

Special Council Meeting Agenda

July 21, 2020

9:00 a.m.



ROCKY VIEW COUNTY

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

CALL MEETING TO ORDER

UPDATES/APPROVAL OF AGENDA

- A APPROVAL OF MINUTES
 - None
- B FINANCIAL REPORTS
 - None
- C APPOINTMENTS/PUBLIC HEARINGS

NOTE: In accordance with the *Municipal Government Act and Public Notification Bylaw C-7860-2019*, the public hearings were advertised on June 23, 2020 and June 30, 2020 on the Rocky View County website.

MORNING PUBLIC HEARINGS / APPOINTMENTS 9:00 A.M.

1. Division 6 – File: PL20200036 (08515002) – Bylaw C-8057-2020 – Road Closure Bylaw

Staff Report

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2. Division 6 – File: PL20190006 (08501007) – Bylaw C-7906-2019 – Redesignation Item – Agricultural Holdings District to Residential Two District

Staff Report

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3. Division 9 – File: PL20190186 (06732004) – Bylaw C-7989-2019 – Redesignation Item – Ranch and Farm District to Residential Two District

Staff Report

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4. Division 6 – File: PL20190163 (08101002) – Bylaw C-7976-2019 – Redesignation Item – Ranch and Farm District to Agricultural Holdings District

Staff Report

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Special Council Meeting Agenda

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ROCKY VIEW COUNTY

262075 ROCKY VIEW POINT
ROCKY VIEW COUNTY, AB
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5. Division 7 – File: PL20190175 (07308013) – Bylaw C-7980-2019 – Redesignation Item – Agricultural Holdings District to Residential Two District; located on Range Road 285 South of Highway 567

Staff Report

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

6. Division 7 – File: PL20190194 (07308003) – Bylaw C-7999-2019 – Redesignation Item – Agricultural Holdings District to Live-Work District; located on Range Road 285 South of Highway 567

Staff Report

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7. Division 5 – File: PL20190182 (04330009) – Bylaw C-7988-2019 – Redesignation Item – Agricultural Holdings District to Live-Work District

Staff Report

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8. Division 4 – File: PL20190150 (03223798) – Bylaw C-7958-2019 – Redesignation Item – Amendment to Direct Control Bylaw (DC-2)

Staff Report

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D GENERAL BUSINESS
- None

E BYLAWS
- None

F UNFINISHED BUSINESS
- None

G COUNCILLOR REPORTS
- None

H MANAGEMENT REPORTS
- None

I NOTICES OF MOTION
- None

Special Council Meeting Agenda



ROCKY VIEW COUNTY

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

July 21, 2020

9:00 a.m.

J PUBLIC PRESENTATIONS

- None

K CLOSED SESSION

- None

ADJOURN THE MEETING



PLANNING AND DEVELOPMENT SERVICES

TO: Council
DATE: July 21, 2020 **DIVISION:** 6
TIME: Morning Appointment
FILE: 08515002 **APPLICATION:** PL20200036
SUBJECT: Road Closure Bylaw C-8057-2020

POLICY DIRECTION:

Road Allowance Closure and Disposal Policy C-443.

EXECUTIVE SUMMARY:

The purpose of this application is to close for consolidation a 4.00 acre portion of original government road allowance in order to consolidate with the adjacent lands on the east side of the road allowance.

The application was reviewed based on the Road Allowance Closure and Disposal Policy and meets the general requirements of that policy. However, closure of this undeveloped section of Range Road 13 has the potential to create access difficulties for adjacent landowners, particularly those immediately northwest and northeast of the road allowance (NE-16-28-01-W5M and NW-15-28-01-W5M). The subject road allowance currently affords these parcels access from Township Road 282 to the south, and its closure would result in landowners having to travel over one mile north to access Township Road 284, the next nearest public road. The current condition of the undeveloped portion of Range Road 13 to the north of the section proposed for closure may also prevent safe and efficient access.

The Applicant has advised Administration that if the road allowance closure is approved, they would be agreeable to establishing an access easement agreement with adjacent landowners to allow them continued access to Township Road 282 over the allowance area. However, there is no certainty that such an easement would be registered in future and also no mechanism to secure this through approval of the road allowance closure. Consequently, Administration recommends that the road allowance is kept open to meet the needs of adjacent landowners.

This application was circulated to 21 adjacent landowners; in response, four letters of opposition, and four letters in support were received (see Appendix 'D'). The application was also circulated to a number of internal and external agencies; responses are available in Appendix 'A'.

ADMINISTRATION RECOMMENDATION:

Administration recommends refusal in accordance with Option #2.

DATE APPLICATION RECEIVED: March 9, 2020
DATE DEEMED COMPLETE: March 25, 2020

PROPOSAL: Public Hearing to consider Bylaw C-8057-2020 for an application to close a 4.00 acre portion of original government road allowance adjacent to the SW-15-28-01-W5M for consolidation purposes.

LEGAL DESCRIPTION: SW-15-28-01-W5M

Administration Resources
Angela Pare, Planning and Development Services



GENERAL LOCATION: Road Allowance known as Range Road 13, North of Township Road 282. Located between SW-15-28-01-W5M and SE-16-28-1-W5M.

APPLICANT: Cody and Diana Creelman

OWNERS: The Crown in right of Alberta

EXISTING LAND USE DESIGNATION: Ranch and Farm 2 (RF-2)

GROSS AREA: ± 4.00 acres

OPTIONS:

- Option # 1: Motion #1 THAT Bylaw C-8057-2020 be given first reading.
 Motion #2 THAT Bylaw C-8057-2020 be forwarded to the Minister of Transportation for approval
- Option # 2: Motion #1 THAT Bylaw C-8057-2020 be refused.
- Option # 3: THAT Council provide alternative direction.

Respectfully submitted,

Concurrence,

“Theresa Cochran”

“Al Hoggan”

Executive Director
Community Development Services

Chief Administrative Officer

AP/ltt

APPENDICES:

- APPENDIX 'A': Application Referrals
APPENDIX 'B': Bylaw C-8057-2020 and Schedule 'A'
APPENDIX 'C': Map Set
APPENDIX 'D': Landowner Comments



APPENDIX A: APPLICATION REFERRALS

AGENCY	COMMENTS
<i>Internal Departments</i>	
Planning and Development Services Engineering Review	The consolidation of 4 acres of undeveloped road allowance would put significant burden on lands north of SW-15-28-1-W5M for future road access to the County's road network especially NE-16-28-01-W5M and NW-15-28-01-W5M. The undeveloped road allowance proposed to be consolidated provides these lands the shortest access (approximately 800m) to the County's road network onto Township Road 282. Without this road allowance these landowners would have to rely on Township 284 for future road access needs which is approximately 1.6km away. Recommendation is to keep the road allowance open for future road access to the County's road network.

Circulation Period: April 2, 2020 to April 24, 2020

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



BYLAW C-8057-2020

A Bylaw of Rocky View County, in the Province of Alberta, for the purpose of closing for public travel and creating title to portions of a public highway in accordance with the *Municipal Government Act*.

WHEREAS the lands hereafter described are no longer required for public travel;

AND WHEREAS an application has been made to the Council of Rocky View County to have the highway closed;

AND WHEREAS the Council of Rocky View County deems it expedient to close for public travel certain roads, or portions of roads, situated in Rocky View County and to dispose of the same;

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

Title

1 This Bylaw may be cited as *Bylaw C-8057-2020*

Definitions

2 Words in this Bylaw have the same meaning as those set out in the *Municipal Government Act* except for the definitions provided below:

- (1) **“Council”** means the duly elected Council of Rocky View County;
- (2) **“Municipal Government Act”** means the *Municipal Government Act*, RSA 2000, c M-26, as amended or replaced from time to time; and
- (3) **“Rocky View County”** means Rocky View County as a municipal corporation and the geographical area within its jurisdictional boundaries, as the context requires.

Effect

3 The Council of Rocky View County does hereby close to public travel for the purpose of creating title to the following described original government road allowance, as shown on Schedule 'A' attached to and forming part of this Bylaw, and more particularly described below, subject to the rights of access granted by other legislation:

THE ORIGINAL GOVERNMENT ROAD ALLOWANCE ADJACENT TO THE SOUTH WEST SECTION 15, TOWNSHIP 28, RANGE 1, WEST OF THE 5TH MERIDIAN, CONTAINING 1.62 HECTARES (4.00 ACRES) MORE OR LESS EXCEPTING THEREOUT ALL MINES AND MINERALS



ROCKY VIEW COUNTY

Transitional

- 4 Bylaw C-8057-2020 is passed and comes into full force and effect when it receives approval from the Minister of Transportation and receives third reading and is signed in accordance with the *Municipal Government Act*.

PUBLIC HEARING HELD this ___21st_____ day of ___July_____, 2020

READ A FIRST TIME IN COUNCIL this _____ day of _____, 2020.

APPROVED BY ALBERTA TRANSPORTATION:

Approved this ____ day of _____, 2020.

 MINISTER OF TRANSPORTATION

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

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

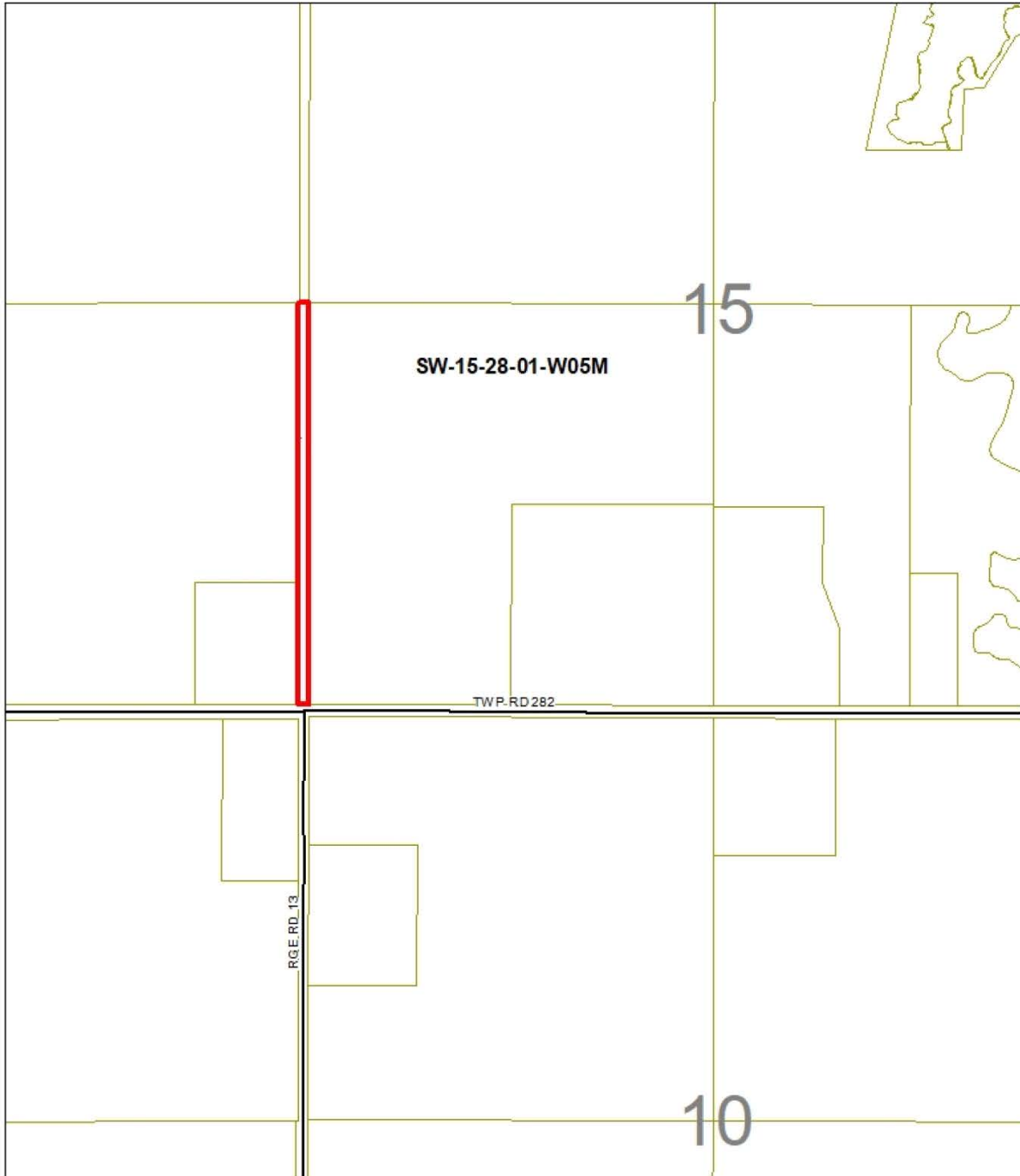
 Reeve


 CAO or Designate

 Date Bylaw Signed



SCHEDULE 'A'






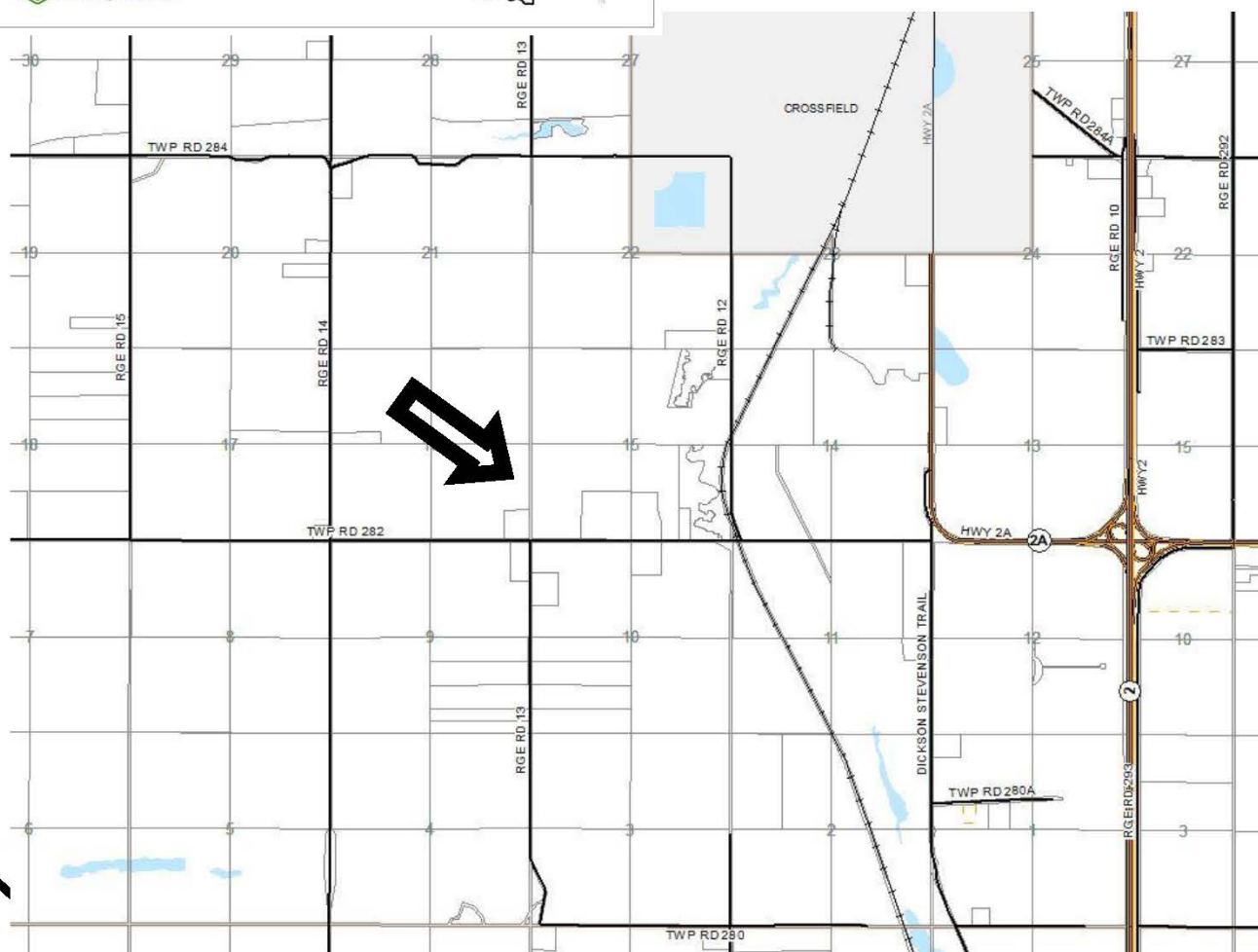
ROCKY VIEW COUNTY
Cultivating Communities

Information as depicted is subject to change, therefore Rocky View County assumes no responsibility for discrepancies after date of printing.

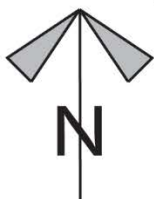
SCHEDULE 'A'
BYLAW C-8057-2020



N

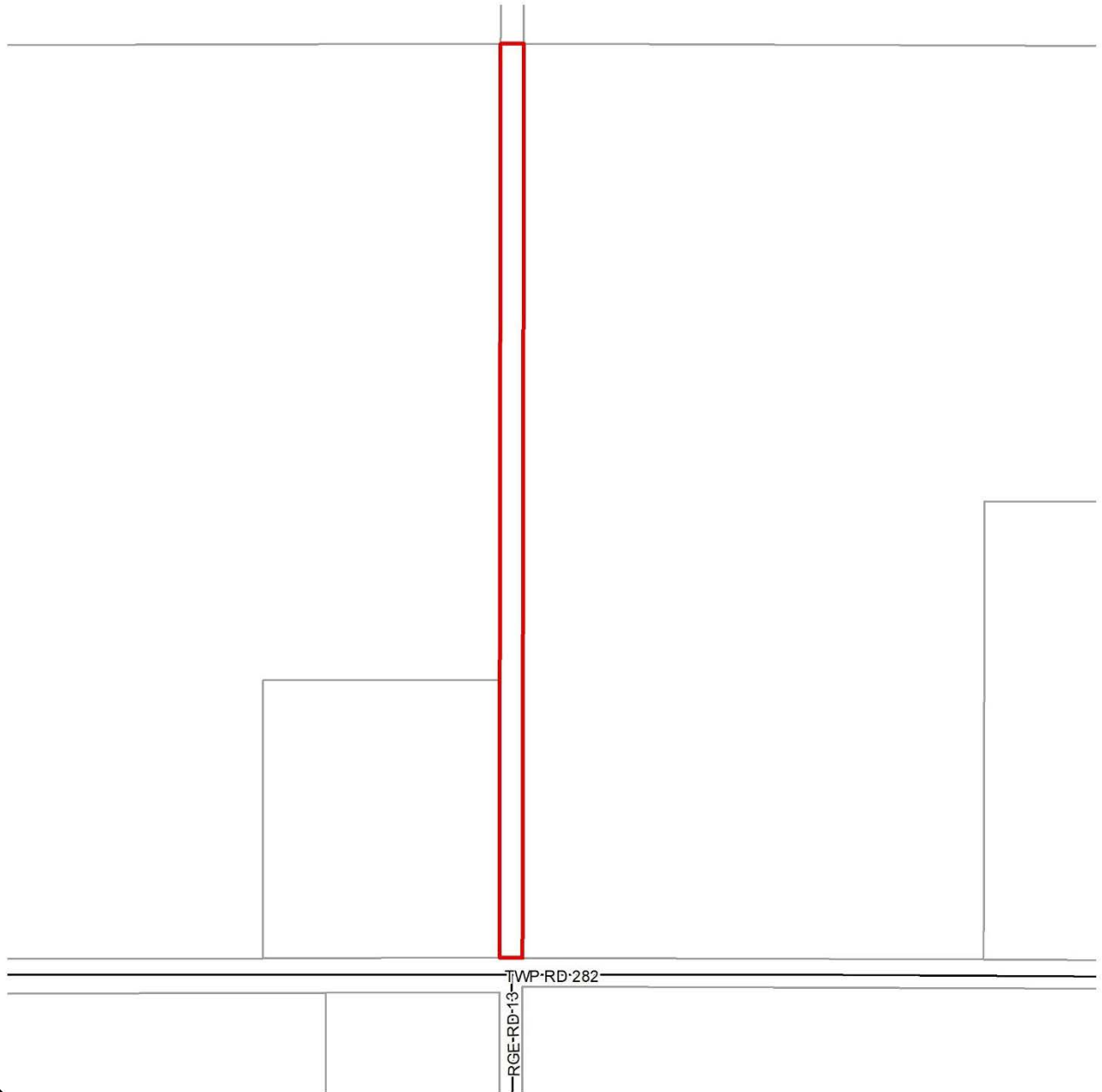


LOCATION PLAN



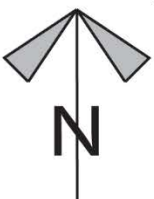
SW-15-28-01-W05M

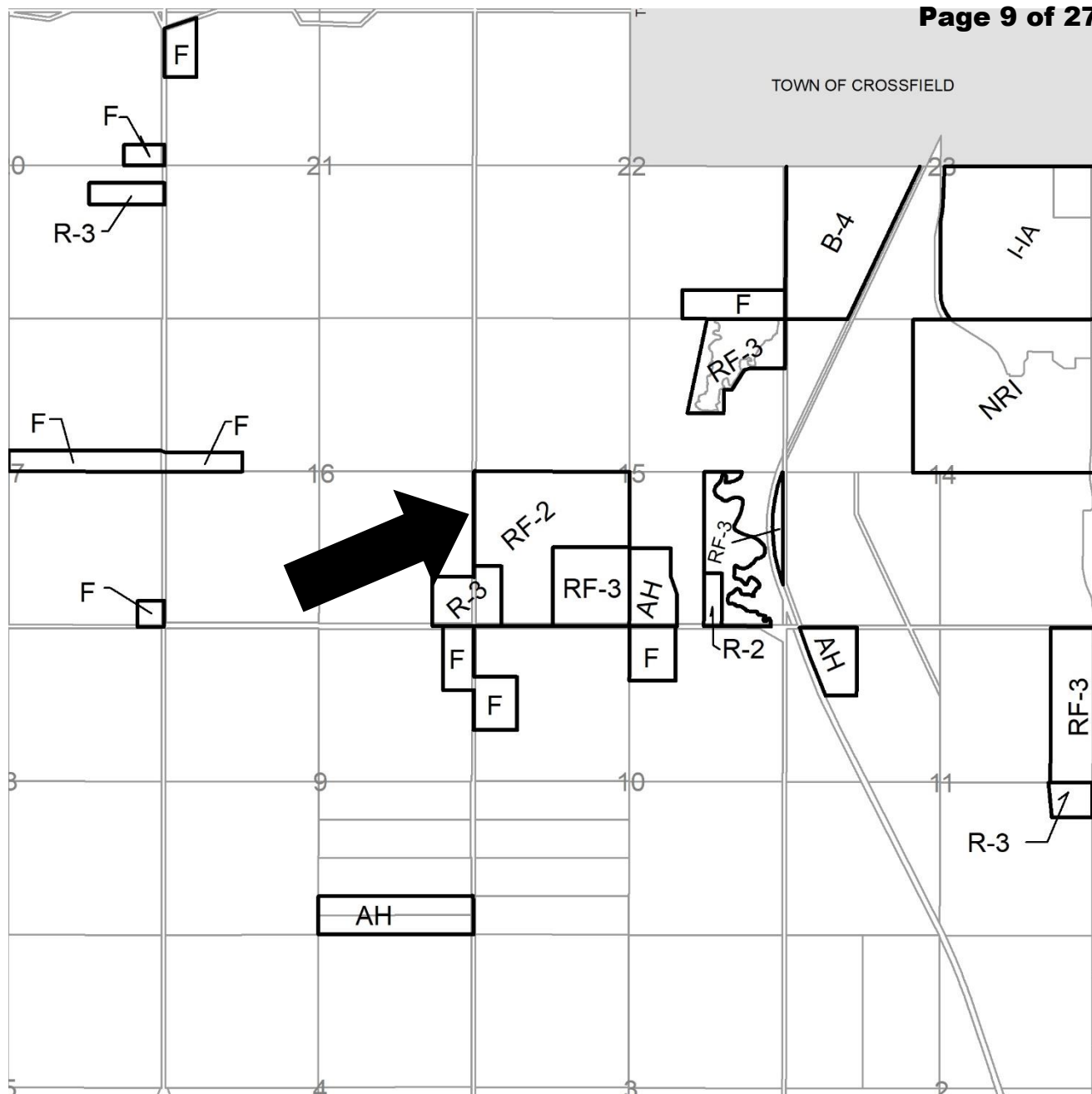
Road Closure Proposal: To close for consolidation, a +/- 4.00 acre portion of undeveloped road allowance. This portion is adjacent to and proposed to be consolidated into the SW-15-28-01-W5M. **Page 8 of 27**



ROAD CLOSURE PROPOSAL

SW-15-28-01-W05M





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

LAND USE MAP

SW-15-28-01-W05M



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

AIR PHOTO

Spring 2018

SW-15-28-01-W05M

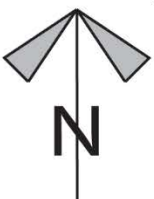
Date: March 31, 2020

Division # 6

File: PL20200036

AGENDA

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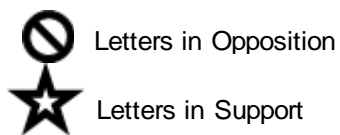


TOPOGRAPHY

Contour Interval 2 M



SW-15-28-01-W05M



10

Subject Lands

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Angela Pare

From:
Sent: Monday, April 13, 2020 7:39 AM
To: Angela Pare
Subject: [EXTERNAL] - Road closure SW15-28-1W5M
Attachments: Scan20200413073114.pdf

CAUTION: Do not click links, or open attachments unless the sender and content are known to you.

Please find the attached support for road closure on the SW 15-28-1W5M. We would also like to recommend to continue closing the road north to the NE 21-28-01W5M. This road is notorious for having garbage and stolen items dumped and fires started. Just closing the south end of the road will not prevent further issues if they can access it from the north.

If you have any other questions or need to contact me, please call me at

Thank you!

Donna Hurt



ROCKY VIEW COUNTY

262075 Rocky View Point
Rocky View County, AB, T4A 0X2403-230-1401
questions@rockyview.ca
www.rockyview.caROAD ALLOWANCE RESPONSE FORM

FILE NUMBER: PL20200036

DESCRIPTION: To close for consolidation, a +/- 4.0 acre portion of undeveloped road allowance. This portion is adjacent to and proposed to be consolidated into the SW-15-28-01-W5M.

GENERAL LOCATION: SW-15-28-1-W5M

APPLICANT: Creelman, Cody & Diana

OWNER: The Crown in right of Alberta

GROSS AREA: +/- 4.00 acres, to be confirmed by plan of survey

I, Donna Hurt, the owner of _____ /

Lot	Block	Plan
and/or <u>NE</u>	<u>16</u>	<u>28</u>
<u>01</u>	<u>W 5M</u>	<u>AND</u>
Qtr	Sec	Twp
<u>SE</u>	<u>21</u>	<u>28</u>
<u>01</u>	<u>01</u>	<u>W5M</u>
<u>Support</u>	or	Oppose

this proposed Road Closure for Consolidation purposes.

Comments:

We support this road closure, however, we would like the road closure to continue north to the NE 21-28-01-W5M.

This road is prone to having garbage dumped, fires started & stolen items disposed of. This road should be closed on both ends to prevent ongoing issues.

Signature

Donna L. Hurt

Date

April 13, 2020



ROCKY VIEW COUNTY

262075 Rocky View Point
Rocky View County, AB, T4A 0X2403-230-1401
questions@rockyview.ca
www.rockyview.ca**ROAD ALLOWANCE RESPONSE FORM**

FILE NUMBER: PL20200036

DESCRIPTION: To close for consolidation, a +/- 4.0 acre portion of undeveloped road allowance. This portion is adjacent to and proposed to be consolidated into the SW-15-28-01-W5M.

GENERAL LOCATION: SW-15-28-1-W5M

APPLICANT: Creelman, Cody & Diana

OWNER: The Crown in right of Alberta

GROSS AREA: +/- 4.00 acres, to be confirmed by plan of survey

I, Donna Hlushak, the owner of _____ /

	Lot	Block	Plan
and/or <u>NE</u>	<u>28</u>	<u>01</u>	<u>05</u>
<u>Qtr</u>	<u>09</u>	<u>28</u>	<u>01</u>
	<u>Sec</u>	<u>28</u>	<u>Rge</u>
			<u>W 5 M</u>

Support

or

Oppose

this proposed Road Closure for Consolidation purposes.

Comments:

Donna HlushakApril 17, 2020

Signature

Date



ROCKY VIEW COUNTY

262075 Rocky View Point
Rocky View County, AB, T4A 0X2403-230-1401
questions@rockyview.ca
www.rockyview.caROAD ALLOWANCE RESPONSE FORM

FILE NUMBER: PL20200036

DESCRIPTION: To close for consolidation, a +/- 4.0 acre portion of undeveloped road allowance. This portion is adjacent to and proposed to be consolidated into the SW-15-28-01-W5M.

GENERAL LOCATION: SW-15-28-1-W5M

APPLICANT: Creelman, Cody & Diana

OWNER: The Crown in right of Alberta

GROSS AREA: +/- 4.00 acres, to be confirmed by plan of survey

I, Donalee Hluschak, the owner of 1, 1, 0913386 /

Lot Block Plan

and/or _____, _____, _____, _____, W__ M

Qtr

Sec

Twp

Rge

Support

or

Oppose

this proposed Road Closure for Consolidation purposes.

Comments:

Donalee HluschakApril 17, 2020

Signature

Date



ROCKY VIEW COUNTY

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

403-230-1401
questions@rockyview.ca
www.rockyview.ca

ROAD ALLOWANCE RESPONSE FORM

FILE NUMBER: PL20200036

DESCRIPTION: To close for consolidation, a +/- 4.0 acre portion of undeveloped road allowance. This portion is adjacent to and proposed to be consolidated into the SW-15-28-01-W5M.

GENERAL LOCATION: SW-15-28-1-W5M

APPLICANT: Creelman, Cody & Diana

OWNER: The Crown in right of Alberta

GROSS AREA: +/- 4.00 acres, to be confirmed by plan of survey

I, Michael Hlushak, the owner of 1, 1, 09133861

Lot Block Plan

and/or _____, _____, _____, _____, W__ M

Qtr

Sec

Twp

Rge

Support

or

Oppose

this proposed Road Closure for Consolidation purposes.

Comments:

Michael Hlushak

April 18, 2020

Signature

Date



ROCKY VIEW COUNTY

262075 Rocky View Point
Rocky View County, AB T4A 0K2403 230 1401
questions@rockyview.ca
www.rockyview.caROAD ALLOWANCE RESPONSE FORM

FILE NUMBER: PL20200038

DESCRIPTION: To close for consolidation, a +/- 4.0 acre portion of undeveloped road allowance. This portion is adjacent to and proposed to be consolidated into the SW-15-28-01-W5M.

GENERAL LOCATION: SW-15-28-1-W5M

APPLICANT: Creelman, Cody & Diana

OWNER: The Crown in right of Alberta

GROSS AREA: +/- 4.00 acres, to be confirmed by plan of survey

I, Teresa Robert, the owner of 1 1 acres

Lot Block Plan

and/or NE 10 28 01 W5M

Qtr

Sec

Twp

Rge

Support

or

Oppose

this proposed Road Closure for Consolidation purposes.

Comments:

I would like to ensure small vehicles (ie ATV) or
horses could still access this area for recreation. Some type of
opening be in place to safely remove vehicle access

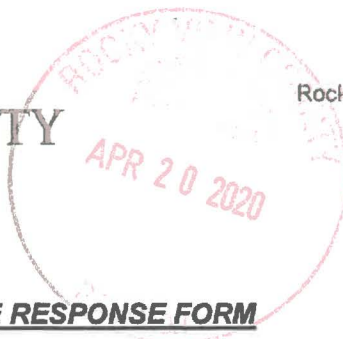
Signature

Apr 8 2020

Date



ROCKY VIEW COUNTY

262075 Rocky View Point
Rocky View County, AB, T4A 0X2403-230-1401
questions@rockyview.ca
www.rockyview.caROAD ALLOWANCE RESPONSE FORM

FILE NUMBER: PL20200036

DESCRIPTION: To close for consolidation, a +/- 4.0 acre portion of undeveloped road allowance. This portion is adjacent to and proposed to be consolidated into the SW-15-28-01-W5M.

GENERAL LOCATION: SW-15-28-1-W5M

APPLICANT: Creelman, Cody & Diana

OWNER: The Crown in right of Alberta

GROSS AREA: +/- 4.00 acres, to be confirmed by plan of survey

I, Aily Pagan, the owner of 1, 1, 0715038

Lot Block Plan

and/or NE 1/4 15 28 1 W5M

Qtr Sec Twp Rge

Support

or

Oppose

this proposed Road Closure for Consolidation purposes.

Comments:

I don't want it closed, good back road to
ride horses and walk dogs.

Aily Pagan

April 15, 2020

Signature

Date



ROCKY VIEW COUNTY

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

APR 21 2020

403-230-1401
questions@rockyview.ca
www.rockyview.ca**ROAD ALLOWANCE RESPONSE FORM**

FILE NUMBER: PL20200036

DESCRIPTION: To close for consolidation, a +/- 4.0 acre portion of undeveloped road allowance. This portion is adjacent to and proposed to be consolidated into the SW-15-28-01-W5M.

GENERAL LOCATION: SW-15-28-1-W5M

APPLICANT: Creelman, Cody & Diana

OWNER: The Crown in right of Alberta

GROSS AREA: +/- 4.00 acres, to be confirmed by plan of survey

I, Jack Beedoes, the owner of 08 5 15007

	Lot	Block	Plan
(and/or) <u>SE</u> , <u>16</u> , <u>28</u> , <u>1</u> , <u>W5</u> M			
Qtr	Sec	Twp	Rge

Support

or

Oppose

this proposed Road Closure for Consolidation purposes.

Comments:

Closing this road allowance would make it impossible
for me to access the north end of my property due to a
wet area separating the the north from the south.

[Signature]
 Signature

April 16/20
 Date

Angela Pare

From: Jamie Griffith
Sent: Thursday, April 16, 2020 1:10 PM
To: Angela Pare
Subject: [EXTERNAL] - Application Number PL20200036, Cody and Diana Creelman

CAUTION: Do not click links, or open attachments unless the sender and content are known to you.

Hi Angela,

We will be opposing the above mentioned application, but just wondered if there is any other information available to us.

Under what legislation or law are they able to apply to close a road access in the County?

Are there certain circumstances that allow them to make this application?

Is there a section of the County Municipal Act or Municipal Government Act that allows for these types of applications that we can refer to?

Are we able to have access to any other information in the application so that we could understand why they want to close it? It cuts off our access to one of our quarters and they know that as they bought the land from us.

I guess the question might be what gives them the right to apply to close a road access? Can anyone apply to do that?

Will this be an in-person application? If so, can we attend and what is the process and timeline for this application?

Thanks and I look forward to hearing from you.

Jamie Griffith and Laura Van Der Stoop



ROCKY VIEW COUNTY

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Rocky View County, AB, T4A 0X2403-230-1401
questions@rockyview.ca
www.rockyview.ca**ROAD ALLOWANCE RESPONSE FORM**

FILE NUMBER: PL20200036

DESCRIPTION: To close for consolidation, a +/- 4.0 acre portion of undeveloped road allowance. This portion is adjacent to and proposed to be consolidated into the SW-15-28-01-W5M.

GENERAL LOCATION: SW-15-28-1-W5M

APPLICANT: Creelman, Cody & Diana

OWNER: The Crown in right of Alberta

GROSS AREA: +/- 4.00 acres, to be confirmed by plan of survey

I, JAMES I. GRIFFITH, the owner of _____ /

Lot Block Plan

and/or NW/NE, 15, 28, 1, W 5 M

Qtr

Sec

Twp

Rge

~~Support~~~~Oppose~~

Oppose

this proposed Road Closure for Consolidation purposes.

Comments:

Please see attached Schedule "A" for the reasons for
opposition.

Signature

Date

Schedule "A"

Reasons for Opposition to the Application of Cody & Diana Creelman to close for consolidation, a +/- 4.0 acre portion of undeveloped road allowance.

The Applicants purchased the SW-15-28-1-W5M (hereinafter referred to as the "Creelman Quarter") from me in May of 2018 and have owned it since that time.

I owned that land for many years and farmed it continuously prior to them purchasing it.

I also own the NW and the NE quarter in the same section and have owned that land since 2006 and 2007 respectively. I live and own three other quarter sections within a few miles of this land and rent approximately 2,000 additional acres in County of Rockyview.

I produce hay, farm and ranch in the area and have done so for nearly 25 years. Prior to that, I have farmed and ranched at Balzac and have lived in Rockyview County all of my life.

At the time that the Applicants purchased the land from me, Cody Creelman was our veterinarian, working with Veterinarian Agri Health Service Ltd. based out of Airdrie. I felt that we had a good rapport and knowing that they wanted to relocate to the area, we negotiated a deal and I sold him that partial quarter section of land, believing at the time that we would continue to have a relationship as his client and to some degree it would be convenient having our vet live within two miles of us.

At the time of the sale, I believed we had a gentleman's agreement that I would continue to hay the land that the Creelman's had purchased until further notice. At the beginning of the season the following crop year, I noticed that Creelman had someone else working the land, clearly with the intention to rent it to someone else. At no time did he discuss this with me.

Cody Creelman is since no longer associated with Veterinary Agri Health and is no longer our veterinarian.

Hereinafter I will refer to my quarters owned adjacent to the Creelman Quarter as "Griffith Quarter 1" and "Griffith Quarter 2" (See Attached Photos).

Griffith Quarter 2 is landlocked by the Creelman Quarter and by Griffith Quarter 1. Each of my quarters has a separate title.

I have in the past had Griffith Quarter 1 and 2 for sale. Neither is currently listed, but a for sale sign remains on Griffith Quarter 1. The realtor with whom it was listed knows that the sale of Griffith Quarter 1 is not out of the question, so he continues to hold it as a "pocket listing". I would not be able to sell Griffith Quarter 2 to anyone for use as farmland if they could not access it through the road that the Creelmans are proposing to close.

Some months ago, I contacted Cody Creelman by text message to inquire if he was interested in purchasing Griffith Quarter 2 as he had previously expressed an interest. The reason I did that was because I know that if I was to sell Griffith Quarter 1, Griffith Quarter 2 would be landlocked other than that road. I did not hear from him.

Griffith Quarter 2 can currently be accessed by Griffith Quarter 1, however should I sell that quarter, the only access I would have to Griffith Quarter 2 would be the road that Creelman is proposing to close.

Over the years that I have owned and farmed Griffith Quarter 2, I had used the subject road for many years to access Griffith Quarter 2 as it is much closer to my farm than travelling around and accessing it through Griffith Quarter 1. It is much safer to transport equipment on that road as the access through Griffith Quarter 1 involves travel on a paved road as well as gravel roads. There are gates along my quarter to access Griffith Quarter 2 from the road that they are proposing to close. I have used those gates and that road many times over the years I have owned and farmed that land.

Historically, I had always accessed Griffith Quarter 2 through that road because I could not access it through the Creelman quarter due to a creek that runs through the Creelman Quarter. A couple of years before the sale of the Creelman quarter, I built a creek crossing (hereinafter referred to as Creek Crossing 1). After I built Creek Crossing 1 and in the most recent years before I sold the quarter to Creelman, I did use that crossing to access Griffith Quarter 2. Using Creek Crossing 1 is no longer an option as I do not own the land that it is on. If the application is allowed to close that road, then I will have no access to Griffith Quarter 2.

Griffith Quarter 1 has a Creek Crossing, hereinafter referred to as Creek Crossing 2. It is not a seasonal creek and flows year-round. I access a portion of Griffith Quarter 1 over that creek crossing, but there is always the risk that with heavy rains in the spring and summer, that creek crossing could flood. It is a very narrow creek crossing and constitutes the only access I have to the west portion of Griffith Quarter 1 if I am unable to use the subject road. Should that creek crossing ever flood, I would be unable to access either the west portion of Griffith Quarter 1 or any and all of Griffith Quarter 2 if Creelman's application is

was permitted. As can be seen on Photo 1, the creek runs the entire length of Griffith Quarter 1 and Creek Crossing 2 is the only access to the land, other than the road that Creelman is proposing to close. I often leave bales on Griffith Quarter 2 and the west portion of Griffith Quarter 1 until the last of the season and if I was unable to access those bales, I would be unable to feed my livestock.


The Creelmans knew or ought to know that the road they are proposing to close is the only access I have to Griffith Quarter 2, should I sell Griffith Quarter 1 or not be able to access Griffith Quarter 2 through Griffith Quarter 1 for any reason.

The entire south boundary of the quarter section that the Creelmans purchased is accessible by building an approach off of TWP 282. There is also an existing approach on the south side of the land along TWP 282 that they use currently. The quarter faces a paved road (TWP 282) and it would seem reasonable that they would want to access their land from the paved road, rather than using the road they propose to close as their own personal driveway. There would be very little cost to building an approach anywhere along TWP Road 282 as the ditch is very shallow and drainage would not likely be an issue. It was never an issue for the driveway/approach that I used to access that quarter on TWP Road 282, which is still available for their use.

I find it entirely un-neighbourly and self-serving that the Creelmans would make this application and I think it speaks to their utter lack of concern for their neighbours and fellow community members. I believe a good neighbour would have contacted me to let me know of his intention and to discuss whether or not that would leave me in a difficult position. Ultimately, I believe the Creelmans know this would leave me unable to access my land.

Please accept this as my arduous opposition to the application as provided under cover of your letter of April 2, 2020.

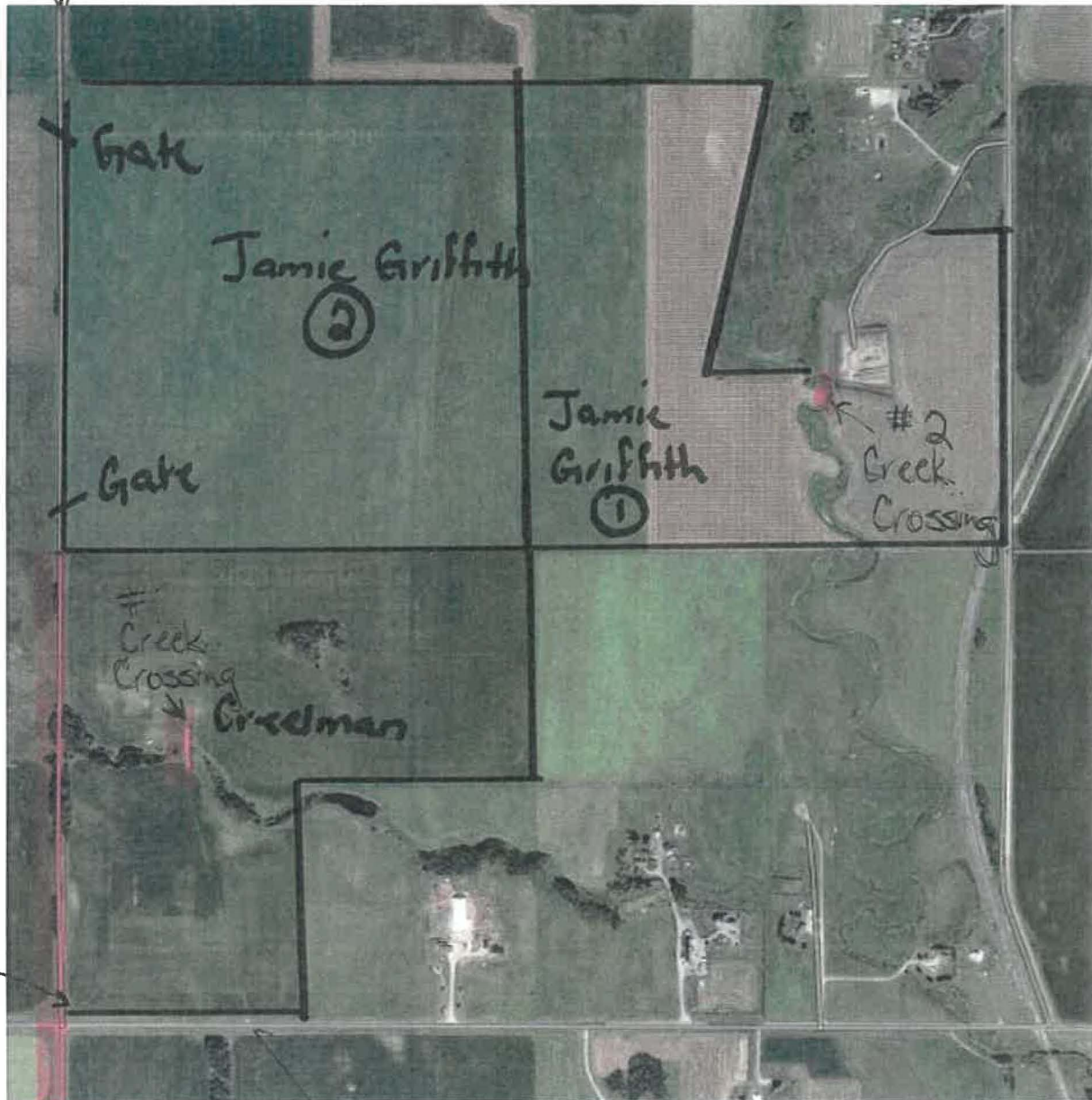
Regards,



James I. Griffith

Photo #1

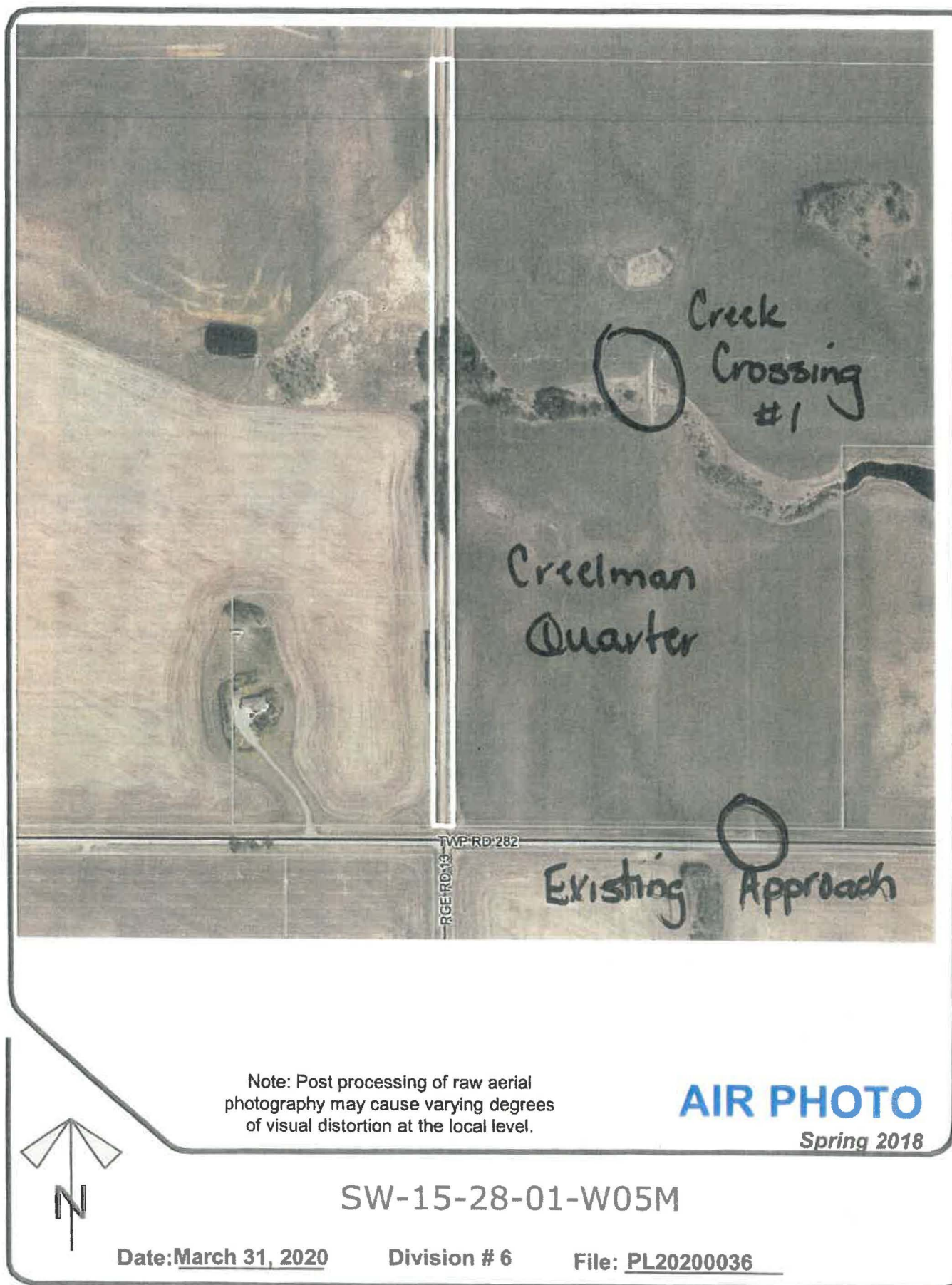
R.R. 13.



Griffith Ranch

Road Access to
Creelman

Photo # 2





PLANNING AND DEVELOPMENT SERVICES

TO:	Council	
DATE:	July 21, 2020	DIVISION: 6
TIME:	Morning Appointment	
FILE:	08501007	APPLICATION: PL20190006
SUBJECT:	Redesignation Item – Agricultural Holdings District to Residential Two District	

POLICY DIRECTION:

The Interim Growth Plan, the County Plan, and the *Municipal Government Act*.

EXECUTIVE SUMMARY:

This application proposes to redesignate a portion of the subject lands from Agricultural Holdings District to Residential Two District to facilitate the future subdivision of a ± 3.95 acre parcel, with a ± 19.35 acre remainder.

Council gave first reading to Bylaw C-7906-2019 on March 10, 2020.

The application was circulated to 15 adjacent landowners; no letters were received. The application was also circulated to a number of internal and external agencies; responses are available in Appendix 'A'.

The following is a summary of the application assessment:

- Development of in the vicinity of sour gas infrastructure poses a risk to public safety
- The application is not consistent with the policies of the County Plan;
- Technical matters required at this stage of the application process are not satisfactory.

ADMINISTRATION RECOMMENDATION:

Administration recommends refusal in accordance with Option #2.

DATE APPLICATION RECEIVED:	January 10, 2019
DATE DEEMED COMPLETE:	January 10, 2019

PROPOSAL:	To redesignate a portion of the subject lands from Agricultural Holdings District to Residential Two District, in order to facilitate the creation of a ± 1.60 hectare (± 3.95 acre) parcel with a ± 7.83 hectare (± 19.35 acre) remainder.
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LEGAL DESCRIPTION:	Block 2, Plan 9310095, NW-1-28-1-W5M
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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.
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APPLICANT:	Katie and Dan Smith
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OWNERS:	Carolyn R. Thomas
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EXISTING LAND USE DESIGNATION:	Agricultural Holdings District
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Administration Resources
Stefan Kunz and Milan Patel, Planning and Development Services



PROPOSED LAND USE DESIGNATION:	Residential Two District
GROSS AREA:	± 9.44 hectares (± 23.33 acres)
SOILS (C.L.I. from A.R.C.):	Class 3, T, H, 6, W - Moderate limitations due to adverse topography (steep and/or long uniform slopes) and temperature limiting factor, and cropping is not feasible due to excessive wetness/poor drainage.

HISTORY:

- 1993** Plan 9310095 is registered, resulting in the creation of the subject lands, as well as the 9.44 hectare (23.33 acre) parcel immediately to the west.
- 1980** Road Plan 2011167 is registered, allowing for the construction of Township Road 280A.

BACKGROUND:

The subject lands are located approximately halfway between the city of Airdrie and the town of Crossfield, east of Dickson Stevenson Trail and on the south side of Township Road 280A. This is an area of the County that primarily consists of agricultural land uses, and it is not an established growth area.

This area of the County also features a heavy concentration of oil and gas infrastructure. A natural gas well, with associated pipeline, is located immediately to the east, within 200 metres of the subject lands. Fuel gas and sour gas pipelines are located throughout the area, with both of these running through the northern portion of the subject parcel (Right-of-Way 5677 JK). The minimum setback distance to this pipeline is 100 metres, which, given the configuration of the proposed parcel, will severely limit the developable area of the site. Additionally, as it lies between the building site and the roadway, egress from the site is only available by travelling over the pipeline. This presents a public safety risk in the event of a leak or other incident.

POLICY ANALYSIS:

The application was evaluated against the policies found within the Interim Growth Plan, the County Plan, and the Land Use Bylaw.

County Plan

One of the primary objectives of the Municipal Development Plan (MDP) is to direct development to established growth areas as identified on Map 1 of the Plan. Despite this goal, the County Plan generally recognizes the need to allow for a small degree of fragmentation in some specific situations. These situations include:

- the creation of a first parcel out of a previously unsubdivided quarter section;
- the creation of a parcel for agricultural purposes; or
- development within a fragmented country residential area.

This application does not satisfy any of these exceptions.

In accordance with Section 632(3)(d) of the *Municipal Government Act*, the County Plan contains guidance with respect to development adjacent to sour gas facilities. Section 15.8 of the County Plan states:

“When considering applications for development, provincial setback regulations and guidelines shall be applied respecting petroleum wells, sour gas facilities, pipelines, and other oil and gas facilities.”



The setback guidelines are established by the Alberta Energy Regulator (AER), and require a minimum of 100 metres from a permanent dwelling to sour gas facilities. The purpose of these setbacks is to enhance public safety by limiting the potential for death or injury in the event of a leak or other incident.

Subdivision & Development Regulations

As this application is to facilitate future subdivision, alignment with the Subdivision & Development Regulations will affect the future development potential of the site. In this case, as the subject lands feature significant oil and gas development, including sour gas pipelines, Section 10(3) of the Regulations is relevant; Section 10(3) notes that a subdivision authority shall not approve an application that does not conform to AER setbacks, unless AER provides prior written approval for a lesser setback distance.

The Alberta Energy Regulator (AER) requires a setback of 100 metres from a permanent dwelling to sour gas facilities, and no waiver of this setback has been provided.

Land Use Bylaw

The application proposes the redesignation of a portion of the 23.33 acre subject lands from Agricultural Holdings District to Residential Two District. The minimum parcel size within Residential Two District parcels is 1.6 hectares (3.95 acres), and 8.10 hectares (20.01 acres) within Agricultural Holdings District. As proposed, the Agricultural Holdings District remainder parcel does not meet the requirements of the Land Use Bylaw.

OPTIONS:

- Option #1: Motion #1 THAT Bylaw C-7906-2019 be given second reading.
 Motion #2 THAT Bylaw C-7906-2019 be given third and final reading.
- Option #2: That application PL20190006 be refused

Respectfully submitted,

Concurrence,

“Theresa Cochran”

“Al Hoggan”

Executive Director
Community Development Services

Chief Administrative Officer

SK/ltt

APPENDICES:

APPENDIX 'A': Application Referrals
 APPENDIX 'B': Bylaw C-7906-2019 & Schedule A
 APPENDIX 'C': Map Set



APPENDIX A: APPLICATION REFERRALS

AGENCY	COMMENTS
Internal Departments	
Planning and Development Services - Engineering	<p>Geotechnical:</p> <ul style="list-style-type: none"> County GIS contours indicates that there are slopes less than 15%. Engineering have no requirements at this time. <p>Transportation:</p> <ul style="list-style-type: none"> Road approach is provided to remainder lot from Township Road 280A. No approach is present for proposed lot 1. As a condition of future subdivision, applicant is required to provide a ROW plan and access easement for the existing driveway at remainder lot accessing a proposed lot 1 or provide a new approach to proposed lot 1 off Township Road 280A as per County's standards. As a condition of future subdivision, the applicant is required to provide payment of the Transportation Offsite Levy in accordance with Transportation Offsite Bylaw C-7356-2014. Engineering have no requirements at this time. <p>Sanitary/Waste Water:</p> <ul style="list-style-type: none"> The application indicated that remainder lot is serviced by a PSTS and proposed lot 1 will be serviced by a PSTS. At a time of future subdivision, applicant is required to provide Level 2 PSTS assessment on proposed lot 1 and level 1 variation assessment on remainder lot. Engineering have no requirement at this time. <p>Water Supply And Waterworks:</p> <ul style="list-style-type: none"> The application indicated that remainder lot is serviced by a water well and proposed lot 1 will be serviced by a water well. As a condition of future subdivision, applicant is required to have a well drilled on proposed lot 1 with well driller's report confirming flow of 4.5L/min (1 igpm) or greater. Engineering have no requirement at this time. <p>Stormwater Management:</p> <ul style="list-style-type: none"> No impervious areas or significant changes to land is proposed. Engineering have no requirements as no land disturbance is proposed at this time. <p>Environmental:</p> <ul style="list-style-type: none"> Based on GIS review, no wetlands are present on site. Engineering have no requirements at this time.



ROCKY VIEW COUNTY

Circulation Period: February 5, 2019 to February 27, 2019

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



BYLAW C-7906-2019

A Bylaw of Rocky View County, in the Province of Alberta, to amend Rocky View County Bylaw C-4841-97, being the *Land Use Bylaw*.

The Council of Rocky View County enacts as follows:

Title

- 1 This Bylaw may be cited as *Bylaw C-7906-2019*.

Definitions

- 2 Words in this Bylaw have the same meaning as those set out in the *Municipal Government Act* except for the definitions provided below:
- (1) **“Council”** means the duly elected Council of Rocky View County;
 - (2) **“Municipal Government Act”** means the *Municipal Government Act*, RSA 2000, c M-26, as amended or replaced from time to time; and
 - (3) **“Rocky View County”** means Rocky View County as a municipal corporation and the geographical area within its jurisdictional boundaries, as the context requires.

Effect

- 3 Part 5, Land Use Map No. 85 of Bylaw C-4841-97 be amended by redesignating a portion of 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.
- 4 A portion of Block 2, Plan 9310095 within NW-1-28-1-W5M is hereby redesignated to Residential Two District as shown on the attached Schedule 'A' forming part of this Bylaw.

Transitional

- 5 Bylaw C-7906-2019 is passed and comes into full force and effect when it receives third reading and is signed in accordance with the *Municipal Government Act*.



ROCKY VIEW COUNTY

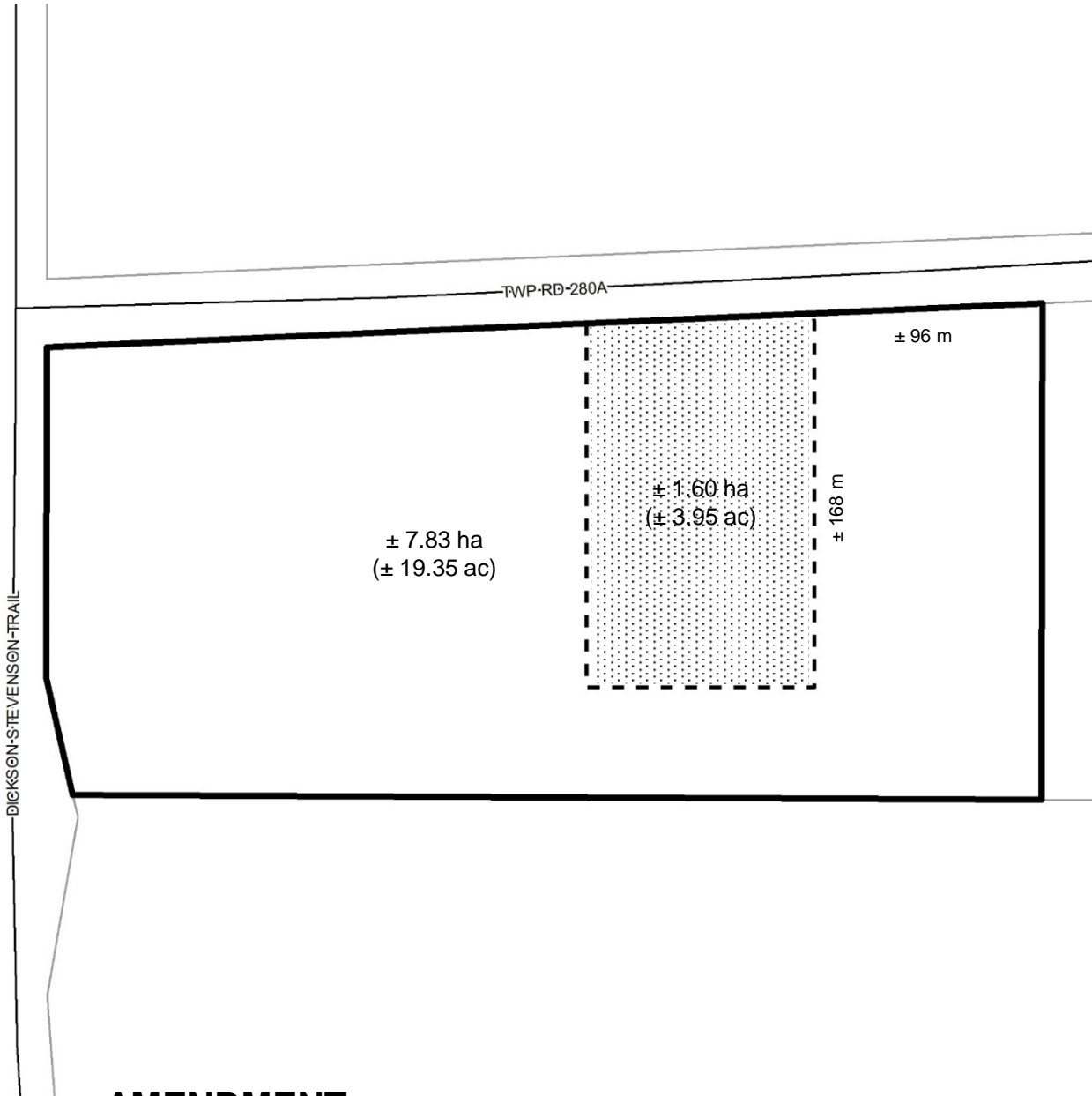
READ A FIRST TIME IN COUNCIL this 10th day of March, 2020

PUBLIC HEARING HELD this _____ day of _____, 2020

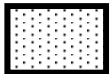
READ A SECOND TIME IN COUNCIL this _____ day of _____, 2020

READ A THIRD TIME IN COUNCIL this _____ day of _____, 2020

Reeve_____
Chief Administrative Officer or Designate_____
Date Bylaw Signed

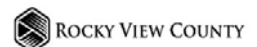
SCHEDULE "A"**BYLAW:** C-7906-2019**AMENDMENT**

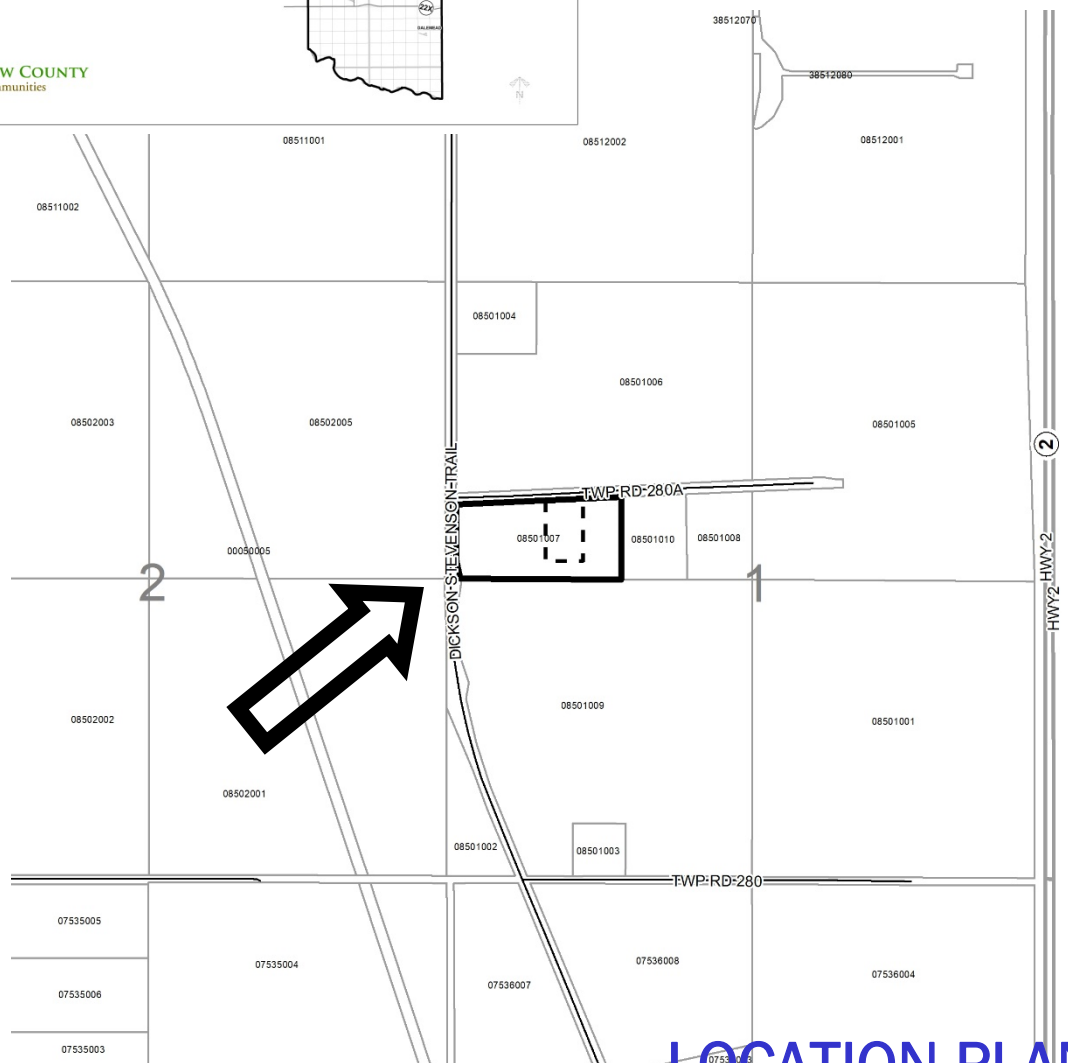
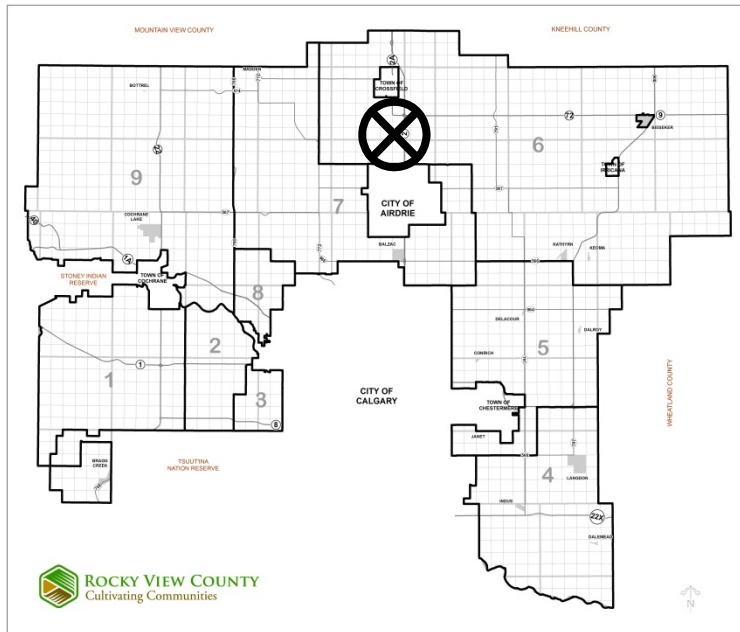
FROM Agricultural Holdings District **TO** Residential Two District



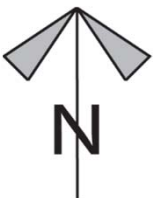
Subject Land _____

LEGAL DESCRIPTION: A portion of Block 2,
Plan 9310095 within NW-1-28-1-W5M

FILE: 08501007 - PL20190006**DIVISION: 6**



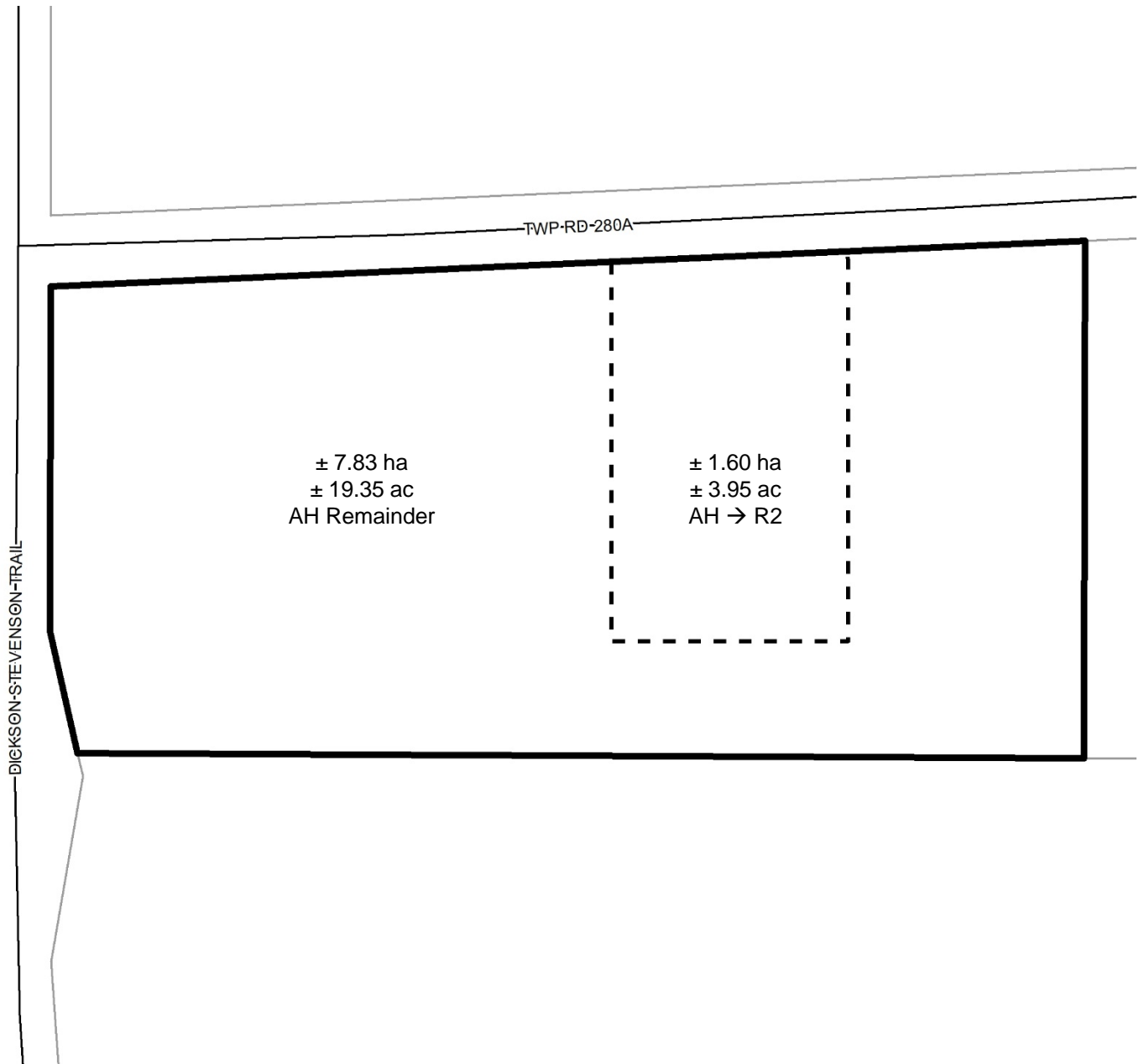
LOCATION PLAN



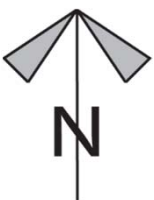
NW-1-28-1-W5M
Block 2, Plan 9310095

Date: 6-Jul-20Division # 6File: 08501007

Redesignation Proposal: To redesignate a portion of the subject lands from Agricultural Holdings District to Residential Two District in order to facilitate the creation of a ± 1.60 hectare (± 3.95 acre) parcel with a ± 7.83 hectare (± 19.35 acre) remainder.



DEVELOPMENT PROPOSAL

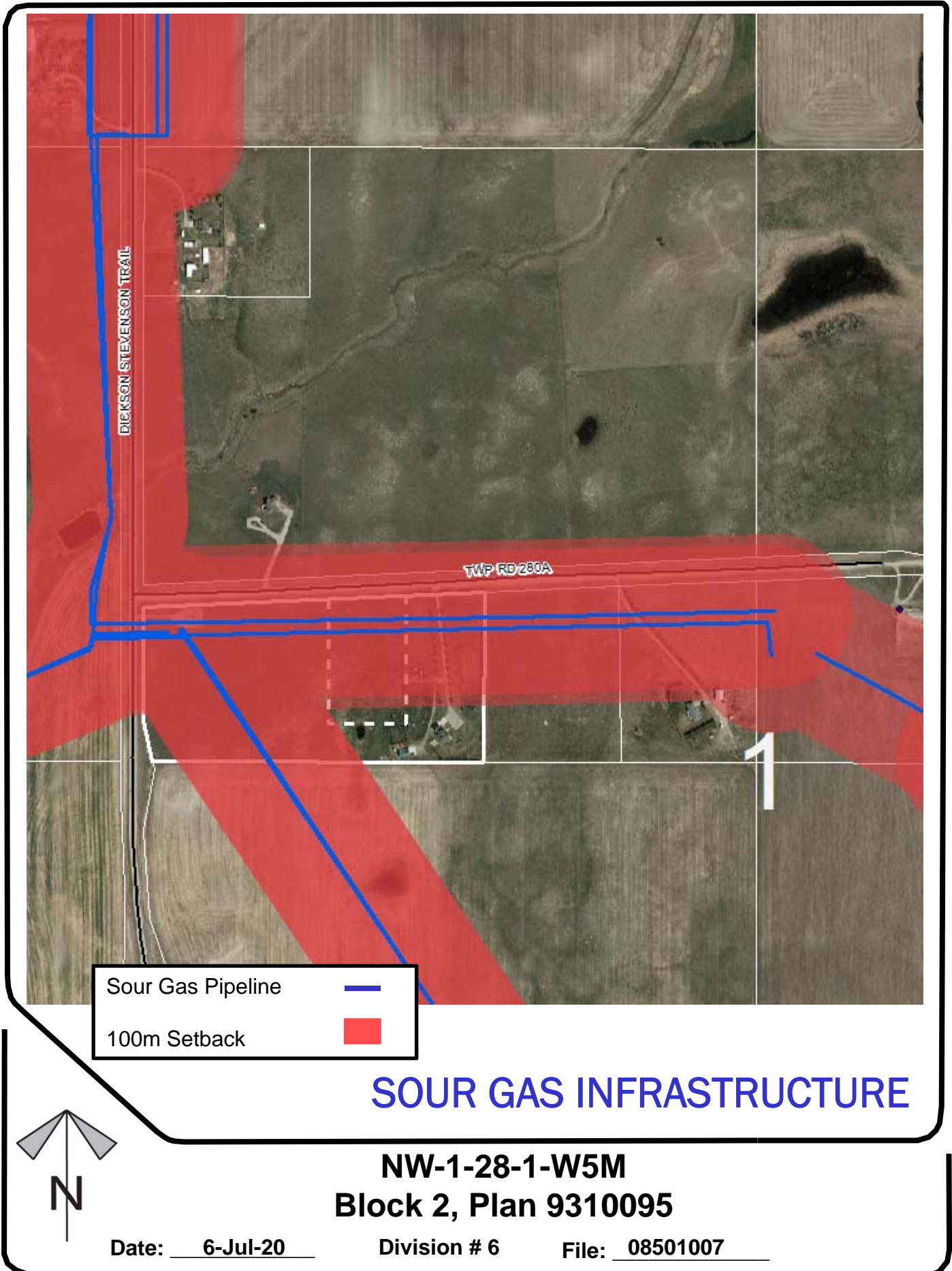


NW-1-28-1-W5M
Block 2, Plan 9310095

Date: 6-Jul-20

Division # 6

File: 08501007





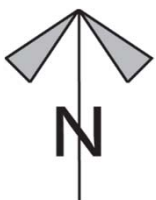
Sour Gas Pipeline



100m Setback



SOUR GAS INFRASTRUCTURE

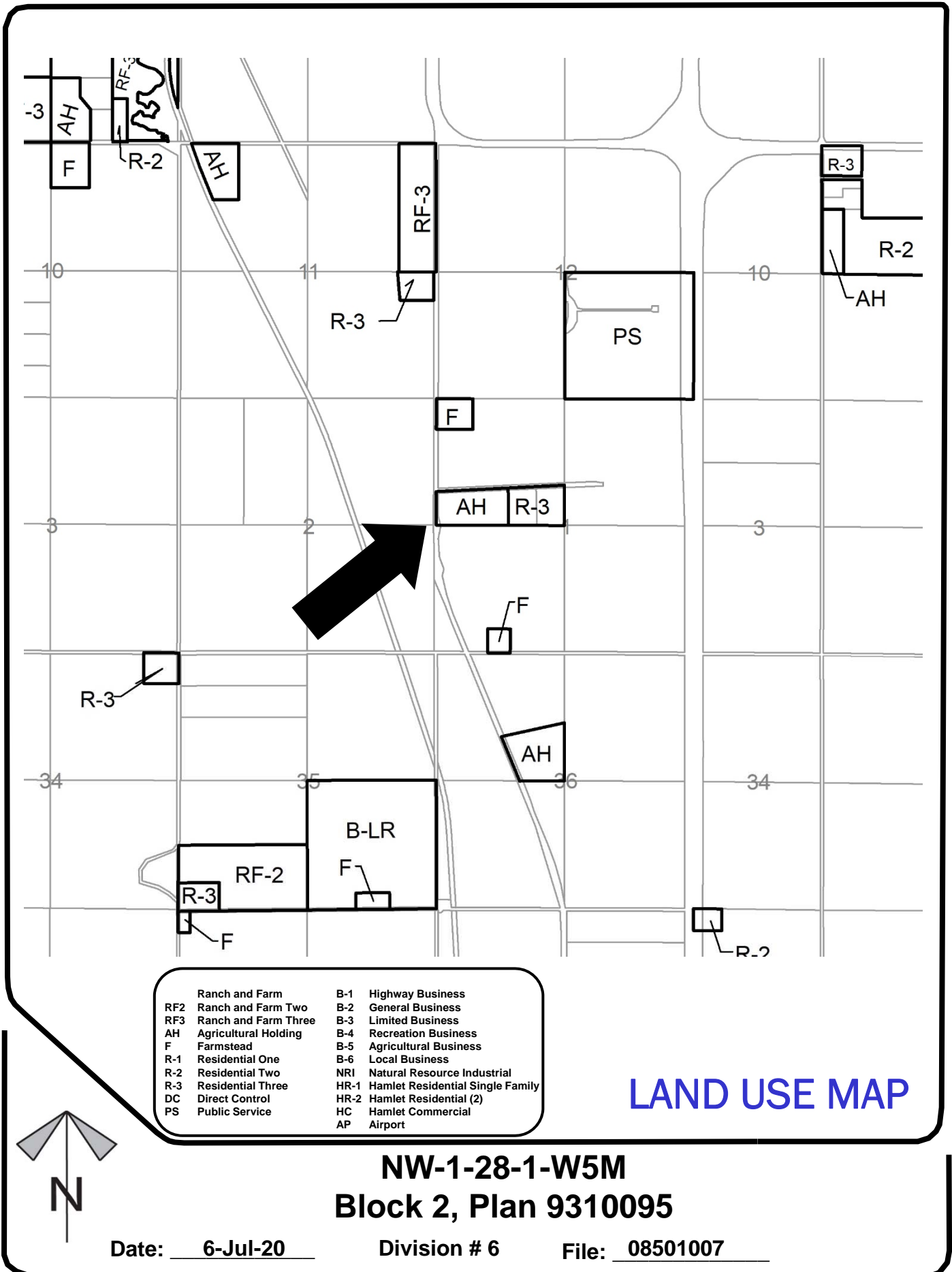


NW-1-28-1-W5M
Block 2, Plan 9310095

Date: 6-Jul-20

Division # 6

File: 08501007

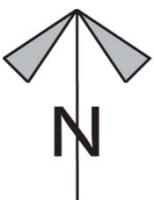




Note: Post processing of raw aerial photography may cause varying degrees of visual distortion at the local level.

AIR PHOTO

Spring 2018



NW-1-28-1-W5M
Block 2, Plan 9310095

Date: 6-Jul-20

Division # 6

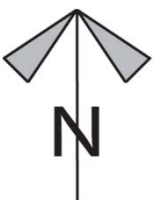
File: 08501007



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

TOPOGRAPHY

Contour Interval 2 M

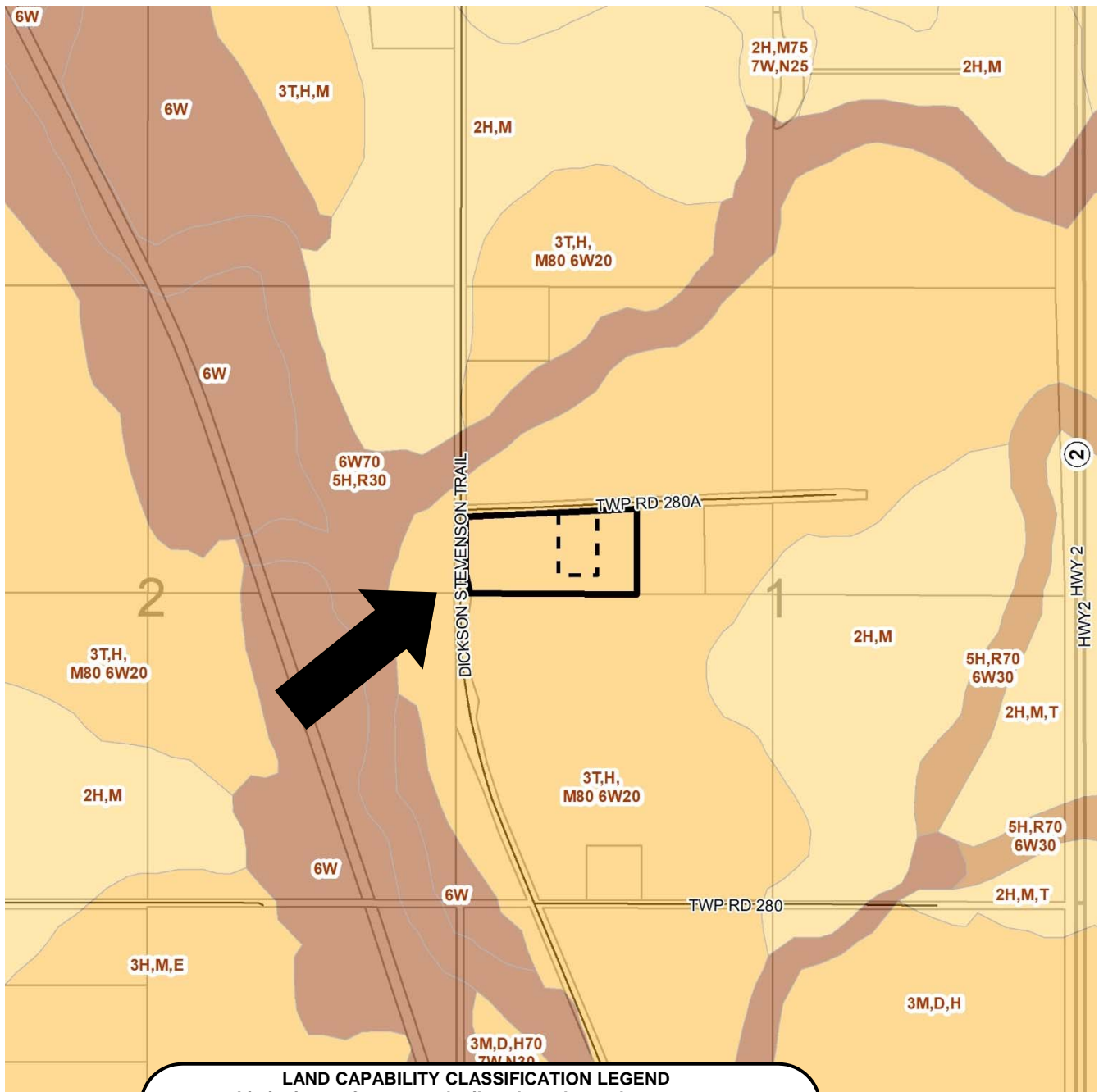


NW-1-28-1-W5M
Block 2, Plan 9310095

Date: 6-Jul-20

Division # 6

File: 08501007



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

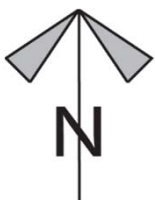
CLI Class

- 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



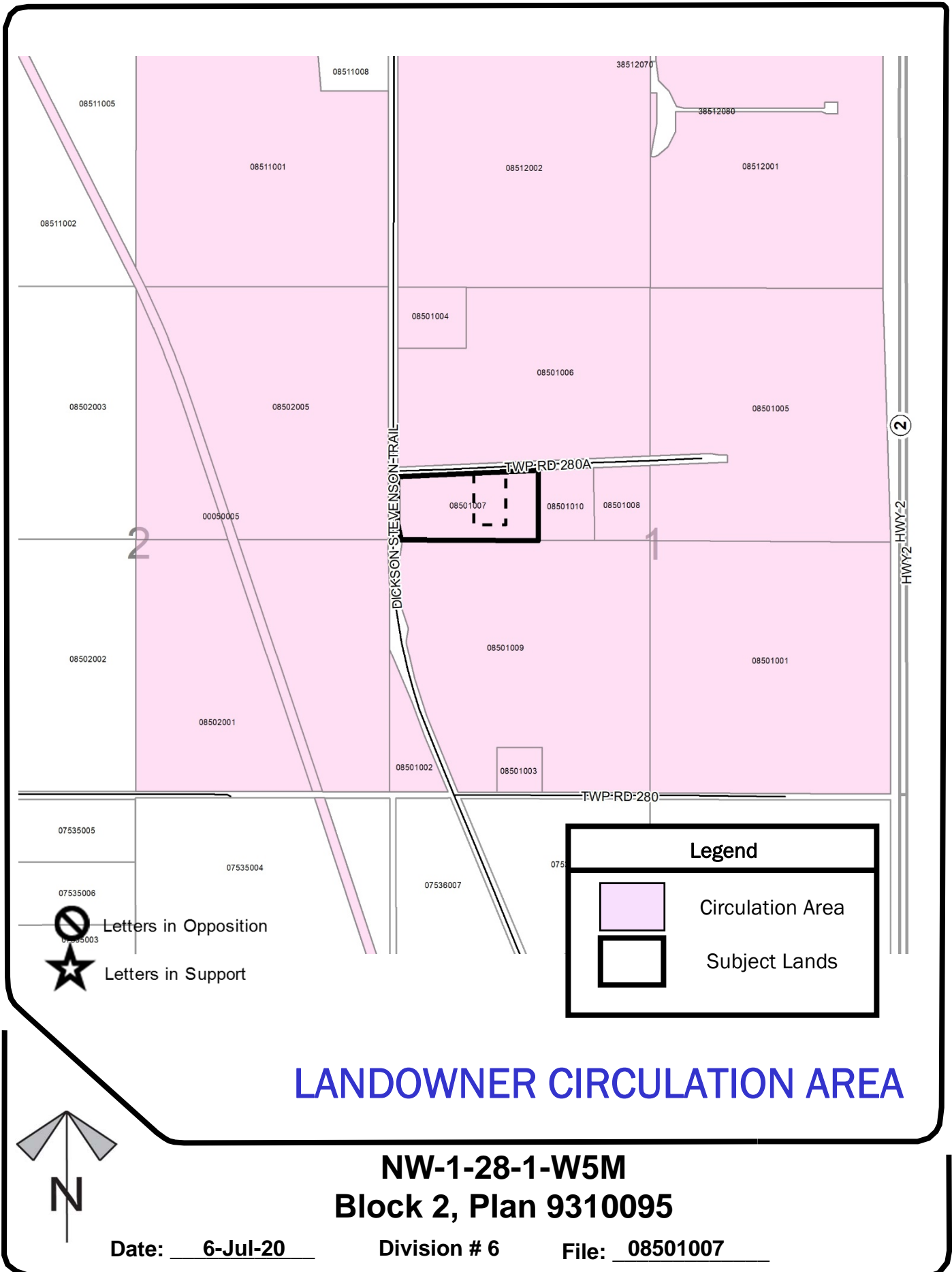
NW-1-28-1-W5M
Block 2, Plan 9310095

Date: 6-Jul-20

Division # 6

File: 08501007







PLANNING AND DEVELOPMENT SERVICES

TO:	Council	
DATE:	July 21, 2020	DIVISION: 9
TIME:	Morning Appointment	
FILE:	06732004	APPLICATION: PL20190186
SUBJECT:	Redesignation Item – Ranch and Farm District to Residential Two District	

POLICY DIRECTION:

The County Plan.

EXECUTIVE SUMMARY:

The purpose of this application is to redesignate a portion of the lands from Ranch and Farm District to Residential Two District, in order to facilitate the future creation of a ± 2.02 hectare (± 5.00 acre) parcel (Lot 1) with a ± 20.23 hectare (± 50.00 acre) remainder (Lot 2).

Council gave first reading to Bylaw C-7989-2019 on January 14, 2020.

No letters were received in response to 11 letters circulated to adjacent and area property owners when the application was received. The application was also circulated to a number of internal and external agencies; responses are available in Appendix 'A'.

The following is a summary of the application assessment:

- The application is inconsistent with Section 8 (Agriculture) of the County Plan;
- There are significant concerns with respect to the technical matters required to service the development.

ADMINISTRATION RECOMMENDATION:

Administration recommends refusal in accordance with Option #2.

DATE APPLICATION RECEIVED:	November 25, 20219
DATE DEEMED COMPLETE:	April 28, 2020

PROPOSAL:	To redesignate a portion of the lands from Ranch and Farm District to Residential Two District, in order to facilitate the future creation of a ± 2.02 hectare (± 5.00 acre) parcel with a ± 20.23 hectare (± 50.00 acre) remainder.
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LEGAL DESCRIPTION:	A portion of SE-32-26-3-W5M
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GENERAL LOCATION:	Located approximately 5.5 kilometres (3.5 miles) east of the Hamlet of Cochrane Lake, 0.8 kilometres (0.5 mile) south of Highway 567, and on the west side of Big Hill Springs Road.
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APPLICANT:	Stormwater Solutions (Paul Jacobs)
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OWNERS:	Fernando Peris
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Administration Resources

Stefan Kunz & Milan Patel, Planning and Development Services



EXISTING LAND USE DESIGNATION: Ranch and Farm District

PROPOSED LAND USE DESIGNATION: Ranch and Farm District & Residential Two District

GROSS AREA: ± 55.00 acres

SOILS (C.L.I. from A.R.C.): **Class 4, H, P** - Severe limitations due to temperature limiting factor and excessive surface stoniness.

Class 7, T, E, R - No capability of agriculture due to adverse topography (steep and/or long uniform slopes), past erosion damage, and shallowness to solid bedrock.

HISTORY:

1987 Big Hill Springs Road is constructed, separating the quarter section and creating the current parcel configuration.

POLICY ANALYSIS:

County Plan

A goal of the County Plan is to balance further growth and development with preserving the County's agricultural land base. As such, aside from first-parcel-out residential parcels and agricultural developments, proposals within the agricultural area of the County are not generally supported.

Big Hill Springs Provincial Park is located at the terminus of Big Hill Springs Road. Currently, visitors to the park are greeted with views of Big Hill Springs Creek and the surrounding coulees. The proposed development of the site runs counter to the environmental goals of the County Plan, featured in Section 7. Particularly:

- *Encourage partnerships and public education initiatives that contribute to environmental awareness and management.*
- *Practice sound land use planning in order to protect agricultural operations, native habitat, environmentally sensitive areas, and wildlife corridors.*
- *Retain rural landscapes, dark skies, open vistas, and agriculture lands.*

Additionally, Policy 7.21 requires that when development is proposed within hazard areas, such as the escarpment that exists on the lands, it shall be allowed provided that appropriate technical evaluations have been provided. Future development of the site poses major concern, as slopes of 30% or greater exist over the entirety of Lot 1. It is not clear how access to the site, water and wastewater servicing, and ensuring sufficient developable area will be accommodated without causing undue impact to adjacent lands. Technical evaluations addressing these concerns have not been provided.

OPTIONS:

- Option # 1: Motion #1 THAT Bylaw C-7989-2019 be given second reading.
- Motion #2 THAT Bylaw C-7989-2019 be given third and final reading.
- Option # 2: That application PL20190186 be refused.



Respectfully submitted,

Concurrence,

“Theresa Cochran”

Executive Director
Community Development Services

“Al Hoggan”

Chief Administrative Officer

SK/llt

APPENDICES:

APPENDIX ‘A’: Application Referrals

APPENDIX ‘B’: Bylaw C-7989-2019 and Schedule A

APPENDIX ‘C’: Map Set



APPENDIX A: APPLICATION REFERRALS

AGENCY	COMMENTS
<i>Province of Alberta</i>	
Alberta Transportation	<p>The department recognizes that the land involved in this application is removed from the provincial highway system, and relies on the municipal road network for access. It appears that the additional lot being created by this application should not have a significant impact on the provincial highway system.</p> <p>Alberta Transportation has no objection to this proposal and is prepared to grant an unconditional variance of Section 14 of the Subdivision and Development Regulation, at the time of subdivision application.</p>
<i>Internal Departments</i>	
Planning and Development Services - Engineering	<p>Geotechnical:</p> <ul style="list-style-type: none"> County GIS contours indicates that the site slopes are 30% or greater and greater than 3 m in vertical height. As a condition of future subdivision, applicant shall submit a slope stability analysis, prepared by a qualified professional in accordance with County's servicing standards. The slope stability analysis should also identify if the registration of any easements and/or Restrictive Covenants is required based on the assessment. As a condition of future subdivision, applicant shall be required to submit a Geotechnical Developable Areas assessment, confirmation that proposed subdivided lot has a minimum of one contiguous acre of developable area. Engineering have no requirements at this time. <p>Transportation:</p> <ul style="list-style-type: none"> Access to remainder is provided by an approach off Big Hill Springs Trail. Access to the proposed lot will be provided off Bill Hill Springs Trail. As a condition of future subdivision, applicant shall construct a new paved approach on Bill Hill Springs Trail to provide access to proposed subdivided lot. The applicant provided a Trip Generation Assessment, prepared by JCB Engineering, dated November 14, 2019. Based on the assessment, a new residence on the subdivided lot is expected to generate 15 trips per day, which is unlikely to significantly increase traffic on local road networks. No improvements to local road networks are warranted.



AGENCY	COMMENTS
	<ul style="list-style-type: none"> As the proposed development is within 1.6 km of Highway 567, the application will be circulated to AT for review and comment. Should AT have any requirements, as a condition of future subdivision, applicant shall address AT's requirements to their satisfaction. As a condition of future subdivision, the applicant is required to provide a payment of the Transportation Offsite Levy in accordance with the applicable bylaw at time of subdivision approval for the total acreage of proposed subdivided lot. Engineering have no requirements at this time. <p>Sanitary/Waste Water:</p> <ul style="list-style-type: none"> Applicant indicated that proposed subdivided lot will be serviced by a septic field. As the remainder lot is more than 30 acres in size, it is not required to demonstrate adequate servicing as per Policy # 411. Applicant submitted a Conceptual Water Well and Septic Field Design report, prepared by Solstice Environmental Management, dated November 12, 2019. As per the report, steep slopes and shallow bedrock poses risk to septic field development. The report recommends a septic field should be placed on a relatively flat area and away from any lower retaining wall or cut bank to ensure no sideward breakout of effluent happens. At the time of the future subdivision, applicant will provide a Level 4 PSTS assessment for the proposed subdivided lot, prepared by a qualified professional in accordance with the County's servicing standards and the recommendations of conceptual water well and septic field design report. Engineering have no requirements at this time <p>Water Supply And Waterworks:</p> <ul style="list-style-type: none"> Applicant indicated that proposed subdivided lot will be serviced by a water well. As the remainder lot is more than 30 acres in size, it is not required to demonstrate adequate servicing as per Policy # 411. As per the Conceptual water well and septic field design report, the current slope are too steep for rig access for well drilling. Site grading will be required for a rig to travel on site and set up while maintaining the casing of the well at least 0.6 m above ground. As a condition of the future subdivision, applicant is required to have a well drilled on proposed subdivided lot with well driller's report confirming flow of 4.5L/min (1 igpm) or greater in accordance with the County's servicing standards and the recommendations of conceptual water well and septic field design report. Engineering have no requirements at this time



AGENCY	COMMENTS
	<p>Storm Water Management:</p> <ul style="list-style-type: none"> • Applicant provided a Stormwater memo, prepared by Stormwater solutions, dated November 14, 2019. • As per the Stormwater memo, there is an upper plateau along the west property line, which gives way to an escarpment dropping over 80 m. There are several eroded channels along the escarpment, which delineate the overland flow of water. The reports recommends hydrological assessment and site-specific Stormwater implementation plan be developed for the proposed subdivision. • As a condition of future subdivision, applicant is required to provide a site-specific stormwater implementation plan, prepared by a qualified professional, including the hydrological assessment and onsite Stormwater management strategy for the proposed development, which is required to meet the requirements of the County's Servicing Standards. Should any lot specific improvements be recommended in the site-specific Stormwater implementation Plan, as a condition of future subdivision, the Applicant/Owner will be required enter into a Site Improvement/Servicing Agreement for the construction of such improvements. • Engineering have no requirement at this time. <p>Environmental:</p> <ul style="list-style-type: none"> • Based on a review of County's GIS system, Bighill Creek passes east of proposed subdivision. As per Section 41.2 of Land Use By-law, the extent of riparian area for this Tributary is 60 m, which slightly crosses the subdivided lot and remainder lot. Applicant/owner shall protect the riparian area in accordance with Section 41 – Riparian Protection of Land Use By-Law. • Engineering have no requirements at this time. <p>Transportation Services Applicant to confirm access to development / subdivided lots.</p>

Circulation Period: December 13, 2019 to January 9, 2020

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



BYLAW C-7989-2019

A Bylaw of Rocky View County, in the Province of Alberta, to amend Rocky View County Bylaw C-4841-97, being the *Land Use Bylaw*.

The Council of Rocky View County enacts as follows:

Title

- 1 This Bylaw may be cited as *Bylaw C-7989-2019*.

Definitions

- 2 Words in this Bylaw have the same meaning as those set out in the *Municipal Government Act* except for the definitions provided below:
- (1) “**Council**” means the duly elected Council of Rocky View County;
 - (2) “**Municipal Government Act**” means the *Municipal Government Act*, RSA 2000, c M-26, as amended or replaced from time to time; and
 - (3) “**Rocky View County**” means Rocky View County as a municipal corporation and the geographical area within its jurisdictional boundaries, as the context requires.

Effect

- 3 Part 5, Land Use Map No. 67 of Bylaw C-4841-97 be amended by redesignating a portion of SE-32-26-3-W5M from Ranch and Farm District to Residential Two District as shown on the attached Schedule 'A' forming part of this Bylaw.
- 4 A portion of SE-32-26-3-W5M is hereby redesignated to Residential Two District as shown on the attached Schedule 'A' forming part of this Bylaw.

Transitional

- 5 Bylaw C-7989-2019 is passed and comes into full force and effect when it receives third reading and is signed in accordance with the *Municipal Government Act*.



ROCKY VIEW COUNTY

READ A FIRST TIME IN COUNCIL this 14th day of January, 2020

PUBLIC HEARING HELD 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

Chief Administrative Officer or Designate

Date Bylaw Signed

SCHEDULE "A"

BYLAW: C-7989-2019

32

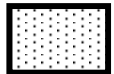
± 20.23 ha
(± 50.00 ac)

BIG-HILL-SPRINGS-TRAIL

± 126 m

± 2.02 ha
(± 5.00 ac)

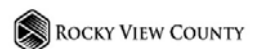
AMENDMENT

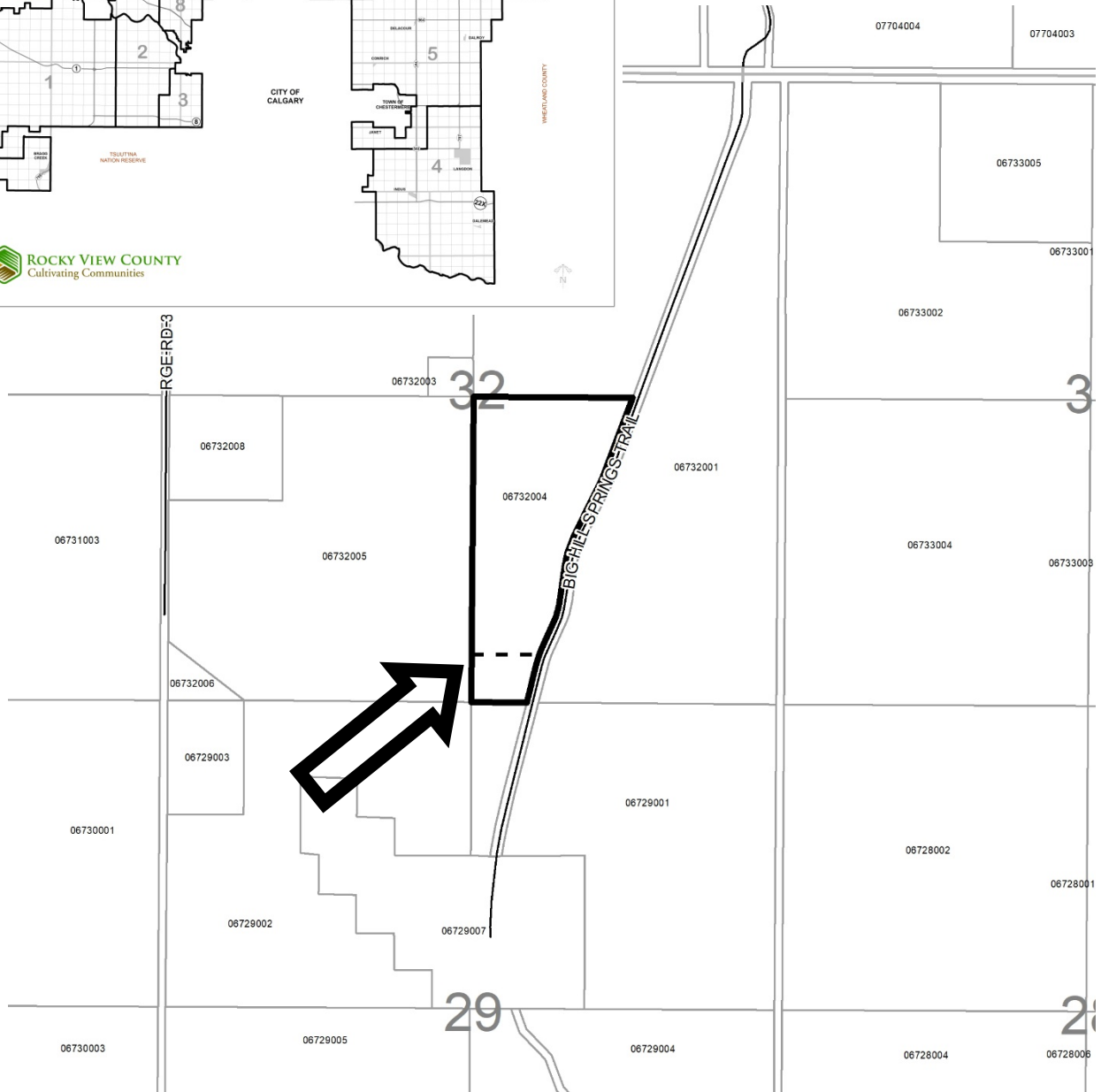
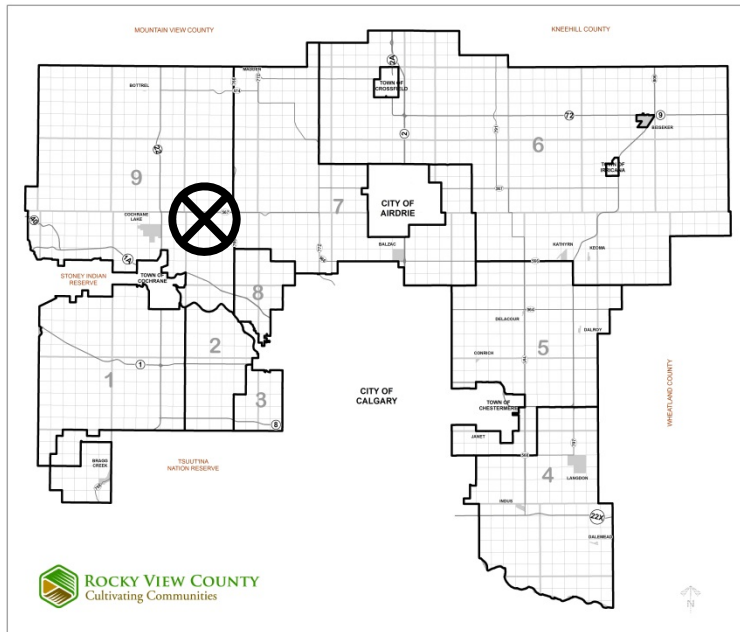
FROM Ranch and Farm District TO Residential Two District

Subject Land

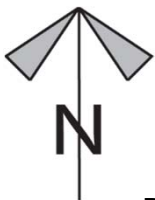
LEGAL DESCRIPTION: A portion of
SE-32-26-3-W5MFILE: 06732004 - PL20190186

DIVISION: 9





LOCATION PLAN



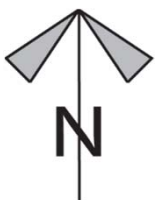
SE-32-26-03-W05M

Date: Nov 25, 2019Division # 9File: 06732004

Redesignation Proposal: To redesignate a portion of the lands from Ranch and Farm District to Residential Two District, in order to facilitate the future creation of a ± 2.02 hectare (± 5.00 acre) parcel with a ± 20.23 hectare (± 50.00 acre) remainder.



DEVELOPMENT PROPOSAL

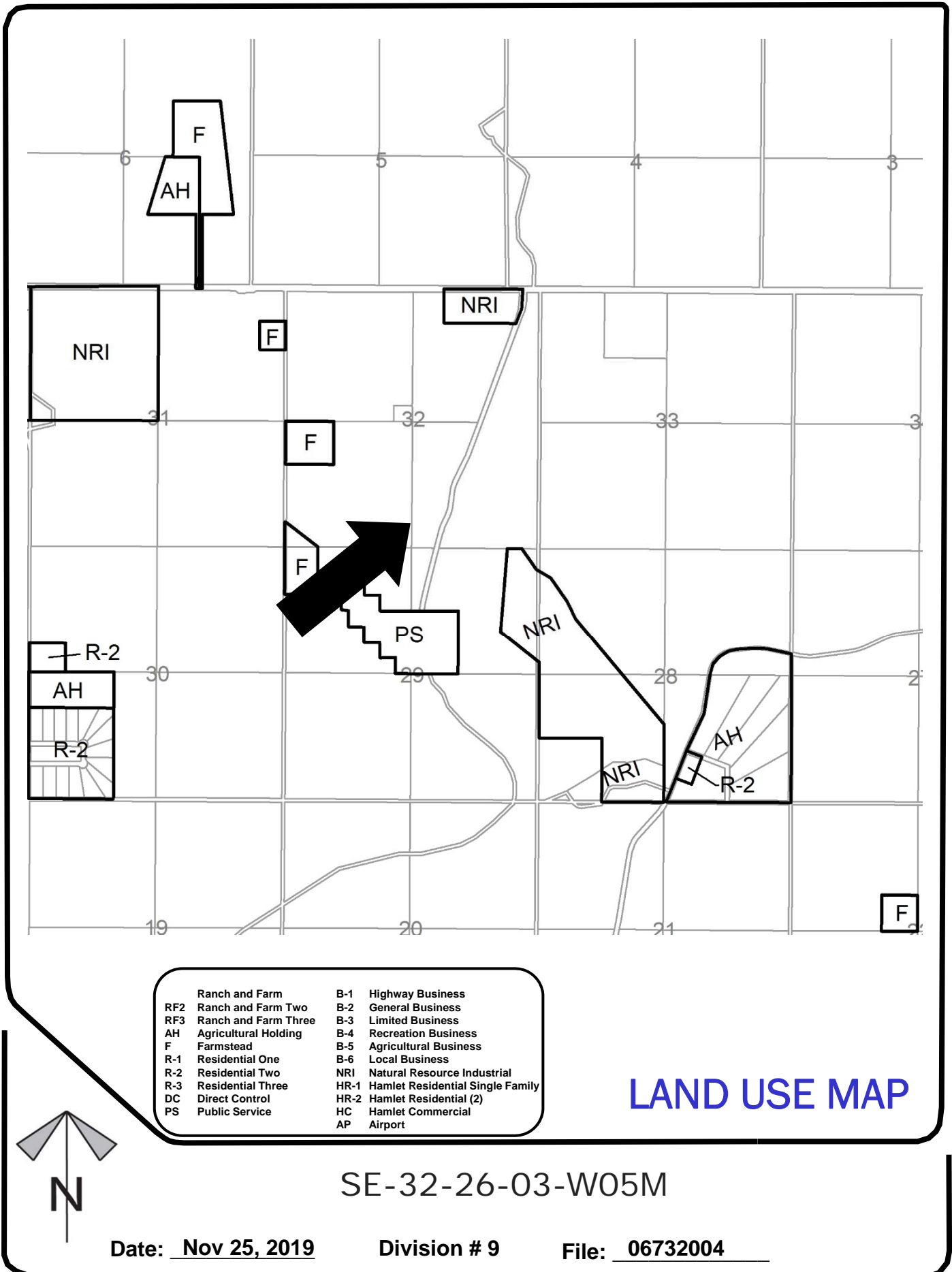


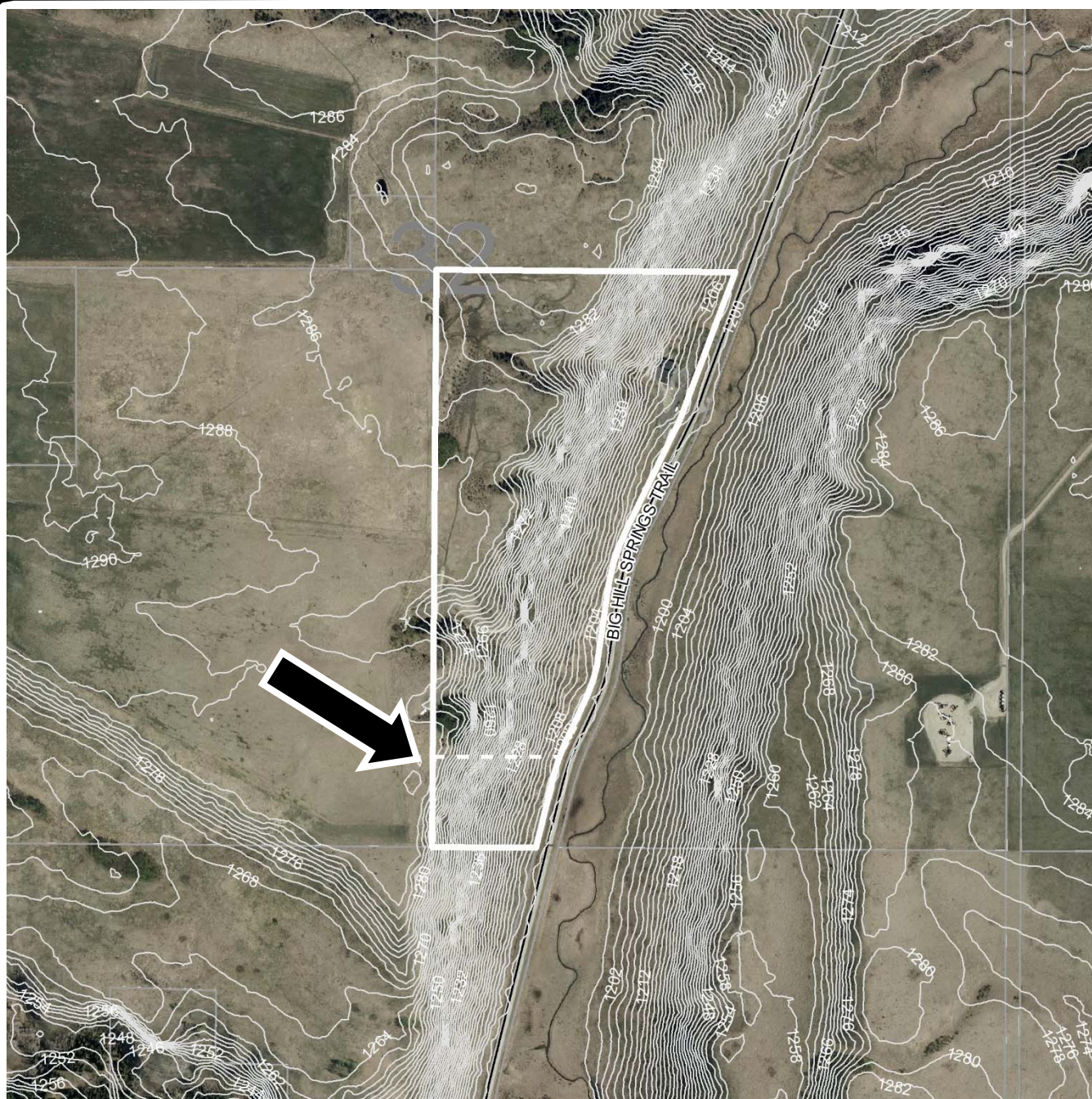
SE-32-26-03-W05M

Date: Nov 25, 2019

Division # 9

File: 06732004

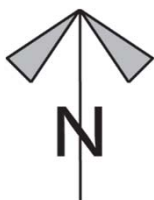




Contours are generated using 10m grid points, and depict general topographic features of the area. Detail accuracy at a local scale cannot be guaranteed. They are included for reference use only.

TOPOGRAPHY

Contour Interval 2 M



SE-32-26-03-W05M

Date: Nov 25, 2019

Division # 9

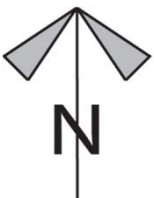
File: 06732004



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

AIR PHOTO

Spring 2018

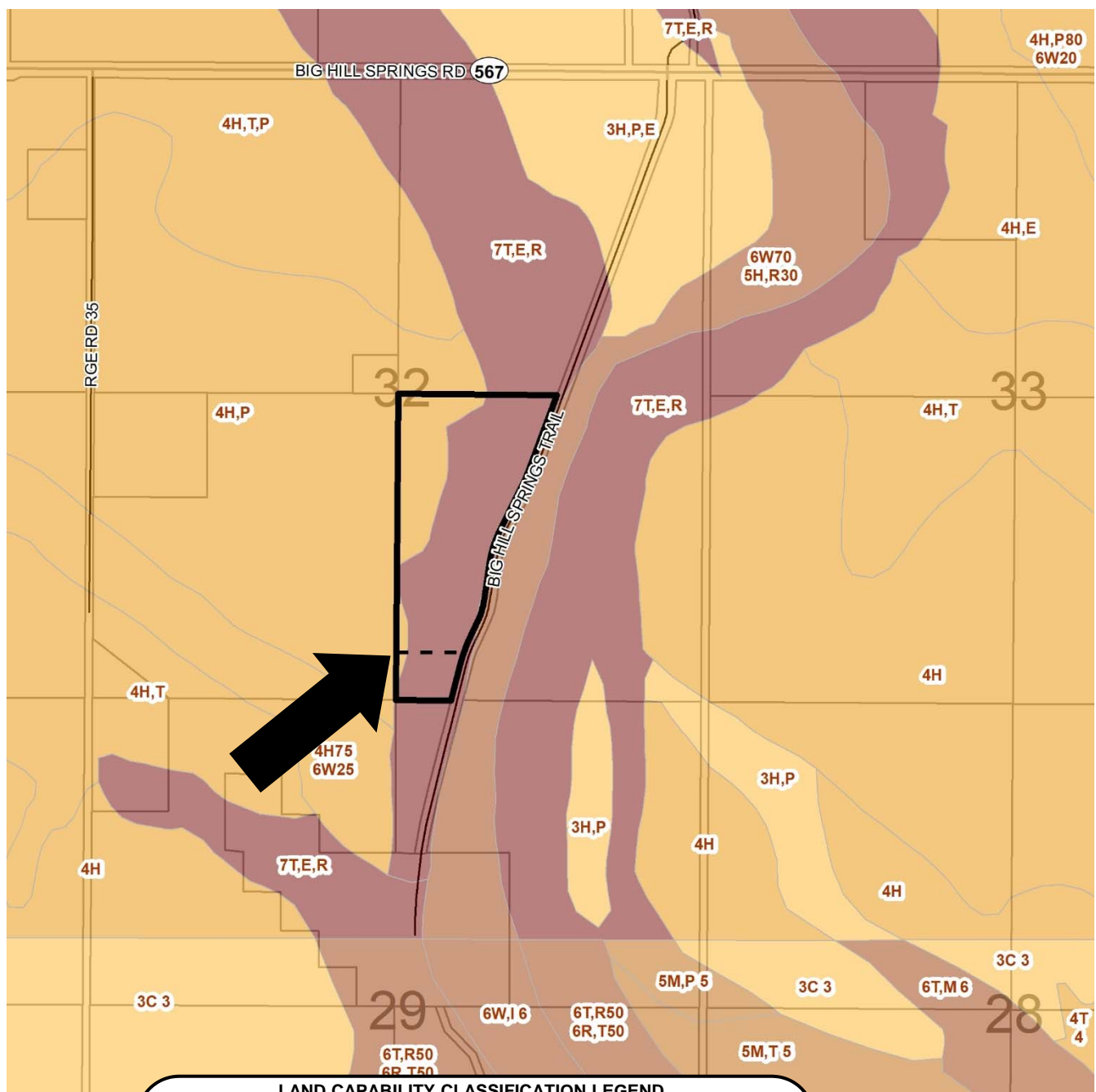


SE-32-26-03-W05M

Date: Nov 25, 2019

Division # 9

File: 06732004



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

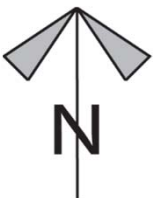
CLI Class

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

Limitations

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

SOIL MAP

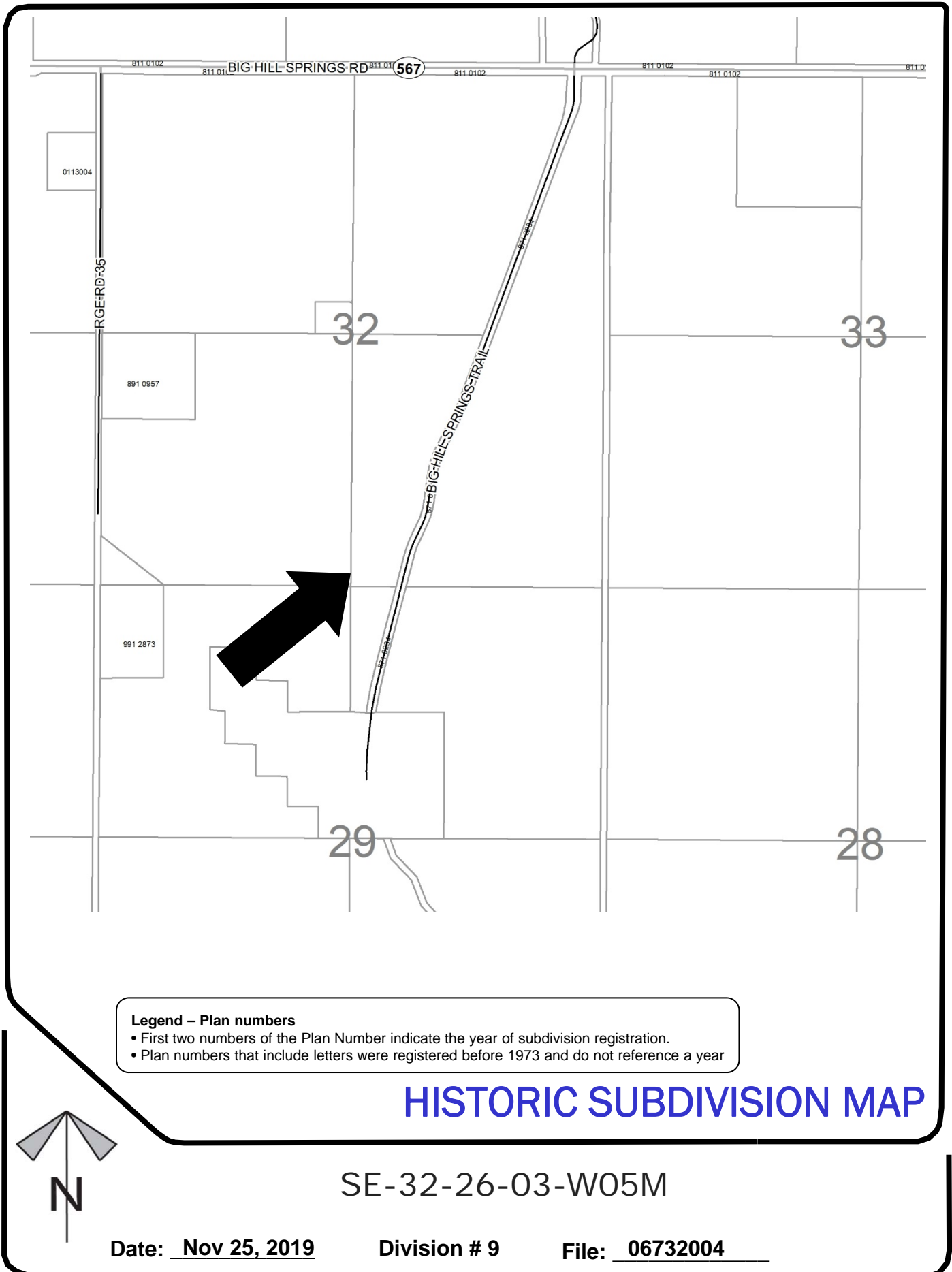


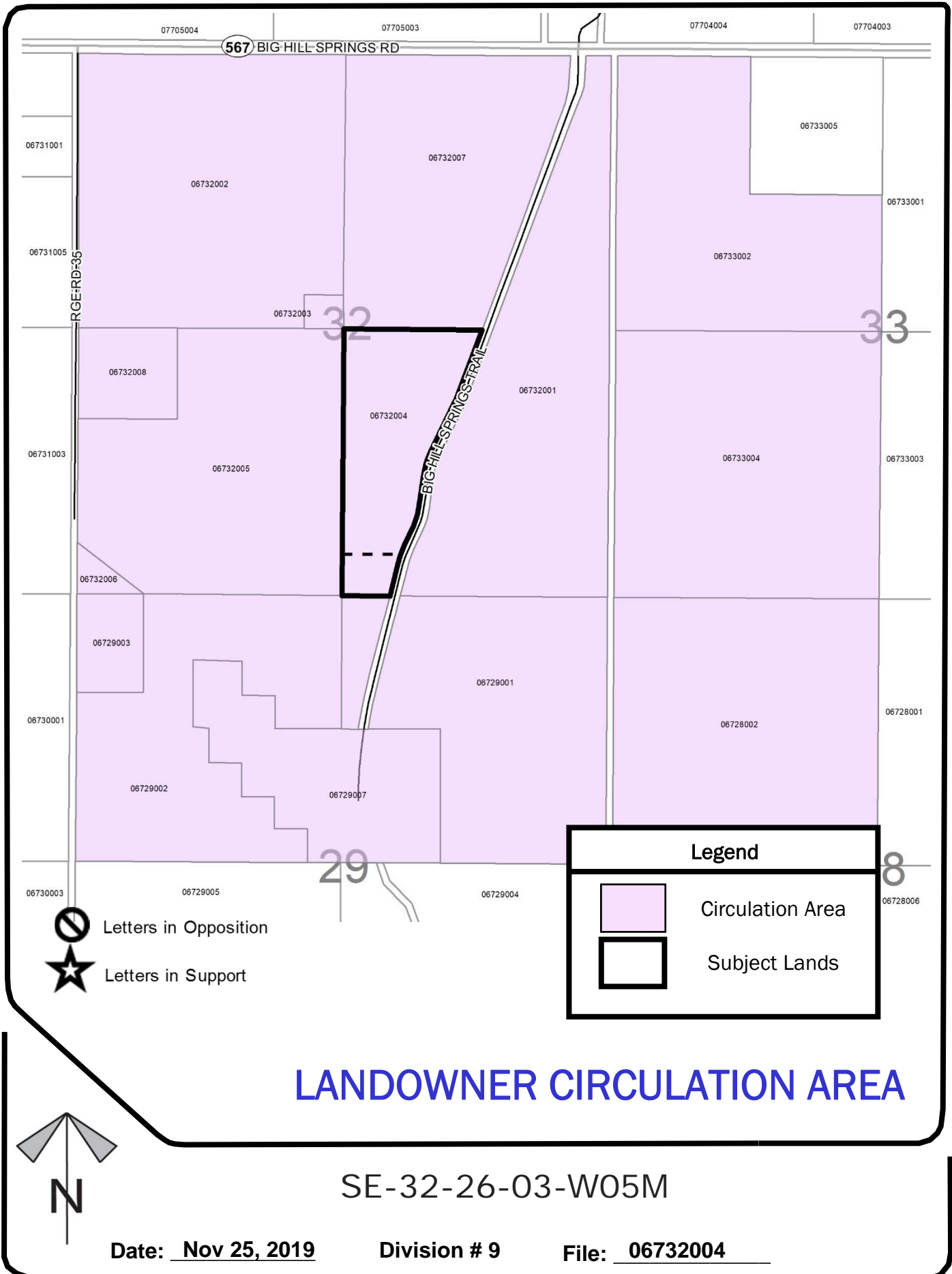
SE-32-26-03-W05M

Date: Nov 25, 2019

Division # 9

File: 06732004







PLANNING AND DEVELOPMENT SERVICES

TO:	Council	
DATE:	July 21, 2020	DIVISION: 6
TIME:	Morning Appointment	
FILE:	08101002	APPLICATION: PL20190163
SUBJECT:	Redesignation Item – Ranch and Farm District to Agricultural Holdings District	

POLICY DIRECTION:

The Interim Growth Plan, the County Plan, and the Land Use Bylaw.

EXECUTIVE SUMMARY:

This application proposes to redesignate the subject lands from Ranch and Farm District to Agricultural Holdings District.

Council gave first reading to Bylaw C-7976-2019 on December 10, 2019.

The application was circulated to 10 adjacent landowners; no letters were received. 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 considered to align with the goals of Section 8.0 of the County Plan relating to agriculture;
- All other technical matters required at this stage of the application process are satisfactory.

ADMINISTRATION RECOMMENDATION:

Administration recommends approval in accordance with Option #1.

DATE APPLICATION RECEIVED:	November 4, 2019
DATE DEEMED COMPLETE:	April 25, 2019

PROPOSAL:	To redesignate a portion of the subject lands from Ranch and Farm District to Agricultural Holdings District, in order to facilitate the future creation of a ± 31.39 acre parcel with a ± 86.31 acre remainder.
LEGAL DESCRIPTION:	NW-1-28-26-W4M
GENERAL LOCATION:	Located south of the village of Beiseker, 0.8 kilometres (0.5 mile) north of Township Road 280, and on either side of Highway 9.
APPLICANT:	John W. Bushfield
OWNERS:	Archibald Bushfield
EXISTING LAND USE DESIGNATION:	Ranch and Farm District
PROPOSED LAND USE DESIGNATION:	Agricultural Holdings District

Administration Resources
 Stefan Kunz and Prabh Sodhi, Planning and Development Services



GROSS AREA:

± 47.63 hectares (± 117.70 acres)

SOILS (C.L.I. from A.R.C.):

Class 3, M, H – Moderate limitations due to low moisture holding or supplying capability, adverse texture, and temperature limiting factor.

Class 4, M, H – Severe limitations due to low moisture holding or supplying capability, adverse texture, and temperature limiting factor.

Class 6, W, N – Cropping is not feasible due to excessive wetness/poor drainage and high salinity.

HISTORY:

- 1966** The portion of lands northwest of Road Plan 66 EZ is separated from the remainder of the quarter section.
- 1953** Road Plan 6389 GX, later to become Highway 9, is registered.
- 1931** Road Plan 66 EZ, later abandoned and replaced by Highway 9, is registered.

POLICY ANALYSIS:

County Plan

The proposal was evaluated against Policy 8.18 of the County Plan, which details requirements for new or distinct agricultural operations. The County Plan defines New Agricultural Operation as 'operations that are distinctly different from the existing use of the land in terms of agricultural products, livestock, and/or facilities'.

Information submitted in support of the application indicates that the land is suitable to produce hay and allow for the grazing of cattle. Although these uses can be undertaken on the lands currently and are not new or distinct, the parcel is split by Highway 9 and the Applicant has noted the difficulties of maintaining the smaller ±31.39 acre hayfield alongside large-scale farming operations on their wider landholding east of Highway 9. Specifically, the Applicant highlights the requirement for differing equipment sizes between the two portions of the parcel and highlights issues with navigating around the wetland on the western portion with larger machinery. Transporting equipment across Highway 9 is also understood to create additional challenges.

The submitted application has demonstrated that there is a similar pattern of smaller agricultural parcels in the surrounding area and there are not deemed to be any significant concerns with respect to compatibility of the proposal with adjacent land uses. Technical matters could be further addressed at subsequent subdivision and development permit stages.

The proposal is broadly in accordance with the goals of Section 8.0 relating to agriculture, particularly with respect to supporting an agricultural sector that is sustainable and viable.

Land Use Bylaw

The proposal meets the minimum parcel size for the Agricultural Holdings District 8.10 hectares (20.01 acres).

Administration Resources

Stefan Kunz and Prabh Sodhi, Planning and Development Services



OPTIONS:

- Option #1: Motion #1 THAT Bylaw C-7976-2019 be given second reading.
 Motion #2 THAT Bylaw C-7976-2019 be given third and final reading.
- Option #2: That application PL20190163 be refused

Respectfully submitted,

Concurrence,

“Theresa Cochran”

“Al Hoggan”

Executive Director
Community Development Services

Chief Administrative Officer

SK/ltt

APPENDICES:

- APPENDIX 'A': Application Referrals
APPENDIX 'B': Bylaw C-7976-2019 & Schedule A
APPENDIX 'C': Map Set



APPENDIX A: APPLICATION REFERRALS

AGENCY	COMMENTS
External Departments	
Alberta Transportation	<p>The department is currently protecting Highway 9 to a Major Two-Lane standard at this location.</p> <p>The above noted subdivision proposal does not meet Section 14 or 15 of the Regulation. The department anticipates minimal impact on the highway from this proposal. Therefore, Pursuant to Section 16 of the Regulation, the department grants approval for the subdivision authority to grant a variance of Section 14 and 15 if they choose to do so. Department approval is subject to the conditions listed below:</p> <ol style="list-style-type: none"> Existing highway access may remain, however no additional highway access will be permitted <p>Pursuant to Section 678(2) of the <i>Municipal Government Act</i>, Alberta Transportation requires that any appeal of this subdivision be referred to the Municipal Government Board.</p>
TC Energy	<p>As per the requirements of the Canada Energy Regulator (CER) (formerly the National Energy Board (NEB)), additional development in proximity to TC's pipelines with potential new residents, employees, structures, ground disturbance, and crossings could warrant pipeline remediation. Consultation between TC and the applicant prior to development assists both parties in determining the best course of action to proceed with potential remediation and development. This is to help prevent pipeline damage, unwarranted crossings, and identify development within proximity to the pipeline that may trigger a pipeline Class upgrade.</p> <p><i>Description of proposed development:</i></p> <p>We understand that this application is to redesignate a portion of the subject lands from Ranch and Farm District to Agricultural Holdings District, and to facilitate the future creation of a ± 12.70 hectare (± 31.39 acre) parcel with a ± 34.93 hectare (± 86.31 acre) remainder. Based on our review, the parcel(s) in question contains several TC Energy pipelines. Please refer to Attachment 01 Approximate Location of TC Infrastructure for maps that show the proposal in relation to the approximate location of TC's infrastructure.</p> <p>Assessment of proposed development and comments:</p> <p>TC has expressed no concerns with this proposal, however, a few recommendations have been outlined below in the event that additional development takes place as a result of this application. Some key considerations and recommendations include:</p> <ul style="list-style-type: none"> If any work is to be conducted on or near the pipeline, a Locate Request should be made through One Call. If any ground disturbance is to occur (ex. Construction of a structure) within 30m of the pipeline,

Administration Resources

Stefan Kunz and Prabh Sodhi, Planning and Development Services



AGENCY	COMMENTS
	<p>written consent must be obtained from TC, and an application submitted through TC's third party crossings tool described below.</p> <ul style="list-style-type: none"> Any temporary or permanent crossings of any TC pipeline require written consent from TC and can be applied for through TC's third party crossings tool described below (does not include crossings by standard agricultural equipment). General guidelines for "Development with proximity to TC pipelines" have been included in Attachment 02. <p><i>Developing adjacent to pipeline:</i></p> <p>All permanent or temporary crossings of any TC pipeline needs written consent from TC. A request for written consent must be submitted to TC Energy through the online application form - TC's Canadian Third Party Crossings Application Portal</p> <p><i>A crossing includes any of the following activities:</i></p> <ul style="list-style-type: none"> Constructing or installing a facility across, on, along or under a TC pipeline Right-Of-Way; Conducting ground disturbance (excavation or digging) on or within the prescribed area (30 meters from the centreline the pipeline); Driving a vehicle, mobile equipment or machinery across a TC pipeline right-of-way outside the travelled portion of a highway or public road. Using any explosives within 300 metres of TC's right-of-way. Use of the prescribed area for storage purposes.
Rockyview Gas Co-op	<p>Rockyview Gas Co-op Ltd. submits the following comments regarding the above referenced Redesignation/Subdivision</p> <p>Application:</p> <ol style="list-style-type: none"> Any existing Rockyview Gas Co-op Utility Right of Way concerning the said lands shall remain in effect and be registered, according to the <i>Land Titles Act</i>, to the subdivision parcel and registered to the remaining parcel. IMPORTANT: Rockyview Gas Co-op requires a letter of Understanding regarding secondary yard lines to be executed by the title holder of the parcel being subdivided (see attached). No secondary yard lines are permitted to supply natural gas service from one titled property to another titled property. Rockyview Gas Co-op Ltd. has buried natural gas distribution line(s) within the subject area. If the main gas line is required to be relocated, the owner will be responsible for the cost to move the natural gas line. There is no designation of public lands. <p>We have no objections with the application proceeding.</p> <p><i>Letter of understanding</i></p> <p>This letter is to confirm that the primary natural gas meter will only provide gas service to the main parcel of land and that no underground secondary gas line(s) extend from that primary gas meter into the newly subdivided parcel.</p>

Administration Resources

Stefan Kunz and Prabh Sodhi, Planning and Development Services



AGENCY	COMMENTS
Internal Departments	<p>It is understood and agreed that any underground secondary gas line(s) providing gas to existing buildings in the newly subdivided property will be disconnected. It is the responsibility of the landowner to pay for the secondary gas line disconnection. If natural gas service is required for the subdivided parcel a new application for gas service must be filed at our office no later than August 31. The applicant shall be responsible for the cost of the new gas service line at the rate in effect at time of application.</p> <p>The existing Rockyview Gas Co-op Utility Right of Way shall be registered according to the <i>Land Titles Act</i>, to the subdivided parcel and the remaining parcel.</p>
Parks & Recreation	<p>This location has not been identified for future Municipal Reserve acquisition to support public recreation, parks or development of an active transportation network inclusive of pathway or trail development. Therefore it is recommended that cash in lieu of reserve dedication is provided for all applicable reserves owing.</p>
Planning and Development Services - Engineering	<p>Geotechnical:</p> <ul style="list-style-type: none"> Engineering has no requirements at this time as no steep slopes are observed. <p>Transportation:</p> <ul style="list-style-type: none"> As per GIS review, an existing approach off Highway 9 provides access to the proposed Lot 2. No existing approach to Lot 1 is observed at this time. As a condition of subdivision, the owner shall be required to construct a paved road approach off Range Rd 261 providing access to proposed Lot 1 as per county servicing standards. The application shall be circulated to Alberta Transportation for review and comment since the proposed subdivision is within the 1.6 km setback to Highway 9. As a condition of subdivision, the owner shall be required to provide payment of the Transportation Offsite Base Levy on 3.0 acres of the proposed AH Lot 1 amounting to \$13,785 as per the applicable TOL bylaw. TOL on the remainder parcel shall be deferred at this time as it is located in a RF district. <p>Sanitary/Waste Water:</p> <ul style="list-style-type: none"> As part of the application, a Level 1 Model Process Assessment prepared by Western Water Resources Inc. dated Aug 2019 was submitted. The report concluded that the parcel is very suitable to support a Private Sewage Treatment System.

Administration Resources

Stefan Kunz and Prabh Sodhi, Planning and Development Services



AGENCY	COMMENTS
	<ul style="list-style-type: none"> Engineering has no requirements at this time. <p>Water Supply And Waterworks:</p> <ul style="list-style-type: none"> As part of the application, a Level 1 Groundwater Supply Evaluation prepared by Western Water Resources Inc. dated Aug 2019 was submitted. The report confirmed that there appears to be sufficient groundwater reserves to supply water for residential utilization (max 1,250 cu.m) on the proposed Lot 1 and that sufficient groundwater reserves exists to support the existing density of development in the area. As a condition of subdivision, since less than six lots are proposed on the quarter section, the owner will be required to provide confirmation of a well drilled on proposed AH parcel (Lot 1) verifying flow of 4.5 L/m (1 igpm) or greater in accordance with the County Servicing Standards. As per policy 411, the owner is not required to demonstrate servicing on remainder RF parcel (Lot 2) as it is larger than 30.0 acres. <p>Storm Water Management:</p> <ul style="list-style-type: none"> Given the size of the proposed parcels and low density of the area, a storm water management plan is not warranted at this time. Engineering has no requirements at this time. <p>Environmental:</p> <ul style="list-style-type: none"> Based on GIS review, a large wetland appears to be present on the proposed Lot 1. No disturbance is proposed at this time. Should the applicant propose development that has a direct impact on any wetlands, the applicant will be responsible for obtaining all required AEP approvals. Engineering has no requirements at this time.

Circulation Period: September 11, 2019 to October 2, 2019

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



BYLAW C-7976-2019

A Bylaw of Rocky View County, in the Province of Alberta, to amend Rocky View County Bylaw C-4841-97, being the *Land Use Bylaw*.

The Council of Rocky View County enacts as follows:

Title

- 1 This Bylaw may be cited as *Bylaw C-7976-2019*.

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Effect

- 3 Part 5, Land Use Map No. 81 of Bylaw C-4841-97 be amended by redesignating a portion of NW-1-28-26-W4M from Ranch and Farm District to Agricultural Holdings District as shown on the attached Schedule 'A' forming part of this Bylaw.
- 4 A portion of NW-1-28-26-W4M is hereby redesignated to Agricultural Holdings District as shown on the attached Schedule 'A' forming part of this Bylaw.

Transitional

- 5 Bylaw C-7976-2019 is passed and comes into full force and effect when it receives third reading and is signed in accordance with the *Municipal Government Act*.



ROCKY VIEW COUNTY

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

PUBLIC HEARING HELD this _____ day of _____, 2020

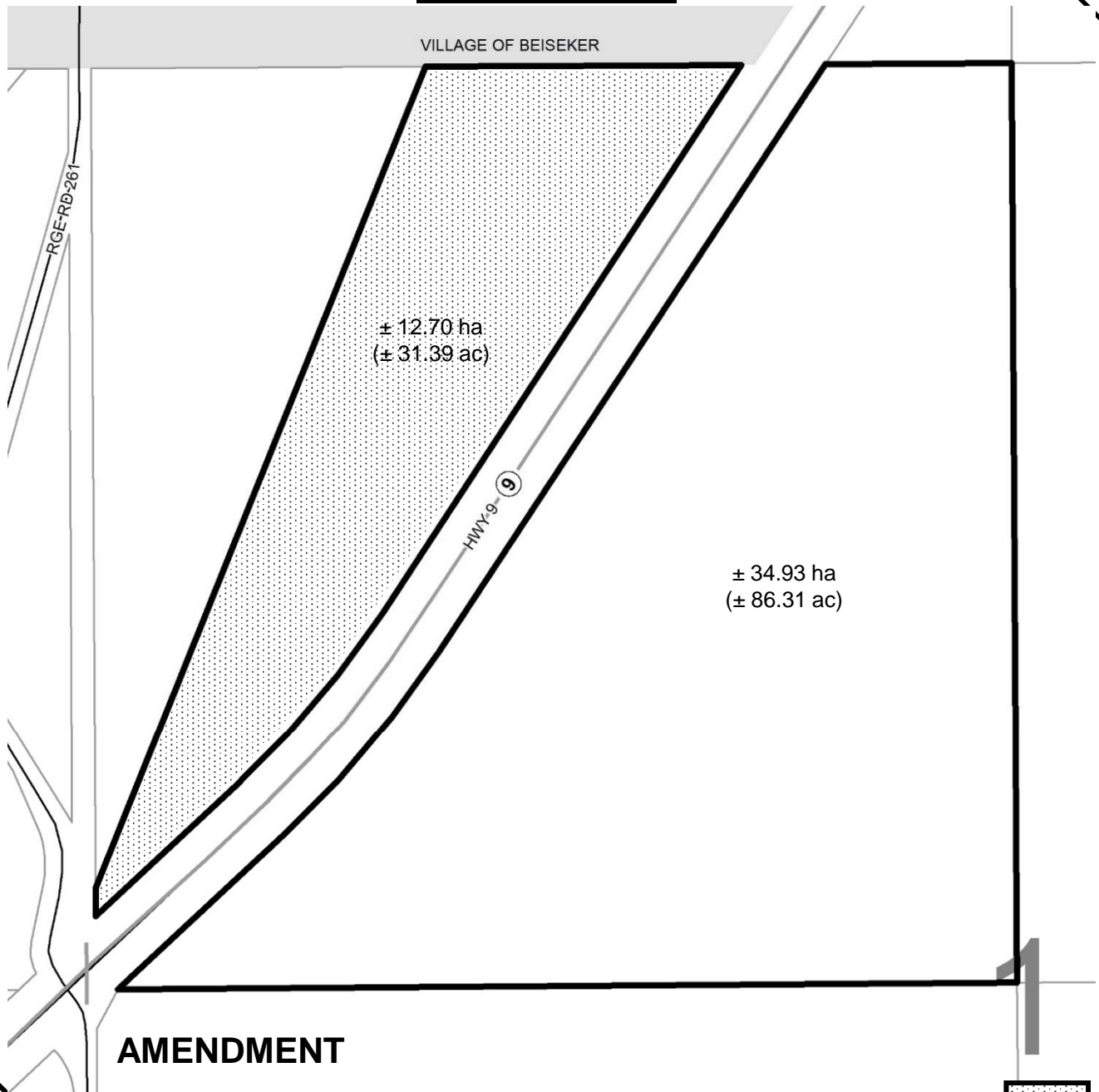
READ A SECOND TIME IN COUNCIL this _____ day of _____, 2020

READ A THIRD TIME IN COUNCIL this _____ day of _____, 2020

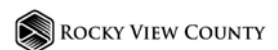
Reeve

Chief Administrative Officer or Designate

Date Bylaw Signed

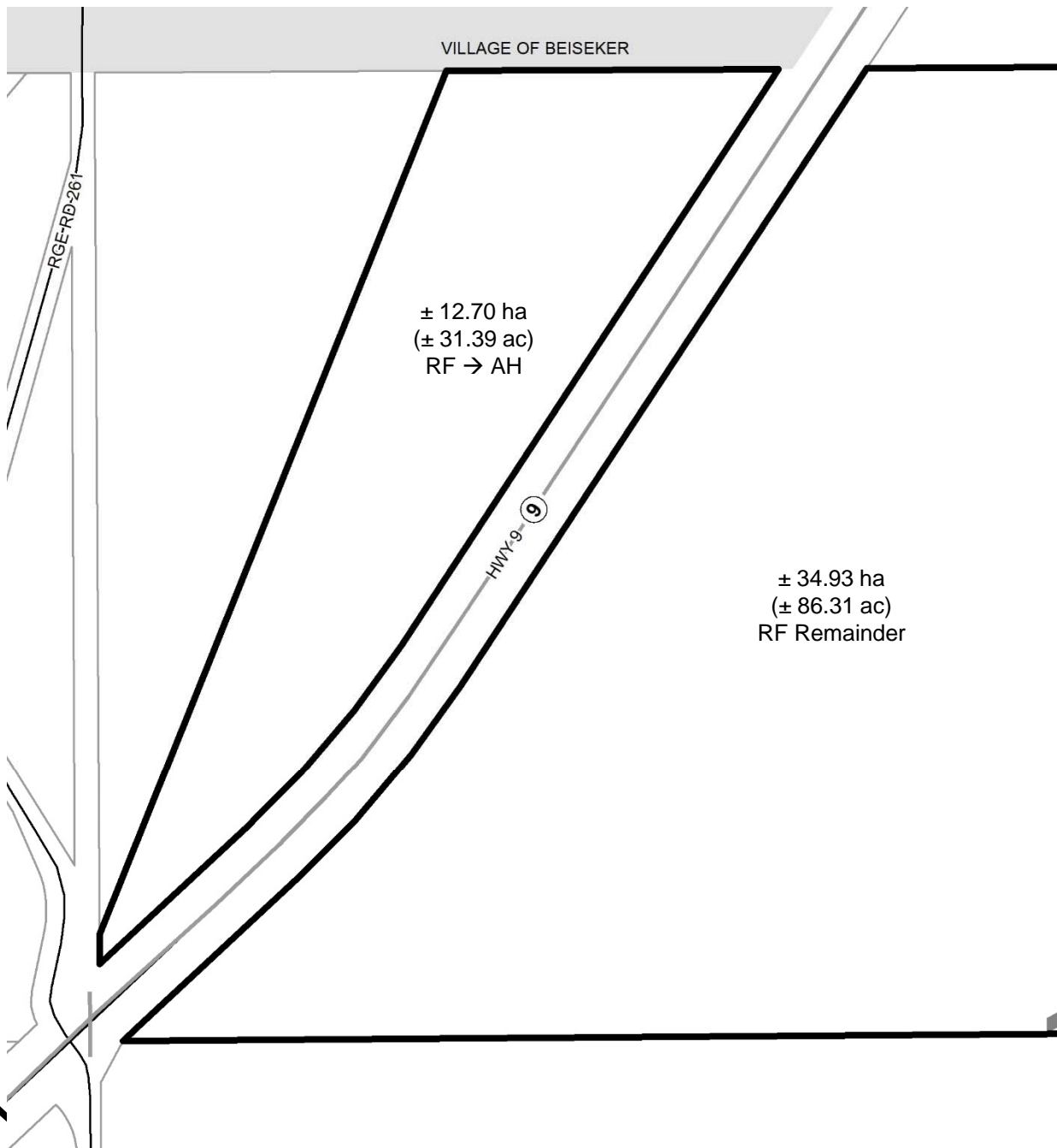
SCHEDULE "A"**BYLAW:** C-7976-2019**AMENDMENT****FROM** Ranch and Farm District **TO** Agricultural Holdings District

Subject Land _____

LEGAL DESCRIPTION: NW-1-28-26-W4M**FILE:** 08101002 - PL20190163**DIVISION: 6**



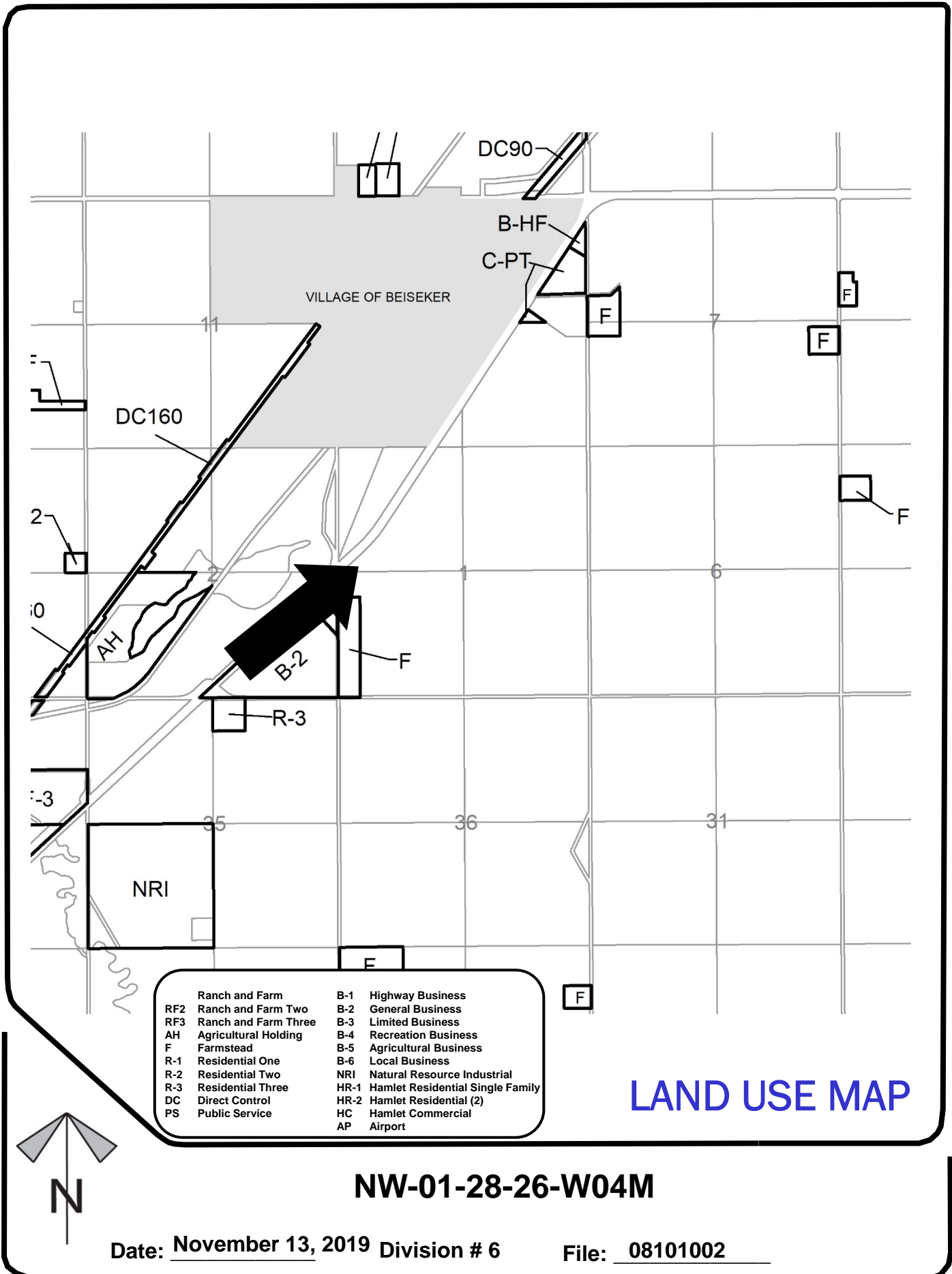
Redesignation Proposal: To redesignate a portion of the subject lands from Ranch and Farm District to Agricultural Holdings District, and to facilitate the future creation of a \pm 31.39 acre parcel with a \pm 86.31 acre remainder.



DEVELOPMENT PROPOSAL

NW-01-28-26-W04M

Date: November 13, 2019 Division # 6 File: 08101002

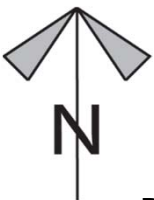




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TOPOGRAPHY

Contour Interval 2 M



NW-01-28-26-W04M

Date: November 13, 2019 Division # 6

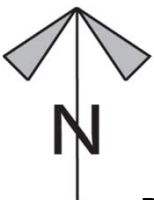
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Note: Post processing of raw aerial photography may cause varying degrees of visual distortion at the local level.

AIR PHOTO

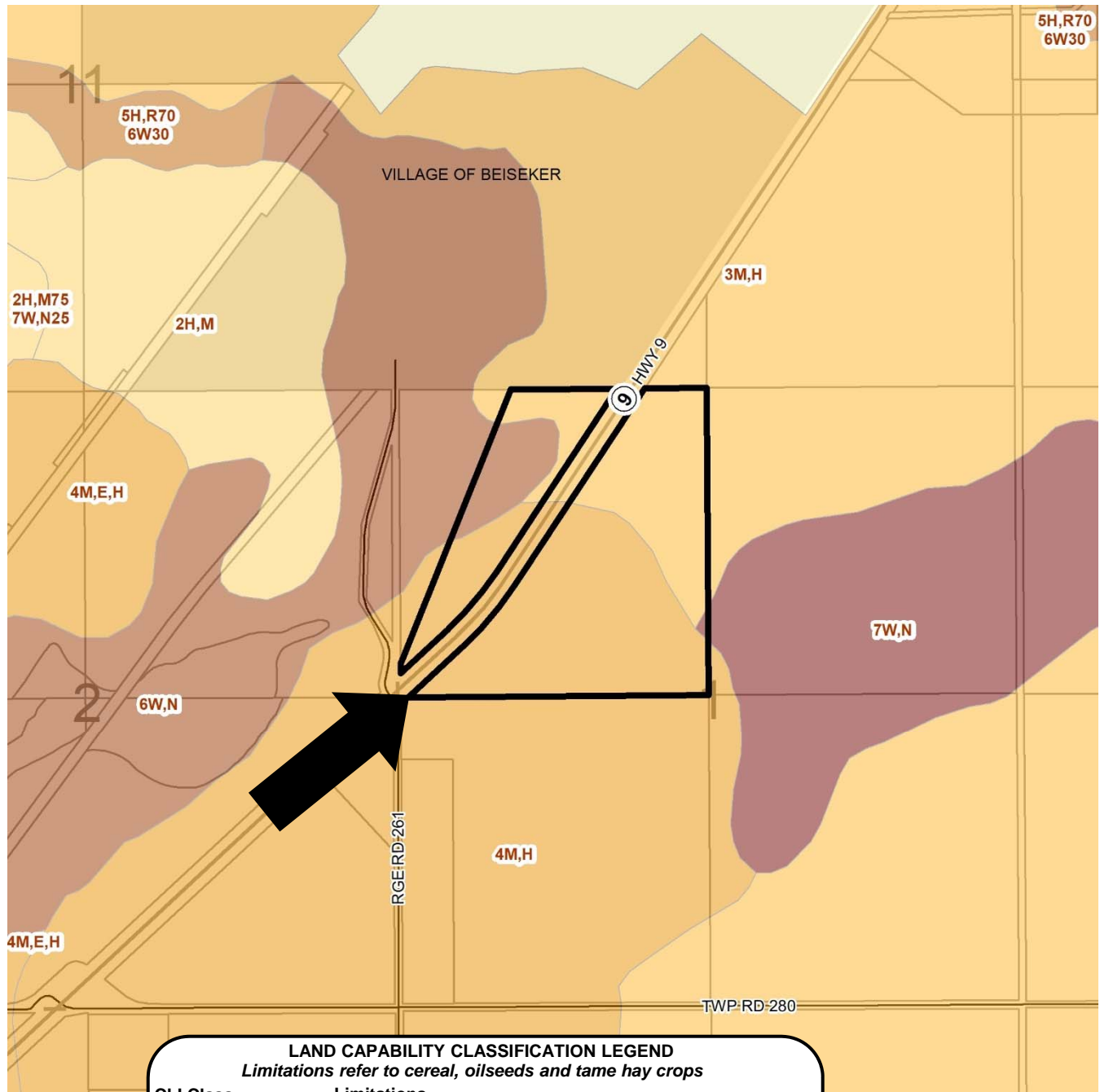
Spring 2018



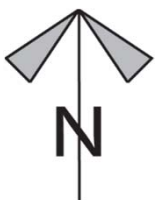
NW-01-28-26-W04M

Date: November 13, 2019 Division # 6

File: 08101002



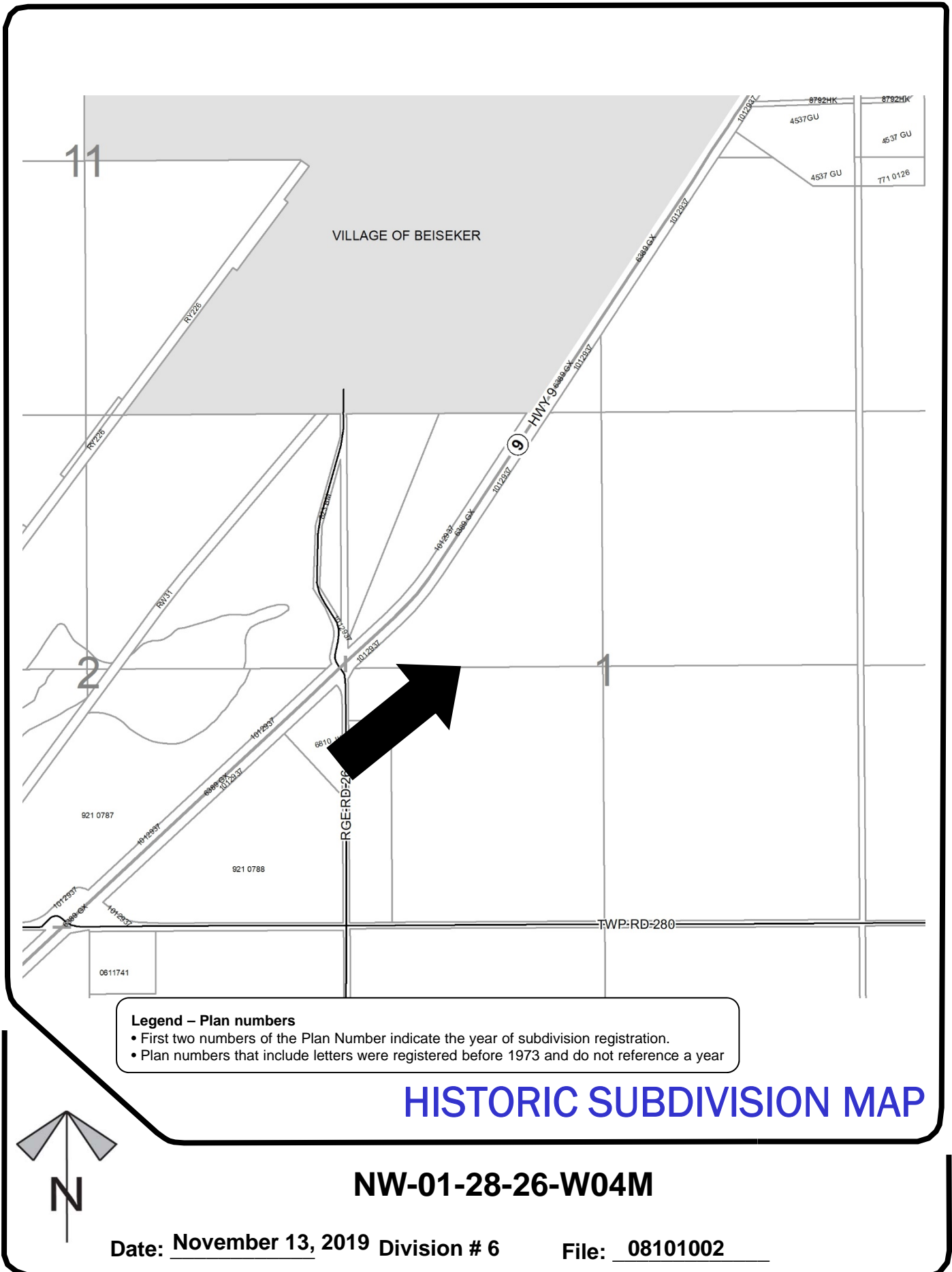
SOIL MAP

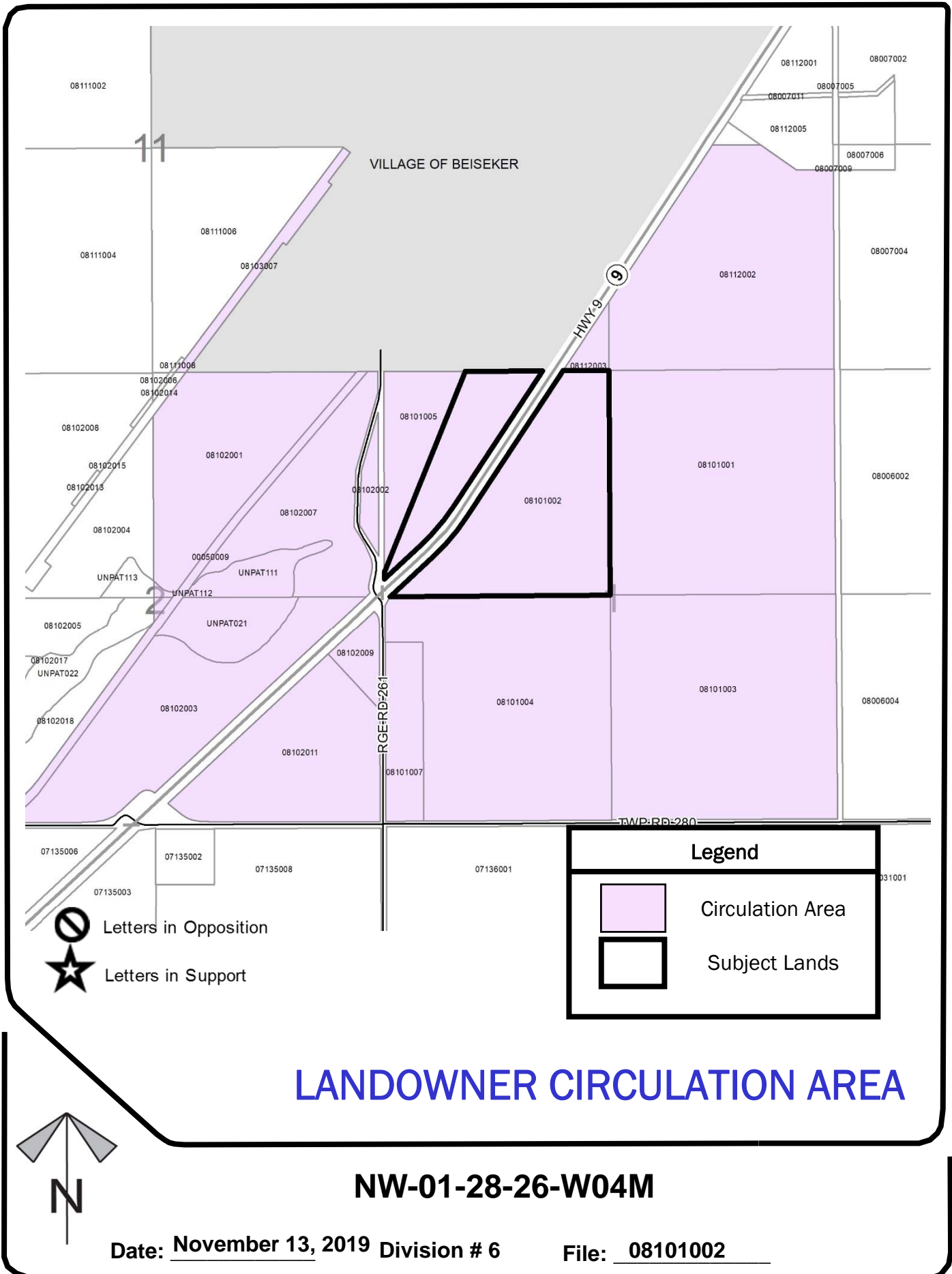


NW-01-28-26-W04M

Date: November 13, 2019 Division # 6

File: 08101002







PLANNING AND DEVELOPMENT SERVICES

TO: Council
DATE: July 21, 2020 **DIVISION:** 7
TIME: Morning Appointment
FILE: 07308013 **APPLICATION:** PL20190175
SUBJECT: Redesignation Item – Agricultural Holdings District to Residential Two District; located on Range Road 285 South of Highway 567

POLICY DIRECTION:

The County Plan.

EXECUTIVE SUMMARY:

The purpose of this application is to redesignate 19.99 acres of subject land from Agricultural Holdings District (AH) to Residential Two District (R-2) in order to facilitate the creation of a 4.00 acre parcel (Lot 1) with 15.99 acre remainder.

Council gave first reading to Bylaw C-7980-2019 on January 14, 2020.

No letters were received in response to 27 letters circulated to adjacent and area property owners when the application was received. The applicant included five letters of support from four parcels (see Appendix 'D') at the time of application submission. The application was also circulated to a number of internal and external agencies; responses are available in Appendix 'A'.

The following is a summary of the application assessment:

- The application is consistent with policies 10.11 and 10.12 of the County Plan.
- All other technical matters required at this stage of the application process are satisfactory.

ADMINISTRATION RECOMMENDATION:

Administration recommends approval in accordance with Option # 1.

DATE APPLICATION RECEIVED: November 15, 2019
DATE DEEMED COMPLETE: November 18, 2019

PROPOSAL: To redesignate the subject lands from Agricultural Holdings to Residential Two District in order to facilitate the creation of a 4.0 acre parcel (Lot 1) with 15.99 acre remainder.

LEGAL DESCRIPTION: Lot 11, Block 1, Plan 0012395 within NW-8-27-28-W4M

GENERAL LOCATION: Located approximately 0.81 kilometers (1/2 mile) east of the City of Airdrie; located on the east side of Range Road 285, 0.20 kilometers (1/8 mile) south of Highway 567.

APPLICANT: Carswell Planning (Bart Carswell)

OWNER: Brian Oliver Butler

Administration Resources

Oksana Newmen, Planning and Development Services



EXISTING LAND USE DESIGNATION: Agricultural Holdings District (AH)

PROPOSED LAND USE DESIGNATION: Residential Two District (R-2)

GROSS AREA: ± 19.99 acres

SOILS (C.L.I. from A.R.C.):

Class 3M, D, H70, 7W, N30 – Almost half of the site is composed of soils with moderate limitations due to low moisture holding, adverse texture; low permeability, and temperature; no capability due to excessive wetness and high salinity.

Class 5 W, N – Approximately half of the site is composed of soils with very severe limitations due to excessive wetness/poor drainage and high salinity.

Class 2H, M, E – A small area of the site is subject to soils of slight limitations due to temperature, low moisture holding, adverse texture and erosion damage.

HISTORY:

September 22, 2000 Subdivision Plan 0012395 was registered at Land Titles creating four agricultural parcels ranging from 20.00 acres to 37 acres; one being the subject property. Municipal Reserves were deferred for future dedication on the lands.

POLICY ANALYSIS:

County Plan

The subject lands are located within a quarter section defined by the County Plan as a Fragmented Quarter Section. The application is therefore consistent with Policy 10.12, as the parcel is below the 24.7 acre maximum parcel size to be supported for redesignation or subdivision.

Policy 10.12 of the County Plan states that the redesignation or subdivision of agriculture parcels greater than 24.7 acres in size to a residential use shall not be supported. The intent for this policy is to preserve large agricultural land for agricultural operations. The application is consistent with this policy.

In accordance with Policy 10.11 of the County Plan, the Applicant submitted a lot and road plan that covers the subject land and adjacent lands. The plan shows restricted development areas, and subdivision potential with a future road connectivity to the lands outside of the plan area. The plan demonstrates that orderly and efficient residential development could be achieved in the area, and the creation of one new lot would not inhibit subdivision potential on adjacent lands.

Land Use Bylaw

The proposed new parcel meets the requirements of the Residential Two District within the Land Use Bylaw.

OPTIONS:

- Option # 1: Motion #1 THAT Bylaw C-7980-2019 be given second reading.
 Motion #2 THAT Bylaw C-7980-2019 be given third and final reading.
- Option # 2: That application PL20190175 be refused.



ROCKY VIEW COUNTY

Respectfully submitted,

“Theresa Cochran”

Executive Director
Community and Development Services

Concurrence,

“Al Hoggan”

Chief Administrative Officer

ON/It

APPENDICES:

APPENDIX ‘A’: Application Referrals

APPENDIX ‘B’: Bylaw C-7980-2019 and Schedule A

APPENDIX ‘C’: Map Set

APPENDIX ‘D’: Letters of Support Submitted with Application



APPENDIX A: APPLICATION REFERRALS

AGENCY	COMMENTS
<i>Province of Alberta</i>	
Alberta Transportation	<p data-bbox="440 464 1450 625">This will acknowledge receipt of your circulation regarding the above noted proposal, which must meet the requirements of Sections 14 and 15 of the Subdivision and Development Regulation, due to the proximity of Highway 567. The department is currently protecting Highway 567 to a Major Two-Lane standard at this location.</p> <p data-bbox="440 646 1455 877">The above noted subdivision proposal does not meet Section 14 or 15 of the Regulation. The department anticipates minimal impact on the highway from this proposal. Additionally, there is no direct access to the highway as well as sufficient local road access to the subdivision and adjacent lands. Therefore, Pursuant to Section 16 of the Regulation, the department grants approval for the subdivision authority to grant a variance of Section 14 and 15 if they choose to do so. Department approval is subject to the conditions listed below:</p> <ol data-bbox="440 898 1455 1329" style="list-style-type: none"> 1. The department expects that the municipality will mitigate the impacts of traffic generated by developments approved on the local road connections to the highway system, pursuant to the South Saskatchewan Regional Plan, and Section 622(1) of the <i>Municipal Government Act</i>. In order to facilitate the mitigation of these impacts of development on the provincial highway system, the department recommends off-site levies for transportation infrastructure pursuant to Section 648(2)(c.2) of the <i>Municipal Government Act</i>. The department further notes willingness to work with the municipality on any requirements of Section 3.1 of the <i>Off Site Levy Regulations</i> for "transportation infrastructure" should the municipality choose to adopt off-site levies for transportation infrastructure. This is due to the cumulative impacts resulting from piecemeal subdivision and development on previously fragmented lands in this area. <p data-bbox="440 1350 1455 1444">Pursuant to Section 678(2.1) of the <i>Municipal Government Act</i>, the department is varying the distance for appeals for this application. Therefore, any appeals can be heard by the local Subdivision and Development Appeal Board.</p>
<i>Public Utility</i>	
Rocky View Gas Co-op	<ol data-bbox="440 1551 1455 1896" style="list-style-type: none"> 1. Any existing Rockyview Gas Co-op Utility Right of Way concerning the said lands shall remain in effect and be registered, according to the <i>Land Titles Act</i>, to the subdivision parcel and registered to the remaining parcel. 2. IMPORTANT: Pursuant to the Bylaws of Rockyview Gas Co-op Ltd. and the Alberta Government Rural Natural Gas Program; should the newly subdivided property require natural gas service the applicant must apply for a separate contract. No secondary yard lines are permitted to supply natural gas service from one titled property to another titled property. Rockyview Gas Co-op requires a Letter of Understanding regarding secondary yard lines to be executed by the title holder of the parcel being subdivided.



AGENCY	COMMENTS
	<p>3. Rockyview Gas Co-op Ltd. has buried natural gas distribution line(s) within the subject area. If the main gas line is required to be relocated, the owner will be responsible for the cost to move the natural gas line.</p> <p>4. The landowner shall be responsible for the cost, at time of application, for the installation of the natural gas service line.</p> <p>5. The applicant shall pay for any alterations to the natural gas distribution system if required.</p> <p>6. The applicant shall be responsible for the cost of system upgrades and /or gas main extensions should natural gas service be required. We have no objections with the application proceeding.</p>
Adjacent Municipality	
The City of Airdrie	<p>Given the information provided, Planning is not opposed the application as the proposed land use redesignation of 271220 Range Road 285 does not appear to negatively impact the City of Airdrie. The City of Airdrie recommends that the application be referred to the Province for comment in accordance with Section 2.9.2 (3) of the City of Airdrie/M.D. of Rocky View Intermunicipal Development Plan:</p> <p>2.9.2(3) "Both municipalities will refer all redesignation, subdivision and development applications adjacent to provincial roads to the Province for comment."</p>
Internal Departments	
Recreation, Parks and Community Support	<p>The Recreation, Parks and Community Support department has no concerns with this land use redesignation application.</p> <p>Comments pertaining to reserve dedication- inclusive of Deferred Reserve Caveat 751 093 132 as registered on title- will be provided at any future subdivision stage.</p>
Planning and Development Services - Engineering	<p>General</p> <ul style="list-style-type: none"> The review of this file is based upon the application submitted. These conditions/recommendations may be subject to change to ensure best practices and procedures. <p>Geotechnical - Section 300.0 requirements:</p> <ul style="list-style-type: none"> Engineering have no requirements at this time. <p>Transportation - Section 400.0 requirements:</p> <ul style="list-style-type: none"> The subject lands gain access off Range Road 285, which is a gravel standard road. The proposed R-2 parcel has an existing approach and driveway to the existing residence and it is proposed that the



AGENCY	COMMENTS
	<p>remainder parcel will gain access via the same approach though a panhandle. The panhandles shall be a minimum of 12.5 m in width.</p> <ul style="list-style-type: none"> As a condition of future subdivision, the applicant is required to enter into a mutual access easement with associated right of way plan for the continued use of the shared approach for both the existing lot and the proposed lot. The application will need to be circulated to Alberta Transportation for review and comment since the proposed development is within the 1.6 km setback to Highway 567. As a condition of future subdivision, the applicant will be required to provide payment of the Transportation Offsite Levy in accordance with applicable levy at time of subdivision and/or development permit approval. As a condition of future subdivision, 2.5 m along the west boundary of the subject lands shall be dedicated as road right of way by plan of survey as per the applicable TOL bylaw since this portion of Range Road 285 is part of the long range transportation plan Network B. <p>Sanitary/Waste Water - Section 500.0 requirements:</p> <ul style="list-style-type: none"> As there is no existing dwelling or residence on the proposed parcel, prior to future subdivision, the applicant is required to provide a level 4 PSTS assessment in accordance with County Servicing Standard. Prior to future subdivision, the applicant will be required to submit a Level I PSTS Assessment Variation for the existing septic field describing the existing system type, maintenance requirements and include a sketch showing its location and size. The assessment shall also provide measurements to pertinent features (wetlands, surface water, wells, property lines, home, etc.) and comment on the general suitability of the existing system based on visual inspection. <p>Water Supply And Waterworks - Section 600.0 & 800.0 requirements:</p> <ul style="list-style-type: none"> As part of redesignation, the applicant provided a Phase I Groundwater Supply Evaluation conducted by Soltice Environmental Management dated November 12, 2019. The report confirmed that there appears to be sufficient water supply for the proposed development with no impact to the existing surrounding developments. As a condition of future subdivision endorsement, the applicant will be required to drill a well on the new lot and provide a Well Driller's report confirming minimum flow of 4.5 L/m (1 IGPM) or greater. <p>Storm Water Management – Section 700.0 requirements:</p> <ul style="list-style-type: none"> At time of future subdivision, the applicant will be required to provide a Site-Specific Stormwater Implementation Plan conducted by a qualified professional that is consistent with the conditions set in the Nose Creek Watershed Water Management Plan and the Nose Creek Internal



AGENCY	COMMENTS
	<p>Drainage Areas Study. The applicant is responsible for following the recommendations outlined in the Site-Specific Stormwater Implementation Plan.</p> <p>Environmental – Section 900.0 requirements:</p> <ul style="list-style-type: none"> • The proposed lots contain existing wetlands, which have a restrictive covenant placed on them. The covenant prevents the construction of buildings and the placement of fill on the wetlands. The applicant shall ensure that the requirements of this covenant are met at all times. • Should any development be proposed in future that may impact the subject wetlands, approval from AEP will be required.
Transportation Services	<ul style="list-style-type: none"> • Applicant to confirm access to development / subdivided lots. • Gismo shows possible encroachment of existing access road/driveway between Roll # 07308013 and Roll # 07308012
Agricultural & Environmental Services	<p>If approved, the application of the Agricultural Boundary Design Guidelines may be beneficial in buffering the residential parcel from the agricultural land surrounding it. The guidelines would help mitigate areas of concern including: trespass, litter, pets, noise, providing a visual barrier and concern over fertilizers, dust & normal agricultural practices.</p>

Circulation Period: November 27, 2019 to January 3, 2020

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



BYLAW C-7980-2019

A Bylaw of Rocky View County, in the Province of Alberta, to amend Rocky View County Bylaw C-4841-97, being the *Land Use Bylaw*.

The Council of Rocky View County enacts as follows:

Title

- 1 This Bylaw may be cited as *Bylaw C-7980-2019*.

Definitions

- 2 Words in this Bylaw have the same meaning as those set out in the *Municipal Government Act* except for the definitions provided below:
- (1) **“Council”** means the duly elected Council of Rocky View County;
 - (2) **“Municipal Government Act”** means the *Municipal Government Act*, RSA 2000, c M-26, as amended or replaced from time to time; and
 - (3) **“Rocky View County”** means Rocky View County as a municipal corporation and the geographical area within its jurisdictional boundaries, as the context requires.

Effect

- 3 THAT Part 5, Land Use Map No. 73 of Bylaw C-4841-97 be amended by redesignating a portion of NW-8-27-28-W4M from Agricultural Holdings District to Residential Two District as shown on the attached Schedule 'A' forming part of this Bylaw.
- 4 THAT A portion of NW-8-27-28-W4M is hereby redesignated to Residential Two District as shown on the attached Schedule 'A' forming part of this Bylaw.

Severability

- 5 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.

Effective Date

- 6 Bylaw C-7980-2019 is passed and comes into full force and effect when it receives third reading and is signed in accordance with the *Municipal Government Act*.



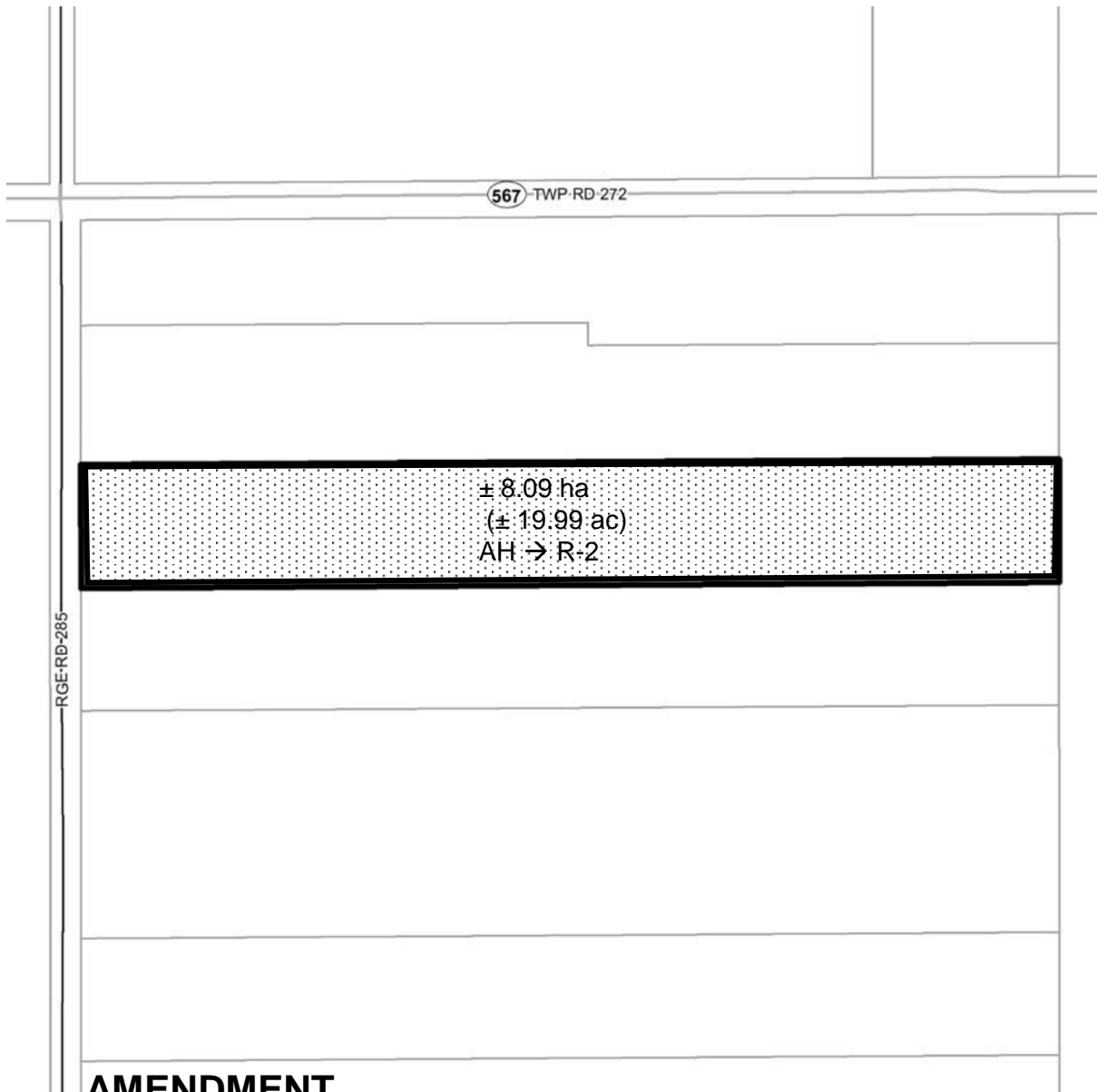
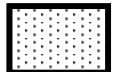
ROCKY VIEW COUNTY

READ A FIRST TIME IN COUNCIL this 14th day of January, 2020*PUBLIC HEARING HELD ON 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_____
Chief Administrative Officer or Designate_____
Date Bylaw Signed

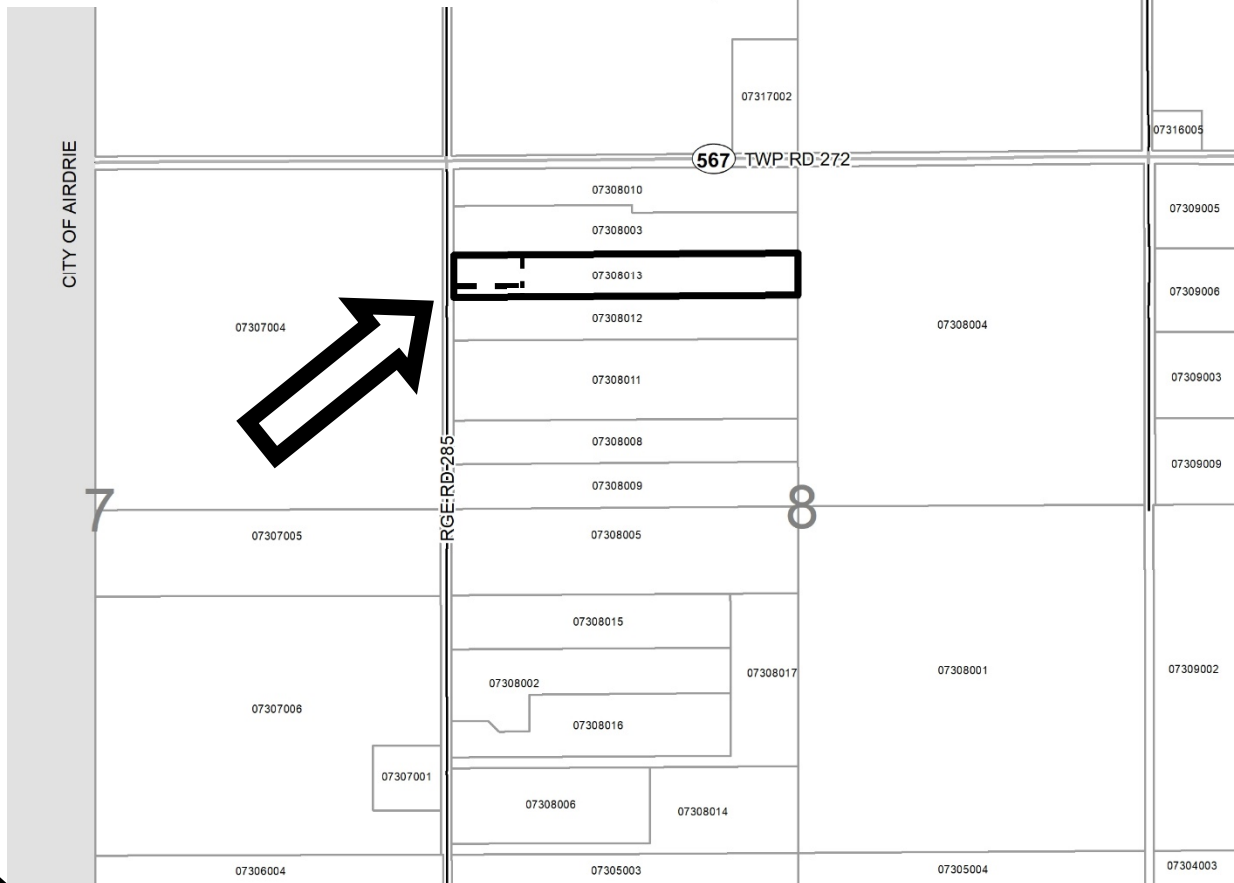
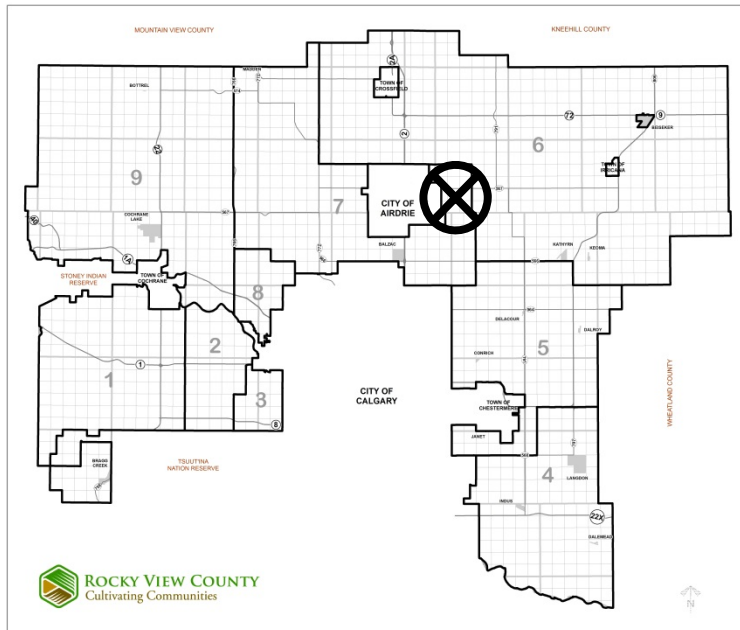
SCHEDULE "A"**BYLAW:** C-7980-2019**AMENDMENT****FROM** Agricultural Holdings District **TO** Residential Two District

Subject Land _____

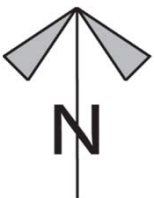
LEGAL DESCRIPTION: Lot 11, Block 1, Plan 0012395 within
NW-8-27-28-W4M

ROCKY VIEW COUNTY

FILE: 07308013 - PL20190175**DIVISION:** 7



LOCATION PLAN



NW-08-27-28-W04M
Lot: 11 Block: 1 Plan: 0012395

Date: Nov 26, 2019Division # 7File: 07308013

Redesignation Proposal: To redesignate the subject lands from Agricultural Holdings to Residential Two District in order to facilitate the creation of a ± 1.62 hectare (4.0 acre) parcel (Lot 1) with ± 6.47 hectare (15.99 acre) remainder.

567 TWP RD 272

AH \rightarrow R-2

± 1.62 ha

(± 4.00 ac)

Lot 1

AH \rightarrow R-2

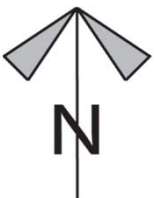
± 6.47 ha

(± 15.99 ac)

Remainder

RGE RD 285

DEVELOPMENT PROPOSAL



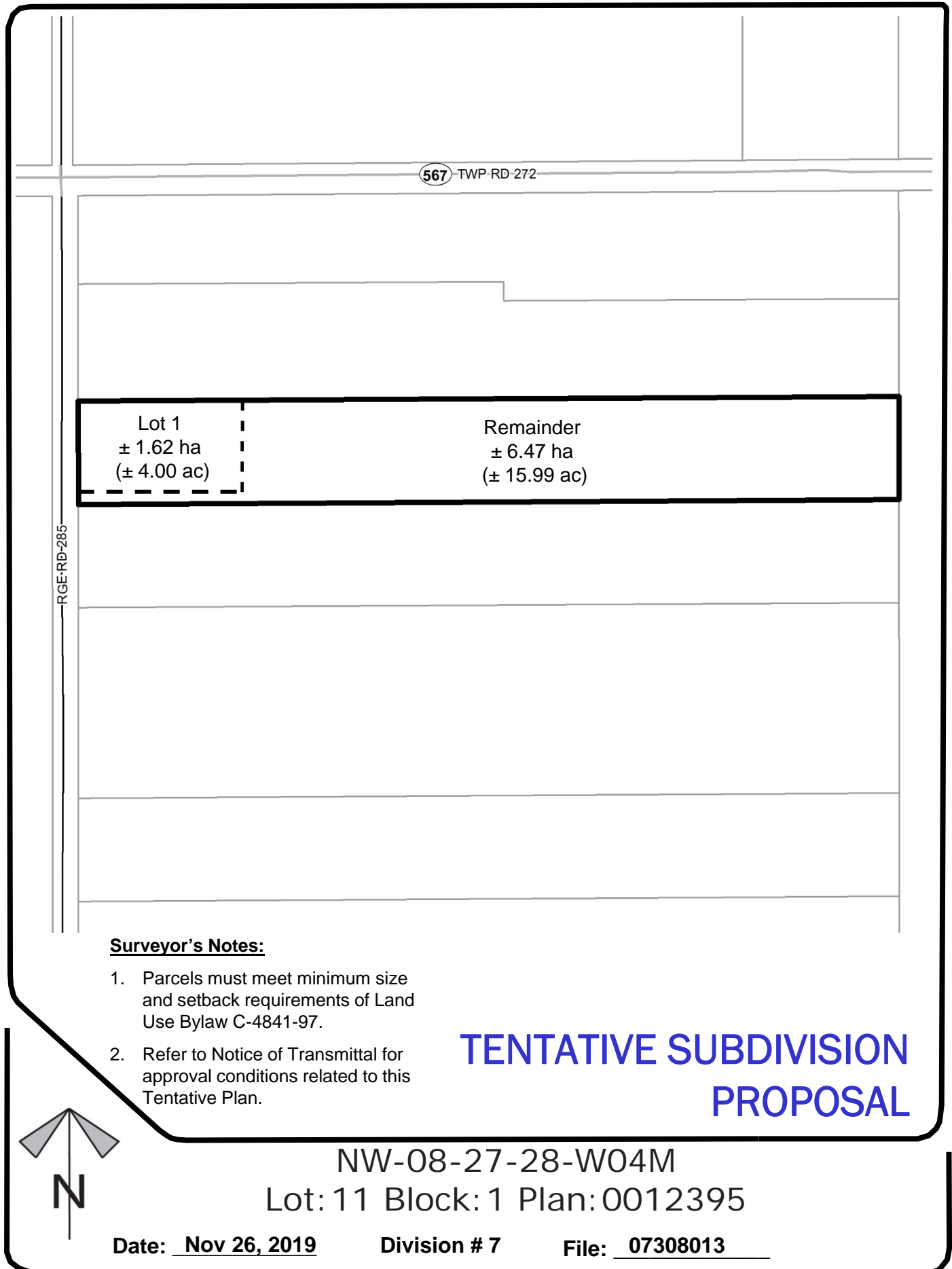
NW-08-27-28-W04M

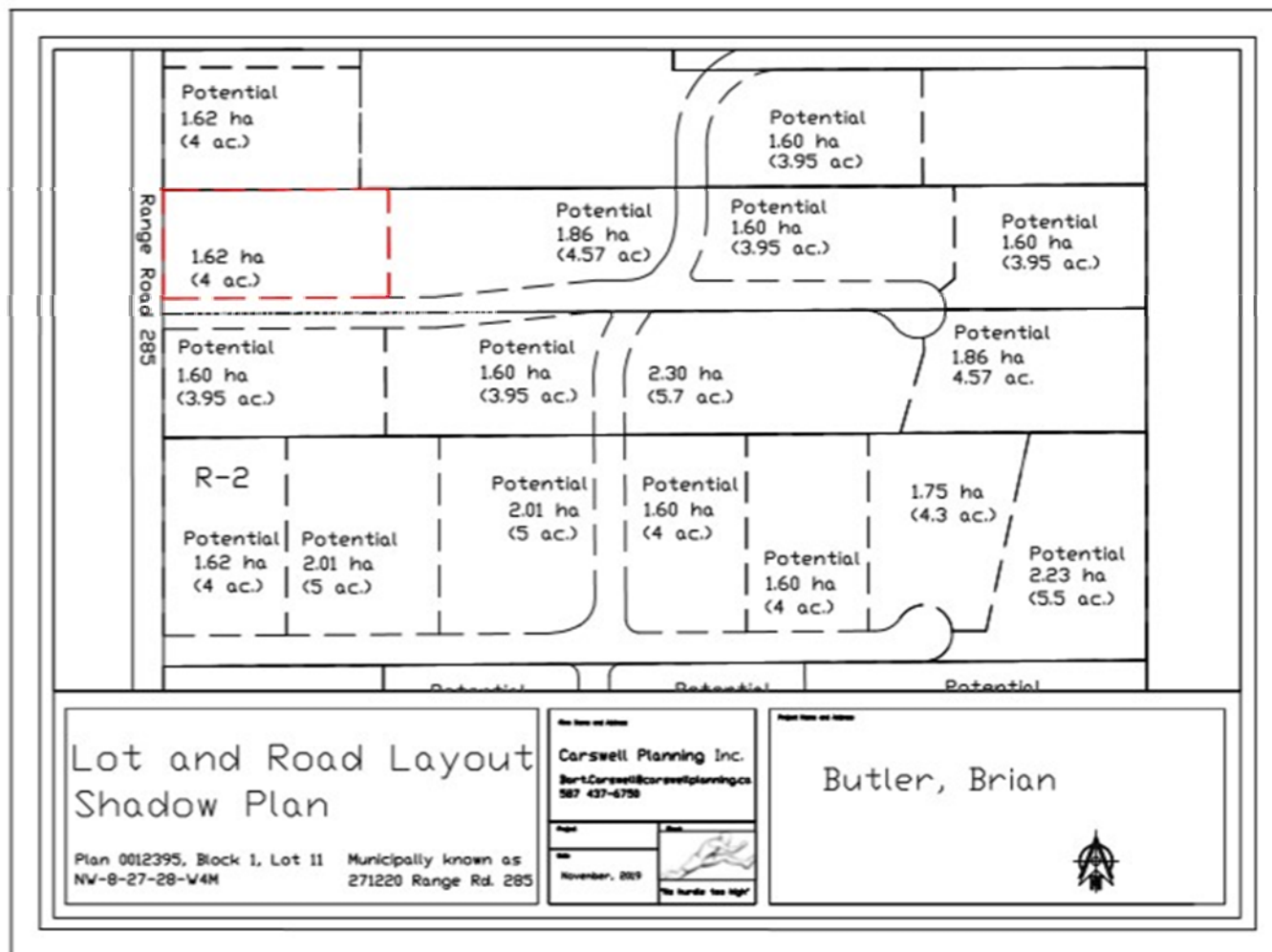
Lot: 11 Block: 1 Plan: 0012395

Date: Nov 26, 2019

Division # 7

File: 07308013





LOT AND ROAD PLAN

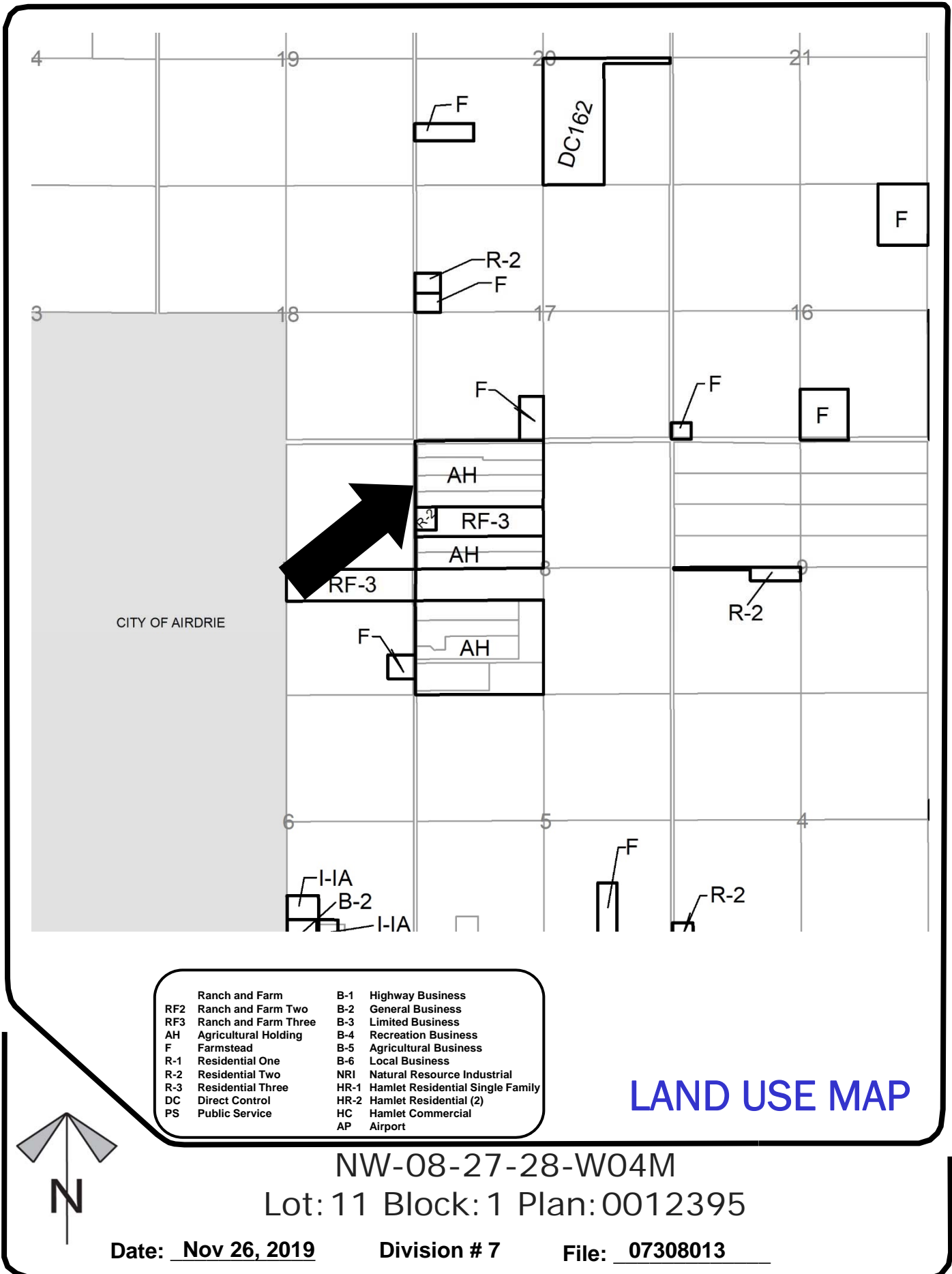
NW-08-27-28-W04M

Lot: 11 Block: 1 Plan: 0012395

Date: Nov 26, 2019

Division # 7

File: 07308013

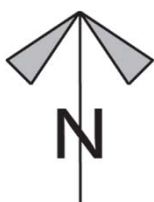




Contours are generated using 10m grid points, and depict general topographic features of the area. Detail accuracy at a local scale cannot be guaranteed. They are included for reference use only.

TOPOGRAPHY

Contour Interval 2 M



NW-08-27-28-W04M
Lot: 11 Block: 1 Plan: 0012395

Date: Nov 26, 2019

Division # 7

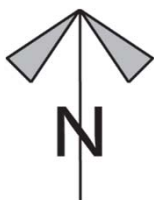
File: 07308013



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

AIR PHOTO

Spring 2018

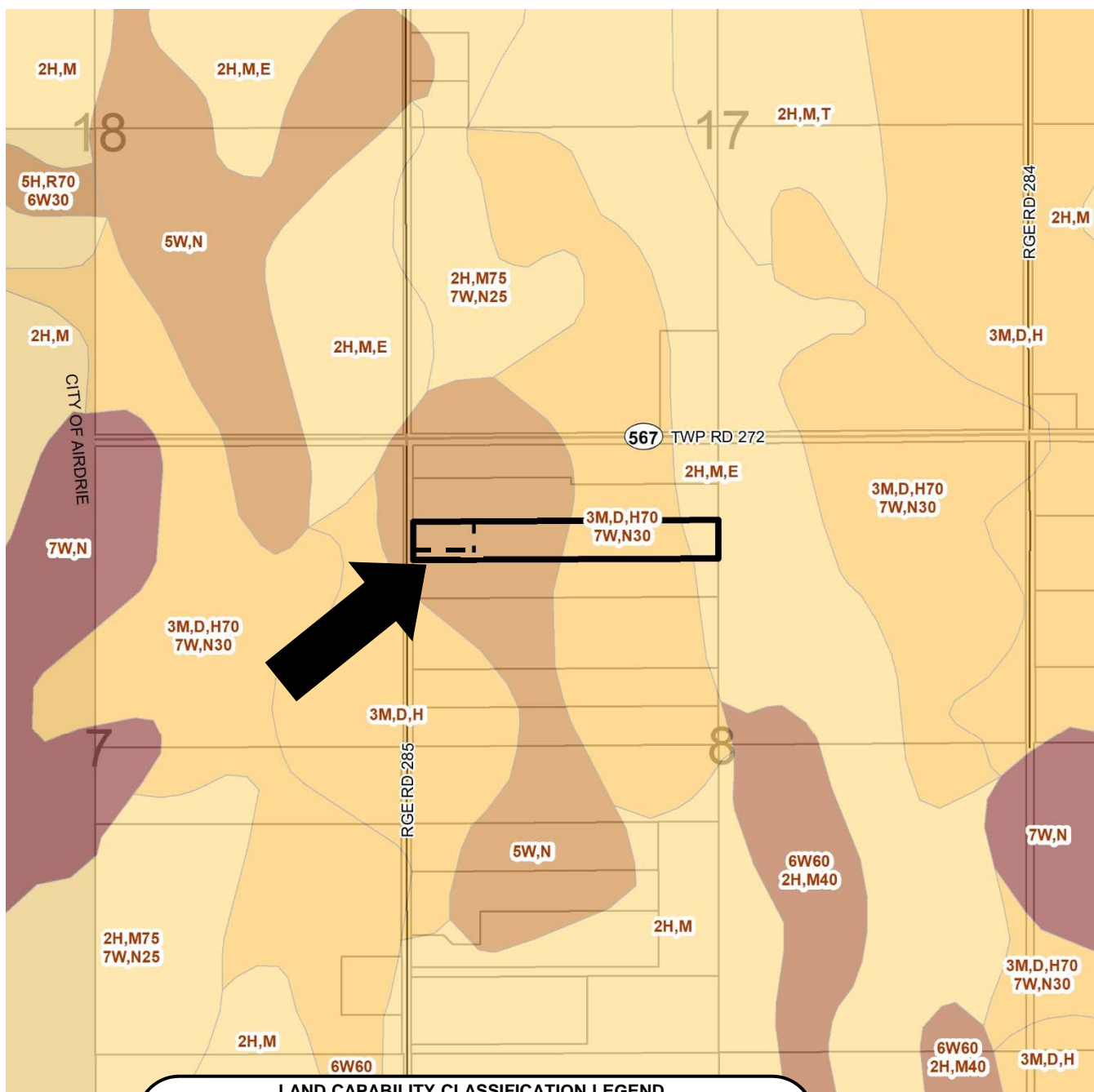


NW-08-27-28-W04M
Lot: 11 Block: 1 Plan: 0012395

Date: Nov 26, 2019

Division # 7

File: 07308013



LAND CAPABILITY CLASSIFICATION LEGEND

Limitations refer to cereal, oilseeds and tame hay crops

CLI Class

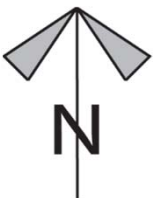
- 1 - No significant limitation
2 - Slight limitations
3 - Moderate limitations
4 - Severe limitations
5 - Very severe limitations
6 - Production is not feasible
7 - No capability

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

- 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



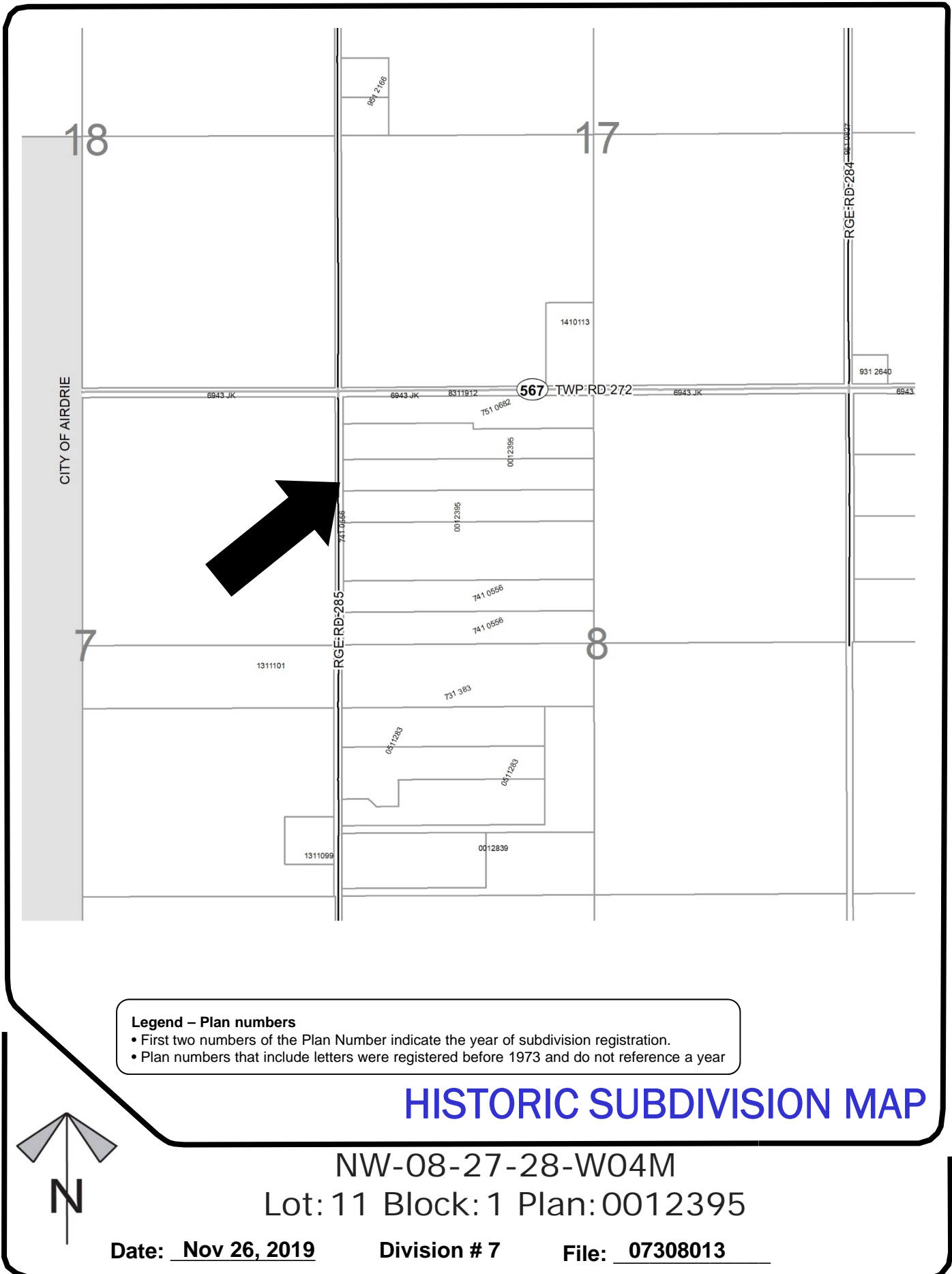
NW-08-27-28-W04M

Lot: 11 Block: 1 Plan: 0012395

Date: Nov 26, 2019

Division # 7

File: 07308013

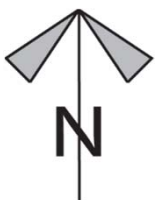




⊘ Letters in Opposition
 ★ Letters in Support

Legend	
	Circulation Area
	Subject Lands

LANDOWNER CIRCULATION AREA



NW-08-27-28-W04M
 Lot: 11 Block: 1 Plan: 0012395

Date: Nov 26, 2019

Division # 7

File: 07308013

Letter of Support

November , 2019

Attention: Rocky View County, Planning & Development Services
Fax: 403.277.3066
development@rockyview.ca

Re: Butler Redesignation/Subdivision
271220 Range Road 285, Rocky View County (RVC)

To Whom it may concern,

As neighbours to Brian Butler, owner of the above-mentioned property, I (we) support the application for the plan attached. Thank you,

Marda Wright/Robin Spruit of address 271210 Rge Rd 285, dated 11/11/2019
Rockyview County
T4A 2S7

M. Wright/Robin Spruit email address [REDACTED]
Signature

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



"No Hurdle too high"

Bart Carswell, MA, MCIP, RPP – Bart.Carswell@carswellplanning.ca

William George, Junior Planner – admin@carswellplanning.ca

Carswell Planning Inc.

Office Address: #200, 525 – 28th St, SE Calgary, AB T2A 6W9 (in Remax Complete Commercial)

Mailing Address: P.O. Box 223, 104 – 1240 Kensington Rd. NW Calgary, AB T2N 3P7

Phone: 587 437-6750

Attachment: Redesignation Lot Layout

Letter of Support

November , 2019

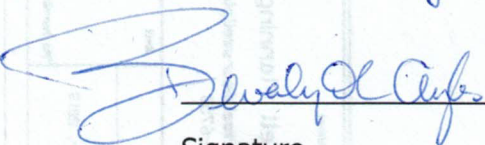

Attention: Rocky View County, Planning & Development Services
Fax: 403.277.3066
development@rockyview.ca

Re: Butler Redesignation/Subdivision
271220 Range Road 285, Rocky View County (RVC)

To Whom it may concern,

As neighbours to Brian Butler, owner of the above-mentioned property, I (we) support the application for the plan attached. Thank you,

Deane Ben Ayles of address 271218 Rge Rd 284, dated Nov 7/19

 email address 
Signature

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



"No Hurdle too high"

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November , 2019

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development@rockyview.ca

Re: Butler Redesignation/Subdivision
271220 Range Road 285, Rocky View County (RVC)

To Whom it may concern,

As neighbours to Brian Butler, owner of the above-mentioned property, I (we) support the application for the plan attached. Thank you,

Ruth & Gordon Hyde of address 284131 , dated Nov 7/19

Ruth Hyde email address [REDACTED]
Signature

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



"No Hurdle too high"

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Letter of Support

November , 2019


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Fax: 403.277.3066
development@rockyview.ca

Re: Butler Redesignation/Subdivision
271220 Range Road 285, Rocky View County (RVC)

To Whom it may concern,

As neighbours to Brian Butler, owner of the above-mentioned property, I (we) support the application for the plan attached. Thank you,

GLENN HIDE of address 284131 FLOP RD 272, dated NOV 26/19

 email address 
Signature

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



"No Hurdle too high"

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William George, Junior Planner – admin@carswellplanning.ca

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Attachment: Redesignation Lot Layout

Letter of Support

November , 2019

Attention: Rocky View County, Planning & Development Services
Fax: 403.277.3066
development@rockyview.ca

Re: Butler Redesignation/Subdivision
271220 Range Road 285, Rocky View County (RVC)

To Whom it may concern,

As neighbours to Brian Butler, owner of the above-mentioned property, I (we) support the application for the plan attached. Thank you,

Rod & Debbie Kay of address 271130 RGE RD 285, dated Nov 07/19
Rocky View County.

Debbie Kay
Signature

email address [REDACTED]

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



"No Hurdle too high"

Bart Carswell, MA, MCIP, RPP – Bart.Carswell@carswellplanning.ca

William George, Junior Planner – admin@carswellplanning.ca

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Mailing Address: P.O. Box 223, 104 – 1240 Kensington Rd. NW Calgary, AB T2N 3P7

Phone: 587 437-6750

Attachment: Redesignation Lot Layout



PLANNING AND DEVELOPMENT SERVICES

TO:	Council	
DATE:	July 21, 2020	DIVISION: 7
TIME:	Afternoon Appointment	
FILE:	07308003	APPLICATION: PL20190194
SUBJECT:	Redesignation Item – Agricultural Holdings District to Residential Two District; located on Range Road 285 South of Highway 567	

POLICY DIRECTION:

The County Plan.

EXECUTIVE SUMMARY:

The purpose of this application is to redesignate 20.91 acres of subject land from Agricultural Holdings District (AH) to Residential Two District (R-2) in order to facilitate the creation of a 4.00 acre parcel (Lot 1) with 16.91 acre remainder.

Council gave first reading to Bylaw C-7999-2020 on April 28, 2020.

No letters were received in response to 16 letters circulated to adjacent and area property owners when the application was received. The application was also circulated to a number of internal and external agencies; responses are available in Appendix 'A'.

The following is a summary of the application assessment:

- The application is consistent with policies 10.11 and 10.12 of the County Plan.
- All other technical matters required at this stage of the application process are satisfactory.

ADMINISTRATION RECOMMENDATION:

Administration recommends approval in accordance with Option # 1.

DATE APPLICATION RECEIVED:	December 13, 2019
DATE DEEMED COMPLETE:	February 4, 2020

PROPOSAL:	To redesignate the subject lands from Agricultural Holdings to Residential Two District in order to facilitate the creation of a 4.0 acre parcel (Lot 1) with 16.91 acre remainder.
LEGAL DESCRIPTION:	Lot 12, Block 1, Plan 0012395 within NW-8-27-28-W4M
GENERAL LOCATION:	Located approximately ½ mile east of the City of Airdrie; located on the east side of Range Road 285, approximately 0.1 km (1/16 mile) south of Highway 567.
APPLICANT:	Carswell Planning (Bart Carswell)
OWNER:	Glenn and Ruth Hyde
EXISTING LAND USE DESIGNATION:	Agricultural Holdings District (AH)

Administration Resources

Oksana Newmen, Planning and Development Services



PROPOSED LAND USE DESIGNATION: Residential Two District (R-2)

GROSS AREA: ± 20.91 acres

SOILS (C.L.I. from A.R.C.):

Class 3M, D, H70, 7W, N30 – Approximately one third of the site is composed of soils with moderate limitations due to low moisture holding, adverse texture; low permeability, and temperature; no capability due to excessive wetness and high salinity.

Class 5 W, N – Approximately half of the site is composed of soils with very severe limitations due to excessive wetness/poor drainage and high salinity.

Class 2H, M, E – A small area of the site is subject to soils of slight limitations due to temperature, low moisture holding, adverse texture and erosion damage.

HISTORY:

September 22, 2000 Subdivision Plan 0012395 was registered at Land Titles creating four agricultural parcels ranging from 20.00 acres to 37 acres; one being the subject property. Municipal Reserves were deferred for future dedication on the lands.

POLICY ANALYSIS:

County Plan

The subject lands are located within a quarter section defined by the County Plan as a Fragmented Quarter Section. The application is therefore consistent with Policy 10.12, as the parcel is below the 24.7 acre maximum parcel size to be supported for redesignation or subdivision.

Policy 10.12 of the County Plan states that the redesignation or subdivision of agriculture parcels greater than 24.7 acres in size to a residential use shall not be supported. The intent for this policy is to preserve large agricultural land for agricultural operations. The application is consistent with this policy.

In accordance with Policy 10.11 of the County Plan, the Applicant submitted a lot and road plan that covers the subject land and adjacent lands. The plan shows restricted development areas, and subdivision potential with a future road connectivity to the lands outside of the plan area. The plan demonstrates that orderly and efficient residential development could be achieved in the area, and the creation of one new lot would not inhibit subdivision potential on adjacent lands.

Land Use Bylaw

The proposed new parcel meets the requirements of the Residential Two District within the Land Use Bylaw.

OPTIONS:

- Option # 1: Motion #1 THAT Bylaw C-7999-2020 be given second reading.
- Motion #2 THAT Bylaw C-7999-2020 be given third and final reading.
- Option # 2: That application PL20190194 be refused.



Respectfully submitted,

Concurrence,

“Theresa Cochran”

Executive Director
Community Development Services

“Al Hoggan”

Chief Administrative Officer

ON/ilt

APPENDICES:

APPENDIX ‘A’: Application Referrals

APPENDIX ‘B’: Bylaw C-7999-2020 and Schedule A

APPENDIX ‘C’: Map Set



APPENDIX A: APPLICATION REFERRALS

AGENCY	COMMENTS
<i>Province of Alberta</i>	
Alberta Transportation	<p data-bbox="427 516 1438 678">This will acknowledge receipt of your circulation regarding the above noted proposal, which must meet the requirements of Sections 14 and 15 of the Subdivision and Development Regulation at the time of subdivision, due to the proximity of Highway 567. The department is currently protecting Highway 567 to a Major Two-Lane standard at this location.</p> <p data-bbox="427 695 1438 894">The above noted subdivision proposal does not meet Section 14 or 15 of the Regulation. The department has concerns about cumulative operational and safety impacts to the highway should this subdivision be approved. Therefore, in accordance with the rationale provided below, the department is unwilling to approve the subdivision authority granting a variance to Section 14 of the Regulation until the following issues are addressed:</p> <ol data-bbox="427 911 1455 1713" style="list-style-type: none"> 1. The department expects that the municipality will mitigate the impacts of traffic generated by developments approved on the local road connections to the highway system, pursuant to the South Saskatchewan Regional Plan, and Section 622(1) of the <i>Municipal Government Act</i>. In order to facilitate the mitigation of these impacts of development on the provincial highway system, the department recommends off-site levies for transportation infrastructure pursuant to Section 648(2)(c.2) of the <i>Municipal Government Act</i>. The department further notes willingness to work with the municipality on any requirements of Section 3.1 of the Off Site Levy Regulations for "transportation infrastructure" should the municipality choose to adopt off-site levies for transportation infrastructure. This is due to the cumulative impacts resulting from piecemeal subdivision and development on previously fragmented lands in this area. 2. Alberta Transportation advises that pre-subdivision planning should occur for this area as required by Section 14(d) and/or Section 14(e) of the Subdivision and Development Regulation. 3. A Traffic Impact Assessment (TIA) shall be prepared by a qualified transportation professional, and reviewed by Alberta Transportation. The TIA must provide information regarding the traffic that could be generated by the proposed development, and will identify any necessary upgrades to the Highway intersection. Ideally this would be a coordinated effort with other applicants in the area, specifically municipal file numbers PL20190175 and PL20190176 <p data-bbox="427 1730 1406 1829">Pursuant to Section 678(2) of the <i>Municipal Government Act</i>, Alberta Transportation requires that any appeal of this subdivision be referred to the Municipal Government Board.</p>



ROCKY VIEW COUNTY

AGENCY COMMENTS

Public Utility

- | | |
|----------------------|---|
| Rocky View Gas Co-op | <ol style="list-style-type: none"> 1. Any existing Rockyview Gas Co-op Utility Right of Way concerning the said lands shall remain in effect and be registered, according to the <i>Land Titles Act</i>. 2. In regards to the Rocky View Application: APPLICATION # PL20190194, Rockyview Gas Co-op Ltd. has a buried natural gas distribution line within the development proposal or Conceptual Scheme area. If the main gas line is required to be relocated out of the development proposal or Conceptual Scheme area, the owner will be responsible for the cost to move the natural gas line. 3. Rockyview Gas Co-op Ltd. will require notification when/if a subdivision application is to follow the Development Permit or Conceptual Schemes application. We have no objections with the application proceeding. Should you have any questions, concerns or require anything else please do not hesitate to contact our office. |
|----------------------|---|

Internal Departments

Planning and
Development
Services -
Engineering

General

- The review of this file is based upon the application submitted. These conditions/recommendations may be subject to change to ensure best practices and procedures.

Geotechnical - Section 300.0 requirements:

- As per County GIS, the site slopes are less than 15% on the subject land.
- A restrictive covenant is registered on title for the subject land limiting the on-site development. However, there appears to be at least one continuous acre of developable area.
- Engineering have no requirements at this time.

Transportation - Section 400.0 requirements:

- The application is to be circulated to AT for review and comment since the proposed development is within 1.6 km of Highway 567. Should AT have any requirements, as a condition of future subdivision, applicant shall fulfill all the AT's requirements to their satisfaction.
 - Access to the subject land is provided via shared driveway off Highway 567. An access easement is present, Instrument # 751111536.
 - Access to proposed lot 1 will be provided by a new gravel approach off Range Road 285. A panhandle will provide frontage to Range Road 285 for the remainder lot.
-



AGENCY	COMMENTS
	<ul style="list-style-type: none"> As a condition of future subdivision, applicant is required to construct a new gravel approach off Range Road 285 to provide access to proposed lot 1. As a condition of future subdivision, the applicant is required to provide payment of the Transportation Offsite Levy in accordance with the applicable bylaw at time of subdivision approval for the total gross acreage of proposed lot 1 to be subdivided. Engineering have no requirements at this time. <p>Sanitary/Waste Water - Section 500.0 requirements:</p> <ul style="list-style-type: none"> The applicant is proposing to use a PSTS to service the proposed lot 1. At the time of future subdivision, applicant is required to provide a Level II Private Sewage Treatment System Assessment for proposed lot 1 in accordance with the county's servicing standards. At future subdivision application stage, the applicant/owner is to provide Level 1 Variation Assessment for the remainder parcel with the existing dwelling and existing services. The assessment shall comment on the existing system clearly indicating the required clearance distances by providing a site map and comment on the suitability and general operations Engineering have no requirements at this time. <p>Water Supply And Waterworks - Section 600.0 & 800.0 requirements:</p> <ul style="list-style-type: none"> As a part of re-designation application, the applicant provided a Phase I Groundwater Assessment conducted by Solstice Environmental Management, dated December 11, 2019. The Phase 1 Groundwater Evaluation concluded following: <ul style="list-style-type: none"> There appears to be sufficient water supply to service the proposed development, as per the <i>Water Act</i> for domestic well users, at a rate of 1250 m³/year. It appears that no significant water level decline in the aquifer would be expected due to addition of a new well. No adverse effects to existing licensed or domestic groundwater users is expected from the proposed subdivision. As a condition of future subdivision, applicant shall provide following: <ol style="list-style-type: none"> Well Driller's Report confirming a minimum pump rate of 1.0 IGPM for a new well. An Aquifer Testing (Phase II) Report, which will include aquifer testing and the location of the new well in accordance with County's servicing Standards; and The results of the aquifer testing meeting the requirements of the <i>Water Act</i> Engineering have no requirements at this time.



AGENCY	COMMENTS
Agricultural & Environmental Services	<p>Storm Water Management – Section 700.0 requirements:</p> <ul style="list-style-type: none"> • Applicant provided a stormwater analysis, prepared by MPE Engineering, dated July 07, 2000 for the subdivision on NW-08-27-28-W04M, which incorporated the subject land. The stormwater analysis provides recommendations for the future development within the subdivision. • As a condition of future subdivision, applicant is required to provide a site-specific stormwater implementation plan, prepared by a qualified professional, providing the onsite stormwater management strategy for the proposed subdivision in accordance with County's Servicing Standards, Stormwater Analysis (July 07, 2000) and Nose Creek Master Drainage Plan. Should any lot specific improvements be recommended in the site-specific Storm water implementation Plan, as a condition of future subdivision, the applicant/Owner will be required enter into a Development Agreement (Site Improvement/Servicing Agreement) for the construction of such improvements. • Engineering have no requirements at this time.
	<p>Environmental – Section 900.0 requirements:</p> <ul style="list-style-type: none"> • As per GIS review, restricted development areas exist on the subject land. The applicant shall not encroach/develop on/within these restricted development areas. • Based on County GIS, wetlands are present on site. Applicant/owner will be responsible for obtaining approval from AEP under the <i>Water Act</i> for the disturbance/loss of any the onsite wetlands • Engineering have no requirements at this time.
	<p>If approved, the application of the Agricultural Boundary Design Guidelines may be beneficial in buffering the residential parcel from the agricultural land surrounding it. The guidelines would help mitigate areas of concern including: trespass, litter, pets, noise, providing a visual barrier and concern over fertilizers, dust & normal agricultural practices.</p>

Circulation Period: March 25, 2020 to April 28, 2020

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



BYLAW C-7999-2020

A Bylaw of Rocky View County, in the Province of Alberta, to amend Rocky View County Bylaw C-4841-97, being the *Land Use Bylaw*.

The Council of Rocky View County enacts as follows:

Title

- 1 This Bylaw may be cited as *Bylaw C-7999-2020*.

Definitions

- 2 Words in this Bylaw have the same meaning as those set out in the *Municipal Government Act* except for the definitions provided below:
 - (1) **“Council”** means the duly elected Council of Rocky View County;
 - (2) **“Municipal Government Act”** means the *Municipal Government Act*, RSA 2000, c M-26, as amended or replaced from time to time; and
 - (3) **“Rocky View County”** means Rocky View County as a municipal corporation and the geographical area within its jurisdictional boundaries, as the context requires.

Effect

- 3 THAT Part 5, Land Use Map No. 73 of Bylaw C-4841-97 be amended by redesignating a portion of NW-8-27-28-W4M from Agricultural Holdings District to Residential Two District as shown on the attached Schedule 'A' forming part of this Bylaw.
- 4 THAT A portion of NW-8-27-28-W4M is hereby redesignated to Residential Two District as shown on the attached Schedule 'A' forming part of this Bylaw.

Severability

- 5 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.

Effective Date

- 6 Bylaw C-7999-2020 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 28th day of April, 2020

PUBLIC HEARING HELD ON this _____ day of _____, 2020

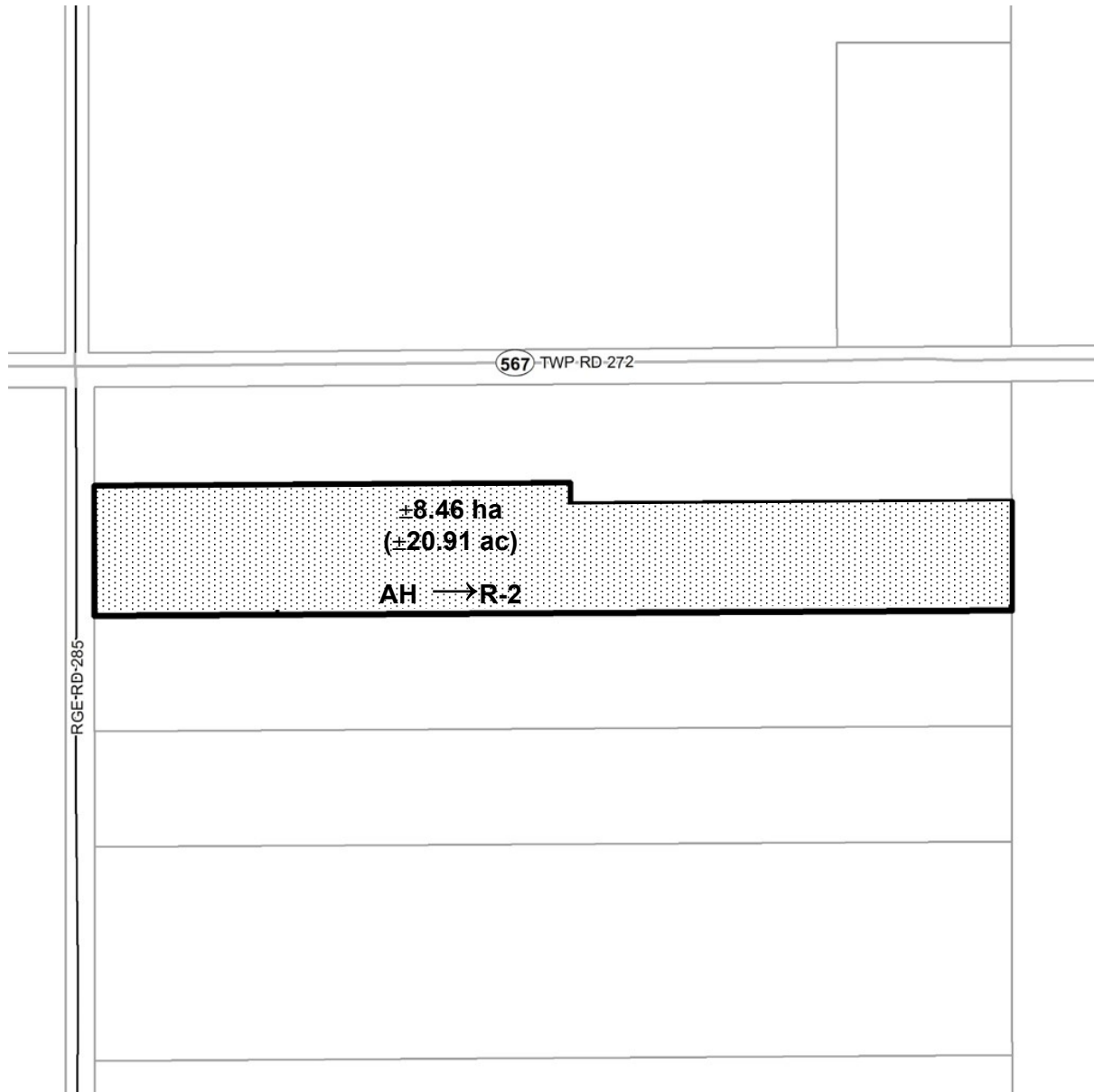
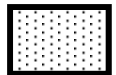
READ A SECOND TIME IN COUNCIL this _____ day of _____, 2020

READ A THIRD TIME IN COUNCIL this _____ day of _____, 2020

Reeve

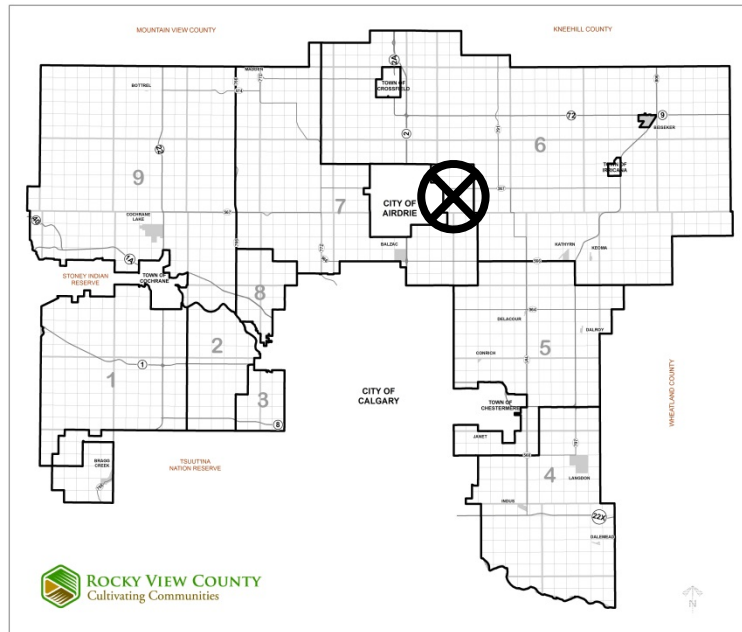
Chief Administrative Officer or Designate

Date Bylaw Signed

SCHEDULE "A"**BYLAW:** C-7999-2020**AMENDMENT****FROM** Agricultural Holdings District **TO** Residential Two District

Subject Land _____

LEGAL DESCRIPTION: NW-8-27-28-W4M**FILE:** PL20190194**DIVISION: 6**



CITY OF AIRDRIE

567 TWP RD:272

RGE:RD:285

RGE:RD:284

07317004

07316003

07317001

07316002

07316005

07308010

07308003

07308013

07308012

07308011

07308008

07308009

07308005

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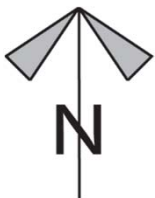
07309003

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LOCATION PLAN



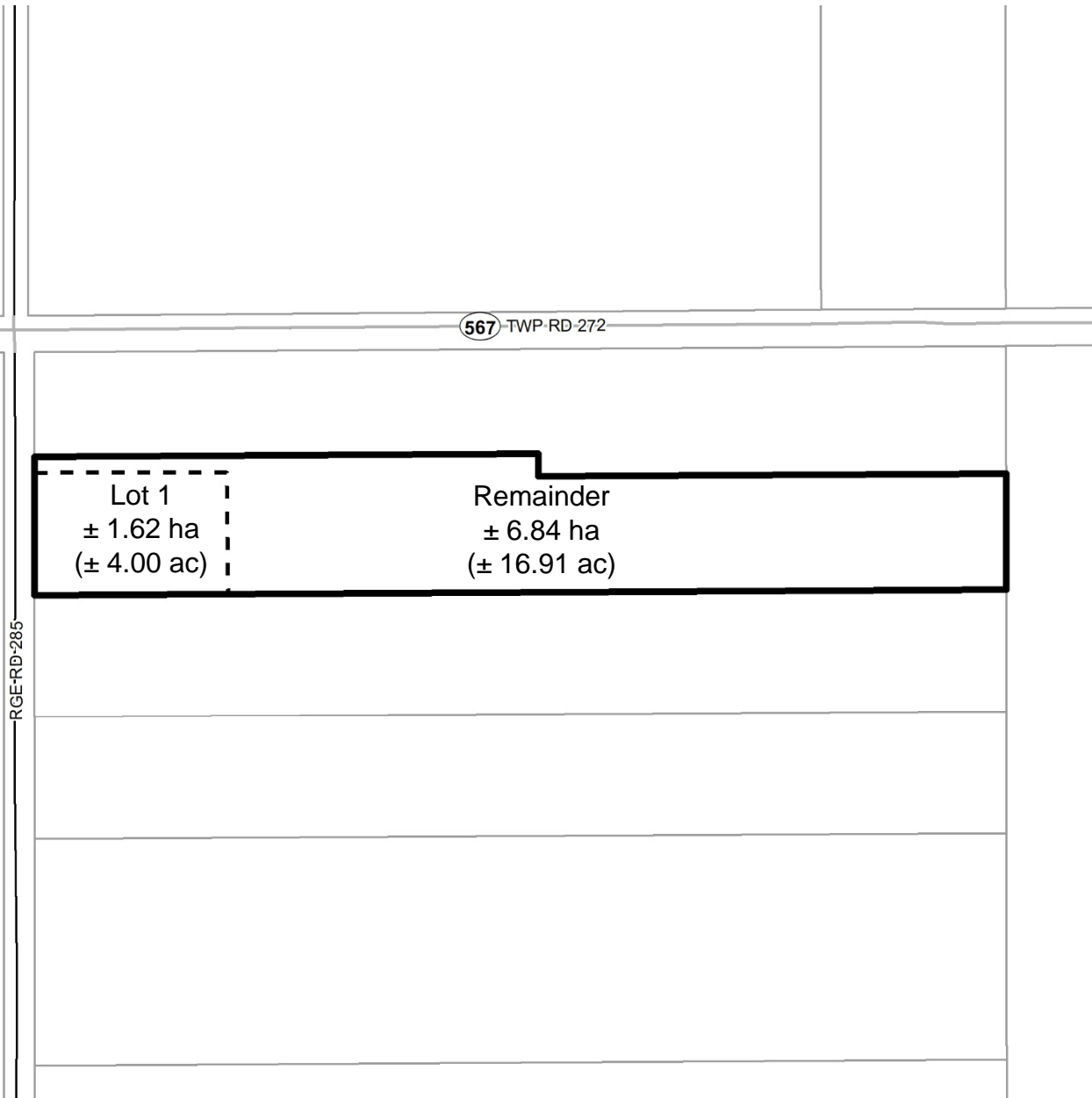
NW-08-27-28-W04M
Lot: 12 Block: 1 Plan: 0012395

Date: Dec 16, 2019

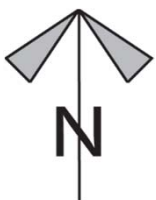
Division # 7

File: 07308003

Redesignation Proposal: To redesignate the subject lands from Agricultural Holdings District to Residential Two District in order to facilitate the future subdivision of a ± 1.62 hectare (± 4.00 acre) parcel (Lot 1) and ± 6.84 hectare (± 16.91 acre) remainder.



DEVELOPMENT PROPOSAL

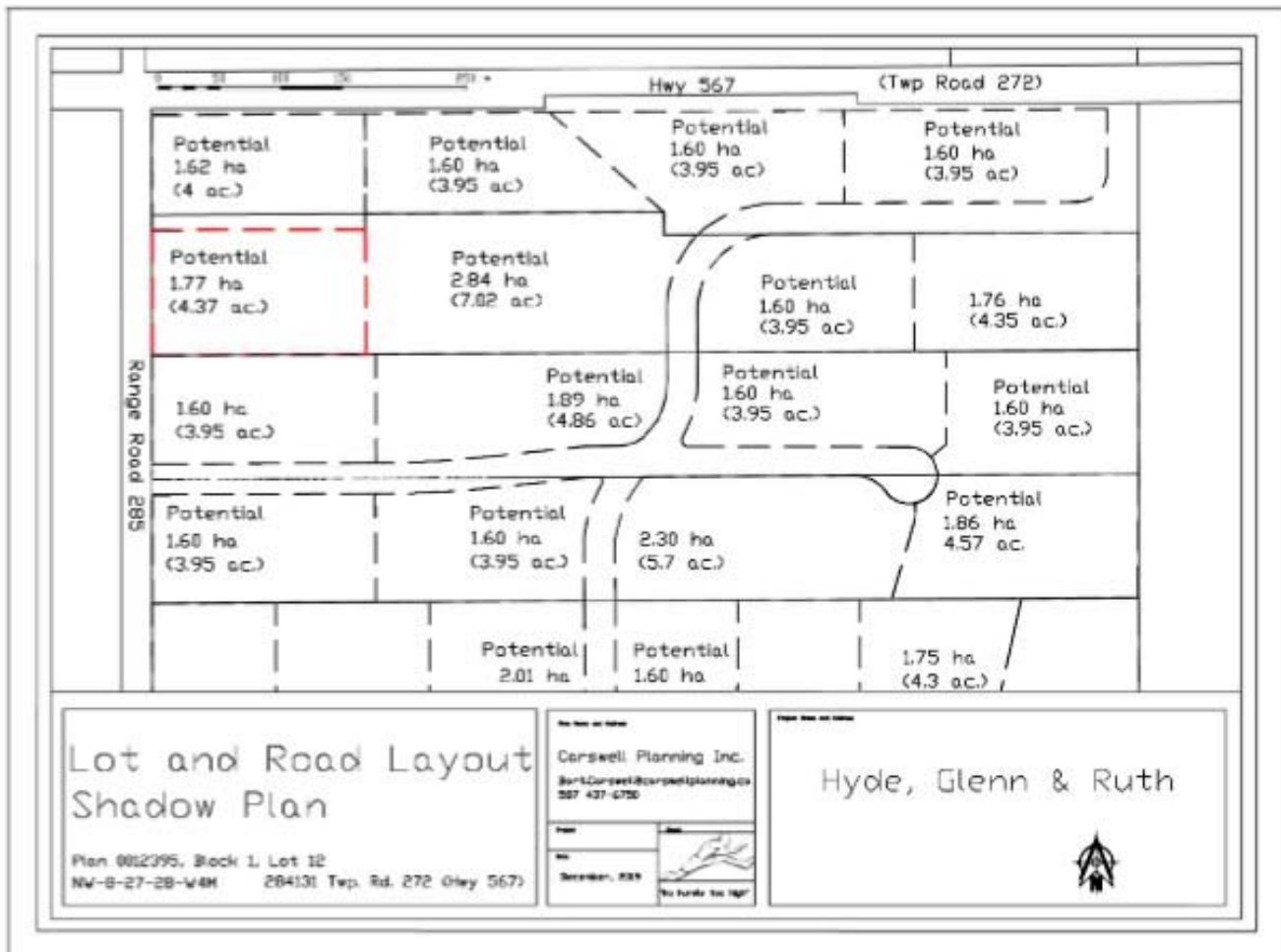


NW-08-27-28-W04M
Lot: 12 Block: 1 Plan: 0012395

Date: Dec 16, 2019

Division # 7

File: 07308003



LOT AND ROAD PLAN

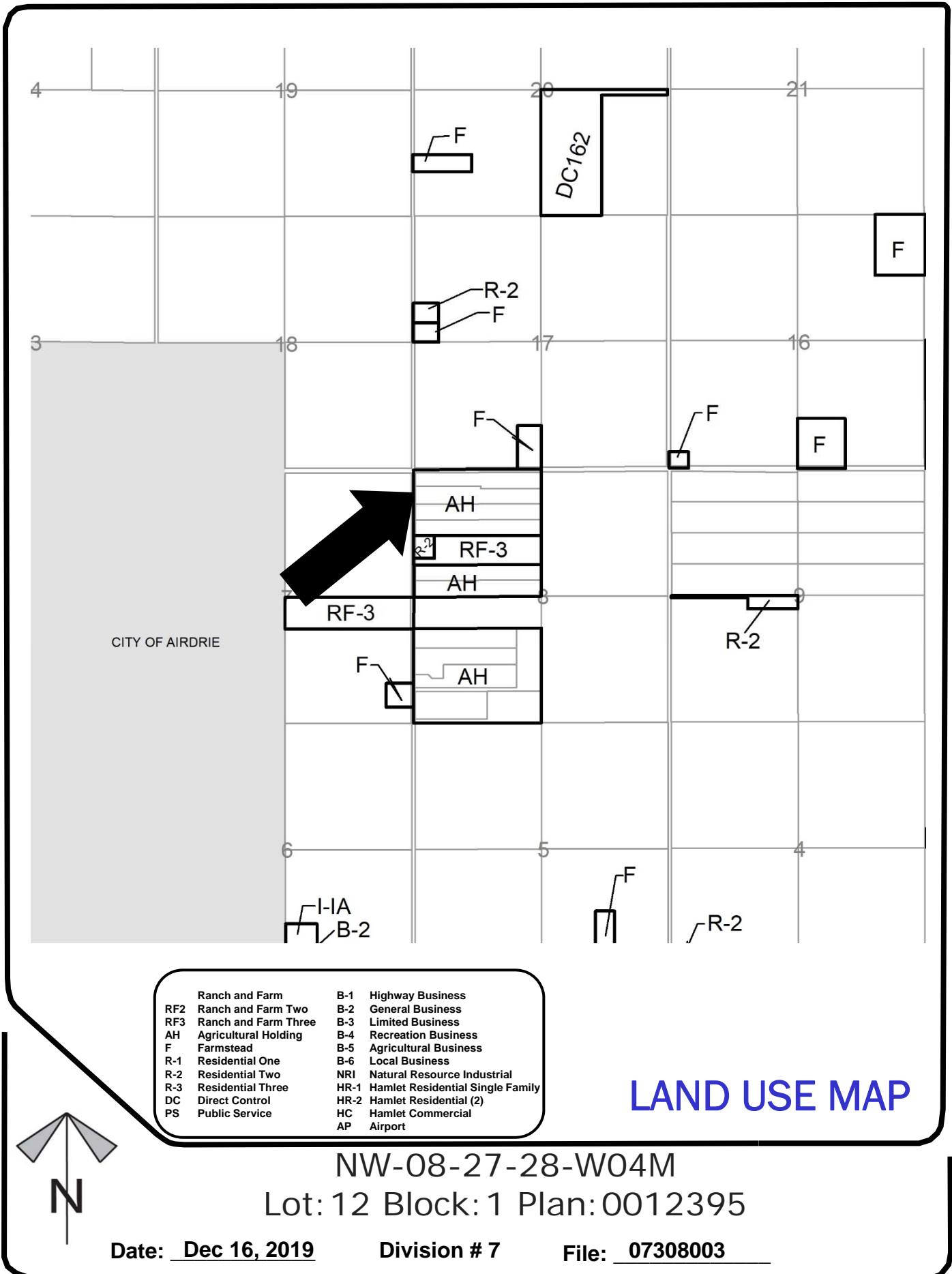
NW-08-27-28-W04M

Lot: 12 Block: 1 Plan: 0012395

Date: Dec 16, 2019

Division # 7

File: 07308003

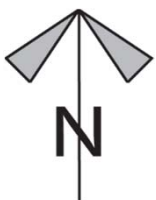




Contours are generated using 10m grid points, and depict general topographic features of the area. Detail accuracy at a local scale cannot be guaranteed. They are included for reference use only.

TOPOGRAPHY

Contour Interval 2 M



NW-08-27-28-W04M
Lot: 12 Block: 1 Plan: 0012395

Date: Dec 16, 2019

Division # 7

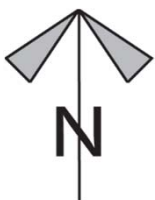
File: 07308003



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

AIR PHOTO

Spring 2018

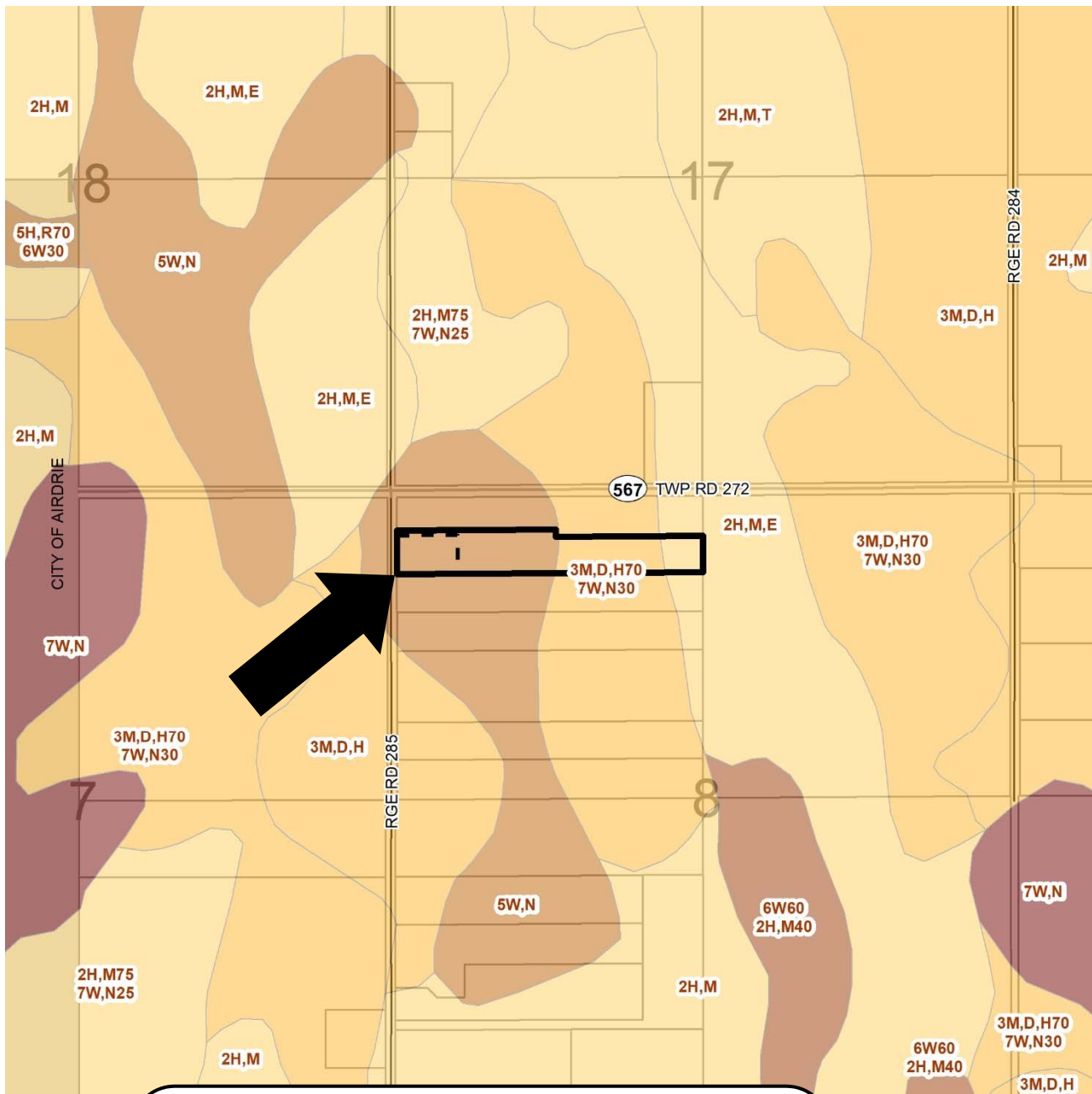


NW-08-27-28-W04M
Lot: 12 Block: 1 Plan: 0012395

Date: Dec 16, 2019

Division # 7

File: 07308003



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

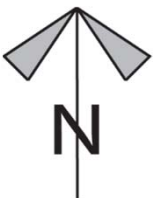
CLI Class

- 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

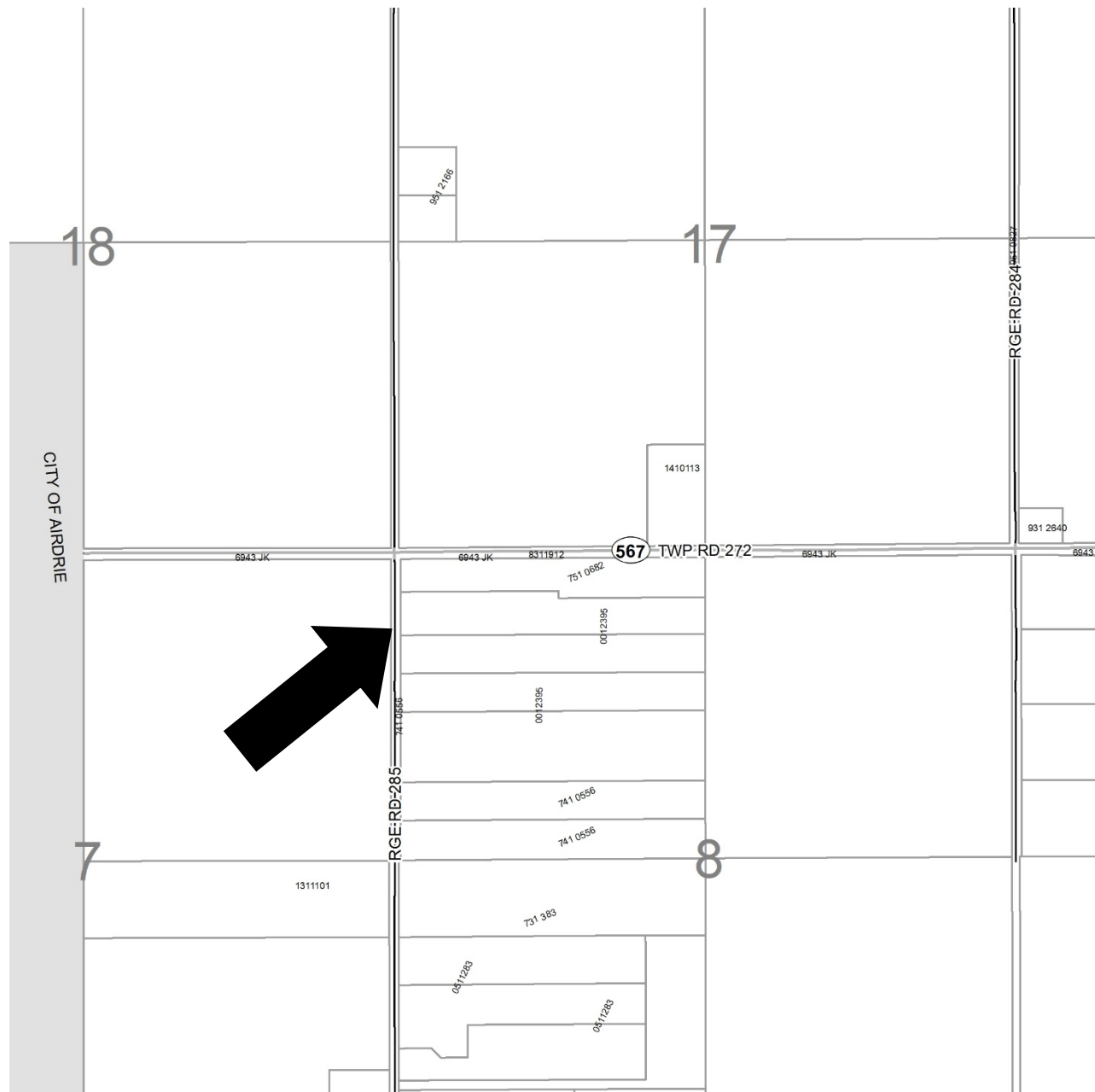


NW-08-27-28-W04M
 Lot: 12 Block: 1 Plan: 0012395

Date: Dec 16, 2019

Division # 7

File: 07308003

**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

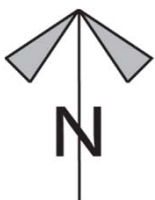
HISTORIC SUBDIVISION MAP

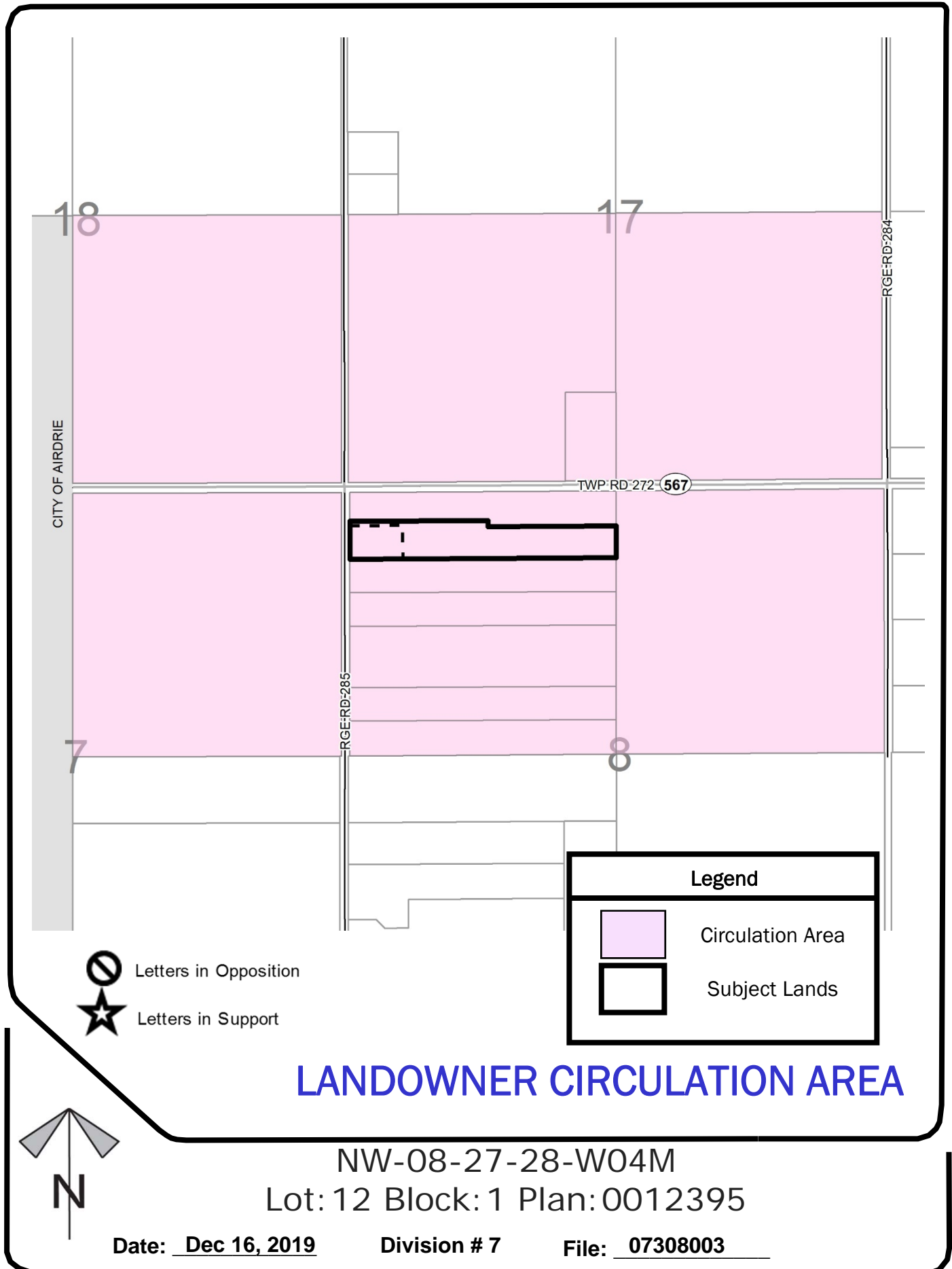
NW-08-27-28-W04M

Lot: 12 Block: 1 Plan: 0012395

Date: Dec 16, 2019

Division # 7

File: 07308003



**PLANNING AND DEVELOPMENT SERVICES**

TO: Council

DATE: July 21, 2020 **DIVISION:** 5

TIME: Afternoon Appointment

FILE: 04330009 **APPLICATION:** PL20190182

SUBJECT: Redesignation Item – Agricultural Holdings District to Live-Work District

POLICY DIRECTION:

The Interim Growth Plan, Rocky View/Calgary Intermunicipal Development Plan, County Plan, Conrich Area Structure Plan, and the Land Use Bylaw.

EXECUTIVE SUMMARY:

The purpose of this application is to redesignate ±15.81 acres of subject land from Agricultural Holdings District (AH) to Live-Work District (L-W) in order to facilitate operation of trucking business on the property.

Council gave first reading to Bylaw C-7988-2019 on January 14, 2020.

The application was circulated to 88 adjacent landowners; one response was received (see Appendix 'D'). The application was also circulated to a number of internal and external agencies; responses are attached in Appendix 'A'.

The following is a summary of the application assessment:

- The application is inconsistent with the following policies of the Conrich Area Structure Plan;
 - Policy 9.1 supports country residential in the hamlet area, however, the site is not located within the hamlet, and holds the designation of Highway Business land use.
 - Policy 10.3 for Highway Business seeks to develop large format retail centres, shopping centres, outlet malls, office buildings, business parks, regional services and tourist facilities.
 - Policies 10.4 and 10.5 regarding Highway Business note that uses should be primarily carried on within an enclosed building and that outdoor storage as primary use should not be permitted.
 - Policy 10.8 calls for uses in this area adjacent to existing or future residential or agriculture areas to address interface and non-residential/residential area policies.
 - Policy 10.19 requires preparation of a local plan to guide development.
 - Policy 15.2 relates to high quality visual appearance in the Highway 1 East Corridor Focus Area.
- All other technical matters required at this stage of the application process are satisfactory.

ADMINISTRATION RECOMMENDATION:

Administration recommends refusal in accordance with Option #2

Administration Resources

Oksana Newmen, Planning and Development Services.

DATE APPLICATION RECEIVED:	November 18, 2019
DATE DEEMED COMPLETE:	November 20, 2019
PROPOSAL:	The purpose of this application is to redesignate the subject lands from Agricultural Holdings District (AH) to Live-Work District (L-W), in order to accommodate operation of trucking business on the property.
LEGAL DESCRIPTION:	Lot 1, Plan 8811045, SE-30-24-28-W4M
GENERAL LOCATION:	Located 0.81 km (1/2 mile) east of the City of Calgary; located on the north side of Township Road 244 approximately 0.41 km (1/4 mile west of Range Road 285, and approximately 60 m north of Highway 1.
APPLICANT:	Terradigm Development Consultants Inc. (Steve Grande)
OWNERS:	Goodwill Enterprises Ltd. (Surjit Parmar)
EXISTING LAND USE DESIGNATION:	Agricultural Holdings District (AH)
PROPOSED LAND USE DESIGNATION:	Live-Work District (L-W)
GROSS AREA:	± 15.81 acres
SOILS (C.L.I. from A.R.C.):	Class 5N, W 5 – Very severe limitations due to high salinity and excessive wetness/poor drainage. Class 1 – No significant limitation.

HISTORY:

January 22, 2019	Council refused redesignation application PL20160094 to redesignate the subject land from Agricultural Holdings District to Business Campus District in order to facilitate a truck operations and storage business.
December 11, 2012	Council refused redesignation application 2011-RV-146 to redesignate the subject land from Agricultural Holdings District to Public Services District in order to facilitate the future development of a religious assembly.

POLICY ANALYSIS:

Rocky View/Calgary Intermunicipal Development Plan

This Plan was adopted in 2012 to identify an area of mutual interest, to minimize land use conflicts across municipal borders, and to provide opportunities for collaboration and communication for both municipalities.

Overall, the policies of the IDP indicate that lands within the IDP area should develop in accordance with each municipality's adopted Statutory Plans. For this application, that is the County Plan and the Cornich ASP.

The IDP identifies the subject land is located within the Highway 1 East Corridor Key Focus Areas. Key Focus Areas were identified by both Municipalities as areas requiring a greater degree of collaboration and policy coordination. For this particular Key Focus Area, this was achieved through the policies of the Cornich ASP and the Mediated Settlement Agreement arising from the Cornich ASP appeal.

Additionally, Section 4.5 Highway 1 East Corridor states that this Key Focus Area is an important entranceway for both municipalities and is a key highway corridor for the Province. The City of

Chestermere and City of Calgary were engaged in accordance with Section 4.5 and no comments were received on the application.

As the Live-Work District is defined as a primarily residential land use with light industrial or commercial activity, the proposed redesignation does not align with the ASP designation of Highway Business, and as such, is not consistent with the IDP.

County Plan

The County Plan provides general policies for Agricultural, Residential, and Business development within the County and directs new business development to identified business centers. Policy 14.9 provides for the framework for highway business area development through area structure plans. The Conrich Area Structure Plan was adopted in 2015 to provide a policy framework for business development along the Highway 1 and Conrich area.

Policy 14.12 notes the relationship of business to the TransCanada Highway shall be determined by the applicable area structure plan.

Conrich Area Structure Plan

The subject land is identified as Highway Business within Map 5 Land Use Strategy, and a Key Focus Area within Map 6 Non-Residential/Residential Interface. It is located in an area that requires a Local Plan in accordance with Map 12 Local Plans, and within Phase 2 on Map 13 (Phasing) of the Conrich Area Structure Plan. As no local plan has been prepared, the proposal is inconsistent with Policy 10.19 of the ASP.

Section 9 (Country Residential)

In considering residential uses in the ASP, Policy 9.1 supports country residential development within the hamlet of Conrich in areas identified on Map 5. As Highway Business land use, Live-Work, as considered a primarily residential and use, is not consistent with the ASP.

Section 10 (Commercial)

The Live-Work District purpose and intent states residential is the primary use, with a combination of light industrial or commercial. With the Conrich ASP designation of Highway Business, which, as per Policy 10.3, seeks to develop large format retail centres, shopping centres, outlet malls, office buildings, business parks, regional services and tourist facilities, residential is not a consistent use.

Policies 10.4 and 10.5 regarding Highway Business note that uses should be primarily carried on within an enclosed building and that outdoor storage as primary use should not be permitted. As well, policy 10.8 calls for uses in this area adjacent to existing or future residential or agriculture areas to address interface and non-residential/residential area policies. Given the proposed use to outdoor truck storage, with no screening or interfacing, the proposed land use change is not consistent with the ASP.

Section 15 (Gateways and Highway 1 East Corridor Focus Area)

As the site is located in the Highway 1 East Corridor Focus Area, Section 15 of the ASP applies. The proposed trucking business potentially conflicts with Policy 15.2 which requires a to high quality visual appearance within the Corridor.

Section 22 (Transportation)

ASP Policy 22.1 requires a traffic impact assessment (TIA) in support of the application. The TIA provided an analysis of the impacts of the proposed development on the local road network, including the intersection of Highway 1 and Range Road 285. The TIA concludes that all local roads and intersections are projected to operate within acceptable parameters at the opening day and long-term horizons, with the exception of the intersection of Highway 1 and Range Road 285. The TIA

recommends that the corner radius at the southwest corner of the intersection of Township Road 244 and Range Road 285 be improved to 15 meters in accordance with Transportation Association of Canada and Alberta Transportation guidelines.

Section 24 (Stormwater)

Policies of the ASP generally direct development to tie-in to either the CSMI or Shepard Drainage systems once they become available, though allowing for interim solutions until they are available.

There is a large wetland located on the west portion of the subject land. The Owner understands that the wetland should not be used as a stormwater pond, and thus proposes to construct an evaporative stormwater pond adjacent to the existing wetland. The stormwater management plan submitted with the application proposes the use of an evaporative stormwater pond to service the proposed development. Administration has no concerns with the stormwater solution

Land Use Bylaw

The purpose and intent of Live-Work District is to provide for a combination of residential and light industrial or commercial activity on a single parcel, with residential as the primary use. The parcel must be located in the Central East Rocky View Region in locations where adjacent development activity is industrial or commercial in nature. The district lists Outdoor storage, truck trailer as a discretionary use, subject to meeting the regulations.

In consideration of the General Regulations, the property is not located adjacent to development that is industrial or commercial in nature, though there is an existing compressor station located on the adjacent parcel to the west. The property is located in the Central East region of the County, and also meets the parcel size requirements. Other requirements such as setbacks and landscaping would be addressed at the future Development Permit stage.

OPTIONS:

- Option # 1: Motion #1 THAT Bylaw C-7988-2019 be given second reading.
 Motion #2 THAT Bylaw C-7988-2019 be given third and final reading.
- Option # 2: That application PL20190182 be refused.

Respectfully submitted,

Concurrence,

“Theresa Cochran”

“Al Hoggan”

Executive Director
Community Development Services

Chief Administrative Officer

ON/It

APPENDICES:

APPENDIX ‘A’: Application Referrals

APPENDIX ‘B’: Bylaw C-7988-2019 and Schedule A

APPENDIX ‘C’: Map Set



APPENDIX A: APPLICATION REFERRALS

AGENCY	COMMENTS
Alberta Transportation	<p>In reviewing the proposed redesignation, Alberta Transportation has no concerns.</p> <p>However, the proposed development falls within the control distance of a provincial highway as outlined in the Highways Development and Protection Act / Regulation, and will require a roadside development permit from Alberta Transportation. The application form and instructions can be obtained from the department's website at https://www.alberta.ca/roadside-development-permits.aspx.</p> <p>The department has the following additional comments on the referral:</p> <p>Alberta Transportation previously indicated in Traffic Impact Assessment comments, the existing intersection of Highway 1 and Range Road 285 may partially or fully close in the interim prior to construction of the Highway 1 interchange to the east.</p>
Internal Departments	
Recreation, Parks and Community Support	<p>Comments pertaining to reserve dedication- inclusive of Deferred Reserve Caveat 7701KR. as registered on title- will be provided at any future subdivision stage.</p>
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. The applicant shall be responsible to dedicate all necessary easements and ROWs for utility line assignments and provide for the installation of all underground shallow utilities with all necessary utility providers to the satisfaction of the County. <p>Geotechnical - Section 300.0 requirements:</p> <ul style="list-style-type: none"> Engineering has no requirements at this time. As a condition of future subdivision or DP, the applicant will be required to conduct a geotechnical investigation, prepared by a qualified geotechnical professional, assessing the existing subgrade conditions and to make recommendations for the required pavement structure design of TWP Road 244 and all other recommendations to support the proposed development. <p>Transportation - Section 400.0 requirements:</p> <ul style="list-style-type: none"> Policies of the Conrich ASP require that all transportation assessments prepared in support of new development applications conform with the Conrich Master Transportation Plan. Furthermore, Policy 22.7 of the



AGENCY	COMMENTS
	<p>Conrich ASP requires the monitoring of the key at-grade intersections with Highway 1 to ensure that growth within the plan area does not adversely affect the safe and effective operation of these intersections and/or the operation of Highway 1.</p> <ul style="list-style-type: none"> • The applicant provided a Traffic Impact Assessment (TIA) prepared by JCB Engineering dated May 01, 2018. The TIA provided an analysis of the impacts of the proposed development (approx. 100 vpd) on the local road network including the intersection of Highway 1 and RR 285. The TIA concludes that all local roads and intersections are projected to operate within acceptable parameters at the opening day and long term horizons with the exception of the intersection of Highway 1 and RR 285 as it is failing in all directions with the exception of the southbound approach with the current traffic volumes. • As part of the redesignation application PL20160094, the operation of the intersection has been reviewed with AT who confirmed that the provisions of Section 5(3) of the Highways Development and Protection Regulation are met by the road network identified in the previously approved Functional Planning Studies (which were prepared with input of Rocky View County) and the local road connections therein once the interchange on Highway 1 is constructed to the east. Furthermore, AT states that other alterations to the existing intersection of Highway 1 and Range Road 285, including partial closure, may also be considered in the interim to ensure safe and effective operation of Highway 1. • The TIA provided an assessment of potential improvements to the intersection of Highway 1 and RR 285 such as changes to signal times and an increase in the number of lanes (4 to 6) however, the intersection still would not function with acceptable parameters in the background condition. AT has developed a functional plan to shift the intersection to the east and upgrade it to an interchange at a future date. The County's Transportation Offsite Levy Bylaw includes a Special Area which collects levies for the improvement to this intersection as identified in AT's functional plan. At the time of the relocation of the intersection of RR 285 and Highway 1, access to RR 285 will be made available by connection to the re-aligned RR 285 as shown in Map 8 of the Conrich ASP. • The TIA notes that given the type of vehicle (truck and trailer) and close proximity of the intersections of TWP Road 244 and Highway 1 with RR 285 (approx. 35m), larger trucks tend to utilize the westbound lane of TWP Road 244 to make the southbound turn onto RR 285. To improve the southbound turn, the TIA recommends that the corner radius at the SW corner of the intersection of TWP Road 244 and RR 285 be improved to 15m in accordance with TAC and AT guidelines. • As a condition of future subdivision or DP, the applicant will be required to enter into a Development Agreement with the County for the following all in accordance with the TIA and the County Servicing Standards.:



AGENCY	COMMENTS
	<ul style="list-style-type: none"> • Paving of TWP Road 244 from the proposed site entrance east to RR 285 (approx. 400m) to a Regional Transitional Paved Standard (400.10); and • Improvement of the corner radius at the SW corner of the intersection of TWP Road 244 and RR 285 to 15m in accordance with the recommendations of the TIA. • As the subject lands are within 1600m of Highway 1, the application shall be circulated to AT for their review and comment. • As a condition of future subdivision or DP, the applicant will be required to provide payment of the Transportation Off-Site Levy (including the base levy and the special area levy) in accordance with the applicable levy at time of approval for the total gross acreage of the lands proposed to be subdivided or developed. Should the lands be subdivided, the estimated levy payment owed at time of subdivision endorsement is \$164,760 (Base = \$4,595/ac x 15.8 ac = \$72,600; Special Area 2 = \$5,833/ac x 15.8 ac = \$92,160); • It is to be noted that a previous Developer (ATCO Pipelines) reconstructed TWP Road 244 to a County gravel standard road. As a condition of future subdivision or DP, the applicant may be required to provide cost recoveries to the original Developer for the upgrades to TWP Road 244. <p>Sanitary/Wastewater - Section 500.0 requirements:</p> <ul style="list-style-type: none"> • Conrich ASP policy 23.15 states all new developments shall connect to the County's wastewater system. • The Intention of the Live Work District is that applicant can utilize onsite services, should the proposal move forward the applicant will need to demonstrate the adequacy of the onsite services for the proposed development. <p>Water Supply And Waterworks - Section 600.0 & 800.0 requirements:</p> <ul style="list-style-type: none"> • Conrich Policy 23.9 states that all new development shall be required to connect to the County's potable water system. • The Intention of the Live Work District is that applicant can utilize onsite services, should the proposal move forward the applicant will need to demonstrate the adequacy of the onsite services for the proposed development. • As a condition of future DP, if a groundwater well is being used for commercial purposes, the applicant is required to obtain a commercial water license from AEP. <p>Stormwater Management – Section 700.0 requirements:</p> <ul style="list-style-type: none"> • Policies of the Conrich ASP generally direct development to tie into either the CSMI or Shepard Drainage Systems once they become available. Should these systems not be available, policies of the ASP



AGENCY	COMMENTS
	<p>allow for interim drainage solutions (ie. zero discharge systems, onsite management, etc) requiring the owner to retain control/management of the stormwater management system. As no regional conveyance systems are available in this area at this time, should the application be approved, the applicant would be required to rely on an interim onsite stormwater management system.</p> <ul style="list-style-type: none"> • It is to be noted that the Conrich Master Drainage Plan does not identify any regional conveyance through the subject lands (alignment located directly to the north) however, a conceptual alignment of a future stormwater force main has been shown. At time of future subdivision or DP, appropriate easements shall be required to be registered. • As part of the previous redesignation application PL20160094, the applicant provided a stormwater management plan prepared by Jubilee Engineering Consultants dated November 27, 2017. The proposed concept utilizes an onsite evaporation pond to be constructed adjacent to the large wetland to accept and control the runoff from the proposed development. The plan takes into consideration the seasonal water levels of the adjacent wetland and provides a sufficient berm along the shared side to ensure water does not spill to and from the wetland body; • As a condition of future subdivision or DP, the applicant is required to submit detailed engineering drawings for the stormwater management system, prepared by a qualified professional, in accordance with the conceptual stormwater management plan prepared by Jubilee Engineering Consultants, County Servicing Standards and Conrich Master Drainage Plan to the satisfaction of the County. If the applicant chooses to subdivide the parcel, the stormwater improvements will be required to be constructed under a Development Agreement as a condition of future subdivision; • As a condition of future subdivision or DP, the applicant is required to provide a sediment and erosion control (ESC) plan, prepared by a qualified professional, addressing ESC measures to be implemented during construction in accordance with the requirements of the County's Servicing Standards. <p>Environmental – Section 900.0 requirements:</p> <ul style="list-style-type: none"> • A large wetland exists within the center of the subject lands for which the County has granted numerous pumping permits over the past years. As part of the stormwater management plan submitted with the application, the applicant has addressed the impacts to this wetland; • As part of the application, the applicant prepared a Wetland Delineation Memo prepared by Tannas Conservation Services dated July 09, 2017. The memo provided the delineation of the wetland boundary and summary of a field and desktop investigation of the subject lands concluding that the large wetland body has not been altered by existing onsite activities at this time and that any removal of wetland area will require a complete functional assessment and submission of the



AGENCY	COMMENTS
Transportation Services	<p>required regulatory applications and reports with a proposal for compensation.</p> <ul style="list-style-type: none"> • Recommend a Traffic Impact Assessment (TIA) to confirm if traffic generated from the development/business will require upgrade to County Road Network. • Application involves Development along Alberta Transportation Road Allowance. Therefore recommend applications to be circulated to Alberta Transportation for review and comments. • Existing approach off Twp Rd 244 onto property: applicant to contact County Road Ops to confirm if approach satisfies current County standards. Applicant will be responsible to complete any required upgrade work at applicant's cost.
Agricultural & Environmental Services	<p>Because this parcel falls within the Conrich Area Structure Plan Ag Services has no concerns. The application of the Agricultural Boundary Design Guidelines may be beneficial in buffering the trucking business from the agricultural lands surrounding it. The guidelines would help mitigate areas of concern including trespass and litter as well as providing a visual barrier.</p>

Circulation Period: November 28, 2019 to December 30, 2019

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



BYLAW C-7988-2019

A Bylaw of Rocky View County, in the Province of Alberta, to amend Rocky View County Bylaw C-4841-97, being the *Land Use Bylaw*.

The Council of Rocky View County enacts as follows:

Title

- 1 This Bylaw may be cited as *Bylaw C-7988-2019*.

Definitions

- 2 Words in this Bylaw have the same meaning as those set out in the *Municipal Government Act* except for the definitions provided below:
 - (1) “**Council**” means the duly elected Council of Rocky View County;
 - (2) “**Municipal Government Act**” means the *Municipal Government Act*, RSA 2000, c M-26, as amended or replaced from time to time; and
 - (3) “**Rocky View County**” means Rocky View County as a municipal corporation and the geographical area within its jurisdictional boundaries, as the context requires.

Effect

- 3 THAT Part 5, Land Use Maps No. 43 and No. 43-NW of Bylaw C-4841-97 be amended by redesignating a portion of SE-30-24-28-W4M from Agricultural Holdings District to Live-Work District as shown on the attached Schedule 'A' forming part of this Bylaw.
- 4 THAT A portion of SE-30-24-28-W4M is hereby redesignated to Live-Work District as shown on the attached Schedule 'A' forming part of this Bylaw.

Transitional

- 5 Bylaw C-7988-2019 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 14th day of January, 2020

PUBLIC HEARING HELD this _____ day of _____, 2020

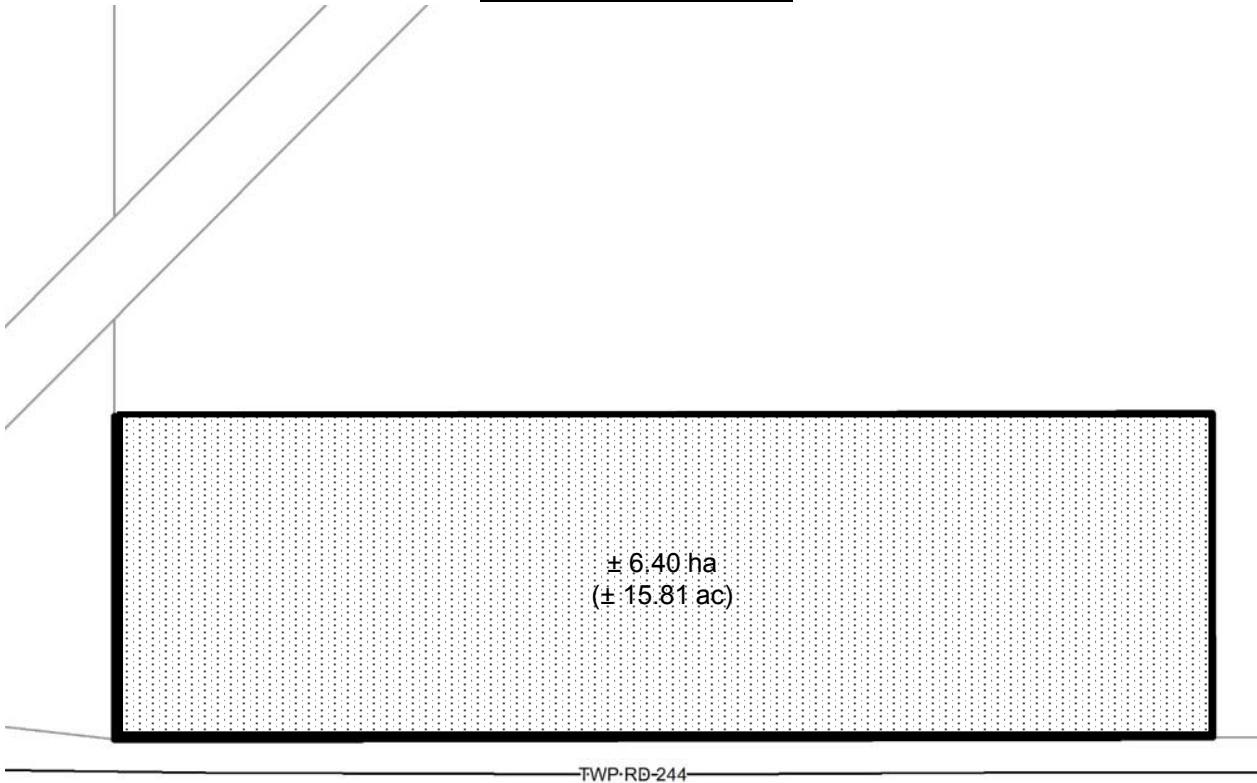
READ A SECOND TIME IN COUNCIL this _____ day of _____, 2020

READ A THIRD TIME IN COUNCIL this _____ day of _____, 2020

Reeve

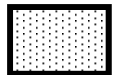
Chief Administrative Officer or Designate

Date Bylaw Signed

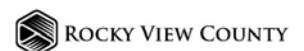
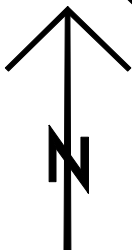
SCHEDULE "A"**BYLAW:** C-7988-2019

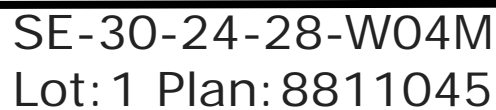
TWP-RD-244

①

AMENDMENT**FROM** Agricultural Holdings District **TO** Live-Work District

Subject Land _____

LEGAL DESCRIPTION: SE-30-24-28-W4M**FILE:** 04330009 - PL20190182**DIVISION: 5**



File: 04330009

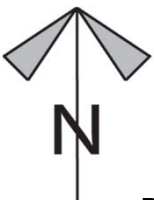
Redesignation Proposal: To redesignate the subject lands from Agricultural Holdings to Live-work District to accommodate operation of trucking business on the property.

AH → L-W
6.40 ha (15.81 ac)

TWP-RD-244

①

DEVELOPMENT PROPOSAL

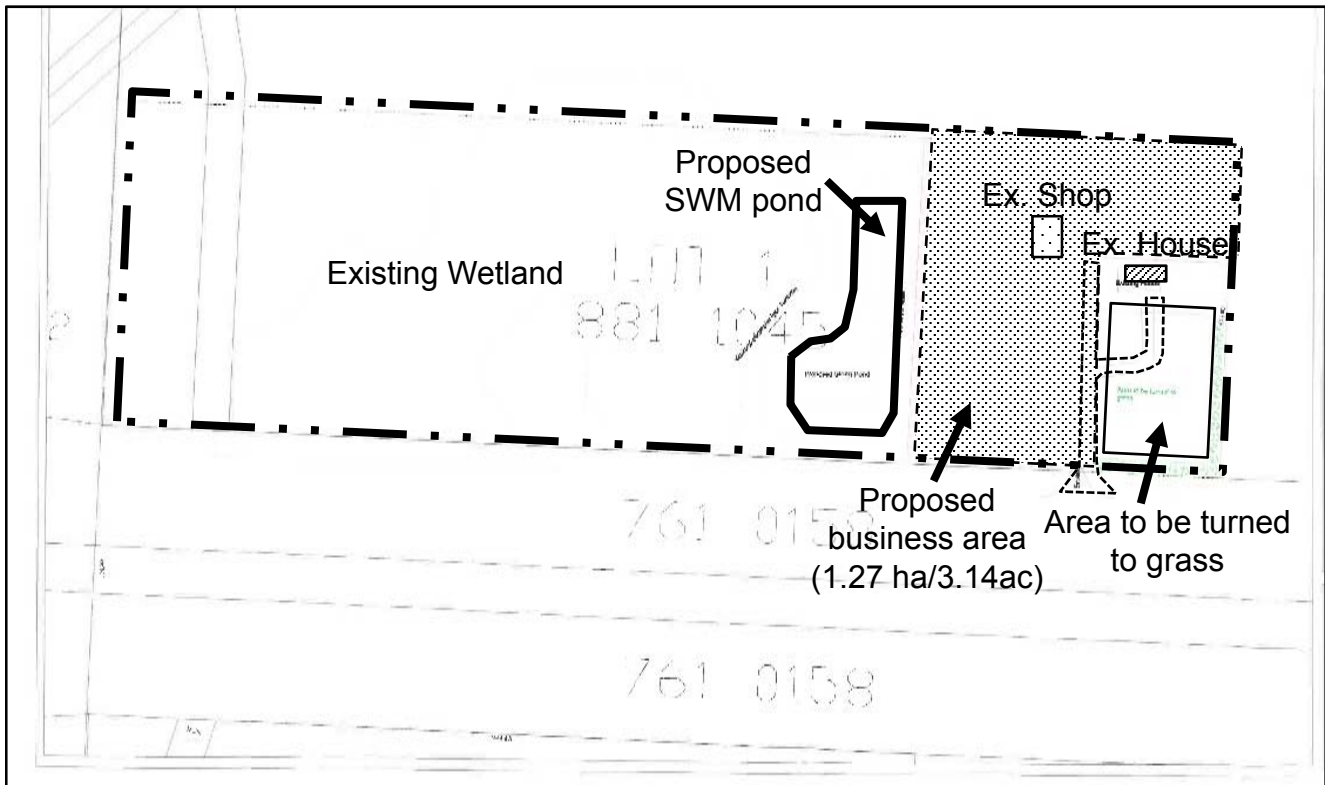


SE-30-24-28-W04M
Lot: 1 Plan: 8811045

Date: Nov 22, 2019

Division # 5

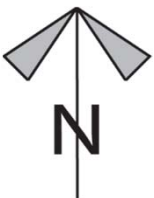
File: 04330009



Legend

- Property Line — . . . —
- Ex. driveway —
- Ex. house —
- Ex. shop —
- Proposed business area —

DEVELOPMENT PROPOSAL



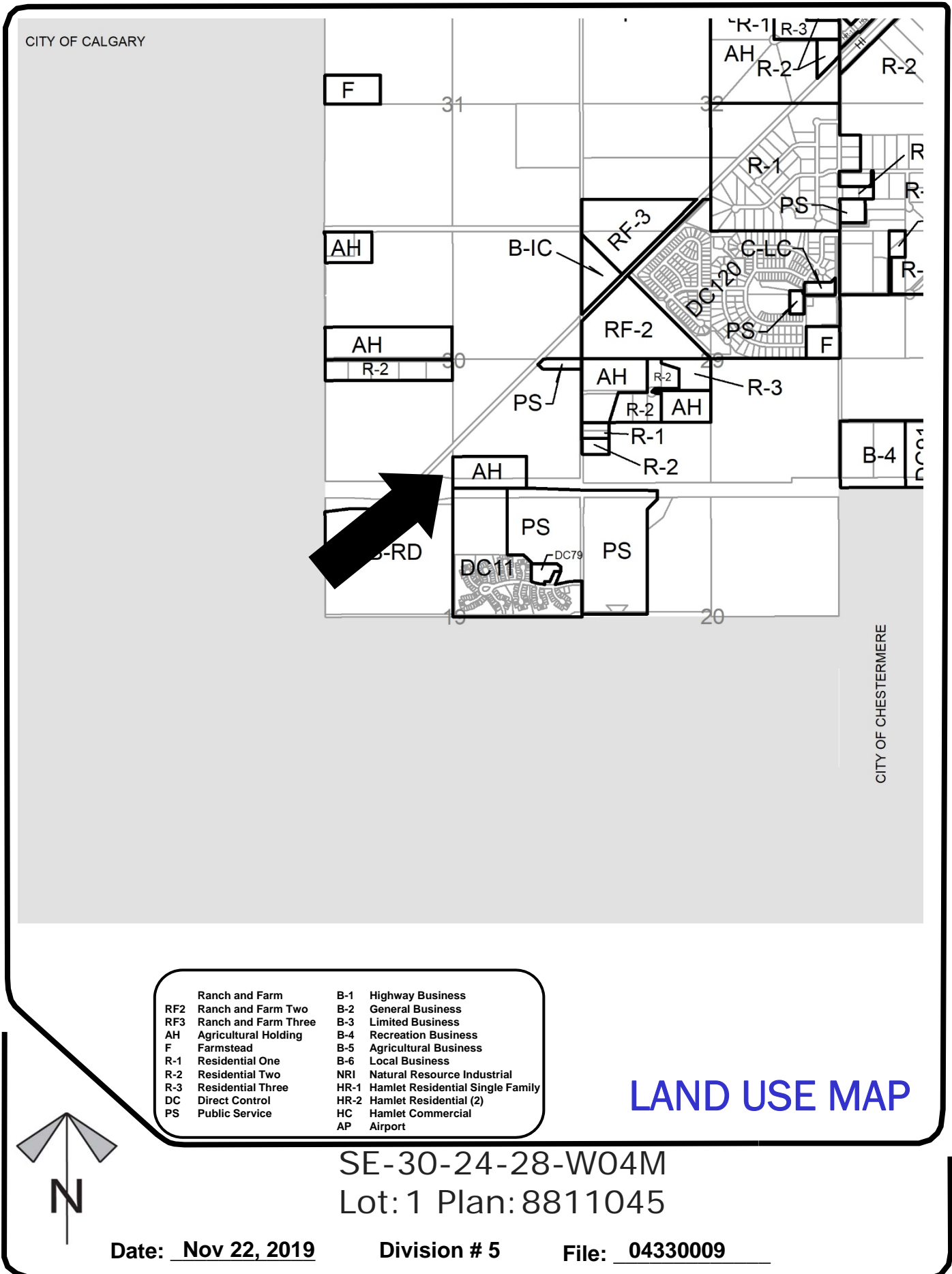
SE-30-24-28-W04M

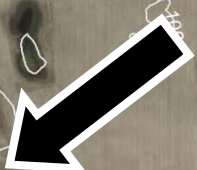
Lot: 1 Plan: 8811045

Date: Nov 22, 2019

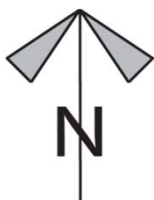
Division # 5

File: 04330009



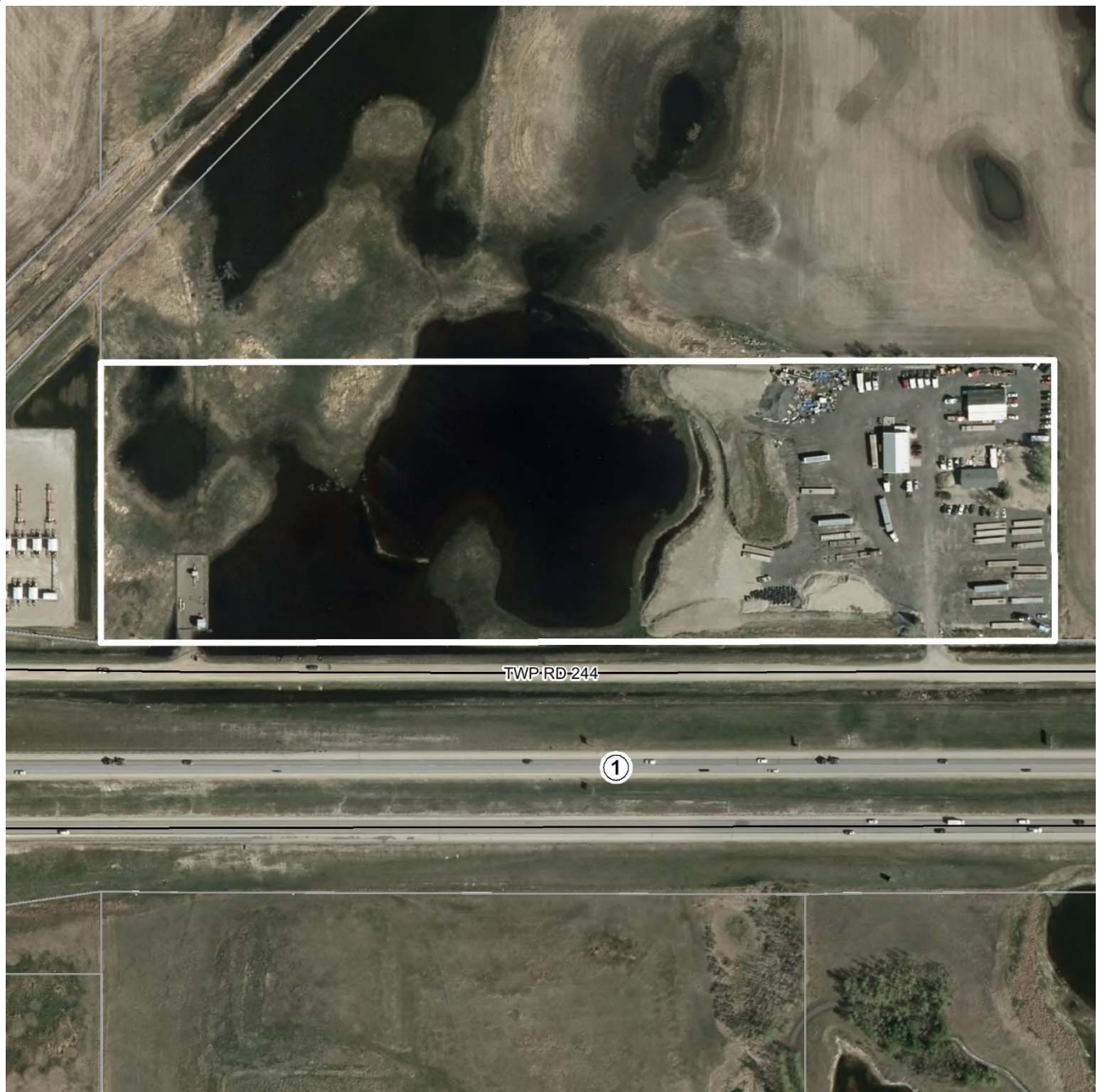


Contour Interval 2 M



Lot: 1 Plan: 8811045

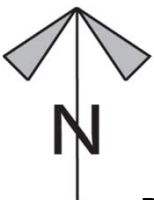
File: 04330009



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

AIR PHOTO

Spring 2018



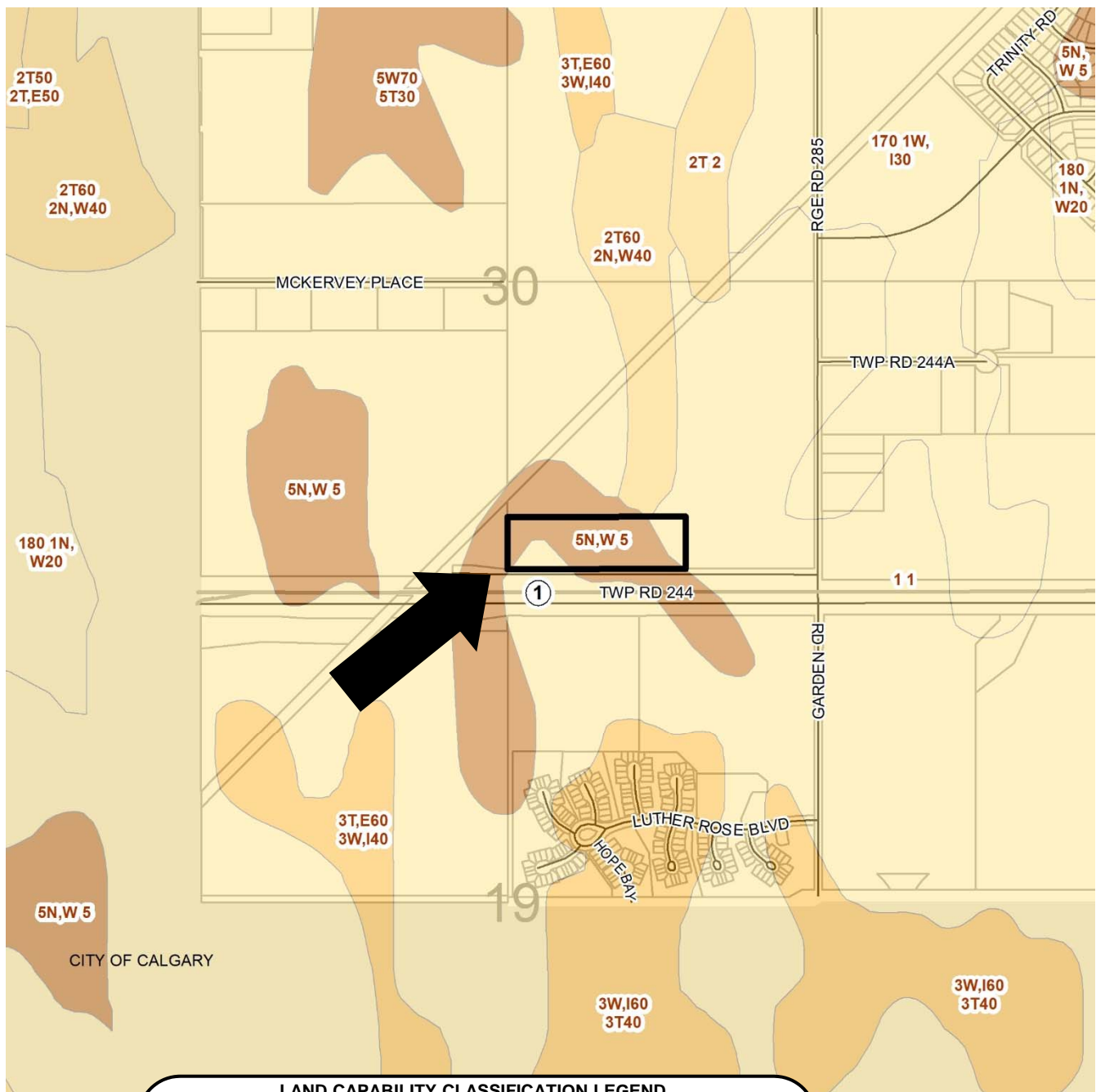
SE-30-24-28-W04M

Lot: 1 Plan: 8811045

Date: Nov 22, 2019

Division # 5

File: 04330009



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

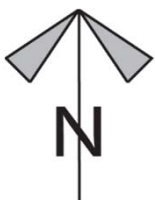
CLI Class

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

Limitations

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

SOIL MAP

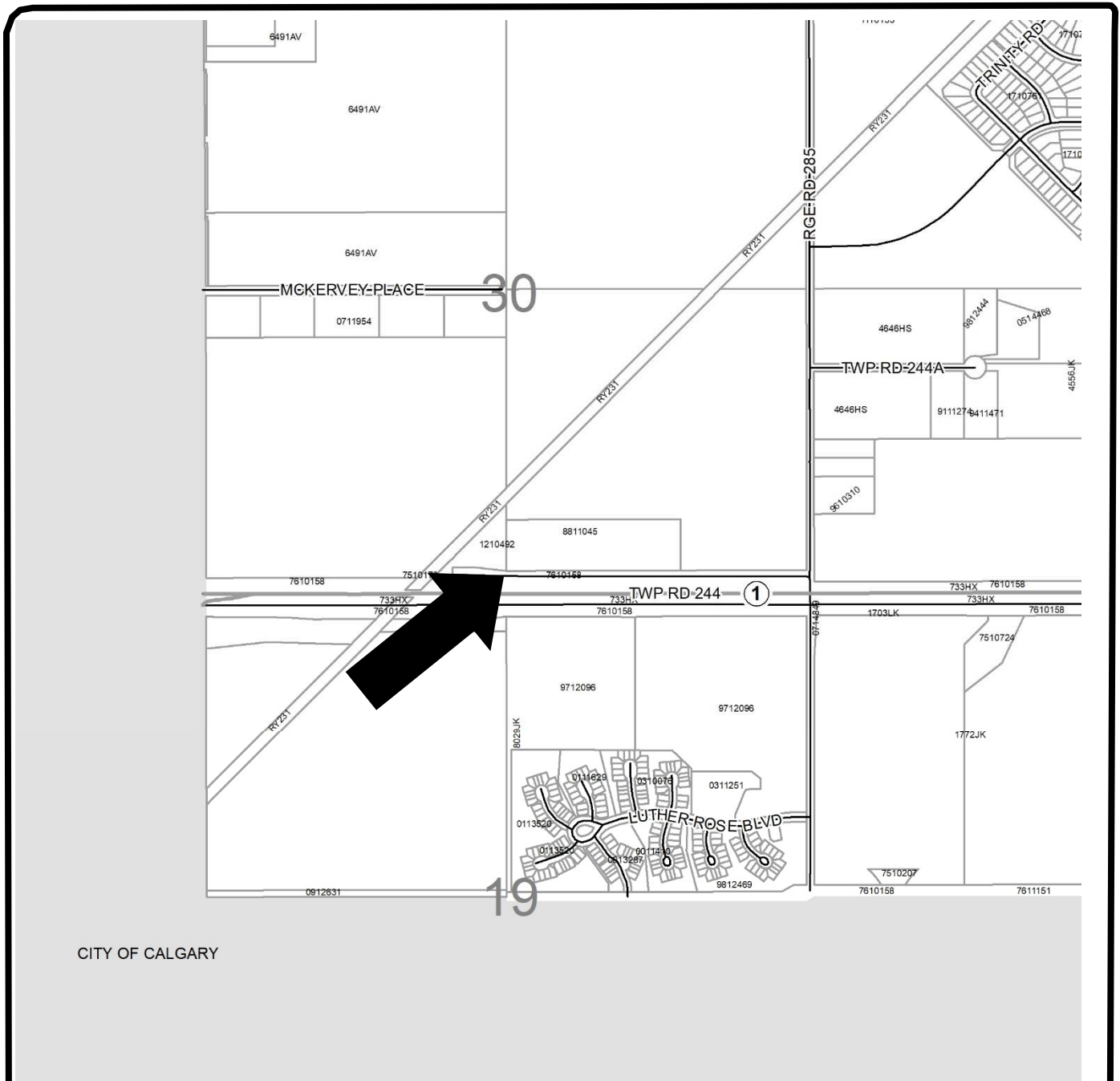


SE-30-24-28-W04M
 Lot: 1 Plan: 8811045

Date: Nov 22, 2019

Division # 5

File: 04330009

**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

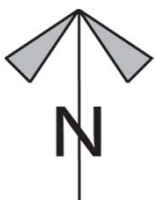
HISTORIC SUBDIVISION MAP

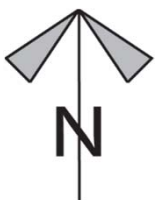
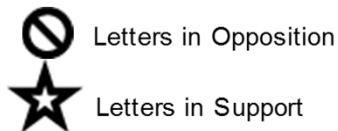
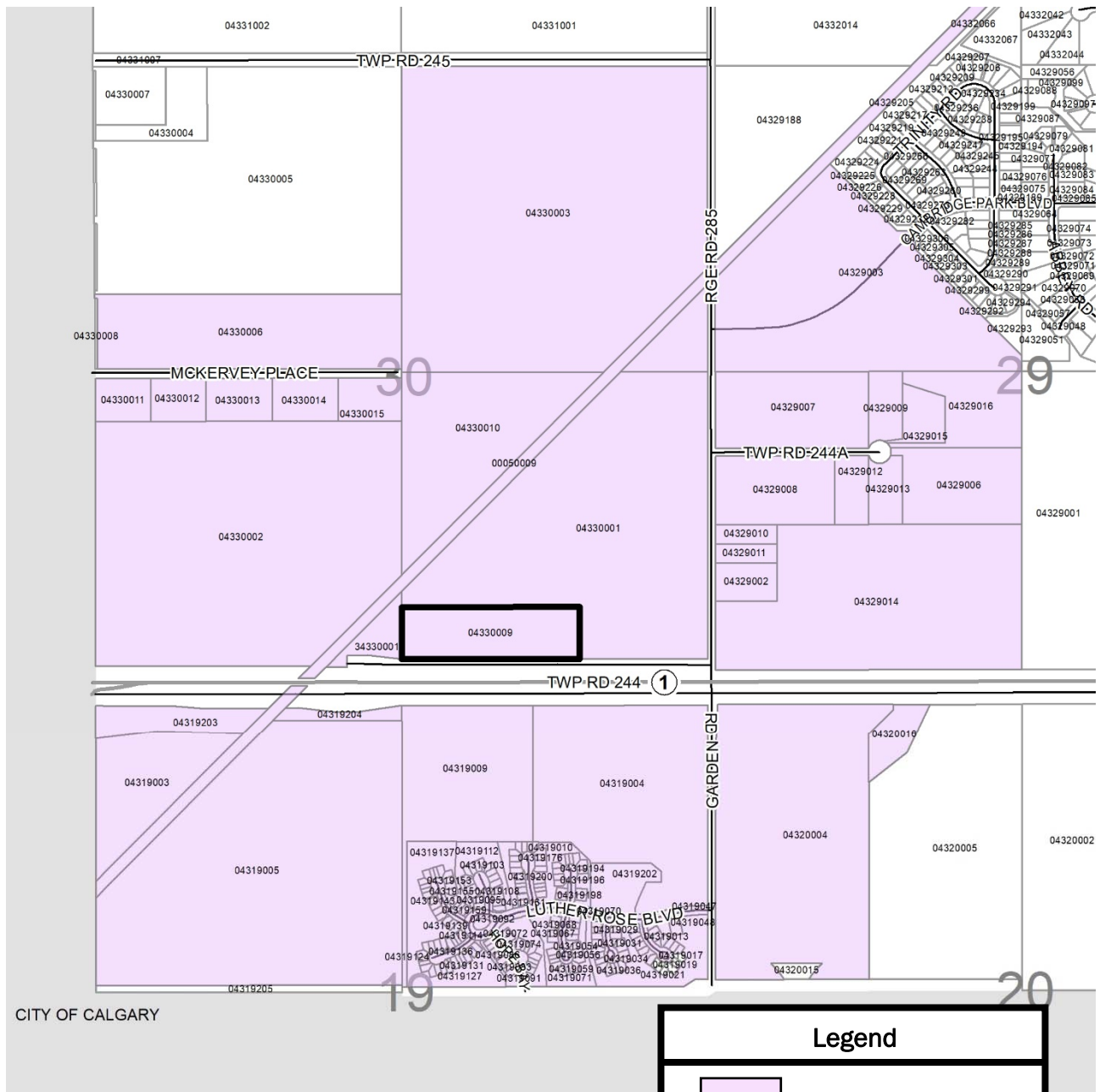
SE-30-24-28-W04M

Lot: 1 Plan: 8811045

Date: Nov 22, 2019

Division # 5

File: 04330009





PLANNING AND DEVELOPMENT SERVICES

TO:	Council	
DATE:	July 21, 2020	DIVISION: 4
TIME:	Afternoon Appointment	
FILE:	03223798	APPLICATION: PL20190150
SUBJECT:	Redesignation Item – Amendment to Direct Control Bylaw (DC-2)	

POLICY DIRECTION:

The Interim Growth Plan, County Plan, Langdon Area Structure Plan, Direct Control Bylaw (DC-2), and the Land Use Bylaw.

EXECUTIVE SUMMARY:

The purpose of this application is to amend Direct Control Bylaw (DC-2) in order to include "Cannabis Retail Store" as a discretionary use for the commercial area.

Council gave first reading to Bylaw C-7958-2019 on December 10, 2019.

The application was circulated to 906 landowners in the area, and five letters in opposition were received. 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 proposal is consistent with Hamlet Business Area policies of the County Plan;
- The proposal is consistent with Highway Commercial policies of the Langdon Area Structure Plan;
- The proposal meets the intent of Direct Control Bylaw (DC-2);
- However, the proposal does not meet the setback requirements defined in the *Alberta Gaming, Liquor and Cannabis Regulation* (100 m) or those in the Land Use Bylaw (150 m), as there is a dental clinic and a day care close proximity to the subject property. In addition, approval of a cannabis retail store would limit future development potential of any new health care services, child care services, and schools within the required setbacks.

ADMINISTRATION RECOMMENDATION:

Administration recommends refusal in accordance with Option #2.

DATE APPLICATION RECEIVED:	October 16, 2019
DATE DEEMED COMPLETE:	October 16, 2019

PROPOSAL:	To amend Direct Control Bylaw (DC-2), in order to include a "Cannabis Retail Store" as a discretionary use for the commercial area
LEGAL DESCRIPTION:	Lot Unit 15, Plan 0711729, NW-23-23-27-W04M
GENERAL LOCATION:	Located in the hamlet of Langdon, approximately 200 meters east of Center Street and immediately south of Township Road 234.

Administration Resources
Xin Deng and Prabh Sodhi, Planning and Development Services



APPLICANT:	Jaspal Lall
OWNERS:	Jaswinder Lall
EXISTING LAND USE DESIGNATION:	Direct Control District 2 (DC-2)
PROPOSED LAND USE DESIGNATION:	Direct Control District 2 (DC-2) amended
GROSS AREA:	± 0.02 acres
SOILS (C.L.I. from A.R.C.):	Class 3M,D,H70 7W, N30 – The subject land contains soil with moderate limitations for crop operation due to low moisture holding, adverse texture, low permeability, temperature, excessive wetness/poor drainage and high salinity.

HISTORY:

June 2, 1998 Council approved redesignation and subdivision application 1997-RV-068 to redesignate the land from Hamlet Direct Control District to Direct Control District (amended) to allow broader commercial uses, and create seven bare land condominium lots ranging in size from ± 0.37 acres to ± 1.46 acres.

BACKGROUND:

The lands are located in a commercial area comprising general commercial uses such as a gas bar, retail store, a restaurant, and personal services. The subject land is one of the retail stores, which is currently operated as an electronics installation and services store. The Applicant proposes to change the entire store to a cannabis retail store.

POLICY ANALYSIS:Alberta Gaming, Liquor and Cannabis Regulation 143/1996

Section 105(3) of the *Regulations* requires that premises holding a cannabis licence must not be within 100 metres of a school or health care facility.

It is noted that there is a dental clinic (considered to be a Health Care Site) and a day care (considered to be a School Site) within the 100 m setback from the subject property. The dental clinic is located approximately ± 40 meters west of the subject land, and the day care is located approximately ± 80 meters southwest of the subject land. These business have been operating since 2014 and 2013 respectively.

County Plan

The County Plan identifies the hamlet of Langdon as a full service hamlet with a hamlet business area. Section 14 Business Development encourages new businesses in the identified business areas and supports a range of well-designed business development.

Langdon Area Structure Plan

The land falls within the Highway Commercial area of the Langdon Area Structure Plan. The purpose of the Highway Commercial Area is to provide a range of services to hamlet residents and the travelling public and to create a welcoming gateway. The proposed new business would increase the variety of commercial uses in the area if it were regulated in accordance with applicable policies. The proposed amendment would not affect the proposed servicing, landscaping, screening, and sidewalk connectivity.



Direct Control Bylaw (DC-2)

The purpose and intent of this Bylaw is to provide for a commercial development for the establishment of business offices and the retail sales of goods and services. The amendment to DC-2 to add Cannabis Retail Store as a new discretionary use is therefore consistent with the intent of the Direct Control Bylaw.

Land Use Bylaw

Section 20.10 of the Land Use Bylaw provides detailed regulations on cannabis retail stores, specifying 150m setbacks for this use from Health Care Sites and School Sites. As noted above, a nursery and dental clinic are within the setback area.

OPTIONS:

- Option #1: Motion #1 THAT Bylaw C-7958-2019 be given second reading.
 Motion #2 THAT Bylaw C-7958-2019 be given third and final reading.
- Option #2: THAT application PL20190150 be refused.

Respectfully submitted,

Concurrence,

“Theresa Cochran”

“Al Hoggan”

Executive Director
Community Development Services

Chief Administrative Officer

XD/llt

APPENDICES:

- APPENDIX ‘A’: Application Referrals
APPENDIX ‘B’: Bylaw C-7958-2019 and Schedule A
APPENDIX ‘C’: Proposed Amendments to DC-2 (redline version)
APPENDIX ‘D’: Map Set
APPENDIX ‘E’: Landowner Comments



APPENDIX A: APPLICATION REFERRALS

AGENCY	COMMENTS
Alberta Transportation	<p>In reviewing the application, the proposed bylaw amendment falls within the control distance of a provincial highway as outlined in the Highways Development and Protection Act / Regulation. The proposed amendment, however, will not cause any concern for ongoing highway operation or future highway expansion.</p> <p>In addition, Pursuant to Section 25(3)(c) of the Highways Development and Protection Regulation, Alberta Transportation will issue an exemption from the permit requirements to the applicant for the amendment and future development listed above.</p>
Planning and Development Services – Engineering Review	<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 per the application, the applicant is proposing to amend Direct Control Bylaw 2, in order to include “Cannabis Retail Store” as a discretionary use in the commercial area. <p>Geotechnical:</p> <ul style="list-style-type: none"> No changes to the ground conditions are proposed by the applicant; therefore, Engineering has no requirements at this time. <p>Transportation:</p> <ul style="list-style-type: none"> This amendment to the Direct Control Bylaw 2 is not anticipated to significantly increase the volume of traffic beyond existing conditions; therefore, Engineering has no requirements at this time. <p>Sanitary/Waste Water:</p> <ul style="list-style-type: none"> No changes are proposed to the existing Sanitary / Wastewater services. <p>Water Supply And Waterworks:</p> <ul style="list-style-type: none"> No changes are proposed to the existing Water services. <p>Storm Water Management:</p> <ul style="list-style-type: none"> No changes are proposed to the existing Storm Water drainage. Engineering has no requirements at this time.
Solid Waste Management	The applicant should follow provincial guide for cannabis waste management.

Circulation Period: October 18, 2019 – November 8, 2019

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



BYLAW C-7958-2019

A Bylaw of Rocky View County, in the Province of Alberta, to amend Direct Control Bylaw C-4873-98

The Council of Rocky View County enacts as follows:

Title

- 1 This Bylaw may be cited as *Bylaw C-7958-2019*

Definitions

- 2 Words in this Bylaw have the same meaning as those set out in the *Municipal Government Act* except for the definitions provided below:
 - (1) **“Council”** means the duly elected Council of Rocky View County;
 - (2) **“Municipal Government Act”** means the *Municipal Government Act*, RSA 2000, c M-26, as amended or replaced from time to time; and
 - (3) **“Rocky View County”** means Rocky View County as a municipal corporation and the geographical area within its jurisdictional boundaries, as the context requires.

Effect

- 3 THAT Bylaw C-4873-98 is hereby amended to Sections 4.3, as shown on the attached Schedule 'A' forming part of this Bylaw.

Transitional

- 4 Bylaw C-7958-2019 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 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

Chief Administrative Officer or Designate

Date Bylaw Signed

SCHEDULE 'A'
FORMING PART OF BYLAW C-7958-2019

Schedule of textual amendments to Direct Control Bylaw C-4873-98 (DC-2):

Amendment #1:

Amend Section 4.3 to include new clause 4.3.11:

4.3.11 Cannabis Retail Store

ROCKY VIEW COUNTY
DIRECT CONTROL BYLAW C-4873-98

DC-002

OFFICE CONSOLIDATION

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

Bylaw	Amendment Type	Date of Approval
C-4873-98	Original Bylaw	June 2, 1998
C-6110-2005	Amendments to Sections 4.3.10 & 4.10.12	September 6, 2005
C-7945-2019	Amendments to Sections 4.4.1, 4.5.5, 4.10.11	January 14, 2020
C-7958-2019	Amendment to Section 4.3	February XX, 2020

ROCKY VIEW COUNTY
DIRECT CONTROL BYLAW C-4873-98

DC-002

DIRECT CONTROL BYLAW REGULATIONS

1. That Section 7.3.0; Land Use Map No.'s 32 and 32-1 of Bylaw C-1725-84 be amended by redesignating Lot 1, Block 5, Plan 9611759 in the NW-23-23-27-W4M from Hamlet Direct Control District to Direct Control District, as shown on the attached Schedule "A" forming part of this Bylaw.
2. That all lands within Lot 1, Block 5, Plan 9611759 in the NW-23-23-27-W4M are hereby redesignated to Direct Control District as shown on the attached Schedule "A" forming part of this Bylaw.
3. That the Development Officer shall be responsible for the issuance of Development Permit(s) for the lands subject to this Bylaw.
4. That the Land Use Rules of the Direct Control District be as follows:

4.1 Purpose and Intent

The purpose and intent of this District is to provide for a commercial development for the establishment of business offices and the retail sales of goods and services.

4.2 List of Permitted Uses

4.2.1 Landscaping

4.2.2 Fascia Signs associated with the principal use

4.3 List of Discretionary Uses

4.3.1 Business Offices

4.3.2 Personal Service Stores

4.3.3 Retail Stores

4.3.4 Free Standing Signs associated with the principal use

4.3.5 Restaurants or Eating Establishments

4.3.6 Service Stations and Gas Bars

4.3.7 Drinking Establishment

4.3.8 Liquor Stores

4.3.9 Accessory Buildings associated with the principal use

4.3.10 Car Wash, Self Service (C-6110-2005)

4.3.11 **Cannabis Retail Store** (C-7958-2019)

ROCKY VIEW COUNTY
DIRECT CONTROL BYLAW C-4873-98

DC-002

4.4 General Land Use Regulations

- 4.4.1 Parts One, Two, and Three of Land Use Bylaw C-4841-97, as amended, are applicable unless otherwise stated in this Bylaw. (C-7945-2019)
- 4.4.2 The Development Officer shall consider and decide on applications for Development Permits for those uses which are listed as "Permitted Uses" and "Discretionary Uses" by this bylaw provided the provisions of Section 4.0 herein are completed in form and substance satisfactory to the Municipality.
- 4.4.3 All development of the Lands shall be in accordance with plans and specifications as approved by the Municipality pursuant to a Development Permit issued for the lands.
- 4.4.4 The Municipality may, through a Development Permit(s) or Development Agreement(s) required by this Bylaw, specify any development regulation, criteria or condition necessary to ensure all subdivision and development on the Lands conform with the development proposals upon which this bylaw is based as determined by and to the satisfaction of the Municipality;
- 4.4.5 Development Permits and/or Development Agreements shall be required for the development hereof and each Development Permit shall provide that:
- a) no stripping, excavation or construction on any of the Lands shall occur until an appropriate irrevocable Letter of Credit acceptable in form and substance to the Municipality has been deposited with the Municipality; and,
 - b) no occupancy of any building shall occur until the construction of any required utilities required to serve the development have been completed or secured to the specification satisfactory to the Municipality.
- 4.4.6 No occupancy of the Lands for any use shall be permitted, no Development Permits or Building Permits for commercial use shall be issued by the Development Officer for the Lands until:
- a) the Developer has prepared and submitted to the Municipality a Construction Management Plan in form and substance satisfactory to the Municipality;
 - b) all necessary licenses, permits and approvals have been received from Alberta Environmental Protection and the Municipal District of Rocky View with respect to a piped surface water supply and

**ROCKY VIEW COUNTY
DIRECT CONTROL BYLAW C-4873-98**

DC-002

distribution system and a sewage collection and disposal system to service the Lands;

- c) a Lot Owner's association has been legally established by the Developer and a Restrictive Covenant confirming that each owner holding an interest in the Lands will be a member of the Association and that said Association is responsible for all on-site and sewage disposal, water collection, water distribution and treatment facilities and appurtenances thereto, the perpetual handling of waste and storm water disposal within the Development Area. The Restrictive Covenant shall be in form and substance satisfactory to the Municipality, and be executed by the Developer and registered against title to the Lands prior to any registered financial encumbrances and registered concurrently with the Plan of Survey;
- d) the Developer has prepared, at his sole expense, and the Municipality has approved, architectural guidelines and elevation drawings for the development, including but not limited to such things as the design, character and appearance of buildings and detailed landscaping requirements; and,
- e) solid perimeter fencing, a minimum of 2 metres (6.56 feet) high, shall be constructed (or fully secured) around the entire boundary of the area contained within this bylaw which is adjacent to a residential land use.

4.4.7 The Developer shall register by way of Restrictive Covenant the aforementioned architectural control guidelines on every new lot concurrent with the registration of the Bareland Plan of Survey.

4.4.8 All Development shall be serviced by a Sanitary Sewer line which shall be connected to the Langdon Sanitary Sewer System to the satisfaction of the Municipality.

4.5 Minimum Requirements

4.5.1 Area of an individual bareland condominium lot:

- a) 0.35 acres (0.142 hectares) - Gas Bars
- b) 0.46 acres (0.186 hectares) - Service Stations
- c) 0.50 acres (0.202 hectares) - all other uses

4.5.2 Front Yard:

- a) 49.21 feet (15 metres)

ROCKY VIEW COUNTY
DIRECT CONTROL BYLAW C-4873-98

DC-002

4.5.3 Side Yard:

- a) none required where another condominium lot in the bylaw area is adjacent and is on the adjoining boundary.
- b) 19.68 feet (6 metres)

4.5.4 Rear Yard:

- a) 19.68 feet (6 metres)

4.5.5 Parking

- a) 3.5 parking spaces per 100 square metres (1,076.4 square feet) gross floor area of all buildings. (C-7945-2019)

4.6 Maximum Requirements

4.6.1 Height of Buildings:

- a) principal buildings: 10 m (32.81 feet)

4.6.2 Height shall be measured from the average elevation of the finished ground level adjoining the exterior walls of a building to the highest point of a building.

4.6.3 Building Coverage:

- a) principal and accessory buildings: 25% of the lot

4.6.4 Maximum number of free standing Signs: 1

4.7 Development Standards

4.7.1 Site Planning

- a) A Storm Water Management Plan for the entire site shall be prepared by a qualified professional at the Developer's sole expense to the satisfaction of the Municipality, and such plan shall be consistent with all other approved storm water plans previously approved for the site, and shall be completed prior to the approval of any Development Permit.

ROCKY VIEW COUNTY
DIRECT CONTROL BYLAW C-4873-98

DC-002

- b) Site grading and drainage plans for each condominium lot shall be prepared to the satisfaction of the Municipality and approved prior to any development commencing on the site.
- c) Parking requirements shall be considered in aggregate for the entire bylaw area, such that all lots collectively will have to meet the minimum parking requirements. A Joint Use Agreement for Parking and Access is to be part of the Condominium Bylaws.

4.7.2 Landscaping and Controlled Appearance

- a) Landscaping shall be carried out in accordance with a Landscaping Plan approved by the Development Officer.
- b) Mature trees on the site are to be protected and incorporated into the Landscaping Plan.
- c) The Landscaping Plan shall illustrate the location of vegetation, which is to remain undisturbed and any new vegetation to be planted. Wherever possible, indigenous tree, shrub and plant species shall be used.
- d) All areas of the lands not otherwise used for building, parking, storage, loading and vehicle movement shall be landscaped in accordance with the Landscape Plan and such Landscape Plan shall be a condition of a Development Permit.
- e) Landscaping shall include the planting of grasses, shrubs and trees and shall be continuously maintained, including replacement of any deceased trees, shrubs or plants by the end of the next growing season.
- f) Irrigation and maintenance shall be detailed in the Landscape Plan and defined in the Development Permit.

4.7.3 Architectural Control

The design, character and appearance of any buildings, structures or signs proposed to be erected or located on the property must be approved by the Municipality in accordance with the approved aforementioned Architectural Guidelines.

ROCKY VIEW COUNTY
DIRECT CONTROL BYLAW C-4873-98

DC-002

4.8 Refuse Control

Garbage and waste material on and around the site shall at all times be stored in weatherproof and animal-proof containers which shall be screened from view from all adjacent properties and public thoroughfares.

4.9 Fire Protection

Fire protection measures shall be provided in accordance with the Alberta Fire Code and included in a Development Permit.

4.10 Definitions

4.10.1 **Building** - includes anything constructed or placed on, in, over, or under land but does not include a highway or public roadway.

4.10.2 **Business Offices** - means a portion or portions of a building where services of a professional nature are offered for sale, such as but not limited to legal, financial and medical services for example.

4.10.3 **Construction Management Plan** - means a program that details site management of all construction activity that may include, but is not limited to the management of construction debris and dust.

4.10.4 **Developer** - means a person or corporation who/which is responsible for any undertaking that requires a Permit or action pursuant to this bylaw.

4.10.5 **Development** - means:

- i) an excavation or stockpile and the creation of either of them,
- ii) a building or an addition to or replacement or repair of a building and the construction or placing in, on, over or under land of any of them,
- iii) 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
- iv) a change in the intensity of use of land or a building or an act done in relation to land or a building that results in or is likely

ROCKY VIEW COUNTY
DIRECT CONTROL BYLAW C-4873-98

DC-002

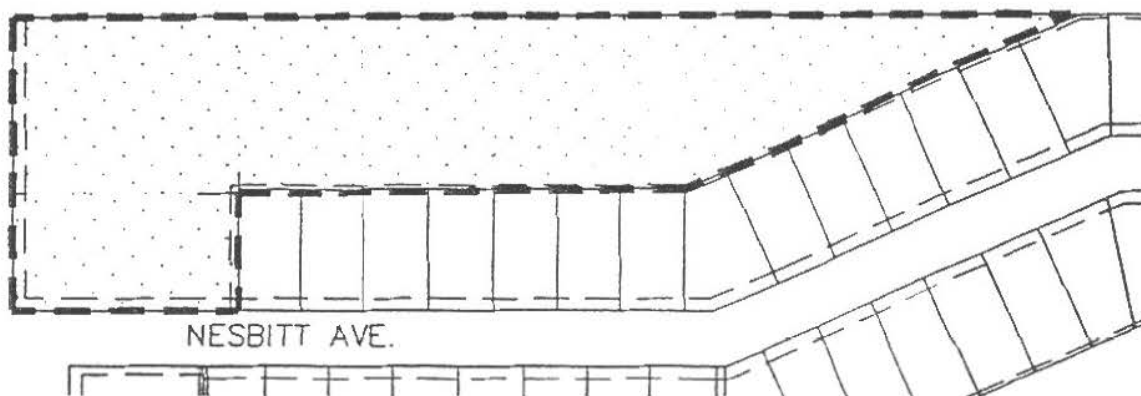
to result in a change in the intensity of use of the land or building.

- 4.10.6 **Drinking Establishment** - means an establishment, licensed by the Alberta Liquor Control Board, in which alcoholic beverages are served for a fee for consumption on the premises, and any preparation or serving of food is accessory thereto, and includes a licensed lounge that is ancillary to a restaurant
- 4.10.7 **Personal Service Stores** - means a portion or portions of a building where services are offered for sale to individuals, which services may include but are not limited to health, beauty and laundry services, for example.
- 4.10.8 **Professional Engineer** - is a professional engineer who is a member in good standing of the Association of Professional Engineers, Geologists, and Geophysicists of Alberta (A.P.E.G.G.A.).
- 4.10.9 **Retail Stores** - means a portion or portions of a building where merchandise is offered for sale to individuals, which may include but is not limited to convenience stores, for example.
- 4.10.10 **The Lands** - means the lands as shown on Schedule "A" attached hereto.
- 4.10.11 Terms not defined above have the same meaning as defined in Section 8 Definitions of Land Use Bylaw C-4841-97. (C-7945-2019)
- 4.10.12 **Car Wash, Self Service** – means a place or business with coin-operated facilities used primarily for the cleaning, washing, polishing, or waxing of motor vehicles. (C-6110-2005)
- 5.0 Implementation
- 5.1 The Bylaw comes into effect upon the date of its third reading.

ROCKY VIEW COUNTY
DIRECT CONTROL BYLAW C-4873-98
SCHEDULE "A"

DC-002

DC-2

BYLAW: C-4873-98

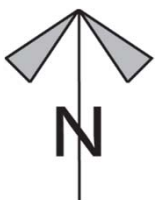
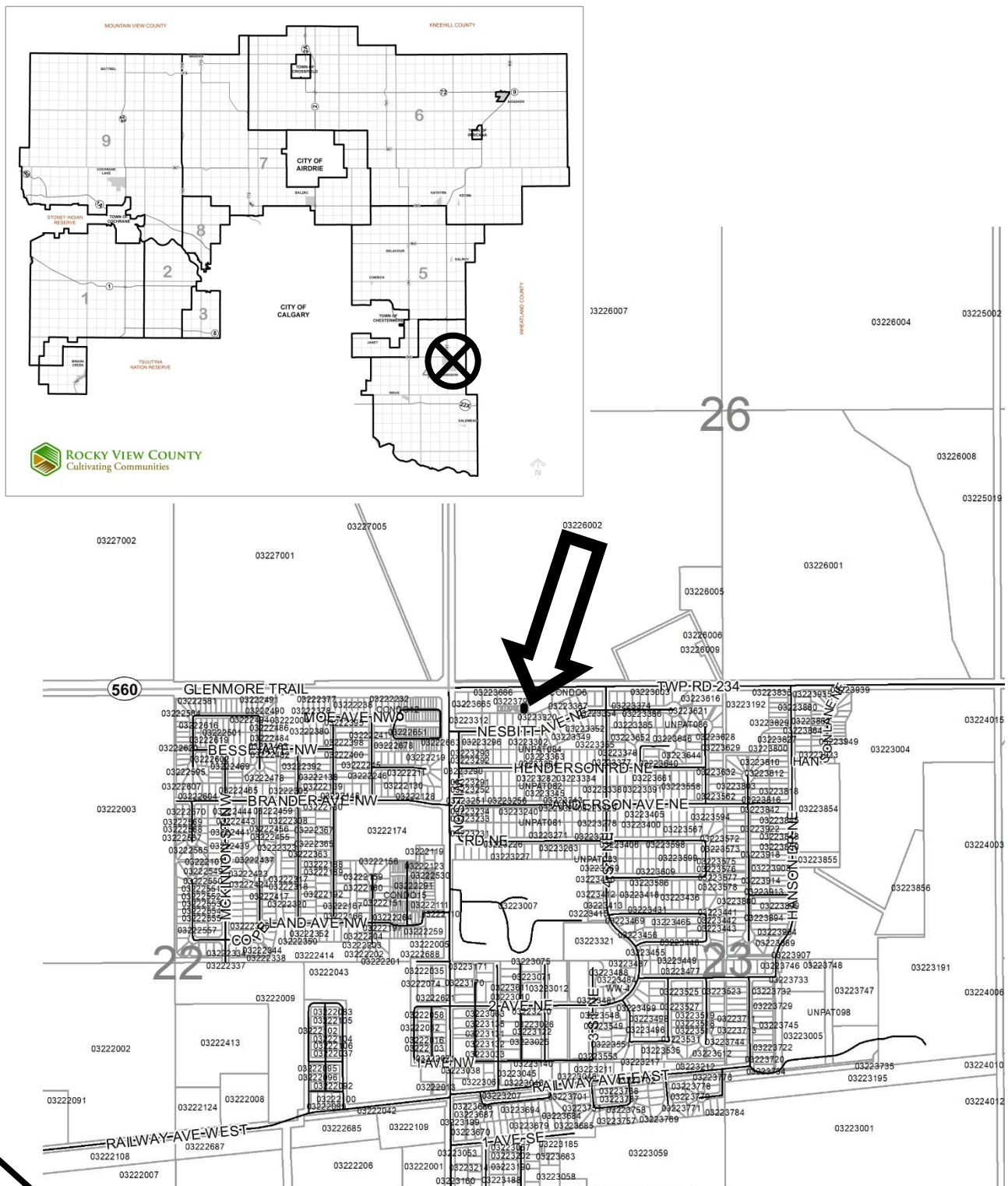
AMENDMENT

FROM Hamlet Direct Control District TO Direct Control District (amended)

SUBJECT LAND - - - - -

LEGAL DESCRIPTION: Lot 1, Block 5, Plan 9611759
NW-23-23-27-W4M

FILE: 3223312



Lot UNIT 15, Plan 0711729, NW-23-23-27-W04M

Date: Oct 17, 2019

Division # 4

File: PL20190150 - 03223798

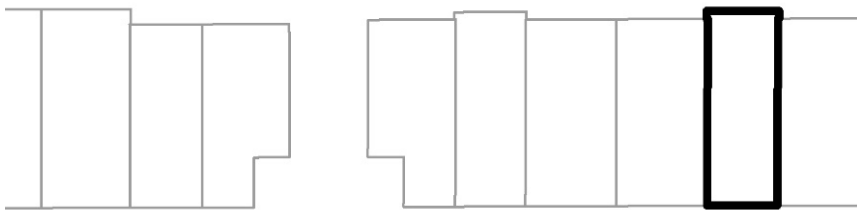
Proposal: To amend Direct Control Bylaw 2, in order to include "Cannabis Retail Store" as a discretionary use for the commercial area.

Township Road 234

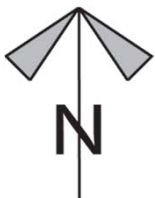
4.3 List of Discretionary Uses

- 4.3.1 Business Offices
- 4.3.2 Personal Service stores
- 4.3.3 Retail Stores
- 4.3.4 Free standing Signs associated with the principal use
- 4.3.5 Restaurants or Eating Establishments
- 4.3.6 Service Stations and Gas bars
- 4.3.7 Drinking Establishment
- 4.3.8 Liquor Stores
- 4.3.9 Accessory buildings associated with the principal use
- 4.3.10 Car Wash, Self Service (C-6110-2005)

4.3.11 Cannabis Retail Store



DEVELOPMENT PROPOSAL



Lot UNIT 15, Plan 0711729, NW-23-23-27-W04M

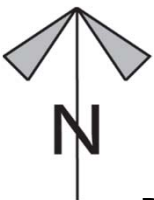
Date: Oct 17, 2019

Division # 4

File: PL20190150 - 03223798



150 m setback from the property

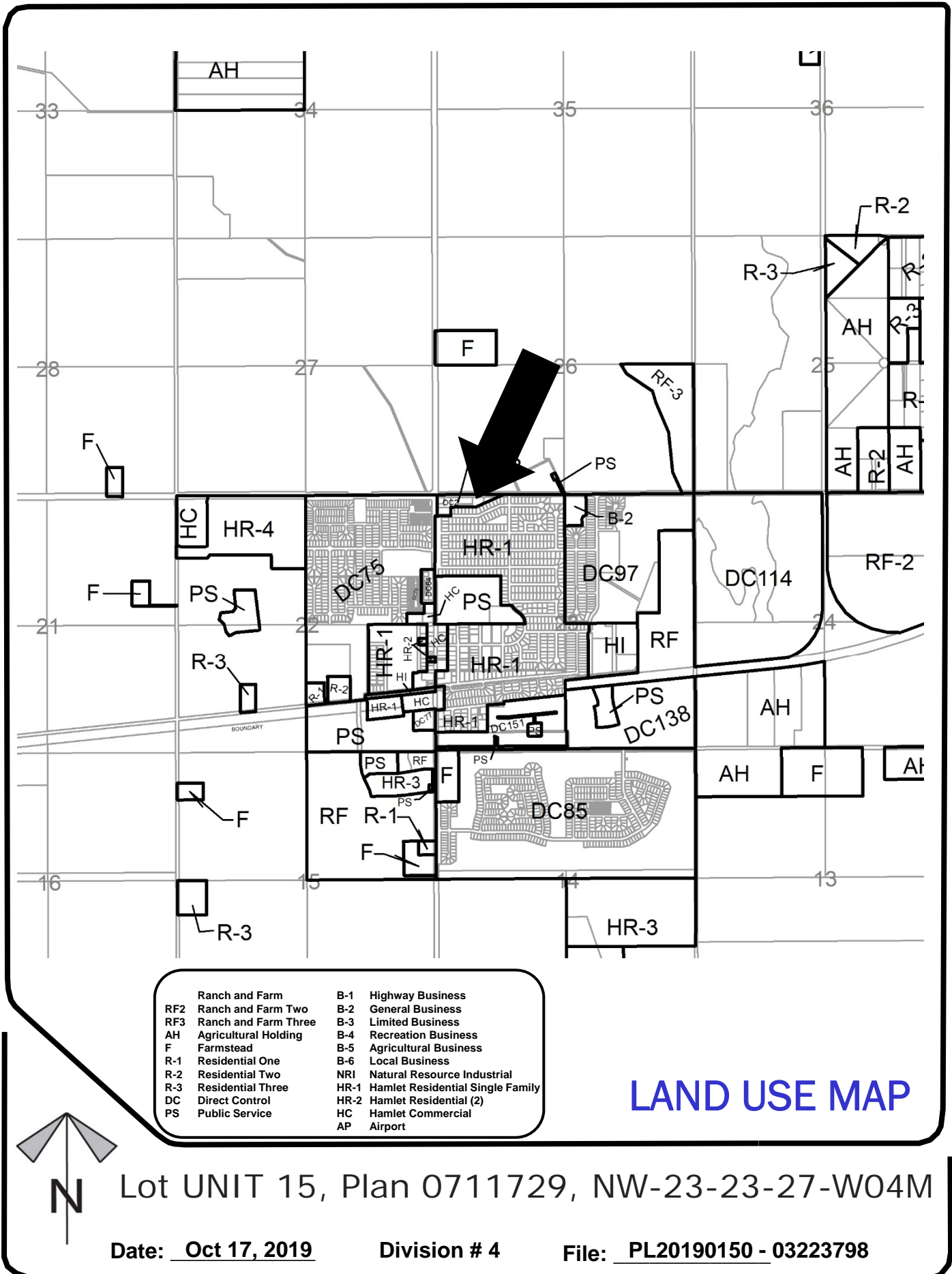


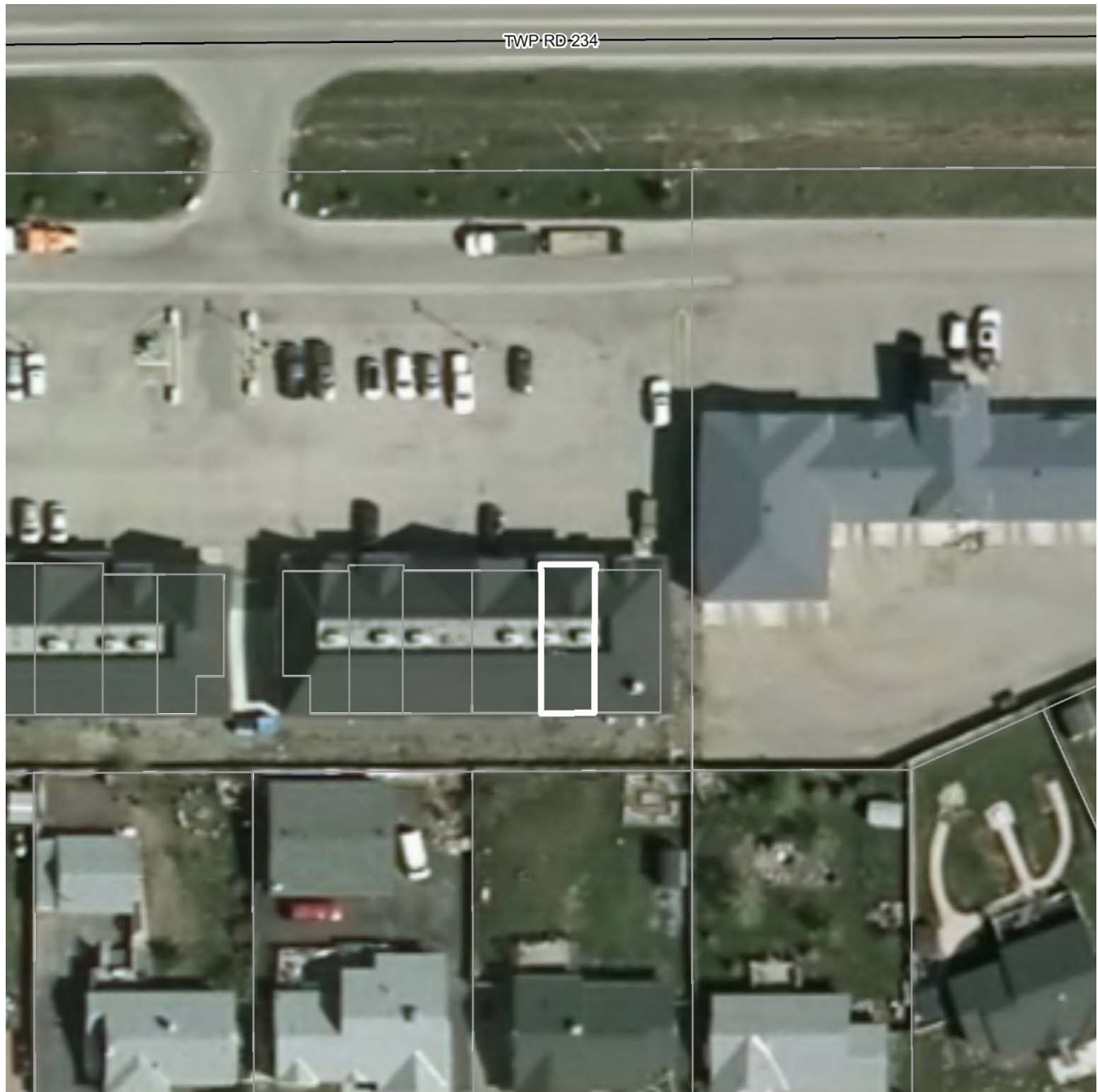
Lot UNIT 15, Plan 0711729, NW-23-23-27-W04M

Date: Oct 17, 2019

Division # 4

File: PL20190150 - 03223798

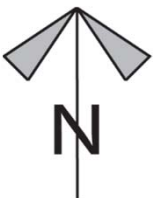




Note: Post processing of raw aerial photography may cause varying degrees of visual distortion at the local level.

AIR PHOTO

Spring 2018

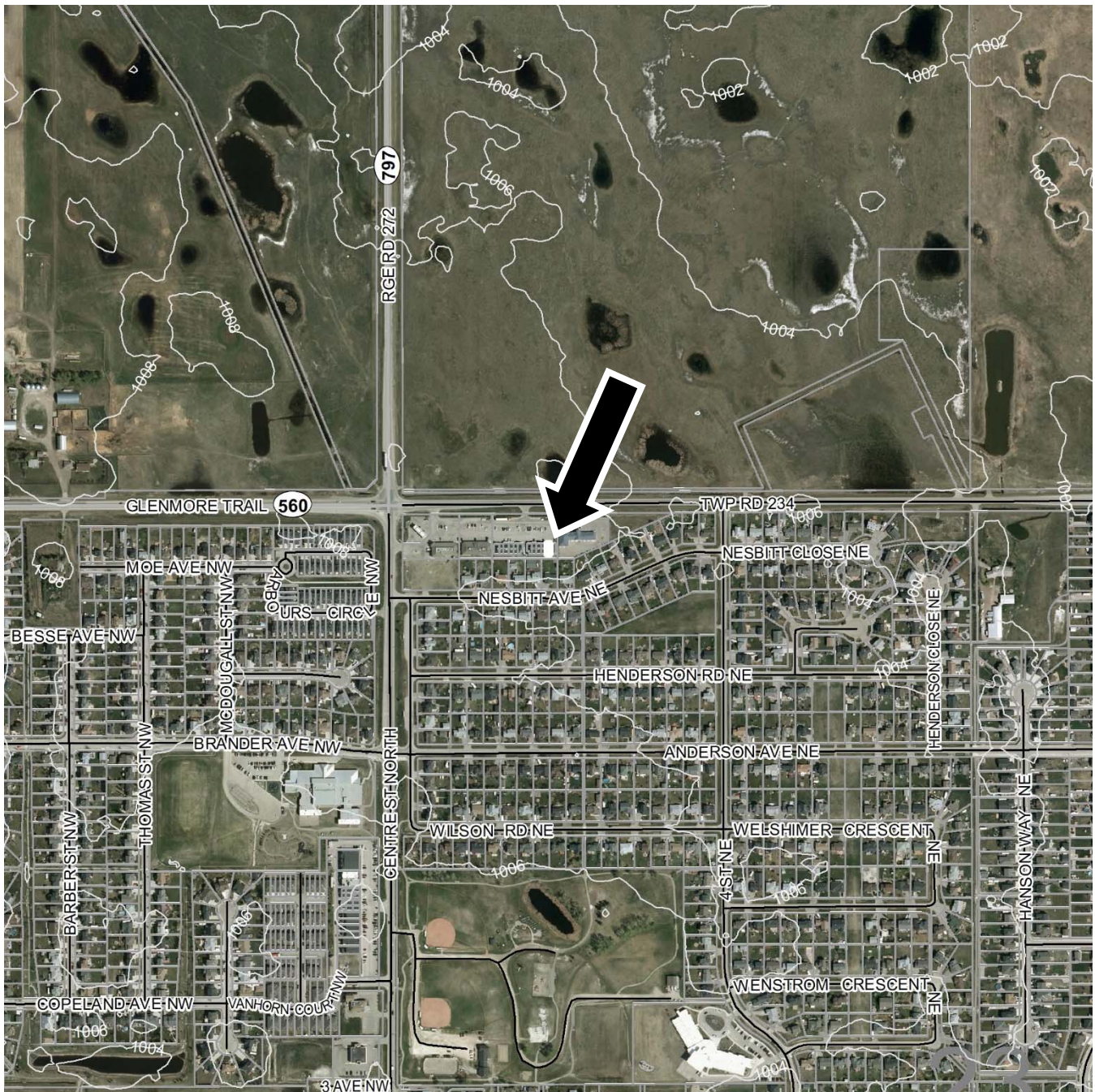


Lot UNIT 15, Plan 0711729, NW-23-23-27-W04M

Date: Oct 17, 2019

Division # 4

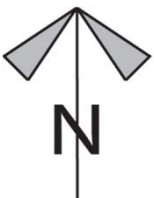
File: PL20190150 - 03223798



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

TOPOGRAPHY

Contour Interval 2 M

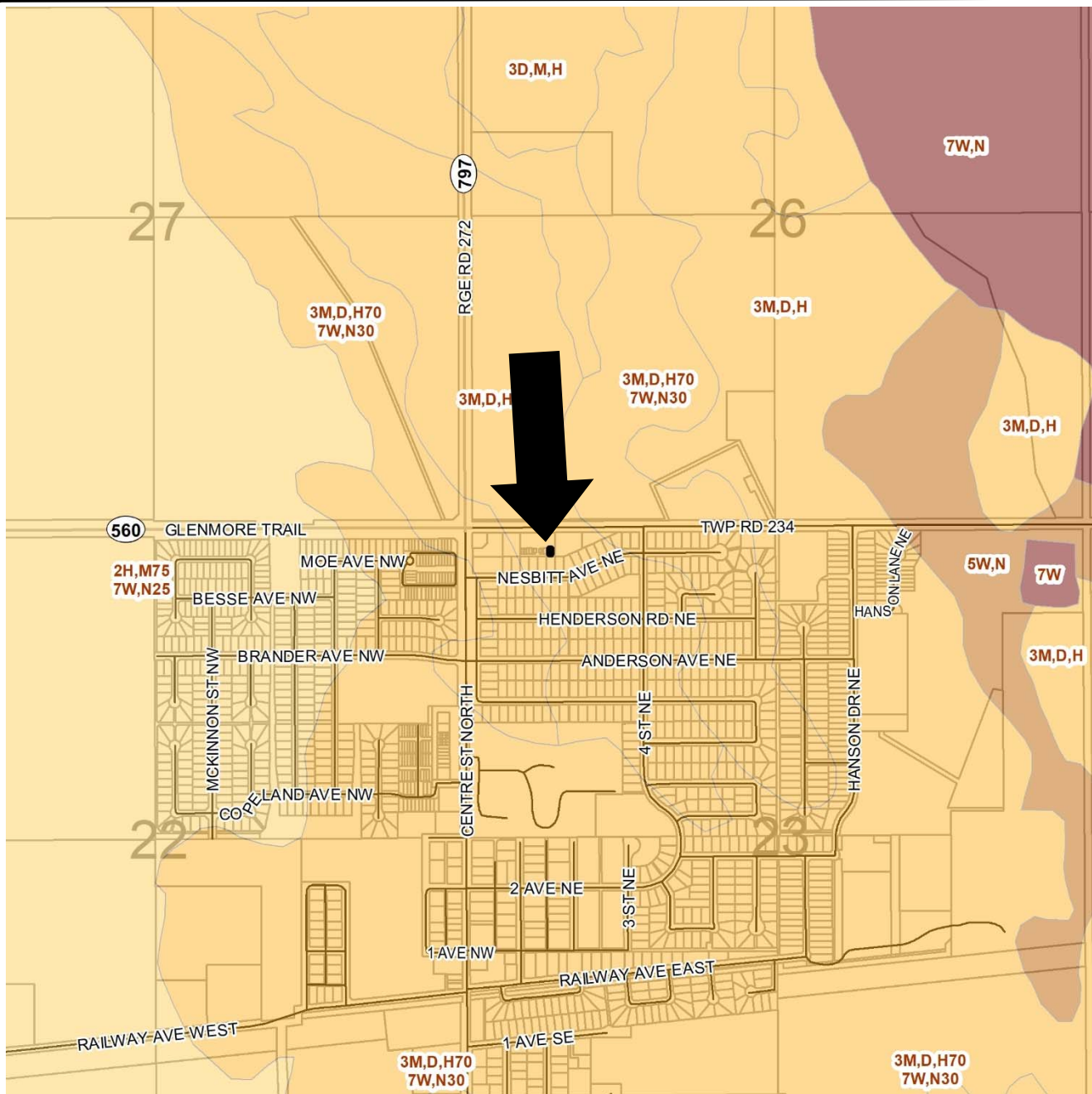


Lot UNIT 15, Plan 0711729, NW-23-23-27-W04M

Date: Oct 17, 2019

Division # 4

File: PL20190150 - 03223798



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

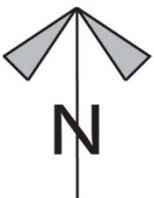
CLI Class

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

Limitations

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

SOIL MAP

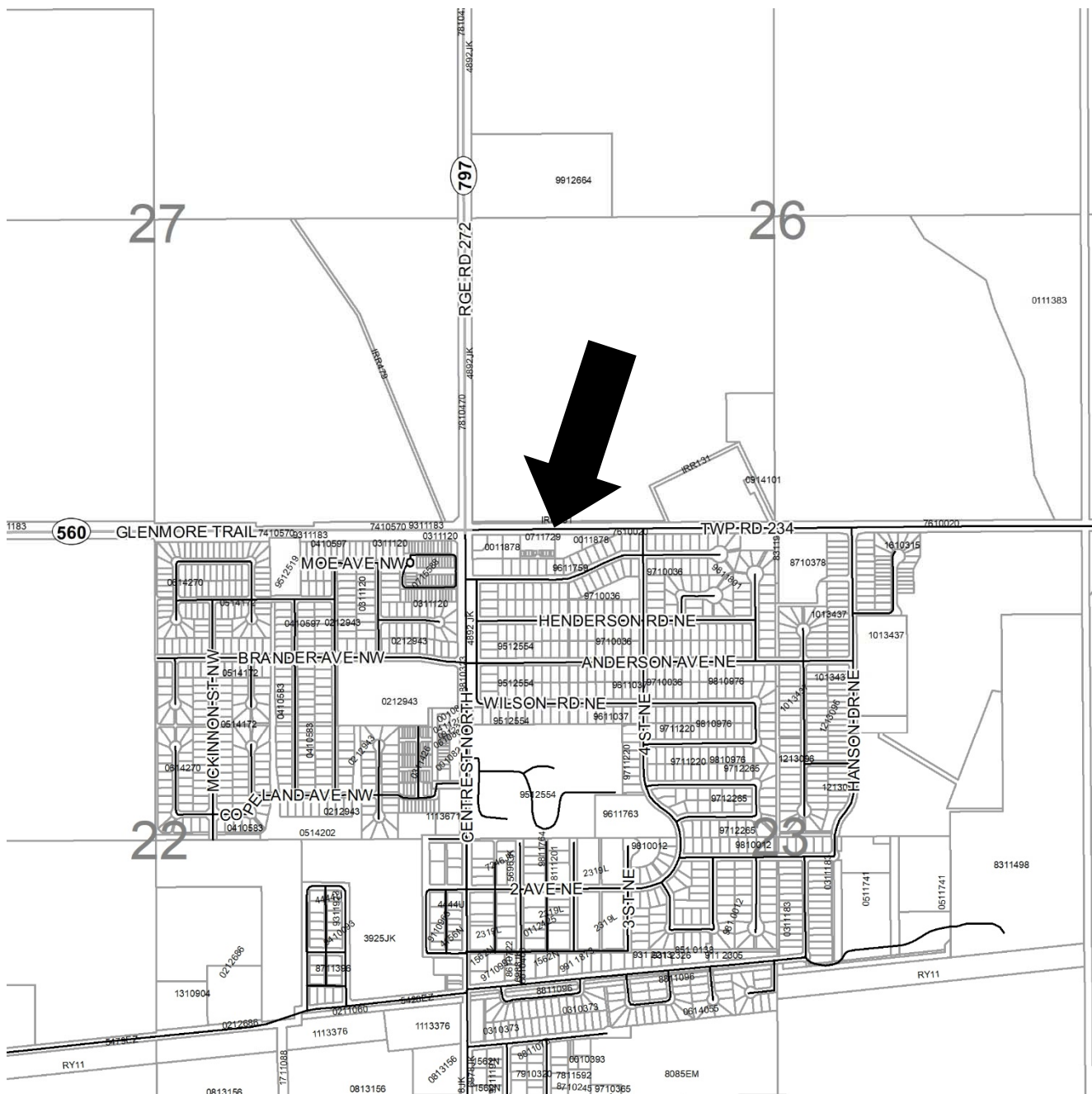


Lot UNIT 15, Plan 0711729, NW-23-23-27-W04M

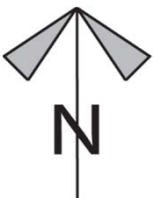
Date: Oct 17, 2019

Division # 4

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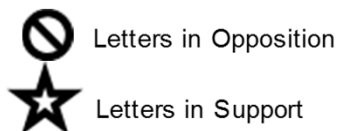
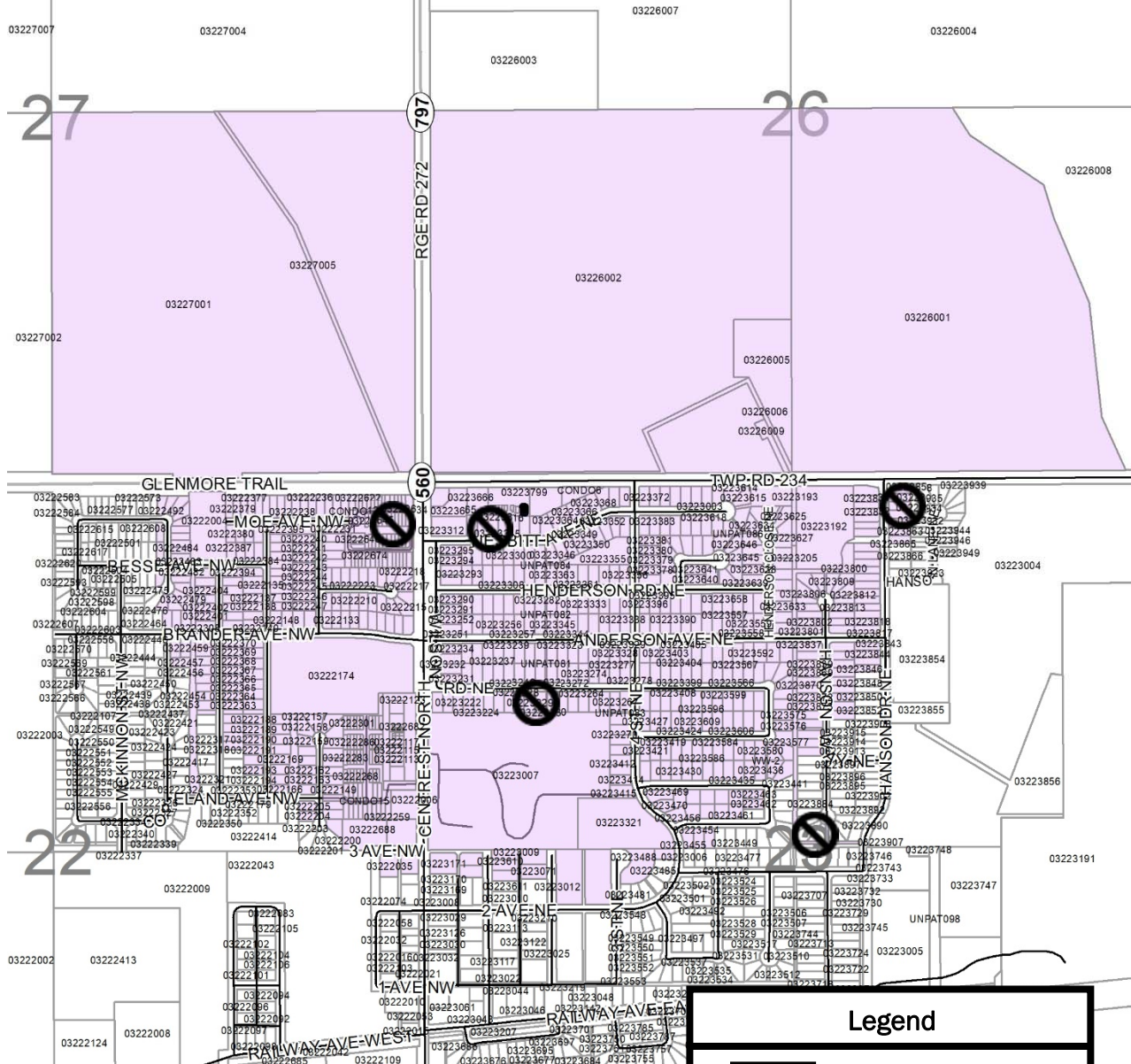
**Legend – Plan numbers**

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

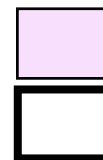
HISTORIC SUBDIVISION MAP

Lot UNIT 15, Plan 0711729, NW-23-23-27-W04M

Date: Oct 17, 2019Division # 4File: PL20190150 - 03223798



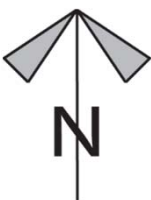
Legend



Circulation Area

Subject Lands

LANDOWNER CIRCULATION AREA



Lot UNIT 15, Plan 0711729, NW-23-23-27-W04M

Date: Oct 17, 2019

Division # 4

File: PL20190150 - 03223798

Dominic Kazmierczak

Subject: FW: Letter in Opposition - PL20190150

From: rahatc [REDACTED]
Sent: Sunday, March 15, 2020 3:12 PM
To: PAA_ LegislativeServices <legislativeservices@rockyview.ca>
Subject: By law C-7958-2019

I totally oppose to cannabis retail store at this location i own a day care @ 6 nesbitt avenue ,any questions please contact me via email or [REDACTED].
my name is Rahat Chawdhry.

Sent from my Samsung Galaxy smartphone.

Tuesday Jan 07/2020

Attention:
Planning Services Department
Rocky View County
File Number: 03223798
Application Number: PL20190150

XI Deng

I have concerns that the county is amending a Bylaw to include a Cannabis Retail Store in Langdon. We have a Vaping store in our community now and I think Rocky View has a responsibility to help the community of Langdon keep our kids safe. God knows the retailer is in it for profit, not the affects it will have to our kids. With all the reports of the severe health issues to our youth with Vaping we need to make sure that a Cannabis retail store will not going to harm our youth as well. Until we know more about the ingredients in the products and what the federal government is planning on doing to curb the risks to our youth, why are we as adults allowing such harmful products into our community. This must be the question we ask ourselves before amending a bylaw. My response is that it would be irresponsible for the council to follow through on allowing the Cannabis Store in Langdon until we know what products are being sold and the ingredients being used in them.

I also filled out a survey sent out by Rock View awhile back about allowing Cannabis stores in Langdon and I have never received a reply on the results of that survey. When the county sends these types of notices out if there is background that has been done it would be nice to have those findings come out with the notice.

Thanks for giving us the opportunity to respond.

Marsha Cowley
26 Arbours Circle
Langdon AB T0J 1X2

Dominic Kazmierczak

Subject: FW: Adjacent Landowner Comment - PL20190150

From: Andy Andisheh [REDACTED]
Sent: Thursday, March 19, 2020 9:16 AM
To: PAA_ LegislativeServices
Subject: Bylaw C-7958-2019

Hello:

My name is Mehrdad Andy Andisheh, residing at 162 Hanson Drive, NE, Langdon, Alberta, T0J 1X2 and I oppose the proposed bylaw due the fact that it may or will attracts criminals and undesirables to the neighbourhood as was the case on March 14, 2020 regarding the murder of Calgary resident Christophe Herblin. See the clip from Calgary Herald below.

“Calgary police say Herblin [responded to a break-in alarm](#) at the strip mall on Bow Trail S.W. around 3 a.m. Police attended the scene and searched the business before leaving. But Herblin remained in the parking lot waiting for the business “to be secured” until 6 a.m., when at least three offenders returned to the scene, according to police.

Police believe the three assailants were attempting to break into the adjoining cannabis store through Herblin’s restaurant, which is located in the 3800 block of Bow Trail S.W.”

Regards,

Mehrdad A. Andisheh

Lori-Lee Turcotte

From: Miller, Rebecca [REDACTED]
Sent: Wednesday, January 01, 2020 3:07 PM
To: Xin Deng
Cc: Division 4, Al Schule
Subject: File 03223798; application PLN20190150

To whom it may concern:

As an adjacent property owner and 23 year resident of Langdon, I would like to express my concerns with the proposal to amend Direct Control Bylaw 2 to include a cannabis retail store, with my objections being specific to the proposed location.

The proposed location for this cannabis retail store is within approximately 1-1.5 kilometres of Langdon school, one of only two schools in the community. The path these school age children take to and from this school during lunch hours and after school to obtain food (pizza, ice cream, and sub sandwiches) runs directly adjacent to this location. I feel the location presents a clear and present danger to children who should not be subject to its advertising, its products, its patrons, and its allure.

I would like more information on:

- the county's bylaws (or federal laws) regarding cannabis store vicinity limits for this type of regulated product
- the restrictions and enforcement measures county bylaw officers (or RCMP officers) will enact regarding inappropriate marketing at this type of store,
- the penalties for the store employees and owner if caught selling to minors, and
- information on new county program funding that will address deterrence, addiction, and other educational needs at the local elementary schools.

If none exist, I would like to support creation of them to protect our most vulnerable residents. Because our RCMP resources are limited, it is my expectation the county play a role in providing reasonable assurance our kids are being protected until they reach the legal age to procure and possess these products. It is my expectation that if the county is benefiting from addition tax dollars related to any new cannabis retail location, they have the foresight to use some of that revenue to enforce compliance as well as use funds to support education and deterrence in youth use.

No one foresaw (or tested sufficiently) the impacts that vaping would have on our youth when those products were introduced and inappropriately marketed to under age children. We should not make the same mistakes with cannabis. This is especially important now that edibles are legal. It is also especially important if this same location is selling vape products which seem to be very popular with the underage children in our community.

I will be reaching out to school officials and other residents to understand their perspectives on this issue. My hope is that the location can be rethought to include our kids' safety.

Thank you for the opportunity to comment on this file. I can be reached at this email or at home if further information is required.

Respectfully,
 Rebecca Miller
 45 Wilson rd ne
 Langdon
 [REDACTED]

Lori-Lee Turcotte

From: Rosmarie Jackson [REDACTED]
Sent: Friday, December 27, 2019 4:45 PM
To: Xin Deng
Subject: Cannabis Store in Langdon

I very strongly oppose having a cannabis store in Langdon. I believe there are too many children in the area, especially with the K to 9 school being across the street from the proposed site for the store. My son walks past that location to get to school as do many children and I do not want him exposed to that lifestyle. We preach to our children that mind altering drugs are bad, and then put a store that sells it right within view of the school? No. It's bad enough that kids are getting ahold of vaping products sold by the 2 vape stores in Langdon. Plus we've found cannabis products thrown into our backyard by our dog's kennel - and where our children play. I do not want this influence anywhere near our children.

Rosmarie Jackson