



PLANNING AND DEVELOPMENT SERVICES

TO: Council
DATE: March 23, 2021 **DIVISION:** 1
FILE: 03915024 **APPLICATION:** PL20190103
SUBJECT: Conceptual Scheme – Fawn Hills of Bragg Creek
 NOTE: This application should be considered in conjunction with application PL20190102 (agenda item E-4)

APPLICATION: To consider the Fawn Hills Conceptual Scheme to provide a policy framework to guide future redesignation, subdivision and development proposal within NE-15-23-05-W05M.

GENERAL LOCATION: Located in the west Bragg Creek area, approximately 0.81 km (1/2 mile) north of Township Road 232 and in the west side of Fawn Hills Drive.

LAND USE DESIGNATION: Agricultural, General District (A-GEN)

EXECUTIVE SUMMARY: Council gave first reading to Bylaw C-7956-2019 on December 10, 2019. The Bylaw has been amended to reflect the new Land Use Bylaw, C-8000-2020, adopted in September 2020. The application is inconsistent with the policies of the Greater Bragg Creek Area Structure Plan as: the proposed density is almost double that allowed in the ASP based on the Gross Development Area calculation; the proposed Municipal Reserve should be revised to Environmental Reserve (ER) or Environmental Reserve Easement (ERE) due to the Bragg Creek Tributary and its associated riparian area; and the document suggests a communal water system may be used while using weak language allowing for the possibility of individual water wells, with private sewage treatment systems. As stated, this is inconsistent with the ASP requirements (Communal water treatment and distribution system and municipally approved waste wastewater treatment systems). As the extension of municipal water and wastewater servicing is not feasible, the applicant should consider alternate methods of water servicing such as the extension/modernization of the existing system along Fawn Hills Drive or construction of a new communal system;

All other technical matters required at this stage of the application process are satisfactory, with the exception of:

- The Slope Stability Assessment
 - The provided letter was not a full assessment, as it did not provide setbacks nor supporting data to demonstrate the findings that the lands may be suitable for development.
- The One Acre Developable Area Assessment
 - The submitted technical information has not provided data supporting the suggestion that one acre of developable area can be achieved on each parcel. Review using slopes and data assessment is required.

Administration Resources

Oksana Newmen, Planning and Development Services



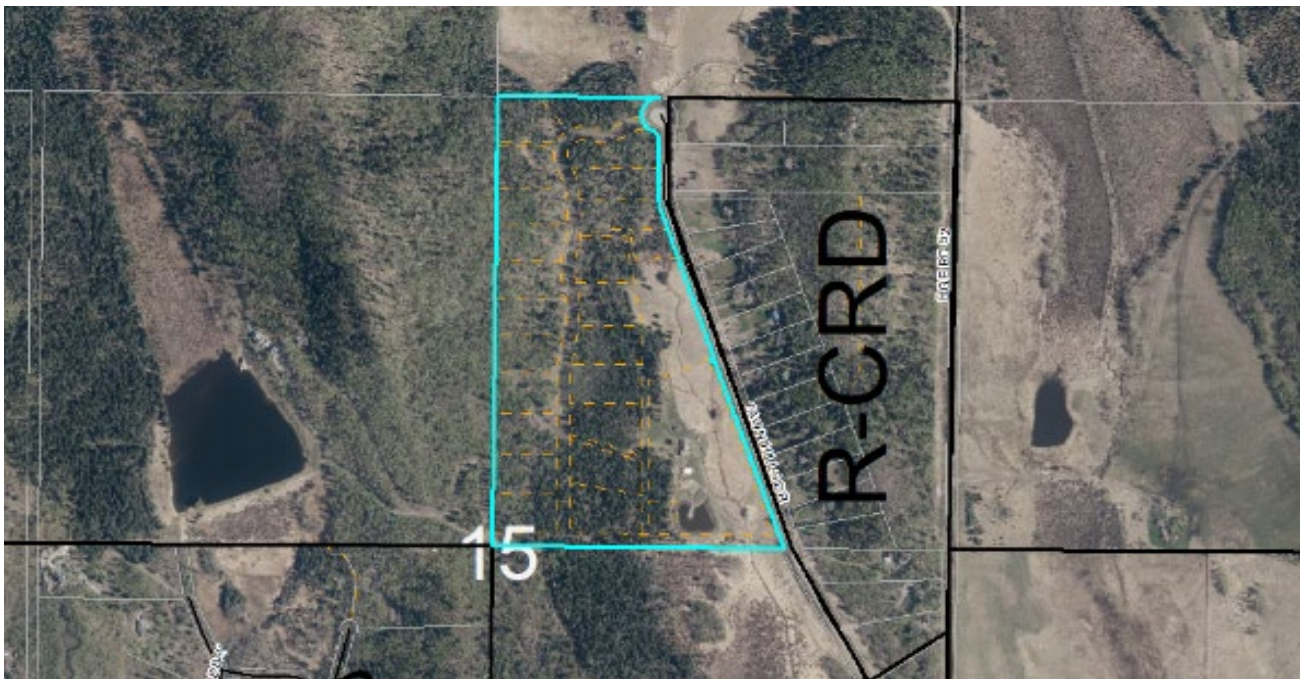
- The Traffic Impact Assessment.
 - The report indicated the existing chip seal surface may be able to withstand heavy construction traffic and future use, however as it is subpar to servicing standards, upgrades to each Fawn Hills Drive and Range Road 52 would be required.

ADMINISTRATION RECOMMENDATION: Administration recommends refusal in accordance with Option #3.

OPTIONS:

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

AIR PHOTO & DEVELOPMENT CONTEXT:





APPLICATION EVALUATION:

The application was evaluated based on the technical reports submitted with the application and the applicable policies and regulations.

APPLICABLE POLICY AND REGULATIONS:	TECHNICAL REPORTS SUBMITTED:
<ul style="list-style-type: none"> • <i>Municipal Government Act</i>; • Municipal Development Plan; • Greater Bragg Creek Area Structure Plan; • Land Use Bylaw; and • County Servicing Standards. 	<ul style="list-style-type: none"> • A Brief on Transportation Impact of the Fawn Hills Redesignation to a Residential Development prepared by Addoz Engineering Inc. (May 20, 2019) • Additional TIA Analysis prepared by Bunt & Associates (May 19, 2020) • Phase 1 Groundwater Site Assessment prepared by Groundwater Information Technologies Ltd (February 12, 2019) • Fawn Hills Slope Areas prepared by ISL Engineering and Land Services Ltd. (October 27, 2020) • Historical Resources Act Approval from Alberta Culture, Multiculturalism and Status of Women (August 20, 2019) • Slope Stability Letter prepared by Almor Testing Services Ltd. (July 17, 2020) • Preliminary Shallow Subsurface Conditions letter prepared by Almor Testing Services Ltd. (April 18, 2001)

POLICY ANALYSIS:

Greater Bragg Creek Area Structure Plan

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

- 1) A biophysical assessment was not submitted; this would identify current and proposed vegetative biodiversity, together with wildlife corridors, riparian areas, and steep slopes that are recommended for protection.
- 2) An environmental impact assessment was not submitted; this would identify significant environmental resources and appropriate strategies to mitigate any potential negative impacts.
- 3) With respect to the Applicant's proposed dedication of Municipal Reserve, Administration recommends that the proposed Municipal Reserve be amended to Environmental Reserve Easement due to the existing wetlands, Bragg Creek Tributary, and riparian areas on site (see Agency Circulation comments in regards to Municipal Reserve).
- 4) As the Applicant proposes communal water wells and septic systems for the proposed lots, an appropriate utility servicing strategy outlining connection to a communal or municipal wastewater network was not submitted.



- 5) No landscaping plan was submitted that maximizes retention of existing vegetation and provides for transition between surrounding land uses and parcels within the subdivision.

Residential Density

- The subject land is identified as 'New Residential Area' in the Greater Bragg Creek Area Structure Plan (GBCASP). The GBCASP envisioned 'clustered' subdivision designs with smaller individual parcel sizes, which limits its resulting footprint on the landscape, and maximizes open space (Section 7.4).
- According to Policy 7.4.4 parcel sizes within new residential areas in west Bragg Creek should not be less than 0.25 acres, and not greater than 2 acres, with an overall density of not greater than one lot per 4 acres of Gross Development Area.
- The applicant proposes redesignation to Residential, Country Residential District, with lot sizes ranging from 1.98 acres to 2.55 acres. Although the lot sizes are within the range allowed in the GBCASP, the proposed density is almost double that allowed based on the Gross Development Area calculation. See Attachment 'C' for the Gross Development Area calculation.
- The ASP requires that future subdivision should be evaluated based on the land's ability to accommodate additional development so as to not negatively impact the natural environment. Support is given for protecting areas that represent constraints to development, either because they are unstable, or because they are environmentally sensitive. These areas include slopes in excess of 15%, water bodies and wetlands, and riparian buffers. Where these areas qualify as environmental reserve under the *Municipal Government Act*, it is suggested that they be dedicated to the County (Policy 7.4.1).
- The subject land contains a tributary to Bragg Creek (intermittent stream) with pockets of wetland and a 30 m riparian setback parallel to Fawn Hills Drive. The subject land also consists of slopes in excess of 15% that is currently covered in mature trees. The GBCASP policies supports protection of these environmentally sensitive features.

Administration notes that while the adjacent development to east is composed of a series of two (2) acre parcels, these were created in 1978, 29 years before the GBCASP was adopted.

Slope Stability & Developability

- The majority of the 77 acre property consists of steep terrain (\pm 18.28 acres with slopes over 15%, and \pm 46.53 acres with slopes over 8%). Developments on slopes steeper than 15% shall be discouraged as per the Greater Bragg Creek ASP (Policy 5.1.5 a).
- Areas of unstable slopes should be dedicated as environmental reserve or environmental reserve easement as per the Greater Bragg Creek ASP (Policy 5.1.5 b).
- The Applicant provided a letter by Almor Testing Service that indicated slopes exceeding 15% and 30% are present on the subject parcel, with a preliminary assessment that noted the lands may be suitable for development. A more detailed analysis would be required at subdivision to confirm developability. For this reason, it is unclear whether the proposed residential subdivision would be developable. The Gross Developable Area and the Residential Density would be affected if the Slope Stability Analysis confirms that there are areas of unstable slopes to be dedicated as Environmental Reserve (see Attachment C for Gross Developable Area Calculation).



- The proposed subdivision does not include a secondary emergency access, a requirement when lot numbers exceed ten, which poses a safety concern in an area where wildfires are of consideration.

Servicing Requirements

- The ASP requires multi-lot subdivisions that proposed lot sizes less than 4 acres (on average) outside the hamlet service area to provide potable water via a communal water treatment and distribution system that is designed with potential to connect to a future regional water utility (Policy 6.1.2 c). The Applicant has indicated that “consideration will be given to private communal water servicing”, rather than firmly establishing the method of water servicing.
- There is an existing communal water system across Fawn Hills Drive, the Fawn Hills North Water Association, servicing 13 existing households, which was established back in 2007.
- The County’s existing water and wastewater systems are located quite far from the subject lands (greater than two kilometres). Extension of these systems would not be feasible to support the proposal.
- The ASP requires multi-lot subdivisions to provide wastewater service via municipally approved wastewater treatment systems that encourage accountability for installation, operation and maintenance of wastewater technologies, or the Applicant/Owner should transport collected, untreated wastewater to a point where it can be safely disposed of (Policy 6.1.3 f).
- The Applicant has proposed individual private sewage treatment systems for each lot, where wastewater should be provided via municipally approved wastewater treatment systems that encourage accountability for installation, operation, and maintenance of wastewater technologies. Barring centralized collection, at the time of future subdivision, the applicant/owner would be required to submit a Level IV PSTS Assessment should the proposed development be serviced using PSTS.

Transportation Considerations

- The existing surface condition of Fawn Hills Drive and Range Road 52 (chip-sealed roadway) are not conducive to accepting additional traffic loads unless upgraded to a pavement standard which may not be feasible as part of this application.
- The lack of secondary access onto Range Road 52 as required by both the ASP and the County Servicing Standards.

The application remains inconsistent with the Greater Bragg Creek Area Structure Plan, and as such requires further revision to bring the proposal into compliance. Additionally, there is extensive feedback from the adjacent landowners, with the majority in opposition to the project.

The applicant previously applied for a similarly-scaled project in 2002, where Council denied the application to create 16 lots ranging from one to three acres, and an environmental reserve easement.

Respectfully submitted,

Concurrence,

“Theresa Cochran”

“Al Hoggan”

Executive Director
Community Development Services

Chief Administrative Officer



ROCKY VIEW COUNTY

ON/lt

ATTACHMENTS:

ATTACHMENT 'A': Application Information

ATTACHMENT 'B': Application Referrals

ATTACHMENT 'C': Gross Developable Area Calculation

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

ATTACHMENT 'E': Map Set