



PLANNING POLICY

TO: Council
DATE: July 27, 2021 **DIVISION:** 2
TIME: Afternoon Appointment
FILE: 05701004 **APPLICATION:** PL20170009/10
SUBJECT: Residential Conceptual Scheme - Riverside Estates

APPLICATION: To adopt the Riverside Estates Conceptual Scheme to provide a policy framework to guide future subdivision and development proposals within N1/2-1-25-30-W5M.

GENERAL LOCATION: Located approximately 1.6 kilometers (1 mile) North of Highway 1 and approximately 1.6 Kilometers (1 mile) East of Range Road 32; at the Northeast junction of Calling Horse Estates and Calling Horse Drive.

LAND USE DESIGNATION: Residential, Country Residential District.

EXECUTIVE SUMMARY: Council gave the first reading to Bylaw C-8016-2020 on April 28, 2020. The applications are consistent with the relevant policies of the Rocky View County / City of Calgary Intermunicipal Development Plan, County Plan, and the Central Springbank Area Structure Plan.

Contrary to Section 411 of the County Servicing Standards, emergency access has not been provided for within the proposed development, and this creates a potential safety concern for the future lots. It is noted within Section 411 that Council has the ability to waive the requirement for a secondary emergency access at the time of subdivision. Due to the topography of the subject lands, the opportunity to create an emergency access is severely limited without significantly changing the steep gradients within the site or having impacts on the environmental features which the Applicant's proposal is attempting to preserve. Therefore, Administration considers the provision of secondary emergency access unlikely within the context of the current proposal and cannot recommend approval of the application for this reason.

The Applicant is proposing a decentralised wastewater treatment plant (Orenco System) to serve the development. Conceptual technical reports have been submitted to demonstrate that the treatment facility should not have an impact on the Bow River watershed, or the adjacent Bearspaw Reservoir. The Applicant has also committed to future monitoring of the wastewater treatment plant to assess groundwater quality. However, the proximity of the proposed wastewater treatment plant to the Reservoir does create a higher risk of adverse effects on source water from any malfunction of the plant. Following the completion of the Bearspaw Reservoir Tri-lateral Task Force Consensus Report in 2019, the County has been working with the City of Calgary and TransAlta to prepare a risk management strategy for the Reservoir, as directed by both municipal councils. The placement of a new wastewater plant in close proximity to the Reservoir may undermine this wider work between the County and other stakeholders. It is noted that both the City of Calgary and TransAlta oppose this Application; letters received identifying their respective concerns are appended to this report in Attachments 'E' and 'F'.

ADMINISTRATION RECOMMENDATION: Administration recommends refusal in accordance with Option #2.

Administration Resources

Ravi Siddhartha, Planning Policy



OPTIONS:

- Option #1: Motion #1 THAT Bylaw C-8016-2020 be amended in accordance with Attachment C.
- Motion #2 THAT Bylaw C-8016-2020 be given second reading, as amended.
- Motion #3 THAT Bylaw C-8016-2020 be given third and final reading, as amended.

Option #2: THAT application PL2017009/10 be refused.

AIR PHOTO & DEVELOPMENT CONTEXT:



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>; • Rocky View / City of Calgary Intermunicipal Development Plan; • County Plan; • Central Springbank Area Structure Plan; • Land Use Bylaw; and • County Servicing Standards. 	<ul style="list-style-type: none"> • Geotechnical Report prepared by McIntosh Lalani Engineering Ltd., dated June 16, 2020; • Transportation Impact Assessment prepared by Bunt & Associates, dated April 5, 2019; • Wastewater System Design Summary conducted by SD Consulting Group, dated May 2020; • Hydrogeological Investigation of Proposed Subsurface Disposal System report prepared by SD Consulting Group, dated May 6, 2020; • Impact Assessment on Ephemeral Stream conducted by SD Consulting Group, dated May



	<p>23, 2021;</p> <ul style="list-style-type: none"> • Aquifer Testing Report prepared by SD Consulting Group, dated May 6, 2020; • Conceptual Stormwater Management Report prepared by IBI group, dated June 7, 2021; • Biophysical Impact Assessment prepared by Sweetgrass Consultants, dated April 2018.
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CONCEPTUAL SCHEME OVERVIEW:

The Riverside Estates Conceptual Scheme provides a planning framework to guide and evaluate future subdivision and development applications. It provides guidance on development matters including lot design and configuration, parcel size, on-site visual impacts, open space connections, servicing strategies, and compatibility with adjacent land uses.

Site Context

The subject lands are approximately ±55.46 hectares (±137.04 acres), including approximately ± 0.49 hectares (±1.21 acres) of former road allowance. A mix of country residential uses and lot sizes surround the site to the north, west and south, with the Springbank Links Golf Course development also adjacent to the North. The Bow River is located to the east of the property, with an intervening utility right-of-way owned by TransAlta. The Bearspaw Reservoir, managed by TransAlta, is also located east of the site.

The site has is characterised by areas of steep gradients generally falling from the western boundary to the Bow River to the east. The elevation changes approximately 80.0 meters in total from the west to eastern boundary, with pockets of shallow slopes that appear to support development. A ravine providing a natural drainage course bisects the site, generally proceeding on a west to east alignment and this imposes riparian setback requirements on the site. The site is heavily grassed on shallow slopes, whereas steeper slopes consist of dense spruce and poplar trees along with shrubs and grasses. An Altalink overhead transmission line with right-of-way requirements runs from southeast to the west of the site.

Due to the variable topography and steep slopes on the site, the Applicant has agreed to incorporate a new policy to the Conceptual Scheme document requiring the developer to explore the availability of one contiguous acre at the subdivision stage.

Land Use Concept

The Conceptual Scheme proposes developing the site for residential uses, with a single-family residential cluster form and large open natural spaces. The proposal consists of 32 lots ranging from approximately ±0.81 to ±1.08 hectares (±2.00 to ±2.68 acres) in size, and large areas of open space. The concept proposes three development cells, namely Development Cell A located in the southwestern corner with eight residential lots, Development Cell B in the northwest corner bordering with Springbank Links Golf Course with 12 lots and Development Cell C extending into the northeast part of the site from Emerald Bay Drive with 12 residential lots.

The Conceptual Scheme proposes a reduced residential development footprint while integrating with the natural character using site development guidelines to identify suitable building and construction envelope. Fencing for individual lots is not permitted; instead, landscaping and vegetation are proposed as natural boundary markers. Comprehensive architectural and landscaping guidelines are proposed to be incorporated in the development, supporting dark sky principles, enhancing existing community character, promoting low-impact landscaping, and conserving the natural amenities.



Open Space and Pathways

The varied topography and steep slopes limit the developable area; hence, the proposed conceptual scheme provides approximately ± 24.68 hectares (± 61 acres) or 45% of open space, inclusive of the wastewater treatment plant and stormwater areas. These areas offer open space network continuity, and preserve existing vegetation and wildlife corridors. The environmental reserve/environmental easement areas proposed shall be assessed by the County at the subdivision stage and, where appropriate, shall be managed through appropriate dedication or easements.

The Conceptual Scheme proposes a 1.5m wide natural local pathway system some 3.4 km in length, providing connectivity to adjacent lands and pathways, but discouraging access to the Bearspaw Reservoir through appropriate signage and fencing.

As required by the Conceptual Scheme policies, future ownership of the open space and pathways proposed through the centre of the site would be confirmed at the subdivision stage and is likely to comprise a mix of home-owner association lands with public access easements, municipal reserve, environmental reserve and public utility lots.

Transportation and Access

Access to each of the three residential cells is proposed to be via three separate access points. Cell A is accessible through north and east extensions of Calling Horse Drive (Range Road 31) and Rodeo Drive. Cell B is accessible through an internal road off of Calling Horse Drive (Range Road 31), and Cell C is accessible through an extension of Emerald Bay Drive from the north. The Calling Horse Drive (Range Road 31) to the south serves as the main connector to the development, as it intersects with Township Road 250, leading to Old Banff Coach Road and TransCanada Highway 1.

A Transportation Impact Assessment (TIA) was submitted in support of the proposed Conceptual Scheme, and all impacted intersections are anticipated to continue operating within acceptable capacity parameters at the opening day horizon. For the long-term horizon and build-out of Bingham Crossing, the submitted TIA indicated implementation of signalization or roundabout of TWP Rd 250/RR32 and signalization at TWP Rd 250/Old Banff Coach Road. Alberta Transportation's requirement of a westbound right-turn lane at the intersection of Township Road 250 and Range Road 32 is technically met by a small margin. Off-site intersection and roadway improvements will be detailed via an updated TIA at the subdivision stage in coordination with the County and Alberta Transportation.

The proposed road alignment follows the natural topography of the land and is not interconnected. Section 411 of the County Servicing Standards requires that where more than 10 lots are to be generated, they shall be served by a secondary access. The Conceptual Scheme proposes 12 lots in Cell C, extending Emerald Bay Drive which already has 23 lots served by a single access. The potential for 35 existing and proposed lots to be left without a secondary access is a significant exceedance of the 10 lots allowed for under the County Servicing Standards creating potential public safety and access issues. Notwithstanding this conflict, it is important to acknowledge that the Servicing Standards are non-statutory, and Policy 411 does recognize the ability of Council to waive the requirement for a secondary access.

The Applicant/Owner had previously explored secondary access when developing the layout and found difficulties with providing such an access due to the gradients and environmental features within the site. The Applicant has suggested the matter could be further examined at subdivision stage and an additional policy has been added to the Conceptual Scheme to address this at Administration's request. However, Administration considers that the opportunity to create a secondary access is severely limited and potential options previously provided by the Applicant would counter the Applicant's desire to preserve the natural features on the site. Administration cannot support approval of the application due to the conflict with Policy 411 and the limited potential to find an acceptable secondary access solution at subdivision stage.



Wastewater Servicing

Sanitary servicing for the Conceptual Scheme proposes to use a decentralised Orenco wastewater treatment system. The Applicant explored connection to alternative nearby regional wastewater collection and treatment piped services; however, connection is not considered to be feasible at this time by the Applicant. Policy 5.9 of the Conceptual Scheme requires future connection of the proposed lots to a piped system when available. The wastewater servicing concept will be further addressed at the subdivision stage and will require an Alberta Environment and Parks approval. The treatment plant does not meet the required 300 metre setback established in *Section 12(4) of the Subdivision and Development Regulations* for proposed and existing residential lots. Therefore, a relaxation of the setback will be required from Alberta Environment and Parks as a condition of any subdivision approval by the County. Policies addressing future connection to regional wastewater services and the detailed wastewater system design are included in the Conceptual Scheme, together with a commitment to monitoring groundwater quality in relation to the wastewater treatment plant.

Matters relating to the proximity of the development to the Bears paw Reservoir are discussed in the ensuing report sections below.

Water Servicing

Water supply for the Conceptual Scheme is proposed through individual groundwater wells located on each lot or through a new communal supply option which the Applicant is still exploring. The Applicant investigated connection to alternative nearby water co-ops, but reported that no feasible connection opportunity exists. Due to the uncertainty around potable water servicing options, the Applicant has included a policy within the Conceptual Scheme to provide a feasibility study the County at the subdivision stage determining the feasibility of piped servicing prior to proposing individual water wells on each lot. Where no service is found to be feasible, policies are also included requiring the proposed lots to connect to municipal services in future where they become available.

Stormwater Management

Stormwater runoff generated within site is proposed to be managed using appropriately sized low impact development (LID) practices and storm pond facilities to retain stormwater. The Applicant submitted a Conceptual Stormwater Management Plan that identifies appropriate levels and locations of off-site discharge, controlled to pre-development flows, and meets the Springbank Master Drainage Plan requirements. The proposed Riverside Estates Home Owners Association would be responsible for the maintenance of stormwater management infrastructure. However, the conceptual scheme also includes a policy addressing County access to, and maintenance of, the stormwater management infrastructure.

Solid Waste Management

Solid Waste Management is proposed to be provided by a solid waste contractor managed by the Homeowners Association.

Fire Protection

The Springbank Fire Station 102 is within 5.3 km of the proposed development. The proposed subdivision would conform to Fire Smart Principles to prevent the spread of wildfires. Dry fire suppression infrastructure is proposed in main building structures. The conceptual scheme addresses fire protection concerns through the provision of a fire protection management plan at the subdivision stage.

Architectural and Landscape

At the development phases, the Conceptual Scheme proposes to implement comprehensive architectural and landscaping guidelines. These guidelines include lighting, community character, low



impact landscaping, energy efficient design, and site development guidelines that encourage the preservation of existing trees on residential lots.

POLICY ANALYSIS:

Interim Growth Plan (IGP)

The IGP includes key Region-Wide Policies on collaboration (3.2.2) and source water protection (3.2.3) to be considered for new ASPs and amendments to existing ASPs.

The City of Calgary has raised objections referring to Principle 2 of the Interim Growth Plan to protect water quality, and promote water conservation. The City has also cited Policy 3.5.2.1. c. relating to the requirement for mitigation measures and policies to address identified/potential adverse impacts on regionally significant transmission corridor rights-of-way or related infrastructure. With specific reference to the proposed new wastewater treatment plant, the Applicant has addressed these matters through several studies, treatment scenarios and policies within the proposed Conceptual Scheme. The wastewater plant would also require approval from Alberta Environment and Parks, and Conceptual Scheme policies require long-term monitoring of the plant before and during operation to assess impacts on the Bow River watershed.

With respect to regional collaboration, Administration does highlight the ongoing work of the Bearspaw Reservoir Tri-lateral Task Force to manage risk to the Reservoir. The County is working with the City of Calgary and TransAlta to prepare a risk management and public engagement strategy to limit adverse impacts on the Reservoir; Council directed this work in July 2019. The strategy is intended to be completed over two phases, with the first addressing public access and safety concerns around the Reservoir, and the second phase examining the wider regional impacts on the Reservoir from upstream activities. A completion date for the risk management strategy has not been confirmed, but the approval of this application adjacent to the reservoir would create a further risk to be addressed as part of the project.

With respect to referral to the Calgary Metropolitan Region Board, the proposed amendment to the Central Springbank ASP is to facilitate the proposed Conceptual Scheme, providing 32 residential lots. This falls below the 50 lot threshold set out within Policy 4.1 of the IGP for referral. The ASP amendments are also site-specific and the Applicant has addressed compliance with the higher order ASP and County Plan through policies in the proposed Conceptual Scheme. The Conceptual Scheme would be appended to the ASP and so would be considered part of that statutory document. Therefore, the proposal is not considered to be regionally significant and does not require submission to the Board.

Rocky View / City of Calgary Intermunicipal Development Plan (IDP)

The subject lands are identified in Map 1: Plan Area as being contained within the IDP Policy Area. Per Policy 11.1.5, all development proposed in proximity to water bodies should be carefully evaluated for impacts on water quality of surface water, groundwater, and alluvial aquifers. The policy also states that negative impacts should be mitigated. The Applicant addressed these potential impacts in the technical studies provided, and policy 5.10 is included in the Conceptual Scheme to ensure that a long-term monitoring program is developed and implemented to identify and mitigate impacts to the Bow River and Reservoir.

In accordance with Section 15 of the IDP, the application was circulated along with supporting technical information to The City of Calgary for comment. The City's complete response is included in Attachment 'F.' Generally, it has expressed opposition to the application proceeding at this time, with particular concerns over source water protection. The Applicant's updated technical studies, a long-term monitoring program, and requirements to connect to piped services when available and feasible may help to address the concerns of The City.



County Plan

The subject lands are identified as a Country Residential area within an existing area structure plan in Map 1: Managing Growth of the County Plan; Policy 5.8 supports the development of existing country residential communities in accordance with their area structure plan. The proposed Conceptual Scheme is located within the existing Central Springbank Area Structure Plan (ASP) and by aligning with the Central Springbank ASP it also conforms with Policy 10.1 of the County Plan.

Central Springbank Area Structure Plan

The subject lands are identified as a New Residential Area on Map 12 of the Central Springbank ASP. These areas require the submission of a conceptual scheme for any subdivision more than a single lot, and Policy 2.3.2.2 of the ASP outlines the information that is required to be included within a conceptual scheme. The proposed Riverside Estates Conceptual scheme was found to be in general alignment with these requirements.

The proposal also aligns with Policy 2.9.4, which provides the policy framework for New Residential Areas; the proposed lots meet the minimum allowable parcel size of 0.8 ha (2 acres) and the development does not exceed the number of allowed units on a quarter section. The Conceptual Scheme also provides for open space and pathways through the subject lands; a detailed strategy on open space and pathway provision was not included in the Conceptual Scheme covering matters such as municipal reserve dedication, but these items could be addressed at subdivision stage.

The proposed Conceptual Scheme was also evaluated against Section 2.8 ASP which provides guidelines for utilities. The Applicant's preference is to provide potable water servicing to the development by individual water wells on each lot or through a licensed communal supply drawn from the Bow River. However, the Conceptual Scheme does commit to providing a study at subdivision stage to assess the feasibility of connection to a piped water system and that piped services would be the first option over individual water wells. A decentralised wastewater treatment system (Orengo System) with a septic and pump tank on each individual lot is proposed and, despite the concerns over the wastewater treatment approach identified above, broadly aligns with Policy 2.8.3 of the ASP which guides private sewage treatment, wastewater collection and treatment systems.

In accordance with Policies 2.8.2 and 2.8.3 of the ASP, policies in the Conceptual Scheme also require that deferred services agreements shall be registered upon each lot at subdivision approval, to ensure that these lots connect to piped water and wastewater services when they become available.

Land Use Bylaw

The Residential, Country Residential District (R-CRD) purpose and intent is to provide for residential uses in a rural setting on small parcels that cannot accommodate agricultural pursuits. This district provides for single-detached dwellings on a minimum parcel size of 1.98 ac. and a maximum building height of 12.0 m. The existing land use of the Residential, Country Residential district supports the proposed Conceptual Scheme. The proposal is consistent with the intended size and use of the parcels and aligns with the Land Use Bylaw and is also consistent with land uses in the surrounding area.



Respectfully submitted,

Concurrence,

“Brock Beach”

“Kent Robinson”

Acting Executive Director
Community Development Services

Acting Chief Administrative Officer

RS/sl

ATTACHMENTS:

ATTACHMENT 'A': Application Information

ATTACHMENT 'B': Application Referrals

ATTACHMENT 'C': Bylaw C-8016-2020 and Schedules A & B

ATTACHMENT 'D': Map Set

ATTACHMENT 'E': Public Submissions

ATTACHMENT 'F': City of Calgary Letter dated January 27, 2021