



## **PLANNING AND DEVELOPMENT SERVICES**

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|                 |                                 |                     |   |
|-----------------|---------------------------------|---------------------|---|
| <b>TO:</b>      | Council                         | <b>DIVISION:</b>    | 1   |
| <b>DATE:</b>    | September 1, 2020               | <b>APPLICATION:</b> | PL20200054                                      |
| <b>TIME:</b>    | Afternoon Appointment           | <b>FILE:</b>        | 03912012/2036/3043/3044/<br>3045/3075/3076/3001 |
| <b>SUBJECT:</b> | Road Closure Item – Bragg Creek |                     |   |

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### **POLICY DIRECTION:**

Road Allowance Closure and Disposal Policy C-443.

### **EXECUTIVE SUMMARY:**

The purpose of this application is to close, for consolidation purposes, three segments of Road Allowance and Lane located within the Hamlet of Bragg Creek, adjacent to the North and South sides of Lot 1, Block 10, Plan 1911357. The purpose of this application is to integrate the Roads and undeveloped Lane for a future comprehensive development plan.

This application was circulated to 241 adjacent landowners; in response eight (8) letters in opposition, two (2) letters in support and four (4) letters raising comments were received (see Appendix 'D'). The application was also circulated to a number of internal and external agencies; responses are available in Appendix 'A'.

The application was reviewed based on the Road Allowance Closure and Disposal Policy C-443 and meets the general requirements of that policy.

### **ADMINISTRATION RECOMMENDATION:**

Administration recommends Approval in accordance with Option #1.

|                                   |                |
|-----------------------------------|----------------|
| <b>DATE APPLICATION RECEIVED:</b> | April 29, 2020 |
| <b>DATE DEEMED COMPLETE:</b>      | April 29, 2020 |

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|                  |  |
|------------------|--|
| <b>PROPOSAL:</b> | To close for consolidation purposes, three (3) segments of Road Allowance and Lane located within the Hamlet of Bragg Creek, adjacent to the North and South sides of Lot 1, Block 10, Plan 1911357. The purpose of this application is to integrate the Roads and undeveloped Lane for a future comprehensive development plan. |
|------------------|--|

|                           |   |
|---------------------------|---|
| <b>LEGAL DESCRIPTION:</b> | Road lying between Lots 3 and 4, Block 5, Plan 191 1358 and Lot 7, Block 1, Plan 1741 EW;<br><br>Portion of Lane lying south of Lot 3, Block 5, Plan 191 1358 and Lots 4 to 7 (inclusive), Block 1, Plan 1741 EW and North of Lot 2 PUL, Block 12, Plan 191 1819, and Lot 1, Block 10, Plan 191 1357; and |
|---------------------------|---|

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### **Administration Resources**

Johnson Kwan, Planning and Development Services



Portion of Original Road Allowance between Sections 12 and 13, Township 23, Range 5. W.5.M that lies north of Lots 2, 25, 26, Block D, Plan 8605 GT and Condominium Plan 991 3486.

|                          |                                       |
|--------------------------|---------------------------------------|
| <b>GENERAL LOCATION:</b> | Located in the hamlet of Bragg Creek. |
| <b>APPLICANT:</b>        | RJK Development Ltd.                  |
| <b>OWNERS:</b>           | RJK Development Ltd.                  |
| <b>GROSS AREA:</b>       | ± 2.15 acres                          |
| <b>BACKGROUND:</b>       |                                       |

Following is an overview of the three segments:

**Segment 1 – River Drive North** (Road lying between Lots 3 and 4, Block 5, Plan 191 1358 and Lot 7, Block 1, Plan 1741 EW)

- This segment of road allowance is an existing County road that connects to Balsam Avenue to the north. It provides access to four properties, all of which are owned by the Applicant. No adjacent landowners are being impacted for this segment. For this reason, Administration has no concerns for closing this segment of the road allowance.

**Segment 2 – Undeveloped Road Allowance** (Portion of Lane lying south of Lot 3, Block 5, Plan 191 1358 and Lots 4 to 7 (inclusive), Block 1, Plan 1741 EW and North of Lot 2 PUL, Block 12, Plan 191 1819, and Lot 1, Block 10, Plan 191 1357)

- This segment of road allowance is currently undeveloped. There are five properties that back onto this undeveloped laneway, of which, four properties are owned by the Applicant and one owned by the County.
- Closing this segment of Road Allowance would allow the Applicant to facilitate a more comprehensive development plan. For this reason, Administration has no concerns for closing this segment of the road allowance.

**Segment 3 – River Drive South** (Portion of Original Road Allowance between Sections 12 and 13, Township 23, Range 5. W.5.M that lies north of Lots 2, 25, 26, Block D, Plan 8605 GT and Condominium Plan 991 3486)

- This segment of road allowance is an existing County road that connects to White Avenue to the east. It provides access to multiple properties including two commercial sites at the intersection of River Drive South and White Avenue.
- The County operates and maintains water and wastewater infrastructure inside the portions of River Drive North and South. Should approval be given for the closure and consolidations of these portions, the applicant will have to accommodate County access to the water and wastewater infrastructure located in the road allowances through an easement or right of way.
- The Applicant indicated that they have a draft agreement in place with the adjacent landowners to continue to provide access to the existing businesses. If Council decides to approve this segment of road closure, Administration recommends that the access easement agreements be required as part of the sales agreement to secure access for the affected properties.



**OPTIONS:**

- Option #1:      Motion #1      THAT Bylaw C-8072-2020 be given first reading.  
                         Motion #2      THAT Bylaw C-8072-2020 be forwarded to the Minister of Transportation  
   for approval.
- Option #2:      THAT application PL20200054 be refused.
- Option #3:      THAT Council provide alternative direction.

Respectfully submitted,

Concurrence,

“Theresa Cochran”

“Al Hoggan”

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Executive Director  
Community Development Services

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Chief Administrative Officer

JKwan/llt

**APPENDICES:**

- APPENDIX ‘A’: Application Referrals  
APPENDIX ‘B’: Bylaw C-8072-2020 and Schedule A  
APPENDIX ‘C’: Map Set  
APPENDIX ‘D’: Landowner Comments



## APPENDIX A: APPLICATION REFERRALS

| AGENCY  | COMMENTS   |
|---|--|
| <b><i>Public Utility</i></b>                    |  |
| ATCO Gas  | ATCO Gas have facilities located within the proposed closure, therefore a URW agreement will be required.  |
| FortisAlberta                                   | FortisAlberta has determined there are affected facilities which will require an Utility Right of Way Agreement to be registered at Alberta Land Titles.   |
| Planning and Development Services - Engineering | <p data-bbox="477 634 586 661"><b>General</b></p> <ul data-bbox="526 682 1425 863" style="list-style-type: none"> <li>• The review of this file is based upon the application submitted. These conditions/recommendations may be subject to change to ensure best practices and procedures.</li> <li>• The application will need to be circulated to Alberta Transportation for review and comment.</li> </ul> <p data-bbox="477 884 667 911"><b>Geotechnical:</b></p> <ul data-bbox="526 932 1154 963" style="list-style-type: none"> <li>• Engineering has no requirements at this time.</li> </ul> <p data-bbox="477 984 691 1012"><b>Transportation:</b></p> <ul data-bbox="526 1033 1446 1902" style="list-style-type: none"> <li>• The applicant/owner is proposing to close portions of the road allowance of River Drive North, River Drive South as well as an undeveloped road allowance for consolidation purposes.</li> <li>• The closure of Segment 1 (portion of River Drive North) would result in one land locked parcel (11 River Drive North), however, the lot will be a part of the consolidation. The closure would affect two other lots (12 River Drive North and 15 River Drive North), however, these lots will also be a part of the consolidation and have access to Balsam Avenue.</li> <li>• The parcels that are not included in the consolidation and would lose access to River Drive South through the proposed road closure are: 50 River Drive South, 53 River Dr. South, and 15 River Drive South.             <ul data-bbox="618 1524 1446 1902" style="list-style-type: none"> <li>○ River Drive South travels east-west along the northern boundaries of 50 River Drive South and 53 River Drive South and then turns and travels in a north-south direction between the two properties and eventually connects to White Avenue through Harwood Street. The affected lots have existing road approaches off of the north-south section of River Drive South. The road closure does not appear to significantly impact access to the lots.</li> <li>○ 15 River Drive South is adjacent to both River Drive South and White Avenue. The proposed road closure would remove access to River Drive South, however, the lot still</li> </ul> </li> </ul> |





| AGENCY           | COMMENTS  |
|------------------|---|
|                  | <p>has direct access to White Avenue and would not result in being a land locked parcel.</p> <ul style="list-style-type: none"> <li>• The closure of Segment 2 (the undeveloped road allowance) would not result in any land locked parcels, as all the parcels adjacent to the road allowance have direct access to Balsam Avenue.</li> <li>• The closure of Segment 3 (portion of River Drive South) would eliminate secondary access to 9 lots. This is acceptable should the developed area be considered as rural development, as the developed area does not meet the 10 lot threshold triggering secondary access, in accordance with section 411 of the County Servicing Standards.</li> <li>• The closure of Segment 3 (portion of River Drive South) would result in a 129 m dead end, which exceeds the 90 m threshold length for dead ends of urban developments. Should the developed area along River Drive South be considered to be urban, in accordance with section 411 of the County Servicing Standards, secondary access will need to be maintained. Should the road closure proceed, the applicant/owner will need to enter into an access easement agreement to provide secondary access to the impacted lots.</li> </ul> <p><b>Sanitary/Waste Water:</b></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>• Engineering has no requirements at this time.</li> </ul> <p><b>Storm Water Management:</b></p> <ul style="list-style-type: none"> <li>• Engineering has no requirements at this time.</li> </ul> <p><b>Environmental – Section 900.0 requirements:</b></p> <ul style="list-style-type: none"> <li>• Engineering has no requirements at this time.</li> </ul> |
| Utility Services | <p>The County operates and maintains water and wastewater infrastructure inside the portions of River Drive North and River Drive South identified in this application for closure and consolidation.</p> <p>Should approval be given for the closure and consolidation of these portions of River Drive North and South, the applicant will have to accommodate County access to the water and wastewater infrastructure located in these road allowances through an easement or right of way.</p>   |

Circulation Period: May 27, 2020 to June 17, 2020

Agencies that did not respond, expressed no concerns, or were not required for distribution, are not listed.



# BYLAW C-8072-2020

**A Bylaw of Rocky View County, in the Province of Alberta, for the purpose of closing for public travel and creating title to portions of a public highway in accordance with the *Municipal Government Act*.**

**WHEREAS** the lands hereafter described are no longer required for public travel;

**AND WHEREAS** an application has been made to the Council of Rocky View County to have the highway closed;

**AND WHEREAS** the Council of Rocky View County deems it expedient to close for public travel certain roads, or portions of roads, situated in Rocky View County and to dispose of the same;

**AND WHEREAS** notice of this Bylaw was provided in accordance with the *Municipal Government Act* by circulation to landowners and advertisements on the August 4, 2020 and August 11, 2020 Rocky View County Public Hearing Notice;

**NOW THEREFORE** the Council of Rocky View County enacts as follows:

## Title

- 1 This Bylaw may be cited as *Bylaw C-8072-2020*.

## Definitions

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

- (1) **“Council”** means the duly elected Council of Rocky View County;
- (2) **“Municipal Government Act”** means the *Municipal Government Act*, RSA 2000, c M-26, as amended or replaced from time to time; and
- (3) **“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 The Council of Rocky View County does hereby close to public travel for the purpose of creating title to the following described highway as shown on Schedule 'A' attached to and forming part of this Bylaw, and more particularly described below, subject to the rights of access granted by other legislation:

- (1) Road lying between Lots 3 and 4, Block 5, Plan 191 1358 and Lot 7, Block 1, Plan 1741EW, containing 0.191 hectares (0.47 acres) more or less excepting thereout all mines and minerals;

- (2) Portion of Lane lying south of Lot 3, Block 5, Plan 191 1358 and Lots 4 to 7 (inclusive), Block 1, Plan 1741EW and North of Lot 2 PUL, Block 12, Plan 191 1819 and Lot 1 Block 10, Plan 191 1357, containing 0.140 hectares (0.35 acres) more or less excepting thereout all mines and minerals;
- (3) Portion of Original Road Allowance between Sections 12 and 13, Township 23, Range 5. W.5M that lies north of Lots 2, 25, and 26, Block D, Plan 8605 GT and Condominium Plan 991 3486, containing 0.540 hectares (1.34 acres) more or less excepting thereout all mines and minerals.

**Transitional**

- 4 Bylaw C-8072-2020 is passed and comes into full force and effect when it receives approval from the Minister of Transportation and receives third reading and is signed in accordance with the *Municipal Government Act*.

PUBLIC HEARING HELD this \_\_\_\_\_ day of \_\_\_\_\_, 20XX

READ A FIRST TIME IN COUNCIL this \_\_\_\_\_ day of \_\_\_\_\_, 20XX

APPROVED BY ALBERTA TRANSPORTATION:

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
MINISTER OF TRANSPORTATION

READ A SECOND TIME IN COUNCIL this \_\_\_\_\_ day of \_\_\_\_\_, 20XX

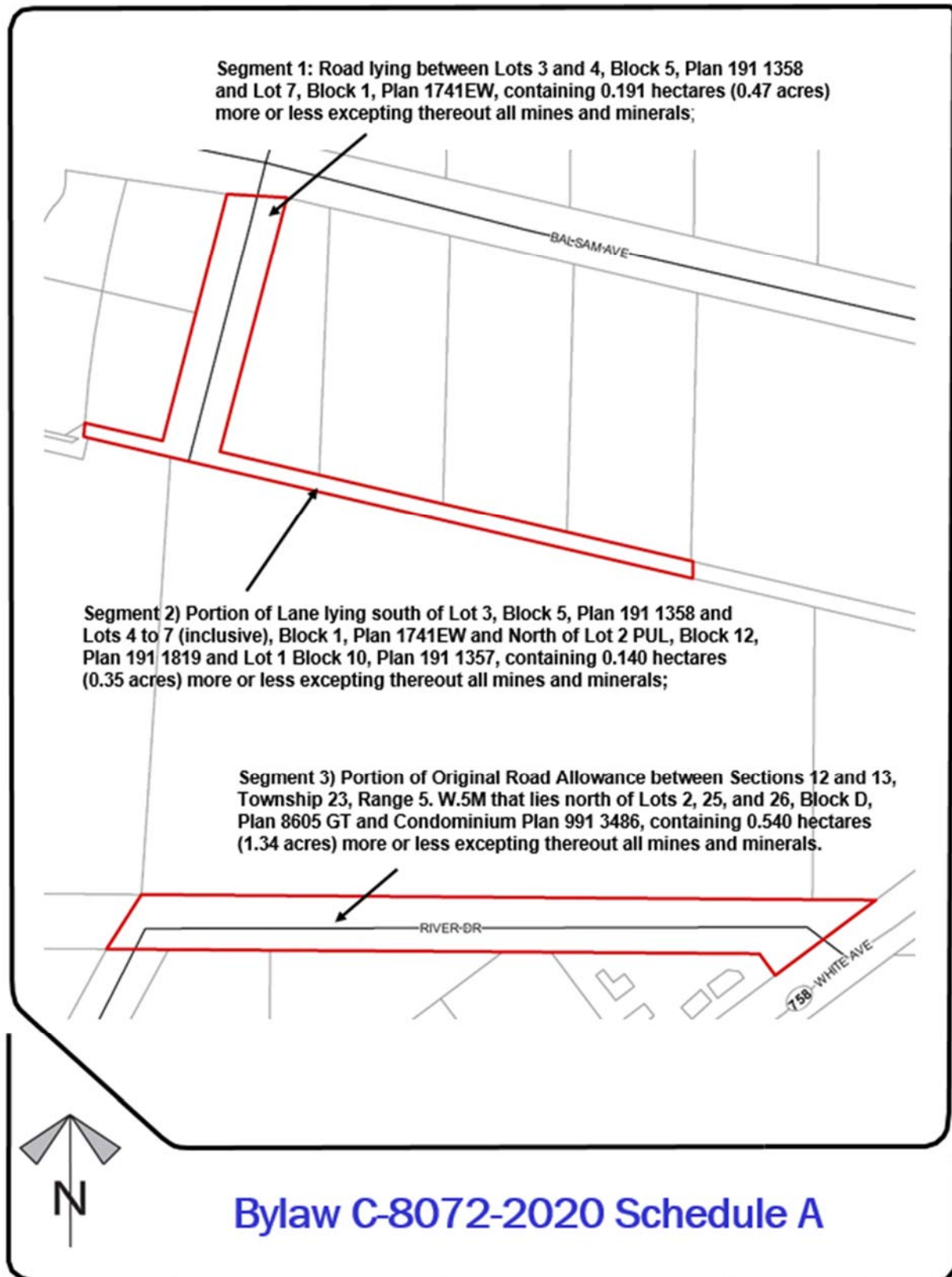
READ A THIRD TIME IN COUNCIL this \_\_\_\_\_ day of \_\_\_\_\_, 20XX

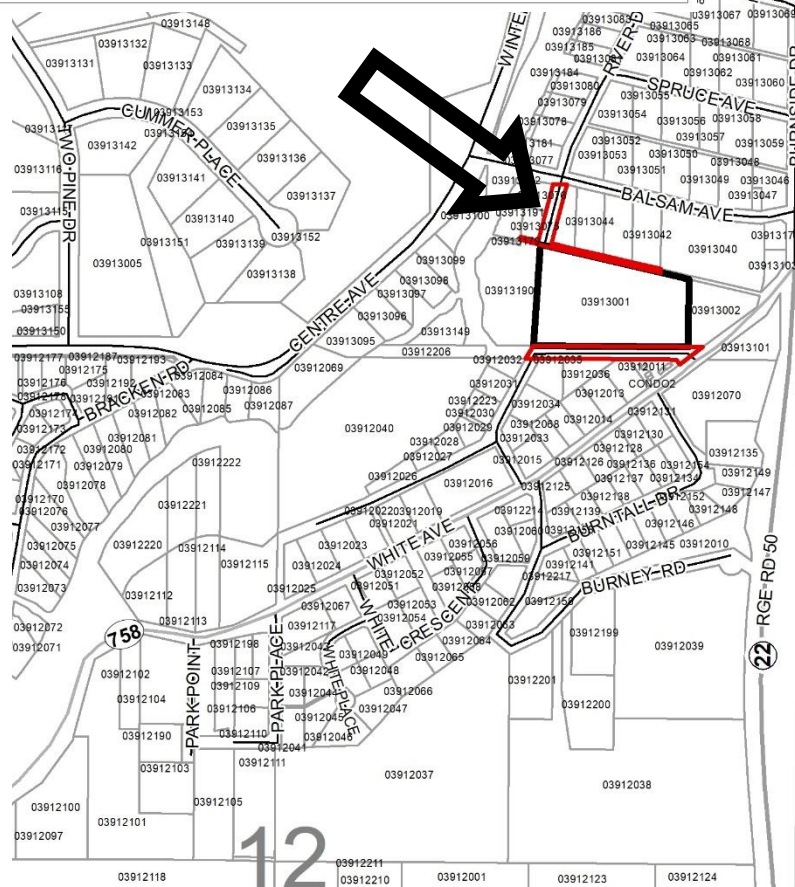
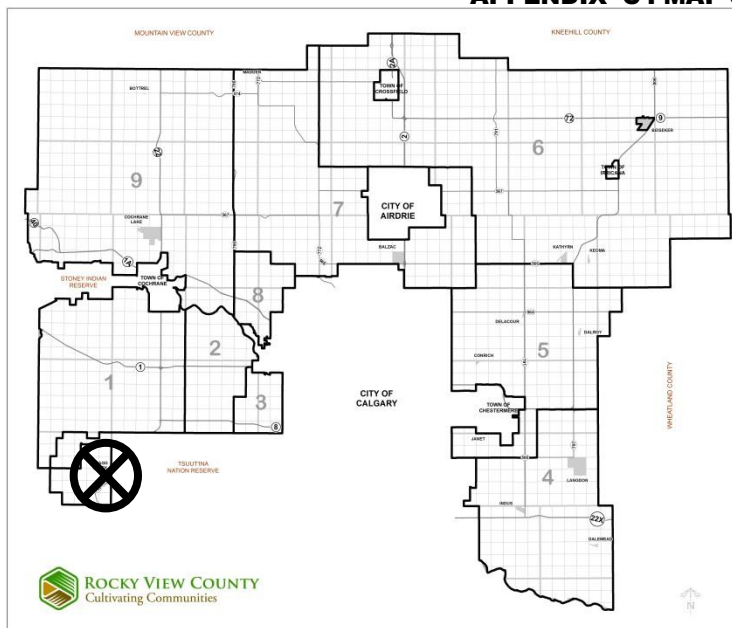
\_\_\_\_\_  
Reeve

\_\_\_\_\_  
Chief Administrative Officer or Designate

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

## SCHEDULE 'A'





TSUUT'INA NATION RESERVE

## LOCATION PLAN

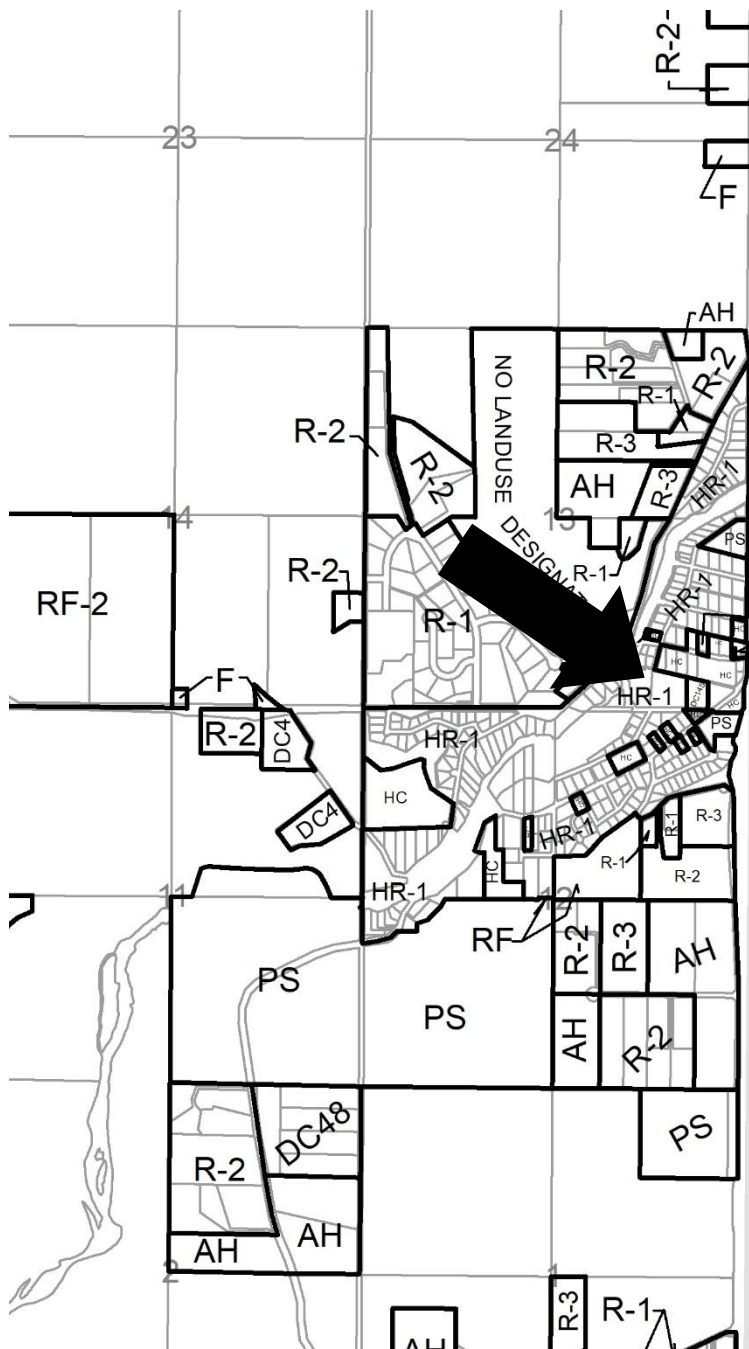


SE-13-23-05-W05M  
Lot:1 Block:10 Plan:1911357

**Date: April 30, 2020**

**Application: PL20200054**

File: PL20200054



TSUUT'INA NATION RESERVE

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

## LAND USE MAP

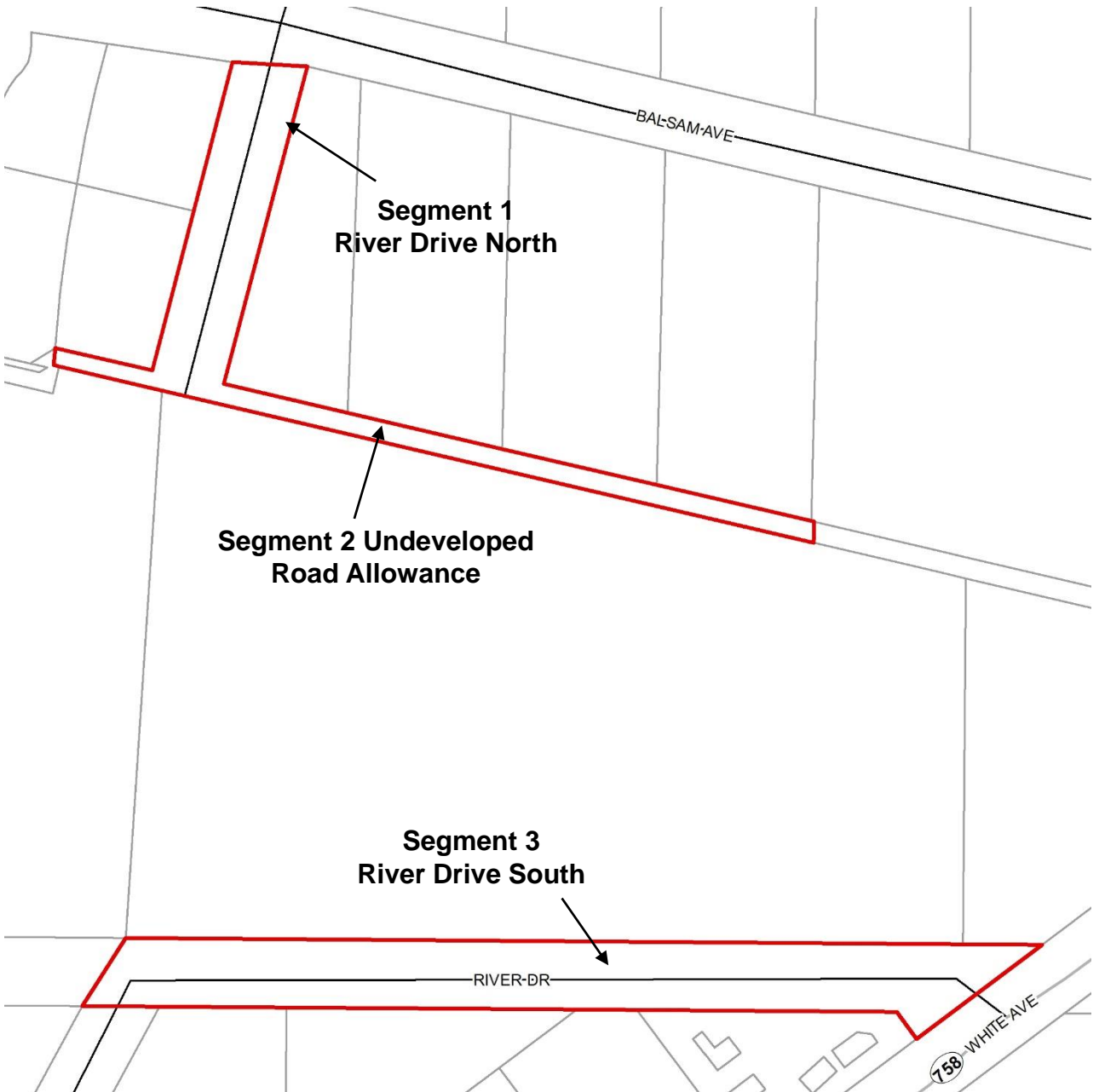
SE-13-23-05-W05M

Lot:1 Block:10 Plan:1911357

Date: April 30, 2020Application: PL20200054File: PL20200054



**Road Closure Proposal:** To close for consolidation purposes, three (3) segments of Road Allowance and Lane located within the Hamlet of Bragg Creek, adjacent to the North and South sides of Lot 1, Block 10, Plan 191 1357. The purpose of this application is to integrate the Road and undeveloped Lane for a future comprehensive development plan.



## ROAD CLOSURE PROPOSAL

SE-13-23-05-W05M

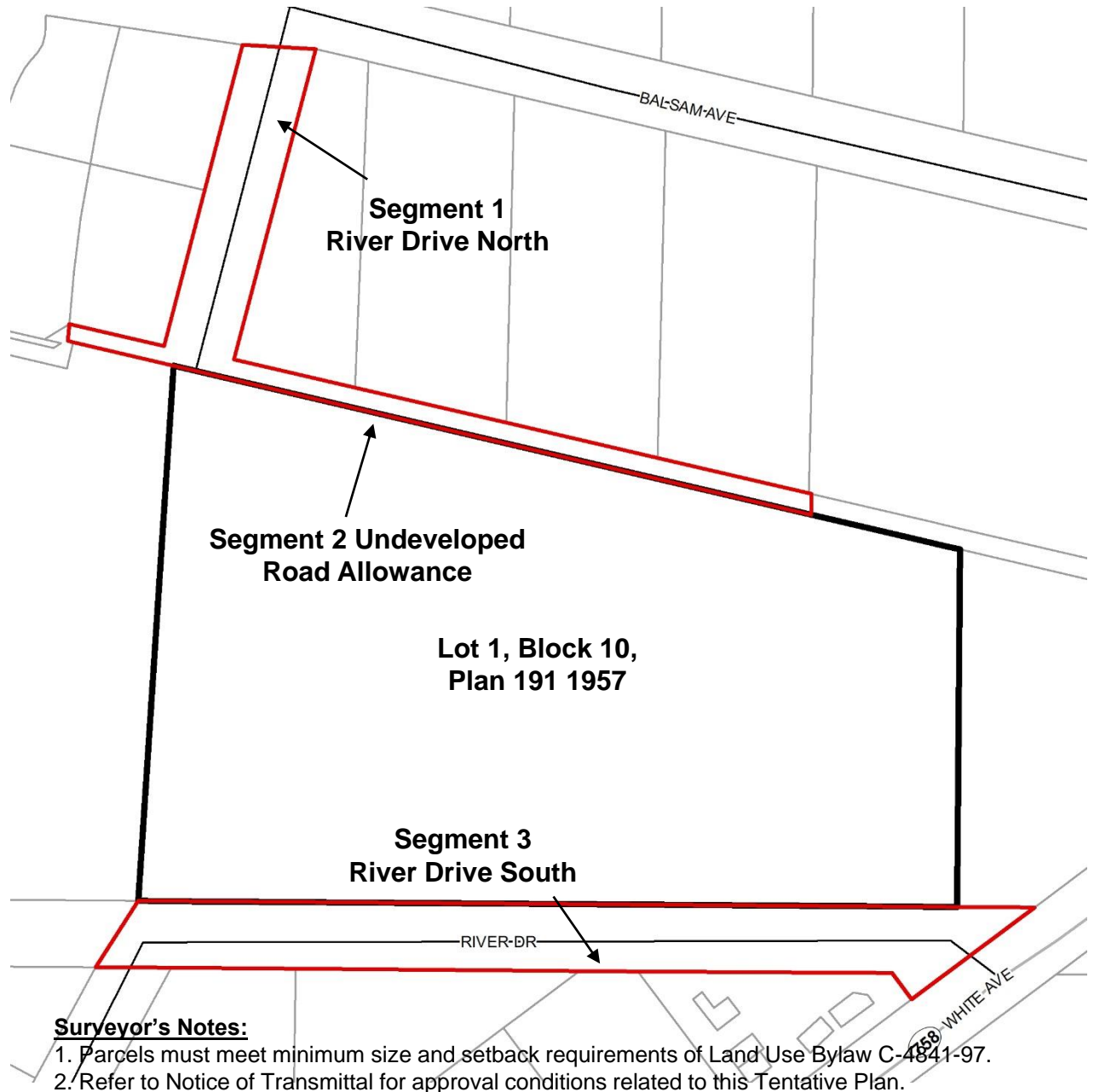
Lot:1 Block:10 Plan:1911357

Date: April 30, 2020

Application: PL20200054

File: PL20200054

**Road Closure Proposal:** To close for consolidation purposes, three (3) segments of River Drive, located within the Hamlet of Bragg Creek, adjacent to the North and South sides of Lot 1, Block 10, Plan 191 1357. The purpose of this application is to integrate the Road and undeveloped Lane for a future comprehensive development plan.



## TENTATIVE PLAN BEFORE CONSOLIDATION

SE-13-23-05-W05M

Lot:1 Block:10 Plan:1911357

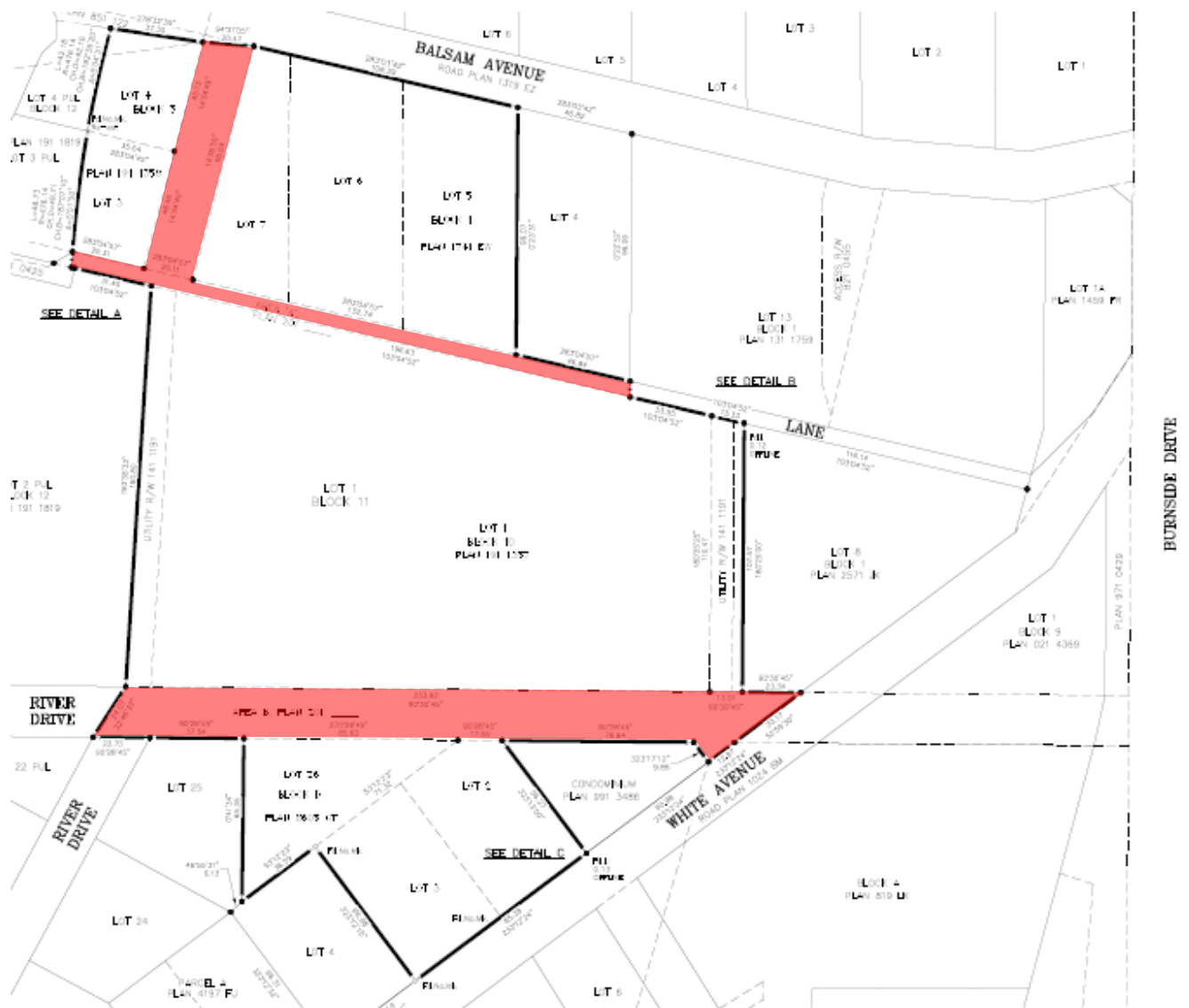
Date: April 30, 2020

Application: PL20200054

File: PL20200054



**Future Consolidation affecting:** Lots 5,6 & 7, Block 1, Plan 1741 EW; Lot 1, Block 10, Plan 191 1357; Lots 3 & 4, Block 5, Plan 191 1358; Lots 2, 3, & 26, Block D, Plan 8605 GT; and Proposed Road Closures adjacent to the North and South sides of Lot 1, Block 10, Plan 191 1357.



**Surveyor's Notes:**

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

## TENTATIVE PLAN AFTER CONSOLIDATION

SE-13-23-05-W05M

Lot:1 Block:10 Plan:1911357

Date: April 30, 2020

Application: PL20200054

File: PL20200054



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

**AIR PHOTO**

*Spring 2018*

SE-13-23-05-W05M

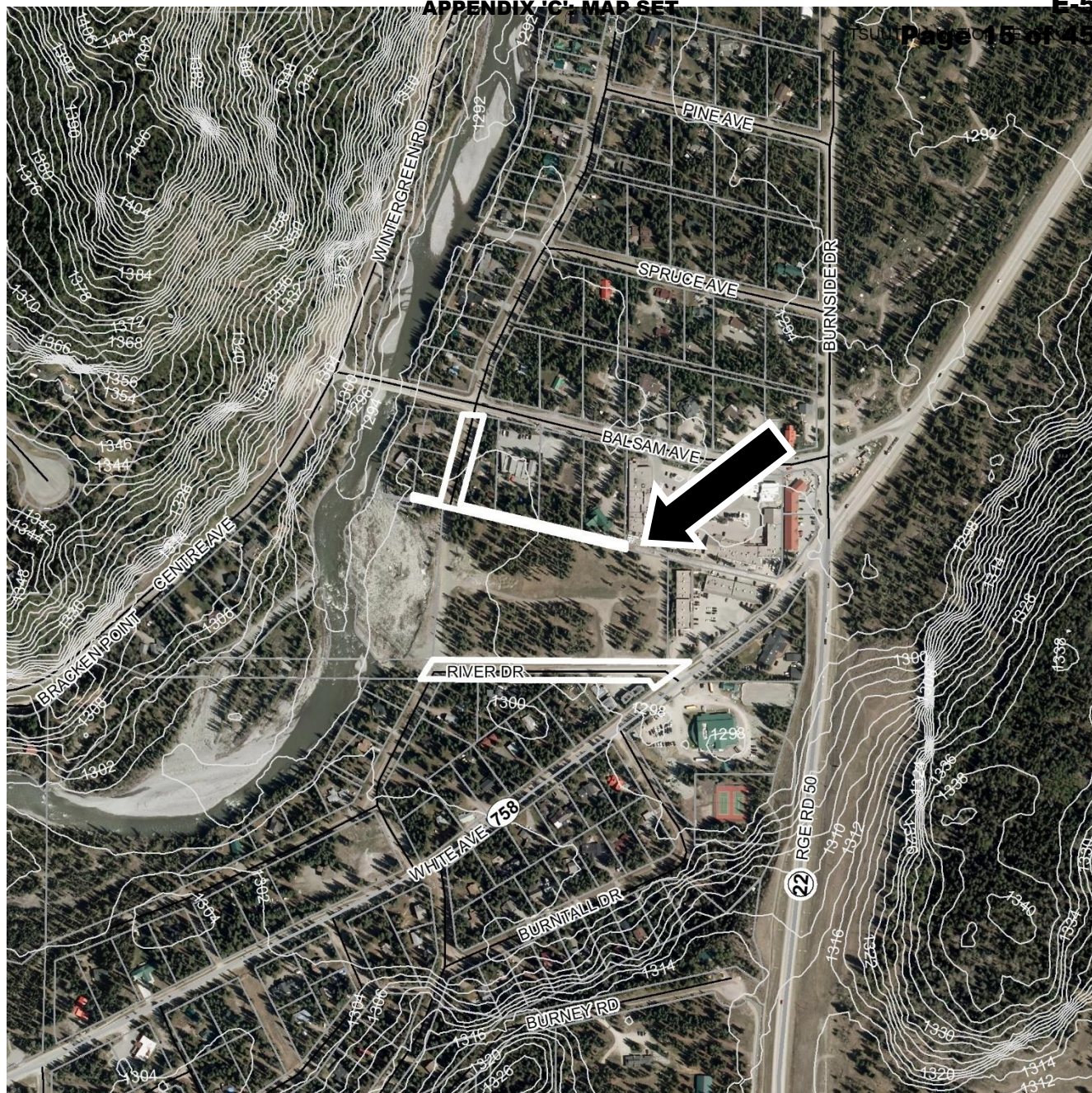
Lot:1 Block:10 Plan:1911357

Date: April 30, 2020

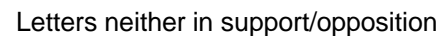
Application: PL20200054

File: PL20200054









10

## Subject Lands

File: PL20200054



ROCKY VIEW COUNTY



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

403-230-1401  
questions@rockyview.ca  
www.rockyview.ca

ROAD ALLOWANCE RESPONSE FORM

**FILE NUMBER:** PL20200054

**DESCRIPTION:** To close for consolidation purposes, three (3) segments of Road Allowance and Lane located within the Hamlet of Bragg Creek, adjacent to the North and South sides of Lot 1, Block 10, Plan 1911357. The purpose of this application is to integrate the Roads and undeveloped Lane for a future comprehensive development plan.

**GENERAL LOCATION:** Located in the Hamlet of Bragg Creek

**APPLICANT:** RJK Developments Ltd.

**OWNER:** The Crown in right of Alberta

**GROSS AREA:** 2.15 acres, to be confirmed by plan of survey

I, DONNA E. SCHULER, the owner of

Lot 24, Block D, Plan 8605 GT and/or

Qtr. N.E., Sec. 12, Twp. 23, Rge. 05, W 5 M

Support

or

Oppose

this proposed road closure for consolidation purposes.

Comments: *I am undecided at this time and have some concerns on this road closure that R.T. Koetsier is applying for from Rocky View County. From my understanding from Rocky View County I am not sure why this road has to be closed right to the River if I have understood this correctly. Will there still be access to walk over to the River if we wish too. As residents living there full time and week-end cabin residents will that privilege be taken away from us? Also concerned if this closure could affect the sale of my property not having a full road access say there could be a fire break out and not at least two roads for access out of there. Also should this proposal change in the near future and affect my property or entrance to my property I will not support these changes. I have seen the plans for this Big Development but nothing has been built yet to warrant a Road closure on River Dr. South. I feel there should be a lot of consideration taken in the decision of a road closure for all concerned in Bragg Creek.*

Donna E. Schuler

Signature

June 15, 2020.

Date

I just attached what I wrote on a piece of paper  
my writing might be hard to read.

I am undecided at this time and have  
some concerns on the road closure that R. J.  
Koetsier is applying for from Rocky View  
County. From my understanding from Rocky View  
this road has to be closed right to the  
River if I have understood this correctly. Will  
there still be access to walk over to the River  
if we wish too. As residents living there full  
time and week end-cabin residents will that  
privilege be taken away from us? Also concerned  
if this closure could effect the sale of my  
property not having a full road access say  
there could be a fire break out and not at  
least two roads for access out of there. Also  
should this proposal change in the near future  
and effect my property or entrance to my  
property I will not support these changes. I have  
seen the plans for this Big Development but  
nothing has been built yet to warrant a road  
closure on River Drive South. I feel there  
should be a lot of consideration taken in this  
decision of a road closure for all concerned in Bragg Creek.

Donna E Schuler

June 15, 2020.





# ROCKY VIEW COUNTY

262075 Rocky View Point  
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questions@rockyview.ca  
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**GENERAL LOCATION:** Located in the Hamlet of Bragg Creek

**APPLICANT:** RJK Developments Ltd.

**OWNER:** The Crown in right of Alberta

**GROSS AREA:** 2.15 acres, to be confirmed by plan of survey

I, Darren Scarborough, the owner of

Lot Unit 2 Block 2, Plan 9913486 and/or

Qtr. NE, Sec. 12, Twp. 23, Rge. 05, W05M

Support

or

Oppose

this proposed road closure for consolidation purposes.

Comments:

I neither support or oppose this proposed road closure at this time.

I as a owner of the front porch square Condo unit, who would be directed effected

by this am working with the developer to come agreement

which would be beneficial for all parties . Thank you.

Darren Scarborough

June 16, 2020

Signature

Date





# ROCKY VIEW COUNTY

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

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**GENERAL LOCATION:** Located in the Hamlet of Bragg Creek

**APPLICANT:** RJK Developments Ltd.

**OWNER:** The Crown in right of Alberta

**GROSS AREA:** 2.15 acres, to be confirmed by plan of survey

I, Ben Plumer, the owner of

Lot NE, Block 10, Plan 1911357 and/or

Qtr. NE, Sec. 23, Twp. 23, Rge. 12, W 5 M

NE 12 23 S W 5

Support

or

Condominium Plan 9913486, Unit 4  
and 1547 undivided one ten-thousandth  
interest

(3 River Drive S, Bragg Creek)

Oppose

this proposed road closure for consolidation purposes.

Comments:

I support on the conditions of the draft agreement attached. I have a verbal agreement with the other condo owners and with Richard Koetsier. Provided it can be finalized and signed I would not oppose.

[Signature]

Signature

June 16/2020

Date

Appendix 1 page 7



**Development Agreement: [Draft]**

The following agreement is entered into between

**Benjamin Plumer, Ross Brown, Lisa Johnston, Darren Scarborough, and Ron Peiluck** (the “Condo Owners”)

and

**Richard Koetsier and RJK Developments Ltd.** (the “Developer”)

regarding the development of the parking lot attached Units 1-15 River Drive South, Bragg Creek AB, also known as Front Porch Square (the “parking lot”), pursuant to the Rocky View County Notice of Application PL20200054 dated May 27, 2020 (the “Notice”) and the Bragg Creek Hamlet Core Master Plan dated June 5, 2020 (the “Master Plan”) (together, the “Applications”) (see as Appendix 1 & 2).

**Recitals:**

WHEREAS the Developer has proposed to close sections of River Drive South for the purpose of developing Lot 1, Block 10, Plan 1911357 as described in the Notice; and

WHEREAS the Developer has created a Master Plan detailing the design of the proposed parking lot and proposed future roadway;

the Condo Owners and Developer agree as follows.

**Terms and Conditions:**

1.1 The Condo Owners of Front Porch Square shall support the above referenced Applications of the Developer subject to the following conditions:

- a) The Developer shall ensure that at all times, the Condo Owners and their patrons have free and unimpeded access to Front Porch Square. More specifically, there shall at all times be an open road connecting Front Porch Square to either River Drive South or the proposed road that will connect to White Avenue.
- b) The Developer shall grant a right-of-way across the proposed road and parking lot to all employees, owners, and patrons of Front Porch Square. This easement shall be registered on title.
- c) The Developer shall adjoin the existing parking lot in front of Front Porch Square to the proposed parking lot as shown in the Master Plan.
- d) The Developer undertakes all costs associated with improving the existing parking lot of Front Porch Square in combining it with the proposed parking lot. The existing parking lot shall be made uniform with the proposed parking lot, which includes but is not limited to:
  - i. Ensuring proper drainage and sloping of the parking lot; and
  - ii. Resurfacing the existing parking lot to match the proposed lot.
- e) Upon completion of the proposed parking lot, the Condo Owners shall be guaranteed 30 parking spots reserved for employees and patrons of Front Porch Square.

- f) Upon completion of the proposed parking lot, operating costs shall be paid proportionately, based on the number of stalls designated to each of the Condo Owners and Developer.
- g) The Developer shall grant a right of first refusal to the Condo Owners to purchase the lot before offering to sell or otherwise dispose of the lot to any other party.
- h) The Developer shall obtain the consent of the Condo Owners before altering or redrafting the Master Plan insofar as the changes to the Master Plan impact the existing or proposed parking lot, River Drive South, or the new proposed roadway.

1.2 This Development Agreement is entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Benjamin Plumer

\_\_\_\_\_  
Ross Brown

\_\_\_\_\_  
Lisa Johnston

\_\_\_\_\_  
Darren Scarborough

\_\_\_\_\_  
Ron Peiluck

\_\_\_\_\_  
Richard Koetsier



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# ROCKY VIEW COUNTY

Wednesday, May 27, 2020

Ben Plumer CPA Professional Co  
168 Signal Hill Circle SW  
Calgary, AB T3H 2H9

## TO THE LANDOWNER

**RE: To close for consolidation purposes, three (3) segments of Road Allowance and Lane located within the Hamlet of Bragg Creek, adjacent to the North and South sides of Lot 1, Block 10, Plan 1911357. The purpose of this application is to integrate the Roads and undeveloped Lane for a future comprehensive development plan.**

TAKE NOTICE that an application for a Road Closure and Consolidation has been received by Engineering Services within Rocky View County. In accordance with Section 22 of the Municipal Government Act, as amended, and as your property is adjacent to, or in the immediate vicinity of the road subject to the application, we are notifying you and requesting your comments and/or concerns. In order that we may apply for ministerial consent to proceed with this resolution, the deadline for your response is **6/17/2020 12:00:00 AM. For your convenience, a standard response form is included for your use. There is a map of the proposal included with this notice. The following information is provided regarding this application:**

**Application Number:** PL20200054

**Division 1**

**Proposal:** To close for consolidation purposes, three (3) segments of Road Allowance and Lane located within the Hamlet of Bragg Creek, adjacent to the North and South sides of Lot 1, Block 10, Plan 1911357. The purpose of this application is to integrate the Roads and undeveloped Lane for a future comprehensive development plan.

**Location:** Located in the Hamlet of Bragg Creek

**Applicant(s):** RJK Developments Ltd.

**Owner(s):** Richard Koetsier

**Gross Area:** 2.15 acres (to be confirmed at time of Survey)

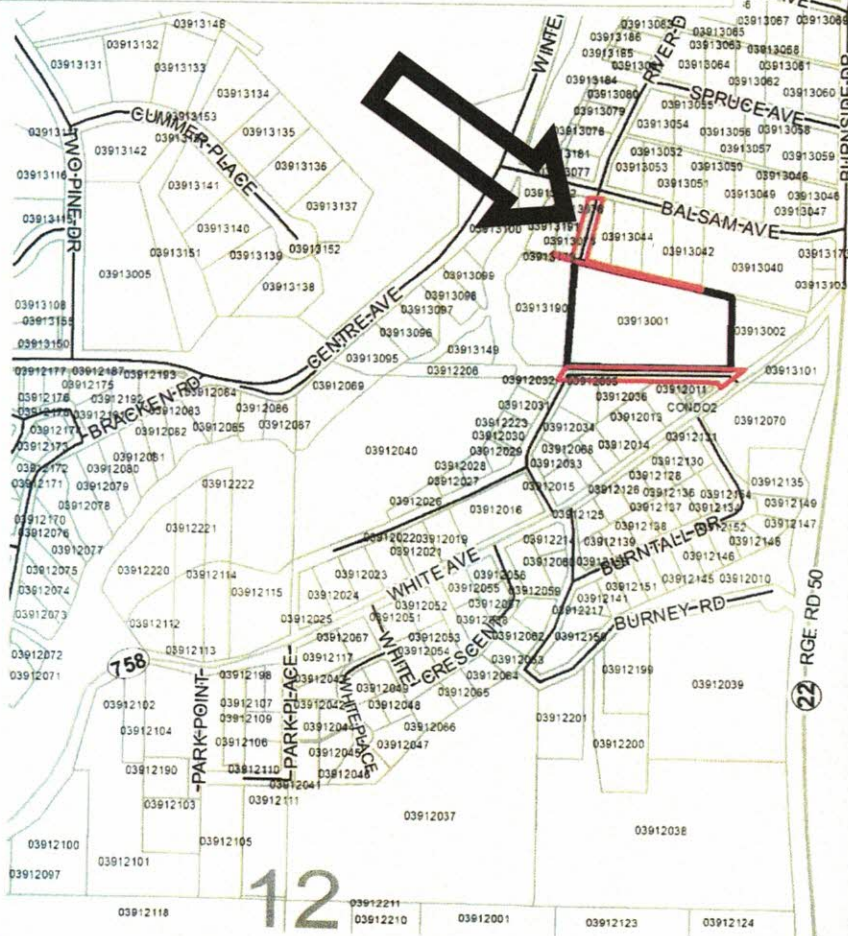
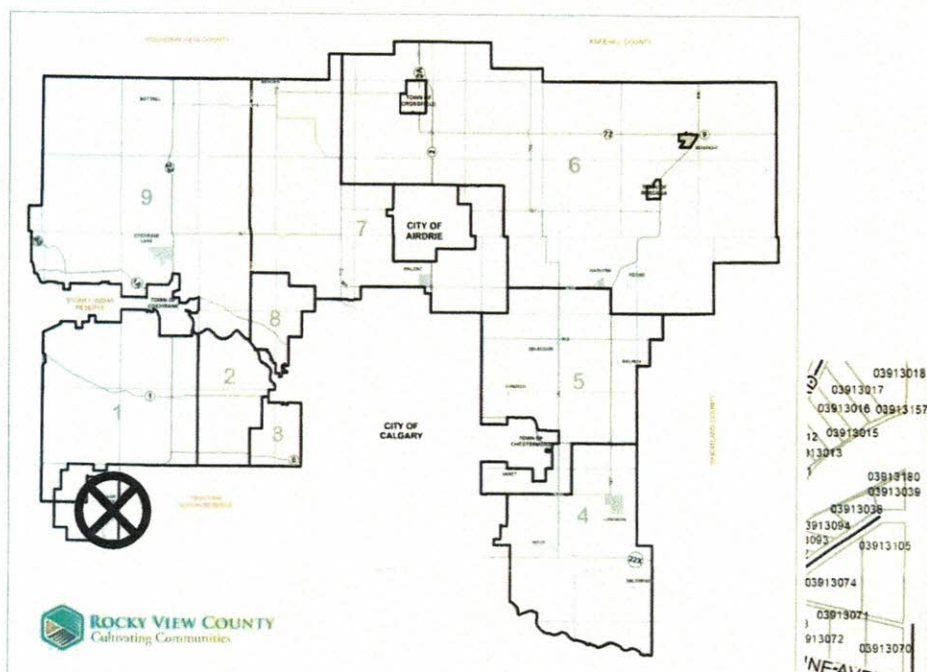
**Please be advised that any response to this letter may become a matter of Public Record at a future Council Meeting and may be forwarded to the Applicant prior to the Council Meeting for their consideration. Your response is considered your consent to the distribution of your response.**

Thank you for your attention to this matter. If you have any questions do not hesitate to call **Bianca Duncan** at Phone: **(403) 520-3903**. Please reply to the attention of Engineering Services, Rocky View County, 262075 Rocky View Point, Rocky View County, AB, T4A 0X2, by fax to 403.277.5977, or by e-mail to **bduncan@rockyview.ca**.

Bianca Duncan  
Phone: (403) 520-3903  
Fax: (403) 277-5977  
bduncan@rockyview.ca  
**Engineering Services**

Appendix 1 Page 1





TSUUT'INA NATION RESERVE

LOCATION PLAN

SE-13-23-05-W05M  
 Lot:1 Block:10 Plan:1911357

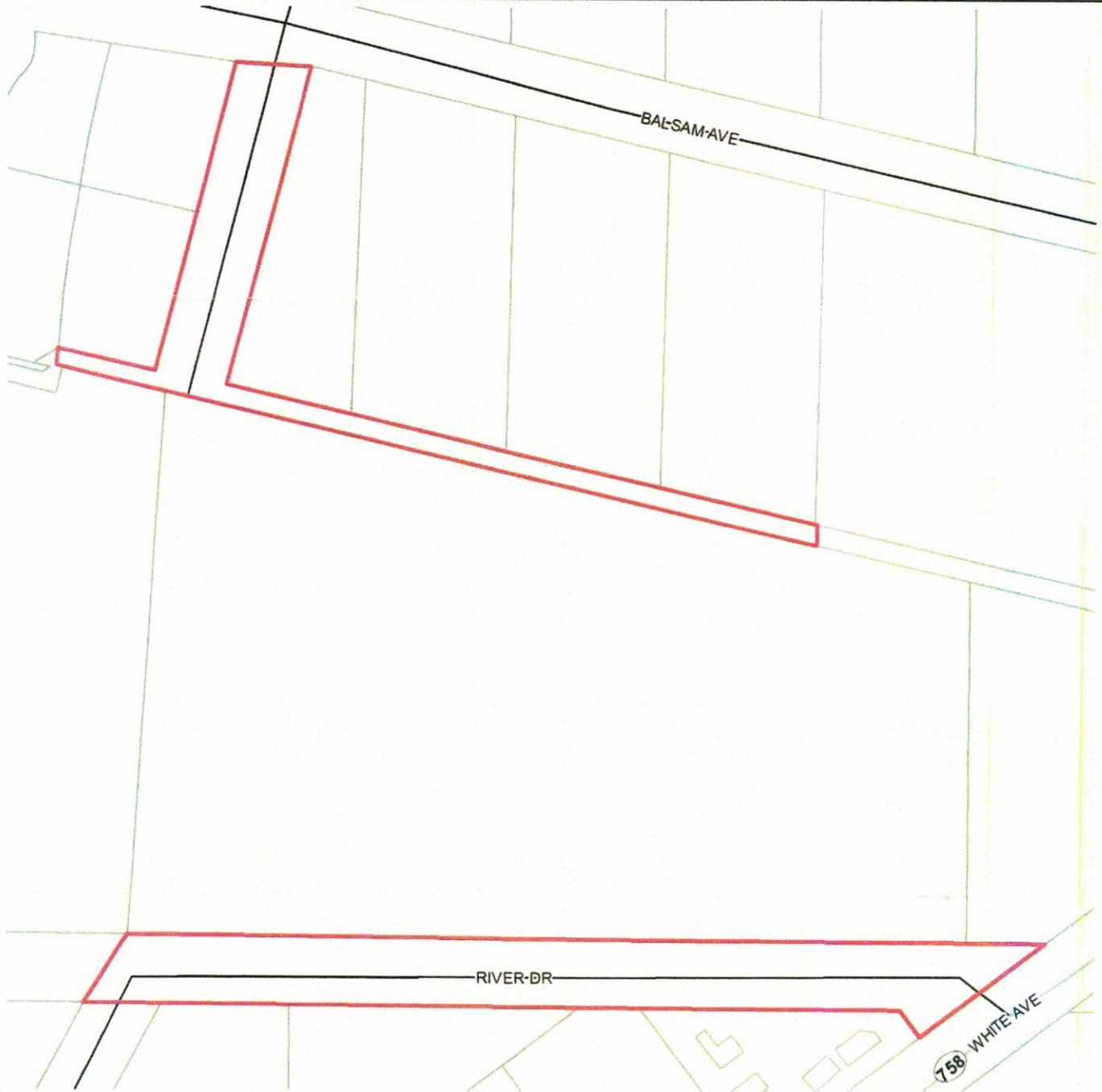
Date: April 30, 2020

Division # 1

File: PL20200054

Appendix 1 Page 2

**Road Closure Proposal:** To close for consolidation purposes, three (3) segments of Road Allowance and Lane located within the Hamlet of Bragg Creek, adjacent to the North and South sides of Lot 1, Block 10, Plan 191 1357. The purpose of this application is to integrate the Road and undeveloped Lane for a future comprehensive development plan.



## ROAD CLOSURE PROPOSAL

SE-13-23-05-W05M

Lot:1 Block:10 Plan:1911357

Date: April 30, 2020

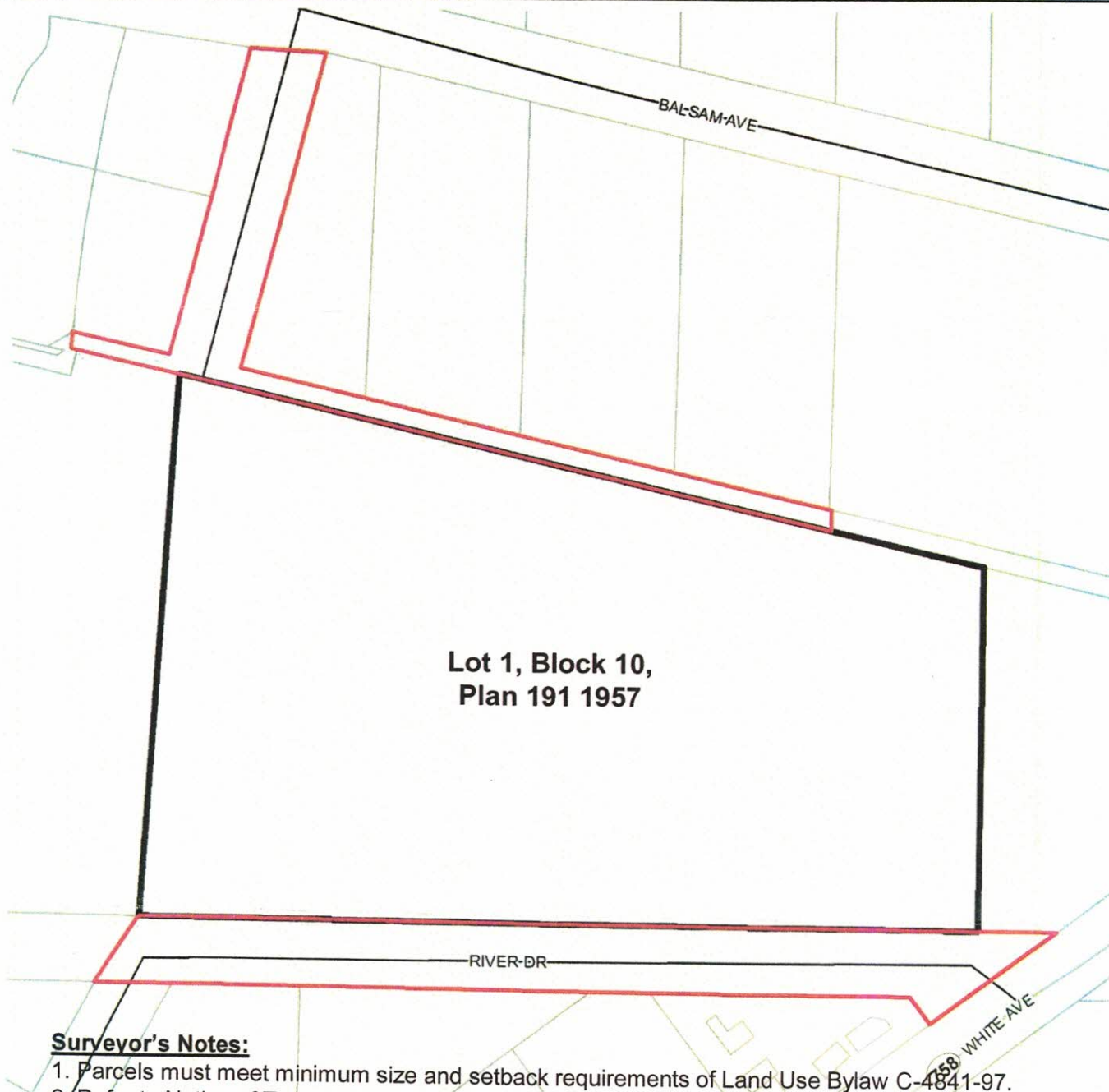
Division # 1

File: PL20200054

Appendix 1 page 1



**Road Closure Proposal:** To close for consolidation purposes, three (3) segments of Road Allowance and Lane located within the Hamlet of Bragg Creek, adjacent to the North and South sides of Lot 1, Block 10, Plan 191 1357. The purpose of this application is to integrate the Road and undeveloped Lane for a future comprehensive development plan.



**Surveyor's Notes:**

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

**TENTATIVE PLAN BEFORE  
CONSOLIDATION**

SE-13-23-05-W05M  
Lot:1 Block:10 Plan:1911357

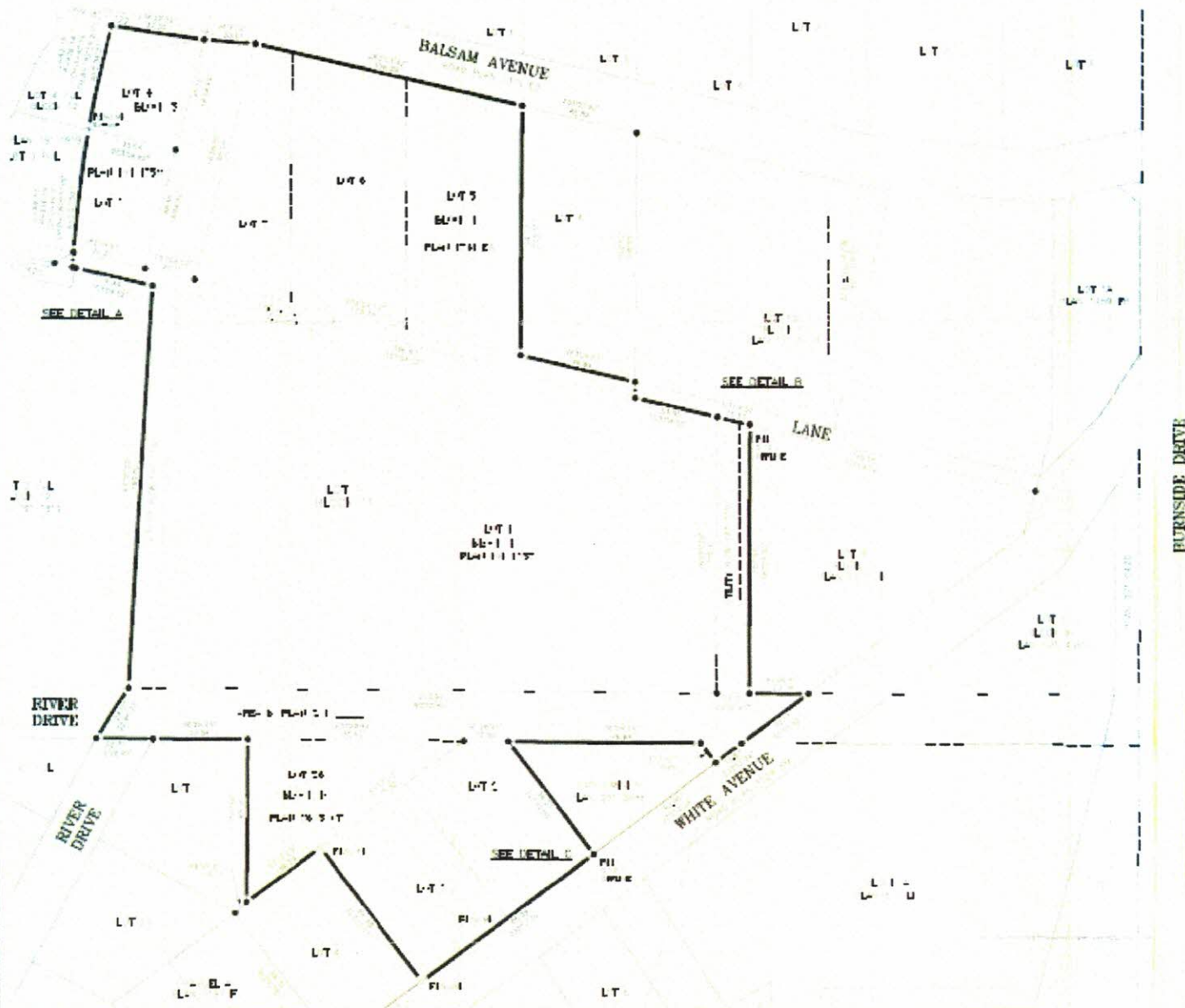
Date: April 30, 2020

Division # 1

File: PL20200054

*Appendix 1 Page 4*

**Future Consolidation affecting:** Lots 5, 6 & 7, Block 1, Plan 1741 EW; Lot 1, Block 10, Plan 191 1357; Lots 3 & 4, Block 5, Plan 191 1358; Lots 2, 3, & 26, Block D, Plan 8605 GT; and Proposed Road Closures adjacent to the North and South sides of Lot 1, Block 10, Plan 191 1357.



**Surveyor's Notes:**

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

## TENTATIVE PLAN AFTER CONSOLIDATION



SE-13-23-05-W05M

Lot:1 Block:10 Plan:1911357

Date: April 30, 2020

Division # 1

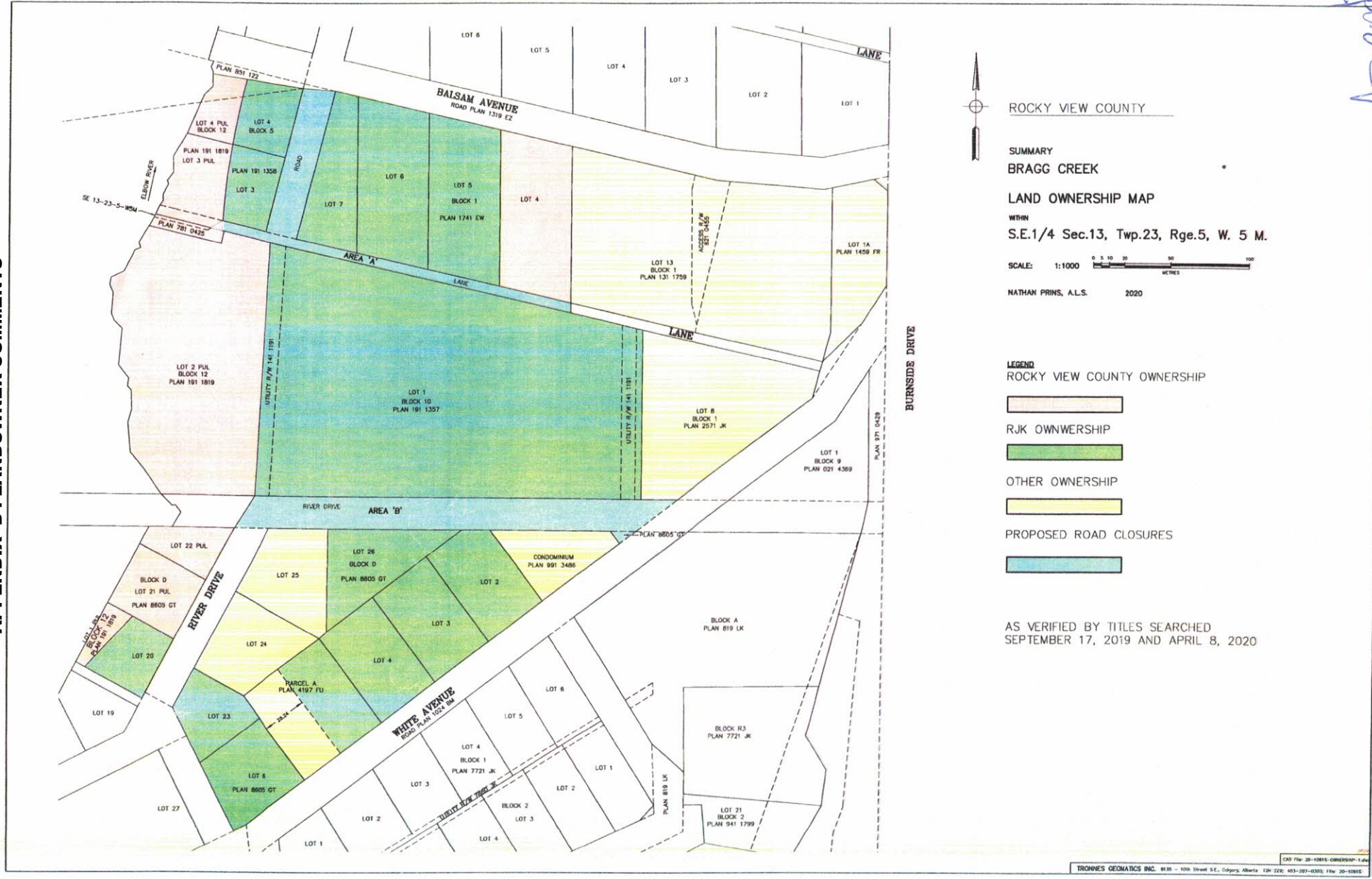
File: PL20200054

Appendix 1 page 1



Appendix F

APPENDIX 'D': LANDOWNER COMMENTS







# ROCKY VIEW COUNTY

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

403-230-1401  
questions@rockyview.ca  
www.rockyview.ca

## ROAD ALLOWANCE RESPONSE FORM

**FILE NUMBER:** PL20200054

**DESCRIPTION:** To close for consolidation purposes, three (3) segments of Road Allowance and Lane located within the Hamlet of Bragg Creek, adjacent to the North and South sides of Lot 1, Block 10, Plan 1911357. The purpose of this application is to integrate the Roads and undeveloped Lane for a future comprehensive development plan.

**GENERAL LOCATION:** Located in the Hamlet of Bragg Creek

**APPLICANT:** RJK Developments Ltd.

**OWNER:** The Crown in right of Alberta

**GROSS AREA:** 2.15 acres, to be confirmed by plan of survey

I, \_\_\_\_\_, the owner of

Lot \_\_\_\_\_, Block \_\_\_\_\_, Plan \_\_\_\_\_ and/or

Qtr. \_\_\_\_\_, Sec. \_\_\_\_\_, Twp. \_\_\_\_\_, Rge. \_\_\_\_\_, W\_\_ M

Support

or

Oppose

this proposed road closure for consolidation purposes.

Comments:

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Signature

Date

Appendix 1 page 7





# ROCKY VIEW COUNTY

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

403-230-1401  
questions@rockyview.ca  
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## ROAD ALLOWANCE RESPONSE FORM

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**GENERAL LOCATION:** Located in the Hamlet of Bragg Creek

**APPLICANT:** RJK Developments Ltd.

**OWNER:** The Crown in right of Alberta

**GROSS AREA:** 2.15 acres, to be confirmed by plan of survey

1649125 Alberta Ltd  
I, Ross Brown, the owner of

Lot <sup>UNIT</sup> 5, Block       , Plan 9913486 and/or

Qtr. NE, Sec. ~~22~~ 12, Twp. ~~22~~ 23, Rge. ~~05~~ 05, W 5 M

Support

or

Oppose

this proposed road closure for consolidation purposes.

Comments:

Attached is a draft agreement between Ross Brown <sup>etal</sup> + RJK Developments regarding access to existing businesses and other issues. Once this has been executed by all parties, we (I) will not oppose this development

R Brown  
Signature

June 14, 2020  
Date

9:30 pm.



**Development Agreement: [Draft]**

The following agreement is entered into between

**Benjamin Plumer, Ross Brown, Lisa Johnston, Darren Scarborough, and Ron Peiluck** (the "Condo Owners")

and

**Richard Koetsier and RJK Developments Ltd.** (the "Developer")

regarding the development of the parking lot attached Units 1-15 River Drive South, Bragg Creek AB, also known as Front Porch Square (the "parking lot"), pursuant to the Rocky View County Notice of Application PL20200054 dated May 27, 2020 (the "Notice") and the Bragg Creek Hamlet Core Master Plan dated June 5, 2020 (the "Master Plan") (together, the "Applications") (see as Appendix 1 & 2).

**Recitals:**

WHEREAS the Developer has proposed to close sections of River Drive South for the purpose of developing Lot 1, Block 10, Plan 1911357 as described in the Notice; and

WHEREAS the Developer has created a Master Plan detailing the design of the proposed parking lot and proposed future roadway;

the Condo Owners and Developer agree as follows.

**Terms and Conditions:**

1.1 The Condo Owners of Front Porch Square shall support the above referenced Applications of the Developer subject to the following conditions:

- a) The Developer shall ensure that at all times, the Condo Owners and their patrons have free and unimpeded access to Front Porch Square. More specifically, there shall at all times be an open road connecting Front Porch Square to either River Drive South or the proposed road that will connect to White Avenue.
- b) The Developer shall grant a right-of-way across the proposed road and parking lot to all employees, owners, and patrons of Front Porch Square. This easement shall be registered on title.
- c) The Developer shall adjoin the existing parking lot in front of Front Porch Square to the proposed parking lot as shown in the Master Plan.
- d) The Developer undertakes all costs associated with improving the existing parking lot of Front Porch Square in combining it with the proposed parking lot. The existing parking lot shall be made uniform with the proposed parking lot, which includes but is not limited to:
  - i. Ensuring proper drainage and sloping of the parking lot; and
  - ii. Resurfacing the existing parking lot to match the proposed lot.
- e) Upon completion of the proposed parking lot, the Condo Owners shall be guaranteed 30 parking spots reserved for employees and patrons of Front Porch Square.

- f) Upon completion of the proposed parking lot, operating costs shall be paid proportionately, based on the number of stalls designated to each of the Condo Owners and Developer.
- g) The Developer shall grant a right of first refusal to the Condo Owners to purchase the lot before offering to sell or otherwise dispose of the lot to any other party.
- h) The Developer shall obtain the consent of the Condo Owners before altering or redrafting the Master Plan insofar as the changes to the Master Plan impact the existing or proposed parking lot, River Drive South, or the new proposed roadway.

1.2 This Development Agreement is entered into this 12 day of January, 2020.

\_\_\_\_\_  
Benjamin Plumer

\_\_\_\_\_  
Ross Brown

\_\_\_\_\_  
Lisa Johnston

\_\_\_\_\_  
Darren Scarborough

\_\_\_\_\_  
Ron Peiluck

\_\_\_\_\_  
Richard Koetsier



ROCKY VIEW COUNTY

262075 Rocky View Point  
Rocky View County, AB, T4A 0X2403-230-1401  
questions@rockyview.ca  
www.rockyview.caROAD ALLOWANCE RESPONSE FORM

FILE NUMBER: PL20200054

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GENERAL LOCATION: Located in the Hamlet of Bragg Creek

APPLICANT: RJK Developments Ltd.

OWNER: The Crown in right of Alberta

GROSS AREA: 2.15 acres, to be confirmed by plan of survey

I, Janet David, the owner ofLot 17, Block D, Plan 8605GT and/orQtr. NE, Sec. 12, Twp. 23, Rge. 5, W 5 M

Support

or

Oppose

this proposed road closure for consolidation purposes.

Comments:

PLEASE SEE PAGE 2J David

Signature

June 15/20

Date



of 2

I oppose the closure of the **River Drive South** portion of road for the following reasons:

1. River Drive South is the **only major access road** for the residents of River Drive South. Harwood and **the lane** south of Harwood would then be the only access roads for River Drive South. Both Harwood and the lane to the south are **much smaller roads** and **frequently not plowed** in the winter. Additionally, Harwood has an upward slope when exiting onto White Ave. There is **poor visibility**, forcing you to pull out into traffic before you have a clear view to turn. **Emergency vehicles** also need a good access road. The residents of River Drive South deserve to keep the major access of the portion of River Drive South that is in question. The other two accesses are not acceptable.
2. River Drive South **allows residents of this street to walk into town on a quiet back road**, rather than being forced to use White Ave. This is the **preferred less-busy route**, especially for residents with children and dogs.
3. The developer indeed has a **future very comprehensive plan**. From information he has provided to residents to date, this would involve rezoning the whole section of land indicated on the map, plus rezoning the entire block bounded by River Drive South, White Ave. and Harwood. To accomplish this, he may also have to acquire another property (ies). **All of this land is HR-1** with the exception of the existing commercial properties. His own initial description of his plan would violate existing development bylaws. **Future also should be defined BEFORE** any thought of road closure is considered, as this developer has not carried through with plans in the hamlet previous to this. I think applying to close River Drive South first before comprehensive plan approval is putting the cart before the horse.

In summary, I don't think that River Drive South, a major access road, should be closed to allow a developer to carry out his extremely comprehensive plan, yet to be defined.

David June 15/20



ROCKY VIEW COUNTY

262075 Rocky View Point  
Rocky View County, AB, T4A 0X2403-230-1401  
questions@rockyview.ca  
www.rockyview.caROAD ALLOWANCE RESPONSE FORM

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**GENERAL LOCATION:** Located in the Hamlet of Bragg Creek

**APPLICANT:** RJK Developments Ltd.

**OWNER:** The Crown in right of Alberta

**GROSS AREA:** 2.15 acres, to be confirmed by plan of survey

Waterloo Geological Consulting Ltd  
I, (Janet David), the owner of

Lot 18, Block D, Plan 86056T and/or

Qtr. NE, Sec. 12, Twp. 23, Rge. 5, W 5 M

Support

or

Oppose

this proposed road closure for consolidation purposes.

Comments:

PLEASE SEE PAGE 2

Waterloo Geological Consulting Ltd

Signature

June 15/20

Date



I oppose the closure of the **River Drive South** portion of road for the following reasons:

1. River Drive South is the **only major access road** for the residents of River Drive South. Harwood and **the lane** south of Harwood would then be the only access roads for River Drive South. Both Harwood and the lane to the south are **much smaller roads** and **frequently not plowed** in the winter. Additionally, Harwood has an upward slope when exiting onto White Ave. There is **poor visibility**, forcing you to pull out into traffic before you have a clear view to turn. **Emergency vehicles** also need a good access road. The residents of River Drive South deserve to keep the major access of the portion of River Drive South that is in question. The other two accesses are not acceptable.
2. River Drive South **allows residents of this street to walk into town on a quiet back road**, rather than being forced to use White Ave. This is the **preferred less-busy route**, especially for residents with children and dogs.
3. The developer indeed has a **future very comprehensive plan**. From information he has provided to residents to date, this would involve rezoning the whole section of land indicated on the map, plus rezoning the entire block bounded by River Drive South, White Ave. and Harwood. To accomplish this, he may also have to acquire another property (ies). **All of this land is HR-1** with the exception of the existing commercial properties. His own initial description of his plan would violate existing development bylaws. **Future also should be defined BEFORE** any thought of road closure is considered, as this developer has not carried through with plans in the hamlet previous to this. I think applying to close River Drive South first before comprehensive plan approval is putting the cart before the horse.

In summary, I don't think that River Drive South, a major access road, should be closed to allow a developer to carry out his extremely comprehensive plan, yet to be defined.

Waterloo Geological  
Consulting Ltd  
J. David

June 15/20

**Johnson Kwan**

---

**From:** Tania Hanna [REDACTED] on behalf of Tania Crane-Hanna  
[REDACTED]  
**Sent:** Tuesday, June 16, 2020 3:22 PM  
**To:** Johnson Kwan  
**Subject:** [EXTERNAL] - application PL# 20200054

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

I am a resident of Bragg Creek and received a letter (application) regarding lane and road closures requesting my response.

My lot/block/plan is 13-1-1226LK and my QTR-LSD/sec/TWP is NW-12-23-05-05.

[REDACTED] Bragg Creek, [REDACTED]

I have unfortunately lost the letter but wanted to be able to provide my response to this application (by the deadline which I think is today June 16, 2020) PL# 20200054 submitted on behalf of the company RJK developers. My neighbour stated that I can submit my response via email with legal address to b.duncan. I have also been in contact with various departments of the county who have been trying to get me the information and they said to send the email to you. So....

My response to PL# 20200054 is: **I oppose** this application.

Reasons:

- a) cutting off access to commercial businesses and homes. And no plan on how to mitigate their access without compromising their business.
- b) very vague request: permanent vs temporary and what purposes (not clear and exact)
- c) no plan have been provided for "future development" and if this "plan" has been approved (which does not seem to be the case as we, the residents have not been consulted)
- d) feels very shady; not clear as to the exact purpose of said proposal. or reason (impact for future development); no clearly laid out plan of what is being done, no plan and no discussion with residents.
- e) I would expect a development plan should've been provided first and an application for that plan submitted before doing anything with roads (which I have not seen).

Hopefully this is sufficient for my response, if not please advise.

Thank you,

Sincerely submitted,

Tania Crane-Hanna

[REDACTED]

June 16, 2020



ROCKY VIEW COUNTY

262075 Rocky View Co.  
Rocky View County, AB, T4A 0X2

Page 39 of 45

403-230-1401  
questions@rockyview.ca  
www.rockyview.caROAD ALLOWANCE RESPONSE FORM

**FILE NUMBER:** PL20200054

**DESCRIPTION:** To close for consolidation purposes, three (3) segments of Road Allowance and Lane located within the Hamlet of Bragg Creek, adjacent to the North and South sides of Lot 1, Block 10, Plan 1911357. The purpose of this application is to integrate the Roads and undeveloped Lane for a future comprehensive development plan.

**GENERAL LOCATION:** Located in the Hamlet of Bragg Creek

**APPLICANT:** RJK Developments Ltd.

**OWNER:** The Crown in right of Alberta

**GROSS AREA:** 2.15 acres, to be confirmed by plan of survey

GORDON & DIANE  
WE X. MCILWAIN, the owner of

Lot 14, Block 1, Plan 1226 LK and/or

Qtr. NW, Sec. 12, Twp. 23, Rge. 05, W 05M

Support

or

Oppose

this proposed road closure for consolidation purposes.

Comments:

As the Applicant has NOT provided their comprehensive "development plan" for my consideration I can't make a rational decision on this matter.

I am not prepared to seal key roads prematurely.

G/MC

13/06/2020

Signature

Date





ROCKY VIEW COUNTY

262075 Rocky View Point  
Rocky View County, AB, T4A 0X2403-230-1401  
questions@rockyview.ca  
www.rockyview.caROAD ALLOWANCE RESPONSE FORM

FILE NUMBER: PL20200054

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GENERAL LOCATION: Located in the Hamlet of Bragg Creek

APPLICANT: RJK Developments Ltd.

OWNER: The Crown in right of Alberta

GROSS AREA: 2.15 acres, to be confirmed by plan of survey

I, JOAN F. MacKENZIE, the owner ofLot 2, Block 1, Plan 8036 and/orQtr. NE 1/4, Sec. 13, Twp. 25, Rge. 05, W 5 M

Support

or

Oppose

this proposed road closure for consolidation purposes.

Comments:

While it is O.K. to close the entrance to the property from Balsam Ave. and the laneway perpendicular to said entrance, it is not O.K. to close the portion of River Dr. S. thereby blocking direct access to residents further along River Dr. S.

J. McKenzie June 2, 2020

Signature

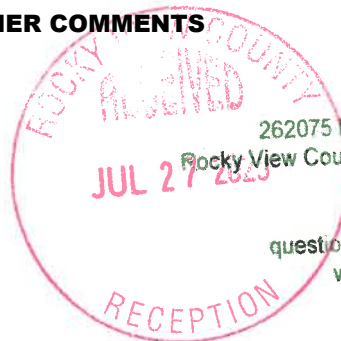
Date

as well as access to the businesses who rely on said access for their clients. That a developer would even propose inconveniencing those who rely on that River Dr. S. access off White Ave. demonstrates an extremely self-centred and unneighbourly attitude. Therefore I am opposed to the closure of River Dr. S. for a "future comprehensive development plan." This developer should work within the roadway as it now exists rather than disrupting the established businesses and residential access off White Ave.

ATT: BIANCA DUNCAN  
403 277-5977



ROCKY VIEW COUNTY



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

403-230-1401  
questions@rockyview.ca  
www.rockyview.ca

### ROAD ALLOWANCE RESPONSE FORM

FILE NUMBER:

PL20200054

DESCRIPTION:

To close for consolidation purposes, three (3) segments of Road Allowance and Lane located within the Hamlet of Bragg Creek, adjacent to the North and South sides of Lot 1, Block 10, Plan 1911357. The purpose of this application is to integrate the Roads and undeveloped Lane for a future comprehensive development plan.

GENERAL LOCATION:

Located in the Hamlet of Bragg Creek

APPLICANT:

RJK Developments Ltd.

OWNER:

The Crown in right of Alberta

GROSS AREA:

2.15 acres, to be confirmed by plan of survey

I, BARBARA TEGHTMEYER, the owner of

Lot 6, Block 2, Plan 174/ EW and/or

Qtr. SE, Sec. 13, Twp. 23, Rge. 5, W 5 M

Support

or

Oppose

this proposed road closure for consolidation purposes.

Comments:

I know I am late responding to this but I think it is in the interest of the community to have Kerr Drive South opened up not closed down to facilitate traffic flow within the hamlet. Thankyou  
Barlightmeyer

July 14/20

Signature

Date





ROCKY VIEW COUNTY

262075 Rocky View Point  
Rocky View County, AB, T4A 0X2403-230-1401  
questions@rockyview.ca  
www.rockyview.ca**ROAD ALLOWANCE RESPONSE FORM****FILE NUMBER:** PL20200054**DESCRIPTION:** To close for consolidation purposes, three (3) segments of Road Allowance and Lane located within the Hamlet of Bragg Creek, adjacent to the North and South sides of Lot 1, Block 10, Plan 1911357. The purpose of this application is to integrate the Roads and undeveloped Lane for a future comprehensive development plan.**GENERAL LOCATION:** Located in the Hamlet of Bragg Creek**APPLICANT:** RJK Developments Ltd.**OWNER:** The Crown in right of Alberta**GROSS AREA:** 2.15 acres, to be confirmed by plan of surveyI, Dr. Brett Schonekess, the owner ofLot 13, Block 2, Plan 1741EW and/or

Qtr. \_\_\_\_\_, Sec. \_\_\_\_\_, Twp. \_\_\_\_\_, Rge. \_\_\_\_\_, W \_\_\_\_\_ M

Support

or

**Oppose**

this proposed road closure for consolidation purposes.

Comments:

I oppose this development proposal at it seems the developer is taking away future pathways for development by RVC and the Hamlet of Bragg Creek (laneway) and expropriating roadways that are used by the businesses on the corner of White Ave and River Dr. Additionally, without seeing an actual development plan, that as we as developers have had to follow ie the Bragg Creek Revitalization plan and ASP, this land grab seems to be premature.

2020-Jun-11

Signature

Date



# ROCKY VIEW COUNTY

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

403-230-1401  
questions@rockyview.ca  
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## ROAD ALLOWANCE RESPONSE FORM

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**GENERAL LOCATION:** Located in the Hamlet of Bragg Creek

**APPLICANT:** RJK Developments Ltd.

**OWNER:** The Crown in right of Alberta

**GROSS AREA:** 2.15 acres, to be confirmed by plan of survey

I, Bruce Logan, the owner of 716 569

Lot \_\_\_\_\_, Block \_\_\_\_\_, Plan \_\_\_\_\_ and/or 03913050

Qtr. \_\_\_\_\_, Sec. \_\_\_\_\_, Twp. \_\_\_\_\_, Rge. \_\_\_\_\_, W\_\_ M

Support

or

Oppose

this proposed road closure for consolidation purposes.

Comments:

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---

---

Bruce Logan

Signature

June 3/2020

Date



ROCKY VIEW COUNTY

262075 Rocky View Point  
Rocky View County, AB, T4A 0X2403-230-1401  
questions@rockyview.ca  
www.rockyview.caROAD ALLOWANCE RESPONSE FORM

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**GENERAL LOCATION:** Located in the Hamlet of Bragg Creek

**APPLICANT:** RJK Developments Ltd.

**OWNER:** The Crown in right of Alberta

**GROSS AREA:** 2.15 acres, to be confirmed by plan of survey

I, Joseph Lengo, the owner ofLot 4, Block 1, Plan 821 1613 and/or

Qtr. \_\_\_\_\_, Sec. \_\_\_\_\_, Twp. \_\_\_\_\_, Rge. \_\_\_\_\_, W \_\_\_\_\_ M

☒ Support

or

☐ Oppose

this proposed road closure for consolidation purposes.

Comments:

IF THE PROPOSED DEVELOPMENT ON THIS CONSOLIDATED LOT  
IS USED FOR GROWTH IN BRAGG CREEK, THEN THE LARGER  
PARCEL IS MORE OF A BENEFIT THEN THE MANY SMALLER  
PARCELS.

  
SignatureJune 18/2020  
Date