

Council Meeting Agenda



ROCKY VIEW COUNTY

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

March 10, 2020

9:00 a.m.

CALL MEETING TO ORDER

UPDATES/APPROVAL OF AGENDA

A APPROVAL OF MINUTES

1. February 25, 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 February 11, 2020 and February 18, 2020 editions of the Rocky View Weekly.

MORNING PUBLIC HEARINGS / APPOINTMENTS 10:00 A.M.

1. Division 1 – File: PL20190103 (03915024) – Bylaw C-7956-2019 – Conceptual Scheme – Fawn Hills of Bragg Creek

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

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2. Division 1 – File: PL20190102 (03915024) – Bylaw C-7955-2019 – Redesignation Item – Ranch and Farm District to Residential One

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

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AFTERNOON PUBLIC HEARINGS / APPOINTMENTS 1:30 P.M.

3. All Divisions – File: N/A – Southern Alberta Energy from Waste Association (SAEWA) – Energy from Waste Project Update

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D GENERAL BUSINESS

1. All Divisions – File: N/A – Intermunicipal Development Plan between the Village of Beiseker and Rocky View County

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2. All Divisions – File: N/A – Adoption of Intermunicipal Collaboration Framework between the Town of Crossfield and Rocky View County

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3. All Divisions – File: N/A – Adoption of Intermunicipal Collaboration Framework between Wheatland County and Rocky View County

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4. Divisions 4 & 5 – File: N/A – Terms of Reference – Highway 1 East Corridor Area Structure Plan

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5. Division 6 – File: 1075-600 – Rocky View Schools Request for Capital Funding

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6. Division 4 – File: N/A – Langdon Quad Diamond Complex Budget Adjustment

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7. All Divisions – File: N/A – Forest Resource Improvement Association of Alberta (FRIAA) Grant Funding Endorsement

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E BYLAWS

1. All Divisions – File: N/A – Bylaw C-8030-2020 – Amendments to the Procedure Bylaw and Boards and Committees Bylaw

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2. Divisions 1 & 9 – File: N/A – Third Reading of Bylaw C-7937-2019 – Municipal District of Bighorn and Rocky View County Intermunicipal Development Plan

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3. Division 6 – File: N/A – Third Reading of Bylaw C-7943-2019 – Kneehill County and Rocky View County Intermunicipal Development Plan

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4. All Divisions – File: 1007-800 – First Reading Bylaw – C-8007-2020 – Regional Transportation Off-Site Levy Bylaw

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5. All Divisions – File: 1007-755 – First Reading Bylaw – C-8008-2020 – Regional Stormwater Off-Site Levy Bylaw

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6. All Divisions – File: 1007-700 – First Reading Bylaw – C-8009-2020 – Regional Water and Wastewater Off-Site Levy Bylaw

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7. Division 2 – File: PL20170009/10 (05701004) – First Reading Bylaw – C-8016-2020 – Minor Amendment to the Central Springbank Area Structure Plan and Adoption of the Bearspaw Lakefront Estates Conceptual Scheme

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8. Division 6 – File: PL20190006 (08501007) – First Reading Bylaw – C-7906-2019 – Agricultural Holdings District to Residential Two District

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9. Division 9 – File: PL20190196 (06836003) – First Reading Bylaw – C-8027-2020 – Industrial Redesignation

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10. Division 1 – File: PL20190206 (03912039) – First Reading Bylaw – C-8028-2020 – Residential and Commercial Redesignation

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11. Division 3 – File: PL20190200 (04606472) – First Reading Bylaw – C-8029-2020 – Commercial Redesignation

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F UNFINISHED BUSINESS - None

G COUNCILLOR REPORTS - None

H MANAGEMENT REPORTS

1. All Divisions – File: N/A – 2020 Council Priorities and Significant Issues List

Compiled List

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I NOTICES OF MOTION - None

J SUBDIVISION APPLICATIONS - None

K CLOSED SESSION

1. RVC2020-13

THAT Council move into closed session to consider the confidential item
“Cochrane Ag Society Land Transfer” 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. RVC2020-14

THAT Council move into closed session to consider the confidential item
“Springbank Land Purchase” 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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3. RVC2020-16

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

Section 23 – Local public body confidences

4. RVC2020-17

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

Section 21 – Disclosure harmful to intergovernmental relations

Section 24 – Advice from officials

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 February 25, 2020 commencing at 9:00 a.m.

Present:	Division 6	Reeve G. Boehlke
	Division 4	Deputy Reeve A. Schule
	Division 1	Councillor M. Kamachi (left the meeting at 12:20 p.m.)
	Division 2	Councillor K. McKylor
	Division 3	Councillor K. Hanson
	Division 7	Councillor D. Henn
	Division 8	Councillor S. Wright
	Division 9	Councillor C. Kissel

Absent:	Division 5	Councillor J. Gautreau
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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 T. Cochran, Executive Director, Community Development Services F. Contreras, Director, Corporate and Strategic Planning C. Nelson, Manager, Corporate Business Development, Business, and Economic Development G. Nijjar, Manager, Recreation, Parks and Community Support B. Woods, Manager, Financial Services D. Hafichuk, Manager, Capital Project Management S. Jewison, Manager, Utility Services C. Satink, Municipal Clerk, Municipal Clerk's Office T. Andreasen, Deputy Municipal Clerk, Municipal Clerk's Office N. Mirza, Engineering Supervisor, Planning and Development Services S. MacLean, Planning Supervisor, Planning and Development Services J. Kwan, Senior Planner, Planning and Development Services A. Bryden, Senior Planner, Planning and Development Services S. Kunz, Senior Planner, Planning and Development Services X. Deng, Planner, Planning and Development Services J. Anderson, Planner, Planning and Development Services A. Panaguiton, Planner, Planning and Development Services B. Manshanden, Coordinator, Intergovernmental Affairs D. Lang, Community Project Coordinator, Recreation, Parks and Community Support
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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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1-20-02-25-01

Updates/Acceptance of Agenda

MOVED by Henn that the February 25, 2020 Council meeting agenda be amended as follows:

- Remove item C-2 (Bylaw C-7958-2019) (PL20190150); and
- Add emergent business item D-18 (Request for Rocky View County representative to Canadian Badlands Tourism Association).

Carried

MOVED by Councillor Henn that the February 25, 2020 Council meeting agenda be approved as amended.

Carried

1-20-02-25-02

Approval of Minutes

MOVED by Councillor Kamachi that the February 11, 2020 Council meeting minutes be approved as presented.

Carried

1-20-02-25-26 (D-18)

All Divisions – Request for Rocky View County representative to Canadian Badlands Tourism Association

File: N/A

MOVED by Councillor Hen that Councillor Gautreau be appointed as Rocky View County's representative to Canadian Badlands Tourism Association; and

THAT Councillor Kamachi be appointed as an Rocky View County's alternate representative to Canadian Badlands Tourism Association.

Carried

1-20-02-25-09 (D-1)

All Divisions – Rocky View County Corporate Business Plan

File: N/A

MOVED by Deputy Reeve Schule that Appendix A: Corporate Business Plan be received as information.

Carried

1-20-02-25-10 (D-2)

All Divisions – Community Broadband Study Project Update

File: N/A

MOVED by Councillor Hanson that Community Broad Study Project Update report be received as Information.

Carried

MOVED by Councillor Hanson that Council authorize the Reeve to provide a letter of support to Xplornet Communications Inc. to support their application to the CRTC – Universal Broadband Fund for the improvement of broadband services within Rocky View County.

Carried

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1-20-02-25-11 (D-3)

All Divisions – Intermunicipal Development Plan between the Town of Irricana and Rocky View County

File: N/A

MOVED by Deputy Reeve Schule that it be resolved by Rocky View County Council that an Intermunicipal Development Plan with the Town of Irricana not be adopted at this time.

Carried

1-20-02-25-12 (D-4)

All Divisions – Adoption of Intermunicipal Collaboration Framework between the Town of Irricana and Rocky View County

File: N/A

MOVED by Deputy Reeve Schule that the Town of Irricana and Rocky View County Intermunicipal Collaboration Framework be approved as presented in Attachment 'A'.

Carried

1-20-02-25-13 (D-5)

All Divisions – Adoption of Intermunicipal Collaboration Framework between Kneehill County and Rocky View County

File: N/A

MOVED by Deputy Reeve Schule that the Kneehill County and Rocky View County Intermunicipal Collaboration Framework be approved as presented in Attachment 'A'.

Carried

1-20-02-25-14 (D-6)

All Divisions – Adoption of Intermunicipal Collaboration Framework between the Village of Beiseker and Rocky View County

File: N/A

MOVED by Deputy Reeve Schule that the Village of Beiseker and Rocky View County Intermunicipal Collaboration Framework be approved as presented in Attachment 'A'.

Carried

1-20-02-25-18 (D-10)

All Divisions – Service Provision to Governments, Agencies, or Organizations Policy C-173

File: N/A

MOVED by Deputy Reeve Schule that the amended Service Provision to Governments, Agencies, or Organizations Policy, C-173, be approved as per Attachment 'A'.

Carried

1-20-02-25-15 (D-7)

All Divisions – Intermunicipal Development Plan between Rocky View County and Wheatland County

File: N/A

MOVED by Councillor Wright that Council supports extension of the completion date for the Rocky View County/Wheatland County Intermunicipal Development Plan to April 1, 2021.

Carried

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1-20-02-25-16 (D-8)

All Divisions – Community Recreation Funding Grant Program Policy C-317

File: N/A

MOVED by Councillor Wright that a new section 40 be added to Policy C-317 with the following wording:

“Members must not act or appear to act in order to benefit, financially or otherwise, themselves or their family, friends, associates, businesses, or otherwise.”

Carried

MOVED by Deputy Reeve Schule that the amended Community Recreation Funding Policy C-317 be approved as per Attachment ‘A’ as amended.

Carried

1-20-02-25-17 (D-9)

Division 4 – Langdon Recreation Grant Program Policy C-328

File: N/A

MOVED by Deputy Reeve Schule that the amended Langdon Recreation Grant Program Policy C-328, be approved as per Attachment ‘A’.

Carried

The Chair called for a recess at 10:05 a.m. and called the meeting back to order at 10:18 a.m. with all previously mentioned members present.

1-20-02-25-03 (C-1)

Division 4 – Bylaw C-7981-2019 – Redesignation Item – Ranch and Farm District to Agricultural Holdings District

File: PL20190171 (02315006)

MOVED by Deputy Reeve Schule that the public hearing for item C-1 be opened at 10:18 a.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 Deputy Reeve Schule that the public hearing for item C-1 be closed at 10:25 a.m.

Carried

MOVED by Deputy Reeve Schule that Bylaw C-7981-2019 be given second reading.

Carried

MOVED by Deputy Reeve Schule that Bylaw C-7981-2019 be given third and final reading.

Carried

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1-20-02-25-19 (D-11)

Division 2 – Request to Waive the Development Permit Re-Application Interval

File: 05715001

MOVED by Councillor McKylor that the request for a waiver of a six-month waiting period for re-application for a Commercial Communications Facility, Type C development permit application at Block D, Plan 7910461 within SE-15-25-03-W05M (251147 Range Road 32) be denied.

Carried

1-20-02-25-21 (D-13)

All Divisions – Rescinding Governance and Priorities Committee Terms of Reference

File: N/A

MOVED by Councillor Kissel that Governance and Priorities Committee meetings be scheduled for the same dates as Municipal Planning Commission meetings.

Defeated

MOVED by Deputy Reeve Schule that the Governance and Priorities Committee terms of reference be rescinded and all future presentations be scheduled for Council meetings.

Carried

MOVED by Councillor McKylor that Administration be directed to prepare amendments to the *Procedure Bylaw* to accommodate a new public presentation process.

Carried

1-20-02-25-22 (D-14)

Division 2 – Local Improvement Tax Petition for Water System Upgrades – Country Lane Estates

File: 0194

MOVED by Councillor McKylor that the Declaration of Sufficient Petition be received for information.

Carried

MOVED by Councillor McKylor that Administration be directed to prepare a Local Improvement Plan and corresponding borrowing bylaw for the water system installation in the Country Lane Estates subdivision.

Carried

MOVED by Councillor McKylor that Administration be directed to schedule a Public Hearing for the proposed borrowing bylaw for the Country Lane Estates local improvement.

Carried

1-20-02-25-23 (D-15)

Division 8 – Council Direction – Balzac East Residential Two Subdivision Condition

File: PL20190121 (06415001)

MOVED by Deputy Reeve Schule that Condition #9 of Subdivision Application PL20190121 be amended to defer the Transportation Offsite Levy as per the Municipal Planning Commission's recommendation.

Carried

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1-20-02-25-24 (D-16)

All Divisions – Resolution of Support for ACP Grant Application

File: N/A

MOVED by Councillor Henn that Rocky View County supports Wheatland County's (managing partner) submission of a 2019/2020 Alberta Community Partnership grant application in support of the CSMI regional stormwater management project.

Carried

1-20-02-25-25 (D-17)

All Divisions – Consideration of Notice of Motion – Councillor McKylor and Councillor Gautreau – Funding for Springbank Community Building and Funding for Future Recreational Requirements

File: N/A

The Chair called for a recess at 11:23 a.m. and called the meeting back to order at 11:30 a.m. with all previously mentioned members present.

MAIN MOTION:

MOVED by Councillor McKylor that Administration be directed to sell Tax Roll #5835001 at fair market value.

AMENDING MOTION:

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

THAT Administration be directed to sell ~~Tax Roll #5835001~~ **Plan 7191, Parcel A** at fair market value.

Carried

MAIN MOTION AS AMENDED:

MOVED by Councillor McKylor that Administration be directed to sell Plan 7191, Parcel A at fair market value.

Carried

MOVED by Councillor McKylor 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.

Carried

1-20-02-25-33 (E-7)

Division 3 – First Reading Bylaw – Bylaw C-8011-2020 – Residential Redesignation

File: PL20190140 (04702011)

MOVED by Councillor Hanson that Bylaw C-8011-2020 be given first reading.

Carried

1-20-02-25-27 (E-1)

All Divisions – Council Code of Conduct Bylaw – Third Reading of Bylaw C-8014-2020

File: N/A

MOVED by Councillor Hanson that Bylaw C-8014-2020 be amended to add the following definition:

"In Good Faith" means performing duties as a municipal councillor honestly and reasonably and not capriciously or arbitrarily.

Defeated

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MOVED by Deputy Reeve Schule that Bylaw C-8014-2020 be given third reading.

Carried

MOTION ARISING:

MOVED by Councillor Hanson that Council direct Administration to organize a Code of Conduct workshop facilitated by a legal professional to be delivered by the next organizational meeting.

Defeated

1-20-02-25-28 (E-2)

All Divisions – Municipal Planning Commission – Third Reading of Bylaw C-8021-2020

File: N/A

MOVED by Councillor McKylor that Bylaw C-8021-2020 be given third reading.

Carried

1-20-02-25-29 (E-3)

All Divisions – Special Events Bylaw C-7990-2020

File: N/A

Councillor Kamachi left the meeting at 11:49 a.m. and returned to the meeting at 11:52 a.m.

MOVED by Deputy Reeve Schule that Bylaw C-7990-2020 be given first reading.

Carried

MOVED by Councillor Kissel that Bylaw C-7990-2020 be given second reading.

Carried

MOVED by Councillor Henn that Bylaw C-7990-2020 be considered for third reading.

Carried

MOVED by Councillor McKylor that Bylaw C-7990-2020 be given third and final reading.

Carried

1-20-02-25-37 (K-1)

All Divisions – Confidential Closed Session Item – Request to Lease County Land – 243208 Garden Road

File: RVC2020-10

1-20-02-25-38 (K-2)

All Divisions – Confidential Closed Session Item – Request to Lease/Sell County Land – Plan 7191 JK, Parcel A (Cochrane Gravel Pit)

File: RVC2020-11

1-20-02-25-39 (K-3)

All Divisions – Confidential Closed Session Item – Offer to Purchase County Land – Plan 5292JK, Site A & B (Indus Pit)

File: RVC2020-12

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MOVED by Councillor McKylor that Council move into closed session at 12:20 p.m. to consider the following confidential items pursuant to the following sections of the *Freedom of Information and Protection of Privacy Act*:

K-1 – Request to Lease County Land – 243208 Garden Road

- Section 24 – Advice from officials
- Section 25 – Disclosure harmful to the economic or other interests of a public body

K-2 – Request to Lease/Sell County Land – Plan 7191 JK, Parcel A (Cochrane Gravel Pit)

- Section 24 – Advice from officials
- Section 25 – Disclosure harmful to the economic or other interests of a public body

K-3 – Offer to Purchase County Land – Plan 5292JK, Site A & B (Indus Pit)

- Section 24 – Advice from officials
- Section 25 – Disclosure harmful to the economic or other interests of a public body

Carried

Councillor Kamachi left the meeting at 12:20 p.m. and did not return to the meeting.

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
	T. Cochran, Executive Director, Community Development Services
	C. Morrice, Manager, Legal & Land Administration
	S. Racz, Manager, Corporate Properties

Council held the closed session for confidential item K-2 and K-3 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
	T. Cochran, Executive Director, Community Development Services
	C. Morrice, Manager, Legal & Land Administration

MOVED by Councillor Henn that Council move into open session at 1:30 p.m.

Carried
Absent: Councillor Kamachi

MOVED by Councillor Henn that Administration be directed to negotiate a 5-year lease, for Council's consideration, for the Chapel and related lands located at the Rocky View Garden of Peace, located at 243208 Garden Road, based on the mandate presented in confidential report # RVC2020-10.

Carried
Absent: Councillor Kamachi

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MOVED by Councillor McKylor that Administration be directed to negotiate a purchase and sale agreement, for Council's consideration, for the sale of Plan 7191JK, Parcel A, based on the mandate presented in confidential report #RVC2020-04.

Carried
Absent: Councillor Kamachi

MOVED by Councillor Hanson that Administration be directed to negotiate a purchase and sale agreement, for Council's consideration, for the sale of Plan 5292JK Site A & B, based on the mandate presented in confidential report #RVC2020-12.

Carried
Absent: Councillor Kamachi

1-20-02-25-31 (E-5)

Division 2 – First Reading Bylaw – Bylaw C-8015-2020 – Calalta Waterworks Ltd. Water Services Bylaw and Franchise Agreement
File: 5050-450

MOVED by Deputy Reeve Schule that the CAO or designate be authorized to execute the Water Utility Franchise Agreement between Rocky View County and Calalta Waterworks Ltd.

Carried
Absent: Councillor Kamachi

MOVED by Deputy Reeve Schule that Bylaw C-8015-2020 be given first reading.

Carried
Absent: Councillor Kamachi

MOVED by Deputy Reeve Schule that Administration be directed to bring Bylaw C-8015-2020 back for second and third reading upon approval of the Franchise Agreement by the Alberta Utilities Commission.

Carried
Absent: Councillor Kamachi

1-20-02-25-05 (C-3)

Division 9 – Bylaw C-7950 -2019 – Redesignation Item – Residential Two District to Agricultural Holdings District
File: PL20190118 (08922001)

MOVED by Councillor Kissel that the public hearing for item C-3 be opened at 1:34 p.m.

Carried
Absent: Councillor Kamachi

Person(s) who presented: Mike Stuart (Owner/Applicant)
Barb Smith (Owner/Applicant)

Person(s) who spoke in favour: None

Person(s) who spoke in opposition: None

Person(s) who spoke in rebuttal: None

MOVED by Councillor Kissel that the public hearing for item C-3 be closed at 1:41 p.m.

Carried
Absent: Councillor Kamachi

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MOVED by Councillor Kissel that Schedule 'A' of Bylaw C-7950-2019 be amended to correct the parcel size to ± 8.09 ha (± 19.99 ac).

Carried
Absent: Councillor Kamachi

MOVED by Councillor Kissel that Bylaw C-7950-2019 be given second reading as amended.

Carried
Absent: Councillor Kamachi

MOVED by Councillor Kissel that Bylaw C-7950-2019 be given third and final reading as amended.

Carried
Absent: Councillor Kamachi

1-20-02-25-06 (C-4)

Division 6 – Bylaw C-7962-2019 – Redesignation Item – Ranch and Farm District to Ranch and Farm District Amended

File: PL20180057 (08103010)

Reeve Boehlke vacated the Chair as the redesignation application was located in Division 6 and he wished to participate in discussion on the item. Deputy Reeve Schule proceeded to assume the Chair.

MOVED by Reeve Boehlke that the public hearing for item C-4 be opened at 1:44 p.m.

Carried
Absent: Councillor Kamachi

Person(s) who presented: Tony Smith, IPG (Applicant)

Person(s) who spoke in favour: None

Person(s) who spoke in opposition: None

Person(s) who spoke in rebuttal: None

MOVED by Reeve Boehlke that the public hearing for item C-4 be closed at 2:10 p.m.

Carried
Absent: Councillor Kamachi

MOVED by Reeve Boehlke that Bylaw C-7962-2019 be given second reading.

Carried
Absent: Councillor Kamachi

MOVED by Reeve Boehlke that Bylaw C-7962-2019 be given third and final reading.

Carried
Absent: Councillor Kamachi

Deputy Reeve Schule vacated the Chair. Reeve Boehlke proceeded to assume the Chair.

The Chair called for a recess at 2:11 p.m. and called the meeting back to order at 2:19 p.m. with all previously mentioned members present with the exception of Councillor Hanson.

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1-20-02-25-07 (C-5)

Division 5 – Bylaw C-7963-2019 – Redesignation Item – Commercial Redesignation

File: PL20180134 (05303012)

MOVED by Deputy Reeve Schule that the public hearing for item C-5 be opened at 2:19 p.m.

Carried
Absent: Councillor Kamachi
Councillor Hanson

Councillor Hanson returned to the meeting at 2:21 p.m.

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

Person(s) who spoke in favour: None

Person(s) who spoke in opposition: None

Person(s) who spoke in rebuttal: None

MOVED by Deputy Reeve Schule that the public hearing for item C-5 be closed at 2:28 p.m.

Carried
Absent: Councillor Kamachi

MOVED by Deputy Reeve Schule that Bylaw C-7963-2019 be given second reading.

Carried
Absent: Councillor Kamachi

MOVED by Deputy Reeve Schule that Bylaw C-7963-2019 be given third and final reading.

Carried
Absent: Councillor Kamachi

1-20-02-25-08 (C-6)

Division 1 – Bylaw C-7960-2019 – Redesignation Item – Proposed Direct Control Bylaw

File: PL20190157 (03913077)

1-20-02-25-20 (D-12)

Division 1 – Bragg Creek Brewery Master Site Development Plan

File: PL20190156 (03913077)

MOVED by Councillor McKylor that the public hearing for item C-6 be opened at 2:28 p.m.

Carried
Absent: Councillor Kamachi

MOVED by Councillor Wright that Council move into closed session at 2:43 p.m. to review the legal opinion.
(section 27 – privileged information of the *Freedom of Information and Protection of Privacy Act*)

Carried
Absent: Councillor Kamachi

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

Rocky View County: A. Hoggan, Chief Administrative Officer
 B. Riemann, Executive Director, Operations
 T. Cochran, Executive Director, Community Development Services
 S. MacLean, Planning Supervisor, Planning and Development Services
 J. Kwan, Senior Planner, Planning and Development Services

MOVED by Councillor Hanson that Council move into open session at 2:59 p.m.

Carried
Absent: Councillor Kamachi

Person(s) who presented: Brian Horton, 02 Planning and Design (Applicant)
 John Jackson
 Baruch Laskin
 Adam MacLean
 Rick Groll

Person(s) who spoke in favour: Connie DeSousa
 Kevan Lillass
 Britta Kokemor, and on behalf of Jim Button
 Arnoud de Bruin
 Lowell Harder
 Joe Longo, and on behalf of Andrew Marshall and Pierre Boldue
 John Heerema
 Vince Kiss

The Chair called for a recess at 4:00 p.m. and called the meeting back to order at 4:07 p.m. with all previously mentioned members present.

Person(s) who spoke in favour: Graham Sherman
 Dave Dunay
 Ben Mercer
 Laureen Harper
 Bart Frasca
 Rick Courtney
 Bryce Hleucka
 Darren Kroeker
 Fred Konopaki
 Jennifer Konopaki
 David Zimmerman
 Terry Andryo
 Scott Gravelle
 Troy Delfs
 Cathy Martin
 Greg Hoffart

Person(s) who spoke in opposition: Jennifer Liddle
 Chris Kroker
 William and Jane Prebushewsky
 William Michael Birbeck

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The Chair called for a recess at 5:15 p.m. and called the meeting back to order at 5:24 p.m. with all previously mentioned members present.

Person(s) who spoke in rebuttal: Brian Horton, O2 Planning and Design (Applicant)
Michael Sydenham, Watt Consulting Group
Rick Groll
Baruch Laskin

MOVED by Deputy Reeve Schule that the public hearing for item C-6 be closed at 5:39 p.m.

Carried
Absent: Councillor Kamachi

MOVED by Deputy Reeve Schule that Bylaw C-7960-2019 be given second reading.

Carried
Absent: Councillor Kamachi

MOVED by Deputy Reeve Schule that Bylaw C-7960-2019 be given third and final reading.

Carried
Absent: Councillor Kamachi

MOVED by Councillor Hanson that the Bragg Creek Brewery Master Site Development Plan be approved as presented in Appendix 'C'.

Carried
Absent: Councillor Kamachi

The Chair called for a recess at 6:00 p.m. and called the meeting back to order at 6:17 p.m. with all previously mentioned members present.

1-20-02-25-30 (E-4)

All Divisions – Master Rates Bylaw C-7992-2020

File: N/A

MOVED by Councillor McKylor that Bylaw C-7992-2020 be amended as follows:

- Line 702: Non-residential sewer rate; per month \$45.00 + ~~\$2.019~~ **\$2.091**/m3 water use

Carried
Absent: Councillor Kamachi

MOVED by Councillor Hanson that Bylaw C-7992-2020 be given first reading as amended.

Carried
Absent: Councillor Kamachi

MOVED by Councillor Henn that Bylaw C-7992-2020 be given second reading as amended.

Carried
Absent: Councillor Kamachi

MOVED by Deputy Reeve Schule that Bylaw C-7992-2020 be considered for third reading as amended.

Carried
Absent: Councillor Kamachi

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MOVED by Councillor Henn that Bylaw C-7992-2020 be given third and final reading, as amended.

Carried
Absent: Councillor Kamachi

1-20-02-25-32 (E-6)

Division 5 – First Reading Bylaw – Bylaw C-8020-2020 – Janet Area Structure Plan Amendments

File: 1015-251

MOVED by Deputy Reeve Schule that Bylaw C-8020-2020 be given first reading.

Carried
Absent: Councillor Kamachi

1-20-02-25-34 (E-8)

Division 2 – First Reading Bylaw – Bylaw C-8010-2020 – Commercial Redesignation

File: PL20190173 (04734003)

1-20-02-25-35 (E-9)

Division 5 – First Reading Bylaw – Bylaw C-8012-2020 – Residential Redesignation

File: PL20190197 (06304007)

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

- Bylaw C-8010-2020; and
- Bylaw C-8012-2020.

Carried
Absent: Councillor Kamachi

1-20-02-25-36 (E-10)

Division 1 – First Reading Bylaw – Bylaw C-8013-2020 – Agricultural Redesignation

File: PL20190197 (06304007)

MOVED by Deputy Reeve Schule that Bylaw C-8013-2020 received first reading.

Carried
Absent: Councillor Kamachi

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Adjournment

MOVED by Deputy Reeve Schule that the February 25, 2020 Council meeting be adjourned at 6:30 p.m.

Carried
Absent: Councillor Kamachi

Reeve or Deputy Reeve

Chief Administrative Officer or Designate



PLANNING AND DEVELOPMENT SERVICES

TO: Council
DATE: March 10, 2020 **DIVISION:** 1
TIME: Morning Appointment
FILE: 03915024 **APPLICATION:** PL20190103
SUBJECT: Conceptual Scheme – Fawn Hills of Bragg Creek

NOTE: This application should be considered in conjunction with application PL20190102 (agenda item C-2)

POLICY DIRECTION:

The Greater Bragg Creek Area Structure Plan.

EXECUTIVE SUMMARY:

The purpose of this application is to consider the Fawn Hills Conceptual Scheme to provide a policy framework to guide future redesignation, subdivision and development proposal within NE-15-23-05-W05M.

Council gave first reading to Bylaw C-7956-2019 on December 10, 2019.

The application was circulated to 71 adjacent landowners; 30 responses were received in opposition, one letter of concern from the Fawn Hills (North) Water Association, and nine responses in support (see Appendix 'E'). The application was also circulated to a number of internal and external agencies. Those responses are available in Appendix 'A'.

The following is a summary of the application assessment:

- The application is inconsistent with the Greater Bragg Creek Area Structure Plan policies
 - The proposed density is almost double that allowed in the ASP based on the Gross Development Area calculation;
 - The proposed Municipal Reserve should be revised to Environmental Reserve (ER) or Environmental Reserve Easement (ERE) due to the Bragg Creek Tributary and its associated riparian area;
 - The proposed servicing method (individual water wells and private sewage treatment systems) is inconsistent with the ASP requirements (Communal water treatment and distribution system and municipally approved waste wastewater treatment systems); and
- All other technical matters required at this stage of the application process are satisfactory, with the exception of:
 - A Stormwater Management Plan,
 - A Slope Stability Analysis, and
 - A Traffic Impact Assessment.

ADMINISTRATION RECOMMENDATION:

Administration recommends tabling consideration of the application sine die to allow the Fawn Hills Conceptual Scheme to be revised in accordance with Option #2.

Administration Resources

Johnson Kwan and Bianca Duncan, Planning and Development Services

DATE APPLICATION RECEIVED:	September 12, 2019
DATE DEEMED COMPLETE:	N/A
LEGAL DESCRIPTION:	Portion of NE-15-23-05-W05M
GENERAL LOCATION:	Located in the west Bragg Creek area, approximately 0.81 km (1/2 mile) north of Township Road 232 and in the west side of Fawn Hills Drive.
APPLICANT:	Carswell Planning (Bart Carswell)
OWNERS:	Allan Hudye and Ozark Resources Limited.
EXISTING LAND USE DESIGNATION:	Ranch and Farm District (RF)
PROPOSED LAND USE DESIGNATION:	Residential One District (R-1)
GROSS AREA:	± 74.64 acres
SOILS (C.L.I. from A.R.C.):	<p>Class 5,H,D,E70,6W30,N – Very severe limitation due to temperature limiting factor, low permeability, erosion damage, excessive wetness/poor drainage, and high salinity.</p> <p>Class 6,H,T,R – Production is not feasible due to temperature limiting factor, adverse topography, and shallow bedrock.</p> <p>Class 7,T,H – No capability due to adverse topography, and temperature limiting factor.</p>

HISTORY:

May 28, 2002	Application to redesignate the subject lands from Ranch and Farm District to Residential One District and Agricultural Holdings District to facilitate the creation of sixteen 1-3 acre residential lots with a ± 20 acre remainder and an environmental reserve easement was refused
June 28, 1978	Subdivision Plan 7810784 was registered at Land Titles creating the subject land and the adjacent multi-lots subdivision east of Fawn Hills Drive. Concurrent registration of restrictive covenant regards to tree removal and building construction restrictions. Reserves were provided via cash-in-lieu for Lots 1 to 13 east of Fawn Hills Drive

POLICY ANALYSIS:

Greater Bragg Creek Area Structure Plan

Conceptual Scheme requirements

The Applicant adequately addressed the Conceptual Scheme requirements set out within the ASP, with the exception of:

- 1) A biophysical assessment was not submitted; this identifies current and proposed vegetative biodiversity, together with wildlife corridors, riparian areas, and steep slopes that are recommended for protection.
- 2) An environmental impact assessment was not submitted; this identifies significant environmental resources and appropriate strategies to mitigate any potential negative impacts;



- 3) With respect to the Applicant's proposed dedication of Municipal Reserve, Administration recommends that the proposed Municipal Reserve be amended to Environmental Reserve Easement due to the existing wetlands, Bragg Creek Tributary, and riparian areas on site (see Agency Circulation comments in regards to Municipal Reserve).
- 4) As the Applicant proposes individual water wells and septic systems for the proposed lots, an appropriate utility servicing strategy outlining connection to a communal or municipal network was not submitted.
- 5) No landscaping plan was submitted that maximizes retention of existing vegetation and provides for transition between surrounding land uses and parcels within the subdivision.

Residential Density

- The subject land is identified as 'New Residential Area' in the Greater Bragg Creek Area Structure Plan (GBCASP). The GBCASP envisioned 'clustered' subdivision designs with smaller individual parcel sizes, which limit its resulting footprint on the landscape, and maximize open space (Section 7.4).
- According to Policy 7.4.4 parcel sizes within new residential areas in west Bragg Creek should not be less than 0.25 acres, and not greater than 2 acres, with an overall density of not greater than one lot per 4 acres of Gross Development Area.
- The applicant proposed redesignation to Residential One District, with lot sizes ranges from 1.97 acres to 2.54 acres. Although the lot sizes are within the range allowed in the GBCASP, the proposed density is almost double that allowed based on the Gross Development Area calculation. See Appendix B for the Gross Development Area calculation.
- The ASP requires that future subdivision should be evaluated based on the land's ability to accommodate additional development so as to not negatively impact the natural environment. Support is given for protecting areas that represent constraints to development, either because they are unstable, or because they are environmentally sensitive. These areas include slopes in excess of 15%, water bodies and wetlands, and riparian buffers. Where these areas qualify as environmental reserve under the *Municipal Government Act*, it is suggested that they be dedicated to the County (Policy 7.4.1).
- The subject land consists of a Bragg Creek Tributary (intermittent stream) with pockets of wetland and a 30 m riparian setback parallel to Fawn Hills Drive. The subject land also consists of slopes in excess of 15% that is currently covered in mature trees. The GBCASP policies supports protection of these environmentally sensitive features.

Slope Stability & Developability

- The majority of the property consists of steep terrain (\pm 18.28 acres with slopes over 15%, and \pm 46.53 acres with slopes over 8%). Developments on slopes steeper than 15% shall be discouraged as per the Greater Bragg Creek ASP (Policy 5.1.5 a).
- Areas of unstable slopes should be dedicated as environmental reserve or environmental reserve easement as per the Greater Bragg Creek ASP (Policy 5.1.5 b).
- The Applicant did not provide a slope stability analysis as part of the Conceptual scheme application. For this reason, it is unclear whether the proposed residential subdivision would be developable. The Gross Developable Area and the Residential Density would be affected if the Slope Stability Analysis confirms that there are areas of unstable slopes to be dedicated as Environmental Reserve (see Appendix B for Gross Developable Area Calculation).



Servicing requirement

- The ASP requires multi-lot subdivisions that proposed lot sizes less than 4 acres (on average) outside the hamlet service area to provide potable water via a communal water treatment and distribution system that is designed with potential to connect to a future regional water utility (Policy 6.1.2 c). The Applicant has proposed individual water wells.
- The ASP requires multi-lot subdivisions to provide wastewater service via municipally approved wastewater treatment systems that encourage accountability for installation, operation and maintenance of wastewater technologies, or the Applicant/Owner should transport collected, untreated wastewater to a point where it can be safely disposed of (Policy 6.1.3 f).
- The Applicant has proposed individual private sewage treatment systems for each lot. However, the County's policy does not support the use of PSTS for lots less than 1.98 acres in size.
- There are 12 proposed lots that are less than 1.98 acres in size. The applicant/owner is required to either revise the Conceptual Scheme to provide lots that are sized at 1.98 acres or greater in size or to include decentralized wastewater servicing. At time of future subdivision, the applicant/owner will be required to submit a Level 4 PSTS Assessment should the proposed development be serviced using PSTS.

CONCLUSION:

The application was reviewed based on the Greater Bragg Creek Area Structure Plan policies. The proposal is inconsistent with the Area Structure Plan, with an overall density double the maximum specified within the ASP for the area. For this reason, it is recommended that the application be tabled and be revised to be consistent with the Greater Bragg Creek Area Structure Plan policies.

OPTIONS:

- Option # 1: Motion #1 THAT Bylaw C-7956-2019 be given second reading.
 Motion #2 THAT Bylaw C-7956-2019 be given third and final reading.
- Option # 2: THAT consideration of application PL20190103 be tabled sine die to allow the Fawn Hills Conceptual Scheme to be revised in accordance with the requirements of the Greater Bragg Creek Area Structure Plan policies.
- Option # 3: THAT application PL20190103 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': Gross Developable Area Calculation

APPENDIX 'C': Bylaw C-7956-2019, Schedule A and B

APPENDIX 'D': Map Set

APPENDIX 'E': Landowner Comments



APPENDIX A: APPLICATION REFERRALS

AGENCY	COMMENTS
Alberta Health Services	<p>AHS-EPH would like to remind the Applicant if individual water wells are proposed for the development, that any water wells on the subject lands should be completely contained within the proposed property boundaries.</p> <p>Any drinking water sources must conform to the most recent Canadian Drinking Water Quality Guidelines and the Alberta Public Health Act, Nuisance and General Sanitation Guideline (AR 243/2003), which states:</p> <p>A person shall not locate a water well that supplies water that is intended or used for human consumption within</p> <ul style="list-style-type: none"> a) 10 metres of any watertight septic tank, pump out tank or other watertight compartment of a sewage or waste water system, b) 15 metres of a weeping tile field, an evaporative treatment mound or an outdoor toilet facility with a pit, c) 30 metres of a leaching cesspool, d) 50 metres of sewage effluent on the ground surface, e) 100 metres of a sewage lagoon, or f) 450 metres of any area where waste is or may be disposed of at a landfill within the meaning of the Waste Control Regulation (AR 192/96).
Recreation, Parks and Community Support (<i>Parks</i>)	<p>PL20190103 – Conceptual Scheme</p> <p>General comments: Municipal Reserve</p> <ul style="list-style-type: none"> • Municipal Reserve dedication and use is to be in compliance with the MGA. • The taking of cash in lieu of reserve dedication is acceptable as per the MGA and may be considered where there is no tangible need to take land for true public recreational and/or park purposes. • The applicant/developer is asked to demonstrate why the County should entertain taking the large area identified in the plan as Municipal Reserve. <ul style="list-style-type: none"> ○ Two acre county residential lots are essentially parks and serve a passive recreational use by/for residents. ○ Open vacant MR with no improvements fail to provide tangible park or recreational opportunities for the greater public. ○ The County is not in a practice of taking land if there is no commitment to develop or provide amenities for the public. ○ The County has a surplus of similar lands in the local area that are vacant, with no programming or onsite improvements.



AGENCY	COMMENTS
	<ul style="list-style-type: none"> ○ These lands pose a liability in terms of operational expense while serving no true park or recreational value, as intended by the MGA. • Figure 13: Lot Numbering, Phase 1 notation indicates inclusion of an “off-leash dog park”. <ul style="list-style-type: none"> ○ As indicated in Section 7.1: <i>“Some concerns were density, natural areas, noise, traffic, sewage and water, and emergency egress, and lack of support for an “off-leash[sic] dog park” on MR lands. Basically, the neighbours view towards the subject lands would remain the same and the meadowlands left natural.”</i> ○ The applicant/developer needs to provide an explanation as to why the assumption of meadowlands as Municipal Reserve with no intention for creation of tangible park or recreational amenities is being considered. ○ Municipal Lands are intended for public park or recreational purposes and acquiring the meadowlands to satisfy aesthetic purposes does not align with the intended use of MR lands. ○ Consideration for creation of a HOA to assume ownership/operational control of these lands is recommended. • Rocky View County has developed off leash dog park site standards and design guidelines. • Municipal Reserve is not intended to be used for general storm water conveyance: <ul style="list-style-type: none"> ○ Overland drainage easements <i>may</i> be considered where adequate site conditions permit conveyance that will not cause a detriment to the lands and any improvements located there within and its intended use for public recreational, park use. ○ All encumbrances affecting Municipal Reserve are to be subject to County approval and require registration on the land title. ○ The County Servicing Standards shall be referenced when proposing all storm water conveyance solutions. <p>Active Transportation Network (Pathways and Trails):</p> <ul style="list-style-type: none"> • The plan does not reference the Active Transportation Plan: South County as an evaluation tool to consider solutions to realize network connectivity. • Location of active transportation network within the plan area requires identification. • All pathways and trails constructed within Municipal Reserves shall be designed, engineered and constructed in accordance with the following County documentation: <ul style="list-style-type: none"> ○ Servicing Standards



AGENCY	COMMENTS
	<ul style="list-style-type: none"> ○ Active Transportation: South County Facility Design Guidelines ○ Parks and Pathways: Planning, Development and Operational Guidelines. ● Provision for connectivity to the Great Trail (formerly known as the TransCanada Trail) located +/- 950 metres south of the development site along TWP RD 232/West Bragg Road is recommended. <p>Conceptual Scheme document review comments:</p> <p>Figure 14: Lot Acreage</p> <ul style="list-style-type: none"> ● North western MR does not include an area calculation. <p>Figure 12: Development Concept</p> <ul style="list-style-type: none"> ● Configuration of proposed Municipal Reserve: <ul style="list-style-type: none"> ○ Linear access “lane ways” would require formalization and clearing to be established as trail heads. ○ Linear frontage along the SE corner offers little by way of recreational or park value unless developed with a local pathway to provide connectivity to the Great Trail located to the south. <p>Section 5.5 indicates: “Public engagement at the Open House had objections to public use on the lands and wished the MR to remain natural”.</p> <ul style="list-style-type: none"> ● This statement is concerning as it would appear the community is not aware of the intended public use of MR lands. ● Perhaps, this development should consider creation of a HOA who can hold land in fee simple and manage the private open space as the owner/operator. <p>Policy: 5.4.4 “Steep slopes towards the back of lots on the east side of the internal road should be avoided and left in their natural wooded state as stated by the caveat on title.”</p> <ul style="list-style-type: none"> ● Consideration for registration of ERE on private lots where locations deemed to be environmentally sensitive is recommended. <p>Policy 5.4.1 “Municipal Reserve will be provided as a land to contribute to the improvement of public open space systems or recreation facilities in the County.”</p> <ul style="list-style-type: none"> ● As per the MGA, all MR lands are intended for general public use for park and recreational purposes. ● Steep slopes appear to be located along proposed linear MR alignments which pose connectivity and efficient, safe movement of pedestrians with limited mobility. ● As the applicant/developer indicates creation of an off leash dog park; the expectation is that this amenity will be constructed in accordance to County requirements.



AGENCY	COMMENTS
	<ul style="list-style-type: none"> The applicant indicates use of an MR as an off leash dog park, which is an acceptable recreational amenity for location on MR; however, an amenity of this nature is not preferred to be located in an isolated community without provision for public access as this would be the only off leash dog park in the south west portion of the County and as such would experience considerable traffic and use by the greater public. <p>Figure 20: Post – Development Drainage Conditions</p> <ul style="list-style-type: none"> The central MR is proposed to be encumbered by numerous storm water management features. Central MR is encumbered by both culvert outfalls and reinforced grass swales at two locations along the western roadway interface. Central MR is encumbered by a grassed swale located along the eastern margin, between private lots. Trail infrastructure located within these entryway points cannot be negatively impacted by storm water conveyance. Intended conveyance route transects a steep slope as cross referenced with local topographical information. An explanation for the extra linear lot located at the SW portion of the plan area is required. Consideration for overland storm water drainage conveyance shall be in compliance with the County's Servicing Standards- specifically Section 706.4.8. Therefore so as not to encumber MR lands, overland storm water solutions should be considered for location on private lots. <p>5.14 Wildfire management:</p> <ul style="list-style-type: none"> All forested areas located on Municipal Reserve lands are to be subjected to formal vegetation management using Fire Smart principles to ensure the County does not receive public lands that pose a threat to the general community due to high fuel loading.
Fire Services & Emergency Management	<ul style="list-style-type: none"> The Fire Service recommends that the builder consider Fire Smart practises in the design and construction of the dwellings. Dependent on the occupancies, the Fire Service recommends that the buildings be sprinklered, if applicable, as per the National Building Code. Please ensure that access routes are compliant to the designs specified in the National Building Code and the Rocky View County Servicing Standards. From the drawings, it appears that there is only one road in and out. Please propose an alternative access route. Please ensure that there is adequate access throughout all phases of development and that the access complies with the requirements of the National Building Code & NFPA 1141.



AGENCY	COMMENTS
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. • As a condition of future DP, the applicant will be required to submit a construction management plan addressing noise mitigation measures, traffic accommodation, sedimentation and dust control, management of stormwater during construction, erosion and weed control, construction practices, waste management, firefighting procedures, evacuation plan, hazardous material containment and all other relevant construction management details. • The Owner is to provide a detailed Erosion and Sedimentation Control Plan, prepared by a qualified professional, in accordance with the County Servicing Standards and best management practices to the satisfaction of the County. • As a condition of future subdivision, the applicant/owner will be required to enter into a Development Agreement pursuant to Section 655 of the Municipal Government Act respecting provision of the following: <ul style="list-style-type: none"> a) Construction of a public internal road system (Country Collector Standard) complete cul-de-sacs and any necessary easement agreements, including complete approaches to each lot, as shown on the Tentative Plan, at the Owner's expense, in accordance with Section 400.0 of the Rocky View County Servicing Standards for Subdivision and Road Construction as approved by Council as amended all to the satisfaction of the County; b) Construction of a new intersection(s) at the location of the site with Fawn Hills Drive in accordance with the final approved TIA and the Rocky View County Servicing Standards, to the satisfaction of the County; c) Upgrades to Fawn Hills Drive and Range Road 52 (from the Fawn Hills Drive / RR 52 intersection to Township Road 232) (approximately 1.8 km in total length) to a paved Regional Collector Standard including upgrades to cul-de-sacs and approaches to each lot, in accordance with the County Servicing Standards, to the satisfaction of the County; d) Any other offsite transportation improvements necessary to support the proposed development in accordance with the final approved TIA and Rocky View County; e) Mailbox locations are to be located in consultation with Canada Post to the satisfaction of the County; f) Construction of storm water facilities in accordance with the recommendations of an approved Stormwater Management Plan and the registration of any overland drainage easements and/or



AGENCY	COMMENTS
	<p>restrictive covenants as determined by the Stormwater Management Plan.</p> <p>g) Implementation of the Construction Management Plan;</p> <p>h) Implementation of the Erosion and Sedimentation Control Plan; and</p> <p>i) Installation of power, natural gas, and telephone lines.</p> <ul style="list-style-type: none"> As a condition of subdivision, the applicant will be required to enter into a Deferred Servicing Agreement outlining that future lot owners will be required to connect to County wastewater, storm water and potable water servicing when such services become available. The application will need to be circulated to Tsuut'ina for review and comment since the proposed development is located diagonally adjacent to the reserve lands. <p>Geotechnical:</p> <ul style="list-style-type: none"> The proposed development is located over steep slopes. At time of future subdivision, the applicant/owner shall provide a Slope Stability Analysis, addressing the suitability of the land for the proposed development. As a condition to future subdivision, the applicant/owner shall: <ul style="list-style-type: none"> Shall enter into a Development Agreement (Site Improvements / Services Agreement) with the County to provide for the implementation of the recommendations of the Slope Stability Analysis, if required; and Register any required easements and / or Restrictive Covenants. As a condition of future subdivision, the applicant/owner shall provide a Geotechnical Developable Area assessment conducted and stamped by a professional engineer indicating that there is at least one contiguous acre of developable area for each parcel. As a condition to future subdivision, the applicant/owner the applicant shall provide a geotechnical report conducted by a professional geotechnical engineer that provides recommendations on a road structure design and provides a site specific CBR value used in the road structure design, in accordance with the County Servicing Standards for the proposed internal road and upgrades to Fawn Hill Drive. As a condition to future subdivision, the applicant/owner shall provide a geotechnical report conducted and stamped by a qualified professional geotechnical engineer that provides recommendations and direction on the design and construction of the storm water infrastructure (including pond liner), if warranted by the final Site-Specific Stormwater Implementation Plan accepted by the County. <p>Transportation:</p> <ul style="list-style-type: none"> As part of conceptual scheme, the applicant/owner submitted a trip generation memo conducted by Adoz Engineering Inc. dated May 20,



AGENCY	COMMENTS
	<p>2019. The TIA did not provide a complete analysis. Traffic volumes were not determined for the opening day and 20 year horizon and intersection analysis at the horizons were not conducted. At time of subdivision, the applicant/owner will be required to submit a revised TIA that provides a complete analysis and recommendations on improvements in accordance with the County Servicing Standards.</p> <ul style="list-style-type: none"> Fawn Hills Drive and Range Road 52 are currently constructed out of chip seal, which is subpar and does not meet the County Servicing Standards. As a condition to future subdivision, the applicant/owner will be required to enter into a development agreement with the County to upgrade Fawn Hills Drive and Range Road 52 (from the Fawn Hills Drive / RR 52 intersection to Township Road 232) (approximately 1.8 km in total length) to a Country Collector Road paved standard in accordance with the County Servicing Standards, to the satisfaction of the County. As a condition of future subdivision, the applicant/owner will be required to pay the Transportation Offsite Levy as per the applicable TOL bylaw at time of subdivision approval over the gross subdivision area. <p>Sanitary/Waste Water:</p> <ul style="list-style-type: none"> The applicant/owner is proposing the use of PSTS to service the proposed development. Policy 449 "Requirements for Wastewater Treatment Systems" does not support the use of PSTS for lots less than 1.98 acres in size, yet the proposed development contains lots that are sized less than 1.98 acres in size. <ul style="list-style-type: none"> The applicant/owner is required to either revise the tentative plan to provide lots that are sized at 1.98 acres or greater in size or revise the conceptual scheme to include decentralized wastewater servicing. At time of future subdivision, the applicant owner will be required to submit a Level 4 PSTS Assessment should the proposed development be serviced using PSTS. <p>Water Supply And Waterworks:</p> <ul style="list-style-type: none"> The applicant/owner is proposing to service the proposed development via ground water wells. However, from a utility perspective, consideration should be given to extending the County water system to service this development. If expansion of the County system is not feasible at this time, the developer should consider a communal water system in order to facilitate future expansion of the County system to the subject land. <p>Storm Water Management:</p> <ul style="list-style-type: none"> As part of redesignation/CS, the applicant/owner submitted an incomplete draft stormwater management report conducted by MPE Engineering Ltd. dated July 23, 2019. At time of subdivision, the applicant/owner is required to submit a complete detailed stormwater



AGENCY	COMMENTS
	<p>management report, complete with figures and modelling input and output results that is signed and stamped by a professional engineer.</p> <ul style="list-style-type: none"> At time of future subdivision, the applicant/owner will be required to provide a detailed Site-Specific Stormwater Implementation Plan conducted and stamped by a professional engineer that is in accordance with the Bragg Creek Master Drainage Plan and the County Servicing Standards, to the satisfaction of the County. As a condition to future subdivision, the applicant/owner will be required to enter into a Development Agreement for the construction of any stormwater infrastructure required as a result of the proposed development and recommended in the final detailed SSIP accepted by the County. Registration of any required easements, utility right of ways and/or public utility lots is required as a condition of subdivision. As a condition to future subdivision, the applicant will be required to obtain AEP approval and licensing for the stormwater management infrastructure including registration of the facilities and discharge. <p>Environmental:</p> <ul style="list-style-type: none"> At time of future subdivision, the applicant/owner will be required to provide a Biophysical Impact Assessment, conducted by a qualified professional, in accordance with the County Servicing Standards, that identifies and provides recommendations for mitigating environmental considerations. The applicant/owner will be responsible to obtain all required AEP approvals should the proposed development impact any wetlands.
Utility Services	<p>Water Supply</p> <ul style="list-style-type: none"> Consideration should be given to upgrading and connecting to the adjacent Fawn Hills Water system for a water supply to the proposed development to avoid the inefficient servicing of the area through multiple systems. If a communal water system is approved for the proposed development, it should be established in accordance with County Policy 415, including a turn over strategy for water infrastructure and licensing.

Circulation Period: September 17, 2019 to October 8, 2019

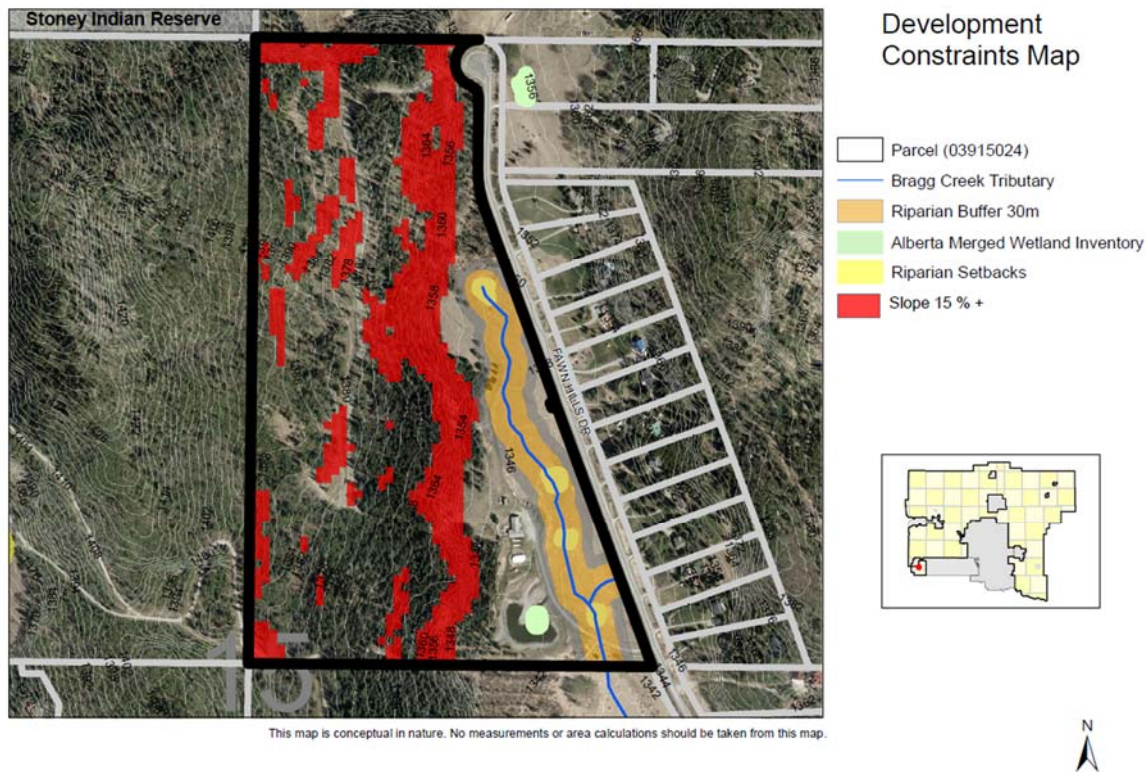
Agencies that did not respond, expressed no concerns, or were not required for distribution, are not listed.



APPENDIX 'B': GROSS DEVELOPABLE AREA CALCULATION

The Greater Bragg Creek Area Structure Plan (Policy 7.4.4 d) allows one lot per 4 acres of Gross Developable Area in the West Bragg Creek area. The Gross Developable Area is the amount of land that remains once the development constraints such as steep slopes, wetlands, and riparian areas are subtracted from the title area.

The following map and table outlines the Gross Developable Area calculation as per the Greater Bragg Creek ASP. The proposed density exceeds what is allowed in the West Bragg Creek area.

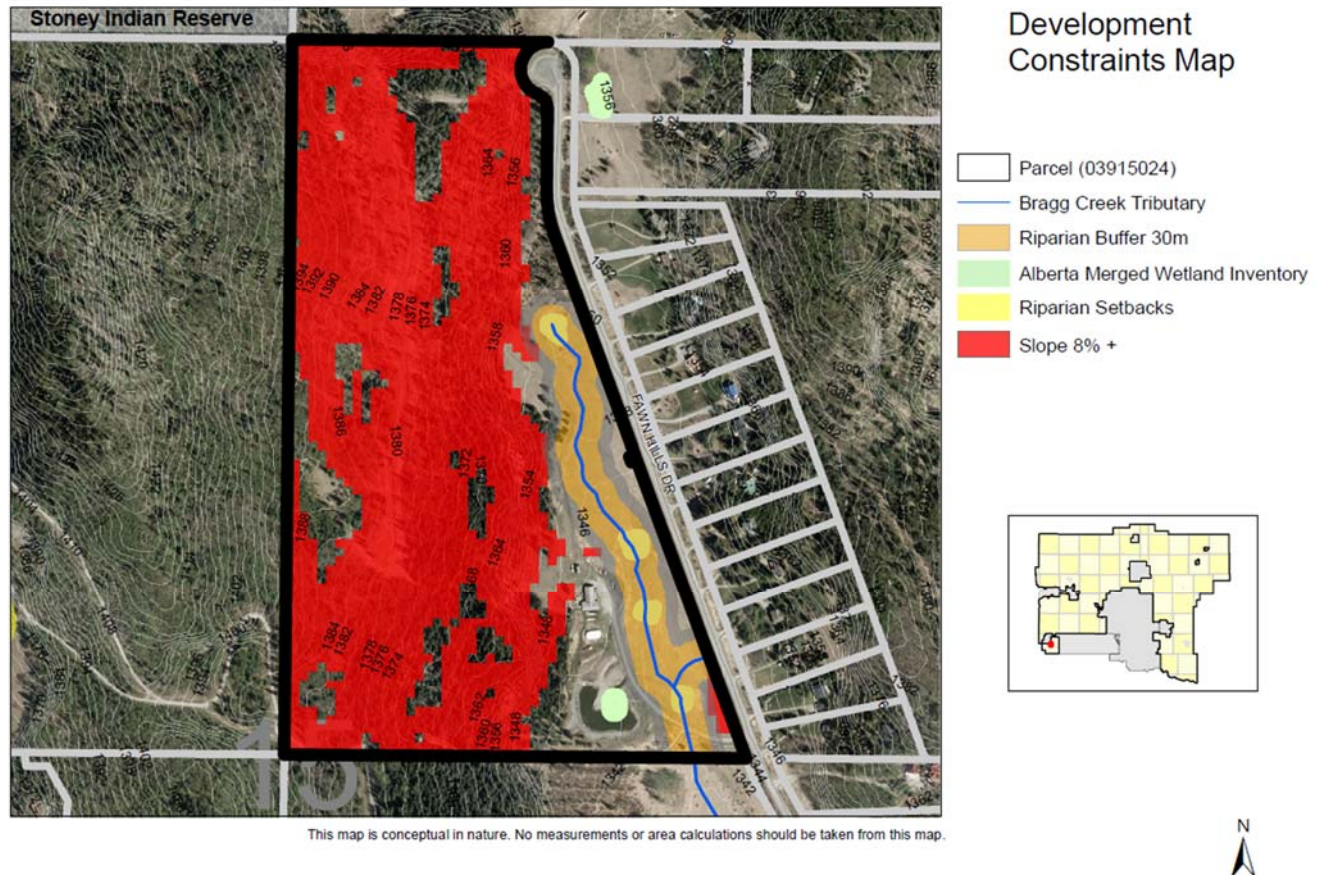


Density and Gross Developable Area Calculation (15% slope)	
Subject land area:	± 76.64 ac
Areas to be excluded <ul style="list-style-type: none"> Slope greater than 15%: ± 18.2 acres Wetland area: ± 0.35 acres Riparian Area: ± 8.66 acres 	± 27.29 ac
Gross Developable Area (GDA):	± 49.35 ac
Area Structure Plan allows 1 lot per 4 acre of GDA	± 49.35 ac/4 ac
Maximum lots as per ASP policy	12 lots
Proposed number of lots	22 lots



The following map and table outlines the Gross Developable Area calculation using 8% slope. According to the Greater Bragg Creek Area Structure Plan, areas of unstable slopes should be dedicated as environmental reserve or environmental reserve. The Environmental Reserve dedication would affect the Gross Developable Area.

The Applicant did not provide a slope stability study as part of the application.



Density and Gross Developable Area Calculation (8% slope)	
Subject land area:	± 76.64 ac
Areas to be excluded <ul style="list-style-type: none"> Slope greater than 8%: ± 46.53 acres Wetland area: ± 0.35 acres Riparian Area: ± 8.66 acres 	± 55.54 ac
Gross Developable Area (GDA):	± 21.10 ac
Area Structure Plan allows 1 lot per 4 acre of GDA	± 21.10 ac/4 ac
Maximum lots as per ASP policy	5 lots
Proposed number of lots	22 lots



ROCKY VIEW COUNTY

BYLAW C-7956-2019

A Bylaw of Rocky View County pursuant to Division 12 of Part 17 of the *Municipal Government Act* to amend Bylaw C-6260-2006, known as the “Greater Bragg Creek Area Structure Plan” and adopt a Conceptual Scheme known as the “Fawn Hills Conceptual Scheme”

The Council of Rocky View County enacts as follows:

PART 1 – TITLE

This Bylaw shall be known as Bylaw C-7956-2019.

PART 2 – DEFINITIONS

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

PART 3 – EFFECT OF BYLAW

THAT Bylaw C-6260-2006, known as the “Greater Bragg Creek Area Structure Plan”, be amended in accordance with the amendments contained in Schedule ‘A’, attached to and forming part of the Bylaw; and

THAT the “Fawn Hills Conceptual Scheme” be adopted to provide a framework for subsequent redesignation, subdivision and development within NE-15-23-05-W05M, consisting of an area of approximately 76.64 acres as defined in Schedule ‘B’ attached to and forming part of this Bylaw.

PART 4 – TRANSITIONAL

Bylaw C-7956-2019 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: 1

File: 03915024 - PL20190103

READ A FIRST TIME IN COUNCIL this 10th day of December, 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-7956-2019

Schedule of Amendments to Bylaw C-6260-2006:

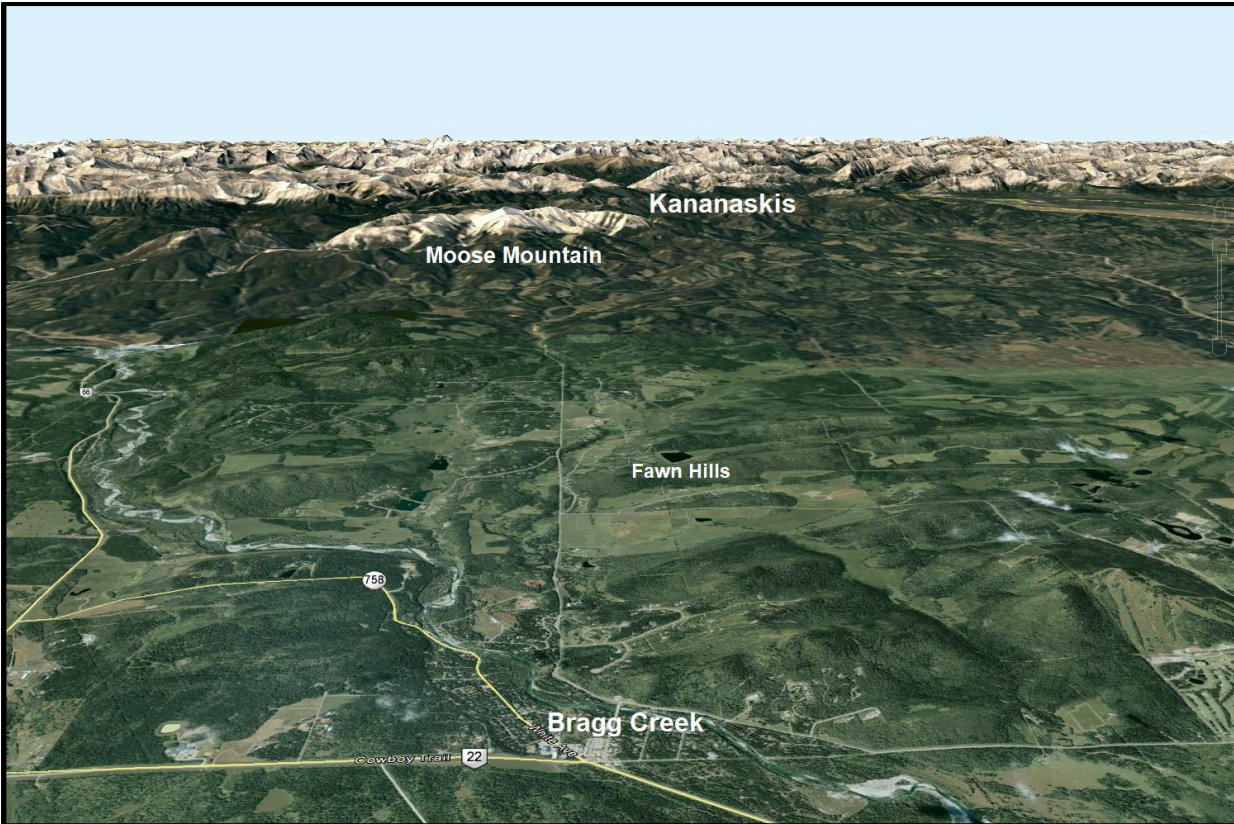
1. Amend the Table of Contents by adding a reference to Appendix D and numbering accordingly:

14.0 APPENDIX D – ADOPTED CONCEPTUAL SCHEMES
 - Fawn Hills Conceptual Scheme
2. Attach the Fawn Hills Conceptual Scheme as defined in Schedule 'B' attached to and forming part of this Bylaw.

SCHEDULE 'B'
FORMING PART OF BYLAW C-7956-2019

A Conceptual Scheme affecting the area within NE-15-23-05-W05M consisting of an area approximately 76.64 acres, herein referred to as the "Fawn Hills Conceptual Scheme".

Fawn Hills of Bragg Creek



Conceptual Scheme

NE-15-23-05-W5M, which lies west of Fawn Hills Dr., Greater Bragg Creek on Subdivision Plan 7810784 containing 30.2 ha (74.65 ac); Title 071 127 759



"No Hurdle too high"

Submitted to Rocky View County, July 2019

Revised September 2019

ACKNOWLEDGEMENT PAGE

PREPARED FOR:

Rocky View County
Planning, Development, & Bylaw Services

ON BEHALF OF:

Alan Hudye/Ozark Resources Ltd.

PROJECT CONSULTANT TEAM:

MPE Engineering Ltd. - stormwater
Groundwater Information Technologies Ltd. - water
Circle CRM Group Inc. - archeological
Addoz Engineering Inc. - traffic
Carswell Planning Inc. - planning

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Fawn Hills of Bragg Creek of Bragg Creek Conceptual Scheme

1.0 INTRODUCTION

1.1 Proposal Overview

The subject site is located approximately 3 km west of the bridge in the Hamlet of Bragg Creek. Lands are within quarter-section NE-15-23-05-W5M, which lies west of Fawn Hills Drive, Greater Bragg Creek on Subdivision Plan 7810784 containing ± 30.2 ha (± 74.65 ac). Lands east of Fawn Hills Drive are developed with 13 two-acre lots on communal water distribution. Lands setback from and west of Fawn Hills Drive is proposed for development with 22 two-acre lots on communal water distribution. Remaining lands will be for a) retained lands by owner and b) municipal reserve and open space trails. The proposal is in keeping with the vision of the Greater Bragg Creek Area Structure Plan (ASP) and the Rocky View County (RVC) Plan.

1.2 Purpose of this Plan

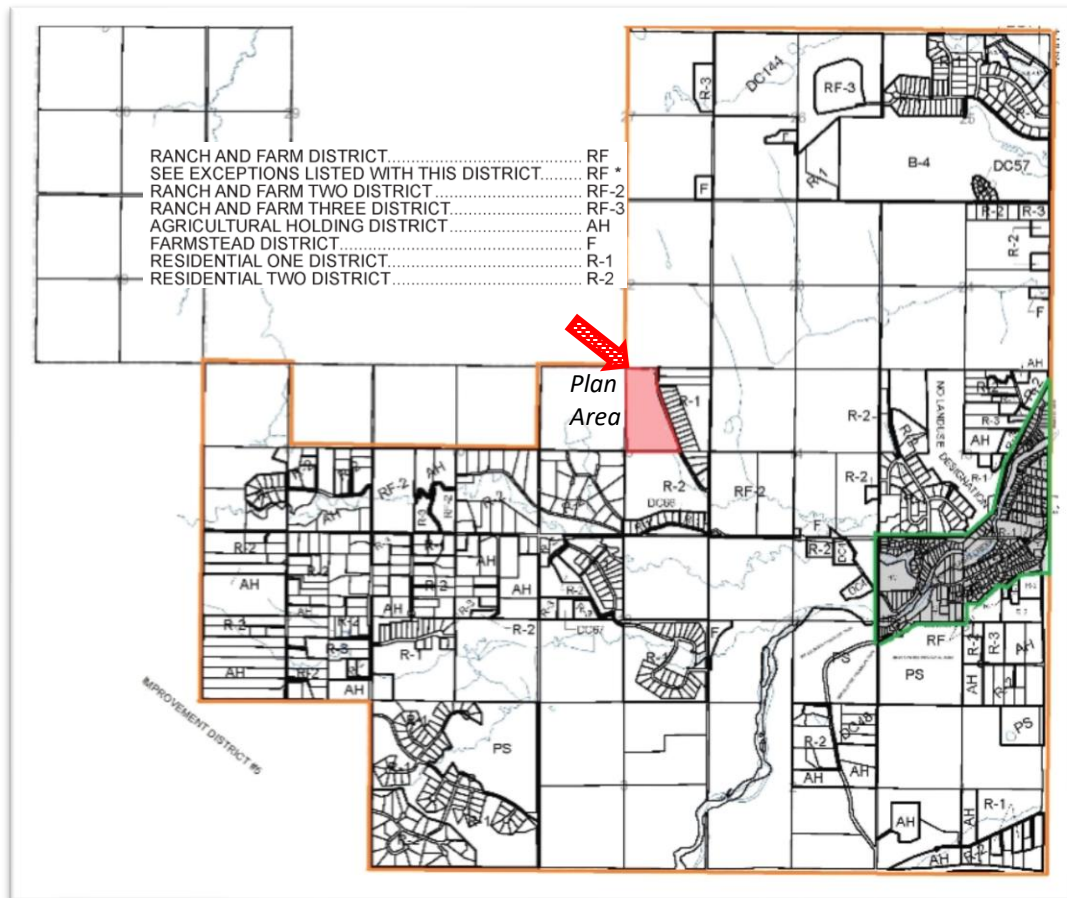
The Conceptual Scheme (CS), named ***Fawn Hills of Bragg Creek***, has been prepared pursuant to the County Plan (Bylaw C-7280-2013) and Greater Bragg Creek Area Structure Plan (ASP) Bylaw C-7602-2016, amending the original Bylaw C-6260-2006. It provides supporting rationale for redesignation and subdivision of the subject lands. The site is municipally known as 79 Fawn Hills Drive. For the purposed of the CS, the subject lands are referred to as the *Plan Area*.

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

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

It is the intent to apply the policies and design of this CS to guide development in phases. Land use and subdivision for the development will be applied for following adoption of this CS.

Figure 1: Context of Fawn Hills of Bragg Creek Conceptual Scheme (CS)



(Source: RVC, 2019, adapted from <https://www.rockyview.ca/Portals/0/Files/CountyServices/Maps/LandUseMaps/39.pdf>)

Figure 1: Context of Fawn Hills of Bragg Creek Conceptual Scheme (CS), shows the context of Fawn Hills of Bragg Creek CS where residential development in the quarter section has already occurred east of Fawn Hills Rd.

1.3 Development Rationale

The subject lands of this Conceptual Scheme are referred to as **Fawn Hills (Fawn Hills of Bragg Creek)** or the *Plan Area* in this document. The Greater Bragg Creek area will continue to experience development pressures due to its proximity to the City of Calgary. It also caters to those seeking to be close for excursions in Bragg Creek Prov. Park, Kananaskis Country, Banff National Park and the Canadian Rockies.

1.4 Primary Development Considerations

Primary development considerations include:

- Compatibility of residential uses to adjacent land uses;
- Transportation access;

- Open space features and connectivity to pathways;
- Storm water management;
- Provision of potable water;
- Sanitary wastewater treatment;
- Shallow utilities of telecommunications, phone, cable, fiber optics (where available), electrical and natural gas services;
- Solid waste disposal and recycling;
- Protective and emergency services;
- Architectural design; and
- Capital and operational considerations.

1.5 Conceptual Scheme Objectives

The intent of the **Fawn Hills** Conceptual Scheme is to:

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

2.0 POLICY CONTEXT

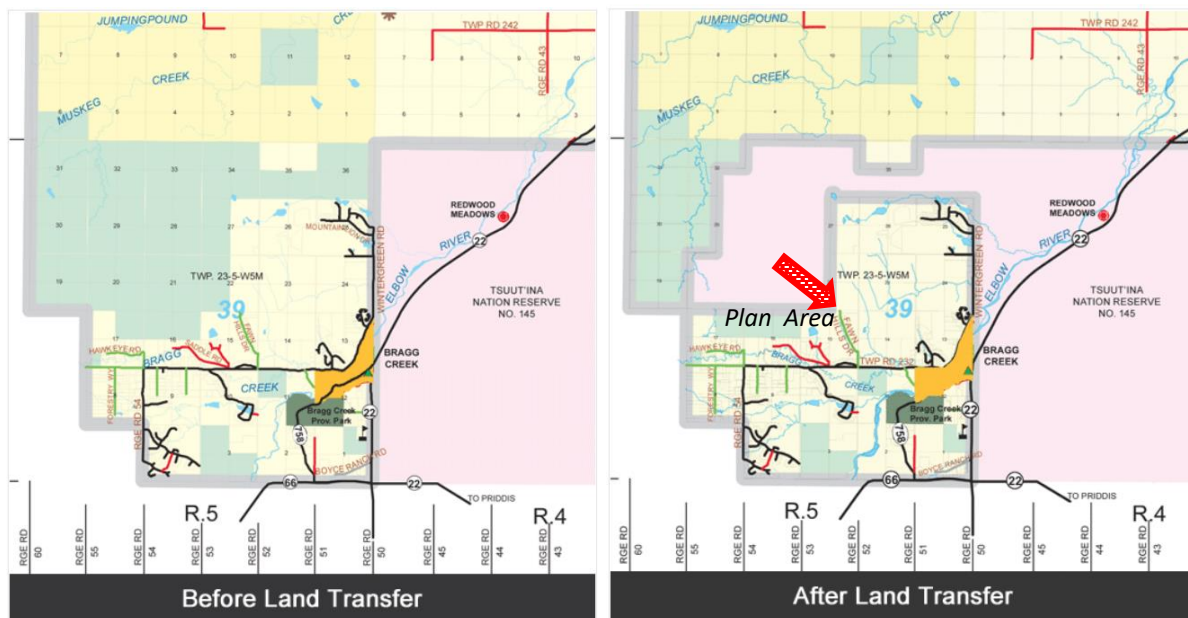
The Municipal Government Act, RVC's County Plan, Agriculture Master Plan, Parks and Open Space Plan, and the Greater Bragg Creek Area Structure Plan all provide guidance to the **Fawn Hills** CS. These documents establish a policy framework to ensure that development respects rural character, promotes open space and recreational opportunities, respects the natural environment, implements cost-effective servicing and provides for well-planned development.

2.1 Tsuut'ina Nation

The northwest corner of the subject lands touch the southeast corner of lands on Tsuut'ina Nation Reserve #145, which neighbour the Greater Bragg Creek Area Structure Plan (ASP). Public engagement is expected and encouraged to consult with the Tsuut'ina Nation to review the development proposal in terms of identifying and preserving any significant natural environmental areas that cross the two jurisdictions such as water, wildlife, etc.. As per policy 9.1.1 of the ASP, "Applications for redesignation, subdivision or development affecting lands within 800 metres of the boundary of an adjacent municipality and/or jurisdiction should be referred for comment to the Tsuut'ina Nation Reserve #145, the MD of Foothills, Kananaskis Improvement District, Bragg Creek Provincial Park and/or the Province, as appropriate and relevant." In this case, it is appropriate to refer the proposal to Tsuut'ina Nation Reserve #145.

In 2015 the Alberta and federal governments finalized the transfer of over 2,000 ha (5,000 ac.) of Crown land to the Tsuut'ina Nation as part of the Southwest Calgary Ring Road deal. The property is now First Nations land as shown (in pink) by Figure 2: Tsuut'ina Nation Mapping NW of *Plan Area*. This *Plan Area* does not currently have a Historic Resource Value (HRV) as per the current (October 2018) Listing of Historic Resources, and there are no previously recorded sites in the vicinity. However, due to its proximity to the Tsuut'ina Reserve, there may be unknown sites within the footprint. A Historic Resources Application was submitted May, 2019 (#016692198) to verify. Approval was provided August, 2019 (HRA Number: 4835-19-0053-001).

Figure 2: Tsuut'ina Nation Mapping NW of *Plan Area*



(Source: RVC, 2015, <https://www.rockyview.ca/NewsEvents/News/tabid/145/Article/1080/Public-Reminded-of-Crown-Land-Changes-Near-Bragg-Creek.aspx>)

2.2 RVC County Plan

The County Plan supports development of existing country residential communities, including Greater Bragg Creek, in accordance with their Area Structure Plan (ASP). This proposal provides for orderly, efficient, and cost-effective development of a fragmented quarter section while retaining a wooded landscape that is the character of Greater Bragg Creek. In keeping with this, the *Plan Area* has a restrictive caveat on title that ensures retention of most of the wooded areas on the property except for building sites and access to the sites. Both the County Plan and the ASP encourages alternative residential development forms that reduce the overall development footprint while retaining the natural landscape where possible. **Fawn Hills** aligns with the County's Plan by concentrating rural development in an ASP favouring the land use proposed, its density and its form.

2.3 Greater Bragg Creek Area Structure Plan (ASP)

The Greater Bragg Creek ASP, Bylaw C-7602-2016, amending the original Bylaw C-6260-2006.

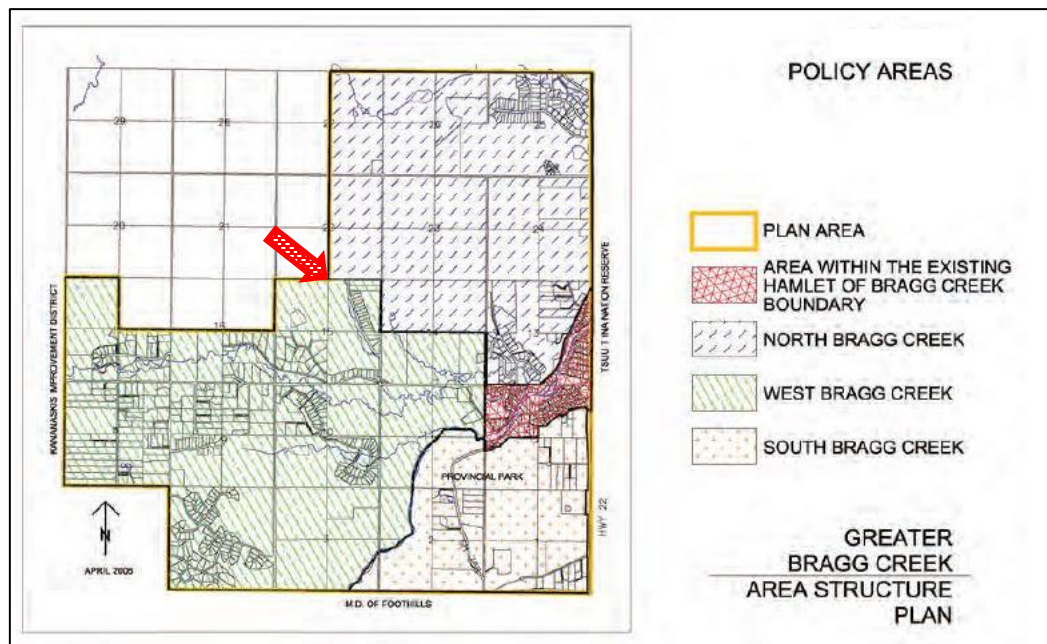
Introduction

The subject lands are within the Greater Bragg Creek ASP. The MGA requires that all statutory plans adopted by a County must be consistent with each other. The ASP is the guiding document for this proposal. An ASP describes:

- a) the sequence of development proposed for the area;
- b) the land uses proposed for the area, either generally or with respect to specific parts of the area;
- c) the density of population proposed for the area either generally or with respect to specific parts of the area; and
- d) the general location of major transportation routes and public utilities; and
- e) may contain any other matter the Council considers necessary.

Figure 3: Subject Lands in West Bragg Creek, shows the ASP boundary and the subject property in West Bragg Creek where specific policies apply. There are a number of matters to address. Infrastructure to support physical development is to ensure adequate potable water, safely treat wastewater and manage stormwater in a manner that does not devalue the integrity of the natural environment. Additionally, transportation including internal roads and trails are supported. The proposal intends to have trails within and connecting outside of the subject lands.

Figure 3: Subject Lands in West Bragg Creek



(Source: RVC, 2019, <https://www.rockyview.ca/Portals/0/Files/BuildingPlanning/Planning/ASP/ASP-Greater-Bragg-Creek.pdf>)

Municipal Reserve

The ASP Vision is to achieve a balance between the natural environment and the impacts of human settlement. The subject lands are in the West Bragg Creek policy area. As per policy 5.2.1, policies to preserve rural characters, include the dedication of Municipal Reserves (MR) provide a visual buffer between existing and new developments. Policy 5.2.6, policies to provide community recreational amenities, MR should be dedicated as land rather than payment of cash-in-lieu of land. Consideration of MR should look to maximize opportunities to improving or enhancing the communal recreational benefit provided. This is further reinforced by policy 10.1.5 a), "Generally, the County should require dedication of municipal reserves as land rather than cash-in-lieu of land when subdivision occurs."

Water

Water for multi-lot developments outside of the service area should implement privately owned decentralized communal water systems to distribute potable water. The following policies are 'should' statements that suggest a preference.

As per policy 6.1.2 c), "Multi-lot subdivisions that propose lot sizes less than 4 acres (on average) outside the Hamlet Servicing Area should provide potable water via a communal water treatment and distribution system that is designed with potential to connect to a future regional water utility. When small-scale multi-lot subdivisions are being proposed, consideration should be given to the impact that this requirement may have on the financial feasibility of the development."

As per policy 6.1.2 d), "Developers who propose installation of communal water treatment and distribution systems should provide assurance that the infrastructure can be designed and constructed to maximize its utility and minimize its life cycle costs and should prepare an operational plan that clearly demonstrates the affordability of the utility for the proposed subdivision it is planned to serve.

As per policy 6.1.2 e), "A deferred servicing agreement should be registered against each newly created parcel that is serviced by a communal water system to identify the owner's responsibility to connect to a regional water utility, should one become reasonably available outside the hamlet service area. The decision to make a regional water utility available in un-serviced parts of the Plan area should be planned by the County in collaboration with current potential customers of the utility. Special consideration should be given to issues of public health and environmental protection, and affordability of a regional water utility."

For the Plan Area, these policies make sense where communal water distribution is more effective than individual wells in support of development; communal water treatment does not. For some areas in the ASP, connection to the existing municipal water treatment plan is not financially feasible, nor is a new water treatment facility. Treatment outside the service area is an individual responsibility similar to how individual wells are dealt with now.

Wastewater

Wastewater outside of the Hamlet Servicing Area is provided via Private Sewage Treatment Systems (PSTS). The following policies are 'should' statements that suggest a preference.

As per policy 6.1.3 b), “Developers should be required to submit geotechnical assessments, prepared by a qualified professional, to demonstrate which minimum PSTS technologies are capable of safely and effectively treating wastewater over the long term, given the soil and groundwater conditions within the subdivision and/or development area.”

As per policy 6.1.3 f), “In order to provide a higher level of environmental protection, a more consistent and higher quality of wastewater treatment and reduced risks against contamination of raw water supplies, multi-lot subdivisions that propose lot sizes less than 4 acres (on average) should provide wastewater service via municipally approved wastewater treatment systems that encourage accountability for installation, operation and maintenance of wastewater technologies, or they should transport collected, untreated wastewater to a point where it can be safely disposed of. When small-scale multi-lot subdivisions are being proposed, consideration should be given to the impact that this requirement may have on the financial feasibility of the development.” This essentially advocates for tertiary treatment systems on-site. Initial investigation of soils and slopes show favourable conditions for PSTS to treat wastewater.

As per policy 6.1.3 h), “Communal wastewater treatment systems should be designed to connect to a regional wastewater utility.” This is the same as what would be expected of water servicing as well.

Stormwater

Development in ASP has adopted an “ecological” approach to stormwater management by implementing engineering practices that preserve and maintain the land’s natural capacity to accommodate surface drainage. The subject lands are mostly wooded with moderate slopes that allow for surface water to be absorbed into the forest floor with root uptake by vegetation as part of the natural cycle, such that most stormwater is dealt with on-site using low impact development and best management practices. In addition to the existing pond, additional ponds are anticipated as part of stormwater management, one serving the northern lots and one serving the southern lots next to the existing pond.

As per policy 6.1.4, Stormwater Management Within the Plan Area, “a) Low impact development (LID) stormwater management methods should be considered within all future subdivision and/or developments to encourage the retention of 65% native vegetation, 10% maximum impervious surfaces, and 0% effective impervious surfaces.” The subject lands have a restrictive covenant protecting the wooded lands with provisions for building lots and access. A mapping exercise by Carswell Planning Inc. delineated 20.6 ha of the total 30.2 ha as wooded. This will ensure the retention of at least 65% native vegetation and impervious surfaces limited primarily to the internal road surface and buildings.

As per policy 6.1.4 c), “...the County may require that a proponent for conceptual scheme, redesignation, subdivision, or development application prepare and implement a ...stormwater management plan...” Further, as per policy 6.1.4 f), “Developers shall be required to prepare site implementation plans that:

- assess detailed design of stormwater control facilities and their interaction with the immediate surroundings;

- assess rainfall-runoff models that simulate single and continuous storm events based on 1:100 year, 12-hour and 24-hour storm events;
- provide a cost analysis that outlines capital and operational costs for all stormwater control facilities; and
- indicate how best management practices will be observed during construction and maintenance of all stormwater control facilities.”

Utilities

Shallow utilities are part of any new multi-lot subdivision development.

As per policy 6.1.5, Utilities, locations include common rights-of-way (r-o-w); in road r-o-w where there is sufficient width; and in open space lands, such as the trail connections shown as Municipal Reserve (MR) on the proposal. The proposal has all of these options. Cellular or telecommunication facilities are encouraged if possible and has been identified by residents of Bragg Creek as needed.

Transportation

Fawn Hills Drive provides access to the subject lands and ends at a cul-de-sac near the north end of the property. Currently, there are entrances from 2 acre lots on the east side of Fawn Hills Drive and limited entrances on the west side. New development on the west side would better utilize this chip-sealed County road. The internal road is proposed to have two entrances to serve the two dozen lots and would likely be chip-sealed or alternative surface treatment meeting County Servicing Standards.

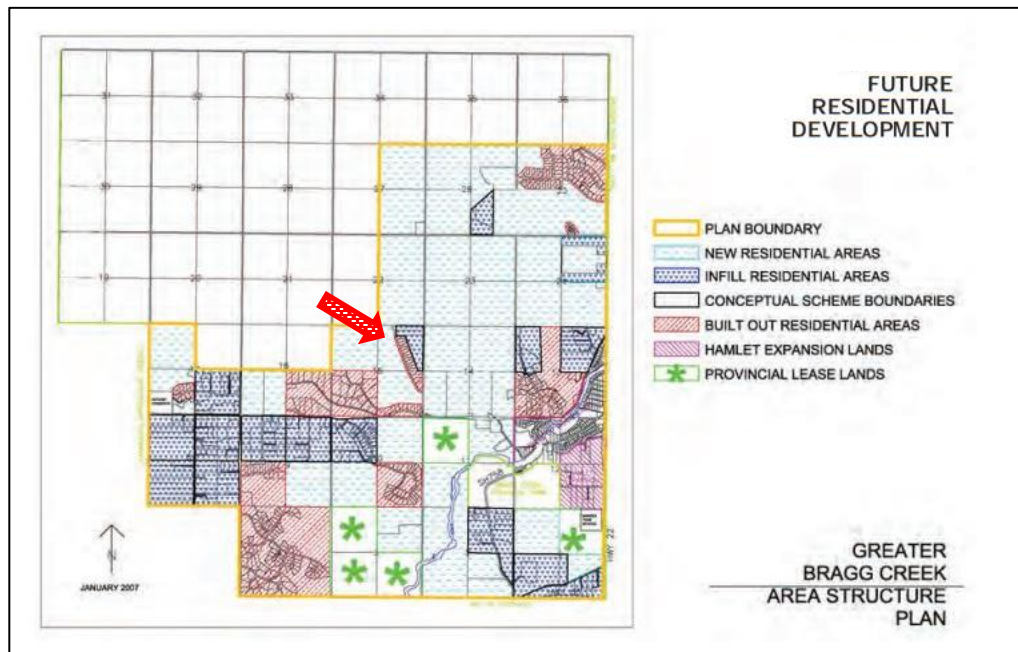
As per policy 6.2.3, The Municipal Road Network (when future subdivision and/or developments are proposed), “b) Developers should prepare traffic impact assessments to evaluate anticipated immediate and/or cumulative impacts to the municipal road network either in the vicinity of or downstream of all proposed subdivision and/or developments within the Plan area.” Further, as per policy 6.2.3 c), “Developers should pay all costs associated with the construction of local roads that provide direct access to new subdivision and/or developments.” It is recommended to address the matter of traffic which is anticipated to be a concern of neighbouring residents on Fawn Hills Drive.

As per policy 6.2.3 g), “New subdivision and/or developments should accommodate at least two points of access/egress.” This is further supported in policy 411 of the RVC Servicing Standards.

Trails

Greater Bragg Creek is becoming known as a destination because of its well-developed trails. The West Bragg Creek Day Use Area at the end of W Bragg Creek Rd has new, expanded parking area at the hub of its trails for hiking, biking, dog walking, cross-country skiing, snowshoeing, etc. particularly with recent improvements to the trails towards the western area.

Figure 4: Subject Lands Defined as New Residential Area



(Source: RVC, 2019, <https://www.rockyview.ca/Portals/0/Files/BuildingPlanning/Planning/ASP/ASP-Greater-Bragg-Creek.pdf>)

Parcel Size and Density

Figure 4: Subject Lands Defined as New Residential Area has specific policies which apply to lot sizes and layout. Policy 7.4.4, New Residential Areas, has policies on parcel size and density. New residential areas also require Conceptual Schemes (CS) for all redesignation and/or subdivision application.

As per policy 7.4.4 d), "Parcel sizes within new residential areas in west and north Bragg Creek should not be less than .25 acres, and not greater than 2 acres, with an overall density of not greater than one lot per 4 acres of Gross Developable Area (GDA)." Further, policy 7.4.4 f) states, "Notwithstanding 7.4.4.(d) and 7.4.4.(e), parcel sizes greater than 2 acres may be considered when it can be demonstrated, to the satisfaction of the County, that a larger parcel size will support agriculture and/or open space planning; however, these parcels must form part of the gross developable area (GDA)." The proposal achieves all this with 24 lots on 75 acres and an open space component as MR lands, albeit 10% of the subject lands, while having wooded lands protected by restrictive covenant on title. Wooded lands make up the majority of the subject lands.

Policy 7.4.4 goes on to encourage open space for the benefit and enjoyment of residents, as well as maintain open space in an undeveloped state for such purposes and stormwater management; protection of wildlife movement corridors. As previously stated, there is a restrictive caveat on title where, "No bushes, trees or similar vegetation may be cut or removed except as required for building sites, services and amenities for building sites and access to and from building sites." With the buildings located off the internal road, the wooded area downslope is preserved for all these functions.

Wildfire Management

All new subdivision within the community has been required to implement specific architectural standards that encourage use of fire resistant construction materials and appropriate site design and landscape techniques. Additionally, all local landowners regularly participate in fuel-reduction programs designed to reduce unnecessary vegetation.

As per policy 8.2.2, Long Term, “b) Proposals for new multi-lot subdivision within the Plan area should be supported by a wildfire risk assessment, prepared by a qualified professional, that examines the following criteria:

- Existing vegetation and topography to determine the site’s susceptibility to wildfire;
- Location of existing/proposed water bodies within the area capable of providing a supply of water for fire suppression purposes (see Section 6.1.4 for Stormwater Management within the Plan area);
- An assessment of the proposed subdivision layout, density, and development phasing to encourage implementation of a comprehensive design that recognizes and mitigates susceptibility to wildfire risks (e.g. appropriate building spacing, reduced cul-de-sac lengths, appropriate clearing of building sites, deck enclosure restrictions, etc.);
- An assessment of local traffic circulation patterns, both existing and proposed, to determine the availability of safe access for fire and other emergency equipment and apparatus; and
- An assessment of proposed architectural controls within the subdivision designed to encourage fire suppression within each new building site (e.g. appropriate roofing and siding materials, landscaping, interior/exterior sprinklers, etc.).”

Montane Forest Management Ltd., 2012, “Greater Bragg Creek Wildfire Mitigation Strategy’ was prepared for RVC to develop and implement a comprehensive plan to reduce the threat of wildfire to development and wildlands. Extrapolating general mapping to the specific property indicates Boreal Spruce (C-2) in the *Plan Area* with Deciduous (D-1) fuel types towards the west on the property. Wildfire behavior potential from mid-August to late-October is extreme to low corresponding to these fuel types respectively. The option of fuel removal/reduction or species conversion is hindered by the goal of preserving woodlands and habitat. Fawn Hills of Bragg Creek has an underground fire suppression water tank.

ASP Direction for CS

The ***Fawn Hills of Bragg Creek*** Conceptual Scheme (CS) and implementation through land use designations, subdivisions and development permits shall be consistent with the relevant policies of the Greater Bragg Creek ASP discussed as follows. CSs usually include surrounding lands to address potential impacts and long-term planning implications of the proposed development. Given that the areas to the west and south are developed, lands to the north shall be considered in the context of the CS. RVC has determined that a CS is required for the site.

Any constraints to development, may include but not be limited to: geotechnical, environmental, and hydrogeological conditions; and archaeological or historically significant features may be included in this CS. Stormwater management, traffic impact assessments (TIA), landscaping plan, and architectural guidelines may also be included.

As part of the CS, input from all directly and indirectly affected landowners within and adjacent to the CS area throughout the preparation of the CS, including a minimum of one (1) open house to gain feedback on the proposal. Public consultation involves input from affected community stakeholders, including community organizations (stewardship, maintenance and operation of open space and reserves), social service agencies, and the Local Recreation Board (open space and pathways).

3.0 GUIDING PRINCIPLES

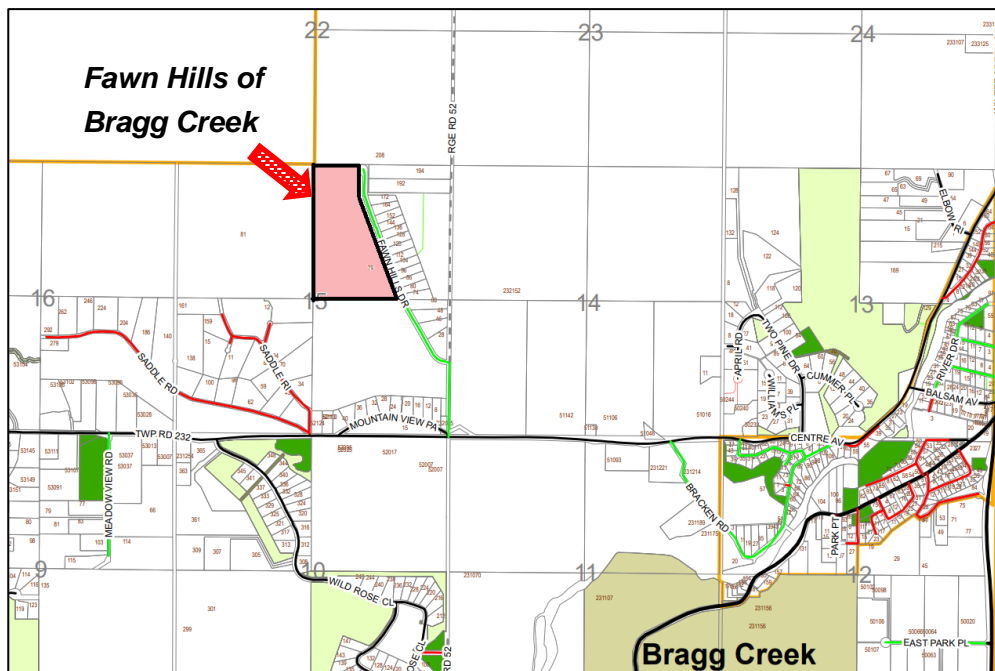
Guiding principles for ***Fawn Hills of Bragg Creek*** include a safe, healthy, attractive, orderly, efficient, and cost-effective development of a fragmented quarter section while retaining a wooded landscape that is the character of Greater Bragg Creek. In keeping with this, the *Plan Area* has a density and form intended to reduce the overall development footprint while retaining the natural landscape where possible. This is compatible with the adjacent development to the east and will seek a similar designation to further optimize land use within the Greater Bragg Creek ASP.

4.0 PLAN AREA DESCRIPTION

4.1 Location

Fawn Hills of Bragg Creek is on a ±30.2 ha (±74.64 ac) parcel in NE-15-23-5-W5M, municipally known as 79 Fawn Hills Drive, Rocky View County. The site is located west of the road on Subdivision Plan 78107084, except Plan 8610299 (which provides for a communal water well to neighbours east of the road). Subject lands are a new residential area in the west policy area of Greater Bragg Creek ASP. Bragg Creek is located 30 km west of Calgary at the confluence of Bragg Creek and the Elbow River before the river travels downstream to the Glenmore Reservoir in Calgary. The subject lands are approximately 2 km from, and 50 m above, lands flooded during the 2013 event.

Figure 5: Location



(Source: Rocky View County, 2019, <https://www.rockyview.ca/Portals/0/Files/CountyServices/Maps/Bragg-Creek-Map.pdf>)

4.2 Legal Descriptions & Ownership

Alan Hudye and Ozark Resources Limited each have an undivided $\frac{1}{2}$ interest in the property. The land is registered on Title 071 127 759. Legal description is Meridian 5, Range 5, Township 23, Section 15 that portion of the north east quarter which lies west of road on subdivision Plan 7810784 containing 30.2 hectares (74.65 acres) more or less excepting thereout: Subdivision Plan 8610299 containing 0.004 hectares (0.01 acres). This small parcel that is excluded is a PUL for communal water supplied to existing lots east of Fawn Hills Drive.

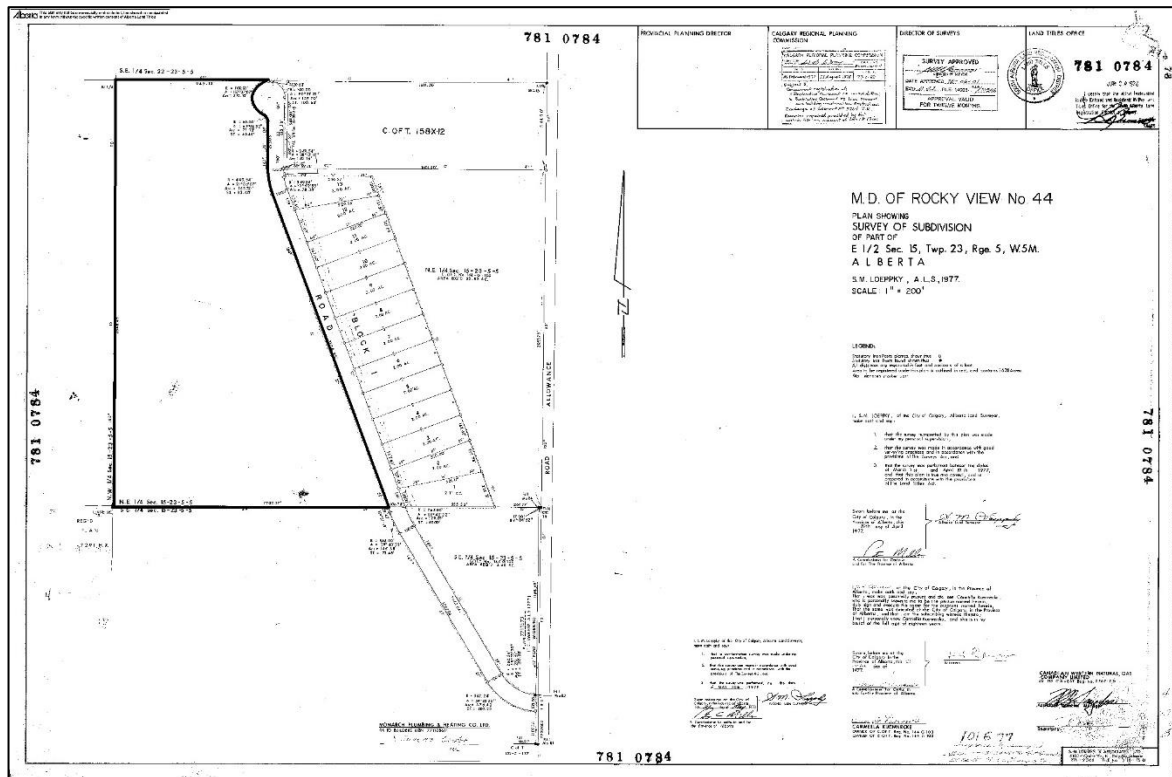
There is a utility right-of-way for Canadian Western Natural Gas Company Limited. A caveat exists for road widening (Fawn Hills Drive) to Rocky View County. There is a utility right of way for Rockyview Gas Co-op Ltd., Fortis Alberta Inc. on title. A restrictive covenant 981 264 397 exists for the subject lands (owned at the time by Susan E. K. Winsor in 1998 under title 901 253 734) where Schedule "B" 5. states...:

" A. No bushes, trees or similar vegetation may be cut or removed except as required for building sites, services and amenities for building sites and access to and from building sites.

B. No building shall occur on any of lands where the slope of the land is not sufficiently stable to accommodate the proposed building sites. In cases of uncertainty the stability of the slope will be determined by an independent engineering study."

An easement 931 044 978 exists over the east half of section 15 for the benefit of NW-15-23-5-W5M (for the neighbouring property to have a driveway to their property) that is located along the southern property line of the subject lands. An easement 931 044 937 from the neighbouring lands in NW-15 for NE-15 provides access ending at a crest of a ridge on a 10 acre portion to crown land adjacent to the northwest corner of the *Plan Area*. Figure 6: Survey shows the lands.

Figure 6: Survey



4.3 The Site

The subject lands are 3 km west of the Hamlet of Bragg Creek where country residential development is in character. Topography rises from Fawn Hills Dr. towards the west. Immediately northwest of the site is the Tsuut'ina Reserve on former Crown lands. Lands are heavily wooded with Kananaskis Country and its mountains to the west. Views are impressive with the closest mountain peak of Moose Mountain about 15 km to the west. Outdoor enthusiasts visit the popular West Bragg Creek Trailhead about 6 km to the west.

4.4 Local Development Context

Bragg Creek promotes itself as, “Gateway to Kananaskis” through the website, www.braggcreek.ca, especially /braggcreek/welcome. Numerous attractions, trails maps, wildlife opportunities, community and recreational facilities including: Elbow Valley, Kananaskis, Bragg Creek Prov. Park, and Elbow Falls 22 km W of Bragg Creek off Highway 66.

There is a strong sense of community in Bragg Creek as shown in facilities and activities:

- Bragg Creek Community Centre, 23 White Av. (featuring: Full Gym; Kitchen; Youth Room; Meeting Room; Parented Play Group ages 5 & under, Lego Club or Board Game Explorers ages 5+; events like Friday Fun Rollerblading & Dance party, Friday Movie Night, Tunes for Trails, community rummage sale; bookings for weddings and birthday parties, etc.)



- Community Groups include: Artisans, Chamber of Commerce, Redwood Meadows, Performing Arts, Tennis Club, Trails Association, Bragg Creek Wellness Committee, Family Community Support Services, Snowbirds 50+ Club, Bragg Creek Ladies Auxiliary)
- Snowbirds Seniors' Centre, and
- Bragg Creek Provincial Park (available all year round, water pump, firewood, fire pits, pit toilets, shelter with stove, hiking/cross-country skiing, river access)

Schools serving the area include (<https://braggcreek.ca/braggcreek/schools/>):

- The Little Schoolhouse for Kindergarten as well as a 3 & 4 year-old Preschool
- Banded Peak School for Kindergarten and Grades 1 – 8 (Highway 22, 254 students)



- Springbank High School for Grades 9 – 12 (Bragg Creek in catchment area, 750 students)



- Springbank Middle School for Grades 5 – 8 in both English and French Immersion (just north of the High School at 244235 Range Rd. 33, 560 students)
- Montessori of Redwood Meadows – Bragg Creek for Preschool and Kindergarten

Among the emergency services serving the area are:

- Elbow Valley Fire Station 101 at 31040 Lott Creek Drive which is a full-time station built in 2012 providing fire coverage for the southwest area of RVC.

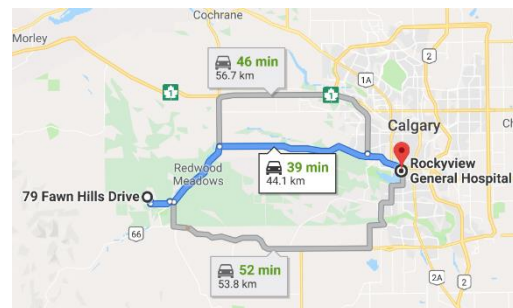
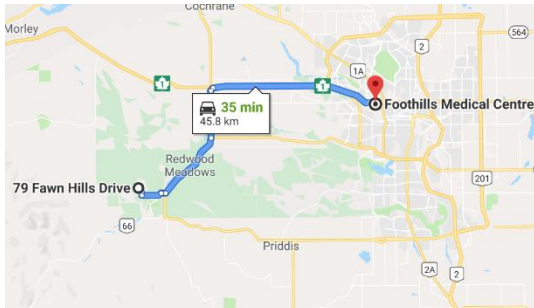


- Springbank Fire Station 102 at 128 MacLaurin Drive
- Redwood Meadows Emergency Services at Redwood Meadows Drive for the townsite of Redwood Meadows and Tsuu T'ina First Nation Reserve and RVC including Bragg Creek



Among the acute care hospitals with emergency services serving the area are:

- Alberta Children's Hospital, 2888 Shaganappi Trail NW, Calgary
- Cochrane Community Care Centre, 60 Grande Boulevard, Cochrane
- Foothills Medical Centre, 1403 29 St. NW, Calgary
- Rockyview General Hospital, 7007 14 St. SW, Calgary



The nearest disposal site is a transfer site accepting: household garbage, yard waste, tires, hazardous waste, and most other waste.

- Bragg Creek Transfer Site, 90 Elbow Rise NE-13-23-5-W5M about 1 km north of the bridge on Wintergreen Rd. operating Wed. 11 a.m. – 7 p.m. & Sat. 9 a.m. – 5 p.m.

RCMP and County Peace Officers serving Bragg Creek include:

- RCMP Cochrane Detachment, complaints 403.932.2211
- RVC, enforcement & compliance 403.230.1401 or on-line form
(<https://www.rockyview.ca/CountyServices/BylawsEnforcement/ReportanIssue.aspx>)

4.5 Adjacent Lands

Geographically, buildings within the *Plan Area* are centred on 50.96° N, 114.61° W at elevation 1350 m above sea level (asl). It provides contiguous development to neighbouring properties as shown in Figure 7: Aerial Image of Adjacent Lands. Locally, the topography is moderately sloped from west to east with drainage towards the southeast. The Fawn Hills of Bragg Creek *Plan Area* is located in an area characterized as country residential. To the east is a 13 lot development of 2 acre lots on Fawn Hills Dr. with some potential for further development in behind. To the south is a 12 lot development of 2 acre lots on Mountain View Park with some potential for further development to the north.

Figure 7: Aerial Image of Adjacent Lands



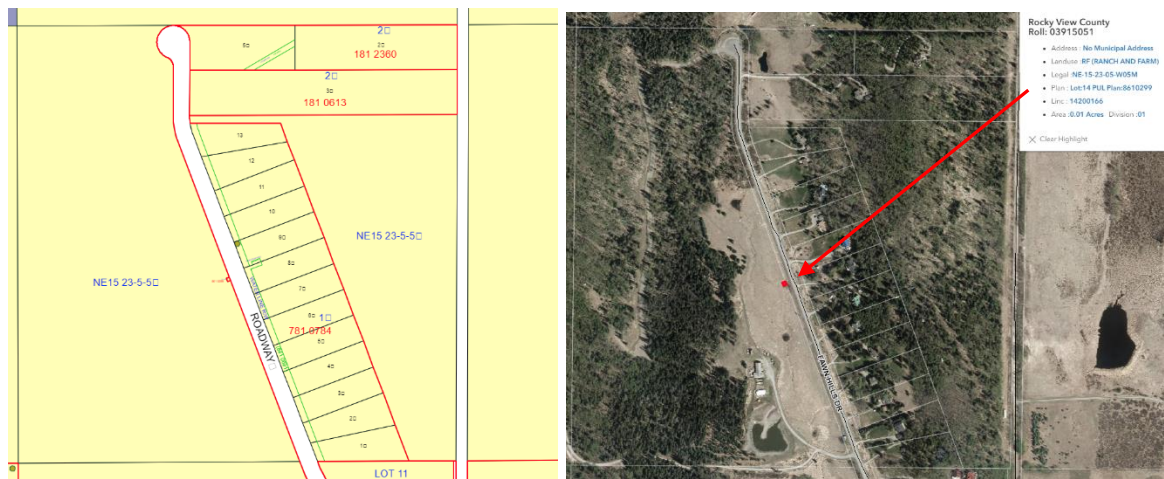
4.6 Existing Transportation Infrastructure

The transportation system serving the area and connecting the hamlet is primarily Township Rd. 232 (W. Bragg Creek Rd.), a two lane, paved roadway and associated trail. Both Fawn Hills Dr. (1.3 km) and Range Rd. 52 (0.45 km section) are two lane, chip-sealed gravel roadways to a 'T' intersection with Township Rd. 232. Fawn Hills Dr. ends in a cul-de-sac at the north east corner of the property. The proposal would add a road, not only to serve the *Plan Area*, but also connections to quarter sections to the west and south. Roads are under the control and jurisdiction of the County.

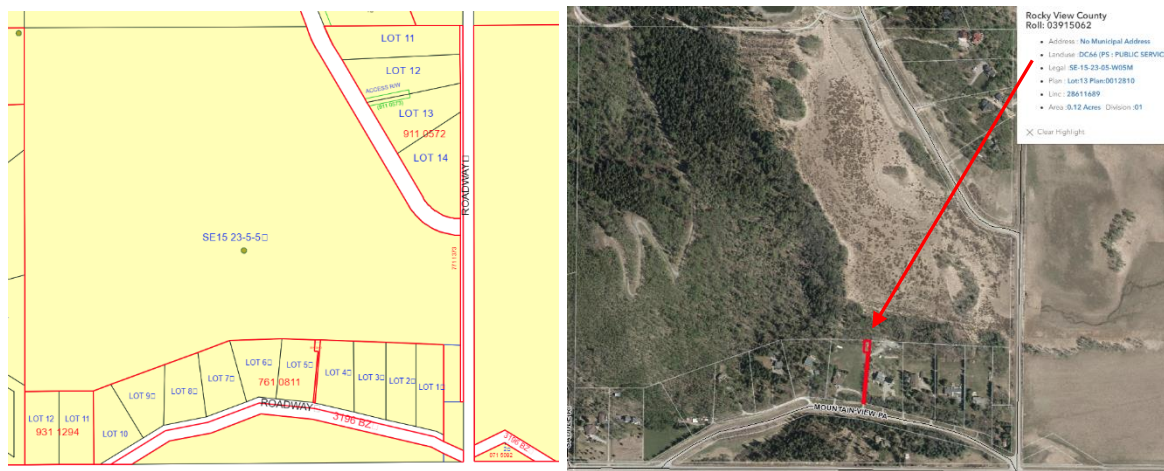
4.7 Existing Groundwater Supply

Figure 8: Communal Well Locations in the Vicinity, shows existing groundwater supply in the immediate area is serviced by communal wells. The *Plan Area* is proposing communal water distribution similar to development to the east and to the south. Lands east of Fawn Hills Drive in the same quarter section are served by a communal well located on lands west of Fawn Hills Drive, being Plan of Subdivision 8610299 Lot 14PUL (Public Utility Lot licensed by F.H.N. Water Association Ltd.) at 12.2 – 15.2 m depth on 0.004 ha (0.1 ac.) adjacent to the *Plan Area*, as confirmed on title. A waterline right-of-way runs parallel and east of Fawn Hill Drive and a pumphouse right-of-way, being Plan 7810784, is directly across the road from the well to distribute potable water serving the existing 13 lots.

Figure 8: Communal Well Locations in the Vicinity

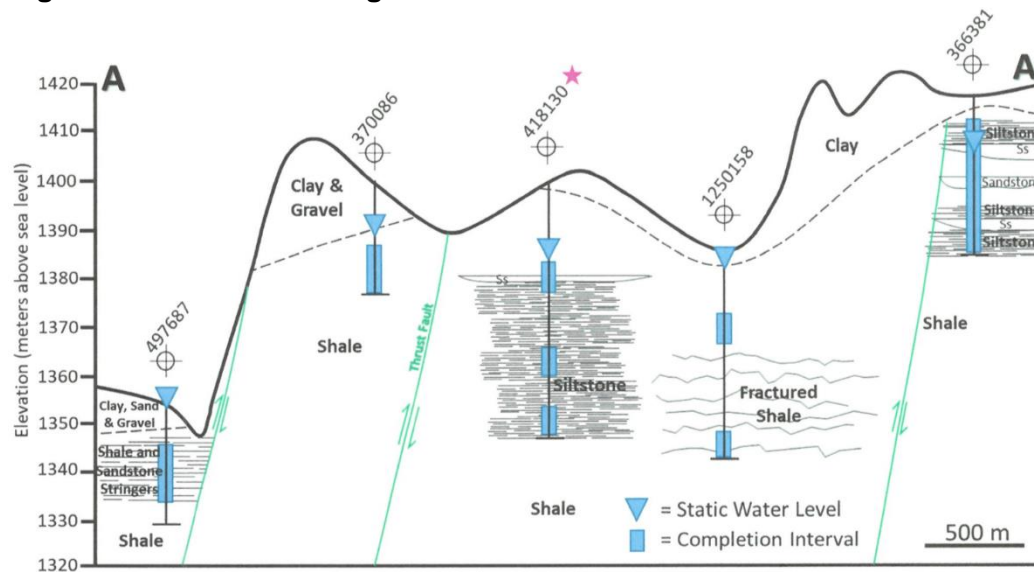


Lands to the south in SE-15-23-5-W5M being the quarter section south of the *Plan Area* are served by a communal well located on Mountain View Park, being Plan of Subdivision 0012810 Lot 13 PS (Public Service lot licensed by Mountain View Park Water & Sewer Cooperative Ltd. and zoned DC-66 by Bylaw C-5129-99) at 29.0 – 35.1 m depth on 0.049 ha (0.12 ac.). The road right-of-way is widened to run parallel to the road known as Mountain View Park to distribute potable water serving the existing 12 lots. Treatment is handled individually at each of the lots.

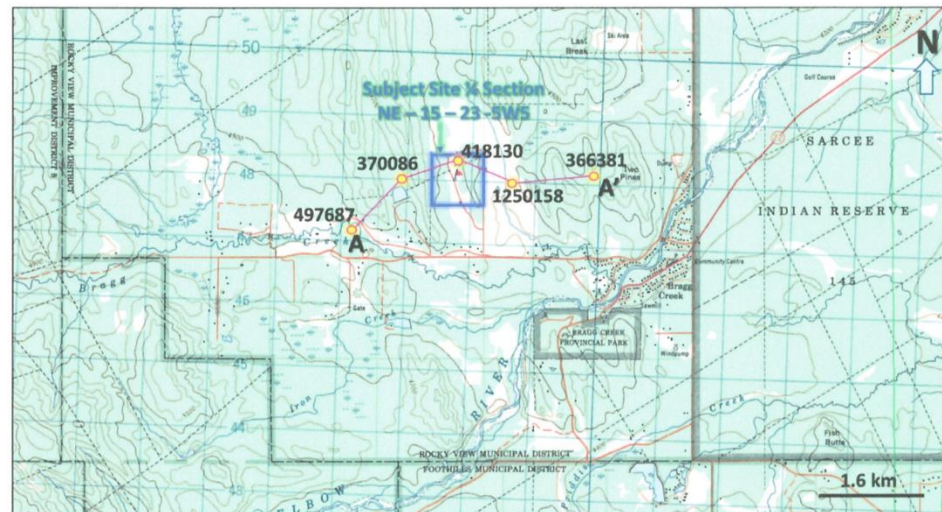


Ken Hugo and Alanna Felske of Groundwater Information Technologies Ltd. (GRIT), 2019 undertook a "Phase 1 Groundwater Site Assessment for 79 Fawn Hills Drive NE-15-23-5-W5M Rocky View County, AB". GRIT looked at well records from 17 wells in the area as part of the reconnaissance report. Wells in the area are completed over shale, fractured shale, siltstone and minor sandstone aquifers. Bedrock strata in this area are predominantly shales of Wapiti and Fernie formation that have undergone thrust faulting leading to a fracture network for groundwater pathways. This explains some similar water levels found, despite being in different aquifer units.

Figure 9: Well Data Geologic Cross Section A – A'



(Source: GRIT, 2019, Phase 1 Groundwater Site Assessment 79 Fawn Hills Drive NE-15-23-5-W5M)



The groundwater well shown as a pink star (418130) in the above figure is in the same quarter section as the *Plan Area* and is in a siltstone aquifer (Wapiti formation). Analysis supports that a future well at the site would also likely be completed in siltstone or fractured shale aquifers at depths between 20 and 50 meters below ground surface. The well could have an anticipated yield between 10 and 75 m³/day (1.5 to 10.5 igpm).

Groundwater chemistry shows a calcium bicarbonate type water with a low concentration of dissolved solids suitable for the intended use. Potential exists for future removal of iron from the water to meet aesthetic objectives in drinking water standards. All other parameters met drinking water standards.

To conclude, the Phase 1 study found sufficient aquifer supplies should exist for the proposal. Water would likely be able to be supplied at rates, as defined in the Water Act, without causing adverse affects to existing domestic, traditional agricultural or licensed groundwater users in the area. Recharge to aquifers by surface water sources and precipitation in this area should serve to make aquifer supplies sustainable.

Wastewater

Wastewater outside of the Hamlet Servicing Area is provided via Private Sewage Treatment Systems (PSTS). Where development shares a communal well, separation distances to septic systems is not an issue on individual properties on private wastewater systems. This further supports 2 acre parcel sizes that do not have to ensure separation distances from an on-site well because the communal well is off-site. There is a reduced risk against contamination of raw water supplies for multi-lot subdivision in the scenarios shown above for groundwater supply. These lots have the ability to connect to a regional wastewater utility should it become available, but is not anticipated in the foreseeable future.

Stormwater

Development in ASP has adopted an “ecological” approach to stormwater management by implementing engineering practices that preserve and maintain the land’s natural capacity to accommodate surface drainage. The *Plan Area* is mostly wooded with moderate slopes that allow for surface water to be absorbed into the forest floor with root uptake by vegetation as part of the natural cycle, such that most stormwater is dealt with on-site using low impact development and best management practices. The subject lands have a restrictive covenant protecting the wooded lands with provisions for building lots and access. A mapping exercise by Carswell Planning Inc. delineated 20.6 ha of the total 30.2 ha *Plan Area* as wooded. This will ensure the retention of at least 65% native vegetation and impervious surfaces limited primarily to the internal road surface and buildings for the benefit of stormwater management.

There is an existing pond to a 10 m (35 ft.) depth over an area of 0.24 ha (0.59 ac.) constructed by the applicant with permissions obtained from Alberta Environment. This is a stocked with trout for the pleasure of the owner and is anticipated to be retained by the owner. For the benefit of stormwater management, another pond will be constructed west of the existing pond with a culvert going under the future road to a ditch towards Fawn Hills Drive. In addition, another pond will be constructed to serve the northern portion of the property in the Phase 1 development, likely at the north end of the MR lands.

Figure 10: Existing Subwatershed Boundary, shows the existing properties east of Fawn Hills Dr. drain onto the subject lands through culverts. Pre-development shows surface water draining downstream to the property to the south. Post-development would direct water to stormwater ponds for sediment to settle and contain storm events for the future plan of subdivision.

The map displays a topographic view of the Fawn Hills area. The project area is outlined in black, and the subcatchments are outlined in blue. The natural drainage path is shown as a dashed yellow line, and the existing culvert is marked with a green 'X'. The map includes contour lines and elevation markers. A legend in the bottom left corner defines the symbols used.

LEGEND:

- PROJECT AREA
- SUBCATCHMENTS
- NATURAL DRAINAGE PATH
- EXISTING CULVERT



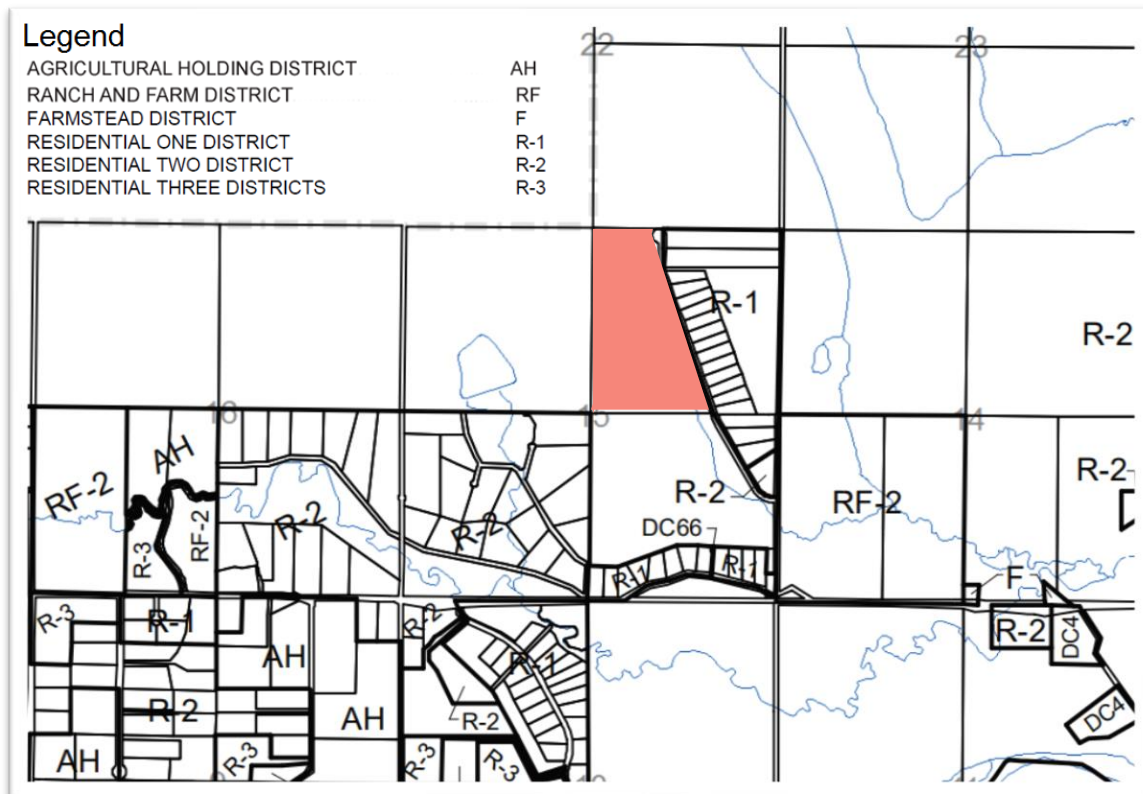
4.8 Existing Soils and Wastewater Servicing

The site is underlain by slightly leached till of Cordilleran provenance. The surficial geology is a ground moraine composed of silty-sand till that is leached from 15 – 45 cm and also contains clast-carbonate and clastic rocks broken down from the weathering of nearby mountain ranges. Underlying this at a depth of approximately 1.2 m is shale bedrock which serves to protect groundwater from contamination by septic fields. In this area of Greater Bragg Creek, wastewater servicing is through a private sewage treatment system. Percolation rates for on-site sewage disposal systems are favourable in the silt soils of the area, provided the septic beds are sufficiently above the water table.

4.9 Existing Land Use

Fawn Hills of Bragg Creek Plan Area is currently designated Ranch and Farm (RF) in accordance with RVC Land Use Bylaw C-4841-97, as shown in Figure 9: Current Land Use Bylaw Districts. The *Plan Area* is bordered by Residential One (R-1) to the east in the same quarter section. R-2 and R-1 are in the quarter section to the south. Being at the edge of the Greater Bragg Creek ASP, RF is to the west and north.

Figure 11: Current Land Use Bylaw Districts



5.0 DEVELOPMENT CONCEPT

5.1 Development Concept

Figures 12-14 and Table 1 form *Fawn Hills of Bragg Creek* development concept.

Figure 12: Development Concept

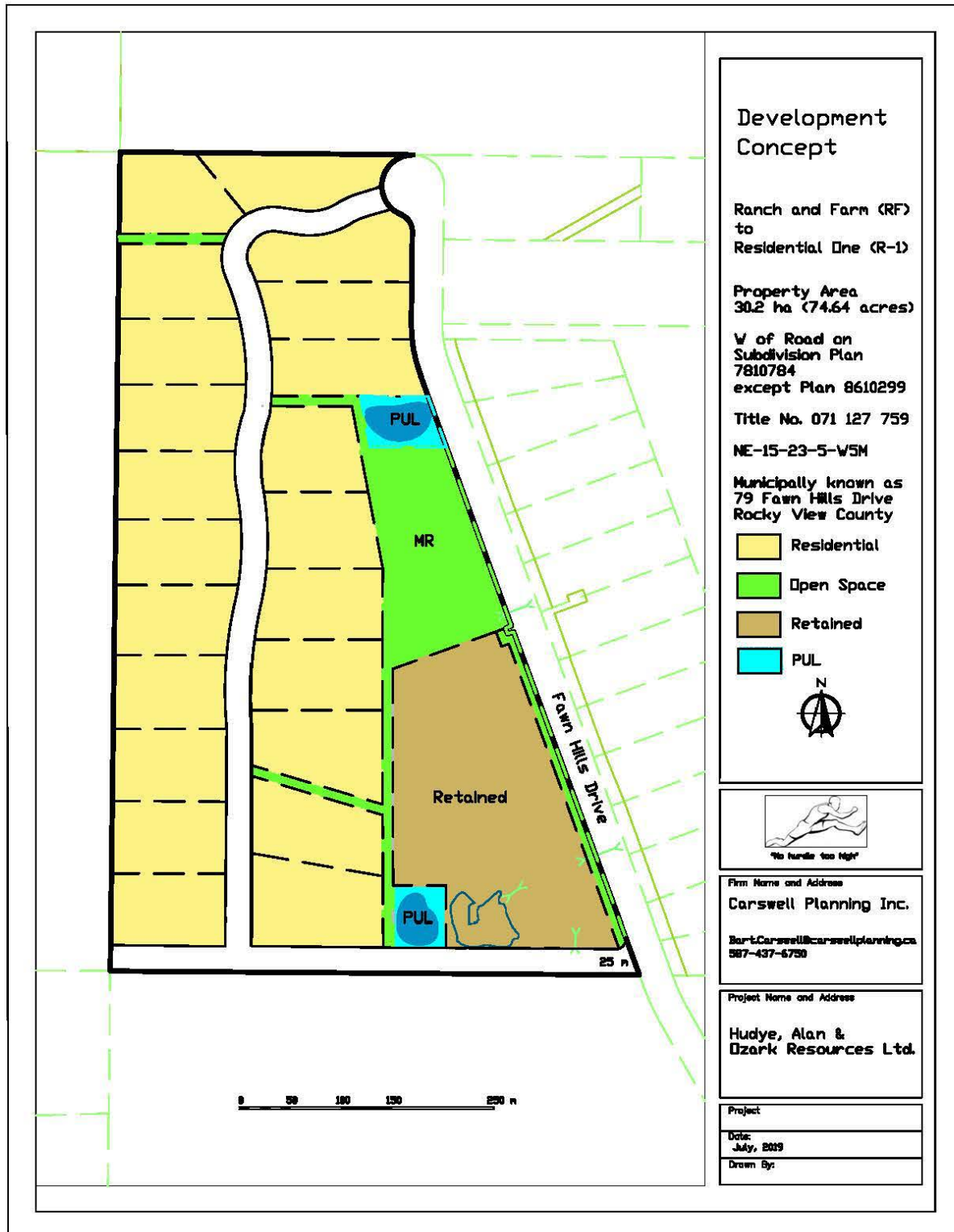


Figure 13: Lot Numbering and Phasing

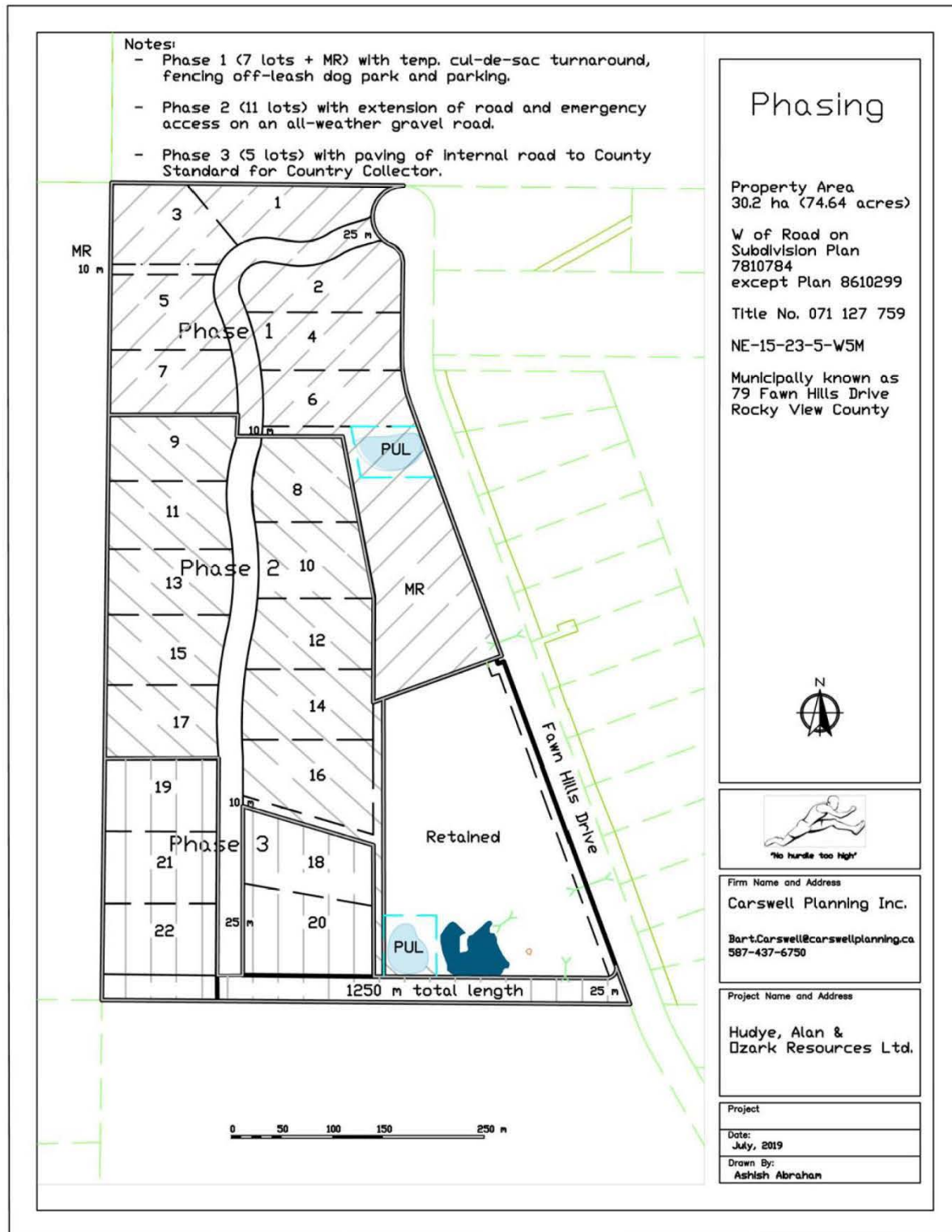


Figure 14: Lot Acreage

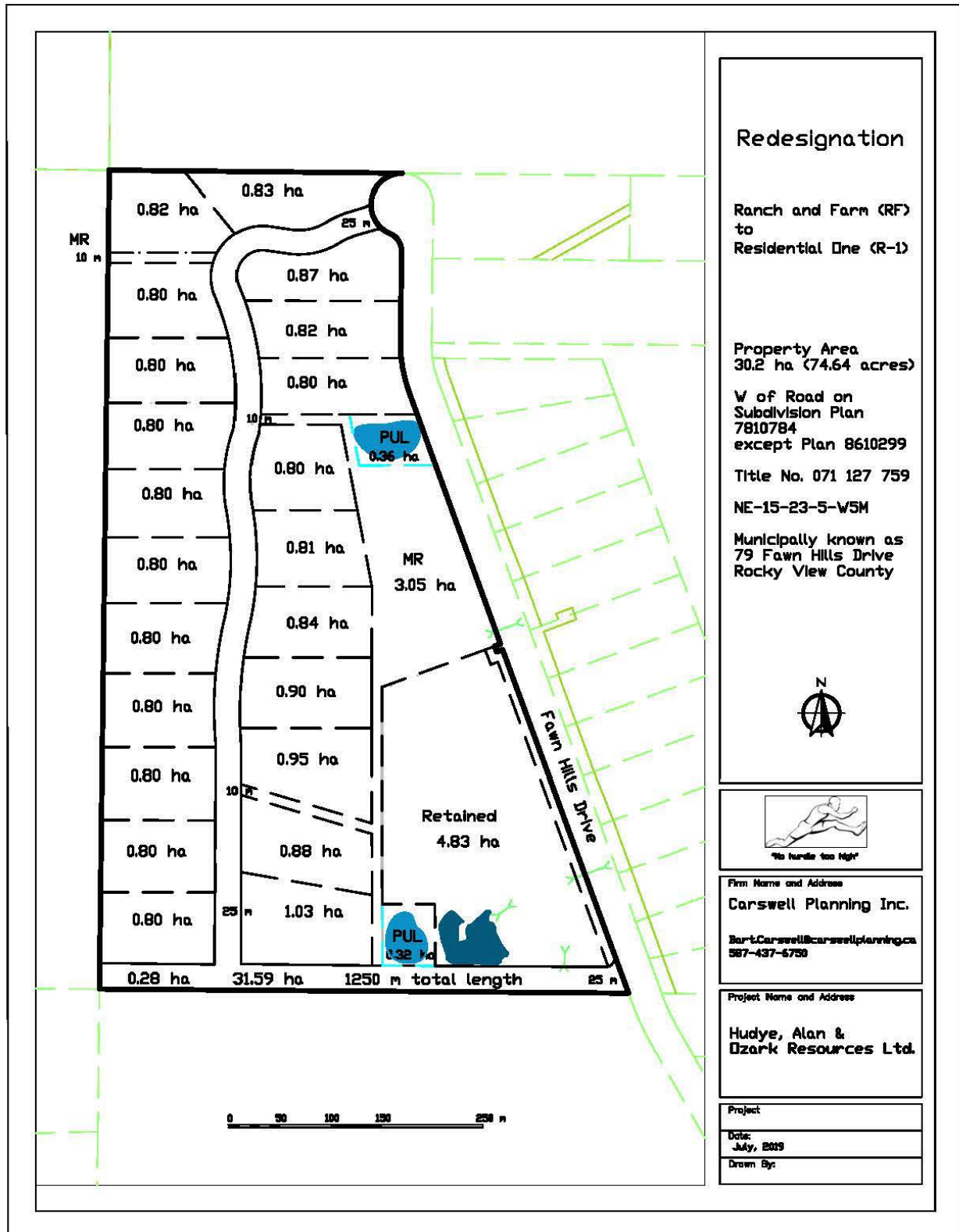


Table 1: Development Concept Calculations

	Land Use	Hectares	Acres	Percentage
	Lot 1	0.83	2.05	2.75%
	Lot 2	0.87	2.15	2.88%
	Lot 3	0.82	2.03	2.71%
	Lot 4	0.82	2.03	2.71%
	Lot 5	0.80	1.98	2.65%
	Lot 6	0.80	1.98	2.65%
	Lot 7	0.80	1.98	2.65%
	Lot 8	0.80	1.98	2.65%
	Lot 9	0.80	1.98	2.65%
	Lot 10	0.81	2.00	2.68%
	Lot 11	0.80	1.98	2.65%
	Lot 12	0.84	2.08	2.78%
	Lot 13	0.80	1.98	2.65%
	Lot 14	0.90	2.22	2.98%
	Lot 15	0.80	1.98	2.65%
	Lot 16	0.95	2.35	3.14%
	Lot 17	0.80	1.98	2.65%
	Lot 18	0.88	2.17	2.91%
	Lot 19	0.80	1.98	2.65%
	Lot 20	1.03	2.55	3.41%
	Lot 21	0.80	1.98	2.65%
	Lot 22	0.80	1.98	2.65%
	Sub-Total	18.35	45.34	60.74%
	PUL (N)	0.36	0.89	1.19%
	PUL (S)	0.32	0.79	1.06%
	MR	3.05	7.54	10.10%
	Retained	4.83	11.94	15.99%
	Roads	3.3	8.15	10.92%
	Total	30.21	74.65	100.00%

Figure 12: Development Concept, supports Residential One (R-1) land use designation comprised of: residential lands, open space lands, retained lands, and public utility lots (PUL). Figure 13: Lot Numbering and Phasing, identifies the lots. Figure 14: Lot Acreage, provides the area of those lots. Table 1: Development Concept Calculations, summarizes the acreage associated with each lot, PULs, MR, roads, and the retained lot. As the table shows, 22 residential lots are proposed on approx. 75 acres, which is confined to internal road separated by woodlands and meadowlands from the neighbouring properties to the east. The proposed residential lots account for about sixty percent of the total property. MR lands account for about ten percent and the PULs account for about two percent. The remaining retained lands are intended to continue to be used for associated agricultural practices and account for about sixteen percent of the total.

As per policy 7.4.4 of the ASP, “d) Parcel sizes within new residential areas in west and north Bragg Creek should not be less than .25 acres, and not greater than 2 acres, with an overall density of not greater than one lot per 4 acres of Gross Developable Area (GDA).” One lot per 4 acres GDA generally results in about 19 lots, but given the configuration of the internal road, 22 lots of about 2 acres each would be more practical. If this were south Bragg Creek (see Figure 3: Subject Lands in West Bragg Creek), 25 lots would be supported in policy (7.4.4 e). This implies that parcel count and density is more of a preference based on character of west versus south Bragg Creek. Further to policy 7.44, “f) Parcel sizes greater than 2 acres may be considered when it can be demonstrated, to the satisfaction of the County, that a larger parcel size will support agriculture and/or open space planning; however, these parcels must form part of the GDA.” Efforts have been made to have the proposed residential lots 2 acres in size, but some variance is expected for the lots to fit on the proposed internal road without impacting the open space area.

Within each lot there is a Development Area of at least 0.4 ha (1 ac.) with most of the parcel being wooded. Development Areas are the portion of lands utilized directly for development purposes, and includes: the driveway access, all structures (buildings), the storage and display areas directly associated with the use, the required landscaping and parking areas as defined in the Land Use Bylaw, and any other area used for development purposes.

The *Plan Area* has set aside open space for the benefit and enjoyment of residents, stormwater management, protection of wildlife movement corridors and the natural environment. With the buildings located off the internal road, the wooded area downslope is preserved for all these functions. In addition, the retained lot has a constructed pond used by wildlife on lands the owner has no intention of developing in the foreseeable future.

5.2 Phasing

Figure 13: Lot Numbering and Phasing, shows:

- Phase 1 being lots 1-7, MR lands and PUL (North) with paved access from the north and a temporary cul-de-sac. A communal well is proposed to service this phase as well.
- Phase 2 being lots 8-17, a continuation of trails on MR lands and PUL (South). The existing paved road from Phase 1 will be extended and the road for Phase 3 will be gravelled for emergency egress.
- Phase 3 being lots 18-22, finishes the development with paved access from the south, all to RVC standards.

Figure 15: Aerial for Fawn Hills of Bragg Creek and Figure 16: Topography and Steep Slopes, show the subject lands west of Fawn Hills Drive and the adjacent lands east of Fawn Hills Drive both have areas of steep slopes. Comparing the areas identified as steep slopes and the aerial showing where houses were built on the existing development, this isn't a constraint as much as it is avoidance for the Development Area. For the Plan Area, the steep slopes are towards the rear of the proposed lots and protected under caveat to remain wooded. The proposed internal road will be the focus clearing for structures, driveway access to them and Fire Smart recommendations around structures.

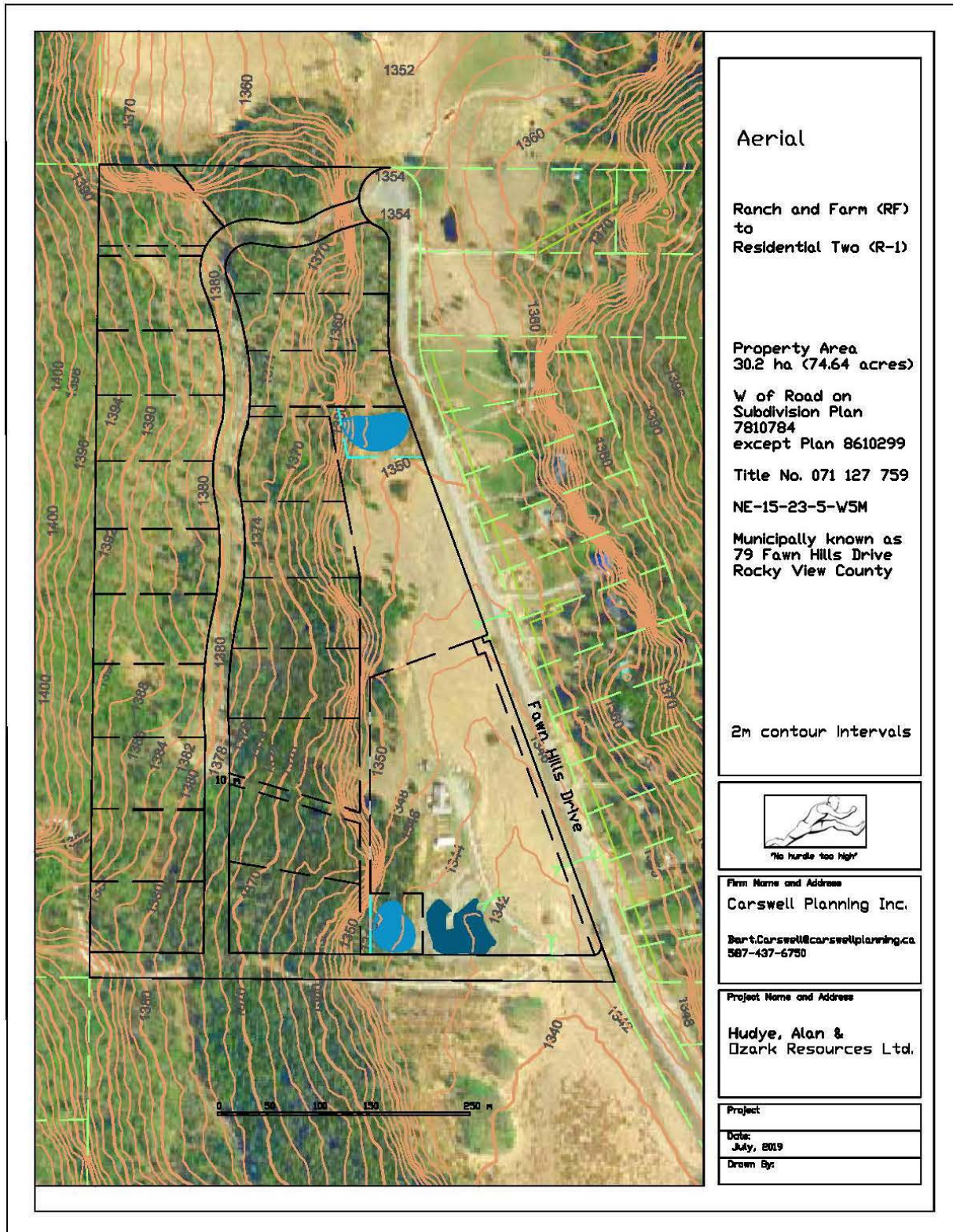
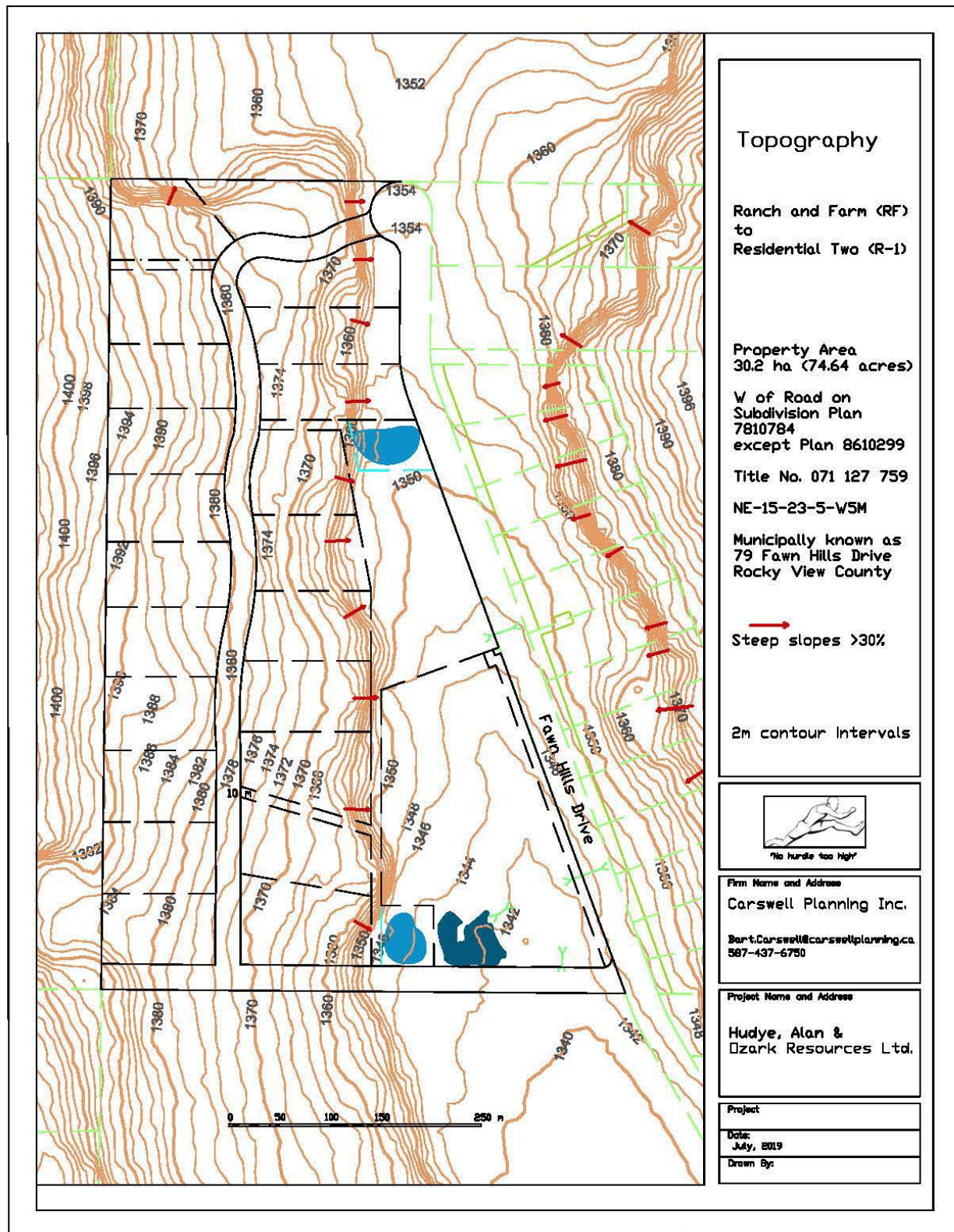
Figure 15: Aerial for *Fawn Hills of Bragg Creek*

Figure 16: Topography and Steep Slopes



Policy

- 5.2.1** Policies contained in this Conceptual Scheme shall apply to lands identified in NE-15-23-05-W5M, which lies west of Fawn Hills Dr., Greater Bragg Creek, Rocky View County on Subdivision Plan 7810784.
- 5.2.2** Lot sizes and configurations shall generally be as described in the Figure 12: Development Concept, Figure 13: Lot Numbering and Phasing, Figure 14: Lot Acreage, and Table 1: Development Concept Calculations.

5.3 Land Use Concept

Greater Bragg Creek is a highly sought-after community that offers a rural lifestyle with natural areas within driving distance from urban areas utilizing access to major highways. The area will continue to experience development pressures due to its proximity to the Town of Cochrane and the City of Calgary. It also caters to those seeking to be close for excursions such as Kananaskis (K Country), Banff National Park and the Canadian Rockies. The properties offer space for storing recreational-related RVs, trailers and those sorts of things in garage spaces of their country residence. **Fawn Hills of Bragg Creek** has its identity as a country residential neighbourhood in the Greater Bragg Creek ASP with proximity to both Cochrane and Calgary.

5.4 Residential Area

As guided by the Greater Bragg Creek ASP, the minimum residential parcel size within the “New Residential Area” can be two acres and the Design Concept reflects that. Figure 17: Potential Country Residential Dwelling, shows how landscaping, driveway configuration and architecture can influence the look of a property, while still meeting Fire Smart recommendations.

Figure 17: Potential Country Residential Dwelling



Policy

- 5.4.1 Single family dwelling units shall be the dominant land use for residential development.
- 5.4.2 The lot sizes of the residential development should be approximately 0.80 ha (1.98 ac).
- 5.4.3 Private lighting, including security and parking area lighting, shall be designed according to the County's "dark sky" Land Use Bylaw requirements for residential lighting in outdoor areas to be directed downward.
- 5.4.4 Steep slopes towards the back of lots on the east side of the internal road should be avoided and left in their natural wooded state as stated by the caveat on title.
- 5.4.5 Home-based businesses may be pursued in accordance with the provision of the Land Use bylaw.

5.5 Municipal Reserves

The dedication of Municipal Reserve (MR) land may be in the form of: land, money in place of land, or a combination of land and money. In this case the ASP asks for land dedication, as per the Municipal Government Act (MGA), of 10%. When assessing the proposed dedication of reserve land, the dedication should meet the present or future needs of the County by considering the recommendations of the County Plan, the Parks and Open Space Master Plan, ASPs, Conceptual Schemes (CS), local school boards, local recreation boards, and regional recreation boards. The amount, type, location, and shape of reserve land shall be suitable for public use and accessible to the public. Public engagement at the Open House had objections to public use on the lands and wished the MR to remain natural. Ultimately, RVC will decide how to use the MR lands.

Policy

- 5.4.1 Municipal Reserve will be provided as a land to contribute to the improvement of public open space systems or recreation facilities in the County.

5.6 Environmental Considerations

Wetlands in the Greater Bragg Creek region have been previously identified and mapped according to Alberta Environment and Parks (AEP) Standards (MPE, 2013, Bragg Creek Master Drainage Plan). Within the project area, wetlands are located in the meadow, and as such, are subject to AEP requirements if they have the potential to be disturbed. The types of wetlands in the project area are treed fen, shrubby fen and graminoid fen. The presence of wetlands suggest the groundwater table is at or near the surface. Examining the wetland mapping, the excavated pond was originally a graminoid fen, however it is understood that the owner has previously obtained approval to modify this wetland.

The lands where fens would occur would be on the retained lands and MR lands in the meadow adjacent to Fawn Hills Drive. This is intended to be being left in a natural state. Further west, the wooded lands are protected by a restrictive caveat on title where, "No bushes, trees or similar vegetation may be cut or removed except as required for building sites, services and amenities for building sites and access to and from building sites." Strict environmental recommendations for the preservation of the wetlands or woodlands are already in place for the *Plan Area*.

Policy

- 5.6.1 Any environmental concerns found in the *Plan Area* shall be addressed to the satisfaction of Rocky View County.
- 5.6.2 Proposed stormwater facilities for the *Plan Area* should be located outside of any identified wetland areas to protect their function.
- 5.6.3 Existing Restrictive caveats on title protecting the woodlands shall be transferred to any new lots created, as a condition of subdivision.

5.7 Historic Resources Considerations

Circle CRM Group Inc. submitted an historic resource statement of justification under the Alberta *Historical Resource Act*. The *Plan Area* does not currently have a Historic Resource Value (HRV) as per the current (October 2018) Listing of Historic Resources, and there are no previously recorded sites in the vicinity. However, due to its proximity to the Tsuut'ina Reserve, there may be unknown sites within the footprint. The historic resources application was submitted May, 2019 (#016692198) to verify.

Policy

- 5.7.1 Any historic resources found in the *Plan Area* shall be addressed to the satisfaction of the Historic Resources Management Branch, Alberta Culture and Tourism.

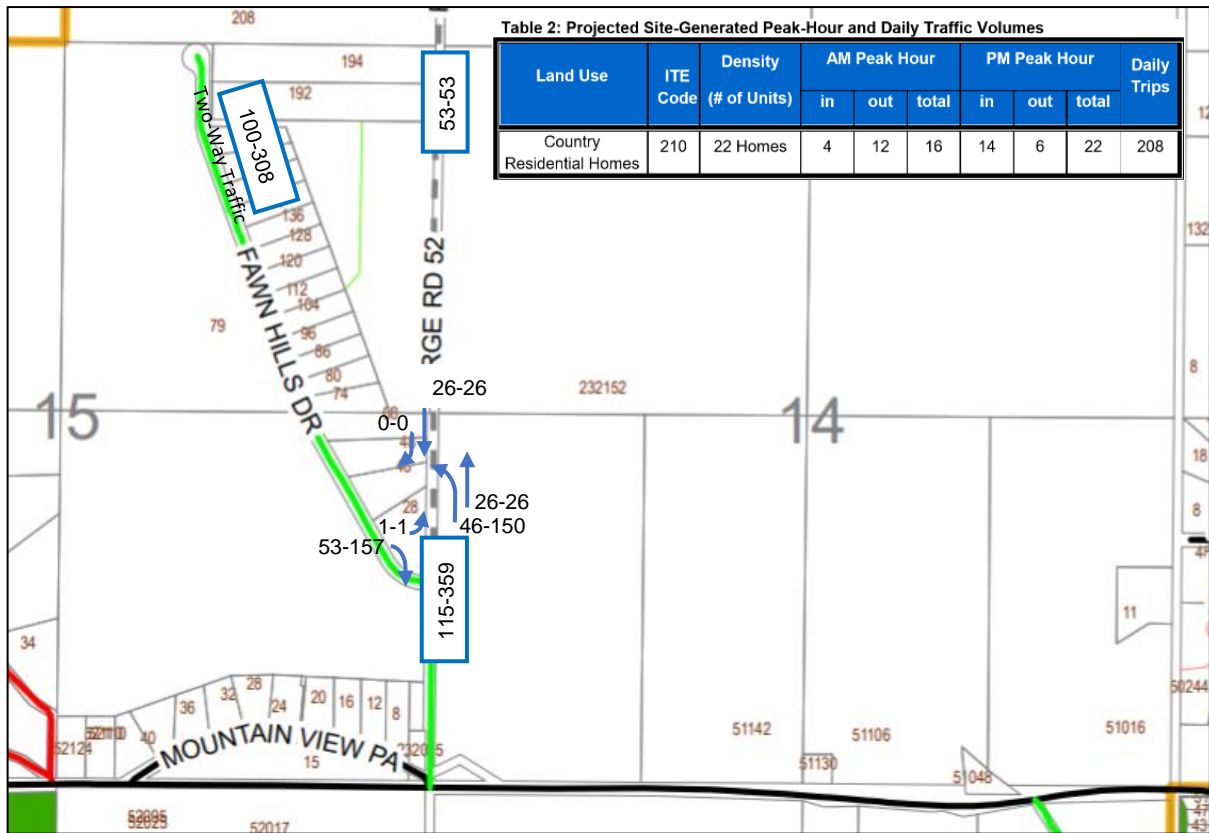
5.8 Transportation Considerations

Addoz Engineering Inc, 2019 prepared a *Brief on Transportation Impact of the Fawn Hills Redesignation to a Residential Development, 79 Fawn Hills Dr., Rocky View County, Alberta* to satisfy consideration of **Fawn Hills of Bragg Creek** CS and future redesignation and plan of subdivision. It addresses the location of existing and future transportation networks detailing traffic generation and its cumulative impacts on the road network, including necessary improvements based upon traffic volume and engineering advice.

Using the Institute of Transportation Engineers (ITE) Trip Generation Manual 10th Edition for a single-family detached housing, additional trip generation is based the proposed development during weekday a.m. and p.m. peak hours and daily trips. A traffic count and the intersection of Fawn Hills Drive and Range Road 52 was completed during a 24-hour period from 4:30 p.m on Wednesday May 8, 2019 to 4:30 p.m. Thursday May 9, 2019. The proposed development was

added to these counts, as well as on Range Road 52 between Fawn Hills Drive and Township Road 232.

Figure 18: Range of Existing–Future Average Daily Traffic Volumes



(Source: Adapted from Addoz Engineering Inc., 2019, Brief on Transportation Impact of Fawn Hills Redesignation, RVC)

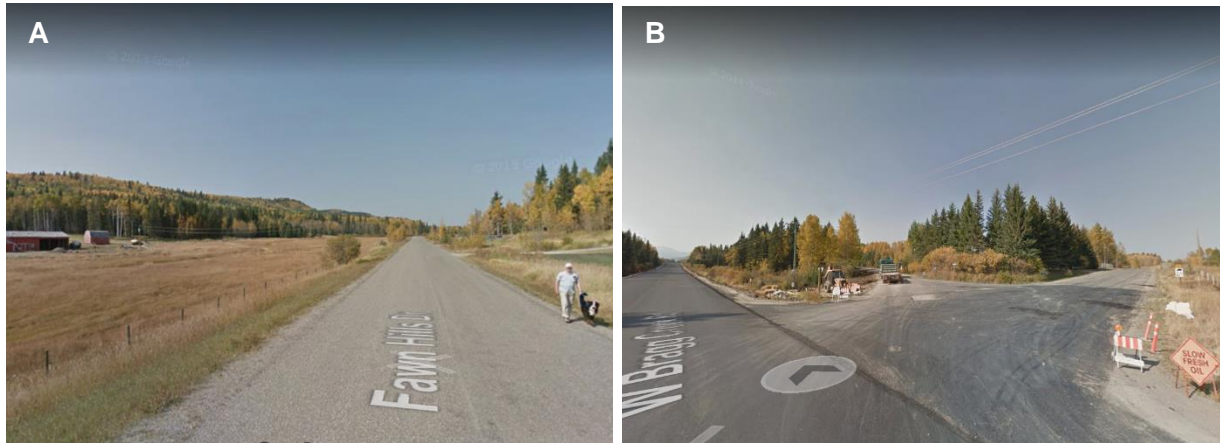
Figure 18: Range of Existing–Future Average Daily Traffic Volumes, graphically shows the proposed development would generate low numbers of peak hours and daily traffic volumes that would not be expected to negatively impact the operations of the vicinity roadway system.

RVC 2013 Servicing Standards, Table 400-F was consulted in order to check if the future traffic volume levels on Fawn Hills Dr. and Range Road 52 would still meet the servicing standards for their current road type. The classification of these two roads is considered “Regional Moderate Volume (400.9)”, which are described as moderate traffic volume regional network roads; through and non through road with less than 500 vehicles per day (vpd). Existing and proposed traffic counts combined suggest Fawn Hills Dr. is projected to carry 308 vpd and Range Road 52 south of Fawn Hills Dr. is projected to carry 359 vpd, both of which are less than 500 vpd. Therefore, these two roadway sections would continue to meet the Rocky View County Servicing Standards, with the proposed 22 Lot Residential Development.

Figure 19: Streetview Showing A) Fawn Hills Dr., B) Twp. Rd. 264 and Range Rd. 41, shows the chip-seal of the former and pavement of the later. The distance from the intersection of W Bragg Creek Rd. (Twp. Rd. 232), along Range Rd. 52, then north to where Fawn Hills Drive ends is approximately 1.8 km long and provides access to the subject lands. Currently, there are

driveway entrances from 2 acre lots on the east side of Fawn Hills Drive and limited entrances on the west side. New development on the west side would better utilize both sides of the County road. The internal public road is proposed to have two entrances to serve the proposed lots and would likely be paved, chip-sealed like Fawn Hills Drive, or alternative surface treatment meeting County servicing standards.

Figure 19: Streetview Showing A) Fawn Hills Dr., B) Twp. Rd. 264 and Range Rd. 41



There should be no requirement for future expansion of the existing transportation network to accommodate traffic generated from the proposed development. Further, there should be no mitigation measures needed to ensure the function and integrity of the transportation network (ie. noise attenuation measures, buffering or screening, setbacks).

Policy

- 5.8.1** Roads shall be constructed in accordance with Rocky View County Servicing Standards.
- 5.8.2** Consideration will be given to an internal local road system that provides a minimum of two access points for vehicular traffic.
- 5.8.3** Consideration will be given to coordinate future development and access patterns and shall address relationships and linkages with lands beyond the *Plan Area* in order to promote integrated connections.
- 5.8.4** Road names, in accordance with approved municipal policy, will be determined at subdivision stage.

5.9 Utility Services - Stormwater

MPE Engineering Ltd. conducted a Stormwater Management Plan (SWMP) for the *Plan Area* and environs. The report is available under separate cover. The drainage system for the proposed development is planned to be typical of rural settings, using vegetated grass swales to convey flow to the stormwater ponds. Two new ponds are proposed, one serving the north and one serving the south portion of the development. The existing pond will remain as an aesthetic feature, which will continue to pick up minor amounts of groundwater and have little effect on peak flow rates or runoff volume.

The two proposed stormwater ponds are designed to release at a flow rate that does not exceed existing predevelopment conditions, and therefore avoid adverse impacts downstream, such as flooding. To help reduce post-development runoff volume, absorbent landscape (300 mm thick topsoil) is proposed on each residential lot. Runoff from the impervious areas of the lot are to be directed towards the absorbent landscape to encourage increased evaporation and infiltration; however peak discharges will not be significantly affected. Runoff from the absorbent landscape will then be directed through the existing native vegetation, depending on the configuration of the lot.

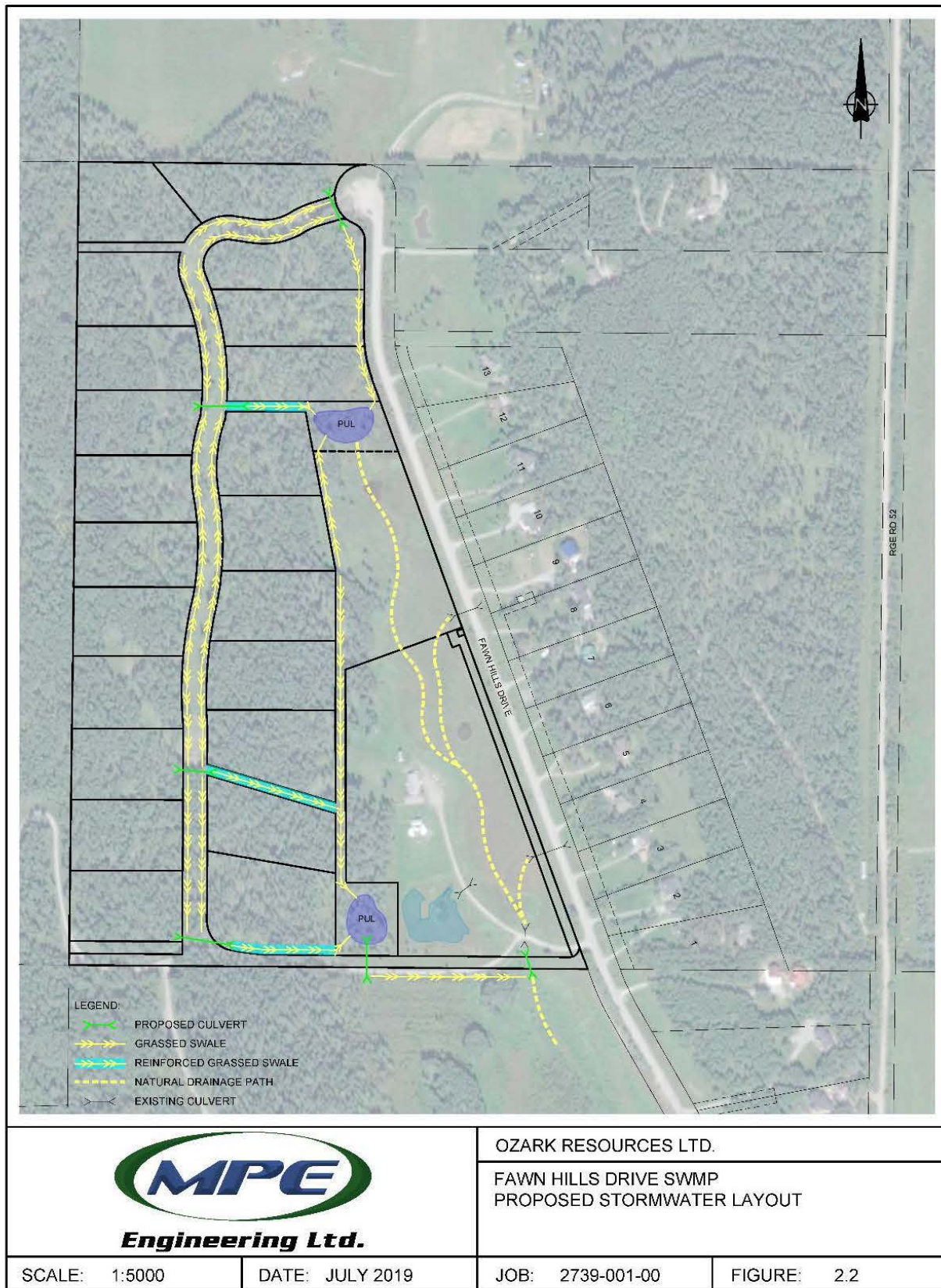
Development in ASP has adopted an “ecological” approach to stormwater management by implementing engineering practices that preserve and maintain the land’s natural capacity to accommodate surface drainage. The subject lands are mostly wooded with low to moderate slopes that allow for surface water to be absorbed into the forest floor with root uptake by vegetation as part of the natural cycle. This allows for most stormwater to be dealt with on-site using low impact development and best management practices.

Conclusions and recommendations of the SWMP include the following:

- The overland stormwater drainage system has the capacity to safely manage the 1:100 year storm event.
- Stormwater ponds are sized to control the post-development release rate off the site to match the existing conditions.
- Utilizing absorbent landscape on the lots will provide additional runoff volume control to help ensure no erosion impacts downstream.
- Velocity depth relationships of the proposed grassed swales are all below the AEP guideline limits.
- Water quality will be controlled adequately using absorbent landscape, grassed swales and pond settlement.
- It is recommended that this stormwater management design be utilized in the proposed development in order to adequately control UARR and runoff volume.
- Stormwater management plans should be submitted to AEP for approval prior to construction.

Figure 20: Post – Development Drainage Conditions, shows northern and southern stormwater ponds, not only for stormwater, but also additional water sources for fire suppression using the drainage swales for firehoses to reach the future plan of subdivision or woodlands.

Figure 20: Post - Development Drainage Conditions



Policy

- 5.9.1 Development within the *Plan Area* shall generally conform with the stormwater management plan referenced in this Conceptual Scheme.
- 5.9.2 Consideration will be given to low impact development (LID) stormwater management methods for the proposed lots by having: an absorbent landscape directed to existing native vegetation where possible and the use of grass swales, as a condition of subdivision approval.
- 5.9.3 Consideration will be given to minimizing extensive stripping and grading, while also protecting natural depressions in the landscape as part of the overall design of the stormwater management, as a condition of subdivision approval.
- 5.9.4 Consideration will be given to indicate how best management practices will be observed during construction of all stormwater control facilities, as a condition of subdivision approval.
- 5.9.5 Public Utility Lots (PUL) will be dedicated to the County that are identified as stormwater ponds as per the stormwater management plan referenced in this Conceptual Scheme, in accordance with the MGA and the County Plan, as a condition of subdivision approval.

5.10 Utility Services – Water

Ken Hugo of Groundwater Information Technologies (GRIT) conducted a Phase 1 Groundwater Study for a proposed subdivision located in NE-15-23–5-W5 in order to understand the quality and distribution of aquifer resources in the area as they relate to the future development of the property and its water requirements.

A low volume of the groundwater supply is currently utilized by existing domestic, licensed or traditional groundwater users in the area and sufficient aquifer supplies should exist for the proposed operation. Water would likely be able to be supplied at rates as defined in the *Water Act* without causing adverse effects to existing domestic, traditional agricultural or licensed groundwater users in the area. Recharge to aquifers by surface water sources and precipitation in this area is expected to occur which should serve to make aquifer supplies sustainable.

The best aquifer target for a well installed on site would be fractured aquifer units belonging to the folded and faulted siltstone or shale units. These aquifers are present underlying the subject site at depths between 20 - 50 meters below ground surface. Projected water yields from wells completed within this unit are likely within the range of 1 to 100 m³/day (0.2 -15 imperial gallons per minute) based on pumping test data from surrounding wells and maps generated in previous consulting reports.

Due to the folded and faulted nature of the strata underlying the Site there is increased spatial variability in predicting the quantity of water that can be extracted from these aquifers. It is expected that most, if not all, lots will have sufficient water but there is a risk that some dry holes may be drilled which could necessitate drilling additional wells on a few lots.

Groundwater chemistry reports from wells in the area were evaluated for their suitability of the water to be used as a drinking water source. Groundwater in the area contained a low concentration of dissolved solids (Total Dissolved Solids Concentration of 248 mg/L). The samples exceed the aesthetic objective set for the concentration of iron, so the potential exists for water produced from aquifers underlying to site to require removal of iron. Overall, the Distribution of potable water for ***Fawn Hills of Bragg Creek*** can be met via communal wells.

Policy

- 5.10.1 Consideration will be given to private, communal, on-site water servicing solutions to distribute potable water for new lots. The County may require that deferred servicing agreements be secured in order to ensure that new lots do connect to regional, municipal or co-op water utility system, when those systems become available, as a condition of subdivision approval.
- 5.10.2 Water quality testing of the groundwater from wells installed on the subdivisions prior to use as a drinking water source is recommended.
- 5.10.3 The water system will take into account fire protection standards and best practices for water distribution.

5.11 Utility Services – Sanitary Wastewater

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

Policy

- 5.11.1 Consideration will be given to private, individual, on-site wastewater servicing solutions for new lots. The County may require that deferred servicing agreements be secured in order to ensure that new lots do connect to regional or municipal utility systems, when those systems become available, as a condition of subdivision approval.
- 5.11.2 Sewage treatment shall be by individual septic tank and tile field for each lot proposed for residential development to meet Alberta Private Sewage Systems Standard of Practice and Rocky View County standards.
- 5.11.3 Consideration will be given to higher quality of wastewater treatment through individual tertiary treatment in order to reduce risks against contamination of raw water supplies and provide a higher level of environmental protection, as a condition of subdivision approval.
- 5.11.4 Additional Geotechnical Evaluations including percolation and near surface water table testing confirming suitability for on-site septic field sewage treatment systems shall be required, as a condition of subdivision approval.

5.12 Shallow Utilities

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

Policy

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

5.13 Solid Waste and Recycling

Limited solid waste and recycling services Greater Bragg Creek, as described early in this Conceptual Scheme under 4.1 Local Development Context.

Policy

5.13.1 A solid waste and recycling management plan in accordance with the current Solid Waste Master Plan should be provided for the *Plan Area* prior to endorsement of subdivision approval. Implementation of the solid waste and recycling management plan shall be the responsibility of the Developer and/or a homeowners' association, at the discretion of the Municipality.

5.14 WildFire Management

A number of *Fire Smart* recommendations have been put into the ASP. From west to east, the *Plan Area* includes a Deciduous (D-1) forest of low risk, a Boreal Spruce (C-2) forest of extreme risk and a field acting as a firebreak. The internal road proposed has two entrances for safe access serving fire and other emergency vehicles. The proposed road itself acts as a fire break. There would be access to a number of water sources: west of the property is a large pond in the adjacent quarter section, on the southern portion of the property a deep pond, another pond is proposed next to it to serve the southern lots, and another pond is proposed to serve the northern lots with cut pathways to the internal road. The clearing of trees is limited to the building site and access due to the restrictive caveat on title protecting the woodlot.

Fire Smart recommends a defensible space around structures, removal of ground fuel and clearing of lower branches within 30 m, separation of flammable woodpiles for 10 m from structures, and a non-combustible surface cover for 2 m from structures. Figure 21: Example of Woodlands Pruned 30 m from Structures, shows what this looks like for the woodlands in the vicinity of structures and trails.

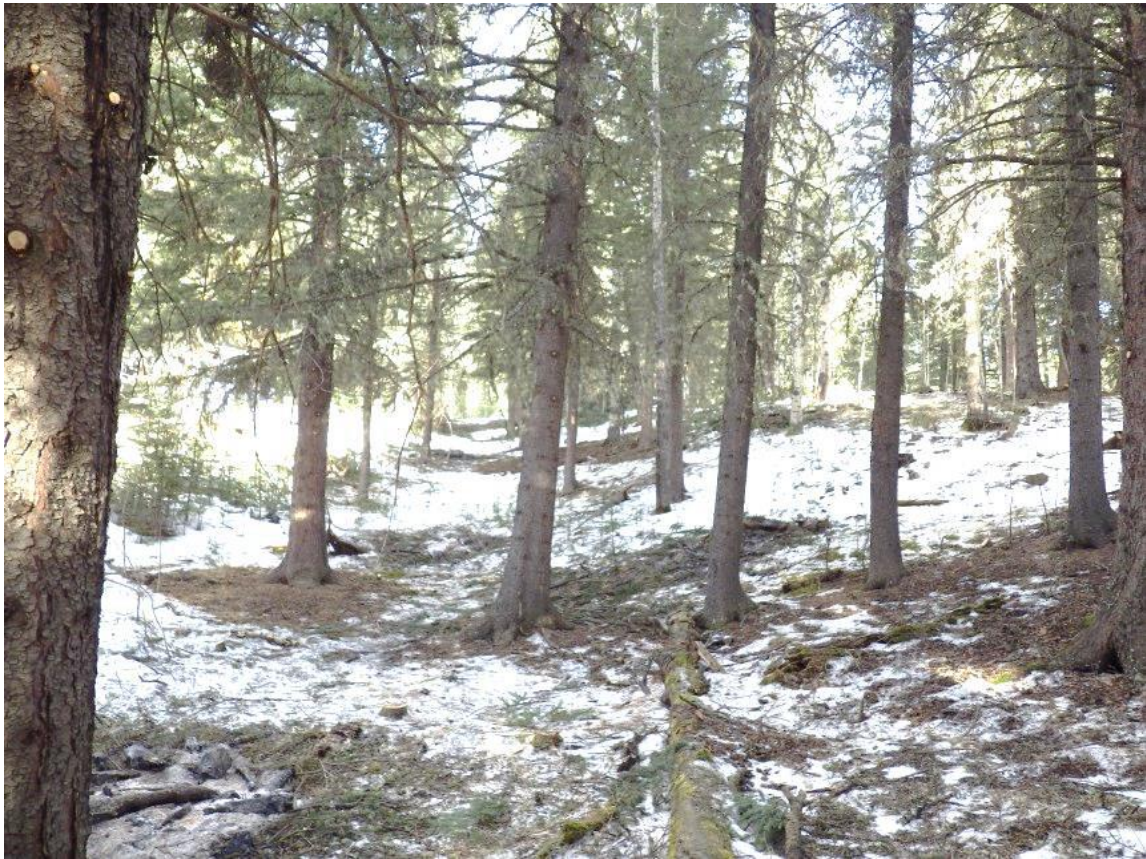
Policy

5.14.1 Consideration will be given to maintaining a *Fire Smart* defensible space around structures, as a condition of subdivision approval.

5.14.2 Consideration will be given to having fire suppression water sources through surface ponds, underground fire suppression water tanks or alternate means with access to reach structures on the internal road, as a condition of subdivision approval.

5.14.3 Consideration will be given to fire resistant materials for roofing materials, siding, and sheathing under decks, as a condition of subdivision approval.

Figure 21: Example of Woodlands Pruned 30 m from Structures



5.15 Protective and Emergency Services

As previously discussed, a number of fire stations are in the area: Elbow Valley Fire Station 101, Springbank Fire Station 102 and Redwood Meadows Emergency Services. Police services are provided by the R.C.M.P. enforcing the law through a detachment in Cochrane or RVC Peace Officers enforcing selected government acts and municipal bylaws. Medical emergencies are directed to the Cochrane Community Care Centre or facilities in the City of Calgary.

6.0 IMPLEMENTATION FRAMEWORK

6.1 The Conceptual Scheme Implementation Process

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

6.2 Land Use Redesignation

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

6.3 Architectural Design Considerations

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

Policy

- 6.3.1 In order to ensure aesthetically coordinated development, design guidelines and architectural controls, a document outlining Architecture and Design Guidelines for residential buildings will be submitted at the subdivision stage of the development approval process.
- 6.3.2 The establishment of Homeowner Associations, Community Associations, or similar organizations is encouraged in order to assume responsibility for common amenities and to enforce agreements such as registered architectural guidelines.

7.0 PUBLIC ENGAGEMENT

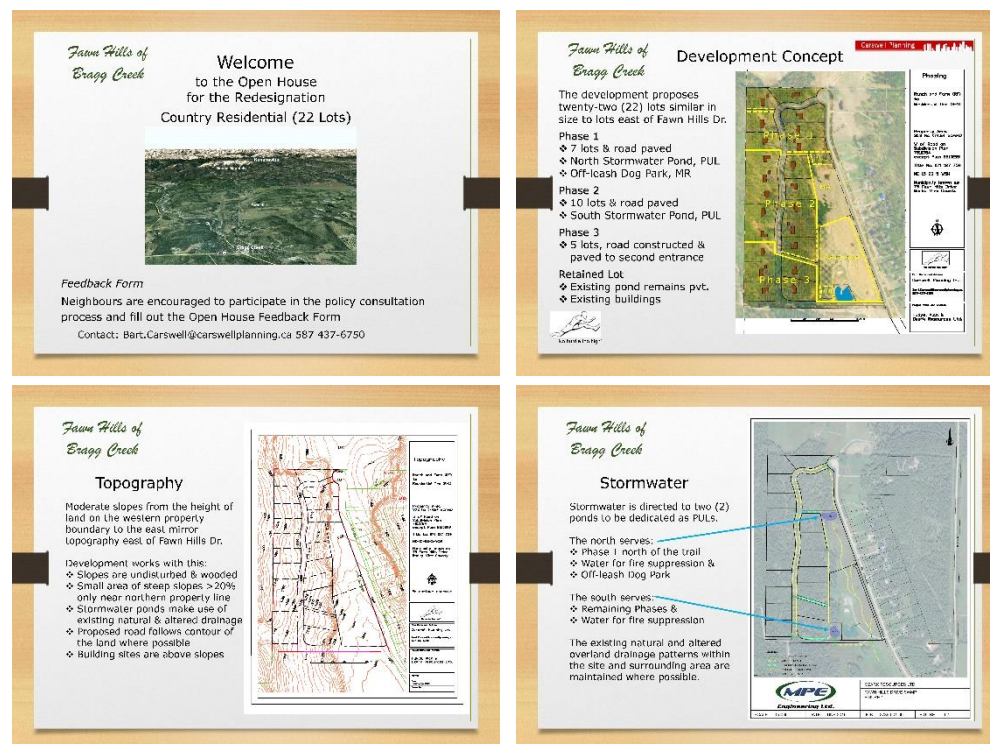
7.1 Open House

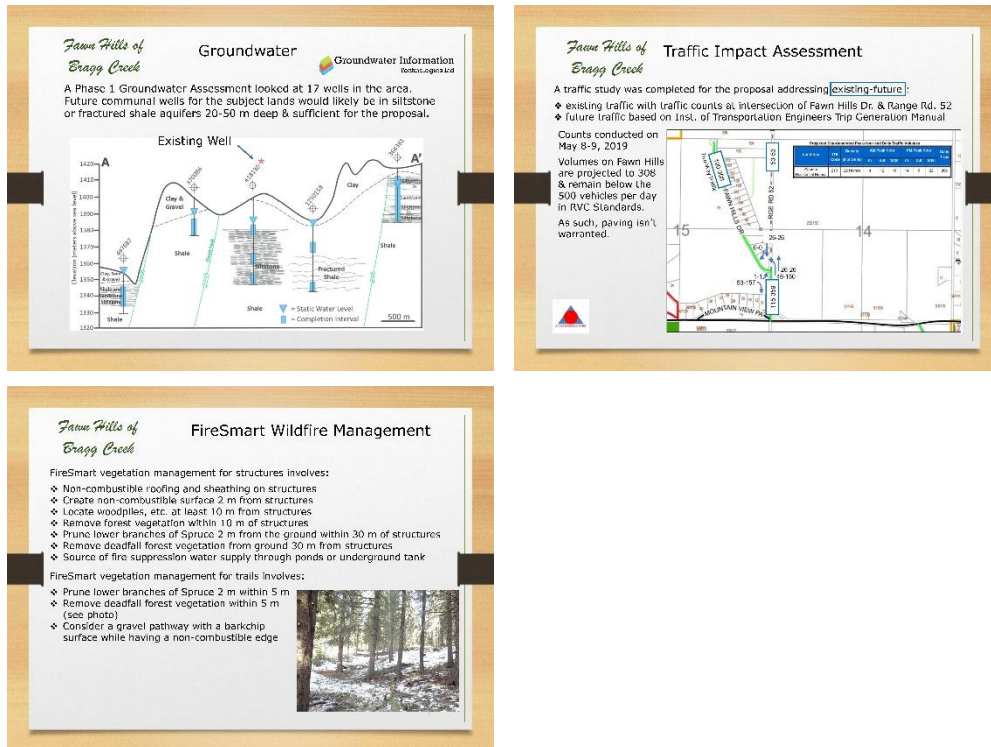
In order to ensure input from all directly and indirectly affected landowners within and adjacent to the CS are throughout the preparation of the CS, including a minimum of one (1) open house to gain feedback on the proposal. In addition, the CS seeks input from affected community stakeholders. Administration at RVC ensured proper circulation of notices.

An open house was held on the site to engage the neighbours regarding the proposed development. Notices supplied were mailed by RVC. The open house was at the site on June 27, 2019 from 6:00 – 8:00 pm and at least 35 neighbours attended. Numerous storyboards were on display and the planner, groundwater engineer, councillor, and owner were also present to engage in dialogue. Brief surveys were distributed to seek public input and provided with timely responses. Figure 22: Storyboards of Open House, is a representation of those storyboards which address key issues that were anticipated from the public.

Most comments supported the scheme as it fits within the definition of the Greater Bragg Creek Area. Some concerns were density, natural areas, noise, traffic, sewage and water, and emergency egress, and lack of support for an “off-lease dog park” on MR lands. Basically, the neighbours view towards the subject lands would remain the same and the meadowlands left natural.

Figure 22: Storyboards of Open House



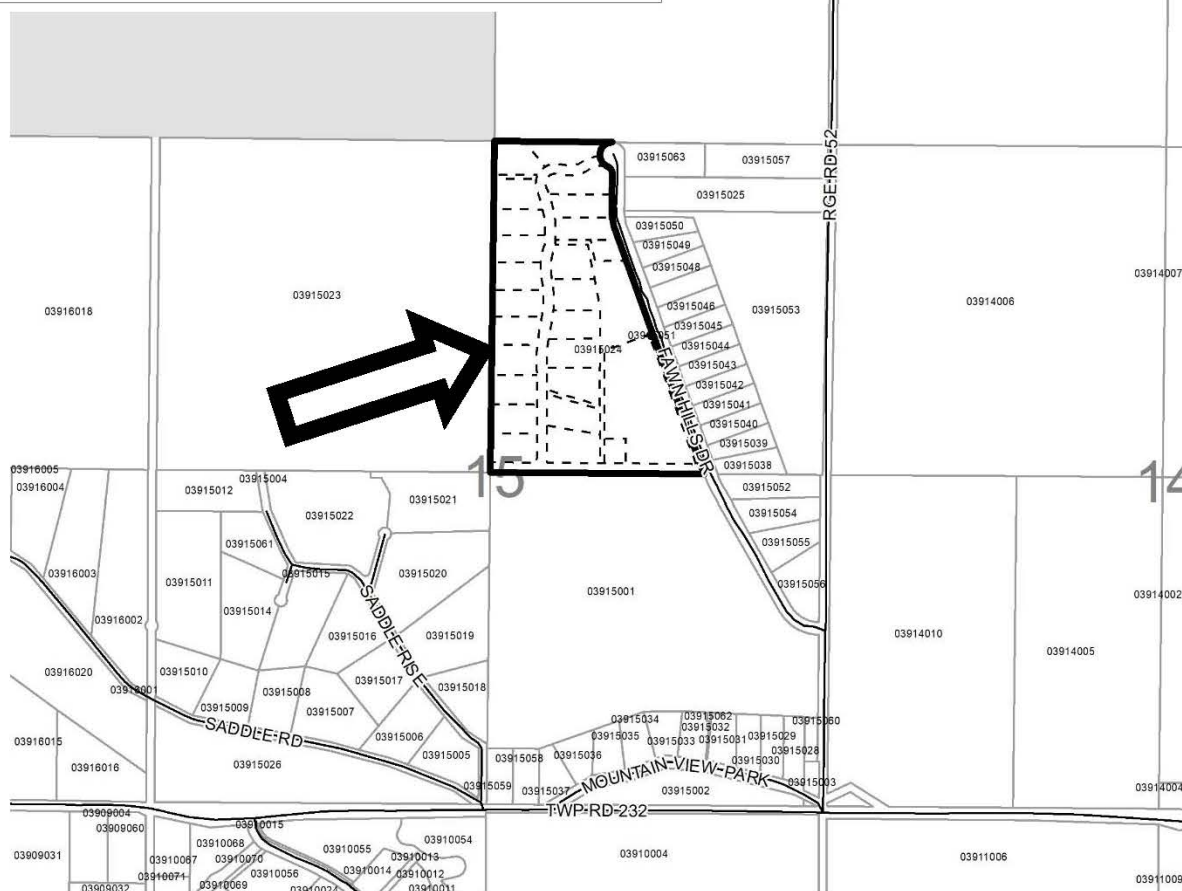
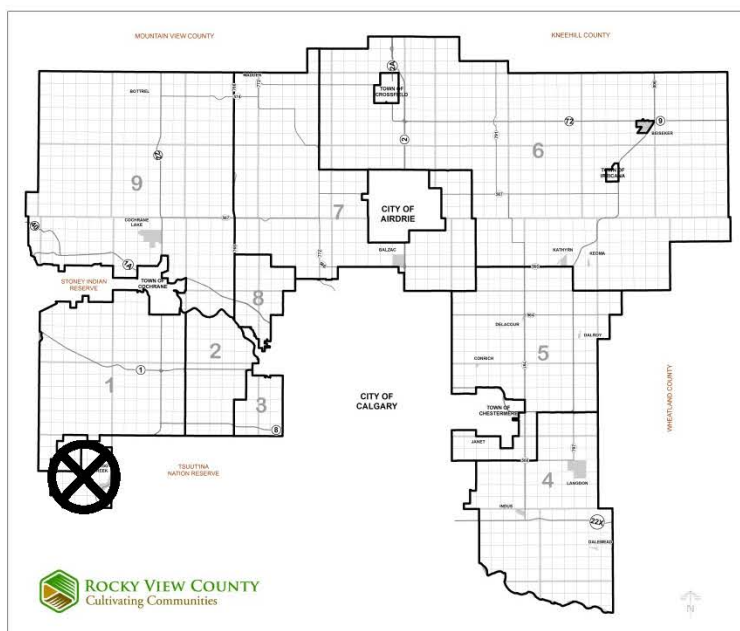


8.0 CONCLUSION

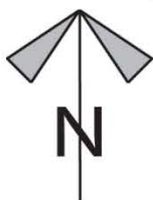
Of the lands considered for development, this property is likely what the Greater Bragg Creek ASP had in mind. About two-thirds of the land is wooded and development is towards the property line to the west to protect this space for the protection of wildlife movement corridors, absorption of stormwater, protection of slopes, and enjoyment by residents through trails. This coincides with the ASP vision that two-thirds of properties remain wooded, where possible. The site also lends itself well to generally having two acre lots reducing the footprint on the environment and promoting compact form that also balances protection of the environment. After all, this is the character of Bragg Creek.

With wooded areas comes concerns with forest fires. Fire Smart principles are strongly considered and having two stormwater ponds as water sources, connections to the subdivision through connecting trails/easements from these ponds, the internal road acting as a fire break, the meadowlands as a second fire break, and having architectural controls as part of the design.

Neighbours have been consulted throughout the process. Lands on the east side of Fawn Hills Drive are already developed into 2 acre lots on a communal water distribution, whose source is on the west side of Fawn Hills adjacent to the subject lands. Having the proposed lots located towards the western property line would offer a large wooded buffer and meadowlands to properties to the east. This Conceptual Scheme, and the supporting documentation that goes with it, address a wide range of planning matters in keeping with the Greater Bragg Creek Area Structure Plan and County Plan. As per the vision of the ASP Section 10, "The community has benefited from implementation of policies in the Greater Bragg Creek Area Structure Plan that has achieved a balance between the natural environment and the impacts of human settlement."



LOCATION PLAN

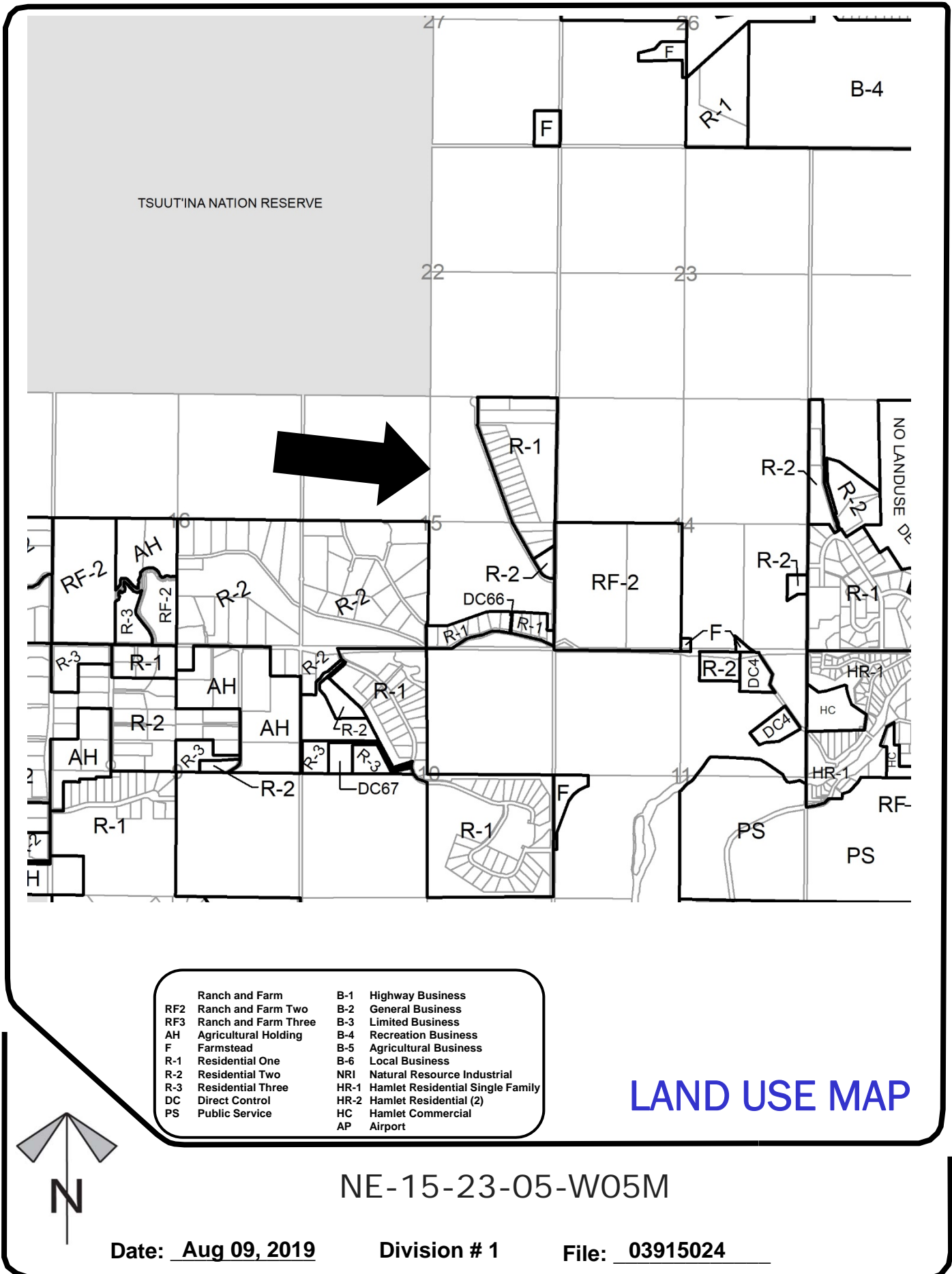


NE-15-23-05-W05M

Date: Aug 09, 2019

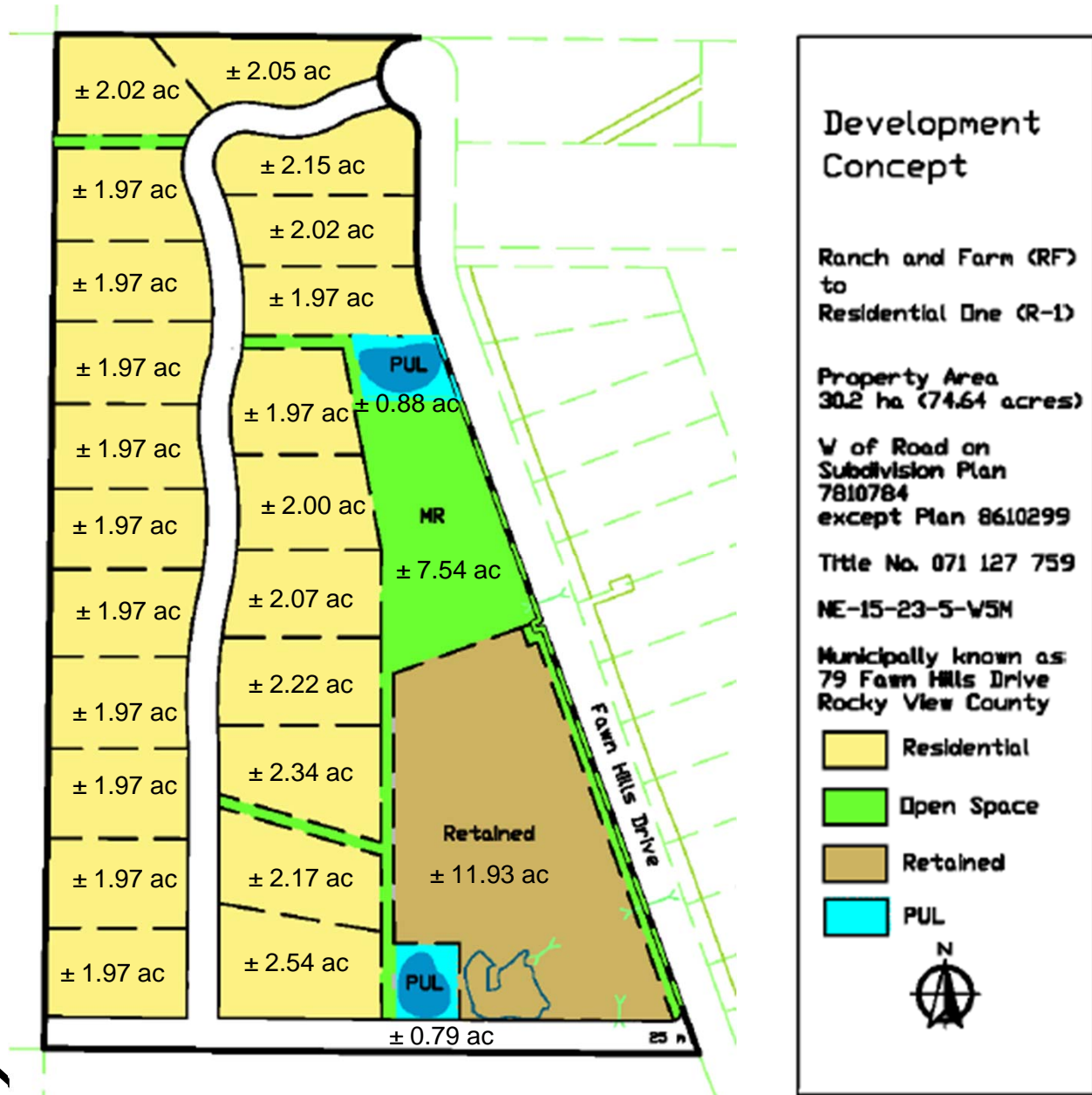
Division # 1

File: 03915024



PL20190102 Land Use: To redesignate the subject lands from Ranch and Farm District to Residential One District in order to facilitate a multi-lot residential subdivision.

PL20190103 Conceptual Scheme: To adopt a conceptual scheme to provide a policy framework to guide future redesignation, subdivision and development proposal within NE-15-23-05-W05M.



DEVELOPMENT PROPOSAL

NE-15-23-05-W05M

Date: Aug 09, 2019

Division # 1




File: 03915024

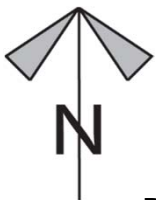
TSUUT'INA NATION RESERVE

Phase 1

Phase 2

Phase 3

-  Phase 1 (7 lots + MR) with temporary cul-de-sac
-  Phase 2 (11 lots) with road extension and emergency access
-  Phase 3 (5 lots) with Internal road



NE-15-23-05-W05M

Date: Aug 09, 2019

Division # 1

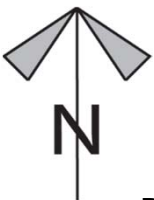
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Note: Post processing of raw aerial photography may cause varying degrees of visual distortion at the local level.

AIR PHOTO

Spring 2018



NE-15-23-05-W05M

Date: Aug 09, 2019

Division # 1

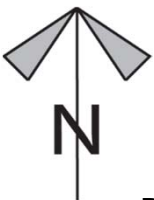
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Contours are generated using 10m grid points, and depict general topographic features of the area. Detail accuracy at a local scale cannot be guaranteed. They are included for reference use only.

TOPOGRAPHY

Contour Interval 2 M



NE-15-23-05-W05M

Date: Aug 09, 2019

Division # 1

File: 03915024



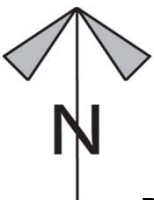
This map is conceptual in nature. No measurements or area calculations should be taken from this map.

- Parcel (03915024)
- Bragg Creek Tributary
- Riparian Buffer 30m
- Alberta Merged Wetland Inventory
- Riparian Setbacks
- Slope 15 % +

Subject land area: 76.64 ac
 Slope greater than 8%: 46.53 ac
 Wetland area: 0.35 ac
 Riparian area: 8.66 ac
Gross Developable Area: 49.35 ac
Maximum lots per ASP: 12 lots
Proposed lots: 22 lots

Development Constraints (15% Slope)

Contour Interval 2 M

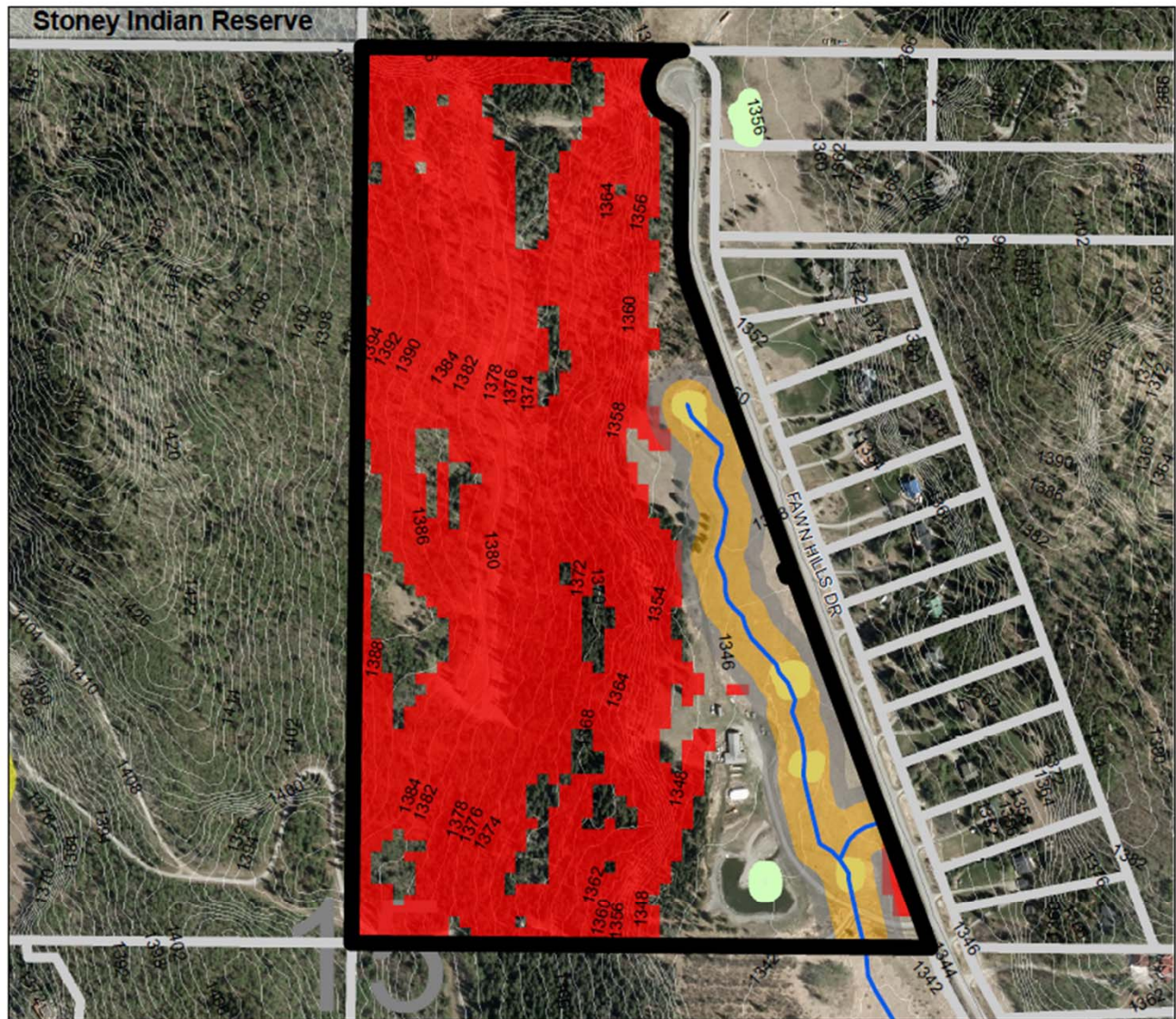


NE-15-23-05-W05M

Date: Aug 09, 2019

Division # 1

File: 03915024



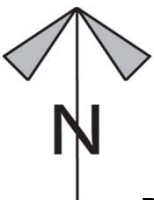
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- Parcel (03915024)
- Bragg Creek Tributary
- Riparian Buffer 30m
- Alberta Merged Wetland Inventory
- Riparian Setbacks
- Slope 8% +

Subject land area: 76.64 ac
 Slope greater than 8%: 46.53 ac
 Wetland area: 0.35 ac
 Riparian area: 8.66 ac
Gross Developable Area: 21.1 ac
Maximum lots per ASP: 5 lots
Proposed lots: 22 lots

Development Constraints (8% Slope)

Contour Interval 2 M

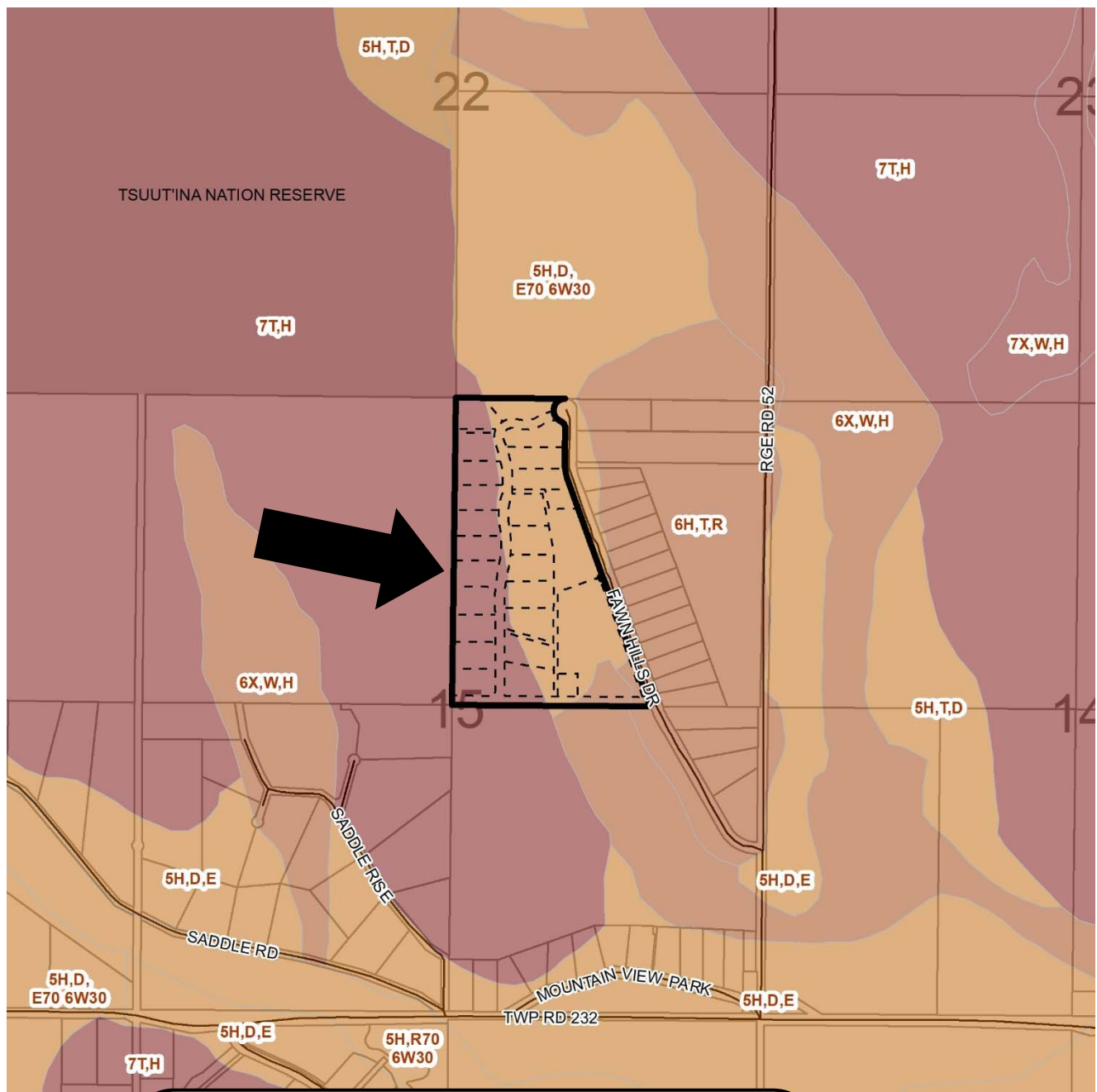


NE-15-23-05-W05M

Date: Aug 09, 2019

Division # 1

File: 03915024



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

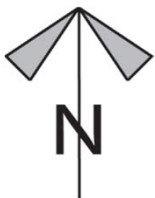
CLI Class

- 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

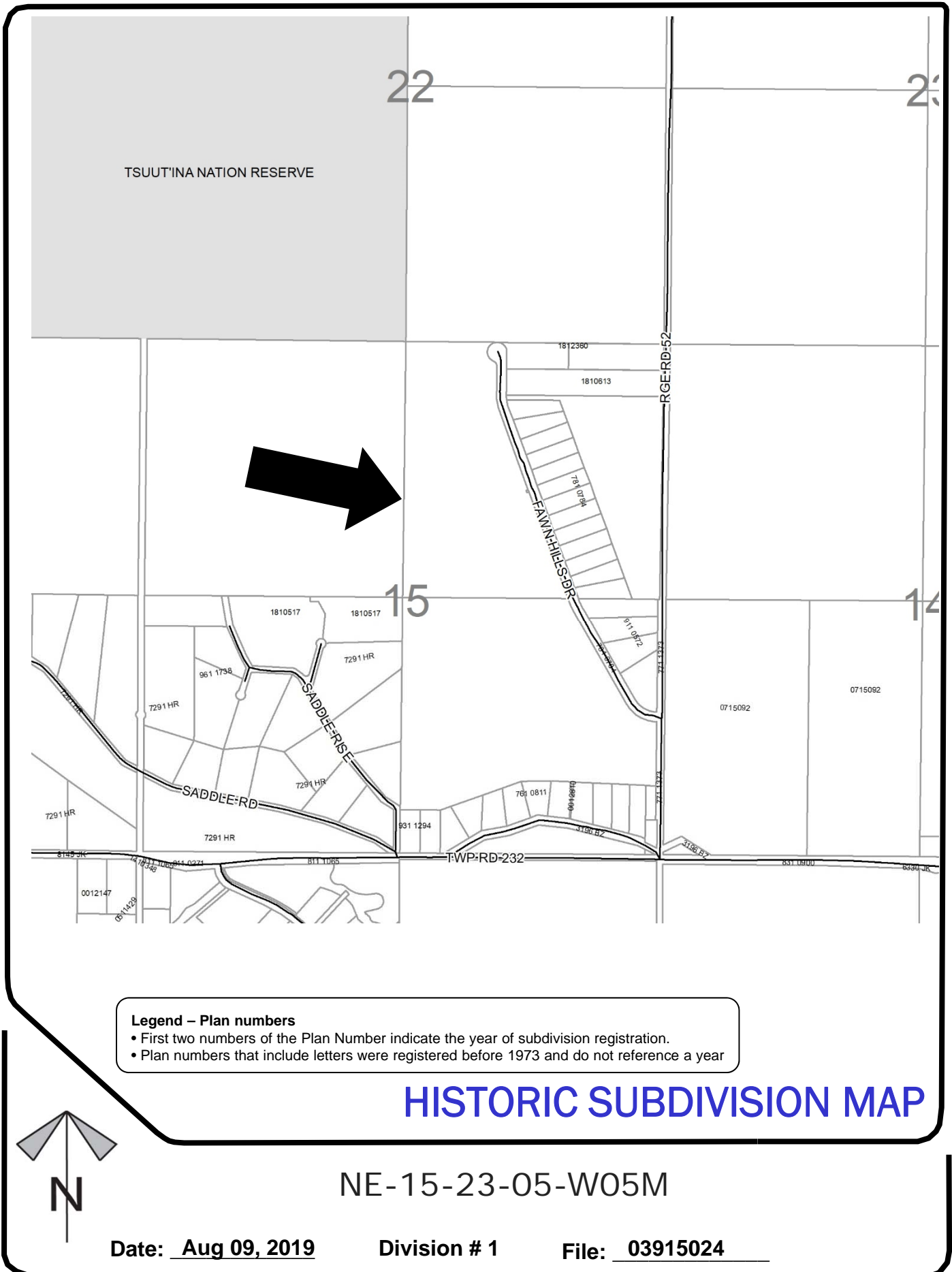


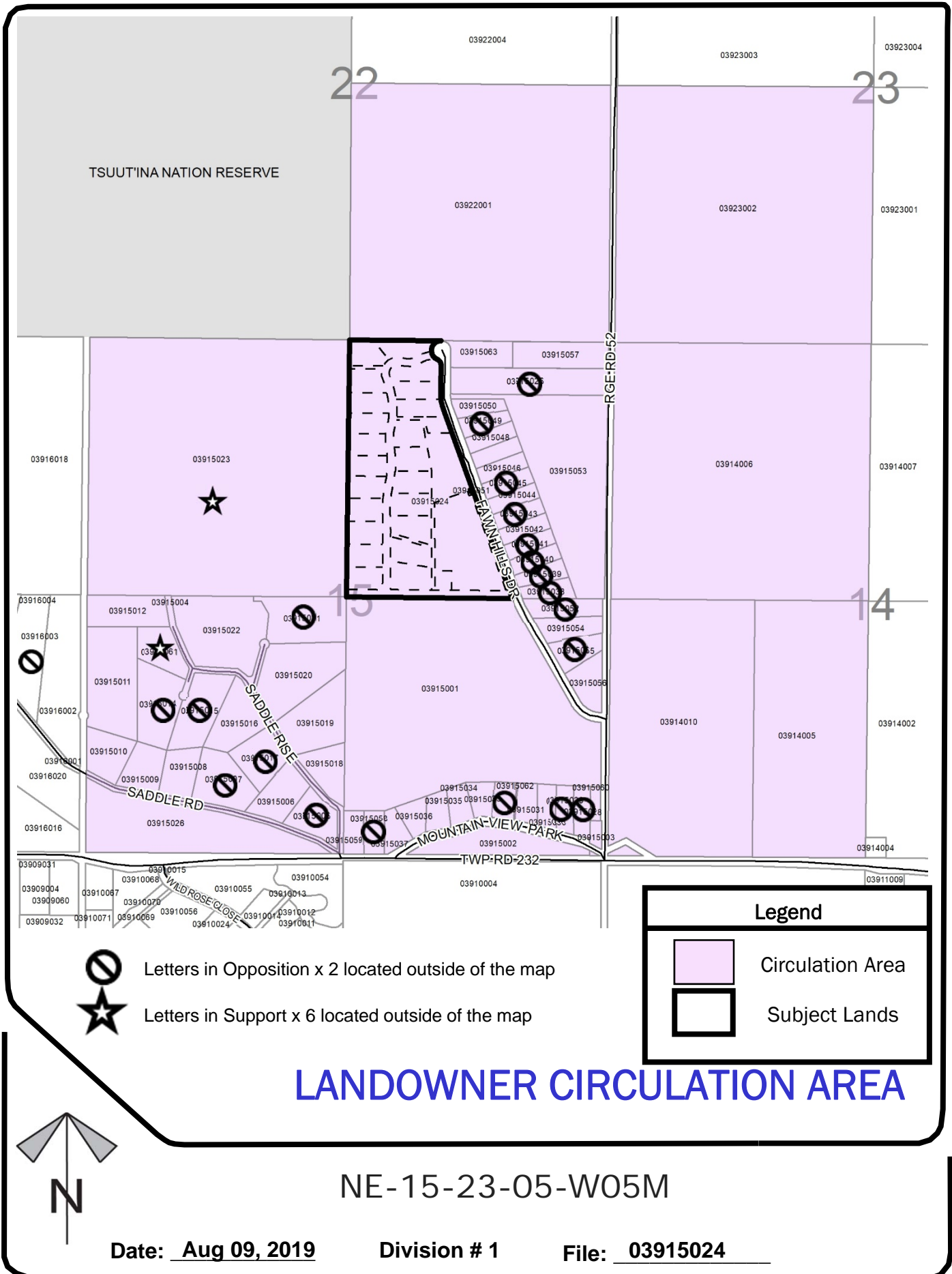
NE-15-23-05-W05M

Date: Aug 09, 2019

Division # 1

File: 03915024





Johnson Kwan, RPP, MCIP

Planning Services Department, Rocky View County
262075 Rocky View Point
Rocky View County, AB T
4A 0X2

Email: jkwan@rockyview.ca

October 6, 2019

Re: Application for Development on Fawn Hills Drive (NE-15-23-05-W5M)

Dear Mr. Kwan,

The Fawn Hills (North) Water Association is comprised of 13 member households on the east side of Fawn Hills Drive. There is a small pumphouse with an underground cistern located on the east side of Fawn Hills Drive. The well is located across the road on the west side (where the proposed development will occur). The Water Association is managed and maintained by volunteers.

Our Board takes the health and wellbeing of our member households very seriously. They are our friends and neighbours. Many of our member households are families with children who can be more vulnerable to waterborne illness. We are concerned about the adjacent development, its plans for water delivery and fire suppression and, particularly, its high density.

Consultation

Although the Water Association was not consulted directly by the County, our experience may be helpful in assessing the proposed development. We are concerned that the development could impact our members and ask the County to take steps to ensure that the proposed development does not impinge on water accessibility or quality.

Further, we suggest that the County actively seek feedback from the water co-operative on Mountain View Park as they, too, may have useful information.

Other Wells in Vicinity

While the Conceptual Scheme identifies the Water Association well (Figure 8), it does not mention the several individual private wells which also access water in the area. The owners of these private wells should be consulted. We understand that some of these wells are already "low-flow".

Water Quality

In the Conceptual Scheme, the developer describes the water quality as having a “low concentration of dissolved solids” (pages 19 and 41). The developer indicated that the TDS is 248mg/L (page 41). This does not align with our experience.

Water testing at the tap at the southernmost address of the water co-op yielded a TDS of 577 mg/L (Acceptable guideline level is no more than 500mg/L).

The water contains significant amounts of both iron and amines, which present challenges in terms of disinfection by chlorination. It should be noted that individual homeowners have also installed water treatment equipment in their own homes including cisterns, water softeners, RO filters, and UV systems.

Since the new development is starting from scratch, the County could encourage the developer to install a UV water purification system to assist with sanitization of water for the new residents in addition to their plans to remove iron through chlorination.

Waste Water

The Water Association is concerned that a greater concentration of septic systems in the area (particularly with the high-density development proposed) will have a reasonably foreseeable impact on water quality and human health.

If there is even a slight risk of contamination, we would ask that the developer pay to upgrade the water treatment facilities to the highest standard of all neighbouring wells (both private and communal), including pumphouse UV systems. There would also have to be provision for the ongoing maintenance that these more complex systems require.

Fire Suppression

On page 10 of the Conceptual Scheme, the developer states that the Water Association has an “underground fire suppression water tank.” While the Water Association has an underground water cistern, its primary purpose is for capturing and treating water for delivery to members. The water could be accessed in case of fire, but we advise that its contents would not be sufficient to respond to a fire and should not be relied upon by the developer or the County for that purpose (particularly given the high-density development and the large number of new homes proposed).

The developer should be required to install appropriate fire suppression systems in the new neighbourhood that are satisfactory to Rocky View Fire Services that do not depend on Water Association systems.

Testing

The Water Association Board is of the view that the sustainability of a new well servicing 22 new households should be verified with year-round flow rate testing of

all wells in the vicinity. Testing must account for seasonal variations in flow and usage. A sizeable safety margin should be considered to account for potential dry conditions in future.

On behalf of the Water Association Board, I thank you for your time. I also invite you to contact the Board should you have any questions.

Sincerely,

Doug Brennan
President
Fawn Hills (North) Water Association

1908 BOWNESS ROAD NW
CALGARY, AB T2N 3K6

February 24, 2020

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

legislativeservices@rockyview.ca

Re: Proposed Redesignation and Development; Fawn Hills Drive, Bragg Creek
File Number: 03915024
Bylaw C-7955-2019
Application Number: PL20190102
NE-15-23-05-W5M

Letter of Opposition

Thank you for the opportunity to provide feedback concerning the proposed Fawn Hills development in close proximity to my property at SW-15-23-5-W5; Lot 1; Plan 7291 HR.

The redesignation from Ranch and Farm District to Residential One District would be a dramatic departure from existing land use in the area and would substantially increase population density with many associated issues. Existing land use in the area primarily consists of agricultural use parcels and larger rural acreages. This development application does not comply with the overall density requirement of one lot per four acres as set out in the Area Structure Plan for West Bragg Creek. In fact, if the lots were not part of a Conceptual Scheme many of the lots in this development proposal would be considered too small to meet the minimum lot size proposed in the revisions to the Land Use Bylaw in which R-1 designations would be revised to R-CRD.

The density of this development proposal concerns me for a number of reasons:

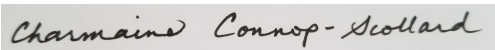
- **Water.** Increased density means increased strain on access to available water (both that of the water association and of private wells).
- **Waste.** The plan calls for 22 new septic systems within a 74.64 acre parcel which will place greater strain on the wetland ecosystem in addition to creating concerns regarding underground contamination levels.
- **Fire.** This area is at high risk of wildfire. Greater density of homes in such a forested area both increases the risk of fire and the number of people and structures that will be endangered in a wildfire.
- **Emergency Egress.** There is only one route out of West Bragg Creek, a situation that is complicated by limited bridge access across the Elbow River. Greater density developments mean that more people will rely on that single route in case of emergency.
- **Wildlife.** The density of this development would have notable negative impact on wildlife habitat and other ecosystems. Increased density of housing and people (and the associated food, garbage, and traffic) risks greater numbers of negative human-wildlife interactions.
- **Traffic and Noise.** Increased density means increased traffic and noise on an otherwise quiet, dead-end street.
- **Services.** Increased density means greater demand on County services, infrastructure, and school services.
- **Slope.** Road access, particularly for large vehicles such as fire trucks and school buses, and particularly given our winter climate, could be very difficult. In addition, large scale ground disruption on a sloped area such as would be required by this development can create longterm problems with slope stability. I am aware of other

developments which have had very unfortunate experiences in this regard in spite of having met engineering requirements.

In my opinion, the nature of this development is not at all in keeping with the characteristics and priorities of the area.

Thank you for noting my concerns.

Regards,

A handwritten signature in black ink, reading "Charmaine Connop-Scollard", is displayed on a light gray rectangular background.

Charmaine Connop-Scollard

62 Saddle Road,
[REDACTED]
[REDACTED]

October 2, 2019

Rocky View County
Attention: Planning Services Department – Johnson Kwan
262075 Rocky View Point
Rocky View County, AB
T4A 0X2

Re: File Number 03915024
Application Number: PL20190102 – Re-designation
PL20190103 – Conceptual Scheme

Dear Johnson:

We are land and homeowners in the quarter section abutting the lands up for re-designation in the quoted application. The landowner submitting the application is applying to change the designation from Ranch and Farm District to Residential One District, which would be a severe revision as it would take an eighth of a section and make it into 22 quite small parcels.

The area would then have the highest density in the Greater Bragg Creek area with the exception of the hamlet itself if this application were approved. This is not congruent with the farmland and forests that make up most of the area, which is the setting in which the current residents chose to live. As well, the addition of these residences will put more strain on the roads from Balsam Avenue all the way out TWP Road 232.

The area is a wildlife corridor where grizzly and black bears, cougars, bobcats, coyotes and, occasionally, wolves travel. It is a sensitive piece of land. A dense subdivision with the added insult of a city-style dog park does not belong in West Bragg Creek. This development should not be approved.

Thank you for your time and attention to this and we look forward to your response.

Sincerely,

Russ and Mary-Lynn Wardle

Johnson Kwan

From: Ron Wilkinson [REDACTED]
Sent: Friday, September 27, 2019 3:58 PM
To: Johnson Kwan
Cc: Margaret Wilkinson (Canada)
Subject: PL20190103

Our comments regarding the noted Conceptual Scheme are as follows:

The R-1 designation and associated lot sizes will significantly and excessively increase the density in the area.

Traffic on Fawn Hills Drive will increase significantly and excessively, especially since the proposed design has a dead end cul-de-sac.

Foot traffic through Saddle & Sirloin (private lands) will increase significantly.

There are no details regarding access to water and sewage treatment for the new residences.

The area designated as “MR” is not defined as to usage other than “open space”.

Ron & Margaret Wilkinson
15 Saddle Bay
Bragg Creek

February 12, 2020

Rocky View County
Att'n: Planning Services Department – Johnson Kwan
262075 Rocky View Point
Rocky View County, AB
T4A 0X2

Dear Johnson,

Re: Bylaw C-7956-2019 – A Bylaw of Rocky View County to Amend Land Use Bylaw C-4841-97

File No. 03915024

Application Numbers: PL20190102 – Redesignation, PL20190103 – Conceptual Scheme

We are landowners/homeowners in the quarter-section kitty-corner to the lands up for redesignation in the quoted application. The land-owner submitting the application is applying to revise the designation from Ranch and Farm District to Residential One District.

We object to the proposed high density redesignation for this land, and its associated conceptual scheme.

I feel the jump from RF to R-1 is an extreme one, going from a full 1/8th of a section to 22 small lots. This will irreparably change the amount of traffic seen on Centre Ave/TWP Rd 232, adding vehicles from 22 additional homes, and **making all traffic more dangerous on West Bragg Creek Road, especially at the intersection of West Bragg Creek Road (TWP Rd 232) and Range Road 52.** This will be felt by all residents from the hamlet of Bragg Creek to Forestry Way and beyond. Since the East half of the proposed quarter section of land is already R-1, it has substantial traffic related to it at this time. This will potentially more than double traffic from this quartersection.

The land being potentially redesignated is currently surrounded by farm and ranch-designated land, with the exception of our quarter section that is R-2 (SW 15-23-05W5M), and the Fawn Hills area which is R-1, located in the East half of the subject quarter section. Our area includes substantial common lands, reducing our density further. **If the redesignation is granted, the NE-15-23-5W5M will have 34 homes, the highest density per quarter section in a 1.5 mile radius until you get to the hamlet of Bragg Creek, and indeed the highest density from that location to three miles west, past Forestry Way, including Elk Valley to the south.** We in West Bragg Creek chose to move here to have low density acreages and live with common lands, farms, and natural forest around us. This will substantially change that. Indeed, in the open house for this development, the proposal included an off-leash dog park, a very urban concept. This is not in the heart of Bragg Creek, it is 5 km away. High density does not belong here.

I have no doubt eventually higher density will work its way toward the farm lands seen along Centre Ave/TWP Rd 232. At this time however, I believe redesignation down to R-1 is an extreme change that will adversely affect the quiet enjoyment of the surrounding residential and ranch/farm lands, and will affect all residents from the edge of the hamlet of Bragg Creek to Forestry Way. R-2 would be substantially more suitable as a method of increasing density and allowing the landowner to develop, while matching it to the existing areas within a 2 mile radius.

Please do not hesitate to contact me should you have further questions regarding my letter. I look forward to seeing your decision on this matter.

Yours truly,

Karen and Bill Spencer

11 Saddle Bay
Saddle and Sirloin

[REDACTED]

[REDACTED]

[REDACTED]

September 30, 2019

Rocky View County
Att'n: Planning Services Department – Johnson Kwan
262075 Rocky View Point
Rocky View County, AB
T4A 0X2

Dear Johnson,

Re: File Number 03915024
Application Number: PL20190102 - Redesignation
PL20190103 – Conceptual Scheme

We are landowners/homeowners in the quarter-section kitty-corner to the lands up for redesignation in the quoted application. The land-owner submitting the application is applying to revise the designation from Ranch and Farm District to Residential One District.

I feel the jump from RF to R-1 is an extreme one, going from a full 1/8th of a section to 22 small lots. This will irreparably change the amount of traffic seen on Centre Ave/TWP Rd 232, adding vehicles from 22 additional homes. This will be felt by all residents from the hamlet of Bragg Creek to Forestry Way and beyond. The land being potentially redesignated is currently surrounded by farm and ranch-designated land, with the exception of our quarter section that is R-2 (SW 15-23-05W5M), and the Fawn Hills area which is R-1, located in the East half of the subject quarter section. Our area includes substantial common lands, reducing our density further. Since the East half of the proposed quarter section of land is already R-1, it has substantial traffic related to it at this time.

If the redesignation is granted, the NE-15-23-5W5M will have 34 homes, the highest density per quarter section in a 1.5 mile radius until you get to the hamlet of Bragg Creek, and indeed the highest density from that location to three miles west, past Forestry Way, including Elk Valley to the south. We in West Bragg Creek chose to move here to have low density acreages and live with common lands, farms, and natural forest around us. This will substantially change that. Indeed, in the open house for this development, the proposal included an off-leash dog park, a very urban concept. This is not in the heart of Bragg Creek, it is 5 km away. High density does not belong here.

I have no doubt eventually higher density will work its way toward the farm lands seen along Centre Ave/TWP Rd 232. At this time however, I believe redesignation down to R-1 is an extreme change that will adversely affect the quiet enjoyment of the surrounding residential and ranch/farm lands, and will affect all residents from the edge of the hamlet of Bragg Creek to Forestry Way. R-2 would be substantially more suitable as a method of increasing density and allowing the landowner to develop, while matching it to the existing areas within a 2 mile radius.

Please do not hesitate to contact me should you have further questions regarding my letter. I look forward to seeing your decision on this matter.

Yours truly,

Karen and Bill Spencer
11 Saddle Bay
Saddle and Sirloin

[REDACTED]

[REDACTED]

[REDACTED]

October 5th, 2019
 Rocky View County
 Att'n:
 Planning Services Department – Johnson Kwan
 262075 Rocky View Point
 Rocky View County, AB
 T4A 0X2

Dear Johnson,
Re: File Number 03915024
Application Number:
PL20190102 - Redesignation
PL20190103 – _Conceptual Scheme

I am a landowners/homeowners and resident for over 30 years in the quarter section kitty-corner to the lands up for re designation in the quoted application. The landowner submitting the application is applying to revise the designation from Ranch and Farm District to Residential One District.

I feel the jump from RF to R-1 is an extreme one, going from a full 1/8th of a section to 22 small lots. This does not conform to the greater Bragg Creek Area Plan Vision for the West Bragg Creek Policy Area.

VISION: It is the year 2030. The Greater Bragg Creek area contains a rich abundance of vegetation and wildlife, and the land use pattern continues to be **shaped by the dominance of the natural environment**. The environmental integrity of the area has been preserved, as has a community value that nature is to be respected and revered, rather than representing an obstacle to future development. While development has continued to occur in the Greater Bragg Creek area, it has happened in harmony with the natural **environment, to a scale and character that blends with, rather than dominates the landscape, and in a manner that respects the carrying capacity of the land**.

The land being potentially re designated is currently surrounded by farm and ranch designated land, with the exception of our quarter section that is R-2 (SW 15-23-05W5M), and the Fawn Hills area which is R-1, located in the East half of the subject quarter section.

Our area includes substantial common lands, reducing our density further. Since the East half of the proposed quarter section of land is already R-1, it has already been developed and has substantial traffic related to it at this time. If the re designation is granted, the NE-15-23-5W5M will have 34 homes, the highest density per quarter section in a 1.5 mile radius until you get to the hamlet of Bragg Creek, and indeed the highest density from that location to three miles west, past Forestry Way, including Elk Valley to the south. We are already adjusting to an increase in traffic caused by the new

recreational parking lot at the end of West Bragg Creek road and notice the difference in noise and unsafe conditions it brings to our community's usually quiet lifestyle.

We in West Bragg Creek chose to move here to have low-density acreages and live with common lands, farms, and natural forest around us. This will substantially change that. Indeed, in the open house for this development, the proposal included an off-leash dog park, a very urban concept. This is not in the heart of Bragg Creek; Bragg Creek is 5 km away. High density does not belong to this environment and would be a harmful precedent to set.

No doubt eventually higher density will work its way toward the farmlands seen along Centre Ave/TWP Rd 232. At this time however, I believe re designation down to R-1 is an extreme change for this quarter which already has an R1 development. It will adversely affect the quiet enjoyment of the surrounding residential and ranch/farm lands, changing it's character significantly and will affect all residents from the edge of the hamlet of Bragg Creek to Forestry Way.

Should issues of water availability, sewage treatment, safety as well as access and egress roads be addresses, R-2 would be substantially more suitable as a method of increasing density and allowing the landowner to develop, while matching it to the existing areas within a 2-mile radius.

Preservation of the beauty and integrity of the natural environment is an objective commonly held by the majority of residents and recreational visitors to the Greater Bragg Creek area. The Fawn Hills proposal does not align with this, a basic premise underlying the majority of policies within the Greater Bragg Creek Area Plan.

Please do not hesitate to contact me should you have further questions regarding my letter. I look forward to seeing your decision on this matter.

Yours truly,

Frederika Demangeat,
59 Saddle Rise, Saddle and Sirloin

[REDACTED]

Stephen Hunt
11 Saddle Bay
Saddle and Sirloin

October 8, 2019

To:

Johnson Kwan
Planning Services Department
Rocky View County
262075 Rocky View Point
Rocky View County, AB T4A 0X2

jkwan@rockyview.ca

Re: Redesignation and Development on Fawn Hills Drive
PL20190102 and PL20190103

Mr. Kwan,

Thank you for seeking feedback from our community concerning the proposed development in our neighbourhood.

Rockyview County has a reputation of strictly enforcing bylaws and zoning regulations. An individual without significant legal backing, and close political ties, doesn't stand a chance at rezoning RF to R1. I suspect that the vast majority of home owners adjacent to the land in question are opposed to the rezoning. It does beg the question - why is it being approved if nobody who lives in the area wants it? There is an adjacent parcel just east of the existing fawn hills development that is approved for high density subdivision. Presumably the parcel of land on the south boundary of the proposed development will also be rezoned as soon as roads are in. How suburban is the county trying to make Bragg Creek without investing in infrastructure such as a second emergency egress or wastewater management?

The proposed development benefits significantly from the historic value of Bragg Creek yet offers nothing in return. An off-leash dog park and suburban pathways are not a reciprocal exchange for levelling habitat. Cutting a pasting a Calgary neighbourhood into Bragg Creek is an erosion of the community identity. The trees will come down, lawnmowers for weed free lawns, snowblowers for double wide driveways, and one more forgettable neighbourhood brings Bragg Creek closer to being another Calgary bedroom community.

I support the concerns raised by neighbours:

- ☐ **Water.** Increased density means increased strain on existing water wells (both that of the water association and of private wells).
- ☐ **Waste.** The plan calls for 22 new septic systems which will place greater strain on the wetland ecosystem.

- ☐ **Environment.** I want to preserve the wetland, animal habitat, and forest as much as possible. There are blackbears, cougar, marten, and moose that all make regular rounds through the land in question.
- ☐ **Fire.** Our area is at high risk of wildfire. Greater density of homes in our forested area both increases the risk of fire and the number of people and structures that will be endangered in a wildfire.
- ☐ **Emergency Egress.** There is only one route out of West Bragg Creek. Greater density developments mean that more people will rely on that single route in case of emergency.
- ☐ **Traffic and Noise.** Increased density means increased traffic and noise on an otherwise quiet, dead-end street.
- ☐ **Services.** Increased density means greater demand on County services, infrastructure, and school services.
- ☐ **Slope.** I am concerned about slope stability and road access in the new development on the slope and whether school buses and fire trucks will be able to access the new neighbourhood.
- ☐ **Wildlife Encounters.** Increased density of housing and people (and the associated food, garbage, and traffic) risks greater numbers of negative human-wildlife interactions.

Thank you for your time.

Regards,

Stephen Hunt

October 4, 2019

Johnson Kwan
Planning Services Department
Rocky View County
262075 Rocky View Point
Rocky View Country, AB
T4A 0X2

Re: Proposed Redesignation and Development on Fawn Hills Dr., Bragg Creek
PL20190102 and PL20190103 NE-15-23-05W05M

Dear Mr Kwan,

We have lived on Fawn Hills Drive for close to 30 years and feel that we should provide some feedback to the proposed development on our road. We own 10 acres at the end of the road and have raised 3 children here. Our 7 grandchildren just love coming out and playing in the wilderness. We all enjoy the beauty of the area, quiet and peaceful which is why we chose to buy the land and build our home here many years ago. We live with much wildlife around us, moose sometimes sleep behind our garage, deer are everywhere, coyotes, bears, cougars and for the past few years owls have nested on our property, as well as ravens, just beautiful to see the babies grow and learn to fly. Something you would never see in a high density development and we worry that wildlife will be affected with so much new traffic and people moving in.

While we are not opposed to development on Fawn Hills Drive we feel that so many homes would change our lifestyle greatly. Our area is unique and quiet, and so much development would change that, much more noise and traffic. Not to mention that there is only one way out of West Bragg Creek and in an emergency that would add many more people relying on that one route. We have watched many fires on the news and how fast they can travel especially in windy conditions.

We have an excellent well and are worried that increased density will put a strain on it, and are very concerned about the Fawn Hills Water Coop Association, as well as the strain that 22 new septic systems will put on the wetland ecosystem. As well we don't feel Fawn Hills Drive could withstand the traffic of approximately 40 new vehicles and construction vehicles (ie cement trucks) as it is just chip coat and is showing its age at the moment.

Thank you for seeking feedback from us, again we are not opposed development on our road, this is just too huge a development, a few homes would be fine, this proposed plan would change our lives.

Sincerely,

Donna and Brian Rogers
192 Fawn Hills Dr. [REDACTED]
[REDACTED]

Cc Bart Carswell, Carswell Planning Inc.

Tanya Gaskell
[REDACTED]
8 Mountain View Park
Bragg Creek, Alberta T0L 0K0

October 7, 2019

To:

Johnson Kwan
Planning Services Department
Rocky View County
262075 Rocky View Point
Rocky View County, AB T4A 0X2

Cc: Bart Carswell, MA, RPP, MCIP
Carswell Planning Inc.
P.O. Box 223
104 – 1240 Kensington Rd. NW
Calgary, AB T2N 3P7

jkwan@rockyview.ca

Bart.Carswell@carswellplanning.ca

**Re: Proposed Redesignation and Development on Fawn Hills Drive, Bragg Creek
PL20190102 and PL20190103
NE-15-23-05W05M**

Mr. Kwan,

Thank you for seeking feedback from our community concerning the proposed development in our neighbourhood.

The development application does not comply with the overall density requirement of 1 lot per 4 acres set out in the Area Structure Plan for West Bragg Creek (the ASP). In my view it should. I favour the low-density approach described in the ASP and the preference for open space planning.

I do not see a valid reason for departing from the guidelines in the ASP. In fact, the increased density creates several problems. I have checked the items below which are of specific concern to me:

- ☒ **Water.** Increased density means increased strain on existing water wells (both that of the water association and of private wells).
- ☒ **Waste.** The plan calls for 22 new septic systems which will place greater strain on the wetland ecosystem.
- ☒ **Environment.** I want to preserve the wetland, animal habitat, and forest as much as possible.
- ☒ **Fire.** Our area is at high risk of wildfire. Greater density of homes in our forested area both increases the risk of fire and the number of people and structures that will be endangered in a wildfire.
- ☒ **Emergency Egress.** There is only one route out of West Bragg Creek. Greater density developments mean that more people will rely on that single route in case of emergency.

- ☒ **Traffic and Noise.** Increased density means increased traffic and noise on an otherwise quiet, dead-end street.
- ☒ **Services.** Increased density means greater demand on County services, infrastructure, and school services.
- ☐ **Slope.** I am concerned about slope stability and road access in the new development on the slope and whether school buses and fire trucks will be able to access the new neighbourhood.
- ☒ **Wildlife Encounters.** Increased density of housing and people (and the associated food, garbage, and traffic) risks greater numbers of negative human-wildlife interactions.

**Type any additional comments here.

***Attach any history, photos, or videos that help explain our neighbourhood.

Thank you for your time. I look forward to receiving notice of any upcoming hearings.

Regards,



October 7, 2019
Reference: 03915024

Attention: Johnson Kwan
Email: jkwan@rockyview.ca
Tel: (403) 520-3973

Reference: Rezoning application PL20190102

Dear Mr. Kwan,

I am writing in response to a letter you sent to me dated Tuesday September 17, 2019 in regard to a conceptual planning application submitted by Carswell Planning on behalf of Mr Allan Dale Hudye relating to the 'Fawn Hills' subdivision development. I would like to thank you for providing me with the opportunity to comment.

In preparing this response, I took some time to read the conceptual plan that the applicant presented to Rocky View Country (RVC). I also read the Bragg Creek Area Structure Plan (ASP) and I conducted some research relating to the Wintergreen development application plan. I have lived at 12 Mountain View Park since May 2014.

With respect to the ASP, there are two overarching principles that repeatedly ring out to the reader, one relating to the importance of maintaining a balance between humans and the environment including wildlife preservation and one relating to ensuring the safety of all "Creekers". These two issues were on my mind as I read the applicants conceptual scheme (CS). My concerns include:

In 2.4 of the CS, the applicant states "There are a number of matters to address. Infrastructure to support physical development is to ensure adequate potable water, safely treat wastewater and manage stormwater in a manner that does not devalue the integrity of the natural environment. Additionally, transportation including internal roads and trails are supported. The proposal intends to have trails within and connecting outside of the subject lands.

Potable Water - Whilst I have no primary concerns with the access to potable water, I would request confirmation that drawing additional potable water from the Elbow river upstream of the City of Calgary does comply with RVC, provincial and federal regulations, my understanding was that with a vastly increased (and set to increase further) population in Calgary, access to potable water there was a major concern as the city continues to grow. **Action Item #1:** Pls confirm that drawing additional water upstream of the City of Calgary does not contravene county, city, provincial and federal regulations

Wastewater - The applicants plan indicates that wastewater will be treated onsite by individual homeowners, but with the location as proposed, aren't the septic vessels going to be upstream of the current water well used by the Mountain View Park residents? Presumably there will not be any septic fields permitted in the development, hence septic tanks will need to be large and emptied extremely regularly. **Action Item #2:** Pls confirm that the management of wastewater will not impact any other fresh water sources.

Stormwater - Although I have a number of concerns, the management of stormwater ranks very high. I recall, as if it was yesterday, spending 72 hours in June of 2013, frantically pumping water out of a number of residences on Mountain view park. I was stranded at home for that period and I don't recall the applicant being there pumping water. I also don't recall seeing any one from Carswell Planning being there at the time. What I do recall seeing is the lower meadow area adjacent to the Fawn Hills Road being thoroughly flooded, this water made its way down through the land immediately to the rear of the Mountain View Park properties, under and over Range Road 52 into the fields that are adjacent to highway 232. Indeed, there is lying water through that area much of the year. This is not with 65% of native vegetation as the applicant commits to providing, but 100%. One might argue that the 2013 floods constitute the 100-year flood event, which is fine, but how then would the applicant explain the other 100-year flood that occurred 8 years earlier in 2005? The Elbow River flood mitigation plan, now set to be executed by a series of dry reservoirs in Spring bank may not help the current residents of Bragg Creek, let alone new residents to come. I would also like to point out that currently, the water table is delicately balanced between being manageable and being problematic. Sub surface water during spring run-off, for example would be as high as 6 feet below grade. Heavier than usual September snow falls have now occurred twice in recent years and are set to become more common. Later in 4.2 the author mentions that the subject lands are approximately 2Kms from and 50m above the lands flooded in 2013. This is a fact that I fundamentally have problems with. If this area is 2Kms away from, and 50m above, the lands flooded in 2013, why did I need to spend so much time in 2013, almost nonstop, trying to (and in one case failing) to prevent a number of basements flooding? **Action Item #3:** Pls provide a predictive weather pattern report covering this area indicating the occurrence of 10, 25, 50- and 100-year flood, snowfall and high/low temperature expectations. Report to include mitigation strategies for these events. **Action Item #4:** Pls provide the MPE Engineering Ltd SWMP referenced in paragraph 5.9. Note: The applicant states that the "overland stormwater drainage system has the capacity to safely manage the 100-year storm water event assuming it happens only every 100 years". **Action Item #5:** Pls provide a mitigation plan if the 100-year event happens every 10 years.

Devalue the integrity of the natural environment – It's difficult to understand how one can take an uninhabited 'natural environment', build a road, utility network, 22 dwellings, introduce 57 people (22 x 2.6) dogs, cats, cars (average 2 cars per dwelling), and not impact the natural environment. My concern here relates to a number of areas:

1. Light pollution. **Action Item #6:** Pls provide a predictive light signature sketch with light mitigation plan.
2. Noise pollution. We have already seen a considerable increase in noise due to a huge increase in traffic on the West Bragg Creek road, along with increased visitor noise. **Action Item #7:** Pls provide an assessment of anticipated noise levels once phase 3 of the project is completed.
3. Wildlife – in the CS, beyond the installation of a dog park, the applicant makes no mention of how they will mitigate the effects of the plan on wildlife. We have seen a large reduction in large wildlife in the area, for example Moose, as a result of the increased traffic on the West Bragg Creek road due to the West Bragg Creek day use area expansions and much of this wildlife has been driven away from the road, namely into areas such as the applicants quarter section. **Action Item #8:** Pls provide wildlife habitat studies to include seasonal migration data.

Trail network – the applicant appears to be claiming some credit for installing some trails in the proposed development, a noble offer. However, a far more-simple solution, as a good neighbor, would be to permit locals to walk their dogs etc on designated trails across the current 'natural environment'.

Wildfire management - later in paragraph 2.4, the applicant makes reference to using a number of wildfire management techniques. These are covered later in the document and generally relate to making use of fire-retardant housing materials. This is acknowledged, although one would be very surprised if modern building codes, didn't call out for fire retardant building materials to be used. One key area that the applicant fails to address is that of human interaction. All the measures provided are mitigation measures and barely preventative. I am deeply concerned that even with well-maintained fire water storage ponds the volunteer fire service is still 15 minutes away, at best, and that data tells us that a fire can take hold and become out of control in a matter of minutes, just ask anyone from BC, California, or Sweden.

Action Item #9: Pls provide assurances that no fires will occur as a result of human activity and that if they do, the fire service can be on scene within 10 minutes (this rule appears to be an Alberta provincial rule). **Action Item 10#:** Pls explain what "consideration" means in paragraph 5.14.

Protective and Emergency Services – applicant appears to claim credit that these services exist locally and fails to mention that the fire service is voluntary, and the law enforcement and medical services are approximately 30 minutes' drive away. Applicant also fails to offer a plan as to how these emergency services will be delivered in the event that the only means of access/egress, hamlet of Bragg Creek bridge, is closed as has been the case twice in an 8-year span. Whilst I could not confirm the number of properties that exist in west Bragg Creek, based on data located relating to the recent Wintergreen redevelopment application, NFPA standards indicate that in areas with 500 houses or more, at least two means of access must be provided (currently the bridge on Balsam Ave is the only one). **Action Item #11:** Does the applicant intend to improve the protective services arrangements? **Action Item #12:** How does the applicant intend to overcome the NFPA standards regarding means of access?

Transportation – It is pleasing to see that this topic has been considered by the applicant. It is utterly disappointing that they only took the trouble to study current traffic patterns and not only did they pick the wrong location, it is disappointing that they picked such a short period of time. **Action Item #13:** Pls provide traffic data over a summer 1-week period as well as a winter 1-week period at the junction of RR52 and the west Bragg Creek road. **Action Item #14:** Pls provide an assessment of additional service traffic expectations along with additional visitor traffic.

Summary:

In this letter I have tried to articulate my principle concerns with this application, stormwater, fire management and insufficient infrastructure, (transportation, access/egress, emergency services) being the most significant ones.



Mark Griffiths

[Redacted signature area]

October 7, 2019

Lori Piercy

24 Mountain View Park
Bragg Creek, AB T0L 0K0

To:

Johnson Kwan
Planning Services Department
Rocky View County
262075 Rocky View Point
Rocky View County, AB T4A 0X2

Cc: Bart Carswell, MA, RPP, MCIP
Carswell Planning Inc.
P.O. Box 223
104 – 1240 Kensington Rd. NW
Calgary, AB T2N 3P7

jkw@rockyview.ca

Bart.Carswell@carswellplanning.ca

**Re: Proposed Redesignation and Development on Fawn Hills Drive, Bragg Creek
PL20190102 and PL20190103
NE-15-23-05W05M**

Mr. Kwan,

Thank you for seeking feedback from our community concerning the proposed development in our neighbourhood.

It never ceases to amaze me that people still bring forth the same old and tired objections each time there is a proposed development! Bragg Creek is becoming a shrinking community and we do need new development, our population is aging and young families are not interested in moving here.

However, it is important for any new development to follow the rules of the ASP and it needs to have its own stand-alone water and waste system or the very best option would be the availability to tie into Rocky View's Water and Waste systems. The purposed subdivision is approximately 3- 4 Km away from Rocky View's water and sewage plants and we need to work towards that solution for new developments. How come, if you live 10 km from Pincher Creek you have treated water from the County. I saw a drawing from Stantec Engineering a few years ago, showing north and south of Calgary up to Edmonton communities having municipal treated water out to acreages via a pipeline.

I went to this open house a few months ago and came away from it thinking, this was poorly thought out and my first concerns are with water and sewer. I asked about water and was told they have a few wells to draw from and would be a water association but could offer no other information except it would be like Fawn Hills Association? I am the President of the Mountain View Water & Sewer Co-op and have lived in Mountain View for the past 19 years, so I feel I have the experience to speak about this. I know of the trials and cash calls required to maintain an 8 lot, 2-acre subdivision. I also know Alberta Environment is making changes to sub-divisions regarding equipment in pumphouses and testing requirements, which I was told because we are under 10 lots, it will be a few years when they get to us about the changes.

A water co-op is owned by the homeowners in the subdivision and they are responsible for all maintenance and upkeep of the system. Most people who buy a lot are not aware or understand this concept until they buy. In this proposed new subdivision, they talk about doing 3 phases, how are they providing water to the first phase? Build a third of a pumphouse? A good example is the

Elkana Water Co-op, had 48 homeowners on their water coop and when the pumphouse had to be updated and replaced, they couldn't come up with a million dollar cash call. On top of that they had so many broken and leaking water lines, Mr. Kwan do you remember the outcome? They are now on the Rocky View County water system. Also, some homeowners couldn't sell because of the boil water order for many years and banks won't mortgage a house without potable water.

Our environment....I cannot believe in this day and age, anyone would even consider putting in individual septic tanks! Even our subdivision built in 1976 has one communal tank for 8 lots. Let's go back to Elkana subdivision, I invite you both to take a walk around the first part, lower Elkana, I believe construction started in the late 1970's, each ½ acre lot has its own tank. You will be able to tell which tanks have failed. Homeowners are shocked to find out now they have to pay 25K or more to fix the problem or maybe just leave it alone?

We should be welcoming new people to our community, they are a valuable resource - potential business owners, volunteers, and new friends but we need future development to be done correctly and learn from our mistakes of the past.

Thank you for your time. I look forward to receiving notice of any upcoming hearings.



Lori Piercy

Johnson Kwan

From: Andrea Sparkes [REDACTED]
Sent: Wednesday, February 26, 2020 12:03 PM
To: Johnson Kwan
Subject: Proposed Fawn Hills Development (PL20190102 Redesignation and PL20190103 Conceptual Scheme)

Re: Comments on Development Application Submission

Proposed Fawn Hills Development (PL20190102 Redesignation and PL20190103 Conceptual Scheme)

Location: NE-15-23-05W5M

Division: 1

Mr. Kwan,

Thank you for your invitation for submissions concerning the Fawn Hills Conceptual Scheme. We are landowners at 74 Fawn Hills Drive, across the road from the proposed development. The full text of my previous letter on this topic is below. I offer the following summary and look forward to speaking at the hearing.

I oppose the development in its present form. In my view, proceeding with a Conceptual Scheme that deviates from the Area Structure Plan is imprudent. It amounts to ruling by exception and ignoring the results of a locally-sensitive, well thought out consultative process. I am not aware of any good planning reason to deviate from the ASP and, instead, identify many reasons to adhere to it.

These reasons flow from the problematic increased density of housing (far above that sanctioned by the ASP of 1/4 acres). The concerns include:

1. Increased population at the wildland-urban interface in the face of recognized extreme wildfire risk.
2. Increased population in an area served by a single route of egress.
3. Increased strain on wetlands through water usage and sewer.
4. Increased traffic.
5. Increased deforestation.
6. Disruption of the rural character of the neighbourhood.

Others have spoken to me about light pollution, interference with wildlife, and increased strain on our local school.

It amounts to a disruption of the rural character which my neighbours and I sought in living here.

For these reasons, I do not support the present applications. The applicant should be invited to resubmit with a proposal that is actually (and transparently) in line with the Area Structure Plan.

Andrea Sparkes

I do not consider myself anti-development. I accept that the owner/applicant is free to develop his property. However, in our view, he must do so in accordance with the law. Laws, regulations, policies, and guidelines create a set of mutual expectations amongst citizens. Colloquially, they help keep us all working from the same “playbook.”

We would welcome new neighbours in homes that are consistent with the existing regulatory framework. In this way, new families (who cannot speak up for themselves here) will be able to enjoy the special wilderness we call home in the same way.

Our Neighbourhood

Our neighbourhood sprung from a development in the late 1970s. Homes are situated on elongated, forested lots along the east side of Fawn Hills Drive, a dead-end, chipped seal road in West Bragg Creek. It is a quiet street.

On geography alone, Bragg Creek is a truly unique part of the County. It is hilly and densely forested. It receives greater snowfall than the rest of the County (20” last weekend). Homes are very much at the wildland-urban interface. Accordingly, residents face some unique challenges including wildlife encounters and a significant risk of wildfire. Residents value space and quiet. While the Provincial Park down the road seven kilometres from Fawn Hills may have become a destination for cyclists and skiers, it is fair to say that our neighbourhood has not and should not become a destination.

Inaccurate Summary of Neighbourhood Concerns

It is true that the developer held an open house in our community. However, after attending, I was puzzled to read the following statement in the Conceptual Scheme^[1] summarizing that event and the feedback received: “Most comments supported the scheme as it fits within the definition of the Greater Bragg Creek Area.”

I fear that Mr. Carswell has misunderstood both general concerns raised and a very specific objection that I and many of my neighbours have to the development.

The developer displays a disregard for the “playbook”, the [Area Structure Plan](#) (ASP).

Density

The ASP was obviously prepared with a great deal of thoughtful consideration for the unique nature of our community. It is important guidance under the [Municipal Government Act](#) (section 633).

The ASP for Bragg Creek (west and north) provides, in part, as follows:

7.4.4 New Residential Areas

...

d) Parcel sizes within new residential areas in west and north Bragg Creek should not be less than .25 acres, and not greater than 2 acres, ***with an overall density of not greater than one lot per 4 acres of GDA.***^[2]

...

While the developer quotes section 7.4.4 in the Conceptual Scheme^[3] and incorrectly asserts that 24 lots on 75 acres complies, simple math shows that he fails to apply its guidance.

A density of one lot per four acres can be written as ¼ or 0.25. However, when the calculation is applied to the lots described in the Conceptual Scheme, a much larger figure of 0.61 emerges.^{[4] [5]} This is 2.44 lots per four acres (instead of 1). It's not even close.

The result deviates even further from the ASP when it becomes clear that the developer has included 11.93 acres that the owner intends to “retain”.^[6] If “retained” and not intended to be included in the development, the area should not be

included in the Gross Developable Area.^[7] Excluding the retained area yields closer to 3 lots per four acres instead of 1 lot per four acres.

And the exceedances described above are *without* taking riparian buffers and steep slopes into account (as these must also be subtracted from the Gross Developable Area). These considerations may further reduce the number of potential lots.

Open Space Design

Further, the ASP describes an important design principle: Open Spaces. Open Spaces are integral to the entire ASP (mentioned 54 times throughout) and are detailed in section 5.2. As with the overall density requirement, the Conceptual Scheme ignores this important principle that is so critical to the rural, open, character of west Bragg Creek.

Preservation of the open spaces cannot rest entirely on the existence of the restrictive covenant described by the developer. If the restrictive covenant is not enforceable by the County, the County should rigorously enforce its own policy, the ASP, and place additional restrictions on deforestation in order to preserve open spaces.

Standard to be Applied in Assessing Appropriateness of Development

It was suggested to me at the Open House that the pattern of development across the street should guide the form of development in the new area. Not only is this notion contrary to the ASP, using existing neighbourhoods developed over forty years ago as a benchmark for present day development, simply perpetuates archaic design principles. The existing two acre lots in Fawn Hills were established decades before the ASP without the same regard for modern planning principles and environmental stewardship. It would be imprudent to cast aside the guidance of the carefully considered ASP in favour of antiquated thinking.

I understand from neighbours who have lived here longer than us and who were involved with the development of the ASP that the neighbourhood was a grandfathered higher-density outlier when our present ASP was developed.

I see no reason to deviate from the ASP and many reasons to adhere to its guidance. As these other issues flow from the greater issue of density, I discuss them in greater detail below.

Wildfire and Egress

It is well known that the risk of wildfire in Bragg Creek is very high. Many neighbourhoods in our area are listed at “Extreme” risk of wildfire ([Greater Bragg Creek FireSmart Mitigation Strategy](#)). It is not a question of “if” but “when.” A wildfire and the resulting danger, damage, and loss is reasonably foreseeable.

At present, there is one way out of West Bragg Creek (across a bridge which is vulnerable to flood). Prudent policy would mitigate the risk of loss of life and property in the event of wildfire by limiting residential development (particularly development of *greater* density such as that proposed in the Conceptual Scheme).

This Council and its Councillors should not share the legacy of those that approved developments on flood plains without regard to the reasonably foreseeable consequences.

Negative Wildlife Interactions

Bragg Creek is a forested wild area. It is home to moose, deer, cougars, coyotes, and bears (among others). No day goes by without my seeing wildlife. They are a very special and valued part of our community, but they are wild animals.

Last year, on our two-acre lot, a cougar killed a large male deer and carefully and neatly tucked it away under a spruce tree. It would revisit the “leftovers” over the next few days. The situation was not without risk. The spot the cougar selected was meters away from the kids’ bus stop on Fawn Hills Drive. A Fish and Wildlife Officer removed the carcass to prevent what they termed a potential “negative wildlife-human interaction.” Please see the attached gamecam, nighttime photo of the cougar visiting the carcass.

Precautions must be taken. Garbage must be locked up. Attractants like bird feeders and fruit trees must be avoided. However, despite these precautions, the more people there are, the more attractants there will be. As residents of a nearby neighbourhood, Redwood Meadows, [experienced](#), bears are attracted to human settlements. Ten bears were removed from that community over a period of ten days last year. A denser development places more people and more attractants in wildlife natural habitat and increases the risk of a negative encounter. Unfortunately, habituated bears become a danger and must be relocated and, sometimes, euthanised. The issue is one of ecological responsibility as well as one of human safety.

Use of Municipal Reserve

The developer initially suggested a fenced dog park be constructed on the municipal reserve. While I understand that suggestion is no longer part of the proposal, I wish to register my objection to the development of the municipal reserve. It should be left as a wild wetland area for ecological reasons. Wetlands and associated drainages, a vital part of the ecosystem, are fast [disappearing](#).

Further, I do not wish our quiet neighbourhood to become any sort of public "destination." We enjoy (and purchased) our home for its quiet. A public park across the street would completely undermine the purposes for which we chose our home. I do not support inviting the public to our quiet street for a dog park or for any other purpose.

Additional Concerns

The ASP contains a few key provisions. Among other things, it values:

- respect for the natural environment (particularly [Articles 5.1.1 and 5.1.2](#));
- low density character (Article 7.4)
- accommodation of riparian buffers of streams and wetlands (30 meters) (see [Article 5.1.3\(a\)](#) and definitions in [Appendix B](#));
- preservation of public areas in their "natural 'undisturbed' state" ([Article 5.2.2\(c\)](#));
- preservation of "rural character" ([Article 5.2.1](#));
- responsible waste-water treatment (see [Article 6.1](#), particularly 6.1.3(a), (e) and (f)); and
- an aim of an overall density of "not greater than one lot per 4 acres of Gross Developable Area" ([Article 7.4.4](#)(d), (g), (h) and the example as well as the content on Open Space Design).

In my view, a reasonable project would:

- comply with the ASP;
- leave the wetland area as a wild, undeveloped wetland;
- not invite the public to our quiet neighbourhood as a "destination" (e.g. public dog park or similar);
- obtain satisfactory specific water testing and *year-round* baseline well flow rate studies of all wells *prior* to authorization of development;
- provide for communal sewer system and removal of wastewater in line with the density of homes and the proximity of the sensitive wetland (see Article 6.0 of the ASP and 6.1.3);
- have a fewer number of lots consistent with the Area Structure Plan (no more than 1 home per 4 acres) (Article 7.4.4);
- maintain a low density to avoid increasing risk of wildfire and negative wildlife-human interaction; and
- given the increased number of homes, revive a newly drafted County Firearms Bylaw and apply it to the new development and surrounding neighbourhoods to ensure safety in the residential area.

Rigorous Testing and Consultation

I trust that the County planners and our Councillors will rigorously test the project and insist that it meet the highest standards for water, storm, and wastewater management, particularly considering the sensitive wetland, the associated

drainage and nearby water wells. I further trust that you will ensure its compliance with the Area Structure Plan as there is no supportable planning reason to deviate from the ASP.

I would also suggest that the development is pertinent to residents of all areas covered by the Area Structure Plan and that timely notice seeking feedback should be provided to those residents.

Conclusion

There is no supportable reason to deviate from the density and open space requirements of the ASP and many reasons not to.

I would be happy to meet to discuss the Conceptual Scheme and its potential impacts upon our neighbourhood at your convenience. I look forward to attending any public hearing on the matter.

Sincerely,

Andrea Sparkes

^[1] Conceptual Scheme, section 7.1, page 42

^[2] GDA refers to Gross Developable Area and is explained on page 69 of the ASP.

^[3] Conceptual Scheme, page 9.

^[4] $\text{Lot area} = \frac{2.02 + 12(1.97) + 2.05 + 2.15 + 2.02 + 2.00 + 2.07 + 2.22 + 2.34 + 2.17 + 2.54}{74.65} = \frac{45.22}{74.65} = 0.61$

^[5] These figures are drawn from the map provided in Rocky View County letter dated September 17, 2019. If the figures from Table 1, page 25 of the Conceptual Scheme are used, the calculation is:

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^[6] Figure 12 in Conceptual Plan. The developer's intention with respect to the future of the "retained" area is not clear. If it is included in the denominator now, it must be forever blocked from development.

^[7] $\frac{45.22}{62.72} = 0.72$

ANDREA SPARKES

Johnson Kwan, RPP, MCIP
Planning Services Department
Rocky View County
262075 Rocky View Point
Rocky View County, AB T4A 0X2

jkwan@rockyview.ca

By Email

October 7, 2019

Re: Comments on Development Application Submission

Proposed Fawn Hills Development (PL20190102 Redesignation and PL20190103 Conceptual Scheme)

Location: NE-15-23-05W5M

Division: 1

Mr. Kwan,

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I do not consider myself anti-development. I accept that the owner/applicant is free to develop his property. However, in our view, he must do so in accordance with the law. Laws, regulations, policies, and guidelines create a set of mutual expectations amongst citizens. Colloquially, they help keep us all working from the same “playbook.”

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I would be happy to meet to discuss the Conceptual Scheme and its potential impacts upon our neighbourhood at your convenience. I look forward to attending any public hearing on the matter.

Sincerely,

Andrea Sparkes

Photographs of Fawn Hills Drive (Andrea Sparkes)

Plant Life



A view of the west Bragg Creek forest in fall from the top of Two Pine Hill.



Fawn Hills displays a diversity of plant life and wildflowers that favour both forested and open areas.



Willows in spring on Fawn Hills Drive. These plants favour wet areas for growing.

Climate



We can receive a lot of snowfall, sometimes early and late in the season. 20" last weekend.



The lower areas can be quite wet at times. This is a photo from Range Road 52 of an area which drains from the land that is the subject of the Conceptual Scheme after a heavy rainfall. The road is acting as a dam and the culvert is a "choke point" restricting flow.



Spring meltwater in the ditch at the side of Fawn Hills Drive.



Rainy day photo showing lower water filled channels and farm buildings.

Wildlife



A Great Grey Owl who frequents our neighbourhood and is a favourite of local photographers.



Twin fawns in spring behind our home on Fawn Hills Drive.



A moose on a snow-covered Fawn Hills Drive. They can be observed frequently in the willowy marshy area.



A photo of a bobcat taken outside our daughter's window.



Gamecam image of cougar visiting carcass of male deer on our land (close to Fawn Hills Drive).



A bald eagle roosting in trees on Range Road 52.

Dan Sparkes
**Johnson Kwan**

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

jkwan@rockyview.ca

Re: Proposed Fawn Hills Development (PL20190102 Redesignation and PL20190103 Conceptual Scheme)**Location: NE-15-23-05W5M****Division: 1**

Mr. Kwan,

I reviewed your letter of September 17, 2019 regarding the Development Application of Carswell Planning on NE-15-23-05-W5M.

My chief concern is that the project as described in the Conceptual Scheme fails to comply with critical elements of the applicable regulations. Similarly, the errors and misstatements in the plan are too numerous for the proposal to be relied upon. Accordingly, in my view, the owner needs to take the project “back to the drawing board.”

Among other things, the project blatantly disregards the density requirements in section 7.4.4 of the Area Structure Plan. Not only is the calculation obviously wrong, it fails to account for any wetlands, slopes, or riparian areas. On a foundational element, it is an obvious arithmetic deficiency.

While buzzwords like “FireSmart” are included in the Conceptual Scheme, these references appear to be no more than a marketing ploy. The developer clearly is not “up-to-speed” on modern FireSmart principles which have moved beyond discussions of narrow roads as firebreaks in cases of wildfire. They are ineffective. I am of the view that a properly prepared development plan targeted at a forested area would be cognisant of that principle. The questions distributed at the open house were clearly loaded to get people to say yes but saying things like roads and trails were for firebreaks and firehoses. What a joke. This shows the planner was clearly marketing to get a “yes” and had not understanding of or completely ignored FireSmart principles.

The conclusions on water access are not supported by an accurate count of the wells in the area. There seems to be no mention of the private wells relied upon by many of our neighbours.

I was not comforted by the developer’s responses to questions at the Open House. Quite often we were told that details important to us would be figured out “later.” The developer provided feedback forms filled with loaded questions (please see attached copy). I was left with the impression that no meaningful feedback was sought. This suspicion was confirmed

when residents began receiving form letters in response to their letters of concern. Form letters and did not even attempt to answer their questions in any way.

In my view, the plan is so rife with errors, it clearly cannot be relied upon if RockyView is to have any planning stewardship over land development whatsoever. I also note the planner was quick to dismiss issues of water and sewer as things that would be determined "after." It certainly appeared his only concern was getting approval and anything that might complicate that approval would be the problem of the lot purchasers and existing residents.

I am not in favour of the high-density development as proposed. However, I am not opposed to development of the land. My recommendation is to reject this plan and, should a competently prepared plan that conforms to the area structure plan be tabled, I would be willing to review it with an open mind to supporting it. I do not take issue with the land owner wishing to divide and monetize his land but I cannot support the proposed plan.

Regards

Dan Sparkes

Dave Kunz

October 7, 2019

To:

Johnson Kwan
Planning Services Department
Rocky View County
262075 Rocky View Point
Rocky View County, AB T4A 0X2

Cc: Bart Carswell, MA, RPP, MCIP
Carswell Planning Inc.
P.O. Box 223
104 - 1240 Kensington Rd. NW
Calgary, AB T2N 3P7

jkwan@rockyview.ca

Bart.Carswell@carswellplanning.ca








**Re: Proposed Redesignation and Development on Fawn Hills Drive, Bragg Creek
PL20190102 and PL20190103
NE-15-23-05W05M**

Mr. Kwan,

Thank you for seeking feedback from our community concerning the proposed development in our neighbourhood.

The development application does not comply with the overall density requirement of 1 lot per 4 acres set out in the Area Structure Plan for West Bragg Creek (the ASP). In my view it should. I favour the low-density approach described in the ASP and the preference for open space planning.

I do not see a valid reason for departing from the guidelines in the ASP. In fact, the increased density creates several problems. I have checked the items below which are of specific concern to me:

-  ☐ **Water.** Increased density means increased strain on existing water wells (both that of the water association and of private wells).
-  ☐ **Waste.** The plan calls for 22 new septic systems which will place greater strain on the wetland ecosystem.
-  ☐ **Environment.** I want to preserve the wetland, animal habitat, and forest as much as possible.
-  ☐ **Fire.** Our area is at high risk of wildfire. Greater density of homes in our forested area both increases the risk of fire and the number of people and structures that will be endangered in a wildfire.
-  ☐ **Emergency Egress.** There is only one route out of West Bragg Creek. Greater density developments mean that more people will rely on that single route in case of emergency.
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- ☐ **Slope.** I am concerned about slope stability and road access in the new development on the slope and whether school buses and fire trucks will be able to access the new neighbourhood.



- ☐ **Wildlife Encounters.** Increased density of housing and people (and the associated food, garbage, and traffic) risks greater numbers of negative human-wildlife interactions.

As a volunteer for West Bragg Creek Trails and a resident I have a vested interest in what kind of development happens here. I care that it remains a beautiful area not overdeveloped destroying the what Bragg Creek is known for and used by 185,000 plus people from surrounding area and visitors.

Like many on the street and area, I'm not against development, but I am against development that goes against the ARP that was embraced by the community when created. The whole purpose of having an ARP to this unique area is outlined in the ARP.

West Bragg Creek and area provides connection to a unique landscape that is used by more than the individuals who live here. What West Bragg Creek may lack in tax base more than makes up for what it offers to the surrounding area in recreation use, forestry management and livestock licensing.

The Current ARP was designed with that in mind and to regulate over development and adhere to supporting the natural habitat.

Thank you for your time. I look forward to receiving notice of any upcoming hearings.

Regards,
Dave Kunz

Kate Kunz

October 7, 2019

To:

Johnson Kwan
Planning Services Department
Rocky View County
262075 Rocky View Point
Rocky View County, AB T4A 0X2

Cc: Bart Carswell, MA, RPP, MCIP
Carswell Planning Inc.
P.O. Box 223
104 - 1240 Kensington Rd. NW
Calgary, AB T2N 3P7

jkwan@rockyview.ca

Bart.Carswell@carswellplanning.ca








**Re: Proposed Redesignation and Development on Fawn Hills Drive, Bragg Creek
PL20190102 and PL20190103
NE-15-23-05W05M**

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I do not see a valid reason for departing from the guidelines in the ASP. In fact, the increased density creates several problems. I have checked the items below which are of specific concern to me:

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- ☐ **Wildlife Encounters.** Increased density of housing and people (and the associated food, garbage, and traffic) risks greater numbers of negative human-wildlife interactions.

I'm not against development, but I am against development that goes against the ARP that is very concise and detailed that was embraced by the community when created. If this guideline is followed, there will be support for new homes in the area.

Bragg Creek although not densely populated is used by 185,000 plus individuals throughout the year and is considered to be a gem for out door enthusiasts from the local surrounding area. It is an area that is valued for the environment and is the same category as the national parks for scenery and out door access.

West Bragg Creek and area provides connection to a unique landscape that is used by more than the individuals who live here. What West Bragg Creek may lack in tax base more than makes up for what it offers to the surrounding area in recreation use, forestry management and livestock licensing.

The Current ARP was designed with that in mind and to regulate over development and adhere to supporting the natural habitat.

Thank you for your time. I look forward to receiving notice of any upcoming hearings.

Regards,
Kate Kunz

Johnson Kwan

From: Andrea Sparkes [REDACTED]
Sent: Wednesday, October 09, 2019 8:44 AM
To: Johnson Kwan
Subject: Development in Fawn Hills

Categories: Yellow Category

Hi Johnson,
My daughter has a contribution as well. Her letter is below.
Andrea

Dear Mr. Kwan,

I am a Grade 6 student who is concerned about the development. I feel like there should not be lots of houses with all their sewage pouring into the wetland which is not healthy.

Last year we studied wetlands in school and learned that they are really important because they soak up a lot of carbon dioxide and pollution. If we drain them it won't make it better for the earth.

I am also concerned about the level of noise. I love the peacefulness and quietness on this street and how everyone respects that. I like my neighbourhood the way it is. Some of the things I like about my neighbourhood is everyone knowing each other, being able to ride my bike on the road because it is clear because there is not a lot of traffic which would make it more dangerous.

Please consider my feedback and I hope it makes a difference in what you decide.

Sincerely,
Lane Sparkes

Clare Edwards
[REDACTED]
80 Fawn Hills Drive
Bragg Creek, Alberta T0L 0K0

October 4, 2019

To:

Johnson Kwan
Planning Services Department
Rocky View County
262075 Rocky View Point
Rocky View County, AB T4A 0X2

Cc: Bart Carswell, MA, RPP, MCIP
Carswell Planning Inc.
P.O. Box 223
104 – 1240 Kensington Rd. NW
Calgary, AB T2N 3P7

jkwan@rockyview.ca

Bart.Carswell@carswellplanning.ca

**Re: Proposed Redesignation and Development on Fawn Hills Drive, Bragg Creek
PL20190102 and PL20190103
NE-15-23-05W05M**

Mr. Kwan,

Thank you for seeking feedback from our community concerning the proposed development in our neighbourhood.

The development application does not comply with the overall density requirement of 1 lot per 4 acres set out in the Area Structure Plan for West Bragg Creek (the ASP). In my view it should. I favour the low-density approach described in the ASP and the preference for open space planning.

I do not see a valid reason for departing from the guidelines in the ASP. In fact, the increased density creates several problems. I have checked the items below which are of specific concern to me:

- ☒ **Water.** Increased density means increased strain on existing water wells (both that of the water association and of private wells).
- ☒ **Waste.** The plan calls for 22 new septic systems which will place greater strain on the wetland ecosystem.
- ☒ **Environment.** I want to preserve the wetland, animal habitat, and forest as much as possible.
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- ☒ **Emergency Egress.** There is only one route out of West Bragg Creek. Greater density developments mean that more people will rely on that single route in case of emergency.

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- ☒ **Wildlife Encounters.** Increased density of housing and people (and the associated food, garbage, and traffic) risks greater numbers of negative human-wildlife interactions.

Below provides some more context around my concerns relating to the above topics:

1. **Number of homes proposed.** The current proposal cites 22 lots for the subdivision. I do not believe that density complies with the Bragg Creek Area Structure Plan. If I am understanding Rocky Views guidelines correctly it would appear that there is insufficient Gross Development Area to allow for 22 lots of approximately 2 acres each.
2. **Traffic.** Under the current proposal the developer has estimated that traffic volumes on Fawn Hills Drive would increase from a daily average of 100 to a daily average of 300. This represents a significant increase in volume on a very quiet street. This is a concern as we have a number of families on the street with young children. In addition, our road surface is of low quality and I would be concerned about the additional usage.
3. **Sewage and water.** The developer noted in the open house held at the site that they do not have a final plan for sewage or water. He noted it would likely be individual septic fields for each property however for the water supply he was unsure whether it would be individual wells, a shared well system or a combination of both. The majority of the current residents are serviced by a shared well, with some residents on individual systems. We have one resident currently experiencing significant issues with their well system and problems locating a new well. Without a field validated water assessment from the developer I have concerns about how a development of this size may affect the aquifer upon which we are reliant.
4. **Dog Park.** The proposal presented at the open house on June 27, 2019 included a municipal off leash dog park. This in my view is unnecessary. The recreational area, which is approximately 5 minutes drive from Fawn Hills, presents 100's of kilometres of beautiful trail networks in which people can legally walk their dogs off leash. The land proposed for the off leash area is low lying and very wet. A dog park would also attract more non residential traffic onto the road thus adding to the traffic issue which is already a concern. Not all dog owners are responsible and pick up after their pets therefore I would be concerned about odour issues, and also noise issues on what is currently a very quiet no through road.
5. **Emergency Egress.** As you are aware West Bragg Creek currently only has one emergency egress. I would recommend that Rocky View County should be addressing the issue of emergency egress before approving any new subdivisions of this capacity in West Bragg.

Thank you for your time. I look forward to receiving notice of any upcoming hearings.

Kind Regards,

Clare Edwards

Clare Edwards
[REDACTED]
80 Fawn Hills Drive
Bragg Creek, Alberta T0L 0K0

February 26, 2020

To:

Johnson Kwan
Planning Services Department
Rocky View County
262075 Rocky View Point
Rocky View County, AB T4A 0X2

jkwan@rockyview.ca
legislativeservices@rockyview.ca

**Re: Proposed Redesignation and Development on Fawn Hills Drive, Bragg Creek
PL20190102 and PL20190103. BYLAW C-7956-2019 & BYLAW C-7955-2019
NE-15-23-05W05M**

Dear Sir,

Thank you for seeking feedback from our community concerning the proposed development in our neighbourhood.

The development application does not comply with the overall density requirement of 1 lot per 4 acres set out in the Area Structure Plan for West Bragg Creek (the ASP). In my view it should. I favour the low-density approach described in the ASP and the preference for open space planning.

I do not see a valid reason for departing from the guidelines in the ASP. In fact, the increased density creates several problems. I have checked the items below which are of specific concern to me:

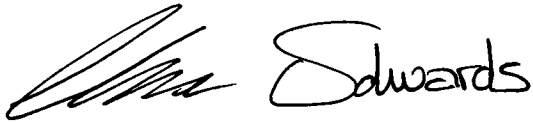
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- ☒ **Wildlife Encounters.** Increased density of housing and people (and the associated food, garbage, and traffic) risks greater numbers of negative human-wildlife interactions.

I do note the developer has removed the originally proposed off leash dog park due to concerns raised during early consultation, and that concession is appreciated. However due to the remaining significant concerns detailed above I do not support the current application.

Thank you for your time and I look forward to the results of the upcoming hearing.

Kind Regards,

A handwritten signature in black ink, appearing to read 'Clare Edwards', with a stylized first name and a clear last name.

Clare Edwards

Chad Beegan
[REDACTED]
86 Fawn Hills Drive
Bragg Creek, Alberta T0L 0K0

October 07, 2019

To:

Johnson Kwan
Planning Services Department
Rocky View County
262075 Rocky View Point
Rocky View County, AB T4A 0X2

Cc: Bart Carswell, MA, RPP, MCIP
Carswell Planning Inc.
P.O. Box 223
104 – 1240 Kensington Rd. NW
Calgary, AB T2N 3P7

jkwan@rockyview.ca

Bart.Carswell@carswellplanning.ca

**Re: Proposed Redesignation and Development on Fawn Hills Drive, Bragg Creek
PL20190102 and PL20190103
NE-15-23-05W05M**

Mr. Kwan,

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I do not see a valid reason for departing from the guidelines in the ASP. In fact, the increased density creates several problems. I have checked the items below which are of specific concern to me:

- **Water.** In the **Groundwater Information Technologies Ltd.-Phase 1 Groundwater Site Assessment NE-15-23-5W5** executive summary, it states that there is an expectation that the aquifer will recharge itself through precipitation and surface water sources. It doesn't really say where that expectation comes from anywhere in the assessment. Recharge would require an estimated 30,000m³/year. The Oldman Basin has been experiencing less recharge over the last several years because they can't count on a consistent build-up of snow pillows that melt slowly to provide a gradual recharge, and this watershed is in a fairly similar location geographically.
- The executive summary states that projected water yields in the area range from 1-100m³/day. To supply 1250 m³/year, a well would need to be above about 3.4m³/day. While the average of all wells is probably significantly above that, individual wells may not be. This is further reinforced on page 13 where a test well was as low as 0.2m³/day. As stated in the report, this means that multiple wells may need to be drilled for some lots.
- On page 10, it states that some wells are completed on fractured shale and are not completed over discrete aquifers and therefore might be hydraulically connected to each other. There is a chance of increased risk of aquifer contaminated from drilling new wells, especially on lots where multiple wells may be needed.

- ☒ **Waste.** The plan calls for 22 new septic systems which will place greater strain on the wetland ecosystem. Bragg Creek is known to have soil properties that do not support the use of standard septic systems and are prone to failure. As failing septic systems would have a detrimental effect on the existing or future properties and drinking water systems, this will need to be explored in more detail.
- ☒ **Environment.** I want to preserve the wetland, animal habitat, and forest as much as possible.
- ☒ **Fire.** Our area is at high risk of wildfire. Greater density of homes in our forested area both increases the risk of fire and the number of people and structures that will be endangered in a wildfire.
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- ☐ **Wildlife Encounters.** Increased density of housing and people (and the associated food, garbage, and traffic) risks greater numbers of negative human-wildlife interactions.

**Type any additional comments here.

***Attach any history, photos, or videos that help explain our neighbourhood.

Thank you for your time. I look forward to receiving notice of any upcoming hearings.

Regards,

Chad Beegan
Manager of Healthy Physical Environments
Alberta Health Services

Anne B Brown
[REDACTED]
96 Fawn Hills Drive
Bragg Creek, Alberta
T0L 0K0

October 8, 2019

To:

Johnson Kwan
Planning Services Department
Rocky View County
262075 Rocky View Point
Rocky View County, AB T4A 0X2

jkwan@rockyview.ca

Re: Proposed Redesignation and Development on Fawn Hills Drive, Bragg Creek
PL20190102 and PL20190103
NE-15-23-05W05M

Dear Mr. Kwan,

I am writing to state my opposition to the proposed redesignation and development in the valley of Fawn Hills. Having lived here for almost 30 years lends me a perspective on what the land can and cannot handle for it to remain healthy in all respects. I therefore have a moral obligation to speak up because the land cannot speak for itself.

There is wildlife here, in a country where there is continually less space available for species which are iconically Canadian. Moose, bears (black and grizzly), cougars, coyotes, elk, deer, skunk, owls (Great Grey and others), loons and other types of duck, plus numerous species of songbirds and woodpeckers, the list goes on, make their homes here, as well as we humans. If the 78 acres in question are to be cut up in cookie-cutter shapes, with only a couple of narrow walking paths in between, these creatures will not do well and we will all lose a piece of our souls when they are no longer in our midst. This matters and the people who wrote the Great Bragg Creek Area Structure Plan knew it mattered and that is why they designed the plan stipulating connecting wildlife corridors and ample green space. Not co-incidentally, these same corridors and green spaces are good for the human population too and when a developer can offer lots incorporated around them they will be highly prized. This proposal has ignored these things and instead has left space for only the smallest of walk-ways, or otherwise, on parts of the land that are not developable anyways.

Please think too of the wetlands in this valley - how fragile they are and how immensely important, we are now discovering, to retain water in times of flood and drought, keeping things even and strong. Disturb the wetlands and watch it flood in the spring down on Range Road 52, taking with it possible effluent from the 22 extra septic fields, in the quick rains and straight into Bragg Creek, introducing pollutants, altering the pH and thus altering the eco-systems here and beyond. There's been enough of that all over the world. Please tell me that the buck stops here.

Apart from that, what of the aquifer? There are already 18 households in this valley pulling water out of the ground. Can it be guaranteed that 22 more homes will not disturb our water supply? Even if there appears to be plenty of water when a hydrology test is done, can it be said that the quality of the water will not be impacted by increased disturbance by what could well be a fragile system? We are in uncertain times when it comes to changes in the climate and we have seen drought. I implore the County not to put us and a further 22 families at risk by assuming that the water supply is unlimited. It might not be, and what then?

I'm not opposed to the land being developed. If in accordance with the ASP I have confidence that the number of homes allowed would be sustainable in all regards. However, with the amount of

lots proposed in this development also I worry about emergency egress, not only out of this valley in the event of flood or fire, but out of west Bragg Creek. There are already concerns in this regard as the County knows well. Allowing a development of this size, with this in mind, is reason enough not to let it go ahead.

Further, I would like to know if noise and light pollution are allowed to be valid concerns? Do we, as a people, care about the mental health of our citizens? This valley has a loud echo. We have endured years of the landowners of the proposed development using their land for target practice and sometimes for hours on end, once even on Mother's Day. One of the reasons I welcome a healthy development on the land is so that this kind of activity ceases. Unfortunately, with this proposal the land owner wishes to retain a good piece for himself, meaning there will be no hope of the unsightly, dilapidated buildings or collection of vehicles being cleaned up or removed.

In summation, I do not support the development proposal as it stands.

Thank you very much for taking the time required to consider my concerns.

Sincerely,

Anne B Brown

Dr David Cebuliak
[REDACTED]
96 Fawn Hills Drive
Bragg Creek, Alberta T0L 0K0

October 7, 2019

To:

Johnson Kwan
Planning Services Department
Rocky View County
262075 Rocky View Point
Rocky View County, AB T4A 0X2

jkwan@rockyview.ca

**Re: Proposed Redesignation and Development on Fawn Hills Drive, Bragg Creek
PL20190102 and PL20190103
NE-15-23-05W05M**

Dear Mr. Kwan,

Thank you for both seeking feedback concerning the proposed development in our neighbourhood and for our recent meeting.

As I indicated to you I am not currently nor have I ever been opposed to development on the subject lands. However, given the proposal's non compliance with key Greater Bragg Creek Area Structure Plan (GBCASP) directives regarding development in this area it is not possible for me to support this proposal. Specifically the developers have ignored the GBCASP's clear stipulations re Gross Developable Area (GDA) calculation and Open Space Planning. The resultant proposed density and lack of open space/environmental protection would make this development by far the most dense and environmentally impactful quarter section in West Bragg Creek (WBC).

Such a consequence is not consistent with the community's or RVC staff and Council's intentions when the ASP was formulated. The potential negative impacts on existing and future residents and RVC re: county infrastructure, water, wastewater, fire risk, environment (wetland degradation, animal habitat and forest loss) and emergency egress are unacceptable. Moreover this proposal would set a standard for development in WBC that has been rejected by the community and RVC.

I. Historical Perspective

To my knowledge there have been 2 previous subdivision proposals on the subject lands - one in 1986 for ~ 25 lots (1) and one by the current owners in 2002 for ~ 16 lots (2). There was also a similar density 2004 proposal named "Ironwood" in a nearby WBC quarter section (3). All of these proposed developments were rejected by both the community and by Councils of the time. In the case of the 2002 and 2004 proposals, large and at times emotionally vocal public input expressed vigorous opposition on the basis of concerns over density, the environment, loss of rural nature, impacts on RVC infrastructure, fire and flood risk, public safety re emergency egress among other concerns.

In part as a response to confusion over how future growth should best occur in the Greater Bragg Creek area - as evidenced by rejected subdivision proposals - in 2006 under the guidance of then Councillor Bob Everett, the community and RVC began work on the Greater Bragg Creek Area Structure plan. This was a comprehensive and well managed undertaking with extensive input from the public, developers, RVC staff and Council. Councillor Everett invited one of the owners of the subject lands to represent the developer community on the GBCASP Steering Committee.

Here is the Plan's Vision:

The year is 2030. The Greater Bragg Creek area continues to be a special place within Rocky View County where residents have a strong sense of place that emanates from both the quiet country residences that harmonize with undisturbed landscapes and the small town character of the hamlet.

The "lifestyle equity" and "latent utility" afforded to the local community by the natural environment has been preserved over time through implementation of an integrated land use planning strategy that evaluates opportunities for subdivision and development by first considering the capability and capacity of the natural environment to accommodate additional development. The community has benefited from implementation of policies in the Greater Bragg Creek Area Structure Plan achieving a balance between the natural environment and the impacts of human settlement.

To enact this vision in the West Bragg Creek area in general (and specifically to land such as in this proposal) the GBCASP incorporated 2 key policy elements - the **Gross Developable Area (GDA)** calculation and the development tool **Open Space Planning**.

At a public hearing held on June 13, 2006 at the Bragg Creek Community Centre a large number of residents addressed the audience to voice their overwhelming majority approval for the plan. People spoke of the compromises made and the success of a democratic and inclusive process. I was one of those residents and I remember noting how the adoption of the GDA formula and Open Space Planning gave me great hope for the future of healthy sustainable development specifically as its applied to the Fawn Hills valley. I felt a sense of pride and hope for my community.

II. The GBCASP as it applies to the Fawn Hills Valley

a. GDA Calculation:

The GDA calculation as it applies to this proposal would be made as follows:

78 Acres total land **minus** Constraints; ie Wetlands (including riparian buffer) , Slopes over 15 degrees, MR, Roads

4

* Any retained lands must also be removed from the Total Developable lands. *

In Infill residential areas in North and West Bragg Creek, the GBCASP stipulates an overall density of 1 lot/4 Acres GDA

Note that it is impossible to both adhere to this GDA /density calculation (and thus the GBCASP) and propose 22 lots. In fact it is likely that a complete and impartial assessment of the constraints to development would yield approximately 10 lots. **Adhering to the GBCASP GDA calculation with the addition of 10 lots to this partially built out quarter section would make this on par with the most densely populated quarter section in west Bragg Creek.**

Adding 22 lots to this partially built out quarter section would have its density exceed that of the most densely populated quarter section in West Bragg Creek by greater than 40% - this on land constrained by extensive wetlands, hills, dense forest, infrastructure limitations, concerns over impacts on adjacent wells etc. Surely it was not the intention of those who welcomed completion of the GBCASP to endorse density of this magnitude and all the risk it entails!

b. Open Space Planning:

This development tool was introduced to the GBCASP committee by then Councillor Everett as a means of “achieving a balance between the natural environment and the impacts of human settlement”. Direct communication with rural designer and advocate Randall Arendt convinced Councillor Everett and the GBCASP Steering committee that this planning tool would provide benefits to both developers, residents and municipalities. GBCASP Section 7.43.4 i states: “ Open Space means lands that are restricted from development and...should represent a large percentage(approximately 50%) of the lands to be developed.”

As regards the subject lands, Open Space Planning can be easily applied and would offer attractive incentives for potential purchasers. With a complete and impartial assessment of constraints to development - specifically wetlands, dense forest and wildlife corridors this 50% goal would be readily achievable. Section III provides further documentation of this potential.

III. Wetlands in the Fawn Hills Valley

The Fawn Hills Valley has historically been very wet. The lower lying front lands were once willow wetlands. In the early 1990's previous owners destroyed the wetlands by channelizing and creation of shallow ponds . Despite this drainage, the lands could not sustain an attempt by previous owners to actively graze the land - in large part because of ongoing wet and marshy conditions. The current owners have continued to drain wetlands. Given modern wetlands policy, it is unlikely that Alberta Environment endorsed such drainage activity and would be unlikely to approve further wetlands drainage and development on wetlands.

The following picture shows the undisturbed wetlands on the contiguous lands south of the subject lands as an indication of how the land looked prior to channelization.



These pictures depict the channelized wetland which encompasses the full length of the eastern lowlands:



The next sequence of pictures show how the subject lands become inundated during the spring rains (typically in June):





Of note, the current proposal differs from the rejected 2002 proposal in its inclusion for development on more of these wet front lands.

I believe that the developers have underestimated the constraints to development from wetlands in their proposal and that a more detailed wetlands assessment is required with exclusion of all such lands from the GDA calculation.

IV. Disturbed wetlands and risk to Infrastructure

The current proposal poses risks to infrastructure that is both private and public.

The Mountain View subdivision lies on the quarter section immediately south of the subject lands. It relies on the healthy wetlands on that quarter for its septic treatment in a county approved wastewater scheme. This system requires the maintenance of upstream wetlands for its proper functioning. The scope of the proposed development represents potential risk to this natural wastewater treatment .

Range Road 52 is the southern and only point of egress for Fawn Hills. During heavy spring rains a short section of this road is prone to flooding and was inundated during the 2013 floods. Further upstream wetland disruption greatly increases the risk to this important point of emergency egress and to RVC infrastructure.



Range road 52 after flood waters have receded.

V. Fire Risk in Fawn Hills Valley

The western portion of the proposed subdivision is within a dense old growth forest. We know from fire risk analysis that the greater Bragg Creek area is at high risk for wildfire and given its tree density and age this area in particular is concerning. The proposed density of development within this vulnerable environment places current and future residents at heightened risk for a fire event. We also know that despite the claims by the developer, the internal subdivision road poses no credible barrier for fire containment and that overall risk to all residents present and future will be increased. Furthermore despite developer claims, the Fawn Hills Water Coop water cistern is not an appropriate asset with which to fight wildfire.

VI. Risk to Groundwater

Groundwater levels in this area have experienced a documented decline in recent years. This last year a well on a contiguous parcel of land failed and multiple drilling attempts were required before sufficient water was found. Development on the eastern portion of this quarter section has for many years been impeded by lack of sufficient ground water. Numerous dry wells have been drilled. The prospect of 22 new homes potentially drawing from a depleted aquifer poses unreasonable risk to current and future residents.

Groundwater contamination from 22 new septic fields also poses unacceptable risk. The well supplying the Fawn Hills North Water Coop was in the late 1990's contaminated by fecal coliforms originating from animals grazing on the subject lands. This risk to public health cannot be repeated by development that does not conform to GBCASP guidelines.

VII. Summary

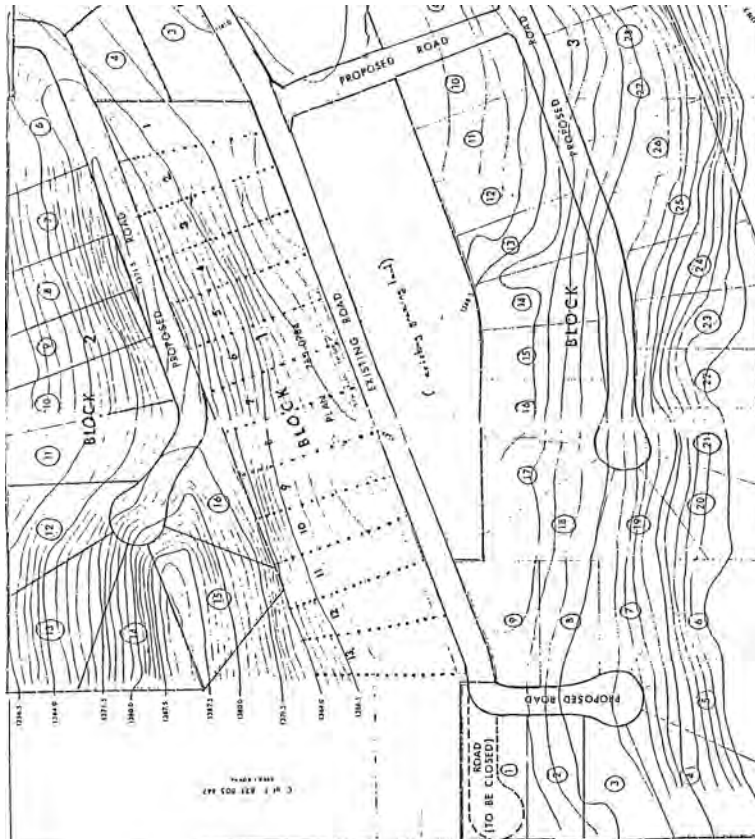
This proposal should not be approved as it poses undue risk to current and future residents and RVC. Its lack of compliance with GBCASP development parameters is highly problematic and represents a direct challenge to this widely supported direction for development and future growth in West Bragg Creek. The developers have presented no credible justification for deviating from development guidelines. I urge RVC staff and Council to redirect these developers toward proposing a development that supports sustainable growth along the parameters clearly detailed in the GBCASP and which can serve as a model for community and County participation in a sustainable future for West Bragg Creek.

Sincerely,

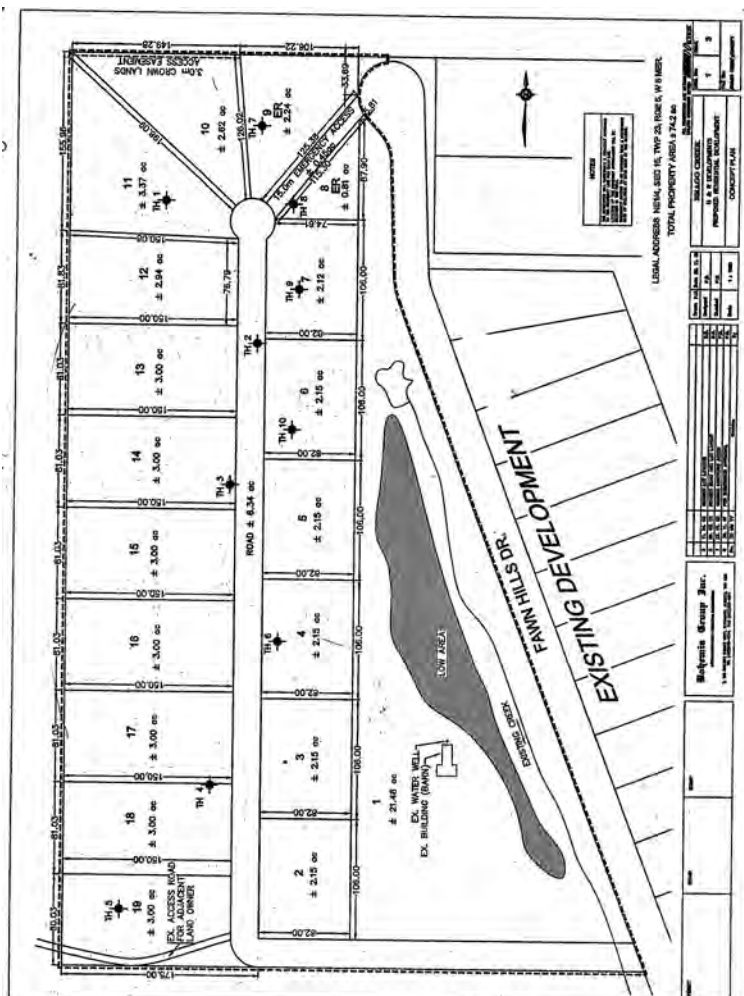
Dr David Cebuliak MD

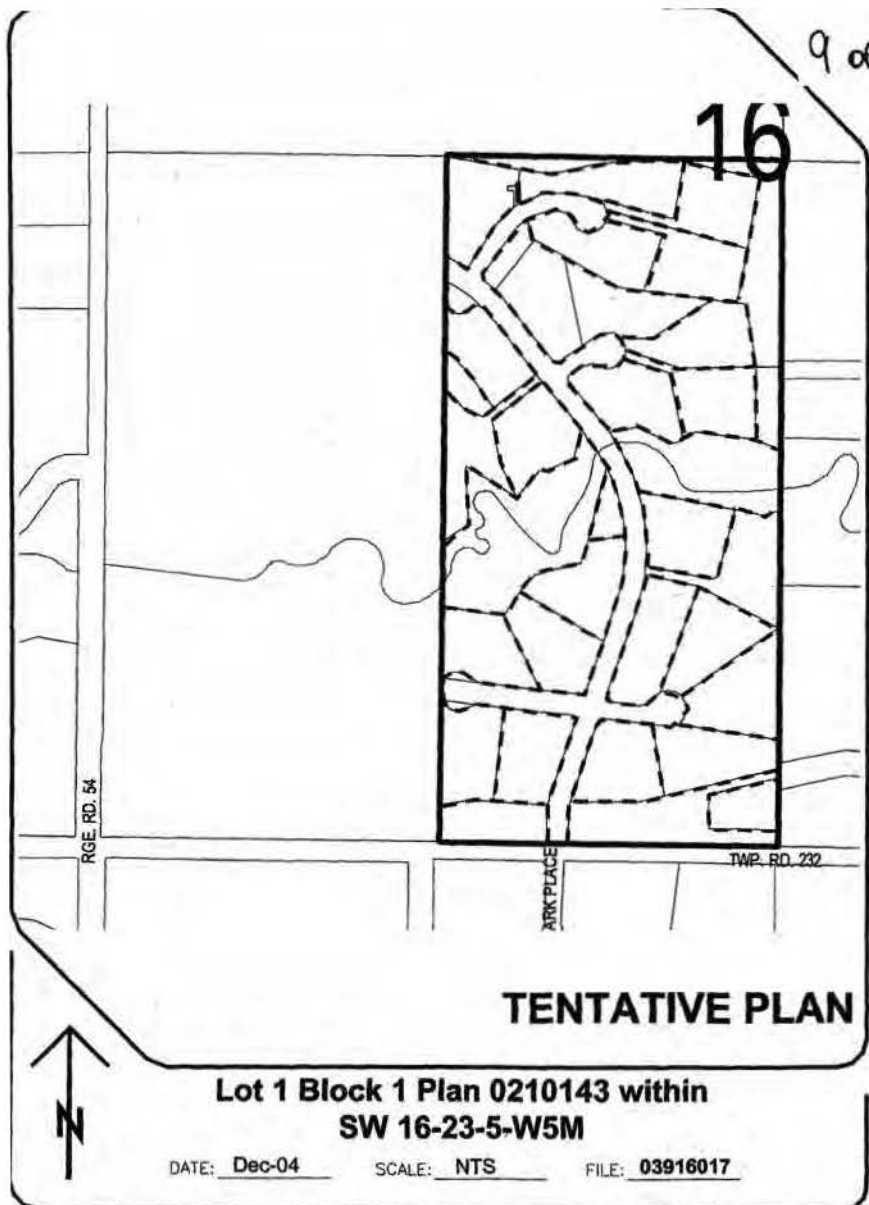


1. 1986 Proposal



2. 2002 Proposal (subsequently modified to ~16 lots):





Dennis Ellert

[REDACTED]
112 Fawn Hills Drive
Bragg Creek, Alberta T0L 0K0

October 7, 2019

To:

Johnson Kwan
Planning Services Department
Rocky View County
262075 Rocky View Point
Rocky View County, AB T4A 0X2

Cc: Bart Carswell, MA, RPP, MCIP
Carswell Planning Inc.
P.O. Box 223
104 – 1240 Kensington Rd. NW
Calgary, AB T2N 3P7

jkwan@rockyview.ca

Bart.Carswell@carswellplanning.ca

**Re: Proposed Redesignation and Development on Fawn Hills Drive, Bragg Creek
PL20190102 and PL20190103
NE-15-23-05W05M**

Mr. Kwan,

Thank you for seeking feedback from our community concerning the proposed development in our neighbourhood.

The development application does not comply with the overall density requirement of 1 lot per 4 acres set out in the Area Structure Plan for West Bragg Creek (the ASP). In my view it should. I favour the low-density approach described in the ASP and the preference for open space planning.

I do not see a valid reason for departing from the guidelines in the ASP. In fact, the increased density creates several problems. I have checked the items below which are of specific concern to me:

- ☒ **Water.** Increased density means increased strain on existing water wells (both that of the water association and of private wells).
- ☒ **Waste.** The plan calls for 22 new septic systems which will place greater strain on the wetland ecosystem.
- ☒ **Environment.** I want to preserve the wetland, animal habitat, and forest as much as possible.
- ☒ **Fire.** Our area is at high risk of wildfire. Greater density of homes in our forested area both increases the risk of fire and the number of people and structures that will be endangered in a wildfire.
- ☒ **Emergency Egress.** There is only one route out of West Bragg Creek. Greater density developments mean that more people will rely on that single route in case of emergency.

- ☒ **Traffic and Noise.** Increased density means increased traffic and noise on an otherwise quiet, dead-end street.
- ☒ **Services.** Increased density means greater demand on County services, infrastructure, and school services.
- ☒ **Slope.** I am concerned about slope stability and road access in the new development on the slope and whether school buses and fire trucks will be able to access the new neighbourhood.
- ☒ **Wildlife Encounters.** Increased density of housing and people (and the associated food, garbage, and traffic) risks greater numbers of negative human-wildlife interactions.

Thank you for your time. I look forward to receiving notice of any upcoming hearings.

Regards,
Dennis Ellert

Johnson Kwan

From: Michelle Mitton
Sent: Wednesday, February 26, 2020 4:19 PM
To: Johnson Kwan
Cc: Lori-Lee Turcotte
Subject: FW: BYLAW C-7956-2019, BYLAW C-7955-2019

Categories: Yellow Category

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: Kirstie Russell [REDACTED]
Sent: Wednesday, February 26, 2020 4:03 PM
To: PAA_ LegislativeServices <legislativeservices@rockyview.ca>
Subject: BYLAW C-7956-2019, BYLAW C-7955-2019

I appreciate your seeking feedback from our community regarding the proposed development in our neighbourhood and I would like to take a few minutes to share some of my concerns.

First of all, the development application does not comply with the overall density requirement of 1 lot per 4 acres set out in the Area Structure Plan for West Bragg Creek (the ASP) and I feel strongly that it should; I favour the low-density approach described in the ASP and the preference for open space planning.

I do not see a valid reason for departing from the guidelines in the ASP. In fact, increased density creates several problems. The following issues are of specific concern to me:

Fire. Our area is at high risk of wildfire and a greater density of homes in our forested area both increases the risk of fire and the number of people and structures that will be endangered in the case of a wildfire. Add to that the single exit route out of West Bragg Creek - Balsam Avenue bridge - and the prospect of a future emergency, be it fire or flooding, becomes even scarier.

Environment. I want to preserve the wetland, animal habitat, and forest as much as possible. This area is home to deer, moose, cougars and a myriad of other beautiful creatures and years of construction will inevitably displace them. I also worry that increasing the density of housing and people (and the associated food, garbage and traffic) risks greater numbers of negative human-wildlife interactions.

Traffic and Noise. Increased density means increased traffic and noise on an otherwise quiet, dead-end street. Construction traffic - in three phases over how many years? - means many years of interruption and disturbance. Just as important, according to the Greater Bragg Creek Transportation Assessment completed in support of the

ASP, Township Road 232 (West Bragg Creek Road) is currently operating at or near capacity; increased density along Fawn Hills Drive will only exacerbate that problem. It's important to note that the GBC Transportation Assessment was completed in 2004 and traffic along that road has only increased, especially since the expansion of West Bragg Creek Recreation area in 2017.

Fawn Hills Drive is truly a beautiful, peaceful place to call home; most mornings I can sit on my porch and sip my coffee and watch the neighbourhood deer wander by. If I'm lucky, I'll see the momma moose and her calf when I'm walking the dog early in the morning. It's quiet and the kids can ride their bikes and we can walk our dogs down the street without worrying about traffic. I know that I'm terribly lucky to live here and I truly hope that at some point our neighbourhood expands and other families can be just as lucky as I am but expansion needs to be done correctly or everything that makes Fawn Hills special disappears. The development currently being proposed is too much - too many lots in too small a space.

Thank you for your time. I look forward to receiving notice of any upcoming hearings.

Regards,

Kirstie Russell



112 Fawn Hills Drive
Bragg Creek, Alberta T0L 0K0

Darren McKeague
[REDACTED]
128 Fawn Hills Drive
Bragg Creek, Alberta T0L 0K0

October 8, 2019

To:

Johnson Kwan
Planning Services Department
Rocky View County
262075 Rocky View Point
Rocky View County, AB T4A 0X2

jkwane@rockyview.ca

Cc: Bart Carswell, MA, RPP, MCIP
Carswell Planning Inc.
P.O. Box 223
104 – 1240 Kensington Rd. NW
Calgary, AB T2N 3P7

Bart.Carswell@carswellplanning.ca

**Re: Proposed Redesignation and Development on Fawn Hills Drive, Bragg Creek
PL20190102 and PL20190103
NE-15-23-05W05M**

Mr. Kwan,

Thank you for seeking feedback from our community concerning the proposed development in our neighbourhood.

As a resident of one of the properties on the east side of Fawn Hills Drive (immediately across the road from the proposed subdivision), this development would have significant impact to me. I have chosen to make my home here because it is a small cul-de-sac with very limited traffic and noise. Specifically, there are only eight existing properties whose residents pass by my driveway. The proposed development will see the traffic (both owners and construction vehicles) from 17 additional lots passing by, as Phases 1 and 2 of the subdivision are completed, with their only access being to drive past the house of every existing resident on the street. It is not until Phase 3 of the development is completed that the closer access road will be added to possibly alleviate some of the volume. As the traffic study in the report shows however, overall traffic volume on Fawn Hills Drive is still expected to more than triple. While this may be within the allowable limits for the classification of road, it's certainly not reasonable for the current residents.

Further to the discussion of traffic, it's incredibly inconsiderate of the developer to propose (and have already built) the primary access road at the north end of his property, forcing new traffic to pass by every current Fawn Hills Drive resident as mentioned. Creating the first and primary access at the south end of his property would have been much more appropriate to appeal to the surrounding community, but this is clearly not in his interests. It appears that the primary consideration was to minimize cost, and build a road on the low grade area.

Putting aside the personal concerns associated with traffic and the resulting noise and safety considerations, my main formal objection to this proposal is the blatant deviation from the Area Structure Plan (ASP) for Bragg Creek. The land in question has a total area of 74.64 acres, of which much of eastern portion bordering Fawn Hills Drive is wetland. Without attempting to define exactly how much area that comprises, it's immediately apparent that there is under 70 acres of "Gross Developable Area" as defined by the ASP. Section 7.4.4(d) of the ASP clearly defines a lot density of one lot per four acres of Gross Developable area, leading to an allowable count of somewhere under

17 lots. The proposed 22 lot development takes no consideration of this criteria. Furthermore, when questioned about this elementary math during the public consultation, the developer simply (and wrongly) stated that he did in fact comply with the ASP, but was not interested in citing how or why.

As an aside, Figure 16: "Topography and Steep Slopes" of the developers' conceptual scheme also suggests that there is a large area of steep ($>30^\circ$) slope within the property, which cannot form part of the Gross Developable Area per section 7.4.1(a) of the ASP. Fortunately for the developer, there is in fact no area of 30° slope anywhere on this property, nor anywhere in the Fawn Hills region. This poor quality of information being conveyed to the stakeholders raises due concern, and yet another reason to object to the proposal.

As an executive member of the water coop servicing 13 existing homes on the east side of Fawn Hills drive, I'm aware that water supply is a real concern in the area. Other neighbours outside of the coop have struggled to drill adequate water wells on their properties. I would suggest that this is not something that should be taken lightly when considering the need to supply nearly three times the current number of homes from the same local aquifers.

There are many natural risks that Bragg Creek residents face including flooding (major event in 2013) and wildfire (major risk in 2018), and limited access and egress which has plagued residents for decades. Any further high density development only adds to the associated risks.

The above topics are only some of the multitude of concerns that I have surrounding the proposed subdivision at Fawn Hills Drive, and the resulting impact on the environment, surrounding community, and my own personal property and its value. I trust these will all be taken into due consideration when assessing the suitability of this proposal.

Thanks and Regards,



Darren McKeague
P. Eng

Susan McKeague
 128 Fawn Hills Drive
 Bragg Creek, Alberta T0L 0K0

October 8, 2019

To:

Johnson Kwan
 Planning Services Department
 Rocky View County
 262075 Rocky View Point
 Rocky View County, AB T4A 0X2

Cc: Bart Carswell, MA, RPP, MCIP
 Carswell Planning Inc.
 P.O. Box 223
 104 – 1240 Kensington Rd. NW
 Calgary, AB T2N 3P7

jkwan@rockyview.ca

Bart.Carswell@carswellplanning.ca

Re: **Proposed Redesignation and Development on Fawn Hills Drive, Bragg Creek**
PL20190102 and PL20190103
NE-15-23-05W05M

Mr. Kwan,

Thank you for seeking feedback from our community concerning the proposed development in our neighbourhood. I have lived on this street for almost seven years and while I am not apposed to reasonable and responsible development; the current Fawn Hills of Bragg Creek does not adhere to the Area Structure Plan, has the potential of damaging the surrounding ecosystem and places an increasing number of residents at risk during extreme weather events.

The development application does not comply with the overall density requirement of 1 lot per 4 acres set out in the Area Structure Plan for West Bragg Creek (the ASP). In my view it should. I favour the low-density approach described in the ASP and the preference for open space planning.

I do not see a valid reason for departing from the guidelines in the ASP. In fact, the increased density creates several problems. I have checked the items below which are of specific concern to me:

- ☒ **Water.** Increased density means increased strain on existing water wells (both that of the water association and of private wells).
- ☒ **Waste.** The plan calls for 22 new septic systems which will place greater strain on the wetland ecosystem.
- ☒ **Environment.** I want to preserve the wetland, animal habitat, and forest as much as possible. The proposed development area is on a wetland and an important wildlife corridor for deer, moose, bears, blue heron and owls. The dense nature of the subdivision proposal would leave little room for wildlife to live in their natural habitat. This is in contradiction to P. 71 of the ASP that outlines the importance of preserving treed areas, wildlife corridors and wetland.

- ☒ **Fire.** Our area is at high risk of wildfire. Greater density of homes in our forested area both increases the risk of fire and the number of people and structures that will be endangered in a wildfire.
- ☒ **Emergency Egress.** There is only one route out of West Bragg Creek. Greater density developments including the proposed with 22 additional houses mean that more people will rely on that single route in case of a wildfire or flood, drought.
- ☒ **Traffic and Noise.** Increased density means increased traffic and noise on an otherwise quiet, dead-end street. The main reason my family and I live in Bragg Creek and are choosing to raise our family here is because of the quiet, dead-end street we currently live on. The proposal would have lasting and negative impacts on this neighbourhood. Not only will we be contending with construction traffic for the next several years, we will also have to deal with more **than three times** the current amount of traffic. While I am aware that a traffic impact assessment was conducted, this does not ease my worry with the increased volume of traffic.
- ☒ **Slope.** I am concerned about slope stability and road access in the new development on the slope and whether school buses and fire trucks will be able to access the new neighbourhood.
- ☒ **Wildlife Encounters.** Increased density of housing and people (and the associated food, garbage, and traffic) risks greater numbers of negative human-wildlife interactions.

Thank you for your time. I look forward to receiving notice of any upcoming hearings.

Regards,

Susan McKeague

AVRIL DERBYSHIRE

#164 Fawn Hills Drive
Bragg Creek, AB T0L 0K0

NE-15-023-05-5 12-0-0

February 26, 2020

OPPOSITION TO PL20190103 (03915024)

OPPOSITION TO PL20190102 (03915024)

It is with disappointment and astonishment that the Fawn Hills area is trying to become a high density area. I believe most of the residents of Fawn Hills Drive have no objection to a certain amount of development. It is known as one of the last areas of beauty. The area has always been contentious and we have fought many battles over the years, quads racing on the road, open gun range 7 hrs a day and now total decimation of the area. I don't think the wildlife are affected but I do believe the ground water and our well, which services 12 households will be hugely impacted, not to mention traffic and noise. Will there be insurance from the developer if our access to water is compromised?

I am also incredulous that the area structural plan does not protect us. We need and expect our council to protect us and to be mindful, especially in lieu of the current economy, to care for our environment. Once the beauty of Bragg Creek has gone it can never be restored, and it is on the very edge now. The West Bragg Creek Road is dangerous with huge loss of animals just left to die on the side of the road. At weekends it is bumper to bumper, speeding, aggression, is that being addressed? Not that I have seen. Is there an escape route out across the river in case of emergency? No. Sometimes it is difficult to get out on to the West Bragg Creek road because it is so busy. High density development anywhere in Bragg Creek is incredibly destructive, not only to the land but for the people who have settled here but who don't seem to have a voice.

Avril Derbyshire

Johnson Kwan

From: Avril Derbyshire [REDACTED]
Sent: Tuesday, October 01, 2019 11:29 AM
To: Johnson Kwan
Subject: File # 03915024 PL20190102 Redesignation

Categories: Yellow Category

As a resident of Fawn Hills Drive for 38 years I am stunned that people who don't even live in Bragg Creek can come into our beautiful valley and completely turn it into a high density area. We expect Rockyview to project us and we expect that the people have a voice. This piece of land has been contentious for many many years and is, at times, used as a gun range. Weekends have often been a time for target shooting and often for hours at a time. Now they have applied for high density living. What do they care, it's all about the money. We expect the area structural plan to be honoured and if there is development that can be limited to 11 lots maximum it would likely be supported. We also expect Rockyview to let every resident of Bragg Creek know about these proposed 22 lots and have a say in the matter, not just the residents of Fawn Hills Drive.

I am also incredulous that rules can be changed to accommodate this request for high density living. I realize that it is income for Rockyview but it's time we protected our environment from developers, the wildlife, fauna, streams, wetlands for we have much to be proud of and once it's gone we can never get it back. Bragg Creek is a magical place and people come to live there because it offers peace and quiet, a unique life style where we are surrounded by forest packed with amazing wildlife of every kind. We pay a price to live there and work hard to protect what we have.

Avril Derbyshire
164 Fawn Hills Drive

Johnson Kwan

From: steve [REDACTED]
Sent: Tuesday, February 11, 2020 8:18 PM
To: PAA_ LegislativeServices; Johnson Kwan
Subject: Bylaw C-7956-2019. Application #:PL20190103 (03915024)

Categories: Red Category

Hello,

My name is Stephen McNeil and I live at 68 Fawn Hills Drive in Bragg Creek. My legal land description is SE/15/23/05/05. We have lived here for over 15 years.

I am writing this letter on behalf of my family as we are not able to attend the meeting on March 10, 2020.

We are STRONGLY OPPOSED to the proposed development.

I have shared the reasons previously with the developer as I have a number of my neighbours and I do believe the concerns were at all addressed. I also do not believe the development at all falls in line with the Greater Bragg Creek area structure plan as I interpret it. I also believe that most of the areas addressed in the Conceptual Scheme of the developer are done so in a very superficial manner and consider only the proposed development area and not the potential effect on residents already living in proximity to it or on Bragg Creek community as a whole.

I have taken sections from previous emails I have sent and attached below to summarize my concerns.

1. The proposal in no way follows the Area Structure Plan for Bragg Creek. Please refer to page 69 to 72 of the plan. First from the map the area of proposed development is 78 acres. From this must be subtracted water bodies (this property contains one), road, slopes over 15 % and a riparian buffer. From this comes the Gross Developable Area. This would clearly be less than 70 acres. The proposal call for 4 acres of overall density so how a proposal of 22 lots came about is beyond me (this would assume 88 acres without any subtractions). You cannot include other peoples property on this quarter section of 160 acres as part of you GDA as this is not your property to development. If I owned 80 acres and you owned 80 acres does that mean I could put 40 houses on and you would be allowed none. I don't believe based on reading the GBCASP this is the case. <https://www.rockyview.ca/Portals/0/Files/BuildingPlanning/Planning/ASP/ASP-Greater-Bragg-Creek.pdf>

[Area Structure Plan GREATER BRAGG CREEK](#)

Area Structure Plan GREATER BRAGG CREEK 9 Rocky View County SECTION A – BACKGROUND 1.0
 INTRODUCTION The lands that are subject to the provisions and policies of this Area Structure Plan (Plan area) are

www.rockyview.ca

2. Tied into the ASP on page 71 outlines and describes the open space design. It highlights preserving treed areas, wildlife corridors and wetlands. The proposed area contains all three. In fact it is a prime example of exactly what the Open space design is meant to avoid. The proposed development area I believe is a class 3/4 wetland which is regulated under provincial legislation unless the MD has adopted a municipal government act to over rule this. I am not aware if this is the case but have not seen such an act provided from MD of rockyview. Based on the the guidelines provided below there is legal responsibility and legal grounds to fight this. Please refer to the Wetlands Alberta Guide (P 41-43 re: municipal responsibility in this regard). The provincial requirements are outlined earlier in the development.
<http://www.wetlandsalberta.ca/media/uploads/AlbertaWetlandsGuide.pdf>
 In addition this area provides important treed areas for wind protection and water drainage for the residents who currently live on this street. I believe this helps protect us from flooding, high winds, snow on our steep driveways, etc. Finally it is a corridor that moose, deer , bears, cougars , owls, etc frequent. I know this as I live across the street from it and walk by these animals every day.
3. Concerns with water- As you may or may not be aware there are a number of houses on Fawn Hills dependant on wells. I am one of those houses. My well is very low flow and we are not connected to our street water co-op. I am concerned with how loss of trees, vegetation and wetlands and construction of roads and houses in the development would change my water pattern and those of my neighbours long term. This is a very difficult thing to measure but a legitimate concern. I am aware of at least one house on our street that had well issues after development behind us on Range Road 52. I have asked the developer impact on water on our street. We were answered with a response stating water for the proposed development was fine but in no way were our concerns about our own water flow answered as these have not been looked at. I also am uncertain (as were a number of my neighbours) based on the conceptual scheme provided by the developer how wastewater will be handled and what effects this may have on our fresh water which is downhill from the development area.
4. Safety- Many residents of Bragg Creek including myself are concerned about further development until a secondary egress is in place. With higher density this makes evacuation in case of fire and flood all the more difficult. In addition I am extremely concerned with increased risk of fire with developmental in an old growth forested area (Proposed development). We do not have a fire station in Bragg Creek and a poor road. We only have one exit. We are not set up for a large fire or other disaster. In addition to this I am concerned about the safety of my children and other children on the street if there are construction vehicles travelling down our quiet and poorly surfaced (chip rock) road for a number of years. Based on the current economy and time frame for building a # of houses on a # lots and infra-structure this would certainly be the case.
5. Noise- I as well as a number of neighbours bought on this street as it is both quiet and safe. The fact that the area across the street from me was designated ranch/farm and not residential was a major factor in our family deciding to purchase where we did. The proposed development would make this quarter section THE HIGHEST DENSITY in all of west bragg creek and the construction of this would add significant noise levels and disruption to our life style both for the many years of construction and afterwards with much higher density housing/population on the street.
6. The "proposed" dog park on a marsh is a joke. I suspect this is something to try to appeal to the MD? If anything a massive increase in number of houses , construction vehicles, noise and population will just stop people from walking our dogs on the street.
7. Wind and Stormwater- As council may or may not be aware we have have significant issues with high winds and stormwater on Fawn Hills Drive where the current houses are located on

the opposite side of the street from the proposed development. We frequently have flooding on both sides of the street requiring residents to pump water from ends of our driveway immediately off Fawn Hills Drive. With removal of vegetation which is in the developer CS this would certainly worsen the problem. As well I believe this will worsen the excessive winds that come off the hill where the development is proposed . I have already replaced many damaged structures on my house due to this with a forest buffer currently in place. Again I do not see in the CS any mention of potential effects on surrounding existing developments. If simple deals superficially with just the proposed development area and not effects on those already living here.

I believe these concerns all have merit and needed to be addressed prior to looking at a development. I will note my family and I am not an individual who is "anti" development and in fact have written letter of support to the MD of Rocyview for other developments (most recently Bragg Creek Brewery proposal) when I believe they meet certain standards, follow environmental guides and the GBCASP and will better our wonderful community. Unfortunately at the current time I do not believe these conditions are met and thus will not support the development as proposed.
I thank you for your time.

Sincerely,
Dr. Stephen McNeil (and family)
BSc(Biology), MD, FRCPC



Johnson Kwan

From: Alisa Lafontaine [REDACTED]
Sent: Tuesday, October 08, 2019 12:03 PM
To: Johnson Kwan
Subject: FawnHills Development

Categories: Yellow Category

Dear Mr. Kwan,

Thank you for seeking feedback from our community concerning the proposed development in our neighbourhood.

The development application does not comply with the overall density requirement of 1 lot per 4 acres set out in the Area Structure Plan for West Bragg Creek (the ASP). In my view it should. I favour the low-density approach described in the ASP and the preference for open space planning.

I do not see a valid reason for departing from the guidelines in the ASP. In fact, the increased density creates several problems. The items below are of specific concern to me:

1.(a)Water. Increased density means increased strain on existing water wells (both that of the water association and of private wells).

(b) Being that we're on a private well, we would like to see testing implemented during high and low season each year. Flow rate as well as contamination are a major concern.

2.Waste. The plan calls for 22 new septic systems which will place greater strain on the wetland ecosystem.

3.Environment and wildlife. I want to preserve the wetland, animal habitat, and forest as much as possible.

4.Traffic and Noise. Increased density means increased traffic and noise on an otherwise quiet, dead-end street.

5. Light Pollution. Increase in housing, cars and street lights.

Thank you for your time. I look forward to receiving notice of any upcoming hearings.

Regards
Alisa Albouy

Renée Delorme

52110 Township Rd 232
Bragg Creek, Alberta T0L 0K0

October 6, 2019

To:

Johnson Kwan
Planning Services Department
Rocky View County
262075 Rocky View Point
Rocky View County, AB T4A 0X2

Cc: Bart Carswell, MA, RPP, MCIP
Carswell Planning Inc.
P.O. Box 223
104 – 1240 Kensington Rd. NW
Calgary, AB T2N 3P7

jkwan@rockyview.ca

Bart.Carswell@carswellplanning.ca

**Re: Proposed Redesignation and Development on Fawn Hills Drive, Bragg Creek
PL20190102 and PL20190103
NE-15-23-05W05M**

Mr. Kwan,

Thank you for seeking feedback from the community concerning the proposed development in our area.

The development application does not comply with the overall density requirement of 1 lot per 4 acres set out in the Area Structure Plan for West Bragg Creek (the ASP).

I do not see a valid reason for departing from the guidelines in the ASP. In fact, the increased density creates several problems. Below are some of the concerns I have:

- ☐ **Housing Density.** Currently Fawn Hill Drive is home to 19 – 2+ acre lots and three large properties. Adding 22 - 2 acre lots will bring the total number of lots to **41 properties**. All those properties would be located in a cul-de-sac with only one access to the connecting range road.
- ☐ **Quarter Section Density.** The quarter section already has two high-density developments (Fawn Hill and Mountain View) as well as several lots on the remaining area for a total of 49 properties. As per the ASP's vision for low- density housing, it can be argued this quarter section is already fully developed.
- ☐ **Waste.** The plan calls for 22 new septic systems. The current housing development, with its 19 existing septic systems across the road, is located above the wetland. By adding 22 additional septic systems on the opposite side of the road, the risk of seepage in the wetland is of concern. We live "downhill" this wetland with the possibility that any seepage could impact our water well.
- ☐ **Fire.** Our area is at a high risk of wildfire. A greater density of homes in our forested area both increases the risk of fire and the number of people and structures that will be endangered in a wildfire.

- ☐ **Emergency Egress.** There is only one route out of West Bragg Creek, and it goes over a bridge. Greater density developments mean more people will rely on that single route in case of emergency. Additionally, the development of trails at the end of the West Bragg Creek has exacerbated this risk by bringing in hundreds of additional cars that use the same exit daily. Increasing the area's density without addressing this well-documented issue is a potential cause for liability or a class-action lawsuit in the event of a catastrophe.
- ☐ **Traffic and Noise.** Increased density means increased traffic and noises, altering the character of the area, and making it into something the community does not want. The proposed development will be accessed via West Bragg Road. This road has already experienced a significant increase in traffic since the completion of the Trail system. The impact on local residences is significant increase in noise pollution, risk associated with excessive speeding, increase number of road kills, and increase uses of emergency services. So far, none of these issues have been addressed by Rockyview County except for the area located near the trailhead parking lot. Increasing housing and traffic density with new development will only exacerbate this situation.
- ☐ **Environment and Wildlife Corridor.** There are ample anecdotal evidences the area is a wildlife corridor with daily sightings of large and small wildlife crossing properties and roads. Many are killed by traffic, and this is a grave concern to me and many in the community. Without mitigation strategies such as slower speed limits and / or speed bumps along West Bragg Creek Road, the traffic generated by the new development will further negatively impact this existing situation.

Three recent documented separate incidences of animal collisions on West Bragg Creek Road resulting in four deaths.



Thank you for your time. I look forward to receiving notice of any upcoming hearings.

Regards,

Renée Delorme



Johnson Kwan

From: Lorie Cooper [REDACTED]
Sent: Monday, February 17, 2020 7:13 PM
To: PAA_ LegislativeServices
Cc: Johnson Kwan; Tyler Andreasen
Subject: Public Hearing: Fawn Hills Development; Re: Bylaw C-7956-2019

Categories: Yellow Category

To the Council:

I, Lorie Cooper, (SE-16-23-5w5, 186 Saddle Road, Bragg Creek, AB T0L0K0), do "OPPOSE" Bylaw C-7956-2019 to amend land use Bylaw C-4841-97.

I hereby forward my letter previously sent to meet the October , 8, 2019 deadline with some modifications, suitable for the Fawn Hills Public Hearing.

Sent from my iPhone

Begin forwarded message:

From: Lorie Cooper [REDACTED]
Date: October 8, 2019 at 5:14:08 PM MDT
To: jkwan@rockyview.ca
Subject: Fawn Hills Decelopment

Dear Mr Kwan (and Honourable Council)

I must first indicate my concern as a Saddle and Sirloin resident who received NO information on the Fawn Hills development. As a Director, I learned of the October 8 deadline 3 days ago at our AGM.

I therefore request an extension and broader mailing by the parties applying for change of land status.

So for expediency my concerns are in point form:

1. Changing farmland to R1 (2acre lot density) rather than protecting farmland or subdividing into larger acreages creates a huge uncertainty for residents who have moved to Bragg Creek to enjoy nature and wildlife. If this precedent is set, any land could be developed reducing quality of life, and undermining the financial investment/value of existing properties.

2. There is a significant additional safety risk from flood and fire due to an increased density of dwellings in west Bragg Creek, with no current alternate emergency route but the bottleneck at the bridge across the Elbow River.

3. I don't see reference to an Environmental impact assessment, or a Wildlife co-existence management plan. Arbitrary aesthetic woodland borders described in the proposal, are for human satisfaction; these do not address critical wildlife corridors. Displacement of wildlife is NOT acceptable.

4. Water quality....where is the communal water being sourced from? (River? Well?) At S&S many different aquifers are penetrated due to the foothills structural geology with varying water chemistry. Colliform however is absent.

5. Most importantly is the potential for groundwater contamination with associated liability to the developer. I am concerned that septic is defined in the proposal as for "private" responsibility. With a density of 22- 2acre properties, it is a complete unknown as to where their sewage is going due to the complex structural geology. Tracer analysis might assist in determining if proximal properties are affected.

Although this is a very brief point form response, it underlines some of my concerns in taking raw agricultural land and creating a densely spaced development.

Regards
Lorie D Cooper
PGeol.

Sent from my iPhone

October 7, 2019

Lori Piercy

24 Mountain View Park
Bragg Creek, AB T0L 0K0

To:

Johnson Kwan
Planning Services Department
Rocky View County
262075 Rocky View Point
Rocky View County, AB T4A 0X2

Cc: Bart Carswell, MA, RPP, MCIP
Carswell Planning Inc.
P.O. Box 223
104 – 1240 Kensington Rd. NW
Calgary, AB T2N 3P7

jkw@rockyview.ca

Bart.Carswell@carswellplanning.ca

**Re: Proposed Redesignation and Development on Fawn Hills Drive, Bragg Creek
PL20190102 and PL20190103
NE-15-23-05W05M**

Mr. Kwan,

Thank you for seeking feedback from our community concerning the proposed development in our neighbourhood.

It never ceases to amaze me that people still bring forth the same old and tired objections each time there is a proposed development! Bragg Creek is becoming a shrinking community and we do need new development, our population is aging and young families are not interested in moving here.

However, it is important for any new development to follow the rules of the ASP and it needs to have its own stand-alone water and waste system or the very best option would be the availability to tie into Rocky View's Water and Waste systems. The purposed subdivision is approximately 3- 4 Km away from Rocky View's water and sewage plants and we need to work towards that solution for new developments. How come, if you live 10 km from Pincher Creek you have treated water from the County. I saw a drawing from Stantec Engineering a few years ago, showing north and south of Calgary up to Edmonton communities having municipal treated water out to acreages via a pipeline.

I went to this open house a few months ago and came away from it thinking, this was poorly thought out and my first concerns are with water and sewer. I asked about water and was told they have a few wells to draw from and would be a water association but could offer no other information except it would be like Fawn Hills Association? I am the President of the Mountain View Water & Sewer Co-op and have lived in Mountain View for the past 19 years, so I feel I have the experience to speak about this. I know of the trials and cash calls required to maintain an 8 lot, 2-acre subdivision. I also know Alberta Environment is making changes to sub-divisions regarding equipment in pumphouses and testing requirements, which I was told because we are under 10 lots, it will be a few years when they get to us about the changes.

A water co-op is owned by the homeowners in the subdivision and they are responsible for all maintenance and upkeep of the system. Most people who buy a lot are not aware or understand this concept until they buy. In this proposed new subdivision, they talk about doing 3 phases, how are they providing water to the first phase? Build a third of a pumphouse? A good example is the

Elkana Water Co-op, had 48 homeowners on their water coop and when the pumphouse had to be updated and replaced, they couldn't come up with a million dollar cash call. On top of that they had so many broken and leaking water lines, Mr. Kwan do you remember the outcome? They are now on the Rocky View County water system. Also, some homeowners couldn't sell because of the boil water order for many years and banks won't mortgage a house without potable water.

Our environment....I cannot believe in this day and age, anyone would even consider putting in individual septic tanks! Even our subdivision built in 1976 has one communal tank for 8 lots. Let's go back to Elkana subdivision, I invite you both to take a walk around the first part, lower Elkana, I believe construction started in the late 1970's, each ½ acre lot has its own tank. You will be able to tell which tanks have failed. Homeowners are shocked to find out now they have to pay 25K or more to fix the problem or maybe just leave it alone?

We should be welcoming new people to our community, they are a valuable resource - potential business owners, volunteers, and new friends but we need future development to be done correctly and learn from our mistakes of the past.

Thank you for your time. I look forward to receiving notice of any upcoming hearings.



Lori Piercy

Sharon Bayer

204 Saddle Road
Bragg Creek, Alberta T0L 0K0

October 4, 2019

To:

Johnson Kwan
Planning Services Department
Rocky View County
262075 Rocky View Point
Rocky View County, AB T4A 0X2

Cc: Bart Carswell, MA, RPP, MCIP
Carswell Planning Inc.
P.O. Box 223
104 – 1240 Kensington Rd. NW
Calgary, AB T2N 3P7

jkwane@rockyview.ca

Bart.Carswell@carswellplanning.ca

**Re: Proposed Redesignation and Development on Fawn Hills Drive, Bragg Creek
PL20190102 and PL20190103
NE-15-23-05W05M**

Mr. Kwan,

Thank you for seeking feedback from our community concerning the proposed development in our neighbourhood.

The development application does not comply with the overall density requirement of 1 lot per 4 acres set out in the Area Structure Plan for West Bragg Creek (the ASP). In my view it should. I favour the low-density approach described in the ASP and the preference for open space planning.

I do not see a valid reason for departing from the guidelines in the ASP. In fact, the increased density creates several problems. I have checked the items below which are of specific concern to me:

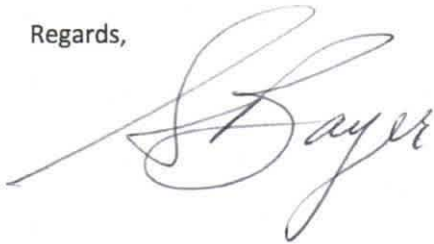
- ☒ **Water.** Increased density means increased strain on existing water wells (both that of the water association and of private wells).
- ☒ **Waste.** The plan calls for 22 new septic systems which will place greater strain on the wetland ecosystem.
- ☒ **Environment.** I want to preserve the wetland, animal habitat, and forest as much as possible.
- ☒ **Fire.** Our area is at high risk of wildfire. Greater density of homes in our forested area both increases the risk of fire and the number of people and structures that will be endangered in a wildfire.
- ☒ **Emergency Egress.** There is only one route out of West Bragg Creek. Greater density developments mean that more people will rely on that single route in case of emergency.
- ☒ **Traffic and Noise.** Increased density means increased traffic and noise on an otherwise quiet, dead-end street.

- ☒ **Services.** Increased density means greater demand on County services, infrastructure, and school services.
- ☒ **Slope.** I am concerned about slope stability and road access in the new development on the slope and whether school buses and fire trucks will be able to access the new neighbourhood.
- ☒ **Wildlife Encounters.** Increased density of housing and people (and the associated food, garbage, and traffic) risks greater numbers of negative human-wildlife interactions.

I live in the neighboring Saddle & Sirloin subdivision. As a 29 year Bragg Creek resident, I feel strongly that our ASP should be our 'bible' for new developments. That's why it was developed and approved by Council. So many Bragg Creek residents volunteered hundreds of hours of time for consultation and collaboration to develop this document and I see no reason to depart from it when considering this application.

Thank you for your time. I look forward to receiving notice of any upcoming hearings.

Regards,

A handwritten signature in cursive script, appearing to read 'S. Bayer', written in black ink.

October 6, 2019

Johnson Kwan
Planning Services Department
Rocky View County
262075 Rocky View Point
Rocky View County, AB T4A 0X2

jkwan@rockyview.ca

Re: **Proposed Redesignation and Development on Fawn Hills Drive, Bragg Creek
PL20190102 and PL20190103
NE-15-23-05W05M**

Thank you for seeking feedback from our community concerning the proposed development in our neighbourhood.

We are landowners/homeowners in the community of Saddle & Sirloin which is adjacent to the lands up for redesignation in the quoted application. The application is applying to revise the designation from Ranch and Farm District to Residential One District.

The development application does not comply with the overall density requirement of 1 lot per 4 acres set out in the Area Structure Plan for West Bragg Creek (the ASP). In our view it should. We favour the low-density approach described in the ASP and the preference for open space planning.

We bought in this neighbourhood to raise our family in a low-density area as there was the ASP in place to mitigate high density housing communities. This was a lifestyle choice which we feel would be compromised if the proposed development application goes forward.

We do not agree with the redesignation proposal in support of the existing ASP. We have concerns with the proposals for several reasons. Listed some concerns below;

- Traffic would increase significantly which would impact the road maintenance, increase noise and vehicle collisions with wildlife.
- Increase in waste which would have negative environmental impacts and increase to the capacity of the landfill site.
- Increase risk of wildfires. More densely populated housing communities in our forested area both increases the risk of fire and the number of people and structures that will be endangered in a wildfire.
- Increase wildlife encounters. High density housing communities would increase human and animal encounters which generally have negative impact to the animals.

Please do not hesitate to contact me should you have further questions regarding my letter.

Yours truly,
Kristi and Brian Farewell
279 Saddle Road
Saddle and Sirloin

[REDACTED]
[REDACTED]

January, 2020

Attention: Rocky View County, Planning & Development Services
 Fax: 403.277.3066
development@rockyview.ca

Re: Fawn Hills of Bragg Creek Conceptual Scheme/Redesignation/Plan of Subdivision
 Alan Hudye Alan@ozarkresources.com 403-860-5131
 NE-15-23-05-W05M, 79 Fawn Hills Dr., Subdivision Plan 7810784 containing 30.2 ha (74.65 ac)

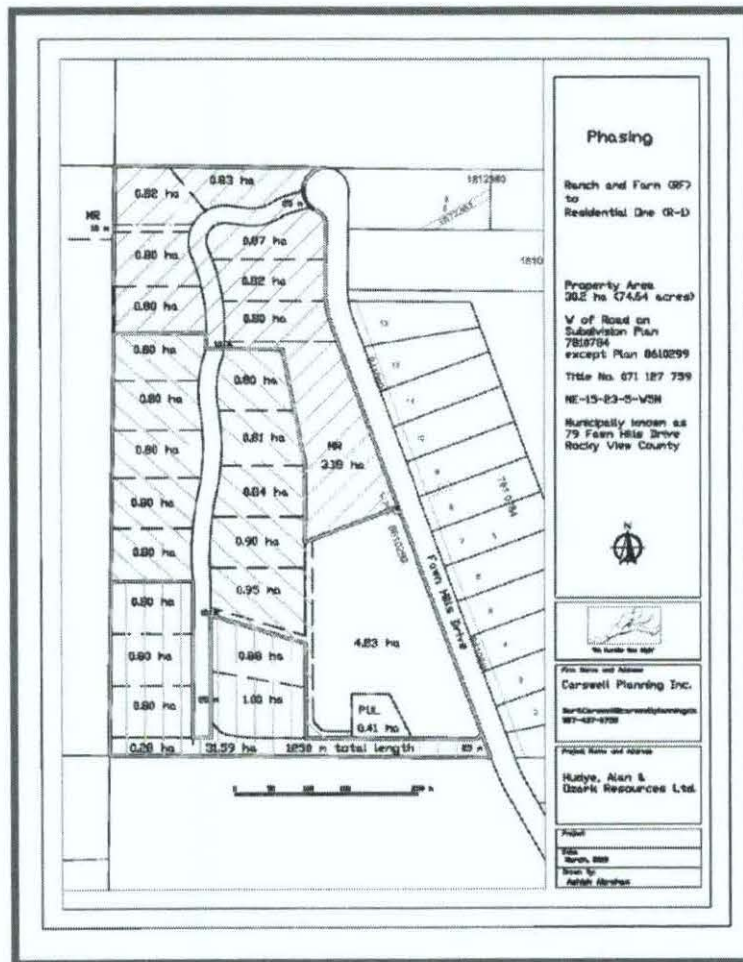
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Thank you,

DON SANDERS of address 46 MEADOW VIEW ROAD BRAGG CREEK

Signature & date

Feb 26, 2020.



January, 2020

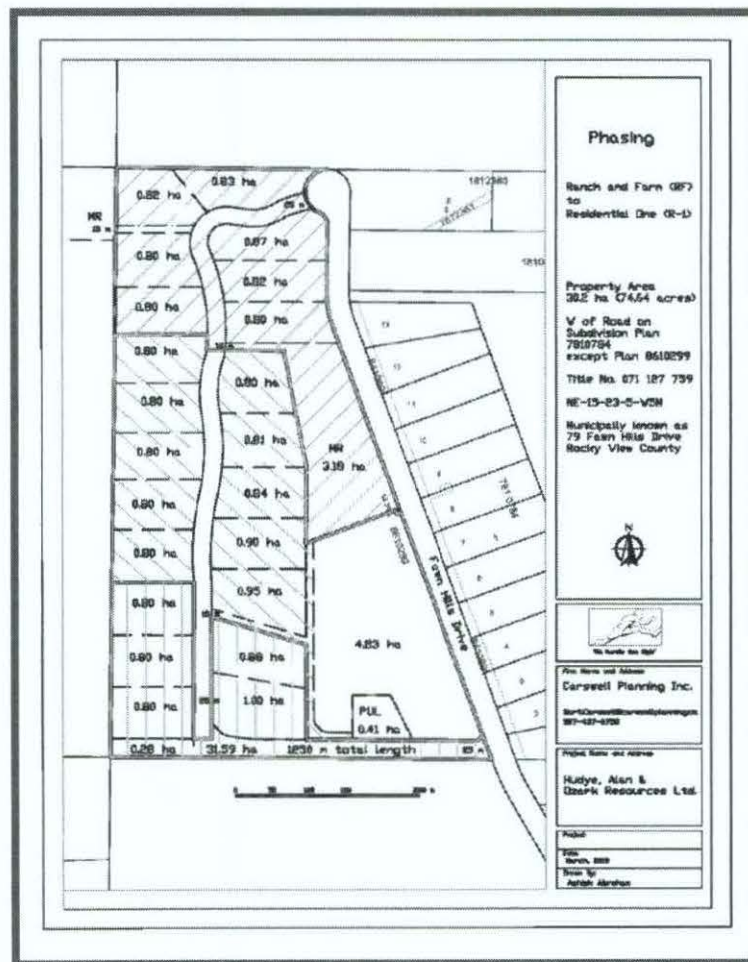
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Thank you,

MYRA SANDERS of address 66 Meadow View Road Bragg Creek, AB
 Signature & date Myra Y Sanders Feb 26/2020



January, 2020

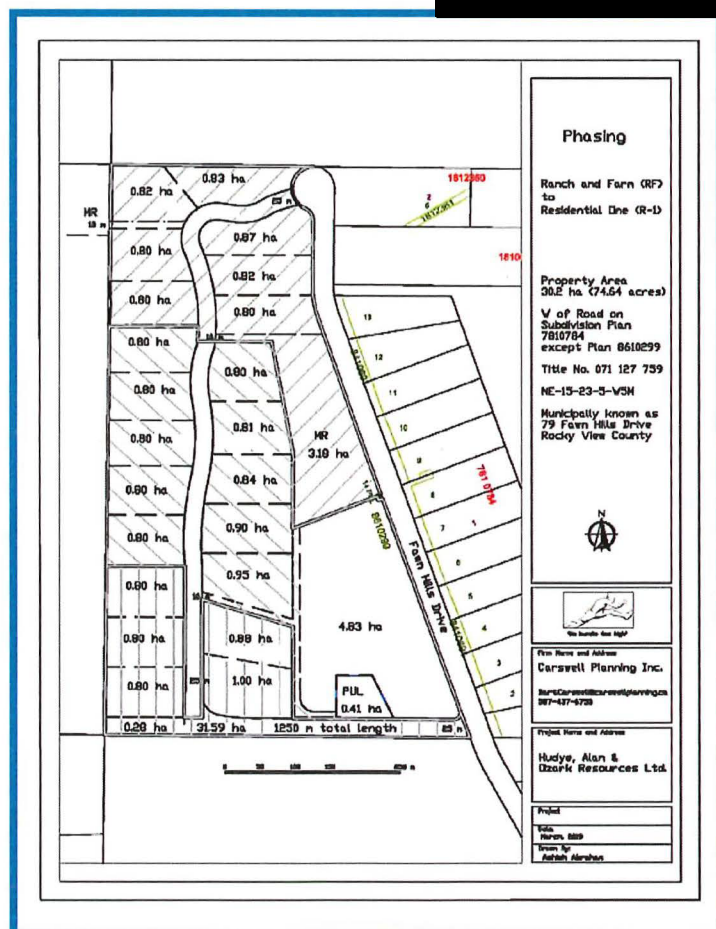
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Thank you,

Alan FRANKS of address SE/12-23-5 W5M Block 2 Lot 1
 Signature & date *[Signature]* Jan 27/2020



February, 2020

Attention: Rocky View County, Planning & Development Services
 Fax: 403.277.3066
development@rockyview.ca

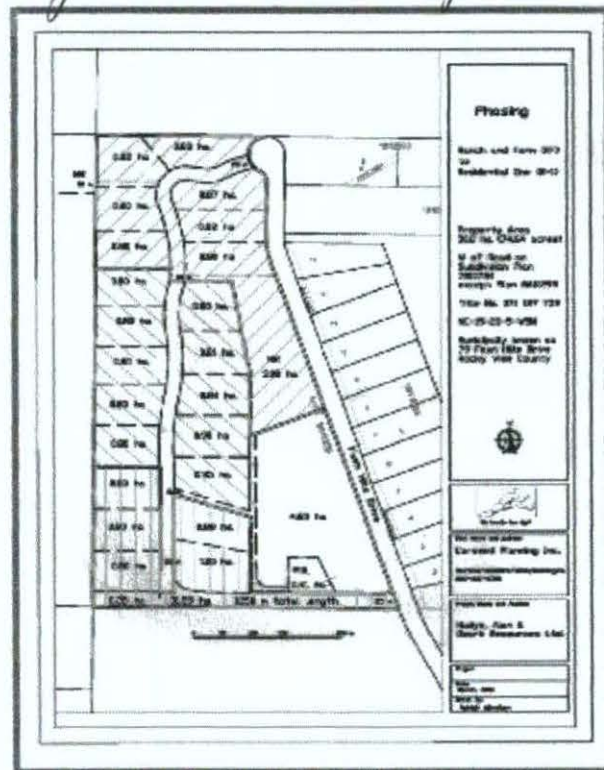
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Thank you,

Jackaleen Kelly of address 81 Fawn Hills, Drive,

Signature & date *Jackaleen Kelly - Feb. 26 / 2020.*



January, 2020

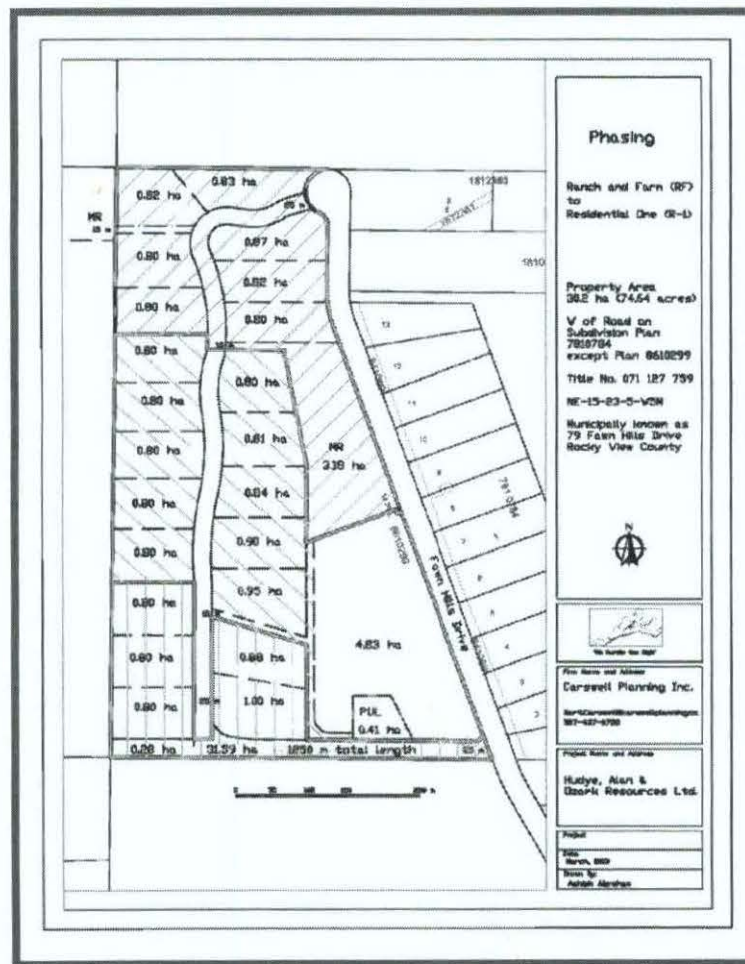
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Thank you,

RANDALL PROVOST of address 81 FAWN HILLS DRIVE,
 Signature & date *Provost* February 26, 2020.



January, 2020

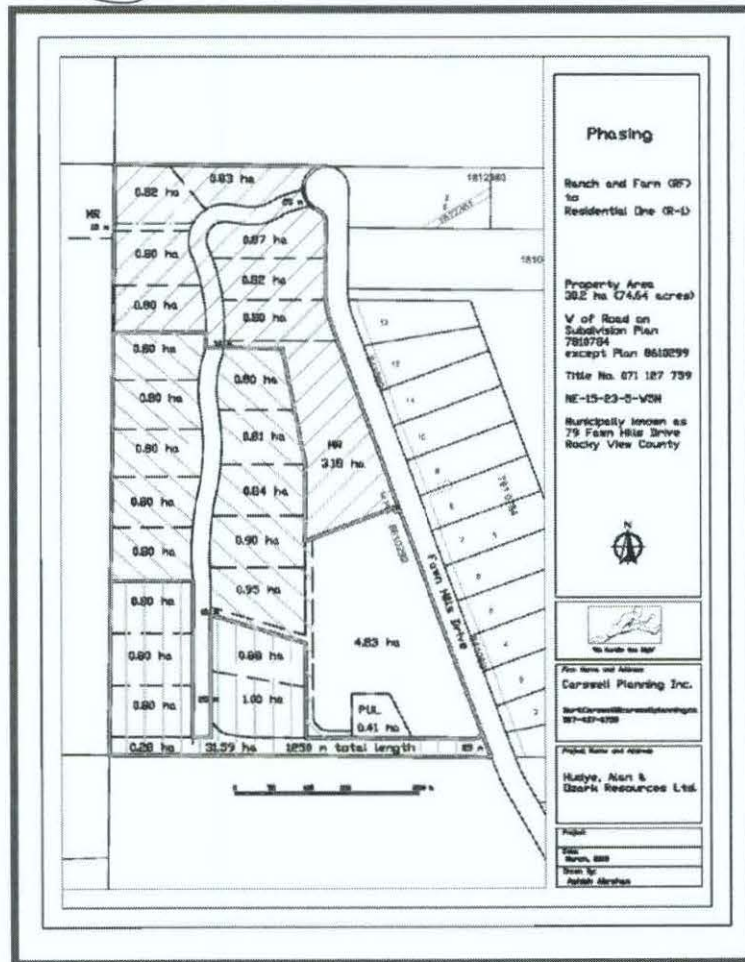
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Thank you,

Tom Walker of address 263 MOUNTAINVIEW DR.
 Signature & date [Signature] Feb 18, 2020.



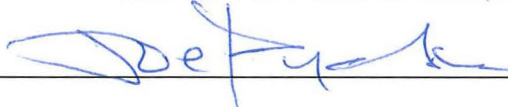
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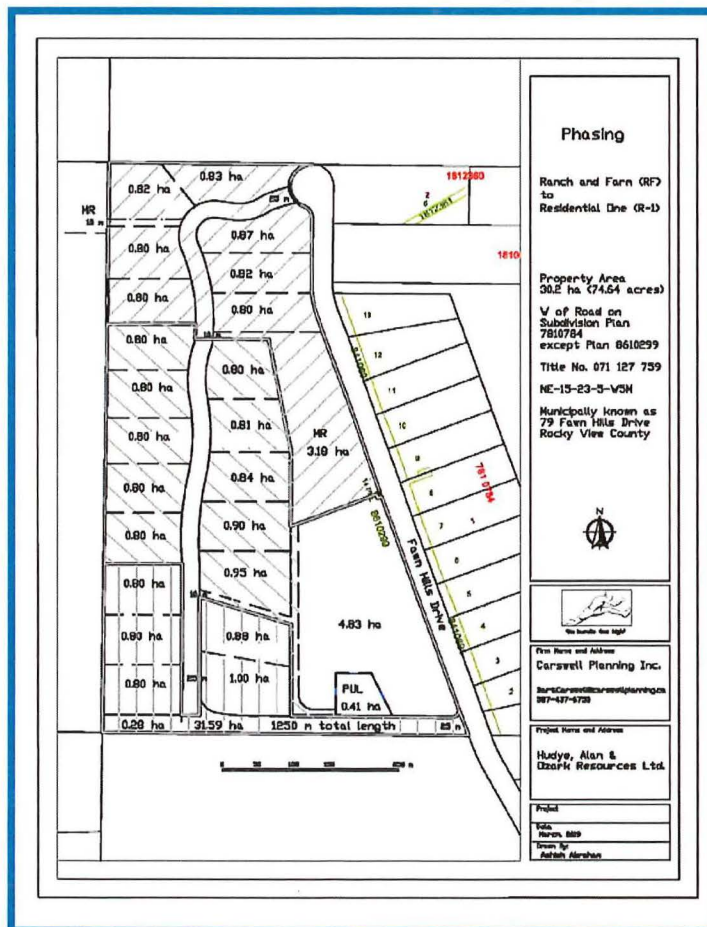
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Thank you,

JOE DYCK of address Block 2 Lot 1 Section 12-23-SW6M
 Signature & date 



January, 2020

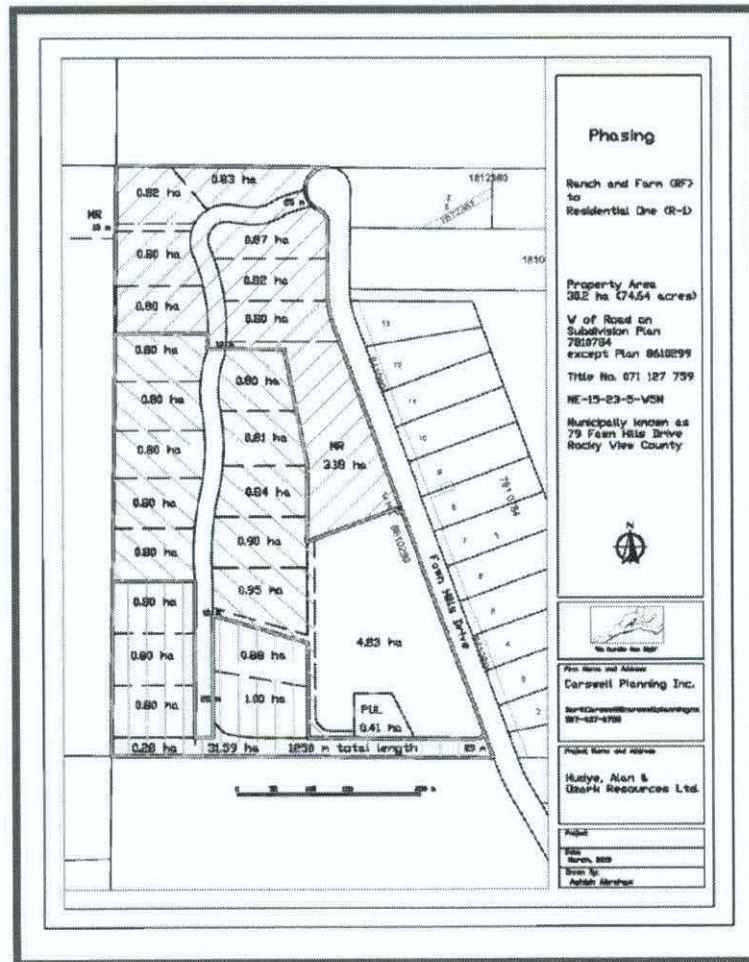
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Thank you,

Michael Sheu of address *11 Denise Road, Bragg Creek,*
 Signature & date *M. A. Sheu Feb 18/2020.*



January, 2020

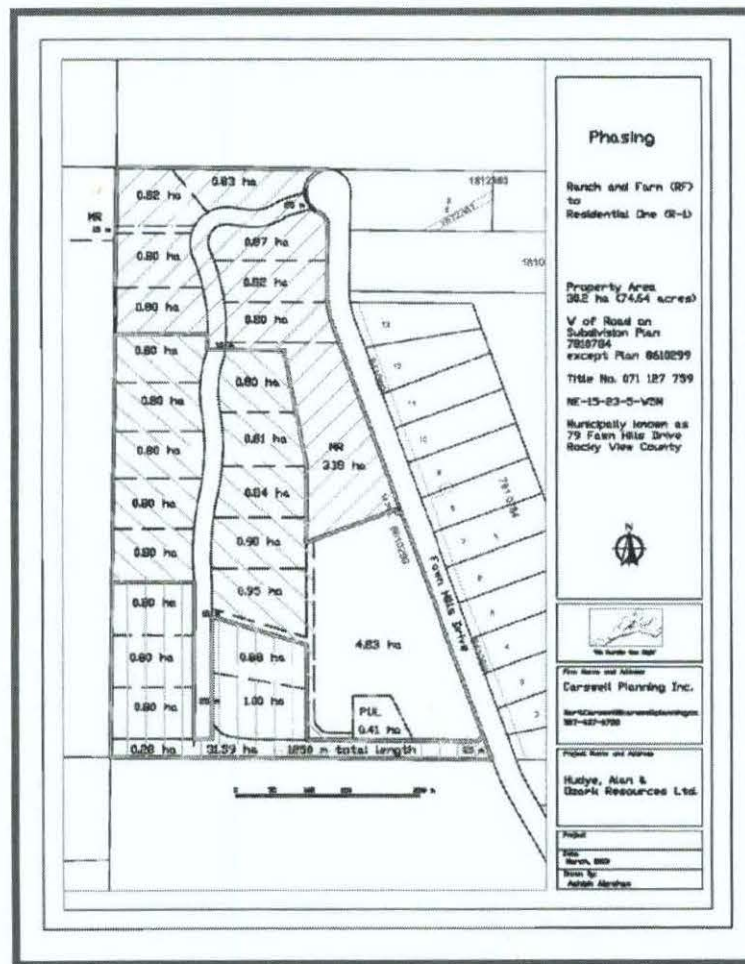
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Thank you,

RANDALL PROVOST of address 81 FAWNHILLS DRIVE,
 Signature & date *Provost* February 26, 2020.



February, 2020

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development@rockyview.ca

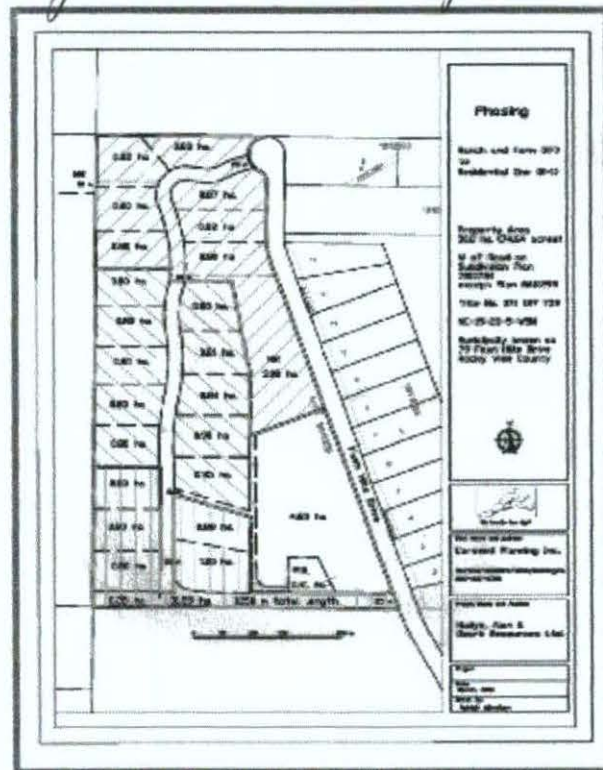
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Thank you,

Jackaleen Kelly of address *81 Fawn Hills, Drive,*

Signature & date *Jackaleen Kelly - Feb. 26 / 2020.*



January, 2020

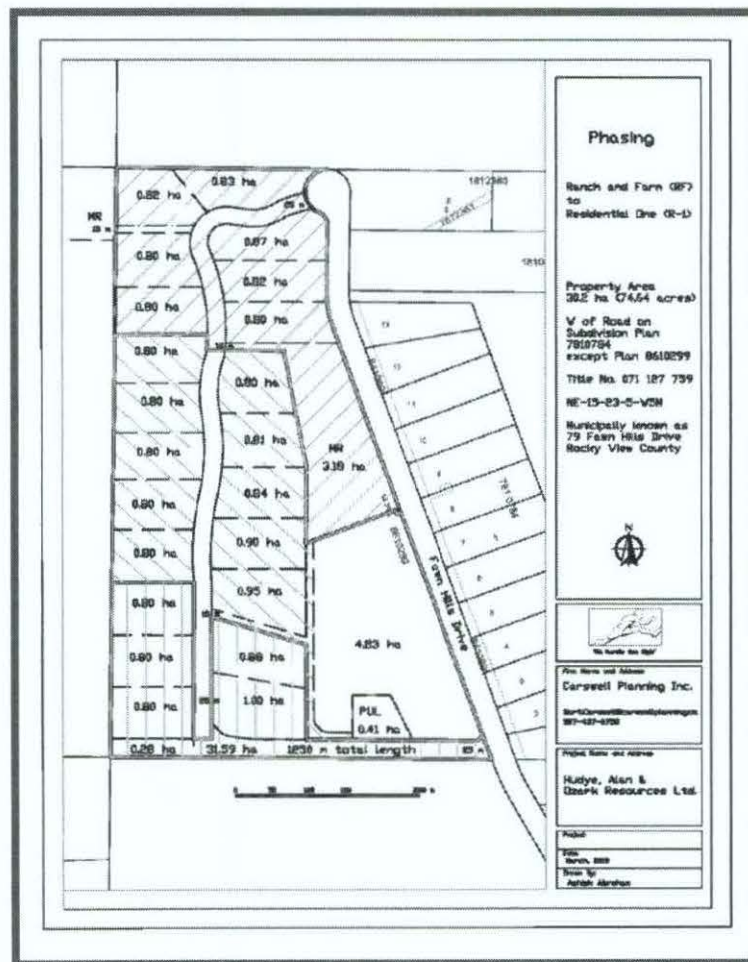
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Thank you,

MYRA SANDERS of address 66 Meadow View Road Bragg Creek, AB
 Signature & date Myra Y. Sanders Feb 26/2020



January, 2020

Attention: Rocky View County, Planning & Development Services
 Fax: 403.277.3066
development@rockyview.ca

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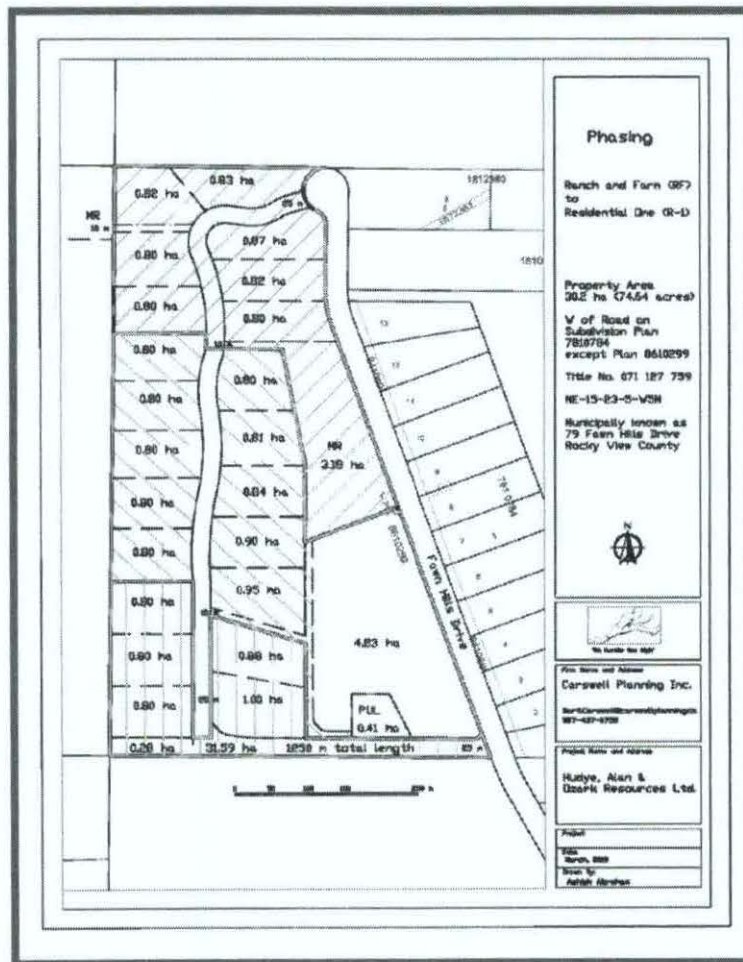
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Thank you,

DON SANDERS of address 46 MEADOW VIEW ROAD BRAGG CREEK

Signature & date

Feb 26, 2020.





PLANNING AND DEVELOPMENT SERVICES

TO: Council
DATE: March 10, 2020 **DIVISION:** 1
TIME: Morning Appointment
FILE: 03915024 **APPLICATION:** PL20190102
SUBJECT: Redesignation Item – From Ranch and Farm District to Residential One District

NOTE: This application should be considered in conjunction with application PL20190103
(agenda item C-1)

POLICY DIRECTION:

The Greater Bragg Creek Area Structure Plan.

EXECUTIVE SUMMARY:

The purpose of this application is to redesignate the subject land from Ranch and Farm District to Residential One District in order to facilitate a multi-lot residential subdivision.

Council gave first reading to Bylaw C-7955-2019 on December 10, 2019.

The application was circulated to 71 adjacent landowners; 30 responses were received in opposition, together with one letter of concern from the Fawn Hills (North) Water Association, and nine responses in support (see Appendix 'E'). The application was also circulated to a number of internal and external agencies; those responses are available in Appendix 'A'.

The following is a summary of the application assessment:

- The application is inconsistent with the Greater Bragg Creek Area Structure Plan policies;
 - The proposed density is almost double that allowed in the ASP based on the Gross Development Area calculation;
 - The proposed Municipal Reserve should be revised to Environmental Reserve (ER) or Environmental Reserve Easement (ERE) due to the Bragg Creek Tributary and its associated riparian area;
 - The proposed servicing method (individual water wells and private sewage treatment systems) is inconsistent with the ASP requirements (Communal water treatment and distribution system and municipally approved waste wastewater treatment systems); and
- All other technical matters required at this stage of the application process are satisfactory, with the exception of:
 - a Stormwater Management Plan;
 - a Slope Stability Analysis; and
 - a Traffic Impact Assessment.

ADMINISTRATION RECOMMENDATION:

Administration recommends tabling consideration of the application sine die to allow the associated Fawn Hills Conceptual Scheme to be revised in accordance with Option #2.

Administration Resources

Johnson Kwan and Bianca Duncan, Planning and Development Services



DATE APPLICATION RECEIVED:	September 12, 2019
DATE DEEMED COMPLETE:	N/A
LEGAL DESCRIPTION:	Portion of NE-15-23-05-W05M
GENERAL LOCATION:	Located in the west Bragg Creek area, approximately 0.81 km (1/2 mile) north of Township Road 232 and in the west side of Fawn Hills Drive.
APPLICANT:	Carswell Planning (Bart Carswell)
OWNERS:	Allan Hudye and Ozark Resources Limited.
EXISTING LAND USE DESIGNATION:	Ranch and Farm District (RF)
PROPOSED LAND USE DESIGNATION:	Residential One District (R-1)
GROSS AREA:	± 74.64 acres
SOILS (C.L.I. from A.R.C.):	<p>Class 5,H,D,E70,6W30,N – Very severe limitation due to temperature limiting factor, low permeability, erosion damage, excessive wetness/poor drainage, and high salinity.</p> <p>Class 6,H,T,R – Production is not feasible due to temperature limiting factor, adverse topography, and shallow bedrock.</p> <p>Class 7,T,H – No capability due to adverse topography, and temperature limiting factor.</p>

HISTORY:

May 28, 2002	Application to redesignate the subject lands from Ranch and Farm District to Residential One District and Agricultural Holdings District to facilitate the creation of sixteen 1-3 acre residential lots with a ± 20 acre remainder and an environmental reserve easement was refused
June 28, 1978	Subdivision Plan 7810784 was registered at Land Titles creating the subject land and the adjacent multi-lots subdivision east of Fawn Hills Drive. Concurrent registration of restrictive covenant regards to tree removal and building construction restrictions. Reserves were provided via cash-in-lieu for Lots 1 to 13 east of Fawn Hills Drive

POLICY ANALYSIS:

Greater Bragg Creek Area Structure Plan

Residential Density

- The subject land is identified as 'New Residential Area' in the Greater Bragg Creek Area Structure Plan (GBCASP). The GBCASP envisioned 'clustered' subdivision designs with smaller individual parcel sizes, which limit its resulting footprint on the landscape, and maximize open space (Section 7.4).
- According to Policy 7.4.4 parcel sizes within new residential areas in west Bragg Creek should not be less than 0.25 acres, and not greater than 2 acres, with an overall density of not greater than one lot per 4 acres of Gross Development Area.



- The applicant proposed redesignation to Residential One District, with lot sizes ranges from 1.97 acres to 2.54 acres. Although the lot sizes are within the range allowed in the GBCASP, the proposed density is almost double that allowed based on the Gross Development Area calculation. See Appendix B for the Gross Development Area calculation.
- The ASP requires that future subdivision should be evaluated based on the land's ability to accommodate additional development so as to not negatively impact the natural environment. Support is given for protecting areas that represent constraints to development, either because they are unstable, or because they are environmentally sensitive. These areas include slopes in excess of 15%, water bodies and wetlands, and riparian buffers. Where these areas qualify as environmental reserve under the *Municipal Government Act*, it is suggested that they be dedicated to the County (Policy 7.4.1).
- The subject land consists of a Bragg Creek Tributary (intermittent stream) with pockets of wetland and a 30 m riparian setback parallel to Fawn Hills Drive. The subject land also consists of slopes in excess of 15% that is currently covered in mature trees. The GBCASP policies supports protection of these environmentally sensitive features.

CONCLUSION:

The application was reviewed based on the Greater Bragg Creek Area Structure Plan policies. The proposal is inconsistent with the Area Structure Plan, with an overall density double the maximum specified within the ASP for the area. For this reason, it is recommended that the application be tabled and be revised to be consistent with the Greater Bragg Creek Area Structure Plan policies.

OPTIONS:

- Option # 1: Motion #1 THAT Bylaw C-7955-2019 be given second reading.
 Motion #2 THAT Bylaw C-7955-2019 be given third and final reading.
- Option # 2: THAT consideration of application PL20190102 be tabled sine die to allow the associated Fawn Hills Conceptual Scheme to be revised in accordance with the requirements of the Greater Bragg Creek Area Structure Plan policies.
- Option # 3: THAT application PL20190102 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': Gross Developable Area Calculation



APPENDIX 'C': Bylaw C-7955-2019 and Schedule A
APPENDIX 'D': Map Set
APPENDIX 'E': Landowner Comments



APPENDIX A: APPLICATION REFERRALS

AGENCY	COMMENTS
Alberta Health Services	<p>AHS-EPH would like to remind the Applicant if individual water wells are proposed for the development, that any water wells on the subject lands should be completely contained within the proposed property boundaries.</p> <p>Any drinking water sources must conform to the most recent Canadian Drinking Water Quality Guidelines and the Alberta Public Health Act, Nuisance and General Sanitation Guideline (AR 243/2003), which states:</p> <p>A person shall not locate a water well that supplies water that is intended or used for human consumption within</p> <ul style="list-style-type: none"> a) 10 metres of any watertight septic tank, pump out tank or other watertight compartment of a sewage or waste water system, b) 15 metres of a weeping tile field, an evaporative treatment mound or an outdoor toilet facility with a pit, c) 30 metres of a leaching cesspool, d) 50 metres of sewage effluent on the ground surface, e) 100 metres of a sewage lagoon, or f) 450 metres of any area where waste is or may be disposed of at a landfill within the meaning of the Waste Control Regulation (AR 192/96).
Recreation, Parks and Community Support (<i>Parks</i>)	<p>PL2019102 – Redesignation</p> <p>The Parks office of the Recreation, Parks and Community Support department has no concerns with this land use redesignation application.</p> <p>Note: Comments are provided on the related Fawn Hills Conceptual Scheme (PL20190103).</p>
Fire Services & Emergency Management	<ul style="list-style-type: none"> • The Fire Service recommends that the builder consider Fire Smart practises in the design and construction of the dwellings. • Dependent on the occupancies, the Fire Service recommends that the buildings be sprinklered, if applicable, as per the National Building Code. • Please ensure that access routes are compliant to the designs specified in the National Building Code and the Rocky View County Servicing Standards. From the drawings, it appears that there is only one road in and out. Please propose an alternative access route. • Please ensure that there is adequate access throughout all phases of development and that the access complies with the requirements of the National Building Code & NFPA 1141.



AGENCY	COMMENTS
Planning and Development Services - Engineering	<p data-bbox="464 331 581 359">General:</p> <ul style="list-style-type: none"> <li data-bbox="513 405 1393 499">• The review of this file is based upon the application submitted. These conditions/recommendations may be subject to change to ensure best practices and procedures. <li data-bbox="513 525 1446 751">• As a condition of future DP, the applicant will be required to submit a construction management plan addressing noise mitigation measures, traffic accommodation, sedimentation and dust control, management of stormwater during construction, erosion and weed control, construction practices, waste management, firefighting procedures, evacuation plan, hazardous material containment and all other relevant construction management details. <li data-bbox="513 777 1398 905">• The Owner is to provide a detailed Erosion and Sedimentation Control Plan, prepared by a qualified professional, in accordance with the County Servicing Standards and best management practices to the satisfaction of the County. <li data-bbox="513 930 1446 1058">• As a condition of future subdivision, the applicant/owner will be required to enter into a Development Agreement pursuant to Section 655 of the Municipal Government Act respecting provision of the following: <ul style="list-style-type: none"> <li data-bbox="607 1094 1446 1356">a) Construction of a public internal road system (Country Collector Standard) complete cul-de-sacs and any necessary easement agreements, including complete approaches to each lot, as shown on the Tentative Plan, at the Owner's expense, in accordance with Section 400.0 of the Rocky View County Servicing Standards for Subdivision and Road Construction as approved by Council as amended all to the satisfaction of the County; <li data-bbox="607 1381 1398 1509">b) Construction of a new intersection(s) at the location of the site with Fawn Hills Drive in accordance with the final approved TIA and the Rocky View County Servicing Standards, to the satisfaction of the County; <li data-bbox="607 1535 1446 1724">c) Upgrades to Fawn Hills Drive and Range Road 52 (from the Fawn Hills Drive / RR 52 intersection to Township Road 232) (approximately 1.8 km in total length) to a paved Regional Collector Standard including upgrades to cul-de-sacs and approaches to each lot, in accordance with the County Servicing Standards, to the satisfaction of the County; <li data-bbox="607 1749 1414 1843">d) Any other offsite transportation improvements necessary to support the proposed development in accordance with the final approved TIA and Rocky View County; <li data-bbox="607 1869 1360 1923">e) Mailbox locations are to be located in consultation with Canada Post to the satisfaction of the County;



AGENCY	COMMENTS
	<ul style="list-style-type: none"> f) Construction of storm water facilities in accordance with the recommendations of an approved Stormwater Management Plan and the registration of any overland drainage easements and/or restrictive covenants as determined by the Stormwater Management Plan. g) Implementation of the Construction Management Plan; h) Implementation of the Erosion and Sedimentation Control Plan; and i) Installation of power, natural gas, and telephone lines. <ul style="list-style-type: none"> • As a condition of subdivision, the applicant will be required to enter into a Deferred Servicing Agreement outlining that future lot owners will be required to connect to County wastewater, storm water and potable water servicing when such services become available. • The application will need to be circulated to Tsuut'ina for review and comment since the proposed development is located diagonally adjacent to the reserve lands. <p>Geotechnical:</p> <ul style="list-style-type: none"> • The proposed development is located over steep slopes. At time of future subdivision, the applicant/owner shall provide a Slope Stability Analysis, addressing the suitability of the land for the proposed development. • As a condition to future subdivision, the applicant/owner shall: <ul style="list-style-type: none"> ○ Shall enter into a Development Agreement (Site Improvements / Services Agreement) with the County to provide for the implementation of the recommendations of the Slope Stability Analysis, if required; and ○ Register any required easements and / or Restrictive Covenants. • As a condition of future subdivision, the applicant/owner shall provide a Geotechnical Developable Area assessment conducted and stamped by a professional engineer indicating that there is at least one contiguous acre of developable area for each parcel. • As a condition to future subdivision, the applicant/owner the applicant shall provide a geotechnical report conducted by a professional geotechnical engineer that provides recommendations on a road structure design and provides a site specific CBR value used in the road structure design, in accordance with the County Servicing Standards for the proposed internal road and upgrades to Fawn Hill Drive. • As a condition to future subdivision, the applicant/owner shall provide a geotechnical report conducted and stamped by a qualified professional geotechnical engineer that provides recommendations



AGENCY	COMMENTS
	<p>and direction on the design and construction of the storm water infrastructure (including pond liner), if warranted by the final Site-Specific Stormwater Implementation Plan accepted by the County.</p> <p>Transportation:</p> <ul style="list-style-type: none"> As part of conceptual scheme, the applicant/owner submitted a trip generation memo conducted by Adoz Engineering Inc. dated May 20, 2019. The TIA did not provide a complete analysis. Traffic volumes were not determined for the opening day and 20 year horizon and intersection analysis at the horizons were not conducted. At time of subdivision, the applicant/owner will be required to submit a revised TIA that provides a complete analysis and recommendations on improvements in accordance with the County Servicing Standards. Fawn Hills Drive and Range Road 52 are currently constructed out of chip seal, which is subpar and does not meet the County Servicing Standards. As a condition to future subdivision, the applicant/owner will be required to enter into a development agreement with the County to upgrade Fawn Hills Drive and Range Road 52 (from the Fawn Hills Drive / RR 52 intersection to Township Road 232) (approximately 1.8 km in total length) to a Country Collector Road paved standard in accordance with the County Servicing Standards, to the satisfaction of the County. As a condition of future subdivision, the applicant/owner will be required to pay the Transportation Offsite Levy as per the applicable TOL bylaw at time of subdivision approval over the gross subdivision area. <p>Sanitary/Waste Water:</p> <ul style="list-style-type: none"> The applicant/owner is proposing the use of PSTS to service the proposed development. Policy 449 "Requirements for Wastewater Treatment Systems" does not support the use of PSTS for lots less than 1.98 acres in size, yet the proposed development contains lots that are sized less than 1.98 acres in size. <ul style="list-style-type: none"> The applicant/owner is required to either revise the tentative plan to provide lots that are sized at 1.98 acres or greater in size or revise the conceptual scheme to include decentralized wastewater servicing. At time of future subdivision, the applicant owner will be required to submit a Level 4 PSTS Assessment should the proposed development be serviced using PSTS. <p>Water Supply And Waterworks:</p> <ul style="list-style-type: none"> The applicant/owner is proposing to service the proposed development via ground water wells. However, from a utility perspective, consideration should be given to extending the County



AGENCY	COMMENTS
	<p>water system to service this development. If expansion of the County system is not feasible at this time, the developer should consider a communal water system in order to facilitate future expansion of the County system to the subject land.</p> <p>Storm Water Management:</p> <ul style="list-style-type: none"> As part of redesignation/CS, the applicant/owner submitted an incomplete draft stormwater management report conducted by MPE Engineering Ltd. dated July 23, 2019. At time of subdivision, the applicant/owner is required to submit a complete detailed stormwater management report, complete with figures and modelling input and output results that is signed and stamped by a professional engineer. At time of future subdivision, the applicant/owner will be required to provide a detailed Site-Specific Stormwater Implementation Plan conducted and stamped by a professional engineer that is in accordance with the Bragg Creek Master Drainage Plan and the County Servicing Standards, to the satisfaction of the County. As a condition to future subdivision, the applicant/owner will be required to enter into a Development Agreement for the construction of any stormwater infrastructure required as a result of the proposed development and recommended in the final detailed SSIP accepted by the County. Registration of any required easements, utility right of ways and/or public utility lots is required as a condition of subdivision. As a condition to future subdivision, the applicant will be required to obtain AEP approval and licensing for the stormwater management infrastructure including registration of the facilities and discharge. <p>Environmental:</p> <ul style="list-style-type: none"> At time of future subdivision, the applicant/owner will be required to provide a Biophysical Impact Assessment, conducted by a qualified professional, in accordance with the County Servicing Standards, that identifies and provides recommendations for mitigating environmental considerations. The applicant/owner will be responsible to obtain all required AEP approvals should the proposed development impact any wetlands.
Utility Services	<p>Water Supply</p> <ul style="list-style-type: none"> Consideration should be given to upgrading and connecting to the adjacent Fawn Hills Water system for a water supply to the proposed development to avoid the inefficient servicing of the area through multiple systems. If a communal water system is approved for the proposed development, it should be established in accordance with County



ROCKY VIEW COUNTY

AGENCY**COMMENTS**

Policy 415, including a turn over strategy for water infrastructure and licensing.

Circulation Period: September 17, 2019 to October 8, 2019

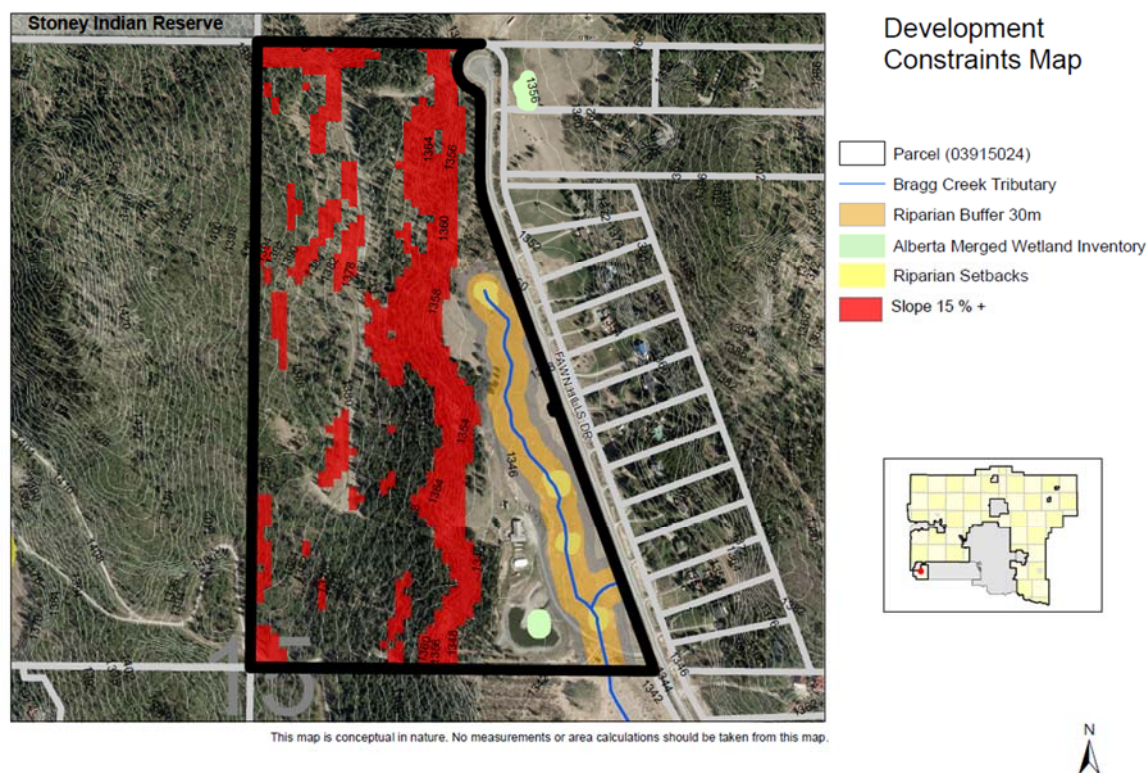
Agencies that did not respond, expressed no concerns, or were not required for distribution, are not listed.



APPENDIX 'B': GROSS DEVELOPABLE AREA CALCULATION

The Greater Bragg Creek Area Structure Plan (Policy 7.4.4 d) allows one lot per 4 acres of Gross Developable Area in the West Bragg Creek area. The Gross Developable Area is the amount of land that remains once the development constraints such as steep slopes, wetlands, and riparian areas are subtracted from the title area.

The following map and table outlines the Gross Developable Area calculation as per the Greater Bragg Creek ASP. The proposed density exceed what is allowed in the West Bragg Creek area.



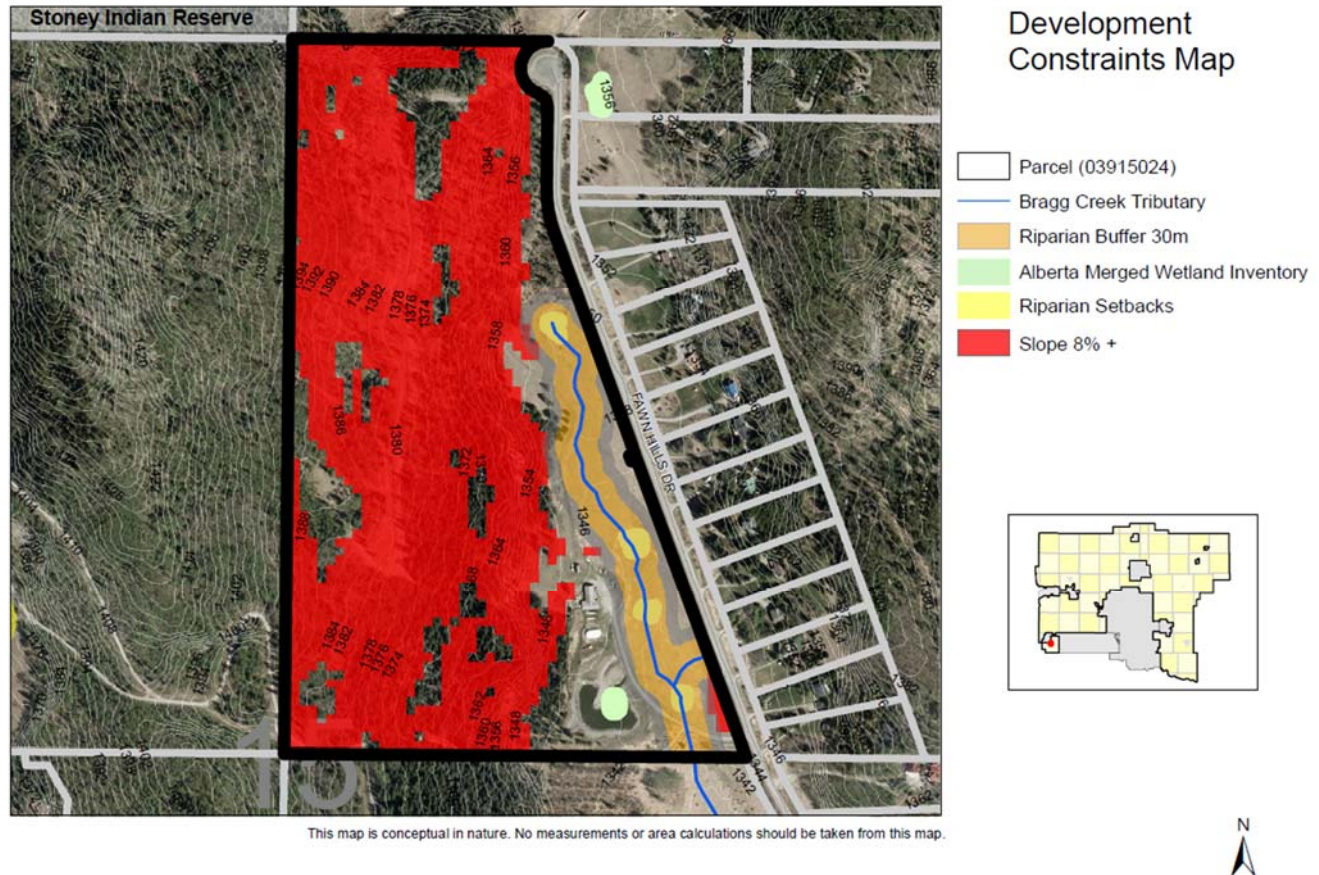
Density and Gross Developable Area Calculation (15% slope)	
Subject land area:	± 76.64 ac
Areas to be excluded <ul style="list-style-type: none"> Slope greater than 15%: ± 18.2 acres Wetland area: ± 0.35 acres Riparian Area: ± 8.66 acres 	± 27.29 ac
Gross Developable Area (GDA):	± 49.35 ac
Area Structure Plan allow 1 lot per 4 acre of GDA	± 49.35 ac/4 ac
Maximum lots as per ASP policy	12 lots
Proposed number of lots	22 lots



ROCKY VIEW COUNTY

The following map and table outlines the Gross Developable Area calculation using 8% slope. According to the Greater Bragg Creek Area Structure Plan, areas of unstable slopes should be dedicated as environmental reserve or environmental reserve. The Environmental Reserve dedication would affect the Gross Developable Area.

The Applicant did not provide a slope stability study as part of the application.



Density and Gross Developable Area Calculation (8% slope)	
Subject land area:	± 76.64 ac
Areas to be excluded <ul style="list-style-type: none"> Slope greater than 8%: ± 46.53 acres Wetland area: ± 0.35 acres Riparian Area: ± 8.66 acres 	± 55.54 ac
Gross Developable Area (GDA):	± 21.10 ac
Area Structure Plan allows 1 lot per 4 acre of GDA	± 21.10 ac/4 ac
Maximum lots as per ASP policy	5 lots
Proposed number of lots	22 lots



ROCKY VIEW COUNTY

BYLAW C-7955-2019

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-7955-2019.

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. 39 and 39-SE of Bylaw C-4841-97 be amended by redesignating portion of NE-15-23-05-W05M from Ranch and Farm District to Residential One District as shown on the attached Schedule 'A' forming part of this Bylaw.

THAT Portion of NE-15-23-05-W05M is hereby redesignated to Residential One District as shown on the attached Schedule 'A' forming part of this Bylaw.

PART 4 – TRANSITIONAL

Bylaw C-7955-2019 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: 1

File: 03915024 - PL20190102

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

TSUUT'INA NATION RESERVE

RF → R-1
± 76.64 ac

FAWN-HILLS-DR

AMENDMENT

FROM Ranch and Farm District TO Residential One District



Subject Land _____

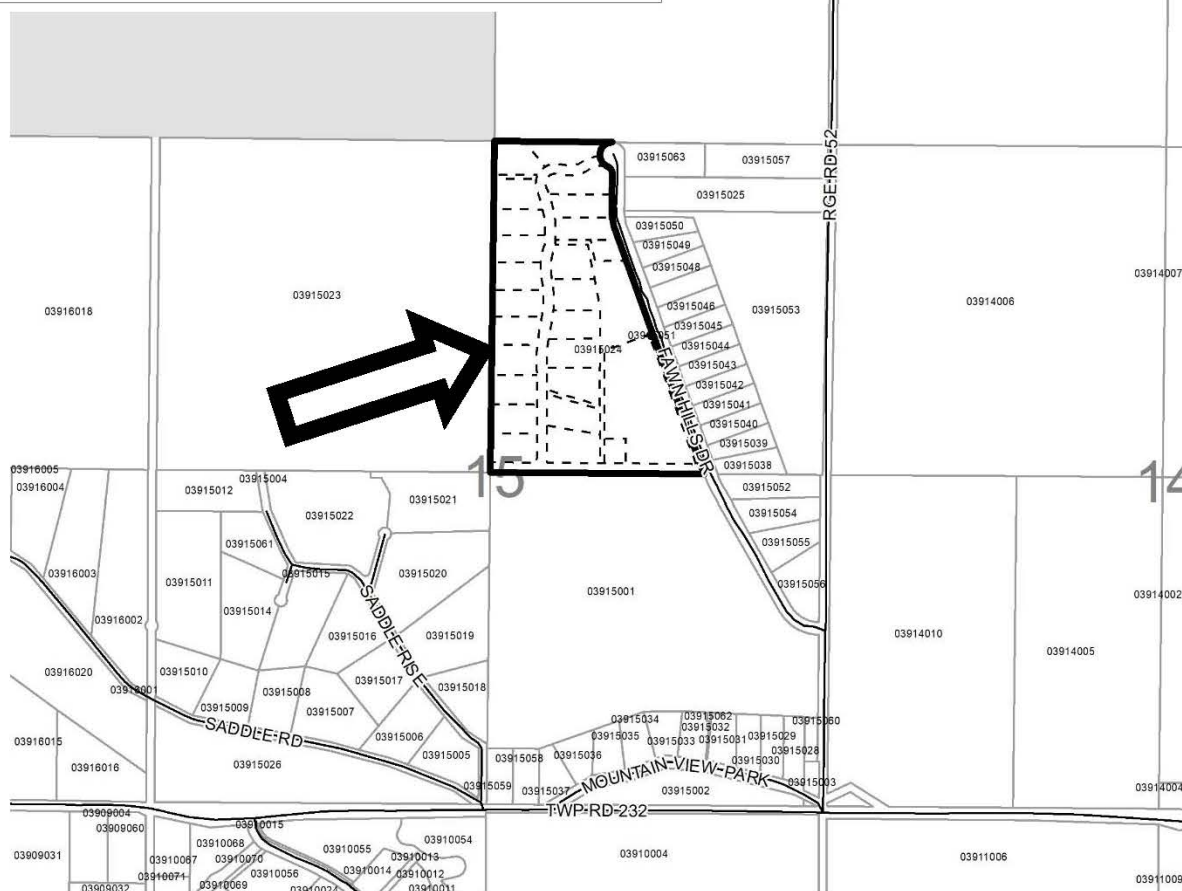
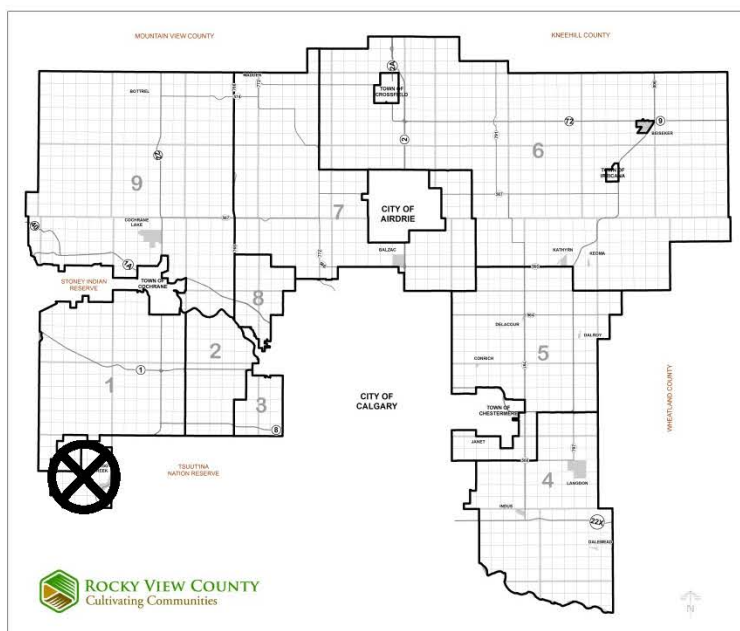
LEGAL DESCRIPTION: Portion of NE-15-23-05-W05M

FILE: 03915024 - PL20190102

DIVISION: 1



ROCKY VIEW COUNTY
Cultivating Communities



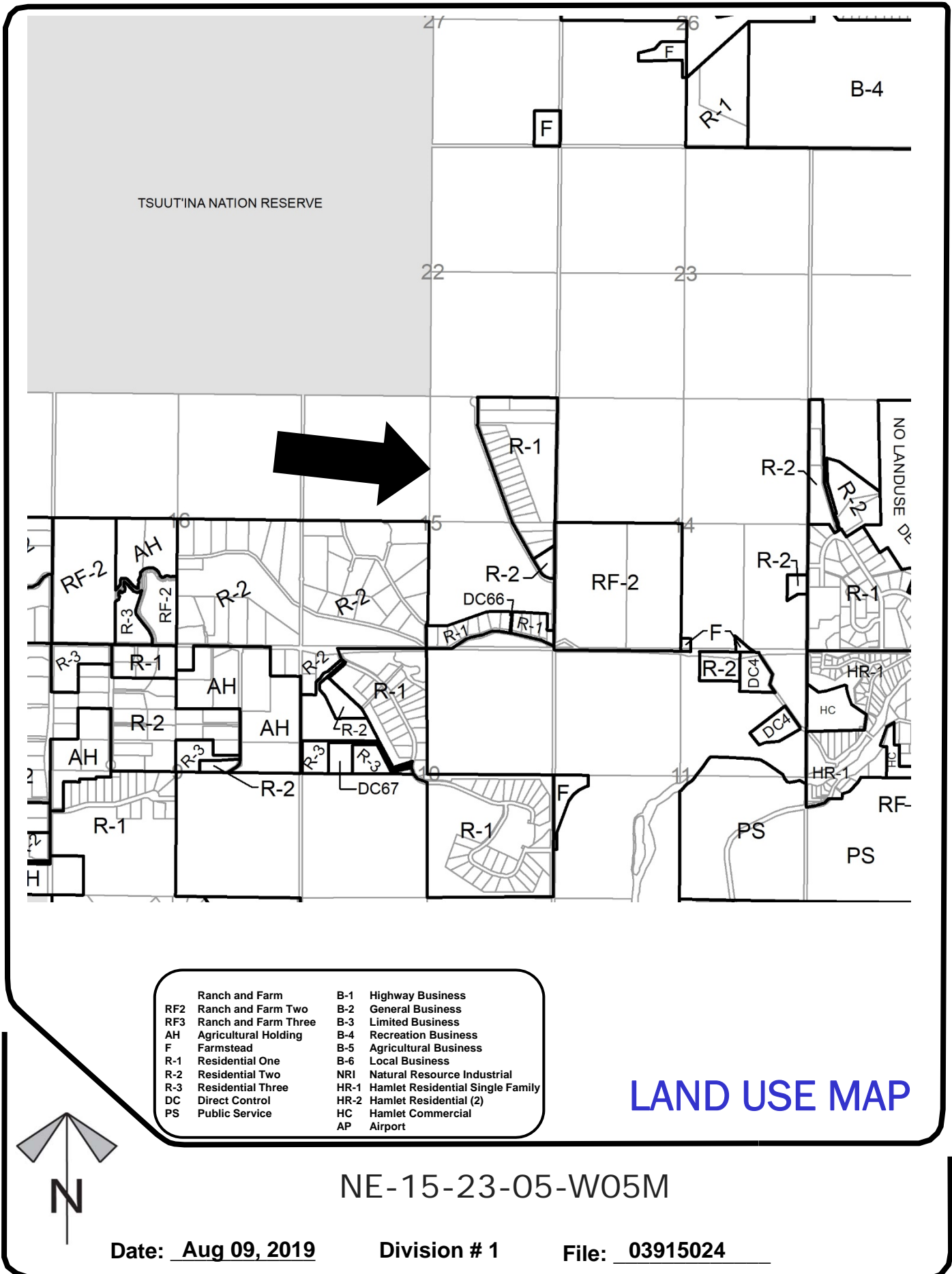
LOCATION PLAN

NE-15-23-05-W05M

Date: Aug 09, 2019

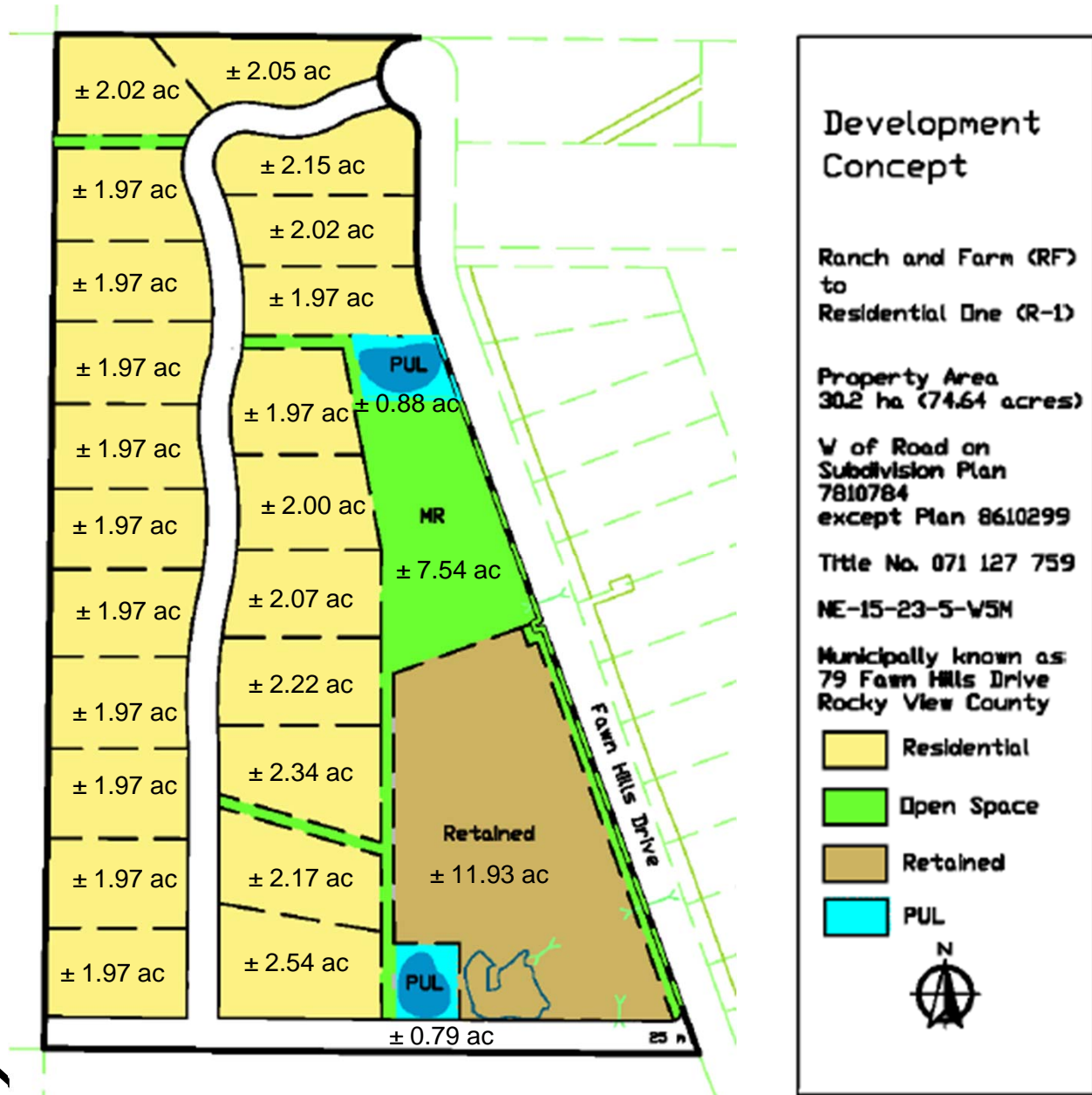
Division # 1

File: 03915024



PL20190102 Land Use: To redesignate the subject lands from Ranch and Farm District to Residential One District in order to facilitate a multi-lot residential subdivision.

PL20190103 Conceptual Scheme: To adopt a conceptual scheme to provide a policy framework to guide future redesignation, subdivision and development proposal within NE-15-23-05-W05M.



DEVELOPMENT PROPOSAL

NE-15-23-05-W05M

Date: Aug 09, 2019

Division # 1

File: 03915024

TSUUT'INA NATION RESERVE

Phase 1

Phase 2

Phase 3



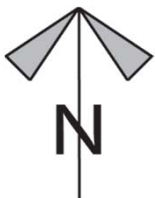
Phase 1 (7 lots + MR) with temporary cul-de-sac



Phase 2 (11 lots) with road extension and emergency access



Phase 3 (5 lots) with Internal road



NE-15-23-05-W05M

Date: Aug 09, 2019

Division # 1

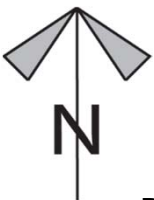
File: 03915024**PHASING**



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

AIR PHOTO

Spring 2018



NE-15-23-05-W05M

Date: Aug 09, 2019

Division # 1

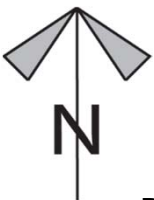
File: 03915024



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

TOPOGRAPHY

Contour Interval 2 M



NE-15-23-05-W05M

Date: Aug 09, 2019

Division # 1

File: 03915024



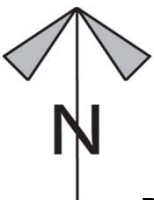
This map is conceptual in nature. No measurements or area calculations should be taken from this map.

- Parcel (03915024)
- Bragg Creek Tributary
- Riparian Buffer 30m
- Alberta Merged Wetland Inventory
- Riparian Setbacks
- Slope 15 % +

Subject land area: 76.64 ac
 Slope greater than 8%: 46.53 ac
 Wetland area: 0.35 ac
 Riparian area: 8.66 ac
Gross Developable Area: 49.35 ac
Maximum lots per ASP: 12 lots
Proposed lots: 22 lots

Development Constraints (15% Slope)

Contour Interval 2 M

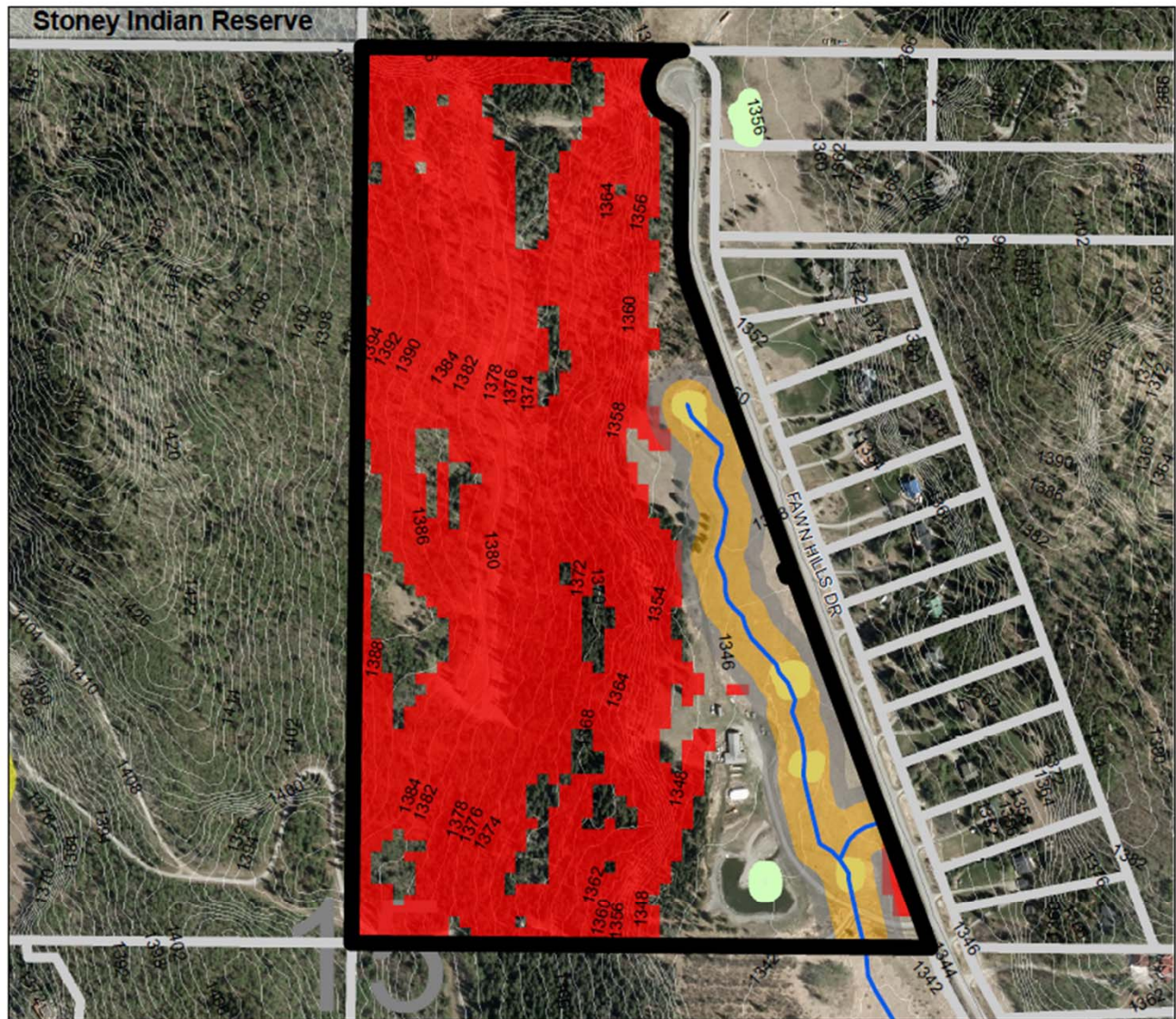


NE-15-23-05-W05M

Date: Aug 09, 2019

Division # 1

File: 03915024



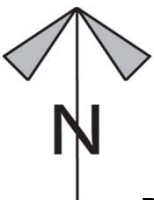
This map is conceptual in nature. No measurements or area calculations should be taken from this map.

-  Parcel (03915024)
-  Bragg Creek Tributary
-  Riparian Buffer 30m
-  Alberta Merged Wetland Inventory
-  Riparian Setbacks
-  Slope 8% +

Subject land area: 76.64 ac
 Slope greater than 8%: 46.53 ac
 Wetland area: 0.35 ac
 Riparian area: 8.66 ac
Gross Developable Area: 21.1 ac
Maximum lots per ASP: 5 lots
Proposed lots: 22 lots

Development Constraints (8% Slope)

Contour Interval 2 M

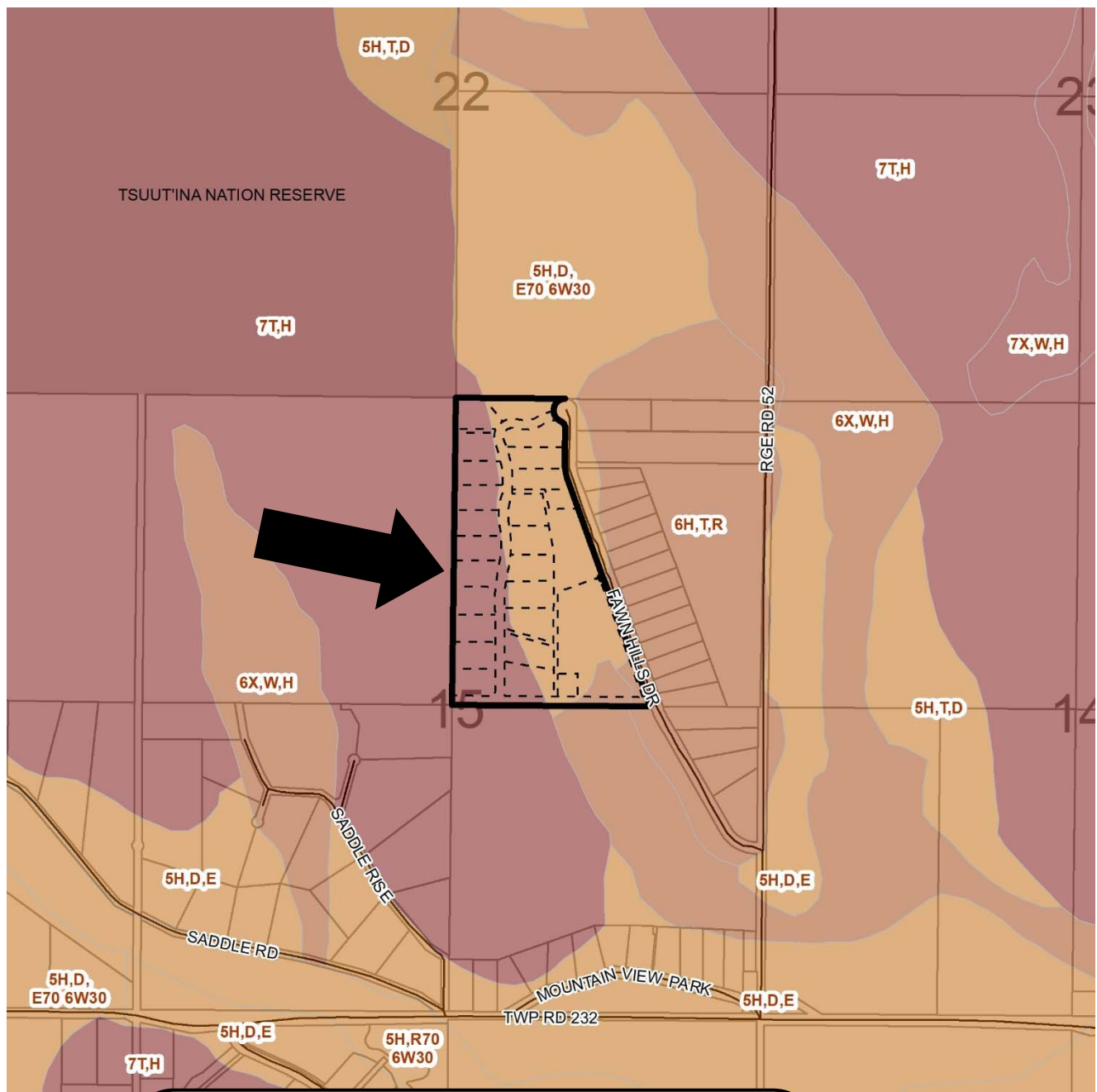


NE-15-23-05-W05M

Date: Aug 09, 2019

Division # 1

File: 03915024



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

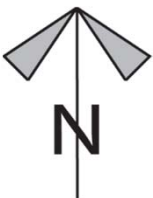
CLI Class

- 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

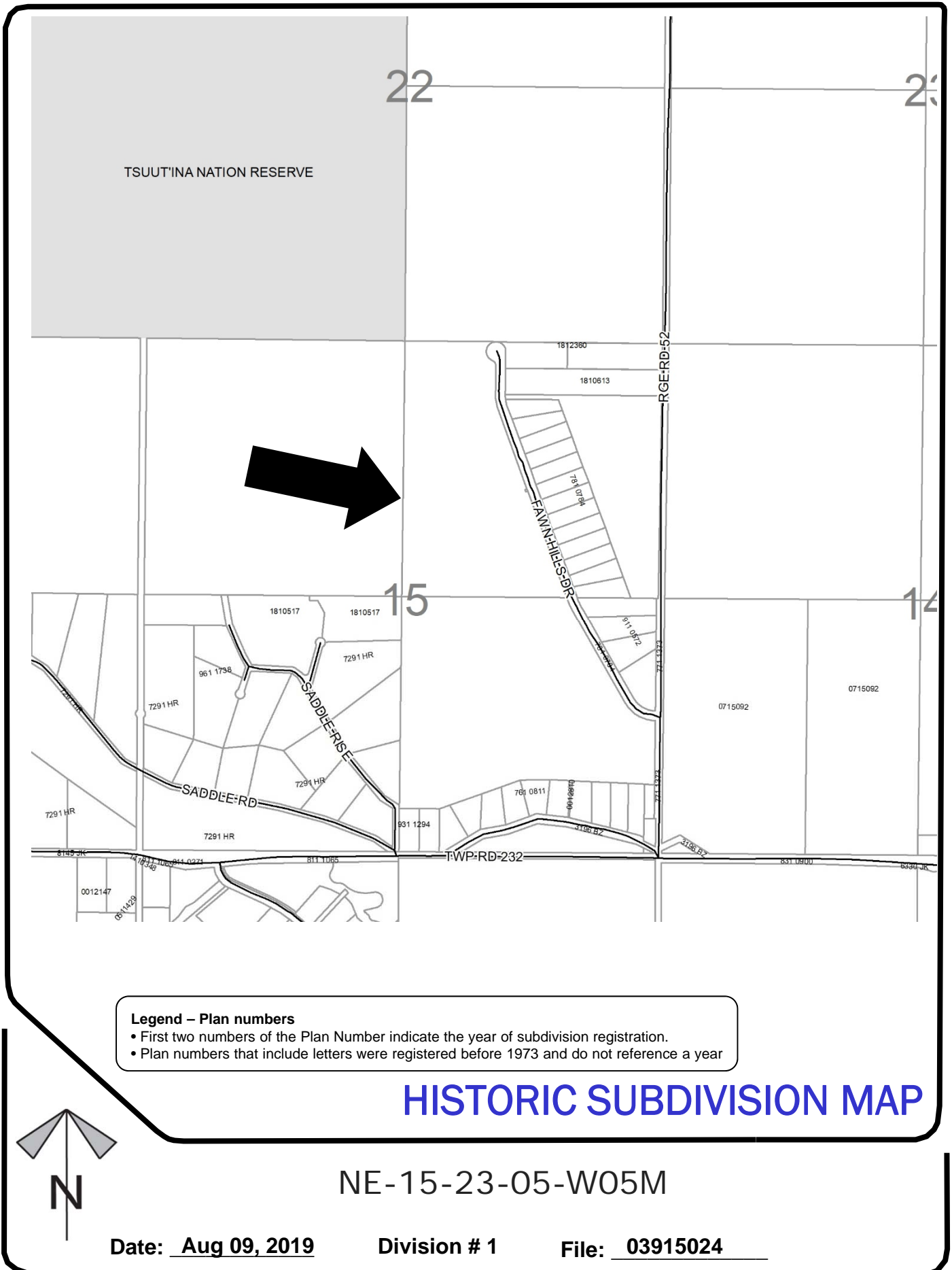


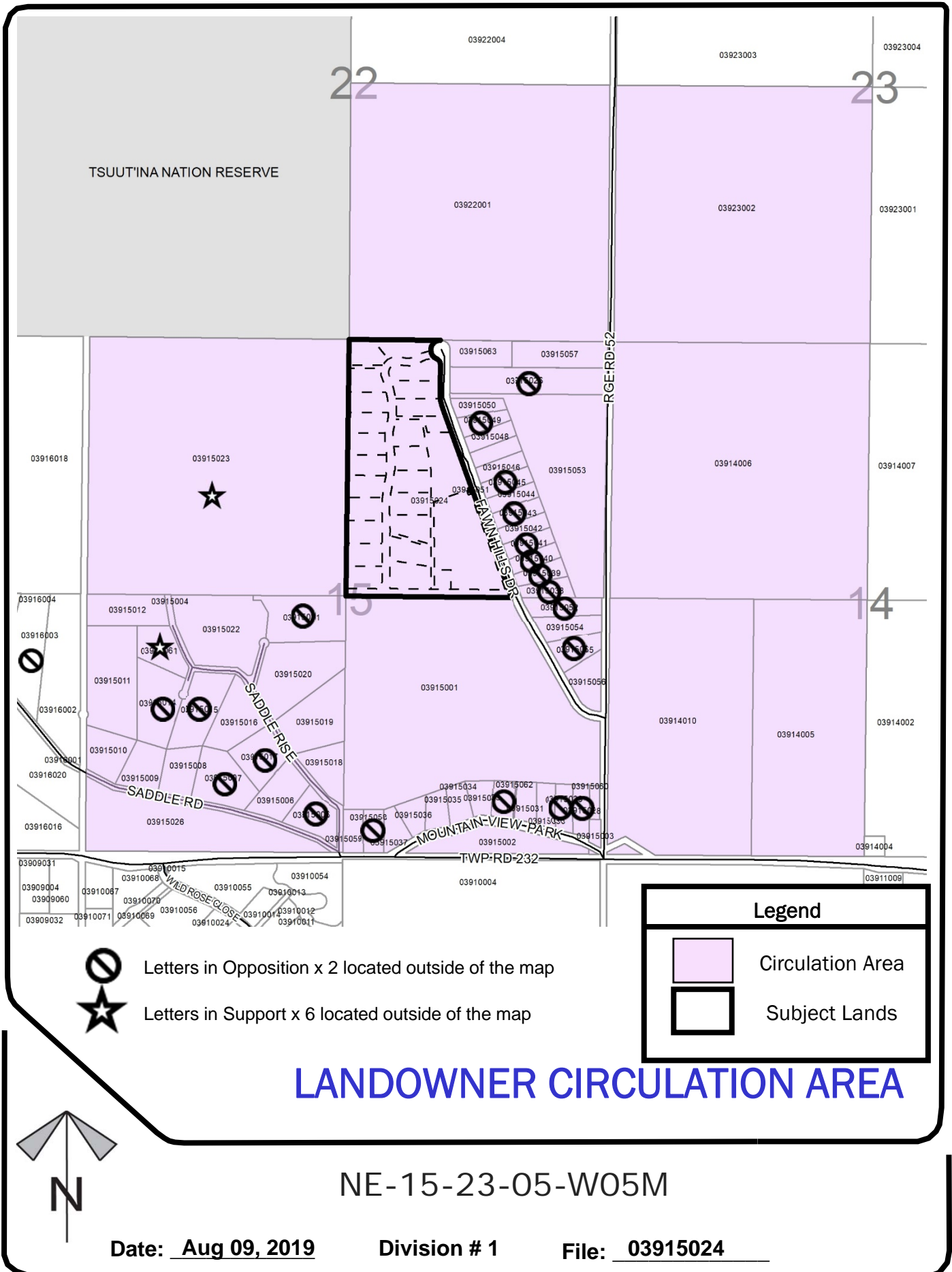
NE-15-23-05-W05M

Date: Aug 09, 2019

Division # 1

File: 03915024





Johnson Kwan, RPP, MCIP

Planning Services Department, Rocky View County
262075 Rocky View Point
Rocky View County, AB T
4A 0X2

Email: jkwan@rockyview.ca

October 6, 2019

Re: Application for Development on Fawn Hills Drive (NE-15-23-05-W5M)

Dear Mr. Kwan,

The Fawn Hills (North) Water Association is comprised of 13 member households on the east side of Fawn Hills Drive. There is a small pumphouse with an underground cistern located on the east side of Fawn Hills Drive. The well is located across the road on the west side (where the proposed development will occur). The Water Association is managed and maintained by volunteers.

Our Board takes the health and wellbeing of our member households very seriously. They are our friends and neighbours. Many of our member households are families with children who can be more vulnerable to waterborne illness. We are concerned about the adjacent development, its plans for water delivery and fire suppression and, particularly, its high density.

Consultation

Although the Water Association was not consulted directly by the County, our experience may be helpful in assessing the proposed development. We are concerned that the development could impact our members and ask the County to take steps to ensure that the proposed development does not impinge on water accessibility or quality.

Further, we suggest that the County actively seek feedback from the water co-operative on Mountain View Park as they, too, may have useful information.

Other Wells in Vicinity

While the Conceptual Scheme identifies the Water Association well (Figure 8), it does not mention the several individual private wells which also access water in the area. The owners of these private wells should be consulted. We understand that some of these wells are already "low-flow".

Water Quality

In the Conceptual Scheme, the developer describes the water quality as having a “low concentration of dissolved solids” (pages 19 and 41). The developer indicated that the TDS is 248mg/L (page 41). This does not align with our experience.

Water testing at the tap at the southernmost address of the water co-op yielded a TDS of 577 mg/L (Acceptable guideline level is no more than 500mg/L).

The water contains significant amounts of both iron and amines, which present challenges in terms of disinfection by chlorination. It should be noted that individual homeowners have also installed water treatment equipment in their own homes including cisterns, water softeners, RO filters, and UV systems.

Since the new development is starting from scratch, the County could encourage the developer to install a UV water purification system to assist with sanitization of water for the new residents in addition to their plans to remove iron through chlorination.

Waste Water

The Water Association is concerned that a greater concentration of septic systems in the area (particularly with the high-density development proposed) will have a reasonably foreseeable impact on water quality and human health.

If there is even a slight risk of contamination, we would ask that the developer pay to upgrade the water treatment facilities to the highest standard of all neighbouring wells (both private and communal), including pumphouse UV systems. There would also have to be provision for the ongoing maintenance that these more complex systems require.

Fire Suppression

On page 10 of the Conceptual Scheme, the developer states that the Water Association has an “underground fire suppression water tank.” While the Water Association has an underground water cistern, its primary purpose is for capturing and treating water for delivery to members. The water could be accessed in case of fire, but we advise that its contents would not be sufficient to respond to a fire and should not be relied upon by the developer or the County for that purpose (particularly given the high-density development and the large number of new homes proposed).

The developer should be required to install appropriate fire suppression systems in the new neighbourhood that are satisfactory to Rocky View Fire Services that do not depend on Water Association systems.

Testing

The Water Association Board is of the view that the sustainability of a new well servicing 22 new households should be verified with year-round flow rate testing of

all wells in the vicinity. Testing must account for seasonal variations in flow and usage. A sizeable safety margin should be considered to account for potential dry conditions in future.

On behalf of the Water Association Board, I thank you for your time. I also invite you to contact the Board should you have any questions.

Sincerely,

Doug Brennan
President
Fawn Hills (North) Water Association

1908 BOWNESS ROAD NW
CALGARY, AB T2N 3K6

February 24, 2020

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

legislativeservices@rockyview.ca

Re: Proposed Redesignation and Development; Fawn Hills Drive, Bragg Creek
File Number: 03915024
Bylaw C-7955-2019
Application Number: PL20190102
NE-15-23-05-W5M

Letter of Opposition

Thank you for the opportunity to provide feedback concerning the proposed Fawn Hills development in close proximity to my property at SW-15-23-5-W5; Lot 1; Plan 7291 HR.

The redesignation from Ranch and Farm District to Residential One District would be a dramatic departure from existing land use in the area and would substantially increase population density with many associated issues. Existing land use in the area primarily consists of agricultural use parcels and larger rural acreages. This development application does not comply with the overall density requirement of one lot per four acres as set out in the Area Structure Plan for West Bragg Creek. In fact, if the lots were not part of a Conceptual Scheme many of the lots in this development proposal would be considered too small to meet the minimum lot size proposed in the revisions to the Land Use Bylaw in which R-1 designations would be revised to R-CRD.

The density of this development proposal concerns me for a number of reasons:

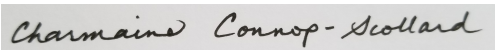
- **Water.** Increased density means increased strain on access to available water (both that of the water association and of private wells).
- **Waste.** The plan calls for 22 new septic systems within a 74.64 acre parcel which will place greater strain on the wetland ecosystem in addition to creating concerns regarding underground contamination levels.
- **Fire.** This area is at high risk of wildfire. Greater density of homes in such a forested area both increases the risk of fire and the number of people and structures that will be endangered in a wildfire.
- **Emergency Egress.** There is only one route out of West Bragg Creek, a situation that is complicated by limited bridge access across the Elbow River. Greater density developments mean that more people will rely on that single route in case of emergency.
- **Wildlife.** The density of this development would have notable negative impact on wildlife habitat and other ecosystems. Increased density of housing and people (and the associated food, garbage, and traffic) risks greater numbers of negative human-wildlife interactions.
- **Traffic and Noise.** Increased density means increased traffic and noise on an otherwise quiet, dead-end street.
- **Services.** Increased density means greater demand on County services, infrastructure, and school services.
- **Slope.** Road access, particularly for large vehicles such as fire trucks and school buses, and particularly given our winter climate, could be very difficult. In addition, large scale ground disruption on a sloped area such as would be required by this development can create longterm problems with slope stability. I am aware of other

developments which have had very unfortunate experiences in this regard in spite of having met engineering requirements.

In my opinion, the nature of this development is not at all in keeping with the characteristics and priorities of the area.

Thank you for noting my concerns.

Regards,

A handwritten signature in cursive script, reading "Charmaine Connop-Scollard", is displayed within a light gray rectangular box.

Charmaine Connop-Scollard

62 Saddle Road,
[REDACTED]
[REDACTED]

October 2, 2019

Rocky View County
Attention: Planning Services Department – Johnson Kwan
262075 Rocky View Point
Rocky View County, AB
T4A 0X2

Re: File Number 03915024
Application Number: PL20190102 – Re-designation
PL20190103 – Conceptual Scheme

Dear Johnson:

We are land and homeowners in the quarter section abutting the lands up for re-designation in the quoted application. The landowner submitting the application is applying to change the designation from Ranch and Farm District to Residential One District, which would be a severe revision as it would take an eighth of a section and make it into 22 quite small parcels.

The area would then have the highest density in the Greater Bragg Creek area with the exception of the hamlet itself if this application were approved. This is not congruent with the farmland and forests that make up most of the area, which is the setting in which the current residents chose to live. As well, the addition of these residences will put more strain on the roads from Balsam Avenue all the way out TWP Road 232.

The area is a wildlife corridor where grizzly and black bears, cougars, bobcats, coyotes and, occasionally, wolves travel. It is a sensitive piece of land. A dense subdivision with the added insult of a city-style dog park does not belong in West Bragg Creek. This development should not be approved.

Thank you for your time and attention to this and we look forward to your response.

Sincerely,

Russ and Mary-Lynn Wardle

Johnson Kwan

From: Ron Wilkinson [REDACTED]
Sent: Friday, September 27, 2019 3:58 PM
To: Johnson Kwan
Cc: Margaret Wilkinson (Canada)
Subject: PL20190103

Our comments regarding the noted Conceptual Scheme are as follows:

The R-1 designation and associated lot sizes will significantly and excessively increase the density in the area.

Traffic on Fawn Hills Drive will increase significantly and excessively, especially since the proposed design has a dead end cul-de-sac.

Foot traffic through Saddle & Sirloin (private lands) will increase significantly.

There are no details regarding access to water and sewage treatment for the new residences.

The area designated as “MR” is not defined as to usage other than “open space”.

Ron & Margaret Wilkinson
15 Saddle Bay
Bragg Creek

February 12, 2020

Rocky View County
Att'n: Planning Services Department – Johnson Kwan
262075 Rocky View Point
Rocky View County, AB
T4A 0X2

Dear Johnson,

**Re: Bylaw C-7956-2019 – A Bylaw of Rocky View County to Amend Land Use Bylaw C-4841-97
File No. 03915024**

Application Numbers: PL20190102 – Redesignation, PL20190103 – Conceptual Scheme

We are landowners/homeowners in the quarter-section kitty-corner to the lands up for redesignation in the quoted application. The land-owner submitting the application is applying to revise the designation from Ranch and Farm District to Residential One District.

We object to the proposed high density redesignation for this land, and its associated conceptual scheme.

I feel the jump from RF to R-1 is an extreme one, going from a full 1/8th of a section to 22 small lots. This will irreparably change the amount of traffic seen on Centre Ave/TWP Rd 232, adding vehicles from 22 additional homes, and **making all traffic more dangerous on West Bragg Creek Road, especially at the intersection of West Bragg Creek Road (TWP Rd 232) and Range Road 52.** This will be felt by all residents from the hamlet of Bragg Creek to Forestry Way and beyond. Since the East half of the proposed quarter section of land is already R-1, it has substantial traffic related to it at this time. This will potentially more than double traffic from this quartersection.

The land being potentially redesignated is currently surrounded by farm and ranch-designated land, with the exception of our quarter section that is R-2 (SW 15-23-05W5M), and the Fawn Hills area which is R-1, located in the East half of the subject quarter section. Our area includes substantial common lands, reducing our density further. **If the redesignation is granted, the NE-15-23-5W5M will have 34 homes, the highest density per quarter section in a 1.5 mile radius until you get to the hamlet of Bragg Creek, and indeed the highest density from that location to three miles west, past Forestry Way, including Elk Valley to the south.** We in West Bragg Creek chose to move here to have low density acreages and live with common lands, farms, and natural forest around us. This will substantially change that. Indeed, in the open house for this development, the proposal included an off-leash dog park, a very urban concept. This is not in the heart of Bragg Creek, it is 5 km away. High density does not belong here.

I have no doubt eventually higher density will work its way toward the farm lands seen along Centre Ave/TWP Rd 232. At this time however, I believe redesignation down to R-1 is an extreme change that will adversely affect the quiet enjoyment of the surrounding residential and ranch/farm lands, and will affect all residents from the edge of the hamlet of Bragg Creek to Forestry Way. R-2 would be substantially more suitable as a method of increasing density and allowing the landowner to develop, while matching it to the existing areas within a 2 mile radius.

Please do not hesitate to contact me should you have further questions regarding my letter. I look forward to seeing your decision on this matter.

Yours truly,

Karen and Bill Spencer

11 Saddle Bay
Saddle and Sirloin

[REDACTED]

[REDACTED]

[REDACTED]

September 30, 2019

Rocky View County
Att'n: Planning Services Department – Johnson Kwan
262075 Rocky View Point
Rocky View County, AB
T4A 0X2

Dear Johnson,

Re: File Number 03915024
Application Number: PL20190102 - Redesignation
PL20190103 – Conceptual Scheme

We are landowners/homeowners in the quarter-section kitty-corner to the lands up for redesignation in the quoted application. The land-owner submitting the application is applying to revise the designation from Ranch and Farm District to Residential One District.

I feel the jump from RF to R-1 is an extreme one, going from a full 1/8th of a section to 22 small lots. This will irreparably change the amount of traffic seen on Centre Ave/TWP Rd 232, adding vehicles from 22 additional homes. This will be felt by all residents from the hamlet of Bragg Creek to Forestry Way and beyond. The land being potentially redesignated is currently surrounded by farm and ranch-designated land, with the exception of our quarter section that is R-2 (SW 15-23-05W5M), and the Fawn Hills area which is R-1, located in the East half of the subject quarter section. Our area includes substantial common lands, reducing our density further. Since the East half of the proposed quarter section of land is already R-1, it has substantial traffic related to it at this time.

If the redesignation is granted, the NE-15-23-5W5M will have 34 homes, the highest density per quarter section in a 1.5 mile radius until you get to the hamlet of Bragg Creek, and indeed the highest density from that location to three miles west, past Forestry Way, including Elk Valley to the south. We in West Bragg Creek chose to move here to have low density acreages and live with common lands, farms, and natural forest around us. This will substantially change that. Indeed, in the open house for this development, the proposal included an off-leash dog park, a very urban concept. This is not in the heart of Bragg Creek, it is 5 km away. High density does not belong here.

I have no doubt eventually higher density will work its way toward the farm lands seen along Centre Ave/TWP Rd 232. At this time however, I believe redesignation down to R-1 is an extreme change that will adversely affect the quiet enjoyment of the surrounding residential and ranch/farm lands, and will affect all residents from the edge of the hamlet of Bragg Creek to Forestry Way. R-2 would be substantially more suitable as a method of increasing density and allowing the landowner to develop, while matching it to the existing areas within a 2 mile radius.

Please do not hesitate to contact me should you have further questions regarding my letter. I look forward to seeing your decision on this matter.

Yours truly,

Karen and Bill Spencer
11 Saddle Bay
Saddle and Sirloin

[REDACTED]

[REDACTED]

[REDACTED]

October 5th, 2019
 Rocky View County
 Att'n:
 Planning Services Department – Johnson Kwan
 262075 Rocky View Point
 Rocky View County, AB
 T4A 0X2

Dear Johnson,
Re: File Number 03915024
Application Number:
PL20190102 - Redesignation
PL20190103 – _Conceptual Scheme

I am a landowners/homeowners and resident for over 30 years in the quarter section kitty-corner to the lands up for re designation in the quoted application. The landowner submitting the application is applying to revise the designation from Ranch and Farm District to Residential One District.

I feel the jump from RF to R-1 is an extreme one, going from a full 1/8th of a section to 22 small lots. This does not conform to the greater Bragg Creek Area Plan Vision for the West Bragg Creek Policy Area.

VISION: It is the year 2030. The Greater Bragg Creek area contains a rich abundance of vegetation and wildlife, and the land use pattern continues to be **shaped by the dominance of the natural environment**. The environmental integrity of the area has been preserved, as has a community value that nature is to be respected and revered, rather than representing an obstacle to future development. While development has continued to occur in the Greater Bragg Creek area, it has happened in harmony with the natural **environment, to a scale and character that blends with, rather than dominates the landscape, and in a manner that respects the carrying capacity of the land**.

The land being potentially re designated is currently surrounded by farm and ranch designated land, with the exception of our quarter section that is R-2 (SW 15-23-05W5M), and the Fawn Hills area which is R-1, located in the East half of the subject quarter section.

Our area includes substantial common lands, reducing our density further. Since the East half of the proposed quarter section of land is already R-1, it has already been developed and has substantial traffic related to it at this time. If the re designation is granted, the NE-15-23-5W5M will have 34 homes, the highest density per quarter section in a 1.5 mile radius until you get to the hamlet of Bragg Creek, and indeed the highest density from that location to three miles west, past Forestry Way, including Elk Valley to the south. We are already adjusting to an increase in traffic caused by the new

recreational parking lot at the end of West Bragg Creek road and notice the difference in noise and unsafe conditions it brings to our community's usually quiet lifestyle.

We in West Bragg Creek chose to move here to have low-density acreages and live with common lands, farms, and natural forest around us. This will substantially change that. Indeed, in the open house for this development, the proposal included an off-leash dog park, a very urban concept. This is not in the heart of Bragg Creek; Bragg Creek is 5 km away. High density does not belong to this environment and would be a harmful precedent to set.

No doubt eventually higher density will work its way toward the farmlands seen along Centre Ave/TWP Rd 232. At this time however, I believe re designation down to R-1 is an extreme change for this quarter which already has an R1 development. It will adversely affect the quiet enjoyment of the surrounding residential and ranch/farm lands, changing it's character significantly and will affect all residents from the edge of the hamlet of Bragg Creek to Forestry Way.

Should issues of water availability, sewage treatment, safety as well as access and egress roads be addresses, R-2 would be substantially more suitable as a method of increasing density and allowing the landowner to develop, while matching it to the existing areas within a 2-mile radius.

Preservation of the beauty and integrity of the natural environment is an objective commonly held by the majority of residents and recreational visitors to the Greater Bragg Creek area. The Fawn Hills proposal does not align with this, a basic premise underlying the majority of policies within the Greater Bragg Creek Area Plan.

Please do not hesitate to contact me should you have further questions regarding my letter. I look forward to seeing your decision on this matter.

Yours truly,

Frederika Demangeat,
59 Saddle Rise, Saddle and Sirloin

[REDACTED]

Stephen Hunt
11 Saddle Bay
Saddle and Sirloin

October 8, 2019

To:

Johnson Kwan
Planning Services Department
Rocky View County
262075 Rocky View Point
Rocky View County, AB T4A 0X2

jkwan@rockyview.ca

Re: Redesignation and Development on Fawn Hills Drive
PL20190102 and PL20190103

Mr. Kwan,

Thank you for seeking feedback from our community concerning the proposed development in our neighbourhood.

Rockyview County has a reputation of strictly enforcing bylaws and zoning regulations. An individual without significant legal backing, and close political ties, doesn't stand a chance at rezoning RF to R1. I suspect that the vast majority of home owners adjacent to the land in question are opposed to the rezoning. It does beg the question - why is it being approved if nobody who lives in the area wants it? There is an adjacent parcel just east of the existing fawn hills development that is approved for high density subdivision. Presumably the parcel of land on the south boundary of the proposed development will also be rezoned as soon as roads are in. How suburban is the county trying to make Bragg Creek without investing in infrastructure such as a second emergency egress or wastewater management?

The proposed development benefits significantly from the historic value of Bragg Creek yet offers nothing in return. An off-leash dog park and suburban pathways are not a reciprocal exchange for levelling habitat. Cutting a pasting a Calgary neighbourhood into Bragg Creek is an erosion of the community identity. The trees will come down, lawnmowers for weed free lawns, snowblowers for double wide driveways, and one more forgettable neighbourhood brings Bragg Creek closer to being another Calgary bedroom community.

I support the concerns raised by neighbours:

- ☐ **Water.** Increased density means increased strain on existing water wells (both that of the water association and of private wells).
- ☐ **Waste.** The plan calls for 22 new septic systems which will place greater strain on the wetland ecosystem.

- ☐ **Environment.** I want to preserve the wetland, animal habitat, and forest as much as possible. There are blackbears, cougar, marten, and moose that all make regular rounds through the land in question.
- ☐ **Fire.** Our area is at high risk of wildfire. Greater density of homes in our forested area both increases the risk of fire and the number of people and structures that will be endangered in a wildfire.
- ☐ **Emergency Egress.** There is only one route out of West Bragg Creek. Greater density developments mean that more people will rely on that single route in case of emergency.
- ☐ **Traffic and Noise.** Increased density means increased traffic and noise on an otherwise quiet, dead-end street.
- ☐ **Services.** Increased density means greater demand on County services, infrastructure, and school services.
- ☐ **Slope.** I am concerned about slope stability and road access in the new development on the slope and whether school buses and fire trucks will be able to access the new neighbourhood.
- ☐ **Wildlife Encounters.** Increased density of housing and people (and the associated food, garbage, and traffic) risks greater numbers of negative human-wildlife interactions.

Thank you for your time.

Regards,

Stephen Hunt

October 4, 2019

Johnson Kwan
Planning Services Department
Rocky View County
262075 Rocky View Point
Rocky View Country, AB
T4A 0X2

Re: Proposed Redesignation and Development on Fawn Hills Dr., Bragg Creek
PL20190102 and PL20190103 NE-15-23-05W05M

Dear Mr Kwan,

We have lived on Fawn Hills Drive for close to 30 years and feel that we should provide some feedback to the proposed development on our road. We own 10 acres at the end of the road and have raised 3 children here. Our 7 grandchildren just love coming out and playing in the wilderness. We all enjoy the beauty of the area, quiet and peaceful which is why we chose to buy the land and build our home here many years ago. We live with much wildlife around us, moose sometimes sleep behind our garage, deer are everywhere, coyotes, bears, cougars and for the past few years owls have nested on our property, as well as ravens, just beautiful to see the babies grow and learn to fly. Something you would never see in a high density development and we worry that wildlife will be affected with so much new traffic and people moving in.

While we are not opposed to development on Fawn Hills Drive we feel that so many homes would change our lifestyle greatly. Our area is unique and quiet, and so much development would change that, much more noise and traffic. Not to mention that there is only one way out of West Bragg Creek and in an emergency that would add many more people relying on that one route. We have watched many fires on the news and how fast they can travel especially in windy conditions.

We have an excellent well and are worried that increased density will put a strain on it, and are very concerned about the Fawn Hills Water Coop Association, as well as the strain that 22 new septic systems will put on the wetland ecosystem. As well we don't feel Fawn Hills Drive could withstand the traffic of approximately 40 new vehicles and construction vehicles (ie cement trucks) as it is just chip coat and is showing its age at the moment.

Thank you for seeking feedback from us, again we are not opposed development on our road, this is just too huge a development, a few homes would be fine, this proposed plan would change our lives.

Sincerely,

Donna and Brian Rogers
192 Fawn Hills Dr. [REDACTED]
[REDACTED]

Cc Bart Carswell, Carswell Planning Inc.

Tanya Gaskell
Box 1322
8 Mountain View Park
Bragg Creek, Alberta T0L 0K0

October 7, 2019

To:

Johnson Kwan
Planning Services Department
Rocky View County
262075 Rocky View Point
Rocky View County, AB T4A 0X2

Cc: Bart Carswell, MA, RPP, MCIP
Carswell Planning Inc.
P.O. Box 223
104 – 1240 Kensington Rd. NW
Calgary, AB T2N 3P7

jkwan@rockyview.ca

Bart.Carswell@carswellplanning.ca

**Re: Proposed Redesignation and Development on Fawn Hills Drive, Bragg Creek
PL20190102 and PL20190103
NE-15-23-05W05M**

Mr. Kwan,

Thank you for seeking feedback from our community concerning the proposed development in our neighbourhood.

The development application does not comply with the overall density requirement of 1 lot per 4 acres set out in the Area Structure Plan for West Bragg Creek (the ASP). In my view it should. I favour the low-density approach described in the ASP and the preference for open space planning.

I do not see a valid reason for departing from the guidelines in the ASP. In fact, the increased density creates several problems. I have checked the items below which are of specific concern to me:

- ☒ **Water.** Increased density means increased strain on existing water wells (both that of the water association and of private wells).
- ☒ **Waste.** The plan calls for 22 new septic systems which will place greater strain on the wetland ecosystem.
- ☒ **Environment.** I want to preserve the wetland, animal habitat, and forest as much as possible.
- ☒ **Fire.** Our area is at high risk of wildfire. Greater density of homes in our forested area both increases the risk of fire and the number of people and structures that will be endangered in a wildfire.
- ☒ **Emergency Egress.** There is only one route out of West Bragg Creek. Greater density developments mean that more people will rely on that single route in case of emergency.

- ☒ **Traffic and Noise.** Increased density means increased traffic and noise on an otherwise quiet, dead-end street.
- ☒ **Services.** Increased density means greater demand on County services, infrastructure, and school services.
- ☐ **Slope.** I am concerned about slope stability and road access in the new development on the slope and whether school buses and fire trucks will be able to access the new neighbourhood.
- ☒ **Wildlife Encounters.** Increased density of housing and people (and the associated food, garbage, and traffic) risks greater numbers of negative human-wildlife interactions.

**Type any additional comments here.

***Attach any history, photos, or videos that help explain our neighbourhood.

Thank you for your time. I look forward to receiving notice of any upcoming hearings.

Regards,



October 7, 2019
Reference: 03915024

Attention: Johnson Kwan
Email: jkwan@rockyview.ca
Tel: (403) 520-3973

Reference: Rezoning application PL20190102

Dear Mr. Kwan,

I am writing in response to a letter you sent to me dated Tuesday September 17, 2019 in regard to a conceptual planning application submitted by Carswell Planning on behalf of Mr Allan Dale Hudye relating to the 'Fawn Hills' subdivision development. I would like to thank you for providing me with the opportunity to comment.

In preparing this response, I took some time to read the conceptual plan that the applicant presented to Rocky View Country (RVC). I also read the Bragg Creek Area Structure Plan (ASP) and I conducted some research relating to the Wintergreen development application plan. I have lived at 12 Mountain View Park since May 2014.

With respect to the ASP, there are two overarching principles that repeatedly ring out to the reader, one relating to the importance of maintaining a balance between humans and the environment including wildlife preservation and one relating to ensuring the safety of all "Creekers". These two issues were on my mind as I read the applicants conceptual scheme (CS). My concerns include:

In 2.4 of the CS, the applicant states "There are a number of matters to address. Infrastructure to support physical development is to ensure adequate potable water, safely treat wastewater and manage stormwater in a manner that does not devalue the integrity of the natural environment. Additionally, transportation including internal roads and trails are supported. The proposal intends to have trails within and connecting outside of the subject lands.

Potable Water - Whilst I have no primary concerns with the access to potable water, I would request confirmation that drawing additional potable water from the Elbow river upstream of the City of Calgary does comply with RVC, provincial and federal regulations, my understanding was that with a vastly increased (and set to increase further) population in Calgary, access to potable water there was a major concern as the city continues to grow. **Action Item #1:** Pls confirm that drawing additional water upstream of the City of Calgary does not contravene county, city, provincial and federal regulations

Wastewater - The applicants plan indicates that wastewater will be treated onsite by individual homeowners, but with the location as proposed, aren't the septic vessels going to be upstream of the current water well used by the Mountain View Park residents? Presumably there will not be any septic fields permitted in the development, hence septic tanks will need to be large and emptied extremely regularly. **Action Item #2:** Pls confirm that the management of wastewater will not impact any other fresh water sources.

Stormwater - Although I have a number of concerns, the management of stormwater ranks very high. I recall, as if it was yesterday, spending 72 hours in June of 2013, frantically pumping water out of a number of residences on Mountain view park. I was stranded at home for that period and I don't recall the applicant being there pumping water. I also don't recall seeing any one from Carswell Planning being there at the time. What I do recall seeing is the lower meadow area adjacent to the Fawn Hills Road being thoroughly flooded, this water made its way down through the land immediately to the rear of the Mountain View Park properties, under and over Range Road 52 into the fields that are adjacent to highway 232. Indeed, there is lying water through that area much of the year. This is not with 65% of native vegetation as the applicant commits to providing, but 100%. One might argue that the 2013 floods constitute the 100-year flood event, which is fine, but how then would the applicant explain the other 100-year flood that occurred 8 years earlier in 2005? The Elbow River flood mitigation plan, now set to be executed by a series of dry reservoirs in Spring bank may not help the current residents of Bragg Creek, let alone new residents to come. I would also like to point out that currently, the water table is delicately balanced between being manageable and being problematic. Sub surface water during spring run-off, for example would be as high as 6 feet below grade. Heavier than usual September snow falls have now occurred twice in recent years and are set to become more common. Later in 4.2 the author mentions that the subject lands are approximately 2Kms from and 50m above the lands flooded in 2013. This is a fact that I fundamentally have problems with. If this area is 2Kms away from, and 50m above, the lands flooded in 2013, why did I need to spend so much time in 2013, almost nonstop, trying to (and in one case failing) to prevent a number of basements flooding? **Action Item #3:** Pls provide a predictive weather pattern report covering this area indicating the occurrence of 10, 25, 50- and 100-year flood, snowfall and high/low temperature expectations. Report to include mitigation strategies for these events. **Action Item #4:** Pls provide the MPE Engineering Ltd SWMP referenced in paragraph 5.9. Note: The applicant states that the "overland stormwater drainage system has the capacity to safely manage the 100-year storm water event assuming it happens only every 100 years". **Action Item #5:** Pls provide a mitigation plan if the 100-year event happens every 10 years.

Devalue the integrity of the natural environment – It's difficult to understand how one can take an uninhabited 'natural environment', build a road, utility network, 22 dwellings, introduce 57 people (22 x 2.6) dogs, cats, cars (average 2 cars per dwelling), and not impact the natural environment. My concern here relates to a number of areas:

1. Light pollution. **Action Item #6:** Pls provide a predictive light signature sketch with light mitigation plan.
2. Noise pollution. We have already seen a considerable increase in noise due to a huge increase in traffic on the West Bragg Creek road, along with increased visitor noise. **Action Item #7:** Pls provide an assessment of anticipated noise levels once phase 3 of the project is completed.

3. Wildlife – in the CS, beyond the installation of a dog park, the applicant makes no mention of how they will mitigate the effects of the plan on wildlife. We have seen a large reduction in large wildlife in the area, for example Moose, as a result of the increased traffic on the West Bragg Creek road due to the West Bragg Creek day use area expansions and much of this wildlife has been driven away from the road, namely into areas such as the applicants quarter section. **Action Item #8:** Pls provide wildlife habitat studies to include seasonal migration data.

Trail network – the applicant appears to be claiming some credit for installing some trails in the proposed development, a noble offer. However, a far more-simple solution, as a good neighbor, would be to permit locals to walk their dogs etc on designated trails across the current 'natural environment'.

Wildfire management - later in paragraph 2.4, the applicant makes reference to using a number of wildfire management techniques. These are covered later in the document and generally relate to making use of fire-retardant housing materials. This is acknowledged, although one would be very surprised if modern building codes, didn't call out for fire retardant building materials to be used. One key area that the applicant fails to address is that of human interaction. All the measures provided are mitigation measures and barely preventative. I am deeply concerned that even with well-maintained fire water storage ponds the volunteer fire service is still 15 minutes away, at best, and that data tells us that a fire can take hold and become out of control in a matter of minutes, just ask anyone from BC, California, or Sweden.

Action Item #9: Pls provide assurances that no fires will occur as a result of human activity and that if they do, the fire service can be on scene within 10 minutes (this rule appears to be an Alberta provincial rule). **Action Item 10#:** Pls explain what "consideration" means in paragraph 5.14.

Protective and Emergency Services – applicant appears to claim credit that these services exist locally and fails to mention that the fire service is voluntary, and the law enforcement and medical services are approximately 30 minutes' drive away. Applicant also fails to offer a plan as to how these emergency services will be delivered in the event that the only means of access/egress, hamlet of Bragg Creek bridge, is closed as has been the case twice in an 8-year span. Whilst I could not confirm the number of properties that exist in west Bragg Creek, based on data located relating to the recent Wintergreen redevelopment application, NFPA standards indicate that in areas with 500 houses or more, at least two means of access must be provided (currently the bridge on Balsam Ave is the only one). **Action Item #11:** Does the applicant intend to improve the protective services arrangements? **Action Item #12:** How does the applicant intend to overcome the NFPA standards regarding means of access?

Transportation – It is pleasing to see that this topic has been considered by the applicant. It is utterly disappointing that they only took the trouble to study current traffic patterns and not only did they pick the wrong location, it is disappointing that they picked such a short period of time. **Action Item #13:** Pls provide traffic data over a summer 1-week period as well as a winter 1-week period at the junction of RR52 and the west Bragg Creek road. **Action Item #14:** Pls provide an assessment of additional service traffic expectations along with additional visitor traffic.

Summary:

In this letter I have tried to articulate my principle concerns with this application, stormwater, fire management and insufficient infrastructure, (transportation, access/egress, emergency services) being the most significant ones.



Mark Griffiths

[Redacted signature area]

October 7, 2019

Lori Piercy

24 Mountain View Park
Bragg Creek, AB T0L 0K0

To:

Johnson Kwan
Planning Services Department
Rocky View County
262075 Rocky View Point
Rocky View County, AB T4A 0X2

Cc: Bart Carswell, MA, RPP, MCIP
Carswell Planning Inc.
P.O. Box 223
104 – 1240 Kensington Rd. NW
Calgary, AB T2N 3P7

jkw@rockyview.ca

Bart.Carswell@carswellplanning.ca

**Re: Proposed Redesignation and Development on Fawn Hills Drive, Bragg Creek
PL20190102 and PL20190103
NE-15-23-05W05M**

Mr. Kwan,

Thank you for seeking feedback from our community concerning the proposed development in our neighbourhood.

It never ceases to amaze me that people still bring forth the same old and tired objections each time there is a proposed development! Bragg Creek is becoming a shrinking community and we do need new development, our population is aging and young families are not interested in moving here.

However, it is important for any new development to follow the rules of the ASP and it needs to have its own stand-alone water and waste system or the very best option would be the availability to tie into Rocky View's Water and Waste systems. The purposed subdivision is approximately 3- 4 Km away from Rocky View's water and sewage plants and we need to work towards that solution for new developments. How come, if you live 10 km from Pincher Creek you have treated water from the County. I saw a drawing from Stantec Engineering a few years ago, showing north and south of Calgary up to Edmonton communities having municipal treated water out to acreages via a pipeline.

I went to this open house a few months ago and came away from it thinking, this was poorly thought out and my first concerns are with water and sewer. I asked about water and was told they have a few wells to draw from and would be a water association but could offer no other information except it would be like Fawn Hills Association? I am the President of the Mountain View Water & Sewer Co-op and have lived in Mountain View for the past 19 years, so I feel I have the experience to speak about this. I know of the trials and cash calls required to maintain an 8 lot, 2-acre subdivision. I also know Alberta Environment is making changes to sub-divisions regarding equipment in pumphouses and testing requirements, which I was told because we are under 10 lots, it will be a few years when they get to us about the changes.

A water co-op is owned by the homeowners in the subdivision and they are responsible for all maintenance and upkeep of the system. Most people who buy a lot are not aware or understand this concept until they buy. In this proposed new subdivision, they talk about doing 3 phases, how are they providing water to the first phase? Build a third of a pumphouse? A good example is the

Elkana Water Co-op, had 48 homeowners on their water coop and when the pumphouse had to be updated and replaced, they couldn't come up with a million dollar cash call. On top of that they had so many broken and leaking water lines, Mr. Kwan do you remember the outcome? They are now on the Rocky View County water system. Also, some homeowners couldn't sell because of the boil water order for many years and banks won't mortgage a house without potable water.

Our environment....I cannot believe in this day and age, anyone would even consider putting in individual septic tanks! Even our subdivision built in 1976 has one communal tank for 8 lots. Let's go back to Elkana subdivision, I invite you both to take a walk around the first part, lower Elkana, I believe construction started in the late 1970's, each ½ acre lot has its own tank. You will be able to tell which tanks have failed. Homeowners are shocked to find out now they have to pay 25K or more to fix the problem or maybe just leave it alone?

We should be welcoming new people to our community, they are a valuable resource - potential business owners, volunteers, and new friends but we need future development to be done correctly and learn from our mistakes of the past.

Thank you for your time. I look forward to receiving notice of any upcoming hearings.



Lori Piercy

Johnson Kwan

From: Andrea Sparkes [REDACTED]
Sent: Wednesday, February 26, 2020 12:03 PM
To: Johnson Kwan
Subject: ProposedFawn Hills Development (PL20190102 Redesignation and PL20190103 ConceptualScheme)

Re: Comments on Development Application Submission

Proposed Fawn Hills Development (PL20190102 Redesignation and PL20190103 Conceptual Scheme)

Location: NE-15-23-05W5M

Division: 1

Mr. Kwan,

Thank you for your invitation for submissions concerning the Fawn Hills Conceptual Scheme. We are landowners at 74 Fawn Hills Drive, across the road from the proposed development. The full text of my previous letter on this topic is below. I offer the following summary and look forward to speaking at the hearing.

I oppose the development in its present form. In my view, proceeding with a Conceptual Scheme that deviates from the Area Structure Plan is imprudent. It amounts to ruling by exception and ignoring the results of a locally-sensitive, well thought out consultative process. I am not aware of any good planning reason to deviate from the ASP and, instead, identify many reasons to adhere to it.

These reasons flow from the problematic increased density of housing (far above that sanctioned by the ASP of 1/4 acres). The concerns include:

1. Increased population at the wildland-urban interface in the face of recognized extreme wildfire risk.
2. Increased population in an area served by a single route of egress.
3. Increased strain on wetlands through water usage and sewer.
4. Increased traffic.
5. Increased deforestation.
6. Disruption of the rural character of the neighbourhood.

Others have spoken to me about light pollution, interference with wildlife, and increased strain on our local school.

It amounts to a disruption of the rural character which my neighbours and I sought in living here.

For these reasons, I do not support the present applications. The applicant should be invited to resubmit with a proposal that is actually (and transparently) in line with the Area Structure Plan.

Andrea Sparkes

I do not consider myself anti-development. I accept that the owner/applicant is free to develop his property. However, in our view, he must do so in accordance with the law. Laws, regulations, policies, and guidelines create a set of mutual expectations amongst citizens. Colloquially, they help keep us all working from the same “playbook.”

We would welcome new neighbours in homes that are consistent with the existing regulatory framework. In this way, new families (who cannot speak up for themselves here) will be able to enjoy the special wilderness we call home in the same way.

Our Neighbourhood

Our neighbourhood sprung from a development in the late 1970s. Homes are situated on elongated, forested lots along the east side of Fawn Hills Drive, a dead-end, chipped seal road in West Bragg Creek. It is a quiet street.

On geography alone, Bragg Creek is a truly unique part of the County. It is hilly and densely forested. It receives greater snowfall than the rest of the County (20” last weekend). Homes are very much at the wildland-urban interface. Accordingly, residents face some unique challenges including wildlife encounters and a significant risk of wildfire. Residents value space and quiet. While the Provincial Park down the road seven kilometres from Fawn Hills may have become a destination for cyclists and skiers, it is fair to say that our neighbourhood has not and should not become a destination.

Inaccurate Summary of Neighbourhood Concerns

It is true that the developer held an open house in our community. However, after attending, I was puzzled to read the following statement in the Conceptual Scheme^[1] summarizing that event and the feedback received: “Most comments supported the scheme as it fits within the definition of the Greater Bragg Creek Area.”

I fear that Mr. Carswell has misunderstood both general concerns raised and a very specific objection that I and many of my neighbours have to the development.

The developer displays a disregard for the “playbook”, the [Area Structure Plan](#) (ASP).

Density

The ASP was obviously prepared with a great deal of thoughtful consideration for the unique nature of our community. It is important guidance under the [Municipal Government Act](#) (section 633).

The ASP for Bragg Creek (west and north) provides, in part, as follows:

7.4.4 New Residential Areas

...

d) Parcel sizes within new residential areas in west and north Bragg Creek should not be less than .25 acres, and not greater than 2 acres, ***with an overall density of not greater than one lot per 4 acres of GDA.***^[2]

...

While the developer quotes section 7.4.4 in the Conceptual Scheme^[3] and incorrectly asserts that 24 lots on 75 acres complies, simple math shows that he fails to apply its guidance.

A density of one lot per four acres can be written as ¼ or 0.25. However, when the calculation is applied to the lots described in the Conceptual Scheme, a much larger figure of 0.61 emerges.^{[4] [5]} This is 2.44 lots per four acres (instead of 1). It's not even close.

The result deviates even further from the ASP when it becomes clear that the developer has included 11.93 acres that the owner intends to “retain”.^[6] If “retained” and not intended to be included in the development, the area should not be

included in the Gross Developable Area.^[7] Excluding the retained area yields closer to 3 lots per four acres instead of 1 lot per four acres.

And the exceedances described above are *without* taking riparian buffers and steep slopes into account (as these must also be subtracted from the Gross Developable Area). These considerations may further reduce the number of potential lots.

Open Space Design

Further, the ASP describes an important design principle: Open Spaces. Open Spaces are integral to the entire ASP (mentioned 54 times throughout) and are detailed in section 5.2. As with the overall density requirement, the Conceptual Scheme ignores this important principle that is so critical to the rural, open, character of west Bragg Creek.

Preservation of the open spaces cannot rest entirely on the existence of the restrictive covenant described by the developer. If the restrictive covenant is not enforceable by the County, the County should rigorously enforce its own policy, the ASP, and place additional restrictions on deforestation in order to preserve open spaces.

Standard to be Applied in Assessing Appropriateness of Development

It was suggested to me at the Open House that the pattern of development across the street should guide the form of development in the new area. Not only is this notion contrary to the ASP, using existing neighbourhoods developed over forty years ago as a benchmark for present day development, simply perpetuates archaic design principles. The existing two acre lots in Fawn Hills were established decades before the ASP without the same regard for modern planning principles and environmental stewardship. It would be imprudent to cast aside the guidance of the carefully considered ASP in favour of antiquated thinking.

I understand from neighbours who have lived here longer than us and who were involved with the development of the ASP that the neighbourhood was a grandfathered higher-density outlier when our present ASP was developed.

I see no reason to deviate from the ASP and many reasons to adhere to its guidance. As these other issues flow from the greater issue of density, I discuss them in greater detail below.

Wildfire and Egress

It is well known that the risk of wildfire in Bragg Creek is very high. Many neighbourhoods in our area are listed at “Extreme” risk of wildfire ([Greater Bragg Creek FireSmart Mitigation Strategy](#)). It is not a question of “if” but “when.” A wildfire and the resulting danger, damage, and loss is reasonably foreseeable.

At present, there is one way out of West Bragg Creek (across a bridge which is vulnerable to flood). Prudent policy would mitigate the risk of loss of life and property in the event of wildfire by limiting residential development (particularly development of *greater* density such as that proposed in the Conceptual Scheme).

This Council and its Councillors should not share the legacy of those that approved developments on flood plains without regard to the reasonably foreseeable consequences.

Negative Wildlife Interactions

Bragg Creek is a forested wild area. It is home to moose, deer, cougars, coyotes, and bears (among others). No day goes by without my seeing wildlife. They are a very special and valued part of our community, but they are wild animals.

Last year, on our two-acre lot, a cougar killed a large male deer and carefully and neatly tucked it away under a spruce tree. It would revisit the “leftovers” over the next few days. The situation was not without risk. The spot the cougar selected was meters away from the kids’ bus stop on Fawn Hills Drive. A Fish and Wildlife Officer removed the carcass to prevent what they termed a potential “negative wildlife-human interaction.” Please see the attached gamecam, nighttime photo of the cougar visiting the carcass.

Precautions must be taken. Garbage must be locked up. Attractants like bird feeders and fruit trees must be avoided. However, despite these precautions, the more people there are, the more attractants there will be. As residents of a nearby neighbourhood, Redwood Meadows, [experienced](#), bears are attracted to human settlements. Ten bears were removed from that community over a period of ten days last year. A denser development places more people and more attractants in wildlife natural habitat and increases the risk of a negative encounter. Unfortunately, habituated bears become a danger and must be relocated and, sometimes, euthanised. The issue is one of ecological responsibility as well as one of human safety.

Use of Municipal Reserve

The developer initially suggested a fenced dog park be constructed on the municipal reserve. While I understand that suggestion is no longer part of the proposal, I wish to register my objection to the development of the municipal reserve. It should be left as a wild wetland area for ecological reasons. Wetlands and associated drainages, a vital part of the ecosystem, are fast [disappearing](#).

Further, I do not wish our quiet neighbourhood to become any sort of public "destination." We enjoy (and purchased) our home for its quiet. A public park across the street would completely undermine the purposes for which we chose our home. I do not support inviting the public to our quiet street for a dog park or for any other purpose.

Additional Concerns

The ASP contains a few key provisions. Among other things, it values:

- respect for the natural environment (particularly [Articles 5.1.1 and 5.1.2](#));
- low density character (Article 7.4)
- accommodation of riparian buffers of streams and wetlands (30 meters) (see [Article 5.1.3\(a\)](#) and definitions in [Appendix B](#));
- preservation of public areas in their "natural 'undisturbed' state" ([Article 5.2.2\(c\)](#));
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- responsible waste-water treatment (see [Article 6.1](#), particularly 6.1.3(a), (e) and (f)); and
- an aim of an overall density of "not greater than one lot per 4 acres of Gross Developable Area" ([Article 7.4.4](#)(d), (g), (h) and the example as well as the content on Open Space Design).

In my view, a reasonable project would:

- comply with the ASP;
- leave the wetland area as a wild, undeveloped wetland;
- not invite the public to our quiet neighbourhood as a "destination" (e.g. public dog park or similar);
- obtain satisfactory specific water testing and *year-round* baseline well flow rate studies of all wells *prior* to authorization of development;
- provide for communal sewer system and removal of wastewater in line with the density of homes and the proximity of the sensitive wetland (see Article 6.0 of the ASP and 6.1.3);
- have a fewer number of lots consistent with the Area Structure Plan (no more than 1 home per 4 acres) (Article 7.4.4);
- maintain a low density to avoid increasing risk of wildfire and negative wildlife-human interaction; and
- given the increased number of homes, revive a newly drafted County Firearms Bylaw and apply it to the new development and surrounding neighbourhoods to ensure safety in the residential area.

Rigorous Testing and Consultation

I trust that the County planners and our Councillors will rigorously test the project and insist that it meet the highest standards for water, storm, and wastewater management, particularly considering the sensitive wetland, the associated

drainage and nearby water wells. I further trust that you will ensure its compliance with the Area Structure Plan as there is no supportable planning reason to deviate from the ASP.

I would also suggest that the development is pertinent to residents of all areas covered by the Area Structure Plan and that timely notice seeking feedback should be provided to those residents.

Conclusion

There is no supportable reason to deviate from the density and open space requirements of the ASP and many reasons not to.

I would be happy to meet to discuss the Conceptual Scheme and its potential impacts upon our neighbourhood at your convenience. I look forward to attending any public hearing on the matter.

Sincerely,

Andrea Sparkes

^[1] Conceptual Scheme, section 7.1, page 42

^[2] GDA refers to Gross Developable Area and is explained on page 69 of the ASP.

^[3] Conceptual Scheme, page 9.

^[4] $\text{Lot area} = \frac{2.02 + 12(1.97) + 2.05 + 2.15 + 2.02 + 2.00 + 2.07 + 2.22 + 2.34 + 2.17 + 2.54}{74.65} = \frac{45.22}{74.65} = 0.61$

^[5] These figures are drawn from the map provided in Rocky View County letter dated September 17, 2019. If the figures from Table 1, page 25 of the Conceptual Scheme are used, the calculation is:

$\frac{12(1.98) + 2.03 + 2.05 + 2.15 + 2.02 + 2.00 + 2.08 + 2.22 + 2.35 + 2.17 + 2.54}{74.65} = \frac{45.38}{74.65} = 0.61$ (or, **2.44** homes per acre)

^[6] Figure 12 in Conceptual Plan. The developer's intention with respect to the future of the "retained" area is not clear. If it is included in the denominator now, it must be forever blocked from development.

^[7] $\frac{45.22}{62.72} = 0.72$

ANDREA SPARKES

Johnson Kwan, RPP, MCIP
Planning Services Department
Rocky View County
262075 Rocky View Point
Rocky View County, AB T4A 0X2

jkwan@rockyview.ca

By Email

October 7, 2019

Re: Comments on Development Application Submission

Proposed Fawn Hills Development (PL20190102 Redesignation and PL20190103 Conceptual Scheme)

Location: NE-15-23-05W5M

Division: 1

Mr. Kwan,

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I would be happy to meet to discuss the Conceptual Scheme and its potential impacts upon our neighbourhood at your convenience. I look forward to attending any public hearing on the matter.

Sincerely,

Andrea Sparkes

Photographs of Fawn Hills Drive (Andrea Sparkes)

Plant Life



A view of the west Bragg Creek forest in fall from the top of Two Pine Hill.



Fawn Hills displays a diversity of plant life and wildflowers that favour both forested and open areas.



Willows in spring on Fawn Hills Drive. These plants favour wet areas for growing.

Climate



We can receive a lot of snowfall, sometimes early and late in the season. 20" last weekend.



The lower areas can be quite wet at times. This is a photo from Range Road 52 of an area which drains from the land that is the subject of the Conceptual Scheme after a heavy rainfall. The road is acting as a dam and the culvert is a "choke point" restricting flow.



Spring meltwater in the ditch at the side of Fawn Hills Drive.



Rainy day photo showing lower water filled channels and farm buildings.

Wildlife



A Great Grey Owl who frequents our neighbourhood and is a favourite of local photographers.



Twin fawns in spring behind our home on Fawn Hills Drive.



A moose on a snow-covered Fawn Hills Drive. They can be observed frequently in the willowy marshy area.



A photo of a bobcat taken outside our daughter's window.



Gamecam image of cougar visiting carcass of male deer on our land (close to Fawn Hills Drive).



A bald eagle roosting in trees on Range Road 52.

Dan Sparkes
**Johnson Kwan**

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

jkwan@rockyview.ca

Re: Proposed Fawn Hills Development (PL20190102 Redesignation and PL20190103 Conceptual Scheme)**Location: NE-15-23-05W5M****Division: 1**

Mr. Kwan,

I reviewed your letter of September 17, 2019 regarding the Development Application of Carswell Planning on NE-15-23-05-W5M.

My chief concern is that the project as described in the Conceptual Scheme fails to comply with critical elements of the applicable regulations. Similarly, the errors and misstatements in the plan are too numerous for the proposal to be relied upon. Accordingly, in my view, the owner needs to take the project “back to the drawing board.”

Among other things, the project blatantly disregards the density requirements in section 7.4.4 of the Area Structure Plan. Not only is the calculation obviously wrong, it fails to account for any wetlands, slopes, or riparian areas. On a foundational element, it is an obvious arithmetic deficiency.

While buzzwords like “FireSmart” are included in the Conceptual Scheme, these references appear to be no more than a marketing ploy. The developer clearly is not “up-to-speed” on modern FireSmart principles which have moved beyond discussions of narrow roads as firebreaks in cases of wildfire. They are ineffective. I am of the view that a properly prepared development plan targeted at a forested area would be cognisant of that principle. The questions distributed at the open house were clearly loaded to get people to say yes but saying things like roads and trails were for firebreaks and firehoses. What a joke. This shows the planner was clearly marketing to get a “yes” and had not understanding of or completely ignored FireSmart principles.

The conclusions on water access are not supported by an accurate count of the wells in the area. There seems to be no mention of the private wells relied upon by many of our neighbours.

I was not comforted by the developer’s responses to questions at the Open House. Quite often we were told that details important to us would be figured out “later.” The developer provided feedback forms filled with loaded questions (please see attached copy). I was left with the impression that no meaningful feedback was sought. This suspicion was confirmed

when residents began receiving form letters in response to their letters of concern. Form letters and did not even attempt to answer their questions in any way.

In my view, the plan is so rife with errors, it clearly cannot be relied upon if RockyView is to have any planning stewardship over land development whatsoever. I also note the planner was quick to dismiss issues of water and sewer as things that would be determined "after." It certainly appeared his only concern was getting approval and anything that might complicate that approval would be the problem of the lot purchasers and existing residents.

I am not in favour of the high-density development as proposed. However, I am not opposed to development of the land. My recommendation is to reject this plan and, should a competently prepared plan that conforms to the area structure plan be tabled, I would be willing to review it with an open mind to supporting it. I do not take issue with the land owner wishing to divide and monetize his land but I cannot support the proposed plan.

Regards

Dan Sparkes

Dave Kunz

October 7, 2019

To:

Johnson Kwan
 Planning Services Department
 Rocky View County
 262075 Rocky View Point
 Rocky View County, AB T4A 0X2

Cc: Bart Carswell, MA, RPP, MCIP
 Carswell Planning Inc.
 P.O. Box 223
 104 - 1240 Kensington Rd. NW
 Calgary, AB T2N 3P7

jkwan@rockyview.ca

Bart.Carswell@carswellplanning.ca








**Re: Proposed Redesignation and Development on Fawn Hills Drive, Bragg Creek
 PL20190102 and PL20190103
 NE-15-23-05W05M**

Mr. Kwan,

Thank you for seeking feedback from our community concerning the proposed development in our neighbourhood.

The development application does not comply with the overall density requirement of 1 lot per 4 acres set out in the Area Structure Plan for West Bragg Creek (the ASP). In my view it should. I favour the low-density approach described in the ASP and the preference for open space planning.

I do not see a valid reason for departing from the guidelines in the ASP. In fact, the increased density creates several problems. I have checked the items below which are of specific concern to me:

-  ☐ **Water.** Increased density means increased strain on existing water wells (both that of the water association and of private wells).
-  ☐ **Waste.** The plan calls for 22 new septic systems which will place greater strain on the wetland ecosystem.
-  ☐ **Environment.** I want to preserve the wetland, animal habitat, and forest as much as possible.
-  ☐ **Fire.** Our area is at high risk of wildfire. Greater density of homes in our forested area both increases the risk of fire and the number of people and structures that will be endangered in a wildfire.
-  ☐ **Emergency Egress.** There is only one route out of West Bragg Creek. Greater density developments mean that more people will rely on that single route in case of emergency.
-  ☐ **Traffic and Noise.** Increased density means increased traffic and noise on an otherwise quiet, dead-end street.
-  ☐ **Services.** Increased density means greater demand on County services, infrastructure, and school services.



- ☐ **Slope.** I am concerned about slope stability and road access in the new development on the slope and whether school buses and fire trucks will be able to access the new neighbourhood.



- ☐ **Wildlife Encounters.** Increased density of housing and people (and the associated food, garbage, and traffic) risks greater numbers of negative human-wildlife interactions.

As a volunteer for West Bragg Creek Trails and a resident I have a vested interest in what kind of development happens here. I care that it remains a beautiful area not overdeveloped destroying the what Bragg Creek is known for and used by 185,000 plus people from surrounding area and visitors.

Like many on the street and area, I'm not against development, but I am against development that goes against the ARP that was embraced by the community when created. The whole purpose of having an ARP to this unique area is outlined in the ARP.

West Bragg Creek and area provides connection to a unique landscape that is used by more than the individuals who live here. What West Bragg Creek may lack in tax base more than makes up for what it offers to the surrounding area in recreation use, forestry management and livestock licensing.

The Current ARP was designed with that in mind and to regulate over development and adhere to supporting the natural habitat.

Thank you for your time. I look forward to receiving notice of any upcoming hearings.

Regards,
Dave Kunz

Kate Kunz


October 7, 2019

To:

Johnson Kwan
Planning Services Department
Rocky View County
262075 Rocky View Point
Rocky View County, AB T4A 0X2

Cc: Bart Carswell, MA, RPP, MCIP
Carswell Planning Inc.
P.O. Box 223
104 - 1240 Kensington Rd. NW
Calgary, AB T2N 3P7

jkwan@rockyview.ca

Bart.Carswell@carswellplanning.ca








**Re: Proposed Redesignation and Development on Fawn Hills Drive, Bragg Creek
PL20190102 and PL20190103
NE-15-23-05W05M**

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I do not see a valid reason for departing from the guidelines in the ASP. In fact, the increased density creates several problems. I have checked the items below which are of specific concern to me:

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- ☐ **Wildlife Encounters.** Increased density of housing and people (and the associated food, garbage, and traffic) risks greater numbers of negative human-wildlife interactions.

I'm not against development, but I am against development that goes against the ARP that is very concise and detailed that was embraced by the community when created. If this guideline is followed, there will be support for new homes in the area.

Bragg Creek although not densely populated is used by 185,000 plus individuals throughout the year and is considered to be a gem for out door enthusiasts from the local surrounding area. It is an area that is valued for the environment and is the same category as the national parks for scenery and out door access.

West Bragg Creek and area provides connection to a unique landscape that is used by more than the individuals who live here. What West Bragg Creek may lack in tax base more than makes up for what it offers to the surrounding area in recreation use, forestry management and livestock licensing.

The Current ARP was designed with that in mind and to regulate over development and adhere to supporting the natural habitat.

Thank you for your time. I look forward to receiving notice of any upcoming hearings.

Regards,
Kate Kunz

Johnson Kwan

From: Andrea Sparkes [REDACTED]
Sent: Wednesday, October 09, 2019 8:44 AM
To: Johnson Kwan
Subject: Development in Fawn Hills

Categories: Yellow Category

Hi Johnson,
My daughter has a contribution as well. Her letter is below.
Andrea

Dear Mr. Kwan,

I am a Grade 6 student who is concerned about the development. I feel like there should not be lots of houses with all their sewage pouring into the wetland which is not healthy.

Last year we studied wetlands in school and learned that they are really important because they soak up a lot of carbon dioxide and pollution. If we drain them it won't make it better for the earth.

I am also concerned about the level of noise. I love the peacefulness and quietness on this street and how everyone respects that. I like my neighbourhood the way it is. Some of the things I like about my neighbourhood is everyone knowing each other, being able to ride my bike on the road because it is clear because there is not a lot of traffic which would make it more dangerous.

Please consider my feedback and I hope it makes a difference in what you decide.

Sincerely,
Lane Sparkes

Clare Edwards
 [REDACTED]
 80 Fawn Hills Drive
 Bragg Creek, Alberta T0L 0K0

October 4, 2019

To:

Johnson Kwan
 Planning Services Department
 Rocky View County
 262075 Rocky View Point
 Rocky View County, AB T4A 0X2

Cc: Bart Carswell, MA, RPP, MCIP
 Carswell Planning Inc.
 P.O. Box 223
 104 – 1240 Kensington Rd. NW
 Calgary, AB T2N 3P7

jkwan@rockyview.ca

Bart.Carswell@carswellplanning.ca

**Re: Proposed Redesignation and Development on Fawn Hills Drive, Bragg Creek
 PL20190102 and PL20190103
 NE-15-23-05W05M**

Mr. Kwan,

Thank you for seeking feedback from our community concerning the proposed development in our neighbourhood.

The development application does not comply with the overall density requirement of 1 lot per 4 acres set out in the Area Structure Plan for West Bragg Creek (the ASP). In my view it should. I favour the low-density approach described in the ASP and the preference for open space planning.

I do not see a valid reason for departing from the guidelines in the ASP. In fact, the increased density creates several problems. I have checked the items below which are of specific concern to me:

- ☒ **Water.** Increased density means increased strain on existing water wells (both that of the water association and of private wells).
- ☒ **Waste.** The plan calls for 22 new septic systems which will place greater strain on the wetland ecosystem.
- ☒ **Environment.** I want to preserve the wetland, animal habitat, and forest as much as possible.
- ☒ **Fire.** Our area is at high risk of wildfire. Greater density of homes in our forested area both increases the risk of fire and the number of people and structures that will be endangered in a wildfire.
- ☒ **Emergency Egress.** There is only one route out of West Bragg Creek. Greater density developments mean that more people will rely on that single route in case of emergency.

- ☒ **Traffic and Noise.** Increased density means increased traffic and noise on an otherwise quiet, dead-end street.
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- ☒ **Slope.** I am concerned about slope stability and road access in the new development on the slope and whether school buses and fire trucks will be able to access the new neighbourhood.
- ☒ **Wildlife Encounters.** Increased density of housing and people (and the associated food, garbage, and traffic) risks greater numbers of negative human-wildlife interactions.

Below provides some more context around my concerns relating to the above topics:

1. **Number of homes proposed.** The current proposal cites 22 lots for the subdivision. I do not believe that density complies with the Bragg Creek Area Structure Plan. If I am understanding Rocky Views guidelines correctly it would appear that there is insufficient Gross Development Area to allow for 22 lots of approximately 2 acres each.
2. **Traffic.** Under the current proposal the developer has estimated that traffic volumes on Fawn Hills Drive would increase from a daily average of 100 to a daily average of 300. This represents a significant increase in volume on a very quiet street. This is a concern as we have a number of families on the street with young children. In addition, our road surface is of low quality and I would be concerned about the additional usage.
3. **Sewage and water.** The developer noted in the open house held at the site that they do not have a final plan for sewage or water. He noted it would likely be individual septic fields for each property however for the water supply he was unsure whether it would be individual wells, a shared well system or a combination of both. The majority of the current residents are serviced by a shared well, with some residents on individual systems. We have one resident currently experiencing significant issues with their well system and problems locating a new well. Without a field validated water assessment from the developer I have concerns about how a development of this size may affect the aquifer upon which we are reliant.
4. **Dog Park.** The proposal presented at the open house on June 27, 2019 included a municipal off leash dog park. This in my view is unnecessary. The recreational area, which is approximately 5 minutes drive from Fawn Hills, presents 100's of kilometres of beautiful trail networks in which people can legally walk their dogs off leash. The land proposed for the off leash area is low lying and very wet. A dog park would also attract more non residential traffic onto the road thus adding to the traffic issue which is already a concern. Not all dog owners are responsible and pick up after their pets therefore I would be concerned about odour issues, and also noise issues on what is currently a very quiet no through road.
5. **Emergency Egress.** As you are aware West Bragg Creek currently only has one emergency egress. I would recommend that Rocky View County should be addressing the issue of emergency egress before approving any new subdivisions of this capacity in West Bragg.

Thank you for your time. I look forward to receiving notice of any upcoming hearings.

Kind Regards,

Clare Edwards

Clare Edwards
[REDACTED]
80 Fawn Hills Drive
Bragg Creek, Alberta T0L 0K0

February 26, 2020

To:

Johnson Kwan
Planning Services Department
Rocky View County
262075 Rocky View Point
Rocky View County, AB T4A 0X2

jkwan@rockyview.ca
legislativeservices@rockyview.ca

**Re: Proposed Redesignation and Development on Fawn Hills Drive, Bragg Creek
PL20190102 and PL20190103. BYLAW C-7956-2019 & BYLAW C-7955-2019
NE-15-23-05W05M**

Dear Sir,

Thank you for seeking feedback from our community concerning the proposed development in our neighbourhood.

The development application does not comply with the overall density requirement of 1 lot per 4 acres set out in the Area Structure Plan for West Bragg Creek (the ASP). In my view it should. I favour the low-density approach described in the ASP and the preference for open space planning.

I do not see a valid reason for departing from the guidelines in the ASP. In fact, the increased density creates several problems. I have checked the items below which are of specific concern to me:

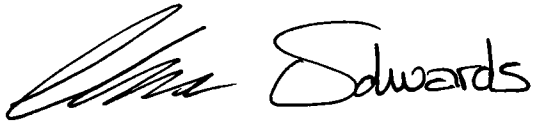
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- ☒ **Wildlife Encounters.** Increased density of housing and people (and the associated food, garbage, and traffic) risks greater numbers of negative human-wildlife interactions.

I do note the developer has removed the originally proposed off leash dog park due to concerns raised during early consultation, and that concession is appreciated. However due to the remaining significant concerns detailed above I do not support the current application.

Thank you for your time and I look forward to the results of the upcoming hearing.

Kind Regards,

A handwritten signature in black ink, appearing to read 'Clare Edwards', with a stylized, cursive script.

Clare Edwards

Chad Beegan
[REDACTED]
86 Fawn Hills Drive
Bragg Creek, Alberta T0L 0K0

October 07, 2019

To:

Johnson Kwan
Planning Services Department
Rocky View County
262075 Rocky View Point
Rocky View County, AB T4A 0X2

Cc: Bart Carswell, MA, RPP, MCIP
Carswell Planning Inc.
P.O. Box 223
104 – 1240 Kensington Rd. NW
Calgary, AB T2N 3P7

jkwan@rockyview.ca

Bart.Carswell@carswellplanning.ca

**Re: Proposed Redesignation and Development on Fawn Hills Drive, Bragg Creek
PL20190102 and PL20190103
NE-15-23-05W05M**

Mr. Kwan,

Thank you for seeking feedback from our community concerning the proposed development in our neighbourhood.

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I do not see a valid reason for departing from the guidelines in the ASP. In fact, the increased density creates several problems. I have checked the items below which are of specific concern to me:

- **Water.** In the **Groundwater Information Technologies Ltd.-Phase 1 Groundwater Site Assessment NE-15-23-5W5** executive summary, it states that there is an expectation that the aquifer will recharge itself through precipitation and surface water sources. It doesn't really say where that expectation comes from anywhere in the assessment. Recharge would require an estimated 30,000m³/year. The Oldman Basin has been experiencing less recharge over the last several years because they can't count on a consistent build-up of snow pillows that melt slowly to provide a gradual recharge, and this watershed is in a fairly similar location geographically.
- The executive summary states that projected water yields in the area range from 1-100m³/day. To supply 1250 m³/year, a well would need to be above about 3.4m³/day. While the average of all wells is probably significantly above that, individual wells may not be. This is further reinforced on page 13 where a test well was as low as 0.2m³/day. As stated in the report, this means that multiple wells may need to be drilled for some lots.
- On page 10, it states that some wells are completed on fractured shale and are not completed over discrete aquifers and therefore might be hydraulically connected to each other. There is a chance of increased risk of aquifer contaminated from drilling new wells, especially on lots where multiple wells may be needed.

- ☒ **Waste.** The plan calls for 22 new septic systems which will place greater strain on the wetland ecosystem. Bragg Creek is known to have soil properties that do not support the use of standard septic systems and are prone to failure. As failing septic systems would have a detrimental effect on the existing or future properties and drinking water systems, this will need to be explored in more detail.
- ☒ **Environment.** I want to preserve the wetland, animal habitat, and forest as much as possible.
- ☒ **Fire.** Our area is at high risk of wildfire. Greater density of homes in our forested area both increases the risk of fire and the number of people and structures that will be endangered in a wildfire.
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- ☐ **Wildlife Encounters.** Increased density of housing and people (and the associated food, garbage, and traffic) risks greater numbers of negative human-wildlife interactions.

**Type any additional comments here.

***Attach any history, photos, or videos that help explain our neighbourhood.

Thank you for your time. I look forward to receiving notice of any upcoming hearings.

Regards,

Chad Beegan
Manager of Healthy Physical Environments
Alberta Health Services

Anne B Brown
[REDACTED]
96 Fawn Hills Drive
Bragg Creek, Alberta
T0L 0K0

October 8, 2019

To:

Johnson Kwan
Planning Services Department
Rocky View County
262075 Rocky View Point
Rocky View County, AB T4A 0X2

jkwan@rockyview.ca

Re: Proposed Redesignation and Development on Fawn Hills Drive, Bragg Creek
PL20190102 and PL20190103
NE-15-23-05W05M

Dear Mr. Kwan,

I am writing to state my opposition to the proposed redesignation and development in the valley of Fawn Hills. Having lived here for almost 30 years lends me a perspective on what the land can and cannot handle for it to remain healthy in all respects. I therefore have a moral obligation to speak up because the land cannot speak for itself.

There is wildlife here, in a country where there is continually less space available for species which are iconically Canadian. Moose, bears (black and grizzly), cougars, coyotes, elk, deer, skunk, owls (Great Grey and others), loons and other types of duck, plus numerous species of songbirds and woodpeckers, the list goes on, make their homes here, as well as we humans. If the 78 acres in question are to be cut up in cookie-cutter shapes, with only a couple of narrow walking paths in between, these creatures will not do well and we will all lose a piece of our souls when they are no longer in our midst. This matters and the people who wrote the Great Bragg Creek Area Structure Plan knew it mattered and that is why they designed the plan stipulating connecting wildlife corridors and ample green space. Not co-incidentally, these same corridors and green spaces are good for the human population too and when a developer can offer lots incorporated around them they will be highly prized. This proposal has ignored these things and instead has left space for only the smallest of walk-ways, or otherwise, on parts of the land that are not developable anyways.

Please think too of the wetlands in this valley - how fragile they are and how immensely important, we are now discovering, to retain water in times of flood and drought, keeping things even and strong. Disturb the wetlands and watch it flood in the spring down on Range Road 52, taking with it possible effluent from the 22 extra septic fields, in the quick rains and straight into Bragg Creek, introducing pollutants, altering the pH and thus altering the eco-systems here and beyond. There's been enough of that all over the world. Please tell me that the buck stops here.

Apart from that, what of the aquifer? There are already 18 households in this valley pulling water out of the ground. Can it be guaranteed that 22 more homes will not disturb our water supply? Even if there appears to be plenty of water when a hydrology test is done, can it be said that the quality of the water will not be impacted by increased disturbance by what could well be a fragile system? We are in uncertain times when it comes to changes in the climate and we have seen drought. I implore the County not to put us and a further 22 families at risk by assuming that the water supply is unlimited. It might not be, and what then?

I'm not opposed to the land being developed. If in accordance with the ASP I have confidence that the number of homes allowed would be sustainable in all regards. However, with the amount of

lots proposed in this development also I worry about emergency egress, not only out of this valley in the event of flood or fire, but out of west Bragg Creek. There are already concerns in this regard as the County knows well. Allowing a development of this size, with this in mind, is reason enough not to let it go ahead.

Further, I would like to know if noise and light pollution are allowed to be valid concerns? Do we, as a people, care about the mental health of our citizens? This valley has a loud echo. We have endured years of the landowners of the proposed development using their land for target practice and sometimes for hours on end, once even on Mother's Day. One of the reasons I welcome a healthy development on the land is so that this kind of activity ceases. Unfortunately, with this proposal the land owner wishes to retain a good piece for himself, meaning there will be no hope of the unsightly, dilapidated buildings or collection of vehicles being cleaned up or removed.

In summation, I do not support the development proposal as it stands.

Thank you very much for taking the time required to consider my concerns.

Sincerely,

Anne B Brown

Dr David Cebuliak
[REDACTED]
96 Fawn Hills Drive
Bragg Creek, Alberta T0L 0K0

October 7, 2019

To:

Johnson Kwan
Planning Services Department
Rocky View County
262075 Rocky View Point
Rocky View County, AB T4A 0X2

jkwan@rockyview.ca

**Re: Proposed Redesignation and Development on Fawn Hills Drive, Bragg Creek
PL20190102 and PL20190103
NE-15-23-05W05M**

Dear Mr. Kwan,

Thank you for both seeking feedback concerning the proposed development in our neighbourhood and for our recent meeting.

As I indicated to you I am not currently nor have I ever been opposed to development on the subject lands. However, given the proposal's non compliance with key Greater Bragg Creek Area Structure Plan (GBCASP) directives regarding development in this area it is not possible for me to support this proposal. Specifically the developers have ignored the GBCASP's clear stipulations re Gross Developable Area (GDA) calculation and Open Space Planning. The resultant proposed density and lack of open space/environmental protection would make this development by far the most dense and environmentally impactful quarter section in West Bragg Creek (WBC).

Such a consequence is not consistent with the community's or RVC staff and Council's intentions when the ASP was formulated. The potential negative impacts on existing and future residents and RVC re: county infrastructure, water, wastewater, fire risk, environment (wetland degradation, animal habitat and forest loss) and emergency egress are unacceptable. Moreover this proposal would set a standard for development in WBC that has been rejected by the community and RVC.

I. Historical Perspective

To my knowledge there have been 2 previous subdivision proposals on the subject lands - one in 1986 for ~ 25 lots (1) and one by the current owners in 2002 for ~ 16 lots (2). There was also a similar density 2004 proposal named "Ironwood" in a nearby WBC quarter section (3). All of these proposed developments were rejected by both the community and by Councils of the time. In the case of the 2002 and 2004 proposals, large and at times emotionally vocal public input expressed vigorous opposition on the basis of concerns over density, the environment, loss of rural nature, impacts on RVC infrastructure, fire and flood risk, public safety re emergency egress among other concerns.

In part as a response to confusion over how future growth should best occur in the Greater Bragg Creek area - as evidenced by rejected subdivision proposals - in 2006 under the guidance of then Councillor Bob Everett, the community and RVC began work on the Greater Bragg Creek Area Structure plan. This was a comprehensive and well managed undertaking with extensive input from the public, developers, RVC staff and Council. Councillor Everett invited one of the owners of the subject lands to represent the developer community on the GBCASP Steering Committee.

Here is the Plan's Vision:

The year is 2030. The Greater Bragg Creek area continues to be a special place within Rocky View County where residents have a strong sense of place that emanates from both the quiet country residences that harmonize with undisturbed landscapes and the small town character of the hamlet.

The "lifestyle equity" and "latent utility" afforded to the local community by the natural environment has been preserved over time through implementation of an integrated land use planning strategy that evaluates opportunities for subdivision and development by first considering the capability and capacity of the natural environment to accommodate additional development. The community has benefited from implementation of policies in the Greater Bragg Creek Area Structure Plan achieving a balance between the natural environment and the impacts of human settlement.

To enact this vision in the West Bragg Creek area in general (and specifically to land such as in this proposal) the GBCASP incorporated 2 key policy elements - the **Gross Developable Area (GDA)** calculation and the development tool **Open Space Planning**.

At a public hearing held on June 13, 2006 at the Bragg Creek Community Centre a large number of residents addressed the audience to voice their overwhelming majority approval for the plan. People spoke of the compromises made and the success of a democratic and inclusive process. I was one of those residents and I remember noting how the adoption of the GDA formula and Open Space Planning gave me great hope for the future of healthy sustainable development specifically as its applied to the Fawn Hills valley. I felt a sense of pride and hope for my community.

II. The GBCASP as it applies to the Fawn Hills Valley

a. GDA Calculation:

The GDA calculation as it applies to this proposal would be made as follows:

78 Acres total land **minus** Constraints; ie Wetlands (including riparian buffer) , Slopes over 15 degrees, MR, Roads

4

* Any retained lands must also be removed from the Total Developable lands. *

In Infill residential areas in North and West Bragg Creek, the GBCASP stipulates an overall density of 1 lot/4 Acres GDA

Note that it is impossible to both adhere to this GDA /density calculation (and thus the GBCASP) and propose 22 lots. In fact it is likely that a complete and impartial assessment of the constraints to development would yield approximately 10 lots. **Adhering to the GBCASP GDA calculation with the addition of 10 lots to this partially built out quarter section would make this on par with the most densely populated quarter section in west Bragg Creek.**

Adding 22 lots to this partially built out quarter section would have its density exceed that of the most densely populated quarter section in West Bragg Creek by greater than 40% - this on land constrained by extensive wetlands, hills, dense forest, infrastructure limitations, concerns over impacts on adjacent wells etc. Surely it was not the intention of those who welcomed completion of the GBCASP to endorse density of this magnitude and all the risk it entails!

b. Open Space Planning:

This development tool was introduced to the GBCASP committee by then Councillor Everett as a means of “achieving a balance between the natural environment and the impacts of human settlement”. Direct communication with rural designer and advocate Randall Arendt convinced Councillor Everett and the GBCASP Steering committee that this planning tool would provide benefits to both developers, residents and municipalities. GBCASP Section 7.43.4 i states: “ Open Space means lands that are restricted from development and...should represent a large percentage(approximately 50%) of the lands to be developed.”

As regards the subject lands, Open Space Planning can be easily applied and would offer attractive incentives for potential purchasers. With a complete and impartial assessment of constraints to development - specifically wetlands, dense forest and wildlife corridors this 50% goal would be readily achievable. Section III provides further documentation of this potential.

III. Wetlands in the Fawn Hills Valley

The Fawn Hills Valley has historically been very wet. The lower lying front lands were once willow wetlands. In the early 1990's previous owners destroyed the wetlands by channelizing and creation of shallow ponds . Despite this drainage, the lands could not sustain an attempt by previous owners to actively graze the land - in large part because of ongoing wet and marshy conditions. The current owners have continued to drain wetlands. Given modern wetlands policy, it is unlikely that Alberta Environment endorsed such drainage activity and would be unlikely to approve further wetlands drainage and development on wetlands.

The following picture shows the undisturbed wetlands on the contiguous lands south of the subject lands as an indication of how the land looked prior to channelization.



These pictures depict the channelized wetland which encompasses the full length of the eastern lowlands:



The next sequence of pictures show how the subject lands become inundated during the spring rains (typically in June):





Of note, the current proposal differs from the rejected 2002 proposal in its inclusion for development on more of these wet front lands.

I believe that the developers have underestimated the constraints to development from wetlands in their proposal and that a more detailed wetlands assessment is required with exclusion of all such lands from the GDA calculation.

IV. Disturbed wetlands and risk to Infrastructure

The current proposal poses risks to infrastructure that is both private and public.

The Mountain View subdivision lies on the quarter section immediately south of the subject lands. It relies on the healthy wetlands on that quarter for its septic treatment in a county approved wastewater scheme. This system requires the maintenance of upstream wetlands for its proper functioning. The scope of the proposed development represents potential risk to this natural wastewater treatment .

Range Road 52 is the southern and only point of egress for Fawn Hills. During heavy spring rains a short section of this road is prone to flooding and was inundated during the 2013 floods. Further upstream wetland disruption greatly increases the risk to this important point of emergency egress and to RVC infrastructure.



Range road 52 after flood waters have receded.

V. Fire Risk in Fawn Hills Valley

The western portion of the proposed subdivision is within a dense old growth forest. We know from fire risk analysis that the greater Bragg Creek area is at high risk for wildfire and given its tree density and age this area in particular is concerning. The proposed density of development within this vulnerable environment places current and future residents at heightened risk for a fire event. We also know that despite the claims by the developer, the internal subdivision road poses no credible barrier for fire containment and that overall risk to all residents present and future will be increased. Furthermore despite developer claims, the Fawn Hills Water Coop water cistern is not an appropriate asset with which to fight wildfire.

VI. Risk to Groundwater

Groundwater levels in this area have experienced a documented decline in recent years. This last year a well on a contiguous parcel of land failed and multiple drilling attempts were required before sufficient water was found. Development on the eastern portion of this quarter section has for many years been impeded by lack of sufficient ground water. Numerous dry wells have been drilled. The prospect of 22 new homes potentially drawing from a depleted aquifer poses unreasonable risk to current and future residents.

Groundwater contamination from 22 new septic fields also poses unacceptable risk. The well supplying the Fawn Hills North Water Coop was in the late 1990's contaminated by fecal coliforms originating from animals grazing on the subject lands. This risk to public health cannot be repeated by development that does not conform to GBCASP guidelines.

VII. Summary

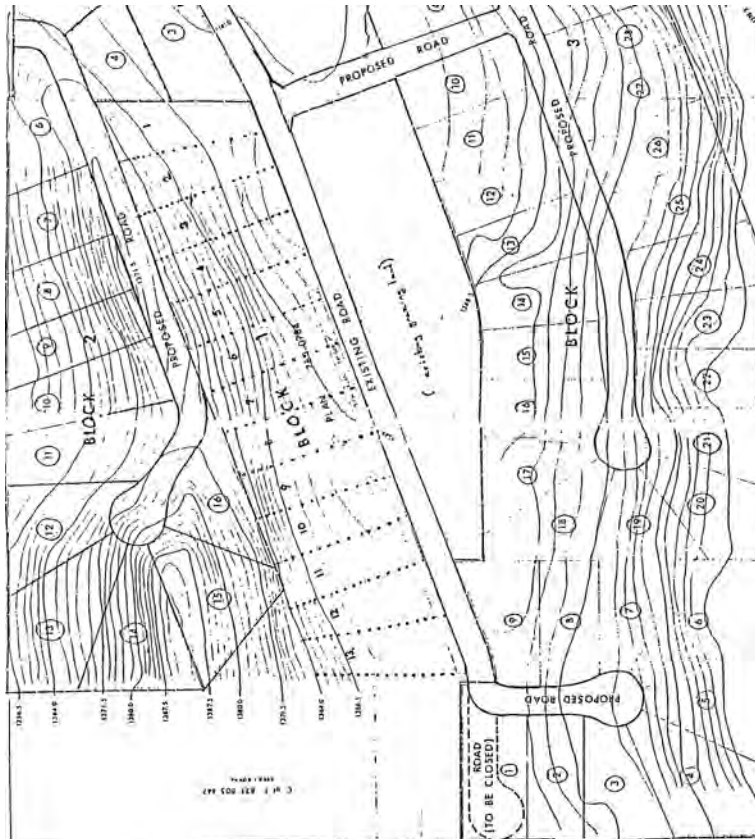
This proposal should not be approved as it poses undue risk to current and future residents and RVC. Its lack of compliance with GBCASP development parameters is highly problematic and represents a direct challenge to this widely supported direction for development and future growth in West Bragg Creek. The developers have presented no credible justification for deviating from development guidelines. I urge RVC staff and Council to redirect these developers toward proposing a development that supports sustainable growth along the parameters clearly detailed in the GBCASP and which can serve as a model for community and County participation in a sustainable future for West Bragg Creek.

Sincerely,

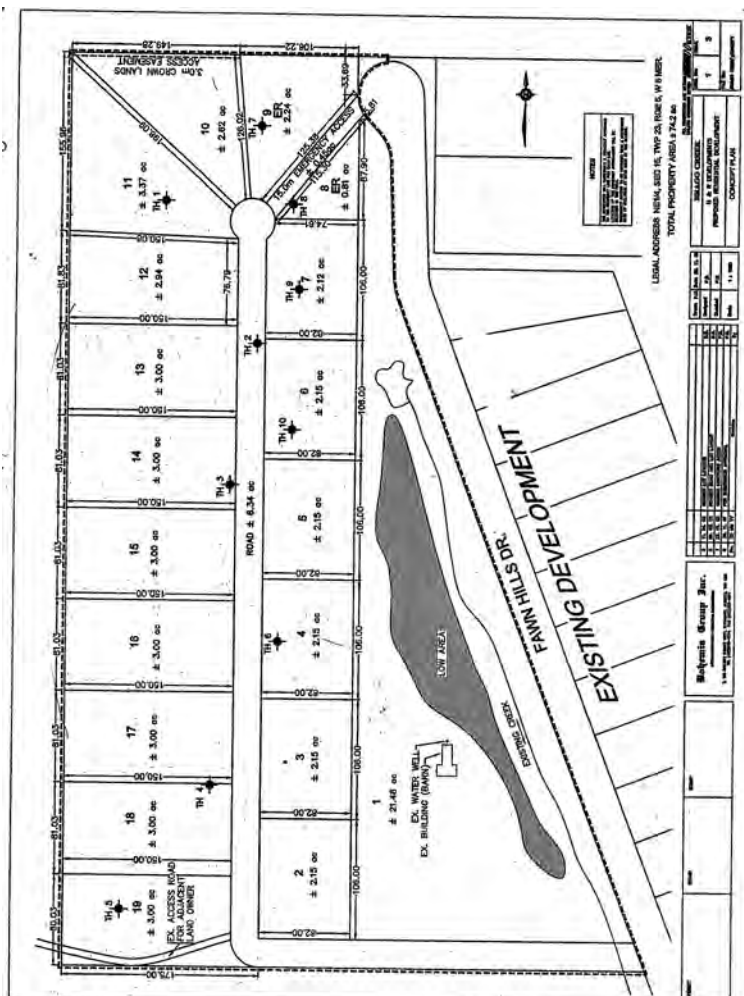
Dr David Cebuliak MD

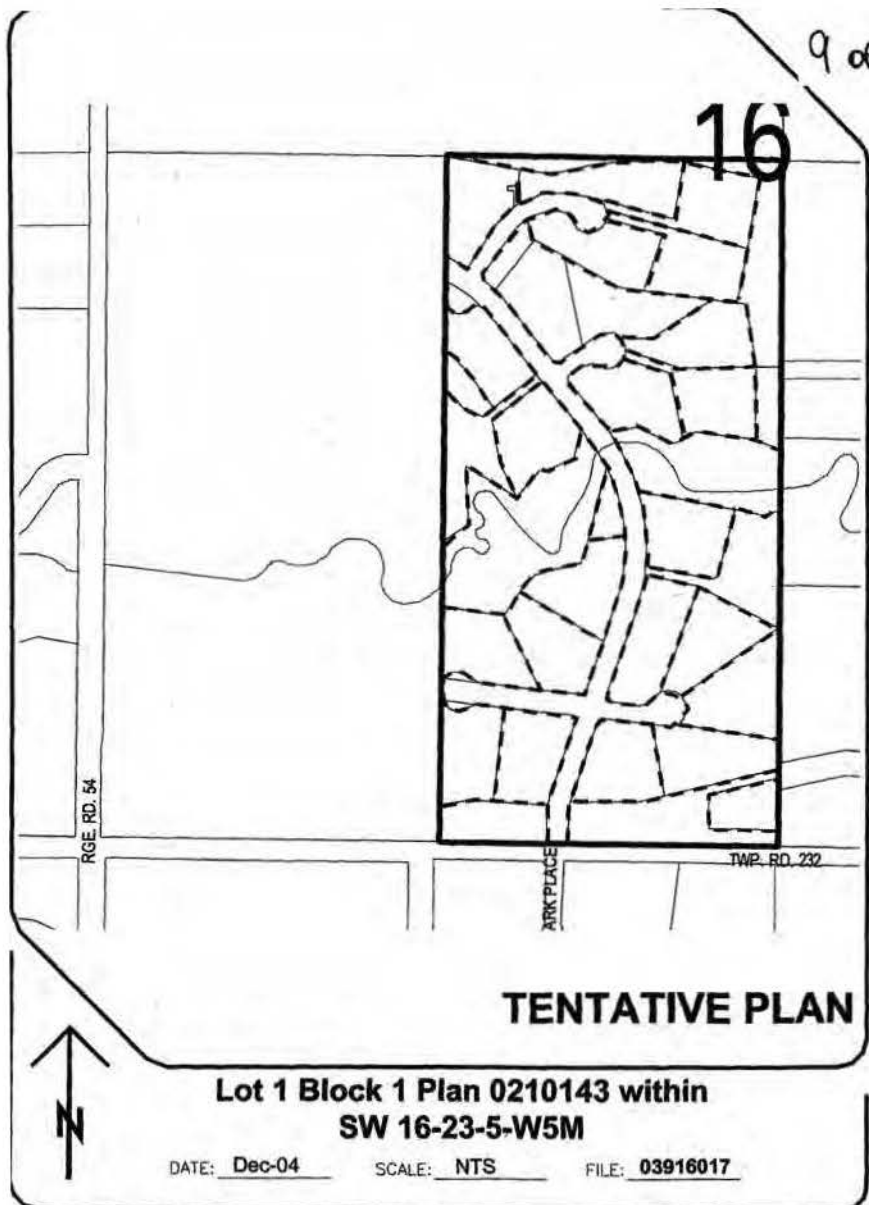


1. 1986 Proposal



2. 2002 Proposal (subsequently modified to ~16 lots):





Dennis Ellert

[REDACTED]
112 Fawn Hills Drive
Bragg Creek, Alberta T0L 0K0

October 7, 2019

To:

Johnson Kwan
Planning Services Department
Rocky View County
262075 Rocky View Point
Rocky View County, AB T4A 0X2

Cc: Bart Carswell, MA, RPP, MCIP
Carswell Planning Inc.
P.O. Box 223
104 – 1240 Kensington Rd. NW
Calgary, AB T2N 3P7

jkwan@rockyview.ca

Bart.Carswell@carswellplanning.ca

**Re: Proposed Redesignation and Development on Fawn Hills Drive, Bragg Creek
PL20190102 and PL20190103
NE-15-23-05W05M**

Mr. Kwan,

Thank you for seeking feedback from our community concerning the proposed development in our neighbourhood.

The development application does not comply with the overall density requirement of 1 lot per 4 acres set out in the Area Structure Plan for West Bragg Creek (the ASP). In my view it should. I favour the low-density approach described in the ASP and the preference for open space planning.

I do not see a valid reason for departing from the guidelines in the ASP. In fact, the increased density creates several problems. I have checked the items below which are of specific concern to me:

- ☒ **Water.** Increased density means increased strain on existing water wells (both that of the water association and of private wells).
- ☒ **Waste.** The plan calls for 22 new septic systems which will place greater strain on the wetland ecosystem.
- ☒ **Environment.** I want to preserve the wetland, animal habitat, and forest as much as possible.
- ☒ **Fire.** Our area is at high risk of wildfire. Greater density of homes in our forested area both increases the risk of fire and the number of people and structures that will be endangered in a wildfire.
- ☒ **Emergency Egress.** There is only one route out of West Bragg Creek. Greater density developments mean that more people will rely on that single route in case of emergency.

- ☒ **Traffic and Noise.** Increased density means increased traffic and noise on an otherwise quiet, dead-end street.
- ☒ **Services.** Increased density means greater demand on County services, infrastructure, and school services.
- ☒ **Slope.** I am concerned about slope stability and road access in the new development on the slope and whether school buses and fire trucks will be able to access the new neighbourhood.
- ☒ **Wildlife Encounters.** Increased density of housing and people (and the associated food, garbage, and traffic) risks greater numbers of negative human-wildlife interactions.

Thank you for your time. I look forward to receiving notice of any upcoming hearings.

Regards,
Dennis Ellert

Johnson Kwan

From: Michelle Mitton
Sent: Wednesday, February 26, 2020 4:19 PM
To: Johnson Kwan
Cc: Lori-Lee Turcotte
Subject: FW: BYLAW C-7956-2019, BYLAW C-7955-2019

Categories: Yellow Category

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: Kirstie Russell [REDACTED]
Sent: Wednesday, February 26, 2020 4:03 PM
To: PAA_ LegislativeServices <legislativeservices@rockyview.ca>
Subject: BYLAW C-7956-2019, BYLAW C-7955-2019

I appreciate your seeking feedback from our community regarding the proposed development in our neighbourhood and I would like to take a few minutes to share some of my concerns.

First of all, the development application does not comply with the overall density requirement of 1 lot per 4 acres set out in the Area Structure Plan for West Bragg Creek (the ASP) and I feel strongly that it should; I favour the low-density approach described in the ASP and the preference for open space planning.

I do not see a valid reason for departing from the guidelines in the ASP. In fact, increased density creates several problems. The following issues are of specific concern to me:

Fire. Our area is at high risk of wildfire and a greater density of homes in our forested area both increases the risk of fire and the number of people and structures that will be endangered in the case of a wildfire. Add to that the single exit route out of West Bragg Creek - Balsam Avenue bridge - and the prospect of a future emergency, be it fire or flooding, becomes even scarier.

Environment. I want to preserve the wetland, animal habitat, and forest as much as possible. This area is home to deer, moose, cougars and a myriad of other beautiful creatures and years of construction will inevitably displace them. I also worry that increasing the density of housing and people (and the associated food, garbage and traffic) risks greater numbers of negative human-wildlife interactions.

Traffic and Noise. Increased density means increased traffic and noise on an otherwise quiet, dead-end street. Construction traffic - in three phases over how many years? - means many years of interruption and disturbance. Just as important, according to the Greater Bragg Creek Transportation Assessment completed in support of the

ASP, Township Road 232 (West Bragg Creek Road) is currently operating at or near capacity; increased density along Fawn Hills Drive will only exacerbate that problem. It's important to note that the GBC Transportation Assessment was completed in 2004 and traffic along that road has only increased, especially since the expansion of West Bragg Creek Recreation area in 2017.

Fawn Hills Drive is truly a beautiful, peaceful place to call home; most mornings I can sit on my porch and sip my coffee and watch the neighbourhood deer wander by. If I'm lucky, I'll see the momma moose and her calf when I'm walking the dog early in the morning. It's quiet and the kids can ride their bikes and we can walk our dogs down the street without worrying about traffic. I know that I'm terribly lucky to live here and I truly hope that at some point our neighbourhood expands and other families can be just as lucky as I am but expansion needs to be done correctly or everything that makes Fawn Hills special disappears. The development currently being proposed is too much - too many lots in too small a space.

Thank you for your time. I look forward to receiving notice of any upcoming hearings.

Regards,

Kirstie Russell



112 Fawn Hills Drive
Bragg Creek, Alberta T0L 0K0

Darren McKeague
 [REDACTED]
 128 Fawn Hills Drive
 Bragg Creek, Alberta T0L 0K0

October 8, 2019

To:

Johnson Kwan
 Planning Services Department
 Rocky View County
 262075 Rocky View Point
 Rocky View County, AB T4A 0X2

jkw@rockyview.ca

Cc: Bart Carswell, MA, RPP, MCIP
 Carswell Planning Inc.
 P.O. Box 223
 104 – 1240 Kensington Rd. NW
 Calgary, AB T2N 3P7

Bart.Carswell@carswellplanning.ca

**Re: Proposed Redesignation and Development on Fawn Hills Drive, Bragg Creek
 PL20190102 and PL20190103
 NE-15-23-05W05M**

Mr. Kwan,

Thank you for seeking feedback from our community concerning the proposed development in our neighbourhood.

As a resident of one of the properties on the east side of Fawn Hills Drive (immediately across the road from the proposed subdivision), this development would have significant impact to me. I have chosen to make my home here because it is a small cul-de-sac with very limited traffic and noise. Specifically, there are only eight existing properties whose residents pass by my driveway. The proposed development will see the traffic (both owners and construction vehicles) from 17 additional lots passing by, as Phases 1 and 2 of the subdivision are completed, with their only access being to drive past the house of every existing resident on the street. It is not until Phase 3 of the development is completed that the closer access road will be added to possibly alleviate some of the volume. As the traffic study in the report shows however, overall traffic volume on Fawn Hills Drive is still expected to more than triple. While this may be within the allowable limits for the classification of road, it's certainly not reasonable for the current residents.

Further to the discussion of traffic, it's incredibly inconsiderate of the developer to propose (and have already built) the primary access road at the north end of his property, forcing new traffic to pass by every current Fawn Hills Drive resident as mentioned. Creating the first and primary access at the south end of his property would have been much more appropriate to appeal to the surrounding community, but this is clearly not in his interests. It appears that the primary consideration was to minimize cost, and build a road on the low grade area.

Putting aside the personal concerns associated with traffic and the resulting noise and safety considerations, my main formal objection to this proposal is the blatant deviation from the Area Structure Plan (ASP) for Bragg Creek. The land in question has a total area of 74.64 acres, of which much of eastern portion bordering Fawn Hills Drive is wetland. Without attempting to define exactly how much area that comprises, it's immediately apparent that there is under 70 acres of "Gross Developable Area" as defined by the ASP. Section 7.4.4(d) of the ASP clearly defines a lot density of one lot per four acres of Gross Developable area, leading to an allowable count of somewhere under

17 lots. The proposed 22 lot development takes no consideration of this criteria. Furthermore, when questioned about this elementary math during the public consultation, the developer simply (and wrongly) stated that he did in fact comply with the ASP, but was not interested in citing how or why.

As an aside, Figure 16: "Topography and Steep Slopes" of the developers' conceptual scheme also suggests that there is a large area of steep ($>30^\circ$) slope within the property, which cannot form part of the Gross Developable Area per section 7.4.1(a) of the ASP. Fortunately for the developer, there is in fact no area of 30° slope anywhere on this property, nor anywhere in the Fawn Hills region. This poor quality of information being conveyed to the stakeholders raises due concern, and yet another reason to object to the proposal.

As an executive member of the water coop servicing 13 existing homes on the east side of Fawn Hills drive, I'm aware that water supply is a real concern in the area. Other neighbours outside of the coop have struggled to drill adequate water wells on their properties. I would suggest that this is not something that should be taken lightly when considering the need to supply nearly three times the current number of homes from the same local aquifers.

There are many natural risks that Bragg Creek residents face including flooding (major event in 2013) and wildfire (major risk in 2018), and limited access and egress which has plagued residents for decades. Any further high density development only adds to the associated risks.

The above topics are only some of the multitude of concerns that I have surrounding the proposed subdivision at Fawn Hills Drive, and the resulting impact on the environment, surrounding community, and my own personal property and its value. I trust these will all be taken into due consideration when assessing the suitability of this proposal.

Thanks and Regards,



Darren McKeague
P. Eng

Susan McKeague
 128 Fawn Hills Drive
 Bragg Creek, Alberta T0L 0K0

October 8, 2019

To:

Johnson Kwan
 Planning Services Department
 Rocky View County
 262075 Rocky View Point
 Rocky View County, AB T4A 0X2

jkw@rockyview.ca

Cc: Bart Carswell, MA, RPP, MCIP
 Carswell Planning Inc.
 P.O. Box 223
 104 – 1240 Kensington Rd. NW
 Calgary, AB T2N 3P7

Bart.Carswell@carswellplanning.ca

Re: **Proposed Redesignation and Development on Fawn Hills Drive, Bragg Creek**
PL20190102 and PL20190103
NE-15-23-05W05M

Mr. Kwan,

Thank you for seeking feedback from our community concerning the proposed development in our neighbourhood. I have lived on this street for almost seven years and while I am not apposed to reasonable and responsible development; the current Fawn Hills of Bragg Creek does not adhere to the Area Structure Plan, has the potential of damaging the surrounding ecosystem and places an increasing number of residents at risk during extreme weather events.

The development application does not comply with the overall density requirement of 1 lot per 4 acres set out in the Area Structure Plan for West Bragg Creek (the ASP). In my view it should. I favour the low-density approach described in the ASP and the preference for open space planning.

I do not see a valid reason for departing from the guidelines in the ASP. In fact, the increased density creates several problems. I have checked the items below which are of specific concern to me:

- ☒ **Water.** Increased density means increased strain on existing water wells (both that of the water association and of private wells).
- ☒ **Waste.** The plan calls for 22 new septic systems which will place greater strain on the wetland ecosystem.
- ☒ **Environment.** I want to preserve the wetland, animal habitat, and forest as much as possible. The proposed development area is on a wetland and an important wildlife corridor for deer, moose, bears, blue heron and owls. The dense nature of the subdivision proposal would leave little room for wildlife to live in their natural habitat. This is in contradiction to P. 71 of the ASP that outlines the importance of preserving treed areas, wildlife corridors and wetland.

- ☒ **Fire.** Our area is at high risk of wildfire. Greater density of homes in our forested area both increases the risk of fire and the number of people and structures that will be endangered in a wildfire.
- ☒ **Emergency Egress.** There is only one route out of West Bragg Creek. Greater density developments including the proposed with 22 additional houses mean that more people will rely on that single route in case of a wildfire or flood, drought.
- ☒ **Traffic and Noise.** Increased density means increased traffic and noise on an otherwise quiet, dead-end street. The main reason my family and I live in Bragg Creek and are choosing to raise our family here is because of the quiet, dead-end street we currently live on. The proposal would have lasting and negative impacts on this neighbourhood. Not only will we be contending with construction traffic for the next several years, we will also have to deal with more **than three times** the current amount of traffic. While I am aware that a traffic impact assessment was conducted, this does not ease my worry with the increased volume of traffic.
- ☒ **Slope.** I am concerned about slope stability and road access in the new development on the slope and whether school buses and fire trucks will be able to access the new neighbourhood.
- ☒ **Wildlife Encounters.** Increased density of housing and people (and the associated food, garbage, and traffic) risks greater numbers of negative human-wildlife interactions.

Thank you for your time. I look forward to receiving notice of any upcoming hearings.

Regards,

Susan McKeague

AVRIL DERBYSHIRE

#164 Fawn Hills Drive
Bragg Creek, AB T0L 0K0

NE-15-023-05-5 12-0-0

February 26, 2020

OPPOSITION TO PL20190103 (03915024)

OPPOSITION TO PL20190102 (03915024)

It is with disappointment and astonishment that the Fawn Hills area is trying to become a high density area. I believe most of the residents of Fawn Hills Drive have no objection to a certain amount of development. It is known as one of the last areas of beauty. The area has always been contentious and we have fought many battles over the years, quads racing on the road, open gun range 7 hrs a day and now total decimation of the area. I don't think the wildlife are affected but I do believe the ground water and our well, which services 12 households will be hugely impacted, not to mention traffic and noise. Will there be insurance from the developer if our access to water is compromised?

I am also incredulous that the area structural plan does not protect us. We need and expect our council to protect us and to be mindful, especially in lieu of the current economy, to care for our environment. Once the beauty of Bragg Creek has gone it can never be restored, and it is on the very edge now. The West Bragg Creek Road is dangerous with huge loss of animals just left to die on the side of the road. At weekends it is bumper to bumper, speeding, aggression, is that being addressed? Not that I have seen. Is there an escape route out across the river in case of emergency? No. Sometimes it is difficult to get out on to the West Bragg Creek road because it is so busy. High density development anywhere in Bragg Creek is incredibly destructive, not only to the land but for the people who have settled here but who don't seem to have a voice.

Avril Derbyshire

Johnson Kwan

From: Avril Derbyshire [REDACTED]
Sent: Tuesday, October 01, 2019 11:29 AM
To: Johnson Kwan
Subject: File # 03915024 PL20190102 Redesignation

Categories: Yellow Category

As a resident of Fawn Hills Drive for 38 years I am stunned that people who don't even live in Bragg Creek can come into our beautiful valley and completely turn it into a high density area. We expect Rockyview to project us and we expect that the people have a voice. This piece of land has been contentious for many many years and is, at times, used as a gun range. Weekends have often been a time for target shooting and often for hours at a time. Now they have applied for high density living. What do they care, it's all about the money. We expect the area structural plan to be honoured and if there is development that can be limited to 11 lots maximum it would likely be supported. We also expect Rockyview to let every resident of Bragg Creek know about these proposed 22 lots and have a say in the matter, not just the residents of Fawn Hills Drive.

I am also incredulous that rules can be changed to accommodate this request for high density living. I realize that it is income for Rockyview but it's time we protected our environment from developers, the wildlife, fauna, streams, wetlands for we have much to be proud of and once it's gone we can never get it back. Bragg Creek is a magical place and people come to live there because it offers peace and quiet, a unique life style where we are surrounded by forest packed with amazing wildlife of every kind. We pay a price to live there and work hard to protect what we have.

Avril Derbyshire
164 Fawn Hills Drive

Johnson Kwan

From: steve [REDACTED]
Sent: Tuesday, February 11, 2020 8:18 PM
To: PAA_ LegislativeServices; Johnson Kwan
Subject: Bylaw C-7956-2019. Application #:PL20190103 (03915024)

Categories: Red Category

Hello,

My name is Stephen McNeil and I live at 68 Fawn Hills Drive in Bragg Creek. My legal land description is SE/15/23/05/05. We have lived here for over 15 years.

I am writing this letter on behalf of my family as we are not able to attend the meeting on March 10, 2020. We are STRONGLY OPPOSED to the proposed development.

I have shared the reasons previously with the developer as I have a number of my neighbours and I do believe the concerns were at all addressed. I also do not believe the development at all falls in line with the Greater Bragg Creek area structure plan as I interpret it. I also believe that most of the areas addressed in the Conceptual Scheme of the developer are done so in a very superficial manner and consider only the proposed development area and not the potential effect on residents already living in proximity to it or on Bragg Creek community as a whole.

I have taken sections from previous emails I have sent and attached below to summarize my concerns.

1. The proposal in no way follows the Area Structure Plan for Bragg Creek. Please refer to page 69 to 72 of the plan. First from the map the area of proposed development is 78 acres. From this must be subtracted water bodies (this property contains one), road, slopes over 15 % and a riparian buffer. From this comes the Gross Developable Area. This would clearly be less than 70 acres. The proposal call for 4 acres of overall density so how a proposal of 22 lots came about is beyond me (this would assume 88 acres without any subtractions). You cannot include other peoples property on this quarter section of 160 acres as part of you GDA as this is not your property to development. If I owned 80 acres and you owned 80 acres does that mean I could put 40 houses on and you would be allowed none. I don't believe based on reading the GBCASP this is the case. <https://www.rockyview.ca/Portals/0/Files/BuildingPlanning/Planning/ASP/ASP-Greater-Bragg-Creek.pdf>

[Area Structure Plan GREATER BRAGG CREEK](#)

Area Structure Plan GREATER BRAGG CREEK 9 Rocky View County SECTION A – BACKGROUND 1.0
 INTRODUCTION The lands that are subject to the provisions and policies of this Area Structure Plan (Plan area) are

www.rockyview.ca

2. Tied into the ASP on page 71 outlines and describes the open space design. It highlights preserving treed areas, wildlife corridors and wetlands. The proposed area contains all three. In fact it is a prime example of exactly what the Open space design is meant to avoid. The proposed development area I believe is a class 3/4 wetland which is regulated under provincial legislation unless the MD has adopted a municipal government act to over rule this. I am not aware if this is the case but have not seen such an act provided from MD of rockyview. Based on the the guidelines provided below there is legal responsibility and legal grounds to fight this. Please refer to the Wetlands Alberta Guide (P 41-43 re: municipal responsibility in this regard). The provincial requirements are outlined earlier in the development.
<http://www.wetlandsalberta.ca/media/uploads/AlbertaWetlandsGuide.pdf>
 In addition this area provides important treed areas for wind protection and water drainage for the residents who currently live on this street. I believe this helps protect us from flooding, high winds, snow on our steep driveways, etc. Finally it is a corridor that moose, deer , bears, cougars , owls, etc frequent. I know this as I live across the street from it and walk by these animals every day.
3. Concerns with water- As you may or may not be aware there are a number of houses on Fawn Hills dependant on wells. I am one of those houses. My well is very low flow and we are not connected to our street water co-op. I am concerned with how loss of trees, vegetation and wetlands and construction of roads and houses in the development would change my water pattern and those of my neighbours long term. This is a very difficult thing to measure but a legitimate concern. I am aware of at least one house on our street that had well issues after development behind us on Range Road 52. I have asked the developer impact on water on our street. We were answered with a response stating water for the proposed development was fine but in no way were our concerns about our own water flow answered as these have not been looked at. I also am uncertain (as were a number of my neighbours) based on the conceptual scheme provided by the developer how wastewater will be handled and what effects this may have on our fresh water which is downhill from the development area.
4. Safety- Many residents of Bragg Creek including myself are concerned about further development until a secondary egress is in place. With higher density this makes evacuation in case of fire and flood all the more difficult. In addition I am extremely concerned with increased risk of fire with developmental in an old growth forested area (Proposed development). We do not have a fire station in Bragg Creek and a poor road. We only have one exit. We are not set up for a large fire or other disaster. In addition to this I am concerned about the safety of my children and other children on the street if there are construction vehicles travelling down our quiet and poorly surfaced (chip rock) road for a number of years. Based on the current economy and time frame for building a # of houses on a # lots and infra-structure this would certainly be the case.
5. Noise- I as well as a number of neighbours bought on this street as it is both quiet and safe. The fact that the area across the street from me was designated ranch/farm and not residential was a major factor in our family deciding to purchase where we did. The proposed development would make this quarter section THE HIGHEST DENSITY in all of west bragg creek and the construction of this would add significant noise levels and disruption to our life style both for the many years of construction and afterwards with much higher density housing/population on the street.
6. The "proposed" dog park on a marsh is a joke. I suspect this is something to try to appeal to the MD? If anything a massive increase in number of houses , construction vehicles, noise and population will just stop people from walking our dogs on the street.
7. Wind and Stormwater- As council may or may not be aware we have have significant issues with high winds and stormwater on Fawn Hills Drive where the current houses are located on

the opposite side of the street from the proposed development. We frequently have flooding on both sides of the street requiring residents to pump water from ends of our driveway immediately off Fawn Hills Drive. With removal of vegetation which is in the developer CS this would certainly worsen the problem. As well I believe this will worsen the excessive winds that come off the hill where the development is proposed . I have already replaced many damaged structures on my house due to this with a forest buffer currently in place. Again I do not see in the CS any mention of potential effects on surrounding existing developments. If simple deals superficially with just the proposed development area and not effects on those already living here.

I believe these concerns all have merit and needed to be addressed prior to looking at a development. I will note my family and I am not an individual who is "anti" development and in fact have written letter of support to the MD of Rocview for other developments (most recently Bragg Creek Brewery proposal) when I believe they meet certain standards, follow environmental guides and the GBCASP and will better our wonderful community. Unfortunately at the current time I do not believe these conditions are met and thus will not support the development as proposed.
I thank you for your time.

Sincerely,
Dr. Stephen McNeil (and family)

A large black rectangular redaction box covering the signature area.

Johnson Kwan

From: Alisa Lafontaine [REDACTED]
Sent: Tuesday, October 08, 2019 12:03 PM
To: Johnson Kwan
Subject: FawnHills Development

Categories: Yellow Category

Dear Mr. Kwan,

Thank you for seeking feedback from our community concerning the proposed development in our neighbourhood.

The development application does not comply with the overall density requirement of 1 lot per 4 acres set out in the Area Structure Plan for West Bragg Creek (the ASP). In my view it should. I favour the low-density approach described in the ASP and the preference for open space planning.

I do not see a valid reason for departing from the guidelines in the ASP. In fact, the increased density creates several problems. The items below are of specific concern to me:

1.(a)Water. Increased density means increased strain on existing water wells (both that of the water association and of private wells).

(b) Being that we're on a private well, we would like to see testing implemented during high and low season each year. Flow rate as well as contamination are a major concern.

2.Waste. The plan calls for 22 new septic systems which will place greater strain on the wetland ecosystem.

3.Environment and wildlife. I want to preserve the wetland, animal habitat, and forest as much as possible.

4.Traffic and Noise. Increased density means increased traffic and noise on an otherwise quiet, dead-end street.

5. Light Pollution. Increase in housing, cars and street lights.

Thank you for your time. I look forward to receiving notice of any upcoming hearings.

Regards
Alisa Albouy

Renée Delorme

52110 Township Rd 232
Bragg Creek, Alberta T0L 0K0

October 6, 2019

To:

Johnson Kwan
Planning Services Department
Rocky View County
262075 Rocky View Point
Rocky View County, AB T4A 0X2

Cc: Bart Carswell, MA, RPP, MCIP
Carswell Planning Inc.
P.O. Box 223
104 – 1240 Kensington Rd. NW
Calgary, AB T2N 3P7

jkwan@rockyview.ca

Bart.Carswell@carswellplanning.ca

**Re: Proposed Redesignation and Development on Fawn Hills Drive, Bragg Creek
PL20190102 and PL20190103
NE-15-23-05W05M**

Mr. Kwan,

Thank you for seeking feedback from the community concerning the proposed development in our area.

The development application does not comply with the overall density requirement of 1 lot per 4 acres set out in the Area Structure Plan for West Bragg Creek (the ASP).

I do not see a valid reason for departing from the guidelines in the ASP. In fact, the increased density creates several problems. Below are some of the concerns I have:

- ☐ **Housing Density.** Currently Fawn Hill Drive is home to 19 – 2+ acre lots and three large properties. Adding 22 - 2 acre lots will bring the total number of lots to **41 properties**. All those properties would be located in a cul-de-sac with only one access to the connecting range road.
- ☐ **Quarter Section Density.** The quarter section already has two high-density developments (Fawn Hill and Mountain View) as well as several lots on the remaining area for a total of 49 properties. As per the ASP's vision for low- density housing, it can be argued this quarter section is already fully developed.
- ☐ **Waste.** The plan calls for 22 new septic systems. The current housing development, with its 19 existing septic systems across the road, is located above the wetland. By adding 22 additional septic systems on the opposite side of the road, the risk of seepage in the wetland is of concern. We live "downhill" this wetland with the possibility that any seepage could impact our water well.
- ☐ **Fire.** Our area is at a high risk of wildfire. A greater density of homes in our forested area both increases the risk of fire and the number of people and structures that will be endangered in a wildfire.

- ☐ **Emergency Egress.** There is only one route out of West Bragg Creek, and it goes over a bridge. Greater density developments mean more people will rely on that single route in case of emergency. Additionally, the development of trails at the end of the West Bragg Creek has exacerbated this risk by bringing in hundreds of additional cars that use the same exit daily. Increasing the area's density without addressing this well-documented issue is a potential cause for liability or a class-action lawsuit in the event of a catastrophe.
- ☐ **Traffic and Noise.** Increased density means increased traffic and noises, altering the character of the area, and making it into something the community does not want. The proposed development will be accessed via West Bragg Road. This road has already experienced a significant increase in traffic since the completion of the Trail system. The impact on local residences is significant increase in noise pollution, risk associated with excessive speeding, increase number of road kills, and increase uses of emergency services. So far, none of these issues have been addressed by Rockyview County except for the area located near the trailhead parking lot. Increasing housing and traffic density with new development will only exacerbate this situation.
- ☐ **Environment and Wildlife Corridor.** There are ample anecdotal evidences the area is a wildlife corridor with daily sightings of large and small wildlife crossing properties and roads. Many are killed by traffic, and this is a grave concern to me and many in the community. Without mitigation strategies such as slower speed limits and / or speed bumps along West Bragg Creek Road, the traffic generated by the new development will further negatively impact this existing situation.

Three recent documented separate incidences of animal collisions on West Bragg Creek Road resulting in four deaths.



Thank you for your time. I look forward to receiving notice of any upcoming hearings.

Regards,

Renée Delorme



Johnson Kwan

From: Lorie Cooper [REDACTED]
Sent: Monday, February 17, 2020 7:13 PM
To: PAA_ LegislativeServices
Cc: Johnson Kwan; Tyler Andreasen
Subject: Public Hearing: Fawn Hills Development; Re: Bylaw C-7956-2019

Categories: Yellow Category

To the Council:

I, Lorie Cooper, (SE-16-23-5w5, 186 Saddle Road, Bragg Creek, AB T0L0K0), do "OPPOSE" Bylaw C-7956-2019 to amend land use Bylaw C-4841-97.

I hereby forward my letter previously sent to meet the October , 8, 2019 deadline with some modifications, suitable for the Fawn Hills Public Hearing.

Sent from my iPhone

Begin forwarded message:

From: Lorie Cooper [REDACTED]
Date: October 8, 2019 at 5:14:08 PM MDT
To: jkw@rockyview.ca
Subject: Fawn Hills Decelopment

Dear Mr Kwan (and Honourable Council)

I must first indicate my concern as a Saddle and Sirloin resident who received NO information on the Fawn Hills development. As a Director, I learned of the October 8 deadline 3 days ago at our AGM.

I therefore request an extension and broader mailing by the parties applying for change of land status.

So for expediency my concerns are in point form:

1. Changing farmland to R1 (2acre lot density) rather than protecting farmland or subdividing into larger acreages creates a huge uncertainty for residents who have moved to Bragg Creek to enjoy nature and wildlife. If this precedent is set, any land could be developed reducing quality of life, and undermining the financial investment/value of existing properties.

2. There is a significant additional safety risk from flood and fire due to an increased density of dwellings in west Bragg Creek, with no current alternate emergency route but the bottleneck at the bridge across the Elbow River.

3. I don't see reference to an Environmental impact assessment, or a Wildlife co-existence management plan. Arbitrary aesthetic woodland borders described in the proposal, are for human satisfaction; these do not address critical wildlife corridors. Displacement of wildlife is NOT acceptable.

4. Water quality....where is the communal water being sourced from? (River? Well?) At S&S many different aquifers are penetrated due to the foothills structural geology with varying water chemistry. Colliform however is absent.

5. Most importantly is the potential for groundwater contamination with associated liability to the developer. I am concerned that septic is defined in the proposal as for "private" responsibility. With a density of 22- 2acre properties, it is a complete unknown as to where their sewage is going due to the complex structural geology. Tracer analysis might assist in determining if proximal properties are affected.

Although this is a very brief point form response, it underlines some of my concerns in taking raw agricultural land and creating a densely spaced development.

Regards
Lorie D Cooper
PGeol.

Sent from my iPhone

October 7, 2019

Lori Piercy

24 Mountain View Park
Bragg Creek, AB T0L 0K0

To:

Johnson Kwan
Planning Services Department
Rocky View County
262075 Rocky View Point
Rocky View County, AB T4A 0X2

Cc: Bart Carswell, MA, RPP, MCIP
Carswell Planning Inc.
P.O. Box 223
104 – 1240 Kensington Rd. NW
Calgary, AB T2N 3P7

jkw@rockyview.ca

Bart.Carswell@carswellplanning.ca

**Re: Proposed Redesignation and Development on Fawn Hills Drive, Bragg Creek
PL20190102 and PL20190103
NE-15-23-05W05M**

Mr. Kwan,

Thank you for seeking feedback from our community concerning the proposed development in our neighbourhood.

It never ceases to amaze me that people still bring forth the same old and tired objections each time there is a proposed development! Bragg Creek is becoming a shrinking community and we do need new development, our population is aging and young families are not interested in moving here.

However, it is important for any new development to follow the rules of the ASP and it needs to have its own stand-alone water and waste system or the very best option would be the availability to tie into Rocky View's Water and Waste systems. The purposed subdivision is approximately 3- 4 Km away from Rocky View's water and sewage plants and we need to work towards that solution for new developments. How come, if you live 10 km from Pincher Creek you have treated water from the County. I saw a drawing from Stantec Engineering a few years ago, showing north and south of Calgary up to Edmonton communities having municipal treated water out to acreages via a pipeline.

I went to this open house a few months ago and came away from it thinking, this was poorly thought out and my first concerns are with water and sewer. I asked about water and was told they have a few wells to draw from and would be a water association but could offer no other information except it would be like Fawn Hills Association? I am the President of the Mountain View Water & Sewer Co-op and have lived in Mountain View for the past 19 years, so I feel I have the experience to speak about this. I know of the trials and cash calls required to maintain an 8 lot, 2-acre subdivision. I also know Alberta Environment is making changes to sub-divisions regarding equipment in pumphouses and testing requirements, which I was told because we are under 10 lots, it will be a few years when they get to us about the changes.

A water co-op is owned by the homeowners in the subdivision and they are responsible for all maintenance and upkeep of the system. Most people who buy a lot are not aware or understand this concept until they buy. In this proposed new subdivision, they talk about doing 3 phases, how are they providing water to the first phase? Build a third of a pumphouse? A good example is the

Elkana Water Co-op, had 48 homeowners on their water coop and when the pumphouse had to be updated and replaced, they couldn't come up with a million dollar cash call. On top of that they had so many broken and leaking water lines, Mr. Kwan do you remember the outcome? They are now on the Rocky View County water system. Also, some homeowners couldn't sell because of the boil water order for many years and banks won't mortgage a house without potable water.

Our environment....I cannot believe in this day and age, anyone would even consider putting in individual septic tanks! Even our subdivision built in 1976 has one communal tank for 8 lots. Let's go back to Elkana subdivision, I invite you both to take a walk around the first part, lower Elkana, I believe construction started in the late 1970's, each ½ acre lot has its own tank. You will be able to tell which tanks have failed. Homeowners are shocked to find out now they have to pay 25K or more to fix the problem or maybe just leave it alone?

We should be welcoming new people to our community, they are a valuable resource - potential business owners, volunteers, and new friends but we need future development to be done correctly and learn from our mistakes of the past.

Thank you for your time. I look forward to receiving notice of any upcoming hearings.



Lori Piercy

Sharon Bayer

204 Saddle Road
Bragg Creek, Alberta T0L 0K0

October 4, 2019

To:

Johnson Kwan
Planning Services Department
Rocky View County
262075 Rocky View Point
Rocky View County, AB T4A 0X2

Cc: Bart Carswell, MA, RPP, MCIP
Carswell Planning Inc.
P.O. Box 223
104 – 1240 Kensington Rd. NW
Calgary, AB T2N 3P7

jkwane@rockyview.ca

Bart.Carswell@carswellplanning.ca

**Re: Proposed Redesignation and Development on Fawn Hills Drive, Bragg Creek
PL20190102 and PL20190103
NE-15-23-05W05M**

Mr. Kwan,

Thank you for seeking feedback from our community concerning the proposed development in our neighbourhood.

The development application does not comply with the overall density requirement of 1 lot per 4 acres set out in the Area Structure Plan for West Bragg Creek (the ASP). In my view it should. I favour the low-density approach described in the ASP and the preference for open space planning.

I do not see a valid reason for departing from the guidelines in the ASP. In fact, the increased density creates several problems. I have checked the items below which are of specific concern to me:

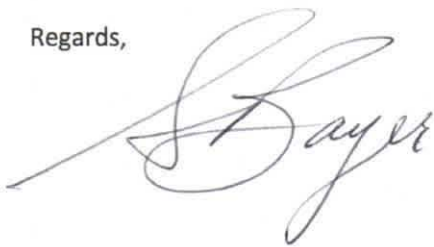
- ☒ **Water.** Increased density means increased strain on existing water wells (both that of the water association and of private wells).
- ☒ **Waste.** The plan calls for 22 new septic systems which will place greater strain on the wetland ecosystem.
- ☒ **Environment.** I want to preserve the wetland, animal habitat, and forest as much as possible.
- ☒ **Fire.** Our area is at high risk of wildfire. Greater density of homes in our forested area both increases the risk of fire and the number of people and structures that will be endangered in a wildfire.
- ☒ **Emergency Egress.** There is only one route out of West Bragg Creek. Greater density developments mean that more people will rely on that single route in case of emergency.
- ☒ **Traffic and Noise.** Increased density means increased traffic and noise on an otherwise quiet, dead-end street.

- ☒ **Services.** Increased density means greater demand on County services, infrastructure, and school services.
- ☒ **Slope.** I am concerned about slope stability and road access in the new development on the slope and whether school buses and fire trucks will be able to access the new neighbourhood.
- ☒ **Wildlife Encounters.** Increased density of housing and people (and the associated food, garbage, and traffic) risks greater numbers of negative human-wildlife interactions.

I live in the neighboring Saddle & Sirloin subdivision. As a 29 year Bragg Creek resident, I feel strongly that our ASP should be our 'bible' for new developments. That's why it was developed and approved by Council. So many Bragg Creek residents volunteered hundreds of hours of time for consultation and collaboration to develop this document and I see no reason to depart from it when considering this application.

Thank you for your time. I look forward to receiving notice of any upcoming hearings.

Regards,



October 6, 2019

Johnson Kwan
Planning Services Department
Rocky View County
262075 Rocky View Point
Rocky View County, AB T4A 0X2

jkwan@rockyview.ca

Re: **Proposed Redesignation and Development on Fawn Hills Drive, Bragg Creek
PL20190102 and PL20190103
NE-15-23-05W05M**

Thank you for seeking feedback from our community concerning the proposed development in our neighbourhood.

We are landowners/homeowners in the community of Saddle & Sirloin which is adjacent to the lands up for redesignation in the quoted application. The application is applying to revise the designation from Ranch and Farm District to Residential One District.

The development application does not comply with the overall density requirement of 1 lot per 4 acres set out in the Area Structure Plan for West Bragg Creek (the ASP). In our view it should. We favour the low-density approach described in the ASP and the preference for open space planning.

We bought in this neighbourhood to raise our family in a low-density area as there was the ASP in place to mitigate high density housing communities. This was a lifestyle choice which we feel would be compromised if the proposed development application goes forward.

We do not agree with the redesignation proposal in support of the existing ASP. We have concerns with the proposals for several reasons. Listed some concerns below;

- Traffic would increase significantly which would impact the road maintenance, increase noise and vehicle collisions with wildlife.
- Increase in waste which would have negative environmental impacts and increase to the capacity of the landfill site.
- Increase risk of wildfires. More densely populated housing communities in our forested area both increases the risk of fire and the number of people and structures that will be endangered in a wildfire.
- Increase wildlife encounters. High density housing communities would increase human and animal encounters which generally have negative impact to the animals.

Please do not hesitate to contact me should you have further questions regarding my letter.

Yours truly,
Kristi and Brian Farewell
279 Saddle Road
Saddle and Sirloin

[REDACTED]
[REDACTED]

January, 2020

Attention: Rocky View County, Planning & Development Services
 Fax: 403.277.3066
development@rockyview.ca

Re: Fawn Hills of Bragg Creek Conceptual Scheme/Redesignation/Plan of Subdivision
 Alan Hudye Alan@ozarkresources.com 403-860-5131
 NE-15-23-05-W05M, 79 Fawn Hills Dr., Subdivision Plan 7810784 containing 30.2 ha (74.65 ac)

As neighbours to Alan Hudye on the above-mentioned property, I (we) support the application proposing creating 22 residential lots with trail connections and about 10% of lands to be dedicated to Rocky View County fronting on Fawn Hills Drive. Please contact Bart Carswell of Carswell Planning if you have any questions at bart.carswell@carswellplanning.ca 587-437-6750.

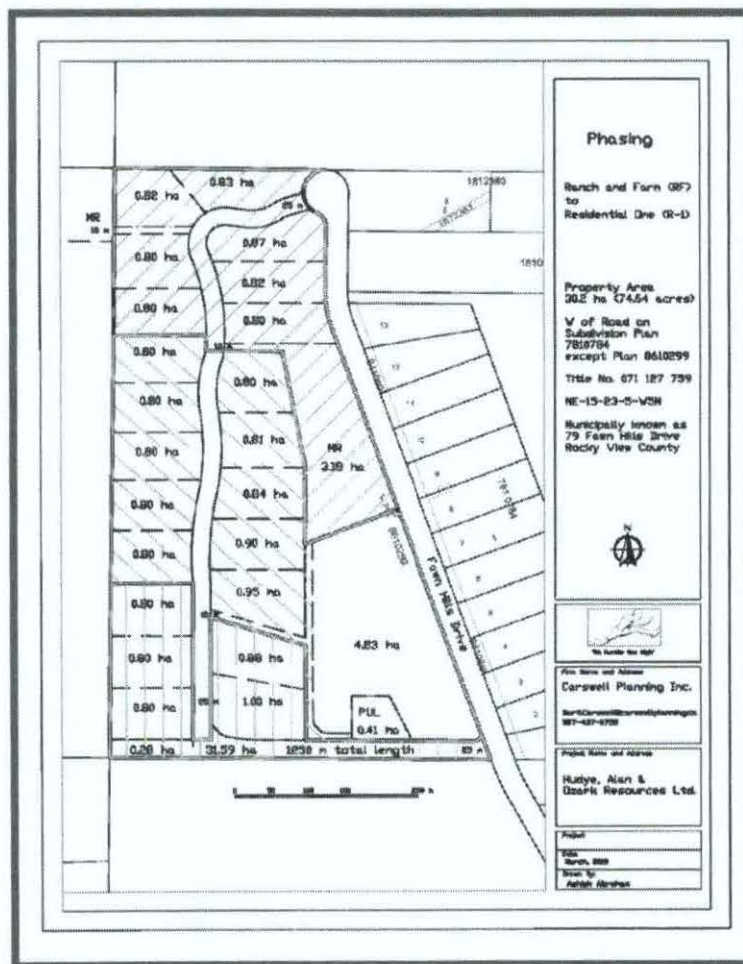
Thank you,

DON SANDERS of address 46 MEADOW VIEW ROAD BRAGG CREEK

Signature & date



Feb 26, 2020.



January, 2020

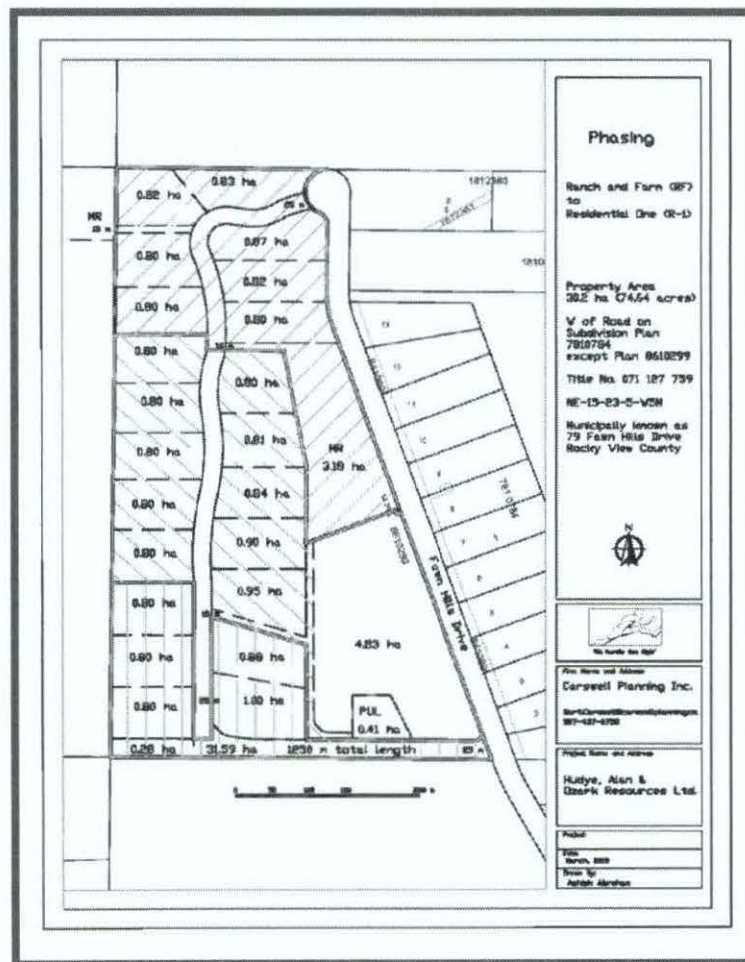
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Thank you,

MYRA SANDERS of address 66 Meadow View Road Bragg Creek, AB
 Signature & date Myra Y Sanders Feb 26/2020



January, 2020

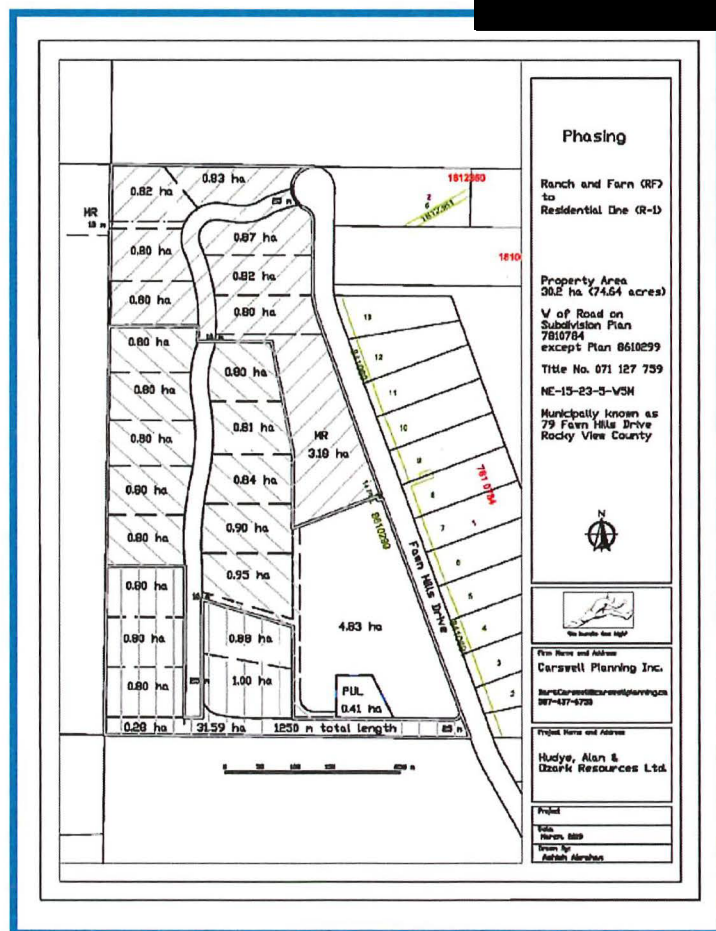
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Thank you,

Alan FRANKS of address SE/12-23-5 W5M Block 2 Lot 1
 Signature & date [Signature] Jan 27/2020



February, 2020

Attention: Rocky View County, Planning & Development Services
 Fax: 403.277.3066
development@rockyview.ca

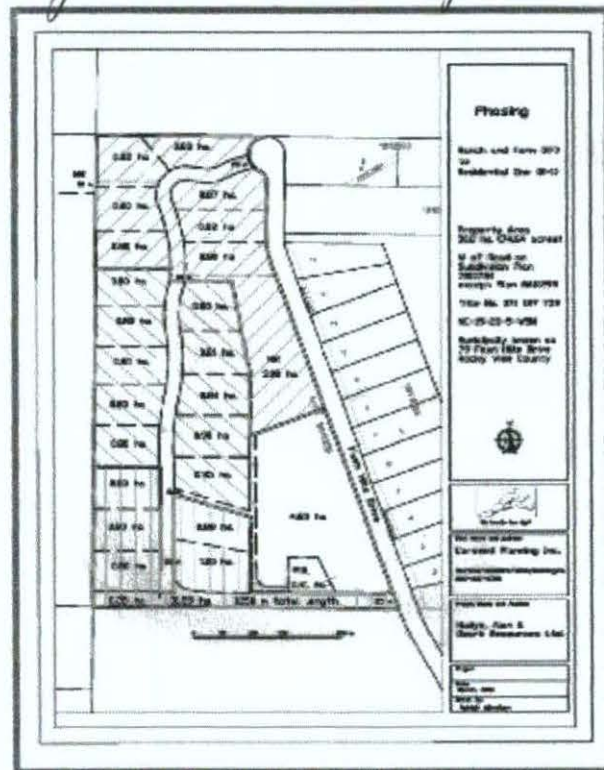
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Thank you,

Jackaleen Kelly of address *81 Fawn Hills, Drive,*

Signature & date *Jackaleen Kelly - Feb. 26 / 2020.*



January, 2020

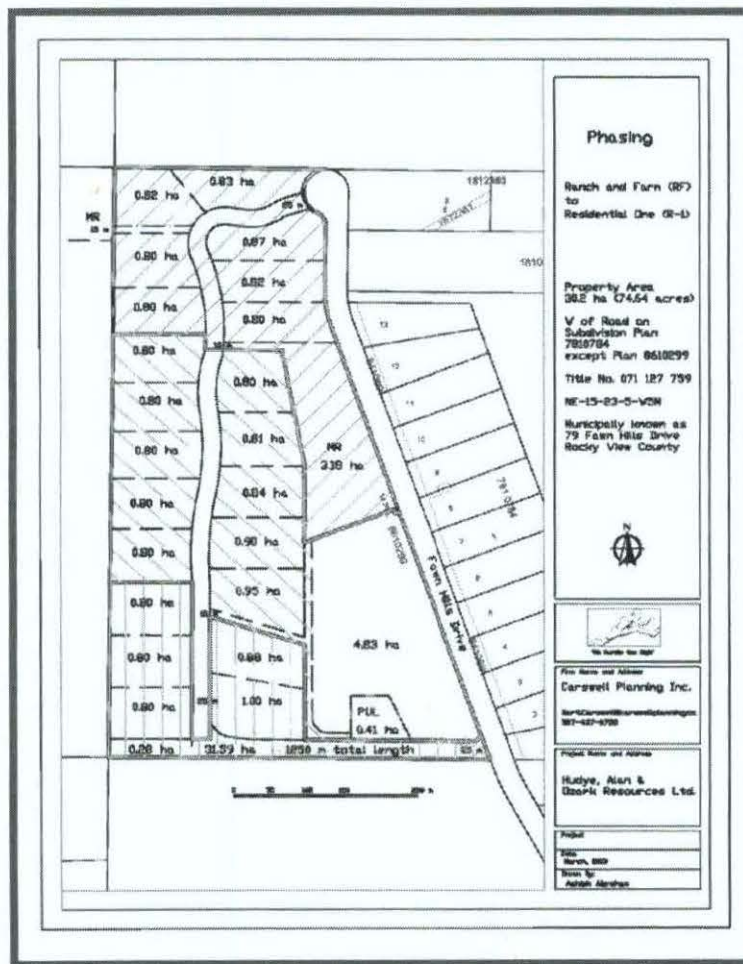
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Thank you,

RANDALL PROVOST of address 81 FAWN HILLS DRIVE,
 Signature & date *Provost* February 26, 2020.



January, 2020

Attention: Rocky View County, Planning & Development Services
 Fax: 403.277.3066
development@rockyview.ca

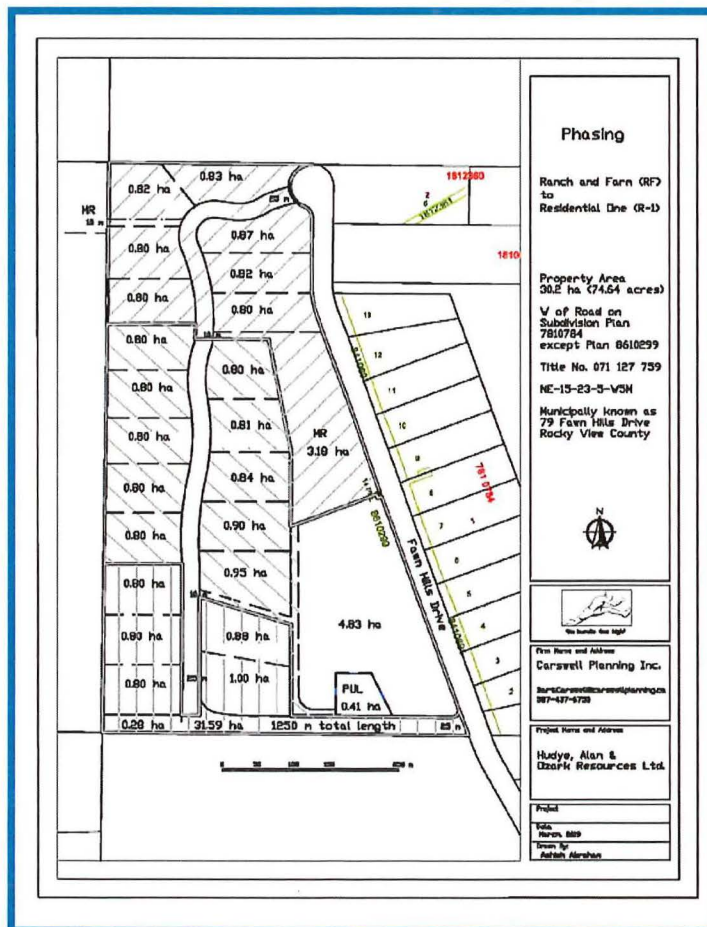
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Thank you,

JOE DYCK of address Block 2 Lot 1 Section 12-23-SW6M

Signature & date _____



January, 2020

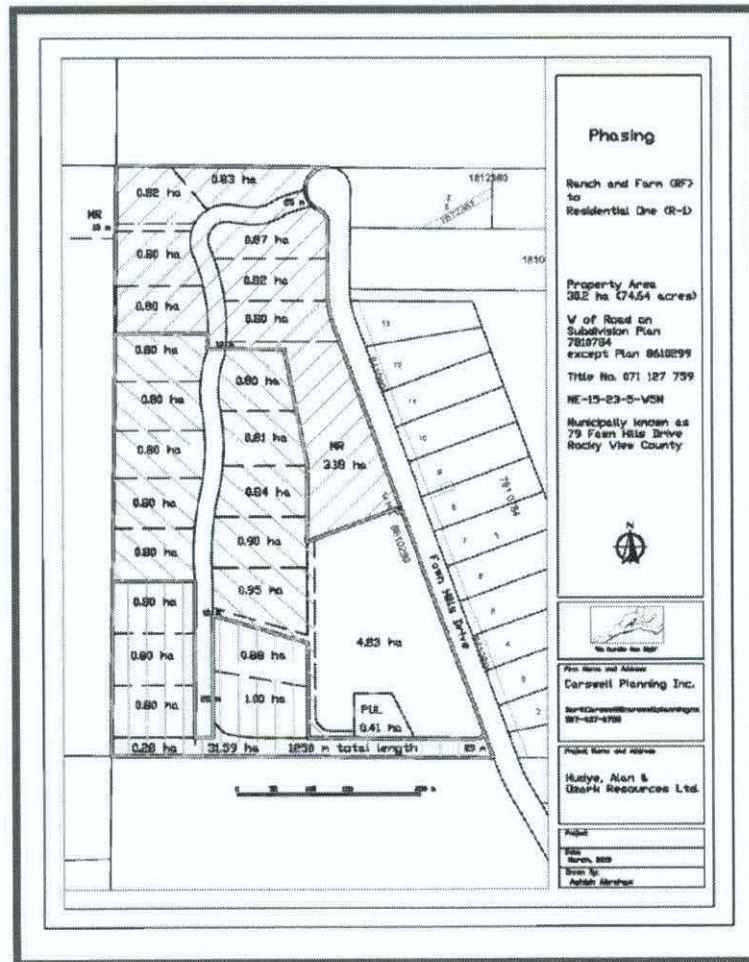
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Thank you,

Michael Sheu of address *11 Denise Road, Bragg Creek,*
 Signature & date *M. A. Sheu Feb 18/2020.*





UTILITY SERVICES

TO: Council
DATE: March 10, 2020 **DIVISION:** All
FILE: N/A
SUBJECT: Southern Alberta Energy from Waste Association (SAEWA) – Project Update

EXECUTIVE SUMMARY:

Mr. Paul Ryan from Southern Alberta Energy from Waste Association (SAEWA) will present to Council to provide an update on their Energy from Waste Project and will be available for questions and discussion following the presentation.

The purpose of this presentation is to give an update on the Energy from Waste Project being considered for southern Alberta. SAEWA has asked to make this presentation to Council to keep Rocky View County informed on their project including the progress towards determining the viability of the project, the siting location, and the timing of this potential facility.

Administration has included a copy of the presentation as Attachment 'A'.

ADMINISTRATION RECOMMENDATION:

Administration recommends approval in accordance with Option #1.

BUDGET IMPLICATIONS:

There are no budget implications at this time.

OPTIONS:

- Option #1: THAT the Energy from Waste Project Update by the Southern Alberta Energy from Waste Association (SAEWA) 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

JK/bg

ATTACHMENTS:

ATTACHMENT 'A' – Presentation from Southern Alberta Energy from Waste Association (SAEWA)

Administration Resources

Jennifer Koole, Solid Waste and Recycling



Project Update
Rocky View County
March 2020

The SAEWA Project

Research and implementation of
energy recovery from NON-
RECYCLABLE WASTE MATERIALS
to reduce long term reliance on
landfills.

Recycling Improves with WTE's

In September 2008 the Solid Waste Association of North America released *A Compatibility Study: Recycling and Waste-to-Energy Work in Concert*.

Covered 82 waste-to-energy facilities in 22 states. Recycling data was obtained from 567 local governments, including 495 cities, towns and villages and 72 counties, authorities or districts.

“Communities using waste-to-energy have recycling rates above the national average”

City will now landfill clamshell plastics it paid \$330K to store

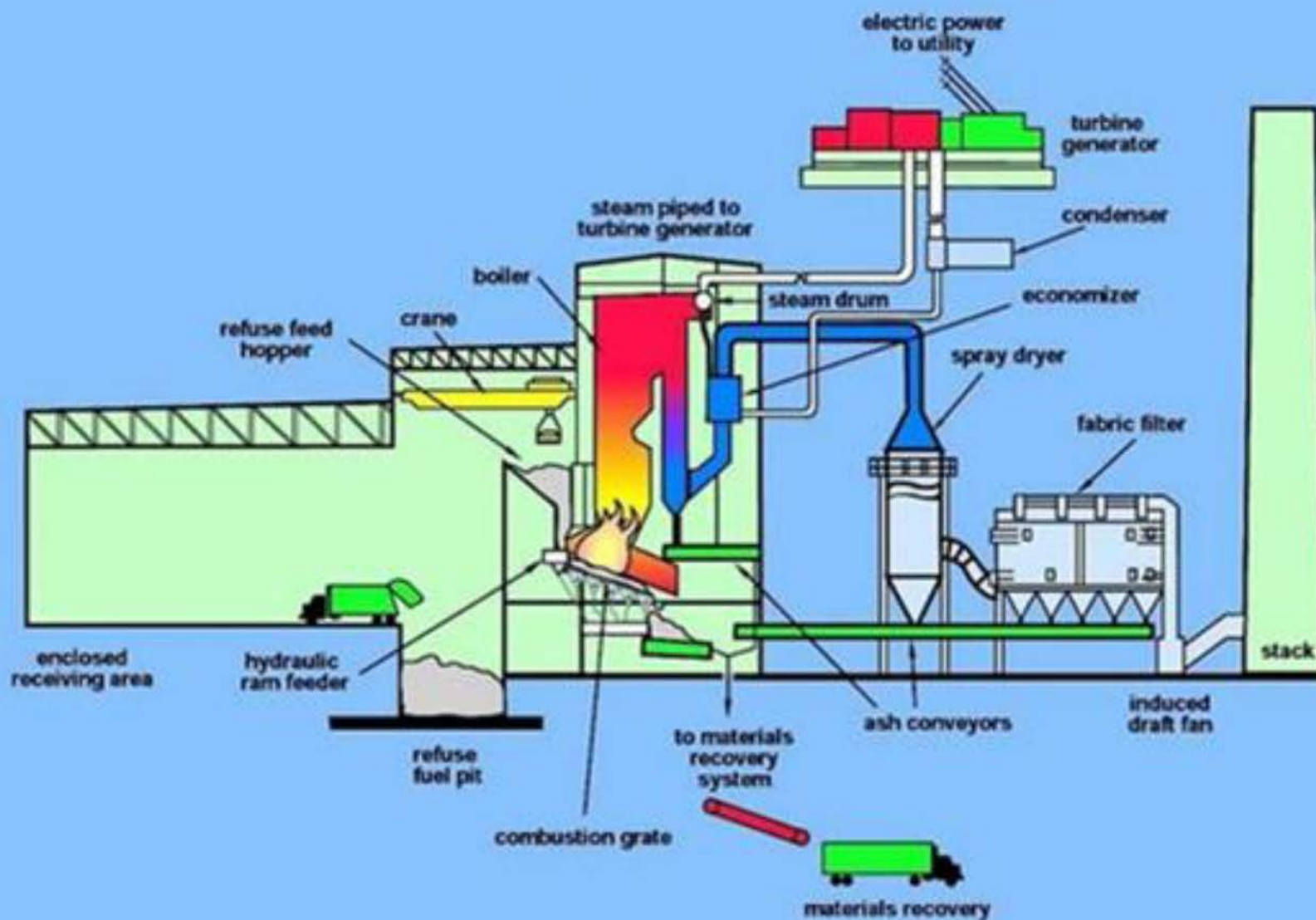
BILL KAUFMANN Calgary Herald, Updated: August 20, 2019

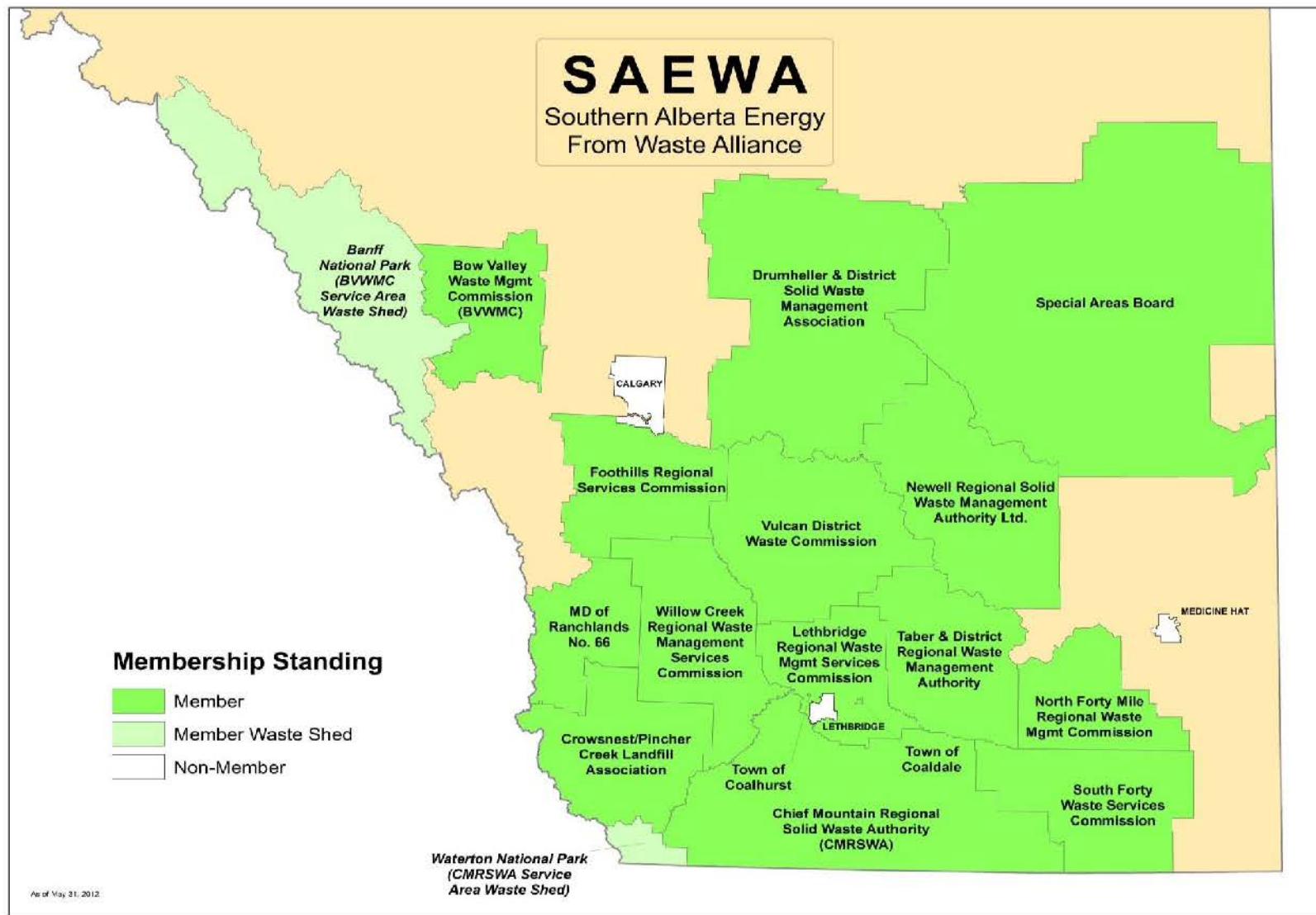
- Burying the material — which accounts for one to two per cent of all recyclables collected — will cost a total of \$130,000, while continuing to store them at the Shepard landfill site for another year would be a \$300,000 annual expense, said city officials. Total cost, \$430,000.00 to manage 2000 tonnes of non-recyclable plastic: \$215.00 per tonne



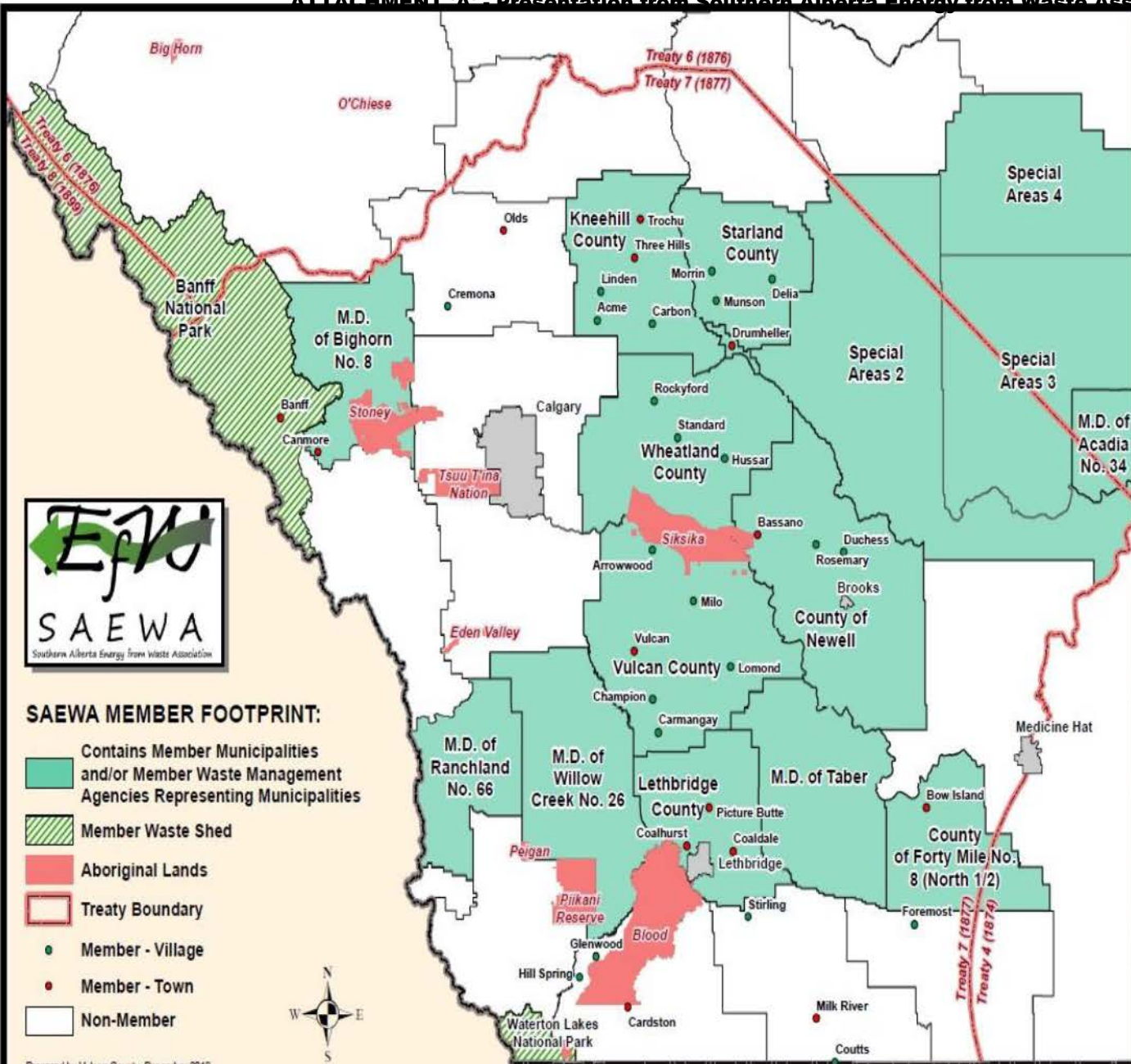
Balefill







SAEWA Membership in 2012



1. Vulcan & District Waste Commission:

- Vulcan County
- Town of Vulcan
- Village of Arrowwood
- Village of Mossleigh
- Village of Carmangay
- Village of Champion
- Village of Milo
- Village of Lomond
- Village of Kircaldy

2. Bow Valley Waste Management Commission:

- MD of Bighorn No. 8
- Town of Banff
- Town of Canmore

3. Big Country Waste Management Commission:

- Town of Hanna
- Town of Oyen
- Village of Cereal
- Village of Empress
- Village of Youngstown
- Village of Veteran
- Village of Consort
- MD of Acadia No. 34
- Special Area No. 2
- Special Area No. 3
- Special Area No. 4

4. Drumheller & District Waste Solid Waste Management Association:

- Kneehill County
- Starland County
- Town of Drumheller
- Town of Trochu
- Village of Acme
- Village of Beiseker
- Village of Carbon
- Village of Delia
- Village of Hussar
- Village of Linden
- Village of Morin
- Village of Munson
- Village of Rockyford
- Village of Standard

5. North 40 Mile Regional Waste Management Commission:

- County of 40 Mile No. 8 (North 1/2)
- Bow Island

6. Newell Regional Solid Waste Management Authority:

- County of Newell
- City of Brooks
- Town of Bassano
- Village of Duchess
- Village of Rosemary

7. Independent Members:

- MD of Willow Creek
- MD of Taber
- MD of Ranchlands No. 66
- Lethbridge County
- Wheatland County
- Town of Olds
- Town of Coaldale
- Town of Three Hills
- Town of Picture Butte
- Village of Cremona

What Did The Experts Say

Edmonton Waste Management Center of Excellence provided the Terms of Reference for the Feasibility Study

HDR Inc. provided engineering services as a result of a competitive bidding process

Feasibility Study

- Task 1 Waste Generation and Sizing
- Task 2 Combustion Technology Evaluation
- Task 3 Waste Collection, Transportation & Handling
- Task 4 Heat Recovery & Cogeneration Options
- Task 5 Air Emissions GHG & Control Options
- Task 6 Permitting Requirements
- Task 7 Capital and Operating Costs

Work Completed (\$1.5m)

- Project Development Plan
- Regulatory Requirements Plan
- Siting Process Plan
- Communications Plan
- Procurement Process Plan
- Initial Business Plan
- Detailed Business Plan
- Waste Stream Characterization
- Member Waste Stream Current Costs
- Governance Model: Brownlee LLP/Municipal Affairs
- Siting Analysis: U of A
- LCA: HDR with 3rd Party Review with O&G Sustainability and Pembina Institute

Overview

- Processing Capacity: Up to 300k tonnes per year.
- Potential Outputs: +/- 50 MW electricity +/- 1 million tonnes process steam
- Estimated tipping fees: \$50 per tonne with higher level (non granted) government support. \$90 per tonne with debt financing.
- Green House Gas Reductions (peer reviewed): 230k tonnes per year 7m tonnes over the life of the project
- Engineers of Record: HDR Inc.
- Funds Expended:
 - Higher level of Governments \$1.5m
 - Municipal support estimated \$2.0m

Engineering Work underway with estimated completion December 2019: (\$400k)

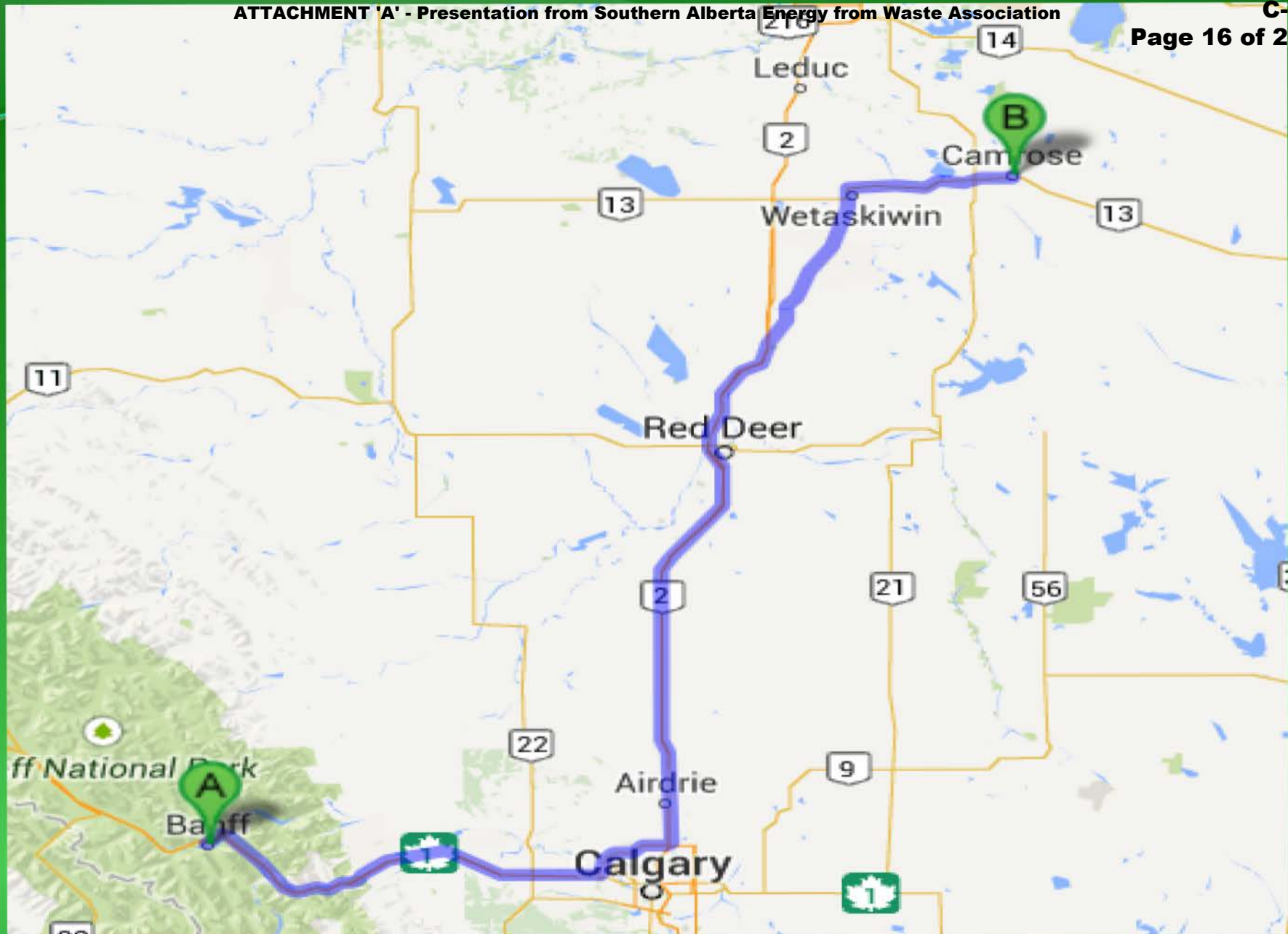
Potential site evaluation 6 municipalities offering 11 potential sites.

- Short list to 3 potential sites
- Geotechnical evaluation of short list
- Conduct “Fairness Review”

Recommend to Board February 2020

SAEWA Footprint



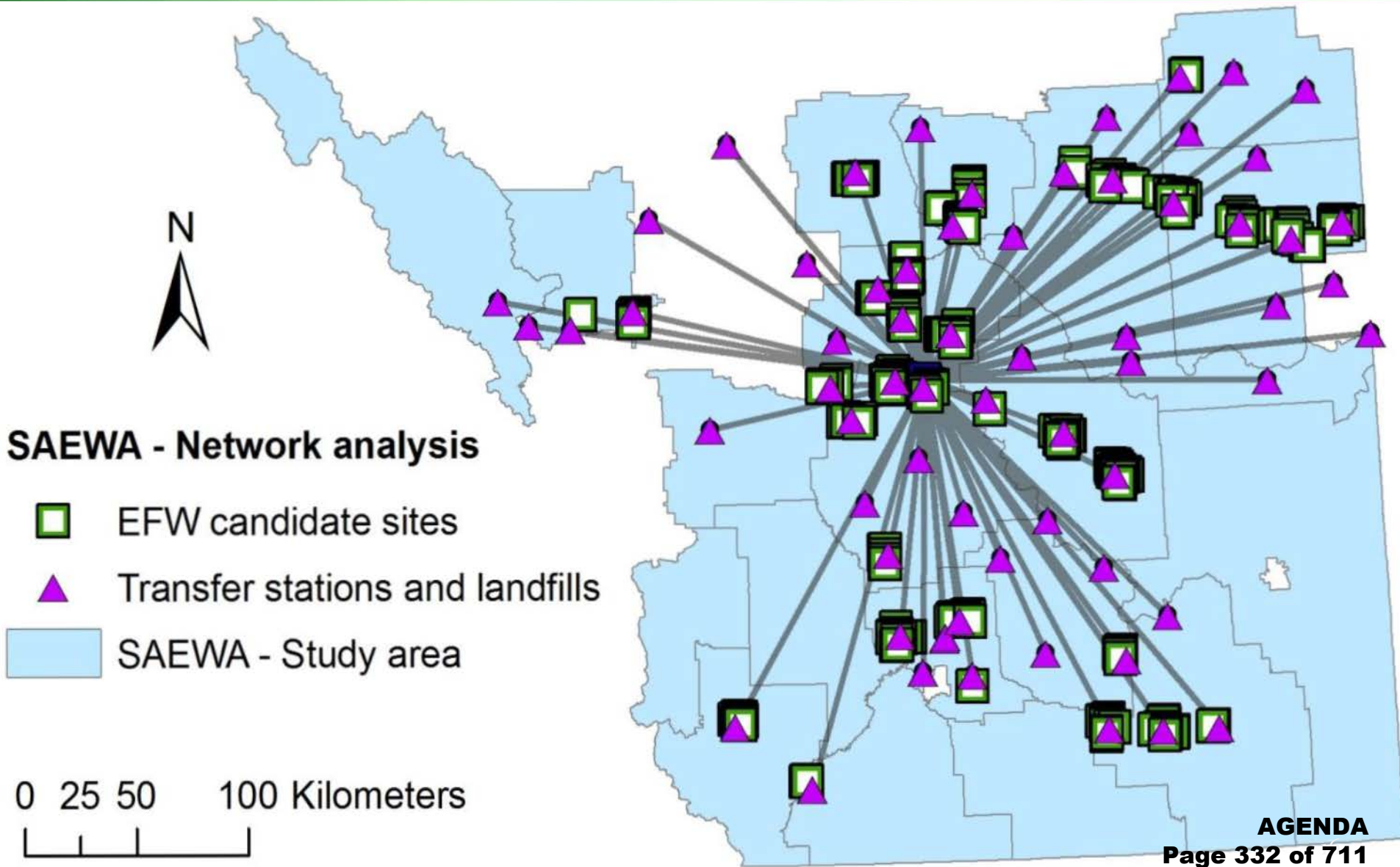


800 km round trip Banff to Dried Meat Lake Landfill at Camrose

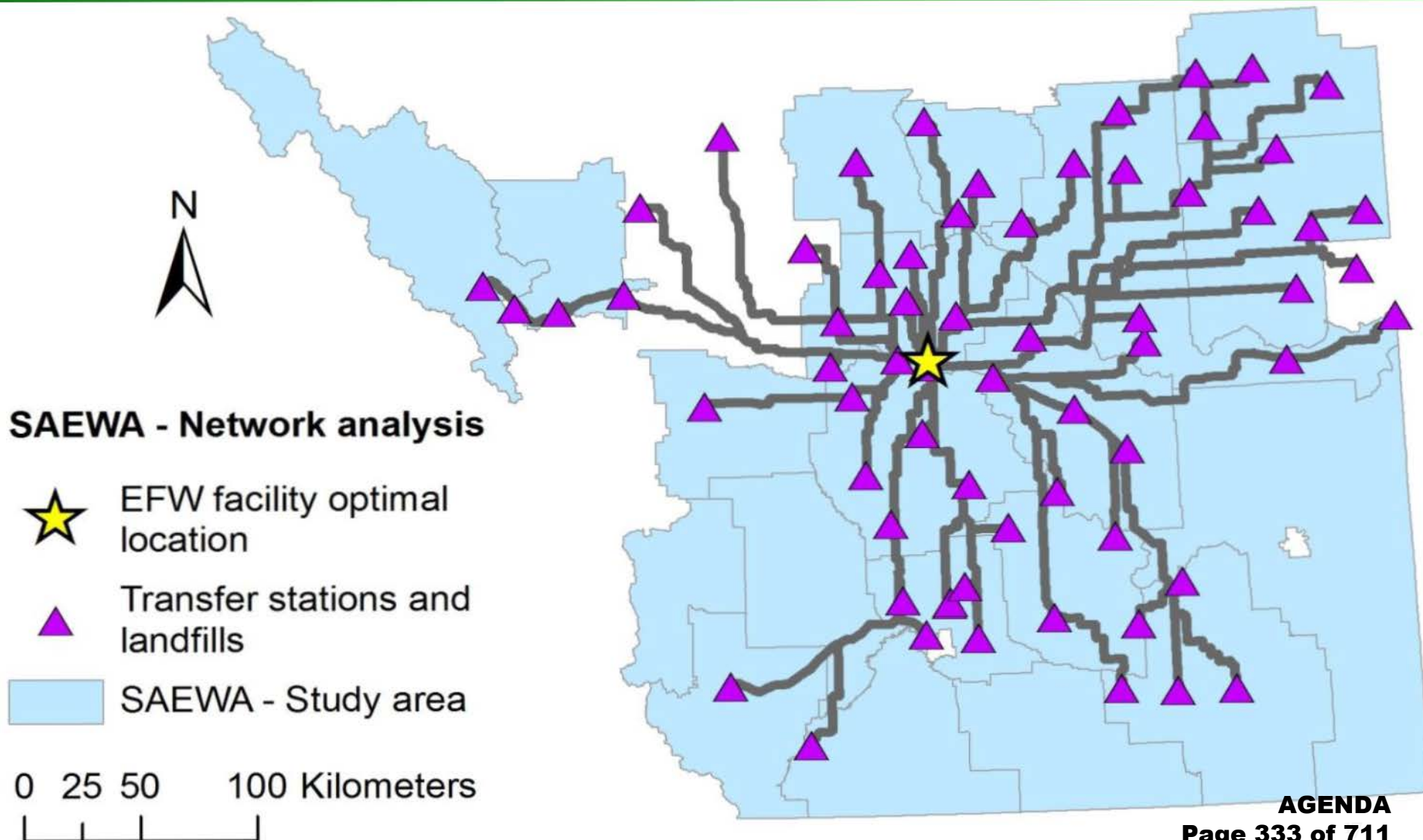
AGENDA

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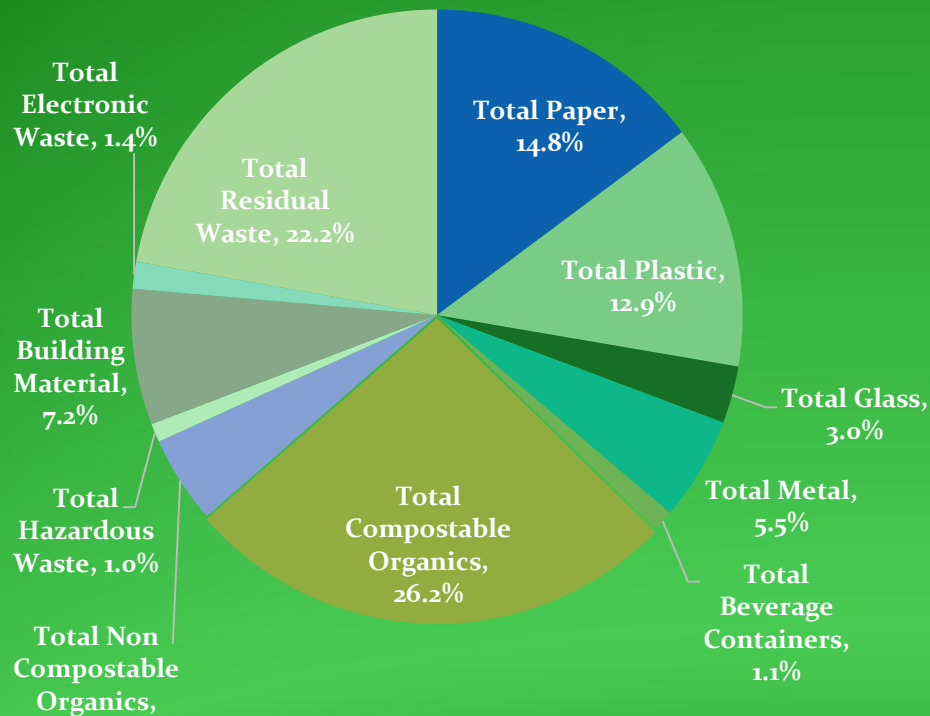
University of Alberta January 2018



The location identified is adjacent to railroad tracks, existing numbered highway, power transmission lines and major gas lines



Waste Characterization



Significant waste diversion opportunities still present

Used as input to:

- Volume of waste received at EFW
- Heat content of waste

LCA January 2018

Emissions Over the Study Period	tCO_{2e}	tCO_{2e}/tMSW
Landfilled MSW	7,418,135	0.824
Transportation of MSW to Landfills	56,473	0.006
Total Landfill Alternative Emissions	7,474,607	0.831
Waste Combustion at EfW Facility	2,880,568	0.320
Transportation of Waste to EfW Facility	99,484	0.011
Emissions Displaced from Generated Electricity	(2,435,132)	(0.271)
Emissions Displaced from Metals Recovery	(168,480)	(0.019)
Total EfW Facility Alternative Emissions	376,441	0.042
Reduction in GHG Emissions from EfW Facility Relative to Landfilling	7,098,166	0.789
	95.0%	95.0%

How do we Pay for it?

Municipal infrastructure routinely amortised 20 yrs.
WTEs have a 30 to 50 year lifespan with no post closure costs like landfills.

Could be considered similar to Regional water/wastewater infrastructure for funding

Utility model shares cost over many Municipalities

Public/Private is often used

Private sector Design/Build/Operate is often used

Summary of Financials – Base Case

Cost (\$M)	NPV	2021	2050
Principal repayment	(\$260.15)	(\$10.12)	(\$25.48)
Interest payments	(\$178.62)	(\$15.98)	(\$0.62)
O&M costs	(\$487.79)	(\$22.48)	(\$39.91)
Total facility costs	(\$926.56)	(\$48.57)	(\$66.01)

Operating Revenue (\$M)	NPV	2021	2050
Electricity sales	\$290.24	\$14.70	\$21.18
Recovered metal sales	\$75.68	\$2.45	\$7.83
Carbon offset credit sales	\$32.10	\$3.47	\$0.00
Bottom ash sales	\$6.94	\$0.41	\$0.41
Total operating revenue	\$404.96	\$21.04	\$29.42

Net Cost per Tonne	Levelized (NPV)	2021	2050
Total cost per tonne	(\$183.69)	(\$161.91)	(\$220.03)
Total revenue per tonne	\$80.28	\$70.13	\$98.06
Net cost per tonne	(\$103.41)	(\$91.78)	(\$121.98)

Variable	Units	Values
Debt financing ratio	%	100%
Interest rate	%	3.21%
Term (years)	years	30
Annual debt service	\$M	\$26.10
Bond issuance year	year	2020

Tipping fee of **\$91.78** (2021) required to subsidize facility operating costs

Summary of Financials – Interest-free Loan

Cost (\$M)	NPV	2021	2050
Principal repayment	(\$476.53)	(\$15.88)	(\$15.88)
Interest payments	\$0.00	\$0.00	\$0.00
O&M costs	(\$911.82)	(\$22.48)	(\$39.91)
Total facility costs	(\$1,388.35)	(\$38.36)	(\$55.80)

Operating Revenue (\$M)	NPV	2021	2050
Electricity sales	\$533.42	\$14.70	\$21.18
Recovered metal sales	\$147.15	\$2.45	\$7.83
Carbon offset credit sales	\$45.13	\$3.47	\$0.00
Bottom ash sales	\$12.38	\$0.41	\$0.41
Total operating revenue	\$738.07	\$21.04	\$29.42

Net Cost per Tonne	Levelized (NPV)	2021	2050
Total cost per tonne	(\$154.26)	(\$127.87)	(\$186.00)
Total revenue per tonne	\$82.01	\$70.13	\$98.06
Net cost per tonne	(\$72.25)	(\$57.74)	(\$87.94)

Variable	Units	Values
Debt financing ratio	%	100%
Interest rate	%	0%
Term (years)	years	30
Annual debt service	\$M	\$15.88
Bond issuance year	year	2020

Tipping fee of **\$57.74** (2021) required to subsidize facility operating costs

Summary of Financials – Grant / Utility Model

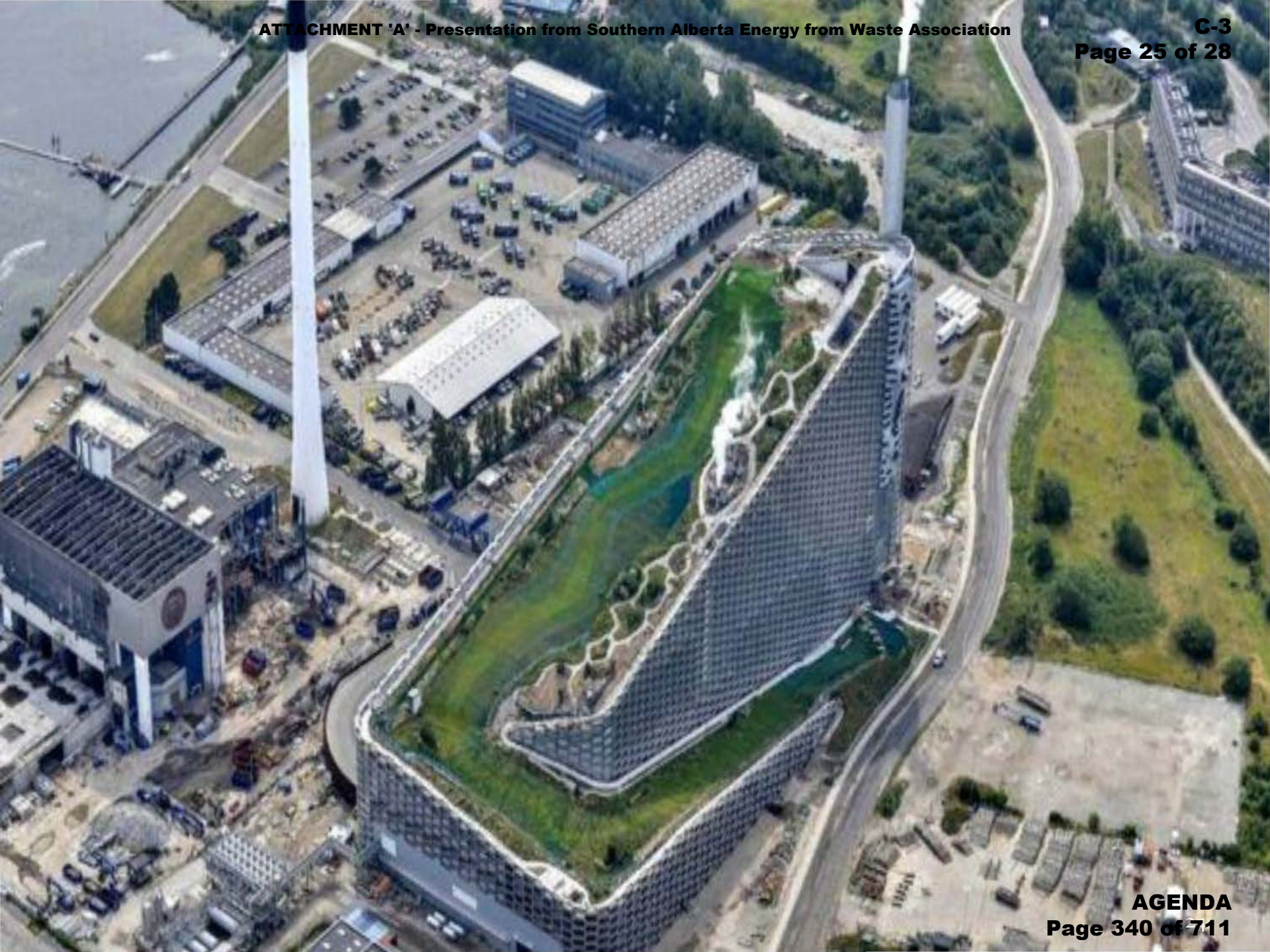
Cost (\$M)	NPV	2021	2050
Principal repayment	\$0.00	\$0.00	\$0.00
Interest payments	\$0.00	\$0.00	\$0.00
O&M costs	(\$487.79)	(\$22.48)	(\$39.91)
Total facility costs	(\$487.79)	(\$22.48)	(\$39.91)

Operating Revenue (\$M)	NPV	2021	2050
Electricity sales	\$290.24	\$14.70	\$21.18
Recovered metal sales	\$75.68	\$2.45	\$7.83
Carbon offset credit sales	\$32.10	\$3.47	\$0.00
Bottom ash sales	\$6.94	\$0.41	\$0.41
Total operating revenue	\$404.96	\$21.04	\$29.42

Net Cost per Tonne	Levelized (NPV)	2021	2050
Total cost per tonne	(\$96.70)	(\$74.92)	(\$133.05)
Total revenue per tonne	\$80.28	\$70.13	\$98.06
Net cost per tonne	(\$16.42)	(\$4.79)	(\$34.99)

Variable	Units	Values
Debt financing ratio	%	n/a
Interest rate	%	n/a
Term (years)	years	n/a
Annual debt service	\$M	n/a
Bond issuance year	year	n/a

Tipping fee of **\$4.79** (2021) required to subsidize facility operating costs





Next Steps

- Meetings with Provincial Government
 - Confirm Municipal commitment
 - AGM in March 2020
- Do we continue on same path with Utility Model and Provincial funding for business case to Gov/P3 (\$400k)?
- Turn over engineering to private sector as RFP?
- Do we consider switching to large Regional landfill?

Contacts

Paul Ryan, Vice-Chair/Project Lead

403-609-7465

paulryan@shaw.ca

Project and Administrative Manager

Sherry Poole

C. 403.563.5759

sherry@saewa.ca

INTERGOVERNMENTAL AFFAIRS

TO:	Council	
DATE:	March 10, 2020	DIVISION: All
FILE:	N/A	APPLICATION: N/A
SUBJECT:	Intermunicipal Development Plan between the Village of Beiseker and Rocky View County	

POLICY DIRECTION:

The *Municipal Government Act* (MGA) requires that municipalities sharing common boundaries complete an Intermunicipal Development Plan (IDP) by April 1, 2020. An extension of the deadline to April 1, 2021, is available at the request of both municipalities, if they meet certain criteria.

EXECUTIVE SUMMARY:

Rocky View County and the Village of Beiseker require an extension to the IDP deadline from April 1, 2020, to April 1, 2021. Ministerial Order No. MSL:047/18 allows municipalities to extend the deadline to April 1, 2021, for the completion of IDPs. Rocky View County Administration has been working with their counterparts at the Village of Beiseker to produce an IDP and expects to have a draft for Council consideration in the summer or fall of 2020. Extending the completion date would allow for flexibility with regard to circulation of the draft document, public hearing scheduling, and Calgary Metropolitan Region Board consideration.

A resolution from both Councils is required to submit the extension to Municipal Affairs. The Village of Beiseker passed a similar resolution on August 13, 2018. Therefore Administration recommends that Council pass a resolution extending the IDP completion deadline to April 1, 2021.

ADMINISTRATION RECOMMENDATION:

Administration recommends approval in accordance with Option #1.

BUDGET IMPLICATIONS:

There are no budget implications at this time.

OPTIONS:

- | | |
|-----------|--|
| Option #1 | THAT the deadline for completion of the Village of Beiseker/Rocky View County Intermunicipal Development Plan be extended to April 1, 2021, as per Ministerial Order MSL:047/18. |
| Option #2 | THAT alternative direction be provided. |

Administration Resources

Amy Zaluski and Ben Manshanden, Intergovernmental Affairs



Respectfully submitted,

"Amy Zaluski"

Manager
Intergovernmental Affairs

BM/rp

Concurrence,

"Al Hoggan"

Chief Administrative Officer



INTERGOVERNMENTAL AFFAIRS

TO:	Council	
DATE:	March 10, 2020	DIVISION: All
FILE:	N/A	APPLICATION: N/A
SUBJECT:	Adoption of Intermunicipal Collaboration Framework between the Town of Crossfield and Rocky View County	

POLICY DIRECTION:

The *Municipal Government Act* (MGA) requires Rocky View County (RVC) to complete an Intermunicipal Collaboration Framework (ICF) with all adjacent municipalities that are not members of the Calgary Metropolitan Regional Board (CMRB). The ICFs must be complete by April 1, 2020.

EXECUTIVE SUMMARY:

The purpose of this report is to approve the ICF that has been prepared collaboratively with the Town of Crossfield. This ICF identifies several shared services including fire services, emergency management, waste, and recreation. The document meets the requirements of the MGA, and has a four year term. The ICF also creates a process for effective dispute resolution and uses the existing Intermunicipal Committee to ensure continued cooperation between the County and the Town of Crossfield.

ADMINISTRATION RECOMMENDATION:

Administration recommends approval in accordance with Option #1.

DISCUSSION:

ICFs identify how municipal services are delivered between two adjacent municipalities. They provide for the integrated and strategic planning, delivery, and funding of intermunicipal services; allocate resources efficiently in providing local services; and ensure municipalities contribute funding to services that benefit their residents.

The ICF with the Town of Crossfield identifies intermunicipal collaboration with respect to fire and emergency management services. The ICF commits the parties to negotiating a solid waste agreement. The ICF identifies that the parties will update the recreation cost sharing agreement. The ICF does not identify any opportunities for shared services with respect to transportation, water, or waste water. The Town of Crossfield will approve the ICF on March 17, 2020. Administration recommends that Council approve the attached ICF by resolution.

BUDGET IMPLICATIONS:

There are no budget implications at this time.

OPTIONS:

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

Administration Resources

Amy Zaluski and Ben Manshanden, Intergovernmental Affairs



Respectfully submitted,

"Amy Zaluski"

Manager
Intergovernmental Affairs

Concurrence,

"Al Hoggan"

Chief Administrative Officer

ATTACHMENTS:

Attachment 'A' – Intermunicipal Collaboration Framework between the Town of Crossfield and Rocky View County

Intermunicipal Collaboration Framework

Between

The Town of Crossfield

(hereinafter referred to as “Crossfield”)

And

Rocky View County

(hereinafter referred to as “Rocky View”)

WHEREAS Crossfield and Rocky View share a common border around the boundaries of NE-22-28-01-W05M, SE-27-28-01-W05M, NE-27-28-01-W05M, NW-35-28-01-W05M, NE-35-28-01-W05M, SE-35-28-01-W05M, SW-35-28-01-W05M, NW-36-28-01-W05M, SW-36-28-01-W05M, NW-25-28-01-W05M, SW-25-28-01-W05M, NW-24-28-01-W05M, NW-26-28-01-W05M, NE-26-28-01-W05M, SW-26-28-01-W05M, SE-26-28-01-W05M, NE-23-28-01-W05M, and a portion of NW-23-28-01-W05M;

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



Schedule “A”

A. DEFINITIONS

- l) Words in this Agreement have the same meaning as in the *Municipal Government Act* except for the following:
 - a. “CAO” means Chief Administrative Officer.
 - b. "Capital Costs" means new facilities, expansions to existing facilities, and intensification of use of existing facilities.
 - c. “County” means Rocky View County.
 - d. “Crossfield” means the Town of Crossfield as a municipal corporation and the geographical area within its jurisdictional boundaries, as the context requires.
 - e. “Framework” means Intermunicipal Collaboration Framework.
 - f. “Intermunicipal Collaboration Framework” means the Intermunicipal Collaboration Framework between the Town of Crossfield and Rocky View County, as required under Part 17.2 of the *Municipal Government Act*.
 - g. “*Municipal Government Act*” means the *Municipal Government Act*, RSA 2000, c M-26, as amended from time to time.
 - h. “Rocky View County” means Rocky View County as a municipal corporation and the geographical area within its jurisdictional boundaries, as the context requires.
 - i. “Services” means those services that both parties 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.
- j. "Service Agreements" means those agreements between the Parties to provide for the delivery of Services, whether on a joint, collaborative, or other basis, as described in Part D (2) of this Agreement and as amended from time to time. Services are shared in one or more of the following ways:
 - i. Municipal – no collaboration: No intermunicipal collaboration is used to 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.
- k. "Year" means the calendar year beginning on January 1 and ending on December 31.

B. TERM AND REVIEW

- 1) In accordance with the *Municipal Government Act*, this Agreement shall come into full force and effect on passing of resolutions by both Crossfield and Rocky View.
- 2) This Agreement may be amended by mutual consent of both parties unless specified otherwise in this Agreement through a new resolution.
- 3) It is agreed by Crossfield and Rocky View that the Intermunicipal Committee shall review the terms and conditions of the agreement at least once every four years.
- 4) The term of this agreement begins ____, ____, 2020 and ends ____, ____, 2024.

C. INTERMUNICIPAL COOPERATION

- 1) Crossfield and Rocky View have established an 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 regularly, 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 two Councillors from Crossfield and two Councillors from Rocky View.
- 5) Meetings of the Committee can be called by either party 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) Crossfield delivers the following services to its residents, including but not limited to:
 - Bylaw Enforcement;
 - Building Permits;
 - Cemetery Services;
 - Family and Community Support Services;
 - Fire and Emergency Management Services;
 - Library Services (through the Marigold Library System);
 - Recreation Services;
 - Business Licensing;
 - Seniors' Housing (Rocky View Foundation);
 - Solid Waste and Recycling: (through various private third party partnerships);
 - Transportation Services; and
 - Water and Wastewater Services.

Rocky View County delivers the following 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, privately owned, municipal partners, or Rocky View County systems).

2) Crossfield 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 ¹	SERVICE SHARED	IMPLEMENTATION & FUNDING
Emergency Management	Intermunicipal Collaboration	Mutual Aid Agreement	Crossfield is a signatory and member of the Regional Emergency Management Agency with Rocky View.
Fire	Intermunicipal Collaboration	Fire Services Agreement	Fire Services Agreement between Crossfield and Rocky View.
Recreation	Intermunicipal Collaboration	Recreation Cost Sharing Agreement	Implement a Recreation Cost Sharing Agreement between Crossfield and Rocky View.
Solid Waste and Recycling	Third Party Delivery	Solid Waste Agreement	Implement a Solid Waste Agreement between Crossfield and Rocky View.
Transportation	Municipal – No Intermunicipal Collaboration	N/A	No implementation required.

¹ Delivery Methods include: Intermunicipal Collaboration, Municipal – No Intermunicipal Collaboration, Third Party Delivery, or Other to be Specified

SERVICE AREA	DELIVERY METHOD ¹	SERVICE SHARED	IMPLEMENTATION & FUNDING
Water and Waste Water	Municipal – No Intermunicipal Collaboration	N/A	No implementation required.

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.
- 2) Whether it is a new service, or elimination of an existing service, the municipality whose CAO is initiating the change shall, in writing, contact the CAO of the other 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 otherwise.
- 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 new resolutions.
- 6) The parties may amend or update any existing Service Agreement from time to time without having to amend or replace this Agreement.

F. DISPUTE RESOLUTION

- 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 include the Dispute Resolution Process, as 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, express 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 Town of Crossfield, to:

The Town of Crossfield
c/o Chief Administrative Officer
P.O. Box 500, 1005 Ross Street
Crossfield, Alberta, T0M 0S0

- 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.

TOWN OF CROSSFIELD

ROCKY VIEW COUNTY

Per:

Per:

Jo Tennant, Mayor

Greg Boehlke, Reeve

Kenneth Bosman, C.A.O.

Al Hoggan, C.A.O.

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 the mutually-agreed upon 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 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) If the dispute has not been resolved within 6 months after the notice is given under section B of this Schedule, 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 upon, and those upon 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 determine 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) Subject to an order of the arbitrator or an agreement by the parties, the costs of an arbitrator under this Schedule must be shared equally by the parties.



INTERGOVERNMENTAL AFFAIRS

TO:	Council	
DATE:	March 10, 2020	DIVISION: All
FILE:	N/A	APPLICATION: N/A
SUBJECT:	Adoption of Intermunicipal Collaboration Framework between Wheatland County and Rocky View County	

POLICY DIRECTION:

The *Municipal Government Act* (MGA) requires Rocky View County (RVC) to complete an Intermunicipal Collaboration Framework (ICF) with all adjacent municipalities that are not members of the Calgary Metropolitan Regional Board. The ICFs must be complete by April 1, 2020.

EXECUTIVE SUMMARY:

The purpose of this report is to approve the ICF that has been prepared collaboratively with Wheatland County. The ICF identifies several shared services including fire services, emergency management, and agricultural services. The ICF states that the parties may explore potential shared services for water and wastewater. The ICF also creates a process for effective dispute resolution and sets up a committee to ensure continued cooperation between Rocky View County and Wheatland County.

ADMINISTRATION RECOMMENDATION:

Administration recommends approval in accordance with Option #1.

DISCUSSION:

ICFs identify how municipal services are delivered between two adjacent municipalities. They provide for the integrated and strategic planning, delivery, and funding of intermunicipal services; allocate resources efficiently in providing local services; and ensure municipalities contribute funding to services that benefit their residents.

The attached ICF with Wheatland County identifies intermunicipal collaboration with respect to fire services, emergency management, and agricultural services. The ICF states that the parties may explore potential opportunities for shared services with respect to water and wastewater. The ICF does not identify any opportunities for shared services with respect to transportation, solid waste, or recreation. Wheatland County approved the ICF on March 3, 2020. 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



ROCKY VIEW COUNTY

OPTIONS:

- Option #1 THAT the Wheatland County and Rocky View County 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 Wheatland County and Rocky View County

Intermunicipal Collaboration Framework

Between

Wheatland County

(hereinafter referred to as “Wheatland”)

And

Rocky View County

(hereinafter referred to as “Rocky View”)

WHEREAS Wheatland and Rocky View share a common border spanning Range Road 250 from Highway 9 to Township Road 264, Township Road 264 from Range Road 250 to Range Road 255, Range Road 255 from Township Road 264 to Township Road 260, Township Road 260 from Range Road 255 to Range Road 263, Range Road 263 from Township Road 260 to Township Road 254, Township Road 254 from Range Road 263 to Range Road 264, Range Road 264 from Township Road 254 to Township Road 252, Township Road 252 from Range Road 264 to Range Road 265, Range Road 265 from Township Road 252 to Township Road 230, Township Road 230 from Range Road 271 to Range Road 270, and Range Road 270 from Township Road 230 to the Bow River.

AND WHEREAS Wheatland 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 Wheatland 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 Wheatland County 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. “Rocky View County” means Rocky View County as a municipal corporation and the geographical area within its jurisdictional boundaries, as the context requires.
 - g. “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; and
 - vi. Any other services that might benefit residents in both municipalities.
- h. "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.
- i. "Wheatland" means Wheatland County as a municipal corporation and the geographical area within its jurisdictional boundaries, as the context requires.
- 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 passing of a resolution by both Wheatland County and Rocky View County.
- 2) This Agreement may be amended by mutual consent of both parties, through a new resolution.
- 3) It is agreed by Wheatland 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) Wheatland 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 as necessary, 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 Wheatland and two Councillors from Rocky View.
- 5) Meetings of the Committee can be called by either party 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) Wheatland provides a range of services to its residents, including but not limited to:
 - Agricultural and Environment Services;
 - Bylaw Enforcement (municipal and RCMP);
 - Business Permitting;
 - Cemetery Services;
 - Family and Community Support Services;
 - Fire and Emergency Management Services;
 - Library Services (through the Marigold Regional Library System);
 - Planning and Development Services;
 - Recreation Services;
 - Safety Codes Permits;
 - Seniors' housing (through the Wheatland County Regional Housing Commission);
 - Solid Waste and Recycling: (through Wheatland County Waste Transfer Sites and the Drumheller Solid Waste Commission);
 - Transportation Services; and
 - Water and Wastewater Services (through Wheatland County systems and a regional water line).

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;
- Transportation Services; and
- Water and Wastewater Services (through individually owned, privately owned, municipal partners, or Rocky View County systems).

2) Wheatland 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 ¹	SERVICE SHARED	IMPLEMENTATION & FUNDING
Emergency Management	Intermunicipal Collaboration	Delivery of emergency management services in case of a disaster or major event.	Wheatland is a signatory and member of the Regional Emergency Management Agency with Rocky View. Both municipalities are signatories to the Alberta South Central Mutual Aid Agreement.
Fire	Intermunicipal Collaboration	Mutual aid for fire services.	Implemented through a mutual aid agreement for the delivery of Fire services.
Recreation	Municipal – No Intermunicipal Collaboration	N/A	No implementation required.
Solid Waste and Recycling	Municipal – No Intermunicipal Collaboration	N/A	No implementation required.

¹ Delivery Methods include: Intermunicipal Collaboration, Municipal – No Intermunicipal Collaboration, Third Party Delivery, or Other to be Specified

SERVICE AREA	Delivery Method ¹	SERVICE SHARED	IMPLEMENTATION & FUNDING
Transportation	Municipal – No Intermunicipal Collaboration	N/A	No implementation required.
Water and Waste Water	Municipal – No Intermunicipal Collaboration	N/A	The parties may explore potential servicing opportunities as appropriate. Agreements may result.
Other: Agriculture	Intermunicipal Collaboration	Delivery of agricultural services programming and collaboration on agriculture related items around boundary.	Collaborate on weed control and agriculture related items around boundary. Deliver trainings and workshops in collaboration with respective agricultural services departments. This is part of operational business and does not require a service agreement.

E. FUTURE PROJECTS & AGREEMENTS

- 1) Additions or changes to the services that the adjacent municipalities partner upon can be made prior to the end of the four year term.
- 2) Whether it is a new service, or elimination of an existing service, the municipality whose CAO is initiating the change shall, in writing, contact the CAO of the other 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 otherwise.
- 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 new resolutions.
- 6) The parties may amend or update any existing Service Agreement from time to time without having to amend or replace this Agreement.

F. DISPUTE RESOLUTION

- 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 include the Dispute Resolution Process, as 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, express or implied, by any Municipality to or of any breach or default by any other Municipality in the performance by such other Municipality of their obligations hereunder will be deemed or construed to be a consent to or waiver of any other breach or default in the performance of obligations hereunder by such Municipality. Failure on the part of any Municipality to complain of any act or failure to act of another Municipality or to declare such Municipality in default, irrespective of how long such failure continues, will not constitute a waiver by such Municipality of its rights hereunder.
- 9) **Counterparts.** This Framework may be executed in several counterparts, each of which when so executed will be deemed to be an original. Such counterparts will constitute the one and same instrument as of their Effective Date.
- 10) **Governing Law.** This Framework will be exclusively governed by and construed in accordance with the laws of the Province of Alberta.
- 11) **Time.** Time will be of the essence for this Framework.
- 12) **Binding Nature.** This Framework will be binding upon the Municipalities and their respective successors and permitted assigns.

H. CORRESPONDENCE

- 1) Written notice under this Framework shall be addressed as follows:
 - a. In the case of the Wheatland County, to:

Wheatland County
c/o Chief Administrative Officer
242006 Rge Rd 243, Hwy 1 RR 1
Strathmore, AB T1P 1J6

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.

WHEATLAND COUNTY

Per:

Amber Link, Reeve

Brian Henderson, C.A.O.

ROCKY VIEW COUNTY

Per:

Greg Boehlke, Reeve

Al Hoggan, C.A.O.

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 the mutually-agreed upon 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 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) If the dispute has not been resolved within 6 months after the notice is given under section B of this Schedule, the initiating party must, within 21 days, prepare and provide to the other parties 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) Subject to an order of the arbitrator or an agreement by the parties, the costs of an arbitrator under this Schedule must be shared equally by the parties.



PLANNING AND DEVELOPMENT SERVICES

TO: Council
DATE: March 10, 2020 **DIVISIONS:** 4 and 5
FILE: N/A
SUBJECT: Terms of Reference – Highway 1 East Corridor Area Structure Plan

POLICY DIRECTION:

On December 10, 2019, Council directed Administration to prepare a Terms of Reference for the proposed Highway 1 East Corridor Area Structure Plan, together with an associated budget adjustment.

EXECUTIVE SUMMARY:

The purpose of this report is to present Council with a Terms of Reference to guide the Highway 1 East Corridor Area Structure Plan development in accordance with the County Plan and the Interim Growth Plan, and subject to engagement with Wheatland County, the City of Chestermere, and the Town of Strathmore.

The proposed Area Structure Plan area comprises approximately 4,480 acres, and is located immediately west of Wheatland County, east of the city of Chestermere, immediately south of Highway 1 (see Appendix A for Plan Area).

The County reached out to landowners within the proposed ASP study area in August 2019. There was no interest received from recognized developers and landowners in terms of funding an ASP. Therefore, the project will be County-funded if Council wishes to proceed with the proposed Highway 1 East Corridor Area Structure Plan development.

COST ESTIMATE

Administration has prepared a high-level estimate for the Area Structure Plan development:

Item	Estimated Cost
Policy Document Preparation (incl. document writing, engagement, direct costs, engineering oversight)	Approximately \$350,000
Transportation Studies	Approximately \$50,000
Stormwater Management Studies	Approximately \$50,000
Servicing Studies (if applicable)	Approximately \$50,000
Environmental Review	Approximately \$30,000
TOTAL	Approximately \$530,000

Administration Resources

Johnson Kwan and Xin Deng, Planning and Development Services



BUDGET IMPLICATIONS

A budget adjustment of \$ 530,000 is required to fund the work on the Highway 1 East Corridor Area Structure Plan. The proposed costs are estimates, and firmer accounting would occur as part of the Area Structure Plan development.

ADMINISTRATION RECOMMENDATION:

Administration recommends adoption of the Terms of Reference for a County-funded Highway 1 East Corridor Area Structure Plan and associated budget adjustment in accordance with Option #1.

OPTIONS:

- Option #1: Motion #1: THAT the Terms of Reference for a County-funded Highway 1 East Corridor 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 1 East Corridor Area Structure Plan be approved.
- Option #2: THAT alternative direction be provided.

Respectfully submitted,

Concurrence,

"Theresa Cochran"

"Al Hoggan"

Executive Director
Community Development Services

Chief Administrative Officer

JKwan/llt

APPENDICES:

APPENDIX 'A': Terms of Reference

APPENDIX 'B': Budget Adjustment Form

Administration Resources

Johnson Kwan and Xin Deng, Planning and Development Services



HIGHWAY 1 EAST CORRIDOR AREA STRUCTURE PLAN

Terms of Reference

Direction

- 1 Council has directed that an Area Structure Plan be drafted for the lands identified in Appendix A to provide a framework to guide future growth in the Plan area. It is anticipated that the proposed ASP will be of similar form and function to that of Janet ASP, operating as a limited service commercial and industrial area.

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

- Interim Growth Plan/Regional Growth Plan
- Adopted intermunicipal development plans
- County Plan (Municipal Development Plan)

Contributing to ASP policy and direction will be:

- Community and stakeholder input;
- Intermunicipal input;
- Baseline technical studies;
- Funding strategy for upgrades to Highway 1;
- Fiscal impact to the County;
- Compatibility and integration with the surrounding area;
- Market demand; and
- Direction from higher order documents.

Study Area

- 2 The proposed Highway 1 East Corridor Area Structure Plan (ASP) includes 1,813 hectares (4,480 acres) of lands in south east region of the County. The study area is located west of Wheatland County, east of City of Chestermere, and immediately south of Highway 1.
- 3 The study area is composed of multiple unsubdivided quarter sections, agricultural parcels, country residential parcels, pocket of business development, and a Direct Control parcel intended for a recreation vehicle storage facility.

Project Objectives

- 4 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.



HIGHWAY 1 EAST CORRIDOR AREA STRUCTURE PLAN

- II. Community, Stakeholder, and Interjurisdictional Engagement:
 - a. To implement effective, inclusive and transparent community engagement;
 - b. To collaborate with the City of Chestermere and Wheatland County and other appropriate municipalities/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. Physical Environment:
 - (i) To identify key environmental and natural features within the Plan area and suggest methods to uphold their form and function; and
 - (ii) To identify physical constraints and obstructions to future development, such as wetlands, excessive slopes and riparian areas found within the study area;
 - c. Business Services:
 - (i) In addition to general industrial uses, explore the potential for commercial and institutional development within the plan area;
 - d. ASP Boundary and Phasing:
 - (i) 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;
 - (ii) 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;
 - (iii) To describe the existing development within the study area and adjacent lands, to discover where development opportunities and constraints may exist; and
 - (iv) To determine the fiscal impact of the proposed land uses;
 - e. Other:
 - (i) To establish a framework for monitoring the long-term effectiveness of the Plan;
 - (ii) Meet the intent and direction of the Interim Growth Plan, County Plan and other relevant policy frameworks.



HIGHWAY 1 EAST CORRIDOR AREA STRUCTURE PLAN

Timeline and Deliverables

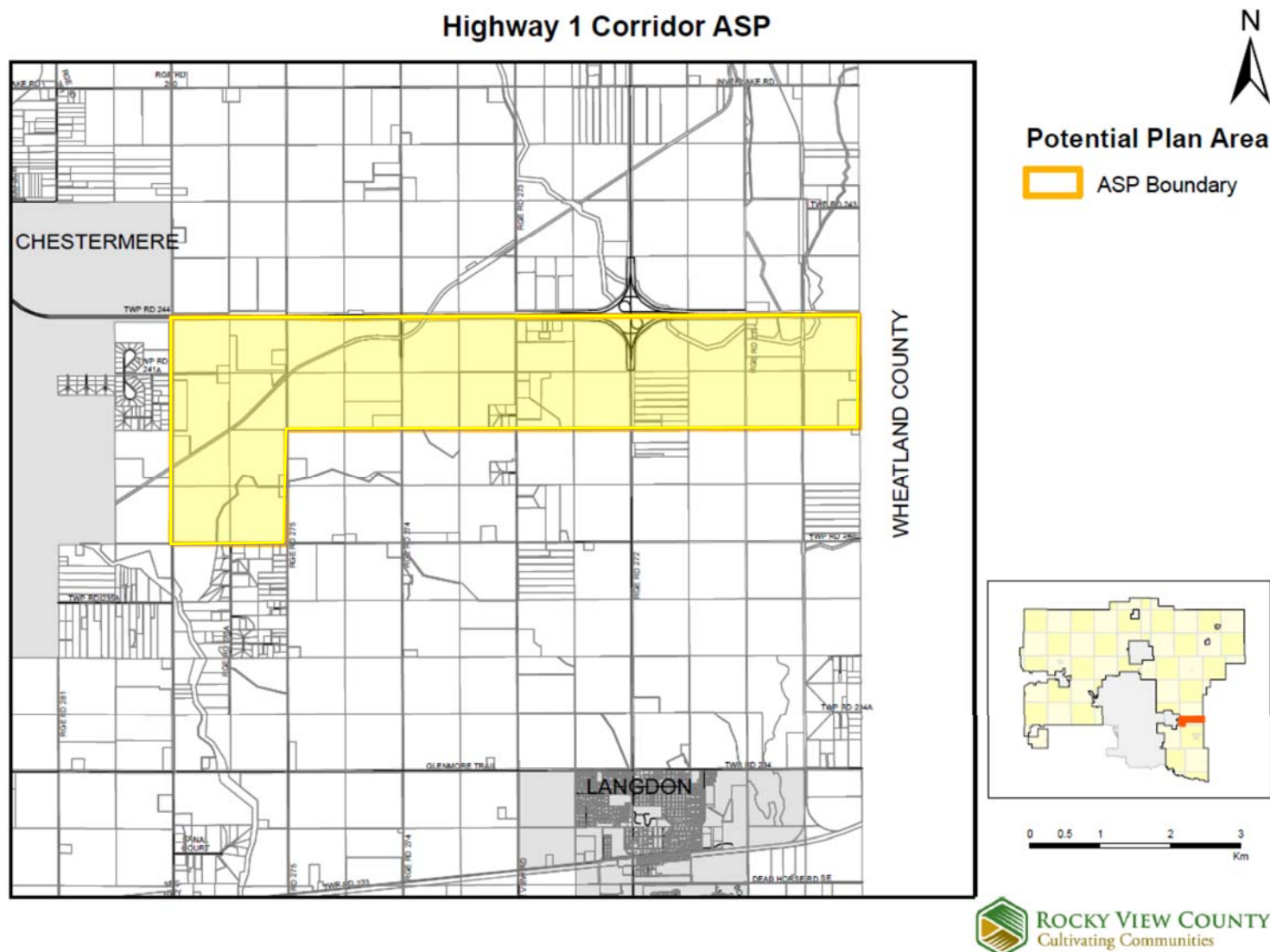
5 The ASP would be undertaken across three phases, with the following timelines and deliverables.

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 and 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 (stormwater, transport and environmental) 	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"> • Land Use Scenarios 	Q2, 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

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

Appendix A





RECREATION, PARKS AND COMMUNITY SUPPORT

TO:	Council	
DATE:	March 10, 2020	DIVISION: 6
FILE:	1075-600	APPLICATION: N/A
SUBJECT:	Rocky View Schools Request for Capital Funding	

POLICY DIRECTION:

As per the April 23, 1998, Reserves Agreement between Rocky View County, the Board of Trustees of Rocky View School Division No. 41 (Rocky View Schools), and the Board of Trustees of the Calgary Roman Catholic Separate School District No. 1, cash-in-lieu monies allocated to each School Authority are held and maintained in a reserve fund that is administered by the Municipality. Subject to Council being informed and upon written request by the School Authority, payment can be made from that School Authority's reserve.

EXECUTIVE SUMMARY:

On January 20, 2020, Rocky View County received a letter (dated January 15, 2020) from Rocky View Schools requesting a draw of \$15,000.00 to fund the W.G. Murdoch School Playground project in Crossfield. The total project cost is estimated at \$150,000.00. Of the 376 student that attend the school, 35 are Rocky View County residents.

The 1998 Reserves Agreement between Rocky View County, Rocky View Schools, and the Calgary Catholic School District specifies that school reserve funds can be used to pay for capital expenditures at Rocky View Schools not located within the County when County children attend a school. These expenditures are limited based on the ratio of County students to the total school population.

That said, the Reserves Agreement also stipulates that a request to purchase and install playground equipment on school land is limited to 50% of the funds approved, up to a maximum of \$15,000.00 per request.

ADMINISTRATION RECOMMENDATION:

Administration recommends approval in accordance with Option #1.

BACKGROUND:

BUDGET IMPLICATIONS:

As of January 27, 2020, Rocky View Schools holds \$1,764,001.68 in their Uncommitted Capital Reserve Account.

As these funds are held in the Rocky View Schools Public Reserve Account, there are no implications for the County's budget.

Administration Resources

Susan de Caen, Recreation, Parks and Community Support



OPTIONS:

- Option #1 THAT funding up to a maximum of \$15,000 from Rocky View Schools' Public Reserve, to fund the W.G. Murdoch School Playground project, be approved.
- Option #2 THAT alternative direction be provided.

Respectfully submitted,

Concurrence,

"Theresa Cochran"

"Al Hoggan"

Executive Director
Community Development Services

Chief Administrative Officer

SdC/rp

ATTACHMENTS:

Attachment 'A' – January 15, 2020 Letter from Rocky View Schools



2651 Chinook Winds Drive SW, Airdrie, Alberta T4B 0B4

403.945.4000 p 403.945.4001 f

www.rockyview.ab.ca

January 15, 2020

Mr. Kent Robinson
Executive Director, Corporate Services
Rocky View County
262075 Rocky View Point
Rocky View County, AB T4A 0X2

Re: Rocky View Schools' Request for Cash-in-Lieu Funds – WG Murdoch Playground

Dear Mr. Robinson:

The Rocky View School Division (RVS) supports the proposed playground, details below, at WG Murdoch's. RVS authorizes the use of \$15,000 from its cash-in-lieu account, held by Rocky View County, to help fund this very worthwhile project.

The project, WG Murdoch Playground, is intended to support students and community by providing outdoor recreational opportunities. The playground will benefit both the school and the surrounding community.

If any further information is required, or if you have any questions, please do not hesitate to contact me at (403) 945-4008.

Yours very truly,

Larry Paul
Associate Superintendent of
Business and Operations

LP/sd

CC Derek Keenan, Principal, WG Murdoch
Norma Lang, Trustee, Ward 4
Sheila Jenkins, Grounds Coordinator
Karyn Golem, Director of Finance



RECREATION, PARKS AND COMMUNITY SUPPORT

TO: Council
DATE: March 10, 2020 **DIVISION:** 4
FILE: N/A **APPLICATION:** N/A
SUBJECT: Langdon Quad Diamond Complex Budget Adjustment

POLICY DIRECTION:

In accordance with the *Municipal Government Act*, Council is the approving authority for the County's budget and for adjustments thereto.

EXECUTIVE SUMMARY:

The purpose of this report is to request a budget adjustment for the Langdon Quad Diamond Project to return \$93,600.00 to the General Regional Reserve and reassign funds currently available from the Langdon Recreation Grant program. This re-assignment is being requested as the funds from the Langdon Recreation Grant Program did not form part of the original project budget.

ADMINISTRATION RECOMMENDATION:

Administration recommends approval in accordance with Option #1.

BACKGROUND:

On July 23, 2019, Council approved the following motion:

THAT the North Bow Community Facility Board's funding request of \$2,251,265.25 towards the building of four baseball diamonds be approved through the General Regional Reserve.

At that time, the North Bow Community Facility Board (NBCFB) had stated that \$550,000.00 in funds were available to be towards the quad diamond project.

Funding Source	Amount Allocated	Council Approval Date	Use	Unspent Funds
Rocky View County Langdon Recreation Grant	\$122,000.00	27-Feb-18	Completion of detailed engineering drawings, project management costs, and development permit fees.	\$88,421.70
Rocky View County Community Recreation Funding Grant	\$3,257.68	24-Apr-18	non-consumable road naming ceremony and administrative costs	\$886.59
Rocky View County Community Recreation Funding Grant	\$300,000.00	27-Nov-18	Quad Diamond development at the Langdon Joint Use Site	\$300,000.00

Administration Resources

Gurbir S. Nijjar, Recreation, Parks and Community Support



Funding Source	Amount Allocated	Council Approval Date	Use	Unspent Funds
North Bow Community Facility Board Donations	\$42,430.82	14-Jan-20	Quad Diamond construction in Langdon	\$42,430.82
North Bow Community Facility Board 2018 Grant Reimbursement	\$13,031.40	14-Jan-20	Completion of detailed engineering drawings, project management costs, and development permit fees.	\$13,031.40
TOTAL	\$467,688.50			\$444,770.51

Based on the above reconciliation of funds, only \$444,770.51 of the original \$550,000.00 commitment is available for the project, creating a shortfall of \$105,229.49 yet to be accounted for. Given the favorable pricing received for the project during the construction tendering process, the project can proceed to construction with the funds available to date; however, some of the optional items included in the tender may not be able to be constructed. Administration will re-evaluate the remaining funds for the project once construction is underway to determine if there is capacity in the budget to construct these optional items.

The Langdon Recreation Grant Program funds have been collected to address recreation services expenditures in the hamlet of Langdon. As there is a surplus in the Langdon Recreation Grant Program, Administration recommends that the \$93,600.00 currently available through this program be refunded to the General Regional Reserve.

BUDGET IMPLICATIONS:

There are no budget implications.

OPTIONS:

Option #1 THAT the budget adjustment of \$93,600.00 be approved as per Appendix 'A' to reallocate monies originally allocated from the General Regional Reserve to support the construction of the Langdon Quad Diamonds.

Option #2 THAT alternative direction be provided.

Respectfully submitted,

Concurrence,

"Theresa Cochran"

"Al Hoggan"

Executive Director
Community Development Services

Chief Administrative Officer

SdC/rp



ROCKY VIEW COUNTY

APPENDICES:

APPENDIX 'A' – Langdon Quad Diamond Complex Budget Adjustment Form

Budget AJE No: _____

Posting Date: _____



FIRE SERVICES & EMERGENCY MANAGEMENT

TO: Council
DATE: March 10, 2020 **DIVISION:** All
FILE: N/A
SUBJECT: Forest Resource Improvement Association of Alberta (FRIAA) Grant Funding Endorsement

EXECUTIVE SUMMARY:

Rocky View County is eligible for grant funding from the Forest Resource Improvement Association of Alberta (FRIAA) in support of a vegetation debris disposal program (Chipper Days) in the Greater Bragg Creek area. A requirement of the grant approval is that the applicant provide proof of Council support.

ADMINISTRATION RECOMMENDATION:

Administration recommends approval in accordance with Option #1.

BACKGROUND:

The Greater Bragg Creek Wildfire Mitigation Strategic Plan was approved by Council in January 2012. The plan identified vegetation management as a high priority, and recommended that Rocky View County consider innovative methods to assist private landowners with vegetation management and debris disposal. With the assistance of prior FRIAA grant funding, along with the participation of County volunteer firefighters and our partners in Redwood Meadows, this would be the third year that the Greater Bragg Creek FireSmart Committee has run the vegetation management project.

BUDGET IMPLICATIONS:

Should the grant be awarded, FRIAA will reimburse the County for up to \$16,000 in costs. Because of this reimbursement approach, no budget adjustment will be necessary. The County will be required to commit \$9,200 in in-kind services in the form of staff hours for onsite supervision, home assessments, and administration. The County already budgets staff time for fire prevention and education activities, and the in-kind contribution would come from those existing resources.

CONCLUSION:

The proffered FRIAA grant funding will assist homeowners in the reduction of the fire risk in the Greater Bragg Creek area through vegetation management. Therefore, Administration recommends approval in accordance with Option #1.

OPTIONS:

- Option #1 THAT Council endorse the County's application to the FRIAA grant in support of the Bragg Creek Vegetation Management project.
- Option #2 THAT alternative direction be provided.

Administration Resources

Randy Smith, Fire Services and Emergency Management



ROCKY VIEW COUNTY

Respectfully submitted,

“Grant Kaiser”

Executive Director
Community & Business Connections

RS/

Concurrence,

“Al Hoggan”

Chief Administrative Officer



MUNICIPAL CLERK'S OFFICE

TO: Council
DATE: March 10, 2020 **DIVISION:** All
FILE: N/A
SUBJECT: Amendments to the *Procedure Bylaw* and *Boards and Committees Bylaw*

POLICY DIRECTION:

At the February 25, 2020 Council meeting, Administration was directed to prepare amendments to the *Procedure Bylaw* to provide for a public presentation process following the rescinding of the Governance and Priorities Committee terms of reference.

EXECUTIVE SUMMARY:

At its February 4, 2020 meeting, the Governance and Priorities Committee passed a resolution recommending that the Committee's terms of reference be rescinded. Council rescinded the terms of reference at its February 25, 2020 meeting and directed Administration to prepare amendments to the *Procedure Bylaw* to provide for a new public presentation process.

The Governance and Priorities Committee was previously the venue for community groups, stakeholders, and individuals to make presentations on subject matter affecting Rocky View County. Administration has prepared Bylaw C-8030-2020 to amend the *Procedure Bylaw* as well as the *Boards and Committees Bylaw* to allow for public presentations at Council meetings.

The proposed amendments would remove references to the Governance and Priorities Committee from the *Boards and Committee Bylaw*, and provide for a process similar to the previous Governance and Priorities Committee presentation process within the *Procedure Bylaw*, with the following differences:

- Presentation request deadline increased from three weeks to four weeks, and presentation materials deadline increased from two weeks to three weeks;
- Repurposing J-items from subdivisions to public presentations; and
- Clarified wording regarding when presentations can be refused, deferred, or cancelled.

ADMINISTRATION RECOMMENDATION:

Administration recommends approval in accordance with Option #1.

DISCUSSION:

Before its terms of reference were rescinded at the February 25, 2020 Council meeting, the Governance and Priorities Committee met on the first Tuesday of every month. Now that the Committee no longer exists, a possible additional meeting date has opened up.

Administration is requesting direction from Council on whether it would like to schedule additional Council meetings on the first Tuesday of every month, resulting in three Council meetings every month. A potential motion to this effect has been provided in Option #1.

If Council provides direction to proceed with an additional Council meeting each month, Administration will return to Council at a future meeting with a formal proposal for approval. Possible options could include one Council meeting designated specifically for public hearings,

Administration Resources

Tyler Andreasen, Municipal Clerk's Office



another designated specifically for general business, and the last designated specifically for bylaws and policies, or another combination.

BUDGET IMPLICATIONS:

N/A

OPTIONS:

- Option #1: Motion 1: THAT Bylaw C-8030-2020 be given first reading.
 Motion 2: THAT Bylaw C-8030-2020 be given second reading.
 Motion 3: THAT Bylaw C-8030-2020 be considered for third reading.
 Motion 4: THAT Bylaw C-8030-2020 be given third and final reading.
 Motion 5: THAT Administration be directed to prepare a proposal for an
 additional Council meeting each month to be held on the first
 Tuesday of every month.
- Option #2: THAT alternative direction be provided.

Respectfully submitted,

Concurrence,

"Kent Robinson"

"Al Hoggan"

Executive Director

Chief Administrative Officer

ATTACHMENTS:

- Attachment 'A' – Bylaw C-8030-2020
Attachment 'B' – *Procedure Bylaw C-7907-2019*



ROCKY VIEW COUNTY
Cultivating Communities

BYLAW C-8030-2020

A Bylaw of Rocky View County, in the Province of Alberta, to amend the *Procedure Bylaw* and the *Boards and Committees 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-8030-2020*.

Definitions

- 2 Words in this bylaw have the same meaning as those set out in the *Municipal Government Act* except as follows:
 - (1) **“Boards and Committees Bylaw”** means Rocky View County Bylaw C-7840-2018, being the *Boards and Committees Bylaw*, as amended or replaced from time to time;
 - (2) **“Procedure Bylaw”** means Rocky View County Bylaw C-7907-2019, being the *Procedure Bylaw*, as amended or replaced from time to time; and
 - (3) **“Municipal Government Act”** means the *Municipal Government Act*, RSA 2000, c M-26, as amended or replaced from time to time.

Amendments to the *Procedure Bylaw*

- 3 Section 49 of the *Procedure Bylaw* is amended as follows:

~~“J Subdivision Applications”~~ **Public Presentations”**
- 4 Add a new section header to the *Procedure Bylaw* after section 79 with the following wording:

“Public Requests to Present to Council”
- 5 Add a new section 79.1 to the *Procedure Bylaw* with the following wording:

“Community groups, stakeholders, and individuals may request to make a presentation at a Council Meeting.”
- 6 Add a new section 79.2 to the *Procedure Bylaw* with the following wording:

“Presentation requests must be submitted to the Chief Administrative Officer no later than four weeks prior to the Council Meeting at which the presenters wish to present.”

- 7 Add a new section 79.3 to the *Procedure Bylaw* with the following wording:

“All presentation requests must be approved by the Reeve in order for the presentation to proceed to the requested Council Meeting date. The Reeve, at their discretion, may refuse or defer a presentation request in the following circumstances:

- (1) the subject matter of the presentation is related to an active application from the presenters or the presenters intend to submit an application within six months of the presentation date;
- (2) the subject matter of the presentation is outside of the authority or jurisdiction of Rocky View County;
- (3) the subject matter of the presentation is more appropriate for a different committee, board, commission, or other body;
- (4) the presentation is better suited for a different Council Meeting due to the size or scope of the Agenda; or
- (5) otherwise at the discretion of the Reeve with reasons provided to the presenters.”

- 8 Add a new section 79.4 to the *Procedure Bylaw* with the following wording:

“After a presentation request has been approved by the Reeve, the presentation materials must be submitted to the Chief Administrative Officer by the presenters no later than three weeks prior to the Meeting.”

- 9 Add a new section 79.5 to the *Procedure Bylaw* with the following wording:

“Council may by resolution cancel or defer an approved presentation after the Meeting Agenda has been published if:

- (1) the presenters introduce new material or amended presentation materials that change the scope of the original presentation request; or
- (2) otherwise at the discretion of Council.”

- 10 Add a new section 79.6 to the *Procedure Bylaw* with the following wording:

“Presentations are limited to 20 minutes in duration, unless Council passes a resolution to extend the presentation time limit, and may be followed by questions from Council to the presenters or Administration.”

- 11 Add a new section 79.7 to the *Procedure Bylaw* with the following wording:

“All presentations, discussion, and questions are directed through the Chair and presenters are not permitted to ask questions of Council or Administration.”

Amendments to the *Boards and Committees Bylaw*

- 12 The *Boards and Committees Bylaw* is amended by deleting subsection 8(1) and subsection 31(1) in their entirety.

Transitional

- 13 Bylaw C-8030-2020 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



ROCKY VIEW COUNTY
Cultivating Communities

BYLAW C-7907-2019

OFFICE CONSOLIDATION

A Bylaw of Rocky View County to provide for the orderly proceedings of meetings held by Council, boards and committees, and other bodies established by Council.

WHEREAS Rocky View County Council may, by bylaw, pass bylaws establishing procedures to be followed by Council, boards and committees, and other bodies established by Council.

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

Title and Definitions

- 1 This Bylaw may be cited as the *Procedure Bylaw*.
- 2 Words in this Bylaw have the same meaning as set out in the *Municipal Government Act* except for the definitions provided in Schedule 'A' of this Bylaw.

Purpose, Application, and Interpretation

- 3 The purpose of this Bylaw is to provide for the orderly proceedings of Council and Committee Meetings.
- 4 This Bylaw applies to all Meetings and Members of Council and Committees.
- 4.1 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.¹
- 5 Meeting procedure is a matter of interpretation by the Chair, subject to the rights and privileges of Members.
- 6 Notwithstanding the provisions of this Bylaw, if a Committee establishes procedures that differ from the procedures in this Bylaw, the procedures of the Committee take precedence.
- 7 If a matter of procedure arises that is not contemplated in this Bylaw, the matter is decided by reference to the most current edition of Robert's Rules of Order. If there is a conflict between this Bylaw and Robert's Rules of Order, this Bylaw takes precedence.

¹ Bylaw C-8006-2020

Reeve, Deputy Reeve, and Acting Chair

- 8 When sitting as the Chair, the Reeve:
- (1) presides over all Council Meetings when in attendance unless otherwise provided for in this Bylaw;
 - (2) presides over the conduct at Council Meetings, including preserving good order and decorum, ruling on Points of Order, responding to Points of Procedure, and deciding on all procedural questions, subject to an appeal of a ruling made by the Chair;
 - (3) manages and facilitates the orderly queuing of speakers, including Councillors, Administration, and members of the public;
 - (4) ensures that each Councillor who wishes to speak on a debatable motion is provided the opportunity to do so;
 - (5) when wishing to participate in the debate on a question or motion properly before the meeting, the Reeve has all the same rights and is subject to the same restrictions, as to participate in debate, as all other Councillors, except when the matter is specifically within the Reeve's division. Should the Reeve wish to join in debate or make a motion on an item that deals specifically with the Reeve's division, the Reeve shall:
 - (a) request that the Deputy Reeve or another Councillor assume the position of Chair for the duration of that matter; and
 - (b) reassume the position of Chair when consideration of the matter is complete;
 - (6) opens Council Meetings and may call for recesses or for the meeting to stand at ease without requiring a motion.
- 9 The Deputy Reeve:
- (1) presides as the Chair over Council Meetings when the Reeve is absent or unable to perform the duties of the Chair and has all the same powers and responsibilities under this Bylaw; and
 - (2) presides over all Council Meetings when the Reeve participates in the Meeting by electronic means.
- 10 An Acting Chair presides over Council Meetings when both the Reeve and Deputy Reeve are unable to perform the duties of the Chair and the Acting Chair has all the same powers and responsibilities under this Bylaw.
- (1) An Acting Chair is chosen by a resolution passed by the Councillors present at the Meeting.

Challenge to a Ruling of the Chair

- 11 Any Member may challenge a ruling or decision of the Chair on a Point of Order or a Point of Privilege. If a ruling or decision is challenged, the Chair must briefly state the reason for

their decision and then put to the Members the question of whether to uphold or overturn the ruling or decision.

- 12 The Members decide on the question by voting on whether to uphold or overturn the ruling or decision of the Chair without debate. The decision of the Members is final.
- 13 Challenges to a ruling of the Chair are not recorded in the Meeting Minutes.

Meetings

Organizational Meetings

- 14 Council holds an annual Organizational Meeting pursuant to the *Municipal Government Act* for the purpose of electing the Reeve and Deputy Reeve, establishing Council and Committee Meeting dates, appointing Members to Committees, and any other business included on or added to the Organizational Meeting Agenda.
- 15 At Organizational Meetings, Council:
 - (1) Elects the Reeve and Deputy Reeve for the ensuing year;
 - (2) Establishes the dates and times for regular Council and Committee Meetings as required;
 - (3) Makes Committee appointments as required, including appointments for member at large positions and Chair and Vice Chair positions;
 - (a) When a Councillor is appointed to a Council Committee, Council must appoint the Chair and Vice Chair from its members;
 - (4) Conducts any other business included on or added to the Organizational Meeting Agenda.
- 16 During Organizational Meetings:
 - (1) The Chief Administrative Officer calls the Meeting to order, presides over the election of the Reeve, and administers Oaths of Office; and
 - (2) Once elected, the Reeve presides over the election of the Deputy Reeve and all subsequent business on the Organizational Meeting Agenda.
- 17 During the election of the Reeve and Deputy Reeve, the following procedures apply:
 - (1) If only one nomination is received for the position of Reeve or Deputy Reeve, the nominee is declared elected by acclamation; or
 - (2) If more than one nomination is received for the position of Reeve or Deputy Reeve, an election is conducted by secret ballot using the following exhaustive ballot procedure:

- (a) If no Councillor receives a Clear Majority of votes on the first ballot, the Councillor who received the least number of votes is dropped from the ballot and a subsequent ballot is conducted;
 - (b) On any subsequent ballots, the Councillor who receives the least number of votes is dropped from the ballot until a Councillor receives a Clear Majority of votes.
- 18 Committee appointments may be made by resolution or, if a vote is required, by an election using secret ballot and the exhaustive ballot procedure established in section 17 of this Bylaw.
- 19 All ballots for elections conducted at the Organizational Meeting are destroyed after the Meeting is adjourned.

Regular Council Meetings

- 20 At the annual Organizational Meeting, Council establishes the dates and times of regular Council Meetings for the ensuing year.
- (1) Council may from time to time establish other Council Meeting dates and times by resolution.
- 21 Councillors sit in order of their electoral division, other than the Reeve and Deputy Reeve, with any seating changes subject to approval from the Reeve.

Special Council Meetings

- 22 Special Council Meetings may be called in accordance with the *Municipal Government Act*.

Closed Sessions

- 23 Council or a Committee may hold all or part of a Meeting in a Closed Session in accordance with the *Municipal Government Act* and the *Freedom of Information and Protection of Privacy Act*.
- 24 Resolutions cannot be passed by Council or a Committee during a Closed Session except for a resolution to revert back to an open Meeting.
- 25 Information presented and any discussion occurring during a Closed Session must be held in confidence by those in attendance during the Closed Session.
- 25.1 Members must not bring electronic devices into Closed Sessions, and Members must not record, take notes, or otherwise document Closed Session proceedings.²
- 26 Closed Sessions are chaired by the Reeve in the case of Council and by the Chair in the case of a Committee.

² Bylaw C-8006-2020

- 27 Closed Sessions shall include all members as long as the member has not abstained from the matter under discussion or is not required to abstain from participating in the matter under discussion.
- 28 Council or a Committee, as it considers appropriate, may allow other persons to attend Closed Sessions. When other persons attend Closed Sessions, the meeting minutes shall record the names of those persons and the reason for their attendance.
- 29 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 reasonable notice must be given for those members of the public to return to the meeting before it continues.³

Meetings through Electronic Means

- 30 Council or Committee Meetings may be conducted through electronic means, or a Member may participate in a Meeting through electronic means, in accordance with the *Municipal Government Act*.
- 31 Closed Sessions cannot be conducted through electronic means, and Members participating in a Meeting through electronic means cannot participate in any Closed Sessions held at that Meeting but are required to vote on a matter put to a vote at the meeting unless the Member is required or permitted to abstain from voting under this or any other enactment.
- 32 A Member may participate in a Council or Committee Meeting through electronic means if:
- (1) the Member is in a location outside of Rocky View County for any reason;
 - (2) the Member is in a location within Rocky View County but is unable to attend the Meeting for medical reasons for themselves or an immediate family member;
 - (3) Quorum is met by the Members physically in attendance at the Meeting to ensure that the Meeting can continue if electronic communications fails or a Closed Session is held;
 - (4) the Meeting location is able to support the use of electronic communications and that all Members participating in the Meeting are able to communicate effectively; and
 - (5) the Meeting location is secure and appropriate for interaction between Members and viewing by the public and free from outside distractions.
- 33 To participate in a Council or Committee Meeting through electronic means, a Member must advise the Chief Administrative Officer at least 48 hours prior to the start of the Meeting in order to make arrangements for the use of electronic means.
- (a) The Chief Administrative Officer may waive the 48 hour notice at his/her discretion.

³ Bylaw C-8006-2020

- 34 Members participating in a Meeting through electronic means are deemed to be present at the Meeting but do not count towards Quorum.
- 35 The Chair must be physically present at the Meeting and cannot Chair the Meeting through electronic means.
- 36 Only as many Members as are supported by the system's capacity, up to a maximum of three, may participate in a Meeting through electronic means at the same time.
- (1) If more than three Members request to participate in a Meeting through electronic means, only the three Members who submitted their requests to the Chief Administrative Officer first will be permitted.
- 37 The Chair must announce at the Meeting that a Member is participating through electronic means.
- 38 The Chair has the sole authority to end the use of electronic means at any time if, in their opinion, the use of electronic means is disruptive to the Meeting, is not secure, or is not appropriate.

Notice of Council and Committee Meetings

- 39 Notice of regular Council and Committee Meetings is provided to the public by:
- (1) notice in a local newspaper;
- (2) posting on the County's website; and
- (3) posting on the notice board at the County Hall.
- 40 Council may by resolution change the date, time, frequency, or location of any Meeting. The Chief Administrative Officer is responsible for notifying the public of changes to the date, time, or location of any Council or Committee Meeting or the calling of a Special Meeting. Notice will be provided to the public by:
- (1) notice in a local newspaper if time permits;
- (2) posting on the County's website if time permits; and
- (3) posting on the notice board at the County Hall.

Cancellation of Council and Committee Meetings

- 41 Council or Committee Meetings may be cancelled:
- (1) by resolution passed by the Members present at a Meeting held prior to the Meeting to be cancelled; or
- (2) with the written consent of a Majority of Members and with not less than 24 hours' notice of the cancellation provided to the public and Members.

AgendasAgenda Preparation and Distribution

- 42 The Agenda for each Council Meeting is developed by the Chief Administrative Officer in consultation with Administration, the Reeve, and the Deputy Reeve.
- (1) The Agenda for each Council Meeting is approved by the Reeve prior to distribution, and the Reeve may direct that items be rescheduled to maximize efficiency and effectiveness of each Council Meeting regarding quantity and complexity of agenda items:
- (a) Should items be rescheduled, the Reeve will inform Council of the item and the reason for rescheduling; and
- (b) In the absence of the Reeve, the Deputy Reeve will perform approval and rescheduling of agenda items.
- 43 The Agenda for each Committee Meeting is developed by the Chief Administrative Officer in consultation with Administration, the Chair, and the Vice-Chair.
- (1) The Agenda for each Committee Meeting is approved by the Chair prior to distribution, and the Chair may direct that items be rescheduled to maximize effectiveness of each Committee Meeting:
- (a) Should items be rescheduled, the Chair will inform the Committee of the item and the reason for rescheduling; and
- (b) In the absence of the Chair, the Vice Chair will perform approval and rescheduling of agenda items.
- 44 The Chief Administrative Officer distributes Council Agendas to Council no later than seven days prior to each Council Meeting.
- 45 The Chief Administrative Officer posts Council Agendas on the County's public website no later than six days prior to each Council Meeting.

Agenda Additions or Deletions

- 46 Council may add or delete items after an Agenda is published by a resolution passed at the Meeting.
- 46.1 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.⁴

Emergent Business

- 47 An Emergent Business item is an Agenda item not included on the Agenda but due to time constraints must be brought before Council at a Meeting. Emergent Business items:

⁴ Bylaw C-8006-2020

- (1) are considered additions to the Agenda; and
 - (2) the Chief Administrative Officer provides Council with the reasons why an Emergent Business item is urgent and the degree of urgency.
- 48 Councillors or Administration may propose to add an Emergent Business item to an Agenda without prior notice subject to the following conditions:
- (1) the matter relates to an emergency;
 - (2) the matter was not previously discussed at the same Meeting;
 - (3) the matter does not require prior written notice;
 - (4) the matter does not raise a Point of Privilege; and
 - (5) the Emergent Business item is added to the Agenda by Council by Resolution.

Standing Agenda Items and Order of Business

- 49 Each Council Meeting Agenda has the following standing items:

Call to Order

Updates/Approval of Agenda

- A Approval of Minutes
 - B Financial Reports
 - C Appointments/Public Hearings
 - D General Business
 - E Bylaws
 - F Unfinished Business/Business Arising
 - G Councillor Reports
 - H Management Reports
 - I Notices of Motion
 - J Subdivision Applications
 - K Closed Session
- Adjournment

- 50 Immediately after calling a Meeting to order, the Chair calls for a motion to approve the Agenda subject to any additions or deletions.

- 51 Immediately after approval of the Agenda, the Chair calls for a motion to approve the Minutes of the previous Meeting subject to any corrections.
- 52 Unfinished Business items are considered immediately following the approval of the Agenda and Minutes and prior to the consideration of any other business on the Agenda.
- 53 The order of business at a Meeting is determined by the Chair subject to:
- (1) sections 50, 51, and 52 of this Bylaw; or
 - (2) a challenge by a Councillor.

Notices of Motion

- 54 A Councillor who wishes to introduce a new matter for consideration at a Council Meeting must submit a Notice of Motion in writing or electronically to the Municipal Clerk or their designate by 12:00 PM not less than 10 days prior to the Meeting that the Councillor wishes to introduce their Notice of Motion.
- (1) The requirement for 10 days' notice established in section 53 of this Bylaw may be waived by a resolution of Council. The Notice of Motion would then be considered Emergent Business at the Meeting.
- 55 The Notice of Motion must provide the following:
- (1) The proposed motion to be considered by Council;
 - (2) The name the Councillor who seconds the notice of motion;
 - (3) The date of the Meeting at which the Councillor will read the Notice of Motion into the record; and
 - (4) The date of the Meeting at which the proposed motion will be considered by Council after the Notice of Motion has been read into the record.
- 56 When a Notice of Motion is read into the record, and only when a resolution has been passed by Council directing Administration to prepare a report in response to the Notice of Motion, Administration shall:
- (a) Provide a report in response to the Notice of Motion at the Meeting date that the proposed motion is proposed to be considered, as per the specifics in the Notice of Motion.
- 57 When providing the date of the Meeting, pursuant to section 55(4) of this Bylaw, the Councillor should consider the agenda preparation and distribution deadlines for that Meeting to allow Administration time to prepare its report.
- 58 The proposed motion provided in the Notice of Motion will not be considered or debated until a Councillor moves the motion provided in the Notice of Motion.

Commencement of Council and Committee Meetings

- 59 As soon as there is Quorum present and after the start time of a Meeting:
- (1) the Chair calls the Meeting to order; or
 - (2) if the Reeve and Deputy Reeve in the case of Council, or the Chair and Vice Chair in the case of a Committee, are not present within 30 minutes after the start time of the Meeting and Quorum is present, the Chief Administrative Officer calls the Meeting to order and the Members present by resolution choose an Acting Chair for the Meeting.
- 60 The Reeve or Deputy Reeve in the case of Council or Chair or Vice Chair in the case of Committee may assume the Chair upon their arrival to the Meeting.

Quorum

- 61 If Quorum is not present within 30 minutes after the start time of the Meeting, the Chief Administrative Officer records the names of the Members present and the Meeting is adjourned until the next Meeting.
- 62 If Quorum is lost at any time during a Meeting, the Meeting is recessed and if Quorum is not achieved within 15 minutes the Meeting is adjourned until the next Meeting.

Meeting Proceedings

- 63 All discussion, questions, and debate at a Meeting must be directed through the Chair.
- 64 No Member may speak unless and until they are recognized by the Chair.
- 65 The Chair rules on Points of Order and Points of Privilege. A ruling by the Chair may be challenged by a Member, in which case a vote is taken by the Members to either uphold or overturn the ruling of the Chair.
- 66 Points of Order, Points of Privilege, rulings made by the Chair, and challenges to a ruling made by the Chair are not recorded in the Meeting Minutes.
- 67 Unless otherwise permitted by the Chair, Members may speak only twice on any Motion, once in debate and once to ask questions. The Chair may allow a Member to speak more than twice on a matter in the following circumstances:
- (1) to clarify or further explain previous remarks by a Member if misunderstood;
 - (2) in the case of the mover of a Motion, to respond to questions about the Motion directed through the Chair; and
 - (3) to allow the mover to close debate on a Motion after the Chair has allowed for discussion on the Motion and all other Members were provided an opportunity to speak to the Motion.
- 68 Members may speak on a matter for a maximum of ten minutes unless otherwise permitted by the Chair.

- 69 If a Member arrives late to a Meeting, leaves before it is adjourned, or is temporary absent from the Meeting, the Meeting Minutes reflect the absence and its duration.
- 70 If a Member is unable to attend a Meeting, that Member must advise the Chair of their absence and the reasons for their absence, if possible.

Public Conduct at Meetings

- 71 When in attendance at a Council or Committee meeting, members of the public must maintain order, decorum, and quiet and must not:
- (1) approach or attempt to address Council or the Committee without prior permission being granted; or
 - (2) disturb or interrupt the proceedings of Council or the Committee.
- 72 The Chair may order that a member or members of the public be expelled from the Meeting for disturbing or interrupting the proceedings of Council or the Committee or for otherwise acting improperly during the Meeting.

Member Conduct at Meetings

- 73 When in attendance at Meetings, Members must:
- (1) speak respectfully and using parliamentary language;
 - (2) be acknowledged by the Chair prior to speaking;
 - (3) respect the rules and proceedings of Council or the Committee;
 - (4) refrain from side conversations when another Member or a member of the public is speaking;
 - (5) respect the decision of the Chair on any ruling, order, question, practice, or interpretation; and
 - (6) abide by the applicable *Code of Conduct Bylaw*.
- 74 A Member who persists in a breach of subsection 73 of this Bylaw, the Chair may request that the Deputy Reeve or Committee Vice Chair move a motion to remove the unruly Member from either the balance of the Meeting or until a time provided in the motion. If the motion passes, the Chair shall direct the Member to leave the Meeting.
- 75 If the Chair fails to follow the provisions of this Bylaw, or of Robert's Rules of Order when necessary, a Member may request that the Deputy Reeve or Committee Vice Chair move a motion to remove the unruly Chair from either the balance of the Meeting or until a time provided in the motion. If the motion passes, the Chair must leave the Meeting.
- 76 If a Member has been directed to leave the Meeting and that Member wishes to provide a satisfactory explanation and apology for their behavior, the Members may by resolution allow the offending Member to remain or return to the Meeting.

Public Requests to Address Council or a Committee

- 77 Members of the public wishing to address Council or a Committee on an Agenda item that is not a Public Hearing must notify the Chief Administrative Officer of the request to speak, either in writing or verbally, and state the reasons for the request.
- 78 The Chief Administrative Officer advises Council or the Committee of the request to speak and the reasons provided by the requestor.
- 79 Council or the Committee may by resolution permit a member of the public to speak on an Agenda item. Members of the public who are permitted to address Council or the Committee have a maximum speaking time limit of 20 minutes, which may be extended by resolution.

Pecuniary Interests

- 80 When a Member reasonably believes that they have a Pecuniary Interest in a matter before Council or a Committee, the Member must declare their Pecuniary Interest and abstain from participating in the matter in accordance with the *Municipal Government Act*.
- 81 The Member's declaration and abstention due to a Pecuniary Interest are recorded in the Meeting Minutes.
- 82 A Member who has declared a Pecuniary Interest and abstained from a matter is not considered part of Quorum while that matter is being considered.

Meeting Minutes

- 83 The Chief Administrative Officer prepares a written record of the proceedings and decisions of all Meetings that includes, but is not limited to, the following:
 - (1) the names of the Members present and absent from the Meeting;
 - (2) the names and times of Members who arrive or leave throughout the course of the Meeting;
 - (3) the names of members of the public who speak in favour and in opposition at a Public Hearing or are permitted to speak to a matter that is not a Public Hearing;
 - (4) a brief description of each matter;
 - (5) all decisions and other proceedings on each matter;
 - (6) all motions, which Member moved each motion, whether each motion was carried or defeated, and any Members who were absent or abstained from the vote on the motion;
 - (7) if a vote is a recorded vote, the names of which Members voted in favour and in opposition to the motion if the result of the vote is not unanimous;
 - (8) any abstentions made by Members and the reasons provided by a Member for an abstention; and

- (9) the signatures of the Reeve and the Chief Administrative Officer in the case of Council or the signatures of the Chair and the Chief Administrative Officer in the case of a Committee.

Recording and Livestreaming Meetings

- 84 Council Meetings are recorded and livestreamed to the public with the exception of Closed Sessions.
- 85 Committee Meetings may be recorded and livestreamed to the public with the exception of Closed Sessions.
- 86 At the start of a Meeting, the Chair notifies those present that the Meeting is being livestreamed and a recording will be made available on the County's public website after the Meeting is adjourned.
- 87 The Chair may, at any time and at their discretion, direct the termination or interruption of a livestream.
- 88 If there are technical difficulties while livestreaming, the Chair advises those present at the Meeting that the livestream is not available. Notice of the technical difficulties will be provided on the County's public website.
- 89 If there are technical difficulties while livestreaming, an audio or video recording will be used to record the Meeting.
- 90 Meeting recordings will be retained and provided in accordance with Rocky View County's records management bylaws, policies, and procedures.
- 91 Meeting recordings will only be transcribed by Rocky View County if required by the Chief Administrative Officer in connection with any litigation, audit, or investigation or if required under the *Freedom of Information and Protection of Privacy Act*.
- 92 The use of audio or video recording devices by the public or the media during a Meeting is prohibited.

Voting

Voting Procedures

- 93 Votes are taken as follows:
- (1) The Chair calls the question on the Motion;
 - (2) The Chair calls for those in favour of the Motion and asks for a show of hands if the electronic voting system is unavailable; and
 - (3) The Chair calls for those opposed to the Motion and asks for a show of hands if the electronic voting system is unavailable.
- 94 After the Chair calls for a vote on a motion, no Member may speak to the motion or move another motion until the results of the vote have been declared.

- 95 Members must cease any distractions and remain in their seats after the voting process begins and until the vote is taken and the results declared.
- 96 Members vote verbally, by raising their hand, through an electronic voting system, or by another method agreed upon by the Members.
- 97 Every Member present at a Meeting must vote on every matter put to a vote unless a Member is absent from the Meeting or permitted to abstain from voting on the matter;
- (1) If a motion cannot be voted on because Quorum would be lost due to abstentions, the matter will be forwarded to the next Meeting as Unfinished Business.
- 98 A motion is carried when a simple majority of Members present vote in favour of the motion or, when otherwise required by this Bylaw, the required number of Members vote in favour of the motion.
- 99 A motion is defeated when it does not receive the required number of votes in favour or if the vote results in a tie.
- 100 Members are only permitted to change their vote on a motion if the request is made by the Member at the same Meeting that the vote was held and if all Members present unanimously agree to the change.
- 101 Unless a vote is a recorded vote, the Meeting Minutes show the name of the Member who moved the motion and whether it was carried or defeated.

Recorded Votes

- 102 Before a vote on a motion is taken, a Member may request that the results of the vote be recorded.
- 103 When a vote is a recorded vote, the Meeting Minutes show the names of the Member who moved the motion, who voted in favour and in opposition to the motion, who abstained or were absent from the vote, and whether the motion was carried or defeated.

Motions

General Motion Provisions

- 104 Unless otherwise determined by the Chair, no matter may be debated or voted on by Council or a Committee unless it is in the form of a motion that has been verbally moved by a Member.
- 105 A Member may move a motion regardless of whether the Member intends to support the motion and without requiring the motion to be seconded by another Member.
- 106 Motions may be displayed to Council or a Committee prior to the vote on the motion, and the Chair may request that a motion be submitted by a Member in writing or electronically.
- 107 The Chair must not call for a vote on a motion until the Members and the Municipal Clerk are clear on how the motion reads.

108 Motions that bring a matter before Council or a Committee are known as main motions. When a main motion has been moved and is being considered, a Member cannot make another motion except to:

- (1) move a subsidiary motion which is applied to another motion for the purpose of modifying it, delaying acting on it, handing its consideration, or disposing of it;
- (2) move a privileged motion which relates to the rights or privileges of the organization or individual members rather than to particular items of business. They are of such urgency that they are entitled to immediate consideration; or
- (3) move an incidental motion which are made in response to a variety of situations that may arise during the consideration of a pending question. They must be resolved before business can continue. They have no rank.

Withdrawing Motions

109 After a motion has been verbally moved by a Member, the motion becomes the property of Council or the Committee as a whole and may only be withdrawn by the mover with the unanimous consent of the Members present.

110 Withdrawn motions are not recorded in the Meeting Minutes.

Severing Motions

111 If a motion includes two or more recommendations, the Chair or a Member may request, prior to the vote on the motion, that the motion be severed and debated and voted on individually.

112 The mover of the original motion is considered the mover of any severed motions.

Friendly Amendments to Motions

113 After a motion has been verbally moved by a Member, the motion becomes the property of Council or the Committee as a whole. A Member may make minor changes to the wording of the motion, or accept any minor changes proposed by another Member, if the changes do not alter the intent of the Motion and the Members present must unanimously consent to the changes.

114 Friendly amendments may be proposed by a Member or requested by a Member while speaking on or debating a motion.

115 If a friendly amendment is not accepted by the mover of the motion or does not receive the unanimous consent of the Members present, then a Member may move a motion to amend the motion.

116 Friendly amendments are not recorded in the Meeting Minutes, and the mover of the original motion is still considered the mover after any friendly amendments are made to the motion.

Amending Motions

- 117 A Member may move to amend a motion after it has been moved and prior to the vote on the motion, except for the following types of motions which cannot be amended:
- (1) motion to refer;
 - (2) motion to table, except as to the time provided in the main motion;
 - (3) motion to adjourn;
 - (4) motion for the first or third reading of a bylaw; or
 - (5) motion to permit the consideration of third reading of a bylaw.
- 118 A Member cannot move an amendment to a motion that does relate to the subject matter of the motion or is contrary to the motion.
- 119 A Member may move an amendment to an amendment provided that the amendment to the amendment is relevant to the subject matter of the amendment and not contrary to the amendment.
- 120 Only one amendment to a motion and only one amendment to an amendment are permitted at the same time.
- 121 The amendment to the amendment must be considered before the amendment to the motion is considered, and all amendments are considered in reverse order in which they were moved, resulting in the main motion only being considered after all pending amendments have been considered.
- 122 A Member who moved a motion may only amend that motion through a friendly amendment and cannot move an amendment to the motion.

Motions Out of Order

- 123 The Chair may rule that a motion or an amendment to a motion is out of order, subject to a challenge of the ruling by a Member.
- 124 When ruling that a motion is out of order, the Chair must cite the applicable rule or authority without further comment.
- 125 Motions that are ruled by the Chair to be out of order are not considered or voted on by Council or the Committee.
- 126 When ruling whether a motion is out of order, the Chair may consider, but is not limited to considering, the following:
- (1) the Chair may deem a motion to be out of order if it is a motion to refer that has the same effect as defeating the motion (for example, due to time constraints);
 - (2) the Chair may deem a motion to be out of order if a similar motion was considered and voted on within the previous six months and without first reconsidering the original motion;

- (3) the Chair may deem a motion to be out of order if it conflicts with established procedures or is contrary to the privileges of Members; and
- (4) a motion containing several different or distinct recommendations is not out of order for that reason alone.

Debating Motions and Closing Debate

- 127 After a motion has been moved by a Member, each Member is provided an opportunity to speak on the motion before it is voted on unless a motion is passed to end or limit debate on the motion.
- 128 Unless a resolution is passed to extend the time limit of debate, no Member may speak on a motion, including asking questions and debate but excluding any responses to those questions or debate, for longer than:
 - (1) five minutes on a main motion;
 - (2) three minutes on an amendment to a motion; or
 - (3) three minutes for closing debate on a motion or an amended to a motion.
- 129 Members cannot interrupt while another Member is speaking except when a Member:
 - (1) has exceeded their time limit to speak;
 - (2) raises a Point of Privilege;
 - (3) raises a Point of Order; or
 - (4) challenges a ruling of the Chair.
- 130 While a motion is being debated and considered, no other motion may be made except for the following:
 - (1) Amend the motion;
 - (2) Amend the amendment to the motion;
 - (3) Refer the main motion;
 - (4) Table the main motion;
 - (5) Call the question;
 - (6) Move a motion which has privilege, that is:
 - (a) A motion to recess;
 - (b) A motion to adjourn;
 - (c) A motion to set time for adjournment;

- (d) A point of privilege;
 - (7) Motion to limit or extend debate.
- 131 Before debate is closed and the vote on a motion is called, and without interrupting a speaker, a Member may request that the motion be read aloud, displayed at any time during debate, or ask clarifying questions that:
- (1) relate directly to the debate on the motion;
 - (2) contain no argument; and
 - (3) introduce no new material.
- 132 The Member who moved a motion may close debate on the motion after all other Members have been provided an opportunity to speak on the motion.
- 133 After the Member has closed debate on the motion, the Chair immediately calls for a vote on the motion. After the vote on the motion has been called, no Member may debate or speak on the motion further except to request that the motion be read aloud or displayed.

Specific Motion Provisions

Privileged Motions

- 134 The following motions are considered privileged motions:
- (1) a motion to recess;
 - (2) a motion to adjourn;
 - (3) a motion to set a time for adjournment; and
 - (4) a point of privilege.

Motion to Recess

- 135 The Chair may recess the meeting for a specific period of time and call the meeting back to order without requiring a motion.
- 136 A Member may move that the meeting be recessed for a specific period of time. After the meeting is called back to order, business is resumed at the point where it was interrupted.

Motion to Adjourn

- 137 A Member may move to adjourn the meeting at any time, except when:
- (1) a Member has the floor or is speaking on a motion;
 - (2) a vote has been called on a motion;
 - (3) a vote on a motion is being conducted;

- (4) the Meeting is in a Closed Session; or
- (5) a previous motion to adjourn has been defeated and no other intermediate business or proceeding has occurred since the motion to adjourn was defeated.

138 Motions to adjourn are non-debatable and are voted on without comment or amendment.

Motion to Limit or End Debate

139 A Member may move to limit or end debate on a motion. Motions to limit or end debate:

- (1) are not debatable;
- (2) must be passed by Resolution; and
- (3) may only be amended as to the limit to be placed on debate.

140 A Motion to limit or end debate takes precedence, but does not have privilege, over other motions except for a motion to table or a motion with privilege.

Motion to Refer

141 A Member may move to refer any matter or motion to Administration, a Committee, or other body for further investigation, consideration, and report. A motion to refer:

- (1) is debatable;
- (2) precludes all further amendments to a motion;
- (3) may only be amended as to what body the motion is to be referred or any instructions or direction included in the referral.

Motion to Receive as Information

142 A Member may move to receive an item, matter, report, presentation, recommendation, or other thing as information.

143 A motion to receive as information is made as acknowledgement and to retain the item, matter, report, presentation, recommendation, or other thing in the corporate record without taking additional action.

Motion Arising

144 A Member may move an arising motion only if:

- (1) the motion arising is directly related to a matter or motion that has just been considered; and
- (2) the motion arising is moved before another matter or motion is brought forward.

Motion to Table

- 145 A Member may move to table a matter or motion and all pending amendments to the motion either temporarily or indefinitely (*sine die*) with the intention of bringing the matter or motion back for consideration at a later date or time. A motion to table:
- (1) must include either a set date or time or be made *sine die* (without a set date or time);
 - (2) is only debatable with respect to the date or time;
 - (3) takes precedence over other motions related to the matter or motion being tabled; and
 - (4) cannot be amended.
- 146 A matter or motion that has been tabled to a set date must not be considered before the date or time indicated in the motion to table except by Resolution.

Motion to Lift from the Table

- 147 A matter or motion that has been tabled is brought back exactly as they were when they were laid on the table, including all related motions and amendments.
- 148 If the motion to table included a set date for return, the matter or motion is added to the Meeting Agenda on that date without the requirement for a motion to lift from the table.
- 149 If the motion to table included a set time for return later in the same meeting or was made *sine die*, the matter or motion must be lifted from the table by resolution before consideration of the tabled matter or motion begins. A motion to lift from the table:
- (1) may only be made when no other motion is on the floor;
 - (2) cannot be debated or amended;
 - (3) may be made at a Regular Meeting but not at a Special Meeting, unless notice of the tabled matter or motion was provided in the notice of the Special Meeting.
- 150 If a motion to lift from the table is defeated, a subsequent motion to lift from the table may only be made again after other business is considered.
- 151 When a matter or motion that was tabled *sine die* is brought back to a future Meeting, it must be accompanied by a new report from Administration containing a recommendation to lift the matter or motion from the table.
- 152 Except for matters or motions tabled *sine die*, if a tabled matter or motion is not lifted from the table within one year, or is not lifted from the table before the next Election, it cannot be lifted from the table and may only be made as a new motion.

Motion to Reconsider

- 153 A Member may move to reconsider a motion previously passed or defeated provided that:

- (1) the motion to reconsider is made at the same meeting that the original motion was made; and
 - (2) the motion to reconsider is moved by a Member who voted on the prevailing side of the original motion; or
 - (3) a Notice of Motion is submitted, prior to the Meeting at which it is to be considered, in which a Member sets out what special or exceptional circumstances warrant reconsideration of the original motion; and
 - (4) the original motion has not already been acted upon.
- 154 The requirement for a Notice of Motion for a motion to reconsider may be waived by Special Resolution.
- 155 A motion to reconsider is debatable only if the motion to be reconsidered is debatable.
- 156 A motion cannot be reconsidered if:
- (1) six months has passed since the original motion was considered; or
 - (2) an Election was held since the original motion was considered.
- 157 The following motions cannot be reconsidered:
- (1) a motion which created a contractual liability or obligation cannot be reconsidered, altered, varied, revoked, rescinded, or replaced except to the extent that it does not attempt to void or interfere with the liability or obligation;
 - (2) a motion to adjourn, to set a time for adjournment, or to recess;
 - (3) a motion to close nominations for an appointment;
 - (4) a request to sever a motion containing multiple recommendations, proposals, or actions;
 - (5) a Point of Order, Point of Privilege, or Point of Information;
 - (6) a motion to suspend a rule or rules contained in this Bylaw;
 - (7) a motion to table or to lift from the table;
 - (8) a motion to adopt the Agenda;
 - (9) permission to withdraw a motion;
 - (10) a motion to rescind a reading of a bylaw;
 - (11) a motion to provide first or third reading of a bylaw; and
 - (12) a motion to reconsider a motion.

Motion to Rescind

- 158 A Member may move to rescind a motion previously passed. If passed, the motion to rescind renders the original motion null and void.
- 159 A Member must submit a Notice of Motion to rescind a motion if that motion was considered at a previous Meeting and the same matter is not included on the Agenda.
- 160 A motion to rescind does not undo any actions that have been taken as a result of the original motion being passed.
- 161 A motion to rescind is debatable only on the merits of the original motion that is proposed to be rescinded.

Motion to Move into a Closed Session

- 162 A Member may move a motion to move into a Closed Session. A motion to move into a Closed Session must be in accordance with the provisions of the *Municipal Government Act* and the *Freedom of Information and Protection of Privacy Act*.

Public HearingsGeneral Public Hearing Provisions

- 163 Public Hearings are held when required by the *Municipal Government Act* or any other legislation or when Council directs that a matter be considered through a Public Hearing.
- 164 Public Hearings are held at Regular or Special Council Meetings.
- 165 When a Public Hearing is required to be held on a proposed bylaw or resolution, the Public Hearing will be held after first reading and prior to second reading of the proposed bylaw or prior to a vote on the proposed resolution.
- 166 Public Hearings are advertised in accordance with the *Municipal Government Act* and any applicable Rocky View County bylaws, policies, and procedures.

Written Submissions and Verbal Presentations

- 167 Public Hearing advertisements must include an outline of the process for providing written submissions and must provide a deadline for submitting written submissions to be included in the Agenda and provided to Council as part of the Public Hearing.
- 168 In order to be included in the Agenda and provided to Council as part of a Public Hearing, written submissions must be received prior to the advertised submission deadline and include the following:
- (1) the name and legal or municipal address of the signatories; and
 - (2) how each signatory is affected by the subject matter of the Public Hearing.
- 169 No written submissions received after the advertised submission deadline will be accepted by Rocky View County or provided to Council as part of the Public Hearing.

- 170 Written submissions containing the following will not be accepted by Rocky View County or provided to Council as part of the Public Hearing:
- (1) personal attacks or derogatory or defamatory statements; or
 - (2) statements that promote discrimination against a person or class of persons, or is likely to expose a person or class of persons to hatred or contempt, in accordance with provisions of the *Human Rights Act*.
- 171 An individual or group may provide a verbal presentation to Council at a Public Hearing which may include a written component as part of the presentation.

Group Submissions and Presentations

- 172 A group may provide a written submission or verbal presentation to Council as part of a Public Hearing in accordance with the following provisions:
- (1) the group submission or presentation is signed by three or more persons who claim to be affected by the subject matter of the Public Hearing who have agreed to put forward a common interest or concern on that subject matter;
 - (2) if a group wishes to provide a verbal presentation to Council at a Public Hearing, the group must designate one individual as its spokesperson to be solely responsible for presenting on behalf of the group; and
 - (3) if a written submission is received from a group and the group also wishes to provide a verbal presentation at a Public Hearing, Council will only hear from the designated spokesperson of the group and will only hear new information not already contained in the group's written submission.

Presenting at a Public Hearing

- 173 Individuals or groups who wish to present at a Public Hearing should register on the designated sign-in sheet as either in support or in opposition of the proposed bylaw, resolution, or other thing subject to the Public Hearing.
- 174 When addressing Council at a Public Hearing, the person present must state:
- (1) their name and legal or municipal address;
 - (2) an indication as to whether they are speaking on their own behalf, on behalf of another person, or on behalf of a group;
 - (3) an indication as to whether they are speaking in support or in opposition to the proposed bylaw, resolution, or other thing subject to the Public Hearing;
 - (4) how they are affected by the proposed bylaw, resolution, or other thing subject to the Public Hearing; and must
 - (5) address the Chair when responding to questions or providing information.

- 175 An individual may authorize another individual to present on their behalf if such authorization is provided in writing and proof of such can be provided at the Public Hearing.
- 176 An individual or group may present only once at a Public Hearing.
- 177 Presentations may include electronic components such as photos, videos, maps, PowerPoint presentations, written presentations. All presentation materials used at a Public Hearing form part of the public record and will be collected by Rocky View County and provided to the public upon request.

Public Hearing Procedures

- 178 The Chair calls for a motion to open the Public Hearing and notes the time that the Public Hearing is opened.
- 179 The Chair reminds any individual or group that wishes to present at the Public Hearing to register on the designated sign-in sheet either in support or in opposition of the proposed bylaw, resolution, or other thing subject to the Public Hearing.
- 180 The Chair announces that the Public Hearing is being recorded and live-streamed and will be available to view by the public.
- 181 The Chair announces that the use of audio or video recording devices and cameras by the public or press is prohibited.
- 182 The Chair provides an outline of the Public Hearing process and procedures in the following sequence:
- (1) Staff report from Administration;
 - (2) Presentation from the applicant;
 - (3) Presentations from the public in support of the proposal;
 - (4) Presentations from the public in opposition of the proposal;
 - (5) Rebuttal presentation from the applicant limited only to the comments received or heard in opposition; and
 - (6) Final questions of Administration.
- 183 The Chair calls for the staff report from Administration to introduce the proposed bylaw, resolution, or other thing subject to the Public Hearing.
- (1) Questions of clarification from Members to Administration are permitted by the Chair during this portion of the Public Hearing.
- 184 Following the staff report from Administration, the Chair calls for the applicant to present their application.
- (1) Presentations from the applicant are limited to a maximum of 20 minutes unless Council passes a motion to extend the presentation time limit.

- (2) Questions of clarification from Members to the applicant are permitted by the Chair during this portion of the Public Hearing.
- 185 Following the presentation from the applicant, the Chair calls for presentations from the public, either in support or in opposition to the proposed bylaw, resolution, or other thing subject to the Public Hearing.
- (1) Presentations from individuals, whether in support or opposition, are limited to a maximum of five minutes, unless a motion is passed by Council to extend the presentation time limit.
 - (2) Presentations from groups, whether in support or opposition, are limited to a maximum of 10 minutes, unless a motion is passed by Council to extend the presentation time limit.
 - (3) Public presentations begin with those in support and the Chair calls upon the individuals or groups that have registered to present in support on the designated sign-in sheet in the order that they appear on the list.
 - (4) After every individual or group that registered to present in support is provided an opportunity to present, the Chair asks three times whether anyone else wishes to present in support and provides them an opportunity to present.
 - (5) After the public presentations in support have concluded, the Chair calls upon the individuals or groups that have registered to present in opposition on the designated sign-in sheet in the order that they appear on the list.
 - (6) After every individual or group that registered to present in opposition is provided an opportunity to present, the Chair asks three times whether anyone else wishes to present in opposition and provides them an opportunity to present.
 - (7) Questions of clarification from Members to the public presenters, whether in support or opposition, are only permitted by the Chair during this portion of the Public Hearing.
- 186 Following the public presentation in support and in opposition, the Chair invites the applicant to provide a rebuttal to any points raised in opposition to their application either in a written submission or presentation provided at the Public Hearing.
- (1) The rebuttal by the applicant is limited to a maximum of 10 minutes, unless a motion is passed by Council to extend the presentation time limit.
 - (2) The Chair allows questions of clarification from Members to the applicant during this portion of the Public Hearing only in regards to the information provided by the applicant during their rebuttal.
- 187 Following the rebuttal from the applicant, the Chair allows for any final questions from Members to Administration.

- 188 The Chair calls for a motion to close the Public Hearing and notes the time that the Public Hearing is closed. The Public Hearing must be closed before Council votes on the proposed bylaw, resolution, or other thing subject to the Public Hearing.
- 189 Pursuant to the *Municipal Government Act*, Members who are absent for the whole Public Hearing must abstain from voting on the matter. Members who are absent for part of the Public Hearing may abstain from voting on the matter.
- (1) If the number of Members present at the Meeting is less than Quorum after those Members have abstained from voting, the debate and vote is postponed until the next Regular Council Meeting.

Bylaws

Bylaw Requirements and Introducing Bylaws

- 190 Proposed bylaws must:
- (1) be assigned a unique bylaw number and provide a concise title indicating the general purpose of the bylaw;
 - (2) be given or have had the opportunity to review the full text of the proposed bylaw before considering a motion for first reading of the bylaw;
 - (3) if amended, be presented as amended in its entirety to all Members present at the meeting prior to consideration of subsequent readings of the bylaw;
 - (4) amendments to a bylaw may only be made prior to consideration of third reading of the bylaw;
 - (5) pursuant to the *Municipal Government Act*, be provided three separate and distinct readings and not be provided more than two readings at one Meeting unless the Members present unanimously pass a motion to authorize third reading at that Meeting; and
 - (6) any bylaw that fails to receive unanimous authorization for third reading will be included on the Agenda of the next Regular Council Meeting, or on the agenda of a Special Council Meeting, for consideration of third reading.
- 191 For bylaws that do not require a statutory Public Hearing, Administration will provide an introduction to the proposed bylaw prior to consideration of first reading of the bylaw.

Bylaws Requiring a Statutory Public Hearing

- 192 For bylaws that require a statutory Public Hearing, Administration will provide an introduction to the proposed bylaw prior to consideration of first reading of the bylaw and prior to the Public Hearing for the proposed bylaw.
- 193 After a motion has been made to provide first reading of a bylaw, but prior to the vote on the motion for first reading, Council may debate the substance of the bylaw and propose and consider any amendments to the bylaw.

- 194 Any proposed amendments must be made in the form of a motion and be put to a vote. Any amendments passed are incorporated into the bylaw at first reading and apply to all subsequent readings of the bylaw
- 195 After all proposed amendments have been voted on and either passed or defeated, the Chair calls for a vote on first reading of the bylaw or first reading of the bylaw as amended, if applicable.
- 196 Once a bylaw receives first reading, Administration establishes a date and time to hold the Public Hearing on the bylaw. The Public Hearing must be held before consideration of second reading of the bylaw.
- 197 If a bylaw does not receive first reading, the bylaw does not proceed to a Public Hearing and is considered defeated.

Bylaw Consolidations

- 198 The Chief Administrative Officer is authorized to prepare consolidations of bylaws as required from time to time pursuant to the *Municipal Government Act*.

Severability

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

Transitional

- 200 Bylaw C-7295-2013, being the *Procedure Bylaw*, and all amendments thereto are repealed upon this Bylaw passing and coming into full force and effect.
- 201 Bylaw C-7907-2019, being the *Procedure Bylaw*, is passed when it receives third reading and is signed in accordance with the *Municipal Government Act*.
- 202 Bylaw C-7907-2019, being the *Procedure Bylaw*, comes into full force and effect on September 1, 2019.

READ A FIRST TIME IN COUNCIL this	23 rd day of July, 2019
READ A SECOND TIME IN COUNCIL this	23 rd day of July, 2019
<i>UNANIMOUS PERMISSION FOR THIRD READING this</i>	23 rd day of July, 2019
READ A THIRD TIME IN COUNCIL this	23 rd day of July, 2019

“Greg Boehlke”

Reeve

“Charlotte Satink”

CAO or Designate

August 30, 2019

Date Bylaw Signed

Bylaw C-7907-2019

Schedule 'A' – Definitions

- 1 **"Administration"** means the operations and staff under the direction of the Chief Administrative Officer.
- 2 **"Agenda"** means the list of items and orders of business for a Meeting along with their associated reports, attachments, appendices, and other materials.
- 3 **"Bylaw"** means a Bylaw of Rocky View County.
- 4 **"Chair"** means the person with the authority to preside over a Meeting and direct the proceedings and conduct of that Meeting.
- 5 **"Clear Majority"** means more than half of the votes of the Members present at the meeting who are not required or permitted to abstain from voting. For example, if 9 votes are cast, the Clear Majority (more than 4.5) is 5.
- 6 **"Closed Session"** means a meeting or part of a meeting that is closed to the public in accordance with the *Municipal Government Act* and the *Freedom of Information and Protection of Privacy Act*, or as allowed under any other enactment.
- 7 **"Code of Conduct Bylaw"** means, as the context requires, either Rocky View County Bylaw C-7768-2018, being the *Council Code of Conduct*, or Rocky View County Bylaw C-7855-2018, being the *Board and Committee Code of Conduct Bylaw*, as amended or replaced from time to time
- 8 **"Committee"** means a Committee, Board, or other body of Rocky View County established by Council and with Members appointed by Council.
- 9 **"Council"** means the duly elected Council of Rocky View County and includes the Reeve, Deputy Reeve, and all Councillors.
- 10 **"Councillor"** means a duly elected member of Council and includes the Reeve, Deputy Reeve, and all Councillors.
- 11 **"County"** means Rocky View County.
- 12 **"Chief Administrative Officer"** means the Chief Administrative Officer of Rocky View County pursuant to the *Municipal Government Act* or their authorized delegate.
- 13 **"Election"** means a General Election as defined and held pursuant to the *Local Authorities Election Act*, RSA 2000, c E-21, as amended or replaced from time to time, and does not include a by-election or a vote on a bylaw or question.
- 14 **"Emergent Business"** means a time-sensitive matter that requires immediate and urgent consideration by Council or a Committee.

- 15 ***“Freedom of Information and Protection of Privacy Act”*** means the *Freedom of Information and Protection of Privacy Act*, RSA 2000, c F-25 as amended or replaced from time to time.
- 16 **“Group”** means three or more persons with a common interest in a matter before Council or a Committee, one of whom is designated as the spokesperson for the group and is solely responsible for presenting on behalf of the group.
- 17 **“Majority”** means more than half of the Members present.
- 18 **“Meeting”** means an Organizational, Regular, or Special Meeting of Council or a Committee.
- 19 **“Member”** means either:
- (1) a Councillor; or
 - (2) a person appointed by Council to a Committee.
- 20 **“Minutes”** means the written record of the proceedings and decisions of a Meeting.
- 21 **“Motion”** means a proposal for action by Council or a Committee.
- 22 ***“Municipal Government Act”*** means the *Municipal Government Act*, RSA 2000, c M-26, as amended or replaced from time to time.
- 23 **“Organizational Meeting”** is an Organizational Meeting of Council held pursuant to the *Municipal Government Act*.
- 24 **“Pecuniary Interest”** means a pecuniary interest as contemplated in the *Municipal Government Act* or Rocky View County Bylaw C-7855-2018, being the *Board and Committee Code of Conduct Bylaw*, as amended or replaced from time to time.
- 25 **“Point of Information”** means a request raised by a Member directed through the Chair to another Member or to Administration for information relevant to the business at hand but not related to a Point of Order.
- 26 **“Point of Order”** means a question or concern raised by a Member directed to the Chair to call attention to any departure from the Procedure Bylaw or to obtain information on a matter of procedure bearing on the business at hand in order to assist a Member to make an appropriate motion or to understand the parliamentary situation or the effect of a motion. When raising a Point of Order, the Member must verbally state what the departure from the Procedure Bylaw is.
- 27 **“Point of Privilege”** means a matter that is not related to the pending business and has to do with special matters of immediate and overriding importance which, without debate, should be allowed to interrupt the consideration of anything else. It affects Council or Committee collectively or the conduct of individual Members and includes, but is not limited to, the following:
- (1) The comfort of Members;

- (2) The conduct of Members;
 - (3) The conduct of Administration;
 - (4) The conduct of members of the public in attendance at the meeting; or
 - (5) The reputation of members or of Council or a Committee as a whole.
- 28 **"Public Hearing"** means a Public Hearing held pursuant to the *Municipal Government Act* or any other legislation, whether statutory or non-statutory.
- 29 **"Quorum"** is the minimum number of members who must be present at a Meeting to conduct business and is the Majority of Members. For example, Quorum for Council is five Members.
- 30 **"Regular Meeting"** is a Regular Meeting of Council held pursuant to the *Municipal Government Act* or a Regular Meeting of a Committee held pursuant to Rocky View County Bylaw C-7840-2018, being the *Boards and Committees Bylaw*, as amended or replaced from time to time.
- 31 **"Resolution"** is a declaration of Council or a Committee's intention with respect to a particular matter at a specific time.
- 32 **"Special Meeting"** is a Special Meeting of Council held pursuant to the *Municipal Government Act* or a Special Meeting of a Committee held pursuant to Rocky View County Bylaw C-7840-2018, being the *Boards and Committees Bylaw*, as amended or replaced from time to time.
- 33 **"Special Resolution"** means a Resolution requiring at least two-thirds of the Members present at the Meeting who are not required or allowed by statute to abstain from voting on the Motion to vote in the affirmative. For example, if 9 votes are cast, a Special Resolution requires 6 votes.
- 34 **"Stand at Ease"** means a brief pause called by the Chair of a Meeting without a declaration of a recess and Members must remain in their places.
- 35 **"Terms of Reference"** means a Terms of Reference or bylaw approved by Council that establishes the functions, procedures, membership, and other governance characteristics of a Board or Committee.
- 36 **"Unfinished Business"** is business that has been raised at the same or a previous Meeting and that has not been completed.

PLANNING AND DEVELOPMENT SERVICES

TO: Council
DATE: March 10, 2020
FILE: N/A
SUBJECT: Third Reading of Bylaw C-7937-2019 – Municipal District of Bighorn and Rocky View County Intermunicipal Development Plan

DIVISIONS: 1 & 9
APPLICATION: PL20190082

POLICY DIRECTION:

The document was developed in accordance with the policies of the *Municipal Government Act* (MGA), Interim Growth Plan (IGP), and County Plan.

EXECUTIVE SUMMARY:

The purpose of this application is to adopt the Municipal District of Bighorn and Rocky View County Intermunicipal Development Plan (IDP).

Council granted first reading of Bylaw C-7937-2019 on December 10, 2019, and second reading on January 28, 2020. Third party review of the IDP was undertaken in January 2020, with the CMRB recommending approval of the draft document on January 27, 2020. Board members (other member municipalities) then had until February 28, 2020 (28 days) to review the recommendation. As no notice to challenge the recommendation was received from any board members within this period, the IDP was deemed approved.

ADMINISTRATION RECOMMENDATION:

The document addresses statutory policy Administration recommends approval in accordance with Option #1.

CONCLUSION:

OPTIONS:

- Option # 1:
- Motion #1: THAT Bylaw C-7937-2019 be amended to delete Section 6.0.
 - Motion #2: THAT Bylaw C-7937-2019 be amended to correct the following clerical, technical, grammatical or typographical errors:
 - 1. Add page numbers;
 - 2. Add Maps and Figures to the Table of Contents;
 - 3. Delete “Draft” watermark; and
 - 4. Delete drafting note “Add as required*” in Section 4.2.
 - Motion #3: THAT Bylaw C-7937-2019 be given third reading as amended.
- Option # 2: THAT the Municipal District of Bighorn and Rocky View County Intermunicipal Development Plan be denied.

Administration Resources

Stefan Kunz, Planning and Development Services
Amy Zaluski, Intergovernmental Affairs

Respectfully submitted,

Concurrence,

“Theresa Cochran”

“Al Hoggan”

Executive Director
Community Development Services

Chief Administrative Officer

SK/llt

APPENDICES:

APPENDIX ‘A’: Bylaw C-7937-2019 and Schedule A



ROCKY VIEW COUNTY

BYLAW C-7937-2019

A Bylaw of Rocky View County to adopt the Municipal District of Bighorn and Rocky View County Intermunicipal Development Plan, pursuant to Section 631 of the *Municipal Government Act*

The Council of Rocky View County enacts as follows:

PART 1 – TITLE

This Bylaw shall be known as the “Municipal District of Bighorn and Rocky View County Intermunicipal Development Plan”.

PART 2 – EFFECT OF BYLAW

THAT Schedule 'A' of Bylaw C-7937-2019 is adopted as the “Municipal District of Bighorn and Rocky View County Intermunicipal Development Plan”, to provide a policy framework to minimize land use and development conflicts, provide opportunities for collaboration and communication, and outline a process for resolution of issues that may arise within the areas adjacent to the municipal boundary.

PART 4 – TRANSITIONAL

Bylaw C-7937-2019 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*.

Divisions: 1 & 9
File: PL20190082

READ A FIRST TIME IN COUNCIL this	10 th	day of	December, 2019
<i>PUBLIC HEARING WAS HELD IN COUNCIL this</i>	28 th	day of	January, 2020
READ A SECOND TIME IN COUNCIL this	28 th	day of	January, 2020
READ A THIRD TIME IN COUNCIL this		day of	, 20__

 Reeve

 CAO or Designate

 Date Bylaw Signed



INTERMUNICIPAL DEVELOPMENT PLAN

Between

THE MUNICIPAL DISTRICT OF BIGHORN

And

ROCKY VIEW COUNTY

Final Draft Version 4.0
February 18, 2020

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1.0 Introduction

1.1 Purpose

The purpose of the Intermunicipal Development Plan (IDP) between the Municipal District of Bighorn (MD) and Rocky View County (RVC) is to formalize and define the relationship between the two municipalities.

1. The IDP sets the policy framework for planning matters that includes future land use and development, environmental matters, transportation, and items of mutual interest as it applies to lands in proximity to the shared boundary and defined in the IDP Area.
2. The IDP policies define how communication, cooperation, decision-making and dispute resolution shall occur for lands within the IDP Area.

1.2 Goals

1. Maintain local autonomy with each municipality responsible for decision making within their municipal jurisdiction.
2. Ensure long-term compatibility of future land use within both municipalities.
3. Recognize that agriculture continues to be the primary use of land in the IDP area and support the preservation of agricultural land except where statutory plans support non-agricultural use.
4. Establish plan administration, amendment and dispute resolution procedures.
5. Identify items that are of importance to the municipalities, and items that may be mitigated through the policies of this Plan. These include:
 - Agricultural Activities
 - Economic Development
 - The Environment
 - Resource Extraction
 - Industrial Development
 - Energy Development
 - Transportation and Infrastructure

1.3 Municipal Profiles

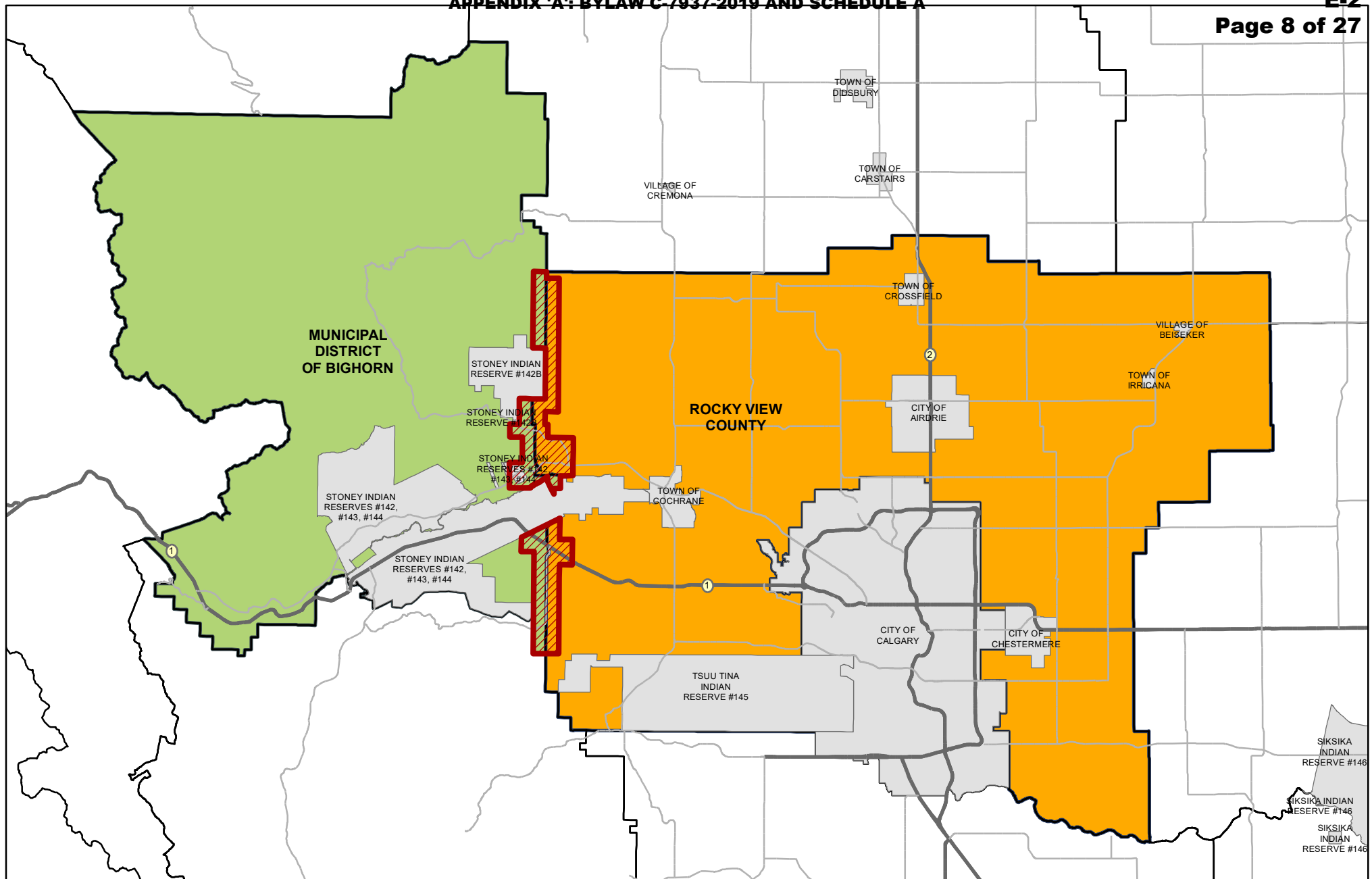
Municipal District of Bighorn




The Municipal District of Bighorn encompasses an area approximately 263,216 hectares (650,407 acres) in size, and has a population of 1,334. Two Summer Villages (Ghost Lake and Waiparous) and five hamlets (Benchlands, Dead Man's Flats, Exshaw, Harvie Heights and Lac Des Arcs) are contained within the MD, which also shares borders with four municipalities, two Improvement Districts, and the Stoney Nakoda First Nation. The economy of the MD is primarily based on resource extraction/processing and agriculture. The Bow River is the major drainage course within the MD.

Rocky View County

Rocky View County encompasses an area approximately 393,463 hectares (972,264 acres) in size, and has a population of 39,407. 7 urban municipalities and 13 hamlets are contained within the County, which also shares borders with 5 rural municipalities, 1 Special Area, and 2 First Nations. The economy of Rocky View County is based on agriculture, energy resource development, services, and manufacturing. Two rivers, the Bow and the Elbow, are the major drainage courses within the County.

MAP 1: Municipal Boundaries



-  IDP PLAN AREA
-  ROCKY VIEW COUNTY
-  MUNICIPAL DISTRICT OF BIGHORN

1.4 Legislative Framework

Municipal Government Act (MGA)

The IDP was prepared in accordance with the requirements of Sections 631, 636 and 638.1 of the Municipal Government Act (MGA). These sections mandate that an IDP between neighbouring municipalities must be adopted, and that the document address the following items:

- Future land use;
- Future development;
- The provision of transportation systems;
- Financing infrastructure;
- Co-ordination of physical, social, and economic programs;
- Environmental matters; and
- Provisions of services.

South Saskatchewan Regional Plan (SSRP)

The South Saskatchewan Regional Plan establishes a long-term vision for the South Saskatchewan Region and aligns provincial policies at the regional level to balance Alberta's economic, environmental and social goals. The regional plan also includes strategies for responsible energy development, sustainable farming and ranching, recreation, forest management, and nature-based tourism. It has been established under the Alberta Land Stewardship Act, and the Land Use Framework. Both the MD and RVC are within the SSRP area boundaries, and since, pursuant to the Alberta Land Stewardship Act, a regional plan is “an expression of the public policy of the Government” of Alberta, both municipalities are required to comply with the regulations thereunder.

Calgary Metropolitan Regional Board (CMRB)

The Calgary Metropolitan Region Board was established to promote sustainable and environmentally responsible land-use planning and the coordination of regional infrastructure and services in an economically competitive manner. To this end, the CMRB has adopted a *Growth Plan* to address matters concerning regional planning and development. The Board requires that any statutory plan adopted by a member municipality satisfy the *Growth Plan*. While Rocky View County is a member municipality within the CMRB and is therefore subject to the requirements of this plan, the MD of Bighorn is not. Regardless, the MD of Bighorn & Rocky View County Intermunicipal Development Plan has been drafted in consideration of the principles of the regional plan.

2.0 Plan Area

2.1 Plan Preparation Process

The IDP was jointly prepared by the MD and RVC. The project received oversight from a Review Committee consisting of Councillors and Senior Administration from both municipalities. The plan was developed through four stages:

Stage 1: Research, analysis, and stakeholder input
Stage 2: Draft IDP and review of the IDP by the Committee
Stage 3: Public review of the IDP to receive suggestions and representations
Stage 4: IDP approval process

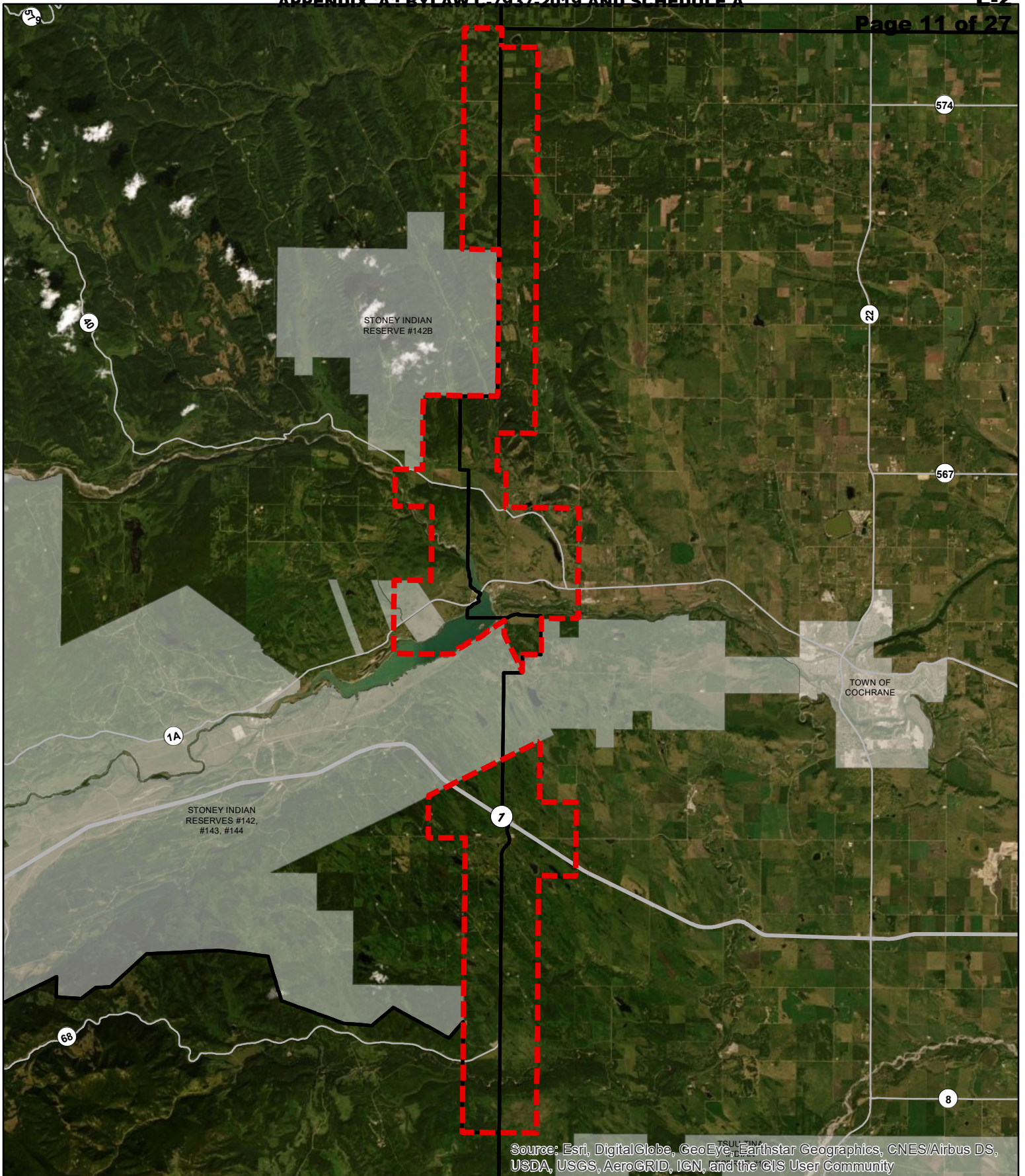
2.2 IDP Area

To determine the extent of the Plan Area, the municipalities began by analyzing a Study Area approximately 5 km (3 miles) on either side of the municipal boundary. A number of opportunities and constraints were examined within this area, including:

- Residences and Developed Areas
- Existing and Potential Land Use
- Development Potential
- Environmentally Significant Areas
- Transportation Corridors
- Oil and Gas Activity
- Confined Feeding Operations (CFOs)
- Existing and Potential Areas of Aggregate Extraction
- Historical Resource Value (HRV) Sites

Through consideration of these factors, the municipalities defined the final Plan Area. In order to balance the goals and objectives of the IDP, a Plan Area encompassing 1.6 km (1 mile) on either side of the intermunicipal border was selected. In certain areas adjacent to Highways 1 and 1A, the Plan Area expands to 3.2 km (2 miles). The Plan Area is approximately 16,895 hectares (41,749 acres) in size, and is illustrated on Map 1.

MAP 2: IDP and Aerial



3.0 Land Use Policies

3.1 Referrals

Objective

In order to ensure that the municipalities are aware of potential developments within the Plan Area, notification and communication is required. The following policies establish a referral process where each municipality can provide comments regarding proposed changes.

- 3.1.1 Where required by the Municipal Government Act (MGA), the relevant Land Use Bylaw and any statutory plans, or the policies of this plan, applications affecting lands within the Plan Area shall be referred to:
 - a. the adjacent municipality; and
 - b. landowners within the adjacent municipality.
- 3.1.2 Where required by the MGA, a relevant statutory plan or land use bylaw, or the policies of this Plan, applications located outside of the Plan Area may be referred to the adjacent municipality.
- 3.1.3 The municipality in receipt of referral of an application within the adjacent municipality should provide a response within the time required by the MGA.
- 3.1.4 The municipality in receipt of referral of an application within the adjacent municipality should consider potential impact to the following:
 - a. Municipal roadways
 - b. Utilities
 - c. Stormwater and drainage
 - d. Adjacent land use
 - e. Environmental matters
 - f. Other matters
- 3.1.5 Where required by the MGA or the policies of this Plan, both municipalities agree to provide the contact information necessary to refer application information to residents of the adjacent municipality.

3.2 General Land Use Policies

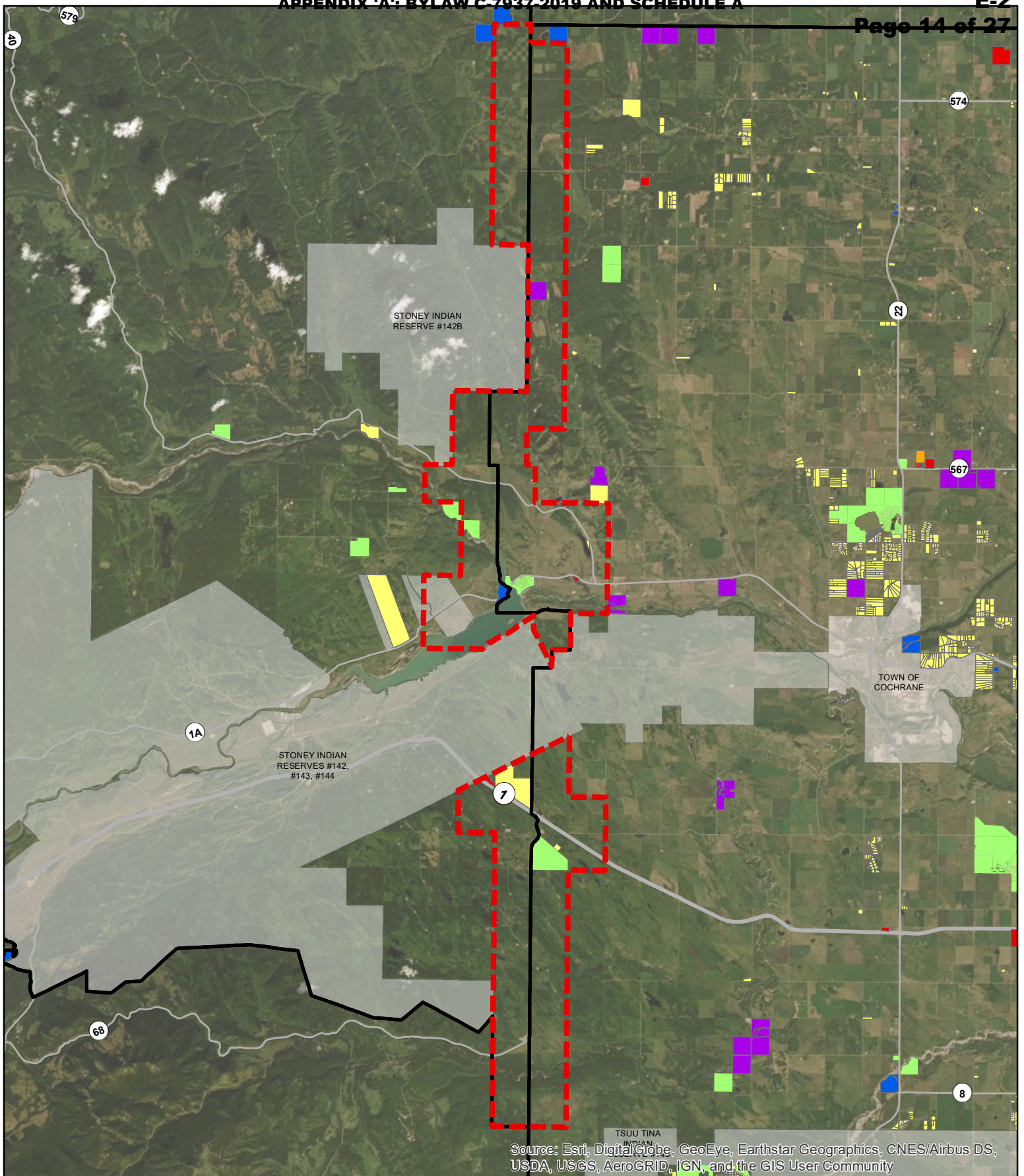
Objective

Applications proposing land use redesignation, subdivision, or development have the potential to impact the immediate area adjacent to the lands in question. Applications for statutory or non-statutory policy documents have the potential to impact a larger portion of the Plan Area. In either case, the policies of this section aim to reduce the potential for negative impact to the municipalities.









- 3.2.1** Applications for land use redesignation, subdivision, and development permit should be evaluated in accordance with the Municipal Development Plan (MDP), Land Use Bylaw (LUB), and any statutory or non-statutory plans relevant to the municipality in which they are received.
- 3.2.2** Applications for a new Area Structure Plan, Concept Plan, MDP, LUB, and MDP or LUB amendments within the IDP Area should be evaluated in accordance with any relevant regional plan as well as the Municipal Development Plan (MDP), Land Use Bylaw (LUB), and any statutory or non-statutory plans relevant to the municipality in which they are received.

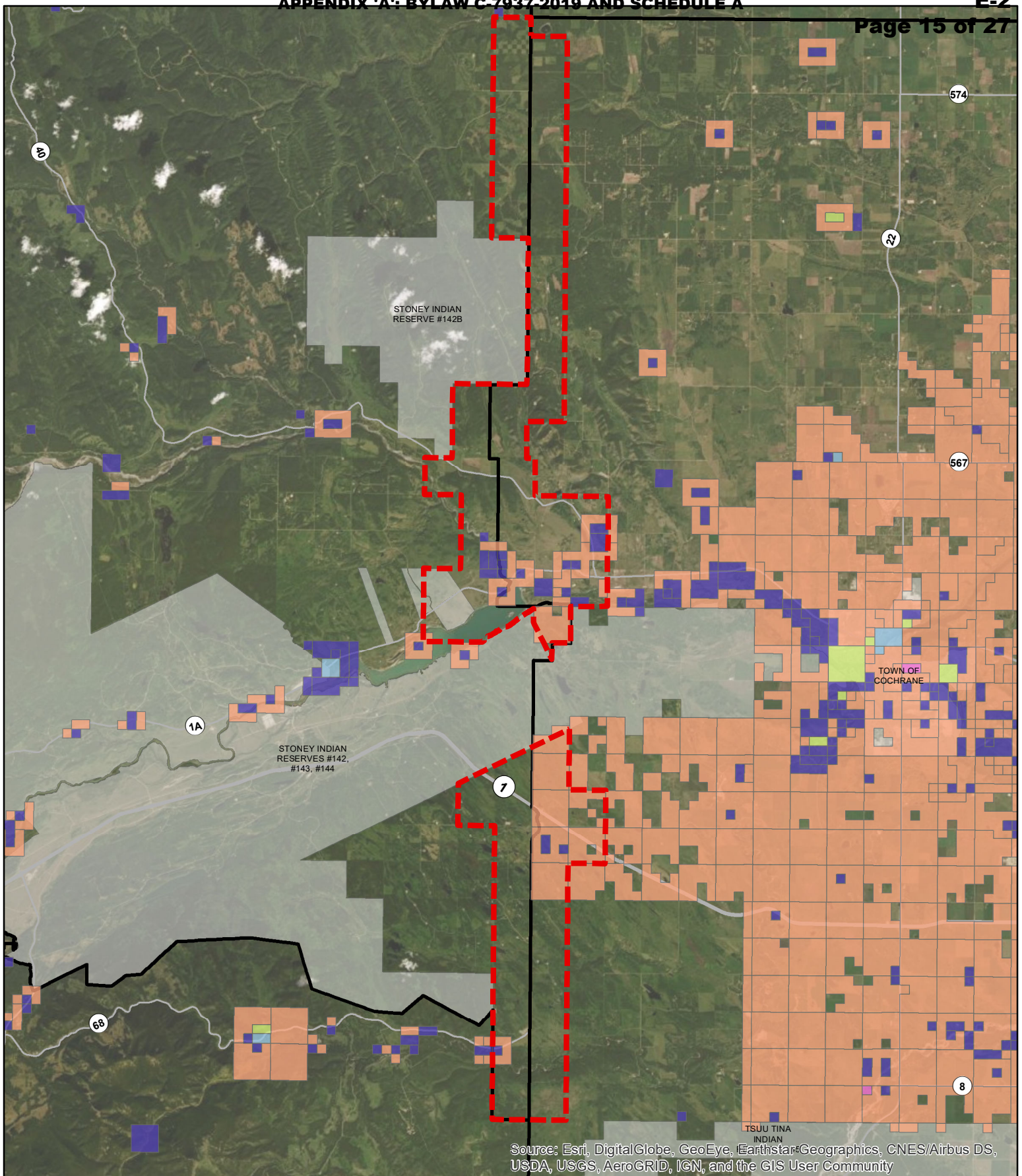
MAP 3: Land Use

MAP 4: Historical Resources



Land Use

	Agriculture		Business Commercial		Residential
	Airport		Direct Control		NRI
			Industrial		Public Service



IDP PLAN AREA



Municipal Boundary

Historic Resource Value (HRV)

1 - Provincial Historic Resource



2 - Registered Historic Resource



3 - Significant historic resource that will likely require avoidance



4 - Historic resource that may require avoidance



5 - Potential to contain a historic resource

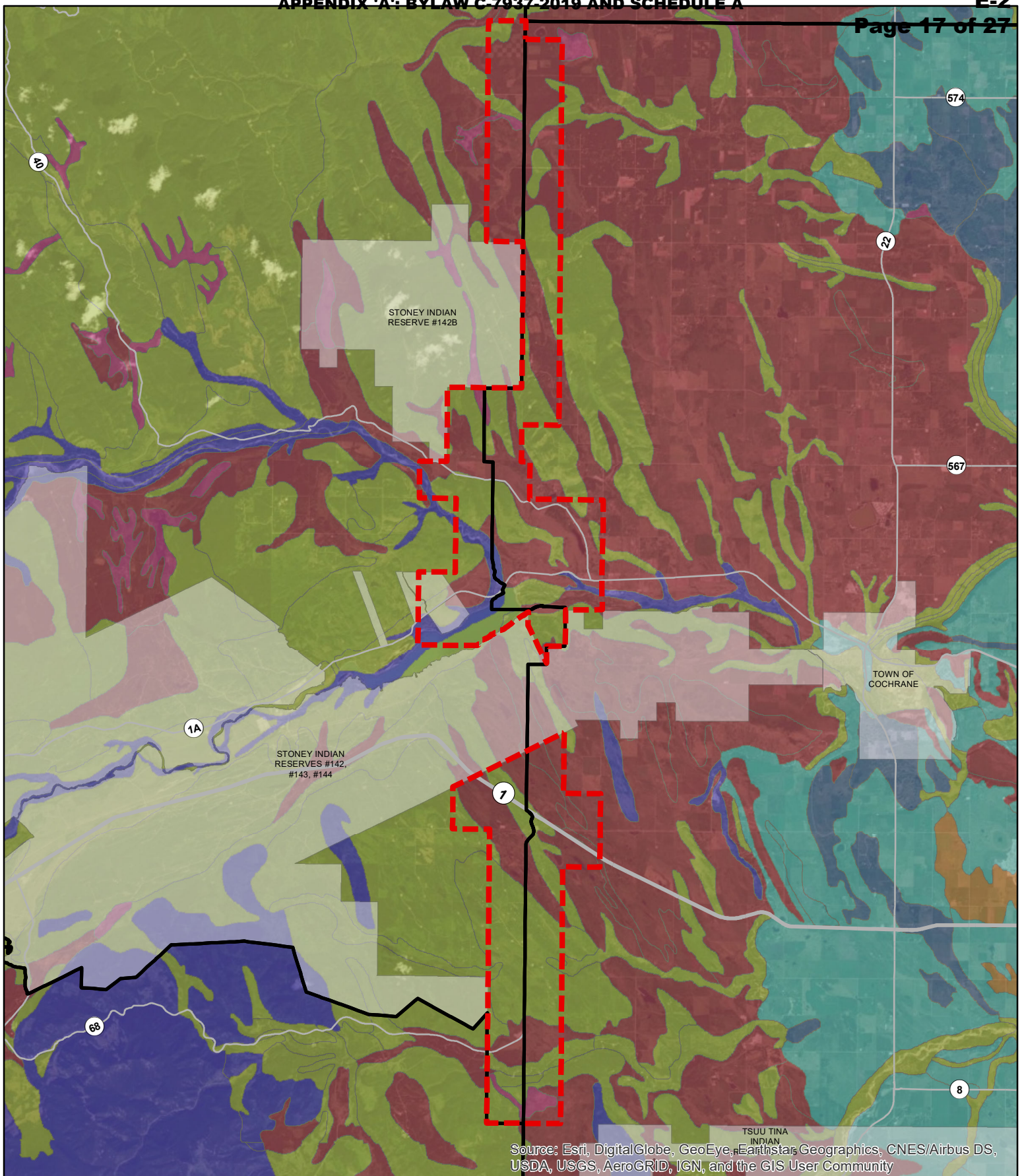
3.3 Agriculture

Objective

Agricultural uses are the predominant use of land within the Plan Area. Non-agricultural uses may be considered in areas identified through a relevant statutory plan.

- 3.3.1 The municipalities encourage awareness of the best practices for residential uses located within agricultural areas, in accordance with the Agricultural Operations Practices Act.
- 3.3.2 Applications for non-agricultural development within agricultural areas should consider interface or transition tools such as fencing, controlled access and site design, environmental stewardship, and environmental education.
- 3.3.3 Existing Confined Feeding Operations (CFOs) shall be allowed to remain in accordance with the requirements of the Agricultural Operation Practices Act and Regulations.
- 3.3.4 Applications for new or expanded Confined Feeding Operations (CFOs) shall be reviewed in accordance with the Natural Resource Conservation Board requirements, and the applicable policies of the municipality in which it was received.
- 3.3.5 Applications for new or expanded Confined Feeding Operations (CFOs) shall be referred to the adjacent municipality.

MAP 5: Soil Classifications



IDP PLAN AREA



Municipal Boundary

CLI Soil Classification

1 - No significant crop limitation



2 - Moderate limitations on crop type



3 - Moderate/severe limitations on crop type



4 - Severe limitations on crop type



5 - Restricted growth on perennial crops



6 - Capable of producing perennial crop only



7 - No crop capability or permanent pasture land



O - Organic Soils

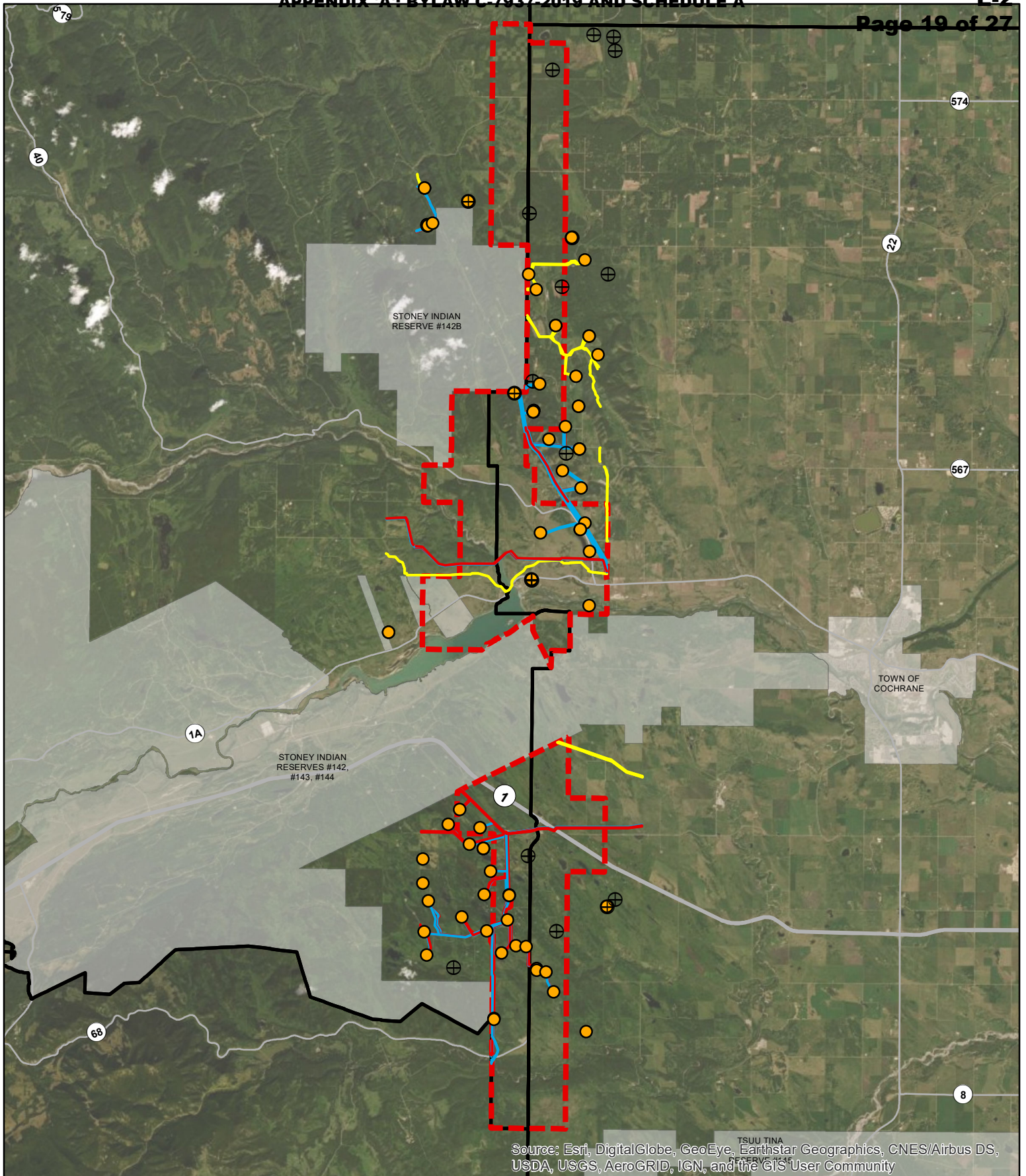
3.4 Utilities, Resource Extraction, & Energy Development


Objective


Demand for energy, resources, and communication capacity is growing. Applications for facilities related to these uses have the potential to have an impact across municipal borders. In order to balance this demand with the needs of area residents, the following policies apply to applications of this nature.

- 3.4.1 Applications for a new or expanded aggregate extraction operation within the Plan Area shall be referred to the adjacent municipality.
- 3.4.2 Applications for a new or expanded aggregate extraction operation that proposes the use of roadways within the jurisdiction of the adjacent municipality shall be referred to the adjacent municipality. Approval from the affected municipality must be provided prior to approval of the application.
- 3.4.3 Applications for a new or expanded renewable energy development within the Plan Area shall be referred to the adjacent municipality. Examples include, but are not limited to, solar power facilities, wind farms, hydroelectric facilities.
- 3.4.4 Applications for new or expanded telecommunications towers within the Plan Area shall be referred to the adjacent municipality.
- 3.4.5 Applicants shall be requested to co-locate telecommunications facilities on existing towers where feasible.


MAP 6: Oil and Gas
MAP 7: Sand and Gravel




 IDP PLAN AREA


 Municipal Boundary


Wells


 All Other Values


 Abandoned

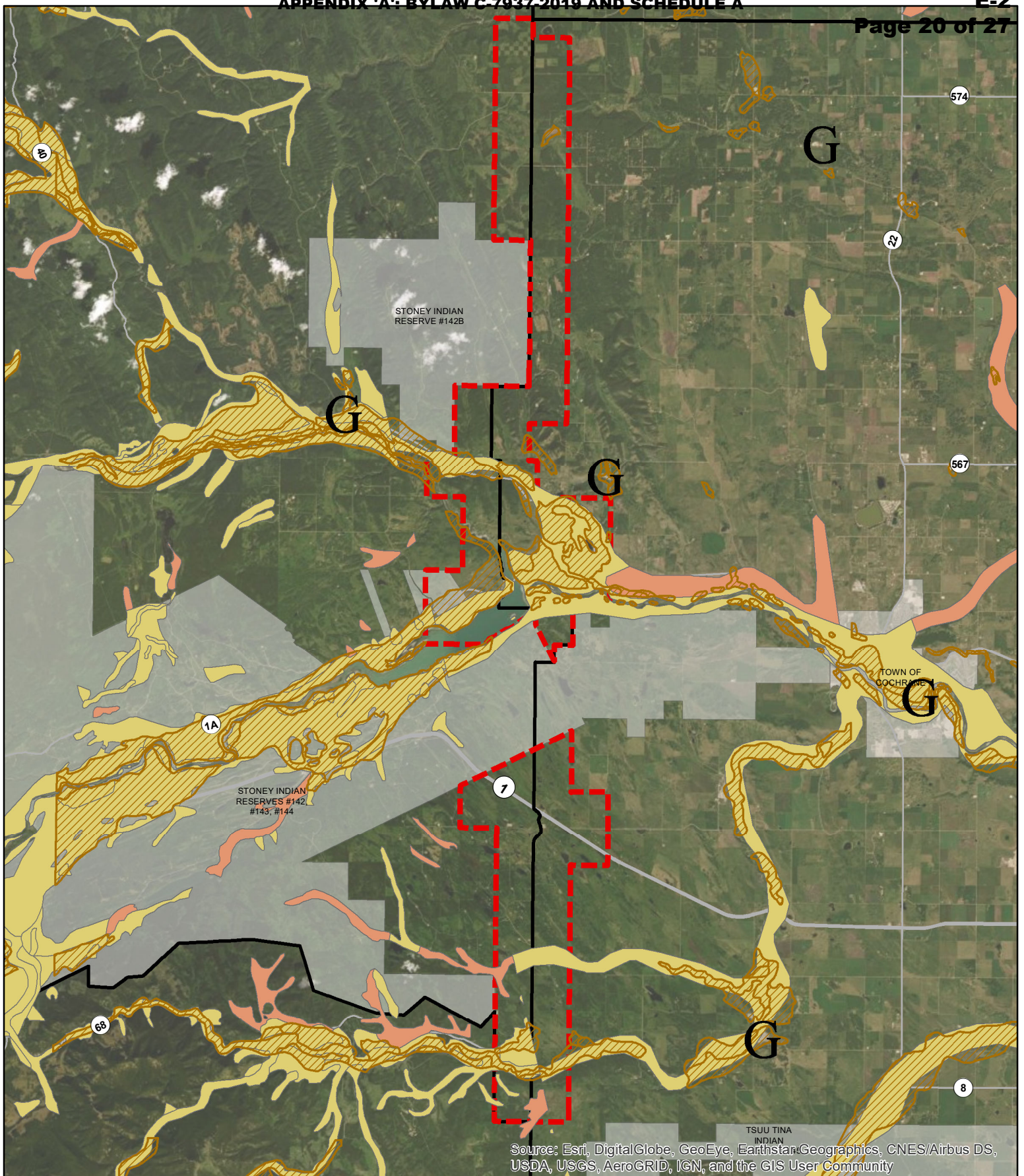
Pipes

 Crude Oil

 Other

 Natural Gas

 Sour Natural Gas



IDP PLAN AREA



Municipal Boundary



Gravel_Pits

Surficial Sand & Gravel Deposits



Sand & Gravel Potential



Sand



Sand and gravel



Sand and silt



Sand, silt and clay, minor gravel



Sandy diamicton

3.5 Environmental & Open Space Policies

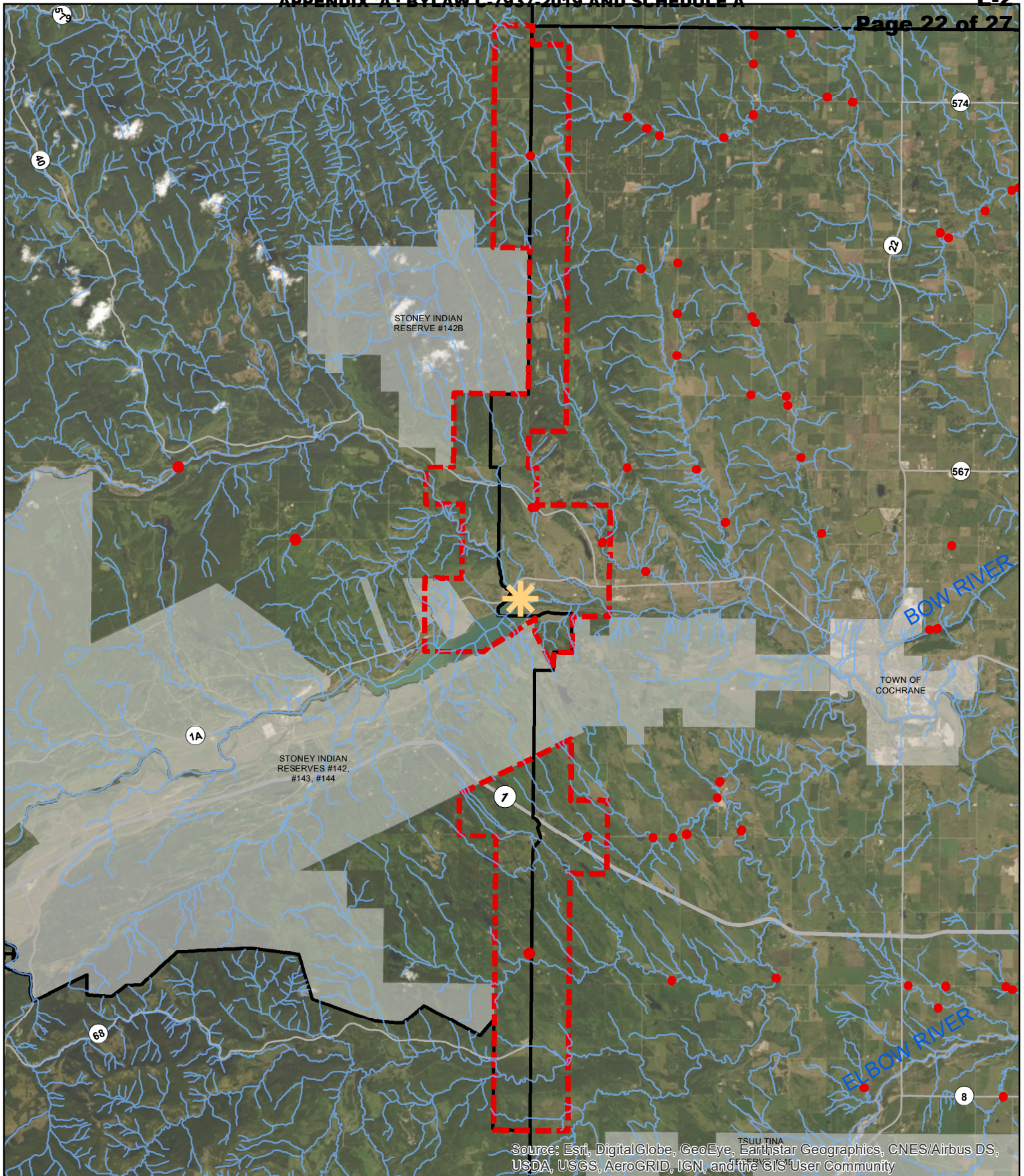
Objective

Environmental features do not follow pre-defined boundaries, and impacts to natural areas within one municipality can have an effect on the other side of the border. This section aims to ensure that natural areas are respected, and allows for opportunities to enhance these features where appropriate.

- 3.5.1** The municipalities acknowledge the Government of Alberta's Watershed Planning and Advisory Councils (WPACs) plans for the region, and support the Bow River Basin Council (BRBC) and the Red Deer River Watershed Alliance (RDRWA) with respect to regional watershed planning, best management practices, environmental stewardship, and environmental education.
- 3.5.2** Applications affecting wetlands and/or riparian areas located within the Plan Area shall be circulated to the adjacent municipality.
- 3.5.3** Applications affecting wetlands and/or riparian areas located within the Plan Area should be assessed in accordance with the environmental policies of the relevant plans for the municipality in which it was received.
- 3.5.4** The municipalities support the alignment and connection of open space pathways.

MAP 7: Hydrology

MAP 8: Environment & Wildlife



Ghost Reservoir Dam



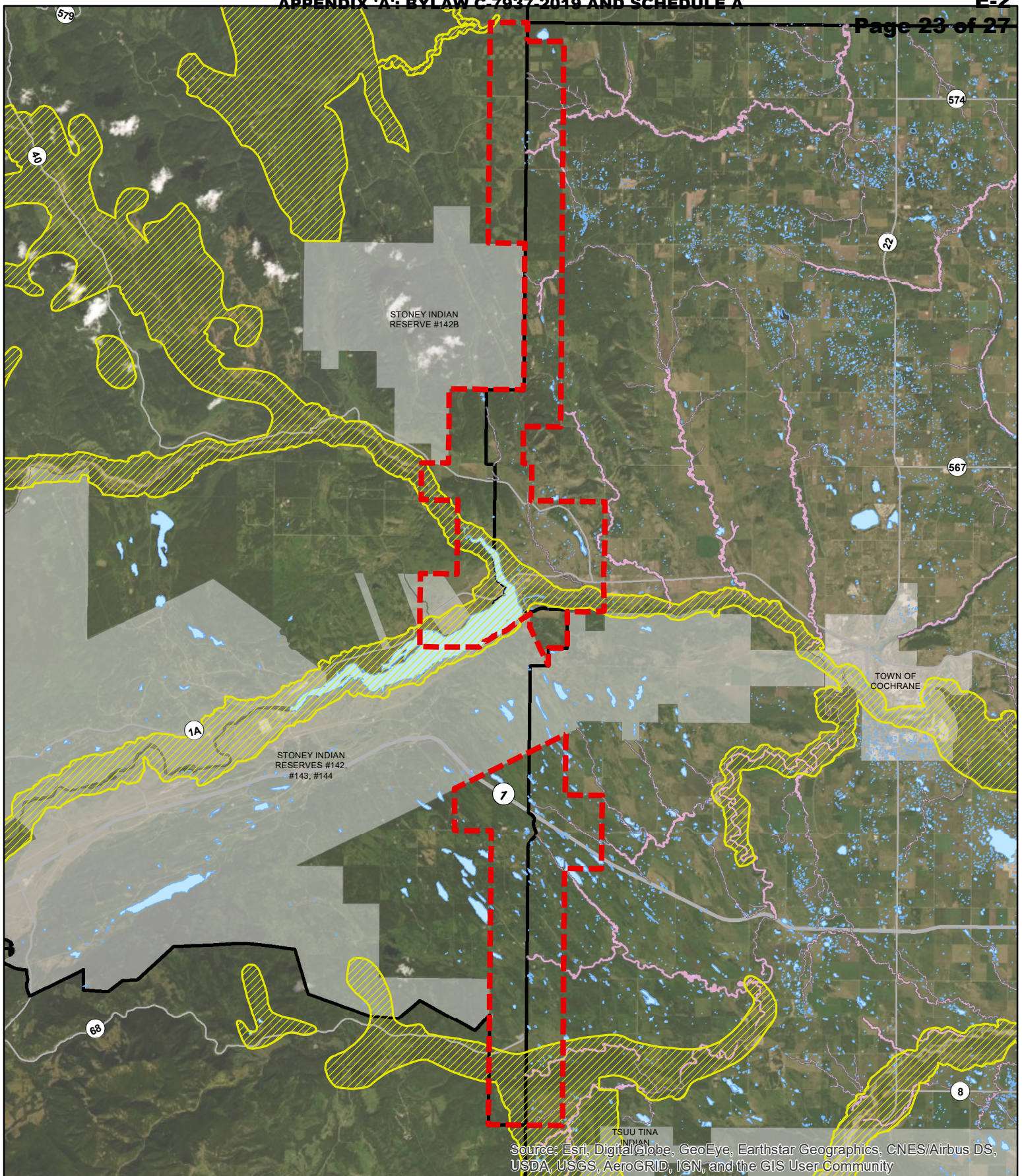
Municipal Boundary

Red line symbol representing Bridges



IDP PLAN AREA

Blue line symbol representing Hydrology



- IDP PLAN AREA
- Municipal Boundary
- Key Wildlife & Biodiversity Zones
- Riparian Policy Areas
- Alberta Merged Wetland Inventory

3.6 Transportation Policies

Objective

The municipalities are connected by a number of provincial highways and municipal roads. Mitigation of the impact of development on transportation infrastructure is an important consideration of this plan.

- 3.6.1** Land use redesignation, subdivision, or development applications proposing access directly to a roadway under the jurisdiction of the adjacent municipality should not be approved without the written consent of the affected municipality.
- 3.6.2** In order to mitigate concerns such as dust control, traffic generation, and road maintenance, municipalities may require that a developer proposing land use redesignation, subdivision, or development applications enter into a Road Use Agreement if:
 - a. Direct access to the development is required from a road within its jurisdiction;
 - b. Primary access to the development utilizes a road within its jurisdiction;
 - c. A proposed haul-route utilizes roads within its jurisdiction.
- 3.6.3** The road network shall be maintained by the municipality having jurisdiction, unless a separate agreement specifies joint maintenance, maintenance swap, or any other terms acceptable to both municipalities.

4.0 Implementation & Administration

4.1 Intermunicipal Services

Objective

The municipalities provide their residents with services ranging from transportation, water and waste water, solid waste, emergency services, and recreation. Coordination of services among the municipalities has been considered by the Intermunicipal Collaboration Framework adopted by the MD of Bighorn and Rocky View County.

- 4.1.1** Matters pertaining to service agreements shall be assessed in accordance with the requirements of the Intermunicipal Collaboration Framework adopted by the MD of Bighorn and Rocky View County.

4.2 Interpretation

Objective

This section ensures that the policies of this Plan are interpreted in the manner in which they were intended.

~~Interpretation Policies~~**Definitions**

agricultural areas – Lands within the Plan Area that are not located within the boundaries of a statutory plan (such as an area structure plan, conceptual scheme, or master site development plan).

~~Add as required*~~

4.3 Intermunicipal Committee

Objective

The MD of Bighorn and Rocky View County agree to create an Intermunicipal Committee, consisting of Councillors from each municipality. The Committee will work together in good faith to share information that is of mutual interest to each municipality.

- 4.3.1** Matters pertaining to the establishment and operation of the Intermunicipal Committee shall be assessed in accordance with the requirements of the Intermunicipal Collaboration Framework adopted by the MD of Bighorn and Rocky View County.

4.4 Adoption, Amendment, & Repeal Process

Objective

This section acknowledges the adoption of the plan, and provides requirements for on-going monitoring. Additionally, the policies recognize that periodic amendments and eventual appeal may be required.

- 4.4.1** The policies of this plan apply to lands located within the Plan Area.
- 4.4.2** This plan comes into effect following adoption by the respective Councils of the MD and RVC.
- 4.4.3** A joint Administrative review of the IDP shall be scheduled no later than four (4) years from the date of adoption and shall be steered by the Intermunicipal Committee.
- 4.4.4** The municipalities agree to comply with the adopted regional plan strategies, and are of the opinion this Plan aligns with the South Saskatchewan Regional Plan.
- 4.4.5** RVC is a member municipality in the Calgary Metropolitan Regional Board, and is therefore subject to the requirements of the CMRB and the IGP. Participation with RVC in the adoption of this IDP does not subject the MD to the requirements of the CMRB and the IGP.
- 4.4.6** Amendment of the IDP shall receive direction from both Councils prior to proceeding and shall be jointly prepared by the Administrations.
- 4.4.7** Amendments to the plan shall not come into force until they are adopted by the Councils of both municipalities, in accordance with the requirements of the MGA.

4.4.8 A Bylaw to repeal this IDP may be considered by both Councils if:

- a. The repealing Bylaw considers a new IDP; or
- b. If the repealing Bylaw complies with Provincial legislation.

5.0 Dispute Resolution

Objective

This plan is designed to facilitate communication and cooperation among the municipalities. While understanding that each municipality has the right to make decisions within their boundaries, it is acknowledged that these decisions can have an impact beyond their borders. In order to ensure that the relationship between the two municipal neighbours remains strong, the MD of Bighorn and Rocky View County agree to the following:

- The municipalities respect the right to maintain jurisdiction over decisions made within their boundaries.
- The municipalities understand the potential for those decisions to impact the adjacent municipality.
- The municipalities understand the importance of notification and communication with the adjacent municipality in order to ensure that potential concerns are addressed.

5.1 Dispute Resolution Process

While both municipalities are committed to a positive relationship, this plan recognizes that disputes may arise. In such an event, the following process should be used in order to reach a solution.

- 5.1.1** Should either municipality identify a potential concern related to an application referral provided through the policies of this plan, written notification shall be provided at the administrative level.
- 5.1.2** The municipalities should provide additional clarification, technical documents, or other information as required in order to satisfy the concerns of the adjacent municipality. Meetings or further discussion may be required.
- 5.1.3** Should the matter fail to be resolved, each municipality should escalate the matter to their respective Chief Administrative Officer (or designate) for further guidance.
- 5.1.4** Should the matter fail to be resolved administratively, a municipality may request that the matter be referred to the Intermunicipal Committee.
- 5.1.5** Should the matter fail to be resolved by the Intermunicipal Committee, formal mediation may be initiated.
 - a. A mutually agreed upon Mediator shall be named to facilitate resolution of the disagreement within thirty (30) days of the written request to enter into a mediation process.
 - b. The municipalities shall share equally in the cost of mediation, including any remuneration, travel and lodging expenses associated with the mediation.

- 5.1.6** Should a dispute involve an application subject to Section 690(1) of the MGA, the municipalities may submit an appeal to the Municipal Government Board within 30 days of adoption, in order to maintain the right to appeal.
- 5.1.7** Notwithstanding (above), the appeal may be withdrawn prior to the Municipal Government Board hearing should an agreement be reached to the satisfaction of the municipalities.

5.2 Dispute Resolution Process Summary

1. Understanding/IDP Process
2. Admin. Level
3. CAO Level
4. Intermunicipal Committee Level
5. Mediation
6. Appeal

6.0 ~~———— IDP Action Items~~

6.1 ~~———— Action Items~~

~~Not sure this is required, but can leave it here as a parking lot for now~~

PLANNING AND DEVELOPMENT SERVICES

TO: Council
DATE: March 10, 2020
FILE: N/A
SUBJECT: Third Reading of Bylaw C-7943-2019 – Kneehill County and Rocky View County Intermunicipal Development Plan

DIVISION: 6
APPLICATION: PL20190084

POLICY DIRECTION:

The document was developed in accordance with the policies of the *Municipal Government Act* (MGA), Interim Growth Plan (IGP), and County Plan.

EXECUTIVE SUMMARY:

The purpose of this application is to adopt the Kneehill County and Rocky View County Intermunicipal Development Plan (IDP).

Council granted first reading of Bylaw C-7943-2019 on October 22, 2019, and second reading on January 14, 2020. Third party review of the IDP was undertaken in January 2020, with the Calgary Metropolitan Region Board (CMRB) recommending approval of the draft document on January 27, 2020. Board members (other member municipalities) then had 28 days to review the recommendation. As no notice to challenge the recommendation was received from any board members within this period, the IDP was deemed approved.

ADMINISTRATION RECOMMENDATION:

The document addresses statutory policy and Administration recommends approval in accordance with Option #1.

OPTIONS:

- Option # 1: THAT Bylaw C-7943-2019 be given third reading.
- Option # 2: THAT the Kneehill County and Rocky View County Intermunicipal Development Plan be denied.

Respectfully submitted,

Concurrence,

“Theresa Cochran”

“Al Hoggan”

Executive Director
Community Development Services

Chief Administrative Officer

SK/ltt

Administration Resources

Stefan Kunz, Planning and Development Services
Amy Zaluski, Intergovernmental Affairs



APPENDICES:

APPENDIX 'A': Bylaw C-7943-2019 and Schedule A



BYLAW C-7943-2019

A Bylaw of Rocky View County to adopt the Kneehill County and Rocky View County Intermunicipal Development Plan, pursuant to Section 631 of the *Municipal Government Act*

The Council of Rocky View County enacts as follows:

PART 1 – TITLE

This Bylaw shall be known as the “Kneehill County and Rocky View County Intermunicipal Development Plan”.

PART 2 – EFFECT OF BYLAW

THAT Schedule 'A' of Bylaw C-7943-2019 is adopted as the “Kneehill County and Rocky View County Intermunicipal Development Plan”, to provide a policy framework to minimize land use and development conflicts, provide opportunities for collaboration and communication, and outline a process for resolution of issues that may arise within the areas adjacent to the municipal boundary.

PART 4 – TRANSITIONAL

Bylaw C-7943-2019 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: 6

File: PL20190084

READ A FIRST TIME IN COUNCIL this	22 nd day of	October , 2019
<i>PUBLIC HEARING WAS HELD IN COUNCIL this</i>	14 th day of	January , 2020
READ A SECOND TIME IN COUNCIL this	14 th day of	January , 2020
READ A THIRD TIME IN COUNCIL this	day of	, 20__

Reeve

CAO or Designate

Date Bylaw Signed

Bylaw

Rocky View County and Kneehill County Intermunicipal Development Plan



ROCKY VIEW COUNTY
Cultivating Communities



Revised

September 12, 2019

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I. INTRODUCTION

PURPOSE OF THE PLAN

The purpose of the Kneehill County and Rocky View County Intermunicipal Development Plan (IDP) is to foster a collaborative planning approach for lands along the common border between the two counties (See Map 1). The Municipal Government Act (MGA) mandates municipalities that share a common boundary to develop an Intermunicipal Development Plan.

Municipalities across the Province of Alberta are experiencing unprecedented growth. Local economies based on oil and gas, agriculture and business are thriving, attracting people to live and work in Alberta. More so, rural and regional communities are encountering development pressures.



Shared borders can present potential conflicts if land uses and/or activities are incompatible. When municipalities work in isolation, the land use occurring on one side of the boundary can significantly impact adjacent land uses on the other.

Municipalities are mandated to work together to adopt IDPs to:

- promote consultation, coordination and cooperation regarding planning matters of joint interest within a defined planning area;
- provide a framework for addressing land use concerns with regard to joint planning matters;
- establish procedure for dealing with development proposals within a defined planning area; and
- address any other matters relating to development considered necessary within a joint planning area.

An IDP is a planning tool that can provide numerous benefits to participating municipalities, which may include, but are not limited to the following:

- reinforcing and protecting both municipalities' development philosophies and goals while mitigating the potential for future intermunicipal conflict;
- municipal cost-savings, as a result of infrastructure and service sharing, which also provides residents with a higher quality of life; and
- ensuring development for both municipalities occurs in an orderly, economic, efficient and harmonious manner that is sustainable by considering existing development conditions and future municipal goals.

The Plan contains policy that is to be used as a framework for working cooperatively, communicating and making decisions in each municipality. As such, the IDP must also provide for the following:

- Dispute resolution procedures;
- A process to amend or repeal the Plan; and
- Documentation for administration of the Plan.

These procedures will provide more clarity between the partnering municipalities to ensure the administrative functions required through the Plan are understood. Each municipality is ultimately responsible for making decisions within their own municipal jurisdiction.

II. MUNICIPAL PROFILES

ROCKY VIEW COUNTY

Rocky View County is a municipality located in southern Alberta. With clear views to the Rocky Mountains to the west, it is a desirable location to live. Rocky View County is the most populous municipal district in Alberta, with a population of 39,407. It surrounds most of the City of Calgary and is home to 13 hamlets.

KNEEHILL COUNTY

Kneehill County is located in south-central Alberta, situated between Red Deer County to the north, Mountain View County to the west, and Starland County to the east. The majority of the land is zoned for agricultural uses, allowing the population of 5,001 to enjoy a rural way of life. Oil and gas is the second major industry in the region. The eastern border of Kneehill County runs along the

Red Deer River valley down to the heart of the Canadian Badlands, making tourism a viable market opportunity.

III. LEGISLATIVE REQUIREMENTS

The IDP was prepared in accordance with the requirements of Sections 631, 636 and 638.1 of the Municipal Government Act (MGA). These sections mandate that an IDP between neighbouring municipalities must be adopted, and that the document address the following items:

- Future land use;
- Future development;
- The provision of transportation systems;
- Financing infrastructure;
- Co-ordination of physical, social, and economic programs;
- Environmental matters; and
- Provision of services.

South Saskatchewan Regional Plan (SSRP)

The South Saskatchewan Regional Plan establishes a long-term vision for the South Saskatchewan Region and aligns provincial policies at the regional level to balance Alberta's economic, environmental and social goals. The regional plan also includes strategies for responsible energy development, sustainable farming and ranching, recreation, forest management, and nature-based tourism. It has been established under the Alberta Land Stewardship Act, and the Land Use Framework. Rocky View County falls within the SSRP area boundaries, and since, pursuant to the Alberta Land Stewardship Act, a regional plan is "an expression of

the public policy of the Government of Alberta”, Rocky View County is required to comply with the regulations of this plan.

Calgary Metropolitan Regional Board (CMRB)

The Calgary Metropolitan Regional Board was established to promote sustainable and environmentally responsible land-use planning and the coordination of regional infrastructure and services in an economically competitive manner. To this end, the CMRB has adopted a *Growth Plan* to address matters concerning regional planning and development. The Board requires that any statutory plan adopted by a member municipality satisfy the *Growth Plan*. While Rocky View County is a member municipality within the CMRB and is therefore subject to the requirements of this plan, Kneehill County is not. Regardless, Kneehill County and Rocky View County IDP has been drafted in consideration of the principles of the regional plan.








IV. PLAN AREA

PLAN AREA CHARACTERISTICS

The Plan Area consists of an area approximately 1.6 km (1 mile) on either side of the shared municipal border. This Plan Area includes approximately 34 sections of land or 8806 hectares (21,760 acres) and is illustrated on Map 2

Key characteristics of the Plan Area include the following:

AGRICULTURE & SOIL	
	<ul style="list-style-type: none"> Agriculture is the primary land use of the area There is a mix of agricultural operations including grazing and crops The region contains a variety of soil characteristics from CLI level 1-3
NATURAL LANDSCAPE	
	<ul style="list-style-type: none"> There are limited areas of natural habitat remaining due to agricultural activity There are no Environmentally Significant Areas noted in the subject lands
TRANSPORTATION INFRASTRUCTURE	
	<ul style="list-style-type: none"> Highway 806 runs through the Plan Area from north to south Highway 9 runs east/west, south of the Plan Area in Rocky View County
RESIDENTIAL DEVELOPMENT	
	<ul style="list-style-type: none"> There is minimal residential development within the Plan Area, primarily farmsteads and acreages.

ENERGY	
	<ul style="list-style-type: none"> There are numerous well sites and pipelines within the Plan Area

LAND USE DESIGNATIONS

The existing land use designations are determined by each county's land use bylaw and are predominantly agricultural.

V. INTERMUNICIPAL LAND USE POLICIES

The land use policies contained in this Plan are intended to provide direction to Rocky View County and Kneehill County administration, subdivision and development authorities and Councils to encourage and manage the future development of lands contained within the Plan Area.

GENERAL LAND USE POLICIES

INTENT

The general land use policies address matters that apply to the entire Plan Area and are intended to provide an overall guiding direction for the IDP. Each municipality will still maintain complete jurisdiction on lands within their own boundaries.

POLICIES

1. The primary land use in the Plan Area is predominantly agriculture and grazing. Non-agricultural uses should be aligned with each municipality's municipal development plan and should consider interface or transition tools such as fencing, controlled access and site design, environmental stewardship, and environmental education.
2. The municipalities, as per this Plan, shall strive to engage in effective dialogue when considering land use in the Plan Area while still maintaining complete jurisdiction on lands within their own boundaries.
3. The municipalities may collaborate and investigate methods of giving support to projects that may mutually benefit or enhance the quality of life of residents from both municipalities. This could be in the form of in-kind donations, materials, municipal letters of support, unified government lobbying, application for grants, or other more permanent arrangements upon mutual agreement.
4. Both municipalities agree to jointly discuss ways to cooperate with provincial and federal agencies and utility providers to help facilitate the efficient delivery of infrastructure and services that are of a mutual benefit.

REFERRALS

INTENT

In order to ensure that the municipalities are aware of potential developments within the Plan Area, notification and communication is required. The following policies establish a referral process where each municipality can provide comments regarding proposed changes.

POLICIES

1. Where required by the MGA, the relevant Land Use Bylaw and any statutory plans, or the policies of this plan, applications affecting lands within the Plan Area shall be referred to:
 - a. the adjacent municipality; and
 - b. landowners within the adjacent municipality.
2. Where required by the MGA, a relevant statutory plan or land use bylaw, or the policies of this Plan, applications located outside of the Plan Area may be referred to the adjacent municipality.
3. The municipality in receipt of referral of an application within the adjacent municipality should consider potential impact to the following:
 - a. Municipal roadways
 - b. Utilities
 - c. Stormwater and drainage
 - d. Adjacent land use
 - e. Environmental matters
 - f. Other matters
4. Where required by the MGA or the policies of this Plan, both municipalities agree to provide the contact information necessary to refer application information to residents of the adjacent municipality.

AGRICULTURE**INTENT**

Agriculture and grazing will continue to be the primary land use in the Plan Area, and non-agricultural uses should be considered only in such areas where they will not negatively impact agriculture and grazing.

POLICIES

1. Agriculture and grazing are the primary use in the Plan Area.
2. Both municipalities will strive to work cooperatively to encourage good neighbour farming practices, such as dust, weed and insect control, adjacent to developed areas through best management practices and Alberta Agriculture guidelines.
3. If disputes or complaints in either municipality should arise between ratepayers and agricultural operators, the municipality receiving the complaint shall strive to direct the affected parties to the appropriate agency, government department or municipality for consultation or resolution wherever necessary.



RESOURCE EXTRACTION & RENEWABLE ENERGY DEVELOPMENT

INTENT

Resource extraction is recognized as important to the local economy and to the maintenance of transportation routes and other infrastructure. However, impacts from resource extraction operations may affect nearby lands and must be addressed through proper siting and operation practices.

POLICIES

1. Applications for a new or expanded aggregate extraction operation within the Plan Area shall be referred to the adjacent municipality.
2. Applications for a new or expanded aggregate extraction operation that proposes the use of roadways within the jurisdiction of the adjacent municipality shall be referred to the adjacent municipality. Either municipality may require an agreement regarding the construction, repair, and maintenance of any municipal roads which may be impacted by natural resource extraction development, when the development requires access to come from the other municipality's road.
3. Necessary agreements will be required prior to an application being 'deemed complete'.



4. Applications for a new or expanded renewable energy development within the Plan Area shall be referred to the adjacent municipality. Examples include, but are not limited to; solar power facilities, wind farms, and hydro-electric facilities
5. Applications for new or expanded telecommunications towers within the Plan Area shall be referred to the adjacent municipality. Applicants shall be requested to co-locate telecommunications facilities on existing towers where feasible.



ENVIRONMENTAL & OPEN SPACE POLICIES

INTENT

Environmental features do not follow pre-defined boundaries, and impacts to natural areas within one municipality can have an effect on the other side of the border. This section aims to ensure that natural areas are respected, and allows for opportunities to enhance these features where appropriate.



POLICIES

1. Applications affecting wetlands and/or riparian areas located within the Plan Area shall be circulated to the adjacent municipality.

2. Applications affecting wetlands and/or riparian areas located within the Plan Area should be assessed in accordance with the environmental policies of the relevant plans for the municipality in which it was received.
3. The municipalities will encourage the preservation of environmentally significant areas within the Plan Area.
4. Development on slopes and river valleys within natural areas is generally discouraged. However, where development is proposed on these natural features, it will proceed only in accordance with the respective municipality's statutory plans, applicable bylaws, and other municipal policies and regulations.
5. Either municipality shall refer to the other municipality any new or amended municipal bylaw or policy pertaining to environmental or biophysical matters within the Plan Area.
6. The municipalities support the alignment and connection of open space pathways in the defined plan area.

TRANSPORTATION

INTENT

It is important that each municipality take into consideration the impact of development on municipal roads located within the Plan Area that for the area's transportation infrastructure.

POLICIES

1. Each municipality shall be notified of any subdivision or development proposal in the other municipality that will result in access being required from a road under its control or management. The affected municipality may request to obtain any associated traffic studies and must give its' comments in writing within the notification period. If

comments are not received within the notification period, it will be determined the municipality has no concerns.

2. Each municipality shall be notified of any road closure or development of an undeveloped road that will result in the potential for access to be increased, decreased or removed for a road under the control or management of the adjacent municipality. The affected municipality may request to obtain any associated traffic studies and must give its comments in writing within the notification period. If comments are not received within the notification period, it will be determined the municipality has no concerns.
3. Either municipality may require a developer to enter into a road use agreement to control traffic, manage dust control or maintenance issues if access to the development is required from a road under its' control or jurisdiction.
4. The road network shall be maintained by the municipality having jurisdiction, unless a separate agreement specifies joint maintenance, maintenance swap, or any other terms acceptable to both municipalities.



VI. PLAN ADMINISTRATION & IMPLEMENTATION

The administration and implementation of this Plan is intended to be an ongoing process to ensure it is maintained and remains applicable. This will assist Rocky View County and Kneehill County administrations, subdivision and development authorities and Councils with the initial and ongoing execution of this Plan over its lifespan.

Intermunicipal Committee

INTENT

The implementation of this Plan is intended to be an ongoing process to ensure it is maintained and remains applicable. A committee with joint representation will ensure continued dialogue and cooperation, as the purpose of this committee is to promote active cooperation and conflict resolution through a consensus-based approach.

POLICIES

1. For the purposes of administering monitoring of the IDP, Rocky View County and Kneehill County will establish the Intermunicipal Committee (the Committee) as defined in accordance with the Intermunicipal Collaboration Framework.
2. Meetings of the Committee shall be held on an “as needed basis”, or at the request of either municipality. Committee meetings should be held as soon as possible if any conflict arises, or if any matter is brought before it.

3. The municipality that called the meeting of the Committee shall host and chair the meeting and is responsible for preparing and distributing agendas and minutes.
4. Both Councils agree the Committee is not a decision making body and that the Committee shall issue a written response in the form of comments and/or recommendations to the appropriate decision making body.

FUNCTIONS OF THE COMMITTEE

INTENT

Both municipalities agree that the main functions of the Committee are the following:

1. Create a forum for dialogue on issues of common interest and concern;
2. Address concerns regarding the policies of the Plan;
3. Address proposed amendments to the Plan;
4. Engage in resolving any conflicts or disputes which arise from this Plan – both municipalities will equally share costs associated with using outside assistance to resolve a dispute; and
5. Address any other land use issues deemed appropriate, but which are not explicitly identified in the Plan.

ADOPTION, AMENDMENT, & REPEAL PROCESS

INTENT

This section acknowledges the adoption of the plan, and provides requirements for ongoing monitoring. Additionally, the policies recognize that periodic amendments may be required.

POLICIES

1. The policies of this Plan apply to the lands located within the Plan Area.
2. This plan comes into effect following adoption by the respective Councils of Rocky View County and Kneehill County.
3. The municipalities agree to comply with the adopted relevant regional plan strategies.
4. Rocky View County is a member municipality in the Calgary Metropolitan Regional Board (CMRB), and is therefore subject to the requirements of the CMRB and the Interim Regional Growth Plan (IGP). Participation with Rocky View County in the adoption of this IDP does not subject Kneehill County to the requirements of the CMRB and the IGP.
5. Amendments to the IDP shall receive direction from both Councils prior to proceeding and shall be jointly prepared by both administrations.
6. Amendments to the Plan shall not come into force until they are adopted by the Councils of both municipalities, in accordance with the requirements of the MGA.
7. A Bylaw to repeal this IDP may be considered by both Councils if:
 - a. The repealing Bylaw considers a new IDP, or
 - b. If the repealing Bylaw complies with Provincial legislation.

DISPUTE RESOLUTION**INTENT**

This plan is designed to facilitate communication and cooperation among the municipalities. While understanding that each

municipality has the right to make decisions within their boundaries, it is acknowledged that these decisions can have an impact beyond their borders.

POLICIES

In order to ensure that the relationship between the two municipal neighbours remains strong, Kneehill County and Rocky View County agree to the following:

1. The municipalities respect the right to maintain jurisdiction over decisions made within their boundaries.
2. The municipalities understand the potential for those decisions to impact the adjacent municipality.
3. The municipalities understand the importance of notification and communication with the adjacent municipality in order to ensure that potential concerns are addressed.

PROCESS

1. It is the desire of both municipalities to promote public confidence in the leadership of both municipalities by encouraging intermunicipal cooperation and self-directed dispute resolution processes.
2. Should either municipality identify a potential concern related to an application referral provided through the policies of this plan, written notification shall be provided at the administration level.
3. Rocky View County and Kneehill County have a mutual commitment to resolve any disputes brought forward and shall make a good faith attempt at resolving perceived disputes prior to mediation.

4. Prior to any meeting to discuss a potential dispute, each municipality through its administration, will ensure the facts of the issue have been investigated and clarified, and information is made available to both parties.
5. Any matter of Intermunicipal concern between the municipalities shall first be informally discussed by relevant administrative officials employed by Rocky View County and Kneehill County, culminating with discussions between the Chief Administrative Officers with the goal of resolving the concern.
6. Should the Chief Administrative Officers fail to resolve the dispute, the dispute will be referred to the Committee.
7. The Committee will convene to consider and attempt to resolve the dispute by consensus. In the event a resolution is not achieved by the 30th day following the first meeting of the Committee, either municipality may refer the dispute to mediation.
8. The formal dispute resolution process may only be initiated by either County Councils.
9. The services of a mutually agreed upon Mediator will be retained, with the mediator to present a written recommendation to both Councils. The costs of mediation shall be shared equally between both municipalities.
10. Should a dispute involve an application subject to Section 690(1) of the MGA, the municipalities may submit an appeal to the Municipal Government Board within 30 days of adoption in order to maintain the right to appeal.
11. Notwithstanding the above, the appeal may be withdrawn prior to the Municipal Government Board hearing should an agreement be reached to the satisfaction of the municipalities.

12. If the matter of Intermunicipal concern is not resolved through third party mediation, either municipal Committee may recommend to their respective Council to pursue arbitration.



VII. DEFINITIONS

Adjacent Land(s): Land that abuts or is contiguous to the parcel of land that is being described and includes land that would be contiguous if not for a highway, road, lane, walkway, watercourse, utility lot, pipeline right-of-way, power line, railway or similar feature and any other land identified in the land use bylaw as adjacent for the purpose of notifications under the *Municipal Government Act, Revised Statutes of Alberta 2000, M-26* with amendments.

Agricultural Areas: means lands within the Plan Area that are not located within the boundaries of a statutory plan (such as an area structure plan, conceptual scheme, or master site development plan).

Agricultural Operation: If not defined in the municipality's Land Use Bylaw, it is an agricultural activity conducted on agricultural land for gain or reward or in the hope of expectation of gain or reward, and can include, but is not limited to:

- a. the cultivation of land;
- b. the raising of livestock, including game-production animals within the meaning of the *“Livestock Industry Diversification Act”* and poultry;
- c. the raising of fur-bearing animals, pheasants or fish;
- d. the production of agricultural field crops;
- e. the production of fruit, vegetables, sod, trees, shrubs and other specialty horticultural crops;
- f. the production of eggs and milk;
- g. the production of honey (apiaries);
- h. the operation of agricultural machinery and equipment, including irrigation pumps on site;
- i. the application of fertilizers, insecticides, pesticides, fungicides, and herbicides, including application by ground and aerial spraying, for agricultural purposes;
- j. the collection, transportation, storage, application, use transfer and disposal of manure;
- k. the abandonment and reclamation of confined feeding operations and manure storage facilities.
- l. does not include cannabis cultivation production for either medical or recreational use.

Alberta Land Stewardship Act (ALSA): The *Alberta Land Stewardship Act Statutes of Alberta, 2009 Chapter A-26.8*, as amended.

Arbitration: A process to resolve disputes outside the courts. An arbitration decision is legally binding on both sides and enforceable in the courts.

Area Structure Plan (ASP): A statutory plan in accordance with the Municipal Government Act (MGA) for the purpose of providing a

framework for subsequent subdivision and development of an area of land in a municipality. The Plan typically provides a design that integrates land uses with the requirements for suitable parcel densities, transportation patterns (roads), stormwater drainage, fire protection and other utilities across the entire Plan Area.

Conservation Easement: A voluntary agreement between a landowner and a conservation organization or government agency. The intent of the Conservation Easement is to protect the ecological, scenic, and or agricultural values of the land. The agreement is placed on title, and the landowner continues using the land subject to the specific restrictions in the easement.

Council(s): The Council of Kneehill County and the Council of the Rocky View County in the Province of Alberta.

Development: As defined by the *Municipal Government Act* in Part 17, section 616, means

- a) an excavation or stockpile and the creation of either of them;
- b) a building or an addition to or replacement or repair of a building and the construction or placing of any of them on, in, over or under land;
- c) a change of use of land or a building or an act done in relation to land or a building that results in or is likely to result in a change in the use of the land or building; or
- d) a change in the intensity of the land or a building or an act done in relation to land or a building that results in or is likely to result in a change in the intensity of use of the land or building.

Discretionary Use: The use of land or a building in a land use district for which a development permit may be approved at the discretion of the Development Authority with or without conditions.

Dispute Resolution Process: Includes a wide range of processes, including mediation and arbitration or various forms of, with each being an alternative to litigation, designed to meet the unique needs of the parties involved or the dispute at hand.

Environmental Reserve: Regulated through the *Municipal Government Act (MGA)*, it is the transference of land from the landowner to the municipality through the subdivision process. The lands can consist of water bodies, steep slopes, gullies, or drainage courses, and would be required to remain in its natural state.

Environmental Reserve Easement: Similar to an Environmental Reserve, the ERE however allows the title to remain under the landowner, instead of with the Municipality. Similar restrictions apply with an easement, such that the land would be left in its natural state.

Environmentally Significant Areas (ESA): Meaning as defined in each subject Land Use Bylaw.

Extensive Agriculture: The general raising of crops and grazing of livestock in a non-intensive nature.

Intermunicipal Border: The shared border between Rocky View County and Kneehill County.

Intermunicipal Committee: Those members from both municipalities appointed by resolution of Council to represent their municipality on matters relating to the Intermunicipal Development Plan and the Intermunicipal Collaboration Framework.

Intermunicipal Development Plan (IDP): A statutory document, adopted by bylaw in accordance with section 631 of the *Municipal Government Act*, which is used by municipalities as a long-range planning tool.

May: Is an operative word that means that there is a choice, with no particular direction or guidance intended.

Municipalities (the Municipalities): The municipalities of Rocky View County and Kneehill County.

Municipal Government Act (MGA): The Municipal Government Act Revised Statutes of Alberta 2000, Chapter M-26, as amended.

Municipal Development Plan (MDP): A statutory plan, adopted by bylaw in accordance with section 632 of the *Municipal Government Act* and used by municipalities as a long-range planning tool.

Outline Plan: means a detailed Land Use plan for an area of land that is typically smaller than the land covered by an Area Structure Plan and which conforms to all Statutory Plans. An Outline Plan is adopted by resolution of Council, Pursuant to Part 17 of the Act, and is otherwise equivalent to a “Conceptual Scheme” as described in the Act.

Permitted Use: The use of land or a building in a land use district for which a Development Authority shall issue a development permit with or without conditions providing all other provisions of the Bylaw are conformed with.

Plan: The Rocky View County and Kneehill County Intermunicipal Development Plan.

Plan Area: The lands defined in this document to which the policies of this document pertain.

Ratepayer: A land owner within the municipality who pays taxes to the respective municipality and is considered a stakeholder in public matter relating to the municipality.

Renewable Resource/Energy: means a Development whose Principal Use is the generation of energy for commercial or residential use, from wind, solar, geothermal or other sources that do not depend on finite, non-renewable resources such as fossil fuels.

Shall: In an operative word that means the action is mandatory.

Should: In an operative word that means that in order to achieve the Plan's objectives, it is strongly advised that the action be taken.

Soil Classification: The classification of soils in accordance with the Canadian Land Inventory on the basis of soil survey information, and are based on intensity, rather than kind, of their limitations for agriculture.

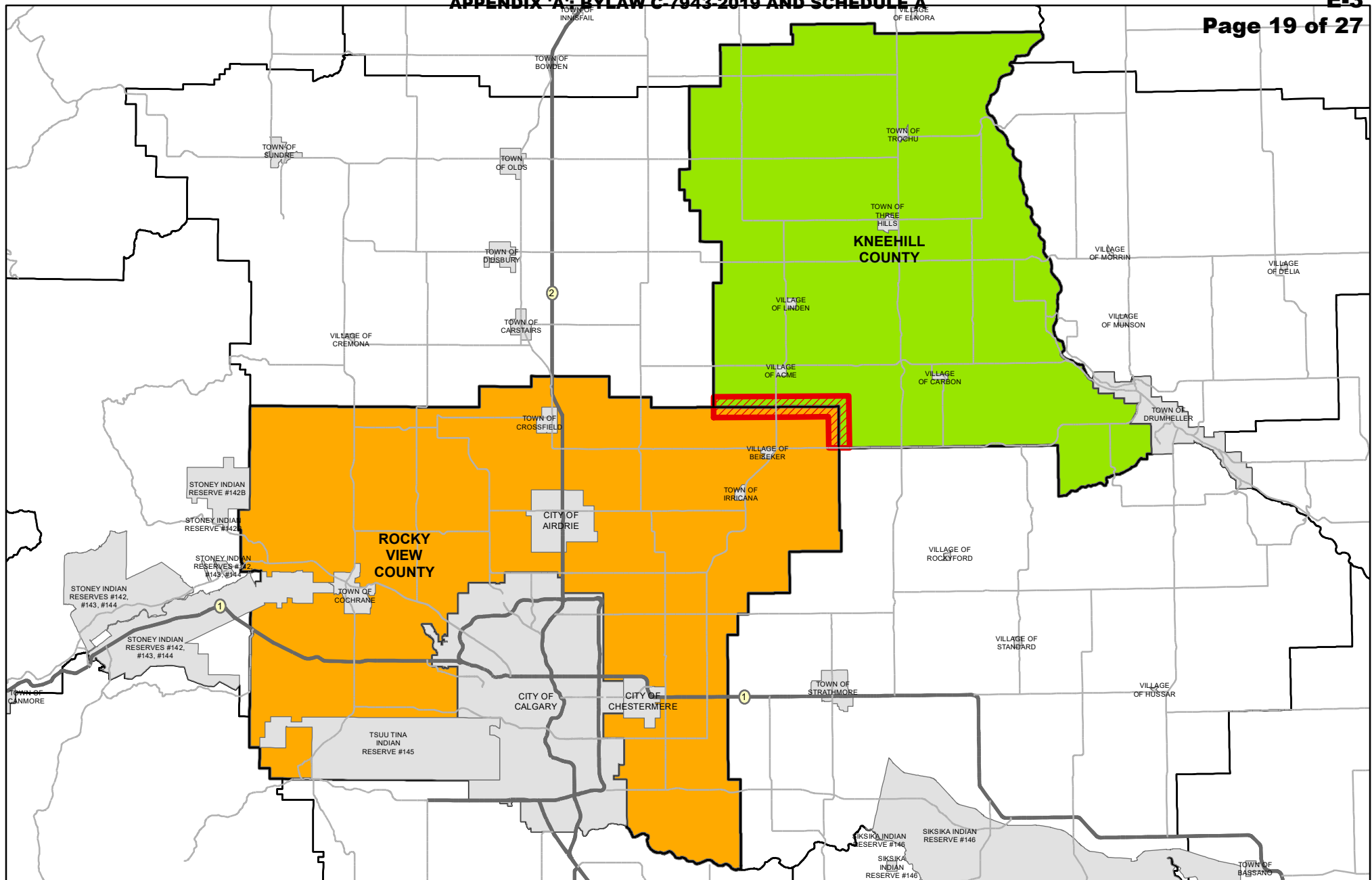
Stakeholder: A person with an interest or concern in matters pertaining to this Plan.




Statutory Plan: As per Part 17 of the *Municipal Government Act*, is an intermunicipal development plan, a municipal development plan, an area structure plan, or an area redevelopment plan adopted by a municipality under Division 4 of the *Municipal Government Act*.

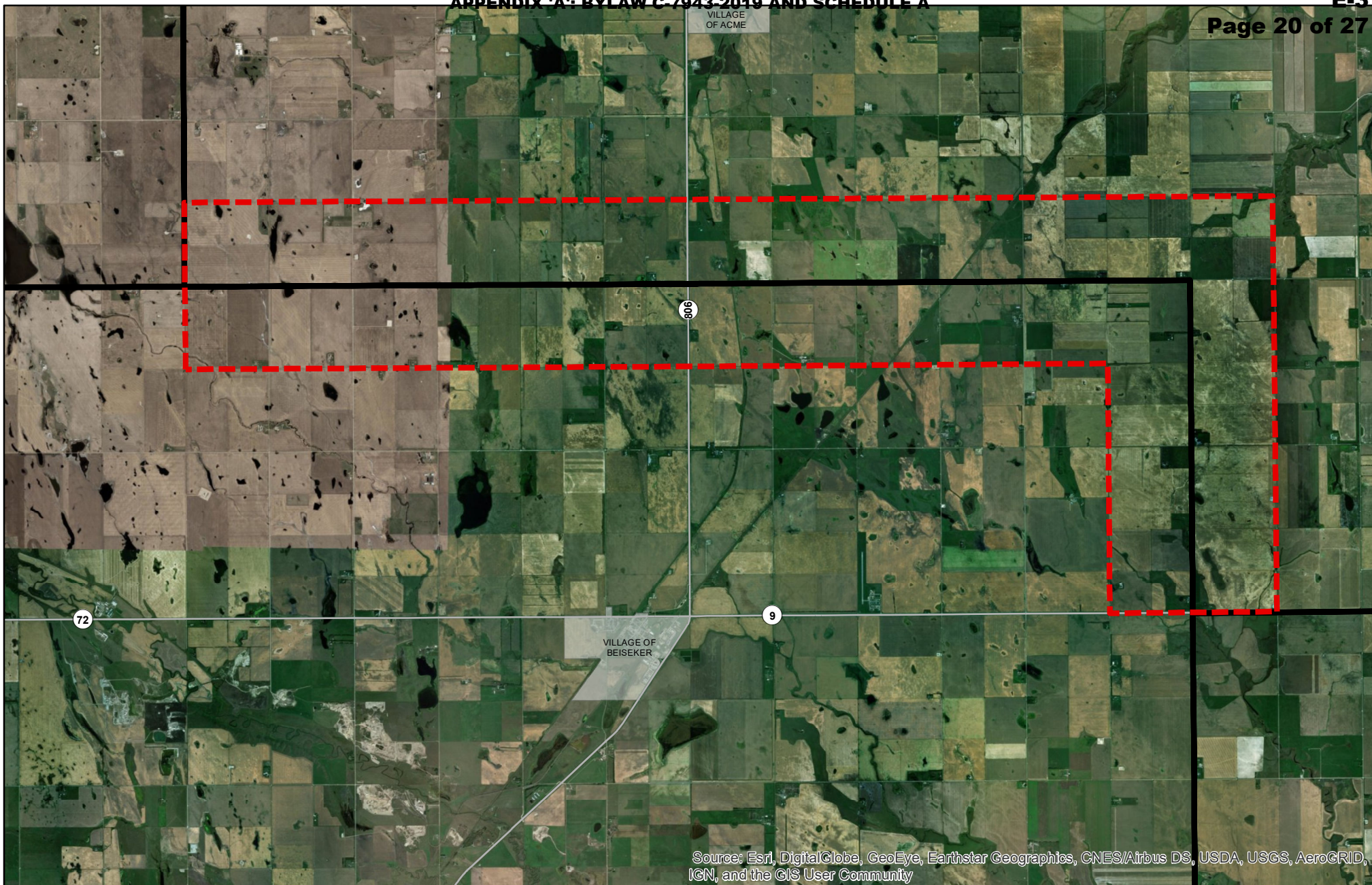
Subdivision and Development Authority: Within the boundary of Rocky View County means the Rocky View County Subdivision and Development Authority, and within the boundary of Kneehill County



means the Kneehill County Subdivision and Development Authority.

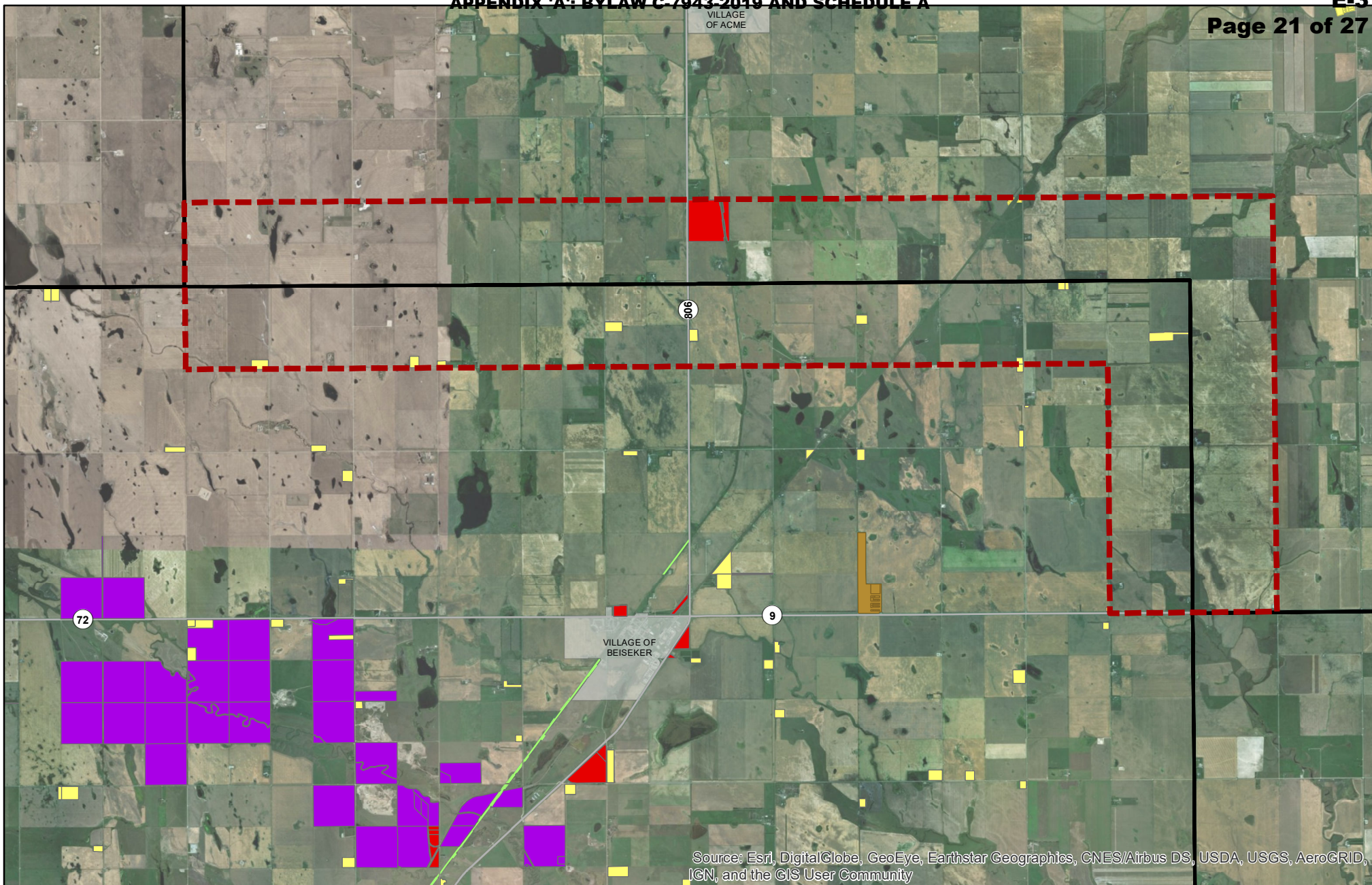











-  IDP PLAN AREA
-  ROCKY VIEW COUNTY
-  KNEEHILL COUNTY

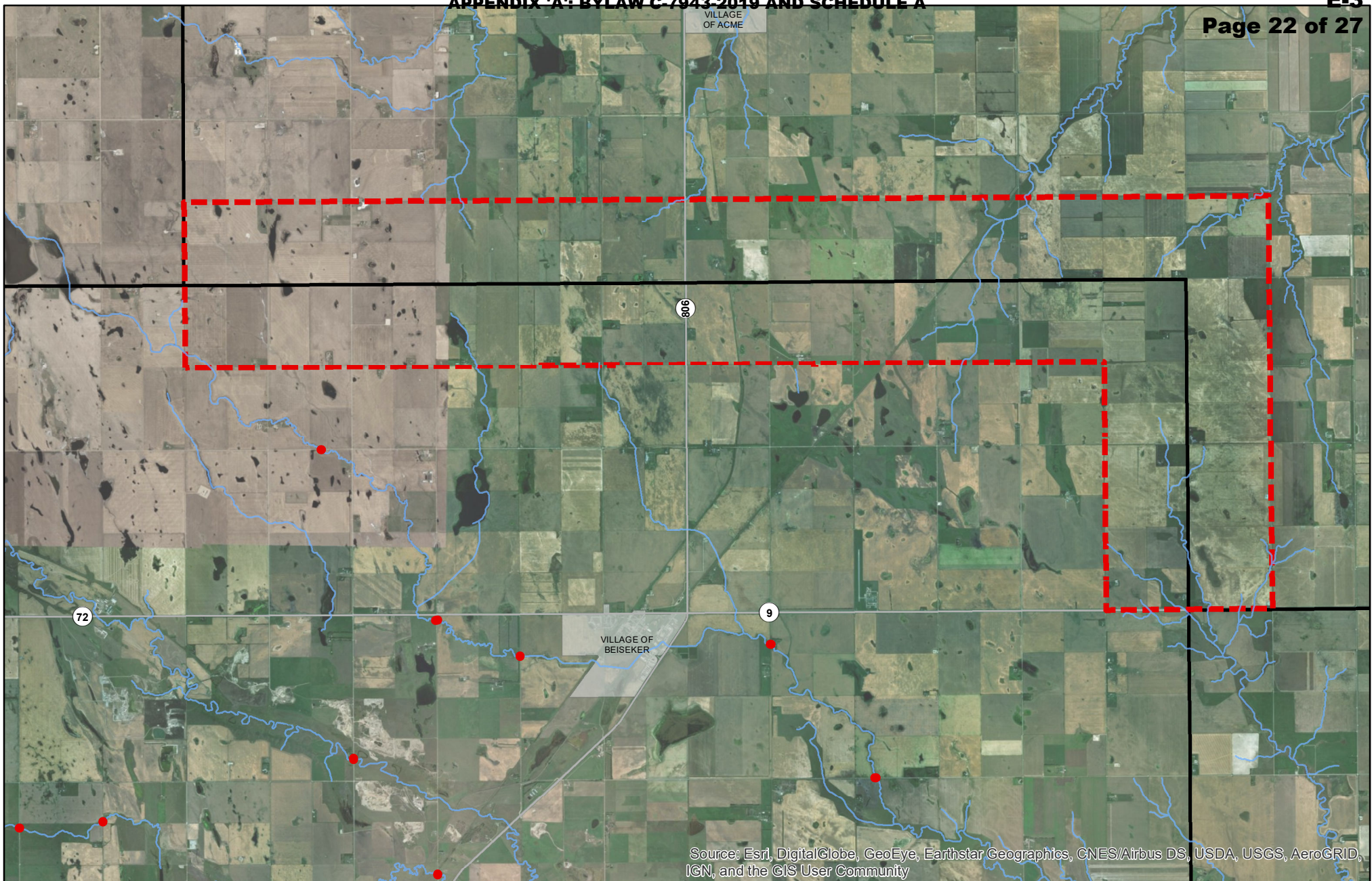


 IDP PLAN AREA
 Municipal Boundary

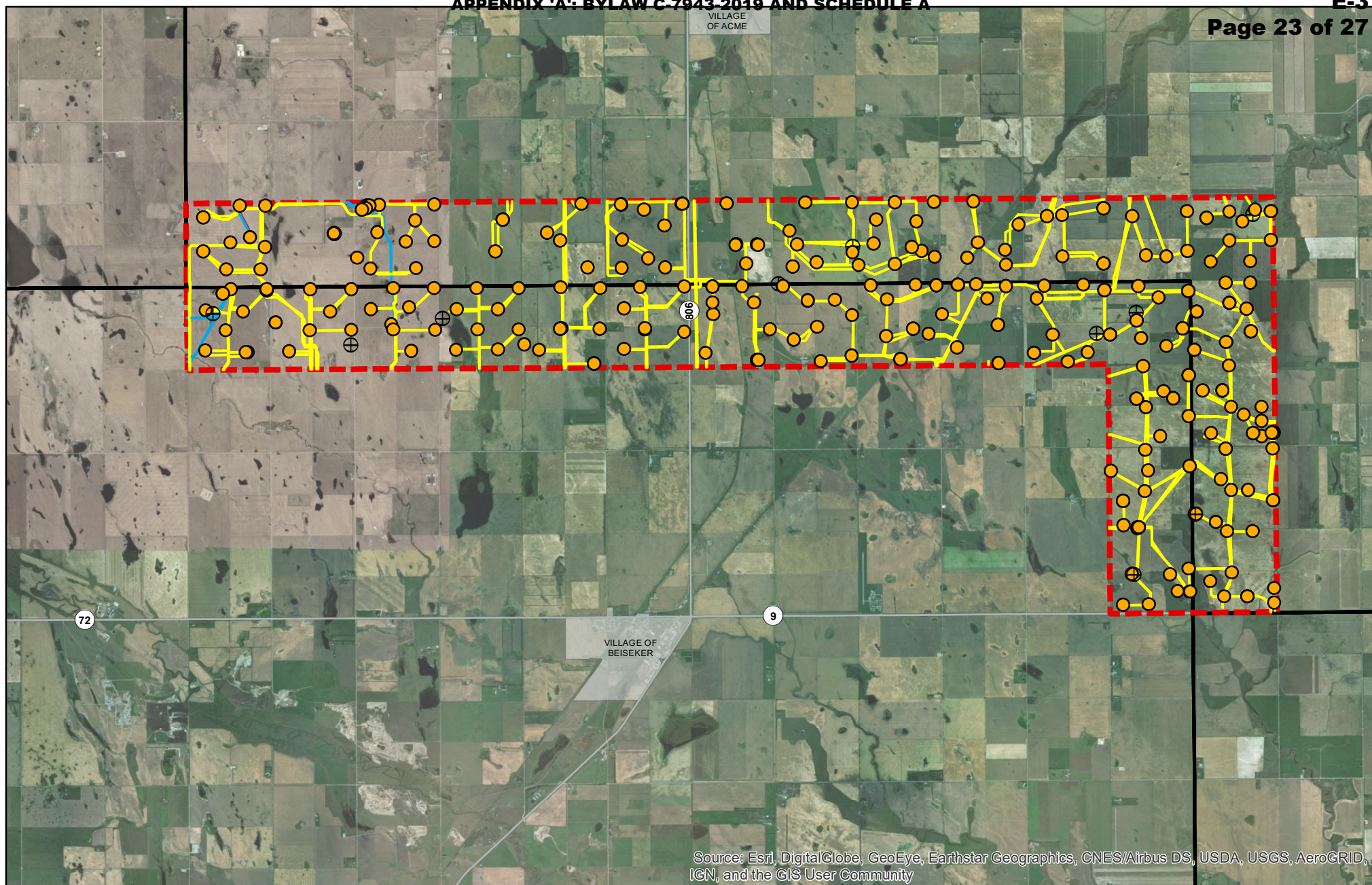


Land Use

	Agriculture		Business Commercial		Residential
	Airport		Direct Control		Industrial & NRI
			Public Service		





- Bridges
- Hydrology
- Municipal Boundary
- IDP PLAN AREA







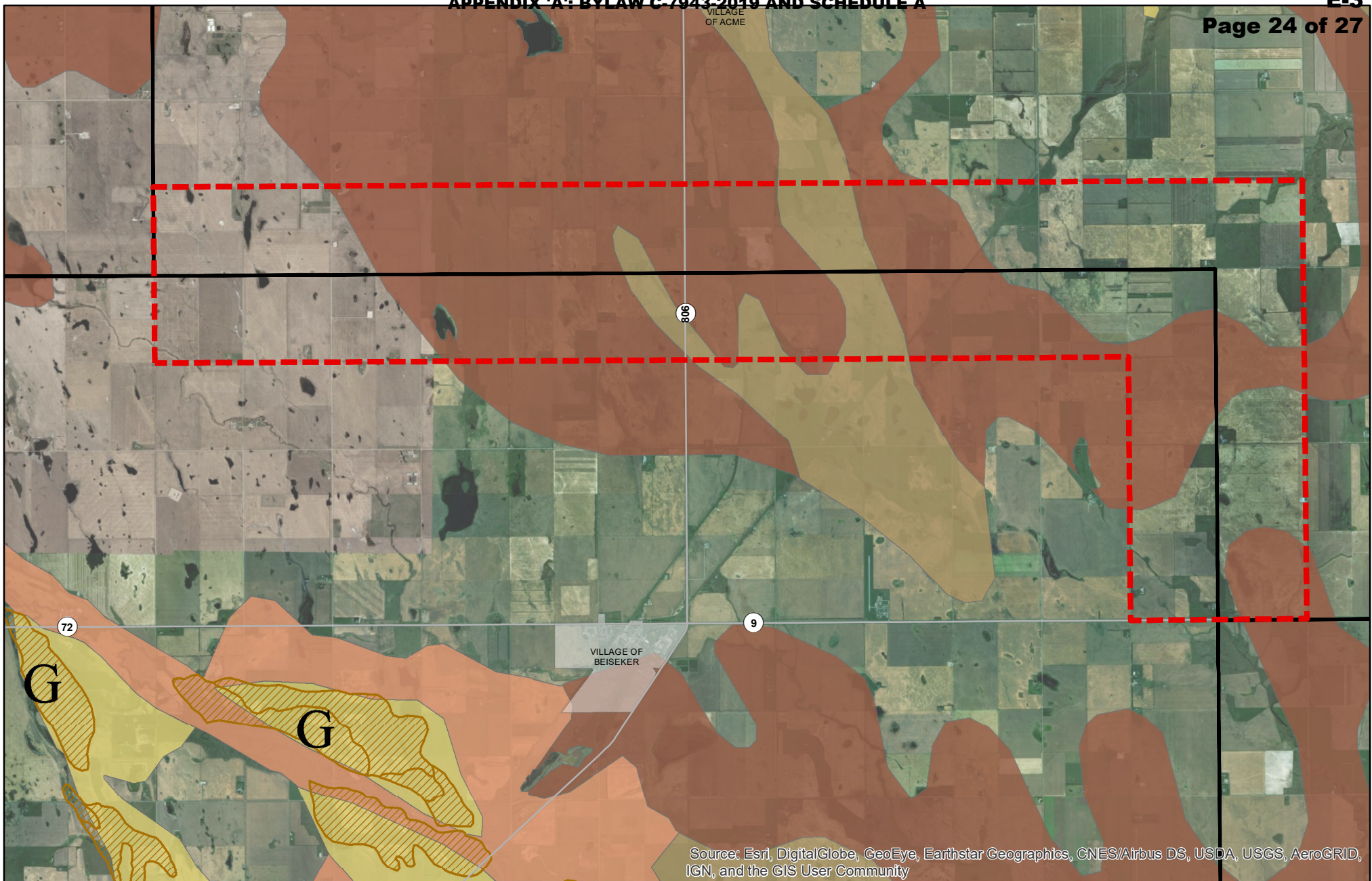
 IDP PLAN AREA
 Municipal Boundary

Wells










 All Other Values
 Abandoned

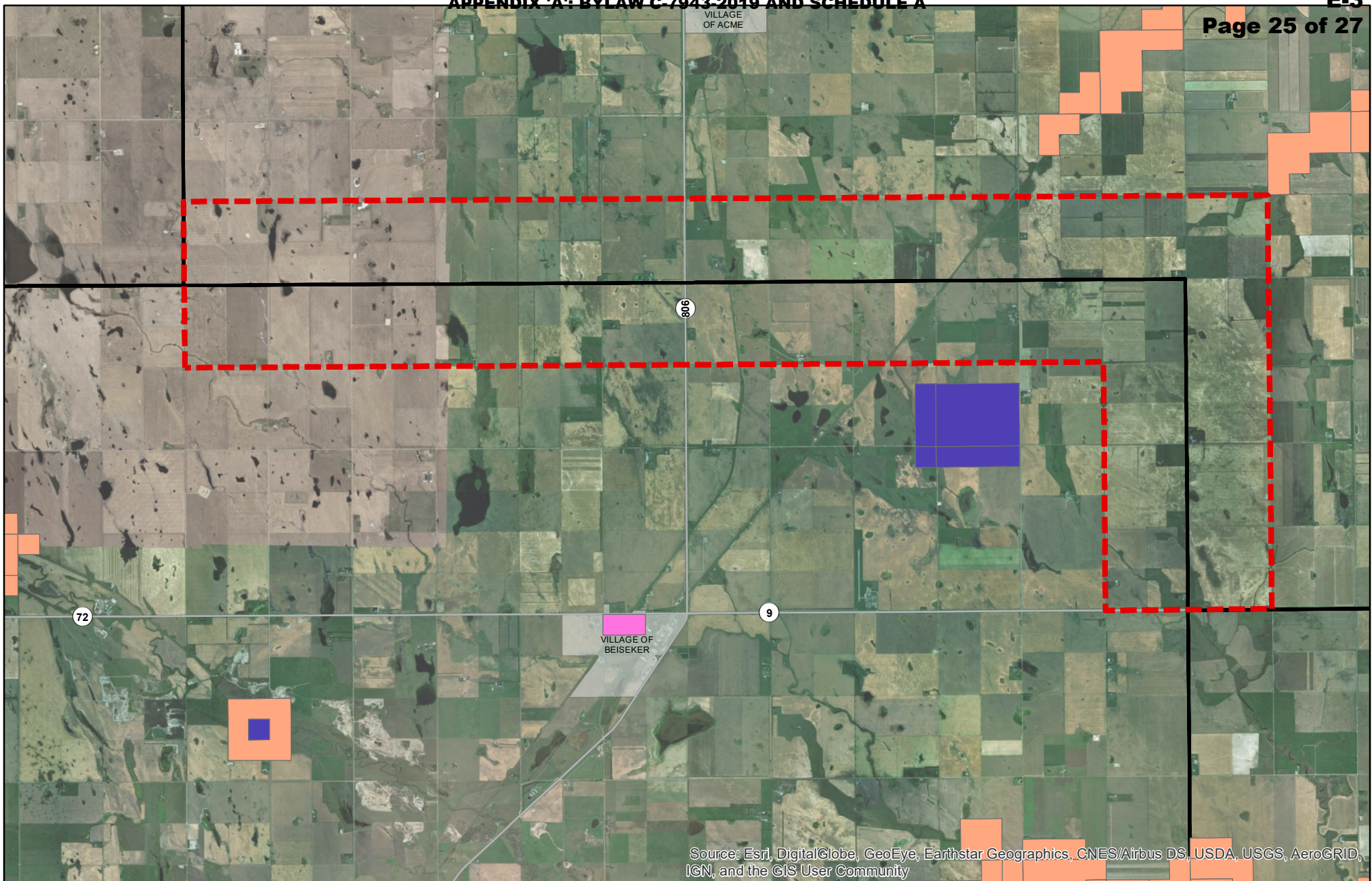
Pipes








 Crude Oil
 Other
 Natural Gas
 Sour Natural Gas

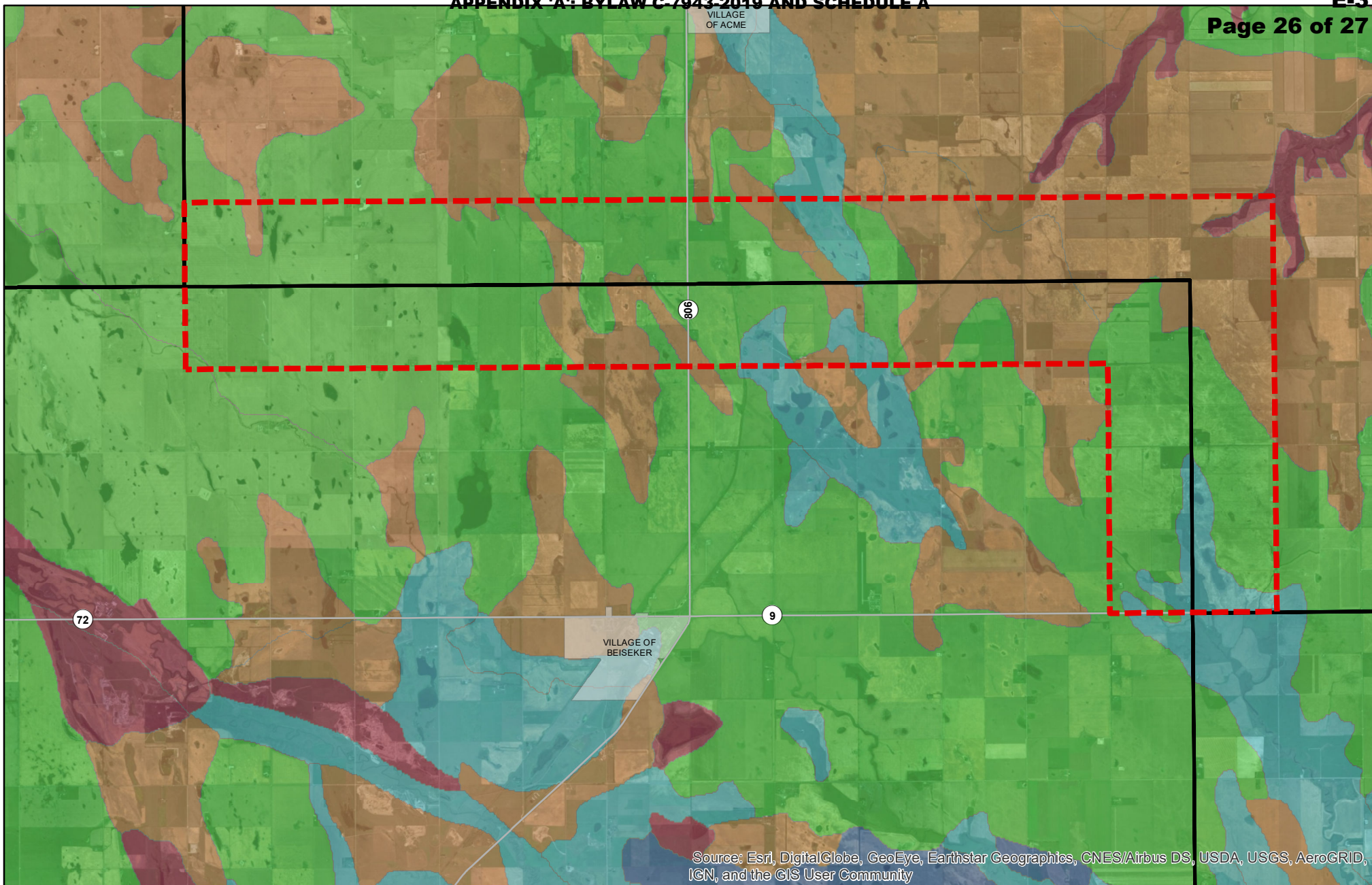


Surfacial Sand & Gravel Deposits

- | | | |
|---|---|---|
|  IDP PLAN AREA |  Sand & Gravel Potential |  Sand and silt |
|  Municipal Boundary |  Sand |  Sand, silt and clay, minor gravel |
|  Gravel Pits |  Sand and gravel |  Sandy diamicton |



- | | | | |
|--|----------------------------------|---|--|
|  | IDP PLAN AREA |  | 2 - Registered Historic Resource |
|  | Municipal Boundary |  | 3 - Significant historic resource that will likely require avoidance |
| Historic Resource Value (HRV) | |  | 4 - Historic resource that may require avoidance |
|  | 1 - Provincial Historic Resource |  | 5 - Potential to contain a historic resource |



IDP PLAN AREA



Municipal Boundary

CLI Soil Classification



1 - No significant crop limitation



2 - Moderate limitations on crop type



3 - Moderate/severe limitations on crop type



4 - Severe limitations on crop type



5 - Restricted growth on perennial crops



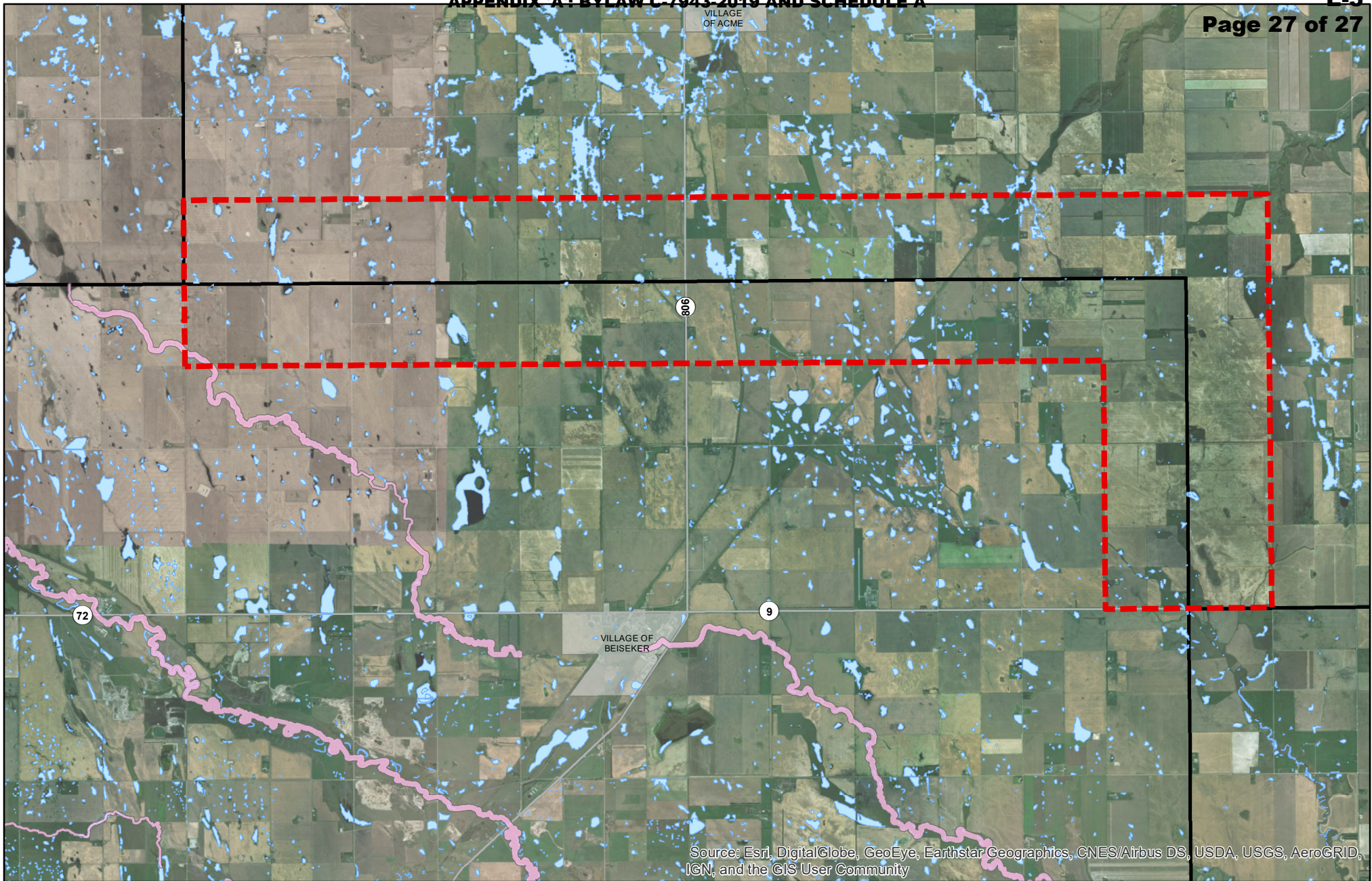
6 - Capable of producing perennial crop only



7 - No crop capability or permanent pasture land



O - Organic Soils



- IDP PLAN AREA
- Municipal Boundary
- Riparian Policy Areas
- Alberta Merged Wetland Inventory
- Key Wildlife & Biodiversity Zones



CAPITAL PROJECT MANAGEMENT

TO: Council
DATE: March 10, 2020
FILE: 1007-800
SUBJECT: First Reading Bylaw – C-8007-2020 – Regional Transportation Off-Site Levy Bylaw

DIVISION: All
APPLICATION: N/A

POLICY DIRECTION:

At its December 10th, 2019 Council meeting, Council passed a resolution that the Additional Scenarios presentation be received for information and that Administration be directed to bring forward proposed Off-Site Levy Bylaws for consideration of first reading in accordance with levy scenario 1 as presented.

EXECUTIVE SUMMARY:

Bylaw C-8007-2020 Regional Transportation Off-Site Levy Bylaw is being presented to Council for consideration of First Reading.

Amendments to the County's Transportation Off-Site Levy Bylaw C-7356-2014 have been prepared to support the long-term development of key growth areas in Rocky View County, and have evolved following a comprehensive review that has been ongoing since 2018. The primary goal of the updates to the bylaw are to:

- Create an efficient and sustainable long-range transportation network to service the County's growing communities.
- Provide the County with a funding mechanism necessary to develop a regional road network.
- Continue to support the construction of key provincial and regional infrastructure
- Provide more certainty around the collection of levies focusing on identified growth areas within the County. The levy is designed to fund Network development developed from the County's transportation modelling data.

The updates include the introduction of Urban and Rural Levy rates, as well as an update to Special Area #2 in the Conrich and Omni areas for Regional Transportation Infrastructure necessary to support the continued growth and development of these areas.

Further amendments to the Bylaw have been added to the proposed Bylaw which were not discussed at the December 10, 2019 Council meeting. These include terms and definitions related to the creation and abilities of the Municipal Planning Commission as well as updated collection mechanisms highlighted throughout the bylaw in redline.

The Regional Transportation Off-Site Levy Bylaw provides for the collection of levies and was developed in a fair and transparent way that values stakeholder feedback and input, while aligning with the requirements of the *Municipal Government Act*.

Two key themes of Council's Strategic Plan is managing growth responsibly and ensuring the County's financial position remains healthy. Growth resulting from new development creates opportunities for residents and businesses by fostering a vibrant and diverse economy and generating additional tax revenues to support County services. Growth also affects the costs of operating and

Administration Resources

Byron Riemann, Operations Services



maintaining the County's Infrastructure. Balancing the benefits and costs of growth is a key focus of Administration's Corporate Business Plan and the levy structure is a critical tool to help achieve that. It ensures that new development pays a proportionate share of the costs needed for the addition, expansion, and long-term sustainability of the County's transportation network resulting from that growth.

ADMINISTRATION RECOMMENDATION:

Administration recommends approval in accordance with Option #1.

BACKGROUND:

The current Transportation Off-Site Levy has been in place since October 2014.

To ensure alignment with legislation a comprehensive review of the current levy was undertaken in 2016. Comments gained from public feedback resulted in a complete rebuild of the draft Bylaw that was presented to the public during Open Houses held in June and July of 2017.

On July 10th, 2018, Council directed Administration to begin proceed with consultation on all revised Off-Site levy bylaws including the Transportation Off-Site Levy. The updates were again presented and discussed at length with the public to gain feedback and input. The updates were presented publicly at Open Houses on September 12th and 19th, 2018, and at workshops and information sessions with Council throughout 2019.

In addition to the open houses since September 2018, the County held numerous meetings with individual landowners and industry stakeholders including Rocky View 2020, Rocky View Forward, BILD Calgary and other representatives from the development industry to gain input and feedback.

Most recently, on December 10th, 2019, Administration presented four (4) levy scenarios to Council for consideration. As a result of this meeting, Council directed Administration to proceed with drafting the Bylaws in accordance with Levy Scenario 1. Levy Scenario 1 encompassed additional modifications to the Regional Transportation Off-Site Levy Bylaw compared to what had been previously presented, resulting in lower overall Levy costs. The Bylaw being presented has been prepared in accordance with this direction and as noted include amendments that provide the Municipal Planning Commission decision making authority related to the Bylaw and a updated collection mechanism.

DISCUSSION:

New development will be expected to pay its proportionate share, both regionally through Off-Site Levies and locally through development specific servicing requirements as conditions of subdivision and development approvals.

The following summarizes the existing Bylaw and the benefits/changes to the proposed Bylaw:

Current Levy Bylaw C-7356-2014:

- Considers entire gross acreage of the County including non-growth areas;
- Current levy calculation assumes 100% of the costs to be borne by new subdivision and development;
- Based on full build out of the entire network;
- Does not differentiate between regional vs non-regional;
- Does not allow for any credit/relief for roadways constructed by others;
- Current bylaw applies on residential parcels less than 4.0 ha (9.88 acres) in size;
- Current bylaw requires payment on gross subdivision area (including parent parcel);
- Current bylaw has one rate for all areas regardless of rural or urban;
- Rocky View County contributions towards Provincial Infrastructure set at 25% total costs.



Benefits of the Proposed Levy Bylaw C-8007-2020:

- Considers only gross acreage of growth areas identified in the County Plan and Area Structure Plans (ASPs) which provides more certainty/probability of collecting levies as the levy is focuses on identified growth areas;
- Calculated with 76% of the funding necessary to construct the long range transportation network coming from new subdivision and development via the levy; 24% from general revenues which provides a fair cost split between future development and existing developed areas/background traffic;
- Bylaw only collects for roads identified in the long-range Transportation Network, which do not currently meet that standard. Relies upon defined traffic thresholds. Local subdivision and rural gravel roads are not funded, as these are background conditions not associated with new development;
- Regionally generated trips have been excluded from the levy costs which is a fair approach to ensure development is not paying for improvements solely driven by regional traffic generated outside of the County;
- Allows for levy credit/relief should a developer construct a roadway to its ultimate standard as identified in the bylaw;
- Only applicable on residential parcels less than 3.0 ha (7.41 acres) in size and Levy is deferred on parcels greater than 3.0 ha (7.41 acres) in size;
- Deferred on a subdivisions parent parcel that contains an existing dwelling which would not introduce additional traffic to the road network;
- Differentiates between Rural and Urban levy Rates, although rates presented are currently identical this would provide the ability for higher collection in areas which have a higher density development and see an increased amount of traffic. Note* *December 2019 Levy Scenario 1 proposed that the Urban Base Rate be frozen at \$4,595/acre (which is the same rate as Rural, however, should Council wish to raise the Urban rate in the future, the proposed bylaw is set up to accommodate this);* and
- Rocky View County's contributions towards Provincial Infrastructure is reduced/set at 12.5% of total costs. The reduction was part of Levy Scenario 1 presented to Council and reduces the overall costs for Rocky View County developers while still maintaining significant collections and contributions towards Provincial and Regional Infrastructure.

OPTIONS:

- Option # 1: Motion #1 THAT Bylaw C-8007-2020 be given first reading.
 Motion #2 THAT Bylaw C-8007-2020 be advertised for a Public Hearing on
 May 12th, 2020.
- Option # 2: That Council provide alternative direction.

Respectfully submitted,

Concurrence,

"Byron Riemann"

"Al Hoggan"

Executive Director
Operations Services

Chief Administrative Officer

BR/AP/bg



ROCKY VIEW COUNTY

ATTACHMENTS:

ATTACHMENT 'A': Bylaw C-8007-2020



BYLAW C-8007-2020

A Bylaw of Rocky View County, in the Province of Alberta, for the purpose of establishing Off-Site Levies for Regional Transportation Infrastructure

WHEREAS in accordance with Section 648 of the *Municipal Government Act*, a Council may by bylaw:

- (a) provide for the imposition and payment of a levy, to be known as an "Off-Site" Levy, in respect of land that is to be developed or subdivided, and
- (b) authorize agreements to be entered into in respect of the levy.

AND WHEREAS the Rocky View County Council deems it desirable to establish Off-Site Levies for the purposes described in Section 648 of the *Municipal Government Act*;

AND WHEREAS Rocky View County Council engaged the engineering firm of Watt Consulting Group and Sedulous Engineering Inc. to prepare the following reports and plans:

- (a) Rocky View County Future Network Analysis in Support of the Off-Site Levy, June 2018 (Watt Consulting Group)
- (b) Transportation Off-Site Levy Support Summary Report, June 2018 (Sedulous Engineering Inc.)

(collectively the "Reports");

AND WHEREAS the Reports detail the County's Regional Transportation Infrastructure, which is required to be constructed or upgraded as a result of Subdivision and Development or which is impacted by subdivision and development together with the fair and equitable calculations and allocation of Off-Site Levies related to Regional Transportation Infrastructure, in accordance with the purposes of the *Municipal Government Act*;

AND WHEREAS Rocky View County applied the principles and criteria specified in the *Off-Site Levies Regulation* in the development of the Off-Site Levies established in this Bylaw;

AND WHEREAS based upon the principles set out in the Reports, Rocky View County Council wishes to enact a bylaw to impose and provide for the payment of Off-Site Levies, to authorize agreements to be entered into in respect of payment of the Off-Site Levies, to set out the object of each levy, and to indicate how the amount of each levy was determined;

AND WHEREAS Rocky View County Council has created the Municipal Planning Commission pursuant to the Municipal Planning Commission Bylaw, to exercise the powers and discretions of the Subdivision Authority and the Development Authority, each as defined and contemplated within the *Municipal Government Act*; and



NOW THEREFORE pursuant to the authority conferred upon it by the laws of the Province of Alberta, the Rocky View County Council, duly assembled, enacts as follows:

TITLE

- 1 This Bylaw may be cited as the "Regional Transportation Off-Site Levy Bylaw".

PURPOSE AND INTENT

- 2 The purpose and intent of this Bylaw is to:
 - (a) impose and provide for the payment of levies to be known as Off-Site Levies in respect of lands that are to be Subdivided or Developed and which will require new or upgraded County Regional Transportation Infrastructure or which will impact County Regional Transportation Infrastructure;
 - (b) authorize agreements to be entered into in respect of payment of the Off-Site Levies;
 - (c) set out the objects of each Off-Site Levy; and
 - (d) indicate how the amount of each Off-Site Levy was determined.

DEFINITIONS

- 3 The definitions contained in Schedule "K" of this Bylaw apply unless the context otherwise requires.

ADMINISTRATION AND ENFORCEMENT

- 4 Council hereby delegates to the CAO, the duty and authority to enforce and administer this Bylaw.

ENACTMENT

- 5 Subject to section 9 through 12 of this Bylaw, an Off-Site Levy as provided for in the Act is hereby imposed in respect of the Development Area of all Lands which are to be Developed or Subdivided within the County and which will require the construction or upgrade of Regional Transportation Infrastructure or which will impact the Regional Transportation Infrastructure at the rates and on the terms as specified in this Bylaw, with the exception of any land where Off-Site Levies have been previously imposed and collected in full with respect to the same purpose as provided for in this Bylaw.
- 6 Notwithstanding any other provision in this Bylaw, the County may impose further or different Off-Site Levies, duly enacted by bylaw, on any portion of Lands which are the subject of Development permit or Subdivision approval and in respect of which the County has not collected Off-Site Levies imposed under this Bylaw or any previous Off-Site Levy bylaw authorized by the Act or a predecessor Act with respect to the same purpose as provided for in this Bylaw.



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- 7 The County is hereby authorized to enter into agreements with owners of the Lands referred to in section 5 for payment of the Off-Site Levy imposed on those Lands.
- 8 The following Schedules and Maps are hereby incorporated and form part of this Bylaw:

Schedule "A-1"/Map "A":	Urban Base Levy
Schedule "A-2"/Map "A":	Rural Base Levy
Schedule "B"/Map "B":	East Balzac Special Area 1
Schedule "C"/Map "C":	Conrich Special Area 2
Schedule "D"/Map "D":	Southeast Industrial Special Area 3
Schedule "E"/Map "E":	Springbank Special Area 4
Schedule "F"/Map "F":	Highway 22 & Highway 1 Interchange Special Area 5
Schedule "G"/Map "G":	Highway 791 & Highway 1 Interchange Special Area 6
Schedule "H"/Map "H":	Highway 560 & Highway 797 Improvements Special Area 7
Schedule "I"/Map "I":	Highway 22x & Highway 791 Improvements Special Area 8
Schedule "J":	Off-Site Levy Summary
Schedule "K":	Definitions

EXEMPTIONS

- 9 Notwithstanding any other provision within this Bylaw, where it is a condition of a Development permit or Subdivision approval for any Lands that the owner or developer of the subject Lands construct or upgrade any Road to its identified standard within the Regional Transportation Infrastructure, the County **and/or the Municipal Planning Commission in its stead** shall not impose the portion of the Off-Site Levy relating to that particular Road construction or upgrade on the subject Lands.
- 10 Notwithstanding any other provision within this Bylaw, the Off-Site Levies shall not be imposed on Subdivisions as follows:
 - (a) the Subdivision of a Farmstead;
 - (b) First Parcel Out; and
 - (c) Subdivision for the sole purpose of a Boundary Adjustment.
- 11 Notwithstanding any other provision within this Bylaw, the Off-Site Levies shall not be imposed on Development as follows:



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- (a) Development Permits issued for Lands which are located within either a Residential or Agricultural District and the issuance of the Development Permit is:
 - (i) directly associated with the construction of a Dwelling; or
 - (ii) the Development Permit is temporary and subject to renewal.
 - (b) Development Permits issued for Lands which are located in either a Residential or Agricultural District and the issuance of the Development Permit is for an Accessory Building, Accessory Use or Farm Building which does not result in an increase of traffic being generated in relation to the Lands.
- 12 The Off-Site Levies, in whole or in part, shall not be imposed on Lands where:
- (a) Council determines, in its sole and unfettered discretion; or
 - (b) subject always to:
 - (i) the creation and continued existence of the Municipal Planning Commission; and
 - (ii) receipt of report from, and/or consultation with, County Administration;
 the Municipal Planning Commission determines, in its sole and unfettered discretion;

that it is appropriate in the circumstances not to impose the Off-Site Levies, in whole or in part, on the Lands as a condition of Development Permit or Subdivision approval, resulting in a deferral of the imposition of the Off-Site Levy under this Bylaw to the next Development Permit or Subdivision approval affecting the lands.

OBJECT OF THE OFF-SITE LEVIES

- 13 The object of the Off-Site Levy or Levies imposed and collected pursuant to this Bylaw are to pay for all or any part of the capital cost of any or all of the following:
- (a) new or expanded Roads comprising the Regional Transportation Infrastructure required for or impacted by Subdivision or Development; and
 - (b) land required for or in connection with the Roads described within this paragraph.

OFF-SITE LEVY PAYMENT

- 14 The Off-Site Levy imposed pursuant to this Bylaw shall be paid upon the earlier of the following dates:
- (a) the issuance of the Development Permit in respect of the Lands, if no Development Agreement is required as a condition of the Development Permit;



- (b) ~~execution of a Development Agreement entered into pursuant to the conditions of a Development permit or Subdivision approval granted in respect of the Lands;~~ prior to the endorsement of the plan of Subdivision for the lands, if no Development Agreement is required as a condition of the approval of the Subdivision application; or
 - (c) ~~prior to the endorsement of the plan of Subdivision for the Lands.~~ the date(s) required for payment of the Off-Site Levy as set forth within the Development Agreement entered into pursuant to the conditions of a Development Permit or Subdivision approval granted in respect of the Lands.
- 15 Where the owner of Lands that is subject to the imposition of an Off-Site Levy or Levies under this Bylaw fails, neglects, or refuses to either pay the Off-Site Levy imposed, to execute a required Development Agreement addressing payment of the Off-Site Levy imposed, or to provide sufficient security for the payment of the Off-Site Levy imposed, in addition to any other rights or remedies available at law or in equity or provide sufficient security for the payment of the Off-Site Levy, the County may:
- (a) refuse to endorse a plan of Subdivision or release a Development Permit until the land owner has paid the Off-Site Levy, has executed the required Development Agreement addressing payment of the Off-Site Levy, or has provided sufficient security for the payment of the Off-Site Levy in a form satisfactory to the CAO; as the case may be; or
 - (b) commence proceedings in Court for recovery of the Off-Site Levy as an amount due and payable to the County.

IMPOSITION OF THE OFF-SITE LEVY

- 16 The Off-Site Levies shall be imposed as a condition of approval of Subdivision applications or Development Permit applications in accordance with this Bylaw where such approval occurs subsequent to the date that this Bylaw is passed.

Imposition of Urban Base Levy Rate

- 17 All Lands located within the County which are subject to the imposition of an Off-Site Levy in accordance with this Bylaw and which are the subject of either a Subdivision approval or Development Permit for Urban Development shall be subject to the imposition of the Urban Base Levy Rate as follows: \$11,354 per gross hectare (\$4,595 per gross acre) of the Development Area of the Lands as detailed in Schedule "A-1", in addition to the applicable Off-Site Levy detailed in sections 19 and 20 and Schedules "B" through "I".

Imposition of Rural Base Levy Rate

- 18 All Lands located within the County which are subject to the imposition of an Off-Site Levy in accordance with this Bylaw and which are the subject of either a Subdivision approval or Development Permit for non-Urban Development, including Natural Resource Extraction, shall be subject to the imposition of the Rural Base Levy Rate as follows: \$11,354 per gross hectare (\$4,595 per gross acre) of the Development Area of the Lands,



as detailed in Schedule "A-2" in addition to the applicable Off-Site Levy detailed in sections 19 and 20 and Schedules "B" through "I".

Imposition of Off-Site Levies

- 19 In addition to the Urban Base Levy Rate or Rural Base Levy Rate, an Off-Site Levy shall be imposed as a condition of approval of Subdivision applications as follows:
 - (a) Subdivision approval with respect to all Lands located in the Benefitting Areas shown on Schedules "B" through "I" and corresponding Maps "B" through "I" that will create Residential parcels less than 3.0 hectares (7.41 acres);
 - (b) Subdivision approval with respect to all Lands located in the Benefitting Areas shown on Schedules "B" through "I" and corresponding Maps "B" through "I" that will create Residential parcels equal or greater than 3.0 hectares (7.41 acres) where, in the opinion of the CAO, further Subdivision or Redevelopment is unlikely to occur due to technical limitations;
 - (c) Subdivision approval with respect to all Lands located in the Benefitting Areas shown on Schedules "B" through "I" and corresponding Maps "B" through "I" that will create Business or Institutional parcels of any size; and
 - (d) Any Lands outside of the Benefitting Areas shown on Schedules "B" through "I" and corresponding Maps "B" through "I", where the Development or Subdivision will directly benefit from the Regional Transportation Infrastructure.
- 20 In addition to the Urban Base Levy Rate or Rural Base Levy Rate, an Off-Site Levy shall be imposed as a condition of approval of Development Permit applications as follows:
 - (a) Development Permits for any Agricultural, Business, Residential, or Institutional uses for all Lands located in the Benefitting Areas shown on Schedules "B" through "I" and corresponding Maps "B" through "I"; and
 - (b) Development Permits for any Agricultural, Business, Residential, or Institutional uses for all Lands outside of the Benefitting Areas shown on Schedules "B" through "I" corresponding Maps "B" through "I" where the Development will directly benefit from the Regional Transportation Infrastructure.

OFF-SITE LEVY FUND

- 21 The CAO shall establish and maintain an Off-Site Levy Fund which shall be administered in accordance with the Act.

DETERMINATION OF THE OFF-SITE LEVIES

- 22 The Off-Site Levies included in this Bylaw were determined in accordance with the calculations from the Reports. The Reports are hereby incorporated into this Bylaw by reference and shall be disclosed upon request in accordance with section 25 of this Bylaw.



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- 23 The determination of the amount of each Off-Site Levy amount in respect of each of the separate Regional Transportation Infrastructure components for which an Off-Site Levy has been imposed is as shown in Schedules "A-1" through "I". The total amount of the Off-Site Levies imposed with respect to Lands which will require the construction or upgrade of Regional Transportation Infrastructure or which will impact Regional Transportation Infrastructure is shown in Schedule "J".
- 24 The Off-Site Levies reflected in this Bylaw will apply to all new Subdivision and Development with respect to Lands which will require the construction or upgrade of Regional Transportation Infrastructure or which will impact Regional Transportation Infrastructure and which is approved subsequent to the date that this Bylaw is in force and effect.

INFORMATION ON REQUEST

- 25 Upon receiving a request from a ratepayer or landowner, the County shall disclose full information regarding Off-Site Levy calculations, allocations, impositions, collections, costs, and payments.

ANNUAL REPORT TO COUNCIL

- 26 Not less than once per calendar year, the CAO shall provide a report to Council detailing all Off-Site Levies imposed under this Bylaw, collections and expenditures during the previous calendar year, unpaid Off-Site Levy amounts as at the end of the previous calendar year, funds on hand to meet anticipated expenditures during the current calendar year and updated estimates of the costs expected to be incurred in order to complete construction of the facilities in respect of which an Off-Site Levy has been imposed under this Bylaw.

SEVERABILITY

- 27 In the event that any provision of this Bylaw is declared invalid or void by any Court having competent jurisdiction, then such invalid or void provisions shall be severed from the Bylaw and the remaining provisions of the Bylaw shall be maintained and deemed valid.

DEVELOPER CONSTRUCTION OF COUNTY REGIONAL TRANSPORTATION INFRASTRUCTURE

- 28 Nothing in this Bylaw is intended to nor shall be interpreted as precluding Rocky View County's Development Authority or Subdivision Authority from requiring a developer to construct or pay for all or a portion of County Regional Transportation Infrastructure having oversize capacity as a condition of Development Permit or Subdivision approval in accordance with the Act.

REPEAL AND EFFECTIVE DATE

- 29 Bylaw C-7356-2014 is repealed upon this Bylaw coming into full force and effect.
- 30 This Bylaw comes into full force and effect on the date of third and final reading.



ROCKY VIEW COUNTY
Cultivating Communities

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 _____ day of _____, 2020

READ A THIRD TIME IN COUNCIL AND PASSED this _____ day of _____, 2020

Reeve

CAO or Designate

Date Bylaw Signed



SCHEDULE "A-1"

LONG RANGE REGIONAL TRANSPORTATION INFRASTRUCTURE NETWORK – URBAN BASE LEVY

Description: The County's existing regional road network requires expansion to accommodate forecasted traffic volumes. With the increase of road users within the County boundaries due to newly created Residential, Agricultural, Business and Institutional development the County requires the development of a Long Range Transportation Network to efficiently transport traffic to the Provincial Highway Systems.

The Long Range Regional Transportation Infrastructure Network is based on the build out traffic volumes resulting from development in growth areas of the County. All roads within the Long Range Regional Transportation Infrastructure Network will be constructed to meet the required cross sections as detailed in the project costs and consist of:

- Network A Road – 11.4m Paved Surface within a 36m Right of Way
- Network B Road – 9.0m Paved Surface within a 30m Right of Way
- 4 Lane Arterial Road – 23.8m Paved Surface within a 40m Right of Way
- 6 Lane Arterial Road – 32.2m Paved Surface within a 50m Right of Way

Project Costs:

Upgrade Capital Cost Estimates:

- | | |
|------------------------------------|----------------------|
| • 154.4km of Network A Road: | \$ 231,926,718 |
| • 535.6km of Network B Road: | \$ 663,918,892 |
| • 190.2km of 4 Lane Arterial Road: | \$ 584,363,276 |
| • 19.5km of 6 Lane Arterial Road: | <u>\$ 80,744,152</u> |
| • Total Cost | \$1,560,953,038 |

Non-Levy Cost (Background/Regional Traffic): \$ 370,455,172

Rural Levy Cost (\$4,595 / gross acre): \$ 310,017,454

Total Estimated Cost to Levy: \$ 880,480,412

Levy Cost Calculation: \$880,480,412 / 24,237 hectares = \$36,327/hectare or \$14,701/acre

2020 Urban Levy Proposed for Collection = \$11,354/hectare or \$4,595/acre

Cost and Benefit Allocation Rationale (New and Existing Development):

The lands benefitting from the expanded Long Range Regional Transportation Infrastructure Network include all lands having new development that will increase traffic. Background and regional traffic has been removed from the costs. There are no other measurable benefits to existing development as the upgrade will only increase capacity.



SCHEDULE "A-2"

LONG RANGE REGIONAL TRANSPORTATION INFRASTRUCTURE NETWORK – RURAL BASE LEVY

Description: The County's existing regional road network requires expansion to accommodate forecasted traffic volumes. With the increase of road users within the County Boundaries due to newly created Residential, Agricultural, Business and Institutional development the County requires the development of a Long Range Regional Transportation Infrastructure Network to efficiently transport traffic to the Provincial Highway Systems.

The Long Range Regional Transportation Infrastructure Network is based on the build out traffic volumes resulting from development in all growth areas of the County. All roads within the Long Range Regional Transportation Network will be constructed to meet the required cross sections as detailed in the project costs and consist of:

- Network A Road – 11.4m Paved Surface within a 36m Right of Way
- Network B Road – 9.0m Paved Surface within a 30m Right of Way
- 4 Lane Arterial Road – 23.8m Paved Surface within a 40m Right of Way
- 6 Lane Arterial Road – 32.2m Paved Surface within a 50m Right of Way

Project Costs:

Upgrade Capital Cost Estimates:

• 154.4km of Network A Road:	\$ 231,926,718
• 535.6km of Network B Road:	\$ 663,918,892
• 190.2km of 4 Lane Arterial Road:	\$ 584,363,276
• 19.5km of 6 Lane Arterial Road:	<u>\$ 80,744,152</u>
• Total Cost	\$1,560,953,038

Non-Levy Cost (Background/Regional Traffic): \$ 370,455,172

Urban Levy Cost (\$14,701/acre): \$ 880,480,412

Total Estimated Cost to Levy: \$ 310,017,454

Levy Cost Calculation: \$310,017,454 / 27,303 hectares = \$11,354/hectare or \$4,595/acre

Cost and Benefit Allocation Rationale (New and Existing Development):

The lands benefitting from the expanded Long Range Regional Transportation Infrastructure Network include all lands having new development that will increase traffic. Background and regional traffic has been removed from the costs. There are no other measurable benefits to existing development as the upgrade will only increase capacity.

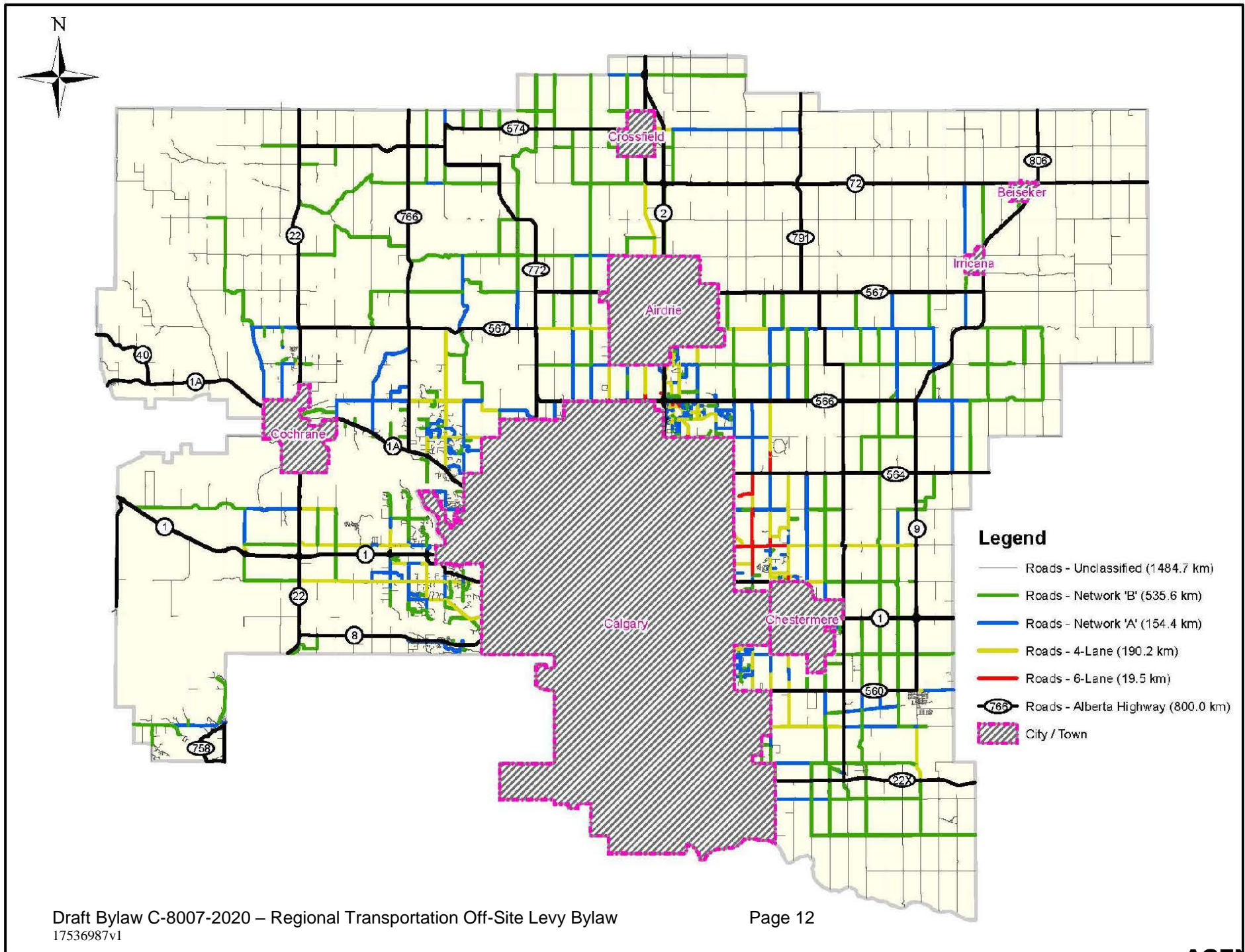


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MAP "A"

BENEFITTING AREA MAP

**LONG RANGE REGIONAL TRANSPORTATION INFRASTRUCTURE NETWORK
(URBAN LEVY & RURAL LEVY)**



SCHEDULE "B"**EAST BALZAC SPECIAL AREA 1**

Description: The County requires project specific upgrades to Regional Transportation Infrastructure to create road infrastructure connections to the Provincial Highway System to accommodate future development. The collection of the East Balzac Special Area 1 Levy will fund the construction of Balzac specific infrastructure as identified below.

Project Costs:

Special Area 1 Required Road Infrastructure Project Totals (Land & Construction):

• Range Road 293 – Bridge Structure for overpass to Métis Trail (as supported by AMEC pre-design report 2008)	\$16,500,000
• Township Road 261/Highway 2 Interchange (as supported by MMM cost estimates)	\$40,900,000
• Proportionate Non Recovery amount from Developer	(\$10,000,000)
• Highway 566 expansion and intersection improvements (From RR 294 to RR 290 as supported by Urban Systems & HDR-ITrans)	\$39,000,000
• Range Road 292 – Connection to 60 th Street Interchange (East Balzac Transportation Functional Study)	\$16,000,000
• Cost Share Funding from County of 60 th Street Interchange (12.5%)	\$9,375,000
TOTAL:	\$111,775,000

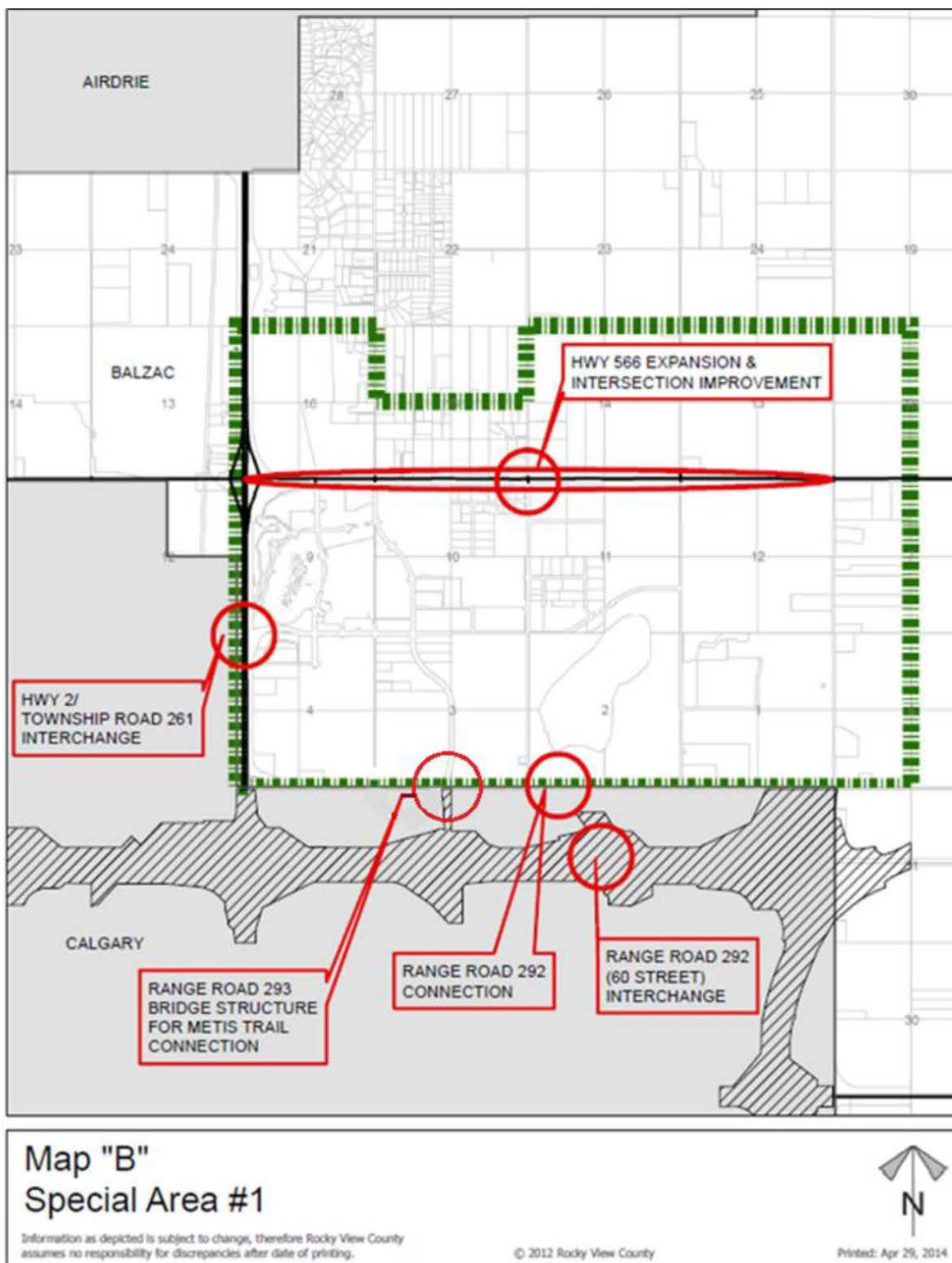
Levy Cost Calculation: \$111,775,000 / 2,630 hectares = \$42,500/hectare or \$17,200/acre

Cost and Benefit Allocation Rationale (New and Existing Development):

The lands benefitting from the expanded infrastructure include all lands having new development that will increase traffic. There are no other measurable benefits to existing development as the upgrades will only increase capacity.



MAP "B"- EAST BALZAC SPECIAL AREA 1





SCHEDULE "C"

CONRICH SPECIAL AREA 2

Description: The County requires project specific upgrades to Regional Transportation Infrastructure to create road infrastructure connections to the Provincial Highway System to accommodate future development. The collection of the Conrich Special Area 2 Levy will fund the construction of Conrich specific infrastructure as identified below.

Project Costs:

Special Area 2 Required Road Infrastructure Project Totals (Land & Construction):

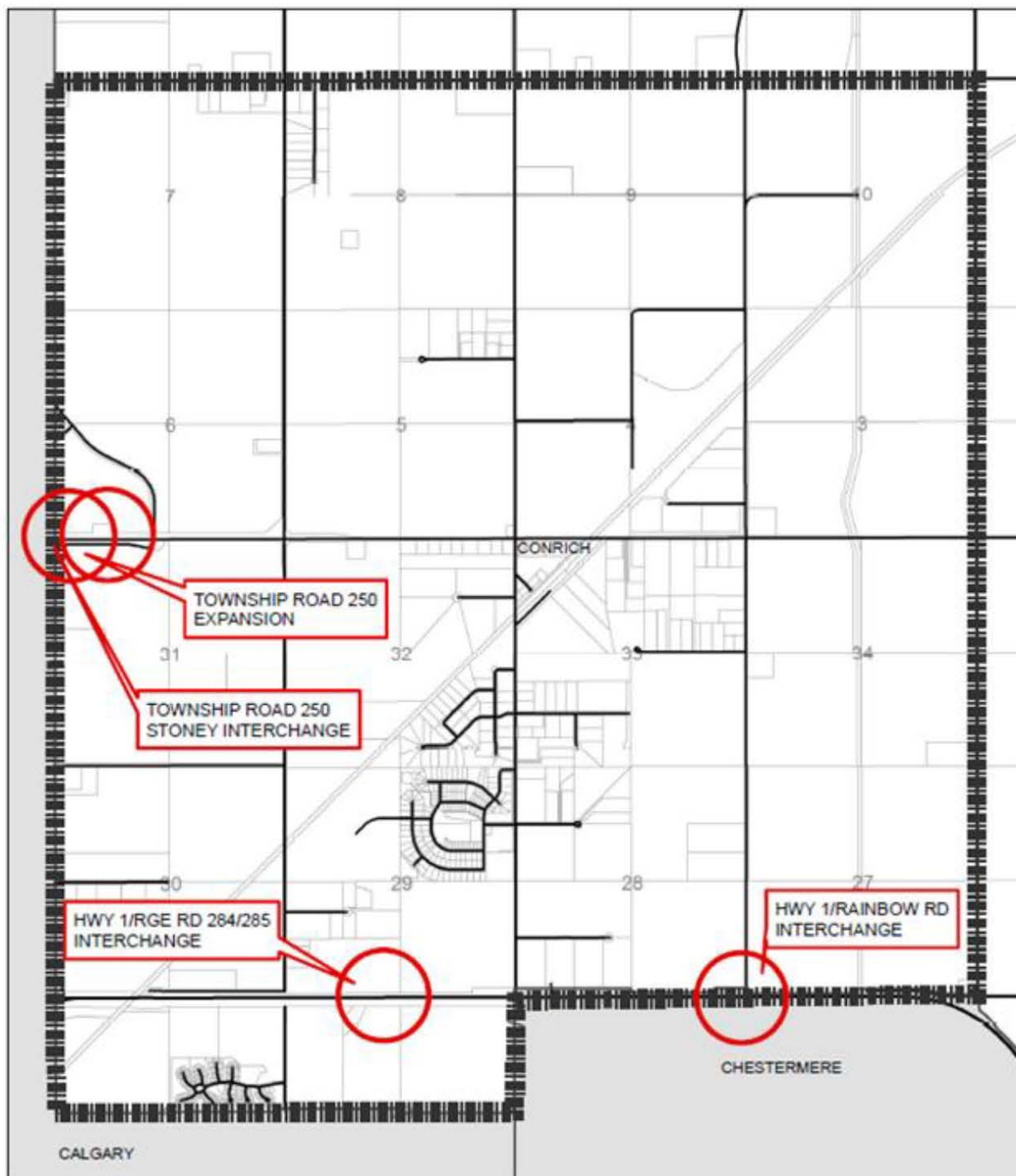
• Township Road 250 (McKnight Blvd) Expansion (East Freeway Functional Design Study – Earth Tech)	\$ 5,500,000
• Cost Share Funding from County of Highway 1 & Range Road 285/284 (12.5%) (Conrich Road Functional Study – McElhaney)	\$13,375,000
• Cost Share Funding from County of Highway 1 & Rainbow Road (12.5%) (Rainbow Road Functional Study – Earth Tech)	\$11,875,000
• Cost Share Funding from County of Township Road 250 (McKnight Blvd) Stoney Interchange (East Freeway Functional Design Study – Earth Tech)	\$19,245,000
TOTAL:	\$49,995,000

Levy Cost Calculation: \$49,995,000 / 3,885 hectares = \$12,869/hectare or \$5,208/acre

Cost and Benefit Allocation Rationale (New and Existing Development): The lands benefitting from the expanded infrastructure include all lands having new development that will increase traffic. There are no other measurable benefits to existing development as the upgrades will only increase capacity.



MAP "C" - CONRICH SPECIAL AREA 2



Map "C"

Special Area 2

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SCHEDULE "D"

SOUTHEAST INDUSTRIAL SPECIAL AREA 3

Description: The County requires project specific upgrades to Regional Transportation Infrastructure to create road infrastructure connections to the Provincial Highway System to accommodate future development. The collection of the Southeast Industrial Special Area 3 Levy will fund the construction of area specific infrastructure as identified below.

Project Costs:

Special Area 3 Required Road Infrastructure Project Totals (Land & Construction):

- Construction and Land Purchases of Peigan Trail connection
(East Freeway Access Management Study – CHM2 Hill) \$17,500,000
- Cost Share Funding from County of 61st flyover (50%)
(Glenmore Trail Functional Study – UMA Engineering Ltd.)
\$15,000,000

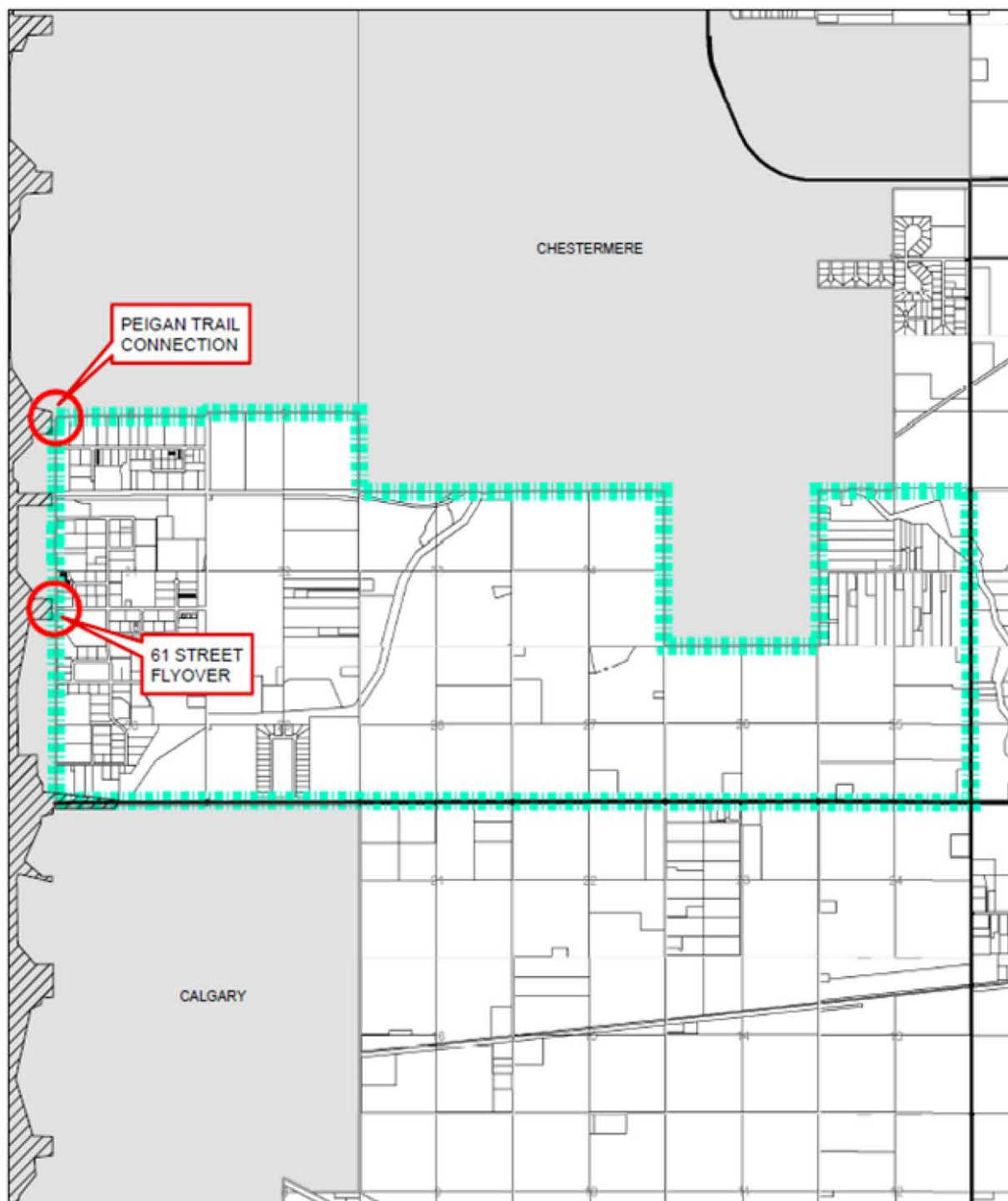
TOTAL: \$32,500,000

Levy Cost Calculation: \$32,500,000/1,457 hectares = \$22,308/hectare or \$9,028/acre

Cost and Benefit Allocation Rationale (New and Existing Development): The lands benefitting from the expanded infrastructure include all lands having new development that will increase traffic. There are no other measurable benefits to existing development as the upgrades will only increase capacity.



MAP "D" - SOUTHEAST INDUSTRIAL SPECIAL AREA 3



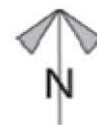
Map "D"

Special Area 3

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**SCHEDULE "E"****SPRINGBANK SPECIAL AREA 4**

Description: The County requires project specific upgrades to Regional Transportation Infrastructure to create road infrastructure connections to the Provincial Highway System to accommodate future development. The collection of the Springbank Special Area 4 Levy will fund the construction of area specific infrastructure as identified below.

Project Costs:

Special Area 4 Required Road Infrastructure Project Totals (Land & Construction):

• Construction and Land Purchases of Bow Trail connection (West Ring Road Functional Study – Trans Tech)	\$21,500,000
• Construction and Land Purchases of RR 34 flyover (100%) (Greater Springbank Functional Study-Itrans/Urban Systems)	\$66,000,000
• Cost Share Funding from County of Highway 1 & RR 33 Interchange (12.5%) (Hwy 1/RR 33 Functional Study-Castleglen Consultants Inc.)	\$13,125,000
• Cost Share Funding from County of Highway 1 & RR 31 Interchange (12.5%) (Highway 1 Freeway Corridor Management – ARA)	\$13,125,000
TOTAL:	\$113,750,000

Levy Cost Calculation: \$113,750,000/4,978 hectares = \$22,851/hectare or \$9,247/acre

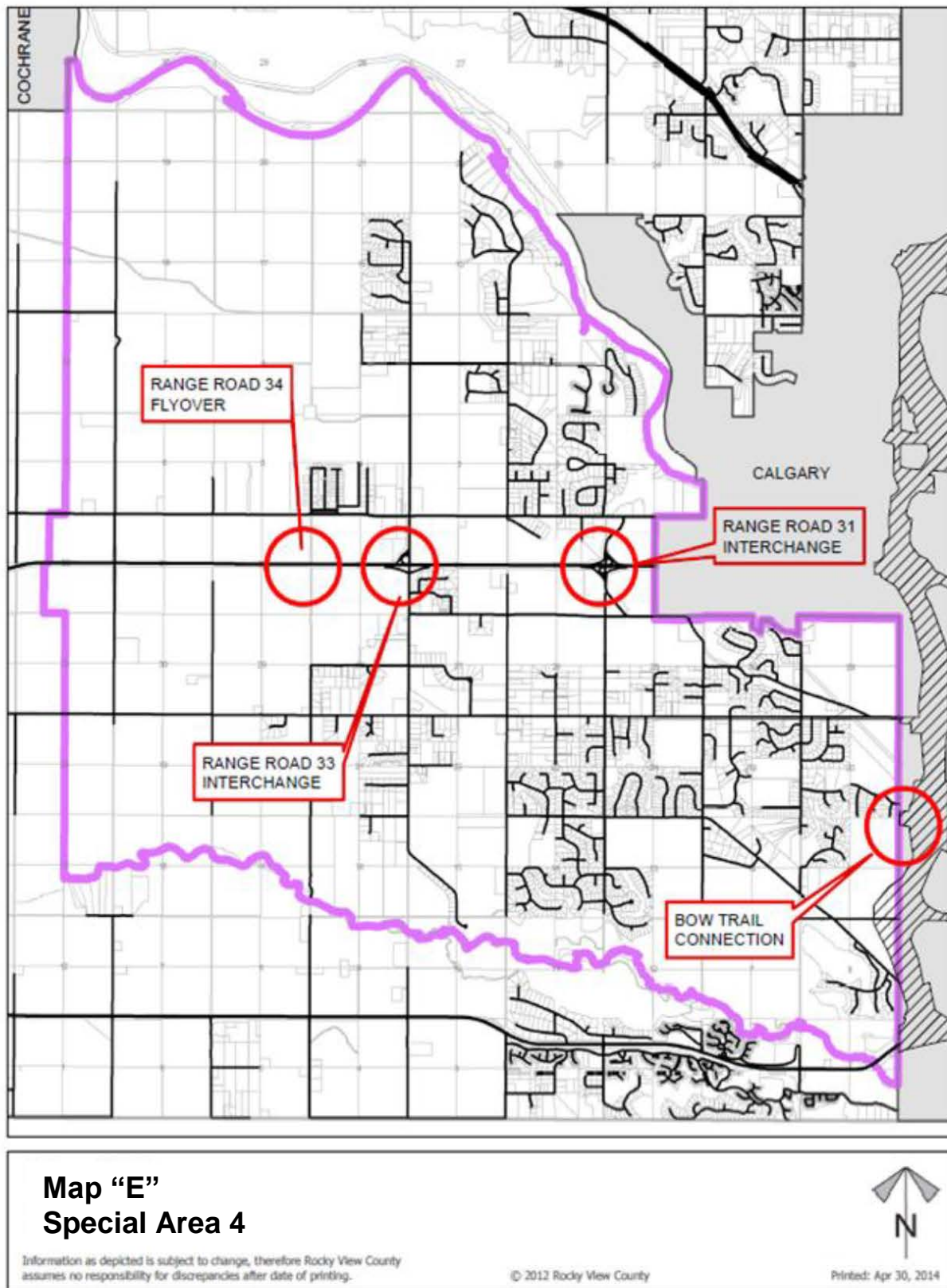
Cost and Benefit Allocation Rationale (New and Existing Development): The lands benefitting from the expanded infrastructure include all lands having new development that will increase traffic. There are no other measurable benefits to existing development as the upgrades will only increase capacity.



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MAP “E” - SPRINGBANK SPECIAL AREA 4

**Map “E”
Special Area 4**





SCHEDULE "F"

HIGHWAY 22 AND HIGHWAY 1 INTERCHANGE SPECIAL AREA 5

Description: The County requires project specific upgrades to Regional Transportation Infrastructure to create road infrastructure connections to the Provincial Highway System to accommodate future development. The collection of the HWY 22 and HWY 1 Interchange Special Area 5 Levy will fund the construction of area specific infrastructure as identified below.

Project Costs:

Special Area 5 Required Road Infrastructure Project Totals (Land & Construction):

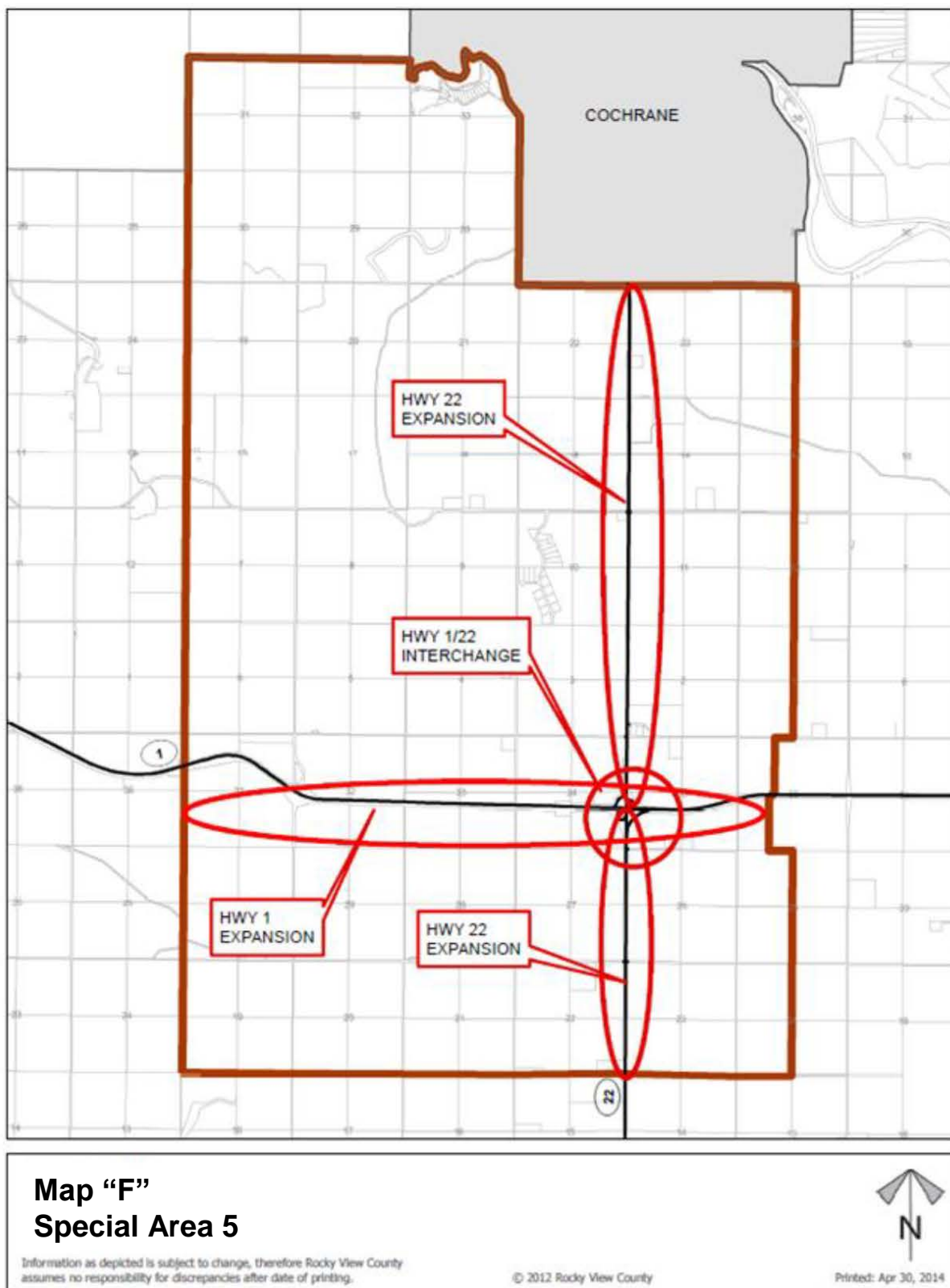
- Cost Share Funding from County of Highway 22 & Highway 1 Interchange (12.5%) (Highway 22 & Highway 1 Functional Planning Study - ISL Consulting) \$28,375,000

Levy Cost Calculation: \$28,375,000/ 6,477 hectares = \$4,381/hectare or \$1,773/acre

Cost and Benefit Allocation Rationale (New and Existing Development): The lands benefitting from the expanded infrastructure include all lands having new development that will increase traffic. There are no other measurable benefits to existing development as the upgrades will only increase capacity.



MAP "F"- HIGHWAY 22 AND HIGHWAY 1 INTERCHANGE SPECIAL AREA 5





SCHEDULE "G"

HIGHWAY 791 AND HIGHWAY 1 INTERCHANGE SPECIAL AREA 6

Description: The County requires project specific upgrades to Regional Transportation Infrastructure to create road infrastructure connections to the Provincial Highway System to accommodate future development. The collection of the HWY 791 and HWY 1 Interchange Special Area 6 Levy will fund the construction of area specific infrastructure as identified below.

Project Costs:

Special Area 6 Required Road Infrastructure Project Totals (Land & Construction):

- Cost Share Funding from County of Highway 791 & Highway 1 Interchange (12.5%)
(Highway 791 Functional Planning Study – UMA/AECOM) \$15,148,646

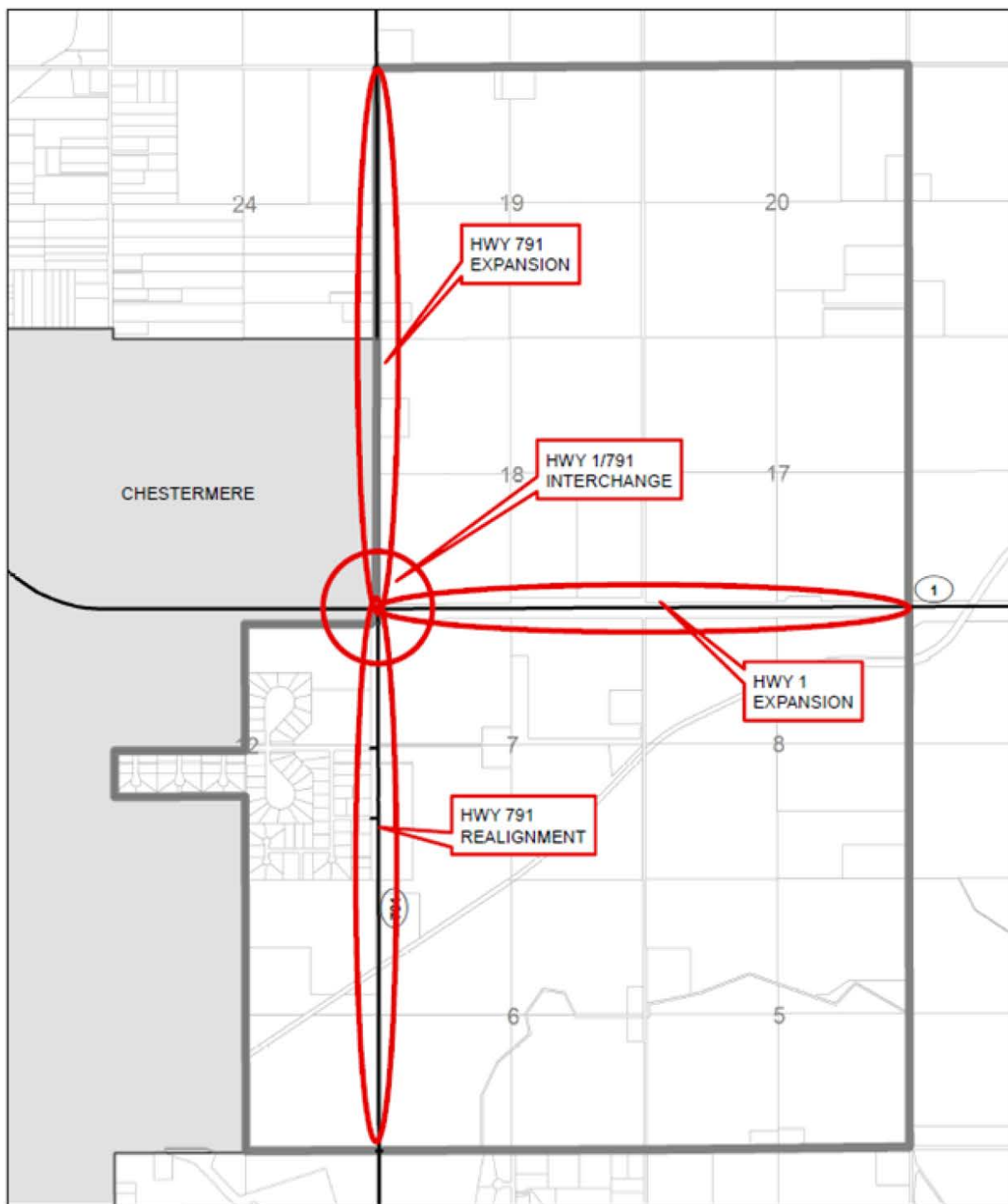
Levy Cost Calculation: \$15,148,646 / 2,609 hectares = \$5,806/hectare or \$2,350/acre

Cost and Benefit Allocation Rationale (New and Existing Development): The lands benefitting from the expanded infrastructure include all lands having new development that will increase traffic. There are no other measurable benefits to existing development as the upgrades will only increase capacity.



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MAP "G" - HIGHWAY 791 AND HIGHWAY 1 INTERCHANGE SPECIAL AREA 6



Map "G" Special Area 6

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SCHEDULE "H"

HIGHWAY 560 AND HIGHWAY 797 IMPROVEMENTS SPECIAL AREA 7

Description: The County requires project specific upgrades to Regional Transportation Infrastructure to create road infrastructure connections to the Provincial Highway System to accommodate future development. The collection of the HWY 560 and HWY 797 Improvements Special Area 7 Levy will fund the construction of area specific infrastructure as identified below.

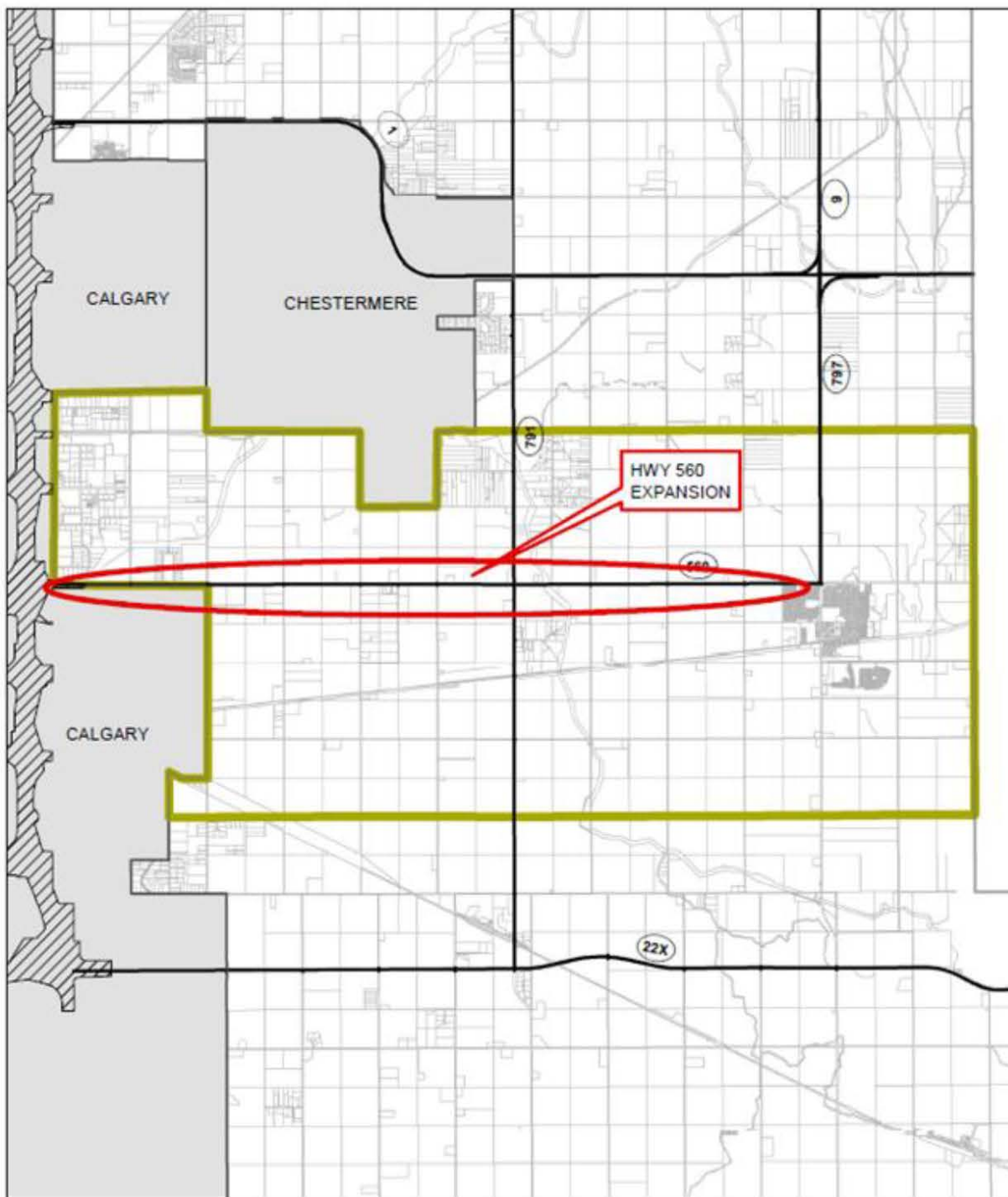
Project Costs:

Special Area 7 Required Road Infrastructure Project Totals (Land & Construction):

- Cost Share Funding from County of Highway 791 & Highway 1 Interchange (12.5%)
(Highway 560:02 Calgary to Highway 797 Functional Planning Study – UMA/AECOM) \$10,950,000

Levy Cost Calculation: \$10,950,000/ 11,453 hectares = \$956/hectare or \$387/acre

Cost and Benefit Allocation Rationale (New and Existing Development): The lands benefitting from the expanded infrastructure include all lands having new development that will increase traffic. There are no other measurable benefits to existing development as the upgrades will only increase capacity.

**MAP "H" - HIGHWAY 560 AND HIGHWAY 797 IMPROVEMENTS SPECIAL AREA 7**

Map "H"
Special Area 7

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SCHEDULE "I"

HIGHWAY 22x AND HIGHWAY 791 IMPROVEMENTS SPECIAL AREA 8

Description: The County requires project specific upgrades to Regional Transportation Infrastructure to create road infrastructure connections to the Provincial Highway System to accommodate future development. The collection of the HWY 22x and HWY 791 Improvements Special Area 8 Levy will fund the construction of area specific infrastructure as identified below.

Project Costs:

Special Area 6 Required Road Infrastructure Project Totals (Land & Construction):

- Cost Share Funding from County of Highway 22x Corridor Improvements, including Highway Expansion, Interchanges at RR 285 and SH 791 and service roads (12.5%)
(Hwy 22x & Hwy 791 Functional Planning Study
Castleglen Consultants Inc.) \$30,475,000

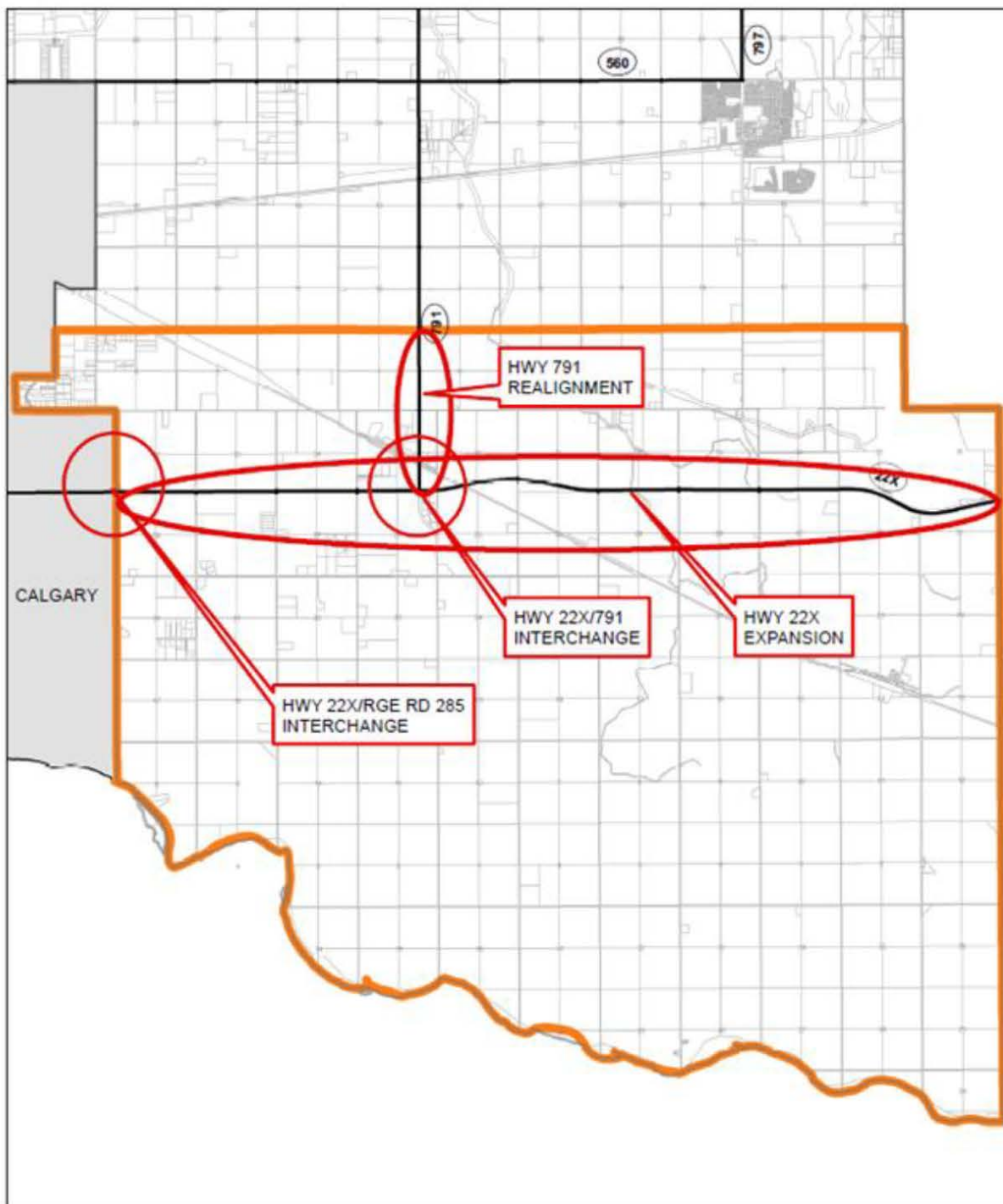
Levy Cost Calculation: \$30,475,000/ 16,479 hectares = \$1,849/hectare or \$748/acre

Cost and Benefit Allocation Rationale (New and Existing Development): The lands benefitting from the expanded infrastructure include all lands having new development that will increase traffic. There are no other measurable benefits to existing development as the upgrades will only increase capacity.



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MAP "I" - HIGHWAY 22x AND HIGHWAY 791 IMPROVEMENTS SPECIAL AREA 8

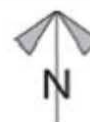


Map "I"
Special Area 8

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**SCHEDULE "J"****OFF-SITE LEVY SUMMARY**

Off-Site Levy Schedule	Cost	Service Area Map
Schedule A-1: Urban Base Levy	\$11,354/ha (\$4,595/acre)	Map A
Schedule A-2: Rural Base Levy	\$11,354/ha (\$4,595/acre)	Map A
Schedule B: East Balzac Special Area 1 Levy	\$42,500/ha (\$17,200/acre)	Map B
Schedule C: Conrich Special Area 2 Levy	\$12,869/ha (\$5,208/acre)	Map C
Schedule D: Southeast Industrial Special Area 3 Levy	\$22,308/ha (\$9,028/acre)	Map D
Schedule E: Springbank Special Area 4 Levy	\$22,851/ha (\$9,247/acre)	Map E
Schedule F: HWY 22 & HWY 1 Interchange Special Area 5 Levy	\$4,381/ha (\$1,773/acre)	Map F
Schedule G: HWY 791 & HWY 1 Interchange Special Area 6 Levy	\$5,806/ha (\$2,350/acre)	Map G
Schedule H: HWY 560 & HWY 797 Improvements Special Area 7 Levy	\$956/ha (\$387/acre)	Map H
Schedule I: HWY 22x & HWY 791 Improvements Special Area 8 Levy	\$1,849/ha \$748/ac)	Map I



SCHEDULE "K"

DEFINITIONS

- (a) **"Act"** means the *Municipal Government Act*;
- (b) **"Accessory Building"** has the same meaning as in the Land Use Bylaw;
- (c) **"Accessory Use"** has the same meaning as in the Land Use Bylaw;
- (d) **"Agriculture"** or **"Agricultural"** means any Development or Subdivision for an "agricultural" or "agriculture" use as the term is defined and contemplated under the Land Use Bylaw;
- (e) **"Benefitting Areas"** means those Lands which are within the respective benefitting areas of the Regional Transportation Infrastructure components, as described in Schedules "A-1" through "I";
- (f) **"Boundary Adjustment"** means the adjustment of lot boundaries of parcels of Lands without the creation of additional lots;
- (g) **"Building"** has the same meaning as in the Land Use Bylaw;
- (h) **"Business"** means any Development or Subdivision for a "business" use as the term is defined and contemplated under the Land Use Bylaw including both Commercial and Industrial uses
- (i) **"Bylaw"** means this Bylaw together with all schedules;
- (j) **"CAO"** means the Chief Administrative Officer appointed by Council for the County or his/her authorized designate;
- (k) **"Commercial"** means any Development or Subdivision for commercial use as contemplated under the Land Use Bylaw;
- (l) **"County"** means the individual appointed by Council as the Chief Administrative Officer in accordance with the Act or his/her authorized designate;
- (m) **"Council"** means the Rocky View County Council;
- (n) **"Development"** has the same meaning as provided in the Act;
- (o) **"Development Agreement"** means an agreement pursuant to sections 648, 650, 651, or 655 of the Act;
- (p) **"Development Area"** means the gross acreage of Lands which are the subject of the proposed Development or Subdivision including:



- (i) all Buildings and other structures;
- (ii) all driveway access areas;
- (iii) all areas required to be landscaped as a condition of the Development Permit or Subdivision approval;
- (iv) all storage and display areas directly associated with the Development or Subdivision;
- (v) all parking areas required for the Development or Subdivision;
- (vi) all areas utilized for the growing of crops which are the subject of the Development Permit;
- (vii) all areas to be designated as Reserve Lands or subject to an Environmental Reserve Easement as a condition of the Subdivision approval; and
- (viii) any areas that will be dedicated for roads or utilities as a condition of Subdivision or Development approval.

Notwithstanding the above, "Development Area" does not include the following:

- (i) with respect to Development Permits issued for a golf course within the use "Outdoor Participant Recreation Services", any portion of the Lands which is outside the scope of "Development Area" outlined above (i.e. the fairways, hazards, rough and greens); or
 - (ii) with respect to Subdivisions involving an existing Dwelling, the subdivided parcel that contains the existing Dwelling.
- (q) **"Development Authority"** has the same meaning as in the Land Use Bylaw;
 - (r) **"Development Permit"** has the same meaning as in the Land Use Bylaw;
 - (s) **"Dwelling"** has the same meaning as in the Land Use Bylaw;
 - (t) **"Farm Building"** has the same meaning as in the Land Use Bylaw;
 - (u) **"Farmstead"** means a single parcel of Land on which a habitable residence has been situated for a minimum of 10 years, which residence utilized in connection with the ranching or farming operation carried out on the Land, and which is located on a previously un-subdivided quarter section. The Farmstead may include associated Buildings and landscape improvements;
 - (v) **"First Parcel Out"** has the same meaning as within the Land Use Bylaw;
 - (w) **"Industrial"** means any Development or Subdivision for an industrial use as contemplated in the Land Use Bylaw, but does not include Natural Resource Extraction;



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- (x) **"Institutional"** means any Development or Subdivision for an institutional use as contemplated in the Land Use Bylaw;
- (y) **"Lands"** means private titled parcels of land in accordance with the *Land Titles Act*, R.S.A. 2000 Chapter L-4;
- (z) **"Land Use Bylaw"** means the County's Land Use Bylaw, as amended or replaced from time to time in accordance with the Act;
- (aa) **"Municipal Government Act"** means the *Municipal Government Act*, RSA 2000, c M-26 and all amendments thereto together with the Off-Site Levies Regulation, AR 187/2017 passed thereunder;
- (bb) **"Municipal Planning Commission Bylaw"** means Bylaw C-7967-2019 establishing the Municipal Planning Commission, as amended or replaced from time to time;
- (cc) **"Municipal Planning Commission"** means the Municipal Planning Commission of the Municipality as established pursuant to the Municipal Planning Commission Bylaw;
- (dd) **"Natural Resource Extraction"** means the extraction and processing of gravel including gravel pits and associated crushing operations;
- (ee) **"Off-Site Levy" or "Off-Site Levies"** means a levy or levies imposed and created by this Bylaw including but not limited to the Rural Base Levy and Urban Base Levy;
- (ff) **"Off-Site Levy Fund"** means a fund into which an Off-Site Levy together with any interest earned from the investment of the Off-Site Levy is deposited and kept in accordance with the Act;
- (gg) **"Regional Transportation Infrastructure"** means those Roads identified in Schedules "A-1" through "I".
- (hh) **"Reports"** means the following reports:
 - (i) "Rocky View County Future Network Analysis in Support of the Off-Site Levy" dated June, 2018 prepared by Watt Consulting Group; and
 - (ii) "Transportation Off-Site Levy Support Summary Report" dated June, 2018 prepared by Sedulous Engineering Inc.;
- (ii) **"Reserve Land"** has the same meaning as in the Act;
- (jj) **"Residential"** means any Development or Subdivision for residential use as contemplated under the Land Use Bylaw;
- (kk) **"Roads"** has the same meaning as in Part 17 of the Act and includes Transportation Infrastructure;



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- (ll) **"Rural Base Levy Rate"** means the base Off-Site Levy rate that is applied to all non-Urban Development, including Natural Resource Extraction, as referenced in section 18 and described in Schedule "A-2" and Map "A";
- (mm) **"Subdivision"** has the same meaning as provided for in the Act;
- (nn) **"Subdivision Authority"** has the same meaning as in the Land Use Bylaw;
- (oo) **"Transportation Infrastructure"** has the same meaning as provided for in the Act;
- (pp) **"Urban Base Levy Rate"** means the base Off-Site Levy rate applied to Urban Development as referenced in section 17 and described in Schedule "A-1" and Map "A"; and
- (qq) **"Urban Development"** means any Subdivision or Development which:
 - (i) is for the purpose of, in whole or in part, Business or Institutional Development; or
 - (ii) with respect to Subdivision, creates Residential lots less than 1.99 ac in size and with piped water and sewer servicing.

Urban Development does not include any Subdivision or Development on Lands for the purpose of Natural Resource Extraction.



CAPITAL PROJECT MANAGEMENT

TO: Council
DATE: March 10, 2020
FILE: 1007-755
SUBJECT: First Reading Bylaw – C-8008-2020 – Regional Stormwater Off-Site Levy Bylaw

DIVISION: All
APPLICATION: N/A

POLICY DIRECTION:

At its December 10th, 2019 Council meeting, Council passed a resolution that the Additional Scenarios presentation be received for information and that Administration be directed to bring forward proposed Off-Site Levy Bylaws for consideration of first reading in accordance with levy scenario 1 as presented.

EXECUTIVE SUMMARY:

Bylaw C-8008-2020 Regional Storm Water Off-Site Levy Bylaw is being presented to Council for consideration of First Reading.

Amendments to the County's Stormwater Off-Site Levy Bylaw C-7535-2015 have been prepared to support the long term development of key growth areas in East Rocky View County. Key updates to the bylaw include:

- Changes to the current Cooperative Stormwater Management Initiative (CSMI) Levy due to receipt of an Alberta Community Resilience Program (ACRP) grant.
- Changes to the current Stormwater Levy due to updated construction costs and 2019 estimates.
- Updates to account for levy that has been collected to the end of 2019.
- Incorporation of the OMNI development area into the CSMI.
- Addition of a new schedule to address local storm water conveyance in the Hamlet of Langdon.
- Added recognition for contributions if a developer builds a portion of the regional network.

The updates have resulted in a net increase to the Regional Stormwater Off-Site Levy Bylaw.

The Regional Stormwater Off-Site Levy Bylaw provides for the fair and equitable collection of Off-Site levies related to Regional Stormwater Infrastructure in accordance with the *Municipal Government Act*. The levy structure provides a funding mechanism to collect adequate funding to construct the necessary Regional Stormwater Management Infrastructure to support the growth of key development areas in East Rocky View County.

Two key themes of Council's Strategic Plan is managing growth responsibly and ensuring the County's financial position remains healthy. Growth resulting from new development creates opportunities for residents and businesses by fostering a vibrant and diverse economy and generating additional tax revenues to support County services. Growth also affects the costs of operating and maintaining the County's Infrastructure. Balancing the benefits and costs of growth is a key focus of Administration's Corporate Business Plan and the levy structure is a critical tool to help achieve that. It ensures that new development pays a proportionate share of the costs needed for the addition, expansion, and long-term sustainability of the County's Stormwater conveyance network resulting from that growth.

Administration Resources

Byron Riemann, Operations Services



ADMINISTRATION RECOMMENDATION:

Administration recommends approval in accordance with Option #1.

BACKGROUND:

In April 2016, Council passed Bylaw C-7535-2015 adopting a Regional Stormwater Off-Site Levy.

On July 10th, 2018, Council directed Administration to begin public consultation on all revised Off-Site Levy Bylaws including the Stormwater Off-Site Levy. The initial updates were presented and discussed at length with the public to gain feedback and input on the proposed levy. The updates were presented at Open Houses on September 12th and 19th, 2018, and at workshops and information sessions with Council throughout 2019.

In addition to the Open Houses since September 2018, the County held numerous meetings with individual landowners and industry stakeholders including Rocky View 2020, Rocky View Forward, BILD Calgary and representatives from the development industry.

Most recently, on December 10th, 2019, Administration presented four (4) levy scenarios to Council for consideration. As a result of this meeting, Council directed Administration to proceed with drafting the Bylaws in accordance with Levy Scenario 1. Levy Scenario 1 recommended that the local schedules previously contemplated in the draft Stormwater Levy Bylaw be removed, aside from the Langdon Local Infrastructure schedule. The Bylaw being presented has been prepared in accordance with this direction.

OPTIONS:

- Option # 1: Motion #1 THAT Bylaw C-8008-2020 be given first reading.
 Motion #2 THAT Bylaw C-8008-2020 be advertised for a Public Hearing on
 May 12th, 2020.
- Option # 2: That Council provide alternative direction.

Respectfully submitted,

Concurrence,

"Byron Riemann"

"Al Hoggan"

Executive Director
Operations Services

Chief Administrative Officer

BR/AP/bg

ATTACHMENTS:

ATTACHMENT 'A': Bylaw C-8008-2020



BYLAW C-8008-2020

A Bylaw of Rocky View County, in the Province of Alberta, for the purpose of establishing Off-Site Levies for Regional Stormwater Infrastructure

WHEREAS in accordance with section 648 of the *Municipal Government Act*, a Council may by bylaw:

- (a) provide for the imposition and payment of a levy, to be known as an "Off-Site" Levy, in respect of land that is to be developed or subdivided; and
- (b) authorize agreements to be entered into in respect of the Levy.

AND WHEREAS the Rocky View County Council deems it desirable to establish Off-Site Levies for the purposes described in Section 648 of the *Municipal Government Act*;

AND WHEREAS Rocky View County Council engaged the engineering firm of MPE Engineering Ltd. to prepare the following reports and plans:

- (a) CSMI Water Balance and Erosion Report, September 2015
- (b) Langdon Comprehensive Stormwater Review Report, February 2016
- (c) CSMI Stormwater Levy Update, January 2020

(Collectively the "Reports");

AND WHEREAS the Reports detail the Regional Stormwater Infrastructure which is required to be constructed or upgraded as a result of Subdivision and Development or which is impacted by Subdivision and Development, together with the fair and equitable calculation and allocation of Off-Site Levies related to the Regional Stormwater Infrastructure, in accordance with the purposes of the *Municipal Government Act*;

AND WHEREAS Rocky View County applied the principles and criteria specified in the *Off-Site Levies Regulation* in the development of the Off-Site Levies established in this Bylaw;

AND WHEREAS, based upon the information and principles set out in the reports, Rocky View County Council wishes to enact a bylaw to impose and provide for the payment of Off-Site Levies, to authorize agreements to be entered into in respect of payment of the Off-Site Levies, to set out the object of each levy, and to indicate how the amount of each levy was determined; and

AND WHEREAS Rocky View County Council has created the Municipal Planning Commission pursuant to the Municipal Planning Commission Bylaw, to exercise the powers and discretions of the Subdivision Authority and the Development Authority, each as defined and contemplated within the *Municipal Government Act*;

NOW THEREFORE pursuant to the authority conferred upon it by the laws of the Province of Alberta, the Rocky View County Council, duly assembled, hereby enacts as follows:

**SHORT TITLE**

- 1 This Bylaw may be cited as the "Regional Stormwater Off-Site Levy Bylaw".

PURPOSE AND INTENT

- 2 The purpose and intent of this Bylaw is to:
- (a) impose and provide for the payment of levies to be known as Off-Site Levies in respect of lands that are to be Subdivided or Developed and which will require new or upgraded Regional Stormwater Infrastructure or which will impact Regional Stormwater Infrastructure;
 - (b) authorize agreements to be entered into in respect of payment of the Off-Site Levies;
 - (c) set out the objects of each Off-Site Levy; and
 - (d) indicate how the amount of each Off-Site Levy was determined.

DEFINITIONS

- 3 The definitions contained in Schedule "C" of this Bylaw apply unless the context otherwise requires.

ADMINISTRATION AND ENFORCEMENT

- 4 Council hereby delegates to the CAO the duty and authority to enforce and administer this Bylaw.

ENACTMENT

- 5 Subject to sections 9 through 12 of this Bylaw, an Off-Site Levy as provided for in the Act is hereby imposed in respect of the Development Area of all Lands which are to be Developed or Subdivided within the County and which will require the construction or upgrade of Regional Stormwater Infrastructure or which will benefit from the Regional Stormwater Infrastructure at the rates and on the terms as specified in this Bylaw, with the exception of any lands where Off-Site Levies have been previously imposed and collected in full with respect to the same purpose as provided for in this Bylaw.
- 6 Notwithstanding any other provision in this Bylaw, the County may impose further or different Off-Site Levies, duly enacted by bylaw, on any portion of Lands which are the subject of a Development Permit or Subdivision approval and in respect of which the County has not collected Off-Site Levies imposed under this Bylaw or any previous Off-Site Levy bylaw authorized by the Act or a predecessor Act with respect to the same purpose as provided for in this Bylaw.
- 7 The County is hereby authorized to enter into agreements, including Development Agreements, with owners of the Lands referred to in section 5 for payment of the Off-Site Levy imposed on those Lands.



8 The following Schedules and Maps are hereby incorporated and form part of this Bylaw:

Schedule "A-1"/Map "A": CSMI Benefitting Area

Schedule "A-2"/Map "B": Langdon Regional Drainage Benefitting Area

EXEMPTIONS

9 Notwithstanding any other provision within this Bylaw, where it is a condition of a Development Permit or Subdivision approval for any Lands that the owner or developer of the subject Lands construct or upgrade any Stormwater infrastructure component included within the scope of the Regional Stormwater Infrastructure, the County **and/or the Municipal Planning Commission in its stead** shall not impose the portion of the Off-Site Levy relating to that particular Stormwater Regional Infrastructure component construction or upgrade as a condition of a Development Permit or Subdivision approval for those Lands.

10 Notwithstanding any other provision within this Bylaw, the Off-Site Levies shall not be imposed on Subdivisions as follows:

- (a) the Subdivision of a Farmstead;
- (b) First Parcel Out; or
- (c) Subdivision for the sole purpose of a Boundary Adjustment.

11 Notwithstanding any other provision within this Bylaw, the Off-Site Levies shall not be imposed on Development as follows:

- (a) Development Permits issued for Lands which are located within either a Residential or Agricultural District and the issuance of the Development Permit is:
 - (i) directly associated with the construction of a Dwelling, or
 - (ii) the Development Permit is temporary and subject to renewal.

12 The Off-Site Levies, in whole or in part, shall not be imposed on Lands where:

- (a) Council determines, in its sole and unfettered discretion: **or**
- (b) **subject always to:**
 - (i) **the creation and continued existence of the Municipal Planning Commission: and**
 - (ii) **receipt of report from, and or consultation with, County Administration;****the Municipal Planning Commission determines, in its sole and unfettered discretion;**

that it is appropriate in the circumstances not to impose the Off-Site Levies, in whole or in part, on the Lands as a condition of Development Permit or Subdivision approval, **resulting**



in a deferral of the imposition of the Off-Site Levy under this Bylaw to the next Development Permit or Subdivision approval affecting the lands.

OBJECT OF THE OFF-SITE LEVIES

- 13 The object of the Off-Site Levy or Levies imposed and collected pursuant to this Bylaw are to pay for all or any part of the capital cost of any or all of the following:
- (a) new or expanded Stormwater Infrastructure comprising of the Regional Stormwater Infrastructure required for and/or benefitting Subdivision or Development; and
 - (b) land required for or in connection with the Regional Stormwater Infrastructure described within this section.

OFF-SITE LEVY PAYMENT

- 14 The Off-Site Levy imposed pursuant to this Bylaw shall be paid upon the earlier of the following dates:
- (a) the issuance of the Development Permit in respect of the Lands, **if no Development Agreement is required as a condition of the Development Permit;**
 - ~~(b) execution of a Development Agreement entered into pursuant to the conditions of a Development Permit or Subdivision approval granted in respect of the Lands; or~~
 - (b) prior to the endorsement of the plan of Subdivision for the Lands, **if no Development Agreement is required as a condition of the approval of the Subdivision application; or**
 - (c) **the date(s) required for the payment of the Off-Site Levy as set forth within the Development Agreement entered into pursuant to the conditions of a Development Permit of Subdivision approval granted in respect of the lands.**
- 15 Where the owner of lands that is subject to the imposition of an Off-Site Levy or Levies under this Bylaw fails, neglects, or refuses to ~~either~~ pay the Off-Site Levy imposed, **to execute a required Development Agreement addressing payment of the Off-Site Levy imposed**, or **to** provide sufficient security for the payment of the Off-Site Levy, the County may:
- (a) refuse to endorse a plan of Subdivision or issue a Development Permit until the land owner has paid the Off-Site Levy, **has executed the required Development Agreement addressing payment of the Off-Site Levy**, or has provided sufficient security for the payment of the Off-Site Levy in a form satisfactory to the CAO **as the case may be**; or
 - (b) commence proceedings in Court for recovery of the Off-Site Levy as an amount due and payable to the County.



IMPOSITION OF THE OFF-SITE LEVIES

- 16 The Off-Site Levies shall be imposed as a condition of approval of Subdivision applications or Development Permit applications in accordance with this Bylaw where such approval occurs subsequent to the date that this Bylaw is passed.

Imposition of CSMI Base Levy Rate

- 17 All Lands located within the CSMI Benefitting Area, as shown on Map A, that are subject to the imposition of an Off-Site Levy in accordance with this Bylaw shall be subject to the imposition of the CSMI Base Levy Rate as follows: \$14,807 per gross hectare (\$5,992 per gross acre) of the Development Area of the Lands, as detailed in Schedule "A-1", in addition to the applicable Off-Site Levy detailed in sections 18 and 19 and Schedule "A-2".

Imposition of Off-Site Levies

- 18 In addition to the CSMI Base Levy Rate referenced in section 17, an Off-Site Levy shall be imposed as a condition of approval of Subdivision applications as follows:
- (a) Subdivision approval with respect to all Lands located in the areas indicated on Schedule "A-2" and corresponding Map "B" that will create Residential parcels less than 3.0 hectares (7.41 acres);
 - (b) Subdivision approval with respect to all Lands located in the areas indicated on Schedule "A-2" and corresponding Map "B" that will create Residential parcels equal or greater than 3.0 hectares (7.41 acres) where, in the opinion of the CAO, further Subdivision or Redevelopment is unlikely to occur due to technical limitations;
 - (c) Subdivision approval with respect to all Lands located in the areas indicated on Schedule "A-2" and corresponding Map "B" that will create Business or Institutional parcels of any size; and
 - (d) Any Lands outside of the areas indicated on Schedule "A-2" and corresponding Map "B" where the Development or Subdivision will directly benefit from the Regional Stormwater Infrastructure.
- 19 In addition to the CSMI Base Levy Rate referenced in section 17, an Off-Site Levy shall be imposed as a condition of approval of Development Permit applications as follows:
- (a) Development Permits for any Agricultural, Business, Residential or Institutional uses for all Lands located in the areas indicated on Schedule "A-2" and corresponding Map "B" and
 - (b) Development Permits for any Agricultural, Business, Residential or Institutional uses for all Lands outside of the areas indicated on Schedules "A-2" and corresponding Map "B", where the Development will directly benefit from the Regional Stormwater Infrastructure.



OFF-SITE LEVY FUND

- 20 The CAO shall establish and maintain an Off-Site Levy Fund which shall be administered in accordance with the Act.

DETERMINATION OF THE OFF-SITE LEVIES

- 21 The Off-Site Levies included in this Bylaw were determined in accordance with the information and calculations from the Reports. The Reports are hereby incorporated into this Bylaw by reference and shall be disclosed upon request in accordance with section 24 of this Bylaw.
- 22 The determination of the amount of each Off-Site Levy amount in respect of each of the separate Regional Stormwater Infrastructure components for which an Off-Site Levy has been imposed is as described in Schedules "A-1" to "A-2" and corresponding Maps "A" and "B". The total amount of the Off-Site Levies imposed with respect to Lands which will require the construction or upgrade of Regional Stormwater Infrastructure or which will benefit from the Regional Stormwater Infrastructure is shown in Schedule "B".
- 23 The Off-Site Levies reflected in this Bylaw will apply to all new Subdivision and Development with respect to Lands which will require the construction or upgrade of Regional Stormwater Infrastructure or which will benefit from the Regional Stormwater Infrastructure and which is approved subsequent to the date that this Bylaw is in force and effect.

INFORMATION ON REQUEST

- 24 Upon receiving a request from a ratepayer or landowner, the County shall disclose full information regarding Off-Site Levy calculations, allocations, impositions, collections, costs, and payments.

ANNUAL REPORT TO COUNCIL

- 25 Not less than once per calendar year, the CAO shall provide a report to Council detailing all Off-Site Levies imposed under this Bylaw, collections and expenditures during the previous calendar year, unpaid Off-Site Levy amounts as at the end of the previous calendar year, funds on hand to meet anticipated expenditures during the current calendar year, and updated estimates of the costs expected to be incurred in order to complete construction of the infrastructure in respect of which an Off-Site Levy has been imposed under this Bylaw.

DEVELOPER CONSTRUCTION OF REGIONAL STORMWATER INFRASTRUCTURE

- 26 Nothing in this Bylaw is intended to nor shall be interpreted as precluding Rocky View County's Development Authority or Subdivision Authority from requiring a developer to construct or pay for all or a portion of Regional Stormwater Infrastructure having oversize capacity as a condition of Development Permit or Subdivision approval in accordance with the Act.

**SEVERABILITY**

- 27 In the event that any provision of this Bylaw is declared invalid or void by any Court having competent jurisdiction, then such invalid or void provision shall be severed from the Bylaw and the remaining provisions of the Bylaw shall be maintained and deemed valid.

REPEAL AND EFFECTIVE DATE

- 28 Bylaw C-7535-2015 is repealed upon this Bylaw coming into full force and effect.
- 29 This Bylaw comes into full force and effect on the date of third and final reading.

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 _____ day of _____, 2020

READ A THIRD TIME IN COUNCIL AND PASSED this _____ day of _____, 2020

Reeve

CAO or Designate

Date Bylaw Signed



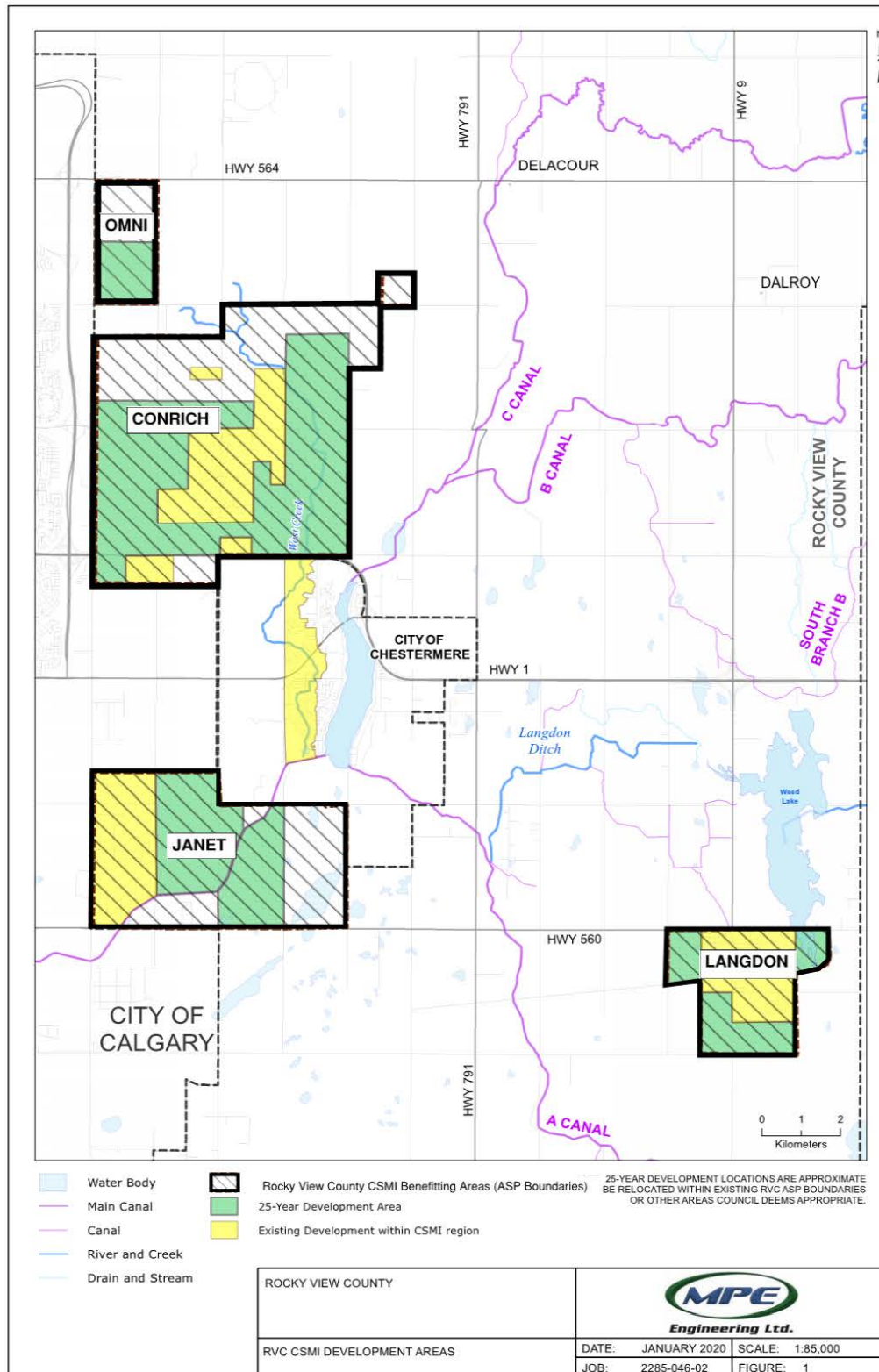
SCHEDULE "A-1" - CSMI Benefitting Area

1. The rationale for and calculations of the CSMI Base Levy Rate applicable to the portion of the CSMI Benefitting Area located within Rocky View County's boundaries, as shown on Map A, to pay for the cost of new or expanded Regional Stormwater Infrastructure required for benefitting Subdivision or Development are based upon the CSMI regional Stormwater Management Infrastructure capital costs detailed in the "Co-operative Stormwater Management Initiative - Water Balance and Stream Erosion Analysis Report" prepared by MPE Engineering Ltd., dated September, 2015 (the "CSMI Report") and the CSMI Stormwater Levy update dated January 15, 2020.

Rationale:

2. As a result of the anticipated increase of Stormwater run-off within the County boundaries due to newly created Residential, Agricultural, Business and Institutional development, the County requires the development of the CSMI Regional Stormwater Management Infrastructure to efficiently treat and transport Stormwater to the identified receiving water bodies.
3. As detailed in the CSMI Report, the total construction costs for the CSMI regional Stormwater Management Infrastructure is approximately \$57,151,403, inclusive of Infrastructure construction and land acquisition, if required.
4. The total area of lands located within the CSMI Benefitting Area, based upon a 25 year growth projection (as shown on Map A) is 3860 Ha.
5. The total area of benefitting Lands located within the County which are also located within the CSMI Benefitting Area are outlined on Map A.
6. **The total CSMI Base Levy Rate applicable to Subdivision and Development within the CSMI Benefitting Area within the County is as follows:**

$$\text{\$57,151,403} / 3860 \text{ Ha} = \text{\$14,807} / \text{Ha} \text{ or } \text{\$5,992} / \text{Acre}$$

SCHEDULE "A-1" - MAP "A" - CSMI BENEFITTING AREA MAP



SCHEDULE "A-2" - Langdon Regional Drainage Benefitting Area

1. The rationale and calculations of the applicable Off-Site Levy to be imposed within the Hamlet of Langdon, as identified on Map B, to pay for the cost of new or expanded Regional Stormwater Infrastructure required for and/or benefitting Subdivision or Development within the Langdon Regional Drainage Benefitting Area are based upon the "Langdon Comprehensive Stormwater Review Report" prepared by MPE Engineering Ltd. dated February 2016 (the "Langdon Stormwater Report").

Rationale:

2. The Off-Site Levy calculations are based on the figures and recommendations provided within the Langdon Stormwater Report.
3. With the increase of Stormwater run-off within the Hamlet of Langdon due to both existing and newly created Residential, Business and Institutional development, the County requires the development of Regional Stormwater Infrastructure as identified in the Langdon Stormwater Report and Map B to efficiently transport Stormwater to the identified receiving water bodies (the "Langdon Regional Stormwater Infrastructure").
4. The Langdon Regional Stormwater Infrastructure is comprised of the following infrastructure projects:
 - a) The Glenmore Redirection, and
 - b) The Municipal Ditch Upgrades (Piped Option)
5. As outlined in the Langdon Report, the estimated construction costs for the Langdon Regional Stormwater Infrastructure is \$7,800,000.00.
6. The Lands benefitting from the Langdon Regional Stormwater Infrastructure are indicated on Map B and consist of the entire Hamlet of Langdon boundary of 990 ha (2446 ac) as follows:
 - a) An estimated 417ha (1,030 acres) of existing developed Lands
 - b) An estimated 573ha (1,416 acres) of estimated developable Lands
 - c) Total benefitting area is 990 ha (2,446 ac)

The total Langdon Regional Stormwater Infrastructure Levy Rate applicable to Subdivision and Development within the Langdon Regional Drainage Benefitting Area within the County is as follows:

$$\text{\$7,800,000} / 990\text{Ha} = \text{\$7,879/ Ha or \$3,188/Acre}$$



SCHEDULE "A-2" - MAP "B"

LANGDON REGIONAL DRAINAGE BENEFITTING AREA MAP




SCHEDULE "B"
OFF-SITE LEVY SUMMARY

Off-Site Levy Schedule	Cost	Service Area Map
Schedule A-1: CSMI Levy	\$14,807 / Ha (\$5,992 / acre)	Map A
Schedule A-2: Langdon Regional Drainage Levy	\$7,879/ha (\$3,188/acre)	Map B



SCHEDULE "C"

DEFINITIONS

- (a) **"Act"** means the *Municipal Government Act*;
- (b) **"Agriculture"** or **"Agricultural"** means any Development or Subdivision for an Agricultural or Agriculture use as the term is defined and contemplated under the *Land Use Bylaw*;
- (c) **"Benefitting Areas"** means those lands which are within the respective benefitting areas of the Regional Stormwater Infrastructure components, as described in Schedules "A-1" to "A-7";
- (d) **"Boundary Adjustment"** means the adjustment of lot boundaries of parcels of lands without the creation of additional lots;
- (e) **"Building"** has the same meaning as in the *Land Use Bylaw*;
- (f) **"Business"** means any Development or Subdivision for a business use as the term is defined and contemplated under the *Land Use Bylaw*, including both Commercial and Industrial uses;
- (g) **"Bylaw"** means this Bylaw together with all schedules;
- (h) **"CAO"** means the individual appointed by Council as the Chief Administrative Officer in accordance with the Act or his/her authorized designate;
- (i) **"Commercial"** means any Development or Subdivision for commercial use as contemplated under the Land Use Bylaw;
- (j) **"Council"** means the Rocky View County Council;
- (k) **"County"** means Rocky View County or the geographical area within its jurisdictional boundaries, as the context may require;
- (l) **"CSMI Base Levy Rate"** means the base Off-Site Levy rate reflecting the cost recovery associated with the CSMI Regional Stormwater Management Infrastructure, referenced in section 16 and calculated in accordance with Schedule "A-1";
- (m) **"CSMI"** means the CSMI Cooperative established pursuant to the *Cooperatives Act*, RSA 2000, c C-28.1, consisting of the County, the City of Calgary, Town of Strathmore, City of Chestermere, Wheatland County, and the Western Irrigation District, for the purpose of cooperatively managing Stormwater run-off generated within their respective jurisdictions via a Regional Stormwater Management System;
- (n) **"CSMI Benefitting Area"** means that area which will be benefit from the CSMI Regional Stormwater Management Infrastructure, as outlined in Schedule "A-1": Map A;
- (o) **"Development"** has the same meaning as provided in the Act;



- (p) **"Development Agreement"** means an agreement pursuant to sections 648, 650, 651, or 655 of the Act;
- (q) **"Development Area"** means the gross acreage of Lands which are the subject of the proposed development or subdivision including:
 - (i) all buildings and other structures;
 - (ii) all driveway access areas;
 - (iii) all storage and display areas directly associated with the development or subdivision;
 - (iv) all parking areas required for the development or subdivision;
 - (v) all areas utilized for the growing of crops which are the subject of the development permit;
 - (vi) all areas to be designated as reserve lands or subject to an Environmental Reserve Easement as a condition of the subdivision approval; and
 - (vii) any areas that will be dedicated for roads or utilities as a condition of subdivision approval.

Notwithstanding the above, a Development Area does not include the following:

- (i) with respect to Development Permits issued for a golf course within the use "Outdoor Participant Recreation Services", any portion of the lands which is outside the scope of "Development Area" outlined above (i.e. the fairways, hazards, rough and greens);
 - (ii) with respect to Subdivisions involving an existing dwelling, the subdivided parcel that contains the existing dwelling; or
 - (iii) any unenclosed areas to be utilized for the growing of crops which are the subject of the development permit.
- (r) **"Development Permit"** has the same meaning as in the *Land Use Bylaw*;
 - (s) **"Dwelling"** has the same meaning as in the *Land Use Bylaw*;
 - (t) **"Farmstead"** means a single parcel of land on which a habitable residence has been situated for a minimum of 10 years, which residence utilized in connection with the ranching or farming operation carried out on the land, and which is located on a previously un-subdivided quarter section. The Farmstead may include associated buildings and landscape improvements;
 - (u) **"First Parcel Out"** has the same meaning as within the *Land Use Bylaw*;
 - (v) **"Horticultural Development"** has the same meaning as in the *Land Use Bylaw*;



- (w) **"Industrial"** means any development or subdivision for an industrial use as contemplated in the *Land Use Bylaw*;
- (x) **"Institutional"** means any development or subdivision for an institutional use as contemplated in the *Land Use Bylaw*;
- (y) **"Land(s)"** means private titled parcels of land in accordance with the *Land Titles Act*, RSA 2000, c L-4;
- (z) **"Land Use Bylaw"** means the County's current *Land Use Bylaw*, as amended or replaced from time to time in accordance with the Act;
- (aa) **"Municipal Government Act"** means the *Municipal Government Act*, RSA 2000, c M-26 and all amendments thereto, together with the *Off-Site Levies Regulation*, AR 187/2017 passed thereunder;
- (bb) **"Municipal Planning Commission Bylaw"** means Bylaw C-7967-2019 establishing the Municipal Planning Commission, as amended or replaced from time to time;
- (cc) **"Municipal Planning Commission"** means the Municipal Planning Commission of the Municipality as established pursuant to the Municipal Planning Commission Bylaw;
- (dd) **"Off-Site Levy" or "Off-Site Levies"** means the Off-Site Levies imposed and created by this Bylaw, including but not limited to the CSMI Base Levy Rate, calculated in accordance with Schedules "A-1" to "A-7";
- (ee) **"Off-Site Levy Fund"** means a fund into which an Off-Site Levy, together with any interest earned from the investment of the Off-Site Levy, is deposited and kept in accordance with the Act;
- (ff) **"Regional Stormwater Infrastructure"** means that Stormwater Infrastructure identified in Schedules "A-1" to "A-7";
- (gg) **"Reports"** means the following reports and plans prepared by MPE Engineering Ltd.:
 - (i) CSMI Water Balance and Erosion Report, September, 2015,
 - (ii) Langdon Comprehensive Stormwater Review Report, February, 2016,
 - (iii) CSMI Stormwater Levy Update June, 2018;
- (hh) **"Reserve Land"** has the same meaning as in the Act;
- (ii) **"Residential"** means any development or subdivision for residential use as contemplated under the *Land Use Bylaw*; and
- (jj) **"Subdivision"** has the same meaning as provided for in the Act.



CAPITAL PROJECT MANAGEMENT

TO: Council
DATE: March 10, 2020
FILE: 1007-700
SUBJECT: First Reading Bylaw – C-8009-2020 – Regional Water and Wastewater Off-Site Levy Bylaw

DIVISION: All
APPLICATION: N/A

POLICY DIRECTION:

At its December 10th, 2019 Council meeting, Council passed a resolution that the Additional Scenarios presentation be received for information and that Administration be directed to bring forward proposed Off-Site Levy Bylaws for consideration of first reading in accordance with levy scenario 1 as presented.

EXECUTIVE SUMMARY:

Bylaw C-8009-2020 Regional Water and Wastewater Off-Site Levy Bylaw is being presented to Council for consideration of First Reading.

Amendments to the County's Water and Wastewater Off-Site Levy Bylaw C-7273-2013 have been prepared following a comprehensive review of the County's Water and Wastewater systems and financials to the end of 2019. Key updates to the Bylaw include:

- Update of schedules based on allocated capacity to end of 2019.
- Update of schedules based on levies collected to end of 2019 and outstanding debt to end of 2019.
- Updates to infrastructure expansion costs and accommodation for inflation.
- Addition of new schedules for the Bragg Creek Water & Wastewater systems.
- Incorporation of the OMNI development area.

The updates have resulted in a net reduction to the Water and Wastewater Levy amounts, primarily due to a reduction in the Langdon Wastewater Treatment Plant Levy. The reduction was gained from new modelling at Weed Lake resulting in additional capacity for the East Balzac Sanitary system.

The Regional Water and Wastewater Off-Site Levy Bylaw provides for the fair and equitable allocation of Off-Site levies related to Water and Wastewater Infrastructure in accordance with the *Municipal Government Act*.

Two key themes of Council's Strategic Plan is managing growth responsibly and ensuring the County's financial position remains healthy. Growth resulting from new development creates opportunities for residents and businesses by fostering a vibrant and diverse economy and generating additional tax revenues to support County services. Growth also affects the costs of operating and, maintaining the County's Infrastructure. Balancing the benefits and costs of growth is a key focus of

Administration's Corporate Business Plan and the levy structure is a critical tool to help achieve that. It ensures that new development pays a proportionate share of the costs needed for the addition, expansion, and long-term sustainability of the County's Water and Wastewater network resulting from that growth.

ADMINISTRATION RECOMMENDATION:

Administration recommends approval in accordance with Option #1.

Administration Resources
Byron Riemann, Operations Services



BACKGROUND:

In July 2013, Council passed Bylaw C-7273-2013 adopting a Regional Water and Wastewater Off-Site Levy.

On July 10th, 2018, Council directed Administration to begin public consultation on all revised Off-Site Levy Bylaws including the Water and Wastewater Off-Site Levy. The initial updates were presented and discussed at length with the public to gain feedback and input for the proposed levy. The updates were presented at Open Houses on September 12th and 19th, 2018, and at workshops and information sessions with Council throughout 2019.

In addition to the Open Houses and since September 2018, the County held numerous meetings with individual landowners and stakeholders including Rocky View 2020, Rocky View Forward, BILD Calgary and representatives from the development industry.

Most recently, on December 10th, 2019, Administration presented four (4) levy scenarios to Council for consideration. As a result of this meeting, Council directed Administration to proceed with drafting the Bylaws in accordance with Levy Scenario 1. Levy Scenario 1 did not involve any major modifications to the Regional Water and Wastewater Off-Site Levy Bylaw that has already been shared with the public and Council and the updates have resulted in a net reduction to the Water and Wastewater levy amounts. The Bylaw being presented has been prepared in accordance with this direction.

OPTIONS:

- Option # 1: Motion #1 THAT Bylaw C-8009-2020 be given first reading.
 Motion #2 THAT Bylaw C-8009-2020 be advertised for a Public Hearing on
 May 12, 2020.
- Option # 2: That Council provide alternative direction.

Respectfully submitted,

Concurrence,

"Byron Riemann"

"Al Hoggan"

Executive Director
Operations Services

Chief Administrative Officer

BR/AP/bg

ATTACHMENTS:

ATTACHMENT 'A': Bylaw C-8009-2020

BYLAW C-8009-2020

A Bylaw of Rocky View County, in the Province of Alberta, for the purpose of establishing Off-Site Levies for Regional Water and Wastewater Facilities

WHEREAS in accordance with Section 648 of the *Municipal Government Act*, a Council may by bylaw:

- (a) provide for the imposition and payment of a levy, to be known as an "Off-Site" Levy, in respect of land that is to be Developed or Subdivided, and
- (b) authorize agreements to be entered into in respect of the levy.

AND WHEREAS the Rocky View County Council deems it desirable to establish Off-Site Levies for the purposes described in Section 648 of the *Municipal Government Act*;

AND WHEREAS Rocky View County Council engaged the engineering firm MPE Engineering Ltd. to prepare a report in 2013 with respect to the fair and equitable calculation and allocation of Off-Site Levies related to regional water utility and wastewater utility infrastructure in accordance with the purposes of the *Municipal Government Act*;

AND WHEREAS the Rocky View County Council has reviewed the report prepared by MPE Engineering Ltd. *2020 Off-Site Levy Update*, dated February 7th, 2020 and wishes to enact a Bylaw to impose and provide for the payment of Off-Site Levies, to authorize agreements to be entered into in respect of payment of the Off-Site Levies, to set out the object of each levy, and to indicate how the amount of each levy was determined;

AND WHEREAS Rocky View County Council has created the Municipal Planning Commission pursuant to the Municipal Planning Commission Bylaw, to exercise the powers and discretions of the Subdivision Authority and the Development Authority, each as defined and contemplated within the *Municipal Government Act*;

NOW THEREFORE pursuant to the authority conferred upon it by the laws of the Province of Alberta, the Rocky View County Council, duly assembled, enacts as follows:

TITLE

- 1 This Bylaw may be cited as the "Regional Water and Wastewater Off-Site Levy Bylaw".

PURPOSE AND INTENT

- 2 The purpose and intent of this Bylaw is to:
 - (a) impose and provide for the payment of levies to be known as Off-Site Levies in respect of Lands that are to be Subdivided or Developed and which will require servicing from the regional Wastewater Utilities and/or Water Utilities;
 - (b) authorize agreements to be entered into in respect of payment of the Off-Site Levies;



- (c) set out the objects of each Off-Site Levy; and
- (d) indicate how the amount of each Off-Site Levy was determined.

DEFINITIONS

- 3 The definitions contained in Schedule “E” of this Bylaw apply unless the context otherwise requires.

ADMINISTRATION AND ENFORCEMENT

- 4 Council hereby delegates to the CAO the duty and authority to enforce and administer this Bylaw.

ENACTMENT

- 5 An Off-Site Levy as provided for in the Act is hereby imposed in respect of all Lands which are to be Developed or Subdivided within the County and which will require water and/or wastewater servicing from any of the Regional Water Utilities or Wastewater Utilities included within this Bylaw at the rates and on the terms as specified in this Bylaw, with the exception of any land where Off-Site Levies have been previously imposed and collected in full with respect to the same purpose as provided for in this Bylaw.
- 6 Notwithstanding any other provision in this Bylaw, the County may impose further or different Off-Site Levies, duly enacted by bylaw, on any portion of Lands which are the subject of Development permit or Subdivision approval and in respect of which the County has not collected Off-Site Levies imposed under this Bylaw or any previous Off-Site Levy bylaw authorized by the Act or a predecessor Act with respect to the same purpose as provided for in this Bylaw.
- 7 The County is hereby authorized to enter into agreements with owners of the Lands referred to in section 5 for payment of the Off-Site Levy imposed on those Lands.

OBJECT OF THE OFF-SITE LEVIES

- 8 The object of the Off-Site Levy or Levies imposed and collected pursuant to this Bylaw are to pay for all or any part of the capital cost of any or all of the following:
 - (a) new or expanded Regional Water Utility facilities for the storage, transmission, treatment, or supplying of water;
 - (b) new or expanded Regional Wastewater Utility facilities for the treatment, movement, or disposal of sanitary sewage; and
 - (c) land required for or in connection with any facilities described within this paragraph.

OFF-SITE LEVY PAYMENT

- 9 The Off-Site Levy imposed pursuant to this Bylaw shall be paid upon the earlier of the following dates:



- (a) the issuance of the Development permit in respect of the Lands, **if no Development Agreement is required as a condition of the Development Permit;**
 - ~~(b) execution of a Development Agreement entered into pursuant to the conditions of a Development permit or Subdivision approval granted in respect of the Lands; or~~
 - (b) prior to the endorsement of the Plan of Subdivision for the Lands, **if no Development Agreement is required as a condition of the approval of the Subdivision application; or**
 - (c) **the date(s) required for payment of the Off-Site Levy as set forth within the Development Agreement entered into pursuant to the conditions of a Development Permit or Subdivision approval granted in respect of the lands**
- 10 Where the owner of Lands that is subject to the imposition of an Off-Site Levy or Levies under this Bylaw fails, neglects, or refuses to either pay the Off-Site Levy imposed, **to execute a required Development Agreement addressing payment of the Off-Site Levy imposed, or to provide sufficient security for the payment of the Off-Site Levy imposed, in addition to any other rights or remedies available in contract, at law or in equity the County may:**
- (a) refuse to endorse a plan of Subdivision or release a Development permit until the land owner has paid the Off-Site Levy, **has executed the required Development Agreement addressing payment of the Off-Site Levy** or has provided sufficient security for the payment of the Off-Site Levy in a form satisfactory to the CAO, **as the case may be;** or
 - (b) commence proceedings in Court for recovery of the Off-Site Levy as an amount due and payable to the County.
- 11 **The Off-Site Levies, in whole or in part, shall not be imposed on Lands where:**
- (a) **Council determines, in its sole and unfettered discretion; or**
 - (b) **subject always to:**
 - (i) **the creation and continued existence of the Municipal Planning Commission; and**
 - (ii) **receipt of report from, and/or consultation with, County Administration;**
- the Municipal Planning Commission determines, in its sole and unfettered discretion;**
- that it is appropriate in the circumstances not to impose the Off-Site Levies, in whole or in part, on the Lands as a condition of Development Permit or Subdivision approval, resulting in a deferral of the imposition of the Off-Site Levy under this Bylaw to the next Development permit or Subdivision approval affecting the Lands.**



OFF-SITE LEVY FUND

- 12 The CAO shall establish and maintain a separate fund for each facility in respect of which an Off-Site Levy is being imposed pursuant to this Bylaw. Such Off-Site Levy funds shall be kept separate from the County's General Account or any other County account and shall be administered in accordance with the Act.

DETERMINATION OF THE OFF-SITE LEVIES

- 13 The Off-Site Levies included in this Bylaw were determined in accordance with the calculations from the Off-Site Levy Report prepared by MPE Engineering Ltd. *2020 Off-Site Levy Update*, dated February 7th, 2020. The MPE Engineering Ltd. report is hereby incorporated into this Bylaw by reference and shall be disclosed upon request in accordance with section 16 of this Bylaw.
- 14 The determination of the amount of each Off-Site Levy amount in respect of each of the separate facilities for which an Off-Site Levy has been imposed is as shown in Schedule "C". The basis of calculating the Off-Site Levies together with the total amount of the Off-Site Levies to be imposed with respect to Lands which will receive servicing from the Regional Wastewater Utilities and/or Water Utilities is shown in Schedule "D".
- 15 The Off-Site Levies reflected in this Bylaw will apply to all new Subdivision and Development with respect to Lands which will require servicing from the Regional Wastewater Utilities and/or Water Utilities and which is approved subsequent to the date that this Bylaw is in force and effect.

INFORMATION ON REQUEST

- 16 Upon receiving a request from a ratepayer or landowner, the County shall disclose full information regarding Off-Site Levy calculations, allocations, impositions, collections, costs, and payments.

ANNUAL REPORT TO COUNCIL

- 17 Not less than once per calendar year, the CAO shall provide a report to Council detailing all Off-Site Levies imposed under this Bylaw, collections and expenditures during the previous calendar year, unpaid Off-Site Levy amounts as at the end of the previous calendar year, funds on hand to meet anticipated expenditures during the current calendar year, and updated estimates of the costs expected to be incurred in order to complete construction of the facilities in respect of which an Off-Site Levy has been imposed under this Bylaw.

DEVELOPER CONSTRUCTION OF REGIONAL WATER OR WASTEWATER UTILITY INFRASTRUCTURE

- 18 Nothing in this Bylaw is intended to nor shall be interpreted as precluding Rocky View County's Development Authority or Subdivision Authority from requiring a developer to construct or pay for all or a portion of Regional Water or Wastewater Utility infrastructure having oversize capacity as a condition of Development Permit or Subdivision approval in accordance with the Act.

**OFF-SITE LEVY REFUND PROCESS**

19 Where an Off-Site Levy imposed pursuant to this Bylaw has been paid and:

- a) the subject Development Permit is not issued or the Development Permit expires or is cancelled; or
- b) the subject Subdivision approval expires without the plan of Subdivision having been endorsed; and
- c) the subject Development or Subdivision does not proceed;

OR

- d) the Off-Site Levy was paid in error;

the Off-Site Levy paid as a condition of the Development Permit or Subdivision approval shall be refunded to the party who paid the Off-Site Levy upon the receipt of the written request of that party in accordance with this section 19.

Any request for a refund of an Off-Site Levy payment must be submitted to the CAO in writing and must set out the basis for the refund request. The refund request must be submitted to the CAO within 24 months of the date of payment of the Off-Site Levy.

Where the Off-Site Levy has been refunded in accordance with this section, the Off-Site Levy is no longer considered to have been imposed for the purpose of the Act.

SEVERABILITY

20 In the event that any provision of this Bylaw is declared invalid or void by any Court having competent jurisdiction, then such invalid or void provision shall be severed from the Bylaw and the remaining provisions of the Bylaw shall be maintained and deemed valid.

REPEAL AND EFFECTIVE DATE

21 Bylaw C-7273-2013 is repealed upon this Bylaw coming into full force and effect.

22 This Bylaw comes into full force and effect on the date of third and final reading.

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 _____ day of _____, 2020



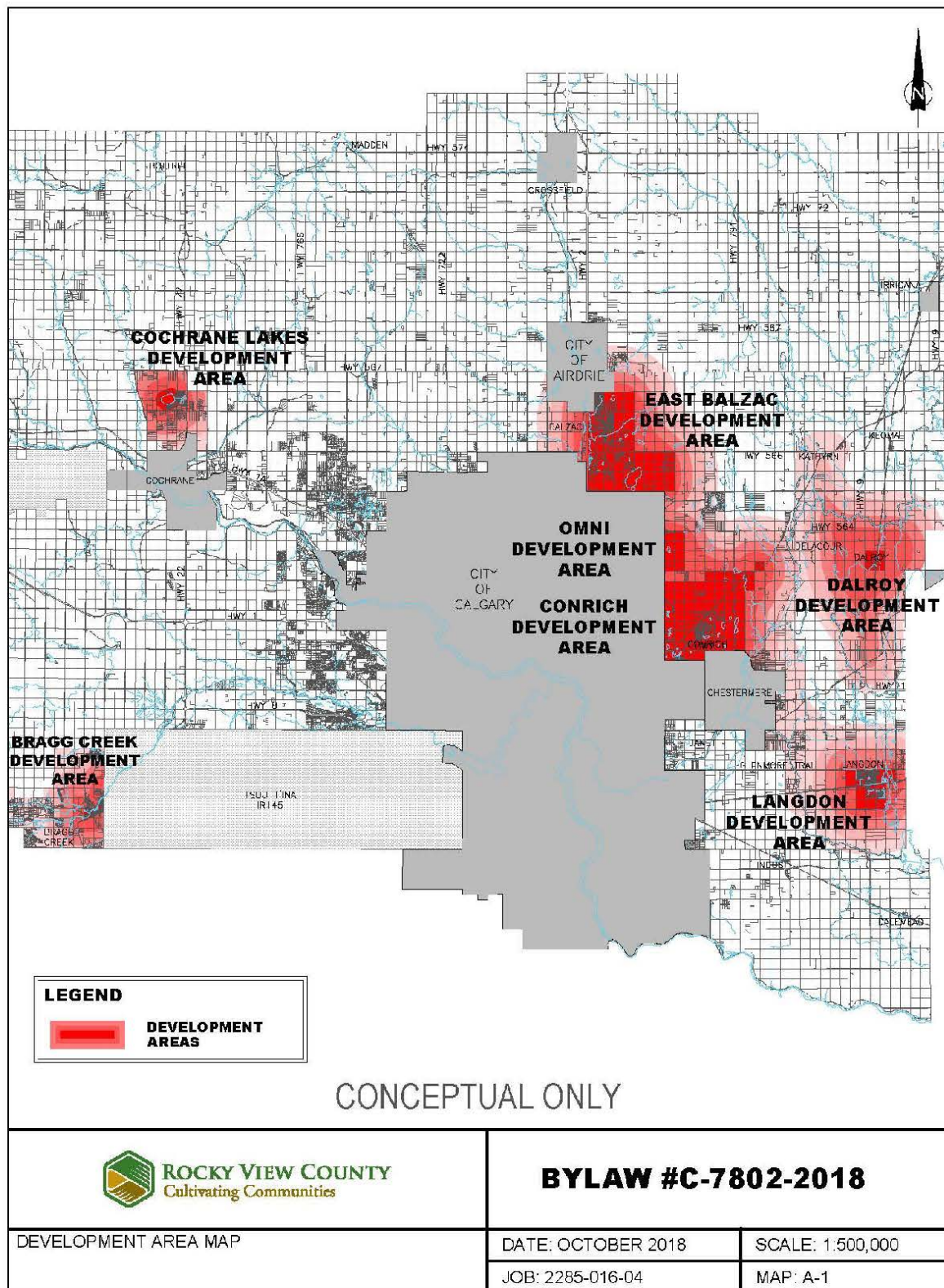
READ A THIRD TIME IN COUNCIL AND PASSED this _____ day of _____, 2020

Reeve

CAO or Designate

Date Bylaw Signed

SCHEDULE "A"
DEVELOPMENT AREA MAP

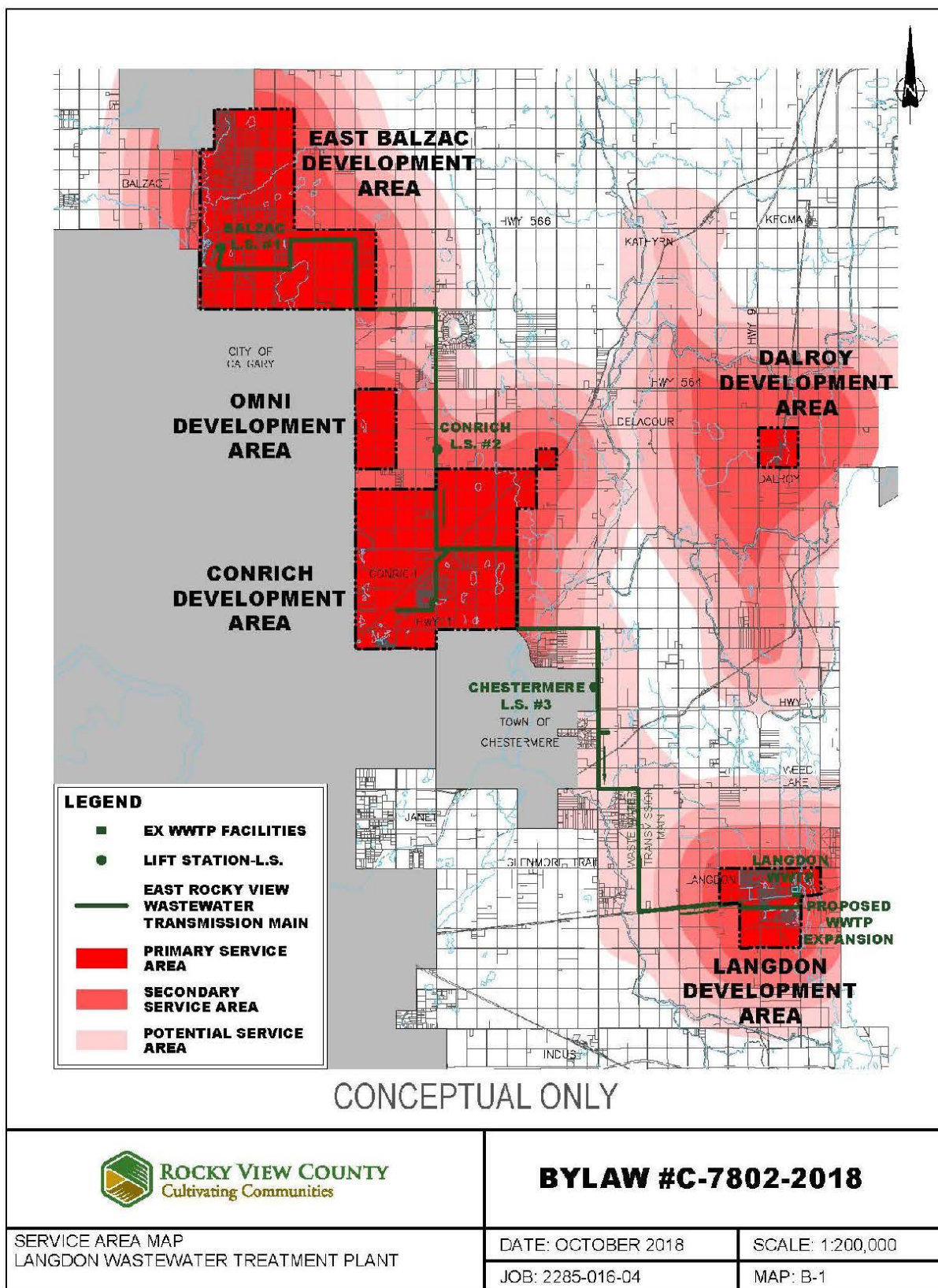


SCHEDULE "B"
SERVICE AREA MAPS

SCHEDULE "B-1"

SERVICE AREA MAP

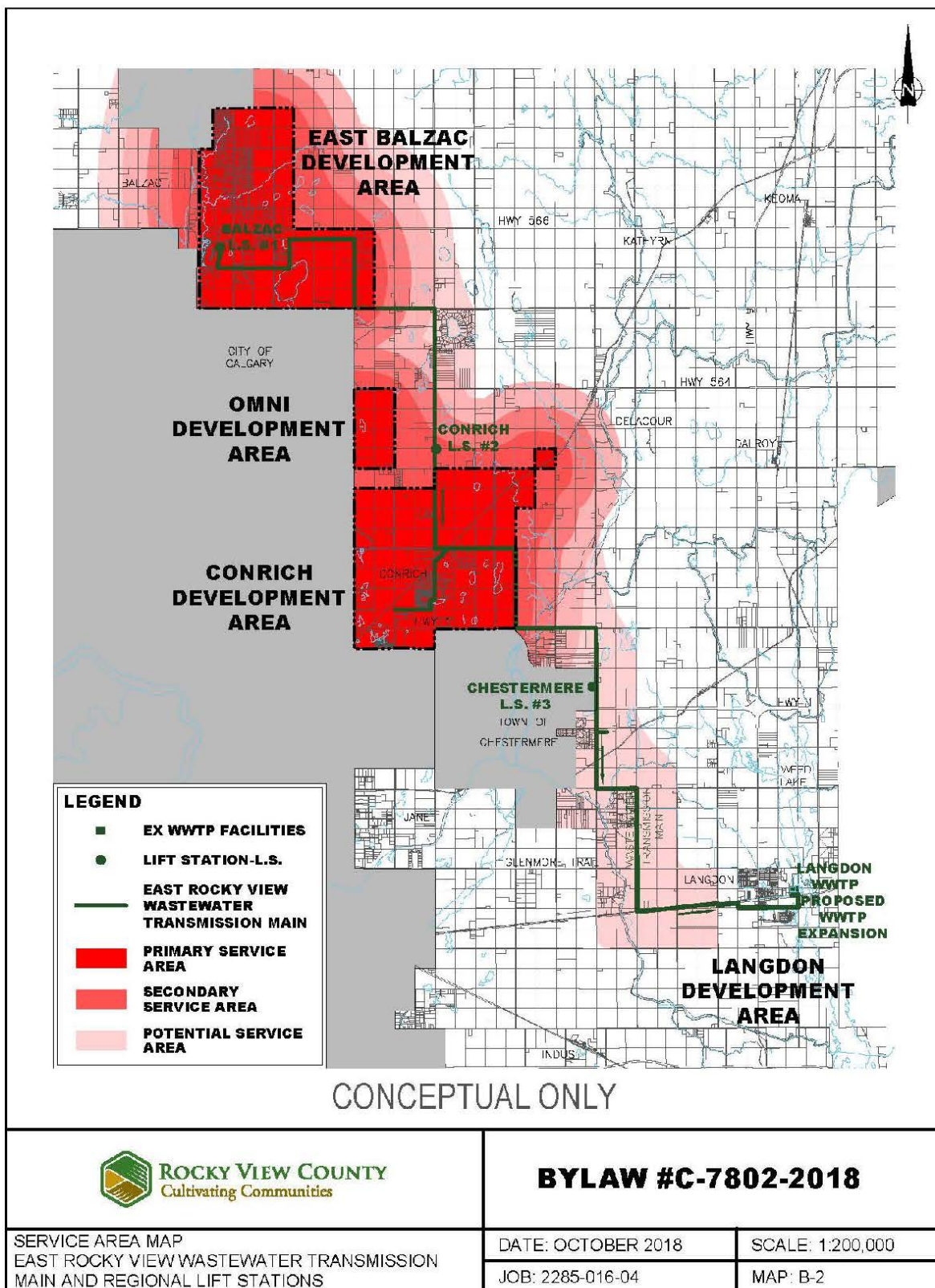
LANGDON WASTEWATER TREATMENT PLANT



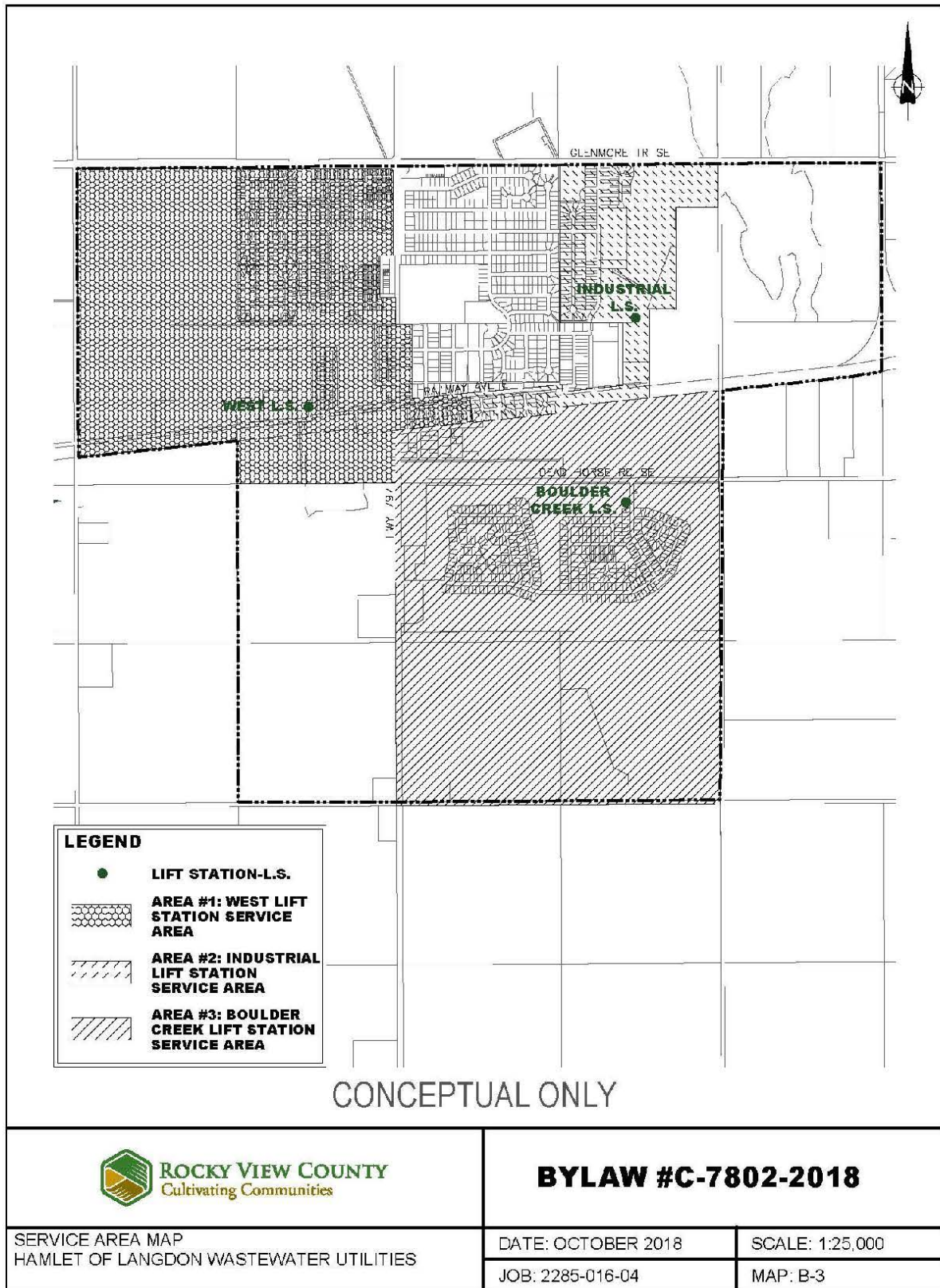
SCHEDULE "B-2"

SERVICE AREA MAP

**EAST ROCKY VIEW WASTEWATER TRANSMISSION MAIN AND REGIONAL
LIFT STATIONS**



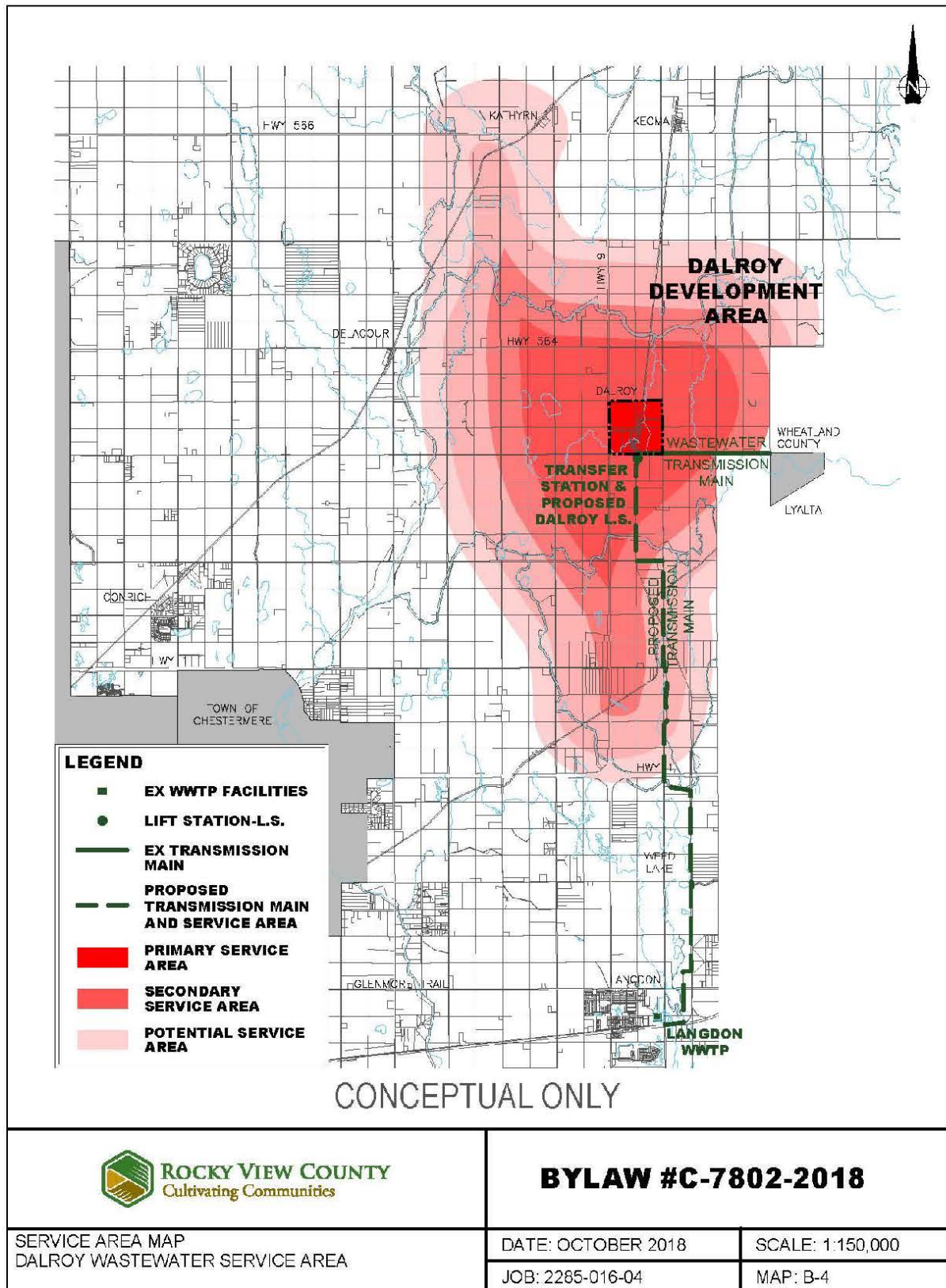
SCHEDULE "B-3"
SERVICE AREA MAP
LANGDON



SCHEDULE "B-4"

SERVICE AREA MAP

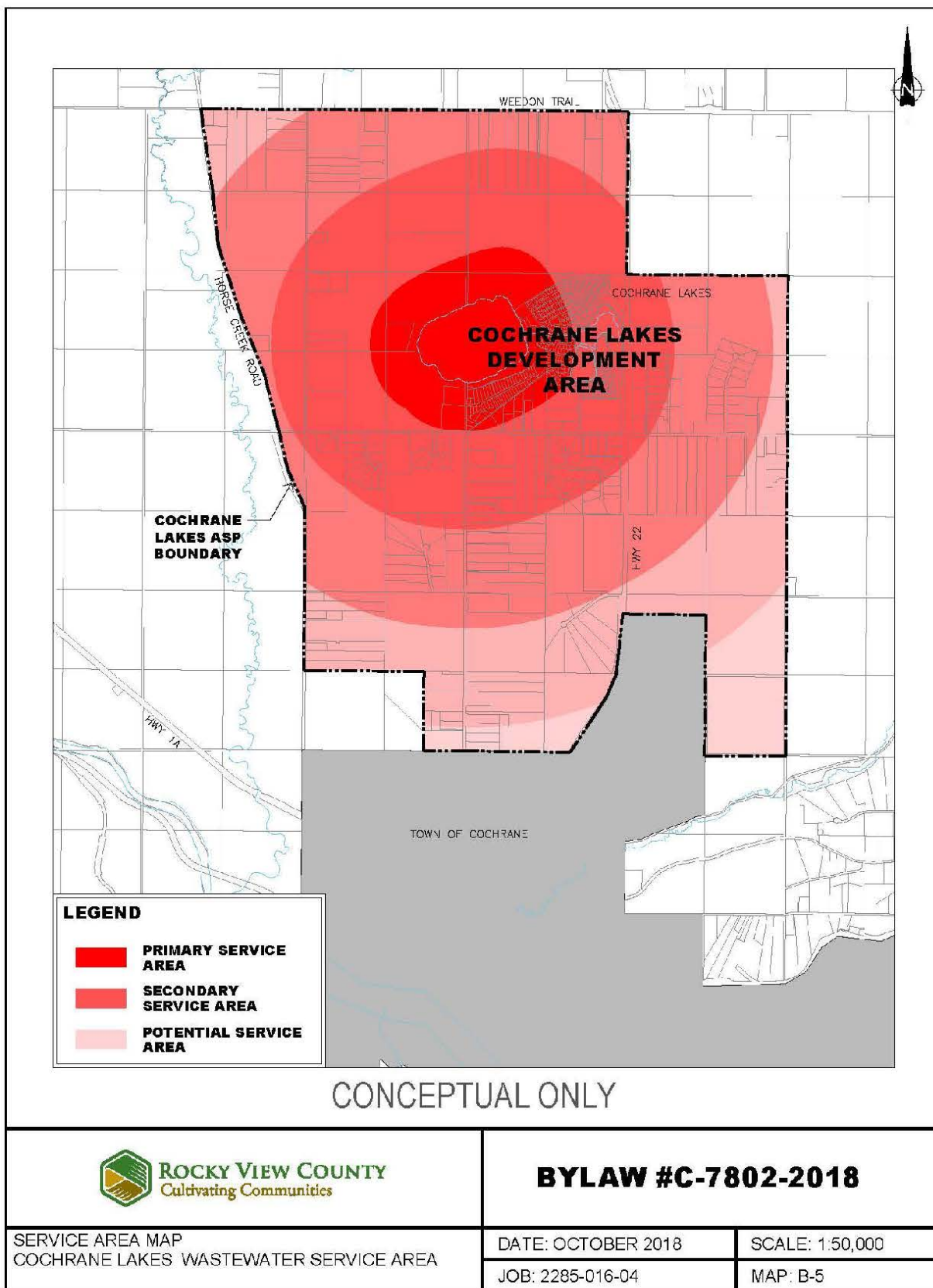
**DALROY TO LANGDON SANITARY LIFT STATION AND WASTEWATER
TRANSMISSION MAIN**



SCHEDULE "B-5"

SERVICE AREA MAP

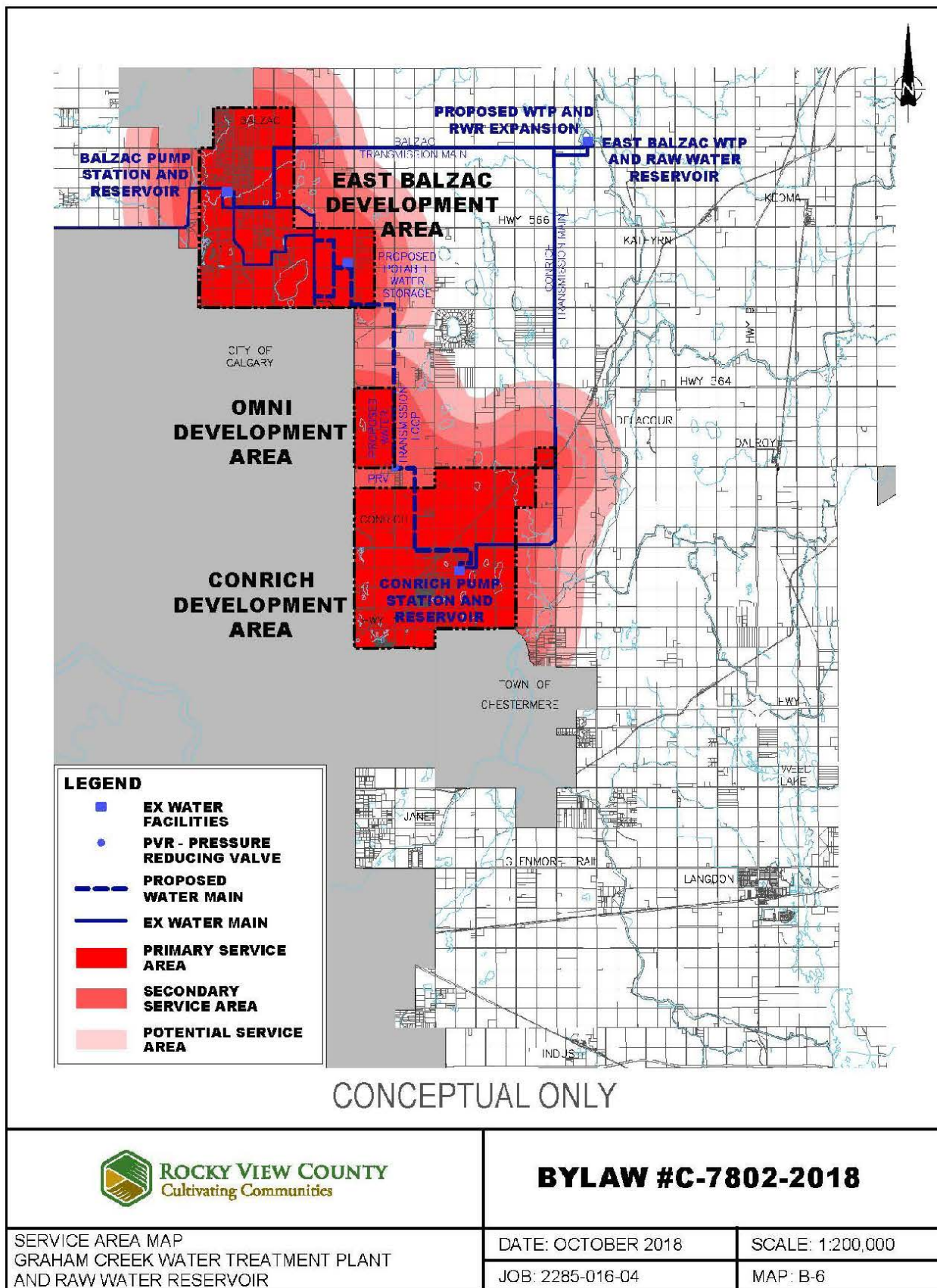
COCHRANE LAKES WASTEWATER TRANSMISSION MAIN



SCHEDULE "B-6"

SERVICE AREA MAP

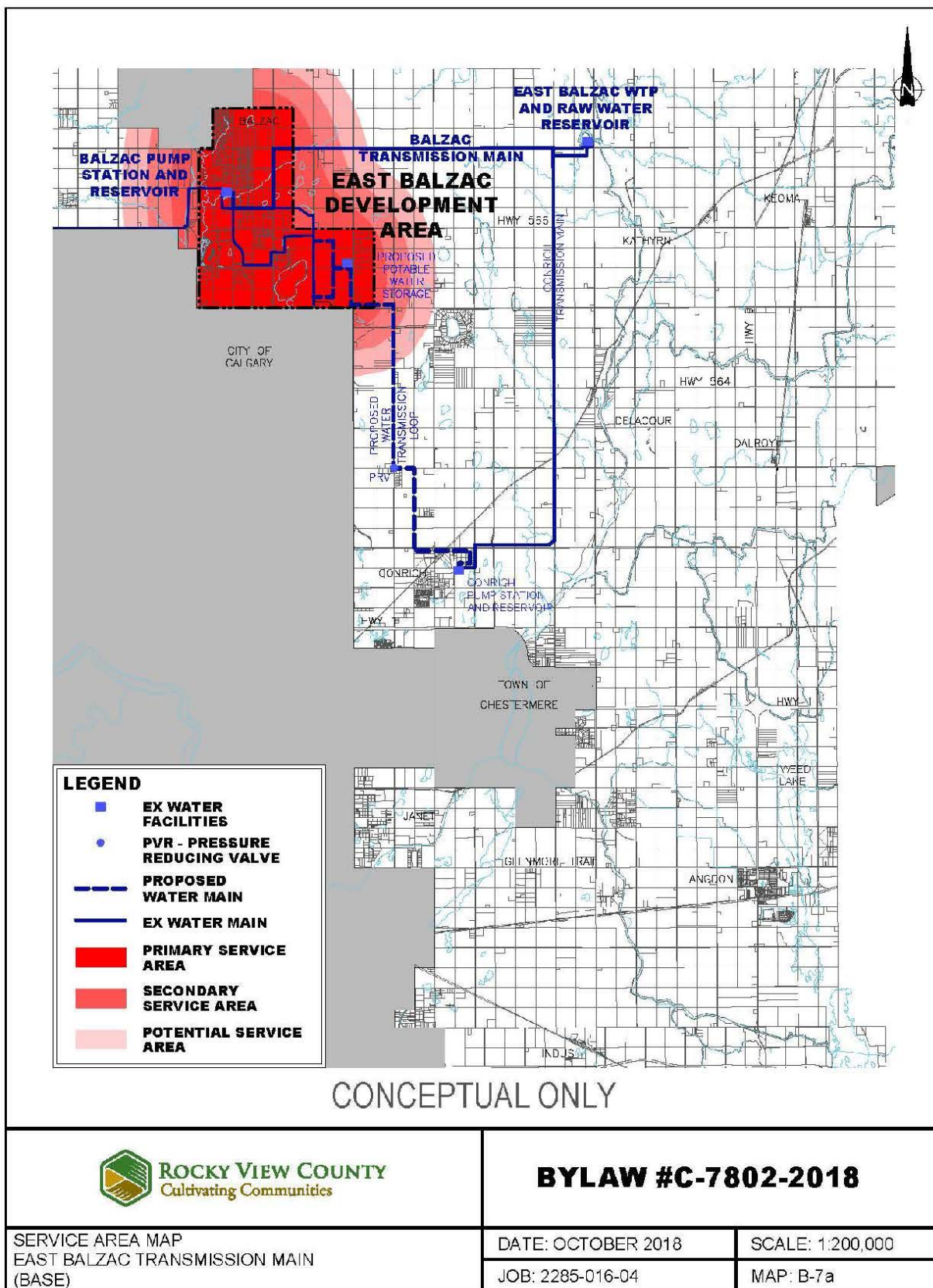
**GRAHAM CREEK WATER TREATMENT PLANT AND RAW WATER RESERVOIR
PROJECT**



SCHEDULE "B-7a"

SERVICE AREA MAP

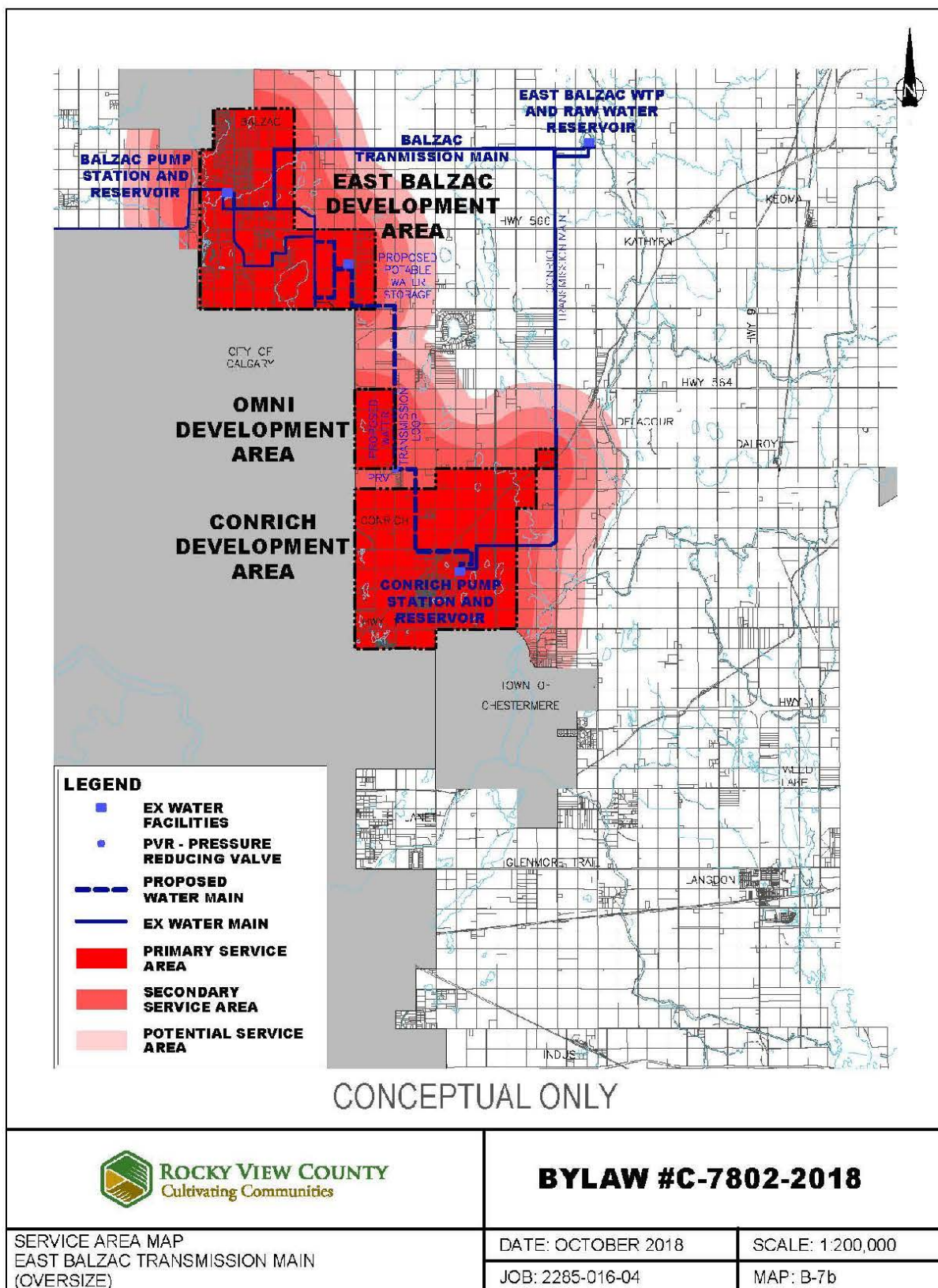
EAST BALZAC TRANSMISSION MAIN (BASE)



SCHEDULE "B-7b"

SERVICE AREA MAP

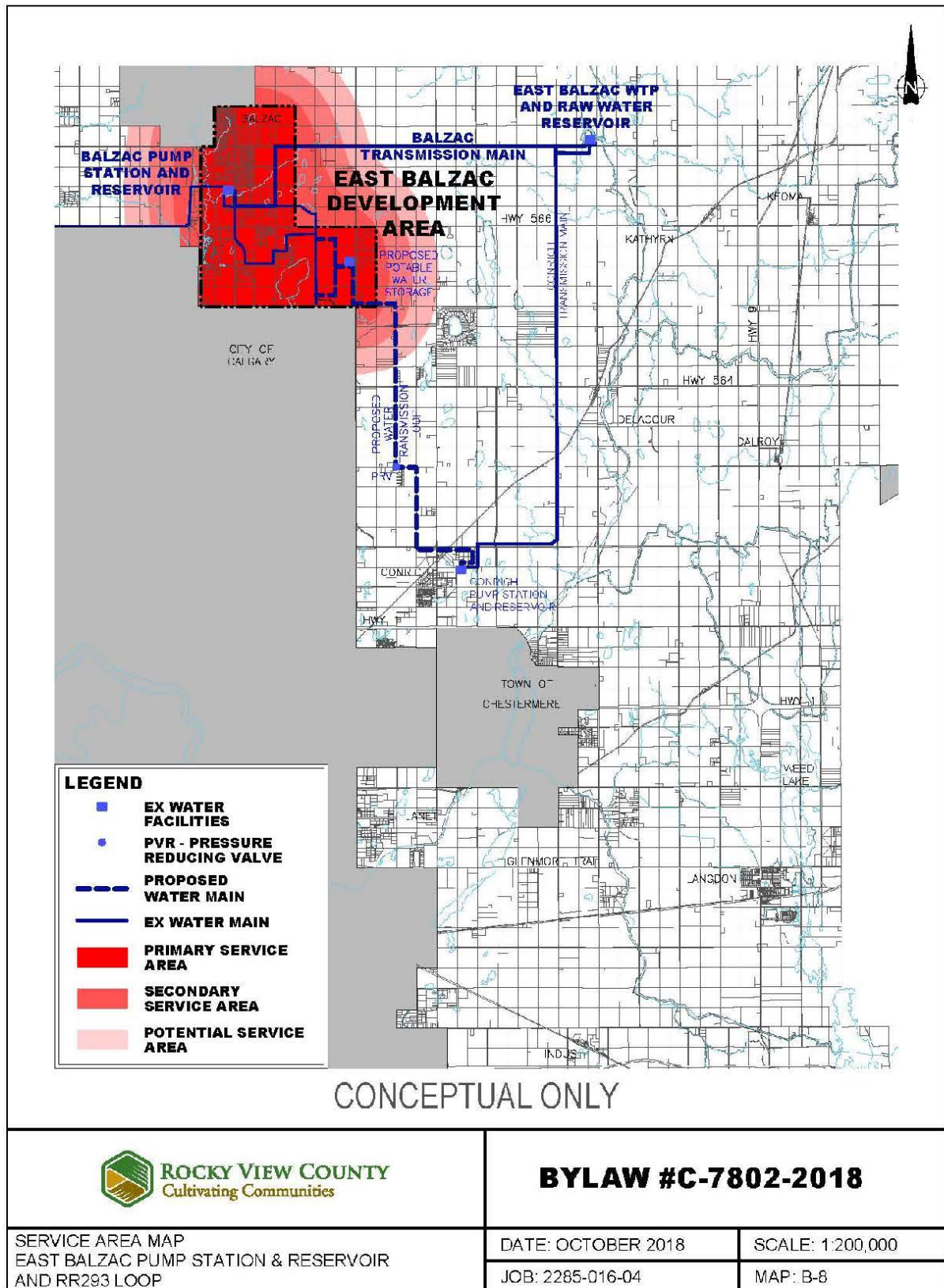
EAST BALZAC TRANSMISSION MAIN (OVERSIZE)



SCHEDULE "B-8"

SERVICE AREA MAP

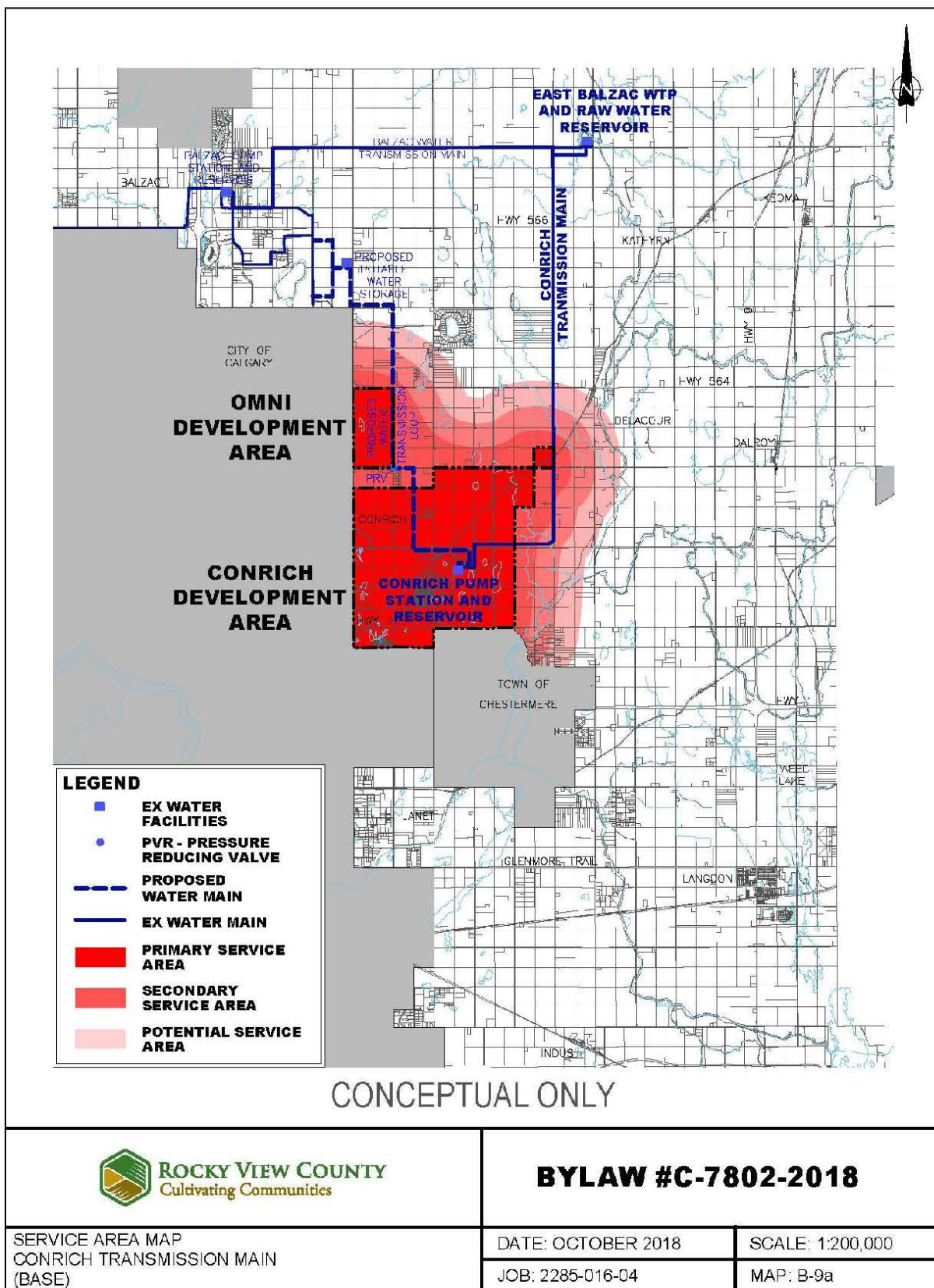
EAST BALZAC PUMP STATION & RESERVOIR AND RR293 LOOP



SCHEDULE "B-9a"

SERVICE AREA MAP

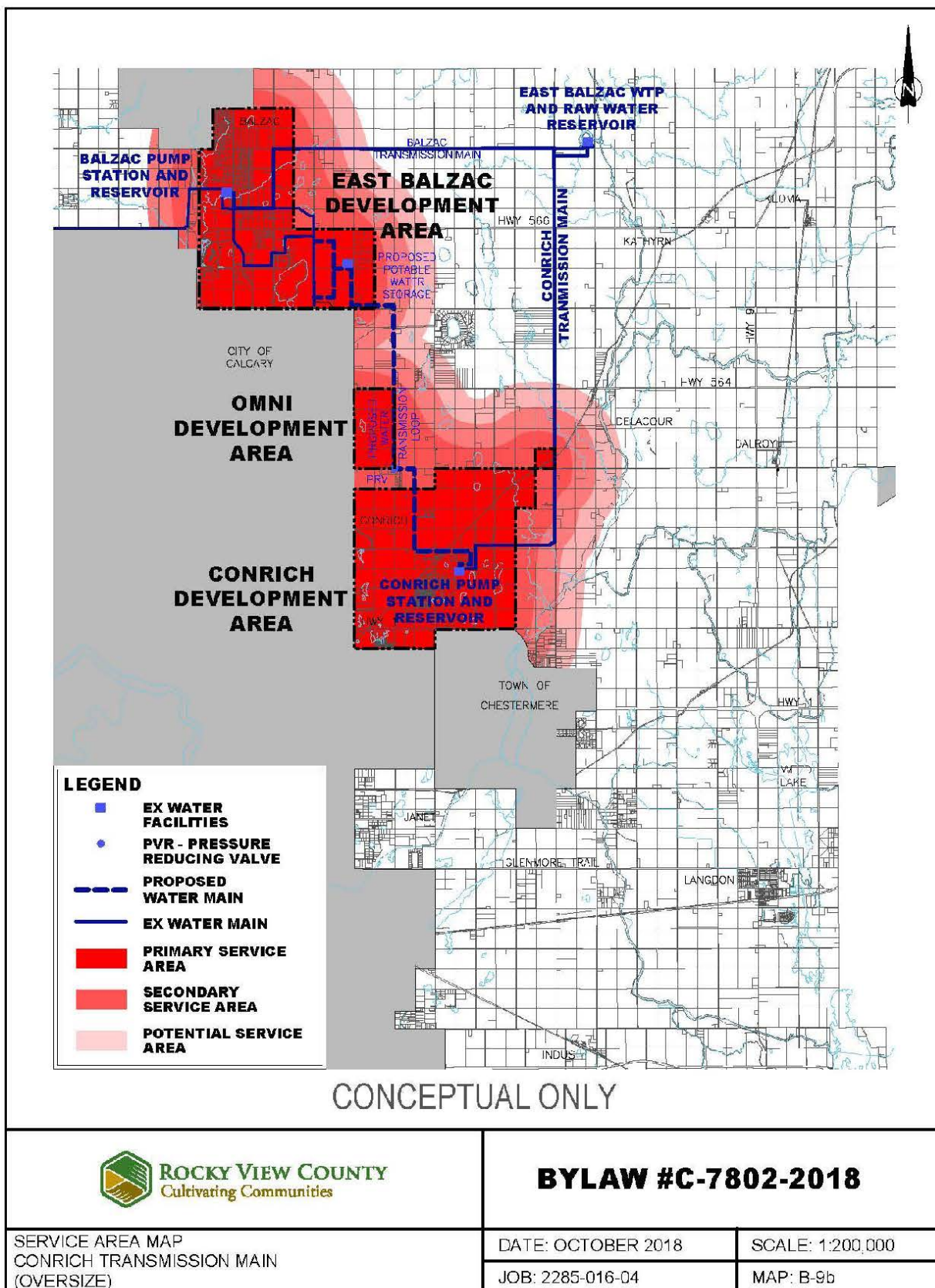
CONRICH TRANSMISSION MAIN (BASE)



SCHEDULE "B-9b"

SERVICE AREA MAP

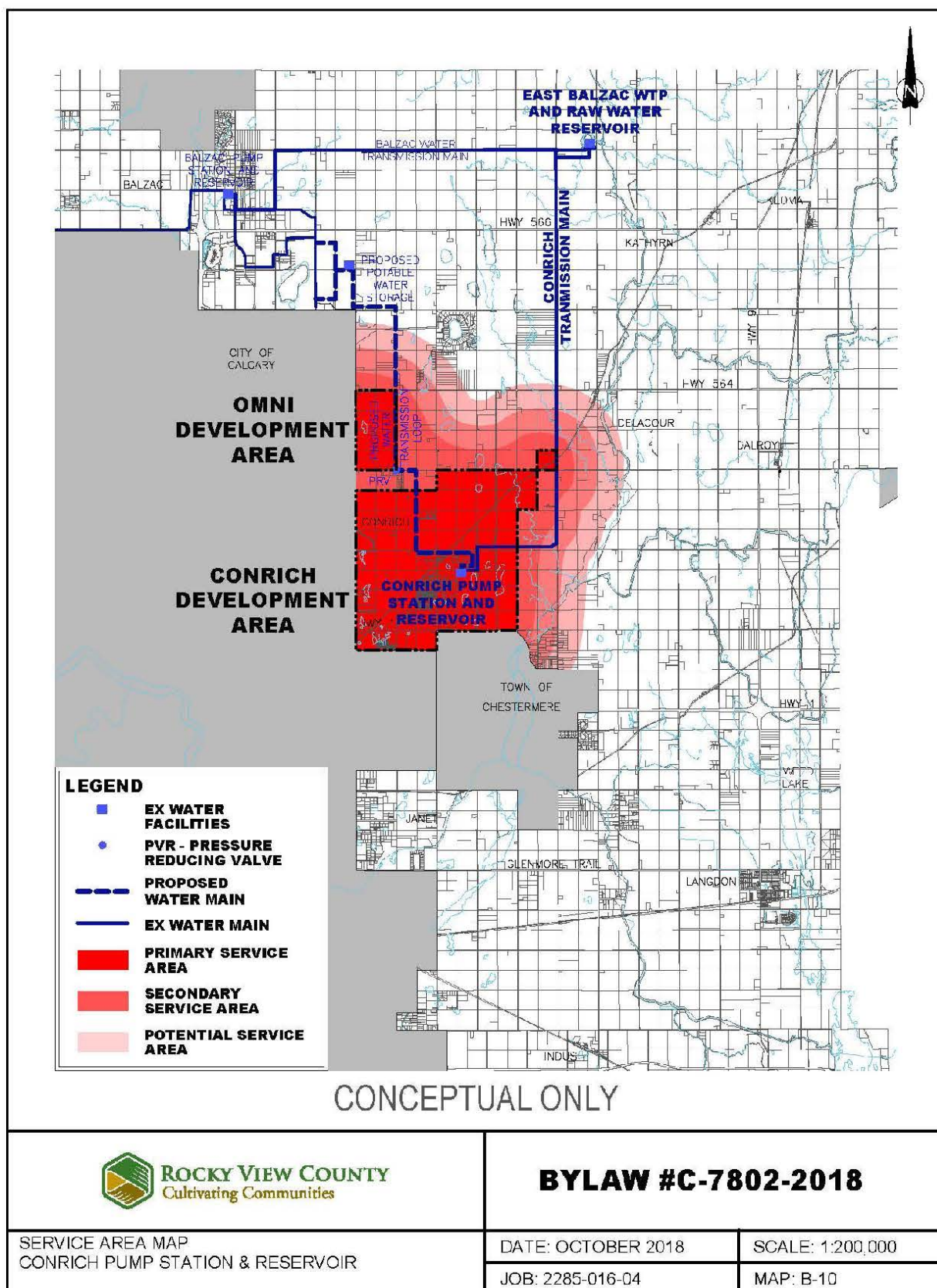
CONRICH TRANSMISSION MAIN (OVERSIZE)



SCHEDULE "B-10"

SERVICE AREA MAP

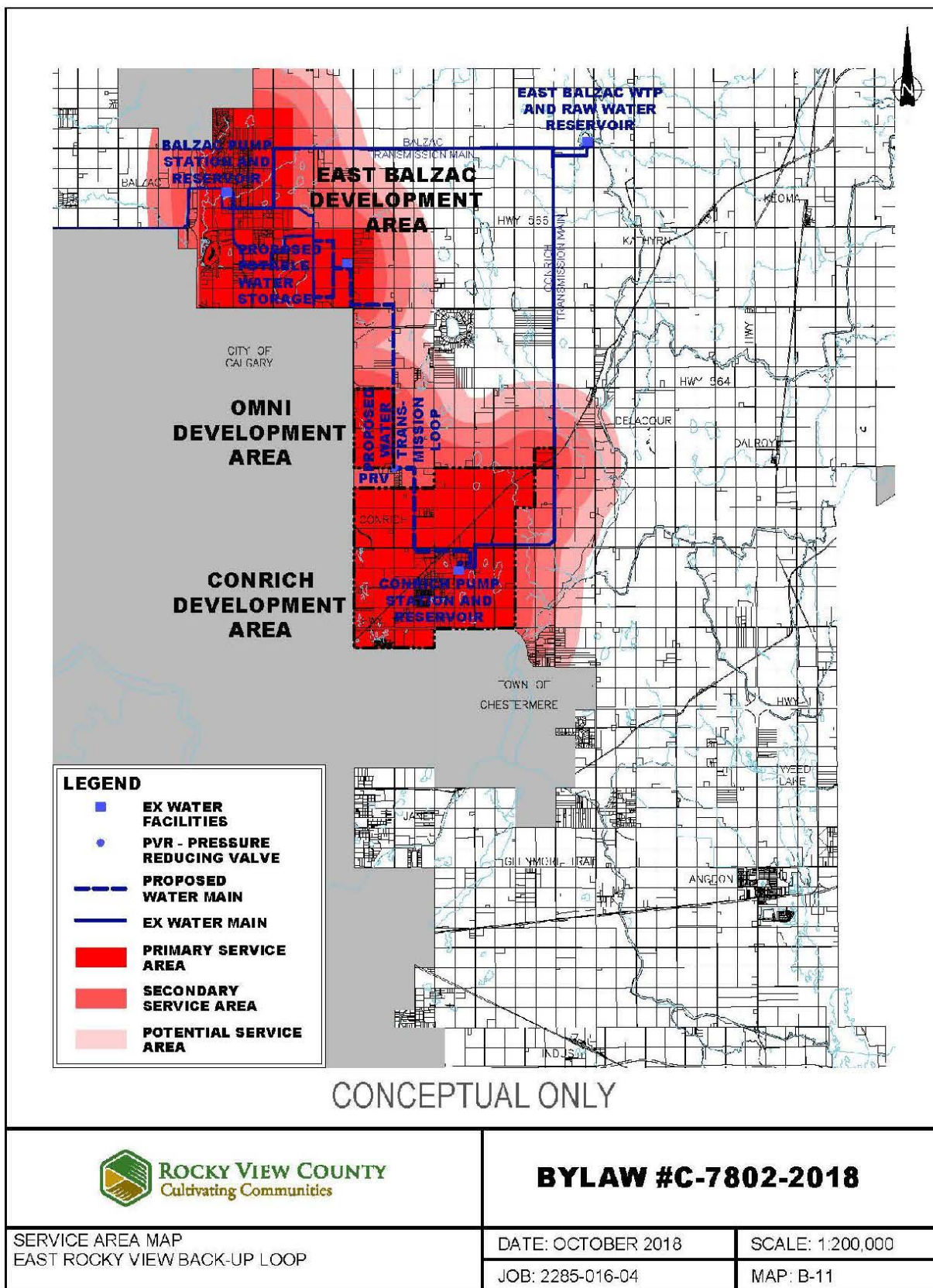
CONRICH PUMP STATION & RESERVOIR



SCHEDULE "B-11"

SERVICE AREA MAP

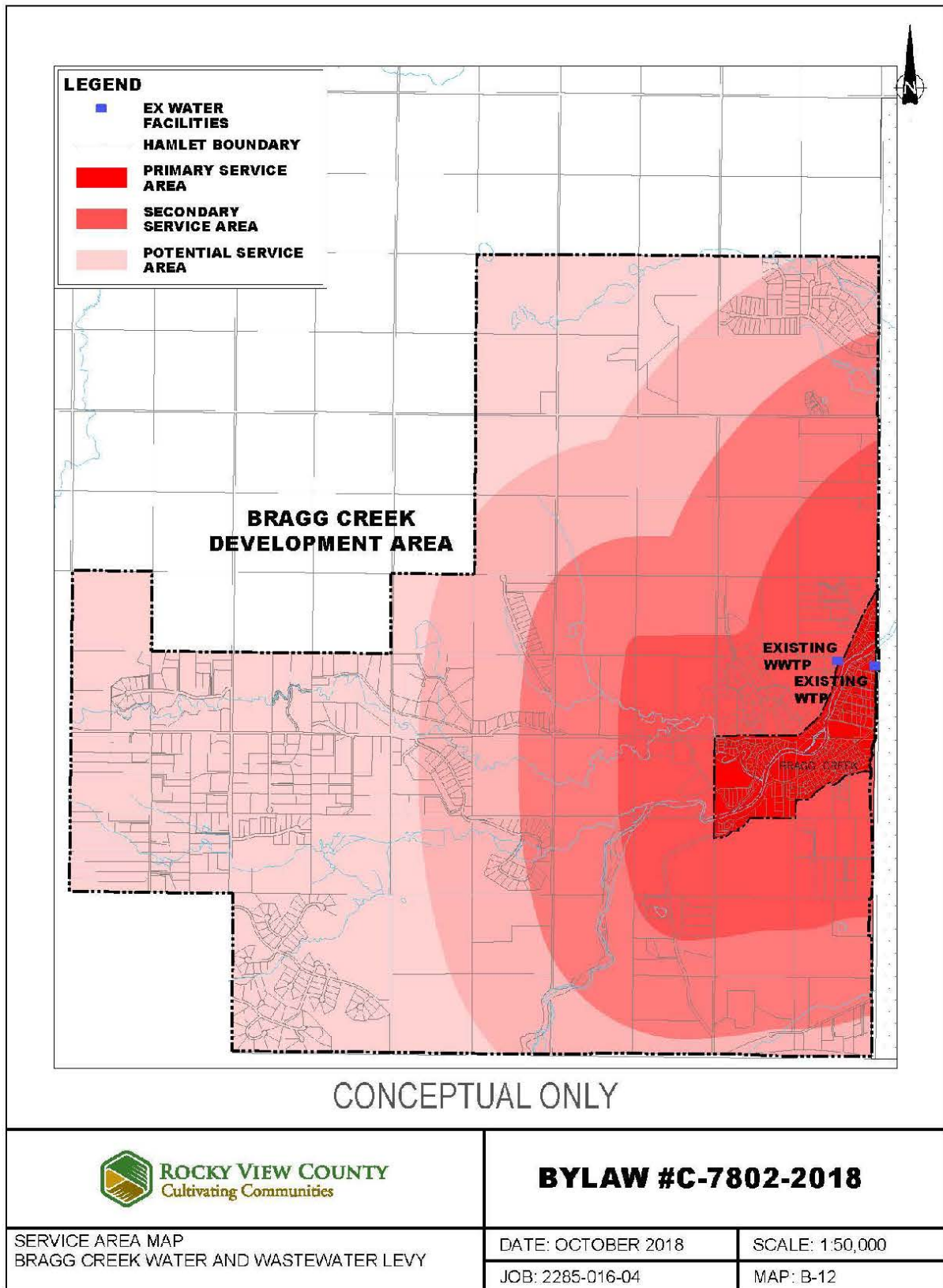
EAST ROCKY VIEW BACK-UP LOOP



SCHEDULE "B-12"

SERVICE AREA MAP

BRAGG CREEK WATER AND WASTE WATER



SCHEDULE "C"**DETERMINATION OF EACH OFF-SITE LEVY**

SCHEDULE "C-1"

LANGDON WASTEWATER TREATMENT PLANT LEVY

Description: Components of the Langdon Wastewater Treatment Plant (WWTP) include the existing WWTP and upgrades to bring capacity to target of 8,000 m³/day average day flow.

The existing WWTP consists of a mechanical Sequential Batch Reactor (SBR) treatment plant with UV disinfection. The WWTP currently has a de-rated average day capacity of 3,010 m³/day (70% of maximum capacity to account for peak I&I flows). Treated effluent from the WWTP discharges into Weed Lake.

The WWTP upgrades will consist of two additional stages as follows:

- Stage 1B:
 - Convert the ASBR 3 to Continuous Flow, Constant Level SCR (CSBR) with full BNR treatment capacity. This includes constructing two new decant cells with a combined total volume of 2,000 m³.
 - Add Anoxic and Anaerobic Mixed Cells for optimized BNR treatment.
- Stage 2:
 - Construct new train (CSBR 4).
 - Construct new blower building to house two new blowers.
 - Repurpose the existing SBRs 1 & 2 to provide Aerobic Digestion if considered beneficial for RVC optimized sludge management.

Project Costs:

Original Capital: \$27,475,838.77

Total Recoverable: \$20,236,575.73

WWTP Upgrade Stage 1B: \$ 6,700,000.00

WWTP Upgrade Stage 2: \$ 8,380,000.00

Total Estimated Cost to Levy: \$35,316,575.73

Upgrade Capacity (Average Day Flow): 8,000 m³/day

Capacity Committed (Average Day Flow): 3,815 m³/day

Remaining Capacity to Levy: 4,185 m³/day

Levy cost calculation: \$35,316,575.73 / 4,185 m³/day = \$8,437.88 per m³/day (of projected average day flow)

Cost and Benefit Allocation Rationale (New and Existing Development):

The Lands benefitting from this project will be Lands with new development that will have wastewater treated at the Langdon WWTP system. This includes but is not limited to Lands located in East Balzac, Conrich, and Langdon Development Areas (as shown on Schedule "A") which are within the Langdon Wastewater Treatment Plant Service Area (as shown on Schedule "B-1") together with any other Lands which are approved by the County to obtain wastewater servicing through the Langdon WWTP system.

There will be no measureable benefit to existing development as the upgrade will only increase capacity of the WWTP. The upgrades will not provide any greater reliability of service, improved quality of service, or longer lifetime of the service to existing development.

SCHEDULE "C-2"

ERVWWTM & REGIONAL LIFT STATIONS LEVY

Description: Components of the East Rocky View Wastewater Transmission Main (ERVWWTM) and Regional Lift Stations include the existing ERVWWTM and regional lift stations and upgrades to bring capacity of the regional lift stations to the target of 8,000 m³/day average day flow.

The ERVWWTM and three regional lift stations convey wastewater from the Balzac and Conrich development lands to the Langdon WWTP. The ERVWWTM is a 600mm diameter pipe and is approximately 54 km long. The regional lift stations each have two pumps with the capability to add two more pumps for a total of four pumps at full capacity.

The regional lift stations upgrade will consist of the following:

- Addition of a pump to each of the three regional lift stations

Project Costs:

Original Capital: \$41,052,594.43

Total Recoverable: \$38,674,919.92

Lift Station Upgrade Cost Estimate: \$ 1,720,000.00

Total Estimated Cost to Levy: \$40,394,919.92

Upgrade Capacity (Average Day Flow): 8,000 m³/day

Capacity Committed (Average Day Flow): 2,685 m³/day

Remaining Capacity to Levy: 5,315 m³/day

Levy cost calculation: \$40,394,919.92 / 5,315 m³/day = \$7,599.49 per m³/day (of projected average day flow)

Cost and Benefit Allocation Rationale (New and Existing Development):

The Lands benefitting from this project will be all Lands having new development that will connect to the ERVWWTM and Regional Lift Station system. This includes but is not limited to Lands located in the East Balzac and Conrich Development Areas (as shown on Schedule "A") which are within the ERVWWTM Service Area (as shown on Schedule "B-2") together with any other Lands that are approved by the County to obtain wastewater servicing through the ERVWWTM and Regional Lift Station.

There will be no measureable benefit to existing development as the upgrade will only increase capacity of the regional lift stations. The upgrades will not provide any greater reliability of service, improved quality of service, or longer lifetime of the service to existing development.

SCHEDULE "C-3"

LANGDON WASTEWATER UTILITIES LEVY

Description: Components of the Langdon Wastewater Utilities include the existing lift stations and forcemain to convey the wastewater to the Langdon WWTP, and upgrades to add a pump to each of the three lift stations: West, Industrial and Boulder Creek lift stations.

The lift stations each have two pumps with the capability to add one more pump for a total of three pumps at full capacity. The lift station upgrades will consist of the following:

- Addition of one pump to each of the three lift stations

The three lift stations each have a separate service area (as shown on Map B-3), each with a separate Off-Site Levy, as defined as follows:

- Area 1: West Lift Station Service Area
- Area 2: Industrial Lift Station Service Area
- Area 3: Boulder Creek Lift Station Service Area

Area 1: West Lift Station Service Area

Project Costs:

Original Capital: \$1,000,000.00

Total Recoverable: \$1,149,643.47

Upgrade Cost Estimate: \$ 160,000.00

Total Estimated Cost to Levy: \$1,309,643.47

Upgrade Capacity (Average Day Flow): 1,550 m³/day

Capacity Committed (Average Day Flow): 567 m³/day

Remaining Capacity to Levy: 983 m³/day

Levy cost calculation: \$1,309,643.47 / 983 m³/day = \$1,332.21 per m³/day (of projected average day flow)

Area 2: Industrial Lift Station Service Area

Project Costs:

Original Capital: \$ 827,571.00

Total Recoverable: \$ 774,926.62

Upgrade Cost Estimate: \$ 160,000.00

Total Estimated Cost to Levy: \$ 934,926.62

Upgrade Capacity (Average Day Flow): 1,067 m³/day

Capacity Committed (Average Day Flow): 188 m³/day

Remaining Capacity to Levy: 879 m³/day

Levy cost calculation: \$934,926.62 / 879 m³/day = \$1,063.76 per m³/day (of projected average day flow)

Area 3: Boulder Creek Lift Station Service Area

Project Costs:

Original Capital: \$ 955,000.00

Total Remaining Debt: \$1,176,169.93

Upgrade Cost Estimate: \$ 160,000.00

Total Estimated Cost to Levy: \$1,336,169.93

Upgrade Capacity (Average Day Flow): 2,484 m³/day

Capacity Committed (Average Day Flow): 376 m³/day

Remaining Capacity to Levy: 2,108 m³/day

Levy cost calculation: \$1,336,169.93 / 2,108 m³/day = \$633.73 per m³/day (of projected average day flow)

Cost and Benefit Allocation Rationale (New and Existing Development):

The Lands benefitting from this project will be all Lands having new development that will connect to the Langdon Wastewater Utilities. This includes but is not limited to Lands located in the Langdon Development Area (as shown on Schedule "A") which are within the Langdon Service Area (as shown on Schedule "B-3") together with any other Lands that are approved by the County to obtain wastewater servicing through the Langdon Wastewater Utilities.

Existing development which receives servicing through the Langdon Wastewater Utilities has already contributed Off-Site Levies for this project.

SCHEDULE "C-4"

DALROY REGIONAL LIFT STATION AND WASTEWATER TRANSMISSION MAIN LEVY

Description: Components of the Dalroy Regional Lift Station and Wastewater Transmission Main Systems include the existing forcemain from Wheatland County to the Dalroy Transfer Station, the Dalroy Transfer Station, and the proposed upgrades to convey wastewater from the Transfer Station to the Langdon WWTP through a forcemain.

The current facilities allow for wastewater from Wheatland County to be pumped to the Transfer Station via a 4 km long forcemain. The wastewater is collected and stored at the Transfer Station until septic hauling trucks transport the wastewater to the Langdon WWTP.

The upgrades will consist of the following:

- Conversion of the Transfer Station to a Regional Lift Station
- Forcemain from the Lift Station to the Langdon WWTP

Project Costs:

Original Capital: \$ 4,057,054.22

Total Recoverable: \$ 1,788,315.56

Upgrade Cost Estimate: \$20,090,000.00

Total Estimated Cost to Levy: \$21,878,315.56

Upgrade Capacity (Average Day Flow): 1,830 m³/day

Capacity Committed (Average Day Flow): 1,000 m³/day

Remaining Capacity to Levy: 830 m³/day

Levy cost calculation: \$21,878,315.56 / 830 m³/day = \$26,359.42 per m³/day (of projected average day flow)

Cost and Benefit Allocation Rationale (New and Existing Development):

The Lands benefitting from this project will be all Lands having new development that will connect to the Dalroy Regional Lift Station and Transmission Main system. This includes but is not limited to Lands located in the Dalroy Development Area (as shown on Schedule "A") which are within the Dalroy to Langdon Sanitary Lift Station and Wastewater Transmission Main Service Area (as shown on Schedule "B-4") together with any other Lands that are approved by the County to obtain wastewater servicing through the Dalroy Regional Lift Station and Transmission Main.

Existing development which receives servicing through the Langdon Sanitary Lift Station and Wastewater Transmission Main has already contributed to the capital costs for this project.

SCHEDULE "C-5"

COCHRANE LAKES WASTEWATER SYSTEM LEVY

Description: Components of the Cochrane Lakes Wastewater Transmission system include the existing wastewater system to service 1,166 residential units at a peak rate of 48.1 L/s (by agreement with Cochrane) in the Cochrane Lakes service area.

Project Costs:

Original Capital: \$ 1,750,000.00

Total Remaining Debt: \$ 1,895,113.64

Upgrade Cost Estimate: \$ --

Total Estimated Cost to Levy: \$ 1,895,113.64

System Capacity (Average Day Flow): 1,049 m³/day

Capacity Committed (Average Day Flow): 258 m³/day

Remaining Capacity to Levy: 791 m³/day

Levy cost calculation: \$1,895,113.64 / 791 m³/day = \$2,395.85 per m³/day (of projected average day flow)

Cost and Benefit Allocation Rationale (New and Existing Development):

The Lands benefitting from this project will be all Lands having new development that will connect to the Cochrane Lakes Wastewater system. This includes but is not limited to Lands located in the Cochrane Lakes Development Area (as shown on Schedule "A") which are located within the Cochrane Lakes Wastewater Transmission Main Service Area (as shown on Schedule "B-5") together with any other Lands that are approved by the County to obtain wastewater servicing through the Cochrane Lakes Wastewater system.

Existing development which receives servicing through the Cochrane Lakes Wastewater Transmission Main has already contributed Off-Site Levies for this project.

SCHEDULE "C-6"

GRAHAM CREEK WATER TREATMENT PLANT (WTP) AND RAW WATER RESERVIOR (RWR) LEVY

Description: Components of the Graham Creek WTP and RWR Project are comprised of an existing Water Treatment Plant (WTP) and a Raw Water Reservoir (RWR) and upgrades to bring capacity to the target of 8,000 m³/day average day demand.

The existing RWR and WTP are located at the Graham Reservoir site. The existing RWR consist of lift stations to pump raw water from the WID canal to a stilling basin and two aerated storage cells. The raw water is pumped from the storage cells to the WTP. The existing WTP has an average day capacity of 3,900 m³/day and includes three DAF filtration trains, three multi-media filters, UV disinfection and chlorine injection. Treated water is stored in a 700 m³ buried contact (CT) reservoir prior to being pumped out to the transmission system.

The RWR upgrade will consist of the following:

- New stilling basin and two storage cells,
- Lift station to transfer water from new cells to WTP,
- Groundwater interceptor system complete with lift station and tie to existing groundwater interceptor system,
- Aeration system in each storage cell,
- Land purchase.

The WTP upgrades will consist of the following:

- Stage 1: Doubling of the WTP building and CT reservoir with the same treatment system as the existing WTP, but with only two additional treatment trains added (for a total of five trains),
- Stage 2: Adding a third treatment train in the expanded building (for a total of six trains).

Project Costs:

Original Capital: \$21,535,321.00

Total Recoverable: \$ 6,460,541.96

RWR Upgrade Cost Estimate: \$28,750,000.00

WTP Upgrade Stage 1: \$16,050,000.00

WTP Upgrade Stage 2: \$ 2,260,000.00

Total Estimated Cost to Levy: \$53,520,541.96

Capacity (Average Day Flow): 8,000 m³/day

Capacity Committed (Average Day Flow): 2,491 m³/day

Remaining Capacity to Levy: 5,509 m³/day

Levy cost calculation: \$53,520,541.96 / 5,509 m³/day = \$9,715.50 per m³/day (of projected average day demand)

Cost and Benefit Allocation Rationale (New and Existing Development):

The Lands benefitting from this project will be all Lands having new development that will connect to the Graham Creek WTP and RWR supply system. This includes but is not limited to Lands



located in East Balzac and Conrich Development Areas (as shown on Schedule "A") which are within the Graham Creek WTP and RWR Service Area (as shown on Schedule " B-6") together with any other Lands which are approved by the County to obtain water servicing through the Graham Creek WTP and RWR supply system.

There will be no measureable benefit to existing development as the upgrade will only increase capacity of the water supply system. The upgrades will not provide any greater reliability of service, improved quality of service, or longer lifetime of the service to the existing developments.

SCHEDULE "C-7a"

EAST BALZAC TRANSMISSION MAIN (BASE)

Description: The East Balzac Transmission Main (Base) is comprised of a 400mm diameter water transmission main from the East Balzac WTP to the East Balzac Pump Station & Reservoir.

The average day design capacity of the East Balzac Transmission Main is 6,083 m³/day. The average day demand flow split from the East Balzac WTP with the target system capacity of 8,800 m³/day is assumed to be 2/3 to East Balzac (5,333 m³/day) and 1/3 to Conrich (2,667 m³/day) on a normal operating day.

Project Costs:

Original Capital: \$ 7,402,348.31

Total Recoverable: \$ 3,970,840.30

Upgrade Cost Estimate: \$ --

Total Estimated Cost to Levy: \$ 3,970,840.30

Capacity (Average Day Flow): 6,083 m³/day

Capacity Committed (Average Day Flow): 1,795 m³/day

Remaining Capacity to Levy: 4,288 m³/day

Levy cost calculation: \$3,970,840.30 / 4,288 m³/day = \$926.12 per m³/day (of projected average day demand)

Cost and Benefit Allocation Rationale (New and Existing Development):

The Lands benefitting from this project will be all Lands having new development that will connect to the East Balzac transmission main and/or distribution system. This includes Lands located in the East Balzac Development Area (as shown on Schedule "A") which are located within the East Balzac Transmission Main (Base) Service Area (as shown on Schedule "B-7a") together with any other Lands which are approved by the County to obtain water servicing from the East Balzac Transmission Main and/or distribution system.

There will be no measureable benefit to the existing developments as there are no upgrades planned for this transmission main. Existing development which receives servicing through the East Balzac Transmission Main has already contributed Off-Site Levies for this project.

SCHEDULE "C-7a"

EAST BALZAC TRANSMISSION MAIN (OVERSIZE)

Description: The East Balzac Transmission Main (Oversize) is comprised of the oversizing of the 400mm diameter water transmission main from the East Balzac WTP to the East Balzac Pump Station & Reservoir. The oversizing will be utilized when the Back-Up Loop is constructed and the East Balzac Transmission Main is used to convey water around to Conrich during emergency shutdown of the Conrich Transmission Main.

The average day design capacity of the East Balzac Transmission Main is 6,083 m³/day. In emergency situations, the transmission main will utilize its full 6,083 m³/day capacity to meet the 8,000 m³/day demand in conjunction with other components of the East Rocky View Back-Up Loop (Schedule B-11), such as storage. The East Balzac average day demand is projected to be 5,333 m³/day (assumed at 2/3 of target system capacity). The Back-Up Loop system will convey the remaining average day water demand of 2,667 m³/day from Balzac to Conrich.

Project Costs:

Original Capital: \$ 2,530,405.69

Total Recoverable: \$ 1,319,969.38

Upgrade Cost Estimate: \$ --

Total Estimated Cost to Levy: \$ 1,319,969.38

Capacity (Average Day Flow): 8,000 m³/day

Capacity Committed (Average Day Flow): 2,595 m³/day

Remaining Capacity to Levy: 5,405 m³/day

Levy cost calculation: \$1,319,969.38 / 5,405 m³/day = \$244.23 per m³/day (of projected average day demand)

Cost and Benefit Allocation Rationale (New and Existing Development):

The Lands benefitting from this project will be all Lands having new development that will connect to the East Balzac Transmission Main and/or Distribution system or the Conrich Pump Transmission Main and/or Distribution system. This includes but is not limited to Lands located in the East Balzac and Conrich Development Areas (as shown on Schedule "A") located within the East Balzac Transmission Main and/or Distribution system Service Area or the Conrich Pump Transmission Main and/or Distribution system Service Area (as shown on Schedule "B-7b") together with any other Lands which are approved by the County to obtain water servicing through the two named systems.

There will be no measureable benefit to the existing development as there are no upgrades planned for this transmission main oversize. Existing development which receives servicing through the East Balzac Transmission Main has already contributed Off-Site Levies for this project.

SCHEDULE "C-8"

EAST BALZAC PUMP STATION & RESERVOIR AND RR293 LOOP

Description: This includes the existing East Balzac Pump Station & Reservoir and RR293 Distribution Loop. The design capacity of the East Balzac Pump Station & Reservoir and RR293 Loop are 6,083 m³/day.

Project Costs:

Original Capital: \$ 9,211,649.00

Total Recoverable: \$ 4,964,205.15

Upgrade Cost Estimate: \$ --

Total Estimated Cost to Levy: \$ 4,964,205.15

Capacity (Average Day Flow): 6,083 m³/day

Capacity Committed (Average Day Flow): 1,795 m³/day

Remaining Capacity to Levy: 4,288 m³/day

Levy cost calculation: \$4,964,205.15 / 4,288 m³/day = \$1,157.81 per m³/day (of projected average day demand)

Cost and Benefit Allocation Rationale (New and Existing Development):

The Lands benefitting from this project will be all Lands having new development that will connect to the East Balzac Pump Station & Reservoir distribution system. This includes but is not limited to Lands located in the East Balzac Development Area (as shown on Schedule "A") which is within the East Balzac Pump Station & Reservoir and RR293 Loop Service Area (as shown on Schedule "B-8") together with any other Lands which are approved by the County to obtain water servicing through the East Balzac Pump Station & Reservoir distribution system.

There will be no measureable benefit to existing development as there are no upgrades planned for this East Balzac Pump Station & Reservoir or RR293 Loop. Existing development which receives servicing through the East Balzac Pump Station & Reservoir distribution system has already contributed Off-Site Levies for this project.

SCHEDULE "C-9a"

CONRICH TRANSMISSION MAIN (BASE)

Description: The Conrich Transmission Main (Base) is comprised of a 300mm diameter water transmission main from the East Balzac WTP to the Conrich Pump Station & Reservoir.

The average day design capacity of the Conrich Transmission Main is 2,932 m³/day. The average day demand flow split from the East Balzac WTP with the target system capacity of 8,000 m³/day is assumed to be 2/3 to East Balzac (5,333 m³/day) and 1/3 to Conrich (2,667 m³/day) on a normal operating day.

Project Costs:

Original Capital: \$ 8,624,389.13

Total Recoverable: \$ 2,659,907.69

Upgrade Cost Estimate: \$ --

Total Estimated Cost to Levy: \$ 2,659,907.69

Capacity (Average Day Flow): 2,932 m³/day

Capacity Committed (Average Day Flow): 800 m³/day

Remaining Capacity to Levy: 2,132 m³/day

Levy cost calculation: \$2,659,907.69 / 2,132 m³/day = \$1,247.61 m³/day (of projected average day demand)

Cost and Benefit Allocation Rationale (New and Existing Development):

The Lands benefitting from this project will be all Lands having new development that will connect to the Conrich Transmission Main and/or Distribution system. This includes but is not limited to Lands located in the Conrich Development Area (as shown on Schedule "A") which is within the Conrich Transmission Main (Base) Service Area (as shown on Schedule "B-9a") together with any other Lands which are approved by the County to obtain primary water servicing through the Conrich Transmission Main and/or Distribution system.

There will be no measureable benefit to existing development as there are no upgrades planned for this transmission main base. Existing development which receives servicing through the Conrich Transmission Main has already contributed Off-Site Levies for this project.

SCHEDULE "C-9b"

CONRICH TRANSMISSION MAIN (OVERSIZE)

Description: The Conrich Transmission Main (Oversize) is comprised of the oversizing of the 300mm diameter water transmission main from the East Balzac WTP to the Conrich Pump Station & Reservoir. The oversizing will be utilized when the Back-Up Loop is constructed and the Conrich Transmission Main is used to convey water around to Balzac during emergency shutdown of the East Balzac Transmission Main.

The average day design capacity of the Conrich Transmission Main is 2,932 m³/day. In emergency situations, the transmission main will utilize its full capacity of 2,932 m³/day to meet the 8,000 m³/day demand, in conjunction with other components of the East Rocky View Back-Up Loop (Schedule B-11), such as storage. The Conrich average day demand is projected to be 2,667 m³/day (1/3 of target system capacity). The Back-Up Loop system will be utilized to provide the additional flow to Balzac that is required to meet the target average day flow rate of 5,333 m³/day to Balzac.

Project Costs:

Original Capital: \$ 2,531,511.87

Total Recoverable: \$ 766,997.80

Upgrade Cost Estimate: \$ --

Total Estimated Cost to Levy: \$ 766,997.80

Capacity (Average Day Flow): 8,000 m³/day

Capacity Committed (Average Day Flow): 2,595 m³/day

Remaining Capacity to Levy: 5,405 m³/day

Levy cost calculation: \$766,997.80 / 5,405 m³/day = \$141.92 m³/day (of projected average day demand)

Cost and Benefit Allocation Rationale (New and Existing Development):

The Lands benefitting from this project will be all new development on Lands that will connect to the East Balzac Transmission Main and/or Distribution system or the Conrich Transmission Main and/or Distribution system. This includes Lands located in the East Balzac and Conrich Development Areas (as shown on Schedule "A") located within the Conrich Transmission Main (Oversize) Service Area (as shown on Schedule "B-9b") together with any other Lands which are approved by the County to obtain water servicing through the two named systems.

There will be no measureable benefit to existing development as there are no upgrades planned for this transmission main oversize. Existing development which receives servicing through the Conrich Transmission Main has already contributed Off-Site Levies for this project.

SCHEDULE "C-10"

CONRICH PUMP STATION & RESERVOIR

Description: This includes the existing Conrich Pump Station & Reservoir and upgrades to the Reservoir to an average day capacity of 2,932 m³/day (to the same capacity as the Conrich Transmission Main). The existing capacity of the Conrich Pump Station & Reservoir is 1,400 m³/day. The upgrade will consist of a 1,000 m³ reservoir expansion to a total volume of 5,500 m³.

Project Costs:

Original Capital: \$ 9,394,375.00

Total Recoverable: \$ 2,897,384.38

Upgrade Cost Estimate: \$ 2,260,000.00

Total Estimated Cost to Levy: \$ 5,157,384.38

Upgrade Capacity (Average Day Flow): 2,932 m³/day

Capacity Committed (Average Day Flow): 800 m³/day

Remaining Capacity to Levy: 2,132 m³/day

Levy cost calculation: \$5,157,384.38 / 2,132 m³/day = \$2,419.04 m³/day (of projected average day demand)

Cost and Benefit Allocation Rationale (New and Existing Development):

The Lands benefitting from this project will be all Lands having new developments that will connect to the Conrich Pump Station & Reservoir distribution system. This includes but is not limited to Lands located in the Conrich Development Area and, if Dalroy connects to this water distribution system, the Dalroy Development Area (as shown on Schedule "A") which are within the Conrich Pump Station & Reservoir Service Area (as shown on Schedule "B-10") together with any other Lands which are approved by the County to obtain water servicing through the Conrich Pump Station & Reservoir distribution system.

There will be no measureable benefit to existing development as the upgrade will only increase capacity of the treated water reservoir. The upgrades will not provide in any greater reliability of service, improved quality of service, or longer lifetime of the service to existing development.

SCHEDULE "C-11"

EAST ROCKY VIEW BACK-UP LOOP

Description: The East Rocky View Back-Up Loop will be comprised of a 400mm diameter water transmission main between Balzac and Conrich, and a 3,000 m³ Potable Water Reservoir.

The East Rocky View Back-Up Loop will include a new transmission main and potable water reservoir to provide back-up of the existing transmission system in the event that either the Balzac or Conrich transmission mains are out of service (emergency condition). The Water Reservoir will be utilized to provide the additional volume required to meet the target average day flow rate. The design of the Back-Up Loop system assumes that three average days of storage is to be available, as this is established as a reasonable time to locate, repair a line break and put the system back into service. This schedule includes the purchase of land for the Potable Water Reservoir.

Project Costs:

Original Capital:	\$ --
Total Recoverable:	\$ --
Back-Up Loop Cost Estimate:	\$21,280,000.00
Total Offsite Levies Collected:	<u>(\$ 1,747,931.57)</u>
Total Estimated Cost to Levy:	\$19,532,068.43

Capacity (Average Day Flow):	8,000 m ³ /day
Capacity Committed (Average Day Flow):	2,595 m ³ /day
Remaining Capacity to Levy:	5,405 m ³ /day

Levy cost calculation: \$19,532,068.43 / 5,405 m³/day = \$3,613.97 m³/day (of projected average day demand)

Cost and Benefit Allocation Rationale (New and Existing Development):

The Lands benefitting from this project will be all Lands having new development that will connect to the East Balzac Transmission Main and/or Distribution system or the Conrich Transmission Main and/or Distribution system. This includes new development on Lands located in the East Balzac and Conrich Development Areas (as shown on Schedule "A") which are within the East Rocky View Back-Up Loop Service Area (as shown on Schedule "B-11") together with any other Lands which are approved by the County to obtain water servicing through the two named systems.

There will be no measureable benefit to existing development. The Back-Up Loop system will benefit future development by providing the same level of system reliability to future development that is currently provided to existing development. The current level of system reliability provided to existing development will be maintained but not improved upon by the Back-Up Loop System. The full rationale for this cost allocation is provided in the MPE Engineering Ltd. report dated May 17, 2013.

SCHEDULE "C-12a"

BRAGG CREEK WASTEWATER TREATMENT PLANT

Description: Components of the Bragg Creek Wastewater Treatment Plant (WWTP) include the existing WWTP and upgrades to bring capacity to target of 513 m³/day average day flow.

The existing WWTP consists of two membrane bioreactor (MBR) treatment units with UV disinfection. The WWTP currently has an average day capacity of 285 m³/day. Treated effluent from the WWTP discharges into the Elbow River. The outfall diffuser has a capacity of 821 m³/day of treated effluent.

The proposed WWTP upgrades will include the following:

- Two Equova 50K MBR treatment systems,
- A building expansion complete with additional EQ Tanks and Biofilter.

Project Costs:

Total Recoverable:	\$ 1,560,426.18
WWTP Upgrade:	<u>\$ 7,290,000.00</u>
Total Estimated Cost to Levy:	\$ 8,850,426.18

Upgrade Capacity (Average Day Flow):	513 m ³ /day
Capacity Committed (Average Day Flow):	140 m ³ /day
Remaining Capacity to Levy:	373 m ³ /day

Levy cost calculation: \$8,850,426.18 / 373 m³/day = \$23,727.68 per m³/day (of projected average day flow).

Cost and Benefit Allocation Rationale (New and Existing Development):

The Lands benefitting from this project will be Lands with new development that will have wastewater treated at the Bragg Creek WWTP system. This includes but is not limited to Lands located in Bragg Creek Development Areas (as shown on Schedule "A") which are within the Bragg Creek Wastewater Treatment Plant Service Area (as shown on Schedule "B-12") together with any other Lands which are approved by the County to obtain wastewater servicing through the Bragg Creek WWTP system.

There will be no measureable benefit to existing development as the upgrade will only increase capacity of the WWTP. The upgrades will not provide any greater reliability of service, improved quality of service, or longer lifetime of the service to existing development.

SCHEDULE "C-12b"

BRAGG CREEK WATER TREATMENT PLANT AND RESERVIOR

Description: Components of the Bragg Creek WTP and PWR Levy are comprised of an existing Water Treatment Plant (WTP), Potable Water Reservoir (PWR) and upgrades to bring capacity to the target of 604 m3/day average day demand.

The existing WTP is located at the north end of Burnside Drive in Bragg Creek. The existing treatment system includes two membrane treatment units, UV disinfection and chlorine injection. Potable water is stored in a 500 m3 above ground steel reservoir prior to being pumped out to the Bragg Creek distribution system. The existing PWR does not provide fire storage. Water is also pumped from the WTP to the Lower Elkana Pumphouse where it is pumped to the Upper Elkana Reservoir and Pumphouse to the Elkana service area.

The WTP and PWR upgrade will consist of the following:

- Expansion of the WTP building,
- Two additional membrane units
- Additional 500 m3 above ground potable water reservoir

Project Costs:

Total Recoverable:	\$ 996,367.64
WTP and PWR Upgrade:	<u>\$8,270,000.00</u>
Total Estimated Cost to Levy:	\$9,266,367.64

Upgrade Capacity (Average Day Flow):	604 m3/day
Capacity Committed (Average Day Flow):	194 m3/day
Remaining Capacity to Levy:	410 m3/day

Levy cost calculation: \$9,266,367.64 / 410 m3/day = \$22,600.90 per m3/day (of projected average day demand)

Cost and Benefit Allocation Rationale (New and Existing Development):

The Lands benefitting from this project will be all Lands having new development that will connect to the Bragg Creek WTP and PWR supply system. This includes but is not limited to Lands located in Bragg Creek Development Areas (as shown on Schedule "A") which are within the Bragg Creek WTP Service Area (as shown on Schedule " B-12") together with any other Lands which are approved by the County to obtain water servicing through the Bragg Creek WTP supply system.

There will be no measureable benefit to existing development as the upgrade will only increase capacity of the water supply system. The upgrades will not provide any greater reliability of service, improved quality of service, or longer lifetime of the service to the existing developments.

SCHEDULE "D"**OFF-SITE LEVY SUMMARIES**

1. Off-Site Levies calculations for both Water and Wastewater Utilities are based upon the anticipated per m³ water volume required to service the proposed development on the Lands, as estimated by the Developer and agreed upon by the County in writing at the time of Development permit or Subdivision approval for the Lands.
2. Table D.1 sets out the per m³ levy amounts for the purpose of calculating the appropriate Off-Site Levy amount for all Wastewater Utilities and Water Utilities.
3. The per m³ levy capacity estimates shall not be less than as stipulated in Table D.2 unless specifically approved by the County, in its sole discretion, in writing. If the Developer wants to use a flow rate less than that stipulated in Table D.2 for the purpose of estimating water and waste water volume required to service the proposed development, the Developer must submit sufficient justification which is acceptable to the County for using the proposed lower flow rate before the County will consider accepting a lower per m³ levy capacity calculation. Where a lower flow rate is accepted by the County, the proposed development may be subject to special conditions such as phasing and/or monitoring over time.
4. The County reserves the right to incorporate flow control devices to serviced Lands to limit actual flow to the Water Utility and/or Wastewater Utility servicing capacity agreed upon for the purpose of calculating the appropriate Off-Site Levy amount pursuant to this Bylaw.
5. Where the actual Water Utility and/or Wastewater Utility servicing capacity requirement for development on the Lands exceeds the estimated capacity agreed upon for the purpose of this Bylaw, any additional servicing capacity approved by the County to be provided to the Lands which exceeds the servicing capacity amount agreed upon for the purpose of this Bylaw may be subject to such additional terms, connection fees, rates, charges and contributions as deemed appropriate by the County pursuant to Section 34 of the *Municipal Government Act*, R.S.A. 2000 Chapter M-26 and any applicable County bylaw including but not limited to any applicable Wastewater Utility bylaw, Water Utility bylaw and/or master rates bylaw.
6. As a general reference guide only, Table D.3 provides a summary of what Off-Site Levies for Water Utilities and Wastewater Utilities will typically be attributable to Lands within the various Development Areas (as shown on Schedule "A") and Service Areas (as shown on Schedule "B"). The exact Off-Site Levy(ies) imposed upon any specific Lands will be subject to which Wastewater Utilities and/or Water Utilities will be servicing the proposed development on the Lands, as approved by the County.

SCHEDULE "D"

Table D.1: Off-Site Levy Summary

Offsite Levy Schedule	Cost	Service Area Map
WASTEWATER LEVIES		
Schedule C-1: Langdon WWTP	\$8,437.88 per m ³	B-1
Schedule C -2: ERVWWTM & Regional Lift Stations	\$7,599.49 per m ³	B -2
Schedule C -3: Langdon Wastewater Utilities:		
Area 1:	\$1,332.21 per m ³	B -3
Area 2:	\$1,063.76 per m ³	
Area 3:	\$ 633.73 per m ³	
Schedule C -4: Dalroy Regional LS and Wastewater Transmission Main	\$26,359.42 per m ³	B -4
Schedule C -5: Cochrane Lakes Wastewater	\$2,395.85 per m ³	B -5
Schedule C-12a: Bragg Creek Waste Water Treatment Plant	\$23,727.68 per m ³	B-12
POTABLE WATER LEVIES		
Schedule C -6: Graham Creek WTP & RWR	\$9,715.50 per m ³	B -6
Schedule C -7a: East Balzac Transmission Main (Base)	\$926.12 per m ³	B -7a
Schedule C -7b: East Balzac Transmission Main (Oversize)	\$244.23 per m ³	B -7b
Schedule C -8: East Balzac Pump Station & Reservoir and RR293 Loop	\$1,157.81 per m ³	B -8
Schedule C -9a: Conrich Transmission Main (Base)	\$1,247.61 per m ³	B -9a
Schedule C -9b: Conrich Transmission Main (Oversize)	\$141.92 per m ³	B -9b
Schedule C -10: Conrich Pump Station & Reservoir	\$2,419.04 per m ³	B -10
Schedule C -11: East Rocky View Back-Up Loop	\$3,613.97 per m ³	B -11
Schedule C-12b: Bragg Creek Water Treatment Plant & Reservoir	\$22,600.90 per m ³	B-12

Table D.2: Minimum Projected Water and Wastewater Flows

Type of Development	Minimum Projected Average Day Water Demand (m ³ /day)	Minimum Projected Average Day Wastewater Flow (m ³ /day)
Residential	950 L/day/unit	855 L/day/unit
Commercial	The County will require the Developer to submit specific projected flows for both water and wastewater together with sufficient and acceptable justification for the projected flows for all proposed Development permit applications or Subdivision applications.	
Industrial		



Table D.3: Summary of Development Areas and Applicable Off-Site Levy Schedules

Development Area	Wastewater Facilities							Water Facilities							Bragg Creek	
	Langdon WWTP	ERV/WTM and Regional Lift Stations	Langdon Wastewater Utilities	Dalroy Regional Lift Station and Wastewater Transmission Main	Cochrane Lakes Wastewater System	Graham Creek WTP & PWR	East Balzac Transmission Main (Base)	East Balzac Transmission Main (Oversize)	East Balzac Pump Station & Reservoir and RR293 Loop	Conrich Transmission Main (Base)	Conrich Transmission Main (Oversize)	Conrich Pump Station & Reservoir	East Rocky View Back-Up Loop	Bragg Creek Wastewater Treatment Plant	Bragg Creek WTP and PWR	
Map Schedule	B-1	B-2	B-3	B-4	B-5	B-6	B-7a	B-7b	B-8	B-9a	B-9b	B-10	B-11	B-12	B-12	
Off-Site Levy	C-1	C-2	C-3	C-4	C-5	C-6	C-7a	C-7b	C-8	C-9a	C-9b	C-10	C-11	C-12a	C-12b	
East Balzac	Y	Y	N	N	N	Y	Y	Y	Y	N	Y	N	Y	N	N	
Conrich	Y	Y	N	N	N	Y	N	Y	N	Y	Y	Y	Y	N	N	
Langdon	Y	N	Y	N	N	N	N	N	N	N	N	N	N	N	N	
Dalroy	Y	N	N	Y	N	N	N	N	N	N	N	N	N	N	N	
Cochrane Lakes	N	N	N	N	Y	N	N	N	N	N	N	N	N	N	N	
Bragg Creek	N	N	N	N	N	N	N	N	N	N	N	N	N	Y	Y	

Y = YES - Schedule is applicable

N = NO - Schedule is not applicable

Note: Development areas are as shown on Schedule A



SCHEDULE "E"

DEFINITIONS

- (a) **"Act"** means the *Municipal Government Act*;
- (b) **"Bylaw"** means this Bylaw together with all schedules;
- (c) **"CAO"** means the individual appointed by Council as the Chief Administrative Officer in accordance with the Act or his/her authorized designate;
- (d) **"Commercial"** means any Development or Subdivision for commercial use as contemplated under the Land Use Bylaw;
- (e) **"Council"** means the Rocky View County Council;
- (f) **"County"** means Rocky View County or the geographical area within its jurisdictional boundaries, as the context may require;
- (g) **"Development"** has the same meaning as provided in the Act;
- (h) **"Development Area"** means those Lands which are within the development areas as described in Schedule "A";
- (i) **"Industrial"** means any Development or Subdivision for an industrial use as contemplated under the Land Use Bylaw;
- (j) **"Lands"** means private titled parcels of land in accordance with the *Land Titles Act*, RSA 2000, c L-4;
- (k) **"Land Use Bylaw"** means the County's Land Use Bylaw, as amended or replaced from time to time in accordance with the Act;
- (l) **"Municipal Government Act"** means the *Municipal Government Act*, RSA 2000, c M-26 and all amendments thereto, together with the *Off-Site Levies Regulation*, AR 187/2017 passed thereunder;
- (m) **"Municipal Planning Commission Bylaw"** means Bylaw C-7967-2019 establishing the Municipal Planning Commission, as amended or replaced from time to time;
- (n) **"Municipal Planning Commission"** means the municipal planning commission of the Municipality as established pursuant to the Municipal Planning Commission Bylaw;
- (o) **"Off-Site Levy"** means a levy imposed and created by this Bylaw;



- (p) **"Off-Site Levy Fund"** means a fund into which an Off-Site Levy together with any interest earned from the investment of the Off-Site Levy is deposited and kept separate from General Account or any other municipal account and administered in accordance with the Act;
- (q) **"Residential"** means any Development or Subdivision for residential use as contemplated under the Land Use Bylaw;
- (r) **"Service Area"** means those Lands which are within the respective service areas of the County's Water Utilities and Wastewater Utilities, as described in Schedule "B", together with any other Lands approved by Council to receive servicing from the County's Water Utilities and/or Wastewater Utilities;
- (s) **"Subdivision"** has the same meaning as provided for in the Act;
- (t) **"Wastewater Utility(ies)"** means those new or expanded facilities for the treatment, movement, or disposal of sanitary sewage as described in Schedule "C" together with any land required for or in connection with any of those facilities; and
- (u) **"Water Utility(ies)"** means those new or expanded facilities for the storage, transmission, treatment, or supplying of water as described in Schedule "C" together with any land required for or in connection with any of those facilities.



PLANNING AND DEVELOPMENT SERVICES

TO: Council

DATE: March 10, 2020 **DIVISION:** 2

FILE: 05701004 **APPLICATIONS:** PL20170009/10

SUBJECT: First Reading Bylaw – Minor Amendment to the Central Springbank Area Structure Plan and Adoption of the Bearspaw Lakefront Estates Conceptual Scheme

PURPOSE: The purpose of this application is to amend the Central Springbank Area Structure Plan and adopt the Bearspaw Lakefront Estates Conceptual Scheme.

GENERAL LOCATION: Located approximately 1.6 kilometres (1 mile) north of Highway 1 and approximately 1.6 kilometres (1 mile) east of Range Road 32; at the northeast junction of Calling Horse Estates and Calling Horse Drive.

APPLICANT: IBI Group (Samuel Alatorre)

OWNERS: 1226292 Alberta Ltd.

POLICY DIRECTION: Relevant policies for this application include the City of Calgary/Rocky View County Intermunicipal Development Plan, the Central Springbank Area Structure Plan, and any other applicable policies.

COUNCIL OPTIONS:

Option #1: THAT Bylaw C-8016-2020 be given first reading.

Option #2: THAT application PL20170009/10 be denied.

APPLICATION REQUIREMENTS:

This application requires standard technical requirements under policy.

Respectfully submitted,

“Theresa Cochran”

Community Development Services

Concurrence,

“Al Hoggan”

AB/llt

APPENDICES:

APPENDIX ‘A’: Bylaw C-8016-2020 with Schedule A and B

APPENDIX ‘B’: Map Set

Administration Resources

Andrea Bryden, Planning and Development Services



ROCKY VIEW COUNTY

BYLAW C-8016-2020

A Bylaw of Rocky View County to amend Bylaw C-5354-2001, known as the “Central Springbank Area Structure Plan”, and adopt a Conceptual Scheme known as the “Bears paw Lakefront Estates Conceptual Scheme”.

The Council of Rocky View County enacts as follows:

PART 1 – TITLE

This Bylaw shall be know as Bylaw C-8016-2020.

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

THAT the “Bears paw Lakefront Estates Conceptual Scheme” be adopted to provide a policy framework for future redesignation, subdivision, and development proposal within N ½ -01-25-03-W05M consisting of an area of approximately ± 54.20 hectares (± 133.94 acres) as defined in Schedule ‘B’ attached to and forming part of this Bylaw.

PART 4 – TRANSITIONAL

Bylaw C-8016-2020 is passed when it receives third reading, and is signed by the Reeve/Deputy Reeve and the Municipal Clerk, as per Section 189 of the *Municipal Government Act*.

Division: 2
File: 05701004/PL20170009/10

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



ROCKY VIEW COUNTY

SCHEDULE 'A'
FORMING PART OF BYLAW C-8016-2020

Schedule of Amendments to Bylaw C-5354-2001:

Amendment #1:

Within Section 3.3, Adopted Conceptual Schemes, add the following:

5. Bearspaw Lakefront Estates Conceptual Scheme (C-8016-2020)

Amendement #2:

Attach the "Bearspaw Lakefront Estates Conceptual Scheme" as defined in Schedule 'B' attached to and forming part of this Bylaw.



ROCKY VIEW COUNTY

SCHEDULE 'B'
FORMING PART OF BYLAW C-8016-2020

A Conceptual Scheme affecting the area within N ½ -01-25-03-W05M, consisting of an area of approximately ± 54.20 hectares (± 133.94 acres) herein referred to as the “Bears paw Lakefront Estates Conceptual Scheme”.



Bearspaw Lakefront Estates Conceptual Scheme



Prepared for Bearspaw Lakefront Estates LP
by IBI Group
December 13, 2019

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1 Introduction

The proposed project outlined in the Bearspaw Lakefront Estates Conceptual Scheme (BLECS) follows a conservation design approach which has been identified as desirable for new developments in Rocky View County. As a result of evolving trends and a desire to preserve the site's natural setting, culture and lifestyles as much as possible, this country residential development provides a variety of lot sizes and generous public open space to create a balanced and attractive community in the Central Springbank area of Rocky View County (RVC).

This document has been prepared according to the Rocky View County Format for Conceptual Schemes.

1.1 Vision for Bearspaw Lakefront Estates

The Conceptual Scheme for Bearspaw Lakefront Estates has been developed with the following vision:

To make the most of the site's unique location overlooking the Bow River and create a high quality residential neighbourhood that builds upon the nature and culture of the Central Springbank community, pursuing the enhancement of the community through a sustainable balance of housing options, amenities, and conserved open space.

1.2 Purpose of the Conceptual Scheme

A Conceptual Scheme provides a comprehensive planning framework for future development of a defined plan area within the County that defines the future land use scenario including lot design and configuration, parcel size, on and off-site visual impacts, open space connections, servicing strategies and compatibility with adjacent land use's. Conceptual Schemes are adopted via Council bylaw and address planning and development issues such as generalized land uses, provision of infrastructure, environmental issues, traffic and the impact of the development on surrounding land uses. The Bearspaw Lakefront Estates Conceptual Scheme has been prepared at the request of Rocky View County.

The content and form of this Conceptual Scheme are the result of an extensive consultation process to address and balance the input from the community and recommendations of Council and Administration.

1.3 Conceptual Scheme Objectives

The objectives of the Bearspaw Lakefront Estates Conceptual Scheme are as follows:

- a) To facilitate the development of a comprehensively planned, high quality residential community that incorporates the natural setting and attributes of the site and housing alternatives with the highest design, aesthetic, safety, security and environmental standards.
- b) To establish a servicing scheme appropriate to the development proposal and a policy framework for implementation that maintains a sustainable balance with the natural setting.
- c) To establish a stormwater management strategy to respond to the surface drainage requirements within the plan area.
- d) To accommodate connections to existing and future development on adjacent lands.

- e) To address compatibility with adjacent land use and the surrounding community.
- f) To address community concerns and include their suggestions as part of the design process.
- g) To provide an extensive area of publicly accessible open space.

2 Plan Area and Adjacent Land Use Context

2.1 Description of Planning Area

The planning area is located in the west portion of Rocky View County, in the community of Springbank, and has a total area of 55.46 ha (137.04 acres), including approximately 1.21 acres of a road right-of way located long the NW boundary acquired from RVC in 2019. **Exhibit 1** illustrates the regional location of the planning area. It is bounded to the north by the Springbank Links Golf Course and the community of Emerald Bay Estates, at the south end of Emerald Bay Drive; to the west by the community of Calling Horse Estates; to the south by a portion of Rodeo Dr. and adjacent private lands; and bounded to the east by the Bow River as it flows into the Bearspaw Reservoir. The Planning area is identified in **Exhibit 2** and comprises lands legally described as N. ½ Sec. 1, Twp. 25, Rge. 3, W.5M, which lies to the west of the Bow River. The Bearspaw Lakefront Estates Conceptual Scheme responds to the existing policy framework defined by the Central Springbank ASP (Bylaw C-5354-2001), as well as to the policy framework proposed by the Springbank ASP (pre-release draft 2019). The subject site falls within the Elbow River/Bow River Special Planning area, and the proposed development addresses the needs of the Special Planning area.

2.1.1 Land Ownership

The properties identified as being part of the Bearspaw Lakefront Estates Conceptual Scheme are owned by 1226292 Alberta Ltd., General Partner of Bearspaw Lakefront Estates LP.

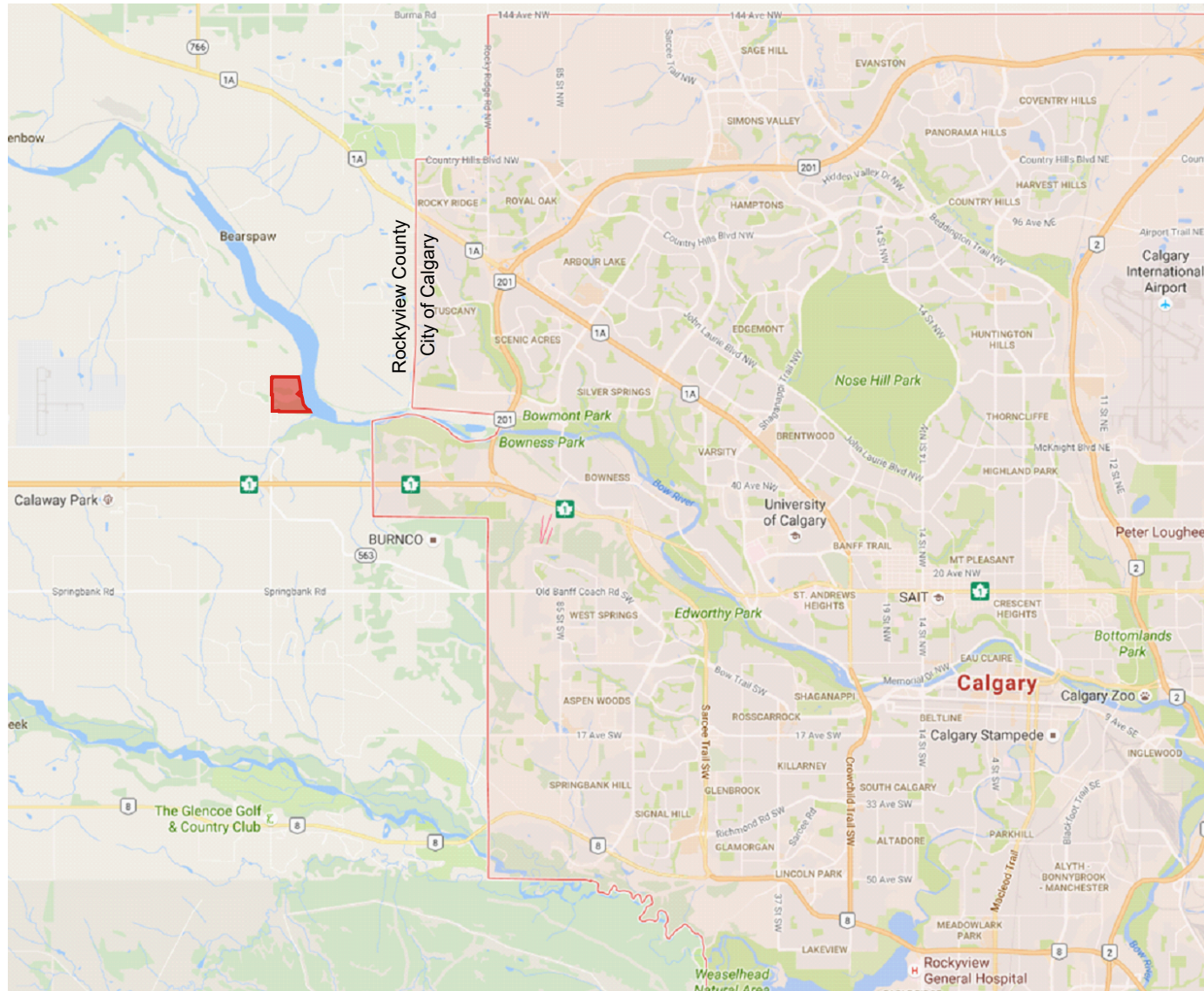
Policy 2.1 Policies contained in this Conceptual Scheme shall apply to lands identified in Exhibit 2 – Planning Area.

2.2 Current Land Use Within the Study Area

The current land use designation of the subject lands is Residential One (R-1) District under the current Rocky View County Land Use Bylaw C-4841-97. The northern portion of the subject lands have been used primarily as marginal pastureland for the grazing of livestock. A steep ravine carved out by a natural drainage course that flows to the Bow River bisects the site in its central area; the undulating topography of the southern portion of the site is mostly treed where a tree farm operated many years ago. There are a couple of structures located on the western shore of the property, remnants of a former summer patio, but no functioning buildings located on site.

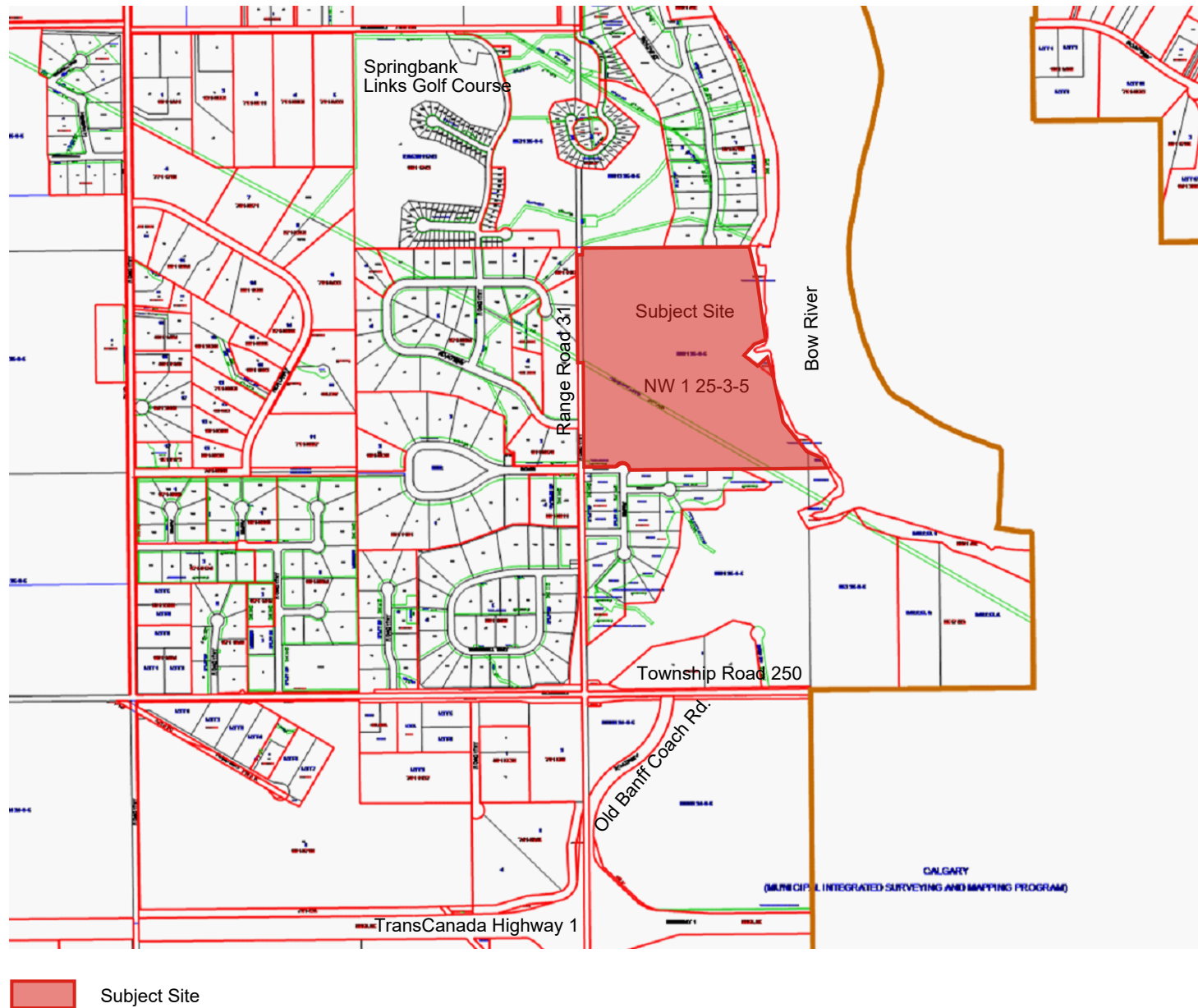
An Altalink transmission line right-of-way crosses the site with a southeast-northwest alignment, with three supporting structures located within the property.

REGIONAL LOCATION PLAN



Location of Subject Property

PLANNING AREA



2.3 Description of Adjacent Land Uses

The planning area is located within the Central Springbank Community in Rocky View County where the primary land use is a mix of Residential One (R-1) and Residential Two (R-2) districts, with the exception of the Springbank Links Golf Course development adjacent to the north.

The Central Springbank community is currently under development with the subject site remaining as one of the last undeveloped properties in the area. The adjacent quarter sections to the west, south and north of the subject site generally contain lands that have been developed or are currently under development with residential parcels of various sizes. The lands to the west of the property is the Calling Horse Estates community, which has Residential One (R-1) and Residential Two (R-2) land use designations.

The community of Emerald Bay Estates is adjacent to the north of the subject site, between the Springbank Links Golf Course and the Bow River. Emerald Bay Estates is zoned for Residential One (R-1) district, while the Springbank Links Golf Course community has a Direct Control land use designation (DC25 and DC26) which allow for residential and recreational development cells. Overall, residential development cells in Emerald Bay Estates allow for a total of 134 lots where single detached dwellings and accessory buildings are permitted.

The lands to the south are Residential One (R-1) and Ranch and Farm (R-F) districts. **Exhibit 3** illustrates the adjacent existing land uses.

2.4 Central Springbank Area Structure Plan

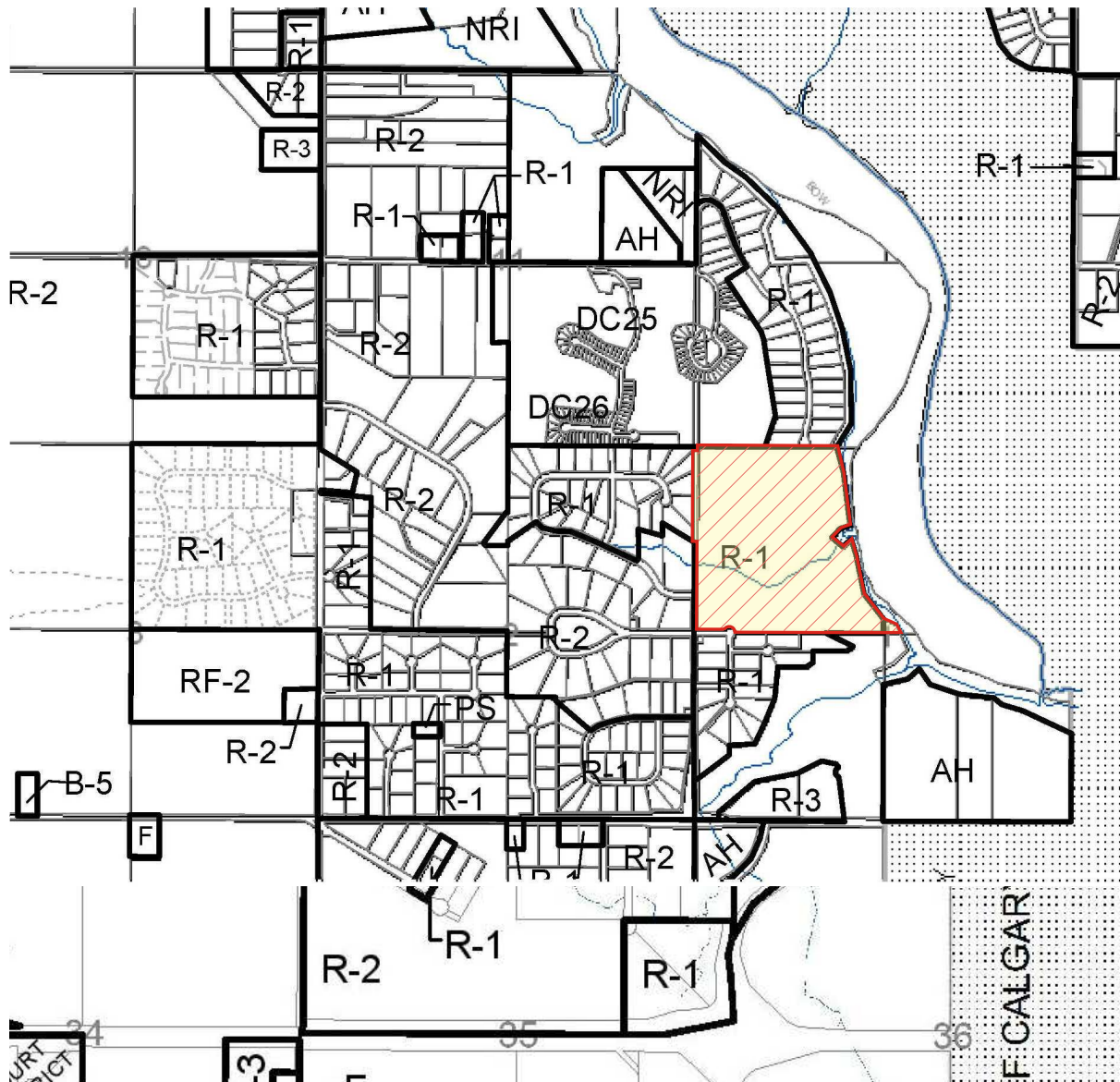
The Central Springbank Area Structure Plan (ASP), Bylaw C-5354-2001, adopted October 2, 2001, identifies the Bearspaw Lakefront Estates site as being within the new residential areas for the community. Guiding policies for new residential areas include a minimum allowable parcel size of 0.8 ha (2 acres), which may be reduced to a minimum of 0.4 ha (1 acre) if justified on the basis of additional open space, subdivision design, or environmental features related to the site through the preparation of a conceptual scheme and Direct Control District Bylaw. The number of lots allowed is 64 units on a quarter section for new residential areas. Section 2.3.2.3 of the Central Springbank ASP identifies the subject site within the Elbow River/Bow River special planning area (Map 3), as well as within an environmental significant area with steep slopes (Map 6).

The Springbank Area Structure Plan (SASP) is under review at the time of preparation of this Conceptual Scheme, with a pre-release draft for review available in 2019. The forthcoming SASP identifies the subject property as suitable for Cluster Residential Development within its draft land use strategy. Draft policies for Cluster Residential Development are intended to sensitively integrate residential uses with the natural features and topography of a site by grouping homes on smaller lots, while permanently preserving a significant amount of open space for conservation, recreation, or small-scale agriculture uses. The proposed development reflected in this Conceptual Scheme aligns with such policies.

3 Physical Site Features

3.1 Topography

In general, the site slopes from the western boundary of the site down to the Bearspaw Reservoir to the east, with significant slopes and escarpments within the site and a total elevation change of approximately 80.0 metres. Erosion within the valleys exists predominantly in the southern third of the site. The site is heavily grassed with generally shallow slopes. Steeper slopes consist of a dense coverage of spruce and poplar trees, as well as shrubs and



R-1 - RESIDENTIAL ONE DISTRICT.
R-2 - RESIDENTIAL TWO DISTRICT.
R-3 - RESIDENTIAL THREE DISTRICT.
NRI - NATURAL RESOURCE INDUSTRIAL DISTRICT.

AH - AGRICULTURAL HOLDING DISTRICT.
F - FARMSTEAD DISTRICT.
DC - DIRECT CONTROL DISTRICT.
PS - PUBLIC SERVICES DISTRICT.

grasses. There is no indication of rock outcrops on the slope and there are also no indications of instability in the steep slopes, nor any seepage within the slope face. See **Exhibit 4** for aerial plan of the site and **Exhibit 5** contour plan. **Exhibit 6** shows various site photos of the natural features of the site.

3.2 Hydrogeological & Geotechnical Considerations

A geotechnical investigation for the subject lands was prepared to meet County standards, including fieldwork consisting of twenty-three (23) boreholes ranging in depths between 9.1 metres and 18.3 metres below grade, with one borehole advanced to a depth of 30.0 metres. The outcome of fieldwork indicates that the soil stratigraphy of the site predominantly consists of topsoil overlying alternating layers of silt, and silty clay overlying bedrock, with variable layering of sandy gravels throughout. Silt and sand soils dominates the soil profile across the site. Silty clay soils were encountered with variable thickness throughout the site. The silty clay was generally stiff to very stiff in consistency, and medium to low in plasticity. Silty and sandy gravel were also encountered on site, predominantly along the eastern edge of the Bearspaw Reservoir. Bedrock consisting of siltstone was encountered at depths ranging between 5.8 and 9.5 metres below current site grades, and generally encountered in the northern half of the site.

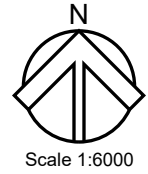
During the drilling process seven (7) of the twenty-three (23) boreholes advanced were noted to be wet upon completion due to seepage. Groundwater readings were recorded within the eighteen (18) standpipes installed across the site at depths ranging from 3.86 and 8.07 metres below current site grades, typically encountered in the northern half of the site. Groundwater in surficial aquifers will generally flow in the same direction as the surface contours. Based on groundwater levels in a series of monitoring wells installed in 2016 and the surface contours, it can be inferred that any groundwater flowing towards the reservoir from the proposed disposal site will likely flow northeast and southeast. However, it cannot be assumed that the aquifers on the site are all interconnected, since groundwater was not encountered in two boreholes drilled to depths of 25 meters and located between monitoring wells and the reservoir. In addition, water quality in the wells varies by location further indicating the presence of perched water tables on the site. Groundwater from four monitoring wells was sampled in June, August and October 2016 as well as March 2017 and analyzed by Exova. With the exception of phosphorus in some samples, this groundwater quality data is typical for most surficial aquifers.

Further lot specific studies will be required on some lots at the subdivision or building permit stage to determine exact setback requirements and suitability of walk-out basements. Potable water will be provided to the proposed development through either individual groundwater wells located on each lot or communal water system. Based on the data gathered during the aquifer testing, these wells will be installed at depths greater than what can be impacted by the surficial water table. The wells will be drilled into buried bedrock aquifers that are protected from surface waters by a number of shale confining layers, or aquitards. Therefore, the potable water supply on each lot will not be impacted by the proposed effluent discharge of the proposed on-site wastewater treatment facility.

3.3 Soils and Vegetation

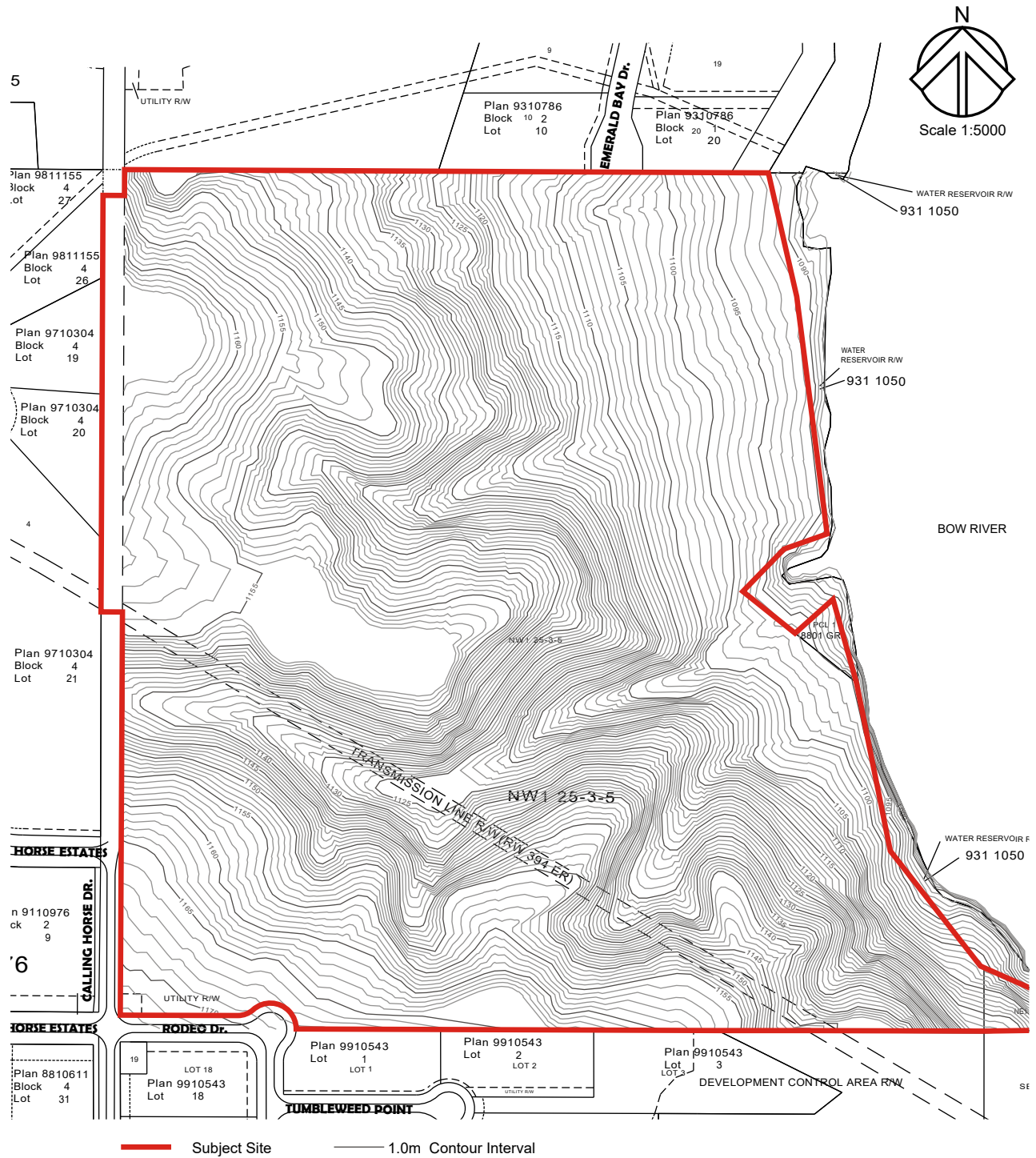
The geotechnical studies completed in 2018 indicates loam topsoil was encountered in twenty-one (21) of the boreholes advanced on site, with two identifiable horizons found in most boreholes. Horizon A was found in all boreholes and consisted of black organics with a thickness ranging from 75 to 750 mm. The B horizon was found in one of the boreholes and consisted of silty organics browns, with a thickness of approximately 150 mm. Although organics soils deposits vary widely across the site it tends to be deepest in low-lying areas. Fill soils, consisting of silt and some amounts of clay, were encountered in two boreholes drilled within the access

AERIAL PLAN

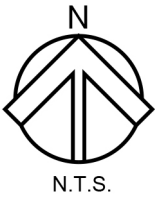


 Subject Site

CONTOUR PLAN



SITE PHOTOS



— Subject Site ① Camera View

road through the site. The fill was loose to compact and contained variable amounts of organics, including roots and other wood debris.

An onsite soils investigation was completed on February 25, 2016, to determine the suitability of the site for soil disposal proposed as part of the on-site wastewater treatment system. Eight backhoe pits were excavated, and soil sidewalls were characterized based on their color, texture, structure, consistency and presence of redoximorphic features. Soil profiles on the site are relatively consistent and are typically characterized by silt loam topsoil over well-structured silt loam or fine sand subsoil. Evidence of seasonal groundwater, or redoximorphic features, was not observed to depth of greater than 7 meters in the backhoe pits.

The southern portion of the subject lands also contain several mature stands of trees and shrubs, with natural open areas.

3.4 Environmental Considerations

A Biophysical Impact Assessment (BIA) was prepared for the subject lands to meet County standards (2017) and completed in April 2018. A total of 13 habitat types were mapped and described in the report, noting that more than 18% of the site is either non-native or disturbed habitat.

A total of 146 vascular plant species were recorded in the field survey, including 26 non-natives, 3 of which are listed as regulated Noxious Weeds through the Alberta Weed Act. Wildlife species observed included 37 birds and 11 mammals. No federally or provincially rare plants or plant communities were found in the Subject Area and potential for these species is low. Two provincially Sensitive bird species, Pileated Woodpecker and Least Flycatcher, were recorded in field surveys.

Valued ecosystem components include key ungulate habitats and an extensive, diverse area of native habitat connected with significant native habitats outside of the site. While habitat loss will include native as well as non-native habitats, an extensive area of retained habitats is proposed to remain that encompasses all native habitat types and the majority of species in the subject area, including uncommon and sensitive species. The area of retained habitat will also conserve key ungulate habitats and maintain important connections with native habitats on adjacent lands.

Mitigation is proposed to avoid steep slopes, control noxious weeds, avoid impacts to breeding birds, and protect riparian habitat. The site is located within a key wildlife and biodiversity zone and provincial environmentally significant area. These rankings have been addressed through the field assessment, proposed habitat and biodiversity retention, and mitigation as mentioned previously. It is anticipated that the effects of the proposed project will be relatively low on regional habitat fragmentation, loss of regional wildlife biodiversity, and loss of regional wildlife corridor potential. Contribution to regional cumulative effects is, therefore, predicted to be low.

3.5 Historical Use of the Site

A Historic Resource Acts response was received from Alberta Culture, Multiculturalism and Status of Women in July 2019. The review of the site in light of the proposed development did not identify any Historical Resources Act requirements associated to Aboriginal Traditional Use Sites, Historic Structures or Provincially Designated Historic Resources.

However, pursuant to Section 37(2) of the *Historical Resources Act*, a Historic Resources Impact Assessment for palaeontological resources is to be conducted on behalf of the proponent by a palaeontologist qualified to hold a palaeontological research permit within the Province of Alberta. Similarly, a Historic Resources Impact Assessment for archaeological resources is to be conducted on behalf of the proponent by an archaeologist qualified to hold an archaeological research permit within the Province of Alberta. In particular for the latter, the proponent's

consulting archaeologist must confirm the relationship between the proposed development activities and archaeological sites EgPn-29 and EgPn-88. Results of the Historic Resources Impact Assessment for paleontological resources and archaeological resources must be reported to Alberta Culture, Multiculturalism and Status of Women and subsequent *Historical Resources Act* approval must be granted before development proceeds.

Policy 3.1 A Historic Resources Impact Assessment for palaeontological resources is to be conducted on behalf of the proponent by a palaeontologist qualified to hold a palaeontological research permit within the Province of Alberta. Results of the Historic Resources Impact Assessment for paleontological resources must be reported to Alberta Culture, Multiculturalism and Status of Women and subsequent Historical Resources Act approval must be granted before development proceeds.

Policy 3.2 A Historic Resources Impact Assessment for archaeological resources is to be conducted on behalf of the proponent by an archaeologist qualified to hold an archaeological research permit within the Province of Alberta. Results of the Historic Resources Impact Assessment for archaeological resources must be reported to Alberta Culture, Multiculturalism and Status of Women and subsequent Historical Resources Act approval must be granted before development proceeds.

3.6 Existing Structures

There are a couple of structures located on the western shore of the property, remnants of a former summer patio, but no functioning buildings located on site. There are no other structures on the subject site other than the supporting structures for the Altalink transmission line, which have been recently upgraded (2017).

3.7 Existing Transportation and Utilities Considerations

3.7.1 Transportation

A Transportation Impact Assessment for Bearspaw Lakefront Estates was completed in 2019 in support of this conceptual scheme. The analysis indicates that all the study intersections, namely the intersections of Calling Horse Dr.-Township Road 250 and Old Banff Coach Rd.-Township Road 250, will continue to operate within acceptable capacity parameters at the opening day horizon.

While the Alberta Transportation's warrant for a west bound right turn lane at the intersection of TWP 250 and RR 32 is technically met by a small margin, no improvements are required. In the future, TWP 250 will be upgrade as a result of overall County growth and intersection design requirements can be reassessed at that time.

For the long-term horizon, this development is accounted for in the background growth of the Bingham Crossing TIA and as such the recommendations from this previously approved TIA still apply.

3.7.2 Utilities

Water servicing options explored for Bearspaw Lakefront Estates included licensed withdrawal from the Bow River and the potential connection to existing water co-ops servicing the area, like Emerald Bay Water and Sewer Co-Op, Salt Box Coulee Water Supply Company and North Springbank Water Co-Op. While these remain as potential opportunities for the future, it was preferable to provide potable water for the proposed development through individual groundwater wells located on each lot.

Aquifer testing on site was completed in 2018 through a two-step process. The first consisted of a desktop review using local well logs and other available information. Once this "Phase One" review was completed and indicated the potential for groundwater development onsite, a "Phase Two" assessment was initiated. During this assessment, two test wells were installed on future lots in the development and 24-hour pump tests were completed on both wells. A groundwater quality sample was taken from both test wells at the end of the 24-hour pumping test and lab analyzed, finding that water quality in the two wells is consistent with bedrock aquifer water supplies and is considered potable. Point of use softening and/or reverse osmosis may be required due elevated hardness, TDS and sulphate levels.

The aquifer testing study concluded that based on the understanding of hydrogeological conditions onsite from many different site investigations there is sufficient water onsite to meet the water demands of the proposed development. The study found that the development of future groundwater wells will not have a significant impact on existing groundwater users in the area, and that the aquifers recommended as possible supply sources for the development are not under direct influence of the Bow River. The proposed individual wells will be installed at depths greater than what can be impacted by the surficial water table. The wells will be drilled into buried bedrock aquifers that are protected from surface waters by a number of shale confining layers, or aquitards.

Electricity and natural gas will be provided by utilities adjacent to the site. There are currently no piped services for sewage disposal or stormwater, which will be addressed through on-site treatment and management facilities.

As indicated previously, an Altalink transmission line right-of-way crosses the site with a southeast-northwest alignment, with three supporting structures located within the right-of-way.

4 Land Use Concept

4.1 Design Considerations

The design of Bearspaw Lakefront Estates is based on a conservation design approach that integrates the proposed development within the natural setting of the site with the least amount of disruption to the natural context. The result is a concerted effort to meet the objectives outlined in section 1.3 with a land use plan that meets a balance of economic, environmental, technical and community performance aspirations. These factors require a development concept that blends with the traditional residential subdivision pattern predominant in a region experiencing continued growth.

There is an increased appreciation for a high quality built environment that integrates the natural setting into the overall community design, particularly for a site with the natural characteristics and locational features as the subject property. Adjacent to the Bow River, the site offers magnificent scenic views to the east, in addition to beautiful treed areas along the ravines that cross the site draining towards the river. Traditional multi-acre lots are being recognized as an unsustainable form of future growth due to issues such as land consumption, significant impacts

from private sewage systems and public infrastructure maintenance and replacement costs, while development with medium-sized lots embedded in a natural setting have growing market appeal.

As a result, conservation approaches for recent subdivisions that feature lots in more efficient clusters, allowing for both country residential housing options and the preservation of open space, are increasingly common in Rocky View County. The design of Bearspaw Lakefront Estates is consistent with the cluster development format advanced in the forthcoming Springbank Area Structure Plan, and offers a broader, more diverse residential product range to bolster existing land values instead of saturating the market with more of the same product.

4.1.1 Community Input

Within the framework of what is technically and economically viable, the most important consideration and influence on the design of Bearspaw Lakefront Estates will be the input of local residents. Bearspaw Lakefront Estates LP has engaged the Springbank community and surrounding land owners through a variety of channels and will continue to do so as part of a consultation process that will go above and beyond what is required or accepted as standard practice. All aspects of the Bearspaw Lakefront Estates Conceptual Scheme will represent an attempt to find balance and incorporate the significant amount of feedback to be received.

4.1.2 Incorporate and Conserve Site Attributes

Bearspaw Lakefront Estates has been planned to align with and take advantage of the natural topography and vegetation of the site. The proposed three development cells are the result of a concerted design effort to map roads strategically to best match the existing grades and minimize cut and fill requirements and maximize tree preservation. Home sites have been laid out to create the best opportunity to protect the existing tree stands and allow them to be natural buffers between lots and adjacent properties, to foster high amenity values and the rural, natural character desired in this development. Furthermore, consistent with the goals of cluster development approaches, a significant portion of the site has been identified to be preserved in natural state to continue to provide close interaction with nature to residents in the broader area.

4.1.3 Open Space, Trails, and Recreation

The design intent is to make open space, connected trails, and on-site recreational opportunities signature features of Bearspaw Lakefront Estates. Open space networks will be interlaced throughout the development and connect every part of the development to each other and to adjacent developments, as well as provide a link to a regional pathway system and significant natural areas within the development; all of which will be publicly dedicated. The open space network is designed to maintain access to the natural areas that the community has enjoyed for years.

4.1.4 Transition and Compatibility With Surrounding Uses

One of the priorities guiding the design of the new development is to achieve a well transitioned and compatible community design that integrates with the context and character of the existing community. This is achieved in the Bearspaw Lakefront Estates design through selective landscaping, strategic lot arrangement and the applicability of design standards that provide specific building envelopes for individual lots.

4.1.5 Innovatively Minimize Country Residential Development Footprint

A hallmark principle of the proposed development is to minimize the private country residential development footprint, while maximizing the open space area to preserve the natural rural aesthetic. Applying creative site design, more efficient lot yields are achieved and on a much smaller footprint than the conventional country residential development that has been built over the last few decades. Furthermore, the amount of publicly dedicated open space is also significantly enhanced.

4.1.6 Respect the Nature and Culture of Central Springbank

Bearspaw Lakefront Estates was conceived as a development that would become an integral part of the Central Springbank community without detracting from the attributes that have made it such an attractive residential location. Bearspaw Lakefront Estates is envisioned as a community where buildings are integrated to the traditional built context of the community, stepped with the natural grades, blending in with the character of the surrounding landscape and reflecting the architectural styles of the surrounding area. Respect for the rural character and ecological features of the site, such as surface and ground water quality, steep slopes and wildlife habitat, will be achieved through the protection of a portion of each parcel. Optimal lot sizes limit the need for alteration of the existing terrain and will facilitate the retention of diverse ecology, topography and vegetation throughout the site. The policies of this Conceptual Scheme provide an implementation framework to realize the community vision that preserves the existing vegetation and landscape.

4.2 Development Goals and Objectives

The goal of the Conceptual Scheme for Bearspaw Lakefront Estates is to **preserve, protect** and **enhance** the natural environment of the subject site and to remain consistent with the policies outlined in the Central Springbank Area Structure Plan and the forthcoming Springbank Area Structure Plan (SASP).

The Bearspaw Lakefront Estates Conceptual Scheme is guided by a set of goals and objectives that respects the natural setting on site and community context, to allow for a residential community that will:

- Create a unique residential community that respects the predominant country residential surrounding context and enhances the natural setting, features and topography of the site.
- Offer a high quality of life for all residents by providing a balance between the public and private realms within the community that facilitates a safe and open community for its residents.
- Ensure high quality and uncompromising development standards for a consistent, integral and healthy built environment.
- Integrate areas of environmental significance within the site into the development, ensuring that such areas are preserved.
- Integrate existing natural stormwater drainage patterns into the site design and ensure the implementation of comprehensive stormwater management plan.
- Incorporate innovative sustainable initiatives and standards to promote water conservation and energy efficiency.
- Create a pedestrian friendly community through the design of a local road system, pathway and open space network that incorporates multi-use regional pathways and rustic trails that allow for easy and convenient connection to adjacent sites.

- Value and respect local resident interests; and
- Pursue consistency with the provisions of the Central Springbank Area Structure Plan and the forthcoming Springbank Area Structure Plan to offer a livable and sustainable community design;

4.3 Concept Plan Design

Bearspaw Lakefront Estates is proposed as an efficient and sustainable country residential development with a cluster approach that, while featuring homesite sizes consistent with surrounding areas, secures abundant open space supporting a residential lifestyle that is harmonious to the Central Springbank area. The proposed development achieves a substantial reduction in the residential development footprint compared to traditional residential development in the area while maintaining a residential character common to two-acre sites. The Concept Plan is illustrated on **Exhibit 7**. The Lot Layout and Concept Plan is shown as an overlay with the aerial photo of the site in **Exhibit 8**.

Bearspaw Lakefront Estates is a 32-lot development structured in three development cells with existing road connections to neighboring communities. Development Cell A is located in the southwestern corner of the site and has a total of 8 residential lots that are accessible through north and east extensions of Calling Horse Drive (Range Road 31) and Rodeo Dr. respectively. The northern extension of Calling Horse Drive (Range Road 31) leads into Development Cell B, which is located on the northeastern corner of the site, with a couple of its 12 lots backing onto the Springbank Links Golf Course property. The third development cell, Cell C, is accessible through Emerald Bay Dr. from the north, extending into the northeast corner of the site to its 12 residential lots.

The proposed wastewater facility that will service the development is located south of development Cell B. Its location and anticipated environmental performance is respectful of the central ravine and key topographic features characteristic of the site that are preserved in the central portion of the site, thus ensuring the protection of the natural setting that extends towards Bearspaw Reservoir and the southeastern corner of the site. Overall, the project is conceived for a total of 32 residential lots that will feature reduced building envelopes to foster a seamless blend with the natural setting.

Ranging from 2.0 to 2.68 acres, the 32 country estate homesites provide a practical balance of the space provided with a traditional country residential lot with greater manageability and attainability. Many of these homesites are located in prime locations backing onto open space and treed areas. Lot and building sites have been carefully designed to ensure residential integration to the natural character while providing privacy and tranquility for individual lots. Fencing shall not be allowed on individual lots to preserve the natural environment of the site perimeter. Instead, the use of landscaping and vegetation as a natural boundary marker for homeowners will be encouraged to obtain privacy and consistency throughout the Bearspaw Lakefront Estates community. Privacy fencing and dog runs within the building envelope areas will be permitted.

The proposed concept for Bearspaw Lakefront Estates adheres to the applicability of the conservation country residential concept already applied to other developing areas with Rocky View County. The Residential One (R-1) land use designation existing on the subject site is appropriate for the intended development and aligns with the cluster residential concept advanced in the forthcoming Springbank Area Structure Plan.

Open space has been carefully intertwined to allow a relaxing pedestrian experience through the site's landscape and natural amenities. The greenway system generally corresponds to the grassland and treed areas naturally found in the planning area. Dedication of these green areas permits recreation while preserving the open vistas and views.

CONCEPT PLAN



LOT LAYOUT + CONCEPT PLAN



Subject Site

The stormwater management system has been integrated within the open space network following a Conservation plan approach, allowing the existing terrain and vegetation to naturally maintain sheet flows across lot property lines. Enhanced infiltration at the back of lots to reduce overland flows, as well as punctual grading to divert water away from buildings towards pervious areas and channels, will allow stormwater to be managed using appropriately sized low impact development practices and storm pond facilities to retain stormwater within the site.

The following table summarizes the subdivision and land use concept stats:

Table 1 – Subdivision and Concept Plan Stats

Gross Area:	±55.46 ha (±137.04 ac)		
<u>Residential (R-1)</u>			
Cell A (Lot 1-8)	±6.83 ha (±16.87 ac)		
Cell B (Lot 9-20)	±9.91 ha (±24.49 ac)		
Cell C (Lot 21-32)	±9.93 ha (±24.54 ac)		
<hr/>			
TOTAL	±26.67 ha (±65.90 ac)		
<u>Services</u>			
S-SPR	±23.49 ha (±58.04 ac)		
PUL – Wastewater Treatment Area	±1.97 ha (±4.87 ac)		
<hr/>			
TOTAL	±25.46 ha (±62.91 ac)		
Roads	±3.33 ha (8.23 ac)		
TOTAL LAND	±55.46 ha (±137.04 ac)		
LOTS BY CELL:			
	Quantity	Lot Size Range	Ave. Lot Size
Cell A	8	2.00 ac – 2.68 ac	±2.11 ac (±0.85 ha)
Cell B	12	2.00 ac – 2.25 ac	±2.04 ac (±0.82 ha)
Cell C	12	2.00 ac – 2.14 ac	±2.05 ac (±0.83 ha)
TOTAL	32 LOTS		

- Policy 4.1 Subdivision of land within the Bearspaw Lakefront Estates planning area shall be generally in accordance with Exhibits 7 and 8. The final size, configuration and design of individual parcels and road system proposed through subdivision shall be identified on the tentative plan for subdivision approval.*
- Policy 4.2 Residential lot sizes within Bearspaw Lakefront Estates shall be a minimum of 0.8 hectares (2.0 acres) and a maximum of 1.08 hectares (2.68 acres).*
- Policy 4.3 There shall be a maximum of 32 residential units within Bearspaw Lakefront Estates.*

4.4 Municipal Reserve, Open Space, and Pathways

4.4.1 Open Space

Bearspaw Lakefront Estates features over 42.3% open space, (approximately 58 acres) comprised of municipal reserve, environmental reserve and public utility lots. **Exhibit 9** illustrates the open space and existing trees to be preserved, where possible, within the planning area.

The Bearspaw Lakefront Estates parcel features a varied topography and natural vegetation. While the valley and central ravine through the parcel limit developable area, they provide an attractive and interesting feature for the adjacent homesites and for all residents to enjoy the natural open space and trails.

The continuity of the open space network within Bearspaw Lakefront Estates allows for the maximization of the rural character of the development and the preservation of existing vegetation and natural areas to maintain corridors for wildlife movement. The conservation design approach used in Bearspaw Lakefront Estates allows the pursuit of the goals for open space expressed in section 2.6 of the Central Springbank ASP.

- Policy 4.4 An open space network within the planning area, including the delineation of public and private land, shall be constructed by the developer, as generally shown in Exhibit 9, to the satisfaction of the County.*
- Policy 4.5 The Developer shall dedicate Municipal Reserve in accordance with Exhibit 9 at the time of subdivision, subject to a review of Environmental Reserve/ Environmental Easement requirements. Municipal Reserve shall be developed in a form acceptable to the County at the time of dedication. Notwithstanding the provisions of the Municipal Government Act, the Developer is committed to the provision of Municipal Reserve in accordance with Exhibit 9 of this Conceptual Scheme.*

4.4.2 Pathways and Trails

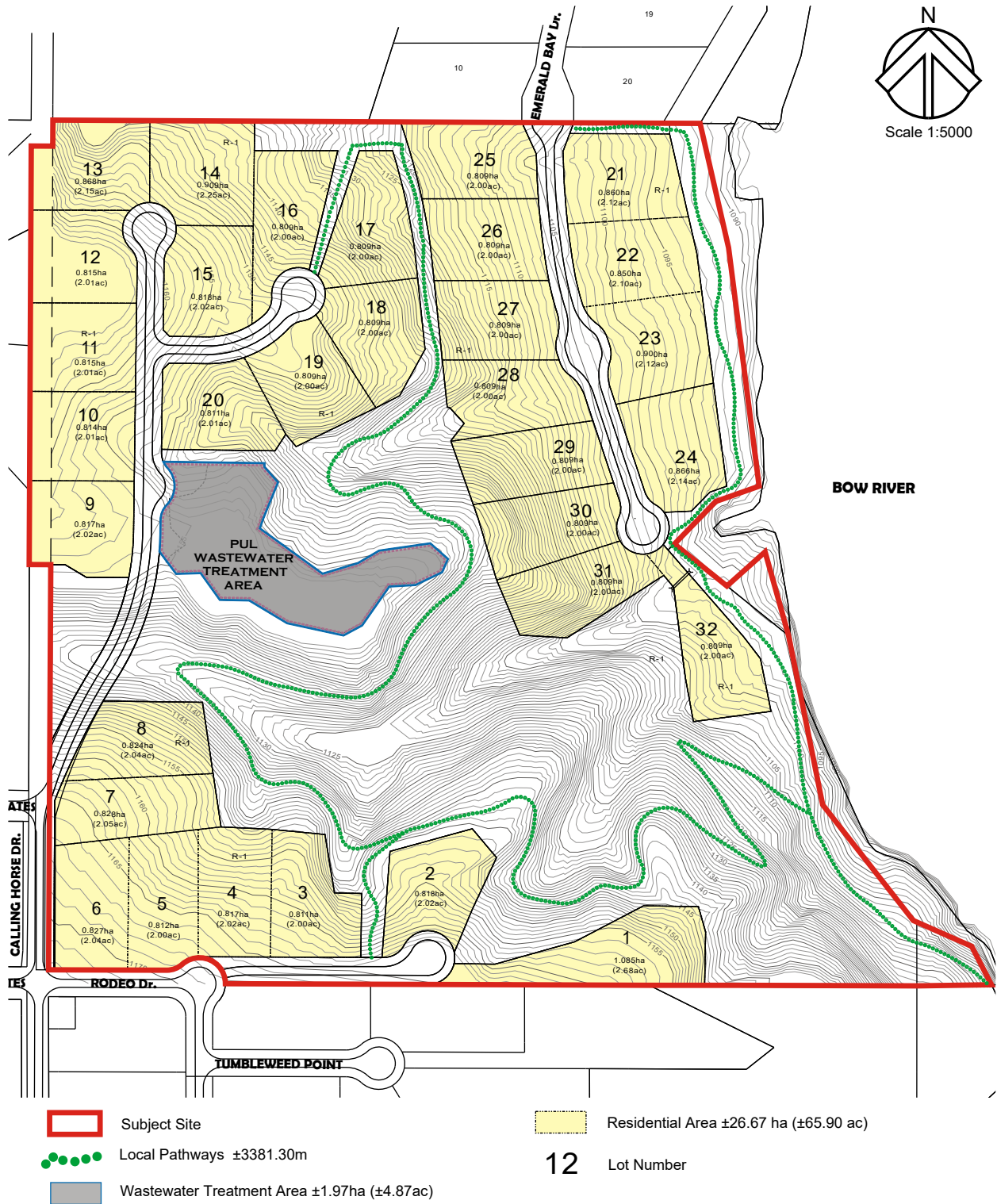
The pathways and trails network for Bearspaw Lakefront Estates responds to the community's aspiration to achieve a connecting walkway system that offers a convenient, safe recreational pedestrian passage throughout the community, as expressed in the Rocky View West Recreation Board's Master Plan and Operating Guidelines. The development concept also aligns with the Active Transportation Plan (2018) recently adopted for the County. The proposed development will feature an estimated 3.4 kms of publicly accessible pathways and trails. The local pathway and rustic trails system provide a connected network of pedestrian routes and recreation opportunities that connect to the regional pathway system in the surrounding areas. **Exhibit 10** illustrates the connected pathways and trail network.

A 1.5m wide natural local pathway will provide connectivity to adjacent lands and pathways.

OPEN SPACE



PATHWAYS AND TRAILS



Approximately 3.3 kms of rustic trails will run internal to the large open area located within the development site, maintaining public access to the trails and ravines the community has come to appreciate.

- Policy 4.6 The pathway and trail system (Local, Rustic) within the planning area, as generally shown in Exhibit 10, shall be constructed by the Developer, to the satisfaction of the County.*
- Policy 4.7 The pathway and trail system (Local, Rustic) within the Planning area, as generally shown in Exhibit 10, shall be publicly accessible.*
- Policy 4.8 Pathways and trails including road crossings (crossing requirements and locations to be determined at the time of subdivision) shall be constructed in accordance with the descriptions in the County's Pathways and Trail Classification and the requirements of the County's Servicing Standards and shall be situated outside any proposed road widening.*
- Policy 4.9 The pathway and trail system (Local, Rustic) within the planning area, as generally shown in Exhibit 10, shall be maintained by the Bearspaw Lakefront Estates Homeowners Association through an agreement to be determined with the County at the subdivision stage.*

4.4.3 Recreation

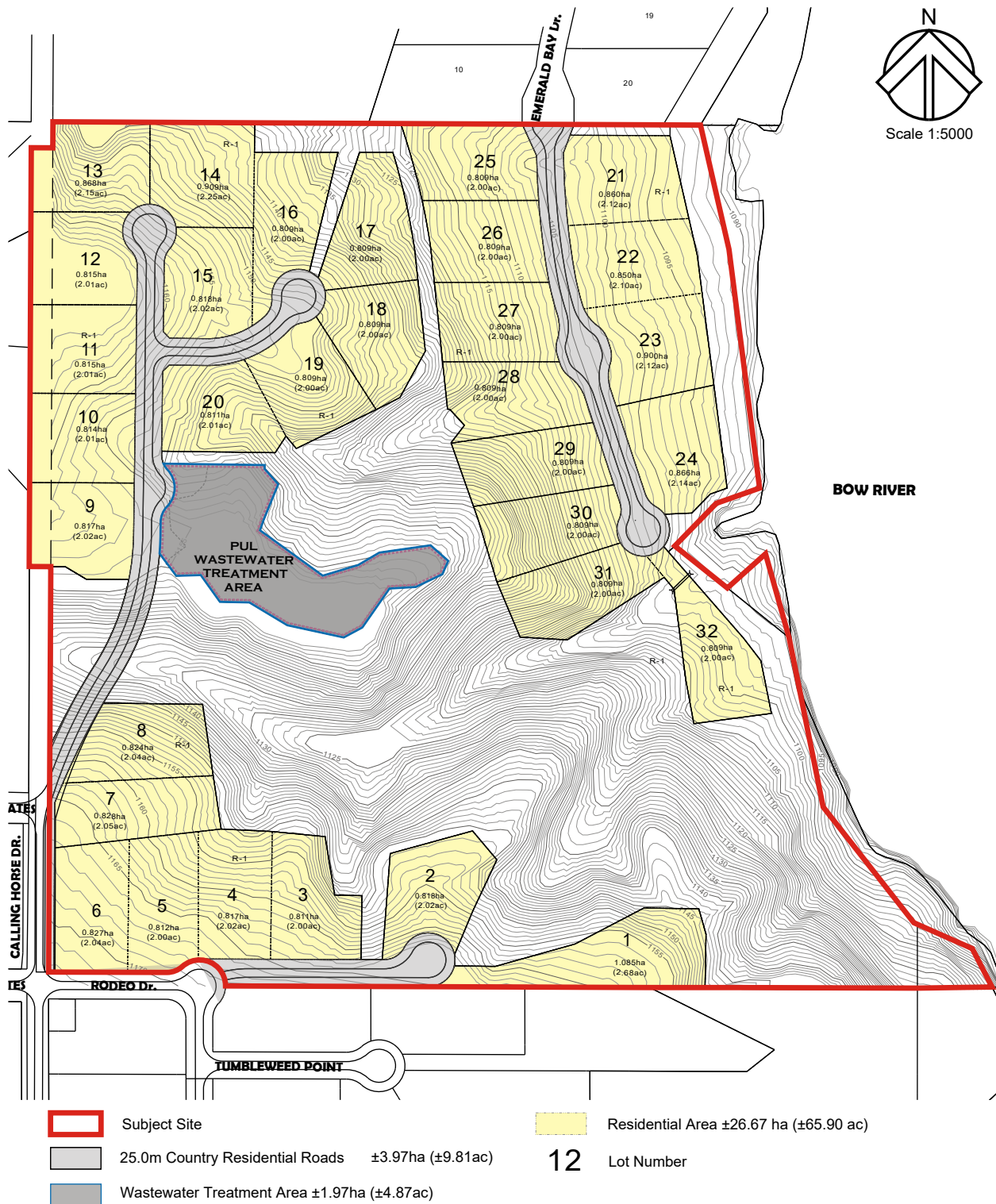
In addition to the passive recreational opportunities provided by the extensive trail system, the developer of Bearspaw Lakefront Estates will discuss the community's recreational needs with the Rocky View West Recreation District Board.

Public access to the site will be possible along the local pathway and trail system or via the Rustic Pathway.

4.5 Transportation Overview

The proposed transportation network is designed to provide safe and efficient access to the development and includes a discrete hierarchy of road typologies to best account for safety, accessibility and country residential design character. Wherever possible, the road alignments follow the natural topography of the land to minimize cut and fill areas while still being able to achieve maximum road grade performance criteria. The road network along with carriageway widths were minimized wherever possible to reduce the amount of impervious surfaces, while meeting the network capacity requirements. In addition, although it is proposed that road right of ways (ROW) be minimized and encourage the location of deep services within the road ROW to reduce disruption to existing tree stands from being cleared in key zones on the property, the development concept for Bearspaw Lakefront Estates allows for the integration of a shared use pathway to ease connectivity for active transportation modes to other developments in the area, thus responding to the County's Active Transportation Plan (2018). **Exhibit 11** illustrates the proposed road network hierarchy and proposed right of ways. The proposed right of ways are to be finalized at the appropriate subdivision stage for each given phase, at which time, detailed cross sections will be required. The proposed ROW for each road may be subject to change at the subdivision stage.

INTERNAL ROAD NETWORK



4.5.1 Bearspaw Lakefront Estates Site Access and Public Roads

It is proposed that each of three residential cells that comprise the Bearspaw Lakefront Estates community will have separate accesses that will connect them to surrounding neighborhoods. Located in the southwestern corner of the site, Development Cell A is accessible through north and east extensions of Calling Horse Drive (Range Road 31) and Rodeo Dr. Development Cell B, located on the northeastern corner of the site, is accessible through the northern extension of Calling Horse Drive (Range Road 31). The third development cell, Cell C, is accessible through Emerald Bay Dr. from the north. Calling Horse Drive (Range Road 31) to the south serves as the main connector of the site to the regional road network, as it intersects with Township Road 250, which in turn leads to Old Banff Coach Road and TransCanada Highway 1.

Each of the access roads to the development cells is proposed to reside within a 25m ROW, serving as the transportation links to the surrounding neighbourhoods.

4.5.2 Internal Road Hierarchy

The internal roads of Bearspaw Lakefront Estates will be designed using the County's road standards as updated, and will meet the County's performance requirements. To further help create a rural feel and assist in the preservation of natural vegetation and trees, the shallow utility easement will be in a separate right of way (ROW) on one side of the road as necessary, while the sanitary and water lines may be located within the road ROW (includes a ditch, where applicable).

Policy 4.10 A complete road system, including pathway crossings, within the planning area shall be constructed by the Developer as generally shown in Exhibit 11, to the satisfaction of the County.

Policy 4.11 Primary access to Bearspaw Lakefront Estates shall be from Calling Horse Drive (Range Road 31) and Emerald Bay Drive as shown in Exhibit 11, to the satisfaction of the County.

4.6 Traffic Impact Assessment Recommendations

A Transportation Impact Assessment for Bearspaw Lakefront Estates was completed in 2019 in support of this conceptual scheme. The analysis indicates that all the study intersections, namely the intersections of Colling Horse Dr.-Township Road 250 and Old Banff Coach Rd.-Township Road 250, will continue to operate within acceptable capacity parameters at the opening day horizon.

While the Alberta Transportation's warrant for a west bound right turn lane at the intersection of TWP 250 and RR 32 is technically met by a small margin, no improvements are required. In the future, TWP 250 will be upgraded as a result of overall County growth and intersection design requirements can be reassessed at that time.

For the long-term horizon, this development is accounted for in the background growth of the Bingham Crossing TIA and as such the recommendations from this previously approved TIA still apply. Off-site intersection and roadway improvements will be detailed at the subdivision stage in coordination with Rocky View County and Alberta Transportation.

Policy 4.12 An updated Traffic Impact Assessment will be required prior to subdivision approval.

Policy 4.13 Each phase of development will require updates to the Traffic Impact Assessment.

Policy 4.14 All upgrades required by the Traffic Impact Assessment and not completed by Alberta Transportation shall be provided by the Developer to the satisfaction of Rocky View County and Alberta Transportation. Upgrade costs may be proportionally distributed among developers in the area.

4.7 Population and Density Projections

4.7.1 Population

Based on the intended housing typology proposed, it is anticipated that there will be an average of 2.5 people per unit within the planning area, the national average number of persons per private household as per the 2016 Statistics Canada Census. A full development of 32 units equates to a total population of approximately 80 residents.

4.7.2 Density

With an anticipated total of 32 units over the Conceptual Scheme plan area of 55.46 ha (137.04 acres), the density of Bearspaw Lakefront Estates will be approximately 1.73 units per hectare, or 4.28 units per acre.

Policy 4.15 Overall density of residential development within the planning area shall not exceed 1.73 units per gross hectare (4.28 units per gross acre).

5 Servicing Strategy

5.1 Water Supply

Water servicing will be provided through individual groundwater wells located on each lot. Potential water servicing options for the future include licensed withdrawal from the Bow River and/or potential connection to existing water co-ops servicing the area, like Emerald Bay Water and Sewer Co-Op, Salt Box Coulee Water Supply Company and North Springbank Water Co-Op.

The aquifer testing study conducted in 2018 concluded that based on the understanding of hydrogeological conditions onsite from many different site investigations there is sufficient water onsite to meet the water demands of the proposed development. The study found that the development of future groundwater wells will not have a significant impact on existing groundwater users in the area, and that the aquifers recommended as possible supply sources for the development are not under direct influence of the Bow River. The proposed individual wells will be installed at depths greater than what can be impacted by the surficial water table.

To meet sustainability objectives and reduce development impact, Bearspaw Lakefront Estates will implement water demand reduction practices. Such practices will include installation of low-flow fixtures and low impact landscaping with rainwater collection barrels and cisterns.

Policy 5.1 The planning area shall be serviced through individual groundwater wells located on each lot. If deemed necessary, water servicing options for the future include licensed withdrawal from the Bow River and/or potential connection to existing water co-ops servicing the area. Supplementary water reservoirs shall be considered to the satisfaction of the RVC and the Rocky View Water Co-Op.

Policy 5.2 Bearspaw Lakefront Estates shall implement water conservation practices that reduce the amount of potable water consumed. Such conservation measures may include:

- a) A requirement for all buildings to install low-flow water fixtures;*
- b) A requirement for all development to utilize drought resistant landscaping and rainwater collection systems.*

5.2 Wastewater

Given that currently there is no economically feasible potential connection to piped services for sewage disposal for the subject site, wastewater will be managed on site using a communal system licensed by the Province of Alberta and constructed in accordance with all Provincial and Municipal requirement and standards. The proposed system is the ORENCO AdvanTex Decentralized Wastewater Treatment System and will be managed by a licensed operator.

The ORENCO system generally consists of a tank with solid separation for each lot which pumps liquid to a pressurized line leading to the central processing facility, where it incorporates additional filtration and treatment for the effluent within filter pods, prior to drainfield release. The processing facility can be constructed in phases as the project is built out, with each modular, in-ground filter pod capable of servicing approximately 30 residential units. With the addition of filtration/treatment, the effluent quality is substantially increased and the size of the dispersal field is correspondingly reduced. The treatment facility and dispersal fields are to be located in Public Utility Lots, illustrated in **Exhibit 12**.

The proposed location of the Bearspaw Lakefront Estates wastewater treatment facility is in the central area of the site, just south of Development Cell B and north of the central ravine that crosses the site. The dispersal fields for the Bearspaw Lakefront Estates wastewater system will be sensitively located to meet Alberta Environment standards to protect the natural drainages and minimize the possibility of treated effluent reaching the Bow River and Bearspaw Reservoir.

A Preliminary Wastewater Feasibility Report (PWFR) was prepared by SD Consulting in support of the Bearspaw Lakefront Estates Conceptual Scheme in 2018. The report found that the soils are suitable for providing the development with the necessary sanitary servicing using the proposed system. The proposed dispersal field is of adequate size and location for the development of Bearspaw Lakefront Estates. Details of the wastewater flow estimates and dispersal field requirements have been provided within an updated wastewater report from SD Consulting under a separate cover.

5.2.1 Rocky View County Policy #449

Policy #449 defines a Decentralized Wastewater Treatment System as consisting “of a communal system that collects typical wastewater strength effluent from multiple lots, conveys effluent to a wastewater treatment plant for treatment and discharge to an approved discharge location.”

#449 Policy Statements:

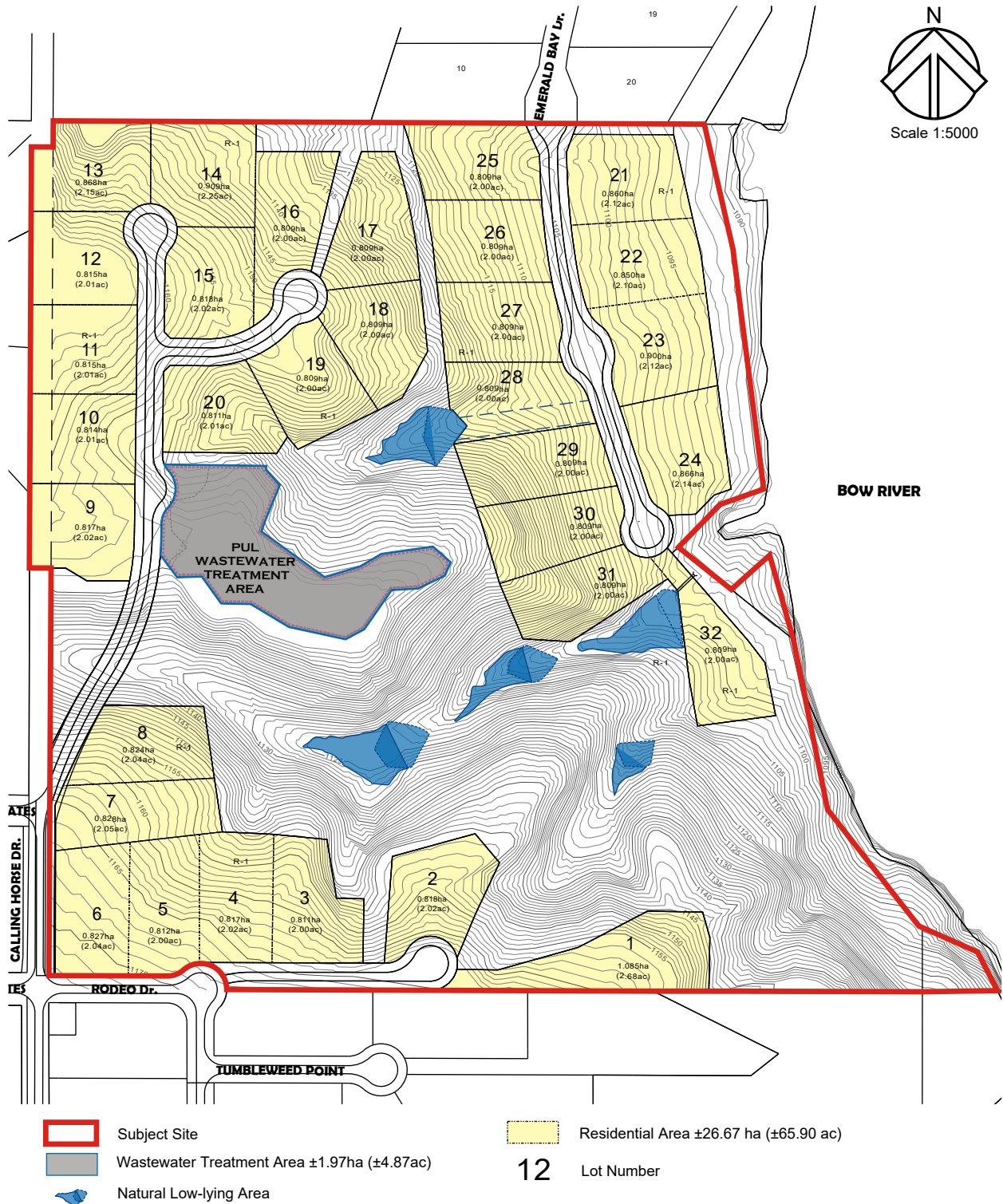
10. *When a proposed subdivision will result in the creation of any lot(s) less than 4 acres and where development density exceeds 60 proposed, conditionally approved or existing lots within a 600m radius of the centre of the proposed development, the County will not permit the use of PSTS to support the development, but will require a Decentralized or Regional Wastewater Treatment System.*

Utilizing a proven Decentralized Wastewater Treatment System, Bearspaw Lakefront Estates satisfies this policy statement.

11. *Where connection to a Regional Wastewater Treatment System is not feasible, the feasibility of proposed development hooking up to an existing Decentralized Wastewater Treatment System shall be investigated.*

The decentralized wastewater treatment system proposed is the same type approved for use in the Silverhorn and Indigo Hills developments, in the Bearspaw area. It is a modular and scalable solution.

PROPOSED UTILITY LOT



The development will have collection, treatment, and disposal infrastructure on its lands, with a control panel for monitoring. When the County assumes ownership of the land and systems, the monitoring system can be linked to the County's control panel.

- Policy 5.3 Sanitary sewage service shall be provided by a communal wastewater system, as per County Policy #449, Performance Requirements for Wastewater Treatment Systems, that provides secondary wastewater treatment to the satisfaction of the County.*
- Policy 5.4 The communal wastewater system proposed for installation within the planning area shall meet or exceed engineering standards and specifications established by the County and the Province.*
- Policy 5.5 The ownership, operation and maintenance of the communal system shall be the initial responsibility of the Developer and then transferred to the County at no cost on a deficiency free basis in accordance with the terms set out in a Transfer Agreement, which shall be entered into between the Developer and the County prior to subdivision approval, as per County Policy #430, Communal Wastewater System Management.*
- Policy 5.6 The location and type of the communal wastewater system, and final size of dispersal field shall be determined prior to subdivision approval.*
- Policy 5.7 The components of the communal wastewater system shall be located within individual residential lots, road Right-of-Ways and/or Public Utility Lots.*
- Policy 5.8 Consent to waive setback distance for the Bearspaw Lakefront Estates Wastewater Treatment Facility and Dispersal Field shall be received from Alberta Environment and Alberta Health Services prior to subdivision approval.*

5.3 Stormwater Management

5.3.1 Stormwater Management Approach

The Central Springbank Area Structure Plan (2001) defined the goals for sub-basin management in the Springbank area; these goals include, among other, to implement effective Best Management Practices at a site-specific level, as guided in a Master Drainage Plan and/or a Site Implementation Plan; the establishment of water quantity and quality monitoring programs for each sub-basin endeavoring to retain the same levels recorded January 2000; as well as maintaining post-development rates of stormwater runoff that equal predevelopment rates on both a regional and site specific basis. These recommendations are supported by the Springbank Context Study (2013), which recognized the importance of updating the Master Drainage Plan for the area. A new Springbank Master Drainage Plan was prepared by MPE Engineering and was adopted by Rocky View County in 2016. The new Master Drainage Plan (MDP) provides policy and implementation strategies to ensure sustainable and orderly development of future growth in Springbank from a stormwater management point of view. The 2013 Context Study documents that the central ravine crossing the site as a major drainage route in the area.

The stormwater management system is governed by the Springbank Master Drainage Plan (MPE, April 2016). The Springbank Master Drainage Plan requires unit area peak release rate of 1.71 L/s/ha for 1-in-100 year events where downstream constraints exist. The MDP also requires a volume control target of 45 mm or lower to meet the Stream Erosion Index less than 2. The drainage system design should also demonstrate that the Stream Erosion Index is 2 or lower, where the development releases into or passes through a natural stream. Bearspaw Lakefront Estates is proposed to discharge into the central ravine. However, we note that the immediate downstream water body is the Bow River Reservoir (Bearspaw Dam) and not an erodible

channel. To construct the roadway over the existing central ravine, appropriately sized box culverts will be installed to maintain flows in the ravine.

Bearspaw Lakefront Estates will be developed using a Conservation plan, which includes allowing the existing terrain and vegetation to naturally maintain sheet flows across lot property lines. To enhance infiltration at the back of lots, amended soils will be considered to reduce overland flows. Lot grading is part of this conservation plan which will divert water away from buildings towards pervious areas and channels.

In this context, stormwater will be managed using appropriately sized low impact development practices and storm pond facilities to retain stormwater within the site. These facilities will meet the stormwater quantity and quality control requirements currently set out by Alberta Environment and Rocky View County.

Appropriate levels and locations of off-site discharge, controlled to pre-development flows and over 1:100 year storm events will be identified with a stormwater management plan prior to subdivision endorsement.

In order to maximize the beneficial use of stormwater, it is proposed to incorporate a number of features to contain, manage and utilize stormwater within the development. Development Guidelines will require LID practices for each residence. LID practices and end-of-pipe facilities implemented in Bearspaw Lakefront Estates may include, but not be limited to:

- directing paved areas to absorbent landscaping and natural areas within each private lot
- taking roof areas to rain-barrels, allowing for water reuse during dry periods
- minimizing the extent of land disturbance, which will increase infiltration and reduce runoff.
- managing runoff from roads and hard surfaces using swales and bioswales
- using constructed trap low and detention areas to treat stormwater before directing overland flows to the natural ravine and coulees within the site.
- maintaining existing natural topography to provide natural infiltration zones

The contributing area to the management facilities includes the lands within the Bearspaw Lakefront Estates community (55.46 ha, 137.04 acres) as well as some surrounding developed residential lands. The analysis will include the information for the required by-pass flows from adjacent communities. The on-site attenuation facilities will be sized to service the site area only and meet restrictions on release rate and volume. A stormwater management plan will be prepared according to County standards and will inform the development's policy framework.

Policy 5.9 A stormwater management system designed for the Bearspaw Lakefront Estates Planning Area shall be prepared prior to subdivision approval. This plan shall:

- a) Adhere to the stormwater management principles of this Conceptual Scheme, the Springbank Context Study, and the Central Springbank Area Structure Plan to the satisfaction of the County.*
- b) Undertake an assessment of drainage patterns and provide appropriate mitigation measures to resolve any drainage issues within and adjacent to the site.*
- c) Meet or exceed Springbank Master Drainage Plan (MPE Engineering, 2016) guidelines for peak annual rates and volume of discharge of post-development stormwater.*

- Policy 5.10 Alterations to the existing pre-development stormwater drainage pattern within the Planning Area shall proceed in accordance with an approved Stormwater Management Plan and require all appropriate Provincial approvals regarding alterations to existing drainage courses within the proposed development site.*
- Policy 5.11 The stormwater management system should incorporate Low Impact Development (LID) strategies and technologies in its design that will consider ways to implement the following:*
- a) Preserve, where possible the existing landform in the subdivision and development concept and minimize extensive stripping and grading during the development of Bearspaw Lakefront Estates;*
 - b) Preserve, protect and enhance, where possible, existing natural spaces in the landscape that promote riparian habitat and natural vegetation to attract wildlife and enhance recreational opportunities, and utilize these spaces in the overall design of the stormwater management system;*
 - c) Adopt a development strategy focused upon the reduction of impermeable areas throughout Bearspaw Lakefront Estates; and*
 - d) Promote the use of rain barrels and cisterns to retain and reuse stormwater.*

5.4 Solid Waste Management

The Bearspaw Lakefront Estates Homeowners Association, through a contract with a solid waste contractor, shall provide solid waste management within the development. The creation of an onsite recycling program to divert materials such as paper, plastics, glass, and organic compost away from the landfill should be investigated by the corporation and an appropriate site should be selected within the development site.

- Policy 5.12 A solid waste and recycling management plan shall be prepared for Bearspaw Lakefront Estates prior to endorsement of subdivision. Implementation of a solid waste and recycling management plan shall be the responsibility of the Developer and/or the Bearspaw Lakefront Estates Homeowners Association.*

5.5 Shallow Utilities

The utility services required for the proposed development, including electrical power, telephone and natural gas, are all available in the immediate area with sufficient capacities to service the site. All utilities will be underground and on one side of the road right-of-way (ROW) in a joint-use trench where possible to reduce the clearing of natural vegetation and trees.

- Policy 5.13 Shallow utilities shall be provided by the appropriate utility company providing service to Bearspaw Lakefront Estates at the sole expense of the Developer. The Developer shall provide easements to any utility company requiring them to provide services to Bearspaw Lakefront Estates.*

5.6 Protective Services

Fire protection is a priority concern for local residents. The Springbank Fire Station 102, located at 128 McLaurin Dr., is within 5.3 km (3.3 mi) of Bearspaw Lakefront Estates with direct access to Township Road 250. Bearspaw Lakefront Estates will also conform to Fire Smart principles in an effort to prevent the spread of wild fires. Main building structures in Bearspaw Lakefront Estates will be equipped with dry fire suppression systems to ensure code-compliant fire protection while limiting potential water damage to valuables.

Policy 5.14 The Site Development Guidelines shall include Fire Smart principles, to the satisfaction of the Municipality.

Policy 5.15 Dry fire suppression infrastructure shall be provided in main building structures through dry fire suppression systems that are consistent with Rocky View County policy (C-7259-2013, as amended) and standards.

6 Statutory Plan Compliance

6.1 County Plan – Rocky View County

The Rocky View County Plan (Bylaw C-7280-2013) was approved on October 1, 2013, in accordance with Section 632 of the Municipal Government Act.

The County Plan defines the Vision for the County as follows:

Rocky View is an inviting, thriving, and sustainable county that balances agriculture with diverse residential, recreational, and business opportunities.

The Principles that guide County decisions regarding the implementation of goals, policies and actions include:

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

The County Plan identifies the Bearspaw Area Structure Plan within the group of hamlets and country residential communities where residential growth for the next decade is a primary focus. Section 10 of the County Plan provides preferred direction on Country Residential Development, in pursuit of the following goals:

- Manage the planning and development of country residential communities so that they provide residents with a safe, healthy, and attractive community.
- Support country residential communities in maintaining a strong sense of community.
- Encourage alternative residential development forms that retain rural character and reduce the overall development footprint on the landscape.
- Provide an effective process to support the orderly, efficient, and cost effective development of fragmented quarter sections in agricultural areas.

The County Plan provides useful guidance for the design of country residential communities that pursue a compact development form with significant conservation goals, as is the case for Bearspaw Lakefront Estates. Although the Bearspaw Lakefront Estates development proposed in this Conceptual Scheme follows the design principles for compact conservation communities,

the site does not meet the policy requirements stated in Section 10.10 a., which states that Conservation Communities “shall comprise multiple quarter sections of land that are comprehensively planned and developed.”

However, Sections 10.1 and 10.5 of the County Plan provide a wider policy framework to be relied upon for proposed developments that aspire to adhere to conservation principles and compact development forms, as follows:

- 10.1 *Development within Greater Bragg Creek, Bearspaw, North and Central Springbank, Elbow Valley, Balzac East (Sharp Hills/Butte Hills), Cochrane North, and Glenbow Ranch shall conform to their relevant area structure plan.*
- 10.5 *When an existing country residential area structure plan is undergoing a comprehensive review, the following policy areas shall be addressed:*
- a) *Update all policies in accordance with this Plan, County Policies, and other relevant County planning documents.*

6.2 Central Springbank Area Structure Plan

Bearspaw Lakefront Estates is located within the boundaries of the Central Springbank Area Structure Plan (CSASP), Bylaw C-5354-2001, adopted on October 2, 2001. The CSASP “defines a planning and development framework to guide future growth and development within the area, and provide some certainty for landowners and land uses in the years to come.” The CSASP identifies the Bearspaw Lakefront Estates land as requiring a concept plan and as being within an area designated for new residential use. The CSASP defines New Residential Land Use as lands that “consist primarily of large blocks of unsubdivided agricultural lands.”

Policy 2.4.4 e) of the CSASP states that the minimum allowable parcel size is 0.8 ha (2 acres). However, Policy 2.4.4 g) states that notwithstanding Sections 2.9.4 (e) and (f), the minimum parcel size may be reduced to a minimum of 0.4 ha (1 acre) if justified on the basis of additional open space, subdivision design, or environmental features related to the site through the preparation of a conceptual scheme and Direct Control District Bylaw.

6.3 Springbank Area Structure Plan

At the time of preparation of the Bearspaw Lakefront Estates Conceptual Scheme, the Springbank Area Structure Plan (SASP) was being prepared by Rocky View County. The SASP includes the lands of the Central Springbank Area Structure Plan within its approximately 9,548.56 ha (23,595.00 ac) plan area. As explained in the pre-release draft of the SASP, the development of Springbank has previously been guided by the following Area Structure Plans:

- Central Springbank ASP (Bylaw C-5354-2001, adopted October 2, 2001);
- North Springbank ASP (Bylaw C-5035-1999, adopted May 4, 1999);
- Middle Springbank ASP (Bylaw C-1725-84, adopted March, 1998).

The Springbank ASP combines and updates these ASPs, taking into account the new developments and policy documents and that have occurred since their adoption.

The pre-release draft of the SASP identifies the subject site for Bearspaw Lakefront Estates as suitable for Cluster Residential Development in its Land Use Strategy. According to the draft SASP, Cluster Residential areas are mainly un-fragmented quarter sections with potential for connectivity and different forms of development. These areas are generally cultivated with some pasturelands. The site for Bearspaw Lakefront Estates matches this general site description.

The proposed design for Bearspaw Lakefront Estates aligns with the design intent defined for Cluster Residential areas in the SASP, described to sensitively integrate housing with the natural features and topography of the site by grouping homes on smaller lots, while permanently preserving a significant amount of open space for conservation, recreation, or small-scale agriculture uses. The draft SASP anticipates that half or more of the buildable land area is designated as undivided, permanent open space, as part of the principles of cluster development. The development concept for Bearspaw Lakefront Estates anticipates retaining approximately 42.3% of the gross site area as open space, significantly more than the minimum required of 30% stated in policy 8.19 of the draft SASP. Similarly, the design for Bearspaw Lakefront Estates aligns with the following policies in the draft SASP:

- 8.20 *Areas of environmental significance, as shown on Map 8: Environmental Areas, shall be protected within cluster residential development.*
- 8.21 *Open space systems within the cluster residential development shall incorporate linked linear systems of trails and pathways, which shall connect to existing or proposed active transportation networks.*
- 8.22 *Municipal Reserve should be provided through dedication of land; cash-in-lieu of reserve should only be taken in the cluster residential area where necessary to contribute to the improvement of public open space systems or recreation facilities.*
- 8.23 *In developments where Municipal Reserve may be dedicated, Municipal Reserve lands should be used to ensure connectivity within the development and with adjacent lands.*
- 8.24 *Where new landscaping is contemplated, proponents are encouraged to use climate/geographically appropriate natural vegetation materials.*
- 8.27 *Cluster residential development shall provide:*
 - a) *reduction in the overall development footprint through a permanent retention of a portion of developable land as open land;*
 - b) *a significant portion of open land that is publicly accessible and used for greenways, regional pathways, and/or trails;*
 - c) *an efficient, compact, walkable development area;*
 - d) *servicing and transportation efficiencies, minimizing operational costs, and retention of viewscales;*
 - e) *minimal impacts on adjacent agricultural operations; and*
 - f) *environmental best practices, interconnected open land, efficient development, and retention of rural character.*
- 8.28 *Cluster residential development shall ensure that development supports rural character, is well designed, and conforms to current technical servicing requirements and master servicing plans and policies.*

The servicing approach for Bearspaw Lakefront Estates seeks efficiencies through reduced footprints and reduced infrastructure runs, which is also consistent with the draft SASP, in addition to exploring opportunities for on-site storage and treatment of storm water and waste water treatment systems.

7 Implementation

7.1 Proposed Land Use Designations

The site for Bearspaw Lakefront Estates has a Residential One (R-1) land use designation, which is appropriate for the intended development described in this Conceptual Scheme.

7.2 Proposed Architectural and Landscape Design Controls

To achieve the objective of creating a high quality community that is harmonious with the nature of the community and site, Bearspaw Lakefront Estates will implement comprehensive architectural and landscaping guidelines. At the development phases, all builders will be required to conform to these guidelines prior to receiving a building permit. After the Homeowners Association is formed, the guidelines will be incorporated into the Bylaws of the Association, ensuring continued compliance.

The guidelines will incorporate principles including, but not limited to:

- **Dark Sky** – A valued benefit of country residential living is the enjoyment of a dark sky, free from the amount of light pollution found in more urban environments. The residents of Bearspaw Lakefront Estates and surrounding communities should be able to continue clearly seeing the stars at night with the inclusion of Dark Sky Principles in the development guidelines.
- **Community Character** – Architectural controls will guide development of all buildings within Bearspaw Lakefront Estates to create a neighbourhood that not only has its own strong identity, but also enhances the existing character of the Central Springbank Community.
- **Low Impact Landscaping** – The local topography, vegetation, and climate will guide landscaping throughout Bearspaw Lakefront Estates with the goal of maintaining the aesthetic of the natural native landscape as well as reducing impact on the environment.
- **Conservation and Site Development Guidelines** – Bearspaw Lakefront Estates contains various natural amenities including slopes, ravines and stands of native aspen trees. While the public open space has been designed to include much of these features, it is important that they are also incorporated into the homesites wherever possible. Site development guidelines will identify a suitable building and construction envelop as well as conservation areas on the homesite, where appropriate.

Policy 7.1 Architectural, Landscape, and Site development guidelines shall be registered against title of all properties and/or the Homeowners Association Bylaws prior to or concurrent with the final Plan of Survey. These guidelines shall, to the satisfaction of the County:

- a) ensure a consistent standard of design;*
- b) establish certain use restrictions [i.e. dog kennels];*
- c) encourage the preservation of existing trees on residential lots outside of the building envelope, where appropriate;*
- d) ensure the use of environmental technologies to promote energy efficiency and low impact construction practices;*

- e) *require the incorporation of reduced water usage technologies in all buildings;*
- f) *promote Fire Smart principles; and*
- g) *establish Dark Sky principles.*

Following the conservation design approach guiding the development for Bearspaw Lakefront Estates, rolling landscaped areas shall be provided along key sections of the boundaries of the proposed project to reduce the visual impact of new development on the neighbouring lands. The meandering terrain will also help to provide sound attenuation from surrounding roadways. The landscaping will blend with the natural topography of the land so as not to look “engineered”. The planting of local tree and grass species, to add to the visual screening of the site, may be located along and/or on top of the landscaped area.

The extensive open space, trails, amenities and landscaping can have a very positive effect on residential lot values, even at longer distances from the amenity and on adjacent residential parcels. To further protect and enhance the value of properties in and adjacent to Bearspaw Lakefront Estates, the sites natural drainages are being preserved and storm ponds are being planned. A landscape plan will enhance and rehabilitate areas of Bearspaw Lakefront Estates and around the perimeter of the Planning area that have been previously disturbed.

Policy 7.2 A Landscape Plan for Bearspaw Lakefront Estates shall be submitted by the Developer prior to subdivision approval of each Phase, prepared by a qualified Landscape Architect, to the satisfaction of the Municipality, and shall include:

- a) *the alignment and classification of the trail network through Bearspaw Lakefront Estates;*
- b) *naturalized plantings in Bearspaw Lakefront Estates;*
- c) *LID principles;*
- d) *landscaping on the perimeter boundaries of Bearspaw Lakefront Estates to help provide additional screening for adjacent residents;*
- e) *the preservation where possible of natural vegetation, existing topography and wetlands;*
- f) *the use of native plantings that provide protection of riparian habitats;*
- g) *the re-introduction of native or naturalized parkland landscape, where appropriate;*
- h) *landscaping within the proposed road network.*

Policy 7.3 Implementation of the Landscape Plan shall be through the Development Agreement at the time of subdivision endorsement.

7.3 Subdivision Transitioning and Edge Treatments

To maintain the rural character along the adjacent Calling Horse Road (Range Road 31) and Rodeo Drive, as well as enhance privacy and quiet for residents, Bearspaw Lakefront Estates will feature a landscaped berm along portions of the perimeter of the development cells. This berm will be planted with native trees and grasses and provide a screen between Calling Horse Drive (Range Road 31), Rodeo Drive and existing residences. The view of the valley on the subject parcel from the roadway will remain and contribute to the rural, open feel.

Lot locations have been reconfigured to better transition with adjacent lands. The homesites around the outside of the plan area have been made as large as feasible, with the smallest homesites contained within the interior. The Homeowners Association will ensure that landscaping, maintenance, and architectural design quality is upheld to a standard expected in Central Springbank.

The significant amount of land proposed as public gives greater assurance that open space and conserved natural areas remain consistent features of the area. Bearspaw Lakefront Estates will also implement Dark Sky Guidelines to maintain the dark sky and visibility of the stars that adjacent Central Springbank residents' value.

7.4 Subdivision Phasing Strategy

Exhibit 13 illustrates the proposed phasing plan of Bearspaw Lakefront Estates.

Phase 1 will ensure that the appropriate services and infrastructure are efficiently put in place, including the wastewater management system, and comprise a balance of all land uses proposed within this Conceptual Scheme. This assists in creating the core character of the Bearspaw Lakefront Estates neighbourhood in the initial phases of development.

Policy 7.4 To accommodate market conditions, the order of actual development may vary from the proposed phasing plan without requiring amendment to this Conceptual Scheme.

7.5 Subdivision Naming

The name of the overall subdivision will be determined after Conceptual Scheme approval. The name selected will be a reflection of community and professional input to reflect the significant historical, geographical, and branding components that will most benefit the site and community. For example, a potential name for the subject lands may be "The Forest at..."

Policy 7.5 The final naming of the subdivision and internal roads will be determined at the appropriate time. The naming process will involve public and professional input with the objective of reflecting historical, geographic, and other positive traits to benefit the site and community.

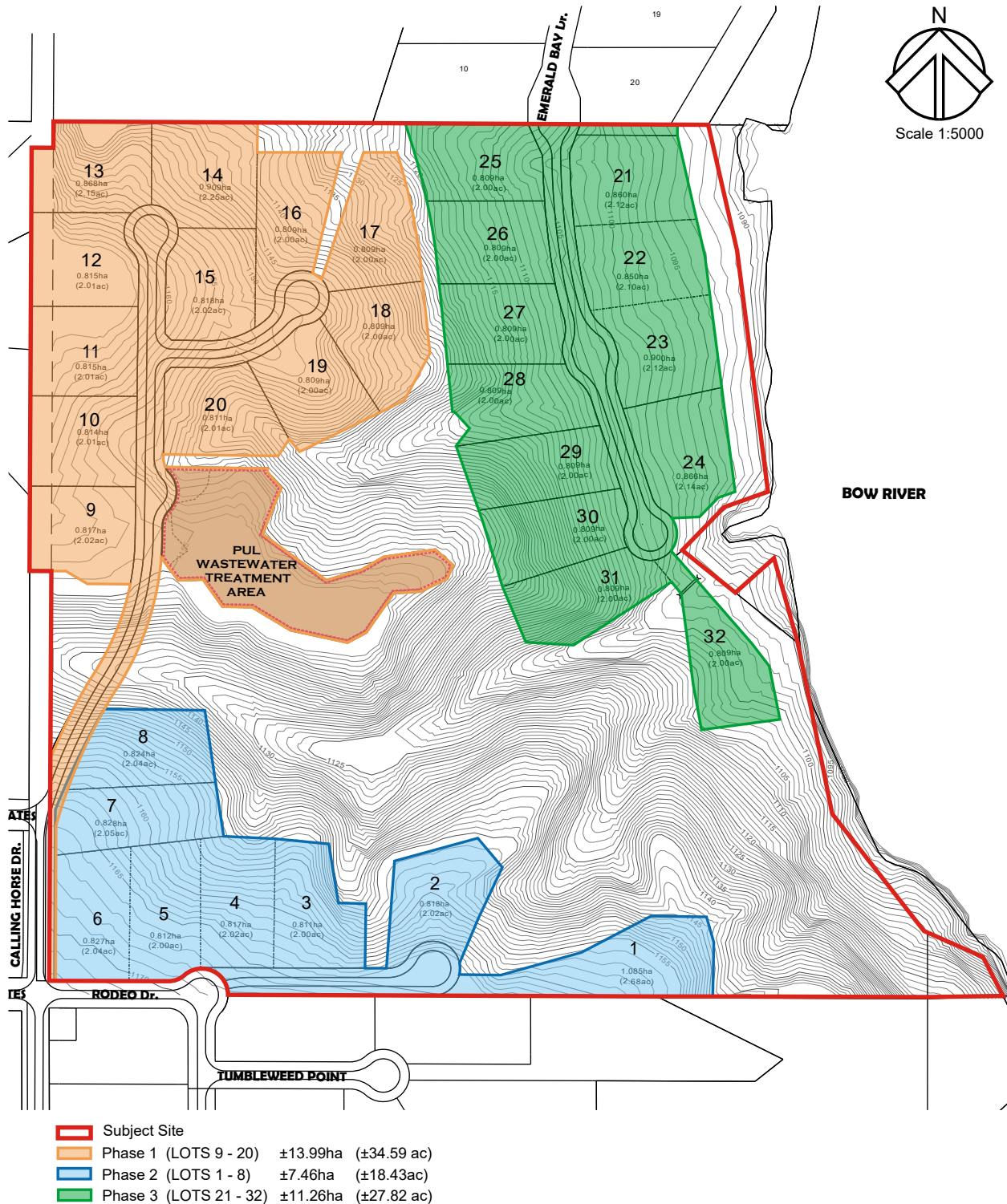
8 Policy Summary

Policy 2.1 Policies contained in this Conceptual Scheme shall apply to lands identified in Exhibit 2 – Planning Area.

Policy 3.1 A Historic Resources Impact Assessment for palaeontological resources is to be conducted on behalf of the proponent by a palaeontologist qualified to hold a palaeontological research permit within the Province of Alberta. Results of the Historic Resources Impact Assessment for paleontological resources must be reported to Alberta Culture, Multiculturalism and Status of Women and subsequent Historical Resources Act approval must be granted before development proceeds.

Policy 3.2 A Historic Resources Impact Assessment for archaeological resources is to be conducted on behalf of the proponent by an archaeologist qualified to hold an archaeological research permit within the Province of Alberta. Results of the Historic Resources Impact Assessment for archaeological resources must be reported to Alberta Culture, Multiculturalism and Status of Women and subsequent Historical Resources Act approval must be granted before development proceeds.

SUBDIVISION PHASING PLAN



- Policy 4.1 Subdivision of land within the Bearspaw Lakefront Estates planning area shall be generally in accordance with Exhibit 5. The final size, configuration and design of individual parcels and road system proposed through subdivision shall be identified on the tentative plan for subdivision approval.*
- Policy 4.2 Residential lot sizes within Bearspaw Lakefront Estates shall be a minimum of 0.8 hectares (2.0 acres) and a maximum of 1.08 hectares (2.68 acres).*
- Policy 4.3 There shall be a maximum of 32 residential units within Bearspaw Lakefront Estates.*
- Policy 4.4 An open space network within the planning area, including the delineation of public and private land, shall be constructed by the developer, as generally shown in Exhibit 9, to the satisfaction of the County.*
- Policy 4.5 The Developer shall dedicate Municipal Reserve in accordance with Exhibit 9 at the time of subdivision, subject to a review of Environmental Reserve/ Environmental Easement requirements. Municipal Reserve shall be developed in a form acceptable to the County at the time of dedication. Notwithstanding the provisions of the Municipal Government Act, the Developer is committed to the provision of Municipal Reserve in accordance with Exhibit 9 of this Conceptual Scheme.*
- Policy 4.6 The pathway and trail system (Local, Rustic) within the planning area, as generally shown in Exhibit 10, shall be constructed by the Developer, to the satisfaction of the County.*
- Policy 4.7 The pathway and trail system (Local, Rustic) within the Planning area, as generally shown in Exhibit 10, shall be publicly accessible.*
- Policy 4.8 Pathways and trails including road crossings (crossing requirements and locations to be determined at the time of subdivision) shall be constructed in accordance with the descriptions in the County's Pathways and Trail Classification and the requirements of the County's Servicing Standards and shall be situated outside any proposed road widening.*
- Policy 4.9 The pathway and trail system (Local, Rustic) within the planning area, as generally shown in Exhibit 10, shall be maintained by the Bearspaw Lakefront Estates Homeowners Association through an agreement to be determined with the County at the subdivision stage.*
- Policy 4.10 A complete road system, including pathway crossings, within the planning area shall be constructed by the Developer as generally shown in Exhibit 11, to the satisfaction of the County.*
- Policy 4.11 Primary access to Bearspaw Lakefront Estates shall be from Calling Horse Drive (Range Road 31) and Emerald Bay Drive as shown in Exhibit 11, to the satisfaction of the County.*
- Policy 4.12 An updated Traffic Impact Assessment will be required prior to subdivision approval.*
- Policy 4.13 Each phase of development will require updates to the Traffic Impact Assessment.*
- Policy 4.14 All upgrades required by the Traffic Impact Assessment and not completed by Alberta Transportation shall be provided by the Developer to the satisfaction of Rocky View County and Alberta Transportation. Upgrade costs may be proportionally distributed among developers in the area.*
- Policy 4.15 Overall density of residential development within the planning area shall not exceed 1.73 units per gross hectare (4.28 units per gross acre).*

- Policy 5.1 The planning area shall be serviced through individual groundwater wells located on each lot. If deemed necessary, water servicing options for the future include licensed withdrawal from the Bow River and/or potential connection to existing water co-ops servicing the area. Supplementary water reservoirs shall be considered to the satisfaction of the County and the RVWC.*
- Policy 5.2 Bearspaw Lakefront Estates shall implement water conservation practices that reduce the amount of potable water consumed. Such conservation measures may include:*
- a) A requirement for all buildings to install low-flow water fixtures;*
 - b) A requirement for all development to utilize drought resistant landscaping and rainwater collection systems.*
- Policy 5.3 Sanitary sewage service shall be provided by a communal wastewater system, as per County Policy #449, Performance Requirements for Wastewater Treatment Systems, that provides secondary wastewater treatment to the satisfaction of the County.*
- Policy 5.4 The communal wastewater system proposed for installation within the planning area shall meet or exceed engineering standards and specifications established by the County and the Province.*
- Policy 5.5 The ownership, operation and maintenance of the communal system shall be the initial responsibility of the Developer and then transferred to the County at no cost on a deficiency free basis in accordance with the terms set out in a Transfer Agreement, which shall be entered into between the Developer and the County prior to subdivision approval, as per County Policy #430, Communal Wastewater System Management.*
- Policy 5.6 The location and type of the communal wastewater system, and final size of dispersal field shall be determined prior to subdivision approval.*
- Policy 5.7 The components of the communal wastewater system shall be located within individual residential lots, road Right-of-Ways and/or Public Utility Lots.*
- Policy 5.8 Consent to waive setback distance for the Bearspaw Lakefront Estates Wastewater Treatment Facility and Dispersal Field shall be received from Alberta Environment and Alberta Health Services prior to subdivision approval.*
- Policy 5.9 A stormwater management system designed for the Bearspaw Lakefront Estates Planning Area shall be prepared prior to subdivision approval. This plan shall:*
- a) Adhere to the stormwater management principles of this Conceptual Scheme, the Springbank Context Study, and the Central Springbank Area Structure Plan to the satisfaction of the County.*
 - b) Undertake an assessment of drainage patterns and provide appropriate mitigation measures to resolve any drainage issues within and adjacent to the site.*
 - c) Meet or exceed Springbank Master Drainage Plan (MPE Engineering, 2016) guidelines for peak annual rates and volume of discharge of post-development stormwater.*
- Policy 5.10 Alterations to the existing pre-development stormwater drainage pattern within the Planning Area shall proceed in accordance with an approved Stormwater Management Plan and require all appropriate Provincial approvals regarding alterations to existing drainage courses within the proposed development site.*

- Policy 5.11 The stormwater management system should incorporate Low Impact Development (LID) strategies and technologies in its design that will consider ways to implement the following:*
- a) Preserve, where possible the existing landform in the subdivision and development concept and minimize extensive stripping and grading during the development of Bearspaw Lakefront Estates;*
 - b) Preserve, protect and enhance, where possible, existing natural spaces in the landscape that promote riparian habitat and natural vegetation to attract wildlife and enhance recreational opportunities, and utilize these spaces in the overall design of the stormwater management system;*
 - c) Adopt a development strategy focused upon the reduction of impermeable areas throughout Bearspaw Lakefront Estates; and*
 - d) Promote the use of rain barrels and cisterns to retain and reuse stormwater.*
- Policy 5.12 A solid waste and recycling management plan shall be prepared for Bearspaw Lakefront Estates prior to endorsement of subdivision. Implementation of a solid waste and recycling management plan shall be the responsibility of the Developer and/or the Bearspaw Lakefront Estates Homeowners Association.*
- Policy 5.13 Shallow utilities shall be provided by the appropriate utility company providing service to Bearspaw Lakefront Estates at the sole expense of the Developer. The Developer shall provide easements to any utility company requiring them to provide services to Bearspaw Lakefront Estates.*
- Policy 5.14 The Site Development Guidelines shall include Fire Smart principles, to the satisfaction of the Municipality.*
- Policy 5.15 Dry fire suppression infrastructure shall be provided in main building structures through dry fire suppression systems that are consistent with Rocky View County policy (C-7259-2013, as amended) and standards.*
- Policy 7.1 Architectural, Landscape, and Development guidelines shall be registered against title of all properties and/or the Homeowners Association Bylaws prior to or concurrent with the final Plan of Survey. These guidelines shall, to the satisfaction of the County:*
- a) the alignment and classification of the trail network through Bearspaw Lakefront Estates;*
 - b) naturalized plantings in Bearspaw Lakefront Estates;*
 - c) LID principles;*
 - d) landscaping on the perimeter boundaries of Bearspaw Lakefront Estates to help provide additional screening for adjacent residents;*
 - e) the preservation where possible of natural vegetation, existing topography and wetlands;*
 - f) the use of native plantings that provide protection of riparian habitats;*
 - g) the re-introduction of native or naturalized parkland landscape, where appropriate;*
 - h) landscaping within the proposed road network.*

Policy 7.2 A Landscape Plan for Bearspaw Lakefront Estates shall be submitted by the Developer prior to subdivision approval of each Phase, prepared by a qualified Landscape Architect, to the satisfaction of the Municipality, and shall include:

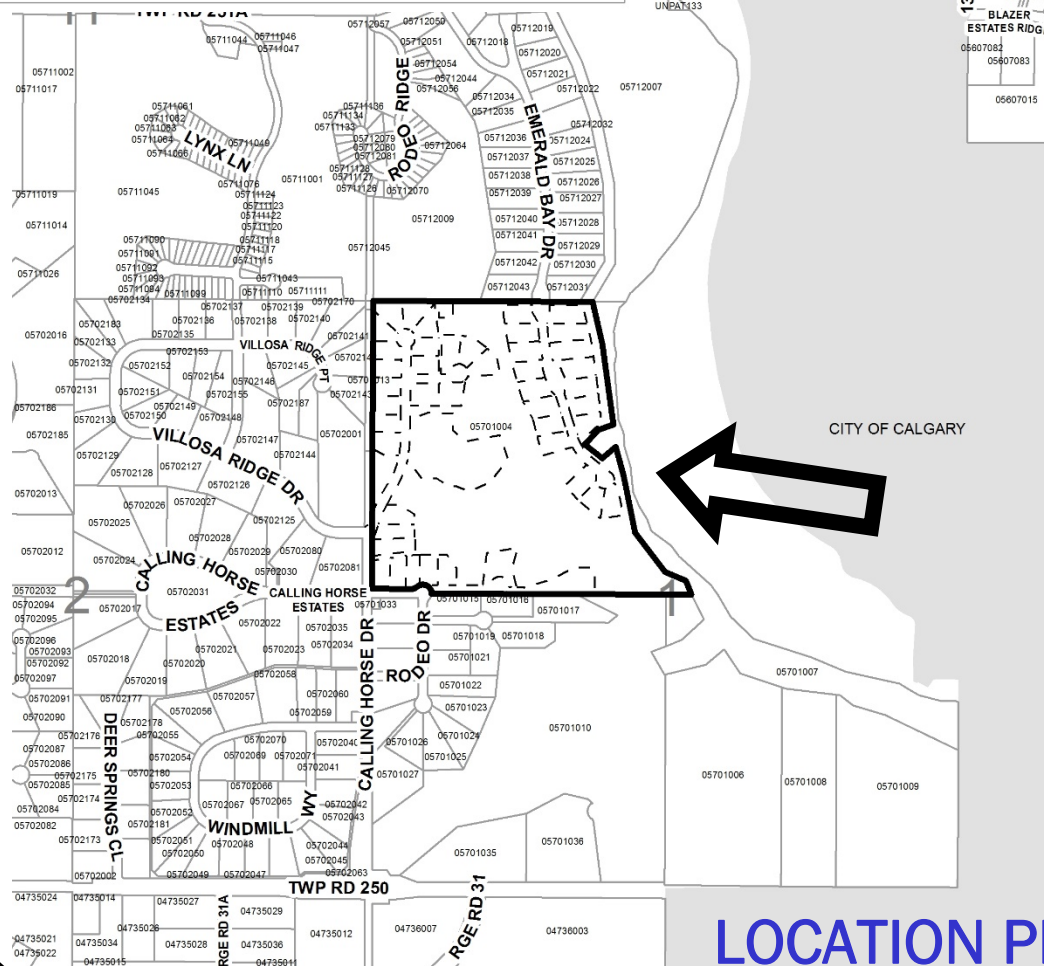
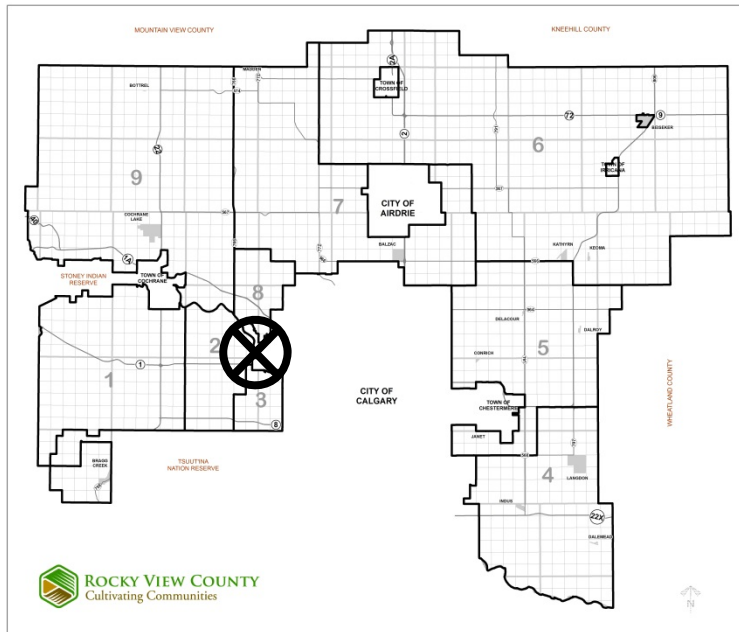
- a) the alignment and classification of the trail network through Bearspaw Lakefront Estates;*
- b) naturalized plantings in Bearspaw Lakefront Estates;*
- c) LID principles;*
- d) landscaping on much of the perimeter boundaries of Bearspaw Lakefront Estates to help provide additional screening for adjacent residents;*
- e) the preservation where possible of natural vegetation, existing topography and wetlands;*
- f) the use of native plantings that provide protection of riparian habitats; and*
- g) the re-introduction of native or naturalized parkland landscape, where appropriate.*

Policy 7.3 Implementation of the Landscape Plan shall be through the Development Agreement at the time of subdivision endorsement.

Policy 7.4 To accommodate market conditions, the order of actual development may vary from the proposed phasing plan without requiring amendment to this Conceptual Scheme.

Policy 7.5 The final naming of the subdivision and internal roads will be determined at the appropriate time. The naming process will involve public and professional input with the objective of reflecting historical, geographic, and other positive traits to benefit the site and community.

J:\39327_BrspwLnds\10.0 Reports\10.5 Text\Dec 2019 CS\PTR_BLELP-BearspawLakefrontEstates-CS_2019-12-13.docx\2019-12-13\NL



N 1/2-01-25-03-W05M

Date: Jan 23, 2017

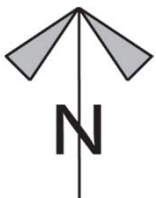
Division # 2

File: 05701004

Development Proposal: To amend the Central Springbank Area Structure Plan to include the Bearspaw Lakefront Estates Conceptual Scheme and to adopt the Bearspaw Lakefront Estates Conceptual Scheme to provide a policy framework to guide future subdivision and development proposals within N1/2-01-25-03-W5M.



DEVELOPMENT PROPOSAL

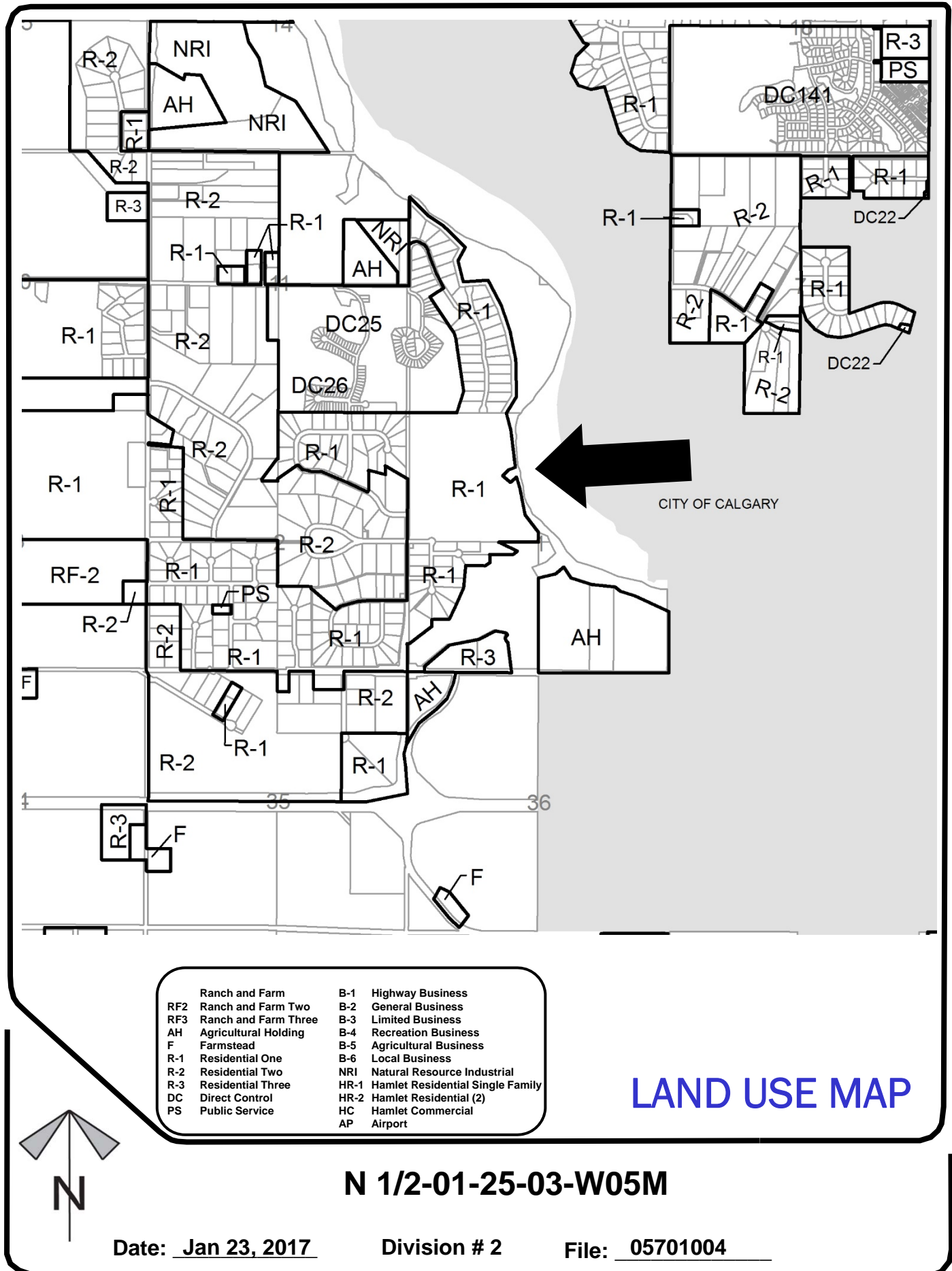


N 1/2-01-25-03-W05M

Date: Jan 23, 2017

Division # 2

File: 05701004

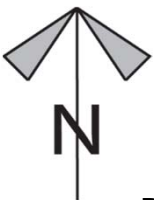




Note: Post processing of raw aerial photography may cause varying degrees of visual distortion at the local level.

AIR PHOTO

Spring 2016

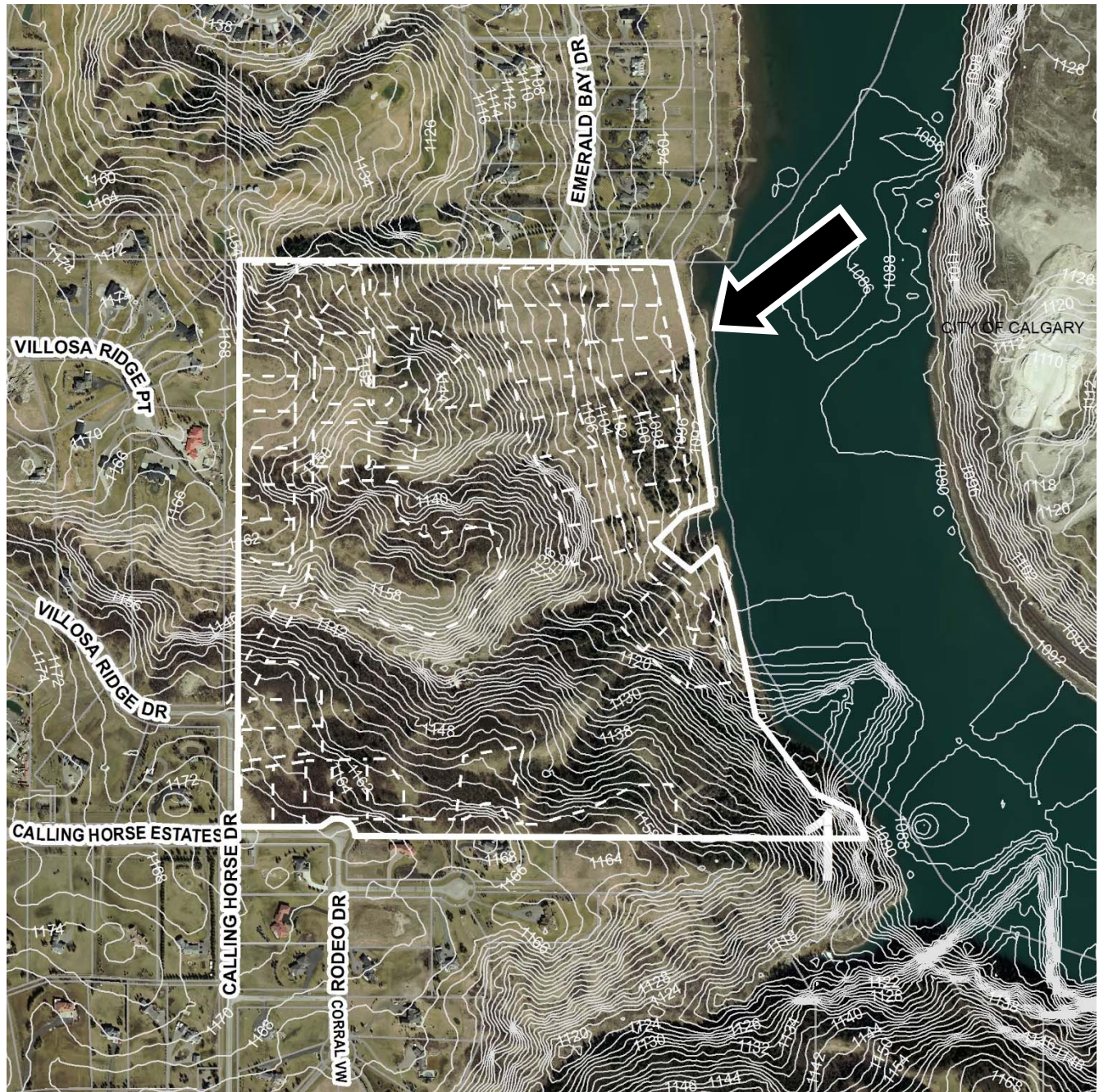


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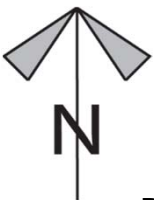
Division # 2

File: 05701004



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

TOPOGRAPHY
Contour Interval 2 M

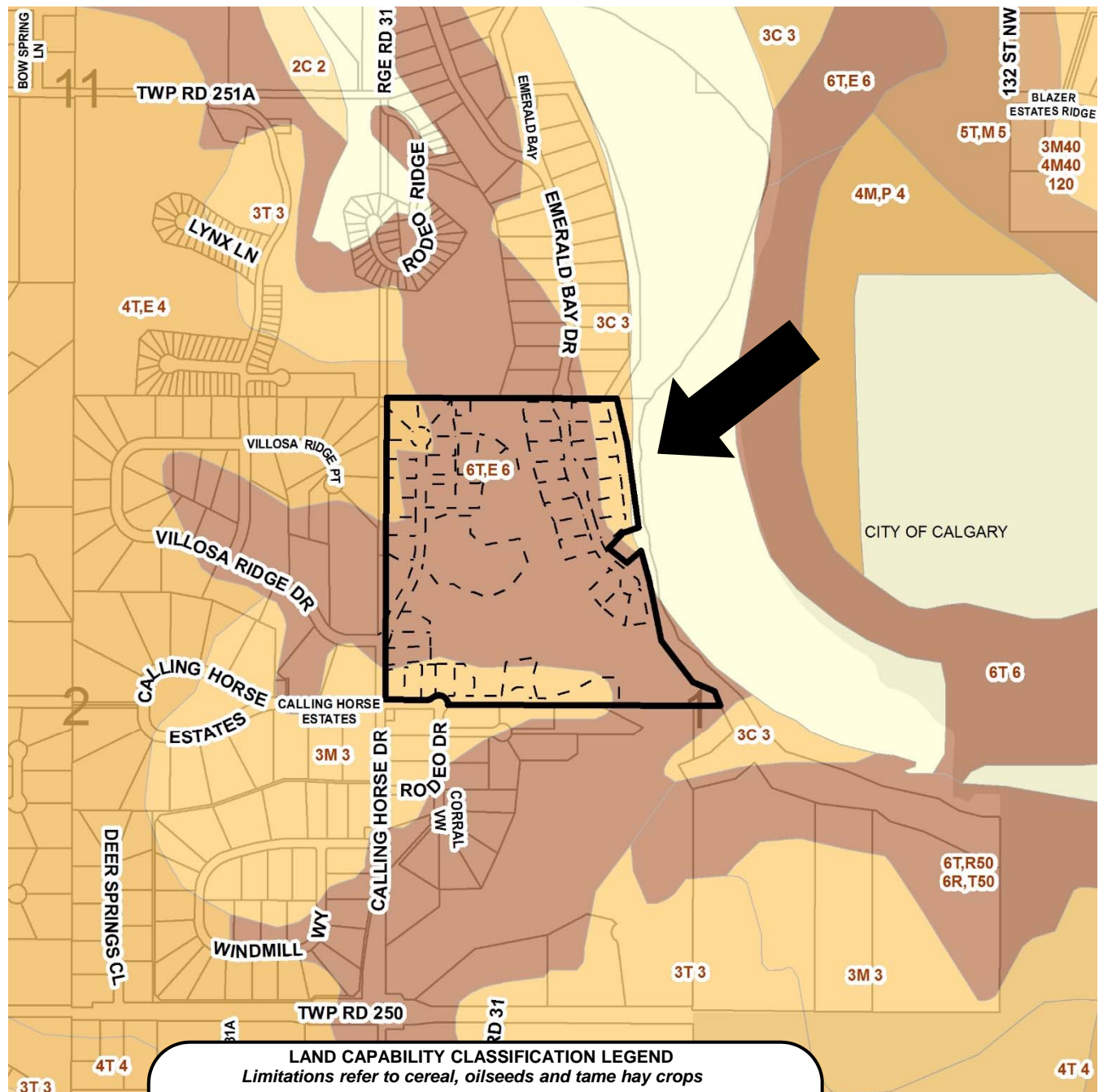


N 1/2-01-25-03-W05M

Date: Jan 23, 2017

Division # 2

File: 05701004



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

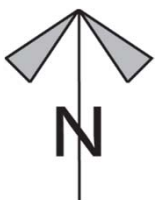
CLI Class

- 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

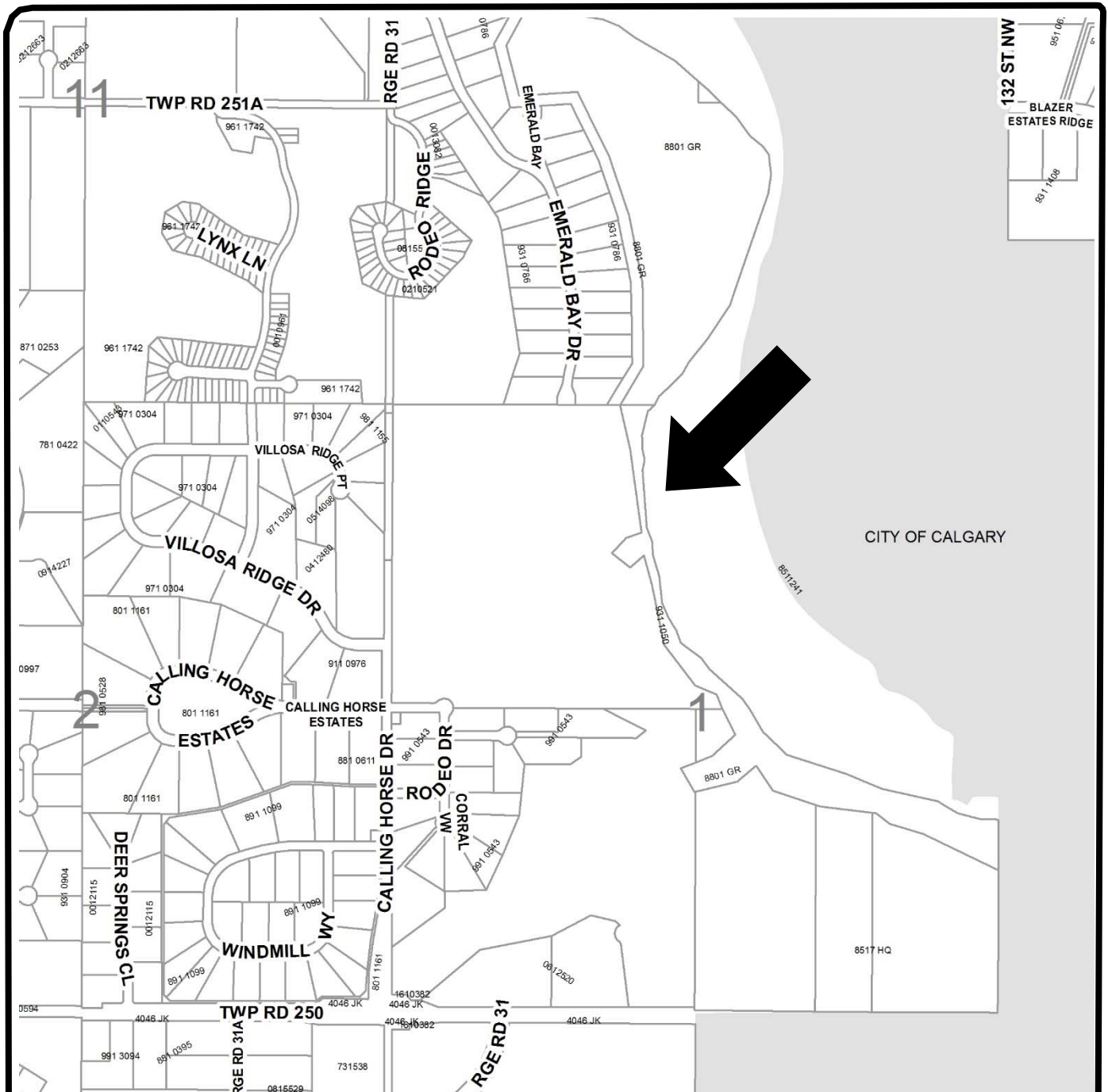


N 1/2-01-25-03-W05M

Date: Jan 23, 2017

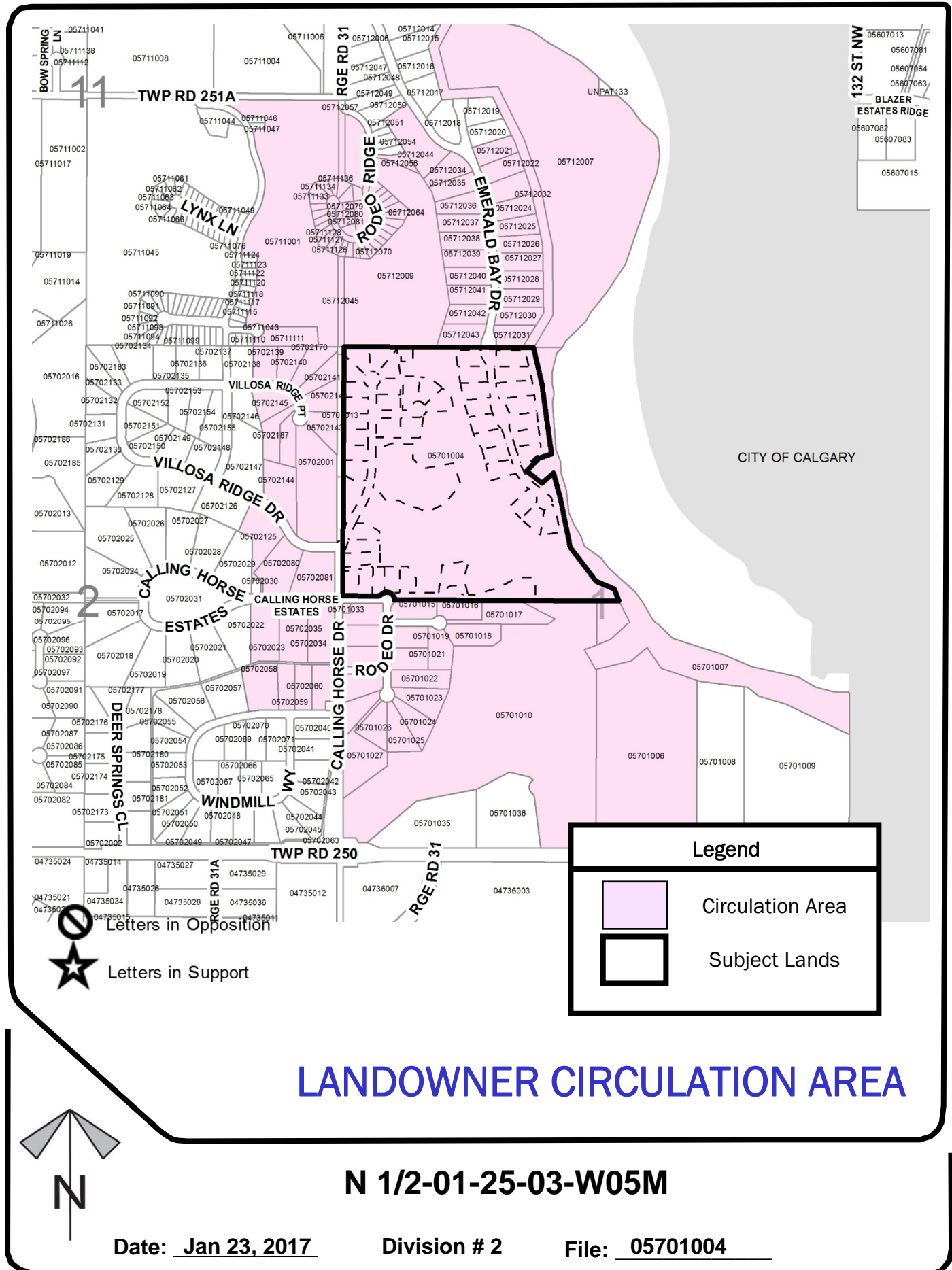
Division # 2

File: 05701004

**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**N 1/2-01-25-03-W05M**Date: Jan 23, 2017Division # 2File: 05701004



PLANNING AND DEVELOPMENT SERVICES

TO: Council

DATE: March 10, 2020 **DIVISION:** 6

FILE: 08501007 **APPLICATION:** PL20190006

SUBJECT: First Reading Bylaw – Agricultural Holdings District to Residential Two District

PURPOSE: To redesignate the subject lands from Agricultural Holdings District to Residential Two District to facilitate the creation of a ± 1.60 hectare (± 3.95 acre) parcel with a ± 7.83 hectare (± 19.35 acre) remainder.

GENERAL LOCATION: Located approximately 4.02 kilometres (2.5 miles) north of the city of Airdrie, at the southeast intersection of Township Road 280A and Dickson Stevenson Trail.

APPLICANT: Katie and Dan Smith

AFFECTED AREA: ± 23.33 acres

POLICY DIRECTION: Relevant policies for this project include the County Plan (CP), and any other applicable policies.

COUNCIL OPTIONS:

Option #1: THAT Bylaw C-7906-2019 be given first reading.

Option #2: THAT application PL20190006 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-7906-2019 and Schedule A

APPENDIX ‘B’: Map A/c



BYLAW C-7906-2019

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-7906-2019.

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. 85 of Bylaw C-4841-97 be amended by redesignating Block 2, Plan 9310095 within NW-1-28-1-W5M from Agricultural Holdings District to Residential Two District, as shown on the attached Schedule 'A' forming part of this Bylaw.

THAT Block 2, Plan 9310095 within NW-1-28-1-W05M is hereby redesignated to Residential Two District as shown on the attached Schedule 'A' forming part of this Bylaw.

PART 4 – TRANSITIONAL

Bylaw C-7906-2019 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: 6
File: 08501007 / PL20190006

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

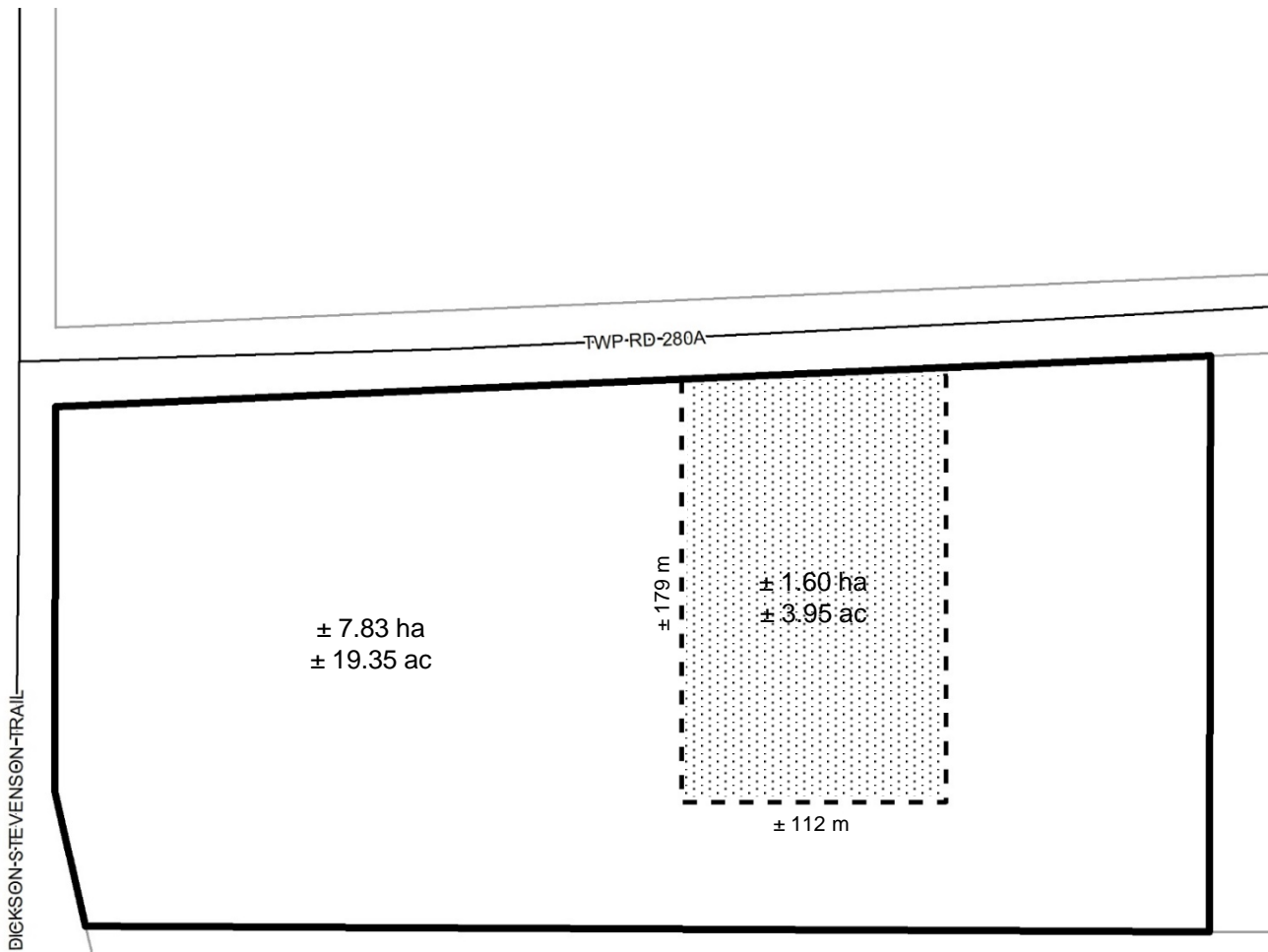
READ A THIRD TIME IN COUNCIL this _____ day of _____, 2020

Reeve

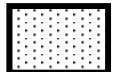
CAO or Designate

Date Bylaw Signed

SCHEDULE "A"

BYLAW: C-7906-2019

AMENDMENT

FROM Agricultural Holdings District TO Residential Two District

Subject Land _____

LEGAL DESCRIPTION: Block 2, Plan 9310095,
NW-1-28-1-W5M

ROCKY VIEW COUNTY

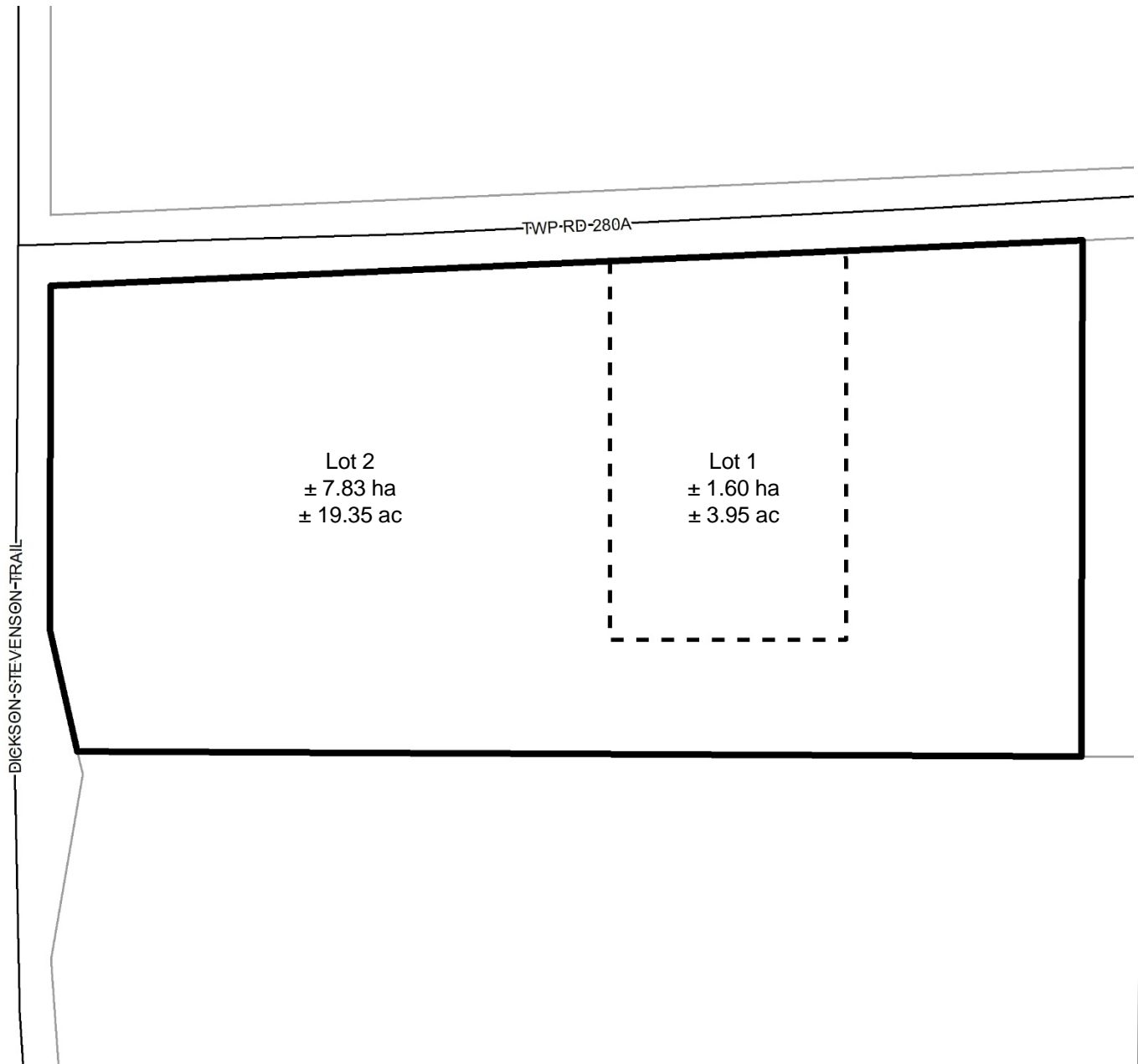
FILE: PL20190006 / 08501007

DIVISION: 6



File: 08501007

Redesignation Proposal: To redesignate the subject lands from Agricultural Holdings District (AH) to Residential Two District (R-2) in order to facilitate the creation of a ± 1.60 hectare (± 3.95 acre) parcel (Lot 1) with a ± 7.83 hectare (± 19.35 acre) remainder (Lot 2).



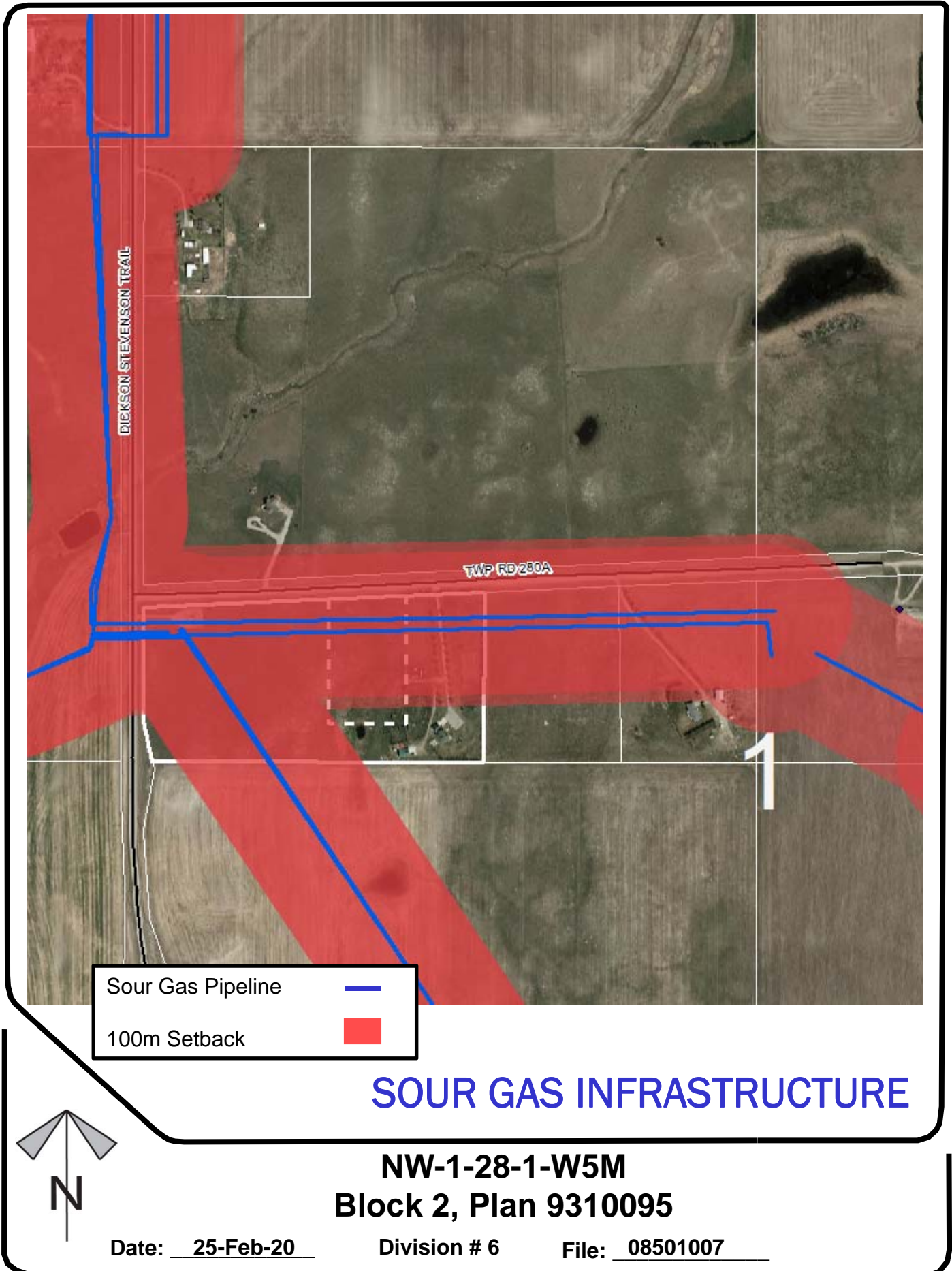
DEVELOPMENT PROPOSAL

NW-1-28-1-W5M
Block 2, Plan 9310095

Date: 25-Feb-20

Division # 6

File: 08501007





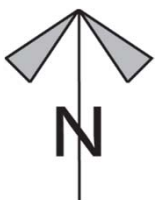
Sour Gas Pipeline



100m Setback



SOUR GAS INFRASTRUCTURE

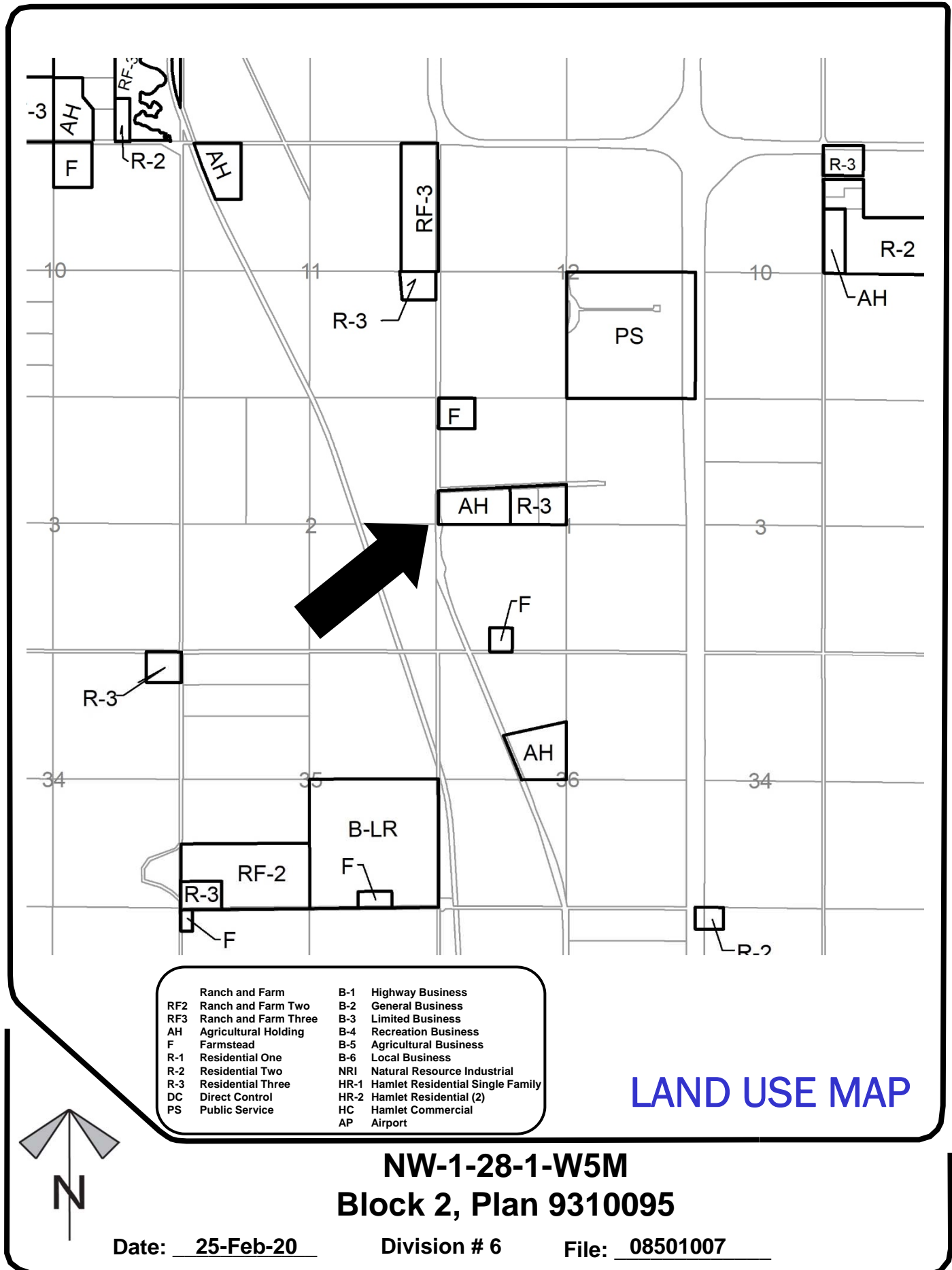


NW-1-28-1-W5M
Block 2, Plan 9310095

Date: 25-Feb-20

Division # 6

File: 08501007

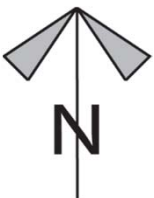




Note: Post processing of raw aerial photography may cause varying degrees of visual distortion at the local level.

AIR PHOTO

Spring 2018



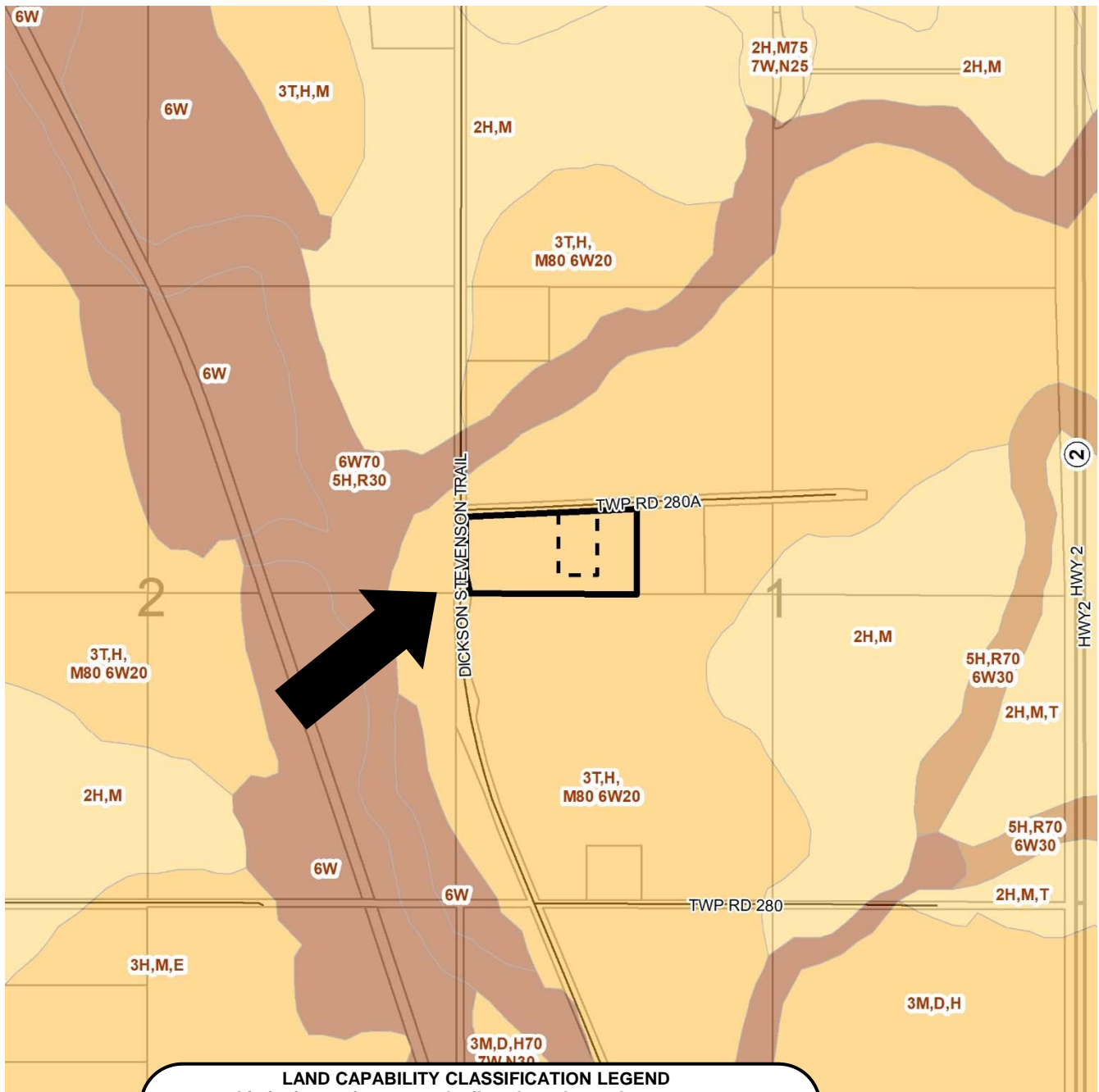
NW-1-28-1-W5M
Block 2, Plan 9310095

Date: 25-Feb-20

Division # 6

File: 08501007





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

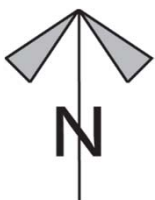
CLI Class

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- M - low moisture holding, adverse texture
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- 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



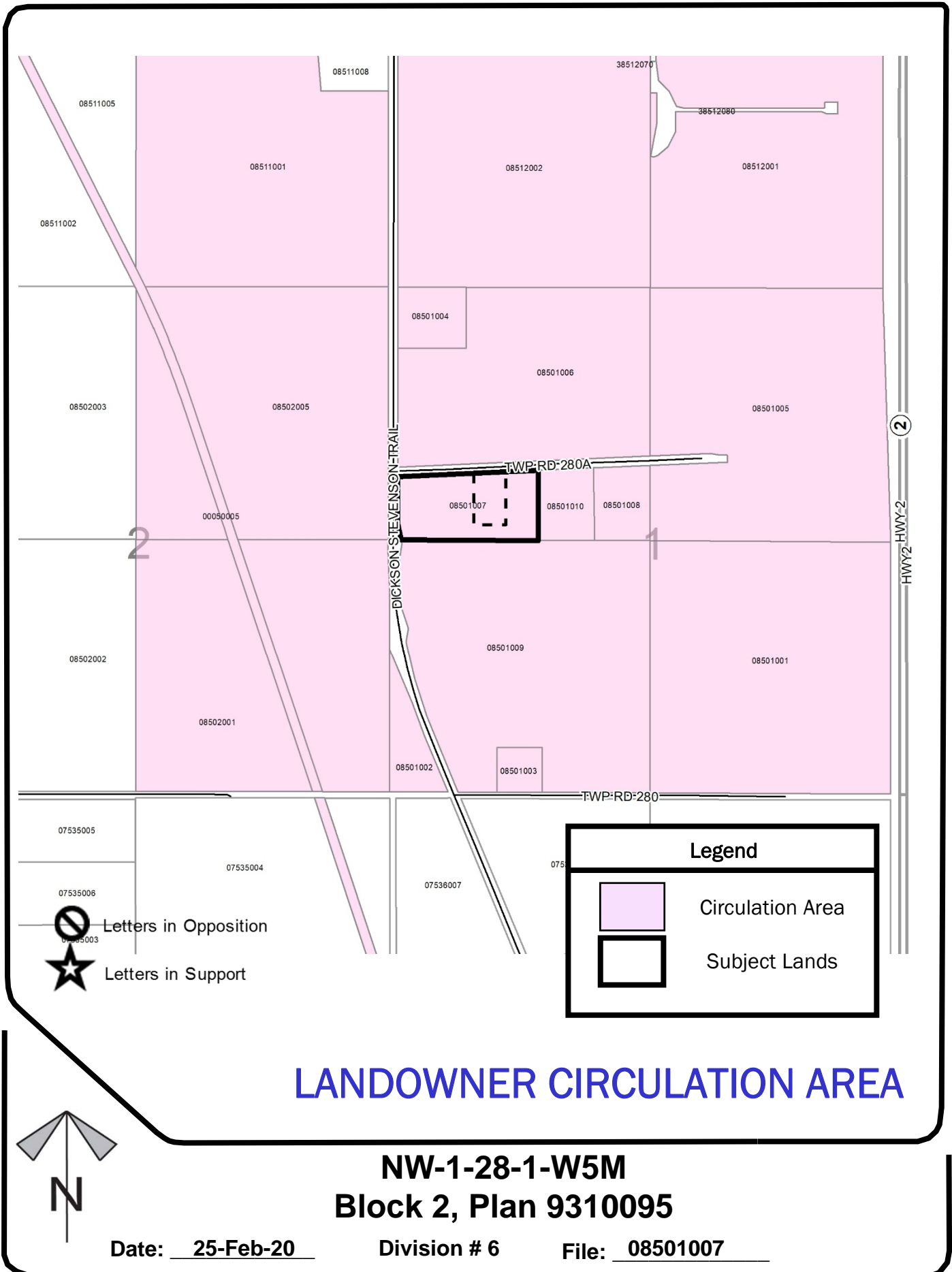
NW-1-28-1-W5M
Block 2, Plan 9310095

Date: 25-Feb-20

Division # 6

File: 08501007







PLANNING AND DEVELOPMENT SERVICES

TO: Council
DATE: March 10, 2020 **DIVISION:** 9
FILE: 06836003 **APPLICATION:** PL20190196
SUBJECT: First Reading Bylaw – Industrial Redesignation

PURPOSE: The purpose of this application is to redesignate a portion of SE-36-26-04-W5M from Ranch and Farm District to Industrial – Industrial Activity District (I-IA) to accommodate a proposed Highway Transportation Maintenance Facility.
GENERAL LOCATION: Located approximately 0.81 km (1/2 mile) south of Big Hill Springs Road on the west side of Range Road 40.
APPLICANT: Dillion Consulting Ltd.
OWNERS: J. Ian & Donna M. Airth
POLICY DIRECTION: Relevant policies for this application include the County Plan, and any other applicable policies.

COUNCIL OPTIONS:

Option #1: THAT Bylaw C-8027-2020 be given first reading.
 Option #2: THAT application PL20190196 be denied.

APPLICATION REQUIREMENTS:

This application requires standard technical requirements under policy.

Respectfully submitted,

Concurrence,

“Theresa Cochran”

“Al Hoggan”

Community Development Services

JKwan/llt

APPENDICES:

APPENDIX ‘A’: Bylaw C-8027-2020 & Schedule A
 APPENDIX ‘B’: Map Set

Administration Resources

Johnson Kwan, Planning and Development Services



ROCKY VIEW COUNTY

BYLAW C-8027-2020

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-8027-2020.

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 Maps No. 68 and 68-NE of Bylaw C-4841-97 be amended by redesignating portion of SE-36-26-04-W05M from Ranch and Farm District to Industrial – Industrial Activity District as shown on the attached Schedule 'A' forming part of this Bylaw.

THAT Portion of SE-36-26-04-W05M is hereby redesignated to Industrial – Industrial Activity District as shown on the attached Schedule 'A' forming part of this Bylaw.

PART 4 – TRANSITIONAL

Bylaw C-8027-2020 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*.

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Division: 9

File: 06836003 - PL20190196

READ A FIRST TIME IN COUNCIL this	day of	, 20
<i>PUBLIC HEARING WAS HELD IN COUNCIL this</i>	<i>day of</i>	<i>, 20</i>
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

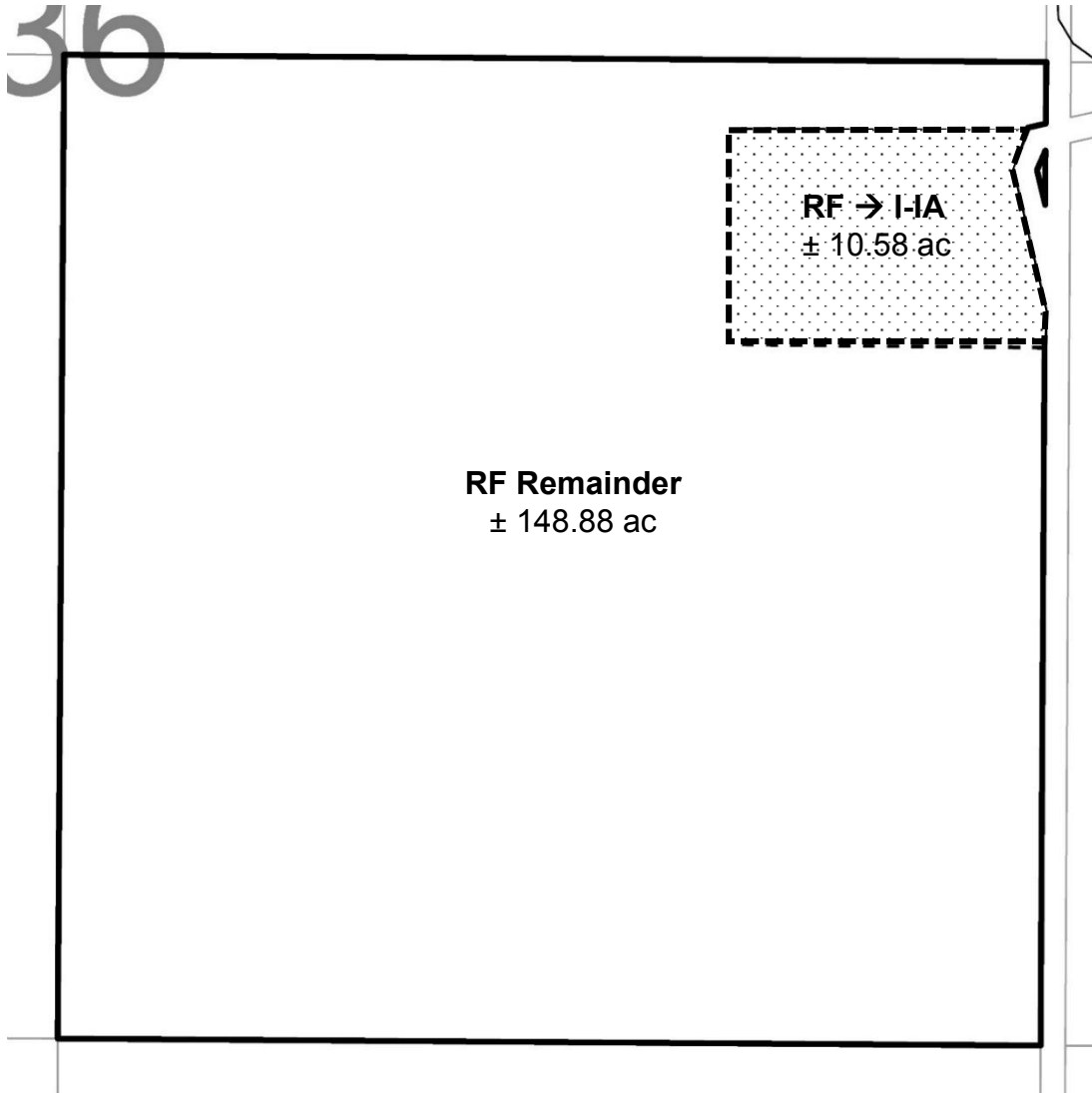
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Bylaw C-8027-2020

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Page 1 of 1

SCHEDULE "A"

BYLAW: C-8027-2020

AMENDMENT

FROM Ranch and Farm District (RF) **TO** Industrial – Industrial Activity District (I-IA)



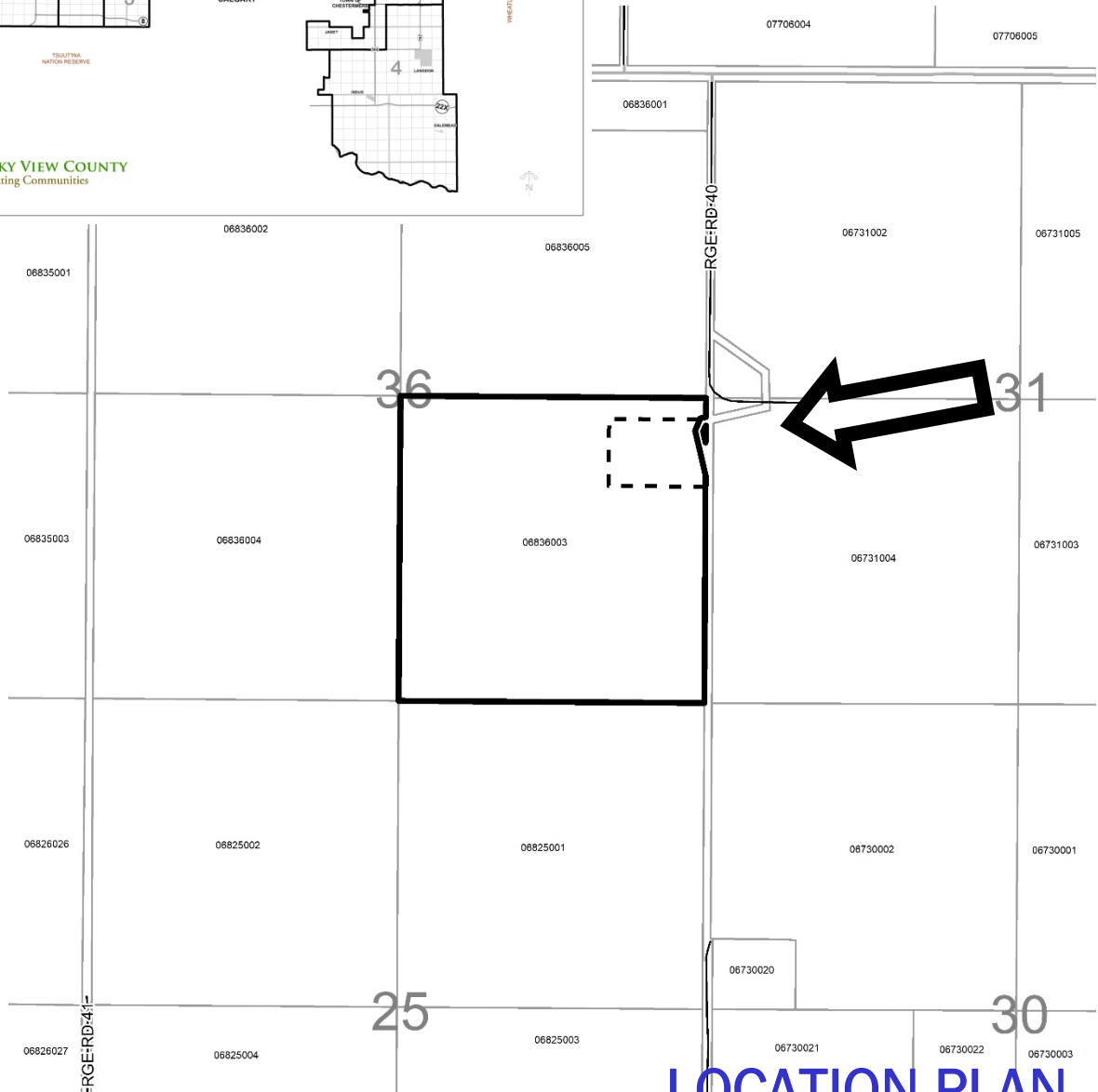
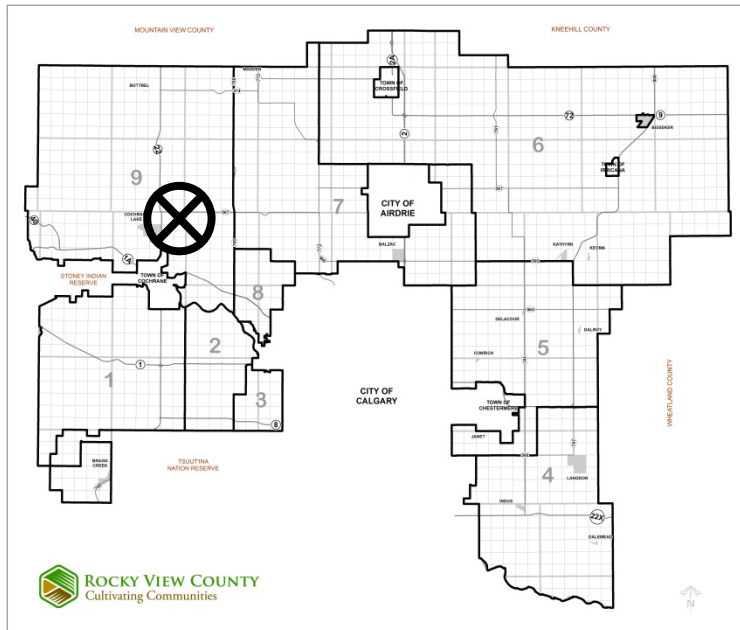
Subject Land _____

LEGAL DESCRIPTION: Portion of SE-36-26-04-W05MFILE: 06836003 - PL20190196

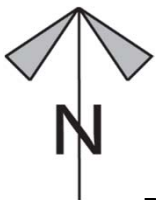
DIVISION: 9



ROCKY VIEW COUNTY
Cultivating the Future

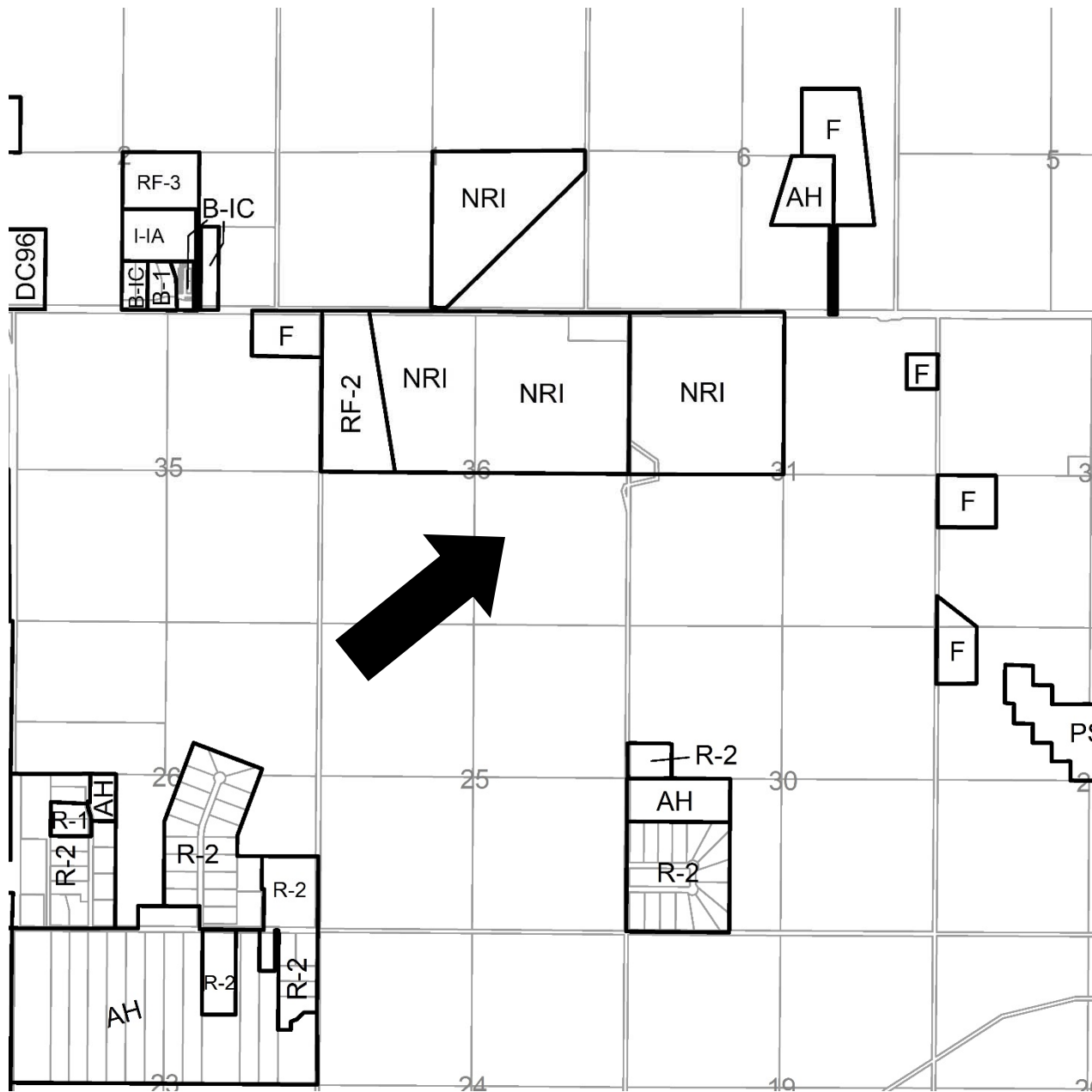


LOCATION PLAN



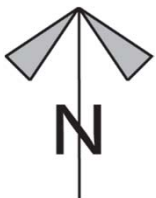
SE-36-26-04-W05M

Date: Dec 19, 2019Division # 9File: 06836003



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



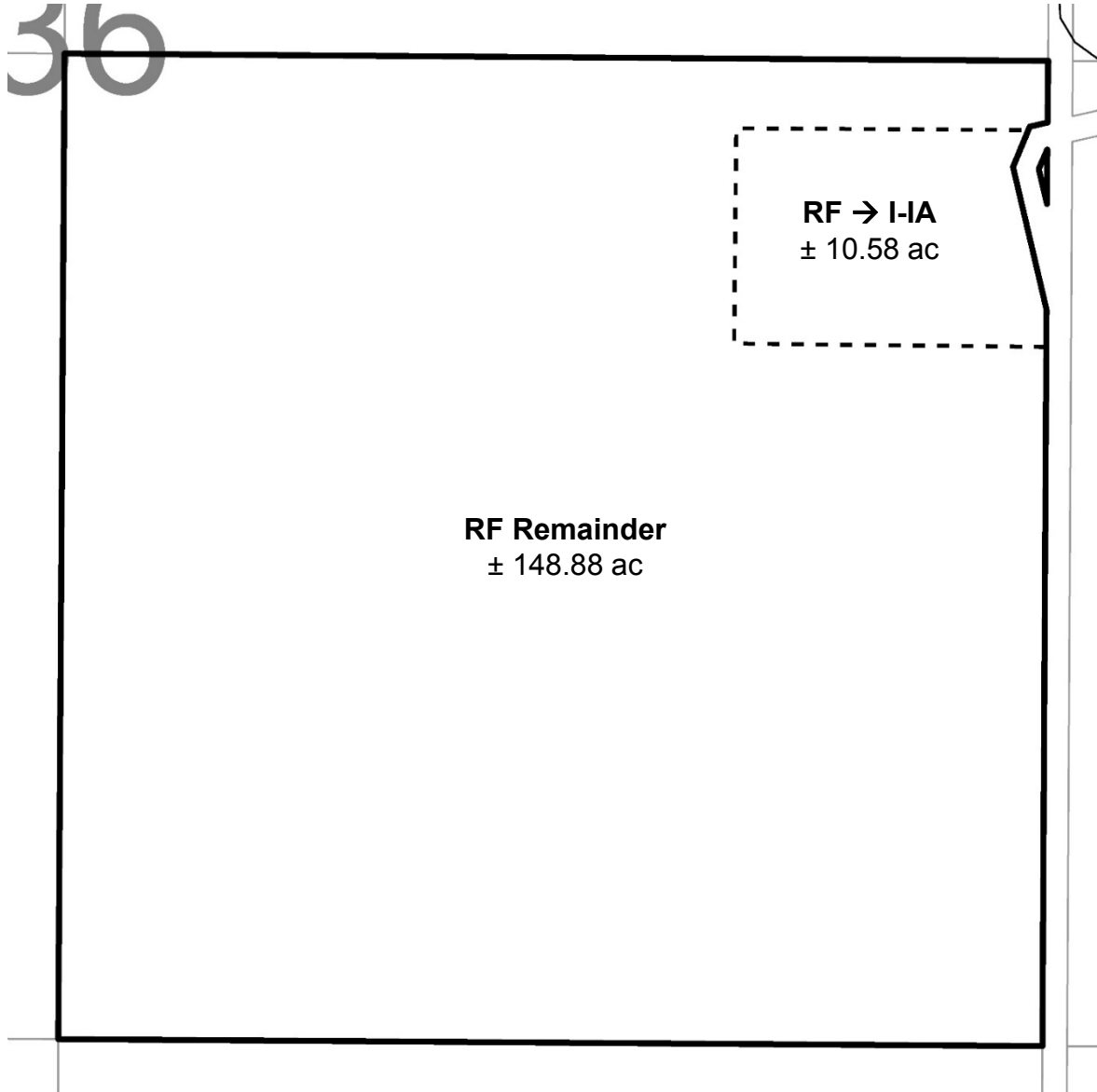
SE-36-26-04-W05M

Date: Dec 19, 2019

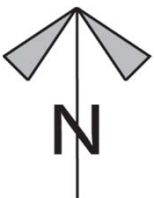
Division # 9

File: 06836003

PL20190196 Land Use Redesignation: To redesignate a portion of the subject lands (± 10.58 ac) from Ranch and Farm District (RF) to Industrial – Industrial Activity District (I-IA) to accommodate a Highway Transportation Maintenance Facility.



DEVELOPMENT PROPOSAL



SE-36-26-04-W05M

Date: Dec 19, 2019

Division # 9

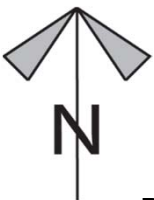
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Note: Post processing of raw aerial photography may cause varying degrees of visual distortion at the local level.

AIR PHOTO

Spring 2018

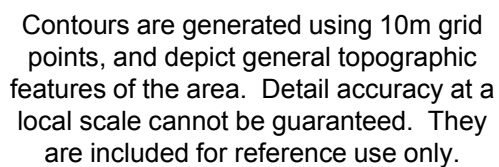


SE-36-26-04-W05M

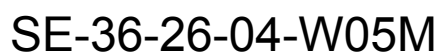
Date: Dec 19, 2019

Division # 9

File: 06836003



Contour Interval 2 M

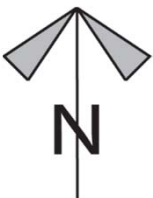


File: 06836003



Limitations refer to cereal, oilseeds and tame hay crops

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

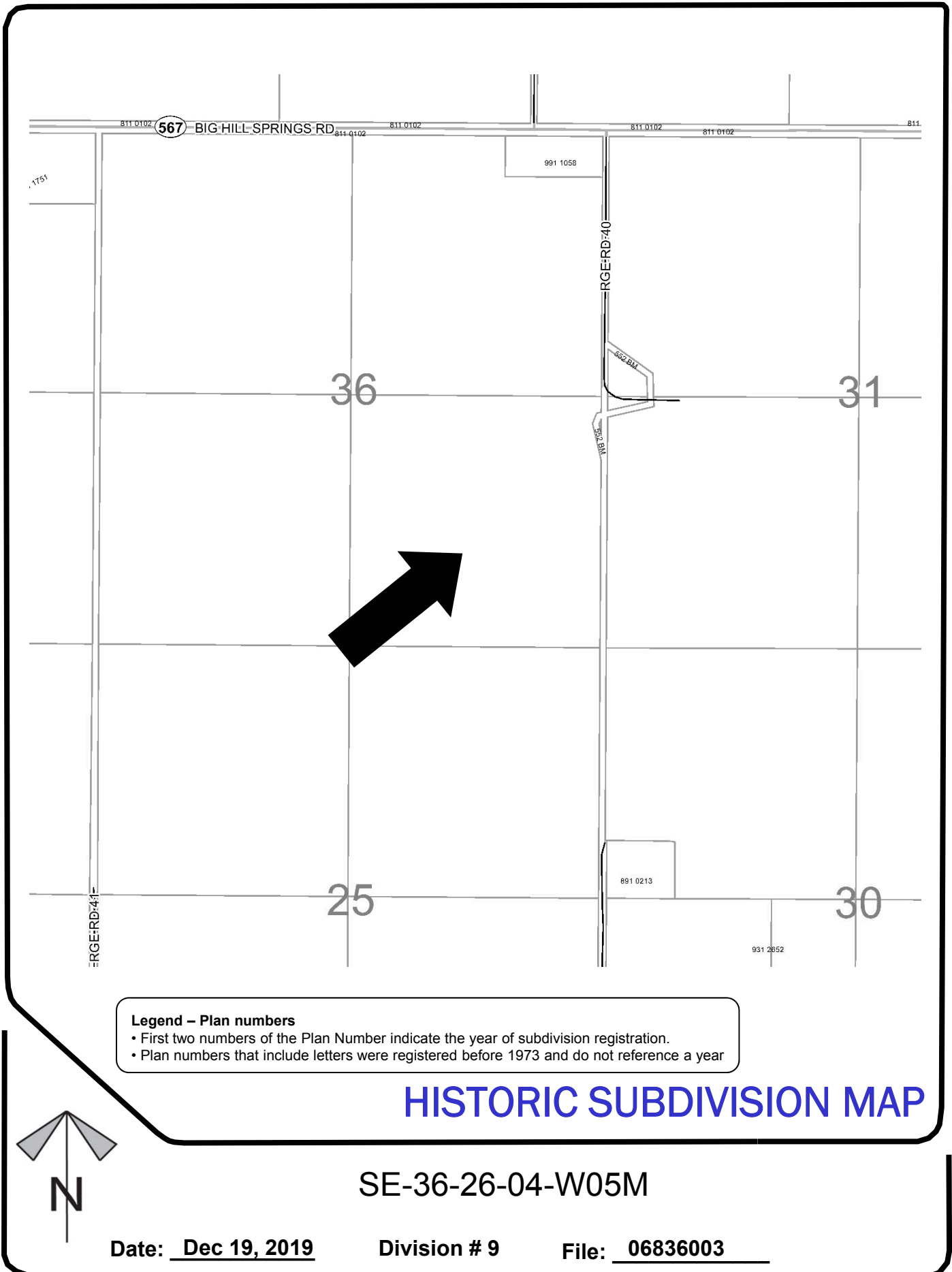


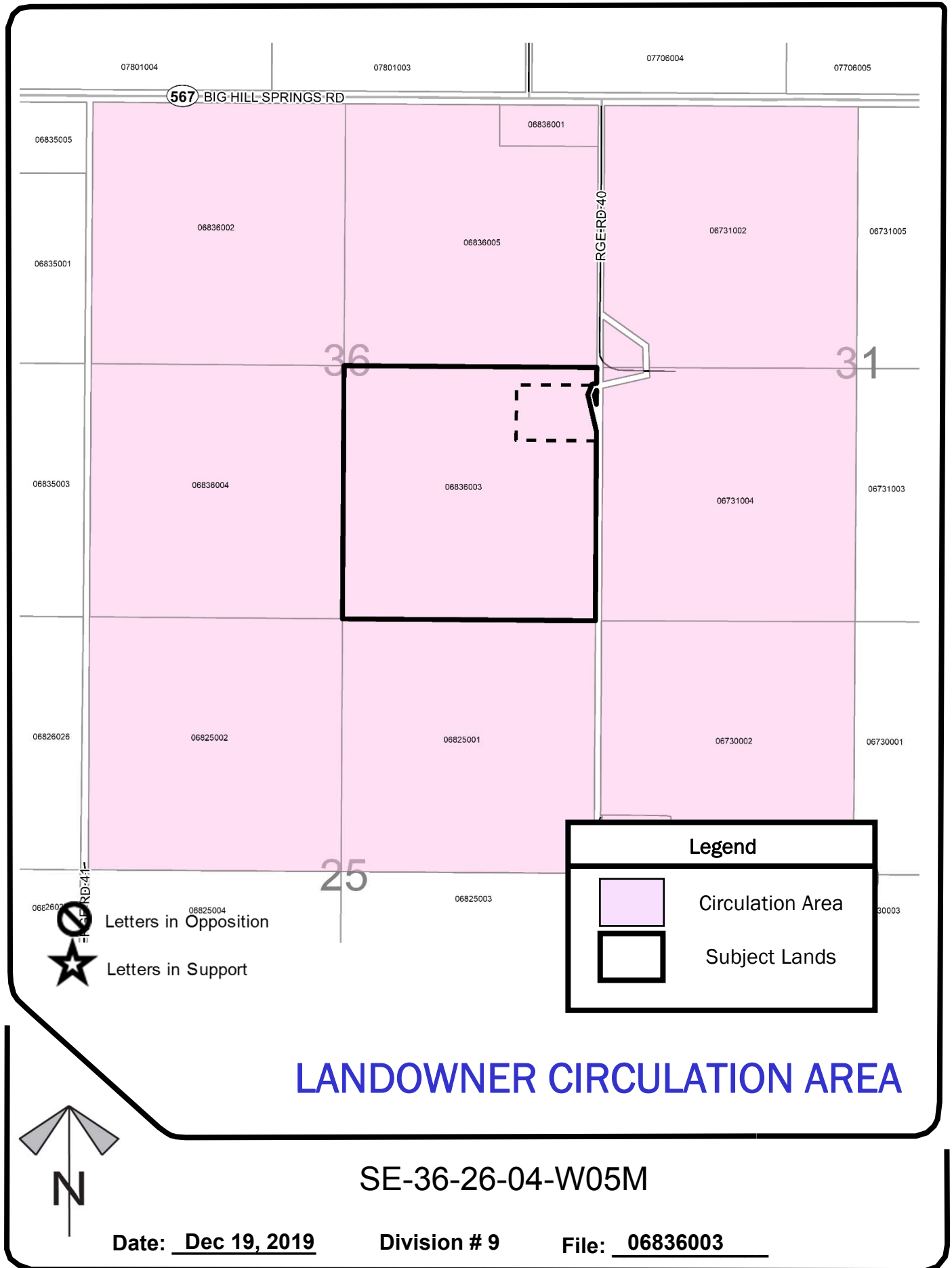
SE-36-26-04-W05M

Date: Dec 19, 2019

Division # 9

File: 06836003







PLANNING AND DEVELOPMENT SERVICES

TO: Council
DATE: March 10, 2020 **DIVISION:** 1
FILE: 03912039 **APPLICATION:** PL20190206
SUBJECT: First Reading Bylaw – Residential and Commercial Redesignation

PURPOSE: The purpose of this application is to redesignate the subject land from Residential Three District (R-3) to Residential Two District (\pm 10.8 ac) and Hamlet Commercial District (\pm 1 ac) to allow for future subdivision.
GENERAL LOCATION: Located in the hamlet of Bragg Creek, just west of Highway 22 and on the south side of Burney Road.
APPLICANT: Kimberley French
OWNERS: Judith Samson and Kimberley French
POLICY DIRECTION: Relevant policies for this application include the County Plan, the Greater Bragg Creek Area Structure Plan, and any other applicable policies.

COUNCIL OPTIONS:

Option #1: THAT Bylaw C-8028-2020 be given first reading.
 Option #2: THAT application PL20190206 be denied.

APPLICATION REQUIREMENTS:

This application requires standard technical requirements under policy.

Respectfully submitted,

Concurrence,

“Theresa Cochran”

“Al Hoggan”

Executive Director
Community Development Services

Chief Administrative Officer

JKwan/lt

APPENDICES:

APPENDIX ‘A’: Bylaw C-8028-2020 & Schedule A
 APPENDIX ‘B’: Map Set

Administration Resources

Johnson Kwan, Planning and Development Services



ROCKY VIEW COUNTY

BYLAW C-8028-2020**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-8028-2020.

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 Maps No. 39 and 39-SE of Bylaw C-4841-97 be amended by redesignating Lot 6, Block 3, Plan 1611299 within NE-12-23-05-W05M from Residential Three District to Residential Two District and Hamlet Commercial District as shown on the attached Schedule 'A' forming part of this Bylaw.

THAT Lot 6, Block 3, Plan 1611299 within NE-12-23-05-W05M is hereby redesignated to Residential Two District and Hamlet Commercial District as shown on the attached Schedule 'A' forming part of this Bylaw.

PART 4 – TRANSITIONAL

Bylaw C-8028-2020 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: 03912039 - PL20190206

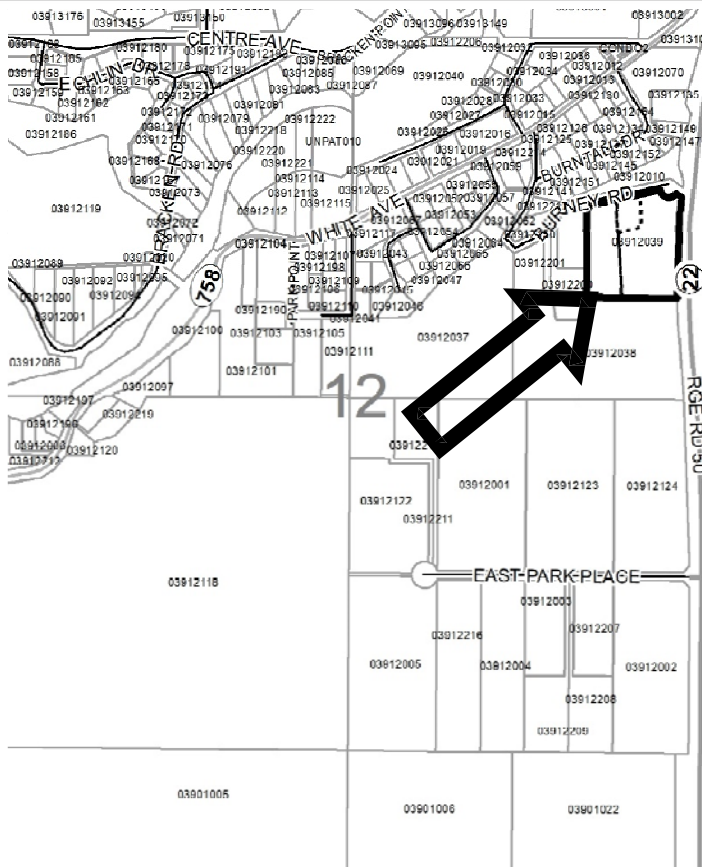
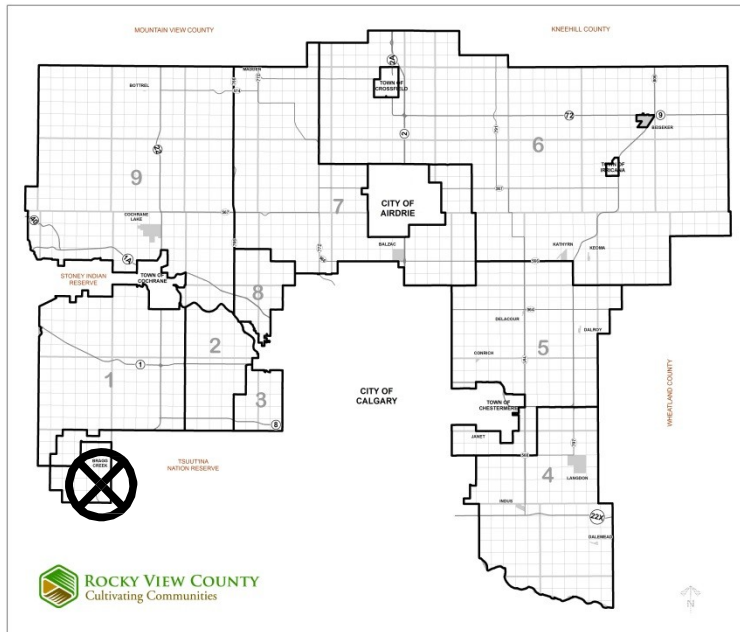
READ A FIRST TIME IN COUNCIL this	day of	, 20
<i>PUBLIC HEARING WAS HELD IN COUNCIL this</i>	<i>day of</i>	<i>, 20</i>
READ A SECOND TIME IN COUNCIL this	day of	, 20
READ A THIRD TIME IN COUNCIL this	day of	, 20

 Reeve

 CAO or Designate

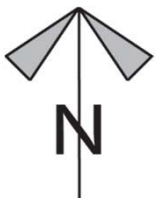
 Date Bylaw Signed


 ROCKY VIEW COUNTY
 Cultivating the Future
AGENDA
Page 683 of 711



TSUUT'INA NATION RESERVE

LOCATION PLAN

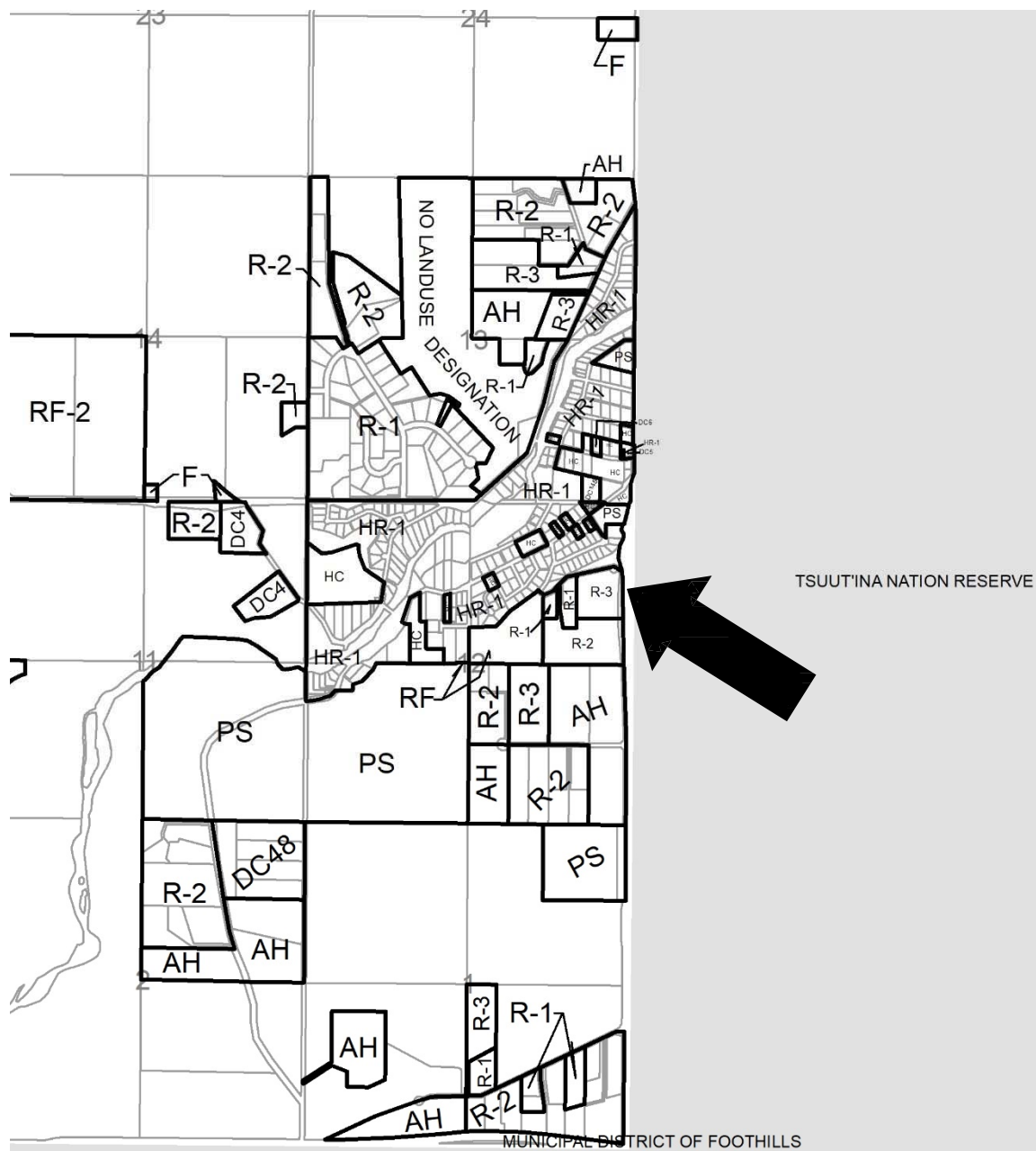


NE-12-23-05-W05M
Lot: 6 Block: 3 Plan: 1611299

Date: Jan 02, 2020

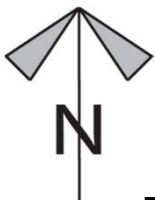
Division # 1

File: 03912039



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

LAND USE MAP



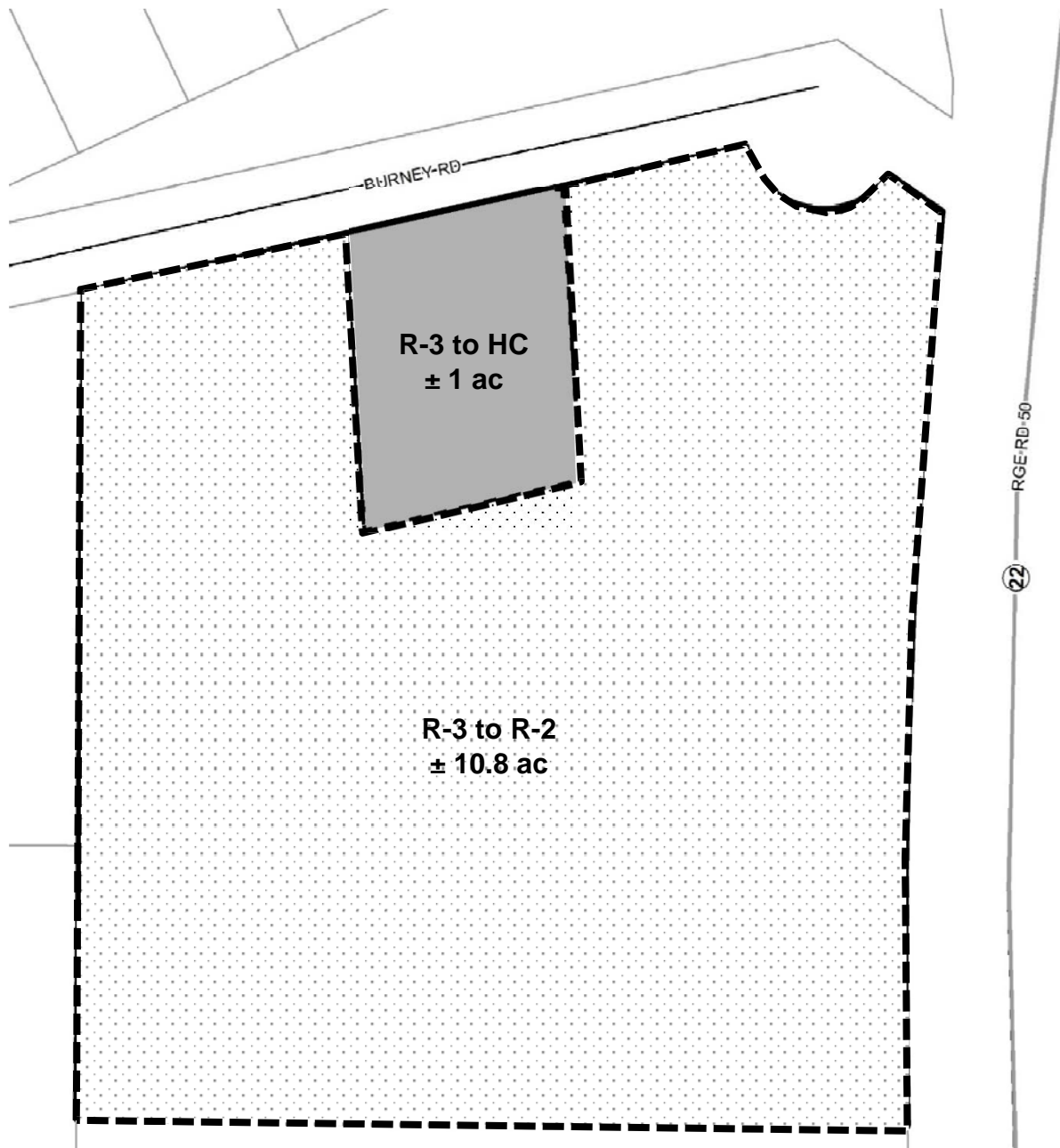
NE-12-23-05-W05M
Lot: 6 Block: 3 Plan: 1611299

Date: Jan 02, 2020

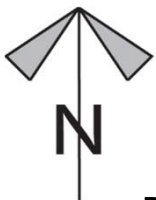
Division # 1

File: 03912039

Redesignation Proposal: To redesignate the subject land from Residential Three District (R-3) to Residential Two District (R-2) (± 10.8 ac) and Hamlet Commercial District (HC) (± 1 ac) to allow for future subdivision.



DEVELOPMENT PROPOSAL



NE-12-23-05-W05M
Lot: 6 Block: 3 Plan: 1611299

Date: Jan 02, 2020

Division # 1

File: 03912039

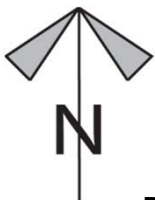
Redesignation Proposal: To redesignate the subject land from Residential Three District (R-3) to Residential Two District (R-2) (± 10.8 ac) and Hamlet Commercial District (HC) (± 1 ac) to allow for future subdivision.



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

AIR PHOTO

Spring 2018



NE-12-23-05-W05M
Lot: 6 Block: 3 Plan: 1611299

Date: Jan 02, 2020

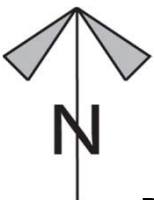
Division # 1

File: 03912039



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

TOPOGRAPHY
Contour Interval 2 M

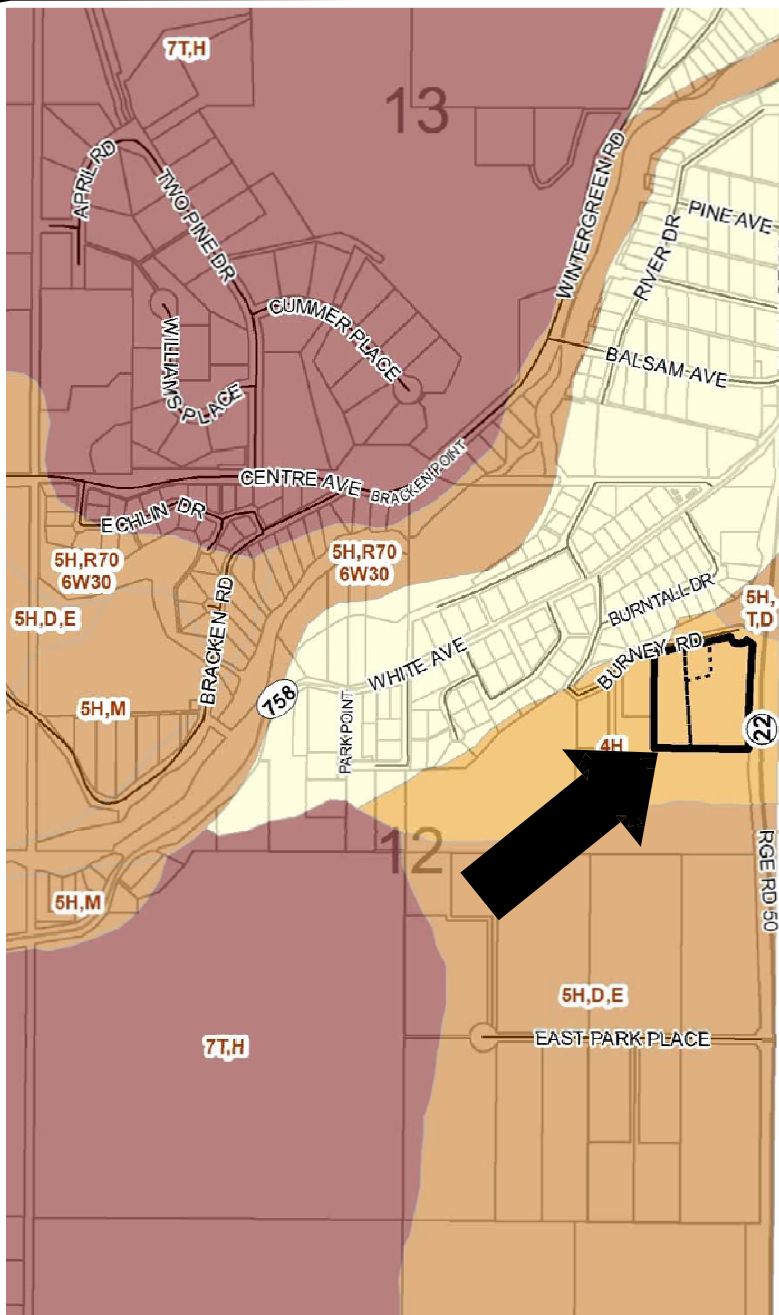


NE-12-23-05-W05M
Lot: 6 Block: 3 Plan: 1611299

Date: Jan 02, 2020

Division # 1

File: 03912039



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

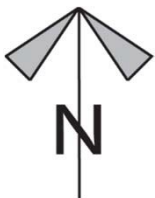
CLI Class

- 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

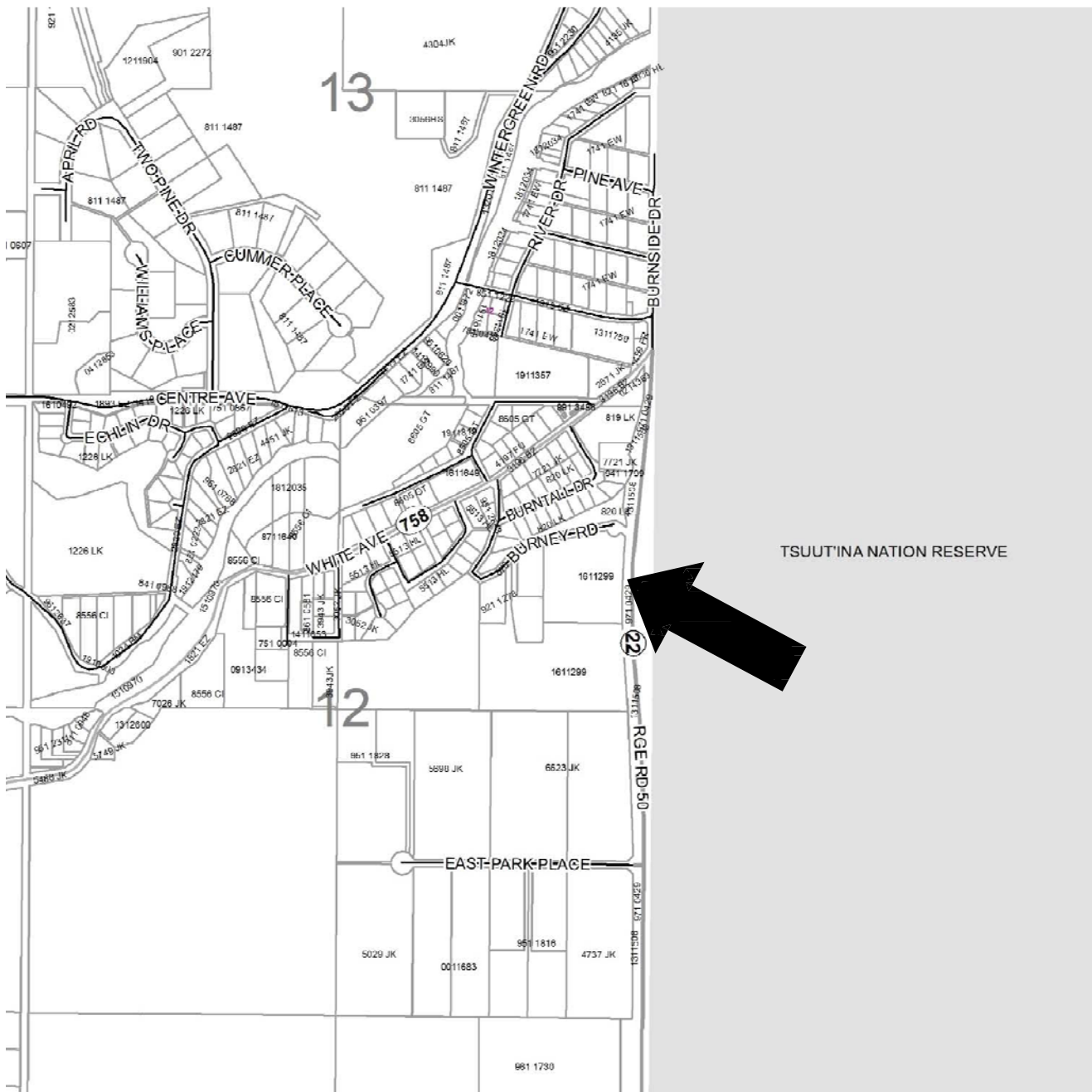


NE-12-23-05-W05M
 Lot: 6 Block: 3 Plan: 1611299

Date: Jan 02, 2020

Division # 1

File: 03912039

**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

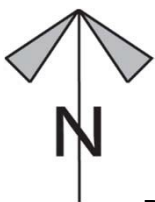
HISTORIC SUBDIVISION MAP

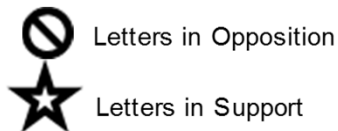
NE-12-23-05-W05M

Lot: 6 Block: 3 Plan: 1611299

Date: Jan 02, 2020

Division # 1

File: 03912039



Date: Jan 02, 2020 **Division #** 1 **File:** 03912039

PLANNING AND DEVELOPMENT SERVICES

TO: Council
DATE: March 10, 2020
FILE: 04606472
SUBJECT: First Reading Bylaw – Commercial Redesignation

DIVISION: 3
APPLICATION: PL20190200

PURPOSE: This application is a site-specific amendment to Direct Control District (DC-13) to: 1) remove some of the existing discretionary uses under Section 7.2.0; 2) remove some of the provisions under Section 7.3.0; 3) increase the maximum gross floor area from 8,175 sq. m to 12,000 sq. m; and 4) reduce the minimum building setback from the Highway from 60 m to 6 m.

GENERAL LOCATION: Located in the Elbow Valley area, approximately 0.21 km (1/4 mile) west of Lott Creek Blvd and on the south side of Highway 8.

APPLICANT: B & A Planning Group (Ken Venner)

OWNERS: HBA (Elbow Valley) GP Inc.

POLICY DIRECTION: Relevant policies for this application include the City of Calgary and Rocky View County Intermunicipal Development Plan, the County Plan, the Elbow Valley Area Structure Plan and any other applicable policies.

COUNCIL OPTIONS:

- Option #1: THAT Bylaw C-8029-2020 be given first reading.
- Option #2: THAT consideration of application PL20190200 be tabled *sine die* until the new Flood Hazard Mapping is adopted by the Government of Alberta.
- Option #3: THAT application PL20190200 be denied.

APPLICATION REQUIREMENTS:

This application requires submission of a Master Site Development Plan in accordance with County policy.

Respectfully submitted,

“Theresa Cochran”

Executive Director
Community Development Services.

Concurrence,

“Al Hoggan”

Chief Administrative Officer

JKwan/llt

APPENDICES:

APPENDIX ‘A’: Bylaw C-8029-2020 & Schedule A
APPENDIX ‘B’: Map Set

Administration Resources

Johnson Kwan, Planning and Development Services



BYLAW C-8029-2020

A Bylaw of Rocky View County to amend Direct Control District (DC-13, Bylaw C-4763-97)

The Council of Rocky View County enacts as follows:

PART 1 – TITLE

This Bylaw shall be known as Bylaw C-8029-2020

PART 2 – DEFINITIONS

In this Bylaw, the definitions and terms shall have the meanings given to them in Direct Control District (DC-13, Bylaw C-4763-97), Land Use Bylaw C-4841-97 and the *Municipal Government Act*.

PART 3 – EFFECT OF BYLAW

THAT Direct Control District (DC-13, Bylaw C-4763-97) be amended as detailed in Schedule 'A' forming part of this Bylaw.

PART 4 – TRANSITIONAL

Bylaw C-8029-2020 is passed when it receives third reading, and is signed by the Reeve/Deputy Reeve and the Municipal Clerk, as per Section 189 of the *Municipal Government Act*.

Division: 3
File: 04606472/ PL20190200

READ A FIRST TIME IN COUNCIL this	day of	, 20
<i>PUBLIC HEARING WAS HELD IN COUNCIL this</i>	<i>day of</i>	<i>, 20</i>
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'
FORMING PART OF BYLAW C-8029-2020

Amendment #1

Amend Section 7.0.0 as follows:

- **7.0.0 SPECIAL DEVELOPMENT AREA/**~~SETTLEMENT CENTRE DEVELOPMENT CELL~~

Amendment #2

Amend Section 7.1.0 as follows:

- **7.0.0 SPECIAL DEVELOPMENT AREA/**~~SETTLEMENT CENTRE DEVELOPMENT CELL 10~~

Amendment #3

Delete Section 7.2.1, which reads:

~~7.2.1 Conference/recreation settlement centre including but not limited to the following features: conference facilities, lodging facilities, meeting and banquet, food and beverage, recreation, maintenance, administration and parking facilities.~~

Amendment #4

Delete Section 7.2.2, which reads:

~~7.2.2 Commercial uses, such as retail sales and services of recreation related uses, such as, but not limited to specialty shops for golf, tennis and water related activities.~~

Amendment #5

Amend Section 7.2.3 as follows:

7.2.3 Local commercial ~~and institutional~~ uses, primarily intended to serve the Elbow Valley Residential Settlement, such as, but not limited to amenity space for pedestrian use, convenience store, childcare facilities, drinking establishment, garage, government services, grocery stores, local health care services, liquor sales, offices, outdoor café, mini-storage, patio, personal service business, private clubs and organizations, public building, restaurant, school or college, commercial and service station grocery stores, gas station, mini-bank, post office, offices and business support facilities, spiritual and social facilities, public and quasi-public buildings, personal, medical, educational or daycare facilities.

Amendment #6

Delete Section 7.2.4, which reads:

~~7.2.4 Recreation Support, Clubhouse/Community Centre and uses accessory to the clubhouse/community centre.~~

**Amendment #7**

Delete Section 7.3.2, which reads:

~~7.3.2 minimum number of parking spaces per 92.9 m² (1000 sq.ft.) of gross leasable space: 7~~

Amendment #8

Amend Section 7.3.3 as follows:

7.3.3 maximum ~~8,175 m² (88,000 sq. ft.) commercial/retail/non-conference centre building space~~ 12,000 m² (129,166.9 sq. ft.) of gross floor area.

Amendment #9

Delete Section 7.3.4, which reads:

~~7.3.4 maximum number of guest rooms in lodging facility: 200~~

Amendment #10

Delete Section 7.3.5, which reads:

~~7.3.5 minimum number of parking spaces per guest room in lodging facility: 1.5~~

Amendment #11

Delete Section 7.3.6, which reads:

~~7.3.6 maximum number of seats for food and beverage facilities: 300~~

Amendment #12

Delete Section 7.3.7, which reads:

~~7.3.7 maximum number of seats for food and beverage facilities: 300~~

Amendment #13

Delete Section 7.3.8, which reads:

~~7.3.8 maximum number of seats for banquet facilities: 440~~

Amendment #14

Delete Section 7.3.9, which reads:

~~7.3.9 maximum conference/settlement centre building size: 14,150 m² (152,300 sq. ft.)~~

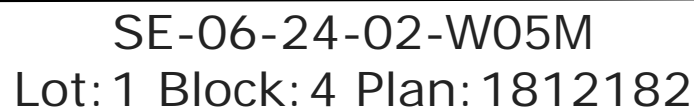
**Amendment #15**

Amend Section 7.4.1 as follows:

7.4.1 Front/side/rear yard - minimum ~~60 m (196.84 ft.)~~ 6 m (19.68 ft.) from any primary or secondary highway, 30 m (98.42 ft.) from any municipal road and 6 m (19.68 ft.) in all other cases

Overall Abbreviations, Numbering, Grammar, Spelling and Punctuation

- Renumbering the Bylaw as required.
- Wherever the renumbering of the Bylaw affects a numbering reference elsewhere in the Bylaw, adjust the affected reference.
- Italicize all definitions within the Bylaw.
- Without changing the meaning or intent of the Bylaw, correct all grammatical, spelling, punctuations and spacing errors.



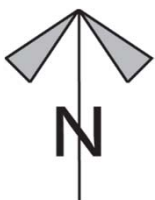
File: 04606472



- PL20190200:** A site-specific amendment to Direct Control District (DC-13) to:
- 1) remove some of the existing discretionary uses under Section 7.2.0;
 - 2) remove some of the provisions under Section 7.3.0;
 - 3) increase the maximum gross floor area from 8,175 sq. m to 12,000 sq. m; and
 - 4) reduce the minimum building setback from the Highway from 60 m to 6 m.



DEVELOPMENT PROPOSAL



SE-06-24-02-W05M
Lot: 1 Block: 4 Plan: 1812182

Date: Dec 17, 2019

Division # 3

File: 04606472

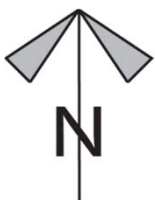
- PL20190200:** A site-specific amendment to Direct Control District (DC-13) to:
- 1) remove some of the existing discretionary uses under Section 7.2.0;
 - 2) remove some of the provisions under Section 7.3.0;
 - 3) increase the maximum gross floor area from 8,175 sq. m to 12,000 sq. m; and
 - 4) reduce the minimum building setback from the Highway from 60 m to 6 m.



- Common Area Access for Luxury Garage/Storage Areas
 ■ Common Area Access for CRU's



DEVELOPMENT PROPOSAL



SE-06-24-02-W05M
 Lot: 1 Block: 4 Plan: 1812182

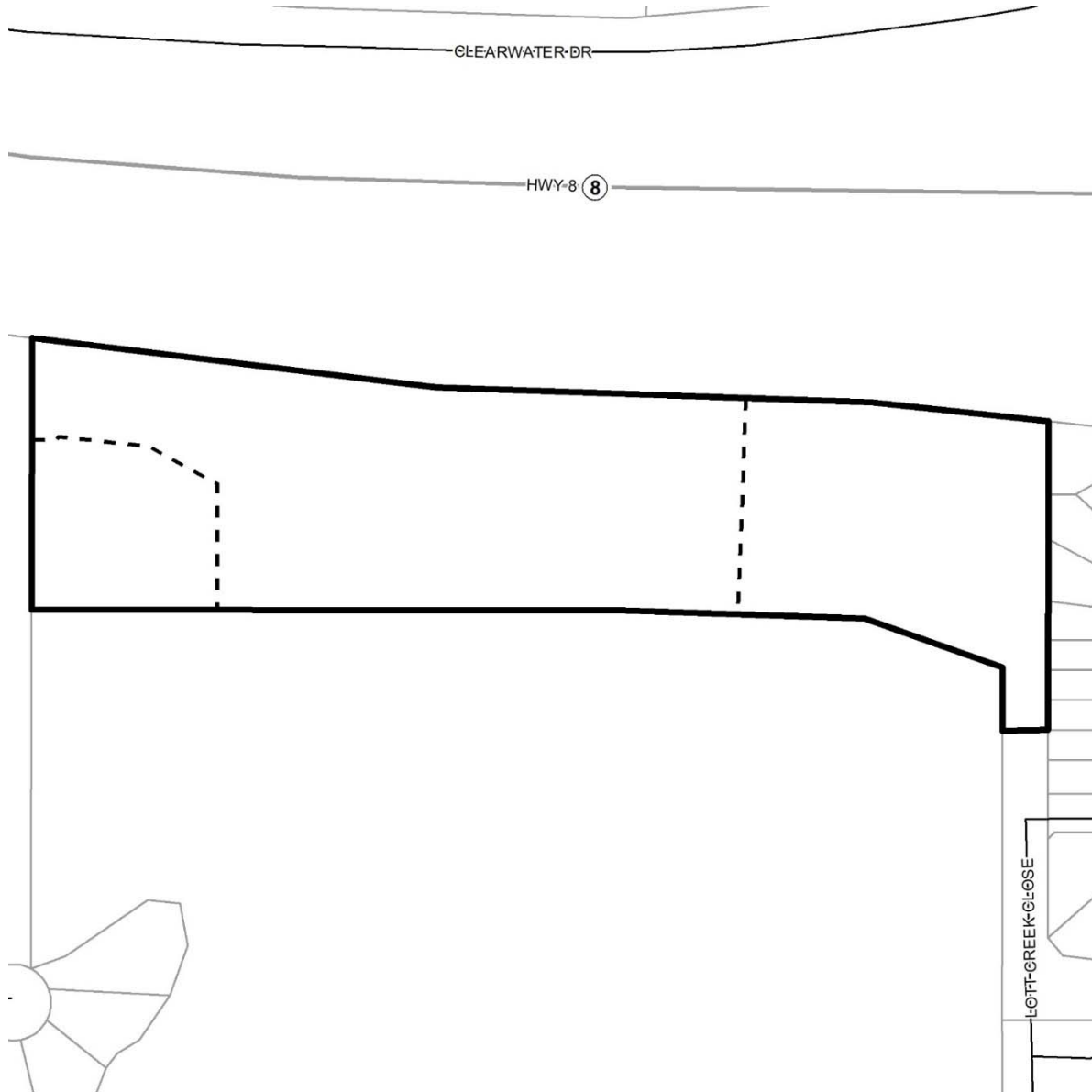
Date: Dec 17, 2019

Division # 3

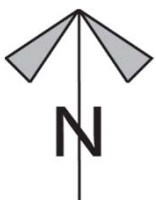
File: 04606472

PL20190200: A site-specific amendment to Direct Control District (DC-13) to:

- 1) remove some of the existing discretionary uses under Section 7.2.0;
- 2) remove some of the provisions under Section 7.3.0;
- 3) increase the maximum gross floor area from 8,175 sq. m to 12,000 sq. m; and
- 4) reduce the minimum building setback from the Highway from 60 m to 6 m.



DEVELOPMENT PROPOSAL



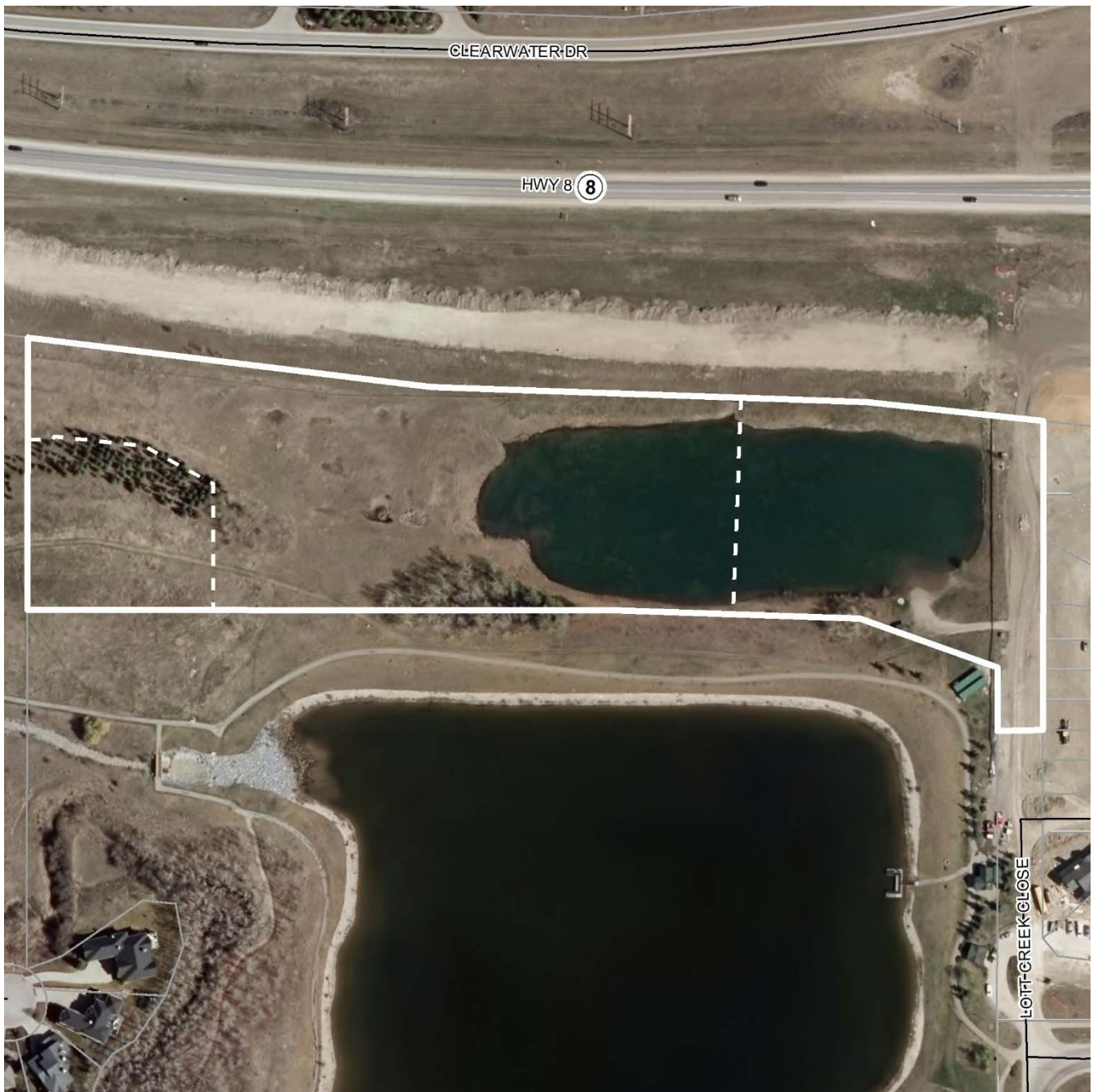
SE-06-24-02-W05M

Lot: 1 Block: 4 Plan: 1812182

Date: Dec 17, 2019

Division # 3

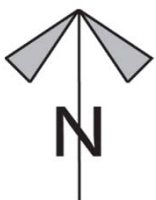
File: 04606472



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

AIR PHOTO

Spring 2018

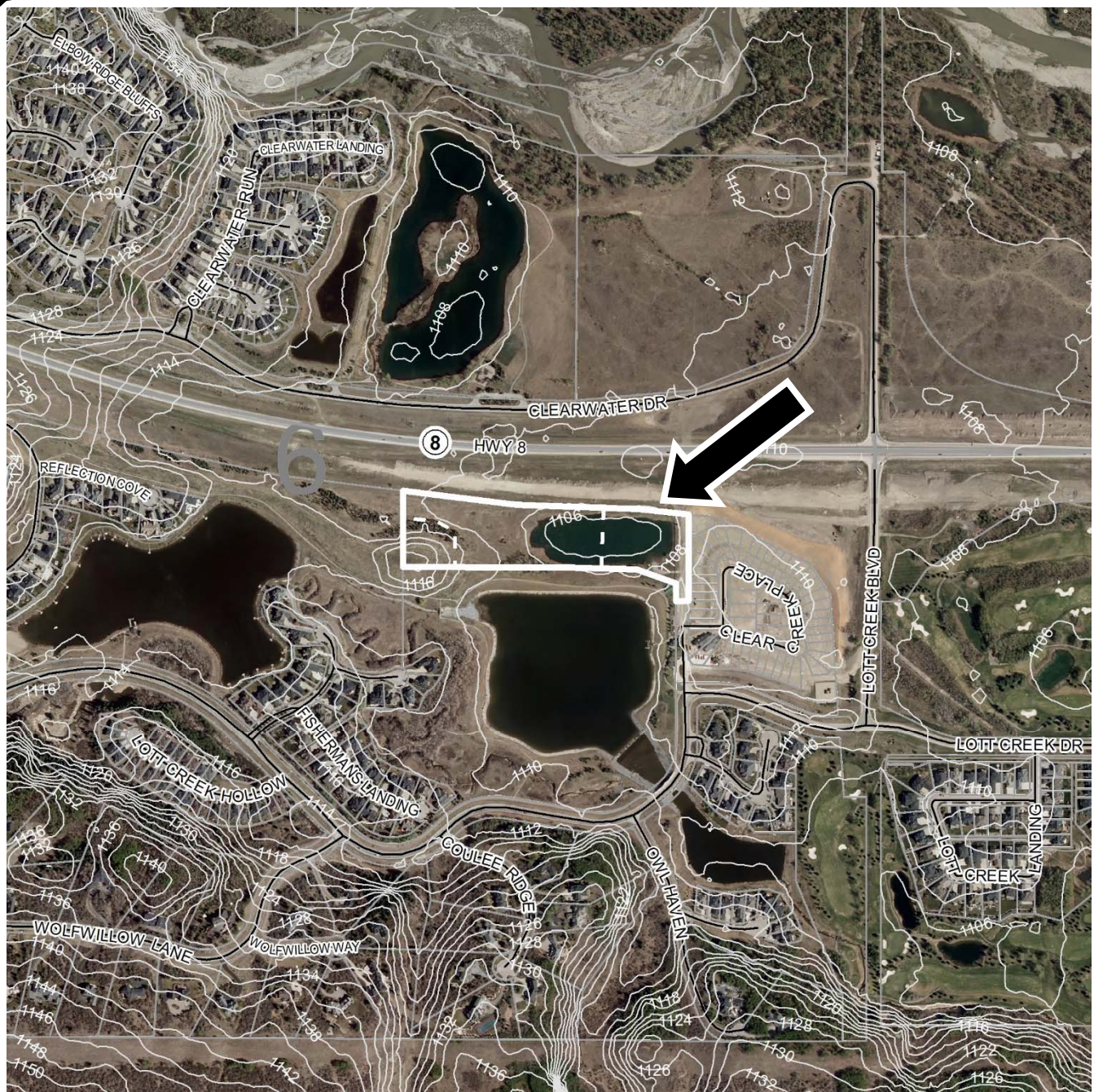


SE-06-24-02-W05M
Lot: 1 Block: 4 Plan: 1812182

Date: Dec 17, 2019

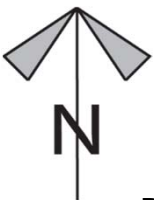
Division # 3

File: 04606472



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

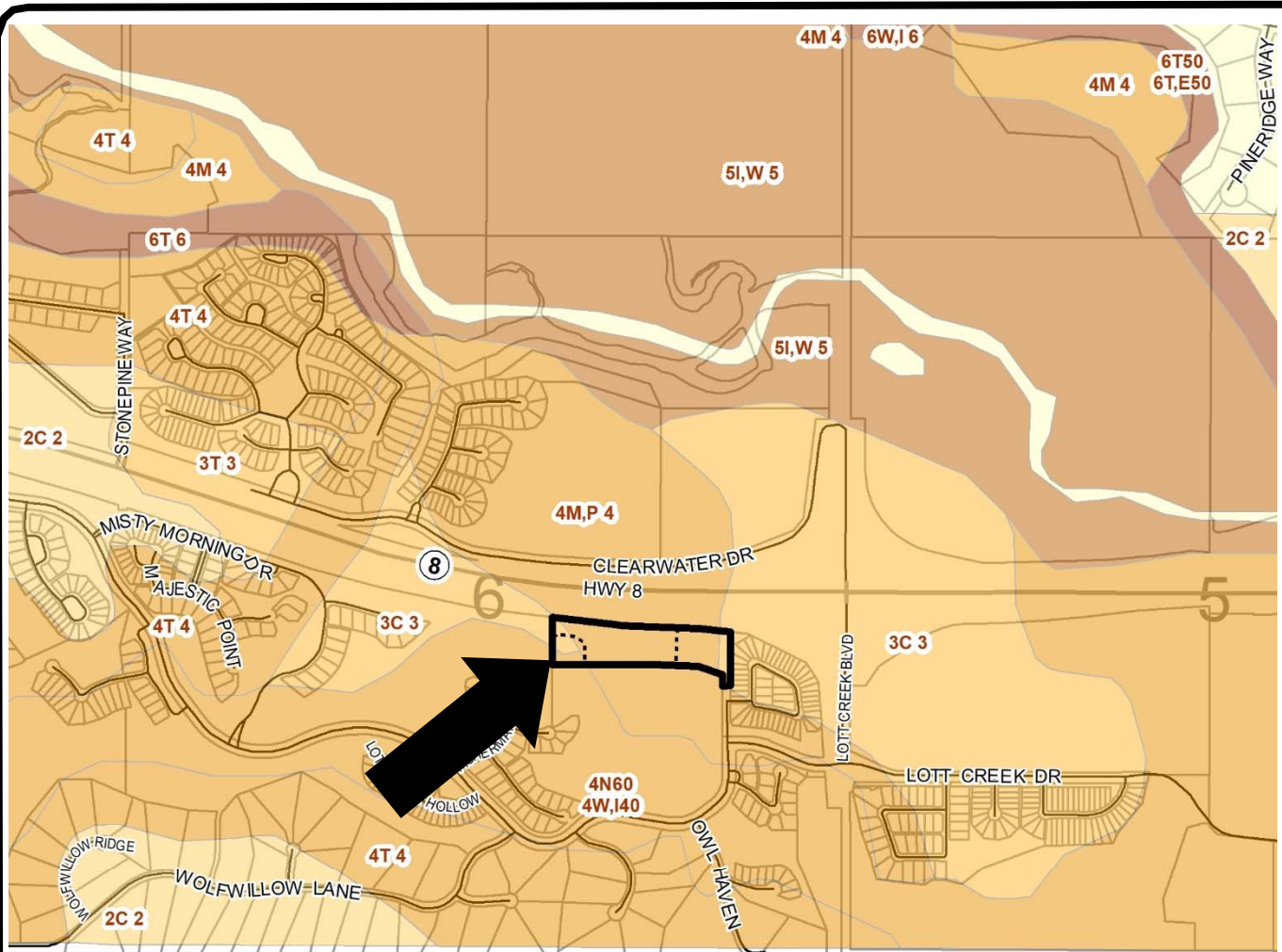


SE-06-24-02-W05M
Lot: 1 Block: 4 Plan: 1812182

Date: Dec 17, 2019

Division # 3

File: 04606472



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

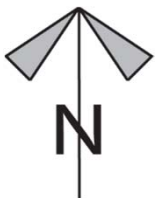
CLI Class

- 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

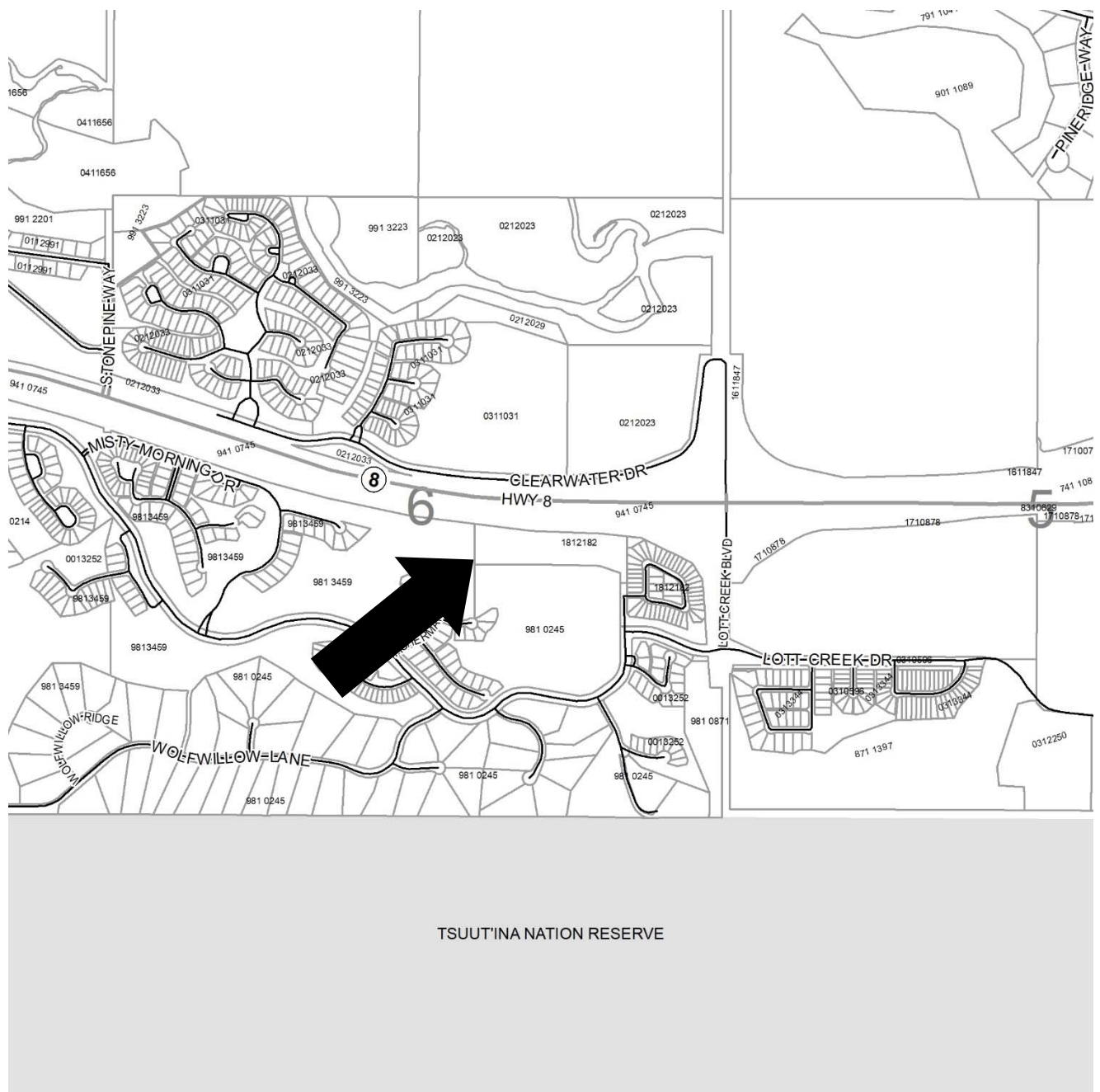


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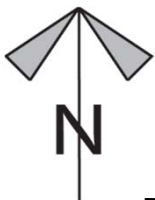
**Legend – Plan numbers**

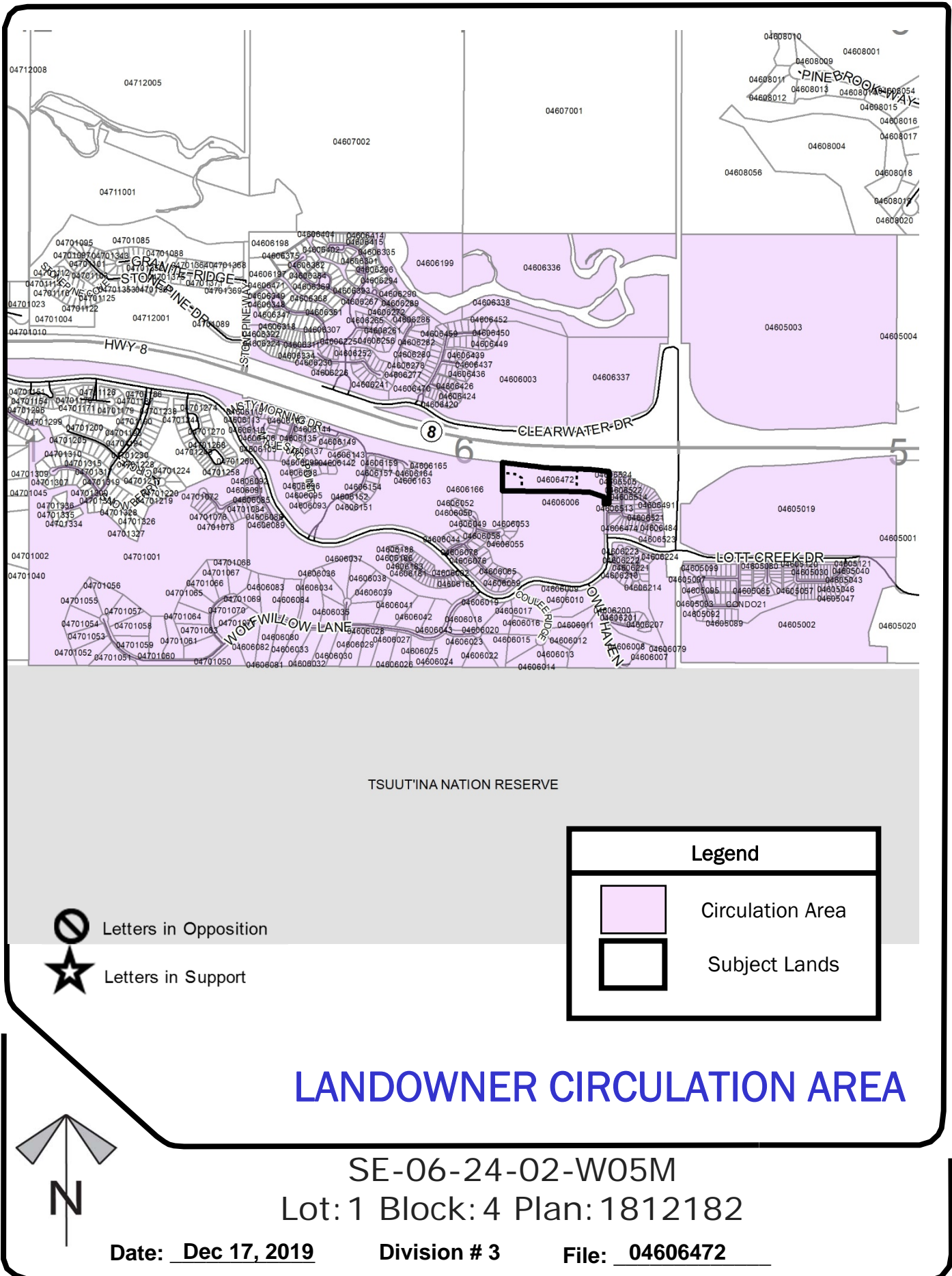
- First two numbers of the Plan Number indicate the year of subdivision registration.
- Plan numbers that include letters were registered before 1973 and do not reference a year

HISTORIC SUBDIVISION MAP

SE-06-24-02-W05M

Lot: 1 Block: 4 Plan: 1812182

Date: Dec 17, 2019Division # 3File: 04606472



Division	Status	Topic	Description	Date Raised Scheduled	Target Completion Date	Responsible Area
All	Active	Offsite Levy Bylaws	Administration was directed at the December 19, 2019 Council meeting to bring forward proposed off-site levy bylaws for consideration of first reading in accordance with levy scenario 1 as presented in Administration's report.	10-Dec-19	12-May-20	Capital Project Management
All	Active	Moratorium on the Collection of Off-Site Levies	Administration was directed at the January 28, 2020 Council meeting to bring back a report with recommendations and options regarding offsite levy collection and implementation.	28-Jan-20	12-May-20	Corporate Services Division
All	Active	Late Tax Payment Penalty Cancellation Policy C-204	Administration was directed at the January 14, 2020 Council meeting to bring the Late Tax Payment Penalty Cancellation Policy C-204 back to Council for review by the end of March, 2020.	14-Jan-20	24-Mar-20	Financial Services
All	Active	Specialized Municipality Status	Administration was directed at the March 26, 2019 Council meeting to proceed with an analysis of the benefits of specialized municipality status. Administration was directed at the December 19, 2020 Council meeting to begin the formal application process to change the status of Rocky View County from Municipal District to Specialized Municipality in accordance with the <i>Municipal Government Act</i> .	10-Dec-19	31-May-20	Intergovernmental Affairs
All	Active	Springbank Land Purchase	Administration was directed at the July 9, 2019 Council meeting to investigate the purchase of lands as discussed in the closed session.	9-Jul-19	10-Mar-20	Legal and Land Administration
9	Active	Sale of the Cochrane and District Agricultural Lands	Administration was directed at the September 24, 2019 Council meeting to negotiate a purchase and sale agreement with the CDAS subject to Council approval.	24-Sep-19	10-Mar-20	Legal and Land Administration
All	Active	Sale of the Chestermere Regional Recreation Center	Administration was directed at the September 24, 2019 Council meeting to explore the sale of the land and remediation of the facility. Administration was further directed at the January 28, 2020 Council meeting to review the letter of intent presented by the City of Chestermere and prepare a report for Council's consideration.	28-Jan-20	24-Mar-20	Legal and Land Administration

Division	Status	Topic	Description	Date Raised Scheduled	Target Completion Date	Responsible Area
All	Active	Electoral Boundaries and Governance Review	<p>Administration was directed at the November 22, 2016 Council meeting to prepare a terms of reference for an electoral boundary review.</p> <p>Administration was further directed at the November 22, 2016 Council meeting to develop an electoral boundary review policy.</p> <p>Administration was further directed at the July 9, 2019 Council meeting to prepare a budget adjustment for an electoral boundary and governance review.</p> <p>Administration was further directed at the September 10, 2019 Council meeting to proceed with an RFP with limited public consultation.</p> <p>Council approved the project terms of reference at the January 28, 2020 Council meeting.</p>	26-Nov-19	31-Jul-20	Municipal Clerk's Office
All	Active	Potential Joint Assessment Review Board	<p>Administration was directed at the February 11, 2020 Council meeting to bring back options for a joint Assessment Review Board once Administration has concluded preliminary discussions with potential partner municipalities.</p>	11-Feb-20	23-Jun-20	Municipal Clerk's Office
All	Active	Feasibility of Cemetery Services	Administration was directed at the November 4, 2019 Council meeting to look at the feasibility of Cemetery Services and investigate potential options for Council's consideration.	4-Nov-19	Fall 2020	Operational Services
All	Active	Aqueduct Update	Administration was directed at the December 19, 2019 Council meeting to schedule a CAO workshop with Jonathan Huggett by the end of February, 2020.	10-Dec-19	25-Mar-20	Operations Division
All	Active	Creation of Authorized Truck Routes/Truck Haul Agreements	Administration was directed at the November 26, 2019 Council meeting to assess the feasibility of authorized truck haul routes or agreements for Burma Road, Weedon Trail, and Horse Creek Road.	26-Nov-19	24-Mar-20	Operations Division
All	Active	New Municipal Development Plan	<p>Administration was directed at the May 18, 2018 Council meeting to initiate the process of amending the County Plan.</p> <p>Administration was further directed at the March 12, 2019 Council meeting to begin the process of creating a new Municipal Development Plan.</p>	8-May-18	30-Jun-20	Planning and Development Services
5	Active	Janet ASP Amendment for an Expanded Study Area	Council approved the project terms of reference at the April 30, 2019 Council meeting, and provided further direction to expand the project area at the May 28, 2019 Council meeting.	30-Apr-19	12-May-20	Planning and Development Services

Division	Status	Topic	Description	Date Raised Scheduled	Target Completion Date	Responsible Area
All	Active	Joint Highway 1 Corridor Area Structure Plan	Administration was directed at the December 10, 2019 Council meeting to prepare terms of reference for a proposed Area Structure Plan along Highway 1, and to return to Council within three months.	10-Dec-19	10-Mar-20	Planning and Development Services
5	Active	Glenmore Trail Area Structure Plan	<p>Administration was directed at the May 28, 2019 Council meeting to report back to Council on the feasibility of an Area Structure Plan east of Calgary along Glenmore Trail.</p> <p>Administration was directed at the September 24, 2019 Council meeting to prepare a terms of reference for the proposed Glenmore Trail Area Structure Plan.</p> <p>Administration was directed at the December 10, 2019 Council meeting to finalize the a draft terms of reference and return to Council within three months, to return to Council with a budget adjustment for the project, and to investigate options for landowner contributions.</p>	28-May-19	28-Apr-20	Planning and Development Services
All	Active	County Plan Amendments to Accommodate Developer-led ASP	Administration was directed at the February 11, 2020 Council meeting to draft amendments to the County Plan to allow a development proponent to prepare a new ASP or amendment to an ASP subject to a Council-adopted Terms of Reference and that amendments to the County Plan allow a development proponent to prepare a new ASP or amendment to as ASP be included in the current drafting of a new MDP.	11-Feb-20	Fall 2020	Planning and Development Services
2	Active	Recreation and Parks Foundation	Administration was directed at the September 24, 2019 Council meeting to explore the establishment of a Recreation and Parks Foundation to support the buildout and long-term maintenance of recreation and parks amenities and programs in Rocky View County.	24-Sep-19	24-Mar-20	Recreation, Parks and Community Support
All	Active	Recreation and Parks Master Plan	<p>Council approved a new Recreation Governance Model at the July 23, 2020 Council meeting, and directed Administration to begin the implementation process.</p> <p>Council approved the Recreation and Parks Master Plan terms of reference at the January 14, 2020 Council meeting.</p>	23-Jul-20	Summer 2020	Recreation, Parks and Community Support

Division	Status	Topic	Description	Date Raised Scheduled	Target Completion Date	Responsible Area
All	Active	Airdrie & Area Health Benefits Cooperative (AAHBC) County Participation Proposal	Administration was directed at the March 6, 2018 PPC meeting to prepare a County participation proposal for the AAHBC.	6-Mar-18	28-Apr-20	Recreation, Parks and Community Support
All	Hold	Improved Protection of Agricultural Lands	Administration was directed at the July 25, 2017 Council meeting to review current soil importation practices and develop a more comprehensive development permit process, and bring recommendations back to Council.	25-Jul-17	28-Apr-20	Planning and Development Services
All	Hold	Beekeeping in Rocky View County	Administration was directed at the December 5, 2017 PPC meeting to bring back a report to Council regarding beekeeping in the County and potential amendments to the Land Use Bylaw.	5-Dec-17	28-Apr-20	Planning and Development Services
All	Ongoing	High-Speed Internet Servicing	Administration was directed at the March 12, 2019 Council meeting to bring Phase I of the Internet Servicing Strategy and report back to Council with the results. Administration was further directed at the April 30, 2019 Council meeting to end Phase I of the Internet Servicing Strategy and begin work on the Community Broadband Study Project.	12-Mar-19	Ongoing	Business and Economic Development
All	Ongoing	Unfunded Council Initiatives	Administration was directed at the December 10, 2019 Council meeting to prepare a list of unfunded items to be considered during budget finalization in April 2020.	10-Dec-19	28-Apr-20	Financial Services
All	Ongoing	Garden of Peace Chapel Lease	Administration was directed at the February 25, 2020 Council meeting to negotiate a 5-year lease for the Garden of Peace Chapel and related lands.	28-Feb-20	Ongoing	Legal and Land Administration
All	Ongoing	Sale of the Cochrane Gravel Pit Lands	Administration was directed at the February 25, 2020 Council meeting to negotiate a purchase and sale agreement for the sale of the Cochrane Gravel Pit lands.	28-Feb-20	Ongoing	Legal and Land Administration
All	Ongoing	Sale of the Indus Gravel Pit Lands	Administration was directed at the February 25, 2020 Council meeting to negotiate a purchase and sale agreement for the sale of the Indus Gravel Pit Lands.	28-Feb-20	Ongoing	Legal and Land Administration

Division	Status	Topic	Description	Date Raised Scheduled	Target Completion Date	Responsible Area
2	Ongoing	Sale of the Commercial Court Municipal Reserve Parcel	Administration was directed at the March 12, 2019 Council meeting to evaluate alternatives and conduct consultation on a new community facility in the Springbank area prior to September 30, 2019. Administration was further directed at the February 25, 2020 Council meeting to sell the Commercial Court municipal reserve parcel at fair market value.	12-Mar-19	Ongoing	Legal and Land Administration
All	Ongoing	Animal Care and Control Bylaw	Administration was directed at the November 6, 2018 PPC meeting to bring the Animal Care and Control Bylaw to a future Policy Review Subcommittee meeting for further consideration. The Animal Care and Control Bylaw was considered at the November 14, 2018 PRS meeting.	6-Nov-18	Fall 2020	Municipal Enforcement
7	Ongoing	Thorlakson Site Cleanup	MOVED by Councillor Henn the the resolution dated June 11, 2019, with respect to PRDP20190505, be amended to state the following be completed by June 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.	28-Jan-20	28-Jun-20	Planning and Development Services