



PLANNING AND DEVELOPMENT SERVICES

TO: Council
DATE: January 26, 2021 **DIVISION:** 4
TIME: Afternoon Appointment
FILE: 03309002/001 **APPLICATION:** PL20190192
SUBJECT: Conceptual Scheme Item – Shepard Estates Conceptual Scheme
(Note: This application should be considered in conjunction with item E-6 Redesignation application PL20190191)

POLICY DIRECTION:

The County Plan, Rocky View County/City of Calgary Intermunicipal Development Plan and Land Use Bylaw.

EXECUTIVE SUMMARY:

The purpose of this application is to adopt the Shepard Estates Conceptual Scheme that provides a policy framework to guide future redesignation and subdivision for the residential development.

Council gave first reading to Bylaw C-8003-2020 on February 11, 2020.

The Conceptual Scheme proposes to create 12 residential lots in an area with a mixed of agricultural and residential uses. The proposed development would be serviced by individual water well and private sewage treatment system. Each new lot would be accessed through a new internal subdivision road and new approaches from Township Road 231. Stormwater is proposed to be managed by the two existing wetlands and Municipal Reserves owing would be provided by cash-in-lieu payment. The Applicant has hosted a virtual open house to introduce the project to adjacent landowners.

The application was circulated to 54 landowners in the area. 2 letters with concerns were received. The application was also circulated to a number of internal and external agencies. Those responses are available in Attachment 'A'.

The following is a summary of the application assessment:

- Even though a Conceptual Scheme is not required in this area, the Applicant chose to prepare a Conceptual Scheme in order to demonstrate that the site is suitable for the proposed development. The proposed Conceptual Scheme meets the requirements of Conceptual Scheme outlined in the County Plan.
- The proposed multi-lot residential development is located outside of the identified development areas, which does not meet the residential growth policies of the County Plan.
- In addition, the associated redesignation application is inconsistent with Residential policies of the County Plan.

ADMINISTRATION RECOMMENDATION:

Administration recommends refusal in accordance with Option #2.

Administration Resources

Xin Deng, Planning and Development Services



DATE APPLICATION RECEIVED:	December 12, 2019
DATE DEEMED COMPLETE:	October 21, 2020
PROPOSAL:	To adopt the Shepard Estates Conceptual Scheme that provides a policy framework to guide future redesignation and subdivision for residential development.
LEGAL DESCRIPTION:	A portion of SW & SE-9-23-28-W4M
GENERAL LOCATION:	Located approximately 0.5 miles east of City of Calgary, immediately adjacent to CP railway, east of Range Road 284 and on the north side of Township Road 231.
APPLICANT:	IDEA Group Inc.
OWNERS:	Simpson Ranching Ltd.
EXISTING LAND USE DESIGNATION:	General Agricultural District (A-GEN)
PROPOSED LAND USE DESIGNATION:	To be considered through Redesignation Application
GROSS AREA:	± 217.63 acres
SOILS (C.L.I. from A.R.C.):	<p>5N, W5 – A small portion on the west of the land contains soil with very severe limitations for crop production due to high salinity and excessive wetness/poor drainage.</p> <p>1,1 – The central portion of the land contains soil with no significant limitations for crop production.</p> <p>1 80 1N, W20 – The eastern portion of the land contains soil no limitations for crop production due to high salinity and excessive wetness/poor drainage.</p> <p>2T 2 – The east corner of the land contains soil with slight limitations for crop production due to adverse topography.</p>

HISTORY:

1913 The land is one of remainder lands after Canadian Pacific Railway bisected the property.

BACKGROUND:

The subject lands are divided by Canadian Pacific Railway into large parcels. The proposed residential development will be built on a triangle shape portion bounded by Range Road 284 to the west, Township Road 231 to the south, and railway to the northeast. A portion of the proposed Shepard Industrial ASP is within the same quarter section of the subject lands (north of the rail line).

The land is currently used as a farmland with no development on the site. The site gently slopes from the center to the west and south east corners, where two major wetlands are situated.

The subject land is surrounded by a mixture of agricultural and residential parcels in the area. The land immediately to the south are small acreages with residential designations. The land to the west, north and east are predominately agricultural lands. The City of Calgary is located approximately 0.5 miles to the west. The application was circulated to the City of Calgary and they have no comment.



PROPOSED CONCEPTUAL SCHEME:

Development Concept

The proposed Shepard Estates Conceptual Scheme contemplates to create 12 residential lots on a portion of agricultural land. The proposed development is envisioned as the extension of the existing residential development located immediately to the south. Each parcel will be at least four (4) acres in size.

Transportation

Lots 1, 2, 4-8 will be accessed through a proposed new internal subdivision road, Lot 3 will have direct access to Range Road 284, and Lots 9-12 will have direct access to Township Road 231. The Applicant provided a Traffic Impact Assessment (TIA) memo, which concludes that the amount of traffic generated from the development is relatively low and would have minimal impact on existing traffic operations. Range Road 284 is currently a graveled road that experiences a relatively high volume of traffic between Twp Rd 232 & Twp Rd 230 (400 – 500 vehicles per day). At the future subdivision stage, further assessment will be required, more specifically for Range Road 284, to determine if improvements or adjustments may be necessary such as an increased frequency of maintenance and further dust abatement measures.

Water Supply

There is no piped water system in the area, and thus the proposed development will be serviced by individual water well. The Applicant provided a Phase 1 Groundwater Assessment, which concludes that theoretically there is adequate groundwater for the proposed development. Should this application proceed to the subdivision stage, a Phase 2 Groundwater Assessment will be required to confirm that the water flow rate meets the County Servicing Standards.

Wastewater Treatment

No piped wastewater system is available for the subject land. Wastewater will be treated by a private sewage treatment system on each new lot. A Level 4 PSTS Assessment was received indicating favorable soil conditions to support treatment. Should this application proceed to the subdivision stage, a Packaged Sewage Treatment Systems would be required for each new lot in accordance with the County Servicing Standards.

Stormwater Management

The Applicant provided a Stormwater Management Plan, which proposes to use the existing two major wetland as stormwater ponds, and remove two seasonal small wetlands. The Applicant will be required to obtain an approval from Alberta Environment and Parks at the future subdivision stage to support the concept. The plan further indicated the use of overland drainage conveyance systems as an appropriate method to safely convey drainage to the wetland areas.

The County Servicing Standards states that when residential development creates 10 or more lots, it requires a municipal stormwater pond, and the pond must be located on a public utility lot (PUL). Administration further assessed the proposal and recognized that the creation of a public utility lot would be difficult, given the proposed strategy of utilizing existing wetland areas and the challenges associated with comprehensively grading the lands to facilitate drainage to a central pond. The registration of a utility right of way over these stormwater facilities would allow the future owner to provide maintenance, while allowing the County access in case any further maintenance is required. Administration is satisfied that the intent of this standard is achieved by the proposal.



Biophysical Impact Assessment

As the subject land contains two wetlands, the applicant provided a Biophysical Impact Assessment (BIA) that assessed the significance of onsite soils, vegetation, wildlife, historical resources and wetlands, and provided recommendations for during construction and post construction. The proposed Conceptual Scheme will follow the recommendations of the assessment to protect two major wetlands with a 30 m “no building” setback and 6 m “no disturbance” setback to avoid any disturbance to vegetation and existing habitats. The recommendations would be implemented through the conditions of subdivision should the application move forward.

Sound Attenuation Study

The proposed development is located immediately adjacent to the Canadian Pacific Railway. The Applicant provided a Sound Attenuation Study to identify the potential impact of train operation to the proposed residential development. The study found that the sound coming from the railway naturally emits sound is below the criteria of the Alberta Energy Regulator Directive 038. Therefore, the study recommends that no extra sound attenuation measures (walls, barriers, or berms) are required for the proposed development.

Even though no extra sound attenuation measures are required, the Applicant proposes an optional berm along the north perimeter of the site adjacent to the railway ranging to provide both sound and screen mitigation of the railway.

Municipal Reserve

As the subject land is not located in an area that requires a public pathway or park, land dedication for Municipal Reserve owing is not required. Therefore, the Applicant proposes to pay cash-in-lieu payment for the Municipal Reserve owing at the future subdivision stage.

Public Consultation

The Applicant sent out invitations to all of adjacent landowners within the circulation area to invite them for a virtual Open House held on July 15, 2020. Five people attended the open house. The Applicant and their team introduced the project and answered questions from the attendees. Detailed questions and answers provided at the open house are included in the proposed Shepard Estates Conceptual Scheme.

POLICY ANALYSIS:

County Plan

Even though a Conceptual Scheme is not required in this area, the Applicant chose to prepare a Conceptual Scheme with the intent to demonstrate that the site is suitable for the proposed development. From a technical perspective, the proposed Conceptual Scheme includes all required information that meets the requirement for a Conceptual Scheme outlined within the County Plan. However, from a policy perspective, the proposal does not meet the Residential Growth policies of the County Plan, as the land is not located in the identified future residential development area. The existing residential areas that are governed by Area Structure Plans have not been fully built out, and these ASPs are able to support residential growth for the next 20-30 years. Any new multi-lot residential development should be directed to these identified residential areas, in order to utilize the infrastructure and services that the County has invested and built.

In addition, the associated redesignation application (PL20190191) is inconsistent with the Residential policies of the County Plan, as the subject quarter section is not considered fragmented quarter section. Multi-lot residential development in a large agricultural area does not meet the intent of residential



development within the County Plan.

OPTIONS:

- Option #1: Motion #1 THAT Bylaw C-8003-2020 be given second reading.
 Motion #2 THAT Bylaw C-8003-2020 be given third and final reading.
Option #2: THAT application PL20190192 be refused.

Respectfully submitted,

Concurrence,

“Theresa Cochran”

“Al Hoggan”

Executive Director
Community Development Services

Chief Administrative Officer

XD/llt

ATTACHMENTS:

- ATTACHMENT ‘A’: Application Referrals
ATTACHMENT ‘B’: Bylaw C-8003-2020 and Schedule A (Proposed Shepard Estates Conceptual Scheme)
ATTACHMENT ‘C’: Map Set
ATTACHMENT ‘D’: Public Submissions