

Council Meeting Agenda

November 13, 2018

9:00 a.m.



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

PLEASE NOTE THAT THIS MEETING WILL BE HELD AT THE NEW COUNTY HALL:
262075 Rocky View Point, Rocky View County, AB

CALL MEETING TO ORDER

UPDATES/ACCEPTANCE OF AGENDA

A CONFIRMATION OF MINUTES

1. October 23, 2018 Organizational Meeting Page 4
2. October 23, 2018 Council Meeting Page 12

B FINANCIAL REPORTS

- None

C APPOINTMENTS/PUBLIC HEARINGS

NOTE: As per Section 606(2)(a) of the *Municipal Government Act*, the Public Hearings were advertised in the Rocky View Weekly on October 16, 2018 and October 23, 2018.

MORNING APPOINTMENTS 10:00 A.M.

1. Division 1 – File: PL20180071 (03913059) – Bylaw C-7829-2018 – Redesignation Item – Hamlet Residential Single Family District to Hamlet Commercial District and to add Distillery as a site-specific use

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2. Division 5 – File: PL20180017 (04227009) – Bylaw C-7812-2018 – Redesignation Item – Agricultural Holdings District to Industrial – Industrial Activity District

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AFTERNOON APPOINTMENTS 1:30 P.M.

3. **Division 7 – File: PL20170150 (06516014) – Bylaw C-7727-2017 – Conceptual Scheme – Calterra Estates Conceptual Scheme Amendment**
Note: this item should be considered in conjunction with item C-4

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4. **Division 7 – File: PL20180091 (06516014) – Bylaw C-7831-2018 – Redesignation Item – Residential Two District to Residential One District**
Note: this item should be considered in conjunction with item C-3

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5. **Division 2 – File: PL20180065 (04721021) – Bylaw C-7806-2018 – Redesignation Item – Residential Two District to Residential One District - Hillcrest Estates**

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6. **Division 5 – File: PL20170167 (04329188) – Bylaw C-7784-2018 – Redesignation Item – Ranch and Farm Three District to Agriculture Holdings District and Business – Industrial Campus District**

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D GENERAL BUSINESS

1. **All Divisions – File: 0183 – 2018 Rocky View County Census Results**

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2. **Division 1 – File: PRDP20184056 (03904027) – Waiver of the waiting period for re-application of a Development Permit**

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E BYLAWS

- None

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- F UNFINISHED BUSINESS
- None
 - G COUNCIL REPORTS
 - H MANAGEMENT REPORTS
- None
 - I NOTICES OF MOTION
- None
 - J SUBDIVISION APPLICATIONS
- None
 - K COMMITTEE OF THE WHOLE/IN CAMERA
- None
- ADJOURN THE MEETING

ROCKY VIEW COUNTY
ORGANIZATIONAL MEETING MINUTES
October 23, 2018

Page 1

An Organizational Meeting of Rocky View County Council was held in Council Chambers of the County Hall, 262075 Rocky View Point, Rocky View County, Alberta on October 23, 2018 commencing at 9:47 a.m.

Present:	Division 1	Councillor M. Kamachi
	Division 2	Councillor K. McKylor
	Division 3	Councillor K. Hanson
	Division 4	Councillor A. Schule
	Division 5	Councillor J. Gautreau
	Division 6	Councillor G. Boehlke
	Division 7	Councillor D. Henn
	Division 8	Councillor S. Wright
	Division 9	Councillor C. Kissel

Also Present:

- R. McDonald, Interim County Manager
- K. Robinson, General Manager
- B. Riemann, General Manager
- R. Barss, Manager, Intergovernmental Affairs
- C. Satink, Deputy Municipal Clerk, Legislative and Legal Services
- T. Andreasen, Legislative and Bylaw Coordinator, Legislative and Legal Services

Call to Order

The Deputy Municipal Clerk called the meeting to order at 9:47 a.m. with all members present.

1-18-10-23-01

Updates/Acceptance of Agenda

MOVED by Councillor Gautreau that the October 23, 2018 Organizational meeting agenda be accepted as presented.

Carried

1-18-10-23-02

Voting Procedures

The Deputy Municipal Clerk outlined the voting procedures as covered in section 7 of Procedure Bylaw C-7295-2013 and section 185.1 of the *Municipal Government Act*.

1-18-10-23-03

Appointment of Scrutineers

MOVED by Councillor Boehlke that General Managers Kent Robinson and Byron Riemann be appointed as scrutineers for all elections at the 2018 Organizational meeting.

Carried

1-18-10-23-04 (D-1)

Election of the Reeve

The Deputy Municipal Clerk called for nominations for Reeve.

Councillor Schule nominated Councillor Boehlke. Councillor Boehlke accepted the nomination.

Councillor Wright nominated Councillor Hanson. Councillor Hanson accepted the nomination.

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MOVED by Councillor Schule that nominations for Reeve cease.

Carried

General Managers Kent Robinson and Byron Riemann conducted the election of the Reeve by secret ballot.

Councillor Boehlke was elected as Reeve.

General Manager Kent Robinson administered the Oath of Office for Reeve Boehlke.

Reeve Boehlke assumed the Chair.

1-18-10-23-05 (E-1)
Election of the Deputy Reeve

The Chair called for nominations for Deputy Reeve.

Councillor Henn nominated Councillor Schule. Councillor Schule accepted the nomination.

Councillor Wright nominated Councillor Hanson. Councillor Hanson accepted the nomination.

Councillor McKylor nominated Councillor Gautreau. Councillor Gautreau accepted the nomination.

The Chair called nominations closed.

General Managers Kent Robinson and Byron Riemann conducted the election of the Deputy Reeve by secret ballot.

Councillor Schule was elected as Deputy Reeve.

General Manager Kent Robinson administered the Oath of Office for Deputy Reeve Schule.

Deputy Reeve Schule assumed the Vice Chair.

1-18-10-23-06 (F-1)
All Divisions – Establish 2019 Council and Committee Meeting Dates
File: 2000-100

MOVED by Councillor McKylor that the 2019 Rocky View County Council meeting dates be approved as per Attachment 'A' with the following amendments:

- Reschedule the April 23, 2019 Council meeting to April 30, 2019; and
- Remove the November 12, 2019 Council meeting;

AND that the 2019 Rocky View County Policy and Priorities Committee meeting dates be approved as per Attachment 'A'.

Carried

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1-18-10-23-07 (G-1)
Policy and Priorities Committee

The Chair called for nominations for Chair of the Policy and Priorities Committee.

Councillor Henn nominated Councillor McKylor. Councillor McKylor accepted the nomination.

Councillor Kissel nominated Councillor Wright. Councillor Wright accepted the nomination.

The Chair called nominations closed.

General Managers Kent Robinson and Byron Riemann conducted the election of the Chair of the Policy and Priorities Committee by secret ballot.

Councillor McKylor was elected as Chair of the Policy and Priorities Committee.

1-18-10-23-08 (G-2)
Policy Review Subcommittee

The Chair called for nominations for the Policy Review Subcommittee.

Councillor Wright nominated Councillor Kissel. Councillor Kissel accepted the nomination.

Deputy Reeve Schule nominated Councillor Hanson. Councillor Hanson accepted the nomination.

Councillor Kissel nominated Councillor Wright. Councillor Wright accepted the nomination.

Councillor Hanson nominated Councillor Gautreau. Councillor Gautreau declined the nomination.

Councillor Wright nominated Deputy Reeve Schule. Deputy Reeve Schule accepted the nomination.

The Chair called nominations closed.

MOVED by Councillor Henn that Councillor Kissel, Councillor Hanson, Councillor Wright, and Deputy Reeve Schule be appointed to the Policy Review Subcommittee for one year terms to expire in October 2019.

Carried

1-18-10-23-09 (G-3)
Agricultural Service Board

The Chair called for nominations for Council representatives on the Agricultural Service Board.

Councillor Kamachi nominated Councillor Henn. Councillor Henn accepted the nomination.

Councillor Henn nominated Councillor Kamachi. Councillor Kamachi accepted the nomination.

Councillor Hanson nominated Councillor McKylor. Councillor McKylor accepted the nomination.

The Chair called nominations closed.

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MOVED by Councillor Wright that Councillor Henn, Councillor Kamachi, and Councillor McKylor be appointed to the Agricultural Service Board as voting Council representatives for one year terms to expire in October 2019.
Carried

The Chair called for nominations for members at large from west of Highway 2 on the Agricultural Service Board.

Councillor Henn nominated Travis Eklund and Leisa Gallelli.

The Chair called nominations closed.

MOVED by Councillor Henn that Travis Eklund and Leisa Gallelli be appointed to the Agricultural Service Board as voting members at large from west of Highway 2 for three year terms to expire in October 2021.
Carried

1-18-10-23-10 (G-4)
Family & Community Support Services Board

The Chair called for nominations for Council representatives on the Family & Community Support Services Board.

Councillor Kamachi nominated Councillor McKylor. Councillor McKylor accepted the nomination.

Councillor Hanson nominated Councillor Kamachi. Councillor Kamachi accepted the nomination.

The Chair called nominations closed.

MOVED by Deputy Reeve Schule that Councillor McKylor and Councillor Kamachi be appointed to the Family & Community Support Services Board as Council representatives for one year terms to expire in October 2019.
Carried

The Chair called for nominations for member at large on the Family & Community Support Services Board.

Councillor Kamachi nominated Debbie Maclean.

The Chair called nominations closed.

MOVED by Councillor McKylor that Debbie Maclean be appointed to the Family & Community Support Services Board as a member at large for a two year term to expire in October 2020.
Carried

1-18-10-23-09 (G-3)
Agricultural Service Board

The Chair called for nominations for Chair of the Agricultural Service Board.

Councillor McKylor nominated Councillor Henn. Councillor Henn accepted the nomination.

The Chair called nominations closed.

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MOVED by Councillor McKylor that Councillor Henn be appointed as Chair of the Agricultural Service Board for a one year term to expire in October 2019.

Carried

1-18-10-23-11 (G-5)

Subdivision and Development Appeal Board / Enforcement Appeal Committee

The Chair called for nominations for Council representative on the Subdivision and Development Appeal Board / Enforcement Appeal Committee.

Councillor Wright nominated Councillor Hanson. Councillor Hanson accepted the nomination.

Councillor McKylor nominated Councillor Henn. Councillor Henn accepted the nomination.

The Chair called nominations closed.

General Managers Kent Robinson and Byron Riemann conducted the election of the Council representative on the Subdivision and Development Appeal Board / Enforcement Appeal Committee by secret ballot.

Councillor Henn was elected as Council representative on the Subdivision and Development Appeal Board / Enforcement Appeal Committee.

MOVED by Deputy Reeve Schule that Councillor Henn be appointed to the Subdivision & Development Appeal Board / Enforcement Appeal Committee as the Council representative for a one year term to expire in October 2019.

Carried

The Chair called for nominations for alternate Council representative on the Subdivision and Development Appeal Board / Enforcement Appeal Committee.

Councillor Kissel nominated Councillor Hanson. Councillor Hanson accepted the nomination.

The Chair called nominations closed.

MOVED by Councillor McKylor that Councillor Hanson be appointed to the Subdivision & Development Appeal Board / Enforcement Appeal Committee as the alternate Council representative for a one year term to expire in October 2019.

Carried

1-18-10-23-12 (G-6)

Assessment Review Boards

The Chair called for nominations for member at large on the Assessment Review Boards.

Councillor Gautreau nominated Ken Sawatzky.

The Chair called nominations closed.

MOVED by Councillor Wright that Ken Sawatzky be appointed to the Assessment Review Boards as a member at large for a three year term to expire in October 2021.

Carried

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The Chair called for nominations for Chair of the Assessment Review Boards.

Councillor Wright nominated Don Kochan.

The Chair called nominations closed.

MOVED by Councillor Kissel that Don Kochan be appointed as Chair of the Assessment Review Boards for a one year term to expire in October 2019.

Carried

The Chair called for a recess at 10:31 a.m. and called the meeting back to order at 10:39 a.m. with all previously mentioned members present.

MOTION ARISING:

MOVED by Councillor Gautreau that Administration be directed to review its board and committee bylaws.

Carried

1-18-10-23-13 (G-7)

Bragg Creek FireSmart Committee

The Chair called for nominations for Council representative on the Bragg Creek FireSmart Committee.

Councillor Henn nominated Councillor Kamachi. Councillor Kamachi accepted the nomination.

The Chair called nominations closed.

MOVED by Councillor Henn that Councillor Kamachi be appointed to the Bragg Creek FireSmart Committee as the Council representative for a one year term to expire in October 2019.

Carried

1-18-10-23-14 (H-1)

Calgary Metropolitan Region Board

The Chair called for nominations for Council representative on the Calgary Metropolitan Region Board.

Councillor Wright nominated Councillor Gautreau. Councillor Gautreau accepted the nomination.

Councillor Henn nominated Reeve Boehlke. Reeve Boehlke accepted the nomination.

The Chair called nominations closed.

General Managers Kent Robinson and Byron Riemann conducted the election of the Council representative on the Calgary Metropolitan Region Board by secret ballot.

Reeve Boehlke was elected as Council representative on the Calgary Metropolitan Region Board.

MOVED by Councillor Henn that Reeve Boehlke be appointed to the Calgary Metropolitan Region Board as the Council representative for a one year term to expire in October 2019.

Carried

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The Chair called for nominations for alternate Council representative on the Calgary Metropolitan Region Board.

Councillor Kissel nominated Councillor Gautreau. Councillor Gautreau accepted the nomination.

The Chair called nominations closed.

MOVED by Councillor Wright that Councillor Gautreau be appointed to the Calgary Metropolitan Region Board as the alternate Council representative for a one year term to expire in October 2019.

Carried

1-18-10-23-15 (H-2)
Marigold Library Board

MOVED by Councillor Wright that Dimitri Dimopoulos be appointed to the Marigold Library Board as a member at large for a three year term to expire in October 2021.

Carried

1-18-10-23-16 (I-1)
Bearspaw Glendale Recreation District Board

MOVED by Councillor Wright that Suchetna Channan and Kris Reinhardt be appointed to the Bearspaw Glendale Recreation District Board as members at large for three year terms to expire in October 2021;

AND that Alan Bishop be appointed to the Bearspaw Glendale Recreation District Board as a Bearspaw Glendale Community Association Board of Directors member for a three year term to expire in October 2021.

Carried

1-18-10-23-17 (I-2)
Beiseker Recreation District Board

MOVED by Councillor Henn that Donna Hagel be appointed to the Beiseker Recreation District Board as a member at large for a three year term to expire in October 2021.

Carried

1-18-10-23-18 (I-3)
Bow North Recreation District Board

MOVED by Deputy Reeve Schule that Travis Tweit, Jeff Salkeld, and Chrissy Craig be appointed to the Bow North Recreation District Board as members at large for three year terms to expire in October 2021.

Carried

1-18-10-23-19 (I-4)
Chestermere-Conrich Regional Recreation District Board

MOVED by Councillor Gautreau that Don Deeter be appointed to the Chestermere-Conrich Regional Recreation District Board as a member at large for a three year term to expire in October 2021.

Carried

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1-18-10-23-20 (I-5)

Crossfield Recreation District Board

MOVED by Councillor Henn that Janice Evans be appointed to the Crossfield Recreation District Board as a member at large for a three year term to expire in October 2021.

Carried

1-18-10-23-21 (I-6)

Madden and District Recreation Board

MOVED by Councillor Henn that Jaime Clayton be appointed to the Madden and District Recreation Board as a rural member at large for a three year term to expire in October 2021.

Carried

1-18-10-23-22 (I-7)

Ranch Lands Recreation District Board

MOVED by Councillor Kissel that Pat Comer be appointed to the Ranch Lands Recreation District Board as a member at large for a three year term to expire in October 2021;

AND that Rick Wickland be appointed to the Ranch Lands Recreation District Board as a Cochrane and District Agricultural Society member for a three year term to expire in October 2021.

Carried

1-18-10-23-23

Re-Advertise for Vacant Positions

MOVED by Councillor Wright that that Administration be directed to re-advertise for the board and committee positions that remain vacant.

Carried

Adjournment

MOVED by Councillor Henn that the October 23, 2018 Organizational meeting be adjourned at 10:54 a.m.

Carried

REEVE

CAO or Designate

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A regular meeting of Rocky View County Council was held in Council Chambers of the County Hall, 262075 Rocky View Point, Rocky View County, Alberta on October 23, 2018 commencing at 11:08 a.m.

Present:

Division 6	Reeve G. Boehlke
Division 4	Deputy Reeve A. Schule
Division 1	Councillor M. Kamachi
Division 2	Councillor K. McKylor
Division 3	Councillor K. Hanson
Division 5	Councillor J. Gautreau
Division 7	Councillor D. Henn
Division 8	Councillor S. Wright
Division 9	Councillor C. Kissel

Also Present:

- R. McDonald, Interim County Manager
- K. Robinson, General Manager
- B. Riemann, General Manager
- S. Baers, Acting General Manager
- D. Kalinchuk, Manager, Economic Development
- H. Bell, Manager, Roads Maintenance
- B. Woods, Manager, Financial Services
- C. McCullagh, Manager, Recreation and Community Services
- M. Wilson, Planning Supervisor, Planning Services
- P. Simon, Planner, Planning Services
- J. Kirychuk, Planner, Planning Services
- J. Kwan, Planner, Planning Services
- L. Ganczar, Planner, Planning Services
- G. Van Soest, Parks Planner, Agriculture and Environmental Services
- M. Ferris, Customer Support Representative, Engineering Services
- C. Satink, Deputy Municipal Clerk, Legislative and Legal Services
- T. Andreasen, Legislative and Bylaw Coordinator, Legislative and Legal Services

Call to Order

The Chair called the meeting to order at 11:08 a.m. with all members present.

1-18-10-23-01

Updates/Acceptance of Agenda

MOVED by Councillor Gautreau that the October 23, 2018 Council meeting agenda be approved with the following amendment:

- Remove item C-2 at the request of the applicants

Carried

1-18-10-23-02

Confirmation of Minutes

MOVED by Councillor Henn that the October 16, 2018 Council meeting minutes be accepted as presented.

Carried

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1-18-10-23-05 (D-1)

All Divisions – Economic Development Update Report – 2017

File: N/A

MOVED by Councillor Kamachi that the 2017 Economic Development Update Report be received for information.

Carried

1-18-10-23-06 (D-2)

All Divisions – Snow and Ice Control Budget Adjustment for 2018

File: 4050-100

MOVED by Deputy Reeve Schule that the budget adjustment of \$1.2m for additional snow and ice control funding be approved as per Attachment 'A'.

Carried

The Chair called for a recess at 12:10 p.m. and called the meeting back to order at 1:30 p.m. with all previously mentioned members present.

1-18-10-23-04 (C-3)

Division 9 – Rocky View County/Town of Cochrane –Annexation

File: 1042-155 (06816005 & 06814007)

MOVED by Councillor Kissel that the public hearing for item C-3 be opened at 1:30 p.m.

Carried

Person(s) who spoke in favour: Mark Love, on behalf of the Mount St. Francis Retreat Centre

Person(s) who spoke in opposition: None

Person(s) who spoke in rebuttal: None

MOVED by Councillor Kissel that the public hearing for item C-3 be closed at 1:38 p.m.

Carried

MOVED by Councillor Kissel that the proposed Rocky View County/Town of Cochrane annexation regarding SW-16-26-4-W5M and Block 1, Plan 1364 LK within NW-14-26-04-W05M be approved.

Carried

MOVED by Councillor Kissel that Administration be directed to proceed with the formal submission of the proposed annexation to the Municipal Government Board.

Carried

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1-18-10-23-07 (D-3)

Division 5 – Property Tax Cancellation Request – Dalroy Gymkhana Club

File: 2025-600

MOVED by Councillor Gautreau that the 2018 municipal tax levy, in the amount of \$599.08 for roll numbers 05214014 and 05214030, be cancelled.

Carried

In Favour:

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

Opposed:

Councillor McKylor

1-18-10-23-08 (D-4)

Divisions 1-5 – PPC Recommendations for the Active Transportation Plan: South County

File: N/A

MOVED by Councillor Hanson that the Active Transportation Plan: South County be approved.

Carried

1-18-10-23-09 (D-5)

Division 9 – Request for Capital Contribution – Friends of Westbrook School

File: 1006-600

MOVED by Councillor Kissel that Administration be directed to provide a Letter of Notification (Attachment 'C') to Rocky View Schools.

Carried

In Favour:

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

Opposed:

Councillor Gautreau

1-18-10-23-10 (E-1)

Division 9 – Bylaw C-7835-2018 to Revise Road Closure Bylaw C-7745-2017

File: PL20160018

MOVED by Councillor Kissel that Bylaw C-7835-2018 be given first reading.

Carried

MOVED by Deputy Reeve Schule that Bylaw C-7835-2018 be given second reading.

Carried

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MOVED by Councillor Kissel that Bylaw C-7835-2018 be considered for third reading.

Carried

MOVED by Councillor Kissel that Bylaw C-7835-2018 be given third and final reading.

Carried

1-18-10-23-11 (E-2)

Division 2 – Bylaw C-7824-2018 – Redesignation Item – Residential Two District to Residential One District
File: PL20180045 (05714035)

MOVED by Councillor McKylor that Bylaw C-7824-2018 be given second reading.

Carried

MOVED by Deputy Reeve Schule that Bylaw C-7824-2018 be given third and final reading.

Carried

The Chair called for a recess at 2:17 p.m. and called the meeting back to order at 2:25 p.m. with all previously mentioned members present.

1-18-10-23-12 (J-1)

Division 1 – Subdivision Item – Residential One District
File: PL20180087 (03901008)

MOVED by Councillor Kamachi that the applicant submission for item J-1 be received.

Carried

MOVED by Councillor Kamachi that condition 8, payment of transportation offsite levy, in Appendix 'A' be amended to read as follows:

The Applicant/Owner shall pay the Transportation Off-Site Levy (TOL) in accordance with Bylaw C-7356-2014 prior to subdivision endorsement:

- a) The Transportation Off-Site Levy shall be calculated from the total gross acreage of Lot 1 as shown on the Plan of Survey;
- b) That the Transportation Offsite Levy shall be deferred on Lot 2 (the remainder).

Carried

In Favour:

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

Opposed:

Councillor Hanson

MOVED by Councillor Kamachi that Subdivision Application PL20180087 be approved with the conditions noted in Appendix 'A' as amended:

- A. The application to create a ± 0.94 hectare (± 2.32 acre) parcel with a ± 1.03 hectare (± 2.53 acre) remainder within Lot 1, Block B, Plan 9511735; SE-01-23-05-W05M, having been evaluated in terms of

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Section 654 of the *Municipal Government Act* and Section 7 and Section 14 of the *Subdivision and Development Regulations*, and having considered adjacent landowner submissions, is approved as per the Tentative Plan for the reasons listed below:

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

Plan of Subdivision

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

Transportation and Access

- 2) The Owner shall upgrade the existing approach to a mutual standard as shown on the Approved Tentative Plan.
- 3) The Owner shall demonstrate that Lot 1 has been provided legal access through the existing access easement agreement (instrument # 951165 542). If the existing access easement agreement does not provide legal access to Lot 1, the Applicant/Owner shall:
 - a) Amend the existing access easement agreement (instrument #951165 542) to ensure Lot 1 has legal access; or
 - b) Provide a new access right-of-way plan and prepare and register respective easements on title, where required.

Site Servicing

- 4) The Owner is to enter into a Development Agreement (Site Improvements / Services Agreement) with the County:
 - a) In accordance with the Level 2 PSTS report from Western Water Resources Inc., dated September 2017.
 - b) For the construction of a Type II packaged sewage treatment plant and LFH at-grade soil based sewage treatment and dispersal system.
- 5) The Applicant/Owner shall pay the Transportation Off-Site Levy (TOL) in accordance with Bylaw C-7356-2014 prior to subdivision endorsement:
 - a) The Transportation Off-Site Levy shall be calculated from the total gross acreage of Lot 1 as shown on the Plan of Survey;

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-
- b) That the Transportation Offsite Levy shall be deferred on Lot 2 (the remainder).

Developability

- 6) The Owner is to provide and implement a Site Specific Stormwater Implementation Plan (SSIP) in accordance with the County Servicing Standards and Bragg Creek Master Drainage Plan. Implementation of the SSIP shall:
 - a) Include pre and post-development release rates, volume control targets and water quality;
 - b) Demonstrate that there are no adverse impacts to adjacent properties and downstream lands on drainage routes;
 - c) Include provision of necessary approvals and compensation to Alberta Environment and Parks for wetland loss and mitigation; and
 - d) Require that the Applicant/Owner enter into a Development Agreement (Site Improvements/Services Agreement) with the County should the SSIP indicate that improvements are required.

Payments and Levies

- 7) The Applicant/Owner shall pay the County subdivision endorsement fee in accordance with the *Master Rates Bylaw* for the creation of one (1) new Lot.
- 8) The Applicant/Owner shall pay the Transportation Off-Site Levy (TOL) in accordance with Bylaw C-7356-2014 prior to subdivision endorsement:
 - a) The Transportation Off-Site Levy shall be calculated from the total gross acreage of Lot 1 as shown on the Plan of Survey;
 - b) That the Transportation Offsite Levy shall be deferred on Lot 2 (the remainder).

Taxes

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

D. SUBDIVISION AUTHORITY DIRECTION:

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

Carried

1-18-10-23-13 (J-2)

Division 5 – Subdivision Item – Industrial – Industrial Activity and Public Services District

File: PL20180066 (03329006)

MOVED by Councillor Gautreau that Subdivision Application PL20180066 be approved with the conditions noted in Appendix 'A':

- A. The application to create two ± 1.67 hectare (± 4.13 acre) parcels, two ± 1.10 hectare (± 2.72 acre) parcels, two ± 1.01 hectare (± 2.50 acre) parcels, two ± 1.64 hectare (± 4.05 acre) with a ± 3.82 hectare (± 9.44 acre) remainder within a portion of NW-29-23-28-W04M, having been evaluated in terms of Section 654 of the *Municipal Government Act* and Section 7 of the *Subdivision and Development Regulations*, and having considered adjacent landowner submissions, is approved as per the Tentative Plan for the reasons listed below:

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

Plan of Subdivision

- 1) Subdivision is to be effected by a Plan of Survey, pursuant to Section 657 of the *Municipal Government Act*, or such other means satisfactory to the Registrar of the South Alberta Land Titles District.
- 2) The Owner is to dedicate, by Plan of Survey, a 5.0 m wide portion of land for road widening along the western boundary of Lots 1 and 2.

Development Agreement

- 3) The Owner is to enter into a Development Agreement for provision of the following infrastructure and improvements (further details are provided in the various sections below):
 - i. Construction of a public internal road system (Industrial/Commercial – 400.6 Standard) complete with a cul-de-sac bulb and all associated infrastructure;
 - ii. Mailbox locations are to be located in consultation with Canada Post to the satisfaction of the County;
 - iii. Fire servicing via a drafting hydrant system to the satisfaction of the County;
 - iv. Construction of stormwater facilities in accordance with the recommendations of the approved Stormwater Management Plan, and the registration of any overland drainage easements and/or restrictive covenants as determined by the Stormwater Management Plan;
 - v. Implementation of the recommendations of the approved ESC Plan;
 - vi. Implementation of the recommendation of the approved Construction Management Plan; and
 - vii. Installation of power, natural gas, and telephone lines;
- 4) The Owner shall enter into a Special Improvements Development Agreement for the following required off-site transportation infrastructure in accordance with the approved TIA at the intersection of Range Road 285 and Highway 560, including the following:
 - i. Implementation of a southbound left turning lane at the north leg of the intersection;
 - ii. Modification of the traffic islands at the south leg of the intersection at the SE and SW corners;

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- iii. Local widening of Highway 560 through the intersection to a four (4) lane cross-section in accordance with Alberta Transportation guidelines. The length of the widening in each direction shall be determined at the detailed design stage, to the satisfaction of the County and Alberta Transportation; and
 - iv. Modifications to the signal timings to include appropriate phasing required for all left turning movements at the intersection.

OR

Should an intersectional improvement at Range Road 285/Highway 560 be implemented by others that meets or exceeds the upgrades identified by the approved TIA, the Owner shall pay to the County the relevant cost recoveries plus applicable interest for the improvements to the intersection of Range Road 285/Highway 560, in accordance with the Infrastructure Cost Recovery Agreement. The County shall calculate the total amount owing from the gross acreage as shown on the Plan of Survey submitted for endorsement. Should the owner not enter into a Special Improvements Development Agreement for improvements to the intersection of Range Road 285 and Highway 560, payment of cost recovery to others for the intersectional improvements at Range Road 285/Highway 560 shall be satisfactory to satisfy this condition.

Stormwater

- 5) The Owner is to provide and implement a Stormwater Management Report that meets the requirements outlined in the Janet Master Drainage Plan and CSMI Report. Implementation of the Stormwater Management Plan shall include the following:
 - i. If the recommendations of the Stormwater Management Report require improvements, then the Applicant/Owner shall enter into a Site Improvements / Services Agreement or Development Agreement;
 - ii. Registration of any required easements and/or utility rights-of-way;
 - iii. Necessary approvals and compensation provided to Alberta Environment for wetland loss and mitigation;
 - iv. Necessary Alberta Environment licensing documentation for the stormwater infrastructure system.
- 6) The Owner shall provide a detailed Erosion and Sedimentation Control Plan, prepared by a qualified professional, in accordance with the County Servicing Standards and best management practices.

Site Construction

- 7) The Owner shall provide a Construction Management Plan that is to include, but not be limited to, noise, sedimentation and erosion control, construction waste management, firefighting procedures, evacuation plan, hazardous material containment, construction, and management details. Other specific requirements include:
 - i. Weed management during the construction phases of the project;
 - ii. Implementation of the Construction Management Plan recommendations, which will be ensured through the Development Agreement;

Transportation and Access

- 8) The Owner is to enter into an Agreement, to be registered by caveat, respecting the future acquisition of lands for road widening, and shall include:
 - i. The provision of 3.0 m road widening along the western boundary of the property;
 - ii. The purchase of land by the County for \$1.

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- 9) The Owner is to enter into a Road Acquisition Agreement with the County, to be registered by Caveat on the title of Lots 1 and 2, to serve as notice that those lands are intended for future development as a County road, as per the approved Tentative Plan. The Agreement shall include:
 - i. The provision of 30 m (+/- 0.60 ha) road acquisition along the north/south boundaries of Lots 1 and 2;
 - ii. The purchase of land by the County for \$1.
 - 10) The Owner is to enter into a Restrictive Covenant, to be registered by Caveat prepared by the County, on the title of Lots 1, 2, 3, 4, 8, and 9 that restricts the erection of any structure on or within 15 meters of a future road right-of-way, as shown on the approved Tentative Plan.
 - 11) The Owner shall obtain approval for a road name by way of application to, and consultation with, the County.

Site Servicing

- 12) The Applicant/Owner shall design a central water fire suppression distribution system, including fire hydrants, for firefighting purposes, in accordance with the requirements described in the Fire Hydrant Water Suppression Bylaw (C-7259-2013):
 - i. Construction of the fire suppression collection system shall be included within the Development Agreement;
- 13) The Owner shall legally establish a Lot Owners' Association (LOA), and an encumbrance or instrument shall be concurrently registered against the title of each new lot created, requiring that each individual Lot Owner is a member of the Lot Owners' Association;
 - i. The LOA agreement shall specify the future maintenance obligations of the Lot Owners' Association for Stormwater facilities located on private and public lands.

Others

- 14) The Applicant/Owner is to provide an updated Geotechnical Investigation Report, prepared by a Qualified Geotechnical Professional, licensed to practice in the Province of Alberta, in accordance with the County Servicing Standards, to the satisfaction of the County, which shall include:
 - i. Implementation of a groundwater measurement program within the boundaries of the proposed phase, in accordance with the procedures and duration indicated in the County's Servicing Standards, to get an accurate representation of the groundwater table within the subject lands for consideration into the detailed design of the on-site infrastructure; and
 - ii. Review of the findings of the groundwater measurement program to determine if the infrastructure design recommendations need to be updated or revised; and
 - iii. Establish the loading capacity of the on-site soils for stormwater irrigation purposes. If the on-site soils are deemed to be inadequate, the report is to provide recommendations (i.e.: topsoil thicknesses) to allow for the adequate loading and absorption of stormwater irrigation.
- 15) Utility Easements, Agreements, and Plans are to be registered to the satisfaction of ATCO Gas.

Payments and Levies

- 16) The Applicant/Owner shall pay the County subdivision endorsement fee, in accordance with the *Master Rates Bylaw*, for the creation of eight (8) new Lots.
- 17) The Owner shall pay the Stormwater Off-Site Levy in accordance with Bylaw C-7535-2015 for the gross area of lands to be subdivided prior to entering into the Development Agreement. The County shall calculate the total amount owing:

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- i. From the total gross acreage of the Lands to be subdivided as shown on the Plan of Survey.
- 18) The Applicant/Owner shall pay the Transportation Off-Site Levy (TOL) in accordance with Bylaw C-7356-2014 prior to entering into the Development Agreements. The County shall calculate the total amount owing:

- i. From the total gross acreage of the Lands to be subdivided as shown on the Plan of Survey.

Municipal Reserve

19) The provision of Reserve in the amount of 10 percent for the gross area of the subject site, as determined by the Plan of Survey, is to be provided by payment of cash-in-lieu in accordance with the per acre value listed in the land appraisal prepared by Outlook Realty Advisors Inc. dated June 20, 2018, in the amount of \$125,000.00 per acre. The county shall calculate the total amount owing:

- i. From the total gross acreage of the Lands to be subdivided as shown on the Plan of Survey.

Cost Recovery

20) The County will enter into an Infrastructure Cost Recovery Agreement with the Owner to determine the proportionate recovery of infrastructure money spent by the Owner to construct municipal infrastructure that will consequently provide benefit to other lands:

- i. This Agreement shall apply to the construction of the improvements to the intersection of Range Road 285 and Highway 560.

OR

Should an intersectional improvement at Range Road 285/Highway 560 be implemented by others that meets or exceeds the upgrades identified by the approved TIA, the Owner shall pay to the County the relevant cost recoveries plus applicable interest for the improvements to the intersection of Range Road 285/Highway 560, in accordance with the Infrastructure Cost Recovery Agreement. The County shall calculate the total amount owing from the gross acreage as shown on the Plan of Survey submitted for endorsement. Should the owner not enter into a Special Improvements Development Agreement for improvements to the intersection of Range Road 285 and Highway 560, payment of cost recovery to others for the intersectional improvements at Range Road 285/Highway 560 shall be satisfactory to satisfy this condition.

21) The Owner shall pay to the County the relevant cost recoveries, plus applicable interest, for the improvements to Range Road 285 development area, in accordance with the Infrastructure Cost Recovery Agreement. The County shall calculate the total amount owing from the gross acreage as shown on the Plan of Survey submitted for endorsement.

Taxes

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

D. SUBDIVISION AUTHORITY DIRECTION:

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

Carried

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Adjournment

MOVED by Deputy Reeve Schule that the October 23, 2018 Council meeting be adjourned at 2:50 p.m.

Carried

REEVE

CAO or Designate

PLANNING SERVICES

TO: Council

DATE: November 13, 2018 **DIVISION:** 1

TIME: Morning Appointment

FILE: 03913059 **APPLICATION:** PL20180071

SUBJECT: Redesignation Item – Hamlet Residential Single Family District to Hamlet Commercial District and to add Distillery as a site-specific use

¹POLICY DIRECTION:

The application was evaluated against the policy found within the County Plan and Greater Bragg Creek Area Structure Plan and was found to be compliant:

- The application proposes local employment and small business opportunities within the hamlet, which is consistent with the County Plan;
- The application meets the requirements for commercial uses outside of the hamlet core, which is consistent with the Greater Bragg Creek Area Structure Plan; and
- The application aligns with the vision of the hamlet core and is therefore consistent with the Hamlet of Bragg Creek Revitalization Plan (Revitalize Bragg Creek Plan).

EXECUTIVE SUMMARY:

The purpose of this application is to redesignate the subject land from Hamlet Residential Single Family District to Hamlet Commercial District, and to add Distillery as a site-specific discretionary use to accommodate a distillery, drinking establishment, and liquor sales.

The subject land is currently used for residential purposes and contains an existing dwelling and associated accessory buildings. The dwelling is serviced by municipal water and wastewater systems. The lands are located within the flood fringe of the Elbow River.

Distillery as a discretionary use is only applied to one parcel of land within the hamlet, the Bragg Creek Village Centre on White Avenue, directly south of the Bragg Creek Shopping Centre.

Administration determined that the application meets policy.

DATE APPLICATION RECEIVED: June 14, 2018
DATE DEEMED COMPLETE: July 11, 2018

PROPOSAL: To redesignate the subject land from Hamlet Residential Single Family District to Hamlet Commercial District and to add Distillery as a site-specific use.

LEGAL DESCRIPTION: Lot 13, Block 2, Plan 1741EW within SE-13-23-05-W05M

GENERAL LOCATION: In the hamlet of Bragg Creek.

APPLICANT: Banded Peak Ventures Inc. (Brett Schonekess)

OWNERS: Banded Peak Ventures Inc.

¹ **Administration Resources**
 Sean MacLean, Planning & Development Services
 Eric Schuh, Engineering Services



EXISTING LAND USE DESIGNATION:	Hamlet Residential Single Family District
PROPOSED LAND USE DESIGNATION:	Hamlet Commercial District
GROSS AREA:	± 0.43 hectares (± 1.06 acres)
SOILS (C.L.I. from A.R.C.):	The County soil classification system does not identify a C.L.I. for these lands.

PUBLIC & AGENCY SUBMISSIONS:

Thirteen (13) letters were received in response to 170 letters circulated to adjacent and area property owners when the application was received: six (6) letters in support and eight (8) in opposition. All are available in Appendix 'D'. The application was circulated to a number of internal and external agencies. Those responses are available in Appendix 'A'.

HISTORY:

June 30, 1939 Subdivision Plan 1747 EW was registered at Land Titles, creating the hamlet block structure from Balsam Avenue to north of Pine Avenue. Municipal Reserves were dedicated as part of this subdivision plan.

BACKGROUND:

The subject land is located in the hamlet of Bragg Creek, at the southwest junction of Burnside Drive and Spruce Avenue. The subject land is located just north of the main entry into the hamlet from Highway 22. The lands to the west and north are designated Hamlet Residential Single Family District, the lands to the east are within the Tsuut'ina Nation Reserve No. 45, and the lands to the south are designated Hamlet Commercial.

The topography of the subject land is generally flat and drains from the southwest to the northeast. The subject lands are located within the flood fringe of the Elbow River. Building height, setbacks, flood mitigations, and parking layout would be addressed at the development permit stage. There are two approaches that provide access to the subject lands, one on Spruce Avenue and another on Burnside Drive.

The Applicant/Owner intends to develop a distillery with a retail sales centre, tasting room, and hospitality centre; the craft distillery would be a tourism and destination facility. It is proposed that the retail sales centre, tasting room, and hospitality centre would provide an opportunity for visitors to explore how craft spirits are made, and to taste spirits crafted on site.

The Applicant/Owner held three engagement sessions regarding the proposed redesignation from March 27 to 29, 2018. The sessions were advertised to residents of Bragg Creek and Redwood Meadows through Canada Post flyer services and postings on various community bulletin boards in the hamlet (See Appendix E). The Applicant/Owner submitted that there were approximately 6-10 attendees at each of the engagement sessions.

The existing parcel is serviced by municipal water and wastewater. Sewage pre-treatment, water requirements, stormwater management, and access requirements would be addressed at the development permit application stage.

POLICY ANALYSIS:

County Plan (Bylaw C-7280-2013)

The proposed redesignation aligns with the uses that may be included in hamlets as prescribed in Policy 9.4, as the uses, including Distillery, within the Hamlet Commercial District fall under the designation of "*local commercial uses*".



The proposed redesignation supports “*local employment and small business opportunities*” in the hamlet, as per Policy 9.12, and provides the opportunity to “*accommodate the growth and diversification of the county’s business sectors*” as per Policy 14.1.

Greater Bragg Creek Area Structure Plan (Bylaw C-6260-2006)

Section 7.3 of the Greater Bragg Creek Area Structure Plan provides the vision for commercial development in the hamlet. The portion of the vision as it relates to the location of commercial lands is as follows:

Commercial development within the hamlet has continued to occur in response to market demand, maintaining a concentrated commercial core with its unique character and small town atmosphere. Expansion of the commercial core as it was in 2005 has occurred through infilling and redevelopment of adjacent residential lands in a logical and sequential manner, guided by development standards and architectural controls that have ensured that new development harmonizes with existing development, the natural environment, and with adjacent residential areas.

The subject lands are located adjacent to the Hamlet Core, as illustrated in Figure 10: Hamlet Core. Policy 7.3.3 encourages a variety of commercial development within the Hamlet Core.

The proposal comprises many uses that are included (or are materially similar to) those identified in Policy 7.3.3; specifically drinking establishment, restaurants, retail store, specialty food store, tourism uses/facilities, general, and tourism information services and facilities.

However, Policy 7.3.2 permits commercial, institutional, and mixed-use development outside of the Hamlet Core subject to servicing availability, compatibility and transition into surrounding land uses, potential traffic impacts, and any other assessment required by unique area conditions, to the satisfaction of the County.

Administration reviewed the traffic analysis submitted by the Applicant/Owner and is satisfied that there would not be a significant increase in traffic or impacts to the adjacent transportation network.

The applicant has provided an estimation of the water and wastewater demands of the development, from which Administration determined that additional capacity allocation would be required to be purchased at the development permit stage. A more detailed review of the water and wastewater infrastructure requirements of the development would also be undertaken at the development permit stage.

The subject land is a corner lot, which would reduce conflicts with adjacent parcels, and is directly adjacent to existing commercially-designated lands in the Hamlet Core. While not located within the Hamlet Core of the Greater Bragg Creek Area Structure Plan, they are located in the Hamlet Core as defined by the Revitalize Bragg Creek Plan, a non-statutory policy plan that was accepted in 2015.

The Applicant/Owner submitted that within the Hamlet Core, there are no commercial parcels currently on the market that are able to accommodate a distillery.

The subject land provides for an expansion of the commercial core through infilling and redevelopment of adjacent residential lands in a logical and sequential manner. The design of the development would be addressed at the development permit stage and would be guided by the Hamlet of Bragg Creek Design Standards found within Appendix A of the Greater Bragg Creek Area Structure Plan.

The proposal therefore meets the requirements of commercial, institutional, and mixed-use development outside of the Hamlet Core and is therefore consistent with the Greater Bragg Creek Area Structure Plan.



NON-STATUTORY POLICY ANALYSIS:

Hamlet of Bragg Creek Revitalization Plan (2015)

The subject lands are located in the Hamlet Core of the Revitalize Bragg Creek Plan.

The Revitalize Bragg Creek Plan Hamlet Core is characterized as the commercial core of the hamlet with major transportation connections. The Revitalize Bragg Creek Plan envisions a compact, walkable, mixed-use Hamlet Core that celebrates Bragg Creek’s character and unique identity.

The proposed redesignation enhances the Hamlet Core by providing commercial land that is easily accessible, provides commercial lands for a unique development opportunity, and promotes a compact, mixed-use Hamlet Core.

The proposal therefore aligns with the vision of Hamlet Core and is therefore consistent with the Revitalize Bragg Creek Plan.

CONCLUSION:

The application was reviewed based on the land use strategies and policies of the County Plan, Greater Bragg Creek Area Structure Plan, and the Revitalize Bragg Creek plan. This application is consistent with the relevant land use planning policies. There are no technical concerns, and these aspects would be further considered at the future development permit stage. The proposed land use amendment is consistent with the County Plan and Greater Bragg Creek Area Structure Plan policies for the following reasons:

- The application accommodates the growth and diversification of the county’s business sectors and is therefore consistent with the County Plan;
- The application meets the requirements of commercial, institutional, and mixed-use development outside of the Hamlet Core and is therefore consistent with the Greater Bragg Creek Area Structure Plan; and
- The application aligns with the vision of Hamlet Core and is therefore consistent with the Revitalize Bragg Creek Plan.

OPTIONS:

- Option # 1: Motion #1 THAT Bylaw C-7829-2018 be given first reading.
- Motion #2 THAT Bylaw C-7829-2018 be given second reading.
- Motion #3 THAT Bylaw C-7829-2018 be considered for third reading.
- Motion #4 THAT Bylaw C-7829-2018 be given third and final reading.

Option # 2: That application PL20180071 be refused

Respectfully submitted,

Concurrence,

“Sherry Baers”

Rick McDonald”

Acting General Manager

Interim County Manager

SM/rp



APPENDICES:

APPENDIX 'A': Application Referrals

APPENDIX 'B': Bylaw C-7829-2018 and Schedules A&B

APPENDIX 'C': Map Set

APPENDIX 'D': Circulation Responses

APPENDIX 'E': Applicant Engagement Flyer

APPENDIX A: APPLICATION REFERRALS

AGENCY	COMMENTS
<i>School Authority</i>	
Rocky View Schools	No objection
Calgary Catholic School District	No objection
Public Francophone Education	No comments received
Catholic Francophone Education	
<i>Province of Alberta</i>	
Alberta Environment	Not required for circulation
Alberta Transportation	No objection
Alberta Sustainable Development (Public Lands)	Not required for circulation
Alberta Culture and Community Spirit (Historical Resources)	Not required for circulation
Energy Resources Conservation Board	Not required for circulation
Alberta Health Services	No objection
<i>Public Utility</i>	
ATCO Gas	No objection
ATCO Pipelines	<p>Ground disturbances and surface works within 30 meters require prior written approval from ATCO Pipelines before commencing any work.</p> <ul style="list-style-type: none"> • Municipal circulation file number must be referenced; proposed works must be compliant with ATCO Pipeline' requirements as set forth in the company's conditional approval letter. • Contact ATCO Pipelines' Land Department at 1-888-420-3464 for more information. <p>Any revisions or amendments to the proposed plans(s) must be re-circulated to ATCO Pipelines for further review.</p>
AltaLink Management	No comments received
FortisAlberta	No objection

AGENCY	COMMENTS
Telus Communications	No comments received
TransAlta Utilities Ltd.	No comments received
Rockyview Gas Co-op Ltd.	Not required for circulation
<i>Other External Agencies</i>	
EnCana Corporation	No comments received
Tsuut'ina Nation	No comments received
<i>Rocky View County</i>	
<i>Boards and Committees</i>	
ASB Farm Members and Agricultural Fieldmen	Not required for circulation
Bow North Recreation Board	No objection
<i>Internal Departments</i>	
Municipal Lands	No objection
Development Authority	The minimum parcel size of the HC is 1,858.00 sq. m, which is met by the subject parcel's size of 4,046.86 sq. m. The minimum setback, height, landscaping, and screening requirements will be determined through the Development Permit process.
GeoGraphics	No comments received
Building Services	Not required for circulation
Emergency Services	Having reviewed the circulation, the Fire Service has the following comments: <ol style="list-style-type: none"> 1. Adding a distillery into a residential district increases the fire hazards to the district significantly. A distillery is classified as a F-1 hazard which is a high hazard Industrial occupancy in the Alberta Building Code. Introducing it into a residential district would change the building's requirements for fire protection significantly. The Fire Service will need to discuss ways to mitigate the risk with the developer. All methods will need to meet or exceed the requirements of the Alberta Building Code & the Alberta Fire Code. 2. Please ensure that water supplies and hydrants are sufficient for firefighting purposes for an F-1 occupancy.

AGENCY	COMMENTS
	<p>3. A distillery is required to be sprinklered as per the Alberta Building Code and the Alberta Fire Code.</p> <p>4. Please ensure that access routes are compliant to the designs specified in the Alberta Building Code and the Rocky View County Servicing Standards.</p> <p>There are no further comments at this time.</p>
Enforcement Services	No objection
Infrastructure and Operations-Engineering Services	<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; • It is to be noted that residential lots in the hamlet service area, including the subject lands, purchased water and wastewater capacity under the Bragg Creek Local Improvement Tax. <p>Geotechnical - Section 300.0 requirements:</p> <ul style="list-style-type: none"> • ES has no requirements at this time. • As a condition of future development permit, if any areas of fill are greater than 1.2 metres in depth, the applicant shall submit a Deep Fill Report in accordance with the requirements of the County Servicing Standards. <p>Transportation - Section 400.0 requirements:</p> <ul style="list-style-type: none"> • In accordance with the Greater Bragg Creek Area Structure Plan (GBCASP) 6.2.5, a traffic impact assessment shall be prepared in support of subdivision and/or developments to evaluate vehicular and pedestrian traffic. • The applicant has submitted a Trip Generation Exercise, (Bunt & Associates – July 9, 2018). <ul style="list-style-type: none"> ○ It was determined the development will generate 4 AM peak hour trips and 11 PM peak hour trips. It was concluded that this amount of traffic generation is not significant enough to reduce the level of service on the adjacent road network and does not warrant a full Transportation Impact Assessment. • Due to the proposed development’s close proximity to the Hamlet Core and Balsam Avenue pathway, pedestrian traffic can be easily accommodated; • As a condition of a future development permit, the applicant shall be required to provide payment of the Transportation Off-site Levy in accordance with the applicable levy at time of development permit approval for the total gross acreage of the lands which are actually being developed.

AGENCY	COMMENTS
	<ul style="list-style-type: none"> ○ Only the base levy is applicable to this development. The applicable area shall be calculated from detailed site plans provided at the development permit stage. Given the site area of 1.06 acres, the maximum TOL payment is \$4871. <p>Sanitary/Waste Water - Section 500.0 requirements:</p> <ul style="list-style-type: none"> ● The applicant has estimated that 3.99m³/day of effluent will be generated by the proposed development. <ul style="list-style-type: none"> ○ Of this wastewater generation, 1.82m³/day will be effluent from ancillary uses, which will not be pretreated. 2.17m³/day of wastewater from distilling operations, which will be pretreated using a BruClean System. ○ The ancillary uses were estimated from AEP guidelines, liquor licence establishment water generation = 113 L/day/seat of water. Site plan shows 25 seats, with 5 operating days per week. Daily average ancillary wastewater generation = (113 L/day/seat of water)*(25 seats)*(5 days)*(90% returned as effluent)/(7 days) = 1.82 m³/day of wastewater. ● As a condition of future development permit, the applicant shall purchase any additional Wastewater capacity required for the development in accordance with the County Master Rates Bylaw, as amended. <ul style="list-style-type: none"> ○ The subject lands have purchased wastewater capacity under the Bragg Creek Local Improvement Tax, and currently have an allocation of 1m³/day. ● As a condition of future development permit, the applicant shall enter a Customer Service Agreement with the County for the wastewater services provided. ● At the time of future development permit application, the applicant shall submit a water and wastewater servicing assessment, prepared by a qualified professional, to determine the infrastructure requirements for the proposed development. <ul style="list-style-type: none"> ○ As the existing water and wastewater service lines to the subject lands have been sized for a residential land use, upgrades may be required to meet the increased demands of the proposed development. ○ If the water & wastewater servicing assessment determines that the capacities required are beyond that which can be provided by the existing service lines: as a condition of future development permit, the applicant may be required to enter into a Development Agreement for the upgrading of the service lines and tie-in to the utility mains. In lieu of upgrading the service lines, an on-

AGENCY	COMMENTS
	<p>site solution may be proposed.</p> <ul style="list-style-type: none"> • As a permanent condition of future development permit, all effluent discharged into the municipal wastewater collection system shall be in accordance with the County Sewage Bylaw and Water/Wastewater Utilities Bylaw, as amended. The effluent generated from distilling operations shall be pretreated to a strength stipulated in these County Bylaws. • As a condition of future development permit, the applicant shall provide detailed information in regards to the onsite wastewater pre-treatment system they will be implementing. This shall include system type, performance, and operation and maintenance requirements; • As a condition of future development permit, the applicant/owner of the subject lands shall be required to enter into an Access Easement Agreement with the County, allowing Utility Services to access the premises in order to verify that wastewater strength is in compliance with County Bylaws regulating wastewater disposal and that the proposed pre-treatment system is being operated properly. <ul style="list-style-type: none"> ○ As the County's Bragg Creek Wastewater Collection System is a pressurized sewer, not a gravity sewer, a test manhole cannot be provided.
	<p>Water Supply And Waterworks - Section 600.0 & 800.0 requirements:</p> <ul style="list-style-type: none"> • The applicant has estimated that 4.41m³/day of water will be used by the development. <ul style="list-style-type: none"> ○ The distilling operations will require 2.39 m³/day, and ancillary uses will require 2.02 m³/day. ○ The ancillary uses were estimated from AEP guidelines, liquor licence establishment water generation = 113 L/day/seat of water. Site plan shows 25 seats, with 5 operating days per week. Daily average ancillary water usage = (113 L/day/seat)*(25 seats)*(5 days)/(7 days) = 2.02 m³/day of water. • As a condition of future development permit, the applicant shall purchase any additional Water capacity required for the development in accordance with the County Master Rates Bylaw, as amended. <ul style="list-style-type: none"> ○ The subject lands have purchased water capacity under the Bragg Creek Local Improvement Tax, and currently have an allocation of 1m³/day. • As a condition of future development permit, the applicant shall enter a Customer Service Agreement with the County for the water services provided.

AGENCY	COMMENTS
	<ul style="list-style-type: none"> • At the time of future development permit application, the applicant shall submit a water and wastewater servicing assessment, prepared by a qualified professional, to determine the infrastructure requirements for the proposed development. <ul style="list-style-type: none"> ○ As the existing water and wastewater service lines to the subject lands have been sized for a residential land use, upgrades may be required to meet the increased demands of the proposed development. ○ If the water & wastewater servicing assessment determines that the capacities required are beyond that which can be provided by the existing service lines: as a condition of future development permit, the applicant may be required to enter into a Development Agreement for the upgrading of the service lines and tie-in to the utility mains. In lieu of upgrading the service lines, an on-site solution may be proposed. • At the time of future development permit application, fire suppression measures shall be confirmed to the satisfaction of the County's Fire Services department. <ul style="list-style-type: none"> ○ The applicant has indicated that the portion of the proposed building containing distillery operations will be built to F1 Building Code occupancy, and separated from the remainder of the building by firewall. <p>Storm Water Management – Section 700.0 requirements:</p> <ul style="list-style-type: none"> • The critical requirements of the Bragg Creek Master Drainage Plan are to incorporate LID practices to manage stormwater onsite and limit runoff release rate to 6L/s/ha and ensure that post-development runoff volumes do not exceed pre-development runoff volumes; • As a condition of future development permit, the applicant shall submit a Site-Specific Stormwater Implementation Plan (SSIP). The SSIP shall demonstrate that the site can manage stormwater in accordance with the requirements of the County Servicing Standards and the Bragg Creek Master Drainage Plan (BCMDP). <ul style="list-style-type: none"> ○ The SSIP shall comment on pre and post-development water quality, release rates, and runoff volume control targets. ○ The applicant may be required to enter into a Site Improvements / Services Agreement for the construction of any stormwater management infrastructure if recommended in the SSIP. • As a condition of future development permit, the applicant shall submit an ESC plan, outlining how negative impacts to

AGENCY	COMMENTS
	<p>the Elbow River will be mitigated during construction.</p> <p>Environmental – Section 900.0 requirements:</p> <ul style="list-style-type: none"> • As a permanent condition, any approvals required through Alberta Environment shall be the sole responsibility of the Applicant/Owner. • It is noted that the subject lands are within the flood fringe of the Elbow River. The applicant shall give consideration to the flood fringe requirements of the Land Use Bylaw and the GBCASP.
Infrastructure and Operations-Maintenance	No objections
Infrastructure and Operations-Capital Delivery	No objections
Infrastructure and Operations-Operations	No objections
Agriculture and Environmental Services - Solid Waste and Recycling	No objections

Circulation Period: July 12 – August 2, 2018



BYLAW C-7829-2018

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

The Council of Rocky View County enacts as follows:

PART 1 – TITLE

This Bylaw shall be known as Bylaw C-7829-2018.

PART 2 – DEFINITIONS

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

PART 3 – EFFECT OF BYLAW

- THAT** Part 5, Land Use Maps No. 39 and 39-SE of Bylaw C-4841-97 be amended by redesignating Lot 13, Block 2, Plan 1741 EW from Hamlet Residential Single Family District to Hamlet Commercial District as shown on the attached Schedule 'B' forming part of this Bylaw.
- THAT** Lot 13, Block 2, Plan 1741 EW is hereby redesignated to Hamlet Commercial District as shown on the attached Schedule 'B' forming part of this Bylaw.
- THAT** Section 63.3 of Bylaw C-4841-97 be amended by adding Lot 13, Block 2, Plan 1741 EW to the list of parcels where *Distillery* is a listed discretionary use, as shown on the attached Schedule 'A'.

PART 4 – TRANSITIONAL

Bylaw C-7829-2018 is passed when it receives third reading, and is signed by the Reeve/Deputy Reeve and the Municipal Clerk, as per Section 189 of the *Municipal Government Act*.

Division: 1
File: 03913059/PL20180071

<i>PUBLIC HEARING WAS HELD IN COUNCIL</i> this	day of	, 2017
READ A FIRST TIME IN COUNCIL this	day of	, 2017
READ A SECOND TIME IN COUNCIL this	day of	, 2017
<i>UNANIMOUS PERMISSION FOR THIRD READING</i>	day of	, 2017
READ A THIRD TIME IN COUNCIL this	day of	, 2017

Reeve

CAO or Designate

Date Bylaw Signed



SCHEDULE 'A'

FORMING PART OF BYLAW C-7829-2018

Schedule of textual amendments to Land Use Bylaw C-4841-97.

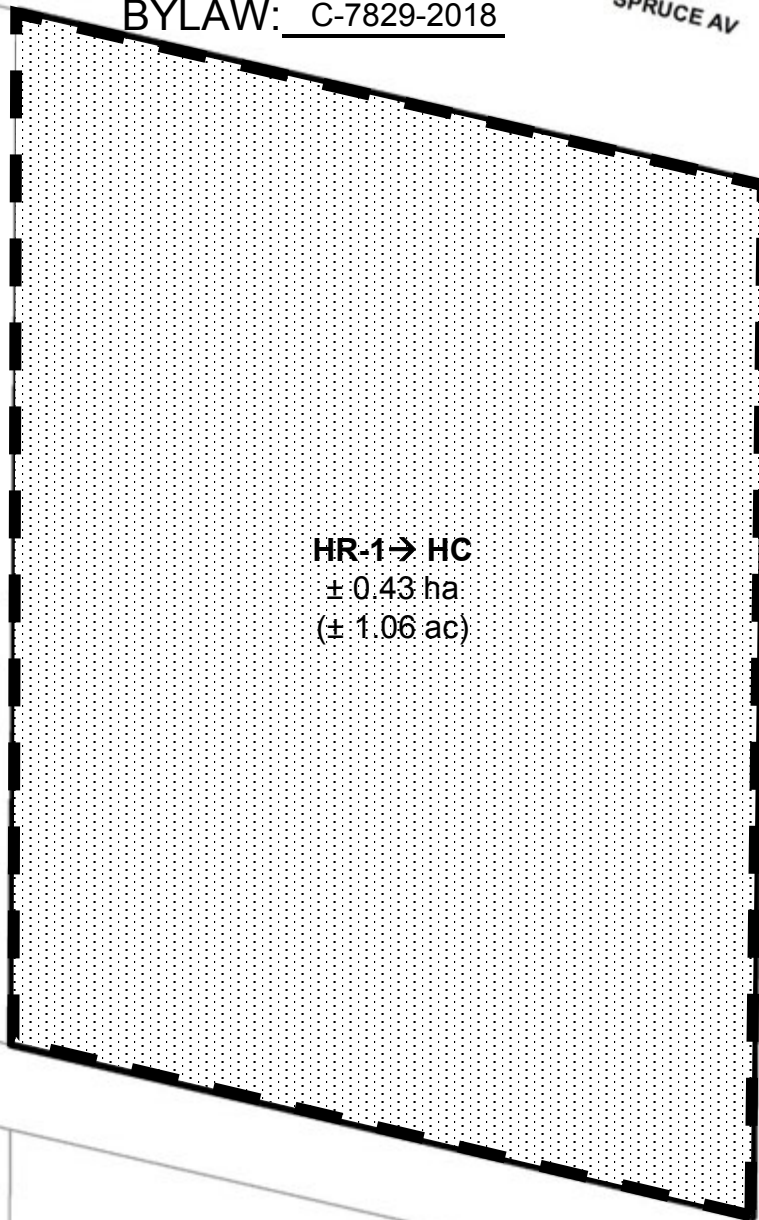
Amendment #1:

Amend *Distillery* within *Section 63.3 – Uses, Discretionary* to read:

Distillery (applicable only to Lot 8, Block 1, Plan 2571 JK and Lot 13, Block 2, Plan 1741 EW)

BYLAW: C-7829-2018

SPRUCE AV



HR-1 → HC
± 0.43 ha
(± 1.06 ac)

BURNSIDE DR

AMENDMENT

FROM Hamlet Residential
Single Family District TO Hamlet Commercial District



Subject Land _____

LEGAL DESCRIPTION: Lot 13, Block 2, Plan 1741EW
within SE-13-23-05-W05M

FILE: 03913059- PL20180071

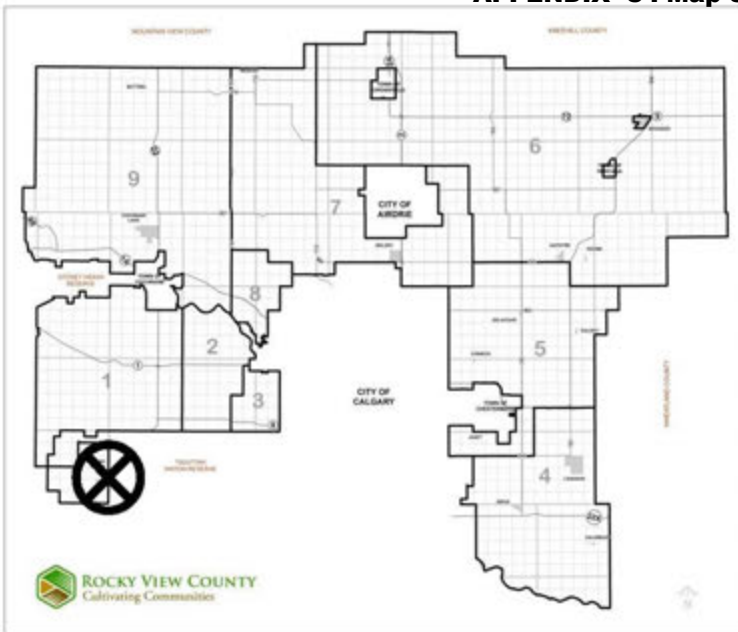
DIVISION: 1



ROCKY VIEW COUNTY
Cultivating Communities

AGENDA

Page 37 of 265



TSUTUTINA NATION RESERVE

LOCATION PLAN



**Lot:13 Block:2 Plan:1741 EW
SE-13-23-05-W05M**

SPRUCE AV

BURNSIDE DR

Redesignation Proposal: To redesignate the subject lands from Hamlet Residential District to Hamlet Commercial District to accommodate a Distillery.

DEVELOPMENT PROPOSAL

**Lot:13 Block:2 Plan:1741 EW
SE-13-23-05-W05M**



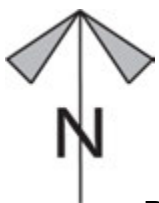


TSUUT'INA NATION RESERVE

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

LAND USE MAP

Lot:13 Block:2 Plan:1741 EW
SE-13-23-05-W05M





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

TOPOGRAPHY

Contour Interval 2 M



Lot:13 Block:2 Plan:1741 EW
SE-13-23-05-W05M

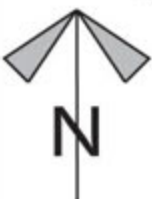


Note: Post processing of raw aerial photography may cause varying degrees of visual distortion at the local level.

AIR PHOTO

Spring 2016

**Lot:13 Block:2 Plan:1741 EW
SE-13-23-05-W05M**



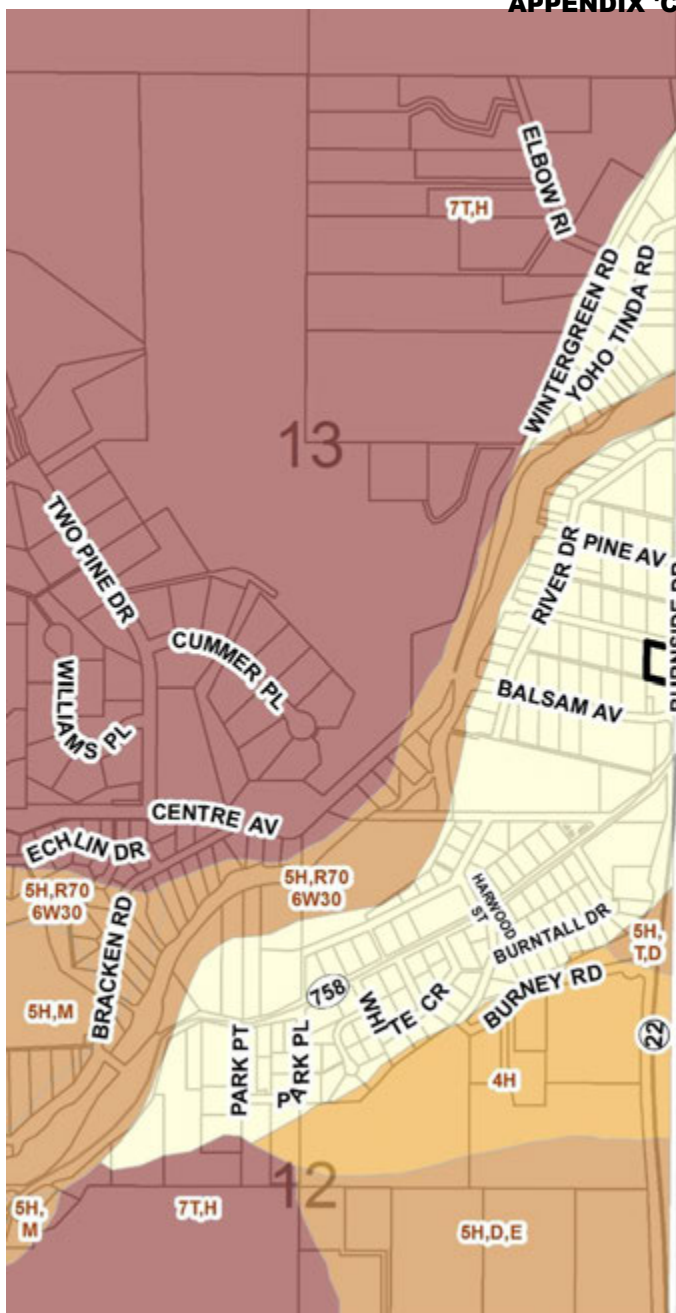
Date: June 22, 2018

Division # 1

File: 03913059

AGENDA

Page 42 of 265

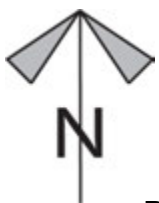


TSUUTINA NATION RESERVE

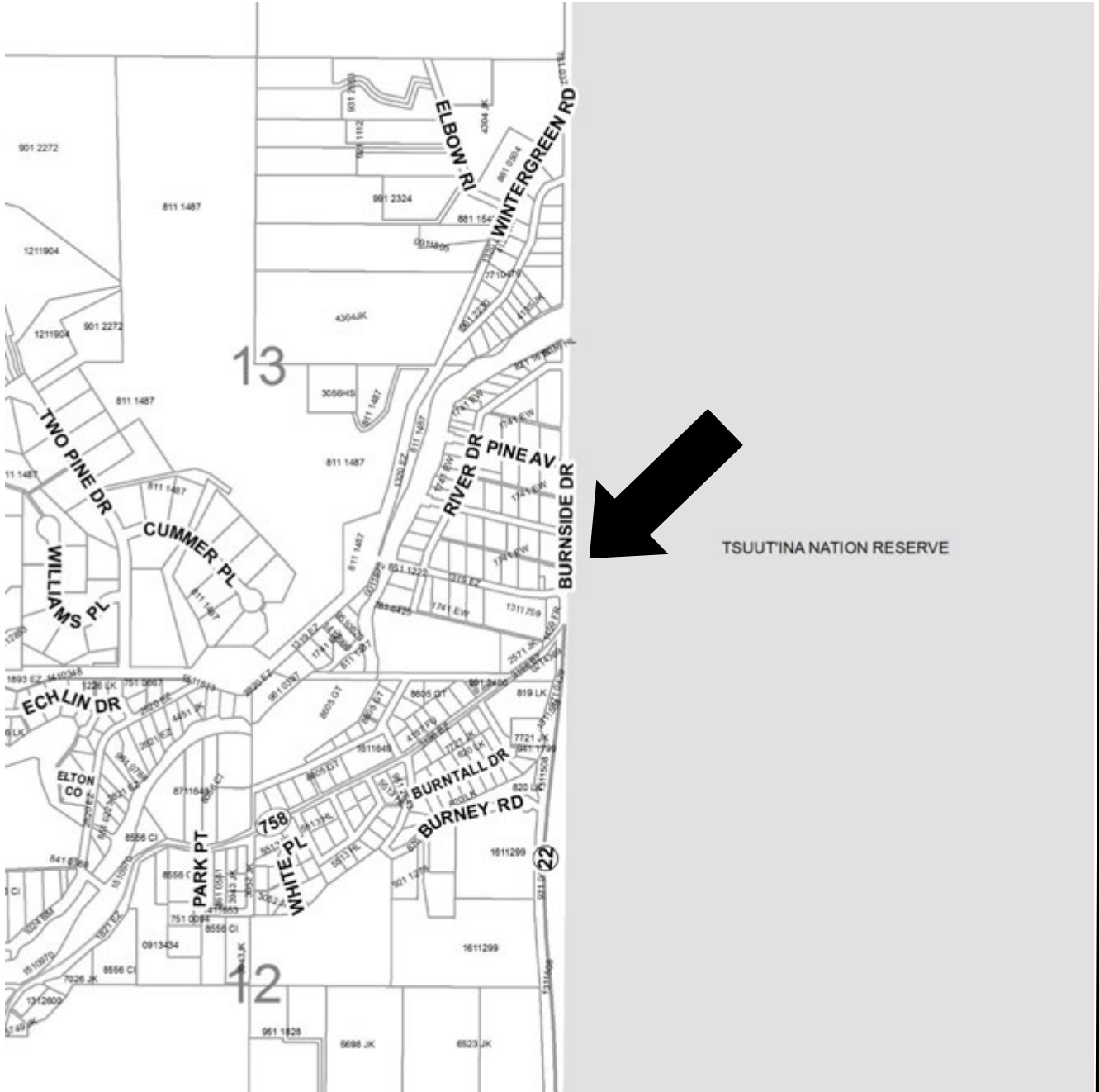
LAND CAPABILITY CLASSIFICATION LEGEND
 Limitations refer to cereal, oilseeds and tame hay crops

CLI Class	Limitations	
1 - No significant limitation	B - brush/tree cover	N - high salinity
2 - Slight limitations	C - climate	P - excessive surface stoniness
3 - Moderate limitations	D - low permeability	R - shallowness to bedrock
4 - Severe limitations	E - erosion damage	S - high sodicity
5 - Very severe limitations	F - poor fertility	T - adverse topography
6 - Production is not feasible	G - Steep slopes	U - prior earth moving
7 - No capability	H - temperature	V - high acid content
	I - flooding	W - excessive wetness/poor drainage
	J - field size/shape	X - deep organic deposit
	K - shallow profile development	Y - slowly permeable
	M - low moisture holding, adverse texture	Z - relatively impermeable

SOIL MAP



Lot:13 Block:2 Plan:1741 EW
SE-13-23-05-W05M



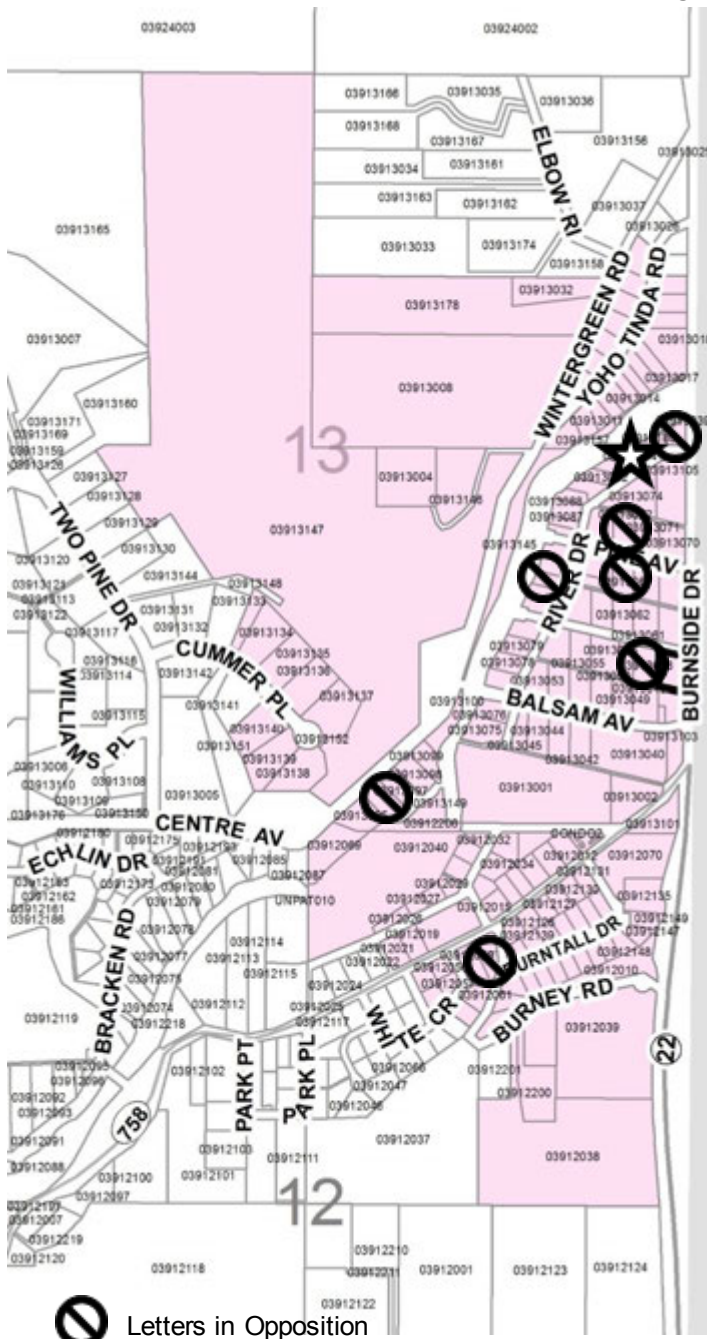
Legend – Plan numbers

- 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:13 Block:2 Plan:1741 EW
SE-13-23-05-W05M**





TSUUT'INA NATION RESERVE

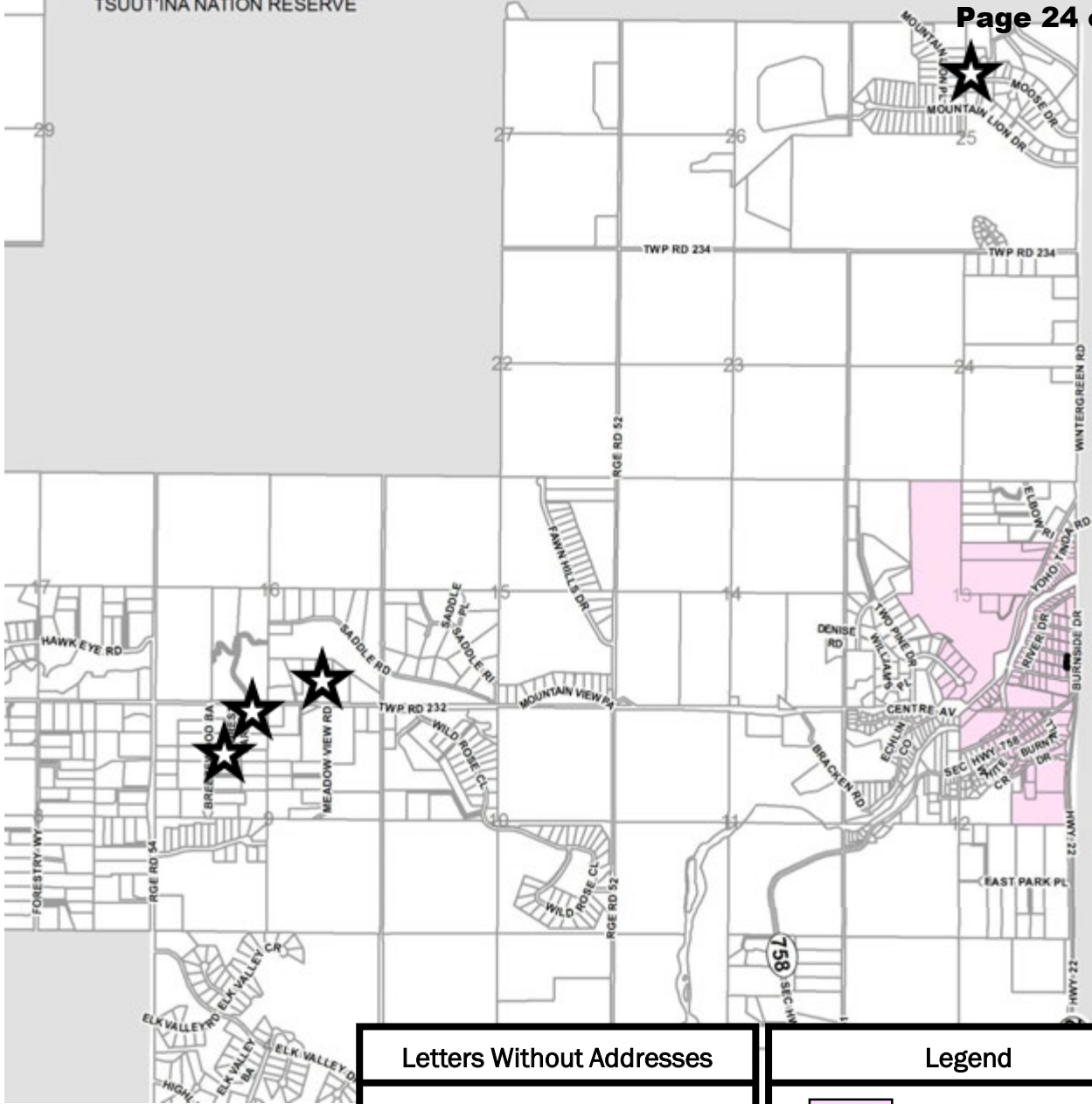
 Letters in Opposition
 Letters in Support



Legend	
	Circulation Area
	Subject Lands



LANDOWNER CIRCULATION AREA

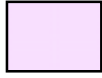

Lot:13 Block:2 Plan:1741 EW
SE-13-23-05-W05M





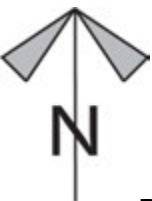
-  Letters in Opposition
-  Letters in Support

- | Letters Without Addresses | |
|---|-------------------|
|  | 1 - In Opposition |
|  | 1 - In Support |

- | Legend | |
|--|------------------|
|  | Circulation Area |
|  | Subject Lands |

LANDOWNER CIRCULATION AREA

**Lot:13 Block:2 Plan:1741 EW
SE-13-23-05-W05M**



Sean MacLean

From: Michele Longo <[REDACTED]>
Sent: Wednesday, August 01, 2018 2:12 PM
To: Sean MacLean
Subject: In Support of Banded Peak Ventures Inc.

Categories: Resident Comments

Hi Sean,

File Number: 03913059

Application Number: PL20180071

We most definitely want to show our support for the new distillery from Banded Peak Ventures Inc. This is exactly the kind of business that would go far in helping Bragg Creek continue to develop as a thriving destination for visitors.

The location seems ideal with very little residential close by, easy access, visibility from the highway and parking for visitors. It would also enhance Bragg Creek’s image as a place keeping up with trends.

We moved to Bragg Creek last summer and we made that decision after reviewing Bragg Creek’s revitalization plan. We have hopes of economic revitalization and a community with an entrepreneurial spirit including development of businesses showcasing local and artisanal products. We believe this new venture would contribute significantly to the Bragg Creek revitalization vision.

In addition, this distillery would offer a new place for people in the community (and visitors) to connect and gather that is very different from the current businesses.

Sincerely,

Michele & Joe Longo

[REDACTED]

Sean MacLean

From: Michael Mace <[REDACTED]>
Sent: Thursday, September 06, 2018 11:11 AM
To: Sean MacLean
Cc: [REDACTED]
Subject: Zoning Redesignation - Bragg Creek Distillers

Categories: Resident Comments

Mr. Sean MacLean,

I am a strong supporter of the project plan submitted for public review by Bragg Creek Distillers.

I fully support the zoning redesignation requested by Bragg Creek Distillers in order to allow them to proceed with their project in Bragg Creek.

Best regards,
Michael Mace

[REDACTED]
Cell: [REDACTED]

brett@braggcreekdistillers.ca

From: Michael Mace <[REDACTED]>
Sent: March 22, 2018 1:31 PM
To: [REDACTED]
Subject: Re: Public Forum

Brett,

Thanks for your prompt response. Given your surname, I suspect that you may have knowledge of a large German company that I worked for in the nineties - Henkel KGaA based in Dusseldorf. I was employed at their oleochemical processing facility in Toronto from 1991-1997 in a series of operational and technical supervisory roles.

After they spun off their global chemicals business circa 1999 as "Cognis", I did contract work on two separate projects at their Cincinnati manufacturing facilities between 2002 and 2007.

My experience and expertise in distillation processes and oleochemical processing was gained at the Toronto Plant. All of our equipment and piping in fatty acid service at the plant was stainless steel in construction.

Looking forward to meeting you!

Michael

Cell: [REDACTED]

On 22 March 2018 at 13:09, <[REDACTED]> wrote:
Hi Michael,
Thanks for your support!
We look forward to meeting you at one of our events.
Would love to discuss more of the operations/process side with you.

Dr. Brett Schönekeß
Founder, Bragg Creek Distillers Inc.
[REDACTED]

-----Original Message-----

From: Michael <[REDACTED]>
Sent: March 22, 2018 12:35 PM
To: brett@braggcreekdistillers.ca
Subject: Public Forum

Hi,

I saw your posting at the post office.

I am quite interested in your distillery proposal and project.

I plan to attend one of your public forums to learn more about it.

I definitely support it!

I am particularly interested in the process side rather than the business side of the proposed distillery.

I have considerable experience with industrial distillation processes, units and equipment for the production of food grade and kosher fatty acids and esters. I am familiar with GMP and CIP systems.

I look forward to meeting you!

Regards,
Michael Mace
West Bragg Creek, AB

Sent from my iPhone

BRAGG CREEK DISTILLERS

COMMENTS & QUESTIONS

COMPLETE & BRING YOUR IDEAS TO ONE OF THE UPCOMING MEETINGS OR SCAN & EMAIL, FAX OR MAIL:

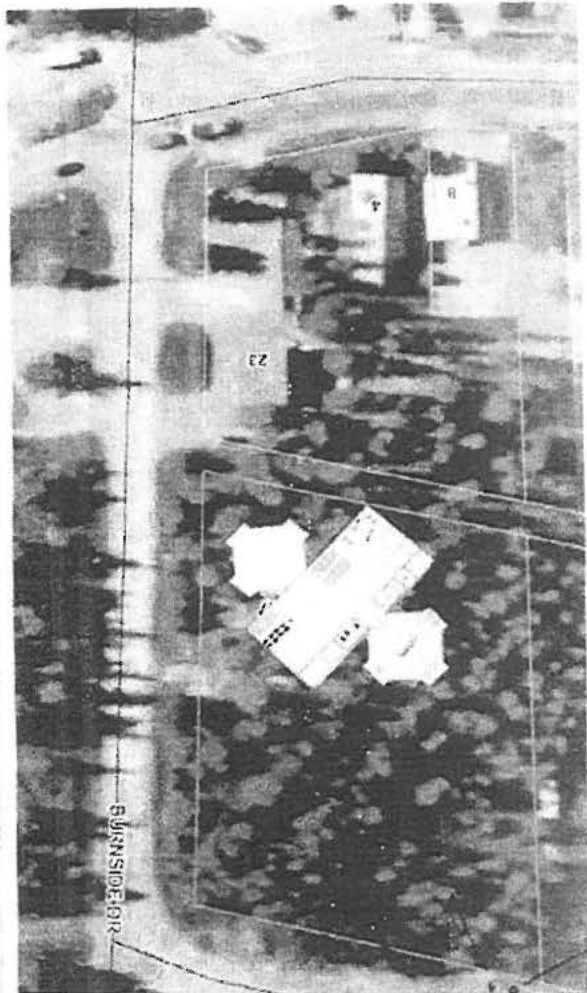
(Can Be Submitted Anonymously By Mail)

brett@braggcreekdistillers.ca

FAX: (403) 949-2667

MAIL:

Bragg Creek Distillers
Box 624, Bragg Creek, AB
TOL OKO



COMMENTS / CONCERNS / QUESTIONS - THANK YOU FOR YOUR IDEAS & PARTICPATION

Best of luck to your business venture.
we support anything that revitalizes
Bragg Creek, + its businesses!

OPTIONAL:

NAME:

Mark Brown
Susan Warrick

TEL:



YEARS IN AREA:

28

EMAIL:

ADDRESS:

wintergreen / Box 1014

BRAGG CREEK DISTILLERS: PO BOX 624, BRAGG CREEK, AB ToL oKo (403) 949-4243

BRAGG CREEK DISTILLERS

COMMENTS & QUESTIONS

COMPLETE & BRING YOUR IDEAS TO ONE OF THE UPCOMING MEETINGS OR SCAN & EMAIL, FAX OR MAIL:

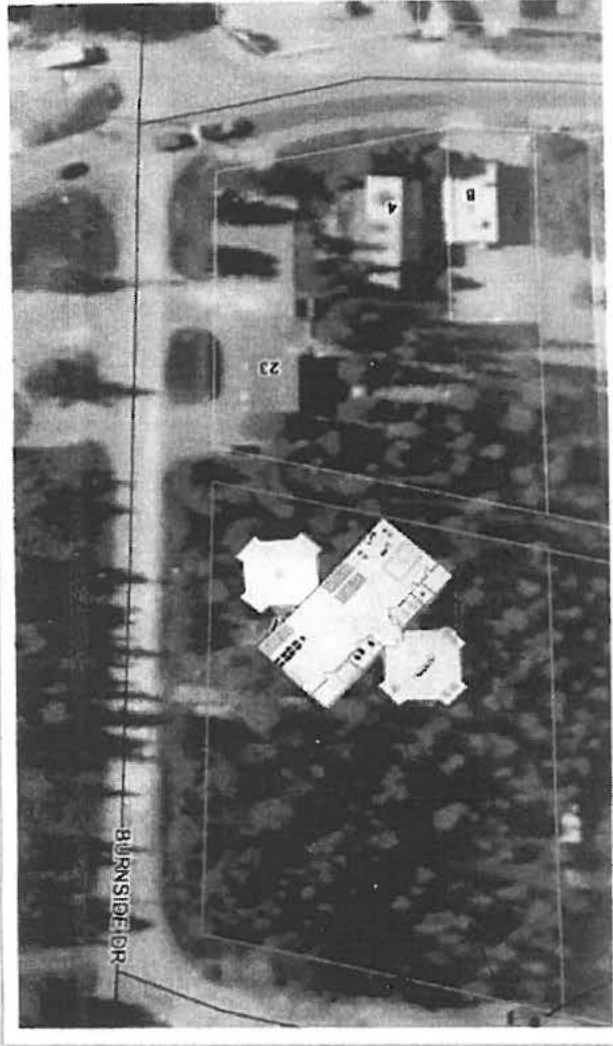
(Can Be Submitted Anonymously By Mail)

brett@braggcreekdistillers.ca

FAX: (403) 949-2667

MAIL:

Bragg Creek Distillers
Box 624, Bragg Creek, AB
TOL OKO



COMMENTS / CONCERNS / QUESTIONS - THANK YOU FOR YOUR IDEAS & PARTICPATION

Great addition to the community to promote tourism & draw people to the area to help in economic growth.

OPTIONAL:

NAME: Sylvia Gibson TEL: [REDACTED] YEARS IN AREA: 30

EMAIL: [REDACTED] ADDRESS: Box 718 Bragg Creek, AB
TOL OKO

BRAGG CREEK DISTILLERS: PO BOX 624, BRAGG CREEK, AB ToL oKo (403) 949-4243

brett@braggcreekdistillers.ca

From: Flora Giesbrecht <[REDACTED]>
Sent: March 24, 2018 9:12 AM
To: [REDACTED]
Subject: new distillery

Hi there Brett,

We think it's wonderful that you are proposing this business and helping to 'Revitalize the Creek'.

Our biggest concern. Building a new business in the Flood Fringe. It is not guaranteed that the building will be protected from future floods, even once the berm is constructed. It may be this is already in the design; the building is best elevated, with no basement, so it is not as vulnerable to flood and has less of an impact on the alluvial aquifer.

Best of luck in this business endeavor!

Flora and Mark Giesbrecht
We reside in Rocky View County (Wild Rose Close)

From: MikeW [REDACTED]
Sent: Friday, October 26, 2018 7:44 AM
To: PAA_ LegislativeServices
Subject: BYLAW C-7829-2018

Deputy Municipal Clerk,

We **SUPPORT** said application, for the following reasons:

- will diversify the economy of Bragg Creek, and add to Rockyview County's tax base;
- will provide a source of employment for local (or other) residents;
- the principals both have a vested interest in the local community, and both have volunteered or been entrepreneurs in Bragg Creek for extended periods of time.

Thank you for including this submission.

Yours truly,
Janice and Mike Wattam

[REDACTED]
NW-09-023-05-5 4-0-0

Sean MacLean

From: jack fileccia <[REDACTED]>
Sent: Tuesday, July 24, 2018 12:43 PM
To: Sean MacLean
Cc: Division 1, Mark Kamachi
Subject: Files Number 03913059 Application Number PL20180071

Categories: Resident Comments

Hello Sean,

I have a concern relating to water usage for this project.

It seems that businesses have absolutely no problem hooking into the water system. In the recent past, there has been a car wash, a burger joint, a new shell station, now a distillery and in the future a brewery.

There are eight properties on Centre Avenue/Bracken Point who have been waiting for water hook up for years. (us 40 years) Every property in the hamlet was even the opportunity for piped in water. Access to our properties was stopped at Bracken Road. The reason is somewhat murky. No explanation was given. We sit and wait. Who knows why? It is time the powers that be look after the long term rate payers before allowing anymore business development.

It may sound petty, but speaking personally, I ma totally against these projects. I do not want my takes paying for something that is not available to me.

Sincerely
Jack and Joan Fileccia
(Giovanni and Nesta)

[REDACTED]

Sean MacLean

From: teri signer <[REDACTED]>
Sent: Thursday, July 26, 2018 12:55 PM
To: Sean MacLean
Subject: File number: 03913059; App No: PL20180071

Categories: Resident Comments

Here is my reply to the application to redesignate the above property to Hamlet Commercial District to accommodate a distillery.

I am opposed to this redesignation for the following reasons:

1) The redesignation will be in a residential neighbourhood. This area, known as North Bragg Creek, is a small, residential neighbourhood, with many families resident. There are only 2 road accesses to this area. They are both off of Balsam Avenue, one at the corner of Balsam Avenue and River Drive North, and the other at Balsam Avenue and Burnside Drive. Rockyview Council has previously approved the site of the Bragg Creek Brewing Company, situated at the corner of Balsam Avenue and River Drive North. This application proposes to build a distillery very near the corner of Balsam Avenue and Burnside Drive. This effectively “bookends” our community with bars and distilleries. The addition of a second distillery in this residential neighbourhood will very negatively affect traffic, access and egress, safety and noise.

2) Traffic. This redesignation would have a big impact on traffic and vehicle access to our homes. I have grave concerns about the ability of this proposed project to offer as much parking as they might require (as I have with the Bragg Creek Brewing site), which will, by default, result in vehicles parking on-street, in front of people’s homes. With families and children around, this creates a serious safety issue as well.

3) Effluent. It is well known that distilleries are a major source of environmental pollution, due to “..dark-coloured water, high biological oxygen demand, chemical oxygen demand, total solids, sulphate, phosphate, phenolics and various toxic metals. Distillery waste water also contains a mixture of organic and inorganic pollutants such as melanoidins, di-n-octyl phthalate, di-butyl phthalate, benzenepropanoic acid and 2 hydroxysocaproic acid and toxic metals, which are well reported as genotoxic, carcinogenic, mutagenic and endocrine disrupting in nature. In aquatic resources, it causes serious environmental problems by reducing the penetration power of sunlight, photosynthetic activities and dissolved oxygen content...In agricultural land, it causes inhibition of seed germination and depletion of vegetation by reducing the soil alkalinity and manganese availability.” (P. Chowdhary, Department of Environmental Microbiology, Babasaheb Bhimrao Ambedkar University). These results are echoed in many reports, such as the Journal of Bioremediation and Biodegradation, Science, Journal of Integrative Environmental Science, etc. The ability of this applicant to pre-address these issues, and the ability of the local waste water treatment plant to treat it are an issue. This would also have repercussions for Bragg Creek potable water as well as downstream applications.

4) Fire Hazard. In the distillation process, ethanol vapour is produced, which is highly flammable and an explosion hazard. Bragg Creek is already an area of high fire risk, without the ability to fight fire easily and quickly, especially without hydrants. In my research, effective fire suppression is extremely difficult to achieve. This proposal presents the addition of an extremely high fire risk to the area, the people and the environment.

Thank you,
Teri Signer

[REDACTED]
tele: [REDACTED]

Sean MacLean

From: Whillier, Wayne <[REDACTED]>
Sent: Sunday, July 29, 2018 1:09 PM
To: Sean MacLean; PAA_Development
Subject: File number: 03913059; App No: PL20180071

Categories: Resident Comments

I oppose the application to rezone the above property to Commercial to allow a distillery on the property.

1. The general area, bounded by Pine Avenue, Spruce Avenue, Burnside Drive, and River Drive N., is presently one of the few remaining quiet residential areas in Bragg Creek, and the only one north of Balsam Avenue. The boundary streets have in recent years seen a very noticeable increase in pedestrian traffic: families walking children, groups of walkers, and dog walkers. They do so knowing that they will not be threatened by the incredible volume of motorcycles, off road vehicles of all descriptions, and the vehicles of off road bicyclists bound for the Kananaskis trails. Any increase in commercial vehicle traffic on the boundary roads will destroy the character of the neighbourhood and disrupt the lives of the residents. The parking problems caused by the proposed Bragg Creek Brewing Company at one end of the community and the proposed distillery at the other will certainly add to the disruption.

2. Distilleries produce a great deal of toxic effluent and ethanol vapour. I was told by a crew that came around several weeks ago checking out water and waste lines that the Bragg Creek water treatment plant was finding a higher than expected amount of solid wastes in the sewage which negatively effected the waste extraction process. That being so, one might rightly wonder if a residential sewage system and waste extraction system are capable of dealing with the amount and kind of toxic effluent the proposed distillery would produce.

3. Bragg Creek needs development for long term survival, so I support development. We now have plenty of beer halls, and possibly a distillery, for the pleasure of the hords of motorcyclists and motorists that swamp the hamlet every fair day. Having done so much for the visitors, now is the time to do something for the residents. Refuse the application. What Bragg Creek really needs is water hydrants. With so much out of town traffic, fire is a constant worry to the people residing here, and our insurance rates are very high. The volunteer fire fighters from Redwood Meadows are well intending, but they are incapable of dealing with a major fire in the Creek. The distillery would enhance the risk of fire because of the ethanol produced in the distillation process. Accordingly, because the proposed distillery would be adjacent to the Tsu T'ina Nation the elders of the band have every right to be consulted on this matter. Has that been done?

W. Whillier
[REDACTED]
Bragg Creek

-----Original Message-----

From: [REDACTED] [mailto:[REDACTED]]

Sent: Wednesday, October 31, 2018 4:06 PM

To: PAA_ LegislativeServices

Cc: AEP minister; banff cochrane; Division 1, Mark Kamachi

Subject: ATTENTION: MUNICIPAL CLERK With regard to Application # PL20180071 File #03913059 Reference By-Law C-7829-2018 - A By-Law of Rocky View County for Land Use Bylaw C-4841-97

October 31, 2018

Rocky View Council
262075 Rocky View Point
Rocky View County

Dear Sir,

We do not support consideration of Bylaw C-7829-2018 to re-designate Lot 13, Block 2, Plan 1741EW of SE-13-23-05-W05M from Hamlet Residential Single Family District (HR-1) to Hamlet Commercial District (HC). We do not support adding a Distillery as a site specific discretionary use, which would accommodate a distillery, drinking establishment and liquor sales on the land identified in your Division #1 - file #03913059.

The existing Area Structure Plan reflects the wishes of the majority of the Bragg Creek landowners and residents. Significant thought, consideration and support was (and still is) behind our current Area Structure Plan. Your consideration of Bylaw C-7829-2018 to re-designate and change the land use contradicts the wishes of the Bragg Creek Hamlet residents.

It is reasonable to expect Municipal Government to protect both Bragg Creek's air quality and the Elbow River, which provides our drinking water. We also expect Municipal Government to foresee public safety hazards that may impact our community. The Elbow River must be protected for both humans, wildlife and fisheries.

A distillery will pollute our air. A distillery's waste water, will contaminate the Elbow River. This river is Bragg Creek's, Redwood Meadow's and Calgary's drinking water source. It is important to note that currently Bragg Creek's drinking water is drawn directly from the Elbow River, through an intake pipe that is located a few meters downstream, from the output pipe, which dumps Bragg Creek's treated waste.

The 2013 Elbow River Flood event was not the 100 year flood. There are recorded flood events where the volume of water coming down the Elbow River was more than double the flood of 2013.

A distillery built on the above referenced property, will sit directly on the flood plain that was under 4 feet of water during the June 2013 flood.

In 2013 the flooding Elbow River raised the underground gasoline tank at the Husky Service Station from below ground level to above ground surface.

Bragg Creek residents still have the Shell Gas Station adjacent Hwy # 22 and the other Highway entering the Hamlet, Hwy #758.

In addition there is an Esso Gas Station with above ground propane tanks at the second major entrance to West Bragg Creek & Kananaskis Country on Balsam Avenue. A wildfire such as the one which moved towards Bragg Creek, Ab. in May 2018, would push the general public to the proposed traffic circle which is currently a busy 4 way stop. You are creating a public safety hazard if you allow construction of a distillery adjacent to Balsam Avenue and Hwy # 22. The proposed distillery would place another extremely flammable facility at the traffic circle.

A distillery is not compatible with the natural, treed, vegetative, riparian area on which the subject land sits. It is not harmonious with either the residential or the commercial sector of Bragg Creek's Hamlet. Bragg Creek's main highway displays placards promoting nature and wildlife. Viewing a distillery with emission stacks at the entrance to the Hamlet is not aesthetic or natural. The smell of distillery emissions sitting as an inversion over our Hamlet is neither healthy nor desirable.

A distillery brings many technical, social and public safety problems. It would come at great expense to the Hamlet residents and landowners. A distillery would also adversely affect the greater community adjacent Bragg Creek's Hamlet. A distillery on the proposed land, would impact the acreages, subdivisions and the TsuuT'ina Indian Reserve and Calgary's drinking water

In addition to the appearance and the air pollution from a distillery, there are many technical problems that would greatly impact the community and environment at large.

THE PROVISION OF WATER

- Distilleries require lots of high quality water.
- It is probable the Hamlet's water system would require upgrading to meet the needs of a distillery.

- It is not reasonable to expect the few residents in the Hamlet to pay for upgraded water and waste disposal to accommodate a distillery.

- As stated previously the waste is currently piped into the Elbow River and expelled upstream to the potable water.

- In addition to the expense, our community does not need the disruption of service installation.

DISPOSAL OF SEWAGE

- A sophisticated waste water system would be required to protect the Elbow River's water quality.

- Distillery waste water is a major aquifer contaminant.

The organic composition of waste water coming from a distillery is dominated by dissolved compounds which cause high biochemical and chemical oxygen demand.

Spent grains, yeast and sugar contribute to fine colloidal solids and filtration acids that make waste water treatment more complicated.

The solids and acids negatively impact the growth and survival rates of fish. The waste reduces oxygen and the water becomes contaminated with ammonia.

- It is not reasonable to expect the residents of the Hamlet to pay for an upgrade to the waste water treatment system meeting distillery standards.

AIR QUALITY

- Winds coming from the north, or north-east will carry the stench of the distillery emissions directly into the Hamlet residential area. The stench will sit as an inversion, in the Elbow River Valley.

SOCIAL PROBLEMS

- There will be an increase in alcohol related enforcement problems in the Hamlet, on the TsuuT'ina Reserve, within Kananaskis Country Provincial Campgrounds, Day Use Areas and acreages / housing subdivisions. Campers, day users and party groups will pick up their liquor right on Hwy#22 at the entrance to the Hamlet of Bragg Creek.

- The Hamlet already has 3 designated stores for liquor sales. It also has a bar and numerous restaurants serving liquor. The existing commercial outlets can not withstand the competition from a distillery.

-The R.C.M.P. do not need additional enforcement problems in this area. Their resources are limited.

PUBLIC SAFETY HAZARDS

- Alcohol is highly flammable. It is not wise to situate a flammable distillery directly beside a major highway (Hwy #22 Calgary Ring Road).

- The proposed land site for the distillery is not only adjacent to the busy highway, it is near a congested / dangerous 4 way stop intersection.

- It is extremely dangerous to build a combustible distillery at the confluence of 4 major egresses which include:
 - the south Hamlet of Bragg Creek entering on Hwy # 758
 - Kananaskis Country Recreational Users coming from Hwy # 66
 - West Bragg Creek residents and Kananaskis Country Users commuting to and from West Bragg Creek on Balsam Avenue
 - Calgary Ring Road general traffic Hwy # 22

- In the event of a Forest Fire (or Hamlet structure fire) the highly combustible distillery located at the junction of major egresses, would present a formidable public safety hazard.

Please leave the subject land as Hamlet Residential Single Family District.

We trust that as our Municipal Government, you will ensure a healthy safe environment for Hamlet residents, adjacent communities (including the City of Calgary), fishery and wildlife that are impacted by your decision.

Respectfully,

Dean and Kathryn Winter [Redacted]
[Redacted] Bragg Creek, Alberta

cc:
Regional Planning Commission

Minister AEP, Shannon Phillips, MLA NDP Cam Westhead, Calgary

Sean MacLean

From: [REDACTED]
Sent: Thursday, August 02, 2018 6:52 PM
To: Sean MacLean
Cc: AEP.minister@gov.ab.ca; banff.cochrane@assembly.ab.ca
Subject: COMMENT ON PROPOSAL FILE # 03913059 APPLICATION # PL20180071

Categories: Resident Comments

Sean MacLean
 Rocky View County
 Planning Services

Dear Sir,

We do not favor re-designation of the land identified in your Division #1 - file #03913059. Subsequently, we do not approve of the applicant's proposal (#PL20180071) which requests to change the subject lands from HAMLET RESIDENTIAL DISTRICT to HAMLET COMMERCIAL DISTRICT to accommodate a distillery.

The existing Area Structure Plan reflects the wishes of the majority of the Bragg Creek landowners and residents. Significant thought, consideration and support was (and still is) behind our current Area Structure Plan. The re-designation proposal in your file #03913059 contradicts the wishes of the Bragg Creek Hamlet residents.

A distillery is not compatible with the natural, treed, vegetative, riparian area on which the subject land sits. It is not harmonious with either the residential or the commercial sector of Bragg Creek's Hamlet.

Bragg Creek's main highway displays placards promoting nature and wildlife. Viewing a distillery with emission stacks at the entrance to the Hamlet is not aesthetic or natural. The smell of distillery emissions sitting as an inversion over our Hamlet is not desirable.

A distillery brings many technical, social and public safety problems. It would come at great expense to the Hamlet residents and landowners. A distillery would also adversely affect the greater community adjacent Bragg Creek's Hamlet. A distillery on the proposed land, would impact the acreages, subdivisions and the TsuuT'ina Indian Reserve.

In addition to the industrial appearance and the air pollution from a distillery, there are many technical problems that would greatly impact the community and environment at large.

THE PROVISION OF WATER

- Distilleries require lots of high quality water.
- It is probable the Hamlet's water system would require upgrading to meet the needs of a distillery.
- It is not reasonable to expect the few residents in the Hamlet to pay for upgraded water and waste disposal to accommodate a distillery.
- In addition to the expense, our community does not need the disruption of service installation.

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The solids and acids negatively impact the growth and survival rates of fish. The waste reduces oxygen and the water becomes contaminated with ammonia.

- It is not reasonable to expect the residents of the Hamlet to pay for an upgrade to the waste water treatment system meeting distillery standards.

AIR QUALITY

- Winds coming from the north, or north-east will carry the stench of the distillery emissions directly into the Hamlet residential area. The stench will sit as an inversion, in the Elbow River Valley.

SOCIAL PROBLEMS

- There will be an increase in alcohol related enforcement problems in the Hamlet, on the TsuuT'ina Reserve, within Kananaskis Country Provincial Campgrounds, Day Use Areas and on adjacent acreages / housing subdivisions. Campers, day users and party groups will pick up their liquor right on Hwy#22 at the entrance to the Hamlet of Bragg Creek.

- The Hamlet already has 3 designated stores for liquor sales. It also has a bar and numerous restaurants serving liquor. The existing commercial outlets can not withstand the competition from a distillery.

-The R.C.M.P. do not need additional enforcement problems in this area. Their resources are limited.

PUBLIC SAFETY HAZARDS

- Alcohol is highly flammable. It is not wise to situate a flammable distillery directly beside a major highway (Hwy #22 Calgary Ring Road).

- The proposed land site for the distillery is not only adjacent to the busy highway, it is very close to a congested / dangerous 4 way stop intersection.

- It is extremely dangerous to build a combustible distillery at the confluence of 4 major egresses which include:

- the Hamlet of Bragg Creek

- Kananaskis Country Recreational Users coming from Hwy # 66

- West Bragg Creek residents and Kananaskis Country Users commuting to / from West Bragg

Creek

- Calgary Ring Road general traffic Hwy # 22

- In the event of a Forest Fire (or Hamlet structure fire) the highly combustible distillery located at the junction of major egresses, would present a formidable public safety hazard.

Please leave the subject land as Hamlet Residential.

We trust that as our Municipal Government, you will do what is best for the Hamlet residents and the adjacent communities / agencies that are impacted by your decision.

Respectfully,

Dean and Kathryn Winter @ [REDACTED] cc: Minister of AEP, SHANNON
PHILLIPS, MLA NDP CAM WESTHEAD, CALGARY REGIONAL PARTNERSHIP

2 PAGES

1

OCT 21/2018
RETURN TO SENDER
2^o TIME - ALTKS

Sean MacLean
Planning Service Department
Rocky View County
911-32 Avenue NE
Calgary AB, T2E 6X6

RE: File Number 03913059 / Application # PL20180071

Dear Mr. MacLean

I OPPOSE THIS APPLICATION.

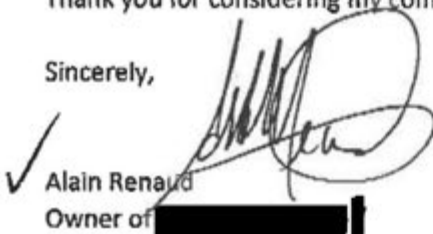
I am writing so you can consider my comments while reviewing the re-designation of the subject lands under the above-mentioned application from Residential to Commercial.

My concerns are as follows:

1. The designation from residential to commercial will adversely affect the resale value of residential homes in the area.
2. The commercial property will have increased foot and vehicle traffic causing additional disturbances to residential property owners. Increase in noise levels, dust, and light could be disruptive to current residential owners. This disruption would go beyond the construction phase given the nature of the proposed use.
3. Given the nature of the proposed business it is likely residents of the area will see increased garbage and litter.
4. Adequate parking would need to be provided on the property allowing vehicles to not have to back onto the road to exit the property safely.
5. Any construction on the property will likely cause water drainage changes. There are four known water drainage ways on the property. Changing the path of draining water will adversely affect neighboring properties.
6. Although Fencing would be beneficial to keep property customers from accessing residential properties, either by accident or intentional, fencing would alter water flow again adversely impacting neighboring properties.

Thank you for considering my comments

Sincerely,



Alain Renaud
Owner of [REDACTED]

President of Domanick Oilfield Services Ltd. Title owner of 2 Neighboring properties.

- NOT INCL FIRE SAFETY! +
- CULVERT ON THE CORNER OF
STRUCE + BURNSIDE DR.
PROPER LANDSAPING/WEED CONTROL

* LOT 2-2-1741EW. LOT 2-2-1741EW
* LOT 1-2-1741EW. LOT 3-2-1741EW
23 BURNSIDE DRIVE RESIDENTIAL + 4 BALSAM AVE BED

2 PAGES
①



Sean MacLean
Planning Service Department
Rocky View County
911-32 Avenue NE
Calgary AB, T2E 6X6

RE: File Number 03913059 / Application # PL20180071

Dear Mr. MacLean

I am writing so you can consider my comments while reviewing the re-designation of the subject lands under the above-mentioned application from Residential to Commercial.

My concerns are as follows:

1. The designation from residential to commercial will adversely affect the resale value of residential homes in the area.
2. The commercial property will have increased foot and vehicle traffic causing additional disturbances to residential property owners. Increase in noise levels, dust, and light could be disruptive to current residential owners. This disruption would go beyond the construction phase given the nature of the proposed use.
3. Given the nature of the proposed business it is likely residents of the area will see increased garbage and litter.
4. Adequate parking would need to be provided on the property allowing vehicles to not have to back onto the road to exit the property safely.
5. Any construction on the property will likely cause water drainage changes. There are four known water drainage ways on the property. Changing the path of draining water will adversely affect neighboring properties.
6. Although Fencing would be beneficial to keep property customers from accessing residential properties, either by accident or intentional, fencing would alter water flow again adversely impacting neighboring properties.

Thank you for considering my comments

Sincerely,

Alain Renaud
Owner of [REDACTED]

President of Domanick Oilfield Services Ltd. Title owner of 2 Neighboring properties.

- NOT INCL FIRE SAFETY! +
- CULVERT ON THE CORNER OF
STRUCE + BURNSIDE DR.
PROPER LANDSAPING/WEEED CONTROL

2

SPRUCE AV

4 MAJOR WATER FLOW.

PLUS 2 FEET OF WATER. 2013 FLOOD

PLUS 8 FT. DEPTH.

HIGHEST !!
+ SMALL.

BURNSIDE DR

7 SPRUCE

PARKING LOT.

12 BALSAM AVE

4 BALSAM.
43 BURNSIDE DRIVE.

Redesignation Proposal: To redesignate the subject lands from Hamlet Residential District to Hamlet Commercial District to accommodate a Distillery.

DEVELOPMENT PROPOSAL

Lot:13 Block:2 Plan:1741 EW
SE-13-23-05-W05M

Date: June 22, 2018 Division # 1 File: 03913059



Joni and Duane Peperkorn
[REDACTED]
[REDACTED]
Bragg Creek, Alberta
[REDACTED]

July 27, 2018

Sean Maclean
Planning Services Department
Rocky View County
911- 32 Avenue NE
Calgary, Alberta
T2E 6X6**RE: File: 03913059****Application: PL20180071**

Dear Mr. MacLean,

I am writing to object to the proposal to redesignate the lot at 27 Burnside Drive in the hamlet of Bragg Creek from Hamlet Residential District to Hamlet Commercial District. I find the use stipulated, a Distillery, to be completely unsuitable for the residential area in which it is located.

Firstly, I question whether zoning a Distillery as "Hamlet Commercial" is appropriate. Per the RVC Land Use Bylaw (see below), the distillery would be more appropriately zoned as "General Industry II" as it is the process of raw materials into a finished product. It also introduces the nuisance and environmental factors of noise and odour which would extend beyond the boundaries of the site.

GENERAL INDUSTRY TYPE II means those developments in which all or a portion of the activities and uses are carried on outdoors, without any significant nuisance or environmental factors such as noise, appearance, or odour, extending beyond the boundaries of the site. Any development where the risk of interfering with the amenity of adjacent or nearby sites, because of the nature of the site, materials or processes, cannot be successfully mitigated shall be considered a General Industry Type III;

I realize that Kelliher Developments successfully applied to have a Distillery included in discretionary uses for Hamlet Commercial District specific to one lot (*Lot 8, Block 1, Plan 2571* see below). In that case, the lot was fully surrounded by commercial lots within the hamlet's existing commercial district. The nuisance and environmental factors of noise and odour would have been far less intrusive in the commercial district than they will be in a residential area.

63.3 Uses, Discretionary

*Amusement and Entertainment Services
Animal Health Care Services
Automotive, Equipment and Vehicle Services
Auctioneering Services
Child Care Facilities*

Commercial Communications Facilities - Type "A"
Distillery (applicable only to Lot 8, Block 1, Plan 2571 JK) LUB 10/10/2017
Drinking Establishment
Dwelling unit accessory to the business use Greenhouses and ancillary uses
Liquor Sales
Offices
Outdoor Cafe
Outdoor Storage, Truck Trailer
Recycling Collection Point
Signs
Special Care Facilities
Truck Trailer Service
Warehouse Stores

Secondly, the Greater Bragg Creek Area Structure Plan was revised in 2016; one addition was the creation of a "commercial core" within the hamlet of Bragg Creek. This core area identified several properties that are currently zoned residential that would sensibly fit with a prosperous commercial district. 27 Burnside Drive is not one of these properties.

Bragg Creek has many vacant commercial spaces available; many are eyesores in the hamlet's commercial district. The property at 27 Burnside Drive is adjacent to two residences. It is separated from the hamlet's core and converting this property would create commercial sprawl without filling the voids in the middle.

The revitalization of Bragg Creek is in the best interest of every resident of the area, but it must be done sensibly, or the net result will be a mess that will repel residents and the visitors that the hamlet is trying to attract.

Please deny the application to convert the subject land from residential to commercial.

Sincerely,



Joni Peperkorn
Duane Peperkorn

brett@braggcreekdistillers.ca

From: Robert Bartlett <[REDACTED]>
Sent: March 29, 2018 7:34 AM
To: brett@braggcreekdistillers.ca
Subject: Bragg Creek Distillers / Area Residents Concerns

Hi Brett,

Thank you for the invitation to the public Forum concerning plans for the Bragg Creek Distillers. The project's transparency and community input is greatly appreciated. Regretfully, I am unable to attend due to conflicts with my work schedule.

My concern with the project is that I fear it may further encourage a " DRINK AND DRIVE" culture where the Distillery invites customers (largely from Calgary) to visit our community, sample your products and then drive home.

I'm afraid this practise could put a number of impaired drivers on our local hi-ways.

Granted, it is the same philosophy that " The Powder Horn " and " The Rockies" and the already existing, TWO liquor stores embrace, and I question the need to have another liquor vendor in a community this small. What are your thoughts in this regard?

Sincerely,
Rob Bartlett

BRAGG CREEK DISTILLERS

COMMENTS & QUESTIONS

COMPLETE & BRING YOUR IDEAS TO ONE OF THE UPCOMING MEETINGS OR SCAN & EMAIL, FAX OR MAIL:

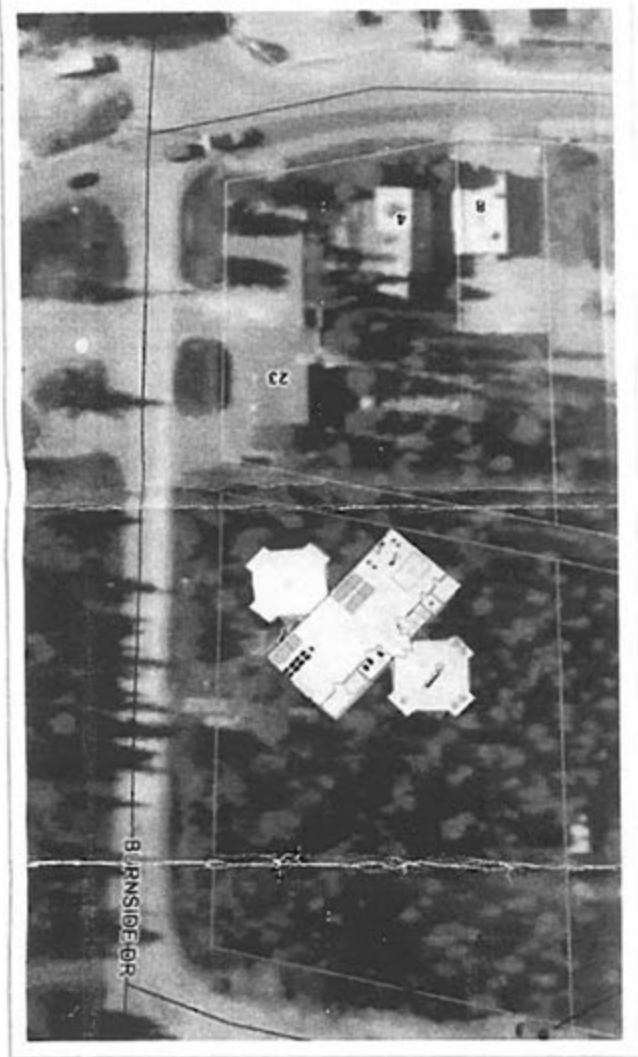
(Can Be Submitted Anonymously By Mail)

brett@braggcreekdistillers.ca

FAX: (403) 949-2667

MAIL:

Bragg Creek Distillers
Box 624, Bragg Creek, AB
TOL OKO



COMMENTS / CONCERNS / QUESTIONS - THANK YOU FOR YOUR IDEAS & PARTICPATION

See attached sheet regarding my thoughts on this development. Thanks for the opportunity to see what's proposed.
J. Mackenzie

OPTIONAL:

NAME: Joan Mackenzie TEL: [REDACTED] YEARS IN AREA: 38
EMAIL: N/A ADDRESS: Box 729 / 91 River Drive N.

BRAGG CREEK DISTILLERS: PO BOX 624, BRAGG CREEK, AB ToL oKo (403) 949-4243

██████████
Bragg Creek, Alta.
██████████

July 16, 2018



Attn: Sean MacLean, Planning Services
Rocky View County
911 – 32 Ave. N. E.
Calgary, Alta.
T2E 6X6

Dear Sir:

RE: File # 03913059; Application #PL20180071

I am opposed to the redesignation of this lot for a distillery for the following reasons:

1. Creeping commercialism into a residential area which sets a precedent for other commercial intrusions designed to disrupt the lifestyles of the residents.
2. Increased traffic, both pedestrian and vehicular, resulting in more trespassing, parking issues, and lifestyle disruption plus the increased danger of fire when patrons head into Tsuu T'ina lands and start fires. (See #2 of enclosed letter).
3. Light pollution becomes a serious problem. Increased light from businesses negatively impacts the lives of those who moved here to get back to dark skies. Increased light pollution also disrupts the natural inhabitants who are important to our ecosystem.
4. Removal of another residential lot from an already limited market for those who wish to live here. Part of the Revitalization Plan is to attract more people to live in the community. Taking away another residence does not fit with this goal.

After the Distillery group's March 28 informational meeting, I sent them a letter expressing my questions and thoughts on this proposed development. Obviously my April 2 letter as a concerned resident wasn't deemed important enough to warrant a reply so I am enclosing a copy of said letter with my objections to the redesignation. I believe that these are valid concerns that need to be noted and dealt with, either by Council, by the applicants or both, before anything further proceeds.

I urge you to reject this redesignation until concerns are dealt with.

Yours truly,

Joan F. MacKenzie
Hamlet Resident ██████████

[REDACTED]
Bragg Creek, Alta.
T0L 0K0
October 16, 2018

Deputy Municipal Clerk
Rocky View County
262075 Rocky View Point
Rocky View County, Alta.
T4A 0X2

Dear Sir or Madam:

RE: Bylaw C-7829-2018 - Application #PL20180071 (03913059) Redesignation from HR-1 to Hamlet Commercial for a Distillery

I am again writing to oppose this redesignation for the reasons stated in my letter of July 16, 2018.

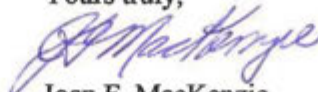
In summary, I oppose this redesignation for the following reasons:

1. Removing another designated residential lot does not encourage people to move to the community, one of the stated goals of the Revitalization Committee. Given the shortage of rental units and small houses, redesignating this lot to Commercial flies in the face of revitalization.
2. Adding a major commercial enterprise into a residential community is one more example of precedent-setting for future commercial intrusions into the lifestyle that we as residents moved here to enjoy.
3. Redesignation will bring increased traffic, light pollution, trespassing, lifestyle disruption, and danger of fire with more people heading into the neighbourhood and onto Tsuu T'ina lands. Without a hamlet-based police service, this can lead to many law violations.
4. A distillery designation is diametrically opposed to the advertised image of Bragg Creek as a family-friendly community focusing on and supporting healthy, outdoor pursuits. We already have many licensed restaurants catering to the tourist and local trade without putting in a huge distillery at the entrance to the community.

I am again enclosing a copy of the letter sent to the Bragg Creek Distillers on April 2, 2018 which expresses my concerns and questions. To date I have had no response to this letter so the issues and my opposition still stand.

I urge you to turn down this redesignation for the reasons that I have stated in this letter and previous letters.

Yours truly,


Joan F. MacKenzie

[REDACTED]
Bragg Creek Resident

April 2, 2018

To The Bragg Creek Distillers:

These are my thoughts, comments and concerns regarding the proposed distillery on Burnside Drive.

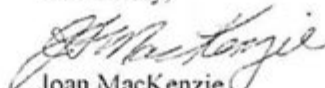
1. Creeping Commercialism into a residential neighbourhood sets a precedent for other commercial enterprises moving in to intrude on the lifestyle residents moved here to enjoy.
2. Increased traffic, both vehicular and pedestrian, will occur no matter what your onsite parking and local business promotion provides. This will also result in more trespassing, not only on residents in the north end of the community but also into the Tsuu T'ina lands to the north and east. With this pedestrian traffic comes more risk of fire and property damage. Cases in point, I've had wood stolen from my wood pile by individuals climbing my fence and heading off to light fires in the Reserve, had campers park on the water treatment plant road behind my place, and people blocking my gate with vehicles as they wander around the neighbourhood. Since most business owners do not reside in the hamlet, they are often oblivious to the problems created and some by their own admission could care less as long as they make the money.
3. Light pollution is a serious problem. Recently studies have shown that those raised in areas of perpetual light lack proper eye development, have disrupted sleep patterns, and have an increased risk for several diseases, cancer being one. Before these studies were even done, those of us who brought Calgary kids out on Outdoor Ed. excursions were noticing that they lacked night vision with little adaptation capability for darkness. We didn't have to spend millions on scientific studies to come to that conclusion either.
4. If the purpose of this project is to revitalize Bragg Creek, how many full time jobs will be created? What the community really needs is good-paying job opportunities to encourage folks to move here and not to have to commute for work. With the high costs of fuel and minimum wage jobs geared more to students than family breadwinners, it can put a damper on the attraction of moving to the community.
5. You mentioned the 2-ounce limit on the tasting of spirits. This is the equivalent of 2 drinks spread over an indefinite time with only cheese and crackers or other snacks. Speaking from sad personal experience, 2 ounces can impair a person. The fellow who killed my niece's fiance was under the legal limit after 2 drinks but admitted to a degree of impairment when he lost control of the vehicle. The guy who killed my nephew was under the influence of both dope and alcohol, and before the toxicology results came back, he'd already killed someone else in another impaired vehicular accident. We live in a community where there is no public transportation and no on-site police service. With the marijuana legalization, there is a far greater opportunity for impaired driving from multiple sources. Combine this with an increased susceptibility to impairment for those who have been doing heavy-duty biking or hiking. What would be your solution to these issues, particularly if your aim is to attract tourists who will have to be on the road to return to their places of residence?
6. Have you done a boots-on-the-ground survey of those whom you wish to encourage to stop at your distillery on their way to or from the recreation opportunities the area has to offer? A simple way to do this would be to ask those who are either leaving or coming back to places

like the West Bragg Parking Lot, Elbow Falls or Forget-Me-Not Pond, just to mention a few well-visited attractions. Spending a few days in those areas and asking a simple question "Would you be interested in coming to Bragg Creek Distillers before or after your hike/bike/picnic/etc. – yes or no?" would be all that would be needed to garner the necessary information. Of course, those with families would automatically be eliminated from attendance due to liquor laws regarding minors but should be included in the survey as part of a representative sample of the recreational population.

7. How much local support is there for this development? We know that 85% to 95% of the support for local business success has to come from the local community, particularly in winter. Without that local support, businesses struggle to survive and many don't make it. Our food store is experiencing this struggle right now. Another case in point was the candle shop that used to be next to Curves Fitness. The owners closed because there was not enough local support to supplement the tourist trade, and that was before the recession and the flood. As the owner was reminded by a Curves client, "There's a finite limit to the number of candles can one buy to support this local business?" Therefore, it's a serious question that when people have tried it and the novelty wears off, is there still going to be a supportive base from the community as well as tourists for this business?
8. The advertised image of Bragg Creek is as a family-friendly community that supports healthy, outdoor activities. Someone referred to the situation like Newfoundland's pub on every corner. However, they failed to mention that Newfoundland has one of the highest rates of alcohol abuse in Canada. How does a distillery at the entrance to the community and a proposed brewery down Balsam Ave. just before the bridge fit in with this focus on family health and wellness through recreational opportunities here?
9. It was disturbing and insulting to hear you say that people have property but they aren't "doing anything with it". The lots/cabins down the street from your proposed development and elsewhere in Bragg Creek have been in families for generations. They have paid their taxes regularly, often helping out in the community as suitable opportunities arose. They have asked for nothing more than to be able to use their properties for family recreation when they can or perhaps build retirement homes when that time comes. That's a far different scenario than speculative investment in a community. I have a large lot that could be considered one that is "not doing anything." However it is providing me with the lifestyle that I pay for in my annual charitable contribution (a.k.a. property tax) to the county and that I moved from the city to avoid – away from the perpetual noise, light, sterility, and overcrowding which I hated.

In closing, these are the questions, comments and concerns that I have seriously thought about since the informational meeting on March 28. Thank you for your consideration in this matter that will impact our community.

Yours truly,


Joan MacKenzie
Hamlet Resident

BRAGG CREEK DISTILLERS**PUBLIC FORUM - JOIN US**

TUESDAY MARCH 27TH 5 – 8 PM

BRAIN BAR: OLD WEST MALL/ Unit 1, 27 Balsam Ave.

WEDNESDAY MARCH 28TH 5 – 8 PM

POWDERHORN SALOON

THURSDAY MARCH 29TH 5 – 8 PM

BRAIN BAR: OLD WEST MALL/ Unit 1, 27 Balsam Ave.

Hi Friends - Please join us for one of these nights.

This is your chance to register your approval, concerns, questions and/or rejection of this proposed development prior to our applications to RockyView County.

All submissions (good, bad and constructive), will be added to our re-designation and development permitting applications.

This project is made up of local small investors that want to witness the start of Bragg Creeks revitalization with this exciting project located at the entrance to our community.

We will also be tasting some of the finest Craft Distillers products in western Canada.

If you would like to have our complete package emailed to you prior to the event – please request.

Your RSVP to these meetings is appreciated.

John & Jacquie Hromyk

EMAIL: jhromyk@smartcontractor.ca

PHONE: (403) 949-4243

Brett Schonekess & Gabrielle Zimmermann

EMAIL: brett@braggcreekdistillers.ca

PHONE: (587) 897-1731



BRAGG CREEK DISTILLERS



COMMENTS & QUESTIONS

COMPLETE & BRING YOUR IDEAS TO ONE OF THE UPCOMING MEETINGS OR SCAN & EMAIL, FAX OR MAIL:

(Can Be Submitted Anonymously By Mail)

brett@braggcreekdistillers.ca

FAX: (403) 949-2667

MAIL:

**Bragg Creek Distillers
Box 624, Bragg Creek, AB
TOL OKO**



COMMENTS / CONCERNS / QUESTIONS – THANK YOU FOR YOUR IDEAS & PARTICPATION

OPTIONAL:

NAME: _____ TEL: _____ YEARS IN AREA: _____
 EMAIL: _____ ADDRESS: _____

PLANNING SERVICES

TO: Council
DATE: November 13, 2018 **DIVISION:** 5
TIME: Morning Appointment
FILE: 04227009 **APPLICATION:** PL20180017
SUBJECT: Redesignation Item – Agricultural Holdings District to Industrial – Industrial Activity District

¹POLICY DIRECTION:

The application was evaluated against the policies within the County Plan and *Municipal Government Act* and was found to be non-compliant:

- The Applicant did not demonstrate a justification as to why this proposal is not well suited to an approved business area in accordance with Policy 14.21 of the County Plan;
- The Application proposes a change in designation to an intensive industrial district and does not adequately address limitations on the size and scope of the potential business operations, or minimize impacts on adjacent lands in accordance with Policy 14.22 of the County Plan;
- Access is currently provided through a shared driveway with an ± 8.00 m wide panhandle, and with the potential of subdivision, access constraints were not adequately addressed in accordance with Policy 14.22 of the County Plan;
- The Industrial - Industrial Activity District allows for intensive industrial development as a permitted use in accordance with Section 75.2 of the Land Use Bylaw, which the Development Authority would be obligated to approve, and the application does not adequately address the issue of minimizing the use's impacts on adjacent agricultural and residential lands; and
- There is the potential that approval of the bylaw would be a contravention of Section 708.12(1)(c) of the *Municipal Government Act*, which requires any adopted bylaw to be in alignment with a growth plan for the region.

EXECUTIVE SUMMARY:

The purpose of this application is to redesignate the subject lands from Agricultural Holdings District to Industrial - Industrial Activity District to accommodate a landscaping company.

While the current intent is to operate only the landscape business, the Applicant indicated that future subdivision and subsequent rental of portions of the site could occur if the need arises. If the land use amendment is granted, the minimum parcel size of 1.01 hectares (2.50 acres) in the Industrial-Industrial Activity district would allow for a maximum of eight lots on the subject lands, resulting in the potential for an ad hoc business development in an agricultural/country residential area of the County without the benefit of an area structure plan or conceptual scheme to ensure development is undertaken in a comprehensive method that addresses adjacent impacts and technical considerations.

Some technical information, including details with respect to transportation and stormwater, were submitted in support of the application and were deemed to be sufficient for the currently proposed use.

Administration determined that the application does not meet policy.

¹Administration Resources

Paul Simon, Planning Services
Erika Bancila, Engineering Services

DATE APPLICATION RECEIVED: February 8, 2018
DATE DEEMED COMPLETE: July 4, 2018

PROPOSAL: To redesignate the subject lands from Agricultural Holdings District to Industrial - Industrial Activity District to accommodate a landscaping company.

LEGAL DESCRIPTION: Lot 4, Block 4, Plan 0312137; SE-27-24-27-W04M

GENERAL LOCATION: Located approximately 0.5 km (1/3 mile) west of Highway 9, on the north side of Inverlake Road.

APPLICANT: Ricklan Construction Ltd.

OWNERS: Carlos Tejada

EXISTING LAND USE DESIGNATION: Agricultural Holdings District

PROPOSED LAND USE DESIGNATION: Industrial – Industrial Activity District

GROSS AREA: ± 8.35 hectares (± 20.63 acres)

SOILS (C.L.I. from A.R.C.): **Class 2H** – Slight limitations due to temperature.

PUBLIC & AGENCY SUBMISSIONS:

The application was circulated to 31 adjacent landowners. One letter in support of the application was received (see Appendix ‘D’). The application was also circulated to a number of internal and external agencies. Those response are available in Appendix ‘A’.

HISTORY:

- August 14, 2017** Development Permit application PRDP20164704 for a Home-Based Business, Type II, for a landscaping and construction company was refused.
 - The Applicant never appealed the decision of the Development Authority, and in February 2018, the Applicant submitted the application to redesignate to permit the landscaping business.
- July 31, 2003** Plan 0312137 was registered, creating two ± 8.13 hectare (± 20.08 acre) parcels with a ± 8.35 hectare (± 20.63 acre) remainder.
- May 6, 2003** Planning application 2002-RV-314 was approved by Council, redesignating the subject lands from Agricultural Business District to Agricultural Holdings District to facilitate the creation of two ± 8.09 hectare (± 20.00 acre) parcels with a ± 8.09 hectare (± 20.00 acre) remainder.

BACKGROUND:

The subject lands are located outside the boundaries of any adopted area structure plan, within an agricultural area of the County. The lands are surrounded by agricultural and country residential land, with one parcel in the quarter section designated General Business District with approval for the use General Industry Type II, for a Road Maintenance Business. There is also an approval on an adjacent residential parcel for a home-based business, type II for a vinyl fencing company, which includes approximately 232.26 sq. m (2,500.00 sq. ft.) of outside storage.

Based on the County’s assessment records, in 1970, a single-wide mobile home was placed on the subject lands. The mobile home is serviced by means of water well and a pump out septic tank. The subject lands also contain a shed and two shops. The Applicant indicated that the storage units in the northwest corner of the subject lands, as shown on the County’s 2016 aerial photographs, have been

removed. The subject site is currently accessed via a shared driveway on a portion of the ± 8.00 m wide panhandle that extends south to Inverlake Road.

Proposed Development

The proposed landscaping business would employ seven (7) staff, and would have approximately two (2) vehicles attend the property per day. The business would operate year-round for landscaping and snow removal and would require approximately 11,000 sq. ft. of outside storage. The Applicant indicated that the Owner intends to construct an office and maintenance shop on the subject lands. While the current intent is to operate only the landscape business, the Applicant indicated that future subdivision and subsequent rental of portions of the site could occur if the need arises.

POLICY ANALYSIS:

The application was evaluated in accordance with the policies contained within the County Plan as well as the Land Use Bylaw.

Interim Growth Plan

The *Municipal Government Act* includes provisions to ensure that municipalities are making decisions that are in line with a growth plan for the region. Section 708.12(1) states that,

“No participating municipality shall take any of the following actions that conflict or are inconsistent with a growth plan:

(c) Make a bylaw or pass a resolution.”

The effect of a redesignation is to pass a bylaw amending the land use of a parcel of land. There is the potential that the effect of the bylaw in question could be inconsistent with a growth plan for the region, resulting in increased risk for the County for any subsequent development activities that may take place.

County Plan (Bylaw C-7280-2013)

Section 14 of the County Plan includes provisions for evaluating business development proposals outside of identified business areas.

14.21 Applications to redesignate land for business uses outside of a business area shall provide a rationale that justifies why the proposed development cannot be located in a business area (e.g. requirement for unique infrastructure at the proposed location).

The Applicant indicated that the Owner does not intend to live on the subject lands and that the present zoning does not allow for the operation of their business, mainly due to the amount of outside storage required. A home-based business type II was applied for in 2017 and was subsequently refused. The refusal was never appealed.

No justification was provided in accordance with Policy 14.21 of the County Plan that would indicate why this proposed business cannot locate in one of the approved business areas of the County. Map 1 of the County Plan identifies the approved business areas in Rocky View County. These areas are identified to ensure that commercial development is undertaken on a comprehensive basis, and clustered in an area away from other uses, especially residential, to minimize potential adverse impacts such as noise, dust, and unsightliness. While land to the south does contain the General Business District designation (granted in 1999), the majority of land in the quarter section and surrounding area is country residential and agricultural; allowing an industrial designation without substantial justification as to why this cannot be located in the business areas of the County could unduly interfere with and impact the activities on adjacent lands.

14.22 *Proposals for business development outside of a business area should:*

a. *be limited in size, scale, intensity, and scope;*

While the proposed landscaping business is relatively small-scale, proposing employment of seven (7) staff and up to two (2) vehicles attending the property per day (excluding staff), the Industrial-Industrial Activity district allows for some of the most invasive industrial uses in the County, including general industry, waste transfer sites, storage areas, and compost facilities. A common use in the approved business areas, such as Balzac East or Janet, is General Industry Type II, which permits activities that do not cause a significant nuisance beyond the boundaries of a property. General Industry Type II is listed as a permitted use in the Industrial-Industrial Activity district, which means that the Development Authority would be obligated to approve a development permit application when it complies with the provisions of the Land Use Bylaw. General Industry Type III, which can pose significant off-site impacts, is a discretionary use in the Industrial-Industrial Activity district, and could be applied for if this redesignation were to be approved.

Therefore, while the existing business may be limited in size, scale, intensity, and scope, the request for a change in land use designation must be evaluated in accordance with the potential developability of the site in the context of the uses that would become available under the proposed designation. Given the potential for diverse industrial uses in the Industrial-Industrial Activity district, some of which the Development Authority would be obligated to approve, the proposal is not considered to be limited in size, scale, intensity, and scope, and could result in the proliferation of intensive industrial development in an agricultural/country residential area of the County. If the proposed business were to be approved under a use such as a home-based business, which is subject to renewal, the size, scale, and intensity could be better controlled when compared with a change in designation.

The Applicant indicated that they do not wish to pursue subdivision at this time, but it may be a consideration in the future. If change in land use is granted, with a minimum parcel size of 1.01 hectares (2.50 acres) in the Industrial-Industrial Activity district, this would allow for a maximum of eight lots on the subject lands, resulting in the potential for an ad hoc business development in an agricultural/country residential area of the County without the benefit of an area structure plan or conceptual scheme to ensure development is undertaken in a comprehensive method that addresses adjacent impacts and technical considerations. This could pose further concerns with respect to access, given that the lands are accessed through an existing panhandle that is only ± 8.00 wide.

b. *have direct and safe access to a paved County road or Provincial highway;*

The property shares a driveway with the property to the west and has an ± 8.00 wide panhandle access to Inverlake Road. Panhandle access is discouraged in the County, and given the fact that the Applicant expressed that the Owner may choose to subdivide in the future and rent out portions of the property, access becomes a major constraint. In a standard business area, for internal roads, the County would require a 30 m road right-of-way to ensure roads can be constructed up to County standards to accommodate industrial traffic. Given that the minimum parcel size in the Industrial-Industrial Activity district is 1.01 hectares (2.5 acres), there is subdivision potential if the land use change is granted, resulting in significant access concerns. The Owner currently has a shared driveway with residential properties, and having further industrial traffic beyond which already exists could pose safety concerns when sharing access with residential traffic. The Applicant submitted a basic subdivision design, but

it does not address this concern. Therefore, given the development potential, in conjunction with the lack of land available to construct an industrial standard road, Administration considers that direct and safe access to a paved County road would not be achieved under the proposed designation.

c. provide a traffic impact and intersection assessment;

The Applicant submitted a Transportation Impact Assessment (TIA) letter that concluded that the current business would have minimal impact on the surrounding road network. However, given the diverse industrial uses that are available in the proposed district, there is the potential that further impacts on the transportation network could occur with future development. Further, the assessment did not examine the constraints with respect to access should future development occur. The Applicant submitted a potential future subdivision design, but it does not address the access constraints posed by the panhandle access. In an approved business area, where commercial development is directed by the transportation policies of an area structure plan, which would be guided by a Network Analysis that supports the subsequent submission of TIAs with local plan applications, issues with respect to transportation would be addressed in a comprehensive manner, and adjacent lands would be incorporated to ensure direct access to a County road is provided in accordance with master transportation studies.

d. minimize adverse impacts on existing residential, business, or agricultural uses.

The Applicant indicated that, with the exception of the property to the south, all other properties are a sufficient distance away, and that there should not be any unsightly appearance or excessive noise from the site that does not happen on any other farm. Any outside storage from the proposed business would be screened. However, there is no assessment in accordance with the Agricultural Boundary Design Guidelines, and no landscape plan or site layout of the business was submitted. The application does not demonstrate that there would be measures undertaken to minimize impacts on existing residential, business, or agricultural uses in accordance with the provisions of the County Plan. In the approved business areas of the County, these measures are generally entrenched through policy in an area structure plan and associated local plans. Furthermore, the subject quarter section is considered fragmented and would therefore qualify for further country residential development in accordance with the policies of the County Plan. Allowing a change in land use designation to the Industrial-Industrial Activity district poses significant potential impacts to adjacent properties in this agricultural/country residential area.

While there is business development occurring to the south of the subject lands, these activities were approved prior to the adoption of the County Plan, and include activities that are primarily carried on indoors.

Land Use Bylaw (Bylaw C-4841-97)

The purpose and intent of the Industrial-Industrial Activity district is to provide for a range of industrial activity, including industrial activity that may have off-site nuisance impacts, and the support services that may be associated with such activity. While the overall intent of the application is to facilitate the landscaping business, this does not negate the potential for other industrial activities to occur on the subject lands, especially given the fact that some intensive industrial uses are permitted uses in this district. Further, the Applicant indicated that there is potential to pursue subdivision in the future and rent portions of the site out, which means any of the uses listed in the Industrial-Industrial Activity district could be applied for. With a minimum parcel size of 1.01 hectares (2.50 acres) in the proposed district, there is the potential for significant subdivision and expansion of industrial development in this agricultural area of the County if the land use designation is granted.

CONCLUSION:

The proposal to redesignate the subject lands from Agricultural Holdings District to Industrial - Industrial Activity District to accommodate a landscaping company was evaluated in accordance with the County Plan and the Land Use Bylaw. The proposal is inconsistent with the policies of the County Plan and would allow for the increase of industrial development in an agricultural area of the County with potentially negative impacts on adjacent residential and agricultural lands.

OPTIONS:

- Option #1: Motion #1 THAT Council concludes that the proposed development is consistent with County Plan policy for business development outside of an approved business area.
- Motion #2 THAT Bylaw C-7812-2018 be given first reading.
- Motion #3 THAT Bylaw C-7812-2018 be given second reading.
- Motion #4 THAT Bylaw C-7812-2018 be considered for third reading.
- Motion #5 THAT Bylaw C-7812-2018 be given third and final reading.
- Option #2: THAT Council directs review of the County Plan for amendment to accommodate the proposed development.
- Option #3: THAT application PL20180017 be refused.

Respectfully submitted,

Concurrence,

“Sherry Baers”

“Rick McDonald”

Acting General Manager

Interim County Manager

PS/rp

APPENDICES:

- APPENDIX ‘A’: Application Referrals
APPENDIX ‘B’: Bylaw C-7812-2018 and Schedule A
APPENDIX ‘C’: Map Set
APPENDIX ‘D’: Landowner Comments

APPENDIX A: APPLICATION REFERRALS

AGENCY	COMMENTS
<i>School Authority</i>	
Rocky View Schools	No comments received.
Calgary Catholic School District	No objection to the above noted circulation, located northeast of Chestermere. As per the circulation, Municipal Reserves will be considered at future subdivision stage.
<i>Province of Alberta</i>	
Alberta Culture and Tourism	No comments received.
Alberta Energy Regulator	No comments received.
Alberta Transportation	<p>The area of land subject of this proposal is located within 800 metres of a public road intersection on Highway 9 and therefore, is within Alberta Transportation's area of jurisdiction as outlined in the Highways Development and Protection Act.</p> <p>The department however, recognizes that the proposal should not have a significant impact on the provincial highway system. Further, the municipal road system provides adequate access to the site. The proposal, therefore, would appear to have minimal impact on Highway 9.</p> <p>Alberta Transportation, therefore, is not opposed to the proposal. Please note, however, that subsequent development activity at this location would require a Roadside Development Permit from the department.</p>
Alberta Health Services	No comments received.
<i>Public Utility</i>	
ATCO Gas	ATCO Gas has no objection to the proposed.
ATCO Pipelines	No objection.
AltaLink Management	No comments received.
FortisAlberta	No comments received.
Telus Communications	TELUS Communications Inc. has no objections to the current landowner proceeding with this application. If TELUS require to place future facilities on private lands to service future customers, we will require a URW at that time. It is the landowners responsibility to ensure they contact Alberta-One to ensure no facilities will be disrupted. If at any time TELUS

AGENCY	COMMENTS
	facilities are disrupted, it will be at the sole cost of the landowner.
TransAlta Utilities Ltd.	No comments received.
<i>Other External Agencies</i>	
EnCana Corporation	No comments received.
<i>Rocky View County Boards and Committees</i>	
ASB Farm Members and Agricultural Fieldmen	No comments received.
Recreation District Board (all)	The Chestermere-Conrich Rec Board have no issues and concerns with this application. Comments regarding reserves will be provided at subdivision stage.
<i>Internal Departments</i>	
Agricultural Services	The redesignation of a parcel of land from Agricultural Holdings District to Industrial-Industrial Activity District is not supported by policy. If this application were to be approved, the application of the Agricultural Boundary Design Guidelines would be beneficial in buffering the industrial land use from the agricultural land uses surrounding the parcel. The guidelines would help mitigate areas of concern including: trespass, litter, pets, noise and concern over fertilizers, dust & normal agricultural practices.
Municipal Lands	The Municipal Lands Office has no concerns with this land use redesignation application. Comments pertaining to reserve dedication to support development of parks, open spaces, or an active transportation network will be provided at any future subdivision stage.
Development Authority	No comments received.
GeoGraphics	No comments received.
Building Services	No comments received.
Fire Services	No comments at this time.
Enforcement Services	Enforcement has no concerns at this stage.
Infrastructure and Operations - Engineering Services	<p>General</p> <ul style="list-style-type: none"> The review of this file is based upon the application

AGENCY	COMMENTS
	<p>submitted. These conditions/recommendations may be subject to change to ensure best practices and procedures.</p> <p>Geotechnical - Section 300.0 requirements:</p> <ul style="list-style-type: none"> • ES has no requirements at this time. <ul style="list-style-type: none"> ○ At future DP stage a Geotechnical report prepared by a qualified professional may be required. <p>Transportation - Section 400.0 requirements:</p> <ul style="list-style-type: none"> • ES has no requirements at this time <ul style="list-style-type: none"> ○ A Transportation Impact Assessment letter has been submitted as part of this application prepared by DA WATT Consulting Group, dated June 25, 2018. The report analyzed the impact of the existing business activity and concluded the impact is minimal on the surrounding road network. A 24 hour traffic count was performed on May 2nd, 2018. The traffic count sensor was located immediately east of the existing access and counted 130 vehicles on Inverlake Road (65 eastbound and 65 westbound). The low traffic volumes indicated the road's gravel surface is adequate to handle the current traffic; ○ At future Subdivision/DP stage, an updated TIA will be required and road upgrades may be required; ○ Transportation Offsite Levies have been paid for this site; ○ The parcel is currently accessed via a shared access from Inverlake Road which is a County Road with gravel surface; ○ The existing panhandle is approximately 430 m long, and is 8.3 m wide. It is noted the panhandle does not meet the minimum allowable panhandle width of 12.5 m. <p>Sanitary/Waste Water - Section 500.0 requirements:</p> <ul style="list-style-type: none"> • ES has no requirements at this time <ul style="list-style-type: none"> ○ The site has a pump out holding tank on the property, which is in line with Sanitary/Waste water requirements for Industrial, Commercial & Institutional uses; ○ In accordance with Policy 449, the use of septic fields for other than normal domestic sewage will not be supported by the County. <p>Water Supply And Waterworks - Section 600.0 & 800.0 requirements:</p> <ul style="list-style-type: none"> • ES has no requirements at this time.

AGENCY	COMMENTS
	<ul style="list-style-type: none"> ○ Water is provided from water well located on the subject property. Commercial, institutional and industrial uses will require AENV approval. ○ At the future subdivision/DP stage, the Applicant/Owner is required to provide confirmation of commercial water license from AENV for all commercial development permits drilling well. <p>Storm Water Management – Section 700.0 requirements:</p> <ul style="list-style-type: none"> ● ES has no requirements at this time. ○ The Applicant/Owner submitted a Conceptual Stormwater Management Plan as part of this application prepared by Eli Consulting, dated June 22, 2018. The report proposes a fire/stormwater evaporation pond be constructed to capture runoff from the future proposed development as well as the implementation of on-site BMPs (Best Management Practices) as well as water conservation measures. ○ At future Subdivision/DP stage, an update to the above mentioned Stormwater report will be required. ○ The parcel has a Restrictive Covenant and Easement agreement on title for Overland Drainage (Instrument 001 01510484) for the south portion of the lands. <p>Environmental – Section 900.0 requirements:</p> <ul style="list-style-type: none"> ● ES has no requirements at this time.
Infrastructure and Operations – Maintenance	No issues.
Infrastructure and Operations – Capital Delivery	No concerns.
Infrastructure and Operations – Road Operations	Road use agreement may be required at future development stage for use of Inverlake Road to access his business.
Infrastructure and Operations – Utility Services	No concerns.

Circulation Period: February 20, 2018 – March 13, 2018



BYLAW C-7812-2018

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

The Council of Rocky View County enacts as follows:

PART 1 – TITLE

This Bylaw shall be known as Bylaw C-7812-2018.

PART 2 – DEFINITIONS

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

PART 3 – EFFECT OF BYLAW

THAT Part 5, Land Use Map No. 42 and No. 42-NE of Bylaw C-4841-97 be amended by redesignating Lot 4, Block 4, Plan 0312137 within SE-27-24-27-W04M from Agricultural Holdings District to Industrial – Industrial Activity District as shown on the attached Schedule 'A' forming part of this Bylaw.

THAT Lot 4, Block 4, Plan 0312137 within SE-27-24-27-W04M is hereby redesignated to Industrial – Industrial Activity District as shown on the attached Schedule 'A' forming part of this Bylaw.

PART 4 – TRANSITIONAL

Bylaw C-7812-2018 is passed when it receives third reading, and is signed by the Reeve/Deputy Reeve and the Municipal Clerk, as per Section 189 of the *Municipal Government Act*.

Division: 5
File: 04227009/ PL20180017

<i>PUBLIC HEARING WAS HELD IN COUNCIL this</i>	<i>day of</i>	<i>, 2018</i>
READ A FIRST TIME IN COUNCIL this	day of	, 2018
READ A SECOND TIME IN COUNCIL this	day of	, 2018
<i>UNANIMOUS PERMISSION FOR THIRD READING</i>	<i>day of</i>	<i>, 2018</i>
READ A THIRD TIME IN COUNCIL this	day of	, 2018

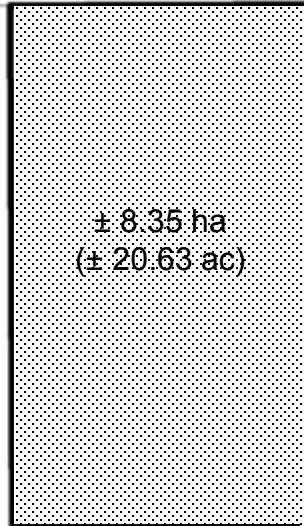
Reeve

CAO or Designate

Date Bylaw Signed

BYLAW: C-7812-2018

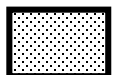
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INVERLAKE RD

AMENDMENT

FROM Agricultural Holdings District TO Industrial – Industrial
Activity District

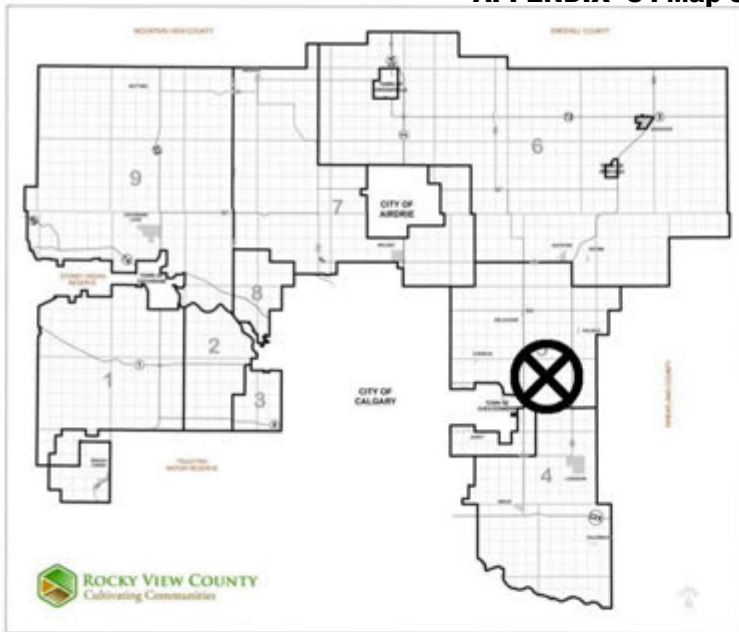


Subject Land _____

LEGAL DESCRIPTION: Lot 4, Block 4, Plan 0312137
SE-27-24-27-W04M

FILE: 04227009 PL20180017

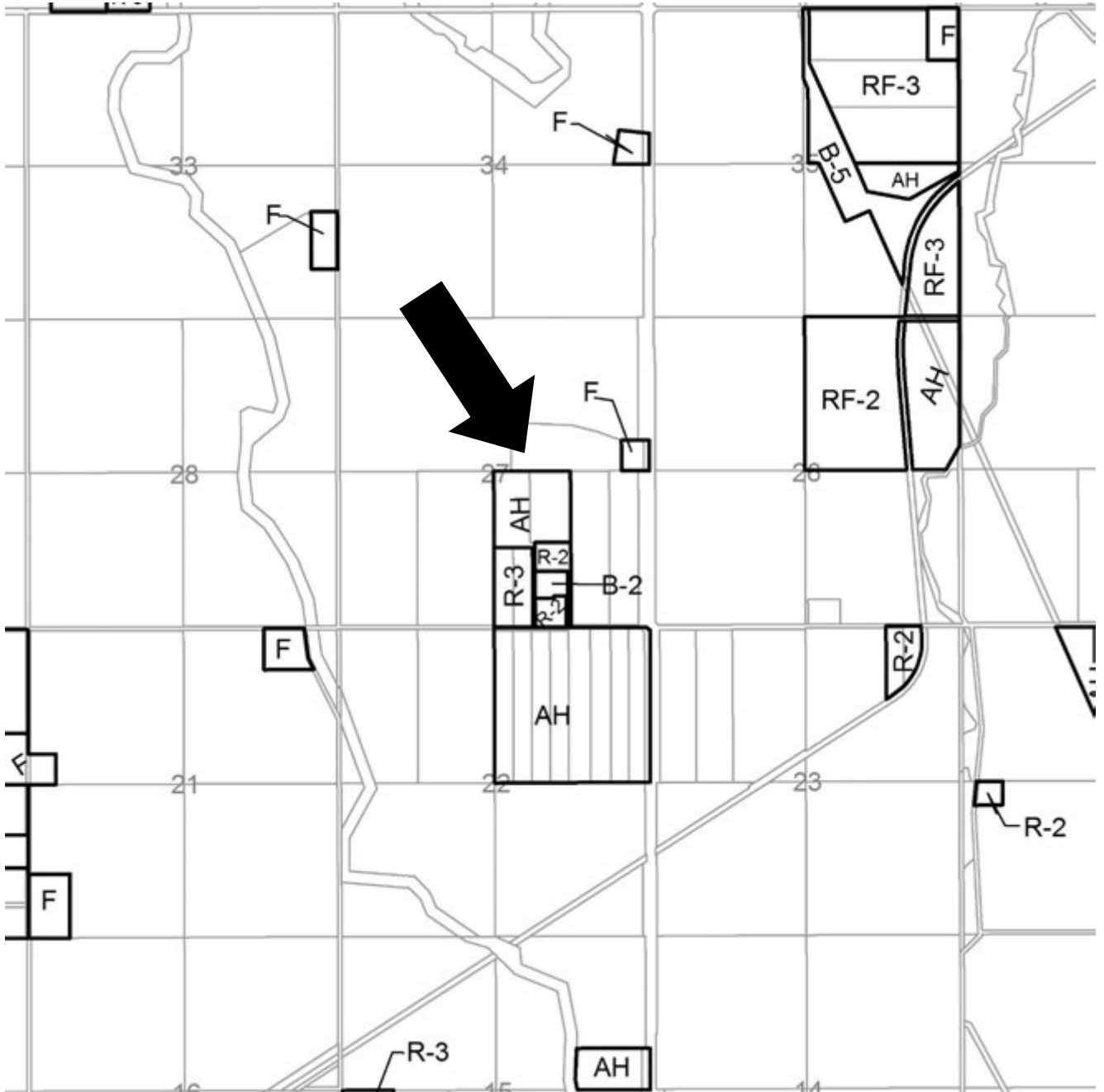
DIVISION: 5



LOCATION PLAN

Lot:4 Block:4 Plan:0312137
SE-27-24-27-W04M





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

**Lot:4 Block:4 Plan:0312137
SE-27-24-27-W04M**

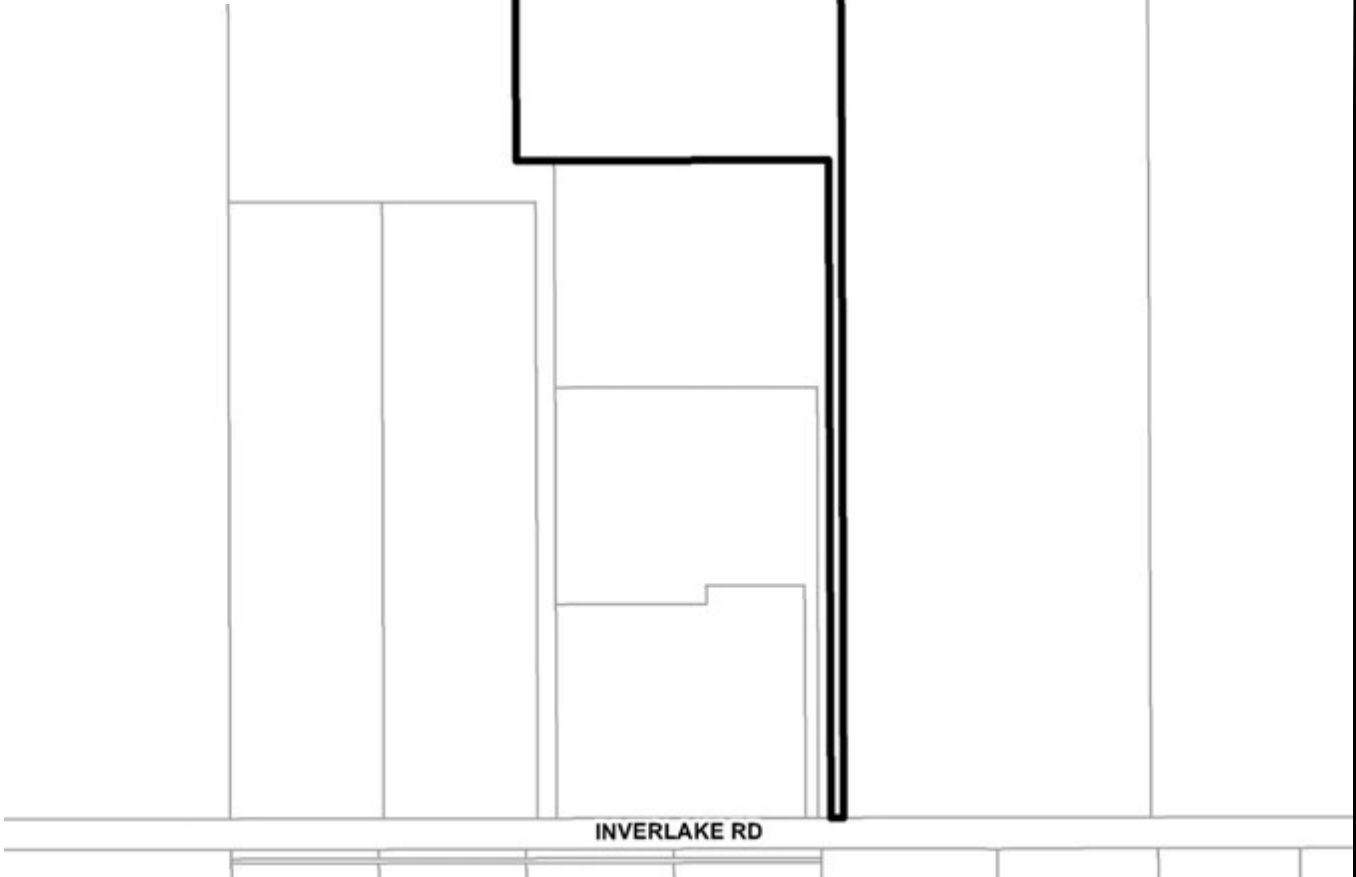


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Development Proposal:

To redesignate the subject lands from Agricultural Holdings District to Industrial - Industrial Activity District to accommodate a landscaping company.

AH → I-IA
± 8.35 ha
(± 20.63 ac)



DEVELOPMENT PROPOSAL

**Lot:4 Block:4 Plan:0312137
SE-27-24-27-W04M**



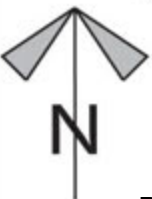


Note: Post processing of raw aerial photography may cause varying degrees of visual distortion at the local level.

AIR PHOTO

Spring 2016

**Lot:4 Block:4 Plan:0312137
SE-27-24-27-W04M**



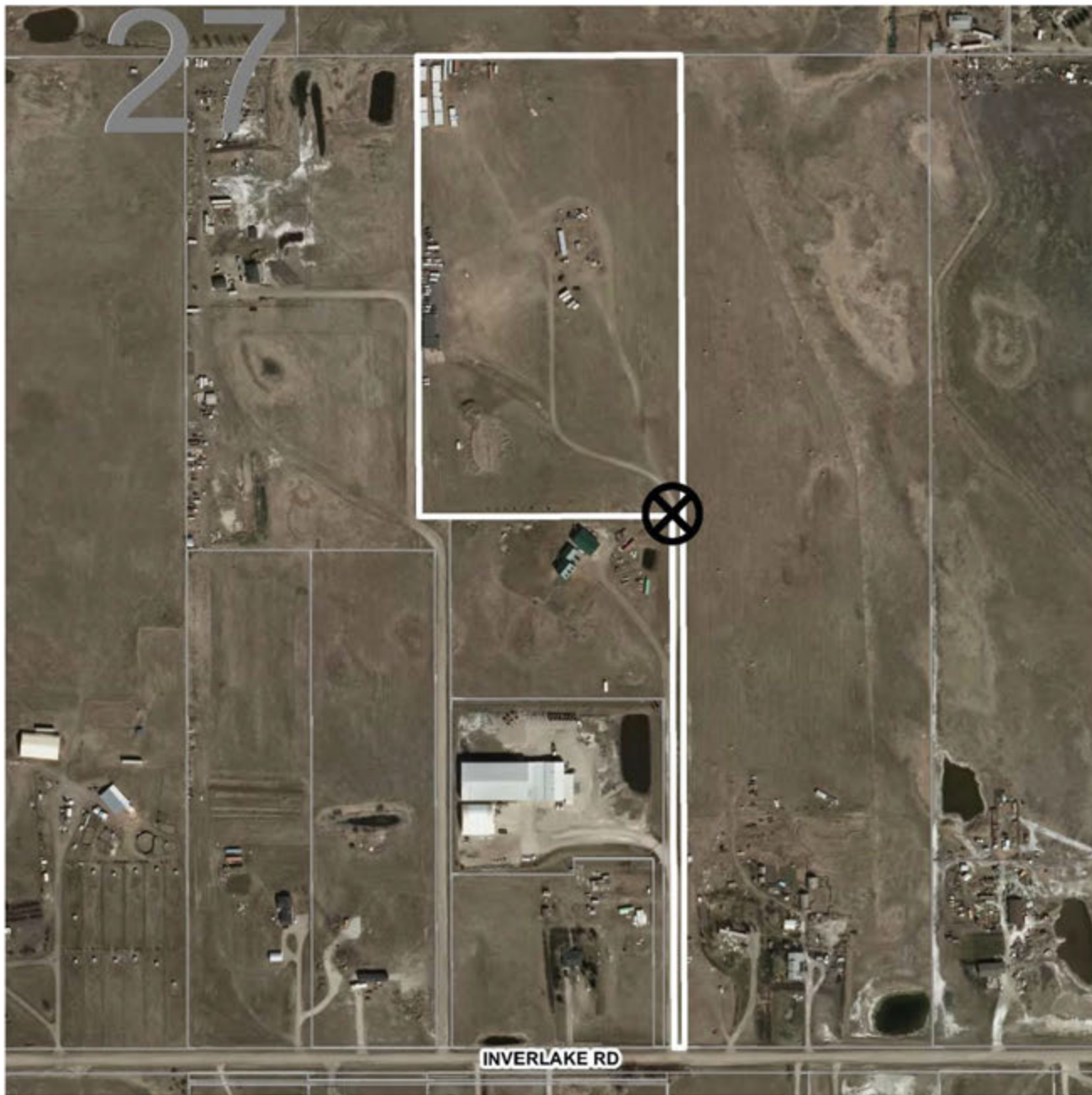
Date: Feb 15, 2018

Division # 5

File: 04227009

AGENDA

Page 93 of 265



SITE VIDEO

**Lot:4 Block:4 Plan:0312137
SE-27-24-27-W04M**



Date: Feb 15, 2018

Division # 5

File: 04227009

AGENDA

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Subject Property

- 2003 Subdivision
- Agricultural Holdings (AH) Designation



- 2009 Subdivision
- Residential Three (R-3) Designation



- 2002 Subdivision
- General Business (B-2) Designation
- Land use granted in 1999
- General Industry Type II, for a road maintenance business (2000-DP-9115)



- 1981 Subdivision
- Ranch and Farm (RF) Designation



- 2002 Subdivision
- Residential Two (R-2) Designation



- 2000 Subdivision
- Residential Two (R-2) Designation
- Home Based Business, Type II for a vinyl fencing company (PRDP20175303)
- Allows ~ 2500.00 sq. ft. outside storage



INVERLAKE RD

SURROUNDING DEVELOPMENT CONTEXT

**Lot:4 Block:4 Plan:0312137
SE-27-24-27-W04M**





Current panhandle access (looking south)



Shared access point from Inverlake Road (looking north)

SITE INSPECTION PHOTOS

Lot:4 Block:4 Plan:0312137
SE-27-24-27-W04M





Existing storage onsite (looking northwest)



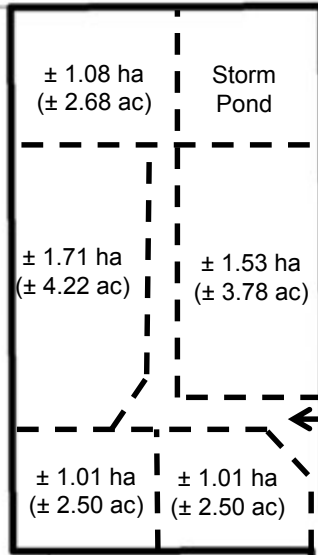
Existing development onsite (looking north)

SITE INSPECTION PHOTOS

Lot:4 Block:4 Plan:0312137
SE-27-24-27-W04M



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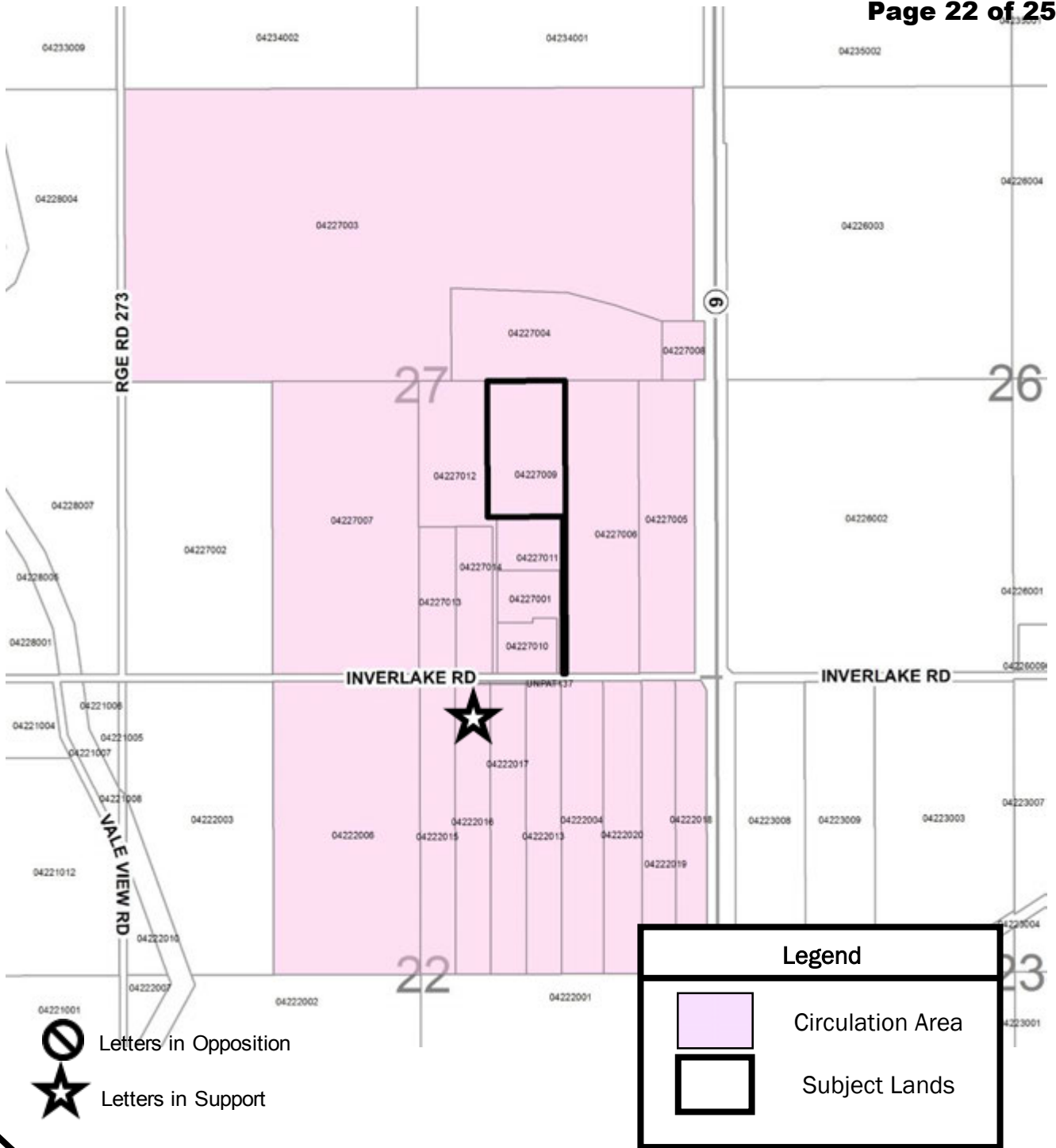


INVERLAKE RD

FUTURE CONCEPTUAL SUBDIVISION DESIGN

Lot:4 Block:4 Plan:0312137
SE-27-24-27-W04M





LANDOWNER CIRCULATION AREA

**Lot:4 Block:4 Plan:0312137
SE-27-24-27-W04M**

Industrial Activity District (I-IA)

Purpose and Intent

The purpose and intent of this district is to provide for a range of industrial activity, including industrial activity that may have off-site nuisance impacts, and the support services that may be associated with such activity.

Uses, Permitted

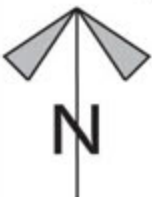
Accessory Buildings
Agriculture, general
Commercial Communications Facilities (Types A, B, C)
Contractor, general
Contractor, limited
General Industry Type I
General Industry Type II
Government Services
Outdoor storage, truck trailer
Signs
Truck trailer service
Warehouse

Uses, Discretionary

Cannabis Cultivation
Cannabis Facility
Compost Facility Types I, II
General Industry Type III
Outdoor display area (See Section 26 for Display Area regulations)
Recycling collection point
Storage area
Waste transfer site

LAND USE BYLAW C-4841-97

Lot:4 Block:4 Plan:0312137
SE-27-24-27-W04M



Applicable Policies of the County Plan and Municipal Government Act

Municipal Government Act S. 708.12(1):

“No participating municipality shall take any of the following actions that conflict or are inconsistent with a growth plan:

(c) Make a bylaw or pass a resolution.”

County Plan S. 14.21:

Applications to redesignate land for business uses outside of a business area shall provide a rationale that justifies why the proposed development cannot be located in a business area (e.g. requirement for unique infrastructure at the proposed location).

County Plan S. 14.22:

Proposals for business development outside of a business area should:

- a. be limited in size, scale, intensity, and scope;*
- b. have direct and safe access to a paved County road or Provincial highway;*
- c. provide a traffic impact and intersection assessment;*
- d. minimize adverse impacts on existing residential, business, or agricultural uses.*

MGA & COUNTY PLAN (MDP) POLICIES

**Lot:4 Block:4 Plan:0312137
SE-27-24-27-W04M**



APPENDIX 'D': Landowner Comments

County Hall
262075 Rocky View Point
Rocky View County, AB

RE: Application no.PL20180017 (04227009)

Dear Deputy Municipal clerk:

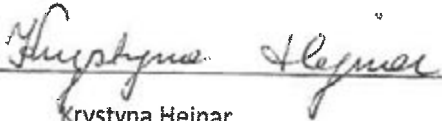
We, Kazimierz and Krystyna Hejnar, support the above application regarding bylaw C-7812-2018.

If you have any questions or concerns, please contact us at [REDACTED]

Regards,



Kazimierz Hejnar



Krystyna Hejnar

[REDACTED]
Calgary, AB T2P 2G7

Legal land description: NE ¼ 222427 W4

PLANNING SERVICES

TO: Council
DATE: November 13, 2018 **DIVISION:** 7
TIME: Afternoon Appointment
FILE: 06516014 **APPLICATION:** PL20170150
SUBJECT: Conceptual Scheme – Calterra Estates Conceptual Scheme Amendment
 Note: to be considered concurrently with redesignation application PL20180091

¹POLICY DIRECTION:

The application was evaluated against the policies within the Rocky View County/City of Calgary Intermunicipal Development Plan, the County Plan, and the Calterra Estates Conceptual Scheme and was found to be compliant:

- The proposal is consistent with the applicable statutory plans;
- The proposal is compatible with the surrounding land uses, and
- The subject lands would hold the appropriate land use designation for the proposed parcels if PL20180091 is approved.

EXECUTIVE SUMMARY:

The purpose of this application is to amend the Calterra Estates Conceptual Scheme in order to facilitate the subdivision of a ± 0.81 hectare (± 2.00 acre) parcel with a ± 0.81 hectare (± 2.00 acre) remainder.

The Calterra Estates Conceptual Scheme is located approximately 800 metres (0.5 mile) north of the city of Calgary and was adopted in 2000 to guide future subdivision and development within the quarter section. The document currently allows parcels to a minimum of 3.95 acres in size, and the proposed amendment is required in order to facilitate the creation of the proposed 2.0 acre lot. The subject lands are designated Residential Two District and currently contain a dwelling that is located within the western proposed lot. Servicing is provided by connection to Rocky View Water Co-op and a private sewage treatment system; the new lot is proposed to be serviced in the same manner. Access is available via Calterra Estates Drive, with one existing approach located within the eastern proposed lot. A new approach would be required to be constructed to access the western portion.

Overall, the application is consistent with the applicable statutory policy and is compatible with the surrounding land uses. Redesignation application PL20180091, considered concurrently with this application, addresses the policy analysis concerning this proposal. The technical matters have been accounted for as well, with further confirmation addressed as a component of the conditions of future subdivision approval.

Administration determined that the application meets policy.

¹ **Administration Resources**
 Stefan Kunz, Planning Services
 Erika Bancila, Engineering Services



DATE APPLICATION RECEIVED:	August 30, 2017
DATE APPLICATION DEEMED COMPLETE:	August 30, 2017
<hr/>	
PROPOSAL:	To amend the Calterra Estates Conceptual Scheme (Bylaw C-5208-2000) in order to facilitate the subdivision of a \pm 0.81 hectare (\pm 2.00 acre) parcel with a \pm 0.81 hectare (\pm 2.00 acre) remainder.
LEGAL DESCRIPTION:	Lot 5, Plan 0010692, NE-16-26-1-W5M
GENERAL LOCATION:	Located approximately 0.8 kilometres (0.5 mile) north of the city of Calgary, 0.2 kilometers (0.12 mile) west of Range Road 13, and on the south side of Calterra Estates Dr.
APPLICANT:	Terry & Helen Ohlhauser
OWNERS:	Jonathon & Kirsten Friesen
EXISTING LAND USE DESIGNATION:	Residential One District
GROSS AREA:	\pm 1.62 hectares (\pm 4.00 acres)
SOILS (C.L.I. from A.R.C.):	Class 3,T,E: Moderate limitations due to adverse topography and past erosion damage. Class 1: No significant limitations.

PUBLIC & AGENCY SUBMISSIONS:

The application was circulated to 55 landowners. At the time of report preparation, six responses were received (see Appendix 'E'). The application was also circulated to a number of internal and external agencies, and those responses are available in Appendix 'A'.

HISTORY:

July 14, 2015	An amendment to the Calterra Estates Conceptual Scheme is approved, allowing for a minimum parcel size of 1.98 acres within a portion of Phase 2 of the plan area. No other phases are affected by the decision (PL20140089).
July 3, 2012	An amendment to the Calterra Estates Conceptual Scheme is approved, allowing for a minimum parcel size of 1.98 acres within Phase 5 of the plan area. No other phases are affected by the decision (2011-RV-082).
February 24, 2009	Phase Three of the Conceptual Scheme was approved by the Subdivision Authority (2008-RV-276).
June 15, 2005	Phases Two and Four of the Conceptual Scheme were approved by the Subdivision Authority (2005-RV-070).
September 18, 2001	Subject lands are potentially redesignated from Residential Two District to Residential One District (2001-RV-104), although the validity of this bylaw in regard to the subject lands has been disputed.
February 6, 2001	Phase One of the Conceptual Scheme was approved by the Subdivision Authority (2000-RV-272).
June 6, 2000	The Calterra Estates Conceptual Scheme is adopted, providing comprehensive planning direction for the creation of 4 acre parcels within



the quarter section.

- 2000** Plan 0010692 is registered, resulting in the creation of the subject lands as a 4 acre parcel with a remainder and a portion for future road dedication.
- 1995** Plan 9510253 is registered, resulting in the creation of two 2 acre lots, one 4 acre lot, and the subject lands, which at the time was registered as a 10 acre remainder parcel.
- 1994** Application to redesignate and subdivide a 20 acre portion of the subject lands to 2 acre lots is refused by Council, but was permitted through appeal to the Alberta Planning Board. The Board's decision would result in the future registration of Plan 9510253.

BACKGROUND:

The purpose of this application is to amend the Calterra Estates Conceptual Scheme (Bylaw C-5208-2000) in order to facilitate the subdivision of a ± 0.81 hectare (± 2.00 acre) parcel with a ± 0.81 hectare (± 2.00 acre) remainder.

The lands are located within the Calterra Estates community. This is a quarter section of land located north of the city of Calgary and southwest of the city of Airdrie, featuring Residential One and Two District Parcels. Parcel sizes range from 2.0 to 4.0 acres, although one 20.0 acre parcel is located in the northeastern corner of the quarter section. The lands surrounding Calterra Estates are predominantly agricultural in nature. Unsubdivided quarter sections are interspersed with small agricultural parcels such as Farmstead, Ranch and Farm Two District, and Agricultural Holdings District. Residential uses are scattered and largely restricted to first parcel out Residential Two and Three District parcels. The topography of the lands is quite flat and features very little in the way of measureable slope. There are no significant waterbodies, drainage courses, or stands of natural vegetation located on site.

The Calterra Estates Conceptual Scheme was adopted in 2000 with the intent of establishing a country residential community, envisioning parcels sized at 4.0 acres within the plan area. The plan area has since seen a number of the parcels approved for 2.0 acre parcel sizes through subsequent redesignations and conceptual scheme amendments. The subject lands are within a portion that has not been amended to allow for the 2.0 acre parcel sizes.

POLICY ANALYSIS:

The application was assessed with the policies of the Rocky View County/City of Calgary Intermunicipal Development Plan, the County Plan, and the Calterra Estates Conceptual Scheme (CECS).

Detailed policy analysis can be found within the land use redesignation report presented concurrently with this application (PL20180091). In summary, the policies mentioned above support the proposal.

PROPOSED AMENDMENT TO CALTERRA ESTATES CONCEPTUAL SCHEME:

The amendments to the existing CECS are described in detail in Schedule 'A' of the Bylaw attached to this report (see Appendix 'B'). In general, the amendments include mapping and textual changes in order to identify the subject lands and allow for the subdivision of the lands in accordance with the Residential One District parcel size.



NON-STATUTORY POLICY ANALYSIS:

Water and Wastewater

The parcel currently contains a dwelling, which is located within the boundaries of proposed Lot 1. Servicing to the existing dwelling is provided by connection to Rocky View Water Co-op. and a private sewage treatment system. Servicing to Lot 2 is proposed to be provided by the same means.

The Rocky View Water Co-op. confirmed the availability of water supply for the newly created lot. In order to ensure connection to the water provider, as a condition of subdivision approval, the Applicant/Owner would be required to confirm the extension of the existing water distribution system to the subject lands.

A Private Sewage Treatment System Assessment was submitted and indicates that the use of a treatment mound or a packaged sewage treatment plant is recommended. This is supported by the Calterra Estates Conceptual Scheme, which requires that “lots less than 4 acres in size must be serviced by Packaged Sewage Treatment Plants” (Policy 6.1.4).

Transportation

The subject lands currently feature a paved approach servicing the existing dwelling via Calterra Estates Drive. The approach is in good condition and requires no upgrades. As the approach is located within the boundary of the eastern proposed lot, a new approach would be required to be constructed in order to provide access to the existing dwelling.

The Transportation Offsite Levy is outstanding for the total gross acreage of the lands proposed to be subdivided and is required to be provided through the conditions of subdivision approval.

Stormwater Management

A Stormwater Management Plan (SWMP), prepared by Osprey Engineering Inc., dated August 2017, was provided in support of the application. The SWMP proposes the construction of a rain garden on site in order to effectively manage release rates and volumes generated by the additional development proposed on the lot. Conditions of subdivision approval would ensure the implementation of the stormwater management strategies identified in the SWMP.

CONCLUSION:

This application was assessed in accordance with applicable statutory policy and the preliminary technical reports. The proposal is consistent with the applicable statutory plans, is compatible with the surrounding land uses, and the subject lands would hold the appropriate land use designation for the proposed parcels if PL20180091 is approved. The technical components of the proposal are acceptable and will be further addressed through the conditions of subdivision approval.

OPTIONS:

- Option # 1: Motion #1 THAT Bylaw C-7727-2017 be given first reading.
- Motion #2 THAT Bylaw C-7727-2017 be given second reading.
- Motion #3 THAT Bylaw C-7727-2017 be considered for third reading.
- Motion #4 THAT Bylaw C-7727-2017 be given third and final reading.
- Option # 2: Motion #1 THAT Application PL20170150 be refused.



Respectfully submitted,

Concurrence,

“Sherry Baers”

“Rick McDonald”

Acting General Manager

Interim County Manager

SK/rp

APPENDICES:

APPENDIX ‘A’: Application Referrals

APPENDIX ‘B’: Bylaw C-7727-2017 and Schedules A, B, & C

APPENDIX ‘C’: Calterra Estates Conceptual Scheme – Redline Version

APPENDIX ‘D’: Map Set

APPENDIX ‘E’: Landowner Comments



APPENDIX 'A': APPLICATION REFERRALS

AGENCY	COMMENTS
<i>School Authority</i>	
Rocky View Schools	No objection.
Calgary Catholic School District	Calgary Catholic School District (CCSD) has no objection to the above-noted circulation (PL2017-0030 0150) in Calterra Estates.
Public Francophone Education	No comment.
Catholic Francophone Education	No comment.
<i>Province of Alberta</i>	
Alberta Environment	Not required.
Alberta Transportation	<p>Alberta Transportation has reviewed the proposal and has determined that the lands subject to this application are located greater than 800 metres from the centreline of Highway 566.</p> <p>The proposal to amend the Conceptual Scheme and the subsequent subdivision application will not affect Highway 566 in any significant manner.</p>
Alberta Sustainable Development (Public Lands)	Not required.
Alberta Culture and Community Spirit (Historical Resources)	Not required.
Energy Resources Conservation Board	No comment.
Alberta Health Services	<p>Based on the information provided, AHS has no objections to this application. We provide the following comments for your consideration with regard to planning future development on the site:</p> <ol style="list-style-type: none"> 1. The application indicates that potable water will be supplied by the Rocky View Water Co-op. AHS wishes to be notified if this plan changes. 2. Any existing or proposed private sewage disposal systems should be completely contained within the proposed property boundaries and must comply with the setback distances outlined in the most recent Alberta Private Sewage Systems Standard of Practice. Prior to installation of any sewage disposal system, a proper

AGENCY	COMMENTS
	<p>geotechnical assessment should be conducted by a qualified professional engineer and the system should be installed in an approved manner.</p> <p>3. The property must be maintained in accordance with the Alberta Public Health Act, Nuisance and General Sanitation Guideline 243/2003 which stipulates,</p> <p><i>No person shall create, commit or maintain a nuisance. A person who creates, commits or maintains any condition that is or might become injurious or dangerous to the public health or that might hinder in any manner the prevention or suppression of disease is deemed to have created, committed or maintained a nuisance.</i></p>
<i>Public Utility</i>	
ATCO Gas	No objection.
ATCO Pipelines	No objection.
AltaLink Management	No comment.
FortisAlberta	No easement required.
Telus Communications	No objections.
TransAlta Utilities Ltd.	No comment.
Rockyview Gas Co-op Ltd.	No comment.
<i>Other External Agencies</i>	
EnCana Corporation	No comment.
Canadian Pacific Railway	No comment.
City of Calgary	No comments.
<i>Rocky View County</i>	
<i>Boards and Committees</i>	
ASB Farm Members and Agricultural Fieldmen	No concerns.
Rocky View Central Recreation Board	As Municipal Reserves were previously provided on Plan 9510253, Rocky View Central Recreation District Board has no comments on this circulation.

AGENCY	COMMENTS
<i>Internal Departments</i>	
Municipal Lands	No concerns.
Development Authority	No comment.
GeoGraphics	No comment.
Building Services	No comment.
Enforcement Services	N/A
Emergency Services	No concerns.
Infrastructure and Operations – Engineering Services	<p data-bbox="594 735 786 762">Geotechnical:</p> <ul data-bbox="594 787 1127 814" style="list-style-type: none"> <li data-bbox="594 787 1127 814">• ES have no requirements at this time. <p data-bbox="594 837 810 865">Transportation:</p> <ul data-bbox="594 890 1390 1356" style="list-style-type: none"> <li data-bbox="594 890 1390 982">• The parcel has an existing access from Calterra Estates Drive, approximately 210m from the intersection of Calterra Estates Drive and Rge Rd 13; <li data-bbox="594 993 1390 1220">• As a condition of subdivision the applicant is required to provide payment of the Transportation Offsite Levy in accordance with applicable levy in accordance with Bylaw C-7356-2014 for the total gross acreage of the lands proposed to be subdivided. The estimated amount owed at time of subdivision endorsement is \$18,380 (Base = \$4,595/ac x 4 ac = \$18,380); <li data-bbox="594 1230 1390 1356">• As condition of subdivision, the owner will be required to construct a new approach in order to provide access to Lot 1. The approach shall be constructed in accordance with the County’s Servicing Standards. <p data-bbox="594 1379 911 1407">Sanitary/Waste Water:</p> <ul data-bbox="594 1432 1390 1925" style="list-style-type: none"> <li data-bbox="594 1432 1390 1925">• The applicant provided a Level 2 PSTS Assessment and Site Evaluation prepared by SOILWORX.ca dated December 2016. The assessment contains recommendations based on site evaluation and soil analysis results from test pits dug on the subject lands. ES recommends the use of a treatment mound or a packaged sewage treatment plant. In accordance with Policy 449, for residential developments relying on PSTS, where lot sizes are equal to, or greater than 1.98 acres but less than 3.95 acres, the County requires the use of Packaged Sewage Treatment Plant on individual lots which meet the Bureau de Normalisation du Quebec (BNQ) standards for treatment and the requirements set out in the Procedure 449. As a condition of subdivision, the applicant will be required to enter into a Site

AGENCY	COMMENTS
	<p>Improvements Services Agreement with the County for the future installation of a treatment mound or a packaged sewage treatment system meeting BNQ or NSF 40 Standards;</p> <ul style="list-style-type: none"> • The applicant provided a Level I Variation Assessment for the existing septic field on the subject lands indicating that the system is in good working order. ES has no further concerns. <p>Water Supply And Waterworks:</p> <ul style="list-style-type: none"> • As part of the application, the applicant provided a memo from Rocky View Water Co-Op dated January 27, 2017. The memo confirms that : <ul style="list-style-type: none"> ○ The applicant has completed all paperwork for water supply request. ○ The applicant has paid all necessary fees of said application. ○ The utility has sufficient capacity to service the proposed new lot. • As a condition of subdivision the applicant will be required to provide a copy of the completed Water Services Agreement with Rocky View Water Co-Op Ltd confirming the confirming the extension of the existing water distribution system to the subject lands. It is to be noted that there is an existing water service to connection to the existing parcel. <p>Storm Water Management:</p> <ul style="list-style-type: none"> • As part of the application, the applicant provided a Stormwater Management Plan prepared by Osprey Engineering Inc. dated August 2017. The report meets the Nose Creek Internal Drainage Area Study (MPE, 2013) runoff peak flow rate and average annual runoff volumes. No re-grading is porposed on the subject lot. The Stormwater Management Plan proposed a rain garden to manage release rates and volumes as well as other LID improvements and Best Management Practices on the proposed lot. As a condition of subdivision, the applicant is required to enter into a Site Improvements/Services Agreement with the County for the future implementation of the onsite stormwater management strategies identified in the Stormwater Management Plan prepared by Osprey Engineering Inc dated August 2017. <p>Environmental</p> <ul style="list-style-type: none"> • ES have no requirements at this time.



AGENCY	COMMENTS
Infrastructure and Operations – Maintenance	No issues.
Infrastructure and Operations - Capital Delivery	No concerns.
Infrastructure and Operations - Operations	If new approach construction required, Applicant us to contact County Road Operations for approach application. Access to both existing and new parcel must be maintained by owner (ie. new single/mutual approach).
Agriculture and Environmental Services - Solid Waste and Recycling	No concerns.

Circulation Period: September 7, 2017 to September 28, 2017



BYLAW C-7727-2017

A Bylaw of Rocky View County pursuant to Division 12 of Part 17 of the Municipal Government Act to amend Bylaw C-5208-2000, known as the “Calterra Estates Conceptual Scheme”

The Council of Rocky View County enacts as follows:

PART 1 – TITLE

This Bylaw shall be known as Bylaw C-7727-2017.

PART 2 – DEFINITIONS

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

PART 3 – EFFECT OF BYLAW

THAT Bylaw C-5208-2000, known as the “Calterra Estates Conceptual Scheme”, be amended in accordance with the amendments contained in Schedules “A”, “B”, and “C” attached to and forming part of the Bylaw; and

THAT The amendments contained in Schedule ‘A’, ‘B’, and ‘C’ attached to and forming part of the Bylaw be adopted to allow for the future subdivision and development within Lot 5, Plan 0010692, NE-16-26-1-W5M, consisting of an area of ± 1.62 hectares (± 4.00 acres) in size, attached to and forming part of this Bylaw.

PART 4 – TRANSITIONAL

Bylaw C-7727-2017 comes into force when it receives third reading, and is signed by the Reeve/Deputy Reeve and CAO or Designate, as per the *Municipal Government Act*.

Division: 7

File: 06516014 - PL20170150

<i>PUBLIC HEARING WAS HELD IN COUNCIL this</i>	<i>day of</i>	, 2018
READ A FIRST TIME IN COUNCIL this	day of	, 2018
READ A SECOND TIME IN COUNCIL this	day of	, 2018
<i>UNANIMOUS PERMISSION FOR THIRD READING</i>	<i>day of</i>	<i>, 2018</i>
READ A THIRD TIME IN COUNCIL this	day of	, 2018

Reeve

CAO or Designate

Date Bylaw Signed

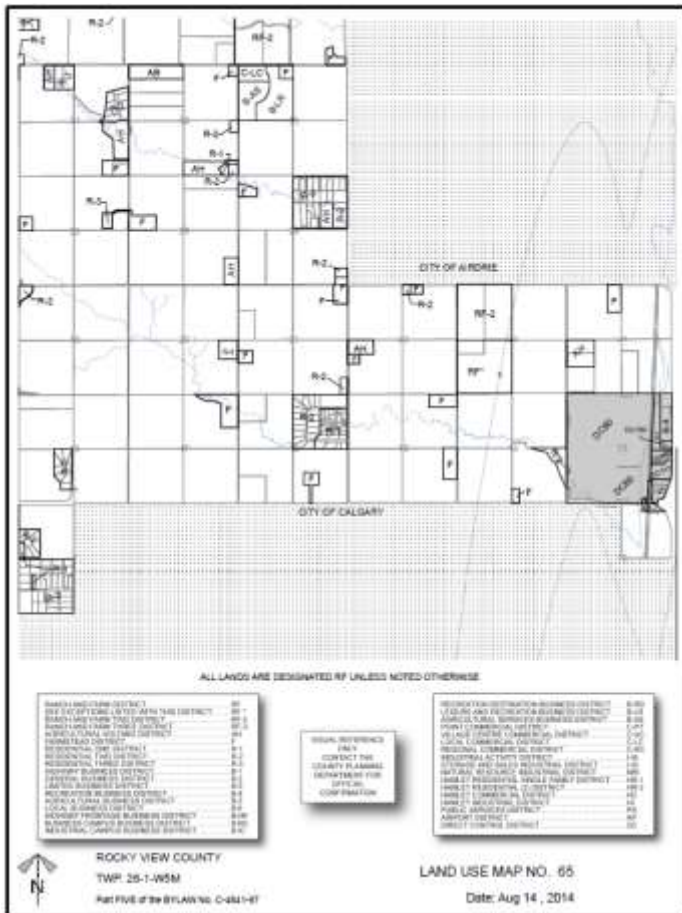


SCHEDULE 'A'
FORMING PART OF BYLAW C-7727-2017

Schedule of Amendments to Bylaw C-5208-2000:

Amendment #1:

Delete Figure 2 – Surrounding Land Use Map, which shows:



And replace with LAND USE MAP NO.65 as shown on Schedule 'B'.

Amendment #2

Delete text in Section 5.1, Proposed Subdivision Concept, which reads:

A 1.60 hectare (3.95 acre) minimum parcel size is anticipated for lots located within Phases 1 and 3, which is consistent with the Residential Two District Land Use Designation. A 0.80 hectare (1.98 acre) minimum parcel size is anticipated within portion of Phases 2, 4, and 5, as shown on Figure 5.1 and 5.2 which is consistent with the Residential One District Land Use Designation. A potential future maximum yield of 51 lots is expected for the entire Plan Area.



And replace with the following:

A 1.60 hectare (3.95 acre) minimum parcel size is anticipated for lots located within Phases 1 and 3. A 0.80 hectare (1.98 acre) minimum parcel size may be considered within portions of Phases 1, 2, 4, and 5, as shown on Figures 5.1, 5.2, and 5.3, and the existing land use designation. A potential future maximum yield of 52 lots is expected for the entire Plan Area.

Amendment #3:

Revise Policy 5.1.1, which reads:

Policy 5.1.1: Subdivision, if approved, by the Subdivision Authority, should reflect the Subdivision Concept Plan in Figure 5, 5.1, and 5.2.

To this:

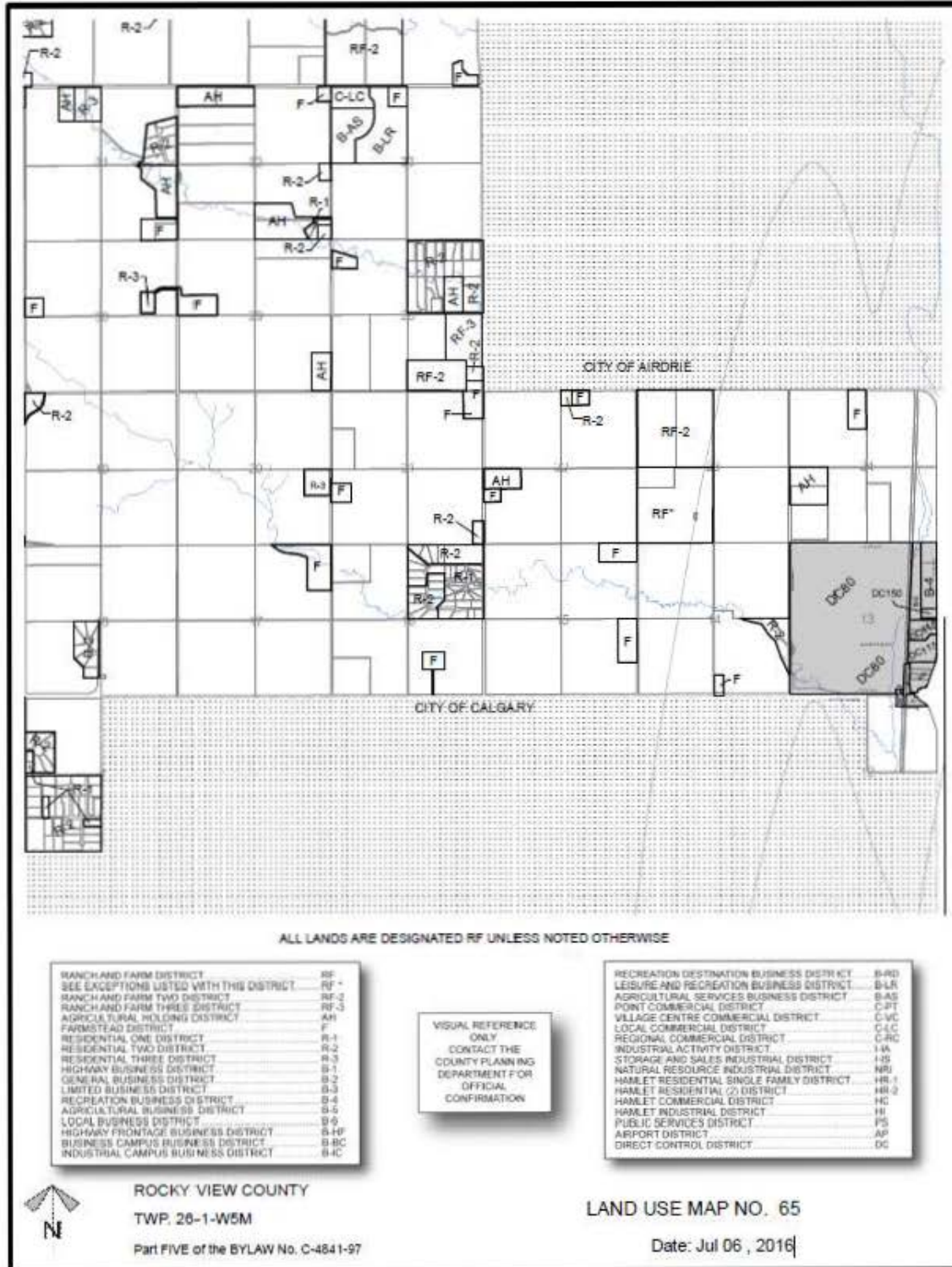
Policy 5.1.1: Subdivision, if approved, by the Subdivision Authority, should reflect the Subdivision Concept Plan in Figures 5, 5.1, 5.2, and 5.3.

Amendment #4:

Add Figure 5.3, as shown in Schedule 'C' attached to and forming part of this bylaw, and label it as "SUBDIVISION CONCEPT – 2 acre Lots within Phase 1"



SCHEDULE 'B'
FORMING PART OF BYLAW C-7727-2017





SCHEDULE 'C'
FORMING PART OF BYLAW C-7727-2017



Legend	
Phase 1 Area	
2 Acre Parcel	
Potential Lot Line	

RGE RD 13

Calterra Estates Conceptual Scheme

Bylaw C-5208-2000

Adopted June 6, 2000



ROCKY VIEW COUNTY
Cultivating Communities

**ROCKY VIEW COUNTY
BYLAW C-5208-2000**

OFFICE CONSOLIDATION

Bylaw	Amendment Type	Date of Approval
C-5208-2000	Original Bylaw	June 6, 2000
C-7158-2012	Amendment to allow for a minimum parcel size of \geq 0.80 hectares (\geq 1.98 acres) within a portion of the plan area. Update the document where necessary, including numbering and formatting and replacing references to "Secondary Highway 782" with "Range Road 13". Replacing Figure 2 and adding Figure 5.1	July 3, 2012
C-7486-2015	Amendment to allow for a minimum parcel size of \geq 0.80 hectares (\geq 1.98 acres) within a portion of the plan area within Phase 2 and Phase 4.	July 14, 2015
C-7727-2017	Amendment to allow for a minimum parcel size of \geq 0.80 hectares (\geq 1.98 acres) within a portion of the plan area within Phase 1.	PROPOSED



CALTERRA ESTATES

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 - 1.2 PLAN FORMAT
- II. PLAN OBJECTIVES
- III. PLAN CONTEXT
 - 3.1 EXISTING AREA LAND-USE
 - 3.2 ACCESS
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 - 4.1 EXISTING LAND USE
 - 4.2 TOPOGRAPHY
 - 4.3 GEOTECHNICAL INVESTIGATION
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- X. APPENDIX
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CALTERRA ESTATES

FIGURES

1. SITE LOCATION PLAN
2. SURROUNDING LAND USE
3. SITE ACCESS
4. TOPOGRAPHIC BASE
5. SUBDIVISION CONCEPT PLAN
 - 5.1 SUBDIVISION CONCEPT WITHIN A PORTION OF PHASE 5
 - 5.2 SUBDIVISION CONCEPT WITHIN A PORTION OF PHASE 2 AND 4
 - 5.3 SUBDIVISION CONCEPT WITHIN A PORTION OF PHASE 1**
6. PHASING PLAN
7. BUILDING SITE LOCATION PLAN
8. PROPOSED SERVICING
9. STORMWATER SURFACE DRAINAGE



INTRODUCTION

1.1 BACKGROUND

The Plan Area is comprised of the NE1/4-16-26-1-W5M and is located 2.5 miles north of Calgary and approximately 2.5 miles southwest of Airdrie, within Rocky View County as shown on Figure 1. The lands are currently designated R-2 Residential Two District under the Land Use By-Law No. C-4841-97.

The owners of a portion of the Plan Area submitted two applications for subdivision in 1998. One was to create three new 4-acre parcels from an existing 10-acre parcel including a boundary adjustment from the adjacent 80-acre parcel. This subdivision is currently being completed as a two lot, four-acre subdivision.

The second application was originally for two four acre parcels from the 80-acre parcel and on June 30, 1998, Council passed a motion requiring the preparation of a Concept Plan for the entire NE -16-26-1-W5M to support the proposed subdivision applications.

The purpose of this Concept Plan is to comply with Council's request and proceed forward with the first phase of subdivision.

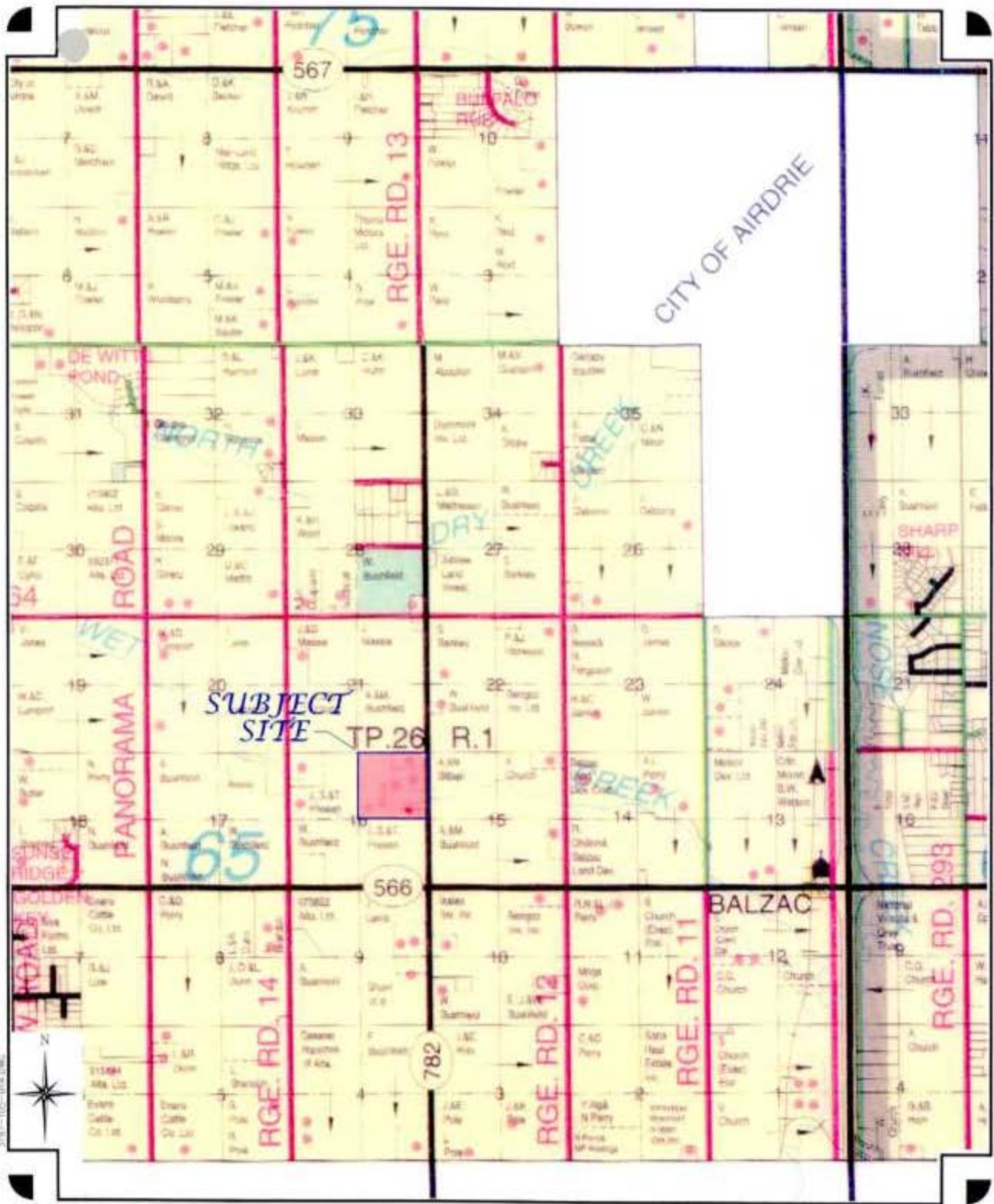
1.2 PLAN FORMAT

This proposal will provide Council with an analysis of all subdivision and development related issues pertaining to the site and its context within the surrounding community.

The Plan begins by identifying objectives in Section 2.0, proceeding to discuss the Plan Context in section 3.0, while section 4.0 will discuss the existing natural site features. Section 5.0 and 6.0 present the conceptual development scheme proposal as well as existing and future servicing proposals. Furthermore, section 7.0 will discuss traffic impact while the final two sections 8&9 of this report will discuss Public Input and Concept Plan conformity.

Policy statements within the Plan are numbered and written in *Italics*.

CALTERRA ESTATES




**WALKER
NEWBY**
 PLANNING ENGINEERING
 LAND SURVEY TRAINING
 CONCEPTS INTO COMMUNITIES
 OCTOBER 1999

SITE LOCATION PLAN
 PROPOSED SUBDIVISION
 N.E. 1/4 SEC. 16 T26 R1 W5M
 N.T.S.

**FIGURE
1**



CALTERRA ESTATES

II. PLAN OBJECTIVES

- 2.1 To establish policies to guide future subdivision and development within the Plan Area.
- 2.2 To identify development issues within the Plan Area and establish appropriate and comprehensive solutions for addressing these issues.
- 2.3 To facilitate the development of a comprehensively planned residential project that incorporates the highest design, aesthetic and environmental standards.
- 2.4 To establish a servicing scheme that is appropriate to the Development Proposal.
- 2.5 To gather input from residents and create a development which is compatible with the adjacent land uses and is an asset to the surrounding community.



III. PLAN CONTEXT

The subject lands are identified in Figure 1 and are legally described as the NE $\frac{1}{4}$ of Section 16, Township 26, Range 1, west of the 5th meridian composed of 160 acres.

3.1 EXISTING AREA LAND USE

The context of the Plan Area with respect to the surrounding community is depicted in Figure 2.

The site is located north of Calgary and approximately 3.0 miles west of Balzac. The Plan Area is located in a portion of Rocky View County where primary land uses are agricultural with sporadic clusters of country residential subdivisions.

The subject lands are designated Residential One District (R-1) and Residential Two District (R-2) for the purpose of allowing for residential uses on parcels that range from 0.80 hectares (1.98 acres) to 1.60 hectares (3.95 acres) in size

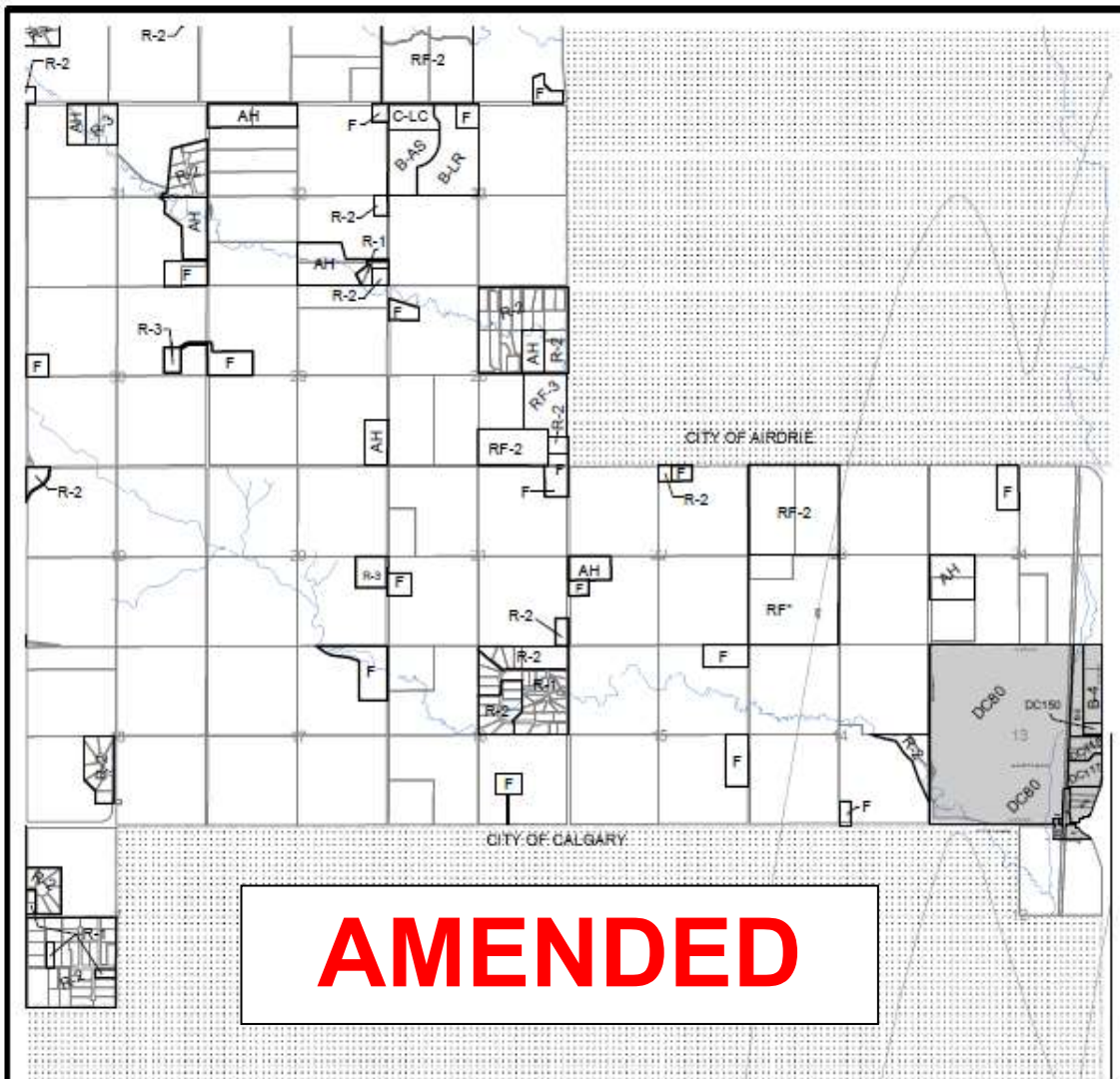
3.2 ACCESS

Figure 3 provides an overview of main regional access routes to the subject lands.

Secondary Highway 566 will provide superior access to the City of Calgary and Balzac due to the close proximity to the subject lands. Consequently, any additional traffic generated as a result of this subdivision proposal can be easily accommodated via major access routes. A detailed traffic impact analysis will be discussed in section 7.



CALTERRA ESTATES



ALL LANDS ARE DESIGNATED RF UNLESS NOTED OTHERWISE

RANCH AND FARM DISTRICT	RF
SEE EXCEPTIONS LISTED WITH THIS DISTRICT	RF *
RANCH AND FARM TWO DISTRICT	RF-2
RANCH AND FARM THREE DISTRICT	RF-3
AGRICULTURAL HOLDING DISTRICT	AH
FARMSTEAD DISTRICT	F
RESIDENTIAL ONE DISTRICT	R-1
RESIDENTIAL TWO DISTRICT	R-2
RESIDENTIAL THREE DISTRICT	R-3
HIGHWAY BUSINESS DISTRICT	B-1
GENERAL BUSINESS DISTRICT	B-2
LIMITED BUSINESS DISTRICT	B-3
RECREATION BUSINESS DISTRICT	B-4
AGRICULTURAL BUSINESS DISTRICT	B-5
LOCAL BUSINESS DISTRICT	B-6
HIGHWAY FRONTAGE BUSINESS DISTRICT	B-HF
BUSINESS CAMPUS BUSINESS DISTRICT	B-BC
INDUSTRIAL CAMPUS BUSINESS DISTRICT	B-IC

VISUAL REFERENCE ONLY
CONTACT THE COUNTY PLANNING DEPARTMENT FOR OFFICIAL CONFIRMATION

RECREATION DESTINATION BUSINESS DISTRICT	B-RD
LEISURE AND RECREATION BUSINESS DISTRICT	B-LR
AGRICULTURAL SERVICES BUSINESS DISTRICT	B-AS
POINT COMMERCIAL DISTRICT	C-PT
VILLAGE CENTRE COMMERCIAL DISTRICT	C-VC
LOCAL COMMERCIAL DISTRICT	C-LC
REGIONAL COMMERCIAL DISTRICT	C-RC
INDUSTRIAL ACTIVITY DISTRICT	I-A
STORAGE AND SALES INDUSTRIAL DISTRICT	I-S
NATURAL RESOURCE INDUSTRIAL DISTRICT	NR-I
HAMLET RESIDENTIAL SINGLE FAMILY DISTRICT	HR-1
HAMLET RESIDENTIAL 22 DISTRICT	HR-2
HAMLET COMMERCIAL DISTRICT	HC
HAMLET INDUSTRIAL DISTRICT	HI
PUBLIC SERVICES DISTRICT	PS
AIRPORT DISTRICT	AP
DIRECT CONTROL DISTRICT	DC

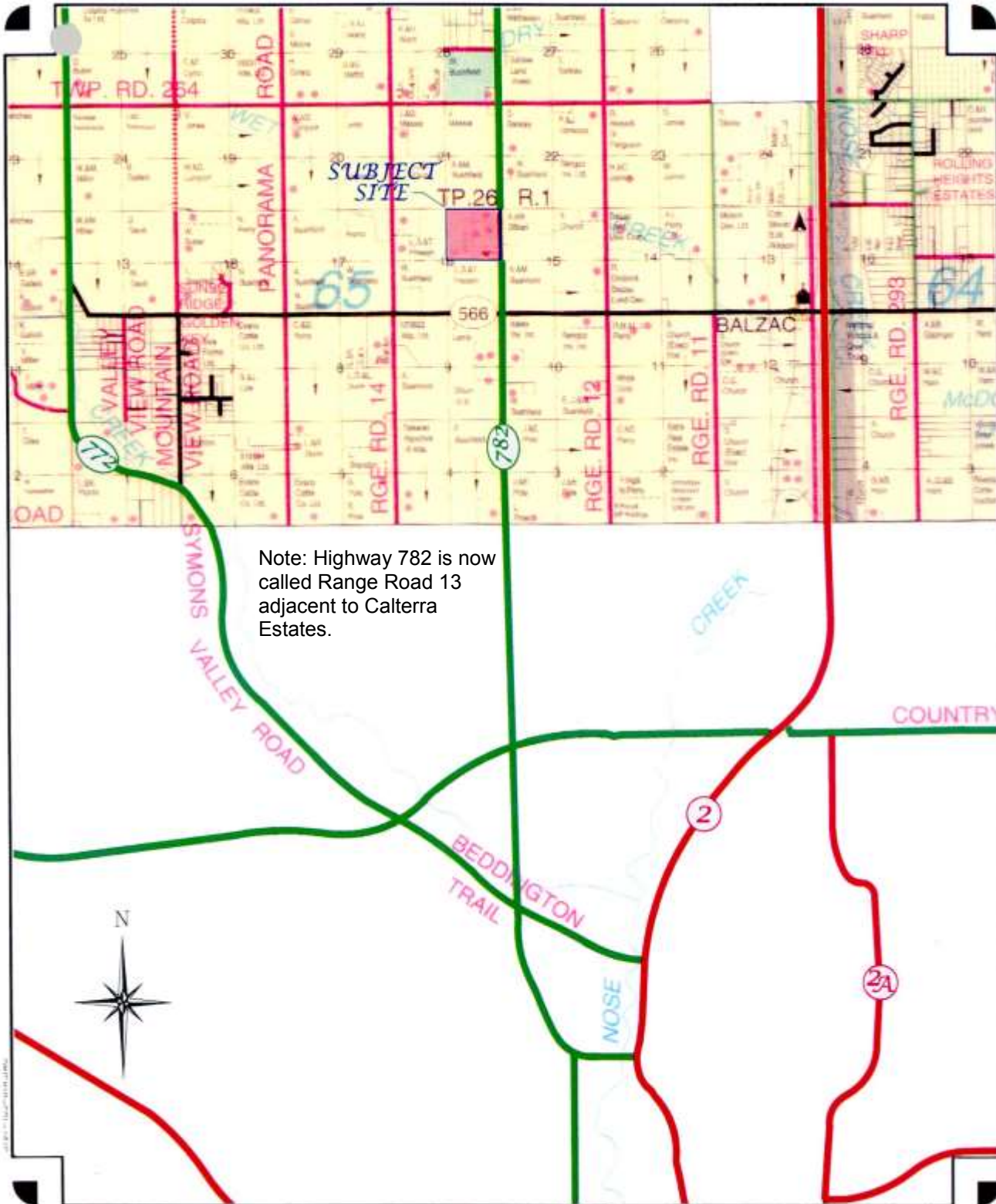


ROCKY VIEW COUNTY
TWP. 26-1-W5M
Part FIVE of the BYLAW No. C-4841-97

LAND USE MAP NO. 65

Date: Jul 06, 2016

CALTERRA ESTATES



Note: Highway 782 is now called Range Road 13 adjacent to Calterra Estates.

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ENGINEERING
CONCEPTS INTO COMMUNITIES
OCTOBER 1999

SITE ACCESS
PROPOSED SUBDIVISION
N.E. 1/4 SEC. 16 T26 R1 W5M
N.T.S.

FIGURE
3



IV. SITE FEATURES

4.1 EXISTING LAND USE

Lands within the Plan Area are used for residential purposes. As previously stated, all lands within the Plan Area are designated for country residential land uses on 0.80 hectare (1.98 acre) to 1.60 hectare (3.95 acre) parcel sizes.

4.2 TOPOGRAPHY

Figure 4 provides an overview of natural features found on the site including topography. The land generally slopes from the southwest to the centre of the site set in a bowl like formation and continuing with a slight slope to the west. Wet Creek forms a small drainage channel starting from the southwest corner to the center and continues its flow to the east of the $\frac{1}{4}$ section.

A detailed storm water management plan has been prepared by Westhoff Engineering Ltd. to address all runoff issues associated with the creek. A copy of this report is included in the appendix.



The gentle rolling topography presents no problems for subdivision and development, and combined with a southwesterly aspect, provides interesting and superior buildings sites.



4.3 GEOTECHNICAL INVESTIGATION

Jacques Whitford Engineering undertook a comprehensive Geotechnical Evaluation of the subject lands. Testing included percolation rates, near surface bedrock delineation and water table conditions. The Geotechnical evaluation results are detailed in the report prepared by Jacques Whitford included in the appendix.

The Geotechnical investigations concluded that the area proposed for subdivision on the west ½ of the Plan Area is suitable for residential development. Further testing will be undertaken on individual lots through subdivision conditions to confirm suitability on a building site-specific basis. The policies related to further testing are discussed in detail in section 6.1.

4.4 VEGETATION

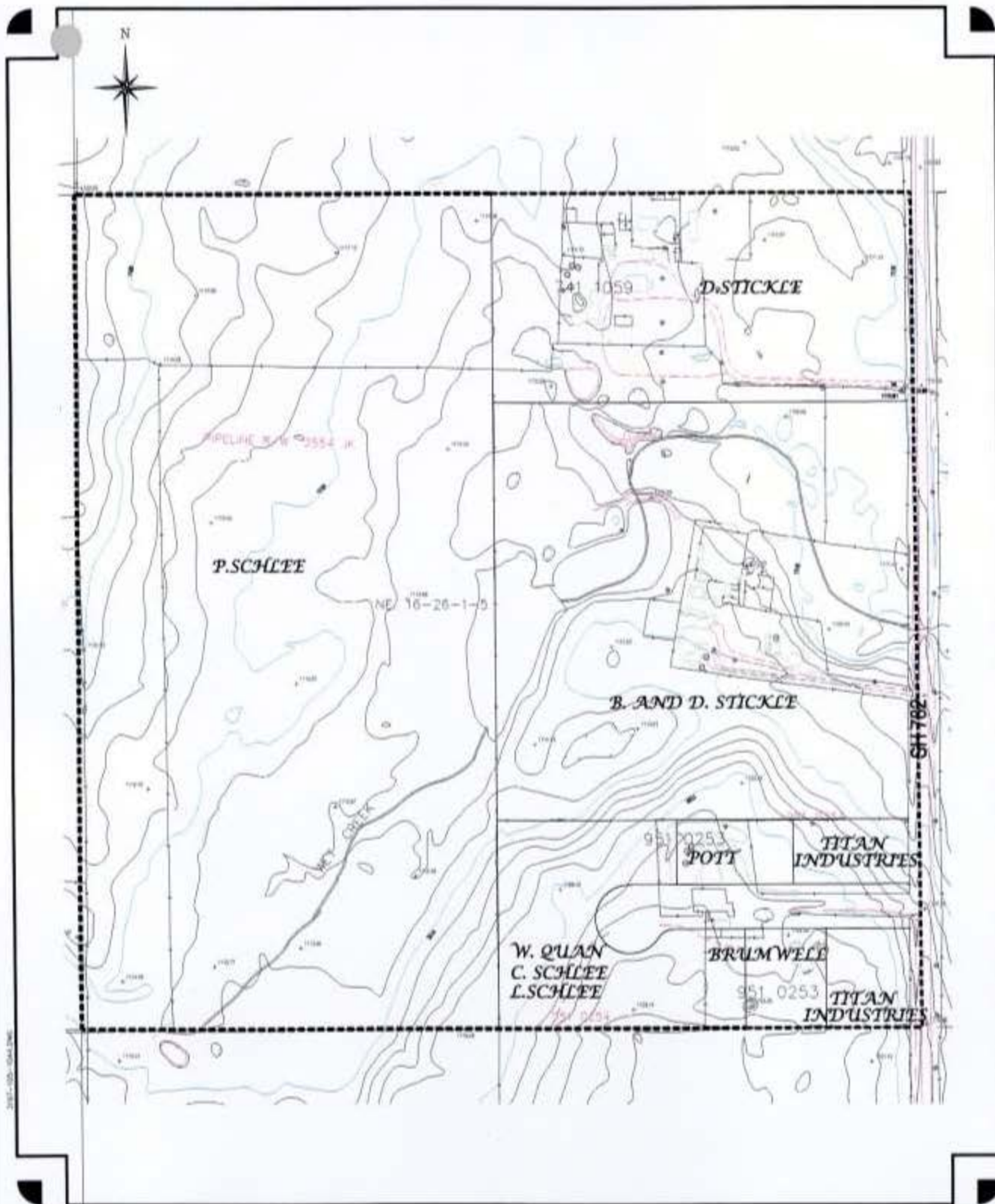
Vegetation over the Plan Area is typical of disturbed pasturelands in the Calgary region. There is a consistent mix of prairie grasses as well as patches of small undergrowth found in close proximity to Wet Creek.

4.5 DRAINAGE

The Plan Area generally drains from west to east with runoff intercepted by the existing creek. The creek has been appropriately reengineered and realigned with Alberta Environment permits and approvals to comply with the Ultimate Post-Development Drainage Concept Plan design of the Westhoff Engineering Resources Inc. Stormwater Management Concepts study.

A detailed hydraulic analysis of the creek and its associated runoff regime has been determined in the study conducted by Westhoff and Associates and is included in the appendix. Policies related to further Stormwater Management are discussed in section 6.3.

CALTERRA ESTATES



WHEELER
NEWBY
CONCEPTS INTO COMPLETION
OCTOBER 1999

**TOPOGRAPHIC BASE
AND OWNERSHIP MAP**
N.E. 1/4 SEC. 16 T26 R1 W5M
N.T.S.

FIGURE
4

Page 14 of 34



V. CONCEPTUAL DEVELOPMENT SCHEME

5.1 PROPOSED SUBDIVISION CONCEPT

Any proposal for future subdivision of the Plan Area must take into account the existing physical attributes of the land and the existing pattern of development to create subdivision that is compatible with both. Figure 5 provides a concept for the future subdivision of lands within the Plan Area that accomplishes this objective.

Access into the Plan Area originates at the existing public municipal road in the southeast portion of the site and continues west and then turns north in a long curve to provide access to the west ½ of the Plan Area. A turn back to the east with a termination on Range Road 13 provides future access for the northeast portions of the Plan Area.

This access arrangement allows each of the unsubdivided portions of the Plan Area to develop lots in a configuration that maximizes potential yield for each of the separately titled areas with an equitable distribution of road and development costs.

A 1.60 hectare (3.95 acre) minimum parcel size is anticipated for lots located within Phases 1 and 3, ~~which is consistent with the Residential Two-District Land Use Designation.~~ A 0.80 hectare (1.98 acre) minimum parcel size **is anticipated may be considered** within portions of Phases 1, 2, 4, and 5, as shown on Figures 5.1, ~~and 5.2, and 5.3 and the existing land use designation.~~ **which is consistent with the Residential One-District Land Use Designation.** A potential future maximum yield of ~~51-52~~ lots is expected for the entire Plan Area.

The realigned creek has been protected from disturbance through the registration of drainage easements against each of the affected lots.

Building sites on each of the future parcels will be designated in accordance with Geotechnical recommendations and aesthetics.

Policy 5.1.1: Subdivision, if approved by the Subdivision Authority, should reflect the Subdivision Concept Plan in Figures 5, 5.1, ~~and 5.2, and 5.3.~~



5.2 SUBDIVISION PHASING

Phasing within the Plan Area will proceed generally as depicted on the Subdivision Phasing Plan (figure 6). The owners of those lands contained within phases 1 through 4 as shown on Figure 6 would like to proceed with the first phase of subdivision upon approval of this plan by Rocky View County.

The existing owners of lands shown as Phase 5 have longer-term development aspirations and it is anticipated that these portions of the Plan Area will be phased in last. Road construction and the extension of utilities into the Plan Area will be accomplished on a phase by phase basis through development agreements and conditions of subdivision approval.

Policy 5.2.1: Phasing within the Plan Area should proceed in accordance with the Subdivision Phasing Plan (Figure 6) as attached to and forming part of this Plan, unless otherwise approved by the County and Subdivision Authority.

5.3 MUNICIPAL RESERVES

Pursuant to the Municipal Government Act, Council as Subdivision Approving Authority, may require 10% of the gross area of the subject lands as Municipal or School Reserve, or require the payment of cash in lieu of the land that would have been dedicated as Reserve.

Policy 5.3.1: Municipal Reserves for that portion of the subject lands proposed for subdivision shall be provided by the payment of cash-in-lieu of land or by dedication of land pursuant to the Municipal Government Act.

Policy 5.3.2: A homeowner's association may be legally established to provide for the ongoing maintenance and management of the reserve parcel with the obligations of owners established by caveat against the proposed lots.

5.4 TRAIL SYSTEM

A pathway adjacent to the perimeter of the west half of the Concept Plan will provide an opportunity for walking and passive recreational activities for future residents.



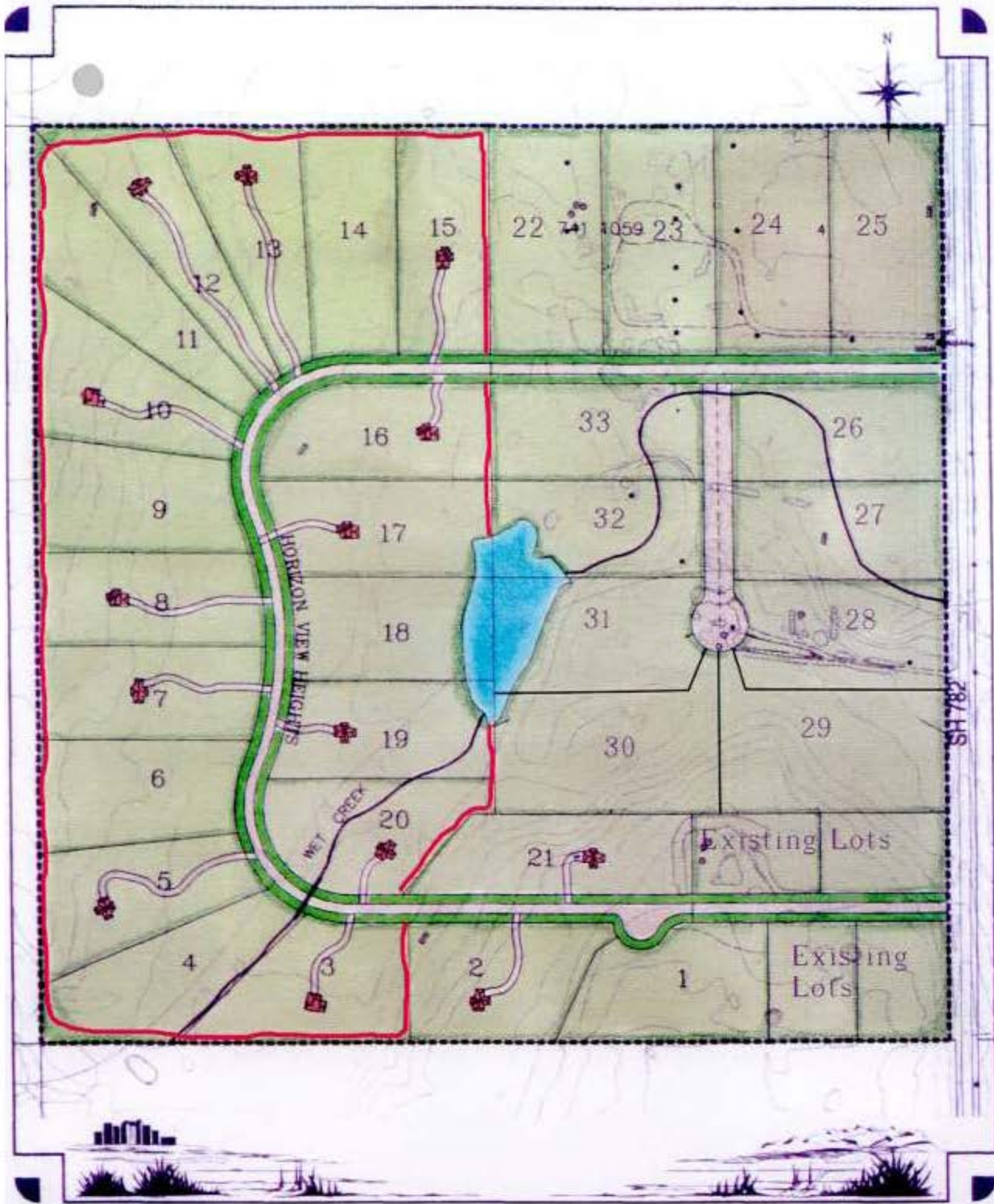
The trail alignment will be protected by easement against each of the affected lots and construction of the trail will occur at each phase of subdivision. A homeowner's association will be legally established to provide ongoing management and maintenance of the trail.

Policy 5.4.1: A trail will be constructed adjacent to the perimeter of the west portion of the Plan Area as shown on Figure 5, the Conceptual Subdivision Scheme.

Policy 5.4.2: The trail will be protected by easement across the future lots and maintained by a homeowner's association with maintenance obligations detailed in a caveat.

Policy 5.4.3: The trail will be constructed at each phase of development, as a condition of subdivision.

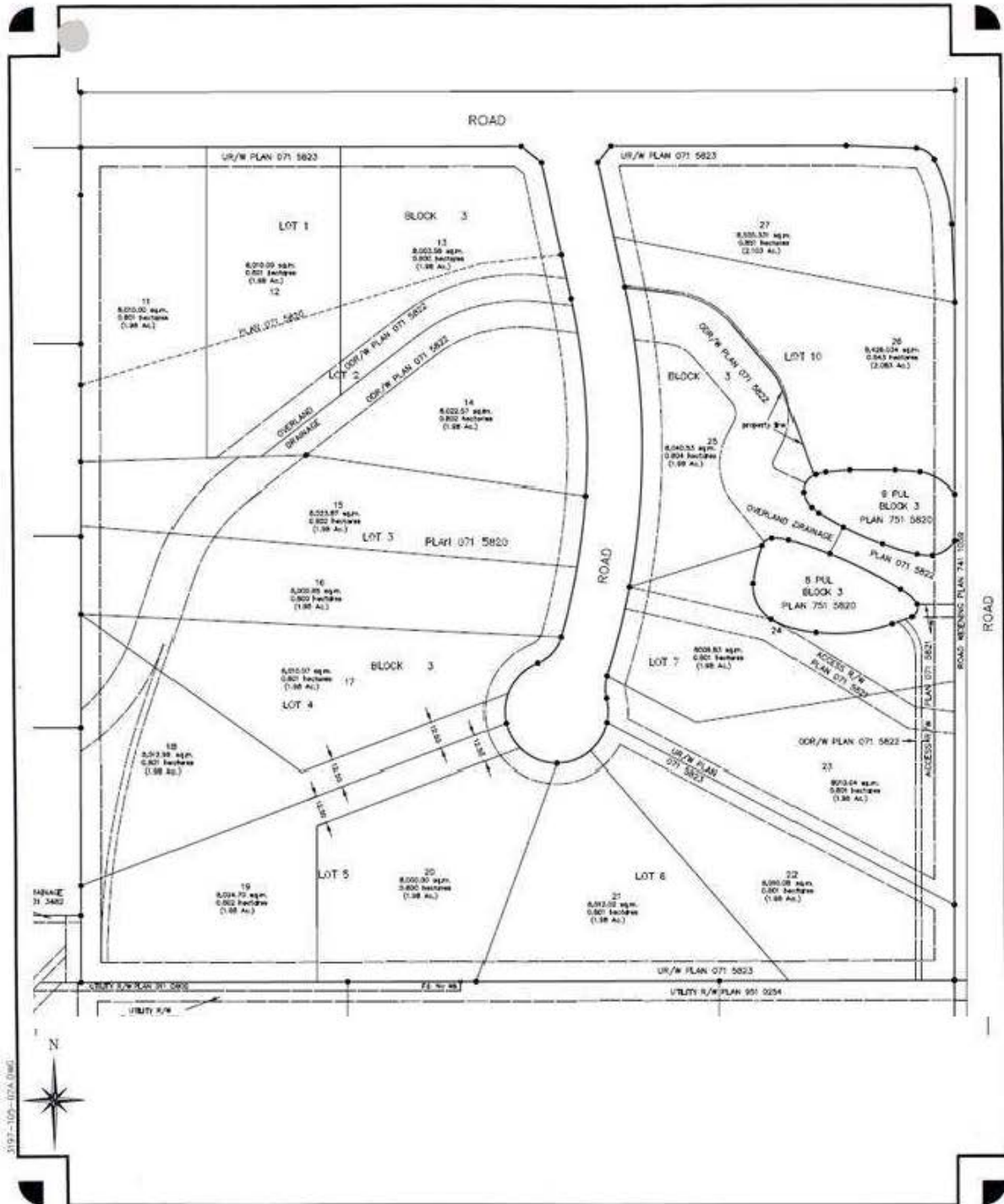
CALTERRA ESTATES




SUBDIVISION CONCEPT PLAN
 N.E. 1/4 SEC. 16 T26 R1 W5M
 N.T.S.

FIGURE 5
 OCTOBER 1999

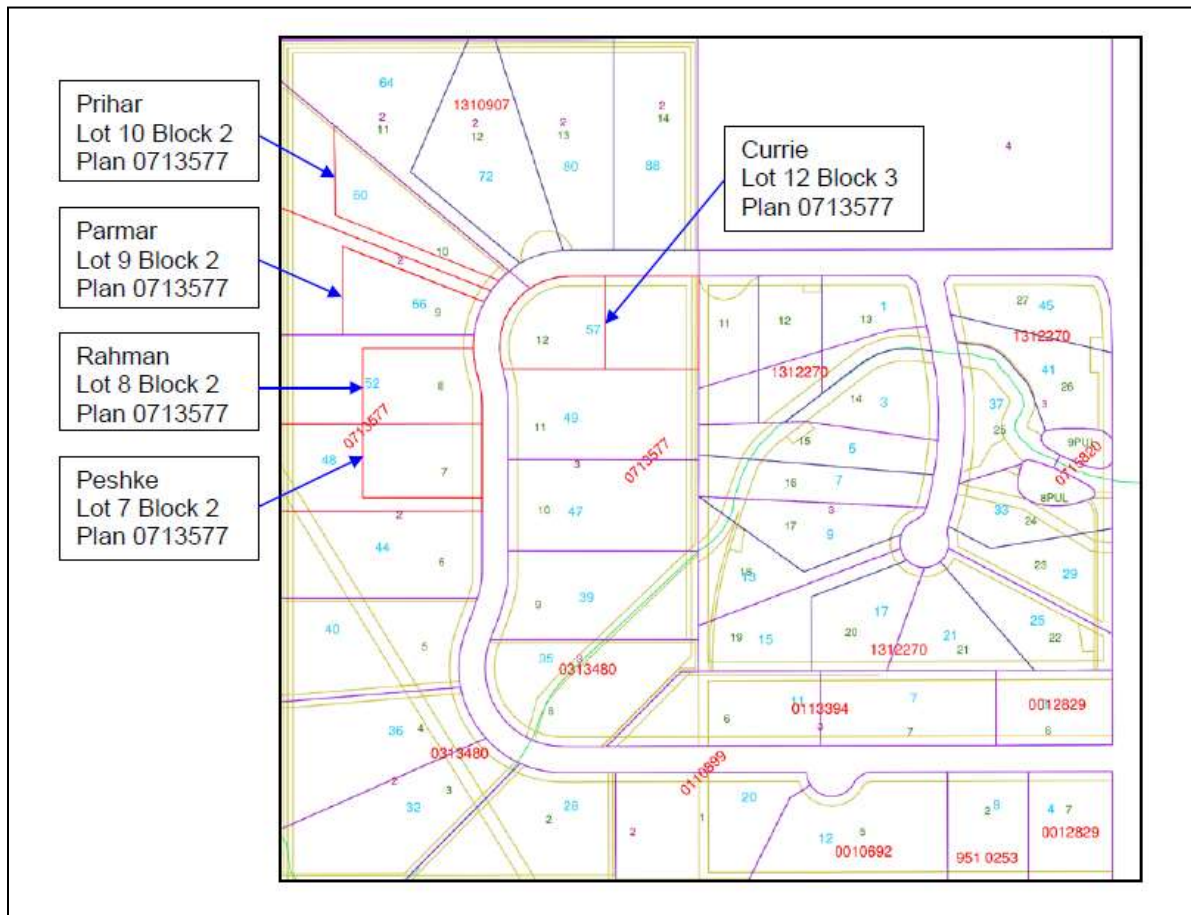
CALTERRA ESTATES



SUBDIVISION CONCEPT **FIGURE 5.1**
2 ACRE LOTS WITHIN PHASE 5



CALTERRA ESTATES



SUBDIVISION CONCEPT

FIGURE

2 ACRE LOTS WITHIN PHASE 2 AND 4

5.2

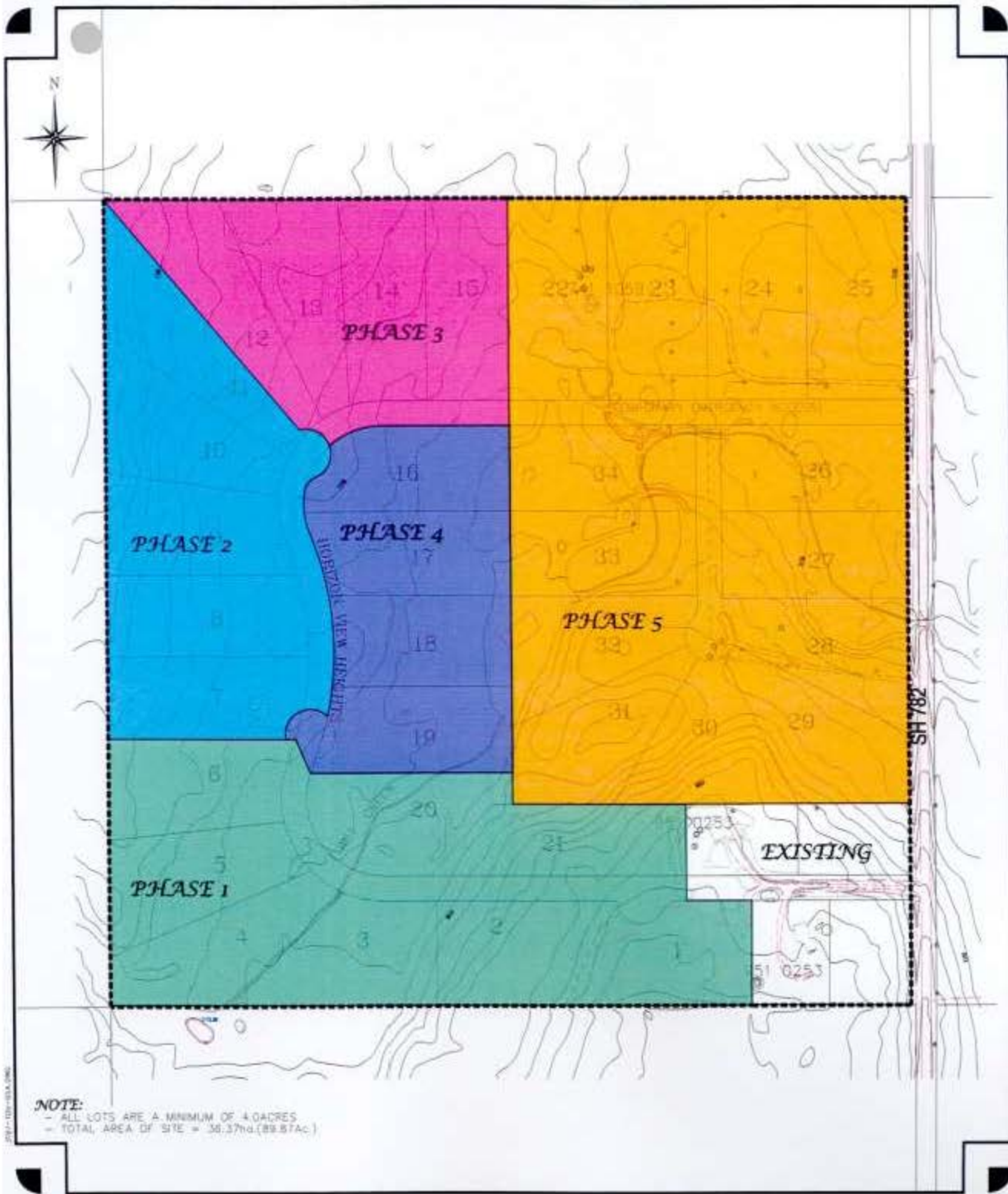


SUBDIVISION CONCEPT *FIGURE*

2 ACRE LOTS WITHIN PHASE 1 **5.3**

FIGURE
INSERTED

CALTERRA ESTATES



2017-10-10-10:00 AM

WALKER PLANNING ENGINEERS
NEWBY URBAN DESIGN STRATEGISTS
 CONCEPTS INTO COMMUNITIES
 OCTOBER 1999

PHASING PLAN
PROPOSED SUBDIVISION
 N.E. 1/4 SEC. 16 T26 R1 W5M
 N.T.S.

FIGURE
6



CALTERRA ESTATES

VI. SERVICING PROPOSAL

6.1 WASTEWATER TREATMENT

Sewage treatment and disposal will be managed on site with individual septic tank and tile field installations. Alberta Environment and Alberta Municipal Affairs prefers a minimum of 1 acre (0.4 ha) of developable land on each lot proposed through subdivision to facilitate the proper siting of tile fields. The proposed conceptual subdivision scheme has been designed to accomplish this (see figure 7).

Percolation Testing was conducted throughout the entire subject lands by Jacques Whitford. The results are included in Appendix 1 and indicate that the subject lands are suitable for septic fields.

Policy 6.1.1: Sewage treatment shall be by individual septic tank and tile field for each lot proposed for residential development to the satisfaction of Alberta Municipal Affairs.

Policy 6.1.2: Additional Geotechnical Evaluations including percolation and near surface water table testing confirming suitability for on-site septic field sewage treatment systems shall be required through conditions of subdivision approval on a phase by phase basis.

Policy 6.1.3: The Geotechnical Evaluation will also consider suitable setbacks from Wet Creek for septic tanks and field locations.

Policy 6.1.4: Lots less than 4 acres in size must be serviced by Packaged Sewage Treatment Plants, in accordance with County Policy and Procedure 449.

6.2 WATER SUPPLY AND DISTRIBUTION

Water will be supplied via the extension of the existing Rocky View Water Co-Op line located in the southeast portion of the Plan Area as shown on Figure 8. Rocky View Water Co-Op has confirmed that there is sufficient capacity to service all future lots shown in the Concept Plan.

Policy 6.2.1: Water is to be supplied from a piped water supply in accordance with the requirements of Alberta Environment and Rocky View County.



CALTERRA ESTATES

6.3 STORMWATER MANAGEMENT

Westhoff Engineering Resources has conducted a comprehensive analysis of existing and future post development Stormwater conditions. This report is included in the appendix.

The report examines pre-development runoff conditions and accounts for the role of "Wet Creek" as drainage for both on-site and off-site Stormwater. Post-development Stormwater runoff is also calculated and added to the expected worst case runoff conditions during a 1:100 year storm event.

Culvert sizing and the required capacity of the re-aligned creek are then determined to account for the 1:100 year storm event in post-development conditions.

A two-stage approach to managing Stormwater and the creek drainage is proposed. The first stage would involve a creek re-alignment on the west ½ of the Plan Area and control of the central Stormwater impoundment area as an interim solution. The ultimate management plan for creek drainage would include further re-alignment through the east portion of the Plan Area and a diversion around the existing pond and dams to control and maintain water levels in the existing ponds.

The technical details of this drainage management plan are fully presented in the report prepared by Westhoff Engineering.

Policy 6.3.1: Stormwater management within the Plan Area shall be in accordance with the report prepared by Westhoff Engineering and the requirements of Rocky View County and Alberta Environment.

Policy 6.3.2: The re-alignment of Wet Creek through the Plan Area shall be subject to approvals from Alberta Environment.

Policy 6.3.3: Wet Creek shall be protected by the establishment of drainage easements on those lots affected by the creek alignment.

Policy 6.3.4: Perimeter drainage swales and all other proposed and existing drainage features shall be protected by easements on those lots affected.

Policy 6.3.5: A detailed Stormwater Management Report shall be required through conditions of subdivision for Phase 1 as shown on Figure 6, the



Subdivision Phasing Plan and all stormwater management within the Plan Area shall conform to the provisions of this report.

Policy 6.3.6: Stormwater management shall be in accordance with Best Management Practices and that post development stormwater flows will equal predevelopment flows.

6.4 UTILITY SERVICES

Power, phone and natural gas shallow utility services are all available in the area with sufficient capacities to service the proposed development and will be extended into the Plan Area on a phase by phase basis.

6.5 INTERNAL SUBDIVISION ROADS

All internal subdivision roads will be constructed to municipal standards. Roads have been located to minimize the need for extensive earthworks and all finished road grades will be in accordance with municipal standards.

The internal subdivision road will be extended through the Plan Area from south to north on a phase by phase basis with temporary gravel cul-de-sacs constructed and protected by easement at the termination of each phase.

An emergency access road will be constructed on the proposed road alignment at the second phase of subdivision to provide a secondary means of access pending the subdivision of lots identified as phase 5 on Figure 6, the Phasing Plan. The internal subdivision road will be extended to Range Road 13 to complete the road loop upon subdivision of Phase 5. This emergency access will be gravel and will be built according Rocky View County's design guidelines.

The emergency access road will join the existing road located on an existing access easement which crosses adjacent lands in the northeast portion of the Plan Area to provide direct access to Range Road 13.

Policy 6.5.1: Internal Subdivision roads shall be constructed to Municipal Road Standards in accordance with Rocky View County's "servicing standards for Subdivisions and road construction".

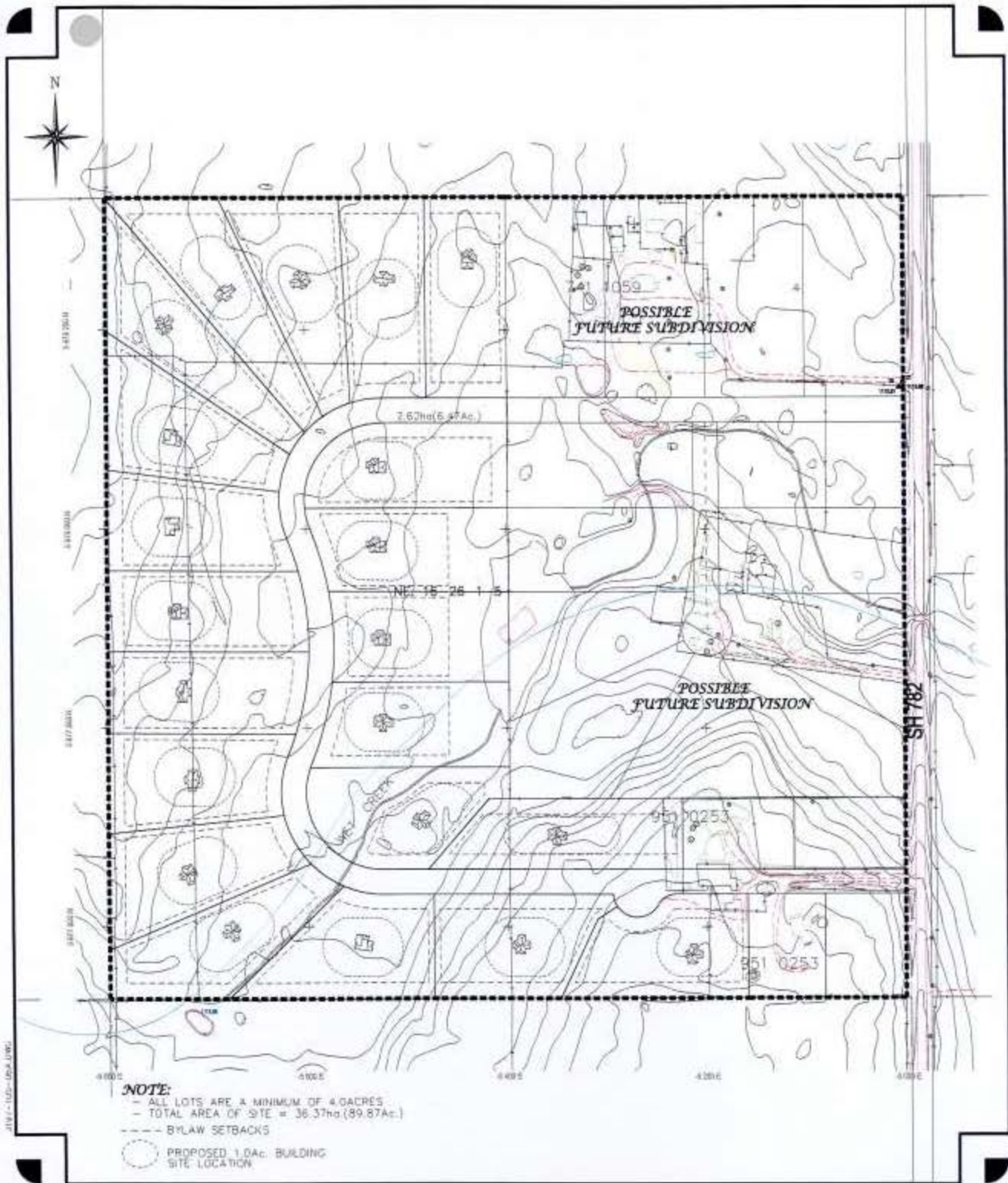


Policy 6.5.2: A temporary emergency access road shall be constructed to an all weather gravel standard on the proposed subdivision road alignment upon the subdivision of Phase 2 as shown on Figure 6, the Phasing Plan to provide a secondary means of access until the subdivision of Phase 5 as shown on Figure 6, the Phasing Plan. The emergency access road will be extended through the westerly 80 acre parcel to join with a road established on an existing access easement across adjacent lands to Range Road 13.

Policy 6.5.3: Temporary cul-de-sac turnarounds will be constructed at the termination of the proposed internal subdivision road on a phase by phase basis and will be protected by temporary easements over the affected lots.

Policy 6.5.4: All lots shall only access Range Road 13 via the proposed internal Subdivision road.

CALTERRA ESTATES

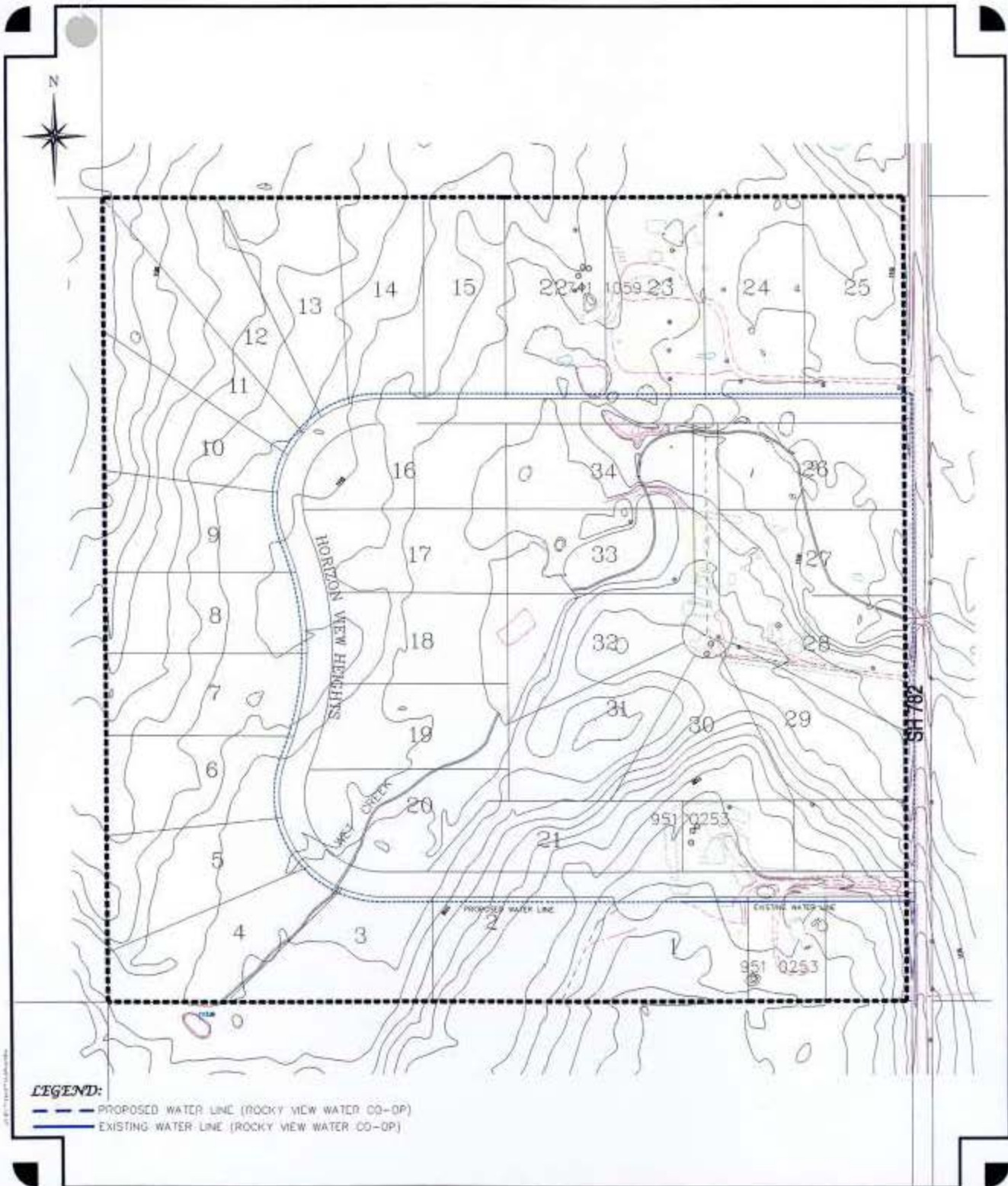


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NEUBY
 PLANNING
 ARCHITECTURE
 LAND SURVEY
 ENGINEERING
 CONCEPTS INTO COMMUNITIES
 OCTOBER 1999

BUILDING SITE LOCATION PLAN
PROPOSED SUBDIVISION
 N.E. 1/4 SEC. 16 T26 R1 W5M
 N.T.S.

FIGURE
7

CALTERRA ESTATES



LEGEND:

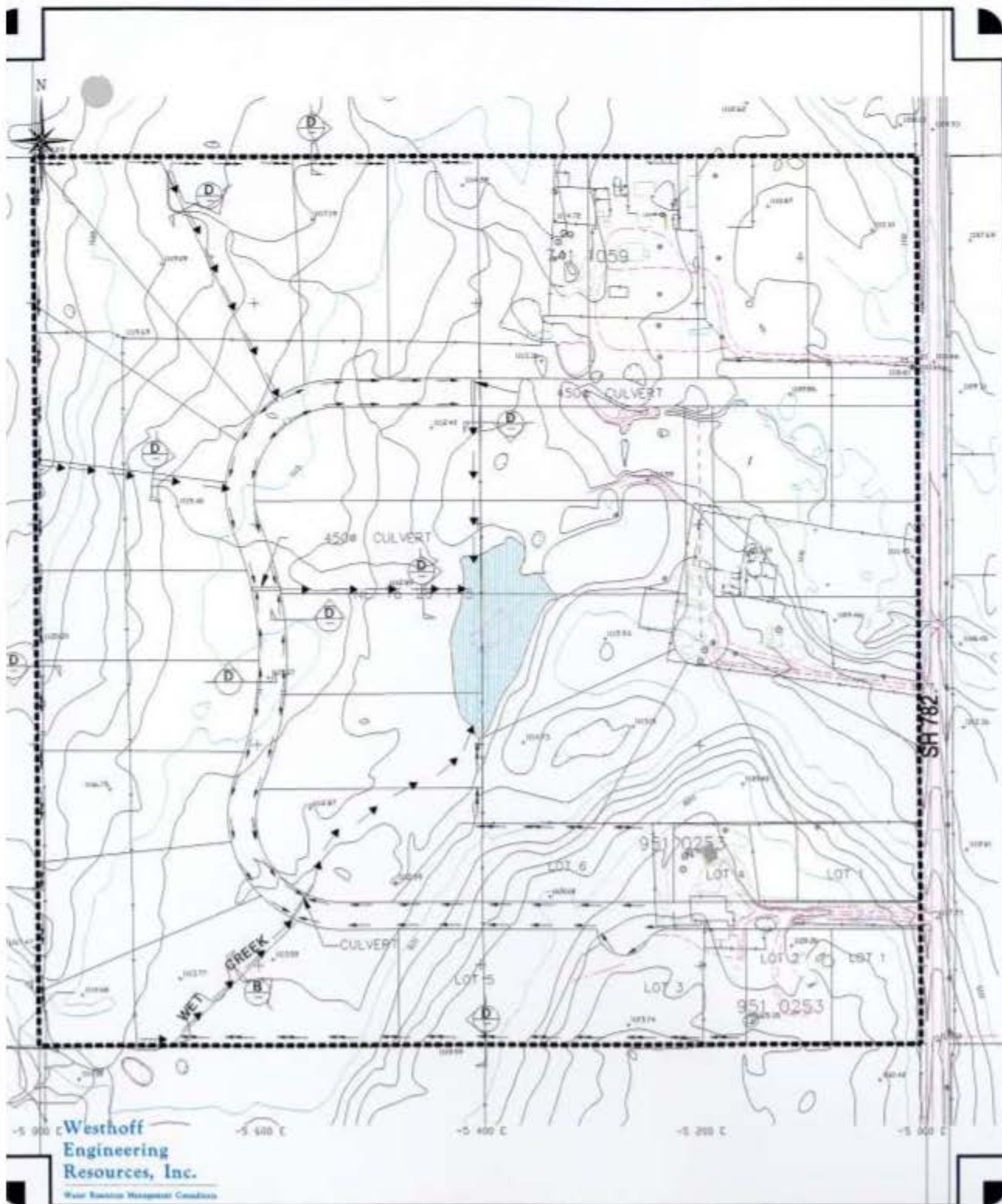
- - - PROPOSED WATER LINE (ROCKY VIEW WATER CO-OP)
- EXISTING WATER LINE (ROCKY VIEW WATER CO-OP)

WALKER PLANNING
NEUBY DESIGN
 CONCEPTS AND COMMUNITIES
 OCTOBER 1999

PROPOSED SERVICING
 PROPOSED SUBDIVISION
 N.E. 1/4 SEC. 16 T26 R1 W5M
 N.T.S.

FIGURE
8

CALTERRA ESTATES



Westhoff
Engineering
Resources, Inc.
Water Resource Management Consultants

WALKER PLANNING
NEUBV ENGINEERING
CONCEPTS INTO COMMUNITIES
OCTOBER 1999

STORM WATER DRAINAGE
PROPOSED SUBDIVISION
N.E. 1/4 SEC. 16 T26 R1 W5M
N.T.S.

FIGURE
9



VII. TRAFFIC IMPACT ANALYSIS

7.1 FUTURE TRAFFIC VOLUMES

Additional traffic generated by the proposed subdivision can be estimated by observing the rate of trip generation from existing country residential developments and applying this rate to the proposed subdivision on a per dwelling unit basis.

Eagle Engineering has completed an operational assessment of the intersections onto Range Road 13 and a copy of this report is included in the appendix.

The operational assessment confirms that the future intersections will operate at a high standard of service once the Plan Area is fully developed.

Policy 7.1.1: A type 2 intersection is needed at the intersection of Range Road 13 and south access to the proposed subdivision at Phase 3.



VIII. PUBLIC INPUT

In order to provide more detailed information to the community regarding the proposal, and to acquire input from surrounding residents, landowners within a ½ mile radius of the subject ¼ section were contacted individually by mail and invited to an Open House on October 26, 1999 at the Balzac Hall.

Six adjacent landowners attended the open house to view plans and provide comments. One adjacent landowner currently residing on a 2 acre parcel indicated concerns with regard to the generation of additional traffic resulting from the extension of the existing municipal road. No other concerns were raised by area landowners.

An Open House was held at the Balzac Hall on February 14, 2012, to present the Conceptual Scheme Amendment that allows for Residential One District Density within a portion of Phase 5.

An Open House was held at the Balzac Hall on January 15, 2015, to present the Conceptual Scheme Amendments that allowed for Residential One District and associated future subdivision within portion of Phase 2 and 4.



IX. CONCEPT PLAN CONFORMITY

9.1 MUNICIPAL STATUTORY PLANS AND POLICY

In addition to the planning principles established by this Plan, implementation of the development will be guided by the planning policies adopted by Rocky View County in its statutory Plans, and the Municipal Government Act.

Policy 9.1.1: All subdivision and development within the Plan Area shall conform to:

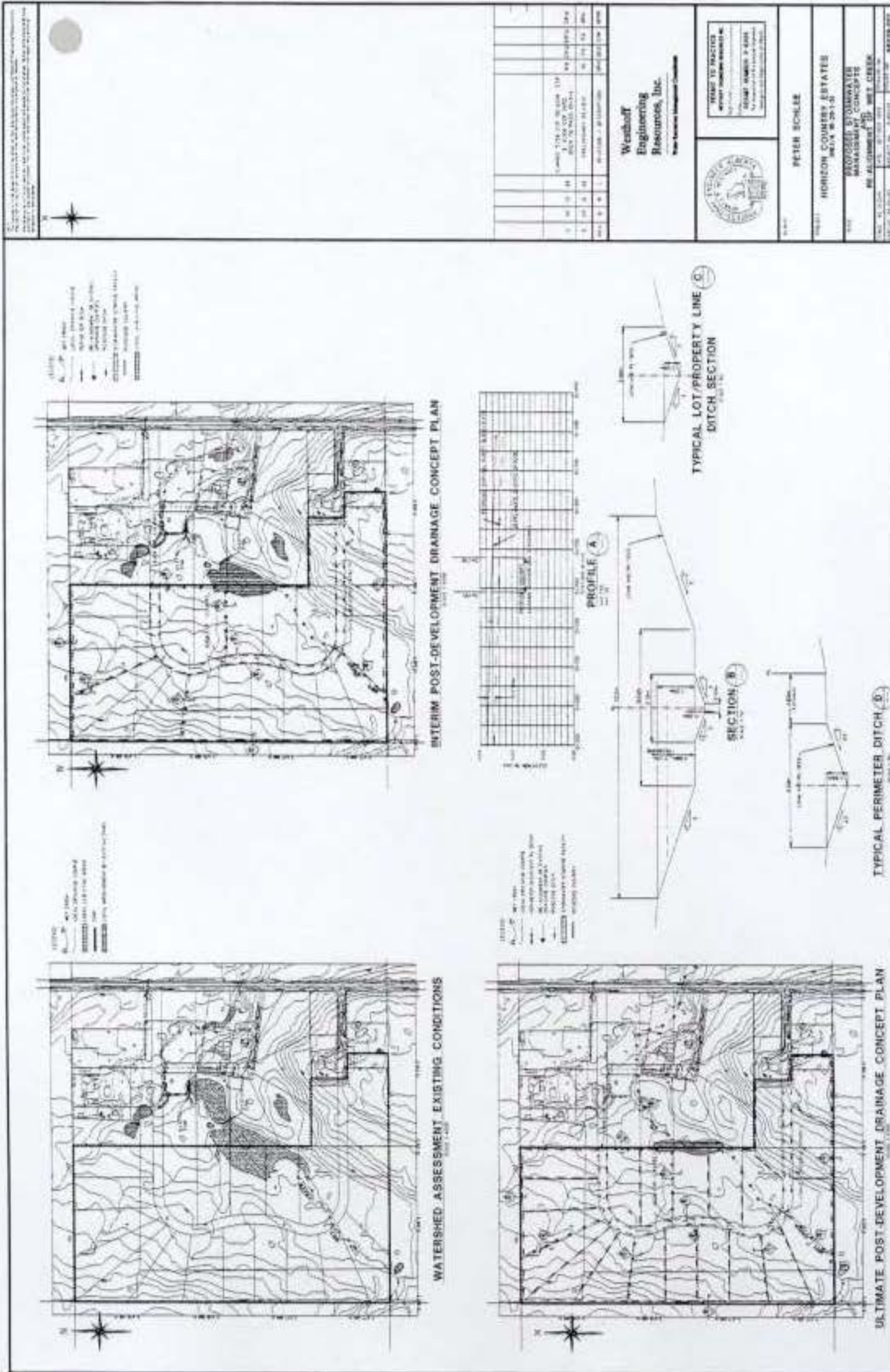
- Bylaw C-4840-97 being the Rocky View County Municipal Development Plan; and
- Bylaw C-4841-97 being the Rocky View County Land use Bylaw;



Appendix

Open House Attendees – Sign Up Sheet
Stormwater Management Report
Geotechnical Report
Traffic Impact Analysis

CALTERRA ESTATES



HORIZON COUNTRY
ESTATES



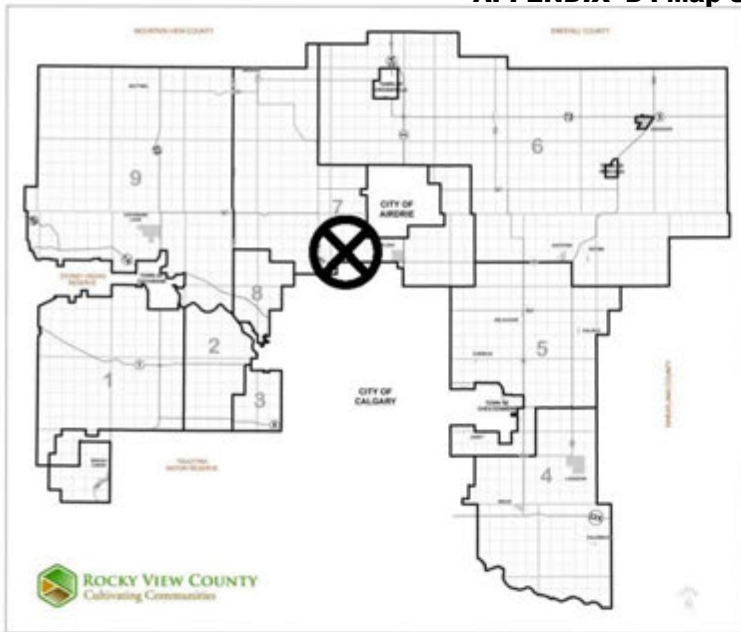


CALTERRA ESTATES

Open House
Sign-in Sheet
October 26, 1999

Please sign in your Name and Address:

Name	Address
Don Pett	Box 117 Balzac
Marin Pett	" "
RUTH BRUNWELL	
TROY FAIRLIE	Box 268 BALZAC
BA Sticks	calgary
D. Stidole	



LOCATION PLAN

NE-16-26-01-W05M
Lot:5 Plan:0010692

Date: Sep 01, 2017

Division # 7

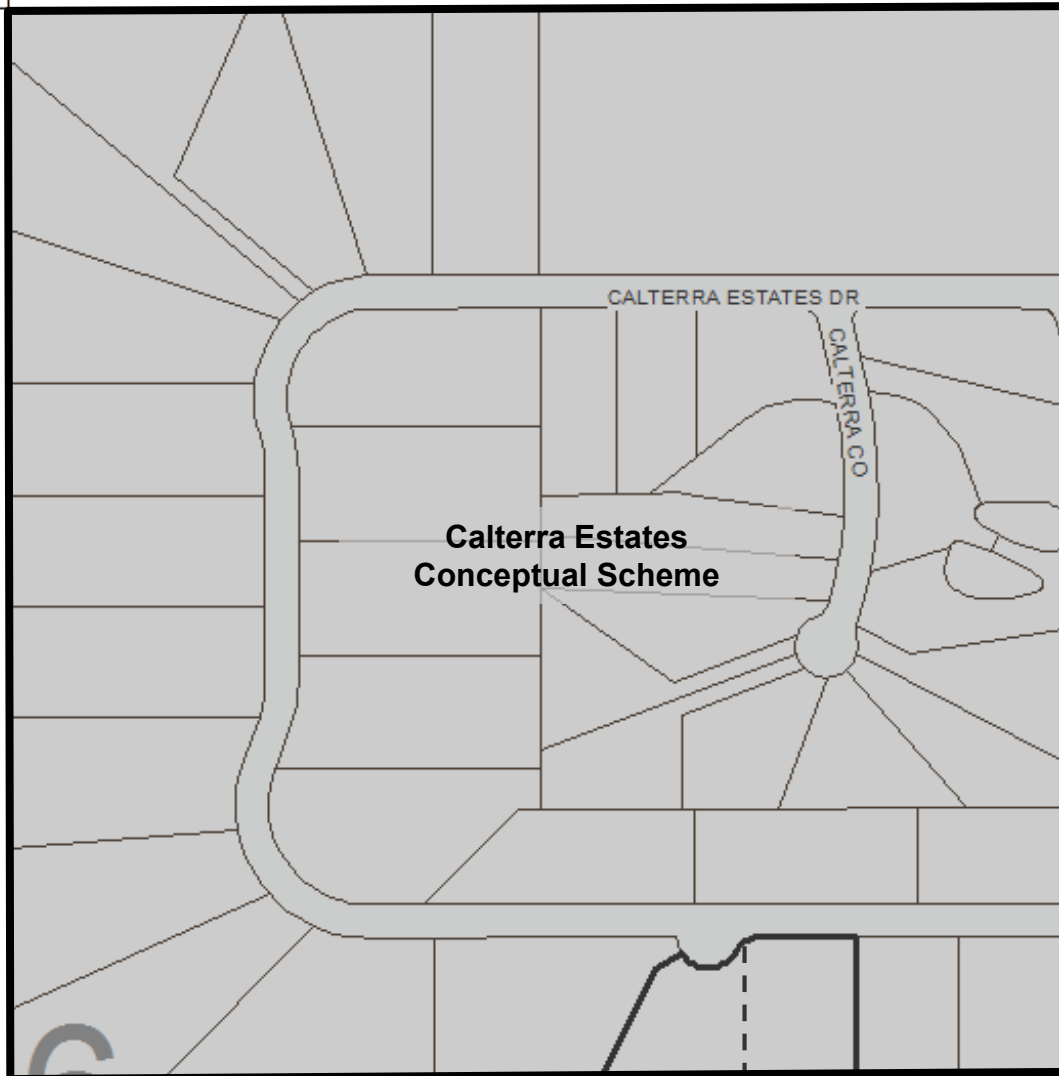
File: 06516014

AGENDA



Conceptual Scheme Amendment Proposal: To amend the Calterra Estates Conceptual Scheme to facilitate the subdivision of a ± 0.81 hectare (± 2.00 acre) parcel with a ± 0.81 hectare (± 2.00 acre) remainder.

RGE RD 13



16

Existing Parcel
± 1.62 ha
(± 4.00 ac)

CONCEPTUAL SCHEME AMENDMENT



NE-16-26-01-W05M
Lot:5 Plan:0010692

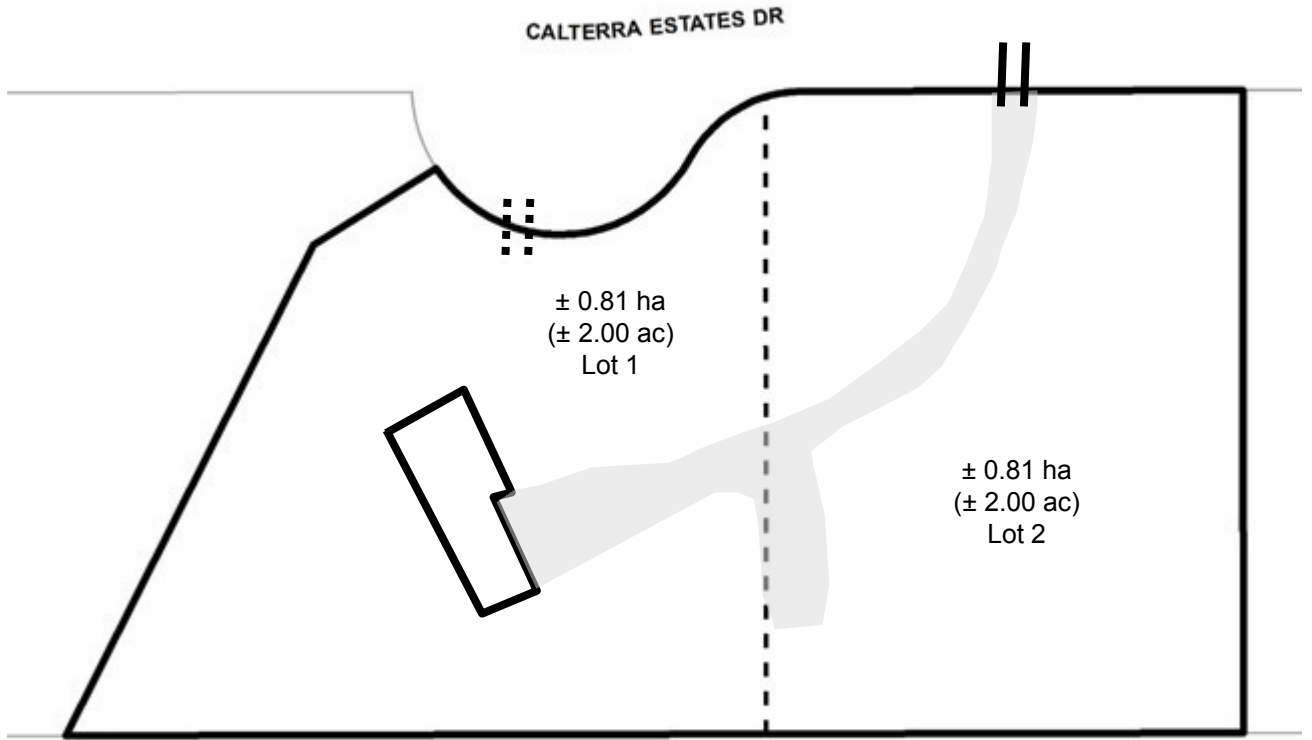
Date: Sep 01, 2017

Division # 7

File: 06516014

AGENDA

Subdivision Proposal: To create a ± 0.81 hectare (± 2.00 acre) parcel with a ± 0.81 hectare (± 2.00 acre) remainder. **Page 52 of 66**



Surveyor's Notes:

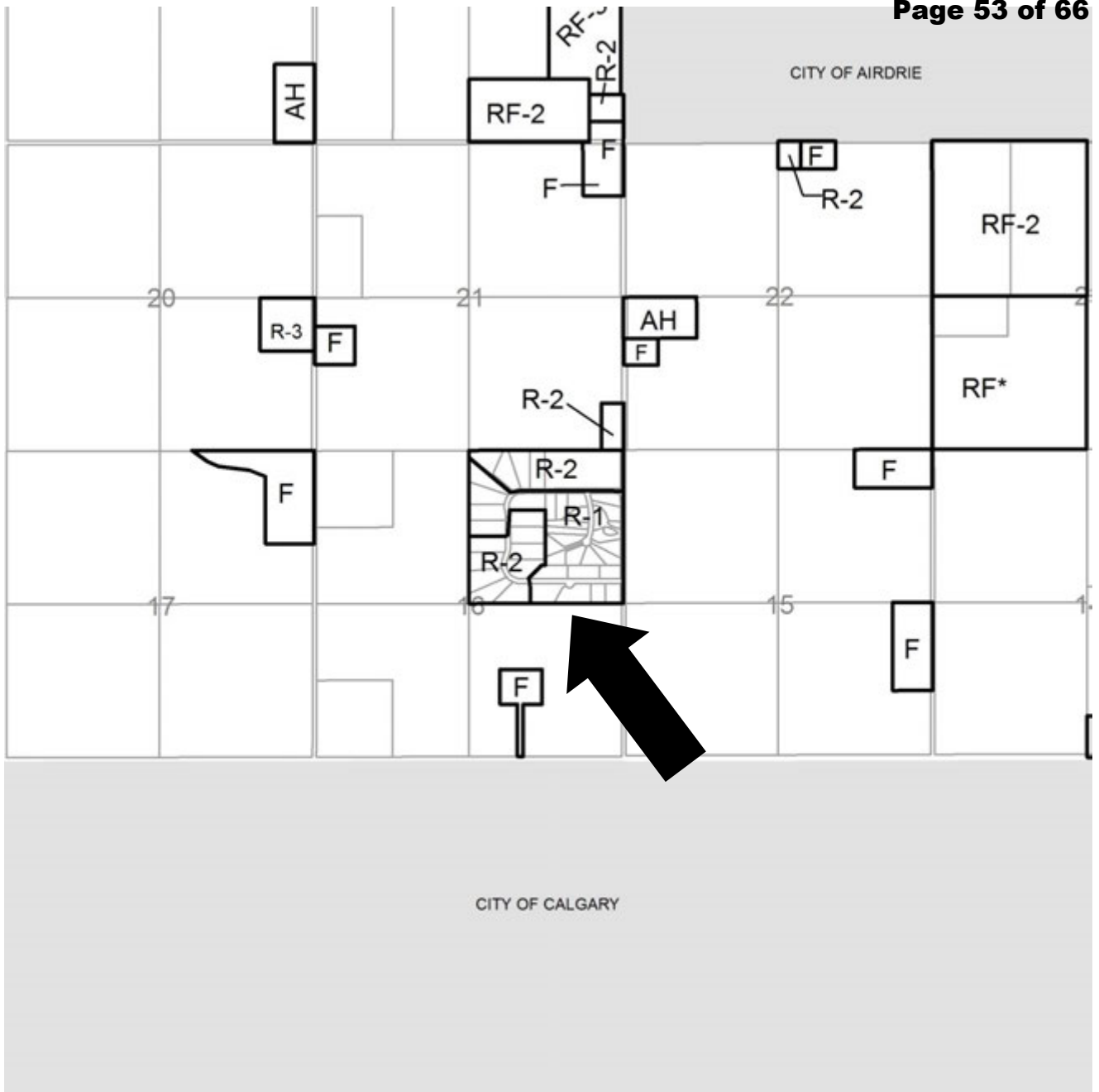
1. Parcels must meet minimum size and setback requirements of Land Use Bylaw C-4841-97.
2. Refer to Notice of Transmittal for approval conditions related to this Tentative Plan.

Legend	
Dwelling	
Driveway	
Existing Approach	
Required Approach (Location TBD)	

TENTATIVE PLAN

**NE-16-26-01-W05M
Lot:5 Plan:0010692**

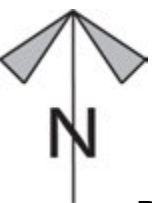




RF2	Ranch and Farm Two	B-1	Highway Business
RF3	Ranch and Farm Three	B-2	General Business
AH	Agricultural Holding	B-3	Limited Business
F	Farmstead	B-4	Recreation Business
R-1	Residential One	B-5	Agricultural Business
R-2	Residential Two	B-6	Local Business
R-3	Residential Three	NRI	Natural Resource Industrial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

LAND USE MAP

NE-16-26-01-W05M
Lot:5 Plan:0010692





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

TOPOGRAPHY
Contour Interval 2 M



NE-16-26-01-W05M
Lot:5 Plan:0010692

Date: Sep 01, 2017

Division # 7

File: 06516014

AGENDA
 Page 156 of 265



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

AIR PHOTO

Spring 2016

NE-16-26-01-W05M

Lot:5 Plan:0010692

Date: Sep 01, 2017

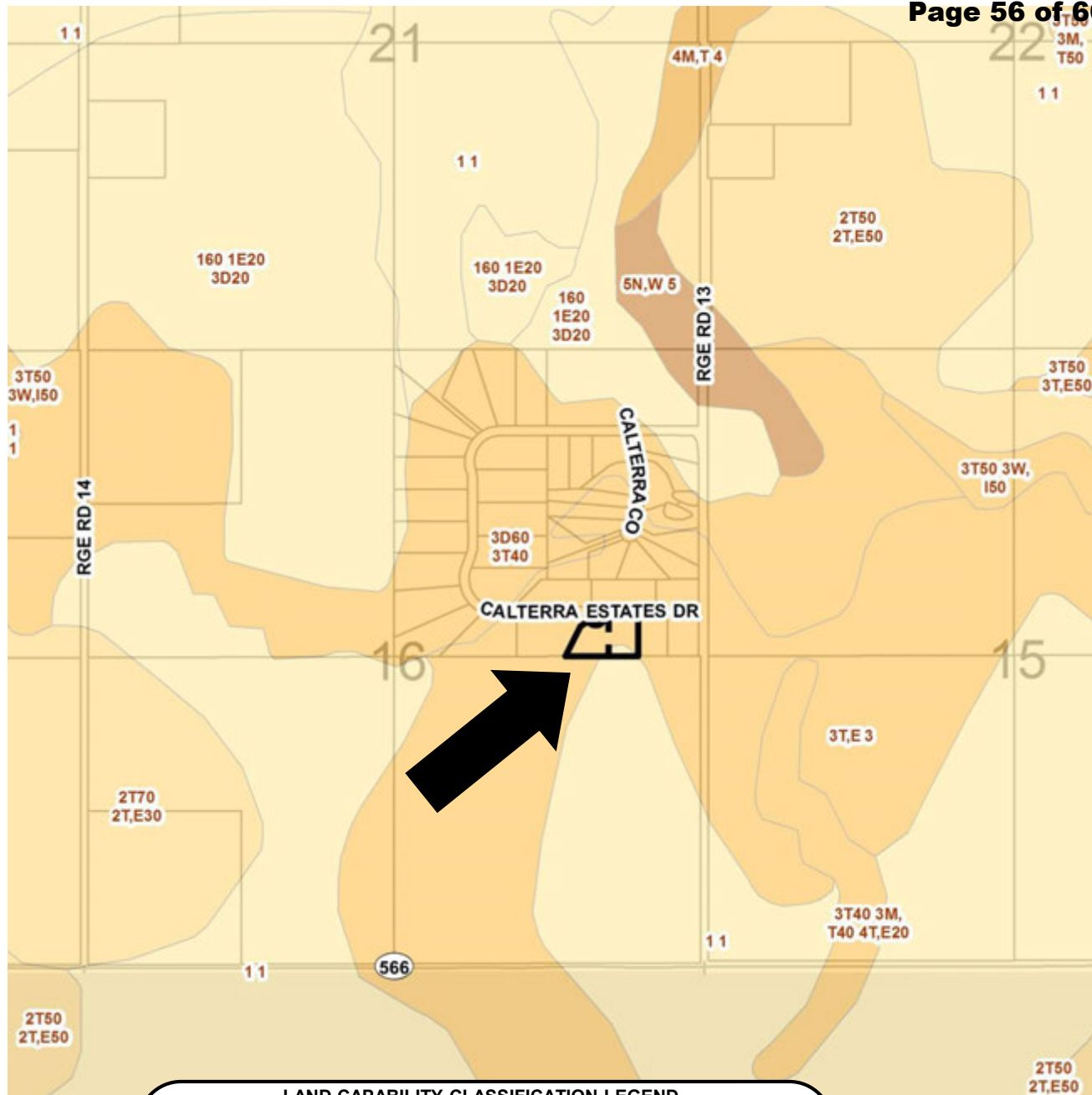
Division # 7

File: 06516014

AGENDA

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LAND CAPABILITY CLASSIFICATION LEGEND

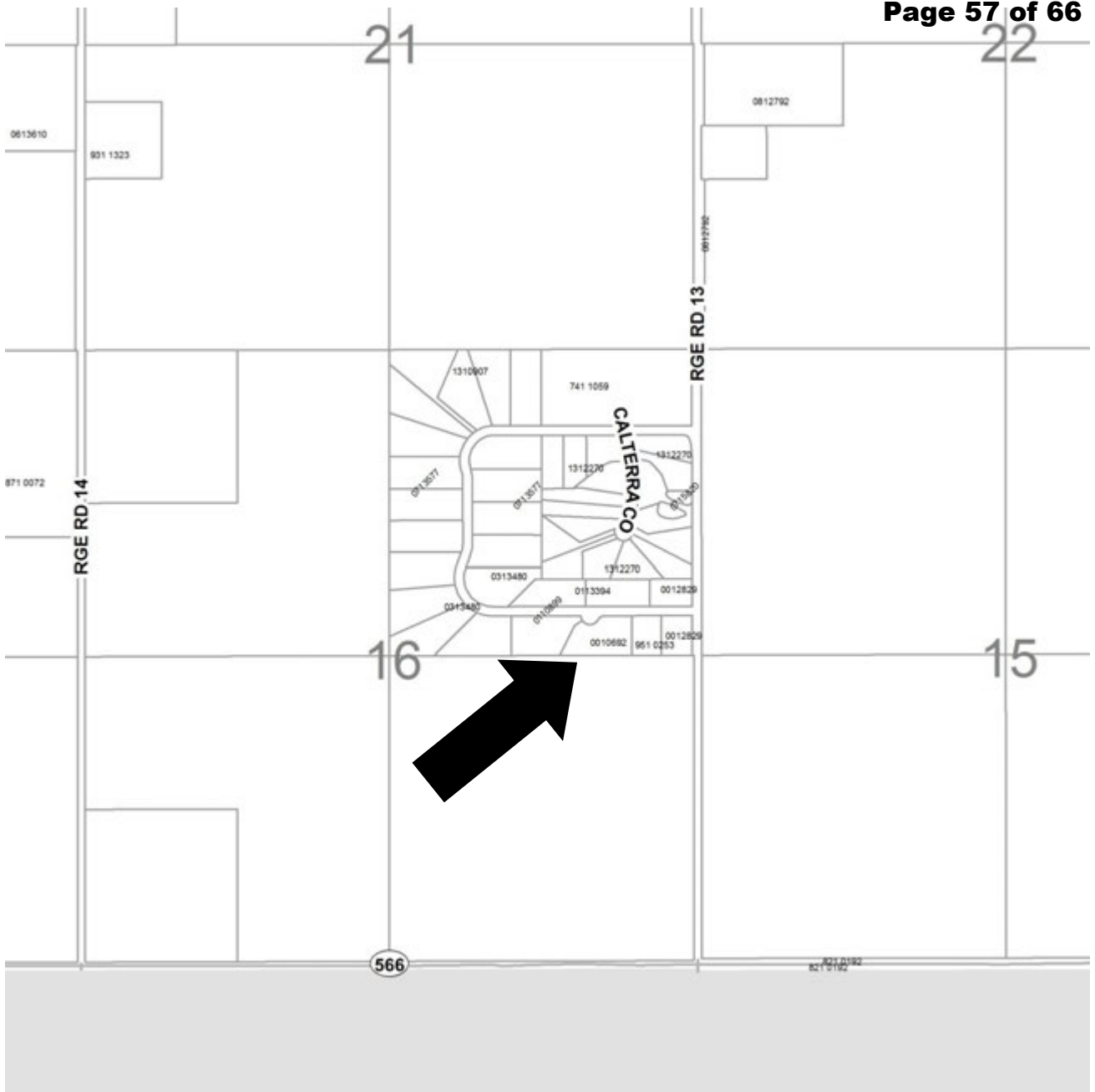
Limitations refer to cereal, oilseeds and tame hay crops

CLI Class	Limitations	
1 - No significant limitation	B - brush/tree cover	N - high salinity
2 - Slight limitations	C - climate	P - excessive surface stoniness
3 - Moderate limitations	D - low permeability	R - shallowness to bedrock
4 - Severe limitations	E - erosion damage	S - high sodicity
5 - Very severe limitations	F - poor fertility	T - adverse topography
6 - Production is not feasible	G - Steep slopes	U - prior earth moving
7 - No capability	H - temperature	V - high acid content
	I - flooding	W - excessive wetness/poor drainage
	J - field size/shape	X - deep organic deposit
	K - shallow profile development	Y - slowly permeable
	M - low moisture holding, adverse texture	Z - relatively impermeable

SOIL MAP

**NE-16-26-01-W05M
Lot:5 Plan:0010692**





Legend – Plan numbers

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

HISTORIC SUBDIVISION MAP

NE-16-26-01-W05M

Lot:5 Plan:0010692

Date: Sep 01, 2017

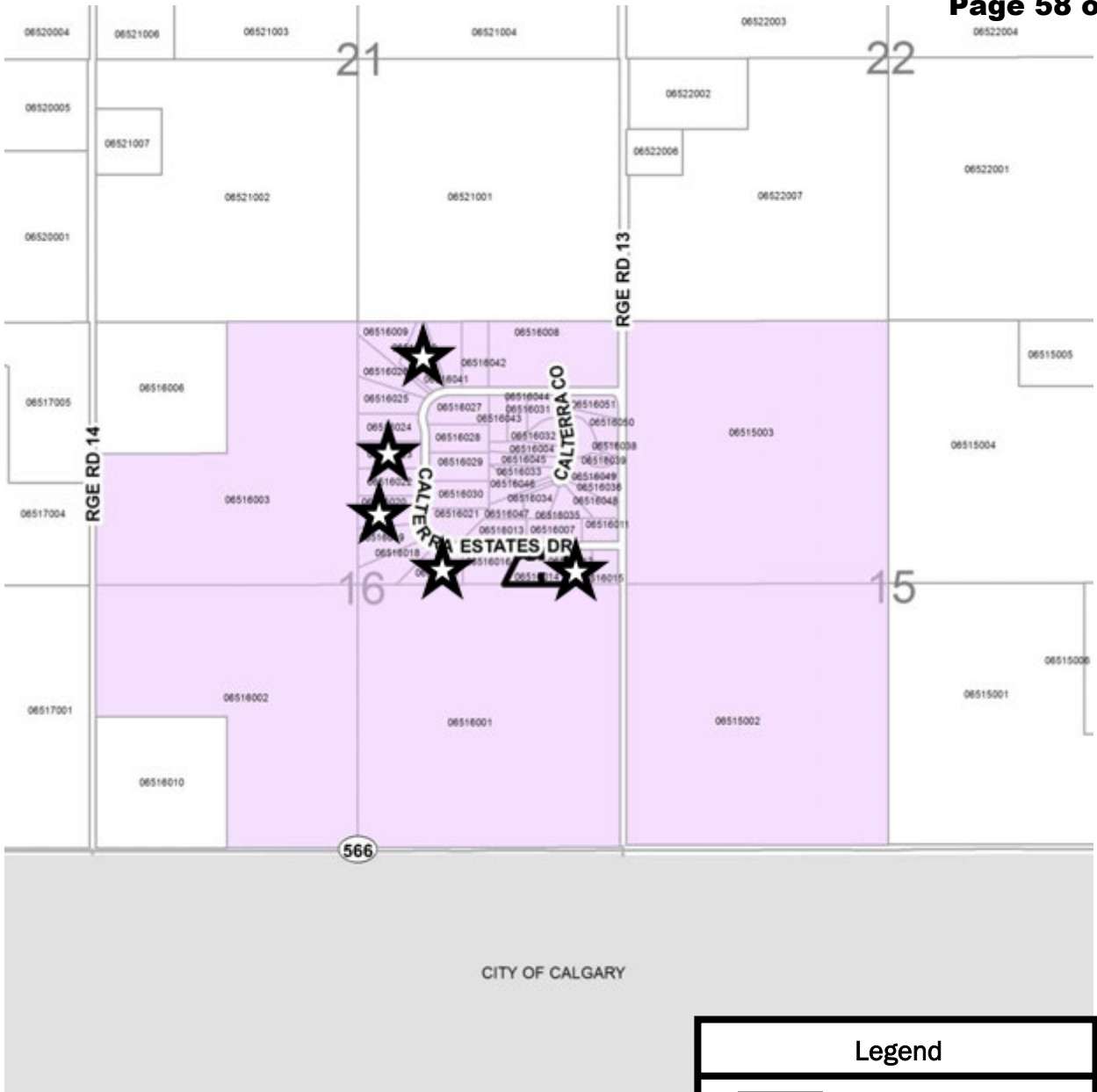
Division # 7



File: 06516014



AGENDA

Page 159 of 265

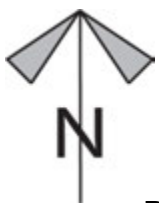




-  Letters in Opposition
-  Letters in Support

Legend	
	Circulation Area
	Subject Lands

LANDOWNER CIRCULATION AREA



NE-16-26-01-W05M
Lot:5 Plan:0010692

Deputy Municipal Clerk
Legislative and Legal Services
Rocky View County Office
911 - 32 Avenue NE
Calgary, Alberta T2E 6X6

Reference: Bylaw C-7727-2017 – A Bylaw of Rocky View County for Land Use Bylaw C-4841-97

Application Number: PL20170150 (06516014)

Location: Lot 5 (Plan 0010692; NE-16-26-1-W5M)

June 26, 2018

Dear Sir or Madam:

I am writing to provide our support to the subdivision of Lot 5 (Plan 0010692; NE-16-26-1-W5M) as it has been presented. It is our belief that the proposed subdivision meets all of the relevant requirements, is well designed and represents a great opportunity for Calterra Estates community to grow and expand.

Our support for the subdivision is based on a number of factors. Firstly, as the proposed owners of the subdivision are immediate family members, allowing the proposed subdivision would be beneficial for our family now and in the foreseeable future. In this regard, it is our belief that the subdivision will allow our children to live next to and spend more time with their grandparents. The subdivision will also create opportunities for my family to provide assistance to and support my parents as they enter into their retirement years and continue to age.

Secondly, the proposed subdivision is consistent with the broader community's goals/objectives and represents a positive opportunity for Calterra Estates. The potential impact of the proposed subdivision has been minimized through smart design (e.g. setting the dwelling back from the main road and locating the dwelling where it will not impact the daylight available for adjacent residents). In addition, the design of the proposed dwelling is consistent with the current development in the community (e.g. similar in design, scale and dimensions to neighbouring properties) and would complement the current development in the community. As such, it is our view that the proposed subdivision represents an opportunity to grow the community in a sustainable manner and embodies the foreseeable evolution of Calterra Estates.

Thirdly, the addition of a new property and residents will have tangential benefits to the community and its current residents. It is foreseeable that the new dwelling will create the perception of growth in the community and encourage an associated increase in property values for the current residents. It is also our belief that the addition of my parents to the current Calterra Estates community will positively contribute to community fabric and safety, as they have a strong sense of community, work ethic and desire to positively contribute in their retirement years.

Finally, we would also like to take this opportunity to identify our concerns that if this proposed subdivision is not approved, it will have a chilling effect on further development/re-development in the

Calterra Estates community. This would have the potential to detrimentally impact existing property values for current residents, while also setting the bar unattainably high for future development or subdivision opportunities.

Thank you for your time and consideration of this support letter and we look forward to your determination that the proposed addition represents a positive addition to our community.

Sincerely,

Kirsten and Jonathon Friesen

[Redacted signature block]

Rhonda Pusnik

From: Andrea Joy [REDACTED]
Sent: Tuesday, June 26, 2018 8:11 PM
To: PAA_ LegislativeServices
Subject: Bylaw C-7727-2017

To Whom it may concern,

My family and I are writing on behalf of the Friesen Family in Calterra Estates. We live in this community as well.

We would like to say that we support the proposed project the Friesen family wants to do. It fits in with the way we see the neighbourhood evolving and we can see how it will increase the value on all of our properties in this great community. It will be very nice to see the lot being used and are very happy that a family will be moving in.

We hope you will allow this project to go through!

Thanks,

Andrea & Jason Johnson
[REDACTED]

Reference: Bylaw C-7727-2017 – A Bylaw of Rocky View County for Land Use Bylaw C-4841-97

June 26, 2018

To Whom it may Concern:

I am writing to express our support for the subdivision application of Jonathon and Kirsten Friesen on behalf of Terry and Helen Ohlhauser.

We support this proposed subdivision as we believe it fits well with the growth the community of Calterra Estates is currently experiencing. The proposed development is consistent functionally and aesthetically with the existing homes. In addition, the fact that the motivation for the new home is driven namely by the desire of the grandparents looking to live closer to their children and grandchildren. This is also in line with the neighbourhood culture as there is another multi-generation family already living near each other here.

Thank you for your time and we hope this is approved so we are able to see growth and added value to our community.

Doug and Wendy Knutson

A large black rectangular redaction box covering the names and contact information of the signatories, Doug and Wendy Knutson.

Reference: Bylaw C-7727-2017 -- A Bylaw of Rocky View County for Land Use Bylaw C-4841-97

June 26, 2018

To Whom it may Concern:

I am writing to express our support for the subdivision application of Jonathon and Kirsten Friesen on behalf of Terry and Helen Ohlhauser.

We support this proposed subdivision as we believe it fits well with the growth the community of Calterra Estates is currently experiencing. The proposed development is consistent functionally and aesthetically with the existing homes. In addition, the fact that the motivation for the new home is driven namely by the desire of the grandparents looking to live closer to their children and grandchildren. This is also in line with the neighbourhood culture as there is another multi-generation family already living near each other here.

Thank you for your time and we hope this is approved so we are able to see growth and added value to our community.

Billy and Yasin Peshke



Handwritten signatures of Billy and Yasin Peshke. The signature on the left is a stylized scribble, and the signature on the right is written in cursive and reads "Yasin Peshke".

Stefan Kunz

From: Calterra [REDACTED]
Sent: Wednesday, September 27, 2017 5:44 PM
To: Stefan Kunz
Cc: Calterra Country Estates
Subject: Rockyview file PL20170030 (subdivision) and PL20170150 (Conceptual Scheme Amendment)

September 27, 2017

To: Mr. Stefan Kunz
Rocky View County, Planning Services

From: Calterra Land Developments Inc., developer of Calterra Estates®
Mr. Peter Schlee (owner, Lot 12 Block 2 Plan 1310907)

RE: Rockyview file PL20170030 (subdivision) and PL20170150 (Conceptual Scheme Amendment)
Lot 5, Plan 0010692 (Roll # 06516014)
12 Calterra Estates Drive

We are submitting our comments and attached request in response to your circulation notice dated September 7, 2017 regarding the Conceptual Scheme Amendment application and subsequent Subdivision application for the above noted 4-acre lot.

We trust you are aware that this specific lot was approved for subdivision into its current 4-acre lot size in 1998 and subsequently endorsed for subdivision by Rocky View County in February 2000. The formal title was issued by Land Titles in March 2000 as Plan 0010692. As this subdivision and lot creation preceded both the formal Conceptual Scheme creation and formal approval (in June 2000), the lot was not included in any of the associated engineering planning and site testing that were part of the original Conceptual Scheme, including any formal Stormwater Management Plan considerations (SWMP & SWMF), Traffic Impact Assessment (TIA), or any of the prior required geotechnical and percolation testing associated with the other 4-acre lots in the Calterra development.

This lot may still require appropriate formal redesignation from R2 to R1 zoning, as the prior redesignation of the adjacent lot in September 2001 (Bylaw C-5417-2001) was only for the 2 lots on the north side of the Calterra Estates Drive road (Roll 06516007/013), excluding the 4-acre lots on the south side of the road (Roll 06516014). Bylaw C-5437-2001 in November 2001 also did not apply to this lot, as it specifically applied to the 4-acre lot on the north side of Calterra Estates Drive that was the subject of the boundary adjustment application and registration. Subsequent assumptions of the inclusion of the 4-acre lots on the south side of Calterra Estates Drive created in 2000 (Plan 0010692) and early 2001 (Plan 0110899) were in error, and incorrectly subsequently identified these lots with R1 zoning by Rocky View County. These lots were previously confirmed by the County as having R2 zoning in 1998 and 2000. *We trust that Rocky View will correct this error or omission with a proper formal R2 to R1 redesignation application.*

Notwithstanding the missing or omitted requirement for the proper formal redesignation of the lot from R2 to R1 zoning, we would appreciate your confirmation of whether there have been any of the required engineering testing and design reports submitted to Rocky View in support of these applications, and the specific identification of these for our reference. The engineering reports normally requested by Rocky View included the lot-specific SWMP (including detailed SWMF requirements), TIA, site geotechnical and percolation testing, and any other requirements requested by the County. If such reports are currently available in electronic format, we would appreciate if you can forward such electronic copies to us for our review of any impacts on our existing amenities, or to determine the current requirement levels for similar 4-acre lot resubdivisions planned by other 4-acre lot owners within our development area.

If the new and current lot resubdivision process no longer requires creation or provision of such engineering reports or designs, and does not require any further stormwater facilities or amenities other than what we current have available within our development area (excluding this specific lot, which is not included in any of our existing SWMF amenities), we would appreciate such confirmation at your earliest opportunity so other similar lots in our development area can also proceed with similar resubdivision plans on similar terms.

Finally, as the original providers of the existing conceptual scheme in June 2000 (provided solely at our cost and expense), we would like to request that the remaining 4-acre lots be allowed the opportunity to participate in a single joint final conceptual scheme amendment jointly with the current amendment application, where the amendment costs can be shared equally among the participating lot owners, but also to avoid 8 or 10 individual amendment applications (individually for each lot) to the one common conceptual scheme to avoid further plan fragmentation and loss of relevance. If given the opportunity, the 8 or 10 individual lot owners could be easily accommodated with a single simple Conceptual Scheme Amendment indicating the similar plans of the remaining lot owners and the final future design of the completed development.

Please let us know if any of the required engineering reports and designs can be sent to us by email, and if the existing Amendment to the Conceptual Scheme can be properly corrected to reflect the joint participation and future plans of the other remaining lot owners. Thank you.

Regards,

Mr. Peter Schlee
Calterra Land Developments Inc.
e-mail: calterra@telus.net
website: www.CalterraEstates.com

September 27, 2017

Planning Services Department
Rocky View County
911 – 32 Avenue NE
Calgary, AB T2E 6X6

Attention: Stefan Kunz

RE: File Number: 06516014
Application Number: PL20170030

We are writing to submit our comments and concerns on technical matters in regards to the Subdivision Application submitted for the property next to ours (see file and application number noted above).

- **Power**
We would like clarification on where the new power supply will come from and if there may be possible trenching needed if applicant goes underground.
- **Water**
Rocky View Water Coop had confirmed years ago that there wasn't capacity for expansion. Will the applicant be drilling a well or applying for Rocky View Water Coop membership? Will this affect our current water pressure? We will need clarification on that.
The water shutoffs for Lot 1 are already located on our property. Since our place is fully landscaped with underground sprinklers installed, will the County require shutoffs to be moved to Lot 1 at this time and how without disrupting our property? Proposed action on this will need to be addressed either by Rocky View Water Coop, County, and/or applicant.
- **Sewage**
The previous owner of Lot 1 had difficulty with septic system, had to replace it twice. We would like a percolation test done and what the proposed area of the new lots system will be and where it would be located in relation to our property lines.
- **Access**
Would need proposal for new approaches and how they would affect the bus pickup area and the existing postal boxes. Would the cul-de-sac be affected with more approaches and would Rocky View be putting in a new turn off lane for the south exit into Calterra Estates Drive with the added traffic?

If you need any further details or clarification in regards to our comments, we may be reached at [REDACTED] or by email at [REDACTED]

Regards,

Chuck & Marilyn Titterington
[REDACTED]
[REDACTED]



PLANNING SERVICES

TO: Council
DATE: November 13, 2018 **DIVISION:** 7
TIME: Afternoon Appointment
FILE: 06516014 **APPLICATION:** PL20180091
SUBJECT: Redesignation Item – Residential Two District to Residential One District
 Note: to be considered concurrently with Conceptual Scheme amendment application
 PL20170150

¹POLICY DIRECTION:

The proposal was evaluated against the residential policies found within the Calterra Estates Conceptual Scheme (CECS) and was found to be in compliance:

- The proposal would allow the subject lands to subdivide in accordance with its existing land use designation and is compatible with the overall intent of the CECS; and
- The proposed parcel sizes meet the minimum for the Residential One District.

EXECUTIVE SUMMARY:

The purpose of this application is to redesignate the subject lands from Residential Two District to Residential One District in order to facilitate the creation of a ± 0.81 hectare (± 2.00 acre) parcel with a ± 0.81 hectare (± 2.00 acre) remainder.

The lands are developed and currently contain a dwelling that is located within the boundaries of the western proposed lot. Servicing is provided by connection to Rocky View Water Co-op and a private sewage treatment system, with servicing for the new eastern lot to be provided in the same manner. Access is available via Calterra Estates Drive, with one existing approach located within the eastern proposed lot. A new approach would be required to be constructed to access the western portion.

Administration determined that the application meets policy.

DATE APPLICATION RECEIVED: August 15, 2018
DATE DEEMED COMPLETE: August 15, 2018

PROPOSAL: To redesignate the subject lands from Residential Two District to Residential One District in order to facilitate the creation of a ± 0.81 hectare (± 2.00 acre) parcel with a ± 0.81 hectare (± 2.00 acre) remainder.

LEGAL DESCRIPTION: Lot 5, Plan 0010692 within NE-16-26-1-W5M

GENERAL LOCATION: Located approximately 0.8 kilometres (0.5 mile) north of the city of Calgary, 0.2 kilometers (0.12 mile) west of Range Road 13, and on the south side of Calterra Estates Drive.

APPLICANT: Terry & Helen Ohlhauser

¹ **Administration Resources**
 Stefan Kunz, Planning Services
 Erika Bancila, Engineering Services



OWNERS:	Jonathon & Kirsten Friesen
EXISTING LAND USE DESIGNATION:	Residential Two District
PROPOSED LAND USE DESIGNATION:	Residential One District
GROSS AREA:	± 1.62 hectares (± 4.00 acres)
SOILS (C.L.I. from A.R.C.):	Class 3,T,E: Moderate limitations due to adverse topography and past erosion damage. Class 1: No significant limitations.

PUBLIC & AGENCY SUBMISSIONS:

The application was circulated to 64 adjacent landowners. One response was received. The application was also circulated to a number of internal and external agencies. Those responses are available in Appendix 'A'.

HISTORY:

July 14, 2015	An amendment to the Calterra Estates Conceptual Scheme is approved, allowing for a minimum parcel size of 1.98 acres within a portion of Phase 2 of the plan area. No other phases are affected by the decision (PL20140089).
July 3, 2012	An amendment to the Calterra Estates Conceptual Scheme is approved, allowing for a minimum parcel size of 1.98 acres within Phase 5 of the plan area. No other phases are affected by the decision (2011-RV-082).
February 24, 2009	Phase Three of the Conceptual Scheme was approved by the Subdivision Authority (2008-RV-276).
June 15, 2005	Phases Two and Four of the Conceptual Scheme were approved by the Subdivision Authority (2005-RV-070).
September 18, 2001	Subject lands are potentially redesignated from Residential Two District to Residential One District (2001-RV-104), although the validity of this bylaw in regard to the subject lands has been disputed.
February 6, 2001	Phase One of the Conceptual Scheme was approved by the Subdivision Authority (2000-RV-272).
June 6, 2000	The Calterra Estates Conceptual Scheme is adopted, providing comprehensive planning direction for the creation of 4 acre parcels within the quarter section.
2000	Plan 0010692 is registered, resulting in the creation of the subject lands as a 4 acre parcel with a remainder and a portion for future road dedication.
1995	Plan 9510253 is registered, resulting in the creation of two 2 acre lots, one 4 acre lot, and the subject lands, which at the time was registered as a 10 acre remainder parcel.
1994	Application to redesignate and subdivide a 20 acre portion of the subject lands to 2 acre lots is refused by Council, but was permitted through appeal to the Alberta Planning Board. The Board's decision would result in the future registration of Plan 9510253.



BACKGROUND:

The purpose of the application is to redesignate the subject lands from Residential Two District to Residential One District in order to facilitate the creation of a ± 0.81 hectare (± 2.00 acre) parcel with a ± 0.81 hectare (± 2.00 acre) remainder.

The lands are located within the Calterra Estates community. This is a quarter section of land located north of the city of Calgary and southwest of the city of Airdrie, featuring Residential One and Two District Parcels. Parcel sizes range from 2.0 to 4.0 acres, although one 20.0 acre parcel is located in the northeastern corner of the quarter section. The lands surrounding Calterra Estates are predominantly agricultural in nature. Unsubdivided quarter sections are interspersed with small agricultural parcels such as Farmstead, Ranch and Farm Two District, and Agricultural Holdings District. Residential uses are scattered and largely restricted to first parcel out Residential Two and Three District parcels. The topography of the lands is quite flat and features very little in the way of measureable slope. There are no significant waterbodies, drainage courses, or stands of natural vegetation located on-site.

The Calterra Estates Conceptual Scheme was adopted in 2000 with the intent of establishing a country residential community, envisioning parcels sized at 4.0 acres within the plan area. The plan area has since seen a number of the parcels approved for 2.0 acre parcel sizes through subsequent redesignations and conceptual scheme amendments. The subject lands are within a portion that has not been amended to allow for the 2.0 acre parcel sizes.

Of interest to this application is the current and historical designation of the lands. At the time of the initial application, County records indicated that the lands were designated Residential One District and were appropriate for a 1.98 acre minimum parcel size. Subsequent information has cast this in doubt due to conflicting information within historical bylaws and reports. Although the lands have been considered Residential One for building and development purposes since 2001, Administration recommended that this redesignation item be considered to remove the uncertainty.

POLICY ANALYSIS:

The application was assessed with the policies of the Rocky View County/City of Calgary Intermunicipal Development Plan, the County Plan, and the Calterra Estates Conceptual Scheme.

City of Calgary and Rocky View County Intermunicipal Development Plan

The subject lands are located within the identified City of Calgary Residential Growth Area as illustrated on the "Growth Corridors/Areas Map" (Map 4) in the IDP. In accordance with Section 8.1.3, the identified City of Calgary Growth Corridors should continue to be governed in accordance with existing Rocky View County policy documents, which may be updated. Section 8.1.4 notes that Rocky View County Council and Administration should evaluate applications in accordance with the policies of the IDP, the County Plan, and the Land Use Bylaw. As discussed below, this application satisfies the requirements of the County Plan and the Calterra Estates Conceptual Scheme. As such, there are no concerns with regard to alignment with these documents.

This application is in alignment with the policies in the IDP.

County Plan

In accordance with Section 5.8, the County Plan supports the development of existing country residential communities in accordance with their area structure plan. Although the subject lands are not located within an area structure plan, the CECS provides the necessary policy framework to guide development in the quarter section. The proposed amendment is compatible with the surrounding land uses, and the subject lands hold the appropriate land use designation for the proposed parcel sizes. Any outstanding technical concerns can be addressed through the conditions of subdivision approval on the corresponding application.



The overall goals of the County Plan are to direct development towards established growth areas. As this application proposed infill development within such an area, this application is in alignment with the policies in the County Plan.

Calterra Estates Conceptual Scheme

The Calterra Estates Conceptual Scheme (CECS) provides a comprehensive plan for country residential development, with parcels ranging from 2.0 to 10.0 acres in size. Adopted in June of 2000, the plan proposes expansion of the existing development area located in the southeast corner to the rest of the quarter section. The vision for the plan is to develop the area strictly for residential uses with 4.0 acre parcel sizes, in accordance with the Residential Two Land Use District.

This, however, did not reflect the fact that some of the parcels in the existing development area had been previously designated Residential One District, allowing for 2.0 acre lots. Three lots, each approximately 2.0 acres in size, are located immediately east of the subject lands. Having been created in 1995 and 2000, these parcel sizes existed at the time the CECS was adopted. Additionally, parcels within later phases of the development concept have since been redesignated to Residential One District, allowing them the 2.0 acre parcel size as well.

Based on the review of technical reports and applicable policy, this proposal would allow the subject lands to subdivide in accordance with its existing land use designation and is compatible with the overall intent of the CECS.

Land Use Bylaw

The subject lands are designated Residential Two District, which features a minimum parcel size of 1.60 hectares (3.95 acres). This application proposes to redesignate the subject lands to Residential One District, and the concurrent application (PL20170150) proposes to amend the CECS to align with the parcel's proposed land use district minimum in order to facilitate the subdivision of a ± 0.81 hectare (± 2.00 acre) parcel with a ± 0.81 hectare (± 2.00 acre) remainder.

As the proposed parcel sizes meet the minimum for the Residential One District, the application is in alignment with the Land Use Bylaw requirements.

CONCLUSION:

This Land Use Amendment proposes the redesignation of a portion of a Residential Two District parcel to Residential One District in order to allow for the future subdivision of a ± 0.81 hectare (± 2.00 acre) parcel with a ± 0.81 hectare (± 2.00 acre) remainder. The proposal was evaluated in accordance with the Statutory Policy found within the Rocky View County/City of Calgary Intermunicipal Development Plan, the County Plan, and the Calterra Estates Conceptual Scheme, and Administration determined that it is in accordance with the policies contained therein.

OPTIONS:

- Option # 1: Motion #1 THAT Bylaw C-7831-2018 be given first reading.
 Motion #2 THAT Bylaw C-7831-2018 be given second reading.
 Motion #3 THAT Bylaw C-7831-2018 be considered for third reading.
 Motion #4 THAT Bylaw C-7831-2018 be given third and final reading.
- Option # 2: THAT application PL20180091 be refused.



Respectfully submitted,

Concurrence,

“Sherry Baers”

“Rick McDonald”

Acting General Manager

Interim County Manager

SK/rp

APPENDICES:

APPENDIX 'A': Application Referrals

APPENDIX 'B': Bylaw C-7831-2018 and Schedule A

APPENDIX 'C': Map Set

APPENDIX 'D': Landowner Comments

APPENDIX A: APPLICATION REFERRALS

AGENCY	COMMENTS
<i>School Authority</i>	
Rocky View Schools	No objection.
Calgary Catholic School District	No comment.
Public Francophone Education	No comment.
Catholic Francophone Education	No comment.
<i>Province of Alberta</i>	
Alberta Environment	No comment.
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.</p>
Alberta Sustainable Development (Public Lands)	No comment.
Alberta Infrastructure	No comment.
Alberta Energy Regulator	No comment.
Alberta Health Services	No concerns.
<i>Public Utility</i>	
ATCO Gas	No comment.
ATCO Pipelines	No objection.
AltaLink Management	No comment.
FortisAlberta	No objections, no easement required.
Telus Communications	No objection.
TransAlta Utilities Ltd.	No comment.

AGENCY	COMMENTS
<i>Other External Agencies</i>	
EnCana Corporation	No comment.
City of Calgary	No comments.
<i>Rocky View County – Boards and Committees</i>	
ASB Farm Members and Agricultural Fieldmen	If this application is approved, the application of the Agricultural Boundary Design Guidelines will be beneficial in buffering the Residential Land Use from the agricultural land to the South. The guidelines would help mitigate areas of concern including: trespass, litter, pets, noise and concern over fertilizers, dust & normal agricultural practices.
Rocky View West Recreation Board	Given that Municipal Reserves were previously dedicated on Plan 9510253, the Rocky View Central Recreation Board has no comments on this circulation.
<i>Internal Departments</i>	
Municipal Lands	No concerns with this application as applicable reserves have been previously dedicated.
Development Authority	No comment.
GeoGraphics	No comment.
Building Services	No comment.
Enforcement Services	No concerns.
Emergency Services	No concerns.
Infrastructure and Operations – Engineering Services	<p data-bbox="618 1432 813 1459">Geotechnical:</p> <ul data-bbox="618 1482 1154 1509" style="list-style-type: none"> <li data-bbox="618 1482 1154 1509">• ES have no requirements at this time. <p data-bbox="618 1533 834 1560">Transportation:</p> <ul data-bbox="618 1583 1464 1913" style="list-style-type: none"> <li data-bbox="618 1583 1442 1680">• The parcel has an existing access from Calterra Estates Drive, approximately 210 m from the intersection of Calterra Estates Drive and Rge Rd 13; <li data-bbox="618 1688 1464 1913">• As a condition of subdivision the applicant is required to provide payment of the Transportation Offsite Levy in accordance with applicable levy in accordance with Bylaw C-7356-2014 for the total gross acreage of the lands proposed to be subdivided. The estimated amount owed at time of subdivision endorsement is \$18,380; (Base = \$4,595/ac x 4 ac = \$18,380).

AGENCY	COMMENTS
	<ul style="list-style-type: none"> • As condition of subdivision, the owner will be required to construct a new approach in order to provide access to Lot 1. The approach shall be constructed in accordance with the County's Servicing Standards. <p>Sanitary/Waste Water:</p> <ul style="list-style-type: none"> • The applicant provided a Level 2 PSTS Assessment and Site Evaluation prepared by SOILWORX.ca dated December 2016. The assessment contains recommendations based on site evaluation and soil analysis results from test pits dug on the subject lands. ES recommends the use of a treatment mound or a packaged sewage treatment plant. In accordance with Policy 449, for residential developments relying on PSTS, where lot sizes are equal to, or greater than 1.98 acres but less than 3.95 acres, the County requires the use of Packaged Sewage Treatment Plant on individual lots which meet the Bureau de Normalisation du Quebec (BNQ) standards for treatment and the requirements set out in the Procedure 449. As a condition of subdivision, the applicant will be required to enter into a Site Improvements Services Agreement with the County, for the future installation of a treatment mound or a packaged sewage treatment system meeting BNQ or NSF 40 Standards; • The applicant provided a Level I Variation Assessment for the existing septic field on the subject lands indicating that the system is in good working order. ES has no further concerns. <p>Water Supply And Waterworks:</p> <ul style="list-style-type: none"> • As part of the application, the applicant provided a memo from Rocky View Water Co-Op dated January 27, 2017. The memo confirms that : <ul style="list-style-type: none"> ○ The applicant has completed all paperwork for water supply request. ○ The applicant has paid all necessary fees of said application. ○ The utility has sufficient capacity to service the proposed new lot • As a condition of subdivision the applicant will be required to provide a copy of the completed Water Services Agreement with Rocky View Water Co-Op Ltd confirming the confirming the extension of the existing water distribution system to the subject lands. It is to be noted that there is an existing water service to connection to the existing parcel. <p>Storm Water Management:</p> <ul style="list-style-type: none"> • As part of the application, the applicant provided a Stormwater Management Plan prepared by Osprey Engineering Inc dated August 2017. The report meets the Nose Creek Internal Drainage Area Study (MPE, 2013) runoff



AGENCY	COMMENTS
	<p>peak flow rate and average annual runoff volumes. No re-grading is proposed on the subject lot. The Stormwater Management Plan proposed a rain garden to manage release rates and volumes as well as other LID improvements and Best Management Practices on the proposed lot. As a condition of subdivision, the applicant is required to enter into a Site Improvements/Services Agreement with the County for the future implementation of the onsite stormwater management strategies identified in the Stormwater Management Plan prepared by Osprey Engineering Inc dated August 2017.</p> <p>Environmental</p> <ul style="list-style-type: none"> • ES have no requirements at this time.
Infrastructure and Operations - Maintenance	No concerns.
Infrastructure and Operations - Capital Delivery	No concerns.
Infrastructure and Operations - Operations	If new approach construction required, Applicant to contact County Road Operations of approach application. Access to both existing and new parcel must be maintained by owner (ie. new single/mutual approach).
Infrastructure and Operations – Utility Services	Confirmation from Rocky View Water Coop re: agreement and capacity to supply water is required.

Circulation Period: July 24, 2018 – August 15, 2018



BYLAW C-7831-2018

A Bylaw of Rocky View County to amend Bylaw C-4841-97, being the Land Use Bylaw

The Council of Rocky View County enacts as follows:

PART 1 – TITLE

This Bylaw shall be known as Bylaw C-7831-2018.

PART 2 – DEFINITIONS

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

PART 3 – EFFECT OF BYLAW

THAT Part 5, Land Use Map No. 65 of Bylaw C-4841-97 be amended by redesignating Lot 5, Plan 0010692 within NE-16-26-1-W5M, from Residential Two District to Residential One District as shown on the attached Schedule 'A' forming part of this Bylaw.

THAT Lot 5, Plan 0010692 within NE-16-26-1-W5M, is hereby redesignated to Residential One District as shown on the attached Schedule 'A' forming part of this Bylaw.

PART 4 – TRANSITIONAL

Bylaw C-7831-2018 comes into force when it receives third reading, and is signed by the Reeve/Deputy Reeve and CAO or Designate, as per the *Municipal Government Act*.

Division: 7

File: 06516014 - PL20180091

<i>PUBLIC HEARING WAS HELD IN COUNCIL</i> this	day of	, 2018
READ A FIRST TIME IN COUNCIL this	day of	, 2018
READ A SECOND TIME IN COUNCIL this	day of	, 2018
<i>UNANIMOUS PERMISSION FOR THIRD READING</i>	day of	, 2018
READ A THIRD TIME IN COUNCIL this	day of	, 2018

Reeve

CAO or Designate

Date Bylaw Signed

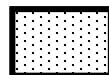
BYLAW: C-7831-2018

CALTERRA ESTATES DR

± 1.62 ha
(± 4.00 ac)

AMENDMENT

FROM Residential Two District **TO** Residential One District

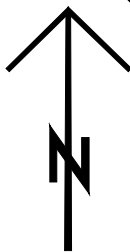


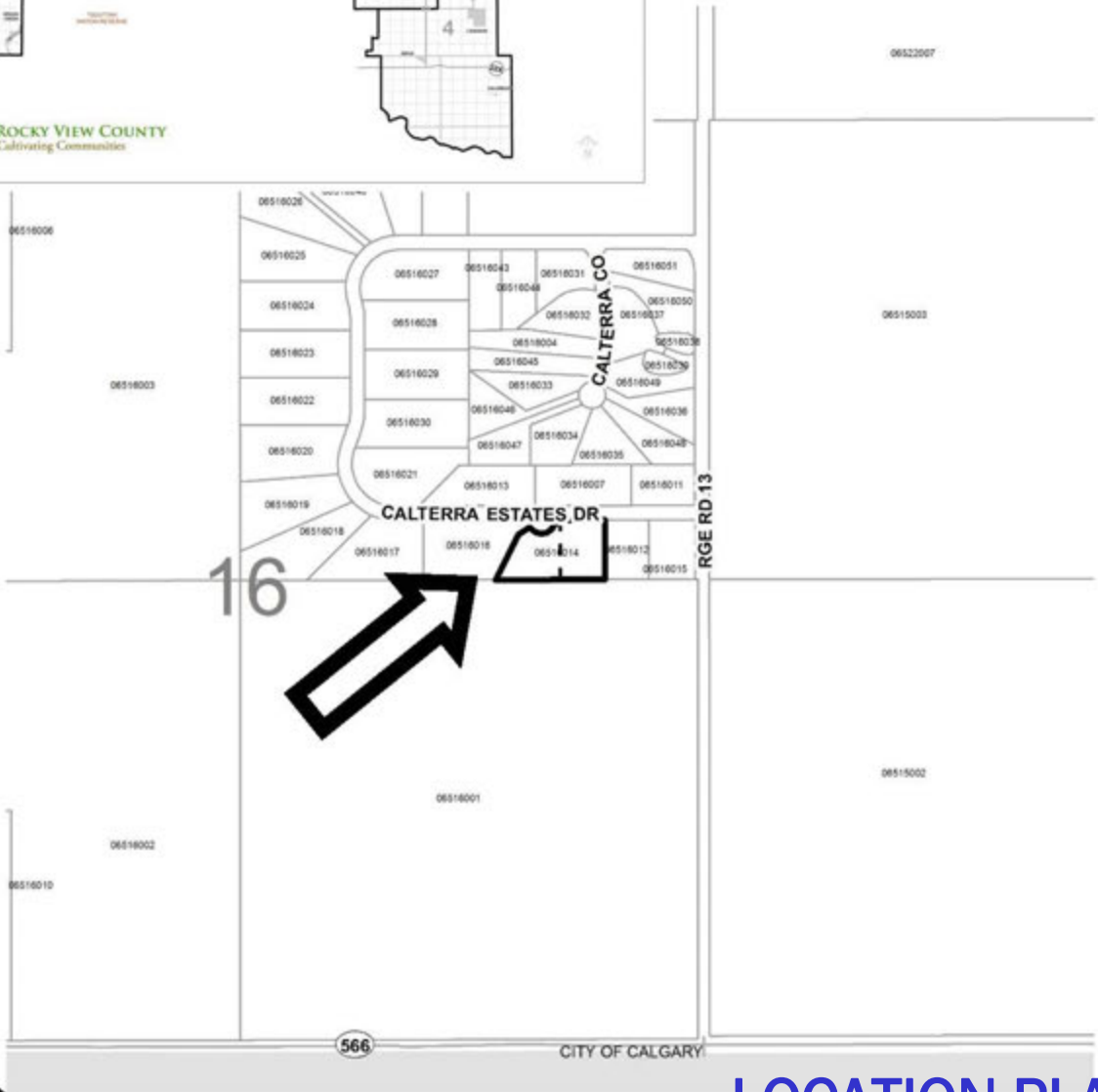
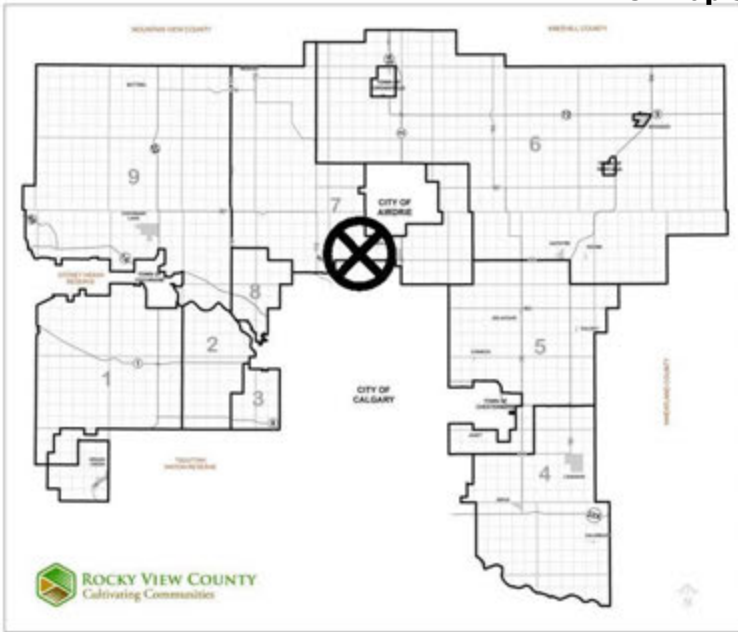
Subject Land _____

LEGAL DESCRIPTION: Lot 5, Plan 0010692
within NE-16-26-1-W5M

FILE: 06516014 - PL20180091

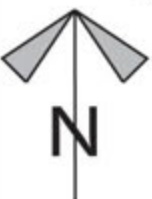
DIVISION: 7





LOCATION PLAN

Lot:5 Plan:0010692
NE-16-26-01-W05M



Redesignation Proposal: To redesignate the subject lands from Residential Two District to Residential One District in order to facilitate the creation of a ± 0.81 hectare (± 2.00 acre) parcel with a ± 0.81 hectare (± 2.00 acre) remainder.

CALTERRA ESTATES DR

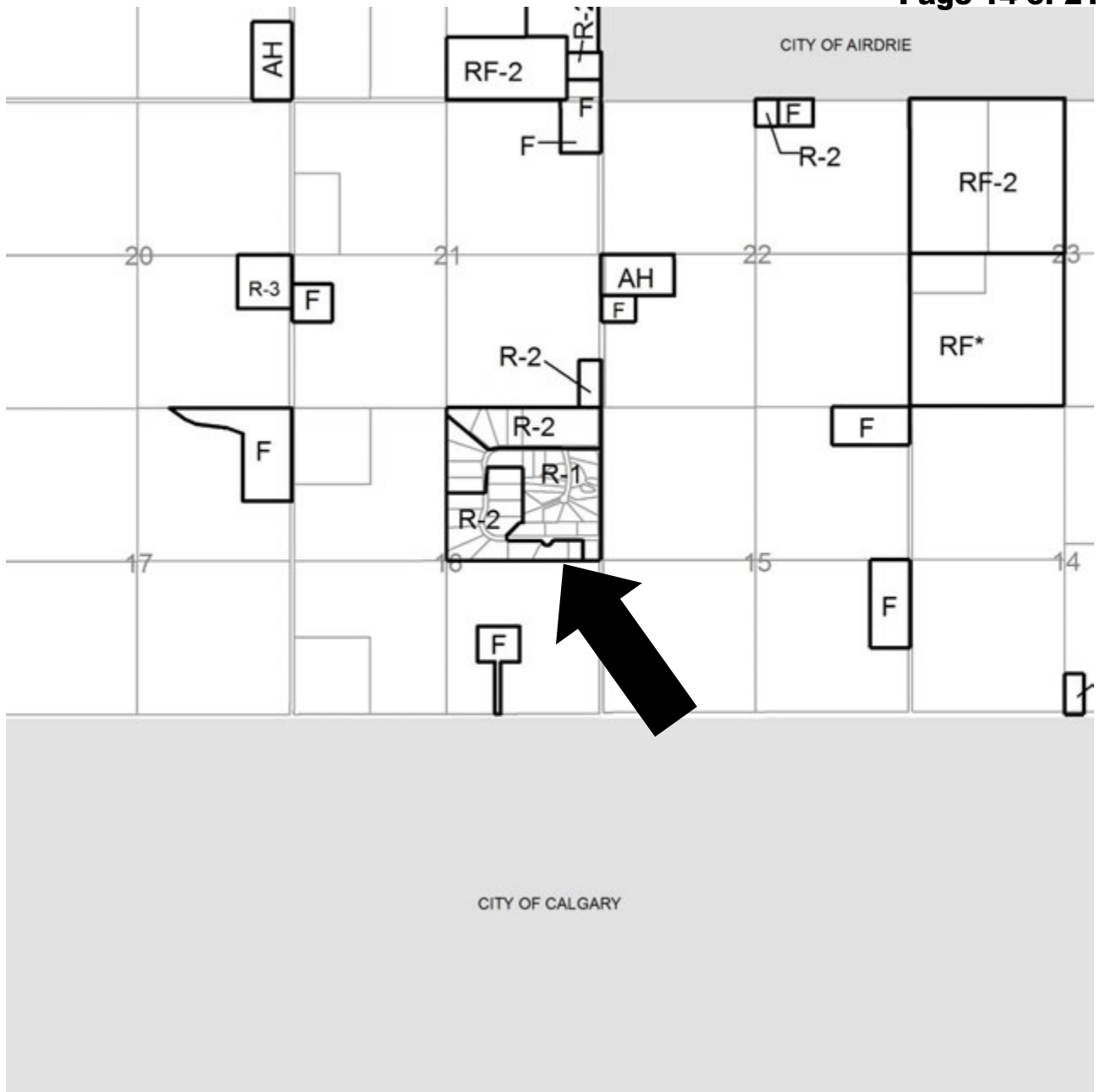
± 0.81 ha
(± 2.00 ac)
R2 → R1

± 0.81 ha
(± 2.00 ac)
R2 → R1

DEVELOPMENT PROPOSAL

**Lot:5 Plan:0010692
NE-16-26-01-W05M**

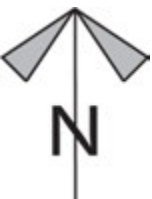


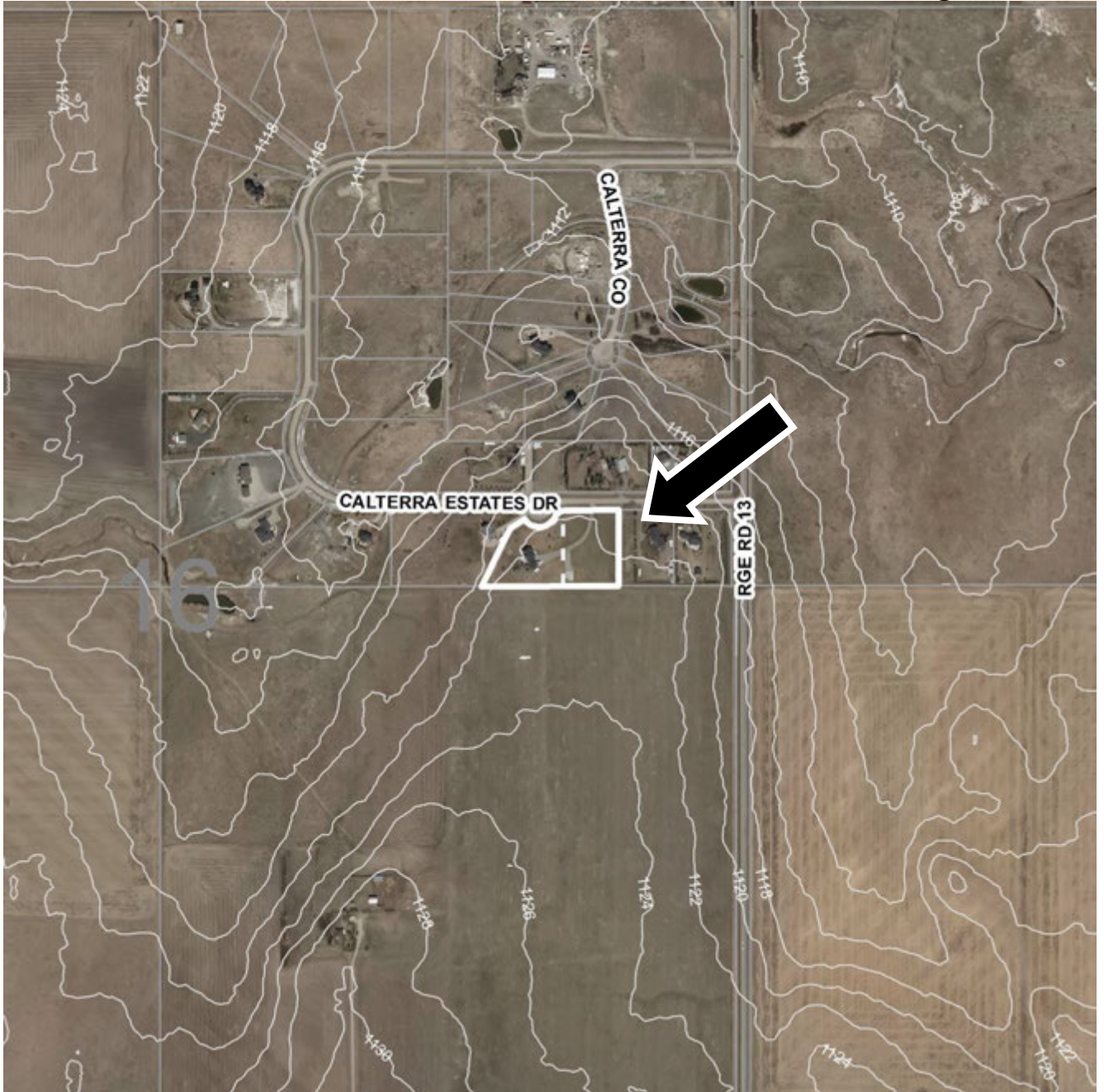


Ranch and Farm	B-1 Highway Business
RF2 Ranch and Farm Two	B-2 General Business
RF3 Ranch and Farm Three	B-3 Limited Business
AH Agricultural Holding	B-4 Recreation Business
F Farmstead	B-5 Agricultural Business
R-1 Residential One	B-6 Local Business
R-2 Residential Two	NRI Natural Resource Industrial
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

Lot:5 Plan:0010692
NE-16-26-01-W05M



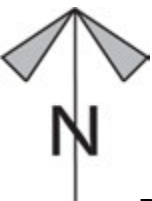


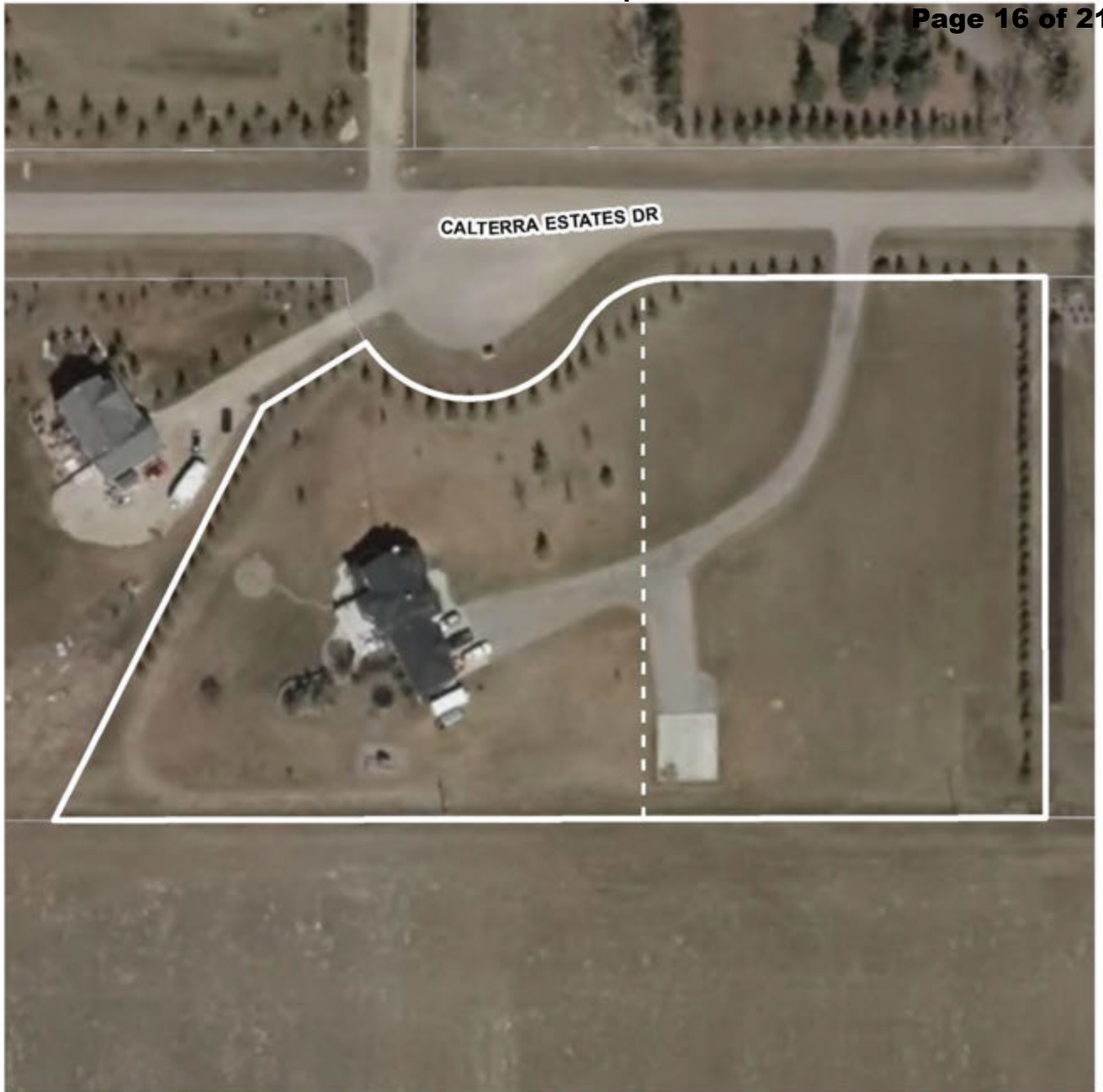
Contours are generated using 10m grid points, and depict general topographic features of the area. Detail accuracy at a local scale cannot be guaranteed. They are included for reference use only.

TOPOGRAPHY

Contour Interval 2 M

Lot:5 Plan:0010692
NE-16-26-01-W05M





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

AIR PHOTO

Spring 2016

**Lot:5 Plan:0010692
NE-16-26-01-W05M**



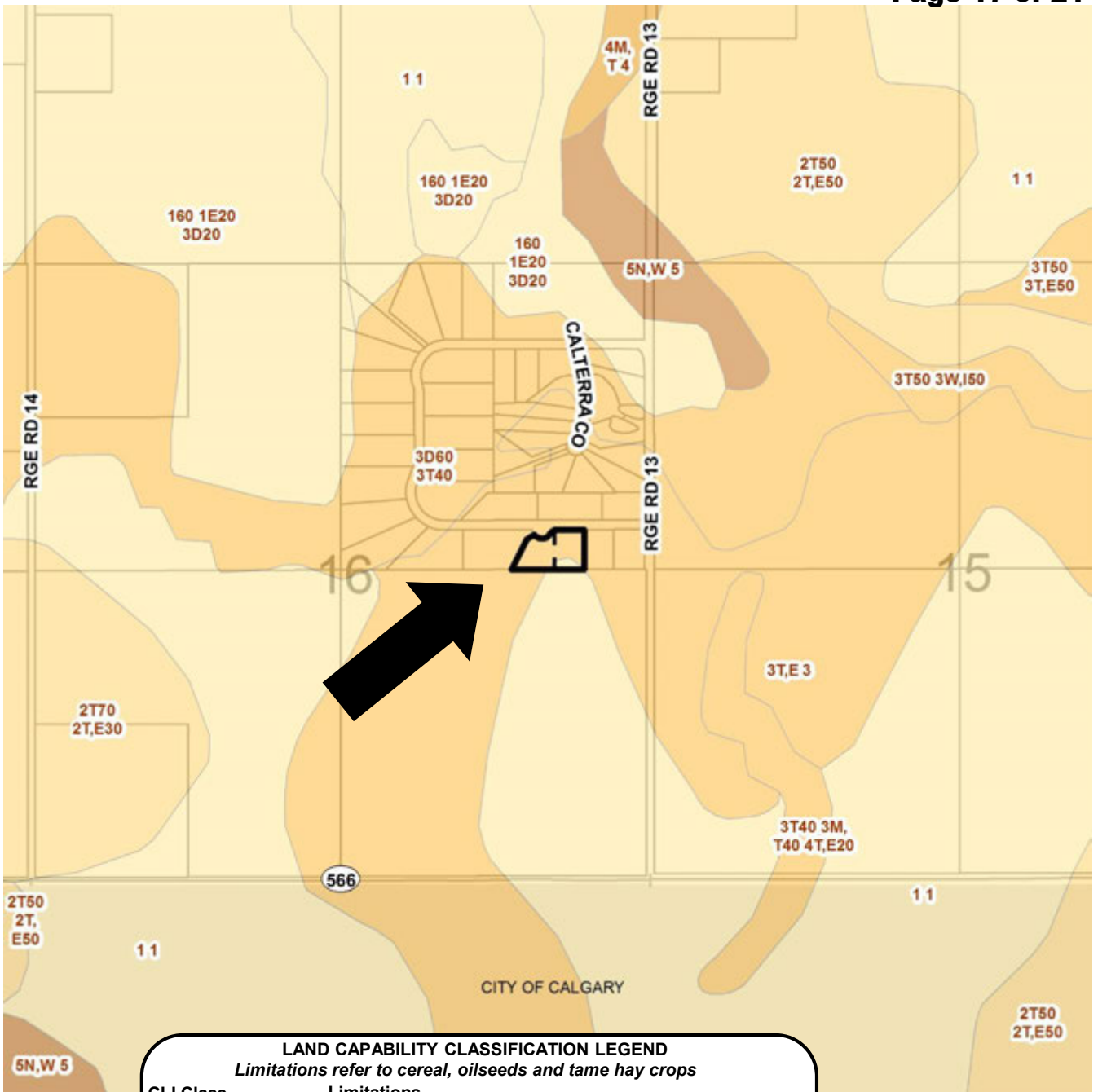
Date: July 19, 2018

Division # 7

File: 06516014

AGENDA

Page 184 of 265



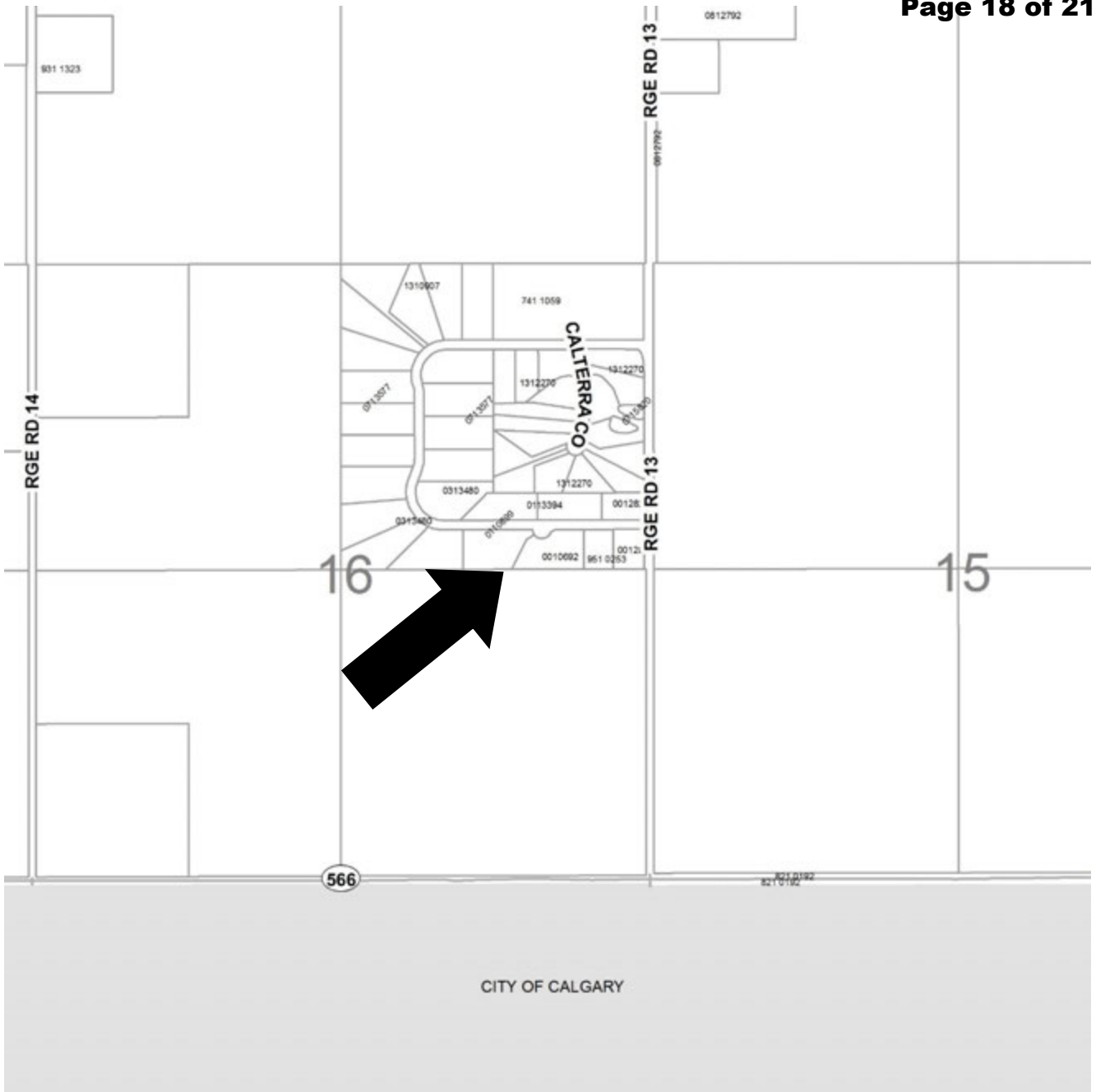
LAND CAPABILITY CLASSIFICATION LEGEND
Limitations refer to cereal, oilseeds and tame hay crops

CLI Class	Limitations
1 - No significant limitation	B - brush/tree cover
2 - Slight limitations	C - climate
3 - Moderate limitations	D - low permeability
4 - Severe limitations	E - erosion damage
5 - Very severe limitations	F - poor fertility
6 - Production is not feasible	G - Steep slopes
7 - No capability	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:5 Plan:0010692
 NE-16-26-01-W05M**



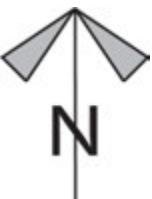


Legend – Plan numbers

- 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:5 Plan:0010692
NE-16-26-01-W05M

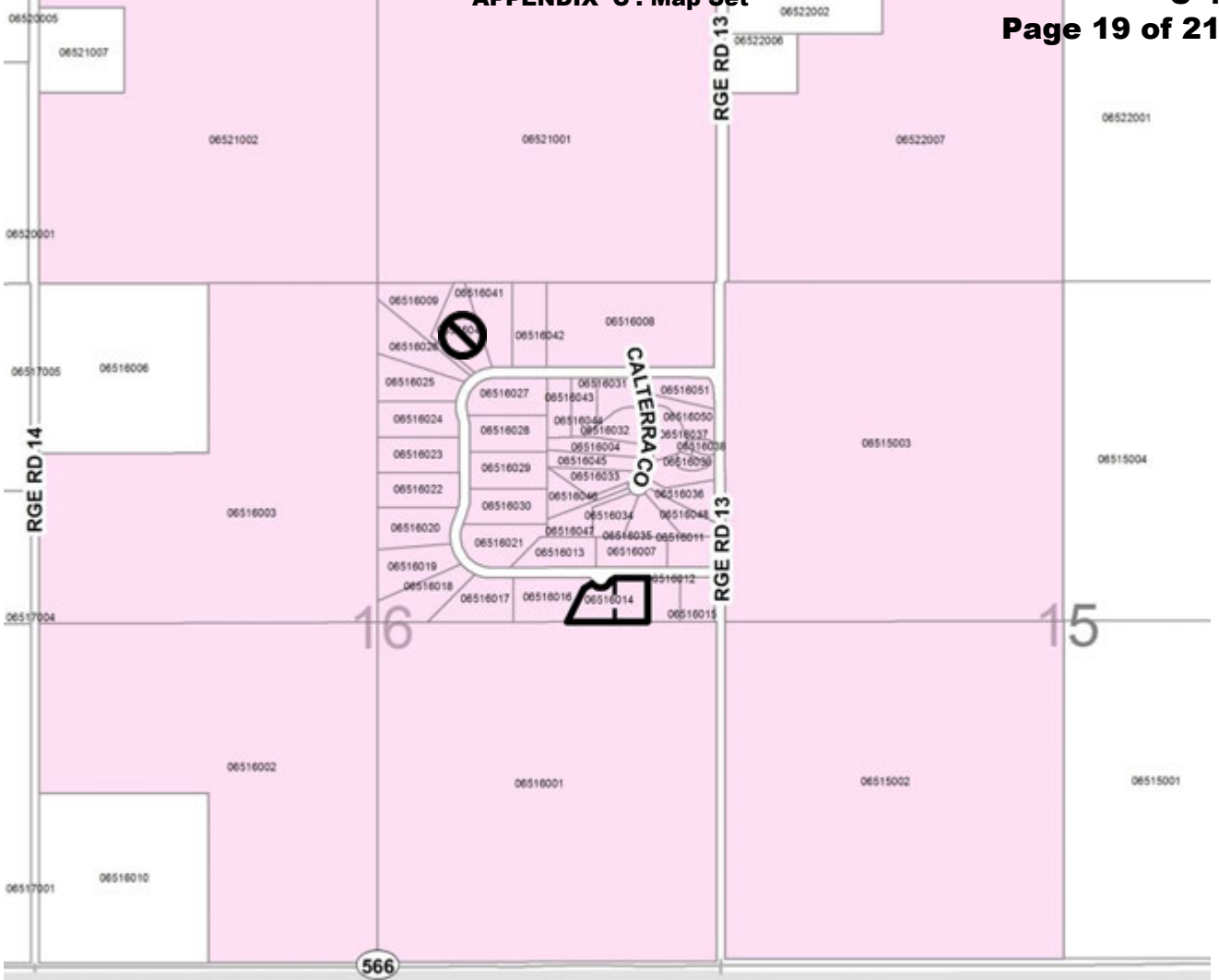


Date: July 19, 2018



Division # 7



File: 06516014

AGENDA



CITY OF CALGARY

Legend	
	Circulation Area
	Subject Lands

-  Letters in Opposition
-  Letters in Support

LANDOWNER CIRCULATION AREA

Lot:5 Plan:0010692
NE-16-26-01-W05M



October 30, 2018

To: Rocky View County

From: Mr. P. Schlee, Calterra Land Developments Inc.
Owner, Lot 12, Block 2, Plan 1310907 (Roll #06516040)

Subject: Bylaw C-7727-2017 and Bylaw C-7831-2018

RE: Circulation and Public Hearing Applications comments (currently OPPOSED)

Application PL20170150 (Concept Scheme amendment, Public Hearing November 13, 2018)
Application PL20180091 (Redesignation from R-2 to R-1, Public Hearing November 13, 2018)
Application PL20170030 (Subdivision of existing 4-acre lot into 2 new 2-acre lots)

Please accept this letter as our written submission and comments for the above noted public hearings and associated applications. We have received our Notice of Public Hearing post-stamped October 12, 2018, with request for written submissions deadline of October 31, 2018 allowing us less than a week to provide our comments. Rocky View staff have also refused to provide any further current information regarding these applications, along with their reference to the prior-cancelled July 10, 2018 Agenda which contained significant errors. Accordingly, our comments can only be provided in context of the information being provided or being intentionally withheld by Rocky View staff at this time.

First, we would like to commend the staff for recognizing their existing errors and wrong assumptions when the original application for Concept Scheme amendment and associated Subdivision application were originally scheduled for July 10, 2018 Public Hearing, without the required Redesignation application. Although staff had originally insisted that the subject property already had appropriate R-1 zoning, this incorrect assumption and past error were addressed when the original Public Hearing and Subdivision for July 10th were withdrawn and a new set of Public Hearings scheduled for November 13, 2018, this time including a new Redesignation application to provide the appropriate rezoning of the lot from R-2 to R-1 zoning. We appreciate that staff accepted our available information to identify and verify the error, even if the error was not subsequently acknowledged in any other communication. Hopefully staff will also correct the same associated zoning error applicable to the other nearby lots so we do not have to repeat this process with every application (and so the other lots are not denied the zoning privileges associated with their entitlement to the R-2 zoning allowances).

When Rocky View staff was requested to provide the specific information regarding these applications, the associated engineering reports such as SWMP and TIA, and the specific details of what amendments were being done to both the Concept Scheme and the Land Use Bylaw (including whether existing zoning errors were being corrected or just further propagated with staff avoidance or misinformation), we were provided the following email response on October 23, 2018:

The report for these items will be available on November 7th, but in the meantime the original report from July is still available. If you click on the link below and find the item, you can find all you are looking for. Engineering reports are the property of the applicant and we cannot share them, but you can find more information regarding these in the engineering comments and the body of the report.

Based on this information and staff reluctance to provide any specific information other than generic Agenda information to either us or even the existing Rocky View Council (as Subdivision Approving Authority), we would like to provide the following comments:

1. As none of the actual proposed changes have been identified on the Rocky View website, including the proposed amended Concept Scheme or the amended (and corrected) Land Use Bylaw page indicating correct zoning of the specific Subject lot and the 4 other nearby lots that are also currently incorrectly identified with R-1 zoning instead of the correct R-2 zoning, we would have to be **OPPOSED** to these applications based on the Rocky View staff actions in withholding of relevant information. It is ludicrous to request written comments by October 31st while hiding and withholding actual proposed changes and details until after November 7th.

2. Rocky View staff had acknowledged the incorrect information and assumptions being made with the zoning of the Subject lot. Same correction should be made to 4 other nearby lots to recognize their existing original and unchanged R-2 zoning and associated benefits of the R-2 zoning guidelines (including additional accessory buildings and sizes). These include Roll # 06516012, 06516011, 06516015 and 06516016, beside Subject lot 06516014. These zoning corrections should be correctly indicated on the Concept Scheme lot zoning maps as well as the formal Land Use Bylaw zoning maps.

3. Subject lot was included in the Concept Scheme's Stormwater Management Plan (SWMP) design for Lots 1 to 21, but was not included in the associated SWMP detailed design from 2003 (*Westhoff SWMP, 2003*) which provided design and SWMP calculations for the 18 new lots in Phases 1b to 4 (4-acre lots). Subject lot was identified as *Lot 1* in Phase 1 of the Concept Scheme, but created in 2000 without its individual SWMP design requirements. Subdivisions of all 21 lots have been fully completed by 2013. Rocky View staff refused to provide any information regarding whether the original SWMP plans, designs and SWMF requirements had been revoked and replaced with a new amended design allowing for the 2-acre lot sizes and higher lot counts. As Rocky View had previously insisted on new SWMP designs that are compliant with the NCWWMP requirements and discharge rates before further Concept Scheme amendments, Redesignations or Subdivisions would be allowed to proceed, the status of applicable SWMP designs for the Subject lot and all other existing Concept Scheme lots should be clearly identified by Rocky View staff and made available to lot owners.

4. The original TIA had been amended by the 2-acre lot subdivisions in adjacent Mountain Lynn Estates in 2013, but Rocky View explicitly required further full detailed TIA reevaluation and amendment for any additional 2-acre lot subdivisions in our area. We assume that Rocky View staff is consistent with their engineering requirements and prerequisites for all parties, properties and lot owners. Staff have continued to deny availability of other applications for either Concept Scheme amendments or redesignations to higher density zoning without such TIA redesign, with acceptability of simple TIA summary statement being declined. Deferring such engineering requirements to "future subdivision approval conditions" is not a viable process for any such engineering requirements (SWMP or TIA), as it only provides an excuse and deferral for avoiding such requirements later. Concept Scheme amendments and Redesignation zoning approvals are not normally available for future reversal, and current experience with actual zoning misinformation confirms how staff avoidance of errors and omissions often result in future activities which are then based on false information.

It is unfortunate that staff actions had necessitated our opposition to these applications in their present form. By assuming and representing prior incorrect information as facts ("The parcel has been designated Residential One District, appropriate for 2 acre lots, since 2001." – email October 3, 2017), wrong information is being presented to the public and Council without even RVC Councillors having access to actual details or engineering documents while being requested to approve such applications with incorrect information presented as facts.

We certainly hope that Rocky View County processes will change to allow open public access to relevant public information, and avoid disagreements or opposition due to misdirection or false information from staff.

Thank you.



PLANNING SERVICES

TO: Council
DATE: November 13, 2018 **DIVISION:** 2
TIME: Afternoon Appointment
FILE: 04721021 **APPLICATION:** PL20180065
SUBJECT: Redesignation Item – Residential Two District to Residential One District

¹POLICY DIRECTION:

The application was evaluated against the policies within the County Plan, the Central Springbank Area Structure Plan (CSASP) and the Land Use Bylaw and was found to be compliant:

- The proposal is consistent with the policies of the County Plan;
- The proposal is consistent with the Infill Residential Area Policy of the CSASP;
- The proposal does not require a Conceptual Scheme as it meets the criteria of Policy 2.3.2.2. c) and 2.9.2.f) of the CSASP in that the proposal is to create only one lot, the new parcel is 0.8 hectares (2.0 acres), and direct access is available; and
- The proposed Residential One District would be compatible with adjacent residential parcels.

EXECUTIVE SUMMARY:

The purpose of this application is to redesignate the subject land from Residential Two District to Residential One District in order to facilitate the creation of a ± 0.81 hectare (± 2.00 acre) parcel with a ± 0.81 hectare (± 2.00 acre) remainder.

The Applicant proposes to use water wells to service both proposed lots, as Westridge Water Utility indicated that they do not serve Hillcrest Estates. County GIS indicates a Westview Water Coop piped water line located on the south of Hillcrest Estates. It is recommended that the applicant further explore connection to Westview Water Coop at the future subdivision stage should this application proceed.

The approach off Hillcrest Estates will be upgraded to a mutual standard to provide access to both parcels. The application was circulated to 117 landowners and no responses were received.

Administration determined that the application meets policy.

DATE APPLICATION RECEIVED: June 6, 2018
DATE DEEMED COMPLETE: July 30, 2018

PROPOSAL: To redesignate the subject land from Residential Two District to Residential One District in order to facilitate the creation of a ± 0.81 hectare (± 2.00 acre) parcel with a ± 0.81 hectare (± 2.00 acre) remainder.

LEGAL DESCRIPTION: Lot 15, Plan 9612476, within NE-21-24-03-W05M

GENERAL LOCATION: Located 0.25 miles south of Springbank Road, 0.25 miles west of Range Road 33, on the north side of Hillcrest Estates.

¹ **Administration Resources**
 Xin Deng, Planning Services
 Eric Schuh, Engineering Services



APPLICANT:	Kellam Berg Engineering & Surveys Ltd.
OWNERS:	Ali Farhadbakht & Parvaneh Jangi
EXISTING LAND USE DESIGNATION:	Residential Two District
PROPOSED LAND USE DESIGNATION:	Residential One District
GROSS AREA:	± 1.62 hectares (± 4.00 acres)
SOILS (C.L.I. from A.R.C.):	Class 4S, 4 - The soil contains severe limitations for crop production due to high sodicity.

PUBLIC & AGENCY SUBMISSIONS:

No responses were received from the 117 landowner notifications sent. The application was also circulated to a number of internal and external agencies. Those responses are available in Appendix 'A'.

HISTORY:

November 30, 1993 Council approved a subdivision application (1993-RV-243) to create a ± 4.0 acre parcel with a ± 15.0 acre remainder. The subdivision was registered on Plan 9612476. The ± 4.0 acre parcel is the subject land in this application.

BACKGROUND:

The subject land is located 0.25 miles south of Springbank Road, 0.25 miles west of Range Road 33, on north side of Hillcrest Estates in the Springbank area. The property contains one dwelling that is accessed by an approach along Hillcrest Estates and is serviced by existing water well and septic tank and field system.

The Applicant was advised by Westridge Water Utility that they do not serve Hillcrest Estates; therefore, the Applicant proposes to use groundwater wells to service both proposed lots. However, County GIS identifies that Westview Water Coop piped water is located on the south side of Hillcrest Estates. It is recommended that the applicant further explore connection to Westview Water Coop at the time of subdivision. If the Applicant cannot obtain connection to this piped water supply, Administration considers the use of groundwater wells acceptable. In the case of groundwater wells, an existing water well is located on the proposed new parcel (Lot 1), and a new water well would be drilled to service the existing dwelling situated on the remainder parcel (Lot 2).

The existing approach would be upgraded to a mutual standard, and an access easement agreement should be registered at future subdivision stage.

The land is located in a clustered country residential community. A multi-lot subdivision located immediately south of Hillcrest Estates was created in 1991. Further fragmentation has occurred on the lands to the north since 1997. Quarter sections to the east and south have been subdivided with parcel sizes ranging from 2.0 to 20.0 acres. Springbank High School and Springbank Park for All Season recreation facility are located approximately 0.5 miles to the northeast.

POLICY ANALYSIS:

The application was evaluated in accordance with the County Plan, Central Springbank Area Structure Plan (CSASP) and the Land Use Bylaw.

County Plan

The County Plan provides general policies for Agricultural, Residential, and Business development within the County and directs residential development to key areas such as Springbank.



Policy 10.1 Development within Greater Bragg Creek, Bearspaw, North and Central Springbank, Elbow Valley, Balzac East and Cochrane North shall conform to their relevant area structure plan

- The subject land is located within the Central Springbank Area Structure Plan (CSASP). Therefore, specific policies within the Central Springbank Structure Plan were considered during evaluation of the application.

Central Springbank Area Structure Plan:

Map 11 of the CSASP shows that the subject land is located within the Infill Residential Area. Policy 2.9.3 of Infill Residential Areas states:

- a) *Lands within the infill residential area will not be eligible for further subdivision unless a Conceptual Scheme is prepared in accordance with the provisions of this plan, is approved by the Municipality, and is appended to the Central Springbank Area Structure Plan.*
- b) *Future residential lots will range between ± 0.8 hectares (± 2.0 acres) to ± 1.6 hectares (± 4.0 acres) in size, or most prevalent on adjacent lands or immediate area.*
- c) *Open space connections should be facilitated through the use of cash-in-lieu, land dedication, or easements to extend pedestrian connections throughout the plan area.*

However, General Residential Development Policy 2.9.2.f) states that a conceptual scheme is not required when it is for agricultural development, or when all of the following conditions are met:

- *Direct road access is available.*
- *One (1) lot is being created.*
- *The proposed lot is 0.8 hectares (2.0 acres) or greater in size.*
- *The creation of the new lot will not adversely affect or impede future subdivision of the balance land.*

The proposal meets the above criteria: the proposed new lot can be accessed via the existing approach off Hillcrest Estates, which would be upgraded to a mutual standard. The Applicant proposes only one new lot at this time, the proposed new parcel is ± 0.81 hectares (± 2.00 acres) in size, and the proposal would not affect subdivision potential on adjacent lands. Therefore, this application can proceed without a conceptual scheme. The proposal meets the Infill Residential Area policies and is compatible with adjacent residential uses.

Policy 2.8.2 Water Treatment and Distribution Systems Policies

- a) *Connection to an existing water distribution system is required for residential purposes where access is feasible and cost effective.*
 - As Westview Water Coop has a distribution line on the south side of Hillcrest Estates, it is recommended that the Applicant explore connection at the time of subdivision. If connection is not feasible, groundwater wells can be used for water supply.

Land Use Bylaw:

The proposed new lot meets the minimum and maximum requirement of the Residential One District of the Land Use Bylaw.

CONCLUSION:

Administration evaluated this application based on the applicable policies and determined that the proposal meets the County Plan, the infill residential policies of the Central Springbank Area Structure Plan and the regulations of the Land Use Bylaw.



OPTIONS:

- Option #1: Motion #1 THAT Bylaw C-7806-2018 be given first reading.
- Motion #2 THAT Bylaw C-7806-2018 be given second reading.
- Motion #3 THAT Bylaw C-7806-2018 be considered for third reading.
- Motion #4 THAT Bylaw C-7806-2018 be given third and final reading.
- Option #2: THAT application PL20180065 be refused.

Respectfully submitted,

Concurrence,

“Sherry Baers”

“Rick McDonald”

Acting General Manager

Interim County Manager

XD/rp

APPENDICES:

- APPENDIX ‘A’: Application Referrals
- APPENDIX ‘B’: Bylaw C-7806-2018 and Schedule A
- APPENDIX ‘C’: Map Set



APPENDIX A: APPLICATION REFERRALS

AGENCY	COMMENTS
<i>School Authority</i>	
Rocky View Schools	No objection.
Calgary Catholic School District	No response.
Public Francophone Education	No response.
Catholic Francophone Education	No response.
<i>Province of Alberta</i>	
Alberta Environment	Not required for circulation.
Alberta Transportation	Not required for circulation.
Alberta Sustainable Development (Public Lands)	Not required for circulation.
Alberta Culture and Community Spirit (Historical Resources)	Not required for circulation.
Alberta Energy Regulator	No response.
Alberta Health Services	<ol style="list-style-type: none"> 1. Water wells on the subject lands should be completely contained within the proposed property boundaries. A drinking water source must conform to the most recent Canadian Drinking Water Quality Guidelines and the Alberta Public Health Act, Nuisance and General Sanitation Guideline 243/2003. 2. Any existing or proposed private sewage disposal systems should be completely contained within the proposed property boundaries and must comply with the setback distances outlined in the most recent Alberta Private Sewage Systems Standard of Practice. Prior to installation of any sewage disposal system, a proper geotechnical assessment should be conducted by a qualified professional engineer and the system should be installed in an approved manner. 3. The property must be maintained in accordance with the Alberta Public Health Act, Nuisance and General Sanitation Guideline 243/2003.
<i>Public Utility</i>	
ATCO Gas	No objection.
ATCO Pipelines	No objection.



AGENCY	COMMENTS
AltaLink Management	No response.
FortisAlberta	No response.
Telus Communications	No response.
TransAlta Utilities Ltd.	No response.
<i>Other External Agencies</i>	
EnCana Corporation	No response.
<i>Rocky View County Boards and Committees</i>	
ASB Farm Members and Agricultural Fieldmen	Because this parcel falls within the Central Springbank Area Structure Plan, Agricultural Services has no concerns.
Rocky View West Recreation Board	Given that Municipal Reserves were provided by a cash-in-lieu payment on Plan 9614276, the Rocky View West Recreation Board has no comments on this circulation.
<i>Internal Departments</i>	
Municipal Lands	The Municipal Lands Office has no concerns with this application, as public parks, open space, or active transportation networks are not affected.
Development Authority	No response.
Enforcement Services	No concerns.
Emergency Services	No comment.
GeoGraphics	No response.
Building Services	No response.
Infrastructure and Operations - Engineering Services	<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. • Parcel size is 4 acres. Current land use is R2, seeking to redesignate to R1. <p>Geotechnical:</p> <ul style="list-style-type: none"> • ES has no requirements at this time.

AGENCY	COMMENTS
	<p data-bbox="618 260 834 289">Transportation:</p> <ul data-bbox="618 312 1464 932" style="list-style-type: none"> <li data-bbox="618 312 1430 375">• The parcel is currently accessed from an existing approach off of Hillcrest Estates, which is a paved road. <li data-bbox="618 384 1403 512">• As a condition of future subdivision, the existing approach shall be updated to a mutual standard, and the applicant shall provide a Right-of-Way Plan and Access Easement Agreement to register on the title of each parcel. <li data-bbox="618 520 1464 716">• As a condition of future subdivision, the applicant is required to provide payment of the Transportation Off-site Levy in accordance with the applicable levy at time of subdivision approval for the total gross acreage of the lands excepting those designated Environmental Reserve, as the applicant is proposing to subdivide a Residential One District parcel. <ul data-bbox="678 737 1430 932" style="list-style-type: none"> <li data-bbox="678 737 1354 800">○ Base TOL = \$4595/acre. Acreage =4 acres. TOL payment = (\$4595/acre)*(4 acres) = \$18,380. <li data-bbox="678 808 1430 932">○ In accordance with TOL Bylaw clause 6.c.i, the subject lands are exempt from the Special Area 4 Levy, as the applicant is proposing to subdivide one lot from a residential parcel that is less than 5 acres in size. <p data-bbox="618 953 915 982">Sanitary/Wastewater:</p> <ul data-bbox="618 1005 1464 1923" style="list-style-type: none"> <li data-bbox="618 1005 1464 1134">• At the time of future subdivision application, the applicant will be required to submit a Level 3 PSTS Assessment, prepared by a qualified professional, to determine the suitability of the proposed new parcel to support a PSTS. <li data-bbox="618 1142 1464 1923">• As a condition of future subdivision, the Applicant shall enter into a Site Improvement / Site Services Agreement to ensure any improvements are made in accordance with the PSTS Assessment. <ul data-bbox="678 1289 1464 1923" style="list-style-type: none"> <li data-bbox="678 1289 1446 1688">○ It is noted that within a 600 metre radius of the subject lands, there are 63 existing parcels and 2 proposed parcels. In accordance with Policy 449, where density exceeds 60 lots within a 600 metre radius of the subject lands, the County will require connection to a Decentralized or Regional Wastewater Treatment System. However, if neither of these two options are feasible, a Packaged Sewage Treatment Plant must be used with a Deferred Services Agreement. Given there are no Regional Wastewater Services in the area, ES considers a Packaged Sewage Treatment Plant as suitable. <li data-bbox="678 1696 1442 1856">○ In accordance with Policy 449, as the proposed new lot is between 1.98 & 3.95 acres, the use of a Packaged Sewage Treatment Plant meeting Bureau de Normalisation du Quebec (BNQ) standards shall be required. <li data-bbox="678 1864 1464 1923">○ In the Alberta Merged Wetland Inventory, there is a small wetland identified on the subject lands, which triggers

AGENCY	COMMENTS
	<p>the need for a Level 3 PSTS Assessment.</p> <ul style="list-style-type: none"> • At the time of future subdivision application, the applicant shall submit a Level 1 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. This assessment shall be prepared by the homeowner and shall be submitted prior to subdivision approval. • As a condition of future subdivision, a Deferred Services Agreement shall be registered against each new certificate of title (lot) created, requiring the owner to tie into municipal services when they become available. <p>Water Supply And Waterworks:</p> <ul style="list-style-type: none"> • The applicant submitted a Phase 1 Groundwater Supply Evaluation (Groundwater Information Technologies Ltd. – July 30, 2018). The report meets the requirements of the County Servicing Standards and concludes that the aquifer underlying the proposed subdivision can supply water at a rate of 1250m³/year without causing adverse effects on existing users. • The applicant has indicated that they approached Westridge Water Utility to inquire about water servicing. However, Westridge indicated that they do not service Hillcrest Estates, so the applicant has proposed the use of groundwater wells. • It is noted that on the south of Hillcrest Estates, County GIS identifies a Westview Water Coop distribution line. ES recommends that the applicant further explore the possibility of connecting to the adjacent water system at the subdivision stage, as connection is feasible given the close proximity to the subject lands. <ul style="list-style-type: none"> ○ The Central Springbank ASP states: “Connection to an existing water distribution system is required for residential purposes where access is feasible and/or cost effective.” • The applicant has proposed that the existing groundwater well will service the new dwelling, and the existing dwelling will be serviced by new well. ES considers the use of groundwater wells as acceptable only if it is confirmed that Westview Water Coop cannot provide piped water supply. • As a condition of future subdivision, the applicant/owner shall provide confirmation of connection to Westview Water Coop, an Alberta Environment licensed piped water supplier,

AGENCY	COMMENTS
	<p>for Lots 1 & 2 (remainder), as shown on the Approved Tentative Plan. This includes providing information regarding:</p> <ul style="list-style-type: none"> ○ Confirmation from the water supplier that an adequate and continuous piped water supply is available for the proposed Lots 1 & 2 (remainder). ○ Documentation proving that water supply has been purchased for proposed Lots 1 & 2 (remainder). ○ Documentation proving that water supply infrastructure requirements including servicing to the property have been installed or installation is secured between the developer and water supplier, to the satisfaction of the water supplier and the County. <ul style="list-style-type: none"> ● Alternatively, if the applicant is unsuccessful in obtaining connection to Westview Water Coop: <ul style="list-style-type: none"> ○ As a condition of future subdivision, the applicant will be required to drill a new well on Lot 2 (remainder) as the existing well will service the new Lot 1. The applicant shall provide the County with a Phase 2 Aquifer Testing Report for the new well, prepared by a qualified professional, in accordance with procedures outlined in the County Servicing Standards. The report shall include a Well Driller's Report confirming a minimum pump rate of 1.0 igpm for each well. ○ As a condition of future subdivision, a Deferred Services Agreement shall be registered against each new certificate of title (lot) created, requiring the owner to tie into municipal services when they become available. <p>Stormwater Management:</p> <ul style="list-style-type: none"> ● As a condition of future subdivision, the applicant shall submit a Site-Specific Stormwater Implementation Plan (SSIP). <ul style="list-style-type: none"> ○ If required, the Applicant shall enter into a Site Improvement / Site Services Agreement to ensure any improvements are made in accordance with the SSIP. ○ The SSIP shall demonstrate how any disturbance to the wetland on the subject lands will be mitigated. ○ The SSIP shall be in accordance with the requirements of the Springbank MDP. <p>Environmental:</p> <ul style="list-style-type: none"> ● The Alberta Merged Wetland Inventory identifies a small wetland on the subject lands. ● If the future subdivision application indicates any disturbance to the wetland, as a condition of future subdivision, the applicant shall provide confirmation of AEP Water Act approval.



AGENCY	COMMENTS
	<ul style="list-style-type: none"> Any approvals required through Alberta Environment shall be the sole responsibility of the Applicant/Owner.
Infrastructure and Operations – Road Maintenance	No issues
Infrastructure and Operations - Capital Delivery	No concerns.
Infrastructure and Operations – Utility Services	No concerns.
Infrastructure and Operations – Road Operations	Applicant to upgrade existing approach off Hillcrest Estates to paved mutual standards.
Agriculture and Environmental Services - Solid Waste and Recycling	No response.

Circulation Period: June 25 – July 17, 2018



BYLAW C-7806-2018

A Bylaw of Rocky View County to amend Land Use Bylaw C-4841-97, being the Land Use Bylaw

The Council of Rocky View County enacts as follows:

PART 1 - TITLE

This Bylaw shall be known as Bylaw C-7806-2018.

PART 2 - DEFINITIONS

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

PART 3 - EFFECT OF BYLAW

THAT Part 5, Land Use Map No.47 and No. 47-NW of Bylaw C-4841-97 be amended by redesignating Lot 15, Plan 9612476, within NE-21-24-03-W05M, from Residential Two District to Residential One District as shown on the attached Schedule 'A' forming part of this Bylaw.

THAT Lot 15, Plan 9612476, within NE-21-24-03-W05M, is hereby redesignated to Residential One District as shown on the attached Schedule 'A' forming part of this Bylaw.

PART 4 - TRANSITIONAL

Bylaw C-7806-2018 comes into force when it receives third reading, and is signed by the Reeve/Deputy Reeve and the CAO or Designate, as per the Municipal Government Act.

Division: 2
File: 04721021 / PL20180065

<i>PUBLIC HEARING WAS HELD IN COUNCIL this</i>	day of	, 2018
READ A FIRST TIME IN COUNCIL this	day of	, 2018
READ A SECOND TIME IN COUNCIL this	day of	, 2018
<i>UNANIMOUS PERMISSION FOR THIRD READING</i>	day of	, 2018
READ A THIRD TIME IN COUNCIL this	day of	, 2018

Reeve

CAO or Designate

Date Bylaw Signed

BYLAW: C-7806-2018



± 1.62 ha
(± 4.00 ac)

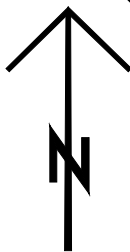
HILLCREST ESTATES

AMENDMENT

FROM Residential Two District TO Residential One District



Subject Land _____



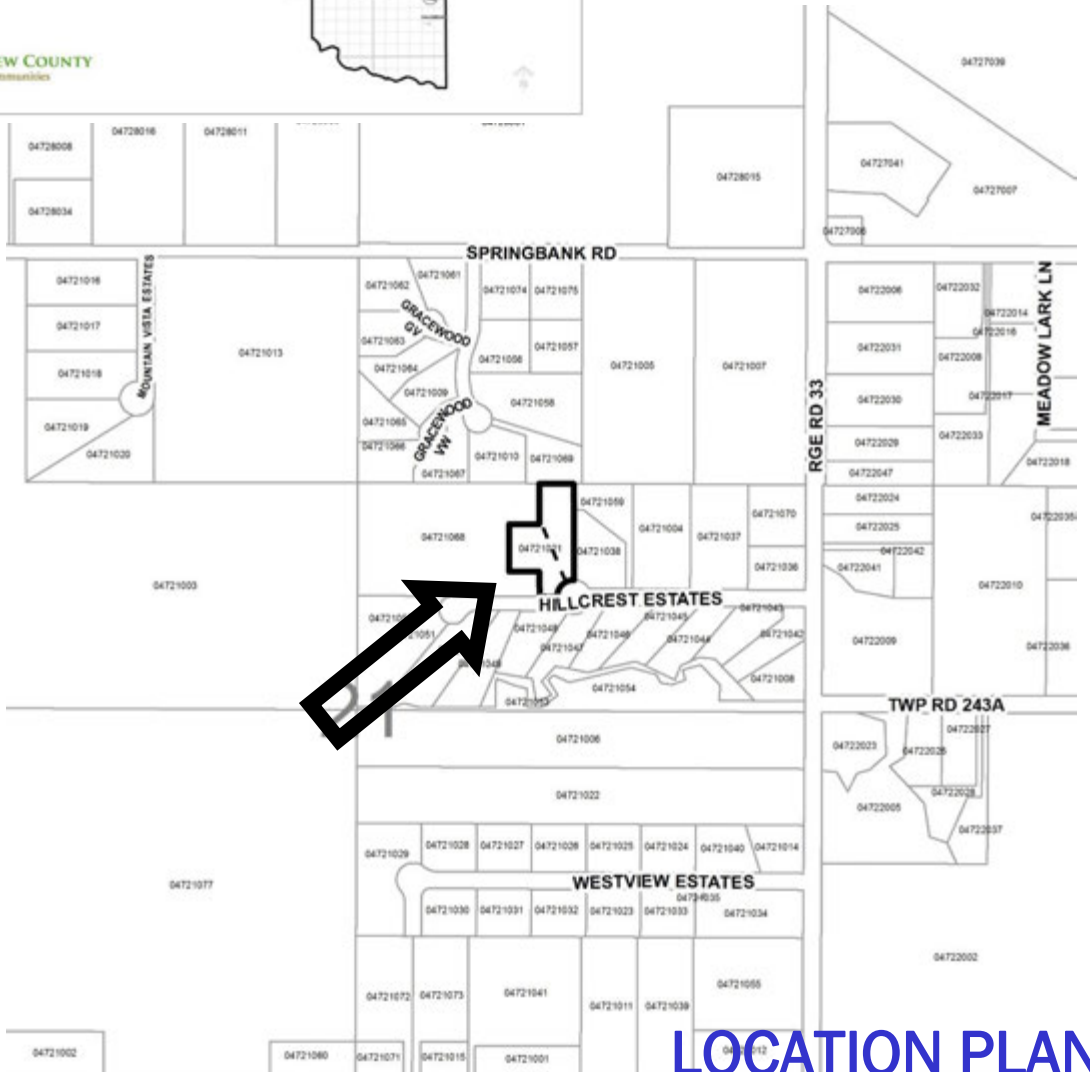
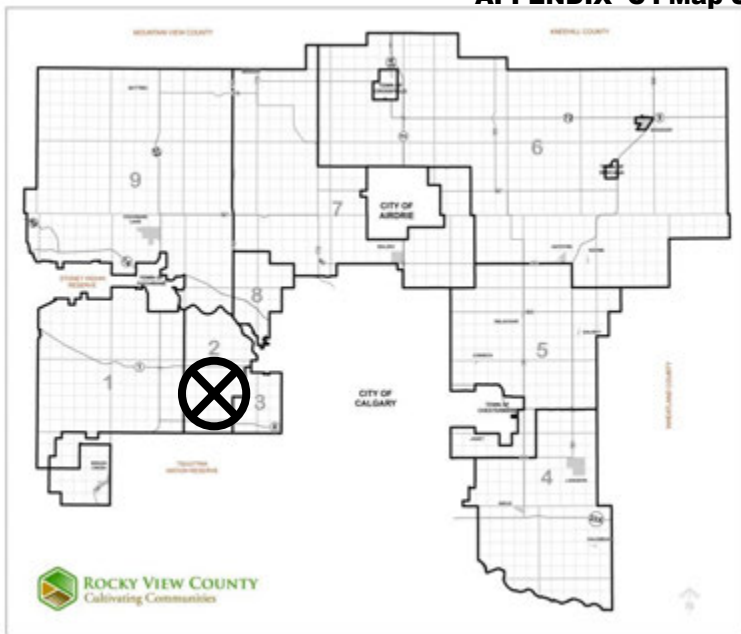
LEGAL DESCRIPTION: Lot 15, Plan 9612476 within NE 21-24-03-W05M

FILE: PL20180065 – 04721021

DIVISION: 2



ROCKY VIEW COUNTY
Cultivating Communities

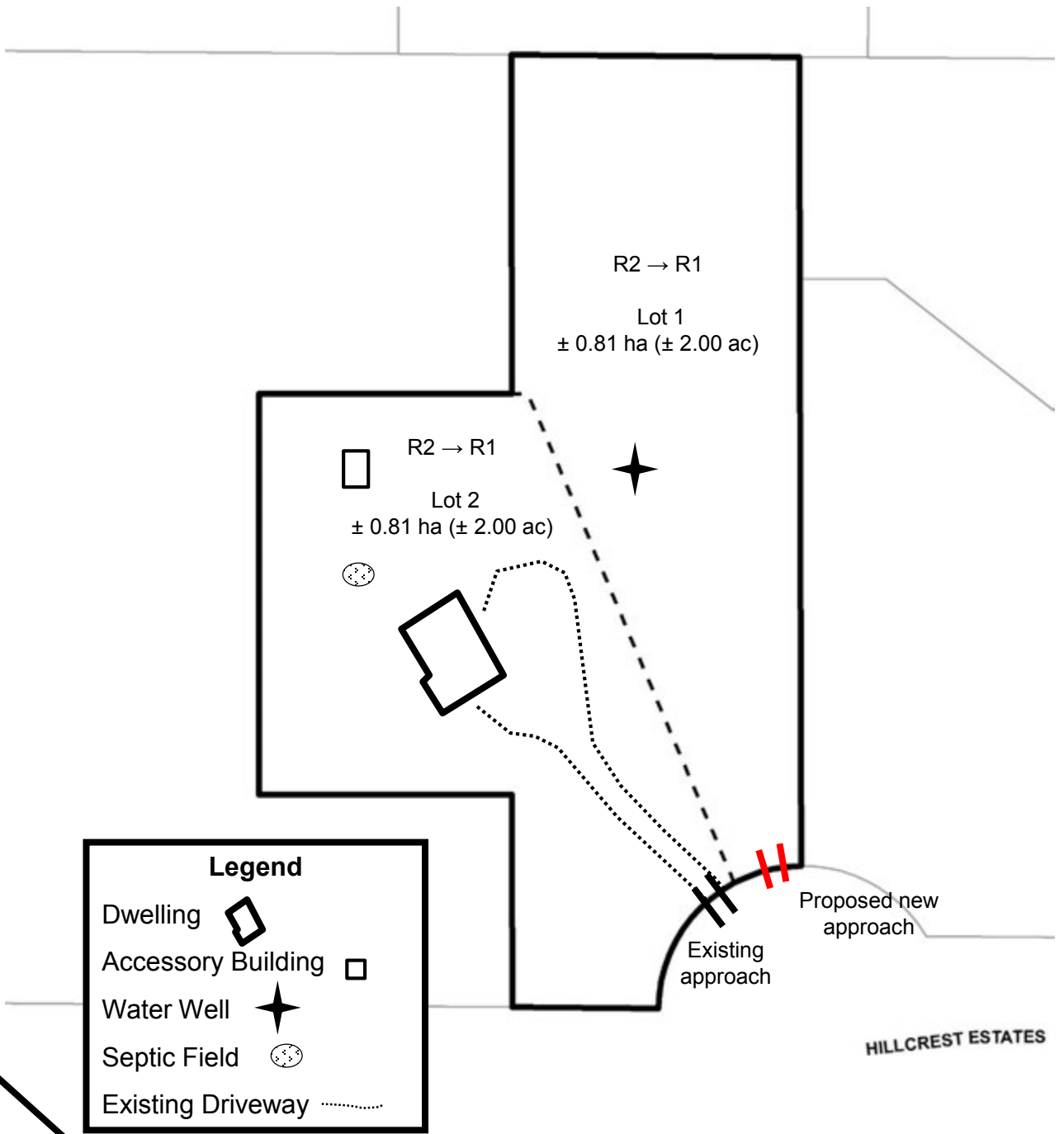


LOCATION PLAN



Lot 15, Plan 9612476, NE-21-24-03-W05M

Redesignation Proposal: To redesignate the subject land from Residential Two District to Residential One District in order to facilitate the creation of a ± 0.81 hectares (± 2.00 acres) parcel with a ± 0.81 hectares (± 2.00 acres) remainder.

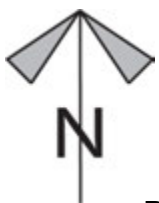


Legend

- Dwelling
- Accessory Building
- Water Well
- Septic Field
- Existing Driveway

DEVELOPMENT PROPOSAL

Lot 15, Plan 9612476, NE-21-24-03-W05M





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

AIR PHOTO

Spring 2016



Lot 15, Plan 9612476, NE-21-24-03-W05M

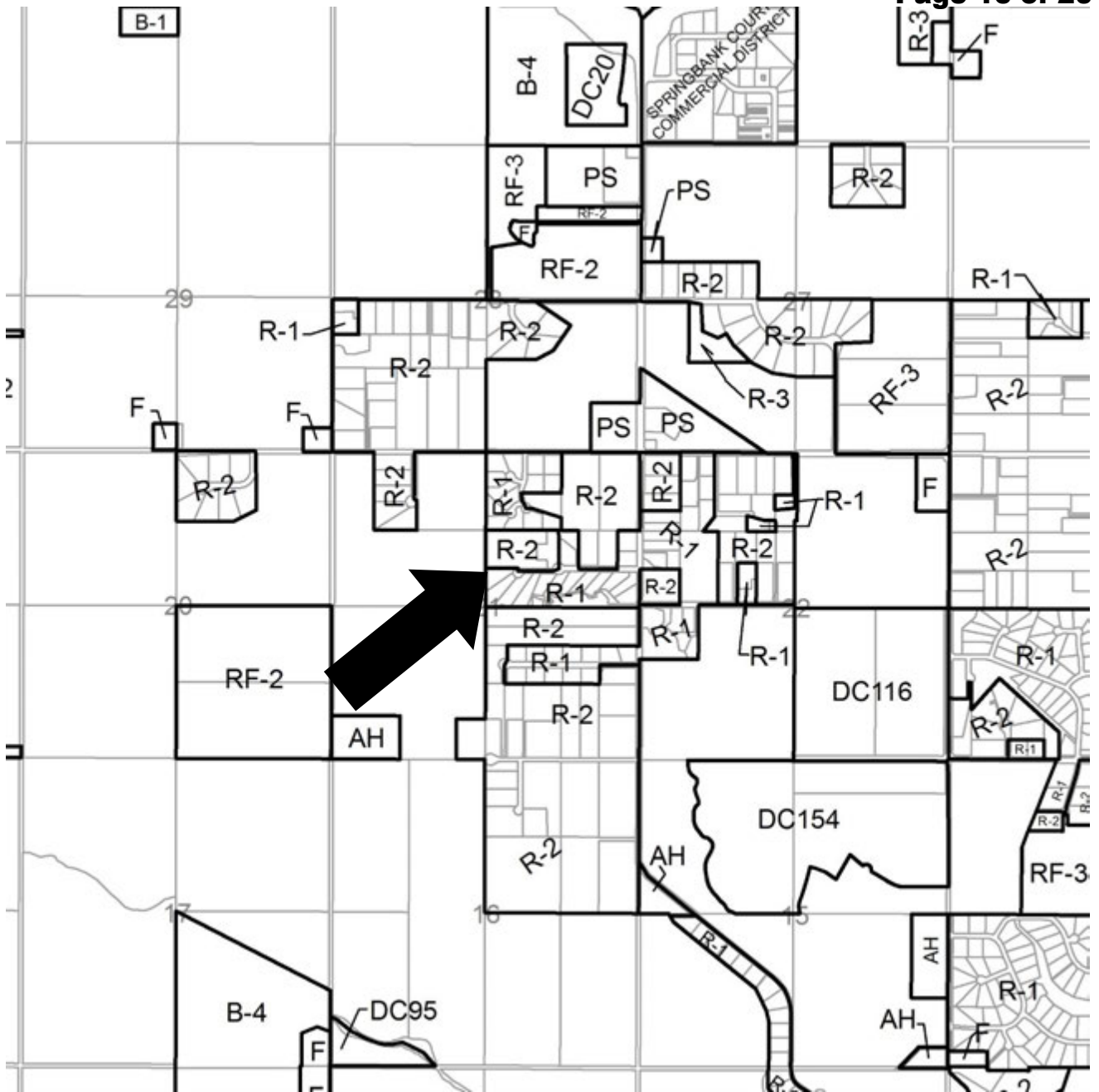
Date: June 20, 2018

Division # 2

File: PL20180065 - 0472102

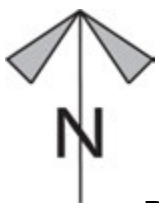
AGENDA

Page 204 of 265

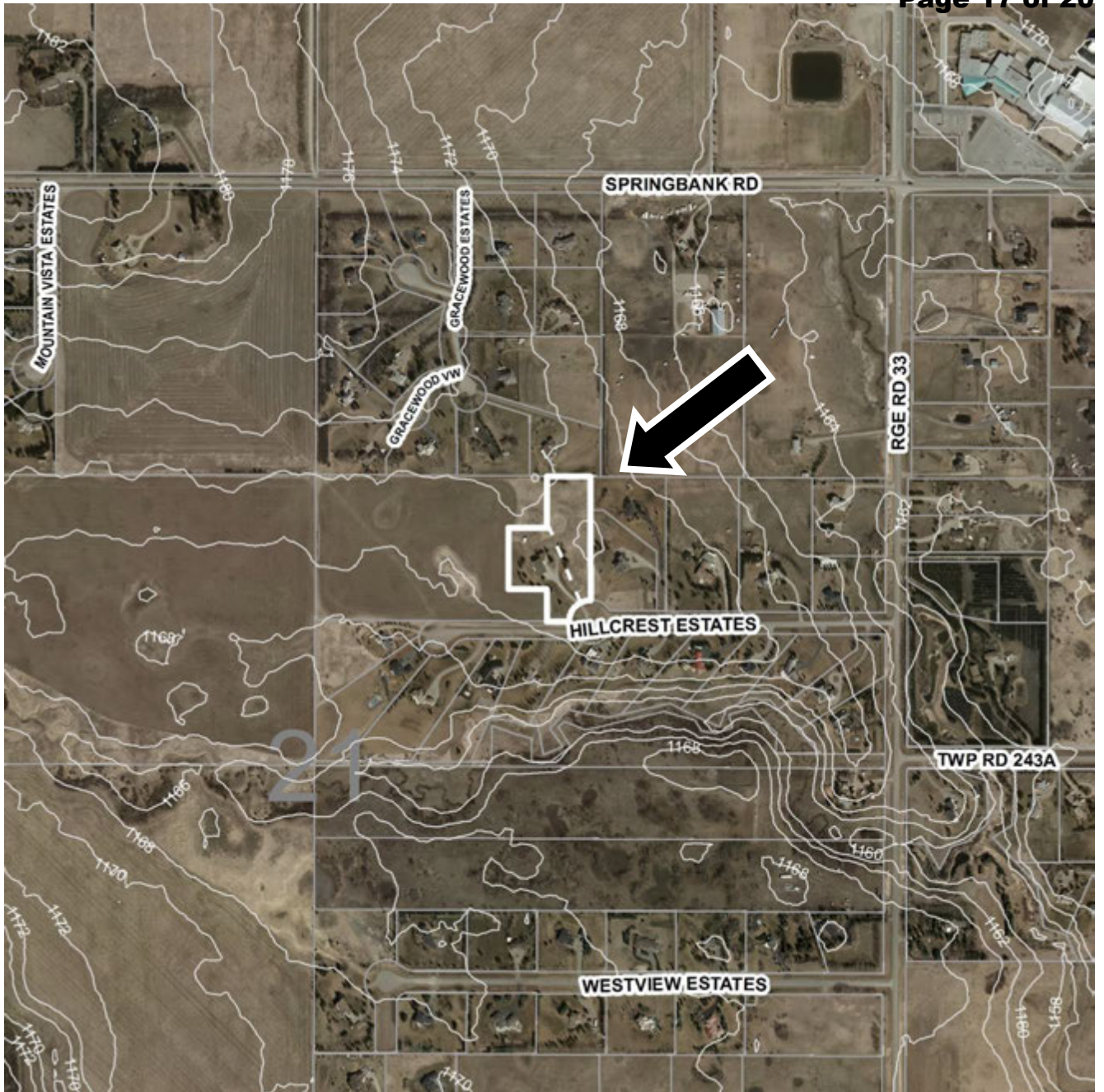


RF2	Ranch and Farm Two	B-1	Highway Business
RF3	Ranch and Farm Three	B-2	General Business
AH	Agricultural Holding	B-3	Limited Business
F	Farmstead	B-4	Recreation Business
R-1	Residential One	B-5	Agricultural Business
R-2	Residential Two	B-6	Local Business
R-3	Residential Three	NRI	Natural Resource Industrial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

LAND USE MAP



Lot 15, Plan 9612476, NE-21-24-03-W05M

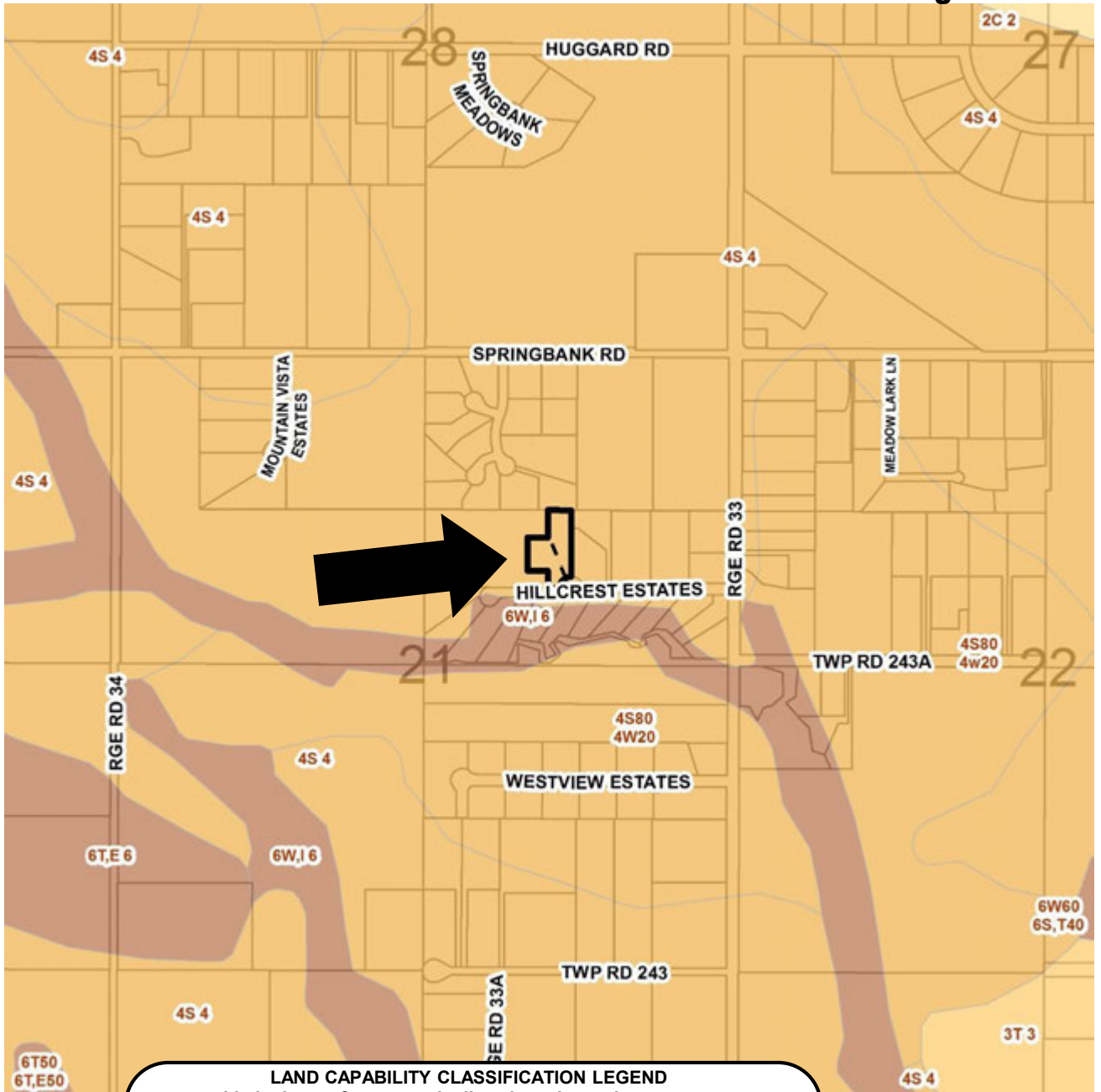


Contours are generated using 10m grid points, and depict general topographic features of the area. Detail accuracy at a local scale cannot be guaranteed. They are included for reference use only.

TOPOGRAPHY
 Contour Interval 2 M



Lot 15, Plan 9612476, NE-21-24-03-W05M



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

CLI Class	Limitations	Limitations
1 - No significant limitation	B - brush/tree cover	N - high salinity
2 - Slight limitations	C - climate	P - excessive surface stoniness
3 - Moderate limitations	D - low permeability	R - shallowness to bedrock
4 - Severe limitations	E - erosion damage	S - high sodicity
5 - Very severe limitations	F - poor fertility	T - adverse topography
6 - Production is not feasible	G - Steep slopes	U - prior earth moving
7 - No capability	H - temperature	V - high acid content
	I - flooding	W - excessive wetness/poor drainage
	J - field size/shape	X - deep organic deposit
	K - shallow profile development	Y - slowly permeable
	M - low moisture holding, adverse texture	Z - relatively impermeable

SOIL MAP

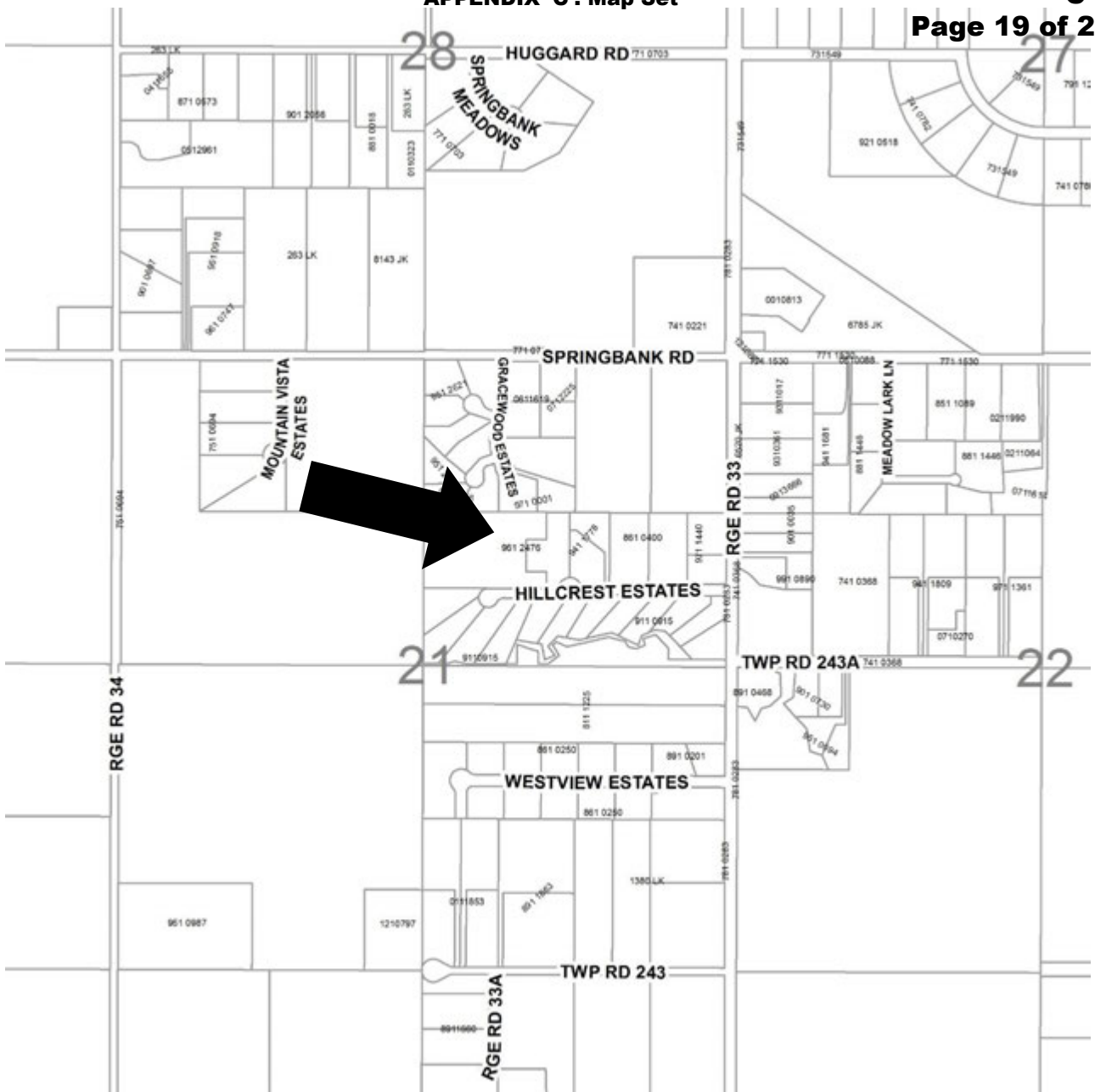


Lot 15, Plan 9612476, NE-21-24-03-W05M

Date: June 20, 2018

Division # 2

File: PL20180065 - 0472102 **AGENDA**



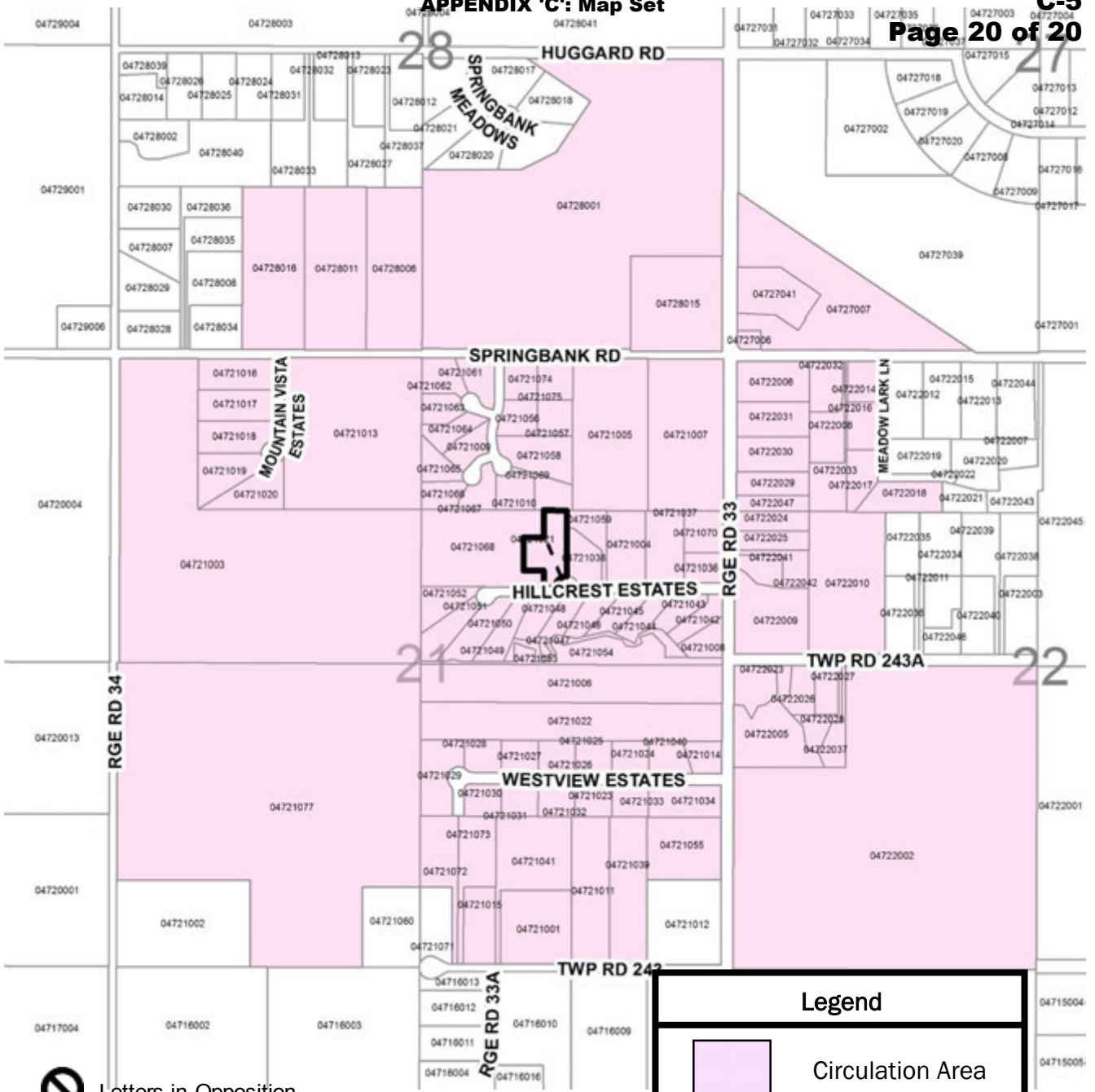
Legend – Plan numbers

- 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 15, Plan 9612476, NE-21-24-03-W05M





⊘ Letters in Opposition
 ★ Letters in Support

Legend

-  Circulation Area
-  Subject Lands

LANDOWNER CIRCULATION AREA

Lot 15, Plan 9612476, NE-21-24-03-W05M

PLANNING SERVICES

TO: Council
DATE: November 13, 2018 **DIVISION:** 5
TIME: Afternoon Appointment
FILE: 04329188 **APPLICATION:** PL20170167
SUBJECT: Redesignation Item – Ranch and Farm Three District to Agricultural Holdings District and Business – Industrial Campus District

¹POLICY DIRECTION:

The application was evaluated against the policies of the County Plan and the Conrich Area Structure Plan (ASP), and with the Land Use Bylaw, and was found to be non-compliant:

- The application conflicts with the Conrich ASP policy that does not support land use redesignation within the future policy area;
- The application conflicts with the Conrich ASP phasing strategy that states Phase 2 development should not proceed without demonstrating the market demand and without the regional stormwater solution being chosen, an appropriate governance system has been adopted, and mechanisms to implement the construction of the system have been identified;
- The application fails to meet the Conrich ASP requirement for a local plan and the associated technical studies, such as a wetland impact assessment and road design that accommodates potential changes in access to the provincial transportation network; and
- There is the potential that approval of the bylaw would be a contravention of Section 708.12(1)(c) of the *Municipal Government Act*, which requires any adopted bylaw to be in alignment with a growth plan for the region.

EXECUTIVE SUMMARY:

The purpose of this application is to redesignate the subject land from Ranch and Farm Three District to Agricultural Holdings District and Business – Industrial Campus District to accommodate a proposed truck storage facility.

The Conrich Area Structure Plan (ASP) identifies the northeast portion of the subject land as Future Policy Area, and the southwest portion as Phase 2 Industrial area.

As per the Conrich ASP, land use redesignation and subdivision shall not be supported in the Future Policy Area, whereas Phase 2 development may proceed subject to two criteria:

1. Market demand has been demonstrated; and
2. A regional stormwater conveyance system has been chosen, an appropriate governance system has been adopted, and mechanisms to implement the construction of the system have been identified.

The Applicant did not demonstrate the market demand, as approximately 1,300 acres of Phase 1 lands are still undeveloped. The regional stormwater conveyance system's implementation has not yet been determined. Therefore the application conflicts with the Conrich ASP phasing strategy.

¹ Administration Resources

Johnson Kwan, Planning Services
 Gurbir Nijjar, Engineering Services

The Applicant also fails to meet the Conrich ASP local plan requirements for industrial applications. Without the local plan, the associated public engagement, and the supporting technical materials, it is difficult to determine the proposed development's potential impacts to the adjacent residential subdivision.

Allowing the application to proceed at this time would defeat the logical extension of development, and would result in leapfrog development that may not be compatible with the adjacent residential development.

Approval of this redesignation application could cause a future problem for the subdivision authority, as it must not approve the subsequent subdivision application in accordance with Section 654 (1) (b) of the *Municipal Government Act*, as the proposed subdivision would not conform to the provisions of the Statutory Plan. Administration determined that the application does not meet policy.

Should Council wish to allow the application to proceed, Council could direct Administration to amend the Conrich Area Structure Plan. The Conrich Area Structure Plan amendments would be ranked and assessed based on the Council adopted Area Structure Plan Priority Policy (#322).

The Conrich Future Policy Area is included on the 2019 work plan and is expected to commence in early 2019. The northeastern portion of the subject land will be included as part of the Future Policy area review process.

Alternatively, Council can also table the application sine die, pending a revised application and submission of a local plan with associated technical studies, in accordance with the Conrich Area Structure Plan.

DATE APPLICATION RECEIVED:	October 23, 2017
DATE DEEMED COMPLETE:	June 16, 2018
PROPOSAL:	To redesignate approximately 5.34 hectares (\pm 13.2 acres) of the subject land from Ranch and Farm Three District to Business – Industrial Campus District, and to redesignate \pm 7.87 hectares (\pm 19.45 acres) to Agricultural Holdings District to accommodate a proposed truck storage facility.
LEGAL DESCRIPTION:	Lot 1, Block 1, Plan 1110135, within NW-29-24-28-W4M
GENERAL LOCATION:	Located approximately 0.8 km (1/2 mile) north of Highway 1, on the east side of Range Road 285.
APPLICANT:	Terradigm Developments Consultants Inc.
OWNERS:	Stuart Longair
EXISTING LAND USE DESIGNATION:	Ranch and Farm Three District
PROPOSED LAND USE DESIGNATION:	Agricultural Holdings District and Business – Industrial Campus District
GROSS AREA:	\pm 13.21 hectares (\pm 32.65 acres)
SOILS (C.L.I. from A.R.C.):	Class 170 1 WI30 - The land contains soil with no significant limitation for crop production.

PUBLIC & AGENCY SUBMISSIONS:

The application was circulated to 19 adjacent landowners (representing 35 adjacent properties), and one letter in opposition was received in response (Appendix 'D'). The application was also circulated to a number of internal and external agencies. The responses are available in Appendix 'A'.

**HISTORY:**

- June 2018** The Applicant submitted the Traffic Impact Assessment updates based on circulation comments.
- January 2018** The Applicant submitted a Traffic Impact Assessment and Stormwater Management Plan for review and circulation. The Applicant insisted on proceeding without a local plan and other technical materials as required by the Conrich ASP.
- October 2017** The Applicant submitted a new application to redesignate the subject land from Ranch and Farm Three District to Business – Industrial Campus District and Agricultural Holding District. The application was deemed incomplete due to outstanding technical studies, including but not limited to, a local plan, servicing strategy, stormwater management plan, traffic impact assessment, and details in regard to the proposed development.
- April 2017** Land Use Application (2011-RV-167) to redesignate the subject land from Ranch and Farm Three District to Business – Industrial Campus District and Business – Agricultural Services District was closed in accordance with Council Policy #300, as the application had been inactive for over 12 months.
- December 2015** Council adopted the Conrich Area Structure Plan (Bylaw C-7468-2015) to provide a policy framework for land use, subdivision, and development in the area.
- January 2011** Plan 111 0135 was registered, creating the subject land (\pm 13.21 hectares [\pm 32.65 acres]) with a 49.27 hectare (\pm 121.76 acre) Ranch and Farm District remainder (Application 2010-RV-016).
- June 2010** The subject land was redesignated from Ranch and Farm District to Ranch and Farm Three District to create a \pm 13.21 hectare (\pm 32.59 acre) parcel with \pm 49.27 hectare (\pm 121.76 acre) remainder (Application 2010-RV-015; Bylaw C-6911-2010).

BACKGROUND:

The subject land is located in the Conrich area, approximately 0.8 km (1/2 mile) north of Highway 1 and on the east side of Range Road 285. The property is currently vacant with no servicing on site.

Surrounding areas to the north and west are now mainly agricultural land. The Cambridge Park residential subdivision, with approximately 118 residences and more planned in the future, is located just east and south of the subject land, across the CN railway.

POLICY ANALYSIS:Interim Growth Plan

The *Municipal Government Act* includes provisions to ensure that municipalities are making decisions that are in line with a growth plan for the region. Section 708.12(1) states that,

“No participating municipality shall take any of the following actions that conflict or are inconsistent with a growth plan:

(c) Make a bylaw or pass a resolution.”

The effect of a redesignation is to pass a bylaw amending the land use of a parcel of land. There is the potential that the effect of the bylaw in question could be inconsistent with a growth plan for the



region, resulting in increased risk for the County for any subsequent development activities that may take place.

County Plan Bylaw C-7280-2013

The County Plan directs business development to identified business areas (Policy 14.2). Map 1 of the County Plan identifies Conrich as a Regional Business Centre.

The subject land is located within the Conrich Area Structure Plan (ASP). As such, the application was evaluated in accordance with the Conrich ASP policies.

Conrich Area Structure Plan Bylaw C-7468-2015

The Conrich ASP identifies the northeast portion of the subject land as Future Policy Area and the southwest portion as Industrial area within Phase 2 development.

Overall, the application does not meet the Conrich ASP policies in the following manner:

- The northeast portion of the land is within the Future Policy Area, where land use redesignation shall not be supported until the area is being comprehensively planned (Policy 7.1);
- The southwest portion is within Phase 2 development, which would be premature to proceed at this time (Policy 27.16); and
- No local plan (conceptual scheme) was submitted to address the required technical considerations (Policy 11.6, 19.3, 19.4, 22.10 and 22.18), including :
 - Transition to the residential areas;
 - Connectivity to the surrounding lands;
 - Mitigation of off-site impacts;
 - Wetland Classification and mitigation; and
 - Road design and layouts.

A detailed policy analysis is described in the table below.

Table 1: Relevant Conrich ASP policies and Analysis

Relevant Conrich ASP Policies	Analysis
Section 7 Conrich Development Strategy – Future Policy Area	
Policy 7.1 Local plans, land use redesignation, and new subdivision shall not be supported within the future policy area as shown on Map 5.	<ul style="list-style-type: none"> • The northeast portion of the subject land is identified as Future Policy Area, which does not allow for redesignation and subdivision until the policies have been determined in this area. • The Applicant proposed to redesignate the northeast portion to Agricultural Holding District to be used for stormwater management purposes for the proposed truck storage facility.
Section 11 Industrial Development	
Policy 11.2 Development of industrial uses should proceed in an orderly manner and be supported by cost effective and efficient changes to the County’s existing infrastructure and transportation networks.	<ul style="list-style-type: none"> • Currently, there are no logical extensions of servicing infrastructure in the area. The proposed development is located in Phase 2, which is not intended to proceed at this time.

Relevant Conrich ASP Policies	Analysis
<p>Policy 11.3 Industrial uses such as distribution logistics, warehousing, transportation, industrial services, construction, manufacturing, services, and industrial storage that do not have significant offsite nuisance factors are appropriate within the industrial area.</p>	<ul style="list-style-type: none"> • The proposed truck storage facility is related to transportation and industrial services. • The proposed land use district (B-IC) allows for a range of commercial and industrial development (see Appendix B).
<p>Policy 11.5 Industrial uses with the potential for offsite impacts such as unsightly appearance, noise, odour, emission of contaminants, fire or explosive hazards or dangerous goods may be located in the area identified as heavy industrial on Map 5.</p>	<ul style="list-style-type: none"> • The proposed truck storage facility may result in unsightly appearance and other emissions, such as noise, dust, traffic, lighting, and runoffs that may affect the adjacent residential development without proper screening, landscaping, and other mitigations in place.
<p>Policy 11.6 A local plan shall be required to support applications for industrial development. The local plan shall:</p>	<ul style="list-style-type: none"> • The Applicant insisted on proceeding without submitting a local plan.
<p>a. Ensure that the type of uses for the industrial area are consistent with those identified in Policies 11.3 to 11.5;</p>	<ul style="list-style-type: none"> • The proposed land use district (B-IC) meets the intent of policy 11.3 to 11.5; however, the proposed truck storage facility may not be an appropriate use for this location.
<p>b. Where necessary, provide a strategy to mitigate offsite impacts, including noise reduction due to operations;</p>	<ul style="list-style-type: none"> • The Applicant did not provide any strategy to mitigate the potential off-site impacts. The Cambridge Park residential subdivision is located just east and south of the subject land.
<p>c. Address the policies of this plan regarding non-residential/residential interface areas, where required;</p>	<ul style="list-style-type: none"> • The Applicant did not provide any interface strategy in support of the application; as mentioned, the proposed facility is located in close proximity to the residential development in Cambridge Park.
<p>d. Address the County's Commercial, Office, and Industrial Design Guidelines, and document how the local plan meets those guidelines; and</p>	<ul style="list-style-type: none"> • The Applicant indicated that the truck storage facility would not have any building on site. No further details were provided as part of the application.
<p>e. Provide landscaping, lot, and building design requirements that provide for high quality development.</p>	<ul style="list-style-type: none"> • Administration requested a landscaping plan as part of the application. However, the Applicant did not submit any drawings and indicated that the landscaping plan would be provided at future Development Permit stage.

Relevant Conrich ASP Policies	Analysis
<p>Policy 11.7 All private lighting, including security and parking area lighting, shall be designed in accordance to the County's 'dark sky' Land Use Bylaw requirements, conserve energy, reduce glare, and minimize light trespass onto surrounding properties.</p>	<ul style="list-style-type: none"> The Applicant did not provide any details to mitigate the potential light pollution that may affect the Cambridge Park residential subdivision located immediately to the southeast of the subject land.
<p>Section 19 – Natural Environment</p>	
<p>Policy 19.3 Local plans shall identify the classification and value of wetlands within the local plan area boundary. This shall be done as part of a wetland assessment, to be provided at the local plan preparation stage.</p>	<ul style="list-style-type: none"> No assessment was provided. The Wetland Impact Model indicates there is an altered wetland on site. The aerial photo shows a large waterbody located on the north side and at the centre of the subject land.
<p>Policy 19.4 Local plans shall determine, through consultation with the Province, whether wetlands are Crown-owned land.</p>	<ul style="list-style-type: none"> No assessment was provided. The Applicant did not provide any correspondence with the Province with regard to the potential wetland impact.
<p>Policy 19.5 Wetlands, not claimed by the Crown, that have a high relative value should be dedicated as environmental reserve or environmental reserve easement.</p>	<ul style="list-style-type: none"> No assessment was provided. The Applicant proposed the use of the existing water bodies as stormwater management facilities.
<p>Section 22 – Transportation</p>	
<p>Policy 22.1 A transportation impact assessment shall be required as part of the local plan preparation and/or subdivision application process.</p>	<ul style="list-style-type: none"> The Applicant submitted a Transportation Impact Assessment, prepared by JCB Engineering, dated September 6, 2017, and updated on January 16, 2018, and June 16, 2018.
<p>Policy 22.2 All subordinate transportation analyses must respect and conform to the Conrich Master Transportation Plan</p>	<ul style="list-style-type: none"> See agency comments in Appendix A.
<p>Policy 22.10 a) where required local plans shall be designed to accommodate existing and/or potential changes in access to the provincial transportation network as identified on Map 8.</p>	<ul style="list-style-type: none"> The Applicant is aware of the future road that will bisect the subject land. The proposed redesignation takes this future road into account; Alberta Transportation recommended that the existing Highway 1 and Range Road 285 intersection be assessed to ensure sufficient capacity exists and to ensure the continued safe and effective operation of the intersection once development traffic is added.



Relevant Conrich ASP Policies	Analysis
<p>Policy 22.18 the type of road cross section (urban or rural) with industrial areas shall be determined at the time of local plan preparation.</p>	<ul style="list-style-type: none"> No road layout or cross section was provided as part of the application; The Conrich ASP illustrates a future ‘Major 4 Lanes’ road that would bisect the subject land and provide north-south connection to a future Highway 1 interchange. Range Road 285, just north of the railway line, will be terminated and will remain as a ‘Collector 2-Lanes’ road.
Section 27 – Implementation	
<p>Policy 27.16 Phase 2 lands may proceed with development subject to the policies of this plan and when:</p> <ol style="list-style-type: none"> Market demand has been demonstrated; and A regional stormwater conveyance system has been chosen, and appropriate governance system has been adopted, and mechanisms to implement the construction of the system have been identified. 	<ul style="list-style-type: none"> Currently, the majority of the Phase 1 industrial area is still undeveloped (approximately 1,346 acres, including Conrich Station and several quarter sections along Township Road 250). The Applicant generally described the demand for a truck storage facility in the Calgary Region; however, the Applicant did not demonstrate the market demand for the Phase 2 area, and did not provide a rationale as to why the proposed development should be able to proceed at this time.

Land Use Bylaw C-4841-97

A portion of the subject land would be redesignated to Agricultural Holdings District, and a portion would be redesignated to Business – Industrial Campus District. Appendix B outlines the list of uses in the Business – Industrial Campus District for reference.

The proposed Agricultural Holdings portion is ± 7.87 hectares (±19.45 acres) in size, which does not meet the minimum parcel size requirement for the district as per Section 46.5 of the Land Use Bylaw (minimum 20.01 acres).

In accordance with Section 654 (2) of the *Municipal Government Act*, a subdivision authority may approve an application even though the proposed subdivision does not comply with the land use bylaw if, in its opinion:

- The proposed subdivision would not*
 - unduly interfere with the amenities of the neighbourhood, or*
 - materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land,*

and
- the proposed subdivision conforms with the use prescribed for that land in the land use bylaw.*

However, the subdivision authority must not approve the subsequent subdivision application in accordance with Section 654(1)(b) of the *Municipal Government Act* as the proposed subdivision would not conform to the provisions of the statutory plan.

The following table outlines the purpose and intent of the existing and proposed land use districts.

Table 2: Land Use Bylaw Details



Land Use District	Purpose and Intent
<p>Ranch and Farm Three District Existing parcel: ± 13.21 hectares (± 32.65 acres)</p>	<ul style="list-style-type: none"> To provide for a range of smaller parcel sizes for agricultural uses. The intent is to accommodate traditional and emerging trends in agriculture that may successfully be developed on smaller parcels of land. Residential uses are accessory to the agricultural use.
<p>Agricultural Holdings District Proposed Remainder: ± 7.87 hectares (±19.45 acres)</p>	<ul style="list-style-type: none"> To provide for a range of parcel sizes for agricultural uses. This district provides for traditional agricultural pursuits on large parcels of land. It also recognizes the emerging trends towards new agricultural uses that may be successfully developed on smaller parcels of land.
<p>Business – Industrial Campus District Proposed Lot 1: ± 5.34 hectares (± 13.2 acres) Potential for five-lot subdivision based on minimum parcel size of 2.50 acres.</p>	<ul style="list-style-type: none"> To accommodate a combination of office and industrial activity, where there may be some on-site nuisance factors, but none off-site. Outdoor storage is provided for, but must be satisfactorily screened from adjacent properties; Business-Industrial Campus districts may be located in areas with limited or full services with industrial and commercial intent, such as transportation routes, and in areas identified in adopted hamlet plans, conceptual schemes, or area structure plans; Development will address issues of compatibility and transition with respect to adjacent land uses. Support businesses are allowed for on-site and locally-based employees and regional clientele.

NON-STATUTORY POLICY ANALYSIS:

The applicant submitted the following technical information as part of the application:

- A cover letter indicating that no water or wastewater servicing would be provided on site (Terradigm Development Consultants Inc., dated January 23, 2018);
- A Traffic Impact Assessment (JCB Engineering, dated September 6, 2017, updated on January 16, 2018 and June 16, 2018); and
- A Conceptual Stormwater Management Plan (Michael A. Schaaljie, dated October 2017).

The application was circulated to a number of internal and external agencies, including the City of Calgary; the City expressed two concerns with this application moving forward at this time:

- First, a portion of the site is located within Phase 2 as per Map 13: Phasing of the Conrich ASP. Development of these lands should not proceed until the Cooperative Stormwater Management Initiative (CSMI) has been developed, adopted and mechanisms to implement the construction of the conveyance system have been concluded.

- Second, the remainder of the site is located within the Future Policy Area as per Map 5: Land Use Strategy of the Conrich ASP. It is premature to support a land use redesignation in absence of a more comprehensive approach.

The detailed response is available in Appendix 'A'.

CONCLUSION:

The application was evaluated against the County Plan and Conrich Area Structure Plan (ASP) policies and the Land Use Bylaw, and was found to be non-compliant:

- The application conflicts with the Conrich ASP policy that does not support land use redesignation within the future policy area;
- The application conflicts with the Conrich ASP phasing strategy that states Phase 2 development should not proceed without demonstrating the market demand and without the regional stormwater solution being chosen, an appropriate governance system has been adopted, and mechanisms to implement the construction of the system have been identified; and
- The application fails to meet the Conrich ASP requirement for a local plan and the associated technical studies.

Allowing the application to proceed at this time would defeat the logical extension of development and servicing infrastructure, and would result in leapfrog development that may not be compatible with the adjacent residential development.

If a future subdivision application is made, approval of this redesignation application could cause a problem for the subdivision authority, as it must not approve the subsequent subdivision application in accordance with Section 654 (1) (b) of the *Municipal Government Act*, as the proposed subdivision would not conform to the provisions of the Statutory Plan.

Should Council wish to allow the application to proceed, Council may direct Administration to amend the Conrich Area Structure plan. The Conrich Area Structure Plan amendments would be ranked and assessed based on the Council adopted Area Structure Plan Priority Policy (#322).

The Conrich Future Policy Area is anticipated to be on the 2019 work plan, and is expected to commence once Council adopts the Terms of Reference. The northeastern portion of the subject land will be included as part of the Future Policy Area review process.

Alternatively, Council can also table the application sine die, pending for a revised application and submission of a local plan with associated technical studies in accordance with the Conrich Area Structure Plan.

OPTIONS:

- Option # 1: Motion #1 THAT Council concludes that the proposed development is consistent with the Conrich Area Structure Plan policies.
- Motion #2 THAT Bylaw C-7784-2018 be given first reading.
- Motion #3 THAT Bylaw C-7784-2018 be given second reading.
- Motion #4 THAT Bylaw C-7784-2018 be considered for third reading.
- Motion #5 THAT Bylaw C-7784-2018 be given third and final reading.
- Option # 2: THAT Council directs review of the Conrich Area Structure Plan for amendment to accommodate the proposed development.
- Option # 3: THAT application PL20170167 be tabled sine die, pending a revised application and submission of a local plan with associated technical studies, in accordance with the Conrich Area Structure Plan.
- Option # 4: THAT application PL20170167 be refused.

Respectfully submitted,

“Sherry Baers”

Acting General Manager

JKwan/rp

Concurrence,

“Rick McDonald”

Interim County Manager

APPENDICES:

- APPENDIX 'A': Application Referrals
- APPENDIX 'B': Extract from Land Use Bylaw
- APPENDIX 'C': Bylaw C-7784-2018 and Schedule A
- APPENDIX 'D': Map Set
- APPENDIX 'E': Landowner comments

APPENDIX A: APPLICATION REFERRALS

AGENCY	COMMENTS
<i>School Authority</i>	
Rocky View Schools	No comments.
Calgary Catholic School District	No comments received.
Public Francophone Education	No comments received.
Catholic Francophone Education	No comments received.
<i>Province of Alberta</i>	
Alberta Energy Regulator	No comments received.
Alberta Health Services	No comments.
Alberta Transportation	<p>Alberta Transportation has reviewed the above referenced development proposal, and offers the following comments and observations:</p> <ol style="list-style-type: none"> 1. The proposed development is greater than 1600 metres from the intersection of Highway 1 and Range Road 285, and is therefore exempt from the requirements of the Highway Development and Protection Act and Regulations. 2. Future subdivision would be required to comply with the Subdivision and Development Regulation as it is within 1.6 km of Highway 1. 3. Alberta Transportation's plan for Highway 1 as a freeway includes closure of the at-grade intersection at Range Road 285, with construction of an interchange as shown on the attached plan. The proposed subdivision appears consistent with these plans. 4. As a condition of subdivision approval, it is recommended that the existing Highway 1 and Range Road 285 intersection be assessed to ensure sufficient capacity exists as well as the continued safe and effective operation of the intersection once development traffic is added.
<i>Public Utility</i>	
ATCO Gas	No objection.
ATCO Pipelines	The Engineering Department of ATCO Pipelines (a division of ATCO Gas and Pipelines Ltd. has reviewed the above named plan and has no objections subject to the following conditions:

AGENCY	COMMENTS
	<ol style="list-style-type: none"> 1. Ground disturbances and surface works within 30 metres require prior written approval from ATCO Pipelines before commencing any work. <ol style="list-style-type: none"> a. Municipal circulation file number must be referenced as set forth in the company's conditional approval letter. b. Contact ATCO Pipelines' Land Department at 1-888-420-3464 for more information. 2. Any revision or amendments to the proposed plan(s) must be re-circulated to ATCO Pipelines for further review.
AltaLink Management	No comments received.
FortisAlberta	No objections to the proposal and no easements are required.
Telus Communications	<p>Please accept this letter advising TELUS communications Inc. has no objection to the current land owner proceeding with this application.</p> <p>If TELUS requires to place future facilities on private lands to service future customers, we will require a URW at that time.</p> <p>It is the landowner's responsibility to ensure they contact Alberta One-Call to ensure no facilities will be disrupted. If at any time, TELUS facilities are disrupted, it will be at the sole cost of the landowner.</p>
TransAlta Utilities Ltd.	No comments received.
<i>Other External Agencies</i>	
City of Calgary	<p>The City of Calgary has reviewed the above noted applications in reference to the Rocky View County/City of Calgary Intermunicipal Development Plan (IDP) and other applicable policies.</p> <p>The City of Calgary believes this application does not appear to align with the policy and intentions of the Conrich Area Structure Plan (ASP). As such, the City of Calgary recommends against the approval of this application.</p> <p>While the use appears to be appropriate, the City of Calgary has two concerns with this application moving forward at this time. A portion of the site is located within Phase 2 as per Map 13: Phasing of the Conrich ASP. Development of these lands should not proceed until the Cooperative Stormwater Management Initiative (CSMI) has been developed, adopted and mechanisms to implement the construction of the conveyance system have been concluded.</p>

AGENCY	COMMENTS
City of Chestermere	<p>The remainder of the site is located within the Future Policy Area as per Map 5: Land Use Strategy of the Conrich ASP. It is premature to support a land use redesignation in absence of a more comprehensive approach.</p> <p>Thank you for the opportunity to comment on the proposed Land Use Redesignation application.</p> <p>Upon our review, we have noted that the proposed land use re-designation falls under the Future Policy Area of the Conrich Area Structure Plan (ASP). As per policy 7.1 of the ASP, Local plans, land use redesignation, and new subdivision shall not be supported. It is our understanding that a final land use plan will be developed as a separate process and amended into the ASP, which, to our knowledge has not occurred yet.</p> <p>The proposed land use application does not appear to comply with the policies of the ASP, in particular the policies under Future Policy Area. Should RVC Staff confirm that this application does not comply with the policies of the ASP, we recommend against the approval of the proposed application.</p> <p>Please feel free to contact me if you have any questions or concerns regarding the above comments</p>
EnCana Corporation	No comments received.
CN Railway	<p>Non-residential Development Adjacent to the Railway Right-of-way (Main Lines).</p> <p>CN recommends the following protective measures for non-residential uses adjacent Main Lines (note some are requirements):</p> <ul style="list-style-type: none"> • A minimum 30 meter building setback, from the railway right-of-way, in conjunction with a 2.5 meter high earthen berm or 2.0 meters for a secondary main line, is recommended for institutional, commercial (i.e. office, retail, hotel, restaurants, shopping centres, warehouse retail outlets, and other places of public assembly) and recreational facilities (i.e. parks, outdoor assembly, sports area). • A minimum of 15 meter building setback, from the railway right-of-way, is recommended for heavy industrial, warehouse, manufacturing and repair use (i.e. factories, workshops, automobile repair and service shops). • A minimum 30 meter setback is <u>required</u> for vehicular property access points from at grade railway crossings. If not feasible, restricted directional access designed to prevent traffic congestion from fouling the crossing may



AGENCY	COMMENTS
	<p>be a suitable alternative.</p> <ul style="list-style-type: none"> • A chain link fence of minimum 1.83 meter height is required to be installed and maintained along the mutual property line. With respect to schools and other community facilities, parks and trails, CN has experienced trespass problems with these uses located adjacent to the railway right-of-way and therefore increased safety/security measures must be considered along the mutual property line, beyond the minimum 1.83 m high chain link fence. • Any proposed alterations to the existing drainage pattern affecting Railway property <u>require</u> prior concurrence from the Railway and be substantiated by a drainage report to the satisfaction of the Railway. • While CN has no noise and vibration guidelines that are applicable to non-residential uses, it is recommended the proponent assess whether railway noise and vibration could adversely impact the future use being contemplated (hotel, laboratory, precision manufacturing). It may be desirable to retain a qualified acoustic consultant to undertake an analysis of noise and vibration, and make recommendations for mitigation to reduce the potential for any adverse impact on future use of the property. • For sensitive land uses such as schools, daycares, hotels, etc, the application of CN's residential development criteria is <u>required</u>. • There are no applicable noise, vibration and safety measures for unoccupied buildings, but chain link fencing, access and drainage requirements would still apply.
<p><i>Rocky View County Boards and Committees</i></p>	
<p>ASB Farm Members and Agricultural Fieldmen</p>	<p>No comments received.</p>
<p>Chestermere-Conrich Board</p>	<p>No comments.</p>
<p><i>Internal Departments</i></p>	
<p>Agricultural Services</p>	<p>Because this parcel falls within the Conrich Area Structure Plan, Agricultural Services has no concerns. The application of the Agricultural Boundary Design Guidelines may be beneficial in buffering the industrial land use from the agricultural land uses surrounding the parcel. The guidelines would help mitigate areas of concern including: trespass, litter, pets, noise and concern over fertilizers, dust & normal</p>

AGENCY	COMMENTS
Municipal Lands	<p>agricultural practices.</p> <p>No concerns with this land use redesignation applications. Comments pertaining to reserve dedication will be provided at any future subdivision stage.</p>
Development Authority	No comments received.
GeoGraphics	No comments received.
Building Services	No comments received.
Enforcement Services	No concerns.
Emergency Services	<p>Having reviewed the circulation, the Fire Service has the following comments:</p> <ol style="list-style-type: none"> 1. Please ensure that water supplies and hydrants for the development are sufficient for firefighting purposes. 2. Please ensure that access routes are compliant to the designs specified in the Alberta Building Code and RVC's servicing standards and that there is adequate access throughout the site which is compliant to the Alberta Building Code.
Infrastructure and Operations - Engineering Services	<p>There are no further comments at this time.</p> <p>General</p> <ul style="list-style-type: none"> • The review of this file is based upon the application submitted. These conditions/recommendations may be subject to change to ensure best practices and procedures; • As a condition of future DP, the applicant will be required to submit a construction management plan addressing noise mitigation measures, traffic accommodation, sedimentation and dust control, management of stormwater during construction, erosion and weed control, construction practices, waste management, firefighting procedures, evacuation plan, hazardous material containment and all other relevant construction management details; • As a condition of future subdivision or DP, 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; • The subject lands are located within the Conrich Area Structure Plan for which the lands are divided into the Future Policy Area and Phase II of the industrial area.

AGENCY	COMMENTS
	<p>The proposal is to redesignate the land situated in the Phase II area of the plan;</p> <ul style="list-style-type: none"> • The proposed land use district (Business – Industrial Campus) contains uses that accommodate a combination of office and industrial activity that may require limited or full services. Albeit the current proposal is for truck parking which requires limited to no servicing, it is recommended that the lands be appropriately serviced should the application be approved. <p>Geotechnical - Section 300.0 requirements:</p> <ul style="list-style-type: none"> • ES has no requirements at this time; • As a condition of future DP, the applicant will be required to conduct an onsite geotechnical evaluation, conducted by a qualified geotechnical professional, to assess the onsite subsurface (soil and groundwater) conditions to develop appropriate geotechnical recommendations for the design and construction of the proposed development. <p>Transportation - Section 400.0 requirements:</p> <ul style="list-style-type: none"> • The applicant provided a Transportation Impact Assessment prepared by JCB Engineering Ltd. dated June 25, 2018. The TIA analyzed the impacts of the proposed truck storage facility and concludes that the site access and key intersections along Range Road 285 will continue to function within acceptable capacity for the long and short term horizons. ES has no further concerns; • The future re-alignment of Range Road 285 is proposed to bisect the subject lands. As a condition of future DP, the applicant will be required to prepare an access ROW plan and enter into a Road Acquisition Agreement with the County for the acquisition of the 36m ROW required for the re-alignment of RR 285 (matches Phase III of Cambridge Park). The agreement shall stipulate that the lands shall be purchased for \$1 by the County at time of the acquisition; • No further widening or road dedication has been identified along Range Road 285 adjacent to the subject lands • As a condition of future subdivision or DP, the applicant will be required to provide payment of the Transportation Off-Site 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. The total levy to be collected will be calculated at time of subdivision based on the plan of survey or at DP stage based on the site development plan. Should the proposed B-IC area

AGENCY	COMMENTS
	<p>be subdivided, the estimated levy payment owed at time of subdivision endorsement is \$168,934 (Base =</p> <ul style="list-style-type: none"> • \$4,595/ac x 16.2 ac = \$74,439; Special Area 2 = \$5,833/ac x 16.2 ac = \$94,495). • As a condition of future subdivision or DP, the applicant will be required to construct a paved commercial approach from Range Road 285 to the subject lands in accordance with the requirements of the County Servicing Standards. <p>Sanitary/Waste Water - Section 500.0 requirements:</p> <ul style="list-style-type: none"> • As part of the application, the applicant explored the option of extending the wastewater collection system from the adjacent Cambridge Park development to the subject lands; • The applicant indicated that given the size of the subject lands and nature of the proposed development, connection to piped services is not feasible at this time and will connect to services once available; • As per Policies 23.9 and 23.15, all new development shall connect to the County's potable water and wastewater system. Albeit the current proposal is for truck parking which requires no servicing, it is recommended that the lands be serviced with piped water and wastewater should the application be approved as the proposed district contains uses that accommodate a combination of office and industrial activity that may require limited or full services. • ES recommends that as a condition of future subdivision or DP, the applicant will be required to provide payment of the Wastewater Offsite Levy in accordance with applicable levy at time of Subdivision approval for the total gross wastewater capacity needed to service the proposed development. • ES recommends that as a condition of future subdivision or DP, the applicant will be required to provide a cost recovery payment for the use of the Conrich West Lateral Lift Station in accordance with the active Cost Recovery Agreement with Sage Properties Ltd. for the total gross wastewater capacity needed to service the proposed development. <p>Water Supply And Waterworks - Section 600.0 & 800.0 requirements:</p> <ul style="list-style-type: none"> • As part of the application, the applicant explored the option of extending the water distribution system from the adjacent Cambridge Park development to the subject lands; • The applicant indicated that given the size of the subject

AGENCY	COMMENTS
	<p>lands and nature of the proposed development, connection to piped services is not feasible at this time and will connect to services once available;</p> <ul style="list-style-type: none"> • As per Policies 23.9 and 23.15, all new development shall connect to the County's potable water and wastewater system. Albeit the current proposal is for truck parking which requires no servicing, it is recommended that the lands be appropriately serviced should the application be approved as the proposed district contains uses that accommodate a combination of office and industrial activity that may require limited or full services; • ES recommends that as a condition of subdivision or DP, the applicant is required to provide confirmation of tie-in to the Cambridge Park water distribution system for the proposed subdivision as per the approved Tentative Plan. The applicant will be required to provide: <ul style="list-style-type: none"> ○ Confirmation from the Cambridge Park Water Provider that adequate water supply is available for the proposed subdivision; ○ Documentation showing that the necessary water supply has been purchased for all proposed lots ○ Documentation showing that all necessary water infrastructure will be installed and that the water supplier has approved the associated plans and specification (Servicing Agreement) <p>It is to be noted that the Water Treatment Plant & distribution system in the Cambridge Park development has been sized to service only the Cambridge Park development however, the system can be expanded to add more users through connection to the County Potable Water Reservoir east of the subject lands</p> <ul style="list-style-type: none"> • Should the application be approved, as a condition of future subdivision or DP, the applicant will be required to address all fire suppression requirements for the proposed development in accordance with the requirements the County Servicing Standards and all applicable bylaws. <p>Storm Water Management – Section 700.0 requirements:</p> <ul style="list-style-type: none"> • The applicant provided a Conceptual Stormwater Management Plan prepared by Sim-Flo Systems Inc. dated October 2017; • The Stormwater Report provided an assessment of the subject lands and surrounding areas and provided a stormwater management concept for the proposed development which consists of the expansion of the existing water body at the north end of the site to an



AGENCY	COMMENTS
	<p>evaporation pond to manage stormwater flows from the proposed development;</p> <ul style="list-style-type: none"> • As this existing water body is shared across the adjacent parcel to the north, the concept includes a berm along the northern property line to separate the north and south portions of the water body; • The report analyzed the impacts of the development to the overall footprint of the water body and recommends the use of an overflow device through the berm to maintain the depth and footprint of the portion of the water body to the north to ensure that the private lands are not further inundated due to the proposed development. ES has reviewed the report and concept and has no further concerns at this time; • As a condition of future DP, the applicant is required to submit detailed engineering drawings (SSIP) for the stormwater management system, prepared by a qualified professional, in accordance with the Conceptual Stormwater Management Plan prepared by Sim-Flo Systems Inc, Conrich Master Drainage Plan and County Servicing Standards; • As a condition of future DP, the applicant is required to provide a sediment and erosion control 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"> • ES has no requirements at this time; • Numerous large wetlands exist within the area proposed to be rezoned to B-IC. The proposed stormwater management concept proposed to expand this wetland area to manage stormwater flows from the proposed development; • As a condition of future DP, the applicant will be responsible to obtain all necessary approvals from AEP under the Water Act for the conversion of the existing wetland to a stormwater management facility.
<p>Infrastructure and Operations - Maintenance</p>	<p>This area has been subject to historical overland flooding. A stormwater management plan should be required at Development Agreement Stages.</p>
<p>Infrastructure and Operations - Capital Delivery</p>	<p>No concerns.</p>
<p>Infrastructure and Operations – Utility Services</p>	<p>No concerns.</p>

AGENCY	COMMENTS
Infrastructure and Operations – Road Operations	<p>Existing access may require relocation due to proximity to the railway crossing, and may require upgrades due to truck turning movements.</p> <p>Range Road 285 is a high traffic volume road with posted speed of 80 km/h, Has the Applicant Traffic Assessment included a warrant analysis for turn tapers along Rge, Rd, 285 to facilitate truck turning movements into and out of the site.</p> <p>Proposed truck storage facility is positioned immediately west of Cambridge residential subdivision. Noise associated with truck storage facility will most likely create noise concerns. Applicant to confirm how he intends to mitigate any noise concerns.</p>
Agriculture and Environmental Services - Solid Waste and Recycling	No comments.

Circulation Period: March 8, 2018 to March 29, 2018.

Recirculation Period: June 16, 2018 – July 16, 2018

APPENDIX B: EXTRACT FROM LAND USE BYLAW**Section 74 Business – Industrial Campus Districts (B-IC)****Section 74.2 Uses, Permitted**

Building Accessory buildings

Commercial Communications Facilities (Types A, B, C)

Contractor, general

Contractor, limited

General industry Type I

Government Services

Offices

Patio, accessory to the principal business use

Restaurant

School or College, Commercial

Signs

Section 74.3 Uses, Discretionary

General industry Type II

Kennels

Laboratories

Outdoor display area (See Section 26 for Display Area regulations)

Outdoor storage, truck trailer

Outside storage

Personal Service Business

Recycling collection point

Retail store, local (Floor Area up to 600 m² (6,458.35 ft²))

Retail store, regional

Truck trailer service

Warehouse

Waste transfer site

Any use that is similar, in the opinion of the *Development Authority*, to the permitted or discretionary uses described above that also meets the purpose and intent of this district



BYLAW C-7784-2018

A Bylaw of Rocky View County to amend Land Use Bylaw (C-4841-97)

The Council of Rocky View County enacts as follows:

PART 1 – TITLE

This Bylaw shall be known as Bylaw C-7784-2018.

PART 2 – DEFINITIONS

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

PART 3 – EFFECT OF BYLAW

THAT Part 5, Land Use Map No. 43 and No. 43-NW of Bylaw C-4841-97 be amended by redesignating Lot 1, Block 1, Plan 1110135 within NW-29-24-28-W04M from Ranch and Farm Three District to Business – Industrial Campus District and Agricultural Holdings District, as shown on the attached Schedule 'A' forming part of this Bylaw.

THAT Lot 1, Block 1, Plan 1110135 within NW-29-24-28-W04M is hereby redesignated to Business – Industrial Campus District and Agricultural Holdings District as shown on the attached Schedule 'A' forming part of this Bylaw.

PART 4 – TRANSITIONAL

Bylaw C-7784-2018 comes into force when it receives third reading, and is signed by the Reeve/Deputy Reeve and the CAO or Designate, as per the Municipal Government Act.

Division: 5
File: 04329188 – PL20170167

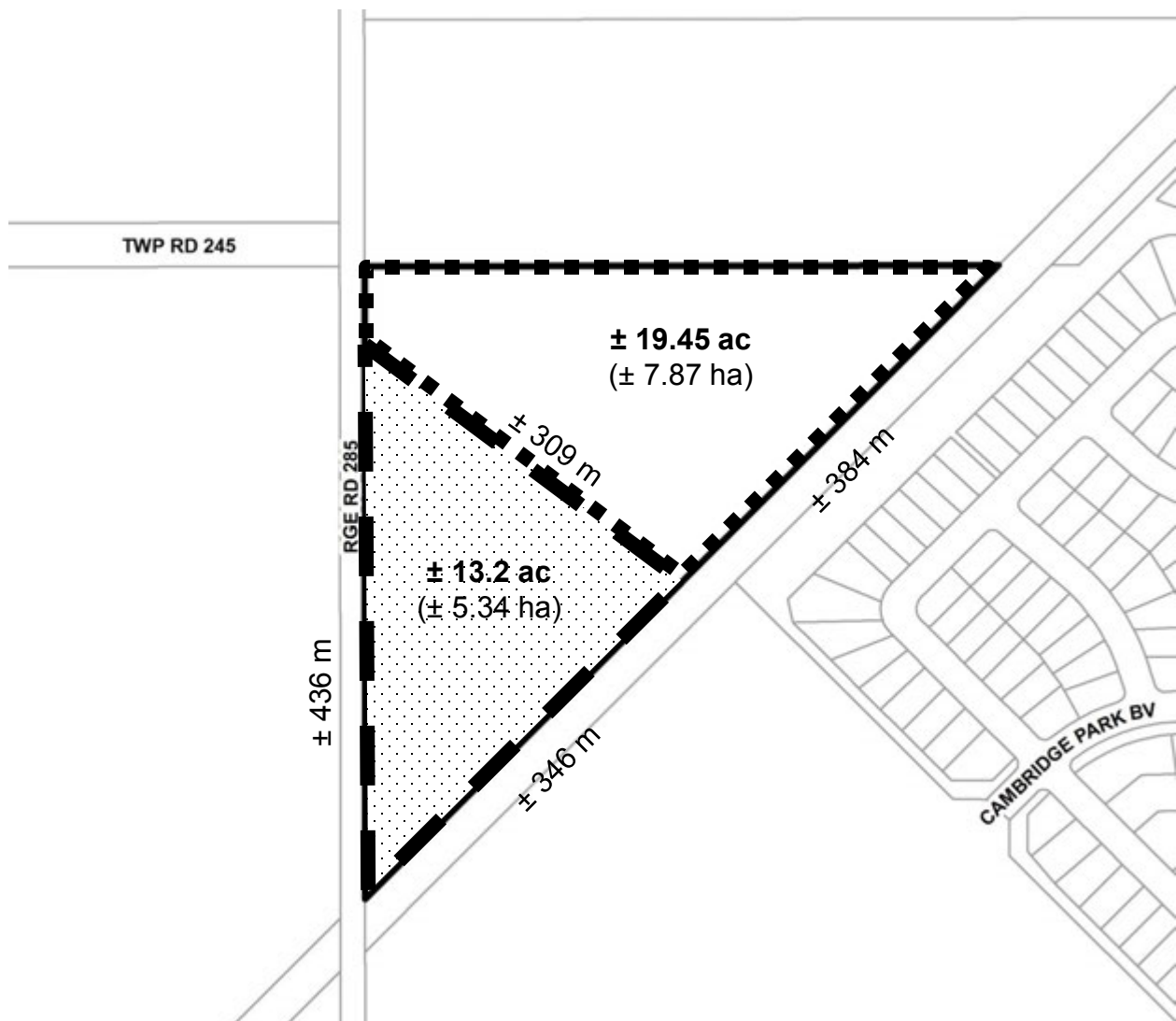
<i>PUBLIC HEARING WAS HELD IN COUNCIL this</i>	day of	, 2018
READ A FIRST TIME IN COUNCIL this	day of	, 2018
READ A SECOND TIME IN COUNCIL this	day of	, 2018
<i>UNANIMOUS PERMISSION FOR THIRD READING</i>	day of	, 2018
READ A THIRD TIME IN COUNCIL this	day of	, 2018

Reeve


CAO or Designate


Date Bylaw Signed

BYLAW: C-7784-2018

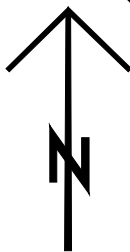


AMENDMENT

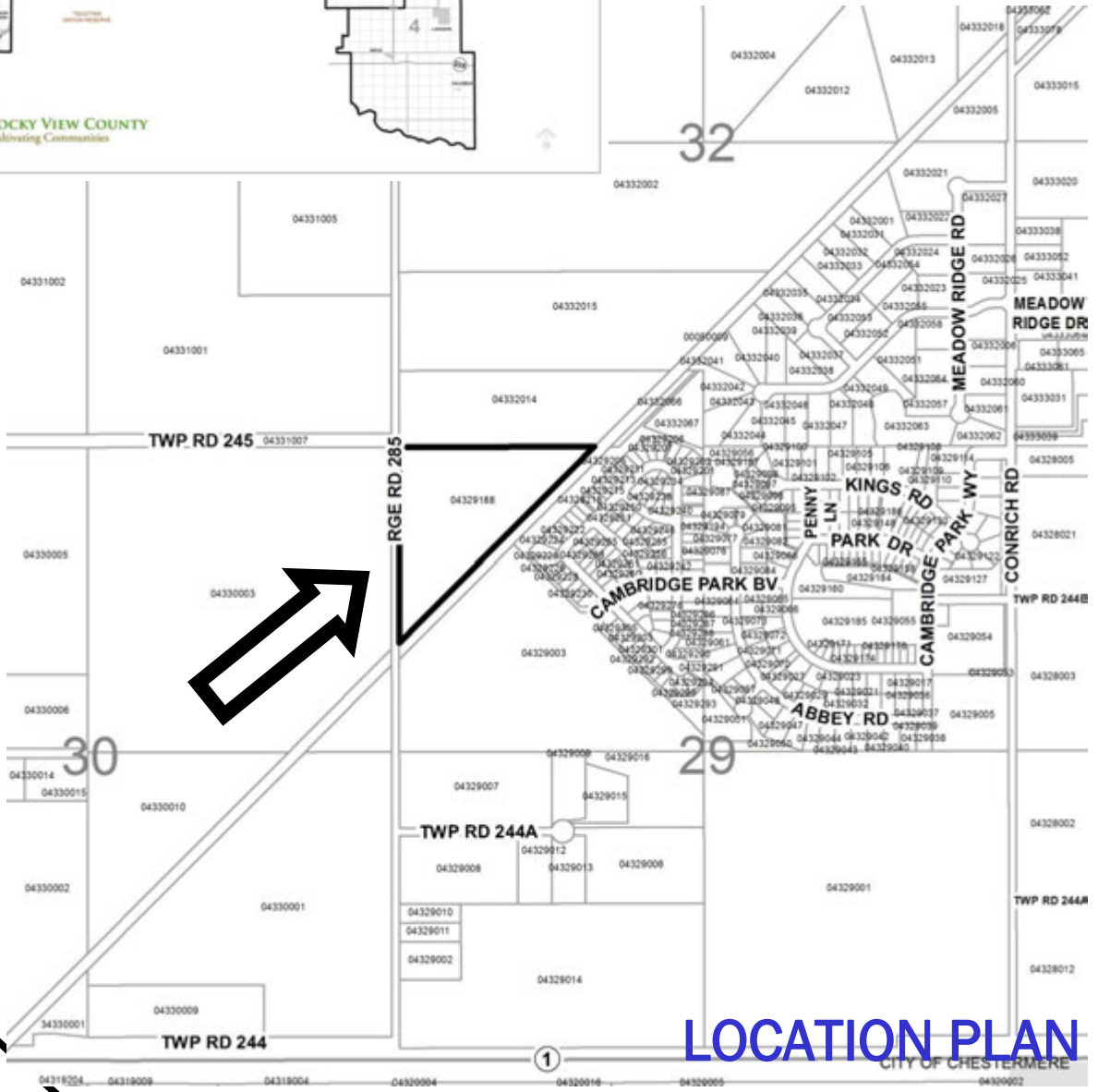
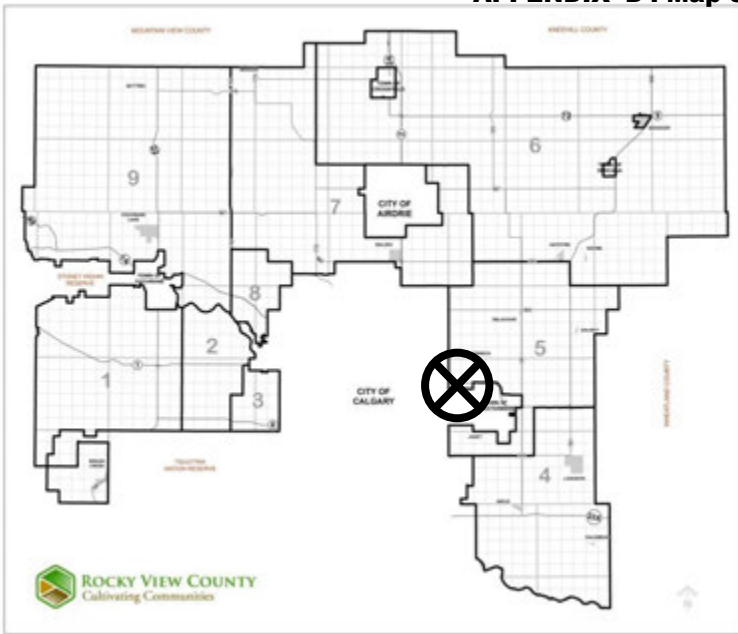
FROM Ranch and Farm Three District (RF-3) TO Business – Industrial Campus District (B-IC) 

FROM Ranch and Farm Three District (RF-3) TO Agricultural Holdings District (AH) 

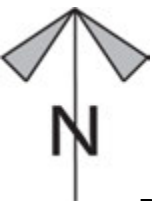
Subject Land _____



LEGAL DESCRIPTION: Lot 1, Block 1, Plan 1110135
 within NW-29-24-28-W04M



LOCATION PLAN



NW-29-24-28-W04M
Lot:1 Block:1 Plan:1110135

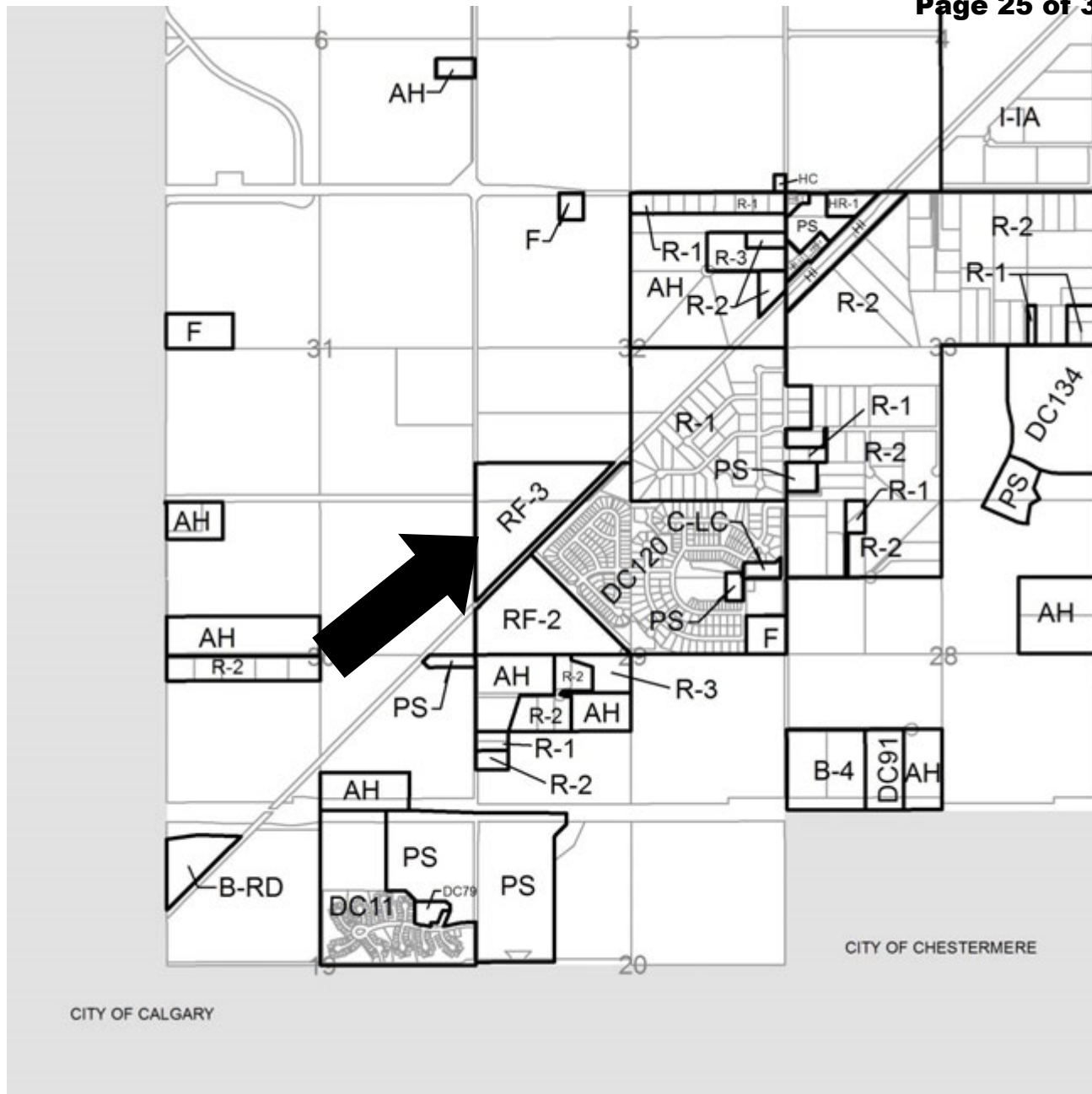
Date: Feb 5, 2018

Division # 5

File: 04329188

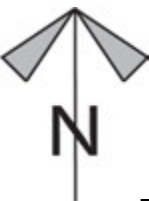
AGENDA

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RF2	Ranch and Farm Two	B-1	Highway Business
RF3	Ranch and Farm Three	B-2	General Business
AH	Agricultural Holding	B-3	Limited Business
F	Farmstead	B-4	Recreation Business
R-1	Residential One	B-5	Agricultural Business
R-2	Residential Two	B-6	Local Business
R-3	Residential Three	NR1	Natural Resource Industrial
DC	Direct Control	HR-1	Hamlet Residential Single Family
PS	Public Service	HR-2	Hamlet Residential (2)
		HC	Hamlet Commercial
		AP	Airport

LAND USE MAP



NW-29-24-28-W04M
Lot:1 Block:1 Plan:1110135

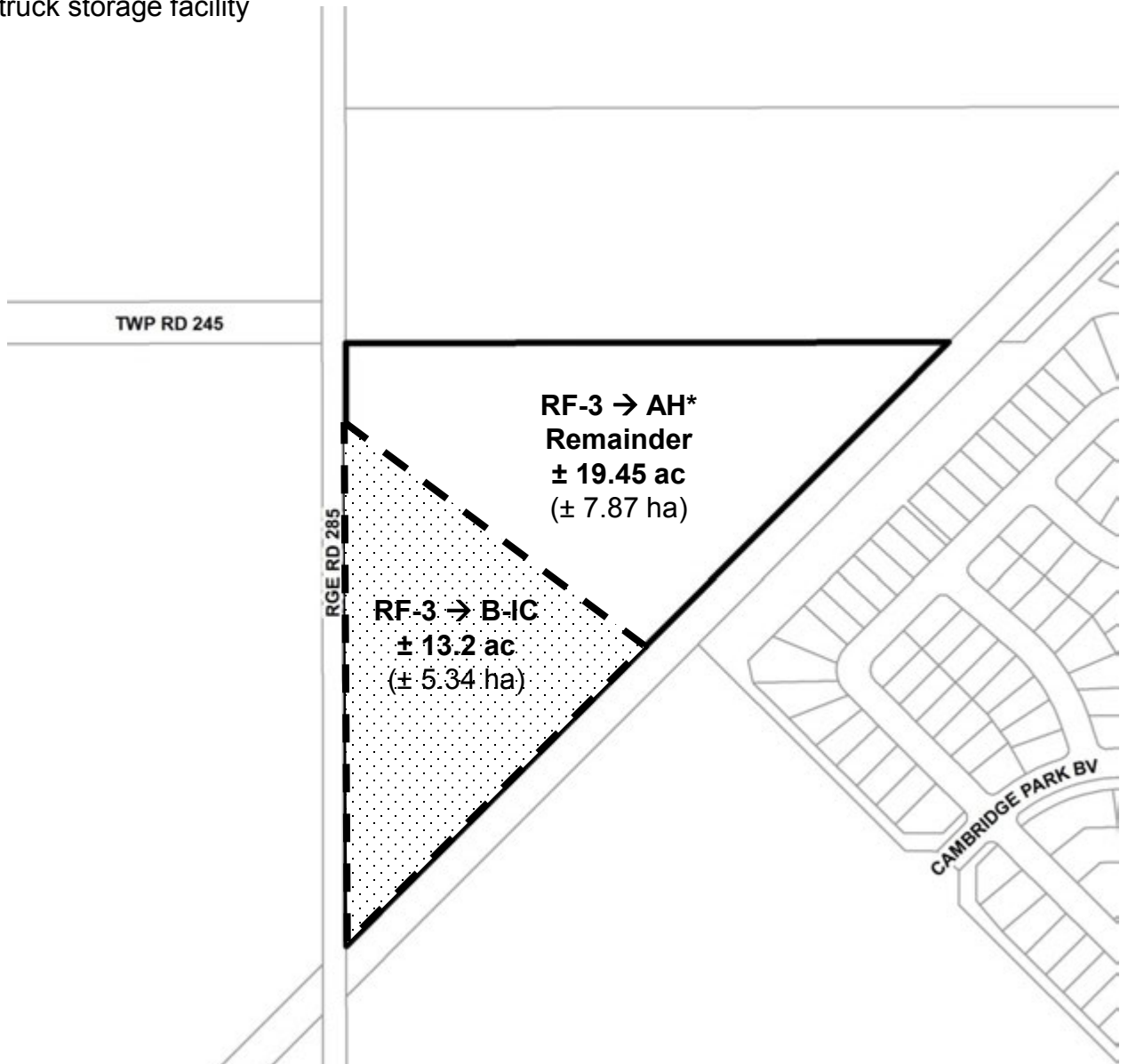
Date: Feb 5, 2018

Division # 5

File: 04329188

AGENDA

Development Proposal: To redesignate ± 7.87 hectares (± 19.45 acres) of the subject land from Ranch and Farm Three District to Agricultural Holding District, and to redesignate ± 5.34 hectares (± 13.2 acres) of the subject land from Ranch and Farm Three District to Business – Industrial Campus District to accommodate a proposed truck storage facility



***Note:** the proposed AH Remainder would be undersized. Minimum parcel size requirement: 8.10 ha (20.01 ac). Proposed AH Parcel: ± 7.87 ha (± 19.45 ac)

DEVELOPMENT PROPOSAL



NW-29-24-28-W04M
Lot:1 Block:1 Plan:1110135

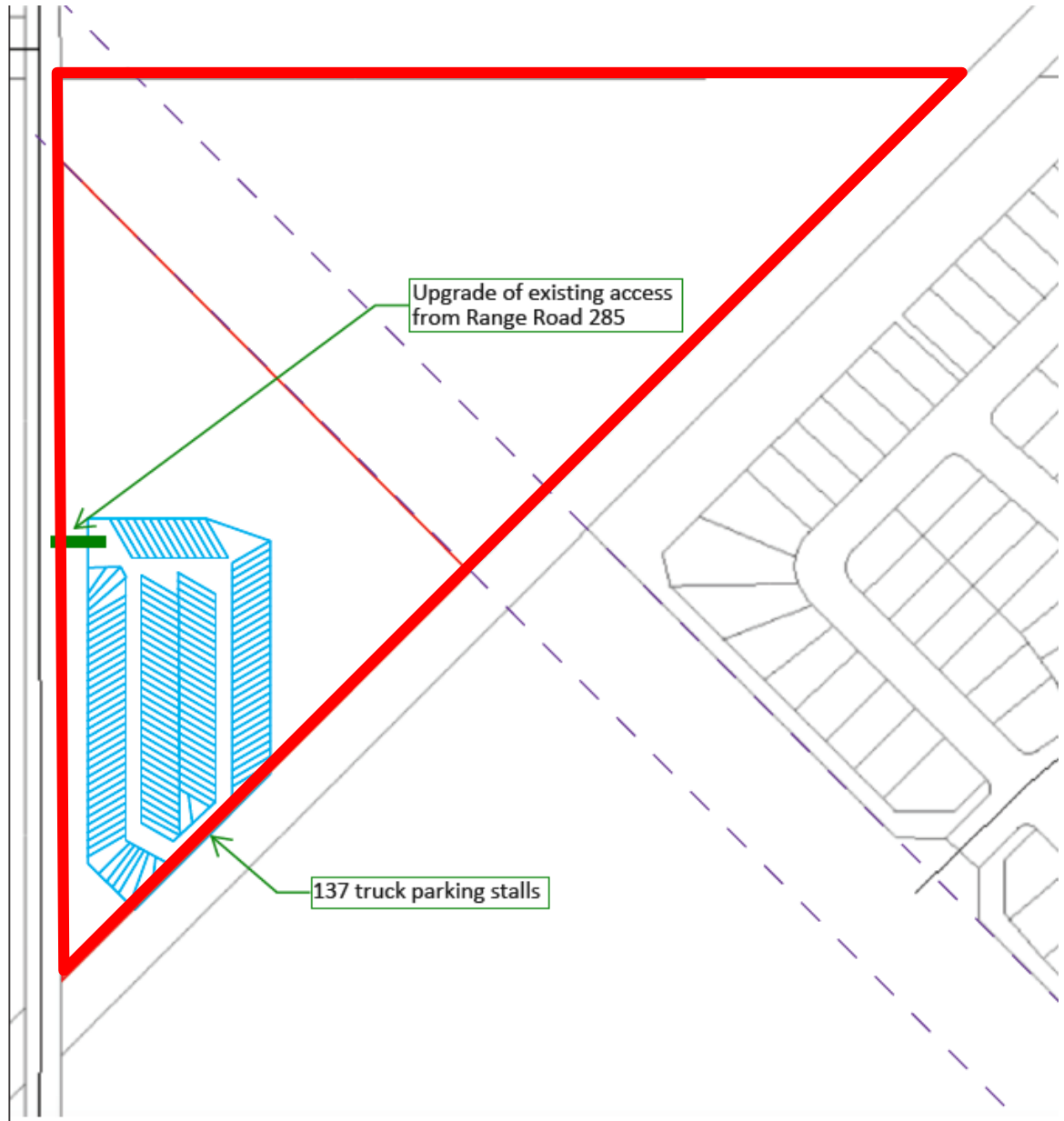
Date: Feb 5, 2018

Division # 5

File: 04329188

AGENDA

Development Proposal: To redesignate ± 7.87 hectares (± 19.45 acres) of the subject land from Ranch and Farm Three District to Agricultural Holding District, and to redesignate ± 5.34 hectares (± 13.2 acres) of the subject land from Ranch and Farm Three District to Business – Industrial Campus District to accommodate a proposed truck storage facility



PROPOSED SITE PLAN



NW-29-24-28-W04M
Lot:1 Block:1 Plan:1110135

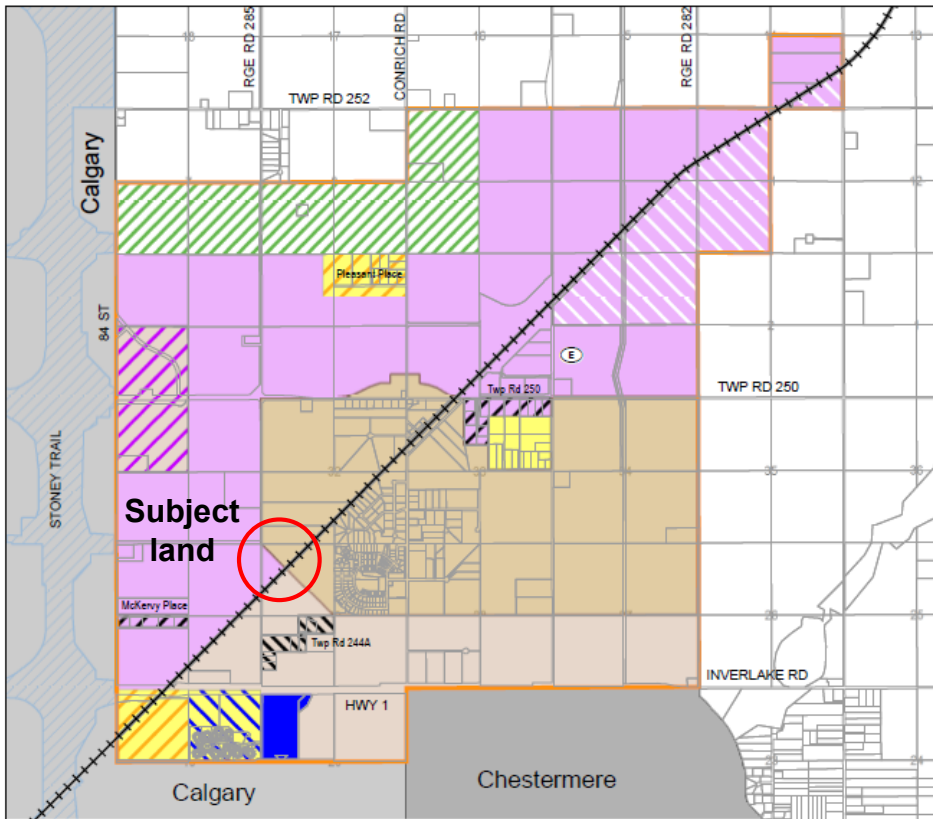
Date: Feb 5, 2018

Division # 5

File: 04329188

AGENDA

Map 5:
Land Use Strategy



- ASP Boundary
- Future Policy Area
- Residential-Form to be determined
- Country Residential
- Institutional/Residential
- Institutional
- Industrial
- Heavy Industrial
- Industrial Transition
- Highway Business Transition
- Highway Business
- Highway Business/Industrial
- Long Term Development Area
- Emergency Services
- Transportation and Utility Corridor
- CN Railway

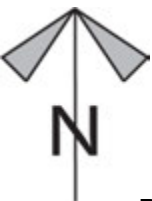


Area Structure Plan
CONRICH

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

- SW portion is identify as Industrial Use
- NE portion is identify as Future Policy Area

CONRICH ASP



NW-29-24-28-W04M
Lot:1 Block:1 Plan:1110135

Date: Feb 5, 2018

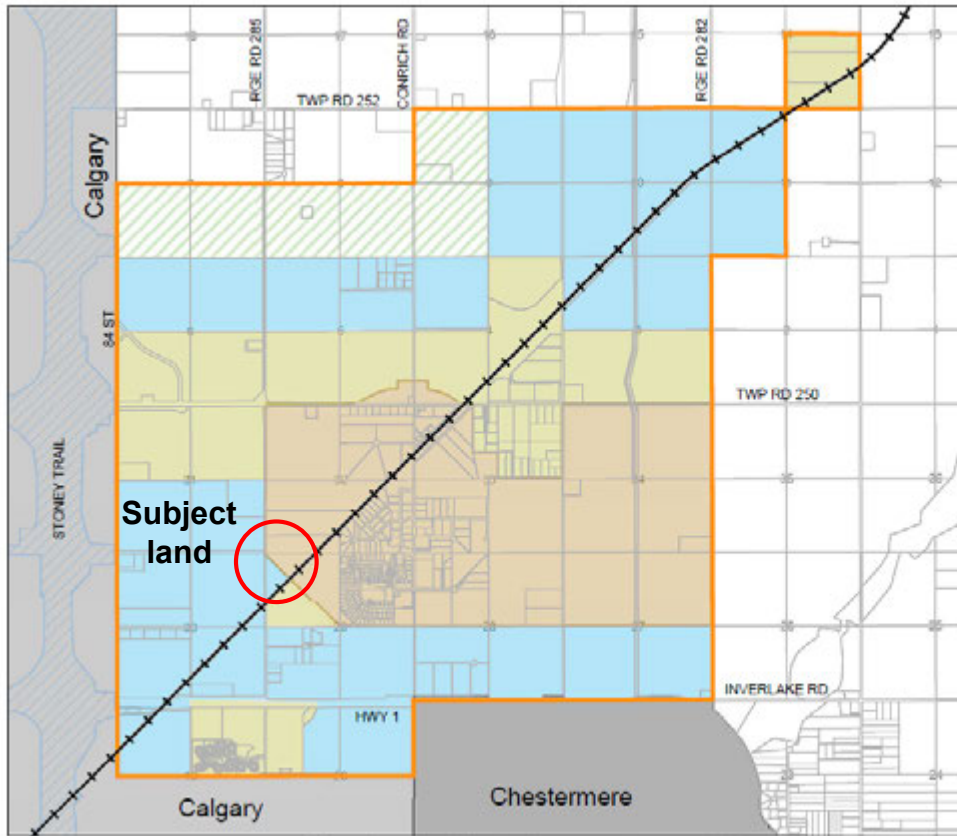
Division # 5

File: 04329188

AGENDA

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Map 13:
Phasing



- ASP Boundary
- Future Policy Area
- Phase 1
- Phase 2
- Long Term Development
- Transportation and Utility Corridor
- Railway Lines



Area Structure Plan
CONRICH

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

- SW portion is located in Phase 2
- NE portion is located in the Future Policy Area

CONRICH ASP PHASING



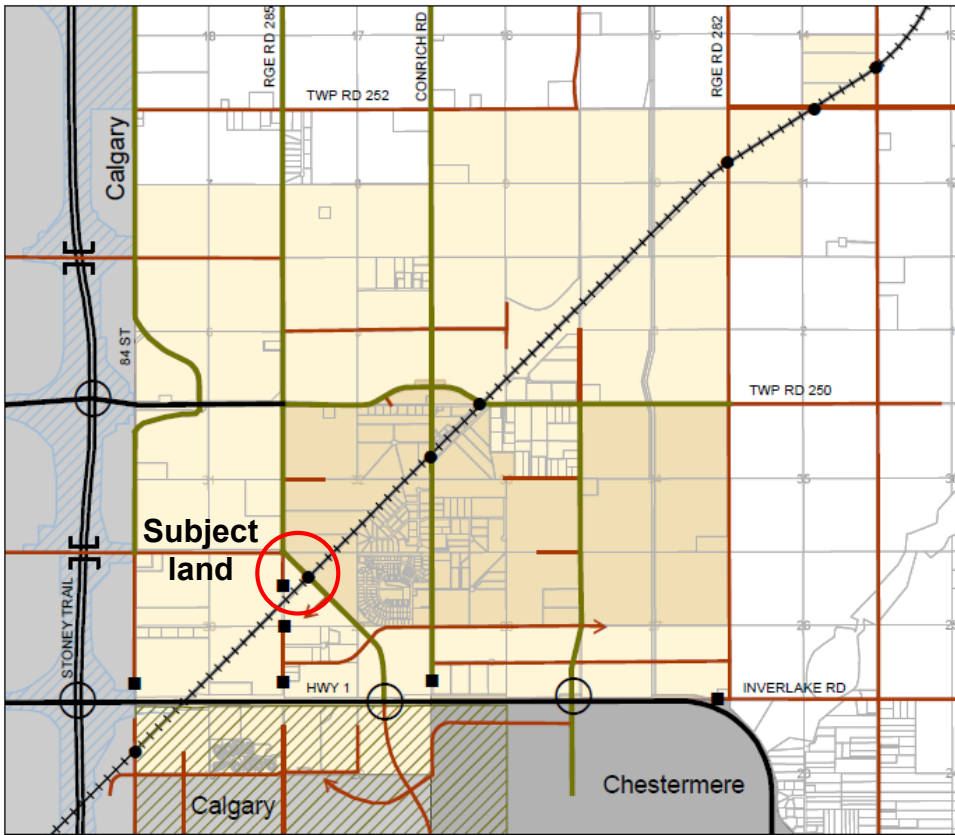
NW-29-24-28-W04M
Lot:1 Block:1 Plan:1110135

Date: Feb 5, 2018

Division # 5

File: 04329188

AGENDA



Area Structure Plan
CONRICH

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

- A future Major Four-Lanes Road would bisect the subject land.
- Range Road 285 would be terminated just north of the railway.

CONRICH ASP TRANSPORTATION

NW-29-24-28-W04M
Lot:1 Block:1 Plan:1110135

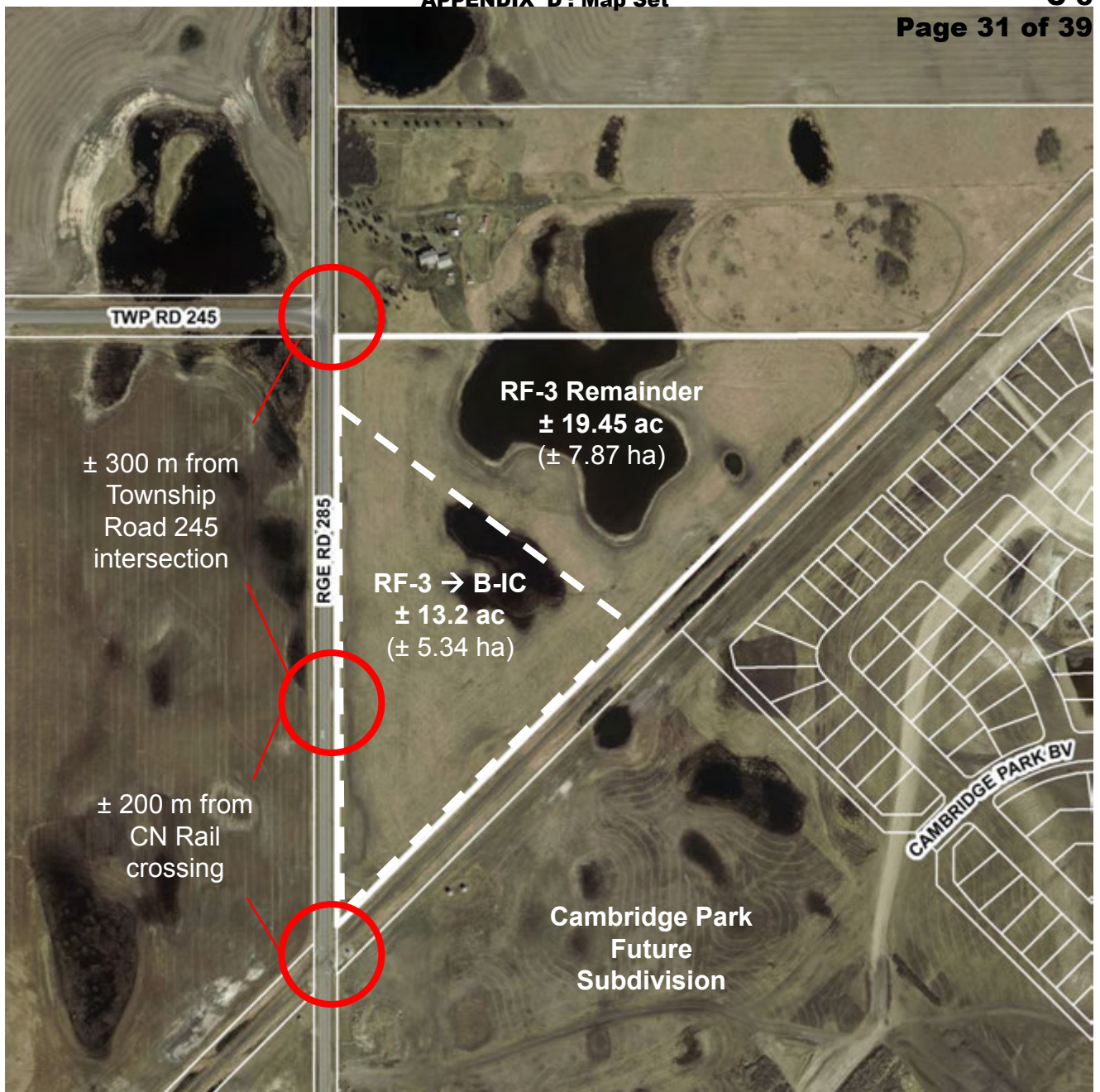
Date: Feb 5, 2018

Division # 5

File: 04329188

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

AIR PHOTO PROPOSED ACCESS

Spring 2016



NW-29-24-28-W04M
Lot:1 Block:1 Plan:1110135

Date: Feb 5, 2018

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File: 04329188

AGENDA

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± 200 m from
CN Rail crossing

Facing south – Range Road 285



± 300 m from
Township
Road 245
intersection

Facing north – Range Road 285

SITE PHOTO



NW-29-24-28-W04M
Lot:1 Block:1 Plan:1110135

Date: Feb 5, 2018

Division # 5

File: 04329188

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Facing west – agricultural land, future industrial development



Landscaping Berm

Existing residences

Facing east Cambridge Park Residential Subdivision

SITE PHOTO



NW-29-24-28-W04M
Lot:1 Block:1 Plan:1110135

Date: Feb 5, 2018

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

TOPOGRAPHY

Contour Interval 2 M



NW-29-24-28-W04M
Lot:1 Block:1 Plan:1110135

Date: Feb 5, 2018

Division # 5

File: 04329188

AGENDA

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Post Development

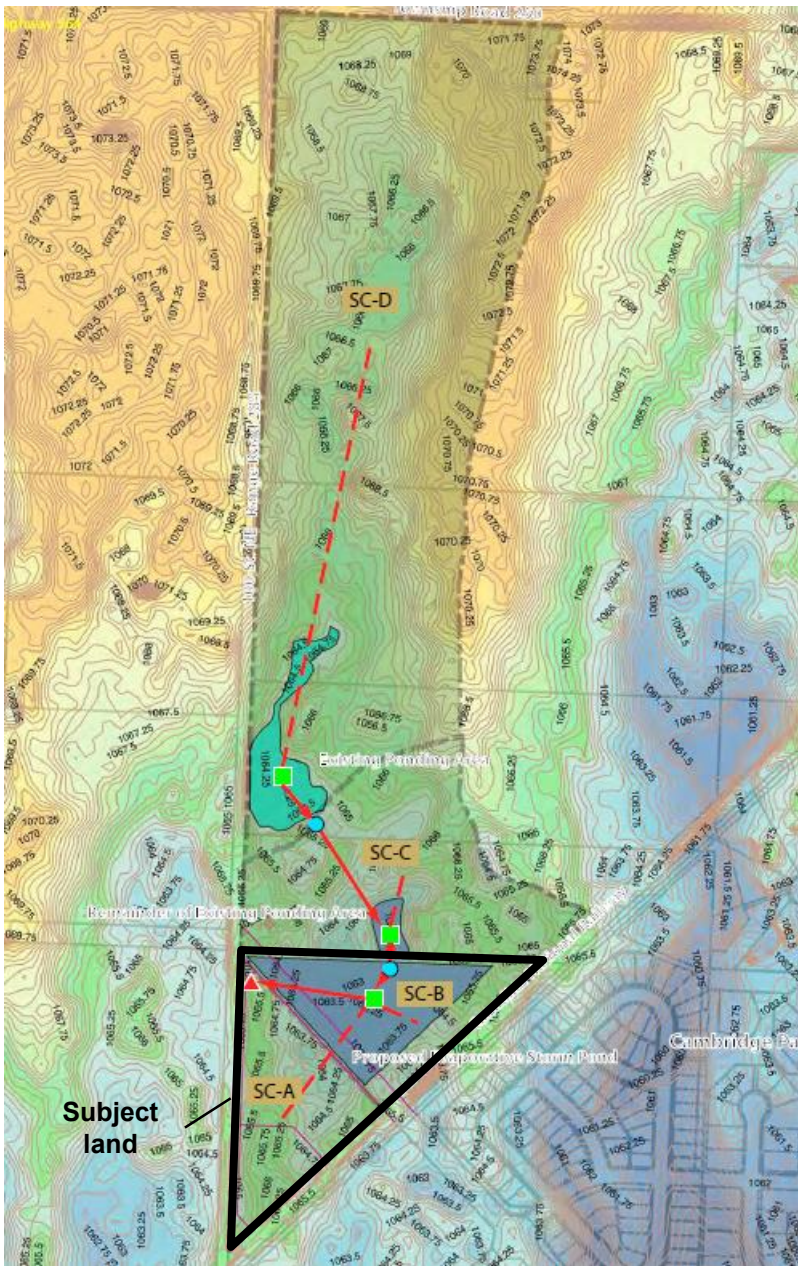
NW 29, Twp 24, Rge 28, W4M

Elevation Gradient

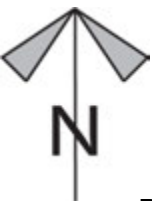


LEGEND

- Catchment Outlet
- Storage Unit
- Junction
- Outlet/Pipe
- Pipe/Ditch
- Sub-Catchment Flow Connection



PROPOSED STORMWATER MANAGEMENT



NW-29-24-28-W04M
 Lot:1 Block:1 Plan:1110135

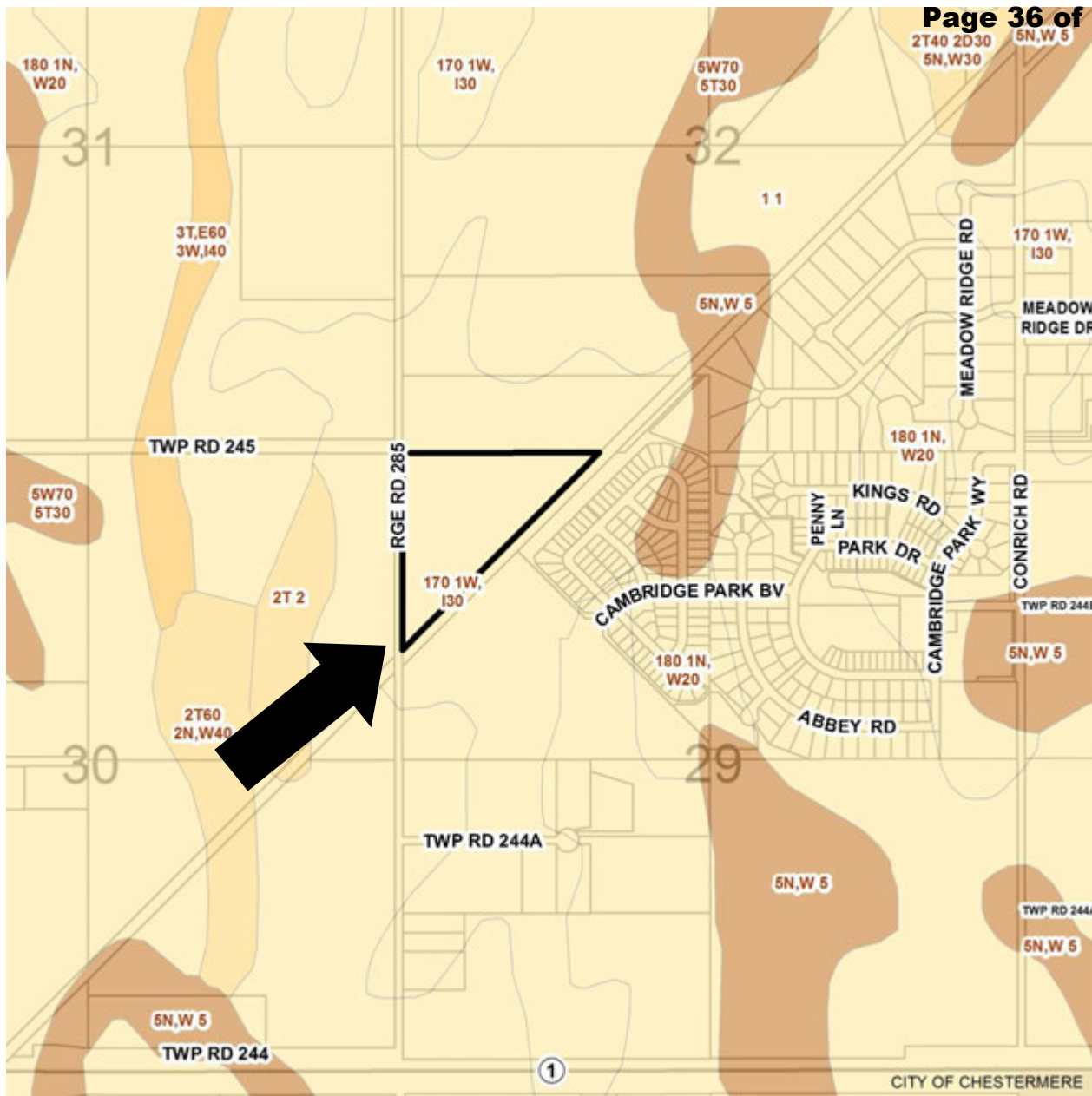
Date: Feb 5, 2018

Division # 5

File: 04329188

AGENDA

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LAND CAPABILITY CLASSIFICATION LEGEND

Limitations refer to cereal, oilseeds and tame hay crops

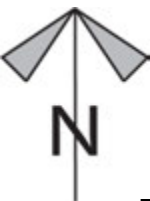
CLI Class

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

Limitations

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

SOIL MAP



NW-29-24-28-W04M
Lot:1 Block:1 Plan:1110135

Date: Feb 5, 2018

Division # 5

File: 04329188

AGENDA

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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

NW-29-24-28-W04M
Lot:1 Block:1 Plan:1110135

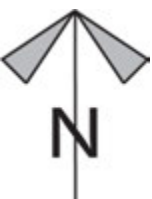
Date: Feb 5, 2018

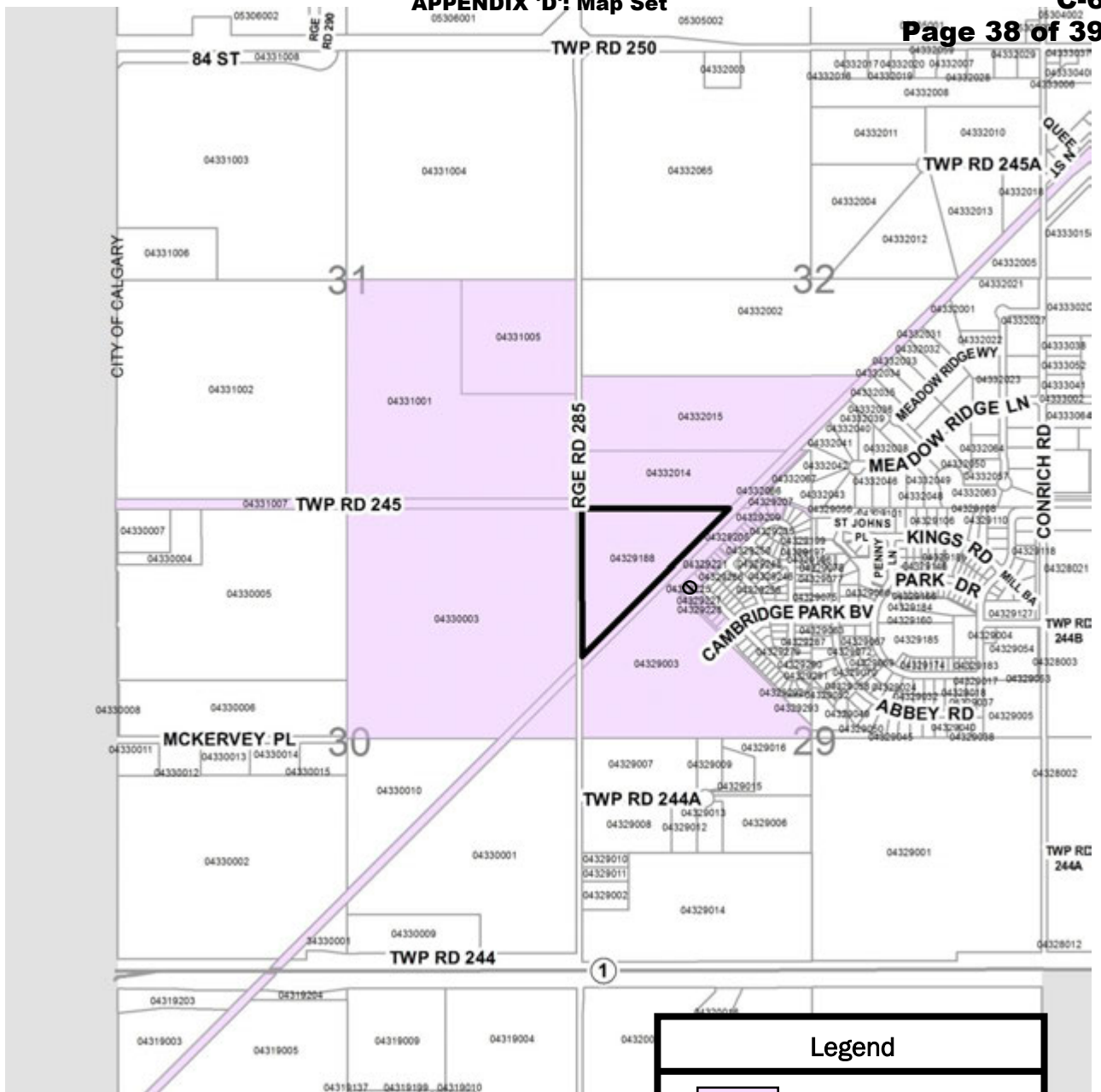
Division # 5



File: 04329188

AGENDA



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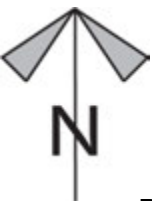


-  Letters in Opposition
-  Letters in Support

Legend

	Circulation Area
	Subject Lands

LANDOWNER CIRCULATION AREA



NW-29-24-28-W04M
Lot:1 Block:1 Plan:1110135

Date: Feb 5, 2018

Division # 5

File: 04329188

AGENDA

From: Rajwinder Gill [REDACTED]
Sent: Thursday, October 18, 2018 4:56 PM
To: PAA_ LegislativeServices
Subject: Bylaw C-7784-2018 - OPPOSE

Hello,

I strongly **oppose** the Bylaw C-7784-2018 to use this land for Truck storage facility.

Reasons:

1. It is very close to residential area and will ruin the peace that residents are hoping for.
2. It will cause noise and air pollution.
3. we have small kids and wouldn't be ideal to have this storage facility so close to our home.

Name and property address:

Rajwinder Gill and Sukhdeep Gill

[REDACTED]
[REDACTED]
[REDACTED]

Please let us know if you need more information regarding this submission.

u
o '8 'k '8



LEGISLATIVE & LEGAL SERVICES

TO: Council

DATE: November 13, 2018 **DIVISION:** All

FILE: 0183

SUBJECT: 2018 Rocky View County Census Results

¹POLICY DIRECTION:

By resolution Council authorized that a Census for Rocky View County be conducted for 2018. The official and unofficial 2018 Rocky View County Census results are presented for information.

EXECUTIVE SUMMARY:

The purpose of this report is to provide the results of the 2018 Rocky View County Census. A municipal census is a population count of the total number of individuals living in a certain area.

Rocky View County conducted a municipal census from April 30, 2018 to June 30, 2018 from 14,791 households. Of the 14,791 households, there were 1,455 non-contacted dwellings, which means that a census worker was not able to make contact with a member of the household and believes that the dwelling was occupied on census day. With 1,455 non-contacted dwellings, the result of the data collected amounted to a total population count of 36,776.

In an effort to include the 1,455 non-contacted dwellings in the total usual resident population, Administration submitted a formal request to the Deputy Minister of Municipal Affairs (see Attachment 'A'), which was denied. Acknowledging that Rocky View County's population count would be affected by the 1,455 non-contacted dwellings, the Deputy Minister of Municipal Affairs granted approval for the County to use the 2016 Federal Census count of 39,407 as the population count for Rocky View County for the 2018 Municipal Affairs Official Population List (see Attachment 'B'). For official reporting purposes, and for Municipal Sustainability Initiatives (MSI) grant funding, the official population for 2018 for Rocky View County is 39,407.

Even though the 2016 Federal Census count is being used as the official result, the County is still able to use the data collected during the 2018 census to provide guidance for service delivery and decision-making. An average count of 2.7 residents has been applied to the 1,455 non-contacted dwellings, resulting in an unofficial total count as noted below:

Division	Population Count
Division 1	2,525
Division 2	3,479
Division 3	5,957
Division 4	7,010
Division 5	5,051
Division 6	2,768
Division 7	3,462
Division 8	5,576
Division 9	4,877
Total count of usual residents	40,705

¹ **Administration Resources**

Charlotte Satink, Deputy Municipal Clerk

Hamlet	Population Count
Bottrel	5
Bragg Creek	459
Cochrane Lake	769
Conrich	21
Dalemead	29
Dalroy	46
Delacour	10
Harmony	249
Indus	32
Kathryn	13
Keoma	89
Langdon	5,364
Madden	26

BACKGROUND:

From April 30, 2018 to June 30, 2018, the County used various methods to collect census responses from residents. Data was collected online through the County website, door-to-door using electronic tablets, in person at the County office, and also by telephone. Of the responses received, online collection was the most successful.

Method	Percent Completed
Online through website	52%
Door-to-door	35%
In person at County office	1%
Telephone	2.2%
Total	90.2%

Communication methods included direct mail to all households with an activation number, two reminder notices mailed to households that did not respond, 59 message boards strategically placed throughout the County, social media posts, advertisements at the front entrance of the Administration building, the County website, and email distribution lists.

HIGHLIGHTS:

Online Data Collection

The online census offered accessibility and ease for both residents and census workers. The online system provided for 24 hour access, with 52% of residents completing their census online. Administration’s goal was to have at least 50% of residents complete their census online, which was achieved.

Electronic Tablet

Electronic tablet devices were used by census works to enter data and were reported as being easy to use and also provided for real-time statistics that assisted in project management, decision-making, and communicating real-time updates.

Data Collected

The five census questions asked were developed in consultation with all County departments based on statistics required for planning purposes. Residents commented that they appreciated being asked only five questions, as it allowed them to complete the census quickly. The census data collected will offer comprehensive and meaningful information when applied to planning or

corporate frameworks, policy documents, servicing strategies, economic development, and agricultural priorities, to name a few.

OPPORTUNITIES FOR IMPROVEMENT:

Large Land Mass to Cover

Rocky View County is approximately one million acres in size making it a challenge for census workers to travel and navigate in the rural areas. Each census worker was assigned three zones with an equal amount of households to reach. The internet and cellphone capabilities in the rural areas were not consistent, resulting in hesitation for the workers to remain in the rural areas.

Resident Complaints

Many residents expressed appreciation for having the option of completing the census online because, with the increase in crime being committed in rural areas, they did not want census workers/strangers entering their properties.

Safety Issues

Census workers were faced with a variety of safety concerns, including not wanting to work alone in rural areas where telephone and internet access was limited. There were many reports involving dogs at large guarding properties where the census workers did not feel safe to enter the property. There were reported incidents, including a resident displaying a firearm to a census worker and warning them to leave their property, a resident commanding their dog to “get” a census worker, resulting in the worker falling down the stairs, an actual dog bite, and a census worker being locked within a property that had a gated electronic fence.

Hiring and retaining Census Workers

Attracting and retaining at least 16 census workers was a challenge and a few workers resigned within the first week of employment. Census workers did not want to cause wear and tear on their vehicles while driving in rural areas and did not feel the compensation was adequate.

BUDGET IMPLICATIONS:

Council approved a budget of \$130,000, consisting of \$100,000 from the Census Reserve and \$30,000 from General Property Tax. The actual expense of the census amounted to \$96,500.

OPTIONS:

- Option #1: THAT 2018 Rocky View County Census results be received for information.
- Option #2: THAT Council provide alternative direction.

Respectfully submitted,

“KENT ROBINSON”

General Manager

cs/

Concurrence,

“RICK MCDONALD”

Interim County Manager

ATTACHMENTS:

- Attachment A: Letter to Deputy Minister of Municipal Affairs
- Attachment B: Letter from Deputy Minister of Municipal Affairs



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

September 5, 2018

Mr. Brad Pickering
Deputy Minister: Department of Municipal Affairs
Deputy Minister's Office
18th Fl., Commerce Place, 10155-102nd St.
Edmonton, Alberta T5J 4L4
Email: brad.pickering@gov.ab.ca

Mr. Pickering,

RE: Census Results for Rocky View County

The purpose of this letter is to formally request that the Minister of Municipal Affairs consider accepting the attached Municipal Census Form, which resulted from the Rocky View County 2018 Municipal Census.

As per the attached form, I reported to your ministry that the 2018 Total Usual Resident Population in Rocky View County was 40,705. In coming to this number, we applied an average rate of 2.7 residents for each non-contacted dwelling. Your ministry verbally advised Rocky View County that a municipality cannot attribute a number to non-contacted dwellings, but instead must use the total count of usual residents, which was 36,776.

In reviewing the *Determination of Population Regulation*, Alta Reg 63/2001, the *Municipal Government Act*, RSA 2000, c M-26, and the Municipal Census Manual, we are unable to find support for your ministry's position that the Total Usual Resident Population cannot include the non-contacted dwellings. Further, it is usual practice at the County, in other municipalities and in other organizations to extrapolate the likely number of residents in such cases.

Given the amount of growth within Rocky View County, it is not likely that the County's population has decreased. The 2016 Federal Census conducted by Statistics Canada reported a population for Rocky View County of 39,407. As a result, it would not be accurate to use 36,776 as the number of total usual residents in the County.

Rocky View County hereby officially requests that the attached Municipal Census Form be accepted by the Minister as presented. In the alternative, the County requests that the results of the 2016 Federal Census from Statistics Canada be used for Municipal Affairs' official population list and that your office immediately undertake a review of the Regulations and Manuals associated with a municipal census in Alberta.

Sincerely,
ROCKY VIEW COUNTY

JR (Rick) McDonald
Interim County Manager



Schedule 4
Municipal Census Form

Determination of Population Regulation
Alberta Regulation 63/2001

Municipal Authority Rocky View County, Province of Alberta.

Municipal Census Date April 30, 2018

I, John Richard McDonald, of
Name of Person taking Oath

911 32 Avenue NE, Calgary, AB, appointed designated officer for
Municipal Office Address

Rocky View County solemnly swear/affirm
Name of Municipality

THAT I am the designated officer of the municipality of Rocky View County.
Name of Municipality

THAT the date chosen as the municipal census date for the municipality was the 30 day of April, 2018.

THAT a municipal census enumeration completed on the 30 day of June, 2018 discloses that the total number of individuals whose usual residence is in this municipality is 40,705.
Total Usual Resident Population

THAT the Municipal Census Field Report attached below is accurate and complete to the best of my knowledge.

SWORN (AFFIRMED) before me

at the City of Calgary,
in the Province of Alberta
this 4 day of September, 2018


Signature of Designated Officer
Signature of Commissioner for Oaths

CHARLOTTE SATINK
A Commissioner for Oaths
In and for the Province of Alberta
My Commission Expires Sept 14, 2020

Municipal Census Field Report

Total count of usual residents	36,776
Total count of private dwellings	14,791
Total number of non-contacted dwellings	1,455
Total number of refusals	0

Private dwelling refers to a separate set of living quarters with a private entrance either from outside or from a common hall, lobby, vestibule or stairway inside the building. The entrance to the dwelling must be one that can be used without passing through the living quarters of someone else.
Non-contacted dwelling is where a census worker has not been able to make contact with a member of the household and believes that the dwelling was occupied by usual residents on census day.
Refusal is when a household refuses to participate in a census.



Deputy Minister
18th Floor, Commerce Place
10155 – 102 Street
Edmonton, Alberta T5J 4L4
Canada
Telephone 780-427-4826
Fax 780-422-9561

AR95066

September 20, 2018

Mr. JR (Rick) McDonald
Interim County Manager, Rocky View County
911-32 Ave NE
Calgary AB T2E 6X6

Dear Mr. McDonald:

Rick

Thank you for your letter of September 5, 2018 requesting approval for an extrapolated population count or the inclusion of the 2016 federal census counts for Rocky View County's municipal census population count.

The census-taking methods outlined in the Municipal Census Manual align with Statistics Canada methodologies for the collection of quality, verifiable population data. Utilizing an extrapolation of 2.7 residents for each non-contacted dwelling is not an acceptable methodology as it is not possible to determine if the occupants are usual residents of the municipality without a census interview.

I appreciate your efforts to capture the population of the county as accurately as possible and acknowledge the number of non-contacted dwellings (1,455) in Rocky View County is high compared to other municipalities that conducted a census in 2018. Therefore, I am prepared to accept the 2016 federal census count as the population count for Rocky View County in the 2018 Municipal Affairs Population List. Ministry staff will be working with Statistics Canada on shadow population requirements and will be in contact with all municipalities to seek additional feedback for this review.

Should you require more information on the Municipal Census Manual or on approved census methodologies, please contact Kim Moore, Municipal Information Advisor, toll-free at 310-0000, then 780-422-8303.

Sincerely,

A handwritten signature in blue ink, appearing to read "Brad Pickering", with a long horizontal flourish extending to the right.

Brad Pickering
Deputy Minister

cc: Kim Moore, Municipal Information Advisor, Municipal Services and Legislation



PLANNING SERVICES

TO: Council

DATE: November 13, 2018 **DIVISION:** 1

FILE: 03904027 **APPLICATION:** PRDP20184056

SUBJECT: Waiver of the waiting period for re-application of a Development Permit

¹POLICY DIRECTION:

By resolution, Council may waive the six month waiting period for re-applications to the Development Authority. The proposal was evaluated against Section 16 of the Land Use Bylaw and was found to be in compliance.

EXECUTIVE SUMMARY:

A request was received by the Owner of the subject land to waive the six month waiting period for re-application of a development permit. The intent of the original application was to bring the site into compliance with the Land Use Bylaw in order to facilitate the sale of the parcel. In order to do so, the previous owner of the lands submitted an application for an existing accessory dwelling unit (garden suite) that required relaxations to the maximum size of an accessory building, the habitable floor area for an accessory dwelling unit (garden suite), and the total building area for all accessory buildings. As the extent of the relaxations were greater than the variation powers granted to the Development Authority, the permit was refused and the owner was advised to appeal the decision and have the matter heard by the Development Appeal Board. The decision, however, was not appealed and the appeal period closed. The lands have since been sold to new owners; however, the compliance matter has not been addressed. In order for the current Owner/Applicant to re-apply for a Development Permit of the same or similar use, a Council decision to waive the six month waiting period is required in accordance with Section 16 of the Land Use Bylaw.

The Applicant has not proposed any amendments to the previous development proposal, as the intent of the application would be to bring the existing site into compliance with the Land Use Bylaw. The intent of Section 16 is to prevent applications that have been refused for valid reasons from being repeatedly submitted in the hope of being granted an approval. In this case, the Owner wishes to have the existing conditions of the lands confirmed in accordance with the sales agreement with the previous owner. This does not constitute circumvention of Section 16, and is indeed an appropriate and valid use of the waiver exemption. The application is therefore in accordance with County policy.

BACKGROUND:

The subject lands are located in the Greater Bragg Creek area, 2.4 km (1.5 miles) south of Township Road 232, 0.8 km (0.5 mile) east of Range Road 54, and on the north side of Elk Valley Drive. The neighbourhood features a number of Residential Two District parcels surrounded by environmental reserve lands.

The original application, received on May 3, 2018, was for an existing accessory dwelling unit (garden suite), for relaxations to the maximum size of an accessory building, the habitable floor area for an accessory dwelling unit (garden suite), and the total building area for all accessory buildings. The

¹ **Administration Resources**
Stefan Kunz, Planning Services



purpose of this was to bring the site into compliance with the Land Use Bylaw in order to facilitate the sale of the lands. On August 3, 2018, the application was refused for the following reasons:

- 1) The habitable floor area for the accessory dwelling unit (garden suite) exceeds the maximum permitted habitable floor area as defined in Section 28.4 of Land Use Bylaw C-4841-97.
 - **Permitted:** 110.00 sq. m (1,184.00 sq. ft.);
 - **Existing:** 137.50 sq. m (1,480.00 sq. ft.).
 - **Relaxation:** 25.00%
- 2) The maximum size of an accessory building (garden suite) exceeds the maximum permitted size as defined in Section 48.3 of the Land Use Bylaw C-4841-97.
 - **Discretionary:** 120.00 sq. m (1,291.67 sq. ft.)
 - **Existing:** 162.95 sq. m. (1,754.00 sq. ft.)
 - **Relaxation:** 35.79%
- 3) The total building area for all accessory buildings exceeds the maximum permitted amount as defined in Section 48.9 of Land Use Bylaw C-4841-97.
 - **Permitted:** 120.00 sq. m (1,291.67 sq. ft.)
 - **Existing:** 176.60 sq. m. (1,900.90 sq. ft.)
 - **Relaxation:** 47.17%

The applicant was advised to appeal the decision in order to present the matter to the Development Appeal Board, who would be able to allow the buildings to remain if they deemed the appeal appropriate. The appeal, however, was not submitted during the appeal period and the refusal decision became final.

The current owners subsequently took possession of the site, but noted that the compliance matter had yet to be resolved. On October 5, 2018, a new application, identical to the previous one, was made. Section 16 of the Land Use Bylaw, however, prohibits submission of a development permit application for the same or similar use on the same parcel within a six-month period.

Section 16 of the Land Use Bylaw C-4841-97 states:

“Where an application for a Development Permit is deemed refused or refused by either the Development Authority or Council, or on a refusal from an appeal to the Subdivision and Development Appeal Board; the submission of another application for a Development Permit for the same or similar use on the same parcel by the same or any other Applicant, may not be made for a period of six (6) months from the date of issue of the refusal, except where Council has, by resolution, waived the six (6) month waiting period. The determination of what constitutes same or similar use shall be made by the Development Authority.”

As the six month waiting period does not conclude until February, 2019, a Council decision is required to waive this waiting period to allow for the re-application to move forward with the standard development permit process. No new development is proposed, and this application is intended to bring a site with existing development conditions into compliance. As this rationale is an appropriate use of the waiver of the six-month waiting period, the application is in accordance with County policy.

OPTIONS:

Option # 1: THAT the requirement of a six month waiting period for re-application under Section 16 of Land Use Bylaw C-4841-97 be waived by Resolution.

Option # 2: THAT the waiver of the six month waiting period for re-application be denied.



Respectfully submitted,

“Sherry Baers”

Acting General Manager

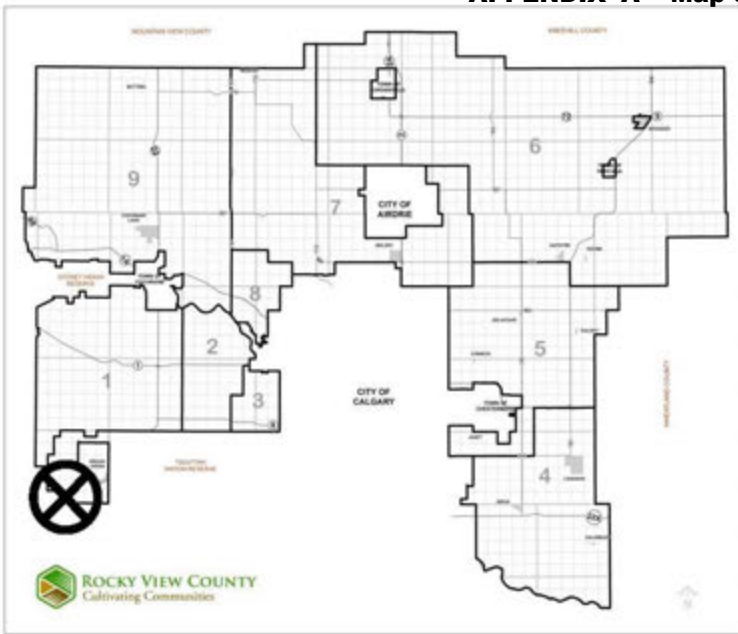
SK/rp

APPENDICES:
Appendix ‘A’: Map Set

Concurrence,

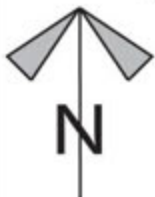
“Rick McDonald”

Interim County Manager



KANANASKIS IMPROVEMENT DISTRICT

LOCATION PLAN



NE-04-23-05-W05M

Lot:27 Block:1 Plan:8210453

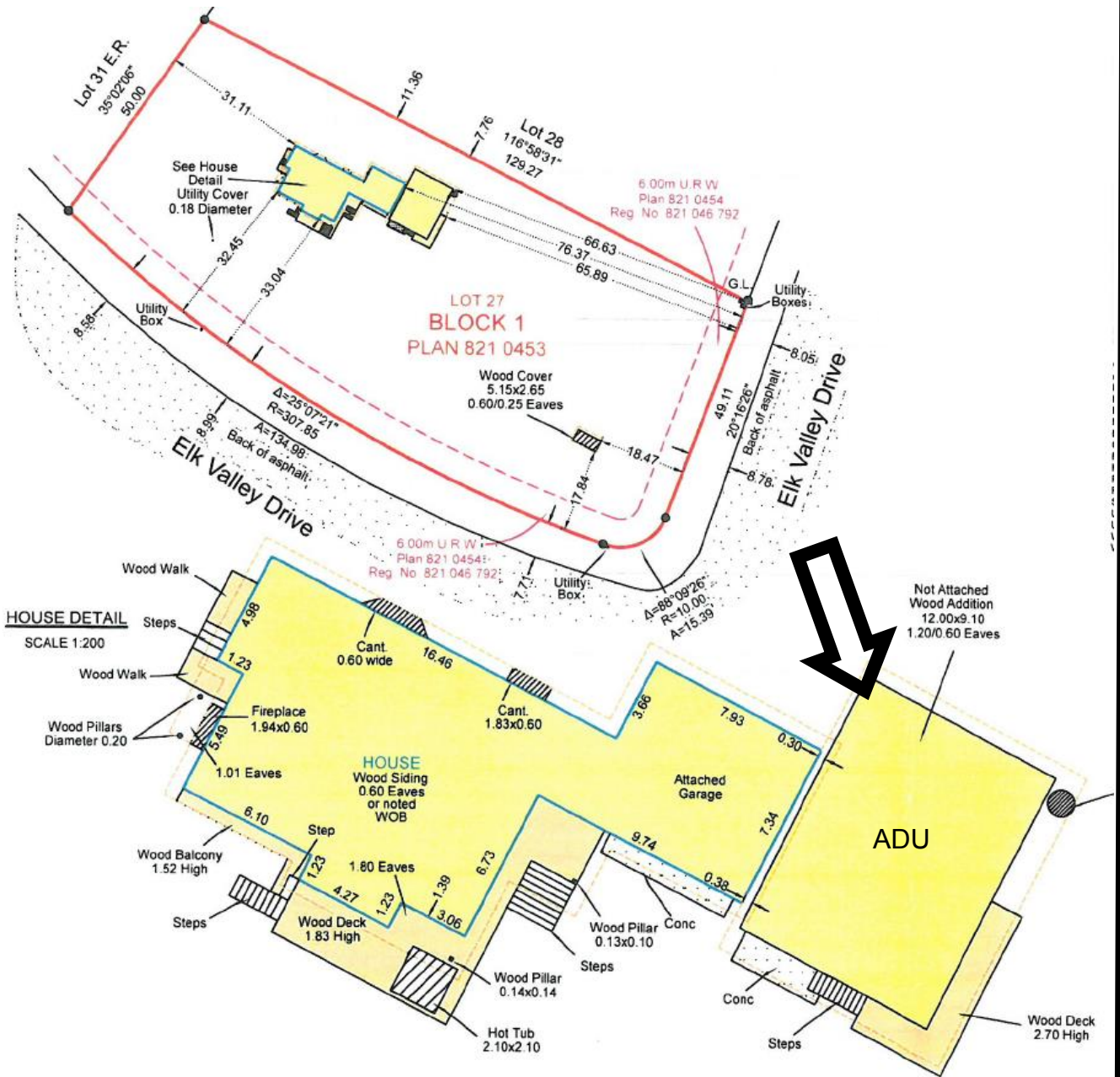
Date: 2-Nov-18

Division # 1

File: 03904027

AGENDA

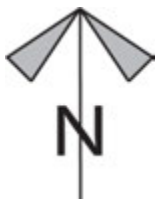
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HOUSE DETAIL

SCALE 1:200

SITE PLAN



NE-04-23-05-W05M

Lot:27 Block:1 Plan:8210453

Date: 2-Nov-18

Division # 1

File: 03904027

AGENDA

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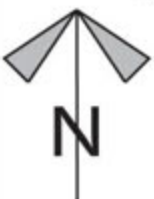
Note: Post processing of raw aerial photography may cause varying degrees of visual distortion at the local level.

AIR PHOTO

Spring 2018

NE-04-23-05-W05M

Lot:27 Block:1 Plan:8210453



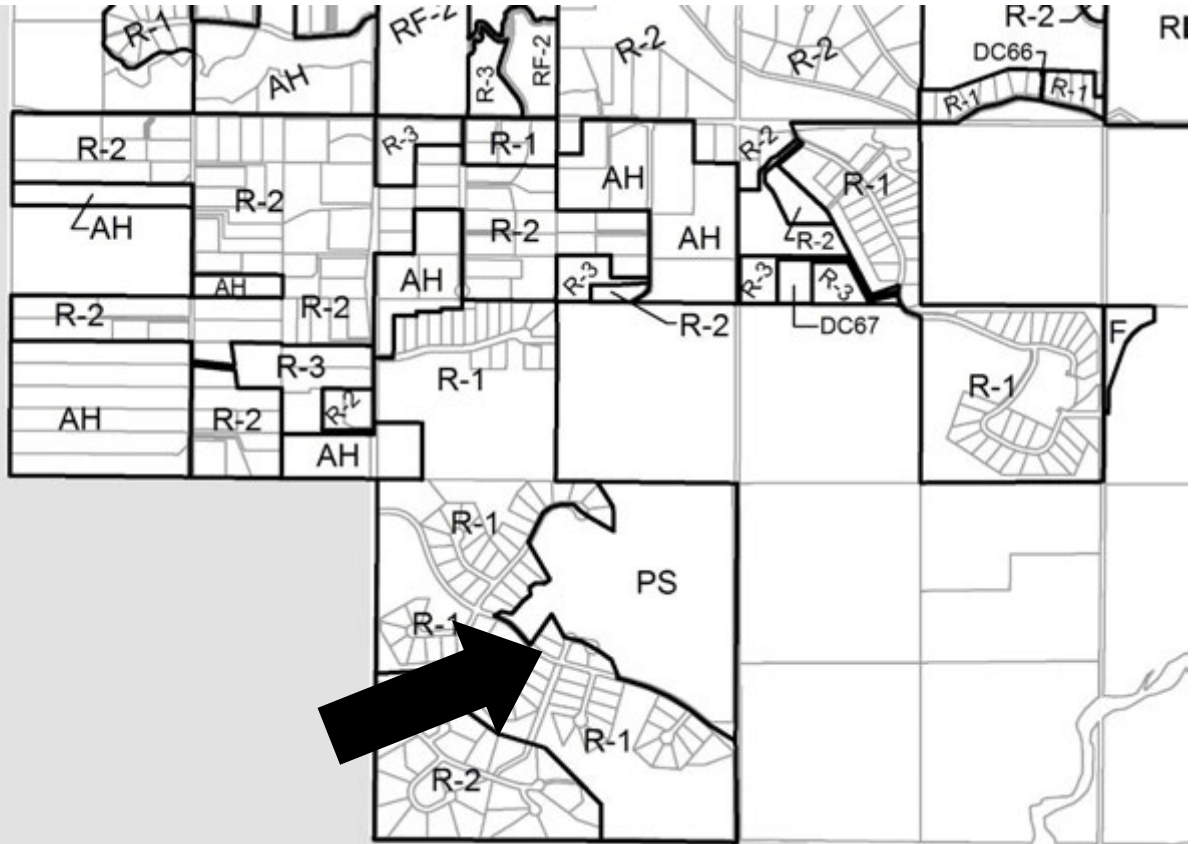
Date: 2-Nov-18

Division # 1

File: 03904027

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KANANASKIS IMPROVEMENT DISTRICT

MUNICIPAL DISTRICT OF FOOTHILLS

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

LAND USE MAP

NE-04-23-05-W05M

Lot:27 Block:1 Plan:8210453

Date: 2-Nov-18

Division # 1

File: 03904027

AGENDA

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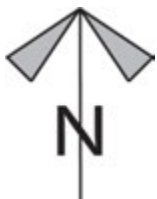




Contours are generated using 10m grid points, and depict general topographic features of the area. Detail accuracy at a local scale cannot be guaranteed. They are included for reference use only.

TOPOGRAPHY

Contour Interval 2 M



NE-04-23-05-W05M

Lot:27 Block:1 Plan:8210453

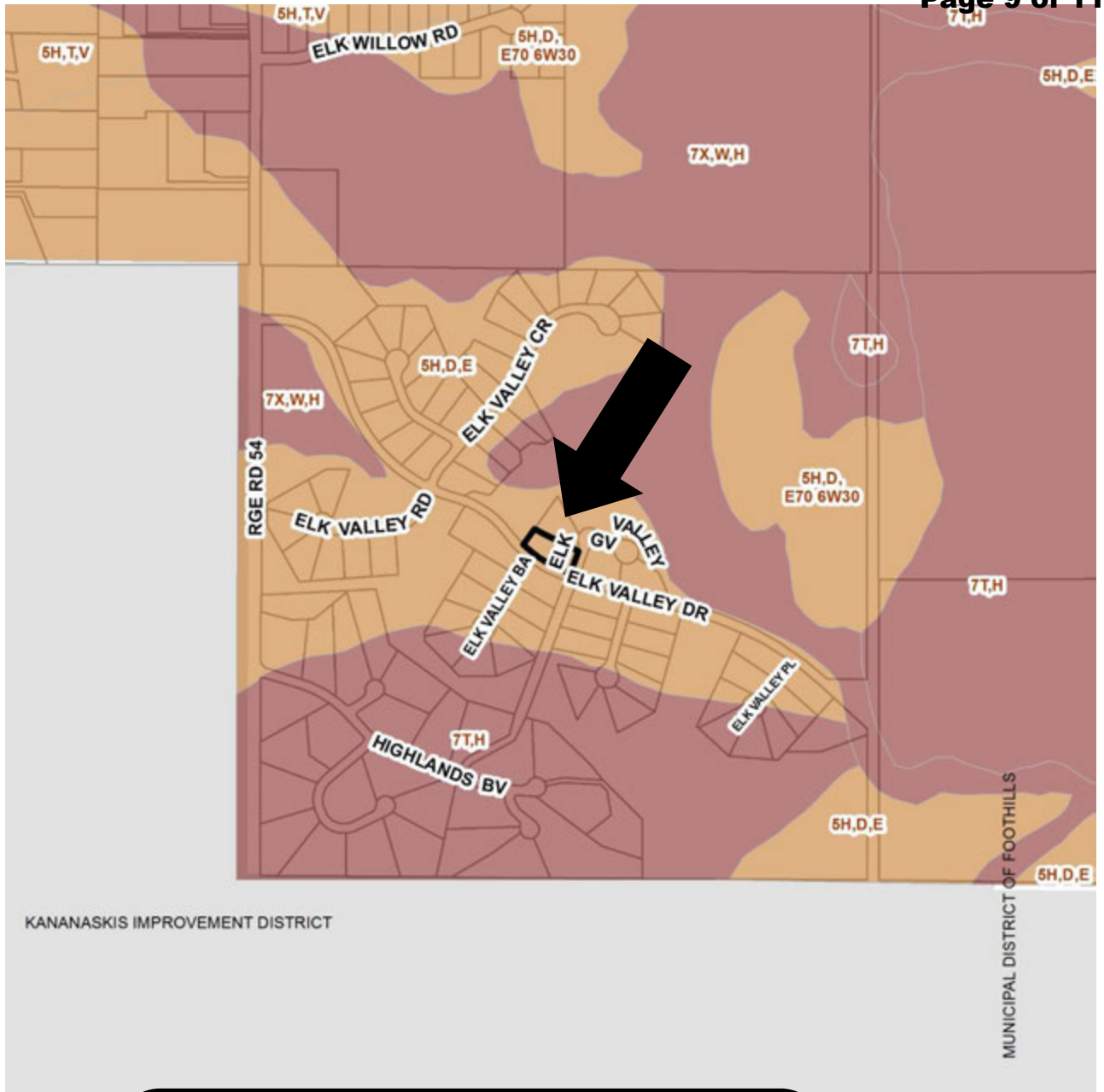
Date: 2-Nov-18

Division # 1

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LAND CAPABILITY CLASSIFICATION LEGEND

Limitations refer to cereal, oilseeds and tame hay crops

CLI Class	Limitations	
1 - No significant limitation	B - brush/tree cover	N - high salinity
2 - Slight limitations	C - climate	P - excessive surface stoniness
3 - Moderate limitations	D - low permeability	R - shallowness to bedrock
4 - Severe limitations	E - erosion damage	S - high sodicity
5 - Very severe limitations	F - poor fertility	T - adverse topography
6 - Production is not feasible	G - Steep slopes	U - prior earth moving
7 - No capability	H - temperature	V - high acid content
	I - flooding	W - excessive wetness/poor drainage
	J - field size/shape	X - deep organic deposit
	K - shallow profile development	Y - slowly permeable
	M - low moisture holding, adverse texture	Z - relatively impermeable

SOIL MAP



NE-04-23-05-W05M

Lot:27 Block:1 Plan:8210453

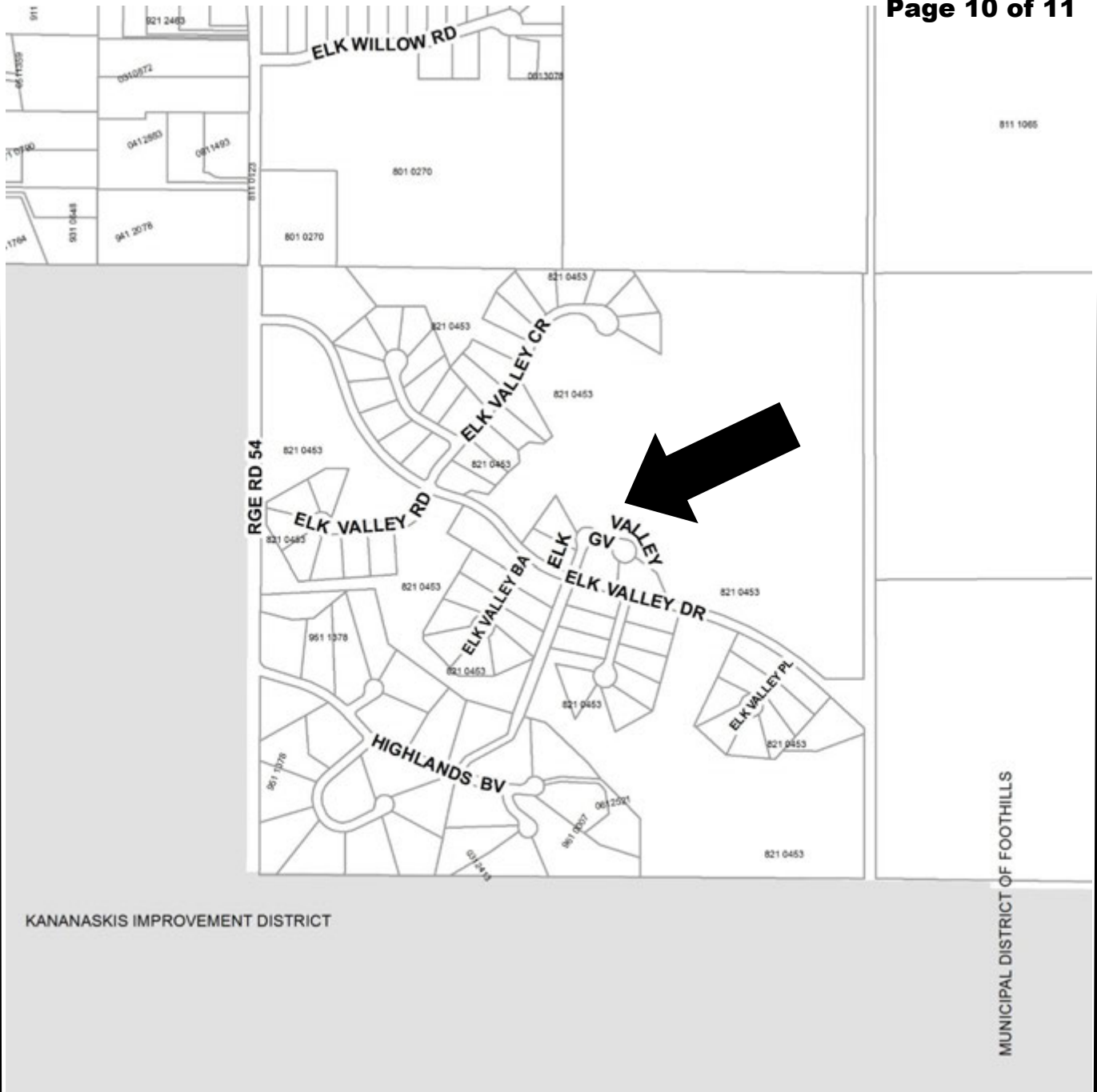
Date: 2-Nov-18

Division # 1

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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

NE-04-23-05-W05M

Lot:27 Block:1 Plan:8210453

Date: 2-Nov-18

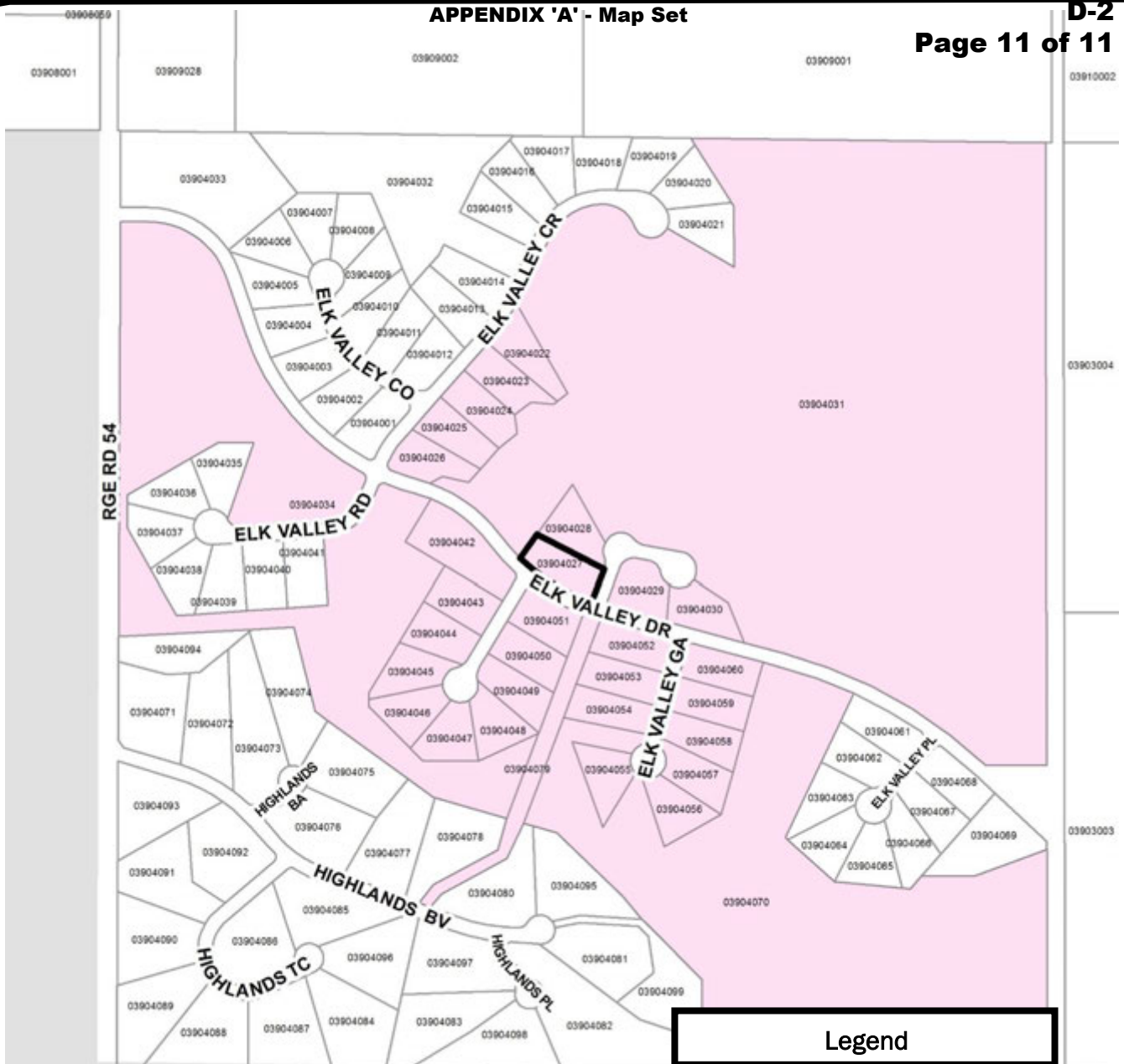
Division # 1

File: 03904027

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KANANASKIS IMPROVEMENT DISTRICT



Letters in Opposition
 Letters in Support

Legend	
	Circulation Area
	Subject Lands

LANDOWNER CIRCULATION AREA

NE-04-23-05-W05M

Lot:27 Block:1 Plan:8210453

Date: 2-Nov-18

Division # 1

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