



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 Issuance conditions (if listed) *must* be completed.

NOTICE OF DECISION

EMCOR Development Corporation (Paul Stady)

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Tuesday, July 1, 2025

Roll: 04305005

RE: Development Permit #PRDP20253174
SW-05-24-28-04;

The Development Permit application for Recreation (Private), including ancillary Establishment (Eating), Office & Retail (Small), construction of a commercial building for an indoor sports facility, tenancy, signage and relaxation of the future minimum Parking & Storage front yard setback requirement has been **conditionally-approved** by the Development Officer subject to the listed conditions below (**PLEASE READ ALL CONDITIONS**):

Description:

1. That Recreation (Private), construction of a two-storey commercial building, to accommodate an indoor sports facility and ancillary uses, may take place on the subject land in accordance with the approved site plan and application drawing package, as prepared by EMCOR "UNREAL Athletic Centre", Project No. J2025-107, dated March 10, 2025; Revised April 30, 2025 (10 Drawings), (as amended to meet conditions of this permit) and includes:
 - i. Construction of a two-storey building, approximately 10,008.00 sq. m (107,725.21 sq. ft.) in building footprint, including a second storey; *Total Gross Floor area: 13,935.00 sq. m (150,000.00 sq. ft.).*
 - ii. Ancillary indoor Establishment (Eating), Office and Retail (Small) uses;
 - iii. Signage, placement of three illuminated fascia signage, "UNREAL; Athletic Centre" and two stucco decal fascia signage, "UNREAL"
 - iv. Tenancy for *UNREAL Athletic Centre*;
 - v. Installation of 2.00 m (6.56 ft.) black vinyl coated chain-link fencing, with vinyl slats;
 - vi. EV Charging Stalls, as required;
 - vii. Development Site regrading & landscaping, including an outside dirt track.
2. That the future western front yard setback requirement (after property endorsement), for Parking & Storage shall be relaxed from **8.00 m (26.24 ft.) to 6.00 m (19.68 ft.)**.

Prior to Release:

3. That prior to release of this permit, the Applicant/Owner shall submit a revised site plan that includes the following:



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- i. Relocation of the proposed parking stalls outside of the future ATCO Gas Right of Way, in accordance with Section 100 of the County's Land Use Bylaw (LUB).
 - ii. Revision of the proposed site approaches, to a minimum standard of 10.00 m (32.81 ft.), in accordance with Table 400-D of the County's Servicing Standards.
 - iii. A minimum of 487 parking stalls, including 7 barrier free parking stalls, in accordance with Section 236: Table 5 – Parking Minimums of the LUB and Table 3.8.2.5 of the *National Building Code 2023 – Alberta Edition* (NBC -AB).
 - a. Alternatively, the Applicant/Owner may submit a parking assessment, that includes all uses onsite and demonstrates that a revised total number of parking stalls is adequate to support the demands of the site and there will be complementary demand for parking onsite, in accordance with Section 243 of the LUB.
4. That prior to release of this permit, the Applicant/Owner shall submit revised elevation drawings that includes the following:
 - i. Confirmation of any proposed rooftop or at grade mechanical units, in accordance with Appendix B (7)(8) of the *Janet Area Structure Plan* (ASP) and Section 168 of the LUB
 - ii. Confirmation that the proposed building roof includes a minimum of two or more of the following features below, in accordance with Appendix B (8) of the ASP and Section 167 of the LUB:
 - a. Parapets concealing flat roofs and / or rooftop mechanical and electrical equipment;
 - b. Overhanging eaves extending past the supporting wall;
 - c. Sloping or pitched roofs with two or more roof slope planes; and
 - d. Roof-top gardens that support ecological functions such as stormwater retention, building insulation, bird habitat, outdoor green space, etc.
5. That prior to release of this permit, the Applicant/Owner shall submit a revised landscaping plan, (drawing A007), that includes the following:
 - i. Revision to include the minimum required tree and shrub plantings and minimum tree sizing for deciduous trees, in accordance with Section 260: Table 7 Landscaping Standards of the LUB.
 - ii. Revision including a minimum 3.00 metres landscaped area between the front of any primary building and any adjoining parking or lot area, in accordance with Appendix B (10) of the LUB.
 - iii. Confirmation of water source for proposed automatic irrigation system, in accordance with Appendix B (11) of the ASP and Section 3.6.3.1(vi) of the EMCOR Business Park Conceptual Scheme (CS).
 - iv. Confirmation of compliance to Section 3.6.3.1(i-v) of the CS and Section 259 of the LUB.
 - v. Vinyl Slats incorporated along the eastern property fence line only, for visual buffering from the neighbouring agricultural lands, in accordance with Section 13.3, Policy 4.1.2.2, Policy 5.5.1, and Appendix B (11)(e) of the ASP and in general compliance with the County's Agricultural Boundary Design Guidelines.



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6. That prior to release of this permit, the Applicant/Owner shall submit written confirmation that the proposed development is in keeping with and will be compliant to the future Architectural Design Guidelines, in accordance with Section 3.3.2.2 and 4.5.1 of the CS.
7. That prior to release of this permit, the Applicant/Owner shall submit a lighting plan, that includes photometrics of all proposed lighting and lighting spec details, in accordance with Section 10.6 of the ASP and Sections 225-231 of the LUB. *All lighting models shall be fully cut-off (shielded).*
8. 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 a 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.
9. 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 any noise mitigation measures, traffic accommodation, sedimentation and dust control, management of storm water during construction, erosion and weed control, construction practices, waste management, firefighting procedures, evacuation plan, hazardous material containment, and all other relevant construction management details.
10. That prior to release of this permit, the Applicant/Owner shall submit a Geotechnical Investigation in accordance with the County's Servicing Standards. The report shall evaluate soil characteristics and existing ground water conditions and provide recommendations on suitability of the site for the proposed buildings, site works, and deep utilities. *For areas (if any) with greater than 1.20 m (3.93 ft.) of fill, a Deep Fill report is required.*
11. That prior to release of this permit, the Applicant/Owner shall execute a signed Development Agreement, with the County, for construction of the internal paved road including a stormwater pond, a construction of 10.00 m (32.81 ft.) wide paved industrial/commercial standard approaches and required intersection at Garden Road/Frontier Road and Township Road 240/Cell C south access, in accordance with the County's Servicing Standards.
12. That prior to release of this permit, the Applicant/Owner shall submit a signed/executed off-site Development Agreement for the upgrading of Township Road 240 to transitional paved road, to the satisfaction of the County.
13. That prior to release of this permit, the Applicant/Owner shall execute a signed cost contribution agreement with the County, including a cost contribution for the future improvements to Range Road 285, in accordance with the County's *Servicing Standard and Cost Recovery Policy #C-406*.



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14. That prior to release of this permit, the Applicant/Owner shall submit confirmation of the tie-in for the connection to EMCOR Water & Wastewater Utilities. This includes providing the following information:
 - i. The completion of all paperwork for water & wastewater capacity allocation e.g. Service Agreement.
 - ii. The payment of all necessary fees for the purchase of required capacity units for the proposed subdivision.
 - iii. The obligations of the Owner and/or utility to bring water & wastewater lines to the subdivision.
15. That prior to release of this permit, the Applicant/Owner shall submit a detailed review of Low Impact Development strategies for decreasing water usage, water re-use strategies and treatment processes incorporated into the development, as prepared and conducted by a qualified engineer, in accordance with Policy 3.4.3.1 and 3.5.2.3 of the CS.
16. That prior to release of this permit, the Applicant/Owner shall provide for any Utility right-of-ways and easements that accommodate any water and sanitary utilities, in accordance with Section 3.4.3.3 of the CS.
17. That prior to release of this permit, the Applicant/Owner shall address all fire suppression requirements for the proposed development in accordance with the requirements of the NBC - AB, the County's Servicing Standards and the County's Fire Hydrant Bylaw.
18. That prior to release of this permit, the Applicant/Owner shall submit approval of the Franchise Agreement Amending Agreement and implement the requirements of the agreement, to the satisfaction of the County.
19. That prior to release of this permit, the Applicant/Owner shall submit a site-specific stormwater management plan, a detailed stormwater management plan (SWMP) and design drawings for the entire system of stormwater development from Cell C to Cell F in accordance with the requirements of the approved stormwater management report at the time of CS, Cooperative Stormwater Management Initiative (CSMI), the County's Servicing Standards, Alberta Environment regulations and best practices.
20. That prior to release of this permit, the Applicant/Owner shall submit confirmation of the completion of all the paperwork between the Owner and EMCOR Utilities for:
 - i. Securing the construction of all the necessary stormwater infrastructure from Cell C to Cell F including the construction of Pond F and all related infrastructure as per the approved stormwater management plan, to the satisfaction of the County.
 - ii. The payment of all necessary fees and security to connect to EMCOR stormwater system and the obligation to bring stormwater lines to the subdivision.
21. That prior to release of this permit, the Applicant/Owner shall submit a Sediment and Erosion Control Plan in accordance with the County's Servicing Standards. *As the subject site is greater than 2.0 hectares; a full report is required.*
22. 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.



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23. That prior to release of this permit, the Applicant/Owner shall submit payment of the County's *Transportation Off-Site Levy, C-8549-2024*, for the total gross acreage of the lands proposed to be development.
24. That prior to release of this permit, the Applicant/Owner shall submit payment of the County's *Stormwater Off-Site Levy*, in accordance with *Bylaw C-8547-2024*, for the total gross acreage of the lands proposed to be development.

Prior to Occupancy:

25. That prior to occupancy of the site and building, all compaction testing for as onsite grading works, related to the Stripping & Grading Development Permit, PRDP20251568 shall be confirmed.
 - i. That prior to occupancy of the site, all infrastructure required under the noted signed Development Agreements and construction of the proposed paved industrial;/commercial road approach, as conditioned within this decision, that are necessary to service this lot, shall be constructed and that Construction Completion Certificates for the infrastructure have been issued by the County, in accordance with the County's Servicing Standards.
26. That prior to occupancy of the site and building, all landscaping, building exteriors, final site surfaces, parking, lighting, addressing and signage shall be completed onsite.
 - i. That any rooftop mechanical units shall be confirmed onsite, that appropriate screening is in place for the units; if the screening is not adequate, additional screening measures are required; and
 - 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 completed, provided that an Irrevocable Letter of Credit or refundable security in the amount of 150.00% of the total cost of the outstanding components shall be placed with the County to guarantee the works shall be completed by the 30th day of June immediately thereafter.
27. That prior to occupancy of the site and building, 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 sanitary infrastructure, as-built water infrastructure and as-built pond volumes, liner verification, inverts and any other information that is relevant to the SSIP.
 - i. Following receiving the as-built drawings, the County's Engineering Services shall complete an inspection of the site to verify stormwater infrastructure has been completed as per the stamped examined drawings.
 - ii. That confirmation of any applicable provincial and federal approvals, including registration for the stormwater system shall also be submitted, in accordance with Policy 3.5.2.6 of the CS.

Permanent:

28. That if the Development Permit is not issued and the prior to release conditions have not been met by **JUNE 30, 2026** or through an approved extension date, then this approval is null, and void and the Development Permit shall not be issued.
29. That any plan, technical submission, agreement, or other matter submitted and approved as part of the development permit application, submitted in response to a prior to release or occupancy



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condition, approved under Development Permit PRDP20241568 or Subdivision file PL20240065, shall be implemented and adhered to in perpetuity.

30. 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.
31. That the entire site shall be always maintained in a neat and orderly manner, to the satisfaction of the County.
32. That this approval includes any Special Events onsite, ancillary to the *Recreation (Private)* use and the placement of temporary Food Trucks and event signage. *A Special Event Permit, through the County, is not required to be obtained unless there are offsite impacts to surrounding properties including traffic etc.*
33. That any garbage or recycling units shall be kept within the building at all times and if relocated/placed outside, shall be completely screened from all adjacent properties and public thoroughfares at all times.
34. That no outdoor display areas, storage areas, parking or marshalling yards shall be allowed within any landscaped yards.
35. That no topsoil shall be removed from the site.
36. That any fill material 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.
 - i. That the clean-up of any mud tracking and/or dirt that enters onto adjacent County roads during construction shall be the responsibility and cost of the Owner.
37. 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.
38. That any future business signage, not included within this approval, shall require separate Development Permit approval and shall adhere to the ASP Development Guidelines and Section 151-153 of the LUB.
 - i. That any wayfinding/directional onsite signage use for logistics/information purposes is permitted and does not require additional development permit approval;
39. That the site shall be adequately serviced using the EMCOR Business Park water and wastewater servicing infrastructure.
40. That there shall be a minimum of 487 parking stalls, including 7 barrier free stalls, maintained on site at all times, in accordance with the final approved Site Plan and/or as proposed in a Parking Assessment, as accepted by the County.
41. That all landscaping and screening elements shall be in accordance with the final Landscape Plan, as prepared by EMCOR, Drawing A007; Project No. J2025-107, dated March 10, 2025, as amended and approved by the County.



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42. That the quality and extent of the landscaping shall be maintained over the life of the development and any deceased vegetation shall be replaced within 30 days or before June 30th of the next growing season;
43. That there shall be no potable water used for irrigation and landscaping purposes and that no exterior hose bibs shall be installed; and
44. That water conservation strategies shall be implemented and maintained at all times.
45. That all proposed approaches shall be constructed in accordance with the County's Servicing Standards.
46. That any change in use of future tenant(s) of the building shall require a separate Development Permit application for tenancy (use) and signage or a New Business tenancy Change of Use approval
47. That there shall be no outdoor storage of any business products or materials.
48. That all on-site lighting and all private lighting, including site security lighting and parking area lighting, shall meet sections 225-231 of the LUB. Lighting shall be designed to conserve energy, reduce glare and reduce uplight. All development will be required to demonstrate lighting design that reduces the extent of spill-over glare, includes models that are fully shielded and cut-off, and minimizes glare as viewed from nearby adjacent commercial and residential properties.

Advisory:

- That during construction, all construction and building 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. Additionally, during construction, all dust control shall be maintained on the site and 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.
- That there shall be no business, employee or customer parking at any time along the adjacent County road network.
- 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 C-7562-2016*, for the commercial building located on the subject site, to facilitate accurate emergency response. *The municipal address for this site to be created.*
- That the subject development shall conform to the County's *Noise Bylaw C-8067-2020 & Road Use Agreement Bylaw C-8323-2022*, in perpetuity.
- That the site shall remain free of Regulated, Prohibited Noxious, Noxious, or Nuisance weeds and be maintained in accordance with the *Alberta Weed Control Act [Statutes of Alberta, 2008 Chapter W-5.1; Current as of December 7, 2023, as amended]*.
- 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/Institutional checklist and Building Code Comments for the Proposed Development letter, dated June 17, 2025. *Compliance with the National Energy Code is also required.*



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- That wherever possible, parking and outdoor storage areas will incorporate Low Impact Development (LID) stormwater management principles such as permeable pavement, on-site stormwater detention & treatment areas, rainwater capture/re-use and vegetated swales to implement 'source control' stormwater best management practices to reduce volume and improve surface drainage quality prior to its release into the roadside ditch system.
- 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 any other government permits, approvals, or compliances are the sole responsibility of the Applicant/Owner.
 - For any proposed electrical installations, please contact FortisAlberta (1-403-310-WIRE) for electrical service inquiries.
 - That there shall be no impact to the existing Canadian National (CN) Railway Corridor, including that there shall be no drainage impacts, in terms of flow rate, volume or any other parameter, even in the event of a 1-100 year storm. Any proposed alterations to the existing drainage pattern affecting railway property shall receive prior concurrence from CN prior to development.

Note: The Applicant/Owner shall be responsible for all Alberta Environment and Park (AEP) approvals for any impact to any wetland areas 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, July 22, 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 County's Subdivision and Development Appeal Board.

Regards,

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

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