



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

Scheffer Andrew Ltd. (Kyle Easton)

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Tuesday, August 12, 2025

Roll: 02336018

RE: Development Permit #PRDP20254658

Lot 9, Block 2, Plan 1611193, NE-36-22-28-04; (47 FULTON DRIVE)

The Development Permit application for Outdoor Storage, for equipment and materials storage, tenancy, relaxation to the maximum fence height requirement and relaxation to the storage screening requirement has been **conditionally-approved** by the Development Officer subject to the listed conditions below (**PLEASE READ ALL CONDITIONS**):

Description:

1. That Outdoor Storage, for equipment and materials storage, may take place on the subject lands in accordance with the approved site plan and application drawing package, as prepared by *Scheffer Andrew Ltd. Planners & Engineers, ENG DWG No.: 110503; dated June 17, 2025*, as amended for conditions of this permit. The approval also includes:
 - i. Outdoor Storage, for equipment and materials;
 - ii. Site grading, as required per the approved technical drawings;
 - iii. Perimeter chain-link fencing, with barbwire topper;
 - a. That the maximum fence height requirement shall be relaxed from **2.00 m (6.56 ft.)** to **2.14 m (7.02 ft.)**.
 - iv. That the storage screening requirement from adjacent parcels shall be relaxed; and
 - v. Tenancy for *Myshak Management Ltd.*

Prior to Release:

2. That prior to release of the permit, the Applicant/Owner shall submit a revised Landscaping Plan, in accordance with Section 6.0 of the Fulton Industrial Conceptual Scheme (CS) and Sections 451, 253 – 261 & 109 of the County's *Land Use Bylaw C-8000-2020* (LUB). The plan shall include but is not limited to:
 - i. A minimum landscaped area of 10% (3,140.36 sq. m.) or greater, in accordance with Section 451 a) and 260 of the LUB;
 - ii. A minimum 6.00 m (19.69 ft.) wide landscaped yard adjacent to any public roadway (Fulton Drive) in accordance with Section 260 the LUB;
 - iii. A tree planting for every 40.00 sq. m (430.56 sq. ft.) and a shrub planting for every 80.00 sq. m. (861.11 sq. ft.) of developable area or a minimum of 78 trees and 39 shrubs in accordance with Section 260 of the LUB; and
 - iv. A descriptive summary identifying how the proposed landscaping will provide screening and buffering from Fulton Drive and all proposed plantings will be suitable to Zone 3b plant hardiness.



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3. That prior to release of this permit, the Applicant/Owner shall provide written confirmation from the Lot Owners Association or designated committee confirming acceptance of the site design in accordance with Section 6.2.2 of the CS.
4. The prior to release of this permit, the Applicant/owner shall submit a revised site plan with parking stall dimensions and garbage storage or collection area location in accordance with Sections 250, 251, 233, 239 & Table 6 of the LUB and include:
 - i. A minimum of four (4) parking stalls; and
 - ii. Garbage storage or collection area shall be screened and shall not be located in the front yard.
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 permits or a Road Use Agreement will be required for any hauling along the County road system and to confirm the presence of County road ban restrictions.
 - i. The Applicant/Owner shall answer all questions from the County Road Operations Road Use Agreement Questionnaire (Bylaw C-8323-2022) and send the information to roaduse@rockyview.ca;
 - ii. Any required agreements or Roadata/Heavy Haul/Overweight/Overdimension Permit shall be obtained unless otherwise noted by County Road Operations;
 - iii. If a road use agreement is required, the applicant/owner shall be required to provide a refundable security to the County pursuant to the *Road Use Agreement Bylaw C-8323-2022*; and
 - iv. Written confirmation shall be received from County Road Operations confirming the status of this condition.
6. That prior to release of this permit, the Applicant/Owner shall submit a Refundable Security of \$10,000.00 per final approved approach, to secure the construction of the new approach from Fulton Drive to the subject lands in accordance with *Policy C-407* and Section 112 of the LUB.
 - i. That the Applicant/Owner shall upgrade the approach to a paved industrial/commercial standard in accordance with the County Servicing Standards, Table 400D – Approach Design.
7. That prior to release of this permit, the Applicant/Owner shall submit a Construction Management Plan in accordance with the County's Servicing Standards. The plan shall address dust control, noise, truck routes, access to the site, sediment and control measures, and potential for interference with nearby residences, in accordance with the County's Servicing Standards.
8. That prior to release of this permit, the Applicant/Owner shall submit all fire suppression requirements for the proposed development in accordance with the requirements of NFPA 1142 / NFPA 13 and all applicable County standards and bylaws.

Prior to Occupancy:

9. That prior to site occupancy, all landscaping, parking, and final site surfaces shall be in place prior to occupancy of the site and/or buildings.
 - i. That all required fence slating shall be installed in accordance with the approved fencing and screening plan, at time of site occupancy. Written confirmation shall be provided by the Applicant/Owner, or a site inspection shall be completed by the Development Authority.
 - ii. That should permission for occupancy of the site be requested during the months of October through May inclusive, occupancy may be allowed without all development components and final site surface completed provided that an Irrevocable Letter of Credit or refundable security in the amount of 150.00% of the total cost of completing all the outstanding development components and final site surfaces shall be placed with the County to guarantee the works shall be completed by the 30th day of June immediately thereafter.



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10. That prior to site occupancy, the Applicant/Owner shall provide confirmation that the Construction Completion Certificates are issued for the Fulton Industrial Park Development Agreement #3761, for all offsite infrastructure required to support the subject lands and development.
11. That prior to site occupancy, the County shall perform an inspection of the site to verify that the road approach has been constructed in accordance with the County Servicing Standards.
 - i. The refundable security shall be returned upon final acceptance obtained through Road Operations.
12. That prior to site occupancy, Built to Design Certificates and as-built drawings certified by a professional engineer, shall be submitted. The as-built drawings shall include (where applicable) verification of the constructed site-servicing infrastructure and stormwater infrastructure relevant to the SSIP.
 - i. Following receipt of the as-built drawings, the County shall complete an inspection of the site to verify the infrastructure has been completed as per the approved as-built drawings.

Permanent:

13. That if the prior to release conditions have not been met by **MARCH 31, 2025**, or the approved extension date, then this approval is null and void and the Development Permit shall not be issued.
14. That any plan, technical submission, agreement, matter or understanding submitted and approved as part of the application or in response to a prior to release or occupancy condition, shall be implemented and adhered to in perpetuity, including:
 - i. The Erosion and Sediment Control prepared by Scheffer Andrew Ltd., File No.: 110503-ESC01-P&I.dwg, 20503-ESC02-INT & 110503-ESC03-FNL (Drawing No.: 110503); and
 - ii. Site Servicing Plan prepared by Scheffer Andrew Ltd., File No.: 110503-DP-01-SERV (Drawing No.: 110503).
15. That if conditions of the permit are not satisfied, the County may draw upon the Letter of Credit or refundable security without recourse to the Applicant/Owner, to cover the cost of the approach construction and/or cost involved in actions necessary to ensure compliance with any other conditions of this permit.
16. That the Applicant/Owner shall be solely financially responsible for rectifying any adverse effect on adjacent lands from drainage alteration, including stormwater implications from the proposed development. Post-development drainage shall not exceed pre-development drainage.
 - i. That any lot regrading and excavation is not to direct any additional overland surface drainage nor negatively impact existing drainage patterns in any road right-of-way.
 - ii. That upon completion of the proposed development, the County may request the Applicant/Owner submit an as-built survey, confirming the post-development drainage does not exceed pre-development drainage and is in compliance with any matter submitted and approved as part of the of the Development Permit application, or in response to a Prior to Release condition.
17. That the site shall be maintained in a neat and orderly fashion at all times.
18. That no outdoor display areas, storage areas, parking or marshalling yards shall be allowed within any landscaped yards.
19. That all landscaping and topsoil placement shall be in accordance with the landscaping details provided in the Landscape Plan, as amended.
 - i. 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;
 - ii. The vegetation type has to endure the irrigation from May to September;
 - iii. That no potable water shall be utilized for landscaping or irrigation purposes;



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- iv. That all plantings should be placed in a minimum of 6.00 inches depth of landscaping soil; and,
- v. That all landscaping and screening elements shall be maintained onsite in perpetuity.
20. That any approved oversized road approach shall be constructed and maintained in accordance with the County Servicing Standards.
21. That no native topsoil shall be removed from the site.
22. That any dirt or gravel imported or removed from the site during construction shall be hauled off in a covered trailer/truck that will prevent the blowing of dust/small rocks onto the road or issues with other vehicles on the road.
23. That the Applicant/Owner shall take whatever means necessary to prevent visible dust associated with the development from escaping the site and having adverse effects on adjacent roadways and properties.
24. That there shall be a minimum of four (4) parking stalls, maintained on site at all times, in accordance with the approved Site Plan. All customer and employee parking shall be restricted to the subject sites.
25. That any future business signage not included within this development permit shall require separate Development Permit approval prior to placement onsite.
 - i. That any onsite wayfinding or directional signage is permitted and does not require development permit approval.
26. That the entire site shall be maintained in a neat and orderly manner at all times. All garbage and waste material shall be deposited and confined in weatherproof and animal-proof containers in accordance with the approved site plan. All waste material shall be regularly removed from the property to prevent any debris from blowing onto adjacent property or roadways.
27. That all lighting including private, site security and parking area lighting, shall be designed to converse energy, reduce glare, and reduce uplight, in accordance with Sections 225-231 of the LUB and Section 6.0 of the CS. All lighting shall be full cut-off (shielded) and be located and arranged so that no direct rays of light are directed at any adjoining properties, which may interfere with the use and enjoyment of neighbouring lands or interfere with the effectiveness of any traffic control devices or the vision/safety of motorists.
28. That if the development authorized by this Development Permit is not commenced with reasonable diligence within twelve (12) months from the date of issue and completed within twenty-four (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 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 the subject site, to facilitate accurate emergency response. *The municipal address for this site is 47 Fulton Drive.*
- That any parking and outside storage areas should use Low Impact Development (LID) principles and use permeable paving, on site stormwater storage, and bioswales to manage on site stormwater runoff to the development storm system, where possible, in accordance with Section 6.0 of the CS.
- That the subject development shall conform to the County's *Noise Bylaw C-8067-2020* and *Road Use Agreement Bylaw C-8323-2020*, as amended, in perpetuity.
- That there shall be no business parking or business signage placed in the adjacent road rights-of-way.
- That during construction, all construction materials shall be maintained onsite in a neat and orderly manner. Any debris or garbage shall be stored/placed in garbage bins and disposed of at an approved disposal facility.



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- That the subject business shall implement an Emergency Management Plan onsite, in accordance with Section 10.3 & Policy 10.3.1 of the CS.
- That any future change in tenants will be required to apply for a New Business Tenant (No Change of Use) or a Change of Use (Land or Existing Building) Development Permit prior to tenancy.
- That the site shall remain free of Regulated, Prohibited Noxious, Noxious, or Nuisance weeds in accordance with the *Alberta Weed Control Act [Statutes of Alberta, 2008 Chapter W-5.1, December 7, 2023]*.
- That any other government permits, approvals, or compliances are the sole responsibility of the Applicant/Owner.

If Rocky View County does not receive any appeal(s) from you or from an adjacent/nearby landowner(s) by **Tuesday, September 2, 2025**, 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 Subdivision and Development Appeal Board.

Regards,

A handwritten signature in black ink, appearing to read "D. K. [unclear]".

Development Authority

Phone: 403-520-8158

Email: development@rockyview.ca