

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

COM-TECH Drafting & Design Services (Layne Martin)

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Tuesday, April 2, 2024

Roll: 06410068

RE: Development Permit #PRDP20236510

Lot 1, Block 6, Plan 1611467, NW-10-26-29-04; (261182 PRIME GATE)

The Development Permit application for General Industry, Type II, construction of an office/warehouse building (Phase 1), over-height fencing and signage has been **conditionally-approved** by Rocky View County ("the County") Development Officer subject to the listed conditions below (**PLEASE READ ALL CONDITIONS**):

Description:

1. That General Industry, Type II, construction of a multi-tenant commercial warehouse/office building may take place on the subject site in general accordance with the application drawing package, as prepared by COM-TECH, Project: Balzac Helms Project (*Drawings 10*); dated March 12, 2024, submitted with the application [as amended to meet conditions of this approval] and includes:
 - i. Multi-tenant Office/Warehouse building (Building B), approximately 1,664.82 sq. m (17,920.00 sq. ft.) in building footprint; a second floor or mezzanine level(s) may be considered, generally \pm 356.74 sq. m (3,840.00 sq. ft.) or as amended.
 - ii. Outside Storage, as required.
 - iii. Over height black-coated vinyl chain-link fencing, including topper and screening slats, up to 2.13 m (7.00 ft.) in height.
 - iv. Two tenant fascia signage holders; approximately 3.16 sq. m (34.02 sq. ft.) in area; *Details may be submitted prior to installation or at time of tenant applications.*
 - v. Site Grading, as required to meet conditions of this approval.
2. That this Development Permit approval only includes Phase 1 (Building B). Phase 2 (Buildings A & C) shall require a separate Development Permit application and approval, prior to commencement.

Prior to Release:

Developability:

3. That prior to release of this permit, the Applicant/Owner shall submit a revised landscaping/site plan that includes the minimum/exceeds the required tree and shrub substitutions, in accordance with Section 4.4.3(d)((xii) of the Balzac Area Structure Plan (ASP), Section 6.2 of the Balzac Commercial Campus Conceptual Scheme (CS), and Section 26.11(t) of the County's Land Use Bylaw C-4841-97 (LUB).



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- i. The additional shrubs required and/or trees shall be incorporated into the eastern grass area, adjacent to the regional pathway system, in accordance with Section 6.2.1 of the CS.
 - ii. That all parking stalls shall be removed from the registered Utility Right-of-Way plan area, Plan #1611468.
4. That prior to release of this permit, the Applicant/Owner shall confirm the proposed topper fencing details and vinyl slat exterior colour details proposed for the site, in accordance with Section 4.4.3(h) of the ASP, Section 6.7 (a-d) of the CS, and Section 42 of the LUB.
5. That prior to release of this permit, the Applicant/Owner 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 agreement or permit shall be issued by the County unless otherwise confirmed by County Road Operations.

Technical:

6. 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. *Note, for areas with greater than 1.20 m (3.93 ft.) of fill (if any), a Deep Fill report is required.*
7. 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 Servicing Agreement.
 - i. If the expected demands exceed the allocated 13.0 m³/day (ADF), the Owner shall purchase additional servicing capacity, in accordance with the County's Master Rates Bylaw, as amended.
8. That prior to release of this permit, the Applicant/Owner shall submit a detailed site wastewater servicing design, which will tie into the offsite Crossroad Commercial Park wastewater collection system, in accordance with the County's Servicing Standards.
9. 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, in accordance with the County's Servicing Standards. *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 will be located within private property, an access easement will be required to be registered for monitoring and testing purposes.*
10. 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's Servicing Standards, which will tie into the Crossroad Commercial Park water collection 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 back flow preventer shall be sent to the County's Utility Operations.



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11. 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 Crossroads Commercial Park Stormwater Management Plan and the County's Servicing Standards, and provide for any necessary easements and right-of-ways for drainage. The plan must 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 proposed finished surface/grading plan (corner lot grades) and also address the need for an oil/grit separator.
12. 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 Servicing Standards. *As this site is greater than 2.0 hectares (4.94 acres), a full report is required.*
13. 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.
14. 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 if the proposed development is in accordance with the Crossroads Commercial Park Traffic Impact Assessment.
 - i. If not in accordance, a Transportation Impact Assessment will be required for the site to address the potential for off-site impacts. If the recommendations of the report require off-site improvements, then a Development Agreement shall be entered into.
15. 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 Access Management Procedure 410.

Payments:

16. That prior to release of this permit, the Applicant/Owner shall submit payment to the County for the supply and installation of water meter(s) and correlating remote transmitter unit, in accordance with the County's Master Rates Bylaw, as amended. The water meter(s) shall be sized based on calculations to be provided by the Applicant/Owner.

Prior to Occupancy:

17. That prior to site occupancy and building occupancy, all landscaping, parking, building exteriors 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, then occupancy shall be allowed without final development completion, provided that an Irrevocable Letter of Credit or refundable security in the amount of 150% of the total cost of completing all outstanding elements required, in accordance with the phasing plan, shall be placed with the County to guarantee the works shall be completed by the 30th day of June immediately thereafter.
18. That prior to site occupancy 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 the SSIP onsite for the subject site.



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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.
19. That prior to occupancy and prior to connecting to the offsite waste & water mains, the Owner shall enter into a Customer Service Agreement for wastewater and water for the subject lands.
 - i. That should the development require additional servicing capacity, above the site's allocated 13.0 m³/day (ADF), then the Applicant/Owner shall be required to submit payment for that additional capacity in accordance with the County's Master Rates Bylaw, as amended.
20. That prior to site occupancy and building occupancy, the Applicant/Owner shall contact and obtain signoff from County Utility Operations for an inspection of the water meter, sanitary sewer service connection, and the sanitary test manhole.

Permanent:

21. That if the prior to release conditions have not been satisfied by **OCTOBER 31, 2024**, or through an approved extension date, then this approval is null and void and the Development Permit shall not be issued.
22. That the site shall be maintained in a neat and orderly fashion at all times.
23. That at no time shall the development negatively or adversely impact the adjacent County adjacent Public Utility Lot and Municipal Reserve (regional pathway network): Lot 4 MR & Lot 3 PUL, Block 6, Plan 1611467.
24. That the minimum required parking stalls (21 stalls, including two (2) barrier-free) and two (2) loading bays shall be maintained or exceeded at all times, in general accordance with the approved Site Plan.
25. That any constructed approaches shall be in accordance with the County's Servicing Standards.
26. That any topsoil/dirt removed from the site shall be hauled off in a covered trailer/truck, which will prevent blowing of dust/small rocks onto the road or cause issues with other vehicles on the road.
27. 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 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.
28. That the subject lot shall obtain water from the East Balzac Water Distribution system.
29. 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.
30. That this facility shall be subject to water usage/wastewater monitoring by County Utility Operations, in order to ensure compliance with Bylaw C-7662-2017, as amended.
31. That connection to existing sanitary mains, waste mains, and water mains shall not be permitted without the authorization of the County's Utility Operations.
32. That the subject lot shall obtain sanitary servicing connections that will discharge through to the Rocky View Wastewater Transmission Main.
33. That any future/change in business tenants shall require Development Permits for change-of-use or for a New Business Tenant submission and signage.



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34. That the site shall be developed in accordance with the final approved application landscape plan, as prepared by Com-Tech, Project: Balzac Helms Project, dated March 7, 2024, 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 for 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.
35. That any garbage, waste material or refuse on-site shall be stored in weatherproof and animal-proof containers located within the building, at all times. If proposed to be located outside, the units shall be completely screened from view from all adjacent properties an/or public roadways in accordance with Section 4.4.2(e) of the ASP, Section 7.6 of the CS, and Section 20.6 of the LUB.
36. That for any proposed/future rooftop apparatus or mechanical units at grade, all equipment shall be located and completely concealed/screened onsite, to reduce or eliminate public view from adjacent roads, in general accordance with Section 6.4(f) of the CS.
37. That any future business signage not included with this approval shall require separate Development Permit approval, including future tenant fascia signage.
 - i. That any onsite wayfinding or ancillary internal business signage does not require additional Development Permit approval.
 - ii. That any approved business signage shall be kept in a safe, clean, and tidy condition at all times.
38. 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, are 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 6.5.1 of the CS, and Sections 27.1-27.2 of the LUB.
39. 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 and adhered to in perpetuity.
40. 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 Development Officer.

Advisory:

- 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.

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 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 it is the Applicant/Owner's responsibility to obtain and display a distinct municipal address in accordance with the County's *Municipal Addressing Bylaw* (Bylaw C-7562-2016), for any principal buildings located on the subject site, to facilitate accurate emergency response. *The preliminary principal address for Building B (Phase 1) is: 261182 PRIME GATE. Tenant addressing to be confirmed upon tenant application(s).*
- There shall be no business or customer parking along the adjacent road allowance at any time.
- 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 site shall remain free of Regulated, Prohibited Noxious or Noxious weeds 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 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 noted on the *Building Code Comments for Proposed Development" letter, dated January 10, 2024, and additional comments received February 1, 2024. Please ensure that the Development shall conform to the National Energy Code.*
- 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 areas 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, April 23, 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,

A handwritten signature in black ink, appearing to read "D. Kozlowski".

Development Authority
Phone: 403-520-8158
Email: development@rockyview.ca

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