



PLANNING AND DEVELOPMENT SERVICES

TO: Municipal Planning Commission
Subdivision Authority

DIVISION: 8

DATE: April 28, 2021

APPLICATION: PL20160034

FILE: 05632015

SUBJECT: Subdivision Item – Creation of Residential Lots

APPLICATION: To create eight ≥ 0.8 hectare (≥ 2.00 acre) residential units (Units 1-8) with a ± 0.53 hectare (± 1.30 acre) private internal road (Unit 9).

GENERAL LOCATION: Located in the Bears paw community, west of the city of Calgary, on the north side of Meadow Drive.

LAND USE DESIGNATION: Residential, Country Residential District (R-CRD)

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

OPTIONS:

Option #1: THAT Subdivision Application PL20160034 be approved with the conditions noted in Appendix 'A'.

Option #2: THAT Subdivision Application PL20160034 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:	TECHNICAL REPORTS SUBMITTED:
<ul style="list-style-type: none"> • <i>Municipal Government Act</i>; • Subdivision and Development Regulations; • County Plan; • Bearspaw Area Structure Plan; • Land Use Bylaw; and • County Servicing Standards. 	<ul style="list-style-type: none"> • Updated Level 4 PSTS Assessment (Strom Engineering Inc., May 7, 2016) • Level 4 PSTS Assessment (Strom Engineering Inc., January 2016) • Conceptual Level Stormwater Management Plan (Sedulous Engineering, October 2015) • Site Specific Stormwater Implementation Plan (Scheffer Andrew Ltd. Planners & Engineers, February 17, 2021) • Wetland Assessment (Ghostpine Environmental Services Ltd. October 1, 2020)

Transportation:

The subject land is currently accessed through the existing mutual approach with the immediate neighbour to the west. The proposed private internal road would provide access to the proposed new lots (except Unit 8). It means that the existing mutual approach would not be needed, as the neighbour has another approach. However, the neighbour requested that the existing mutual approach remain as it is their major access point. To respect the neighbour's request, the Applicant agreed to retain the existing mutual access.

The proposed private road would become part of the condominium's responsibilities for future road operation and maintenance. As a condition of subdivision, the Owner is required to enter into an Access Easement Agreement with the neighbour, enter into a Development Agreement for road construction, build a new approach for Lot 8, and pay the Transportation Off-Site Levy.

Water and Wastewater:

The existing dwelling is serviced with piped water. The dwelling will be removed after the subdivision is approved. The proposed new lots would obtain piped water from Rocky View Water Co-op, which confirmed that the deposit was paid and capacity is reserved for the proposed new lots. The Applicant provided a Level IV PSTS Assessment with a recommendation for package sewage treatment systems. As a condition of subdivision, the Owner is required to provide confirmation of water connection, enter into a Site Improvements Services Agreement (Development Agreement) for the installation of package sewage treatment systems, and enter into a Deferred Services Agreement for County's future piped services.

Stormwater:

There was historic stormwater issues in the vicinity area in Bearspaw. The County is working on a stormwater strategy to solve the historic issues. For any new development, it is required to have zero off site drainage discharge. Therefore, the Applicant was required to provide a Site-Specific Stormwater Management Plan prior to going to MPC. The Plan confirmed the drainage generated from the development could be managed through the proposed stormwater ponds onsite. As a condition of subdivision, the Owner is required to provide a detailed Stormwater Management Plan (SSIP) and



ROCKY VIEW COUNTY

enter into a Development Agreement for any required stormwater infrastructure and registration of any required overland drainage right-of-way.

Municipal Reserves:

Municipal Reserves were previously dedicated on Plan 384 LK. There are no further requirements.

Payments and Levies:

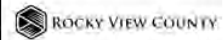
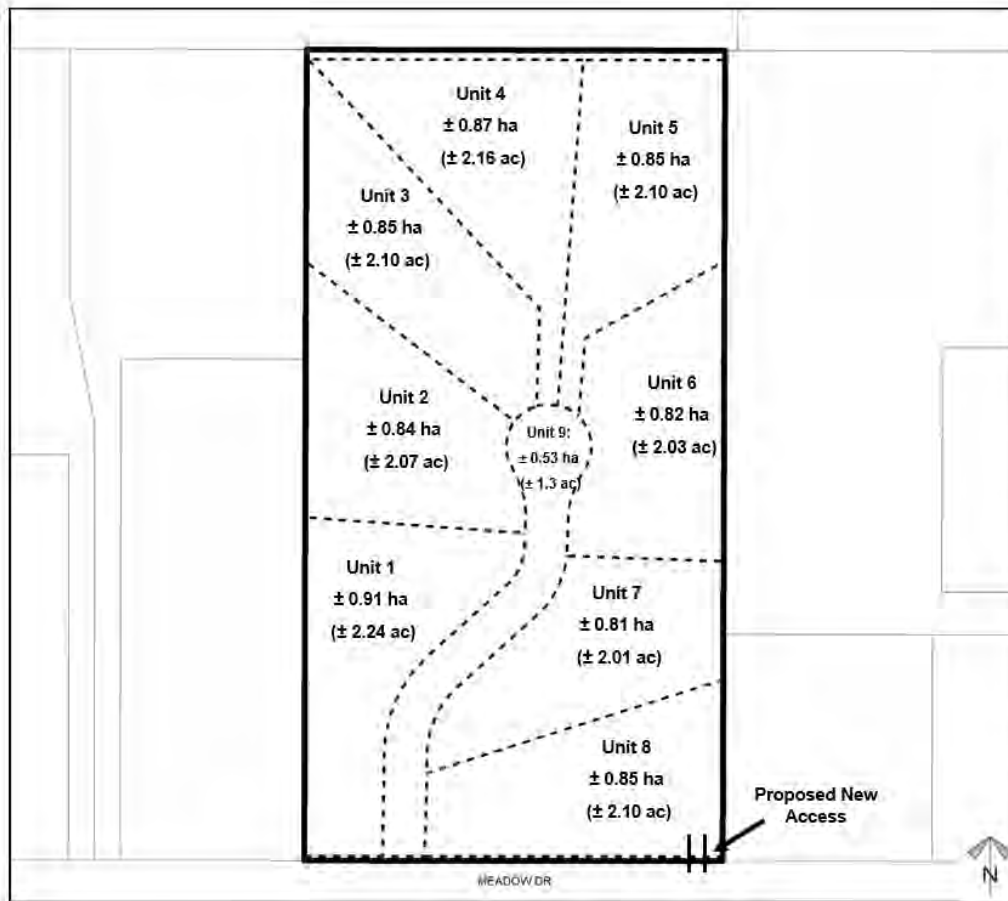
APPLICABLE FEE/LEVY	AMOUNT OWING (ESTIMATE)
TRANSPORTATION OFFSITE LEVY	<p>\$ 75,771.55</p> <p>Developable area 16.49 acres</p> <p>Base Levy = \$4,595/ac x 16.49 ac = \$75,771.55</p>

Land Use Bylaw:

The proposed lots meets the requirement of Residential, Country Residential District (R-CRD) of the Land Use Bylaw.



Tentative Plan



Tentative Plan

Subdivision Proposal

To create eight ≥ 0.8 hectare (≥ 2.00 acre) residential units (Units 1-8) with a ± 0.53 hectare (± 1.30 acre) private road (Unit 9)

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: 08
Roll: 05632015
File: PL20160034
Printed: March 31, 2021
Legal: Block 4 Plan 364 LK
within SE-32-25-02-W05M



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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 ‘C’: Public Submissions



ATTACHMENT 'A': APPROVAL CONDITIONS

- A. The application to create eight ≥ 0.8 hectare (≥ 2.00 acre) residential units (Units 1-8) with a ± 0.53 hectare (± 1.30 acre) private internal road (Unit 9) within Block 4, Plan 384 LK, within SE-32-25-02-W05M, 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.
- 2) The Owner is to provide a Site Plan, prepared by an Alberta Land Surveyor, to confirm the removal of the existing dwelling and septic field as shown on the Approved Tentative Plan.

Development Agreement:

- 3) The Owner is to enter into and comply with a Development Agreement pursuant to Section 655 of the *Municipal Government Act* in accordance with the approved tentative plan and shall include the following:
 - a) Construction of the internal private road system, complete with cul-de-sac bulb, and approaches to the residential units, as shown on the Tentative Plan;
 - b) Appropriate tie-in of the new internal road to Meadow Drive;
 - c) Construction of a potable water distribution system, including services to each residential unit, in accordance with the Rocky View County Servicing Standards;
 - d) Implementation and construction of stormwater management facilities, in accordance with the recommendations of the approved Stormwater Management Plan, and the registration of any overland drainage easements and/or restrictive covenants as determined by the Stormwater Management Plan, all to the satisfaction of Alberta Environment and the County;



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- e) Appropriate on-site grading (if required) to facilitate drainage, in accordance with the requirements of the approved Stormwater Management Plan;
- f) Implementation of the identified Erosion & Sedimentation Control (ESC) measures in accordance with the recommendations of the approved Erosion & Sedimentation Control Plan;
- g) Mailbox locations, to be located in consultation with Canada Post, to the satisfaction of the Municipality;
- h) Installation of power, natural gas, and communication utilities.

Developability

- 4) The Owner is to conduct a Geotechnical Investigation, performed by a qualified geotechnical professional, to evaluate soil characteristics, soil suitability for various foundation types, and local groundwater conditions, and to provide recommendations for the pavement structure design of the proposed internal road.
- 5) The Owner is to provide an Erosion and Sedimentation Control Plan (ESC), prepared by a qualified professional, in accordance with the County Servicing Standards and best management practices.

Transportation:

- 6) The Owner is to obtain approval for a road name by way of application to the County.
- 7) The Owner is to construct a new single approach on Meadow Drive in order to provide access to Unit 8.
- 8) The Owner is to enter into an Access Easement Agreement with the immediate adjacent landowner to the west (Roll: 05632003), in order to protect the existing mutual approach. In addition, the Owner is required to:
 - a) Provide an access right of way plan; and
 - b) Prepare and register respective easements on each title, where required

Site Servicing:

- 9) The Owner is to provide confirmation of tie-in for connection to the Rocky View Water Co-op, an Alberta Environment licensed piped water supplier, for the proposed 8 lots as shown on the Approved Tentative Plan. This includes providing the following information:
 - a) Confirmation from the water supplier that an adequate and continuous piped water supply is available for the proposed 8 lots;
 - b) Documentation proving that water supply has been purchased for the proposed 8 lots;
 - c) Documentation proving that water supply infrastructure requirements, including servicing to the property, have been installed, or installation is secured between the developer and water supplier, to the satisfaction of the water supplier and the County.
- 10) The Owner is to enter into a Development Agreement (Site Improvements/Services Agreement) with the County for the proposed 8 lots and shall include the following:
 - a) Accordance with the Level 4 PSTS Assessment, prepared by Strom Engineering Inc. (January 2016 and May 2016).
 - b) The installation of a Packaged Sewage Treatment System complying with NSF 40 and/or BNQ standards and any other recommendations.



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- 11) The Owner is to enter into a Deferred Services Agreement with the County to be registered on title of the proposed 8 lots, indicating:
 - a) Requirements for each future Lot Owner to connect to County piped wastewater and stormwater systems at their cost when such services become available;
 - b) Requirements for decommissioning and reclamation once County servicing becomes available.

Stormwater:

- 12) The Owner is to prepare a detailed Site-Specific Stormwater Implementation Plan (SSIP) and enter into a Development Agreement for any stormwater infrastructure required as a result of the development and outlined in the detailed Stormwater Management Plan including:
 - a) Registration of any required Easements, Overland Drainage Right-of-Ways.
 - b) Obtaining all necessary approvals and licensing for the stormwater management infrastructure in accordance with *Water Act, Environmental Protection and Enhancement Act and Public Lands Act*.

Bareland Condominium Board:

- 13) The Owner shall legally establish a Bareland Condominium Board for the proposed development, pursuant to *Condominium Property Act*;
 - a) The Bareland Condominium Board shall be responsible for maintaining solid waste collection, stormwater facilities, private internal roads, and other features associated with these lands.

Payments and Levies:

- 14) The Owner is to pay the Transportation Off-Site Levy in accordance with Bylaw C-8007-2020. The County shall calculate the total owing for:
 - a) the total gross area of the entire land minus lot with existing dwelling, as shown in the staff report and the Plan of Survey.
- 15) The Owner is to pay the Subdivision Endorsement Fee for creating seven (7) new lots, in accordance with the Master Rates Bylaw.

Utility:

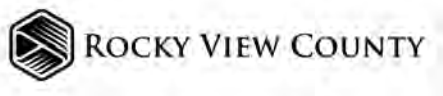
- 16) Utility Easements, Agreements, and Plans are to be provided and registered concurrent with a plan of survey to the satisfaction of ATCO Gas.

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.



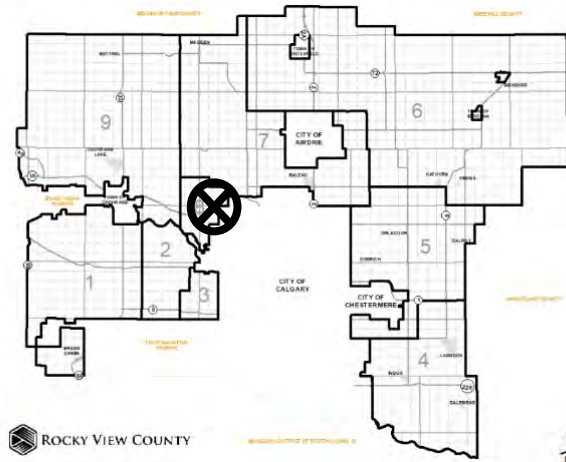
ATTACHMENT 'B': MAPS AND OTHER INFORMATION

APPLICANT: Golden City Corp.	OWNER: Golden City Corp.
DATE APPLICATION RECEIVED: March 18, 2016	DATE DEEMED COMPLETE: February 17, 2021
GROSS AREA: ± 7.48 hectares (± 18.49 acres)	LEGAL DESCRIPTION: Block 4, Plan 384 LK, within SE-32-25-02-W05M
APPEAL BOARD: Development and Subdivision Appeal Board	
HISTORY: <p>November 10, 2015 Council approved Redesignation Application PL20140192 to redesignate the subject land from Residential Two District to Residential One District in order to facilitate the creation of eight (8) ± 0.8 hectare (± 2.0 acre) parcels.</p> <p>1971 The subject land was created through a multi-lot subdivision and was registered on Plan 384 LK.</p>	
PUBLIC & AGENCY SUBMISSIONS: <p>The application was circulated to 48 adjacent landowners. 2 letters with comments 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>	

Subdivision Proposal

To create eight ≥ 0.8 hectare (≥ 2.00 acre) residential units (Units 1-8) with a ± 0.53 hectare (± 1.30 acre) private road (Unit 9)

Division: 08
Roll: 05632015
File: PL20160034
Printed: March 31, 2021
Legal: Block:4 Plan:384 LK
within SE-32-25-02-W05M



Development Proposal

Subdivision Proposal

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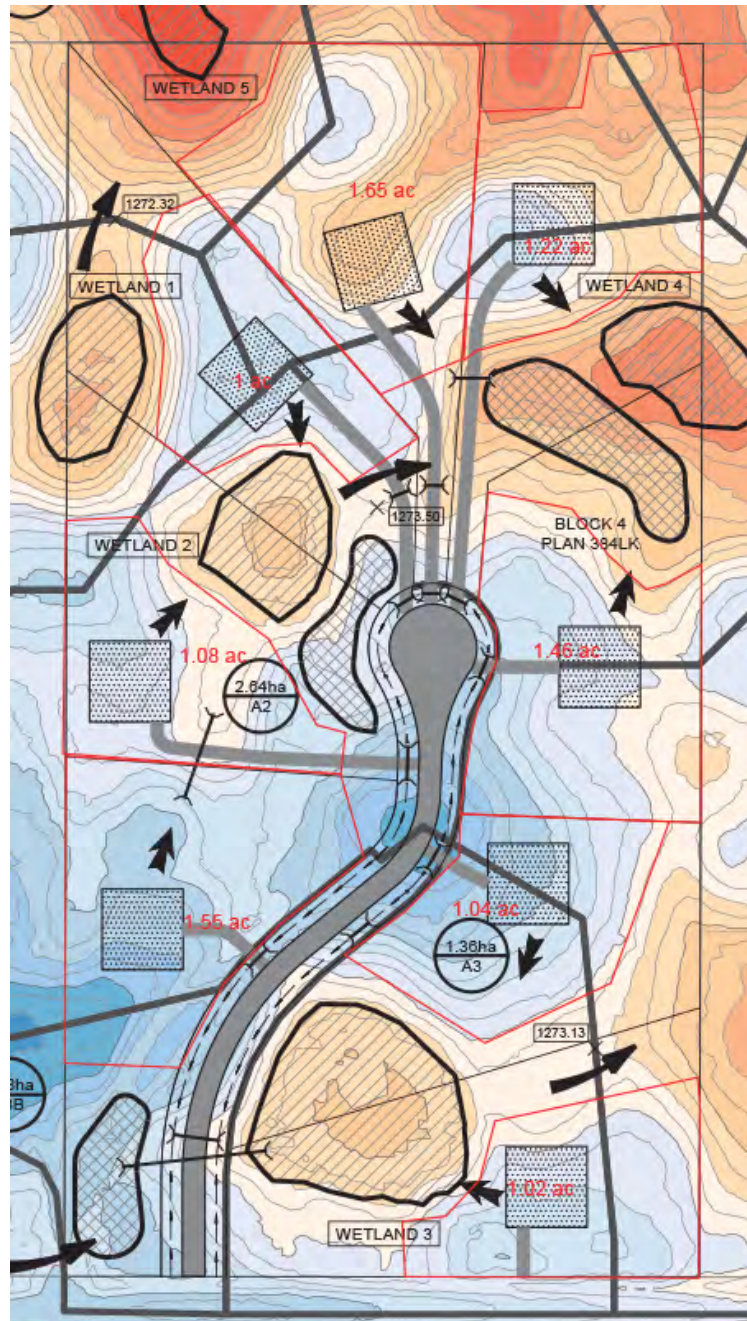
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Developable Area

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There is at least 1 acre continuous developable area on each new lot

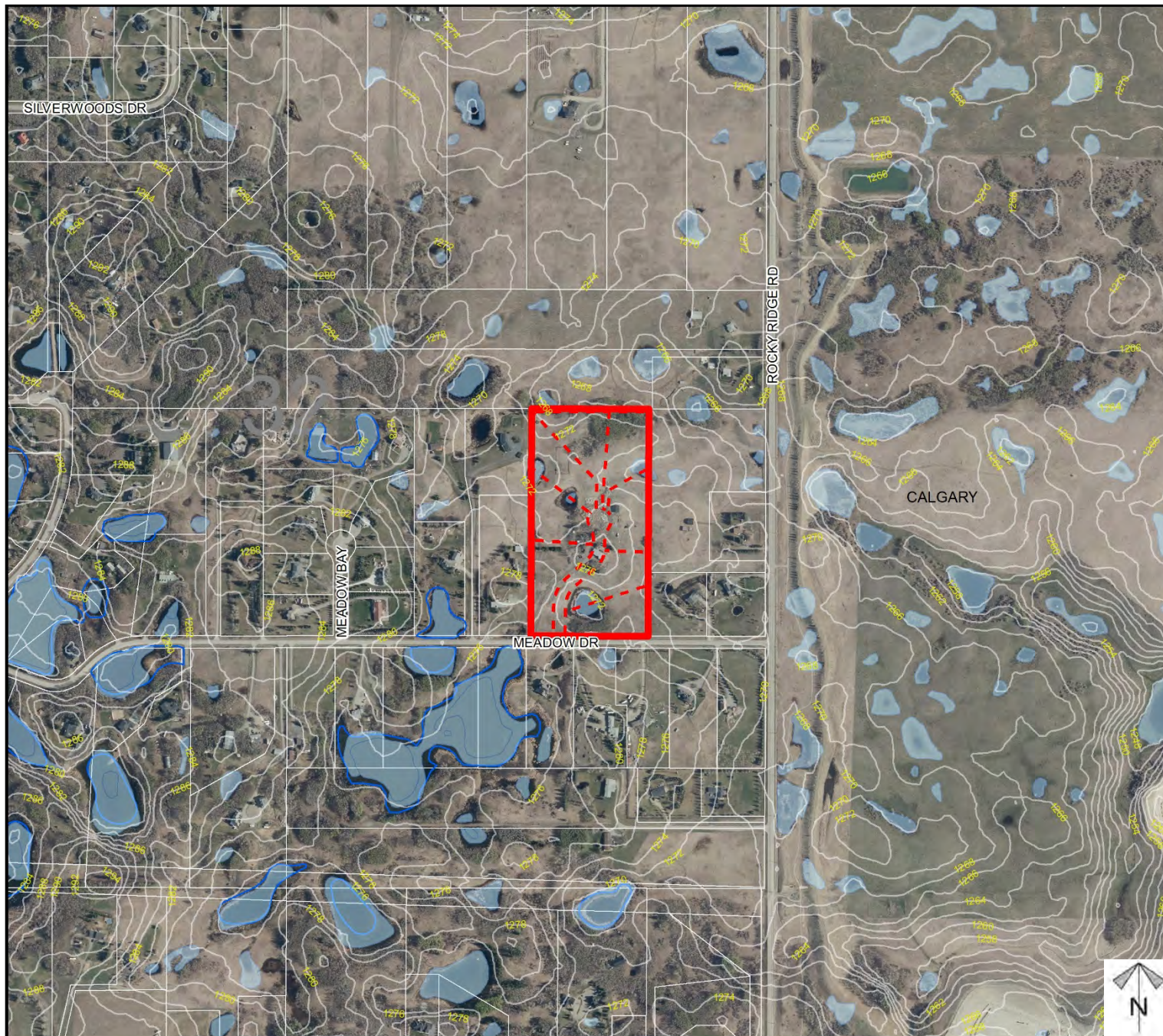


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Environmental

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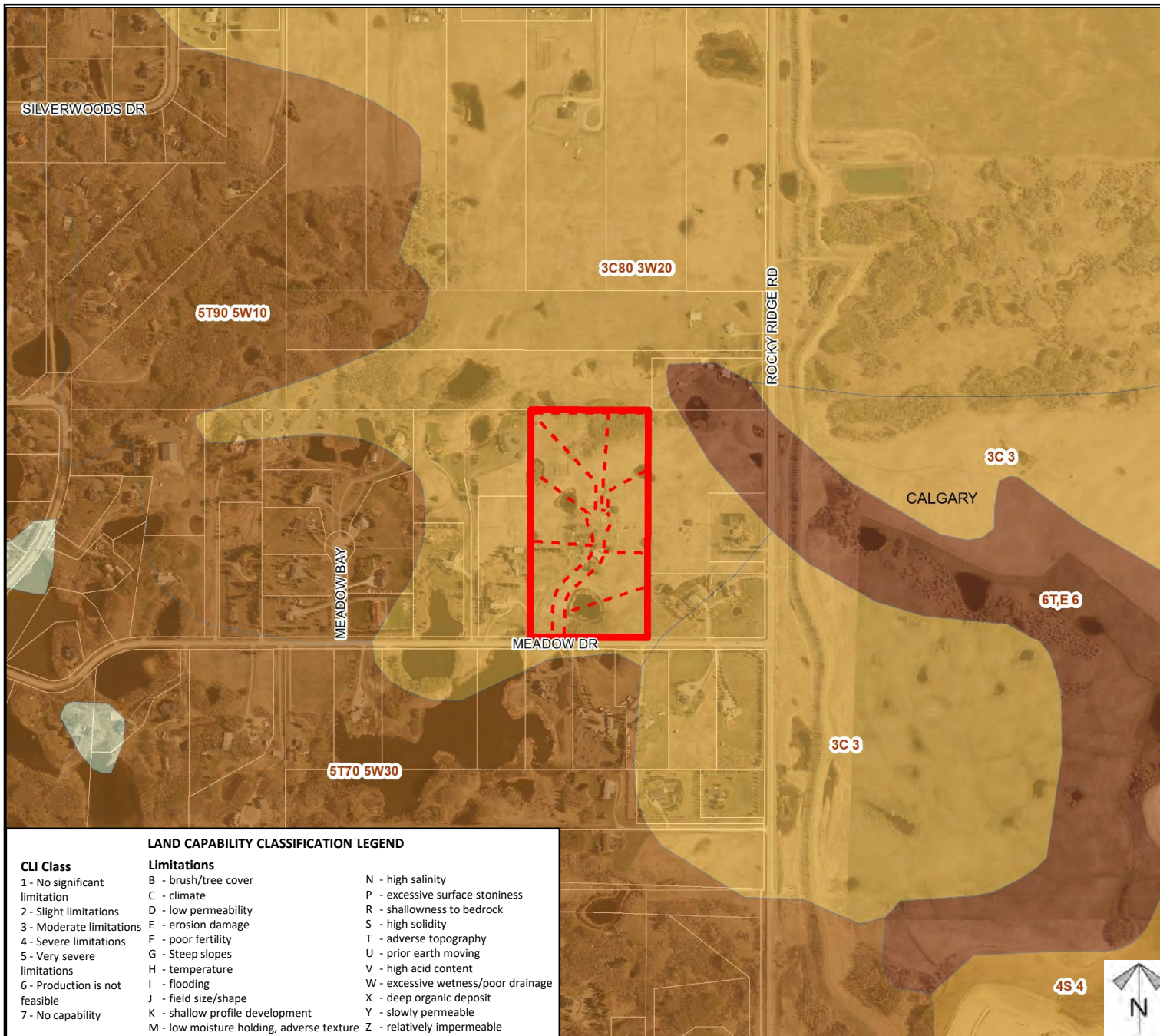
-  Subject Lands
-  Contour - 2 meters
-  Riparian Setbacks
-  Alberta Wetland Inventory
-  Surface Water

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Soil Classifications

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Landowner Circulation Area

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Legend

Support



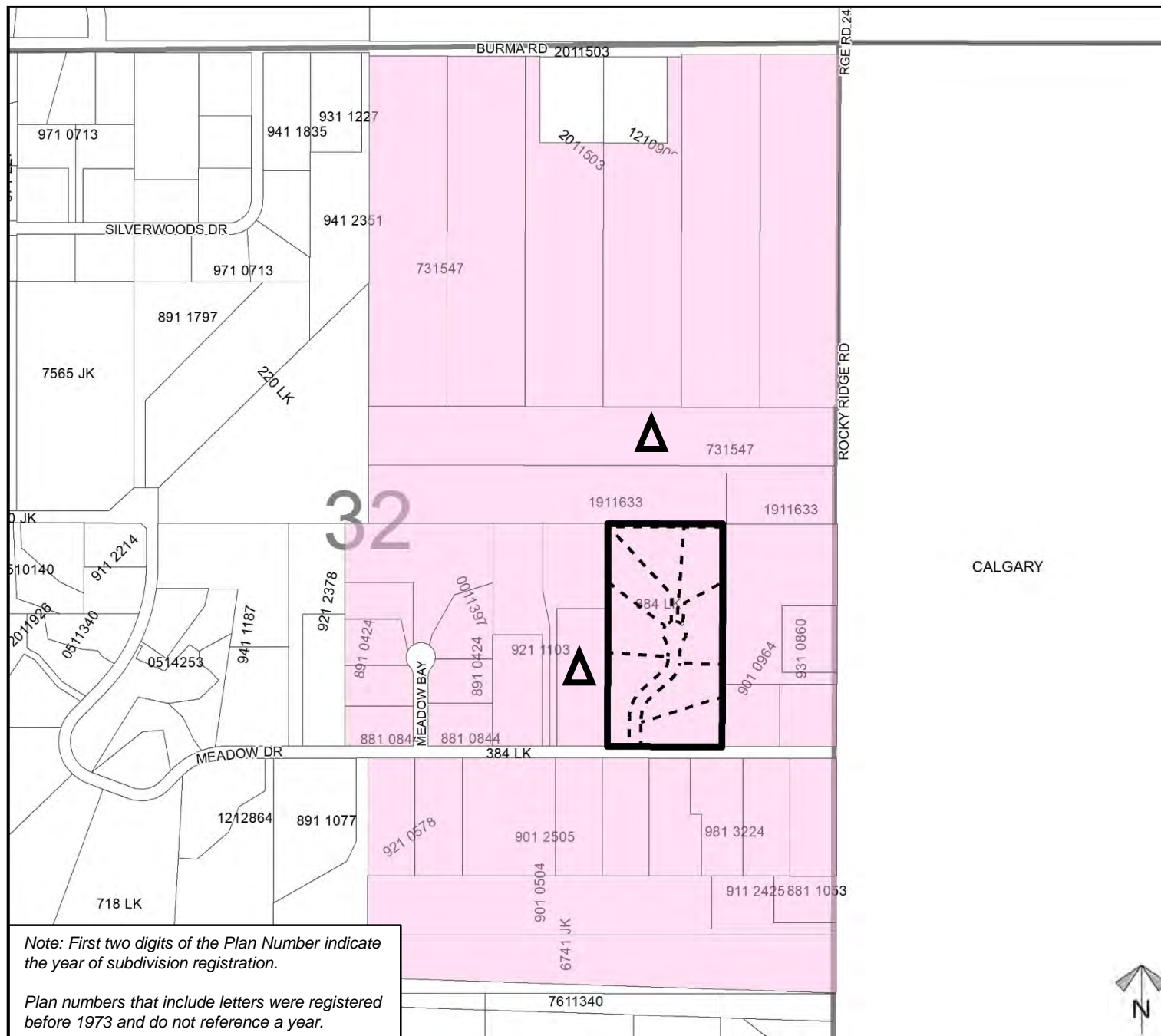
Opposition



Comment (2)



Division: 08
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Tentative Plan

Subdivision Proposal

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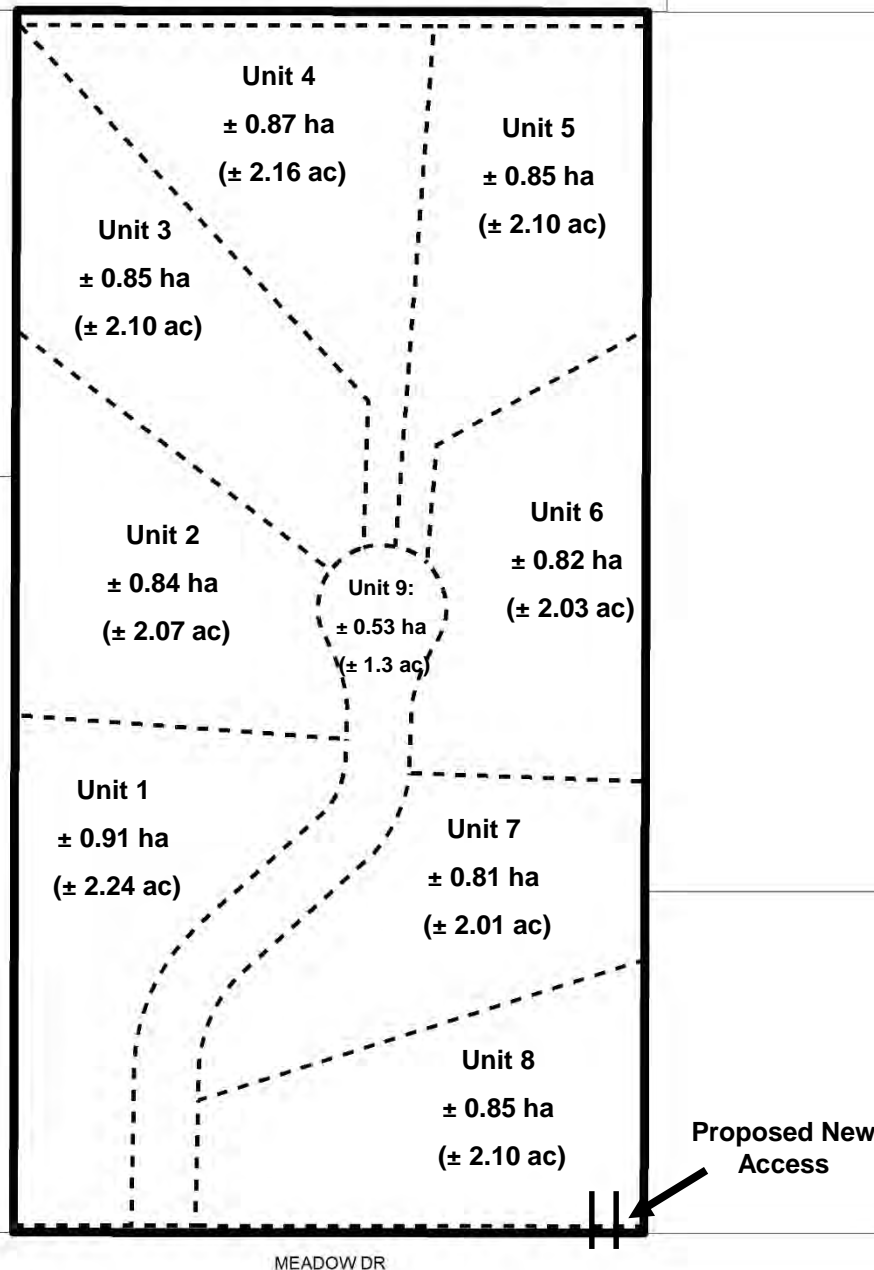
Legend

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C. Bruce Richards
24064 Meadow Drive
Calgary T3R 1A7
[REDACTED]

Planning Services Dept
Rocky View County
911-32 Ave NE
Calgary AB T2E 6X6

April 18 2016

Re File 05632015
App. # ~~2~~ PL20160034

My property borders the proposed subdivision on the west and fronts on Meadow Drive

I have lived here since September of 1972 and during that period have had a common driveway with the subject property off of Meadow Drive. I do not object to the proposed subdivision but do have a concern regarding my driveway.

If the new owner of lot 1 chose to build a perimeter fence it would center pretty well on the existing driveway and make it difficult to use in good weather and likely impossible to use in the case of significant snowfall. In addition it would alter the layout of my property to the extent of making it seem unreasonable.

I would propose that lot 1 have a 3x20 meter easement attached to the southwest corner of the lot ~~pro~~ prior to sale, and running lengthways along the joint property line.

If there is a better solution that would keep my driveway as it is I would be glad to hear of it

I would appreciate an invitation to discuss the matter and/or a written response to:

E. Mail

letter

24064 Meadows Drive
Calgary Ab T3R1A7

Phone

C. Bruce Richards
CB Richards

April 11, 2016

Rocky View County Planning Services
911 – 32 Avenue NE
Calgary, Alberta
T2E 6X6

By email: xdeng@rockyview.ca

Attention: Xin Deng

Dear Sir:

RE: File No.: 05632015
Application Number: PL20160034

I am writing in response to the proposed subdivision of a 18.49 acre parcel of land in Block 4, Plan 384 LK within NE-32-25-02-W05M to create eight +/- 2 acre parcels.

I have the following concerns relative to this proposal:

- Water – My water supply is provided by a well on my property – if wells are drilled for each of these parcels of land, this could have a significant impact on my water supply.
- Sewage – I don't know how sewage will be dealt with for this proposed subdivision, however if not handled correctly this could negatively impact surrounding properties.
- Increased housing development in the area has resulted in a higher water table over the past few years to the point where surface water is having to be re-directed. This is evident by the number of dead trees along Rocky Ridge Road. There is a real concern that increased subdivisions in the immediate area will result in surface water accumulating on my property rendering some of it unusable.

I feel that further subdivisions should be put on hold until such time as Rocky View County puts a plan in place to ensure that the negative impact of increased ground water is dealt with immediately and protocols put in place to ensure future subdivision requests do not negatively impact the surrounding area.

Yours truly,

Gordon Thompson
255149 Rocky Ridge Road
Calgary, Alberta T3R 1E3

