



PLANNING AND DEVELOPMENT SERVICES

TO:	Council	
DATE:	September 7, 2021	DIVISION: 1
TIME:	Afternoon Appointment	
FILE:	03917014	APPLICATION: PL20200168
SUBJECT:	Redesignation - Residential	

APPLICATION: To redesignate the subject lands from Agricultural, Small Parcel District (A-SMLp8.1), to \pm 15.42 acres of Residential, Rural District (R-RUR) for future creation of two lots, and \pm 2.00 acres of Residential, Country Residential District (R-CRD) to accommodate future subdivision of one new lot.

GENERAL LOCATION: Located in the Bragg Creek area, approximately 0.41 kilometres (1/4 mile) west of Range Road 54, and 0.41 kilometres (1/4 mile) north of Township Road 232.

LAND USE DESIGNATION: Agricultural, Small Parcel District (A-SMLp8.1)

EXECUTIVE SUMMARY: Council gave first reading to Bylaw C-8123-2020 on February 23, 2021. It has since been amended to reflect the new Land Use Bylaw references. The application is inconsistent with the relevant policies of the Greater Bragg Creek Area Structure Plan; however, in consideration of on-site topographic and development constraints and existing development in the area, Administration believes it generally meets the intent of policy 7.4.3 respecting minimum parcel size and the requirement of a conceptual scheme.

ADMINISTRATION RECOMMENDATION: Administration recommends approval in accordance with Option #1.

OPTIONS

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| Option #1: | Motion #1 | THAT Bylaw C-8123-2020 be amended as per Attachment 'C'. |
| | Motion #2 | THAT Bylaw C-8123-2020 be given second reading, as amended. |
| | Motion #3 | THAT Bylaw C-8123-2020 be given third and final reading, as amended. |
| Option # 2: | THAT further consideration of Bylaw C-8123-2020 be tabled until the applicant has prepared a conceptual scheme. | |
| Option #3: | THAT application PL20200168 be refused. | |

Administration Resources

Oksana Newmen, Planning and Development Services

**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:

- *Municipal Government Act;*
- Municipal Development Plan;
- Greater Bragg Creek ASP;
- Land Use Bylaw; and
- County Servicing Standards.

TECHNICAL REPORTS SUBMITTED:

- Slope Stability Comments, prepared by Lone Pine Geotechnical Ltd., dated May 17, 2021
- Level I Variation Private Sewage Treatment System Assessment, prepared by Groundwater Resources Information Technologies Ltd., dated May 4, 2021
- Phase I Groundwater Supply Assessment, prepared by Groundwater Resources Information Technologies Ltd., dated April 23, 2021

POLICY ANALYSIS:County Plan

The County Plan provides specific policy guidance for areas that do not fall within the boundaries of an Area Structure Plan (ASP) or other subordinate plans. As the subject lands are located within the Greater Bragg Creek ASP, the ASP policies should be applied.

Greater Bragg Creek Area Structure Plan

The subject lands are located within the West Bragg Creek policy area, in the infill residential area.

Policy 7.4.3 (b) indicates that conceptual schemes should be required for redesignation in infill residential areas, except where the following criteria are met:

- direct road access is available;
- only a single lot is being created;
- proposed lot is two (2) acres or greater; and



- the creation of the new lot will not adversely affect or impede future subdivision of the balance lands.

Based on the above requirements, the application does not meet this policy as it will create two new lots. However, Administration does not believe preparation of a conceptual scheme would provide any additional beneficial information as the area has significant topography and is highly fragmented. Therefore, Administration recommends that Council consider varying the policy for preparation of a Conceptual Scheme as there would be limited information that may be gained.

Policy 7.4.3 (c) indicates that parcel sizes should not be less than four (4) acres, with an overall maximum density of one lot per four (4) acres of Gross Developable Area (GDA). With a parcel size of 17.42 acres and a total area of development constraints (wetland and riparian setback) of 0.80 acres, the maximum number of lots is calculated at four (4) lots.

While the proposal is less than the maximum density, the proposed R-CRD parcel is below the minimum four (4) acres and is therefore not consistent with policy 7.4.3 (c).

Administration notes, however, that there are several existing two-acre parcels on the same road, in the adjacent quarter section to the west. The proposed R-CRD parcel is also restricted due to topographic constraints, the existing wetland, and the existing driveway. As well, any technical review of the servicing would ensure that sufficient area is provided to support the parcel. In sum, Administration does not believe that the minimum parcel size requirement of four acres is required to be met in this case.

Per policy 6.1.2 (b) potable water outside the hamlet service area on subdivisions proposing lots sizes of four (4) acres or greater, on average, should provide potable water via individual groundwater wells. The application meets this requirement, as a groundwater supply assessment was prepared to indicate that there should be sufficient groundwater to support the proposed development.

Policy 6.1.3 (a) similarly indicates that lot sizes averaging four acres or greater on average may be serviced by private sewage treatment systems. The applicant would be required to provide a Level IV PSTS study to determine site suitability to support a PSTS at the subdivision stage to confirm whether servicing can be met.

An ongoing concern in West Bragg Creek relates to the single access to all lands west of the Elbow River and the absence of a municipal water supply and distribution system capable of delivering adequate fire flows.

Administration has considered the ASP policies and, based on the presence of several two (2) acre parcels on the same road in the adjacent quarter to the west, that this is a residential infill area per the ASP, that a conceptual scheme would not provide any further clarity on the application, and that technical review would ensure appropriate servicing, Administration recommends approval of the redesignation. Additional technical studies may be required at future subdivision stage. These include a Level IV PSTS report, a geotechnical study providing supporting information regarding onsite slopes, a stormwater management report, and a possible biological impact assessment.

Land Use Bylaw

The proposal meets the minimum required by the Land Use Bylaw.



ROCKY VIEW COUNTY

Respectfully submitted,

“Brock Beach”

Acting Executive Director
Community Development Services

Concurrence,

“Kent Robinson”

Acting Chief Administrative Officer

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ATTACHMENTS

ATTACHMENT ‘A’: Application Information
ATTACHMENT ‘B’: Application Referrals
ATTACHMENT ‘C’: Bylaw C-8123-2020 and Schedule A
ATTACHMENT ‘D’: Map Set
ATTACHMENT ‘E’: Public Submissions