

**BYLAW C-8003-2020****To adopt a Conceptual Scheme known as the Shepard Estates Conceptual Scheme**

The Council of Rocky View County enacts as follows:

**PART 1 - TITLE**

This Bylaw shall be known as *Bylaw C-8003-2020*.

**PART 2 - DEFINITIONS**

In this Bylaw, the definitions and terms shall have the meanings given to them in Land Use Bylaw C-4841-97 and the *Municipal Government Act*.

**PART 3 - EFFECT OF BYLAW**

**THAT** The "Shepard Estates Conceptual Scheme", affecting a portion of SW & SE-09-23-28-W04M, be adopted as defined in Schedule 'A', which is attached to and forms part of this Bylaw.

**PART 4 - TRANSITIONAL**

Bylaw C-8003-2020 comes into force when it receives third reading, and is signed by the Reeve/Deputy Reeve and the CAO or Designate, as per the *Municipal Government Act*.

**Division: 4**

**File: 03309002/03309001 - PL20190192**

READ A FIRST TIME IN COUNCIL this 11<sup>th</sup> day of February , 2020

*PUBLIC HEARING WAS HELD IN COUNCIL this day of , 2021*

READ A SECOND TIME IN COUNCIL this day of , 2021

READ A THIRD TIME IN COUNCIL this day of , 2021

\_\_\_\_\_  
Reeve

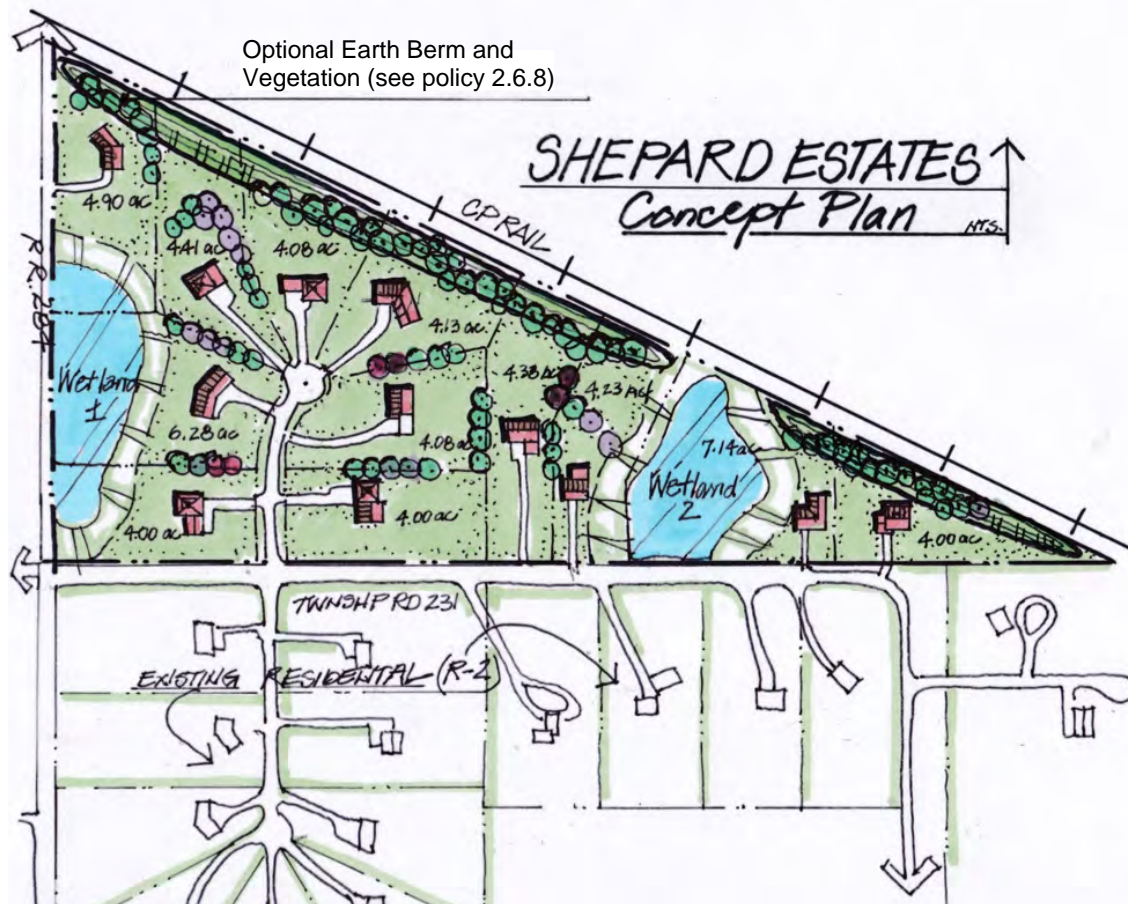
\_\_\_\_\_  
CAO or Designate

\_\_\_\_\_  
Date Bylaw Signed

**SCHEDULE 'A'**  
**FORMING PART OF BYLAW C-8003-2020**

A Conceptual Scheme affecting a portion of SW & SE-09-23-28-W04M, referred to as “Shepard Estates Conceptual Scheme” is attached to and forms part of this Bylaw.

# Shepard Estates Conceptual Scheme



Submitted to: [Rocky View County](#)

On behalf of: [Shepard Development Corporation](#)

Prepared by: [IDEA Group Inc. in association with MVH Planning & Design Inc](#)

Draft date: [October 22, 2020](#)

**SHEPARD**

**IDEA**  
INNOVATION ENGINEERING  
DESIGN BUILD ARCHITECTURE  
**GROUP**

**MVH**  
MVH Urban Planning  
& Design Inc.

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# 1. INTRODUCTION

## 1.1. Plan Purpose

This Conceptual Scheme provides the basis for the re-designation and subdivision of lands located on a portion of the SE & SW-9-23-28-W4M in Division 4 Land Use Map Area 33 in Rocky View County, Alberta. In preparation of this Conceptual Scheme, careful attention was paid to the policies and objectives set forth in the Rocky View County Plan, Rocky View County/City of Calgary Intermunicipal Development Plan, Rocky View County Land Use Bylaw.

The Shepard Estates Conceptual Scheme has been prepared to demonstrate the planning rationale for the proposed country residential development. This Conceptual Scheme provides guidance, policy framework and support for the re-designation and subdivision of the Plan Area. It describes a rationale and motivation to facilitate a new country residential subdivision within areas of existing established country residential development and ranch land. (Figure 1: Aerial site context adjacent to City of Calgary)

The Shepard Estates Conceptual Scheme describes the owner's philosophy to establish a uniquely developed residential neighbourhood that complements and integrates the existing development pattern, landscape and the surrounding area.

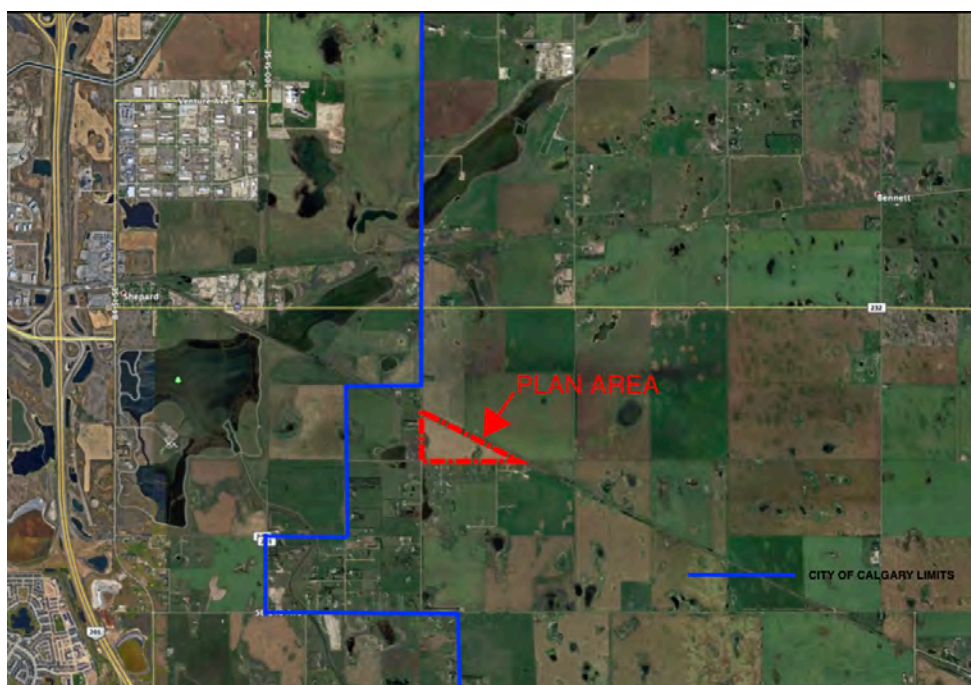


Figure 1: Aerial site context adjacent to City of Calgary

## 1.2. Plan Vision and Rationale

This Conceptual Scheme describes how 57.59 acres of ranch and farmland will extend the well-planned and vibrant country residential community that already exists in the area. The



proposed development, entitled Shepard Estates will feature twelve (12) country residential lots tying into the existing country residential subdivision to the south. Shepard Estates is an extension to the existing community and will compliment the surrounding development with generous lot sizes in keeping with the character of the existing country residential community. Shepard Estates will provide a quality development consistent with the policies and objectives set forth by the Rocky View County Plan, Rocky View County/City of Calgary Intermunicipal Development Plan, and meets the existing and future needs of the Rocky View County.

The new lots will be accessed by an internal subdivision road off Township Road 231, except for one lot that will be accessed from Range Road 284. The new lots will be of similar nature and exceed the area requirements set for the in the Rocky View Land Use bylaw. The proposed development will not require further upgrades to the County's infrastructure. A proposed earth berm along the existing CP rail line will further enhance the existing country residential development. Existing landscape features and additional hard and soft landscaping will be integrated with the visual aspects of the homes. Each single home will be customized and situated to maximize scenic views, respectfully integrated with the existing landscape features to provide privacy and tranquility. (Figure 2: Concept Plan)

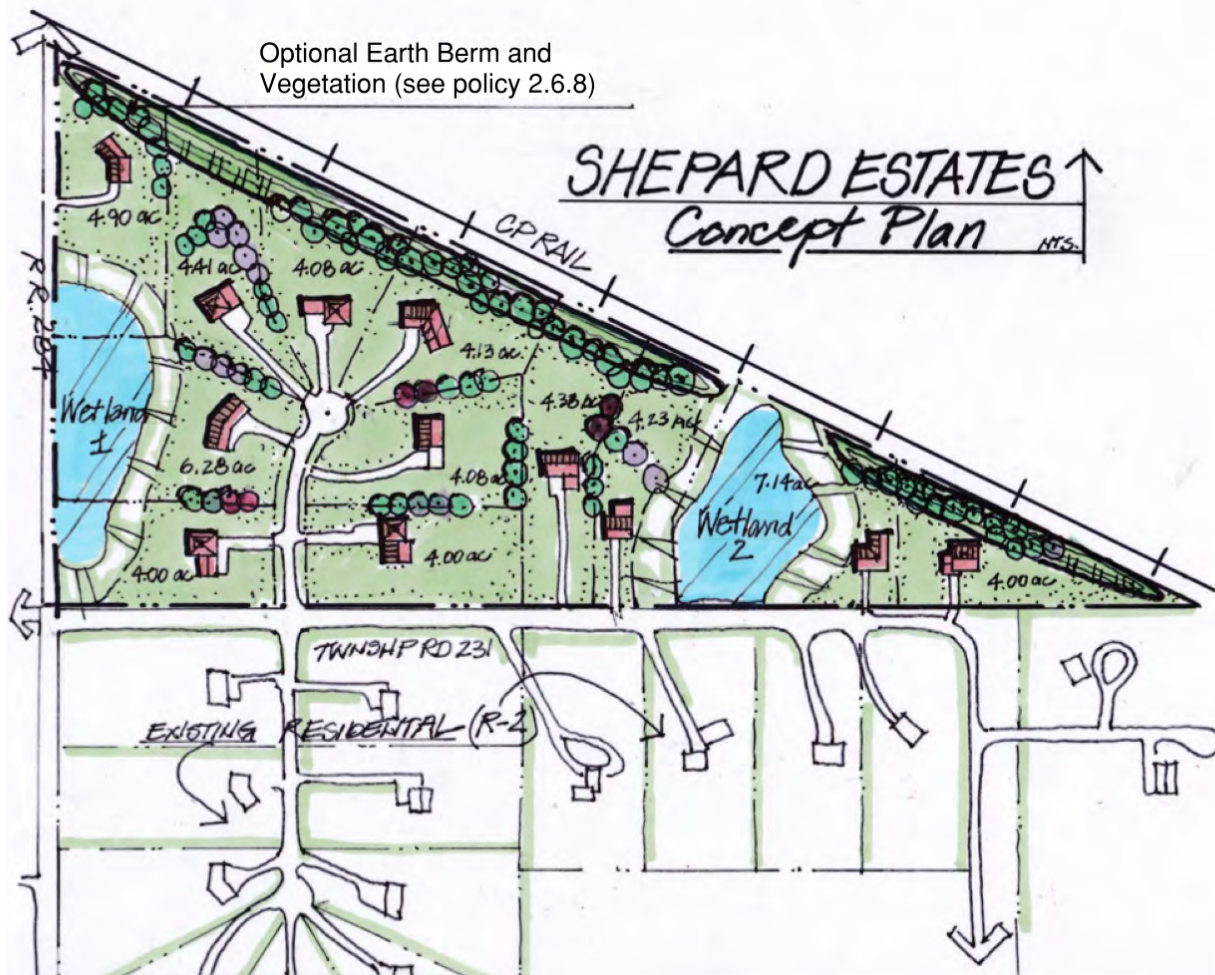


Figure 2: Concept Plan

### 1.3. Plan Area

The Shepard Estates Conceptual Scheme Plan Area is located within Division 4 Land Use Map area 33 in Rocky View County. The site is located approximately 0.5 miles east of the City of Calgary. **Figure 4: Plan Area Location** illustrates the area location in context to the City of Calgary as well as Rocky View County. The plan area is located within the “Calgary Growth Area” as highlighted in the County Plan and the Rocky View/Calgary Intermunicipal Development Plan (Figure 3: Rocky View County/Calgary Intermunicipal Growth Area Map). The plan area is comprised of 57.59 acres located in a portion of the SE & SW 9-23-28-W4M quarter section and is bordered by Range Road 284 to the west, Township Road 231 to the south and the Canadian Pacific Railroad along its north boundary.

#### Policy

- 1.3.1. Policies contained within the Shepard Estates Conceptual Scheme shall apply to all lands within the Conceptual Scheme Plan Area as illustrated in **Figure 4: Plan Area Location**



Figure 3: Rocky View/Calgary Intermunicipal Growth Area Map



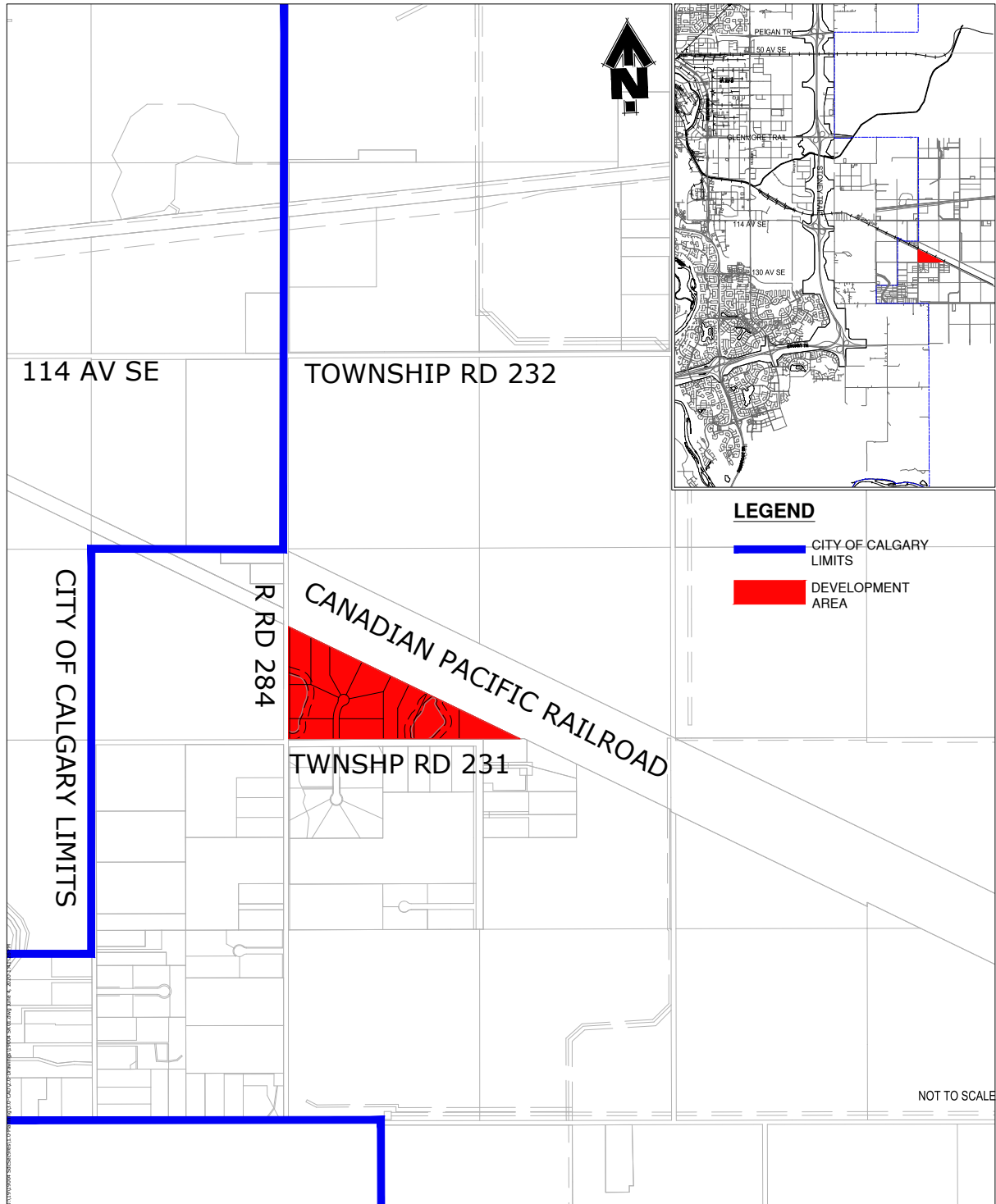


Figure 4: Plan Area Location

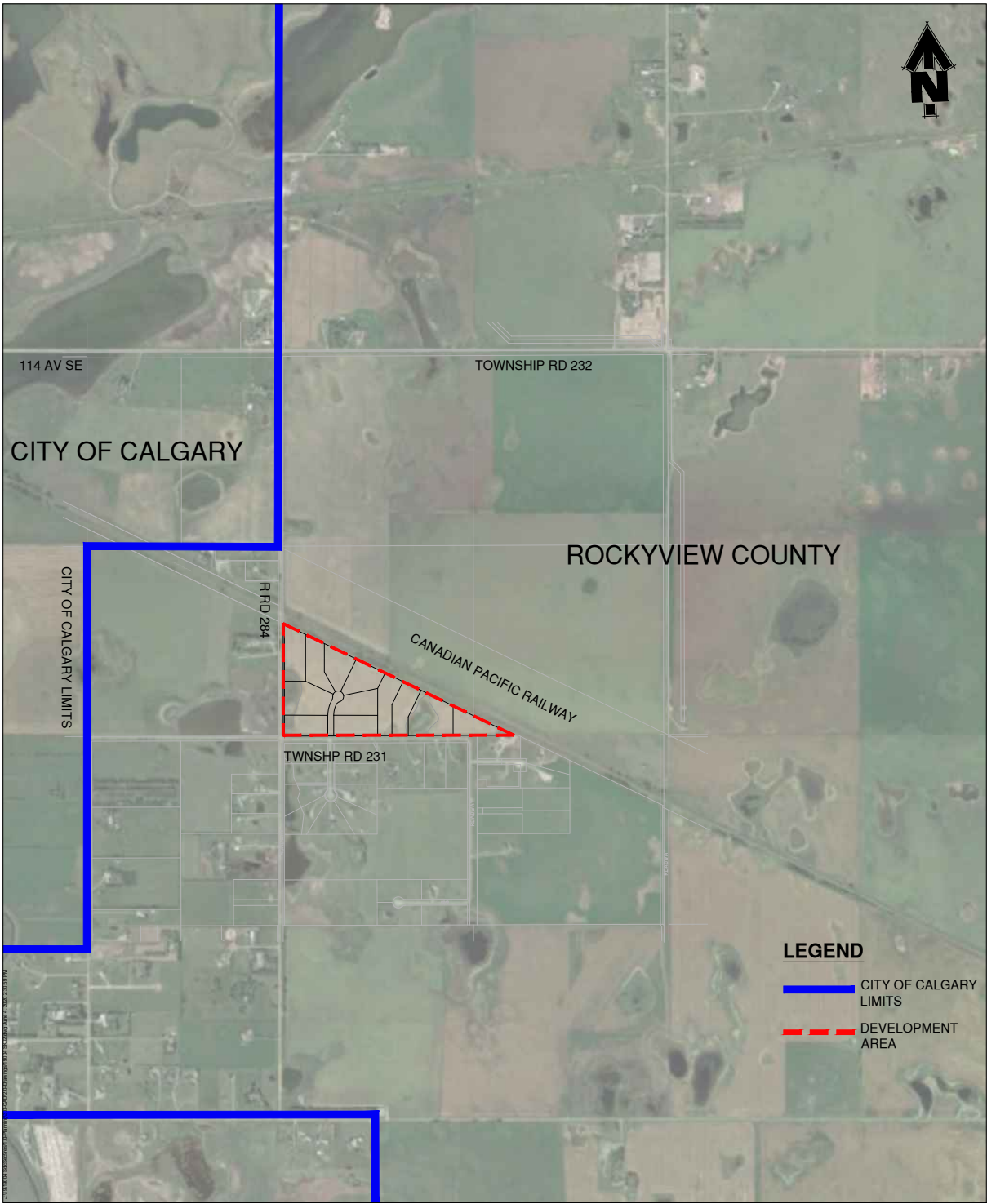


Figure 5: Aerial Plan

## 2. DEVELOPMENT CONCEPT

### 2.1. Concept Overview

Shepard Estates is planned to be a country residential development that meets the vision of the City of Calgary/Rocky View County Intermunicipal Development Plan, Rocky View County Land Use bylaw and the development pattern of the immediate area. The proposed development will provide additional tax revenue to the County while making better use of the land to achieve the vision of the various level planning documents.

#### Conceptual Scheme Objectives

- Establish a Conceptual Scheme that is comprehensive and describes uses, designs and strategies for developing a portion of the SE & SW 9-23-28-W4M quarter section.
- Identify the rationale for the proposed land use re-designation and identify opportunities and constraints within the plan area for subdivision and development.
- Create a residential community that respects the existing built environment and the historical character of the County.
- Facilitate the expanded development of an existing county residential community that serves as an existing neighbourhood that complements the existing and future land uses in the area.
- Meet or exceed the current required minimum residential lot size in the community.
- Address existing development constraints within the context of the Rocky View County Plan and other municipal policies and procedures.
- Identify existing physical infrastructure and to establish policies for the upgrade and expansion of these services that may be required to accommodate or sustain the development within the plan area.
- Identify the various constraints affecting lands contained within the plan area and to discuss what impact these constraints will have on the proposed development.



Facing site looking northwest from south property line

## 2.2. Development Design and Layout

### Topography

The topography of the plan area is characteristic of the flat prairie that defines the ranch land and surrounding area. Expansive farm and ranch land to the north west of the plan area is only broken up by the Canadian Pacific Railroad tracks that run adjacent to the plan area to the north. The site contains two small vegetation areas which are home to various small wild life. The site moderately slopes from the centre away towards the two vegetated areas in the north west and south east corners of the site. The existing topography is shown in **Figure 6: Existing Topography**



Existing East Wetland

### Policy

- 2.2.1. No alterations of the existing predevelopment topography shall occur prior to approval of a stormwater management plan and overall site-grading plan, to the satisfaction of Rocky View County and Alberta Environment.
- 2.2.2. At the future subdivision stage, the developer shall submit a geotechnical report prepared by a licensed professional. The report shall evaluate the soil characteristics, existing ground water conditions and provide a recommendation on soil suitability for the proposed use.
- 2.2.3. At the future subdivision stage, the developer shall submit finished grade plans and cut fill plans.



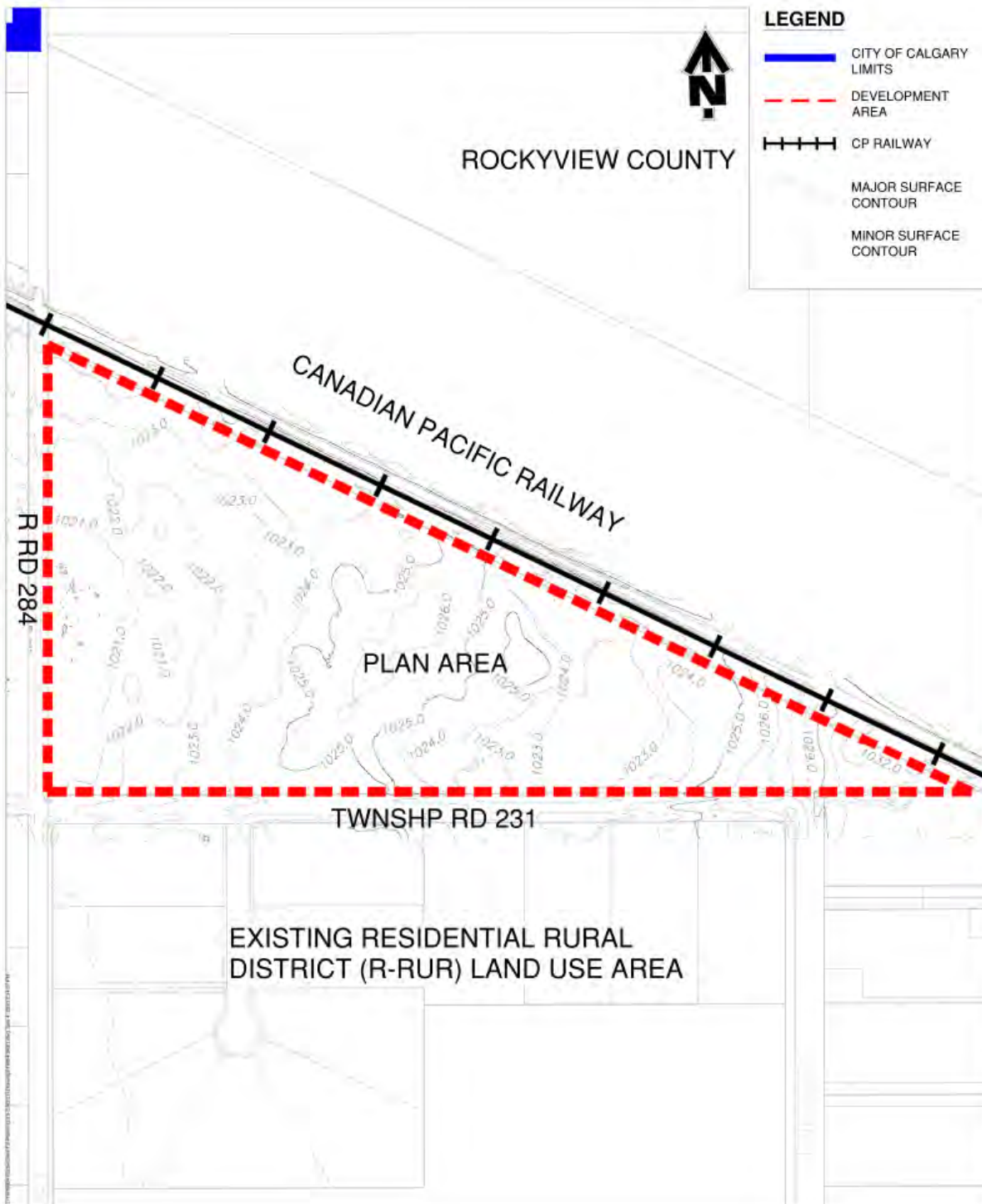


Figure 6: Existing Topography

## Land Use

### Existing Land Use

The plan area is currently designated Agricultural General District District (A-GEN) under the Rocky View County Land Use Bylaw. **Figure 7: Existing Land Use** highlights the land use of the plan area as well as the surrounding areas adjacent to the plan area. It is noted that none of the adjacent designated (A-GEN) parcels appear to be supporting active agricultural operations. The recommendation to re-designate the existing Agricultural General District (A-GEN) to a Residential Rural District (R-RUR) district will allow a seamless integration to the existing Residential Rural (R-RUR) districts that are immediately adjacent to the plan area. The immediate areas surrounding the plan area are of Residential, Rural District (R-RUR) land use to the south and southwest, and Agricultural General district (A-GEN) land use to the northwest and northeast. This integration will allow the entire residential district to grow as well as continue the community spirit in the area. The re-designation also fits within the vision set forth in the various municipal plans and the areas long term vision for residential growth within the plan area. The conceptual scheme proposes twelve (12) approximately four (4) acre parcels as illustrated in **Figure 11: Subdivision Design**.



Existing country residential community to south



Existing country residential community to the south



Existing country residential community to the south

**Policy**

- 2.2.4. Prior to subdivision the existing Agricultural General District (A-GEN) will require a land use re-designation to Residential Rural District (R-RUR)



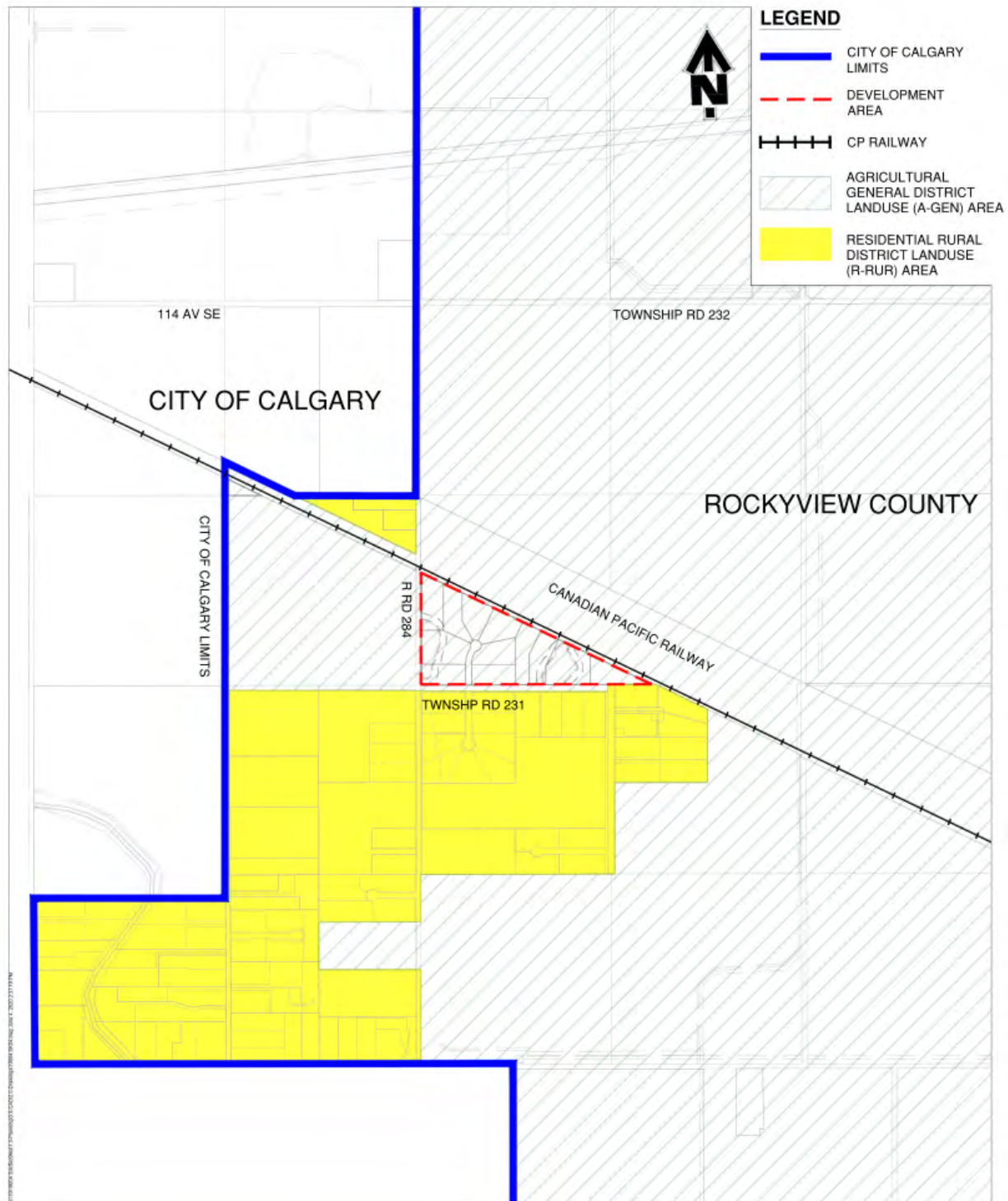


Figure 7: Existing Land Use



## Existing Land Ownership

**Figure 8: Existing Land Ownership** illustrates the property ownership details of the major subdivisions and quarter sections adjacent to the Plan Area.

The surrounding areas is a mix of country residential development, grazing and crop land. The Plan Area is part of the quarter section owned by Shepard Development Corporation. The area directly south of the plan area is a country residential development with multiple land owners which has been previously subdivided. The north edge of the site is bounded by land belonging to the Canadian Pacific Railway.

## Future Land Use Concept

**Figure 9: Future Land Use Identified within Rocky View county/City of Calgary Intermunicipal Development Plan** illustrates the intent of this conceptual plan in re-designating the existing Agricultural General District (A-GEN) as a Residential Rural District (R-RUR) to coincide and compliment the existing R-RUR land use district adjacent to the south. The remainder of the SW-9-23-28-W4M section have been identified for a commercial/industrial development within the Rocky View County/City of Calgary Intermunicipal Development Plan. The Rocky View County/City of Calgary Intermunicipal Development Plan designates the plan area as future residential therefore the proposed conceptual scheme land use is to match the adjacent land use within the area for continuity of the existing community area.

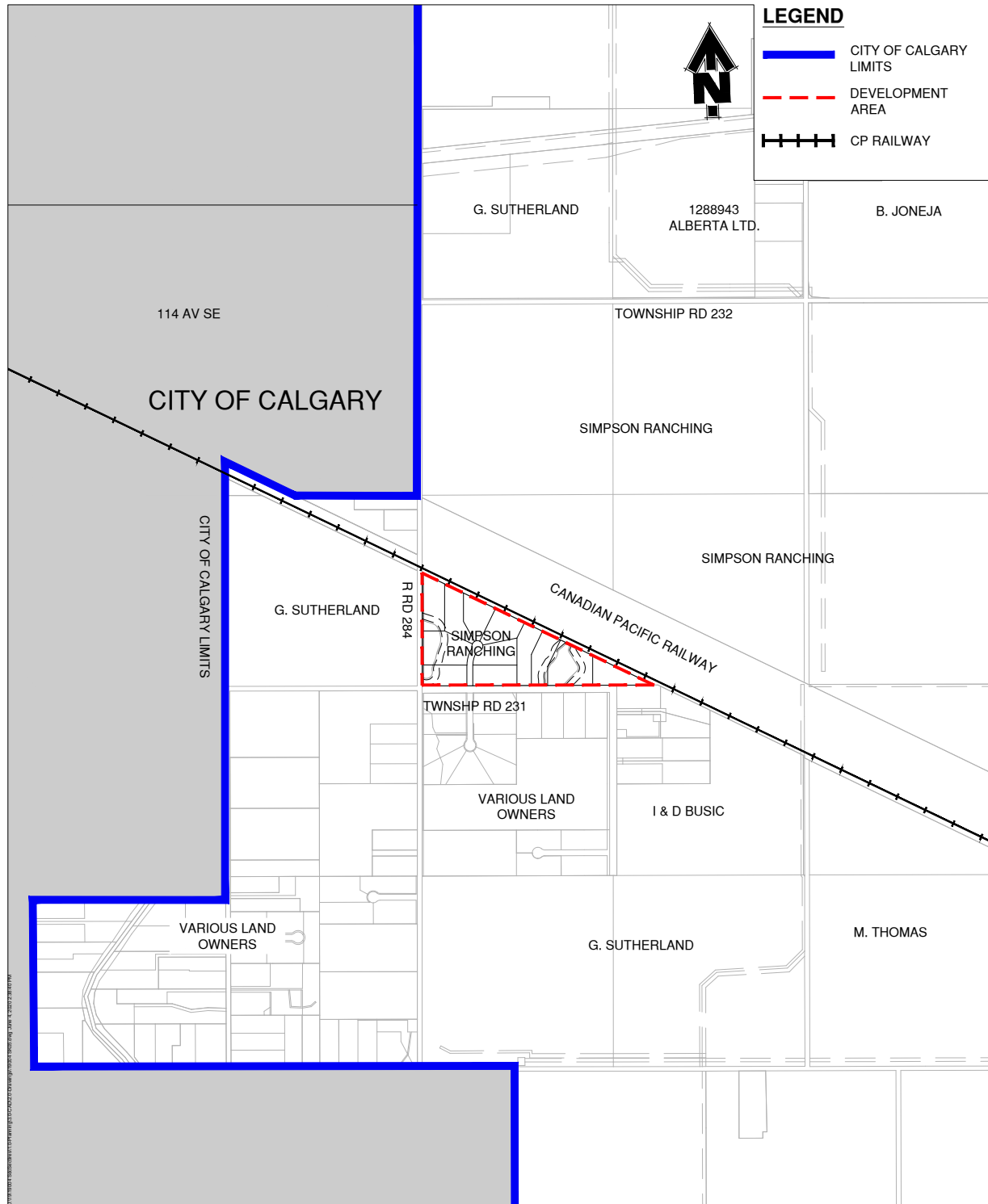


Figure 8: Existing Land Ownership

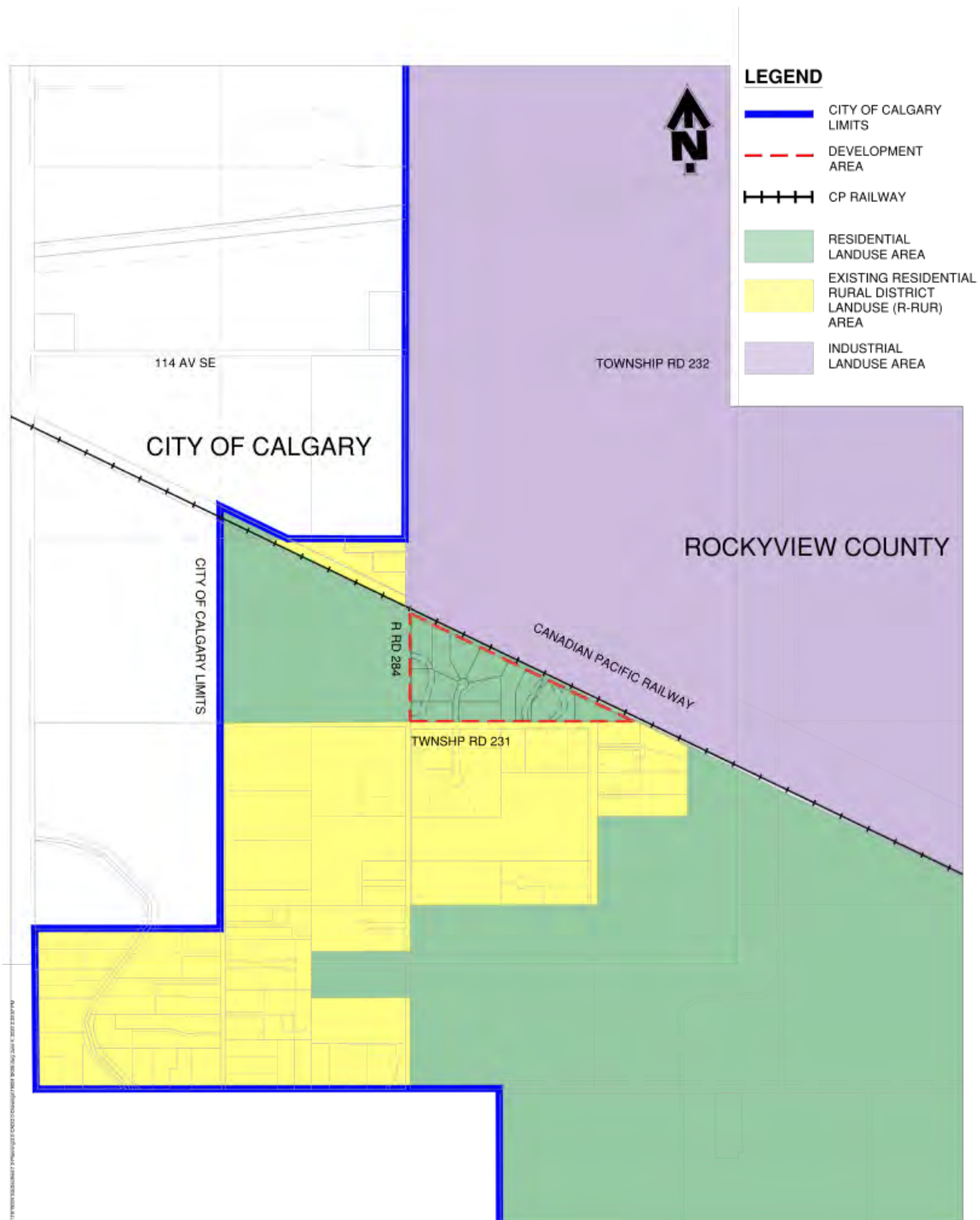


Figure 9: Future Land Use Identified within Rocky View County/City of Calgary Intermunicipal Development Plan

Subdivision Design

This Conceptual Scheme has proposed the creation of 12 new residential lots (Figure 10: Shepard Estates Concept Plan). Shepard Estates has been designed to complement the existing residential developments to the south of the plan area and continually grow the residential community in the area in accordance with the long term vision for the area.

**Figure 11: Subdivision Design** illustrates the conceptual layout of the new residential lots as well as the existing residential area to the south and how they interface with each other to create a seamless boundary and integration between the two areas.

New Residential Lots	12
Road/Access Area	1.49 Ac
Residential Lot Area **inc wetland area	56.10 Ac
Total Site Area	57.59 Ac

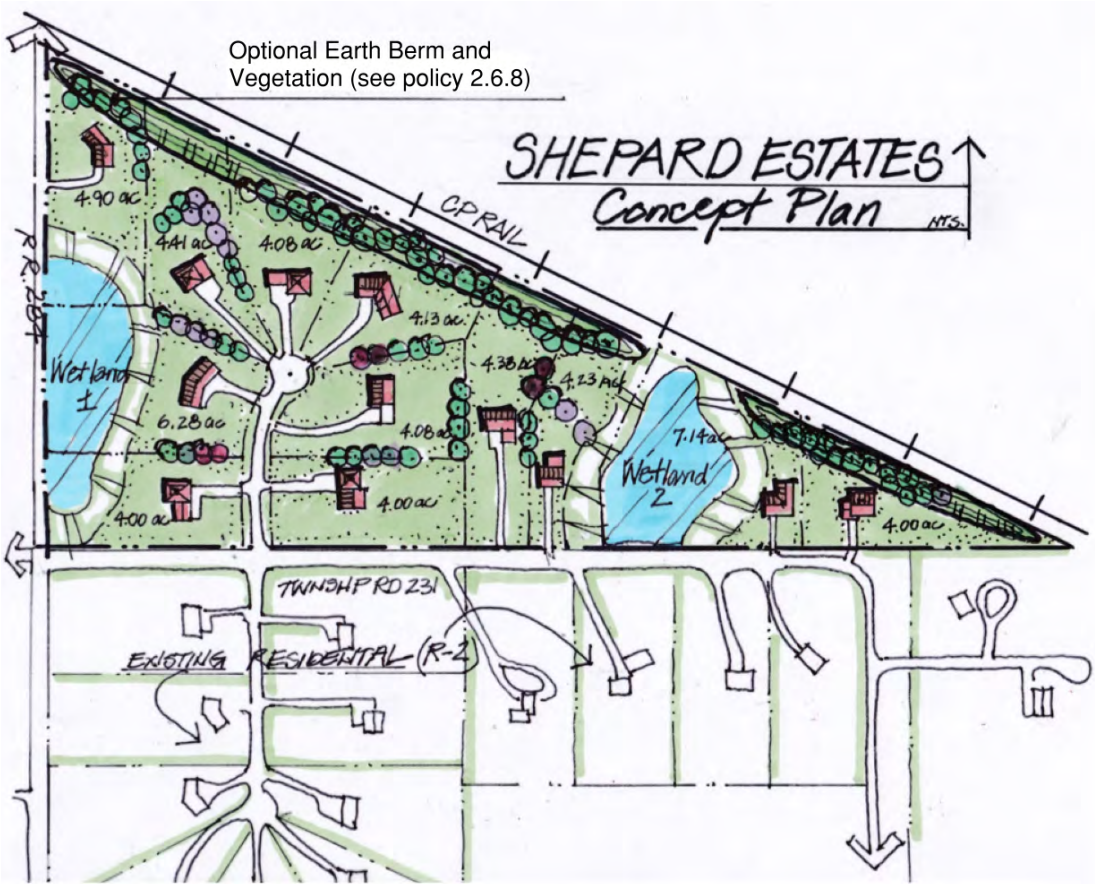


Figure 10: Shepard Estates Concept Plan

**Policy**

- 2.2.5. Lot layouts as shown in **Figure 11: Subdivision Design** are conceptual only and may not reflect the final design, size of lots that may be proposed in future tentative plans of subdivision will be determined at the detailed engineering stage.
- 2.2.6. A building setback of 30m from the Canadian Pacific Railway principle main line mutual property line to the building face shall be maintained to adhere to the standards outlined in the Canadian Municipalities and Railway Association of Canada (May 2013), Guidelines for New Development in Proximity to Railway Operations, op.cit, Section 3.
- 2.2.7. At the future subdivision stage, the developer shall enter into a Development Agreement with the County for the construction of the required infrastructure and utilities.
- 2.2.8. At the future subdivision stage, the developer shall be required to submit a construction management plan addressing noise mitigation measures, traffic accommodation, sedimentation and dust control, management of stormwater during construction, erosion and weed control, construction practices, waste management, firefighting procedures, evacuation plan, hazardous material containment and all other relevant construction management details
- 2.2.9. At the future subdivision stage, the developer shall submit an erosion and sediment control plan to outline ESC measures (i.e. silt fence, stabilization, seeding of topsoil, etc.) to be implemented during construction
- 2.2.10. At the future subdivision stage, the developer shall demonstrate that there is at least one contiguous acre of developable area for each parcel
- 2.2.11. At future subdivision stage, the developer shall provide an Environmental Site Assessment to examine any potential contamination on the land



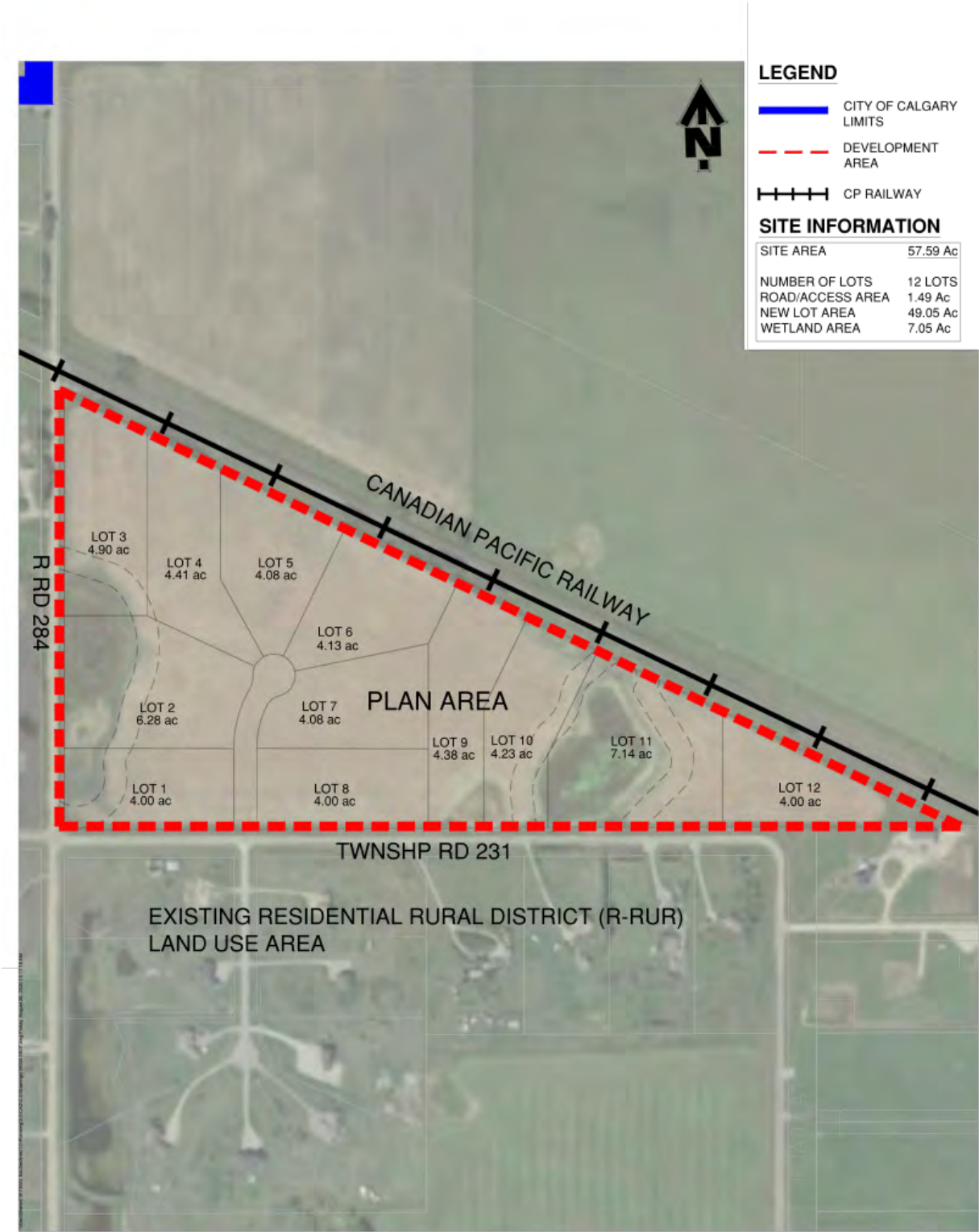


Figure 11: Subdivision Design

## 2.3. Transportation

### Existing Transportation Network

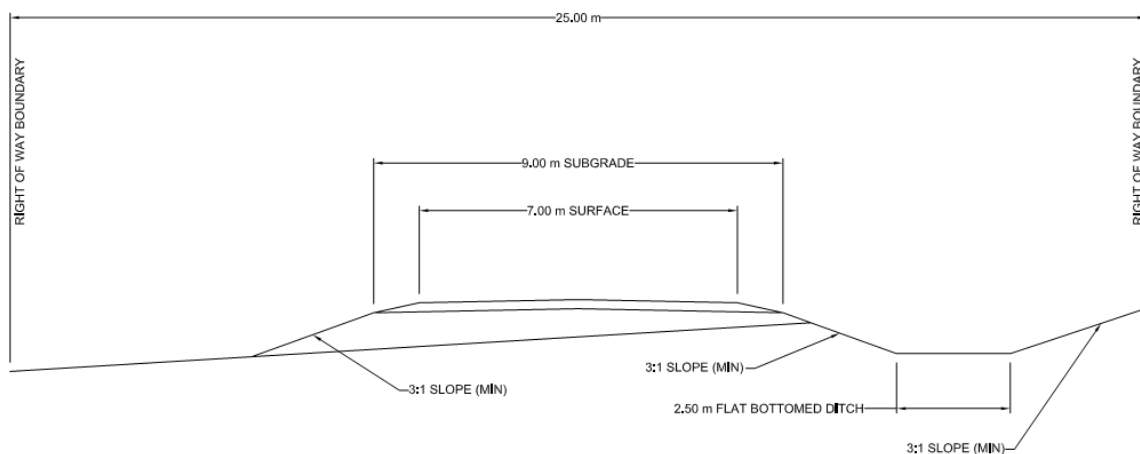
Current access to the Shepard Estates Plan Area is via two (2) access points. One is located along Range Road 284 adjacent to the west and the second, Township Road 231 adjacent to the south. Both of these roads are country gravel roads without illumination.

#### Policy

- 2.3.1. At the future subdivision stage, the developer shall provide a 5m road widening along the west boundary of the subject lands that shall be dedicated as road right of way by plan of survey as per the applicable TOL bylaw since this portion of Range Road 284 is part of the long range transportation plan Network B which requires a 30m right of way

### Proposed Subdivision Road

A Traffic Impact Assessment Memo was prepared by ISL Engineering and Land Services dated March 23, 2020. The memo concluded the development would generated 9 and 12 trips per hour in the AM and PM peaks. The amount of traffic generated will be negligible and will have minimal impact on existing traffic operations. Similar to the existing Township Road 231, a residential cut de sac and driveways are proposed off Township Road 231 for Shepard Estates. Based on the preceding Township Road 231 is a suitable road type for access to Shepard Estates. The development is clear of the Alberta Transportations development control zone thus no Traffic Impact Assessment from Alberta Transportation should be required.



**Country Residential Roadway - 400.5 - County Servicing Standards 2013**

#### Policy

- 2.3.2. At the future subdivision stage, the developer shall construct all roads in accordance with Rocky View County Servicing Standards for Residential Subdivisions and Road Construction.
- 2.3.3. At the future subdivision stage, the developer shall be responsible for entering into a Development Agreement with the County for the construction of Country Residential Road in accordance with the County Servicing Standards for the construction of a public internal road system to service the proposed development
- 2.3.4. At the future subdivision stage, the developer shall construct a gravel driveway access road from Range Road 284 to Lot 3.
- 2.3.5. At future subdivision stage, the developer shall be required to provide payment of transportation offsite levy for the gross area of lands to be subdivided/developed in accordance with the applicable TOL Bylaw

## 2.4. Utility Servicing

### Water Supply

A Phase 1 Groundwater Supply Evaluation report was completed by Solstice Environmental Management dated August 4, 2020 in support of the conceptual scheme and the findings of the report were as follows.

There is no public watermain trunks available in the area. The aquifer resources in the area were assessed as they relate to the proposed residential development. In review of the publicly available information it showed minimal current utilization of ground water, including domestic, licensed or traditional groundwater users with the area. It is expected sufficient aquifer supplied water should exist for the proposed subdivision with no causing adverse effects to existing groundwater users. Recharge to aquifers by surface water sources and precipitation in this area is expected to occur with should serve to make aquifer supplies sustainable. The groundwater chemistry taken from existing wells in the area contain moderate concentrations of dissolved solids, therefore treatment of the water may be required to make the water acceptable for human consumption. Alberta Environment and Parks well data shows a total of seventy two (72) wells within a one mile radius off the site area. There are currently no groundwater wells existing within the site. The developer proposes to service the lots via individual groundwater wells. It is expected sufficient aquifer supplied water should exist for the proposed subdivision with not causing adverse effects to existing groundwater users.

### Policy

- 2.4.1. At the future subdivision stage, the developer shall drill groundwater wells in accordance with Rocky View County current Servicing Standards for Residential Subdivisions.
- 2.4.2. At the future subdivision stage, the developer shall provide a Phase 2 Groundwater Study to demonstrate that the water flow rate meets the County Servicing Standards.

## Sanitary Supply

A Level IV Private Sewage Treatment System Assessment report was prepared by Solstice Environmental Management dated August 4, 2020 was prepared in support of the conceptual scheme. The findings of the report were as follows:

There is no public sanitary sewer trunks available in the area. The site is suitable for soil treatment of septic effluent either with conventional or mounded septic fields, therefore each proposed lot will be serviced by individual sewage tank, conventional septic field and mound system to collect, treat residential sewage. Each lot owner will be responsible for the maintenance of their individual septic system. The proposed lots may have the ability to connect to a regional wastewater utility should it become available, however this is not anticipated in the foreseeable future.

### Policy

- 2.4.3. At the future subdivision stage, the developer shall follow the recommendations contained in the Level IV Private Sewage Treatment Assessment in accordance with County Servicing Standards
- 2.4.4. At the future subdivision stage, the developer shall enter into a Development Agreement (Site Improvement Servicing Agreement) for the recommendations included in the Level IV Private Sewage Treatment Assessment including use of Packaged Sewage Treatment Systems that meets requirements of the Bureau de Normalisation de Quebec (BNQ) in accordance with County Policy 449.

## 2.5. Stormwater Management

A Stormwater Management Report was prepared by IDEA Group Inc. dated April 2020 in support of the conceptual scheme and the findings of the report were as follows:

Using preliminary survey information the drainage of the site has been delineated as shown on **Figure 12: Stormwater Management**.

Runoff sheds from higher areas in the centre outwards to three existing low areas. The west and the southeast areas exist within the subject lands. As minimal grading is anticipated this existing drainage pattern will remain following the proposed development of the site. The existing low areas onsite will be protected with easements and developed around in accordance with the recommendations from the Biophysical Impact Assessment report. The change in land use has a very minimal impact on the overall areas imperviousness and existing low area storage is expected to be largely sufficient.

Alberta Environment Standards and Guidelines for Stormwater Management for the Province of Alberta and Rocky View County's Servicing Standards for Residential Subdivision and Road Construction requires all new developments to be responsible for managing any increase in storm water runoff and deterioration in water quality that may result.

The plan area has moderate slopes that allow for surface water to be primarily absorbed into the existing vegetation and low lying areas. Stormwater will be directed with overland flow to a ditch and culvert system composing of existing ditches along the existing roadways and new

ditches and culverts for the new roadway and driveway accesses. There is no underground storm system available, therefore all the storm water in the area is controlled by overland flow.

Post-development run off will be managed through retention on both individual lots and through the use of central collection areas within the existing low lying areas. The size of the individual parcels are adequate to retain the potential increases in stormwater run off resulting from the residential development on the proposed lots. Additional stormwater from the roadway will be managed through conveyance within roadside ditches and culverts. There will be no increase in post-development stormwater discharge off site above the pre-development conditions.



Drainage swales in the existing country residential community to the south

### **Policy**

- 2.5.1. At the future subdivision stage, the developer shall enter into a Development Agreement for any stormwater infrastructure required because of the development and outlined in the final approved stormwater management plan. Registration of any easements, utility right of ways and/or public utility lots is required as a condition of subdivision
- 2.5.2. At the future subdivision stage, the developer shall register an encumbrance against each title to each residential lot to notify future owners of specific development obligations relative to ongoing operations and maintenance of the stormwater management facilities



- 
- 2.5.3. At the future subdivision stage, the developer shall obtain AEP approval and licensing for the stormwater management infrastructure including registration of the facilities and discharge
  - 2.5.4. Any existing areas of surface water ponding may be modified as part of the approved Overall Site Grading Plan and Stormwater Management Plan, predevelopment flows shall be maintained. To be approved as part of the Rocky View County Subdivision Process
  - 2.5.5. Stormwater management within the Conceptual Scheme plan area shall be in accordance with the Servicing Standards for Residential Subdivisions and Road Construction as approved by Rocky View County.
  - 2.5.6. Stormwater runoff shall be overland via existing drainage courses and ditches, in accordance with the approved Stormwater Management Report.



Figure 12: Stormwater Management

## 2.6. Environment

### Vegetation & Wildlife

Vegetation throughout the plan area consists mainly of the non-native grasses consistent with the pasturing of livestock. There are two small wetland areas with a number of plants, shrubs, and small wildlife that will be preserved, where possible, as part of the development process. The plan area contains a nesting habitat for migratory birds, mainly in areas with wetland vegetation.

The plan area contains two large wetlands and two seasonal wetlands. Environmental easements will be provided around the large wetlands to avoid any disturbance to vegetation and existing habitats. The seasonal wetlands will be filled in during development. The existing wetlands are shown on **Figure 13: Existing Wetlands**.

#### Policy

- 2.6.1. Vegetation removal should be minimized. Complete habitat destruction activities should be completed outside of the breeding window for migratory birds, or nest sweeping prior to construction activities.
- 2.6.2. Vegetation removal shall be restricted to the construction footprint. Disturbed areas outside the permanent infrastructure footprint shall be reseeded.
- 2.6.3. Water Act approval will be required at subdivision time to authorize development within proximity to existing wetlands/water bodies.

### Environmental Considerations

A Biophysical Impact Assessment (BIA) was completed by Tannas Conservation Services Ltd. dated April 2020 in support of the conceptual scheme which identifies potential impacts of the proposed development as well as mitigation measures to reduce or eliminate these potential impacts. The findings of the report are as follows.

The project site is currently a cultivated field used for agricultural purposes. The use of this site will shift from agriculture to residential purposes, but the area was already heavily impacted by human activities. Much of the surrounding area consists of other residential and agricultural developments, and more development is expected as the area has been identified as a "City of Calgary Growth Area" by the IDP. Once the region has been developed, it will likely remain as a residential area, and therefore any future cumulative effects should be minimal.

There will be a local negative effect on agricultural land use as more people are in the community. On a regional scale this development is part of a larger regional conversion of land from agricultural production to urban land uses and does not differ in any way from the regional conversion occurring around the City of Calgary limits.

The assessment provided a summary of the potential environmental concerns associated with the proposed development based on published information and a field visit. The assessment took into consideration the significance of onsite soils, vegetation, wildlife, historical resources, and wetlands and provided several recommendations for during construction and post construction.

The BIA identified 2 semi-permanent wetlands, two seasonal wetlands and one ephemeral waterbody. As part of the future residential development the two seasonal and ephemeral wetlands are expected to be removed as part of the development while the semi permanent wetlands will remain with a 30m “no build” setback and a 6m “no disturbance” setback required.



Existing east wetland





Existing west wetland viewed from Township Road 231



Existing west wetland viewed from Range Road 284



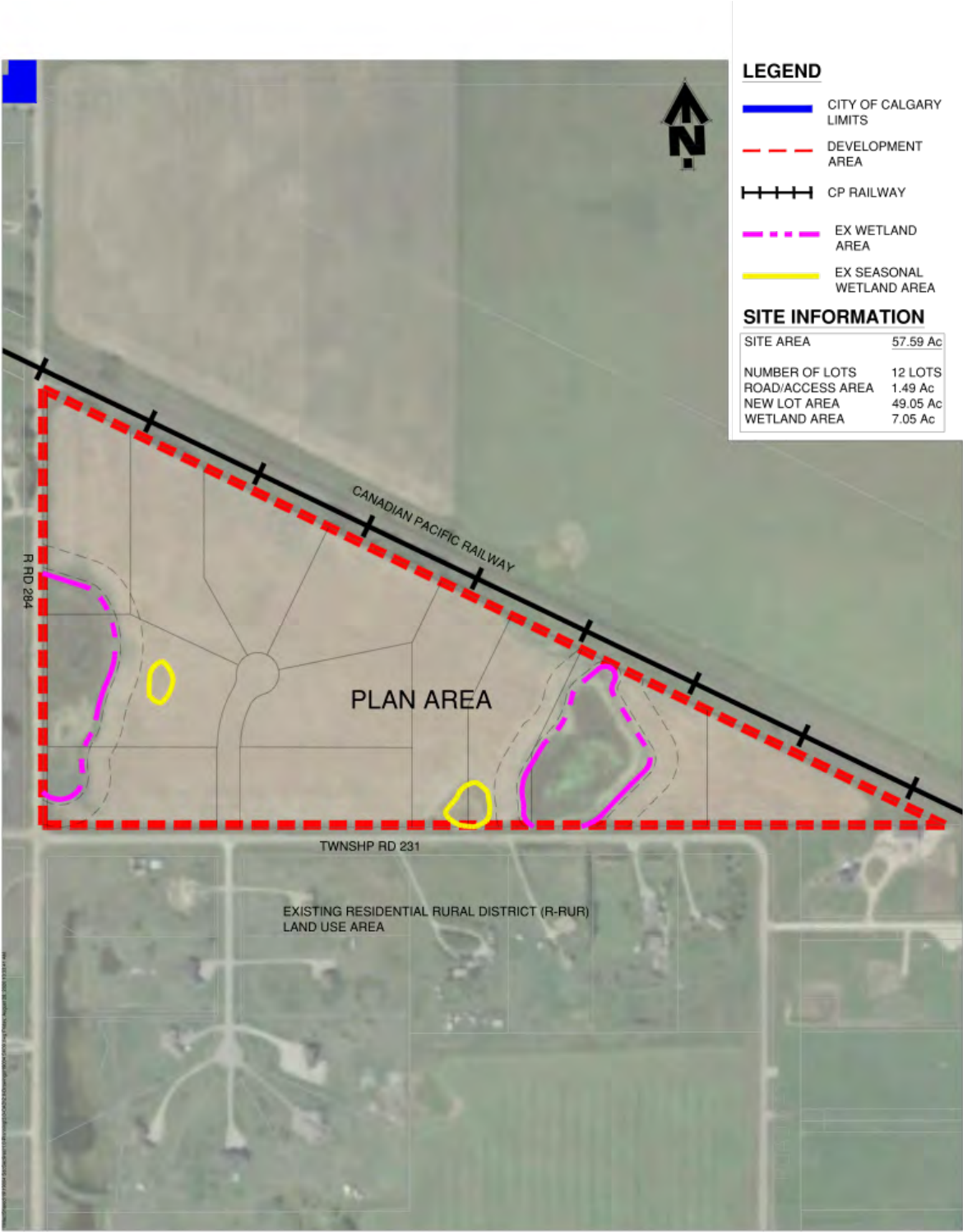


Figure 13: Existing Wetland Locations

**Policy**

- 2.6.4. At the future subdivision stage, the developer shall be responsible to follow all the recommendations made in the Biophysical Impact Assessment.
- 2.6.5. At the future subdivision stage, the developer shall be responsible for obtaining the required approvals from Alberta Environment and Parks for the proposed disturbance to the wetlands identified in the Biophysical Impact Assessment.
- 2.6.6. At the future subdivision stage, the developer shall provide a 30m “no build” setback and a 6m “no disturbance setback on the two semi permanent wetlands.

**Sound Attenuation and Rail Line Screening**

In support of the conceptual scheme a Sound Attenuation Study was prepared by IDEA Group Inc. dated May, 2020. In the study the site was modelled using CadnaA software utilizing the parameters contained in the Canadian Transportation Agency ***Rail Noise Measurement and Reporting Methodology*** guide. The study conclusion is the sound levels would be below the post development requirements of 63 dBA daytime and 53 dBA night time requirements for country residential development without any extra sound attenuation measures (walls, barriers, or berms).

The developer is exploring the option of a screening berm along the north property line to screen the rail line and enhance the proposed development and surrounding community. An earth berm was modelled along the north perimeter of the site adjacent the joint railway property line. The earth berm ranged in height from 1.5m to 4.5m high to accommodate screening of the railway. The earth berm is modelled to be 1.5m high on the east side of the site increasing to approximately 4.5m high towards the west side of the site. The earth berm is modelled to have 2:1 side slopes on the railway side and 3:1 side slopes on the residential side of the berm. The optional berm as modelled does provide better sound attenuation in addition to screening of the rail line. The optional earth berm is shown on the Shepard Estates Concept Plan.

**Policy**

- 2.6.7. At future subdivision stage the developer shall be responsible to follow all the recommendations made in the Sound Attenuation Study.
- 2.6.8. At the future subdivision stage the developer would have an option to provide an earth berm if market conditions deem this to be a desirable amenity for the development.

**2.7. Municipal & Environmental Reserve****Municipal Reserve**

Due to the location and context of the proposed development there is no identified need for Municipal Reserve (MR) to support park, recreational use or pathway alignments.

**Policy**

- 2.7.1. Municipal Reserve has not been provided previously on the subject land, the Developer proposes to pay cash-in-lieu for 5.7ac of Municipal Reserve owing at future subdivision stage.

**Environmental Reserve**

There will not be a dedication or creation of an Environmental Reserve (ER) parcel as part of the proposed development.

**2.8. Shallow Utilities**

Shallow utilities (i.e. electricity, telecommunication, natural gas, etc.) will be provided by the appropriate utility company providing services to the Plan Area at the expense of Shepard Development Corporation. ATCO will provide natural gas and Fortis will provide electrical services to the area. Natural gas service is available along Township Road 231. This service is servicing the subdivision to the south and has capacity to supply the proposed subdivision.

**Policy**

- 2.8.1. Shallow utilities shall be provided adjacent to the right-of-way of internal roads within the appropriate easement as required
- 2.8.2. Shallow utilities shall be installed by the developer at the subdivision stage in consultation with all applicable utility providers

**2.9. Emergency Services & Fire Services****Emergency Services**

Emergency Services within the Shepard Estates plan area would utilize the nearest adjacent services of the City of Calgary and the Langdon emergency services departments.

**Policy**

- 2.9.1. In association with Rocky View County Emergency Services, the RCMP and other emergency service providers, an adequate level of service shall be provided to meet current needs.
- 2.9.2. Policing will be provided by the RCMP as per Provincial Police Service Agreement, until such time as another policing solution is required or sought out.

**Fire Services**

Fire Services within the Shepard Estates plan area utilize the nearest adjacent fire services of the City of Calgary and the Langdon fire service departments.

- 2.9.3. In association with Rocky View County Fire Services an adequate level of service shall be provided to meet current needs

- 2.9.4. Proposed Shepard Estates Conceptual Scheme have considered safe and efficient access for fire vehicles.

### Solid Waste Management

There are limited solid waste and recycling services available in the area. The homeowner will be required to engage a private collection service provider or they would be required to dispose of their waste at a county or City of Calgary landfill and recycling site.

## 3. POLICY DIRECTION

### 3.1. Interim Growth Plan/Regional Growth Plan

The Interim Growth Plan provides guidance on land-use, population and employment growth and infrastructure planning with regards to regional matters on an interim basis. The Interim Growth Plan includes policies and guidelines for country residential development. The interim plan discusses the nature of the country residential development type which is rural settlement form that has a residential land use of low density development on lot sizes that are one (1) acre or greater. The country residential areas may include varying lot sizes while maintaining a rural character.

Shepard Estates is proposed as an intensification and infill of an existing country residential community that meets the goals and visions of the Interim Growth Plan.

### 3.2. City of Calgary/Rocky View County Intermunicipal Development Plan (IDP)

The City of Calgary and Rocky View County share 115 kilometres of border and their respective visions within the border area are inextricable linked and have an effect on the planning of one another. Both municipalities are committed to work together to enhance cooperation and achieve coordination wherever possible to achieve a positive result for the residents of each municipality. The Intermunicipal Development Plan was developed in accordance with the Municipal Government Act and is the preferred means for both municipalities to continue the cooperative working relationship within the Plan Area.

The Intermunicipal Development Plan identifies growth corridors/areas for both municipalities and identifies lands for possible future annexation from Rocky View County to the City of Calgary. The growth corridors/areas are adapted from the 2006 Annexation Agreement and represent areas for potential future development of the municipalities within the Plan Area. The Rocky View County Council and Administration should evaluate applications within identified City of Calgary Growth Areas against the Intermunicipal Development Plan for appropriateness of proposed development. The intermunicipal growth areas identify a longterm vision for compatible land uses within the growth areas that meet the vision of both municipalities. The existing areas adjacent the site are within the Intermunicipal Development Plan growth corridor/areas. The proposed Shepard Estates is an extension to the existing residential development within the area that is in accordance with the Intermunicipal Development Plan.

Shepard Estates falls within the intermunicipal plan area, as shown on Map 4, Growth Corridors/Areas in the Rocky View County/City of Calgary Intermunicipal Development Plan

document and any development within the plan area must address the goals and policies outlined in the Intermunicipal Development Plan. Shepard Estates conforms to the vision, goals and policies of the Intermunicipal Development Plan.

### 3.3. Municipal Development Plan (County Plan)

Rocky View County is a diverse regional and community landscape which is dominated by an agricultural and rural landscape. Scattered across the landscape are a range of residential opportunities supporting the county population. There are a range of residential typologies and densities and the County Plans formulates the vision and policy direction for the County as a whole. The County Plan provides a framework to guide decision making when implementing goals, policies and actions within areas of the County Plan. The County Plan supports development and relation of well-designed rural communities and encourages country residential communities to retain their rural character and maintain a strong sense of community. Through the County Plan Rocky View County will maintain a strong web of partnerships to help extend the range of services provided to its residents. Through the County Plan the County will develop and strengthen partnerships with adjacent communities, stakeholders and neighbouring municipalities.

Shepard Estates is proposed as an extension to an existing country residential district that has grown organically over time. The Rocky View County Plan outlines several goals and policies that shape the nature and the community visions for the accommodation of country residential development within the municipal district. The vision for Shepard Estates will meet the requirements set forth in the County Plan with regards to the goals and policies of Rocky View County.

### 3.4. Land Use Bylaw

Shepard Estates proposes a land use of Residential Rural District (R-RUR) land use with no changes to the standard Rocky View County district. The R-RUR land use has a minimum parcel size of 1.60 hectares or 3.95 acres. This land use is consistent with the land use designation of the surrounding existing parcels. Section 371 of the Rocky View County Land Use Bylaw C-8000-2020 states that Residential Rural districts are to provide for residential uses in a rural setting on parcels which can accommodate limited agricultural pursuits.

Shepard Estates meets all the requirements of the Land Use bylaw.



## 4. PUBLIC CONSULTATION

In order to facilitate public input for the proposed development, all adjacent land owners near the Plan Area were sent an invitation to attend a virtual open house via Microsoft Teams at Calgary on July 15, 2020.

From the fifty four (54) invitations sent out, five (5) people attended or expressed interest in the future development of the lands. Questions included the stormwater management in the proposed community and the preservation of the existing wetlands. The noise attenuation question was addressed through the noise study and proposed 1.5 to 4.5m earth berm along the CP rail tracks. The stormwater management and wetland conservation questions were addressed through the stormwater management study and Alberta Environments ongoing management and wetland setback requirements.

A summary of the minutes from the open house is included in the Appendix A at the end of the conceptual scheme document.

## 5. APPENDIX A

**SHEPARD ESTATES OPEN HOUSE****ONLINE MEETING**

**FILE:** 19004\1.0-Planning\2.0-Submissions\7.0-Open House 20.07.15\19004-OpenHouse-Minutes-20.07.15.doc

**DATE:** July 15, 2020

**Time:** 7:00pm – 8:15pm

**Attendance:**

Shawn Belecki  
Michael von Hausen  
Brad O'Keefe  
Glenn Makewich  
Paul Schneider  
Jason Reed  
Jim & Sue Berg  
Candace Vanin

**Company:**

Simpson Group of Companies (SG)  
MVH Urban Planning & Design (MVH)  
IDEA Group Inc (IG)  
IDEA Group Inc (IG)  
Area Resident  
Area Resident  
Area Resident  
Area Resident/On behalf of Gary  
Sutherland

	<b>Discussion</b>
	<ul style="list-style-type: none"> <li>• Open House letter sent to 54 residents adjacent the site</li> <li>• Agenda of the Open House               <ul style="list-style-type: none"> <li>• Introductions</li> <li>• Presentation of the Conceptual Scheme</li> <li>• Question and Answer</li> <li>• Summary, Next Steps, Contact Resources</li> </ul> </li> <li>• This was conducted as a Microsoft Teams online meeting</li> <li>• Technical issues with the Teams Invite URL, most attendees were via telephone</li> </ul>
	<b>Question and Answers</b>
<b>1</b>	<p><b>Question – Candace Vanin</b></p> <p>Being the CPR main line coming out of Calgary is immediately to the north do you see any issues with the noise and size of the trains, is there any requirements for consideration to noise in relation to noise mitigation?</p>

	<p><b>Answer</b></p> <p>As part of the conceptual scheme a Sound Attenuation Study was completed and circulated to RVC. The findings of the study showed that utilizing a berm along the north side of the property adjacent the CP rail right of way, the berm on the west side of the property is 4.5-5.5m berm, and a 1.5-2m berm along the east side of the property mitigated sound to below the maximum 63dBA day and 53dBA requirements as set out in the Alberta Transportation Noise Attenuation Guidelines.</p>
<b>2</b>	<p><b>Question</b></p> <p>What are the runoff implications of the berm?</p>
	<p><b>Answer</b></p> <p>As part of the conceptual scheme a Storm Water Management report was prepared, and the berm was modeled in the report. Due to the side slopes of the berm and the ground cover and soil characteristics the runoff would be negligible on the surrounding properties.</p>
	<p><b>Statement from area resident</b></p> <p>Since this is built on old slough bottoms and with high water tables it might be useful to reconsider drainage patterns as utilizing the existing wetlands may exceed the capacity based on the natural topography overflow into the ditches now therefore additional flow would need to be mitigated.</p>
<b>3</b>	<p><b>Question – Paul Schneider</b></p> <p>Are you aware of the west side of RR284 south of the CP rail tracks the quarter section is proposed to be industrial? Effective November 2014 identified those lands as industrial.</p>
	<p><b>Answer</b></p> <p>Simpson Ranching met with a group of the landowners to the west who had industrial concepts in mind and Simpson Ranching is not opposed to this proposal, so yes, we are aware of the proposed industrial possibilities.</p>
<b>4</b>	<p><b>Question – Sue Berg</b></p> <p>Comment that the trains run thru the area 22 times in a 24hr period are you aware of that, given this isn't that going to be kind of a hard sell for people buying those lots.</p>
	<p><b>Answer</b></p> <p>Based on the Sound Attenuation Report sound levels would be mitigated to below the maximum levels as stipulated by the Alberta Transportation Noise Attenuation Guidelines. There is no intention to mislead potential users, everyone knows that the CP rail line existing and we believe that the berm is the appropriate mitigation measures to make these appropriate and pleasant lots to reside in. All the studies will be part of the public record and any potential buyers would be able to access the reports and do their own assessments as part of the purchase process.</p>
	<p><b>Statement</b></p> <p>If we are confident that the mitigation measure is appropriate the farm that Gary has is a mile away from the tracks and the sound is much louder, they would suggest then 60dBA where that property is, the ground likely shakes.</p>

5	<p><b>Comment – Paul Schneider</b></p> <p>The railway across from there on RR284 is controlled by lights and gates but CP rail still blows the whistles and I don't know that the 63dBA include the whistles and over 30 trains a day come thru there.</p> <p><b>Question</b></p> <p>On the map south of TW231 and west side of RR284 I have a concern that the big slough south of TW231 will flood and cause a water problem and will head south?</p>
	<p><b>Answer</b></p> <p>In the storm water management report we looked at the high points and low points adjacent the proposed site and the intersection of RR284 and TW231 is the high point and all the runoff from the proposed site will go to the low lying area north of TW231 rather than south to the area noted in the question. There is a high point along 231 which splits the drainage from the parcel to the 2 existing low-lying areas. The conceptual scheme storm water analysis is high level and more detail storm water analysis will be completed at the detailed design stage during the subdivision process.</p>
6	<p><b>Question – Sue Berg</b></p> <p>With all the construction in the area would there be some treatment to keep the dust down as it is a big problem on that road, what measures or compensation would be proposed to protect area residents.</p>
	<p><b>Answer</b></p> <p>During the course of construction, the required dust control measures would be utilized in accordance with county procedures and standards to mitigate any dust issues. Simpson Ranching only deals with the best civil contractors who have excellent reputations for this project.</p>
	<p><b>Comment</b></p> <p>IDEA Group will be the Civil Engineers of record on the project through construction.</p>
7	<p><b>Question – Sue Berg</b></p> <p>If you had to have a fully bermed retention pond in the wetland along RR284v would you have enough land there to do so or is that part of a contingency plan?</p>
	<p><b>Answer</b></p> <p>Specifically, where the wetlands exist the lots adjacent have been enlarged to accommodate the wetland area requirements.</p>
8	<p><b>Question – Sue Berg</b></p> <p>What is your timeline for construction</p>
	<p><b>Answer</b></p> <p>We will go thru the next steps following the open house, the plan is to refine the conceptual scheme and then proceed to a council meeting as soon as possible and council will deliberate the conceptual scheme. Upon a decision by council the subdivision process would commence during the winter of 2020/21 with a spring summer 2021 construction start date</p>
9	<p><b>Question Paul Schneider</b></p> <p>On the wetlands on the private lots who controls the regulations on these lots, what is to prevent them from slowly filling in the wetland</p>



	<p><b>Answer</b></p> <p>Those wetlands would be protected by Alberta Environment as well as easements on the wetlands. Alberta Environment has strict regulations with regards to the wetlands and they would be protected. There would be a 6m no disturb zone from the defined wetland edge.</p>
10	<p><b>Question – Sue Berg</b></p> <p>Would there be any architectural restrictions or controls on the properties.</p>
	<p><b>Answer</b></p> <p>That is a good question Shepard Development reviews a number of different portions of their developments Shepard are incentive to have all the properties in good taste in similar to the adjacent properties, but we are mindful that prospective buyers would have their own intention on development of the property. There are no architectural requirements put in place at this time but there would be a general oversight that would ensure that nothing done on any of the lots would disadvantageous or detrimental to the neighboring lots. We would likely not put a formal architectural control guideline on a 12 lot subdivision. Shepard has mechanisms in their purchase and sales agreements that would allow for control of what happens on the lots.</p>
11	<p><b>Question- Sue Berg</b></p> <p>Are you going to control or put a deadline on when you have to start building to prevent holiday trailers or junk on the lot?</p>
	<p><b>Answer</b></p> <p>In the purchase and sales agreement there is a mandatory build with a right to buy back clause therefore the control rest with Shepard Development Corporation, this is typically 2 years with an option to buy back at the previously agreed to sales price, to prevent someone sitting on the property</p>
12	<p><b>Question – Sue Berg</b></p> <p>On the council date will there be an opportunity for the local residents to review or have input on what the conceptual scheme actually ends up looking like prior to going to council?</p>
	<p><b>Answer</b></p> <p>Once the final conceptual scheme is submitted to the RVC which is then accompanied by a staff report and is put on the agenda and at that point it becomes public and is accessible to the public. The county planner contact information is Xin Deng contact information is on the open house letter. Also, as part of the re-designation process the application will go thru 3 readings, after the first reading if council is supportive it will go to a public hearing at which point all stakeholders will have the opportunity for comment and input.</p>
13	<p><b>Question – Sue Berg</b></p> <p>Will the ground water report be available?</p>
	<p><b>Answer</b></p> <p>We would defer this to the county planner for comment. The reports all become part of the public record in administrations report to council in advance of first reading.</p>

	<p><b><i>Review next steps</i></b></p> <ul style="list-style-type: none"> <li>• Refine conceptual scheme</li> <li>• Make submission to staff</li> <li>• Staff will prepare a staff report</li> <li>• We are working towards the next available council meeting for second and third reading pending the finalization of the conceptual scheme to be received and accepted by Administration</li> <li>• Then the schedule will follow from there based on council's decision</li> <li>• After the 3 readings with public hearing it will go to the requirements of the subdivision</li> <li>• Target construction start will be spring 2021</li> </ul>
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**ERRORS and OMISSIONS:**

Please report any errors or omissions to the Recorder.

**Additional Distribution:**

John Simpson – Simpson Group of Companies

Luke Simpson – Simpson Group of Companies

Shawn Belecki - Simpson Group of Companies

Michael von Hausen – MVH Planning and Urban Design

Glenn Makewich – IDEA Group Inc.

Jeff Beaton – IDEA Group Inc.