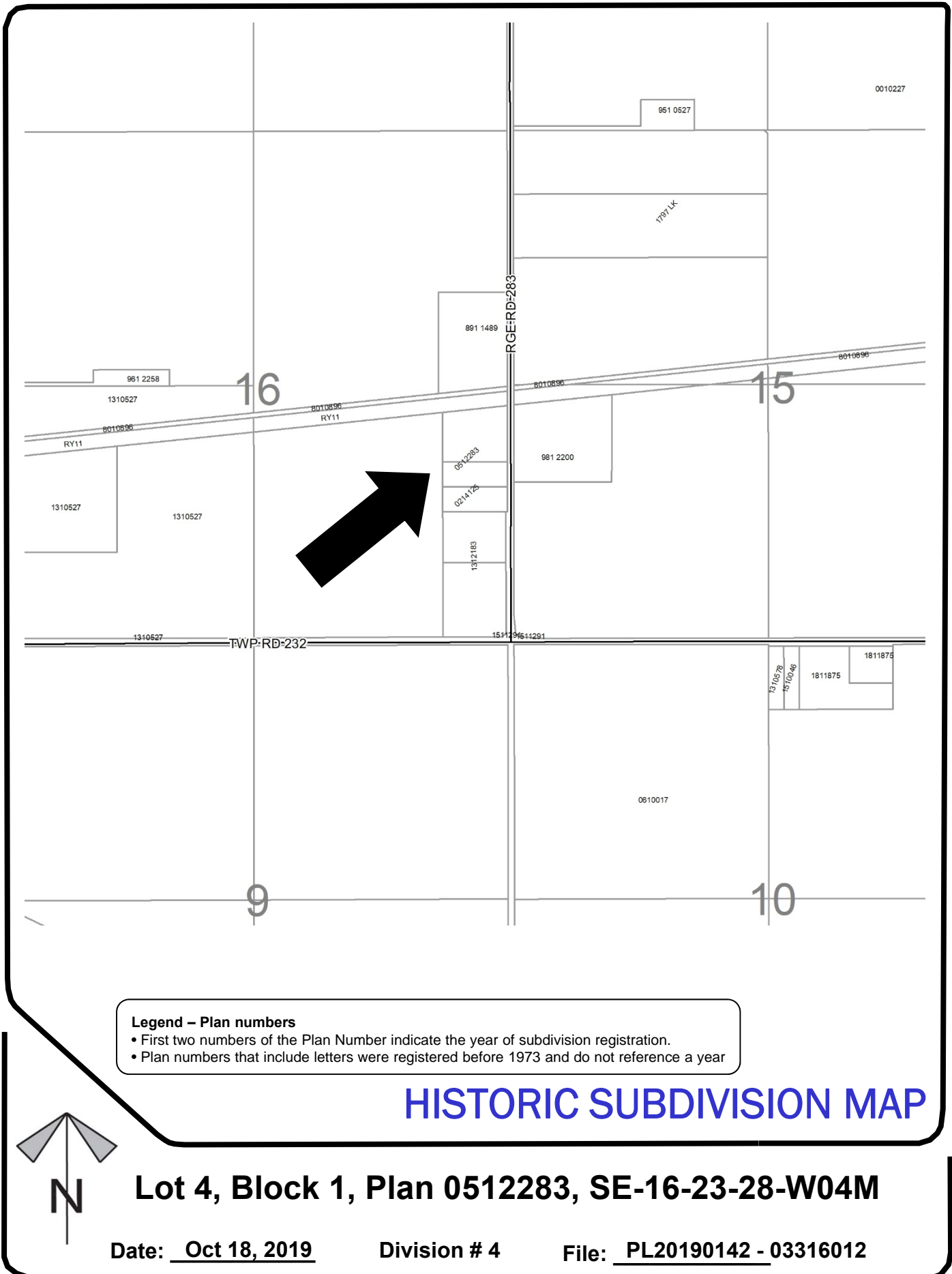
Lot 4, Block 1, Plan 0512283, SE-16-23-28-W04M

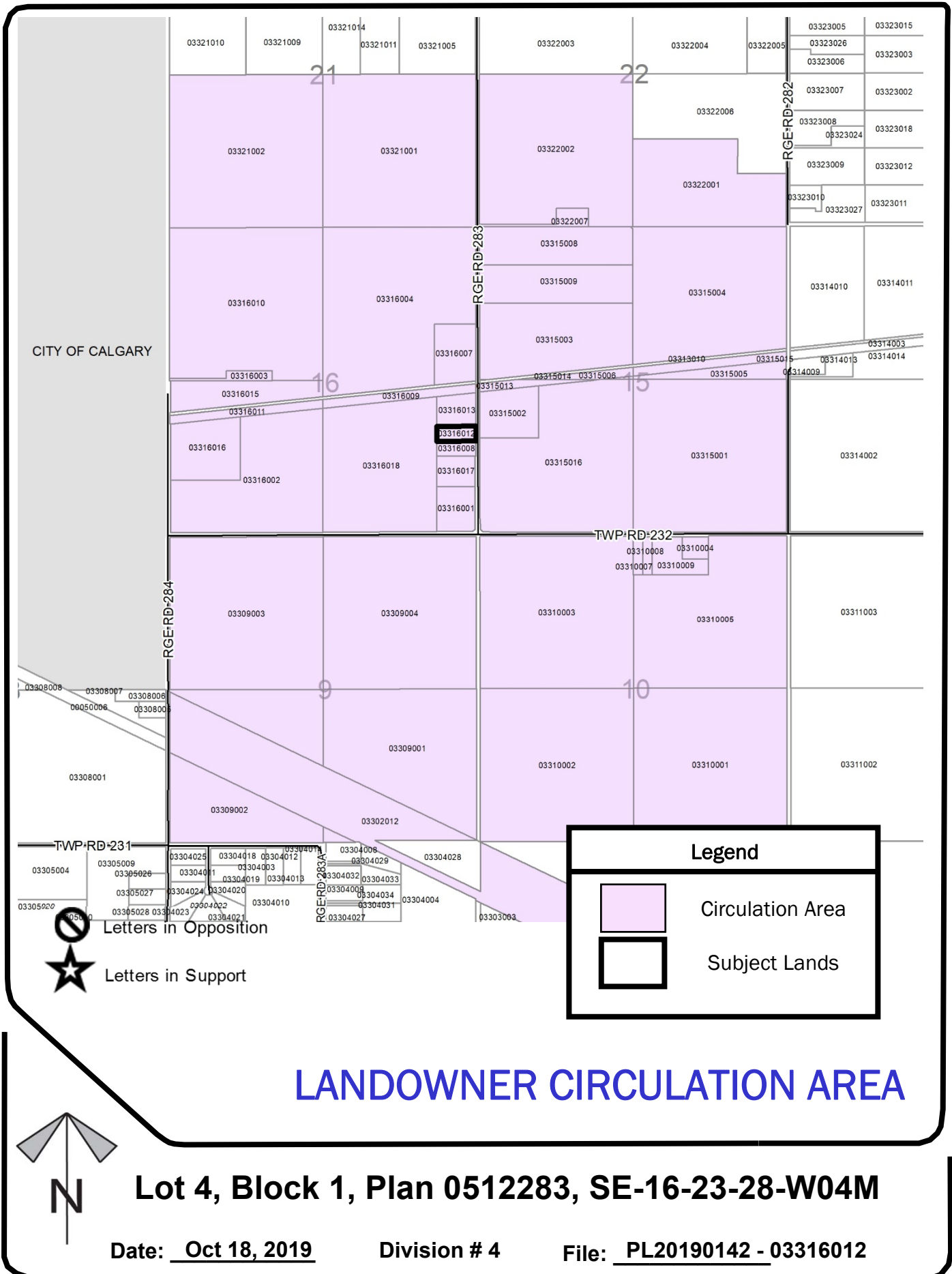
Date: Oct 18, 2019

Division # 4

File: PL20190142 - 03316012









PLANNING AND DEVELOPMENT SERVICES

TO: Council

DATE: February 11, 2020 **DIVISION:** 5

TIME: Morning Appointment

FILE: 03325006 **APPLICATION:** PL20180102

SUBJECT: Redesignation Item – From Farmstead District to Public Services District

NOTE: This application should be considered in conjunction with application PL20180144 (agenda item D-9)

POLICY DIRECTION:

The application was evaluated in accordance with the County Plan and the Land Use Bylaw.

EXECUTIVE SUMMARY:

The purpose of this application is to redesignate the subject land from Farmstead District to Public Services District (PS) in order to accommodate future development of a religious assembly on site.

Council gave first reading to Bylaw C-7940-2019 on November 26, 2019.

The following is a summary of the application assessment:

- The application is inconsistent with County Plan policies;
 - There is insufficient information within the supporting Master Site Development Plan (PL20180102) to guide the proposed religious assembly use. It does not address:
 - i. Justification of the proposed location;
 - ii. Compatibility and integration with existing land uses or nearby communities;
 - iii. Infrastructure with capacity to service the proposed development; and
 - iv. Development review criteria as identified in the County Plan.
- The subject land is located at the northwest junction of Highway 560 and Highway 791. The majority of the property would be impacted by future highway intersection improvements. Alberta Transportation would only consider temporary uses in this area.
- If Council decides to approve the proposed land use redesignation, it is recommended that the future development permit be subject to regular renewals due to the uncertainty of future highway intersection improvements.

ADMINISTRATION RECOMMENDATION:

Administration recommends refusal in accordance with Option #2.

DATE APPLICATION RECEIVED: August 23, 2018
DATE DEEMED COMPLETE: N/A

PROPOSAL: To redesignate the subject land from Farmstead District (F) to Public Services District (PS) in order to accommodate future development of a religious assembly on-site.

LEGAL DESCRIPTION: Lot 1, Plan 8910676 within SE-25-23-28-W04M

Administration Resources

Johnson Kwan and Nathan Madigan, Planning and Development Services



GENERAL LOCATION: Located at the northwest junction of Highway 560 and Highway 791.

APPLICANT: Xuan Dat La

OWNERS: Pho Duc Vietnamese Buddhist Centre

EXISTING LAND USE DESIGNATION: Farmstead District (F)

PROPOSED LAND USE DESIGNATION: Public Services District (PS)

GROSS AREA: ± 10.11 acres

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

PUBLIC & AGENCY SUBMISSIONS:

The application was circulated to 27 adjacent landowners; three responses were received (see Appendix 'D'). The application was also circulated to a number of internal and external agencies; those responses are available in Appendix 'A'.

HISTORY:

May 11, 1989 Subdivision Plan 8910676 was registered at Land Titles creating the subject land and the remainder.

POLICY ANALYSIS:

County Plan

- The County Plan encourages institutional uses to locate in hamlets, country residential communities and business centres. In cases where the proposed institutional uses is located outside of the hamlets, country residential communities and business centres, the application may be considered if the following are addressed:
 - Justification of the proposed location;
 - Demonstration of the benefit to the broader public;
 - Compatibility and integration with existing land uses or nearby communities;
 - Infrastructure with capacity to service the proposed development; and
 - Development review criteria as identified in the County Plan.

The Applicant provided limited information on the proposed religious assembly use.

- The majority of the property (more than two-thirds of the site) would be impacted by future Highway intersection improvements on Highway 560 and Highway 791. Alberta Transportation indicates that only temporary uses will be considered within the area required for the future interchange.

OPTIONS:

Option #1: Motion #1 THAT Bylaw C-7940-2019 be given second reading.
 Motion #2 THAT Bylaw C-7940-2019 be given third and final reading.

Option #2: That application PL20180102 be refused.



Respectfully submitted,

“Theresa Cochran”

Executive Director
Community Development Services.

JKwan/llt

Concurrence,

“Al Hoggan”

Chief Administrative Officer

APPENDICES:

APPENDIX ‘A’: Application Referrals

APPENDIX ‘B’: Bylaw C-7940-2019 and Schedule A

APPENDIX ‘C’: Map Set

APPENDIX ‘D’: Landowner Comments



APPENDIX A: APPLICATION REFERRALS

AGENCY	COMMENTS
<i>Province of Alberta</i>	
Alberta Transportation	<ol style="list-style-type: none"> 1. The existing access to Highway 791 is temporary and will be relocated pursuant to the Functional Planning and Access Management Study for Highway 791, completed in 2007. This access management plan should be included in the Master Site Development Plan. 2. The majority of the site will be impacted by a future interchange at Highway 560 and Highway 791, as outlined in the Highway 560 Functional Planning Study completed in 2005. This is a long term project not anticipated within the next 20 years. Temporary uses will be considered within the area required for the future interchange. 3. A roadside development permit is required pursuant to the Highways Development and Protection Act / Highways Development and Protection Regulation. This permit will contain terms and conditions for allowing development and access provisions as noted above.
Alberta Health Services	<ol style="list-style-type: none"> 1. The source of drinking water and the type of wastewater system were not mentioned in the application. Please note that the drinking water should be potable if clients are being received in this dwelling. Also, any private sewage disposal systems must be completely contained within the property boundaries and must comply with the setback distances outlined in the most recent Alberta Private Sewage Systems Standard of Practice 2. If future plans for the subject lands include activities such as providing food or child care to the public, then AHS should be notified. This will ensure that the proposed activity will meet the requirements of the Public Health Act and its regulations.



AGENCY	COMMENTS
Internal Departments	
Recreation, Parks and Community Support	<p>Application PL20180144- Master Site Development Plan (MSDP)</p> <p>Upon review, it appears the draft MSDP does not offer comprehensive content as typically found in other MSDPs. Respectfully, it is recommended the draft MSDP be revised to include supplemental information regarding the site and it's functional considerations.</p> <p>Application PL20180102- Redesignation</p> <p>The Parks office of the Recreation, Parks and Community Support department has no concerns with this land use redesignation application.</p>
Fire Services & Emergency Management	<ul style="list-style-type: none"> • Please ensure that water supplies and hydrants for the development are sufficient for firefighting purposes. • Dependent on the occupancies, the Fire Service recommends that the buildings be sprinklered, if applicable, as per the Alberta Building Code. • The Fire Service also recommends that any water co-op be registered with Fire Underwriters. • Please ensure that access routes are compliant to the designs specified in the Alberta Building Code and RVC's servicing standards
Planning and Development Services - Engineering	<p>General:</p> <ul style="list-style-type: none"> • The review of this file is based upon the application submitted. These conditions/ recommendations may be subject to change to ensure best practices and procedures <p>Geotechnical:</p> <ul style="list-style-type: none"> • ES has no requirements at this time <p>Transportation:</p> <ul style="list-style-type: none"> • As a condition of future DP, the applicant will be required to provide payment of the Transportation Off-Site Levy in accordance with the applicable Levy bylaw at time of the issuance of the DP for the total acreage of the



AGENCY	COMMENTS
	<p>onsite area associated with the proposed development</p> <ul style="list-style-type: none"> At this time, Engineering recommends the application prepare a Traffic Impact Assessment, prepared by a qualified professional, to address the offsite impacts of the traffic to be generated from the proposed development including a recommendation for the standard of the approach to the subject site The County Servicing Standards require that approaches be a minimum of 400m from the intersection of two highways; the existing approach is approx. 310m from the intersection of Highway 791 & Highway 560. At this time, AT is review the access location and determine if they existing approach location is acceptable As the subject lands are adjacent to Highway 791 & Highway 560, the application is to be circulated to AT for their review and comment As a condition of future DP, the applicant will be required to obtain a roadside DP from AT as the subject lands are adjacent to Highway 791 & Highway 560 <p>Sanitary/Waste Water:</p> <ul style="list-style-type: none"> The applicant is intending on utilizing the existing dwelling onsite including the existing septic field to service the proposed development. At this time, the applicant is to provide a is required to submit a level I assessment variation for the existing septic fields on both the proposed and remainder parcels describing the existing system type, maintenance requirements and include a sketch showing its location and size. The assessment shall also provide measurements to pertinent features (wetlands, surface water, wells, property lines, home, etc.) and comment on the general suitability of the existing system based on visual inspection. At this time, the applicant is to comment on the ability of the existing septic system to support the proposed development based on



AGENCY	COMMENTS
	<p>the projected wastewater flows to be generated by the proposed development.</p> <ul style="list-style-type: none"> • In accordance with County Policy 449, the County generally recommends the use of sewage holding tanks for industrial, commercial and institutional land uses when it is not feasible to connect to a Regional or Decentralized systems however, the applicant is proposing to utilize the existing septic field to support the proposed development. Based on the projected potable water demand (to be provided by the applicant), Engineering will assess the projected demand to determine if it is similar to a residential dwelling unit the domestic nature of the wastewater to be produced (applicant to confirm yearly demand). • As a condition of future development permit, the applicant will be required to provide detailed wastewater projections and an assessment of the existing PSTS to determine if the system is suitable to support the proposed development. Should the PSTS not be suitable, the applicant will be required to construct an appropriately sized PSTS to support the proposed development <p>Water Supply And Waterworks:</p> <ul style="list-style-type: none"> • Engineering generally recommends the use of a cistern and trucked service for industrial, commercial and institutional uses however, the applicant intends on utilizing the existing onsite groundwater well to supply potable water to the future development. At this time, the applicant is provide the projected potable water demand for Engineering to assess if it is similar to a residential dwelling unit • As a condition of future DP, the applicant will be required to obtain all necessary AEP approvals and licensing to source groundwater for the proposed development. <p>Storm Water Management:</p> <ul style="list-style-type: none"> • As the development is proposed to be contained within the existing dwelling onsite and no further expansions or hard surfaces are proposed at this time, an stormwater



ROCKY VIEW COUNTY

AGENCY	COMMENTS
Transportation Services	management report is not warranted for this proposal
	<ul style="list-style-type: none"> At the future DP stage, should further expansion or hard surfaces (ie. parking lots) be proposed, the applicant may be required to provide a Site Specific Stormwater Implementation Plan (SSIP) to address the onsite stormwater management strategy to the satisfaction of the County
Transportation Services	Environmental:
	<ul style="list-style-type: none"> As the applicant is not proposing any further redevelopment nor do wetlands appear to exist on the subject lands, Engineering has no further concerns at this time.
Transportation Services	No County roads impacted. Recommend circulation to Alberta Transportation for comments because access to development is along Highway 791, which falls under Alberta Transportation jurisdiction.

Circulation Period: December 13, 2018 to January 9, 2019

Agencies that did not respond, expressed no concerns, or were not required for distribution, are not listed.



BYLAW C-7940-2019

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

The Council of Rocky View County enacts as follows:

PART 1 – TITLE

This Bylaw shall be known as Bylaw C-7940-2019.

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 Maps No. 32 and 32-NW of Bylaw C-4841-97 be amended by redesignating Lot 1, Plan 8910676 within SE-25-23-28-W04M from Farmstead District to Public Services District as shown on the attached Schedule 'A' forming part of this Bylaw.

THAT Lot 1, Plan 8910676 within SE-25-23-28-W04M is hereby redesignated to Public Services District as shown on the attached Schedule 'A' forming part of this Bylaw.

PART 4 – TRANSITIONAL

Bylaw C-7940-2019 comes into force when it receives third reading, and is signed by the Reeve/Deputy Reeve and CAO or Designate, as per the *Municipal Government Act*.

Division: 5
File: 03325006 - PL20180102

READ A FIRST TIME IN COUNCIL this 26th day of November, 2019

PUBLIC HEARING WAS HELD IN COUNCIL this day of , 20XX

READ A SECOND TIME IN COUNCIL this day of , 20XX

READ A THIRD TIME IN COUNCIL this day of , 20XX

Reeve

CAO or Designate

Date Bylaw Signed

SCHEDULE "A"**BYLAW:** C-7940-2019

F → PS
 ± 10.11 acres

791

AMENDMENT

FROM Farmstead District **TO** Public Services District



Subject Land _____

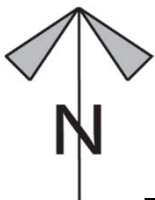
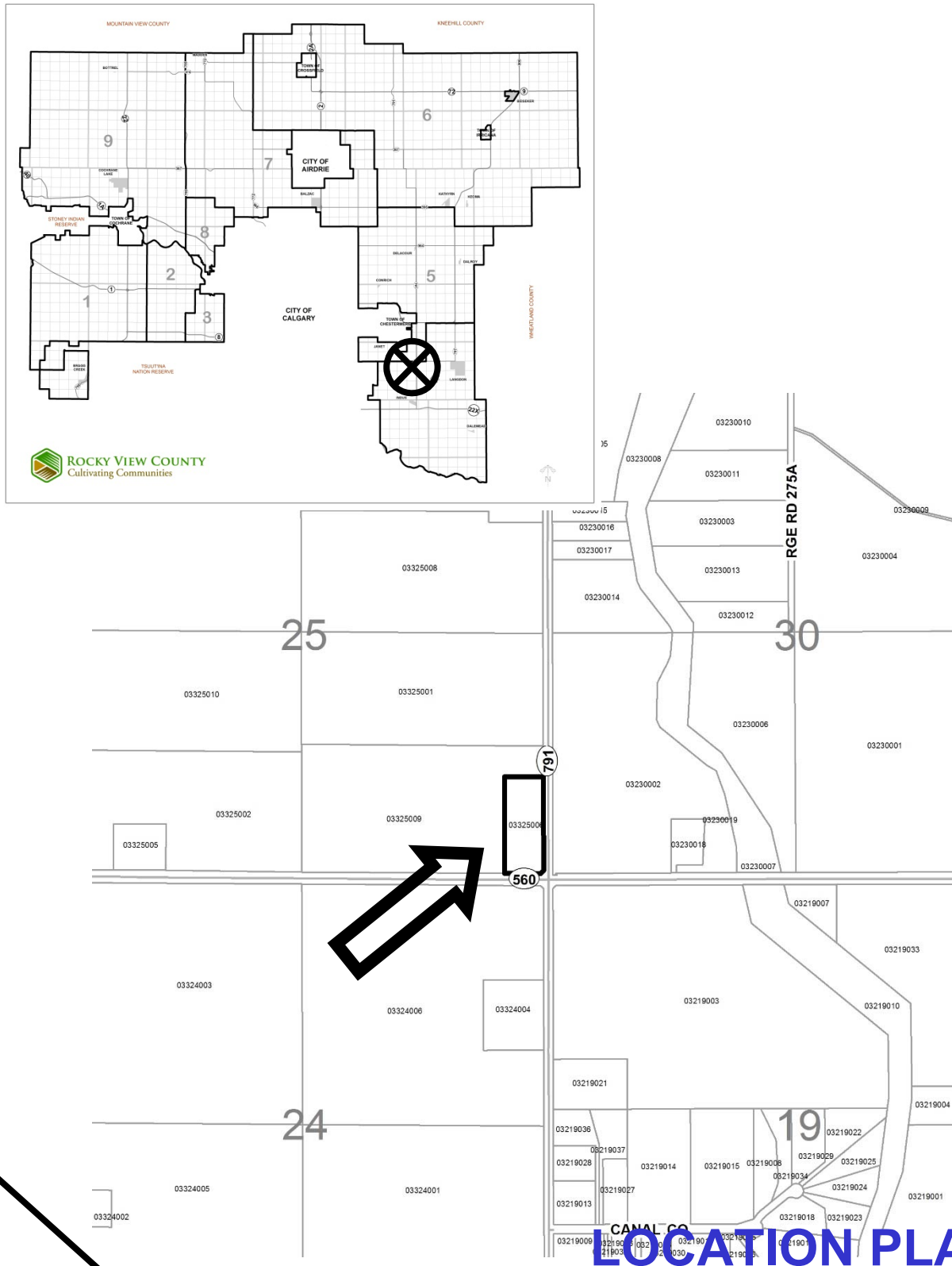
LEGAL DESCRIPTION: Lot 1, Plan 8910676
SE-25-23-28-W04M

FILE: 03325006 – PL20180102

DIVISION: 5



ROCKY VIEW COUNTY
 Cultivating Communities

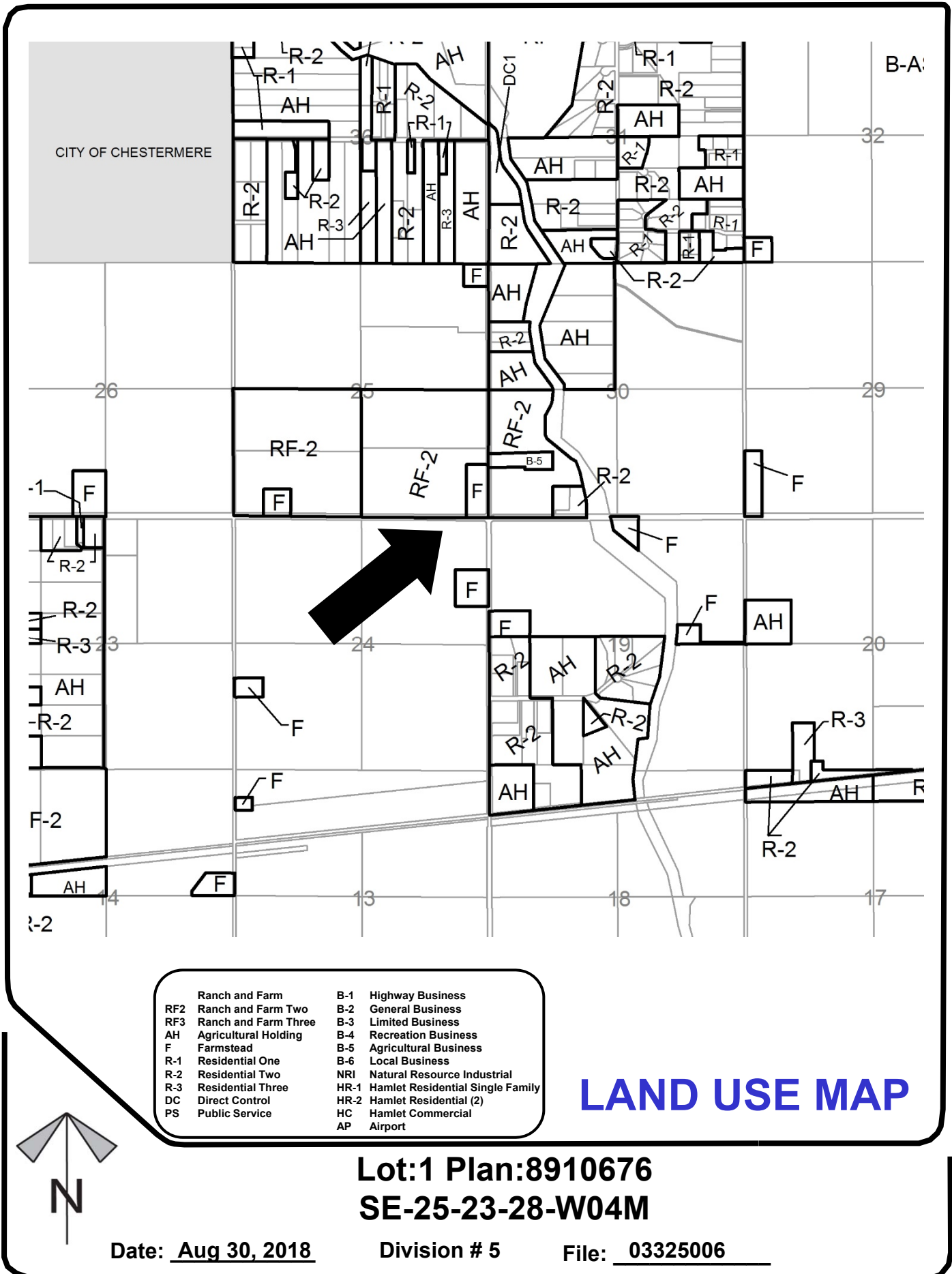


Lot:1 Plan:8910676
SE-25-23-28-W04M

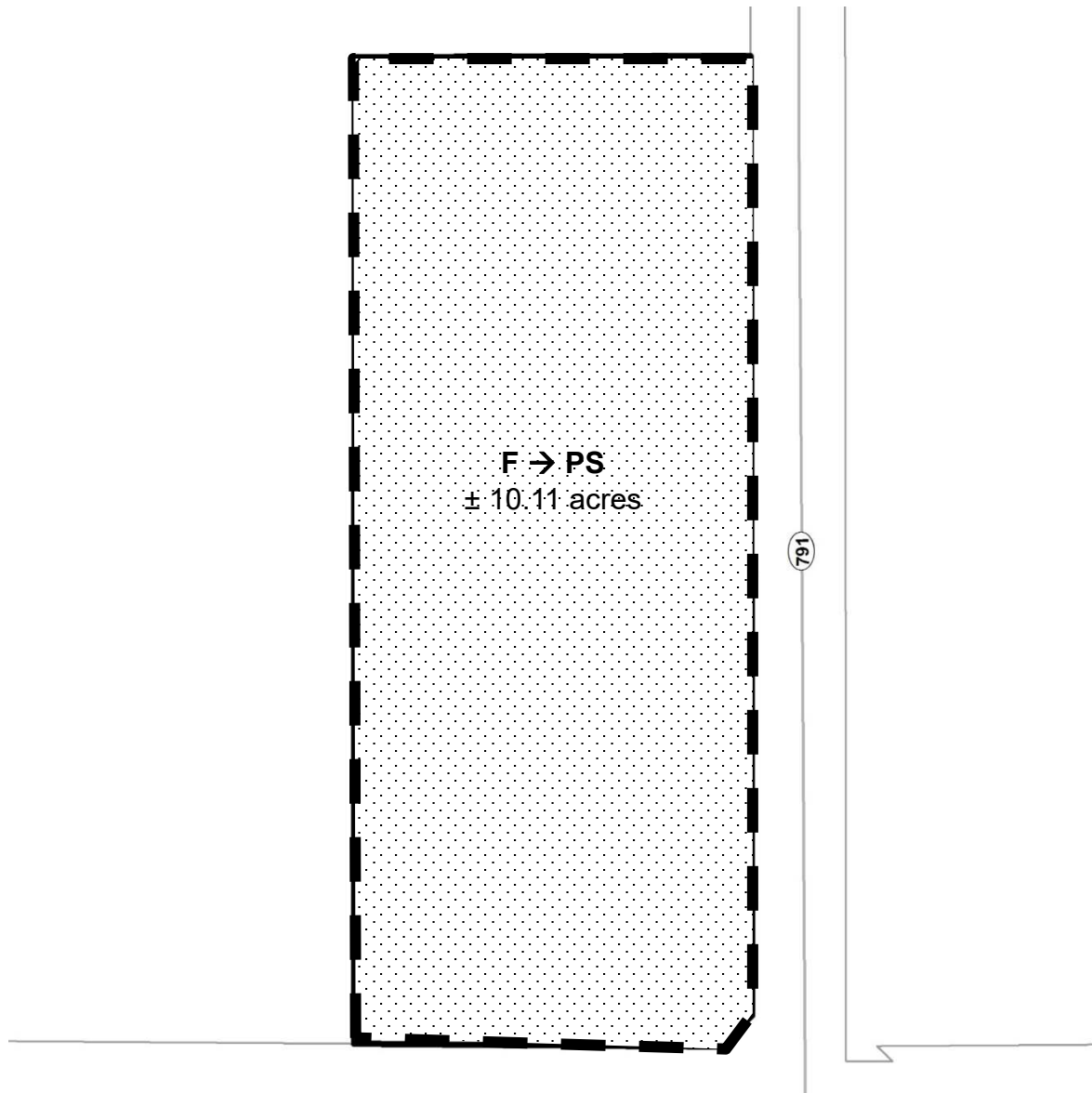
Date: Aug 30, 2018

Division # 5

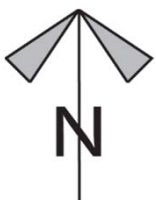
File: 03325006



Redesignation Proposal: to redesignate the subject land from Farmstead District to Public Services District to accommodate a religious assembly.



DEVELOPMENT PROPOSAL

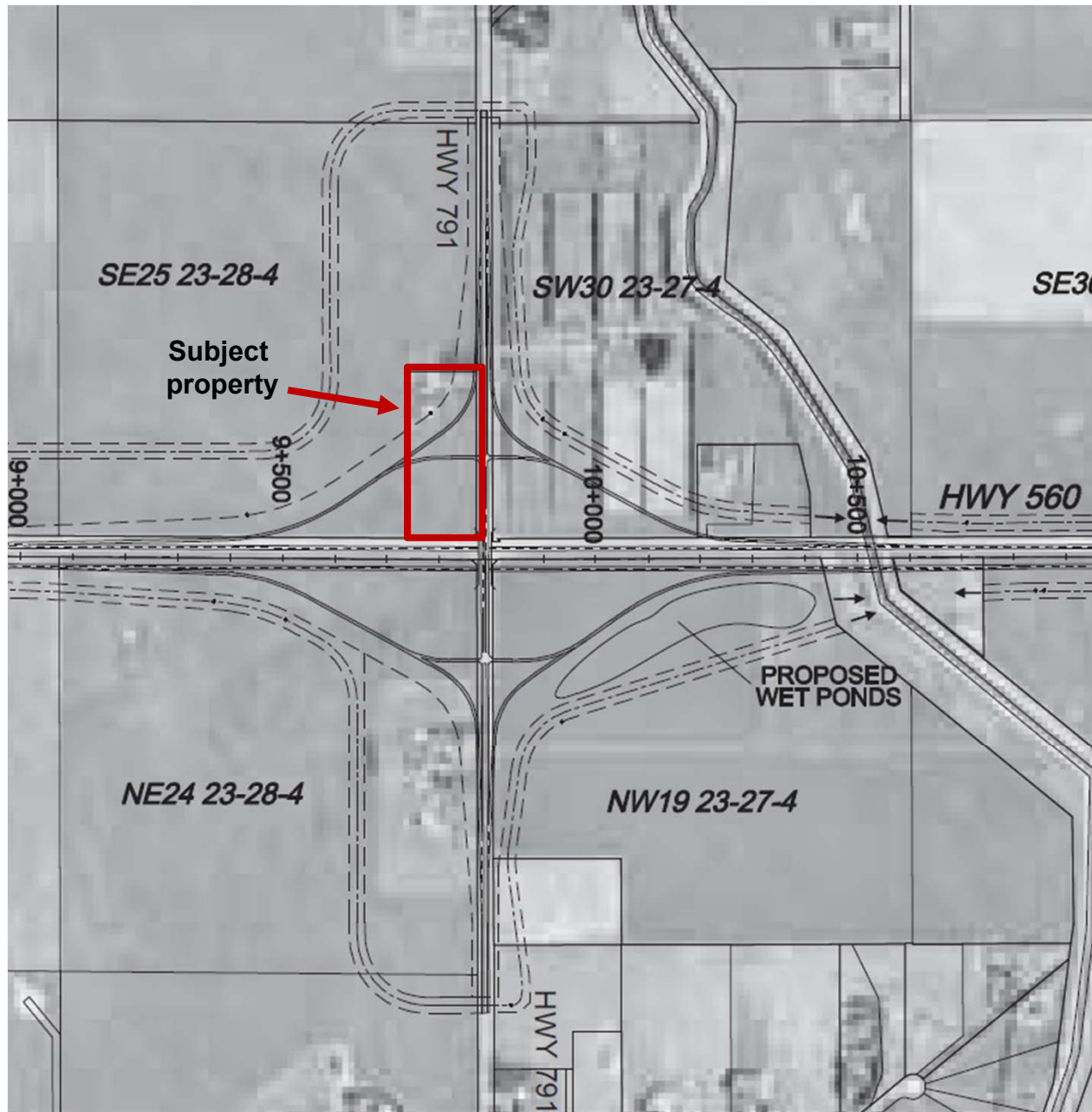


**Lot:1 Plan:8910676
SE-25-23-28-W04M**

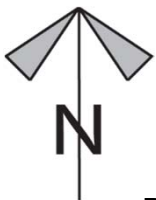
Date: Aug 30, 2018

Division # 5

File: 03325006



HIGHWAY 560 FUNCTIONAL PLANNING STUDY

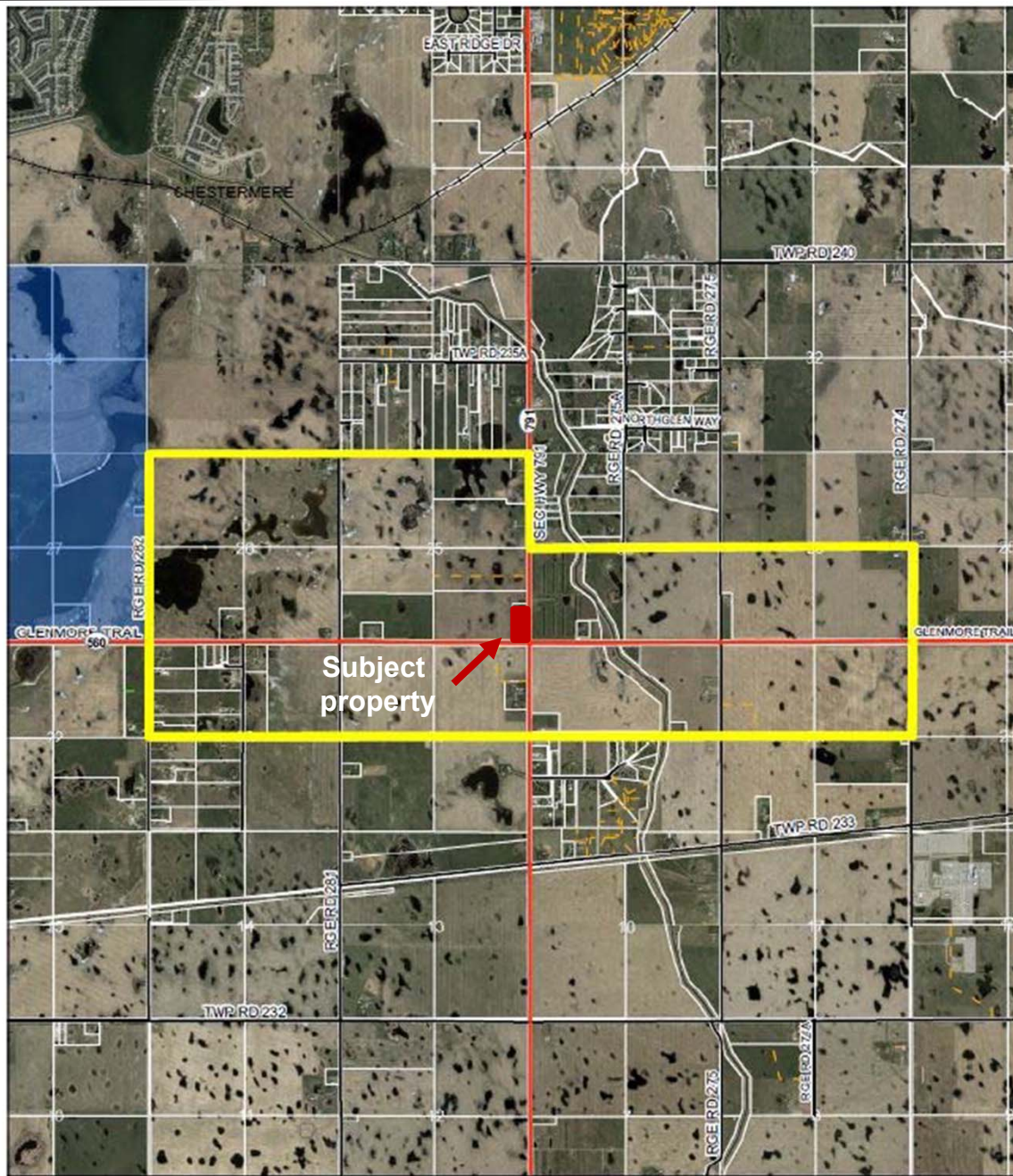


Lot:1 Plan:8910676
SE-25-23-28-W04M

Date: Aug 30, 2018

Division # 5

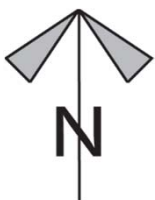
File: 03325006



Janet ASP Area
Proposed New ASP Area



GLENMORE TRIAL ASP STUDY AREA



Lot:1 Plan:8910676
SE-25-23-28-W04M

Date: Aug 30, 2018

Division # 5

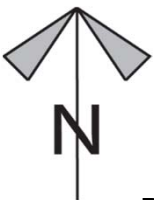
File: 03325006



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

TOPOGRAPHY

Contour Interval 2 M

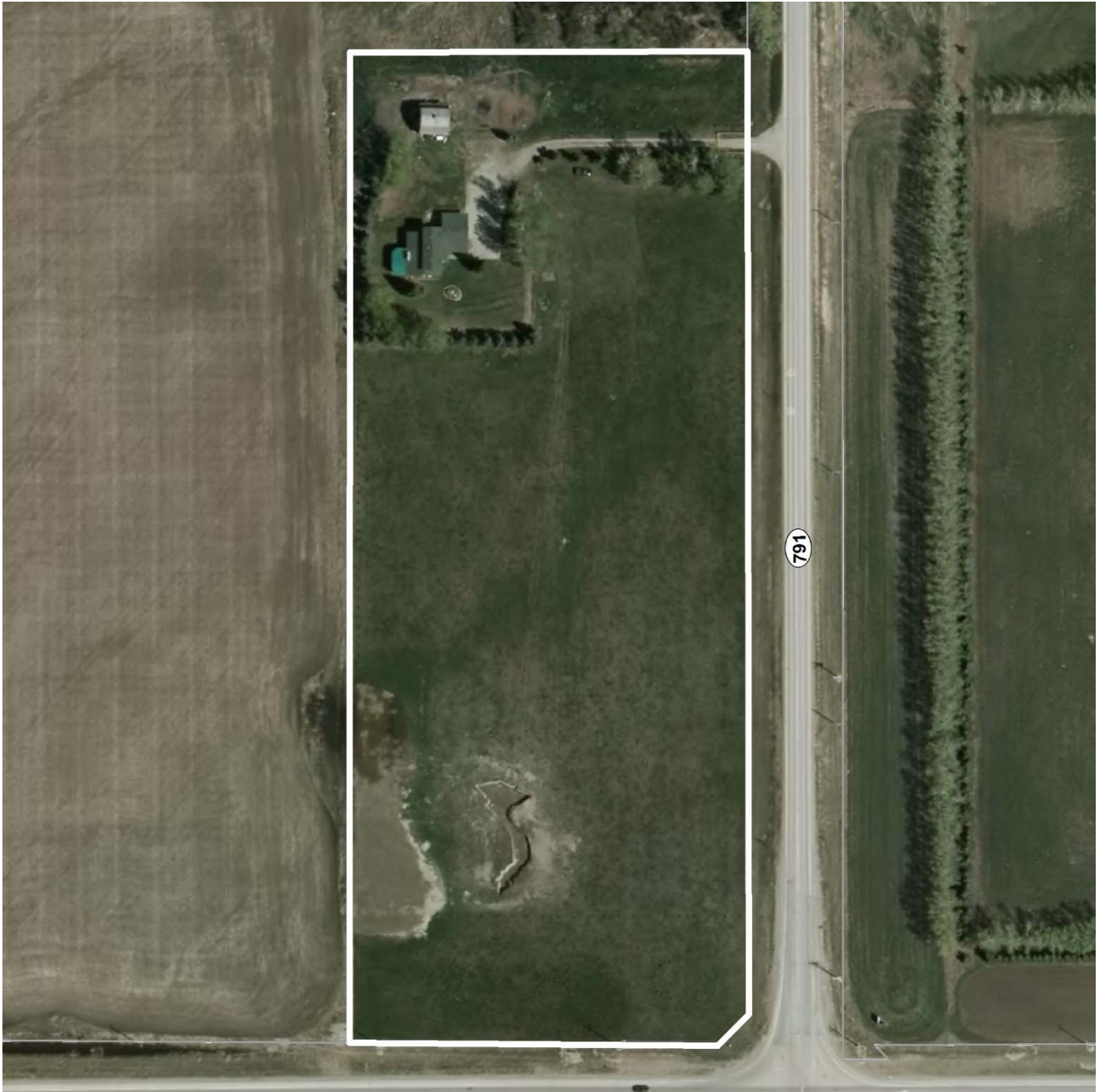


**Lot:1 Plan:8910676
SE-25-23-28-W04M**

Date: Aug 30, 2018

Division # 5

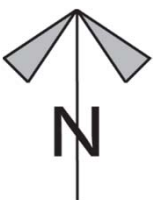
File: 03325006



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

AIR PHOTO

Spring 2018

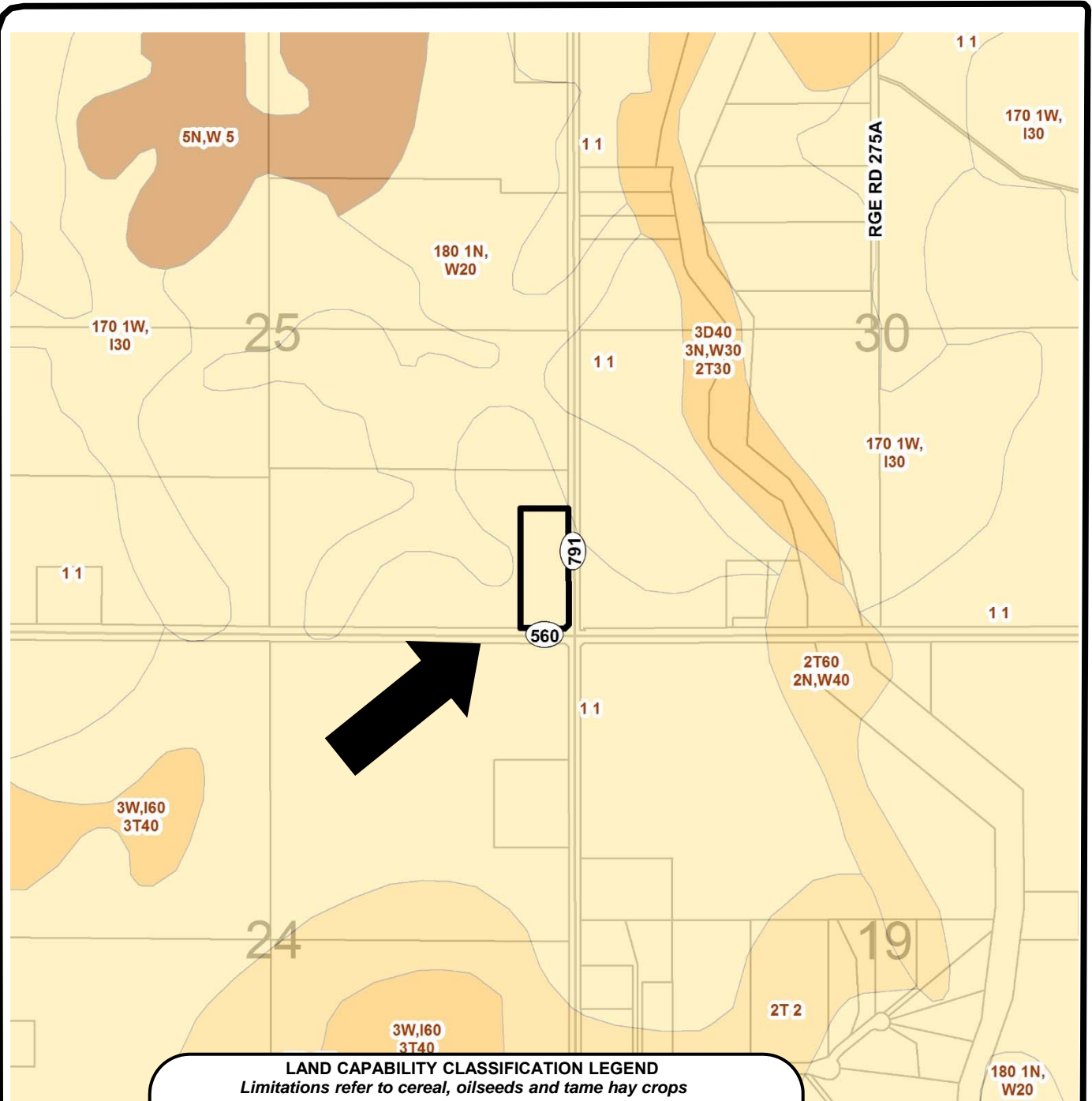


**Lot:1 Plan:8910676
SE-25-23-28-W04M**

Date: Aug 30, 2018

Division # 5

File: 03325006



LAND CAPABILITY CLASSIFICATION LEGEND
Limitations refer to cereal, oilseeds and tame hay crops

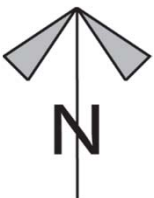
CLI Class

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

Limitations

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

SOIL MAP

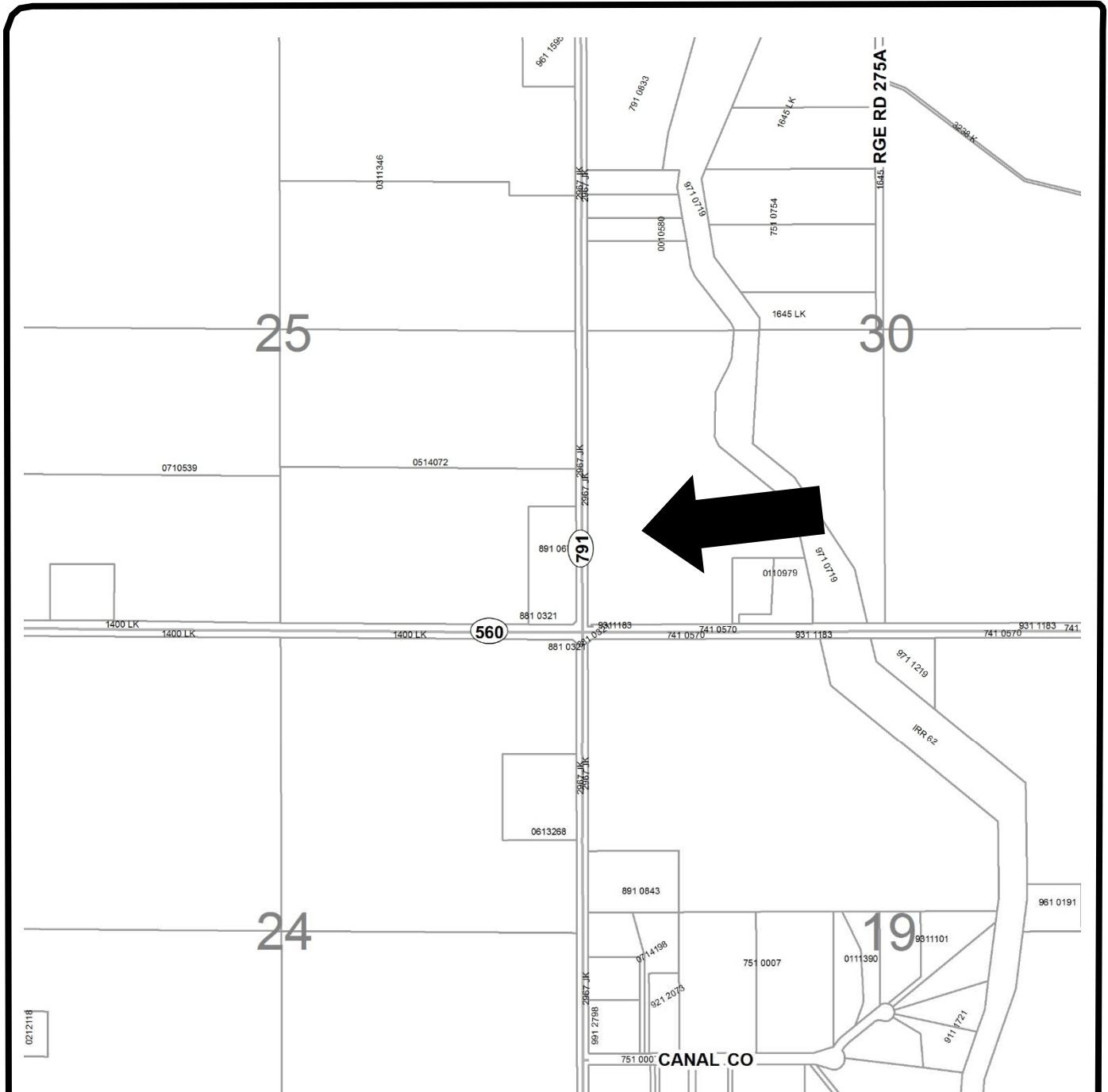


Lot:1 Plan:8910676
SE-25-23-28-W04M

Date: Aug 30, 2018

Division # 5

File: 03325006

**Legend – Plan numbers**

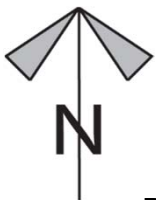
- First two numbers of the Plan Number indicate the year of subdivision registration.
- Plan numbers that include letters were registered before 1973 and do not reference a year

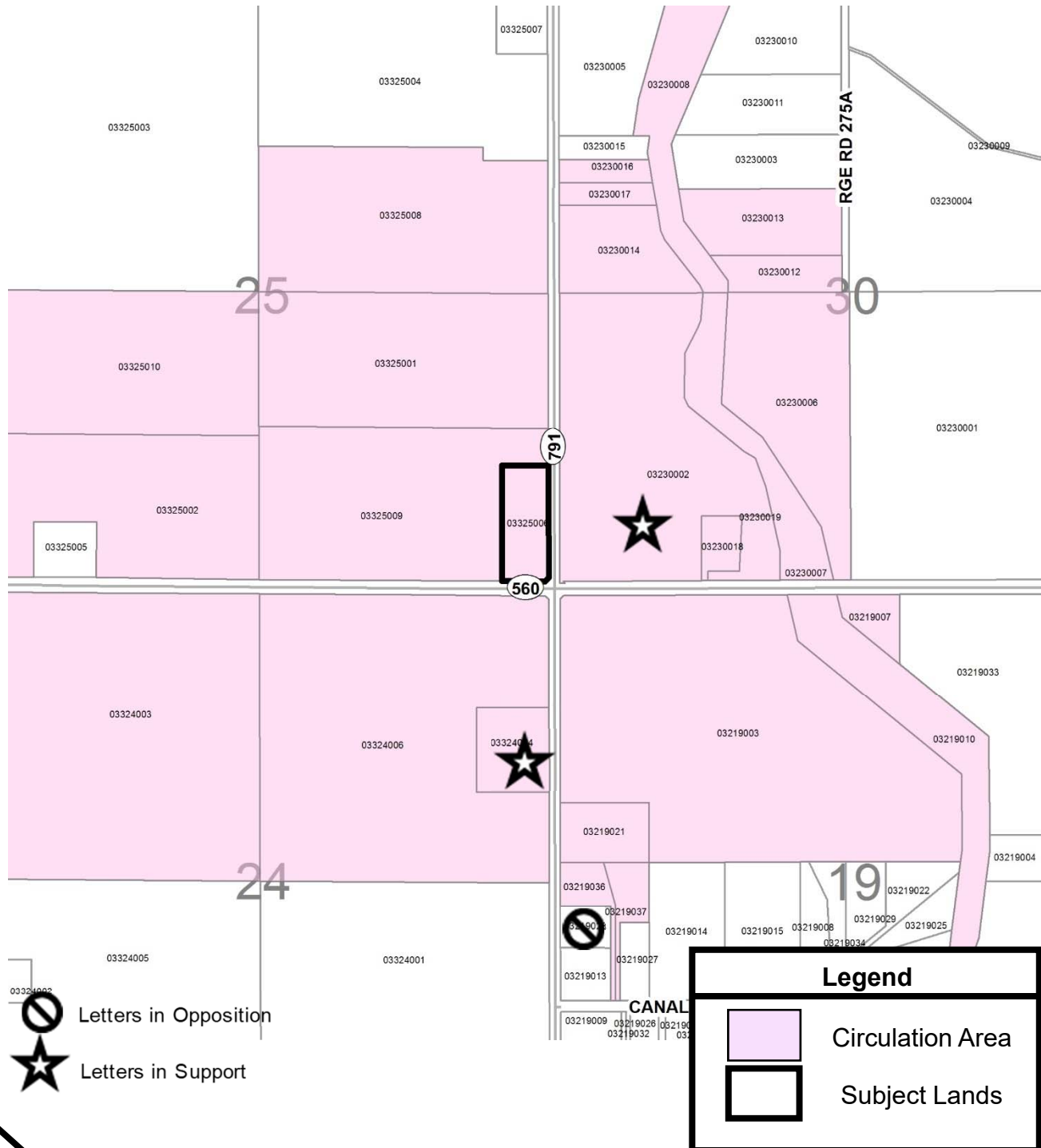
HISTORIC SUBDIVISION MAP

Lot:1 Plan:8910676
SE-25-23-28-W04M

Date: Aug 30, 2018

Division # 5

File: 03325006



Johnson Kwan

From: Bart Carswell <bart.carswell@carswellplanning.ca>
Sent: Friday, May 24, 2019 1:28 PM
To: Johnson Kwan; Matthew Wilson
Cc: [REDACTED]; Sean MacLean
Subject: PL20180102, MSDP and Redesignation requirements

Categories: Yellow Category

All,

I hope you are all well.

Carswell Planning Inc. is representing the Calgary Lao Buddhists who expressed concerned RVC may not be dealing with all applicants fairly. Another application north of the site is proposed by the Pho Duc Vietnamese Buddhist Centre.

<https://www.rockyview.ca/Portals/0/Files/BuildingPlanning/Planning/UnderReview/ProposedMSDP/MSDP-Proposed-Pho-Duc-Vietnamese-Buddhist-Cultural-Center.pdf>

As a professional planner, I would be surprised if Rocky View County (RVC) accepted this as a Master Site Development Plan (MSDP). It is expected that RVC would likely realize there are a number issues to address and that this is incomplete. It is unfortunate that the services of a registered professional planner were not used for increased likelihood of success of the development.

The difference between this proposal and my client's proposal is:

1. the Vietnamese Buddhist Centre application (MSDP PL20180102) is a new development serving a large congregation, whereas
2. the Lao Buddhist Temple application (MSDP PL20180126 & Redesignation PL20180127) is recognition of religious assembly for over 10 years in an existing building serving a smaller congregation.

The following is the Table of Contents used in what Carswell Planning Inc. considers a proper MSDP, after full review of the County's policies. <https://www.rockyview.ca/Portals/0/Files/BuildingPlanning/Planning/UnderReview/ProposedMSDP/MSDP-Proposed-Lao-Buddhist-Temple.pdf>

Introduction
 Scope of MSDP
 Owners
 Agent
 Location
 History
 Legal Description
 Evaluation of Planning Policies
 Rocky View County Municipal Development Plan (County Plan)
 Land Use Bylaw
 The Site
 Building Placement and Setbacks
 Building Height and General Architectural Appearance

Parking and Public Lighting
 Landscaping for Visual Appearance and/or Mitigation Measures
 Agriculture Boundary Design Guidelines
 Traffic
 Highway Access
 Potable Water
 Sanitary Sewage
 Storm Water
 Topographic Contours
 Soils Mapping
 Landscaping
 Garbage Removal
 Security
 Operations Plan
 Land Use Compatibility
 Public Engagement
 Conclusion

There have been friendly exchanges between the communities to date. In view of the deficiencies of their application, we would oppose their proposal in their current form. There have been costs and time related to a number of studies in support of my clients' proposal, as per the County Plan. They would expect the same requirements of others.

Thank you for your consideration and please include this letter in administration's report, should this go to a the public hearing.

Thanks,

Bart.

--




Bart Carswell, MA, RPP, MCIP
 Carswell Planning Inc.

Office Address: #205, 525 – 28th St, SE Calgary, AB T2A 6W9 (within Remax Complete Commercial)
 Mailing Address: P.O. Box 223, 104 – 1240 Kensington Rd. NW Calgary, AB T2N 3P7

Phone: 587 437-6750 (Direct)

Bart.Carswell@carswellplanning.ca

Bow Valley Farms


Legislative Services
Rocky View County
262075 Rocky View Point
Rocky View County, AB T4A 0X2

January 29, 2020

For the attention of the Municipal Clerk's Office Regarding **Bylaw C-7940-2019**

I write in connection with the above bylaw application for resignation of land from Farmstead to Public Services. I have familiarized myself with the plans and wish to offer my whole-hearted support to the proposal.

These Buddhists have been nothing short of quiet, respectful neighbors. The plans that have been submitted in correlation to this bylaw application paint a vision of a beautiful and serene center of worship; and I can't foresee any negative affects to my property or the surrounding neighbours'.

In my opinion, this Buddhist group is an asset to the community and there should be more centers such as this developed. I support this application and wish the members the best of luck with the development of their new medication center.

Thank you,



Graham B. Anderson

To: Rocky View County
Planning and Development Services

RE: Support Letter for Pho Duc Vietnamese Buddhism & Cultural Centre to rezone their property to Public Services

Address: 234049 Highway 791 (Range Road 280), Rocky View County

To Whom It May Concern,

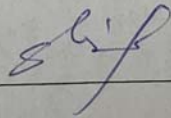
As neighboring property owners to the above property, we support Pho Duc Vietnamese Buddhism and Cultural Centre to rezone their property from residential property to public services. We support their activities operating on the above property to:

1. Use the existing building as a public religious assembly place
2. Provide free consultant for people who seeks for advice (drugs, alcoholic, etc..)
3. May apply for development permit to extend the existing garage to become a mediation hall with all free services

Thank you

Should you have any questions, please let us know

Signature: _____



Printed Name: GURSEEM SINGH GILL

Owners/ Residence of property address: 233191-RR 280 Rocky View County

Date: July 26th, 2020



PLANNING AND DEVELOPMENT SERVICES

TO:	Council	
DATE:	February 11, 2020	DIVISION: 9
TIME:	Afternoon Appointment	
FILE:	07802005	APPLICATION: PL20190133
SUBJECT:	Redesignation Item – Amendment to Direct Control Bylaw (DC-96)	

POLICY DIRECTION:

The application was evaluated against the policies of the County Plan and Direct Control Bylaw (DC-96).

EXECUTIVE SUMMARY:

The purpose of this application is to amend Direct Control District 96 (DC-96) to reduce the minimum side yard setback requirements for parking, storage, and display products within Cell B & Cell C, and to reduce the minimum distance requirement between mini storage uses.

Council gave first reading to Bylaw C-7949-2019 on November 26, 2019.

The following is a summary of the application assessment:

- The proposal meets the intent of Direct Control Bylaw (DC-96).
- The proposed amendment does not appear to have an impact on passing motorists based on correspondence with Alberta Transportation.

ADMINISTRATION RECOMMENDATION:

Administration recommends approval in accordance with Option #1.

DATE APPLICATION RECEIVED:	September 26, 2019
DATE DEEMED COMPLETE:	September 26, 2019

PROPOSAL:	To amend Direct Control Bylaw (DC-96) to reduce the minimum side yard setback requirements for parking, storage, and display products within Cell B & Cell C, and to reduce the minimum distance requirement between mini storage uses.
LEGAL DESCRIPTION:	SW-02-27-04-W05M
GENERAL LOCATION:	Located at northeast junction of Highway 22 and Highway 567
APPLICANT:	Sean Veraart
OWNERS:	Veraart Holdings Ltd.
EXISTING LAND USE DESIGNATION:	Direct Control District
PROPOSED LAND USE DESIGNATION:	Direct Control District Amended
GROSS AREA:	± 29.96 acres

Administration Resources
 Xin Deng and Mila Patel, Planning and Development Services

**SOILS (C.L.I. from A.R.C.):****4H** – Severe limitations due to temperature factors.**PUBLIC & AGENCY SUBMISSIONS:**

The application was circulated to 25 landowners in the area, with no letters in support or opposition received. The application was also circulated to a number of internal and external agencies. Those responses are available in Appendix 'A'.

HISTORY:

April 30, 2019	Redesignation application PL20180142 for an amendment to DC-96, to include Mini Storage as a new use in Development Cell B & Cell C with maximum number of mini storage units was approved.
September 19, 2017	Redesignation application PL20170019 for an amendment to DC-96, to increase the size of a future outdoor recreation facility, and to allow for an increase to the maximum size of a wastewater building was approved.
November 22, 2016	Redesignation application PL20160066 for an amendment to DC-96, to allow for an increase in the length of stay for visitors to the RV Campground was approved.
September 23, 2013	Redesignation application 2013-RV-039 to adjust the boundaries of Cells B and C within DC-96, and include "Outdoor Recreational Facilities" as a listed use was approved.
October 30, 2012	Redesignation application 2011-RV-121 to adjust the boundaries of Cells A and B within DC-96, in order to broaden the range of uses applicable was approved. was approved
September 14, 2004	Redesignation application 2004-RV-076 to redesignate the subject lands from Ranch and Farm District to Direct Control District, in order to accommodate the development of a multi-use commercial development, including a gas bar, convenience store, liquor store, RV park, and storage was approved.

BACKGROUND:

The subject land is located approximately 3.0 miles north of the Town of Cochrane, at the northeast junction of Highway 22 and Highway 567 (Big Hill Springs Road). The surrounding area has been experiencing transition over the years with a variety of land uses including residential, commercial and industrial uses.

The property has been used for RV campground and RV/Trailers storage. The Direct Control Bylaw (DC-96) divides the site into three development cells. Cell A contains a complex commercial building (including a convenience store, liquor store, gas station, RV/Storage office, laundry and shower facilities), wastewater treatment facility, non-conforming staff residence, and staff RV. Cell B contains RV campground and new mini storages. Development Cell C contains an outdoor RV/Trailers storage area and owner's residence for security purpose.

The previous redesignation application (PL20180142) was approved by Council in April 2019 to include mini storage as a new use in both Cells B & C. Then, the Applicant applied for a Development Permit application (PRDP20191594) for the mini storage buildings, however the existing mini storage buildings are located immediately adjacent to the western property line, which does not meet the minimum side yard setback requirement of DC-96. As the Applicant has no intention to relocate the existing mini storage buildings to meet the side yard setback requirement, the amendment to DC-96 would be required in order to reduce setback requirement and bring it to compliance. In addition, the Applicant wishes to



amend DC-96 to reduce the minimum distance requirement between mini storage buildings, in order to accommodate the existing mini storage buildings.

POLICY ANALYSIS:

Municipal Development Plan (Bylaw C-7280-2013)

The County's Municipal Development Plan does not provide specific policies that would pertain to the nature of the requested amendment. The subject lands already hold the appropriate land use and therefore the Direct Control Bylaw is the appropriate document to evaluate the application against.

Direct Control Bylaw 96 (Bylaw C-5911-2004)

The purpose of DC-96 is to allow for highway commercial land uses and a recreational vehicle park/campground. The mini storage use will be ancillary to the commercial/recreational activities and will provide a complimentary service for users of the campground.

Amendment #1:

The Applicant proposes to reduce the minimum side yard setback requirement from 15 m (49.2 feet) to 0.0 m (0.0 feet), in order to accommodate the existing mini storage buildings, and support DP application (PRDP20191594). To preserve development in Cell A, the amendment to minimum side yard setback requirement will only apply for Cell B & Cell C, where the RV storage and mini storage are located.

Amendment #2:

The Applicant proposes to reduce the minimum distance requirement between mini storage. Section 30.3 (j) of the Land Use Bylaw states that a minimum 9.00 m (29.53 ft.) driveway is required in front of loading doors of mini storage. The existing driveway width (distance) in front of loading door of mini storage is 6.71 m (22 ft.), and the Applicant wishes to retain it. Therefore, amendment to DC-96 is required to include a new minimum distance requirement, which can overrule Section 30.3 (j) of the Land Use Bylaw. Building Services confirmed that the proposed new minimum distance of 6.71 m (22 ft.) meets the Alberta Building Code for Fire Safety, and they have no concerns.

Impacts on Highway

The most significant factor to consider for this application is with respect to the impact on passing motorists on the highway, given that a 0.00 m setback is proposed. This highway is under the control of Alberta Transportation. The application was circulated to Alberta Transportation, and pursuant to Section 25(3)(c) of the *Highways Development and Protection Regulation*, the Province has issued an exemption from permit requirements for the proposal.

Given the proposed structures – sea can style buildings – that will match the existing development context, and the lack of any signage adjacent to the highway, in conjunction with the position of Alberta Transportation, Administration does not see any concerns for passing motorists.

CONCLUSION:

Administration determined that the proposal is consistent with the relevant plans, and that the technical aspects of the proposal are feasible. Therefore, Administration recommends approval in accordance with Option #1.

OPTIONS:

- Option #1: Motion #1 THAT Bylaw C-7949-2019 be given second reading.
 Motion #2 THAT Bylaw C-7949-2019 be given third and final reading.
- Option #2: THAT application PL20190133 be refused.



Respectfully submitted,

Concurrence,

"Theresa Cochran"

"Al Hoggan"

Executive Director
Community Development Services

Chief Administrative Officer

XD/llt

APPENDICES:

APPENDIX 'A': Application Referrals

APPENDIX 'B': Bylaw C-7949-2019 and Schedule A

APPENDIX 'C': Proposed Amendments to DC-96 (redline version)

APPENDIX 'D': Map Set

APPENDIX A: APPLICATION REFERRALS

AGENCY	COMMENTS
Alberta Transportation	<p>In reviewing the application, the proposed development falls within the control distance of a provincial highway as outlined in the Highways Development and Protection Act / Regulation. The proposed development, however, will not cause any concern for ongoing highway operation or future highway expansion.</p> <p>Pursuant to <i>Section 25(3)(c) of the Highways Development and Protection Regulation</i>, Alberta Transportation issues an exemption from the permit requirements to Veraart Holdings Ltd for the development listed above.</p> <p>Pursuant to <i>Section 25(4) of the Highways Development and Protection Regulation</i> the department has the following conditions on the permit exemption:</p> <ol style="list-style-type: none"> 1. All development placed within 40 metres of Highway 22 and/or Highway 567 is subject to removal in the future, without compensation payable to the landowner. 2. Any items placed within the area approved by this setback relaxation shall not cause distraction to motorists, reduce visibility on the highway or on highway intersections, or cause snow drifting on the highway. Should any of these issues occur as a result of this development, it shall be relocated at the expense of the owner.
Alberta Health Services	<p>At this time we do not have any concerns with the information as provided. Feel free to contact me if the application is changed in any way, or you have any questions or concerns.</p>
Internal Departments	
Planning & Development Services - Engineering	<p>General</p> <ul style="list-style-type: none"> • The application has been reviewed based on the documentation submitted. These conditions/ recommendations may be subject to change to ensure best practices and procedures. <p>Geotechnical:</p> <ul style="list-style-type: none"> • Engineering have no requirements at this time. <p>Transportation:</p> <ul style="list-style-type: none"> • Transportation Offsite Levy has previously been collected. • As an advisory condition, applicant is required to obtain Roadside Development Permit from Alberta Transportation to waive setback requirements. • Engineering have no requirements at this time.



AGENCY	COMMENTS
	<p>Sanitary/Waste Water:</p> <ul style="list-style-type: none"> • No information was provided. • Engineering have no requirement at this time. <p>Water Supply And Waterworks:</p> <ul style="list-style-type: none"> • No information was provided. • Engineering have no requirement at this time. <p>Storm Water Management:</p> <ul style="list-style-type: none"> • No significant increase in site runoff is expected. • Engineering have no requirements at this time. <p>Environmental:</p> <ul style="list-style-type: none"> • Engineering have no requirements at this time.

Circulation date: October 3, 2019 – October 25, 2019

Agencies that did not respond, expressed no concerns, or were not required for distribution, are not listed.



ROCKY VIEW COUNTY

BYLAW C-7949-2019**A Bylaw of Rocky View County to amend Direct Control Bylaw C-5911-2004**

The Council of Rocky View County enacts as follows:

PART 1 – TITLE

This Bylaw shall be known as Bylaw C-7949-2019.

PART 2 – DEFINITIONS

In this Bylaw the definitions and terms shall have the meanings given to them in Land Use Bylaw C-4841-97, Bylaw C-5911-2004, and the *Municipal Government Act*.

PART 3 – EFFECT OF BYLAW

THAT Bylaw C-5911-2004 be amended to reduce the minimum side yard setback requirements for parking, storage and display products, affecting SW-02-27-04-W05M, as shown on the attached Schedule 'A' forming part of this bylaw.

THAT Bylaw C-5911-2004 be amended to reduce the minimum distance requirement between mini storage, affecting SW-02-27-04-W05M, as shown on the attached Schedule 'A' forming part of this bylaw.

PART 4 – TRANSITIONAL

Bylaw C-7949-2019 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: 9
File: 07802005 / PL20190133

READ A FIRST TIME IN COUNCIL this	26 th	day of	November	, 2019
PUBLIC HEARING WAS HELD IN COUNCIL this		day of		, 2020
READ A SECOND TIME IN COUNCIL this		day of		, 2020
READ A THIRD TIME IN COUNCIL this		day of		, 2020

 Reeve

 CAO or Designate

 Date Bylaw Signed

SCHEDULE 'A'
FORMING PART OF BYLAW C-7949-2019

Schedule of textual amendments to Direct Control Bylaw C-5911-2004 (DC-96):

Amendment #1:

Amend Section 2.6.6 (a) to read:

2.6.6 Yard, Side for Parking, Storage and Display of Products:

- a) 15.0 m (49.2 feet) from any road, municipal, road highway
Except: Cell B & C: 0.0 m (0.0 feet) from any road, municipal, road highway

Amendment #2:

Add a new clause under Section 3.4.0:

3.4.0 Controlled Appearance

- f) A minimum 6.71 m (22.00 ft.) driveway is required in front of loading doors for mini storage.

**ROCKY VIEW COUNTY
DIRECT CONTROL BYLAW C-5911-2004**

DC-96

OFFICE CONSOLIDATION

This document has been consolidated for convenience only. A copy of the original Bylaw and all amending Bylaws can be obtained from Rocky View County. This office consolidation comprises the following Bylaws:

Bylaw	Amendment Type	Date of Approval
C-5911-2004	Original Bylaw	September 14, 2004
C-7203-2012	Amendments to Schedule 'B' to adjust the boundaries of Development Cells 'A' and 'B' and to broaden the range of uses applicable to Development Cells 'A' and 'B'	October 30, 2012
C-7294-2013	Amendments to Schedule 'B' and text to adjust the boundaries of Development Cells 'B' and 'C', add "Outdoor Recreational Facilities" (Section 2.5.5) as a use to Development Cell "c", delete Development Cell 'D' and its associated uses, and increase the maximum number of stored recreational vehicles (Section 2.7.5) (Note: includes re-numbering due to deletion of sections and administrative corrections to metric values in Sections 2.6.2 and 2.6.3.)	September 24, 2013
C-7611-2016	Amending Section 2.7.3 regarding length of stay	November 22, 2016
C-7702-2017	Amending Section 2.5.5 and 2.3.16 to increase the size of a future outdoor recreation facility, and to allow for an increase to the maximum size of a wastewater building.	September 19, 2017
C-7868-2019	Amending Section 2.4.0 and 2.5.0 to include mini storage as a listed use; Amending Section 2.7.0 to include maximum number of mini storage unit.	April 30, 2019
C-7949-2019	Amending Section 2.6.6 to reduce the minimum side yard setback requirement for Parking, Storage and Display of Products; Amending Section 3.4.0 to include minimum driveway width requirement in front of mini-storage.	January 28, 2020

**ROCKY VIEW COUNTY
DIRECT CONTROL BYLAW C-5911-2004**

DC-96

DIRECT CONTROL BYLAW REGULATIONS

1. That Direct Control District Bylaw – C-5025-99 (DC-60) be repealed.
2. That the Land Use Bylaw be amended by redesignating the use of the Lands from Ranch and Farm District and Direct Control District to Direct Control District with special regulations.
3. That the special regulations of the Direct Control District comprise:
 - 1.0.0 General Regulations
 - 2.0.0 Land Use Regulations
 - 3.0.0 Development Regulations
 - 4.0.0 Definitions

1.0.0 GENERAL REGULATIONS

- 1.1.0 For the purposes of this Bylaw, the boundaries and description of the Lands shall be more or less as indicated in Schedule "A" and shall notionally identify Development Cells as indicated in Schedule "B" attached hereto and forming part hereof, except as otherwise approved by Council.
- 1.2.0 The final location and shape of the Development Cells will be determined at the Development Permit stage, to the satisfaction of the Municipality.
- 1.3.0 The Development Authority shall be responsible for the issuance of Development Permit(s) for the Lands subject to this Bylaw.
- 1.4.0 Parts One, Two, and Three of Land Use Bylaw C-4841-97 are applicable unless otherwise stated in this Bylaw.
- 1.5.0 All development upon the Lands shall be in accordance with all plans and specifications submitted pursuant to this Bylaw and all licenses, permits and approvals pertaining to the Lands.

2.0.0 LAND USE REGULATIONS

2.1.0 Purpose and Intent

The purpose and intent of this District is to allow for highway commercial land uses, which will provide for the development of a gas bar with grocery store/convenience store, liquor store, recreational vehicle storage, automotive and business services and a recreational vehicle park/campground.

2.2.0 All Development Cells

Uses:

- 2.2.1 Fencing
- 2.2.2 Landscaping
- 2.2.3 Parking

ROCKY VIEW COUNTY
DIRECT CONTROL BYLAW C-5911-2004

DC-96

2.3.0 Development Cell 'A'

Uses:

- 2.3.1 Gas Bar
- 2.3.2 Liquor Sales
- 2.3.3 Grocery Store / Convenience Store
- 2.3.4 Restaurant
- 2.3.5 Automotive Services
- 2.3.6 Banks or Financial Institutions
- 2.3.7 Car Wash
- 2.3.8 Dealership/Rental Agency, Automotive
- 2.3.9 Drinking Establishment
- 2.3.10 Offices
- 2.3.11 Patio, accessory to the principal building use
- 2.3.12 Personal Service Business
- 2.3.13 Truck Stop
- 2.3.14 Truck Trailer Service
- 2.3.15 Warehouse
- 2.3.16 Accessory Buildings less than 120 square metres in building area
- 2.3.17 Sign associated with the principal use of Development Cell 'A', 'B' and 'C'
- 2.3.18 Offices, washroom and laundry facilities located in the principle building and accessory to the principal use of Development Cells 'B' and 'C'
- 2.3.19 Recreation Room located in principle building and accessory to the principal use of Development Cell 'B'

2.4.0 Development Cell 'B'

Uses:

- 2.4.1 General Agriculture
- 2.4.2 Campground Tourist
- 2.4.3 Buildings containing office, washroom, laundry, maintenance and recreation facilities that are accessory to the Campground Tourist use with a combined area that does not exceed 550 square metres in building area.
- 2.4.4 Mini Storage

2.5.0 Development Cell 'C'

Uses:

- 2.5.1 General Agriculture
- 2.5.2 Outdoor Recreational Vehicle Storage Area
- 2.5.3 One single family dwelling
- 2.5.4 Accessory buildings less than 90 square metres in building area

ROCKY VIEW COUNTY
DIRECT CONTROL BYLAW C-5911-2004

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- 2.5.5 Outdoor recreational facilities area that is accessory to the Campground Tourist use that does not exceed 1600 square metres in size.
- 2.5.6 Mini Storage
- 2.6.0 Minimum Requirements
 - 2.6.1 *Parcel* size: 11.97 hectares (29.6 acres)
 - 2.6.2 *Yard, Front* for *Buildings*:
 - a) 60.0 m (196.8 feet) from any *road or highway*
 - b) 10.0 m (32.8 feet) from any *road, service* adjacent to a highway
 - 2.6.3 *Yard, Side* for *Buildings*:
 - a) 60.0 m (196.8 feet) from any *road or primary highway*
 - b) 10.0 m (32.8 feet) from any *road, service* adjacent to a *road, highway*
 - c) 6.0 m (19.7 feet) all other
 - 2.6.4 *Yard, Rear* for *Buildings*:
 - a) 6.0 m (19.7 feet)
 - 2.6.5 *Yard, Front* for Parking, Storage and Display of Products:
 - a) 15.0 m (49.2 feet) from any *road, municipal, road, or highway*
 - b) 8.0 m (26.24 feet) from any, *road, internal subdivision, or road, service* adjacent to a *road, highway or road,*
 - 2.6.6 *Yard, Side* for Parking, Storage and Display of Products:
 - a) 15.0 m (49.2 feet) from any *road, municipal, road highway*
 Except: Cell B & C: 0.0 m (0.0 feet) from any *road, municipal, road highway*
 - b) 8.0 m (26.2 feet) from any *road internal subdivision, or road, service* adjacent to a *road, highway or road,*
 - c) 6.0 m (19.7 feet) all other
 - 2.6.7 *Yard, Rear* for Parking, Storage and Display of Products:
 - a) 6.0 m (19.7 feet) all other
- 2.7.0 Maximum Requirements
 - 2.7.1 Building height:
 - i) 10 m (32.81 feet) for principal buildings;
 - ii) 8 m (26.2 feet) for accessory buildings.
 - 2.7.2 Maximum number of stalls for Recreational Vehicles within the Tourist Campground Park: 90
 - 2.7.3 Maximum length of stay for any visitor to the Tourist Campground is six (6) months.
 - 2.7.4 Maximum of five stalls within the Tourist Campground to be set aside for Seasonal Staff working in Campground, permitted for a stay beyond 14 days.

**ROCKY VIEW COUNTY
DIRECT CONTROL BYLAW C-5911-2004**

DC-96

- 2.7.5 Maximum number of stored Recreational Vehicles: 650
- 2.7.6 Maximum Area of Recreational Vehicle Storage shall not exceed 12 acres.
- 2.7.7 Height of fence: 3.1 m (10.17 feet)
- 2.7.8 Building coverage:
 - i) Principal and accessory buildings: 25% of the lot.
- 2.7.9 Number of freestanding signs: 1
- 2.7.10 Maximum area of the sign is 10 square metres (107 square feet)
- 2.7.11 Minimum setback for any road for sign: 15 metres
- 2.7.12 Freestanding sign height: 12 m (39.37 feet)
- 2.7.13 Maximum number of Mini Storage units: 580

3.0.0 DEVELOPMENT REGULATIONS

- 3.1.0 No Development Permit shall be issued by the Development Authority and no *development* shall occur on the lands until:
 - 3.1.1 The Owner has prepared a Stormwater Management Plan that is satisfactory to both the Municipality and Alberta Transportation, which shows that the development will not adversely affect the adjacent lands and/or highways;
 - 3.1.2 An Emergency Response Plan has been prepared by the *Applicant* and submitted to the satisfaction of the Fire Chief, which establishes, among other things, measures for chemical containment and remediation, storage of fuels and chemicals, soil contamination and fire suppression;
 - 3.1.3 The Owner has received all necessary permits and/or approvals from Alberta Environmental Protection in accordance with the Water Act for the supply of water necessary to service the *development* to the satisfaction of the Municipality and Alberta Environment.
 - 3.1.4 The Owner has completed a Traffic Impact Analysis for the entire *development*, and it has been approved by both the Rocky View County and Alberta Transportation, and further, that all road improvements identified in the Traffic Impact Analysis be completed by the *Owner* to the satisfaction of the Municipality and Alberta Transportation.
 - 3.1.5 The Owner has submitted a Construction Management Plan completed by a qualified professional engineer licensed to practice in the Province of Alberta, satisfactory to the Municipality, which details amongst other items, erosion, dust and noise control measures and stormwater management during construction.
 - 3.1.6 The Owner has received all necessary permits and/or approvals from Alberta Transportation, in accordance with the Public Highways Development Act and the Highway Development Control Regulation.
- 3.2.0 Water Supply and Sewage Treatment
 - a) Potable water for all development on the site shall be provided through the use of water wells, licensed and approved for commercial use by Alberta Environment, to the satisfaction of the Municipality or hauled to the site and stored in cisterns, as approved by the Municipality, and to the satisfaction of the Municipality.

**ROCKY VIEW COUNTY
DIRECT CONTROL BYLAW C-5911-2004**

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- b) Disposal of wastewater from the development on the site shall be subject to all requirements of Alberta Environment and/or Alberta Municipal Affairs and all Municipal approvals pursuant to this Bylaw. Waste water shall be treated and disposed of by septic tank and field, installed to the satisfaction of the Municipality or stored in holding tanks and removed on a regular basis for disposal and treatment at an approved disposal facility.
- c) Any non-domestic waste water, anti-freeze, oil or fuels accumulated on site shall be held in sealed tanks, the contents of which shall be pumped out and properly disposed of off-site to the satisfaction of the Municipality and/or Alberta Environment.
- d) Solid waste shall be disposed of on a regular basis at an approved disposal site.
- e) A caveat regarding a Deferred Services Agreement is registered on the Lands, notifying the Owner any future owners and all lessees of the requirement to connect to Municipally owned piped water and wastewater systems at their own cost when such services become available. This Agreement is to outline the location of existing services within the Lands, the operation and maintenance of these services, the requirements for their decommissioning once Municipal Servicing becomes available, and a commitment from the Owner to participate in mutually beneficial discussions with the Municipality regarding the provision of future Municipal Services, including the possible future ownership of their facilities by the Municipality, all to the satisfaction of the Municipality.

3.2.1 Access

- a) No direct access to Highway #22 shall be permitted. All access to the land shall be from Highway #567 and shall be a minimum of 140 m (449.47 feet) east of Highway #22, or as otherwise approved by Alberta Transportation and Rocky View County.

3.3.0 Development and Building Standards

3.3.1 Landscaping

- a) Landscaping shall be provided in accordance with a Landscape Plan to be submitted to the Municipality upon application for a Development Permit. The Landscape Plan shall identify the location, type and extent of all landscaping proposed for the lands, and shall require that a minimum of 10% of the site be landscaped. Within this landscaped area, there shall be a minimum of one (1) tree for every 50 square m (538.2 square feet); a combination of deciduous trees with a minimum caliper of 2.5 inches; and, coniferous trees with a minimum height of 5 feet.
- b) The Landscape Plan contemplated herein shall identify the location and extent of the landscaping areas, the plant material proposed and the methods of irrigation and maintenance of landscaped areas.
- c) All areas of the site not disturbed as part of the Development Permit shall be maintained in a natural state or under cultivation.
- d) All areas of the site to have weed control program in accordance with the Weed Control Act of Alberta, and confirmed in a Development Permit.

3.4.0 Controlled Appearance

**ROCKY VIEW COUNTY
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- a) Parking and loading facilities, where proposed, shall be provided for in accordance with the requirements of the Land Use Bylaw, except that parking shall be screened and/or integrated into building architecture and/or landscaped pursuant to 3.3.1 above. Parking shall not be permitted within any minimum setback area.
 - b) Signage shall be considered concurrently with a Development Permit application and may be integrated into building architecture and shall be consistent with the overall development theme.
 - c) Lighting shall be located, oriented and shielded to prevent adverse affects on adjacent properties and the safe and efficient function of Highway #22 and Highway #567.
 - d) The entire area of the Recreational Vehicle Storage Area shall be fenced.
 - e) Recreational vehicle storage areas shall at all times be visually screened from Highway 22 and Highway 567, as well as the adjacent lands to the satisfaction of the Municipality.
 - f) **A minimum 6.71 m (22.00 ft.) driveway is required in front of loading doors for mini-storage.**
- 3.4.1 The design, character and appearance of any buildings, structures or signs proposed to be erected or located on the lands must be acceptable to the Development Authority having due regard to:
- i) the compatibility with and the affect on adjacent properties and the surrounding rural area; and,
 - ii) the visual enhancement of Highway #22 and Highway #567 as important transportation corridors.
- 3.4.2 Building form should be consistent with the following:
- i) building materials should reflect the architectural heritage of the surrounding rural landscape by emphasizing natural textures and/or original and historic building materials;
 - ii) building massing should present a profile that is more horizontal than vertical to reflect the traditional rural building forms associated with agricultural communities;
 - iii) roof forms should be sloped and accented with, for example, the use of cupolas or dormers and constructed of historic and/or natural materials;
 - iv) building facades parallel to Highway #22 should avoid long unbroken expanses through the use of architectural detailing and window placement; and,
 - v) colours should reflect and complement natural colour tones evident in the surrounding rural landscape.
- 3.5.0 Performance Standards
- 3.5.1 Air Contaminants, Visible and Particulate Emissions
- a) No use within any building or structure on the lands shall cause or create air contaminants, visible emissions or particulate emissions beyond the building which contains them.

**ROCKY VIEW COUNTY
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3.5.2 Odorous Matter

- a) No use or operation within a building shall cause or create the emission of odorous matter or vapour beyond the building which contains the use or operation.

3.5.3 Toxic Matter

- a) No use or operation on the lands or within a building shall cause or create the emission of toxic matter beyond the lands or the building which contains it. The handling, storage and disposal of any toxic or hazardous materials or waste shall be in accordance with the regulations of any government authority having jurisdiction.

3.5.4 Garbage Storage

- a) Garbage and waste material shall be stored in weatherproof and animal-proof containers. Such containers shall be located within buildings or adjacent to the side or rear of buildings, and shall be screened from view by all adjacent properties and roadways, all to the satisfaction of the Development Authority.

3.5.5 Fire and Explosive Hazards

- a) Uses and operations on the site which handle, store or utilize products which may be hazardous due to their corrosive, poisonous, flammable, or explosive characteristics shall comply with the applicable fire regulations of the Municipality or the regulations of any other government authority having jurisdiction and in accordance with any hazardous materials or emergency management plan that may be required by the Municipality, and as defined in a Development Permit.

3.5.6 Fire Protection

- a) Fire protection measures shall be provided as may be required by the Municipality and included in a Development Permit.

4.0.0 DEFINITIONS

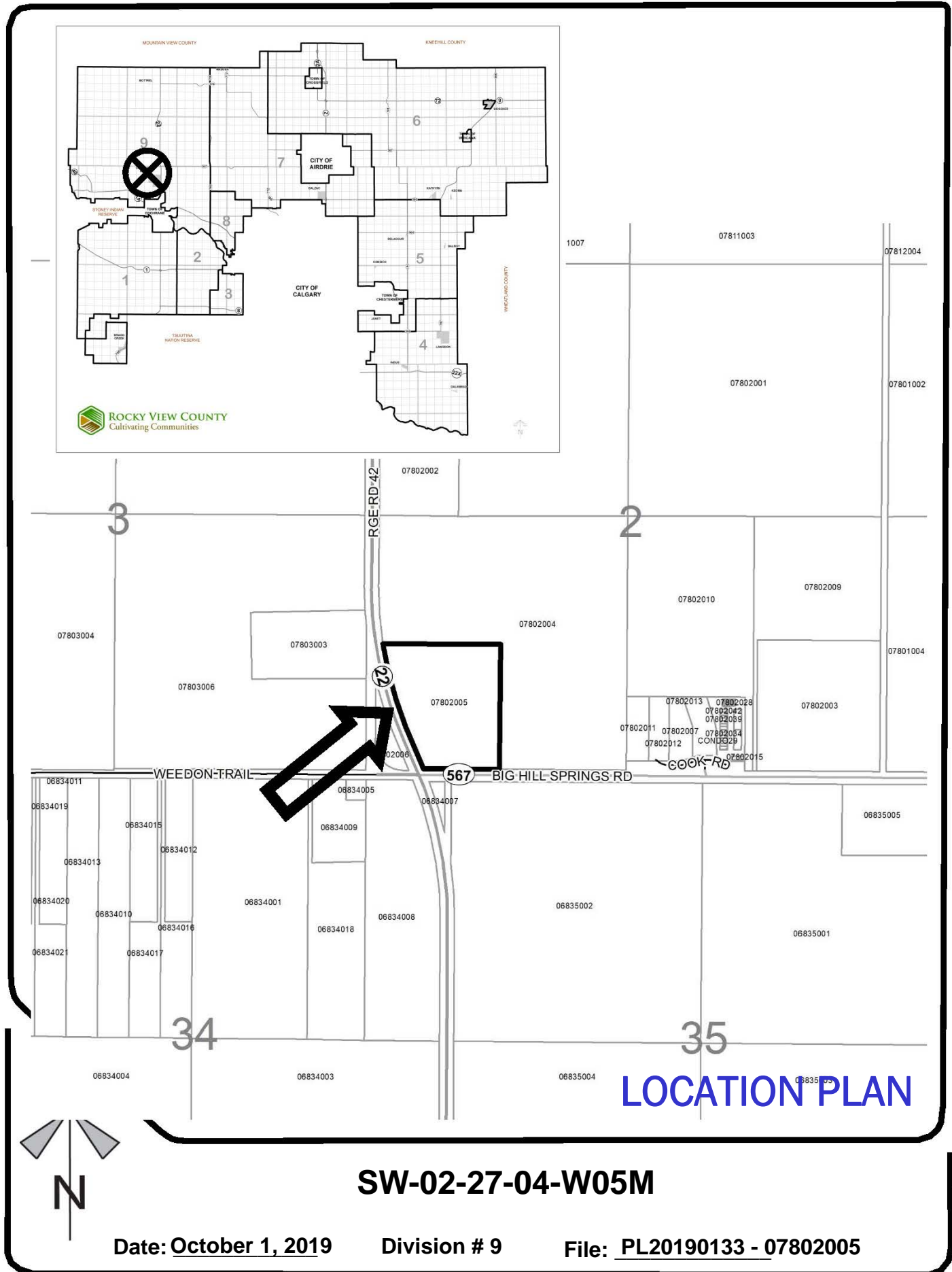
Gas Bar - means development providing gasoline and related products and services for sale to the public.

Grocery Store - means development providing the display of groceries, convenience goods and merchandise for sale to the public.

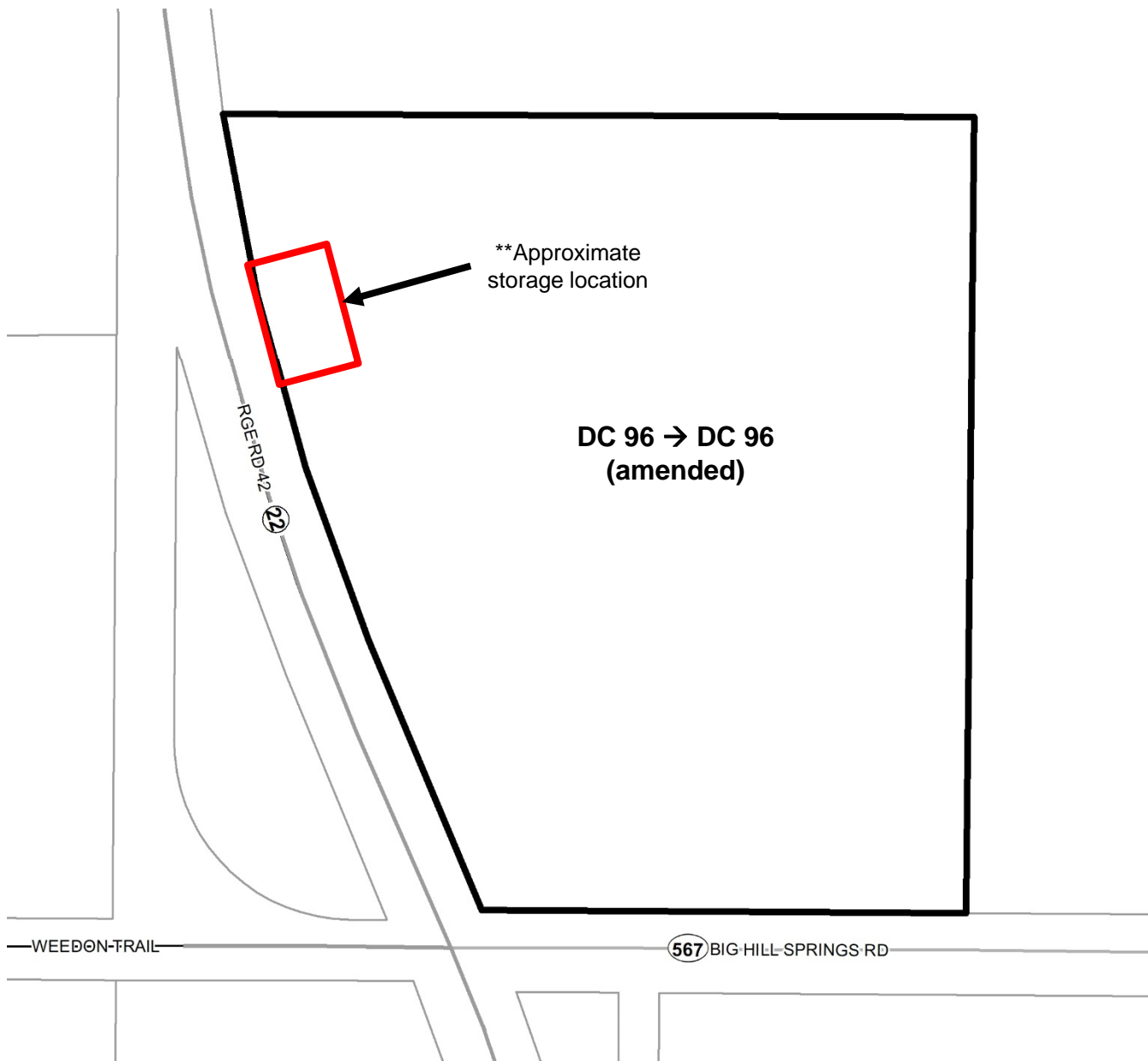
Recreational Vehicle Storage – means an area of land set aside or otherwise defined for the outdoor storage of recreational vehicles.

Recreation Room – means an area within the principal building set aside for recreation and entertainment services provided for the patrons of the campground.

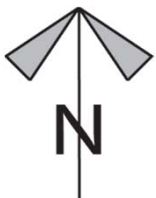
4.1.0 Terms not defined above have the same meaning as defined in Section 8.0.0 of Land Use Bylaw C-4841-97.



Redesignation Proposal: To amend Direct Control Bylaw (DC-96), to reduce the minimum side yard setback requirements for parking, storage and display products within Cell B & Cell C.



DEVELOPMENT PROPOSAL

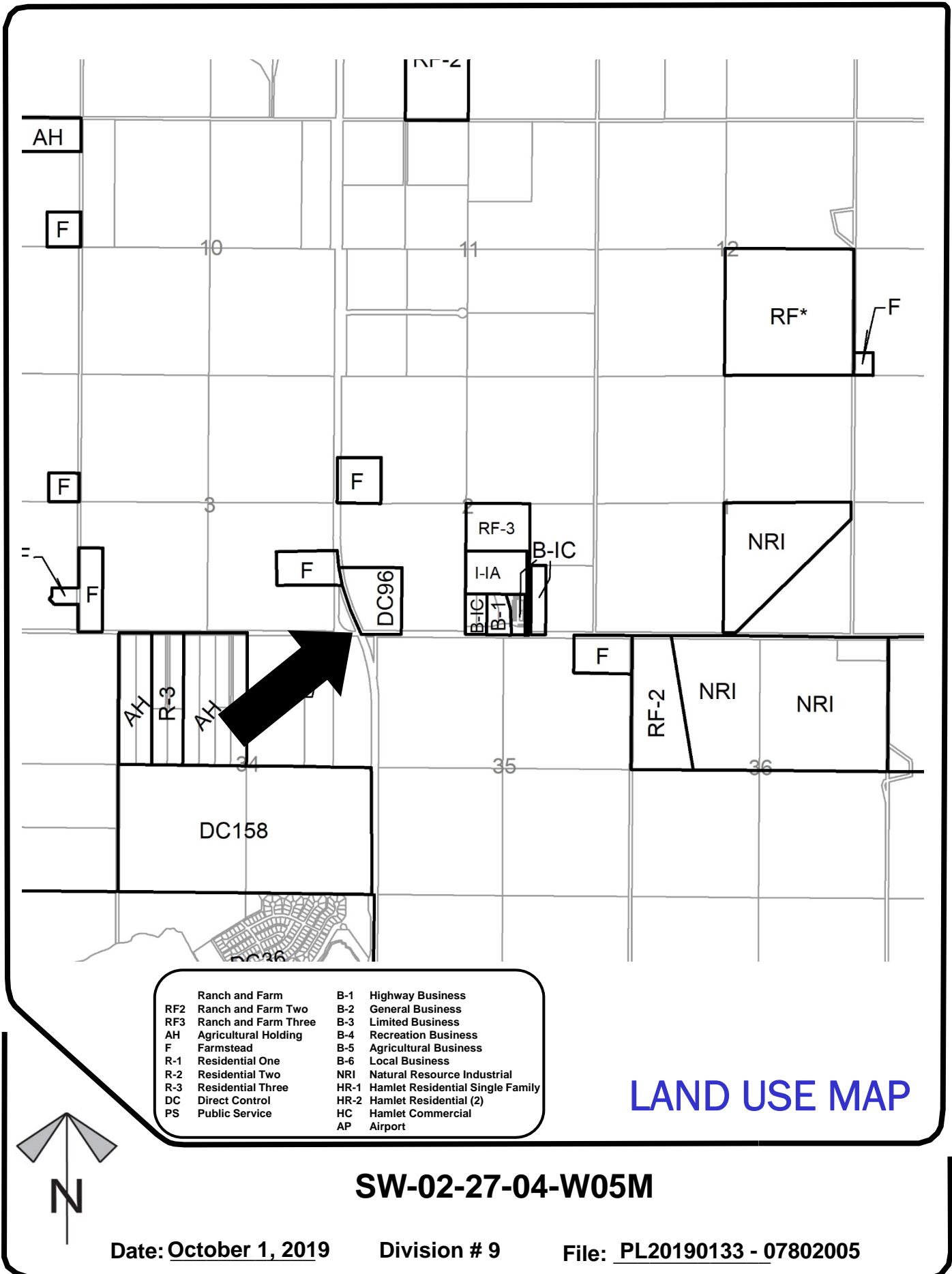


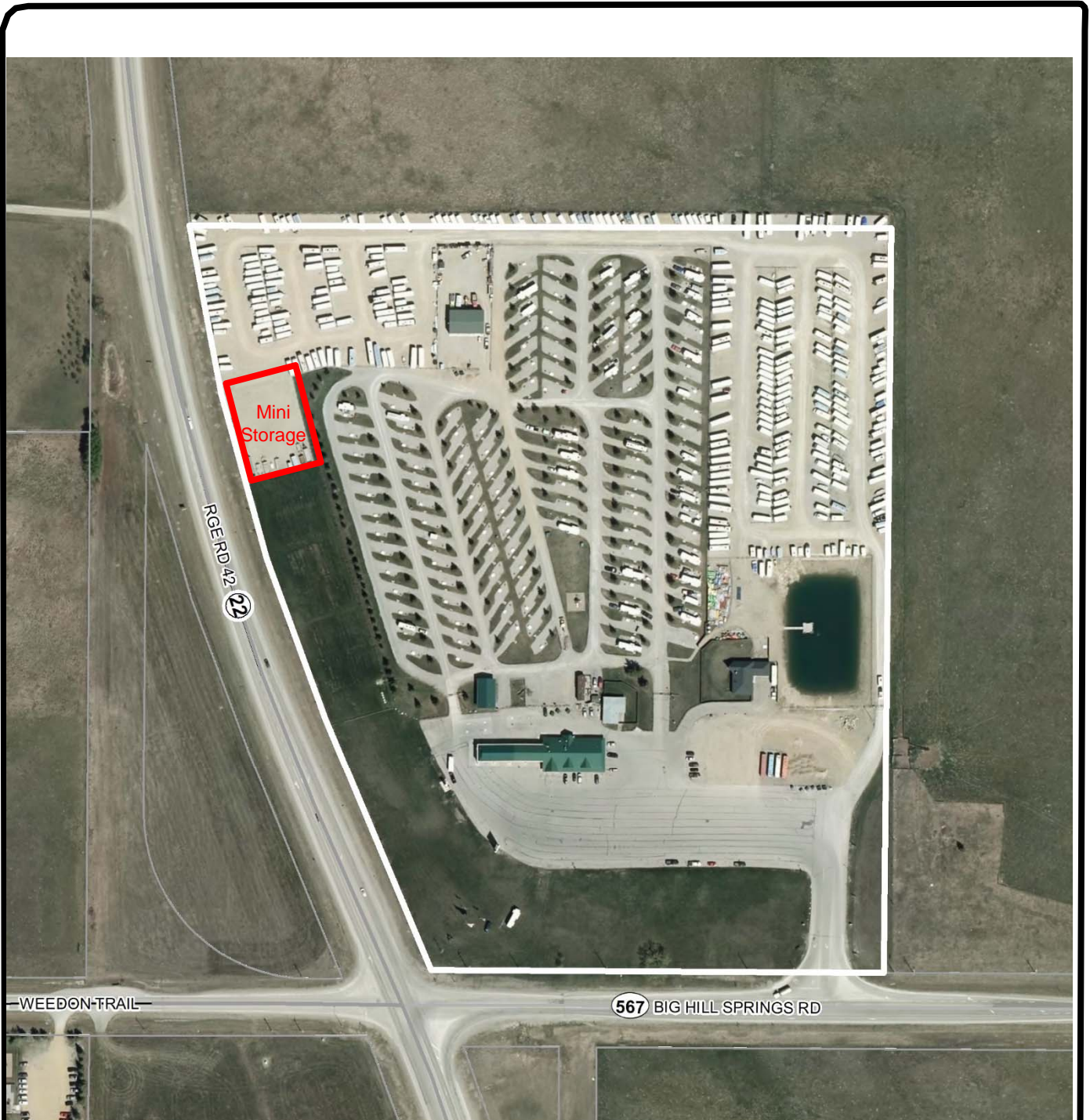
SW-02-27-04-W05M

Date: October 1, 2019

Division # 9

File: PL20190133 - 07802005

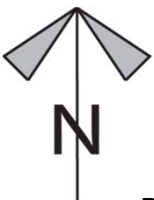




Note: Post processing of raw aerial photography may cause varying degrees of visual distortion at the local level.

AIR PHOTO

Spring 2018



SW-02-27-04-W05M

Date: October 1, 2019

Division # 9

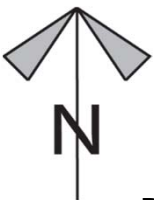
File: PL20190133 - 07802005



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

TOPOGRAPHY

Contour Interval 2 M



SW-02-27-04-W05M

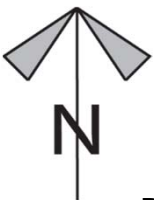
Date: October 1, 2019

Division # 9

File: PL20190133 - 07802005



SITE PHOTOS



SW-02-27-04-W05M

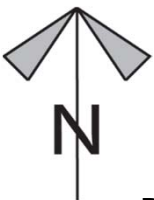
Date: October 1, 2019

Division # 9

File: PL20190133 - 07802005



SITE PHOTOS

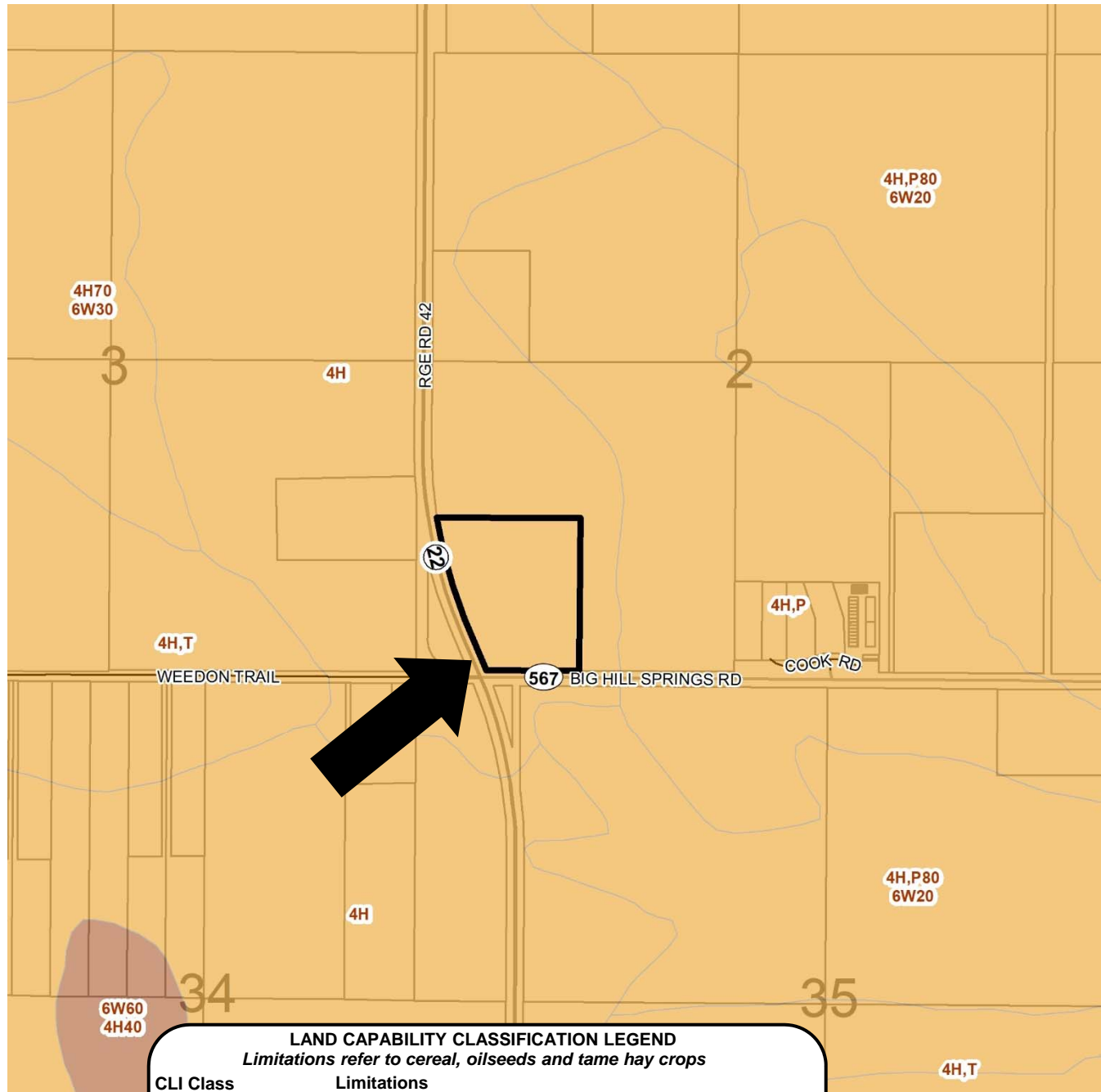


SW-02-27-04-W05M

Date: October 1, 2019

Division # 9

File: PL20190133 - 07802005



LAND CAPABILITY CLASSIFICATION LEGEND
Limitations refer to cereal, oilseeds and tame hay crops

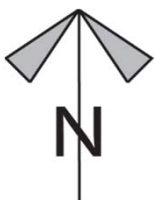
CLI Class

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

Limitations

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

SOIL MAP

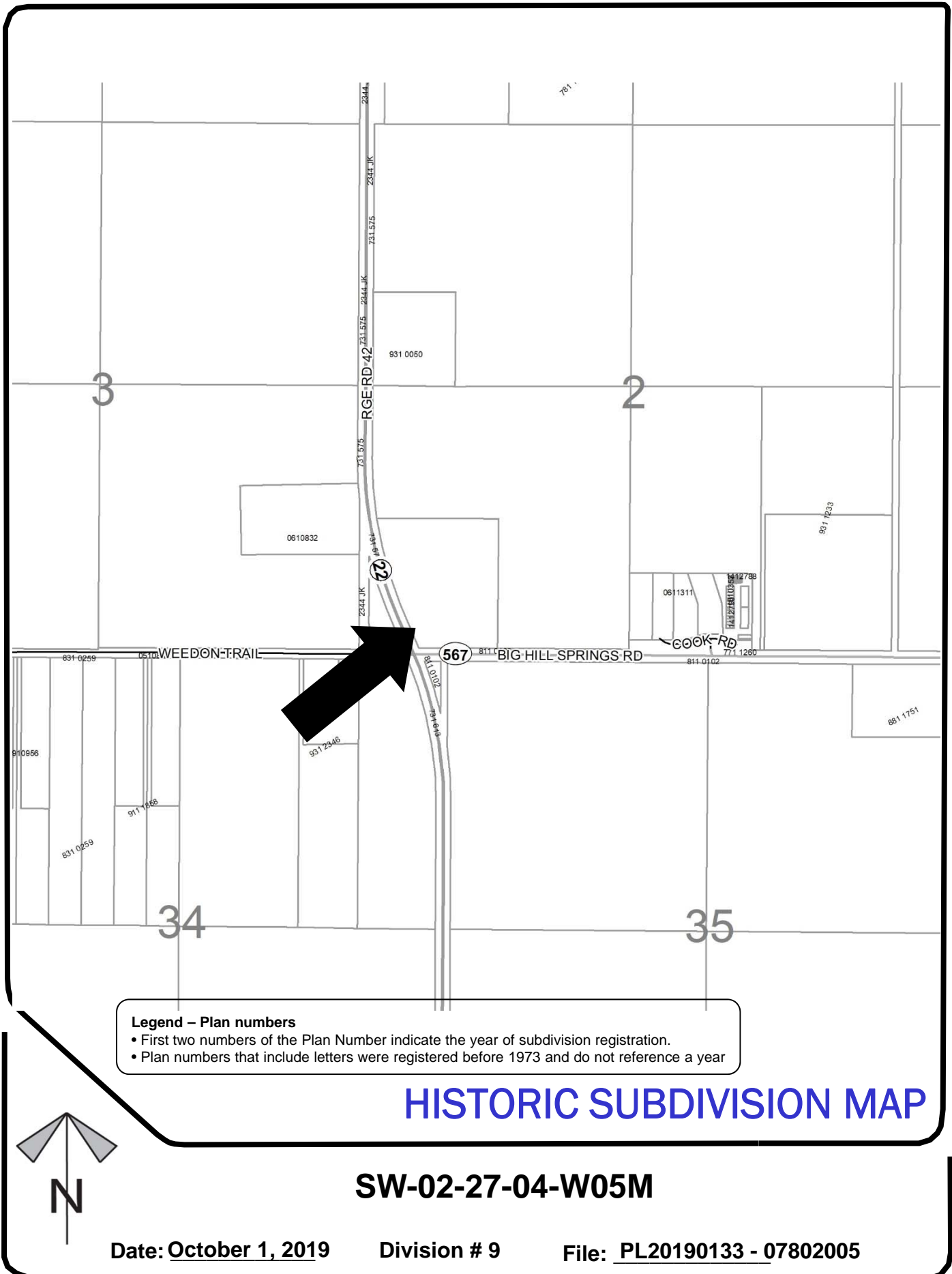


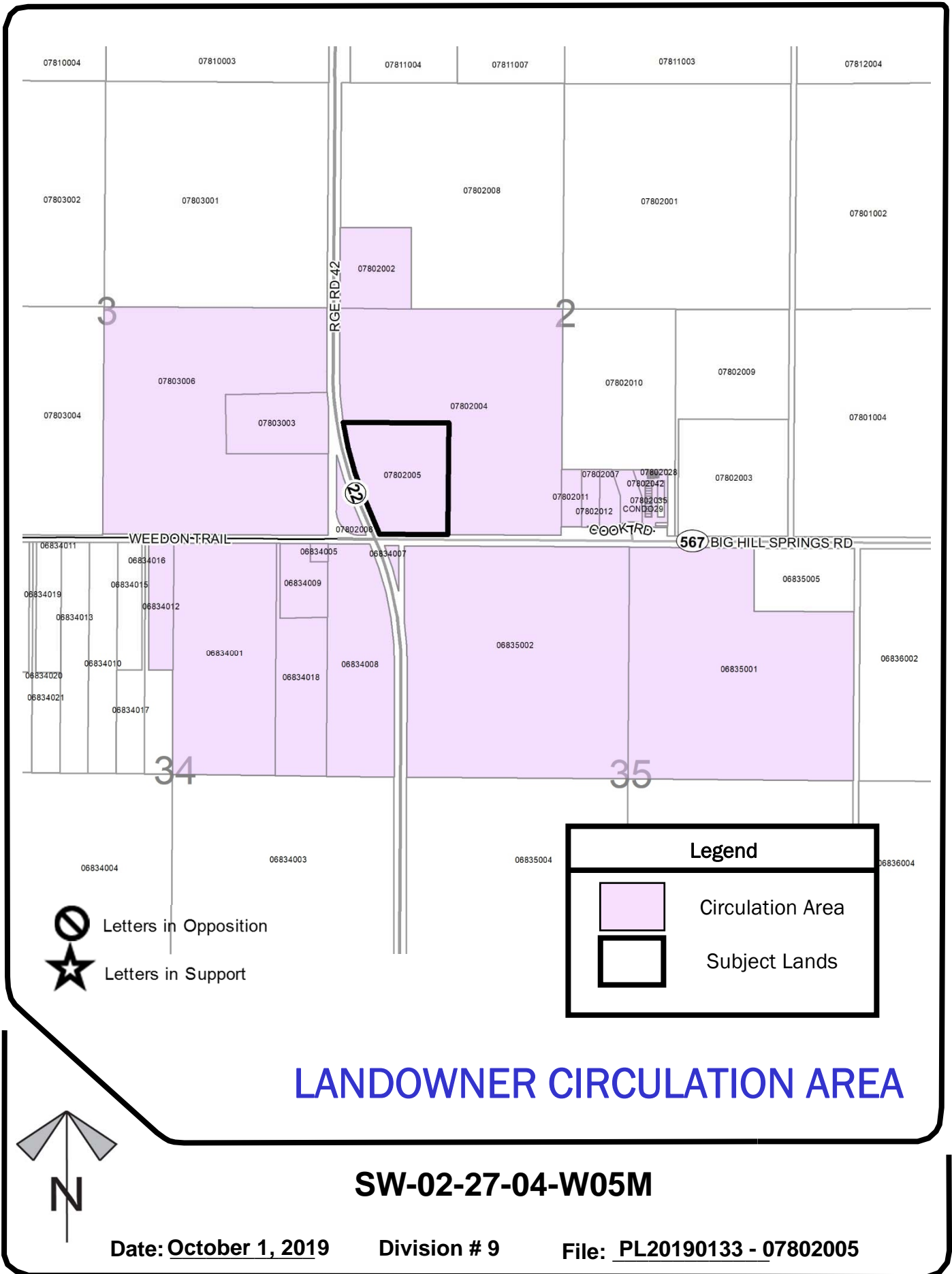
SW-02-27-04-W05M

Date: October 1, 2019

Division # 9

File: PL20190133 - 07802005







PLANNING AND DEVELOPMENT SERVICES

TO:	Council	
DATE:	February 11, 2020	DIVISION: 5
TIME:	Afternoon Appointment	
FILE:	05333083	APPLICATION: PL20190092
SUBJECT:	Redesignation Item – Residential from R-2 to R-1	

POLICY DIRECTION:

The application was evaluated in accordance with the policies of the County Plan.

EXECUTIVE SUMMARY:

The purpose of this application is to redesignate the subject land from Residential Two District to Residential One District in order to facilitate future subdivision.

Council gave first reading to Bylaw C-7953-2019 on November 26, 2019.

The following is a summary of the application assessment:

- The application is consistent with policies of the County Plan.
- All other technical matters required at this stage of the application process are satisfactory.

ADMINISTRATION RECOMMENDATION:

Administration recommends approval in accordance with Option #1.

DATE APPLICATION RECEIVED:	June 21, 2019
DATE DEEMED COMPLETE:	November 29, 2019

PROPOSAL:	To redesignate the subject land from Residential Two District to Residential One District to facilitate future subdivision.
LEGAL DESCRIPTION:	Lot 1, Plan 0012040
GENERAL LOCATION:	Located approximately 3.2 km (2 miles) east of the City of Calgary, at the southwest junction of Shore Drive and South Shore Point.
APPLICANT:	Jones Geomatics Ltd. (Jean Mathieu)
OWNERS:	Jasbir S. & Harjinder K. Padda
EXISTING LAND USE DESIGNATION:	Residential Two District (R-2)
PROPOSED LAND USE DESIGNATION:	Residential One District (R-1)
GROSS AREA:	4.00 acres
SOILS (C.L.I. from A.R.C.):	Class 1,1 – No significant limitations

Administration Resources

Johnson Kwan and Milan Patel, Planning and Development Services



PUBLIC & AGENCY SUBMISSIONS:

Four letters in opposition were received in response to 115 letters circulated to adjacent landowners. The East Prairie Royale Resident's Association also submitted a letter to clarify some of the technical requirements and costs that the Applicant would need to address at the subdivision stage. The application was also circulated to a number of internal and external agencies; those responses are available in Appendix 'A'.

HISTORY:

August 11, 2000 Subdivision Plan 001 2040 was registered at Land Titles creating the subject land.

POLICY ANALYSIS:

County Plan (Bylaw C-7280-2013)

The application was evaluated against Policy 10.11 of the County Plan to facilitate residential development in fragmented areas. Given the existing and surrounding development context, a lot and road plan would not provide significant benefit for this application. The applicant addressed servicing and access for the proposed development. All other technical matters would be further addressed at the subdivision stage.

CONCLUSION:

The proposal is consistent with the County Plan and the technical matters would be further addressed at the subdivision stage.

OPTIONS:

- Option # 1: Motion #1 THAT Bylaw C-7953-2019 be given second reading.
 Motion #2 THAT Bylaw C-7953-2019 be given third and final reading.
- Option # 2: That application PL20190092 be refused.

Respectfully submitted,

Concurrence,

"Theresa Cochran"

"Al Hoggan"

Executive Director
Community Development Services

Chief Administrative Officer

JKwan/llt

APPENDICES:

- APPENDIX 'A': Application Referrals
APPENDIX 'B': Bylaw C-7953-2019 and Schedule A
APPENDIX 'C': Map Set
APPENDIX 'D': Landowner Comments



APPENDIX A: APPLICATION REFERRALS

AGENCY	COMMENTS
<i>Internal Departments</i>	
Planning and Development Services - Engineering	<p data-bbox="751 432 857 459">General</p> <ul data-bbox="800 485 1421 615" style="list-style-type: none"> • The review of this file is based upon the application submitted. These conditions/ recommendations may be subject to change to ensure best practices and procedures <p data-bbox="751 636 943 663">Geotechnical:</p> <ul data-bbox="800 688 1421 831" style="list-style-type: none"> • County GIS contours indicates that there are slopes less than 15%. • Engineering have no requirements at this time. <p data-bbox="751 852 967 879">Transportation:</p> <ul data-bbox="800 905 1446 1188" style="list-style-type: none"> • Access to proposed parcels will be provided off South Shore Drive. • As a condition of future subdivision, the applicant is required to provide payment of the Transportation Offsite Levy in accordance with the applicable bylaw at time of subdivision approval for the total gross acreage of proposed lots to be subdivided. <p data-bbox="751 1209 1057 1236">Sanitary/Waste Water:</p> <ul data-bbox="800 1262 1446 1776" style="list-style-type: none"> • The west lot is serviced by an existing septic system. • As the future subdivision will result in the creation of lots less than 4 acres, at the time of subdivision, the applicant will be required to provide Level 3 PSTS assessment in accordance with county's servicing standards and enter into a Site Improvements Services Agreement with the County for the construction of Packaged Sewage Treatment Systems Packaged Sewage Treatment Plant on the each lot, which meet the Bureau de Normalisation du Quebec (BNQ) standards for treatment quality in accordance with Policy 449.



AGENCY	COMMENTS
Utility Services	Water Supply And Waterworks:
	<ul style="list-style-type: none"> • The west lot is serviced by water co-op. East lot will be serviced by Prairie Royale Water Co-op. • A letter was provided from Prairie Royale Waterworks System indicating future development and tie-in to their water system can be accommodated. • As a condition of future subdivision, applicant is required to provide confirmation from Prairie Royale Water Co-op that the necessary capacity for the east lot has been purchased and the applicant has entered into a servicing agreement or contract with the co-op to tie east lot to the existing distribution system.
	Storm Water Management:
	<ul style="list-style-type: none"> • As a condition of future subdivision, the applicant will be required to submit a site-specific stormwater management plan, prepared by a qualified professional, assessing the post development site stormwater management to identify any stormwater management measures are required to be implemented to service the proposed development. If the findings of the plan require local improvements, site specific stormwater management plan should provide an onsite stormwater management strategy for the proposed development in accordance with the County Servicing Standards.
Environmental:	<ul style="list-style-type: none"> • Base on GIS review, no environmental constraints are present.
Confirmation required from the proposed water supplier that there is capacity available and an agreement to supply water to the proposed development.	

Circulation Period: July 24, 2019 to August 15, 2019

Agencies that did not respond, expressed no concerns, or were not required for distribution, are not listed.



ROCKY VIEW COUNTY

BYLAW C-7953-2019**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-7953-2019.

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. 53 of Bylaw C-4841-97 be amended by Lot 1, Plan 0012040 within SE-33-25-28-W04M from Residential Two District to Residential One District, as shown on the attached Schedule 'A' forming part of this Bylaw.

THAT Lot 1, Plan 0012040 within SE-33-25-28-W04M is hereby redesignated to Residential One District as shown on the attached Schedule 'A' forming part of this Bylaw.

PART 4 – TRANSITIONAL

Bylaw C-7953-2019 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: 5
File: 05333083 / PL20190092

READ A FIRST TIME IN COUNCIL this 26th day of November , 2019

PUBLIC HEARING WAS HELD IN COUNCIL this day of , 20XX

READ A SECOND TIME IN COUNCIL this day of , 20XX

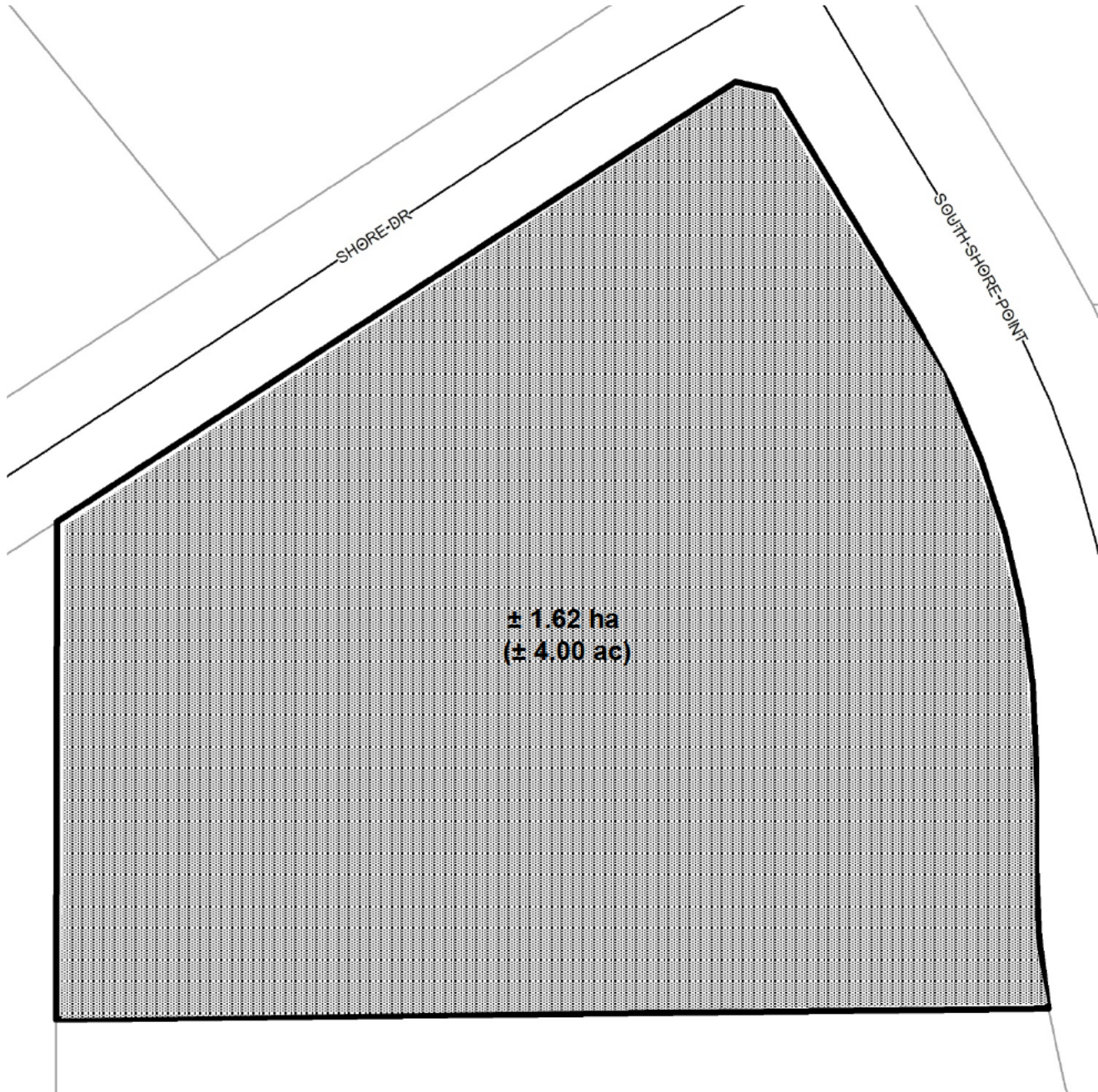
READ A THIRD TIME IN COUNCIL this day of , 20XX

 Reeve

 CAO or Designate

 Date Bylaw Signed

SCHEDULE 'A'
BYLAW C-7953-2019



AMENDMENT

FROM Residential Two District TO Residential One District



Subject Land _____

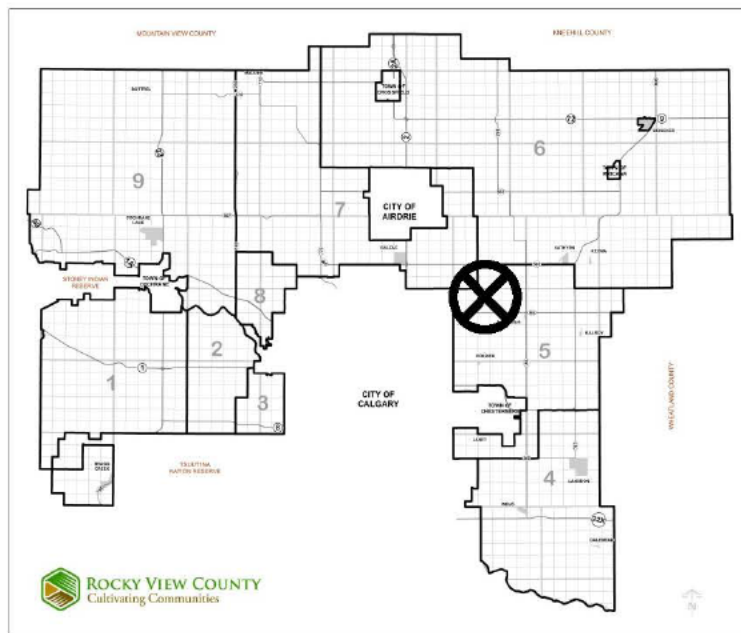
LEGAL DESCRIPTION: Lot 1 Plan 0012040 within
SE-33-25-28-W04M

FILE: PL20190092 / 05333083

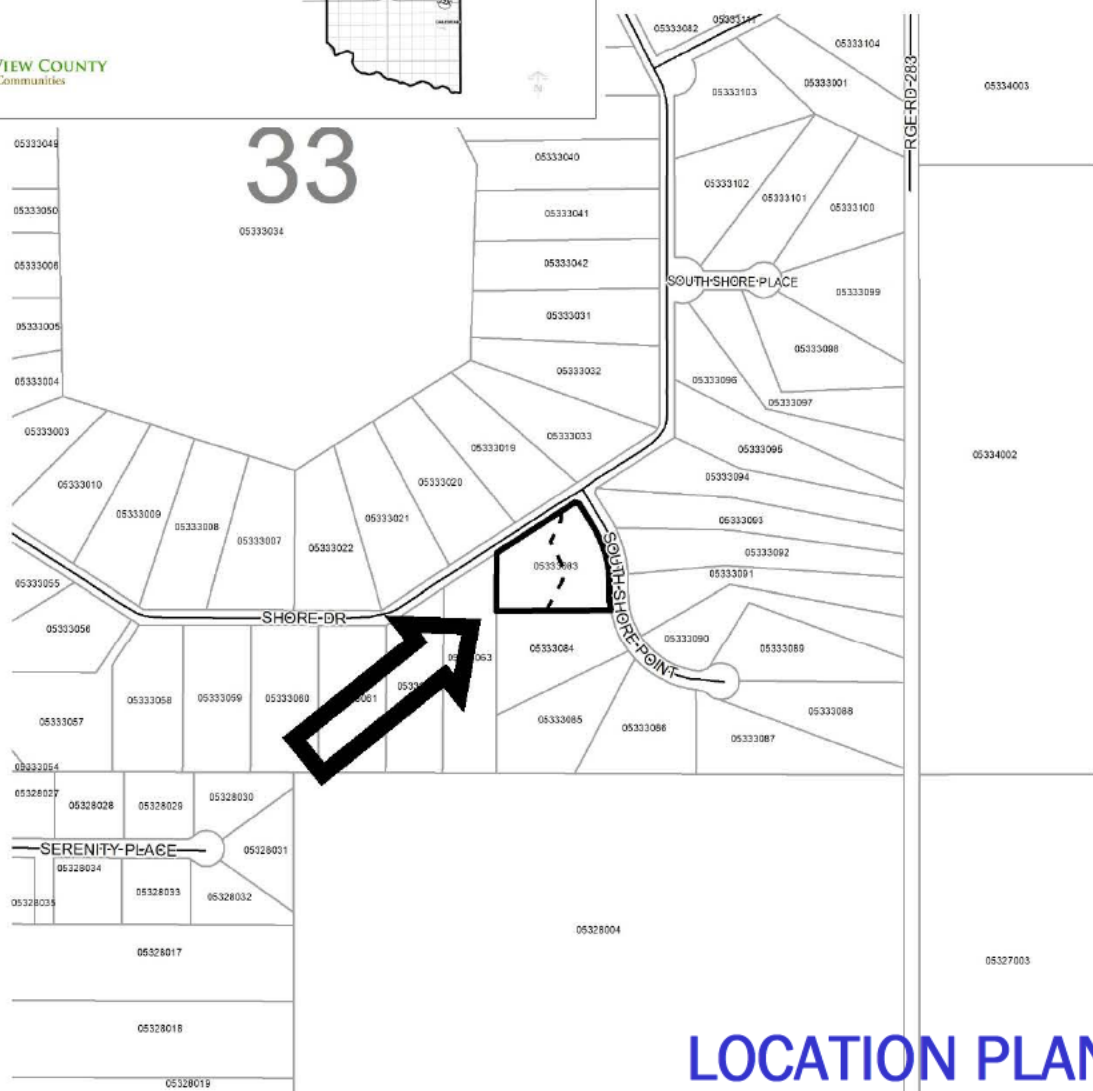
DIVISION: 5



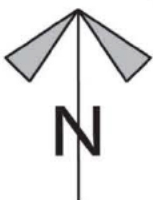
ROCKY VIEW COUNTY
Cultivating Communities



ROCKY VIEW COUNTY
Cultivating Communities



LOCATION PLAN

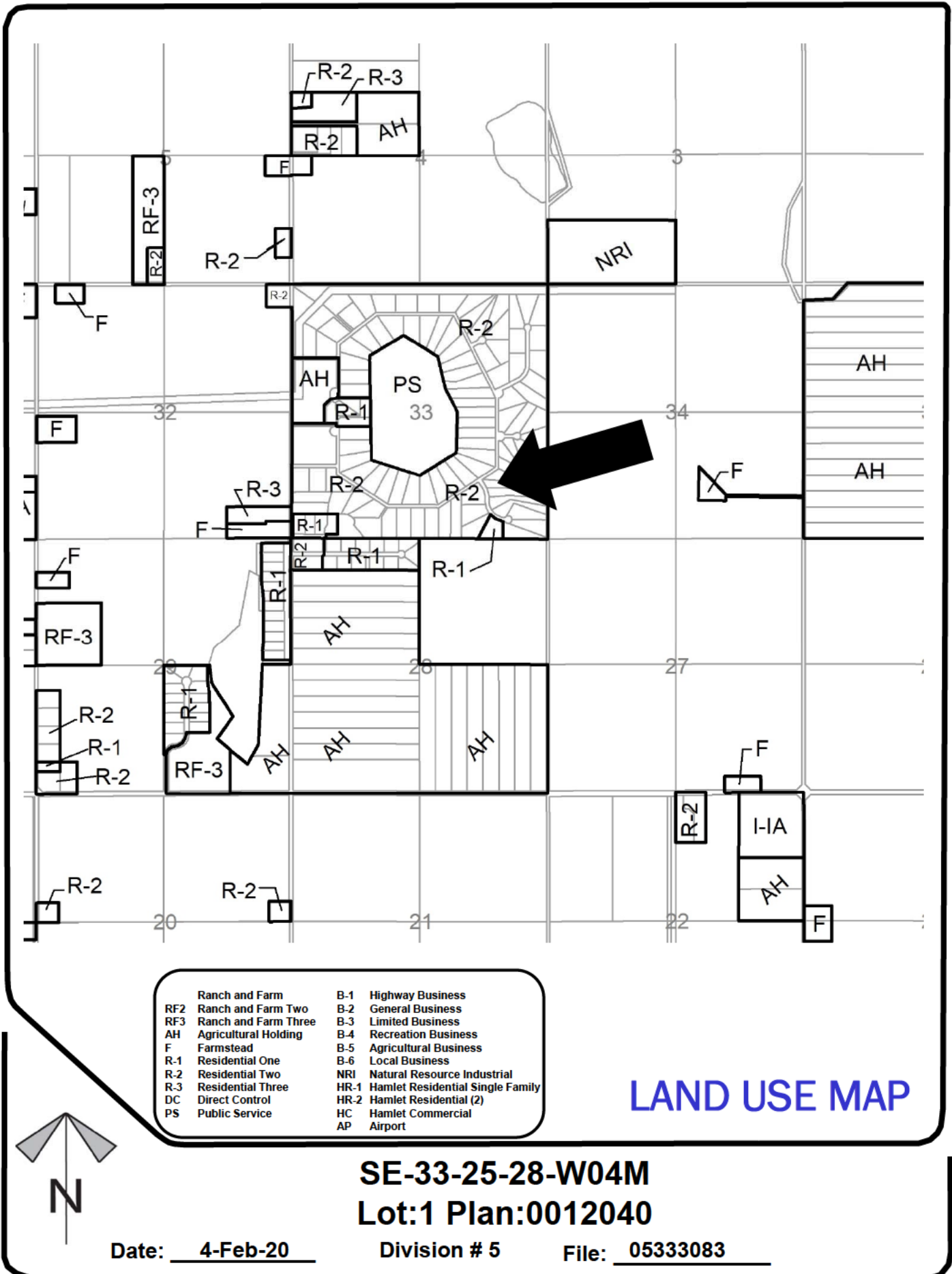


SE-33-25-28-W04M
Lot:1 Plan:0012040

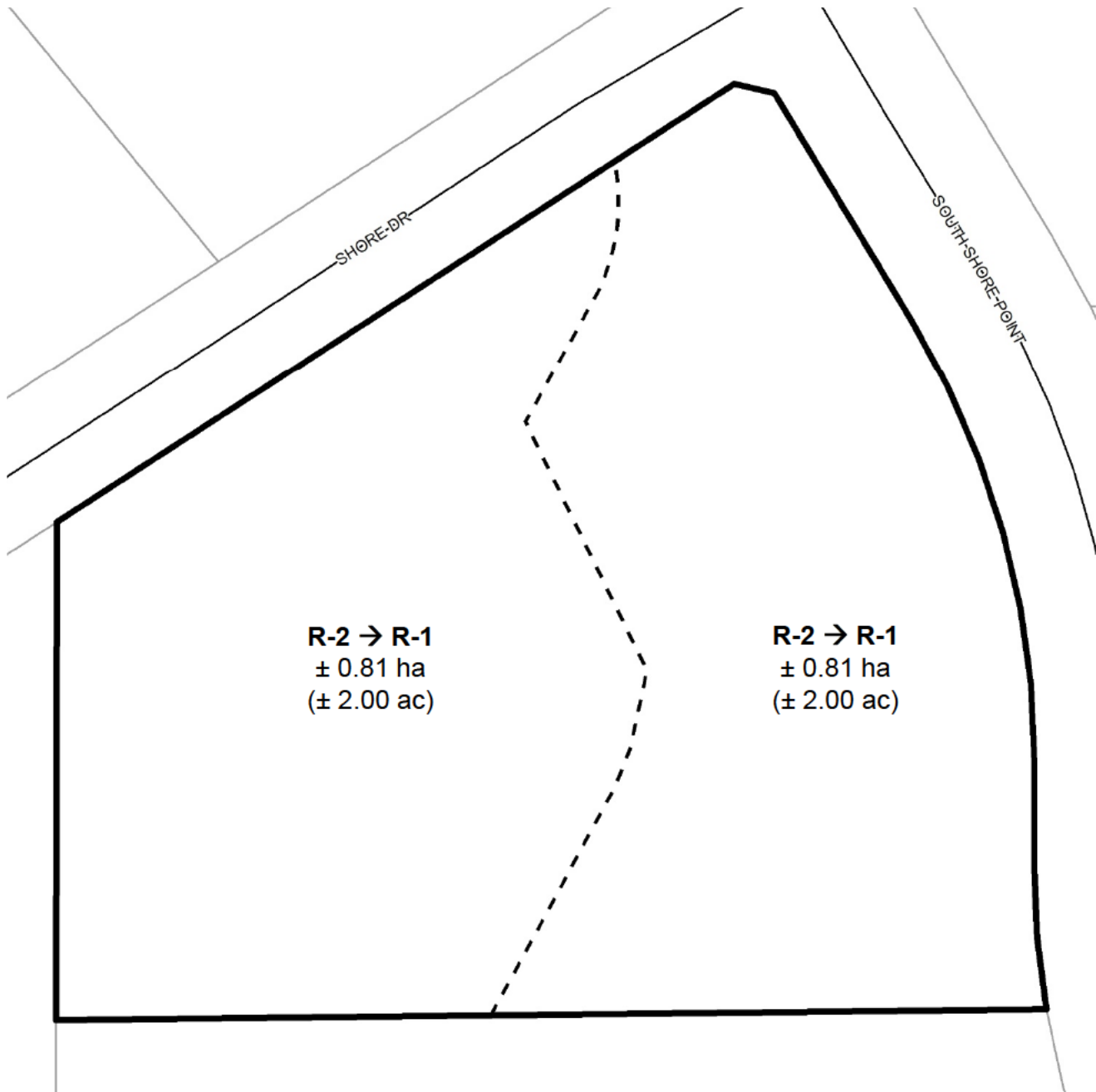
Date: 4-Feb-20

Division # 5

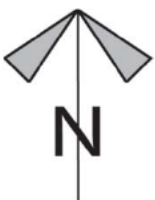
File: 05333083



Development Proposal: To redesignate the subject lands from Residential Two District to Residential One District to facilitate a future subdivision within Lot 1, Plan 0012040



DEVELOPMENT PROPOSAL



SE-33-25-28-W04M

Lot:1 Plan:0012040

Date: 4-Feb-20

Division # 5

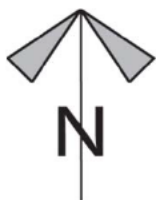
File: 05333083



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

AIR PHOTO

Spring 2018



SE-33-25-28-W04M

Lot:1 Plan:0012040

Date: 4-Feb-20

Division # 5

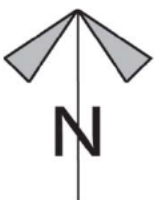
File: 05333083



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TOPOGRAPHY

Contour Interval 2 M



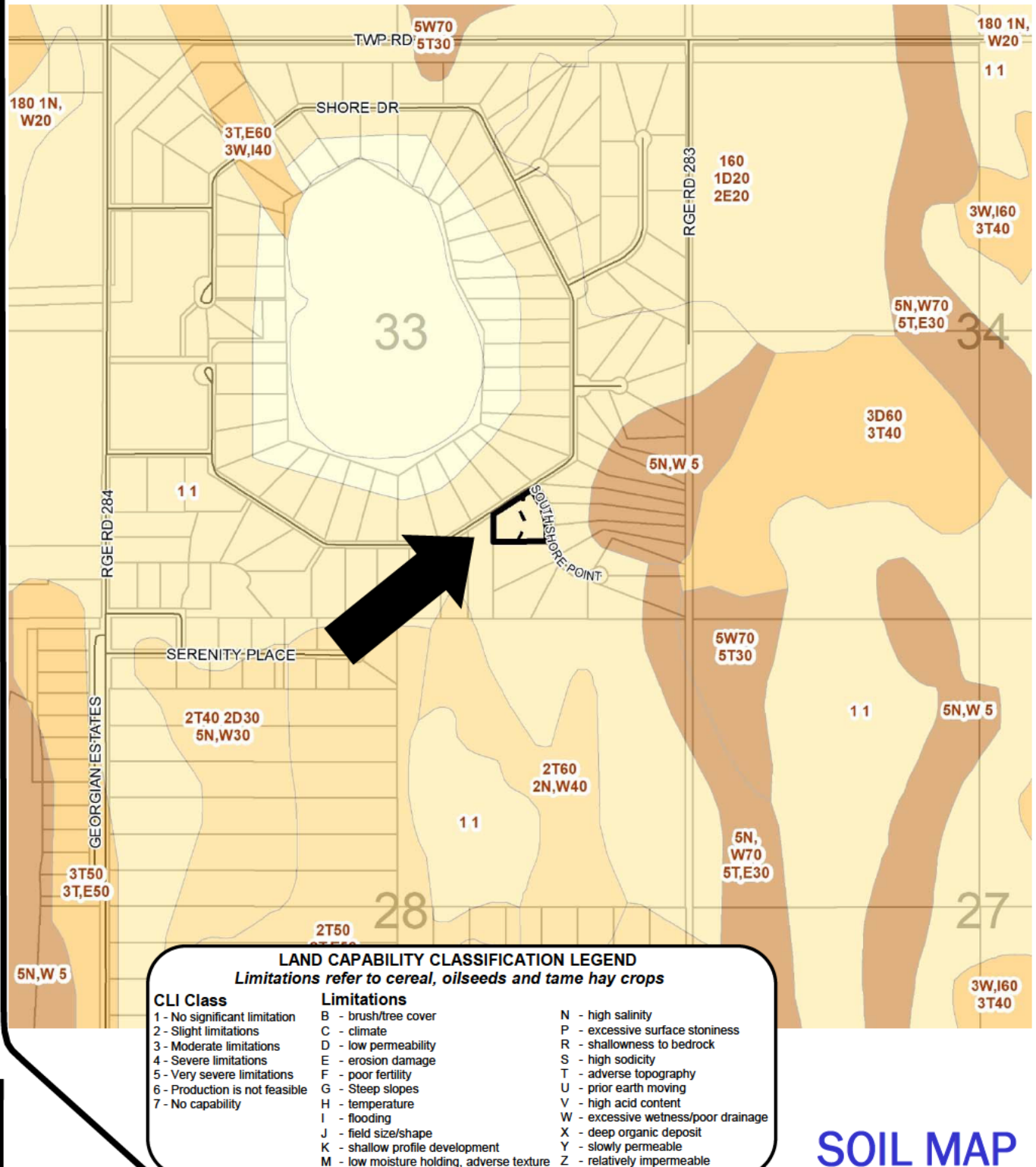
SE-33-25-28-W04M

Lot:1 Plan:0012040

Date: 4-Feb-20

Division # 5

File: 05333083



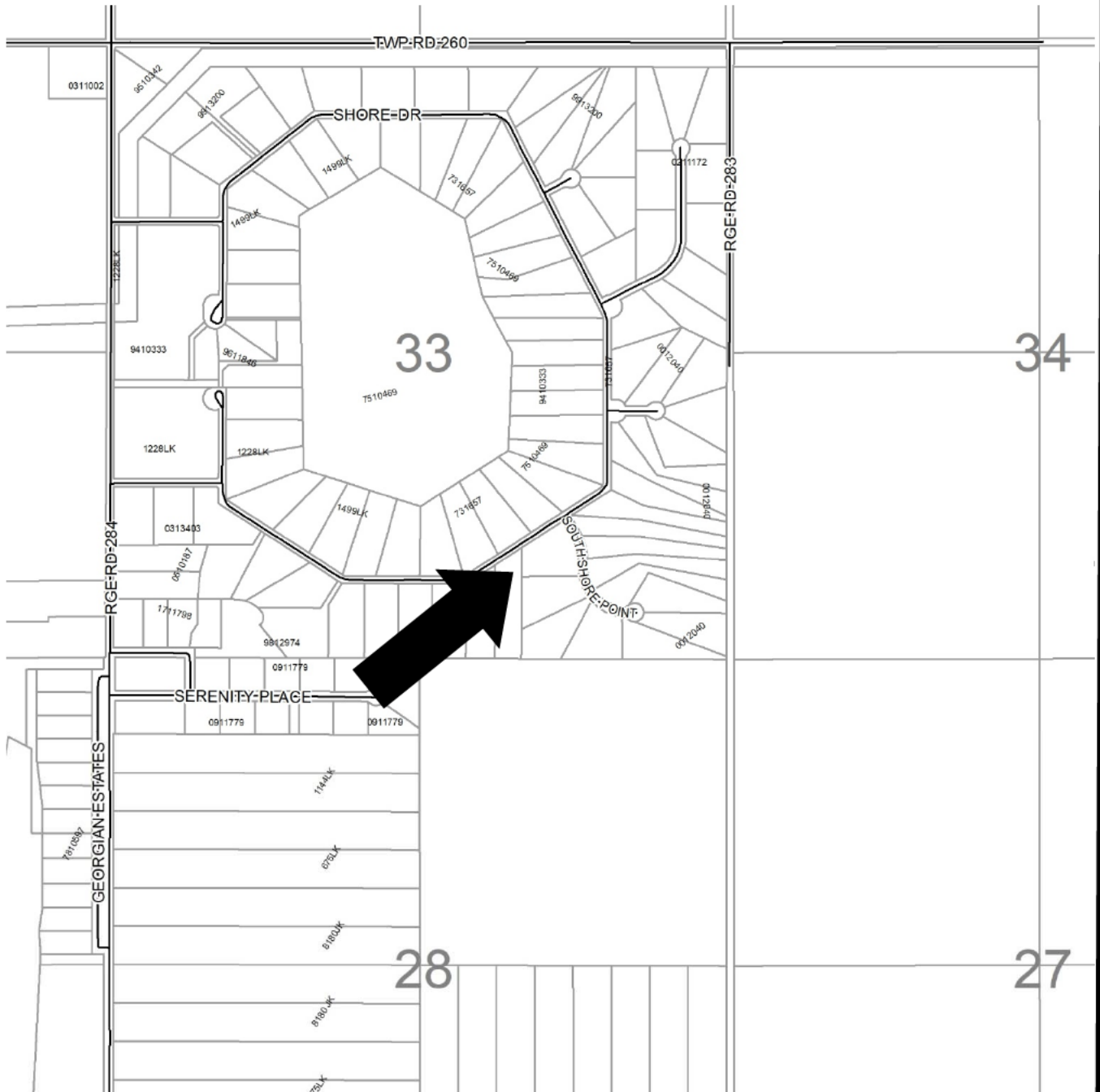
SE-33-25-28-W04M

Lot:1 Plan:0012040

Date: 4-Feb-20

Division # 5

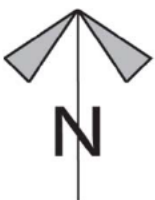
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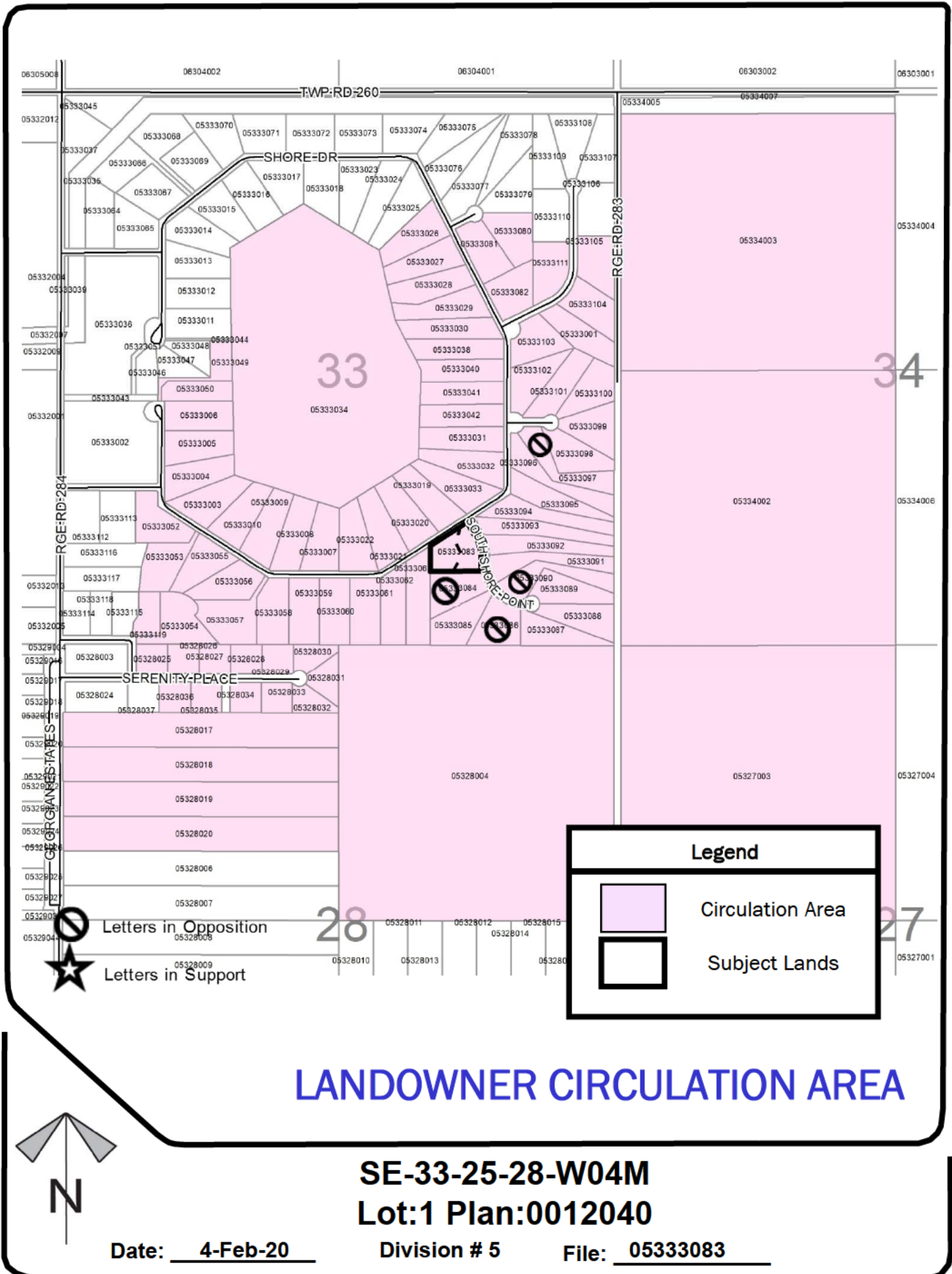
**Legend – Plan numbers**

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

HISTORIC SUBDIVISION MAP**SE-33-25-28-W04M****Lot:1 Plan:0012040**Date: 4-Feb-20

Division # 5

File: 05333083



January 28th, 2020

Rocky View County - Planning Service Department
262075 Rocky View Point
Rocky View County, AB, T4A 0X2

Re: File# 05333083 and Application # PL20190092
C-7953-2019

Dear Rocky View County,

We have been notified regarding a purposed re-designation of land to a Residential One District and would like to take this opportunity to express our opposition to this request.

We are a community of 4 acre parcels of land that already have traffic and speeding issues through the community. The potential for subdivision and more homes and vehicles in the area is not a good idea to keep our kids safe and is not in keeping with the look and feel of our area.

If the applicants wanted a smaller number of acres there is a community south of Conrich already built/under construction to facilitate that need or want. Even just south of our community is smaller lots in Serenity. The 4 acre parcels have been in this community for 19+ years and prior to that with other acreages around the "lake", if 4 acres wasn't your desired size there is another community close to our community with 2 acre parcels as per your previous request to subdivide in August 2019.

Please keep our community intact and please consider the residents that moved into this community for a certain amount of privacy and an acreage life. We do not want to be packed into our community with so many houses it's like living in the city, which we have moved away from. We want space and less construction, we moved into an established community with a set number of lots. Additional subdivision is not an improvement in our community which is driven by a desire for space and distance from neighbouring homes.

We also don't agree with the application as this property has an easement for our community water co-op. Our drinking water is stored and treated on the corner of the purposed re-designation site. Having a septic tank or field so close to our water is disturbing at best and would not give me confidence in our ability to keep pollutants out of our system as it is today. We as the community manage the distribution and treatment of the water as we are not on a system operated by the county. Further testing and treatment may be required with the additional system and closeness of a septic system. This additional testing and treatment comes at a cost that would directly impact all residents on the water co-op with increased costs. I also request that the county send letter's of impact/comment and a copy of the notice of public hearing to all residents of the water co-op before providing a response to the purposed

application as this was not done according to the circulation area included in the notification. This purposed change has a direct impact on 5 properties not included on this notice.

We also have residents in the community not obeying livestock and animal by laws. Currently this residence has chickens which is allowed on a 4 acre parcel. Approving the re-designation would require by-law to enforce the livestock rules for the change. I bring this up to draw attention to the fact that people move out here and don't follow the rules and think they can change those rules after the fact.

Please consider all this information and we hope you decline this request.

Yours truly,



Jessica Reinhart

104 South Shore Place
Rocky View County, AB T2M4L5

Johnson Kwan

From: Michelle Mitton
Sent: Monday, January 27, 2020 3:38 PM
To: Johnson Kwan
Subject: FW: By LAW -7953-2019

Categories: Yellow Category

FYI

MICHELLE MITTON, M.Sc
 Legislative Coordinator | Municipal Clerk's Office

ROCKY VIEW COUNTY
 262075 Rocky View Point | Rocky View County | AB | T4A 0X2
 Phone: 403-520- 1290 |
MMitton@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: Remple, Kristen [REDACTED]
Sent: Monday, January 27, 2020 3:20 PM
To: PAA_ LegislativeServices <legislativeservices@rockyview.ca>
Subject: By LAW -7953-2019

Monday, January 20, 2020
 Legislative Services
 Rocky View County
 Bylaw Number: C-7953-2019
 Division 5, Lot 1 Plan 0012040
 Rezone from Residential Two District to Residential One District
Letter in OPPOSITION

As we are unable to attend the hearing on this matter in person, we are submitting this letter as our statement in **OPPOSITION** to this rezoning application with the following concerns:

Provision of Water: the current four-acre parcel lot is part of a water co-operative owned and operated by 30 households within the Prairie Royale Estates community. As members of that water co-op, we are concerned about the environmental impact of adding another home to the limited capacity wells we are using. Have the landowners or Rocky View County contacted Alberta Environment & Parks to conduct a deliverability survey to determine if our water system can tolerate additional homes being added? It is our understanding that the current usage rates come close to the Co-op's Alberta Environment and Parks license rates, and that adding a new home may cause them to go over our license agreements. We are also concerned because the pumphouse for the water co-op is on the proposed new lot, and the easements and accessibility must be maintained.

Disposal of Sewage: We are concerned about adding septic tanks and a septic field in proximity to the existing pumphouse and underground storage system that belong to the water coop. What are the septic system regulations in this scenario? The 30 lots were engineered to a standard that allows each lot access to the water system. The proposed division of this property North-South deviates from these standards.

Disposal of Sewage: there appears to be a natural drainage way on the property. Has there been an assessment to determine the perc rate for two septic fields on this parcel of land?

Parcel Size: Prairie Royale Estates is a well-established, fully developed community of 4+ acre lots. Of the 104 lots within Prairie Royale Estates, only four of them are smaller (approx. 2 acres) lots. Those four lots are not in proximity to the land in this application. When homeowners purchase homes in a finished and well-established community such as this one, the expectation is that what is established is the standard to which the community will remain. Subdividing four-acre parcels into two-acre lots is not compatible within the existing parcel size of the 100 four acre lots.


Rocky View County has many 2-acre-lot neighbourhoods and areas for potential buyers seeking this size of lot, including two areas not far from Prairie Royale Estates, with both Delrich Meadows and Georgian Estates providing 2-acre options in this region. There are also many other areas within the broader county that provide options for buyers and builders looking to establish homes on 2-acre lots. It is key to the integrity and longevity of this existing 4-acre community to remain as planned and established.

Parcel Size: There are several homes along South Shore Pt (the same road as the lot in question's legal address) which are unable to be subdivided due to the lots facing a flood zone. Over time, if half of the street has homes subdivided into smaller lots and half the street unable to do so, the overall appearance of the street will deteriorate. This application to subdivide is not compatible with the regulated existing land usage of the lots along the street.

Accessibility: the land in question sits on a cul-de-sac and there are concerns over increased traffic flow within the cul-de-sac as well as traffic disruption during construction of a new lot and home.

We thank the Planning Services Department of Rocky View County for taking our concerns regarding this application into serious consideration before simply approving the bylaw change.

Kristen Remple
118 South Shore Pt.
Delacour AB



Johnson Kwan

From: Neil MacDonald [REDACTED]
Sent: Friday, January 17, 2020 5:09 PM
To: PAA_ LegislativeServices; Johnson Kwan
Cc: Sangeeta Vishwakarma
Subject: PI20190092 Application Number
Attachments: lot 1 subdivide response.pdf

Categories: Yellow Category

This is in response to the above mail i received.

Previous response of which I do not know what transpired I wrote the following: Some of my questions are as follows:

- Inaccurate Drawings sent out in Rocky View County notice can lead to misleading approvals and perception. Drawings show septic tank lids and doesn't show water lines, septic fields, missing buildings and inaccurately labeled buildings leads one to be skeptical of what else is wrong. This application needs to be corrected and resent out to community.
- Documentation sent out in applications needs to have more information, for this one and all future ones.
- The existing curb stop would be used for new empty lot as curb stop is on 23 and not on lot 22 where existing home is located.
- There is no existing main Water line in front of future lot 22 as it is now on Shore drive not South Shore Point.
- An address change needs to be done by owner.
- A new Curb Stop would have to be added to lot 22 to service the existing home. All costs to add a new connection is paid by owner.
- Existing drawing does not show water line (Utility Right of way) for existing water line.
- Has Alberta Environment and Parks been contacted regarding this request? Water Co-op may need an increase to Water license to accommodate this additional lot with future new home. We are maximum capacity with existing 30 lots.
- The average usage of water per household is 18 Cubic Meters per month or 216 Cubic meters per year. Current water license is 4800 cubic meters, last year we consumed 4733 cubic meters.
- Are animals (Chickens, horses, etc) allowed on 2 Acre parcels or on 4 Acres or more?
- A new service connection fee of \$25,000-\$35,000 will be due and payable to Water Co-op.
- A fee would be charged for buying into the existing reserve fund - that amount is to be determined.
- The Planning Drawing shows a shed, it is the water co-op building.

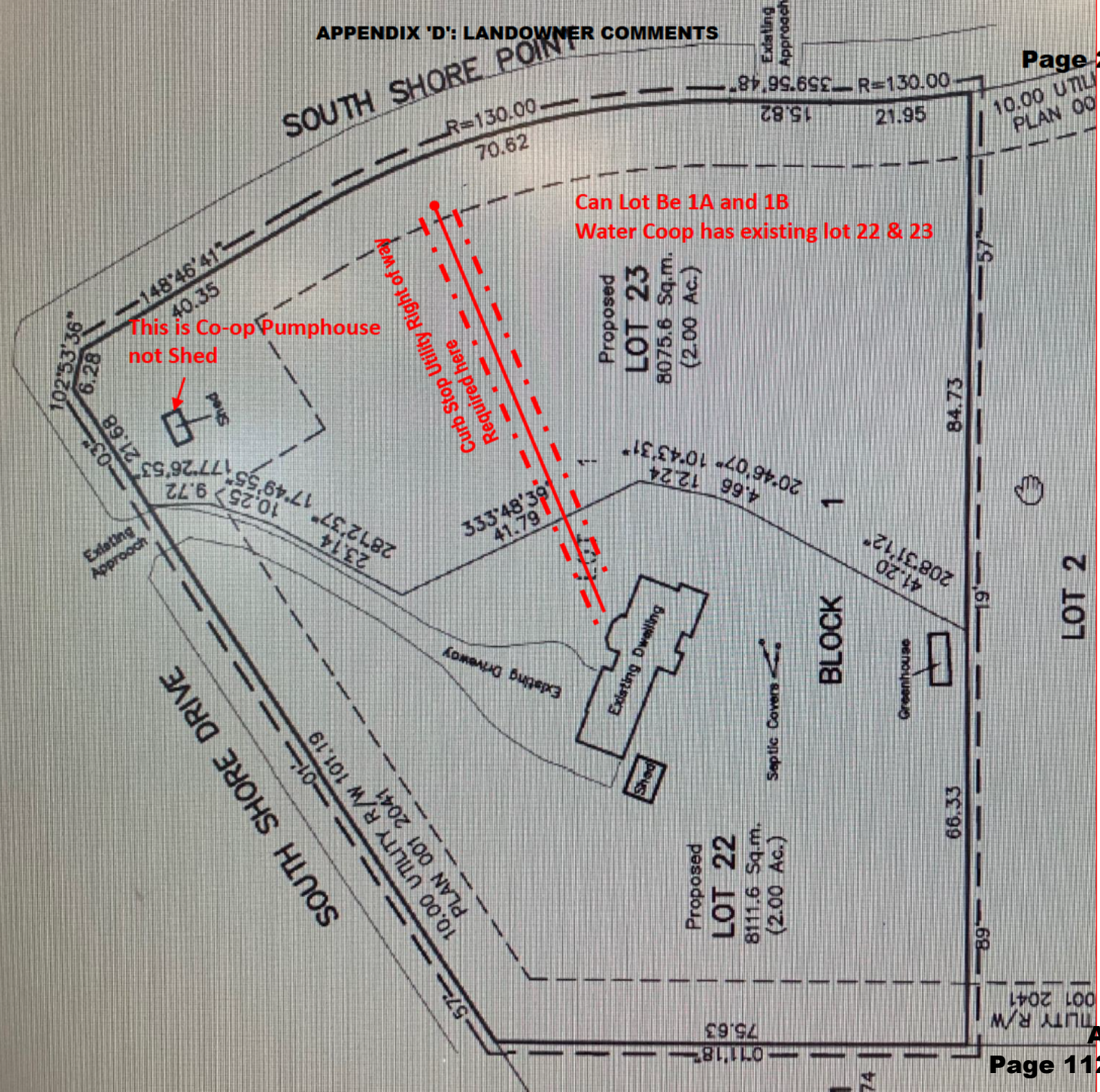
- New lot additions to the water co-op will be required to pay the entire cost of connecting to the existing water co-op if they require water service from the Water Co-op.
- Well #3 our good well is close to maximum. At some point we may have to drill a new well. As all existing home owners would have to pay their portion of the expenses, this is causing concerns.
- Restrictive covenant needs to be applied to both lots.
- Lack of bylaw enforcement on animal restrictions and illegal suites causes our water usage increase.

attached is a pdf file of what i submitted back in July 2019. Can we meet and discuss these items prior to going to public meeting?

--

Neil MacDonald



Reply to your file number 05333083 application PL20190092

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- Restrictive covenant needs to be applied to both lots.
- Lack of bylaw enforcement on animal restrictions and illegal suites causes our water usage increase.

Jeremy Lupien & Jennifer Jellema
134 South Shore Pt.
Delacour, AB

Monday, January 20, 2020

Legislative Services
Rocky View County

Bylaw Number: C-7953-2019
Division 5, Lot 1 Plan 0012040
Rezone from Residential Two District to Residential One District

Letter in **OPPOSITION**

As we are unable to attend the hearing on this matter in person, we are submitting this letter as our statement in OPPOSITION to this rezoning application with the following concerns:

Provision of Water: the current four-acre parcel lot is part of a water co-operative owned and operated by 30 households within the Prairie Royale Estates community. As members of that water co-op, we are concerned about the environmental impact of adding another home to the limited capacity wells we are using. Have the landowners or Rocky View County contacted **Alberta Environment & Parks** to conduct a deliverability survey to determine if our water system can tolerate additional homes being added? It is our understanding that the current usage rates come close to the Co-op's Alberta Environment and Parks license rates, and that adding a new home may cause them to go over our license agreements. We are also concerned because the pumphouse for the water co-op is on the proposed new lot, and the easements and accessibility must be maintained.

Disposal of Sewage: We are concerned about adding septic tanks and a septic field in proximity to the existing pumphouse and underground storage system that belong to the water coop. What are the septic system regulations in this scenario? The 30 lots were engineered to a standard that allows each lot access to the water system. The proposed division of this property North-South **deviates** from these standards.

Disposal of Sewage: there appears to be a natural drainage way on the property. Has there been an assessment to determine the perc rate for two septic fields on this parcel of land?

Parcel Size: Prairie Royale Estates is a **well-established, fully developed** community of 4+ acre lots. Of the 104 lots within Prairie Royale Estates, only four of them are smaller (approx. 2 acres) lots. Those four lots are not in proximity to the land in this application. When homeowners purchase homes in a finished and well-established community such as this one, the expectation is that what is established is the standard to which the community will remain. Subdividing four-acre parcels into two-acre lots is not compatible within the existing parcel size of the 100 four acre lots.

Rocky View County has many 2-acre-lot neighbourhoods and areas for potential buyers seeking this size of lot, including two areas not far from Prairie Royale Estates, with both Delrich Meadows and Georgian Estates providing 2-acre options in this region. There are also many other areas within the broader county that provide options for buyers and builders looking to establish homes on 2-acre lots. It is key to the integrity and longevity of this existing 4-acre community to remain as planned and established.

Jeremy Lupien & Jennifer Jellema
134 South Shore Pt.
Delacour, AB

Parcel Size: There are several homes along South Shore Pt (the same road as the lot in question's legal address) which are unable to be subdivided due to the lots facing a flood zone. Over time, if half of the street has homes subdivided into smaller lots and half the street unable to do so, the overall appearance of the street will deteriorate. This application to subdivide is not compatible with the regulated existing land usage of the lots along the street.

Accessibility: the land in question sits on a cul-de-sac and there are concerns over increased traffic flow within the cul-de-sac as well as traffic disruption during construction of a new lot and home.

We thank the Planning Services Department of Rocky View County for taking our concerns regarding this application into serious consideration before simply approving the bylaw change.

Jeremy Lupien & Jennifer Jellema
134 South Shore Pt.
Delacour AB

AGENDA
Page 116 of 328

production from the two wells is blended at the pump house where it is treated to ensure that we are able to meet our licencing requirements. Our treatment is the addition of sodium hypochlorite for disinfection purposes only. No filtration or fluoride reduction technology is used. The high sulphide concentration in well #4 means a higher sodium hypochlorite demand to meet requirements. As use from well #4 goes up, so does the sodium hypochlorite use. The more we can maintain the bulk of our water from well #3 the better. The licensed and actual diversion rates from 2017 to July 2019 are as follows:

	Licenced Diversion Rate (m3)	2017	2018	through July 2019
Well #3	4,800	4,999	4,733	2,580
Well #4	15,545	1,434	1,656	1,178

As you can see we are at the upper threshold of our licenced diversion rate for well #3.

One option to address the threshold production limit on well #3 is to apply to AEP to amend our Licence to increase the diversion rate. This application would require a hydrogeologist to determine if the aquifer can sustain an increase. As well, the hydrogeologist would have to assess what impact the production increase would have on all the surrounding wells. If it's a yes then the AEP hydrogeologist would have to agree with this assessment - which we are advised, doesn't always happen. The cost for this is estimated to be anywhere from \$10,000 - \$20,000. As this cost would not be required without an additional lot increasing demand on the system, this is a cost that will have to be covered by the new lot owner prior to any connection and an agreement between EPRRA and the current landowner implemented prior.

Tie-in Costs

As per the Restrictive Covenant Agreement, dated February 3, 2008, the following clause is in effect:

“Nothing in this Restrictive Covenant Agreement restricts or prevents the further subdivision of any of the Dominant Lands or Servient Lands. A new lot created by the subdivision of a lot forming part of the Dominant Lands (a “New Lot”) may access the Water System subject to fulfillment of each and every one of the following requirements:

- a) The subdivision must be carried out in accordance with all applicable laws including receipt of all necessary municipal subdivision and development approvals;
- b) Any work connecting the New Lot shall be done in accordance with the requirements of the System Operator and, at the option of the System Operator, the connection to the Water System may be done by (1) the System Operator, (2) a contractor selected by the System Operator, or (3) a contractor hired by the owner of the New Lot if the contractor is approved by the System Operator;
- c) If the connection is done by the New Lot owner or a contractor hired by the New Lot owner, then the owner of the New Lot shall (and does hereby) indemnify the System

Owner and the owners of the other Servient Land from any costs, expenses or damages caused by the connection of the New Lot to the Water System;

- d) The Owner of the New Lot shall pay a tie in fee established by the System Operator reflecting then current market tie in fees charges in the M.D. Rockyview to tie into water cooperatives and other similar water collectives (such tie-in fee to be applied against capital and then operating costs of the Water System) (for historical reference the value attributed to the water system tie in when the Dominant and Servient Lands were first subdivided in 2001 was \$10,000 per lot).

The new Lot will be subject to all the benefits and restrictions of this Restrictive Covenant Agreement applicable to the Dominant Lands and Servient Lands (i.e. the same benefits and restrictions that applied to the original lot the New Lot was subdivided out of) including provisions regarding membership in the Association (and this Restrictive Covenant Agreement shall continue to be registered against pieces into which any the Dominant/Servient Lands may be divided.”

A copy of this Restrictive Covenant Agreement was provided to Jasbir Padda on June 20, 2019.

At this time, we have not finalized the actual tie in fee but based on early research we anticipate the initial cost will be in the range of \$20,000 to \$30,000. There will also be an equalization payment required to buy into the capital reserve fund that has been established and continues to be contributed to. At this time the cost would be about \$1,500.

Lot Numbering

We are aware that the proposed lot numbering for the new lots would be lot 22 and Lot 23. We would ask that Rockyview consider Lot 1A and Lot 1B. Our water system already has lots 22 and 23 (just different plan numbers).

Easements and Utility Right-of-Ways

The EPRRA has easements on all lands for things such as wells, pipelines and the pump house. According to the diagram provided in your July 24, 2019 letter (see Attachment #1), our pump house and main water distribution line would be located on the new lot. We want to ensure that all easements and rights-of-way are transferred to the new lot. It is our understanding that Rocky View County ensures the transfers occurs when a new land title is created.

Also, the water supply line and curb stop to the existing house will located on the new lot. I am not sure what impact this may have regarding access and maintenance activity. Please see Attachment #2. If this needs to be relocated or for some reason the water line and curb stop must be on the lot associated with the service, then this is not likely possible under our current set-up.

The owners of the current lot have granted us access to our pump house via an alternate approach. As the entire lot is fenced we would ask that the existing fence be re-located along the easement or a gate be installed to allow access by truck. As a footnote, the existing lot has an address on South Shore Point whereas their approach is on Shore Drive.

Septic and Sewage

The new property line is actually a natural water course that runs through the property. Also, as indicated prior, our pump house is located on the proposed new property. Our pump house has 4 underground storage tanks located in and just outside the building. I am aware that AEP setbacks as outlined in the Water (Ministerial) Regulation are: septic Tank to well - 10 metres Septic Field to well - 15 metres. In addition, the existing septic field is not located on any diagrams and may impact placement of future septic fields. I am not sure what, if any, setbacks are in place for proximity to underground potable water tanks and natural water course. Any insight would be appreciated.

In Summary:

1. Water usage is approaching our license threshold and license amendments may be required. There is no guarantee an amendment will be approved by AEP. We would recommend you contact AEP in this regard.
2. Costs associated with accessing the EPRRA water system will include a \$20,000 - \$30,000 initial tie in fee, equalization into the capital reserve fund, and potentially a water deliverability and assessment fee if a license amendment with AEP is required.
3. Easements, restrictive covenants, and right-of-way's must be transferred to the new lot and it is our understanding that Rocky View County handles this at land titles.
4. Septic tanks and fields must meet required setbacks for underground potable water storage tanks and pipelines. Please confirm what those setback distances are.

If you have any questions regarding the foregoing, please do not hesitate to contact me at [REDACTED] or email at [REDACTED]

Thank you.

Jeff Wickens, President
East Prairie Royale Residents' Association

Encl.



PLANNING AND DEVELOPMENT SERVICES

TO: Council
DATE: February 11, 2020 **DIVISION:** All
FILE: N/A
SUBJECT: Nose Creek Watershed Model Project – Grant Application

EXECUTIVE SUMMARY:

Rocky View County is a founding member of the Nose Creek Watershed Partnership (NCWP), which was formed in 1998. The County supports and participates in several watershed groups including the NCWP.

An identified action of the Nose Creek Watershed Water Management Plan, updated in 2018, is to develop a hydrologic/hydraulic and water quality model at the watershed-scale. A consultant representing the NCWP will present to Council to provide details on this project, and the presentation materials are attached in Appendix 'A'.

The NCWP is aiming to fund the project predominantly through the Alberta Community Partnership Intermunicipal Collaboration Grant (ACPICG). As part of the ACPICG application for funding, all members in the partnership, including Rocky View County, must pass resolutions or motions supporting their involvement in the project.

To apply for funding from the ACPICG, NCWP will need one municipality to act as managing partner, and each municipality can only submit one application per year to the ACPICG. The Town of Crossfield has agreed to lead the application for this project, allowing other municipalities to submit applications for the funding of other projects in 2020 if needed.

An option is included within this report for Council to confirm its support for the model project and to designate the Town of Crossfield as managing partner for the project.

ADMINISTRATION RECOMMENDATION:

In accordance with Option #1, Administration recommends that the presentation by the NCWP be received as information, that support is given for the County's involvement in the hydrologic/hydraulic and water quality model project, and that the Town of Crossfield is designated as managing partner for the project.

BUDGET IMPLICATION(S):

This is not a request to the County for funding from the Nose Creek Watershed Partnership and so there are no budget implications.

OPTIONS:

- | | | |
|------------|-----------|--|
| Option #1: | Motion #1 | THAT the Nose Creek Watershed Model Project presentation by the Nose Creek Watershed Partnership be received as information. |
| | Motion #2 | THAT Council supports Rocky View County's involvement in the project to establish an intermunicipal decision-support system and modelling tool for the Nose Creek watershed project. |

Administration Resources

Milan Patel, Planning and Development Services



Motion #3 THAT Council designates the Town of Crossfield as managing partner for the Nose Creek Watershed Model Project.

Option #2: THAT alternative direction be provided.

Respectfully submitted,

Concurrence,

“Theresa Cochran”

“Al Hoggan”

Executive Director
Community Development Services

Chief Administrative Officer

MP/lt

APPENDICES:

APPENDIX ‘A’ – Nose Creek Watershed Partnership Presentation

Nose Creek Watershed Partnership



Presented to: Rocky View County Council

Presented by: Sandi Riemersma, Palliser Environmental Services Ltd. on behalf of the
Nose Creek Watershed Partnership

February 11, 2020

Overview

- Nose Creek Watershed Partnership
- Review of activities
- Nose Creek Watershed Water Management Plan – Implementation and Priorities
- Nose Creek Model Project



Nose Creek Watershed Partnership (NCWP)



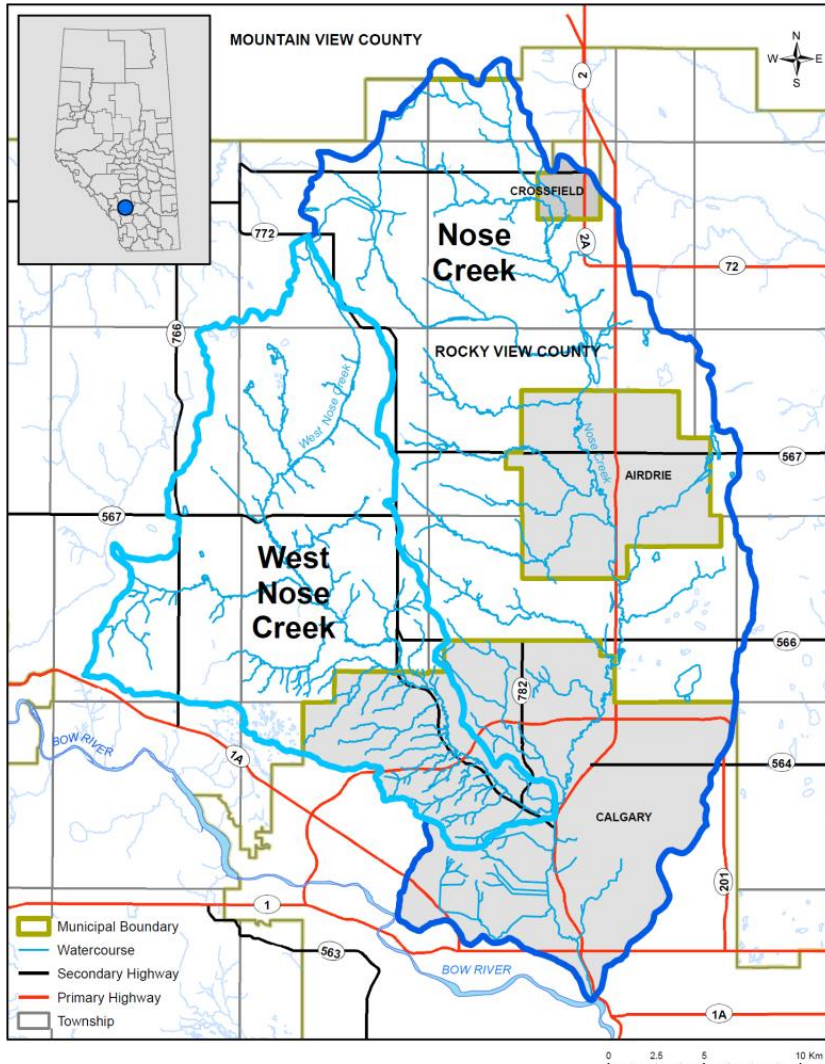
- Formed in 1998
- Partners are:
 - Rocky View County
 - Bow River Basin Council
 - Calgary Airport Authority
 - City of Airdrie
 - The City of Calgary
 - Town of Crossfield

NCWP Goal

Protect riparian areas and manage streamflows in the Nose Creek watershed to mitigate impacts of flood and drought, and improve water quality for water users and aquatic life.



Nose Creek Watershed



Gross Watershed Area:
989 km²

Effective Watershed Area: 743 km²



Key Nose Creek Watershed Concerns

- Increased streamflow, altered hydrology
 - Increased erosion, sediment transport
 - Increased flood risks
- Loss of Natural Features
 - Wetlands and ephemeral streams are being drained and backfilled
 - Intermittent creeks are channelized or engineered into underground infrastructure
 - Natural vegetation is removed and soil structure is lost
- Water quality
 - Nutrients (phosphorus)
 - Total suspended solids
 - Fecal coliform bacteria
 - Conductivity (salts)



NCWP Activity

NCWP
Formed

1998

Nose Creek
Watershed Water
Management Plan
(NCWWMP)

2006-2008

Updated
NCWWMP

2016-2018

2002 -2006

Surface Water Quality
Monitoring (1999-2001)
West Nose Creek Stream
Corridor Assessment (COC)
Nose Creek Basin Instream
Flow Needs Study
Evaluation of Source Control
Runoff Volume Criteria
(Technical Memo)

2009-2016

Surface Water Quality
Monitoring (2009-2013)
Nose Creek Internal
Drainages Study
Internal Drainage Areas
Policy Statement
Stormwater Quality
Monitoring (2014-2016)

Updated Nose Creek Plan

- Addressed concerns with Nose Creek Plan (2008) implementation, and new challenges
 - Runoff Volume Control Targets
 - Stormwater management (redevelopment)
 - Wetland retention
 - Value of ephemeral/intermittent watercourses to watershed hydrology and water quality
 - Monitoring and evaluation tools
 - Lack of consistent monitoring programs to support and measure plan implementation progress
 - Lack of monitoring data to validate assumptions and effectiveness of practices being implemented
 - Communication and networks with stakeholders



2019

Renewed Support for Updated Nose Creek Plan

- January 21- City of Airdrie
- July 2 - Town of Crossfield
- July 9 - Rocky View County
- July 22 - The City of Calgary
- September - Bow River Basin Council
- December - Alberta Environment and Parks
- Calgary Airport Authority



Updated Nose Creek Plan

Implementation and Priority Actions

1. Develop a hydrologic/hydraulic and water quality watershed-scale model
2. Design and implement a standardized water monitoring program
3. Initiate streambank erosion monitoring program
4. Complete a watershed scale wetland inventory and valuation
5. Watershed condition reporting



Nose Creek Watershed Model Project Objectives

1. Develop a watershed-scale model that can measure and predict changes in watershed hydrology, hydraulics and water quality through time.
2. Apply the model to better understand current conditions:
 - Potential effects of climate change on hydrology and water quality
 - Importance of wetlands and aquifers to water storage
 - Importance of ephemeral and intermittent watercourses to maintaining streamflow and water quality
 - Impact of water allocation and use on streamflow in the creeks

Nose Creek Watershed Model Project Objectives

3. Evaluate watershed management strategies that can achieve outcomes of the Nose Creek Plan

- The interaction among existing and recently built communities, and future development in relationship to Nose and West Nose creeks
- The ability of the runoff volume control targets to support an appropriate flow regime, addressing greenfield and redevelopment hydrology
- Water conservation objectives, runoff volume control targets, and water quality objectives



Nose Creek Watershed Model Project Objectives

4. Build and maintain a data inventory and identify data gaps



Nose Creek Model Project

Phased Approach

- Phase I – Model Scoping Study
- Phase II – Model Development
- Phase III - Apply the Model and Assess Current-State Watershed Condition
- Phase IV - Evaluate Watershed Management Strategies and Options



Nose Creek Model Project

Deliverables

- Phase I
 - Approach to develop a calibrated, validated model tool
 - Current data gaps identified and a monitoring program recommended
- Phase II
 - Data is compiled and stored in a useable/shareable form
 - Preliminary working model is available for review and discussion
 - A calibrated and validated model tool is available
 - The model is dynamic and supports long term planning (the tool can evolve through time)
 - The model aligns with jurisdictional processes



Nose Creek Model Project

Deliverables

- Phase III
 - A summary of baseline conditions
 - A common watershed management tool for jurisdictions that is transferrable to other sub-basins
 - Communications summarizing model rational, assumptions and terms of use that can be articulated and provided to stakeholders
 - Clear approach for knowledge transfer to support end-users of the model tool
- Phase IV
 - Scenario outputs
 - Best and most feasible practices identified
 - Refined watershed targets and objectives that are supported by best available science and knowledge



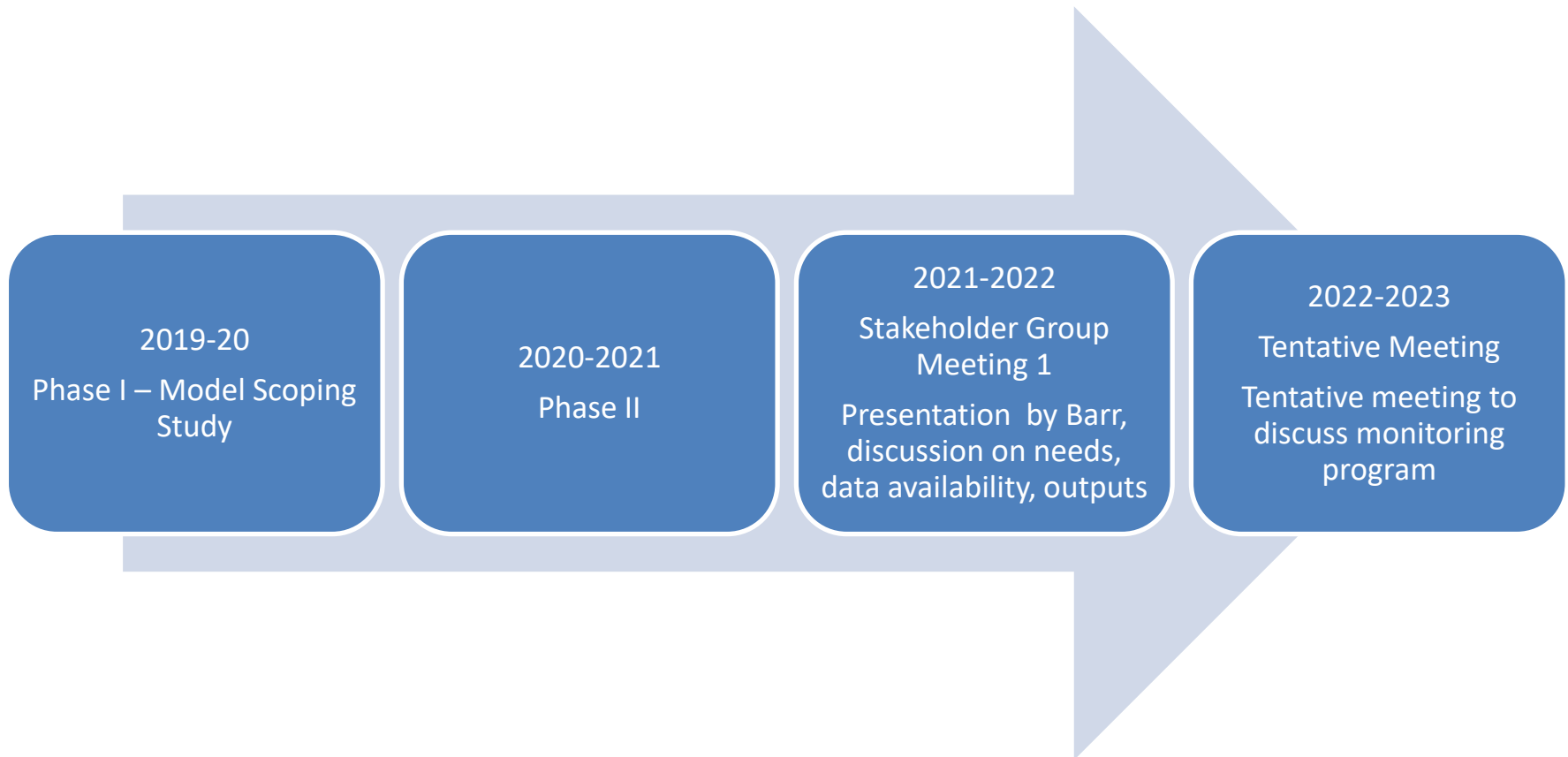
Nose Creek Model Project Measures of Project Success

- Key stakeholders have opportunities to engage in the Nose Creek Model project
- There is support for the use of the model as a land and water management planning tool in the Nose Creek watershed



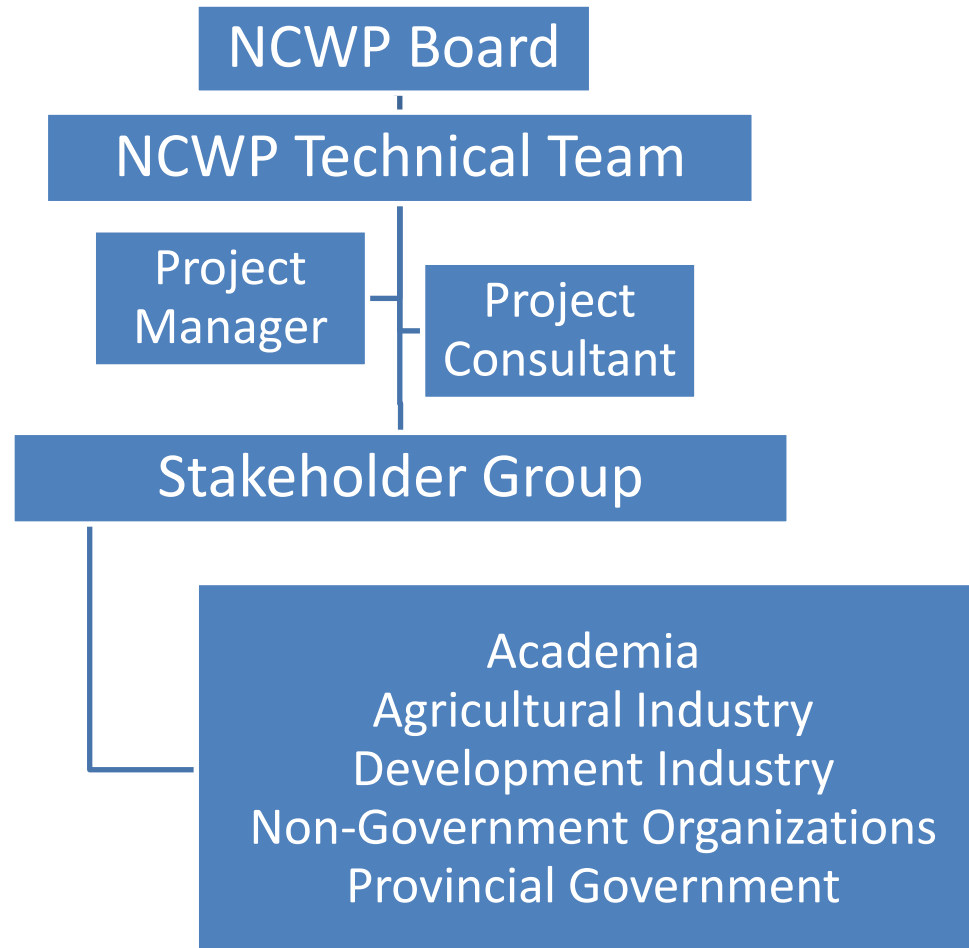
Nose Creek Model Project

Phase I Timeline



Nose Creek Watershed Model Project

Charter and Governance



Nose Creek Model Project

- Phase I is currently underway
 - Project funding received from The City of Calgary (\$50,000) and Alberta EcoTrust (\$30,000)
 - Barr Engineering and Environmental Science Canada leading project
 - Stakeholder Group engaged
- Phase II
 - Seeking funds – application to the Alberta Community Partnership (\$200,000)
 - City of Airdrie contributed \$50,000



Nose Creek Model Project

- NCWP requests a Council Motion to indicate municipal support for the Nose Creek Model Project and for the designated “Managing Partner”
- Required by the Alberta Community Partnership Program to be considered for funding



Nose Creek Model Project

- Suggested wording:
 - *That Rocky View County supports their involvement in the “An intermunicipal decision-support system and modelling tool for the Nose Creek watershed” project, and designates The Town of Crossfield as Managing Partner.*



Questions?



TRANSPORTATION SERVICES

TO: Council
DATE: February 11, 2020 **DIVISION:** 4
FILE: 03214103 / 1025-450
SUBJECT: Boulder Creek Playground Resurfacing Project – Budget Adjustment

POLICY DIRECTION:

Under the *Municipal Government Act*, Council is the approving authority for the County's budget and for adjustments to that budget.

EXECUTIVE SUMMARY:

The proposed budget adjustment is required due to the County receiving a Municipal Demonstration Grant from the Alberta Recycling Management Authority for \$15,604.50 after the approval of the 2020 budget. As these funds are not part of the original project budget, Administration requests an adjustment to include this additional revenue.

ADMINISTRATION RECOMMENDATION:

Administration recommends approval in accordance with Option #1.

BACKGROUND:

The grant funding is intended to be used toward the re-surfacing of the Boulder Creek East playground, which is scheduled for replacement in 2020. The County is planning to install a recycled rubber surface as it offers maximum fall protection and is accessible to children of all abilities, including those using mobility aids. The County will project manage the construction, which is proposed to begin in spring 2020 with an anticipated completion of fall 2020. The total estimated cost for the surfacing replacement is \$56,000.00 which is currently budgeted for in the approved 2020 operating budget.

Should the budget adjustment be approved, the additional funds will be applied towards the next playground due for re-surfacing as identified on the playspace asset management plan.

BUDGET IMPLICATION(S):

Grant funding for \$15,604.50 has been received.

OPTIONS:

- Option #1: THAT the Boulder Creek Playground Resurfacing Project Budget Adjustment be approved as per Attachment 'A'.
- Option #2: THAT alternative direction be provided.

Administration Resources
Iain Smith, Transportation Services



Respectfully submitted,

Concurrence,

“Byron Riemann”

“Al Hoggan”

Executive Director of Operations

Chief Administrative Officer

IS/bg

ATTACHMENTS:

ATTACHMENT ‘A’ – Budget Adjustment Form

ATTACHMENT ‘B’ – 2020 Municipal Demonstration Grant Program Approval Letter

ROCKY VIEW COUNTY
BUDGET ADJUSTMENT REQUEST FORM
BUDGET YEAR: 2020

Description	Budget Adjustment
EXPENDITURES: Boulder Creek Playground resurfacing project	15,600
TOTAL EXPENSE:	15,600
REVENUES: Municipal Demonstration Grant from the Alberta Recycling Management Authority	(15,600)
TOTAL REVENUE:	(15,600)
NET BUDGET REVISION:	0
REASON FOR BUDGET REVISION: <p style="text-align: center;">The budget adjustment is due to grant funding received for the Boulder Creek Playground resurfacing project.</p>	
AUTHORIZATION: <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <p>Chief Administrative Officer: _____ Al Hoggan</p> <p>Executive Director Corporate Services: _____ Kent Robinson</p> <p>Manager: _____</p> </div> <div style="width: 45%;"> <p>Council Meeting Date: <u>February 11, 2020</u></p> <p>Council Motion Reference: _____</p> <p>Date: _____</p> </div> </div>	

Budget AJE No: _____

Posting Date: _____



DELIVERED BY EMAIL

January 08, 2020

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

Attention: Iain Smith, Parks Development Coordinator

Dear Mr. Smith,

RE: 2020 Municipal Demonstration Grant Program

On behalf of Alberta Recycling Management Authority (ARMA), I am pleased to inform you that Rocky View County's application for a 2020 Municipal Demonstration Grant has been approved for a maximum of \$15,604.50.

Your commitment to the environment is evident by your decision to utilize pour-in-place made from Alberta's scrap tires for the Boulder Creek East Playground Resurfacing. This project ensures thousands of scrap tires will be diverted from landfills and recycled into an innovative product for your community to enjoy. Since the inception of the Tire Recycling Program in 1992, 121.5 million tires have been recycled – enough to circle the earth twice! - and the benefits continue to 'roll back' into communities across Alberta.

Attached for your review and signature is a Funding Agreement; please read it carefully and return a signed copy to the ARMA office by February 14, 2020 via e-mail at grants@albertarecycling.ca or by fax at 1-866-990-1122. Once we have endorsed the funding agreement, a copy will be sent to you. Original receipts will be required upon project completion for your approved funding to be disbursed.

If you have any questions, please call our office at 1-888-999-8762 or email grants@albertarecycling.ca

Yours truly,

A handwritten signature in blue ink, appearing to read "Brad Schultz", is written over a horizontal line.

Brad Schultz,
Director of Operations,
ARMA

cc: Reeve Greg Boehlke
Honourable Leela Sharon Aheer, MLA for Chestermere-Strathmore
Caroline McAuley, Chair, ARMA

Box 189
Edmonton, AB, Canada T5J 2J1
Tel: 780 990 1111
Toll Free: 1 888 999 8762
Fax: 780 990 1122
Toll Free Fax: 1 866 990 1122
E-mail: info@albertarecycling.ca

albertarecycling.caThe logo for the Alberta Recycling Management Authority (ARMA), featuring a stylized recycling symbol (three chasing arrows forming a triangle) with a red circle around it.

AGENDA



MUNICIPAL CLERK'S OFFICE

TO: Council

DATE: February 11, 2020 **DIVISION:** All

FILE: N/A

SUBJECT: Potential Joint Assessment Review Board

POLICY DIRECTION:

On November 26, 2019, Council directed Administration to explore the County joining a joint Assessment Review Board (ARB) and report back to Council by February 11, 2020.

EXECUTIVE SUMMARY:

Administration has completed its research on joint ARB's and been in touch with several municipalities about potential partnerships. Administration recently had a discussion with a municipality that Administration would like to explore further before providing options to Council. As such Administration is requesting additional time from Council to explore this matter.

ADMINISTRATION RECOMMENDATION:

Administration recommends approval in accordance with Option #1.

BACKGROUND:

The *Municipal Government Act* (MGA) requires every municipality to have an ARB and allows two or more councils to jointly establish ARB's. The County's ARB currently has one vacancy and four members: Don Kochan and David Sheridan (terms expire October 2020), Ken Sawatzky (term expires October 2021), and Clayton Tychkowsky (term expires October 2022). The 2020 assessment complaint deadline is March 30, 2020. Administration is satisfied that the requested time extension for exploring joint ARB options will not have a negative impact on the MGA's requirement that the ARB make decisions on assessment complaints by the end of the year.

BUDGET IMPLICATIONS:

There are no budget implications at this time.

OPTIONS:

Option #1: THAT Council direct Administration to bring back options for a joint Assessment Review Board once Administration has concluded preliminary discussions with potential partner municipalities.

Option #2: THAT alternative direction be given.

Respectfully submitted,

Concurrence,

"Kent Robinson"

"Al Hoggan"

Executive Director, Corporate Services

Chief Administrative Office

Administration Resources

Kristen Tuff, Municipal Clerk's Office



TRANSPORTATION SERVICES

TO: Council
DATE: February 11, 2020
FILE: 4040-300
SUBJECT: 2020 Road Ban Exemption for Agriculture

DIVISION: All
APPLICATION: N/A

EXECUTIVE SUMMARY:

The 2019 harvest season was shortened significantly due to an early snowfall, which resulted in unharvested crops remaining in fields over winter. Current County practice of implementing road bans in early March and remaining in effect until June will present challenges for those wishing to remove these crops prior to spring seeding. Transportation Services presented to the Agricultural Services Board at the January 16, 2020 meeting to discuss implementing a 2020 Road Ban Exemption for Agriculture to those affected.

Administration will report to Council on the benefits/impacts of the trial program.

ADMINISTRATION RECOMMENDATION:

Administration recommends approval in accordance with Option #1.

BACKGROUND:

The 2019 harvest season was not easy for Rocky View County agricultural producers, as the weather had a serious impact on agricultural operations throughout the County. Approximately 7% of the fields in Rocky View County remain unharvested, with the majority of these being west of Highway 2. Alberta Agriculture estimated losses could total up to \$700 million province wide. Due to the harvest delays, the County is seeking to assist agricultural producers by allowing them to haul their commodities during the spring road ban season. A 2020 Road Ban Exemption for Agriculture is proposed to allow the hauling of grain, oilseeds, and straw from 2019 unharvested fields, on any roadway under the authority of Rocky View County. This exemption will allow the subject ban on any roadway under the authority of Rocky View County to be increased from current status to 100% of Alberta allowable seasonal axle weights.

BUDGET IMPLICATIONS:

There are no budget implications at this time.

COMMUNICATIONS PLAN:

Communication will be delivered through the County's external website as well as the AgReview agricultural newsletter.

OPTIONS:

- Option #1 THAT the one-time Road Ban Exemption for Agriculture be endorsed by Council.
- Option #2 THAT alternative direction be provided.

Administrative Resources
Steven Hulsman, Transportation Services



Respectfully submitted,

“Byron Riemann”

Executive Director of Operations

SH/bg

Concurrence,

“Al Hoggan”

Chief Administrative Officer



BUILDING SERVICES

TO: Council
DATE: February 11, 2020 **DIVISION:** All
FILE: N/A
SUBJECT: Building Services – 2019 Operating Highlights

EXECUTIVE SUMMARY:

Building Services has prepared this installment of statistics for Council's information. The numbers presented are representative of the year-end of the 2019 year.

BACKGROUND:

The purpose of this report is to provide a year-end report of the Building Services department within Community Development Services. This report is provided for information, and no further direction is required of Council.

BUDGET IMPLICATIONS:

There are no budget implications at this time.

OPTIONS:

- Option #1 THAT the Building Services 2019 Operating Highlights, as presented in Attachment A, be received as information.
- Option #2 THAT alternative direction be provided.

Respectfully submitted,

Concurrence,

"Theresa Cochran"

"Al Hoggan"

Executive Director
Community Development Services

Chief Administrative Officer

ATTACHMENTS:

Attachment 'A': 2019 year-end report – Building Services

Administration Resources
 Brock Beach, Manager, Building Services



ATTACHMENT 'A': Building Services 2019 Operating Highlights

Building Services issued 980 building permits as of December 31, 2019. Construction values for all project types within the same period was \$279,055,208. When comparing construction values of 2018 to 2019, a large portion of the decrease can be contributed to the Amazon facility, which was \$65 million in early 2018; in 2019, there wasn't a project of this scale and size.

A few of the larger projects within 2019 are the Tim Horton's Distribution center, Tri-line Carriers Warehouse and office, Center Street Church, and Leon's retail store and Warehouse.

Table 1 below shows the total number of building permits issued and the associated construction value as of December 31, 2019, and yearly back to 2010. These permits were for dwelling units, other residential permits (additions, renovations, decks, garages, etc.), and non-residential permits (commercial, industrial, or institutional buildings).

Tracking the total number of building permits issued each year provides a good indicator of how well the development or construction industry is doing. These statistics allow Building Services to see whether the construction industry is trending up or down in any specific time period and whether the department is adequately staffed.

Table 1: Building Permit Totals

All Building Permits			
Year	Total Number of Permits	Total Value of Construction	Square/Meters Floor Area
2019	980	\$279,055,208	858854
2018	1,056	\$412,411,486	554,909
2017	1,072	\$294,983,605	264,741
2016	976	\$299,718,895	341,573
2015	997	\$333,090,027	630,957
2014	1,049	\$415,579,403	263,767
2013	788	\$317,050,985	229,520
2012	875	\$295,313,553	181,716
2011	754	\$288,664,488	800,131
2010	857	\$246,898,789	154,561

Note: Construction values rounded to the nearest dollar.

In addition to tracking the number of building permits issued, Building Services has added the average time it takes to process a building permit application (see Table 2). Collecting and monitoring this data will assist in evaluating the impacts that an increase in building permits processed will have on turn-



around times for permit issuance. Subsequently, this information is used to address any service gaps and to make improvements in customer service delivery.

Building Services is committed to Customer Service Excellence and strives to review, process, and issue building permits in an efficient and timely manner. The review and processing time may vary depending on higher volumes associated with the different seasons and the type of construction being proposed. That said, some permit applications being processed the same day (at the counter) and others taking up to three weeks. Building Services regularly monitors the application process to make improvements to increase efficiency.

Processing times for permits in 2019 show an average of 11 days for commercial permit issuance, and an average of 10 days for residential permit issuance. These timelines are well within the Quality Management Plan, and will continue to be monitored within 2020.

Table 2: Average Number of Days to Process Permits

Year	Commercial	Residential
2018	16	8
2019	11	10

During 2019, the County experienced the highest volume of commercial growth in East Balzac with many tenant improvements within New Horizon Mall, as well as a Tim Horton's distribution center in the CN logistics business park. The largest volume of residential growth during this same period has been on the west side of the County, particularly in the Harmony Development in Springbank.



Percentage of Building Permit applications per Division

The percentage of residential and commercial applications per division are depicted in the following Figure and Table, and are discussed in detail in the following subsections.

Figure 1: Percentage of Building Permit applications per Division

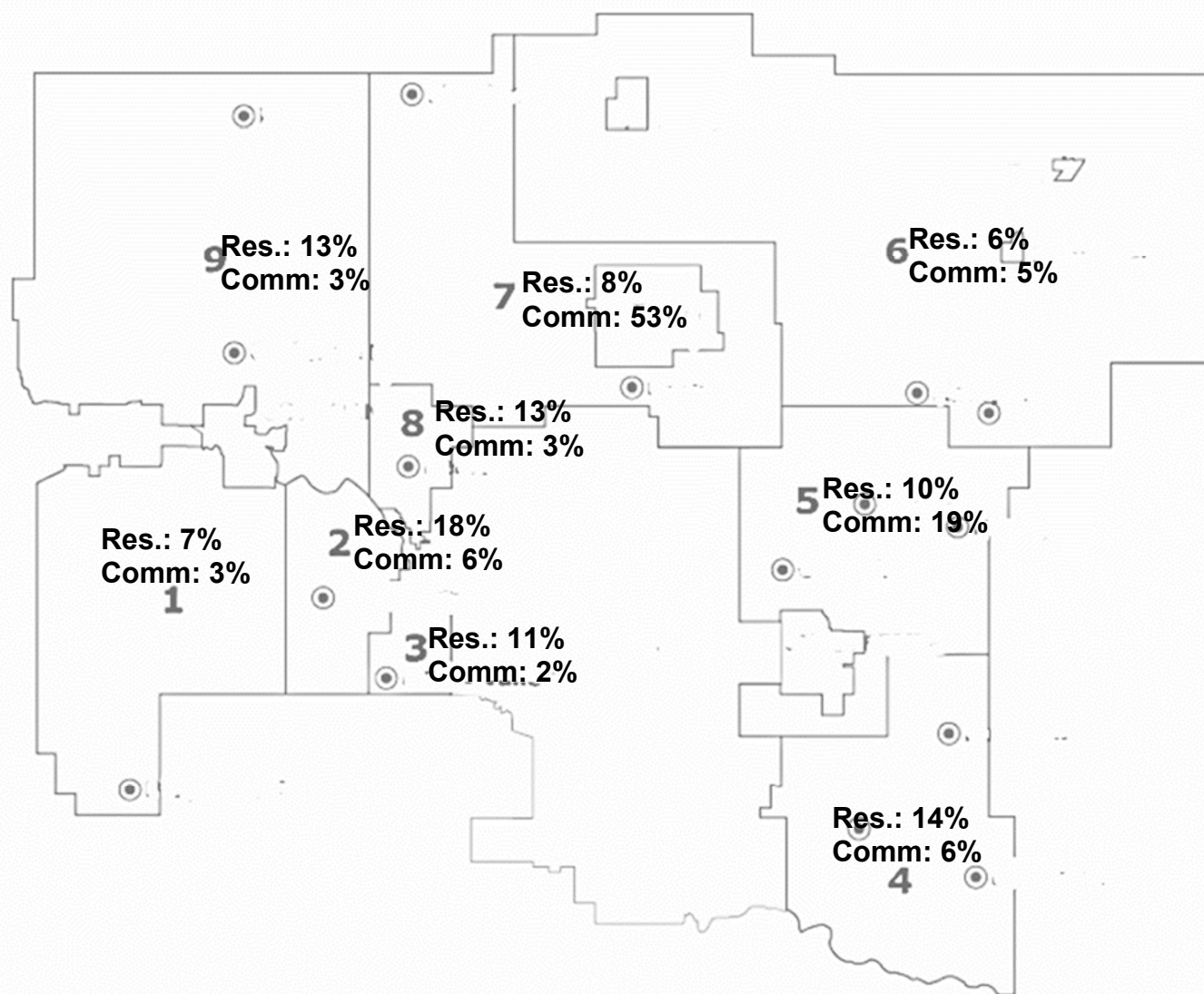


Table 3: Percentage of Permits by Division

	1	2	3	4	5	6	7	8	9
Residential	7%	<u>18%</u>	11%	14%	10%	6%	8%	13%	13%
Commercial	3%	6%	2%	6%	19%	5%	<u>53%</u>	3%	3%



Residential Building Permits

Table 4 below shows the total number of new dwelling permits and other residential permits (additions, renovations, garages, decks, etc.) issued in 2019 and yearly back to 2010. There was a 33% decrease in new dwellings from 2018 to 2019 comparisons. Construction values for dwelling units within the same period decreased by 25%.

Within the entire County, Division 2 had the highest percentage of residential permits at 18% (see Table 3 above).

Table 4: Residential Permits

	New Dwellings Permits Issued	New Dwellings Value of Construction	Other Residential Permits issued	Other Residential Value of Construction	Square/Meters Floor Area
2019	194	\$143,246,934	451	\$24,741,114	91191
2018	291	\$191,986,559	575	\$27,067,897	108,419
2017	293	\$169,858,955	608	\$29,367,323	111,707
2016	212	\$144,231,716	529	\$25,287,980	96,184
2015	142	\$97,443,345	493	\$22,732,310	73,899
2014	200	\$134,408,981	514	\$23,005,092	80,349
2013	190	\$125,716,018	321	\$15,806,315	74,688
2012	281	\$176,506,989	426	\$25,021,055	102,081
2011	201	\$117,976,786	441	\$22,011,325	87,147
2010	290	\$167,731,417	446	\$30,650,905	111,130

Note: Construction values rounded to the nearest dollar.



Commercial/Industrial Building Permits

Building Services experienced a 67% increase in commercial/industrial permits in 2019 compared to 2018 (see Table 5). However, construction values in the same period for commercial/industrial permits decreased by 42%. This construction value decrease can be contributed to the Amazon facility, which was \$65 million in early 2018.

Table 5: Commercial / Industrial / Institutional Permits

Commercial / Industrial / Institutional Permits Issued			
	Building Permits	Value of Construction	Square/Meters Floor Area
2019	335	\$111,067,159	767,663
2018	200	\$193,357,030	446,490
2017	171	\$95,757,327	153,034
2016	245	\$130,199,198	245,929
2015	352	\$212,914,372	410,613
2014	335	\$258,165,330	183,418
2013	277	\$175,528,652	154,832
2012	168	\$93,785,509	79,635
2011	109	\$148,676,378	712,984
2010	121	\$48,516,466	43,431

Note: Construction values rounded to the nearest dollar.

Lastly, within the entire County, Division 7 had the highest percentage of commercial/industrial building permits at 53% (see Table 3 above).

Table 6: Other statistics:

	2018 – Full Year	2019
Letters/Notices created/sent	5,098	5,932
Building inspections completed	4,398	4,149
Subtrade inspections completed	9,115	7,988



INTERGOVERNMENTAL AFFAIRS

TO:	Council	
DATE:	February 11, 2020	DIVISION: All
FILE:	N/A	APPLICATION: N/A
SUBJECT:	Intermunicipal Development Plan between Mountain View County and Rocky View County	

POLICY DIRECTION:

On December 5, 2019, Bill C-25 amended the *Municipal Government Act* (MGA) and provided municipalities with the option to opt-out of the requirement to complete an Intermunicipal Development Plan (IDP), if both Councils agreed. A resolution of both Councils is required.

EXECUTIVE SUMMARY:

Mountain View County has requested that the Mountain View/Rocky View Intermunicipal Development Plan (IDP) not be completed and that Council pass a resolution to fulfill the requirements of the MGA.

ADMINISTRATION RECOMMENDATION:

Administration recommends approval in accordance with Option #1.

DISCUSSION:

Under the previous MGA requirements, Rocky View County and Mountain View County prepared an IDP for the lands adjacent to the intermunicipal boundary. Rocky View Council held a public hearing on December 10, 2019 and gave second reading to the IDP bylaw. With the requirement to complete the IDP removed, Mountain View County has requested that the IDP not be completed and that each Council pass a resolution stating an IDP is not necessary.

The area in question is primarily zoned for agriculture and Mountain View County and Rocky View County have enjoyed a productive working relationship. The Intermunicipal Collaboration Framework provides a mechanism for discussion and dispute resolution, and also identifies shared services. Therefore, it is Administration's assessment that there are minimal risks associated with not adopting an IDP at this time. If either party decides an IDP is warranted in the future, it can be completed upon request. Mountain View County will be passing a similar resolution on February 12, 2020.

Therefore, Administration recommends that Council pass a resolution stating that we will not be completing an IDP with Mountain View County.

BUDGET IMPLICATIONS:

There are no budget implications.

Administration Resources

Amy Zaluski and Ben Manshanden, Intergovernmental Affairs



OPTIONS:

- Option #1 THAT it be resolved by Rocky View County Council that an Intermunicipal Development Plan with Mountain View County not be adopted at this time.
- Option #2 THAT alternative direction be provided.

Respectfully submitted,

Concurrence,

“Amy Zaluski”

“Al Hoggan”

Manager
Intergovernmental Affairs

Chief Administrative Officer

BM/rp



INTERGOVERNMENTAL AFFAIRS

TO:	Council	
DATE:	February 11, 2020	DIVISION: All
FILE:	N/A	APPLICATION: N/A
SUBJECT:	Adoption of Intermunicipal Collaboration Framework between Rocky View County and the Municipal District of Bighorn	

POLICY DIRECTION:

Municipal Government Act (MGA) amendments require Rocky View County (RVC) to complete an Intermunicipal Collaboration Framework (ICF) with all adjacent municipalities that are not a member of the Calgary Metropolitan Regional Board. The ICFs must be completed by April 2020, unless a one-year extension is granted.

EXECUTIVE SUMMARY:

The purpose of this report is to approve the ICF that has been prepared with the Municipal District of Bighorn. The ICF identifies intermunicipal collaboration with respect to agricultural services, without the exchange of funds, and identifies an agreement for shared use of the Scott Lake Hill Waste Transfer Site in Bighorn. In addition, both parties are signatories to the South Central Mutual Aid Agreement for emergency services. The ICF does not identify any opportunities for shared services with respect to water or recreation. The ICF also creates a process for effective dispute resolution and sets up a committee to ensure continued cooperation between RVC and the Municipal District of Bighorn.

ADMINISTRATION RECOMMENDATION:

Administration recommends approval in accordance with Option 1.

DISCUSSION:

ICFs identify how municipal services are delivered between two adjacent municipalities. The attached ICF with the Municipal District of Bighorn provides for the integrated and strategic planning, delivery, and funding of intermunicipal services; allocates resources efficiently in providing local services; and ensures municipalities contribute funding to services that benefit their residents.

The ICF fulfills RVC's responsibilities under the MGA, and would last for four years. Elected officials from both municipalities met to discuss potential opportunities for shared services. Given that RVC and the Municipal District of Bighorn are both rural municipalities, there were minimal opportunities and need for cooperation with respect to shared services. The Counties would continue to cooperate with respect to transportation and the provision of agricultural services without the exchange of funds. Both municipalities are also preparing an Intermunicipal Development Plan, which passed second reading on January 28, 2020, and will return for third reading after review by the Calgary Metropolitan Regional Board. Administration recommends that Council approve the attached ICF by resolution.

BUDGET IMPLICATIONS:

There are no budget implications at this time.

Administration Resources

Amy Zaluski and Ben Manshanden, Intergovernmental Affairs



OPTIONS:

- Option #1 THAT the Rocky View County and Municipal District of Bighorn Intermunicipal Collaboration Framework be approved as presented in Attachment 'A.'
- Option #2 THAT alternative direction be provided.

Respectfully submitted,

Concurrence,

"Amy Zaluski"

"Al Hoggan"

Manager
Intergovernmental Affairs

Chief Administrative Officer

ATTACHMENTS:

Attachment 'A' – Intermunicipal Collaboration Framework between M.D. of Bighorn and Rocky View County

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 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 Bighorn and Rocky View, it is agreed to enter into the Intermunicipal Collaboration Framework as follows in Schedule A.



Schedule "A"

A. DEFINITIONS

- 1) 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. of Bighorn and Rocky View County, as required under Part 17.2 of the *Municipal Government Act*;
 - e. "*Municipal Government Act*" means the *Municipal Government Act*, RSA 2000, c M-26, as amended from time to time;
 - f. "Bighorn" means the Municipal District of Bighorn as a municipal corporation and the geographical area within its jurisdictional boundaries, as the context requires;
 - g. "Rocky View" means Rocky View County as a municipal corporation and the geographical area within its jurisdictional boundaries, as the context requires;
 - h. "Services" means those services that both parties may 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;
- i. "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 deliver 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
- j. "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 resolutions 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 resolution.
- 3) It is agreed by Bighorn 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 agreement begins __, __, 2020 and ends __, __, 2024

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 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 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);
- Solid Waste and Recycling: (through the Bow Valley Waste Management Commission [Class III landfill services]); and
- Transportation 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;
- Transportation Services; and
- Water and Wastewater Services (through individually owned or privately owned systems, municipal partners' systems, or Rocky View systems).

2) Bighorn 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 Bighorn and 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	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.
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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 four-year term (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, unless both Parties agree that it is not necessary.
- 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 resolution.
- 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. This will be followed by a resolution by each respective Council to confirm a change to a Service Agreement.

F. DISPUTE RESOLUTION

- 1) 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 Schedule “B” Dispute Resolution Process.
 - a Any new Service Agreement or an update to an existing service agreement will adopt and include the Dispute Resolution Process 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

- l) 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

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 _____, 2020 in _____,
Alberta.

M.D. OF BIGHORN

ROCKY VIEW COUNTY

Per:

Per:

Dene Cooper, Reeve

Greg Boehlke, Reeve

Robert Ellis, CAO

Al Hoggan, CAO

Schedule “B”

Dispute Resolution Process

A. Definitions

- 1) “initiating party” means a party who gives notice under section B of this Schedule;
- 2) “mediation” means a process involving a neutral person as a mediator who assists the parties to a matter and any other person brought in with the agreement of the parties to reach their own mutually acceptable settlement of the matter by structuring negotiations, facilitating communication and identifying the issues and interests of the parties;
- 3) “mediator” means a qualified person or persons appointed to facilitate by mediation the resolution of a dispute between the parties.

B. Notice of dispute

- 1) When a party believes there is a dispute under a framework and wishes to engage in dispute resolution, the party must give written notice of the matters under dispute to the other parties.

C. Negotiation

- 1) Within 14 days after the notice is given under section B of this Schedule, each party must appoint a representative to participate in one or more meetings, in person or by electronic means, to attempt to negotiate a resolution of the dispute.

D. Mediation

- 1) If the dispute cannot be resolved through negotiations with 90 days of initial notice, the representatives must appoint a mutually agreed-upon mediator to attempt to resolve the dispute by mediation.
- 2) The initiating party must provide the mediator with an outline of the dispute and any agreed statement of facts.
- 3) The parties must give the mediator access to all records, documents and information that the mediator may reasonably request.
- 4) The parties must meet with the mediator at such reasonable times as may be required and must, through the intervention of the mediator, negotiate in good faith to resolve their dispute.
- 5) All proceedings involving a mediator are without prejudice, and, unless the parties agree otherwise, the cost of the mediator must be shared equally between the parties.

E. Report

- 1) After the initial notice (B1), if the dispute has not been resolved within 6 months, or a mutually agreed upon timeframe, the initiating party must, within 21 days, prepare and provide to the other party a report.
- 2) The report should contain a list of the matters agreed on and those on which there is no agreement between the parties.
- 3) Despite subsection (1), the initiating party may prepare a report before the 6 months have elapsed if
 - i. the parties agree, or
 - ii. the parties are not able to appoint a mediator under section D of this Schedule.

F. Appointment of arbitrator

- 1) Within 14 days of a report being provided under section E of this Schedule, the representatives must appoint a mutually agreed-upon arbitrator and the initiating party must provide the arbitrator with a copy of the report.
- 2) If the representatives cannot agree on an arbitrator, the initiating party must forward a copy of the report referred to in section E of this Schedule to the Minister with a request to the Minister to appoint an arbitrator.

G. Arbitration process

- 1) Where arbitration is used to resolve a dispute, the arbitration and arbitrator's powers, duties, functions, practices and procedures shall be the same as those in Division 2 of Part 17.2 of the Municipal Government Act.
- 2) In addition to the arbitrator's powers under subsection (1), the arbitrator may do the following:
 - i. require an amendment to a framework;
 - ii. require a party to cease any activity that is inconsistent with the framework;
 - iii. provide for how a party's resolutions or bylaws must be amended to be consistent with the framework;
 - iv. award any costs, fees and disbursements incurred in respect of the dispute resolution process and who bears those costs.

H. Deadline for resolving dispute

- 1) The arbitrator must resolve the dispute within one year from the date the notice of dispute is given under section B of this Schedule.

- 2) If an arbitrator does not resolve the dispute within the time described in subsection (1), the Minister may grant an extension of time or appoint a replacement arbitrator.

I. Arbitrator's order

- 1) Unless the parties resolve the disputed issues during the arbitration, the arbitrator must make an order as soon as possible after the conclusion of the arbitration proceedings.
- 2) The arbitrator's order must:
 - i. be in writing,
 - ii. be signed and dated,
 - iii. state the reasons on which it is based,
 - iv. include the timelines for the implementation of the order, and
 - v. specify all expenditures incurred in the arbitration process for payment under section 708.41 of the Act.
- 3) The arbitrator must provide a copy of the order to each party.
- 4) If an order of the arbitrator under sub-section (2) is silent as to costs, a party may apply to the arbitrator within 30 days of receiving the order for a separate order respecting costs.

J. Costs of arbitrator

- 1) The costs of an arbitrator under this Schedule must be shared equally by the parties, unless the order of the arbitrator states otherwise.



CAPITAL PROJECT MANAGEMENT

TO: Council
DATE: February 11, 2020
FILE: 1025-450 / 5000-540
SUBJECT: Cooperative Stormwater Management Initiative (CSMI) - Update

DIVISION: All
APPLICATION: N/A

EXECUTIVE SUMMARY:

Rocky View County has been an active member of the Cooperative Stormwater Management Initiative (CSMI) since 2012, working with regional partners to address flooding, environmental, and economic concerns within the region through the construction of a shared stormwater conveyance system.

A full overview of CSMI was presented to the Governance and Priorities Committee on March 5, 2019, and this report is intended to update Council on activities since that time, including:

1. Finalization of the legal documents required to form CSMI as a legal entity.
2. Status of the regulatory applications required to begin Stage 1-South construction.
3. Preliminary findings of Rocky View County's Business Case Analysis.

A completed governance package, supported by a more robust business case analysis, is planned for Council's consideration in June 2020.

ADMINISTRATION RECOMMENDATION:

Administration recommends approval in accordance with Option #1.

BACKGROUND:

Rocky View County has been a member of the Cooperative Stormwater Management Initiative (CSMI) since the Cooperative's founding in 2012. Since that time, the Cooperative has been engaged in the development of a stormwater conveyance system that addresses regional flooding concerns, manages environmental impacts caused by stormwater, and unlocks economic benefits for the member municipalities, its residents, and its developers.

This report updates Council on recent CSMI activities and is intended to build upon the information shared (about the CSMI system as a whole) at the Governance and Priorities Committee meeting on March 5th, 2019 (Attachment 'A').

Progress on the Formation of CSMI as a Legal Entity

The CSMI Partners have made significant strides on the three critical agreements required to form and operate the partnership. These agreements, supported by various articles and bylaws to create an overall governance package, include the:

- a. **User Agreement**, which describes each members rights and obligations related to the use of the stormwater system.
- b. **Development Agreement**, which describes how the stormwater system is to be designed and constructed, and the detail funding obligations for each member.
- c. **Management Agreement**, which describes how the stormwater system will be maintained to ensure system access and reliability.

Administration Resources

Doug Hafichuk, Capital Project Management



All three agreements are now substantially complete and have been reviewed by Rocky View County's Outside Counsel (The City of Calgary and the Western Irrigation District have also provided comment).

The complete governance package is scheduled for a comprehensive final review amongst CSMI Partners (and their respective legal counsels), and Administration expects to bring it before Council for consideration in June 2020.

Preparation for Regulatory Submissions

Pending ratification of the governance package by all member municipalities, the Cooperative intends to utilize approved Provincial Grant Funding to construct Phase 1-South in the fall of 2020.

Regulatory approvals (*The Water Act*) are required prior to commencement of construction, and approvals are expected to take up to six months. To that end, the CSMI Development Committee has been working to address the technical documentation required in support a regulatory application in March 2020, and landowner engagement is underway.

Of particular note, Partners have agreed on area release rates and volume control targets that avoid creating development advantages or disadvantages within the region, and provide the Regulator with the necessary (engineering-based) assurances that the stormwater system will contribute to a healthy watershed.

Business Case Analysis

In addition to the ongoing work with its Partners, the maturation of the governance model and the engineered design has allowed Rocky View County to undertake a robust business case.

This analysis includes input from the development community and the creation of meaningful scenarios that describe / quantify how CSMI will benefit Rocky View County from a taxation perspective.

Although a final report is not expected until June 2020, early efforts have identified several positive outcomes, including:

1. CSMI will require developers to commit significantly less land to manage stormwater.

Development Type	Land Required for Freeboard Surface Area (Storage Ponds)		
	CSMI	Zero Release with LIDs	Zero Release without LIDs
Non-Residential	4.2%	9.7%	33.2%
Residential	3.7%	7.4%	21.7%

Table 01 – Percentage of Land Required for Stormwater Management

Currently, as shown in Table 01, a typical non-residential development can use up to a third of its total acreage for stormwater retention. That percentage falls to roughly 10% when LIDs are implemented, however the implementation of LIDs carry their own capital and operational costs, and have proven to be unreliable if not carefully managed.



Implementation of CSMI could reduce the total acreage dedicated to stormwater management in a typical non-residential development by 55% - 85%, freeing up land that could not otherwise be fully developed. In a typical residential context, implementation of CSMI demonstrates similar potential benefit, reducing the total acreage required by approximately 50% - 85%.

These findings suggest that with CSMI in place, a typical non-residential development on a half-section of land (320 acres) could see between 15 to 90 acres of additional land become available for development, while reducing the up-front capital costs associated with constructing stormwater ponds and the ongoing costs to maintain / operate them.

2. Initial estimated construction costs have declined and Municipalities will pay a smaller share.

The *Engineering Assessment of Preferred Stormwater Management Options (MPE 2014)* explored four options to address regional stormwater issues. The recommended option, which the Cooperative pursued, was originally estimated to cost \$98.5 Million.

As municipal needs have been further clarified and detailed engineering undertaken on Stages 1-South, the original estimated cost of \$98.5 Million cost has fallen to \$91.6 Million (-\$6.9 Million) in April 2019.

Following the City of Chestermere's decision to discontinue participation in CSMI, the estimated cost of the system was further updated to \$88.8 Million (-\$9.7 Million) in December 2019.

Although the current estimate to construct the system is \$88.8 Million, the portion paid by partnering municipalities has been further reduced by \$9.6 Million in Provincial and Federal Grants, bringing the municipal cost estimate to \$79.2 Million (-\$19.3 Million).

3. CSMI has significant benefits over the Shephard Regional Drainage Plan.

The Shephard Regional Drainage Plan (SRDP) is the only regional stormwater concept to obtain serious consideration. CSMI addresses the major challenges faced by the SRDP and is a comparatively superior option in that:

- a. CSMI has a substantially lower cost (\$88.8 Million (2019) versus \$230 Million (2011)).
- b. CSMI funding can occur in stages, phased over 25 years and only as development necessitates, versus the significant upfront investment required with the Shephard Plan.
- c. CSMI requires minimal land acquisition (the WID is providing use of lands within their existing right of ways) whereas the Shephard Plan required \$73 Million (2011) in new land acquisitions.
- d. CSMI outfalls into Serviceberry Creek (Red Deer River Basin) and is not subject to the same restrictions as the Shephard Plan, which would outfall have entered the Bow River.

4. Developers see value in permanently addressing stormwater issues, and are willing to bear a reasonable cost to do so.

As part of the initial analysis efforts, a large developer was engaged to better understand how the retention of stormwater impacts their existing developments within Rocky View County, and gain their perspective on how future development within Rocky View County would be viewed with or without the stormwater system.

The Developer acknowledged that stormwater, particularly in the Janet Industrial Area, continues to create significant challenges for them and hamper the overall value of their



development(s). They further noted that the offsite levy required to build the CSMI Stormwater System is a cost that they are willing to bear if it addresses these issues.

BUDGET IMPLICATIONS:

There are no budget implications associated with this report as it is offered for information only.

OPTIONS:

Option #1 THAT the Cooperative Stormwater Management Initiative report be received as information.

Option #2 THAT alternative direction be provided.

Respectfully submitted,

Concurrence,

“Byron Riemann”

“Al Hoggan”

Executive Director of Operations

Chief Administrative Officer

DH/bg

ATTACHMENTS:

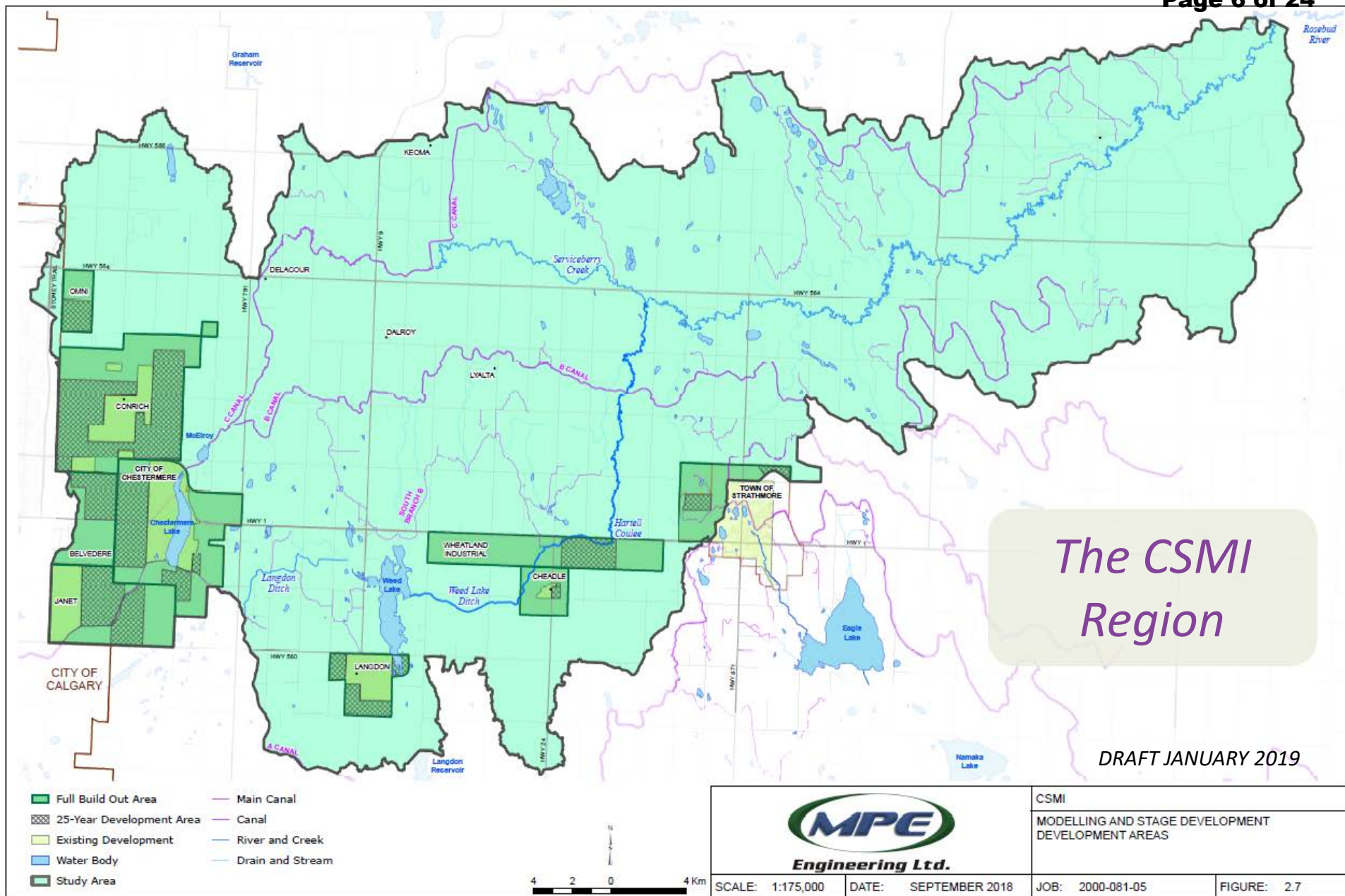
ATTACHMENT ‘A’ – CSMI Presentation to Governance Priorities Committee March 5, 2019

Co-operative Stormwater Management Initiative



Cooperative Stormwater Management Initiative (CSMI) Project Overview

Kim Sturgess, Alberta WaterSMART
March 5th, 2019



About the CSMI

- Municipalities in the CSMI region are experiencing increased urbanization and industrialization
- WID and municipalities share limited stormwater drainage in the CSMI region
- Stormwater impacts water quality and quantity in irrigation canals and natural water bodies
- Development is accelerating stormwater management challenges for the Western Irrigation District (WID) and surrounding communities

There is a need for a sustainable stormwater system that will allow growth and support agriculture in the CSMI region

About the CSMI

- Alberta Environment and Parks (AEP) stormwater guidelines don't meet irrigation quality
- Municipalities need a solution ... WID needs a solution ...
Shared geography means a shared solution
- **In 2012, the WID brought together the CSMI partners:**
 - Rocky View County
 - City of Chestermere
 - City of Calgary
 - Wheatland County
 - Town of Strathmore
 - Western Irrigation District



About the CSMI

- Recommended solution is a regional “out-of-canal” option that creates an independent system from WID canals
- Combination of existing and new infrastructure to divert stormwater away from the irrigation system
- Stormwater will be treated as necessary through Best Management Practices (BMPs)
- Eventual release to adequate outlet (Serviceberry Creek)



Project need and benefits

#1 Maintain water quality

- Stormwater runoff and emergency pumping water currently end up in the WID canals
- Water quality deteriorates along the canals as more urban and rural runoff is added
- High nutrient loads lead to rapid and excessive weed growth in canals, reducing capacity and increasing O&M challenges

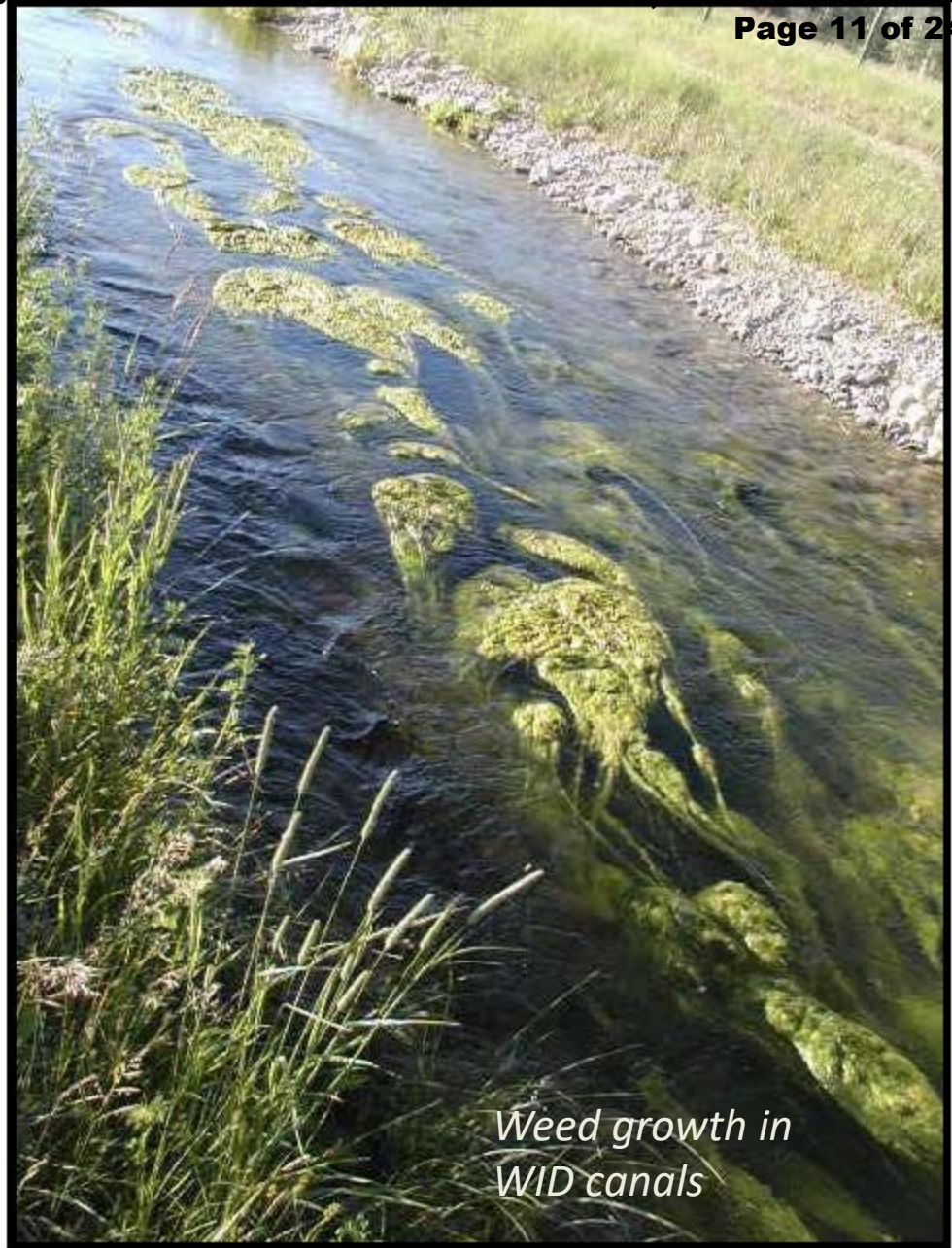
The CSMI will maintain the quality of irrigation water by keeping stormwater out of irrigation canals



#1



Maintain
water quality



*Weed growth in
WID canals*



Project need and benefits

#2 Alleviate localized flooding

- Drainage for existing residential and industrial developments is limited
- Substantial, localized flooding during heavy precipitation
- Costly emergency pumping and damage to infrastructure and private property
- The CSMI system will eliminate emergency pumping and reduce the risk of flooding

The CSMI will reduce the risk of localized flooding by providing an effective stormwater management system



#2



Alleviate
localized flooding





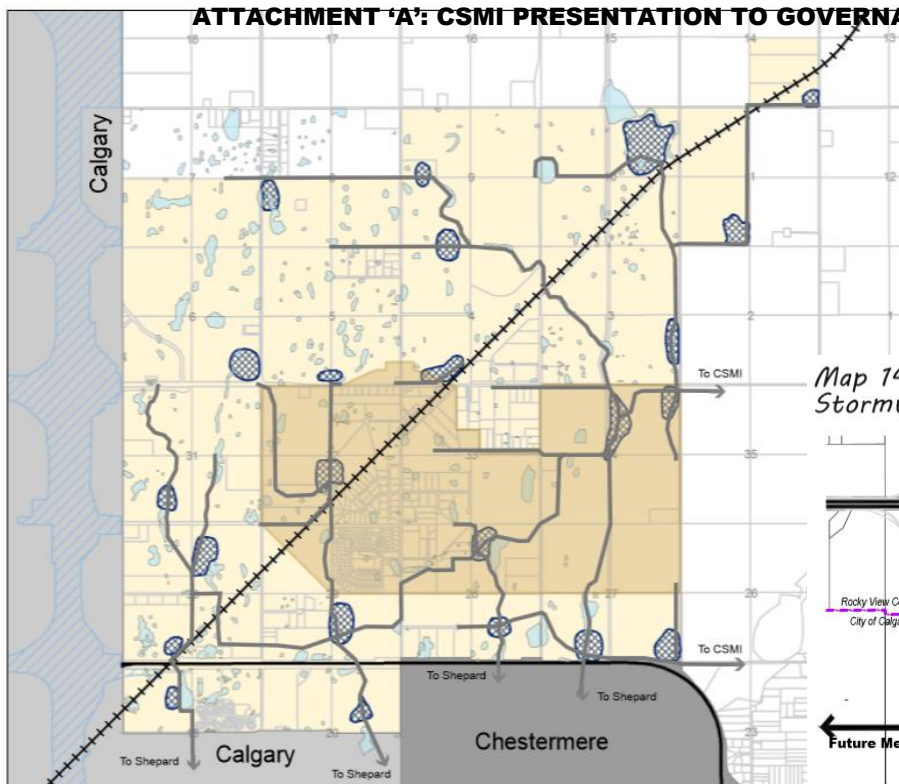
Project need and benefits

#3 Allow for future development and growth

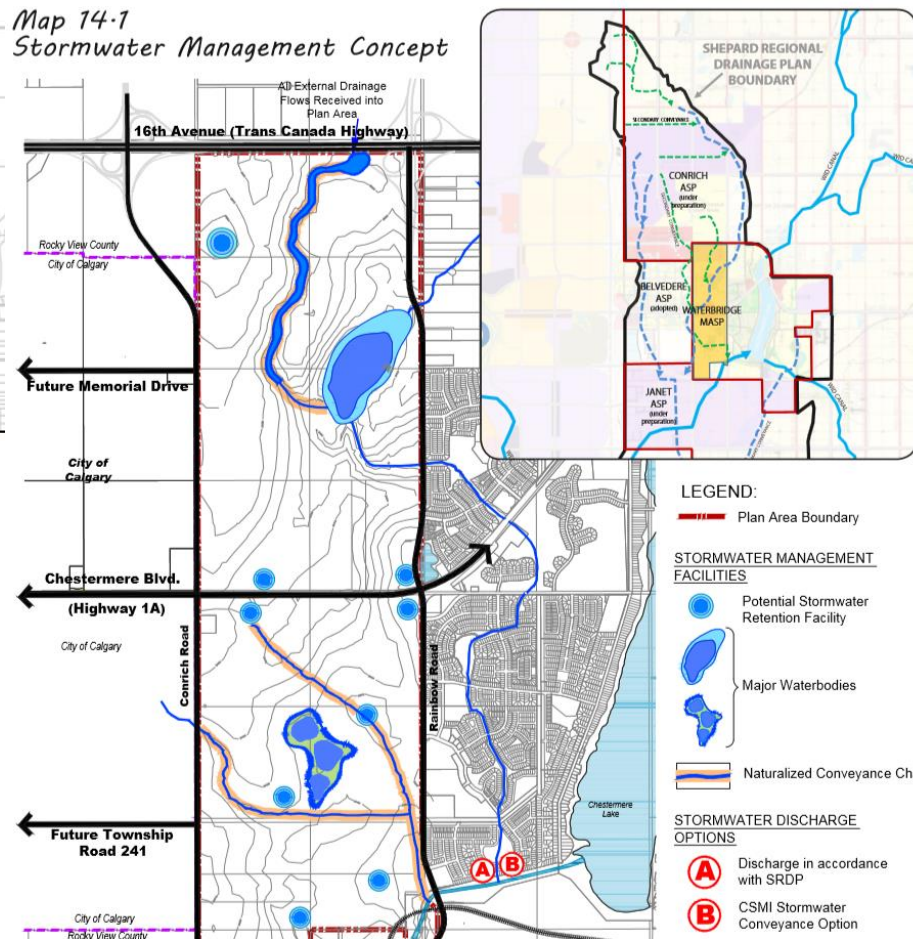
- “Zero-release” strategies in place are inadequate for long term
- Master Drainage Plans for individual municipalities rely on a regional system to provide a stormwater outfall
- The CSMI infrastructure is being designed to facilitate new development over the next 25 years
- The CSMI will provide stormwater management service for residential, industrial, and commercial development

The CSMI will facilitate new development in the area by providing an outlet for stormwater

Master Drainage Plans for individual municipalities rely on a regional system to provide a stormwater outfall for new developments within their jurisdiction



Map 14-1
Stormwater Management Concept



#3



Allow for future
development
& growth

Project need and benefits

#4 Mitigate risks and liabilities

- The CSMI will reduce or eliminate costly emergency discharges
- Municipalities will no longer rely on emergency discharges to manage stormwater
- Increased flooding resilience will reduce risk to property and infrastructure, public and private
- Reduction in hard costs associated with flooding events

The CSMI will provide a regional stormwater solution that reduces ongoing risks and liabilities to partner municipalities

Rocky View spends half a million in Conrich stormwater pumping

Enrique Massot on December 31, 2015 — 3 Comments

Rocky View spent half a million dollars pumping stormwater from an overflowing pond in Conrich in the past summer.

At a Dec. 8 regular council meeting, administration asked council approval for a budget adjustment to cover \$512,500 in pumping costs.

“This area has been subject to drainage challenges for a few years now,” said Howard Bell, road maintenance manager.

More rain than usual fell in August, threatening (and Township Road 244B.

“These roads were in danger of being compromised administration in a report to council.

#4



Mitigate risks & liabilities

Prairie land use and water rights

Alberta's Western Irrigation District finds its way while it straddles the urban-rural divide



By **Lisa Guenther**
Field Editor

FOLLOW

Published: December 21, 2015

Crops, Features

Be the first to comment

downstream of the Calgary zoo. And so those contaminants made their way into the irrigation canals.

Eventually the irrigation district took Calgary to court to get the city's attention, Erwin Braun tells us during a media tour in late September. Braun is general manager of the Western Irrigation District.



Project need and benefits

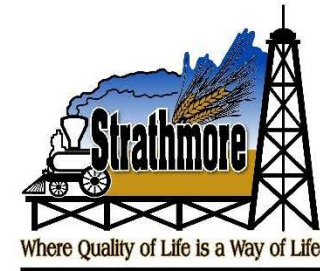
#5 Create long-term partnerships

- Municipal and irrigation sectors are working together on the CSMI
- Regional solution to regional challenges
- Effective governance to meet the needs of each partner equally
- Supports the objectives of the Calgary Metropolitan Region Board (CMRB)

The CSMI will provide a regional stormwater solution that reduces ongoing risks and liabilities to partner municipalities



ROCKY VIEW
COUNTY
Cultivating Communities



#5



Create long-term
partnerships between
municipalities and the WID



CHESTERMERE



Project components

Governance

- Chosen governance structure is the Cooperative
- WID will **manage** and **operate** the CSMI System
- Municipalities will **use** the CSMI System
- The CSMI Stormwater Management Plan governs the amount, quality, and timing of water that each municipality contributes
- Development, Management, and User Agreements will provide a roadmap for constructing and operating the System

In winter 2018, the CSMI Master Agreement was signed by all six partners, committing the group to proceed with developing subsequent Development, Management, and User Agreements



Project components

Regulatory

- AEP participates as an observer and advisor
- Regulatory process for the CSMI is unique
 - Overlapping jurisdictions, multiple Acts, construction of public and private infrastructure
- Regulatory applications for Stage 1 of the CSMI System are being developed, intent to submit in Spring 2019
- Regulatory applications for future stages will be developed as development occurs and additional capacity is needed in the CSMI System



Project components

Funding

- The CSMI concept has been recognized through financial contributions by:
 - Royal Bank Blue Water Initiative (\$85,000)
 - Alberta Municipal Affairs through the Regional Collaboration Program (\$250,000)
 - Alberta Environment and Parks through the Alberta Community Resilience Program (\$7.6M between 2018-2021)
 - Five participating municipalities, the Calgary Regional Partnership (CRP), and the WID contributed a total of \$1.17M to date
- Funding received to date will kickstart the first stage of the CSMI System
- Actively seeking new funding opportunities to reduce financial contributions by partner organizations and residents
- Levies from new development will help pay for future stages needed to accommodate the increased growth



Next Steps for Winter/Spring 2018

- Public engagement
 - Broad public outreach and education
 - Targeted stakeholder engagement
- Finalize detailed design for Stage 1
- Complete and submit regulatory applications for Stage 1
- Draft and execute governance documents
 - Development, Management and User Agreements
- Incorporate the CSMI Cooperative



QUESTIONS?



PLANNING AND DEVELOPMENT SERVICES

TO: Council

DATE: February 11, 2020 **DIVISION:** 5

FILE: 03325006 **APPLICATION:** PL20180144

SUBJECT: Pho Duc Vietnamese Buddhist Cultural Centre Master Site Development Plan

NOTE: This application should be considered in conjunction with application PL20180102 (agenda item C-2)

POLICY DIRECTION:

The application was evaluated in accordance with the County Plan and the Land Use Bylaw.

EXECUTIVE SUMMARY:

The purpose of this application is consider the Pho Duc Vietnamese Buddhist Cultural Centre Master Site Development Plan to guide and evaluate the development of a religious assembly use.

The following is a summary of the application assessment:

- The application is inconsistent with County Plan policies;
 - There is insufficient information within the supporting Master Site Development Plan (PL20180102) to guide the proposed religious assembly use. It does not address:
 - i. Justification of the proposed location;
 - ii. Compatibility and integration with existing land uses or nearby communities;
 - iii. Infrastructure with capacity to service the proposed development; and
 - iv. Development review criteria as identified in the County Plan.

ADMINISTRATION RECOMMENDATION:

Administration recommends refusal in accordance with Option #2

DATE APPLICATION RECEIVED: August 23, 2018
DATE DEEMED COMPLETE: N/A

PROPOSAL: To consider the Pho Duc Vietnamese Buddhist Cultural Centre Master Site Development Plan to guide and evaluate the development of a Religious assembly on-site.

LEGAL DESCRIPTION: Lot 1, Plan 8910676 within SE-25-23-28-W04M

GENERAL LOCATION: Located at the northwest junction of Highway 560 and Highway 791.

APPLICANT: Xuan Dat La

OWNERS: Pho Duc Vietnamese Buddhist Centre

EXISTING LAND USE DESIGNATION: Farmstead District (F)

PROPOSED LAND USE DESIGNATION: Public Services District (PS)

GROSS AREA: ± 10.11 acres

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

Administration Resources

Johnson Kwan and Nathan Madigan, Planning and Development Services



PUBLIC & AGENCY SUBMISSIONS:

The application was circulated to 27 adjacent landowners; three responses were received (see Appendix 'D'). The application was also circulated to a number of internal and external agencies; those responses are available in Appendix 'A'.

HISTORY:

May 11, 1989 Subdivision Plan 8910676 was registered at Land Titles creating the subject land and the remainder.

POLICY ANALYSIS:

County Plan

- The County Plan encourages institutional uses to locate in hamlets, country residential communities and business centres. In cases where a proposed institutional use is located outside of the hamlets, country residential communities and business centres, the application may be considered if the following are addressed:
 - Justification of the proposed location;
 - Demonstration of the benefit to the broader public;
 - Compatibility and integration with existing land uses or nearby communities;
 - Infrastructure with capacity to service the proposed development; and
 - Development review criteria as identified in the County Plan.

The Applicant provided limited information on the proposed religious assembly use.

OPTIONS:

- Option # 1: THAT the Pho Duc Vietnamese Buddhist Cultural Centre Master Site Development Plan be approved.
- Option # 2: That application PL20180102 be refused.

Respectfully submitted,

Concurrence,

"Theresa Cochran"

"Al Hoggan"

Executive Director
Community Development Services.

Chief Administrative Officer

JKwan/llt

APPENDICES:

APPENDIX 'A': Application Referrals

APPENDIX 'B': Proposed Pho Duc Vietnamese Buddhist Cultural Centre Master Site Development Plan

APPENDIX 'C': Map Set

APPENDIX 'D': Landowner Comments



APPENDIX A: APPLICATION REFERRALS

AGENCY	COMMENTS
<i>Province of Alberta</i>	
Alberta Transportation	<ol style="list-style-type: none"> 1. The existing access to Highway 791 is temporary and will be relocated pursuant to the <u>Functional Planning and Access Management Study for Highway 791</u>, completed in 2007. This access management plan should be included in the Master Site Development Plan. 2. The majority of the site will be impacted by a future interchange at Highway 560 and Highway 791, as outlined in the <u>Highway 560 Functional Planning Study</u> completed in 2005. This is a long term project not anticipated within the next 20 years. Temporary uses will be considered within the area required for the future interchange. 3. A roadside development permit is required pursuant to the Highways Development and Protection Act / Highways Development and Protection Regulation. This permit will contain terms and conditions for allowing development and access provisions as noted above.
Alberta Health Services	<ol style="list-style-type: none"> 1. The source of drinking water and the type of wastewater system were not mentioned in the application. Please note that the drinking water should be potable if clients are being received in this dwelling. Also, any private sewage disposal systems must be completely contained within the property boundaries and must comply with the setback distances outlined in the most recent Alberta Private Sewage Systems Standard of Practice 2. If future plans for the subject lands include activities such as providing food or child care to the public, then AHS should be notified. This will ensure that the proposed activity will meet the requirements of the Public Health Act and its regulations.



AGENCY	COMMENTS
Internal Departments	
Recreation, Parks and Community Support	<p>Application PL20180144- Master Site Development Plan (MSDP)</p> <p>Upon review, it appears the draft MSDP does not offer comprehensive content as typically found in other MSDPs. Respectfully, it is recommended the draft MSDP be revised to include supplemental information regarding the site and it's functional considerations.</p> <p>Application PL20180102- Redesignation</p> <p>The Parks office of the Recreation, Parks and Community Support department has no concerns with this land use redesignation application.</p>
Fire Services & Emergency Management	<ul style="list-style-type: none"> • Please ensure that water supplies and hydrants for the development are sufficient for firefighting purposes. • Dependent on the occupancies, the Fire Service recommends that the buildings be sprinklered, if applicable, as per the Alberta Building Code. • The Fire Service also recommends that any water co-op be registered with Fire Underwriters. • Please ensure that access routes are compliant to the designs specified in the Alberta Building Code and RVC's servicing standards
Planning and Development Services - Engineering	<p>General:</p> <ul style="list-style-type: none"> • The review of this file is based upon the application submitted. These conditions/ recommendations may be subject to change to ensure best practices and procedures <p>Transportation:</p> <ul style="list-style-type: none"> • As a condition of future DP, the applicant will be required to provide payment of the Transportation Off-Site Levy in accordance with the applicable Levy bylaw at time of the issuance of the DP for the total acreage of the onsite area associated with the proposed development



AGENCY	COMMENTS
	<ul style="list-style-type: none"> At this time, Engineering recommends the application prepare a Traffic Impact Assessment, prepared by a qualified professional, to address the offsite impacts of the traffic to be generated from the proposed development including a recommendation for the standard of the approach to the subject site The County Servicing Standards require that approaches be a minimum of 400m from the intersection of two highways; the existing approach is approx. 310m from the intersection of Highway 791 & Highway 560. At this time, AT is review the access location and determine if they existing approach location is acceptable As the subject lands are adjacent to Highway 791 & Highway 560, the application is to be circulated to AT for their review and comment As a condition of future DP, the applicant will be required to obtain a roadside DP from AT as the subject lands are adjacent to Highway 791 & Highway 560 <p>Sanitary/Waste Water:</p> <ul style="list-style-type: none"> The applicant is intending on utilizing the existing dwelling onsite including the existing septic field to service the proposed development. At this time, the applicant is to provide a is required to submit a level I assessment variation for the existing septic fields on both the proposed and remainder parcels describing the existing system type, maintenance requirements and include a sketch showing its location and size. The assessment shall also provide measurements to pertinent features (wetlands, surface water, wells, property lines, home, etc.) and comment on the general suitability of the existing system based on visual inspection. At this time, the applicant is to comment on the ability of the existing septic system to support the proposed development based on the projected wastewater flows to be generated by the proposed development.



AGENCY	COMMENTS
	<ul style="list-style-type: none"> In accordance with County Policy 449, the County generally recommends the use of sewage holding tanks for industrial, commercial and institutional land uses when it is not feasible to connect to a Regional or Decentralized systems however, the applicant is proposing to utilize the existing septic field to support the proposed development. Based on the projected potable water demand (to be provided by the applicant), Engineering will assess the projected demand to determine if it is similar to a residential dwelling unit the domestic nature of the wastewater to be produced (applicant to confirm yearly demand). As a condition of future development permit, the applicant will be required to provide detailed wastewater projections and an assessment of the existing PSTS to determine if the system is suitable to support the proposed development. Should the PSTS not be suitable, the applicant will be required to construct an appropriately sized PSTS to support the proposed development <p>Water Supply And Waterworks:</p> <ul style="list-style-type: none"> Engineering generally recommends the use of a cistern and trucked service for industrial, commercial and institutional uses however, the applicant intends on utilizing the existing onsite groundwater well to supply potable water to the future development. At this time, the applicant is provide the projected potable water demand for Engineering to assess if it is similar to a residential dwelling unit As a condition of future DP, the applicant will be required to obtain all necessary AEP approvals and licensing to source groundwater for the proposed development. <p>Storm Water Management:</p> <ul style="list-style-type: none"> As the development is proposed to be contained within the existing dwelling onsite and no further expansions or hard surfaces are proposed at this time, an stormwater management report is not warranted for this proposal



ROCKY VIEW COUNTY

AGENCY	COMMENTS
Transportation Services	<ul style="list-style-type: none"> At the future DP stage, should further expansion or hard surfaces (ie. parking lots) be proposed, the applicant may be required to provide a Site Specific Stormwater Implementation Plan (SSIP) to address the onsite stormwater management strategy to the satisfaction of the County <p>Environmental:</p> <ul style="list-style-type: none"> As the applicant is not proposing any further redevelopment nor do wetlands appear to exist on the subject lands, Engineering has no further concerns at this time. <p>No County roads impacted. Recommend circulation to Alberta Transportation for comments because access to development is along Highway 791, which falls under Alberta Transportation jurisdiction.</p>

Circulation Period: December 13, 2018 to January 9, 2019

Agencies that did not respond, expressed no concerns, or were not required for distribution, are not listed.

MASTER SITE DEVELOPMENT PLAN

PHO DUC VIETNAMESE BUDDHIST CURTURAL CENTER

For Property located at 234049 Range Road 280, Rocky View County, Alberta T1X 0H5

OUR ORGANIZATIONAL ACTIVITIES

CALGARY LOCATION

Address: 43 Dovercrest Way SE, Calgary, Alberta

ON DAILY BASIS

- Operation Hours: 10: 00 am to 6:00 pm, 7 days a week. Appointment is recommended.
- Everyone can come for a free consultation or short medication session.
- Every Saturday: We specialize on providing Buddha chanting.
- Every Sunday: We provide praying ceremonies, followed by Dharma talks on the teaching of the Buddha, and the prayers for the dead. We also provide free vegetarian meals to all participants.



Figure 1: Meditation Session

ON MONTHLY BASIS:

The 1st, 14th, 15th, 30th day of every month (Lunar calendar), we offer repentance services, which helps people realize their wrongdoings and help cure their souls by spiritual means.

ON-CALL BASIS:

Any time during the days, we go to hospital or private home to visit and pray for people who are in death beds. We have organized a group of volunteers under the leadership of our Buddhist temple to run the praying services for the dying people.



Figure 2&3: Outdoor area at 43 Dovercrest Way SE Calgary

BY APPOINTMENT BASE:

We conduct marriage commissioner services for Buddhists free of charge, regardless of races. We also involve in other social programs, such as supporting mentally challenging and elder people in our community and anyone who needs helps. We guide people to quit their bad habits of drugs, gambling, smoking, alcohol addictions on a case-by-case basis. Our temple has members from different career and social backgrounds that can provide these supports at no costs to all members, such as doctors, lawyer, psychologists, and a commissioner for oaths.



Figure 3: Alberta Health Services Card &Figure 4: Marriage Commissioner Ceremony



Figure 5: Our community master and volunteers

FUTURE PLAN

ROCKY VIEW COUNTY PROPERTY

234049 HIGHWAY 791, ROCKY VIEW COUNTY

Pho Duc Buddhist Cultural Center has been operating for the last ten years and located inner City of Calgary. It has been providing so much spiritual benefits to our people such as meditation sessions, Buddhism discussion sessions.

As a growing demand, we would like to build another place in a countryside so it can provide a more relax, peaceful atmosphere. The mentioned property is approx. 10 acers with 2000sf living area; located 5km off the city limit with a beautiful view of the City of Calgary. It is ideally to build a place that can take away the stress, tiredness, crowdies from the city as a medication and cultural centre. Everyone can join us for different meditation sessions, worship service, Talk of Buddha sessions or just to take a tour through the Buddhist Garden to enjoy the fresh breeze from a peaceful scenery.

These activities will bring them fresh, peaceful mind and reboot their energy so people will have more positive energy and mindsets. As a domino effect, this energy can affect and release in our society in a larger scale.

In this new facility, we will operate as the same basis as our existing location in Calgary. It will focus more on appointment basis.

In the summer, we will hold many outdoor activities for our members and guests.

Our mission is To Build a Better World Together.

Our members have been working on engineering design drawing, plans in order to obtain permits from Rocky View County. We submit our application for rezoning this private property to public assembly centre along with building permit application.

Firstly, 3-car garage of 1,044 square feet is dedicated to meditation and worship. The capacity should be around less than 20 persons. The existing living space inside is used as a short-break area for volunteers.

Secondly, we also invest in outdoor landscape which is a Buddhist garden with fish ponds, flower beds, fruit trees. Especially, many Buddha and moral symbol statues will be placed

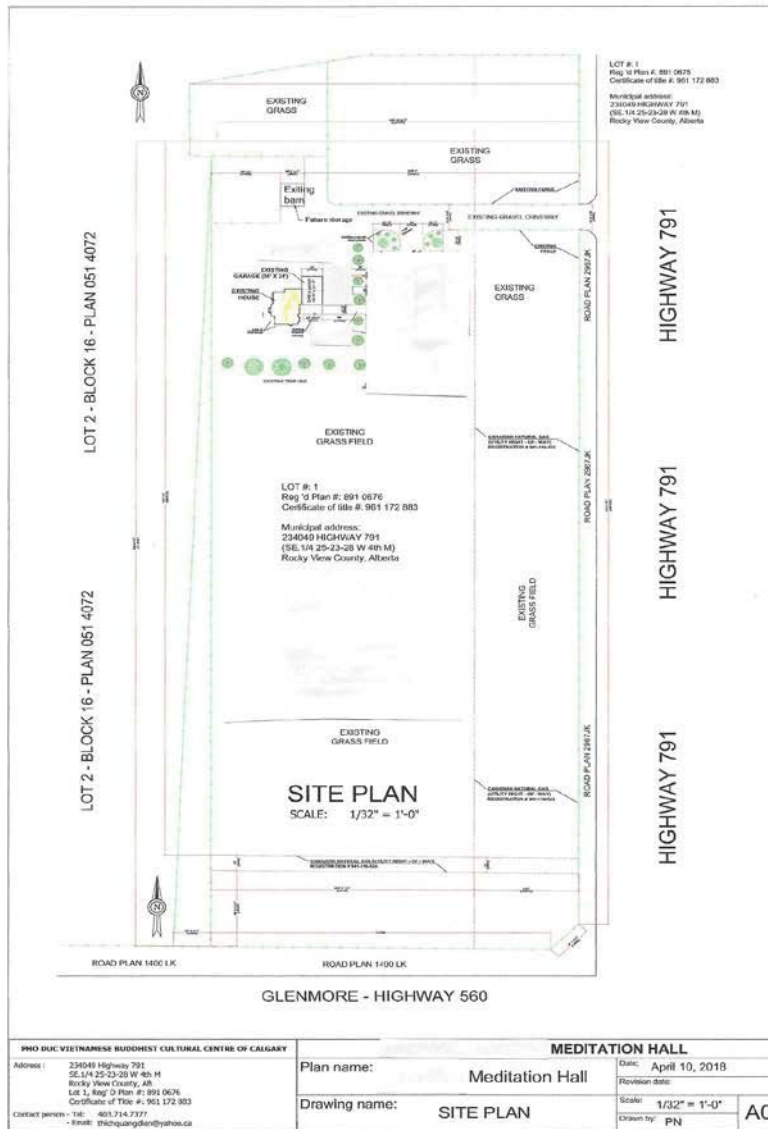
solemnly through out this garden in order to bring in a fairy scenery. Our main purpose for this garden is to provide people a “stop in time” and relax feeling.

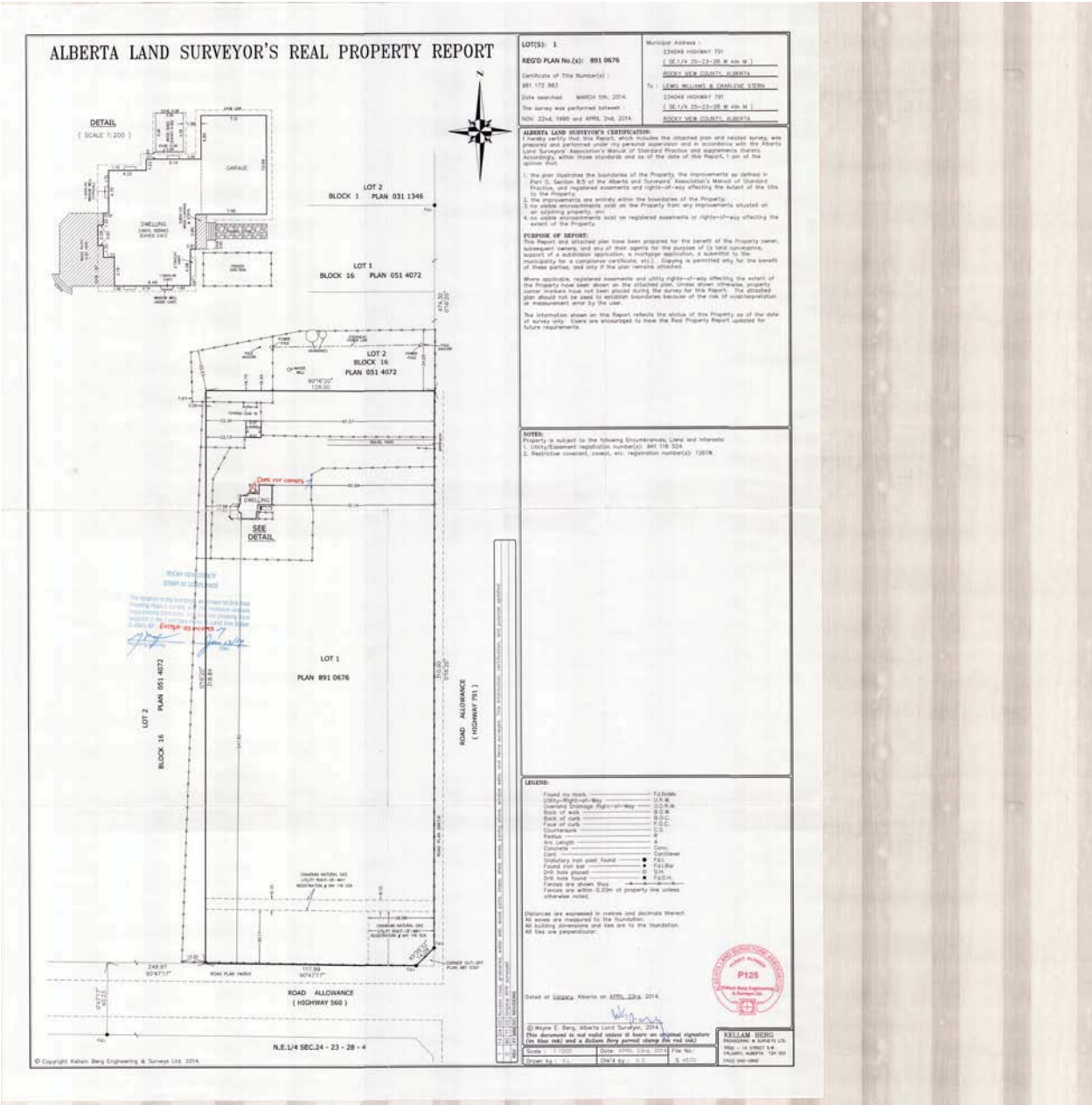
Lastly, we believe this medication center will bring in so much benefits to the community and the neighborhood. We love to distribute our part in order to build a better community of Rocky View.

In this new facility, we will operate as the same basis as our existing location in Calgary. It will focus more on appointment basis.

In the summer, we will hold many outdoor activities for our members and guests.

THE PROPOSED MASTER SITE PLAN







Agence du revenu
du Canada

Canada Revenue
Agency

Dat Xuan La
President
Pho Duc Vietnamese Buddhist Cultural Center of Calgary
43 Dovercrest Way Southeast
Calgary Ab T2B 2L7

Our file
3058450

December 8, 2017

**Subject: Notification of registration as a charity
Pho Duc Vietnamese Buddhist Cultural Center of Calgary**

Dat Xuan La,

We are pleased to inform you that Pho Duc Vietnamese Buddhist Cultural Center of Calgary meets the requirements for tax-exempt status as a registered charity under the Income Tax Act.

Along with the privileges of registered status come some obligations. This letter includes important information about how a registered charity is required to operate and what it is obligated to do.

Please take the time to review this information and keep this letter for future reference.

You should also give a copy of this letter and any enclosed materials to the person responsible for filling out Pho Duc Vietnamese Buddhist Cultural Center of Calgary's annual Form T3010, Registered Charity Information Return.

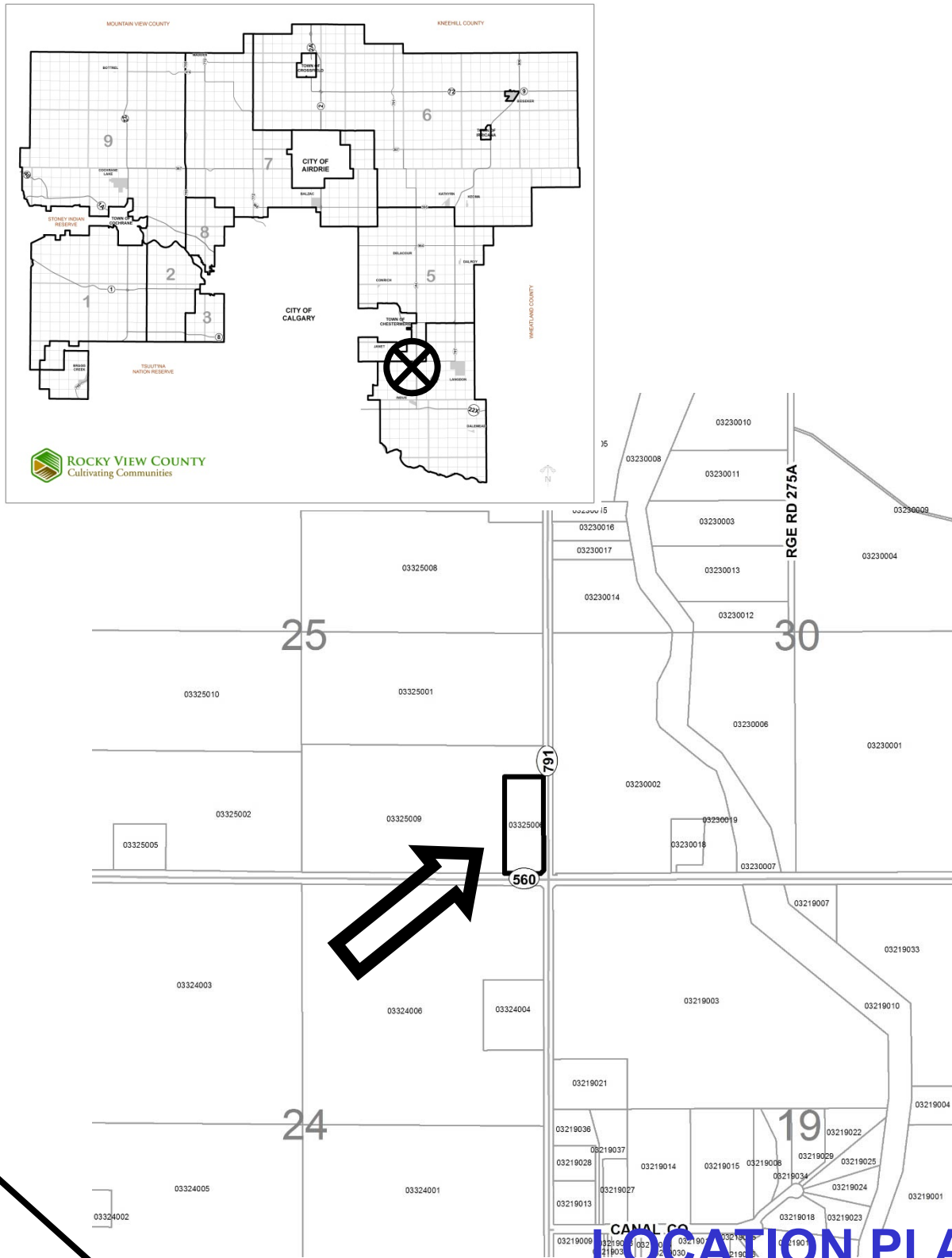
If you have questions, please call our Client Service Section at **1-800-267-2384**.

Yours sincerely,

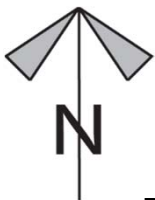
Marina Nicolau
A/Senior Charities Analyst
for Tony Manconi
Director General Charities Directorate

Canada

R350 F (08)



LOCATION PLAN

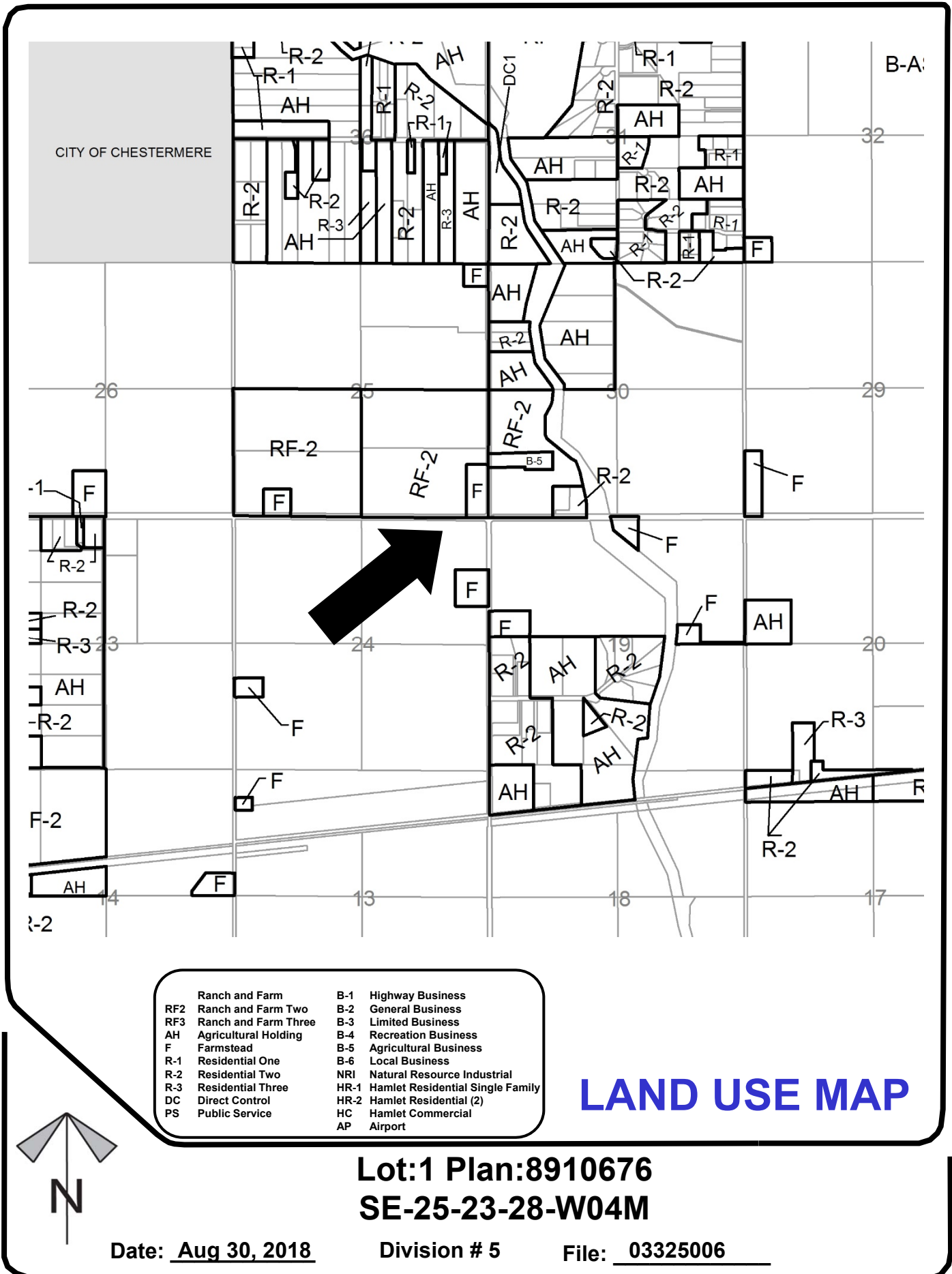


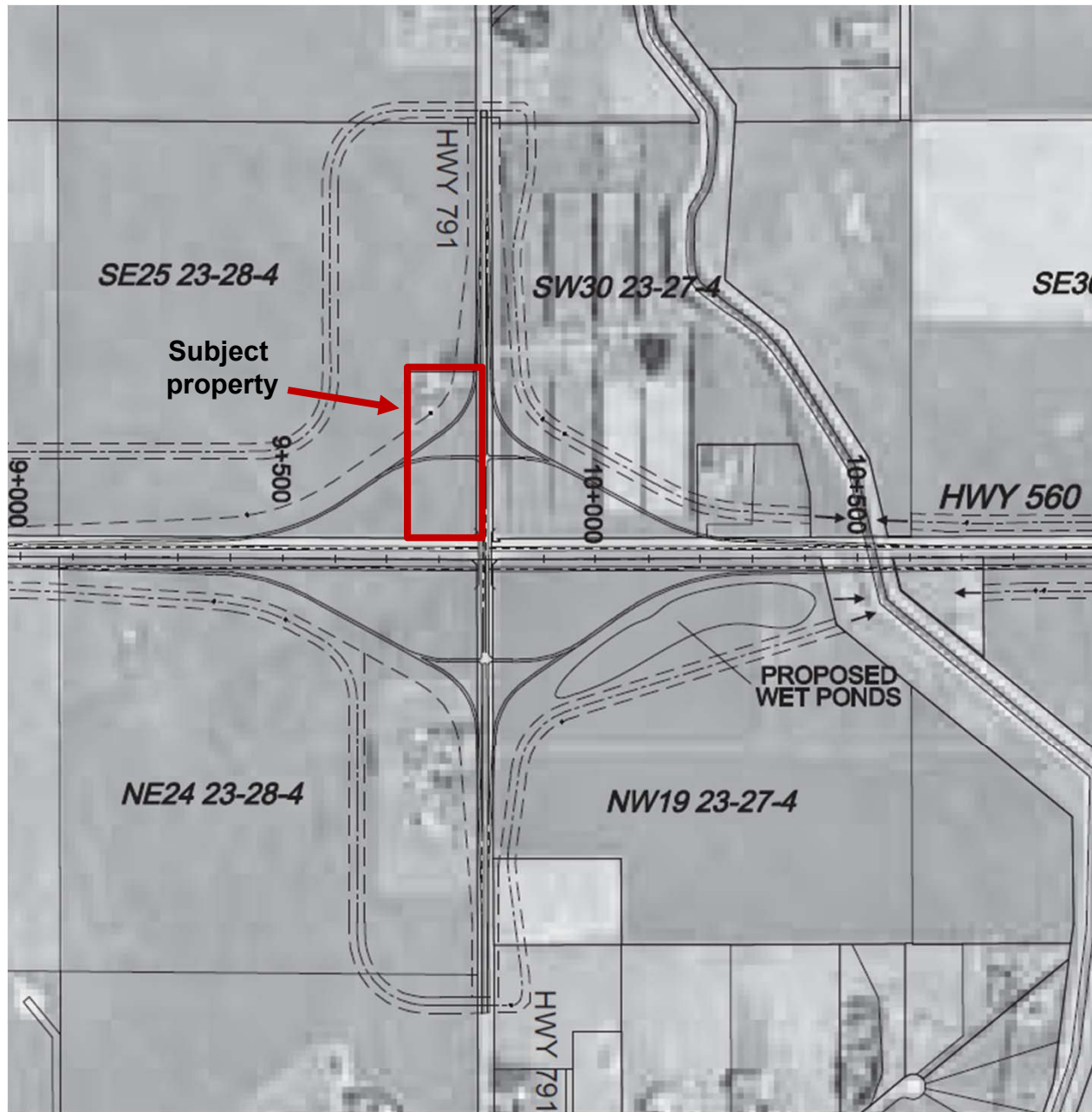
Lot:1 Plan:8910676
SE-25-23-28-W04M

Date: Aug 30, 2018

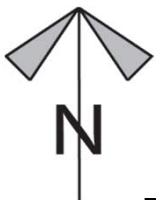
Division # 5

File: 03325006





HIGHWAY 560 FUNCTIONAL PLANNING STUDY



Lot:1 Plan:8910676
SE-25-23-28-W04M

Date: Aug 30, 2018

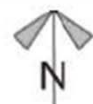
Division # 5

File: 03325006




ROCKY VIEW COUNTY
 Cultivating Communities

Janet ASP Area
 Proposed New ASP Area



GLENMORE TRIAL ASP STUDY AREA

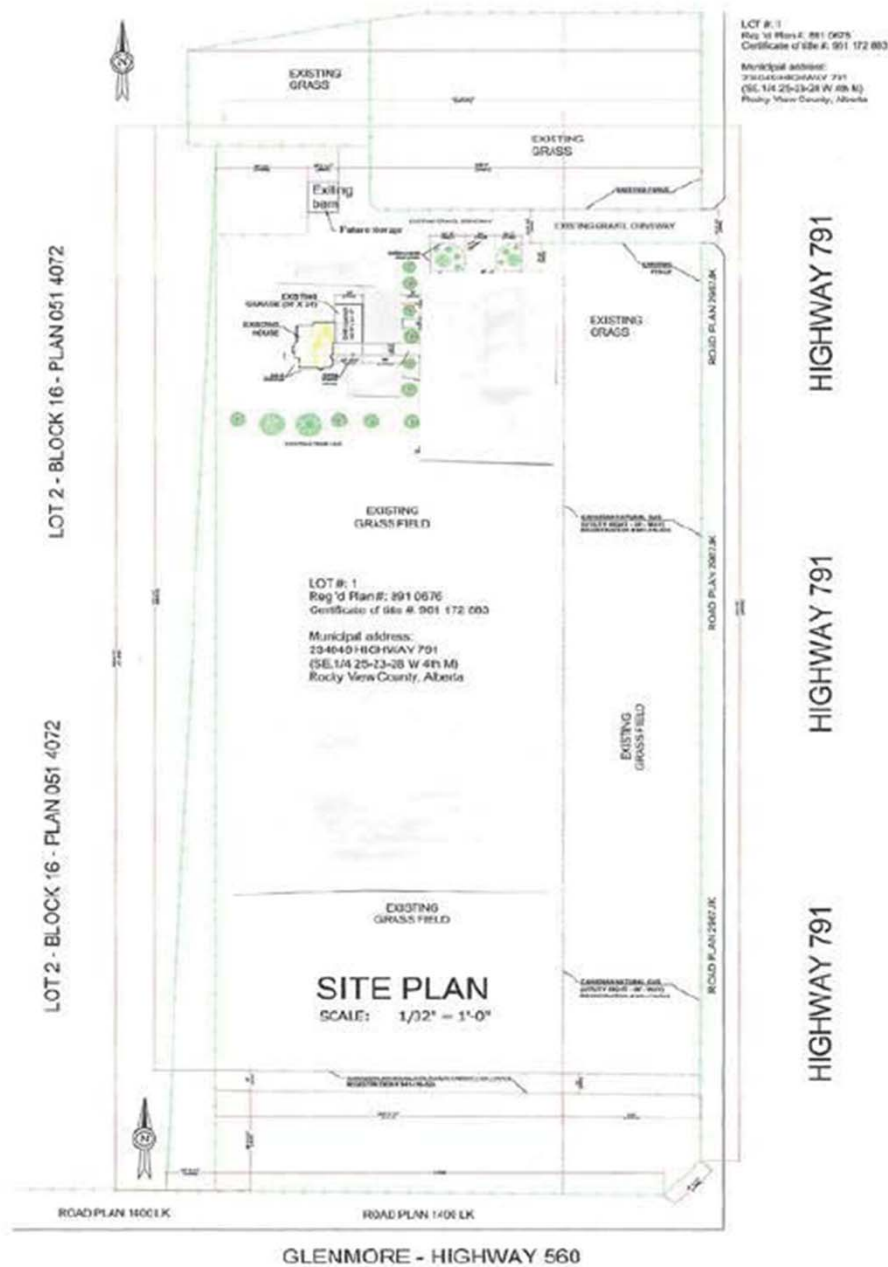
Lot:1 Plan:8910676
 SE-25-23-28-W04M

Date: Aug 30, 2018

Division # 5

File: 03325006

Proposed MSDP : to consider the Pho Duc Vietnamese Buddhist Cultural Centre Master Site Development Plan to guide and evaluate the development of a Religious assembly on-site.



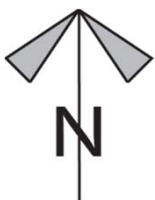
DEVELOPMENT PROPOSAL

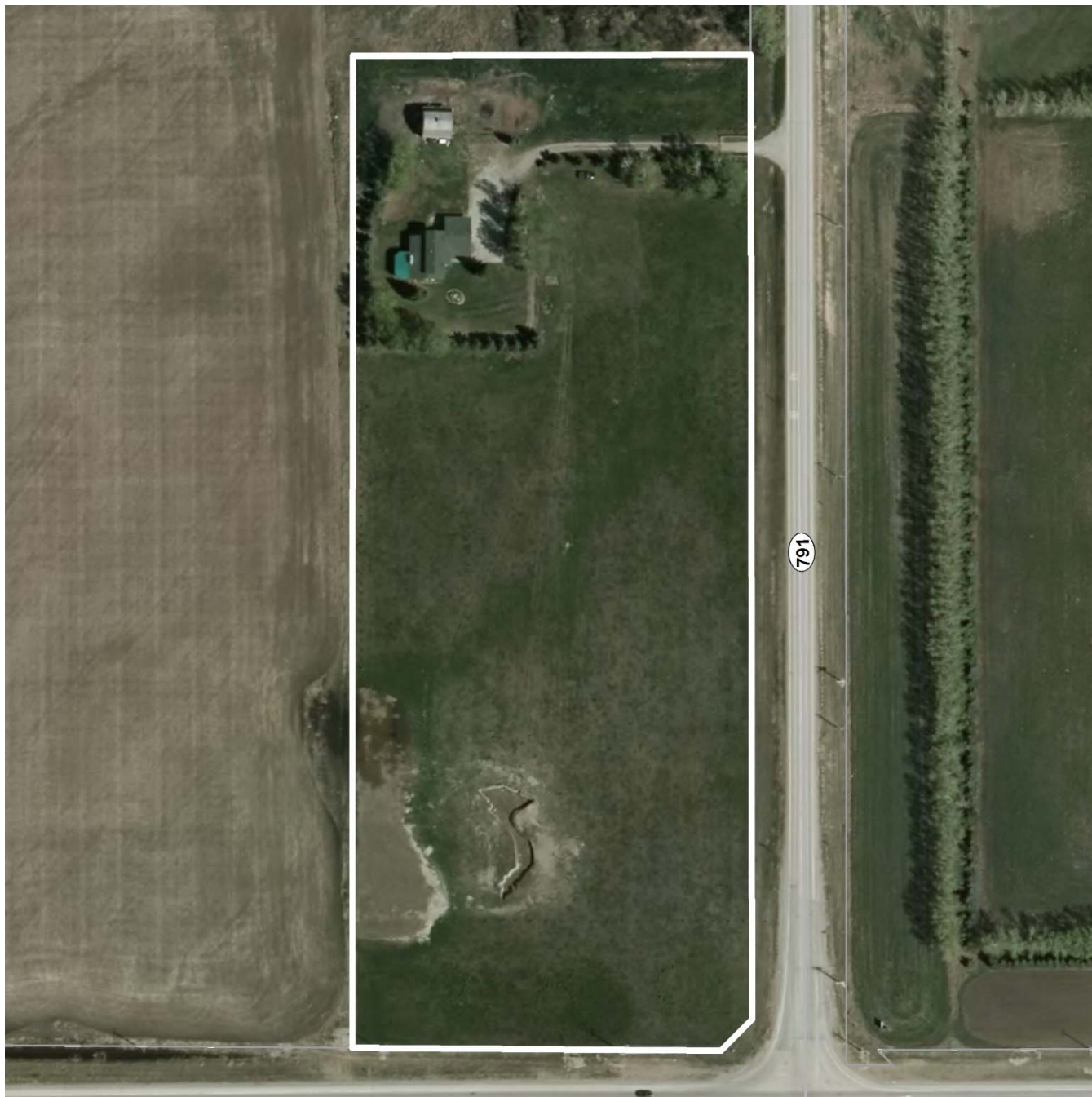
Lot:1 Plan:8910676
SE-25-23-28-W04M

Date: Aug 30, 2018

Division # 5

File: 03325006

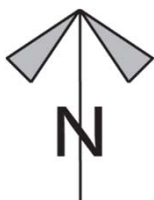




Note: Post processing of raw aerial photography may cause varying degrees of visual distortion at the local level.

AIR PHOTO

Spring 2018



**Lot:1 Plan:8910676
SE-25-23-28-W04M**

Date: Aug 30, 2018

Division # 5

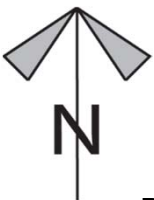
File: 03325006



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

TOPOGRAPHY

Contour Interval 2 M

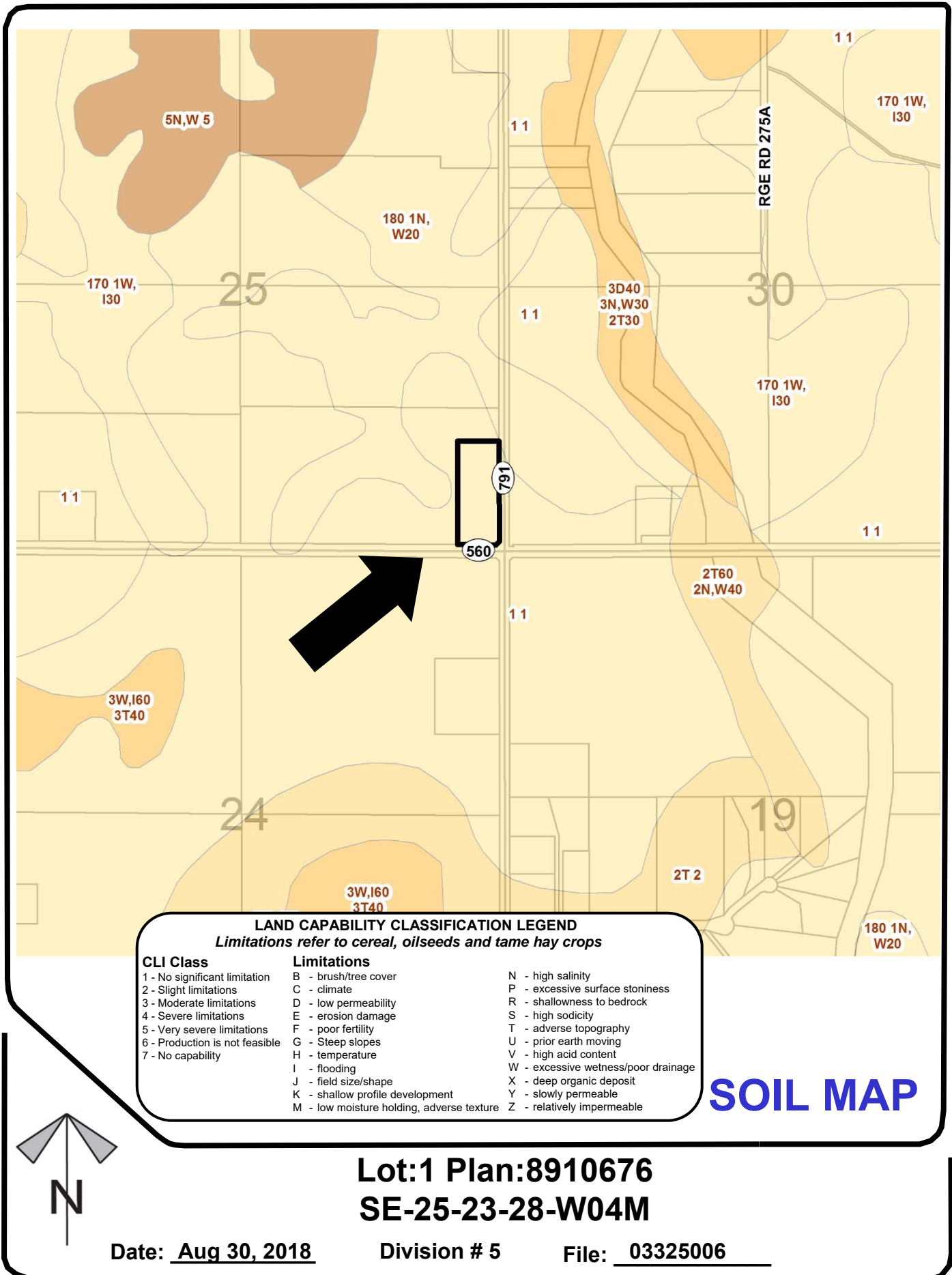


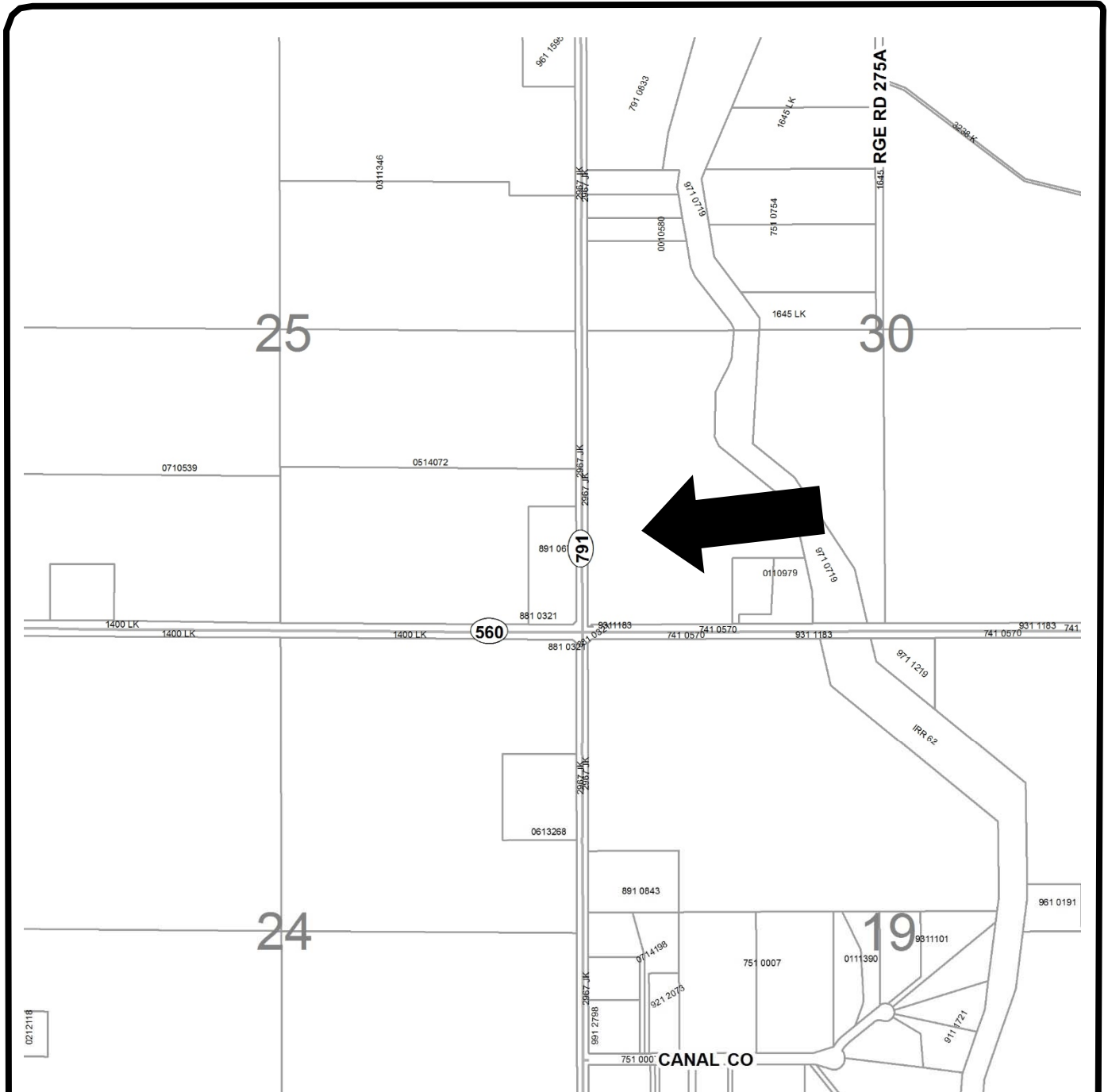
Lot:1 Plan:8910676
SE-25-23-28-W04M

Date: Aug 30, 2018

Division # 5

File: 03325006



**Legend – Plan numbers**

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

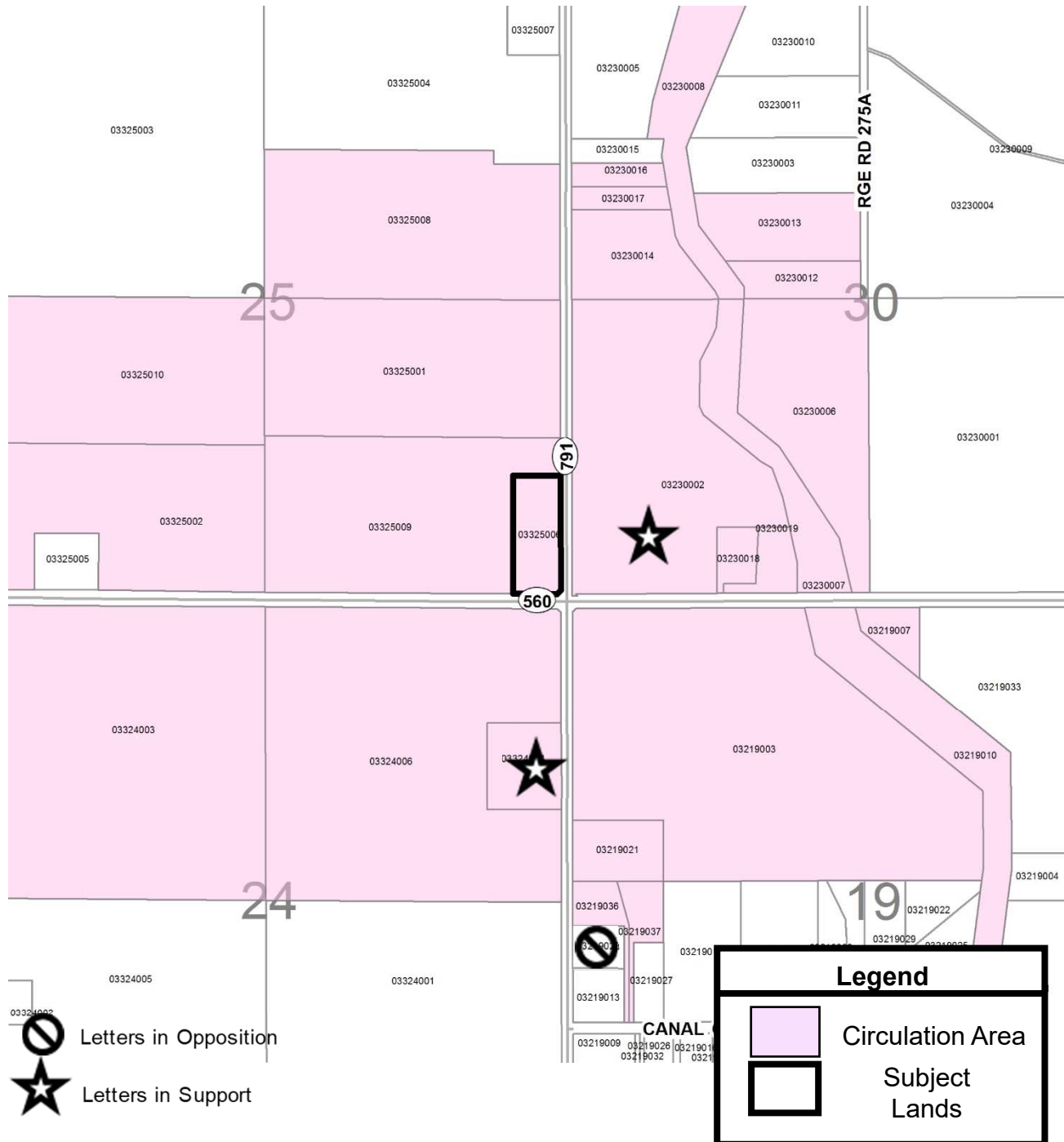
HISTORIC SUBDIVISION MAP

Lot:1 Plan:8910676
SE-25-23-28-W04M

Date: Aug 30, 2018

Division # 5

File: 03325006



LANDOWNER CIRCULATION AREA

Lot:1 Plan:8910676
SE-25-23-28-W04M

Date: Aug 30, 2018

Division # 5

File: 03325006

Johnson Kwan

From: Bart Carswell <bart.carswell@carswellplanning.ca>
Sent: Friday, May 24, 2019 1:28 PM
To: Johnson Kwan; Matthew Wilson
Cc: [REDACTED]; Sean MacLean
Subject: PL20180102, MSDP and Redesignation requirements

Categories: Yellow Category

All,

I hope you are all well.

Carswell Planning Inc. is representing the Calgary Lao Buddhists who expressed concerned RVC may not be dealing with all applicants fairly. Another application north of the site is proposed by the Pho Duc Vietnamese Buddhist Centre.

<https://www.rockyview.ca/Portals/0/Files/BuildingPlanning/Planning/UnderReview/ProposedMSDP/MSDP-Proposed-Pho-Duc-Vietnamese-Buddhist-Cultural-Center.pdf>

As a professional planner, I would be surprised if Rocky View County (RVC) accepted this as a Master Site Development Plan (MSDP). It is expected that RVC would likely realize there are a number issues to address and that this is incomplete. It is unfortunate that the services of a registered professional planner were not used for increased likelihood of success of the development.

The difference between this proposal and my client's proposal is:

1. the Vietnamese Buddhist Centre application (MSDP PL20180102) is a new development serving a large congregation, whereas
2. the Lao Buddhist Temple application (MSDP PL20180126 & Redesignation PL20180127) is recognition of religious assembly for over 10 years in an existing building serving a smaller congregation.

The following is the Table of Contents used in what Carswell Planning Inc. considers a proper MSDP, after full review of the County's policies. <https://www.rockyview.ca/Portals/0/Files/BuildingPlanning/Planning/UnderReview/ProposedMSDP/MSDP-Proposed-Lao-Buddhist-Temple.pdf>

Introduction
 Scope of MSDP
 Owners
 Agent
 Location
 History
 Legal Description
 Evaluation of Planning Policies
 Rocky View County Municipal Development Plan (County Plan)
 Land Use Bylaw
 The Site
 Building Placement and Setbacks
 Building Height and General Architectural Appearance

Parking and Public Lighting
 Landscaping for Visual Appearance and/or Mitigation Measures
 Agriculture Boundary Design Guidelines
 Traffic
 Highway Access
 Potable Water
 Sanitary Sewage
 Storm Water
 Topographic Contours
 Soils Mapping
 Landscaping
 Garbage Removal
 Security
 Operations Plan
 Land Use Compatibility
 Public Engagement
 Conclusion

There have been friendly exchanges between the communities to date. In view of the deficiencies of their application, we would oppose their proposal in their current form. There have been costs and time related to a number of studies in support of my clients' proposal, as per the County Plan. They would expect the same requirements of others.

Thank you for your consideration and please include this letter in administration's report, should this go to a the public hearing.

Thanks,

Bart.

--




Bart Carswell, MA, RPP, MCIP
 Carswell Planning Inc.

Office Address: #205, 525 – 28th St, SE Calgary, AB T2A 6W9 (within Remax Complete Commercial)
 Mailing Address: P.O. Box 223, 104 – 1240 Kensington Rd. NW Calgary, AB T2N 3P7

Phone: 587 437-6750 (Direct)

Bart.Carswell@carswellplanning.ca

Bow Valley Farms


Legislative Services
Rocky View County
262075 Rocky View Point
Rocky View County, AB T4A 0X2

January 29, 2020

For the attention of the Municipal Clerk's Office Regarding **Bylaw C-7940-2019**

I write in connection with the above bylaw application for resignation of land from Farmstead to Public Services. I have familiarized myself with the plans and wish to offer my whole-hearted support to the proposal.

These Buddhists have been nothing short of quiet, respectful neighbors. The plans that have been submitted in correlation to this bylaw application paint a vision of a beautiful and serene center of worship; and I can't foresee any negative affects to my property or the surrounding neighbours'.

In my opinion, this Buddhist group is an asset to the community and there should be more centers such as this developed. I support this application and wish the members the best of luck with the development of their new medication center.

Thank you,



Graham B. Anderson

To: Rocky View County
Planning and Development Services

RE: Support Letter for Pho Duc Vietnamese Buddhism & Cultural Centre to rezone their property to Public Services

Address: 234049 Highway 791 (Range Road 280), Rocky View County

To Whom It May Concern,

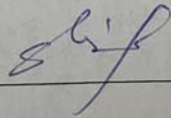
As neighboring property owners to the above property, we support Pho Duc Vietnamese Buddhism and Cultural Centre to rezone their property from residential property to public services. We support their activities operating on the above property to:

1. Use the existing building as a public religious assembly place
2. Provide free consultant for people who seeks for advice (drugs, alcoholic, etc..)
3. May apply for development permit to extend the existing garage to become a mediation hall with all free services

Thank you

Should you have any questions, please let us know

Signature: _____



Printed Name: GURSEWAR SINGH GILL

Owners/ Residence of property address: 233191-RR 280 Rocky View County

Date: July 26th, 2020

PLANNING AND DEVELOPMENT SERVICES

TO: Council
DATE: February 11, 2020 **DIVISION:** 2
FILE: N/A **APPLICATION:** N/A
SUBJECT: Terms of Reference – Highway 8 Area Structure Plan

POLICY DIRECTION:

Council directed Administration, in consultation with the Highway 8 Developer Group, to prepare a Terms of Reference and budget for a developer-funded Highway 8 Area Structure Plan.

EXECUTIVE SUMMARY:

The purpose of this report is to present Council with a Terms of Reference to guide the Highway 8 Area Structure Plan (H8-ASP) development, in accordance with the County Plan, the Interim Growth Plan (IGP), and Rocky View/Calgary Intermunicipal Development Plan (IDP), and subject to engagement with the City of Calgary and TsuuT'ina Nation.

Administration consulted the Developer Group to discuss the Terms of Reference and their preference was for a Developer-led project with differing timelines and deliverables. Administration has prepared a Terms of Reference for a County-led effort, in accordance with the County Plan, and the Developer Group has prepared a Terms of Reference for an applicant-driven effort. Option #2 is available if Council wishes to adopt the Developer Groups Terms of Reference.

BACKGROUND:

The proposed ASP area comprises approximately 4,196 acres and is located immediately west of the Elbow Valley development, south of the Elbow River, and north of TsuuT'ina Nation Reserve. Highway 8 bisects the plan area and is in close proximity to the West/Southwest Calgary Ring Road. A portion of the plan falls within the City of Calgary/Rocky View County Intermunicipal Development Plan (IDP).

COST ESTIMATE

As current policy document workloads are high, and the staff requirement is extensive, Administration has prepared a high-level estimate for an external consultant to prepare an ASP for these lands.

Table 1: High-level estimate for external consultant

Item	Cost
Policy Document Preparation (incl. document writing, engagement, direct costs, engineering oversight)	\$350,000
Transportation Studies	\$50,000
Stormwater Management Studies	\$50,000
Servicing Studies	\$50,000

Administration Resources

Andrea Bryden, Planning and Development Services



Item	Cost
Environmental Review	\$30,000
Residential and Commercial Demand Assessment	\$50,000
TOTAL	\$580,000

BUDGET IMPLICATIONS

The H8-ASP is a developer funded area structure plan. The developer is responsible for all costs associated with completing the ASP. A budget adjustment is required to receive and disburse funds related to work on the area structure plan. The budget adjustment request form is attached.

ADMINISTRATION RECOMMENDATION:

Administration recommends adoption of the Terms of Reference for a County-led Highway 8 ASP and associated budget adjustment in accordance with Option #1.

OPTIONS:

Option #1: Motion #1: THAT the Terms of Reference for a County-led Highway 8 Area Structure Plan, in accordance with the County Plan, be adopted as presented in Appendix 'A'.

Motion #2: THAT the Budget Adjustment, as presented in Appendix 'B' for the Highway 8 Area Structure Plan be approved.

Option #2: THAT the Terms of Reference for an applicant-led Highway 8 Area Structure Plan as presented in Appendix 'C' be adopted.

Option #3: THAT alternative direction be provided.

Respectfully submitted,

Concurrence,

"Theresa Cochran"

"Al Hoggan"

Executive Director
Community Development Services

Chief Administrative Officer

AB/lt

APPENDICES:

APPENDIX 'A': County-Led Terms of Reference

APPENDIX 'B': Budget Adjustment Form

APPENDIX 'C': Applicant-Led Terms of Reference



Terms of Reference

Direction

- 1 Council has directed that a developer-funded Area Structure Plan (ASP) be drafted for the lands identified in Appendix A to provide a framework for future growth in the area. It is intended that the ASP shall provide for a complete range of housing, increased residential densities, recreation and institutional facilities, and appropriately scaled commercial amenities.

The ASP shall be drafted to align with the following statutory documents:

- (1) Interim Growth Plan/Regional Growth Plan
- (2) Rocky View County/City of Calgary IDP
- (3) County Plan

Contributing to ASP policy and direction will be:

- (1) Community and stakeholder input;
- (2) Intermunicipal input;
- (3) Baseline technical studies;
- (4) Growth projections;
- (5) Funding strategy and water licensing for a community potable water system;
- (6) Funding strategy for a community wastewater system or connection to a regional wastewater utility;
- (7) Funding strategy for continued upgrades to Highway 8;
- (8) Fiscal impact to the County;
- (9) Benefit to the communities;
- (10) Compatibility and integration with the surrounding area;
- (11) Market demand; and
- (12) Direction from higher order documents.

Study Area

- 2 The Highway 8 Area Structure Plan (H8ASP) comprises 1698.06 hectares (4196.00 acres) of land in southwest Rocky View County. It is located immediately west of the Elbow Valley development, south of the Elbow River, and north of TsuuT'ina Nation Reserve. Highway 8 bisects the plan area and is in close proximity to the West/Southwest Calgary Ring Road. A portion of the plan falls within the City of Calgary/Rocky View County Intermunicipal Development Plan (IDP).

Although the ASP study area has been identified in Appendix A, technical considerations and stakeholder feedback may result in amendment to the final ASP boundary, subject to approval by Council.



HIGHWAY 8 AREA STRUCTURE PLAN

Terms of Reference

Project Objectives

3 In developing the ASP, the following objectives shall be achieved:

i. Project Plan

- a. To execute the Project Plan in an efficient manner, adhering with the approved timelines and budget;
- b. To ensure that Council is frequently updated on the project's progress and direction is requested, as needed.

ii. Community, Stakeholder, and Interjurisdictional Engagement:

- a. To implement effective, inclusive and transparent community engagement;
- b. To collaborate with the City of Calgary, Tsuut'ina Nation and other agencies to identify and address any issues and opportunities at the earliest point.

iii. Plan Creation:

- a. Land Use
 - (i) To develop a land use strategy;
 - (ii) To establish a development sequence for future redesignation, subdivision, and development of lands;
 - (iii) To determine appropriate integration and transition policies for adjacent land uses and municipalities;
- b. Servicing:
 - (iv) To identify potential servicing options for existing and future development;
 - (v) To identify current and planned transportation infrastructure under both Provincial and County jurisdiction, to determine future transportation needs and opportunities;
 - (vi) To identify possible pedestrian linkages to ensure the development of a cohesive community; and
 - (vii) To identify other required physical services;
- c. Physical Environment:
 - (viii) To identify key environmental and natural features within the Plan area and suggest methods to uphold their form and function; and
 - (ix) To identify physical constraints and obstructions to future development, such as wetlands, excessive slopes and riparian areas found within the study area;
- d. Local Amenities:
 - (x) To identify desired and achievable amenities; and
 - (xi) To determine population thresholds needed to provide various soft services such as parks and outdoor recreation areas;
- e. Business Services:
 - (xii) Further explore the potential for commercial and institutional development within the plan area;
- f. ASP Boundary and Phasing:
 - (xiii) To arrive at a boundary for the ASP that takes into account a foreseeable time horizon, based on growth projections, with sound assumptions and mechanism for reviewing those assumptions;



Terms of Reference

- (xiv) To explore phasing in conjunction with a review of the boundary of the ASP to accommodate growth projections, and to implement an appropriate mechanism for phasing growth;
- (xv) To describe the existing development within the study area and adjacent lands, to discover where development opportunities and constraints may exist; and
- (xvi) To determine the fiscal impact of the proposed land uses;
- g. Other:
 - (xvii) To establish a framework for monitoring the long-term effectiveness of the Plan;
 - (xviii) Meet the intent and direction of the Interim Growth Plan, County Plan and other relevant policy frameworks.

Timeline and Deliverables

4 The ASP would be undertaken across three phases, with the following timelines and deliverables.

Phase 1 (Planning)	
<ul style="list-style-type: none"> Terms of Reference to Council 	Q1, 2020
<ul style="list-style-type: none"> Project Plan <ul style="list-style-type: none"> Background Information, Fiscal and Technical Analysis Report Project Charter Stakeholder Register 	Q2, 2020
<ul style="list-style-type: none"> Communications Plan <ul style="list-style-type: none"> Stakeholder Engagement Plan Intermunicipal Engagement Plan 	Q2, 2020
<ul style="list-style-type: none"> Initiate Technical Studies 	Q2, 2020
Phase 2 (Execution)	
<ul style="list-style-type: none"> Community and Stakeholder Engagement <ul style="list-style-type: none"> Engagement Summary Reports 	Q2-Q4, 2020
<ul style="list-style-type: none"> Completed Technical Studies 	Q3, 2020
<ul style="list-style-type: none"> Draft Plan 	Q4, 2020
Phase 3 (Approval)	
<ul style="list-style-type: none"> Public Hearing 	Q1, 2021

Variance

5 Any substantial departure from the project scope and timeline detailed within this terms of reference shall require approval from Council.

Highway 8 Area Structure Plan

Terms of Reference

Introduction

1. The Highway 8 Area Structure Plan (Hwy8ASP) area includes approximately 1,700 hectares (4,200 acres) of land in southwest Rocky View County and is highlighted in Figure 1. The study area is west of existing urban development (Elbow Valley), south of the Elbow River, north of the Tsuut'ina Nation, and is bisected by Provincial Highway 8.
2. The study area is composed of multiple unsubdivided quarter sections, larger farming parcels, and some smaller parcels.
3. Highway 8 is identified as a Growth Corridor in the Intermunicipal Development Plan (IDP) with the City of Calgary.
4. The existing residential communities adjacent to the plan area have reached build out and lack essential services like schools and commercial opportunities.

Purpose

5. Council determined that it was appropriate to develop an Area Structure Plan, in order to provide a framework to guide future subdivision and development in the area.

Study Area

6. The study area is depicted in Figure 1. It is primarily agricultural / grazing land, with some residential land use.

Scope of Work

7. Community and stakeholder input:
 - (1) Prepare a communications and engagement strategy to identify all relevant interest groups affected by the planning process including intermunicipal partners and external stakeholders.
8. City of Calgary and Tsuut'ina Nation input:
 - (1) Engage with adjacent jurisdictions; specifically, the City of Calgary and Tsuut'ina Nation.
9. Land Use Strategy and Phasing:
 - (1) Analyze existing development within and adjacent to the Plan area to discover development opportunities and constraints;
 - (2) Outline appropriate and compatible land uses and density of future development;
 - (3) Prepare a Land Use Strategy;
 - (4) Identify possible sequencing of development; and,

10. Baseline technical studies:

- (1) Prepare high level technical reviews to support the land use strategy and identify requirements for subsequent planning phases. Studies will include:
 - (a) Determination of the transportation capacity of Highway 8 to serve the intended land uses.
 - (b) A high-level servicing review to identify possible potable water, wastewater and storm water servicing opportunities for future development.
 - (c) A high-level desktop environmental review to identify major natural features.

11. Mapping to include:

- (1) land use strategy;
- (2) phasing;
- (3) location of major natural features
- (4) location of major transportation routes and public utilities;

12. Work Program:

- (1) The Work Program will occur in five phases that overlap.
- (2) The anticipated timeline for the Work Program is approximately 8 months, with a Public Hearing and Council Consideration, including 1st Reading of the Bylaw in September, 2020. These timelines are approximate only. Milestones may be completed sooner than indicated.
- (3) Phase 1 – Project Initiation and Technical Studies. (February-April, 2020)
- (4) Phase 2 – Engagement and Plan Writing. (March-May, 2020)
- (5) Phase 3 – Hwy8ASP Release. (May-June, 2020)
- (6) Phase 4 – Finalize Plan. (July, 2020)
- (7) Phase 5 – Public Hearing/First Reading. (September, 2020)

13. Other Matters

- (1) The developer group funding the planning process, will select a planner and other consultants, to ensure the project is moved forward in an expeditious fashion. The County's role will be to provide information with respect to the County's established policy requirements for the developer group's consideration in the preparation of the draft ASP.
- (2) The County will make previous Highway 8 area related reports, studies, and mapping information available to the developer group and their consultants, including the most current transportation network information.
- (3) The developer group will have discretion on the timing for the Public Hearing and First Reading. The developer group and/or their consultant group will present the proposed ASP at the public hearing for Council's consideration.

- (4) In the event that there are changes or updates to County policies regarding the preparation of ASP's, this TOR will allow for the project to proceed in accordance with Council approved policy, and would not require amendment.

Summary

14. The County seeks to plan for and accommodate future community growth along the Highway 8 corridor.



PLANNING AND DEVELOPMENT SERVICES

TO:	Council	
DATE:	February 11, 2020	DIVISION: All
FILE:	N/A	APPLICATION: N/A
SUBJECT:	Response to Notice of Motion: County Plan amendments to accommodate Developer-led Area Structure Plans.	

DISCUSSION:

At the January 14, 2020, Council meeting, a Notice of Motion was introduced that, if passed, would direct Administration to prepare amendments to the County Plan to allow a development proponent to prepare a new area structure plan (ASP) or ASP amendment.

In accordance with County Plan Policy 28.2, new area structure plans or major area structure plan amendments are currently prepared or directed by the County. However, the Notice of Motion highlights that there may be instances where it is appropriate for a developer to lead and prepare an area structure plan, with the extent and scope of the developer's responsibilities directed by a terms of reference adopted by Council.

In determining whether support is to be given to this Notice of Motion, Council may wish to consider the extent of Administration assistance that would be needed to facilitate developer-led ASP projects, especially with respect to coordinating public engagement, intermunicipal collaboration, and/or submission to the Calgary Metropolitan Region Board. However, it is noted that direction on these matters could also be determined through the future terms of reference brought before Council for each project.

Option #1 provided within this report would direct Administration to draft amendments to the County Plan allowing a developer to prepare new ASPs or ASP amendments. Alternatively, Council may direct under Option #2: that proposed amendments be included in the forthcoming draft of a new Municipal Development Plan.

BUDGET IMPLICATIONS:

If Administration is directed to undertake public engagement on any draft amendments to Policy 28.2 of the County Plan prior to their presentation to Council, this may result in budget implications.

OPTIONS:

- | | |
|-----------|---|
| Option #1 | THAT Administration be directed to draft amendments to the County Plan to allow a development proponent to prepare a new area structure plan or amendment to an area structure plan, subject to a Council-adopted terms of reference. |
| Option #2 | THAT amendments to the County Plan to allow a development proponent to prepare a new area structure plan or amendment to an area structure plan be included in the current drafting of a new Municipal Development Plan. |
| Option #3 | THAT alternative direction be provided. |

Administration Resources

Dominic Kazmierczak, Planning and Development Services



Respectfully submitted,

“Theresa Cochran”

Executive Director
Community Development Services

Concurrence,

“Al Hoggan”

Chief Administrative Officer

DK/

APPENDICES:

APPENDIX ‘A’ – January 14, 2020, Notice of Motion



ROCKY VIEW COUNTY
Cultivating Communities

NOTICE OF MOTION

Submitted in accordance with sections 54, 55, 56, 57, and 58 of
Procedure Bylaw C-7907-2019

Presented By: Councillor Gautreau, Division 5
Seconded By: Deputy Reeve Schule, Division 4

This notice of motion is read into the record on **January 14, 2020** for Council to consider and debate on **February 11, 2020**.

TITLE: **DEVELOPMENT PROPONENT-LED AREA STRUCTURE PLAN PREPARATION**

WHEREAS Rocky View County's Municipal Development Plan titled the "County Plan" provides that a new area structure plan, or an amendment to an area structure plan, shall be prepared by, or directed by, the County;

AND WHEREAS A minor amendment to an area structure plan may be prepared by the development proponent in consultation with the local community, at the discretion of the County;

AND WHEREAS A major amendment to an area structure plan shall be led or directed by the County in consultation with the local community;

AND WHEREAS There may be circumstances wherein Council is satisfied that a development proponent may prepare a new area structure plan or an amendment to an area structure plan, subject to a Council-adopted terms of reference.

THEREFORE BE IT RESOLVED THAT Administration be directed to prepare amendments to the County Plan to allow a development proponent to prepare a new area structure plan or amendment to an area structure plan, subject to a Council-adopted terms of reference.



INTERGOVERNMENTAL AFFAIRS

TO:	Council	
DATE:	February 11, 2020	DIVISION: All
FILE:	N/A	APPLICATION: N/A
SUBJECT:	Adoption of Intermunicipal Collaboration Framework between Mountain View County and Rocky View County	

POLICY DIRECTION

Municipal Government Act (MGA) amendments require Rocky View County (RVC) to complete an Intermunicipal Collaboration Framework (ICF) with all adjacent municipalities that are not a member of the Calgary Metropolitan Regional Board. The ICFs must be complete by April 2020, unless a one-year extension is granted.

EXECUTIVE SUMMARY:

On December 10, 2019, the Mountain View County ICF was approved by Council via bylaw. However, changes in the legislation due to the passage of Bill 25, Red Tape Reduction Implementation Act, on December 6, 2019, and the repeal of the *Intermunicipal Collaboration Framework Regulation*, effective January 1, 2020, have required changes to the ICF, specifically with respect to the dispute resolution mechanism. The MGA also allows the ICF to be passed by resolution instead of bylaw. Administration worked with Mountain View County Administration to address the changes to the ICF and is recommending that Council repeal the previous bylaw via Bylaw-8019-2020, and adopt the revised ICF by resolution.

ADMINISTRATION RECOMMENDATION:

Administration recommends approval in accordance with Option #1.

DISCUSSION:

RVC Council approved the Mountain View ICF on December 10, 2019, by bylaw. At the same time, Bill 25 introduced amendments to the MGA and repealed the ICF Regulation. As a result of these changes, revisions to the ICF are required. The most significant change was the removal of the Dispute Resolution Process that was in the ICF Regulation. The adopted ICF had referenced the regulation and did not include the dispute resolution process in the ICF itself. This has created a missing piece in the ICF.

Administrations from Mountain View and RVC prepared amendments to the ICF and included a simple dispute resolution process. The other key change is that the ICF can now be adopted by resolution instead of bylaw, which increases the ease of future revisions.

Administration is recommending that Council repeal the Mountain View ICF bylaw, adopted on December 10, 2019, and replace it with the revised ICF that is included in Attachment A. Mountain View County Council will consider the ICF resolution on February 12, 2020.

BUDGET IMPLICATIONS:

There are no budget implications at this time.

Administration Resources

Amy Zaluski and Ben Manshanden, Intergovernmental Affairs

**OPTIONS:**

- | | | |
|-----------|-----------|--|
| Option #1 | Motion #1 | THAT Bylaw C-8019-2020 be given first reading. |
| | Motion #2 | THAT Bylaw C-8019-2020 be given second reading. |
| | Motion #3 | THAT Bylaw C-8019-2020 be given third and final reading. |
| | Motion #4 | THAT the Mountain View County and Rocky View County Intermunicipal Collaboration Framework be approved as presented in Attachment 'B.' |
- Option #2 THAT alternative direction be provided.

Respectfully submitted,

Concurrence,

"Amy Zaluski"

"Al Hoggan"

 Manager
 Intergovernmental Affairs

 Chief Administrative Officer

BM/rp

ATTACHMENTS:

Attachment 'A' – Bylaw C-8019-2020 to Repeal C-7971-2019

Attachment 'B' – Intermunicipal Collaboration Framework between Mountain View County and Rocky View County



ROCKY VIEW COUNTY
Cultivating Communities

BYLAW C-8019-2020

A Bylaw of Rocky View County, in the Province of Alberta, to repeal the *Mountain View County and Rocky View County Intermunicipal Collaboration Framework*.

The Council of Rocky View County enacts as follows:

Title

- 1 This Bylaw may be cited as Bylaw C-8019-2020.

Definitions

- 2 Words in this Bylaw have the same meaning as those set out in the *Municipal Government Act* except for the following:
 - (1) “***Municipal Government Act***” means the *Municipal Government Act*, RSA 2000, c M-26, as amended or replaced from time to time; and
 - (2) “***Mountain View County and Rocky View County Intermunicipal Collaboration Framework***” means Rocky View County Bylaw C-7971-2019, being the *Mountain View County and Rocky View County Intermunicipal Development Plan*, as amended or repealed from time to time.

Effect

- 3 Rocky View County Bylaw C-7971-2019, being the *Mountain View County and Rocky View County Intermunicipal Collaboration Framework*, and all amendments thereto, are repealed upon this bylaw coming into full force and effect.

Effective Date

- 4 Bylaw C-8019-2020 is passed and comes into full force and effect when it receives third reading and is signed pursuant to the *Municipal Government Act*.

READ A FIRST TIME IN COUNCIL this_____ day of _____, 2020

READ A SECOND TIME IN COUNCIL this_____ day of _____, 2020

UNANIMOUS PERMISSION FOR THIRD READING this_____ day of _____, 2020

READ A THIRD TIME IN COUNCIL this_____ day of _____, 2020

Reeve

Chief Administrative Officer or Designate

Date Bylaw Signed



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 Township Road 291 from Range Road 284 to Range Road 280; and Township Road 290 from Range Road 280 to Range Road 270.

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:

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. "*Municipal Government Act*" means the *Municipal Government Act*, RSA 2000, c M-26, as amended from time to time;
 - f. "Mountain View County" means Mountain View as a municipal corporation and the geographical area within its jurisdictional boundaries, as the context requires;
 - g. "Rocky View County" means Rocky View as a municipal corporation and the geographical area within its jurisdictional boundaries, as the context requires;
 - h. "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.
 - i. "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 deliver 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.

j. "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 resolutions 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.
- 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 __,__, 2020 and ends __,__, 2024.

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

1) 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

SERVICE AREA	DELIVERY METHOD Between Mountain View and Rocky View	SERVICE SHARED	IMPLEMENTATION Terms, and Funding Arrangement
Emergency Services: Fire	Intermunicipal Collaboration		
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 style="list-style-type: none"> • Implementation: Road Maintenance Services Agreement
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 style="list-style-type: none"> • Implementation: Memorandum of Understanding. • Mountain View County, Rocky View County, Mountain View Regional Water Services Commission. • 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. • Term: Signed July 2009, no end date was assigned to this Memorandum of Understanding. • Funding: No funding involved for the acquisition and use of the License.
Other: Agriculture	Intermunicipal Collaboration	Delivering of agricultural	<ul style="list-style-type: none"> • Mountain View and Rocky View's Agricultural Services

		services programming.	department 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.
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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 four-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 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 passing of resolutions.
- 6) The parties may amend or update any existing Service Agreement from time to time without having to amend or replace this Agreement. This will be followed by a resolution by each respective Council to confirm a change to a Service Agreement.

F. DISPUTE RESOLUTION

- 1) In the event that one of the parties believes there is a dispute under this Framework and wishes to engage in dispute resolution, the party must give written notice to the other party of the matter of the dispute. The 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 within 180 days of notice under Section F.1 of this agreement, the Committee will appoint a mutually agreed-upon mediator to attempt to resolve the dispute by mediation. The party initiating the dispute shall provide the mediator with an outline of the dispute and any agreed statement of facts along with any records, documents or information that the mediator reasonably requests.

- 3) The parties agree to meet at such reasonable times as required and negotiate in good faith to resolve the dispute.
- 4) Unless the parties agree otherwise, the cost of the mediator must be shared equally between the parties.
- 5) If the dispute has not been resolved within twelve (12) months after the notice is given under Section F.1 of this agreement, the Committee shall proceed with Arbitration under Division 2 of Part 17.2 of the *Municipal Government Act*.

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

- l) 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 _____, 2020 in _____, Alberta.

MOUNTAIN VIEW COUNTY

ROCKY VIEW COUNTY

Per:

Per:

Bruce Beattie, Reeve

Greg Boehlke, Reeve

Jeff Holmes, C.A.O.

Al Hoggan, C.A.O.



MUNICIPAL CLERK'S OFFICE

TO: Council
DATE: February 11, 2020 **DIVISION:** All
FILE: 0194
SUBJECT: Amendments to the *Appeal and Review Panel Bylaw*

POLICY DIRECTION:

At its January 28, 2020 meeting, Council directed that Administration bring forward an amendment to the Appeal and Review Panel Bylaw to reflect the deletion of the requirement for an alternate member of Council on its membership.

EXECUTIVE SUMMARY:

On January 28, 2020, Council removed Councillor McKylor from the Subdivision and Development Appeal Board and Enforcement Appeal Committee and also directed that Administration bring forward an amendment to the applicable bylaw.

The proposed amendment would simply remove the one alternate member of Council from its membership resulting in the following board composition resulting in the remaining membership:

- Four members at large and two alternate members at large (6 members at large)
- One member of Council.

ADMINISTRATION RECOMMENDATION:

Administration recommends approval in accordance with Option #1.

BUDGET IMPLICATIONS:

N/A

OPTIONS:

- Option #1: Motion 1: THAT Bylaw C-8017-2020 be given first reading.
 Motion 2: THAT Bylaw C-8017-2020 be given second reading.
 Motion 3: THAT Bylaw C-8017-2020 be considered for third reading.
 Motion 4: THAT Bylaw C-8017-2020 be given third and final reading.
- Option #2: THAT alternative direction be provided.

Respectfully submitted,

Concurrence,

"Kent Robinson"

"Al Hoggan"

Executive Director

Chief Administrative Officer

ATTACHMENTS:

Attachment 'A' – Bylaw C-8017-2020



ROCKY VIEW COUNTY
Cultivating Communities

BYLAW C-8017-2020

A Bylaw of Rocky View County, in the Province of Alberta, to amend the *Appeal and Review Panel Bylaw*.

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

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

Title

- 1 This bylaw may be cited as *Bylaw C-8017-2020*.

Definitions

- 2 Words in this Bylaw have the same meaning as those set out in the *Municipal Government Act* except as follows:
 - (1) “***Appeal and Review Panel Bylaw***” means Rocky View County Bylaw C-7717-2017, being the *Appeal and Review Panel Bylaw*, as amended or replaced from time to time; and
 - (2) “***Municipal Government Act***” means the *Municipal Government Act*, RSA 2000, c M-26, as amended or replaced from time to time.

Effect

- 3 Section 12(1)(b) of the *Appeal and Review Panel Bylaw* is amended as follows:

“One member of Council and ~~one alternate member of Council~~”

Transitional

- 4 Bylaw C-8017-2020 is passed and comes into full force and effect when it receives third reading and is signed in accordance with the *Municipal Government Act*.

READ A FIRST TIME IN COUNCIL this _____ day of _____, 2019

READ A SECOND TIME IN COUNCIL this _____ day of _____, 2019

UNANIMOUS PERMISSION FOR THIRD READING this _____ day of _____, 2019

READ A THIRD TIME IN COUNCIL this _____ day of _____, 2019

Reeve

Chief Administrative Officer or Designate

Date Bylaw Signed



MUNICIPAL CLERK'S OFFICE

TO: Council

DATE: February 11, 2020 **DIVISION:** All

FILE: 0194

SUBJECT: Council Code of Conduct Bylaw – Complaint System

POLICY DIRECTION:

Section 146.1(1) of the *Municipal Government Act* (MGA) provides that Council must, by bylaw, establish a code of conduct governing the conduct of councillors.

EXECUTIVE SUMMARY:

The MGA establishes the general duties of all councillors and requires that all councillors take the official oath prior to assuming office. Rules regarding pecuniary interests and what events will cause a councillor to be disqualified from holding office are also established. The MGA does not address councillor conduct and the Province has seen fit to leave it to each Council to govern itself. A council has the delegated authority to pass bylaws in relation to the conduct of council and members of council.

Rocky View County Council passed the *Council Code of Conduct Bylaw C-7768-2018* (the Bylaw) on June 26, 2018. The Bylaw covers the essential topics as outlined in the *Code of Conduct for Elected Officials Regulation* (the Regulation). Although a code of conduct is mandatory, the regulation respects the autonomy of councils to govern themselves and councils are expected to enforce their own codes of conduct.

The Regulation also requires that the Bylaw set out a complaint system that addresses who may make a complaint, how a complaint is made, the process used to determine the validity of the complaint, and what sanctions may be imposed if a complaint is determined to be valid. The regulation does not set out a prescribed process on how to respond to frivolous or vexatious complaints and suggest that a council should have a process to vet such complaints and also to determine if a complaint is invalid.

Since the approval of the County's Bylaw, there have been eight formal complaints filed against members of council; four from members of council and four from the public. Council has appointed Mr. Sean Ward from Reynolds Mirth Richards & Farmer LLP to investigate all complaints received. To date, the legal costs associated to the eight investigations amounts to approximately \$15,000.

Adjustments to the existing Council Code of Conduct are recommended to further clarify and streamline the existing complaint process for Council members and the public. Proposed amendments include the following:

1. Informal and formal complaints may only be filed by members of council;
2. A new section added that addresses if a complaint involves both the Reeve and Deputy Reeve; and
3. A new section added with a specific process for complaints received from the public.



Streamlining both the informal and formal complaint process and adding a section specifically for complaints from the public will provide for accountability and transparency both internally amongst members of council as well as externally, to the public at large.

ADMINISTRATION RECOMMENDATION:

Administration recommends approval in accordance with Option #1.

DISCUSSION:

Informal Complaint Process

Section 55 of the Bylaw provides that *any person* who has identified or witnessed conduct by a Councillor that the person reasonably believes, in good faith, is in contravention of this Bylaw may address the prohibited conduct through the informal complaint process that is administered through the Reeve or the Deputy Reeve in the event the Reeve is implicated in the complaint. Administration recommends that section 55 be amended to remove *any person* and replace with *any member of Council*. For further clarity, if the complaint involves both the Reeve and Deputy Reeve, the complaint will be submitted to any member of council to be discussed by Council as a whole during a closed session.

Formal Complaint Process

Section 57 of the Bylaw provides that *any person* can file a formal complaint regarding the conduct by a Councillor. Administration recommends that section 57 be amended to remove *any person* and replace it with *any member of Council*.

Public Complaints

Administration recommends that a new section be added that outlines the process of addressing complaints received from the public. Currently, the public has full access to contact the investigator directly and commence complaints without Council's knowledge or notification. The proposed process will address complaints received from the public by requiring such complaints to be delivered to the Reeve, Deputy Reeve or any member of Council. Upon receipt of the complaint from the public, the complaint will be reviewed and discussed in a closed session by all of Council. As a group, Council can review the complaint and provide its recommendation for action.

Other Councils Code of Conduct Bylaws

A review of other municipalities' principled standards and conduct resulted in similar prescriptive code of conduct bylaws laying out prohibitions and rules councillors must abide by or risk sanctions as per the Bylaw.

BUDGET IMPLICATIONS:

N/A

OPTIONS:

- | | | |
|-----------|-----------|---|
| Option #1 | Motion #1 | THAT Bylaw C-8014-2020 be given first reading. |
| | Motion #2 | THAT Bylaw C-8014-2020 be given second reading. |
| | Motion #3 | THAT Bylaw C-8014-2020 be considered for third reading. |



Motion #4 THAT Bylaw C-8014-2020 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

cs/

APPENDICES:

APPENDIX ‘A’ – Bylaw C-8014-2020



ROCKY VIEW COUNTY
Cultivating Communities

BYLAW C-8014-2020

A Bylaw of Rocky View County, in the Province of Alberta, to amend the *Council Code of Conduct Bylaw*.

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

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

Title

- 1 This bylaw may be cited as *Bylaw C-8014-2020*.

Definitions

- 2 Words in this Bylaw have the same meaning as those set out in the *Municipal Government Act* except as follows:
 - (1) “***Council Code of Conduct Bylaw***” means Rocky View County Bylaw C-7968-2018, being the *Council Code of Conduct Bylaw*, as amended or replaced from time to time; and
 - (2) “***Municipal Government Act***” means the *Municipal Government Act*, RSA 2000, c M-26, as amended or replaced from time to time.

Effect

- 3 Section 55 of the *Council Code of Conduct Bylaw* is amended as follows:

“~~Any person~~ **Member of Council** who has identified or witnessed conduct by a Councillor that the person reasonably believes, in good faith, is in contravention of this Bylaw may address the prohibited conduct by”
- 4 Section 56 of the *Council Code of Conduct Bylaw* is amended as follows:

“~~Individuals~~ **Members of Council** are encouraged to pursue this informal complaint procedure as the first means of remedying conduct that they believe violates this Bylaw. However, ~~an individual is~~ **Members of Council are** not required to complete this informal complaint procedure prior to pursuing the formal complaint procedure outlined below.”
- 5 Section 57 of the *Council Code of Conduct Bylaw* is amended as follows:

“~~Any person~~ **Member of Council** who has identified or witnessed conduct by a Councillor that they reasonably believe, in good faith, is in contravention of this Bylaw may file a formal complaint in accordance with the following procedure.”

- 6 Add a new section 55(i) with the following wording:
- “In the event that the Reeve is the subject of, or is implicated in a complaint, the person may request the assistance of the Deputy Reeve;”
- 7 Add a new section 55(ii) with the following wording:
- “In the event that the Deputy Reeve is the subject of, or is implicated in a complaint, the person may request the assistance of the Reeve;”
- 8 Add a new section 55(iii) with the following wording:
- “In the event that both the Reeve and Deputy Reeve are the subjects of, or are implicated in a complaint, the person may submit the complaint to any other member of Council who must provide it to Council as a whole during a closed session.”
- 9 Add a new section header Public Complaints under section 57.
- 10 Add a new section 57.1, under the Public Complaints header, with the following wording:
- “Members of the public who have identified or witnessed conduct by a Member of Council that they reasonably believe, in good faith, is in contravention of this Bylaw may address their concerns by:
- (a) Providing a written complaint that must:
 - (i) be dated and signed by an identifiable individual;
 - (ii) set out a detailed descriptor of the facts, as they are known, giving rise to the concern;
 - (iii) be delivered to the Reeve or Deputy Reeve;
 - (b) Failure to provide the information as noted in section 58(a) deem the complaint as refused.
 - (c) Upon receipt of a complaint from a member of the public, the Reeve or Deputy Reeve shall:
 - (i) inform Council of the complaint during a closed session;
- 11 Add a new section 57.2, under the Public Complaints header, with the following wording:
- “Upon being advised and after reviewing a complaint from a member of the public, Council may, by resolution:
- (a) Recommend or direct that an investigation be undertaken by the investigator;
 - (b) Recommend or direct that no action be taken;

- (c) Recommend or direct that the Reeve and Deputy Reeve assist in informal discussion of the alleged complaint with the Council member in an attempt to resolve the issue;
- (d) In the event that the Reeve is the subject of the alleged complaint, or is implicated in a complaint, recommend or direct that the Deputy Reeve and another Council member assist in informal discussion of the alleged complaint in an attempt to resolve the issue;
- (e) In the event that the Deputy Reeve is the subject of the alleged complaint, or is implicated in a complaint, recommend or direct that the Reeve and another Council member assist in informal discussion of the alleged complaint in an attempt to resolve the issue;
- (f) In the event that the Reeve and Deputy Reeve is the subject of the alleged complaint, or is implicated in a complaint, recommend or direct that two Council members assist in informal discussion of the alleged complaint in an attempt to resolve the issue.

Transitional

- 12 Bylaw C-8014-2020 is passed and comes into full force and effect when it receives third reading and is signed in accordance with the *Municipal Government Act*.

READ A FIRST TIME IN COUNCIL this _____ day of _____, 2020

READ A SECOND TIME IN COUNCIL this _____ day of _____, 2020

UNANIMOUS PERMISSION FOR THIRD READING this _____ day of _____, 2020

READ A THIRD TIME IN COUNCIL this _____ day of _____, 2020

Reeve

Chief Administrative Officer or Designate

Date Bylaw Signed



MUNICIPAL CLERK'S OFFICE

TO: Council

DATE: January 28, 2020 **DIVISION:** All

FILE: N/A

SUBJECT: Procedure Bylaw Amendments – Bylaw C-8006-2020

¹POLICY DIRECTION:

Section 145(b) of the *Municipal Government Act* (MGA) states that Council may pass bylaws in relation to the procedure to be followed by Council, committees, and other bodies established by Council.

EXECUTIVE SUMMARY:

The purpose of this report is for Council to review and approve proposed amendments to Procedure Bylaw C-7907-2019. On July 23, 2019, Council approved the new Procedure Bylaw that established the orderly proceedings of meetings held by Council, boards and committees, and other bodies established by Council.

The Procedure Bylaw came into effect on September 1, 2019 and over the past four months, it is clear that some minor housekeeping amendments would assist in the rules of procedure.

A summary of the suggested amendments are as follows:

1. Add a new section for a motion to suspend the rules (section 4.1);
2. Amend section 29 to replace the five minutes notification to read “reasonable notice”;
3. Add a new section that prohibits note taking and electronic devices in closed sessions (section 25.1);
4. Add a new section that addresses adding or deleting agenda items after an agenda has been approved (section 46.1);

ADMINISTRATION RECOMMENDATION:

That Bylaw C-8006-2020 be approved in accordance with Uption # 1.

DISCUSSION:

Motion to Suspend the Rules

A motion to suspend the rules is used to temporarily suspend the rules of procedure set out in the Bylaw to allow Council or Committee to take up a question or do something that would be in violation of this Bylaw and is not debatable. A motion to suspend the rules requires a majority vote and shall only be effective for the meeting during which it is passed.

Closed Session Notification

Section 29 of the Procedure Bylaw provides that when the closed meeting discussions are completed, any members of the public who are present outside of the meeting room must be notified that the rest of the meeting is now open to the public and Council provides five minutes

Administration Resources

Charlotte Satink, Municipal Clerk's Office

of notice given to those members of the public to return to the meeting. The *Municipal Government Act* provides that a reasonable amount of time be given to the public. In practice, five minutes of notice works when there are public members in attendance and does not work when public are not present at the meeting. By amending the wording to a reasonable amount of time instead of five minutes aligns with the *Municipal Government Act* and allows Council the flexibility to amend the time based on whether or not public is in attendance.

Devices and Note Taking during Closed Sessions

To ensure the confidentiality of the matters being discussed in closed sessions, and to follow the recommended procedures provided by Municipal Affairs, Administration recommends that electronic devices and note taking not be permitted by Members in attendance at the closed session. Closed sessions are never recorded, a hard copy of the confidential report will be circulated to the attendees at the onset of the closed session and collected prior to returning to the open meeting. By adding a section that reflects this requirement ensures the confidentiality of the closed sessions.

Additions or Deletions of Agenda Items

Once an Agenda has been adopted by Council, should additional items be added or deleted from the agenda, a resolution is required by unanimous vote of Council.

BUDGET IMPLICATIONS:

N/A

OPTIONS:

- Option #1: Motion #1: THAT Bylaw C-8006-2020 be given first reading.
- Motion #2: THAT Bylaw C-8006-2020 given second reading.
- Motion #3: THAT Bylaw C-8006-2020 be considered for third reading.
- Motion #4: THAT Bylaw C-8006-2020 be given third reading.

Option #2: THAT Council provide alternative direction.

Respectfully submitted,

Concurrence,

“Kent Robinson”

“Al Hoggan”

Executive Director, Corporate Services

Chief Administrative Officer

cs/

ATTACHMENTS:

Attachment A: Bylaw C-8006-2020



ROCKY VIEW COUNTY
Cultivating Communities

BYLAW C-8006-2020

A Bylaw of Rocky View County, in the Province of Alberta, to amend the *Procedure Bylaw*.

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

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

Title

- 1 This bylaw may be cited as *Bylaw C-8006-2020*.

Definitions

- 2 Words in this Bylaw have the same meaning as those set out in the *Municipal Government Act* except as follows:
 - (1) “***Procedure Bylaw***” means Rocky View County Bylaw C-7907-2019, being the *Procedure Bylaw*, as amended or replaced from time to time; and
 - (2) “***Municipal Government Act***” means the *Municipal Government Act*, RSA 2000, c M-26, as amended or replaced from time to time.

Effect

- 3 Section 29 of the *Procedure Bylaw* is amended as follows:

“After the Closed Meeting discussions are completed, any members of the public who are present outside the meeting room must be notified that the rest of the meeting is now open to the public, and that ~~five minutes~~ **reasonable notice** must be given for those members of the public to return to the meeting before it continues”
- 4 Add a new section 4.1 with the following wording:

“A Member may make a motion to temporarily suspend the rules or procedures, or a specific rule or procedure, outlined in this Bylaw. A motion to suspend the rules is only in effect for the Meeting at which it was passed.”
- 5 Add a new section 25.1 with the following wording:

“Members must not bring electronic devices into Closed Sessions, and Members must not record, take notes, or otherwise document Closed Session proceedings.”
- 6 Add a new section 46.1 with the following wording:

“Council may only add or delete items after an Agenda has been approved by a resolution passed unanimously by the Members present at the Meeting.”

Transitional

- 7 Bylaw C-8006-2020 is passed and comes into full force and effect when it receives third reading and is signed in accordance with the *Municipal Government Act*.

READ A FIRST TIME IN COUNCIL this _____ day of _____, 2020

READ A SECOND TIME IN COUNCIL this _____ day of _____, 2020

UNANIMOUS PERMISSION FOR THIRD READING this _____ day of _____, 2020

READ A THIRD TIME IN COUNCIL this _____ day of _____, 2020

Reeve

Chief Administrative Officer or Designate

Date Bylaw Signed



PLANNING AND DEVELOPMENT SERVICES

TO: Council
DATE: February 11, 2020 **DIVISION:** 1
FILE: 04834011 **APPLICATION:** PL20190198
SUBJECT: First Reading Bylaw - Ranch and Farm District to Direct Control District

PURPOSE: The purpose of this application is to redesignate the lands from Ranch and Farm District to Direct Control District, in order to facilitate the future creation of a storage facility.
GENERAL LOCATION: Located approximately 7.25 kilometres (4.5 miles) south of the Town of Cochrane, on the north side of Highway 1, and the west side of Highway 22.
APPLICANT: Mediated Solutions (Phil Dack)
AFFECTED AREA: ± 14.44 acres
POLICY DIRECTION: Relevant policies for this project include the Interim Growth Plan (IGP) and the County Plan (CP), and any other applicable policies.

COUNCIL OPTIONS:

Option #1: THAT Bylaw C-8004-2020 be given first reading.
 Option #2: THAT application PL20190198 be denied.

APPLICATION REQUIREMENTS:

No additional information required at this time.

Respectfully submitted,

Concurrence,

“Theresa Cochran”

“Al Hoggan”

Executive Director
Community Development Services

Chief Administrative Officer

SK/ltt

APPENDICES:

APPENDIX ‘A’: Bylaw C-8004-2020
 APPENDIX ‘B’: Map Set

Administration Resources

Stefan Kunz, Planning and Development Services



BYLAW C-8004-2020

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-8004-2020.

PART 2 – DEFINITIONS

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

PART 3 – EFFECT OF BYLAW

THAT Part 5, Land Use Map No. 48 of Bylaw C-4841-97 be amended by redesignating a portion of SE-34-24-4-W5M from Ranch and Farm District to Direct Control District as shown on the attached Schedule 'A' forming part of this Bylaw.

THAT A portion of SE-34-24-4-W5M is hereby redesignated to Direct Control District as shown on the attached Schedule 'A' forming part of this Bylaw.

THAT The regulations of the Direct Control District comprise:

- 1.0 General Regulations
- 2.0 Land Use Regulations
- 3.0 General Development Regulations

1.0 General Regulations

- 1.1 All uses listed as permitted in the Ranch and Farm District are deemed approved in this Direct Control District.
- 1.2 The Subdivision Authority shall be responsible for decisions regarding subdivision applications affecting the lands subject to this Bylaw.
- 1.3 Except where specifically noted that Council approval is required the Development Authority shall be responsible for the issuance of development permits for the lands subject to this Bylaw.
- 1.4 The Development Authority and/or Council may decide on an application for a development permit even though the proposed development does not comply with this bylaw or is a nonconforming building if, in the opinion of the Development Authority, the proposed development will not unduly interfere with the amenities of the neighbourhood, interfere with or affect the use, enjoyment or value of neighbouring parcels of land, and the proposed use conforms with the uses outlined within this Bylaw.
- 1.5 Parts 1, 2, & 3 of the Land Use Bylaw C-4841-97 shall apply to all uses contemplated by this Bylaw except where otherwise noted.

**2.0 Land Use Regulations****2.1 Purpose and Intent**

The purpose and intent of this district is to allow low impact activities on future road right-of-way lands while also allowing ranching and farming activities on the land to continue.

2.2 Uses

2.2.1 The Permitted and Discretionary Uses listed in Section 43.3 and 43.4 of Land Use Bylaw C-4841-97 are the Permitted and Discretionary Uses of this District with the inclusion of:

- (i) Government Services
- (ii) Mini - storage
- (iii) Mobile home (maximum of 2 for custodial purposes)
- (iv) Outside Storage
- (v) Outdoor storage – Recreational Vehicles
- (vi) Outdoor storage – Truck trailers

2.3 Development Regulations**2.3.1 Minimum Yard, Front for Buildings:**

- (i) 15.00 m (147.64 ft.) from any road, County;
- (ii) 15.00 m (196.85 ft.) from any road, highway.
- (iii) 15.00 m (49.21 ft.) from any road, internal subdivision or road, service.

2.3.2 Minimum Yard, Side for Buildings:

- (i) 15.00 m (147.64 ft.) from any road, County;
- (ii) 15.00 m (196.85 ft.) from any road, highway;
- (iii) 15.00 m (49.21 ft.) from any road, internal subdivision or road, service;
- (iv) 6.00 m (19.69 ft.) all other.

2.3.3 Minimum Yard, Rear for Buildings:

- (i) 15.00 m (98.43 ft.) from any road, highway
- (ii) 15.00 m (49.21 ft.) all other.

2.3.4 Maximum Height of Buildings: 10.00 metres (32.8 ft.).**2.3.5 Minimum Habitable floor area for dwellings, excluding basement:**

- (i) 92.00 sq. m (990.28 sq. ft.) single storey dwelling;
- (ii) 92.00 sq. m (990.28 sq. ft.) split level dwelling, the total area of two finished levels;
- (iii) 74.00 sq. m (796.53 sq. ft.) split entry or bi-level and the main floor; 18.00 sq. m (193.75 sq. ft.) finished lower level;
- (iv) 92.00 sq. m (990.28 sq. ft.) combined floor area, two-storey dwelling;
- (v) 92.00 sq. m (990.28 sq. ft.) main floor for dwelling, moved-in.



ROCKY VIEW COUNTY

3.0 General Development Regulations

- 3.1. The following items are required prior to the endorsement of a plan of subdivision or the issuance of a Development Permit;
- 3.1.1 A Traffic Impact Assessment and Intersection Assessment in accordance with the County Servicing Standards.
 - 3.1.2 A Solid Waste Management Plan detailing how solid waste will be collected and transported from the development.
 - 3.1.3 An access plan which shall include but is not limited to: a clearly defined access route, all necessary easements, rights-of-way and associated agreements, emergency access in accordance with the County Servicing Standards.
- 3.2 No vehicle storage shall be located in the front yard setback;
- 3.3 There shall be no storage of hazardous materials or goods on site;
- 3.4 No overnight or long-term camping shall be allowed on site;
- 3.5 There shall be no storage for the salvage of, or for derelict vehicles, used building or domestic products and similar discarded or recyclable materials;
- 3.6 All outdoor storage, recreation vehicle sites shall have a dump station

PART 4 – TRANSITIONAL

Bylaw C-8004-2020 comes into force when it receives third reading, and is signed by the Reeve/Deputy Reeve and CAO or Designate, as per the *Municipal Government Act*.

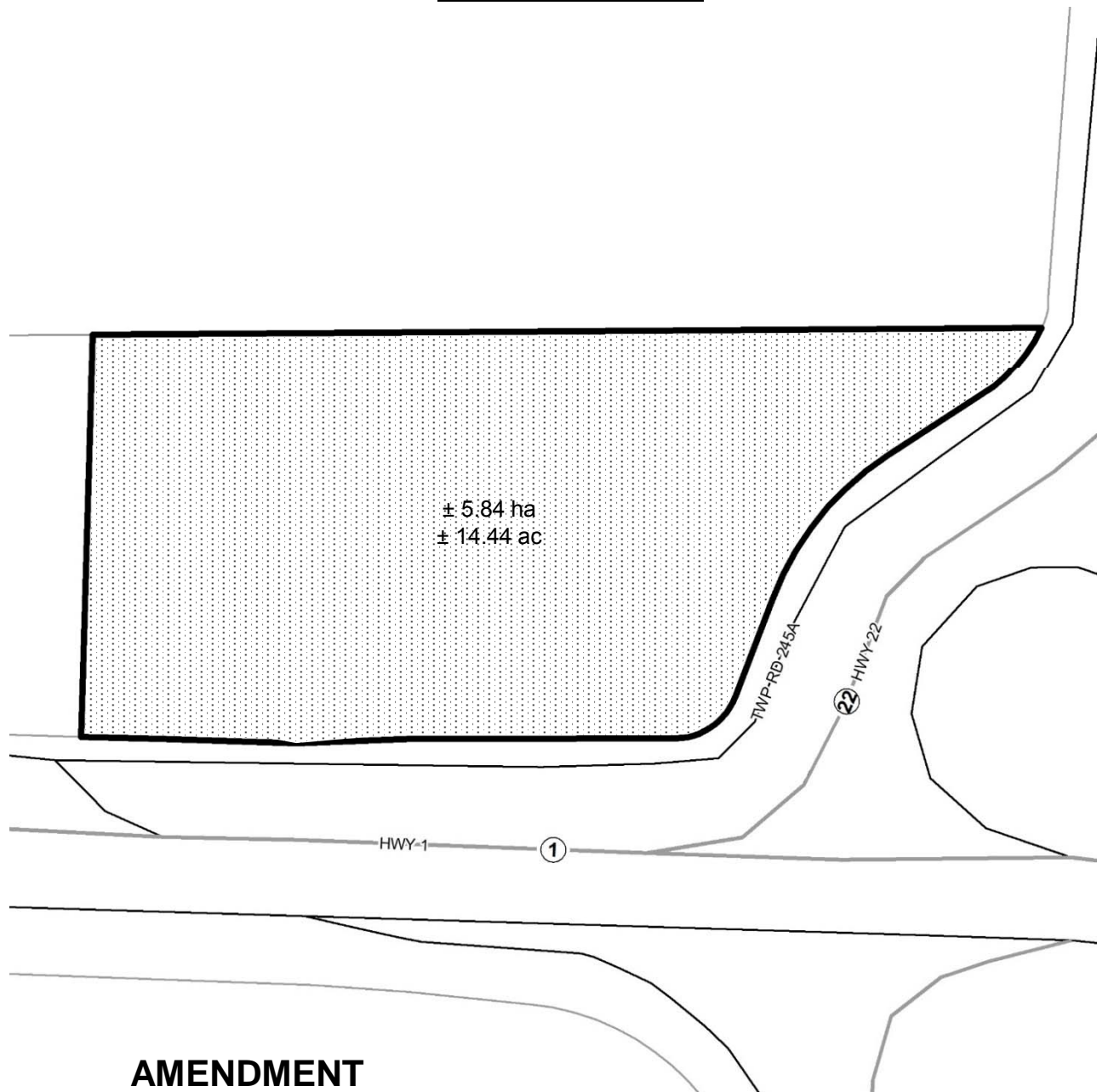
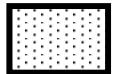
Division: 1
File: 04834011 - PL20190198

READ A FIRST TIME IN COUNCIL this	day of	, 2020
<i>PUBLIC HEARING WAS HELD IN COUNCIL this</i>	<i>day of</i>	<i>, 2020</i>
READ A SECOND TIME IN COUNCIL this	day of	, 2020
READ A THIRD TIME IN COUNCIL this	day of	, 2020

Reeve

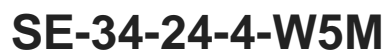
CAO or Designate

Date Bylaw Signed

SCHEDULE "A"**BYLAW:** C-8004-2020**AMENDMENT****FROM** Ranch and Farm District **TO** Direct Control District

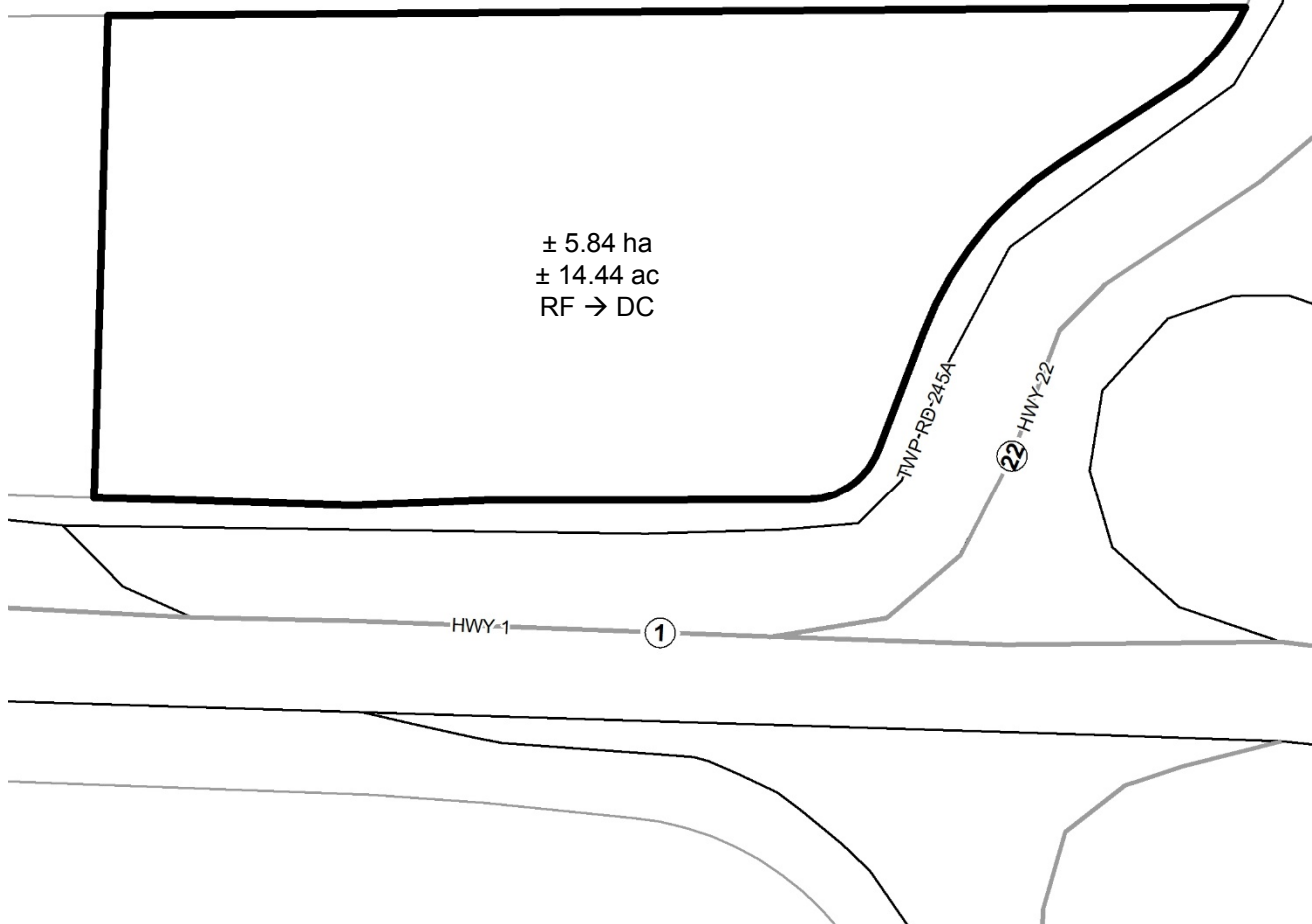
Subject Land _____

LEGAL DESCRIPTION: A portion of
SE-34-24-4-W5M**FILE:** 04834011 - PL20190198**DIVISION:** 1**ROCKY VIEW COUNTY**
Cultivating Communities

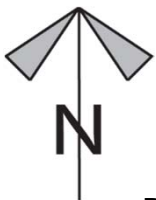


File: 04834011

Redesignation Proposal: To redesignate the lands from Ranch and Farm District to Direct Control District, in order to facilitate the future creation of a storage facility.



DEVELOPMENT PROPOSAL

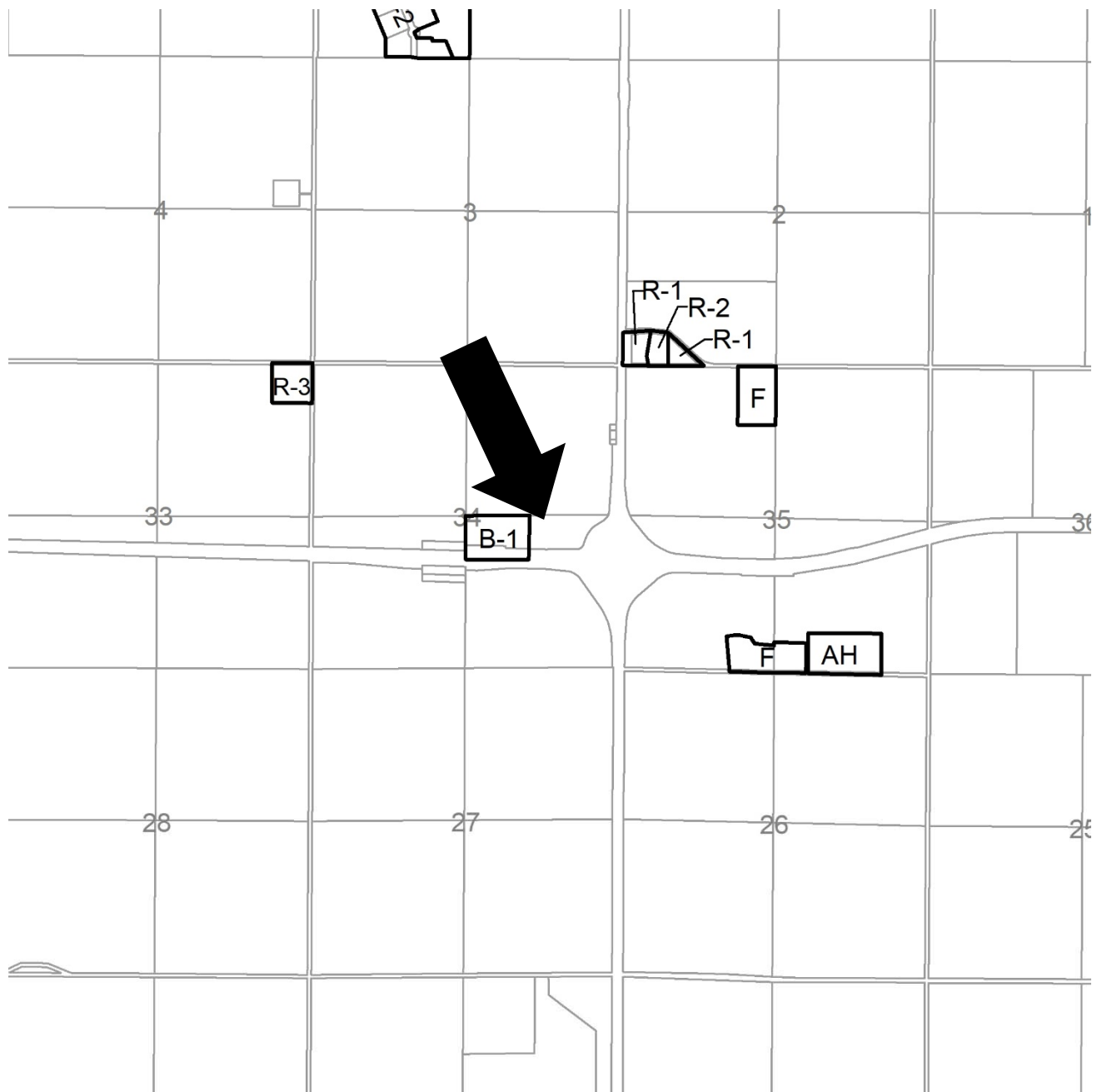


SE-34-24-4-W5M

Date: Dec 18, 2019

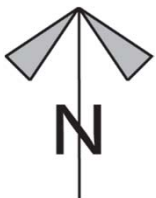
Division # 1

File: 04834011



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

LAND USE MAP



SE-34-24-4-W5M

Date: Dec 18, 2019

Division # 1

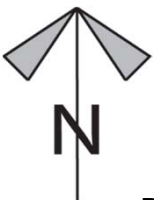
File: 04834011



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

TOPOGRAPHY

Contour Interval 2 M

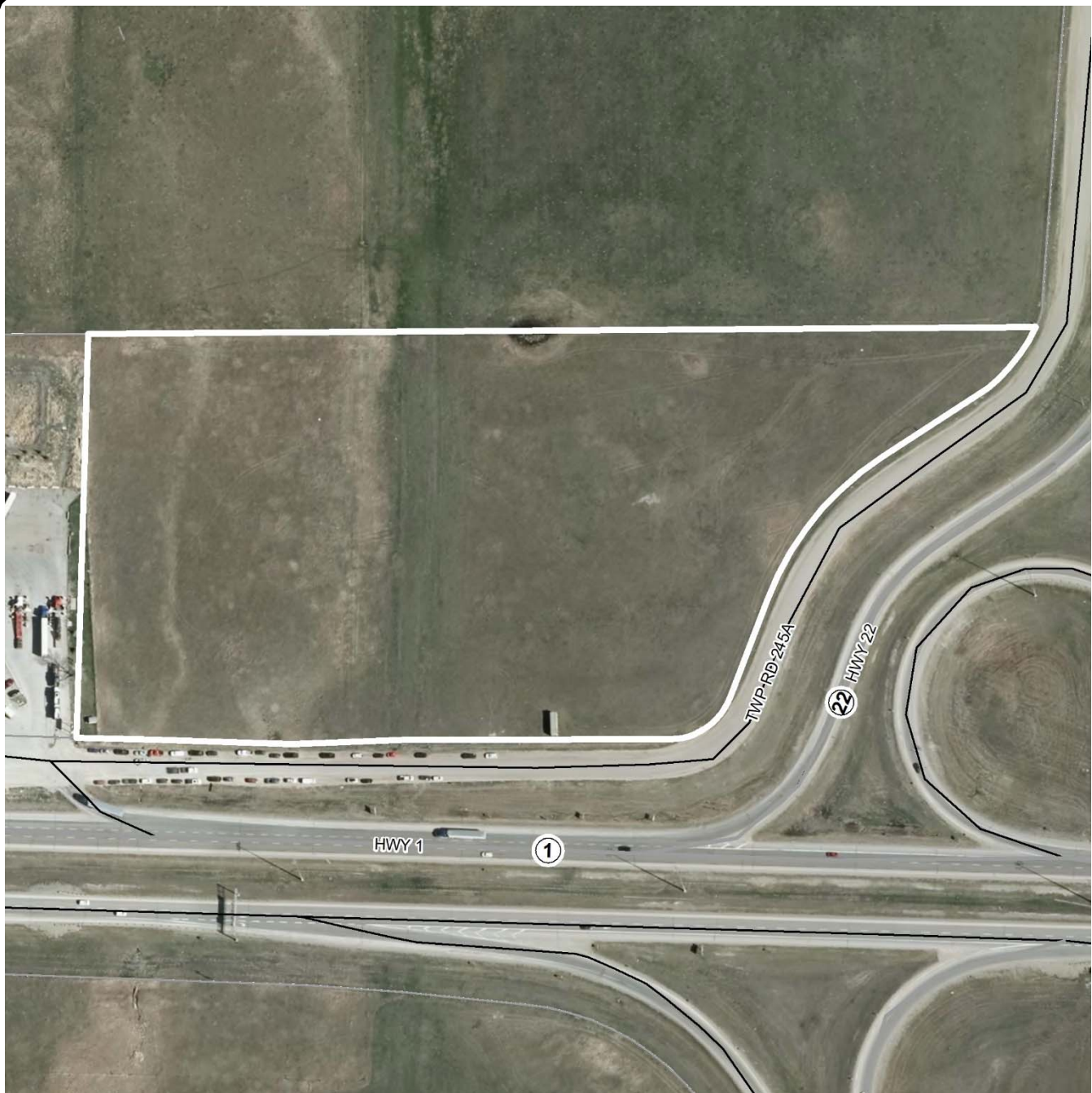


SE-34-24-4-W5M

Date: Dec 18, 2019

Division # 1

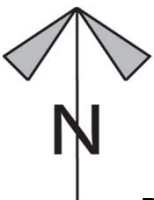
File: 04834011



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

AIR PHOTO

Spring 2018

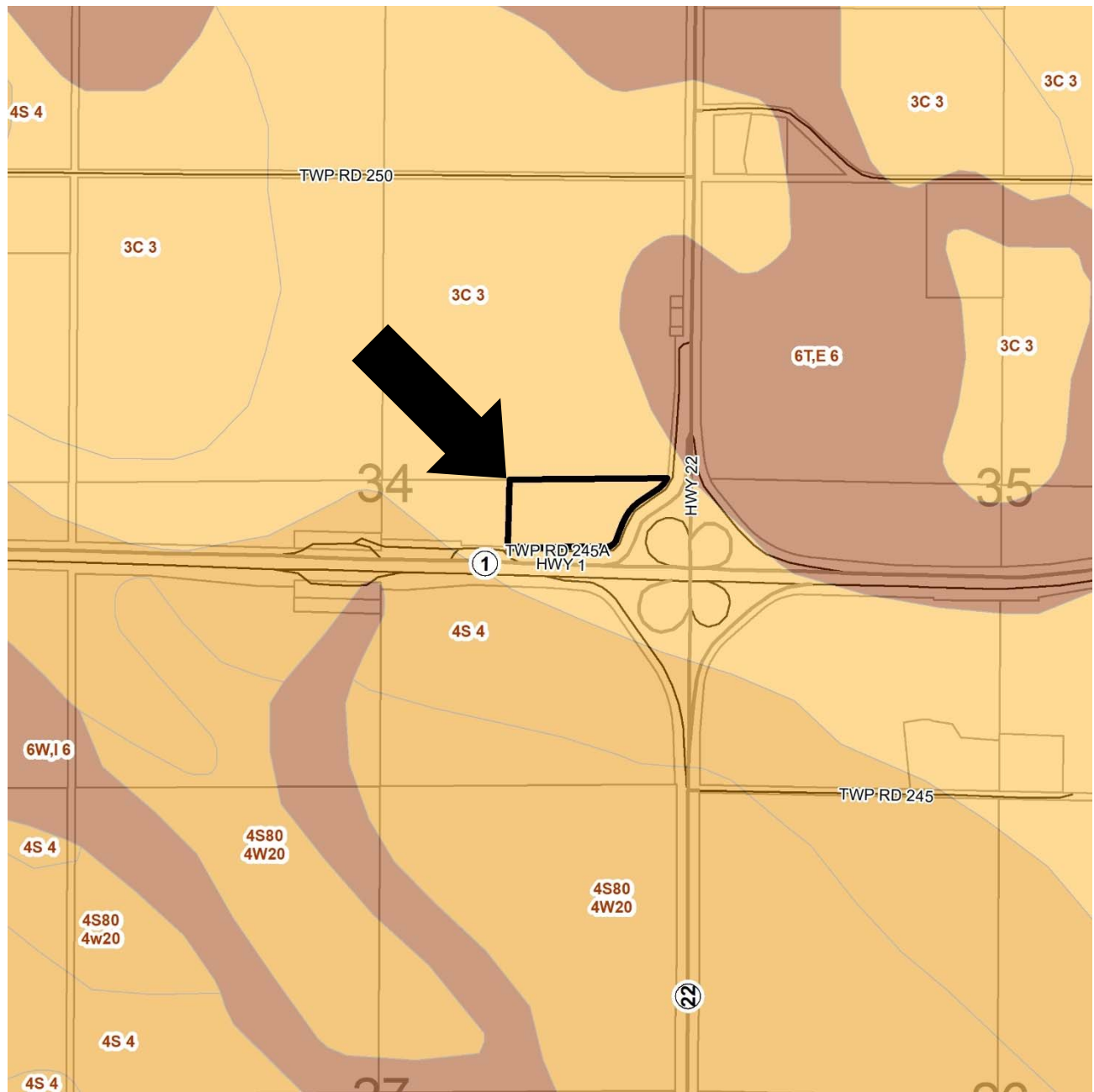


SE-34-24-4-W5M

Date: Dec 18, 2019

Division # 1

File: 04834011



LAND CAPABILITY CLASSIFICATION LEGEND
Limitations refer to cereal, oilseeds and tame hay crops

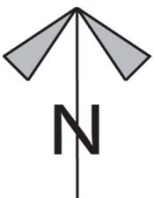
CLI Class

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

Limitations

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

SOIL MAP



SE-34-24-4-W5M

Date: Dec 18, 2019

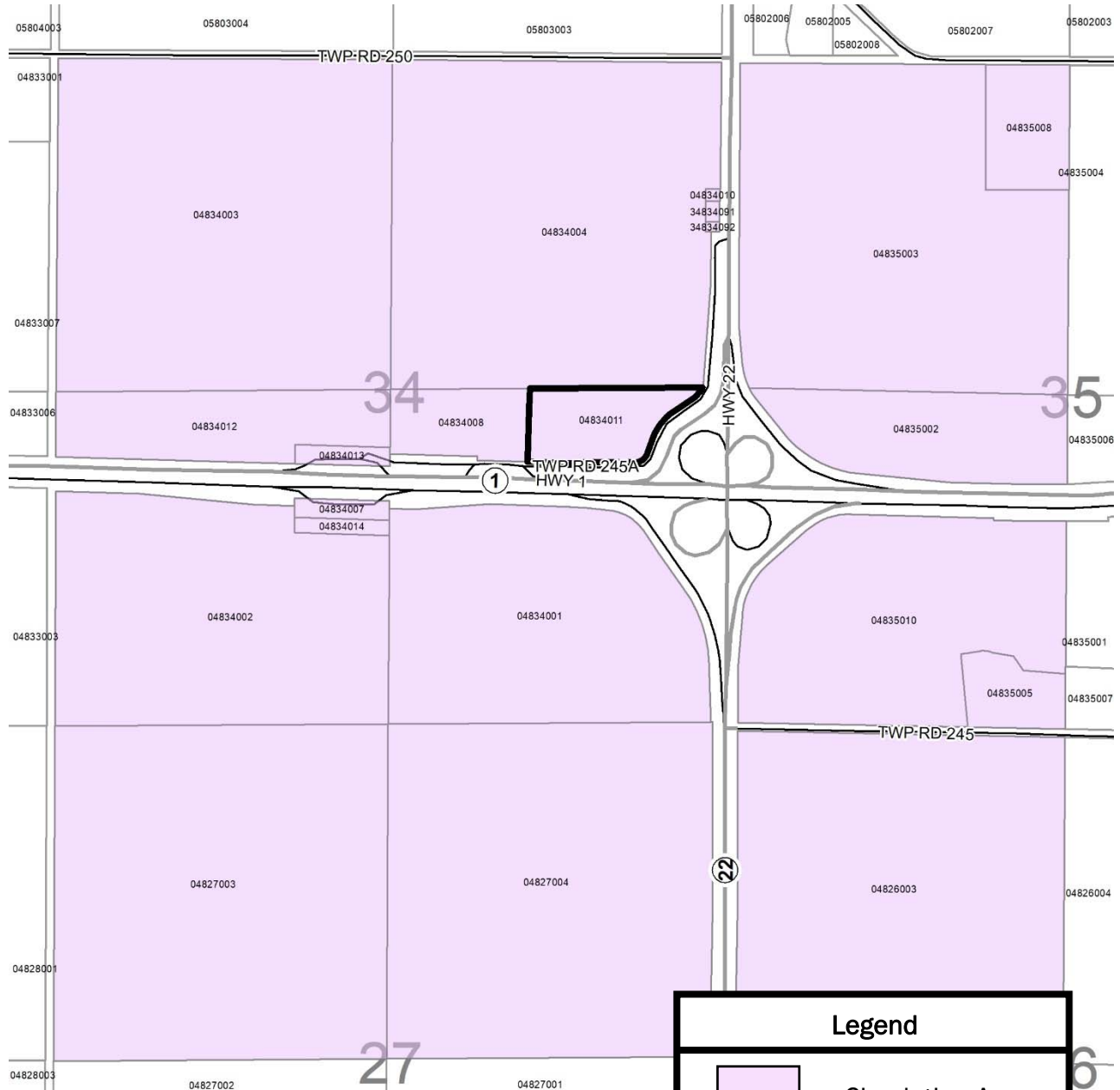
Division # 1

File: 04834011

**Legend – Plan numbers**

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

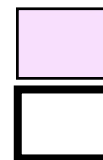
HISTORIC SUBDIVISION MAP**SE-34-24-4-W5M**Date: Dec 18, 2019Division # 1File: 04834011



Letters in Opposition

Letters in Support

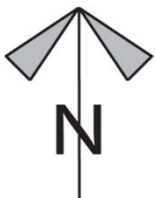
Legend



Circulation Area

Subject Lands

LANDOWNER CIRCULATION AREA



SE-34-24-4-W5M

Date: Dec 18, 2019Division # 1File: 04834011

PLANNING AND DEVELOPMENT SERVICES

TO: Council
DATE: February 11, 2020
FILE: 03309002 / 001
SUBJECT: First Reading Bylaw – Shepard Estates Conceptual Scheme

DIVISION: 4
APPLICATION: PL20190192

PURPOSE: The purpose of this application is to adopt the Shepard Estates Conceptual Scheme that provides a policy framework to guide future redesignation and subdivision for residential development on ± 57.34 acres of land with a ± 160.29 acre remainder.

GENERAL LOCATION: Located east of City of Calgary, immediately adjacent to CP railway, east of Range Road 284 and on the north side of Township Road 231.

APPLICANT: IDEA Group Inc.

OWNERS: Simpson Ranching Ltd.

POLICY DIRECTION: The application was evaluated against the Interim Growth Plan, County Plan and the Land Use Bylaw.

COUNCIL OPTIONS:

Option #1: THAT Bylaw C-8003-2020 be given first reading.
Option #2: THAT application PL20190192 be denied.

Respectfully submitted,

Concurrence,

"Theresa Cochran"

"Al Hoggan"

Executive Director
Community Development Services

Chief Administrative Officer

XD/lt

APPENDICES:

APPENDIX 'A': Bylaw C-8003-2020 & Schedule A
APPENDIX 'B': Proposed Shepard Estates Conceptual Scheme
APPENDIX 'C': Map Set



BYLAW C-8003-2020

To adopt a Conceptual Scheme known as the Shepard Estates Conceptual Scheme

The Council of Rocky View County enacts as follows:

PART 1 - TITLE

This Bylaw shall be known as Bylaw C-8003-2020.

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 The “Shepard Estates Conceptual Scheme”, affecting a portion of SW & SE-09-23-28-W04M, be adopted as defined in Schedule ‘A’, which is attached to and forms part of this Bylaw.

PART 4 - TRANSITIONAL

Bylaw C-8003-2020 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: 4

File: 03309002/03309001 - PL20190192

READ A FIRST TIME IN COUNCIL this _____ day of _____, 2020

PUBLIC HEARING WAS HELD IN COUNCIL this _____ day of _____, 2020

READ A SECOND TIME IN COUNCIL this _____ day of _____, 2020

READ A THIRD TIME IN COUNCIL this _____ day of _____, 2020

Reeve

CAO or Designate

Date Bylaw Signed

SCHEDULE 'A'
FORMING PART OF BYLAW C-8003-2020

A Conceptual Scheme affecting a portion of SW & SE-09-23-28-W04M, referred to as “Shepard Estates Conceptual Scheme” is attached to and forms part of this Bylaw.

Shepard Estates Conceptual Scheme



Prepared by:
IDEA GROUP INC.

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1. INTRODUCTION

1.1. Purpose

²⁸
This Conceptual Scheme provides the basis for the re-designation and subdivision of lands located at SW-9-23-25-W4M in Division 5 Land Use Map Area 33 in Rocky View County, Alberta. In preparation of this Conceptual Scheme, careful attention was paid to the policies and objectives set forth in the Rocky View County Plan, Rocky View County/City of Calgary Intermunicipal Development Plan, Rocky View 2060 Growth Management Study, Rocky View County Land Use Bylaw C-7280-013, amended April 10, 2018.

The Shepard Estates Conceptual Scheme has been prepared as a requirement of the Rocky View County County plan. This Conceptual Scheme provides guidance, policy framework and support for the re-designation and subdivision of the Plan Area. It describes a rationale and motivation to facilitate new country residential subdivision within areas of existing established country residential development and ranch land.

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



Aerial site context adjacent to City of Calgary

1.2. Vision

This Conceptual Scheme describes how 57.13 acres of ranch and farmland will transform into a well-planned and vibrant country residential community. The proposed development, entitled Shepard Estates will feature 12 residential lots tying into the existing country residential subdivision to the south. Shepard Estates will provide a quality development consistent with the policies and objectives set forth by the Rocky View County Plan, Rocky View County/City of Calgary Intermunicipal Development Plan, Rocky View 2060 Growth Management Study, and meets the existing and future needs of the Rocky View County.

The new lots will be accessed by a private cul-de-sac off Township Road 231. 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 landscape features to provide privacy and tranquility.

The residential concept will be consistent with the current Residential Two District (R-2) land-use bylaw C-4841-97.



Aerial site context

2. CONCEPTUAL OBJECTIVES

- Establish a Conceptual Scheme that is comprehensive and describes uses, designs and strategies for developing a portion of the 9-23-25-W4M quarter section.
- Identify the rationale for the proposed land use re-designation and identify opportunities and constraints within the plan area for subdivision and development.
- Create a residential community that respects the existing built environment and the historical character of the County
- Facilitate the expanded development of an existing county residential community that serves as an existing neighbourhood that complements the existing and future land uses in the area
- Address existing development constraints within the context of the Rocky View County Plan and other municipal policies and procedures.
- Identify existing physical infrastructure and to establish policies for the upgrade and expansion of these services that may be required to accommodate or sustain the development within the plan area.
- Identify the various constraints affecting lands contained within the plan area and to discuss what impact these constraints will have on the proposed development.



Facing site northwest from south property line

3. CONCEPTUAL SCHEME PLAN AND LAND USE CONTEXT

3.1. Plan Area

The Shepard Estates Conceptual Scheme Plan Area is located within Division 4 Land Use Map area 33 in Rocky View County, and borders the eastern edge of the City of Calgary. **SK-1 - Plan Area Location** illustrates the area location in context to the City of Calgary as well as Rocky View County. The plan area is located within the "Calgary Growth Area" as highlighted in the County Plan and the Rocky View/Calgary Intermunicipal Development Plan. The plan area is comprised of 57.13 acres located in the SW-9-23-25-W4M quarter section and is bordered by Range Road 284 to the west, Township Road 231 to the south and the Canadian Pacific Railroad along its north boundary. The plan area has been designated as future residential within the Rocky View County/City of Calgary Intermunicipal Development Plan.

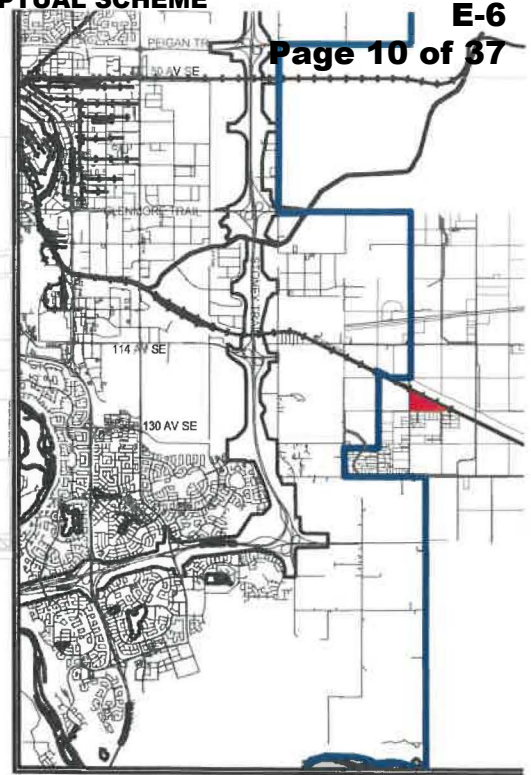
SK-2 - Aerial Plan provides context of the plan area in relation to the surrounding developments.

Policy

- 3.1.1. Policies contained within the Shepard Estates Conceptual Scheme shall apply to all lands within the Conceptual Scheme Plan Area as illustrated in **SK-1 - Plan Area Location**



Rocky View/Calgary Intermunicipal Growth Area Map



LEGEND

- CITY OF CALGARY LIMITS
- DEVELOPMENT AREA

114 AV SE

TOWNSHIP RD 232

CITY OF CALGARY LIMITS

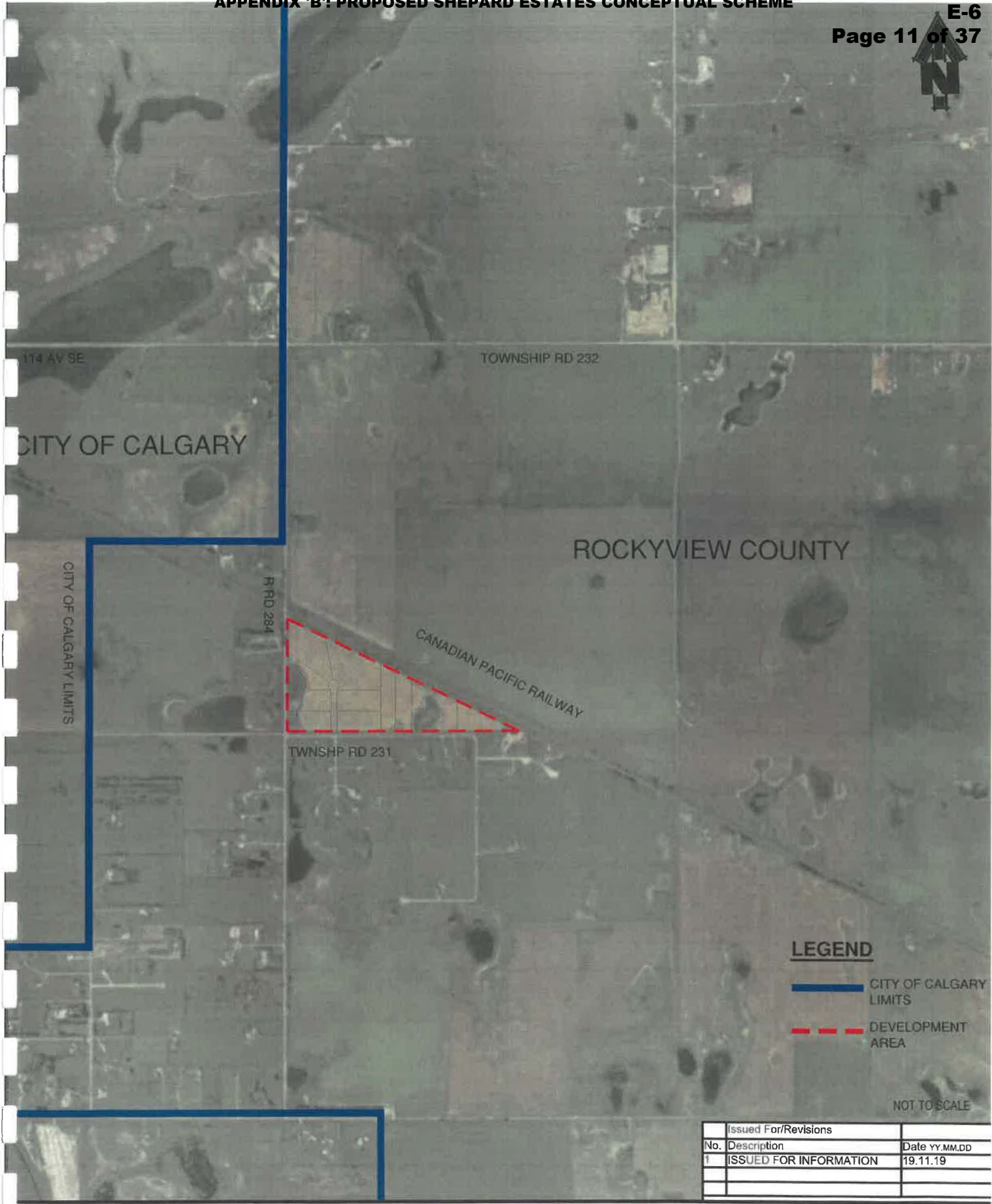
R RD 284

CANADIAN PACIFIC RAILROAD

TWNSHP RD 231

NOT TO SCALE

Issued For/Revisions		
No.	Description	Date YY.MM.DD
1	ISSUED FOR INFORMATION	19.11.19



LEGEND

- CITY OF CALGARY LIMITS
- - - DEVELOPMENT AREA

NOT TO SCALE

Issued For/Revisions		
No.	Description	Date YY.MM.DD
1	ISSUED FOR INFORMATION	19.11.19

3.2. Current Land Use

The plan area is currently designated Ranch and Farm District District (RF) under the Rocky View County Bylaw No. C-4841-97. The immediate areas surrounding the plan area are of Residential Two District (R-2) land use to the south and southwest, and ranch and farm district (RF) land use to the northwest and northeast. **SK-3 - Existing Land Use** highlights the land use of the plan area as well as the surrounding areas adjacent to the plan area. It is noted that none of the adjacent designated RF parcels appear to be supporting active agricultural operations.

Policy

3.2.1. Prior to subdivision the existing Ranch and Farm District District (RF) will require a land use re-designation to Residential Two District (R-2)

3.3. Existing Land Ownership






SK-4 - Existing Land Ownership illustrates the property ownership details of the major subdivisions and quarter sections adjacent to the Plan Area.

The surrounding areas is a mix of country residential development, grazing and crop land. The Plan Area is part of the quarter section owned by Shepard Development Corporation. The area directly south of the plan area is a country residential development with multiple land owners which has been previously subdivided. The north edge of the site is bounded by land belonging to the Canadian Pacific Railway.

3.4. Future Land Use Context

SK-5 - Future Land Use illustrates the intent of this conceptual plan in re-designating the existing Ranch and Farm District (RF) as a Residential Two District (R-2) to coincide and compliment the existing R-2 land use district adjacent to the south. The remainder of the SW-9-23-25-W4M section have been identified for a commercial/industrial district within the Rocky View County/City of Calgary Intermunicipal Development Plan. The Rocky View County/City of Calgary Intermunicipal Development Plan designates the plan area as future residential therefore the proposed conceptual scheme land use is to match the adjacent land use within the area for continuity of the existing community area.

LEGEND

-  CITY OF CALGARY LIMITS
-  DEVELOPMENT AREA
-  CP RAILWAY
-  RANCH/FARM LANDUS DISTRICT (RF) AREA
-  RESIDENTIAL TWO LANDUSE DISTRICT (R-2) AREA



114 AV SE

TOWNSHIP RD 232

CITY OF CALGARY

CITY OF CALGARY LIMITS

R RD 284




CANADIAN PACIFIC RAILWAY

ROCKYVIEW COUNTY



Issued For/Revisions		
No.	Description	Date YY.MM.DD
1	ISSUED FOR INFORMATION	19.11.19

LEGEND

-  LIMITS
-  DEVELOPMENT AREA
-  CP RAILWAY



114 AV SE

CITY OF CALGARY

CITY OF CALGARY LIMITS

G. SUTHERLAND

1288943
ALBERTA LTD.

B. JONEJA

TOWNSHIP RD 232

SHEPARD DEVELOPMENT CORP.

SHEPARD DEVELOPMENT CORP.

G. SUTHERLAND

R RD 284

SHEPARD
DEVELOPMENT
CORP.

CANADIAN PACIFIC RAILWAY

TWNSHP RD 231

VARIOUS LAND
OWNERS

I & D BUSIC

VARIOUS LAND
OWNERS

G. SUTHERLAND

M. THOMAS

0 400 800 m
1:20000

Issued For/Revisions		
No.	Description	Date YY.MM.DD
1	ISSUED FOR INFORMATION	19.11.19

onsultant

Project
SECTION 9
RESIDENTIAL

Drawing Title
EXISTING LAND
OWNERSHIP







Project Lead
LT
Project #
19004

Scale
NTS
Date (YY-MM-DD)
19 11 19

Drawing

SK 4
AGENDA

LEGEND

-  CITY OF CALGARY LIMITS
-  DEVELOPMENT AREA
-  CP RAILWAY
-  RESIDENTIAL LANDUSE AREA
-  EXISTING RESIDENTIAL/ TWO LANDUSE DISTRICT (R-2) AREA
-  INDUSTRIAL LANDUSE AREA



114 AV SE

TOWNSHIP RD 232

CITY OF CALGARY

ROCKYVIEW COUNTY

CITY OF CALGARY LIMITS

R RD 284

CANADIAN PACIFIC RAILWAY

TWNSHP RD 231

0 400 800 m
1:20000

Issued For/Revisions		
No.	Description	Date YY.MM.DD
1	ISSUED FOR INFORMATION	19.11.19

4. PHYSICAL SITE FEATURES

4.1. Topography

The topography of the plan area is characteristic of the flat prairie that defines the ranch land and surrounding area. Expansive farm and ranch land to the north west of the plan area is only broken up by the Canadian Pacific Railroad tracks that run adjacent to the plan area to the north. The site contains two small vegetation areas which are home to various small wild life. The site moderately slopes from the centre away towards the two vegetated areas in the north west and south east corners of the site.

SK-6-Existing Topography shows the existing survey contours.








Existing onsite wetland

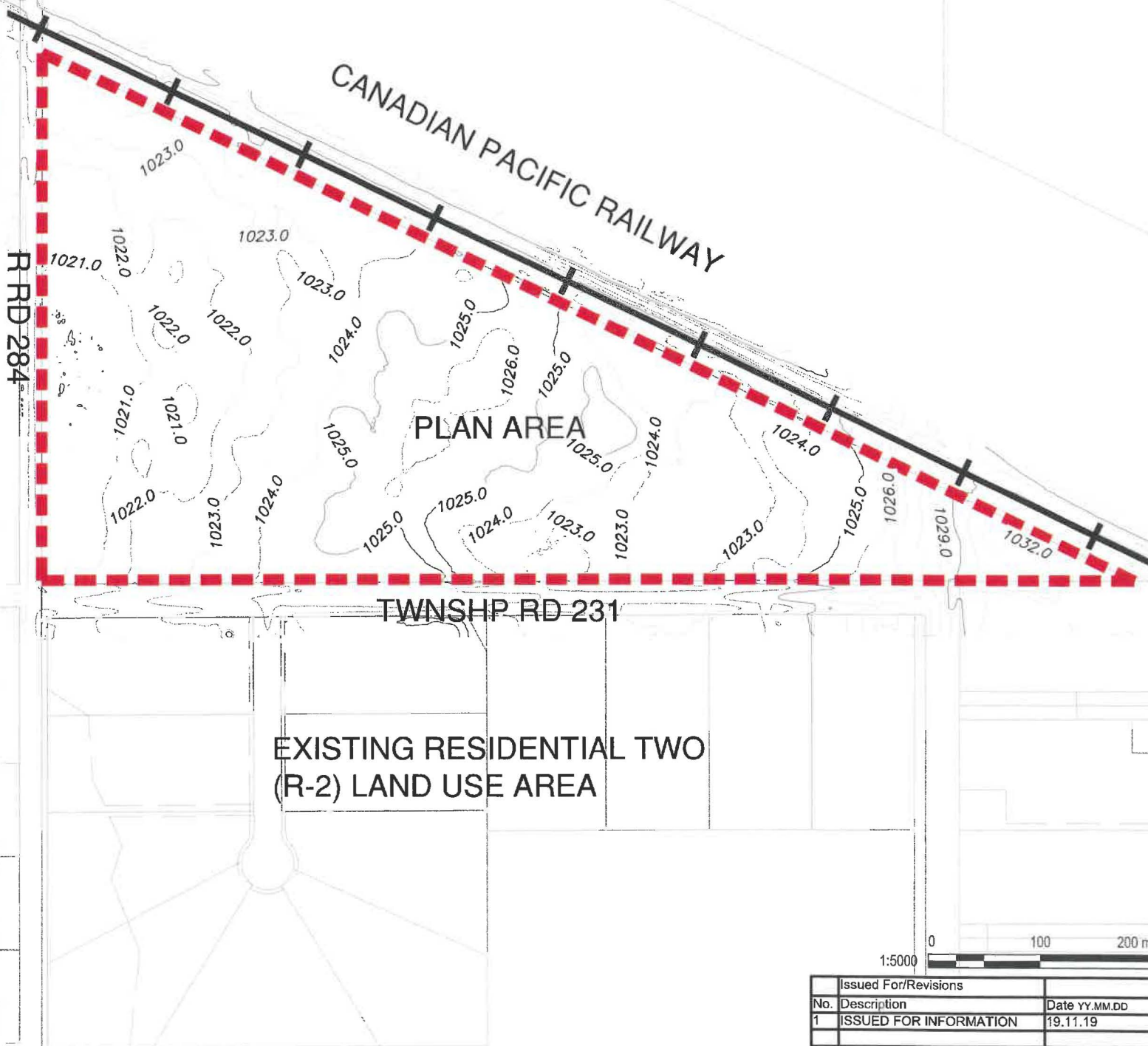
Policy

4.1.1. No alterations of the existing predevelopment topography shall occur prior to approval of a stormwater management plan and overall site-grading plan, to the satisfaction of Rocky View County and Alberta Environment.



ROCKYVIEW COUNTY

-  CITY OF CALGARY LIMITS
-  DEVELOPMENT AREA
-  CP RAILWAY
-  MAJOR SURFACE CONTOUR
-  MINOR SURFACE CONTOUR



0 100 200 m
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No.	Description	Date YY.MM.DD
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4.2.Stormwater Management

Using preliminary survey information the drainage of the site has been delineated as shown on **SK 7 - Existing Stormwater Management**.





Runoff sheds from higher areas in the centre outwards to three existing low areas. The west and the southeast areas exist within the subject lands while the north drainage heads into the CP rail right of way. As minimal grading is anticipated this existing drainage pattern will remain. Low areas onsite will be protected with easements and developed around. The change in landuse has a very minimal impact on the overall areas imperviousness and existing low area storage is expected to be largely sufficient.

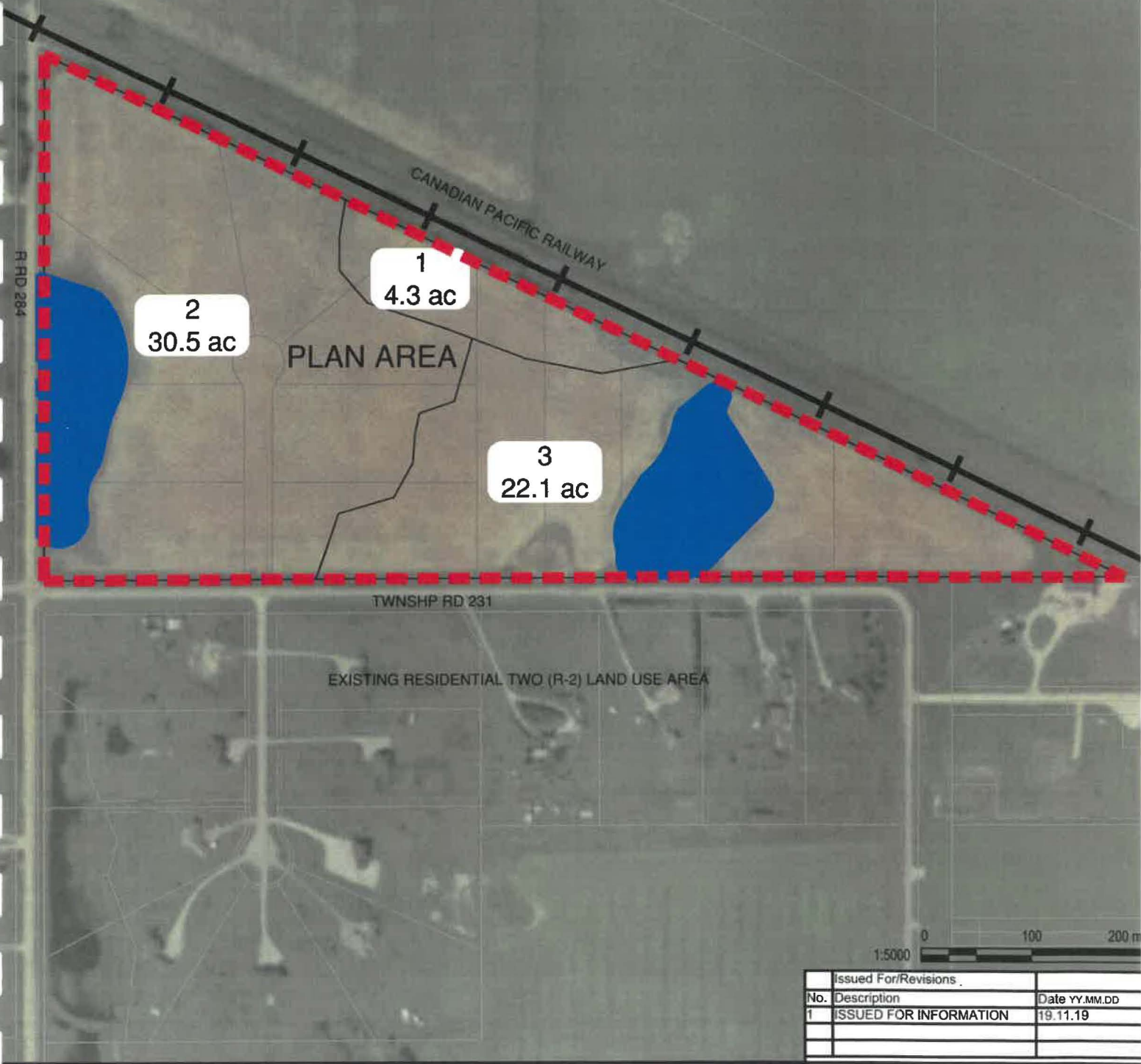
Alberta Environment Standards and Guidelines for Stormwater Management for the Province of Alberta and Rocky View County's Servicing Standards for Residential Subdivision and Road Construction requires all new developments to be responsible for managing any increase in storm water runoff and deterioration in water quality that may result.

The plan area has moderate slopes that allow for surface water to be primarily absorbed into the existing vegetation and low lying areas. Storm water will be directed with overland flow to existing ditches and existing water drainage courses. There is no underground storm system available, therefore all the storm water in the area is controlled by overland flow.

Policy

- 4.2.1. Any existing areas of surface water ponding may be modified as part of the approved Overall Site Grading Plan and Stormwater Management Plan, predevelopment flows shall be maintained. To be approved as part of the Rocky View County Subdivision Process
- 4.2.2. Stormwater management within the Conceptual Scheme plan area shall be in accordance with the Servicing Standards for Residential Subdivisions and Road Construction as approved by Rocky View County.
- 4.2.3. A stormwater management plan prepared by a qualified professional shall be approved prior to subdivision approval by Rocky View County and Alberta Environment.
- 4.2.4. Stormwater runoff shall be handled overland via existing drainage courses and ditches, as described in this Conceptual Scheme.

-  LIMITS
-  DEVELOPMENT AREA
-  CP RAILWAY
-  EXISTING LOW AREAS



Issued For/Revisions		
No.	Description	Date YY.MM.DD
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4.3. Vegetation & Wildlife

Vegetation throughout the plan area consists mainly of the non-native grasses consistent with the pasturing of livestock. There are two small wetland areas with a number of plants, shrubs, and small wildlife that will be preserved, where possible, as part of the development process. The plan area contains a nesting habitat for migratory birds, mainly in areas with wetland vegetation.

The plan area contains two large wetlands and two small seasonal wetlands. Environmental easements will be provided around the large wetlands to avoid any disturbance to vegetation and existing habitats. The small seasonal wetlands will be filled in during development.

SK-8-Existing Wetlands highlights the onsite existing wetland habitat areas.

Policy

4.3.1. Vegetation removal should be minimized. Complete habitat destruction activities should be completed outside of the breeding window for migratory birds, or nest sweeping prior to construction activities.

4.3.2. Vegetation removal shall be restricted to the construction footprint. Disturbed areas outside the permanent infrastructure footprint shall be reseeded.

4.3.3. Water Act approval will be required at subdivision time to authorize development within proximity to existing wetlands/water bodies.

4.4. Environmental Considerations

Tannas Conservation Services Ltd. has completed a draft 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:

The project site is currently a cultivated field used for agricultural purposes. The use of this site will shift from agriculture to residential purposes, but the area was already heavily impacted by human activities. Much of the surrounding area consists of other residential and agricultural developments, and more development is expected as the area has been identified as a "City of Calgary Growth Area" by the IDP. Once the region has been developed, it will likely remain as a residential area, and therefore any future cumulative effects should be minimal.

There will be a local negative effect on agricultural land use as more people are in the community. On a regional scale this development is part of a larger regional conversion of land from agricultural production to urban land uses and does not differ in any way from the regional conversion occurring around the City of Calgary limits.

LIMITS

DEVELOPMENT
AREA

CP RAILWAY

EX WETLAND
AREAEX SEASONAL
WETLAND AREA

SITE INFORMATION

SITE AREA	53.17 Ac
NUMBER OF LOTS	12 LOTS
ROAD/ACCESS AREA	1.46 Ac
NEW LOT AREA	45.46 Ac
WETLAND AREA	6.25 Ac

CANADIAN PACIFIC RAILWAY

PLAN AREA

TWNSHIP RD 231

EXISTING RESIDENTIAL TWO (R-2) LAND USE AREA

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No.	Description	Date YY.MM.DD
1	ISSUED FOR INFORMATION	19.11.19

5. LAND USE

5.1. Overview

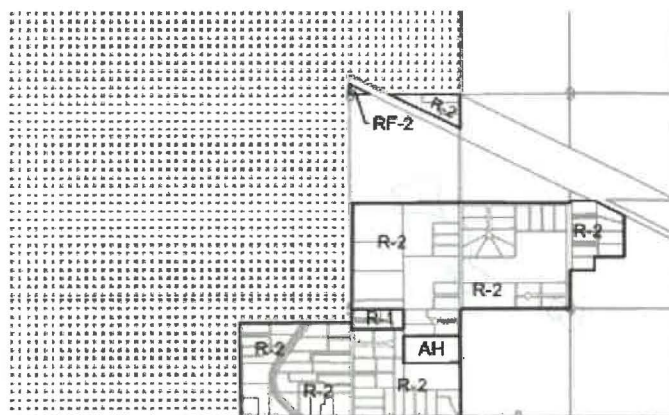
- Section 50.1 of the Rocky View County Land Use Bylaw C-4841-97 states that Residential Two districts are to provide a residential use on a small parcel of land which accommodates minor agricultural pursuits and required accessory buildings.

The recommendation to re-designate the Ranch and Farm District (RF) to a Residential Two District (R-2) enables the vibrant Shepard Estates development to fall within the Rocky View County Land Use Bylaw requirements. The re-designation to a Residential Two district will allow a seamless integration to the existing Residential Two districts that are immediately adjacent to the plan area. This integration will allow the entire residential district to grow as well as continue the community spirit in the area. The re-designation also fits within the vision set forth in the various municipal plans and the areas long term vision for residential growth within the plan area.

The proposed land use scenario for 9-23-25-W4W is to be re-designed to Residential Two District (R-2) in order to facilitate the subdivision of twelve (12) approximately three (3) acre parcels as illustrated in **SK-9 - Subdivision Design**.

Policy

- 5.1.1. A new Residential Two District (R-2) is to be prepared and approved by Rocky View County subsequent to the adoption of this Conceptual Scheme. The Residential Two District Bylaw shall provide special guidelines for the residential development cells.



ALL LANDS ARE DESIGNATED RF UNLESS NOTED OTHERWISE

RANCH AND FARM DISTRICT.....	RF
SEE EXCEPTIONS LISTED WITH THIS DISTRICT.....	RF-A
RANCH AND FARM TWO DISTRICT.....	RF-2
RANCH AND FARM THREE DISTRICT.....	RF-3
AGRICULTURAL HOLDING DISTRICT.....	AH
FARMSTEAD DISTRICT.....	F
RESIDENTIAL ONE DISTRICT.....	R-1
RESIDENTIAL TWO DISTRICT.....	R-2
RESIDENTIAL THREE DISTRICT.....	R-3
HIGHWAY BUSINESS DISTRICT.....	B-1
GENERAL BUSINESS DISTRICT.....	B-2
LIMITED BUSINESS DISTRICT.....	B-3
RECREATION BUSINESS DISTRICT.....	B-4
AGRICULTURAL BUSINESS DISTRICT.....	B-5
LOCAL BUSINESS DISTRICT.....	B-6
HIGHWAY FRONTAGE BUSINESS DISTRICT.....	B-HF
BUSINESS CAMPUS BUSINESS DISTRICT.....	B-BC
INDUSTRIAL CAMPUS BUSINESS DISTRICT.....	B-IC

Existing Land Use Map

LIMITS

DEVELOPMENT
AREA

CP RAILWAY

SITE INFORMATION

SITE AREA	53.17 Ac
NUMBER OF LOTS	12 LOTS
ROAD/ACCESS AREA	1.46 Ac
NEW LOT AREA	45.46 Ac
WETLAND AREA	6.25 Ac

R RD 284

LOT 4

LOT 5

LOT 3

LOT 6

LOT 2

LOT 7

PLAN AREA

LOT 9

LOT 10

LOT 11

LOT 1

LOT 8

LOT 12

CANADIAN PACIFIC RAILWAY

TWN SHP RD 231

EXISTING RESIDENTIAL TWO (R-2) LAND USE AREA

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Issued For/Revisions		
No.	Description	Date YY.MM.DD
1	ISSUED FOR INFORMATION	19.11.19

6. SUBDIVISION DESIGN AND DEVELOPMENT CONTEXT

6.1. Subdivision Design and Bylaw

This Conceptual Scheme has proposed the creation of 12 new residential lots. Shepard Estates has been designed to complement the existing residential developments to the south of the plan area and continually grow the residential community in the area in accordance with the long term vision for the area.

SK-9 - Subdivision Design illustrates the conceptual layout of the new residential lots as well as the existing residential area to the south and how they interface with each other to create a seamless boundary and integration between the two areas.

New Residential Lots	12
Road/Access Area	1.46 Ac
Residential Lot Area	45.46 Ac
Existing Wetland Area	6.25 Ac
Total Site Area	53.17 Ac

Policy

- 6.1.1. Lot layouts as shown in **SK-9 - Subdivision Design** are conceptual only and may not reflect the final design, number or size of lots that may be proposed in future tentative plans of subdivision will be determined at the detailed engineering stage.
- 6.1.2. Building setback distances from the Canadian Pacific Railway line shall adhere to the standards outlined in the Canadian Municipalities and Railway Association of Canada (May 2013), Guidelines for New Development in Proximity to Railway Operations, op.cit, Section 3.

6.2. Existing Transportation Network

Current access to the Shepard Estates Plan Area is via 2 access points. One is located along Range Road 284 adjacent to the west and the second, Township Road 231 adjacent to the south. Both of these roads are country gravel roads without illumination.

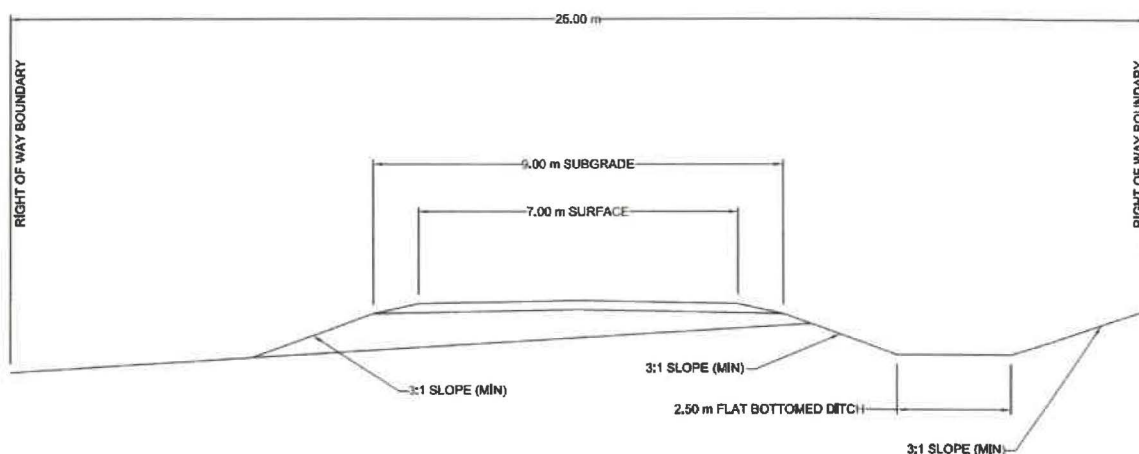
6.3. Subdivision Road Infrastructure

A new gravel cul-de-sac connected to Township Road 231 along the south property boundary will provide access to the new subdivided lots. Each lot will have a private driveway access to the new gravelled cul-de-sac. There should be no requirement to upgrade the existing roadways to accommodate new generated traffic. The internal cul-de-sac will be constructed in accordance with Rocky View County Servicing Standards.

Policy

6.3.1. All roads shall be constructed in accordance with Rocky View County Servicing Standards for Residential Subdivisions and Road Construction.

6.3.2. At time of subdivision, no external roadway or intersection upgrades are required to accommodate the proposed development.



Country Residential Roadway - 400.5 - County Servicing Standards 2013

7. SERVICING SCENARIO

7.1. Water Supply

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

Policy

7.1.1. All water lines, wells and service lines shall be constructed in accordance with Rocky View County current Servicing Standards for Residential Subdivisions and Road Construction, as approved by Rocky View County and as specified within this Conceptual Scheme.

7.1.2. At the time of subdivision, test wells will be drilled to confirm a minimum flow of 4.5 L/min or greater for each lot. Any supply less than 22 L/min requires storage in the form of a cistern.

7.2. Sanitary Supply

There is no public sanitary sewer trunks available in the area. Therefore each subdivided lot will be individually serviced by individual sewage treatment and septic fields to collect, treat and dispose of sewage. Each lot owner will be responsible for the maintenance of their individual septic system and offsite removal. These lots may have the ability to connect to a regional wastewater utility should it become available, however this is not anticipated in the foreseeable future.

Policy

7.2.1. All individual sewage treatment and septic fields shall be designed and constructed in accordance with Alberta Environment & Parks and Alberta Building Code Standards at the time of subdivision.

7.3. Shallow Utility Supply

Shallow utilities (i.e. electricity, telecommunication, natural gas, etc.) will be provided by the appropriate utility company providing services to the Plan Area at the expense of Shepard Development Corporation. ATCO will provide natural gas and Fortis will provide electrical services to the area. Natural gas service is available along township road 231. This service is servicing the subdivision to the south and has capacity to supply the proposed subdivision.

Policy

7.3.1. Shallow utilities shall be provided adjacent to the right-of-way of internal roads within the appropriate easement as required

7.3.2. Shallow utilities shall be installed by the developer at the subdivision stage in consultation with all applicable utility providers

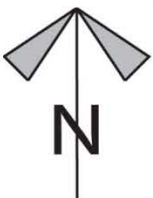
8. POLICY SUMMARY

- 3.1.1 Policies contained within the Shepard Estates Conceptual Scheme shall apply to all lands within the Conceptual Scheme Plan Area as illustrated in **SK-1 - Plan Area Location**
- 3.2.1 Prior to subdivision the existing Ranch and Farm District (RF) will require a land use re-designation to Residential Two District (R-2)
- 4.1.1 No alterations of the existing predevelopment topography shall occur prior to approval of a stormwater management plan and overall site-grading plan, to the satisfaction of Rocky View County and Alberta Environment.
- 4.2.1 Any existing areas of surface water ponding may be modified as part of the approved Overall Site Grading Plan and Stormwater Management Plan. To be approved as part of the Rocky View County Subdivision Process.
- 4.2.2 Stormwater management within the Conceptual Scheme plan area shall be in accordance with the Servicing Standards for Residential Subdivisions and Road Construction as approved by Rocky View County.
- 4.2.3 A stormwater management plan prepared by a qualified professional shall be approved prior to subdivision approval by Rocky View County and Alberta Environment.
- 4.2.5 Stormwater runoff shall be handled overland via existing drainage courses and ditches, as described in this Conceptual Scheme.
- 4.3.1 Vegetation removal should be minimized. Complete habitat destruction activities should be completed outside of the breeding window for migratory birds, or nest sweeping prior to construction activities.
- 4.3.2 Vegetation removal shall be restricted to the construction footprint. Disturbed areas outside the permanent infrastructure footprint shall be reseeded.
- 4.3.3 Water Act approval will be required at subdivision time to authorize development within proximity to existing wetlands/water bodies.
- 5.1.1 A new Residential Two District (R-2) is to be prepared and approved by Rocky View County subsequent to the adoption of this Conceptual Scheme. The Residential Two District Bylaw shall provide special guidelines for the residential development cells.
- 6.1.1 Lot layouts as shown in **SK-9 - Subdivision Design** are conceptual only and may not reflect the final design, number or size of lots that may be proposed in future tentative plans of subdivision determined at the detailed engineering stage.
- 6.1.2 Building setback distances from the Canadian Pacific Railway line shall adhere to the standards outlined in the Canadian Municipalities and Railway Association of Canada (May 2013), Guidelines for New Development in Proximity to Railway Operations, op.cit, Section 3.
- 6.3.1 All roads shall be constructed in accordance with the Rocky View County's Servicing Standards for Residential Subdivisions and Road Construction.

Section 9 Residential

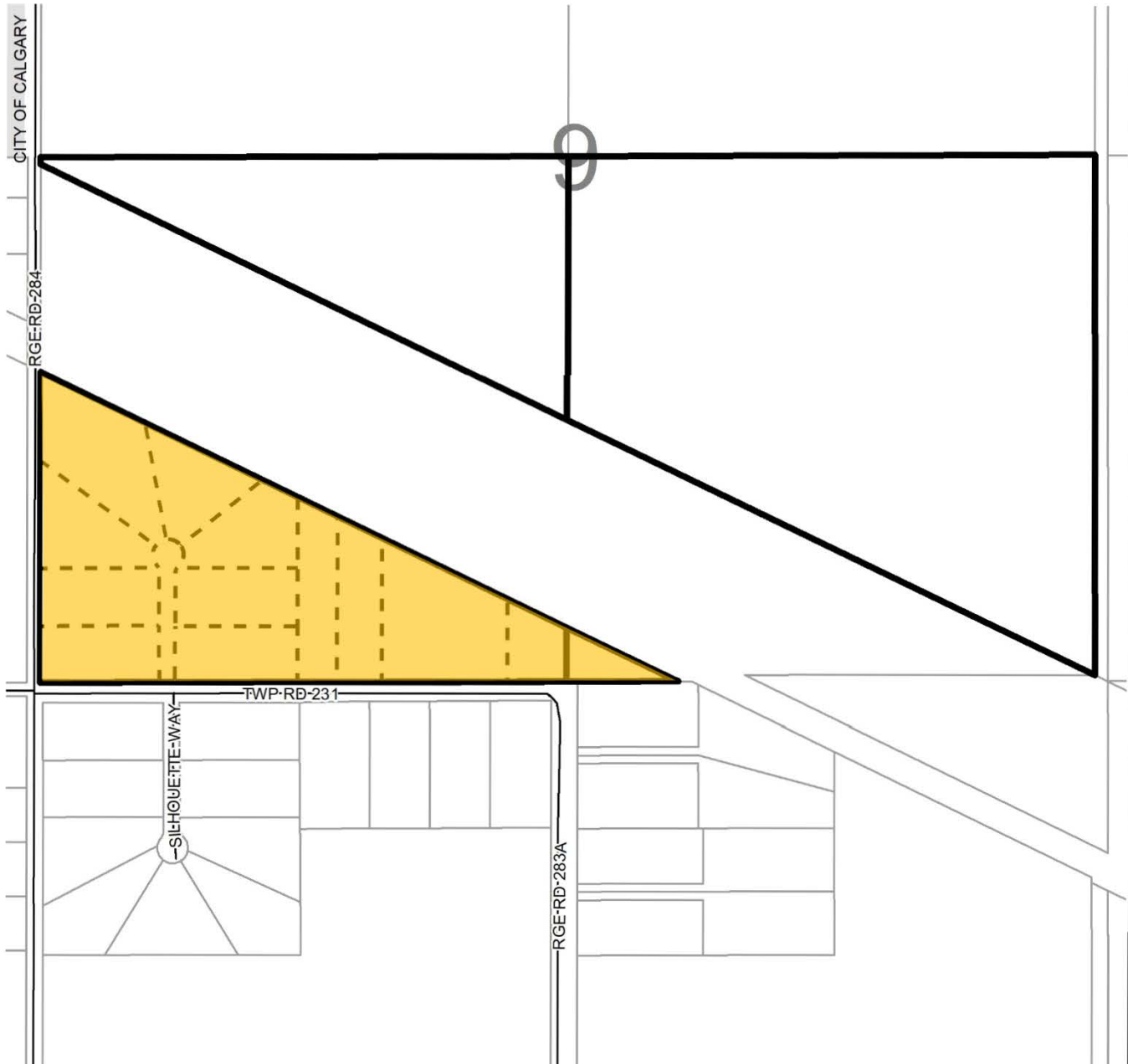
Shepard Development Corporation

- 6.3.2 At time of subdivision, no external roadway or intersection upgrades are required to accommodate the proposed development.
- 7.1.1 All water lines, wells and services shall be constructed in accordance with the Rocky View County's current Servicing Standards for Residential Subdivisions and Road Construction, as approved by the Rocky View County and as specified within this Conceptual Scheme
- 7.1.2 At the time of subdivision, test wells will be drilled to confirm a flow of 4.5 L/min or greater at each lot.
- 7.2.1 All individual sewage treatment and septic fields shall be designed and constructed in accordance with Alberta Environment & Parks and Alberta Building Code Standards at time of subdivision.
- 7.3.1 Shallow utilities shall be provided adjacent to the right-of-way of internal roads within the appropriate easement as required
- 7.3.2 Shallow utilities shall be provided by the developer at the subdivision stage in consultation with all applicable utility providers

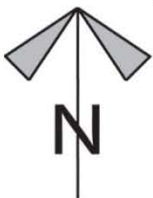


File: PL20190192- 03309002 / 001

Conceptual Scheme Proposal - To adopt Shepard Estates Conceptual Scheme that provides a policy framework to guide future redesignation and subdivision for residential development.



PROPOSED CONCEPTUAL SCHEME

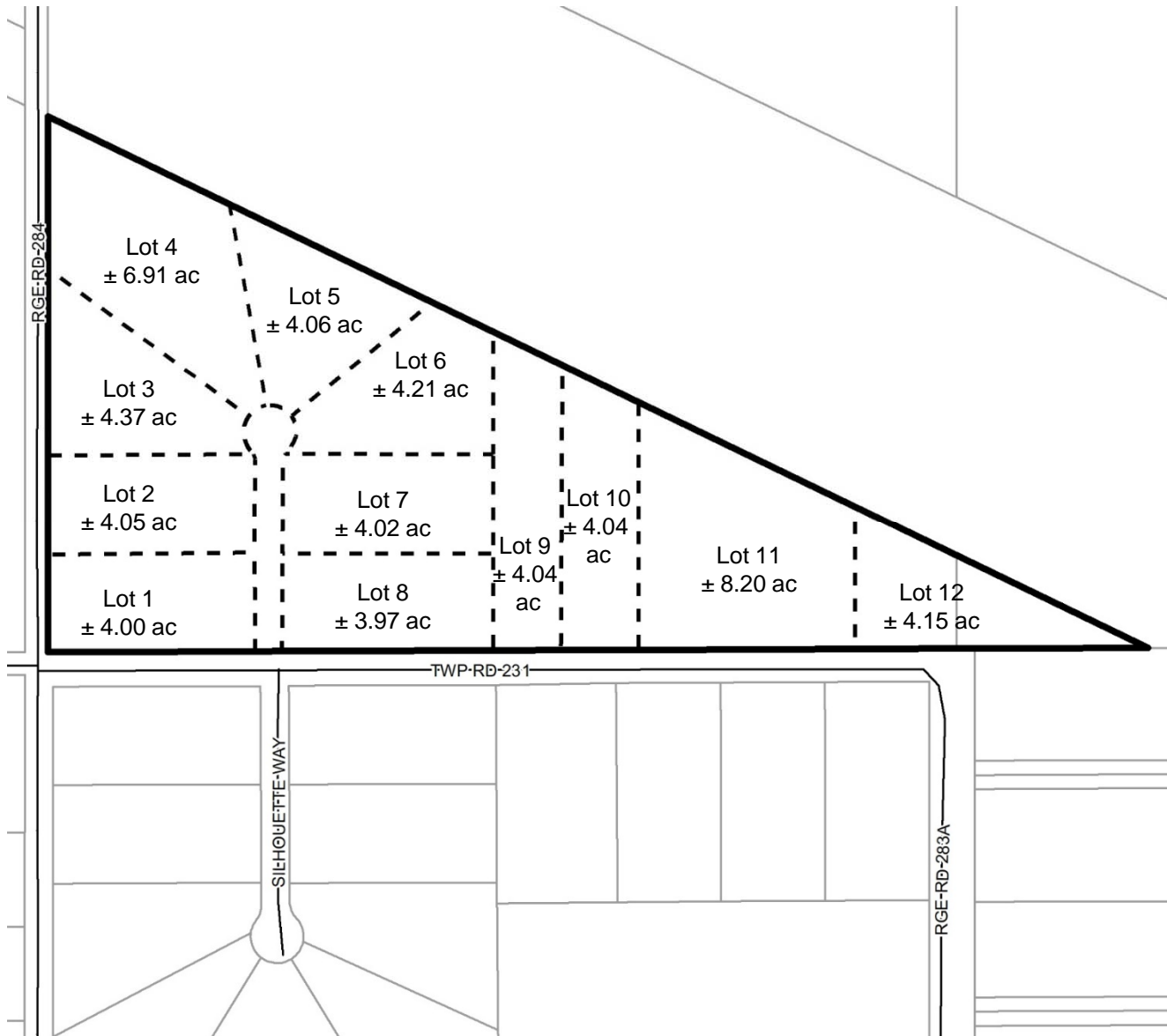


A Portion of SW & SE-09-23-28-W04M

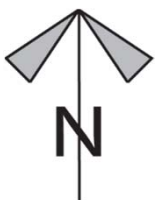
Date: Dec 16, 2019

Division # 4

File: PL20190192- 03309002 / 001



DEVELOPMENT PROPOSAL

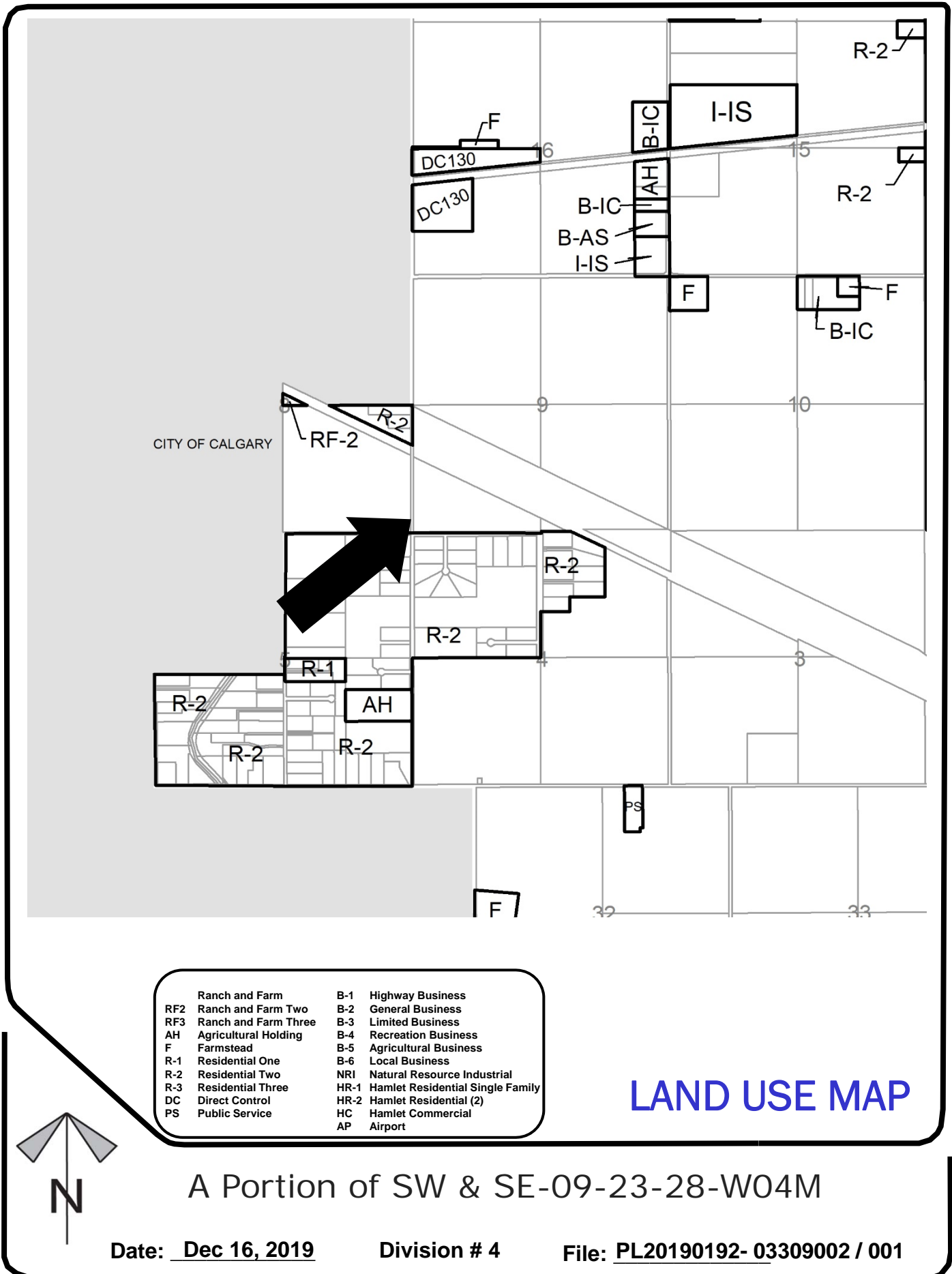


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Date: Dec 16, 2019

Division # 4

File: PL20190192- 03309002 / 001

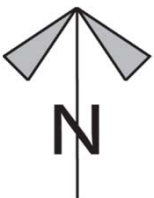




Note: Post processing of raw aerial photography may cause varying degrees of visual distortion at the local level.

AIR PHOTO

Spring 2018

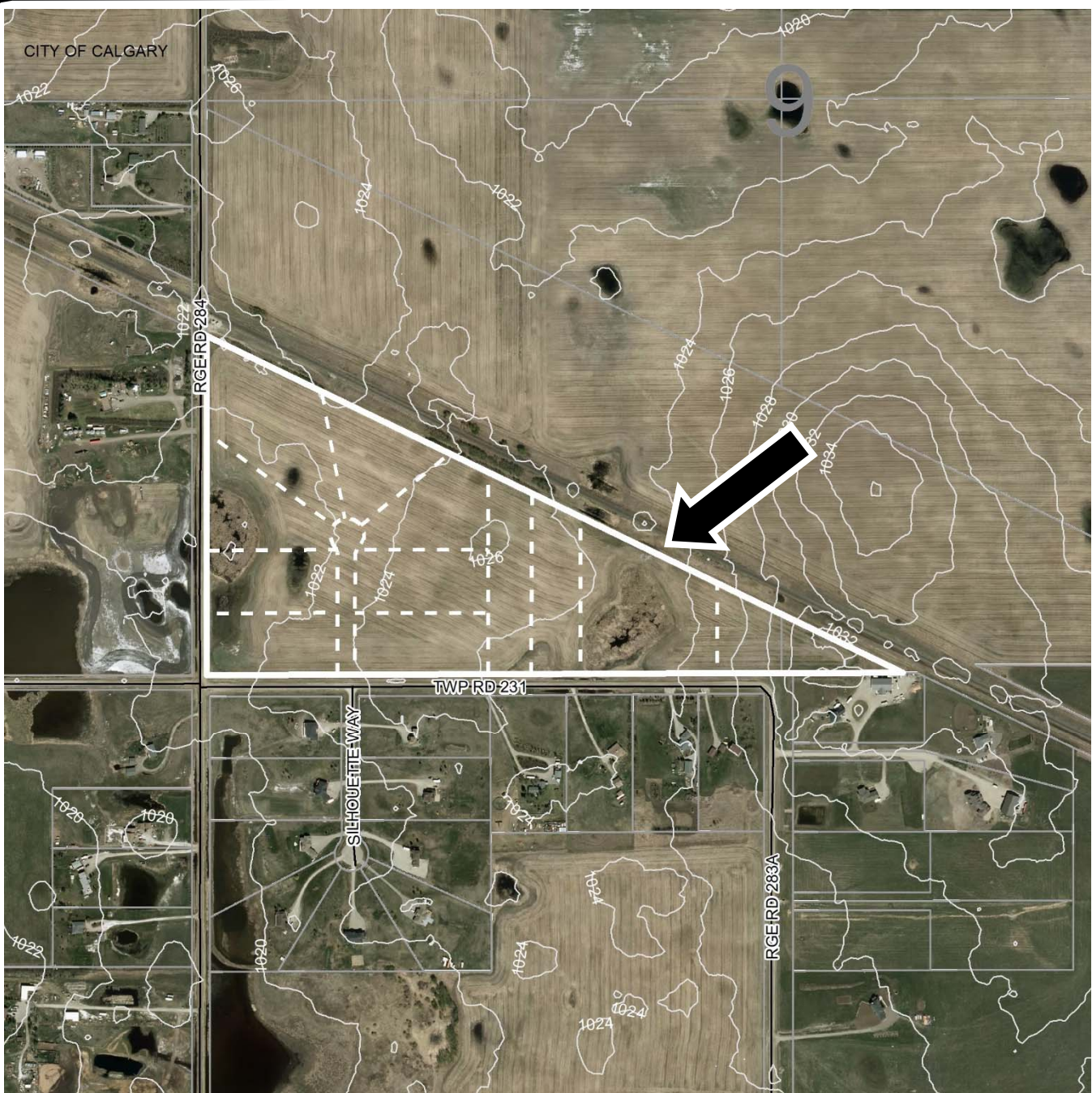


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Date: Dec 16, 2019

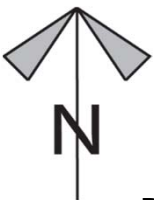
Division # 4

File: PL20190192- 03309002 / 001



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

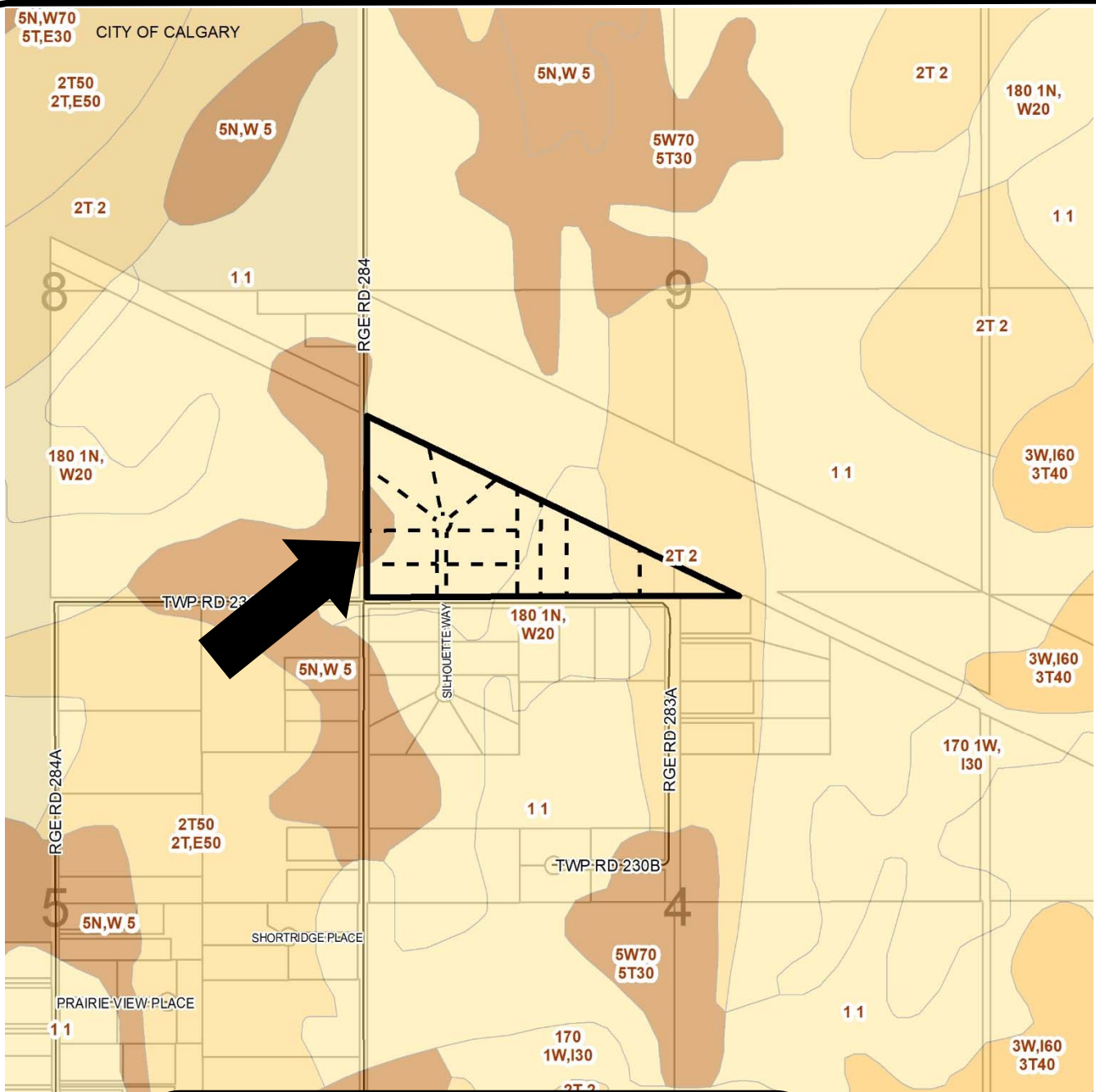


A Portion of SW & SE-09-23-28-W04M

Date: Dec 16, 2019

Division # 4

File: PL20190192- 03309002 / 001



LAND CAPABILITY CLASSIFICATION LEGEND
Limitations refer to cereal, oilseeds and tame hay crops

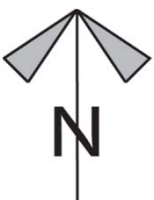
CLI Class

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

Limitations

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

SOIL MAP

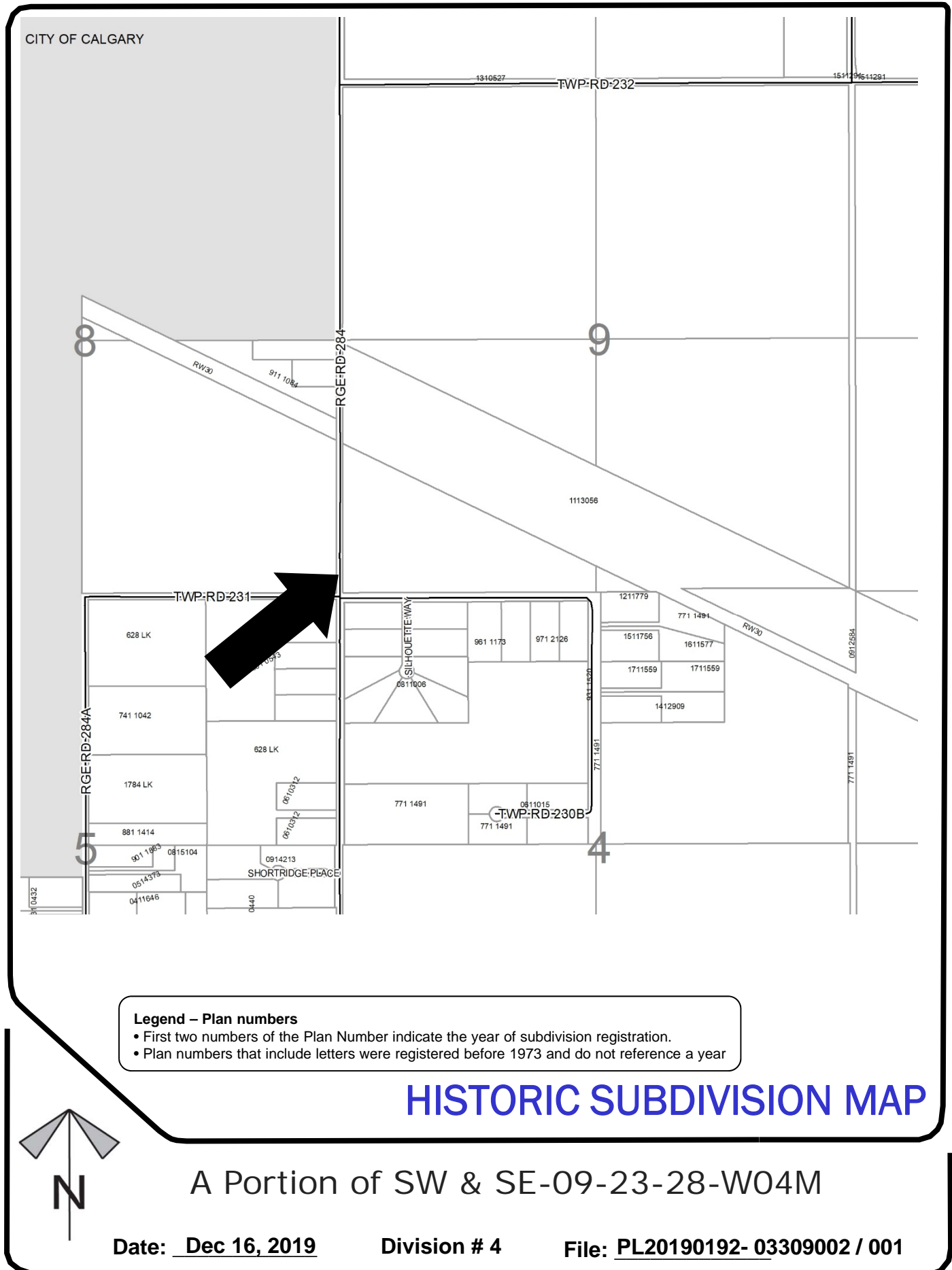


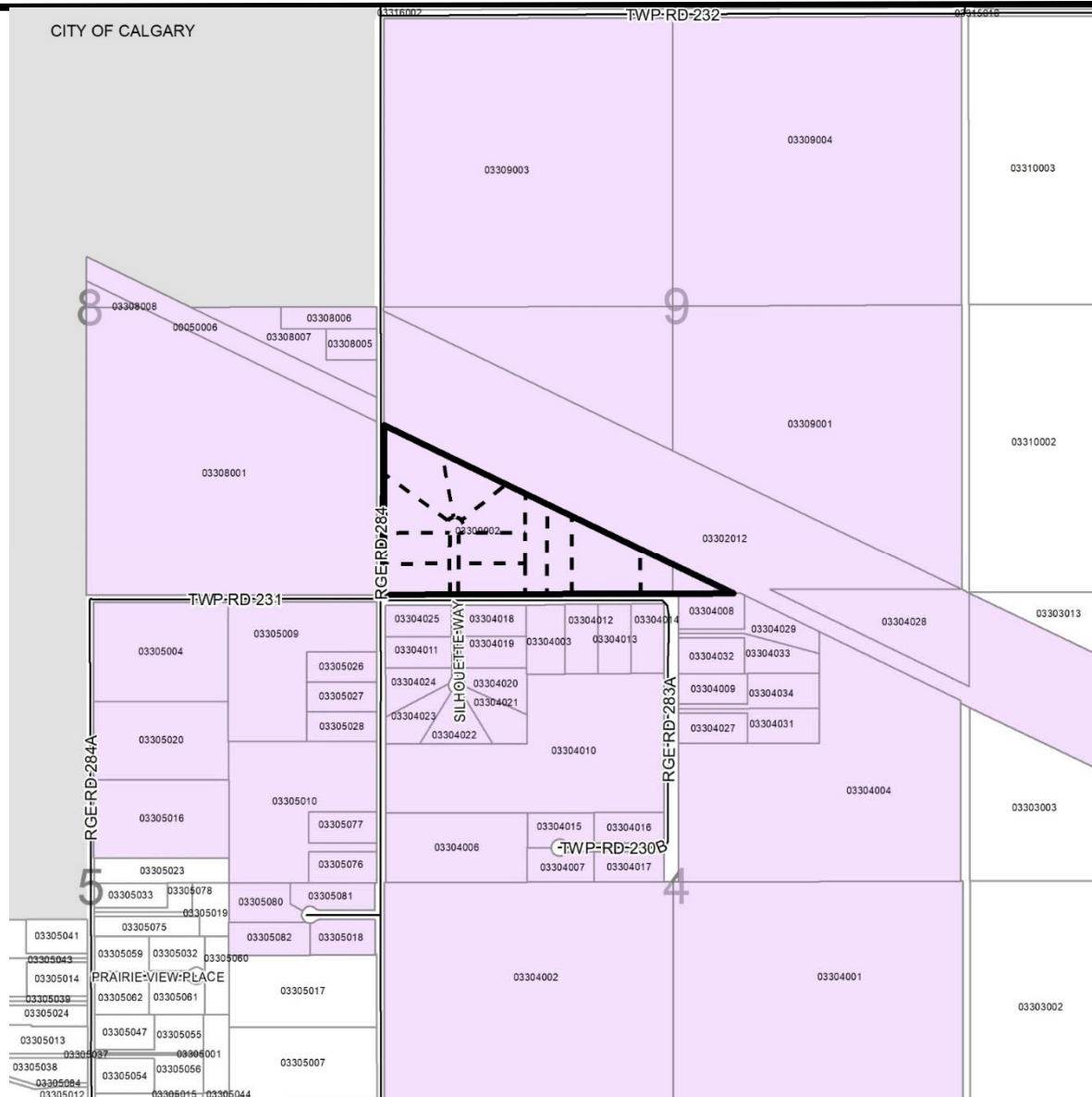
A Portion of SW & SE-09-23-28-W04M

Date: Dec 16, 2019

Division # 4

File: PL20190192- 03309002 / 001

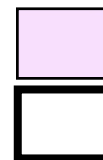




Letters in Opposition

Letters in Support

Legend



Circulation Area

Subject Lands

LANDOWNER CIRCULATION AREA

A Portion of SW & SE-09-23-28-W04M

Date: Dec 16, 2019

Division # 4

File: PL20190192- 03309002 / 001



PLANNING AND DEVELOPMENT SERVICES

TO: Council

DATE: February 11, 2020 **DIVISION:** 4

FILE: 03309002 / 001 **APPLICATION:** PL20190191

SUBJECT: First Reading Bylaw – Residential Redesignation

PURPOSE: The purpose of this application is to redesignate a portion of the subject land from Ranch and Farm District (RF) to Residential Two District (R-2), in order to facilitate the creation of twelve residential lots on \pm 57.34 acres of land with a \pm 160.29 acre remainder.

GENERAL LOCATION: Located east of the city of Calgary, immediately adjacent to CP railway, east of Range Road 284 and on the north side of Township Road 231.

APPLICANT: IDEA Group Inc.

OWNERS: Simpson Ranching Ltd.

POLICY DIRECTION: The application was evaluated against the Interim Growth Plan, County Plan and the Land Use Bylaw.

COUNCIL OPTIONS:

Option #1: THAT Bylaw C-8002-2020 be given first reading.

Option #2: THAT application PL20190191 be denied.

Respectfully submitted,

Concurrence,

“Theresa Cochran”

“Al Hoggan”

Executive Director
Community Development Services

Chief Administrative Officer

XD/ltt

APPENDICES:

APPENDIX 'A': Bylaw C-8002-2020 & Schedule A
APPENDIX 'B': Map Set



BYLAW C-8002-2020

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-8002-2020.

PART 2 - DEFINITIONS

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

PART 3 - EFFECT OF BYLAW

THAT Part 5, Land Use Map No.33 and No. 33 SW of Bylaw C-4841-97 be amended by redesignating a portion of SW&SE-09-23-28-W04M from Ranch and Farm District (RF) to Residential Two District (R-2), as shown on the attached Schedule 'A' forming part of this Bylaw.

THAT A portion of SW&SE-09-23-28-W04M, is hereby redesignated to Residential Two District (R-2), as shown on the attached Schedule 'A' forming part of this Bylaw.

PART 4 - TRANSITIONAL

Bylaw C-8002-2020 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: 4

File: 03309002/03309001 - PL20190191

READ A FIRST TIME IN COUNCIL this _____ day of _____, 2020

PUBLIC HEARING WAS HELD IN COUNCIL this _____ day of _____, 2020

READ A SECOND TIME IN COUNCIL this _____ day of _____, 2020

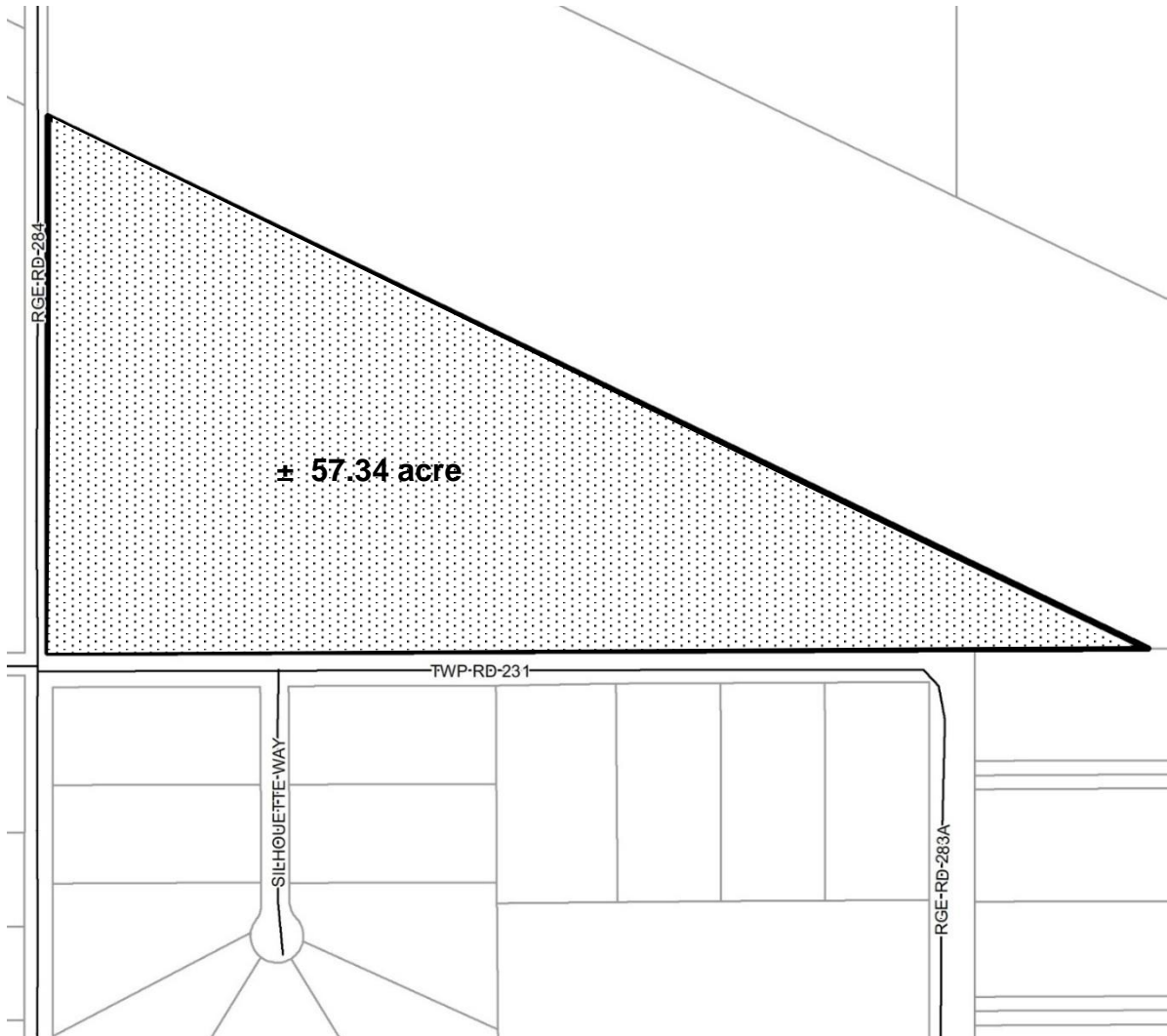
READ A THIRD TIME IN COUNCIL this _____ day of _____, 2020

Reeve

CAO or Designate

Date Bylaw Signed

BYLAW: C-8002-2020



AMENDMENT

FROM Ranch and Farm District TO Residential Two District



Subject Land _____

LEGAL DESCRIPTION: A Portion of SW& SE-09-23-28-
W04M

FILE: PL20190191- 03309002/001

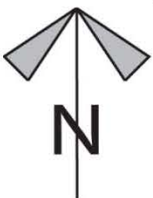
DIVISION: 4



ROCKY VIEW COUNTY
Cultivating Communities

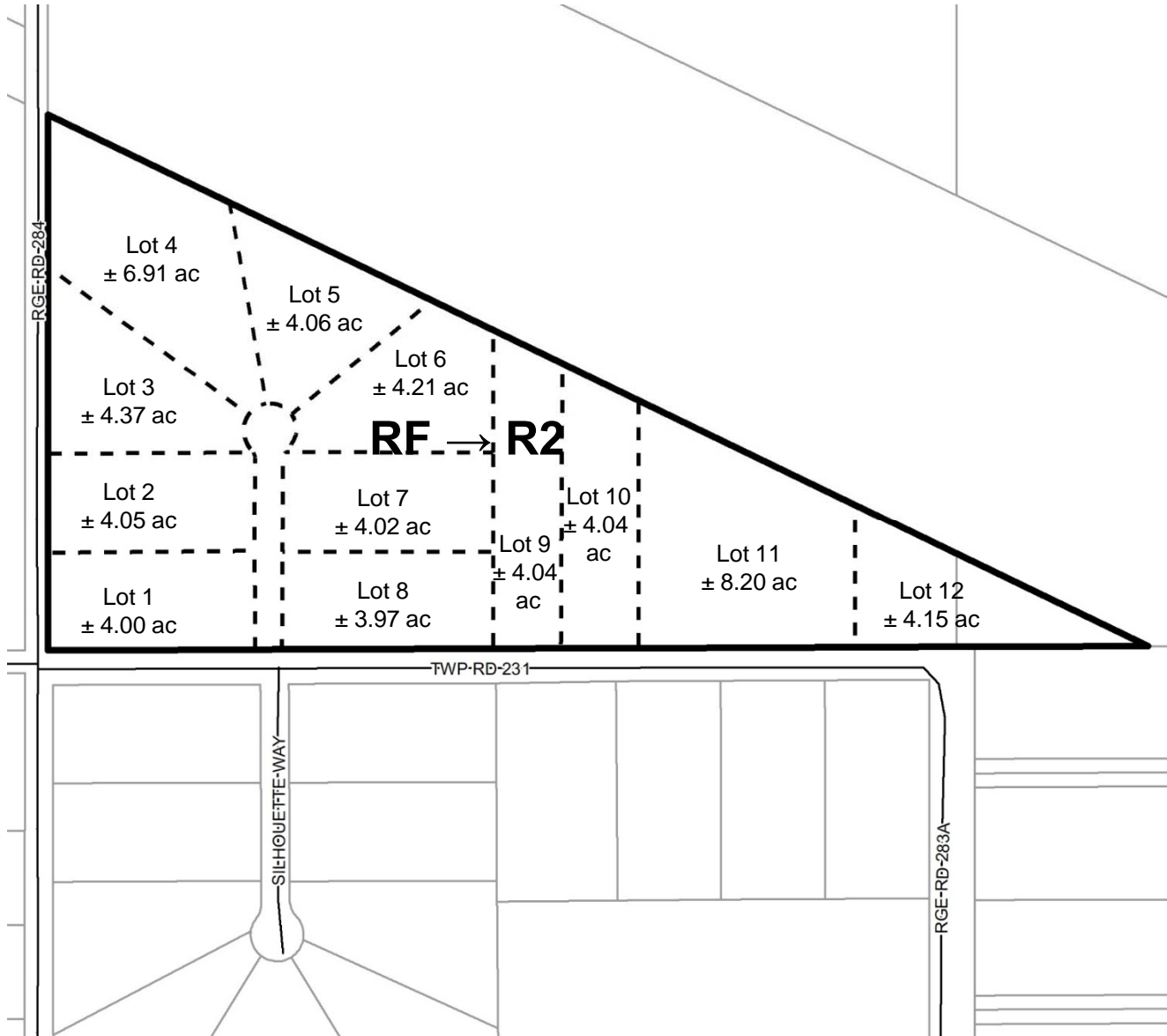
AGENDA

Page 318 of 328

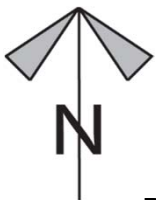


File: PL20190191- 03309002 / 001

Redesignation Proposal - To redesignate subject land from Ranch and Farm District (RF) to Residential Two District (R-2), in order to facilitate the creation of twelve residential lots on ± 57.34 acres of land with ± 160.29 acres remainder.



DEVELOPMENT PROPOSAL

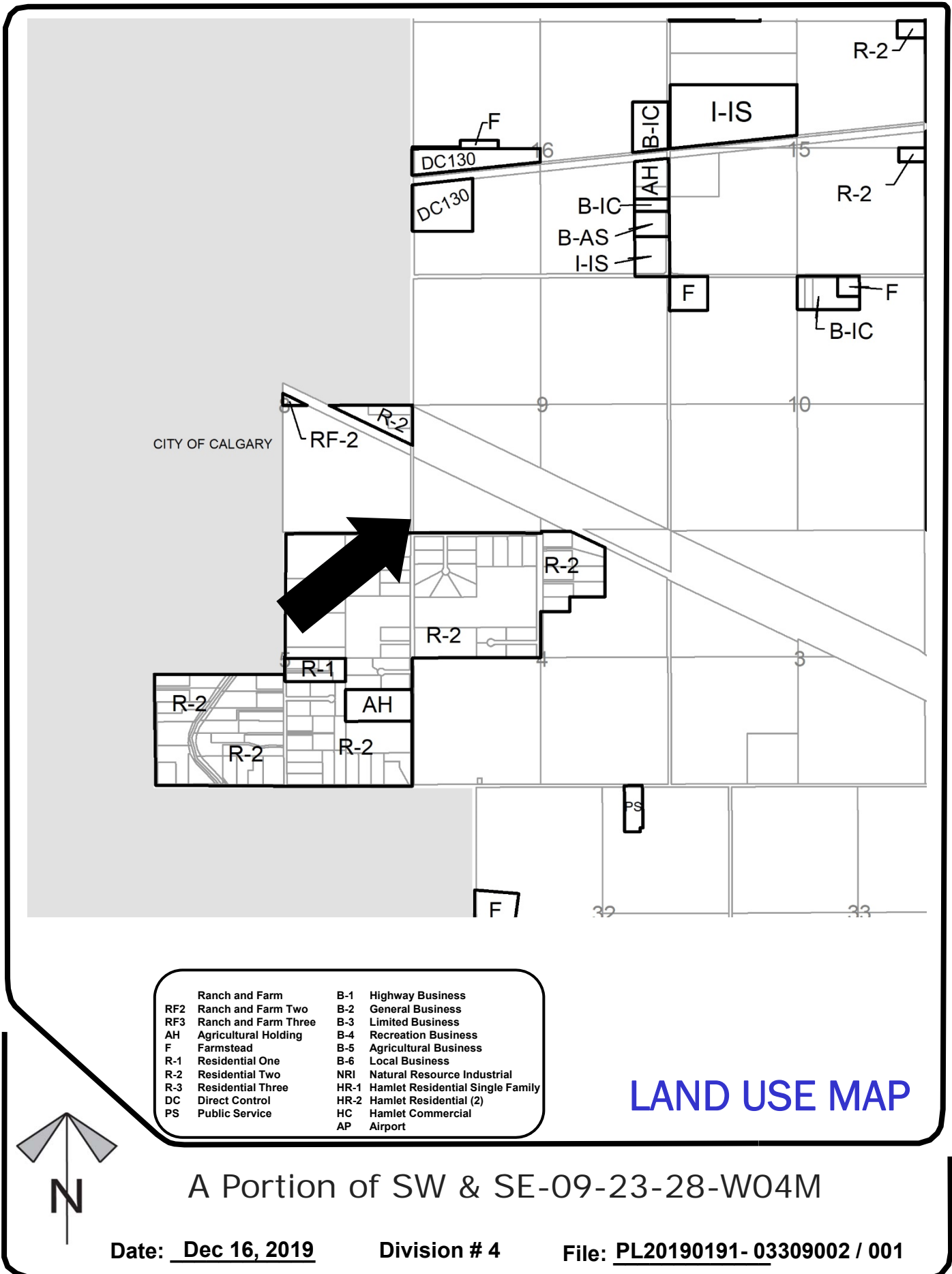


A Portion of SW & SE-09-23-28-W04M

Date: Dec 16, 2019

Division # 4

File: PL20190191- 03309002 / 001

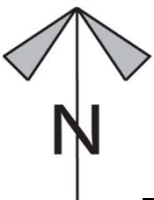




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AIR PHOTO

Spring 2018

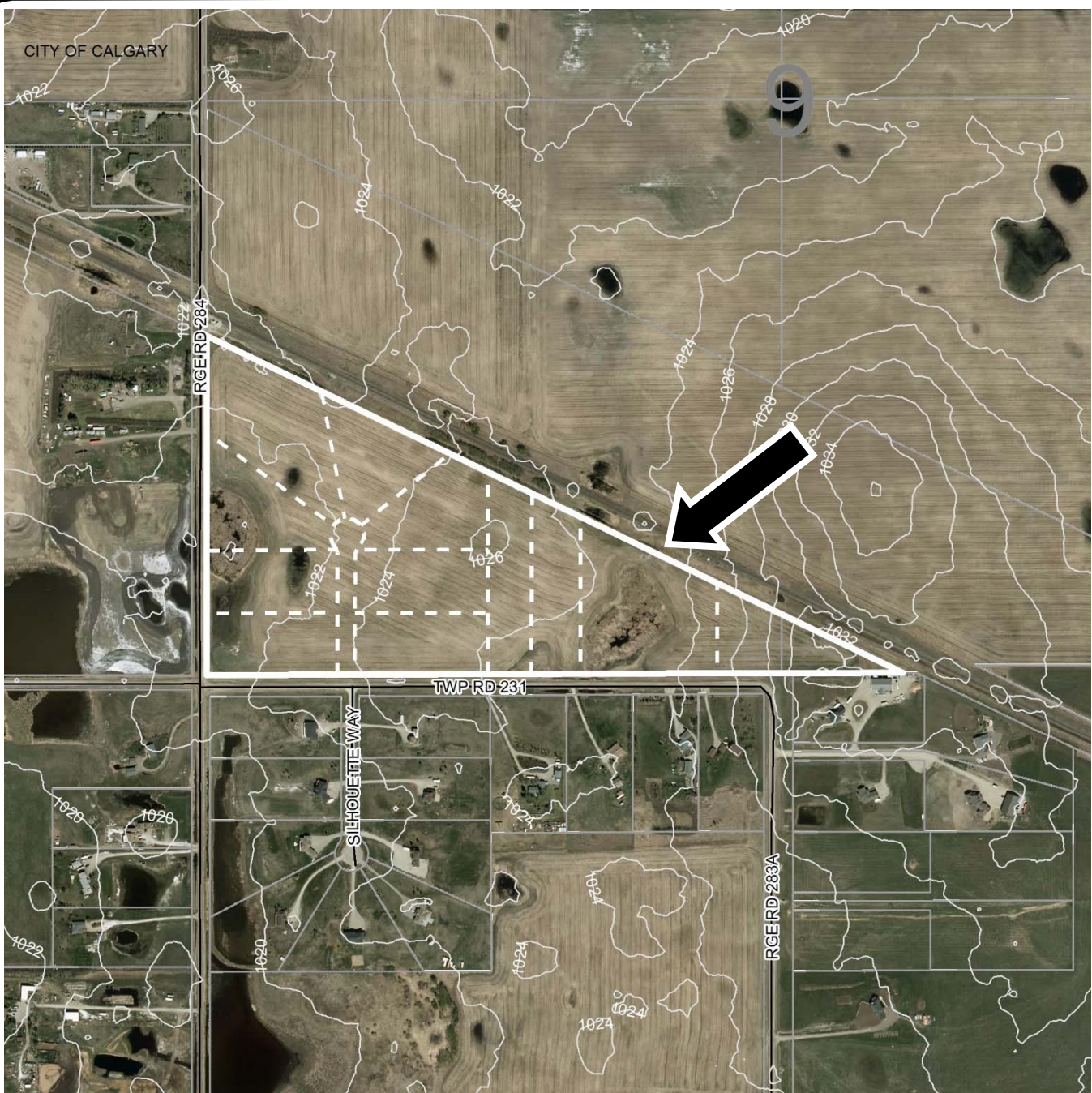


A Portion of SW & SE-09-23-28-W04M

Date: Dec 16, 2019

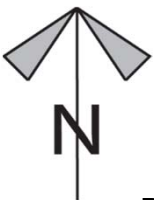
Division # 4

File: PL20190191- 03309002 / 001



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

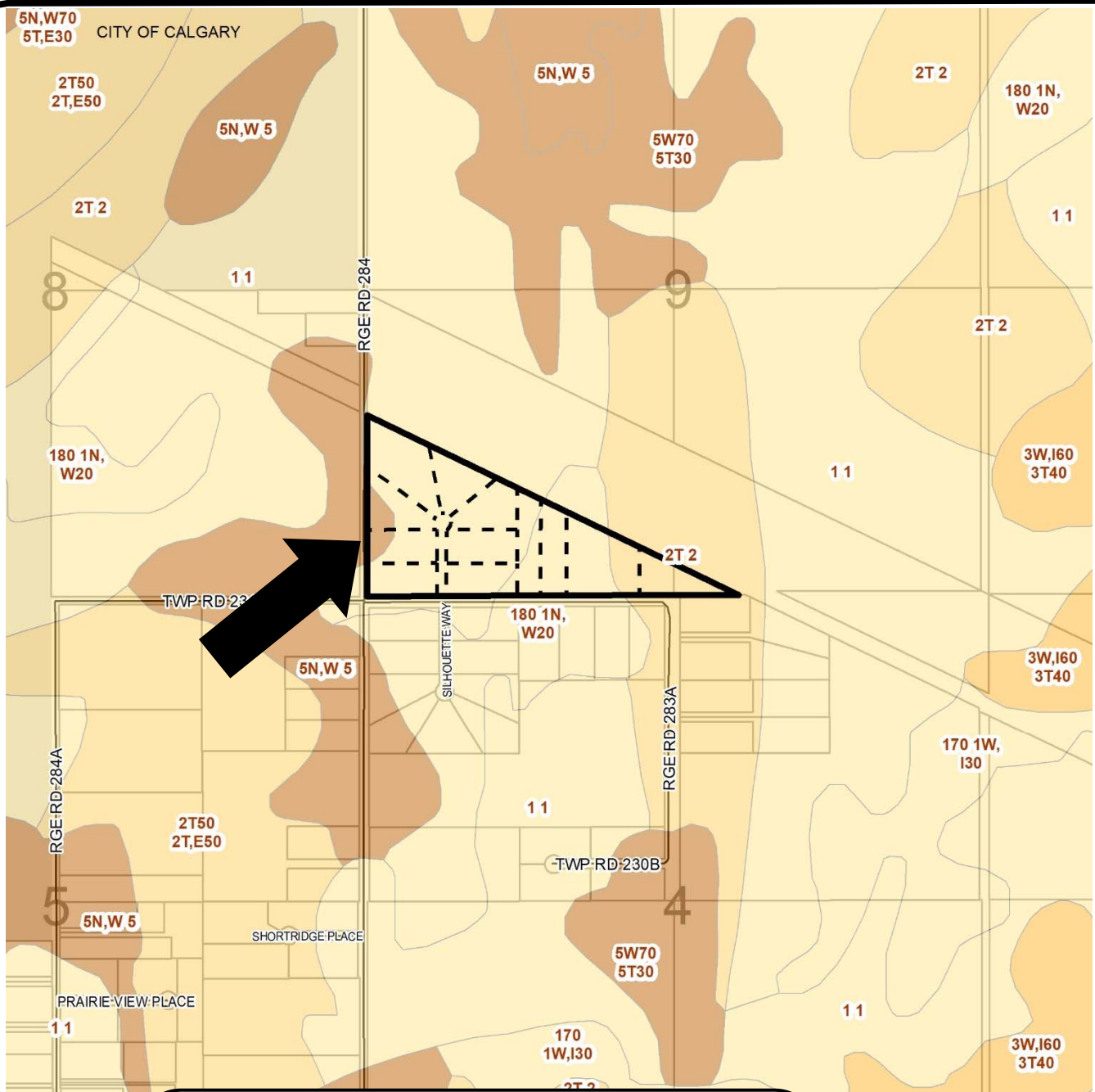


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LAND CAPABILITY CLASSIFICATION LEGEND
Limitations refer to cereal, oilseeds and tame hay crops

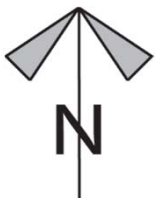
CLI Class

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

Limitations

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

SOIL MAP

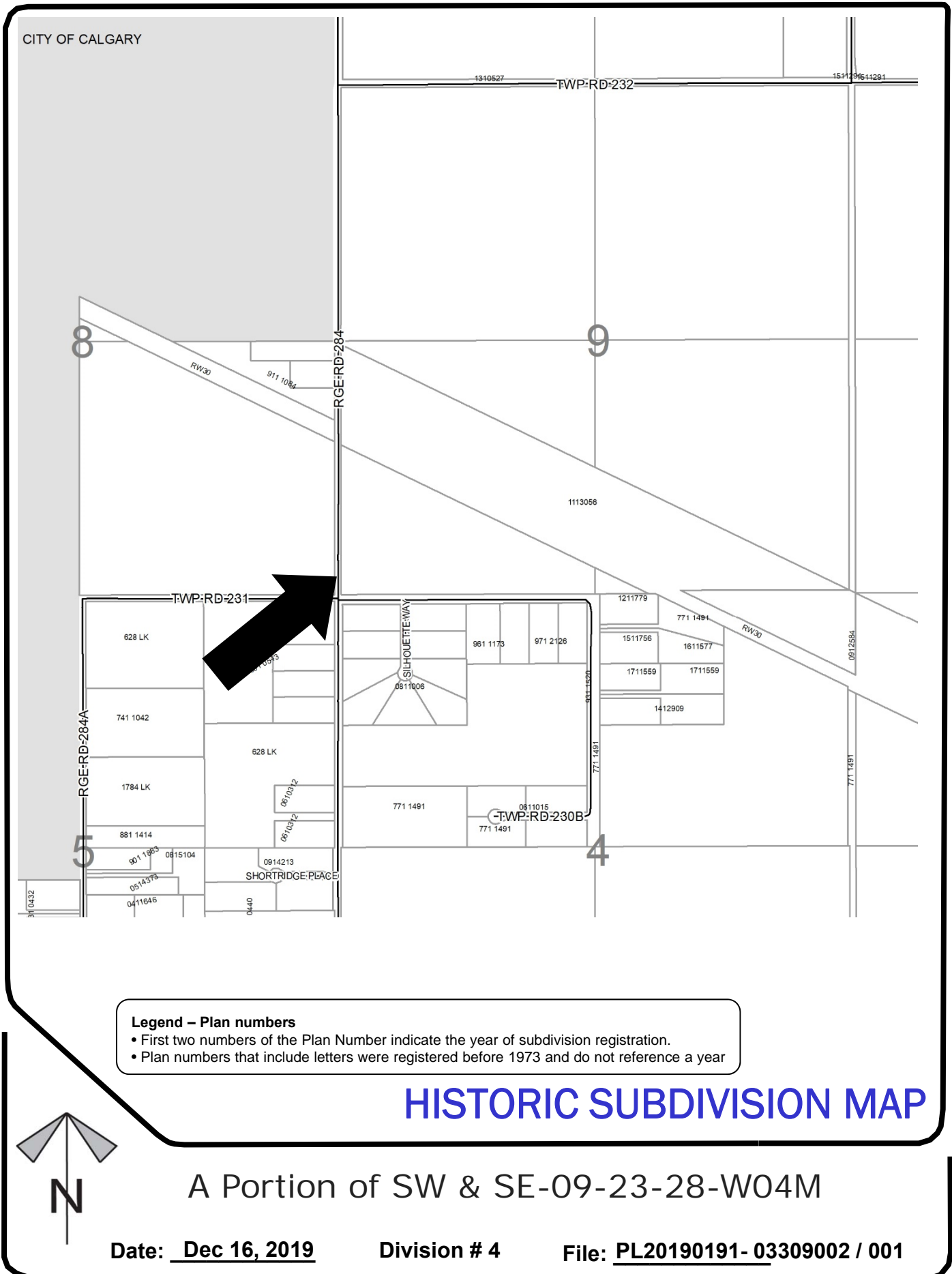


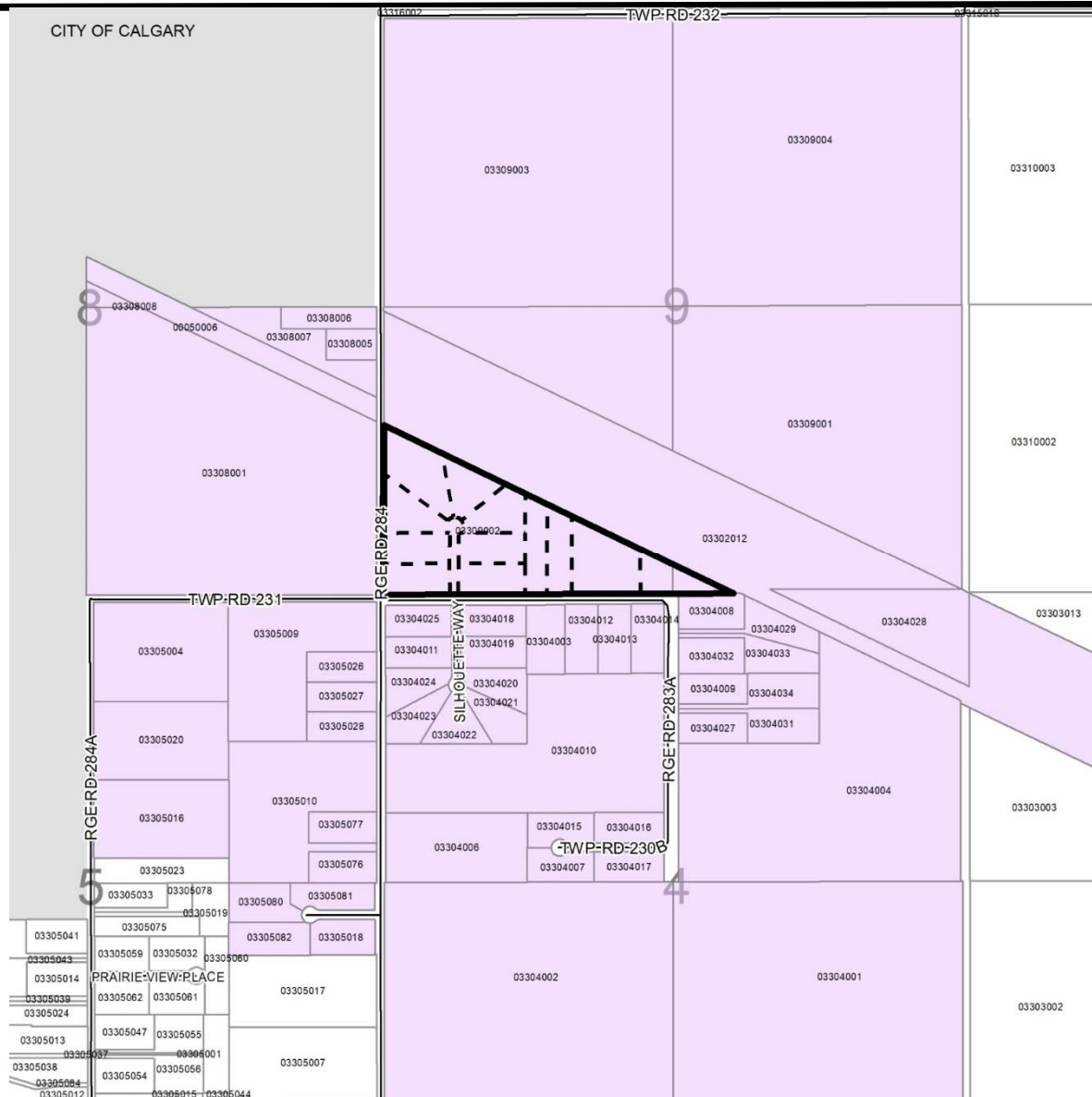
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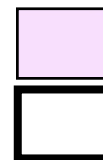


Letters in Opposition



Letters in Support

Legend



Circulation Area

Subject Lands

LANDOWNER CIRCULATION AREA

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NOTICE OF MOTION

Submitted in accordance with sections 54, 55, 56, 57, and 58 of
Procedure Bylaw C-7907-2019

Presented By: Councillor Kim McKylor, Division 2
Seconded By: Councillor Gautreau, Division 5

This notice of motion is read into the Council record on **February 11, 2020**. The motion as read into the record will be debated on **February 25, 2020**.

TITLE: Funding for Springbank Community Building & funding for future recreational requirements

WHEREAS The Springbank Community requires a community centre;

AND WHEREAS The Springbank Community Hall (circa 1905) was condemned in May of 2018;

AND WHEREAS The draft Master Recreation Plan demonstrates a need for a multi-purpose community space in the Springbank area;

AND WHEREAS The four-acre Commercial Court Municipal Reserve set aside by Councillor Brenda Goode for the Springbank Community Association will not adequately accommodate both parking & and community facility;

AND WHEREAS MSI funds of \$2.2 million dollars are available for Springbank for Recreation;

AND WHEREAS The Springbank Park for All Season has financial requirements to allow for future growth and development, which are to be determined pending the new Recreation Master Plan;

AND WHEREAS The County has available fee simple lands which could be monetized and used for recreation and cultural purposes;

AND WHEREAS Tax Roll # 5835001 located in the Town of Cochrane is available to be sold at fair market value;

THEREFORE BE IT RESOLVED THAT:

1. Administration be directed to sell Tax Roll # 5835001 at fair market value; and

2. THAT the net proceeds as well as the Springbank MSI funds be set aside for equitable distribution towards a new Springbank Community Centre, future recreation as well as land(s) as required by either of these projects.