



## COUNCIL MEETING AGENDA

Date: Tuesday, May 28, 2024  
Time: 9:00 AM  
Location: Council Chambers  
262075 Rocky View Point  
Rocky View County, AB T4A 0X2

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### Pages

**A. CALL MEETING TO ORDER**

**B. UPDATES/APPROVAL OF AGENDA**

**C. APPROVAL OF MINUTES**

1. May 14, 2024 Council Meeting Minutes

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**D. PUBLIC HEARINGS / APPOINTMENTS**

The following public hearings were advertised on April 30, 2024 and May 7, 2024 on the Rocky View County website in accordance with the *Municipal Government Act* and *Public Notification Bylaw C-7860-2019*.

**MORNING PUBLIC HEARINGS / APPOINTMENTS 9:00 AM**

1. Division 5 - Bylaw C-8527-2024 - Redesignation Item: Residential

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File: PL20230143 (06507028)

2. Division 5 - Bylaw C-8528-2024 - Redesignation Item: Residential

45

File: PL20230027 (08501009)

**AFTERNOON PUBLIC HEARINGS / APPOINTMENTS 1:00 PM**

3. Division 7 - Bylaw C-8507-2024 - Direct Control Amendment Item: Residential

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File: PL20230148 (03223841)

4. Division 2 - Bylaw C-8519-2024 - Direct Control Amendment Item: Residential

106

File: PL20230151 (05707078)

**E. CLOSED SESSION**

**1. RVC2024-18 - International Association of Fire Fighters Contract Negotiations and Ratification**

THAT Council move into closed session to consider the confidential item "International Association of Fire Fighters Contract Negotiations and Ratification" pursuant to the following sections of the *Freedom of Information and Protection of Privacy Act*:

- Section 17 – Disclosure harmful to personal privacy
- Section 24 – Advice from officials
- Section 27 – Privileged information

Note: supporting materials for this item were confidentially distributed to Council prior to the closed session under separate cover

**2. RVC2024-21 - Joint Use School Planning Agreement**

THAT Council move into closed session to consider the confidential item "Joint Use School Planning Agreement" pursuant to the following sections of the *Freedom of Information and Protection of Privacy Act*:

- Section 24 – Advice from officials
- Section 25 – Disclosure harmful to economic and other interests of a public body
- Section 27 – Privileged information

Note: supporting materials for this item were confidentially distributed to Council prior to the closed session under separate cover

**F. GENERAL BUSINESS**

- |   |            |
|---|------------|
| <b>1. Division 5 - Kneehill County - Rocky View County Intermunicipal Collaboration Framework Renewal</b>   | <b>169</b> |
| File: N/A   |            |
| <b>2. Division 2 - Springbank Area Structure Plan: Request for Direction</b>  | <b>184</b> |
| File: 1015-550  |            |
| <b>3. All Divisions - Reserve Fund Policy C-222 Amendments</b>  | <b>207</b> |
| File: N/A   |            |
| <b>4. All Divisions - Policy C-700: Council Policy on Council Policies</b>  | <b>214</b> |
| File: N/A   |            |
| <b>5. All Divisions - Consideration of Motion - Council as the Development Authority for Certain Uses in the Business, Live-Work District (B-LWK) Land Use District</b> | <b>223</b> |

Note: this notice of motion was read into the record at the May 14, 2024 Council meeting and will be considered at this meeting

**G. BYLAWS**

**H. SUBDIVISION APPLICATIONS**

- |    |  |     |
|----|--|-----|
| 1. | Division 4 - Subdivision Item: Residential | 225 |
|    | File: PL20230142 (08814007)                |     |
| 2. | Division 3 - Subdivision Item: Residential | 247 |
|    | File: PL20230020 (06708008/06708015)       |     |

- I. UNFINISHED BUSINESS
- J. NOTICES OF MOTION
- K. ADJOURN THE MEETING



**COUNCIL MEETING MINUTES**

Tuesday, May 14, 2024  
9:00 AM

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

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Present: Reeve C. Kissel  
Deputy Reeve D. Kochan  
Councillor G. Boehlke  
Councillor K. Hanson  
Councillor S. Samra  
Councillor A. Schule  
Councillor S. Wright (arrived at 9:08 a.m.)

Also Present: R. McDonald, Interim Chief Administrative Officer  
M. Boscariol, Executive Director, Community Services  
B. Riemann, Executive Director, Operations  
K. Robinson, Executive Director, Corporate Services  
G. van den Burg, Director/Municipal Clerk, Legislative Services  
D. Kazmierczak, Manager, Planning  
C. Morrice, Manager, Legal Services  
S. Altena, Planning Policy Supervisor, Planning  
J. Rebello, Planning and Development Supervisor, Planning  
T. Andreasen, Lead Legislative Officer, Legislative Services  
C. Berger, Planner, Planning  
A. Chell, Senior Planner, Planning  
X. Deng, Senior Planner, Planning  
A. Chell, Planner, Planning  
D. Manawadu, Planner, Planning  
M. Mitton, Legislative Officer, Legislative Services  
M. Nolan, Planner, Planning

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**A Call Meeting to Order**

The Chair called the meeting to order at 9:00 a.m.

**B Updates/Approval of Agenda**

MOVED by Councillor Hanson that the May 14, 2024 Council meeting agenda be amended as follows:

- Add emergent closed session item E-3 "CAO Recruitment Process"

Carried  
Absent: Councillor Wright





MOVED by Councillor Hanson that the May 14, 2024 Council meeting agenda be approved as amended.

Carried  
Absent: Councillor Wright

**C-1 April 23, 2024 Council Meeting Minutes**

MOVED by Councillor Samra that the April 23, 2024 Council meeting minutes be approved as presented.

Carried  
Absent: Councillor Wright

**D-1 Division 6 - Bylaw C-8529-2024 - Redesignation Item: Residential  
File: PL20220194 (04204004)**

MOVED by Councillor Samra that the public hearing for item D-1 be opened at 9:04 a.m.

Carried  
Absent: Councillor Wright

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

Persons(s) who presented: N. Darrel Grant (Applicant)

MOVED by Councillor Samra that Council receive the late public submissions in accordance with section 185 of the *Procedure Bylaw*.

Carried

Person(s) who presented in support: None

Person(s) who presented in opposition: Gary Bullard

Persons(s) who presented rebuttal: N. Darrel Grant (Applicant)

The Chair called for a recess at 9:41 a.m. and called the meeting back to order at 9:49 a.m.

MOVED by Councillor Samra that the public hearing for item D-1 be closed at 9:51 a.m.

Carried

MOVED by Councillor Samra that application PL20220194 be refused.

Carried

**D-2 Division 6 - Bylaw C-8516-2024 - Redesignation Item: Business  
File: PL20210142 (03323017)**

MOVED by Councillor Samra that the public hearing for item D-2 be opened at 9:58 a.m.

Carried

Persons(s) who presented: Andrew Ulmer, Terradigm Consultants (Applicant)

Person(s) who presented in support: None



Person(s) who presented in opposition: None

Persons(s) who presented rebuttal: None

MOVED by Councillor Samra that the public hearing for item D-2 be closed at 10:16 a.m.  
Carried

MOVED by Councillor Samra that Bylaw C-8516-2024 be given first reading.  
Carried

MOVED by Councillor Samra that Bylaw C-8516-2024 be given second reading.  
Carried

MOVED by Councillor Samra that Bylaw C-8516-2024 be considered for third reading.  
Carried Unanimously

MOVED by Councillor Samra that Bylaw C-8516-2024 be given third and final reading.  
Carried

**G-1 Division 6 - Bylaw C-8476-2024 and Bylaw C-8477-2024 - Local Plan and  
Redesignation Item: Industrial  
File: PL20200150 and PL20200151 (05306001/5)**

MOVED by Councillor Samra that Council allow the applicant N. Darrell Grant to address Council  
for 5 minutes on item G-1 in accordance with 116 of the section of the *Procedure Bylaw*.  
Carried

Persons(s) who presented: N. Darrell Grant (Applicant)

MOVED by Councillor Samra that Bylaw C-8476-2024 be given first reading.  
Carried

MOVED by Councillor Samra that Bylaw C-8476-2024 be given second reading.  
Carried

MOVED by Councillor Samra that Bylaw C-8476-2024 be considered for third reading.  
Carried Unanimously

MOVED by Councillor Samra that Bylaw C-8476-2024 be given third and final reading.  
Carried

MOVED by Councillor Samra that Bylaw C-8477-2024 be given first reading.  
Carried

MOVED by Councillor Samra that Bylaw C-8477-2024 be given second reading.  
Carried

MOVED by Councillor Samra that Bylaw C-8477-2024 be considered for third reading.  
Carried Unanimously



MOVED by Councillor Samra that Bylaw C-8477-2024 be given third and final reading.

Carried

**E-1 Closed Session – Rodeo Ridge Community - Ownership of Private Road Units**  
**File: RVC2024-11**

MOVED by Deputy Reeve Kochan that Council move into closed session at 10:30 a.m. to consider the closed session item "Rodeo Ridge Community - Ownership of Private Road Units" pursuant to the following sections of the *Freedom of Information and Protection of Privacy Act*:

- Section 23 – Local public body confidences
- Section 24 – Advice from officials

Carried

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

Rocky View County:	R. McDonald, Interim Chief Administrative Officer
	M. Boscariol, Executive Director, Community Services
	B. Riemann, Executive Director, Operations
	K. Robinson, Executive Director, Corporate Services
	G. van den Burg, Director/Municipal Clerk, Legislative Services
	C. Morrice, Manager, Legal Services

MOVED by Deputy Reeve Kochan that Council move into open session at 10:54 a.m.

Carried

**E-1 Closed Session – Rodeo Ridge Community - Ownership of Private Road Units**  
**File: RVC2024-11**

MOVED by Deputy Reeve Kochan that Council direct Administration to proceed with the mandate outlined in Option 2 as discussed in confidential report RVC2024-11.

Carried

**E-3 Emergent Business Item – Closed Session – CAO Recruitment Process**  
**File: RVC2024-20**

MOVED by Deputy Reeve Kochan that Council move into closed session at 10:55 a.m. to consider the closed session item "CAO Recruitment Process" pursuant to the following sections of the *Freedom of Information and Protection of Privacy Act*:

- Section 17 – Disclosure harmful to personal privacy
- Section 19 – Confidential evaluations
- Section 24 – Advice from officials

Carried



Council held the closed session for confidential item E-3 with the following additional people in attendance:

Rocky View County:	None
Others:	J. Soles, Janet Soles & Associates T. Hamilton, Janet Soles & Associates M. Aasen, McLennan Ross

MOVED by Deputy Reeve Kochan that Council move into open session at 1:05 p.m.

Carried

**E-3 Emergent Business Item – Closed Session – CAO Recruitment Process**  
**File: RVC2024-20**

MOVED by Deputy Reeve Kochan that Council authorize the Reeve, in collaboration with the Executive Search Consultants, to immediately enter into contractual negotiations with the preferred candidate as outlined in the May 14<sup>th</sup> Council closed session.

Carried

MOVED by Deputy Reeve Kochan that Council appoint Byron Riemann as acting CAO commencing May 24, 2024 until such time as a new permanent CAO has assumed the position.

Carried

**D-3 Division 6 - Bylaw C-8524-2024 and Bylaw C-8525-2024 - Local Plan Amendment and Redesignation Item: Residential**  
**File: PL20210120 and PL20210121 (05618459)**

Reeve Kissel vacated the Chair in accordance with section 10 of the *Procedure Bylaw* as the local plan amendment and redesignation application were located in her electoral division.

Deputy Reeve Kochan assumed the Chair.

MOVED by Reeve Kissel that the public hearing for item D-3 be opened at 1:08 p.m.

Carried

Persons(s) who presented:	Michael Brown, Trico Homes Norman Damkar (pre-recorded presentation) Chris Andrew, B&A Studios (Applicant)
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Person(s) who presented in support:	Donovan Saltvold Greg Hickaway Dave Collyer Ken Stagg
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Person(s) who presented in opposition:	Michael Fox Martine Albert Lené Fox
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Persons(s) who presented rebuttal: Michael Brown, Trico Homes

The Chair called for a recess at 2:45 p.m. and called the meeting back to order at 3:01 p.m.

MOVED by Reeve Kissel that the public hearing for item D-3 be closed at 3:01 p.m.

Carried

Main Motion

MOVED by Reeve Kissel that Council refer applications PL20210120 and PL20210121 back to Administration to address concerns related to:

- The wastewater treatment plant expansion requirements
- HOA - requirement of an agreement between Watermark HOA and Damkar Villas
- Recreation space needed and consideration for a Community Centre
- Dark skies, lighting to be confirmed
- Confirmation of buffer on the north and west boundary of the property
- Revised the measurement of the Villa height from 11m to 9m

Amending Motion

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

THAT Council refer applications PL20210120 and PL20210121 back to Administration to work with the Applicant to address concerns related to:

- The wastewater treatment plant expansion requirements
- HOA - requirement of an agreement between Watermark HOA and Damkar Villas
- Recreation space needed and consideration for a Community Centre
- Dark skies, lighting to be confirmed
- Confirmation of buffer on the north and west boundary of the property
- Revised the measurement of the Villa height from 11m to 9m

Carried

Main Motion as Amended

MOVED by Reeve Kissel that Council refer applications PL20210120 and PL20210121 back to Administration to work with the Applicant to address concerns related to:

- The wastewater treatment plant expansion requirements
- HOA - requirement of an agreement between Watermark HOA and Damkar Villas
- Recreation space needed and consideration for a Community Centre
- Dark skies, lighting to be confirmed
- Confirmation of buffer on the north and west boundary of the property
- Revised the measurement of the Villa height from 11m to 9m

Carried



Main Motion

MOVED by Reeve Kissel that Council direct Administration to bring back the revised applications to a Public Hearing.

Amending Motion

MOVED by that the main motion be amended as follows:

THAT Council direct Administration to bring back the revised applications to a Public Hearing, **within four months.**

Carried

Main Motion as Amended

MOVED by Reeve Kissel that Council direct Administration to bring back the revised applications to a Public Hearing, within four months.

Carried

The Chair called for a recess at 3:22 p.m. and called the meeting back to order at 3:30 p.m.

Deputy Reeve Kochan vacated the Chair. Reeve Kissel reassumed the Chair.

**D-4 All Divisions - Bylaw C-8530-2024 - Land Use Bylaw Amendments – Existing Buildings and Community Entrance Signs  
File: 1013-137**

MOVED by Councillor Boehlke that the public hearing for item D-4 be opened at 3:31 p.m.

Carried

Persons(s) who presented: J. Rebello, Planning and Development Supervisor,  
Planning

Person(s) who presented in support: None

Person(s) who presented in opposition: None

Persons(s) who presented rebuttal: None

MOVED by Councillor Boehlke that the public hearing for item D-4 be closed at 3:43 p.m.

Carried

MOVED by Councillor Hanson that Bylaw C-8530-2024 be given first reading.

Carried

MOVED by Councillor Hanson that Bylaw C-8530-2024 be given second reading.

Carried

MOVED by Councillor Hanson that Bylaw C-8530-2024 be considered for third reading.

Carried Unanimously



MOVED by Councillor Hanson that Bylaw C-8530-2024 be given third and final reading.

Carried

**F-1 All Divisions - Meadow Ridge Road Conrich Estates – Local Improvement Plan Update  
File: N/A**

MOVED by Councillor Samra that Rani Duhra, Arvin Bhatia, and Navdeep Bhatia be allowed to address Council on item F-1 in accordance with 116 of the section of the *Procedure Bylaw*.

Carried

Persons(s) who presented: Arvin Bhatia  
Navdeep Bhatia  
Rani Duhra

MOVED by Councillor Samra that Mr. Basati be allowed to address Council on item F-1 in accordance with section 116 of the *Procedure Bylaw*.

Carried

Persons(s) who presented: Bhupinder Basati

MOVED by Councillor Samra that Council directs Administration to defer the installation of new infrastructure, water, and wastewater local improvement at Meadow Ridge Road in the Conrich Estates subdivision;

AND THAT Council directs Administration to explore other options for expanding water and wastewater services in the Conrich area, with a report to be brought back to Council by the end of Q3 2024.

Carried

Councillor Boehlke left the meeting at 4:42 p.m. and returned to the meeting at 4:44 p.m.

**F-2 All Divisions - Update: Implementation of Policy C-327 (Circulation and Notification Standards) Amendments  
File: N/A**

MOVED by Councillor Wright that Council receive the Update: Implementation of Policy C-327 (Circulation and Notification Standards) Amendments report as information.

Carried

MOVED by Councillor Wright that Council directs Administration to undertake a comprehensive update of Circulation and Notification Standards Policy C-327 with a revised policy presented to Council by the end of Q4 2024. The update shall include the following areas:

- a. Offering simple and clear application notification areas based on best practice, the scale of development, and local context.
- b. Potential replacement of signage requirements with additional requirements for applicant-led engagement measures on larger-scale proposals.



- c. Provision of a range of both digital and hard copy methods that support an inclusive and accessible notification process.

Defeated

**F-3 Division 1 - Bragg Creek Area Structure Plan Hamlet Review - Visioning Committee Appointments**  
**File: 1013-285**

MOVED by Councillor Hanson that Council move into closed session to discuss the "Bragg Creek Area Structure Plan Hamlet Review - Visioning Committee Appointments" at 5:19 p.m. pursuant to the following sections of the *Freedom of Information and Protection of Privacy Act*:

- Section 19 – Confidential evaluations
- Section 24 – Advice from officials

Carried

Council held the closed session for item F-3 with the following additional people in attendance:

Rocky View County:	R. McDonald, Interim Chief Administrative Officer
	M. Boscariol, Executive Director, Community Services
	G. van den Burg, Director/Municipal Clerk, Legislative Services
	D. Kazmierczak, Manager, Planning
	S. Altena, Planning Policy Supervisor, Planning
	A. Chell, Planner, Planning

MOVED by Councillor Hanson that Council move into open session at 5:39 p.m.

Carried

MOVED by Councillor Hanson that Council appoint Neal LaMontagne to the position of Chair of the Greater Bragg Creek ASP Hamlet Review Visioning Committee.

Carried

MOVED by Councillor Hanson that Council appoint Baruch Laskin, Terri-Lynn Duque, Clint Docken, Renee Delorme, Ian Greenhalgh, Lindsey Kindrat, Tijs Overmars, and Shannon Bailey, to be members of the Greater Bragg Creek ASP Hamlet Review Visioning Committee.

Carried

**F-4 All Divisions - Appointments to the Subdivision and Development Appeal Board and Enforcement Appeal Committee**  
**File: N/A**

MOVED by Councillor Wright Council appoint Executive Directors Kent Robinson and Byron Riemann as scrutineers for the appointments to the Subdivision and Development Appeal Board and Enforcement Appeal Committee.

Carried

The Chair called for nominations for two members at large to be appointed to the Subdivision and Development Appeal Board and Enforcement Appeal Committee for 3.5 year terms.





Councillor Samra nominated the following applicants to be members at large of the Subdivision and Development Appeal Board and Enforcement Appeal Committee for a 3.5 year term:

- Tim Creelman
- Tricia Fehr
- Kanwar Jit Gill
- Prab Gill
- Morrie Goetjen
- Wendy Metzger
- Devinder Shory
- Roc Spence
- Christine Trottier
- Shelley Vandenberg
- Bradley Wanchulak

There being no applicants remaining to nominate, the Chair ceased nominations.

Executive Directors Kent Robinson and Byron Riemann administered a vote by secret ballot. The vote by secret ballot resulted in a four-way tie between Tim Creelman, Devinder Shory, Roc Spence, and Bradley Wanchulak.

Executive Directors Kent Robinson and Byron Riemann administered an additional vote by secret ballot. The additional vote by secret ballot resulted in Roc Spence and Bradley Wanchulak being the successful nominees.

MOVED by Deputy Reeve Kochan that Council appoint the following individuals to the Subdivision and Development Appeal Board and Enforcement Appeal Committee for a 3.5 year term to end at Council's 2027 Organizational Meeting:

- Roc Spence
- Bradley Wanchulak

Carried

**E-2 Closed Session – Recreation Facility Governance and Ownership**  
**File: RVC2024-19**

MOVED by Councillor Hanson that Council move into closed session to consider the closed session item "Recreation Facility Governance and Ownership" at 5:58 p.m. pursuant to the following sections of the *Freedom of Information and Protection of Privacy Act*:

- Section 21 – Disclosure harmful to intergovernmental relations
- Section 24 – Advice from officials
- Section 25 – Disclosure harmful to economic and other interests of a public body

Carried



Council held the closed session for confidential item E-2 with the following additional people in attendance:

Rocky View County: R. McDonald, Interim Chief Administrative Officer  
M. Boscariol, Executive Director, Community Services  
B. Riemann, Executive Director, Operations  
K. Robinson, Executive Director, Corporate Services  
G. van den Burg, Director/Municipal Clerk, Legislative Services

MOVED by Deputy Reeve Kochan that Council move into open session at 6:15 p.m.

Carried

**E-2 Closed Session – Recreation Facility Governance and Ownership**  
**File: RVC2024-19**

MOVED by Deputy Reeve Kochan that Council direct Administration to proceed with confidential Option 1 as discussed during the closed session for RVC2024-19.

Carried

**J-1 Division 6 - Notice of Motion - Councillor Samra and Councillor Hanson - Council as the Development Authority for Certain Uses in the Business, Live-Work District (B-LWK) Land Use District**  
**File: N/A**

This notice of motion was read into the record at the May 14, 2024 Council meeting. The motion as read into the record will be debated at the May 28, 2024 Council meeting.

TITLE: Council as the Development Authority for Certain Uses in the Business, Live-Work District (B-LWK) Land Use District

WHEREAS Council adopted the following resolution at the April 23, 2024 Council meeting:

*MOVED by Councillor Samra that Council be the Development Authority for any development permit applications on Business, Live-Work District (B-LWK) land use, in accordance with section 49 of the Land Use Bylaw.*

*Carried*

AND WHEREAS the resolution adopted by Council has made Council the Development Authority for all development permit applications within the B-LWK district of the *Land Use Bylaw*;

AND WHEREAS Council may not want to be the Development Authority for all development permit applications within the B-LWK district of the *Land Use Bylaw* due to the number of less intense development permit applications that would need to be considered by Council;



AND WHEREAS Council instead may want to be the Development Authority for development permit applications only for certain uses within the B-LWK district of the *Land Use Bylaw*;

AND WHEREAS the following uses are generally more intense than other uses within the B-LWK district of the *Land Use Bylaw* and should be considered by Council as the Development Authority;

- Accessory Building > 150.00 m2 (1614.59 ft2)
- Automotive Services (Minor)
- Automotive Services (Major)
- Care Facility (Child)
- Care Facility (Clinic)
- Care Facility (Group)
- Home-Based Business (Type II)
- Industrial (Light)
- Industrial (Medium)
- Kennel
- Outdoor Storage
- Special Function Business

THEREFORE, BE IT RESOLVED THAT Council rescinds the following resolution adopted at the April 23, 2024 Council meeting in accordance with section 169 of the *Procedure Bylaw*:

*MOVED by Councillor Samra that Council be the Development Authority for any development permit applications on Business, Live-Work District (B-LWK) land use, in accordance with section 49 of the Land Use Bylaw.*

*Carried*

AND THAT, in accordance with section 49 of the *Land Use Bylaw*, Council be the Development Authority for development applications for the following uses within the Business, Live-Work District (B-LWK) land use district:

- Accessory Building > 150.00 m2 (1614.59 ft2)
- Automotive Services (Minor)
- Automotive Services (Major)
- Care Facility (Child)
- Care Facility (Clinic)
- Care Facility (Group)
- Home-Based Business (Type II)
- Industrial (Light)
- Industrial (Medium)
- Kennel
- Outdoor Storage
- Special Function Business



**K Adjourn the Meeting**

MOVED by Councillor Samra that the May 14, 2024 Council meeting be adjourned at 6:18 p.m.  
Carried

\_\_\_\_\_  
Reeve or Deputy Reeve

\_\_\_\_\_  
Chief Administrative Officer or designate



# COUNCIL REPORT

## Redesignation Item: Residential

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Electoral Division: 5

File: PL20230143 / 06507028

Date:	May 28, 2024		
Presenter:	Maureen Nolan, Planner 1		
Department:	Planning		
Approved by:	<input checked="" type="checkbox"/> Executive Director / Director	and/or	<input checked="" type="checkbox"/> Chief Administrative Officer

### REPORT SUMMARY

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The purpose of this report is to assess redesignation of Lot 2, Block 1, Plan 9310353 within SW-07-26-01-W05M from Residential, Rural District (R-RUR) to Residential, Country Residential District (R-CRD) to facilitate future subdivision of one  $\pm$  0.81 hectare ( $\pm$  2.00 acre) lot.

The subject parcel is located outside of an Area Structure Plan; as such, the application was evaluated in accordance with the Calgary Metropolitan Region Board Growth Plan (Growth Plan), the Rocky View County/City of Calgary Intermunicipal Development Plan (IDP), the Municipal Development Plan (County Plan), and the *Land Use Bylaw*, and was found to align with the relevant policies and regulations. Although the proposal does not comply with Section 411 (Emergency Access) of the County Servicing Standards, the proposed increase of one new lot to the subject area is not considered a significant concern and Council may waive the emergency access requirements at the time of future subdivision.

### ADMINISTRATION'S RECOMMENDATION

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THAT Bylaw C-8527-2024 be given first reading.

THAT Bylaw C-8527-2024 be given second reading.

THAT Bylaw C-8527-2024 be considered for third reading.

THAT Bylaw C-8527-2024 be given third and final reading.

## Redesignation Item: Residential

### BACKGROUND

#### Location (Attachment A)

Located approximately 0.81 kilometres (0.50 miles) south of Highway 566 and 1.61 kilometres (1 mile) east of Highway 722, approximately 0.33 kilometres (0.21 miles) north of the City of Calgary.



#### Site History (Attachment B)

The subject quarter section was subdivided between 1973 and 1975 to create Blocks 1-3, Block R-4 (Public Reserve), and Blocks 5-9. Further fragmentation of the subject quarter section occurred between 1988 and 2017. On February 23, 1993, Blocks 7 & 8, Plan 7510179 were further subdivided into four  $\pm 1.62$  hectares ( $\pm 4.00$  acres) parcels and two  $\pm 3.24$  hectares ( $\pm 8.01$  acres) parcels (Lots 1-6, Plan 9310353).

#### Intermunicipal and Agency Circulation (Attachment C)

The application was circulated to all necessary intermunicipal neighbours, internal and external agencies.

This application was circulated to the City of Calgary in accordance with the Rocky View County/City of Calgary Intermunicipal Development Plan (IDP). The City of Calgary does not support land use redesignation applications to facilitate future subdivision applications within their identified growth areas.

Alberta Transportation and Economic Corridors has provided no concerns on the proposed application; further review and comments will be provided at the time of future subdivision.

Park Lane is a dead end road and there are currently more than 10 lots that gain access off this road. Section 411 (Emergency Access) of the County Servicing Standards requires two separate access points to an existing through road for any rural development that will result in 10 lots or greater. At the time of future subdivision, Council has the ability to waive the emergency access requirements in accordance with Section 411.

#### Landowner Circulation (Attachment D)

The application was circulated to 166 adjacent landowners in accordance with the *Municipal Government Act* and County Policy C-327 (Circulation and Notification Standards); 4 letters in support and 1 letter in opposition were received.



## Redesignation Item: Residential

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### ANALYSIS

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#### Policy Review (Attachment E)

The application was found to align with Section 8.0 (Growth Corridors/Areas and Annexation) of the IDP, Section 5.0 (Managing Residential Growth), Section 10.0 (Country Residential Development), and Section 27.0 (Intergovernmental Relationships) of the County Plan.

The subject land is located within an identified City of Calgary Residential Growth Area and as per Policy 27.17 of the County Plan, the application shall be evaluated in consultation with the City of Calgary and in accordance with the IDP. The application was referred to the City of Calgary and the City provided comments in opposition to the application. In accordance with Policies 8.1.3 and 8.1.4 of the IDP, the application should be reviewed pursuant to the IDP, the County Plan, and the *Land Use Bylaw*. Although an objective of Section 8.0 of the IDP is to recognize growth corridors/areas for both municipalities, the subject quarter section is already fragmented, and the application was found to align with the existing Rocky View County policy documents, and therefore complies with the IDP.

Residential development in the agricultural area is guided by the goals and policies of the County Plan. The subject land is within a Fragmented Quarter Section and the proposal was found to align with Policy 10.11; as such, redesignation to a new residential land use may be supported. All lots within the subject quarter section have a residential land use designation and range from approximately  $\pm 0.81$  hectares ( $\pm 2.00$  acres) to  $\pm 6.48$  hectares ( $\pm 16.01$  acres) in size. Administration found that a lot and road plan would provide limited benefit at this time, as the area can support increased country residential development and further subdivision to the minimum parcel size of ( $\pm 0.81$  hectares)  $\pm 1.95$  acres in the R-CRD District through the existing road layout, which meets the intent of a lot and road plan. The proposed future parcel sizes are consistent with the Residential, Country Residential District (R-CRD) requirements within the *Land Use Bylaw*.

### COMMUNICATIONS / ENGAGEMENT

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Consultation was conducted in accordance with statutory requirements and County Policy C-327.

### IMPLICATIONS

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#### Financial

No financial implications identified at this time.

### STRATEGIC ALIGNMENT

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This report is a statutory obligation under the *Municipal Government Act*.

### ALTERNATE DIRECTION

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No alternative options have been identified for Council's consideration.

### ATTACHMENTS

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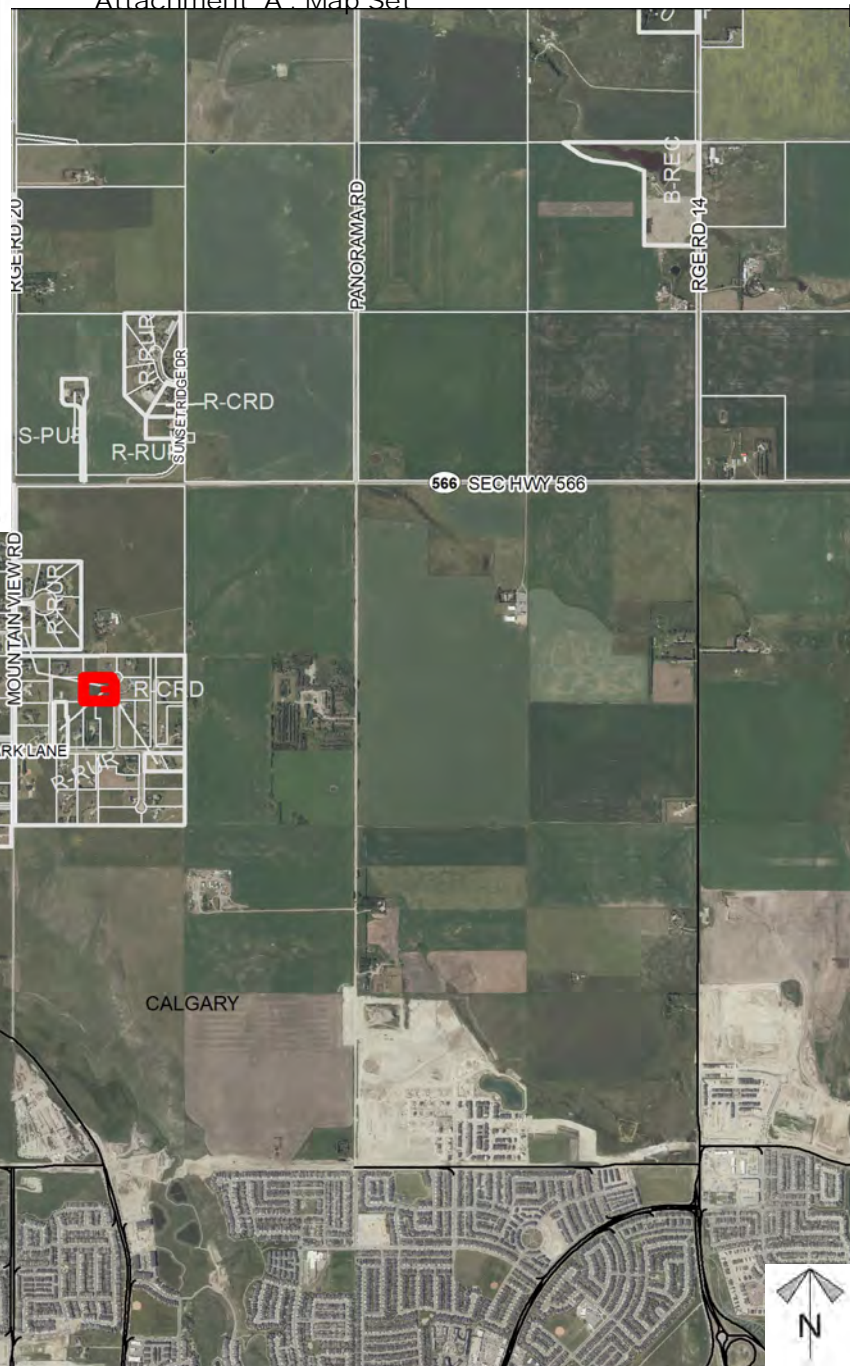
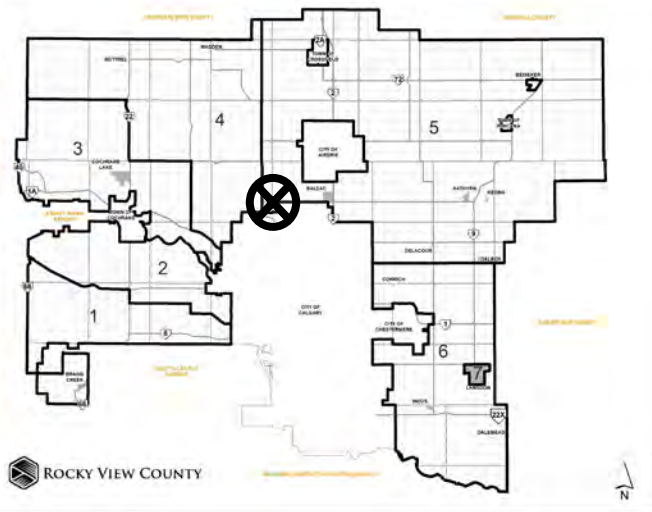
Attachment A: Map Set  
Attachment B: Application Information  
Attachment C: Application Referral Responses  
Attachment D: Public Submissions  
Attachment E: Policy Review  
Attachment F: Draft Bylaw C-8527-2024



## Location & Context

### Redesignation Proposal

To redesignate the subject land from Residential, Rural District (R-RUR) to Residential, Country Residential District (R-CRD) to facilitate the creation of one  $\pm 0.81$  hectare ( $\pm 2.00$  acre) parcel with a  $\pm 0.81$  hectare ( $\pm 2.00$  acre) remainder.







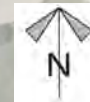
## Development Proposal

### Redesignation Proposal

To redesignate the subject land from Residential, Rural District (R-RUR) to Residential, Country Residential District (R-CRD) to facilitate the creation of one  $\pm 0.81$  hectare ( $\pm 2.00$  acre) parcel with a  $\pm 0.81$  hectare ( $\pm 2.00$  acre) remainder.

**R-RUR → R-CRD**  
 $\pm 1.62$  ha  
 ( $\pm 4.00$  ac)

MOUNTAIN VIEW CLOSE





## Environmental

### Redesignation Proposal

To redesignate the subject land from Residential, Rural District (R-RUR) to Residential, Country Residential District (R-CRD) to facilitate the creation of one  $\pm 0.81$  hectare ( $\pm 2.00$  acre) parcel with a  $\pm 0.81$  hectare ( $\pm 2.00$  acre) remainder.

-  Subject Lands
-  Contour - 2 meters
-  Riparian Setbacks
-  Alberta Wetland Inventory
-  Surface Water

Division: 5  
 Roll: 06507028  
 File: PL20230143  
 Printed: Dec 6, 2023  
 Legal: A portion of SW-7-26-1-  
 Page 22 of 275

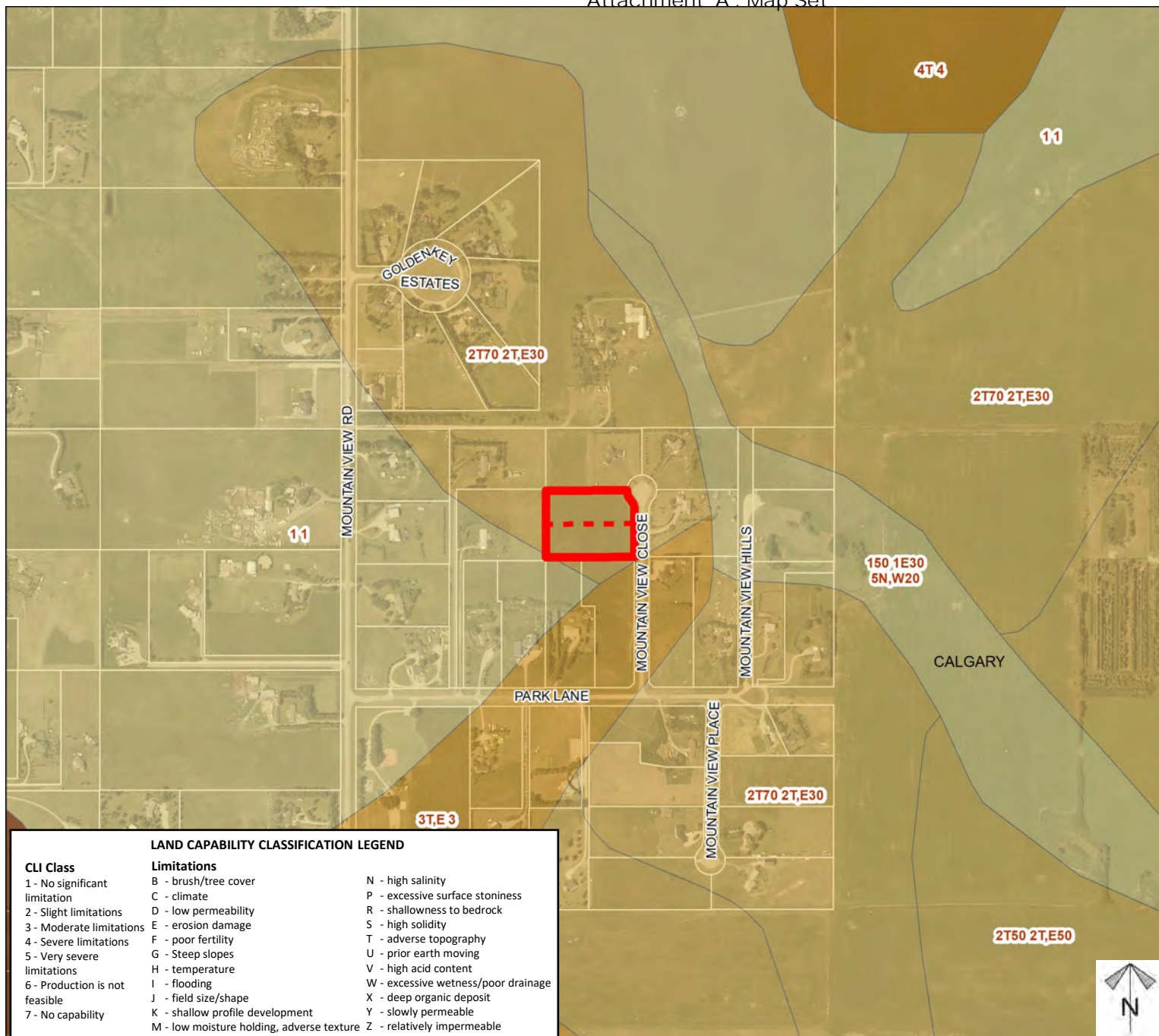




## Soil Classifications

### Redesignation Proposal

To redesignate the subject land from Residential, Rural District (R-RUR) to Residential, Country Residential District (R-CRD) to facilitate the creation of one  $\pm 0.81$  hectare ( $\pm 2.00$  acre) parcel with a  $\pm 0.81$  hectare ( $\pm 2.00$  acre) remainder.





## Landowner Circulation Area

### Redesignation Proposal

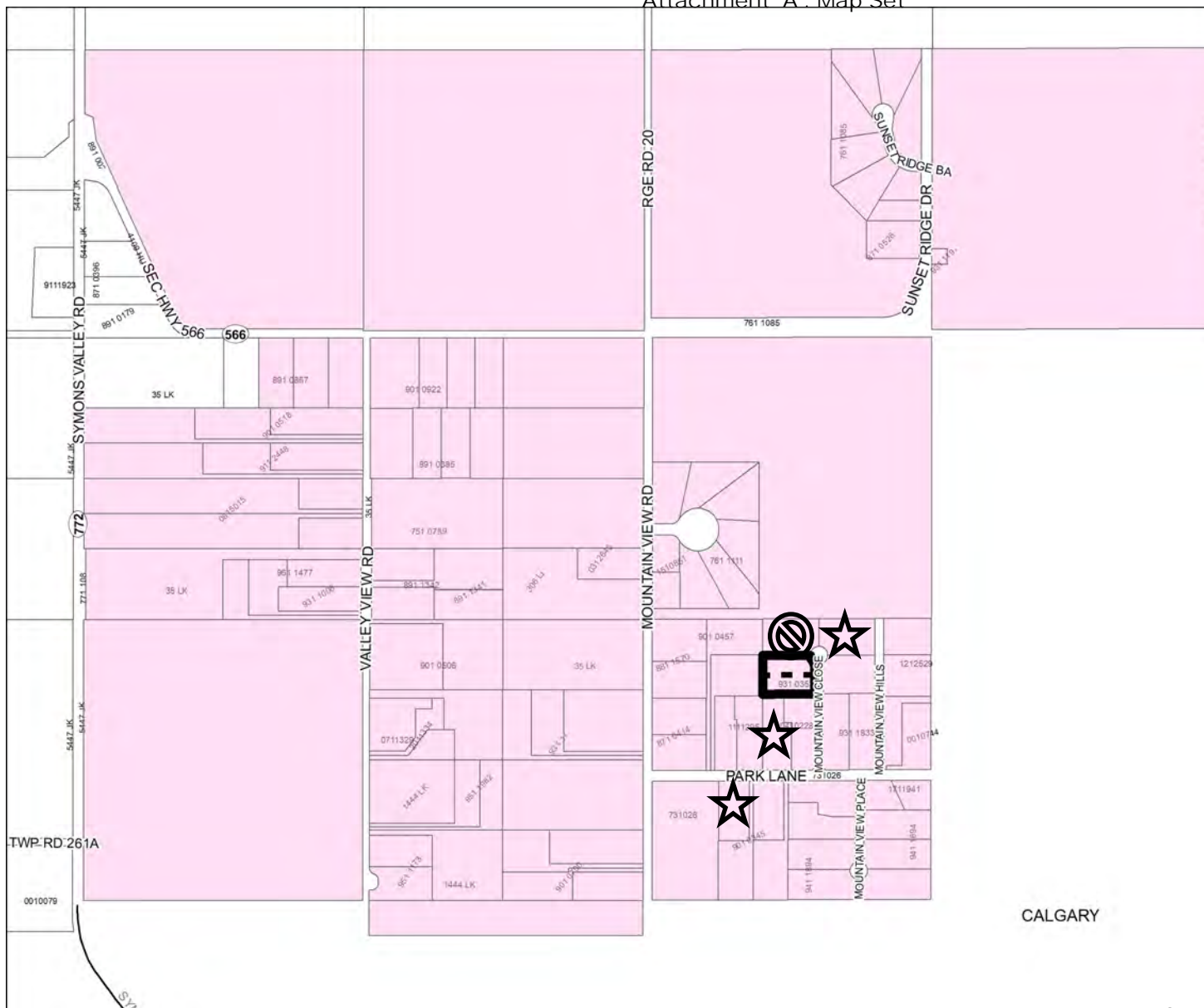
To redesignate the subject land from Residential, Rural District (R-RUR) to Residential, Country Residential District (R-CRD) to facilitate the creation of one  $\pm 0.81$  hectare ( $\pm 2.00$  acre) parcel with a  $\pm 0.81$  hectare ( $\pm 2.00$  acre) remainder.

### Legend

Support



Not Support



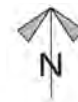
CALGARY

Note: First two digits 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.



1 letter outside of  
Circulation Area



**ATTACHMENT B: APPLICATION INFORMATION**

<b>APPLICANT/OWNERS:</b> Harmeet Pannu and Satnam Pannu / Harmeet Pannu	<b>DATE APPLICATION RECEIVED:</b> December 1, 2023
<b>GROSS AREA:</b> ± 1.62 hectares (± 4.00 acres)	<b>LEGAL DESCRIPTION:</b> Lot 2, Block 1, Plan 9310353, SW-07-26-01-W05M
<b>Pre-Application Meeting Held:</b> <input checked="" type="checkbox"/>	<b>Meeting Date:</b> 2023-09-14
<b>SOILS (C.L.I. from A.R.C.):</b> 2T70 2T,E30 – Slight limitations to crop production due to adverse topography and erosion damage.	
<b>HISTORY:</b> <p><b>April 10, 1973:</b> Part of SW-07-26-01-W05M was subdivided to create Block R-4 (Public Reserve) and Blocks 5 &amp; 6 (Plan 731026).</p> <p><b>December 18, 1973:</b> Part of SW-07-26-01-W05M was subdivided to create Blocks 2 &amp; 3 (Plan 731688).</p> <p><b>June 20, 1974:</b> Part of SW-07-26-01-W05M was subdivided to create Block 1 (Plan 7410512).</p> <p><b>March 6, 1975:</b> Part of SW-07-26-01-W05M was subdivided to create Blocks 7, 8, &amp; 9 (Plan 7510179).</p> <p><b>February 23, 1993:</b> Blocks 7 &amp; 8, Plan 7510179 were further subdivided to create Lots 1-6, Block 1 (Plan 9310353).</p>	
<b>TECHNICAL REPORTS SUBMITTED:</b> <ul style="list-style-type: none"> <li>None.</li> </ul>	

## ATTACHMENT C: APPLICATION REFERRAL RESPONSES

AGENCY	COMMENTS
<b><i>School Authority</i></b>	
Calgary Catholic School District	No objection.
<b><i>Province of Alberta</i></b>	
Alberta Transportation and Economic Corridors	<p>The requirements of Section 18 of the <i>Matters Related to Subdivision and Development Regulation</i> (The Regulation) are not met. The department anticipates minimal impact on the highway from this proposal. Pursuant to Section 20(1) of the Regulation, Transportation and Economic Corridors grants approval for the subdivision authority to vary the requirements of Section 18 of the Regulation.</p> <p>The requirements of Section 19 of the Regulation are not met. There is no direct access to the highway and there is sufficient local road access to the subdivision and adjacent lands. Pursuant to Section 20(1) of the Regulation, Transportation and Economic Corridors grants approval for the subdivision authority to vary the requirements of Section 19 of the Regulation.</p>
Alberta Health Services	<p>The application indicates that the new lot will have potable water that will be provided via a Co-op Water Connection already in place. As the applicants have provided information from Rocky View Water Co-op Ltd., indicating that the water co-op has the capacity to service the two lots that are proposed to be developed, AHS does not have any concerns regarding the ability of the system to meet any increased water demand resulting from this proposed subdivision.</p> <p>The application indicates that the provision of wastewater services will be provided via an individual private sewage treatment system (PSTS). Any proposed private sewage disposal system must 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.</p> <p>If any evidence of contamination of soil or groundwater, or other issues of public health concern are identified at any phase of development, AHS wishes to be notified.</p> <p>Overall, AHS-SHE has no concerns with the redesignation and subdivision application at this time, from a public health perspective.</p>
<b><i>Public Utility</i></b>	
ATCO Gas	No objection.
ATCO Transmission	No objections.
FortisAlberta	No objection.

AGENCY	COMMENTS
TELUS Communications	<p>TELUS Communications Inc. will require a utility right of way in order to provide service to this new development.</p> <p>Please have TELUS' requirement added as a condition of approval and have the applicant contact rightofwayAB@telus.com to initiate a TELUS Utility Right of Way Agreement.</p>
Rockyview Water Co-op Ltd.	No concerns.
<b>Adjacent Municipality</b>	
The City of Calgary	<p>While The City acknowledges that the subject lands are already fragmented, it is our opinion that this application is not in line with the objectives and intent of the <i>Rocky View/Calgary Intermunicipal Development Plan</i>.</p> <p>The subject parcel is located within an Identified City of Calgary Residential Growth Area as per "Map 4: Growth Corridors/Areas" of the <i>Rocky View/Calgary IDP</i>. This map identifies, with the intent to provide a level of protection, each municipality's future growth aspirations; Calgary's via the future growth corridors and Rocky View County's via the directional red arrows. Generally, The City of Calgary is not supportive of subdivision applications, or land use redesignation applications to facilitate future subdivision applications, within the growth areas.</p> <p>Objectives of "Section 8.0 Growth Corridors/Areas and Annexation" of the <i>Rocky View/Calgary IDP</i> recognizes growth corridors/areas for both municipalities and identifies lands for possible future annexation from Rocky View County to The City of Calgary. The mandate of the Identified City of Calgary Growth Areas is a vital part to strategically governing regional planning. "Section 27.0 Intergovernmental Relationships" of the <i>County Plan</i> echoes support of the importance of Calgary's identified urban growth corridors. It reaffirms the necessity to evaluate redesignation, subdivision and development permit applications within these corridors in consultation with the City of Calgary.</p> <p>If approved, the proposal sets a precedent for future subdivision within the Calgary future urban growth corridor. The challenge faced is one dealing with highly subdivided (fragmented) lands that become annexed into Calgary. Fragmented rural lands can be very challenging to transform into a functioning urban land use pattern. The challenges of transforming fragmented rural lands into an urban form include (but are not limited to):</p> <ul style="list-style-type: none"> <li>• The increased impact imposed by fragmented ownership, roads, structures, and location of on-site services, as well as topography, drainage, etc.</li> <li>• The practical effectiveness of structure planning approaches in controlling future forms of development and achieving desired urban community outcomes.</li> <li>• The acquisition, collaboration and uncertainty involved in securing multiple parcels of sufficient size to undertake a master planned development.</li> <li>• The liability of existing on-site servicing for small parcels.</li> </ul>



AGENCY	COMMENTS
	Fragmented ownership is disadvantageous to future comprehensive development of Calgary's Growth Area. It is our preference and general understanding that future urban growth corridors will be maintained as un-fragmented as possible.
<b>Internal Departments</b>	
Recreation, Parks, and Community Support	No comment.
Building Services	No comments.
Fire Services & Emergency Management	Fire services has no concerns at this time. Subject to access route design and water supply requirements as per the NBC (AE), NFC (AE) and County Bylaws.
Enforcement Services	No comments.
Capital and Engineering Services	<p><b>General:</b></p> <ul style="list-style-type: none"> <li>The application is proposing to redesignate the subject land from Residential, Rural District (R-RUR) to Residential, Country Residential District (R-CRD) to facilitate the creation of one <math>\pm 0.81</math> hectare (<math>\pm 2.00</math> acre) parcel with a <math>\pm 0.81</math> hectare (<math>\pm 2.00</math> acre) remainder.</li> <li>The application shall be circulated to Alberta Transportation for review and comment since the proposed future subdivision is within the 1.6 km setback to Hwy 566.</li> <li>As the parcel is nearby City of Calgary, the application shall be circulated to City of Calgary for review and comment.</li> </ul> <p><b>Geotechnical:</b></p> <ul style="list-style-type: none"> <li>The subject lands do not include slopes greater than 15%.</li> <li>Engineering has no requirements at this time.</li> </ul> <p><b>Transportation:</b></p> <ul style="list-style-type: none"> <li>Park Lane is a dead end road and there are more than 10 lots gain access off of Park Lane.</li> <li>As per County Servicing Standards, any rural development that will result in 10 lots or greater shall have two separate access points to an existing through road.</li> <li>As per the application, the proposed northern lot gains access off of Mountain View Close from an existing single paved approach. The proposed southern lot will gain access off of Mountain View Close from a new paved approach. As a condition of future subdivision, the applicant will be required to repair/upgrade the existing paved approach and construct a new paved approach in accordance with the County Servicing Standards.</li> </ul>



AGENCY	COMMENTS
	<ul style="list-style-type: none"> <li>○ Contact County Road Operations for a pre-construction and a post-construction inspection for final acceptance.</li> <li>• As a condition of future subdivision, the applicant will be required to pay the transportation offsite levy as per the applicable TOL Bylaw C-8007-2020. The TOL will be applied to proposed two lots. <ul style="list-style-type: none"> <li>○ Estimated TOL payment = Base Levy (\$4,595 per acre) = \$18,380 (using 4 acres)</li> </ul> </li> </ul> <p><b>Sanitary/Waste Water:</b></p> <ul style="list-style-type: none"> <li>• At the time of future subdivision, the applicant shall submit a Level 3 PSTS Assessment to evaluate the suitability of the proposed two lots for the use of PSTS, as per the Model Process Guidelines.</li> <li>• As the proposed two lots are less than 4 acres in size and in accordance with County Policy 449, as a condition of future subdivision, the Owner shall enter into a Site Improvements / Services Agreement (SISA) with the County, which shall be registered on title of the new lot and shall include the following: <ul style="list-style-type: none"> <li>○ For the construction of a Packaged Sewage Treatment Plant meeting Bureau de Normalisation du Quebec (BNQ) standards.</li> <li>○ The system to be in accordance with the required Level 3 PSTS Assessment.</li> </ul> </li> </ul> <p><b>Water Supply and Waterworks:</b></p> <ul style="list-style-type: none"> <li>• The applicant is proposing to connect Co-op water piped distribution system to serve the potable water to the proposed lots.</li> <li>• The applicant has provided a letter from the service provider (Rocky View Water Co-op Ltd.) confirming that potable water capacity is available.</li> <li>• As a condition of future subdivision, the applicant is to provide confirmation of the tie-in for connection to RVC Water Co-op for both future lots. This includes providing the following information: <ol style="list-style-type: none"> <li>a) The completion of all paperwork for water supply allocation e.g. Water Service Agreement;</li> <li>b) The payment of all necessary fees for the purchase of required capacity units for the proposed future subdivision;</li> <li>c) The allocation and reservation of the necessary capacity;</li> <li>d) The obligations of the Owner and/or utility to bring water lines to the future subdivision (i.e. whether the water utility is to construct the water line to the limits of the future subdivision and applicant is to construct all internal water lines, or whether the water utility will be responsible for all connections to individual lots, etc.).</li> </ol> </li> </ul> <p><b>Storm Water Management:</b></p> <ul style="list-style-type: none"> <li>• As a condition of future subdivision, Applicant is required to provide a site-specific stormwater implementation plan (SSIP), prepared by a qualified professional, providing the onsite stormwater management strategy for the proposed future subdivision in accordance with the Nose Creek Watershed Water Management Plan and County Servicing Standards. Should any lot-specific improvements be recommended in</li> </ul>

AGENCY	COMMENTS
	<p>the site-specific Storm Water Implementation Plan, as a condition of future subdivision, the applicant/Owner will be required to enter into a Site Improvement/Servicing Agreement for the construction of such improvements.</p> <p><b>Environmental:</b></p> <ul style="list-style-type: none"><li>• As per GIS review, no environmentally sensitive areas are observed. Should the applicant propose development that has a direct impact on any wetlands, the applicant will be responsible for obtaining all required AEP approvals.</li><li>• Engineering has no requirements at this time.</li></ul>

Circulation Period: January 2, 2024, to February 1, 2024.

## LETTER OF SUPPORT

RE: Re-designation File # PL20230143; 24 Mountain View Close.

This is to confirm that we are providing a written support letter in favor of the subject written redesignation file # PL2023143. We believe approval will bring more dwellings to the area which will enhance the beauty and value of all the properties in the neighborhood. Additionally, this will broaden the County tax base as well.

Regards,

Property Owner

Name: Al-Madinah Calgary Islamic Assembly

Address: 15205 Park Lane, Rockyview

Phone:

Email: [REDACTED]

A handwritten signature in black ink, appearing to be 'G. D. Z.' or similar, written in a cursive style.

## LETTER OF SUPPORT

For: Maureen Nolan  
Planner  
Rocky View County  
262075 Rocky Viewpoint  
Rocky View County, AB T4A 0X2  
403-520-6301  
Email: mnolan@rockyview.ca

RE: Re-designation File # PL20230143; 24 Mountain View Close.

Please accept this letter as a written support letter in favor of the redesignation file # PL2023143 at 24 Mountain View Close. This approval will add beauty and value to all the properties in the neighborhood and no doubt more taxes to the County which will be spent back for the benefit of the taxpayers.

Regards,



Property Owner

Name: Kulwant Boar Close

Address: 16 Mountain View

Phone: [REDACTED]

Email

## LETTER OF SUPPORT

For: Maureen Nolan  
Planner  
Rocky View County  
262075 Rocky Viewpoint  
Rocky View County, AB T4A 0X2  
403-520-6301  
Email: mnolan@rockyview.ca

RE: Re-designation File # PL20230143; 24 Mountain View Close.

Please accept this letter as a written support letter in favor of the redesignation file # PL2023143 at 24 Mountain View Close. This approval will add beauty and value to all the properties in the neighborhood and no doubt more taxes to the County which will be spent back for the benefit of the taxpayers.

Regards,

Property Owner

Name:

Address:

Phone:

Email

*Almaz GEBRU*  
*ALMAZ GEBRU*  
*15204 Park Lane Calgary AB T3P 1A6*  
[Redacted]  
[Redacted]

## LETTER OF SUPPORT

RE: Re-designation File # PL20230143; 24 Mountain View Close.

This is to confirm that we are providing a written support letter in favor of the subject written redesignation file # PL2023143. We believe approval will bring more dwellings to the area which will enhance the beauty and value of all the properties in the neighborhood. Additionally, this will broaden the County tax base as well.

Regards,

Property Owner:

Signature: Sarbjee Gill Date: January 28<sup>th</sup>, 2024

Name: Sarbjee Kaur Gill Address: 89 Saddlecrest Green NE 7315N4

Phone: [REDACTED] Email: [REDACTED]

**Maureen Nolan**

---

**From:** Dennis Ellis [REDACTED]  
**Sent:** January 15, 2024 2:05 PM  
**To:** Maureen Nolan  
**Subject:** File # 06507028 / PL20230143

Maureen Nolan / Planning Department

I am deeply concerned and frustrated since receiving this proposed notice of division of property next to my own. I have lived here for 22 years and purchased with the hopes of peaceful quiet country living and with the understanding ALL 4 acre parcels only had ONE home/dwelling on them.

During the last few years the area has already experienced a drastic increase in traffic and drain on resources. Further fragmentation of the properties will only contribute to the congestion I was seeking to avoid.

Suffice to say I strongly object to this moving forward.

Dennis Ellis  
20 Mountain View Close

**From:** [Dennis Ellis](#)  
**To:** [Legislative Services](#)  
**Subject:** Bylaw C-8527-2024 -- PL20230143 (06507028)  
**Date:** May 10, 2024 2:15:18 PM

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To whom it may concern

I am deeply concerned and frustrated since receiving this proposed notice of redesignation of property in my community. I have lived here for 22 years and purchased with the hopes of peaceful quiet country living and with the understanding ALL 4-acre parcels only had ONE home/dwelling on them.

During the last few years, the area has already experienced an increase in traffic and drain on resources.

Suffice to say I strongly object to this moving forward.

Dennis Ellis

20 Mountain View Close



## ATTACHMENT E: POLICY REVIEW

Definitions		
Consistent	Generally Consistent	Inconsistent
Clearly meets the relevant requirements and intent of the policy.	Meets the overall intent of the policy and any areas of inconsistency are not critical to the delivery of appropriate development.	Clear misalignment with the relevant requirements of the policy that may create planning, technical or other challenges.

Growth Plan	
Blueprint for Growth – Rural and Country Cluster Placetypes	
3.1.5.2	<i>Rural and Country Cluster Placetype, when it is not clustered shall comply with the following: (a) the development shall not be located within a Preferred Growth Area; and (b) the maximum Density is 1.2 dwelling units /hectare (0.5 dwelling units/acre).</i>
Consistent	The subject land is not within a Preferred Growth Area and the proposed future subdivision density is 0.5 dwelling units/acre.
Blueprint for Growth – Locational Criteria for Placetypes	
3.1.7.2	<i>The Rural and Country Cluster Placetype shall not be located in Preferred Growth Areas.</i>
Consistent	The subject land is not within a Preferred Growth Area.

Rocky View County/City of Calgary Intermunicipal Development Plan (IDP)	
Growth Corridors/Areas and Annexation	
8.1.3	<i>Identified City of Calgary Growth Areas should continue to be governed in accordance with existing Rocky View County policy documents, which may be updated. Should the lands be annexed by The City of Calgary, planning will be conducted as directed by its Municipal Council at that time.</i>
Consistent	The application was evaluated in accordance with existing Rocky View County policy documents and was found to be consistent overall with the relevant policies and regulations.
8.1.4	<i>Rocky View County Council and Administration should evaluate applications within identified City of Calgary Growth Areas against this Plan, the Rocky View County Municipal Development Plan and the Rocky View County Land Use Bylaw.</i>
Consistent	The application was found to be consistent overall with the IDP, County Plan, and the Land Use Bylaw. An objective of Section 8.0 (Growth Corridors/Areas and Annexation) of the IDP is to recognize growth corridors/areas for both municipalities. Administration acknowledges that the subject land is within an identified City of Calgary residential growth area, however, the subject quarter section is already fragmented, and the application is consistent overall with the goals and policies of the County Plan.

<b>Municipal Development Plan (County Plan)</b>	
<b>Managing Residential Growth – Agricultural Area</b>	
5.10	<i>Residential development in the agricultural area shall be guided by the goals and policies of this Plan.</i>
Consistent	The application is consistent overall with the goals and policies of the County Plan.
<b>Financial Sustainability – Development</b>	
6.1	<i>Direct new development to areas of existing infrastructure.</i>
Consistent	The subject land has direct access to a paved public road and potable water capacity is available for the proposed future subdivision.
6.2	<i>On-site and off-site hard infrastructure costs related to new development are the developer's responsibility.</i>
Consistent	The developer will be responsible for infrastructure costs related to the new development at the future subdivision stage.
<b>Environment – Water</b>	
7.5	<i>Use relevant watershed management plans as guiding documents and planning tools.</i>
Consistent	At the future subdivision stage, the Applicant/Owner will be required to provide a Site-Specific Stormwater Implementation Plan (SSIP) to provide an onsite stormwater management strategy for the proposed subdivision in accordance with the Nose Creek Watershed Water Management Plan.
<b>Environment – Stormwater and Wastewater</b>	
7.6	<i>Require environmentally sustainable wastewater disposal practices to protect watersheds and surface/ground water quality. Wastewater treatment systems should not exceed the land's carrying capacity.</i>
Consistent	The proposed future subdivision is to be serviced by private sewage treatment systems. The Applicant/Owner will be required to provide a Level 3 PSTS Assessment at the future subdivision stage.
7.7	<i>Effectively treat stormwater to protect surface water, riparian areas, and wetlands.</i>
Consistent	At the future subdivision stage, the Applicant/Owner will required to provide a Site-Specific Stormwater Implementation Plan (SSIP). The Owner will be required to enter into a Site Improvement/Service Agreement for the construction any lot-specific improvements recommended by the SSIP.
<b>Environment – Land and Environmental Stewardship</b>	
7.12	<i>Encourage the efficient use of rural land and infrastructure by directing residential, commercial, and industrial development to the defined growth areas and by encouraging infill development within those areas.</i>
Generally Consistent	The subject land is outside of a defined growth area; however, the proposal is consistent with the County Plan policies relating to country residential development in the agricultural area.
<b>Country Residential Development – Country Residential Communities</b>	
10.2	<i>Country residential development in the agriculture area shall be guided by the goals and policies of this Plan.</i>
Consistent	The application is consistent overall with the goals and policies of the County Plan.
10.4	<i>Country residential development shall address the development review criteria identified in section 29.</i>

Consistent	The proposal is consistent with the technical requirements and supporting information required for the redesignation application. Additional technical requirements will be addressed at the future subdivision stage.
<b>Country Residential Development – Fragmented Country Residential Areas</b>	
10.11	<p><i>Within a fragmented quarter section, the redesignation of residential lots or agricultural parcels less than or equal to 10 hectares (24.7 acres) in size to a new residential land use may be supported if the following criteria are met:</i></p> <ul style="list-style-type: none"> <li><i>a. A lot and road plan is provided that;</i> <ul style="list-style-type: none"> <li><i>i. plans for an area determined by the County at the time of redesignation application. The plan shall include, at a minimum, all residential or small agricultural acreages that are adjacent to the application;</i></li> <li><i>ii. includes design measures to minimize adverse impacts on existing agriculture operations; and</i></li> <li><i>iii. demonstrates potential connectivity to residential or small agricultural acreages outside of the lot and road plan area.</i></li> </ul> </li> <li><i>b. A technical assessment of the proposed design is provided, to demonstrate that the lot and road plan area is capable of supporting increased residential development. The assessment shall address:</i> <ul style="list-style-type: none"> <li><i>i. the internal road network, water supply, sewage treatment, and stormwater management; and</i></li> <li><i>ii. any other assessment required by unique area conditions.</i></li> </ul> </li> <li><i>c. A technical assessment of the impact on off-site infrastructure, roads, and stormwater systems is be provided;</i></li> <li><i>d. A report is provided that documents the consultation process undertaken to involve affected landowners within the plan area in the preparation and/or review of the lot and road plan.</i></li> </ul>
Generally Consistent	<p>Although a Lot and Road Plan was not submitted with this application, the existing public roads are sufficient to support further subdivision of the subject land and adjacent parcels, which meets the intent of a lot and road plan. The proposed future subdivision is to be serviced by potable water and private sewage treatment systems. The application provided a letter from the Rocky View Water Co-op confirming that they have capacity to service the proposed future subdivision. The Applicant/Owner will be required to provide a Level 3 PSTS Assessment and a Site-Specific Stormwater Implementation Plan at the future subdivision stage. The Applicant/Owner held an open house at the subject site on November 18, 2023 to share their redesignation and subdivision proposal with their neighbours and gain their input. The application included a visitor list showing that 5 residents attended the open house and 3 brochures were delivered to neighbouring properties.</p>
<b>Transportation – Road Access</b>	
16.13	<p><i>Residential redesignation and subdivision applications should provide for development that:</i></p> <ul style="list-style-type: none"> <li><i>a. provides direct access to a road, while avoiding the use of panhandles;</i></li> <li><i>b. minimizes driveway length to highways/roads;</i></li> <li><i>c. removes and replaces panhandles with an internal road network when additional residential development is proposed; and</i></li> <li><i>d. limits the number and type of access onto roads in accordance with County Policy.</i></li> </ul>
Consistent	The subject land has direct access to a paved public road and the tentative future subdivision plan does not propose panhandles.

<b>Utility Services – General</b>	
17.1	<i>New development shall, in accordance with master plans:</i> <i>a. make use of, extend, and enhance existing utility infrastructure where feasible;</i> <i>b. provide water, wastewater, and shallow utility services; and</i> <i>c. provide stormwater systems where necessary.</i>
Consistent	At the future subdivision stage, the Applicant/Owner will be responsible for providing potable water, private sewage treatment systems, and shallow utility services to each proposed lot. Stormwater management will be addressed at the future subdivision stage.
17.2	<i>Allow a variety of water, wastewater, and stormwater treatment systems, in accordance with provincial/federal regulations and County Policy.</i>
Consistent	The proposed future subdivision is to be serviced by potable water and private sewage treatment systems. Stormwater management will be addressed at the future subdivision stage.
<b>Utility Services – Wastewater Management</b>	
17.9	<i>New residential development shall provide wastewater treatment, in accordance with County Policy, by:</i> <i>a. connecting to, or constructing, regional or decentralized wastewater services; or</i> <i>b. confirming the lot(s) is capable of private wastewater treatment.</i>
Consistent	The proposed future subdivision is to be serviced by private sewage treatment systems. The Applicant/Owner will be required to provide a Level 3 PSTS Assessment at the future subdivision stage.
17.11	<i>Wastewater treatment systems shall not exceed the land's carrying capacity; in developing such systems, consideration shall be given to the following requirements:</i> <i>a. Development proponents shall assess the land's carrying capacity to determine system requirements in accordance with County Policy. The type of private on-site wastewater treatment system will be dependent on lot density, lot size, and soil capability.</i> <i>b. Construction and connection to a regional or decentralized wastewater treatment system shall be required when the density of development exceeds thresholds identified in County Policy.</i>
Consistent	The proposed future subdivision is to be serviced by private sewage treatment systems. The Applicant/Owner will be required to provide a Level 3 PSTS Assessment at the future subdivision stage.
17.12	<i>The ownership, operation, and maintenance of private on-site wastewater treatment systems, or wastewater holding tanks shall be the responsibility of the landowner.</i>
Consistent	The landowner will be solely responsible for private sewage treatment systems.
<b>Intergovernmental Relationships – Urban Growth Corridors</b>	
27.17	<i>The County shall evaluate redesignation, subdivision, and development permit applications within the City of Calgary's identified growth areas, as shown on Map 1 and Appendix A, in consultation with the City of Calgary and in accordance with the Rocky View County/City of Calgary Intermunicipal Development Plan.</i>
Consistent	The application was referred to the City of Calgary and they provided comments in opposition to the application. However, the application was found to be consistent with the IDP.

Land Use Bylaw C-8000-2020	
R-CRD Residential, Country Residential District	
326	<p>MINIMUM PARCEL SIZE:</p> <ul style="list-style-type: none"> <li>a) 0.8 ha (1.98 ac)</li> <li>b) The minimum size of parcels designated with the letter “p” is the number indicated on the Land Use Map</li> <li>c) Notwithstanding b), the number following the “p” shall not be less than 0.4 ha (0.98 ac).</li> </ul>
Consistent	The proposed parcel size for each future lot is $\pm$ 0.81 hectare ( $\pm$ 2.00 acre) which meets the minimum parcel size requirement.



# BYLAW C-8527-2024

A bylaw of Rocky View County, in the Province of Alberta, to amend Rocky View County Bylaw C-8000-2020, being the *Land Use Bylaw*.

The Council of Rocky View County enacts as follows:

## Title

- 1 This bylaw may be cited as *Bylaw C-8527-2024*.

## Definitions

- 2 Words in this Bylaw have the same meaning as those set out in the *Land Use Bylaw* and *Municipal Government Act* except for the definitions provided below:
- (1) **“Council”** means the duly elected Council of Rocky View County;
  - (2) **“Land Use Bylaw”** means Rocky View County Bylaw C-8000-2020, being the *Land Use Bylaw*, as amended or replaced from time to time;
  - (3) **“Municipal Government Act”** means the *Municipal Government Act*, RSA 2000, c M-26, as amended or replaced from time to time; and
  - (4) **“Rocky View County”** means Rocky View County as a municipal corporation and the geographical area within its jurisdictional boundaries, as the context requires.

## Effect

- 3 THAT Schedule B, Land Use Maps, of Bylaw C-8000-2020 be amended by redesignating Lot 2, Block 1, Plan 9310353 within SW-07-26-01-W05M from Residential, Rural District (R-RUR) to Residential, Country Residential District (R-CRD) as shown on the attached Schedule 'A' forming part of this Bylaw.
- 4 THAT Lot 2, Block 1, Plan 9310353 within SW-07-26-01-W05M is hereby redesignated to Residential, Country Residential District (R-CRD) as shown on the attached Schedule 'A' forming part of this Bylaw.

## Effective Date

- 5 Bylaw C-8527-2024 is passed and comes into full force and effect when it receives third reading and is signed in accordance with the *Municipal Government Act*.





ROCKY VIEW COUNTY

READ A FIRST TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2024

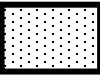
READ A SECOND TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2024

UNANIMOUS PERMISSION FOR THIRD READING this \_\_\_\_\_ day of \_\_\_\_\_, 2024

READ A THIRD AND FINAL TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2024

\_\_\_\_\_  
Reeve\_\_\_\_\_  
Chief Administrative Officer\_\_\_\_\_  
Date Bylaw Signed

## Schedule 'A'

 Bylaw  
 C-8527-2024
AmendmentFROMResidential,  
Rural DistrictTOResidential,  
Country Residential  
District

**R-RUR → R-CRD**  
**± 1.62 ha**  
**(± 4.00 ac)**

MOUNTAIN VIEW CLOSE





Redesignation Item: Residential

Electoral Division: 5 File: PL20230027 / 08501009

Date:	May 28, 2024		
Presenter:	Dinal Manawadu, Planner 1		
Department:	Planning		
Approved by:	<input checked="" type="checkbox"/> Executive Director / Director	and/or	<input checked="" type="checkbox"/> Chief Administrative Officer

×

REPORT SUMMARY

The purpose of this report is to assess redesignation of a ± 4.86 hectare (± 12 acre) portion within SW-01-28-01-W05M from Agricultural General District (A-GEN) to Residential, Rural District (R-RUR) to facilitate the future subdivision of three ±1.60 hectare (±3.95 acre) lots.

The subject parcel is located outside of an area structure plan; as such, the application was evaluated in accordance with the policies and regulations of the Municipal Development Plan (County Plan) and the *Land Use Bylaw*. The application was not in alignment with the policies of Section 5.0 (Managing Residential Growth), Section 8.0 (Agriculture), and Section 10.0 (Country Residential Development) of the County Plan and the *Land Use Bylaw*.

ADMINISTRATION’S RECOMMENDATION

THAT application PL20230027 be refused.

## Redesignation Item: Residential

### BACKGROUND

#### Location (Attachment A)

Located on the north side of Township Road 280 and approximately 0.81 kilometres (0.5 mile) west of Highway 2.



#### Site History (Attachment B)

In June 1992, the subject quarter section was originally subdivided into two as a part of a Road Plan. The larger parcel was later subdivided as part of a First Parcel Out application and was registered in February 1998.

#### Intermunicipal and Agency Circulation (Attachment C)

The application was circulated to all necessary internal and external agencies. This application is not within an area guided by intermunicipal policy or requirements.

Alberta Transportation and Economic Corridors has provided no concerns on proposed application; further review and comments will be provided at the time of future subdivision.

#### Landowner Circulation (Attachment D)

The application was circulated to 34 adjacent landowners in accordance with the *Municipal Government Act* and County Policy C-327 (Circulation and Notification Standards); 4 letters in opposition were received.

### ANALYSIS

#### Policy Review (Attachment E)

The application was reviewed in accordance with Section 8.0 (Agriculture) and Section 10.0 (Country Residential Development) of the County Plan. The application does not meet the definition of a first parcel out as the subject quarter section was previously subdivided in 1998 as a part of a First Parcel Out subdivision. The subject parcel is also not located in a quarter section that meets the definition of a fragmented quarter section. The redesignation of a portion of the subject parcel does not meet the intent and goals of Section 10.0 of the County Plan.

## Redesignation Item: Residential

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The goals outlined in Section 8.0 (Agriculture) speak to minimizing land use conflicts and discourage development of intrusive land uses in agricultural areas. The proposed creation of three new country residential lots in an agricultural area that has previously seen limited fragmentation would not align with the vision or intent of the agricultural area policies.

As proposed, the three lots that would be facilitated by future subdivision would exceed the minimum parcel size required of 1.60 hectares (3.95 acres) within the proposed Residential, Rural Residential land use district. Therefore, the application generally complies with the *Land Use Bylaw*.

## COMMUNICATIONS / ENGAGEMENT

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Consultation was conducted in accordance with statutory requirements and County Policy C-327.

## IMPLICATIONS

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### Financial

No financial implications identified at this time.

## STRATEGIC ALIGNMENT

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This report is a statutory obligation under the *Municipal Government Act*.

## ALTERNATE DIRECTION

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No alternative options have been identified for Council's consideration.

## ATTACHMENTS

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Attachment A: Map Set  
Attachment B: Application Information  
Attachment C: Application Referral Responses  
Attachment D: Public Submissions  
Attachment E: Policy Review  
Attachment F: Draft Bylaw C-8528-2024

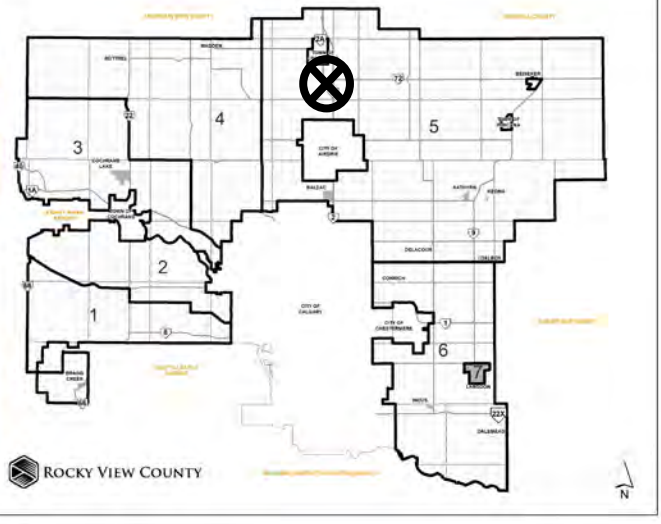




## Location & Context

### Redesignation Proposal

To redesignate a portion of the subject lands from Agricultural, General District (A-GEN) to Residential, Rural District (R-RUR) in order to facilitate future subdivision.







## Development Proposal

### Redesignation Proposal

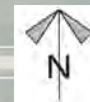
To redesignate a portion of the subject lands from Agricultural, General District (A-GEN) to Residential, Rural District (R-RUR) in order to facilitate future subdivision.

DICKSON STEVENSON TRAIL

A-GEN → R-RUR  
± 3.20 ha  
(± 7.91 ac)

A-GEN →  
R-RUR  
± 1.60 ha  
(± 3.95 ac)

TWP RD 280



Division: 5  
Roll: 08501009  
File: PL20230027  
Printed: April 5, 2023  
Legal: A portion of SW-01-280  
Page 49 of 275





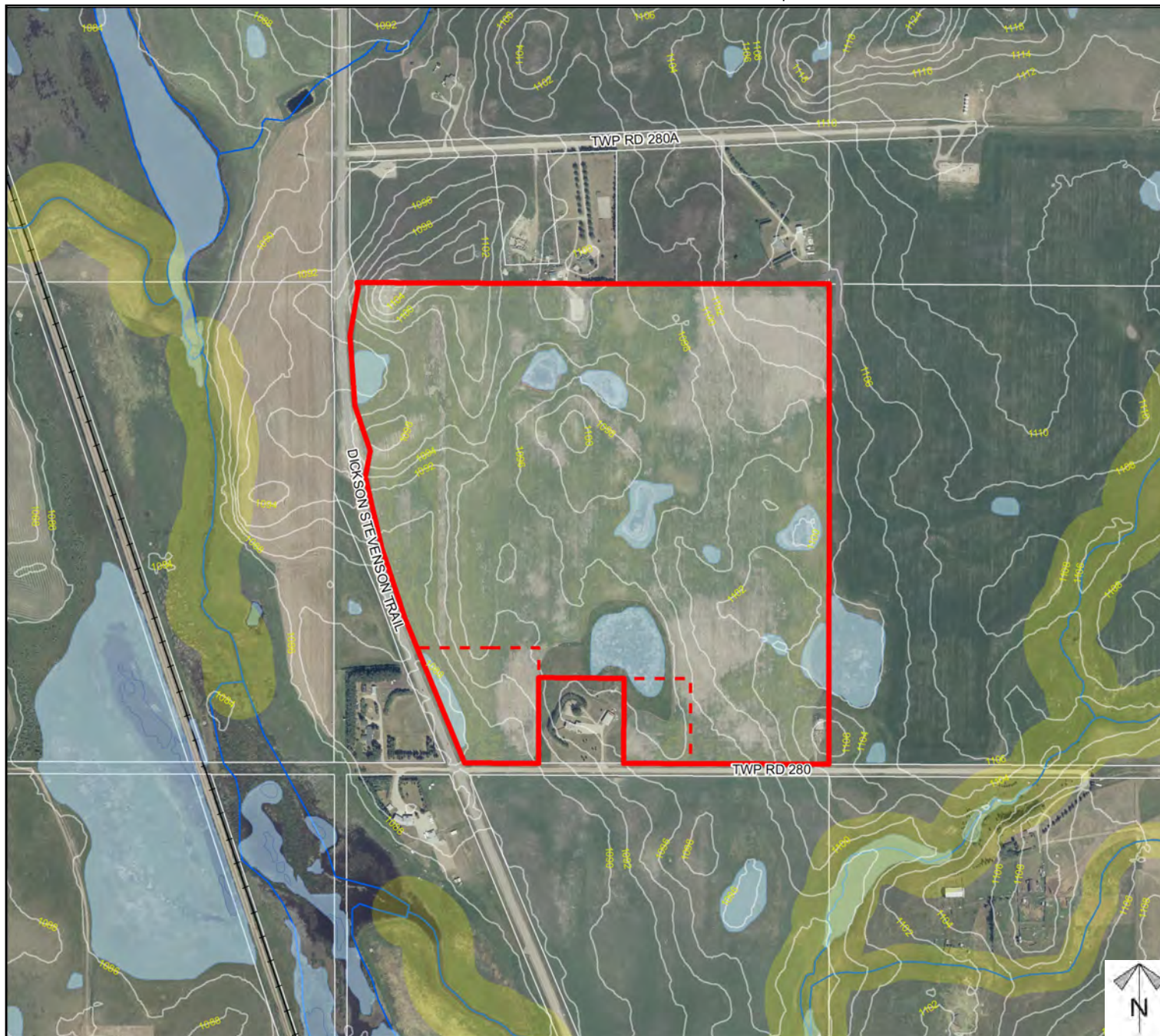
## Environmental

### Redesignation Proposal

To redesignate a portion of the subject lands from Agricultural, General District (A-GEN) to Residential, Rural District (R-RUR) in order to facilitate future subdivision.

-  Subject Lands
-  Contour - 2 meters
-  Riparian Setbacks
-  Alberta Wetland Inventory
-  Surface Water

Division: 5  
 Roll: 08501009  
 File: PL20230027  
 Printed: April 5, 2023  
 Legal: A portion of SW-01-280  
 Page 30 of 275



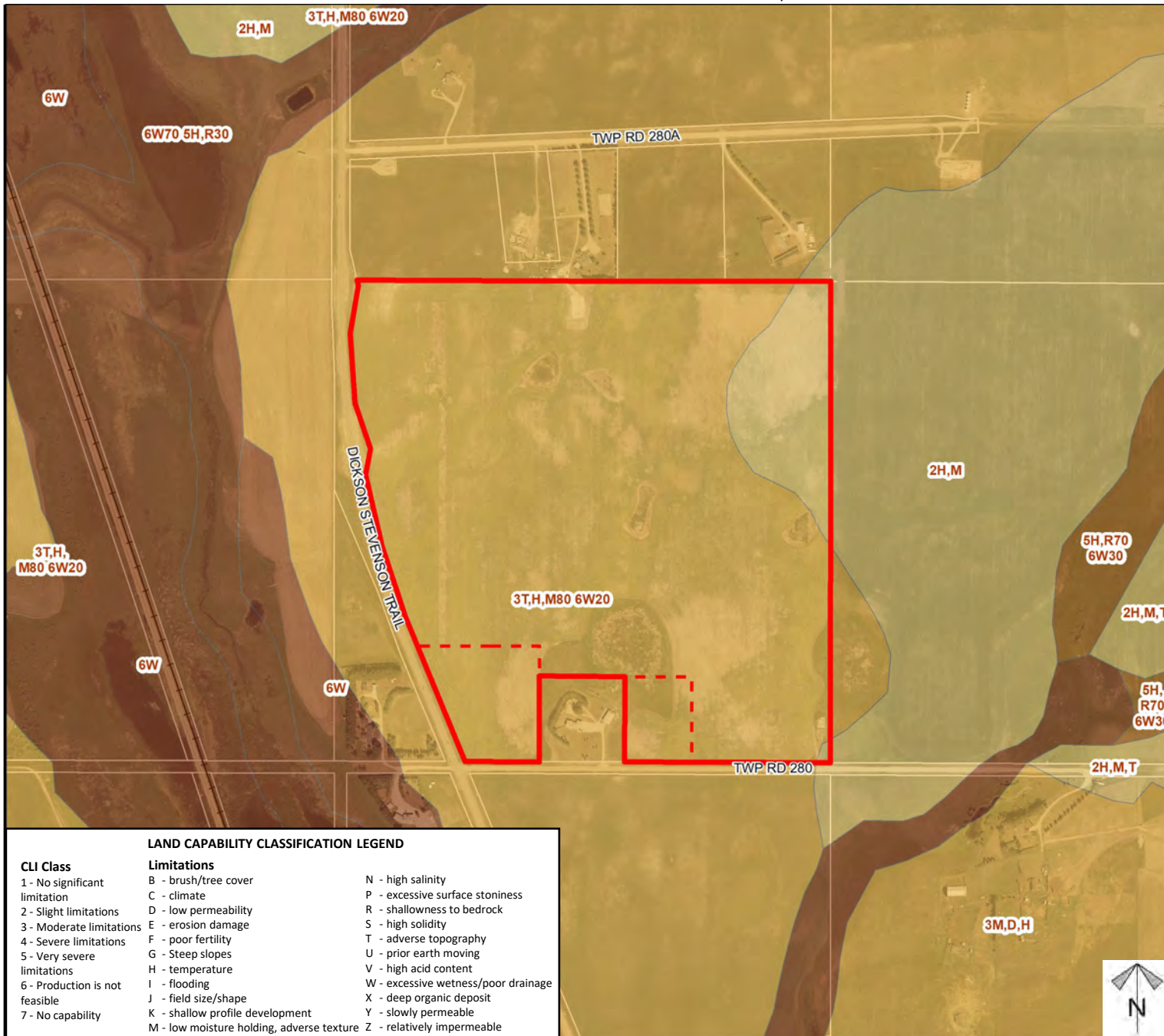




## Soil Classifications

### Redesignation Proposal

To redesignate a portion of the subject lands from Agricultural, General District (A-GEN) to Residential, Rural District (R-RUR) in order to facilitate future subdivision.



Division: 5  
Roll: 08501009  
File: PL20230027  
Printed: April 5, 2023  
Legal: A portion of SW-01-28  
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## Landowner Circulation Area

### Redesignation Proposal

To redesignate a portion of the subject lands from Agricultural, General District (A-GEN) to Residential, Rural District (R-RUR) in order to facilitate future subdivision.

### Legend

Support

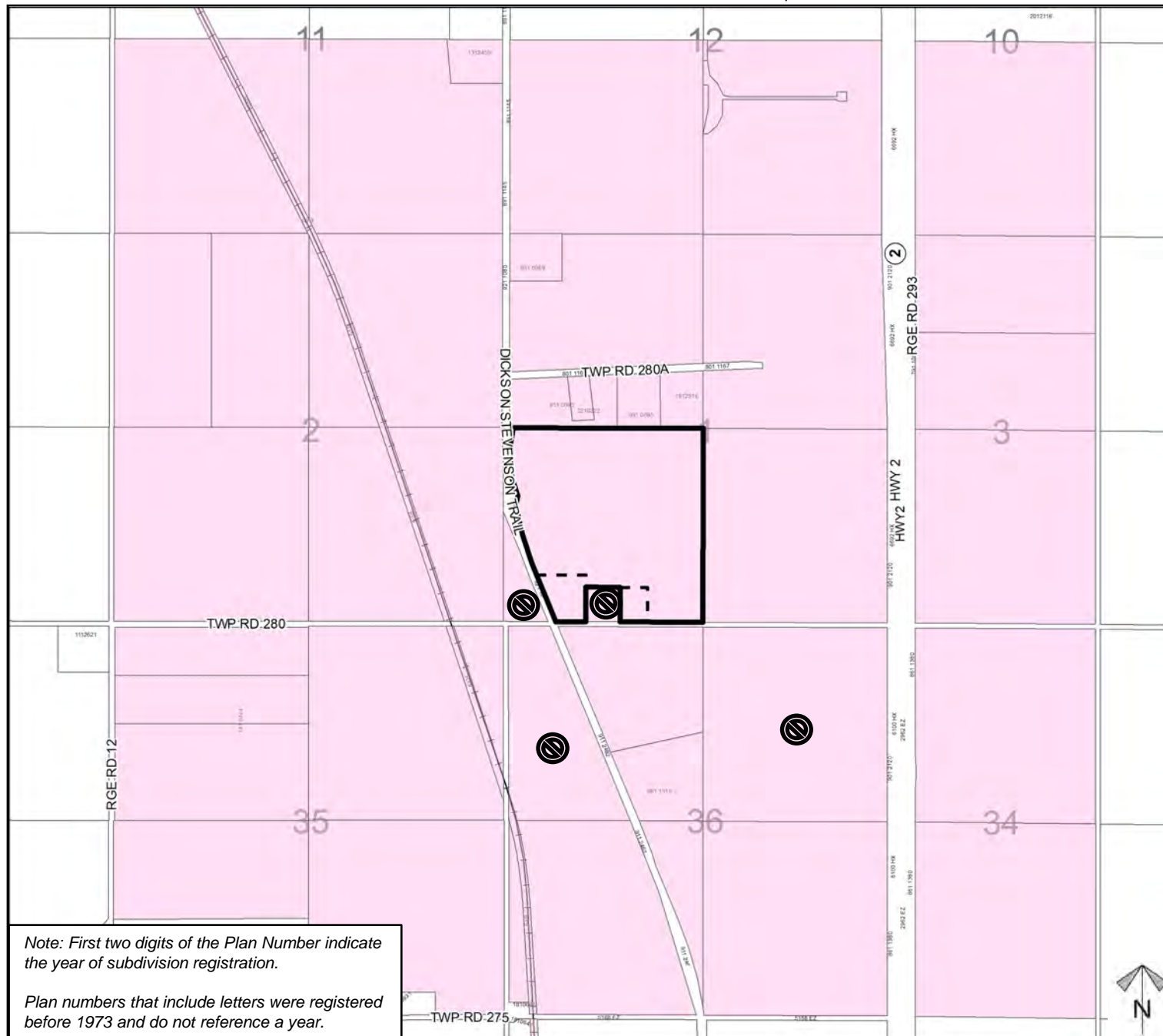


Not Support



Note: First two digits 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.



**ATTACHMENT B: APPLICATION INFORMATION**

<b>APPLICANT/OWNERS:</b> Kate Smith / Brent & Carolyn Thomas	<b>DATE APPLICATION RECEIVED:</b> March 6, 2024
<b>GROSS AREA:</b> ± 57.23 hectares (± 141.42 acres)	<b>LEGAL DESCRIPTION:</b> SW-01-28-01-W05M
<b>Pre-Application Meeting Held:</b> <input type="checkbox"/>	<b>Meeting Date:</b> N/A
<b>SOILS (C.L.I. from A.R.C.):</b> Moderate limitations due to topography and temperature, 80% low moisture holding, adverse texture and 20% production is not feasible due to excessive wetness.	
<b>HISTORY:</b> <b>June 4, 1992:</b> Road Plan 921 1080 was registered leading to the subdivision of the subject quarter section. <b>February 26, 1998:</b> Parcel was subdivided to create a 2.025 hectare (5.00 acre) parcel with a 57.23 hectare (141.42 acre) parcel as a part of a First Parcel Out application.	
<b>TECHNICAL REPORTS SUBMITTED:</b> <ul style="list-style-type: none"> <li>None.</li> </ul>	

## ATTACHMENT C: APPLICATION REFERRAL RESPONSES

AGENCY	COMMENTS
<b><i>School Authority</i></b>	
Calgary Catholic School District	No Objections.
<b><i>Province of Alberta</i></b>	
Alberta Ministry of Environment and Protected Areas	<p>Lands Division has no concerns with this redesignation application PL20230027 at SW-01-28-01-W5; Roll: 08501009. It appears there will be no impacts to crown-owned wetlands or bodies of water, nor will public access be impacted to crown-owned bodies of water as a result of the redesignation application. However, there may be implications under the Water Act or the Public Lands Act during development of these redesignated future subdivided parcels, as it appears there are wetlands on site.</p> <p>General info as follows:</p> <p>Disturbance to any crown-owned water bodies are approved by Lands Division. Under section 3 of the Public Lands Act, the Crown holds right to permanent and naturally occurring bodies of water, rivers, streams, watercourses and lakes. For determination if a body of water is crown-owned, please contact the water boundaries unit (Water.Boundaries@gov.ab.ca). An authorization is required under the Public Lands Act to alter, infill or otherwise impact a Crown claimable wetland or bed and shore of a crown claimable river or lake. Please see the Alberta Wetland Policy and the Guide for Assessing Permanence of Wetland Basins for further information. A Water Act approval may also be required for impact to a waterbody, whether or not it is claimable under the Public Lands Act.</p> <p>The following links are provided for information:</p> <ol style="list-style-type: none"> <li>1. <a href="#">Information on Water Boundaries in Alberta</a></li> <li>2. <a href="#">General Information on Wetlands in Alberta</a></li> <li>3. <a href="#">Alberta Wetland Policy</a></li> <li>4. <a href="#">Alberta Wetland Policy Implementation</a></li> <li>5. <a href="#">Guide for Assessing Permanence of Wetland Basins</a></li> </ol>
Alberta Transportation & Economic Corridors	<p>This will acknowledge receipt of your circulation regarding the above noted proposal. Alberta Transportation and Economic Corridors primary concern is protecting the safe and effective operation of provincial highway infrastructure, and planning for the future needs of the highway network in proximity to the proposed land use amendment(s).</p> <p>Alberta Transportation and Economic Corridors offers the following comments and observations with respect to the proposed land use amendment (s):</p>



AGENCY	COMMENTS
Alberta Health Services	<p>1. Pursuant to Section 618.3(1) of the Municipal Government Act (MGA), the department expects that the municipality will comply with any applicable items related to provincial highways in an ALSA plan if applicable.</p> <p>2. Pursuant to 618.4(1) of the Municipal Government Act, the department expects that the Municipality will mitigate the impacts of traffic generated by developments approved on the local road connections to the highway system, in accordance with Policy 7 of the Provincial Land Use Policies.</p> <p>The subsequent subdivision application would be subject to the requirements of Sections 18 and 19 of the Matters Related to Subdivision and Development Regulation (The Regulation), due to the proximity of Highway(s) 2.</p> <p>Transportation and Economic Corridors offers the following comments with respect to this application:</p> <p>The requirements of Section 18 of the Regulation are not met. The department anticipates minimal impact on the highway from this proposal. Pursuant to Section 20(1) of the Regulation, Transportation and Economic Corridors grants approval for the subdivision authority to vary the requirements of Section 18 of the Regulation.</p> <p>The requirements of Section 19 of the Regulation are not met. There is no direct access to the highway and there is sufficient local road access to the subdivision and adjacent lands. Pursuant to Section 20(1) of the Regulation, Transportation and Economic Corridors grants approval for the subdivision authority to vary the requirements of Section 19 of the Regulation.</p> <p>If there are any changes to the proposed subdivision that was submitted with this land use referral, a separate referral pursuant to Section 7(6)(d) of the Matters Related to Subdivision and Development Regulation is required and the comments in respect of Sections 18 and 19 of the Regulation contained in this decision are no longer valid.</p>
	<p>I would like to confirm that Alberta Health Services, Environmental Public Health has received the above-noted application. At this time, we have no concerns with the proposal, based on the information provided, but provide the following information for consideration:</p>
	<p>1. Water Wells</p>
	<p>If individual water wells are proposed for the development, AHS-EPH would like to remind the Applicant that any 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 (AR 243/2003), which states:</p>
	<p>A person shall not locate a water well that supplies water that is intended or used for human consumption within</p> <ul style="list-style-type: none"> <li>a) 10 metres of any watertight septic tank, pump out tank or other watertight compartment of a sewage or waste water system,</li> <li>b) 15 metres of a weeping tile field, an evaporative treatment mound or an outdoor toilet facility with a pit,</li> </ul>

AGENCY	COMMENTS
	<p>c) 30 metres of a leaching cesspool,</p> <p>d) 50 metres of sewage effluent on the ground surface,</p> <p>e) 100 metres of a sewage lagoon, or</p> <p>f) 450 metres of any area where waste is or may be disposed of at a landfill within the meaning of the Waste Control Regulation (AR 192/96).</p> <p>2. Private Sewage Disposal Systems</p> <p>Any existing or future private sewage disposal systems must be completely contained within the property boundaries and must comply with 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.</p>
<b>Public Utility</b>	
ATCO Gas	No objections.
ATCO Pipelines	No objections.
FortisAlberta	No objections.
Telus Communications	No objections.
Rockyview Gas Co-op Ltd.	No objections.
<b>Other External Agencies</b>	
TC Energy	No concerns.
<b>Internal Departments</b>	
Recreation, Parks and Community Support	No comment.
Building Services	No comments, no concerns.
Fire Services & Emergency Management	No comment.
Capital and Engineering Services	<p><b>General:</b></p> <ul style="list-style-type: none"> <li>As per the application, the applicant is proposing to redesignate a portion of the subject lands from Agricultural, General District (A-GEN) to</li> </ul>

AGENCY	COMMENTS
	<p>Residential, Rural District (R-RUR) in order to facilitate future subdivision.</p> <p><b>Geotechnical:</b></p> <ul style="list-style-type: none"> <li>Based on the review of site contours on GIS, steep slopes 15% or greater are observed. However, sufficient space exists for a permanent structure on flatter slopes.</li> <li>Engineering has no requirements at this time.</li> </ul> <p><b>Transportation:</b></p> <ul style="list-style-type: none"> <li>The applicant indicated that each of these proposed lots will be directly accessed by Township Road 280 and approaches will be created adjacent to the existing dwelling unit taken out of this quarter.</li> <li>As a condition of future subdivision, the applicant/owner shall construct new gravel approaches on Township Road 280, in accordance with the County Servicing Standards, in order to provide access to these proposed lots. <ul style="list-style-type: none"> <li>For any new approach construction off of Township Road 280, the applicant will need to contact County to confirm approach location and scope of work to ensure adherence to County Servicing Standards.</li> <li>Contact County Road Operations for a pre-construction and a post-construction inspection for final acceptance.</li> </ul> </li> <li>The applicant confirmed that access to the remainder parcel is via an existing approach off of Township Road 280.</li> <li>Dickson Stevenson Trail is identified in the Long Range Transportation Network as 4 Lane Arterial Road, requiring 40m Road Right of Way (ROW). The current ROW of Dickson Stevenson Trail is 30m. As a condition of future subdivision, the applicant/owner shall be required to dedicate, by Plan of Survey, a +/- 5m wide strip of land for road widening along entire western boundary of subject lands.</li> <li>Based on circulated application, as a condition of future subdivision, the applicant will be required to pay the transportation offsite levy as per the applicable TOL Bylaw C-8007-2020. TOL will be applied to any new lots under 7.41 acres. <ul style="list-style-type: none"> <li>Estimated TOL payment = Rural Base Levy (\$4,595/acre) = \$54,496.70 (using 11.86 acres).</li> </ul> </li> <li>As the remainder parcel are larger than 3.0 ha (7.41 ac) and it is used as Agricultural, General District (A-GEN), TOL shall be deferred as per the TOL bylaw C-8007-2020 as amended.</li> </ul> <p><b>Sanitary/Waste Water:</b></p> <ul style="list-style-type: none"> <li>As per application, these new parcels will each be serviced with their own Private Sewage Treatment System.</li> <li>At the time of future subdivision, the applicant will be required to submit a Level 3 PSTS report for proposed new parcels in accordance with the Model Process Guidelines and the County Servicing Standards. Should the Level 3 PSTS report require improvements, as a condition of future subdivision, the applicant/owner shall enter into a Site Improvements / Services Agreement (SISA) with the County.</li> <li>The applicant will not be required to demonstrate adequate servicing for the remainder parcel, as per the County's <i>Residential Water and Sewer</i></li> </ul>

AGENCY	COMMENTS
	<p><i>Requirements Policy</i> (C-411), since the subject lands are located in the agriculture use district (A-GEN) and are greater than 30 acres in size.</p> <ul style="list-style-type: none"> <li>• Engineering has no requirements at this time.</li> </ul> <p><b>Water Supply and Waterworks:</b></p> <ul style="list-style-type: none"> <li>• As per application, these new parcels will each be serviced with their own water well.</li> <li>• As a condition of future subdivision, the applicant/owner will be required to drill a new well on each new parcel with Well Driller's report confirming flow of 1 igpm or greater.</li> <li>• The applicant will not be required to demonstrate adequate servicing for the remainder parcel, as per the County's <i>Residential Water and Sewer Requirements Policy</i> (C-411), since the subject lands are located in the agriculture use district (A-GEN) and are greater than 30 acres in size.</li> <li>• Engineering has no requirements at this time.</li> </ul> <p><b>Storm Water Management:</b></p> <ul style="list-style-type: none"> <li>• As a condition of future subdivision, the applicant / owner will be required to provide a detailed Site-Specific Stormwater Implementation Plan (SSIP) conducted and stamped by a professional engineer that is in accordance with Nose Creek Watershed Water Management Plan and the County Servicing Standards.</li> </ul> <p><b>Environmental:</b></p> <ul style="list-style-type: none"> <li>• As per County GIS, there are wetlands on the subject lands.</li> <li>• Should the owner propose development that has direct impact to the wetlands and creek, the applicant will be responsible for obtaining all required Alberta EPA approvals.</li> <li>• Engineering has no requirements at this time.</li> </ul>

Circulation Period: April 12, 2023, to May 12, 2023.

From: [REDACTED]  
To: [Christine Berger](#)  
Subject: [EXTERNAL] - File #: 08501009 Appl #: PL20230027  
Date: May 24, 2023 11:17:52 AM

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1 of 2

May 9, 2023

Kent Fiedler  
10184 TWP RD 280  
[REDACTED]  
Rocky View County  
T4B4W4

Rocky View County  
File # : 08501009  
Application # : PL20230027  
Division # : 5

---

Hello Christine,

Please find the following information in regard to the applied for subdivision.

I own the property that is between the two proposed lots.

-I have resided at this acreage for 20 years.

-My water just meets the County minimum of 1 gallon per minute.

-The three directly adjacent properties to my acreage also have just adequate water with one having a large cistern to meet their needs.

-My property value would decrease.

-Increased traffic.

-There is a large marsh adjacent north of my property with a significant amount of migratory birds which would be impacted.

-Every year there is a family of Great Horned Owls that raise their family on my property and are a protected species under the MBTA. They are extremely affected by any type of activity and while they are here any outside projects are kept to a bare minimum.

-One of the main reasons people acquire an acreage in a similar location to mine is the proximity of it to adjacent properties.

-Most acreages are close to others not by peoples choice but because that is where a subdivision was created and people could acquire a lot there.

-These subdivisions are allowed close to cities or towns.

-The existing acreages in the County are located on small amounts of land that are not suitable for agriculture which is the predominate business in most areas of the County.

-They are created by marshes, creeks, well heads, diagonal roads etc cutting them off from farm land. The two acreages directly to the west of my location were established because they are on marsh land, cut off by nose creek and the railroad tracks. The acreages directly to the

2 of 2

north of my location were allowed because of the well heads and subsequent road which created a narrow strip of land.

- There are some existing acreage subdivisions in the area, however these were approved before the County had jurisdiction to control land use.
- There has been some precedent for new properties/businesses in the area.
- These are all ag related with the possible exception of the Fruit stand, however it sells a large amount of vegetables grown at its location and also sells local ag related products.
- Of the 4 new businesses two are in close proximity to residential houses, however these houses are directly related or owned by that business.
- None are even remotely adjacent to existing residences as this proposed subdivision is.
- I am quite familiar with areas being rezoned as I recently retired after 40 years as a Real Estate investor in Calgary.
- The type of rezoning proposed has not reached this area of the county.
- Any additional residential acreages at this location do not meet any of the restrictions mentioned above. Marsh, creeks etc.
- If this proposal is allowed to proceed I am also concerned it could set a precedent for more more acreages on this property.
- There is no precedent for this type of Residential Rural Subdivision in this area.

-Please call or text [REDACTED] with any concerns.

Regards,  
Kent [REDACTED]

Do not open links or attachments unless sender and content are known.



Mr. Bunney & Dr. Whitehead  
280001 Dickson Stevenson Trail  
Rocky View County  
T4B 4L5

May 23, 2023

Re: Rocky View County-File: 08501009, Application #: PL20230027, Division: 5

This letter is regarding the application by Ms. Smith for redesignation of the land at SW-01-28-01-W05M. We, Dustin Bunney and Ashley Whitehead, live on an acreage in the southwest corner of the same quarter section across Dickson Stevenson Trail to the land indicated above. We moved to this location just over two years ago, attracted to the area's agricultural surroundings as we have horses and are both from rural agricultural backgrounds. Prior to moving to the area, we consulted the Rocky View County Plan to ensure that the property that we selected will have longevity as rural agricultural land without plans for higher density residential use or larger scale business development. We have put substantial thought and research into this redesignation request and while we very much value and support our neighbours, at this time we oppose the proposed redesignation. We have tried to reference our concerns with the available Rocky View County resources. The following are some of our concerns:

### **Consistency with County Plan**

The proposed redesignations are not aligned with the principles and long-term plan for the area.

As per Map 1 Managing Growth (page 26), the area described in the application is not within any of the county residential (area structure plan or hamlet growth areas). It is found within the areas for Agricultural uses.

## **II. County Development**

### **A. Growing Communities (page 19, figure 3)**

- a. The proposed re-designation is within an area with indicated residential dwellings per section of 0-5.
- b. The growth target set for this area within 10-12 years was moderate growth (30%-56%). This would, using the upper range of 5 residences (County Plan 2013 amended document in 2022), result in the section supporting an additional 1.5 to 2.8 residences during this time. The current plan in the application for the additional three lots with residences would exceed this target since there are currently 7 residential dwellings and 11 separate parcel lots in the section.

### **Ground Water supply**

#### **7.0 Environment (County Plan page 29)**

One of our primary concerns related to the application relates to the County Plan Environmental Goal to "Provide safe, secure, and reliable drinking water supply". Prior to purchasing our

property, we had an assessment of the water source (well) on the property. The property well produces about 3 igpm however, it has a slow recovery and has a significantly high turbidity (suspended particulate debris). Since moving to our property, the dry summer weather has resulted in increased water turbidity and lower flow rates such that we have installed a complete water system including large cisterns and sediment filtration. Also, of note the original well record found on the Alberta well database indicates that original rate was >6 igpm indicating ongoing decrease in water source availability in the area. With increased residential usage and the ongoing intensification of the nearby business, we are very concerned for the sustainability of our well for both personal, property, and stock (horse) usage. To our knowledge there has not been any ground water supply evaluations (aquifer evaluation and aquifer testing) done in the area. The current redesignation has three separate residential lots indicated and thus does not meet the county's 6-lot in a quarter section break point for requiring any groundwater supply evaluations (County Servicing Standards Table 600A). The most recent wells drilled in the area is on the quarter section directly south of the applicant's land (two wells drilled in November of 2022). Both wells have a recommended withdrawal rate of 2.5 igpm with maximum withdrawal of 3 igpm. Of largest concern though is the depth to which the wells were drilled consisting of 260 ft from ground level (GIC Well ID 2086657) and 480 ft from ground level (GIC Well ID 2086656). These far exceed the depths of any other wells in the area and have the potential with the well depth and commercial nature of the property to impact surrounding existing residential properties even without the addition of these three residential properties. We are also very concerned that once the land is redesignated future lots (in addition to the current three) may be added and the groundwater evaluation could be sidestepped or too late.

These ground water concerns are aligned with the county plan (page 30) as outlined:

- 7.4. "Protect ground water and ensure use does not exceed carrying capacity by:
  - b. mitigating the potential adverse impacts of development on groundwater recharge areas;
  - c. adhering to provincial ground water testing requirements, as part of the development approval process"

17.6 "Water well performance and deliverability testing shall be required for all development relying on ground water in accordance with the requirements of the "Water Act""

## **Agriculture**

County Plan 8.0 "traditional farming and ranching continues to be valued and respected"

Residential, Rural District (R-RUR) (page 59 of Land Use bylaws): the purpose of the R-RUR district is "to provide for residential uses in a rural setting on parcels which can accommodate **limited agricultural pursuits**".

The redesignation of this area in the application will reduce the actively farmed agricultural land (~140 acres) by almost 12 acres and create a fragmented quarter section. From the application we are unable to determine what type of agricultural borders such as edge treatments would be planned to lessen the impact on the adjacent agricultural land, but we assume this is indicated

in the Worksheet 2 of the Agricultural Boundary Guidelines. The proposed lots are in direct line of sight from our house immediately across the road and dependant on the future development plans for the parcels there could be substantial devaluation of our acreage with the loss of the rural agricultural character of adjacent lands.

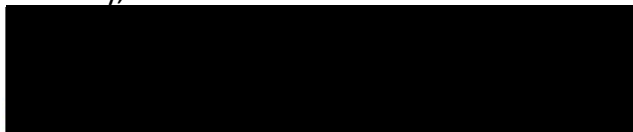
The quarter section listed in the redesignation has two current residential dwellings within the three parcels of land— our property which was divided off following road development of Dickson Stevenson Trail (as described on page 117 of the county plan and policies 8.18 and 8.19) and the “first parcel out” owned by Mr. Kent Fiedler (10184 TWP RD 280). Thus, the proposal does not meet the requirements for first parcel out nor being a fragmented quarter section (8.17 and 10.11).

In summary, the current application does not appear to meet the definitions for redesignation based on the County Plan and Land Use Bylaws. In addition, the availability of ground water for such growth should require substantial investigation and assessment to ensure that us, the existing land owners in close proximity are not negatively impacted. Redesignation in this location has high potential to affect us and other neighbours including environmentally, financially, and enjoyment of our rural community. We would like to highlight in closing the principles identified in the County plan which we greatly value and have impacted our decision to oppose the current land redesignation application:

## **2.0 Principles (page 7, 8)**

1. Growth and Fiscal Sustainability
  - “Direct new growth to designated areas” and “retains the County’s rural character”,
2. The Environment
  - a. “does not adversely impact surface or groundwater”, “maintain the rural landscape and character of dark skies, open vistas, and working agricultural land”
2. Agriculture
  - a. “respects, supports, and values agriculture as an important aspect of the County’s culture and economy”
3. Rural Communities
  - a. “Encouraged agriculture, hamlets, and country residential communities to retain their rural character and maintain a strong sense of community”

Sincerely,



Mr. Dustin Bunney and Dr. Ashley Whitehead

**From:** [REDACTED]  
**To:** [Christine Berger](#)  
**Subject:** [EXTERNAL] - PL20230027  
**Date:** May 14, 2023 12:42:44 PM

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Christine,

I have only just recently become aware of the application to redesignate prime agricultural land with no natural division to residential development. Our main concern is impact to our water supply which we have already had to install a 1000 gal cistern to manage our current water needs. We do not believe groundwater in this area can support business and/or further residential development without water and sewer infrastructure. A hydrological assessment should be required. Additionally we are concerned that allowing small acerages (under 4acres) will depreciate our property value, increase noise, traffic, runoff and lighting immediately adjacent to our house and spook our horses. We do think that large acerages (10 acres) would reduce water demand and allow other small farm activities consistent with current land use in this area.

P.s. this applicant has already subdivided this property on the north side, we believe they plan on addition application and have kept this below 6 to avoid the cost of environmental impact studies. We recommend they be required to complete an environmental and ground water study due to the cumulative impact of this property would be sub divided to 7 lots.

P.p.s. If this goes to hearing, we would like it to be presented with PL200220209 which is also adjacent to our property and will also impact water use, property value, noise, traffic and lighting.

Yours truly,  
Tracy and Cris O'Brien

Do not open links or attachments unless sender and content are known.

**From:** [Randy Bollum](#)  
**To:** [Legislative Services](#)  
**Subject:** Bylaw C-8528-2024-PL20230027 (08501009)  
**Date:** May 15, 2024 11:17:49 AM

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May 14, 2024

To: Rocky View County Council

From: Randy and Rhonda , Brandon and Kate Bollum  
10055 Twp. Rd. 280  
Rocky View County, Alberta T4B 4W4  
NE1/4 36-27-1 W of 5

Council Members:

As neighbouring land owners, we are writing to express our total OBJECTION to the proposed re-designation of SW-01-28-01 W05M from Agricultural General District ( A-GEN) to Residential, Rural District ( R-RUR ) to facilitate the subdivision of 3 new lots... or ANY new lots.

Over 30 years ago we decided to move to Rocky View County ( where Rhonda grew up and her family still farms ) as the county's long term established land use policies fit our idea of the ideal area to raise our family and invest in land to operate our agricultural business, quality seedstock beef cattle. Over those three decades we enjoyed the continuation of the county's traditional land use policy and production agricultural lifestyle. We expect that same tradition to continue through the years ahead, and we do all we can to contribute to the preservation of that lifestyle that has made the area a great place to live and work.

Reasons why we are opposed to development of the proposed acreages:

1. This proposal is not keeping with Rocky View County's long standing policy of preserving farmland for production agricultural purposes. **How do we feed an ever-increasing population if we continue to lose valuable farm land?**
2. This proposal does not comply with Rocky View County's long time established policy of only allowing "One first parcel out" of a quarter section of farmland for residential use. The first parcel from this piece of land has already been subdivided out years ago. This undermines the integrity of existing regulations and sets a concerning precedent for future development.
3. **Dramatic increase use of well water usage will be needed for each additional household. The area water available now is already scarce as documented by all neighbouring water wells having very minimal gallons per minute ( or even gallons per hour ) noted in the well ratings and long depths in past years. Newly drilled wells in the area also have these issues. This risks depletion of ground water and compromises the viability of agricultural operations and existing households already in the area. If we run out of water, our properties are worthless.**
4. Increased traffic on our Twp. 280 gravel road that is already difficult to drive on after a rain.

5. Additional households will contribute to noise pollution disrupting the tranquility of our rural environment and impacting quality of life for existing residents.

6. If this proposal is allowed, it will set a precedent for allowing the rest of this land parcel to be subdivided up into many more small acreages - where's the limit ?

Summary:

All the members of our family with over 60 years residency here in rural Rocky View County plan to continue to live and work here. We believe it takes constant surveillance and vigilance to guard against those that want to bend or break the rules and guidelines that have been proven to be sound and fair ...and then call it "precedence."

We want to protect our area from those who try to justify this waste of good agricultural production land - and see their proposal as the "modern" way of life , and then use the detrimental change of County policy as a way to set an irreversible precedent for the years ahead.

In light of these concerns, we urge the council to decline this proposed re-designation and support our shared commitment to preserving our agricultural heritage and rural way of life.

Sincerely,

Randy , Rhonda, Brandon and Kate Bollum



## ATTACHMENT E: POLICY REVIEW

Municipal Development Plan (County Plan)	
Managing Residential Growth – Agricultural Area	
5.10	<i>Residential development in the agricultural area shall be guided by the goals and policies of this Plan.</i>
Inconsistent	The subject application is not within a fragmented quarter section, nor can it be considered for First Parcel Out subdivision; therefore, the proposed land use amendment does not align with County Plan goals to preserve agricultural land, support a range of new and innovative agricultural operations, and provide an efficient settlement pattern for rural and country residential areas.
5.11	<i>Support first parcel out residential and agricultural subdivision in the agricultural area as per the policies of this Plan (section 8).</i>
Inconsistent	The subject lands are ineligible for First Parcel Out subdivision as discussed within the Section 8.0 policy review below.
Agriculture – First Parcel Out	
8.17	<i>A subdivision to create a first parcel out that is a minimum of 1.60 hectares (3.95 acres) in area should be supported if the proposed site:</i> <i>a. meets the definition of a first parcel out;</i> <i>b. has direct access to a developed public roadway;</i> <i>c. has no physical constraints to subdivision;</i> <i>d. minimizes adverse impacts on agricultural operations by meeting agriculture location and agriculture boundary design guidelines; and</i> <i>e. the balance of the un-subdivided quarter section is maintained as an agricultural land use.</i>
Inconsistent	The subject parcel was subdivided as the First Parcel Out of the quarter section in 1998. Therefore, the proposed additional three $\pm 1.60$ hectare ( $\pm 3.95$ acre) lots with a $\pm 52.44$ hectare ( $\pm 129.57$ acre) remainder cannot be supported under the First Parcel Out policies.
Agriculture – Redesignation and Subdivision for Agricultural Purposes	
8.18	<i>Redesignation and subdivision to smaller agriculture parcels as a new or distinct agricultural operation may be supported. Proposals will be evaluated on the following criteria:</i> <i>a. A similar pattern of nearby small agricultural operations;</i> <i>b. A planning rationale justifying why the existing land use and parcel size cannot accommodate the new or distinct agricultural operation;</i> <i>c. A demonstration of the need for the new agriculture operation;</i> <i>d. An assessment of the proposed parcel size and design, to demonstrate it is capable of supporting the new or distinct agricultural operation. Site assessment criteria include:</i> <i>i. suitable soil characteristics and topography;</i> <i>ii. suitable on-site infrastructure for the proposed use. Required infrastructure may include access areas, water wells, irrigation and sewage infrastructure, and manure management capability; and</i> <i>iii. compatibility with existing uses on the parent parcel and adjacent lands;</i> <i>e. An assessment of the impact on, and potential upgrades to, County infrastructure; and</i> <i>f. An assessment of the impact on the environment including air quality, surface water, and groundwater.</i>

Inconsistent	To date, no rationale has been provided in support of a new or distinct agricultural operation. Additionally, the proposed residential land use does not align with the intent and goals of Section 8.0 (Agriculture) to support and preserve agricultural viability.
<b>Country Residential Development – Fragmented Country Residential Areas</b>	
10.11	<p><i>Within a fragmented quarter section, the redesignation of residential lots or agricultural parcels less than or equal to 10 hectares (24.7 acres) in size to a new residential land use may be supported if the following criteria are met:</i></p> <ul style="list-style-type: none"> <li><i>a. A lot and road plan is provided that;</i> <ul style="list-style-type: none"> <li><i>i. plans for an area determined by the County at the time of redesignation application. The plan shall include, at a minimum, all residential or small agricultural acreages that are adjacent to the application;</i></li> <li><i>ii. includes design measures to minimize adverse impacts on existing agriculture operations; and</i></li> <li><i>iii. demonstrates potential connectivity to residential or small agricultural acreages outside of the lot and road plan area.</i></li> </ul> </li> <li><i>b. A technical assessment of the proposed design is provided, to demonstrate that the lot and road plan area is capable of supporting increased residential development. The assessment shall address:</i> <ul style="list-style-type: none"> <li><i>i. the internal road network, water supply, sewage treatment, and stormwater management; and</i></li> <li><i>ii. any other assessment required by unique area conditions.</i></li> </ul> </li> <li><i>c. A technical assessment of the impact on off-site infrastructure, roads, and stormwater systems is be provided;</i></li> <li><i>d. A report is provided that documents the consultation process undertaken to involve affected landowners within the plan area in the preparation and/or review of the lot and road plan.</i></li> </ul>
Inconsistent	The subject quarter section does not meet the definition of a fragmented quarter section as the quarter section currently contains three parcels. Therefore, the application cannot be considered under the County Residential policies within Section 10.0 of the County Plan.
<b>Transportation</b>	
16.1	<i>Partner and co-operate with the provincial government and neighbouring municipalities to protect and improve, where necessary, regional transportation corridors.</i>
Generally Consistent	The application was circulated to Alberta Transportation and Economic Corridors. No concerns were indicated.
16.2	<i>Partner and liaise with other municipalities and developers to co-ordinate transportation improvements and the expansion of transportation infrastructure.</i>
<b>Transportation – Road Access</b>	
16.13	<p><i>Residential redesignation and subdivision applications should provide for development that:</i></p> <ul style="list-style-type: none"> <li><i>a. provides direct access to a road, while avoiding the use of panhandles;</i></li> <li><i>b. minimizes driveway length to highways/roads;</i></li> <li><i>c. removes and replaces panhandles with an internal road network when additional residential development is proposed; and</i></li> <li><i>d. limits the number and type of access onto roads in accordance with County Policy.</i></li> </ul>
Generally Consistent	The three proposed ±1.60 hectare (±3.95 acre) lots and remainder lot have frontage along Township Road 280.

<b>Municipal Government Act (MGA)</b>	
654(1) A subdivision authority must not approve an application for subdivision approval unless:	
654(1)(b)	<i>The proposed subdivision conforms to the provisions of any growth plan under Part 17.1, any statutory plan and, subject to subsection (2), any land use bylaw that affects the land proposed to be subdivided,</i>
Conflicts	The proposed land use amendment does not align with both statutory documents of the Municipal Development Plan (County Plan), and the relevant Intermunicipal Development Plan as noted above; therefore, approval of PL202000027 conflicts with Section 654(1)(b).

<b>Land Use Bylaw C-8000-2020</b>	
Residential, Rural Residential District (R-RUR)	
317: Purpose	<i>To provide for residential uses in a rural setting on parcels which can accommodate limited agricultural pursuits.</i>
Generally Consistent	Existing uses (e.g., Dwelling, Accessory Buildings, etc.) on the proposed new parcel align with the purpose of the R-RUR district.
319:	<b>MINIMUM PARCEL SIZE:</b> a) 1.6 ha (3.95 ac) b) <i>The minimum size of parcels designated with the letter “p” is the number indicated on the Land Use Map</i> c) <i>Notwithstanding b), the number following the “p” shall not be less than 1.6 ha (3.95 ac)</i>
Generally Consistent	The proposed future subdivision of three ±1.60 hectare (±3.95 acre) lots with a ±52.44 hectare (±129.57 acre) remainder meets the minimum parcel size requirement for the R-RUR district.



# BYLAW C-8528-2024

**A bylaw of Rocky View County, in the Province of Alberta, to amend Rocky View County Bylaw C-8000-2020, being the *Land Use Bylaw*.**

The Council of Rocky View County enacts as follows:

## Title

- 1 This bylaw may be cited as *Bylaw C-8528-2024*.

## Definitions

- 2 Words in this Bylaw have the same meaning as those set out in the *Land Use Bylaw* and *Municipal Government Act* except for the definitions provided below:
- (1) **“Council”** means the duly elected Council of Rocky View County;
  - (2) **“Land Use Bylaw”** means Rocky View County Bylaw C-8000-2020, being the *Land Use Bylaw*, as amended or replaced from time to time;
  - (3) **“Municipal Government Act”** means the *Municipal Government Act*, RSA 2000, c M-26, as amended or replaced from time to time; and
  - (4) **“Rocky View County”** means Rocky View County as a municipal corporation and the geographical area within its jurisdictional boundaries, as the context requires.

## Effect

- 3 THAT Schedule B, Land Use Maps, of Bylaw C-8000-2020 be amended by redesignating a portion of SW-01-28-01-W05M from Agriculture, General District (A-GEN) to Residential, Rural District (R-RUR) as shown on the attached Schedule 'A' forming part of this Bylaw.
- 4 THAT a portion of SW-01-28-01-W05M is hereby redesignated to Residential, Rural District (R-RUR) as shown on the attached Schedule "A" forming part of this Bylaw.

## Effective Date

- 5 Bylaw C-8528-2024 is passed and comes into full force and effect when it receives third reading and is signed in accordance with the *Municipal Government Act*.



ROCKY VIEW COUNTY

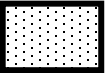
READ A FIRST TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2024

READ A SECOND TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2024

UNANIMOUS PERMISSION FOR THIRD READING this \_\_\_\_\_ day of \_\_\_\_\_, 2024

READ A THIRD AND FINAL TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2024

\_\_\_\_\_  
Reeve\_\_\_\_\_  
Chief Administrative Officer\_\_\_\_\_  
Date Bylaw Signed

**Schedule 'A'**
**Bylaw**  
**C-8528-2024**
**Amendment****FROM**
 Agricultural,  
 General District  
 (A-GEN)
**TO**
 Residential,  
 Rural District  
 (R-RUR)






Direct Control Amendment Item: Residential

Electoral Division: 7	File: PL20230148 / 03223841
Date:	May 28, 2024
Presenter:	Carter Shelton, Planner 1
Department:	Planning
Approved by:	<input checked="" type="checkbox"/> Executive Director / Director and/or <input checked="" type="checkbox"/> Chief Administrative Officer

REPORT SUMMARY

The purpose of this report is to assess the proposed site-specific amendment to Direct Control Bylaw C-6136-2005 (DC-97) for Lot 2, Block 3, Plan 1013437 within NE-23-23-27-W04M to reduce the minimum front yard setback requirement from 6.00 metres (19.70 feet) to 5.90 metres (19.36 feet) to allow the existing Dwelling, Single Detached to remain. The proposed amendment would facilitate a setback relaxation of 1.7%, thereby bringing the property into compliance. The subject application is the result of a Compliance Review of a Real Property Report submitted by the Applicant.

The application was evaluated in accordance with the policies and regulations of the Municipal Development Plan (County Plan), the Langdon Area Structure Plan (ASP), the Langdon East Conceptual Scheme (CS), and Direct Control Bylaw C-6136-2005 (DC-97).

The application was found to align with the overarching policy documents. The application is consistent with the intent and policies of the County Plan, Langdon ASP, and Langdon East CS. The dwelling does not comply with the applicable setback regulations of DC-97; however, the DC Bylaw does not provide Administration, as the Development Authority, the ability to approve variances. The subject dwelling has existed on site since 2011 and presents no adverse impact to overall community design or County infrastructure.

ADMINISTRATION’S RECOMMENDATION

- THAT Bylaw C-8507-2024 be given first reading.
- THAT Bylaw C-8507-2024 be given second reading.
- THAT Bylaw C-8507-2024 be considered for third reading.
- THAT Bylaw C-8507-2024 be given third and final reading.

## Direct Control Amendment Item: Residential

### BACKGROUND

#### Location (Attachment A)

Located in the hamlet of Langdon, south of Anderson Avenue NE, and east of Hanson Way NE.



#### Site History (Attachment B)

On September 15, 2010, a subdivision plan for the Hanson Estates Phase 1 within Langdon was registered, including the creation of the subject parcel. At present, the subject parcel is developed with a single-detached dwelling.

On August 3, 2011, building permits were issued for the construction of the subject Dwelling, Single Detached, and respective utility hook ups.

Between 2013 and 2016, five (5) amendments to the DC-97 Bylaw were approved to allow relaxations to permitted uses, minimum setbacks, accessory building footprint and building height on several parcels within the district.

#### Intermunicipal and Agency Circulation (Attachment C)

The application was circulated to all necessary internal and external agencies.

This application is not within an area guided by intermunicipal policy or requirements.

#### Landowner Circulation (Attachment D)

The application was circulated to 821 adjacent landowners in accordance with the *Municipal Government Act* and County Policy C-327 (Circulation and Notification Standards); no letters of public submission were received.

## Direct Control Amendment Item: Residential

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### ANALYSIS

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#### Policy Review (Attachment E)

The application was reviewed pursuant to Section 5.0 (Managing Growth) and Section 9.0 (Hamlets) of the County Plan; the application was found to align with these policies as the proposal is in alignment with the applicable Langdon Area Structure Plan.

The Langdon ASP directs residential areas to utilize architectural guidelines to maintain a rural identity and a street-oriented design. The existing Dwelling, Single Detached does not impact streetscape visual identity and pedestrian/vehicular connectivity. The subject parcel is located within the Cell 1 – Single Family Residential policy area of the Langdon East Conceptual Scheme; the proposal meets the intent and policies of Section 5, as the proposal would bring the subject property into compliance with the Direct Control District setback regulations.

### COMMUNICATIONS / ENGAGEMENT

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Consultation was conducted in accordance with statutory requirements and County Policy C-327.

### IMPLICATIONS

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#### Financial

No financial implications have been identified at this time.

### STRATEGIC ALIGNMENT

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This report is a statutory obligation under the *Municipal Government Act*.

### ALTERNATE DIRECTION

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No alternative options have been identified for Council's consideration.

### ATTACHMENTS

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Attachment A: Map Set

Attachment B: Application Information

Attachment C: Application Referral Responses

Attachment D: Public Submissions [None Received]

Attachment E: Policy Review

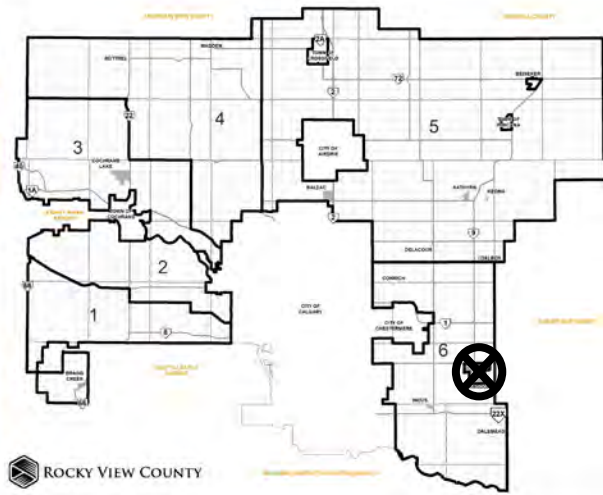
Attachment F: Proposed DC-97 Amendment Bylaw C-6688-2008 Redline



## Redesignation Proposal

To amend Direct Control Bylaw C-6136-2005 (DC-97) to reduce the minimum front yard setback requirement from 6.00 metres (19.70 feet) to 5.90 metres (19.36 feet) on Lot 2, Block 3, Plan 1013437.

Division: 7  
Roll: 03223841  
File: PL20230148  
Printed: December 15, 2023  
Legal: A portion of SE-22-24-3-  
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## Development Proposal

### Redesignation Proposal

To amend Direct Control Bylaw C-6136-2005 (DC-97) to reduce the minimum front yard setback requirement from 6.00 metres (19.70 feet) to 5.90 metres (19.36 feet) on Lot 2, Block 3, Plan 1013437.

## ALBERTA LAND SURVEYOR'S REAL PROPERTY REPORT

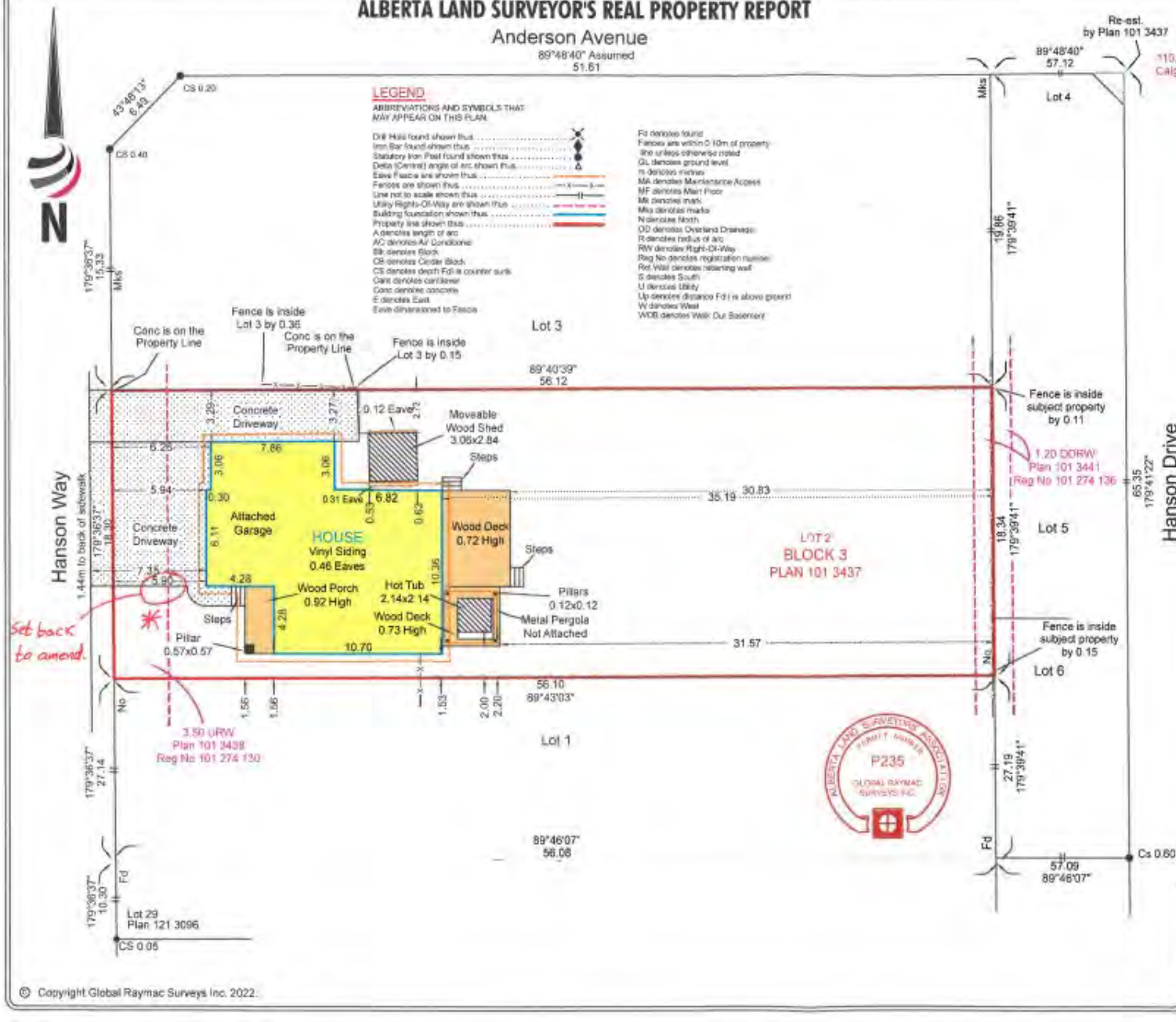
Anderson Avenue

89°48'40" Assumed  
51.61

### LEGEND

ABBREVIATIONS AND SYMBOLS THAT MAY APPEAR ON THIS PLAN

- DBI Hole found shown thus
- Iron Bar found shown thus
- Statutory Iron Post found shown thus
- Delta (Centre) angle of arc shown thus
- Edge Fence as shown thus
- Fences are shown thus
- Line not to scale shown thus
- Utility Rights-Of-Way are shown thus
- Building foundation shown thus
- Property line shown thus
- Adjoins length of arc
- AC denotes Air Conditioner
- BB denotes Block
- CS denotes Center Block
- CS denotes depth Fd is counter sunk
- Cant denotes cantilever
- Cnc denotes concrete
- C denotes East
- Edge dimensioned to Fences
- Fd denotes found
- Fences are within 0.10m of property line unless otherwise noted
- GL denotes ground level
- m denotes metres
- MA denotes Maintenance Access
- MF denotes Main Floor
- M denotes mark
- Mx denotes marks
- N denotes North
- OD denotes Overland Drainage
- R denotes radius of arc
- RW denotes Right-Of-Way
- Reg No denotes registration number
- Ret Wall denotes retaining wall
- S denotes South
- U denotes Utility
- Up denotes distance Fd is above ground
- W denotes West
- WOB denotes Walk Out Basement



Division: 7

Roll: 03223841

File: PL20230148

Printed: December 15, 2023

Legal: A portion of SE-22-24-

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## Environmental

### Redesignation Proposal

To amend Direct Control Bylaw C-6136-2005 (DC-97) to reduce the minimum front yard setback requirement from 6.00 metres (19.70 feet) to 5.90 metres (19.36 feet) on Lot 2, Block 3, Plan 1013437.



- Subject Lands
- Contour - 2 meters
- Riparian Setbacks
- Alberta Wetland Inventory
- Surface Water

Division: 7  
 Roll: 03223841  
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 Printed: December 15, 2023  
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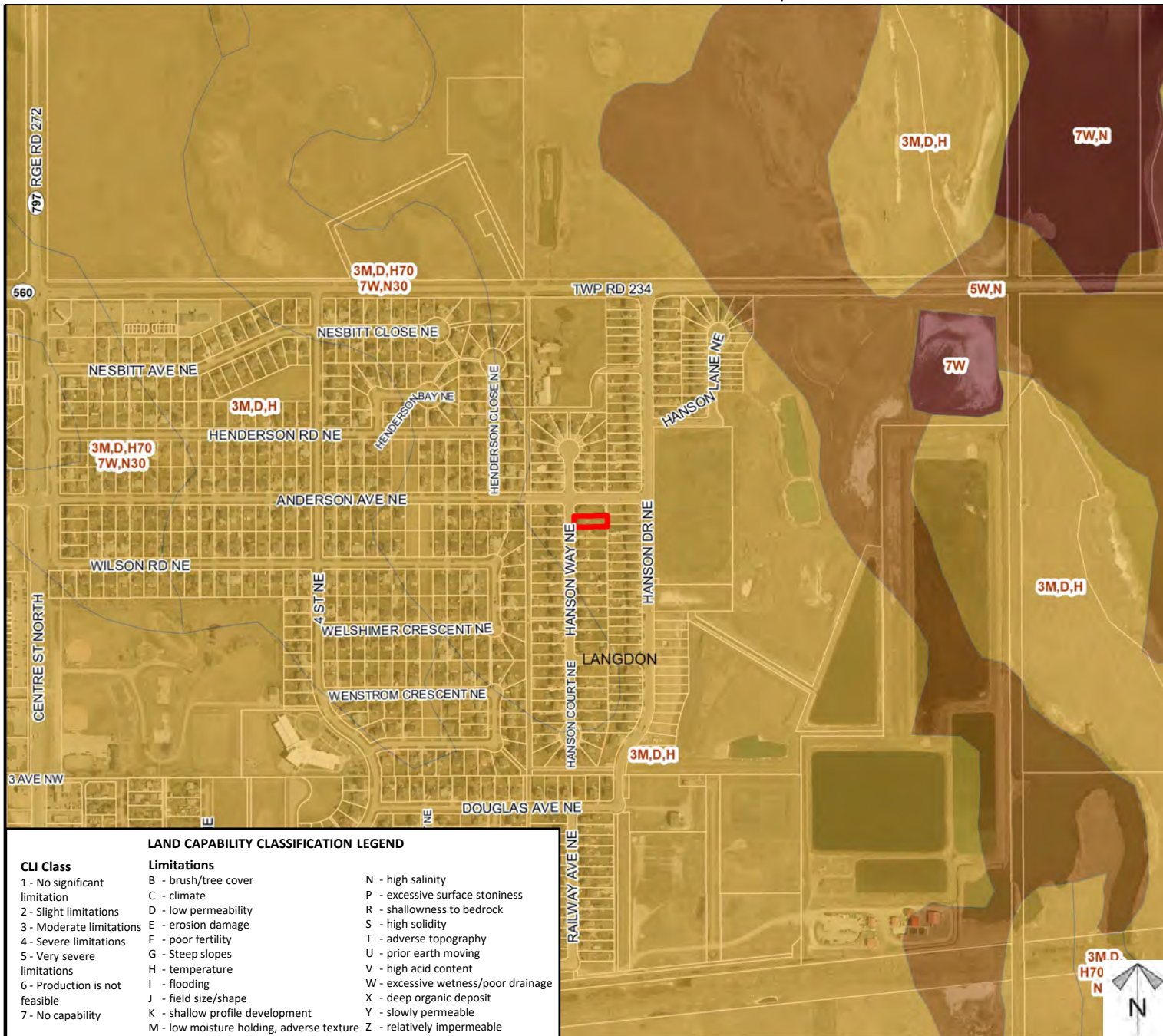




## Soil Classifications

### Redesignation Proposal

To amend Direct Control Bylaw C-6136-2005 (DC-97) to reduce the minimum front yard setback requirement from 6.00 metres (19.70 feet) to 5.90 metres (19.36 feet) on Lot 2, Block 3, Plan 1013437.



Division: 7

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Legal: A portion of SE-22-24-

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## Landowner Circulation Area

### Redesignation Proposal

To amend Direct Control Bylaw C-6136-2005 (DC-97) to reduce the minimum front yard setback requirement from 6.00 metres (19.70 feet) to 5.90 metres (19.36 feet) on Lot 2, Block 3, Plan 1013437.

### Legend

Support



Not Support



Division: 7

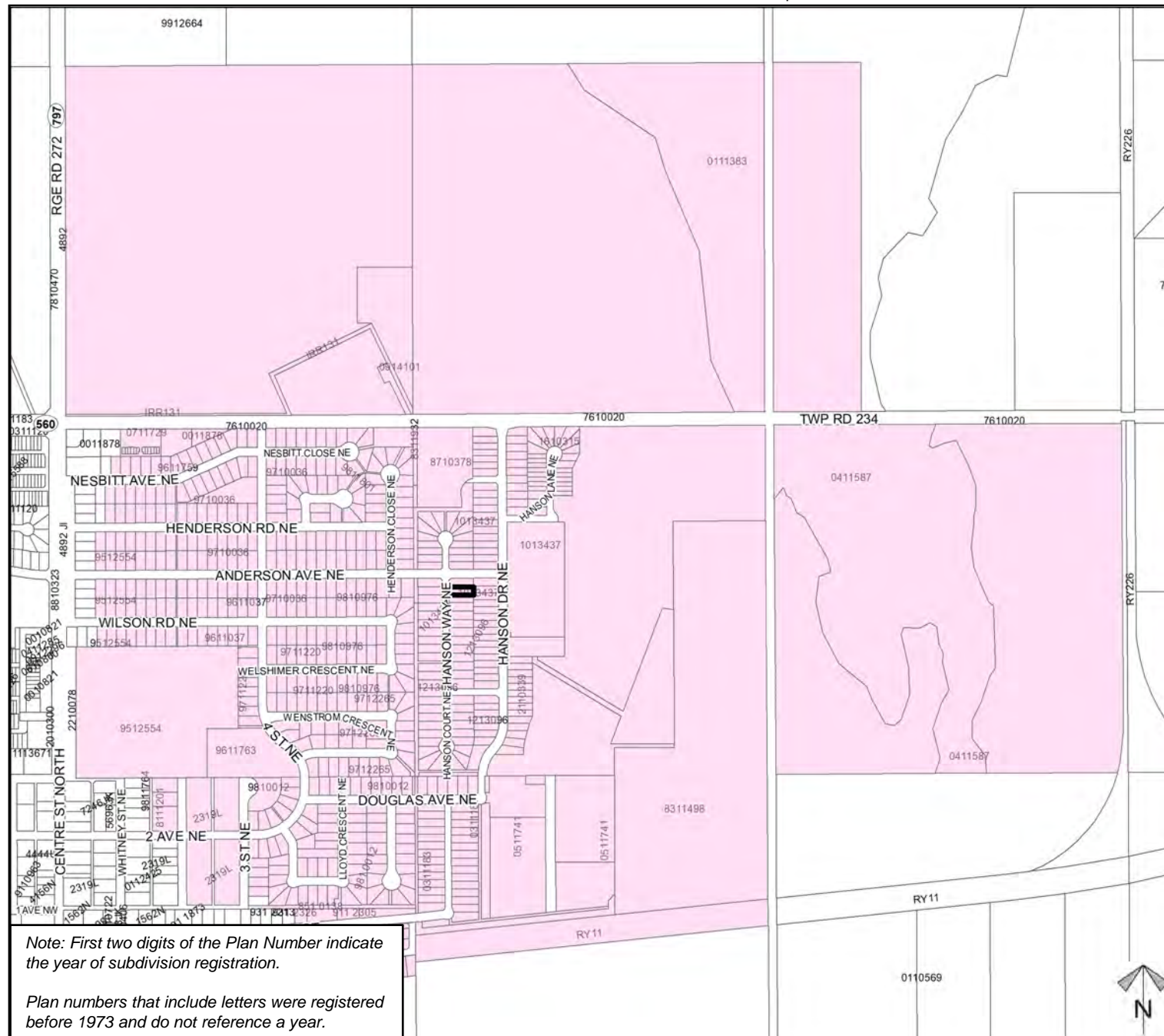
Roll: 03223841

File: PL20230148

Printed: December 15, 2023

Legal: A portion of SE-22-24-

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**ATTACHMENT B: APPLICATION INFORMATION**

<b>APPLICANT/OWNERS:</b> Bryan Alberda	<b>DATE APPLICATION RECEIVED:</b> December 8, 2023
<b>GROSS AREA:</b> ± 0.11 hectares (± 0.26 acres)	<b>LEGAL DESCRIPTION:</b> Lot 2, Block 3, Plan 1013437 within NE-23-23-27-W04M
<b>Pre-Application Meeting Held:</b> <input type="checkbox"/>	<b>Meeting Date:</b> N/A
<b>SOILS (C.L.I. from A.R.C.):</b> <b>3M, D, H</b> – Moderate limitations to cereal crop production due to low moisture, permeability, and temperature.	
<b>HISTORY:</b> <b>October 18, 2005:</b> Council approved Direct Control Bylaw C-6136-2005 (DC-97) to accommodate the development of single-detached, multi-family, public service and business industrial uses. <b>September 15, 2010:</b> Subdivision plan for the Hanson Estates Phase 1 within Langdon was registered, including the creation of the subject parcel.	
<b>TECHNICAL REPORTS SUBMITTED:</b> <ul style="list-style-type: none"> <li>N/A</li> </ul>	

## ATTACHMENT C: APPLICATION REFERRAL RESPONSES

AGENCY	COMMENTS
<b><i>School Authority</i></b>	
Calgary Catholic School District	The Calgary Catholic School District has no objection. As noted, Municipal Reserves were previously dedicated.
<b><i>Province of Alberta</i></b>	
Alberta Health Services	AHS-EPH has no concerns with the redesignation application at this time.
<b><i>Public Utility</i></b>	
ATCO Gas	No objections.
ATCO Transmission	No objections.
Telus Communications	TELUS has no concerns with the proposed activities.
Shaw Communications	No comment received.
Langdon Waterworks Ltd.	No comments received.
<b><i>Internal Departments</i></b>	
Recreation, Parks and Community Support	As Municipal Reserves are not required, recreation has no comment at this time.
Building Services	No comments to be added from Building services on this application.
Fire Services & Emergency Management	Fire services has no concerns at this time. Subject to access route design and water supply requirements as per the NBC (AE), NFC (AE) and County Bylaws.
Enforcement Services	Enforcement Services has no recommendations.
Capital and Engineering Services	Engineering has no concerns with the proposed 0.10 m front yard setback reduction.

Circulation Period: January 5, 2024, to January 26, 2024.



**ATTACHMENT E: POLICY REVIEW**

<b>Definitions</b>		
Consistent	Generally Consistent	Inconsistent
Clearly meets the relevant requirements and intent of the policy.	Meets the overall intent of the policy and any areas of inconsistency are not critical to the delivery of appropriate development.	Clear misalignment with the relevant requirements of the policy that may create planning, technical or other challenges.

<b>Municipal Development Plan (County Plan)</b>	
<b>Managing Residential Growth - Hamlets</b>	
5.1	<i>Support the development of the Hamlets of Conrich, Harmony, Langdon, Balzac, and Glenbow Ranch as full service rural communities providing a range of land uses, housing types, and rural services to their residents and local area; in accordance with their area structure plan or conceptual scheme. These hamlets are identified as "Hamlet – Full Service" on Map 1.</i>
Consistent	Subject lot / Dwelling located in the hamlet of Langdon. The proposed amendment does not affect the implementation of the Langdon ASP or applicable conceptual scheme which have been addressed previously through land use and subdivision considerations with the creation of the subject lot.
<b>Managing Residential Growth – Hamlets</b>	
5.8	<i>Support the development of the Hamlets of Conrich, Harmony, Langdon, Balzac, and Glenbow Ranch as full service rural communities providing a range of land uses, housing types, and rural services to their residents and local area; in accordance with their area structure plan or conceptual scheme. These hamlets are identified as "Hamlet – Full Service" on Map 1.</i>
Consistent	Subject lot / Dwelling located in the hamlet of Langdon. The proposed amendment does not affect the implementation of the Langdon ASP or applicable conceptual scheme which have been addressed previously through land use and subdivision considerations with the creation of the subject lot.
<b>Hamlets – Hamlets: Appearance and Function</b>	
9.1	<i>Encourage and support the development of the Hamlets of Conrich, Harmony, Langdon, Balzac, and Glenbow Ranch as full service rural communities providing a range of land uses, housing types, and rural services to their residents and local area, in accordance with their area structure plan or conceptual scheme.</i>
Consistent	Development / creation of the subject lot was approved through the implementation of the Langdon ASP and Langdon East conceptual scheme. The use in question is a Dwelling, Single Detached, which is a permitted use within the Development Cell of the DC-97 Bylaw, and is appropriately designed and serviced.
<b>Hamlets – Hamlets: Planning and Design Considerations</b>	
9.6	<i>Development in a hamlet shall be guided by, and conform to, the adopted area structure plan or conceptual scheme.</i>
Consistent	Development within the area in which the subject lot is located is guided by the Langdon ASP and Langdon East Conceptual Scheme.
9.10	<i>Support hamlets in providing:</i> a. <i>an attractive community and distinct identity; and</i> b. <i>a high quality built environment.</i>

Not Applicable	The application does not propose new development or intensification of use, therefore the proposal does not affect the community and built environment in a negative way. The Langdon ASP and applicable conceptual scheme have been addressed previously through land use and subdivision considerations with the creation of the subject lot and construction of the subject Dwelling.
<b>Reserves – Municipal, School, and Community Reserves</b>	
13.1	<i>When acquiring reserves, the County shall require that the owners of land proposed for subdivision provide reserves in the form of:</i> <i>a. land;</i> <i>b. money in place of land; or</i> <i>c. a combination of land and money.</i>
Consistent	Previously provided with registration of subdivision Plan 101 274 128.

<b>Langdon Area Structure Plan</b>	
<b>8.0 Residential - General</b>	
8.1	<i>Residential development within the hamlet of Langdon shall be supported in the areas identified as residential on Maps 5 and 6.</i>
Consistent	The identified residential use of Dwelling, Single detached on the subject lot is located within the areas identified as residential on Maps 5 and 6.
<b>Residential – Community Design</b>	
8.13	<i>A residential area should provide:</i> <i>a. street-oriented residential design;</i> <i>b. a variety of lot widths and home sizes;</i> <i>c. parks and pedestrian connections to adjacent areas;</i> <i>d. sidewalks on one side of the street at the minimum;</i> <i>e. vehicular connections to other neighbourhoods within the hamlet; and</i> <i>f. “dark sky” street lighting.</i>
Consistent	Street orientation and neighborhood design have been addressed through subdivision design and applicable land use regulations. The existing Dwelling does not create any conflict with the overall community design.

<b>Langdon East Conceptual Scheme</b>	
<b>5.0 Land Use: Cell 1 – Single Family Residential</b>	
5.1.1	<i>Lands identified as Development Cell 1 within the Conceptual Scheme Area shall conform to requirements of the Direct Control District and the General Regulations as set forth within the current M.D. of Rocky View Land Use Bylaw, as amended.</i>
Generally Consistent	The application proposes a relaxation to the minimum front yard setback requirement for Principle Dwellings of 6.0m is to allow the dwelling to remain at a measured distance of 5.90m from the front yard (eastern) property line. The relaxation of 10 cm represents a 1.7% variance as stipulated in the applicable direct control bylaw. DC-97 stipulates that the general regulations in parts 2 and 3 of the 1997 <i>Land Use Bylaw</i> are applicable in matters where the DC-97 is silent; however, parts 2&3 of the 1997 <i>Land Use Bylaw</i> do not include the appropriate provisions which provide the development authority variance ability with respect to minimum setback requirements.
<b>6.1 Single Family Residential</b>	
6.1.1	<i>Single family residential lands subdivided within the Conceptual Scheme Planning Area shall conform to the minimum requirements for parcel size, width, and front, side</i>

	<i>and rear setbacks of the Direct Control District and the General Regulations as set forth within the M.D. of Rocky View's Land Use Bylaw, as amended.</i>
Generally Consistent	The subject lot meets the minimum requirements for parcel size and width, as well as applicable side and rear yard setback requirements. The application proposes a relaxation to the minimum front yard setback requirement for Principle Dwellings from 6.0m to allow the dwelling to remain at a measured distance of 5.90m from the front yard (eastern) property line.
<b>7.1 Architectural &amp; Massing Scheme</b>	
7.1.2	<i>Streetscapes should be defined and framed to establish a comfortable pedestrian environment. This may be accomplished by providing minimal and consistent building setbacks from streets, by situating buildings parallel to the street, and by planting trees and shrubs adjacent to the road Right-of-Ways.</i>
Consistent	The creation of pedestrian friendly built environment has been considered through the adoption of the Direct Control Bylaw DC-97; the subject variance to the minimum front yard setback requirement has negligible impact to the consistency of building setbacks throughout the neighborhood.
7.1.6	<i>New residential dwellings should share basic massing and overall heights and be of a scale similar to existing residential dwellings within the Hamlet of Langdon</i>
Consistent	The existing Dwelling conforms to basic architectural massing and scale of the surrounding neighborhood.

<b>Direct Control Bylaw C-6136-2005</b>	
<b>1.0.0 General Regulations</b>	
1.2.0	<i>The General Administration (Part Two) and General Regulations (Part Three) as contained in the Land Use Bylaw (C-4841-97) shall apply unless otherwise specified in this Bylaw.</i>
Not Applicable	Parts 2 & 3 of the 1997 <i>Land Use Bylaw</i> do not include the appropriate provisions which provide the development authority variance ability with respect to minimum setback requirements.
<b>2.0.0 Land Use Regulations – Development Cell 1 – Single Family Residential</b>	
2.3.3	<i>Minimum Requirements: Yard, Front: a) 6.0m (19.7 ft.)</i>
Inconsistent	The current distance measured from front property line to the foundation of the Dwelling is 5.90m in accordance with the real property report submitted with the application. A site specific variance of 0.10m is required in order for the property to gain compliance with the applicable land use Bylaw (DC-97). The relaxation from 6.0m to 5.90m represents a <b>1.7% variance</b> to required minimum.





# BYLAW C-8507-2024

## **A bylaw of Rocky View County, in the Province of Alberta, to amend Rocky View County Bylaw C-6136-2005, being the *Direct Control Bylaw (DC-97)*.**

The Council of Rocky View County enacts as follows:

### **Title**

1 This bylaw may be cited as *Bylaw C-8507-2024*.

### **Definitions**

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

- (1) **“Council”** means the duly elected Council of Rocky View County;
- (2) **“Land Use Bylaw”** means Rocky View County Bylaw C-8000-2020, being the *Land Use Bylaw*, as amended or replaced from time to time;
- (3) **“Municipal Government Act”** means the *Municipal Government Act*, RSA 2000, c M-26, as amended or replaced from time to time; and
- (4) **“Rocky View County”** means Rocky View County as a municipal corporation and the geographical area within its jurisdictional boundaries, as the context requires.

### **Effect**

3 THAT Direct Control Bylaw C-6136-2005 (DC-97) be amended as detailed in Schedule 'A' attached to and forming part of this Bylaw.

### **Effective Date**

4 Bylaw C-8507-2024 is passed and comes into full force and effect when it receives third reading and is signed in accordance with the *Municipal Government Act*.



READ A FIRST TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2024

READ A SECOND TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2024

UNANIMOUS PERMISSION FOR THIRD READING this \_\_\_\_\_ day of \_\_\_\_\_, 2024

READ A THIRD AND FINAL TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2024

\_\_\_\_\_  
Reeve

\_\_\_\_\_  
Chief Administrative Officer

\_\_\_\_\_  
Date Bylaw Signed



**SCHEDULE 'A'**  
**FORMING PART OF BYLAW C-8507-2024**

Amendment

Add Section 2.3.3 a) i) to Section 2.3.3 Minimum Requirements: Yard, Front

2.3.3 Yard, Front:

a) 6.0m (19.7 ft.)

i) Notwithstanding 2.3.3 a), Lot:2 Block:3 Plan:1013437 is permitted a front yard setback of 5.90 m (19.36 ft.) in order to allow an existing Dwelling, Single Detached to remain.

**ROCKY VIEW COUNTY  
DIRECT CONTROL BYLAW C-6136-2005**

**DC-97**

**OFFICE CONSOLIDATION**

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

Bylaw	Amendment Type	Date of Approval
C-6136-2005	Original Bylaw	October 18, 2005
C-7288-2013	Insert a site specific amendment in section 2.3.5 to relax one setback on Lot 9, Block 1, Plan 1013437	October 01, 2013
C-7326-2013	Amendment to uses listed in provision 2.2.1, amendment to provisions 8.8.0	February 11, 2014
C-7373-2014	Insert a site specific amendment in section 2.3.5 to relax one setback on Lot 11, Block 3, Plan 1013437	June 10, 2014
C-7450-2015	Add site specific amendment 2.2.2	April 14, 2015
C-7609-2016	Amendment to Section 2.2.0 to allow for an increase in the size of individual accessory buildings	October 11, 2016
C-8507-2024	Insert a site specific amendment in section 2.3.3 to relax one setback on Lot 2, Block 3, Plan 1013437	_____ XX, 20__

**ROCKY VIEW COUNTY  
DIRECT CONTROL BYLAW C-6136-2005**

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**MUNICIPAL DISTRICT OF ROCKY VIEW #44  
BYLAW C-6136-2005**

A Bylaw of the Municipal District of Rocky View No. 44 to amend Bylaw C-4841-97.

**WHEREAS** the Council deems it desirable to amend the said Bylaw; and

**WHEREAS** the Council of the Municipal District of Rocky View No. 44 (“the Municipality”) has received an application to amend Section 5, Land Use Maps No. 32 and 32-1 of Bylaw C- 4841-97 to redesignate a portion of the NE 23-23-27-W4M from General Business District and Hamlet Industrial District to Direct Control District as shown on attached Schedule “A” (“the Lands”); and

**WHEREAS** a notice was published on September 20<sup>th</sup>, 2005 and September 27<sup>th</sup>, 2005 in the Rocky View Weekly, a newspaper circulating in the Municipal District of Rocky View No. 44 advertising the Public Hearing for October 18<sup>th</sup>, 2005; and

**WHEREAS** Council held a Public Hearing and have given consideration to the representations made to it in accordance with Section 692, Section 230 and Section 606 of the Municipal Government Act, being Chapter M-26 of the Revised Statutes of Alberta, 2000, and all amendments thereto.

**NOW THEREFORE** the Council enacts the following:

1. That Part 5, Land Use Maps No. 32 and No. 32-1 of Bylaw C-4841-97, to redesignate a portion of N.E. 23-23-27-W4M, be amended from General Business District and Hamlet Industrial District to Direct Control District with special guidelines in order to accommodate the development of single-detached, multi-family, public service and business industrial uses, as shown on the attached Schedule “A” attached hereto and forming part of the Bylaw;
2. That a portion of the lands located within N.E. 23-23-27-W4M are hereby redesignated to Direct Control District as shown on Schedule “A” attached hereto and forming part of the Bylaw; and,
3. That the special regulations of the Direct Control District comprise:
  - 1.0.0 General Regulations
  - 2.0.0 Land Use Regulations - Development Cell 1 – Single-family Residential
  - 3.0.0 Land Use Regulations - Development Cell 2 – Multi-family Residential
  - 4.0.0 Land Use Regulations - Development Cell 3 – Business Commercial
  - 5.0.0 Land Use Regulations - Development Cell 4 – Business Light Industrial

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DIRECT CONTROL BYLAW C-6136-2005**

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- 6.0.0 Land Use Regulations - Development Cell 5 – Public Services
- 7.0.0 Development Regulations
- 8.0.0 Definitions
- 9.0.0 Implementation

**1.0.0. General Regulations**

- 1.1.0. The General Regulations contained within this Section are applicable to the entire Development Area, which includes all development cells.
- 1.2.0. The General Administration (Part Two) and General Regulations (Part Three) as contained in the Land Use Bylaw (C-4841-97) shall apply unless otherwise specified in this Bylaw.
- 1.3.0. That the Development Authority shall be responsible for the issuance of Development Permit(s) for the Lands subject to this Bylaw.
- 1.4.0. For the purposes of this Bylaw, the Lands shall be notionally divided into five Development Cells, the boundaries and descriptions of which shall be more or less as indicated in Schedule “A” attached to and forming part of this bylaw, except otherwise approved by Council.
- 1.5.0. The location, maximum size, and shape of the Development Cells are approximate, and will be determined by a Plan of Survey, in form and substance satisfactory to the Municipality, to be submitted to the Municipality by the Developer as an application for subdivision approval.
- 1.6.0. The Development Authority shall consider and decide on applications for Development Permits all for those uses that are listed as “Uses” by this Bylaw, provided the provisions of Sections 1 and 7 herein are completed in form and substance, satisfactory to the Municipality, except where specifically noted that Council approval is required.
- 1.7.0. Notwithstanding Section 1.6.0, the following listed uses within Residential Development Cells 1- Accessory Buildings, Dwelling, Single Detached, Home-based Business, Type 1 - are deemed approved when all other criteria of this Bylaw are met.
- 1.8.0. Notwithstanding Section 1.6.0, the following listed uses within Residential Development Cells 2 - Accessory Buildings, Dwelling, Single Detached, Dwelling, Semi-detached, Home-base Business, Type 1- are deemed approved when all other criteria of this Bylaw are met.
- 1.9.0. In addition to the uses contemplated by Section 2.0.0, 3.0.0, 4.0.0, 5.0.0, 6.0.0 of this Bylaw, the following shall be uses in all Development Cells.
  - a) Roads necessary for access; and
  - b) Utility distribution and collection systems necessary to service the development.
- 1.10.0. All development upon the Lands shall be in accordance with all plans and specifications submitted pursuant to this Bylaw, and all licenses, permits and approvals pertaining to the Lands.



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**2.0.0 Land Use Regulations – Development Cell 1 – Single Family Residential**

2.1.0 The purpose and intent of this Development Cell is to provide for single family residential development.

2.2.0 Uses

- a) Accessory buildings less than 90.0 sq. m (969.0 sq. ft.) buildings area
- b) Child care facilities
- c) Dwelling, single detached
- d) Dwelling, moved-in
- e) Home-based Business, Type I
- f) Kennels, Hobby
- g) Private Swimming Pools
- h) Public buildings, uses, utilities and services
- i) Special care facility
- j) Signs

2.2.1 Uses for Lot 8, Block 5, Plan 101343

- a) All uses listed in Section 2.2.0 (Uses)
- b) Secondary Suite

2.2.2 Uses for Lot 14, Block 1, Plan 1013437

- a) All uses listed in Section 2.2.0 (Uses)
- b) Accessory building no greater than 92.9 sq. m (1000.0 sq. ft.)
- c) Height of buildings:
  - i) Accessory building: 6.01 m (20.0 ft.)

2.3.0 Minimum Requirements

2.3.1 *Parcel Size:*

- (a) unserviced lots: 1,858.0 sq. m (20,000.0 sq. ft.)
- (b) lots served by a piped water system but not a piped sewer system: 1,858 sq. m (20,000.0 sq. ft.)
- (c) lots served by a piped sewer system but not a piped water system: 929.0 sq. m (10,000.0 sq. ft. )
- (d) fully serviced lots: 800.0 sq. m (8,625.47 sq. ft.)

2.3.2 *Width of site:*

- (a) serviced lot: 13.5 m (44.3 ft.)
- (b) unserviced lot: 30.5 m (100.0 ft.)

2.3.3 *Yard, Front:*

- (a) 6.0 m (19.7 ft.)

i) Notwithstanding 2.3.3 a), Lot:2 Block:3 Plan:1013437 is permitted a front yard setback of 5.90 m (19.37 ft.) in order to allow an existing Dwelling, Single Detached to remain.

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**2.3.4** *Yard, Side - sites with lanes:*

- a) *principal building*
  - i) street side of corner site: 3.0 m (9.8 ft.)
  - ii) all other sites: 1.5 m (5.0 ft.)
- b) *accessory buildings*
  - i) street side of a corner site: 3.0 m (9.8 ft.)
  - ii) all other sites: 0.6 m (2.0 ft.)

**2.3.5** *Yard, Side - sites without lanes:*

- a) *principal buildings*
  - i) unobstructed yard, side: 3.0 m (9.8 ft.), the other 1.5 m (5.0 ft.) (No extensions – See Section 2.5.1)
  - ii) street side of a corner site: 3.0 m (9.8 ft.)
  - iii) notwithstanding section 2.3.5 a), i), Lot 9, Block 1, Plan 1013437 within NE 23-23-27-W4M is permitted an unobstructed yard, side: 2.69 m (8.83 ft), the other 1.5 m (5.0 ft.)
  - iii) notwithstanding section 2.3.5, Lot 11, Block 3, Plan 1013437 within NE-1/4-23-23-27-W04M is permitted one setback to be a minimum of 1.09 metres (3.58 feet), in order to allow an existing dwelling to remain.
- b) *accessory buildings*
  - i) street side of a corner site: 3.0 m (9.8 ft.)
  - ii) all other sites: 0.6 m (2.0 ft.)

**2.3.6** *Yard, Rear:*

- a) *principal buildings*: 8.0 m (26.2 ft.)
- b) *accessory buildings*:
  - i) site with lane: 1.0 m (3.3 ft.)
  - ii) site without lane: 1.0 m (3.3 ft.)

**2.3.7** *Habitable ground floor area (excludes basement):*

- a) 90.0 sq. m (968.8 sq. ft.), single storey dwelling
- b) 90.0 sq. m (968.8 sq. ft.), being the combined area of any two levels of a split level dwelling

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- c) 55.74 sq. m (600.0 sq. ft.) main floor area, plus 55.74 sq. m (600.0 sq. ft.) second floor area, two storey dwelling
- d) 74.0 sq. m (796.6 sq. ft.) split level or bi-level main floor area, plus 18.0 sq. m (193.8 sq. ft.) second floor area, two storey dwelling.
- e) 90.0 sq. m (968.8 sq. ft.) main floor for a dwelling, moved-in.

**2.4.0 Maximum Requirements**

**2.4.1 *Site coverage:***

- a) principal building: 35% of the lot

**2.4.2 Height of *buildings*:**

- a) principal building: 10.0 m (32.8 ft.)
- b) accessory building: 5.5 m (18.0 ft.)

**2.4.3 Dwellings per lot is one.**

**2.4.4 Total building area for all accessory buildings - 90.0 sq. m (969.0 sq. ft.)**

**2.4.5 Number of accessory buildings – 2**

**2.5.0 Special Regulations**

- 2.5.1 With respect to Sections 2.3.4 and 2.3.5, there shall be no side yard extensions into the defined minimum required setback. Section 38 of the Land Use Bylaw, which provides for cantilever extensions, is not applicable under this Direct Control District.
- 2.5.2 Accessory Buildings are not permitted within the Front Yard of any Dwelling Unit.
- 2.5.3 The driveway connecting a garage (attached or detached) to a public road shall be a minimum length of 6.5 m (21.33 ft) when measured from the back of a curb or back of sidewalk.

**3.0.0 Land Use Regulations – Development Cell 2 – Multi-Family Residential**

- 3.1.0 The purpose and intent of this Development Cell is to allow for medium density residential development.

**3.2.0 Uses**

- a) Dwelling, Semi-detached
- b) Dwelling, Single-detached
- c) Accessory Buildings
- d) Home-Based Business, Type I
- e) Signs

**3.3.0 Minimum Requirements**

- 3.3.1 Maximum parcel size shall be 1.62 ha (4.0 ac)
- 3.3.2 Yard, Front:

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- a) 5.0 m (16.40 ft)
- 3.3.3 Yard, Side:
  - a) Principal buildings:
    - i) 3.0 m (9.8 ft) one unobstructed yard, side, the other 1.52 m (5.0 ft) (No extensions – See Section 3.5.1)
    - ii) Zero setback where a fire separation is built on a bareland condominium unit property line which separates units within a semi-detached building
  - b) Accessory buildings:
    - i) Unobstructed 0.6 m (2.0 ft)
- 3.3.4 Yard, Rear:
  - a) Principal building:
    - i) 5.0 m (16.4 ft)
  - b) Accessory building:
    - i) 1.0 m (3.3 ft)
- 3.3.5 Minimum off-street parking: 2 per dwelling unit, which includes a minimum of 1 covered parking stall per dwelling unit.
- 3.4.0 Maximum Requirements
  - 3.4.1 Site coverage:
    - a) principal buildings: 40% of the lot area
    - b) accessory building: 10% of the lot area
  - 3.4.2 Height of buildings:
    - a) principal building: 12.0 m (39.4 ft)
    - b) accessory building: 6.0 m (19.6 ft)
  - 3.4.3 Density: 10 units per gross acre
  - 3.4.4 Dwelling units per lot: 2
  - 3.4.5 Accessory units per lot: 2
- 3.5.0 Special Regulations
  - 3.5.1 With respect to Section 3.3.3, there shall be no side yard extensions into the defined minimum required setback. Section 38 of the Land Use Bylaw, which provides for cantilever extensions, is not applicable under this Direct Control District.
  - 3.5.2 Accessory Buildings are not permitted within the Front Yard of any Dwelling Unit.
  - 3.5.3 The driveway connecting a garage (attached or detached) to a public road shall be a minimum length of 6.5 m (21.33 ft) when measured from the back of a curb or back of sidewalk.

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**4.0.0 Land Use Regulations – Development Cell 3 – Business Commercial**

- 4.1.0 The purpose and intent of this Development Cell is to provide for a range of commercial business uses, which provide goods and services to the local area, are compatible with each other, and do not adversely affect the surrounding land uses.
- 4.2.0 Uses
- a) Animal Health Care Services
  - b) Automotive Equipment and Vehicle Services
  - c) Commercial Communication Facilities – Type “A”, Type “B”
  - d) Drinking Establishment
  - e) One Dwelling Unit accessory to the principal business use
  - f) Garden Centre
  - g) Health Care Services
  - h) Indoor Participant Recreation Services
  - i) Light Manufacturing
  - j) Personal Service Business
  - k) Office
  - l) Religious Assembly
  - m) Restaurants
  - n) Retail Store
  - o) Warehouse
  - p) Wholesale Outlet
  - q) Signs
- 4.3.0 Minimum and Maximum Requirements
- 4.3.1 Maximum parcel size shall be 0.4 ha (1.0 ac)
- 4.3.2 Yard, Front:
- a) 6.0 m (19.7 ft.) from any road
  - b) 10.0 m (32.8 ft.) from Township Road 234
- 4.3.3 Yard, Side:
- a) 10.0 m (32.8 ft.) from Township Road 234
  - b) 6.0 m (19.7 ft.) all other
- 4.3.4 Yard, Rear:
- a) 6.0 m (19.7 ft.) from any road
  - b) 10.0 m (32.8 ft.) from Township Road 234
- 4.3.5 Maximum Building Height shall be 12 m (39.4 ft.)
- 4.3.6 Maximum Height of Fence: 1.8 m (6.0 ft.)
- 4.3.7 Maximum building coverage for principal and accessory buildings: 50% of the lot.

**ROCKY VIEW COUNTY  
DIRECT CONTROL BYLAW C-6136-2005**

**DC-97**

**4.4.0 Landscaping and Screening Requirements**

- 4.4.1 Pursuant to Section 7.2.1 of this bylaw, landscaping shall be provided in accordance with a Landscape Plan, to be submitted to the Municipality upon application for a Development Permit.
- 4.4.2 A minimum of ten (10) percent of the site area shall be landscaped. Buildings in excess of one story in height shall provide an additional two (2) percent of the gross site area in landscaping for each story over one story in height.
- 4.4.3 All lots abutting a Hamlet Residential (1) District, Hamlet Residential (2) District and Public Services District shall be required to provide an opaque fence, a minimum of 1.8 m (6.0 ft) high, which will act as a visual barrier.

**5.0.0 Land Use Regulations – Development Cell 4 – Business Light Industrial**

- 5.1.0 The purpose and intent of this Development Cell is to provide for a range of business / light industrial uses, which are compatible with each other and do not adversely affect the surrounding land uses.

**5.2.0 Uses**

- a) Agricultural Support Services
- b) Animal Health Care Services
- c) Auctioneering Services
- d) Automotive Equipment and Vehicle Services
- e) Cemetery and Interment Services
- f) Commercial Communication Facilities – Type “A”, Type “B”
- g) One Dwelling Unit accessory to the principal business use
- h) Garden Center
- i) General Industry Type 1
- j) Indoor Participant Recreation Services
- k) Mini Storage
- l) Offices
- m) Outdoor Participant Recreation Services
- n) Recreational Vehicle Storage
- o) Warehouse
- p) Wholesale Outlet
- q) Signs

**5.3.0 Minimum and Maximum Requirements**

- 5.3.1 Maximum parcel size shall be 2.0 ha (4.94 ac)
- 5.3.2 Yard, Front:
  - a) 6.0 m (19.7 ft.) from any road
  - b) 10.0 m (32.8 ft.) from Township Road 234
- 5.3.3 Yard, Side:
  - a) 10.0 m (32.8 ft.) from Township Road 234



**ROCKY VIEW COUNTY  
DIRECT CONTROL BYLAW C-6136-2005**

**DC-97**

- b) 6.0 m (19.7 ft.) all other
- 5.3.4 Yard, Rear:
  - a) 10.0 m (32.8 ft.) from Township Road 234
  - b) 6.0 m (19.7 ft.) all other
- 5.3.5 Maximum Building Height shall be 12 m (39.4 ft.)
- 5.3.6 Maximum Height of Fence: 2.4 m (8.0 ft.)
- 5.3.7 Maximum building coverage for principal and accessory buildings: 40% of the lot.
- 5.3.8 Landscaping and Screening Requirements
  - a) Pursuant to Section 7.2.1 of this bylaw, landscaping shall be provided in accordance with a Landscape Plan. to be submitted to the Municipality upon application for a Development Permit.
  - b) Buildings less than 6 metres in height shall provide a minimum landscaped site area of five (5) percent. Buildings greater than 6 metres in height shall provide a minimum landscaped site area of seven (7) percent.

**6.0.0 Land Use Regulations – Development Cell 5 – Public Services**

- 6.1.0 The purpose and intent of this Development Cell is to provide for a range of institutional, educational, and recreational uses.
- 6.2.0 General Regulations
  - 6.2.1 Section 59 Public Services District (PS) of Land Use Bylaw C-4841-97 are applicable to this Development Cell unless otherwise stated in this Bylaw.

**7.0.0 Development Regulations**

- 7.1.0 No subdivision shall be endorsed, and no Development or Building Permits shall be issued for any purpose, until:
  - 7.1.1 The Owner has prepared a Stormwater Management Plan prepared by a qualified Professional Engineer licensed to practice in the Province of Alberta in a form and substance satisfactory to the Municipality, and which shows that the development will not adversely affect the adjacent lands and/or highways.
  - 7.1.2 The Owner has submitted a Construction Management Plan completed by a qualified professional engineer licensed to practice in the Province of Alberta, satisfactory to the Municipality, which details amongst other items, erosion, dust and noise control measures and stormwater management during construction.
  - 7.1.3 A Final Grading Plan shall be prepared, to the satisfaction of the Municipality, prior to endorsement of any development cell for registration.
  - 7.1.4 All applications for development and building approval within the grading plan area shall, as a condition of approval, submit “grade verification” to the Municipality. Grade verification shall be prepared by a qualified professional and verify that the elevations at the bottom of footing and main floor are in compliance with finished grades identified in the Final Grading Plan.

**ROCKY VIEW COUNTY  
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- 7.1.5 Pedestrian access to the lands from the west via a walkway, as per the Langdon East Conceptual Scheme, is constructed at the sole expense of the Owner, and to the satisfaction of the Municipality.

**7.2.0 Development and Building Standards**

**7.2.1 Landscaping**

- a) Landscaping shall be provided in accordance with a Landscape Plan, to be submitted to the Municipality upon application for a Development Permit. The Landscape Plan shall identify the location, type, and extent of all landscaping proposed for the lands. Within this landscaped area, there shall be a minimum of one (1) tree for every 50 square m (538.2 square feet), a combination of deciduous trees with a minimum caliper of 2.5 inches, and coniferous trees with a minimum height of 5 feet.
- b) The Landscape Plan contemplated herein shall identify the location and extent of the landscaping areas, the plant material proposed, and the methods of irrigation and maintenance of landscaped areas.

**7.2.2 Controlled Appearance**

- a) Parking and loading facilities, where proposed, shall be provided for in accordance with the requirements of the Land Use Bylaw, except that parking shall be screened and/or integrated into building architecture and/or landscaped pursuant to 7.2.1 above. Parking shall not be permitted within any minimum setback area.
- b) Signage shall be considered concurrently with a Development Permit application, may be integrated into building architecture, and shall be consistent with the overall development theme.
- c) Lighting shall be located, oriented and shielded to prevent adverse affects on adjacent properties.

7.2.2.1 The design, character, and appearance of any buildings, structures, or signs proposed to be erected or located on the lands must be acceptable to the Development Authority, having due regard to:

- a) the compatibility with and the effect on adjacent properties and the surrounding area.

7.2.2.2 Building form should be consistent with the following:

- a) building materials should reflect the architectural heritage of the surrounding rural landscape by emphasizing natural textures and/or original and historic building materials;
- b) building massing should present a profile that is more horizontal than vertical, to reflect the traditional rural building forms associated with agricultural communities; and
- c) roof forms should be sloped and accented with, for example, the use of cupolas or dormers and constructed of historic and/or natural materials.

**7.3.0 Performance Standards**

- 7.3.1 No use within any building or structure on the lands shall cause or create air contaminants, visible emissions or particulate emissions beyond the building that contains them.

**ROCKY VIEW COUNTY  
DIRECT CONTROL BYLAW C-6136-2005**

**DC-97**

- 7.3.2 No use or operation within a building shall cause or create the emission of odorous matter or vapour beyond the building that contains the use or operation.
- 7.3.3 No use or operation on the lands or within a building shall cause or create the emission of toxic matter beyond the lands or the building that contains it. The handling, storage and disposal of any toxic or hazardous materials or waste shall be in accordance with the regulations of any government authority having jurisdiction.
- 7.3.4 Garbage and waste material shall be stored in weatherproof and animal-proof containers. Such containers shall be located within buildings or adjacent to the side or rear of buildings, and shall be screened from view by all adjacent properties and roadways, all to the satisfaction of the Development Authority.
- 7.3.5 Signage shall be considered concurrently with a Development Permit application for each building, shall be integrated into the site and building architecture, and be consistent with the overall development of the lands.
- 7.3.6 Uses and operations on the site that handle, store or utilize products which may be hazardous due to their corrosive, poisonous, flammable, or explosive characteristics, shall comply with the applicable fire regulations of the Municipality, or the regulations of any other government authority having jurisdiction, and in accordance with any hazardous materials or emergency management plan that may be required by the Municipality, and as defined in a Development Permit.
- 7.3.7 Fire protection measures shall be provided as may be required by the Municipality and included in a Development Permit.

**8.0.0 Definitions**

- 8.1.0 **“Development Cell”** – means an area of land containing uses as defined and prescribed by this Bylaw.
- 8.2.0 **“Final Grading Plan”** – establishes the following:
  - a) All grades, existing and proposed, for the area proposed for subdivision;
  - b) All cut and fill areas for the area proposed for subdivisions;
  - c) Maximum and minimum bottom of footing elevations for developments within the area proposed for subdivision;
  - d) Maximum and minimum main floor elevations for development within the area proposed for subdivision;
  - e) Final elevations for all corners of lots proposed for subdivision and final elevations adjacent to all walls for developments within the area proposed for subdivision; and,
  - f) Any other matter deemed appropriate by the Municipality.
- 8.3.0 **“Garden Centre”** – a development where the growing, cultivation, storage, distribution, and retail of plants and related goods are carried out primarily within an enclosed building.
- 8.4.0 **“Grade Verification”** – refers to verification that is prepared by a qualified professional for a building and/or structure under construction within a development area. The grade verification identifies the elevation at the bottom of footing and at the main floor relative to geodetic elevations

**ROCKY VIEW COUNTY  
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established in an adopted grading plan and verifying that these elevations are in conformity to the adopted grading plan.

- 8.5.0 “**Light Manufacturing**” – a development where the manufacturing, fabricating, processing, assembly, production or packaging of materials, goods or products are carried out primarily within an enclosed building, which do not cause or create air contaminants, visible and particulate emissions, odorous matter, noise or matter beyond the building that contains the use or operation.
- 8.6.0 “**Mini Storage**” - a building that includes cubical space that can be leased or rented by the public for the storage of goods, products, or equipment.
- 8.7.0 “**Recreational Vehicle Storage**” - an area that includes space that can be leased or rented by the public for the storage of recreational vehicles that are operational and in good repair.
- 8.8.0 “**Secondary Suite**” – means a subordinate *dwelling unit* with a maximum area of 110.00 sq. m. (1184.00 sq.ft.) which is created within the principal *Dwelling, Single Detached*, where both *dwelling units* are located on the same parcel.
- 8.9.0 “**Wholesale Outlet**” – a development where the storage, distribution, and sale of goods in large quantities / bulk to retailers, not individual consumers, are carried out primarily within an enclosed building.
- 8.10.0 Terms not defined above have the same meaning as defined in Section 8.0.0 of Land Use Bylaw C-4841-97.

**9.0.0 Implementation**

- 9.1.0 The bylaw comes into effect upon the date of its third and final reading.

**DIVISION 4**  
**File: 03223004 - 2003-RV-109**

First reading passed in open Council, assembled in the City of Calgary, in the Province of Alberta, on September 13<sup>th</sup>, 2005, on a motion by Councillor Habberfield.

Second reading passed in open Council, assembled in the City of Calgary, in the Province of Alberta, on Tuesday, October 18, 2005, on a motion by Councillor Habberfield.

Third and final reading passed in open Council, assembled in the City of Calgary, in the Province of Alberta, on Tuesday, October 18, 2005, on a motion by Councillor Goode.

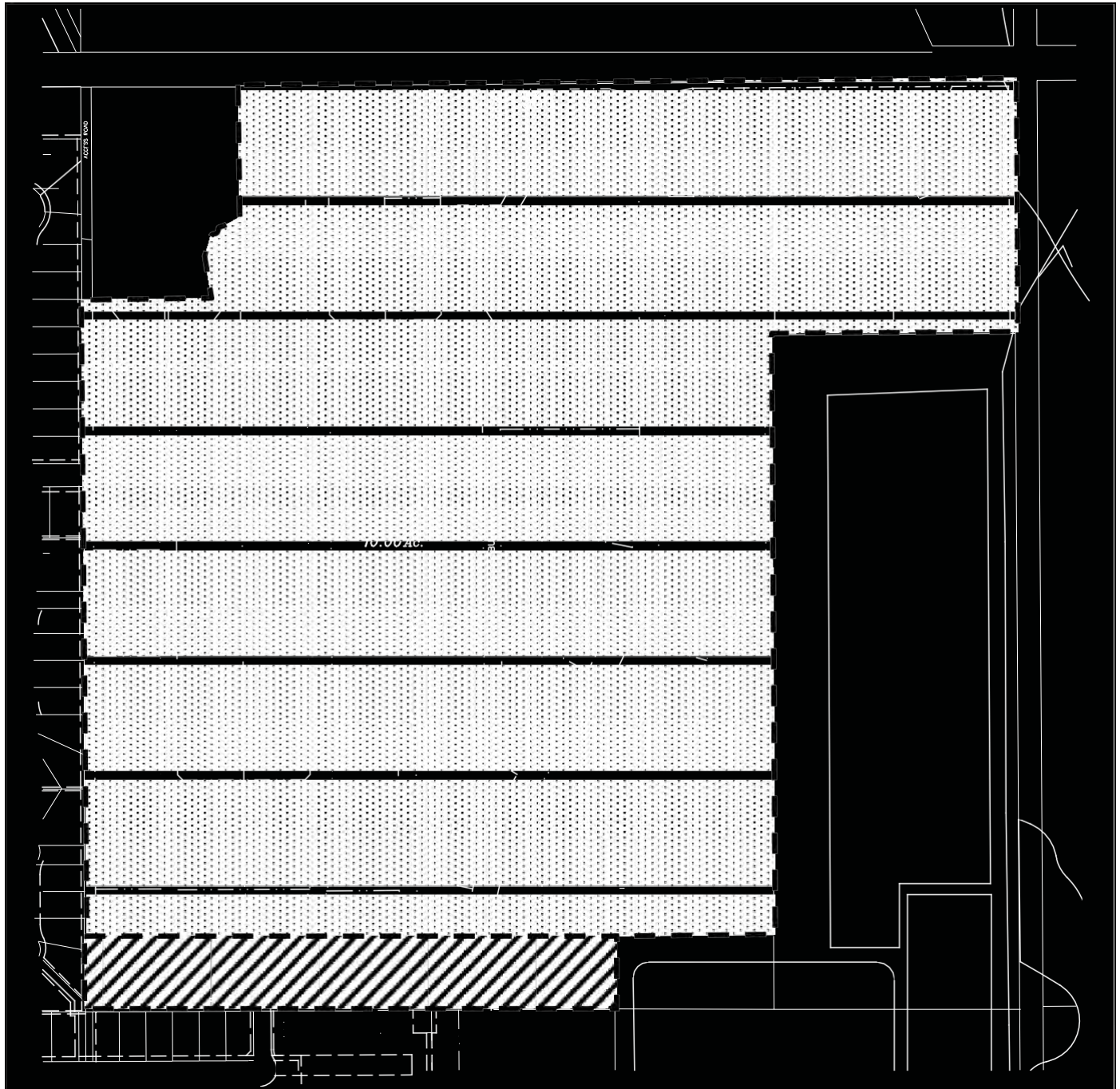
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REEVE OR DEPUTY REEVE

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MUNICIPAL SECRETARY

## SCHEDULE "A"

BYLAW: C-6136-2005

## AMENDMENT

FROM General Business District TO Direct Control DistrictFROM Hamlet Industrial District TO Direct Control District

Subject Lands — — — — —

LEGAL DESCRIPTION: A portion of the NE 23-23-27-W4M

Division 4

FILE: 03223004 2003-RV-109

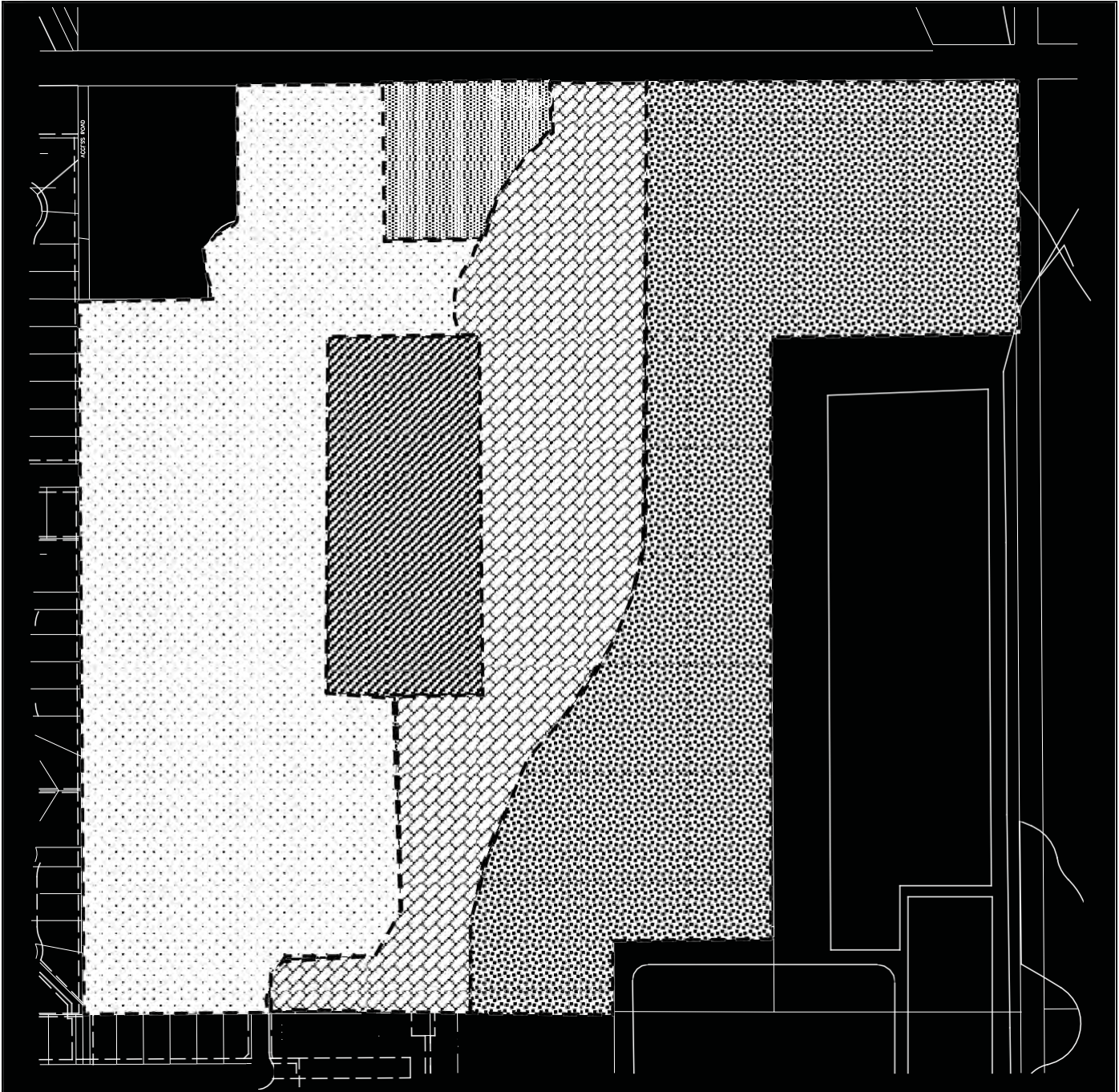


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# SCHEDULE "B"

BYLAW: C-6136-2005



Cell 1 Single-Family Residential



Cell 3 Business Commercial



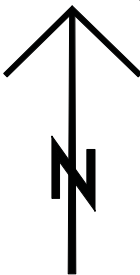
Cell 5 Public Services



Cell 2 Multi-Family Residential



Cell 4 Business Light Industrial



Subject Lands

**Division 4**

**FILE:** 03223004 2003-RV-109



**LEGAL DESCRIPTION:** A portion of the NE 23-23-27-W4M



# COUNCIL REPORT

## Direct Control Amendment Item: Residential

Electoral Division: 2

File: PL20230151 / 05707078

Date:	May 28, 2024		
Presenter:	Carter Shelton, Planner 1		
Department:	Planning		
Approved by:	<input checked="" type="checkbox"/> Executive Director / Director	and/or	<input checked="" type="checkbox"/> Chief Administrative Officer

### REPORT SUMMARY

The purpose of this report is to assess an amendment to the Direct Control Bylaw C-6688-2008 (DC-129), for Lot 78, Block 2, Plan 1810288 within SE-07-25-03-W05M to reduce the minimum side yard setback requirement from 2.13 metres (6.99 feet) to 0.62 metres (2.03 feet) to allow the existing landing/deck to remain. The applicable general regulations of the 1997 Land Use Bylaw (C-4841-1997) allows for decks to encroach into side yard setback requirements by 2.00 metres, but the resultant setback distance must remain at least 1.20 metres. The requested variance to 0.62 metres represents an approximately 48% variance to the 1.20 metre minimum distance restriction for decks. The subject landing/deck was constructed outside the scope of work on the approved plot plan, and the DC-129 amendment application is the result of a compliance review requested on the Real Property Report submitted by the applicant.

The subject parcel is located outside of a statutory area structure plan but within the Harmony Conceptual Scheme, specifically the Stage 1 Neighborhood Plan area; as such, the application was reviewed pursuant to the policies and regulations of the Municipal Development Plan (County Plan), the Harmony Conceptual Scheme, and *Direct Control Bylaw C-6688-2008* (DC-129).

The application was found to align with the overarching policy documents. The County Plan and Harmony Conceptual Scheme provide minimal policy guidance with respect to this specific proposal. The minor variance to the direct control district is required to bring the property into compliance; it does not impact the overall residential settlement pattern principles or conflict with the desired community design outcome of the Harmony Conceptual Scheme.

### ADMINISTRATION'S RECOMMENDATION

THAT Bylaw C-8519-2024 be given first reading.

THAT Bylaw C-8519-2024 be given second reading.

THAT Bylaw C-8519-2024 be considered for third reading.

THAT Bylaw C-8519-2024 be given third and final reading.

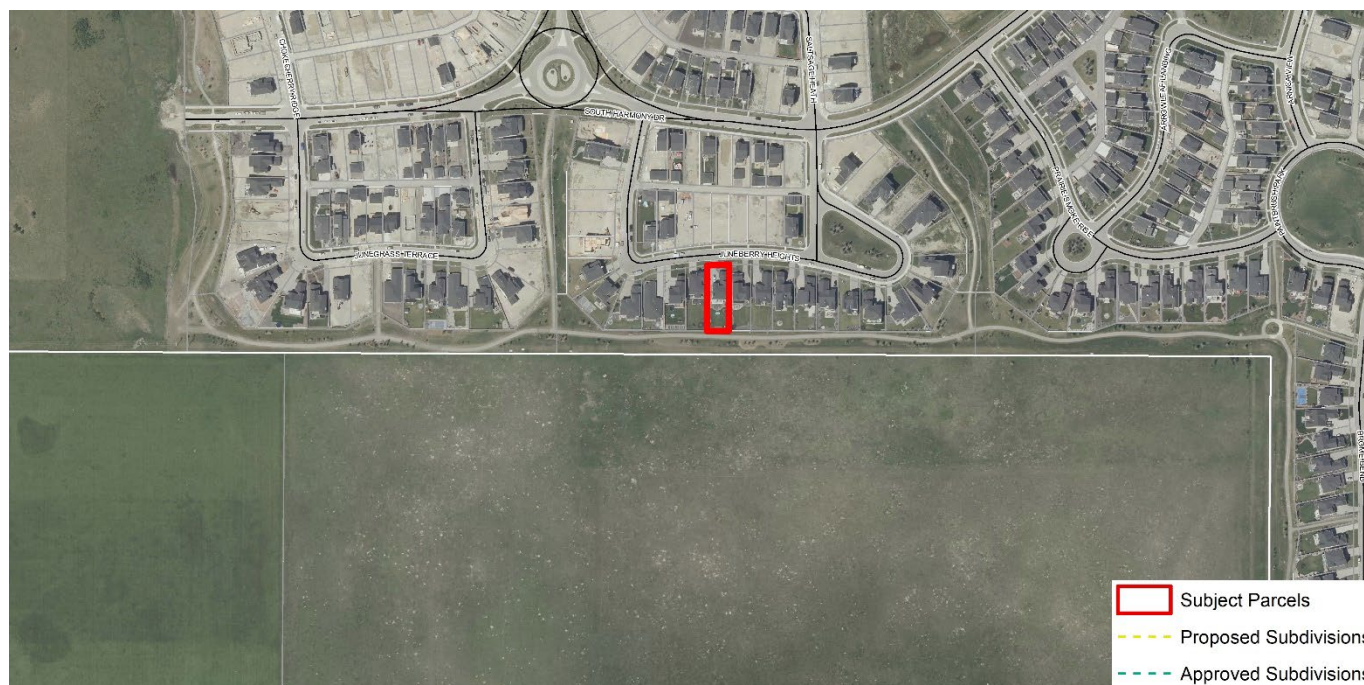


## Direct Control Amendment Item: Residential

### BACKGROUND

#### Location (Attachment A)

Located in the hamlet of Harmony, south of South Harmony Drive, and south of Juneberry Heights.



#### Site History (Attachment B)

The subject lot was registered on February 1, 2018, with the Harmony Phase 3 Subdivision Plan no. 181 0288.

On July 26, 2018, building permits for the construction of the Dwelling, Single Detached were issued including building, electrical, plumbing, and gas related permits.

On February 13, 2024, Council approved amendments to Direct Control Bylaw DC-129 to allow the Development Authority the ability to grant a variance to each site's minimum front yard, side yard and rear yards by a maximum of 25%, so long as the variance would not materially interfere with or affect the use, enjoyment or value of a nearby parcel of land, or adversely affect property access, safety, or utility rights of way.

#### Intermunicipal and Agency Circulation (Attachment C)

The application was circulated to all necessary internal and external agencies.

This application is not within an area guided by intermunicipal policy or requirements.

#### Landowner Circulation (Attachment D)

The application was circulated to 529 adjacent landowners in accordance with the *Municipal Government Act* and County Policy C-327 (Circulation and Notification Standards); no letters in support, while 1 letter in opposition was received.

## Direct Control Amendment Item: Residential

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### ANALYSIS

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#### Policy Review (Attachment E)

The application was reviewed pursuant to Section 5.0 (Managing Residential Growth) and Section 9.0 of the County Plan guiding Hamlet development; the application was found to align with the goals and policies of the County Plan as the Hamlet is being developed in accordance with the Harmony Conceptual Scheme. The Harmony Conceptual Scheme supports development in accordance with the regulations of the Village Residential (VR-1) designation.

The application is the result of a compliance review of a real property report submitted; a landing was identified at a distance of 0.62m from the eastern property line, which encroaches into the minimum side yard setback requirement of 2.13m. Per the applicable regulations of *Direct Control Bylaw C-6688-2008* (DC-129) and Parts 1, 2, and 3 of the 1997 *Land Use Bylaw C-4841-97*, the structure is allowed to encroach into the minimum side yard setback requirement by up to 2.00m, but the resultant distance from structure to side property line must not be less than 1.20m. The proposed amendments represent a variance of 48% to maximum encroachment permitted by decks into side yard setbacks as stipulated in Part 3 (Section 38.2) of *Land Use Bylaw C-4841-97*. The landing/deck in question was not included in the plot plan for the original construction of the Dwelling, Single Detached.

### COMMUNICATIONS / ENGAGEMENT

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Consultation was conducted in accordance with statutory requirements and County Policy C-327.

### IMPLICATIONS

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#### Financial

No financial implications have been identified at this time.

### STRATEGIC ALIGNMENT

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This report is a statutory obligation under the *Municipal Government Act*.

### ALTERNATE DIRECTION

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No alternative options have been identified for Council's consideration.

### ATTACHMENTS

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Attachment A: Map Set  
Attachment B: Application Information  
Attachment C: Application Referral Responses  
Attachment D: Public Submissions  
Attachment E: Policy Review  
Attachment F: Proposed DC-129 Amendment Bylaw C-6688-2008 Redline



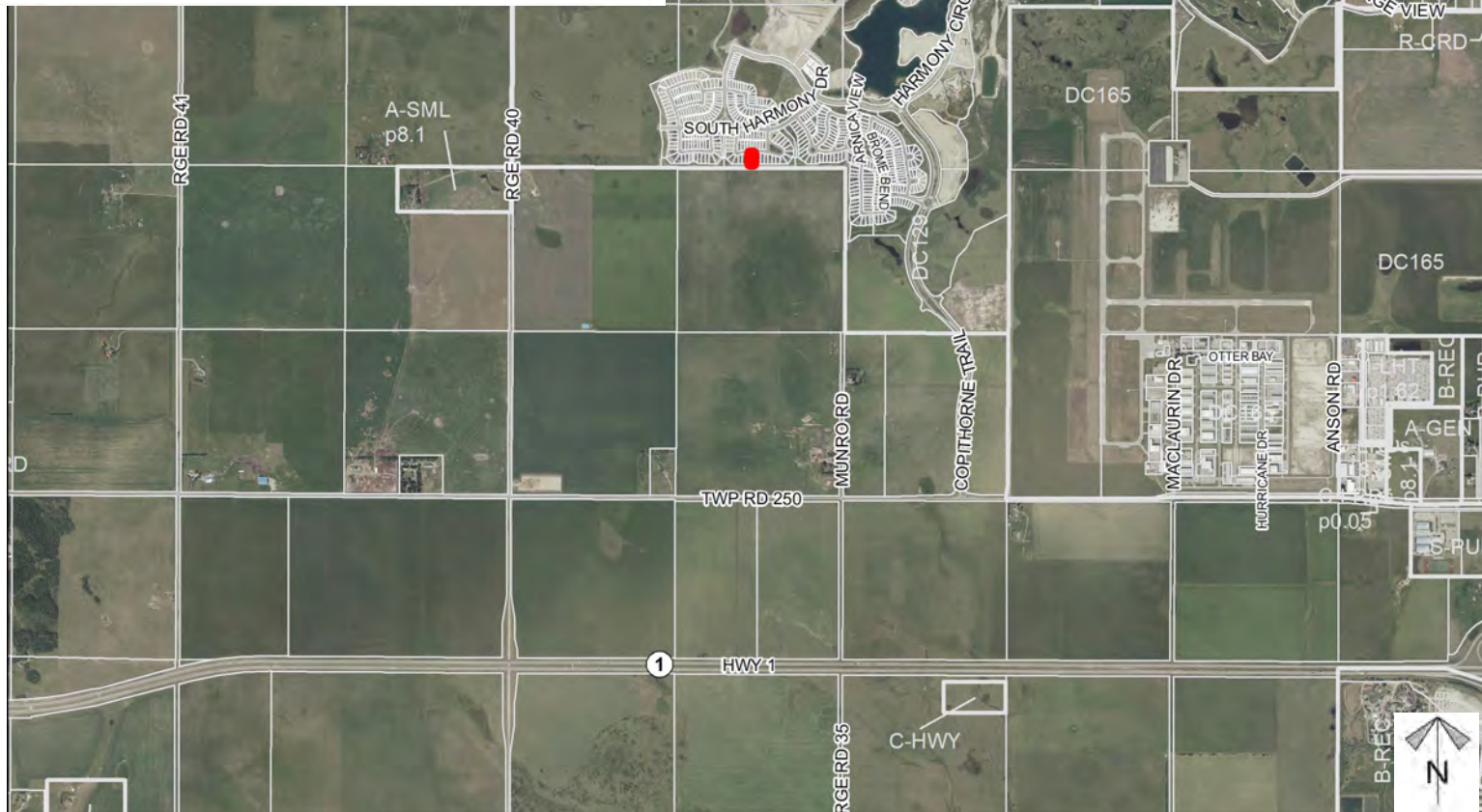
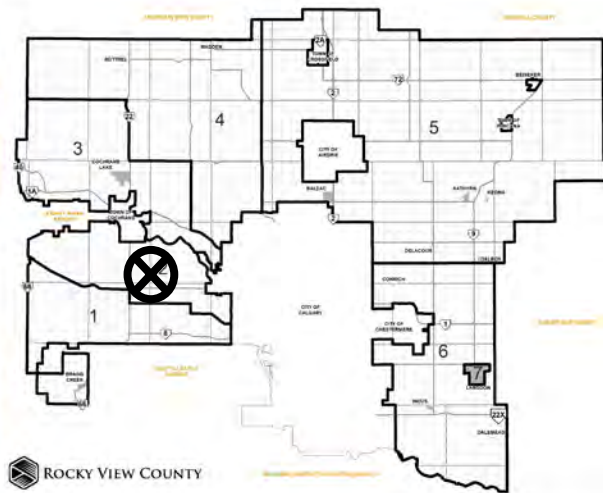


## Location & Context

### Redesignation Proposal

To amend Direct Control Bylaw C-6688-2008 (DC-129) to reduce the minimum side yard setback requirement from 1.20 metres (3.94 feet) to 0.62 metres (2.03 feet) on Lot 2, Block 3, Plan 1013437 within SE-07-25-03-W05M.

Division: 2  
Roll: 05707078  
File: PL20230151  
Printed: December 18, 2023  
Legal: A portion of SE-7-25-03-W05M  
Page 109 of 275





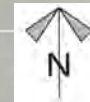


## Development Proposal

### Redesignation Proposal

To amend Direct Control Bylaw C-6688-2008 (DC-129) to reduce the minimum side yard setback requirement from 1.20 metres (3.94 feet) to 0.62 metres (2.03 feet) on Lot 2, Block 3, Plan 1013437 within SE-07-25-03-W05M.

JUNE BERRY HEIGHTS



## Redesignation Proposal

Division: 2  
Roll: 05707078  
File: PL20230151  
Printed: December 18, 2023  
Legal: A portion of SE-7-25-  
3  
Page 111 of 275







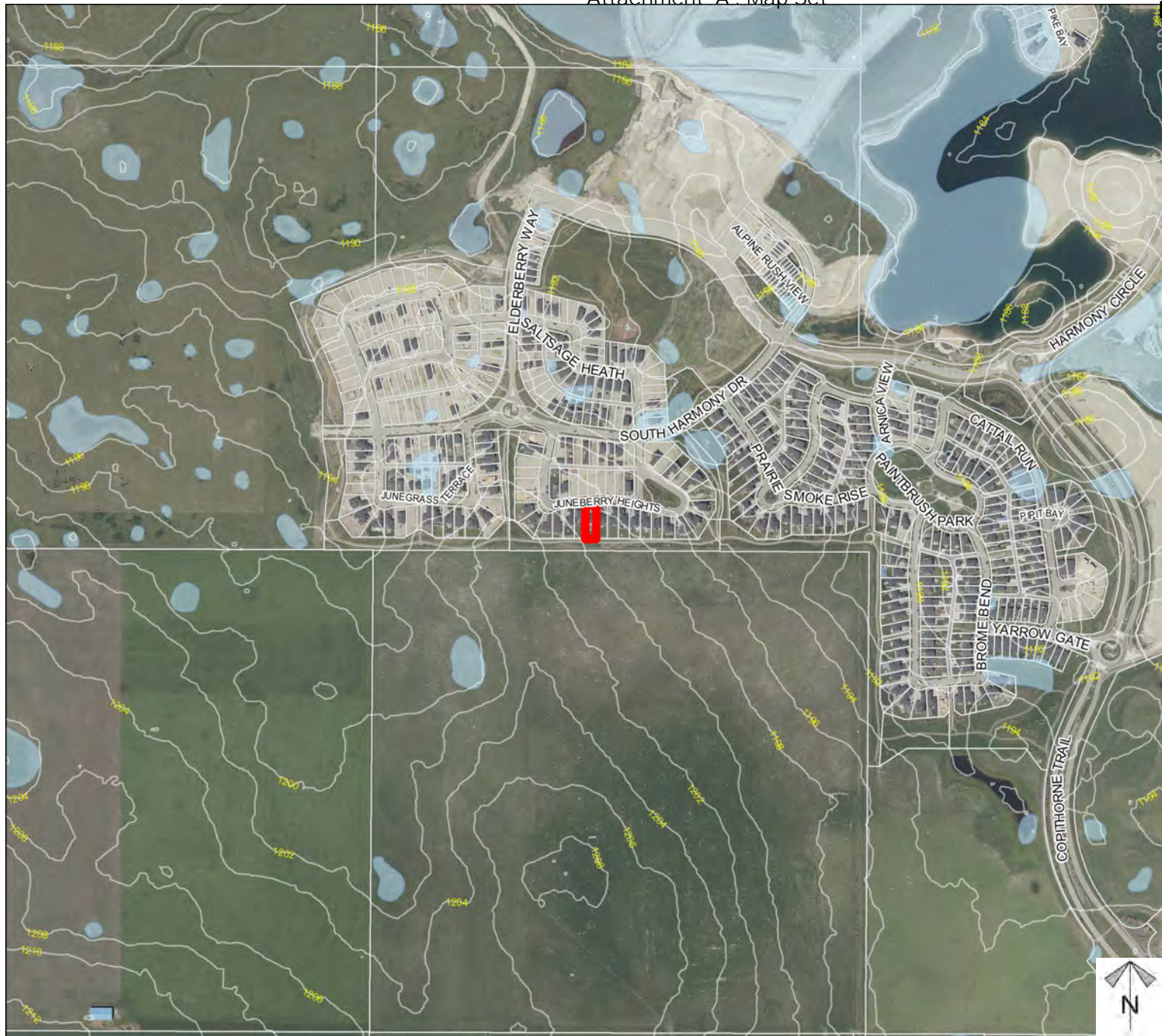
## Environmental

### Redesignation Proposal

To amend Direct Control Bylaw C-6688-2008 (DC-129) to reduce the minimum side yard setback requirement from 1.20 metres (3.94 feet) to 0.62 metres (2.03 feet) on Lot 2, Block 3, Plan 1013437 within SE-07-25-03-W05M.

-  Subject Lands
-  Contour - 2 meters
-  Riparian Setbacks
-  Alberta Wetland Inventory
-  Surface Water

Division: 2  
 Roll: 05707078  
 File: PL20230151  
 Printed: December 18, 2023  
 Legal: A portion of SE-7-25-03-W05M  
 Page 112 of 275

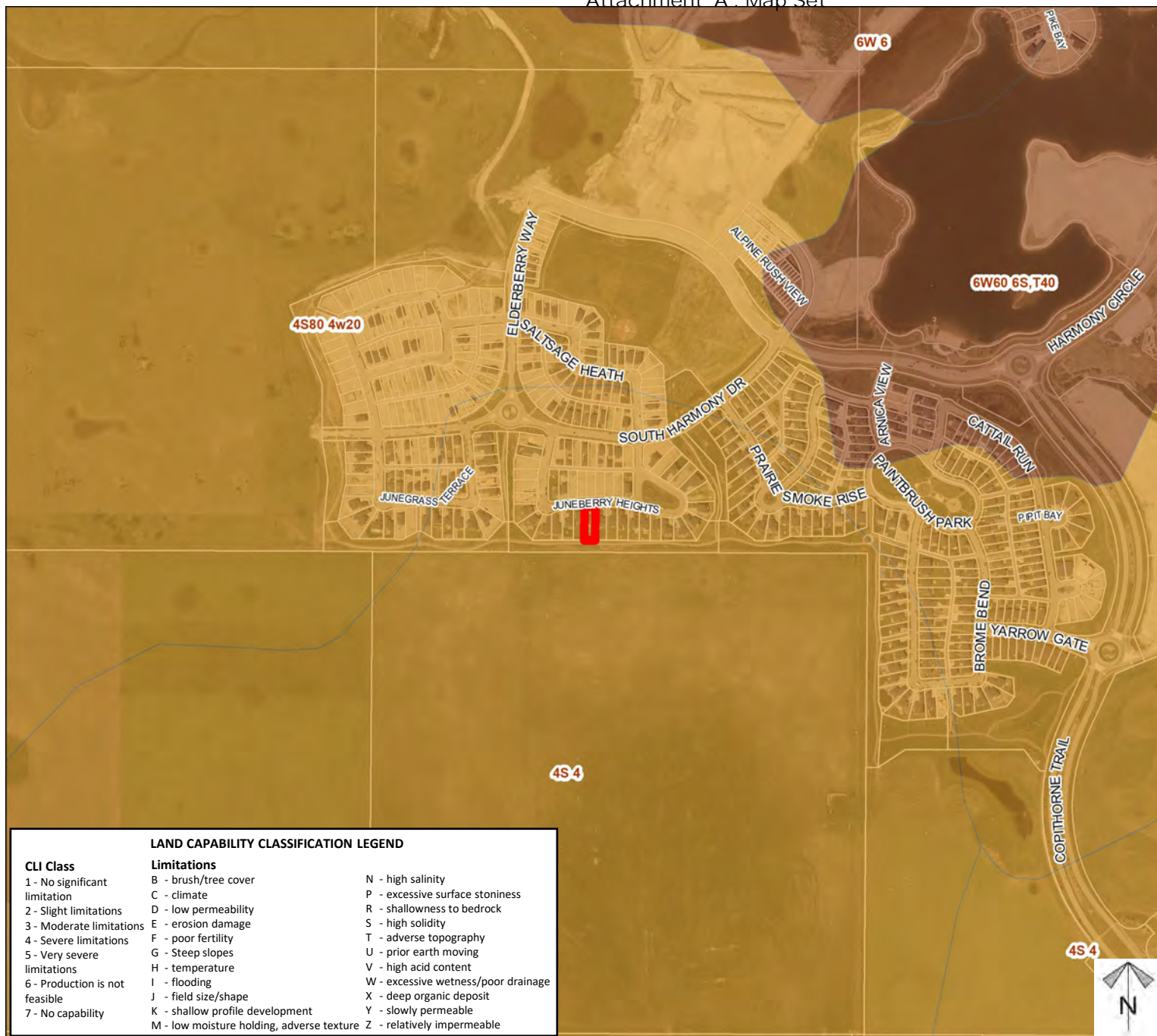




## Soil Classifications

### Redesignation Proposal

To amend Direct Control Bylaw C-6688-2008 (DC-129) to reduce the minimum side yard setback requirement from 1.20 metres (3.94 feet) to 0.62 metres (2.03 feet) on Lot 2, Block 3, Plan 1013437 within SE-07-25-03-W05M.





## Landowner Circulation Area

### Redesignation Proposal

To amend Direct Control Bylaw C-6688-2008 (DC-129) to reduce the minimum side yard setback requirement from 1.20 metres (3.94 feet) to 0.62 metres (2.03 feet) on Lot 2, Block 3, Plan 1013437 within SE-07-25-03-W05M.

### Legend

Support



Not Support



TAYLOR TERRACE

RGE RD 40

911 0286

Note: First two digits 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.

MUNRO RD

931 0272



Division: 2

Roll: 05707078

File: PL20230151

Printed: December 18, 2023

Legal: A portion of SE-7-25-

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**ATTACHMENT B: APPLICATION INFORMATION**

<b>APPLICANT/OWNERS:</b> Baywest Homes (Marina Kueber) / Mark & Leah McDougall	<b>DATE APPLICATION RECEIVED:</b> December 12, 2023
<b>GROSS AREA:</b> ± 0.10 hectares (± 0.25 acres)	<b>LEGAL DESCRIPTION:</b> Lot 78, Block 2, Plan 1810288 within SE-07-25-03-W05M
<b>Pre-Application Meeting Held:</b> <input type="checkbox"/>	<b>Meeting Date:</b> N/A
<b>SOILS (C.L.I. from A.R.C.):</b> 4S 4: Severe limitations due to high solidity.	
<b>HISTORY:</b> <p><b>February 1, 2018:</b> The subject lot was registered with Land Titles Office as the Harmony Phase 3 Subdivision Plan no. 181 0288.</p> <p><b>July 26, 2018:</b> Building permits for the construction of the Dwelling, Single Detached were issued including building, electrical, plumbing, and gas related permits.</p> <p><b>December 19, 2019:</b> A development permit was issued for the existing Dwelling, Single Detached on the subject property, with a relaxation to the overall setback requirement from 5.48m total to 5.47m total.</p> <p><b>February 13, 2024:</b> Council approved bylaw C-8463-2024, effecting amendments to Direct Control Bylaw DC-129 which allow the Development Authority the ability to grant a variance to each site's minimum front yard, side yard and rear yards by a maximum of 25%, so long as the variance would not materially interfere with or affect the use, enjoyment or value of a nearby parcel of land, or adversely affect property access, safety, or utility rights of way.</p>	
<b>TECHNICAL REPORTS SUBMITTED:</b> <ul style="list-style-type: none"> <li>• None.</li> </ul>	

## ATTACHMENT C: APPLICATION REFERRAL RESPONSES

AGENCY	COMMENTS
<b><i>School Authority</i></b>	
Calgary Catholic School District	No objection.
<b><i>Province of Alberta</i></b>	
Alberta Health Services	No concern.
<b><i>Public Utility</i></b>	
ATCO Gas	No objection.
ATCO Transmission	No objection.
FortisAlberta	No concern.
Telus Communications	No concern.
<b><i>Other External Agencies</i></b>	
Calgary Airport Authority (Springbank Airport)	No objection.
<b><i>Internal Departments</i></b>	
Recreation, Parks and Community Support	As municipal reserves are not required, recreation has no comment at this time.
Building Services	There is nothing required for building code for that as it is only the landing that is within the 1.2m. No further comments from Building services and no further Building Permits required.
Fire Services & Emergency Management	<p>From looking at the diagrams it looks as though this is an existing structure.</p> <p>Due to the significant side yard setback reduction being requested with this; fire services has concerns about the fire mitigation measures that have been implemented to protect this structure and the structure along the adjacent property line.</p> <p>Building services may have some suggestions on how this structure could be modified to increase the fire resistance of this structure.</p>
Enforcement Services	<p>Enforcement Services recommends;</p> <ul style="list-style-type: none"> <li>- Since it appears the residence is already built on the property double fees should apply.</li> </ul>

AGENCY	COMMENTS
Capital and Engineering Services	Engineering has no comments on the proposed amendment, but recognizes that Building Services may have concerns with the existing stairwell/deck that are encroaching on the property line. Engineering has no concerns with the proposed amendments.

Circulation Period: January 12, 2024, to February 2, 2024.

**Carter Shelton**

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**From:** Troy Forman [REDACTED]  
**Sent:** January 18, 2024 10:00 AM  
**To:** Carter Shelton  
**Subject:** File 05707078

Good morning Carter

I received your letter regarding the application for a reduced side set back made by Baywrst homes. I'm definitely opposed to this request. I bought in this subdivision and my lot in particular because of the less dense and more green space that comes with the architectural guidelines that are in place.

Thanks,

Troy Forman, CRSP, CHSC  
Highmark  
[REDACTED]

Sent from my iPhone

**ATTACHMENT E: POLICY REVIEW**

<b>Definitions</b>		
Consistent	Generally Consistent	Inconsistent
Clearly meets the relevant requirements and intent of the policy.	Meets the overall intent of the policy and any areas of inconsistency are not critical to the delivery of appropriate development.	Clear misalignment with the relevant requirements of the policy that may create planning, technical or other challenges.

<b>Municipal Development Plan (County Plan)</b>	
<b>Managing Residential Growth - Hamlets</b>	
5.1	<i>Support the development of the Hamlets of Conrich, Harmony, Langdon, Balzac, and Glenbow Ranch as full service rural communities providing a range of land uses, housing types, and rural services to their residents and local area; in accordance with their area structure plan or conceptual scheme. These hamlets are identified as "Hamlet – Full Service" on Map 1.</i>
Consistent	Subject lot / Dwelling located in the hamlet of Harmony. The proposed amendment does not affect the implementation of the Harmony Conceptual Scheme which has been addressed previously through land use and subdivision considerations with the creation of the subject lot.
<b>Managing Residential Growth – Country Residential</b>	
5.1	<i>Support the development of the Hamlets of Conrich, Harmony, Langdon, Balzac, and Glenbow Ranch as full service rural communities providing a range of land uses, housing types, and rural services to their residents and local area; in accordance with their area structure plan or conceptual scheme. These hamlets are identified as "Hamlet – Full Service" on Map 1.</i>
Consistent	Subject lot / Dwelling located in the hamlet of Harmony. The proposed amendment does not affect the implementation of the Harmony Conceptual Scheme which has been addressed previously through land use and subdivision considerations with the creation of the subject lot.
<b>Hamlets – Hamlets: Appearance and Function</b>	
9.1	<i>Encourage and support the development of the Hamlets of Conrich, Harmony, Langdon, Balzac, and Glenbow Ranch as full service rural communities providing a range of land uses, housing types, and rural services to their residents and local area, in accordance with their area structure plan or conceptual scheme.</i>
Consistent	Development / creation of the subject lot was approved through the implementation of the Harmony conceptual scheme and stage 1 Neighborhood Plan (Appendix A). The use in question is a Dwelling, Single Detached, which is a permitted use within the Village Residential 1 (VR-1) Development Cell of the DC-129 Bylaw, and is appropriately designed and serviced.
<b>Hamlets – Hamlets: Planning and Design Considerations</b>	
9.6	<i>Development in a hamlet shall be guided by, and conform to, the adopted area structure plan or conceptual scheme.</i>
Consistent	Development within the area in which the subject lot is located is guided by the Harmony Conceptual Scheme and Stage 1 Neighborhood Plan (Appendix A).
9.10	<i>Support hamlets in providing:</i> <i>a. an attractive community and distinct identity; and</i>



	<i>b. a high quality built environment.</i>
Generally Consistent	The application does not propose new development or intensification of use, therefore the proposal does not affect the community and built environment in a negative way. The Harmony Conceptual Scheme has been addressed previously through land use and subdivision considerations with the creation of the subject lot and construction of the subject Dwelling.
<b>Reserves – Municipal, School, and Community Reserves</b>	
13.1	<i>When acquiring reserves, the County shall require that the owners of land proposed for subdivision provide reserves in the form of:</i> <i>a. land;</i> <i>b. money in place of land; or</i> <i>c. a combination of land and money.</i>
Not Applicable	Previously provided with registration of subdivision Plans throughout the Stage 1 neighborhood plan, which includes reserves being dedicated in the amount of ±20.021 hectares (±49.473 acres). This dedication includes a ±6.287 hectare (±15.536 acre) school site (Municipal School Reserve), ±1.319 hectare (±3.258 acre) neighbourhood (village) park (Municipal Reserve) and ±12.415 hectare (±30.679 acre) linear open space system (Municipal Reserve).

<b>Harmony Conceptual Scheme</b>	
<b>5.2 Residential Land Elements</b>	
5.2.2	<i>The Harmony community will contain a variety of housing forms in keeping with the principles of the conceptual scheme. Subsequent development approval applications will delineate the location, type and associated regulations for each housing form.</i>
Not Applicable	The proposed amendment does not affect the implementation of the Harmony Conceptual Scheme which has been addressed previously through land use and subdivision considerations with the creation of the subject lot.
<b>Stage 1 Neighbourhood Plan (Appendix A)</b>	
5.2.2	<i>The purpose and intent of the Village Residential (VR-1) designation is to accommodate a variety of housing Forms within a range of low to medium density housing units, specifically within Residential Village A and Village B. The designation will allow for the clustering of housing, open space elements and community amenity space, as well as allow for the implementation of utility infrastructure.</i>
Not Applicable	The proposed amendment does not affect the implementation of the Harmony Conceptual Scheme which has been addressed previously through land use and subdivision considerations with the creation of the subject lot.

<b>Direct Control Bylaw C-6688-2008 (DC-129)</b>	
<b>General Regulations</b>	
1.1.0	<i>Parts 1, 2 and 3 of the Land Use Bylaw C-4841-97 shall apply to all uses contemplated by this Bylaw, and within each Section of Part 3, the regulations under the sub-heading of "Business Development" shall apply to all commercial developments, except where noted otherwise in this Bylaw.</i>
Inconsistent	The subject application conflicts with section 38.2 of <i>Land Use Bylaw C-8481-1997</i> as further outlined below. Section 38.2 is applicable as it is contained within Part 3 of <i>Land Use Bylaw C-8481-1997</i> .
1.2.0	<i>For the purposes of this Bylaw, the lands shall be divided into Land Use Districts, the boundaries and description of which shall be more or less as indicated in</i>

	<i>Schedule "A" attached hereto and forming part herein, except as otherwise approved by Council. The location, maximum size and shape of the Land Use Districts are approximate and will be more precisely determined at the subdivision stage in a form and substance satisfactory to the County</i>
Not Applicable	The subject parcel is located within the Village Residential 1 (VR-1) district, regulations.
<b>8.0 Land Use Regulations – Village Residential 1 Development Cell (VR-1)</b>	
8.5.0/1	<u><i>Minimum/Maximum Lot Area Requirements:</i></u> <i>Table 1 (8.5.1) specifies the minimum lot area, minimum/maximum lot widths, minimum front, rear and side yard setbacks, and maximum lot average, and shall apply to all buildings within the Village Residential Development Cell (VR-1).</i>
Inconsistent	The subject lot is a front access lot with a width of 18.33m; therefore requiring minimum side yard setback of 5.48m total / 3.35m one side. The resultant side yard setbacks are a minimum of 3.35m from the western property line, and 2.13m from the eastern property line. The foundation of the Dwelling, Single Detached is measured at 2.14m from the eastern property line (thereby meeting the minimum requirement) however the landing/deck extends to a distance 0.62m from the eastern property line.

<b>Land Use Bylaw C-4841-1997</b>	
<b>Section 38 FRONT, SIDE AND REAR EXTENSIONS INTO YARDS</b>	
38.2	<i>Decks shall not extend further than 2.00 m (6.56 ft.) into the required minimum yard, side or rear and the resulting required minimum yard, side or rear shall not be less than 1.20 m (3.94 ft.). The Development Authorities variance of 25% applies to the remaining setback requirement.</i>
Inconsistent	The structure in question extends into the required minimum side yard setback by 0.61m; the resultant setback of 0.62m is less than the required 1.20m. The proposed amendments to the DC-129 Bylaw included within Attachment F represent an approximately 48% variance to the applicable regulations.



ROCKY VIEW COUNTY

# BYLAW C-8519-2024

## A bylaw of Rocky View County, in the Province of Alberta, to amend Direct Control Bylaw C-6688-2008, being the *Land Use Bylaw*.

The Council of Rocky View County enacts as follows:

### Title

- 1 This bylaw may be cited as *Bylaw C-8519-2024*.

### Definitions

- 2 Words in this Bylaw have the same meaning as those set out in the *Land Use Bylaw* and *Municipal Government Act* except for the definitions provided below:
- (1) **“Council”** means the duly elected Council of Rocky View County;
  - (2) **“Land Use Bylaw”** means Rocky View County Bylaw C-8000-2020, being the *Land Use Bylaw*, as amended or replaced from time to time;
  - (3) **“Municipal Government Act”** means the *Municipal Government Act*, RSA 2000, c M-26, as amended or replaced from time to time; and
  - (4) **“Rocky View County”** means Rocky View County as a municipal corporation and the geographical area within its jurisdictional boundaries, as the context requires.

### Effect

- 3 THAT Direct Control Bylaw C-6688-2008 (DC-129) be amended as shown on the attached Schedule ‘A’ forming part of this Bylaw.

### Effective Date

- 4 Bylaw C-8519-2024 is passed and comes into full force and effect when it receives third reading and is signed in accordance with the *Municipal Government Act*.



ROCKY VIEW COUNTY

READ A FIRST TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2024

READ A SECOND TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2024

UNANIMOUS PERMISSION FOR THIRD READING this \_\_\_\_\_ day of \_\_\_\_\_, 2024

READ A THIRD AND FINAL TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2024

\_\_\_\_\_  
Reeve\_\_\_\_\_  
Chief Administrative Officer\_\_\_\_\_  
Date Bylaw Signed



ROCKY VIEW COUNTY

**SCHEDULE 'A'**  
**FORMING PART OF BYLAW C-8519-2024**

**Amendment #1**

Add the following to Section 8.5.0 Minimum/Maximum Lot Area Requirements:

*Except for 8.5.2, all minimum and maximum limits shall be per Table 1 (8.5.1) of this Bylaw.*

**Amendment #2**

Add Section 8.5.2 to Section 8.5.0 Minimum/Maximum Lot Area Requirements:

**8.5.2** *Lot 78, Block 2, Plan 1810288 within SE-7-25-3-W05M shall have a minimum setback of 0.62m from the eastern side yard property line for the existing Landing measuring 1.54 sq. m (16.63 sq. ft.) in area. The existing requirement of 2.13m on one side shall remain in effect for the Dwelling, Single Detached.*



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**OFFICE CONSOLIDATION**

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

<b>Bylaw</b>	<b>Amendment Type</b>	<b>Date of Approval</b>
C-6688-2008	Original Bylaw	October 7, 2008
	Amendments to Sections 1 – 9 and Schedule 'A'. Addition of Schedule 'D'.	March 14, 2017
C-7671-2017	Amendments to Table of Contents, Section 5.2.0, 5.3.1, 5.3.2, 5.4.0 c), 5.4.0 d), 5.5.0 g), 9.0.0, Schedule 'A', Schedule 'C', and general renumbering.	May 9, 2017
C-7884-2019	Amendments to Section 6.1.0, 6.2.0, Table 1 and Table 2, Section 10.0.0.	June 25, 2019
C-8079-2020	Replacement of Schedule A.	October 27, 2020
C-8080-2020	Amend Schedule A.	October 27, 2020
C-8085-2020	Amendments to Section 5.2.0, 5.3.1, 5.4.0, 5.6.0, 5.8.0, 5.9.0, 5.12.0, 5.13.0, 8.7.0, Definitions, Table 1 and Table 2, Schedule 'C'.	January 26, 2021
C-8157-2021	Update various sections, add an additional three land use districts, added sections 10.0-13.0, and the addition of a Vacation Rental use. Amendments made to accommodate changes to number of units, and rear yard setback	June 8, 2021
C-8315-2022	Amendments to Sections 3.2.0, 3.13.0, 5.7.0 Amendments to Table 2 (9.5.1) Remove Section 10.2.0 and 11.2.0	November 1, 2022
C-8463-2024	Amend Section 3.0.0, adding 3.17.0; Amend Table 1 (8.5.1); Amend Section 9.3.0; and Amend Table 2 (9.5.1)	February 13, 2024
C-8519-2024	Amend Section 8.5.0, adding 8.5.2 and inserting Table 2.	May 28, 2024

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**ROCKY VIEW COUNTY**  
**BYLAW C- 6688- 2008**

A Bylaw of Rocky View County to amend Bylaw C-4841-97 (The Land Use Bylaw).

**WHEREAS** the Council deems it desirable to amend the said Bylaw; and

**WHEREAS** the Council of Rocky View County (“the County”) has received an application to amend Section 5, Land Use Map No. 58 of Bylaw C-4841-97 to redesignate NW Section 5-25-03-W5M; Section 7-25-03-W5M; SW Section, NW Section and NE Section 8-25-03-W5M; NW Section 9-25-03-W5M, a portion of SW Section 9-25-03-W5M; a portion of each SW Section, SE Section and NW Section of 18-25-03-W5M; and a portion of SW Section 17-25-03-W5M from Ranch and Farm District to Direct Control; and

**WHEREAS** a notice was published on August 26, 2008 and September 2, 2008 in the Rocky View Weekly, a newspaper circulating in the County, advising of the Public Hearing for October 7, 2008; and

**WHEREAS** Council held a Public Hearing and has given consideration to the representations made to it in accordance with Section 692 of the Municipal Government Act, being Chapter M-26 of the Revised Statutes of Alberta, 2000, and all amendments thereto.

**NOW THEREFORE** the Council of Rocky View County enacts the following:

1. That Part 5, Land Use Map No. 58 of Bylaw C-4841-97 be amended to redesignate NW Section 5-25-03-W5M; Section 7-25-03-W5M; SW Section, NW Section and NE Section 8-25-03-W5M; NW Section 9-25-03-W5M, a portion of SW Section 9-25-03-W5M; a portion of each SW Section, SE Section and NW Section of 18-25-03-W5M; and a portion of SW Section 17-25-03-W5M from Ranch and Farm District to Direct Control District, as shown on the attached Schedule “A” attached hereto and forming part of the Bylaw; and
2. That a portion of the lands within NW Section 5-25-03-W5M; Section 7-25-03-W5M; SW Section, NW Section and NE Section 8-25-03-W5M; NW Section 9-25-03-W5M, a portion of SW Section 9-25-03-W5M; a portion of each SW Section, SE Section and NW Section of 18-25-03-W5M; and a portion of SW Section 17-25-03-W5M are hereby redesignated to Direct Control District, as shown on Schedule “A” attached to and forming part of this Bylaw; and
3. That the regulations of the Direct Control District comprise:
  - 1.0.0 General Regulations
  - 2.0.0 Subdivision Regulations
  - 3.0.0 Development Regulations
  - 4.0.0 Land Use Regulations - Future Development Cell (FD)
  - 5.0.0 Land Use Regulations - Village Core 1 Development Cell (VC-1)
  - 6.0.0 Land Use Regulations - Employment Campus Development Cell (E-1)
  - 7.0.0 Land Use Regulations - Golf Facilities and Open Space Development Cell (GO)
  - 8.0.0 Land Use Regulations - Village Residential 1 Development Cell (VR-1)
  - 9.0.0 Land Use Regulations – Village Residential 2 Development Cell (VR-2)
  - 10.0.0 Land Use Regulations – Village Residential 3 Development Cell (VR-3)
  - 11.0.0 Land Use Regulations – Village Residential 4 Development Cell (VR-4)
  - 12.0.0 Land Use Regulations – Neighbourhood Core Development Cell (N-C)
  - 13.0.0 Definitions

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**1.0.0 General Regulations**

- 1.1.0 Parts 1, 2 and 3 of the Land Use Bylaw C-4841-97 shall apply to all uses contemplated by this Bylaw, and within each Section of Part 3, the regulations under the sub-heading of “Business Development” shall apply to all commercial developments, except where noted otherwise in this Bylaw.
- 1.2.0 For the purposes of this Bylaw, the lands shall be divided into Land Use Districts, the boundaries and description of which shall be more or less as indicated in Schedule “A” attached hereto and forming part herein, except as otherwise approved by Council. The location, maximum size and shape of the Land Use Districts are approximate and will be more precisely determined at the subdivision stage in a form and substance satisfactory to the County.
- 1.3.0 The following infrastructure activities are permitted in all Development Cells:
- a) Roads necessary for access and internal vehicular circulation (including road rights-of-way, bridges and areas for intersection improvements);
  - b) Deep and shallow utility distribution and collection systems and facilities such as sewage, stormwater, potable water or solid waste disposal system or telecommunication, electrical power, water, or gas distribution systems and water treatment facilities;
  - c) Stormwater systems and facilities;
  - d) Raw water supply, storage (i.e. reservoir) and distribution facilities;
  - e) Earthworks necessary for the preparation of land for site construction;
  - f) Public Parks;
  - g) Parking and loading;
  - h) Planting and seeding;
  - i) Pedestrian pathways;
  - j) Temporary sales/information centre; and
  - k) Fences.
- 1.4.0 The Developer will work with the County to arrive at an agreement regarding the operation and ownership of the potable water utilities, stormwater utilities, and wastewater utilities that will ultimately serve the County’s constituents.
- 1.5.0 As per the Harmony Conceptual Scheme, the overall number of *residential units* within the area outlined in Schedule “A” will be tied to the capacity of the infrastructure systems and will be up to a maximum of 4,480 dwelling units (excluding Residential Care Facilities and *Secondary Suites*).
- 1.6.0 Unless noted elsewhere in this Bylaw, parking and loading regulations will be based on the Land Use Bylaw C-4841-97 Section 30 and Schedule 5.
- 1.7.0 Building heights shall be in accordance with the Land Use Bylaw unless otherwise noted and measured as the vertical distance between the average elevation around the perimeter of the building and in the case of:
- a) A flat roof - the highest point of the roof surface or the parapet, whichever is greater;
  - b) Any other roof type - the highest point or peak of the roof;

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- c) Building height to exclude environmental building components such as solar panels and green roof elements;
- d) For the purpose of determining the building height in this Direct Control Bylaw, architectural features (including steeples) that are designed to reduce the perceived mass, to emphasize a landmark building that locates a focal point for a community or village, or to screen roof maintenance equipment (i.e., elevator shafts) shall be excluded from the calculation of the Building Height so long as they represent less than 20% of the roof area.

1.8.0 If there is a discrepancy between the metric and imperial measurement, metric prevails.

#### 1.9.0 Emergency Services

1.9.1 Water for fire-fighting along with all-weather access roads are required for fire-fighting during all stages of development and designed to meet County requirements and standards.

1.9.2 Where a fire pump and hydrant system is proposed for firefighting, a Building Permit shall be obtained for the installation of the fire-suppression system for the development area, prior to entering into a Development Agreement with the County. The fire suppression system shall be designed to provide continuous coverage, with all requirements of the Alberta Building Code met, and engineering drawings shall be stamped by the engineer.

1.9.3 Emergency Services shall be operational for occupancy to be granted to any structure in the development area.

### 2.0.0 Subdivision Regulations

2.1.0 The County may require as part of the application for subdivision:

2.1.1 A Stormwater Management Plan prepared by a qualified professional in a form and substance satisfactory to the County.

2.1.2 A Traffic Impact Analysis prepared by a qualified professional in a form and substance satisfactory to Alberta Transportation and the County.

2.1.3 A Preliminary Certificate to Divert and Use Water obtained from Alberta Environment.

2.1.4 Other technical and engineering studies prepared by a qualified professional in a form and substance satisfactory to the County.

2.2.0 No subdivision shall be endorsed until:

2.2.1 A Construction Management Plan has been prepared by a qualified professional, in a form and substance satisfactory to the County.

2.2.2 An Emergency Response Plan has been prepared by a qualified professional in a form and substance satisfactory to the County.

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- 2.2.3 All necessary easements and rights-of-way related to the sanitary sewer, water and stormwater systems, and the supply and distribution of power, gas, telephone, and cable television have been confirmed in a form and substance satisfactory to the County.
- 2.2.4 A Conceptual Landscape Plan which includes all County owned public lands (i.e. parks, boulevards, pathways) has been provided to the County in a form and substance satisfactory to the County.
- 2.2.5 All necessary licenses, permits, and approvals have been obtained from Alberta Environment with regards to the piped water supply and distribution system required to service the development and this piped water supply and distribution system has been confirmed in a manner satisfactory to the County.
- 2.2.6 All necessary licenses, permits, and approvals have been obtained from Alberta Environment with regards to the wastewater system and treatment facility required to service the development and this wastewater system and treatment facility has been confirmed in a manner satisfactory to the County.
- 2.2.7 All necessary licenses, permits, and approvals have been obtained from Alberta Environment with respect to:
- a. a potable water supply and distribution system to service the *subject lands* or portions thereof and a License to Divert and Use Water is obtained from Alberta Environment; and
  - b. the design, location and operational protocol of the sewage treatment facilities servicing the *subject lands* or portions thereof.
- 2.2.8 All necessary licenses permits and approvals have been obtained from Alberta Environment with regards to the stormwater system required to service the development and this stormwater system and treatment facility has been confirmed in a manner satisfactory to the County.
- 2.3.0 Notwithstanding 2.2.0, the County may endorse a subdivision where a subdivision is proposed that would not require servicing or would require further subdivision in order to conform to the Harmony Conceptual Scheme.
- 2.4.0 The Applicant and/or Owner shall collaborate with the County or its agent to produce agreements with respect to Harmony. The agreements are to be entered into by the Applicant and/or Owner as well as the County or its agent and shall not supersede any other County policies. The County shall not approve a subdivision on the *subject lands* prior to entering into the following agreements:
- 2.4.1 Stormwater
- The agreement shall provide information and/or direction regarding the following:
- The lake/retention pond
  - How the operation, maintenance and monitoring of the stormwater system meets Provincial standards



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- Interest in lands where stormwater system facilities are located
- Ownership of the stormwater system
- Off-site overland drainage and escape routes

## 2.4.2 Water

The agreement shall provide information and/or direction regarding the following:

- The lake/reservoir
- How the operation, maintenance and monitoring of the potable water system meets Provincial standards
- Interest in lands where potable water system facilities are located
- Raw water systems used for irrigation purposes
- Ownership of the potable water system

## 2.4.3 Sanitary Sewer

The agreement shall provide information and/or direction regarding the following:

- Spray irrigation lands
- How the operation, maintenance and monitoring of the wastewater system meets Provincial standards
- Interest in lands where wastewater conveyance system and treatment facilities are located
- Ownership of the wastewater system

## 2.4.4 Solid Waste

The agreement shall provide information and/or direction regarding the following:

- Interest in lands where solid waste management system facilities are located
- Waste collection and transfer facilities
- Implementation of waste reduction and recovery processes and facilities for construction materials
- How the operation and monitoring of the solid waste management system meets Provincial standards
- Ownership of the solid waste management system

2.5.0 The County may, through a Development Agreement(s) required by any subdivision and/or development permit affecting these Lands, specify any regulation, criteria or condition necessary to ensure all Subdivision and Development on the Lands conform to the development proposals and representations upon which this Bylaw is based, as determined by and to the satisfaction of the County.

2.6.0 A Harmony Lot Owners' Association in a form acceptable to the County and its successors such as a registered homeowners association or a condominium association will be legally established by the Developer and a restrictive covenant confirming that

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each owner of an interest in the *subject lands* will be a member of the Lot Owner's Association. The restrictive covenant will be satisfactory to the County and will be registered against the titles prior to any registered financial encumbrances and registered concurrently with the plan of survey.

### 3.0.0 Development Regulations

- 3.1.0 Except where specifically noted that Council approval is required, the Development Authority shall consider and decide on applications for Development Permits for all uses listed by this Bylaw, provided the provisions of all Sections contained herein are completed in form and substance.
- 3.2.0 Notwithstanding provisions elsewhere in this Bylaw, the following uses are deemed approved without requirement for a Development Permit when all other criteria of this Bylaw are met:
  - a. *Dwelling, Single Detached*
  - b. *Dwelling, Semi-Detached*
  - c. *Accessory Building*
  - d. *Show Home*
- 3.3.0 Where the exterior project boundary setback is greater than the interior parcel line setback, the exterior project boundary setback shall prevail.
- 3.4.0 The construction of the raw water reservoir, water supply and distribution system, and wastewater treatment and collection system will require a Development Permit or shall be constructed under a Development Agreement and permitted by Alberta Environment.
- 3.5.0 No occupancy or final occupancy associated with either a Building or a Development Permit will be issued until connections have been made to the piped potable water and wastewater system. Staged modular units that are capable of functioning as part of a permanent potable and wastewater solution are acceptable until the Harmony project develops to the point where staged full scale treatment facilities can operate efficiently. All water and wastewater treatment solutions will be developed to the satisfaction of the County and Alberta Environment.
- 3.6.0 The use of any portion of the *subject lands* for private storm ponds or raw water reservoir and/or a recreation lake shall only be permitted if their design and construction is in accordance with plans and specifications prepared by a qualified professional to the satisfaction of the County and Alberta Environment where applicable.
- 3.7.0 Private roads (i.e. located within a condominium parcel and/or private lot) shall be constructed in accordance with the design standards submitted by the Developer to the County's satisfaction.
- 3.8.0 All applications for development and building approval within the grading plan area, shall, as a condition of approval, submit "grade verification" to the County. Grade verification shall be prepared by a qualified professional and verify that the elevations at the bottom of footing and main floor are in compliance with finished grades identified in the final lot grades.

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- 3.9.0 Notwithstanding provisions stated elsewhere in this Bylaw, the Development Authority may issue a Development Permit for stripping and grading, which does not include installation of underground services, gravel or paving, prior to Subdivision Approval or issuance of a Development Agreement, provided a grading plan and a sediment and erosion control plan are approved to the satisfaction of the County and will not contradict the final stormwater management plan.
- 3.10.0 All development shall be in accordance with a Stormwater Management Plan approved by the County.
- 3.11.0 A Traffic Impact Analysis review shall be required once build out assumptions have exceeded those identified within the initial study to the satisfaction of the County.
- 3.12.0 A temporary sales/information centre may be considered by the Development Authority as a use on the *subject lands*.
- 3.13.0 Show Homes may be developed on the subject lands without a Development Permit in accordance with Section 3.2.0. Additionally, Show Homes may be considered by the Development Authority on the subject lands prior to the endorsement of a plan of subdivision, provided that:
- a) conditional approval for subdivision has been granted by the Subdivision Authority for that cell, and further, that no occupancy of the said homes shall occur until full municipal services (power, gas, sewer, water, telephone, etc.) are available to and immediately usable by residents of said dwellings and the plan of subdivision has been registered;
  - b) the hours that any show homes may be open to the public shall not be earlier than 9:00 a.m. or later than 8:00 p.m.; and
  - c) In the absence of a fully executed Development Agreement, a signed Pre-Endorsement Development Agreement is required prior to *Show Home* construction.
- 3.14.0 The hours that any show home may be open to the public shall not be earlier than 9:00 a.m. or later than 8:00 p.m.
- 3.15.0 Landscaping
- 3.15.1 Where landscaping is proposed under a Development Permit on a lot, landscaping shall be provided in accordance with a Detailed Landscape Plan to be submitted to the County upon application for a Development Permit. The Detailed Landscape Plan shall identify:
- the location, type, size, and extent of all hard and soft landscaping;
  - the plant material to be used;
  - location, type and extent of irrigation; and
  - a description of the maintenance program to be used to ensure all plant material is kept in a healthy state.
- 3.15.2 The landscaping and open spaces shall enhance the appearance of commercial and public buildings and also provide a connection to other areas of development. Landscape buffers along street frontages and within parking areas shall be designed as integrated, continuous elements.

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3.15.3 At the sole discretion of the County, the minimum County requirement for 10% of the site to be landscaped may be exempted in the Village Core 1 Development Cell (VC-1) at the discretion of the Development Authority, where 100% site coverage for the building is permissible. If an exemption is granted, a developer may be permitted to provide money in lieu of landscaping to provide landscaping on adjacent public property when:

- a) there are physical impediments (i.e. utility restrictions) to providing 10% landscaping;
- b) there is sound justification (i.e. waterfront and/or boat house dwellings or to enhance building/streetscape interface) as to why the exemption should be made to provide landscaping on-site;
- c) where off-site landscaping would benefit the development; and
- d) Alternate provisions can be made for on-site stormwater management.

3.15.4 Landscape buffers between development areas shall be of an appropriate size and density.

#### 3.16.0 Airport Related No Build Zone

An Airport Related No Build Zone is defined by a 20.0 m setback on either side of the projected runway centreline to a total building setback of 40.0 m located underneath the Airport Runway Approach (See Schedule “A”). The Airport Related No Build Zone only applies to above grade building structures (excluding roadways and associated street furniture, parking facilities, navigational aids, open space, and the *golf course*). The Airport Related No Build Zone is in addition to its corresponding land use and is subject to the regulations stated within this Bylaw.

3.17.0 The Development Authority may grant a variance to each site’s minimum front yard, side yard and rear yards by a maximum of 25%, so long as the variance would not materially interfere with or affect the use, enjoyment or value of a nearby parcel of land, or adversely affect property access, safety, or utility rights of way.

### 4.0.0 Land Use Regulations - Future Development Cell (FD)

#### 4.1.0 Purpose and Intent

The purpose of this Cell is intended to:

- Be applied to lands awaiting development within the Harmony community subject to further land use amendments;
- Allow for the continuation of interim land uses of an agricultural operations nature which can be removed to allow for future comprehensive development as per the provisions of the Harmony Conceptual Scheme;
- Allow for the implementation of utility infrastructure uses necessary to support development within the community;
- Provide for community amenity open space; and
- Allow for preparation of the lands for future development.

#### 4.2.0 Uses

4.2.1 Accessory Building

4.2.2 Public Market

4.2.3 Agriculture, General

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- 4.2.4 Public Park
- 4.2.5 Agricultural Support Services
- 4.2.6 Raw Water Reservoir and/or Recreational Lake

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- 4.2.7 Commercial Communications (CC) Facilities, (Types A, Type B, and Type C)-
- 4.2.8 Sign
- 4.2.9 *Historical and Cultural Interpretations*
- 4.2.10 *Utility, Power Generation* Type A and Type B
- 4.2.11 Horticultural Development

4.3.0 Minimum Requirements

## 4.3.1 Exterior Project Boundary Setbacks:

Conditions A and B are depicted in Schedule “B” and establish minimum setbacks from the exterior (outside) boundary of the *subject lands*. Condition A is depicted by a solid black line and Condition B is depicted by a dashed black line.

- a) Condition A as per Schedule “B”: 100 m (328 ft).
- b) Condition B as per Schedule “B”: 20 m (66 ft).

## 4.3.2 Interior Parcel Lines (those lot lines that fall within the external boundary):

## a) Front Yard Setback:

- i) 60 m (197 ft) from any external Township or Range Road.
- ii) 15 m (49 ft) from any internal subdivision road.

## b) Side Yard:

- i) 60 m (197 ft) from any Township or Range Road.
- ii) 15 m (49 ft) from any internal subdivision road.
- iii) 6 m (20 ft) from all other parcel boundaries.

## c) Rear Yard:

- i) 60 m (197 ft) from any Township or Range Road.
- ii) 30 m (98 ft) from all other parcel boundaries.

4.4.0 Maximum Requirements

## 4.4.1 Building Height: 12 m (39.37 ft.)



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**5.0.0 Land Use Regulations – Village Core 1 Development Cell (VC-1)****5.1.0 Purpose and Intent**

The purpose of this Cell is intended to:

- Provide a vibrant focal point for the overall development of the Harmony community through the provision of a mix of land uses within a well-defined area;
- Provide a range of services and amenities for residents, employees and adjacent areas;
- Accommodate a variety of housing forms within a higher density setting;
- Provide small to medium scale commercial, institutional and personal service uses;
- Provide for community amenity space, pedestrian space; and
- Allow for the implementation of utility infrastructure.

**5.2.0 Development Limits**

The lands within VC-1 Cell shall be notationally divided into two areas (Area A and Area B), as per Schedule “C”, in order to apply permitted uses. Proposed development within each Area is to be in accordance with the architectural guidelines at time of development permit.

**5.3.0 Uses****5.3.1 Area A**

- 5.3.1.1 Accessory Building
- 5.3.1.2 Amusement and Entertainment Services
- 5.3.1.3 Animal Health Care Services, Small Animal
- 5.3.1.4 *Arts and Crafts*
- 5.3.1.5 Arts and Culture Centre
- 5.3.1.6 Bed and Breakfast Home
- 5.3.1.7 Child Care Facility
- 5.3.1.8 Commercial Business
- 5.3.1.9 Commercial Communications Facilities, Type A
- 5.3.1.10 Conference Centre
- 5.3.1.11 Drinking Establishment
- 5.3.1.12 *Dwelling, Multi-Family*
- 5.3.1.13 Dwelling, Semi-Detached
- 5.3.1.14 Dwelling, Single Detached
- 5.3.1.15 Dwelling, Row
- 5.3.1.16 Government Services
- 5.3.1.17 Grocery Store, Regional
- 5.3.1.18 Grocery Store, Local
- 5.3.1.19 Health Care Services
- 5.3.1.20 Home-Based Business, Types I and II
- 5.3.1.21 Hotel

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- 5.3.1.22 Indoor Participant Recreation Services
- 5.3.1.23 Laboratories
- 5.3.1.24 Liquor Sales
- 5.3.1.25 Live/work Unit
- 5.3.1.26 Lodging Houses and Country Inns
- 5.3.1.27 Medical Treatment Services
- 5.3.1.28 Mixed-Use Developments
- 5.3.1.29 Museum
- 5.3.1.30 Offices
- 5.3.1.31 Outdoor Café
- 5.3.1.32 Patio, Accessory to Principal Building Use
- 5.3.1.33 Personal Service Business
- 5.3.1.34 Private Amenity Space
- 5.3.1.35 Private Clubs and Organizations
- 5.3.1.36 Public Building
- 5.3.1.37 Public Market
- 5.3.1.38 Public Park
- 5.3.1.39 Recycling Collection Point
- 5.3.1.40 Religious Assembly
- 5.3.1.41 Residential Care Facility
- 5.3.1.42 Restaurant
- 5.3.1.43 Retail Food Store
- 5.3.1.44 Retail Garden Centre
- 5.3.1.45 Retail Store, Local
- 5.3.1.46 School, Public or Separate
- 5.3.1.47 School or College, Commercial
- 5.3.1.48 *Secondary Suite*
- 5.3.1.49 Sign
- 5.3.1.50 Specialty Food Store
- 5.3.1.51 *Utility, Power Generation Type A and Type B*
- 5.3.1.52 Vacation Rental
- 5.3.1.53 *Wellness Resort*

5.3.2 Area B (Peninsula)

- 5.3.2.1 Accessory Building
- 5.3.2.2 *Arts and Crafts*
- 5.3.2.3 Arts and Culture Centre
- 5.3.2.4 Child Care Facility
- 5.3.2.5 Commercial Communications (CC) Facility, Type A
- 5.3.2.6 *Dwelling, Multi-Family (see 5.13.1)*
- 5.3.2.7 *Dwelling, Row (see 5.3.1)*
- 5.3.2.8 *Dwelling, Semi-Detached (see 5.3.1)*
- 5.3.2.9 *Dwelling, Single Detached (see 5.3.1)*
- 5.3.2.10 Home-Based Business, Type I & II
- 5.3.2.11 Indoor Participant Recreation Services
- 5.3.2.12 Outdoor Café
- 5.3.2.13 *Outdoor Recreation, Neighbourhood Area*
- 5.3.2.14 *Patio, Accessory to Principal Business Use*
- 5.3.2.15 Private Amenity Space
- 5.3.2.16 Private Clubs and Organizations
- 5.3.2.17 *Retail Store, Local (see 5.3.2)*

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- 5.3.2.18 Restaurant
- 5.3.2.19 *Secondary Suite* (see 5.3.1)
- 5.3.2.20 Sign
- 5.3.2.21 *Utility, Power Generation* Type A & Type B
- 5.3.2.22 Vacation Rental

## 5.4.0 Minimum Setback Requirements:

- a) The minimum building setback to a property line is 0 m (0 ft).

## 5.5.0 Maximum Limits:

- a) Height:
  - i) Dwelling, Row; Dwelling, Semi-Detached, Dwelling, Single Family: 13 m (42.65 ft).
  - ii) *Dwelling, Multi-Family*: 17 m (55.77 ft).
  - iii) Accessory Buildings: 12 m (39.37 ft)
  - iv) Mixed-Use, Commercial and Residential buildings: 16 m (52.49 ft).
  - v) Hotel: 20 m (65.62 ft)
  - vi) All other uses: 17 m (55.77 ft).

## 5.6.0 Building Orientation and Design:

- a) Mixed-Use Development / Commercial Development:
  - i) Service bays, roof top mechanical units and storage areas shall be screened from adjacent buildings.
- b) Residential Area:
  - i) All ground floor *residential units*, along a view corridor and particularly when fronting onto a public thoroughfare or park shall provide an entrance with direct access to grade unless access is inappropriate due to site conditions.
  - ii) *Private amenity space* for ground floor *residential units* may be located in the front yard, provided the issues of privacy, security, light, and access are addressed to the satisfaction of the County.
  - iii) Buildings shall create a definite street edge. Entries along the street shall be relatively consistent with no large breaks between doors and walkways.

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- iv) Side elevations on a corner lot shall have the compatible application of exterior finishes and architectural detailing as the front elevation.
- v) Where the rear abuts open space or a public thoroughfare (view corridor) that is clearly visible, it shall have exterior finishes and architectural detailing compatible with the front elevation.
- vi) All parts of the building, from the overall form shall be designed with a sense of proportion to each other.

## 5.7.0 Projections:

## a) Commercial Development / Mixed-Use Development:

All projecting awnings and signage will be appropriate to the building and guided by the Harmony Architectural Guidelines.

- b) Waterfront: Portions of buildings located adjacent to the waterfront may project over, into, or onto the water.
- c) Roadways: Pedestrian bridges may project over public roadways to provide linkages between buildings.

## 5.8.0 Live/Work Units:

- a) That portion used for work purposes shall be restricted to the ground floor only.
- b) A maximum of three non-resident employees may work within the live/work unit unless otherwise allowed by the County.
- c) The resident owner or owner's employee, as resident, shall be responsible for the business activity performed.
- d) Signage shall be non-illuminated in residential areas and shall be compatible with the architectural guidelines of the residential neighbourhood to the satisfaction of the County.
- e) All live/work *residential units* fronting onto a public thoroughfare shall have an entrance with direct access to grade.
- f) Except as provided elsewhere in this Bylaw, a portion of the *residential unit* may be located on the same floor as a non-residential use in the Mixed-Use / Commercial Areas.
- g) Live/work units shall be limited to those uses which do not create a nuisance by way of electronic interference, dust, noise, odour, smoke, bright light or anything of an

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offensive or objectionable nature which is detectable to normal sensory perception outside the live-work unit.

#### 5.9.0 Mixed-Use Development and Commercial Development:

- a) A building may be occupied by a combination of one or more of the uses listed and each use shall be considered a separate use, and each use shall obtain a Development Permit. A Development Permit may include a number of uses and/or units within a building.
- b) The *residential units* shall have at grade access that is separate from the access for commercial premises. Direct access from a *residential unit* to a commercial premise shall not be permitted.
- c) A minimum of 4 m<sup>2</sup> (43 ft<sup>2</sup>) of *private amenity space* shall be provided for each *residential unit* in the building.
- d) No use or operation within a building shall cause or create the emission of toxic matter beyond the building that contains it. The handling, storage and disposal or any toxic or hazardous materials or waste shall be in accordance with the regulations of any government authority having jurisdiction.

#### 5.10.0 On-Water Buildings:

- a) Buildings may be located on the water provided there is a minimum separation of 3 m between the buildings including any projections or decks.

#### 5.11.0 Parking and Loading:

- a) Park and loading spaces for residential and live/work uses shall be provided as per the following table:

Land Use	Minimum Parking Requirements
Dwellings, Row; Dwellings, Semi-Detached	1.5 stalls and 0.15 visitor stalls per unit
All Other Residential	1 stall per unit; and 0.15 visitor stalls per unit
Live/Work Units	2 stalls per unit

- b) Notwithstanding Section 30 - Parking and Loading, and Schedule 5 - Parking, Schedule 6 - Loading, of the Land Use Bylaw (C-4841-97), parking and loading requirements regarding the number of stalls required for mixed use development and commercial development in the VC-1 district shall be based on a parking and loading needs assessment prepared by a Professional Transportation Engineer. The assessment shall be submitted in conjunction with the first development permit application for structures within the VC-1 district.
- c) On-site parking shall not be allowed within 3.0 m (9.84 ft) of a public thoroughfare.
- d) Parking structures shall not project more than 1 m (3 ft) above grade.

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## 5.12.0 Retaining Walls and Fences

- a) For residential uses other than multi-family residential, the height of an exposed retaining wall or other building wall located within a rear yard shall not exceed 1.5 m (4.92 ft) unless otherwise allowed by the County.

**6.0.0 Land Use Regulations – Employment Campus Development Cell (E-1)**6.1.0 Purpose and Intent

The purpose of this Cell is intended to:

- Accommodate comprehensively planned employment related land uses that contribute to the local and regional economy;
- Provide an attractive work environment;
- Provide recreational and institutional based business opportunities;
- Provide for community amenity space; and
- Allow for the implementation of utility infrastructure.
- Accommodate a mix of commercial uses that support and attract employment

6.2.0 Uses

- 6.2.1 Accessory Building
- 6.2.2 Agricultural Support Services
- 6.2.3 Amusement and Entertainment Services
- 6.2.4 Animal Health Care Services, Inclusive
- 6.2.5 Arts and Culture Centre
- 6.2.6 Athletic and Recreation Services
- 6.2.7 Auctioneering Services
- 6.2.8 Automotive Services
- 6.2.9 Business Park
- 6.2.10 Child Care Facility
- 6.2.11 Commercial Business
- 6.2.12 Commercial Communications Facilities, Type A, Type B, Type C
- 6.2.13 Commercial Recreation Facilities
- 6.2.14 Conference Centre
- 6.2.15 Dealership/Rental Agency, Automotive
- 6.2.16 Drinking Establishment
- 6.2.17 General Industry Type I
- 6.2.18 Government Services
- 6.2.19 Health Care Services
- 6.2.20 Hotel/Motel
- 6.2.21 Indoor Participant Recreation Services
- 6.2.22 Laboratories
- 6.2.23 Liquor Sales
- 6.2.24 Lodging Houses and Country Inns
- 6.2.25 Market Gardens
- 6.2.26 Medical Treatment Services
- 6.2.27 Mixed-Use Developments
- 6.2.28 Museum
- 6.2.29 Office Parks



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- 6.2.30 Outdoor Cafe
- 6.2.31 Outdoor Participant Recreation Services
- 6.2.32 Patio, Accessory to Principal Business Use
- 6.2.33 Personal Service Business
- 6.2.34 *Private Amenity Space*
- 6.2.35 Private Clubs and Organizations
- 6.2.36 Public Market
- 6.2.37 Public Park
- 6.2.38 Raw Water Reservoir and/or Recreational Lake
- 6.2.39 Recycling Collection Point
- 6.2.40 Religious Assembly
- 6.2.41 Research Parks
- 6.2.42 Restaurant
- 6.2.43 Retail Food Store
- 6.2.44 Retail Store, Local
- 6.2.45 School, Public or Separate
- 6.2.46 School or College, Commercial
- 6.2.47 Sign
- 6.2.48 *Utility, Power Generation Type A & Type B*
- 6.2.49 Vacation Rental
- 6.2.50 *Wellness Resort*

### 6.3.0 Minimum Limits

#### 6.3.1 Exterior Project Boundary Setbacks:

Conditions A and B are depicted in Schedule “B” and establish minimum setbacks from the exterior (outside) boundary of the *subject lands*. Condition A is depicted by a solid black line and Condition B is depicted by a dashed black line.

- a) Condition A as per Schedule “B”: 100 m (328 ft).
- b) Condition B as per Schedule “B”: 20 m (66 ft).

#### 6.3.2 Interior Parcel Line (those lot lines that fall within the external boundary):

- a) Front Yard:
  - i) 15 m (49 ft) from any Township or Range Road.
  - ii) 5.0 m (16.40 ft) from any internal subdivision road.
- b) Side Yard: 6.0 m (19.7 ft) except where a fire resistant wall is provided in accordance with the Alberta Building Code, 0.0 m (0.0 ft).

#### 6.3.3 Rear Yard: 6 m (20 ft).

- a) Where the Minimum Building Setbacks are greater than the Parcel Minimum Setbacks, the Development Cell regulations shall prevail.

### 6.4.0 Maximum Limits

#### 6.4.1 Height:

- a) Building Height: 18 m (59.0 ft).

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## 6.4.2 Floor Area:

- a) Retail Food Store: 3,251 m<sup>2</sup> (35,000 ft<sup>2</sup>).
- b) Retail Store, Local: 1,860 m<sup>2</sup> (20,000 ft<sup>2</sup>).

## 6.4.3 Site Coverage: 45%.

6.5.0 Special Regulations

6.5.1 Auctioneering services are to be provided entirely within buildings and does not permit the use of outdoor storage or display.

6.5.2 A building may be occupied by a combination of one or more of the uses listed for this Cell and each use shall be considered as a separate use. A Development Permit may include a number of uses and/or units within a building.

6.5.3 *Residential units* and commercial premises shall not be permitted on the same storey of a building except for stairwells/entranceways.

6.5.4 *Residential units* shall not be located on the ground floor of a building.

6.5.5 The *residential units* shall have at grade access that is separate from the access for commercial premises. Direct access from a *residential unit* to a commercial premise shall not be permitted.

6.5.6 A minimum of 4 m<sup>2</sup> (43 ft<sup>2</sup>) of *private amenity space* shall be provided for each *residential unit* in the building.

6.5.7 No use within any building or structure on the lands shall cause or create air contaminants, visible emissions or particulate emissions beyond the building which contains them.

6.5.8 No use or operation within a building shall cause or create the emission of noxious odours or vapour beyond the building that contains the use or operation.

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

6.6.0 Building Orientation and Design

6.6.1 Service bays, roof top mechanical units and storage areas shall be appropriately screened to the satisfaction of the County.

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**7.0.0 Land Use Regulations – Golf Facilities and Open Space Cell (GO)****7.1.0 Purpose and Intent**

The purpose of this Cell is intended to:

- Provide for the development, operation and management of a *golf course* and associated recreational facilities;
- Provide uses that complement *golf course* facilities;
- Provide recreational based business opportunities;
- Provide for community amenity space;
- Allow for the implementation of utility infrastructure; and
- Allow for treated wastewater spray irrigation on *golf course* lands.

**7.2.0 Development Limits**

The lands within the GO Cell shall be notationally divided into areas, as per Schedule “D”, in order to apply permitted uses. The location, size and shape of each area are approximate and will be more precisely determined at the subdivision stage in a form and substance satisfactory to the County.

**7.3.0 Uses****7.3.1 Area A**

- 7.3.1.1 Accessory Buildings
- 7.3.1.2 Commercial Communications (CC) Facilities, Type A, Type B, Type C
- 7.3.1.3 *Golf Course*
- 7.3.1.4 *Golf Course Driving Range*
- 7.3.1.5 *Golf Course Maintenance and Storage Facilities*
- 7.3.1.6 Private Clubs and Organizations
- 7.3.1.7 *Outdoor Recreation, Neighbourhood Area*
- 7.3.1.8 Raw Water Reservoir and/or Recreational Lake
- 7.3.1.9 Sign
- 7.3.1.10 *Utility, Power Generation* Type A & Type B
- 7.3.1.11 Vacation Rental

**7.3.2 Area B**

- 7.3.2.1 Accessory Building
- 7.3.2.2 Commercial Communications (CC) Facilities, Type A, Type B, Type C
- 7.3.2.3 *Golf Course*
- 7.3.2.4 *Golf Course Driving Range*
- 7.3.2.5 *Golf Course Clubhouse Facilities* and Conference Centre
- 7.3.2.6 *Golf Course Maintenance and Storage Facilities*
- 7.3.2.7 Indoor Participant Recreation Services
- 7.3.2.8 *Outdoor Recreation, Neighbourhood Area*
- 7.3.2.9 Private Clubs and Organizations
- 7.3.2.10 Sign
- 7.3.2.11 *Utility, Power Generation* Type A & Type B
- 7.3.2.12 Vacation Rental

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7.4.0 Minimum and Maximum Requirements

## 7.4.1 Minimum Building Setbacks:

- a) Front Yard Setback: 6 m (19.7 ft).
- b) Side Yard Setback: 3 m (9.8 ft).
- c) Rear Yard Setback: 6 m (19.7 ft).

7.4.2 Airport No Building Zone: A building setback zone as defined by 20 m either side of the projected runway centreline to a total building setback of 40 m located underneath the Airport Runway Approach. This building setback regulation applies to above grade building structures.

## 7.4.3 Maximum Height:

- a) Building Height: 18 m (59.0 ft.)

7.5.0 Special Regulations

7.5.1 The design of the *golf course* shall provide for integration with the natural setting by maximizing retention of natural landforms, unique vegetation and open space including the protection of natural drainage channels.

7.5.2 Parking requirements for the *golf course* clubhouse shall be 3 parking stalls per 1 golf hole.

7.5.3 A development permit application shall address the potential requirements for limiting the seasons and hours of operation, including maintenance activities. These could include seasonal or other temporary closures.

7.5.4 A development permit application shall address the potential requirement for fencing of the development for wildlife and/or human use management purposes.

7.5.5 The raw water reservoir is an integral component of the stormwater and wastewater systems; therefore, development within this cell is subject to an engineering review with regards to impacts to the stormwater management plan, potable water, and sanitary sewer infrastructure and operations.

**8.0.0 Land Use Regulations – Village Residential 1 Development Cell (VR-1)**8.1.0 Purpose and Intent

The purpose of this Cell is intended to:

- Accommodate a variety of housing forms within a range of low to medium density housing units;
- To cluster housing to increase open space and servicing efficiency;
- Provide for community amenity space; and
- Allow for the implementation of utility infrastructure.

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8.2.0 Uses

- 8.2.1 Accessory Building
- 8.2.2 Child Care Facility
- 8.2.3 Commercial Communications (CC) Facilities, Type A
- 8.2.4 Dwellings, Multi-Family
- 8.2.5 Dwellings, Semi-Detached
- 8.2.6 Dwellings, Single Detached
- 8.2.7 Dwellings, Row
- 8.2.8 Home-Based Business, Type I & Type II
- 8.2.9 Private Amenity Space
- 8.2.10 Public Park
- 8.2.11 *Secondary Suite*
- 8.2.12 Sign
- 8.2.13 *Utility, Power Generation Type A*
- 8.2.14 Vacation Rental

8.3.0 Minimum Limits

Except for 8.3.1 and 8.4.0, all minimum and maximum limits shall be as per Table 1 (8.5.1) of this Bylaw.

8.3.1 Exterior Project Boundary: Condition B as per Schedule “B”: 20 m (66 ft).

8.4.0 Maximum Limits

8.4.1 Building Height:

- a) Dwellings, Row; Dwellings, Semi-Detached, Dwellings, Single Detached: 13 m (42.65 ft).
- b) Dwellings, Multi-Family: 15 m (49.21 ft).
- c) All other uses: 12 m (39.37 ft).

8.5.0 Minimum/Maximum Lot Area Requirements:

Except for 8.5.2, all minimum and maximum limits shall be per Table 1 (8.5.1) of this Bylaw.

8.5.1 Table 1 (8.5.1) specifies the minimum lot area, minimum/maximum lot widths, minimum front, rear and side yard setbacks, and maximum lot average, and shall apply to all buildings within the Village Residential Development Cell (VR-1).

8.5.2 Lot 78, Block 2, Plan 1810288 within SE-7-25-3-W05M shall have a minimum setback of 0.62m from the eastern side yard property line for the existing Landing measuring 1.54 sq. m. (16.63 sq. ft.) in area. The existing requirement of 2.13m on one side shall remain in effect for the Dwelling, Single Detached.

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8.7.0 Special Regulations

8.7.1 The front driveway connecting a garage (attached and/or detached) to a public road must be a minimum of 6.0 m (19.68 ft) in length, measured from:

1. the back of the public sidewalk to the front of the garage; or
2. the road curb where there is no public sidewalk to the front of the garage.



**TABLE 1 (8.5.1) - Village Residential 1 Parcel Regulations**

HOUSING TYPE <sup>e</sup>	LOT FRONTAGE <sup>f</sup>		MINIMUM LOT AREA m <sup>2</sup> (ft <sup>2</sup> )	MINIMUM FRONT YARD SETBACKS		MINIMUM REAR YARD SETBACKS		MINIMUM SIDE YARD SETBACKS <sup>a</sup>		MAXIMUM RATIO OF GARAGE TO TOTAL BUILDING FACE (%)	MAXIMUM LOT COVERAGE (%)
	Minimum	Maximum		Principal Building	Accessory Building	Principal Building	Accessory Building	Principal Building	Accessory Building		
	Metres (Feet)			Metres (Feet)		Metres (Feet)		Metres (Feet)			
REAR ACCESS <sup>g</sup>											
Single Detached	13.41 (44.00)	15.24 (50.00)	526.00 (5,661.82)	6.00 (19.69)		9.00 (29.53)	0.60 (1.97)	4.26 total/2.74 one side (14.00 total/9.00 one side)	0.60 (1.97)		40
	15.25 (50.03)		607.00 (6,533.69)		4.88 total/3.35 one side (16.00 total/11.00 one side)						
Semi-Detached	10.36 (33.99)		324.00 (3,487.51)			7.50 (24.60)		1.52 (5.00)/0 from property line on which a party wall is located	1.82 (6.00)/0 from property line on which a party wall is located		55
Row	9.14 (29.99)		243.00 (2,615.63)			7.50 (24.60)			2.43 (8.00)/0 from property line on which a party wall is located		60
FRONT ACCESS <sup>g</sup>											
Single Detached	18.28 (59.97)	24.39 (80.02)	728.00 (7,836.13)	6.00 (19.69)		9.00 (29.53)	0.60 (1.97)	5.48 total/3.35 one side (18.00 total/11.00 one side) <sup>c</sup>	0.60 (1.97)	60 <sup>d</sup>	35
	24.40 (80.05)	30.48 (100.00)	1012.00 (10,893.08)	9.00 (29.53) <sup>e</sup>		10.50 (34.45)		6.70 total/4.57 one side (22.00 total/15.00 one side) <sup>c</sup>		50 <sup>d</sup>	
	30.49 (100.03)		1,335.00 (14,369.82)	9.00 (29.53) <sup>e</sup>		12.00 (39.37)		9.14 total/6.09 one side (30.00 total/20.00 one side) <sup>c</sup>		45 <sup>d</sup>	
Semi-Detached	13.41 (44.00)		404.00 (4,348.62)	6.00 (19.69)		7.50 (24.60)		1.52 (5.00)/0 from property line on which a party wall is located	1.82 (6.00)/0 from property line on which a party wall is located		50
Row	10.97 (36.00)		319.00 (3,433.69)	6.00 (19.69)		7.50 (24.60)			2.43 (8.00)/0 from property line on which a party wall is located	60 <sup>d</sup>	55

a. Repealed.

b. Where a rear garage is accessed from the front of the lot, the minimum side yard setback shall be 2.44 metres (8.00 feet).

c. If garage front is parallel to street then garage eaveline shall not project greater than 2.43 metres (8.00 feet) from the eaveline of the house front.

d. Minimum front yard reduced to 6.10 metres (20.00 feet) if garage doors do not face the street is oriented perpendicular to street.

e. Where a lot has both front and rear access, the setbacks shall apply based on the garage location indicated on the Building Grade plan. Multiple access can be permitted where they are indicated on the Building Grade plan and approved through the Architectural Control process.

f. Housing Types and lot frontages are identified for each parcel in the Lot Frontage Plan, provided by the developer.

g. Where a rear garage is attached to the principal building, the minimum rear yard setback shall be 6.00 metres (19.69 feet)

## 9.0.0 Land Use Regulations – Village Residential 2 Development Cell (VR-2)

### 9.1.0 Purpose and Intent

The purpose of this Cell is intended to:

- Accommodate a variety of housing types and densities that sensitively integrate with adjacent uses within and outside Harmony;
- Cluster housing to increase open space and servicing efficiency;
- Provide for community amenity space; and
- Allow for the implementation of utility infrastructure.

### 9.2.0 Uses

- 9.2.1 Accessory Buildings
- 9.2.2 Child Care Facility
- 9.2.2 Commercial Communications Facility Type A
- 9.2.3 Dwellings, Multi-Family
- 9.2.4 Dwellings, Row
- 9.2.5 Dwellings, Semi-Detached
- 9.2.6 Dwellings, Single Detached
- 9.2.7 Home-Based Business, Types I and II
- 9.2.8 *Private Amenity Space*
- 9.2.9 Public Park
- 9.2.10 *Secondary Suite*
- 9.2.11 Sign
- 9.2.12 *Utility, Power Generation* Type A
- 9.2.13 Vacation Rental

### 9.3.0 Minimum Limits

Except for 9.3.1 and 9.4.0, all minimum and maximum limits shall be as per Table 2 (9.5.1) of this Bylaw.

- 9.3.1 Exterior Project Boundary: Condition A as per Schedule “B”: 20 m (66 ft).
- 9.3.2 Lots 18 through 24, inclusive, Block 30, Plan 1911856; within NW-08-25-03-W05M shall have a minimum dwelling setback of 4.5 m (14.76 ft) and a minimum attached deck setback of 2.5 m (8.20 ft), from the south property line.

### 9.4.0 Maximum Limits

- 9.4.1 Building Height:
  - a) Dwellings, Row; Dwellings, Semi-Detached, Dwellings, Single Detached: 13.00 m (42.65 ft).
  - b) Dwellings, Multi-Family: 15.00 m (49.21 ft).
  - c) All other uses: 12.00 m (39.37 ft).

### 9.5.0 Minimum/Maximum Lot Area Requirements:

- 9.5.1 Table 2 (9.5.1) specifies the minimum lot area, minimum/maximum lot widths, minimum front, rear and side yard setbacks, and maximum lot coverage, and

shall apply to all buildings within the Village Residential 2 Development Cell (VR-2).

9.7.0 Special Regulations

- 9.7.1 The front driveway connecting a garage (attached and/or detached) to a public road must be a minimum of 6.0 m (19.68 ft) in length, measured from:
1. the back of the public sidewalk to the front of the garage; or
  2. the road curb where there is no public sidewalk to the front of the garage.

**TABLE 2 (9.5.1) – Village Residential 2 Parcel Regulations**

HOUSING TYPE <sup>e</sup>	LOT FRONTAGE <sup>f</sup>		MINIMUM LOT AREA m <sup>2</sup> (ft <sup>2</sup> )	MINIMUM FRONT YARD SETBACKS		MINIMUM REAR YARD SETBACKS		MINIMUM SIDE YARD SETBACKS <sup>a</sup>		MAXIMUM RATIO OF GARAGE TO TOTAL BUILDING FACE (%)	MAXIMUM LOT COVERAGE (%)	
	Minimum	Maximum		Principal Building	Accessory Building	Principal Building	Accessory Building	Principal Building	Accessory Building			
	Metres (Feet)			Metres (Feet)		Metres (Feet)		Metres (Feet)				
REAR ACCESS <sup>a</sup>												
Single Detached	11.58 (37.99)	13.41 (44.00)	380.00 (4,090.27)	4.50 (14.76)		9.00 (29.53)	0.60 (1.97)	3.05 total/1.52 one side (10.00 total/5.00 one side)	0.60 (1.97)		45	
	13.42 (44.03)	15.24 (50.00)	442.00 (4,736.12)	6.00 (19.69)				3.66 total/1.52 one side (12.00 total/5.00 one side)			45	
	15.25 (50.03)		500.00 (5,381.96)	6.00 (19.69)				4.26 total/1.52 one side (14.00 total/5.00 one side)				
Single-Detached (Wide Shallow) <sup>b</sup>	17.07 (56.00)		460.00 (4,951.40)	4.50 (14.76)		7.50 (24.60)		3.66 total/1.52 one side (12.00 total/5.00 one side)			45	
Semi-Detached	10.36 (33.99)		310.00 (3,336.81)	6.00 (19.69)		7.50 (24.60)						55
Row	6.09 (19.98) two party walls / 7.61 (24.97) one party wall		200.00 (2,152.78)	4.50 (14.76)		7.50 (24.60)	1.52 (5.00)/0 from property line on which a party wall is located			0.60 (1.97)/0 from property line on which a party wall is located		60
FRONT ACCESS <sup>a</sup>												
Single Detached	12.19 (39.99)	14.02 (46.00)	395.00 (4,251.75)	6.00 (19.69)		8.00 (26.25)	0.60 (1.97)	3.05 total/1.52 one side (10.00 total/5.00 one side) <sup>c</sup>	0.60 (1.97)	75 <sup>d</sup>	45	
	14.03 (46.03)	18.29 (60.01)	460.00 (4,951.40)	6.00 (19.69)							3.66 total/1.52 one side (12.00 total/5.00 one side) <sup>c</sup>	65 <sup>d</sup>
	18.30 (60.04)	24.39 (80.02)	600.00 (6,458.35)	6.00 (19.69)		9.00 (29.53)		4.87 total/1.52 one side (16.00 total/5.00 one side) <sup>c</sup>			60 <sup>d</sup>	40
	24.40 (80.05)	30.48 (100.00)	800.00 (8,611.13)	9.00 (29.53) <sup>e</sup>		10.50 (34.45)		5.48 total/1.52 one side (18.00 total/5.00 one side) <sup>c</sup>			50 <sup>d</sup>	
	30.49 (100.03)		1,000.00 (10,763.91)	9.00 (29.53) <sup>e</sup>		12.00 (39.37)		6.70 total/2.13 one side (22.00 total/7.00 one side) <sup>c</sup>			45 <sup>d</sup>	35
Single Detached (Wide Shallow)	21.95 (72.01)		570.00 (6,135.43)	4.50 (14.76)		9.00 (29.53)		4.26 total/1.52 one side (14.00 total/5.00 one side) <sup>c</sup>		60 <sup>d</sup>	40	
Semi-Detached	11.58 (37.99)	13.41 (44.00)	324.00 (3,487.51)	6.00 (19.69)		7.50 (24.60)		1.52 (5.00)/0 from property line on which a party wall is located	0.60 (1.97)/0 from property line on which a party wall is located	65 <sup>d</sup>	55	
	13.42 (44.03)		402.00 (4,327.09)				60 <sup>d</sup>					
Row	6.09 (19.98) two party walls / 7.61 (24.97) one party wall		200.00 (2152.78)	6.00 (19.69)		7.50 (24.60)						

a. Repealed.

b. Where a rear garage is accessed from the front of the lot, the minimum side yard setback shall be 2.44 metres (8.00 feet).

c. If a garage front is parallel to street, then garage eaveline shall not project greater than 2.43 m (8.00 ft) from the eaveline of the house front.

d. Minimum front yard reduced to 6.10 m (20.00 feet) if garage is oriented perpendicular to street.

e. Where a lot has both front and rear access, the setbacks shall apply based on the garage location indicated on the Building Grade plan. Multiple access can be permitted where they are indicated on the Building Grade plan and approved through the Architectural Control Process.

f. Housing Types and lot frontages are identified for each parcel in the Lot Frontage Plan, provided by the developer.

g. Where a rear garage is attached to the principal building, the minimum rear yard setback shall be 6.00 metres (19.69 feet).

**DC - 129****10.0.0 Village Residential 3 Development Cell (VR-3)****10.1.0 Purpose and Intent**

The purpose of this development cell is to:

- Accommodate a variety of housing forms within a range of low to low-medium density type dwellings;
- Provide low to low-medium density residential development characteristic of the built forms defined by the VR-1 and VR-2 Districts of this Bylaw;
- Provide for community open space; and
- Allow for implementation of utility infrastructure.

**10.2.0 Uses**

- 10.2.1 Accessory Buildings
- 10.2.2 Bed and Breakfast Home
- 10.2.3 Childcare Facility
- 10.2.4 Commercial Communications Facility Type A
- 10.2.5 Dwelling, Cluster
- 10.2.6 Dwelling, Flag Lot
- 10.2.7 Dwelling, Row
- 10.2.8 Dwelling, Semi-Detached
- 10.2.9 Dwelling, Single Detached
- 10.2.10 Home-Based Business, Types I and II
- 10.2.11 Private Amenity Space
- 10.2.12 Public Park
- 10.2.13 Residential Care Facility
- 10.2.14 School, Public or Separate
- 10.2.15 School or College, Commercial
- 10.2.16 Secondary Suite
- 10.2.17 Sign
- 10.2.18 Utility, Power Generation Type A
- 10.2.19 Vacation Rental

**10.3.0 Rules**

In addition to the rules in this District, all uses in this District must comply with:

- (a) The General Regulations outlined in Section 1.0.0 of this DC129 Bylaw;
- (b) The Subdivision Regulations outlined in Section 2.0.0 of this DC129 Bylaw;  
and
- (c) The General Regulations outlined in Section 3.0.0 of this DC129 Bylaw.

**DC - 129****10.4.0 Village Residential 3 Parcel Regulations**

Housing Type	Minimum Lot Width	Minimum Lot Area m <sup>2</sup> / ha (ft <sup>2</sup> / ac)	Minimum Setbacks				Maximum Lot Coverage (%)
			Front Yard	Side Yard	Side Yard (corner lot)	Rear Yard	
	meters (feet)		metres (feet)				
Cluster	no minimum	0.20 ha (0.50 ac)	3.00 (9.84)	1.20 (3.94)	3.00 (9.84)	4.00 (13.12)	70
Duplex	7.50 (24.60)	225 (2,421.88)	3.00 (9.84)	1.20 (3.94) <sup>c</sup>	3.00 (9.84)	4.00 (13.12)	70
Flag Lot	no minimum	210 (2,260.42)	3.00 (9.84) <sup>b</sup>	1.20 (3.94)	3.00 (9.84)	no minimum	70
Row	5.40 (17.72)	130 (1,399.31)	3.00 (9.84)	1.20 (3.94) <sup>c</sup>	3.00 (9.84)	4.00 (13.12)	70
Semi-Detached	7.00 (22.97)	210 (2,260.42)	3.00 (9.84)	1.20 (3.94) <sup>c</sup>	3.00 (9.84)	4.00 (13.12)	70
Single Detached	9.70 (31.82)	290 (3,121.53)	3.00 (9.84)	1.20 (3.94) <sup>d</sup>	3.00 (9.84)	4.00 (13.12)	70
Accessory Building				0.6 (1.97)	3.00 (9.84)	0.60 (1.97)	

<sup>a</sup> For a Dwelling containing a rear attached garage accessed from a public lane, the minimum rear setback is 0.6 m (1.97 ft).

<sup>b</sup> The Front of a Flag Lot refers to the property line abutting the rear property line of the adjacent Dwelling (i.e. the parcel located between the Flag Lot parcel and the street).

<sup>c</sup> For a site containing a Dwelling, Duplex, Semi-Detached, or Row, there is no requirement for an Interior Side Setback from a party wall.

<sup>d</sup> For a parcel containing a Dwelling, Single Detached, one building setback from an interior side property line may be reduced to 0.0 m where:

- i) the owner of the parcel proposed for development and the owner of the adjacent parcel register, against both titles, a minimum 2.4 m private maintenance easement that provides for:
  - a) a 0.30 m (0.98 ft) eave encroachment easement; and
  - b) a 0.60 m (1.97 ft) footing encroachment easement; and
- ii) all roof drainage from the building is discharged through eavestroughs and downspouts onto the parcel on which the building is located.



**DC - 129****10.5.0 Building Height**

- (a) Dwelling, Cluster, Duplex, Flag Lot, Row, Semi-Detached, or Single Detached: 13.0 m (42.65 ft)
- (b) Accessory Building: 5.0 m (16.40 ft)
- (c) All other uses: 12 m (39.37 ft)

**10.6.0 Outdoor Private Amenity Space**

10.6.1 For a Dwelling, Semi-Detached or Single Detached, each unit must have direct access to a private amenity space that:

- (a) is provided outdoors;
- (b) is not used for vehicle access or as a motor vehicle parking stall;
- (c) has a minimum total area of 15.0 m<sup>2</sup>; and
- (d) has no dimension of less than 3.0 m.

10.6.2 For a Dwelling, Duplex or Row, each unit must have direct access to a private amenity space that:

- (a) is provided outdoors;
- (b) is not used for vehicle access or as a motor vehicle parking stall;
- (c) has a minimum total area of 10.0 m<sup>2</sup>; and
- (d) has no dimension of less than 2.0 m.

10.6.3 For a Dwelling, Cluster, each parcel (comprehensive development site) must have direct access to a shared, private amenity space that:

- (a) is provided outdoors;
- (b) is not used for vehicle access or as a motor vehicle parking stall/area;
- (c) has a minimum total area of 20 m<sup>2</sup>; and
- (d) has no dimension of less than 4.0 m.

**10.7.0 Driveways**

10.7.1 The front or exterior side driveway connecting to a public road must be a minimum of 6.0 m (19.68 ft) in length, measured from:

1. the back of the public sidewalk; or
2. the road curb where there is no public sidewalk.

10.7.2 Driveways for a Dwelling, Cluster, Duplex, Flag Lot, Semi-Detached, or Single Detached accessing a front street must not be wider than 2/3 of the parcel width.

**DC - 129****11.0.0 Village Residential 4 Development Cell (VR-4)****11.1.0 Purpose and Intent**

The purpose of this development cell is to:

- Accommodate a variety of housing forms within a range of low to medium density type dwellings;
- Provide a denser, walkable, village type residential cell as described by the Harmony Conceptual Scheme to enhance the population base in support of the mixed land uses within the village core;
- Provide for community open space; and
- Allow for implementation of utility infrastructure.

**11.2.0 Uses**

- 11.2.1 Accessory Buildings
- 11.2.2 Bed and Breakfast Home
- 11.2.3 Childcare Facility
- 11.2.4 Commercial Communications Facility Type A
- 11.2.5 Dwelling, Cluster
- 11.2.6 Dwelling, Flag Lot
- 11.2.7 Dwelling, Multi-Family
- 11.2.8 Dwelling, Row
- 11.2.9 Dwelling, Semi-Detached
- 11.2.10 Dwelling, Single Detached
- 11.2.11 Home-Based Business, Types I and II
- 11.2.12 Live/Work Unit
- 11.2.13 Private Amenity Space
- 11.2.14 Public Park
- 11.2.16 Residential Care Facility
- 11.2.17 Secondary Suite
- 11.2.18 Sign
- 11.2.19 Utility, Power Generation Type A
- 11.2.20 Vacation Rental

**10.3.0 Rules**

In addition to the rules in this District, all uses in this District must comply with:

- (a) The General Regulations outlined in Section 1.0.0 of this DC129 Bylaw;
- (b) The Subdivision Regulations outlined in Section 2.0.0 of this DC129 Bylaw;  
and
- (c) The General Regulations outlined in Section 3.0.0 of this DC129 Bylaw.

**DC - 129****11.4.0 Village Residential 4 Parcel Regulations**

Housing Type	Minimum Lot Width	Minimum Lot Area m <sup>2</sup> / ha (ft <sup>2</sup> / ac)	Minimum Setbacks				Maximum Lot Coverage (%)
			Front Yard	Side Yard	Side Yard (corner lot)	Rear Yard	
	meters (feet)		metres (feet)				
Cluster	no minimum	0.20 ha (0.50 ac)	1.00 (3.28)	1.20 (3.94)	1.00 (3.28)	4.00 (13.12)	85
Duplex	7.50 (24.60)	200.00 (2,152.78)	1.00 (3.28)	1.20 (3.94) <sup>c</sup>	1.00 (3.28)	4.00 (13.12)	85
Flag Lot	no minimum	180.00 (1,937.50)	1.00 (3.28) <sup>b</sup>	1.20 (3.94)	1.00 (3.28)	no minimum	85
Multi-Family	no minimum	450.00 (4,843.76)	1.00 (3.28)	1.20 (3.94)	1.00 (3.28)	no minimum	no maximum
Row	5.40 (17.72)	97.00 (1,040.10)	1.00 (3.28)	1.20 (3.94) <sup>c</sup>	1.00 (3.28)	4.00 (13.12)	85
Semi-Detached	7.00 (22.97)	150.00 (1,614.59)	1.00 (3.28)	1.20 (3.94) <sup>c</sup>	1.00 (3.28)	4.00 (13.12)	85
Single Detached	8.50 (27.89)	180.00 (1,937.50)	1.00 (3.28)	1.20 (3.94) <sup>d</sup>	1.00 (3.28)	4.00 (13.12)	85
Accessory Building				0.6 (1.97)	1.00 (3.28)	0.6 (1.97)	

<sup>a</sup>. For a Dwelling containing a rear attached garage accessed from a public lane, the minimum rear setback is 0.6 m (1.97 ft).

<sup>b</sup>. The Front of a Flag Lot refers to the property line abutting the rear property line of the adjacent Dwelling (i.e. the parcel located between the Flag Lot parcel and the street).

<sup>c</sup>. For a site containing a Dwelling, Duplex, Semi-Detached, or Row, there is no requirement for an Interior Side Setback from a party wall.

<sup>d</sup>. For a parcel containing a Dwelling, Single Detached, one building setback from an interior side property line may be reduced to 0.0 m where:

- i) the owner of the parcel proposed for development and the owner of the adjacent parcel register, against both titles, a minimum 2.4 m private maintenance easement that provides for:
  - a) a 0.30 m (0.98 ft) eave encroachment easement; and
  - b) a 0.60 m (1.97 ft) footing encroachment easement; and
- ii) all roof drainage from the building is discharged through eavestroughs and downspouts onto the parcel on which the building is located.

**DC - 129****11.5.0 Building Height**

- (a) Dwelling, Cluster, Duplex, Row, Semi-Detached, or Single Detached: 13.0 m (42.65 ft)
- (b) Dwelling, Multi-Family: 17.0 m (55.77 ft)
- (c) Accessory Building: 5.0 m
- (d) All other uses: 12.0 m (39.37 ft)

**11.6.0 Outdoor Private Amenity Space**

11.6.1 For a Dwelling, Semi-Detached or Single Detached, each unit must have direct access to a private amenity space that:

- (a) is provided outdoors;
- (b) is not used for vehicle access or as a motor vehicle parking stall;
- (c) has a minimum total area of 15.0 m<sup>2</sup>; and
- (d) has no dimension of less than 3.0 m.

11.6.2 For a Dwelling, Duplex or Row, each unit must have direct access to a private amenity space that:

- (a) is provided outdoors;
- (b) is not used for vehicle access or as a motor vehicle parking stall;
- (c) has a minimum total area of 10.0 m<sup>2</sup>; and
- (d) has no dimension of less than 2.0 m.

11.6.3 For a Dwelling, Cluster, each parcel (comprehensive development site) must have direct access to a collective amenity space that:

- (a) is provided outdoors;
- (b) is not used for vehicle access or as a motor vehicle parking stall/area;
- (c) has a minimum total area of 20 m<sup>2</sup>; and
- (d) has no dimension of less than 4.0 m.

**11.7.0 Driveways**

11.7.1 The front or exterior side driveway connecting to a public road must be a minimum of 6.0 m (19.68 ft) in length, measured from:

1. the back of the public sidewalk; or
2. the road curb where there is no public sidewalk.

11.7.2 Driveways for a Dwelling, Cluster, Duplex, Semi-Detached, or Single Detached accessing a front street must not be wider than 2/3 of the parcel width.

**12.0.0 Neighbourhood Core Development Cell (N-C)****12.1.0 Purpose and Intent**

The purpose of this development cell is to:

- Provide a vibrant focal point with a range of neighbourhood-level retail, commercial, medical and personal care services, convenience retail/goods, and amenities within the residential village;
- Accommodate a mix of residential and commercial uses in the same building or in multiple buildings throughout an area;
- Respond to the adjacent residential built form with appropriate building heights and densities relative to the surrounding context;
- Provide for community open space, amenity space, pedestrian space; and
- Allow for implementation of utility infrastructure.

**12.2.0 Uses**

- 12.2.1 Accessory Buildings
- 12.2.2 Animal Health Care Services, Small Animal
- 12.2.3 Arts and Crafts
- 12.2.4 Arts and Culture Centre
- 12.2.5 Child Care Facility
- 12.2.6 Commercial Business
- 12.2.7 Commercial Communications Facilities, Type A
- 12.2.8 Convenience Store
- 12.2.9 Drinking Establishment
- 12.2.10 Dwelling, Multi-Family
- 12.2.11 Dwelling, Row
- 12.2.12 Government Services
- 12.2.13 Grocery Store, Local
- 12.2.14 Health Care Services
- 12.2.15 Home-Based Business, Types I and II
- 12.2.16 Hotel
- 12.2.17 Indoor Participant Recreation Services
- 12.2.18 Liquor Sales
- 12.2.19 Live/Work Unit
- 12.2.20 Mixed-Use Developments
- 12.2.21 Museum
- 12.2.22 Offices
- 12.2.23 Outdoor Café
- 12.2.24 Patio, Accessory to Principal Building Use
- 12.2.25 Personal Service Business
- 12.2.26 Private Amenity Space
- 12.2.27 Private Clubs and Organizations
- 12.2.28 Public Building
- 12.2.29 Public Market
- 12.2.30 Public Park

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- 12.2.31 Recycling Collection Point
- 12.2.32 Religious Assembly
- 12.2.33 Residential Care Facility
- 12.2.34 Restaurant
- 12.2.35 Retail Garden Centre
- 12.2.36 Retail Store, Local
- 12.2.37 School or College, Commercial
- 12.2.38 Secondary Suite
- 12.2.39 Sign
- 12.2.40 Specialty Food Store
- 12.2.41 Utility, Power Generation Type A and Type B
- 12.2.42 Vacation Rental

**12.3.0 Rules**

In addition to the rules in this District, all uses in this District must comply with:

- (a) The General Regulations outlined in Section 1.0.0 of this DC129 Bylaw;
- (b) The Subdivision Regulations outlined in Section 2.0.0 of this DC129 Bylaw;  
and
- (c) The General Regulations outlined in Section 3.0.0 of this DC129 Bylaw.



**DC - 129****12.4.0 Neighbourhood Core Parcel Regulations**

Housing Type	Minimum Lot Width	Minimum Lot Area m² / ha (ft² / ac)	Minimum Setbacks				Maximum Lot Coverage (%)
			Front Yard	Side Yard	Side Yard (corner lot)	Rear Yard	
	meters (feet)		metres (feet)				
Mixed-Use	no minimum	450.00 (4,843.76)	no minimum <sup>a</sup>	no minimum <sup>a</sup>	no minimum <sup>a</sup>	no minimum <sup>a</sup>	no maximum
Multi-Family	no minimum	450.00 (4,843.76)	1.00 (3.28)	1.20 (3.94)	1.00 (3.28)	no minimum	no maximum
Row	5.40 (17.72)	97.00 (1,040.10)	1.00 (3.28)	1.20 (3.94) <sup>b</sup>	1.00 (3.28)	4.00 (13.12)	85
Accessory Building				0.6 (1.97)	1.00 (3.28)	0.6 (1.97)	

<sup>a</sup>. When a Mixed Use parcel shares a property line with a parcel designated as VR-1, VR-2, or VR-3, the following setbacks apply:

- i) Rear: 4.0 m
- ii) Side: 3.0 m
- iii) Front: 1.0 m

<sup>b</sup>. For a site containing a Dwelling, Row, there is no requirement for an Interior Side Setback from a party wall.

\* N.P. = Not Permitted

\*\* N.A. = Not Applicable

**DC - 129****12.5.0 Building Height**

- (a) Dwelling, Row: 13.0 m (42.65 ft)
- (b) Dwelling, Multi-Family: 17.0 m (55.77 ft)
- (c) Mixed-Use: 20.0 m (65.62 ft)
- (d) Accessory Building: 5.0 m (16.40 ft)
- (e) All other uses: 12.0 m (39.37 ft)

**12.6.0 Outdoor Private Amenity Space**

12.7.1 For a Dwelling, Row, each unit must have direct access to a private amenity space that:

- (a) is provided outdoors;
- (b) is not used for vehicle access or as a motor vehicle parking stall;
- (c) has a minimum total area of 10.0 m<sup>2</sup>; and
- (d) has no dimension of less than 2.0 m.

**13.0.0 Definitions**

Unless indicated in the list of land use terms identified below, all uses are defined in the Land Use Bylaw (C-4841-97). Some definitions require specific scale limitations to be consistent with the proposed Harmony development and these have been included with the permitted uses as described in each development cell.

- 13.1.0 *Arts and Crafts* - A land use for the purpose of design, fabrication, display and sales of arts and crafts such as painting, metal works, jewelry, pottery, glass blown wares.
- 13.2.0 *Attached Garage* – means a portion of a dwelling that is structurally joined to the main building either through an enclosed breezeway or a covered walkway and accommodates the storage or shelter of vehicles;
- 13.3.0 *Common Wall* - A vertical wall separating two dwelling units between the top of the footings to the underside of the roof deck.
- 13.4.0 *Dwelling, Cluster* – A comprehensively planned residential parcel that:
  - has multiple low-rise *Buildings*,
  - contains up to a maximum of four *Dwellings* in each *Building*, and
  - may include private amenities that are accessory to the residential development including an internal private roadway, open space, common recreational area or facility, or community centre.
- 13.5.0 *Dwelling, Multi-Family* - One or more buildings with two or more *residential units*, and which meets the requirements for a residence as specified within the Alberta Building Code.
- 13.6.0 *Dwelling, Row* - A *Dwelling, Row* is the same definition of “Dwellings, Row Housing” in the Land Use Bylaw (C-481-97), which means development consisting of a building containing a row of three or more dwelling units, each sharing a common wall extending from the first floor to the roof, at the side only with no dwelling being placed over another in whole or in part. Each dwelling unit shall have separate, individual, and direct access to the building at grade.
- 13.7.0 *Exterior Project Boundaries A & B* - Setbacks for boundary conditions are measured from the outside edge of the lands as indicated on Schedule “B”. These setbacks apply to above ground building structures for the principal use of the site.
- 13.8.0 *Flag Lot* - A parcel where access to a street is provided through a narrow strip of land which is an integral part of the parcel. The narrow strip of land providing access is not included when determining developable lot area of a parcel.
- 13.9.0 *Golf Course* - A public or private area operated for the purpose of playing golf and includes tees, greens, fairways, cart paths, open space, public trails and parks.
- 13.10.0 *Golf Course Driving Range* - A public or private area operated for the purpose of developing golfing techniques including miniature *golf courses*.
- 13.11.0 *Golf Course Clubhouse Facilities* - A facility which provides a variety of day-use services such as golf related equipment and merchandise sales and rentals, meals and meeting facilities to golfers and other recreational users of the *golf course*. This facility provides for a variety of special events such as but not limited to golf related tournaments, social gatherings, music

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festivals, art fairs, public markets, and similar activities which may be small or large in scale and relatively short in duration. The *golf course* and clubhouse facilities may include a restaurant, drinking establishment, convention facilities, and associated parking areas.

- 13.12.0 *Golf Maintenance and Storage Facilities* - A facility for the storage and maintenance of vehicles and equipment, and the storage and handling of goods, fuels, fertilizers and other products required for the operation and maintenance of a *golf course*. A maintenance and storage facility would normally include but is not limited to yard areas, buildings and structures, and infrastructure for maintenance staff such as office space and parking areas.
- 13.13.0 *Historical and Cultural Interpretations* - Common space available for historical and cultural displays and may be located within public and/or open space.
- 13.14.0 *Lot Coverage* – That portion of a lot upon which a covered building is located, as measured from a point at grade directly below the outside surface of the exterior walls of the building at the first storey floor level, including any projections less than 2.4 metres above grade, but projecting not further than one metre from the exterior walls that define the *lot coverage* area.
- 13.15.0 *Lot Frontage* – The distance between the side property lines measured at a point set back from either the *front property line* or *rear property line* (whichever is shortest) utilizing an angle perpendicular to the average azimuth angles of the two *side property lines*. *Lot Frontages* are calculated at time of subdivision and identified for each parcel in the Lot Frontage Plan, provided by the developer.
- 10.16.0 *Outdoor Recreation, Neighbourhood Area* – A development providing facilities for outdoor sports and active recreation that are compatible with neighbourhood uses. Typical facilities would include sports and adventure fields, outdoor athletic fields and courts, naturalized areas, passive recreation infrastructure, and parks.
- 10.17.0 *Private Amenity Space* - Private lands providing indoor or outdoor space for active or passive recreational activities which are designed for the sole use of the associated unit or to be designed as a common facility for multiple users.
- 10.18.0 *Raw Water Reservoir and/or Recreational Lake* – A two-part artificial water body engineered to provide off-stream raw water storage facility, stormwater functions, and recreation opportunities. Part of this utility will store the necessary water volumes to service the proposed development. This water storage is considered raw water as it will not have been fully treated prior to storage in the reservoir, but will be treated to drinking standards, as established by Alberta Environment, prior to public distribution. Part of this water body may be available as a recreational lake amenity for non-motorized use and include elements such as docks, marinas and associated uses.
- 10.19.0 *Residential Care Facility* - As defined in the Land Use Bylaw (C-4841-97). These facilities share common eating facilities and other amenities. The individual residential care living units are not defined as “*Residential Units*” for the purpose of the Bylaw and total maximum *residential units*. *Residential care facility* may also include hospice facilities.
- 10.20.0 *Residential Unit* - A *residential unit* as identified in the Harmony Conceptual Scheme is the same as the definition of “*Dwelling Unit*” in the Land Use Bylaw (C-4841-97) in addition to being the principal use of a parcel.
- 10.21.0 *Secondary Suite* - A residential space provided as an accessory use to a *Residential Unit*. *Secondary suites* are not defined as “*Residential Units*” for the purpose of the Bylaw and total

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maximum *residential units*. *Secondary suites* may be attached (above grade, at grade, or below grade), detached garage (where the *secondary suite* is located above the first storey of a detached private garage), or detached garden (where the *secondary suite* is detached and located at grade to the rear of the Dwellings, Single Detached). *Secondary Suites* shall have a separate entrance, through a separate exterior side or rear access, or from a common interior landing. The maximum size allowable is 93 m<sup>2</sup> (1,000 ft<sup>2</sup>). *Secondary Suites* require a minimum of one motor vehicle stall.

13.22.0 *Side Yard (corner lot) Setback* – means the perpendicular distance as measured between that part of a building nearest to the *side property line* abutting a road.

13.23.0 *Subject Lands* - Those lands as identified in Schedule “A” attached hereto.

13.24.0 *Utility, Power Generation* - Components of a utility system providing on-site and/or communal power generation. These utilities can include renewable power generation from such resources as solar, wind, and bio-waste and their supporting infrastructure. This bylaw defines two types of power generation utilities:

- a) Type A: Individual power generation whereby power is generated solely for one parcel of land. This use may sell excess power onto the communal grid, but this is not the primary purpose (i.e., photovoltaic electricity). No parking stalls are required for this land use.
- b) Type B: Communal power generation whereby power is generated for a number of uses and/or for more than one parcel of land (i.e., power cooperatives and district heating) primarily to serve the *residential units* and businesses within the lands governed by this DC Bylaw. Minimum parking requirements for this land use are 2 stalls for every 100 m<sup>2</sup> (1,076 ft<sup>2</sup>) of gross useable area.

13.25.0 *Vacation Rental* – means a Dwelling Unit that is rented online via a hospitality service brokerage company that arranges lodging such as Airbnb, Vrbo, TurnKey, HomeAway etc.

13.26.0 *Wellness Resort* – means a building, or group of comprehensively planned buildings, and associated land, facilities and accessory buildings, which provide for health and wellness. This may include but is not limited to *Restaurants, Patios, Drinking Establishments, Hotels*, and indoor and outdoor facilities associated with massage therapies and guest experience.

**Division: 2**  
**File: 2008-RV-188**

First reading passed in open Council, assembled in the City of Calgary, in the Province of Alberta, on Tuesday, July 29, 2008, on a motion by Councillor Yurchak.

Second reading passed in open Council, assembled in the City of Calgary, in the Province of Alberta, on Tuesday, October 07, 2008, on a motion by Councillor Yurchak.

Third reading passed in open Council, assembled in the City of Calgary, in the Province of Alberta, on Tuesday, October 07, 2008, on a motion by Deputy Reeve Boehlke.

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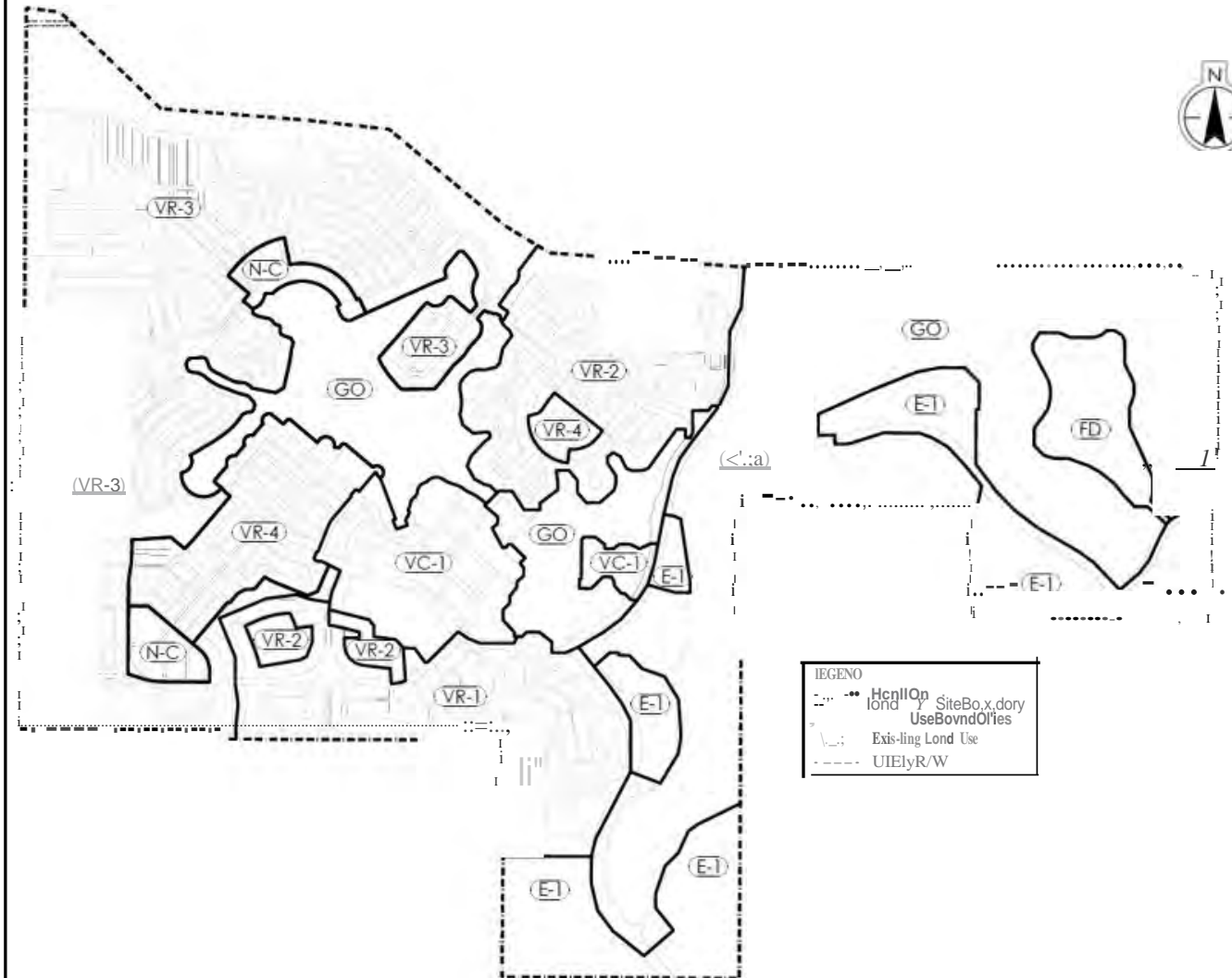
REEVE OR DEPUTY REEVE

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MUNICIPAL SECRETARY

- ROCKY VIEW COUNTY

## Schedule 'A'

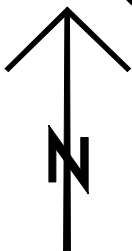


Division: 2  
Roll: Harmony PI  
File: PL2021015/n Area  
Printed: 27-Jun-22  
Leg. at Points 517, m25  
03-MJ-5M



**SCHEDULE 'B' AMENDED**

BYLAW: C-6688-2008

**LEGAL DESCRIPTION**

A portion of NW, SW & SE ¼ Section 18-25-3-5, Portion of SW ¼ Section 17-25-3-5, All of Section 7-25-3-5, NW, NE, SE, Section 8-25-3-5, NW and Portion of SW Section 9-25-3-5, NW Section 5-25-3-5

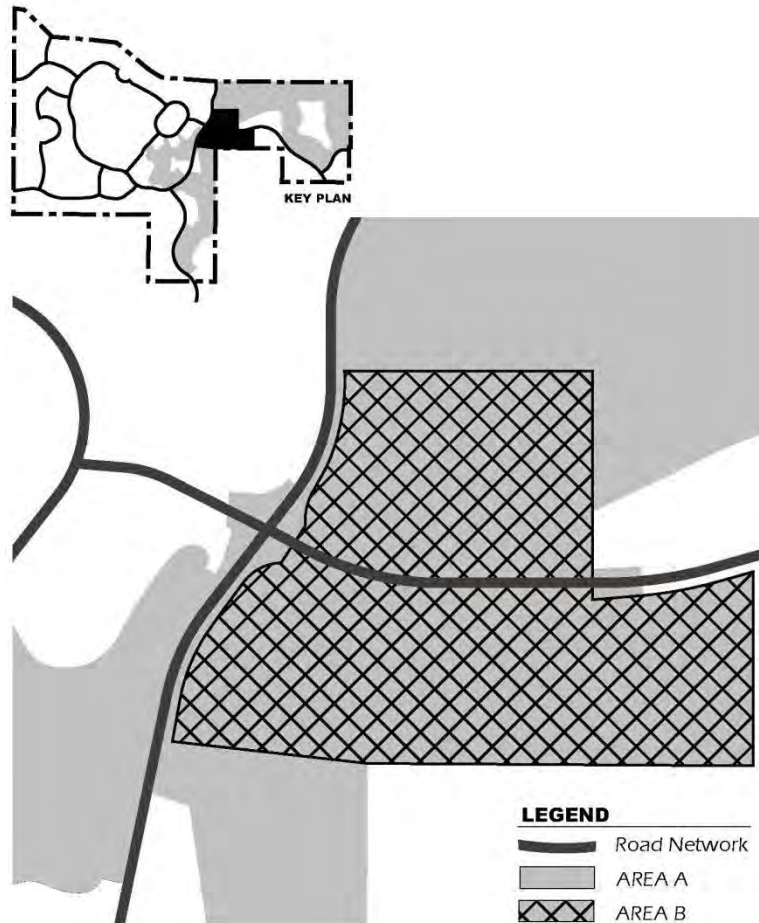
**FILE: 2008-RV-188****DIVISION: 2**

**SCHEDULE 'C' AMENDED****LEGAL DESCRIPTION**

NW 5-25-3-W05M; 7-25-3-W05M; SW, NW, NE 8-25-3-W05M; a portion of SW, SE, and NW 18-25-3-W05M, a portion of SW 17-25-3-W05M; a portion of SW and NW 9-25-03-W05M

**DIVISION: 2**

## SCHEDULE "D"

BYLAW: C-7641-2017**AMENDMENT**FROM Direct Control Bylaw 129 TO Direct Control Bylaw 129 (amended)

Subject Land \_\_\_\_\_

**LEGAL DESCRIPTION:** NW 5-25-3-W05M; 7-25-3-W05M; SW, NW, NE 8-25-3-W05M; a portion of SW, SE, and NW 18-25-3-W05M; a portion of SW 17-25-3-W05M; a portion of SW and NW 9-25-03-W05M



**ROCKY VIEW COUNTY**  
Cultivating Communities

FILE: \_\_\_\_\_ **DIVISION: 2**



# COUNCIL REPORT

## Kneehill County - Rocky View County Intermunicipal Collaboration Framework Renewal

Electoral Division: Division 5

File: N/A

Date:	May 28, 2024		
Presenter:	Keagan Andrew, Intergovernmental Advisor		
Department:	Intergovernmental Services and Regional Planning		
Approved by:	<input checked="" type="checkbox"/> Executive Director / Director	and/or	<input checked="" type="checkbox"/> Chief Administrative Officer

### REPORT SUMMARY

The purpose of this report is to renew the Intermunicipal Collaboration Framework (ICF) agreement between Kneehill County and Rocky View County. This agreement was first approved by both municipality's Councils for a four-year term in February 2020. The agreement was reviewed by the parties at the May 9, 2024, Kneehill County – Rocky View County Intermunicipal Committee meeting. The Committee members reviewed the agreement, determined no adjustments were needed, and agreed to bring the agreement to each Council for renewal from 2024-2028.

### ADMINISTRATION'S RECOMMENDATION

THAT Council renews the Kneehill County and Rocky View County Intermunicipal Collaboration Framework as presented in Attachment 'A'.

### BACKGROUND

ICF agreements are intermunicipal agreements between neighbouring municipalities that govern shared servicing, identify which municipality delivers the service, the method of service delivery and cost sharing for that service. These agreements are mandatory under Section 208.28 of the *Municipal Government Act*, except for municipalities that are both members of a Growth Management Board, such as the Calgary Metropolitan Region Board (CMRB). ICF agreements are valid for four years, with a mandatory review prior to renewing the agreement.

Kneehill County and Rocky View County approved their first ICF agreement in February 2020, and the original agreement will expire in 2024. Representatives from Kneehill County and Rocky View County met at the May 9, 2024, Intermunicipal Committee meeting to review the ICF and determined that the agreement does not require further amendment at this time. The IMC representatives agreed to bring the agreement to their Councils for renewal for the period of 2024 to 2028.

### ANALYSIS

Maintaining ICF agreements with the County's non-CMRB neighbours is mandatory under the *Municipal Government Act*, and approving this agreement will ensure that the County complies with its legislative requirements and continues to strengthen our relationship with Kneehill County. Should the municipalities wish to implement new intermunicipal cost sharing agreements in the future, the agreement can be amended during its term and will be brought to each municipal Council for adoption.

## Kneehill County - Rocky View County Intermunicipal Collaboration Framework Renewal

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### COMMUNICATIONS / ENGAGEMENT

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Kneehill County and Rocky View County reviewed the ICF at the May 9, 2024, Kneehill County - Rocky View County Intermunicipal Committee meeting and agreed to bring it to their respective Councils for renewal with no changes. No further engagement is required for this project.

### IMPLICATIONS

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Approving this agreement will ensure that Rocky View County remains in compliance with the *Municipal Government Act* and will maintain a collaborative relationship with Kneehill County.

### Financial

There are no financial implications associated with approving this agreement.

### STRATEGIC ALIGNMENT

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This agreement is a statutory obligation under the *Municipal Government Act*.

### ALTERNATE DIRECTION

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Administration has not identified an alternate direction for Council's consideration.

### ATTACHMENTS

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Attachment A: 2024-2028 Kneehill County – Rocky View County Intermunicipal Collaboration Framework

# Intermunicipal Collaboration Framework

Between

**Kneehill County**

(hereinafter referred to as “Kneehill”)

And

**Rocky View County**

(hereinafter referred to as “Rocky View”)

WHEREAS Kneehill and Rocky View share a common border spanning: Township Road 29-0 from Range Road 27-0 to Range Road 25-0, and Range Road 25-0 from Township Road 29-0 to Highway 9.

AND WHEREAS Kneehill and Rocky View share common interests and desire working together to provide services to their ratepayers, where there are reasonable and logical opportunities to do so, at the sole discretion of the respective Municipalities;

AND WHEREAS, the *Municipal Government Act* stipulates that municipalities that have a common boundary must create a framework with each other to:

- provide for the integrated and strategic planning, delivery, and funding of intermunicipal services;
- steward scarce resources efficiently in providing local services; and
- ensure municipalities contribute funding to services that benefit their residents;

NOW THEREFORE, by mutual covenant of Kneehill County and Rocky View County, it is agreed to enter into the Intermunicipal Collaboration Framework as follows in Schedule A.



## Schedule “A”

### A. DEFINITIONS

- 1) Words in this Agreement have the same meaning as in the *Municipal Government Act* except for the following:
  - a. "Capital Costs" means new facilities, expansions to existing facilities, and intensification of use of existing facilities;
  - b. “County” means a municipal government form in rural areas of the province.
  - c. “CAO” means Chief Administrative Officer.
  - d. “Framework” means Intermunicipal Collaboration Framework.
  - e. “Intermunicipal Collaboration Framework” means the Intermunicipal Collaboration Framework between Kneehill County and Rocky View County, as required under Part 17.2 of the *Municipal Government Act*.
  - f. “Kneehill” means Kneehill County as a municipal corporation and the geographical area within its jurisdictional boundaries, as the context requires.
  - g. “*Municipal Government Act*” means the *Municipal Government Act*, RSA 2000, c M-26, as amended from time to time.
  - h. “Rocky View” means Rocky View County as a municipal corporation and the geographical area within its jurisdictional boundaries, as the context requires.
  - i. “Services” means those services that both parties may address within the Framework, which are:
    - i. Transportation;
    - ii. Water and wastewater;
    - iii. Solid Waste;
    - iv. Emergency Services;



- v. Recreation; or
  - vi. Any other services that might benefit residents in both municipalities.
- j. "Service Agreements" means those agreements between the Parties to provide for the delivery of services, whether on a joint, collaborative, or other basis, as described in Part D (2) of this Agreement and as amended from time to time.
- i. Municipal – no collaboration: No intermunicipal collaboration is used to deliver a service between the parties named in this agreement.
  - ii. Intermunicipal collaboration: Service is delivered through the exchange of funds or resources between the parties named in this agreement.
  - iii. Third Party: A third party is employed to deliver a service that is of mutual benefit to the parties named in this agreement.
- k. "Year" means the calendar year beginning on January 1 and ending on December 31.

## **B. TERM AND REVIEW**

- 1) In accordance with the *Municipal Government Act*, this Agreement shall come into full force and effect on final passing of the resolutions by both Kneehill and Rocky View.
- 2) This Agreement may be amended by mutual consent of both parties unless specified otherwise in this Agreement through an amending resolution.
- 3) It is agreed by Kneehill and Rocky View that the Intermunicipal Committee shall meet at least once every four years to review the terms and conditions of the agreement.
- 4) The term of this agreement begins \_\_\_\_, \_\_\_\_, 2024 and ends \_\_\_\_, \_\_\_\_, 2028.

## **C. INTERMUNICIPAL COOPERATION**

- 1) Kneehill and Rocky View agree to create a body known as the Intermunicipal Committee (hereinafter referred to as "the Committee").
- 2) The Committee will work together in good faith to share information about business that is of mutual interest to each municipality.

- 3) The Committee will meet on an as-needed basis, and will share information and provide feedback on intermunicipal or multi-jurisdictional opportunities and issues. Topics may include planning policy, service delivery, or other matters that the Committee deems necessary.
- 4) The Committee shall consist of: one Councillor from Kneehill, one Councillor from Rocky View, and an alternate from each municipality.
- 5) The CAOs or designates of both municipalities will be advisory staff to the Committee and are responsible for developing agendas and recommendations on all matters and for forwarding all outcomes from the Committee to their respective Councils.
- 6) Meetings of the Committee can be called by either party whose Councillors or CAO are members of the Committee to this Agreement by requesting a meeting via electronic mail. The parties shall jointly determine a meeting date within thirty (30) days of the receipt of the request.

#### **D. MUNICIPAL SERVICES**

- 1) Kneehill delivers a range of services to its residents, including but not limited to:
  - Agricultural Services;
  - Bylaw Enforcement (municipal Peace Officers);
  - Cemetery Services;
  - Family and Community Support Services (through Kneehill Regional FCSS);
  - Fire and Emergency Management Services;
  - Library Services (through the Marigold Regional Library System);
  - Planning and Development Services;
  - Safety Codes;
  - Recreation and Parks Services;
  - Seniors' Housing (through the Kneehill Housing Corporation);
  - Solid Waste and Recycling: (through the Drumheller and District Solid Waste Commission);
  - Transportation Services;
  - Water Services (through AQUA 7, the Town of Three Hills, the Town of Drumheller); and
  - Wastewater Services.

Rocky View delivers a range of services to its residents, including but not limited to:

- Agricultural Services;
- Bylaw Enforcement (municipal and RCMP);
- Building Permits;
- Cemetery Services;
- Family and Community Support Services;
- Fire and Emergency Management Services;
- Library Services (through the Marigold Regional Library System);
- Recreation Services;
- Transportation Services;
- Seniors' Housing (through the Rocky View County Seniors Foundation);
- Solid Waste and Recycling through various private third party partnerships; and
- Water and Wastewater Services (through individually owned, privately owned, municipal partners, or Rocky View County systems).

2) Kneehill and Rocky View have a history of working together to jointly provide the following municipal services to their residents, either directly, or indirectly:

SERVICE AREA	DELIVERY METHOD	SERVICE SHARED	IMPLEMENTATION & TERM, FUNDING
Emergency Management	Intermunicipal Collaboration	Delivery of emergency management services in case of a disaster or major event.	Mutual Aid Agreement
Fire	Intermunicipal Collaboration	Delivery of fire services.	Mutual Aid Agreement
Planning and Development	Intermunicipal Collaboration	Consultative discussion on certain planning and development activities around shared boundary.	Intermunicipal Development Plan
Recreation	No Intermunicipal Collaboration	Not applicable.	No implementation required.
Solid Waste and Recycling	No Intermunicipal Collaboration	Not applicable.	No implementation required.
Transportation	Intermunicipal Collaboration	Township Road 29-0 at Range Road 25-3 in Rocky	No implementation required.

SERVICE AREA	DELIVERY METHOD	SERVICE SHARED	IMPLEMENTATION & TERM, FUNDING
		View: Kneehill grades and snow plows a 450m portion of this road due to rail configuration. Any other measures such as road construction, upgrades, signage, or vegetation control is the responsibility of Rocky View.	
Water and Waste Water	Third Party	Delivery of potable water services to member municipalities.	Both Counties are members of AQUA 7 Regional Water Commission.
Other: Agriculture	Intermunicipal Collaboration	Shared delivery on various Agricultural related training and education opportunities for residents.	Each opportunity is considered as it arises. Terms and conditions determined at the time participating municipalities are determined.

#### **E. FUTURE SERVICE & AGREEMENTS**

- 1) Additions or changes to the services that the adjacent municipalities partner upon can be made prior to the end of the four year term.
- 2) Whether it is a new service, or elimination of an existing shared service, the municipality whose CAO is initiating the change shall, in writing, contact the CAO of their adjacent municipality.
- 3) Once the receiving municipality has received written notice of a new shared service or elimination of an existing service, an Intermunicipal Committee meeting date will be determined within thirty (30) days of receiving the notice, unless both Parties agree otherwise.

- 4) The Intermunicipal Committee will be the forum used to address and develop next steps to proceed with changes to the ICF. Committee members will inform the whole of their respective Councils of the outcome of this meeting.
- 5) The Committee recognizes that each respective Council has autonomy and decision making authority to enter into an intermunicipal service agreement.
- 6) If respective Councils agree to add a new service, or eliminate an existing service, both Councils must adopt an updated ICF through a matching updated resolution. Notwithstanding the foregoing, the parties may amend or update any of the Service Agreements by agreement from time to time without having to amend or replace this Agreement.

#### **F. DISPUTE RESOLUTION**

- 1) The Intermunicipal Committee will meet and attempt to resolve any disputes that may arise under this Framework.
- 2) In the event the Committee is unable to resolve a dispute, the parties will follow the process outlined in Schedule “B”.
  - a) Any new Service Agreement or an update to an existing service agreement will adopt and include the dispute resolution process referred to in F.2 as its dispute resolution clause.

#### **G. OTHER PROVISIONS**

- 1) **Further Assurances.** The Municipalities covenant and agree to do such things and execute such further documents, agreements, and assurances as may be reasonably necessary or advisable from time to time to carry out the terms and conditions of this Framework in accordance with their true intent.
- 2) **Assignment of Framework.** Neither Municipality will assign its interest in this Framework.
- 3) **Notices.** Any notice required to be given hereunder by any Municipality will be deemed to have been well and sufficiently given if it is delivered personally or mailed by pre-paid registered mail to the address of the Municipality for whom it is intended. A notice or other document sent by registered mail will be deemed to be sent at the time when it was deposited in a post office or public letter box and will be deemed to have been received on the fourth business day after it was postmarked. A copy of the notice shall also be provided via email.

- 4) **Entire Framework.** This Framework and any applicable Service Agreements constitute the entire agreement between the Municipalities relating to the subject matter contained within them and supersedes all prior understandings, negotiations and discussions, whether oral or written, of the Municipalities in relation to that subject matter. There are no warranties, representations or other agreements among the Municipalities in connection with the subject matter of the Framework except as specifically set forth within them.
- 5) **Unenforceable Terms.** If any term, covenant, or condition of this Framework, or the application thereof to any Municipality or circumstance is invalid or unenforceable to any extent, the remainder of this Framework or the application of such term, covenant, or condition to a Municipality or circumstance other than those to which it is held invalid or unenforceable will not be affected thereby, and each remaining term, covenant, or condition of this Framework will be valid and enforceable to the fullest extent permitted by law.
- 6) **Amendments.** This Framework may only be altered or amended in any of its provisions when any such changes are put in writing and signed by all of the Municipalities (See also Section B of this Framework).
- 7) **Remedies Not Exclusive.** No remedy herein conferred upon any Municipality is intended to be exclusive of any other remedy available to that Municipality, but each remedy will be cumulative and will be in addition to every other remedy given hereunder either now, hereafter existing by law, in equity, or by statute.
- 8) **No Waiver.** No consent or waiver, express or implied, by any Municipality to or of any breach or default by any other Municipality in the performance by such other Municipality of their obligations hereunder will be deemed or construed to be a consent to or waiver of any other breach or default in the performance of obligations hereunder by such Municipality. Failure on the part of any Municipality to complain of any act or failure to act of another Municipality or to declare such Municipality in default, irrespective of how long such failure continues, will not constitute a waiver by such Municipality of its rights hereunder.
- 9) **Counterparts.** This Framework may be executed in several counterparts, each of which when so executed will be deemed to be an original. Such counterparts will constitute the one and same instrument as of their Effective Date.
- 10) **Governing Law.** This Framework will be exclusively governed by and construed in accordance with the laws of the Province of Alberta.

11) **Time.** Time will be of the essence for this Framework.

12) **Binding Nature.** This Framework will be binding upon the Municipalities and their respective successors and permitted assigns.



## **H. CORRESPONDENCE**

1) Written notice under this Framework shall be addressed as follows:

a. In the case of the Kneehill County, to:

Kneehill County  
c/o Chief Administrative Officer  
1600 – 2<sup>nd</sup> Street  
Box 400  
Three Hills, Alberta, T0M 2A0

b. In the case of Rocky View County, to:

Rocky View County  
c/o Chief Administrative Officer  
262075 Rocky View County Point  
Rocky View County, AB, T4A 0X2

**IN WITNESS WHEREOF**, the Municipalities have hereunto executed this Framework under their respective corporate seals and by the hands of their proper officers duly authorized in that regard.

Signed this \_\_\_\_ day of \_\_\_\_\_, 2024 in \_\_\_\_\_,  
Alberta.

### **KNEEHILL COUNTY**

### **ROCKY VIEW COUNTY**

Per:

Per:

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Kennith King, Reeve

---

Crystal Kissel, Reeve

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Mike Haugen, C.A.O.

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Rick McDonald, Interim C.A.O.

## **Schedule “B”**

### **Dispute Resolution Process**

#### **A. Definitions**

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

#### **B. Notice of dispute**

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

#### **C. Negotiation**

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

#### **D. Mediation**

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

### **E. Report**

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

### **F. Appointment of arbitrator**

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

### **G. Arbitration process**

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

### **H. Deadline for resolving dispute**

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

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

#### **I. Arbitrator's order**

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

#### **J. Costs of arbitrator**

- 1) Subject to an order of the arbitrator or an agreement by the parties, the costs of an arbitrator under this Schedule must be shared equally by the parties.



## Springbank Area Structure Plan: Request for Direction

Electoral Division: 1 & 2

Project: 1015-550

Date:	May 28, 2024		
Presenter:	Steve Altena, Supervisor, Planning Policy		
Department:	Planning		
Approved by:	<input checked="" type="checkbox"/> Executive Director / Director	and/or	<input checked="" type="checkbox"/> Chief Administrative Officer

### REPORT SUMMARY

The purpose of this report is to present the Springbank Area Structure Plan (ASP) Options Report to Council. Administration is seeking Council's direction on how to proceed with any revisions to the three existing Springbank ASPs.

Considering feedback from community engagement in 2022, Administration prepared a new single ASP for Springbank and conducted engagement on this new plan in June and July of 2023. On January 16, 2024, Administration presented the feedback from the 2023 engagement and proposed changes to the draft Springbank ASP to the Governance Committee. Noting concerns from many Springbank residents on the draft ASP document, the Committee provided direction to explore the feasibility of combining the existing ASPs into a single ASP, but to maintain the adopted land use strategies set out within the Central Springbank, North Springbank and Moddle ASPs. The Governance Committee also directed that Administration assess the feasibility of implementing minor amendments to address ASP policy gaps and incorporate current technical information.

The Springbank ASP Options Report, provided in Attachment A, explores three options for addressing the existing ASPs. Option 1 proposes to merge all ASPs into a single comprehensive document, aiming to maintain existing land use strategies while addressing policy gaps. Option 2 proposes to merge Moddle ASP into Central Springbank ASP and address policy gaps in each ASP. Option 3 proposes to maintain the existing ASPs without amendments.

Considering the advantages and disadvantages of each option, Option 2 is recommended. Option 2 allows for minor updates to each ASP to address policy gaps and update technical information, while minimizing administrative effort and avoiding a Regional Evaluation Framework application to the Calgary Metropolitan Region Board.

### ADMINISTRATION'S RECOMMENDATION

THAT Council direct Administration to prepare amendments to the Central Springbank, North Springbank, and Moddle Area Structure Plans that:

- Combine the Moddle ASP into the Central Springbank ASP while maintaining the North Springbank ASP as a separate statutory planning document;
- Update technical policies for the combined ASP and the North Springbank ASP to reflect current studies; and,
- Address minor policy gaps for the combined ASP and the North Springbank ASP.

THAT Administration present amendments to the Springbank Area Structure Plans before the end of Q3 2024 at a public hearing for Council's consideration.

## Springbank Area Structure Plan: Request for Direction

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### BACKGROUND

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The Springbank ASP Options Report has been prepared to address Governance Committee's direction on January 16, 2024:

MOVED by Chair Kochan that Administration be directed to provide a report to Council in Q2 of 2024 on the feasibility of combining the Central Springbank, North Springbank and Moddle Area Structure Plans (ASP) into one ASP with the intent to maintain the existing land use strategies while implementing minor amendments that:

- a) Ensure alignment with higher order policy and guiding documents adopted since the approval of the ASPs;
- b) Update technical policies to reflect current studies; and
- c) Address policy gaps in the existing ASPs identified by Council, Administration, and the public.

The objective of the Springbank ASP Options Report is to assess the feasibility of merging the three Springbank ASPs, Moddle, North Springbank and Central Springbank, into an effective, comprehensive statutory planning document. The report also identifies alternative options and evaluates each option against criteria to develop a recommendation.

### ANALYSIS

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Administration has identified three options and evaluated each against general criteria, including consideration of planning objectives, policy compatibility, administrative effort, and regional engagement. This evaluation is detailed in the Springbank Area Structure Plan Options Report, provided in Attachment A, and is summarized below.

Option 1 proposes to merge the ASPs into a single document, while maintaining the existing land use strategies, addressing policy gaps and updating technical information. This option presents the most comprehensive approach, aiming to create a holistic ASP document for the Springbank area. However, Option 1 faces challenges including policy compatibility between merging documents and the need for approval from the Calgary Metropolitan Region Board (CMRB).

Option 2 offers an intermediate alternative by proposing to merge Moddle ASP into Central Springbank ASP, while addressing policy gaps for each ASP and updating technical information. The North Springbank ASP would remain a separate document. This option partially achieves the intent to merge the Springbank ASPs and leverages the policy compatibility between the Moddle and Central Springbank ASPs to minimize the scope of amendments.

Option 3 proposes to maintain the existing ASPs without amendments and rescindment of the project Terms of Reference. This option requires minimal administrative resources, however, opportunities to address policy gaps and incorporate updated technical information would not be realized.

Administration recommends Option 2 as it provides an intermediate alternative to update the Springbank ASPs while minimizing staff commitment and regional risk. This would allow administrative resources to be further focused on other statutory planning projects and still achieve the aim of maintaining existing land use framework for the Springbank community.

### COMMUNICATIONS / ENGAGEMENT

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Residents and stakeholders will be updated on the status of the project following Council's direction.

## Springbank Area Structure Plan: Request for Direction

### IMPLICATIONS

#### Financial

Additional financial resources are not required for the recommended motion.

#### Staff Resources

The Planning department is currently working on the following long-range documents, with targeted public hearing dates:

- Janet ASP – To be determined
- Conrich ASP – Q3 2024
- Springbank ASP – Q3 2024
- Bearspaw ASP – Q4 2024
- Langdon ASP – Q4 2024
- Municipal Development Plan – Q1 2025

The timely completion of the Springbank ASP would allow administrative resources to be focused on the remaining projects.

### STRATEGIC ALIGNMENT

Key Performance Indicators			Strategic Alignment
Financial Prosperity	FP1: Successfully planning and managing tax revenues between residential and non-residential landowners	FP1.1: Residential/Non-Residential Assessment Split Ratio as set out in the Assessment Diversification Policy	Maintaining the existing land use strategies of the Springbank ASPs will not provide further opportunities to shift the residential/non-residential assessment split ratio.
Thoughtful Growth	TG1: Clearly defining land use policies and objectives for the County –including types, growth rates, locations, and servicing strategies	TG1.2: Complete Area Structure Plans (ASPs) in alignment with the Regional Growth Plan and Council priorities	Regional Growth Plan policy allows for the existing Springbank ASPs to build-out as approved.

### ALTERNATE DIRECTION

#### Alternate Direction 1 (Option 1)

THAT Council direct Administration to prepare a new Springbank Area Structure Plan that combines the Central Springbank, North Springbank, and Moddle ASPs while keeping the direction of the existing land use strategies.

THAT Administration present amendments to the Springbank Area Structure Plans in Q4 2024 at a public hearing for Council's consideration.

#### Alternate Direction 2 (Option 3)

THAT Council rescind the approved Springbank ASP Terms of Reference and direct Administration to close-out the project.



## Springbank Area Structure Plan: Request for Direction

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### ATTACHMENTS

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Attachment A: Springbank Area Structure Plan Options Report

# **ROCKY VIEW COUNTY**

# **SPRINGBANK**

# **AREA STRUCTURE PLAN**

# **OPTIONS REPORT**

**2024**



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## EXECUTIVE SUMMARY

The Springbank Area Structure Plan (ASP) Option Report has been prepared to address Rocky View County Governance Committee's direction on January 16, 2024:

*MOVED by Chair Kochan that Administration be directed to provide a report to Council in Q2 of 2024 on the feasibility of combining the Central Springbank, North Springbank and Moddle Area Structure Plans (ASP) into one ASP with the intent to maintain the existing land use strategies while implementing minor amendments that:*

- a) Ensure alignment with higher order policy and guiding documents adopted since the approval of the ASPs;*
- b) Update technical policies to reflect current studies; and,*
- c) Address policy gaps in the existing ASPs identified by Council, Administration, and the public.*

This report explores three options for addressing the existing Area Structure Plans (ASPs) in the Springbank area. Option 1 proposes to merge all ASPs into a single comprehensive document, aiming to maintain existing land use strategies while addressing policy gaps. Option 2 proposes to merge Moddle ASP into Central Springbank ASP, while addressing policy gaps for both ASPs and the North Springbank ASP. Option 3 proposes to maintain the existing ASPs without amendments and rescindment of the project Terms of Reference.

Each option was evaluated against general criteria, including consideration of planning objectives, policy compatibility, administrative effort, and regional engagement. Option 1 presents the most comprehensive approach, aiming to create a holistic, single ASP document for the Springbank area. However, Option 1 faces challenges including policy compatibility and the need for a Regional Evaluation Framework (REF) application to the Calgary Metropolitan Region Board (CMRB). Option 2 offers an intermediate alternative by proposing to merge Moddle ASP into Central Springbank ASP. Option 2 does not create a single ASP for Springbank but leverages the policy compatibility between the Moddle and Central Springbank ASPs to minimize the scope of amendments, thereby minimizing staff commitment and avoiding a REF application. Option 3 proposes to maintain the existing ASPs without amendments and requires minimal administrative resources, which could then be utilized for other priority projects. However, opportunities to address policy gaps and incorporate updated technical information would not be realized.

Considering the advantages and disadvantages of each option, Option 2 is recommended. Option 2 provides an alternative to partially merge the Springbank ASPs while minimizing staff commitment and regional risk. This would allow administrative resources to be further focused on other statutory planning projects and still achieve the aim of maintaining existing land use framework for the Springbank community.

# 1 INTRODUCTION

Land use planning for Springbank is guided by three separate Area Structure Plans (ASPs): Moddle (adopted in 1998), North Springbank (adopted in 1999), and Central Springbank (adopted in 2001). The objective of the ongoing Springbank ASP Review Project is to ensure that the Springbank community is guided by planning documents that reflect current community wishes and the existing County and regional policy framework. The three existing ASPs guiding growth within the Springbank community were adopted more than 20 years ago and several important statutory planning documents and technical studies have been implemented in this time.

The Springbank ASP Review Project was initiated in October 2016 and new North and South Springbank ASPs were prepared and approved by Council. These ASPs were refused by the Calgary Metropolitan Region Board (CMRB) in July 2021. In December 2021, Council gave direction to revisit the draft Springbank ASPs and to undertake further community engagement in 2022 to help inform revisions to the plans.

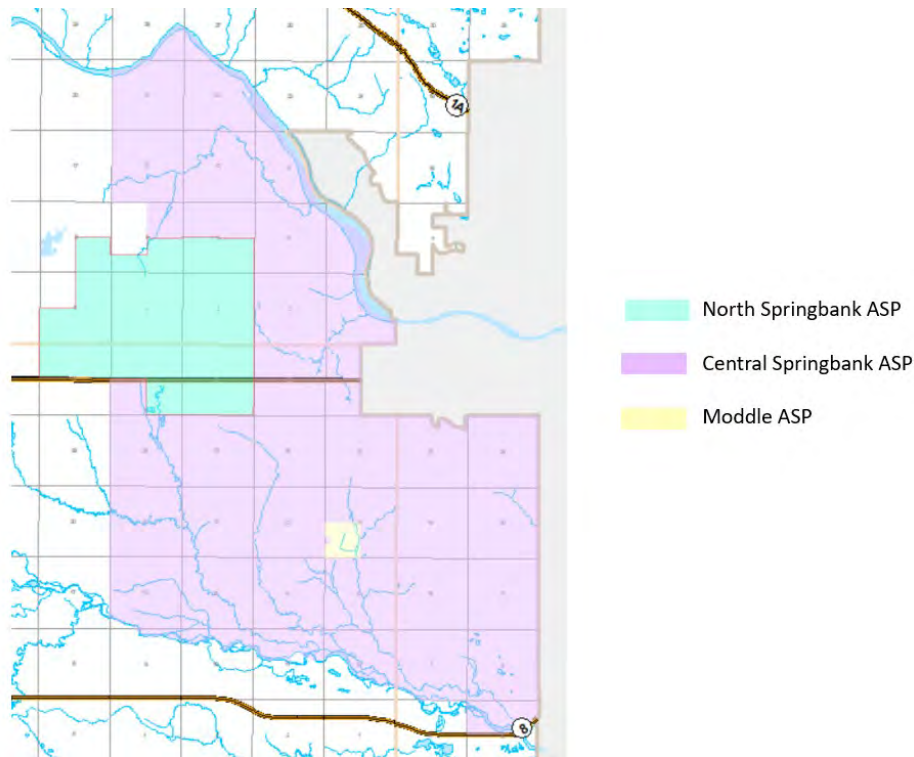
Considering the feedback of the 2022 community engagement Administration prepared a new single ASP for Springbank and conducted engagement on this new plan in June and July of 2023. On January 16, 2024, Administration presented the feedback from the 2023 engagement and proposed changes to the draft Springbank ASP to the Governance Committee. The Committee, based on community feedback, provided direction to explore the feasibility of combining the ASPs into a single ASP with the intent to maintain the existing land use strategies while implementing minor amendments to update ASP policy and technical information.

## 1.1 OBJECTIVE

The objective of this report is to assess the feasibility of merging the three Springbank ASPs, Moddle, North Springbank and Central Springbank, into an effective, comprehensive statutory planning document. This report also identifies alternative options and evaluates each option against criteria to develop a recommendation.

## 1.2 EXISTING CONDITIONS

The three existing Springbank ASPs were adopted between 1998 and 2001 and have received several minor amendments to support individual developments. The ASPs have not been amended to reflect the County's current Municipal Development Plan (2013) or the CMRB Growth Plan (RGP) (2022). A brief description of each ASP is provided below.



**Figure 1: Existing Springbank ASPs**

### 1.2.1 Moddle ASP

The Moddle ASP was adopted by Council in 1998 to support development within SW-24-24-02-W05M and is surrounded by the Central Springbank ASP. Moddle facilitated the redesignation and subdivision of 152 acres country residential use. The Moddle area is fully built out with the exception of a 17-acre parcel in the NW.

### 1.2.2 North Springbank ASP

The North Springbank ASP was adopted by Council in 1999 and covers 4,350 acres of land surrounding the Springbank Airport. The plans' objective is to maintain existing agricultural uses until development takes place, preserve future development potential of lands for commercial uses consistent with the airport, and include the potential for country residential to maintain the character of the Springbank area.

North Springbank has experienced limited development since the adoption of the ASP in 1999, however, new commercial development is anticipated in the near term within the approved Bingham Crossing Conceptual Scheme.

### 1.2.3 Central Springbank ASP

The Central Springbank ASP includes approximately 22,000 acres of land and was adopted in 2001 with a vision to offer a rural lifestyle that blends residential uses with its agricultural heritage. The ASP supports primarily new country residential and infill residential planned through conceptual schemes to ensure balanced growth within the area. A main goal of the plan is to minimize the impacts of development on the environment, particularly with respect to watershed issues.

### 1.2.4 Land Use Statistics

The table below summarizes the total and current developed area and population within each of the Springbank ASPs. The data is provided from each Springbank ASP and the County's Land Use Inventory and Growth Trends Report (2022 Data).

**Table 1: Springbank ASPs Land Use Statistics (2022)**

	<b>Existing or Developed Area (acres)</b>	<b>Policy Supported Gross Area (acres)</b>	<b>Development Rate (dwellings/year)<sup>1</sup></b>	<b>Estimated Existing Population<sup>2</sup></b>	<b>Projected Population<sup>3</sup></b>
<b>North Springbank</b>					
Residential	310	2,012	1.09	76	1,400
Business	225	611	-	-	-
Agricultural	1,319	-	-	24	-
Multiple Land Use <sup>4</sup>	536	-	-	5	-
<b>Central Springbank</b>					
Residential	7,086	18,138	30	4,987	29,000 – 36,000
Business <sup>5</sup>	320	320	-	-	-
Agricultural	9,126	-	-	127	-
Multiple Land Use <sup>4</sup>	1,137	-	-	367	-
<b>Moddle</b>					
Residential	97	114	2.2	130	133
Business	-	-	-	-	-
Agricultural	17	-	-	3	-
Multiple Land Use <sup>4</sup>	15	-	-	-	-

1. Development rate from 2001 – 2022.
2. Estimated existing population based on 2022 number of existing dwellings and 2.7 persons per dwelling.
3. Population projections sourced from ASP projections when available.
4. Multiple land use in the Springbank area typically consists of a residential designation within a larger agricultural parcel.
5. Business use does not include gravel extraction.



## 2 OPTIONS AND EVALUATION

### 2.1 OPTIONS

Considering the direction received from Governance Committee on January 16, 2024, and a review of existing ASPs, Administration has identified three options to evaluate:

- *Option 1:* Merge all three ASPs together into a new ASP to create a holistic statutory planning document to guide development in the area. This would require amendments to merge existing land use strategies, update policies, address policy gaps, and include current technical information.
- *Option 2:* Merge Moddle ASP into Central Springbank ASP. The Moddle ASP is built out and the land use strategy is consistent with Central Springbank for country residential. This option would implement minor amendments for all ASPs to address policy gaps and include current technical information. The North Springbank ASP would remain a separate statutory document.
- *Option 3:* Maintain the existing area structure plans with no amendments. The Terms of Reference for the Springbank ASP project is rescinded and Administration closes out the project.

Administration has engaged with CMRB Administration on the three options above and it was determined that Option 1 would likely require a Regional Evaluation Framework (REF) application to CMRB, while Option 2 would likely not require an application. Intermunicipal engagement with The City of Calgary will be required for Options 1 and 2 in accordance with the Rocky View County/City of Calgary Intermunicipal Development Plan (IDP).

Stormwater and environmental studies have been completed by the County for the Springbank area in the time since the ASPs were approved. County Administration currently utilizes these studies to evaluate development proposals and the use of these studies should be further supported through the statutory planning documents. These studies include:

- Springbank Creek Catchment Drainage Plan
- Springbank Master Drainage Plan
- Environmental Constraints Review

Further technical studies for utility servicing and transportation were completed to support the County's proposed North and South Springbank ASPs that were refused by CMRB in 2021. These studies are not relevant to the existing land use strategies and are therefore not contemplated in this report.

## 2.2 EVALUATION CRITERIA

Each option was evaluated against the following general criteria:

- Objective to create a comprehensive plan while maintaining the existing land use strategies
- Policy compatibility between merging ASPs
- Level of effort for Administration to complete the work
- Level of regional or intermunicipal engagement and risk

A detailed assessment of each major ASP policy area is presented below and the advantages and disadvantages of each option are evaluated in a table at the end of the section.

## 2.3 EVALUATION

### 2.3.1 Residential Policies

Each of the Springbank ASPs includes policy to support residential development, however, difference in policy is present as summarized below:

- The Central Springbank ASP includes comprehensive policies to guide residential development within the Plan area. These policies include:
  - Classification of residential development into two categories: Infill and New Residential Areas.
  - A conceptual scheme is required for any new or infill residential developments to ensure the area is comprehensively planned except for single lot subdivisions greater than 2 acres in size.
  - The minimum parcel size in both the new and infill areas is nominally set at 2 acres, however, within new residential areas parcels with a minimum size of 1 acre may be considered under certain conditions.
  - The maximum number of lots permitted within a new residential area is 64 per quarter section.
- The North Springbank ASP defers residential policy guidance to the County Plan and a conceptual scheme may be required to determine the appropriateness of the proposed residential development. The Plan does not specify a density and therefore there is flexibility in the residential form that could be supported.
- Moddle ASP provides for a complete subdivision plan which has been built out.

There is residential policy difference between the Central and North Springbank ASPs that would need to be addressed when considering merging the ASPs. To maintain the existing land use strategy, the Plan areas could be designated as distinct residential policy areas with wholly separated policies, however, this may be contrary to the objective of creating a holistic planning document. Otherwise, consistent residential policy for both Plan areas could be developed for a combined ASP but this would introduce changes to the land use strategy and likely require approval of CMRB.

The Moddle ASP Is built out and its residential policies could be merged into the Central Springbank ASP with minimal amendments.

### 2.3.2 Agricultural Policies

The Central and North Springbank ASPs include agricultural policies that support the continuation of agricultural operations until development occurs and policy to require consideration for the impacts of non-agricultural development on existing agricultural. Some differences in policy do exist:

- The Central Springbank ASP provides more specific guidance regarding the intensification and development of new contemporary agriculture as well as agricultural best management practices.
- The North Springbank ASP includes special consideration for Springbank Airport operations and defers the review of intensification of agriculture to compliance with the land use bylaw.

Given that the intent of agricultural policies of the North and Central Springbank ASPs is generally aligned, consistent agricultural policy could be developed for a combined ASP without impacts to land use strategy.

### 2.3.3 Business Policies

The Central and North Springbank ASPs include policy for business use as summarized below. The Moddle ASP does not include policy for business use.

- The Central Springbank ASP supports local commercial to meet the needs of the local community within the area but directs major commercial development to the North Springbank ASP commercial areas.
- The North Springbank ASP supports commercial development within the Highway 1 and Range Road 33 vicinity. Commercial based business parks are also supported in the airport interface areas along Township Road 250. Industrial uses are not accommodated within the Plan area.

Consistent business use policies could be developed for a combined ASP without impacts to the land use strategy given that the Central Springbank ASP specifically limits business use and directs business development to the North Springbank ASP.

### 2.3.4 Institutional Policies

Both the Central and North Springbank ASPs include policy support for institutional use as summarized below. The Moddle ASP does not include policy for institutional use.

- The Central Springbank ASP supports institutional development such as schools, places of worship and other institutions that benefit the community.

- North Springbank only supports non-public institutional uses such as churches, organizations and clubs, and private schools.

Similar to the residential policies above, the differing institutional policies of the Central and North Springbank ASPs would need to be addressed when considering merging the ASPs. To maintain the land use strategy, distinct institutional policy areas would need to be established. To develop consistent policy for both Plan areas would introduce changes to the land use strategy.

### 2.3.5 Environmental Policies

Each of the Springbank ASPs includes policy towards environmental protection as described below:

- The Central Springbank ASP includes the most comprehensive policies around environmental and natural feature preservation, setting out to protect the watershed and provide residents with ample open space.
- The North Springbank ASP includes minimal environmental policies, instead deferring to environmental impact assessments prepared for development proposals.
- Moddle ASP seeks to preserve the Cullen Creek and its ravine to maintain water quality, which aligns with Central Springbank ASP policy. The drainage system terminates at a man-made pond that has also been preserved and used for amenity space for the residents.

Consistent environmental policies could be developed for a combined ASP without impacting the land use strategy. This would be an opportunity to improve environmental policy within the North Springbank ASP area.

### 2.3.6 Special Planning Areas

Special planning areas are included in both the Central and North Springbank ASPs as detailed below. The Moddle ASP does not include any special planning areas.

- The Central Springbank ASP includes two types of special planning areas:
  - Special Planning Areas: Bow and Elbow River valleys with focus on environmental outcomes; TransCanada Highway with focus on impacts by or to the highway; and Intermunicipal with focus on creating a harmonious transition to the City of Calgary.
  - Joint Planning Area: As identified in the 1998 M.D. of Rocky View/The City of Calgary IDP.
- The North Springbank ASP includes two types of special planning areas:
  - Springbank Airport Interface: Intended to guide the types of development that would be compatible with airport operations.
  - Highway #1 Interface: Sets a focus on impacts by or to the TransCanada highway.

These special planning areas generally remain relevant in the current context and could be integrated into consistent policy within a combined ASP. The 1998 Joint Planning Area has misalignment with the current Rocky View County/City of Calgary IDP and would require amendment.

### 2.3.7 Transportation and Utilities

All ASPs include policies surrounding transportation, servicing, and utilities based on the technical studies conducted at the time. Since then, a number of studies have been updated and the findings should be reflected in the ASP amendments regardless of them being merged or separate.

### 2.3.8 Land Use Strategy

The above policy areas of each ASP compose the land use strategy for each ASP area. The main intent of each land use strategy is as follows:

- The Central Springbank ASP supports mainly country residential development with some local commercial.
- The North Springbank ASP supports commercial development adjacent to the Springbank Airport and at the Highway 1 and Range Road 33 node. Residential development is supported within the Plan area with consideration for existing agricultural operations and the airport.
- The Moddle ASP is built-out with country residential development.

The table below provides a comparison of the advantages and disadvantages of each of the three options presented, based on the evaluation criteria of planning objectives, policy compatibility, Administration resources, and intermunicipal/regional engagement.

**Table 2: Option Analysis**

	<b>Advantages</b>	<b>Disadvantages</b>
<b>Option 1</b> Merge all ASPs	<ul style="list-style-type: none"> <li>• A comprehensive Springbank ASP with consistent policy would be developed.</li> <li>• Opportunities to address policy shortcomings and include update technical information.</li> </ul>	<ul style="list-style-type: none"> <li>• Policy consistency between merging ASPs would be difficult to achieve without change to the land use strategy, specifically for residential and institutional land uses.</li> <li>• Highest level of effort for Administration to deliver a new combined ASP.</li> <li>• Creation of a single Springbank ASP document will likely require a REF application to the CMRB.</li> </ul>
<b>Option 2</b> Merge Moddle into Central Springbank	<ul style="list-style-type: none"> <li>• There is policy consistency between the Central Springbank and Moddle ASPs to allow effective merging.</li> <li>• Low level of effort for Administration to complete the work. Resources could be directed other ASP projects.</li> <li>• Not regionally significant, a REF application to the CMRB would not be required.</li> </ul>	<ul style="list-style-type: none"> <li>• A single Springbank ASP with consistent policy would not be developed.</li> </ul>
<b>Option 3</b> Leave ASPs Existing	<ul style="list-style-type: none"> <li>• Negligible effort for Administration to close-out the project. Resources could be directed other ASP projects.</li> <li>• No regional engagement would be required.</li> </ul>	<ul style="list-style-type: none"> <li>• Planning objectives would not be achieved as a comprehensive Springbank ASP would not be created.</li> <li>• Opportunities to address policy shortcomings or include updated technical information eliminated.</li> </ul>

### 3 DISCUSSION

The options presented for the evaluation of the existing Area Structure Plans (ASPs) in the Springbank area reflect a careful consideration of planning objectives, policy alignment, administrative feasibility, and regional engagement. Each option carries distinct advantages and disadvantages, which warrant thorough consideration to determine the most appropriate course of action.

#### **Option 1**

This option proposes the consolidation of all three ASPs into a single, comprehensive statutory planning document. By merging the ASPs, the aim is to create a holistic approach to guide development in the area while maintaining existing land use strategies. The potential advantages of this option include the achievement of planning objectives and the creation of a unified planning framework. However, challenges may arise in achieving policy compatibility between the merging ASPs, requiring the highest level of effort from Administration to implement. In addition, based on discussions with CMRB Administration, this option would likely require a REF application to CMRB given the scale of the amalgamation.

#### **Option 2**

Under this option, the Moddle ASP would be integrated into the Central Springbank ASP, while the North Springbank ASP would receive minor updates but remain a separate statutory planning document. This approach seeks to minimize the need for significant amendments while recognizing that the Moddle ASP is built-out and its policy area could be merged with the larger Central Springbank ASP. The advantages of this option include updating technical information while maintaining existing land use strategies with low administrative effort.

#### **Option 3**

This option proposes to leave the ASPs unchanged, preserving the status quo without merging or amending any documents. While this approach entails negligible administrative effort and avoids the need for regional engagement, it would not work towards planning objectives. This option eliminates opportunities to address policy gaps and incorporate updated technical information.



## 4 RECOMMENDATIONS AND NEXT STEPS

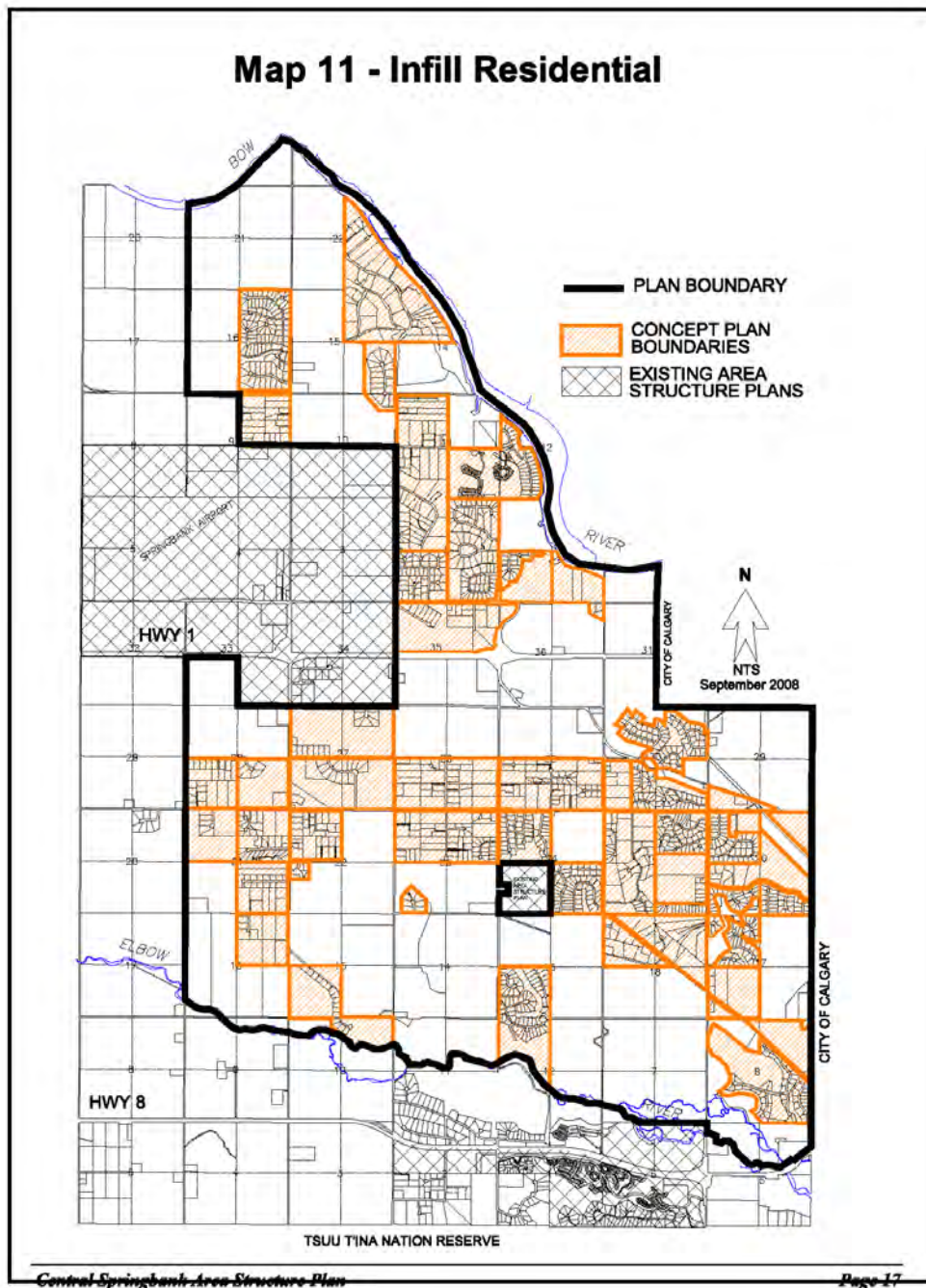
Administration recommends Option 2 to merge the Moddle ASP into Central Springbank ASP. The North Springbank ASP would remain as a separate document. Merging Moddle into Central Springbank would partially accomplish the objective stated in Section 1.1 to combine ASPs while implementing minor policy amendments and including updated technical information. This option minimizes administrative effort and would not require CMRB approval. Intermunicipal engagement with The City of Calgary would still be required in accordance with IDP policies. Administration recommends Option 2 as it provides an intermediate alternative to update the Springbank ASPs while minimizing staff commitment and regional risk. This would allow administrative resources to be further focused on other statutory planning projects.

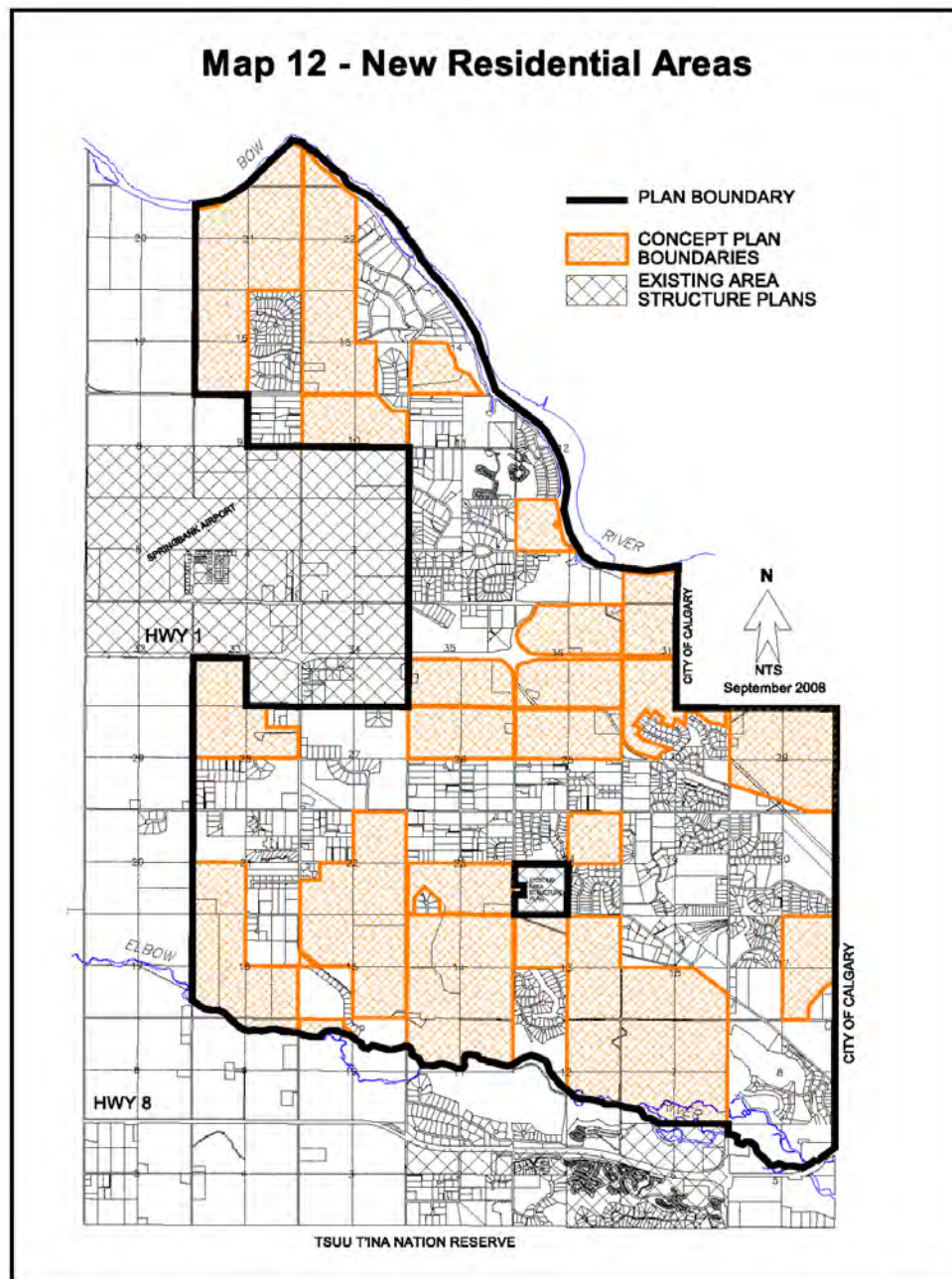
Should Council provide direction in accordance with Administration's recommendation, Administration would then proceed to draft an updated plan, conduct intermunicipal and stakeholder engagement, and then present the updated plan at a public hearing. The updated plan would then be presented before Council as a public hearing for 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> reading.

## 5 APPENDICES

## CENTRAL SPRINGBANK ASP LAND USE STRATEGY

Central Springbank ASP covers approximately 22,000 acres, between the Bow and Elbow Rivers. The majority of the Plan area allows for residential uses under two categories – Infill Residential (2 to 4-acre lots depending on surrounding context) and New Residential (2-acre minimum lot size, with potential for 1-acre minimum in some circumstances). Commercial development is directed to the existing regional business park located on the south side of TransCanada Highway and Range Road 33 or to locations outside of the Plan Area.

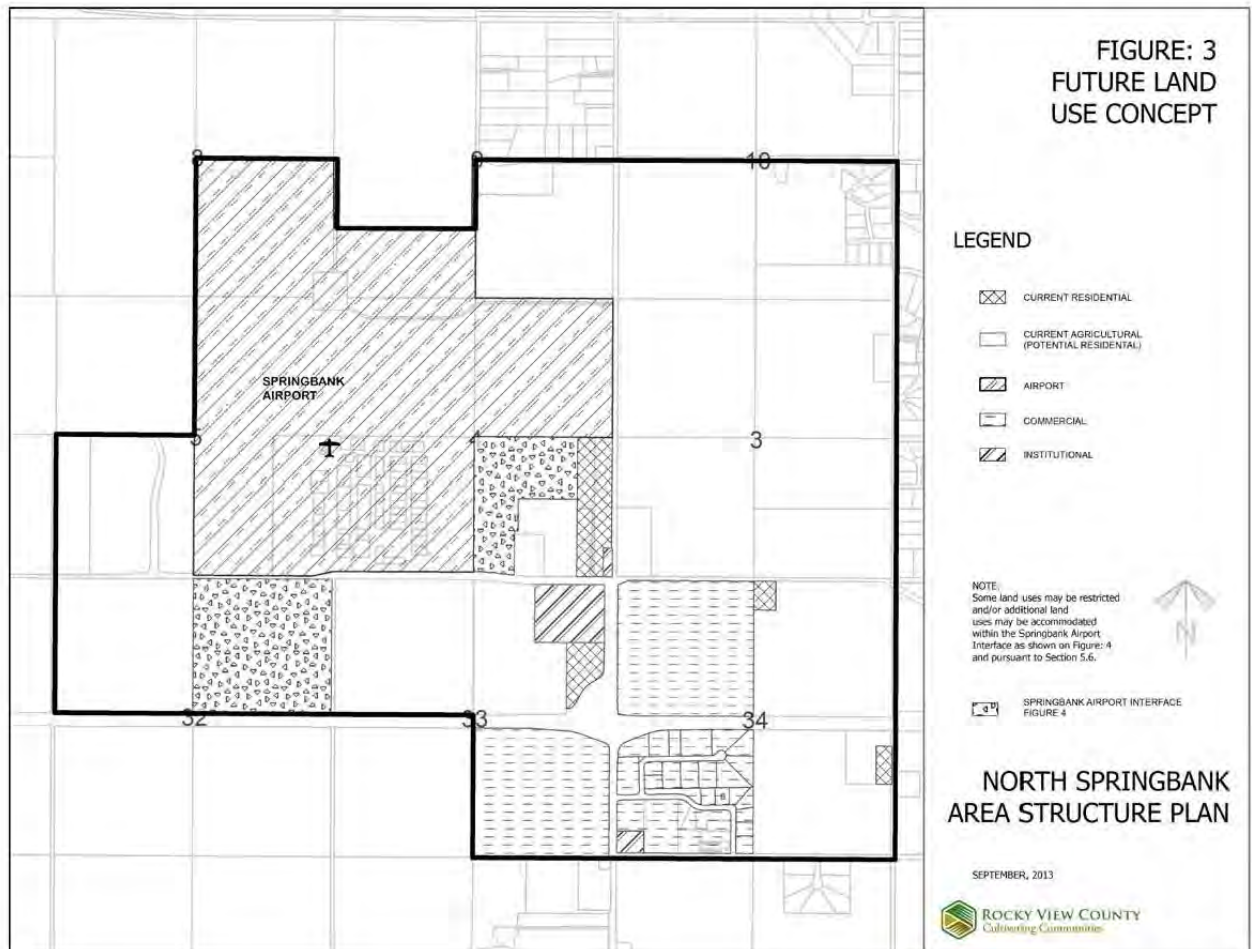




## NORTH SPRINGBANK ASP LAND USE STRATEGY

North Springbank ASP covers 3,948 acres (1,598 ha) including the Springbank Airport, land on either side of Range Road 33, and three quarter sections south of Highway 1. The ASP's land use concept allows for a potential 2,122 acres for residential use (no minimum/maximum lot size stated), 605 acres for commercial use, and 40 acres for institutional use. Industrial use is not supported within the plan area.

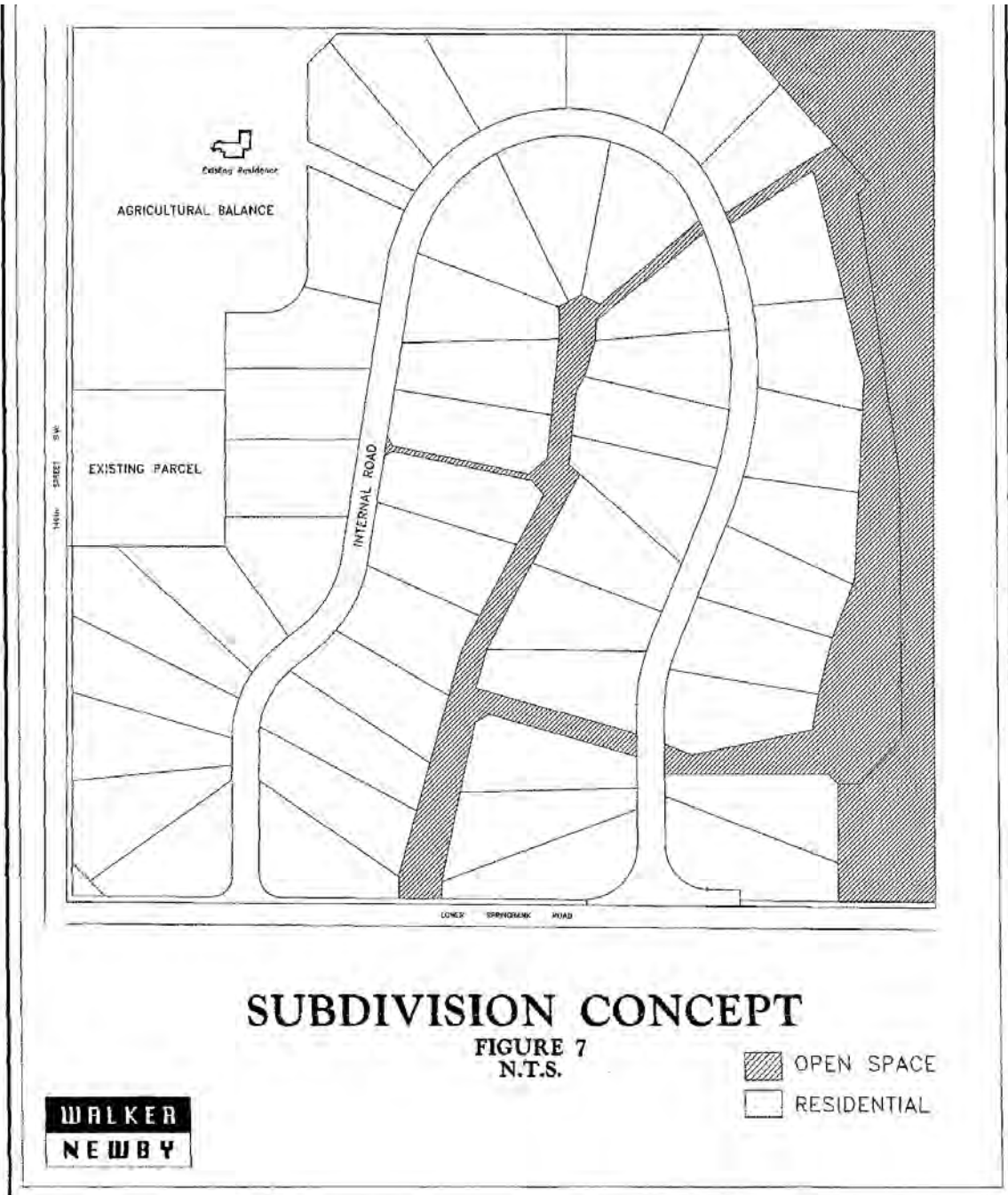
**Figure 3 – Future Land Use Concept**





## MODDLE ASP LAND USE STRATEGY

Moddle ASP encompasses the majority of SW-24-24-03-W05M. This ASP is fully built out, with 48 residential lots of approximately 2-acres in size, with the existing agricultural residence (~17.2 acres).





# COUNCIL REPORT

## Policy C-222: Reserve Fund Policy

Electoral Division: All

File: N/A

Date:	May 28, 2024		
Presenter:	Isedua (Issy) Agbonkhese, Manager, Financial Services		
Department:	Financial Services		
Approved by:	<input checked="" type="checkbox"/> Executive Director / Director	and/or	<input checked="" type="checkbox"/> Chief Administrative Officer

### REPORT SUMMARY

This report recommends amendments to *Reserve Fund Policy C-222*.

Recommended changes include a policy name change, appropriate verbiage that describes current practices such as interest allocation criteria and reserve account categorization, and best practices regarding managing reserve funds.

*Managing Reserve Funds Policy C-222* outlines the criteria to create, amend, administer, or close a Rocky View County reserve fund. This policy applies to all County reserve funds except those specifically governed by other legislation such as the Public Reserve and the Offsite Levy Reserve. An annual reserve fund account balance is presented to Council as part of the year-end financial statements.

### ADMINISTRATION'S RECOMMENDATION

THAT Council approve the amended *Managing Reserve Funds Policy C-222* as presented in Attachment A.

### BACKGROUND

On June 13, 2023, Administration presented the 2022 Reserve and Trust Account Report to the Governance Committee in response to Council's inquiry in December 2022 regarding the County's reserve fund balances. Stemming from this report, Administration committed to bringing the *Managing Reserve Fund Policy C-222* with recommended changes for Council consideration as part of its regular policy review process.

Reserve and Trust accounts are established via a council policy or mandated by legislation. Rocky View County establishes reserve accounts to ensure its long-term financial stability and establishes trust accounts for monies resulting in future obligations to external parties. Reserve funds provide financial flexibility, ensure stable and predictable funding, safeguard and optimize existing assets, and provide contingency funding in an emergency of unforeseen expense. Depending on the purpose of a reserve, an average target balance may be established to ensure the viability of the account.

Reserve and Trust accounts are categorized as operating, capital, levy, utilities, or other. Funding for these accounts generally comes from developer levies, user fees, property taxes, donations, grants, and operating surplus. Monies held in a reserve account may be used to manage the County's cash flow or invested as per *Investment Policy C-201*, and the *Municipal Government Act* (MGA). All reserves not funded by property taxes or operating surplus will have interest revenue allocated to the reserve balance yearly.



## Policy C-222: Reserve Fund Policy

### ANALYSIS

The recommended changes to the *Reserve Fund Policy C-222* will provide necessary updates to reserve criteria and a more robust policy framework to ensure long-term financial stability and flexibility. A brief listing of the recommended changes are highlighted in the table below.

Notable Change	Rationale
General	
Formatting and template adjustments.	Alignment with current policy standards and visual identity; enhancement of readability.
Updated form to create, amend, administer, or close reserve funds.	Highlight the various activities involved with managing reserve funds.
Additions	
<i>6 Reserves are identified as Capital or Operating, with a specific purpose, regulatory or third party requirement. A new reserve is considered where funds must be internally restricted to serve a predetermined requirement.</i>	Highlights the categorization and the predetermined requirement for the creation of a reserve fund.
<i>7 Reserve account balances are determined based on the purpose of the reserve in question. Each required reserve balance must be substantiated with data evidence that speaks to County obligations necessitating the amounts required.</i>	Speaks to the logic that must be adhered to when funding a reserve.
<i>13 Interest income from reserve fund investing activities will accrue to a specific reserve if the reserve is required by regulation or a third party. Otherwise, all interest income is retained in the County's General revenue account.</i>	Highlights the revenue-generating nature of a reserve account and the methodology on which the revenue generated is distributed.
Deletions	
<p><i>4.3.3 The appropriate County department shall prepare an action plan to return a Reserve back into compliance when a Reserve has been:</i></p> <ul style="list-style-type: none"> <li><i>a) Overfunded and has exceeded its applicable maximum target balance; or</i></li> <li><i>b) Underfunded and does not maintain its applicable minimum target balance.</i></li> </ul> <p><i>4.3.4 The action plan will be reviewed by the County Manager and the General Manager to determine appropriate measures.</i></p> <p><i>4.3.5 Expenditures from reserves must not exceed the Reserve balance unless it can be demonstrated through financial cash flow projections that future sources of revenues will</i></p>	<p>Replaced with:</p> <p><i>7 Reserve account balances are determined based on the purpose of the reserve in question. Each required reserve balance must be substantiated with data evidence that speaks to County obligations necessitating the amounts required.</i></p> <p><i>11 Withdrawals or transfers from a reserve must not exceed the reserve fund balance.</i></p>

## Policy C-222: Reserve Fund Policy

<i>provide adequate funding to return the Reserve to a positive balance.</i>	
<i>4.1.4 Financial Services is responsible for developing accounting procedures for Reserve transactions and providing guidance to departments in complying with the intent of this policy.</i>	Article removed as reserve accounting procedures are determined by Public Sector Accounting Standards (PSAS).

### COMMUNICATIONS / ENGAGEMENT

No communication or engagement is required. Updates to Council policies on the County website will continue as they are amended or repealed by Council.

### IMPLICATIONS

#### Financial

There will be no financial impact at this time as Council must approve funding to all reserve accounts through the annual budget approval process or a budget amendment request.

### STRATEGIC ALIGNMENT

Section 153(b) of the MGA requires that Councils develop and evaluate policies and programs of the municipality, and section 201(1) states that a municipal council is responsible for developing and evaluating the policies and programs of the municipality.

Key Performance Indicators		Strategic Alignment
Financial Prosperity	FP2: Ensuring County remains financially sustainable for future generations	This reserve policy supports the strategic themes of financial health and prosperity, with a special focus on strengthening our financial resiliency.

### ALTERNATE DIRECTION

Administration does not have an alternate direction for Council's consideration.

### ATTACHMENTS

Attachment A: Proposed *Managing Reserve Funds Policy C-222*



# MANAGING RESERVE FUNDS

Council Policy

C-222

Policy Number:	C-222
Policy Owner:	Financial Services
Adopted By:	Council
Adoption Date:	2017 June 06
Effective Date:	2017 June 06
Date Last Amended:	YYYY Month DD
Date Last Reviewed:	YYYY Month DD

## Purpose

- 1 This policy outlines the criteria to create, amend, administer, or close a Rocky View County (County) reserve fund.



## Policy Statement

- 2 The County creates reserve funds to ensure its long-term financial stability in sustaining service delivery and growth. Reserve funds provide financial flexibility, ensure stable and predictable funding, safeguard and optimize existing assets, and provide contingency funding in emergencies.
- 3 This policy applies to all County reserve funds except those governed explicitly by other legislation.



## Policy

### Governance

- 4 The Chief Administrative Officer (CAO) or authorized delegate, per the *Chief Administrative Officer Bylaw C-7350-2014* and the CAO Delegation Order, ensures the County's reserve funds are created, amended, administered, and closed in compliance with this policy and practices that align with the required legislation. Appendix A of this policy must be submitted to Financial Services to create, amend, or close a reserve fund.
- 5 An annual reserve fund report is presented to Council as part of the year-end financial statements.



# MANAGING RESERVE FUNDS

## Council Policy

C-222

### Managing Reserve Funds

- 6 Reserves are identified as Capital or Operating, with a specific purpose, regulatory or third-party requirement. A new reserve is considered where funds must be internally restricted to serve a predetermined requirement.
- 7 Reserve account balances are determined based on the purpose of the reserve in question. Each required reserve balance must be substantiated with data evidence that speaks to County obligations necessitating the amounts required.
- 8 Council approves Transfer to and from reserve accounts through yearly budget approvals or budget adjustment approvals before the transaction occurs.
- 9 Administration will review reserve reports as part of regular financial reporting.
- 10 Annual surpluses from the County's operating budget are transferred to the Tax Stabilization Reserve. This transfer does not require Council approval.
- 11 Withdrawals or transfers from a reserve must not exceed the reserve fund balance.
- 12 All reserve funds are invested in interest-bearing instruments regulated by the *Municipal Government Act* and Rocky View County *Investment Policy C-201*. Reserve funds cannot be invested for a term exceeding their expected need date.
- 13 Interest income from reserve fund investing activities will accrue to a specific reserve if the reserve is required by regulation or a third party. Otherwise, all interest income is retained in the County's General revenue account.



### References

#### Legal Authorities

#### Related Plans, Bylaws, Policies, etc.

#### Related Procedures

#### Other

- *Municipal Government Act*, RSA 2000, c M-26
- *Chief Administrative Officer Bylaw C-7350-2014*
- CAO Delegation Order
- *Investment Policy C-201*
- N/A
- N/A





## MANAGING RESERVE FUNDS

Council Policy

C-222

### Policy History

Amendment Date(s) – Amendment Description

- N/A

Review Date(s) – Review Outcome Description

- N/A



### Definitions

14 In this policy:

- (1) “Chief Administrative Officer” or “CAO” means the Chief Administrative Officer of Rocky View County as defined in the *Municipal Government Act* or their authorized delegate;
- (2) “Council” means the duly elected Council of Rocky View County;
- (3) “County” means Rocky View County;
- (4) “*Municipal Government Act*” means the Province of Alberta’s *Municipal Government Act*, RSA 2000, c M-26, as amended or replaced from time to time;
- (5) “Reserve fund” means an account set up by Rocky View County to meet any unexpected costs that may arise in the future as well as the future costs of upkeep;
- (6) “Rocky View County” means Rocky View County as a municipal corporation and the geographical area within its jurisdictional boundaries, as the context requires; and
- (7) “Surplus” means the portion of overall revenues that exceeds the overall expenses.



# MANAGING RESERVE FUNDS

Council Policy

C-222

## Policy C-222 - APPENDIX "A"

### ROCKY VIEW COUNTY – CREATION / AMENDMENT / CLOSING OF RESERVE FUNDS

Reserve Name			
Department		Year Established	
Type: <input type="checkbox"/> New <input type="checkbox"/> Amendment <input type="checkbox"/> Closure	Designation: <input type="checkbox"/> Capital <input type="checkbox"/> Operating		
Purpose (for reserve fund)			
Lifespan (expected time required)		Funding Source	
Funding Calculation (One time contribution, specific annual value, or formula)			
Interest Allocation: <input type="checkbox"/> General revenue <input type="checkbox"/> Transfer to Reserve	Target Minimum & Maximum Balance		
Budget Programs Affected (for both contributions and withdrawals)			
Reporting Requirements			
Conditions & Restrictions			
Applicable Regulations, Acts, Bylaws, Policy or Procedure			
Consequences of Not Creating			
GL Account (Finance to Determine)			

Requested By: \_\_\_\_\_ Date: \_\_\_\_\_  
 Printed Name, Manager      Signature

Approved By: \_\_\_\_\_ Date: \_\_\_\_\_  
 Printed Name, CAO      Signature



## Policy C-700: Council Policy on Council Policies

Electoral Division: All

File: N/A

Date:	May 28, 2024		
Presenter:	Micah Nakonechny, Policy Coordinator		
Department:	Legislative Services		
Approved by:	<input checked="" type="checkbox"/> Executive Director / Director	and/or	<input checked="" type="checkbox"/> Chief Administrative Officer

### REPORT SUMMARY

The purpose of this report is to present amendments to *Policy on Council Policies C-700* for Council's consideration. *Policy C-700*, originally adopted in 2019, governs the creation, adoption, and review of Council policies at Rocky View County.

### ADMINISTRATION'S RECOMMENDATION

THAT Council approve the amended *Policy on Council Policies C-700* as presented in Attachment A.

### BACKGROUND

Pursuant to sections 153(b) and 201(1) of the *Municipal Government Act*, Council is responsible for developing and evaluating the various policies and programs of Rocky View County. Council policies help guide Council's decision-making in a consistent, transparent manner. They are primarily intended to provide guidance to Administration on the delivery of County programs, services, and land use matters, address external and/or publicly focused issues, and govern the roles and responsibilities of Council. This supports good governance and accountability to both the public and the County as a whole. Council policies are made available for the public on the County website.

The current version of *Policy C-700* was adopted by the Governance & Priorities Committee (GPC) in February of 2019 to replace a previous policy that reflected practices that no longer applied.

Administration has identified an opportunity to present updates to *Policy C-700* for Council's consideration to reflect current standards and practices for Council policy development.

### ANALYSIS

*Policy C-700* establishes a framework for the development, evaluation, and management of Council policies. The proposed amendments build on this framework by more clearly defining the roles and responsibilities of Council and Administration for policy development, as well as the types of decisions typically enacted through Council policy.

The framework for Council's decision-making with respect to Council policies remains unchanged; that is, Council may adopt, repeal, and amend any Council policy, or direct Administration to review an existing Council policy or develop a new Council policy.

A review of comparable peer municipalities demonstrated that a municipal council-approved policy to guide policy development and maintenance is commonplace and in keeping with best practices.



## **Policy C-700: Council Policy on Council Policies**

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The current version of *Policy C-700* Council to delegate its Council policy decision-making authority to a Committee of Council, as was done with GPC. However, no Council policy decisions have been made in this manner since June of 2019. Although Council has delegated some governance responsibilities to the Governance Committee (GC), including providing guidance on Council policies, GC has not been delegated Council's authority to make Council policy decisions. Therefore, it is recommended that this section is updated to reflect current practice.

In some circumstances, it may be expedient for Administration to make non-substantive clerical or typographical adjustments to Council policies, for example, to accommodate name changes to a Council Board or Committee, position title, or County department, or render a published Council policy consistent with the County's branding guidelines and visual identity. This draft of *Policy C-700* has been updated to allow such changes to be made without a resolution of Council, at the discretion of the Chief Administrative Officer. Any substantive changes, such as those which alter the purpose, intent, or scope of a Council policy must be brought to Council, which is aligned with current County practice.

There may be instances in which Administration has reviewed a Council policy but does not recommend substantive changes. Proposed updates to *Policy C-700* will allow the Chief Administrative Officer to inform Council of this outcome without a resolution of Council.

The current version of *Policy C-700* is included in Attachment B. A table summarizing the notable changes to *Policy C-700* is included in Attachment C.

### **COMMUNICATIONS / ENGAGEMENT**

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No communication or engagement is required. Updates to Council policies on the County website will continue as they are amended or repealed by Council.

### **IMPLICATIONS**

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#### **Financial**

There are no financial implications anticipated.

#### **Political**

The County may be subject to significant reputational and/or legal risk should Council policies not be developed and implemented or reviewed/maintained in an appropriate and timely manner.

### **STRATEGIC ALIGNMENT**

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Sections 153(b) of the *Municipal Government Act* requires that Councils develop and evaluate policies and programs of the municipality, and section 201(1) states that a municipal council is responsible for developing and evaluating the policies and programs of the municipality.

### **ALTERNATE DIRECTION**

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Administration does not have an alternative direction for Council's consideration.

### **ATTACHMENTS**

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Attachment A: Proposed *Policy on Council Policies C-700*

Attachment B: Current *Policy on Council Policies C-700*

Attachment C: Table of Notable Changes



# POLICY ON COUNCIL POLICIES

## Council Policy

C-700

<b>Policy Number:</b>	<b>C-700</b>
<b>Policy Owner:</b>	<b>Legislative Services</b>
<b>Adopted By:</b>	<b>Governance &amp; Priorities Committee</b>
<b>Adoption Date:</b>	<b>2019 February 05</b>
<b>Effective Date:</b>	<b>2019 February 05</b>
<b>Date Last Amended:</b>	<b>N/A</b>
<b>Date Last Reviewed:</b>	<b>N/A</b>

## Purpose

- 1 This policy establishes a framework for the strategic development, ongoing evaluation, and responsible management of Council policies.



## Policy Statement

- 2 Council is responsible for developing and evaluating the policies and programs of Rocky View County (the "County") in accordance with sections 153(b) and 201(1) of the *Municipal Government Act*.
- 3 The County recognizes that a well-functioning policy framework supports good governance, transparency, and accountability to the public and the County itself.
- 4 Council policies establish a set of principles to guide Council's decision-making in a consistent and transparent manner.
- 5 Council commits to adopting policies that primarily:
  - (1) govern the roles and responsibilities of Council;
  - (2) provide guidance to Administration on the delivery of County programs and services, and land use matters based on Council's objectives and priorities; and
  - (3) address external matters of a public focus for which Council may have sole decision-making authority.
- 6 This policy applies only to Council policies.



# POLICY ON COUNCIL POLICIES

Council Policy  
C-700



## Policy

- 7 Council by resolution may, in accordance with section 5:
  - (1) adopt new Council policies;
  - (2) amend or repeal active Council policies; or
  - (3) direct Administration to:
    - (a) develop new Council policies; or
    - (b) initiate a review of active Council policies.
- 8 Council policies take effect once adopted by Council and remain in effect until amended or repealed by Council.
- 9 Elected officials should familiarize themselves with all active Council policies, in part through training provided by Administration.
- 10 All active Council policies must be accessible to the public on the County website.
- 11 The Chief Administrative Officer may approve changes of a clerical, technical, grammatical, or typographical nature to active Council policies without a resolution of Council if such changes do not alter the purpose and intent of the policy.
  - (1) If no substantive changes are recommended after a Council policy has been reviewed by Administration, the Chief Administrative Officer may inform Council of the outcome without a resolution of Council.



## References

### Legal Authorities

- *Municipal Government Act*, RSA 2000, c M-26

### Related Plans, Bylaws, Policies, etc.

- N/A

### Related Procedures

- N/A

### Other

- N/A





# POLICY ON COUNCIL POLICIES

Council Policy

C-700

## Policy History

Amendment Date(s) – Amendment Description

Review Date(s) – Review Outcome Description

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## Definitions

12 In this policy:

- (1) “Administration” means the operations and staff of Rocky View County under the direction of the Chief Administrative Officer;
- (2) “Chief Administrative Officer” means the Chief Administrative Officer of Rocky View County as defined in the *Municipal Government Act* or their authorized delegate; and
- (3) “Council” means the duly elected Council of Rocky View County;
- (4) “Elected official” means a duly elected member of Rocky View County Council;
- (5) “Council policy” means any policy adopted by Council;
- (6) “Rocky View County” or “the County” means Rocky View County as a municipal corporation and the geographical area within its jurisdictional boundaries, as the context requires.



# Policy on Council Policies

## Council Policy

C-700

<b>Policy Number:</b>	<b>C-700</b>
<b>Policy Owner:</b>	<b>Municipal Clerk's Office</b>
<b>Adopted By:</b>	<b>Governance &amp; Priorities Committee</b>
<b>Adoption Date:</b>	<b>2019 February 05</b>
<b>Effective Date:</b>	<b>2019 February 05</b>
<b>Date Last Amended:</b>	<b>N/A</b>
<b>Date Last Reviewed:</b>	<b>N/A</b>

## Purpose

- 1 This policy defines Council's responsibilities for making and monitoring Council Policies.



## Policy Statement

- 2 Rocky View County (the County) is committed to providing good governance through Council Policies that:
  - (1) Support the objectives, standards, and priorities identified by Council;
  - (2) Give strategic direction to the Chief Administrative Officer on the provision of programs and services; and
  - (3) Promote Council's accountability to the public and the County itself.
- 3 Council regularly develops and reviews Council Policies to ensure Council's objectives are represented and the needs of the County are addressed, pursuant to its responsibilities in the *Municipal Government Act*, as it may be amended from time to time.
- 4 This policy applies to all Council Policies and does not apply to Administrative Policies.



## Policy

- 5 Council can direct Administration to develop new Council Policies or amend current Council Policies to support any issues, standards, objectives, and priorities.
- 6 Council can rescind any current Council Policy.
- 7 A Council Policy only takes effect once approved by Council.
- 8 Council can delegate its Council Policy decision-making authority to a committee of Council.



## Policy on Council Policies

### Council Policy

C-700

- 9 Councillors must be familiar with all current Council Policies.
- 10 All Council Policies are accessible to the public through the County website.



### References

#### Legal Authorities

- *Municipal Government Act*, RSA 2000, c M-26

#### Related Plans, Bylaws, Policies, etc.

- n/a

#### Related Procedures

- n/a

#### Other

- n/a



### Policy History

#### Amendment Date(s) – Amendment Description

- n/a

#### Review Date(s) – Review Outcome Description

- n/a



### Definitions

- 11 In this policy:
- (1) “Administration” means the operations and staff of Rocky View County under the direction of the Chief Administrative;
  - (2) “Administrative Policy” means policies that are approved by the Chief Administrative Officer, focus on Rocky View County’s internal operations, and primarily govern the actions of County staff and contractors;
  - (3) “Amend” means Council approves a substantive change to an active Council Policy;
  - (4) “Council” means the duly elected Council of Rocky View County;
  - (5) “Council Policy” means policies that are approved by Council, focus on the strategic direction of programs and services provided by Rocky View County and primarily govern the actions of Council and Councillors;
  - (6) “Councillor” means a duly elected member of Rocky View County Council;



## Policy on Council Policies

### Council Policy

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**C-700**

- (7) “Chief Administrative Officer” means the Chief Administrative Officer of Rocky View County as defined in the *Municipal Government Act* or their authorized delegate;
- (8) “Rescind” means Council approves the repeal of an active Council Policy in its entirety; and
- (9) “Rocky View County” or “the County” means Rocky View County as a municipal corporation and the geographical area within its jurisdictional boundaries, as the context requires.



## Attachment C: Policy C-700 Table of Notable Changes

Notable Changes	Rationale
<b>General</b>	
Updating language to more clearly define roles and responsibilities of Council and Administration for Council policy development	Ensures effective governance and implementation of Council policies, and alignment with County practices
Updated description of the types of policies Council will adopt or direct Administration to review	Ensures effective governance and implementation of Council policies, and alignment with County practices
<b>Notable additions</b>	
Ability of CAO to approve of minor adjustments to Council policies without a resolution of Council	Facilitates ongoing maintenance of Council policy library to ensure consistent written style, visual identity, and timely clerical corrections
Ability of CAO to inform Council of the outcome of a Council policy review if no substantive changes are recommended	Streamlines Council policy maintenance and facilitates regular updates to Council on policy reviews
<b>Notable deletions</b>	
Council no longer delegates its Council policy authority to a Council Committee	Key policy decisions are made at regular Council meetings, while deliberative discussions without any formal decisions may still occur at a Council Committee



# NOTICE OF MOTION

Submitted in accordance with *Procedure Bylaw C-8277-2022*

**Presented By:** Councillor Samra, Division 6  
**Seconded By:** Councillor Hanson, Division 1

This notice of motion is read into the Council record on **May 14, 2024**. The motion as read into the record will be debated on **May 28 2024**

**TITLE:** **Council as the Development Authority for Certain Uses in the Business, Live-Work District (B-LWK) Land Use District**

**WHEREAS** Council adopted the following resolution at the April 23, 2024 Council meeting:

MOVED by Councillor Samra that Council be the Development Authority for any development permit applications on Business, Live-Work District (B-LWK) land use, in accordance with section 49 of the *Land Use Bylaw*.  
 Carried

**AND WHEREAS** the resolution adopted by Council has made Council the Development Authority for all development permit applications within the B-LWK district of the *Land Use Bylaw*;

**AND WHEREAS** Council may not want to be the Development Authority for all development permit applications within the B-LWK district of the *Land Use Bylaw* due to the number of less intense development permit applications that would need to be considered by Council;

**AND WHEREAS** Council instead may want to be the Development Authority for development permit applications only for certain uses within the B-LWK district of the *Land Use Bylaw*;

**AND WHEREAS** the following uses are generally more intense than other uses within the B-LWK district of the *Land Use Bylaw* and should be considered by Council as the Development Authority;

- Accessory Building > 150.00 m2 (1614.59 ft2)
- Automotive Services (Minor)
- Automotive Services (Major)
- Care Facility (Child)
- Care Facility (Clinic)
- Care Facility (Group)
- Home-Based Business (Type II)
- Industrial (Light)
- Industrial (Medium)

- Kennel
- Outdoor Storage
- Special Function Business

**THEREFORE, BE IT RESOLVED THAT** THAT Council rescinds the following resolution adopted at the April 23, 2024 Council meeting in accordance with section 169 of the *Procedure Bylaw*:

MOVED by Councillor Samra that Council be the Development Authority for any development permit applications on Business, Live-Work District (B-LWK) land use, in accordance with section 49 of the *Land Use Bylaw*.

Carried

**AND THAT**, in accordance with section 49 of the *Land Use Bylaw*, Council be the Development Authority for development applications for the following uses within the Business, Live-Work District (B-LWK) land use district:

- Accessory Building > 150.00 m2 (1614.59 ft2)
- Automotive Services (Minor)
- Automotive Services (Major)
- Care Facility (Child)
- Care Facility (Clinic)
- Care Facility (Group)
- Home-Based Business (Type II)
- Industrial (Light)
- Industrial (Medium)
- Kennel
- Outdoor Storage
- Special Function Business



# COUNCIL REPORT

## Subdivision Item: Residential

Electoral Division: 4

File: PL20230142 / 08814007

Date:	May 28, 2024		
Presenter:	Bernice Leyeza, Planner 2		
Department:	Planning		
Approved by:	<input checked="" type="checkbox"/> Executive Director / Director	and/or	<input checked="" type="checkbox"/> Chief Administrative Officer

## REPORT SUMMARY

The purpose of this report is to assess a proposed subdivision of Lot 1, Block 1, Plan 0810080 within SW-14-28-04-W05M to create a  $\pm$  17.8 hectare (44.0 acre) parcel with a  $\pm$  12.8 hectare (31.6 acre) remainder.

The application was reviewed pursuant to the *Municipal Government Act*, Matters Related to Subdivision and Development Regulation, Municipal Development Plan (County Plan), and the *Land Use Bylaw*. The application was found to align with the policies of the County Plan where Council determined and adopted Bylaw C-8347-2023 redesignating the subject lands and meeting the intent and policies of the County Plan.

As per Section 5(1) of the *Subdivision Authority Bylaw* (C-8275-2022), Council is the Subdivision Authority as the Applicant requests that their subdivision application be considered by Council to alter the road upgrade condition as previously discussed during their redesignation (C-8347-2022) Public Hearing on October 31, 2023.

## ADMINISTRATION'S RECOMMENDATION

THAT application PL20230142 be approved with the conditions noted in Attachment F.

## Subdivision Item: Residential

### BACKGROUND

#### Location (Attachment A)

The parcel is located on the east side of Highway 22, approximately 1.21 kilometres (0.75 miles) south of Township Road 283.



#### Site History (Attachment B)

The subject parcel was created as a first parcel out subdivision through Plan 0810080, registered January 8, 2008.

On October 31, 2023, Council approved Bylaw C-8347-2022 to redesignate the subject lands from Agricultural, Small Parcel District (A-SML) to Agricultural, Small Parcel District (A-SML p12.9) and Agricultural, Small Parcel District (A-SML p17.8) to facilitate future subdivision of one  $\pm$  12.93 hectare ( $\pm$  31.95 acre) parcel with a  $\pm$  17.81 hectare ( $\pm$  44.00 acre) remainder. At that time, Council motioned that the redesignation application was in line with the County Plan.

#### Intermunicipal and Agency Circulation (Attachment C)

The application was circulated to all necessary internal and external agencies. This application is not within an area guided by intermunicipal policy or requirements.

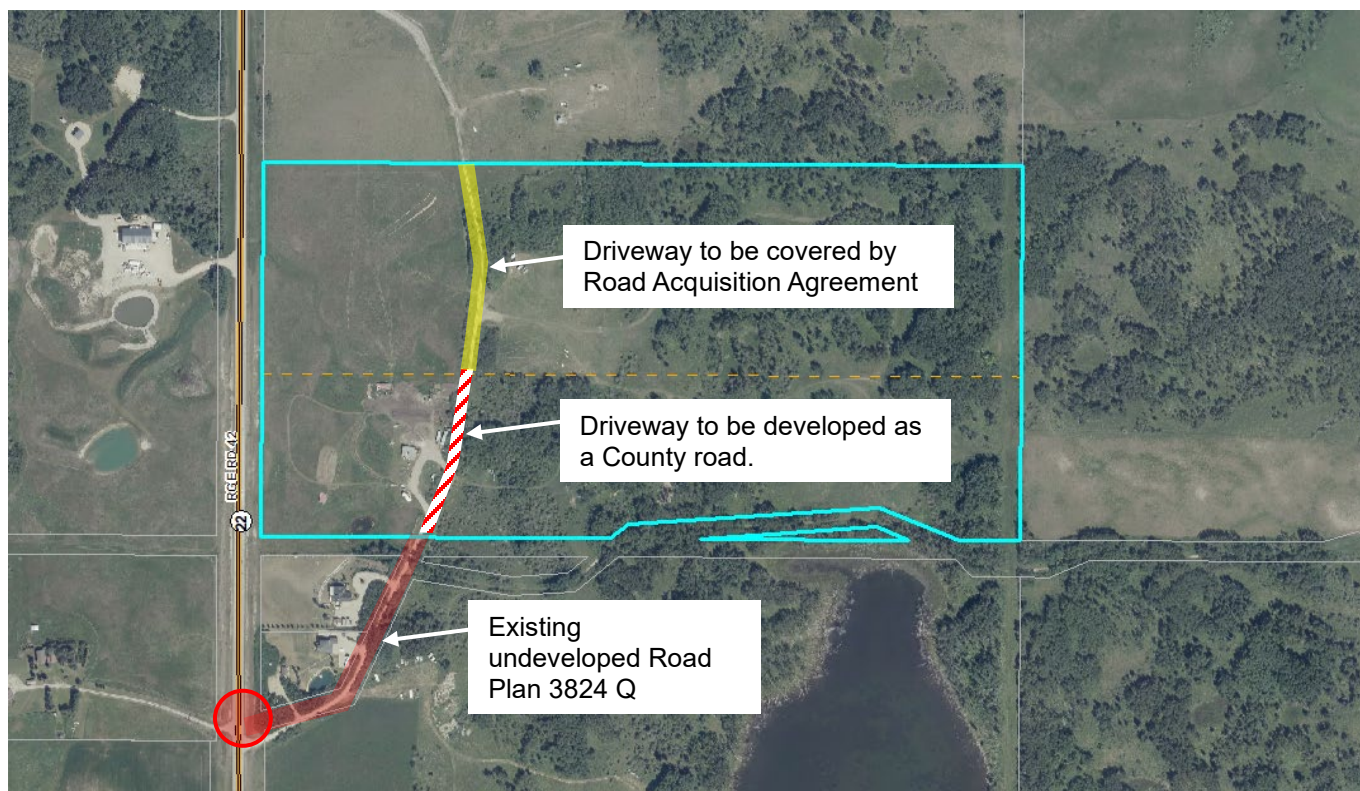
In addition to standard agencies, Alberta Transportation and Economic Corridors (ATEC) was circulated due to the subject site's proximity to Highway 22. ATEC has provided comments noting that no new direct highway access will be permitted and dedication of a 30-metre-wide service road to the westerly boundary of the subject lands is necessary to satisfy ATEC requirements.

However, ATEC approved continued use of the existing driveway on the subject lands for providing access to the proposed northern lot by dedicating this portion of the driveway as a road plan. The said portion of the driveway, combined with the entire length of the undeveloped road plan (Road Plan 3824 Q) located immediately south connecting to Highway 22, is required to be upgraded to current County Standards (i.e. low-volume road). The remaining portion of the driveway on the northern proposed lot



## Subdivision Item: Residential

would have the potential to be developed as a future road, through registration of a Road Acquisition Agreement imposed as part of the recommended subdivision conditions (Attachment F).



### Landowner Circulation (Attachment D)

The application was circulated to 18 adjacent landowners in accordance with the *Municipal Government Act* and County Policy C-327 (Circulation and Notification Standards); no letters in support or opposition were received.

## ANALYSIS

### Policy Review (Attachment E)

The application was reviewed pursuant to the *Municipal Government Act*, Matters Related to Subdivision and Development Regulation, Municipal Development Plan (County Plan), and the *Land Use Bylaw*. The redesignation application was found by Council to align with the intent and policies of the County Plan, and subject to meeting the recommended conditions set out within Attachment F, this subdivision application would continue to align with the previous interpretation of the County Plan.

The proposed parcel complies with the *Land Use Bylaw* as the parcel size meets the minimum parcel size regulation with a parcel identifier for each of the subject lands, as stipulated by the Agricultural, Small Parcel (A-SML) district.

## COMMUNICATIONS / ENGAGEMENT

Consultation was conducted in accordance with statutory requirements and County Policy C-327.

## Subdivision Item: Residential

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### IMPLICATIONS

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#### Financial

No financial implications identified at this time.

### STRATEGIC ALIGNMENT

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As per Section 5(1) of the *Subdivision Authority Bylaw* (C-8275-2022), the Applicant requests that their subdivision application be considered by Council acting as a Subdivision Authority.

### ALTERNATE DIRECTION

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No alternative options have been identified for the Subdivision Authority's consideration.

### ATTACHMENTS

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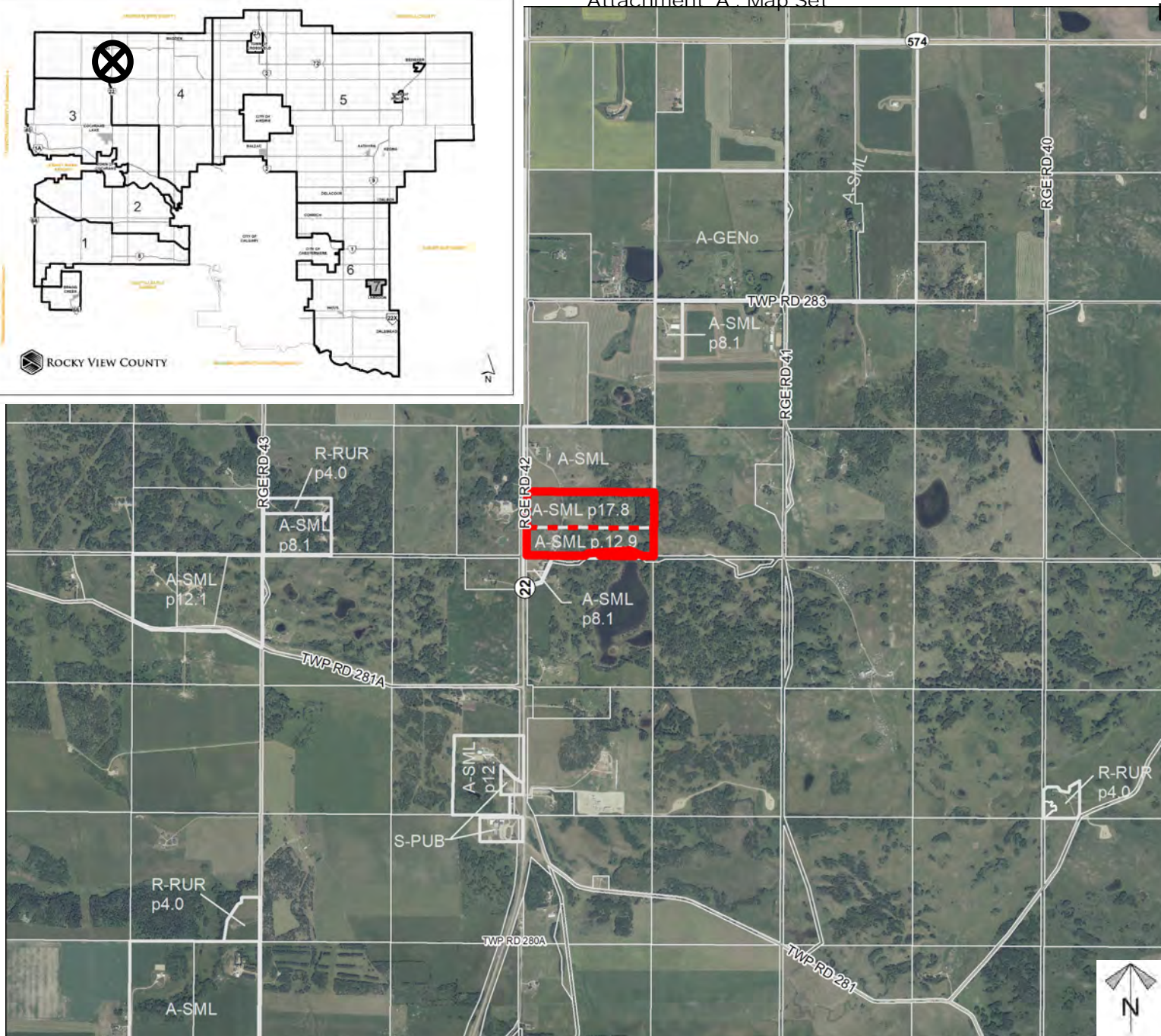
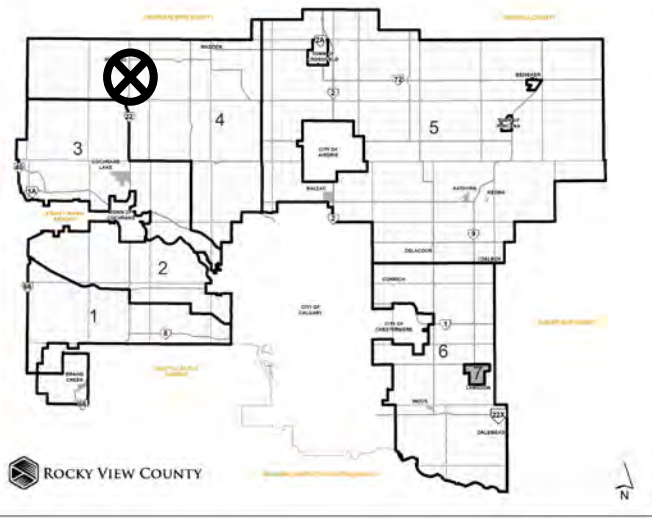
Attachment A: Map Set  
Attachment B: Application Information  
Attachment C: Application Referral Responses  
Attachment D: Public Submissions [None Received]  
Attachment E: Policy Review  
Attachment F: Recommended Conditions of Approval



## Location & Context

### Subdivision Proposal

To create a  $\pm 17.8$  hectare (44.0 acre) parcel with a  $\pm 12.8$  hectare (31.6 acre) remainder.



Division: 4  
Roll: 08814007  
File: PL20230142  
Printed: Nov 24, 2023  
Legal: A portion of SW-14-281  
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**Development  
Proposal****Subdivision Proposal**

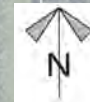
To create a  $\pm 17.8$  hectare (44.0 acre) parcel with a  $\pm 12.8$  hectare (31.6 acre) remainder.

22 RGE RD 42

**Lot 2 (Proposed)**  
 $\pm 17.8$  hectare (44.0 acre)

**Lot 1 (Remainder)**  
 $\pm 12.8$  hectare (31.6 acre)

Division: 4  
Roll: 08814007  
File: PL20230142  
Printed: Nov 24, 2023  
Legal: A portion of SW-14-  
20230 of 275

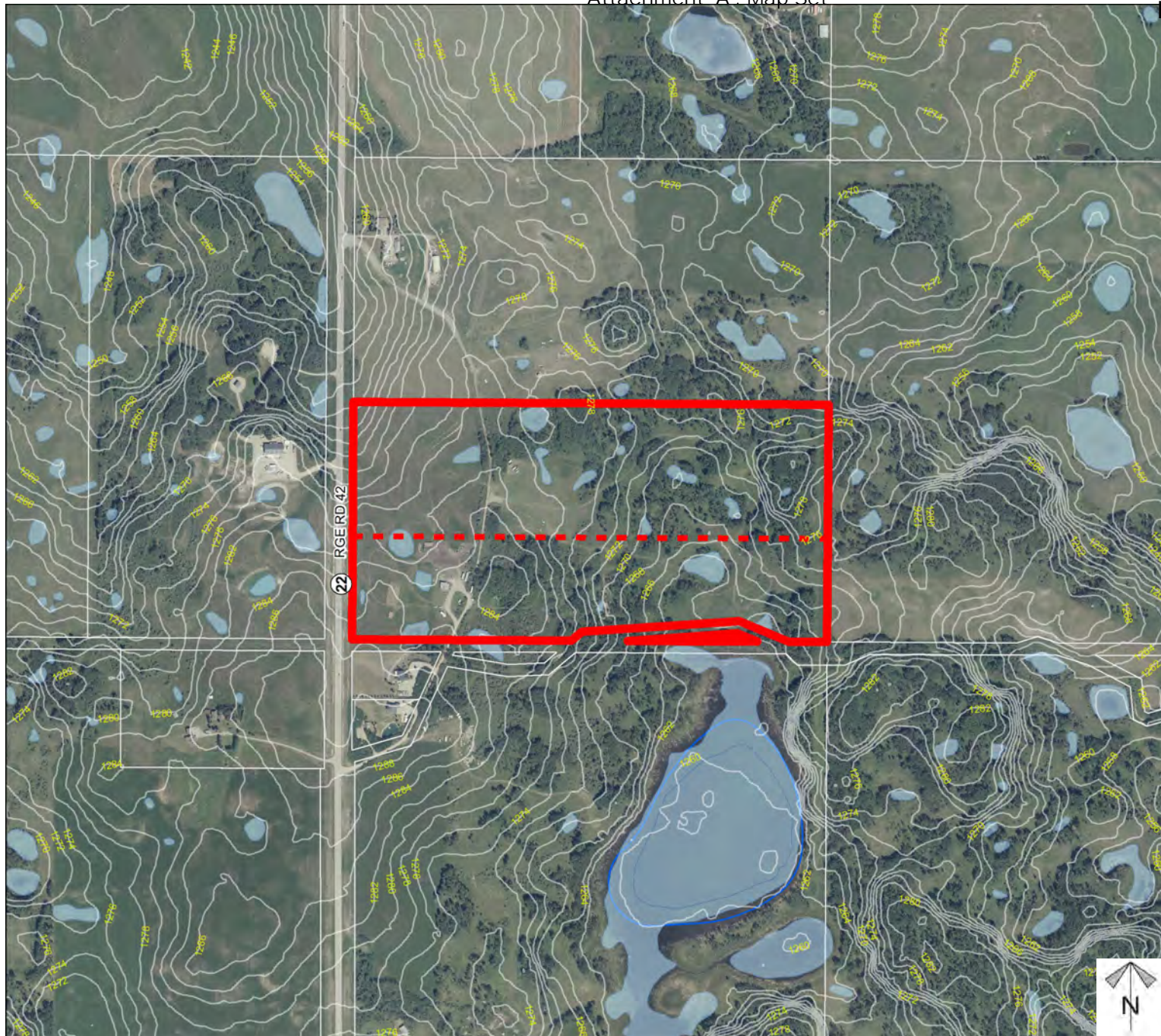




## Environmental

### Subdivision Proposal

To create a  $\pm 17.8$  hectare (44.0 acre) parcel with a  $\pm 12.8$  hectare (31.6 acre) remainder.



- Subject Lands
- Contour - 2 meters
- Riparian Setbacks
- Alberta Wetland Inventory
- Surface Water

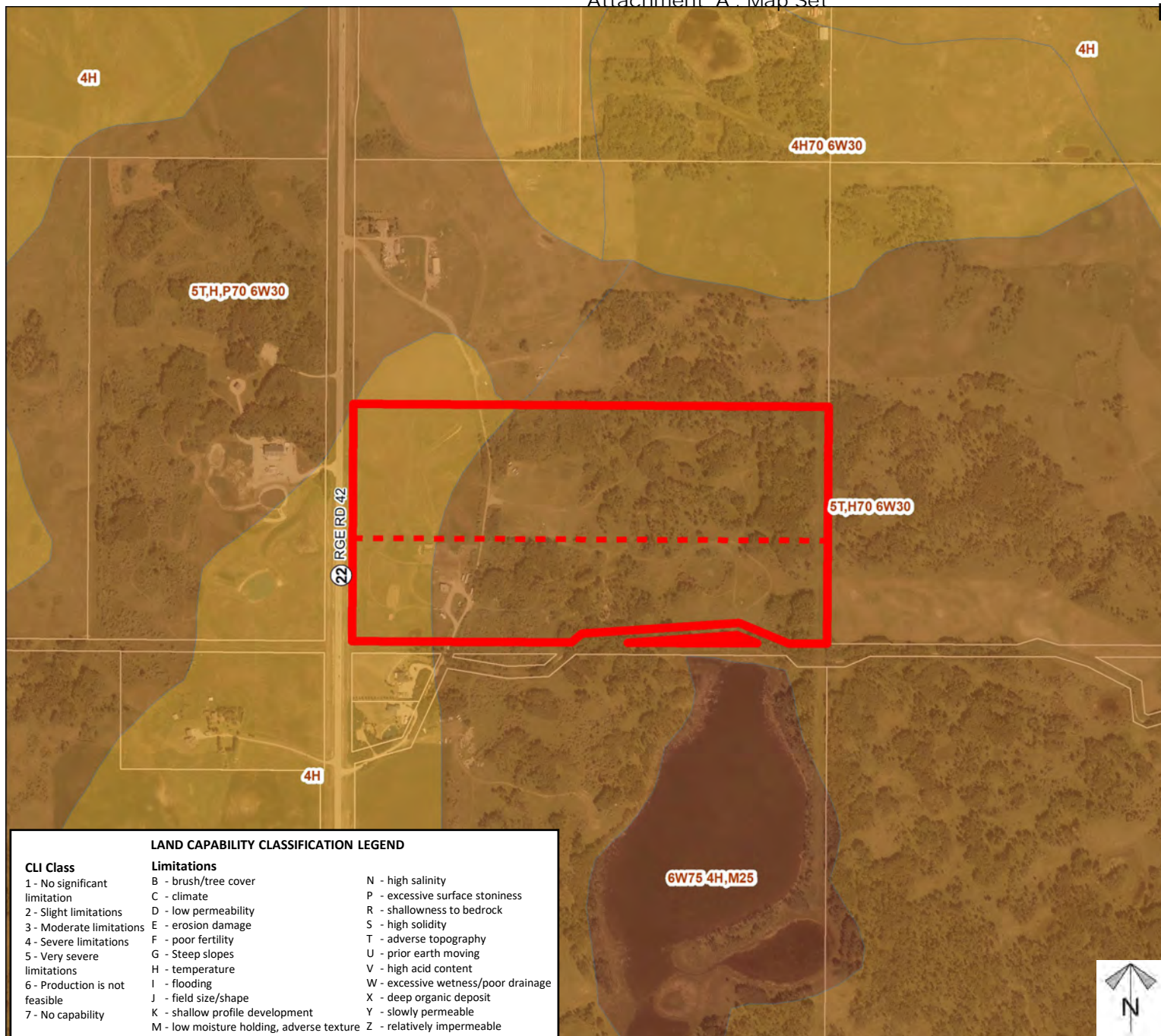
Division: 4  
 Roll: 08814007  
 File: PL20230142  
 Printed: Nov 24, 2023  
 Legal: A portion of SW-14-20  
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## Soil Classifications

### Subdivision Proposal

To create a ± 17.8 hectare (44.0 acre) parcel with a ± 12.8 hectare (31.6 acre) remainder.



#### LAND CAPABILITY CLASSIFICATION LEGEND

##### CLI Class

- 1 - No significant limitation
- 2 - Slight limitations
- 3 - Moderate limitations
- 4 - Severe limitations
- 5 - Very severe limitations
- 6 - Production 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 solidity
- 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

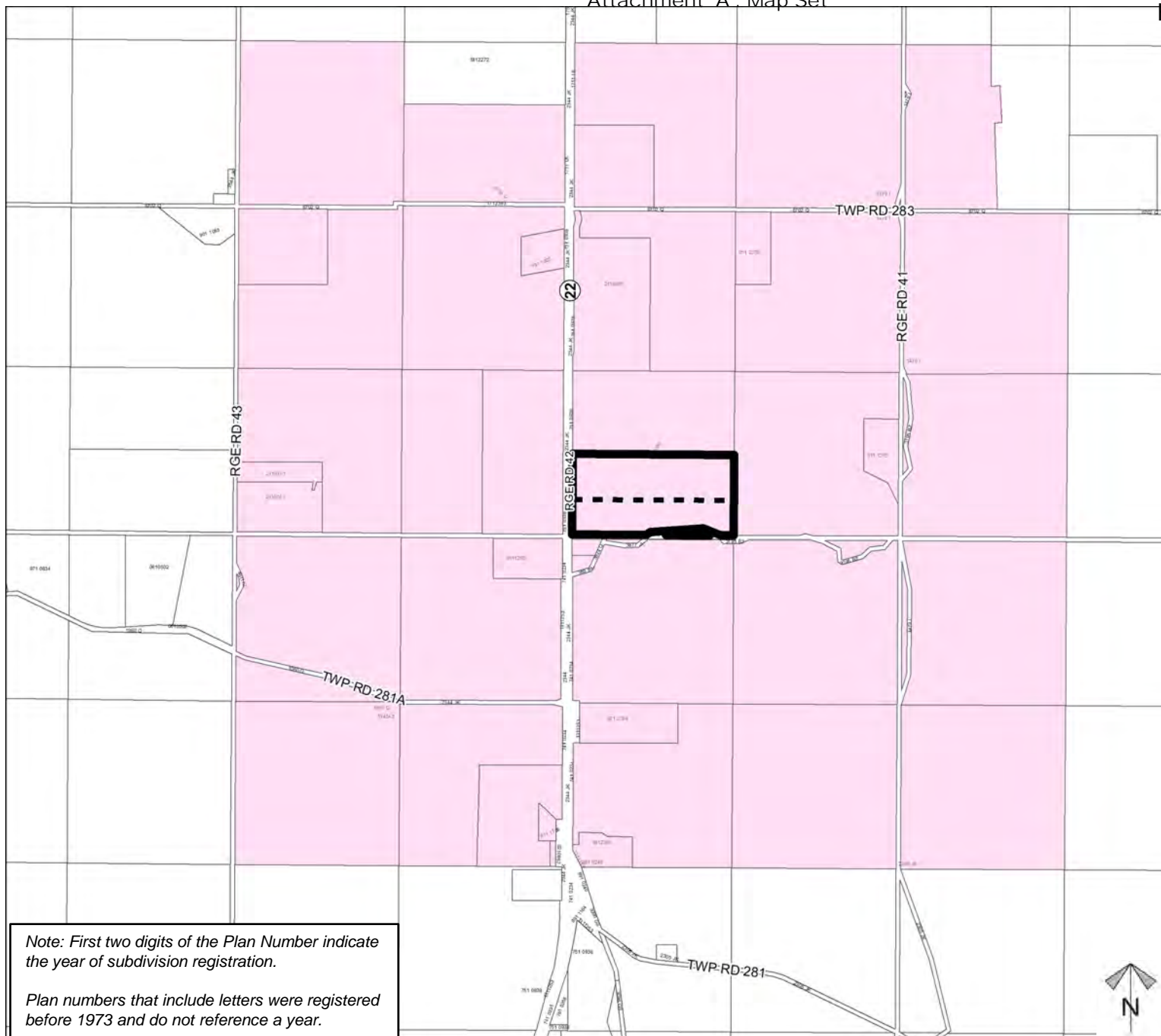
Division: 4  
Roll: 08814007  
File: PL20230142  
Printed: Nov 24, 2023  
Legal: A portion of SW-14-24-45-2  
Page 4 of 275



## Landowner Circulation Area

### Subdivision Proposal

To create a  $\pm 17.8$  hectare (44.0 acre) parcel with a  $\pm 12.8$  hectare (31.6 acre) remainder.



### Legend

Support



Not Support



Note: First two digits 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.

Division: 4  
Roll: 08814007  
File: PL20230142  
Printed: Nov 24, 2023  
Legal: A portion of SW-14-2023  
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**ATTACHMENT B: APPLICATION INFORMATION**

<b>APPLICANT / OWNERS:</b> Daniel Beniuk	<b>DATE APPLICATION RECEIVED:</b> November 12, 2023
<b>GROSS AREA:</b> ± 30.74 hectares (± 75.96 acres)	<b>LEGAL DESCRIPTION:</b> Lot 1, Block 1, Plan 0610080, a portion of SW-14-28-04-W05M
<b>Pre-Application Meeting Held:</b> <input type="checkbox"/>	<b>Meeting Date:</b> May 28, 2024
<b>SOILS (C.L.I. from A.R.C.):</b> <b>4H:</b> severe limitations due to soil temperature. <b>5T, h70, 6W30:</b> 70% - Very Severe limitations due to adverse topography and soil temperature; 30% production is not feasible due to excessive wetness / poor drainage.	
<b>HISTORY:</b> No recent history. First Parcel Out registered January 8, 2008; Plan No. 0810080.	
<b>TECHNICAL REPORTS SUBMITTED:</b> <ul style="list-style-type: none"> <li>Appraisal Report (Black Valuation Group Ltd., January 2024)</li> </ul>	

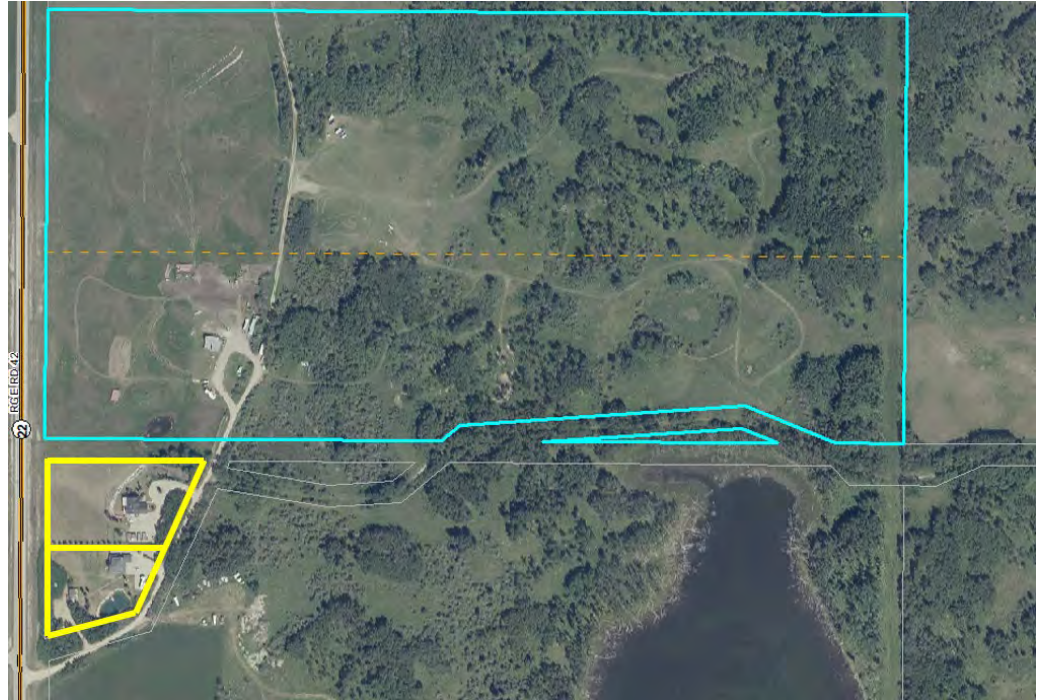
**ATTACHMENT C: APPLICATION REFERRAL RESPONSES**

AGENCY	COMMENTS
<b><i>School Authority</i></b>	
Calgary Catholic School District	The Calgary Catholic School District has no objection to the above-noted subdivision circulation (PL20230142), however as noted Municipal Reserves are still outstanding and comprise 10% of the parent parcel (0810080).
<b><i>Province of Alberta</i></b>	
Alberta Transportation & Economic Corridors	<p>The requirements of <b><u>Section 18 of the Regulation are not met</u></b>. Based on review of the proposal, the department is satisfied that the Highway has sufficient capacity to accommodate the proposal. Pursuant to Section 20(1) of the Regulation, Transportation and Economic Corridors grants approval for the subdivision authority to vary the requirements of Section 18 of the Regulation.</p> <p>If the portion of the driveway (highlighted in stripes in the picture) can be dedicated as a road plan, and remainder of the driveway (to the north) protected/dedicated/set aside in some manner acceptable to the County as a “future road”, this will meet and satisfy the requirements of Section 19 of the Regulation.</p> <p>OR</p> <p>The requirements of Section 19 of the Regulation are not met. To ensure future access management requirements are met a service road is required. Pursuant to Section 20(1) of the Regulation, Transportation and Economic Corridors does not grant approval for the subdivision authority to vary the requirements of Section 19 of the Regulation, Transportation and Economic Corridors will accept service road dedication as described below:</p> <p style="padding-left: 40px;">A 30 metre wide service road dedication by plan of survey shall be provided along the frontage of the entire parcel, and constructed to a standard acceptable to the municipality.</p> <p>Transportation and Economic Corridors has the following additional comments and/or requirements with respect to this proposal:</p> <ol style="list-style-type: none"> <li>1. The department expects that the municipality will mitigate the impacts of traffic generated by developments approved on the local road connections to the highway system, pursuant to Policy 7 of the Provincial Land Use Policies and Section 618.4 of the Municipal Government Act</li> <li>2. No direct highway access will be permitted. Access shall be via the local municipal road as shown on the attached plan with service road dedication pursuant to Section 19 of the Matters Related to Subdivision and Development Regulation.</li> <li>3. Alberta Transportation accepts no responsibility for the noise or other impacts of highway traffic upon any development or occupants thereof. Noise impacts and the need for attenuation should be thoroughly assessed.</li> </ol>



AGENCY	COMMENTS
	<p>The applicant is advised that provisions for noise attenuation and/or visual screening are the sole responsibility of the landowner.</p> <p>4. Any peripheral lighting (yard lights/area lighting) that may be considered a distraction to the motoring public or deemed to create a traffic hazard will not be permitted.</p>
	 <p>An aerial photograph of a rural area with a large body of water in the lower right. A red hatched area, possibly a proposed road or easement, runs diagonally from the bottom left towards the center. A red circle is located at the bottom left end of this hatched area. A blue boundary outlines a large rectangular area in the upper center. A dashed yellow line runs horizontally across the middle of the map.</p>
<b>Public Utility</b>	
ATCO Gas	No objections
ATCO Transmission	No objections
FortisAlberta	<p>FortisAlberta is the Distribution Wire Service Provider for this area. The developer can arrange installation of electrical services for this subdivision through FortisAlberta. Please have the developer contact 310-WIRE (310-9473) to make application for electrical services.</p> <p>Please contact FortisAlberta land services at <a href="mailto:landserv@fortisalberta.com">landserv@fortisalberta.com</a> or by calling (403) 514-4783 for any questions.</p>
Telus Communications	No comment
<b>Internal Departments</b>	
Recreation, Parks and Community Support	Recreation has no comment and supports planning's direction.

AGENCY	COMMENTS
Development Authority	No response received
GIS Services	Road Naming Application is required for the new road to be constructed. Any parcel (i.e. the remainder parcel, proposed parcel, parcels to the south of the subject land) that has access off the new named road will need their addressing be updated.
Building Services	No comment
Fire Services & Emergency Management	No concerns
Enforcement Services	No comment
Planning	Municipal Reserve is required, cash-in-lieu contribution will be calculated as 10% of the appraised market value of the subject land.
Capital and Engineering Services	<p data-bbox="451 1575 570 1604"><b>General:</b></p> <ul data-bbox="451 1621 1479 1717" style="list-style-type: none"> <li data-bbox="451 1621 1479 1717">• The applicant is not required to demonstrate adequate servicing for either future lots, as per the County's Residential Water and Sewer Requirements Policy (C-411), since the resulting parcels are greater than 30 acres in size.</li> </ul> <p data-bbox="451 1734 797 1764"><b>Development Agreement</b></p> <ul data-bbox="451 1780 1479 1915" style="list-style-type: none"> <li data-bbox="451 1780 1479 1915">• As a condition of subdivision, the Owner shall enter into and comply with a Development Agreement pursuant to Section 655 of the Municipal Government Act in accordance with the approved tentative plan and shall include the following:</li> </ul>



AGENCY	COMMENTS
	<ul style="list-style-type: none"> <li>a) Construction of a regional low volume standard road for approximately 480meters, complete with a temporary off-set cul-de-sac, in accordance with the County Servicing Standards,, including signage, approaches andany necessary easements and agreements</li> <li>b) Realignment or upgrade of the existing at-grade AT intersection if required</li> <li>c) Preparation and Implementation of the recommendations of the Construction Management Plan;</li> <li>d) Preparation and Implementation of the recommendations of the Erosion and Sedimentation Control Plan;</li> <li>e) Preparation and Implementation of the recommendations of the Geotechnical Report;</li> <li>f) Preparation and Implementation of the recommendations of the Stormwater Management Report; and</li> <li>g) Obtaining approval for a road name by way of application to and consultation with the County.</li> </ul>

**Geotechnical:**

- Some steep slopes are present on both future lots. However, sufficient space exists for a permanent structure on flatter slopes.
- Engineering has no requirement at this time.

**Transportation (Access):**

- As per ATEC comments, no new access will be allowed on Highway 22, the applicant will be required to construct a low volume road through the existing road allowance to facilitate access.
- As a condition of subdivision, the Owner is to enter into a Road Acquisition Agreement with the County, to be registered by Caveat on the title of the proposed northern lot, 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:
  - The provision of approximately  $\pm 0.56$  ha ( $\pm 1.38$  ac) road acquisition along the existing driveway on the proposed northern lot; Land is to be purchased for \$1.00 by the County.
- As a condition of subdivision, the Owner is to enter into a Restrictive Covenant, to be registered by Caveat prepared by the County, on the title of the proposed northern lot, that restricts the erection of any structure on or within 15 meters of a future road right-of-way
  - The Owner is to enter into a Restrictive Covenant, to be registered by Caveat prepared by the County, on the title of the proposed northern lot, that restricts the erection of any structure on or within 15 metres of a future road right-of-way, as shown on the approved Tentative Plan.

**Site Servicing:**

- The applicant is not required to demonstrate adequate servicing for either future lots, as per the County's Residential Water and Sewer Requirements Policy (C-411), since the resulting parcels are greater than 30 acres in size.
- Engineering has no requirements at this time.

AGENCY	COMMENTS
Agriculture & Environment Services	<b>Stormwater:</b>
	<ul style="list-style-type: none"><li>• Given the size of the subject land(s), no significant increase in imperviousness is expected, therefore an SSIP is not required at this time.</li><li>• Engineering has no requirements at this time.</li></ul>
	<b>Site Developability:</b>
	<ul style="list-style-type: none"><li>• As per County GIS, there are many wetlands on both future lots.<ul style="list-style-type: none"><li>◦ Should the owner propose development that has direct impact to the wetlands, the applicant will be responsible for obtaining all required AEP approvals.</li></ul></li><li>• Engineering has no further requirements at this time.</li></ul>
Agriculture & Environment Services	<b>Payment and Levies</b>
	<ul style="list-style-type: none"><li>• Endorsement Fees</li></ul>
Agriculture & Environment Services	No response received

Circulation Period: December 7, 2023, to January 8, 2024.

**ATTACHMENT E: POLICY REVIEW**

<b>Definitions</b>		
Consistent	Generally Consistent	Inconsistent
Clearly meets the relevant requirements and intent of the policy.	Meets the overall intent of the policy and any areas of inconsistency are not critical to the delivery of appropriate development.	Clear misalignment with the relevant requirements of the policy that may create planning, technical or other challenges.

<b>Municipal Development Plan (County Plan)</b>	
<b>Agriculture – Land Use</b>	
8.15	<i>Support and encourage the viability and flexibility of the agriculture sector by allowing a range of parcel sizes, where appropriate.</i>
Generally Consistent	Deemed compliant through adoption of Bylaw C-8347-2023 redesignating the subject lands to A-SML (p17.8 (remainder lot), and p12.8 (proposed lot)) designation. Council determined that Bylaw C-8347-2022 met the intent and policies of the County Plan.
<b>Agriculture – First Parcel Out</b>	
8.17	<i>A subdivision to create a first parcel out that is a minimum of 1.60 hectares (3.95 acres) in area should be supported if the proposed site:</i> <ol style="list-style-type: none"> <li><i>meets the definition of a first parcel out;</i></li> <li><i>has direct access to a developed public roadway;</i></li> <li><i>has no physical constraints to subdivision;</i></li> <li><i>minimizes adverse impacts on agricultural operations by meeting agriculture location and agriculture boundary design guidelines; and</i></li> <li><i>the balance of the un-subdivided quarter section is maintained as an agricultural land use.</i></li> </ol>
Generally Consistent	Deemed compliant through adoption of Bylaw C-8347-2023 redesignating the subject lands to A-SML (p17.8 (remainder lot), and p12.8 (proposed lot)) designation. Council determined that Bylaw C-8347-2022 met the intent and policies of the County Plan.
<b>Agriculture – Redesignation and Subdivision for Agricultural Purposes</b>	
8.18	<i>Redesignation and subdivision to smaller agriculture parcels as a new or distinct agricultural operation may be supported. Proposals will be evaluated on the following criteria:</i> <ol style="list-style-type: none"> <li><i>A similar pattern of nearby small agricultural operations;</i></li> <li><i>A planning rationale justifying why the existing land use and parcel size cannot accommodate the new or distinct agricultural operation;</i></li> <li><i>A demonstration of the need for the new agriculture operation;</i></li> <li><i>An assessment of the proposed parcel size and design, to demonstrate it is capable of supporting the new or distinct agricultural operation. Site assessment criteria include:</i> <ol style="list-style-type: none"> <li><i>suitable soil characteristics and topography;</i></li> <li><i>suitable on-site infrastructure for the proposed use. Required infrastructure may include access areas, water wells, irrigation and sewage infrastructure, and manure management capability; and</i></li> <li><i>compatibility with existing uses on the parent parcel and adjacent lands;</i></li> </ol> </li> <li><i>An assessment of the impact on, and potential upgrades to, County infrastructure; and</i></li> </ol>



	<i>f. An assessment of the impact on the environment including air quality, surface water, and groundwater.</i>
Generally Consistent	Deemed compliant through adoption of Bylaw C-8347-2023 redesignating the subject lands to A-SML (p17.8 (remainder lot), and p12.8 (proposed lot)) designation. Council determined that Bylaw C-8347-2022 met the intent and policies of the County Plan.
<b>Country Residential Development – Fragmented Country Residential Areas</b>	
10.11	<p><i>Within a fragmented quarter section, the redesignation of residential lots or agricultural parcels less than or equal to 10 hectares (24.7 acres) in size to a new residential land use may be supported if the following criteria are met:</i></p> <ul style="list-style-type: none"> <li><i>a. A lot and road plan is provided that;</i> <ul style="list-style-type: none"> <li><i>i. plans for an area determined by the County at the time of redesignation application. The plan shall include, at a minimum, all residential or small agricultural acreages that are adjacent to the application;</i></li> <li><i>ii. includes design measures to minimize adverse impacts on existing agriculture operations; and</i></li> <li><i>iii. demonstrates potential connectivity to residential or small agricultural acreages outside of the lot and road plan area.</i></li> </ul> </li> <li><i>b. A technical assessment of the proposed design is provided, to demonstrate that the lot and road plan area is capable of supporting increased residential development. The assessment shall address:</i> <ul style="list-style-type: none"> <li><i>i. the internal road network, water supply, sewage treatment, and stormwater management; and</i></li> <li><i>ii. any other assessment required by unique area conditions.</i></li> </ul> </li> <li><i>c. A technical assessment of the impact on off-site infrastructure, roads, and stormwater systems is be provided;</i></li> <li><i>d. A report is provided that documents the consultation process undertaken to involve affected landowners within the plan area in the preparation and/or review of the lot and road plan.</i></li> </ul>
Generally Consistent	Deemed compliant through adoption of Bylaw C-8347-2023 redesignating the subject lands to A-SML (p17.8 (remainder lot), and p12.8 (proposed lot)) designation. Council determined that Bylaw C-8347-2022 met the intent and policies of the County Plan.
10.12	<i>Within a fragmented quarter section, the redesignation or subdivision of agriculture parcels greater than 10 hectares (24.7 acres) in size to a residential use shall not be supported. Redesignation or subdivision to a new or distinct agricultural operation may be supported as per policy 8.22.</i>
Generally Consistent	Deemed compliant through adoption of Bylaw C-8347-2023 redesignating the subject lands to A-SML (p17.8 (remainder lot), and p12.8 (proposed lot)) designation. Council determined that Bylaw C-8347-2022 met the intent and policies of the County Plan.
<b>Transportation – Road Access</b>	
16.13	<p><i>Residential redesignation and subdivision applications should provide for development that:</i></p> <ul style="list-style-type: none"> <li><i>a. provides direct access to a road, while avoiding the use of panhandles;</i></li> <li><i>b. minimizes driveway length to highways/roads;</i></li> <li><i>c. removes and replaces panhandles with an internal road network when additional residential development is proposed; and</i></li> <li><i>d. limits the number and type of access onto roads in accordance with County Policy.</i></li> </ul>
Consistent	As a condition of subdivision approval, the applicant would be required to upgrade existing undeveloped road plan 3824 Q to provide access to both intended parcels. There is an existing approach off of Highway 22 (which would have to be upgraded) within the road plan allowance and therefore no additional approaches are required.

<b>Land Use Bylaw C-8000-2020</b>	
Agricultural, Small Parcel District	
310	<i>PURPOSE: To provide for a range of mid-sized parcels for agricultural uses. To accommodate traditional and emerging trends in agriculture which may successfully be developed on smaller parcels.</i>
Generally Consistent	The proposed agricultural operation can be accommodated on the current parcel size as well as the proposed future parcel size(s).
312	<b>MINIMUM PARCEL SIZE</b> a) 20.2 ha (49.92 ac) b) <i>The minimum size of parcels designated with the letter "p" is the number indicated on the Land Use Map</i> c) <i>Notwithstanding b) above, the number following the "p" shall not be less than 8.1 ha (20.01 ac)</i>
Consistent	The proposed application to create one (1) additional ±12.93 hectare (±31.95 acre) parcel with a ±17.81 hectare (±44.00 acre) remainder meets the minimum parcel size requirement for the A-SML p17.81 and A-SML p12.93, respectively.  Any additional future subdivision would require additional land use amendments.
<b>Municipal Government Act (MGA)</b>	
<i>Section 654(1): A subdivision authority must not approve an application for subdivision approval unless:</i>	
654(1)(b)	<i>The proposed subdivision conforms to the provisions of any growth plan under Part 17.1, any statutory plan and, subject to subsection (2), any land use bylaw that affects the land proposed to be subdivided,</i>
Generally Consistent	Deemed compliant through adoption of Bylaw C-8347-2023 redesignating the subject lands to A-SML (p17.8 (remainder lot), and p12.8 (proposed lot)) designation. Council determined that Bylaw C-8347-2022 met the intent and policies of the County Plan.



**ATTACHMENT F: RECOMMENDED CONDITIONS OF APPROVAL**

- A. THAT the application to subdivide create a  $\pm 17.8$  hectare (44.0 acre) parcel with a  $\pm 12.8$  hectare (31.6 acre) remainder from Lot 1, Block 1, Plan 0810080 within SW-20-24-02-W05M, having been evaluated in terms of Section 654 of the *Municipal Government Act* and Sections 9, 18, and 19 of the *Matters Related to Subdivision and Development Regulation*, and the *Municipal Development Plan (County Plan)*, 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. In accordance with Section 20(1) of the *Matters Related to Subdivision and Development Regulation*, the Subdivision Authority, with authorization from Alberta Transportation and Economic Development on behalf of the Minister of Transportation, varies the requirements of Sections 18 with regards to subdivision approvals within the prescribed distance from a highway right of way.
- D. In accordance with Section 654(2) the Subdivision Authority is of the opinion that 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 parcel of land; and the proposed subdivision conforms with the use prescribed for that land in the land use bylaw.
1. The Subdivision Authority acknowledges the existing dwelling on proposed Lot 1 does not meet the minimum front yard setback requirement of 45.0 metres from a County Road, as per the A-SML land use district (Section 315, *Land Use Bylaw*) and considers this dwelling as legally non-conforming.
  2. The Subdivision Authority acknowledges the approximately 212 m<sup>2</sup> of maximum single-detached dwelling parcel coverage on proposed Lot 1 and considers this coverage as non-conforming to the proposed parcel.
- E. Further, in accordance with Section 654 and 655 of the *Municipal Government Act*, the application shall be approved subject to the following conditions of approval:

**Survey Plans**

- 1) Subdivision is to be effected by a Plan of Survey, pursuant to Section 657 of the *Municipal Government Act*, or such other means satisfactory to the Registrar of the South Alberta Land Titles District.
  - a) A Plan of Survey, including the Application number (PL20230142) and Roll number (08814007) of the parcel;
  - b) A Surveyor's Affidavit; and
  - c) Landowner's Consent to Register Plan of Survey.

**Development Agreement**

- 2) The Owner shall enter into and comply with a Development Agreement pursuant to Section 655 of the *Municipal Government Act* in accordance with the approved tentative plan and shall include the following:
  - a) Construction of a regional low volume standard road for approximately 480 meters, complete with a temporary off-set cul-de-sac, in accordance with the County Servicing Standards,- including signage, approaches and any necessary easements and agreements
  - b) Realignment or upgrade of the existing at-grade AT intersection if required
  - c) Preparation and Implementation of the recommendations of the Construction Management Plan;
  - d) Preparation and Implementation of the recommendations of the Erosion and Sedimentation Control Plan;
  - e) Preparation and Implementation of the recommendations of the Geotechnical Report;
  - f) Preparation and Implementation of the recommendations of the Stormwater Management Report; and
  - g) Obtaining approval for a road name by way of application to and consultation with the County.

**Transportation**

- 3) The Owner is to enter into a Road Acquisition Agreement with the County, to be registered by Caveat on the title of the proposed Lot 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.
  - a) The provision of approximately  $\pm 0.56$  ha ( $\pm 1.38$  ac) road acquisition along the existing driveway on the proposed Lot 2; and
  - b) Land is to be purchased for \$1.00 by the County.
- 4) The Owner is to enter into a Restrictive Covenant, to be registered by Caveat prepared by the County, on the title of the proposed Lot 2, that restricts the erection of any structure on or within 15 metres of a future road right-of-way, as shown on the approved Tentative Plan

***Municipal Reserve***

- 5) The provision of Reserve in the amount of 10% of the area of Lot 1, as determined by the Plan of Survey is to be provided by payment of cash-in-lieu in accordance with the per acre value as listed in the land appraisal (Black Valuation Group Ltd., January 2024), pursuant to Section 666(3) of the *Municipal Government Act*;
  - a) Reserves for the remainder of Lot 1, Block 1, Plan within SW-20-24-02-W05M are to be deferred without Caveat, pursuant to Section 663 of the *Municipal Government Act*;

***Payments***

- 6) The Owner shall pay the County Subdivision Endorsement fee, in accordance with the Master Rates Bylaw, for the creation of one (1) new lot.

***Taxes***

- 7) 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*.

**F. 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.

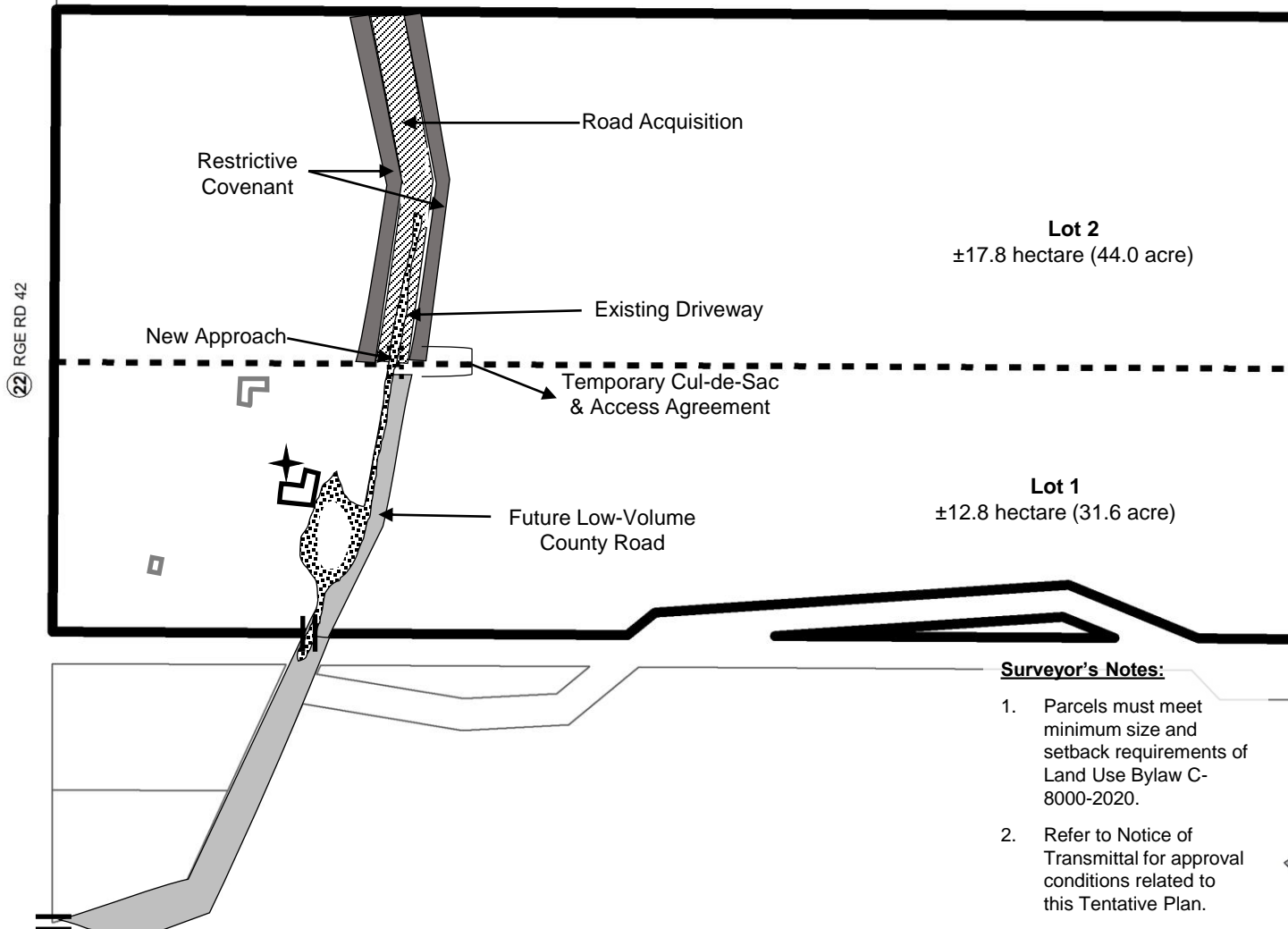
## Tentative Plan

### Subdivision Proposal

To create a  $\pm 17.8$  hectare (44.0 acre) parcel with a  $\pm 12.8$  hectare (31.6 acre) remainder.

### Legend

Dwelling	
Building	
Water Well	
Wastewater	
Existing Approach	
New Approach	
Driveway	
Future County Road	
Road Acquisition	
Restrictive Covenant	



### Surveyor's Notes:

1. Parcels must meet minimum size and setback requirements of Land Use Bylaw C-8000-2020.
2. Refer to Notice of Transmittal for approval conditions related to this Tentative Plan.



Division: 4  
 Roll: 08814007  
 File: PL20230142  
 Printed: Nov 24, 2023  
 Legal: A portion of SW-14-246  
 Page 5246 of 275



# COUNCIL REPORT

## Subdivision Item: Residential

Electoral Division: 3

Application: PL20230020 /  
06708008, 06708015

Date:	May 28, 2024		
Presenter:	Christine Berger, Planner 2		
Department:	Planning		
Approved by:	<input type="checkbox"/> Executive Director / Director	and/or	<input type="checkbox"/> Chief Administrative Officer

## REPORT SUMMARY

The purpose of this report is to assess a proposed subdivision of Lot 1, Block 1, Plan 161 2666 within SE-08-26-03-W05M, and the remainder of SE-08-26-03-W05M to create 15 residential parcels ranging from  $\pm 0.82$  hectares ( $\pm 2.00$  acres) to  $\pm 1.30$  hectares ( $\pm 3.20$  acres), one  $\pm 0.95$  hectare ( $\pm 2.35$  acre), Public Utility Lot (PUL), and  $\pm 2.80$  hectares ( $\pm 6.90$  acres) of internal subdivision road.

The application was evaluated in accordance with the *Municipal Government Act*, Matters Related to Subdivision and Development Regulation, Municipal Development Plan (County Plan), the Bearspaw Areas Structure Plan (ASP), the Glendale Road Conceptual Scheme, and the *Land Use Bylaw*.

The application aligns with Section 5.0 (Managing Residential Growth Areas) and Section 10.0 (Country Residential) of the County Plan, as well as Section 8.1 (Country Residential) of the Bearspaw ASP. The application also aligns with the Glendale Road Conceptual Scheme, as well as the *Land Use Bylaw*.

Council is the Subdivision Authority for the subject application due to the letter of objection received from a landowner within the application circulation area, in accordance with section 5(2) of the *Subdivision Authority Bylaw* (C-8275-2022).

## ADMINISTRATION'S RECOMMENDATION

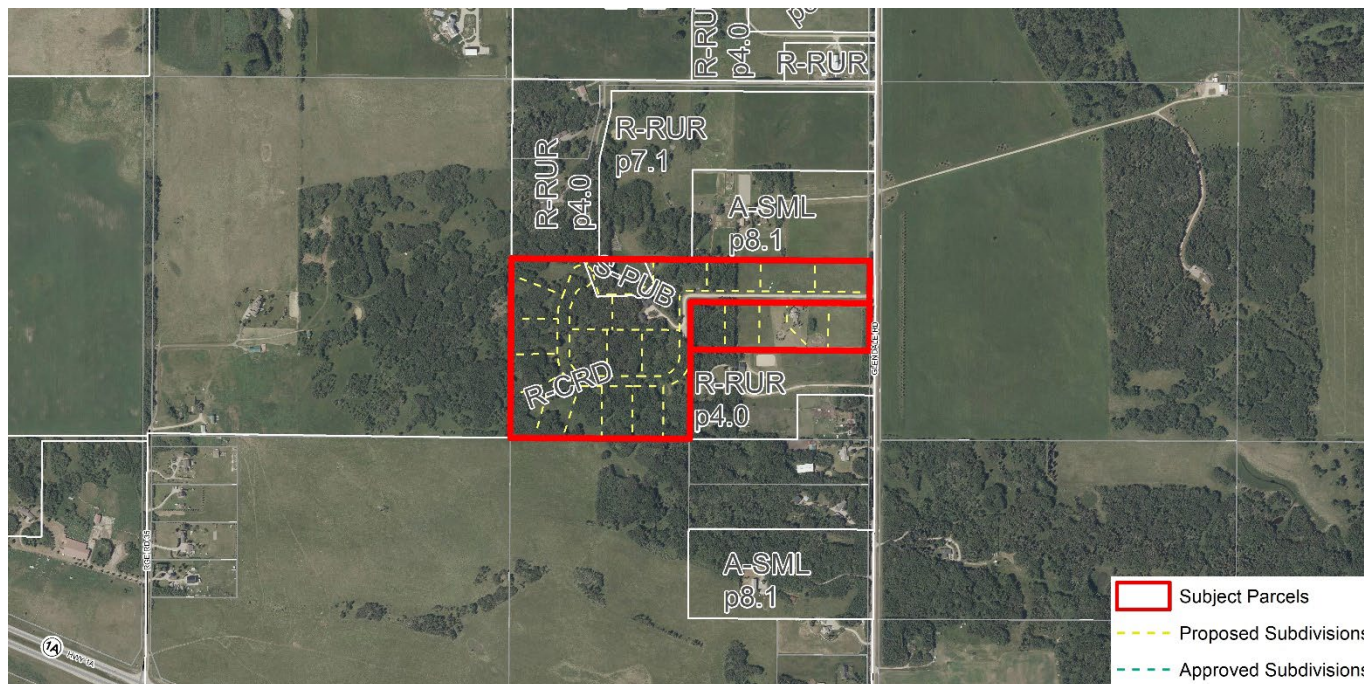
THAT application PL20230020 be approved with the conditions noted in Attachment F.

## Subdivision Item: Residential

### BACKGROUND

#### Location (Attachment A)

Located on the west side of Glendale Road, approximately 1.21 kilometres (0.75 miles) north of Highway 1A, and approximately 2.5 kilometres (1.55 miles) east of the town of Cochrane.



#### Site History (Attachment B)

On December 6, 2022, Council approved the following:

- Bylaw C-8345-2022 to adopt the Glendale Road Conceptual Scheme to guide development of up to 58 residential lots within the Bears paw Area Structure Plan (ASP) over multiple phases.
- Bylaw C-8346-2022 to redesignate the subject lands from Agricultural, Small Parcel District (A-SML) and Residential, Rural District (p4.0) to Residential, Country Residential District (R-CRD) and Special, Public Service District (S-PUB) to accommodate 24 residential lots over 2 phases, as well as a Public Utility Lot (PUL).

#### Intermunicipal and Agency Circulation (Attachment C)

The application was circulated to all necessary internal and external agencies.

Neither Alberta Environment and Protected Areas or Alberta Transportation and Economic Corridors have provided concerns on proposed application. Alberta Culture and Community Spirit (Historical Resources) has issued Historical Resources Act Approval with conditions to which the Applicant is to adhere.

#### Landowner Circulation (Attachment D)

The application was circulated to 34 adjacent landowners in accordance with the *Municipal Government Act* and County Policy C-327 (Circulation and Notification Standards); one letter in opposition was received.

## Subdivision Item: Residential

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### ANALYSIS

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#### Policy Review (Attachment E)

The application was determined to be consistent with applicable policies and regulations. The subject lands are located within the Bearspaw ASP and the Glendale Road Conceptual Scheme (CS). The lands are identified as country residential as per Figure 7 (Future Land Use Scenario), and in an area requiring a conceptual scheme as per Figure 3 (Concept Plans); therefore, the Glendale Road CS was adopted to support the redesignation and subdivision of these lands. The subject application proposes the subdivision of 15 residential parcels and one PUL, which is the first phase of subdivision in accordance with the CS. The second phase is anticipated to include 9 residential lots.

The site is to be serviced in accordance with the Glendale Road CS policies; recommended conditions of subdivision are included in Attachment F.

### COMMUNICATIONS / ENGAGEMENT

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Consultation was conducted in accordance with statutory requirements and County Policy C-327.

### IMPLICATIONS

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#### Financial

No financial implications identified at this time.

### STRATEGIC ALIGNMENT

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As per section 5(2) of the *Subdivision Authority Bylaw* (C-8275-2022), Council is the decision-making authority due to the letter of objection received from a landowner within the application circulation area.

### ALTERNATE DIRECTION

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No alternative options have been identified for the Subdivision Authority's consideration.

### ATTACHMENTS

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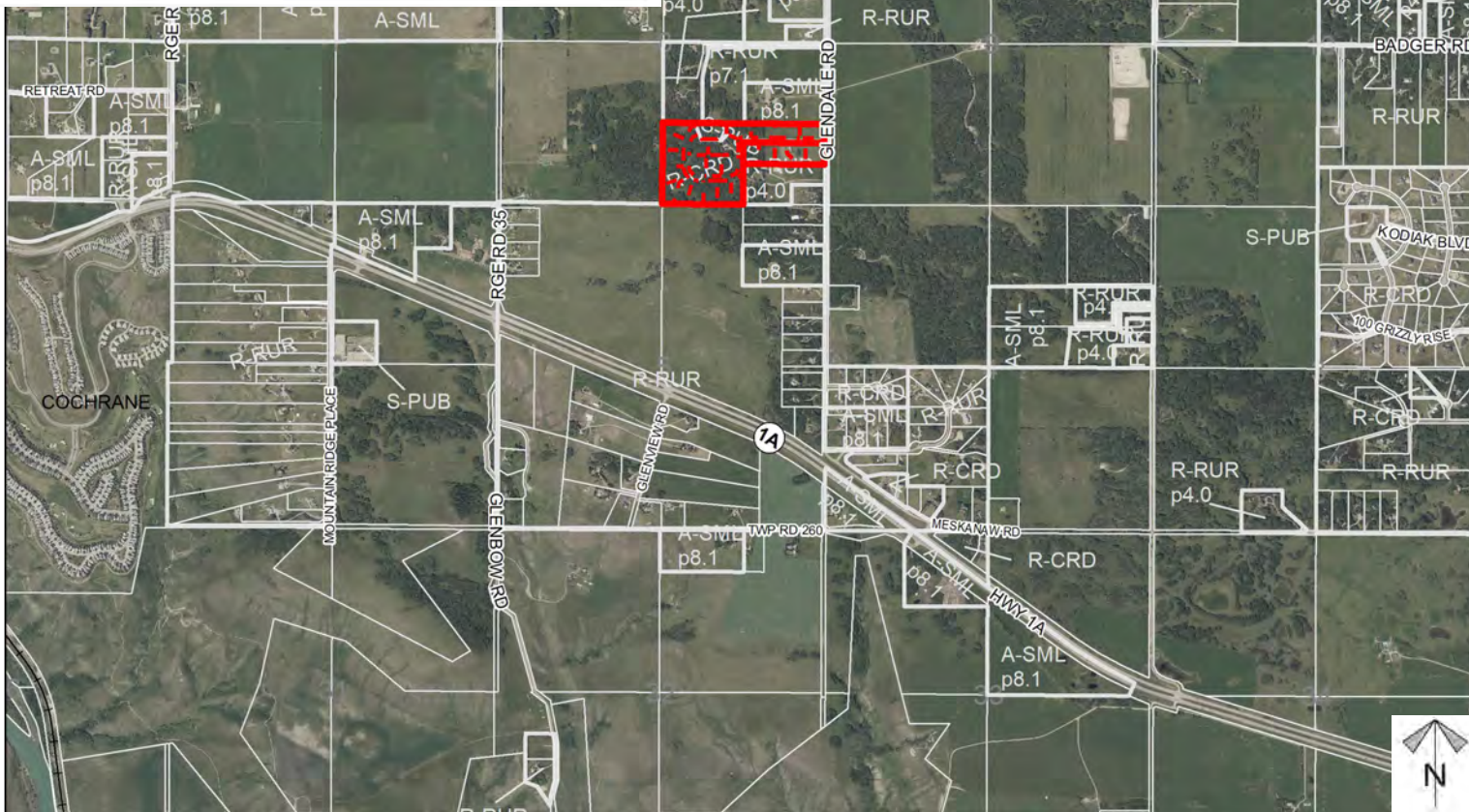
Attachment A: Map Set  
Attachment B: Application Information  
Attachment C: Application Referral Responses  
Attachment D: Public Submissions  
Attachment E: Policy Review  
Attachment F: Recommended Conditions of Approval



## Subdivision Proposal

To create 15 residential parcels ranging from  $\pm$  0.82 hectares ( $\pm$  2.00 acres) to  $\pm$  1.30 hectares ( $\pm$  3.20 acres), one  $\pm$  0.95 hectare ( $\pm$  2.35 acre), Public Utility Lot (PUL), and  $\pm$  2.80 hectares ( $\pm$  6.90 acres) of internal subdivision road.

Division: 3  
Roll: 06708008, 06708015  
File: PL20230020  
Printed: March 9, 2023  
Legal: A portion of SE-08-26-  
Case 1:25-cv-00001-AM Document 1-1 Filed 03/09/23 Page 152 of 275



## Subdivision Proposal

Division: 3  
Roll: 06708008, 06708015  
File: PL20230020  
Printed: March 9, 2023  
Legal: A portion of SE-08-26-  
Case 1:25-cv-01511-1  
Page 151 of 275



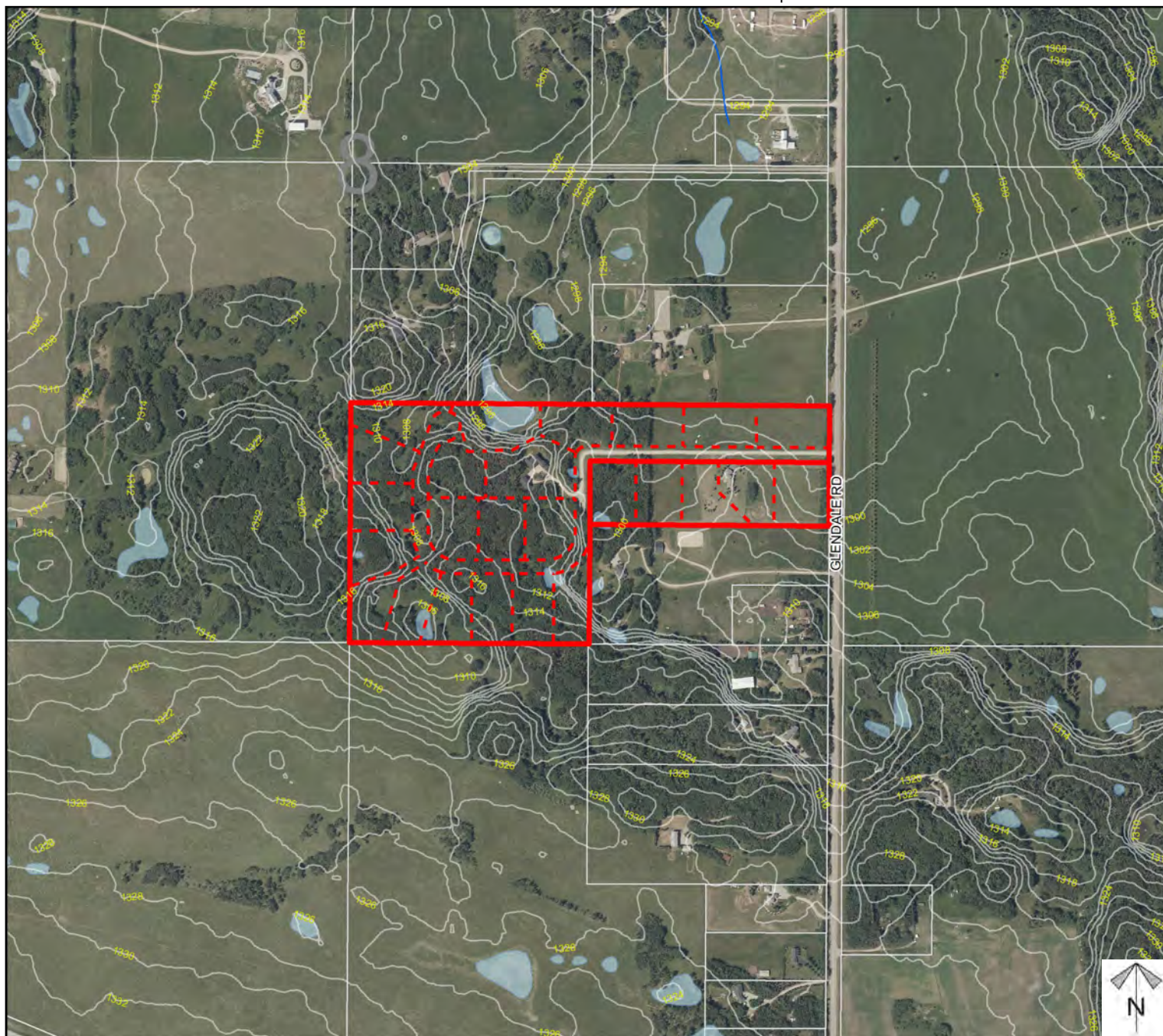




## Environmental

### Subdivision Proposal

To create 15 residential parcels ranging from  $\pm$  0.82 hectares ( $\pm$  2.00 acres) to  $\pm$  1.30 hectares ( $\pm$  3.20 acres), one  $\pm$  0.95 hectare ( $\pm$  2.35 acre), Public Utility Lot (PUL), and  $\pm$  2.80 hectares ( $\pm$  6.90 acres) of internal subdivision road.



- Subject Lands
- Contour - 2 meters
- Riparian Setbacks
- Alberta Wetland Inventory
- Surface Water

Division: 3  
 Roll: 06708008, 06708015  
 File: PL20230020  
 Printed: March 9, 2023  
 Legal: A portion of SE-08-26-045  
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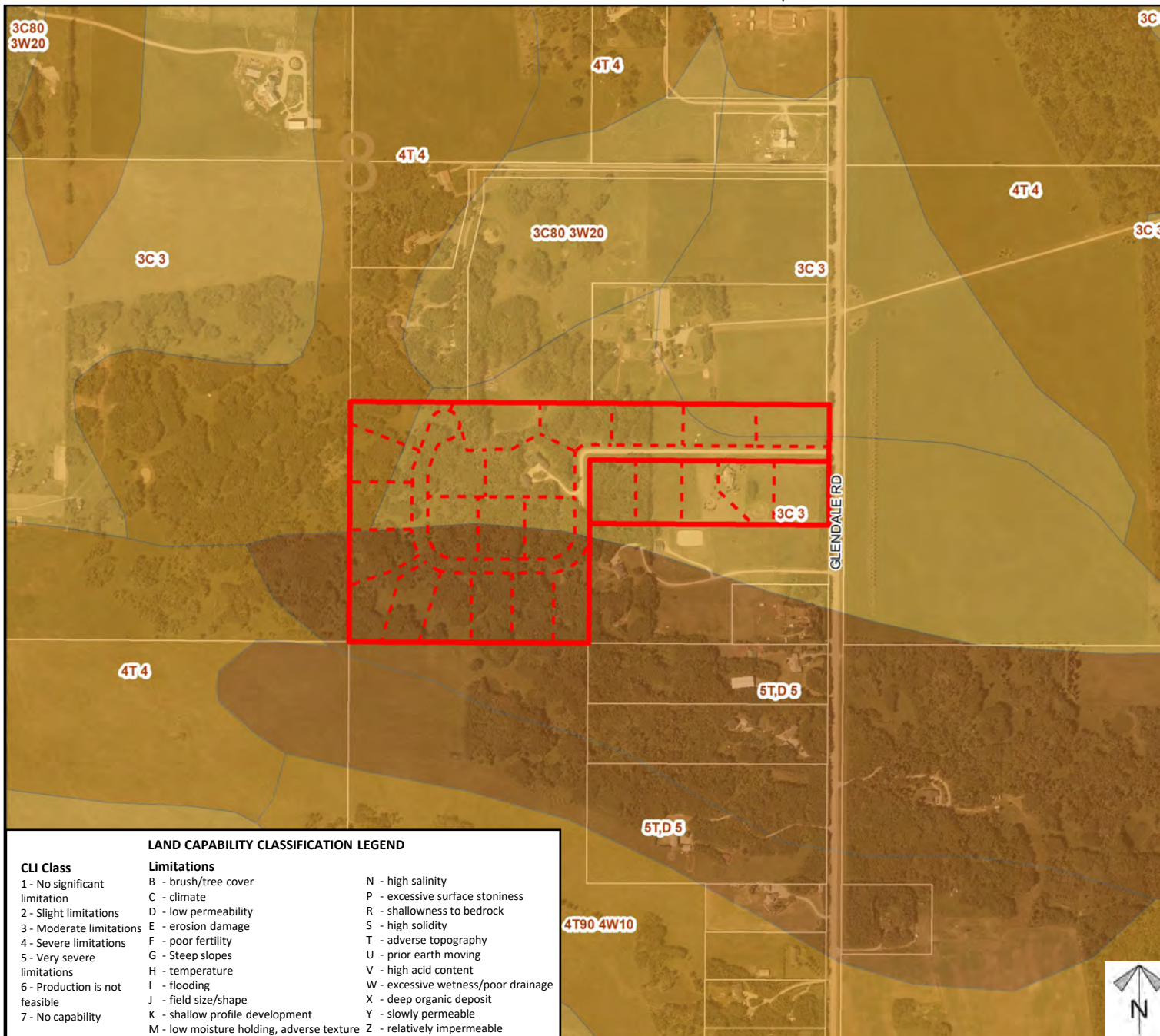




## Soil Classifications

### Subdivision Proposal

To create 15 residential parcels ranging from  $\pm$  0.82 hectares ( $\pm$  2.00 acres) to  $\pm$  1.30 hectares ( $\pm$  3.20 acres), one  $\pm$  0.95 hectare ( $\pm$  2.35 acre), Public Utility Lot (PUL), and  $\pm$  2.80 hectares ( $\pm$  6.90 acres) of internal subdivision road.



#### LAND CAPABILITY CLASSIFICATION LEGEND

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 solidity
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

Division: 3

Roll: 06708008, 06708015

File: PL20230020

Printed: March 9, 2023

Legal: A portion of SE-08-26-

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## Landowner Circulation Area

### Subdivision Proposal

To create 15 residential parcels ranging from  $\pm$  0.82 hectares ( $\pm$  2.00 acres) to  $\pm$  1.30 hectares ( $\pm$  3.20 acres), one  $\pm$  0.95 hectare ( $\pm$  2.35 acre), Public Utility Lot (PUL), and  $\pm$  2.80 hectares ( $\pm$  6.90 acres) of internal subdivision road.

### Legend

Support

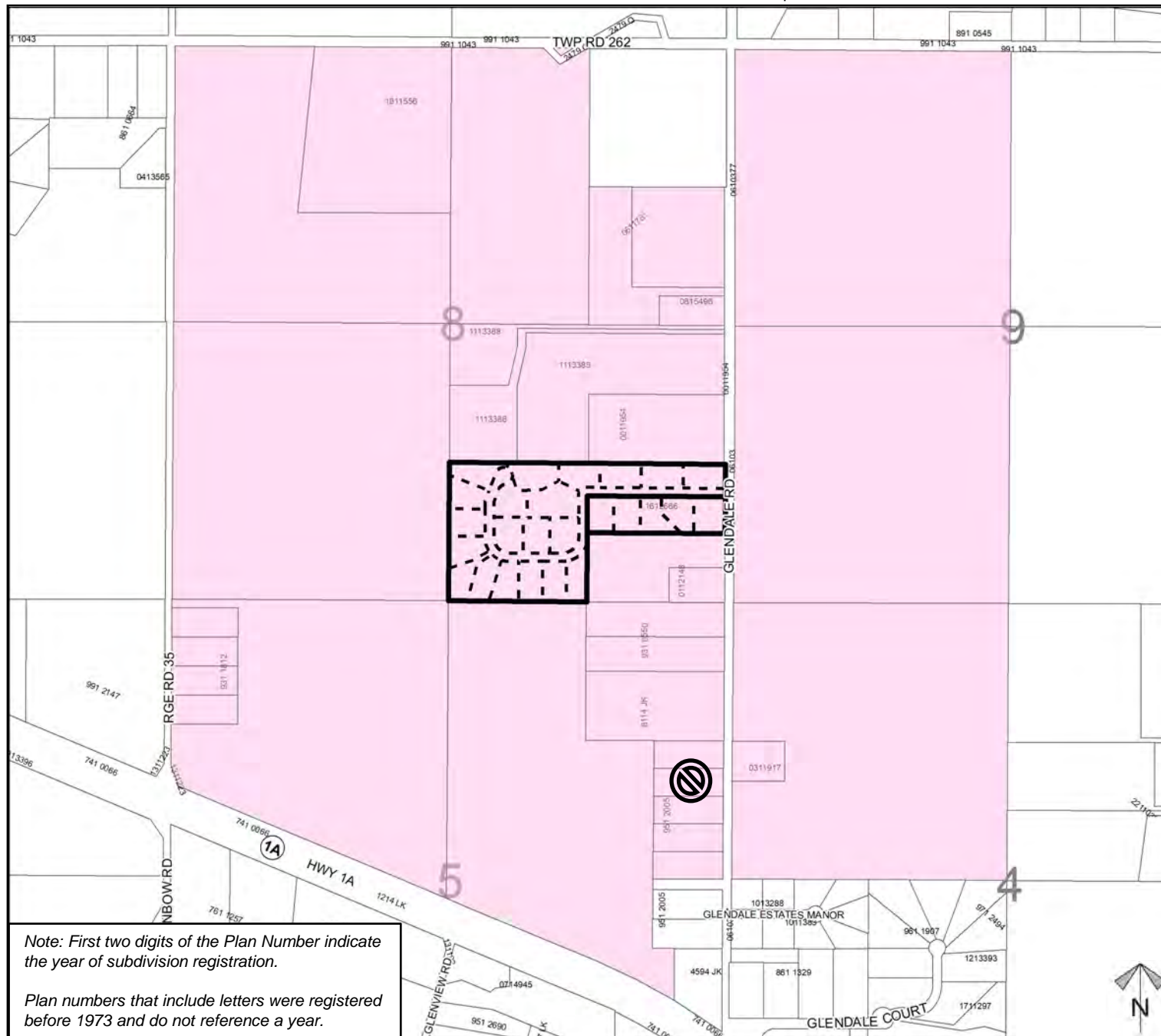


Not Support



Note: First two digits 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.



Division: 3

Roll: 06708008, 06708015

File: PL20230020

Printed: March 9, 2023

Legal: A portion of SE-08-26-

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**ATTACHMENT B: APPLICATION INFORMATION**

<b>APPLICANT/OWNERS:</b> Jones Geomatics Ltd. (Jalen Giroux), Robert Fonnyadt / Robert & Rhonda Fonnyadt, Terry & Reagan Freiter	<b>DATE APPLICATION RECEIVED:</b> February 13, 2023
<b>GROSS AREA:</b> ± 24.40 hectares (± 60.30 acres)	<b>LEGAL DESCRIPTION:</b> Lot 1, Block 1, Plan 1612666 within SE-08-26-03-W05M, Remainder of SE-08-26-03-W05M
<b>Pre-Application Meeting Held:</b> <input type="checkbox"/>	<b>Meeting Date:</b> N/A
<b>SOILS (C.L.I. from A.R.C.):</b> Moderate to very severe limitations; climate, adverse topography, low permeability.	
<b>HISTORY:</b> <b>October 25, 2022:</b> Council adopted the Glendale Road Conceptual Scheme and approved the application to redesignate ± 24.40 hectares (± 60.30 acres) of land from Agricultural, Small Parcel District (A-SML) and Residential, Rural District (R-RURp4.0) to Residential, Country Residential District (R-CRD) and Special, Public Service District (S-PUB) to facilitate future subdivision.	
<b>TECHNICAL REPORTS SUBMITTED:</b> <ul style="list-style-type: none"> <li>• Shallow Subsoil &amp; Groundwater Site Investigation, Almor Testing Services Ltd., July 2021.</li> <li>• Geotechnical Developable Area Figure, Osprey Engineering Inc., March 2024.</li> <li>• Traffic Impact Assessment (TIA), Sedulous Engineering Inc., September 2023.</li> <li>• Level IV PSTS Assessment, Almor Testing Services Ltd., July 2023.</li> <li>• Glendale Country Residential Water Supply Memo, Sedulous Engineering Inc., January 2022.</li> <li>• Service Capacity Letter, Rockyview Water Co-op, August 2022.</li> <li>• Stormwater Management Report, Osprey Engineering Inc., February 2024.</li> <li>• Wetland Assessment and Impact Report, Omnia Ecological Services, November 2023.</li> <li>• Appraisal Report for the property located at 261057 Glendale Road, Wernick Omura Singh Real Estate Valuation Advisory, April 2024 (Effective February 16, 2023).</li> </ul>	

**ATTACHMENT C: APPLICATION REFERRAL RESPONSES**

<b>AGENCY</b>	<b>COMMENTS</b>
<b><i>School Authority</i></b>	
Calgary Catholic School District	Municipal Reserves are still outstanding and comprise 10% of the parent parcel, and a resolution or plan for their disposition should be addressed before this Subdivision proposal moves forward.
<b><i>Province of Alberta</i></b>	
Alberta Ministry of Environment and Protected Areas	No concerns.
Alberta Transportation and Economic Corridors	<p>Alberta Transportation and economic Corridors offers the following comments with respect to this application:</p> <p>The requirements of Section 18 of the Regulation are not met. The department has concerns about operational and safety impacts to the highway should this subdivision be approved, which have been addressed in the Traffic Impact Assessment (TIA).</p> <p>The requirements of Section 19 are met therefore, no variance of Section 19 of the Regulation is required.</p> <p>Pursuant to Section 20 of the Subdivision and Development Regulation, Alberta Transportation and Economic Corridors authorizes the subdivision authority to vary the requirements of Section 18 of the Regulation to accommodate the proposed subdivision.</p> <p>Alberta Transportation and Economic Corridors accepts the revised Traffic Impact Assessment (TIA) submitted as part of the subdivision application. However, the department provides the following additional comment:</p> <p>Rocky View County should consider collecting an off-site levy for future signalization of the Highway 2A / Glendale Road intersection to address the following concern/recommendation included in the TIA. In the 2043 (20 year) post-development horizon the shared Southwest Through Left Turn (SWTL) (left turn toward Calgary) movement on Hwy 1A and Glendale Road intersection is operating at a LOS F, which is due to the increase in background traffic volumes. The Development is assumed to be fully built out in 2033 so therefore there is no additional traffic coming from the Development in 2041. Even without the volumes generated from Parcel A and Parcel B, the SWTL movement would be operating an un-acceptable LOS and would require an intersection treatment to obtain an acceptable LOS. It is understood that by this horizon, in order to accommodate traffic from Glenbow Ranch and background through traffic between Cochrane &amp; Calgary, additional through lanes and signalization of this intersection will be required as per the Glenbow Ranch Network Study.</p> <p>Pursuant to Section 678 of the Municipal Government Act, Alberta Transportation is varying the distance for appeals for this subdivision application. Therefore, from the department's perspective, any appeals can be heard by the local SDAB.</p>



AGENCY	COMMENTS
Alberta Culture and Community Spirit (Historical Resources)	Our Department has previously reviewed this application and issued requirements for a Historical Resources Impact Assessment for archaeological resources (our file 4835-22-0047).
Alberta Health Services	No concerns.
<b><i>Public Utility</i></b>	
ATCO Gas	Right-of-ways will be required for the gas mains within property
ATCO Pipelines	No concerns.
FortisAlberta	No easement is required.
TELUS Communications	No concerns.
<b><i>Adjacent Municipality</i></b>	
Town of Cochrane	No response received.
<b><i>Other External Agencies</i></b>	
Calgary Airport Authority	No concerns.
Canada Post	Canada Post will service this area by community mailbox.
<b><i>Internal Departments</i></b>	
GIS Services	Road Naming and Neighbourhood Naming Applications required.
Capital and Engineering Services	<p><b>General:</b></p> <ul style="list-style-type: none"> <li>Subdivision is to be effected by a Plan of Survey, pursuant to Section 657 of the Municipal Government Act, satisfactory to the Registrar of the South Alberta Land Titles District.</li> </ul> <p><b>Development Agreement:</b></p> <ul style="list-style-type: none"> <li>As a condition of subdivision, the Owner is to enter into a Development Agreement, pursuant to Section 655 of the Municipal Government Act, at the Owner's expense, in accordance with the Servicing Standards for Subdivision and Road Construction, to the satisfaction of the County, respecting provision of the following:             <ul style="list-style-type: none"> <li>Construction of a public internal road system for approximately 1100 meters, complete with cul-de-sacs, in accordance with the County Servicing Standards, including signage, approaches and any necessary easements and agreements</li> </ul> </li> </ul>

AGENCY	COMMENTS
	<ul style="list-style-type: none"> <li>○ Design and construction of a secondary emergency access road complete with necessary easement agreements in accordance with the County servicing standards</li> <li>○ Design and construction of the Type 2A intersection.</li> <li>○ Construction of the potable water distribution system and service stubs to all proposed lots in accordance with the Rocky View County Standards and to the satisfaction of Rocky View Water Co-op.</li> <li>○ Implementation and construction of stormwater improvements and facilities, in accordance with the recommendations of the Stormwater Management Report, and the registration of any overland drainage easements, EPEA permits, water act approvals and/or restrictive covenants, as determined by the Stormwater Management Plan, all to the satisfaction of Alberta Environment and the County.</li> <li>○ Installation of power, natural gas, and telephone lines, and any associated easements or utility rights-of-way.</li> <li>○ Mailbox locations are to be located in consultation with Canada Post, to the satisfaction of the County;</li> <li>○ Implementation and construction of overall site and lot grading.</li> <li>○ Preparation and Implementation of the approved Geotechnical Investigation Report.</li> <li>○ Preparation and Implementation of an approved Construction Management Plan.</li> <li>○ Preparation and Implementation of an approved Erosion and Sedimentation Control Plan.</li> </ul>

#### **Geotechnical:**

- Applicant provided a Shallow Subsoil & Groundwater Site Investigation, prepared by Almor Testing Services Ltd., dated July, 2021. As per the Shallow & Groundwater Site Investigation, the subsurface conditions are considered to be suitable for the proposed development. The geotechnical investigation provided recommendations pertaining to subsurface soils and groundwater conditions.
- As a condition of subdivision, the applicant will be required to provide an updated and detailed Geotechnical Investigation report in accordance with the servicing standards to demonstrate that subsurface conditions are favorable for the development and in general alignment with the original report as per policy 2.5.3.1 of the concept plan.
- As part of the application, the applicant provided a Geotechnical developable area figure prepared by Osprey Engineering Inc. dated March 13, 2024. The figure shows that each proposed lot will have one acre of contiguous developable area.

#### **Transportation (Road Widening):**

- Glendale Road is identified as a Long-Range Network A road requiring 36 m road right of way. As a condition to subdivision, 5 m of land dedication by a plan of survey and additional 3 m of land dedication by a caveat will be required as a condition of future subdivision along the eastern boundary of the subject lands.

**AGENCY****COMMENTS****Transportation (Access & Road Network):**

- As part of the application, the applicant provided a Traffic Impact Assessment (TIA), prepared by Sedulous Engineering dated September 2023. The memo provides a detailed review of Highway 1A & Glendale Road intersection, capacity of Glendale Road and the transportation access along Glendale Road for the full buildout of the subject lands. As per the memo:
  - Based on the assessment completed using the estimated AADT and the AT Traffic Volume Warrant Chart, the intersection between the proposed internal road and Glendale road would require AT Type 2A Intersection.
  - In the 2043 (20 year) post-development horizon the shared Southwest Through Left Turn (SWTL) movement on Hwy 1A and Glendale Road intersection is operating at a LOS F, which is due to the increase in background traffic volumes.

**General Site Servicing:**

- As a condition of subdivision, the applicant is required to enter into a Deferred Servicing Agreement with the County requiring the owner to tie into regional water, wastewater and stormwater services when they become available.

**Sanitary/Waste Water:**

- As part of the application, the applicant submitted a Level IV PSTS Assessment prepared by Almor Testing Services Ltd. dated July 31, 2023. The soil analysis results indicate that a conventional treatment field would be suitable for each lot however in accordance with policy #449, the County requires the use of Packaged Sewage Treatment Plants.
  - **As a condition of subdivision**, the owner shall enter into a Site Improvements / Services Agreement (SISA) with the County for the construction of a Packaged Sewage Treatment System and any other improvements as per the report accepted by the County, which shall be registered on each title.

**Water Supply and Waterworks:**

- Applicant provided a Glendale Country Residential Water Supply Memo, prepared by Sedulous Engineer Inc., dated January 19, 2022.
- Applicant provided a letter from Rockyview Water Co-op confirming that the co-op can service 24 lots with upgrades to its existing system.
- As per the preliminary hydraulic review provided by Rockyview Water Co-op, a +/-800m water main extension with minimum pipe diameter of 100 mm HDPE is required to service the proposed development.. Rockyview Water Co-op also recommends implementing the Mountain Ridge Place Booster Station to boost the pressure.
- As a condition of subdivision, the Owner is to provide confirmation of the tie-in for connection to Rocky View Water Co-op, an Alberta Environment licensed piped water supplier, as shown on the Approved Tentative Plan. This includes providing the following information:

AGENCY	COMMENTS
	<ul style="list-style-type: none"> <li>○ The completion of all paperwork for water supply allocation e.g. Water Service Agreement;</li> <li>○ The payment of all necessary fees for the purchase of required capacity units for the proposed subdivision;</li> <li>○ The allocation and reservation of the necessary capacity;</li> <li>● According to the County's Fire Hydrant Water Suppression Bylaw, Country Residential lots that are 2 acres or greater and have a building separation of &gt;100 ft, do not require a Fire Hydrant System unless one is proposed by the developer or required by Council or the approving authority for the Development. The Developer has indicated it is their preference to not provide a hydrant system. Given all lots are proposed to be 2 acres or greater, as per the fire hydrant water suppression bylaw, the lots will not require a fire hydrant system.</li> </ul> <p><b>Storm Water Management:</b></p> <ul style="list-style-type: none"> <li>● As part of the application, the applicant provided a detailed SF Homes/Glendale Subdivision Stormwater Management Report, prepared by Osprey Engineering Inc., dated February 2024. The report proposed a large wet pond in the north portion of the parcel as the main storage. Drainage in the area consists of shallow overland flow through vegetation (shallow natural channels, wide grass swales and a bioswale along the northern boundary of the subject lands) and roadside ditches. Several traplows and depressions exist throughout the proposed subdivision which are being used to store stormwater temporarily. These are mostly natural features, mapped wetlands or areas where road embankments create low areas. The report concluded that with the implementation of all the aforementioned natural features, improvements and storage facility, post-development peak flows and volumes will adhere to the criteria of Nose Creek Watershed Management Plan and the Bearspaw-Glenbow Master Drainage Plan. <ul style="list-style-type: none"> <li>○ As a condition of subdivision, the applicant shall provide an updated stormwater management report addressing the comments provided separately to the applicant on February 27 and March 4, 2024.</li> <li>○ As a condition of subdivision, the applicant will be required to obtain all necessary EPEA and water act approvals for storm discharge to natural wetlands and the outfall of the proposed pond.</li> </ul> </li> <li>● As a condition of subdivision, the applicant will be required to prepare an erosion and sediment control (ESC) plan, prepared by a qualified professional, identifying ESC measures to be taken during the construction. The drawings and plans shall be in accordance with the requirements of the County's Servicing Standards and best management practices.</li> <li>● It is to be noted that the applicant shall be responsible for seeking all the necessary approvals from AEP for the stormwater system and acquiring required right of ways and drainage easements to service the proposed development.</li> </ul> <p><b>Site Developability:</b></p>

AGENCY	COMMENTS
	<ul style="list-style-type: none"> <li>• As part of the application, the applicant submitted a Wetland Assessment and Impact Report prepared by Omnia Ecological Services dated November 1, 2023. One rare plant species and one weed species were identified and observed. No controls were required for either of those as the plant will not be disturbed and the weed will only need to be controlled in case of an infestation.. Two wetlands were identified to be directly impacted by the proposed development. Another wetland was also identified to be removed (WL10) to increase the geotechnical developable area to what was required. The corresponding compensation value for each wetland was calculated and payment will be made directly to EPEA.               <ul style="list-style-type: none"> <li>○ As a condition of subdivision, the applicant will be required to enter into a Site Improvements/Services Agreement with the County for all affected proposed lots to follow the recommendations of the Wetland Assessment and Impact Report prepared by Omnia Ecological Services dated November 1, 2023 which includes the requirement to obtain water act approval for disturbing any of the wetlands</li> <li>○ As a condition of subdivision, the applicant will be required to show proof that all necessary approvals were obtained and compensation was provided to EPEA for wetland loss and mitigation.</li> </ul> </li> </ul> <p><b>Payments &amp; Levies:</b></p> <ul style="list-style-type: none"> <li>• As a condition of subdivision, the applicant is required to provide payment of the Transportation Off-Site Levy, in accordance with the Transportation off-site levy bylaw C-8007-2020.</li> </ul>

Circulation Period: March 14, 2023, to April 13, 2023.

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

March 27, 2023

Attention: Christine Berger


File Number: 06708008/06708015  
Application Number: PL20230020  
Division 3



Dear Madam:

I am enclosing a letter written to the Rocky View MD in opposition to this development in February of 2022. I would also refer you to my comments at the Public Hearing on the Conceptual Plan and Rezoning Application in opposition of this development held on December 6, 2022. I wish again to express my strong opposition to the approval of any subdivision of parcels to anything less than 4 acres(3.96 acres under current zoning).

No matter how you describe this development, it is not rural and not country residential; it is a SUBDIVISION in a rural area. Approval of this application does nothing to respect the residents of the community already existing along Glendale Road.



Larry Ottman  
260175 Glendale Road  
Rocky View County, Alberta  
T4C 2Z4



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

February 28, 2022

ATTN: Xin Deng

File Number: 06708015/06708008  
Application Number: PL 20220003/PL20220004  
Division: 3 Glendale Road

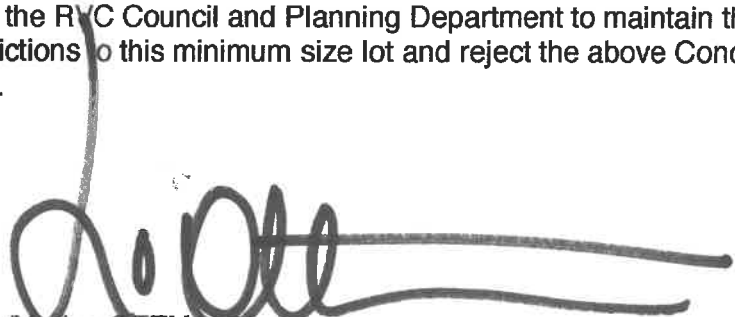
Dear Sir/Madam:

I have received written notice of the above Conceptual Scheme and reviewed the proposed draft Conceptual Scheme on the RVC planning website.

I have concerns and difficulties with the development plan which involves RVC approval for zoning redesignation in order to proceed. We purchased our property in 1996 at which time this area was zoned as Country Residential allowing for a minimum lot size of four acres. This was a major consideration in our choice of location and we had some confidence that this designation would not permit EXACTLY and SPECIFICALLY projects such as PL20220003/PL20220004 Conceptual Scheme from occurring adjacent to our property. This is a rural area, zoned as such, and inhabited by rural residents. This Conceptual Scheme, if approved, will change that by creating small residential sub divisions. Even Phase I is projecting a population increase of 69 people which will almost double the current population along Glendale Road between TWP RD 262 and Highway 1A.

I notice that there was no assessment of wildlife values in the development plan which may not be important in the development concept, but are important to the rural lifestyle of the residents along Glendale Road.

I am strongly opposed to the rezoning of this property from A-SML and R-RUR to R-CRD, S-PRK, and S-PUB and specifically to allow any lot size less than 4 acres (R-RUR 3.95 acres). I urge the RVC Council and Planning Department to maintain the integrity of the current zoning restrictions to this minimum size lot and reject the above Conceptual Scheme in its present form.



Larry/Marion OTTMANN  
RR#2  
260175 Glendale Road  
Cochrane, Alberta  
T4C 1A2

**ATTACHMENT E: POLICY REVIEW**

<b>Definitions</b>		
Consistent	Generally Consistent	Inconsistent
Clearly meets the relevant requirements and intent of the policy.	Meets the overall intent of the policy and any areas of inconsistency are not critical to the delivery of appropriate development.	Clear misalignment with the relevant requirements of the policy that may create planning, technical or other challenges.

<b>Municipal Development Plan (County Plan)</b>	
<b>The Planning Framework</b>	
<b>Managing Residential Growth - Country Residential</b>	
5.8	<i>Support the development of existing country residential communities (identified on Map 1) in accordance with their area structure plan.</i>
Consistent	The subject site is located within the Bearspaw Area Structure Plan and the Glendale Road Conceptual Scheme; therefore, the application has been evaluated in accordance with the policies of these documents.
<b>Country Residential Development – Country Residential Communities</b>	
10.1	<i>Development within Greater Bragg Creek, Bearspaw, North and Central Springbank, Elbow Valley, Balzac East (Sharp Hills/Butte Hills), Cochrane North, and Glenbow Ranch shall conform to their relevant area structure plan.</i>
Consistent	The Application was evaluated in accordance with the Bearspaw Area Structure Plan and was found to largely comply with applicable policies.
10.4	<i>Country residential development shall address the development review criteria identified in section 29.</i>
<b>Reserves – Municipal, School, and Community Reserves</b>	
13.1	<i>When acquiring reserves, the County shall require that the owners of land proposed for subdivision provide reserves in the form of:</i> a. land; b. money in place of land; or a. a combination of land and money.
Consistent	The recommended conditions of subdivision include Municipal Reserve dedication through cash-in-lieu for outstanding Reserves for Phase 1.

<b>Bearspaw Area Structure Plan</b>	
<b>8.1 Country Residential</b>	
8.1.2	<i>Figure 7 identifies areas within the Plan Area generally considered appropriate for country residential land uses.</i>
Consistent	The subject parcel is located within the Country Residential area as identified within Figure 7 (Future Land Use Scenario) of the Bearspaw ASP.
8.1.3	<i>Applications for redesignation that propose country residential land uses should be considered pursuant to the provisions of Figure 7 and attendant Plan policies.</i>
Consistent	The subject application was reviewed in accordance with the policies in the Bearspaw ASP as well as the Glendale Road Conceptual Scheme.
8.1.8	<i>Country residential land uses as illustrated in Figure 7, should develop in accordance with the phasing sequence identified in Figure 8. Country residential development</i>

	<i>proposing to proceed out of phase shall be required to provide rationale for the proposal in accordance with the provisions of this Plan and as may be required by the Municipality.</i>
Generally Consistent	The subject land is located within Development Priority Area 3 as per Figure 8 (Phasing) of the Bearspaw ASP; however, the Glendale Road Conceptual Scheme was adopted by Council and is the guiding document for development.
8.1.9	<i>Figure 3 identifies lands within the Plan Area where the preparation of Concept Plans is required prior to the redesignation of these lands for country residential land use.</i>
Consistent	As per Figure 3 (Concept Plans), the subject land falls within an area requiring a conceptual scheme; the Glendale Road Conceptual Scheme has been adopted to guide future subdivision and development on the site.
8.1.14	<i>Concept Plans contemplated by this Plan shall contain:</i> <ul style="list-style-type: none"> <li><i>a) a description of all lands contained within the Concept Plan Area;</i></li> <li><i>b) the proposed uses of lands within the Concept Plan Area;</i></li> <li><i>c) proposed parcel size and density for the Concept Plan Area;</i></li> <li><i>d) the proposed internal road hierarchy;</i></li> <li><i>e) a servicing proposal including, but not limited to, public and private utilities for the Concept Plan Area;</i></li> <li><i>f) any special policies that may be required to give guidance to the preparation of tentative plans of subdivision including, but not limited to, geotechnical, hydrological, hazard and/or environmental conditions within the Concept Plan Area;</i></li> <li><i>g) any other matters deemed appropriate by the Municipality.</i></li> </ul>
Consistent	The approved Conceptual Scheme addresses the above information.
8.1.15	<i>In addition to the requirements of Policy 8.1.14, and in support of any amendment to this Plan, the Municipality may require the proponent of the Concept Plan to provide in sufficient detail, verification of the suitability of the Concept Plan Area for the uses proposed including the following to the satisfaction of Council:</i> <ul style="list-style-type: none"> <li><i>a) an evaluation of any on-site hazard(s);</i></li> <li><i>b) an evaluation of on-site geotechnical features;</i></li> <li><i>c) an evaluation of on-site environmental conditions;</i></li> <li><i>d) an environmental audit of lands within the Concept Plan Area;</i></li> <li><i>e) an evaluation of any on-site hydrological conditions;</i></li> <li><i>f) an evaluation of proposed servicing;</i></li> <li><i>g) a Traffic Impact Analysis;</i></li> <li><i>h) any other matter deemed necessary by the Municipality.</i></li> </ul>
Consistent	The approved Conceptual Scheme addresses the above information.
<b>8.5 Transportation</b>	
8.5.10	<i>Concept Plans contemplated by this Plan and/or proposals for subdivisions where serviced with an internal local road system, should provide a minimum of two access points for vehicular traffic.</i>
Consistent	The proposed subdivision is to occur in multiple phases; the first phase allows for temporary secondary emergency access running east-west along the northernmost boundary of the site. Once further development occurs to the north or west, the road could be extended to provide secondary access and the temporary emergency access could be decommissioned at that point.
8.5.12	<i>When considering proposals for redesignation, subdivision and/or development located adjacent to minor and major collector roads and railways, the Municipality may require the developer to submit a Traffic Impact Analysis which examines:</i>

	<ul style="list-style-type: none"> <li>a) <i>the potential impact proposed uses may have on the existing transportation network;</i></li> <li>b) <i>any requirements for future expansion of the existing transportation network that may be required to accommodate traffic generated from the proposed development;</i></li> <li>c) <i>any mitigation measures that may be required to ensure the function and integrity of any part of the Transportation Network is preserved (ie. noise attenuation measures, buffering or screening, setbacks);</i></li> <li>d) <i>any other matter deemed appropriate by the Municipality.</i></li> </ul>
Consistent	A Transportation Impact Assessment was provided and has been accepted by County Administration.
8.5.13	<i>When considering applications for subdivision approval within .8 kilometres (.5 miles) of the right-of-way of Highway 1A, the Municipality shall circulate the proposal to Alberta Transportation and Utilities for comment.</i>
Consistent	Alberta Transportation was circulated and has indicated that they do not have concerns with the proposal.
<b>8.9 Servicing and Utilities</b>	
8.9.6	<i>Proposals for subdivision and development should accommodate design elements that facilitate fire prevention methods and accessibility by emergency response vehicles for the suppression of fire and enhancement of police protection.</i>
Generally Consistent	A temporary secondary emergency access is required, and has been included in Attachment F. Building sites are to meet the County's Fire Suppression Bylaw. Therefore, no hydrant system is required.

<b>Glendale Road Conceptual Scheme</b>	
<b>Geotechnical</b>	
2.5.3.1	<i>The developer of each parcel within the Plan Area shall provide a detailed Geotechnical Investigation, at the subdivision stage, to demonstrate that sub-surface conditions are favourable for development, in general alignment with the recommendations of the Shallow Subsoil &amp; Groundwater Site Investigation, Almor Testing, July 2021, to the satisfaction of the County</i>
Consistent	Updated Geotechnical Investigation Report has been included as a recommended condition of subdivision and is included in Attachment F.
<b>Biophysical</b>	
2.5.4.1	<i>A Biophysical Impact Assessment (BIA) and Wetland Assessment Impact Report (WAIR) may be prepared by the Developer of each Parcel, at the subdivision stage, with any required mitigations completed as a condition of approval to the satisfaction of the County and the applicable Provincial/ Federal regulatory authority.</i>
Consistent	A Biophysical Impact Assessment (BIA) was prepared for the subject application to Administration's satisfaction; the recommended conditions of subdivision ensure recommendations of the BIA are to be implemented.
<b>Archeological &amp; Historical Resources Considerations</b>	
2.5.5.1	<i>The developer of each parcel within the Plan Area shall submit a Historical Resources Application to the Province through Alberta Culture and Status of Women's Online Permitting and Clearance System (OPaC), prior to proceeding with any surface disturbances, to the satisfaction of the Province.</i>
Consistent	Historical Resources Approval with conditions has been granted.

2.5.5.2	<i>If required, the developer of each Parcel shall prepare a Historical Resource Impact Assessment and complete any required mitigations, to the satisfaction of the Province.</i>
Consistent	The recommended conditions of subdivision ensure conditions of approval are to be followed.
<b>Development Concept</b>	
3.1.1.1	<i>Country residential subdivision is expected to proceed within Parcels A &amp; B as generally illustrated on Figure 8: Parcel A &amp; B Development Concept</i>
Consistent	The subject subdivision plan is in accordance with Figure 8 as required by the Conceptual Scheme.
<b>Transportation</b>	
3.2.1.1	<i>Access will be provided by an internal subdivision road network constructed by the developer in accordance with County Servicing Standards, as generally illustrated on Figure 9: Transportation.</i>
Consistent	The road illustrated in Figure 9 is to be constructed to service the proposed subdivision; requirements of the necessary Development Agreement have been included in Attachment F.
3.2.1.2	<i>The developer of each Parcel shall be responsible to complete all required on and off-site road improvements.</i>
Consistent	A Development Agreement is required and included as a recommended condition of subdivision.
3.2.2.4	<i>The developer of each Parcel shall provide the applicable Regional Transportation Off-Site Levy at the subdivision stage</i>
Consistent	TOL has been included as a recommended condition of subdivision.
3.2.2.5	<i>The developer of each parcel may be required to provide Road ROW widening at the subdivision stage.</i>
Consistent	Road widening is to be provided on the east portion of the subject lands, and has been included in the recommended conditions of subdivision.
3.2.2.1	<i>A 'Temporary' Emergency Access for Parcels A and B shall be provided by a <math>\pm</math> 12.5 m Access Right-of-Way to be registered against each affected lot, as generally illustrated on Figure 9: Transportation, with an all weather access to be constructed by the developer in accordance with the County Servicing Standards.</i>
Consistent	The proposed temporary emergency access has been included in the tentative plan of subdivision and as a recommended condition of subdivision.
3.2.3.1	<i>The developer shall register a Future Road Acquisition Agreement against each affected lot, as generally illustrated on Figure 9: Transportation, to the satisfaction of the County</i>
Consistent	Road acquisition has been included in the recommended conditions of subdivision.
3.2.3.2	<i>Where Future Road Acquisition Agreements are required, the developer shall register a Restrictive Covenant against each of affected lot referencing required building setback in accordance the County's Land Use Bylaw.</i>
Consistent	A restrictive covenant ensuring a 15 metre setback from the edge of the road acquisition area has been included in the recommended conditions of subdivision.
3.2.3.3	<i>Where Future Road Acquisition Agreements are required,, the developer shall confirm each affected lot will contain a 1 acre geotechnical developable area (not including the Road Acquisition Agreement area) in accordance with the County Servicing Standards</i>
Consistent	To be determined at future subdivision stage if applicable; road acquisition can be discharged and moved elsewhere if necessary at the Phase 2 subdivision stage.

<b>Servicing</b>	
3.3.1.1	<i>Potable water shall be provided within the Plan area by the Rocky View Water Co-op as generally illustrated by Figure 10: Potable Water Servicing.</i>
Consistent	The Applicant has confirmed piped water supply from Rockyview Water Co-op; connection will be ensured as a condition of subdivision.
3.3.2.2	<i>The developer of each Parcel within the Plan Area will be required to provide a Level IV Private Sewage Treatment System Assessment Report, at the subdivision stage, in accordance with County Servicing Standards</i>
Consistent	A Level IV PSTS Report was submitted as part of the subdivision application.
3.3.2.3	<i>Where private sewage treatment systems (PSTS) are permitted within the Plan Area, each new residential lot shall be provided with a packaged private sewage treatment system that meets the requirements of the Bureau de Normalisation du Quebec (BNQ) and the applicable requirements of the County Servicing Standards.</i>
Consistent	Recommended conditions of subdivision require a Development Agreement to ensure this criteria is met.
3.3.3.2	<i>The developer of each Parcel shall prepare a detailed Stormwater Management Plan, at the subdivision stage, to assess pre and post development surface drainage characteristics and the requirements to construct drainage facilities to ensure positive conditions are maintained in accordance with the County's Servicing Standards</i>
Consistent	The Applicant submitted a Stormwater management report to support the application; an updated report is required as a recommended condition of subdivision to address remaining
3.3.3.3	<i>The design of all stormwater management infrastructure within the Plan Area will be expected to be consistent with the requirements of the Bearspaw - Glenbow Master Drainage Plan and the County Servicing Standards.</i>
Consistent	Recommended conditions of subdivision require the updated Stormwater Management report to adhere to the requirements of the Bearspaw - Glenbow Master Drainage Plan and the County Servicing Standards.
<b>Open Space</b>	
3.4.1.3	The developer of each Parcel shall provide outstanding MR against each certificate of title, at the subdivision stage, by dedication of land and/or cash-in-lieu of land in accordance with the requirements of the Municipal Government Act.
Consistent	<i>Municipal Reserve is to be provided as cash-in-lieu, and is included as a recommended condition of subdivision. Municipal Reserve was previously collected over Lot 1, Block 1, Plan 1612666; therefore, cash-in-lieu is to be calculated over the Gross Developable Area of the remainder of SE-08-26-03-W05M. The remaining amount will be deferred to the new remainder, and collected at future subdivision stage</i>
<b>Architectural Design Considerations</b>	
4.6.1.1	<i>The developer of each Parcel shall establish Architectural Guidelines at the subdivision stage. to regulate specific residential building criteria such as material finishes, colours, landscaping, exterior illumination, etc</i>
Consistent	A recommended condition of subdivision has been included to ensure architectural controls are registered as a Restrictive Covenant on each title in accordance with the CS.
4.6.2.1	<i>The developer of each Parcel shall provide a Landscaping Plan, at the subdivision stage, to illustrate how existing tree cover within each new residential lot will be reasonably maintained with the overall objective of preserving connectivity with existing adjacent vegetative cover.</i>



Consistent	A Landscaping Plan is to be provided as a condition of subdivision, and the Restrictive Covenant for Architectural Controls is to include restrictions on tree removal as per the CS.
<b>Subdivision Phasing</b>	
4.6.1	<i>Implementation of subdivision is expected to proceed in multiple phases as generally illustrated by Figure 15: Parcel A &amp; B Subdivision Phasing and Figure 16: Potential Future Development Concept and Phasing.</i>
Consistent	The subdivision is proceeding in accordance with the aforementioned figure.

<b>Land Use Bylaw C-8000-2020</b>	
<b>R-CRD Residential, Country Residential District</b>	
324	<i>PURPOSE: To provide for residential uses in a rural setting on small parcels which cannot accommodate agricultural pursuits.</i>
Consistent	The proposed subdivision is for residential purposes.
326	<p>MINIMUM PARCEL SIZE:</p> <ul style="list-style-type: none"> <li>a) 0.8 ha (1.98 ac)</li> <li>b) The minimum size of parcels designated with the letter “p” is the number indicated on the Land Use Map</li> <li>c) Notwithstanding b), the number following the “p” shall not be less than 0.4 ha (0.98 ac).</li> </ul>
Generally Consistent	The parcel sizes meet the minimum allowable size in the land use bylaw, however, the parcels along the northern boundary of the subject lands will temporarily have an emergency access right of way and associated easement registered on each title.

**ATTACHMENT F: RECOMMENDED CONDITIONS OF APPROVAL**

- A. THAT the application to create 15 residential parcels ranging from  $\pm 0.82$  hectares ( $\pm 2.00$  acres) to  $\pm 1.30$  hectares ( $\pm 3.20$  acres), one  $\pm 0.95$  hectare ( $\pm 2.35$  acre), Public Utility Lot (PUL), and  $\pm 2.80$  hectares ( $\pm 6.90$  acres) of internal subdivision road within Lot 1, Block 1, Plan 161 2666 within SE-08-26-03-W05M, and the remainder of SE-08-26-03-W05M, having been evaluated in terms of Section 654 of the *Municipal Government Act* and Sections 9 and 18 of the *Matters Related to Subdivision and Development Regulation*, and the *Municipal Development Plan (County Plan)*, 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. In accordance with Section 20(1) of the *Matters Related to Subdivision and Development Regulation*, the Subdivision Authority, with authorization from Alberta Transportation and Economic Development on behalf of the Minister of Transportation, varies the requirements of Sections 18 with regards to subdivision approvals within the prescribed distance from a highway right of way.
- D. Further, in accordance with Section 654 and 655 of the *Municipal Government Act*, the application shall be approved subject to the following conditions of approval:

**Survey Plans**

- 1) Subdivision is to be effected by a Plan of Survey, pursuant to Section 657 of the *Municipal Government Act*, or such other means satisfactory to the Registrar of the South Alberta Land Titles District.
  - a) A Plan of Survey, including the Application number (PL20230020) and Roll numbers (06708008, 06708015) of the parcels;
  - b) A Surveyor's Affidavit;
  - c) Landowner's Consent to Register Plan of Survey; and
  - d) The Owner is to dedicate, by Plan of Survey, a 5 m wide strip of land for road widening along the eastern boundary of the subject lands.

***Development Agreement***

- 2) The Owner shall enter into and comply with a Development Agreement pursuant to Section 655 of the Municipal Government Act in accordance with the approved tentative plan and shall include the following:
- a) Construction of a public internal road system for approximately 1100 meters, complete with cul-de-sacs, in accordance with the County Servicing Standards, including signage, approaches and any necessary easements and agreements
  - b) Design and construction of a secondary emergency access road complete with necessary easement agreements in accordance with the County servicing standards
  - c) Design and construction of the Type 2A intersection.
  - d) Construction of the potable water distribution system and service stubs to all proposed lots in accordance with the Rocky View County Standards and to the satisfaction of Rocky View Water Co-op.
  - e) Implementation and construction of stormwater improvements and facilities, in accordance with the recommendations of the Stormwater Management Report, and the registration of any overland drainage easements and/or restrictive covenants, as determined by the Stormwater Management Plan, all to the satisfaction of Alberta Environment and the County.
  - f) Installation of power, natural gas, and telephone lines, and any associated easements or utility rights-of-way.
  - g) Mailbox locations are to be located in consultation with Canada Post, to the satisfaction of the County;
  - h) Implementation and construction of overall site and lot grading.
  - i) Preparation and Implementation of the approved Geotechnical Investigation Report.
  - j) Preparation and Implementation of an approved Construction Management Plan.
  - k) Preparation and Implementation of an approved Erosion and Sedimentation Control Plan.

***Geotechnical***

- 3) The Owner shall provide an updated Geotechnical Investigation in accordance with the Rocky View County 2013 Servicing Standards to verify that the site is suitable for the proposed buildings, site works, and utilities to the County's satisfaction.
- a) For areas with greater than 1.2 m of fill, a Deep Fill report is required.

***Transportation***

- 4) The Owner shall provide an Access Right of Way Plan and prepare and register respective Public Emergency Access Easement Agreement on Lots 1-5, Block 1, to provide temporary secondary emergency access in accordance with County Servicing Standards.
- 5) The Owner is to enter into a Road Widening Agreement, to be registered by caveat, respecting the future acquisition of lands for road widening, and shall include:
  - a) The provision of 3 m road widening along the eastern boundary of the subject lands;

- b) Land is to be purchased for market value by the County.
- 6) The Owner shall enter into a Road Acquisition Agreement with the County, to be registered by Caveat on the title of Lot 9, Block 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:
  - a) The provision of approximately  $\pm 0.26$  ha ( $\pm 0.64$  ac) road acquisition over Lot 9, Block 2, as shown on the tentative plan;
  - b) Land is to be purchased for \$1.00 by the County.

### **Restrictive Covenants**

- 7) The Owner shall enter into a Restrictive Covenant, to be registered by Caveat prepared by the County, on the title of Lot 9, Block 2, that restricts the erection of any structure on or within 15 metres of a future road right-of-way, as shown on the approved Tentative Plan.
- 8) The Owner shall prepare and register a Restrictive Covenant on the title of each new lot created, requiring that each Lot Owner be subject to the development's Architectural Guidelines in accordance with 4.6.1.1 of the Glendale Road Conceptual Scheme and to provide a Landscaping Plan for each lot in accordance with Policy 4.6.2.1 of the Glendale Road Conceptual Scheme.

### **Servicing**

- 9) The Owner shall enter into a Development Agreement (Site Improvements/Services Agreement) with the County for proposed lots 1-4 and 6-8, Block 1, and Lots 1-8, Block 2, and shall include the following:
  - a) Accordance with the Level 4 PSTS Assessment, prepared by Almor Testing Services Ltd. (July 31, 2023).
  - b) The installation of a Packaged Sewage Treatment System (or any other specialized PSTS) complying with NSF 40 and/or BNQ standards and any other recommendations.
  - c) Accordance with the Wetland Assessment and Impact Report prepared by Omnia Ecological Services dated November 1, 2023, which includes the requirement to obtain water act approval for disturbing any of the wetlands.
- 10) The Owner is to provide confirmation of the tie-in for connection to Rocky View Water Co-op, an Alberta Environment licensed piped water supplier, for proposed Lots 1-4 and 6-8, Block 1, and Lots 1-8, Block 2. This includes providing the following information:
  - a) The completion of all paperwork for water supply allocation e.g. Water Service Agreement;
  - b) The payment of all necessary fees for the purchase of required capacity units for the proposed subdivision; and
  - c) The allocation and reservation of the necessary capacity.
- 11) The Owner is to enter into a Deferred Services Agreement with the County to be registered on title of Lots 1-4 and 6-8, Block 1, and Lots 1-8, Block 2, indicating:
  - a) Each future Lot Owner is required to connect to County water, wastewater, and stormwater systems at their cost when such services become available;
  - b) Requirements for the decommissioning and reclamation of the onsite water, wastewater and stormwater systems once County servicing becomes available.

- 12) The Owner shall provide an updated Stormwater Management Report, to the County's satisfaction, in accordance with the Nose Creek Watershed Management Plan and the Bearspaw-Glenbow Master Drainage Plan and County Servicing Standards. Implementation of the Stormwater Management Plan shall include the following:
- a) If the recommendations of the Stormwater Management Plan require improvements, then the Owner shall enter into a Development Agreement with the County;
  - b) Registration of any required easements and / or utility rights-of-way;
  - c) Necessary EPEA and water act approvals for storm discharge to natural wetlands and the outfall of the proposed pond;
  - d) Compensation provided to Alberta Environment for wetland loss and mitigation; and
  - e) Any necessary Alberta Environment licensing documentation for the stormwater infrastructure system.
- 13) Utility Easements, Agreements and Plans are to be provided and registered to the satisfaction of ATCO Gas.

### **Construction**

- 14) The Owner shall provide an Erosion and Sediment Control (ESC) Plan, prepared by a qualified professional, identifying ESC measures to be taken during construction. The drawings and plans shall be in accordance with the requirements of the County's Servicing Standards and best management practices.
- 15) 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:
- a) Weed management during the construction phases of the project.
  - b) Implementation of the Construction Management Plan recommendations, which will be ensured through the Development Agreement.
- 16) The Owner shall follow the conditions of the Historical Resources Act approval for subject land, to the satisfaction of Alberta Culture and Status of Women and the County.

### **Payments & Levies**

- 17) The Owner shall pay the Transportation Off-Site Levy in accordance with Bylaw C-8007-2020. The County shall calculate the total owing for the gross development area, as shown in the tentative plan.
- 18) The provision of Municipal Reserve, in the amount of 10% of the Gross Developable Area of  $\pm 12.43$  hectares ( $\pm 30.72$  acres) is to be provided by payment of cash-in-lieu, in accordance with the appraisal report provided by Wernick Omura Singh Real Estate Valuation Advisory, dated April 22, 2024, pursuant to Section 667(1) of the Municipal Government Act.
- a) Instrument #161 279 151 (Deferred Reserve Caveat) is to be discharged.
  - b) The remaining  $\pm 7.31$  hectares ( $\pm 18.07$  acres) of Municipal Reserve owing is to be deferred by Caveat to the remainder land within SE-08-26-03-W05M.

- Municipal Reserve was previously taken as cash in lieu over Lot 1, Block 1, Plan 1612666; therefore, that land was not included in the Gross Developable Area calculation.
- 19) The Owner shall pay the County Subdivision Endorsement fee, in accordance with the Master Rates Bylaw, for the creation of 15 new lots.

**Taxes**

- 20) 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*.

**Advisory**

- 1) As per the approved tentative plan, the current water well servicing Lot 2, Block 2 will not be contained within the boundaries of the parcel; Lot 2, Block 2 shall no longer use the water well, and shall connect to the Rocky View Water Co-op.

**E. 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.



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