

PLANNING AND DEVELOPMENT SERVICES

TO: Municipal Planning Commission
Subdivision Authority

DIVISION: 2

DATE: January 27, 2021

APPLICATION: PL20200133

FILE: 04717004 / 005

SUBJECT: Rural Residential Subdivision

APPLICATION: To create 49 new lots, ± 1.20 acres to ± 2.01 acres in size, with internal access roads, utility services, stormwater infrastructure and open space lands.

GENERAL LOCATION: Located approximately 1.6 kilometres (1 mile) south of Springbank Road, and on the west side of Range Road 34, 6 miles west of the City of Calgary.

LAND USE DESIGNATION: Direct Control District 168

EXECUTIVE SUMMARY: The application is consistent with the relevant policies of the Municipal Development Plan and the Rocky View County / City of Calgary Intermunicipal Development Plan.

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

OPTIONS:

Option #1: THAT Subdivision Application PL20200133 be approved with the conditions noted in Attachment 'A' [Applicant preferred option].

Option #2: THAT Subdivision Application PL20200133 be approved with the conditions noted in Attachment 'B' [Administration's recommendation].

Option #3: THAT Subdivision Application PL20200133 be refused.

AIR PHOTO & DEVELOPMENT CONTEXT:





APPLICATION EVALUATION:

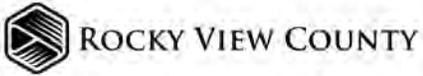
The application was evaluated based on the technical reports submitted with the application and the applicable policies and regulations.

<p>APPLICABLE POLICY AND REGULATIONS:</p> <ul style="list-style-type: none"> • <i>Municipal Government Act</i>; • Subdivision and Development Regulations; • Municipal Development Plan; • Rocky View County / City of Calgary Intermunicipal Development Plan; • Direct Control District 168; • Land Use Bylaw; and, • County Servicing Standards. 	<p>TECHNICAL REPORTS SUBMITTED:</p> <ul style="list-style-type: none"> • Traffic Impact Assessment prepared by Bunt & Associates dated September 13, 2017; • Geotechnical report prepared by Nichols Environmental (Canada) Ltd. dated May 4, 2018; • Addendum Supplemental Letter to Geotechnical Investigation Report prepared by Nichols Environmental (Canada) Ltd. dated June 18, 2020; • Phase II Environmental Site Assessment prepared by Nichols Environmental (Canada) Ltd. dated July 10, 2020; • Hydrological Modelling and Stormwater Analysis – Design prepared by Nichols Environmental (Canada) Ltd. dated August 17, 2020; • Addendum Supplemental Letter to Hydrological Modelling and Stormwater Analysis – Design Report prepared by Nichols Environmental (Canada) Ltd. dated August 27, 2020; and, • Wastewater System Engineering Description prepared by Sim-Flo Systems Inc. dated September 2020.
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The subject lands are included in the River Edge Conceptual Scheme as adopted by Council in November 2019. At that time, consideration of alignment with the relevant policies such as the South Saskatchewan Regional Plan, Interim Growth Plan, Municipal Development Plan and Rocky View County / City of Calgary Intermunicipal Development Plan was considered.

The proposed subdivision is generally consistent with both and implements the vision of both the River Edge Conceptual Scheme and Direct Control District 168. However, since the adoption of the land use redesignation, the proposed layout of the community has changed resulting in a conflict between proposed lot locations and the land use areas within the community. Administration has advised the Applicant of this discrepancy/inconsistency; however, the Applicant would like to proceed with the application as submitted.

Administration has prepared a phased approach (Option #2) to the subdivision approval such that Council may consider and decide upon the required revisions to the bylaw prior to granting subdivision approval the portions that are inconsistent with the bylaw. The proposed phased approach would allow lots 1-19 and 23 – 40 in phase I and lots 41 – 49 and 20 - 22 as a second phase. Should the Commission wish to approve the full 49 lots at this time Option #1 is also presented.



Payments and Levies

APPLICABLE FEE/LEVY	AMOUNT OWING (ESTIMATE)
<p><i>TRANSPORTATION OFFSITE LEVY</i></p> <p>Rural Base + Special Area 4</p> <p>(\$4,595/ac + \$9,247/ac) x 143 ac = \$1,979,406.00</p>	\$1,979,406.00
<p><i>MUNICIPAL RESERVE (\$/ACRE)</i></p> <p>\$20,000.00 per acre according to the appraisal completed by Colliers International file number CGY200472, dated October 8, 2020</p>	\$286,000.00

Accessibility to a Road

Access is proposed to be provided through the construction of a new internal access road from Range Road 34 including complete cul-de-sacs and approaches to each new lot. The Traffic Impact Assessment identifies that the proposed development triggers upgrades at the Range Road 33 / Springbank Road and the Range Road 34 / Springbank Road intersections. However, it should be noted that the Range Road 33 / Springbank Road intersection was recently upgraded by the County as part of the annual road program and is adequate to support the traffic generated from the subject site. A condition of approval will require the design and construction of improvements at Range Road 34 / Springbank Road and the paving of Range Road 34 to a paved standard.

The Transportation Off-Site Levy is also applicable and will be collected as a condition of subdivision.

Servicing

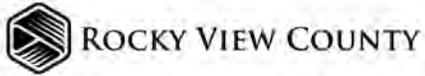
Potable water service will be provided through an extension of the Calalta Waterworks Ltd. piped distribution system. The Applicant submitted a Customer Service Agreement between the landowner and Calalta Waterworks Ltd.; however, the agreement provided was not executed. A condition of approval will require execution and implementation of this agreement.

Wastewater will be managed through construction of a centralized on-site Orenco Treatment System which includes on-lot holding and treatment tanks, a communal effluent storage pond and irrigation field. The wastewater system will be maintained and operated by the Condominium Association. It should also be noted that a relaxation of the setback from the irrigation field and effluent storage pond will be required and reflected in the condition of approval.

County Policy 449 states that all decentralized wastewater treatment systems be sited on public utility lots (PUL) where the title is held by the County. Approval Option #2 is consistent with this requirement. Given that the location and limited expandability of the proposed system, private ownership and operation of the system may be a more feasible and practical approach for this proposal. Therefore, Option #1 provides for this infrastructure on private lands.

Stormwater

Stormwater is proposed to be managed through a series of overland open channel ditches conveying flows into two stormwater ponds prior to discharge off-site. All stormwater ponds and associated infrastructure will be operated and maintained by the Condominium Association.



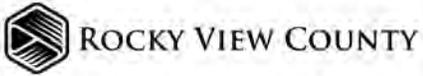
Reserves

The proposed subdivision is a bareland condominium with no proposed municipal reserve dedication or public access. All municipal reserves owing will be collected as cash-in-lieu as a condition of approval.

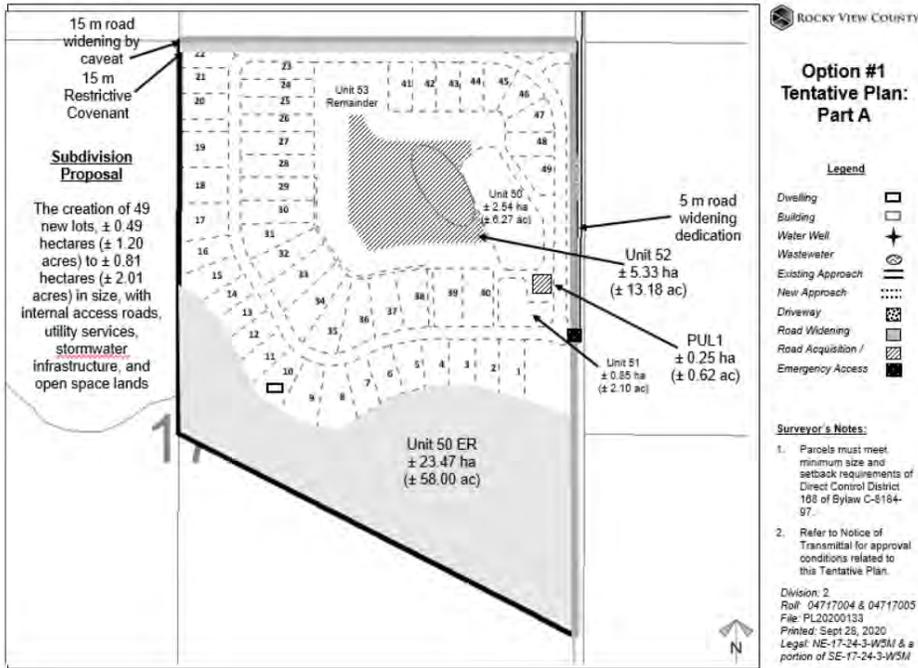
Lands within the floodway meet the requirements for environmental reserve in accordance with section 664(1) of the Municipal Government Act. Approximately 58 acres will be dedicated as an environmental reserve as a condition of subdivision.

Fire Suppression

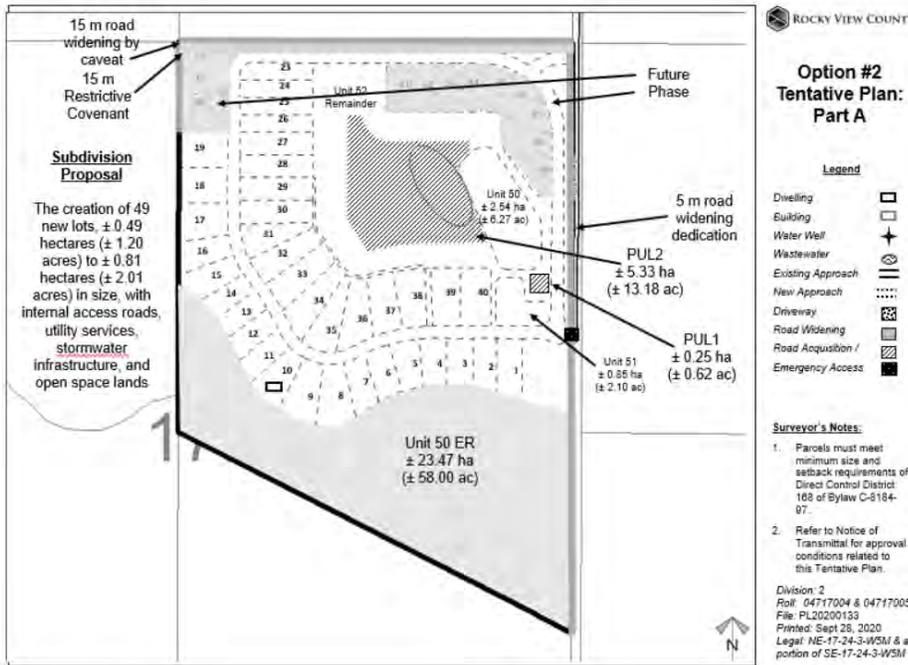
The applicant/owner is proposing to construct a pressurized piped system that provides both fire suppression and irrigation services to each of the private lots using non-potable water from treated water reuse effluent. The use of non-potable water for the fire suppression – irrigation system will require approval from Alberta Environment.

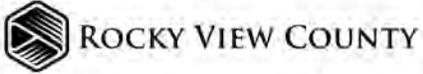


Tentative Plan Option #1



Tentative Plan Option #2





CONCLUSION:

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

Respectfully submitted,

Concurrence,

“Theresa Cochran”

“Al Hoggan”

Executive Director
Community Development Services

Chief Administrative Officer

JA/sl

ATTACHMENTS:

ATTACHMENT ‘A’: Approval Conditions [Applicant preferred option]

ATTACHMENT ‘B’: Approval Conditions [Administration’s recommendation]

ATTACHMENT ‘C’: Maps and Other Information

**ATTACHMENT 'A': APPROVAL CONDITIONS [Applicant preferred option]**

- A. The application to create 49 bare land condominium units, ± 0.49 hectares (± 1.20 acres) to ± 0.81 hectares (± 2.01 acres) in size, two utility units ± 0.85 hectares (± 0.62 acres) and ± 5.33 hectares (± 13.18 acres) respectively, Environmental Reserve ± 23.47 hectares (± 58.00 acres) together with internal access roads, stormwater infrastructure (2 units totalling ± 3.39 hectares (± 8.37 acres)) and common lands within NE-17-24-03-W05M and a portion of SE-17-24-03-W05M, having been evaluated in terms of Section 654 of the *Municipal Government Act* and Section 7 of the Subdivision and Development Regulations, and having considered adjacent landowner submissions, is approved as per the Tentative Plan for the reasons listed below:
1. The application is consistent with Sections 7 and 14 of the Subdivision and Development Regulation;
 2. The subject lands hold the appropriate land use designation;
 3. The application is consistent with the River Edge Conceptual Scheme;
 4. The technical aspects of the subdivision proposal have been considered and are further addressed through the conditional approval requirements.
- B. The Applicant/Owner is required, at their expense, to complete all conditions attached to and forming part of this conditional subdivision approval prior to Rocky View County (the County) authorizing final subdivision endorsement. This requires submitting all documentation required to demonstrate each specific condition has been met, or agreements (and necessary securities) have been provided to ensure the conditions will be met, in accordance with all County Policies, Standards, and Procedures, to the satisfaction of the County, and any other additional party named within a specific condition. Technical reports required to be submitted as part of the conditions must be prepared by a qualified professional, licensed to practice in the province of Alberta within the appropriate field of practice. The conditions of this subdivision approval do not absolve an Applicant/Owner from ensuring all permits, licenses, or approvals required by Federal, Provincial, or other jurisdictions are obtained.
- C. Further, in accordance with Section 654 and 655 of the *Municipal Government Act*, the application shall be approved subject to the following conditions of approval:

Survey Plans

- 1) Subdivision is to be effected by a Plan of Survey, pursuant to Section 657 of the *Municipal Government Act*, or such other means satisfactory to the Registrar of the South Alberta Land Titles District.
- 2) The Owner is to dedicate by Plan of Survey, a 5.0 m wide portion of land for road widening along the entire eastern boundary of NE-17-24-03-W05M and a portion of SE-17-24-03-W05M as shown on the approved Tentative Plan.
- 3) The Owner is to enter into an Agreement, to be registered by caveat, respecting the future acquisition of lands for road widening, and shall include:
 - a) The provision of 15.00 m road widening along the entire north boundary of the property;
 - b) Land is to be purchased for \$1 by the County;
- 4) The Owner is to enter into a Restrictive Covenant, to be registered by Caveat prepared by the County, on the title of common lands that restricts the erection of any structure on or within 15.00 metres of a future road right-of-way, as shown on the approved Tentative Plan;

Geotechnical / Developability



ROCKY VIEW COUNTY

- 5) The Applicant/Owner shall provide a Construction Management Plan that is to include, but not be limited to, noise, sedimentation and erosion control, construction waste management, fire fighting procedures, evacuation plan, hazardous material containment, construction, and management details.
- 6) The Applicant/Owner shall provide a detailed Erosion and Sedimentation Control Plan, prepared by a qualified professional, in accordance with the County Servicing Standards and best management practices to the satisfaction of the County.
- 7) The Applicant/Owner shall provide a revised Geotechnical Report that includes recommendations for the construction of the proposed stormwater pond, wastewater treatment systems, slopes and all other relevant infrastructure.
- 8) The Applicant/Owner shall register a restrictive covenant on title of lots 1 – 16 for the slope setbacks as per the recommendations of the final geotechnical report accepted by the County.
- 9) The Applicant/Owner shall obtain a setback relaxation from Alberta Environment and Parks (AEP) to authorize a variance to the 300 m setback requirement for wastewater treatment facility, to the satisfaction of the County:
 - a. Register all necessary caveats, right-of-way, or notification on title as required by AEP and the County.
 - b. Failure to provide the required approval of the variance for the relaxation of the setbacks may result in: the need to submit a new subdivision application; or the need to relocate the wastewater treatment area and dispersal field; or result in the reduction of the number of lots approved to increase the setback area.

Development Agreement

- 10) The Applicant/Owner shall enter into a Development Agreement pursuant to Section 655 of the Municipal Government Act respecting provision of the following:
 - a. Construction of a paved private internal road system (Country Residential and Country Collector) with complete cul-de-sacs and any necessary easement agreements, including complete approaches to each lot, as shown on the Tentative Plan, at the Owner's expense, in accordance with Section 400.0 of the Rocky View County Servicing Standards for Subdivision and Road Construction as approved by Council as amended all to the satisfaction of the County;
 - b. Construction of a gated Secondary Emergency Access road (gravel standard – 400.20) that would connect the proposed internal road to Range Road 34.
 - c. Mailbox locations are to be located in consultation with Canada Post to the satisfaction of the County;
 - d. Water to be supplied through a water distribution system in accordance with the Rocky View County Servicing Standards as approved by Council as amended;
 - e. Construction of stormwater facilities in accordance with the recommendations of an approved Stormwater Management Plan and the registration of any overland drainage easements and/or restrictive covenants as determined by the Stormwater Management Plan;
 - f. Construction of a fire suppression and distribution system, designed to meet minimum fire flows as per the County Servicing Standards and Bylaws (including provision of any required approvals);
 - g. Overall site landscaping and grading plan; and



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- h. Installation of power, natural gas, and telephone lines.
- 11) The Applicant/Owner shall enter into a Development Agreement pursuant to Section 655 of the Municipal Government Act respecting the provision of the following:
- a. Construction of Type III Intersection treatment upgrades at the Range Road 34 and Springbank Road intersection in accordance with the final approved TIA, geotechnical report and the Rocky View County Servicing Standards;
 - b. Paving of Range Road 40 between Springbank Road and the proposed site access to the Regional Transitional Paved (400.10) standard in accordance with the final approved geotechnical report and the Rocky View County Servicing Standards;
 - c. Implementation of the Construction Management Plan; and,
 - d. Implementation of the Erosion and Sedimentation Control Plan.
- 12) The Applicant/Owner shall enter into a Special Improvement Development Agreement pursuant to Section 655 of the Municipal Government Act respecting provision of the following:
- a. Construction of a wastewater treatment facility and piped sanitary collection system (including the registration or necessary easements);
 - b. Provision of AEP approvals for the wastewater treatment facility and piped sanitary collection system;
 - c. Implementation of the Construction Management Plan; and,
 - d. Implementation of the Erosion and Sedimentation Control Plan.
- 13) The Applicant/Owner shall provide a Utility Right-of-Way easement to the County over the private internal roadways and necessary open spaces for the purposes of accessing the wastewater treatment systems should circumstances warrant.

Access

- 14) The Applicant/Owner shall provide a right of way plan and access easement agreement in order to provide emergency-vehicle access over the proposed location of the emergency access road as shown in the tentative plan.

Site Servicing

- 15) The Applicant/Owner shall provide all applicable Alberta Environment Approvals for the construction, operation and maintenance of the wastewater collection and treatment system.
- 16) The Applicant/Owner is to register a Nuisance Easement for a nuisance on Lots 1-5, Lots 23-40 for the benefit of the operator of the wastewater treatment plant, lagoon, and irrigation fields located within the PUL.
- 17) The Applicant/Owner is to enter into an Operation and Maintenance Agreement with the County for the operation and supply of wastewater services within the development area.
- 18) The Applicant/Owner shall enter into a Development Agreement (Site Improvement / Services Agreement) for the implementation of the septic tanks and effluent pumps, as required on each lot as part of the Orenco System in accordance with the detailed design reports and drawings accepted by the County.



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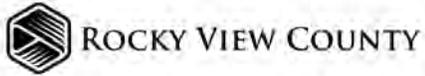
- 19) The Owner shall provide confirmation of tie-in for connection to Calalta Waterworks Ltd. an Alberta Environment licensed piped water supplier, for Lot(s) 1-49, as shown on the Approved Tentative Plan. This includes providing information regarding:
- Confirmation from the water supplier that an adequate and continuous piped water supply is available for the proposed new Lot(s) 1-49;
 - Documentation proving that water supply has been purchased for proposed Lot(s) 1-49;
 - Documentation proving that all necessary water infrastructure will be installed (in the event of a Development Agreement), and that the water supplier has approved the associated plans and specifications;
- 20) The Owner shall receive approval for a road naming application from the County;

Stormwater

- 21) The Applicant/Owner shall provide a detailed Stormwater Management Plan conducted and stamped by a professional engineer complete with detailed design drawings of the proposed stormwater infrastructure in accordance with the Springbank Master Drainage Plan and the County Servicing Standards to the satisfaction of the County. To the satisfaction of the County, the Owner is to:
- Implement the recommendations of the Stormwater Management Plan;
 - Overland Drainage Right-of-Way plan and enter into a Utility Right-of-Way Agreement with the Condominium Board Association that shall protect all Stormwater Management Infrastructure located outside of the Condominium Board Association owned common lands;
 - Provision of necessary Alberta Environment and Parks registration documentation and approvals for the stormwater infrastructure system; and,
 - Provision of necessary Department of Fisheries and Oceans (DFO) approvals for the proposed stormwater management infrastructure and discharge as well as any impacts the development may have on fish habitat.
- 22) The Applicant/Owner shall provide confirmation of Alberta Environment Water Act approval for wetland disturbance and compensation, prior to development agreement endorsement by the County.

Reserves

- 23) The provision of Reserve in the amount of 10 percent of the gross area of NE-17-24-03-W05M and a portion of SE-17-24-03-W05M, after the dedication of environmental reserve (approximately 58 acres within the floodplain), as determined by the Plan of Survey, is to be provided by payment of cash-in-lieu in accordance with the per acre value listed in the land appraisal prepared by Colliers International file number CGY200472, dated October 8, 2020, pursuant to Section 666(3) of the *Municipal Government Act*.
- 24) The provision of Environmental Reserve is to be provided by the dedication of Lot 50 ER, consisting of ± 23.47 ha (± 58.00 acres), as indicated on the Approved Tentative Plan, pursuant to Section 664 of the *Municipal Government Act*;
- The exact amount of lands to be included within the ER parcel is to be determined by the approved Biophysical Impact Assessment which will assess
 - a swamp, gully, ravine, coulee or natural drainage course,
 - land that is subject to flooding or is, in the opinion of the subdivision authority, unstable, or



- a strip of land, not less than 6 metres in width, abutting the bed and shore of any body of water.

In accordance with Sec 664 of the MGA.

Payments and Levies

- 25) The Applicant/Owner shall pay the Transportation Off-Site Levy in accordance with Bylaw C-8007-2020 prior to subdivision endorsement. The County shall calculate the total amount owing from the total gross acreage of the Lands to be subdivided as shown on the Plan of Survey.
- 26) The Owner shall pay the County Subdivision Endorsement fee, in accordance with the Master Rates Bylaw, for the creation of 49 new lots.
- 27) The Owner shall prepare and submit the development's Architectural Controls in accordance with section 3.2 and 3.3 of the River Edge Conceptual Scheme to the satisfaction of the County.

Other

- 28) The Owner is to prepare a Solid Waste Management Plan which will outline the responsibility of the Developer and/or Homeowners Association for management of solid waste;
- 29) The Owner shall prepare and register a Restrictive Covenant on the title of each new lot created, requiring that each Lot Owner be subject to development's Architectural and Landscaping Design Guidelines. The Architectural Design Guidelines shall respect the intent of The Acres (River Edge) Conceptual Scheme and Springbank Area Structure Plan.
- 30) The Applicant/Owner shall legally establish a Condominium Association together with all corresponding corporate structure, governance and associated agreements and restrictions satisfactory to the County including, without restrictions, an encumbrance and/or other instrument(s) concurrently registered against the title of each new condominium units created, requiring that each individual Owner is a member of Condominium Association, and securing all restrictions and funding mechanisms required for the orderly, efficient and sustainable operation of the Condominium Association.
- 31) The Condominium Association documents shall be registered on the title of each new lot created identifying that each Unit Owner, as a member of the Condominium Association, is directly responsible for all maintenance of: private roads; on-site pathways; sewage treatment systems, storage, irrigation and piped collection systems; water re-use treatment and piped collection system; fire suppression and irrigation system; stormwater retention and overland drainage facilities; community landscaping; and residential solid waste collection.
- 32) The County will enter into an Infrastructure Cost Recovery Agreement with the Owner to determine the proportionate recovery of infrastructure money spent by the Owner to construct municipal infrastructure which will also provide benefit to other lands.
 - a. This Agreement shall apply to: Type III upgrades to the Range Road 34 / Springbank Road intersection, Paving of Range Road 34 and the extension of piped water services from Calalta.
- 33) Utility agreements to the satisfaction of Canada Post and Telus Communications.

Taxes

- 34) All taxes owing up to and including the year in which subdivision is to be registered are to be paid to Rocky View County prior to signing the final documents pursuant to Section 654(1) of the *Municipal Government Act*.

D. SUBDIVISION AUTHORITY DIRECTION:



ROCKY VIEW COUNTY

- 1) Prior to final endorsement of the subdivision, the Planning Department is directed to present the Applicant/Owners with a Voluntary Recreation Contribution Form and ask them if they will contribute to the Fund in accordance with the contributions prescribed in the Master Rates Bylaw.

**ATTACHMENT 'B': APPROVAL CONDITIONS [Administration's recommendation]**

- A. The application to create 37 bare land condominium units, ± 0.49 hectares (± 1.20 acres) to ± 0.81 hectares (± 2.01 acres) in size, two Public Utility Lots ± 0.85 hectares (± 0.62 acres) and ± 5.33 hectares (± 13.18 acres) respectively, Environmental Reserve ± 23.47 hectares (± 58.00 acres) together with internal access roads, stormwater infrastructure (2 units totalling ± 3.39 hectares (± 8.37 acres)) and common lands within NE-17-24-03-W05M and a portion of SE-17-24-03-W05M, having been evaluated in terms of Section 654 of the *Municipal Government Act* and Section 7 of the Subdivision and Development Regulations, and having considered adjacent landowner submissions, is approved as per the Tentative Plan for the reasons listed below:
1. The application is consistent with Sections 7 and 14 of the Subdivision and Development Regulation;
 2. The subject lands hold the appropriate land use designation;
 4. The application is consistent with the River Edge Conceptual Scheme;
 4. The technical aspects of the subdivision proposal have been considered and are further addressed through the conditional approval requirements.
- B. The Applicant/Owner is required, at their expense, to complete all conditions attached to and forming part of this conditional subdivision approval prior to Rocky View County (the County) authorizing final subdivision endorsement. This requires submitting all documentation required to demonstrate each specific condition has been met, or agreements (and necessary securities) have been provided to ensure the conditions will be met, in accordance with all County Policies, Standards, and Procedures, to the satisfaction of the County, and any other additional party named within a specific condition. Technical reports required to be submitted as part of the conditions must be prepared by a qualified professional, licensed to practice in the province of Alberta within the appropriate field of practice. The conditions of this subdivision approval do not absolve an Applicant/Owner from ensuring all permits, licenses, or approvals required by Federal, Provincial, or other jurisdictions are obtained.
- C. Further, in accordance with Section 654 and 655 of the *Municipal Government Act*, the application shall be approved subject to the following conditions of approval:

Survey Plans

- 1) Subdivision is to be effected by a Plan of Survey, pursuant to Section 657 of the *Municipal Government Act*, or such other means satisfactory to the Registrar of the South Alberta Land Titles District.
- 2) The Owner is to dedicate by Plan of Survey, a 5.0 m wide portion of land for road widening along the entire eastern boundary of NE-17-24-03-W05M and a portion of SE-17-24-03-W05M as shown on the approved Tentative Plan.
- 3) The Owner is to enter into an Agreement, to be registered by caveat, respecting the future acquisition of lands for road widening, and shall include:
 - c) The provision of 15.00 m road widening along the entire north boundary of the property;
 - d) Land is to be purchased for \$1 by the County;
- 4) The Owner is to enter into a Restrictive Covenant, to be registered by Caveat prepared by the County, on the title of common lands that restricts the erection of any structure on or within 15.00 metres of a future road right-of-way, as shown on the approved Tentative Plan;

Geotechnical / Developability



- 5) The Applicant/Owner shall provide a Construction Management Plan that is to include, but not be limited to, noise, sedimentation and erosion control, construction waste management, fire fighting procedures, evacuation plan, hazardous material containment, construction, and management details.
- 6) The Applicant/Owner shall provide a detailed Erosion and Sedimentation Control Plan, prepared by a qualified professional, in accordance with the County Servicing Standards and best management practices to the satisfaction of the County.
- 7) The Applicant/Owner shall provide a revised Geotechnical Report that includes recommendations for the construction of the proposed stormwater pond, wastewater treatment systems, slopes and all other relevant infrastructure.
- 8) The Applicant/Owner shall register a restrictive covenant on title of lots 1 – 16 for the slope setbacks as per the recommendations of the final geotechnical report accepted by the County.
- 9) The Applicant/Owner shall obtain a setback relaxation from Alberta Environment and Parks (AEP) to authorize a variance to the 300 m setback requirement for wastewater treatment facility, to the satisfaction of the County:
 - a. Register all necessary caveats, right-of-way, or notification on title as required by AEP and the County.
 - b. Failure to provide the required approval of the variance for the relaxation of the setbacks may result in: the need to submit a new subdivision application; or the need to relocate the wastewater treatment area and dispersal field; or result in the reduction of the number of lots approved to increase the setback area.

Development Agreement

- 10) The Applicant/Owner shall enter into a Development Agreement pursuant to Section 655 of the Municipal Government Act respecting provision of the following:
 - a. Construction of a paved private internal road system (Country Residential and Country Collector) with complete cul-de-sacs and any necessary easement agreements, including complete approaches to each lot, as shown on the Tentative Plan, at the Owner's expense, in accordance with Section 400.0 of the Rocky View County Servicing Standards for Subdivision and Road Construction as approved by Council as amended all to the satisfaction of the County;
 - b. Construction of a gated Secondary Emergency Access road (gravel standard – 400.20) that would connect the proposed internal road to Range Road 34.
 - c. Mailbox locations are to be located in consultation with Canada Post to the satisfaction of the County;
 - d. Water to be supplied through a water distribution system in accordance with the Rocky View County Servicing Standards as approved by Council as amended;
 - e. Construction of stormwater facilities in accordance with the recommendations of an approved Stormwater Management Plan and the registration of any overland drainage easements and/or restrictive covenants as determined by the Stormwater Management Plan;
 - f. Construction of a fire suppression and distribution system, designed to meet minimum fire flows as per the County Servicing Standards and Bylaws (including provision of any required approvals);
 - g. Overall site landscaping and grading plan; and



- h. Installation of power, natural gas, and telephone lines.
- 11) The Applicant/Owner shall enter into a Development Agreement pursuant to Section 655 of the Municipal Government Act respecting the provision of the following:
- a. Construction of Type III Intersection treatment upgrades at the Range Road 34 and Springbank Road intersection in accordance with the final approved TIA, geotechnical report and the Rocky View County Servicing Standards;
 - b. Paving of Range Road 40 between Springbank Road and the proposed site access to the Regional Transitional Paved (400.10) standard in accordance with the final approved geotechnical report and the Rocky View County Servicing Standards;
 - c. Implementation of the Construction Management Plan; and,
 - d. Implementation of the Erosion and Sedimentation Control Plan.
- 12) The Applicant/Owner shall enter into a Special Improvement Development Agreement pursuant to Section 655 of the Municipal Government Act respecting provision of the following:
- a. Construction of a wastewater treatment facility and piped sanitary collection system (including the registration or necessary easements);
 - b. Provision of AEP approvals for the wastewater treatment facility and piped sanitary collection system;
 - c. Implementation of the Construction Management Plan; and,
 - d. Implementation of the Erosion and Sedimentation Control Plan.
- 13) The Applicant/Owner shall provide a Utility Right-of-Way easement to the County over the private internal roadways and necessary open spaces for the purposes of accessing the wastewater treatment systems should circumstances warrant.

Access

- 14) The Applicant/Owner shall provide a right of way plan and access easement agreement in order to provide emergency-vehicle access over the proposed location of the emergency access road as shown in the tentative plan.

Site Servicing

- 15) The Applicant/Owner shall provide all applicable Alberta Environment Approvals for the construction, operation and maintenance of the wastewater collection and treatment system.
- 16) The Applicant/Owner is to register a Nuisance Easement for a nuisance on Lots 1-5, Lots 23-40 for the benefit of the operator of the wastewater treatment plant, lagoon, and irrigation fields located within the PUL.
- 17) The Applicant/Owner is to enter into an Operation and Maintenance Agreement with the County for the operation and supply of wastewater services within the development area.
- 18) The Applicant/Owner shall enter into a Development Agreement (Site Improvement / Services Agreement) for the implementation of the septic tanks and effluent pumps, as required on each lot as part of the Orenco System in accordance with the detailed design reports and drawings accepted by the County.



- 19) The Owner shall provide confirmation of tie-in for connection to Calalta Waterworks Ltd. an Alberta Environment licensed piped water supplier, for Lot(s) 1-37, as shown on the Approved Tentative Plan. This includes providing information regarding:
- d. Confirmation from the water supplier that an adequate and continuous piped water supply is available for the proposed new Lot(s) 1-37;
 - e. Documentation proving that water supply has been purchased for proposed Lot(s) 1-37;
 - f. Documentation proving that all necessary water infrastructure will be installed (in the event of a Development Agreement), and that the water supplier has approved the associated plans and specifications;
- 20) The Owner shall receive approval for a road naming application from the County;

Stormwater

- 21) The Applicant/Owner shall provide a detailed Stormwater Management Plan conducted and stamped by a professional engineer complete with detailed design drawings of the proposed stormwater infrastructure in accordance with the Springbank Master Drainage Plan and the County Servicing Standards to the satisfaction of the County. To the satisfaction of the County, the Owner is to:
- a. Implement the recommendations of the Stormwater Management Plan;
 - b. Overland Drainage Right-of-Way plan and enter into a Utility Right-of-Way Agreement with the Condominium Board Association that shall protect all Stormwater Management Infrastructure located outside of the Condominium Board Association owned common lands;
 - c. Provision of necessary Alberta Environment and Parks registration documentation and approvals for the stormwater infrastructure system; and,
 - d. Provision of necessary Department of Fisheries and Oceans (DFO) approvals for the proposed stormwater management infrastructure and discharge as well as any impacts the development may have on fish habitat.
- 22) The Applicant/Owner shall provide confirmation of Alberta Environment Water Act approval for wetland disturbance and compensation, prior to development agreement endorsement by the County.

Reserves

- 23) The provision of Reserve in the amount of 10 percent of the gross area of NE-17-24-03-W05M and a portion of SE-17-24-03-W05M, after the dedication of environmental reserve (approximately 58 acres within the floodplain), as determined by the Plan of Survey, is to be provided by payment of cash-in-lieu in accordance with the per acre value listed in the land appraisal prepared by Colliers International file number CGY200472, dated October 8, 2020, pursuant to Section 666(3) of the *Municipal Government Act*.
- 24) The provision of Environmental Reserve is to be provided by the dedication of Lot 50 ER, consisting of ± 23.47 ha (± 58.00 acres), as indicated on the Approved Tentative Plan, pursuant to Section 664 of the *Municipal Government Act*;
- i. The exact amount of lands to be included within the ER parcel is to be determined by the approved Biophysical Impact Assessment which will assess
 - a swamp, gully, ravine, coulee or natural drainage course,
 - land that is subject to flooding or is, in the opinion of the subdivision authority, unstable, or



- a strip of land, not less than 6 metres in width, abutting the bed and shore of any body of water.

In accordance with Sec 664 of the MGA.

Payments and Levies

- 25) The Applicant/Owner shall pay the Transportation Off-Site Levy in accordance with Bylaw C-8007-2020 prior to subdivision endorsement. The County shall calculate the total amount owing from the total gross acreage of the Lands to be subdivided as shown on the Plan of Survey.
- 26) The Owner shall pay the County Subdivision Endorsement fee, in accordance with the Master Rates Bylaw, for the creation of 37 new lots.
- 27) The Owner shall prepare and submit the development's Architectural Controls in accordance with section 3.2 and 3.3 of the River Edge Conceptual Scheme to the satisfaction of the County.

Other

- 28) The Owner is to prepare a Solid Waste Management Plan which will outline the responsibility of the Developer and/or Homeowners Association for management of solid waste;
- 29) The Owner shall prepare and register a Restrictive Covenant on the title of each new lot created, requiring that each Lot Owner be subject to development's Architectural and Landscaping Design Guidelines. The Architectural Design Guidelines shall respect the intent of The Acres (River Edge) Conceptual Scheme and Springbank Area Structure Plan.
- 30) The Applicant/Owner shall legally establish a Condominium Association together with all corresponding corporate structure, governance and associated agreements and restrictions satisfactory to the County including, without restrictions, an encumbrance and/or other instrument(s) concurrently registered against the title of each new condominium units created, requiring that each individual Owner is a member of Condominium Association, and securing all restrictions and funding mechanisms required for the orderly, efficient and sustainable operation of the Condominium Association.
- 31) The Condominium Association documents shall be registered on the title of each new lot created identifying that each Unit Owner, as a member of the Condominium Association, is directly responsible for all maintenance of: private roads; on-site pathways; sewage treatment systems, storage, irrigation and piped collection systems; water re-use treatment and piped collection system; fire suppression and irrigation system; stormwater retention and overland drainage facilities; community landscaping; and residential solid waste collection.
- 32) The County will enter into an Infrastructure Cost Recovery Agreement with the Owner to determine the proportionate recovery of infrastructure money spent by the Owner to construct municipal infrastructure which will also provide benefit to other lands.
 - a. This Agreement shall apply to: Type III upgrades to the Range Road 34 / Springbank Road intersection, Paving of Range Road 34 and the extension of piped water services from Calalta.

- 33) Utility agreements to the satisfaction of Canada Post and Telus Communications.

Taxes

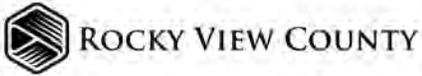
- 34) All taxes owing up to and including the year in which subdivision is to be registered are to be paid to Rocky View County prior to signing the final documents pursuant to Section 654(1) of the *Municipal Government Act*.

D. SUBDIVISION AUTHORITY DIRECTION:



ROCKY VIEW COUNTY

- 1) Prior to final endorsement of the subdivision, the Planning Department is directed to present the Applicant/Owners with a Voluntary Recreation Contribution Form and ask them if they will contribute to the Fund in accordance with the contributions prescribed in the Master Rates Bylaw.



ATTACHMENT 'C': MAPS AND OTHER INFORMATION

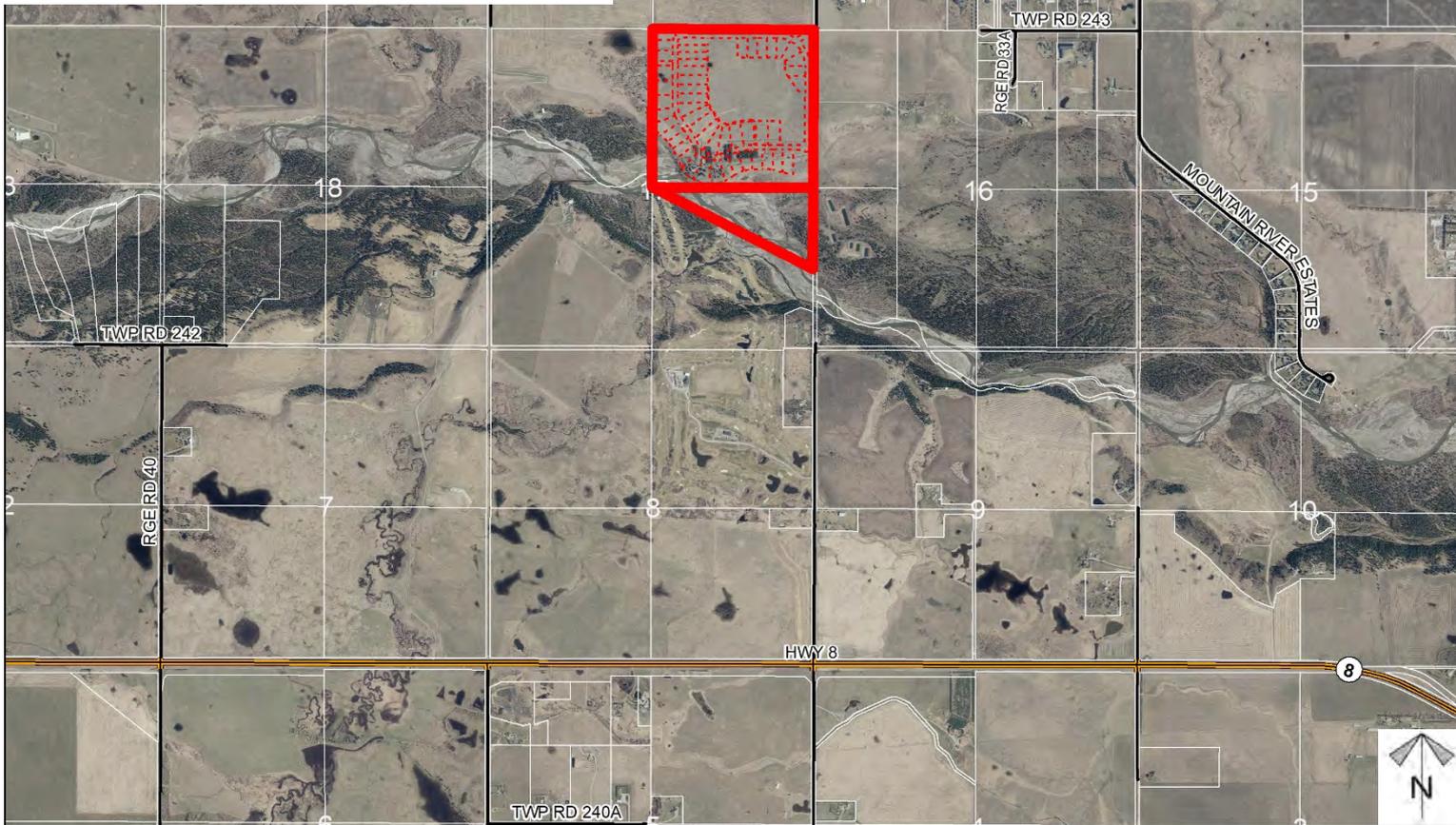
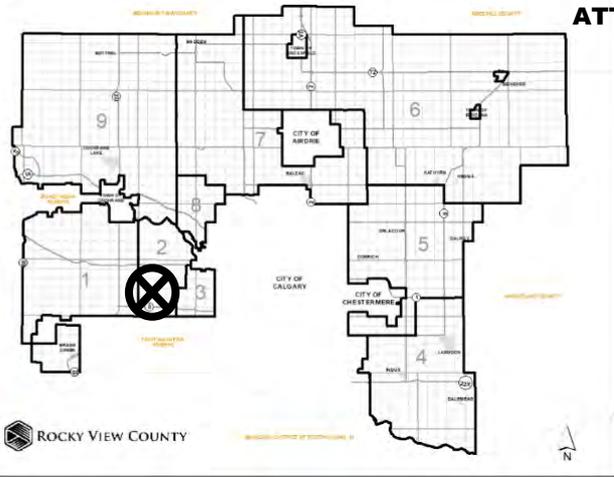
APPLICANT: Price Boychuk & Jackson Corp.	OWNER: Arthur & Debra Price
DATE APPLICATION RECEIVED: September 25, 2020	DATE DEEMED COMPLETE: October 8, 2020
GROSS AREA: ± 81.34 hectares (± 201.00 acres)	LEGAL DESCRIPTION: NE-17-24-03-W05M and a portion of SE-17-24-03-W05M
APPEAL BOARD: Municipal Government Board	
HISTORY: <p>November 26, 2019: Council approved an application PL20170170 to redesignate the subject lands from Ranch and Farm District to Direct Control District to accommodate the development of a residential community.</p> <p>November 26, 2019: Council approved an application PL20170171 to adopt the River Edge Conceptual Scheme.</p>	
PUBLIC & AGENCY SUBMISSIONS: <p>The application was circulated to eighteen (18) adjacent landowners to which no responses were received.</p> <p>The application was also circulated to a number of internal and external agencies and, where appropriate, conditions of approval have been proposed based on these comments.</p>	

ATTACHMENT 'C': MAPS AND OTHER INFORMATION

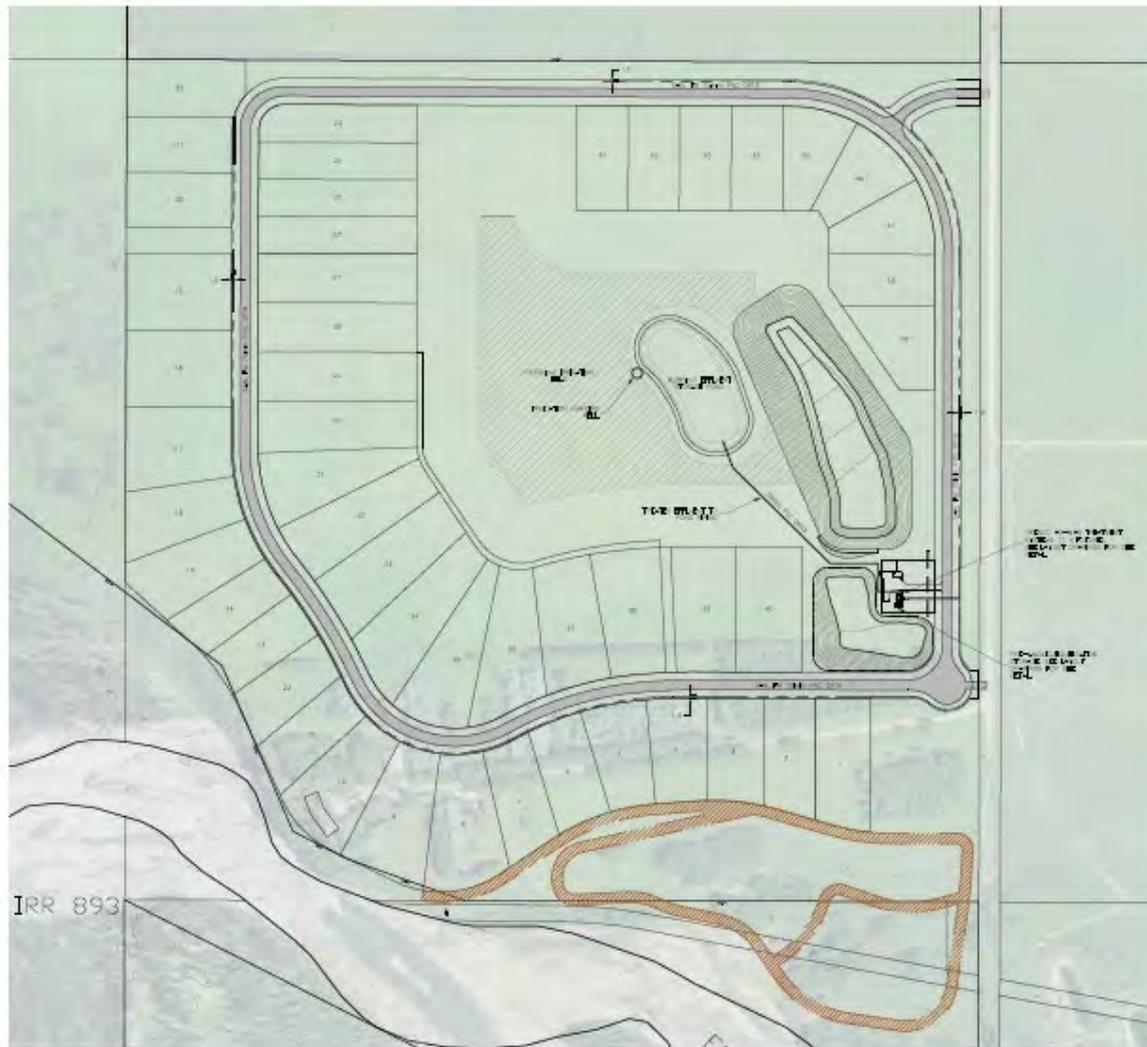
Location & Context

Subdivision Proposal

To create 49 new lots, ± 0.49 hectares (± 1.20 acres) to ± 0.81 hectares (± 2.01 acres) in size, with internal access roads, utility services, stormwater infrastructure and open space lands.



Division: 2
Roll: 04717004 & 04717005
File: PL20200133
Printed: Sept 28, 2020
Legal: NE-17-24-3-W5M & a portion of SE-17-24-3-W5M



Subdivision Proposal

To create 49 new lots, ± 0.49 hectares (± 1.20 acres) to ± 0.81 hectares (± 2.01 acres) in size, with internal access roads, utility services, stormwater infrastructure and open space lands.

*Division: 2
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 File: PL20200133
 Printed: Sept 28, 2020
 Legal: NE-17-24-3-W5M & a
 portion of SE-17-24-3-W5M*

Option #1
Tentative Plan:
Part A

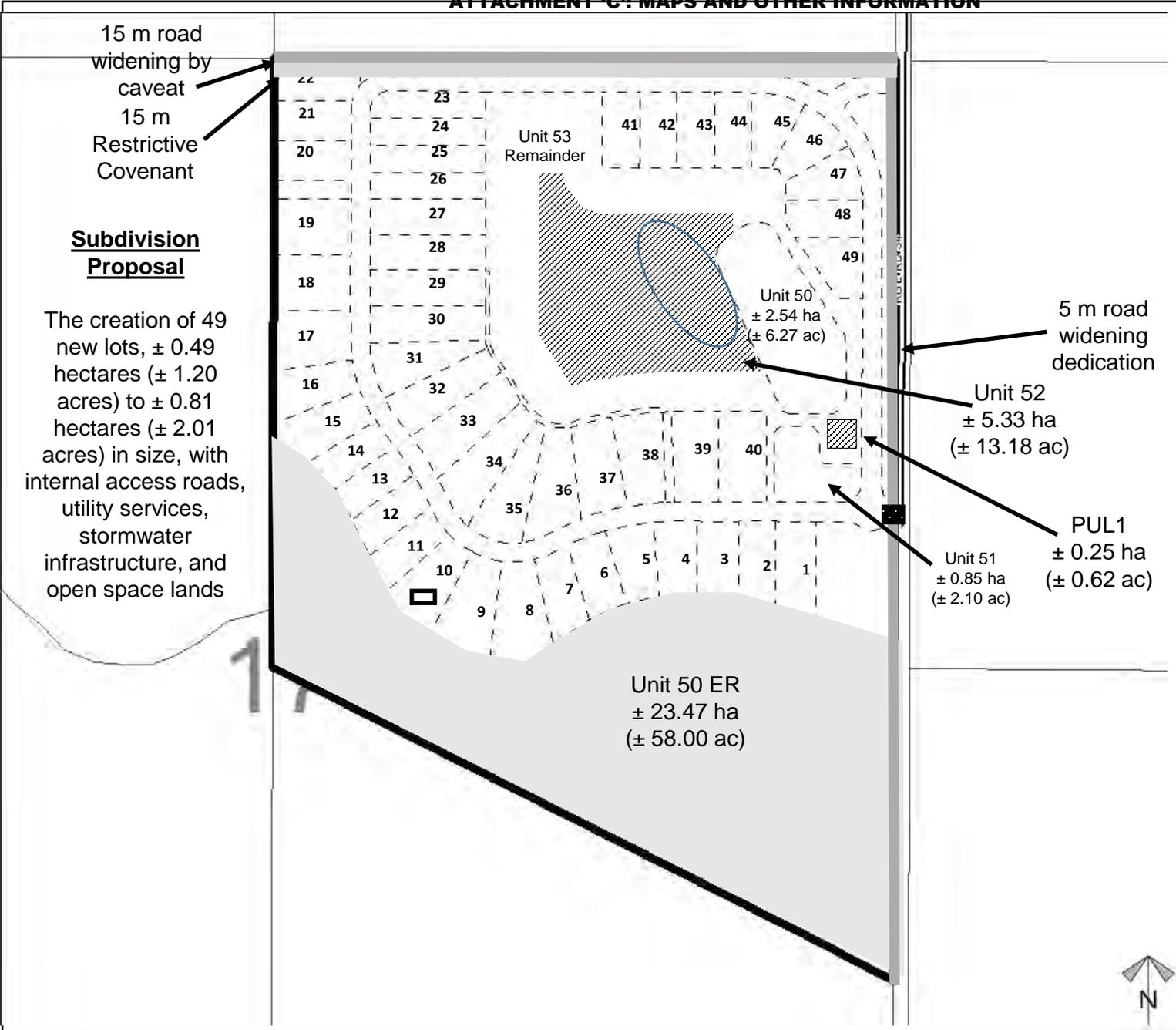
Legend

- Dwelling 
- Building 
- Water Well 
- Wastewater 
- Existing Approach 
- New Approach 
- Driveway 
- Road Widening 
- Road Acquisition / 
- Emergency Access 

Surveyor's Notes:

1. Parcels must meet minimum size and setback requirements of Direct Control District 168 of Bylaw C-8184-97.
2. Refer to Notice of Transmittal for approval conditions related to this Tentative Plan.

Division: 2
 Roll: 04717004 & 04717005
 File: PL20200133
 Printed: Sept 28, 2020
 Legal: NE-17-24-3-W5M & a portion of SE-17-24-3-W5M



Subdivision Proposal

The creation of 49 new lots, ± 0.49 hectares (± 1.20 acres) to ± 0.81 hectares (± 2.01 acres) in size, with internal access roads, utility services, stormwater infrastructure, and open space lands

15 m road widening by caveat
 15 m Restrictive Covenant

5 m road widening dedication

Unit 52
 ± 5.33 ha
 (± 13.18 ac)

PUL1
 ± 0.25 ha
 (± 0.62 ac)

Unit 51
 ± 0.85 ha
 (± 2.10 ac)

Unit 50 ER
 ± 23.47 ha
 (± 58.00 ac)

Unit 53 Remainder

Unit 50
 ± 2.54 ha
 (± 6.27 ac)



Tentative Plan: Part B – Schedule of Lot Areas

Unit	Size	Unit	Size	Unit	Size
1	± 0.65 ha ± 1.60 ac	16	± 0.60 ha ± 1.48 ac	31	± 0.65 ha ± 1.59 ac
2	± 0.53 ha ± 1.32 ac	17	± 0.74 ha ± 1.83 ac	32	± 0.73 ha ± 1.80 ac
3	± 0.53 ha ± 1.32 ac	18	± 0.74 ha ± 1.83 ac	33	± 0.81 ha ± 2.01 ac
4	± 0.53 ha ± 1.32 ac	19	± 0.74 ha ± 1.83 ac	34	± 0.81 ha ± 2.01 ac
5	± 0.53 ha ± 1.32 ac	20	± 0.52 ha ± 1.30 ac	35	± 0.73 ha ± 1.80 ac
6	± 0.53 ha ± 1.32 ac	21	± 0.52 ha ± 1.30 ac	36	± 0.73 ha ± 1.80 ac
7	± 0.53 ha ± 1.96 ac	22	± 0.61 ha ± 1.51 ac	37	± 0.71 ha ± 1.76 ac
8	± 0.79 ha ± 1.96 ac	23	± 0.53 ha ± 1.31 ac	38	± 0.71 ha ± 1.76 ac
9	± 0.79 ha ± 1.95 ac	24	± 0.53 ha ± 1.31 ac	39	± 0.71 ha ± 1.76 ac
10	± 0.73 ha ± 1.80 ac	25	± 0.53 ha ± 1.31 ac	40	± 0.71 ha ± 1.76 ac
11	± 0.50 ha ± 1.23 ac	26	± 0.53 ha ± 1.31 ac	41-49	± 0.49 ha (± 1.20 ac)
12	± 0.50 ha ± 1.23 ac	27	± 0.71 ha ± 1.75 ac		
13	± 0.46 ha ± 1.13 ac	28	± 0.71 ha ± 1.75 ac		
14	± 0.48 ha ± 1.18 ac	29	± 0.71 ha ± 1.75 ac		
15	± 0.66 ha ± 1.62 ac	30	± 0.71 ha ± 1.74 ac		

Option #1 Tentative Plan: Part B

Subdivision Proposal

To create 49 new lots, ± 0.49 hectares (± 1.20 acres) to ± 0.81 hectares (± 2.01 acres) in size, with internal access roads, utility services, stormwater infrastructure and open space lands.

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File: PL20200133
Printed: Sept 28, 2020
Legal: NE-17-24-3-W5M & a
portion of SE-17-24-3-W5M*

**Option #2
Tentative Plan:
Part A**

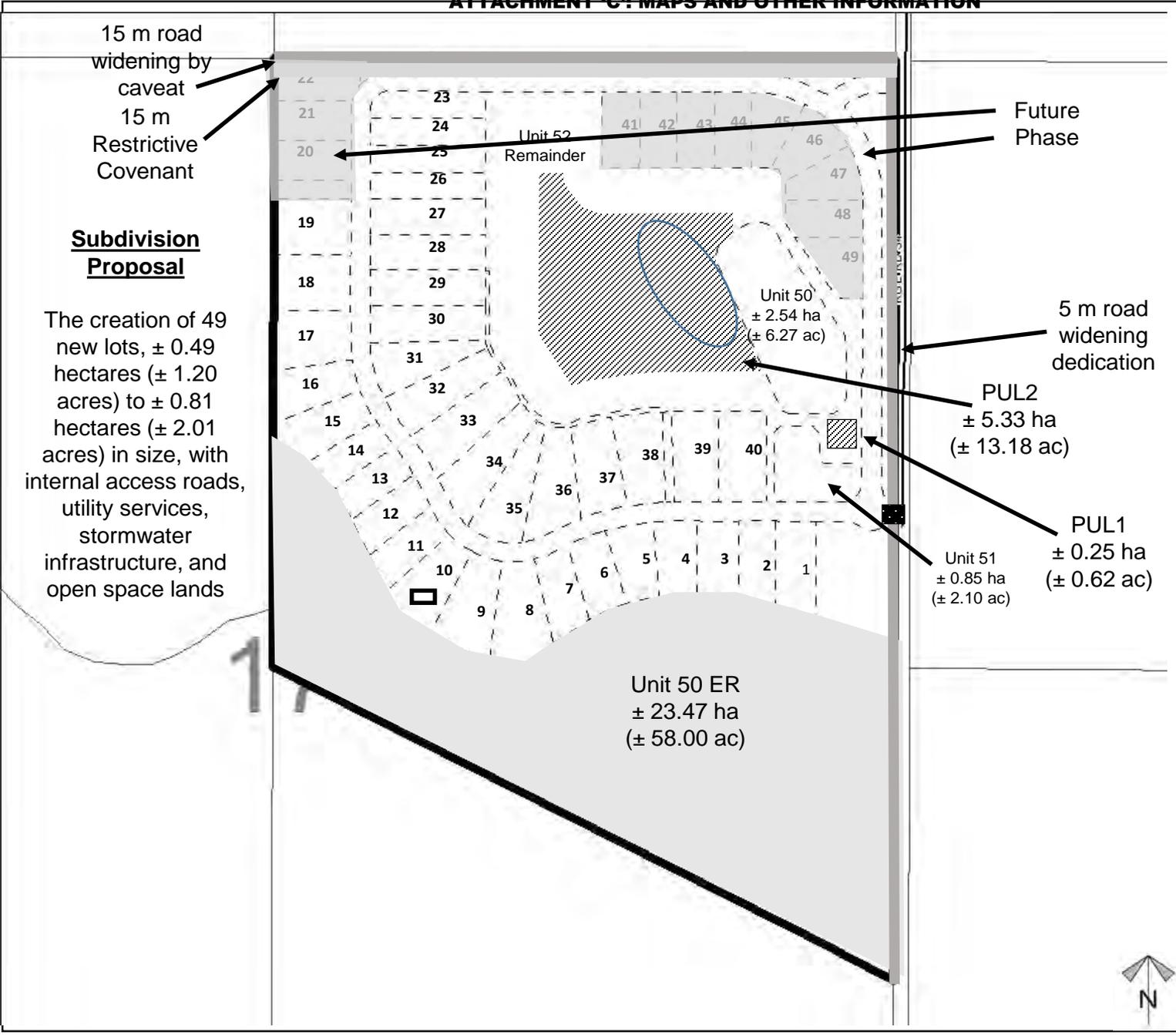
Legend

Dwelling	
Building	
Water Well	
Wastewater	
Existing Approach	
New Approach	
Driveway	
Road Widening	
Road Acquisition / Emergency Access	

Surveyor's Notes:

1. Parcels must meet minimum size and setback requirements of Direct Control District 168 of Bylaw C-8184-97.
2. Refer to Notice of Transmittal for approval conditions related to this Tentative Plan.

Division: 2
 Roll: 04717004 & 04717005
 File: PL20200133
 Printed: Sept 28, 2020
 Legal: NE-17-24-3-W5M & a portion of SE-17-24-3-W5M



**Subdivision
Proposal**

The creation of 49 new lots, ± 0.49 hectares (± 1.20 acres) to ± 0.81 hectares (± 2.01 acres) in size, with internal access roads, utility services, stormwater infrastructure, and open space lands

Tentative Plan: Part B – Schedule of Lot Areas

Unit	Size	Unit	Size	Unit	Size
1	± 0.65 ha ± 1.60 ac	16	± 0.60 ha ± 1.48 ac	31	± 0.65 ha ± 1.59 ac
2	± 0.53 ha ± 1.32 ac	17	± 0.74 ha ± 1.83 ac	32	± 0.73 ha ± 1.80 ac
3	± 0.53 ha ± 1.32 ac	18	± 0.74 ha ± 1.83 ac	33	± 0.81 ha ± 2.01 ac
4	± 0.53 ha ± 1.32 ac	19	± 0.74 ha ± 1.83 ac	34	± 0.81 ha ± 2.01 ac
5	± 0.53 ha ± 1.32 ac	20	± 0.52 ha ± 1.30 ac	35	± 0.73 ha ± 1.80 ac
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9	± 0.79 ha ± 1.95 ac	24	± 0.53 ha ± 1.31 ac	39	± 0.71 ha ± 1.76 ac
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11	± 0.50 ha ± 1.23 ac	26	± 0.53 ha ± 1.31 ac	41-49	± 0.49 ha (± 1.20 ac)
12	± 0.50 ha ± 1.23 ac	27	± 0.71 ha ± 1.75 ac		
13	± 0.46 ha ± 1.13 ac	28	± 0.71 ha ± 1.75 ac		
14	± 0.48 ha ± 1.18 ac	29	± 0.71 ha ± 1.75 ac		
15	± 0.66 ha ± 1.62 ac	30	± 0.71 ha ± 1.74 ac		

Option #2 Tentative Plan: Part B Subdivision Proposal

To create 49 new lots, ± 0.49 hectares (± 1.20 acres) to ± 0.81 hectares (± 2.01 acres) in size, with internal access roads, utility services, stormwater infrastructure and open space lands.

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 Roll: 04717004 & 04717005
 File: PL20200133
 Printed: Sept 28, 2020
 Legal: NE-17-24-3-W5M & a
 portion of SE-17-24-3-W5M*

Development Proposal

Subdivision Proposal

To create 49 new lots, \pm 0.49 hectares (\pm 1.20 acres) to \pm 0.81 hectares (\pm 2.01 acres) in size, with internal access roads, utility services, stormwater infrastructure and open space lands.

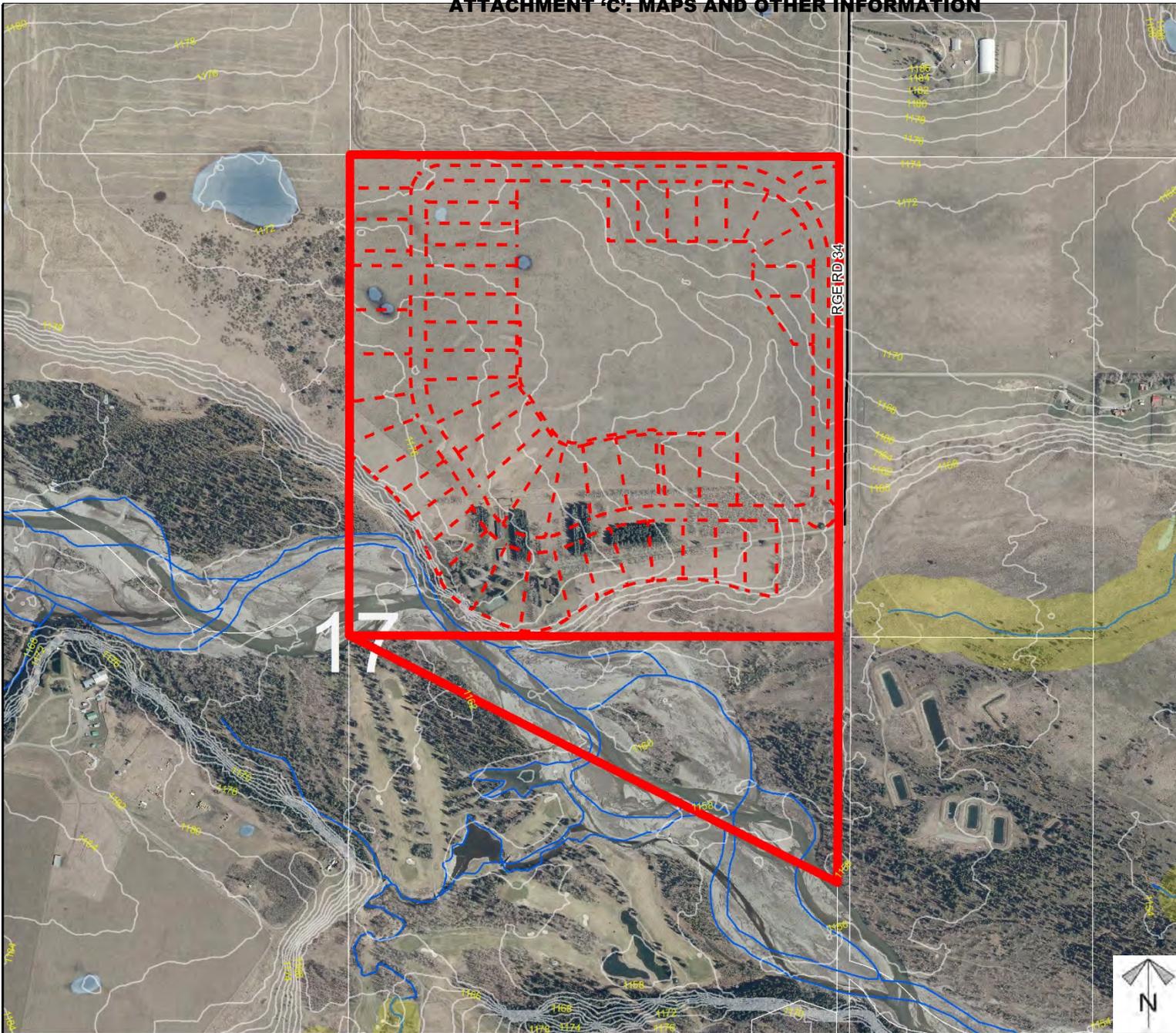


Division: 2
Roll: 04717004 & 04717005
File: PL20200133
Printed: Sept 28, 2020
Legal: NE-17-24-3-W5M & a portion of SE-17-24-3-W5M

Environmental

Subdivision Proposal

To create 49 new lots, ± 0.49 hectares (± 1.20 acres) to ± 0.81 hectares (± 2.01 acres) in size, with internal access roads, utility services, stormwater infrastructure and open space lands.



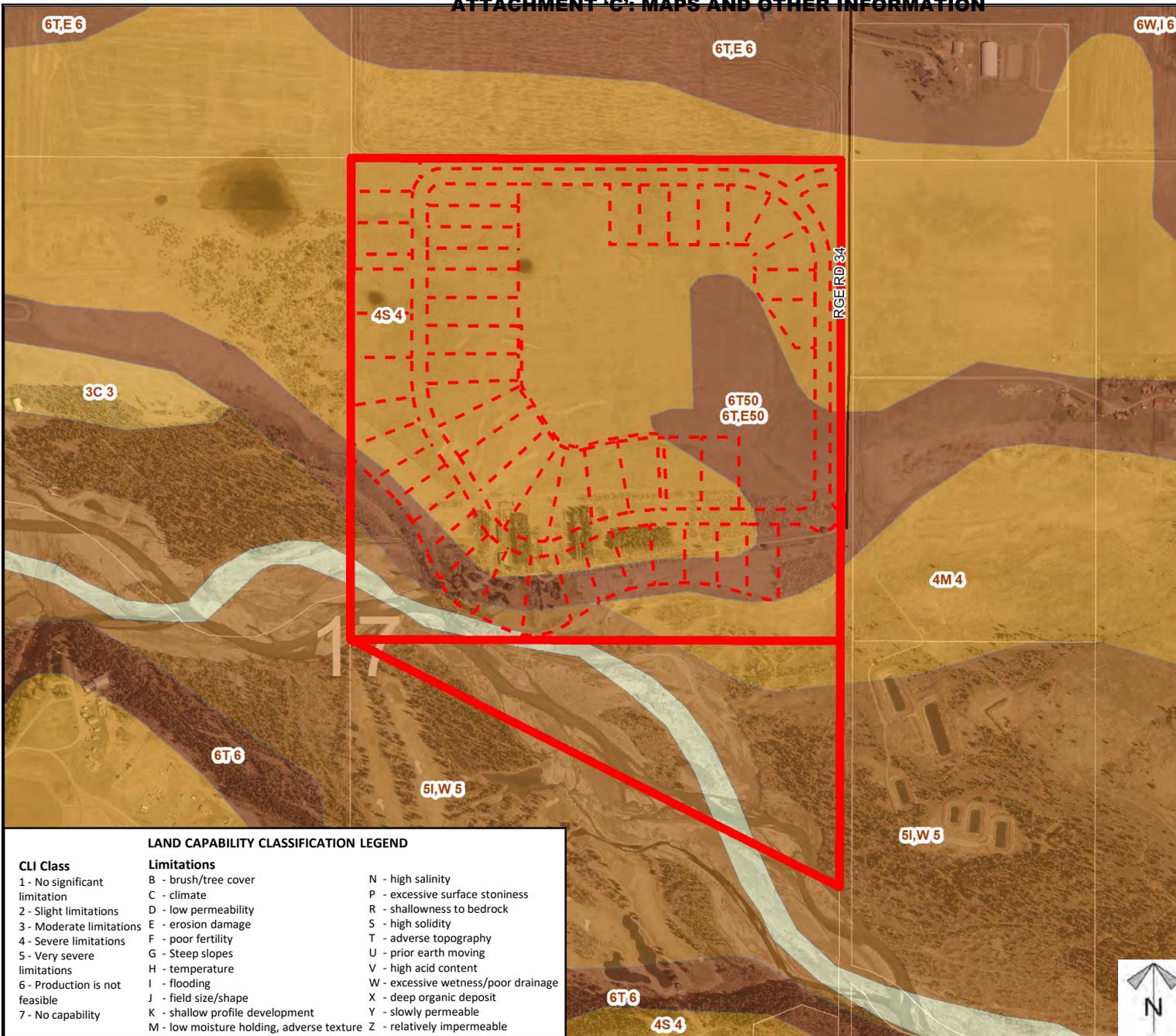
-  Subject Lands
-  Contour - 2 meters
-  Riparian Setbacks
-  Alberta Wetland Inventory
-  Surface Water

Division: 2
Roll: 04717004 & 04717005
File: PL20200133
Printed: Sept 28, 2020
Legal: NE-17-24-3-W5M & a portion of SE-17-24-3-W5M

Soil Classifications

Subdivision Proposal

To create 49 new lots, ± 0.49 hectares (± 1.20 acres) to ± 0.81 hectares (± 2.01 acres) in size, with internal access roads, utility services, stormwater infrastructure and open space lands.



LAND CAPABILITY CLASSIFICATION LEGEND

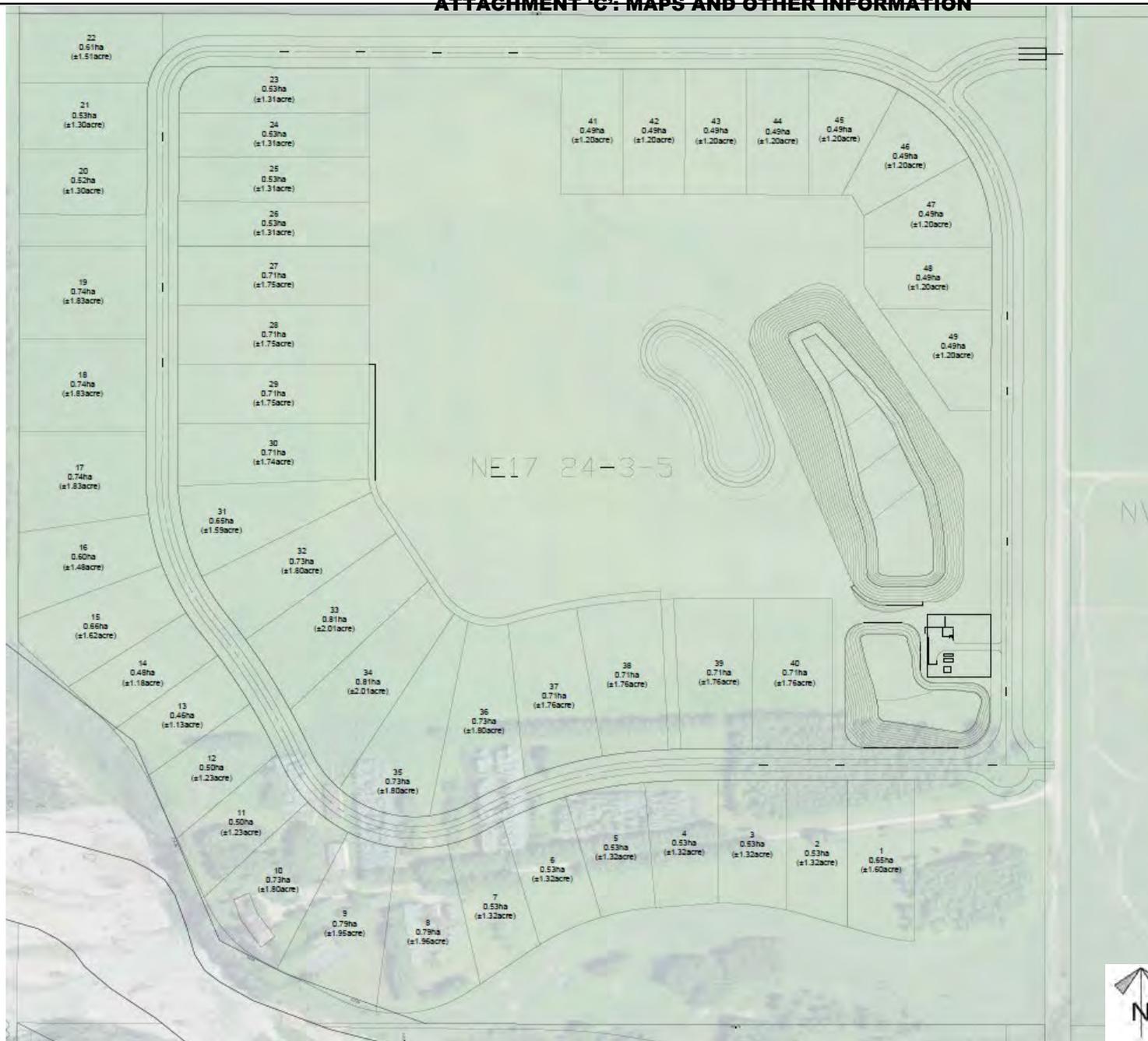
CLI Class	Limitations
1 - No significant limitation	B - brush/tree cover
2 - Slight limitations	C - climate
3 - Moderate limitations	D - low permeability
4 - Severe limitations	E - erosion damage
5 - Very severe limitations	F - poor fertility
6 - Production is not feasible	G - Steep slopes
7 - No capability	H - temperature
	I - flooding
	J - field size/shape
	K - shallow profile development
	M - low moisture holding, adverse texture
	N - high salinity
	P - excessive surface stoniness
	R - shallowness to bedrock
	S - high solidity
	T - adverse topography
	U - prior earth moving
	V - high acid content
	W - excessive wetness/poor drainage
	X - deep organic deposit
	Y - slowly permeable
	Z - relatively impermeable

Division: 2
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 File: PL20200133
 Printed: Sept 28, 2020
 Legal: NE-17-24-3-W5M & a portion of SE-17-24-3-W5M

Development Proposal

Subdivision Proposal

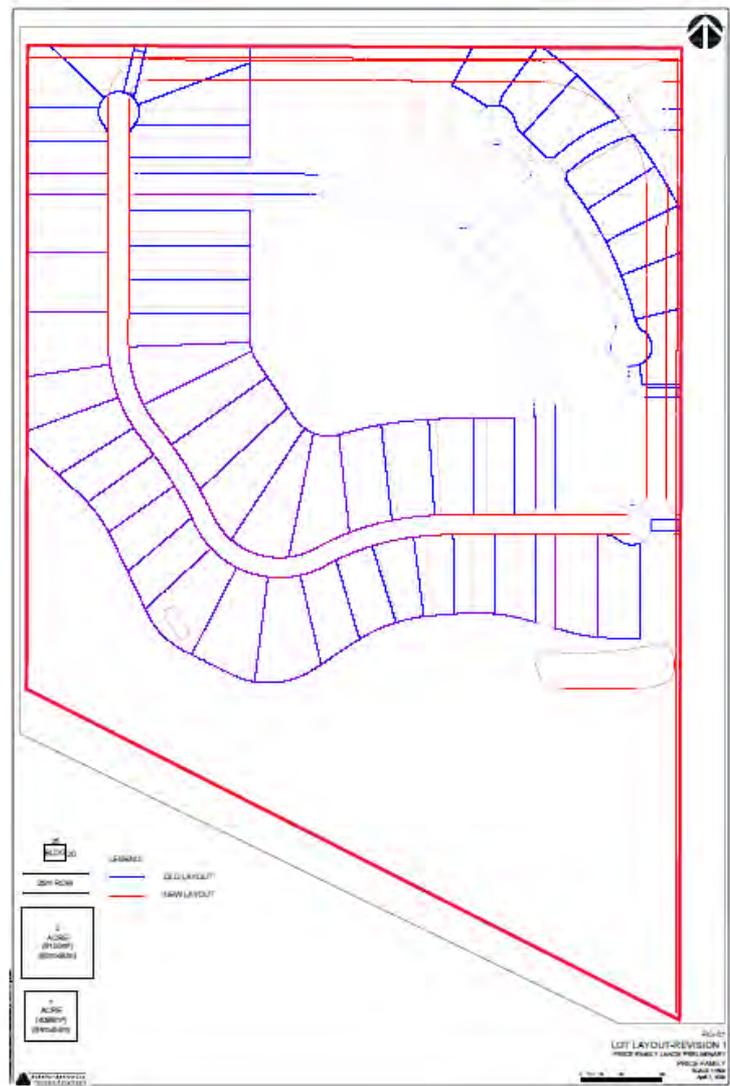
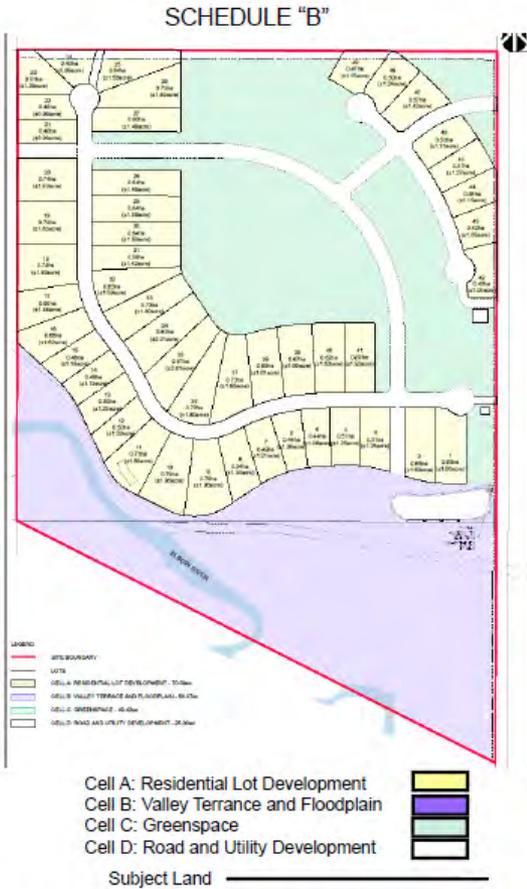
To create 49 new lots, ± 0.49 hectares (± 1.20 acres) to ± 0.81 hectares (± 2.01 acres) in size, with internal access roads, utility services, stormwater infrastructure and open space lands.



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DC 168 - Schedule B

New Layout Over Cells



LEGAL DESCRIPTION: NE-17-24-03-W05M and a portion of SE-17-24-03-W05M



FILE: 04717004 / 04717005

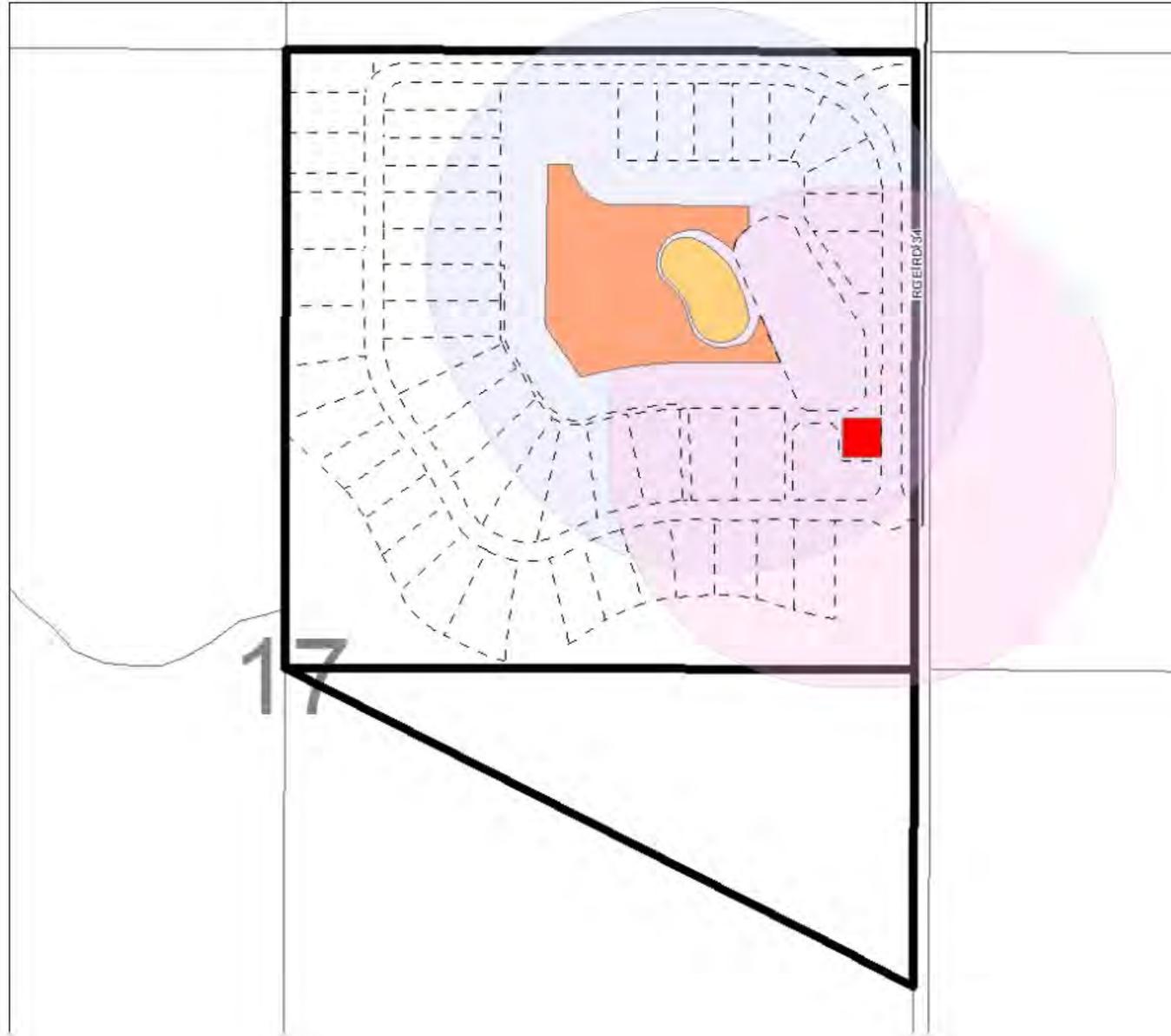
DIVISION: 2

Subdivision Proposal

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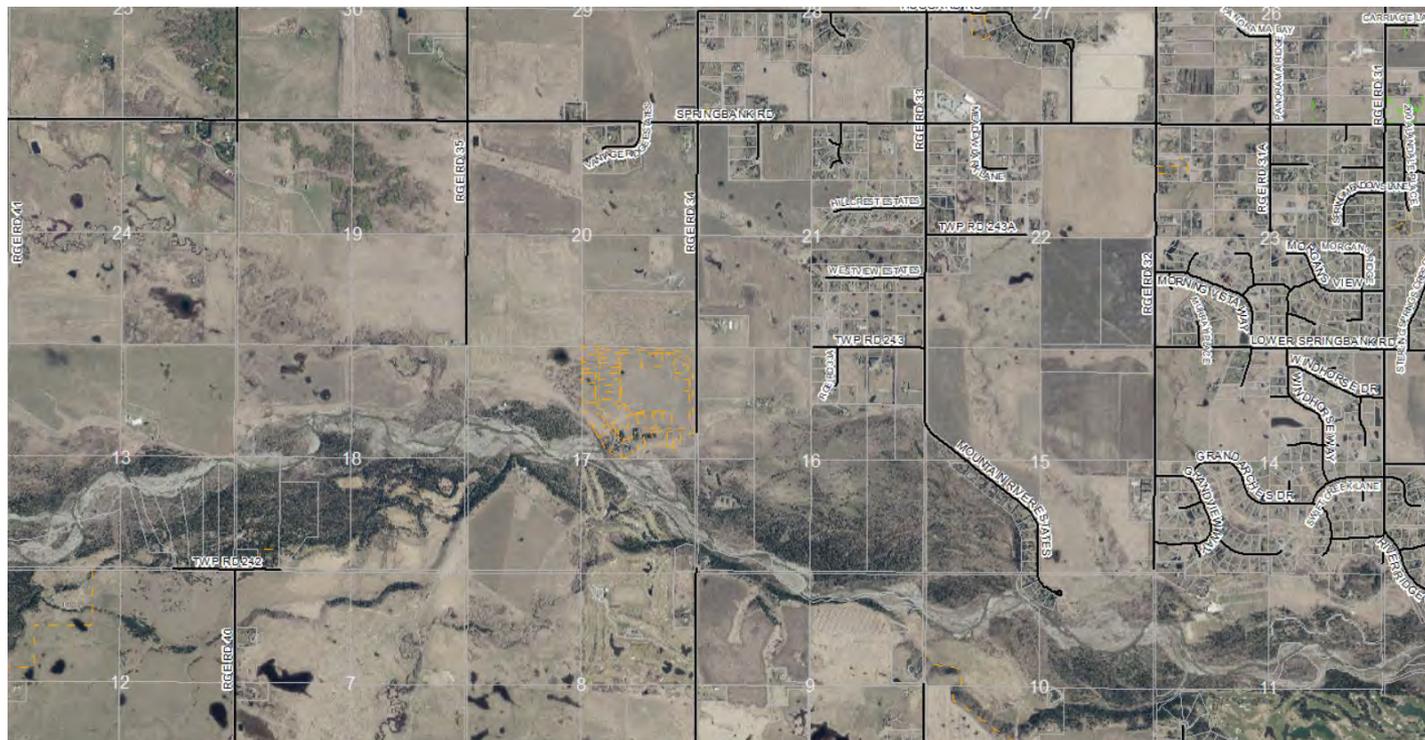
300 m Setback Buffer



Subdivision Proposal

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Subdivision Proposal

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