

Aron and Diane Dahl  
23 Elbow River Pt  
Calgary, Alberta  
T3Z 2V1

June 20, 2023

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

**Attention: Sangeeta Vishwakarma**  
**Planning Services Department**

**Re: Application for Subdivision**  
**Application Number: PL20230042**  
**Owner: 2056598 Alberta Ltd.**  
**Applicant: Barrett Gervan**  
**Legal: SE-10-24-03 W5M**

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Please be advised that we are writing in response to a Notification for Subdivision issued by Rocky View County as at June 7, 2023. We have received said Notification as a result of our property in the SW-11-24-03 W5M being directly adjacent and abutting the 50 acre proposed lot as shown on the Subdivision & Development Proposal map attached to and made part of Application Number PL20230042 noted above.

We respectfully request that Rocky View County recognize the concerns outlined below which, in part, are based on the assumption that the applicant's proposal is ultimately for residential development by Barrett Gervan (of 2056598 Alberta Ltd., of Legacy at Elbow Valley Ltd. & of Legacy Communities Inc.).

❖ *General Comments and Concerns:*

♦ Parcel Design

We recognize that the owners of each quarter section of property are entitled to one recognized split in order to create a separate & distinct parcel. Of concern is that the proposed lot has been designed and segregated in such a manner as to potentially be considered a "land locked" parcel. We expect this was done with purposeful intent.

We are of the opinion that the reason for doing so (assuming this is indeed the First Parcel Out) is to build a residential site (ie a homestead parcel) in an attempt to more readily obtain legal access to the SE-10-24-03 W5M via the Elbow River Estates Community by the extension of Elbow River Drive in a west direction.

Date: June 20, 2023  
To: Rocky View County  
Re: Application for Subdivision  
Application Number: PL20230042

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❖ *General Comments and Concerns (con't):*

◆ Land Use Re-Designation

To the best of our knowledge, the land parcels in question are still designated as Agricultural General District and it is expected that the next step to be taken by the developer is a re-designation of land from Agricultural General District to Rural Residential. The same approach was taken in 2022 by Legacy for land abutting Mountain River Estates.

◆ History

Please note that we are not in favor of the development west of our community but are adamantly in opposition to the use of Elbow River Drive and/or Range Road 32 as access points to any homestead, residential or commercial development.

We believe this is the 4<sup>th</sup> time we, as long-time Elbow River community residents, have had to address the same concerns as a result of continuing applications related to development. A precedent has been set as the Municipality has in every instance, refused to grant access to developers through our community. We respectfully request that the same decision be forthcoming as relates to this Application.

❖ *Access to Highway 8*

We would like assurance that access to Highway 8 will be via Range Road 33 both on this section of property and in regards to any future development contemplated on the remaining parcels of land.

Note that in previous Applications made by prospective developers, the Elbow River Estates Community was very vocal in their request to disallow access from new developments via our community and were successful in our attempts. The Elbow River Community does not want to fight this battle yet again nor do we want this to be a continual issue in the future.

Note the following points relating to access:

- ◆ The Elbow River Estates Community is a quiet and peaceful community with traffic on Elbow River Drive at a minimum.
- ◆ The roads in the community were not constructed or designed as major service roads and would, therefore, be incapable of handling excess traffic over and above the initial design for the number of homes in our community.
- ◆ It goes without saying that any major increase in traffic flow would increase the cost of maintaining the road.
- ◆ As the Community ages, younger families are beginning to purchase homes in our community. Accordingly, we now have a substantial number of young children in the area. As sidewalks are not in place, there is a tendency for children to often be in the streets. Adults, as well, walk back and forth to the mailboxes, tennis courts and community center.

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❖ *Access to Highway 8 (con't)*

- ♦ Elbow River Estates Community has a playground bordering on Elbow River Drive. The community members are very cognizant of the reduced speed zone in the area. There is a high degree of probability that outside traffic would not show the same degree of respect for our community bylaws. Through traffic from outside our community boundaries increases the danger of accidents and injury especially to younger and retired members of the community.
- ♦ Crime in our community is low and we are intent upon keeping it as such. We have been advised that a lack of access directly out of the east and west ends of Elbow River Estates has in part contributed to our overall safety. Opening the west end of Elbow River Drive would eliminate our "closed" community.
- ♦ Homes bordering Elbow River Drive and those homes adjacent to and bordering on the parcels as outlined will no longer have the peace and quiet to which they have become accustomed. In regards to the adjacent homes, the loss of backyard natural views is also a possibility. Quiet enjoyment of our surroundings is one of the main reasons people move to the country and we believe it should be maintained.

❖ *Area Structure Plan*

At this time we have not been notified that an Area Structure Plan has been put in place for this area of Rocky View County, noting that the previous outlines for a Structure Plan for this area were not approved.

As we are of the opinion that this subdivision is the predecessor of further subdivisions and developments planned by Legacy Communities Inc. (and/or 2056598 Alberta Ltd, and/or Legacy at Elbow Valley Ltd.); it is imperative that a Structure Plan be finalized before moving forward on future development in the area.

Further to the above and without a Concept Plan from the Developer, it is unknown as to the extent of further residential development forthcoming to the area. An access Right of Way Plan should also be an essential requirement.

For any and all urban development proposed, we would expect a lot size of a minimum of 2 acre spacing to be compatible with acreages in this area. We do not want to see a land base encompassing 7 or 8 houses per acre as was put forth previously on land east of the parcel currently up for subdivision.

❖ *Potable Water & Septic*

Before any Development Concept Plan is recognized by Rocky View County, it must be demonstrated that there is a solution in hand as to access to potable water and a viable means of waste removal has been determined. We would like to see the Developer be required to outline their present and future proposals for both potable water, septic and waste removal.

- ♦ It is our understanding that the Elbow River is currently oversubscribed for potable water.

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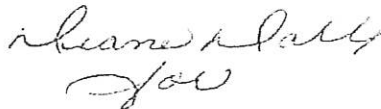
❖ *Potable Water & Septic (con't)*

- It is unclear as to whether West Ridge has enough capacity in their license to sustain further development.
- It is unknown as to whether a "test well" has been drilled and, if so, if a viable source of water has been located.
- It is unknown if a method has been determined for the removal of waste in a timely and efficient manner with no damage to the environment or other infrastructures (ie: individual septic, community septic and/or connection to city sewer and waste disposal). Note the issues incurred by Elbow Valley West.

In closing, we are of the opinion that further residential or commercial development, with access through Elbow River Estates Community via Elbow River Drive is in direct opposition to the quiet, family oriented, safe, rural community to which we have become accustomed. We respectfully request that the County allow us to maintain the status quo, that the applicant not be allowed to subdivide in a manner which creates future issues and the applicant be denied access to the respective land parcels from Elbow River Drive and Range Road 32. To re-iterate, the applicant already has legal access to all corners of his land via Range Road 33, this being the most logical access alternative from Hwy 8.

Thank you very much for taking the points as noted under consideration.

Yours very truly,



Aron and Diane Dahl

19 June 2023

27 Elbow River Point  
Calgary AB T3Z 2V1

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

Attention: Sangeeta Vishwakarma

RE: Response to Application Number PL20230042, File Number 0470001, Subdivision  
Proposal, Barrett Gervan, 2056598 Alberta Ltd.

This letter is written in response to your notification of 7 June 2023 regarding the above application. My property is located adjacent to the land proposed for subdivision.

The purpose of this subdivision is not indicated. We are therefore left to assume it is the intention of the applicant, as in the past, to rezone and build houses on it, thus raising the usual questions in this area of the availability of appropriate potable water and sewer facilities.

Subdivision of this quarter as proposed also raises the question of access. Under no circumstances will access from Elbow River Drive in Elbow River Estates be considered here. Access to Highway 8 using Range Road 33 for both the proposed lot and the remainder lot is quite doable instead.

It is also my understanding that there is currently a moratorium by the County on development in the Highway 8 corridor, until an Area Structure Plan for this area is developed. When such an ASP is prepared by the County, I assume that I will have input to the final product.

Thank you for notifying me of this application. I do not support it.

Sincerely,



M. Diane Coleman

[letter emailed to S. Vishwakarma, RVC, on 20 June 2023]

**Gordon B. Lang**31096 Elbow River Drive, Calgary, Alberta T3Z 2T8  
[REDACTED]

June 25, 2023



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

Dear Sangeeta Vishwakarma,

Re: File No. 04710001 Application No. PL20230042 Division 1

Our family has lived on Elbow River Drive since 1987. The street is made up of two and four acre lots. There is no sidewalk on this street. Various residents have children, horses, dogs and cats. Increased traffic, including construction vehicles, would present a danger to those walking and living along this road which also includes a playground zone. People move to our estates to enjoy the “quiet” of the country, not the traffic of the city.

Over the years, there have been a number of attempts from the west end of the street to link up with our road. In every case, to date, the community has managed to resist these efforts. This application is the latest to attempt this encroachment which would add traffic, noise and danger to our community. Let us not be fooled, the application, if accepted, would be the trojan horse to open up more housing units with access from our street. This is totally and completely unacceptable and the community will fight it with all the power at our disposal.

Any access to the subject lands should come from Range Road 33 or some other Highway 8 access west of the Elbow River Estates.

Yours sincerely,

Gordon B. Lang

Anna Louise Lang

Gordon T. Wood  
31271 Elbow River Drive  
Calgary, Alberta  
T3Z 2T9

June 15, 2023

Rocky View County  
Planning Services Dept.  
262075 Rocky View Point  
Rocky View County, Alta.  
T4A 0X2



Attn: Sangeeta Vishwakarma

Re: Application – File number # 04710001/Application #PL20230042

As a long time resident of Elbow River Estates I do have some concern with regard to the future development of the Legacy Communities/ Pointen Property.

Previous applications to access this property for development have not been successful if access point requested was the west-end of Elbow River Drive. Elbow River Estates Residents previously have been strongly against access off R./R. #32 and Elbow River Drive to this parcel in the past. R. / R. #33 would be a logical entry to this property as discussed with previous applications. Increased traffic on Elbow River Drive is a serious concern for most Elbow River Estates Residents. There is a Playground Zone on Elbow River Drive. Elbow River Drive was not constructed or designed as a major service road.

I believe the applicant Mr. Barrett Gervan, who is President of Legacy Communities Inc. does in fact have an option available to the parcel in question from R./R. #33. Both quarter sections bordering the parcel in question are owned by Legacy Communities Inc. with access from R./R. #33

Since the Legacy Communities/Pointen Property already have registered Legal Access from Highway #8 and R./ R. #33 to the aforementioned property it seems only logical that any development now or in the future should take the access currently available rather than extend Elbow River Drive beyond their established boundaries.

I am not against a well-planned country residential development to the west of our community and would support same as long as it uses its own registered access off Highway 8 and Range Road 33

Yours Truly,

A handwritten signature in blue ink that appears to read "Gordon Wood".

Gord Wood

Peter and Tara Wash  
31260 Elbow River Drive  
Calgary, Alberta  
T3Z 2T8

June 20, 2023

Rocky View County  
Planning Services Dept.  
262075 Rocky View Point  
Rocky View County, Alta.  
T4A 0X2



Attn: Sangeeta Vishwakarma

Re: Application – File number # 04710001/Application #PL20230042

As residents of Elbow River Estates (west-end) we are very concerned regarding this application as our property is directly adjacent to the applicant property. We are aware of previous applications to access this property via Elbow River Drive over the past 10 years or more.

Elbow River Drive is normally very busy with local traffic/ residents walking/ jogging/ running/ bicycling and horseback riding. There is also a playground zone and community centre on Elbow River Drive. There are no sidewalks or pathways to utilize in our community.

We believe access to the property in question would be safer and far less invasive to our community if access point would be obtained from R./R. #33.

If this application were to be approved with access from Elbow River Drive (West-End) our concern would be one of setting a precedence that would create major traffic problems for our community in the future.

Thank you in advance for considering our position in this matter.

Yours Truly,

A handwritten signature in black ink that reads "Peter Wash".

Peter and Tara Wash



**Carter Shelton**

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**From:** Michael Zubkow [REDACTED]  
**Sent:** July 11, 2023 10:08 AM  
**To:** Sangeeta Vishwakarma  
**Subject:** Re: PL20230042 - Landowners Responses  
**Attachments:** ERE Petition re Se 10-24-024-03 W5M.pdf

Good morning Sangeeta,

Attached please find a petition signed by numerous Elbow River Estates residents stating their opposition to the first parcel out in the SE 10-24-024-03 W5M. Further signatures will be added however at present resident summer vacations make this task slow.

The Elbow River Estates (ERE) has been dealing with this issue since 2009 and the latest manipulative effort to gain access to Elbow River Drive will be challenged when it goes before Council and subsequently to a public hearing.

Respectfully,

Michael Zubkow, ERE Director

On Tue, Jun 27, 2023 at 9:05 AM Sangeeta Vishwakarma <[SVishwakarma@rockyview.ca](mailto:SVishwakarma@rockyview.ca)> wrote:

Hi Michael,

We are okay Elbow River Estates providing their comments, on or before, Monday July 10, 2023.

Sincerely,

**SANGEETA VISHWAKARMA, BA**

Planner 1 | Planning and Development Services

403-520-6606 | [svishwakarma@rockyview.ca](mailto:svishwakarma@rockyview.ca)

**ROCKY VIEW COUNTY**

















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

This e-mail, including any attachments, may contain information that is privileged and confidential. If you are not the intended recipient, any dissemination, distribution or copying of this information is prohibited and unlawful. If you received this communication in error, please reply immediately to let me know and then delete this e-mail. Thank you.

**ELBOW RIVER ESTATES COMMUNITY - Residents as of June 1st, 2023**

**We the undersigned residents of the Elbow River Estates Community are hereby opposed to the Application for subdivision per Rocky View Application Number PL20230042, Owner 2056598, Applicant Barrett Gervan, and Legal SE-10-24-024-03 W5M.**


**The application is being opposed on the basis that the proposed subdivision sets up an argument that would suggest that Elbow River Drive be used as a means to access to the first parcel out. This Community has been here since 1974 and as such will not accept transit through the community to access land west of our community.**

LOT	NAME	Signature	Signature	ADDRESS	Postal Code
<b>ELBOW RIVER DRIVE</b>					
1	Culham, Gerry and Diane			31160 Elbow River Drive	T3Z 2T8
2	Weeks, Mark and Brandie			31170 Elbow River Drive	T3Z 2T8
3	Southward, Scott and Amber			31184 Elbow River Drive	T3Z 2T8
4	Korpach, Art and Deborah			31200 Elbow River Drive	T3Z 2T8
5	McLean, Byron and Debbie			31218 Elbow River Drive	T3Z 2T8
6	Anderson, Keira (daughter) <i>RYAN</i>			31232 Elbow River Drive	T3Z 2T8
14	Wash, Peter and Tara			31260 Elbow River Drive	T3Z 2T8
15	Wood, Gordon and Mona			31271 Elbow River Drive	T3Z 2T9
16	Menzies, Craig and Lisa			31259 Elbow River Drive	T3Z 2T9
17	Phillipchuk, Matthew and Krista			31245 Elbow River Drive	T3Z 2T9
18	Sawicki, Rudi, Irma and Evelyn			31233 Elbow River Drive	T3Z 2T9
19	Dumka, Don and Willa			31213 Elbow River Drive	T3Z 2T9
20	Henry, Tom and Joan			31199 Elbow River Drive	T3Z 2T9

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LOT	NAME	Signature	Signature	ADDRESS	Postal Code
21	Conway, Trevor and Karen			31187 Elbow River Drive	T3Z 2T9
22	Strydhorst, Simon and Sonya			31171 Elbow River Drive	T3Z 2T9
32	Wilson, Quinn and Naomi			31132 Elbow River Drive	T3Z 2T8
33	Lang, Gordon and Louise			31096 Elbow River Drive	T3Z 2T8
34	Mincher, Phillip and Lynsey			31082 Elbow River Drive	T3Z 2T6
47	Sotriopoulos, Theodore and Calliope			30220 Elbow River Drive	T3Z 2T8
48	Harle, Brent and Christine			30204 Elbow River Drive	T3Z 2T8
49	Gotrny, Sid and Whitworth, Kelley			30202 Elbow River Drive	T3Z 2T8
50	Sotriopoulos, Louis and Ellie			30192 Elbow River Drive	T3Z 2T8
51	Silvestri, Frank			30172 Elbow River Drive	T3Z 2T8
52	Thomassen, Mary			30158 Elbow River Drive	T3Z 2T8
53	Sutherland, Helen			30152 Elbow River Drive	T3Z 2T8
64	SOLOMON, Troy and DOUCETTE Melissa			31125 Elbow River Drive	T3Z 2T9
65	Samnani, Nashirali and Rose			31099 Elbow River Drive	T3Z 2T9

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LOT	NAME	Signature	Signature	ADDRESS	Postal Code
66	Zubkow, Michael and Brenda			31079 Elbow River Drive	T3Z 2T8
69	Fares, Sam and Gada			31067 Elbow River Drive	T3Z 2T9
70	Shams, Siama			31055 Elbow River Drive	T3Z 2T9
<b>ELBOW RIVER POINT</b>					
7	Stangeland, Brad & Jordanna			3 Elbow River Point	T3Z 2V1
8	Bogle, John and Rachel			7 Elbow River Point	T3Z 2V1
9	Fisher, Paul and Seana			11 Elbow River Point	T3Z 2V1
10	Peterson, Brandon and Kristi			15 Elbow River Point	T3Z 2V1
11	Dubienski, Ralph and Glenda			19 Elbow River Point	T3Z 2V1
12	Dahl, Aron and Dianne			23 Elbow River Point	T3Z 2V1
13	Coleman, Diane			27 Elbow River Point	T3Z 2V1
<b>ELBOW RIVER ROAD</b>					
23	Tanguay, Karen and Grose, Ed			52 Elbow River Road	T3Z 2V2

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LOT	NAME	Signature	Signature	ADDRESS	Postal Code
63	Goswami, Anurag			34 Elbow River Road	T3Z 2V3
67	Lee, Alfred			26 Elbow River Road	T3Z 2V2
68	Abraham, Zaia and Tittel, Romy			12 Elbow River Road	T3Z 2V2
<b>ELBOW RIVER CIRCLE</b>					
35	Haworth, Alex and Amber			15 Elbow River Circle	T3Z 2T6
36	Macdonald, Jamie and Jamie			11 Elbow River Circle	T3Z 2T6
37	Wheatcroft, Steve and Cindy			7 Elbow River Circle	T3Z 2T6
38	Coupland, Dave and Gloria			3 Elbow River Circle	T3Z 2T6
<b>ELBOW RIVER COURT</b>					
39	Mark, Alex and MacDougall, Neala			31 Elbow River Court	T3Z 2T7
40	McAMMOND, Ryan and Alex			27 Elbow River Court	T3Z 2T7
41	Duthie, Ian and Linda			23 Elbow River Court	T3Z 2T7
42	Ryan, Chris and Amanda			19 Elbow River Court	T3Z 2T7

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LOT	NAME	Signature	Signature	ADDRESS	Postal Code
43	Wayne, Analea and Gilchrist, Dave			15 Elbow River Court	T3Z 2T7
44	Van Der Putten, Nettie			11 Elbow River Court	T3Z 2T7
45	Gawrzyjal, Agata			7 Elbow River Court	T3Z 2T7
46	Lazelle, Larry and Laury			3 Elbow River Court	T3Z 2T7

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68	Abraham, Zala and Tittel, Rommy			12 Elbow River Road	T3Z 2V2
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