



## PLANNING AND DEVELOPMENT SERVICES

**TO:** Municipal Planning Commission  
 Subdivision Authority **DIVISION:** 7

**DATE:** March 24, 2021 **APPLICATION:** PL20200165

**FILE:** 06403002

**SUBJECT:** Subdivision Item - Creation of Three Industrial Lots

**APPLICATION:** To create a ± 18.27 ha (± 45.13 ac) parcel (Lot 1), a ± 8.94 ha (± 22.08 ac) parcel (Lot 2) with a ± 24.83 ha (± 60.61 ac) remainder (Lot 3) in three phases.

**GENERAL LOCATION:** Located in Balzac, at the northwest junction of Dwight McLellan Trail and 144 Avenue.

**LAND USE DESIGNATION:** Direct Control District (DC-99)

**ADMINISTRATION RECOMMENDATION:** Administration recommends approval as per Option #1.

**OPTIONS:**

- Option #1: THAT Subdivision Application PL20200165 be approved with the conditions noted in Appendix 'A'. (Administration Recommended)
- Option #2: THAT Subdivision Application PL20200165 be approved with the conditions noted in Appendix 'B'. (Applicant Requested)
- Option #3: THAT Subdivision Application PL20200165 be refused as per the reasons noted

**AIR PHOTO & DEVELOPMENT CONTEXT:**



**Administration Resources**

Xin Deng, Planning and Development Services



**APPLICATION EVALUATION:**

The original subdivision application (PL20180088) was conditionally approved by the Subdivision Authority on October 22, 2019 to create one (1) PUL, one (1) internal road and three (3) industrial lots. In March of 2020, the Applicant requested that the development be broken out into three (3) phases, and thus, a revised Transmittal of Decision was issued with the initial phase being registered in October 2020. The Applicant is now proposing to re-apply for subdivision for the remaining phases through this application for the following reasons:

- To be considered under the new Transportation Off-Site Levy Bylaw (C-8007-2020) and Water and Wastewater Off-Site Levy Bylaw (C-8009-2020).
- To request that ATCO Pipeline Right of Way (± 4.48 acres) be excluded from the payment of Transportation Off-Site Levy.

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

<p><b>APPLICABLE POLICY AND REGULATIONS:</b></p> <ul style="list-style-type: none"> <li>• <i>Municipal Government Act</i>;</li> <li>• Subdivision and Development Regulations;</li> <li>• County Plan;</li> <li>• Rocky View County / City of Calgary Intermunicipal Development Plan (IDP)</li> <li>• Balzac East Area Structure Plan</li> <li>• Interlink Logistics Park Conceptual Scheme</li> <li>• Land Use Bylaw; and</li> <li>• County Servicing Standards.</li> </ul>	<p><b>TECHNICAL REPORTS SUBMITTED:</b></p> <ul style="list-style-type: none"> <li>• Appraisal Report (Altus Group, January 12, 2021)</li> </ul>
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*Transportation:*

The proposed three lots would be accessed from Dwight McLellan Trail, Range Road 293 and the proposed Nose Creek Boulevard. The Interlink Logistics Park Conceptual Scheme indicates that the location of access points along Nose Creek Boulevard would be determined at the Development Permit stage. The proposed new internal road Nose Creek Boulevard and RR 293 upgrading is being constructed under the Development Agreement of Phase 1 (PL20180088). Transportation Off-Site Levy owing for Phase 1 was also paid at that time. As a condition of this subdivision, the Owner is required to provide an updated Traffic Impact Assessment (TIA), register a private access easement over Lot 2 in favour of Lot 1, in order to provide access to Nose Creek Boulevard, and pay Transportation Off-Site Levy for three new lots.

*Water and Wastewater:*

The proposed lots would obtain water servicing from the East Balzac Water Distribution System, and obtain wastewater servicing from the East Balzac Sanitary Collection System. Offsite infrastructure is being constructed under the Development Agreement of Phase 1 (PL20180088). As a condition of this subdivision, the Owner is required to enter into a Capacity Allocation Agreement for servicing allocation to the proposed lots, and pay the Water and Wastewater Offsite Levy.

*Stormwater:*

Surface drainage generated from the development will be conveyed to the public utility lot (PUL), which is being constructed under the Development Agreement of Phase 1 (PL20180088). There are no further requirements at this time.



*Municipal Reserve*

Municipal Reserve owing for the subject land is ±15 acres, of which ± 2.22 acre was paid in Phase 1. The remaining ± 12.78 acres is registered on the Deferred Reserve Caveat and would be paid by cash in lieu payment at each phase.

*Lot Owners Association*

The Owner will be required to register a Lot Owners' Association to ensure that the open space and stormwater infrastructure are managed.

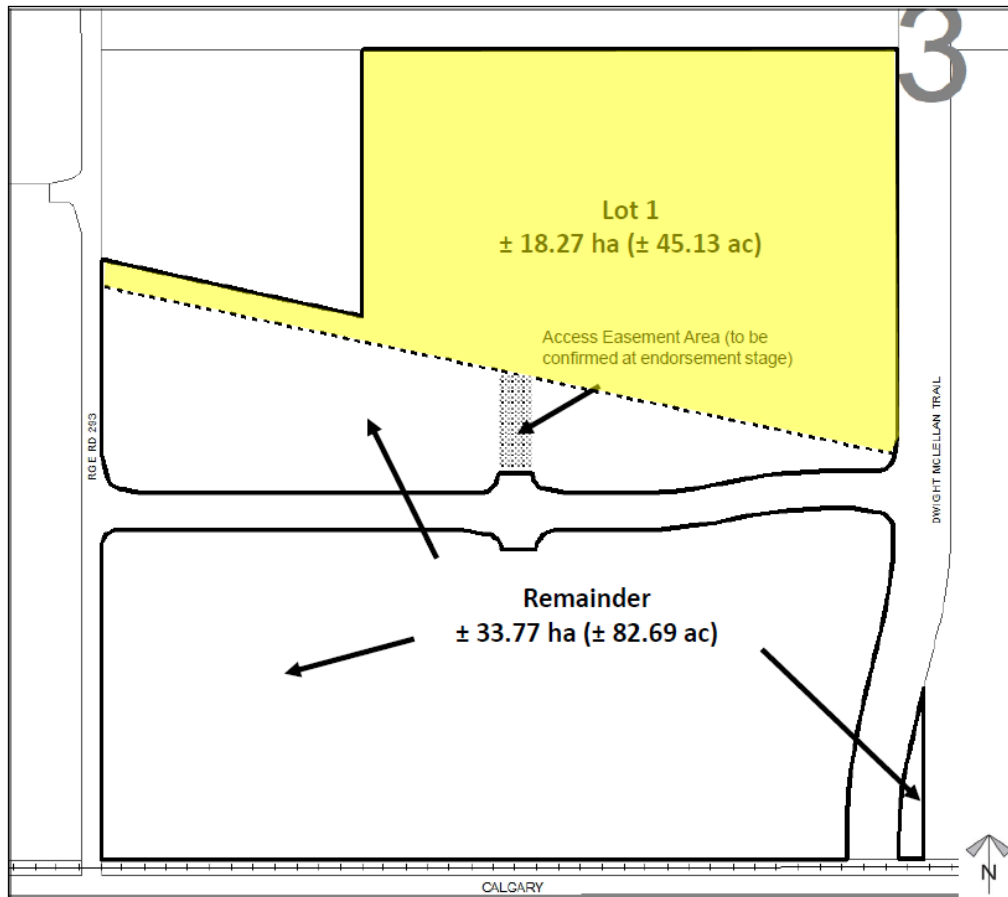
*Payments and Levies*

ATCO Pipeline Right of Way is registered on Plan 299 JK and is included in the proposed Lot 2. The Owner requests that the utility right of way containing ± 4.48 acres of land be excluded from the payment of Transportation Offsite Levy, as that area is undevelopable. However, the levy is supposed to be applied to the gross development area, including any areas to be dedicated for roads and utilities.

Section 12 of the Transportation Offsite Levy Bylaw (C-8007-2020) states that both Council and the Municipal Planning Commission have the discretion to impose a whole or a part of TOL on the land. Should the Commission support the Owner's request to waive TOL on the utility right of way, Option #2 is available.

APPLICABLE FEE/LEVY	AMOUNT OWING (ESTIMATE)
<p><i>TRANSPORTATION OFFSITE LEVY</i></p>	<p><u>Administration Recommended</u> - TOL is applied to gross development area ±127.825 ac                      Base Levy = \$4595/ac x 127.825 ac = \$587,355.88                      Special Area 1 Levy = \$17,200/ac x 127.825 ac = \$2,198,590 (plus borrowing costs to payment date)                      Total = \$2,785,945.88 (plus borrowing costs to payment date)</p> <p><u>Applicant Requested</u> - TOL is applied to the gross development area ±127.825 ac minus utility right of way ± 4.48 ac, then become 123.345 ac                      Base Levy = \$4595/ac x 123.345 ac = \$566,700.28                      Special Area 1 Levy = \$17,200/ac x 123.345 ac = \$2,121,534 (plus borrowing costs to payment date)                      Total = \$2,688,234.28 (plus borrowing costs to payment date)</p> <hr/> <p>Difference is \$97,711.6 (plus borrowing costs to payment date)</p>
<p><i>WATER AND WASTEWATER OFFSITE LEVY</i></p>	<p>To be determined when servicing allocation is confirmed at the endorsement stage.</p>
<p><i>MUNICIPAL RESERVE</i> <i>(cash in lieu payment)</i></p>	<p>\$1,597,500                      Market value \$125,000/ac (shown on the appraisal report) x 12.78 acres (MR owing) = \$1,597,500</p>

Tentative Plan – Phase 2



**Tentative Plan**  
**Phase 2 - Subdivision**  
**Proposal**

To create a ± 18.27 hectare (± 45.13 acre) parcel (Lot 1) with a ± 33.77 hectare (± 82.69 acre) remainder.

**Legend**

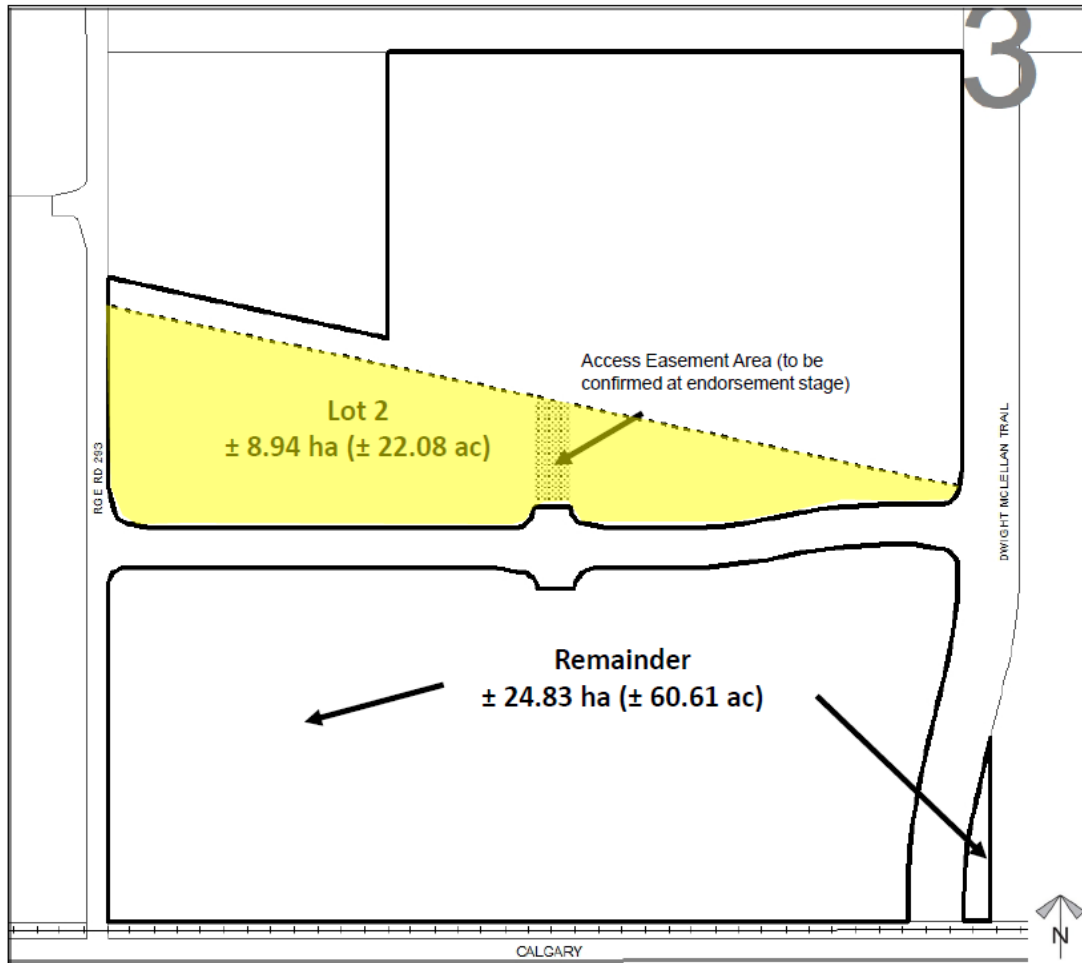
Dwelling	
Building	
Water Well	
Wastewater	
Existing Approach	
New Approach	
Driveway	
Road Widening	
Road Acquisition	

**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: 7  
Roll: 06403002  
File: PL20200165  
Legal: A portion of SW-03-26-29-W04M  
Printed: December 7, 2020

Tentative Plan – Phase 3



**Tentative Plan**  
**Phase 3 - Subdivision**  
**Proposal**

To create a ± 8.94 hectare (± 22.08 acre) parcel (Lot 2) with a ± 24.83 ha (± 60.61 ac) remainder.

**Legend**

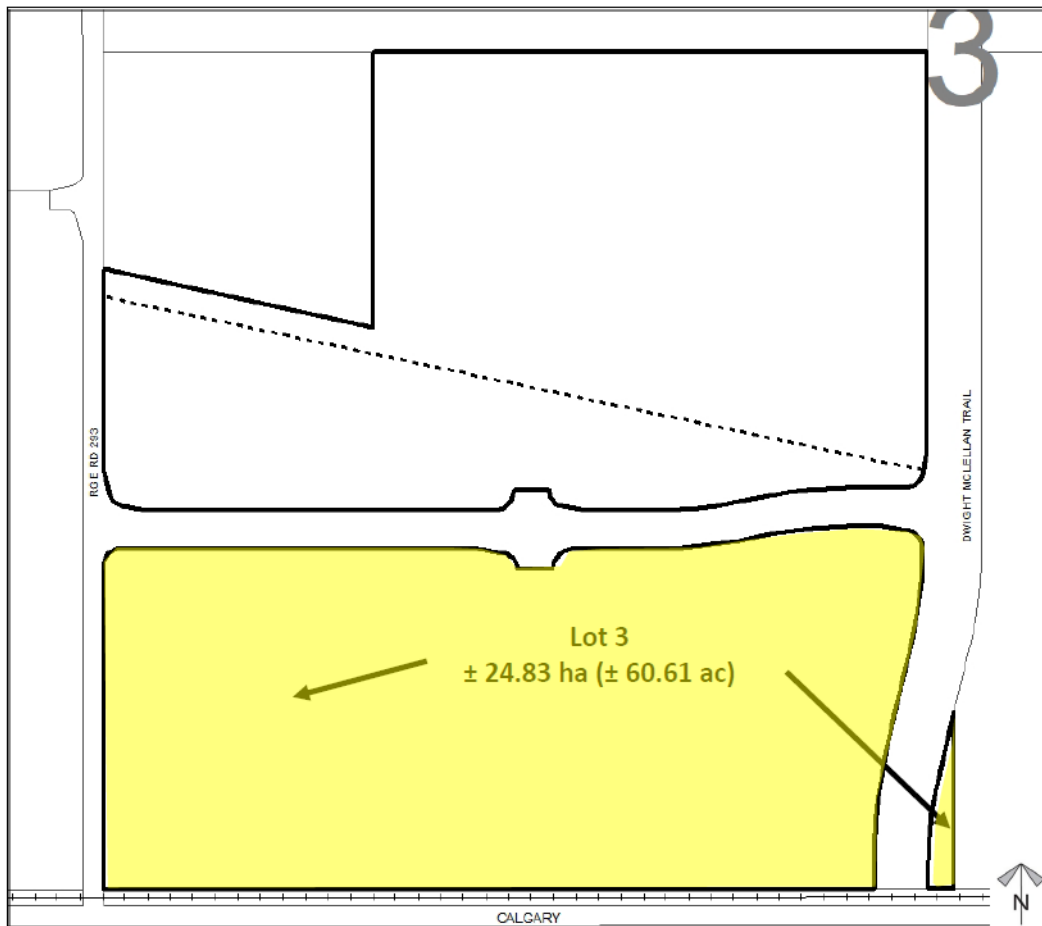
Dwelling	
Building	
Water Well	
Wastewater	
Existing Approach	
New Approach	
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Road Acquisition	

**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: 7  
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Legal: A portion of SW-03-26-29-W04M  
Printed: December 7, 2020

Tentative Plan – Phase 4



**Tentative Plan**  
**Phase 4 - Subdivision**  
**Proposal**

To create a ± 24.83 ha (± 60.61 ac) parcel (Lot 3).

**Legend**

Dwelling	
Building	
Water Well	
Wastewater	
Existing Approach	
New Approach	
Driveway	
Road Widening	
Road Acquisition	

**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: 7  
Roll: 06403002  
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Legal: A portion of SW-03-26-29-W04M  
Printed: December 7, 2020



**CONCLUSION:**

Subject to the proposed conditions of approval, the application is recommended for approval in accordance with Option #1. Should the Commission support the Owner’s request to waive Transportation Offsite Levy on the utility right of way, Option #2 is available.

Respectfully submitted,

Concurrence,

“Theresa Cochran”

“Al Hoggan”

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Executive Director  
Community Development Services

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Chief Administrative Officer

XD/ltt

**ATTACHMENTS:**

- ATTACHMENT ‘A’: Approval Conditions (Administration Recommended)
- ATTACHMENT ‘B’: Approval Conditions (Applicant Requested)
- ATTACHMENT ‘C’: Maps and Other Information
- ATTACHMENT ‘D’: Applicant’s Letter





ATTACHMENT 'A': APPROVAL CONDITIONS  
(Administration Recommended)

**Phase 2:**

- A. The application to create a  $\pm 18.27$  hectare ( $\pm 45.13$  acre) parcel (Lot 1) with a  $\pm 33.77$  hectare ( $\pm 82.69$  acre) remainder within SW-03-26-29-W4M having been evaluated in terms of Section 654 of the *Municipal Government Act* and Section 7 and Section 14 of the Subdivision and Development Regulations, and having considered adjacent landowner submissions, is approved as per the Tentative Plan for the reasons listed below:
1. The application is consistent with the Statutory Policy;
  2. The subject lands hold the appropriate land use designation;
  3. The technical aspects of the subdivision proposal have been considered and are further addressed through the conditional approval requirements.
- B. The Applicant/Owner is required, at their expense, to complete all conditions attached to and forming part of this conditional subdivision approval prior to Rocky View County (the County) authorizing final subdivision endorsement. This requires submitting all documentation required to demonstrate each specific condition has been met, or agreements (and necessary securities) have been provided to ensure the conditions will be met, in accordance with all County Policies, Standards, and Procedures, to the satisfaction of the County, and any other additional party named within a specific condition. Technical reports required to be submitted as part of the conditions must be prepared by a qualified professional, licensed to practice in the province of Alberta within the appropriate field of practice. The conditions of this subdivision approval do not absolve an Applicant/Owner from ensuring all permits, licenses, or approvals required by Federal, Provincial, or other jurisdictions are obtained.
- C. Further, in accordance with Section 654 and 655 of the *Municipal Government Act*, the application shall be approved subject to the following conditions of approval:

*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.

*Transportation and Access*

- 2) The Owner shall submit an updated Traffic Impact Assessment (TIA) in accordance with the County Servicing Standards and the Balzac Global TIA.
  - a) Any improvements identified or road right-of-way that is required will be constructed and dedicated at the Owner's expense;
  - b) If the recommendations of the updated TIA require additional improvements to the existing roadway and intersection network, then the Development Agreement shall address these improvements.
- 3) The Owner shall register a private access easements in favour of proposed Lot 1, over proposed remainder, to provide for access to Nose Creek Boulevard as per the Tentative Plan.

*Site Servicing*

- 4) The Owner shall enter into a Capacity Allocation Agreement for servicing allocation to the Lots created in this development. The agreement shall be based on the servicing need identified in the wastewater and potable water servicing studies.





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- 5) The Owner shall enter into an agreement, to be registered on the title of each new lot created, requiring that each Lot Owner, be responsible for the operations and maintenance of all pathway/trail systems, landscaping, irrigation, solid waste collection, stormwater facilities, and other features associated with these lands.

*Municipal Reserve*

- 6) The provision of Municipal Reserve in the amount of 10% of the gross 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 prepared by Altus Group, dated January 12, 2021, pursuant to Section 666(3) of the *Municipal Government Act*.
  - a) That the Municipal Reserve dedication outstanding on the remainder is to be deferred by Caveat pursuant to Section 669 of the Municipal Government Act;

*Payments and Levies*

- 7) The Owner shall pay the Water and Wastewater Off-Site Levy in accordance with Bylaw C-8009-2020. The County shall calculate the total amount owing:
  - a) Based on the engineering assessment of the projected usage.
- 8) The Owner shall pay the Transportation Off-Site Levy in accordance with Bylaw C-8007-2020. The County shall calculate the total amount owing for:
  - a) the total gross acreage of Lot 1 as shown on the Plan of Survey.
- 9) The Owner shall pay the County Subdivision Endorsement fee, in accordance with the Master Rates Bylaw, for the creation of one (1) new lot.
- 10) The Owner shall be responsible for all required payments of third party reviews and/or inspection as per the Master Rates Bylaw, as amended.

*Taxes*

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

D. SUBDIVISION AUTHORITY DIRECTION:

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



**Phase 3:**

- A. The application to create a  $\pm 8.94$  hectare ( $\pm 22.08$  acre) parcel (Lot 2) with a  $\pm 24.83$  ha ( $\pm 60.61$  ac) remainder within SW-03-26-29-W4M having been evaluated in terms of Section 654 of the *Municipal Government Act* and Section 7 and Section 14 of the Subdivision and Development Regulations, and having considered adjacent landowner submissions, is approved as per the Tentative Plan for the reasons listed below:
1. The application is consistent with the Statutory Policy;
  2. The subject lands hold the appropriate land use designation;
  3. The technical aspects of the subdivision proposal have been considered and are further addressed through the conditional approval requirements.
- B. The Applicant/Owner is required, at their expense, to complete all conditions attached to and forming part of this conditional subdivision approval prior to Rocky View County (the County) authorizing final subdivision endorsement. This requires submitting all documentation required to demonstrate each specific condition has been met, or agreements (and necessary securities) have been provided to ensure the conditions will be met, in accordance with all County Policies, Standards, and Procedures, to the satisfaction of the County, and any other additional party named within a specific condition. Technical reports required to be submitted as part of the conditions must be prepared by a qualified professional, licensed to practice in the province of Alberta within the appropriate field of practice. The conditions of this subdivision approval do not absolve an Applicant/Owner from ensuring all permits, licenses, or approvals required by Federal, Provincial, or other jurisdictions are obtained.
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*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.

*Transportation and Access*

- 2) The Owner shall submit an updated Traffic Impact Assessment (TIA) in accordance with the County Servicing Standards and the Balzac Global TIA.
  - a) Any improvements identified or road right-of-way that is required will be constructed and dedicated at the Owner's expense;
  - b) If the recommendations of the updated TIA require additional improvements to the existing roadway and intersection network, then the Development Agreement shall address these improvements.
- 3) The Owner shall register a private access easements in favor of parcel to the north, over proposed Lot 2, to provide for access to Nose Creek Boulevard as per the Tentative Plan.

*Site Servicing*

- 4) The Owner shall enter into a Capacity Allocation Agreement for servicing allocation to the Lots created in this development. The agreement shall be based on the servicing need identified in the wastewater and potable water servicing studies approved.



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- 5) The Owner shall enter into an agreement, to be registered on the title of each new lot created, requiring that each Lot Owner, be responsible for the operations and maintenance of all pathway/trail systems, landscaping, irrigation, solid waste collection, stormwater facilities, and other features associated with these lands.

*Municipal Reserve*

- 6) The provision of Municipal Reserve in the amount of 10% of the gross area of Lot 2 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 prepared by Altus Group, dated January 12, 2021, pursuant to Section 666(3) of the *Municipal Government Act*.
  - a) That the Municipal Reserve dedication outstanding on the remainder is to be deferred by Caveat pursuant to Section 669 of the Municipal Government Act;

*Payments and Levies*

- 7) The Owner shall pay the Water and Wastewater Off-Site Levy in accordance with Bylaw C-8009-2020. The County shall calculate the total amount owing:
  - a) Based on the engineering assessment of the projected usage.
- 8) The Owner shall pay the Transportation Off-Site Levy in accordance with Bylaw C-8007-2020. The County shall calculate the total amount owing for:
  - a) the total gross acreage of Lot 2 as shown on the Plan of Survey.
- 9) The Owner shall pay the County Subdivision Endorsement fee, in accordance with the Master Rates Bylaw, for the creation of one (1) new lot.
- 10) The Owner shall be responsible for all required payments of third party reviews and/or inspection as per the Master Rates Bylaw, as amended.

*Taxes*

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

D. SUBDIVISION AUTHORITY DIRECTION:

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



**Phase 4:**

- A. The application to create a  $\pm$  24.83 ha ( $\pm$  60.61 ac) parcel (Lot 3) within SW-03-26-29-W4M having been evaluated in terms of Section 654 of the *Municipal Government Act* and Section 7 and Section 14 of the Subdivision and Development Regulations, and having considered adjacent landowner submissions, is approved as per the Tentative Plan for the reasons listed below:
  1. The application is consistent with the Statutory Policy;
  2. The subject lands hold the appropriate land use designation;
  3. The technical aspects of the subdivision proposal have been considered and are further addressed through the conditional approval requirements.
- B. The Applicant/Owner is required, at their expense, to complete all conditions attached to and forming part of this conditional subdivision approval prior to Rocky View County (the County) authorizing final subdivision endorsement. This requires submitting all documentation required to demonstrate each specific condition has been met, or agreements (and necessary securities) have been provided to ensure the conditions will be met, in accordance with all County Policies, Standards, and Procedures, to the satisfaction of the County, and any other additional party named within a specific condition. Technical reports required to be submitted as part of the conditions must be prepared by a qualified professional, licensed to practice in the province of Alberta within the appropriate field of practice. The conditions of this subdivision approval do not absolve an Applicant/Owner from ensuring all permits, licenses, or approvals required by Federal, Provincial, or other jurisdictions are obtained.
- C. Further, in accordance with Section 654 and 655 of the *Municipal Government Act*, the application shall be approved subject to the following conditions of approval:

*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.

*Transportation and Access*

- 2) The Owner shall submit an updated Traffic Impact Assessment (TIA) in accordance with the County Servicing Standards and the Balzac Global TIA.
  - a) Any improvements identified or road right-of-way that is required will be constructed and dedicated at the Owner's expense;
  - b) If the recommendations of the updated TIA require additional improvements to the existing roadway and intersection network, then the Development Agreement shall address these improvements.

*Site Servicing*

- 3) The Owner shall enter into a Capacity Allocation Agreement for servicing allocation to the Lots created in this development. The agreement shall be based on the servicing need identified in the wastewater and potable water servicing studies approved.
- 4) The Owner shall enter into an agreement, to be registered on the title of each new lot created, requiring that each Lot Owner, be responsible for the operations and maintenance of all pathway/trail systems, landscaping, irrigation, solid waste collection, stormwater facilities, and other features associated with these lands.



*Municipal Reserve*

- 5) The provision of Municipal Reserve in the amount of 10% of the gross area of Lot 3 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 prepared by Altus Group, dated January 12, 2021, pursuant to Section 666(3) of the *Municipal Government Act*.

*Payments and Levies*

- 6) The Owner shall pay the Water and Wastewater Off-Site Levy in accordance with Bylaw C-8009-2020. The County shall calculate the total amount owing:
  - a) Based on the engineering assessment of the projected usage.
- 7) The Owner shall pay the Transportation Off-Site Levy in accordance with Bylaw C-8007-2020. The County shall calculate the total amount owing for:
  - a) the total gross acreage of Lot 3 as shown on the Plan of Survey.
- 8) The Owner shall pay the County Subdivision Endorsement fee, in accordance with the Master Rates Bylaw, for the creation of one (1) new lot.
- 9) The Owner shall be responsible for all required payments of third party reviews and/or inspection as per the Master Rates Bylaw, as amended.

*Taxes*

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

D. SUBDIVISION AUTHORITY DIRECTION:

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

**ATTACHMENT 'B': APPROVAL CONDITIONS  
(Applicant Requested)****Phase 2:**

- A. The application to create a  $\pm 18.27$  hectare ( $\pm 45.13$  acre) parcel (Lot 1) with a  $\pm 33.77$  hectare ( $\pm 82.69$  acre) remainder within SW-03-26-29-W4M having been evaluated in terms of Section 654 of the *Municipal Government Act* and Section 7 and Section 14 of the Subdivision and Development Regulations, and having considered adjacent landowner submissions, is approved as per the Tentative Plan for the reasons listed below:
1. The application is consistent with the Statutory Policy;
  2. The subject lands hold the appropriate land use designation;
  3. The technical aspects of the subdivision proposal have been considered and are further addressed through the conditional approval requirements.
- B. The Applicant/Owner is required, at their expense, to complete all conditions attached to and forming part of this conditional subdivision approval prior to Rocky View County (the County) authorizing final subdivision endorsement. This requires submitting all documentation required to demonstrate each specific condition has been met, or agreements (and necessary securities) have been provided to ensure the conditions will be met, in accordance with all County Policies, Standards, and Procedures, to the satisfaction of the County, and any other additional party named within a specific condition. Technical reports required to be submitted as part of the conditions must be prepared by a qualified professional, licensed to practice in the province of Alberta within the appropriate field of practice. The conditions of this subdivision approval do not absolve an Applicant/Owner from ensuring all permits, licenses, or approvals required by Federal, Provincial, or other jurisdictions are obtained.
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**Survey Plans**

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**Transportation and Access**

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- 3) The Owner shall register a private access easements in favour of proposed Lot 1, over proposed remainder, to provide for access to Nose Creek Boulevard as per the Tentative Plan.

**Site Servicing**

- 4) The Owner shall enter into a Capacity Allocation Agreement for servicing allocation to the Lots created in this development. The agreement shall be based on the servicing need identified in the wastewater and potable water servicing studies.



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- 5) The Owner shall enter into an agreement, to be registered on the title of each new lot created, requiring that each Lot Owner, be responsible for the operations and maintenance of all pathway/trail systems, landscaping, irrigation, solid waste collection, stormwater facilities, and other features associated with these lands.

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  - a) That the Municipal Reserve dedication outstanding on the remainder is to be deferred by Caveat pursuant to Section 669 of the Municipal Government Act;

*Payments and Levies*

- 7) The Owner shall pay the Water and Wastewater Off-Site Levy in accordance with Bylaw C-8009-2020. The County shall calculate the total amount owing:
  - a) Based on the engineering assessment of the projected usage.
- 8) The Owner shall pay the Transportation Off-Site Levy in accordance with Bylaw C-8007-2020. The County shall calculate the total amount owing for:
  - a) the total gross acreage of Lot 1 minus ATCO pipeline right of way ( $\pm 4.48$  ac), as shown on the Plan of Survey.
- 9) The Owner shall pay the County Subdivision Endorsement fee, in accordance with the Master Rates Bylaw, for the creation of one (1) new lot.
- 10) The Owner shall be responsible for all required payments of third party reviews and/or inspection as per the Master Rates Bylaw, as amended.

*Taxes*

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

## D. SUBDIVISION AUTHORITY DIRECTION:

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



**Phase 3:**

- A. The application to create a  $\pm 8.94$  hectare ( $\pm 22.08$  acre) parcel (Lot 2) with a  $\pm 24.83$  ha ( $\pm 60.61$  ac) remainder within SW-03-26-29-W4M having been evaluated in terms of Section 654 of the *Municipal Government Act* and Section 7 and Section 14 of the Subdivision and Development Regulations, and having considered adjacent landowner submissions, is approved as per the Tentative Plan for the reasons listed below:
4. The application is consistent with the Statutory Policy;
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- 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.

**Transportation and Access**

- 2) The Owner shall submit an updated Traffic Impact Assessment (TIA) in accordance with the County Servicing Standards and the Balzac Global TIA.
  - a) Any improvements identified or road right-of-way that is required will be constructed and dedicated at the Owner's expense;
  - b) If the recommendations of the updated TIA require additional improvements to the existing roadway and intersection network, then the Development Agreement shall address these improvements.
- 3) The Owner shall register a private access easements in favor of parcel to the north, over proposed Lot 2, to provide for access to Nose Creek Boulevard as per the Tentative Plan.

**Site Servicing**

- 4) The Owner shall enter into a Capacity Allocation Agreement for servicing allocation to the Lots created in this development. The agreement shall be based on the servicing need identified in the wastewater and potable water servicing studies approved.



## ROCKY VIEW COUNTY

- 5) The Owner shall enter into an agreement, to be registered on the title of each new lot created, requiring that each Lot Owner, be responsible for the operations and maintenance of all pathway/trail systems, landscaping, irrigation, solid waste collection, stormwater facilities, and other features associated with these lands.

*Municipal Reserve*

- 6) The provision of Municipal Reserve in the amount of 10% of the gross area of Lot 2 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 prepared by Altus Group, dated January 12, 2021, pursuant to Section 666(3) of the *Municipal Government Act*.
  - a) That the Municipal Reserve dedication outstanding on the remainder is to be deferred by Caveat pursuant to Section 669 of the *Municipal Government Act*;

*Payments and Levies*

- 7) The Owner shall pay the Water and Wastewater Off-Site Levy in accordance with Bylaw C-8009-2020. The County shall calculate the total amount owing:
  - a) Based on the engineering assessment of the projected usage.
- 8) The Owner shall pay the Transportation Off-Site Levy in accordance with Bylaw C-8007-2020. The County shall calculate the total amount owing for:
  - a) the total gross acreage of Lot 2 as shown on the Plan of Survey.
- 9) The Owner shall pay the County Subdivision Endorsement fee, in accordance with the Master Rates Bylaw, for the creation of one (1) new lot.
- 10) The Owner shall be responsible for all required payments of third party reviews and/or inspection as per the Master Rates Bylaw, as amended.

*Taxes*

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

## D. SUBDIVISION AUTHORITY DIRECTION:

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

**Phase 4:**

- A. The application to create a  $\pm 24.83$  ha ( $\pm 60.61$  ac) parcel (Lot 3) within SW-03-26-29-W4M having been evaluated in terms of Section 654 of the *Municipal Government Act* and Section 7 and Section 14 of the Subdivision and Development Regulations, and having considered adjacent landowner submissions, is approved as per the Tentative Plan for the reasons listed below:
  7. The application is consistent with the Statutory Policy;
  8. The subject lands hold the appropriate land use designation;
  9. The technical aspects of the subdivision proposal have been considered and are further addressed through the conditional approval requirements.
- B. The Applicant/Owner is required, at their expense, to complete all conditions attached to and forming part of this conditional subdivision approval prior to Rocky View County (the County) authorizing final subdivision endorsement. This requires submitting all documentation required to demonstrate each specific condition has been met, or agreements (and necessary securities) have been provided to ensure the conditions will be met, in accordance with all County Policies, Standards, and Procedures, to the satisfaction of the County, and any other additional party named within a specific condition. Technical reports required to be submitted as part of the conditions must be prepared by a qualified professional, licensed to practice in the province of Alberta within the appropriate field of practice. The conditions of this subdivision approval do not absolve an Applicant/Owner from ensuring all permits, licenses, or approvals required by Federal, Provincial, or other jurisdictions are obtained.
- C. Further, in accordance with Section 654 and 655 of the *Municipal Government Act*, the application shall be approved subject to the following conditions of approval:

**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.

**Transportation and Access**

- 2) The Owner shall submit an updated Traffic Impact Assessment (TIA) in accordance with the County Servicing Standards and the Balzac Global TIA.
  - a) Any improvements identified or road right-of-way that is required will be constructed and dedicated at the Owner's expense;
  - b) If the recommendations of the updated TIA require additional improvements to the existing roadway and intersection network, then the Development Agreement shall address these improvements.

**Site Servicing**

- 3) The Owner shall enter into a Capacity Allocation Agreement for servicing allocation to the Lots created in this development. The agreement shall be based on the servicing need identified in the wastewater and potable water servicing studies approved.
- 4) The Owner shall enter into an agreement, to be registered on the title of each new lot created, requiring that each Lot Owner, be responsible for the operations and maintenance of all pathway/trail systems, landscaping, irrigation, solid waste collection, stormwater facilities, and other features associated with these lands.



## ROCKY VIEW COUNTY

*Municipal Reserve*

- 5) The provision of Municipal Reserve in the amount of 10% of the gross area of Lot 3 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 prepared by Altus Group, dated January 12, 2021, pursuant to Section 666(3) of the *Municipal Government Act*.

*Payments and Levies*

- 6) The Owner shall pay the Water and Wastewater Off-Site Levy in accordance with Bylaw C-8009-2020. The County shall calculate the total amount owing:
  - a) Based on the engineering assessment of the projected usage.
- 7) The Owner shall pay the Transportation Off-Site Levy in accordance with Bylaw C-8007-2020. The County shall calculate the total amount owing for:
  - a) the total gross acreage of Lot 3 as shown on the Plan of Survey.
- 8) The Owner shall pay the County Subdivision Endorsement fee, in accordance with the Master Rates Bylaw, for the creation of one (1) new lot.
- 9) The Owner shall be responsible for all required payments of third party reviews and/or inspection as per the Master Rates Bylaw, as amended.

*Taxes*

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

## D. SUBDIVISION AUTHORITY DIRECTION:

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



ATTACHMENT 'C': MAPS AND OTHER INFORMATION

<p><b>APPLICANT:</b> Kellam Berg Engineering &amp; Surveys Ltd.</p>	<p><b>OWNER:</b> MH Crosspointe II GP Inc.</p>
<p><b>DATE APPLICATION RECEIVED:</b> December 3, 2020</p>	<p><b>DATE DEEMED COMPLETE:</b> February 1, 2021</p>
<p><b>GROSS AREA:</b> ± 51.89 hectares (± 128.23 acres)</p>	<p><b>LEGAL DESCRIPTION:</b> A Portion of SW-3-26-29-W04M</p>
<p><b>APPEAL BOARD:</b> Development and Subdivision Appeal Board</p>	
<p><b>HISTORY:</b></p> <p>May 20, 2020      The Applicant requested that the development be breakdown into 3 phases, therefore, a revised Transmittal of Decision for PL20180088 was issued.</p> <p>October 22, 2019      Council adopted the Interlink Logistics Park Conceptual Scheme application PL20180140 that provide guidelines for the proposed development.</p> <p>                                 Council approved the policy application PL20180139, to amend DC-99 to allow for an increase in site coverage (from 40% to 55%) and additional uses.</p> <p>                                 Subdivision Authority approved the subdivision application PL20180088, to create one PUL, one internal road and three industrial lots.</p>	
<p><b>PUBLIC &amp; AGENCY SUBMISSIONS:</b></p> <p>The application was circulated to 18 adjacent landowners. No letters were received.</p> <p>The application was also circulated to a number of internal and external agencies and, where appropriate, conditions of approval have been proposed based on these comments.</p>	

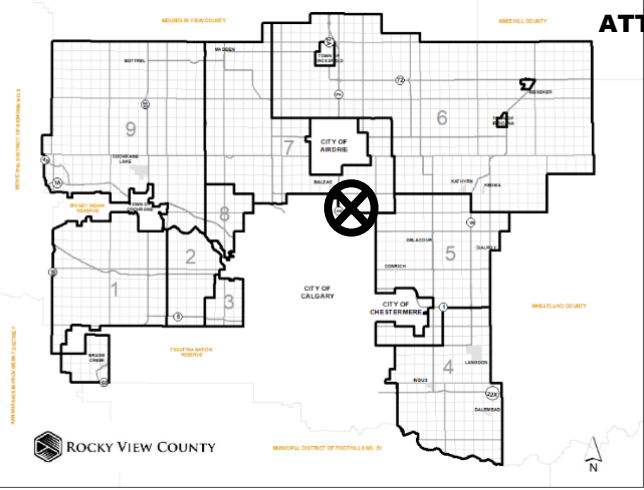


ATTACHMENT 'C': MAPS AND OTHER INFORMATION

Location & Context

Subdivision Proposal

To create a ± 18.27 ha (± 45.13 ac) parcel (Lot 1), a ± 8.94 ha (± 22.08 ac) parcel (Lot 2) with a ± 24.83 ha (± 60.61 ac) remainder (Lot 3) in three phases.



Division: 7  
 Roll: 06403002  
 File: PL20200165  
 Legal: A portion of SW-03-26-29-W04M  
 Printed: December 7, 2020

**Development  
Proposal**

**Subdivision Proposal**

To create a ± 18.27 ha (± 45.13 ac) parcel (Lot 1), a ± 8.94 ha (± 22.08 ac) parcel (Lot 2) with a ± 24.83 ha (± 60.61 ac) remainder (Lot 3) in three phases.

Phase 1 - PUL  
(PL20180088)

Phase 2 - Lot 1  
± 18.27 ha (± 45.13 ac)

Phase 3 - Lot 2  
± 8.94 ha (± 22.08 ac)

Nose Creek Boulevard

Phase 4 - Lot 3  
± 24.83 ha (± 60.61 ac)

RGE RD 293

DWIGHT McLELLAN TRAIL

CALGARY



Division: 7  
Roll: 06403002  
File: PL20200165  
Legal: A portion of SW-03-  
26-29-W04M  
Printed: December 7, 2020



### Applicant Request

#### Subdivision Proposal

To create a ± 18.27 ha (± 45.13 ac) parcel (Lot 1), a ± 8.94 ha (± 22.08 ac) parcel (Lot 2) with a ± 24.83 ha (± 60.61 ac) remainder (Lot 3) in three phases.

Phase 1 - PUL  
(PL20180088)

Phase 2 - Lot 1  
± 18.27 ha (± 45.13 ac)

The Applicant request that  
TOL be waived on ATCO  
right of way (± 4.48 ac)

Phase 3 - Lot 2  
± 8.94 ha (± 22.08 ac)

Nose Creek Boulevard

Phase 4 - Lot 3  
± 24.83 ha (± 60.61 ac)

RGE RD 293

DWIGHT McLELLAN TRAIL

CALGARY



Division: 7  
Roll: 06403002  
File: PL20200165  
Legal: A portion of SW-03-  
26-29-W04M  
Printed: December 7, 2020



# Environmental

## Subdivision Proposal

To create a ± 18.27 ha (± 45.13 ac) parcel (Lot 1), a ± 8.94 ha (± 22.08 ac) parcel (Lot 2) with a ± 24.83 ha (± 60.61 ac) remainder (Lot 3) in three phases.



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

Division: 7  
 Roll: 06403002  
 File: PL20200165  
 Legal: A portion of SW-03-26-29-W04M  
 Printed: December 7, 2020

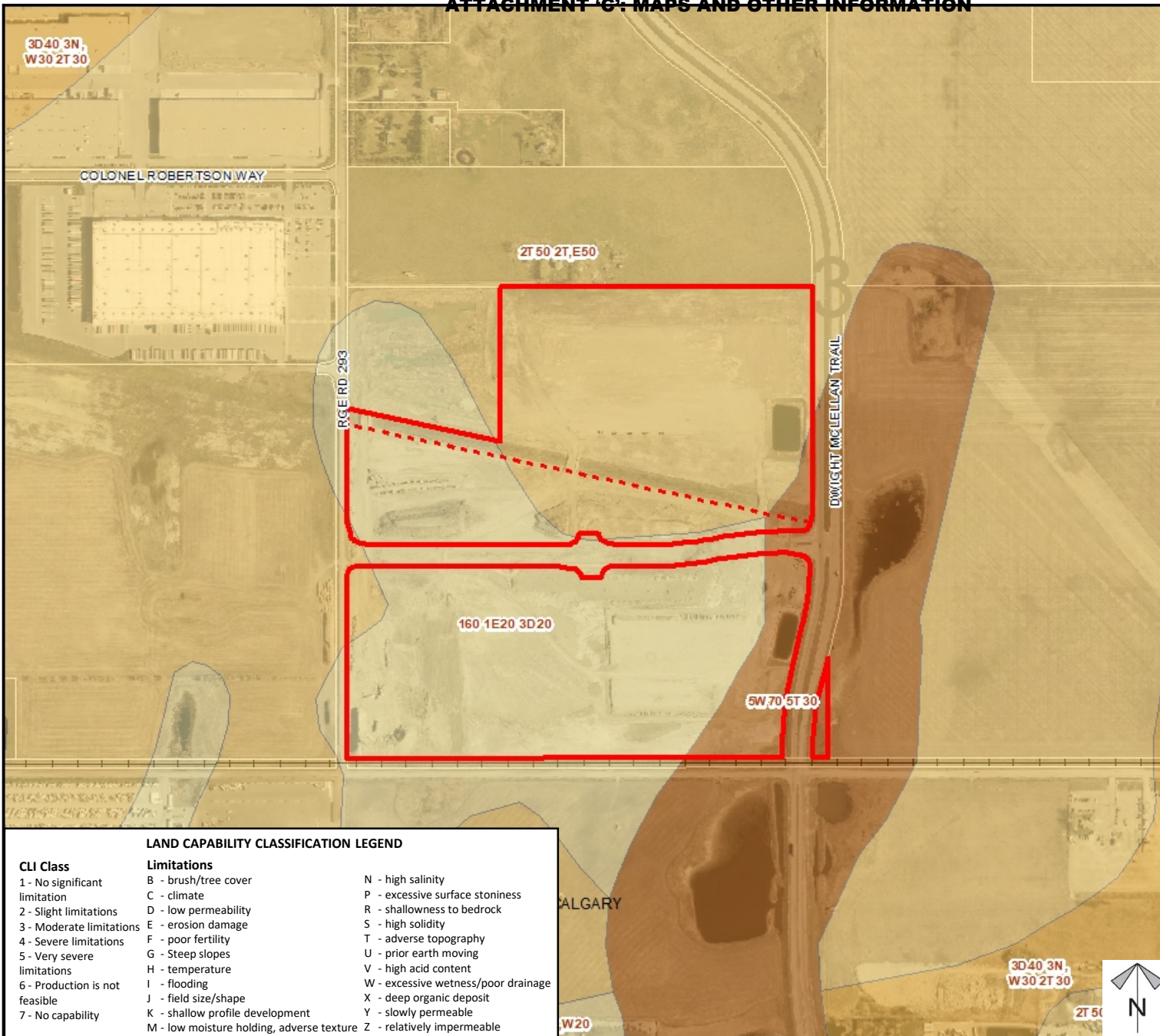




**Soil  
 Classifications**

**Subdivision Proposal**

To create a ± 18.27 ha (± 45.13 ac) parcel (Lot 1), a ± 8.94 ha (± 22.08 ac) parcel (Lot 2) with a ± 24.83 ha (± 60.61 ac) remainder (Lot 3) in three phases.



**LAND CAPABILITY CLASSIFICATION LEGEND**

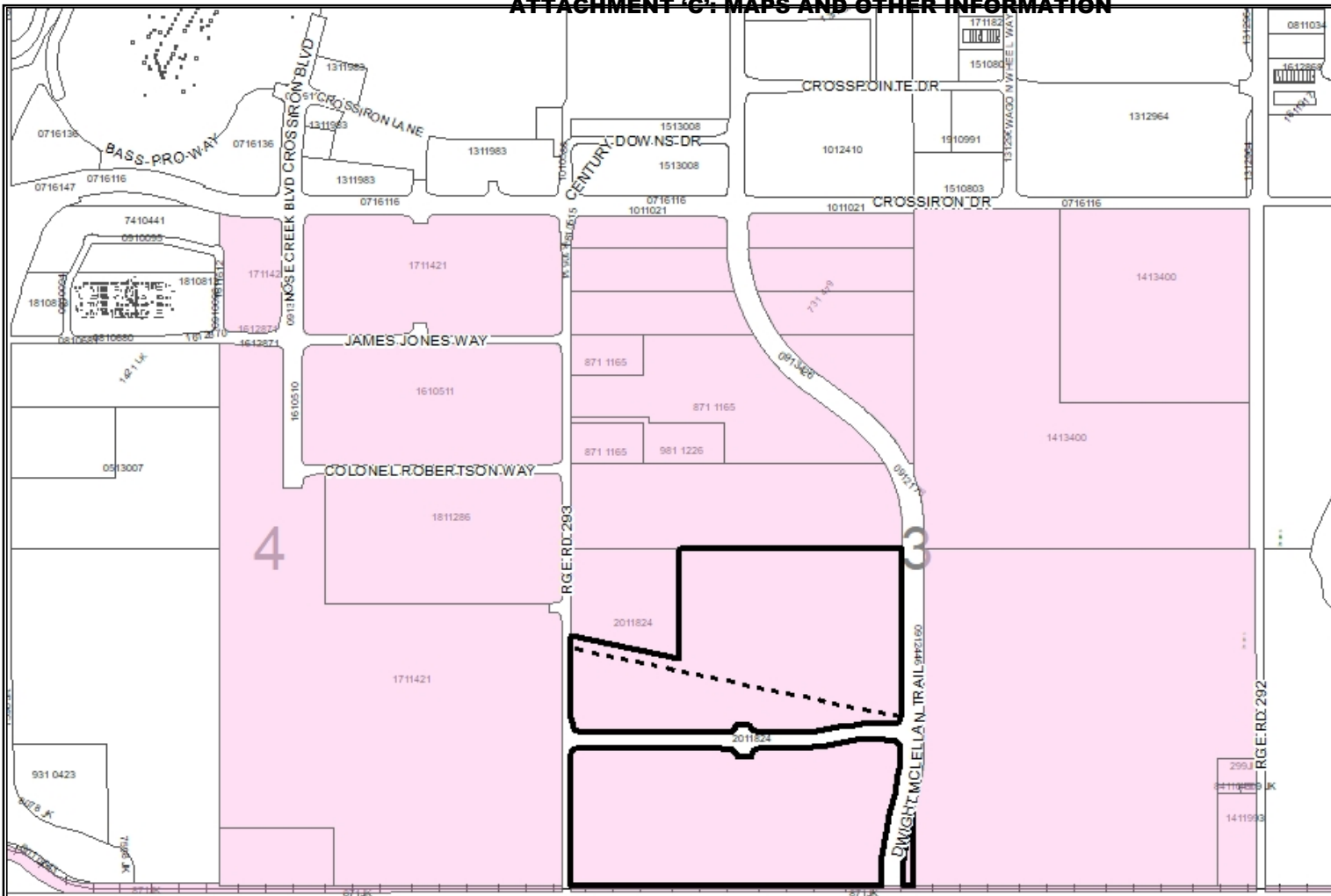
CLI Class	Limitations
1 - No significant limitation	B - brush/tree cover
2 - Slight limitations	C - climate
3 - Moderate limitations	D - low permeability
4 - Severe limitations	E - erosion damage
5 - Very severe limitations	F - poor fertility
6 - Production is not feasible	G - Steep slopes
7 - No capability	H - temperature
	I - flooding
	J - field size/shape
	K - shallow profile development
	M - low moisture holding, adverse texture
	N - high salinity
	P - excessive surface stoniness
	R - shallowness to bedrock
	S - high 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: 7  
 Roll: 06403002  
 File: PL20200165  
 Legal: A portion of SW-03-26-29-W04M  
 Printed: December 7, 2020

# Landowner Circulation Area

## Subdivision Proposal

To create a ± 18.27 ha (± 45.13 ac) parcel (Lot 1), a ± 8.94 ha (± 22.08 ac) parcel (Lot 2) with a ± 24.83 ha (± 60.61 ac) remainder (Lot 3) in three phases.



**Legend**

- Support 
- Opposition 

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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: 7  
Roll: 06403002  
File: PL20200165  
Legal: A portion of SW-03-26-29-W04M  
Printed: December 7, 2020

**Tentative Plan**

**Phase 2 - Subdivision Proposal**

To create a ± 18.27 hectare (± 45.13 acre) parcel (Lot 1) with a ± 33.77 hectare (± 82.69 acre) remainder.

**Legend**

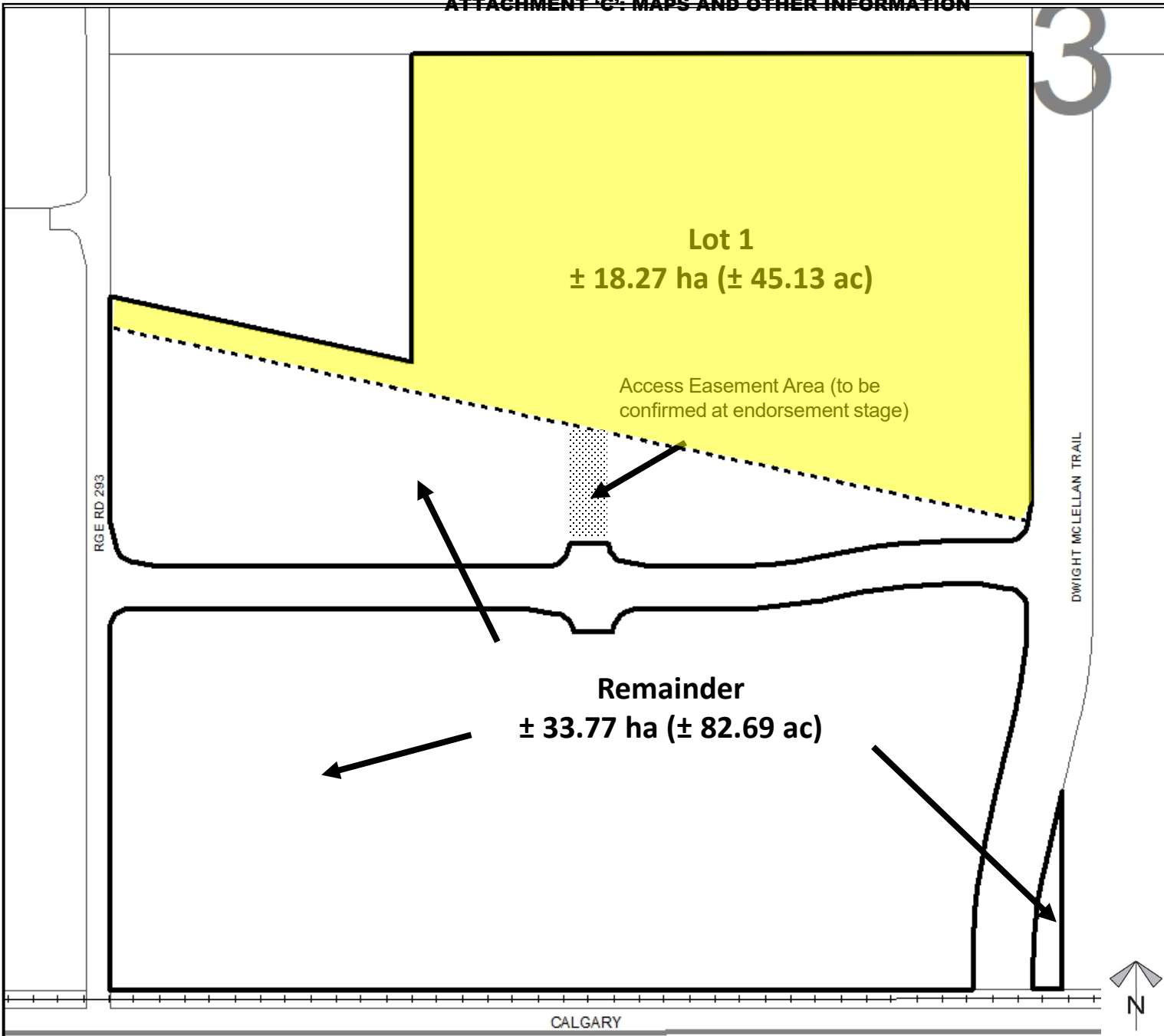
Dwelling	
Building	
Water Well	
Wastewater	
Existing Approach	
New Approach	
Driveway	
Road Widening	
Road Acquisition	

**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: 7  
Roll: 06403002  
File: PL20200165  
Legal: A portion of SW-03-26-29-W04M  
Printed: December 7, 2020

3



3

**Tentative Plan**

**Phase 3 - Subdivision Proposal**

To create a ± 8.94 hectare (± 22.08 acre) parcel (Lot 2) with a ± 24.83 ha (± 60.61 ac) remainder.

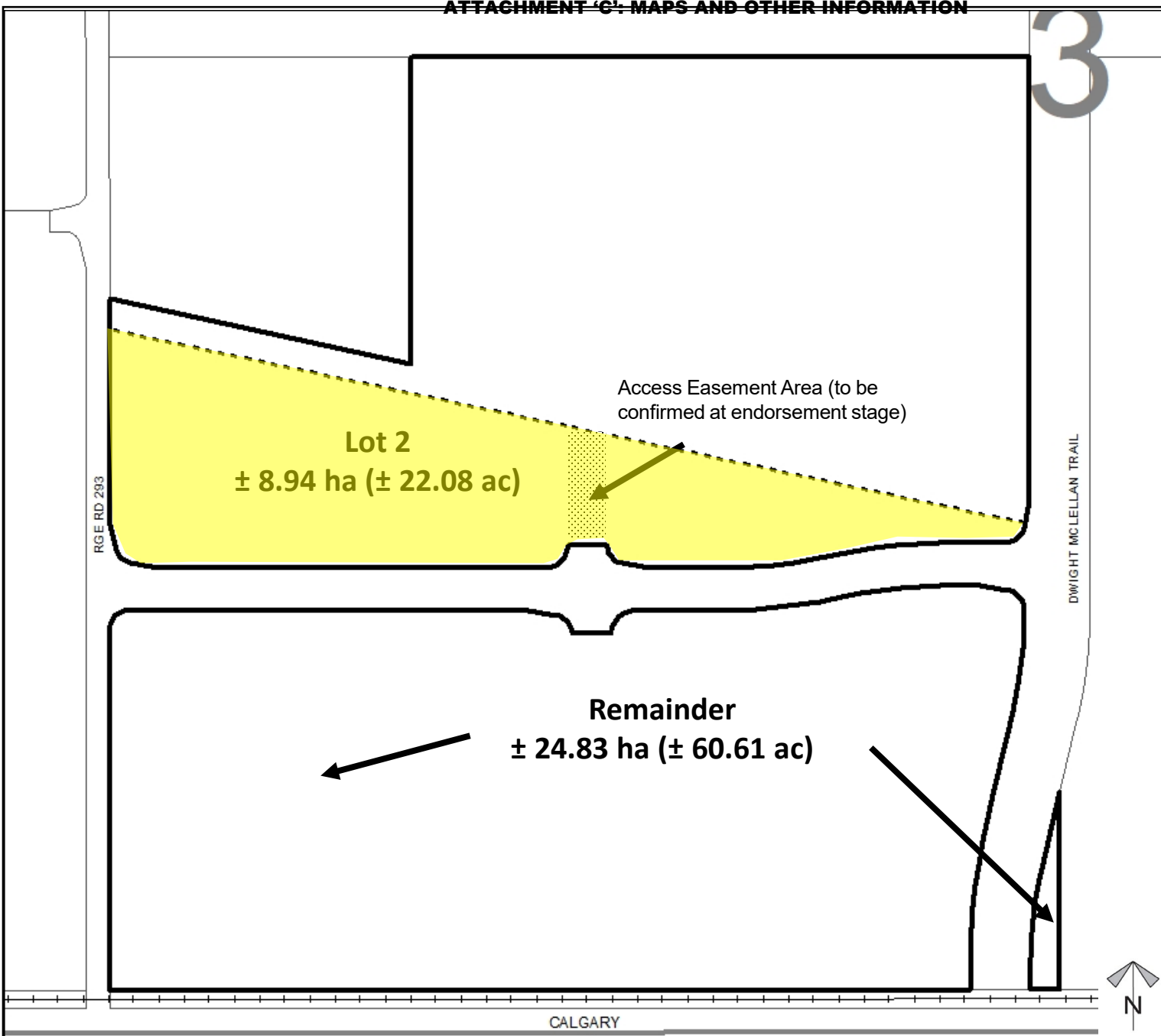
**Legend**

Dwelling	
Building	
Water Well	
Wastewater	
Existing Approach	
New Approach	
Driveway	
Road Widening	
Road Acquisition	

**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: 7  
Roll: 06403002  
File: PL20200165  
Legal: A portion of SW-03-26-29-W04M  
Printed: December 7, 2020



**Tentative Plan**

**Phase 4 - Subdivision**  
**Proposal**

To create a ± 24.83 ha (± 60.61 ac) parcel (Lot 3).

**Legend**

<i>Dwelling</i>	
<i>Building</i>	
<i>Water Well</i>	
<i>Wastewater</i>	
<i>Existing Approach</i>	
<i>New Approach</i>	
<i>Driveway</i>	
<i>Road Widening</i>	
<i>Road Acquisition</i>	

**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: 7*  
*Roll: 06403002*  
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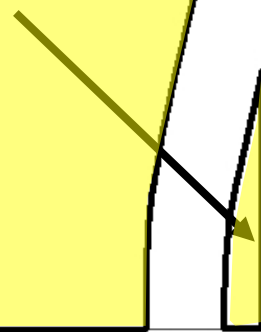
3

RGE RD 293

DWIGHT McLELLAN TRAIL

**Lot 3**

**± 24.83 ha (± 60.61 ac)**



CALGARY



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

February 17, 2021

**Attention: Ms. Xin Deng, MPlan, RPP, MCIP  
Municipal Planner | Planning and Development Services**

**Reference: Interlink Logistics Park Subdivision | Hopewell Development  
Request for relaxation of payment of the Transportation Off-Site Levy  
payment from ATCO Pipeline Right of Way (Reg'd Plan 299 JK)  
Tentative Plan Application No. PL20200165**

---

Dear Ms. Xin Deng

This letter seeks an approval from Rocky View County Municipal Planning Commission (MPC) to grant a variance to exclude the area encompassed by the ATCO Pipeline right-of-way ("R/W Plan 299 JK") from the total eligible area used to calculate the Transportation Off-Site Levy payment for Block 1; Lot 2, as proposed on PL20200165.

Development restrictions imposed by ATCO Pipelines renders the affected lands undevelopable and will not contribute to the overall developability and use of the lot. The lands encumbered by R/W Plan 299 JK will be left in a natural state. We understand that our request, if approved, will prevent the County from collecting the Transportation Off-Site levy payment on this right-of-way. However, the County, by Statute in the Municipal Government Act, is entitled to collect Municipal Reserves on the entire lot, including the land encumbered by the ATCO Pipelines right-of-way.

We ask that since it will not add value to the lot's developable potential, that the Transportation Offsite Levy charges should be excluded from that portion of R/W Plan 299 JK within Block 1; Lot 2.

Yours truly,



**DEREK FOX**  
DIRECTOR OF CONSTRUCTION  
[DFOX@HOPEWELL.COM](mailto:DFOX@HOPEWELL.COM)

HOPEWELL DEVELOPMENT  
410, 2020 4TH STREET SW  
CALGARY, ALBERTA T2S 1W3

OFFICE 403.476.1282  
CELL 403.690.7295  
FAX 403.234.9340