

PLANNING AND DEVELOPMENT SERVICES

TO:	Municipal Planning Commission Subdivision Authority	DIVISION: 7
DATE:	April 28, 2021	APPLICATION: PL20210025
FILE:	06412003	
SUBJECT:	Subdivision Item: Creation of Two Industrial Lots	

APPLICATION: To create one \pm 8.62 hectare (\pm 21.29 acre) parcel (Lot 1), one \pm 6.81 hectare (\pm 16.84 acre) parcel (Lot 2), one \pm 1.22 hectare (\pm 3.01 acre) municipal reserve lot, \pm 2.25 hectare (\pm 5.56 acre) land dedication for road widening, with a \pm 35.88 hectare (\pm 88.67 acre) remainder.

GENERAL LOCATION: Located within the High Plain Industrial Park Stage 4, at the southeast conjunction of Highway 566 and Range Road 291.

LAND USE DESIGNATION: Industrial, Heavy District (I-HVY) and Special, Public Service District (S-PUB)

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

OPTIONS:

- Option #1: THAT Subdivision Application PL20210025 be approved with the conditions noted in Appendix 'A'.
- Option #2: THAT Subdivision Application PL20210025 be refused as per the reasons noted

AIR PHOTO & DEVELOPMENT CONTEXT:



Administration Resources

Xin Deng, Planning and Development Services

**APPLICATION EVALUATION:**

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

APPLICABLE POLICY AND REGULATIONS: <ul style="list-style-type: none"> • <i>Municipal Government Act</i>; • Subdivision and Development Regulations; • County Plan; • Balzac East Area Structure Plan; • High Plains Industrial Park Conceptual Scheme; • Land Use Bylaw; and • County Servicing Standards. 	TECHNICAL REPORTS SUBMITTED: <ul style="list-style-type: none"> • Appraisal Report (Altus Group, dated February 26, 2021), received on March 11, 2021.
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Transportation:

The proposed two new lots and the remainder will be accessed from a new internal road Lowes Road, which is being constructed under the Development Agreement of Stage 4a (PL20200007). The location of the access point will be determined at the future Development Permit stage. As a condition of subdivision, the Owner is required to provide an updated Traffic Impact Assessment, pay the Transportation Off-Site Levy, and dedicate a strip of land along the northern and western property line for Highway 566 road widening.

Water and Wastewater:

The proposed new lots would obtain water servicing from the East Balzac Water Distribution System, and obtain wastewater servicing from the East Balzac Sanitary Collection System. The servicing system is being constructed under the Development Agreement of Stage 4a (PL20200007). As a condition of subdivision, the Owner is required to provide a detailed potable water servicing and hydraulic design study, a detailed sanitary servicing study, enter into a Capacity Allocation Agreement for servicing allocation to the proposed Lots 1 & 2, and pay the Water and Wastewater Offsite Levy.

Stormwater:

Drainage generated from the development will be conveyed to an offsite storm pond on an existing Public Utility Lot (PUL) that is located in the south of the subject lands. As a condition of subdivision, the Owner is required to provide an updated Stormwater Management Report to confirm capacities and identify any upgrades that may be required.

The proposed a strip of land dedicated along the western property line would serve as a linear stormwater pond to accommodate stormwater for the future expansion of Highway 566.

Municipal Reserves:

The existing Deferred Reserve Caveat (201 156 773) indicates that Municipal Reserve owing on the subject land is ± 7.70 ha (± 19.04 ac). It is noted that this amount is inaccurate. The correct amount of MR owing on the subject and should be ± 6.39 ha (± 15.80 ac).

MR owing through this application is 4.11 acres = (21.29 ac Lot 1 + 16.84 ac Lot 2 + 3.01 ac MR land) x 10%.

The Applicant proposes to pay 4.11 MR owing with combination of land dedication (3.01 ac MR land) and cash in lieu payment (to pay the remaining 1.1 ac).

In addition, the Applicant proposes to pay cash in lieu for the additional ± 4 acres MR land



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Then, the total MR dedication through this application is ± 8.11 acres = (4.11 ac + additional 4 ac MR)

The remaining MR owing of ± 7.13 ac = (15.80 ac MR owing – 8.11 ac - 0.56 ac road dedication) will be deferred to the remainder land, and will be registered on the new Deferred Reserve Caveat

Payments and Levies:

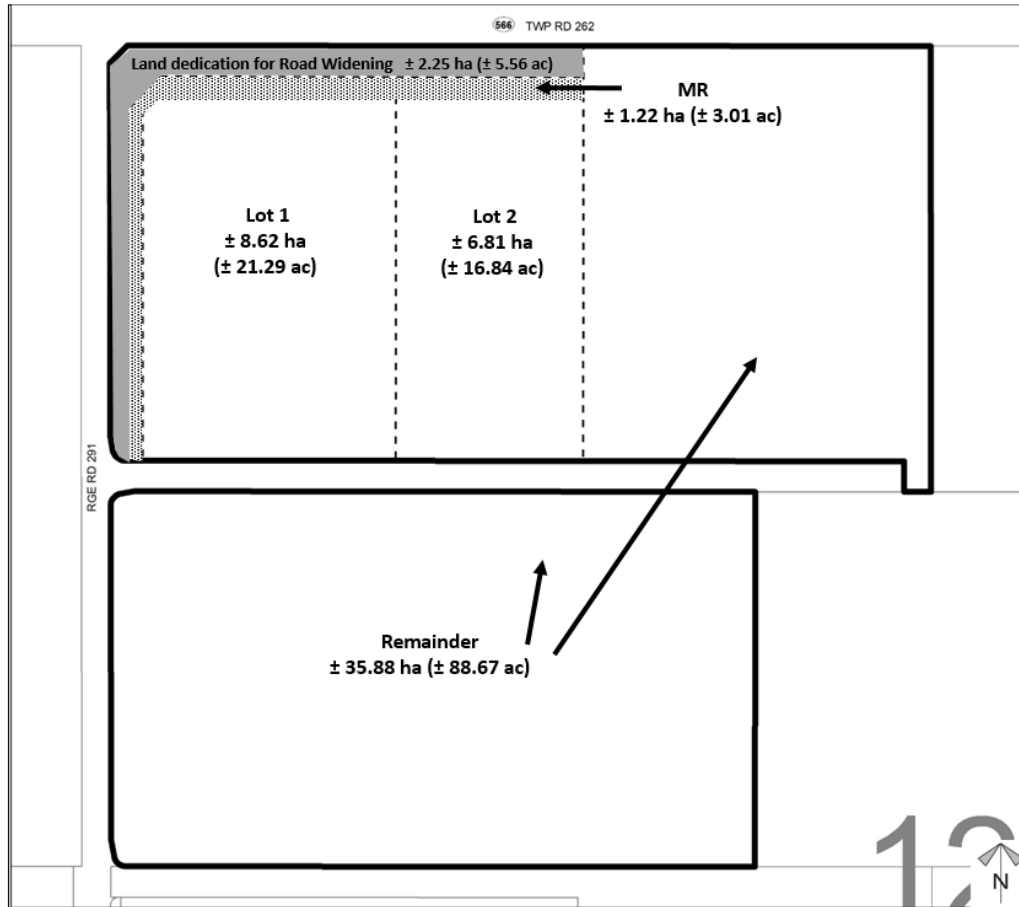
APPLICABLE FEE/LEVY	AMOUNT OWING (ESTIMATE)
TRANSPORTATION OFFSITE LEVY	<p>\$1,017,826.5 (plus borrowing costs to payment date)</p> <p>Developable area 46.70 acres (= 21.29 ac Lot 1 + 16.84 ac Lot 2 + 3.01 ac MR land + 5.56 ac land dedication for Highway 566 road widening)</p> <p>Base Levy = \$4595/ac x 46.70 ac = \$214,586.5</p> <p>Special Area 1 Levy = \$17,200/ac x 46.70 ac = \$803,240 (plus borrowing costs to payment date)</p> <p>Total = \$1,017,826.5 (plus borrowing costs to payment date)</p>
WATER AND WASTEWATER OFFSITE LEVY	To be determined when servicing allocation is confirmed at the endorsement stage.
MUNICIPAL RESERVE (cash in lieu payment)	<p>\$357,000</p> <p>(1.1 ac + 4 ac) x market value \$70,000 (shown in the appraisal report) = \$357,000</p>

High Plains Industrial Park Conceptual Scheme - Stage 4&5 Outline Plan:

The proposal meets the requirements of Stage 4&5 Outline Plan, and the technical aspects will be addressed through the conditions of subdivision.



Tentative Plan



Tentative Plan

Subdivision Proposal

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Legend

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.

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CONCLUSION:

Subject to the proposed conditions of approval, the application is recommended for approval in accordance with Option #1.

Respectfully submitted,

Concurrence,

“Brock Beach”

“Kent Robinson”

Acting Executive Director
Community Development Services

Acting Chief Administrative Officer

XD/llt

ATTACHMENTS:

ATTACHMENT ‘A’: Approval Conditions

ATTACHMENT ‘B’: Maps and Other Information

**ATTACHMENT 'A': APPROVAL CONDITIONS**

- A. The application to create one \pm 8.62 hectare (\pm 21.29 acre) parcel (Lot 1), one \pm 6.81 hectare (\pm 16.84 acre) parcel (Lot 2), one \pm 1.22 hectare (\pm 3.01 acre) municipal reserve lot, \pm 2.25 hectare (\pm 5.56 acre) land dedication for road widening, with a \pm 35.88 hectare (\pm 88.67 acre) remainder within NW-12-26-29-W04M, having been evaluated in terms of Section 654 of the *Municipal Government Act* and Section 7 and 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 that 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:

Plan of Subdivision

- 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.

Geotechnical

- 2) The Owner shall provide a Geotechnical Investigation in accordance with the Rocky View County 2013 Servicing Standards to verify that the site is suitable for the proposed buildings, site works, and utilities.
 - a) For areas with greater than 1.2 m of fill, a Deep Fill report is required.

Transportation

- 3) The Applicant/Owner shall provide an update to the Stage 4 and 5 Traffic Impact Assessment (TIA) in accordance with the County Servicing Standards and the Balzac Global TIA, to the County's satisfaction. Any improvements identified or road right of way that is required will be at the owner's expense:
 - a) If the recommendation of the updated TIA require improvements to the existing roadway and intersection network, then the Owner shall enter into a Development Agreement to construct the required improvements.

Site Servicing



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- 4) The Owner shall provide a detailed Potable Water Servicing and Hydraulic Design Study to ensure the pipelines are sized adequately considering existing and future phases. The study shall confirm servicing requirements for this phase are in place and include provision for fire protection in accordance with County Servicing Standards.
 - a) If offsite upgrades or improvements are required, then the Owner shall enter into a Development Agreement to construct the required improvement.
- 5) The Owner shall provide a detailed Sanitary Servicing Study to support this phase of the development. The study shall confirm the servicing capacity required for the development of the proposed parcel and determine if offsite upgrades to the regional system are required.
 - a) If offsite upgrades are required, then the Owner shall enter into a Development Agreement to construct the required improvement.
 - b) Improvements that benefit other lands will qualify for cost recovery in accordance with Rocky View County Policy 406.
- 6) The Owner shall enter into a Capacity Allocation Agreement for servicing allocation to the lot created in this Phase, based upon the servicing need identified in the potable water servicing and sanitary servicing reports.

Stormwater

- 7) The Owner shall provide an updated Stormwater Management Report and detailed stormwater servicing design, including any improvements related water re-use, LID measures, purple pipe system, and irrigation system for the proposed development in accordance with the County Servicing Standards and any applicable provincial regulations, standards, and/or guidelines.
 - a) All improvements shall be constructed under a Development Agreement.
 - b) Acquiring any related provincial licensing and registration requirements are the responsibility of the developer.

Landscaping

- 8) The Owner shall provide a Landscaping Plan for the Municipal Reserve area, as shown on the Tentative Plan.
 - a) Implementation of the approved landscaping plan shall be included within the requirements of the Development Agreement.

Lot Owner's Association

- 9) That an encumbrance or instrument shall be concurrently registered against the title of each new lot created, requiring that each individual Lot Owner is a member of the High Plains Development Association.
- 10) The Owner shall prepare and register a Restrictive Covenant on the title of each new lot created, requiring that each Lot Owner be subject to the development's Architectural Guidelines as listed in the Conceptual Scheme.

Municipal Reserve

- 11) That ± 2.06 hectares (± 5.1 acres) of Municipal Reserve owing is to be provided by payment of cash-in-lieu, in accordance with the value per acre listed in the appraisal report provided by Altus Group, dated February 26, 2021, pursuant to Section 666(3) of the *Municipal Government Act*;
 - a) The remaining ± 2.88 hectares (± 7.13 acres) of Municipal Reserve owing is to be deferred by Caveat to the remainder land within NW-12-26-29-W04M, pursuant to Section 669 of the *Municipal Government Act*.



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- b) The existing Deferred Reserve Caveat (201 156 773) shall be discharged and replaced with the new one above.

Utility Easements

- 12) Utility Easements, Agreements, and Plans are to be provided and registered concurrent with a plan of survey to the satisfaction of ATCO Gas.

Payments and Levies

- 13) The Owner shall pay the Transportation Off-Site Levy in accordance with the Transportation Off-Site Bylaw C-8007-2020. The County shall calculate the total owing for:
 - a) the total gross area of Lots 1 & 2 and other land dedication, as shown in the staff report and the Plan of Survey.
- 14) The Owner shall pay the Water and Wastewater Off-Site Levy in accordance with Bylaw C-8009-2020 for Lots 1 & 2.
 - a) If required, the Owner shall enter into any related agreements for payment of the Water and Wastewater Off-Site Levy for the subject lands.
- 15) The Owner shall pay the County Subdivision Endorsement fee, in accordance with the Master Rates Bylaw, for the creation of two (2) new lots.
- 16) 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

- 17) 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.



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ATTACHMENT 'B': MAPS AND OTHER INFORMATION

APPLICANT: IBI Group Geomatics Canada Inc.	OWNER: CLT Development Ltd., Highfield Investment Group Inc., and Kidco Shares Ltd.
DATE APPLICATION RECEIVED: February 8, 2021	DATE DEEMED COMPLETE: March 23, 2021 (revised proposal received March 23, 2021)
GROSS AREA: ± 54.78 hectares (± 135.37 acres)	LEGAL DESCRIPTION: A Portion of NW-12-26-29-W04M
APPEAL BOARD: Development and Subdivision Appeal Board	
HISTORY: <div> <div>April 6, 2020</div> <div>Council approved subdivision application PL20200007, as part of the High Plains Stage 4 Development (Stage 4a), to create a ± 69.58 ac parcel, an internal road, and a ± 240.47 ac remainder lot.</div> </div> <div> <div>February 12, 2019</div> <div>Council approved the Balzac East Area Structure Plan amendments, the High Plains Conceptual Scheme amendments, and the associated land use redesignation (PL20180076, PL20180077, and PL20180078).</div> </div>	
PUBLIC & AGENCY SUBMISSIONS: The application was circulated to 27 adjacent landowners. No letters were received. 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.	

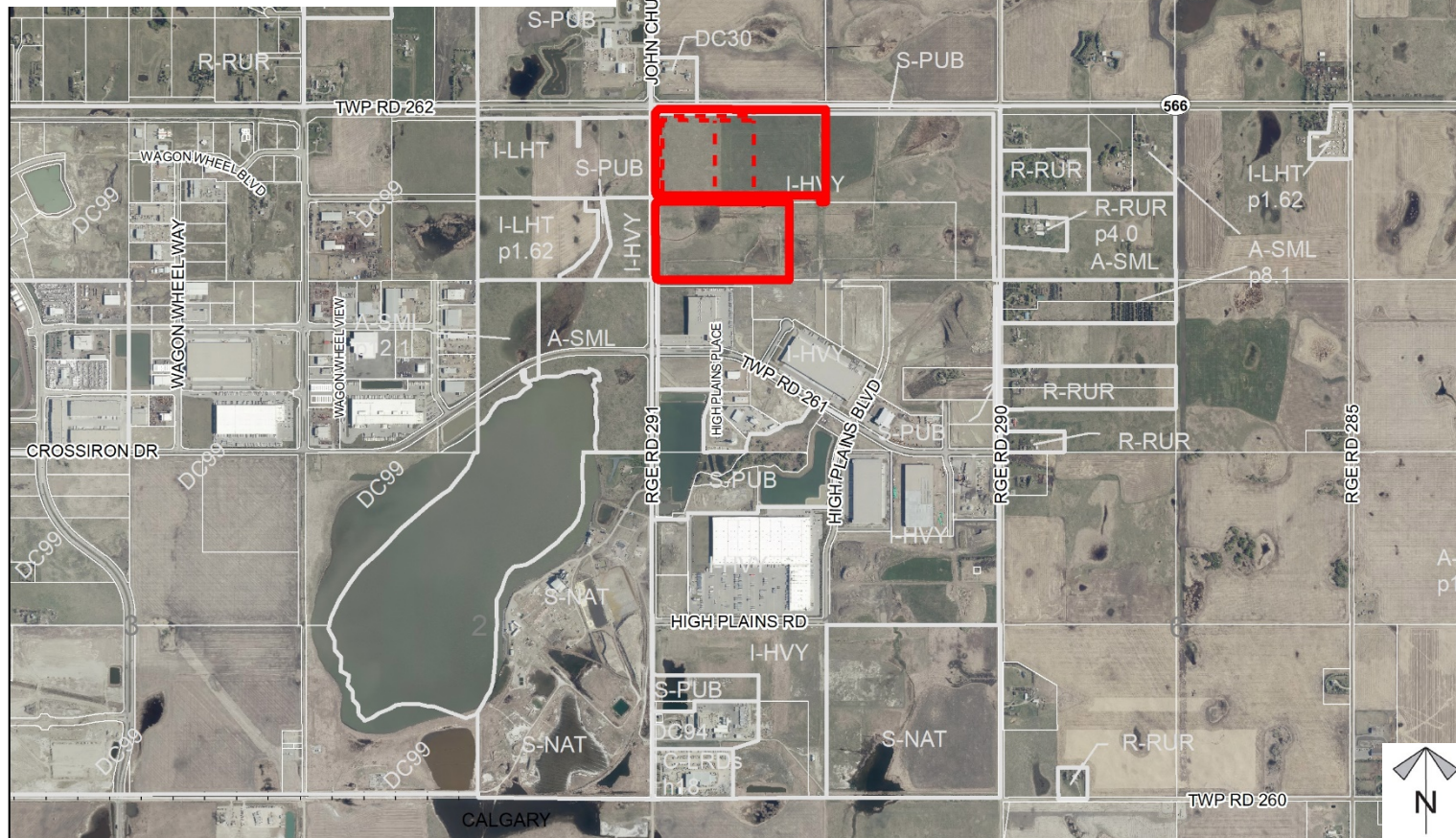
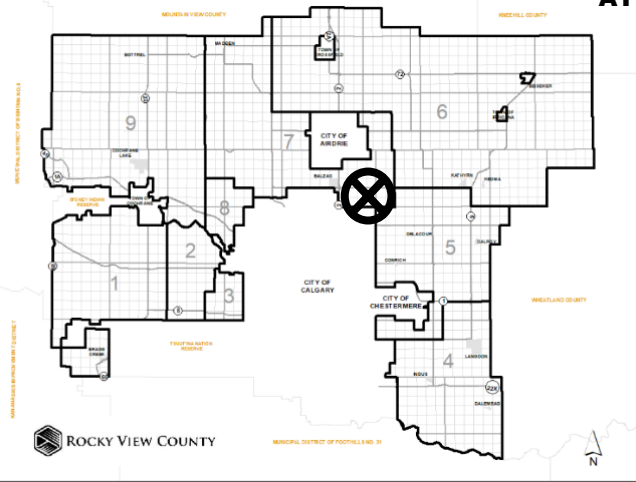
Location & Context

Subdivision Proposal

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Development Proposal

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Environmental

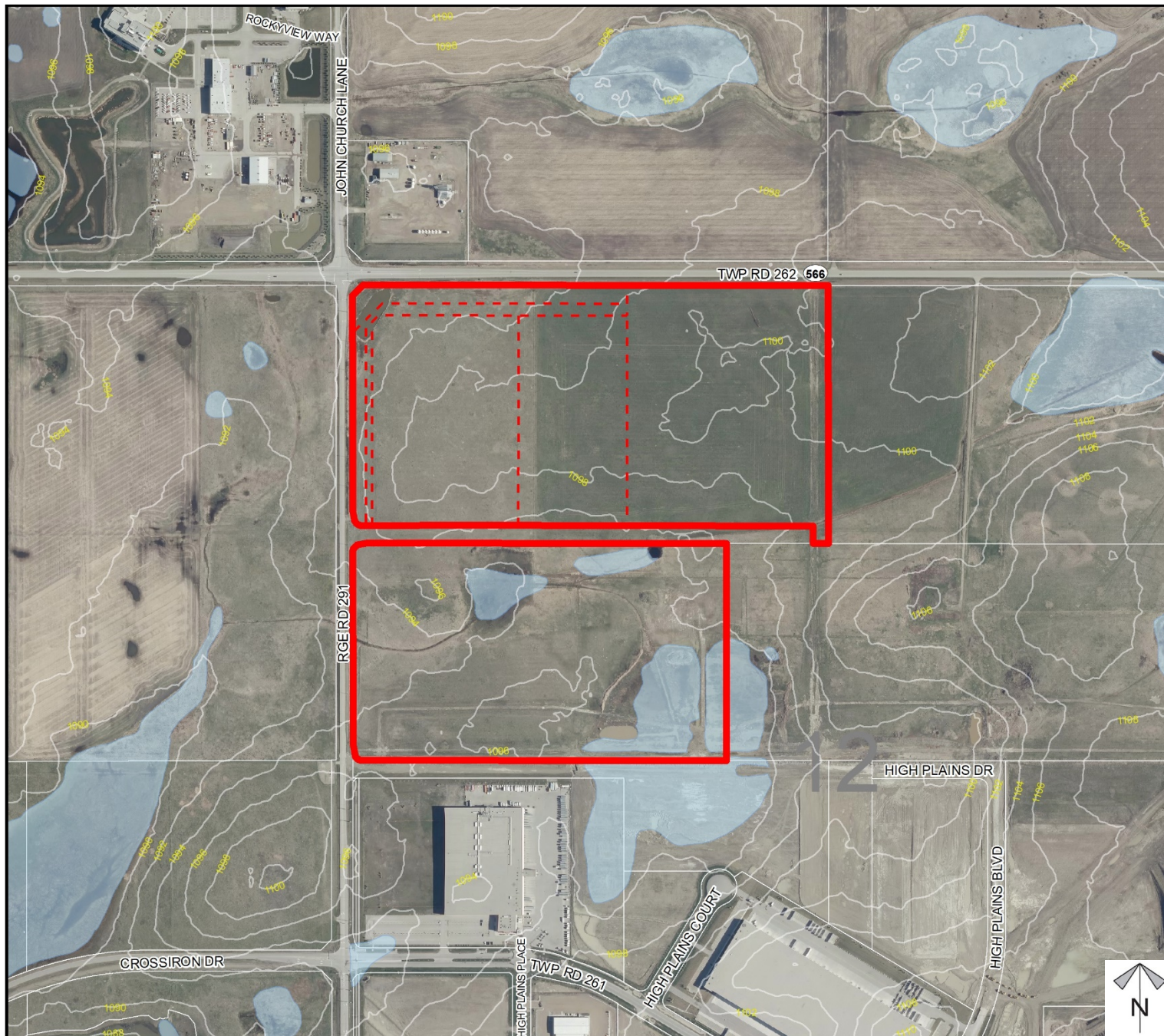
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-  Subject Lands
-  Contour - 2 meters
-  Riparian Setbacks
-  Alberta Wetland Inventory
-  Surface Water

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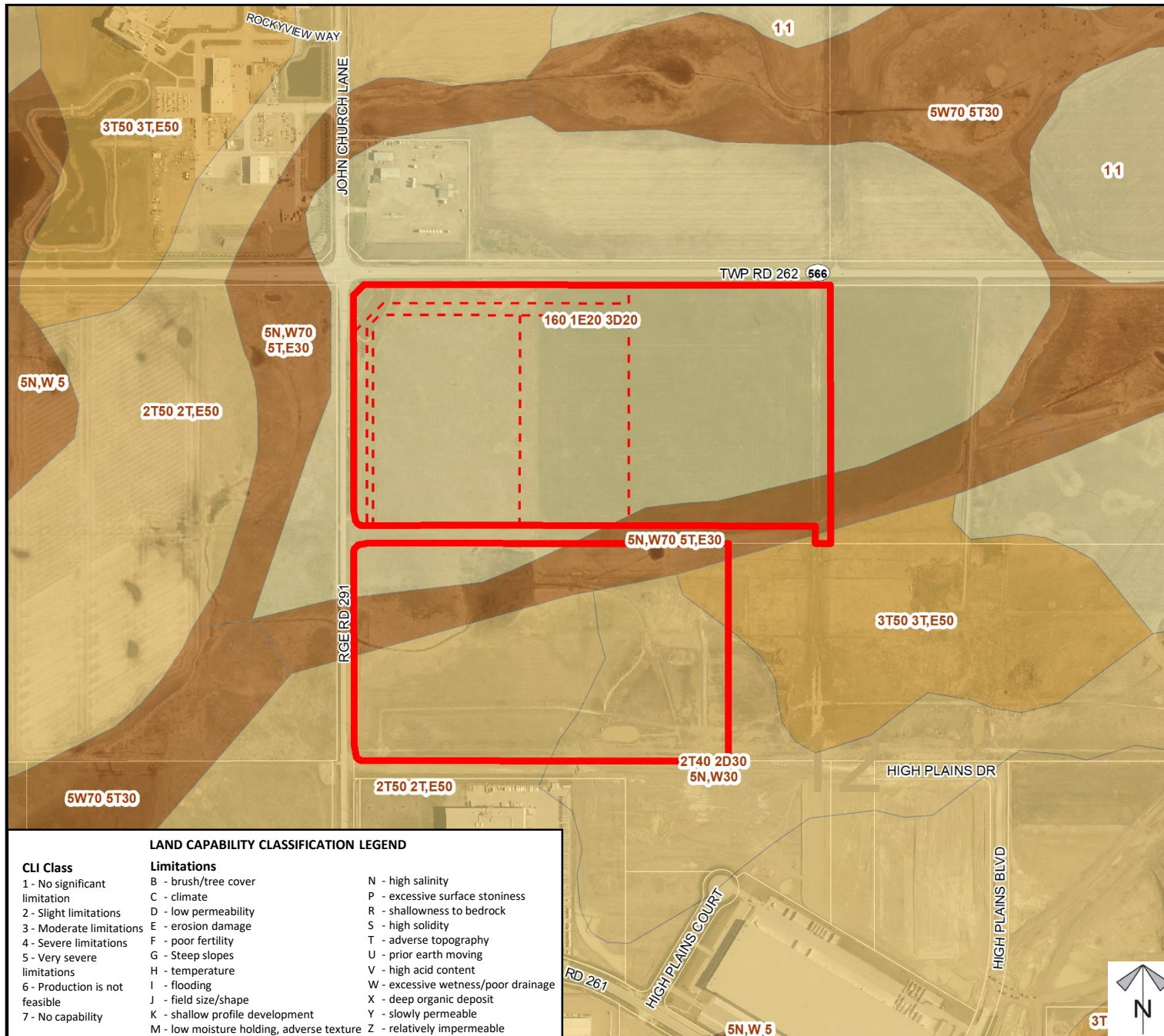




Soil Classifications

Subdivision Proposal

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Landowner Circulation Area

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Legend

Support

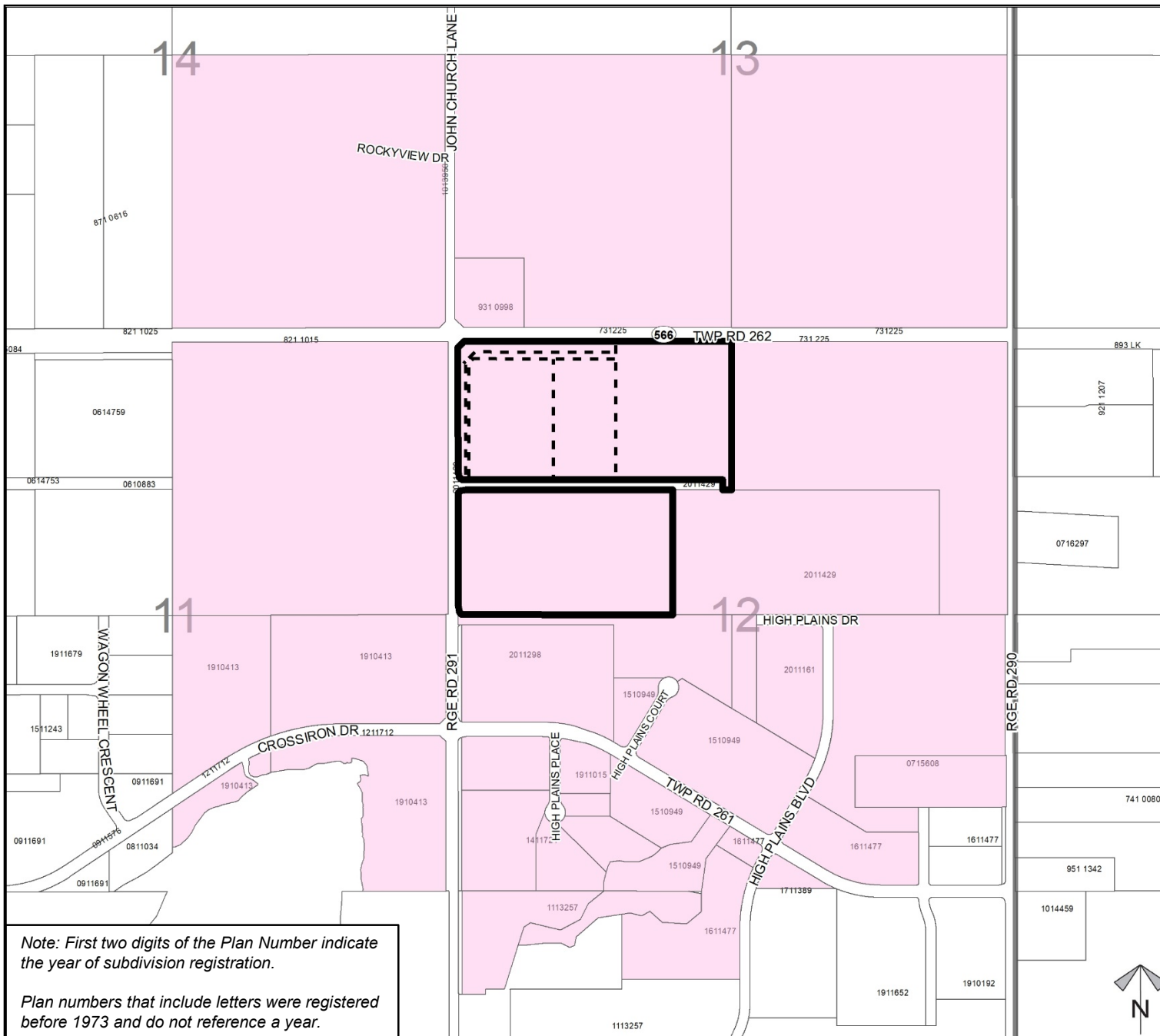


Opposition



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RGE RD 291

566 TWP RD 262

Land dedication for Road Widening ± 2.25 ha (± 5.56 ac)

MR

± 1.22 ha (± 3.01 ac)

Lot 1
 ± 8.62 ha
 (± 21.29 ac)

Lot 2
 ± 6.81 ha
 (± 16.84 ac)

Remainder
 ± 35.88 ha (± 88.67 ac)

