

THIS IS NOT A DEVELOPMENT PERMIT

Please note that the appeal period *must* end before this permit can be issued and that any
Prior to Release conditions (if listed) *must* be completed.

NOTICE OF DECISION

DIALOG (Drew Olson)

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Tuesday, April 16, 2024

Roll: 06403001

RE: Development Permit #PRDP20234257

SE-03-26-29-W4M; (292236 NOSE CREEK BOULEVARD)

The Development Permit application for General Industry, Type II/Warehouse, for construction of a multi-tenant office/warehouse building, over height fencing, and signage has been **conditionally-approved** by the Development Officer subject to the listed conditions below (**PLEASE READ ALL CONDITIONS**):

Description:

1. That General Industry, Type II/Warehouse, may take place on the subject site in general accordance with the application drawing package (15 Drawings), as prepared by DIALOG, File #AB100381-2005538, dated July 7, 2023, submitted with the application [as amended for conditions of this approval] and includes:
 - i. Construction of an Office/Warehouse multi-tenant building, approximately 43,432.00 sq. m [467,500.00 sq. ft.] in footprint. *Second storey or mezzanine level can be proposed.*
 - ii. Business signage (one monument/pylon and four fascia signs).
 - iii. Fencing, up to 2.00 m (6.56 ft.), if required, to the satisfaction of the County.
 - iv. Installation of over height waste & recycling enclosure with wood and metal sheeting, up to 2.21 m (7.25 ft.) in height.
 - v. The proposed lighting plan, including the proposed mounted and pole lighting models.
 - vi. Outside Storage of trailer units.
 - vii. Site Grading, as required to meet conditions of this permit.

Prior to Release:

Developability:

2. That prior to release of this permit, the Applicant/Owner shall submit a revised Landscaping Plan in accordance with the Balzac East Area Structure Plan (ASP), Stoney North Logistics Centre Conceptual Scheme (CS), Section 3.7.0 of Direct Control District 99 and regulated County Land Use Bylaw C-4841-97 (LUB) and shall include:
 - i. That the minimum tree plantings are proposed, in accordance with Sections 4.4.3(d)(x)(xvi) and shrub substitutions in accordance with Section 26.11(t) of the LUB.



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- ii. That the landscaping plan shall confirm how the proposal is in accordance with Section 7.5.2 of the CS.
 - iii. Replacement of the proposed sod type, in accordance with Section 26.11(q) of the LUB; *Kentucky Bluegrass is strongly discouraged in the County; The use of indigenous fescue grasses is required.*
 - iv. Proposed water source for the proposed automatic underground irrigation system, in accordance with Sections 26.9 of the LUB.
3. That prior to release of this permit, the Applicant/Owner shall submit revised building elevations, that incorporate additional exterior façade design along all facades, in accordance with Section 4.4.3(l) of the ASP, Sections 7.2 and 7.3 of the CS, and Section 25.4(b)(e) of the LUB.
 - i. The final elevation drawings shall also include all proposed design changes and amendments, to the satisfaction of the County, in accordance with Section 25.4(d) of the LUB.
4. That prior to release of this permit, the Applicant/Owner shall submit written confirmation that the Access Easement, granting the County access to the future Public Utility Right of Way (located immediately east within SE-03-26-29-W4M, with two subject lot access points) has been registered on title.
5. That prior to release of this permit, the Applicant/Owner shall submit screening/confirmation details for the proposed outside trailer parking area(s), that confirm the development is screened from any adjacent public roadways, in accordance with Section 7.6 of the CS and Section 26.11 (aa-gg) of the LUB.
6. That prior to release of this permit, the Applicant/Owner shall submit any proposed signage details, per the approved condition set. All signage shall be in accordance with Section 4.4.3(b) of the ASP, Section 7.7 of the CS, and Section 35 of the LUB.
7. That prior to release of this permit, the Applicant/Owner shall submit a Management Plan, for the proposed handling and storage of any hazardous or other waste materials proposed to be generated from the development, in accordance with Policy 5.8.3 of the CS.
8. That prior to release of this permit, the Applicant/Owner(s) shall contact County Road Operations with haul details for materials and equipment needed during construction/site development to confirm if Road Use Agreements or permits shall be required for any hauling along the County Road system and to confirm the presence of County Road ban restrictions.
 - i. Written confirmation shall be received from County Road Operations confirming the status of this condition. Any required agreement or permits shall be obtained unless otherwise noted by County Road Operations.

Technical:

9. That prior to release of this permit, the Applicant/Owner shall submit a Geotechnical Investigation in accordance with the County's Servicing Standards, in order to verify that the site is suitable for the proposed buildings/structures, site works, and deep utilities. *For areas with greater than 1.20 m (3.93 ft.) of fill, a Deep Fill report is required.*
 - i. That Deep Fill Reports and certifications shall also be submitted, in accordance with the Stripping & Grading earthworks approved under the County's Development Permit file #PRDP20222302.



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10. That prior to release of this permit, the Applicant/Owner shall confirm and demonstrate calculations for water and wastewater usage for the development on the parcel to support the required Customer Service Agreement onsite. *If expected demands exceed the amount purchased under the County's Subdivision file #PL20220050 for the subject lot, the Owner shall be required to purchase additional capacity in accordance with the County's Master Rates Bylaw.*
11. That prior to release of this permit, the Applicant/Owner shall submit a detailed site wastewater servicing design, which will tie into the Stoney North Industrial Park wastewater system, in accordance with the County's Servicing Standards.
12. That prior to release of this permit, the Applicant/Owner shall submit a design drawing showing the location of sanitary sewer service connection and test manhole on the site for review and approval by Utility Operations. *The test manhole shall be located in an area easily accessible for the purposes of sampling and inspections. Please ensure that there is no conflict with shallow utilities and the manhole should not be located within any parking area. If the test manhole be located within private property an access easement will be required to be registered for monitoring and testing purposes.*
13. That prior to release of this permit, the Applicant/Owner shall submit a detailed site water servicing design, including adequate fire protection, for the proposed development in accordance with the County Servicing Standards, which will tie into the Stoney North Industrial Park potable water system. The design shall address the need for a pressure-reducing valve and backflow preventer and if required, shall be installed and an inspection report for the backflow preventer shall be sent to the County's Utility Operations.
14. That prior to release of this permit, the Applicant/Owner shall submit a site-specific stormwater implementation plan (SSIP), for the subject lands in accordance with the Stoney North Stormwater Management Plan, County's Servicing Standards and provide for any necessary easements and right-of-ways for drainage. The plan shall include but not be limited to details regarding any on-site retention, stormwater flow rates offsite into storm sewers/swales and storage volumes. The set of drawings shall also include the proposed finished surface/grading plan (corner lot grades) and address the need for an oil/grit separator.
 - i. The plan shall also confirm the overall snow storage management and ensure that no snow storage or snow runoff adversely impacts the County's future Public Utility Lot, to the immediate east, adjacent properties, or roadways, in accordance with Section 7.6 of the CS.
15. That prior to release of this permit, the Applicant/Owner shall submit a sediment and erosion control plan and report, in accordance with the County's Servicing Standards. *As this site is less than 2.00 hectares (4.94 acres), a full report is required.*
16. That prior to release of this permit, the Applicant/Owner shall submit a detailed site grading plan, in accordance with the County's Servicing Standards.
17. That prior to release of this permit, the Applicant/Owner shall submit a letter prepared by a transportation engineer to address if the analysis and traffic volumes in the Balzac Global Traffic Impact Assessment (TIA) report (December 2010, as amended) for these lands meet the criteria for the development. If updates to reflect revisions are required to the Balzac Global TIA report, this will be at the Applicant/Owner's expense. The letter shall also need to address whether the proposed development is in accordance with the *Stoney North Industrial Park Traffic Impact Assessment*.
 - i. If not in accordance, a Transportation Impact Assessment shall be required for the site to address the potential for offsite impacts.



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- ii. If the recommendations of the Traffic Impact Assessment require off-site improvements, then a Development Agreement shall be entered into.
18. That prior to release of this permit, the Applicant/Owner shall submit an access management plan in accordance with the County's Servicing Standards and the County's Access Management Procedure #410.

Payments/Other:

19. That prior to release of this permit, the Applicant/Owner shall all infrastructure required under the County's Subdivision file #PL20220050 shall be confirmed, and a secured development agreement shall be signed by the developer.
20. That prior to release of this permit, the Applicant/Owner shall submit payment to the County for the supply and installation of a water meter and remote transmitter unit. *The water meter shall be sized based on calculations to be provided by the Applicant/Owner.*
21. That prior to release of this permit, the Subdivision Developer shall submit for payment of the County's Transportation Offsite Levy, as amended, for the subject parcel in accordance with the County's Subdivision file #PL20220050.
22. That prior to release of this permit, the Subdivision Developer shall have submitted payment of the County's Water and Wastewater Offsite Levy, as amended, for the subject parcel in accordance with the County's Subdivision file #PL20220050.
 - i. In addition, the Subdivision Developer shall have also signed a Capacity Allocation Agreement for the subject development, in accordance with the County's Subdivision file #PL20220050.

Prior to Occupancy:

23. That prior to site and building occupancy, all development components including landscaping, parking, exterior building facades, etc., and final site surfacing shall be completed in accordance with the approved plan and shall be in place prior to occupancy of the site and/or buildings.
 - i. That should permission for occupancy of the site and/or buildings be requested during the months of October through May inclusive, occupancy shall be allowed without landscaping and final site surface completion provided that an Irrevocable Letter of Credit in the amount of 150% of the total cost of completing all the landscaping and final site surfaces required, shall be placed with the County to guarantee the works shall be completed by the 30th day of June immediately thereafter.
24. That prior to site and building occupancy, the County's Development Permit #PRDP20222302 permanent conditions #12, #13, and #17 shall be completed and/or otherwise accepted to the satisfaction of the County.
25. That prior to site and building occupancy, the Applicant/Owner shall contact and obtain signoff from County Utility Operations for an inspection of the water meter, the sanitary sewer service connection, and the sanitary test manhole.
26. That prior to site and building occupancy, the Applicant/Owner shall submit as-built drawings, certified by a professional engineer licensed to practice in the Province of Alberta. The as-built drawings shall include verification of as-built surface works, sanitary infrastructure, water infrastructure, storm-water infrastructure, pond volumes, liner verification, inverts and any other information that is relevant to SSIP onsite for the subject Building.



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- i. Following receiving the as-built drawings from the consulting engineer, the County shall complete an inspection of the site to verify stormwater infrastructure has been completed as per the stamped examined drawings.
27. That prior to site and building occupancy, all infrastructure required under the County's Subdivision file #PL20220050 necessary to service this lot shall be constructed and that Construction Completion Certificates for the infrastructure have been issued by the County.
28. That prior to site and building occupancy, the Owner shall enter into a Customer Service Agreement with the County, for water & wastewater use on the subject lands, in accordance with the onsite Capacity Allocation Agreement or as amended.
 - i. That should the subject development's use require additional servicing capacity, then the Applicant/Owner shall submit payment for that additional capacity required, in accordance with the County's Master Rates Bylaw, as amended.

Permanent:

29. That if the prior to release conditions have not been met by **MARCH 31, 2025** or through an approved extension date, then this approval is null, and void and the Development Permit shall not be issued.
30. That the site shall be maintained in a neat and orderly fashion at all times.
31. That a minimum of 244 parking stalls, including 5 barrier-free, shall be maintained at all times, in general accordance with the submitted site plan and as approved under the *Trip Generation Review, as prepared by Bunt & Associates, file #02-23-0131: dated October 24, 2023.*
32. That any constructed approaches shall be in accordance with the County's Servicing Standards.
33. That any topsoil/dirt removed from the site shall be hauled off in a covered trailer/truck which will prevent the blowing of dust/small rocks onto the road or cause issues with other vehicles on the road.
34. That dust control shall be maintained on the site at all times and existing fire hydrants shall not be used as a source of water for dust control. That the Applicant/Owner shall take whatever means necessary to keep visible dust to prevent visible dust associated with the development, during construction or business operation, that is escaping the site and having adverse effects on adjacent roadways and properties.
35. That the site shall be developed in accordance with the final approved application landscape plan, as prepared by Eight One Eight Studio, Project No. 0119.13; dated November 22, 2022, as amended.
 - i. That all landscaping shall be completed and installed onsite within 24 months from the date of this permit issuance unless a security has been registered with the County.
 - ii. That the Applicant/Owner shall be responsible for irrigation and maintenance of all landscaped areas including the replacement of any deceased trees, shrubs, or plants within 30 days or by June 30th of the next growing season.
 - iii. That no potable water shall be used for irrigation purposes or the cleaning of exterior surfaces of the building or hard-surfaced areas. There shall be no hose bibs installed on the exterior of the building.
36. That if any business fencing is proposed in the future, the fencing shall comply with Section 4.4.3(h) of the ASP, Section 7.4 of the CS, and Section 42.3 of the LUB.
37. That the subject lot shall obtain water from the East Balzac Water Distribution system.



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38. That if the facility changes commercial usage, the Owner shall submit to the County a revised description of process and subsequent water and wastewater requirements.
39. That this facility shall be subject to water usage/wastewater monitoring by Utility Operations, in order to ensure compliance with Bylaw C-7662-2017, as amended.
40. That connection to existing sanitary mains, waste mains, and water mains shall not be permitted without the authorization of the County's Utility Operations.
41. That all rooftop apparatus shall be located and fully screened onsite, to reduce or eliminate public view from adjacent roads, in accordance with Sections 7.3 and 7.4 of the CS and Section 31.4 of the LUB.
42. That any garbage, waste material or refuse on-site shall be stored in weatherproof and animal-proof containers located within the enclosure unit, per the site plan at all times.
43. That any future business signage not included with this approval shall require separate Development Permit approval, including future tenant fascia signage.
44. That any onsite wayfinding or ancillary internal business signage does not require additional Development Permit approval.
45. That any approved business signage shall be kept in a safe, clean, and tidy condition at all times.
46. That any future/change in tenants shall require Development Permits for change-of-use or New Business Tenant submission and signage.
47. That all and any future/proposed on-site lighting and all private lighting including site security and parking area(s) lighting shall be designed to conserve energy, reduce glare, and reduce uplight. All development shall be required to demonstrate lighting design that reduces the extent of spill-over glare, is fully shielded or cut-off and eliminates glare as viewed from nearby properties, in accordance with Section 4.4.3(c) of the ASP, Section 7.8 of the CS, and Sections 27.1-27.2 of the LUB.
48. That any plan, technical submission, agreement, or other matter submitted and approved as part of this Development Permit application or submitted in response to a Prior to Release or Occupancy condition and shall be implemented onsite and adhered to in perpetuity.
49. That if the development authorized by this Development Permit is not commenced with reasonable diligence within 12 months from the date of issue, and completed within 24 months of the issue, the permit is deemed to be null and void, unless an extension to this permit shall first have been granted by the County.

Advisory:

- That the subject development shall conform to the County's Noise Bylaw C-8067-2020 and Road Use Agreement Bylaw C-8065-2020, in perpetuity.
- That the Applicant/Owner shall be responsible for all required payments of 3rd party reviews and/or inspections as per the County's Master Rates Bylaw.

Note: For any 3rd party review work completed prior to Release of the Development Permit, the invoices shall be paid prior to the Development Permit being issued. For any work completed after Permit release but before Permit Occupancy, the invoices shall be paid prior to Development Occupancy.

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- That there shall be no business or customer parking along the adjacent road allowance(s) at any time.
- That the site shall remain free of Regulated, Prohibited Noxious or Noxious weeds in accordance with the approved onsite Weed Management Plan and the site shall be maintained in accordance with the *Alberta Weed Control Act [Statutes of Alberta, 2008 Chapter W-5.1, November 16, 2022]*.
- That it is the Applicant/Owner's responsibility to obtain and display a distinct municipal address in accordance with the County Municipal Addressing Bylaw (Bylaw C-7562-2016), for the principal building located on the *subject site, to facilitate accurate emergency response. The principal address for this site is 292236 NOSE CREEK BOULEVARD.*
- That a Building Permit and all applicable sub-trade permits shall be obtained, through Building Services, prior to any construction taking place, using the Commercial/Industrial checklist and shall include any items identified within the "*Building Code Comments for Proposed Development*" letter, dated September 12, 2023. *The Development shall conform to the National Energy Code, as amended.*
- That the site shall adhere to any requirements of any instruments registered on title. Any impact to any instrument, the Applicant/Owner shall contact the Grantor of the instrument, prior to commencement.
 - That the Applicant/Owner shall adhere to any requirements of ATCO Transmissions, Survey Plan #299 JK and Right of Plan #151 1045, in accordance with Appendix A of the CS. The Applicant/Owner shall follow the requirements provided in written correspondence "*ATCO-23-3307 Conditional Letter MT, dated September 15, 2023.*"
 - That the Applicant/Owner shall adhere to any requirements of CNOOC, Survey Plan #453LK and Survey Plan 59LK. The Applicant/Owner shall adhere to the requirement provided in written correspondence "*CNOOC Files S18742, S18743, and S27083, dated September 14, 2023.*"
- That any other government permits, approvals, or compliances are the sole responsibility of the Applicant/Owner.

Note: The Applicant/Owner shall be responsible for all Ministry of Environment and Protected Areas (AEPA) approvals for any impact to any wetland area(s) or site infrastructure from the proposed development

If Rocky View County does not receive any appeal(s) from you or from an adjacent/nearby landowner(s) by **Tuesday, May 7, 2024**, a Development Permit may be issued, unless there are specific conditions which need to be met prior to release. If an appeal is received, then a Development Permit will not be issued unless and until the decision to approve the Development Permit has been determined by the Development Appeal Committee.

Regards,



Development Authority
Phone: 403-230-1401
Email: development@rockyview.ca

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