



## 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

Galdon, Francisco

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Tuesday, May 6, 2025

Roll: 04629011

RE: Development Permit #PRDP20251685

SE-29-24-02-05; (24131 OLD BANFF COACH ROAD)

The Development Permit application for the renewal of Agricultural (Intensive) (existing) and seven (7) shipping containers (existing), for a tree farm, relaxation to the maximum number of shipping containers not requiring a development permit, relaxation to the minimum shipping container setback distance from a parcel holding an Agricultural or Residential District designation requirement, relaxation to the minimum front yard setback requirement and relaxation to the minimum rear yard setback requirement has been **conditionally-approved** by the Development Officer subject to the listed conditions below (**PLEASE READ ALL CONDITIONS**):

### Description:

1. That Agricultural (Intensive) (existing) may remain on the subject lands in accordance with the approved site plan dated April 17, 2025, as amended for conditions of this permit. The approval includes:
  - i. That the maximum number of shipping containers not requiring a development permit shall be relaxed from **two (2)** to **seven (7)**;
  - ii. That the minimum setback distance from a parcel holding an Agricultural or Residential District designation requirement shall be relaxed from **50.00 m (164.04 ft.)** to **35.00 m (114.83 ft.)**;
  - iii. That the minimum front yard setback requirement for the existing shipping containers (1 & 2) approximately 29.11 sq. m. (313.34 sq. ft.) shall be relaxed from **60.00 m (196.85 ft.)** to **50.60 m (166.04 ft.)**;
  - iv. That the minimum front yard setback requirement for the existing shipping containers (3 & 4) approximately 29.11 sq. m. (313.34 sq. ft.) shall be relaxed from **60.00 m (196.85 ft.)** to **55.16 m (180.97 ft.)**;
  - v. That the minimum front yard setback requirement for the existing shipping container (6) approximately 29.11 sq. m. (313.34 sq. ft.) shall be relaxed from **60.00 m (196.85 ft.)** to **10.00 m (32.81 ft.)**; and
  - vi. That the minimum rear yard setback requirement for the existing shipping containers (5 & 7) approximately 29.11 sq. m. (313.34 sq. ft.) shall be relaxed from **30.00 m (98.43 ft.)** to **10.00 m (32.81 ft.)**.



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## Prior to Release:

2. That prior to release of this permit, the Applicant/Owner shall provide payment of the Transportation Off-Site Levy in accordance with Transportation Off-Site Levy Bylaw C-8007-2020, for the parking area(s), driveway access, all structures (buildings) and storage areas of the development. The base levy is \$4,595.00 per gross acre.
  - i. The development area refers to the portion of lands utilized directly for development purposes and includes: the driveway access; all structures (buildings), the storage and display areas directly associated to the use; and the required parking areas.
3. That prior to release of this permit, the Applicant/Owner shall plant the additional trees in accordance with the submitted site plan dated April 17, 2025, to the satisfaction of the Development Authority.
  - i. That upon completion, a site inspection shall be requested by the Applicant/Owner and carried out by the County, or dated-stamped photos shall be submitted, to the satisfaction of the County.
4. That prior to release of this permit, the Applicant/Owner shall paint all shipping containers to a cohesive color with the existing buildings onsite.
  - i. That upon completion, a site inspection shall be requested by the Applicant/Owner and carried out by the County, or dated-stamped photos shall be submitted, to the satisfaction of the County.
5. That prior to release of this permit, the Applicant/Owner shall removal all commercial equipment not associated with the Agricultural (Intensive) operations to the satisfaction of the Development Authority.
  - i. That upon completion, a site inspection shall be requested by the Applicant/Owner and carried out by the County, or dated-stamped photos shall be submitted, to the satisfaction of the County.

## Permanent:

6. That if the prior to release conditions have not been met by **DECEMBER 31, 2025**, or the approved extension date, then this approval is null and void and the Development Permit shall not be issued.
7. That all conditions of the County's Development file PRDP20154661 shall remain in effect unless otherwise conditioned within this approval.
8. That any plan, technical submission, agreement, matter or understanding submitted and approved as part of this application or in response to a Prior to Release or Occupancy condition or as approved under PRDP20154661, shall be implemented and adhered to in perpetuity.
9. That the shipping containers shall not display any logos, brand names, signage or graffiti, and shall be maintained in good order for the period that the shipping container is placed on site.
10. That the shipping containers shall not be stacked or have any material stored on top at any time.
11. That only materials and equipment associated with the Agriculture (Intensive) operation may be stored within the outside storage area.
12. That all parking shall be maintained on-site. That no customer/business parking shall be permitted within the adjacent County road or highway right-of-way at any time.
13. That access for the Agriculture (Intensive) operation shall be through the direct approach from Old Banff Coach Road.
  - i. All other access/approached shall not be used unless registered through an Easement Agreement and Registered through Alberta Land Titles.



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14. 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 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 Development Permit application, or in response to a Prior to Release condition.
15. That the Applicant/Owner shall take whatever means necessary, during construction or business operations, to prevent visible dust associated with the development from escaping the site and having adverse effects on adjacent roadways and properties.
16. That any site stripping, grading, filling, or excavation required for site preparation of the outside storage area, a separate Development Permit shall be obtained.
17. 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.
18. That no business signage is approved within this development permit. That if proposed in the future, any future business shall require separate Development Permit approval, including fascia and any site freestanding/pylon signage.
  - i. That no temporary signs shall be placed on the site at any time except any temporary signs required for health and safety or construction management purposes during development of the site; and
  - ii. Onsite non-illuminated wayfinding/directional signage is permitted and does not require a separate Development Permit approval.
19. That all on-site lighting, including private, site security and parking area lighting, shall be designed to conserve energy, reduce glare, and reduce uplight, in accordance with Section 10.6 of the ASP, and Sections 225 -227 of the LUB. 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, that 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.
20. 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:**

- There shall be no parking or business signage placed in the adjacent road rights-of-way.
- That the subject development shall conform to the County's *Noise Bylaw C-8067-2020* and *Road Use Agreement Bylaw C-8323-2022*, in perpetuity.
- That the Applicant/Owner shall be responsible for all Ministry of Environment and Protected Areas (APA) approvals for any impact to any wetlands area from the proposed development.



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- 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, May 27, 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. K. Singh".

Development Authority

Phone: 403-520-8158

Email: [development@rockyview.ca](mailto:development@rockyview.ca)