

TO: Municipal Planning Commission
Subdivision Authority

DATE: April 28, 2021

FILE: 05618004

SUBJECT: Subdivision Item: Residential - Watermark - Phase 7

DIVISION: 8

APPLICATION: PL20200180

Christina Lombardo, 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; • Calgary Intermunicipal Plan; • Bearspaw Area Structure Plan; • Watermark at Bearspaw Conceptual Scheme; • Direct Control Bylaw (DC 141); and • County Servicing Standards. 	TECHNICAL REPORTS SUBMITTED: <ul style="list-style-type: none"> • N/A
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Payments and Levies

APPLICABLE FEE/LEVY	AMOUNT OWING (ESTIMATE)
<i>TRANSPORTATION OFFSITE LEVY</i> 9.127 ha gross lands	\$ 103,627.96

Additional Review Considerations

Conditions were set based on the following items:

Transportation

Access to the proposed subdivision will be through the existing internal subdivision road network. The Applicant/Owner would be required to enter into a Development Agreement for road construction and all associated infrastructure to support the proposed phase. The Transportation Offsite Levy will be applied on the gross development area.

The previous approval for Phase 6 of the development required the construction of infrastructure within the phase, which will also service this current phase. An active Development Agreement is in place with the applicant to construct this infrastructure. Administration has no further concerns at this time.

Water and Wastewater

Water supply will be provided by extending the existing Blazer Water Systems distribution systems through a Development Agreement. Fire suppression would be accommodated in the development and would conform to the Alberta Building Code and other applicable standards. Wastewater would be collected and conveyed to the Bearspaw Regional Waste Water Treatment Plant.

Stormwater:

A Master Drainage Plan for the whole area was submitted as a part of the previous applications. As part of the Development Agreement, the Applicant/Owner will be required to provide and implement a Storm Water Management Plan that meets the requirements outlined in the Master Drainage Plan.

Municipal Reserves

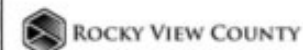
Municipal Reserve required for the entire plan area is ± 11.60 hectares (± 28.70 acres). Through the previous five development phases, ± 7.27 hectares (± 18.00 acres) of land has been dedicated as



Municipal Reserve. In this Phase, the Applicant proposes to dedicate ± 1.756 hectares (± 4.34 acres) strip of lands along the north and east areas of the proposal to facilitate a future pathway and PUL lot. Therefore, the ± 2.57 hectares (± 6.36 acres) of Municipal Reserve owing would be deferred to the remainder land by caveat.

Policy Considerations

The subject lands falls within the Bearspaw Area Structure Plan, and was evaluated in accordance with the applicable requirements. The lands are located within and are consistent with the "Country Residential" policies. The lands require a Concept Plan, which complies with the approved "Watermark at Bearspaw" Conceptual Scheme. The proposed parcels are located within Cells 3, 5 & 6 within the Direct Control District (DC 141). All parcel sizes are in compliance with the minimum parcel sizes and lot dimensions.



Tentative Plan

Subdivision Proposal

To create 40 Residential parcels ranging from ± 0.25 acres to ± 0.75 acres in size, with three Municipal Reserve parcels ± 3.13 acres (± 1.27 ha), ± 0.60 acres (± 0.24 ha) and ± 0.62 acres (± 0.25 ha) in size and one PUL lot ± 2.22 acres (± 0.90 ha).

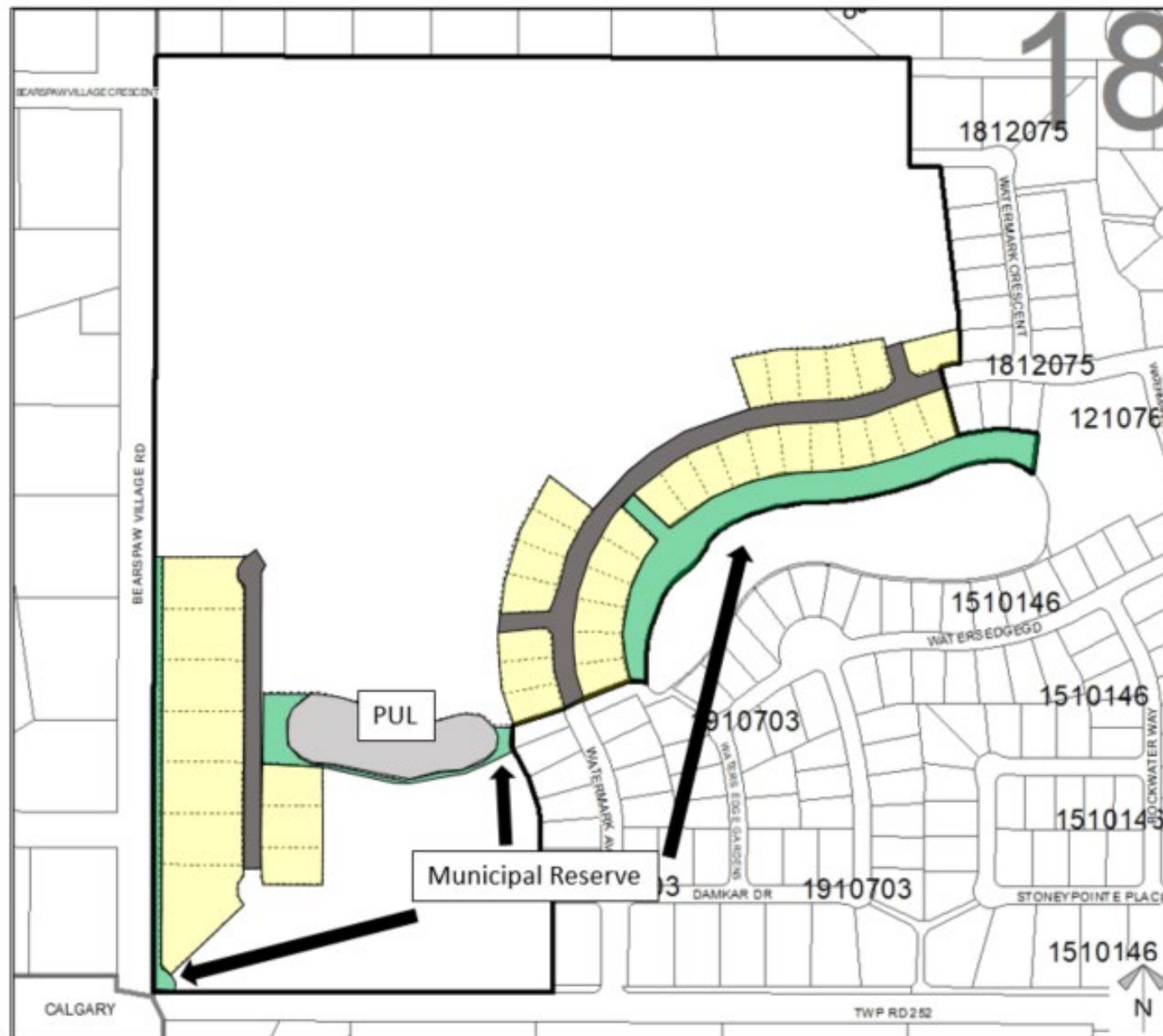
Legend

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.

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CONCLUSION:

Subject to the proposed conditions of approval, the application is recommended for approval.

Respectfully submitted,

Concurrence,

“Brock Beach”

“Kent Robinson”

Acting Executive Director
Community Development Services

Acting Chief Administrative Officer

CL/llt

ATTACHMENTS:

ATTACHMENT ‘A’: Approval Conditions

ATTACHMENT ‘B’: Maps and Other Information



ROCKY VIEW COUNTY

ATTACHMENT 'A': APPROVAL CONDITIONS

- A. The application to create 40 Residential parcels ranging from ± 0.25 acres to ± 0.75 acres in size, with three Municipal Reserve parcels ± 3.13 acres (± 1.27 hectares), ± 0.60 acres (± 0.24 hectares) and ± 0.62 acres (± 0.25 hectares) in size and one PUL lot ± 2.22 acres (± 0.90 hectares) at SW-18-25-2-W5M, having been evaluated in terms of Section 654 of the *Municipal Government Act* and Section 7 and Section 14 of the Subdivision and Development Regulations, and having considered adjacent landowner submissions, is approved as per the Tentative Plan for the reasons listed below:
1. The application is consistent with the Statutory Policy;
 2. The subject lands hold the appropriate land use designation;
 3. The technical aspects of the subdivision proposal have been considered and are further addressed through the conditional approval requirements.
- B. The Applicant/Owner is required, at their expense, to complete all conditions attached to and forming part of this conditional subdivision approval prior to Rocky View County (the County) authorizing final subdivision endorsement. This requires submitting all documentation required to demonstrate each specific condition has been met, or agreements (and necessary securities) have been provided to ensure the conditions will be met, in accordance with all County Policies, Standards, and Procedures, to the satisfaction of the County, and any other additional party named within a specific condition. Technical reports required to be submitted as part of the conditions must be prepared by a qualified professional, licensed to practice in the province of Alberta within the appropriate field of practice. The conditions of this subdivision approval do not absolve an Applicant/Owner from ensuring all permits, licenses, or approvals required by Federal, Provincial, or other jurisdictions are obtained.
- C. Further, in accordance with Section 654 and 655 of the *Municipal Government Act*, the application shall be approved subject to the following conditions of approval:

Survey Plans

- 1) Subdivision is to be effected by a Plan of Survey, pursuant to Section 657 of the *Municipal Government Act*, or such other means satisfactory to the Registrar of the South Alberta Land Titles District.

Development Agreement

- 2) The Owner shall enter into a Development Agreement pursuant to Section 655 of the *Municipal Government Act* respecting provision of the following:
 - a) Construction of the public internal road system including all related infrastructure (sidewalks, curb and gutter, lighting, signage, etc.) complete with cul-de-sacs and the registration of any necessary easements, as shown on the Tentative Plan.
 - b) Construction of the potable water distribution system and all related infrastructure such as fire hydrants, and service stubs to all proposed lots. The water distribution system is to be extended from the existing distribution system within Phase I serviced by Blazer Water Systems.
 - c) Construction of wastewater collection system and all related infrastructure such as service stubs to all proposed lots. The wastewater collection system is to be tied into the existing collection system within Phase I, which takes wastewater to the Bears paw Regional Wastewater Treatment Plant.
 - d) Construction of the stormwater collection system including all necessary infrastructure required to support the proposed phase in accordance with the



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recommendations of an approved Stormwater Management Plan, the registration of any overland drainage easements and/or restrictive covenants as determined by the Stormwater Management Plan and provision of necessary Alberta Environment registration documentation for the stormwater infrastructure system if required.

- e) Design and construction of Landscaping features for all Municipal Reserve lands, public pathways and public roadways, and pave the pathway connection to the internal roadway, in accordance with the approved Landscaping and Lighting Plan.
- f) Mailbox locations are to be located in consultation with Canada Post.
- g) Provide for the installation of any power, natural gas, telephone and all other utility lines, and provide the County with written confirmation that said utilities have been, or are to be installed, to the satisfaction of the utility providers.
- h) Submission of Construction Management Plan and implementation of the recommendations of the Construction Management Plan.
- i) Submission of Erosion & Sedimentation Control Plan and implementation of the recommendations of the Erosion & Sediment Control Plan

Site Servicing

- 3) The Owner shall provide confirmation from Blazer Water Systems ensuring:
 - a) the completion of all paperwork for water supply allocation;
 - b) the payment of all necessary fees for the purchase of required capacity units for the proposed subdivision;
 - c) the allocation and reservation of the necessary capacity;
 - d) the obligations of the Applicant and/or utility to bring water lines to the subdivision (i.e. whether water utility to construct water line to limits of subdivision and applicant is to construct all internal water lines or, whether water utility will be responsible for all connections to individual lots, etc.).
 - e) access for fire hydrant maintenance, firefighting, and testing for fire protection flow requirements.
 - f) adequate supply of water for fire flow
- 4) The Owner shall design a central water fire suppression distribution system including fire hydrants for firefighting purposes for the subdivision meeting the requirements of the Safety Code Act; in addition, construction of the fire suppression system shall be included within the Development Agreement.
- 5) The Owner shall register the existing Development Agreement for the Bearspaw Regional Wastewater Treatment Plant and Outfall Line on the title of the proposed new lots.
- 6) The Owner shall contact utility providers and register required Utility Easements, Agreements and Plans on the new lots (concurrent with a Plan of Survey or prior to registration) to the satisfaction of all underground shallow utilities and street lighting.
- 7) The Owner shall provide and implement a Site-Specific Stormwater Management Plan. Implementation of the Stormwater Management Plan shall include the following:
 - a) If the recommendations of the Stormwater Management Plan require improvements it shall be included within the Development Agreement with the County;
 - b) Registration of any required easements and/or utility rights-of-way;



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- c) Necessary approvals and compensation provided to Alberta Environment for wetland loss and mitigation; and
- d) Any necessary Alberta Environment licensing documentation for the stormwater infrastructure system

Site Construction

- 8) The Owner shall provide a Construction Management Plan which is to include, but not be limited to, noise, sedimentation and erosion control, construction waste management, fire fighting procedures, evacuation plan, hazardous material containment; construction and management details. Specific other requirements include:
 - a) Weed Management Plan during the construction phases of the project;
 - b) Implementation of the Construction Management Plan recommendations, which will be ensured through the Development Agreement.
- 9) The Owner shall provide an Erosion and Sedimentation Control Plan prepared by a qualified professional in accordance with the County Servicing Standards.

Municipal Reserve

- 10) The provision of Reserve is to be provided by the dedication of +/- 1.756 ha (+/- 4.34 acres), to be determined by a Plan of Survey, in respect to SW-18-25-2-W5M as indicated on the Approved Tentative Plan.
 - a) 10% Municipal Reserve dedication outstanding on SW-18-25-2-W5M, is to be deferred by Caveat, pursuant to Section 669 of the Municipal Government Act;
 - b) Existing Deferred Reserve Caveat, Instrument #191 068 118, is to be discharged
- 11) The Owner shall provide a Landscaping and Lighting Plan for the MR lot, detailing planting and other related improvements for the subdivision.

Homeowner Association

- 12) The Owner shall legally amend the existing Homeowners' Association (HOA) / Lot Owners' Association (LOA), and 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 Home Owners' or Lot Owners' Association;
 - a) The HOA / LOA agreement shall specify the future maintenance obligations of the Homeowners' Association for maintenance obligations of the HOA through the existing Maintenance/Operation Agreement with the County;
- 13) The Owner shall amend the Solid Waste Management Plan to include the proposed lots, and outline the responsibility of the Developer and/or HOA for solid waste management.

Architectural Controls

- 14) The Owner shall prepare and register a Restrictive Covenant on the title of the proposed new lot, requiring that each Lot Owner be subject to the development's Architectural Controls.

Payments and Levies

- 15) The Owner shall pay the Transportation Off-Site Levy in accordance with Bylaw C-8007-2020 prior to subdivision endorsement. The County shall calculate the total amount owing:
 - a) from the total gross acreage of the Lands to be subdivided as shown on the Plan of Survey;



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- 16) The Owner shall pay the County Subdivision Endorsement fee, in accordance with the Master Rates Bylaw, for the creation of forty (40) new lots.

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: Macdonald Communities Limited.	OWNER: Macdonald Communities Limited.
DATE APPLICATION RECEIVED: December 21, 2020	DATE DEEMED COMPLETE: January 7, 2021
GROSS AREA: ± 41.59 hectares (± 102.76 acres)	LEGAL DESCRIPTION: SW-18-25-2-W5M
APPEAL BOARD: Municipal Government Board	
HISTORY: <p><i>June 22, 2020 Subdivision Authority approved subdivision application PL20200047 for Watermark Phase 6, to create 17 residential lots and 1 MR lot.</i></p> <p><i>September 19, 2017 Subdivision Authority approved subdivision application PL20170071 for Watermark Phase 5, to create 17 residential lots and 1 public utility lot (PUL).</i></p> <p><i>February 9, 2016 Subdivision Authority approved subdivision application PL20150067 for Watermark Phase 4, to create 42 residential lots and 3 MR lots.</i></p> <p><i>October 28, 2014 Subdivision Authority approved subdivision application PL20140080 for Watermark Phase 3, to create 61 residential lots, 2 MR lots and 1 PUL lot.</i></p> <p><i>April 22, 2014 Council approved application PL20130025 to amend DC Bylaw 141 for the addition of 10 lots in accordance with the Memorandum of Agreement (MOA), addition of Amenity Building as a listed use for Site 7 in accordance with the adopted Master Site Development Plan Site 7, the inclusion of Secondary Suite as a listed use for Sites 1 - 6 with restrictive regulations, adjustment of the assessment requirements for Dwelling, Semi-detached in Site 7, reduction of minimum lot size and rear yard setback requirements in Site 1 to accommodate Public Utility Lot requested by ATCO Pipelines, clarification and an amendment regarding deck extension setback requirements in Sites 1-7, and an amendment of the required front yard setback for Lot 9, Block 4 Plan 1311979 situated in Site 2 to reflect the relationship to an internal street.</i></p> <p><i>October 1, 2013 Subdivision Authority approved subdivision application 2012-RV-154 for Phases 3, 4, and 5 of the Watermark development.</i></p> <p><i>July 29, 2013 The Phase Two Single Family Estate subdivision of Watermark was registered and titles were issued.</i></p> <p><i>July 30, 2012 Memorandum of Agreement (MOA) was signed, establishing an agreement between Blazer Water Systems Ltd., Watermark Development, and the County regarding water supply infrastructure connections to adjacent communities, processing of future applications, and arrangements about the funding of recreational infrastructure in the County.</i></p> <p><i>July 17, 2012 Council approved the Master Site Development Plan for Site 7 (2011-RV-132), proposing a 101 unit bare land condominium subdivision, and a single lot subdivision.</i></p>	



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March 19, 2012	<i>The Phase One Single Family Estate subdivision of Watermark was registered and titles were issued. Agreements regarding the construction of the Bearspaw Regional Wastewater Treatment Plant and with Blazer Water Systems were established.</i>
October 19, 2011	<i>Application was made for the subdivision of Site 7 of the Watermark Project into a 101 unit bare land condominium plan with common property. DC Bylaw 141 (C-6854-2009) required Council adoption of the MSDP prior to any further subdivision or development of the land.</i>
March 1, 2011	<i>Subdivision Authority approved subdivision application 2010-RV-199 for Phase 1 of the Single Family Estate (108 single family residential lots, five MR lots, three public utility lots, and a wastewater treatment plant), and Phase Two (66 single family residential lots, and three MR lots) of Watermark at Bearspaw</i>

PUBLIC & AGENCY SUBMISSIONS:

The application was circulated to 671 adjacent landowners. No letters have been received in support or opposition of the application.

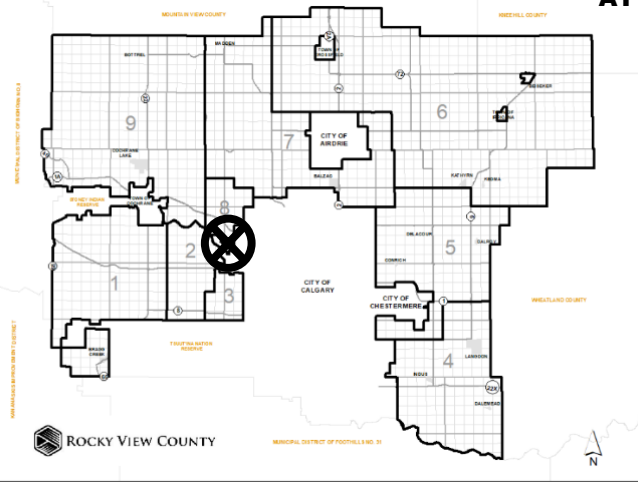
The application was also circulated to a number of internal and external agencies and, where appropriate, conditions of approval have been proposed based on these comments.

Location & Context

Subdivision Proposal

To create 40 Residential parcels ranging from ± 0.25 acres to ± 0.75 acres in size, with three Municipal Reserve parcels ± 3.13 acres (± 1.27 ha), ± 0.60 acres (± 0.24 ha) and ± 0.62 acres (± 0.25 ha) in size and one PUL lot ± 2.22 acres (± 0.90 ha).

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Development Proposal

Subdivision Proposal

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Environmental

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

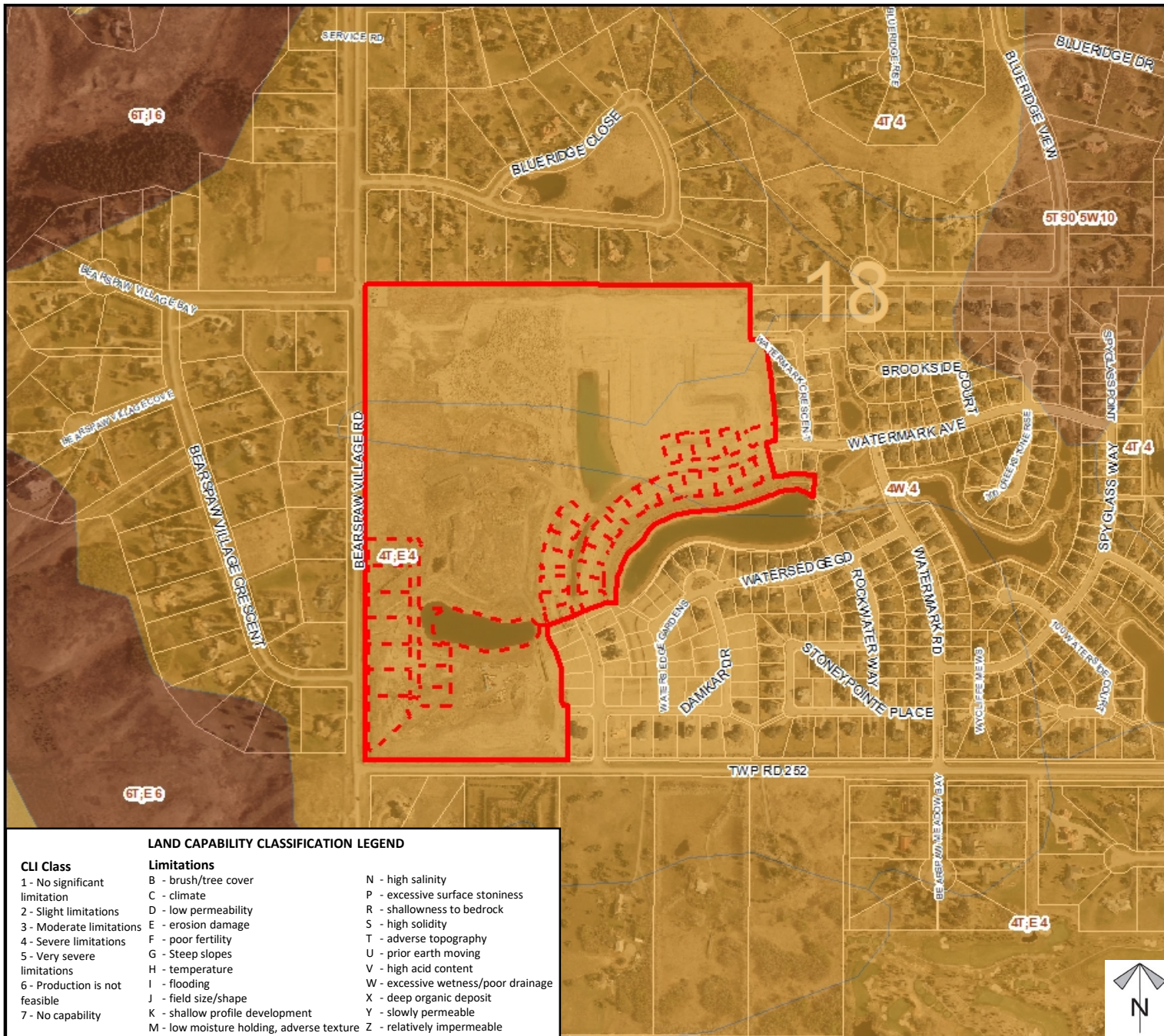
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Soil Classifications

Subdivision Proposal

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Landowner Circulation Area

Subdivision Proposal

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Legend

Support



Opposition



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Note: First two digits of the Plan Number indicate the year of subdivision registration.

Plan numbers that include letters were registered before 1973 and do not reference a year.



Tentative Plan

Subdivision Proposal

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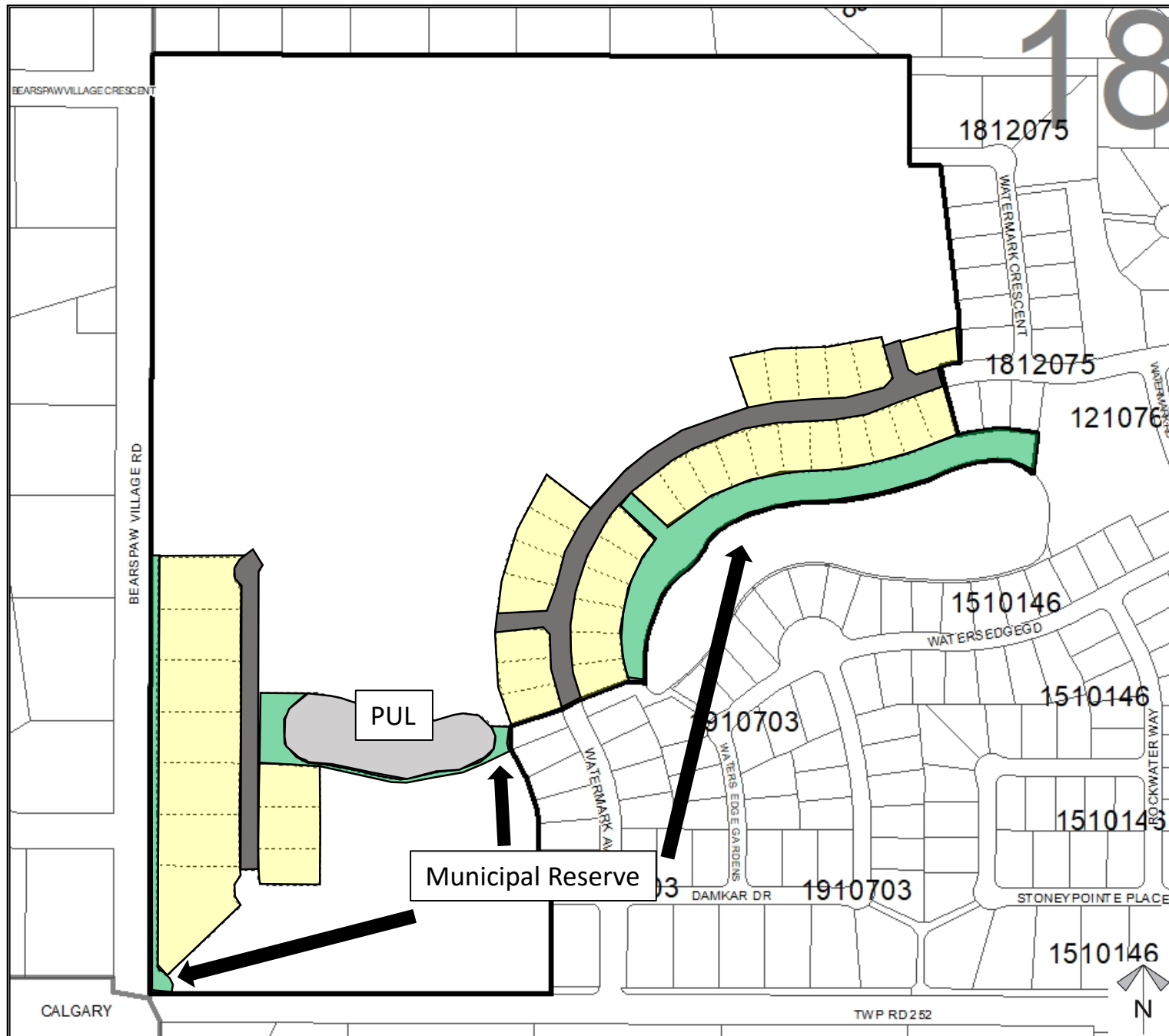
Legend

Dwelling	
Building	
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Driveway	
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Road Acquisition	

Surveyor's Notes:

1. Parcels must meet minimum size and setback requirements of Land Use Bylaw C-8000-2020.
2. Refer to Notice of Transmittal for approval conditions related to this Tentative Plan.

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Tentative Plan – Part B

Subdivision Proposal

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Street	Block	Lot	Acres
Waterpointe Manor	13	11	1.15
Waterpointe Manor	13	12	0.76
Waterpointe Manor	13	13	0.76
Waterpointe Manor	13	14	0.76
Waterpointe Manor	13	15	0.76
Waterpointe Manor	13	16	0.76
Waterpointe Manor	13	17	0.75
Waterpointe Manor	14	20	0.46
Waterpointe Manor	14	21	0.46
Waterpointe Manor	14	22	0.40
Watermark Avenue	14	9	0.28
Watermark Avenue	14	10	0.28
Watermark Avenue	14	11	0.28
Watermark Avenue	12	14	0.32
Watermark Avenue	12	13	0.30
Watermark Avenue	12	12	0.30
Watermark Avenue	12	11	0.30
Watermark Avenue	11	13	0.28
Watermark Avenue	11	12	0.28
Watermark Avenue	11	11	0.28

Street	Block	Lot	Acres
Watermark Avenue	11	10	0.28
Watermark Avenue	11	9	0.27
Watermark Avenue	10	11	0.34
Watermark Avenue	5	38	0.26
Watermark Avenue	5	39	0.26
Watermark Avenue	5	40	0.26
Watermark Avenue	5	41	0.26
Watermark Avenue	5	42	0.26
Watermark Avenue	5	43	0.26
Watermark Avenue	5	44	0.26
Watermark Avenue	5	45	0.26
Watermark Avenue	5	46	0.26
Watermark Avenue	5	47	0.26
Watermark Avenue	5	48	0.26
Watermark Avenue	5	49	0.26
Watermark Avenue	5	50	0.26
Watermark Avenue	5	51	0.26
Watermark Avenue	5	52	0.26
Watermark Avenue	5	53	0.26
Watermark Avenue	5	54	0.26

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