

Municipal Planning Commission Meeting Agenda



ROCKY VIEW COUNTY

262075 ROCKY VIEW POINT
ROCKY VIEW COUNTY, AB
T4A 0X2

April 6, 2020

9:00 a.m.

A CALL MEETING TO ORDER

B UPDATES/APPROVAL OF AGENDA

C APPROVAL OF MINUTES

1. March 9, 2020 Municipal Planning Commission Meeting Page 3

D SUBDIVISION APPLICATIONS

1. Division 4 – File PL20190154 (03222687/03222685/03222206) – Other subdivision

Staff Report Page 51

2. Division 2 – File PL20190076 (05711004) – Other subdivision

Staff Report Page 66

3. Division 7 – File PL20200007(06412003/06412004) – Other subdivision

Staff Report Page 116

E DEVELOPMENT APPLICATIONS

1. Division 7 – File PRDP20200199 (06412003/06412004) – Distribution warehouse

Staff Report Page 135

2. Division 4 – File PRDP20194369 (03219028) – Religious assembly (existing building)

Staff Report Page 184

3. Division 5 – File PRDP20200038 (05328023) – Home-based business, type II

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4. Division 6 – File PRDP20200083 (08109005) – Gravel pit (renewal)

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262075 ROCKY VIEW POINT
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April 6, 2020

9:00 a.m.

F OTHER BUSINESS

1. Division N/A –Development permits for Municipal Planning Commission consideration

Staff Report

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G ADJOURN MEETING

H NEXT MEETING: April 27, 2020

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A regular meeting of Rocky View County Municipal Planning Commission was held in the Council Chambers of the County Hall, 262075 Rocky View Point, Rocky View County, Alberta on March 9, 2020 commencing at 9:00 a.m.

Present:	Division 5	Member J. Gautreau (Chair)
	Division 2	Member K. McKylor
	Division 6	Member G. Boehlke
Absent:	Division 4	Member A. Schule (Vice Chair)
	Division 1	Member M. Kamachi

Also Present:

- A. Hoggan, Chief Administrative Officer
- T. Cochran, Executive Director, Community Development Services Division
- B. Reimann, Executive Director, Operations
- M. Wilson, Manager, Planning and Development
- J. Fleischer, Manager, Agricultural and Environmental Services
- T. Andreasen, A/Municipal Clerk, Municipal Clerk's Office
- K. Jiang, A/Deputy Municipal Clerk, Municipal Clerk's Office
- S. MacLean, Planning Supervisor, Planning and Development Services
- N. Mirza, Municipal Engineer, Planning and Development Services
- J. Anderson, Senior Planner, Planning and Development Services
- A. Bryden, Senior Planner, Planning and Development Services
- J. Kwan, Senior Planner, Planning and Development Services
- S. Kunz, Planner, Planning and Development Services
- O. Newmen, Planner, Planning and Development Services
- A. Panaguiton, Planner, Planning and Development Services
- X. Deng, Planner, Planning and Development Services
- C. Lombardo, Planner, Planning and Development Services
- J. Targett, Development Officer, Planning and Development Services
- S. Khouri, Development Officer, Planning and Development Services
- S. Vishwakarma, Development Officer, Planning and Development Services

Call to Order

The Chair called the meeting to order at 9:00 a.m. with all members present with the exception of Member Kamachi and Member Schule.

2020-03-09-01 (B-1)

Updates/Acceptance of Agenda

MOVED by Member Boehlke that the March 9, 2020 Municipal Planning Commission meeting agenda be approved as presented.

Carried

MOVED by Member Boehlke that the applicants be allowed to address the Municipal Planning Commission on items D-1 and D-3.

Carried

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1-20-03-09-02 (C-1)

Approval of Minutes

MOVED by Member McKylor that the February 12, 2020 Municipal Planning Commission meeting minutes be approved as presented.

Carried

2020-03-09-03 (D-1)

Division 8 – Subdivision Item – Residential subdivision

File: PL20190098 (06713066)

MOVED by Member Boehlke that the proposed conditions in Appendix 'C' be amended by deleting condition 3(c).

Carried

MOVED by Member Boehlke that the previous motion be rescinded:

<i>MOVED by Member Boehlke that the proposed conditions in Appendix 'C' be amended by deleting condition 3(c).</i>
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Carried

Carried

MOVED by Member Boehlke that the proposed conditions in Appendix 'C' be amended by deleting condition 3 in its entirety.

Carried

MOVED by Member Boehlke that the Municipal Planning Commission recommend to Council that condition 7 in Appendix 'C' be amended as follows:

“The Applicant/Owner shall pay the Transportation Off-Site Levy in accordance with Bylaw C-7356-2014 prior to subdivision endorsement. The County shall calculate the total amount owing from the total gross acreage of ~~the Lands~~ **Lot 1** to be subdivided as shown on the Plan of Survey.

- i) **The collection of Transportation Offsite Levy on Lot 2 to be subdivided as shown on the Plan of Survey is deferred.”**

Carried

MOVED by Member Boehlke that Subdivision Application PL20190098 be approved with the conditions noted in Appendix 'C' as amended:

- B. The Applicant/Owner is required, at their expense, to complete all conditions attached to and forming part of this conditional subdivision approval prior to Rocky View County (the County) authorizing final subdivision endorsement. This requires submitting all documentation required to demonstrate each specific condition has been met, or agreements (and necessary securities) have been provided to ensure the conditions will be met, in accordance with all County Policies, Standards, and Procedures, to the satisfaction of the County, and any other additional party named within a specific condition. Technical reports required to be submitted as part of the conditions must be prepared by a qualified professional, licensed to practice in the province of Alberta within the appropriate field of practice. The conditions of this subdivision approval do not absolve an Applicant/Owner from ensuring all permits, licenses, or approvals required by Federal, Provincial, or other jurisdictions are obtained.

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- C. Further, in accordance with Section 654 and 655 of the Municipal Government Act, the application shall be approved subject to the following conditions of approval:

Survey Plans

- 1) Subdivision is to be effected by a Plan of Survey, pursuant to Section 657 of the Municipal Government Act, or such other means satisfactory to the Registrar of the South Alberta Land Titles District.

Transportation & Access

- 2) That the existing Easement and Access Right-of-Way Plan [151 147 380] shall be updated to include provisions for access to Lot 1.

Servicing

- 4) The Owner is to provide confirmation of tie-in for connection to Rocky View Water Co-op, an Alberta Environment licensed piped water supplier, for Lot 1, as shown on the Approved Tentative Plan. This includes providing information regarding:
 - iv) Confirmation from the water supplier that an adequate and continuous piped water supply is available for the proposed Lot 1;
 - v) Documentation proving that water supply has been purchased and secured for proposed Lot 1;
 - vi) Documentation proving that water supply infrastructure requirements, including servicing to the property, have been installed, or installation is secured between the developer and water supplier, to the satisfaction of the water supplier and the County.
- 5) The Owner is to enter into a Site Improvements / Services Agreement with the County for Lot 1 and shall include the following:
 - For the construction of a Packaged Sewage Treatment System which meet Bureau de Normalisation du Quebec (BNQ) standards for treatment.
 - In accordance with the Level 3 PSTS Assessment prepared by Osprey Engineering Inc.(May 27, 2019).
- 6) The Owner is to enter into a Deferred Services Agreement with the County to be registered on title for each proposed Lot(s) 1 and 2, indicating:
 - ii) Each future Lot Owner shall connect the proposed lots to a regional or decentralized wastewater and stormwater systems once available;

Payments and Levies

Original Condition

- 7) The Applicant/Owner shall pay the Transportation Off-Site Levy in accordance with Bylaw C-7356-2014 prior to subdivision endorsement. The County shall calculate the total amount owing from the total gross acreage of the Lands to be subdivided as shown on the Plan of Survey.

OR (subject to approval by Council—see note):

Alternate Condition

The Applicant/Owner shall pay the Transportation Off-Site Levy in accordance with Bylaw C-7356-2014 prior to subdivision endorsement. The County shall calculate the total amount owing from the total gross acreage of Lot 1 to be subdivided as shown on the Plan of Survey.

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- a) The collection of Transportation Offsite Levy on Lot 2 to be subdivided as shown on the Plan of Survey is deferred.

Note: if a deferral is granted by Council in accordance with Transportation Offsite Levy Bylaw C-7356 2014), the alternate condition applies. If a deferral is not granted by Council, the original version of the condition applies.

- 8) The Owner shall pay the County Subdivision Endorsement fee, in accordance with the Master Rates Bylaw, for the creation of one (1) new lot.

Municipal Reserve

- 9) The provision of Reserve in the amount of 10 percent of the gross area of Lots 1 and 2 as determined by the Plan of Survey, is to be provided by payment of cash-in-lieu in accordance with the per acre value listed in the land appraisal prepared by Abe Evaluations (2013) Ltd. File number 19R243, dated August 19, 2019, dated July 13, 2019 pursuant to Section 666(3) of the Municipal Government Act.

Taxes

- 10) All taxes owing up to and including the year in which subdivision is to be registered are to be paid to Rocky View County prior to signing the final documents pursuant to Section 654(1) of the Municipal Government Act.

D. SUBDIVISION AUTHORITY DIRECTION:

- 1) Prior to final endorsement of the subdivision, the Planning Department is directed to present the Applicant/Owners with a Voluntary Recreation Contribution Form and ask them if they will contribute to the Fund in accordance with the contributions prescribed in the Master Rates Bylaw.

Carried

2020-03-09-04 (D-2)

Division 2 – Subdivision Item – Harmony Stage 3, Phase 11 multi-lot subdivision

File: PL20190003 (05708082)

MOVED by Member McKylor that Subdivision Application PL20190003 be approved with the conditions noted in Appendix 'B':

- A. The application to create 129 residential lots ranging from ± 393.60 sq. m to ± 714.19 sq. m in size, one Open Space lots ($\pm 10,744$ sq. m in size), and one Municipal Reserve lot ($\pm 46,239$ sq. m in size) at Lot 1, Block 2, Plan 1112762 within W-08-25-03-W05M and Lot 1, Block 1, Plan 1112762 within SW-18-28-03-W05M having been evaluated in terms of Section 654 of the *Municipal Government Act* and Section 7 & 14 of the Subdivision and Development Regulations, and having considered adjacent landowner submissions, is approved as per the Tentative Plan for the reasons listed below:

- 1) The application is consistent with the Statutory Policy;
- 2) The subject lands hold the appropriate land use designation;
- 3) The technical aspects of the subdivision proposal have been considered and are further addressed through the conditional approval requirements.

- B. The Applicant/Owner is required, at their expense, to complete all conditions attached to and forming part of this conditional subdivision approval prior to Rocky View County (the County) authorizing final subdivision endorsement. This requires submitting all documentation required to demonstrate each specific condition has been met, or agreements (and necessary securities) have been provided to ensure the conditions will be met, in accordance with all County Policies, Standards, and Procedures, to the satisfaction of the County, and any other additional party named within a specific condition. Technical reports required to be submitted as part of the conditions must be prepared by a qualified professional,

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licensed to practice in the province of Alberta within the appropriate field of practice. The conditions of this subdivision approval do not absolve an Applicant/Owner from ensuring all permits, licenses, or approvals required by Federal, Provincial, or other jurisdictions are obtained.

- C. Further, in accordance with Section 654 and 655 of the *Municipal Government Act*, the application shall be approved subject to the following conditions of approval:

Survey Plans

- 1) Subdivision is to be effected by a Plan of Survey, pursuant to Section 657 of the *Municipal Government Act*, or such other means satisfactory to the Registrar of the South Alberta Land Titles District.

Development Agreement

- 2) The Owner is to enter into a Special Improvement Development Agreement and be responsible for the approvals, design, upgrading, right-of-way acquisition and construction for all off-site infrastructure related to:
 - i) Expansion of the Harmony Potable Water Treatment Plant in accordance with the approved Water Servicing Analysis;
 - ii) Installation of the Harmony Lake System's Bow River Outlet Pipeline in accordance with the Harmony Stage 3 Master Drainage Plan; and
 - iii) Design and construction of a Secondary Public Access to Harmony in accordance with updated Traffic Impact Assessment;
- 3) The Owner is to enter into a Development Agreement pursuant to Section 655 of the *Municipal Government Act* in accordance with the approved tentative plan and shall include the following infrastructure and improvements:
 - i) Design and construction of an internal public road system in accordance with an approved Traffic Impact Assessment and as shown in the Tentative Plan, with associated infrastructure which includes the following:
 - (a) necessary easements;
 - (b) sidewalks;
 - (c) dark sky street lighting;
 - (d) signage;

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- ii) Design and construction of Landscaping features for all public pathways, and public roadways and open space, in accordance with the approved Landscaping Plan;
 - iii) Construction of a piped potable water and raw water distribution system as required (including the registration of necessary easements), connection to the potable water treatment plant, and service connections to each lot;
 - iv) Construction of a piped sanitary collection system (including the registration of necessary easements), connection to the wastewater treatment plant, and service connections to each lot;
 - v) Construction of a fire suppression and distribution system designed to meet minimum fire flows as per County Standards and Bylaws;
 - vi) Construction and implementation of stormwater management facilities and piped stormwater collection system in accordance with the recommendations of the approved Stormwater Management Plan, and the registration of any overland drainage easements and/or restrictive covenants, as determined by the Stormwater Management Plan, all to the satisfaction of the County and Alberta Environment and Parks;
 - vii) Design and construction of landscaping features for all Municipal Reserve Lots, public pathways and public roadways, Owners Association of Harmony open space, all in accordance with an approved Landscaping Plan;
 - viii) Implementation of the recommendations of the Construction Management Plan and Weed Management Plan;
 - ix) Implementation of the revised Water and Wastewater Franchise Agreement with Harmony Advanced Water Systems Corporation (HAWSCO), as amended;
 - x) Dedication of necessary easements and right of ways for utility line assignments;
 - xi) Mailboxes are to be located in consultation with Canada Post;
 - xii) Installation of power, natural gas and telephone lines;
 - xiii) Implementation of the recommendations of the Construction Management Plan;
 - xiv) Implementation of the recommendations of the Geotechnical Report;
 - xv) Implementation of the recommendations of the Biophysical Impact Assessment and/or Wetland Impact Assessment;
 - xvi) Alberta Environment approvals are required for disturbance to any onsite wetlands, prior to signing of the Development Agreement.
 - xvii) Payment of any applicable off-site levies, at the then applicable rates, as of the date of the Development Agreement.
 - xviii) The construction of any oversized or excess capacity infrastructure, roads and/or services benefitting the Owner's lands and development and other lands.

As contemplated by and in accordance with Section 650, 655, 651 and 648 of the *Municipal Government Act* and Council policies respecting infrastructure and cost recovery.

Transportation and Access

- 4) The Owner shall provide an update to the Harmony Traffic Impact Assessment to reflect current on-site and off-site development and network conditions, detailing the related required improvements to both the internal and external public road network, to the County's satisfaction:

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- i) The Owner shall enter into a Development Agreement with the County, addressing the design and construction of the required improvements, if the recommendations of the Traffic Impact Assessment identify improvements are required.
 - 5) The Owner shall obtain approval for road naming by way of application to, and consultation with, the County.

Site Servicing

- 6) The Owner is to provide a detailed water servicing analysis for potable water, raw water irrigation, and fire suppression, building off of the Franchise Agreement and the Integrated Water Systems Master Plan, to determine:
 - i) Pipe type and sizes;
 - ii) Water treatment plant capacity and reservoir storage requirements.
- 7) The Owner is to provide confirmation of the tie-in for connections to HAWSCO, an Alberta Environment licensed piped water supplier, for lots, as shown on the approved Tentative Plan. This includes providing the following information:
 - i) Confirmation from the water supplier that an adequate and continuous piped water supply is available for the proposed new lots;
 - ii) Documentation proving that water supply has been purchased for proposed lots;
 - iii) Documentation proving all necessary paperwork has been completed, to the County's satisfaction;
- 8) The Owner is to provide detailed construction drawings, based on the potable water servicing study, for a water distribution and fire suppression system (including the registration of necessary easements), connection to the water treatment plant, and service connections to each lot;
- 9) The Owner is to provide a detailed sanitary servicing study in support of Phase 11, building off of the Franchise Agreement and the Integrated Water Systems Master Plan, to determine:
 - i) Pipe type and sizes;
 - ii) Number of lift stations, if applicable; and
 - iii) Wastewater Treatment Plant capacity, and treated effluent storage/disposal requirements.
- 10) The Owner is to provide confirmation of the tie-in for connections to HAWSCO, an Alberta Environment licensed piped waste-water supplier, for lots, as shown on the approved Tentative Plan. This includes providing for the following information:
 - i) Confirmation from the wastewater utility supplier that adequate capacity has been allocated and reserved for the proposed new lots;
 - ii) Documentation proving that water supply has been purchased for proposed lots;
 - iii) Documentation proving that wastewater supply infrastructure requirements, including servicing to the property, have been installed, or that installation is secured between the developer and wastewater utility, to the satisfaction of the waste-water utility and the County;
 - iv) Documentation proving all necessary paperwork has been completed.
- 11) The Owner is to provide detailed construction drawings, based on the approved sanitary servicing study, for a sanitary collection system (including the registration of necessary easements), connection to the wastewater treatment plant, and service connections to each lot;

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Developability

- 12) The Owner shall submit an updated Geotechnical Investigation and a Deep Fill Report (for areas where fill exceeds 1.2 m in depth) in accordance with the Rocky View County 2013 Servicing Standards to verify the site is suitable for the proposed buildings, site works, and utilities.
- 13) The Owner is to provide and implement a Stormwater Management Plan that meets the requirements outlined in the Springbank Master Drainage Plan, the Integrated Water Systems Master Plan, and the Stage 3 Master Drainage Plan. Implementation of the Stormwater Management Plan shall include:
 - i) Registration of any required easements and/or utility rights-of-way
 - ii) Provision of necessary approvals and compensation to Alberta Environment and Parks for wetland loss and mitigation; and
 - iii) Provision of necessary Alberta Environment and Parks registration documentation and approvals for the stormwater infrastructure system.
 - iv) The Owner shall enter into a Development Agreement with the County should the Stormwater Management Plan indicated that improvements are required.

Municipal Reserves

- 14) The provision of Reserve is to be provided by the dedication of Lot 27 MR (\pm 37,823 sq. m in size), to be determined by a Plan of Survey, with respect to Lot 1, Block 2, Plan 1112762 within W-08-25-03-W05M as indicated on the Approved Tentative Plan:
 - i) Municipal Reserve dedication outstanding on Lot 1, Block 2, Plan 1112762 within W-08-25-03-W05M is to be deferred by Caveat pursuant to Section 669 of the Municipal Government Act.
- 15) The Owner is to provide a Landscaping Plan for all Municipal Reserves, public pathways, public road rights-of-way, and Owners Association of Harmony open space, in accordance with Direct Control Bylaw and the Harmony Conceptual Scheme and Stage 3 Neighbourhood Plan:
 - i) Development of the approved Landscaping Plans shall be included within the requirements of the Development Agreement.

Homeowners Association

- 16) The Owner shall legally amend the existing Owners' Association of Harmony (OAH), and an encumbrance or instrument shall be concurrently registered against the title of each new lot created, requiring that each individual Lot Owner is a member of the Home Owners' Association;
 - i) The HOA/LOA agreement shall specify the future maintenance obligations of the Homeowners' Association for public and Owners Association of Harmony lands for public and private parks, open spaces, and other amenity lands including on-site pathways, community landscaping, residential solid waste collection, stormwater facilities located on private lands, and other features associated with these lands.

Architectural Controls

- 17) The Owner shall prepare and register a Restrictive Covenant on the title of each new lot created, requiring that each Lot Owner be subject to the development's Architectural Controls.

Solid Waste Management Plan

- 18) The Owner is to provide and implement a Waste Management Strategy that will outline the responsibility of the Developer and/or Homeowners' Association for management of solid waste.

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Cost Recovery

- 19) The County will enter into an Infrastructure Cost Recovery Agreement with the Owner to determine the proportionate recovery of infrastructure money spent by the Owner to construct municipal infrastructure that will consequently provide benefit to other lands.

Site Construction

- 20) The Owner is to provide a Construction Management Plan that is to include, but not be limited to, noise, sedimentation and erosion control, traffic accommodation, construction waste management, and construction management details. Specific other requirements include:
 - i) Weed management during the construction phases of the project;
 - ii) Erosion and sedimentation control measures;
 - iii) Dust control measures;
 - iv) Best management practices;
 - v) Implementation of the Construction Management Plan recommendations will be ensured through the Development Agreement.
- 21) The Owner shall submit a full Erosion and Sediment Control Plan and Report in accordance with the County's Servicing Standards.
- 22) The Owner is to provide an Emergency Response Plan that is to include firefighting procedures, evacuation measures, containment of hazardous spills, and aircraft incidents, to the satisfaction of the County.
- 23) The Owner shall register a caveat on all titles, to the satisfaction of the County, indicating the presence of the Springbank Airport and associated aircraft noise to alert landowners to the presence of the teaching airport and associated impacts.

Payments and Levies

- 24) The Owner is to provide payment of the Transportation Off-Site Levy (including the Base Levy and the Special Area Levy) in accordance with the Transportation Off-Site Bylaw C-7356-2014 prior to entering into the Development Agreement. The County shall calculate the total amount owing from the total gross acreage of the lands to be subdivided, as shown on the plan of survey.
- 25) The Owner shall pay the County Subdivision Endorsement fee, in accordance with the Master Rates Bylaw, for the creation of 132 new lots.

Taxes

- 26) All taxes owing up to and including the year in which subdivision is to be registered are to be paid to Rocky View County prior to signing the final documents pursuant to Section 654(1) of the *Municipal Government Act*.

D. SUBDIVISION AUTHORITY DIRECTION:

- 1) Prior to final endorsement of the subdivision, the Planning Department is directed to present the Applicant/Owners with a Voluntary Recreation Contribution Form and ask them if they will contribute to the Fund in accordance with the contributions prescribed in the Master Rates Bylaw.

Carried

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2020-03-09-05 (D-3)

Division 4 – Subdivision Item – Langdon East Conceptual Scheme – Direct Control 97

File: PL20180108 (03223004)

Rolly Ashdown, on behalf of the applicants, proceeded to address the Municipal Planning Commission on the proposed conditions of approval for subdivision application PL20180108.

MOVED by Member Boehlke that section A of the proposed conditions of approval in Appendix 'B' be amended as follows:

“The application to create fourteen lots, ± 0.086 **0.073** hectares (± 0.21 **0.18** acres)”

Carried

MOVED by Member McKylor that Subdivision Application PL20180108 be approved with the conditions noted in Appendix 'B' as amended:

Rocky View County's Municipal Planning Commission conditionally approves your subdivision application subject to the conditions below.

- A. The application to create create fourteen lots, ± 0.073 hectares (± 0.18 acres) to ± 0.113 hectares (± 0.28 acres) in size, with a ± 22.85 hectare (± 56.47 acre) remainder at NE-23-23-27-W4M, having been evaluated in terms of Section 654 of the *Municipal Government Act* and Sections 7 and 12 of the Subdivision and Development Regulations, and having considered adjacent landowner submissions, is approved as per the Tentative Plan for the reasons listed below:
- 1) Section 12 (2) (a) of the Subdivision and Development Regulations and Policy 6.1.3 of the Langdon East Conceptual Scheme are relaxed from 300 m to 225 m subject to Alberta Environment and Sustainable Resource Development confirmation;
 - 2) The subject lands hold the appropriate land use designation;
 - 3) The technical aspects of the subdivision proposal have been considered and are further addressed through the conditional approval requirements.
- B. The Applicant/Owner is required, at their expense, to complete all conditions attached to and forming part of this conditional subdivision approval prior to Rocky View County (the County) authorizing final subdivision endorsement. This requires submitting all documentation required to demonstrate each specific condition has been met, or agreements (and necessary securities) have been provided to ensure the conditions will be met, in accordance with all County Policies, Standards, and Procedures, to the satisfaction of the County, and any other additional party named within a specific condition. Technical reports required to be submitted as part of the conditions must be prepared by a qualified professional, licensed to practice in the province of Alberta within the appropriate field of practice. The conditions of this subdivision approval do not absolve an Applicant/Owner from ensuring all permits, licenses, or approvals required by Federal, Provincial, or other jurisdictions are obtained.
- C. Further, in accordance with Section 654 and 655 of the *Municipal Government Act*, the application shall be approved subject to the following conditions of approval:

Plan of Subdivision

- 1) Subdivision is to be effected by a Plan of Survey, pursuant to Section 657 of the *Municipal Government Act*, or such other means satisfactory to the Registrar of the South Alberta Land Titles District.

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Development Agreement

- 2) The Owner is to enter into a Development Agreement for provision of the following infrastructure and improvements:
 - i) Implementation of the recommendations of the examined Building Grade Plan;
 - ii) Verification of the installation of the necessary water and wastewater service stubs to each of the proposed lots;
 - iii) Installation of any necessary fire hydrants to support the proposed lots (if required);
 - iv) Mailbox locations are to be located in consultation with Canada Post to the satisfaction of the County;
 - v) Construction of all necessary storm water management infrastructure in accordance with the recommendations of the approved storm water Management Plan and the registration of any overland drainage easements and/or restrictive covenants as determined by the Stormwater Management Plan;
 - vi) Implementation of the recommendations of the approved ESC Plan;
 - vii) Implementation of the recommendations of the approved Construction Management Plan; and
 - viii) Verification of the installation of power, natural gas, and telephone lines.

Site Servicing

- 3) The Owner is to provide confirmation of the tie-in for connection to Langdon Waterworks Ltd. for Lots 1 – 14 (inclusive), as shows on the Approved Tentative Plan. This includes providing the following information:
 - i) Confirmation from Langdon Water Works that adequate and continuous piped water supply is available for proposed Lots 1 – 14 (inclusive).
 - ii) Documentation proving that water supply has been purchased for proposed Lots 1 – 14 (inclusive).
 - iii) Documentation showing that all necessary water infrastructure will be installed and that the water supplier has approved the associated plans and specifications (Development Service Agreement).

Developability

- 4) The Owner is to provide and implement a Stormwater Management Plan, which meets the requirements of the Stormwater Management Plan for the Langdon East Development. Implementation of the Stormwater Management Plan shall include:
 - i) Identify all necessary infrastructure required to support the proposed subdivision (to be constructed under the Development Agreement);
 - ii) Identify any necessary easements and/or utility rights-of-way; and
 - iii) Meet the requirements of the Stormwater Management Report for the Hanson Park development and County Servicing Standards

Site Construction

- 5) The Owner is to provide a Construction Management Plan that is to include, but not be limited to, noise, sedimentation and erosion control, construction waste management, firefighting procedures, evacuation plan, hazardous material containment, traffic accommodation, management of stormwater during construction, weed control, construction, and management details.
- 6) The Owner is to provide an erosion and sediment control plan (ESC), prepared by a qualified professional, identifying ESC measures to be taken during construction and to protect the onsite

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wetlands and municipal infrastructure. The drawings and plans shall be in accordance with the requirements of the County's Servicing Standards and best management practices

Payments and Levies

- 7) The Owner shall pay the County subdivision endorsement fee, in accordance with the Master Rates Bylaw, for the creation of 14 new lots.
- 8) The Owner shall pay the Transportation Off-Site Levy (TOL) in accordance with Bylaw C-7356-2014 prior to subdivision endorsement. The County shall calculate the total amount owing:
 - i) From the total gross acreage of Lots 1 – 14 (inclusive) as shown on the Plan of Survey.
- 9) The Owner shall provide payment of the Stormwater Off-Site Levy, in accordance with Bylaw C-7535-2015 prior to subdivision endorsement:
 - i) The Stormwater Off-Site Levy shall be applicable on Lots 1 – 14 (inclusive) as shown on the Plan of Survey.
- 10) The Owner shall pay the Wastewater Off-Site Levy, in accordance with Bylaw C-7273-2013, for the total wastewater capacity required to support the proposed subdivision for Lots 1 – 14 (inclusive), prior to subdivision endorsement. The County shall assess the available capacity of the Langdon Waste Water Treatment Facility when the Wastewater Off-Site Levy has been paid by the Applicant. In the event that the Langdon facility does not have sufficient capacity to service the development at the time, the Applicant shall be required to enter into an agreement with the County to pay for the actual costs for the required upgrades to the plants described in Schedule "C-1" of the Rocky View County Bylaw No. C-7273-2013, inclusive of excess capacity within the Stage 1 upgrades (the "Excess Capacity"). The Applicant would be eligible to receive appropriate cost recoveries for the amounts paid in respect to the creation of the Excess Capacity from which other lands will benefit when those benefitting lands are developed or subdivided.

Municipal Reserves

- 11) Reserves owing on the subject lands as per Deferred Reserve Caveat 121277397, are to be deferred by Caveat to the remainder of the lands pursuant to Section 669(2) of the *Municipal Government Act*.

Architectural Controls

- 12) The Owner shall prepare and register a Restrictive Covenant on the title of each new lot created, requiring that each Lot Owner be subject to the development's Architectural Controls in accordance with Section 7 (Urban Design) of the Langdon East Conceptual Scheme (Bylaw C-6135-2005) and the Langdon Area Structure Plan (Bylaw C-5049-99).
- 13) The Owner shall prepare and register a caveat on the title of each new lot, indicating the proximity of the wastewater treatment facility and advising of the relaxation of the 300 metre setback requirement.

Taxes

- 14) All taxes owing up to and including the year in which subdivision is to be registered are to be paid to Rocky View County prior to signing the final documents pursuant to Section 654(1) of the *Municipal Government Act*.

D. SUBDIVISION AUTHORITY DIRECTION:

- 1) Prior to final endorsement of the subdivision, the Planning Department is directed to present the Applicant/Owners with a Voluntary Recreation Contribution Form and ask them if they will contribute to the Fund in accordance with the contributions prescribed in the Master Rates Bylaw

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- 2) The Subdivision Authority hereby requests Alberta Environment to consider a variance to Section 12(2) and (4), of the Subdivision and Development Regulations, and to grant a minimum setback of:
- i) 225.00 m (from 300 m) from the wastewater treatment facility to the nearest future residential lot.

Carried

The Chair called for a recess at 9:47 a.m. and called the meeting back to order at 9:51 a.m. with all previously mentioned members present.

2020-03-09-06 (E-1)

Division 7 – Development Item – Truck trailer service facility and outdoor storage

File: PRDP20194585 (06401017)

MOVED by Member McKylor that Development Permit Application PRDP20194585 be approved with the conditions noted in the report:

Description:

- 1) That truck trailer service and outdoor storage, truck trailer, construction of a principal office/shop building for a transportation company may take place on the subject site in accordance with the drawings as submitted with the application, and includes:
 - i) Construction of a Shop/Office with a floor area of approximately 1,446.50 sq. m (15,570.00 sq. ft.);
 - ii) Outside Storage, as per the approved site plan;
 - iii) Overheight perimeter fencing that is approximately 2.44 m (8.00 ft.) in height;
 - iv) One Fascia Signage, details to be submitted at time of installation.

Prior to Issuance:

- 2) That prior to issuance of this permit, the Applicant/Owner shall confirm acceptance or refusal to participate in the Voluntary Recreation Contribution for Community Recreation Funding on the form provided by the County. If accepted, the contribution is calculated at \$800.00 per acre.

Geotechnical Studies

- 3) That prior to issuance of this permit, the Applicant/Owner shall submit a Geotechnical Investigation in accordance with the County's Servicing Standards, to verify the site is suitable for the proposed buildings, site works, and deep utilities.
 - i) For areas (if any) with greater than 1.2 m of fill a Deep Fill report is required.
- 4) That prior to issuance 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 will 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.

Access and Transportation

- 5) That prior to issuance 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

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Impact Assessment (TIA) report (December 2010, as amended) for these lands meet the criteria for the development.

- i) 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 address if the proposed development is in accordance with the High Plains Industrial Park Traffic Impact Assessment, if not, a TIA will be required for the site to address the potential for off-site impacts.
 - ii) If the recommendations of the Traffic Impact Assessment require off-site improvements, then a Development Agreement with the County shall be entered into.
- 6) That prior to issuance 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.

Servicing

- 7) That prior to issuance of this permit, the Applicant/Owner shall submit a Demand Analysis that confirms and demonstrates calculations for water and waste water usage for the development for purposes the below noted customer service agreement.
- i) Should the Applicant/Owner require additional servicing capacity (exceeding 1.53 m³/day) then the Applicant/Owner will be required to provide payment for additional capacity in accordance with the Master Rates Bylaw C-7551-2018, as amended.
- 8) That prior to issuance of this permit, the Applicant/Owner shall submit a detailed site wastewater servicing design, to the satisfaction of the County, that will tie into the High Plains Industrial Park wastewater system, in accordance with County Servicing Standards.
- 9) That prior to issuance 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, in accordance with County Servicing Standards.
- i) Note, 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.
- 10) That prior to issuance 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 County Servicing Standards, County Bylaws as amended, that will tie into the High Plains Industrial Park potable water system.
- i) 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.
- 11) That prior to issuance of this permit, the Applicant/Owner shall be required to pay 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.

Stormwater Management

- 12) That prior to issuance of this permit, the Applicant/Owner shall submit a site-specific stormwater implementation plan (SSIP) for the subject lands in accordance to the High Plains Stormwater Management Plan 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 proposed finished surface/grading plan (corner lot grades) and the plan shall address the need for an oil/grit separator.

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- 13) That prior to issuance of this permit, the Applicant/Owner shall submit a sediment and erosion control plan and report in accordance with County Servicing Standards.

Note: This site will be greater than 2ha, a full report is required.

- 14) That prior to issuance of this permit, the Applicant/Owner shall submit a detailed site grading plan, in accordance with County Servicing Standards.

Prior to Occupancy:

Landscaping

- 15) That all landscaping and final site surfaces shall be in place prior to occupancy of the site.
- 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 150.00% of the total cost of completing all the landscaping and final site surfaces required, shall be placed with Rocky View County to guarantee the works shall be completed by the 30th day of June immediately thereafter.

Servicing

- 16) That prior to occupancy, the Applicant/Owner shall contact County Utility Operations for an inspection of the water meter, sanitary sewer service connection, and the sanitary test manhole. Connection to the County's water and wastewater services shall be in accordance with the Water and Wastewater Utilities Bylaw C-7662-2017 as amended, which includes a requirement for an Oil/Grit interceptor for the wash bay and a sanitary sewer sampling manhole.
- 17) That prior to occupancy and prior to connecting to the offsite waste water main, the Applicant/Owner shall enter into a Customer Service Agreement for water & wastewater service to the subject lands. The agreement will reflect the total capacity allocation required to accommodate the proposed development. If additional capacity is required, the additional capacity must be purchased prior to occupancy.
- 18) That prior to occupancy, the Applicant/Owner shall submit as-built drawings certified by a professional engineer licensed to practice in the Province of Alberta to the County's satisfaction. The as-built drawings shall include verification of as-built water infrastructure, verification of as-built sanitary infrastructure; and verification of as-built stormwater pond volumes, liner verification, inverts and any other information that is relevant to Stormwater Management Plan.
- 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".

Permanent:

- 19) 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 commercial use located on the subject site, to facilitate accurate emergency response.
- 20) That if the facility changes commercial usage, the Applicant/Owner shall submit to the County a revised description of process and subsequent water and wastewater requirements.
- 21) That this facility shall be subject to water usage/wastewater monitoring by Utility Operations, in order to ensure compliance with Bylaw C-5083-99 and C-7273-2103, as amended.
- 22) That connections to existing water mains and sanitary mains is not permitted without the authorization of Rocky View County's Utility Operations.

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- 23) That no potable water will be used for irrigation purposes, outside hose bibs are not permitted.
 - 24) That the lot shall obtain potable water from the East Balzac Water Distribution system.
 - 25) That should the test manhole be located within private property, an access easement shall be required to be registered on title, for both properties, for monitoring and testing purposes.
 - 26) That if any grading activities are to occur on site and require the import or export of fill, the Applicant/Owner shall contact Rocky View County Road Operations with haul details to determine if a Road Use Agreement is required for use of the County road system for hauling of fill material onto the property.
 - 27) That prior to the installation of any approaches, the Applicant/Owner shall submit a Road Approach Application through the County's Road Operations department.
 - 28) That during construction, the dust control shall be maintained on the site and that the Applicant/Owner shall take whatever means necessary to keep visible dust from blowing onto adjacent lands.
 - 29) That during construction, any fill being added or removed from the site shall be hauled off in a covered trailer/truck that will prevent blowing of dust/small rocks onto the road or issues with other vehicles on the road.
 - 30) That the entire site shall be maintained in a neat and orderly manner at all times, and all waste material shall be deposited and confined in an appropriate enclosure. All waste material shall be regularly removed from the property to prevent any debris from blowing onto adjacent property or roadways.
 - 31) That any future tenants or signage will require separate Development Permit approval. All signage shall be in accordance with Section 35 of the Land Use Bylaw.
 - 32) That the garbage containers shall be screened from view from all adjacent properties and public thoroughfares. The garbage and waste shall be stored in weatherproof and animal proof containers and be in a location easily accessible to containerized garbage pickup.
 - 33) That a minimum of thirty-one (31) parking stalls and one (1) loading bay shall be maintained on site at all times in accordance with the approved Parking Plan. There shall be no parking on the adjacent public road network.
 - 34) That all landscaping shall be in accordance with the approved Landscape Plan.
 - 35) That no outdoor display areas, storage areas, parking or marshalling yards shall be allowed within landscaped yards.
 - 36) 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. That no potable water shall be used for landscaping or irrigation purposes. Water for irrigation and landscaping shall only be supplied by the re-use of stormwater.
 - 37) That water conservation strategies shall be implemented and maintained at all times.
 - 38) That all on site lighting shall be "dark sky", and all private lighting including site security lighting and parking area lighting, shall be designed to conserve energy, reduce glare, and reduce up light. All developments shall demonstrate a lighting design that reduces the extent of spill-over glare and eliminates glare as viewed from nearby residential properties.
 - 39) That any plan, technical submission, agreement, matter or understanding submitted and approved as part of the application or in response to a Prior to Issuance or Occupancy condition shall be implemented and adhered to in perpetuity including the .required SSIP.

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Advisory:

- 40) The Applicant/Owner shall be responsible for all required payments of 3rd party reviews and/or inspections as per the Master Rates Bylaw.

Note: For any 3rd party review work completed prior to Issuance of the Development Permit, the invoices shall be paid prior to the Development Permit being issued. For any work completed after Permit issuance, the invoices shall be paid as per the required deadline.

- 41) That the subject development shall conform to the County's Noise Bylaw C-5773-2003 in perpetuity.
- 42) That the site shall remain free of restricted and noxious weeds and be maintained in accordance with the Alberta Weed Control Act [Statutes of Alberta, 2008 Chapter W-5.1; Current as of December 15, 2017].
- 43) That a Building Permit and applicable sub-trade permits shall be obtained prior to any construction taking place using the Commercial Checklist requirements and shall include a 3.2.2. Building Code Classification

Note: That the building shall conform to the National Energy Code 2017, with documentation/design provided at the Building Permit stage.

- 44) That any other government permits, approvals, or compliances are the sole responsibility of the Applicant/Owner.
- 45) That if the development authorized by the Development Permit is not commenced with reasonable diligence within 12 months from the date of issue, and completed within 24 months of 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.
- 46) That if this Development Permit is not issued by October 31, 2020 or the approved extension date, then this approval is null and void and the Development Permit shall not be issued.

Carried

2020-03-09-07 (E-2)

Division 7 – Development Item – Commercial principal building

File: PRDP20194292 (06410051)

MOVED by Member Boehlke that Development Permit Application PRDP20194292 be approved with the conditions noted within the report:

Description:

- 1) That General Industry, Type II, construction of a principal building, including an office and warehouse/shop, for a construction company, may take place on the subject site in general accordance with the application drawings as prepared by Mermac Construction Ltd., Project Number 19-186, dated November 22, 2019, submitted with the application [as amended] and includes:
 - i) Office/Shop Building, approximately 1,580.60 sq. m (17,013.00 sq. ft.) in footprint;

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Prior to Issuance:

Developability:

- 2) That prior to issuance of this permit, the Applicant/Owner shall submit lighting details in accordance with the Land Use Bylaw (LUB) Section 27 and Ham East Conceptual Scheme (CS) Policy 3.11.1 & 2, to the satisfaction of the County.
- 3) That prior to issuance of this permit, the Applicant/Owner shall submit a revised landscape drawing, identifying the total landscape area for the development in accordance with Section 4.4.3(d)(iii) of the Balzac Area Structure Plan (ASP).
- 4) That prior to issuance of this permit, the Applicant/Owner shall revised Elevation drawings, identifying the proposed exterior facade colours, to the satisfaction of the County.
- 5) That prior to issuance 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 will 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.
- 6) That prior to issuance of this permit, the Applicant/Owner shall submit a revised Parking Plan identifying the minimum barrier free parking stalls (three [3]), for the subject site, in accordance with Section 30 of the County's Land Use Bylaw and the current Alberta Building Code, to the satisfaction of the County.

Technical:

- 7) That prior to issuance 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.
 - i) For areas with greater than 1.2 m of fill (if any), a Deep Fill report is required.
- 8) That prior to issuance 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 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's expense. The letter shall also need to address if the proposed development is in accordance with the "*Crosspointe Industrial Park Traffic Impact Assessment*", if not, a TIA will be required for the site to address the potential for off-site impacts.
 - i) That if the recommendations of the Traffic Impact Assessment require off-site improvements, then a Development Agreement shall be entered into to implement those improvements at the expense of the developer.
- 9) That prior to issuance 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.
- 10) That prior to issuance of this permit, the Applicant/Owner shall confirm and demonstrate calculations for water and waste water usage for the development on the parcel to support the below noted service agreement.
 - i) If expected demands exceed the 2.07m³/day already purchased for this lot, the Owner will be required to purchase additional capacity in accordance with Bylaw C-7857-2019, as amended.

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- 11) That prior to issuance of this permit, the Applicant/Owner shall submit a detailed site wastewater servicing design which will tie into the County's East Balzac wastewater collection system, to the satisfaction of the County.
 - 12) That prior to issuance 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. *Note, 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 issuance 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 East Balzac 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 back flow preventer shall be sent to the County's Utility Operations.
 - 14) That prior to issuance 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.
 - 15) That prior to issuance of this permit, the Applicant/Owner shall submit a site-specific stormwater implementation plan for the subject lands in accordance with the Crosspointe Industrial Park Stormwater Management Plan 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 proposed finished surface/grading plan (corner lot grades) and also address the need for an oil/grit separator.
 - 16) That prior to issuance of this permit, the Applicant/Owner shall submit sediment and erosion control plans in accordance with County Servicing Standards. *Note, as this site is smaller than 2.0 ha, a full report is not required.*
 - 17) That prior to issuance of this permit, the Applicant/Owner shall submit a site grading plan, in accordance with County Servicing Standards.

Prior to Occupancy:

- 18) That prior to site occupancy, all landscaping, parking 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 Rocky View County to guarantee the works shall be completed by the 30th day of June immediately thereafter.
- 19) That prior to site 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.
- 20) That prior to site 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

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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 SWMP onsite for the subject Building.

- 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".

21) That prior to site occupancy, the Owner shall enter into a Customer Service Agreement for water & wastewater use on the subject lands.

- i) That should the Applicant's/Owner's use require additional servicing capacity then the Applicant/Owner will be required to provide payment for that additional capacity in accordance with the Master Rates Bylaw C-7857-2019, as amended.

Permanent:

- 22) That any future signage will require separate Development Permit approval.
- 23) That the site shall be maintained in a neat and orderly fashion at all times.
- 24) That the minimum required parking stalls and loading bays shall be maintained at all times, in general accordance with the approved Site Plan.
- 25) There shall be no business or customer parking along the adjacent County road allowance at any time.
- 26) That all constructed approaches shall be in accordance with County Servicing Standards.
- 27) 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.
- 28) That dust control shall be maintained on the site at all times, existing fire hydrants shall not be used as a source of water for dust control; and the Applicant/Owner shall take whatever means necessary to keep visible dust from blowing onto adjacent lands.
- 29) That the subject lot shall obtain water from the East Balzac Water Distribution system.
- 30) 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.
- 31) That this facility shall be subject to water usage/wastewater monitoring by Utility Operations, in order to ensure compliance with Bylaw C-5083-99 and C-7273-2013, as amended.
- 32) That connection to existing sanitary mains, waste mains, and water mains shall not be permitted without the authorization of Rocky View County's Utility Operations.
- 33) That the subject lot shall obtain sanitary servicing connections that will discharge through to the Rocky View Wastewater Transmission Main.
- 34) That the site shall be developed in accordance with the approved landscape plan.
- 35) 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.
- 36) That the garbage and waste material on site shall be stored in weatherproof and animal-proof containers located within buildings or adjacent to the side or rear of buildings and must be screened from view from all adjacent properties and Highway.
- 37) That any outside storage for the business shall be kept within the building or immediately adjacent to the building, within the open outside storage area.

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- 38) That no potable water shall be used for irrigation purposes or for the cleaning of exterior surfaces of the building or hard surfaced areas.
 - 39) That there shall be no hose bibs installed on the exterior of the building.
 - 40) That any future tenants shall require Development Permits for use and signage.
 - 41) 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 each dwelling unit located on the subject site, to facilitate accurate emergency response.
 - 42) That all on site Lighting, once approved, shall be "dark sky" and all private lighting including site security lighting and parking area lighting should 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 and eliminates glare as viewed from nearby residential properties.
 - 43) 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 Issuance or Occupancy condition and shall be implemented and adhered to in perpetuity, including the onsite Stormwater Management Plan.

Advisory:

- 44) That the subject development shall conform to the County's Noise Bylaw C-5773-2003 in perpetuity.
- 45) That the site shall remain free of restricted and noxious weeds and be maintained in accordance with the Alberta Weed Control Act [*Statutes of Alberta, 2008 Chapter W-5.1; Current as of December 15, 2017*].
- 46) That the Applicant/Owner shall be responsible for all required payments of 3rd party reviews and/or inspections as per the Master Rates Bylaw.

Note: For any 3rd party review work completed prior to Issuance of the Development Permit, the invoices shall be paid prior to the Development Permit being issued.

For any work completed after Permit issuance but before Permit Occupancy, the invoices shall be paid prior to Development Occupancy.

- 47) 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:
 - i) A 3.2.2. Building Code Analysis;
 - ii) A dimensioned site plan with dimensions to the hydrant locations, Siamese connection/front entry (if applicable), Access route design and water supply;

Note: The Development shall conform to the National Energy Code 2011 and any Acoustical Requirements of the Alberta Building Code.

- 48) That any other government permits, approvals, or compliances are the sole responsibility of the Applicant/Owner.
- 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 Development Officer.
- 50) That if the Development Permit is not issued by DECEMBER 31, 2020 or the approved extension date, then this approval is null and void and the Development Permit shall not be issued.

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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.

Carried

2020-03-09-08 (E-3)

Division 4 – Development Item – General industry, type II

File: PRDP20194153 (02336015)

MOVED by Member Boehlke that Development Permit Application PRDP20194153 be approved with the conditions noted in the report:

Description:

- 1) That General Industry, Type II, for a hydro-vac company may take place in general accordance with the submitted and amended drawings prepared by Rick Balbi Architect Ltd., drawings D1 to D4, dated October 2, 2019, as submitted with the application, and includes the following:
 - i) Construction of a fabric structure, approximately 3,593.50 sq. m (38,680.10 sq. ft.) in size;
 - ii) Placement of an office trailer, approximately 136.17 sq. m (14,65.70 sq. ft.) in size;
 - iii) Construction of two accessory buildings (boiler enclosures), each approximately 7.43 sq. m. (80.00 sq. ft.) in area;
 - iv) Limited outdoor storage; and,
 - v) Installation of one (1) fascia sign; details are to be submitted and approved by the County prior to installation.
- 2) That the minimum rear yard setback requirement for the fabric structure is relaxed from 15.00 m (49.21 ft.) to 14.04 m (46.06 ft.).
- 3) That the minimum side yard setback requirement for the office trailer is relaxed from 15.00 m (49.21 ft.) to 7.73 m (25.36 ft.).

Prior to Issuance:

Payments and Levies:

- 4) That prior to issuance of this permit, the Applicant/Owner shall confirm acceptance or refusal to participate in the Voluntary Recreation Contribution for Community Recreation Funding on the form provided by the county and that the contribution, if accepted, is \$4,152.00 calculated at \$800.00 per acre for 5.19 acres.

Site Developability:

- 5) That prior to issuance of this permit, the Applicant/Owner shall submit a revised Parking Plan, in accordance with Section 30 of the Land Use Bylaw, to include:
 - i) A minimum required 41 parking stalls, including two (2) barrier free stalls;
 - ii) Parking stall dimensions and isle width;
 - iii) Barrier-free access aisle, signage and identification requirements; and,
 - iv) Alternatively, the Applicant/Owner may submit a Parking Assessment, prepared by a qualified person, in accordance with Section 30.1(f) of the Land Use Bylaw, to document the parking demand and supply characteristics associated with the proposed development.

Note: The Development Authority shall not be bound by any recommendations of such Parking Assessment.

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- 6) That prior to issuance of this permit, the Applicant/Owner shall submit a Lighting Plan, in accordance with Section 27 of the Land Use Bylaw and the Fulton Industrial Conceptual Scheme, detailing the proposed building and site lighting for the development. The lighting plan shall be compliant with the County's dark sky lighting regulations, conserve energy, reduce glare and minimize light trespass onto surrounding properties.
 - 7) That prior to issuance of this permit, the Applicant/owner shall submit a revised Site Plan, identifying any required outdoor storage areas onsite, if required, to the satisfaction of the County.
 - 8) That prior to issuance of this permit, the Applicant/Owner shall submit a Construction Management Plan to address dust control, noise, truck routes, access to the site, and potential for interference with nearby residences, to the satisfaction of the County.
 - 9) That prior to issuance of this permit, the Applicant/Owner shall submit an Emergency Management Plan as per the Fulton Industrial Conceptual Scheme, to the satisfaction of the County.

Transportation:

- 10) That prior to issuance of this permit, the Applicant/Owner shall contact County Road Operations to discuss haul details for materials and equipment needed during construction/site development to confirm if Road Use Agreements will 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.

Stormwater:

- 11) That prior to issuance of this permit, the Applicant/Owner shall submit a Site-Specific Stormwater Management Plan (SSIP) completed by a professional Engineer. The SSIP shall address conveyance, storage, treatment (if required) and potential reuse of stormwater for the proposed development as per county servicing standards, Fulton Stage 1 Storm water management report and in accordance with the Conceptual Scheme.
 - i) If required, the Applicant shall register an overland drainage ROW and associated plan for all identified storm water infrastructure as per the approved SSIP.
- 12) That prior to issuance of this permit, the Applicant/Owner shall submit an Erosion and Sediment Control plan (ESC), completed by a professional Engineer, in accordance with County Servicing Standards and in accordance with the Fulton Industrial Conceptual Scheme. The ESC plan shall ensure that all disturbed areas and the areas surrounding them are protected by controlling or preventing erosion and sedimentation.

Other:

- 13) That prior to issuance of this permit, the Applicant/Owner shall submit confirmation of acceptance of the building and site design plans by the Lot Owners Association or designated committee for the Fulton Industrial development.

Prior to Occupancy

- 14) That prior to site occupancy, the Applicant/Owner shall submit Built to Design Certificates and as-built drawings, certified by a professional engineer. The as-built drawings shall include: verification of as-built on-site stormwater management facilities, and any other information that is relevant to the SSIP, to the satisfaction of the County.

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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 has been completed as per the approved designs.

15) That all landscaping and final site surfaces shall be in place prior to occupancy of the site.

- i) That should permission for occupancy of the site be requested during the months of October through May inclusive, occupancy may be allowed without landscaping and final site surface completion provided that an Irrevocable Letter of Credit in the amount of 150.00% of the total cost of completing all the landscaping and final site surfaces shall be placed with Rocky View County to guarantee the works shall be completed by the 30th day of June immediately thereafter.

Permanent:

16) That any plan, technical submission, agreement, matter, or understanding submitted and approved as part of the application, in response to a Prior to Issuance or Occupancy condition, shall be implemented and adhered to in perpetuity including:

- i) Approved Geotechnical Reports submitted as part of the subdivision application for Fulton Industrial Park (2013-RV-029);
- ii) Operation and maintenance of the on-site stormwater management facilities in accordance with the approved site specific stormwater management plan prepared for the development;

17) That all development shall be in accordance with Fulton Industrial Conceptual Scheme.

18) That sanitary sewage shall be contained in pump out tanks and transported off-site to an approved waste water receiving facility for disposal.

19) That potable water shall be supplied via water cistern utilizing a trucked service.

20) That all landscaping shall be in accordance with the amended Landscape Plan. Vegetation types should be selected to endure the required storm water irrigation from May to September.

21) That no potable water shall be used for landscaping or irrigation purposes. Water for irrigation and landscaping shall only be supplied by the re-use of stormwater.

22) That the Applicant/Owner shall be responsible for irrigation and maintenance of all landscaped area including the replacement of any deceased trees, shrubs or plants within 30 days or by June 30th of the next growing season.

23) That water conservation strategies shall be implemented and maintained at all times.

24) That all outside storage of materials, products and equipment shall be limited to the area(s) indicated on the approved site plan.

25) That the entire site shall be maintained in a neat and orderly manner at all times to the satisfaction of the Development Officer.

26) That no outdoor display areas, storage areas, parking, or marshalling yards shall be allowed within landscaped yards.

27) That all on site Lighting shall be "dark sky", and all private lighting, including site security lighting and parking area lighting, shall be designed to conserve energy, reduce glare, and reduce uplift. All development shall be required to demonstrate lighting design that reduces the extent of spill-over glare and eliminates glare as viewed from nearby residential properties.

28) That the garbage container shall be screened from view from all adjacent properties and public thoroughfares, in accordance with the submitted site plan. The garbage and waste material on site

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shall be stored in weatherproof and animal-proof containers located within buildings or adjacent to the side or rear of buildings.

- 29) 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.
- 30) That all signage shall be kept in a safe, clean, and tidy condition at all times.
- 31) That no temporary signs shall be place on the site at any time except any temporary signs required during development or building construction.
- 32) That any future business signage shall require a separate Development Permit approval and shall adhere to all applicable approved County policies.
- 33) That 41 parking stalls including 2 barrier free stalls shall be maintained on site at all times, or as determined by an approved Parking Assessment, to the satisfaction of the County.
- 34) There shall be no parking of any kind along the adjacent County Road System.
- 35) That dust control shall be maintained on the site during construction, and that the developer shall take whatever means necessary to keep visible dust from blowing onto adjacent lands.

Advisory:

- 36) That the site shall conform to the County's Noise Bylaw C-5773-2003 in perpetuity.
- 37) That the site shall remain free of restricted and noxious weeds and maintained in accordance with the Alberta Weed Control Act [Statutes of Alberta, 2008 Chapter W-5.1, December 2017].
- 38) 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.
- 39) 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:
 - i) Spatial separation calculations must be indicated on the drawings as per Subsection 9.10.14; and,
 - ii) Fabric must conform to ULC-S109 standard.

Note: The Development shall conform to the National Energy Code 2011, NFPA 1141, and any requirements of the Alberta Building Code.

- 40) That any other government permits, approvals, or compliances are the sole responsibility of the Applicant/Owner.
- 41) 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.
- 42) That if this Development Permit is not issued by AUGUST 31, 2020, or by an approved extension date, then this approval is null and void and the Development Permit shall not be issued.

Note: The Applicant/Owner shall be responsible for all Alberta Environment and Park (AEP) approvals for any on-site stormwater infrastructure.

Carried

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2020-03-09-09 (E-4)

Division 5 – Development Item – General industry, type II

File: PRDP20200020 (05322009)

MOVED by Member Boehlke that Development Permit Application PRDP20200020 be approved with the conditions noted in the Development Permit Report:

Description:

- 1) That an accessory building (cold storage), approximately 891.87 sq. m (9,600.00 sq. ft.) in size, related to the existing General Industry, Type II, may remain on-site in general accordance with the site plan and drawings submitted with the application and conditions herein.

Prior to Issuance:

- 2) That prior to issuance of this permit, the Applicant/Owner shall submit as-built drawings of the storm pond designed in the 2016 Stormwater Report prepared by Sedulous (approved under PRDP20161226), to the satisfaction of the County.
- 3) That prior to issuance of this permit, a revised Parking Plan shall be submitted and approved to the satisfaction of the Development Authority demonstrating:
 - i) The minimum number of parking stalls (9 parking stalls) and dimensions, in accordance with Section 30 and Schedule 5 of the Land Use Bylaw;
 - ii) The minimum number of loading spaces (1 loading space) and dimensions in accordance with Section 30 and Schedule 6 of the Land Use Bylaw; and
 - iii) The minimum number of accessible parking stalls (one accessible stall), design, and dimensions in accordance with Alberta Building Code requirements.
- 4) That prior to issuance of this permit, the Applicant/Owner shall provide confirmation of any lighting to be installed (mounted lights and/or freestanding lights). If lighting is to be installed, location and specifications shall be submitted in accordance with Section 27 of Land Use Bylaw C-4841-97 and approved to the satisfaction of the Development Authority.

Permanent:

- 5) That all conditions of approval for Development Permit PRDP20161226 shall remain in effect unless otherwise noted in this Development Permit approval.
- 6) That the entire site shall be maintained in a neat and orderly manner at all times and all garbage and waste material shall be deposited and be confined in weatherproof and animal-proof containers located within the building or adjacent to the side or rear of the building and screened from view from all adjacent properties and public thoroughfares. All waste material shall be regularly removed from the property to prevent any debris from blowing onto adjacent property or roadways.
- 7) That all on-site lighting shall be "dark sky" and all private lighting, including site security lighting and parking area 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 and eliminates glare as viewed from nearby residential properties.
- 8) That a minimum of 9 parking stalls, 1 accessible stall, and 1 loading bays shall be maintained on-site at all times and that no parking shall be permitted on the adjacent County road system.
- 9) The exterior and finished façade of the accessory building (cold storage) shall be cohesive to the principal office exterior façade.

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- 10) That any future signage shall require separate Development Permit approval and shall adhere to Section 35 of the Land Use Bylaw.
 - 11) That any plan, technical submission, agreement, matter or understanding submitted and approved as part of the application or in response to a prior to issuance or occupancy condition, shall be implemented and adhered to in perpetuity.

Advisory:

- 12) That a Building Permit shall be obtained through Building Services using the Commercial/Industrial Checklist requirements, including a 3.2.2 Building Classification.
- 13) That if groundwater is being used for commercial purposes, a Commercial Water license from Alberta Environment and Parks (AEP) is required, prior to operation.
- 14) That any other government permits, approvals, or compliances, including AEP, are the sole responsibility of the Applicant/Owners.
 - i) That the issued Roadside Development permit 2511-1392 through Alberta Transportation remains valid for this application.
- 15) 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 date of issue, the permit is deemed to be null unless an extension to this permit shall first have been granted by the Development Authority.
- 16) That if this Development Permit is not issued by September 30, 2020 or the approved extension date then this approval is null and void and the Development Permit shall not be issued.

Carried

2020-03-09-19 (E-14)

Division 9 – Development Item – Sales Centre and Signage

File: PRDP20200058 (06827249)

MOVED by Member McKylor that Development Permit Application PRDP20200058 be approved with the conditions noted in the Development Permit Report:

Description:

- 1) That a temporary Sales Centre, approximately 75.81 sq. m. (816.01 sq. ft.) in area may remain on the subject lands in accordance with the drawings submitted with the application as prepared by E2&Associates, dated Jan 14, 2020 and includes:
 - i) A 97.92 sq. m (1,054.00 sq. ft.) parking area, utility cover and front deck with ramp;
 - ii) One (1) façade sign and two (2) directional / sandwich board signs

Permanent:

- 2) That no residential occupancy of the temporary Sales Centre shall occur at any time.
- 3) That the site shall be maintained in accordance with the application drawings and shall employ good house-keeping measures.
- 4) That all signage shall be maintained in accordance with the site plan as submitted with the application.
- 5) That all signage shall not be illuminated, flashing, or animated, and shall be kept in a safe, clean and tidy condition at all times.

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- 6) That all on site lighting shall be "dark sky" and all private lighting, including site security lighting and parking area 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 and eliminates glare as viewed from nearby residential properties.
 - 7) That the site shall operate in accordance with the approved Stormwater Management Plan for Monterra Phase 2 and County's Servicing Standards.
 - 8) That any plan, technical submission, agreement, matter or understanding submitted and approved as part of the application, in response to a prior to issuance or occupancy condition, shall be implemented and adhered to in perpetuity.

Advisory:

- 9) That during placement of the Sales Centre, all construction materials shall be maintained onsite, in a neat and orderly manner in accordance to the County's Unsightly Premise Bylaw C-5755-2003. Any debris or garbage shall be stored/placed in garbage bins and disposed of at an approved disposal facility.
- 10) That the Sale Centre operations shall adhere to the County's Noise Bylaw C-5772-2003 at all times.
- 11) That a Building Permit shall be obtained through Building Services using the Commercial/Industrial Checklist requirements, prior to the placement of the Temporary Sales Centre.
- 12) That any other Federal, Provincial or County permits, approvals, and/or compliances, including a Roadside Development Permit from Alberta Transportation are the sole responsibility of the Applicant/Owner.
- 13) That if the development authorized by the 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.
- 14) That this Development Permit shall be valid until April 8, 2022.

Carried

2020-03-09-10 (E-5)

Division 7 – Development Item – Single-lot regrading

File: PRDP20193998 (08712007)

The Chair called for a recess at 10:19 a.m. and called the meeting to order at 10:25 a.m. with all previously mentioned members present.

MOVED by Member McKylor that Development Permit Application PRDP20193998 be approved with the conditions noted in the report:

Description:

- 1) That single-lot regrading and the placement of clean fill for agricultural purposes with a total regrading area of approximately 2,780.00 sq. m. shall be permitted in general accordance with the approved drawings and the conditions of this permit including:
 - i) Re-contouring and brush clearing in the area south of the dwelling, single detached (approximately $\pm 2,234.76$ sq. m in area with a 7% slope); and
 - ii) Excavation of an area south of the dwelling, single detached (approximately ± 474.02 sq. m in area with a 3:1 slope).

Prior to Issuance:

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- 2) That prior to issuance of this permit, the Applicant/Owners shall submit an Irrevocable Letter of Credit or Refundable Security, in the amount of \$5,000 per disturbed acre, to be deposited with the County to ensure that conditions of this permit are met. If conditions of this permit are not met, the County may use the funds, enter onto the described land, and carry out the work necessary to meet the conditions.
Note, the total disturbed area for the application is 0.69 acres.
 - 3) That prior to issuance of this permit, the Applicant/Owner shall submit an Erosion and Sediment Control (ESC) plan prepared by a qualified professional, due to development's proximity to the environmental sensitive area, in accordance with County Servicing Standards.
 - 4) That prior to issuance of this permit, the Applicant/Owner shall submit a site-specific stormwater management (SSSM) memo, prepared by a qualified professional, assessing the post development site stormwater management to identify if there are off-site drainage impacts due to proposed development.
 - i) The SSSM memo shall also assess and recommend if any stormwater management measures are required to be implemented due to the proposed development. If the findings of the plan require local improvements, SSSM memo should provide an onsite stormwater management strategy for the proposed development in accordance with the County Servicing Standards.
 - 5) That prior to issuance 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 will 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.

Permanent:

- 6) That for all areas where over 1.2 m of fill is placed, the Applicant/Owner shall provide a Deep Fill Report, prepared by a qualified professional, providing the compaction testing of the fill and general recommendations for the suitability of different types of building foundations as there is potential that future landowners could construct a structure over the filled area.
- 7) That upon completion of the proposed development, the Applicant/Owner shall submit an as-built survey, confirming that the development proposal and post grades align with the supporting technical submissions for the file.
- 8) That any plan, technical submission, agreement, matter or understanding submitted and approved as part of the application or in response to a Prior to Issuance condition shall be implemented and adhered to in perpetuity, including the SSSM memo.
- 9) That the Applicant/Owner shall be responsible for rectifying any adverse effect on adjacent lands from drainage alteration.
- 10) That the Applicant/Owner shall take effective measures to control dust in the regrading area of the subject property, so that dust originating therein shall not cause annoyance or become a nuisance to adjoining property owners and others in the vicinity.
 - i) That if at any time the removal or handling of the fill creates a visible dust problem, the removal or handling of the fill shall cease immediately until remedial measures are taken.
- 11) That any material entering to or leaving from the site, shall be hauled on/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.

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- 12) That with the removal of any fill, the Applicant/Owner shall take whatever means necessary to avoid the transfer of dirt onto public roadways.
- i) That the clean-up of any mud tracking and/or dirt that enters onto adjacent Highway and/or County roads during hauling shall be the responsibility and cost of the Applicant/Owner for clean-up.
- 13) That no topsoil shall be removed from the subject property.
- 14) That the fill shall not contain construction rubble or any hazardous substances, including but not limited to large concrete, rebar, asphalt, building materials, organic materials, or other metal.
- 15) That the entire site shall be maintained in a neat and orderly manner at all times to the satisfaction of the Development Authority.
- 16) That the proposed graded area, if possible, shall have a minimum of six inches of topsoil placed on top, which shall then be spread and seeded to native vegetation, farm crop, or landscaped, to the satisfaction of the County.

Advisory:

- 17) That the Applicant/Owner shall be responsible for weed control and shall adhere to the regulations in the Alberta Weed Control Act [Statutes of Alberta, 2008 Chapter W-5.1, December 2017] at all times.
- 18) That should there be any work to impact any wetlands, the Applicant/Owner shall obtain all Alberta Environment and Parks (AEP) approvals and permits for working in and/or near wetlands. A copy of all applicable AEP approvals or written verification from AEP that approvals are not required shall be provided before commencing any work.
- 19) That any other government permits, approvals, or compliances are the sole responsibility of the Applicant/Owner.
- 20) That if the development authorized by this Development Permit is not completed within 12 months of the date of permit issuance, the permit is deemed to be null and void.
- 21) That if this Development Permit is not issued by SEPTEMBER 30, 2020 or the approved extension date, then this approval is null and void and the Development Permit shall not be issued.

Note: That the Applicant/Owner shall be responsible for all Alberta Environment approvals/compensation as there may be wetlands on site that could be impacted by the proposed placement of topsoil.

Carried

2020-03-09-11 (E-6)

Division 8 – Development Item – Home-Base Business, Type II, For a Construction Company

File: PRDP20200050 (05630059)

MOVED by Member Boehlke that Development Permit Application PRDP20200050 be approved with the suggested conditions noted in the staff report:

Description:

- 1) That the single-lot regrading and placement of clean fill (Phase 2 of PRDP20193725), may commence on the site in general accordance with the approved application drawings and information submitted with the application and includes:
- i) Regrading of the low area in the southeast of the subject property, approximately 330 sq. m in area, with approximately 110.00 cu. m of fill;

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Prior to Issuance:

- 2) That prior to issuance 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 will 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.

Permanent:

- 3) That the Applicant/Owner shall submit Deep Fill reports, prepared and provided by a qualified professional, for any areas of the property filled, that exceed 1.2 m in depth.
- 4) That upon completion of the development proposal, the proposed development graded area (as per the approved site plan), shall be spread and seeded to native vegetation, farm crop, or landscaped to the satisfaction of the County.
- 5) That upon County request, the Applicant/Owner shall submit as-built drawings, confirming that the post grades align with supporting technical reports as approved with the application.
- 6) That the Applicant/Owner shall be responsible for rectifying any adverse effect on adjacent lands from drainage alteration.
- 7) That the Applicant/Owner shall take effective measures to control dust in the grading areas of the subject property, so that dust originating therein shall not cause annoyance or become a nuisance to adjoining property owners and others in the vicinity.
 - i) That if at any time the removal or handling of the topsoil creates a visible dust problem, the removal or handling of the topsoil shall cease immediately until remedial measures are taken.
- 8) That any topsoil hauled to or removed from the site, shall be hauled 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.
 - i) That the Applicant/Owner shall take whatever means necessary to avoid the transfer of dirt onto public roadways.
- 9) That the fill shall not contain construction rubble or any hazardous substances, including but not limited to large concrete, rebar, asphalt, building materials, organic materials, or other metal.
- 10) That the entire site shall be maintained in a neat and orderly manner at all times to the satisfaction of the Development Officer.
- 11) That any plan, technical submission, agreement, matter, or understanding submitted and approved as part of the application or in response to a Prior to Issuance or Occupancy condition shall be implemented and adhered to in perpetuity including:
 - i) Stormwater Management Report, as prepared by Stormwater Solutions, SSI Project Number: 0251-001; dated February 10, 2020

Advisory:

- 12) That the Applicant/Owner shall remain free of restricted and noxious weeds and be maintained in accordance with the Alberta Weed Control Act [Statutes of Alberta, 2008 Chapter W-5.1; Current as of December 15, 2017].
- 13) That the *County's Noise Bylaw (C-5772-2003)* shall be adhered to at all times.

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- 14) That any other government permits, approvals, or compliances are the sole responsibility of the Applicant/Owner.
 - 15) That all grading activities shall be completed within 12 months from date of permit issue.
 - 16) That if this Development Permit is not issued by AUGUST 31, 2020 or the approved extension date, then this approval is null and void and the Development Permit shall not be issued.

Carried

2020-03-09-12 (E-7)

Division 5 – Development Item – Single-lot regrading

File: PRDP20200042 (05326001)

MOVED by Member McKylor that Development Permit Application PRDP20200042 be refused for the following reasons:

- 1) That in the opinion of the Municipal Planning Commission, the development unduly interferes with the amenities of the neighbourhood and materially interferes with and affects the use, enjoyment, and value of neighbouring parcels of land;
- 2) That the amount of fill proposed within the application is not required for agricultural purposes.

Carried

2020-03-09-16 (E-11)

Division 4 – Development Item – Commercial kennel

File: PRDP20200089 (02320004)

MOVED by Member McKylor that Development Permit Application PRDP20200089 be approved with the conditions noted within the report:

Description:

1. That a *Kennel, Commercial* may operate on the subject property in accordance with the submitted Site Plan, cover letter, application details, and conditions herein, as follows:

- i. A maximum of 50 dogs, over three months of age, shall be permitted on site, between the hours of 10am and 3:30pm, Monday to Friday.
- ii. A maximum of five (5) dogs, over three months of age, shall be permitted on site, between the hours of 4pm and 9pm, Monday to Friday.
- iii. A maximum of eight (8) dogs, over three month of age, shall be permitted for boarding on site.

2. That one (1) on site signage for the *Kennel, Commercial* shall be permitted in accordance with Section 35 of the Land Use Bylaw.

Prior to Issuance:

3. That prior to issuance of this permit, the Applicant/Owner shall submit a Trip Generation Assessment indicating the volume of traffic drawn towards the site on a regular basis, in accordance with County Servicing Standards.

4. That prior to issuance of this permit, the Applicant/Owner shall submit payment of the

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Transportation Offsite Levy in accordance with Bylaw C-7356-2014 for the total gross area associated with the proposed kennel operation. The Applicant/Owner shall be required to submit a revised site plan identifying the development area of the proposal.

5. That prior to issuance of this permit, the Applicant/Owner shall submit details for proposed onsite sign in accordance with Sections 35.1 to 35.10 (all-inclusive) of the Land Use Bylaw, to the satisfaction of the County.

6. That prior to issuance of the permit, the Applicant/Owner shall submit a legible and detailed Site Plan, indicating location of parking on-site, location of the individual outdoor play areas, and location of all screening surrounding the operation.

Permanent:

7. That all dogs shall be kept indoors between the hours of 9:00 p.m. and 7:00 a.m.

8. That all waste shall be stored in solid metal or plastic containers, and shall be disposed of offsite.

9. That any dogs that cause a nuisance by barking shall be kept indoors at all times.

10. That any outside runs shall be enclosed with fencing constructed at a minimum of 1.2m (3.94ft.) in height. That parking shall be provided on the subject site to accommodate visitor and staff parking at all times. Off-site parking of staff or visitors shall not be permitted. That soils, groundwater and surface water sources shall not become polluted due to operations on the subject land. Potable water sources on the subject land and beyond must be adequately protected from any run-off, nuisance or contaminants.

11. That the on-site signage shall be kept in a safe, clean, and tidy condition, and may be required to be renovated or removed if not properly maintained

12. That the Applicant/Owner shall obtain any necessary Special Event Permit(s) prior to hosting events associated with the operation exceeding 50 dogs on site.

i. That for the purposes of this permit, a Special Event application may include but is not limited to client appreciation BBQs, Animal Rescue or Adoption events etc.;

Advisory:

13. That Dog Licenses shall be obtained yearly from Rocky View County Finance Department.

14. That the current Rocky View County Animal Control Bylaw is adhered to at all times.

15. That a Building Permit shall be submitted to Building Services, prior to any structure being utilized for the *Kennel, Commercial* operation or construction commencement.

16. That any other government permits, approvals, or compliances are the sole responsibility of the Applicant/Owner.

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17. That this Development Permit, once the prior to issuance conditions have been satisfied, shall be valid until April 9, 2021.

Carried

2020-03-09-22 (E-17)

Division 3 – Development Item – Single detached dwelling

File: PRDP20200024 (04606101)

MOVED by Member Boehlke that Development Permit Application PRDP20200024 be approved with the conditions noted within the report:

Description:

- 1) That the minimum front yard setback requirement for the existing *Dwelling, Single Detached* is relaxed from 6.00m (19.69 ft.) to 5.98 m (19.62 ft.) as shown on the Real Property Report prepared by Third Rock Geomatics (File #19-03149841), dated November 12, 2019.
- 2) That the minimum side yard setback for the existing *Dwelling, Single Detached* is relaxed 1.50m (4.92 ft.) to 1.42m (4.66 ft.) as shown on the Real Property Report prepared by Third Rock Geomatics (File #19-03149841), dated November 12, 2019.

Advisory:

- 3) That any other government permits, approvals, or compliances are the sole responsibility of the Applicant/Owner.

Carried

2020-03-09-13 (E-8)

Division 9 – Development Item – Equestrian centre

File: PRDP20193941 (07730002)

MOVED by Member McKylor that the proposed conditions of approval be amended by adding a new condition 7.1 with the following wording:

“That prior to issuance of this permit, the Applicant/Owner shall submit proof of a lease agreement for the additional lands to the satisfaction of the County.”

Carried

MOVED by Member McKylor that Development Permit Application PRDP20193941 be approved with the conditions noted in the Development Permit Report as amended:

Description:

- 1) That an Equestrian Centre, Type II may take place on the subject site in accordance with the site plan submitted with the application.
 - i) That a maximum of 125 animals shall be kept on the site (kept means when the animal is on the site overnight).
 - ii) That a maximum of 125 animals shall be allowed on the subject site at any one time for any events.

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- 2) That any existing accessory buildings onsite may be used for ancillary uses related to the Equestrian Centre, Type II.

Prior to Issuance:

- 3) That prior to issuance of this permit, the Applicant/Owner shall submit a revised Manure management plan, detailing manure management practices onsite including the location of on-site storage of manure and frequency of spreading schedule, to the satisfaction of the County.
- 4) That prior to issuance of this permit, the Applicant/Owner shall submit any signage details, for the Equestrian Centre, Type II, to the satisfaction of the County.
- 5) That prior to issuance of this permit, the Applicant/Owner shall submit a Stormwater Management Plan, prepared by a qualified professional, detailing onsite storm water practices and addressing any adverse effects on the adjacent properties or roadway infrastructure, in accordance with County Servicing Standards.
- 6) That prior to issuance of this permit, the Applicant/Owner shall submit a Trip Generation Assessment indicating the volume of traffic to be drawn towards the site on a regular basis and on special events, in accordance with County Servicing Standards.
- 7) That prior to issuance of this permit, the Applicant/Owner shall submit payment of the Transportation Offsite Levy in accordance with Bylaw C-7356-2014 for the total gross area associated with the Equestrian operation.
- 7.1) That prior to issuance of this permit, the Applicant/Owner shall submit proof of a lease agreement for the additional lands to the satisfaction of the County.

Permanent:

- 8) That if at any time the additional lands leased are no longer viable or available for this development proposal, the number of permitted animal units onsite shall be decreased immediately.
 - i) The permitted animal unit number onsite shall be determined by Administration, based on the available pasture lands related to this Equestrian Centre.
- 9) That for purposes of this permit, an equestrian event is an activity that involves the training of horses and/or horse riders, horsemanship lessons, learning programs and the boarding of horses.
- 10) That commercial use on the site, which is any event where there is a fee for admission or for use of the facilities or for services provided, shall be for equestrian events only.
- 11) That food services shall be limited to participants and the guests of participants.
- 12) That the total number of participants at any outdoor event shall not exceed 50 people.
- 13) That once approved, the Manure and Grazing Management Plan as submitted with the application shall be practiced at all times.
 - i) Upon request of the County, the Applicant/Owner may have to update the approved Manure and Grazing management plan if any issues arise or complaints are received on the property, to the satisfaction of the County.
- 14) That there shall be no spreading or storage of manure within 50.00 m of any watercourse.
- 15) That this Development Permit does not permit overnight camping on the site
- 16) That all trailers, equipment or materials associated with the Equestrian Centre shall be located on the subject property. There shall be no associated storage on NW-30-27-03-05.

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- 17) That all parking of vehicles, including stock trailers and participant and spectator parking, shall be limited to on-site only and that a minimum of 5 stalls shall be available at all times.
 - 18) That all outdoor lighting shall use full cut-off (shielded) fixtures that direct the light downward, and that no direct glare shall be visible from adjacent properties, roadways, and highways.
 - 19) That the garbage and waste material on site shall be stored in weatherproof and animal-proof containers located within buildings or adjacent to the side or rear of buildings. The containers shall be screened from view from all adjacent properties and public thoroughfares.
 - 20) That the subject property shall be adequately fenced and maintained at all times when livestock are present, and no livestock shall be allowed on unfenced areas.

Advisory:

- 21) That all facilities on the subject site that are involved with the equestrian centre shall conform to the Alberta Building Code.
 - i) That a Building Permit for a Change of Use shall be obtained through Building Services prior to further commencement of activities onsite and shall include:
 - 1) Architectural, Structural, Mechanical, and Electrical stamped drawings with schedules
 - 2) A 3.2.2 Building Code analysis from an Architect
 - 3) Water Supply design for fire-fighting must conform to article 3.2.5.7. ABC 2014.
 - 4) Spatial Separation calculations between buildings and property lines as per subsection 3.2.3. ABC 2014

Building shall conform to the National Energy Code 2011, with documentation/design at Building Permit stage.
 - ii) That water supply for fire suppression and emergency vehicle access shall be provided in accordance with Alberta Building Code.
- 22) That the Applicant/Owner shall adhere to any requirements of Instrument #961 138 238.
- 23) That any other government permits, approvals, or compliances are the sole responsibility of the Applicant/Owner.
- 24) 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.
- 25) That if the Development Permit is not issued by DECEMBER 31, 2020 or the approved extension date, then this approval is null and void and the Development Permit shall not be issued.

Carried

2020-03-09-18 (E-13)

Division 5 – Development Item – Gravel pit (renewal)

File: PRDP20194424 (06836002)

MOVED by Member Boehlke that Development Permit Application PRDP20194424 be approved with the suggested conditions noted in the staff report:

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Description:

- 1) That natural resource extraction/processing, processing and sales (Phase1) may continue to operate on the subject site as approved in accordance with the Big Hill Springs Gravel Pit Master Site Development Plan (*Bylaw C-7226-2012*) (MSDP), dated December 11, 2012, (Fig. 5) and the submitted application. This application includes:
 - i) A construction/operation office building, and scale equipment, in accordance with the minimum setback requirements of the zoning district.
 - ii) One (existing) freestanding sign.

Prior to Issuance:

- 2) That prior to issuance of this Development Permit, the Applicant/Owner shall submit updated recordings of previous readings for the installed piezometers, water and mining pit elevation data (for monitoring purposes), to ensure the excavation plan is not impacting the groundwater table, to the satisfaction of the County.
 - ii. Should the report find that groundwater levels were exceeded, the Applicant/Owner shall be required to remediate depth of mining to the satisfaction of the County.
- 3) That prior to issuance of this Development Permit, the Applicant/Owner shall submit the Annual Operations Report for 2017, 2018 and 2019 (if available), in accordance with Section 4 and 10 of the MSDP.
- 4) That prior to issuance of this Development Permit, the Applicant/Owner shall submit updates/confirmation to the County for the Reclamation Plans for Phase 1, in accordance with the previous approved Reclamation Plan, [*as prepared by Kelham & Associates, Dwg. West-East Conceptual Profiles; Dwg. 1-4, dated May 2018*].
 - i) Any noted increases to the proposed Reclamation area within this approval shall be captured, updated and submitted to the County.

Permanent:

- 5) That any plan, technical submission, agreement, or other matter submitted and approved as part of PRDP20194424, PRDP20180393, or 2013-DP-15360), or submitted in response to a prior to issuance or occupancy condition, shall be implemented and adhered to in perpetuity, including:
 - i) That the noted gravel operation shall operate the site, including the requirement to construct any necessary stormwater management facilities, in accordance with the approved site Stormwater Management Plan (included with 2013-DP-15360).
 - ii) Hydrogeological Groundwater Evaluation, as prepared by Millennium EMS Solutions Ltd., dated July 8, 2013;
 - iii) Phase 1 Piezometer Schedule, as prepared by Kelham & Associates, Inc. dated January 14, 2014; (*as amended*)
 - iv) Stormwater Management Plan & Master Site Drainage Plan, as prepared by Westhoff Engineering Resources, Inc.; dated March 2014
 - v) Erosion and Sediment Control Plan, as prepared by Westhoff Engineering Resources, Inc. and Kelham & Associates Inc., dated April 10, 2014.
- 6) The site shall operate in accordance with the Big Hill Springs Master Site Development Plan (*Bylaw C-7226-2012*), dated December 11, 2012.

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- 7) That the area of the site that is open and not reclaimed shall be limited to Phase 1 only. Phase 2 shall not commence until a separate Development Permit has been issued.
 - 8) That any Alberta Environment Registration(s) shall remain in effect.
 - i) That a copy of the Pit Renewal Registration from Alberta Environment shall be submitted to the County.
 - 9) That the site shall operate in accordance with MSDP, dated December 11, 2012, in perpetuity.
 - 10) That reclamation shall proceed behind extraction activities such that no more than 40 acres shall be open at any time. At minimum, 25% of the area of any phase shall be reclaimed before the next phase is permitted to be opened.
 - 11) That any gravel extraction and processing operation shall occur 2.0 m above the highest recorded groundwater table, as approved with the updated groundwater table readings.
 - 12) That the Applicant/Owner shall continue to implement the subject groundwater measurement program within the gravel extraction area and record groundwater readings.
 - i) Should extraction operations negatively impact groundwater on adjacent parcels, further groundwater testing may be required, upon request from the County.
 - 13) That all equipment associated with the gravel extraction operation shall be located on the land that is designated as Natural Resource Industrial District (NRI).
 - 14) That no topsoil shall be removed from the site.
 - 15) That no water shall be used for washing of gravel unless and until written approval has been received from Alberta Environment. If washing is approved by Alberta Environment, the washing of gravel shall adhere to the approved days and hours of operation.
 - 16) That no wash water shall be discharged off of the site or into any water channel.
 - 17) That there shall not be any storage of any materials or vehicles on the property that are not directly related to the operation of the gravel pit.
 - 18) That only on-site extraction materials may be processed on-site, except on occasion whereby blend materials from off-site are required to bring products to specification.
 - 19) That the existing berms shall be maintained adjacent to Highway 567 and along the west border of the access road (approved under PRDP20193501) to provide a visual and sound barrier for the operation.
 - 20) That the berms, overburden stockpiles, and similar earthworks shall be seeded and maintained using erosion control measures.
 - 21) That dust control measures shall be utilized for all vehicles during mining and transport of material, and shall be applied to haul and access roads so that no visible dust is allowed on adjacent lands from the site.
 - 22) That in the case of any spillage of hazardous materials, Alberta Environment and the County shall be notified immediately, and the appropriate clean-up procedures shall be implemented.
 - 23) That the days of operation, including stripping of overburden, aggregate extraction, operation of the crusher, and stockpiling, shall be limited to the following:
 - i) May to October
 - i) Monday to Friday: 7:00 a.m. to 5:30 p.m.
 - ii) Saturday: 7:00 a.m. to 3:30 p.m.
 - ii) November:

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- a) Monday to Friday: 8:00 a.m. to 5:00 p.m.
 - iii) December to April
 - a) Monday to Friday: 8:00 a.m. to 5:00 p.m.
 - 24) That recorded noise levels shall not exceed 55db LAeq (1 hour, free field), or 10dB above recorded ambient noise levels (measured as LA90), whichever is the lesser, at the nearest occupied dwellings.
 - 25) That no extraction shall not occur below the groundwater table.
 - 26) That groundwater monitoring reporting shall be submitted monthly, subject to reporting requirements as conditioned in the required groundwater level measuring summary report.
 - i) That should operations negatively impact groundwater on adjacent parcels, groundwater testing may be required and requested by the County at the Applicant/Owner's expense.
 - 27) That the Applicant/Owner shall submit an Annual Operations Report, to include the items listed in Section 4 and 10 of the MSDP, no later than six months after each operating year.

Advisory:

- 28) That the Applicant/Owner shall operate within the requirements of the Code of Practice for Pits.
- 29) The Applicant/Owner shall provide payment of the Community Aggregate Payment Levy in accordance with Bylaw C-7748-2018.
- 30) That the County's Noise Bylaw C-5772-2003 shall be adhered to at all times.
- 31) That all sanitary sewage and water services shall be supplied in accordance with Alberta Safety Codes Act and Alberta Environment.
- 32) That fire suppression and abatement measures shall be followed to the satisfaction of the County.
- 33) That the site shall remain free of restricted and noxious weeds and maintained in accordance with the Alberta Weed Control Act [Statutes of Alberta, 2008 Chapter W-5.1, December 2017].
- 34) That any other government permits, approvals, or compliances are the sole responsibility of the Applicant/Owner.
- 35) That if this development permit is not issued by SEPTEMBER 30, 2020 or the approved extension date, then this approval is null and void and the development permit shall not be issued.
- 36) That this Development Permit, if and when issued, shall be valid until JUNE 30, 2024 or until Phase 1 is complete, whichever is the lesser.

Carried

The Chair called for a recess at 10:59 a.m. and called the meeting back to order at 11:09 a.m. with all previously mentioned members.

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2020-03-09-14 (E-9)

Division 2 – Development Item – Riding arena and accessory dwelling unit

File: PRDP20194632 (04727001)

2020-03-09-15 (E-10)

Division 2 – Development Item – Keeping of livestock

File: PRDP20194636 (04727001)

MOVED by Member McKylor that items E-9 and E-10 be tabled.

Carried

2020-03-09-17 (E-12)

Division 7 – Development Item – Hobby kennel and the keeping of livestock

File: PRDP20194645 (06427013)

MOVED by Member Boehlke that Development Permit Application PRDP20194645 be approved with the conditions noted in the report:

Description:

- 1) That a Hobby Kennel (5 dogs) and the Keeping of Livestock at densities no greater than two (2) animal units per 1.60 hectares (3.95 acres), specifically from 5.00 to 7.00 animal units (horses, mini horse, mini donkeys, and a goat) may operate on the subject property in accordance with the submitted Site Plan and Application.
- 2) That a maximum of five (5) adult dogs, over three (3) months of age, shall be allowed on the subject site at any one time.

Permanent:

Hobby Kennel

- 3) That all dogs involved in the hobby kennel operation shall be privately owned by the Applicant/Owner.
- 4) That this hobby kennel operation may include private breeding of the dogs, owned by the Applicant/Owner.
- 5) That all dogs must be kept indoors between the hours of 9:00 p.m. and 7:00 a.m.
- 6) That all waste shall be stored in solid metal or plastic containers and shall be disposed of offsite.
- 7) That any dogs that cause a nuisance by barking shall be kept indoors at all times.
- 8) That any outside runs shall be enclosed with fences that are constructed so as to be solid visual barrier and a minimum of 1.21 m. (3.94 ft.) in height.

Keeping of Livestock

- 9) That the Manure and Grazing Management Plan as submitted with the application shall be practiced at all times.
 - i) If overgrazing becomes evident on the property, revised grazing procedures may need to be implemented by the Applicant or the number of animal units may need to be decreased, to the satisfaction of the County.
- 10) That all manure shall be collected and disposed of off-site or worked into the fields on a continual basis at least once per month.
- 11) That if there is a build-up of manure, that manure must be removed immediately.

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- 12) That the Applicant/Owner shall ensure the property contains adequate livestock fencing, to ensure all livestock units remain on the subject property at all times.

Advisory:

- 13) That Dog Licenses shall be obtained yearly from Rocky View County Finance Department, for each dog involved in the *Hobby Kennel*.
- 14) That the Rocky View County Animal Control Bylaw shall be adhered to at all times.
- 15) That any other government permits, approvals, or compliances are the sole responsibility of the Applicant/Owner.
- 16) That this Development Permit shall be valid until April 8, 2023.

Carried

2020-03-09-20 (E-15)

Division 8 – Development Item – Accessory building

File: PRDP20200001 (05631186)

MOVED by Member McKylor that Development Permit Application PRDP20200001 be approved with the conditions noted in the report:

Description:

- 1) That an Accessory Building (Pool Cabana), approximately 15.90 sq. m (171.45 sq. ft.) in area, may be constructed on the subject land in general accordance with the approved plans and includes:
- i) That the minimum rear yard setback requirement is relaxed from 7.00 m (22.97 ft.) to 5.60 m (18.37 ft.).

Permanent:

- 2) That the proposed Accessory Building (Pool Cabana) shall not be used for commercial purposes at any time, except for a Home-Based Business, Type I or an approved Home-Based Business, Type II.
- 3) That the proposed Accessory Building (Pool Cabana) shall not be used for residential occupancy purposes at any time.
- 4) That the exterior siding and roofing materials of the Accessory Building (Pool Cabana) shall be similar/cohesive to the existing dwelling, single-detached and/or area.
- 5) That there shall be no more than 1.00 m (3.28 ft.) of fill placed adjacent to or within 15.00 m (49.21 ft.) of the proposed building under construction, which is used to establish approved final grades unless a Development Permit has been issued for additional fill and topsoil.
- 6) 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 Authority.

Advisory:

- 7) That any other Federal, Provincial, or County permits, approvals, and/or compliances, are the sole responsibility of the Applicant/Owner.

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- 8) That during construction of the Accessory Building, all construction and building materials shall be maintained on site, 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.
 - 9) That the County's Noise Bylaw C-5772-2003 shall be adhered to at all times.
 - 10) That a Building Permit and sub-trade permits shall be obtained through Building Services, prior to any construction taking place.

Carried

2020-03-09-21 (E-16)

Division 2 – Development Item – Accessory dwelling unit (garden suite)

File: PRDP20194061 (04735026)

MOVED by Member McKylor that Development Permit Application PRDP20194061 be approved with the conditions noted in the Development Permit Report:

Description:

- 1) That an accessory dwelling unit (garden suite), may be constructed in general accordance with the site plan submitted with the application and the conditions of this permit.
 - i) That the maximum habitable floor area of the accessory dwelling unit (garden suite) is relaxed from 110.00 sq. m. (1,184.00 sq. ft.) to 118.73 sq. m. (1,278.00 sq. ft.).

Prior to Issuance:

- 2) That prior to issuance of this permit, the Applicant/Owner shall confirm acceptance or refusal to participate in the Voluntary Recreation Contribution for Community Recreation Funding on the form provided by the County and that the contribution, if accepted, is \$800, calculated at \$800.00 for each new residential unit.

Permanent:

- 3) That the accessory dwelling unit (garden suite) shall be subordinate to the dwelling, single detached.
- 4) That there shall be only one permitted accessory dwelling unit on-site, unless approved by a separate Development Permit application.
- 5) 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 each dwelling unit located on the subject site, to facilitate accurate emergency response.
- 6) That there shall be a minimum of one parking stall maintained on site at all times dedicated to the accessory dwelling unit (garden suite).
- 7) That there shall be no more than 1.00 m (3.28 ft.) of fill and topsoil placed adjacent to or within 15.00 m (49.21 ft.) of the accessory dwelling unit under construction that is used to establish approved final grades and to establish basement grades, unless a Development Permit has been issued for additional fill and topsoil.
- 8) That there shall be adequate water servicing provided for the accessory dwelling unit (garden suite) and it is the Applicant's/Owner's responsibility to provide water quantity in accordance with the recommendations found in Module 2 of the document "Water Wells That Last for Generations" published by Agriculture and Agri-Food Canada, Alberta Environment, Alberta Agriculture and Food.
- 9) That it is the Owner/Applicant's obligation/responsibility to undertake water quality testing in accordance with the Guidelines for Canadian Drinking Water Quality and Alberta Health Services

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criteria. Should there be any adverse results or should questions arise concerning the interpretation of the results of the analyses, it will be the obligation/responsibility of the Owner/Applicant to contact the local Public Health Inspector for recommendations/ requirements.

- 10) That there shall be adequate sanitary sewer servicing provided for the accessory dwelling unit (garden suite).
- 11) That the Applicant/Owner shall perform any required/necessary maintenance and upkeep of the Private Septic Treatment System, to maintain the system in good operating condition.
- 12) That any plan, technical submission, agreement, matter or understanding submitted and approved as part of the application, in response to a prior to issuance or occupancy condition, shall be implemented and adhered to in perpetuity.

Advisory:

- 13) That water conservation measures shall be implemented in the accessory dwelling unit (garden suite), such as low-flow toilets, shower heads, and other water conserving devices.
- 14) That during construction:
 - i) all construction and building materials shall be maintained on-site 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.
 - ii) the Applicant/Owner shall implement adequate erosion and sediment control measures to avoid any impact to any site wetlands.
 - iii) the County's Noise Control Bylaw C-5772-2003 shall be adhered to at all times.
- 15) That a Building Permit and sub-trade permits shall be obtained through Building Services for the proposed accessory dwelling unit (garden suite), using the Accessory Dwelling Unit Checklist, prior to any construction taking place.
- 16) 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.
- 17) That any other government permits, approvals, or compliances are the sole responsibility of the Applicant/Owner.
- 18) That if this Development Permit is not issued by JUNE 30, 2020 or the approved extension date, then this approval is null and void and the Development Permit shall not be issued.

Carried

2020-03-09-14 (E-9)

Division 2 – Development Item – Riding arena and accessory dwelling unit

File: PRDP20194632 (04727001)

2020-03-09-15 (E-10)

Division 2 – Development Item – Keeping of livestock

File: PRDP20194636 (04727001)

MOVED by Member McKylor that items E-9 and E-10 be lifted from the table.

Carried

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2020-03-09-14 (E-9)

Division 2 – Development Item – Riding arena and accessory dwelling unit

PRDP20194632 (04727001)

MOVED by Member McKylor that Development Permit Application PRDP20194632 be approved with the conditions noted in the Development Permit Report:

Description:

- 1) That the proposed Private Riding Arena, including an accessory dwelling unit (suite within a building) may be constructed on the subject site; in general accordance with the Site Plan and submitted drawings (as prepared by Suburbia Design Co., dated December 2019), as submitted with the application, including:
 - i) That a Private Riding Arena, approximately ±529.63 sq. m (±5,700.88 sq. ft.) in building area
 - ii) An Accessory Dwelling Unit (suite within a building, located on the second floor), approximately 142.14 sq. m (1,530.00 sq. ft.), in area

Prior to Issuance:

Fees:

- 2) That prior to the issuance of this permit, the Applicant/Owner shall confirm acceptance of or refusal to participate in the Voluntary Recreation Contribution for Community Recreation Funding on the form provided by the County and that the contribution, if accepted, is \$15,056.00, calculated at \$800.00 per acre for 18.82 acres.

Development:

- 3) That prior to issuance of this permit, the Applicant/Owner shall submit a revised Grading Plan, identifying pre and post grade elevations of the development area, in accordance with County Servicing Standards.

Technical:

- 4) That prior to issuance of this permit, the Applicant/Owner shall submit a Site Specific Stormwater Implementation Plan (SSIP), demonstrating how stormwater for the proposed development is consistent with the Nose Creek Watershed Water Management Plan and in accordance with County Servicing Standards.
- 5) That prior to issuance 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 will 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.

Permanent:

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General:

- 6) That any plan, technical submission, agreement, matter or understanding submitted and approved as part of the application, in response to a Prior to Issuance or Occupancy condition, shall be implemented and adhered to in perpetuity, including any recommendations of the SSIP.
- 7) That the entire site shall be maintained in a neat and orderly manner at all times to the satisfaction of the Development Officer.
- 8) That if any soil is removed from the site, it is to be hauled off in a covered trailer/truck. This will prevent the blowing of dust/small rocks onto the road, or the causing of issues with other vehicles on the road, and shall be done so in accordance with the County Servicing Standards.
- 9) That the number of animal units maintained onsite shall be in accordance with the Land Use Bylaw or approved Development Permit to increase the permitted number of animal units.
 - i) If a Development Permit to increase the permitted number of animal units is not active, or valid, the Applicant/Owner shall remain in accordance with the Land Use Bylaw.
- 10) That water conservation strategies shall be implemented and maintained at all times.
- 11) That dust control shall be maintained on the site at all times. The Applicant/Owner shall take whatever means necessary to keep visible dust from blowing onto adjacent lands.
- 12) That there shall be no more than 1.00 m (3.28 ft.) of fill excavated or placed adjacent to or within 15.00 m (49.21 ft.) of the proposed building under construction that is used to establish final grades, unless a Development Permit has been issued for additional fill.
- 13) That all garbage and waste for the site shall be stored in weatherproof and animal proof containers in the garbage bins, and screened from view by all adjacent properties and public thoroughfares.
- 14) That all on site lighting shall be "dark sky" and all private lighting including site security lighting and parking area 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 and eliminates glare as viewed from nearby residential properties.

Private Riding Arena

- 15) That the Applicant/Owner shall adhere to the submitted Manure Management Plan at all times. If there is a build-up of manure, said manure shall be removed immediately.
- 16) That no liquid waste/water or solid waste from a livestock operation shall be disposed of in any river, stream, canal or slough.
- 17) That the private riding arena shall only be used by the Applicant/Owners/Occupants and non-paying guests of the parcel, and be associated only to the principle use of the property.
- 18) That the private riding arena shall only be used for the training, exercising, breeding and rehabilitation of horses, and shall not be used for horse shows, rodeos, or similar events to which there is a fee to participate, or to use or attend the facilities.
- 19) That the private riding arena shall not be rented out to persons or groups that are not owners of the site.
- 20) That the private riding arena shall not have any mezzanines or viewing areas.
- 21) That the exterior siding and roofing materials of the riding arena shall be similar to the existing dwelling, single-detached and/or area.
- 22) That the property shall maintain proper fencing at all times when horses are present, and no horses shall be allowed on unfenced parcels.

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- 23) That there shall be a minimum of one parking stall maintained on-site at all times dedicated to the accessory dwelling unit (suite within a building).
 - 24) 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 each dwelling unit located on the subject site, to facilitate accurate emergency response.
 - 25) That there shall be adequate water servicing provided for the accessory dwelling unit (suite within a building) and it is the Applicant's/Owner's responsibility to provide water quantity in accordance with the recommendations found in Module 2 of the document "Water Wells That Last for Generations", published by Agriculture and Agri-Food Canada, Alberta Environment, Alberta Agriculture and Food.
 - 26) That it is the Owner/Applicant's obligation/responsibility to undertake water quality testing in accordance with the Guidelines for Canadian Drinking Water Quality and Alberta Health Services criteria. Should there be any adverse results, or should questions arise concerning the interpretation of the results of the analyses, it will be the obligation/responsibility of the Owner/Applicant to contact the local Public Health Inspector for recommendations/ requirements.
 - 27) That there shall be adequate sanitary sewer servicing provided for the accessory dwelling unit (suite within a building).
 - 28) That the Applicant/Owner shall ensure that water conservation measures shall be implemented in the existing accessory dwelling unit (suite within a building), such as low-flow toilets, showerheads, and other water conserving devices.

Advisory:

- 29) 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.
- 30) That the site shall adhere to the Rocky View County Noise Bylaw (C-5772-2003) at all times.
- 31) That the site shall remain free of restricted and noxious weeds and be maintained in accordance with the Alberta Weed Control Act [*Statutes of Alberta, 2008 Chapter W-5.1; Current as of December 15, 2017*].
- 32) That if the development authorized by the Development Permit is not commenced with reasonable diligence within 12 months from the date of issue, and completed within 24 months of 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.
- 33) That any other government permits, approvals, or compliances are the sole responsibility of the Applicant/Owner.
- 34) That a Building Permit shall be obtained through Building Services, using the Accessory Dwelling Unit checklist requirements prior to construction. *Note the Alberta Building Code 9.36 – Energy Efficiency applies to this project and details shall be required as per the Alberta Building Code 9.36 – Energy Efficiency submission requirements.*
- 35) That if this Development Permit is not issued by OCTOBER 31, 2020 or the approved extension date, then this approval is null and void and the Development Permit shall not be issued.

Note: The Applicant/Owner shall be responsible for any/all Alberta Environment approvals/compensation, if any wetland is impacted by the proposed development.

Carried

ROCKY VIEW COUNTY
MUNICIPAL PLANNING COMMISSION MEETING MINUTES
March 9, 2020

Page 47

2020-03-09-15 (E-10)

Division 2 – Development Item – Keeping of livestock
PRDP20194636 (04727001)

MOVED by Member McKylor that Development Permit Application PRDP20194636 be approved with the conditions noted in the Development Permit Report:

Description:

- 1) That the keeping of livestock at densities no greater than two animal units per 1.60 hectares (3.95 acres) may be permitted on the subject property (SE-27-24-03-W5M) at any time.
- 2) That the maximum number of animal units (horses) on the subject property shall not exceed ten at any time.

Permanent:

- 3) That the Manure and Grazing Management Plan as submitted with the application shall be practiced at all times.
 - i) If overgrazing becomes evident on the property, revised grazing procedures may need to be implemented by the Applicant or the number of animal units may need to be decreased, upon request from the County.
- 4) That all manure shall be collected and disposed of off-site or worked into the fields on a continual basis at least once a month.
- 5) That if there is a build-up of manure, that manure shall be removed immediately.
- 6) That the Applicant/Owner shall ensure the property contains adequate livestock fencing, to ensure all livestock units (horses) remain on the subject property at all times.

Advisory:

- 7) That any other government permits, approvals, or compliances are the sole responsibility of the Applicant/Owner.
- 8) That this development permit shall be valid until April 8, 2021.

Carried

The Chair called for a recess at 11:28 a.m. and called the meeting back to order at 11:47 a.m. with all previously mentioned members present.

ROCKY VIEW COUNTY
MUNICIPAL PLANNING COMMISSION MEETING MINUTES
March 9, 2020

Page 48

Adjournment

MOVED by Member McKylor that the March 9, 2020 Municipal Planning Commission meeting be adjourned at 11:47 a.m.

Carried

Chair or Vice Chair

Chief Administrative Officer or Designate

PLANNING AND DEVELOPMENT SERVICES

TO: Subdivision Authority

DATE: April 6, 2020

DIVISION: 04

APPLICATION: PL20190154

SUBJECT: Subdivision Item: Boundary Adjustment Between Rocky View County, Rocky View Schools and 700000 Alberta Ltd. (Bri-Mor Developments)

APPLICATION: To adjust the boundaries between two parcels in order to create a ± 8.43 acres parcel with ± 1.16 acre municipal reserve, and ± 39.75 acres remainder for purposes of a land swap.

GENERAL LOCATION: Located within the Hamlet of Langdon on the south side of Railway Avenue West approximately 0.20 km (1/8 mile) west of Centre Street.

LAND USE DESIGNATION: Public Services (PS) and Hamlet Residential One (HR-1)

ADMINISTRATION RECOMMENDATION:

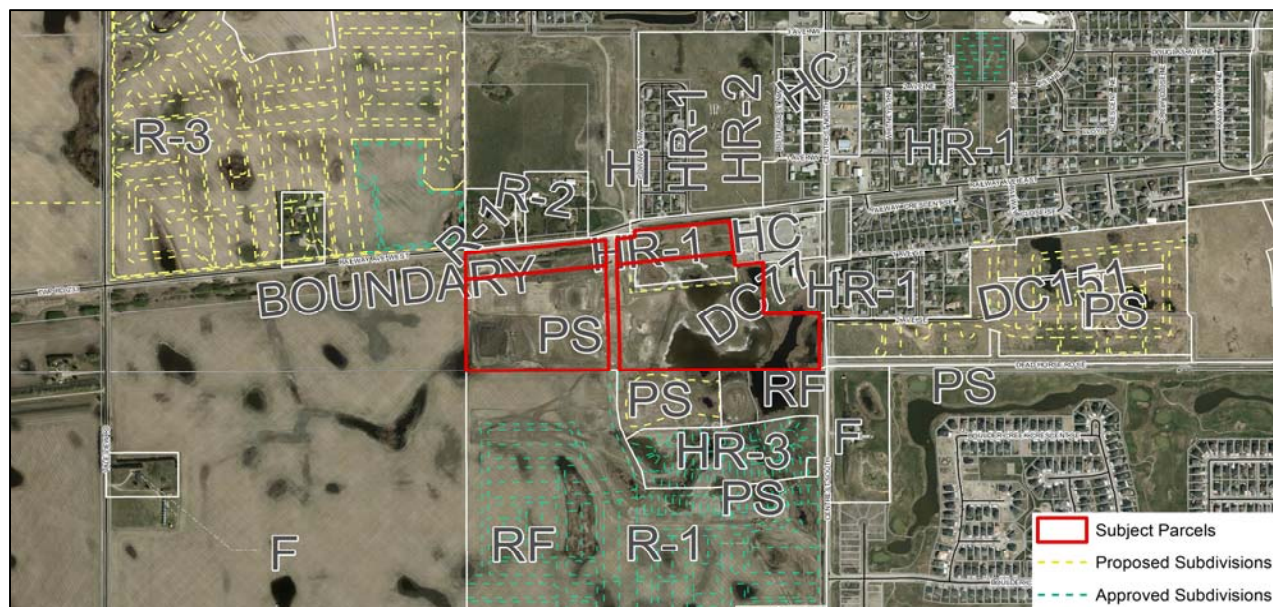
Administration recommends approval in accordance with Option #1.

OPTIONS:

Option #1: THAT Subdivision Application PL20190154 be approved with the conditions noted in Appendix 'B'.

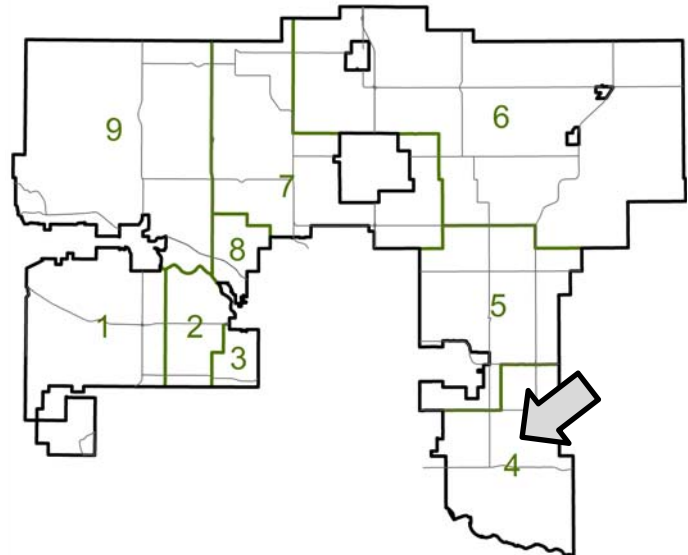
Option #2: THAT Subdivision Application PL20190154 be refused as per the reasons noted.

AIR PHOTO & DEVELOPMENT CONTEXT:



Administration Resources

Oksana Newmen / Prabh Sodhi –Planning and Development Services





APPLICANT: Rocky View County, Rocky View Schools and 700000 Alberta Ltd. (Bri-Mor Developments)

OWNER: Rocky View County, Rocky View Schools, and 700000 Alberta Ltd. (Bri-Mor Developments)

APPLICATION EVALUATION:

The application was evaluated based on the technical reports submitted with the application and the applicable policies and regulations.

APPLICABLE POLICY AND REGULATIONS: <ul style="list-style-type: none"> • <i>Municipal Government Act;</i> • Subdivision and Development Regulations; • Municipal Development Plan; • Langdon Area Structure Plan • Land Use Bylaw; and • County Servicing Standards. 	TECHNICAL REPORTS SUBMITTED: <ul style="list-style-type: none"> • None
--	--

Background:

The redesignation application and hamlet boundary adjustment (2012-RV-007) were approved April 24, 2012 in order to facilitate a land swap between Rocky View County and Bri-Mor Developments to create a more developable site for the Langdon joint use facility. That application was consistent with the February 24, 2009 Council direction to proceed with the land swap. While there is an existing approval in place, sufficient time has passed and site conditions have changed, requiring the need for a new subdivision application.

The proposed boundary adjustment completes the process formalizing the agreed-to land swap between Rocky View County, Rocky View Schools, and 700000 Alberta Ltd.

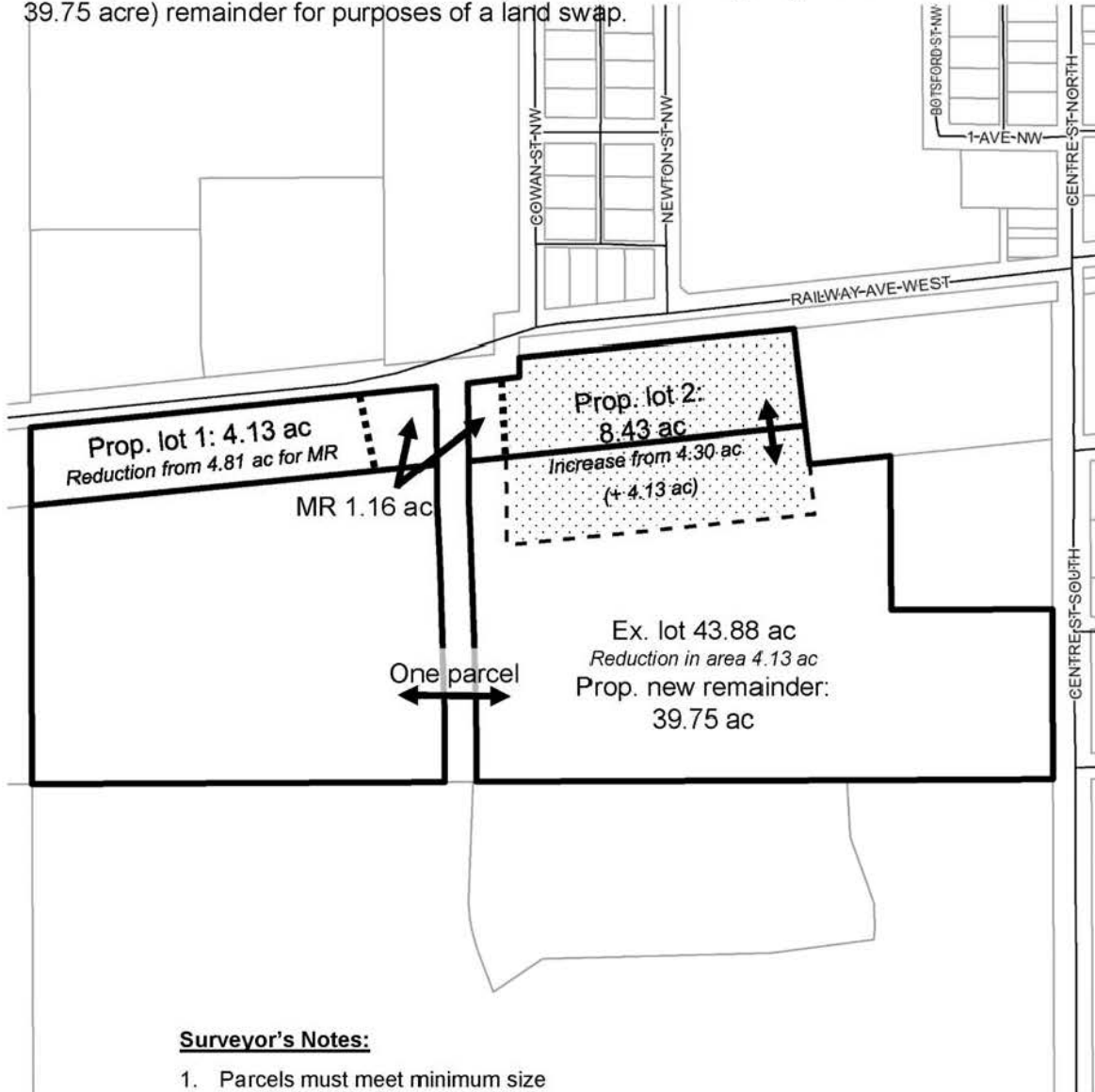
APPLICABLE FEE/LEVY	AMOUNT OWING
<i>TRANSPORTATION OFFSITE LEVY</i>	Previously collected on prop. Lot 1; deferred on prop. Lot 2.
<i>MUNICIPAL RESERVE (\$/ACRE)</i>	None – 1.16 acres of MR lands provided as part of this application



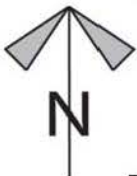
ROCKY VIEW COUNTY

Tentative Plan

Subdivision Proposal: To subdivide and adjust the boundaries between three parcels in order to create a ± 1.67 hectare (4.13 acre) parcel (Lot 1); ± 3.41 hectare (± 8.43 acre) parcel (Lot 2), with 0.47 hectare (1.16 ac) municipal reserve (MR), and ± 16.09 hectare (± 39.75 acre) remainder for purposes of a land swap.

**Surveyor's Notes:**

1. Parcels must meet minimum size and setback requirements of Land Use Bylaw C-4841-97.
2. Refer to Notice of Transmittal for approval conditions related to this Tentative Plan.

TENTATIVE PLAN

SE-22-23-27-W04M

Lot:3 Block:2 Plan:0813156

Lot:3/5 Block:1 Plan:1113376

Date: Dec 17, 2019

Division # 4

File: 03222206/03222687/03222685



CONCLUSION:

Subject to the proposed conditions of approval, the application is recommended for approval.

Respectfully submitted,

Concurrence,

"Theresa Cochran"

"Al Hoggan"

Executive Director
Community and Development Services

Chief Administrative Officer

ON/lt

APPENDICES:

APPENDIX 'A': Maps and Other Information

APPENDIX 'B': Approval Conditions

APPENDIX 'C': Letters



APPENDIX 'A': MAPS AND OTHER INFORMATION

DATE APPLICATION RECEIVED: October 24, 2019	DATE DEEMED COMPLETE: October 24, 2019
GROSS AREA: ± 19.69 HECTARES (± 48.65 ACRES)	LEGAL DESCRIPTION: SE-22-23-27-W4M
APPEAL BOARD: Municipal Government Board	
HISTORY: <p>September 6, 2011: Council approved subdivision application 2007-RV-245 to create a ± 2.10 hectare (± 5.20 acre) parcel (Lot 1), a ± 1.93 hectare (± 4.76 acre) parcel (Lot 2), a ± 2.00 hectare (± 4.94 acre) parcel (Lot 3) and a ± 0.15 hectare (± 0.37 acre) Municipal Reserve parcel.</p> <p>February 24, 2009: Council directed Administration, acting in collaboration with other Joint Use Facility Committee stakeholders, to engage in a land exchange with Bri-Mor Developments.</p>	
PUBLIC & AGENCY SUBMISSIONS: <p>The application was circulated to 593 adjacent landowners. The responses have been included in Appendix 'C.'</p> <p>The application was also circulated to a number of internal and external agencies and, where appropriate, conditions of approval have been proposed based on these comments.</p>	



Lot:3 Block:2 Plan:0813156

Lot:3/5 Block:1 Plan:1113376

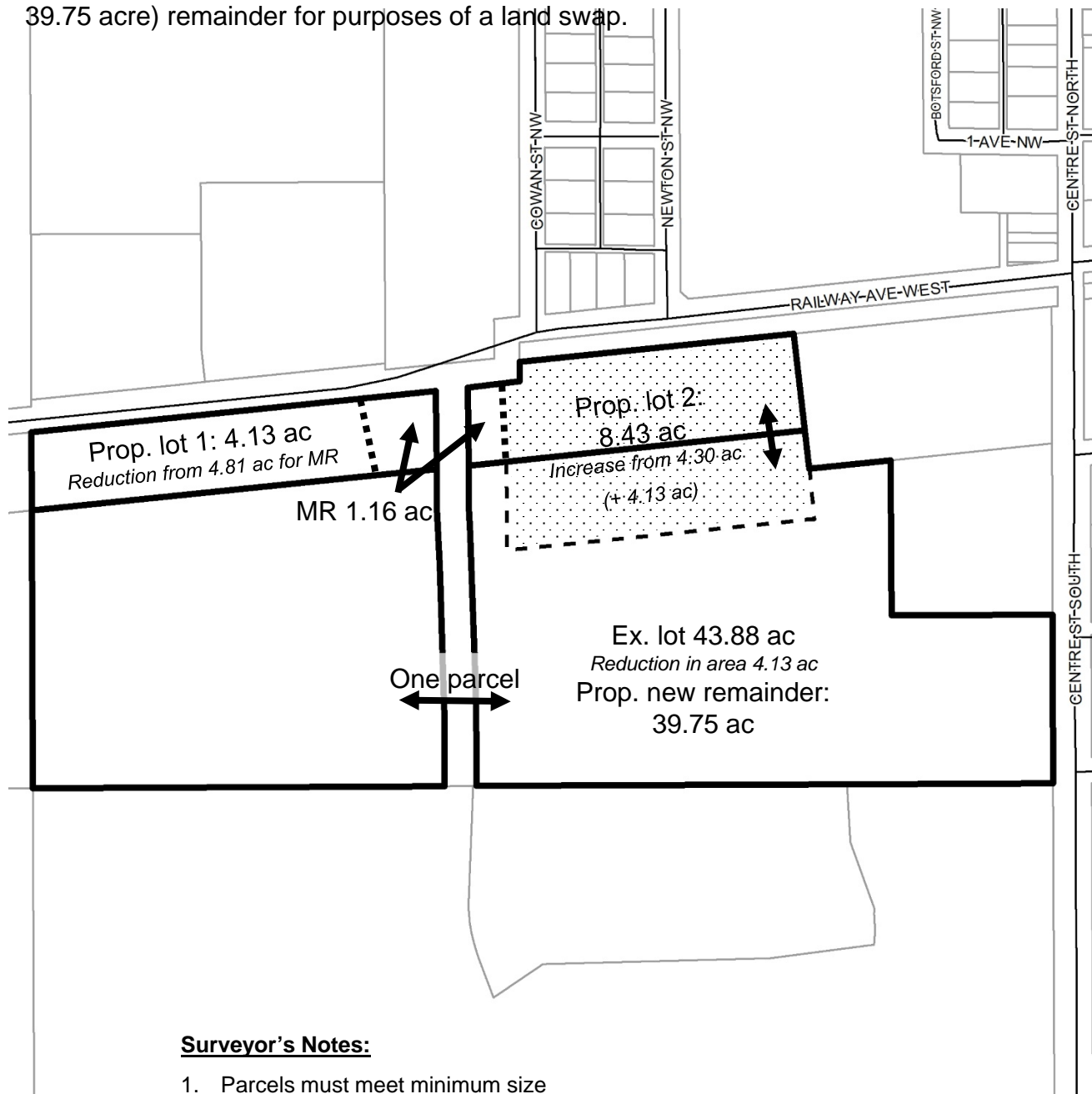
Date: Dec 17, 2019

Division # 4

File: 03222206/03222687/03222685



Subdivision Proposal: To subdivide and adjust the boundaries between three parcels in order to create a ± 1.67 hectare (4.13 acre) parcel (Lot 1); ± 3.41 hectare (± 8.43 acre) parcel (Lot 2), with 0.47 hectare (1.16 ac) municipal reserve (MR), and ± 16.09 hectare (± 39.75 acre) remainder for purposes of a land swap.



Surveyor's Notes:

1. Parcels must meet minimum size and setback requirements of Land Use Bylaw C-4841-97.
2. Refer to Notice of Transmittal for approval conditions related to this Tentative Plan.

TENTATIVE PLAN

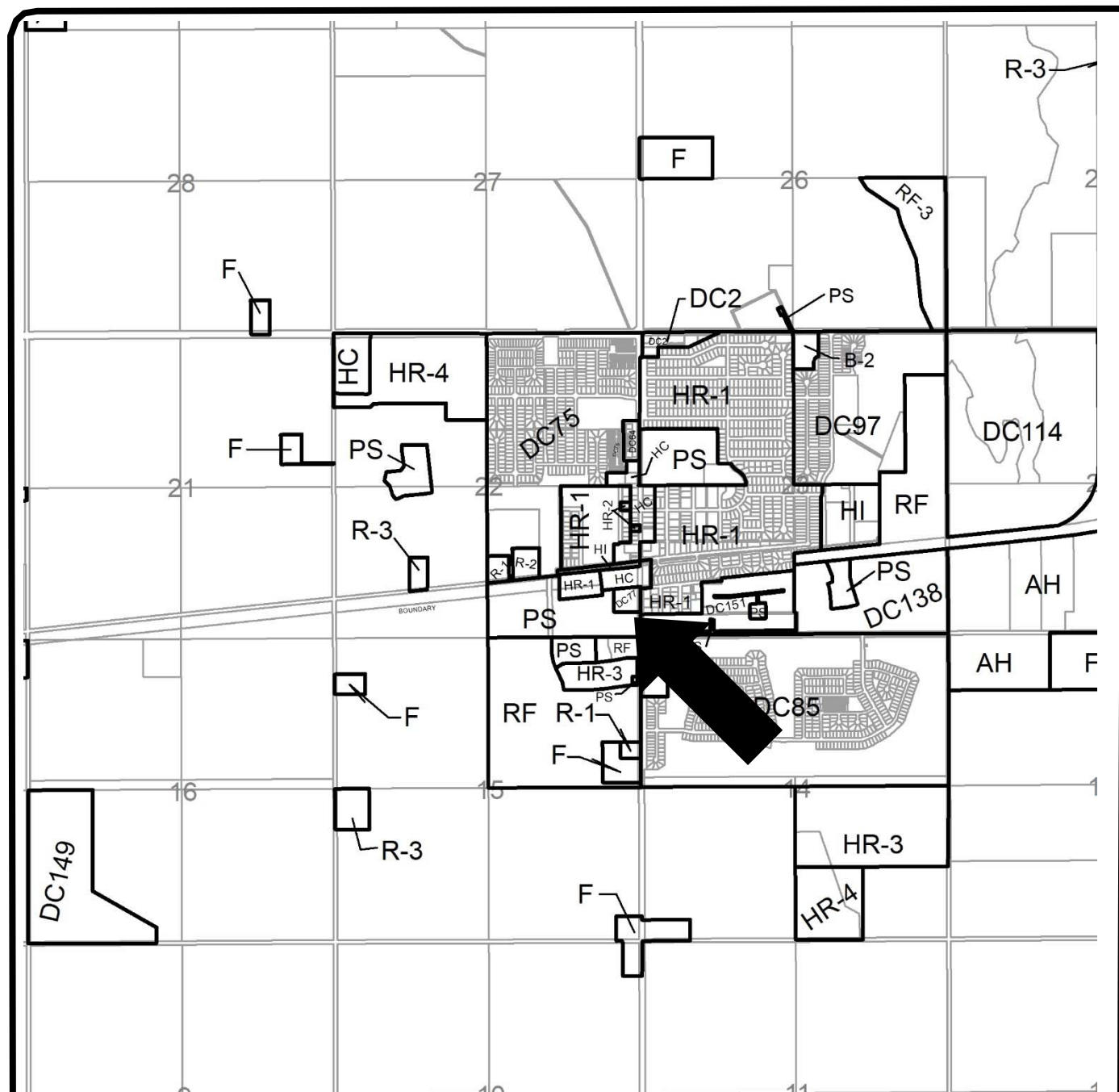
SE-22-23-27-W04M

Lot:3 Block:2 Plan:0813156
Lot:3/5 Block:1 Plan:1113376

Date: Dec 17, 2019

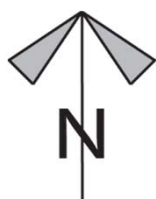
Division # 4

File: 03222206/03222687/03222685



Ranch and Farm	B-1 Highway Business
RF2 Ranch and Farm Two	B-2 General Business
RF3 Ranch and Farm Three	B-3 Limited Business
AH Agricultural Holding	B-4 Recreation Business
F Farmstead	B-5 Agricultural Business
R-1 Residential One	B-6 Local Business
R-2 Residential Two	NRI Natural Resource Industrial
R-3 Residential Three	HR-1 Hamlet Residential Single Family
DC Direct Control	HR-2 Hamlet Residential (2)
PS Public Service	HC Hamlet Commercial
	AP Airport

LAND USE MAP



SE-22-23-27-W04M

Lot:3 Block:2 Plan:0813156

Lot:3/5 Block:1 Plan:1113376

Date: Dec 17, 2019

Division # 4

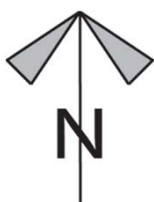
File: 03222206/03222687/03222685



Contours are generated using 10m grid points, and depict general topographic features of the area. Detail accuracy at a local scale cannot be guaranteed. They are included for reference use only.

TOPOGRAPHY

Contour Interval 2 M



SE-22-23-27-W04M

Lot:3 Block:2 Plan:0813156

Lot:3/5 Block:1 Plan:1113376

Date: Dec 17, 2019

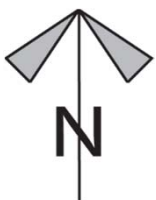
Division # 4

File: 03222206/03222687/03222685



Note: Post processing of raw aerial
photography may cause varying degrees
of visual distortion at the local level.

AIR PHOTO
Spring 2018



SE-22-23-27-W04M

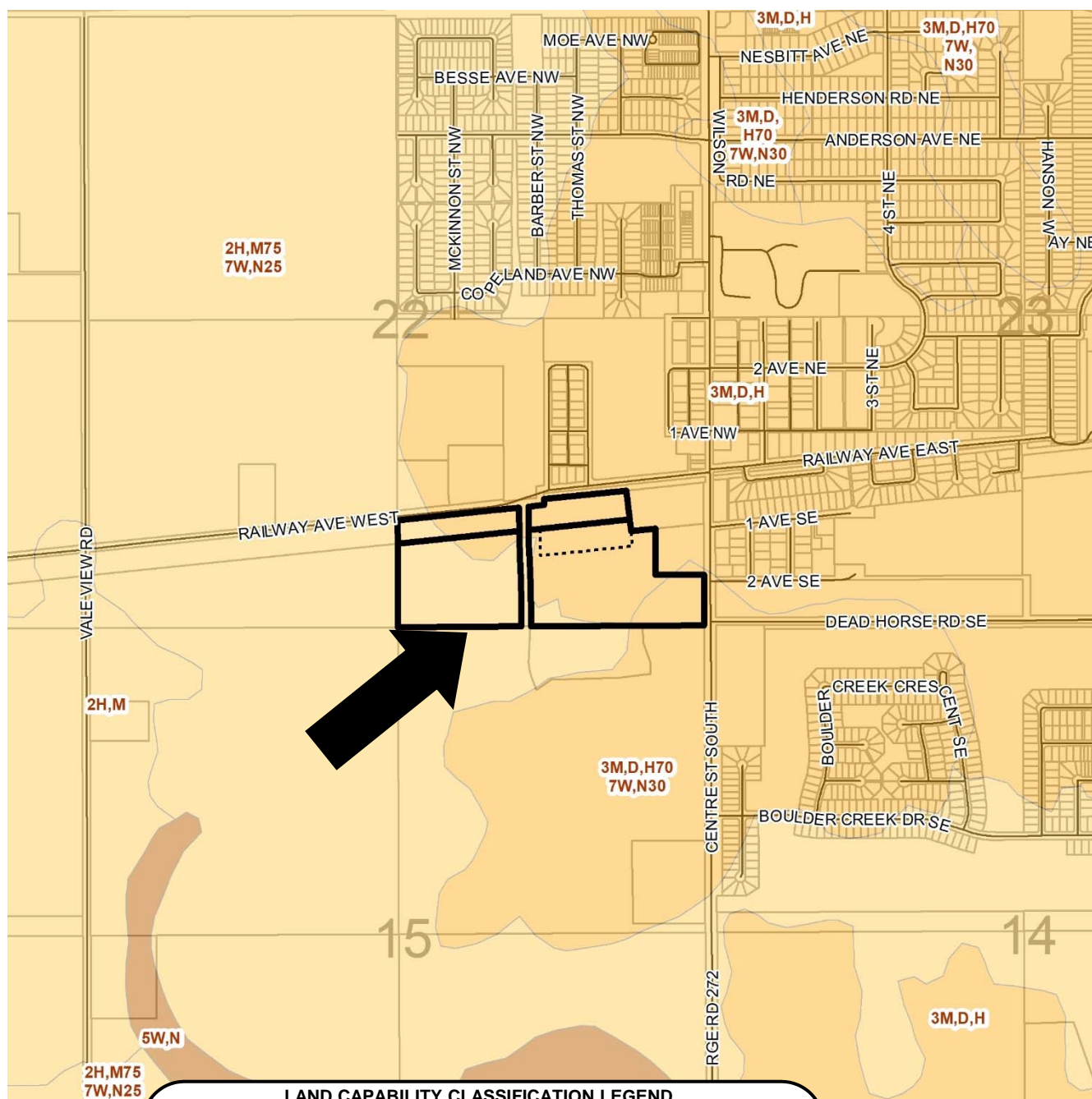
Lot:3 Block:2 Plan:0813156

Lot:3/5 Block:1 Plan:1113376

Date: Dec 17, 2019

Division # 4

File: 03222206/03222687/03222685



LAND CAPABILITY CLASSIFICATION LEGEND
Limitations refer to cereal, oilseeds and tame hay crops

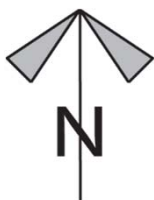
CLI Class

- 1 - No significant limitation
- 2 - Slight limitations
- 3 - Moderate limitations
- 4 - Severe limitations
- 5 - Very severe limitations
- 6 - Production is not feasible
- 7 - No capability

Limitations

- B - brush/tree cover
- C - climate
- D - low permeability
- E - erosion damage
- F - poor fertility
- G - Steep slopes
- H - temperature
- I - flooding
- J - field size/shape
- K - shallow profile development
- M - low moisture holding, adverse texture
- N - high salinity
- P - excessive surface stoniness
- R - shallowness to bedrock
- S - high sodicity
- T - adverse topography
- U - prior earth moving
- V - high acid content
- W - excessive wetness/poor drainage
- X - deep organic deposit
- Y - slowly permeable
- Z - relatively impermeable

SOIL MAP



SE-22-23-27-W04M

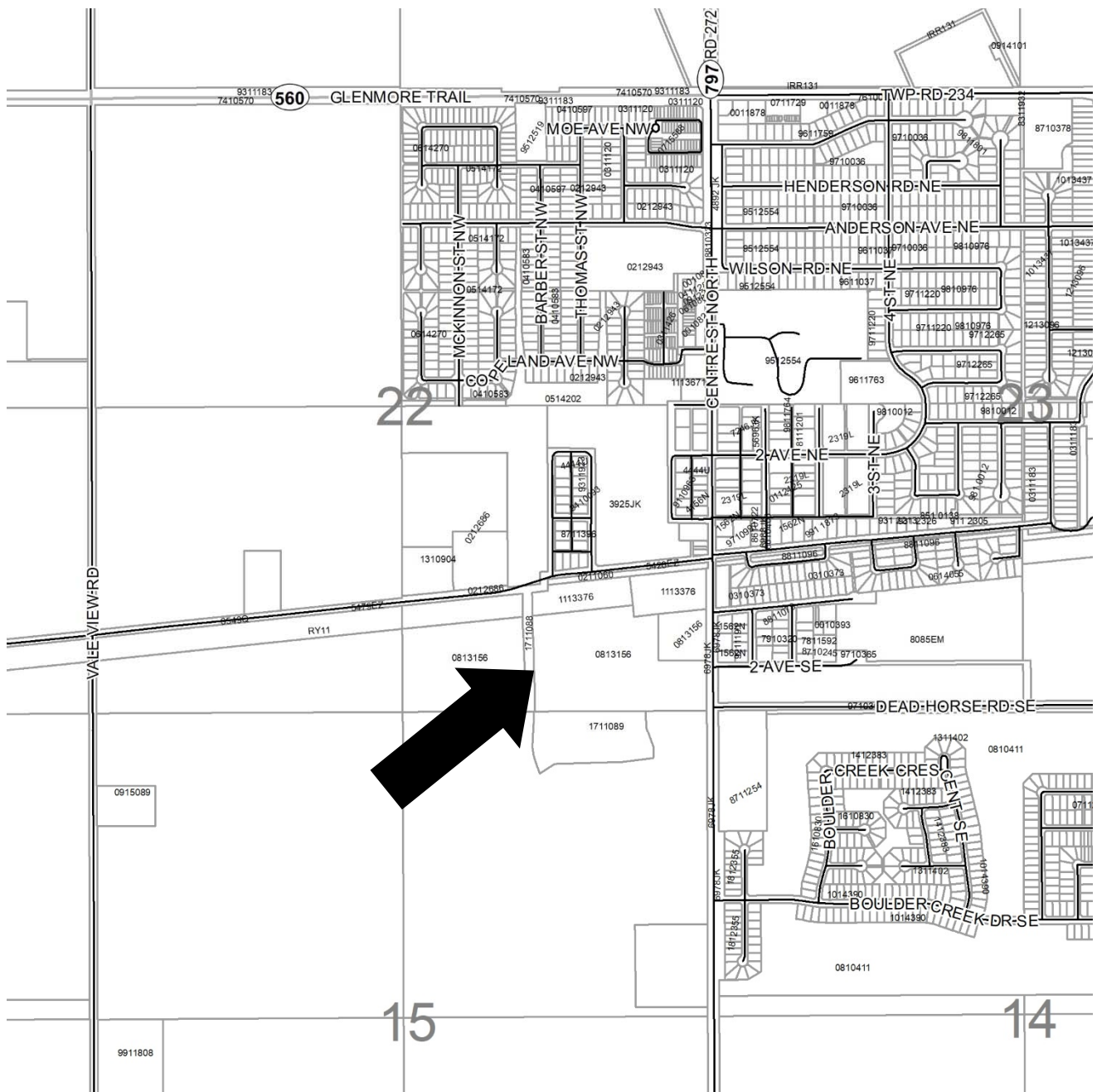
Lot:3 Block:2 Plan:0813156

Lot:3/5 Block:1 Plan:1113376

Date: **Dec 17, 2019**

Division # **4**

File: **03222206/03222687/03222685**



Legend – Plan numbers

- First two numbers of the Plan Number indicate the year of subdivision registration.
- Plan numbers that include letters were registered before 1973 and do not reference a year

HISTORIC SUBDIVISION MAP

SE-22-23-27-W04M

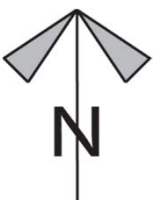
Lot:3 Block:2 Plan:0813156

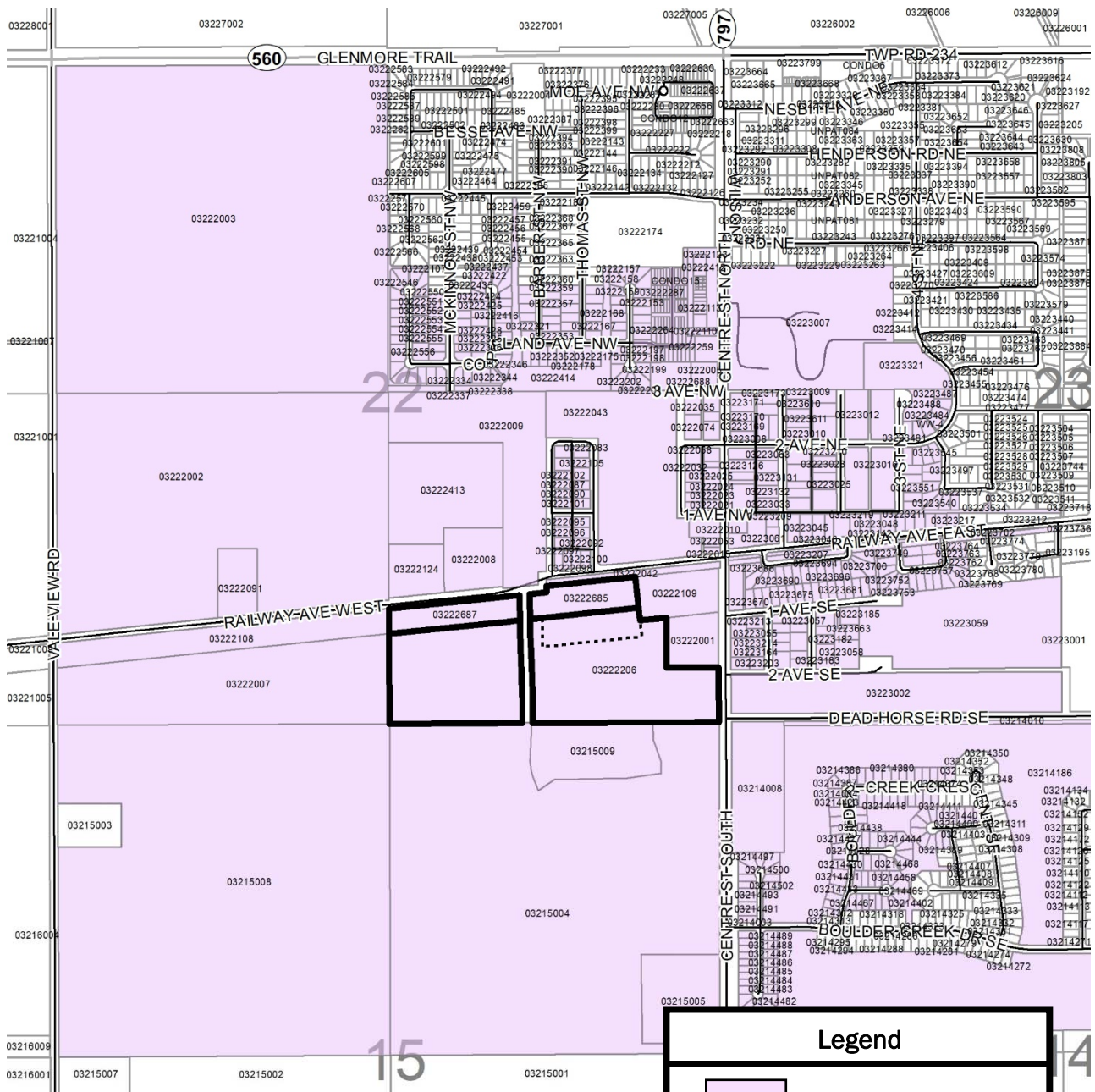
Lot:3/5 Block:1 Plan:1113376

Date: Dec 17, 2019

Division # 4

File: 03222206/03222687/03222685





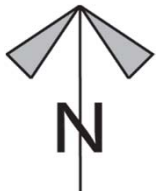
- Letters in Opposition
- Letters in Support

Legend

Circulation Area

Subject Lands

LANDOWNER CIRCULATION AREA



SE-22-23-27-W04M
Lot:3 Block:2 Plan:0813156
Lot:3/5 Block:1 Plan:1113376



APPENDIX 'B': APPROVAL CONDITIONS

- A. The application to subdivide and adjust the boundaries between three parcels in order to create a ± 1.67 hectare (4.13 acre) parcel (Lot 1); ± 3.41 hectare (± 8.43 acre) parcel (Lot 2), with 0.47 hectare (1.16 ac) municipal reserve (MR), and ± 16.09 hectare (± 39.75 acre) remainder for purposes of a land swap at SE-22-23-27-W4M, having been evaluated in terms of Section 654 of the *Municipal Government Act* and Section 7 of the Subdivision and Development Regulations, and having considered adjacent landowner submissions, is approved as per the Tentative Plan for the reasons listed below:
1. The application is consistent with the Statutory Policy;
 2. The subject lands hold the appropriate land use designation; and
 3. The technical aspects of the subdivision proposal have been considered and are further addressed through the conditional approval requirements.
- B. The Applicant/Owner is required, at their expense, to complete all conditions attached to and forming part of this conditional subdivision approval prior to Rocky View County (the County) authorizing final subdivision endorsement. This requires submitting all documentation required to demonstrate each specific condition has been met, or agreements (and necessary securities) have been provided to ensure the conditions will be met, in accordance with all County Policies, Standards, and Procedures, to the satisfaction of the County, and any other additional party named within a specific condition. Technical reports required to be submitted as part of the conditions must be prepared by a qualified professional, licensed to practice in the province of Alberta within the appropriate field of practice. The conditions of this subdivision approval do not absolve an Applicant/Owner from ensuring all permits, licenses, or approvals required by Federal, Provincial, or other jurisdictions are obtained.
- C. Further, in accordance with Section 654 and 655 of the *Municipal Government Act*, the application shall be approved subject to the following conditions of approval:

Survey Plans

- 1) Subdivision is to be effected by a Plan of Survey, pursuant to Section 657 of the *Municipal Government Act*, or such other means satisfactory to the Registrar of the South Alberta Land Titles District.

Payments and Levies

- 2) The Owner shall pay the County Subdivision Endorsement fee, in accordance with the Master Rates Bylaw, for the three lots involved with the boundary adjustment.

Taxes

- 3) All taxes owing up to and including the year in which subdivision is to be registered are to be paid to Rocky View County prior to signing the final documents pursuant to Section 654(1) of the *Municipal Government Act*.

D. SUBDIVISION AUTHORITY DIRECTION:

- 1) Prior to final endorsement of the subdivision, the Planning Department is directed to present the Applicant/Owners with a Voluntary Recreation Contribution Form and ask them if they will contribute to the Fund in accordance with the contributions prescribed in the Master Rates Bylaw



ROCKY VIEW COUNTY

APPENDIX 'C': LETTERS

"NO LETTERS RECEIVED"

PLANNING AND DEVELOPMENT SERVICES

TO: Municipal Planning Commission
DIVISION: 2
SUBJECT: Subdivision Item: Residential

DATE: April 6, 2020
APPLICATION: PL20190076

APPLICATION: To create ten residential parcels ranging from ≥ 1.98 acres in size to ± 3.08 acre, a ± 0.6 acre common property unit containing a stormwater pond; and a ± 1.25 acre internal roadway parcel.

GENERAL LOCATION: Approximately 1.20 kilometres (3/4 mile) east of Range Road 32 and on the north side of Twp Rd 251A

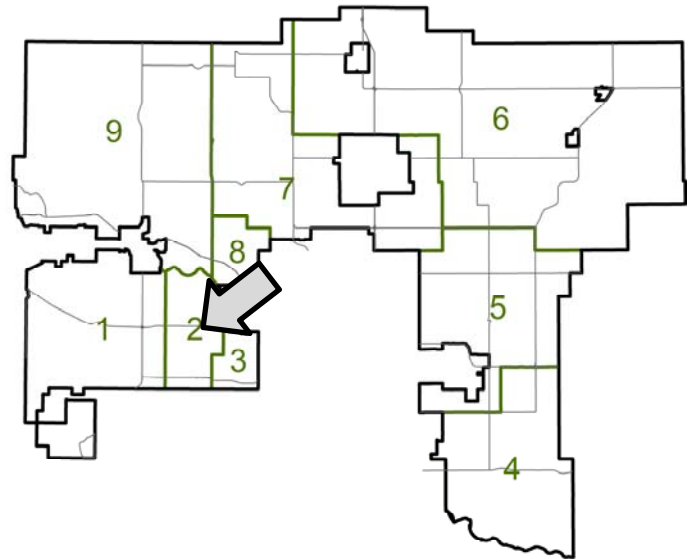
LAND USE DESIGNATION: Residential One District (R-1)

ADMINISTRATION RECOMMENDATION:
Administration recommends approval in accordance with Option #1.

OPTIONS:

- Option #1: THAT Subdivision Application PL20190076 be approved with the conditions noted in Appendix 'B'.
- Option #2: THAT Subdivision Application PL20190076 be refused as per the reasons noted.

AIR PHOTO & DEVELOPMENT CONTEXT:



Administration Resources

Andrea Bryden and Bianca Duncan, Planning and Development Services



APPLICANT: 2036122 Alberta Ltd.

OWNER: 2036122 Alberta Ltd.

APPLICATION EVALUATION:

The application was evaluated based on the technical reports submitted with the application and the applicable policies and regulations.

<p>APPLICABLE POLICY AND REGULATIONS:</p> <ul style="list-style-type: none"> • <i>Municipal Government Act;</i> • <i>Subdivision and Development Regulations;</i> • Municipal Development Plan; • Central Springbank Area Structure Plan • Devonian Ridge Estates Conceptual Scheme • Land Use Bylaw; and • County Servicing Standards. 	<p>TECHNICAL REPORTS SUBMITTED:</p> <ul style="list-style-type: none"> • Geotechnical Investigation Report (Curtis Geo Solutions Inc., June 2018) • Traffic Impact Assessment (Bunt and Associates, July 2018) • Level IV PSTS Assessment (Groundwater Information Technologies Ltd., August 2019) • Phase 1 Aquifer Analysis (Groundwater Information Technologies, August 2018) • Stormwater Management Plan (Westhoff Engineering Resources Inc., October 2018) • Phase 1 Environmental Site Assessment (Curtis Geo Solutions Inc., November 2017) • Biophysical Impact Assessment (Westhoff Engineering Resources Inc., December 2018)
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Development Agreement

The Applicant/Owner is required to enter into a Development Agreement with the County for the construction of the internal roadway. The road will be constructed to a Residential Local Road Standard.

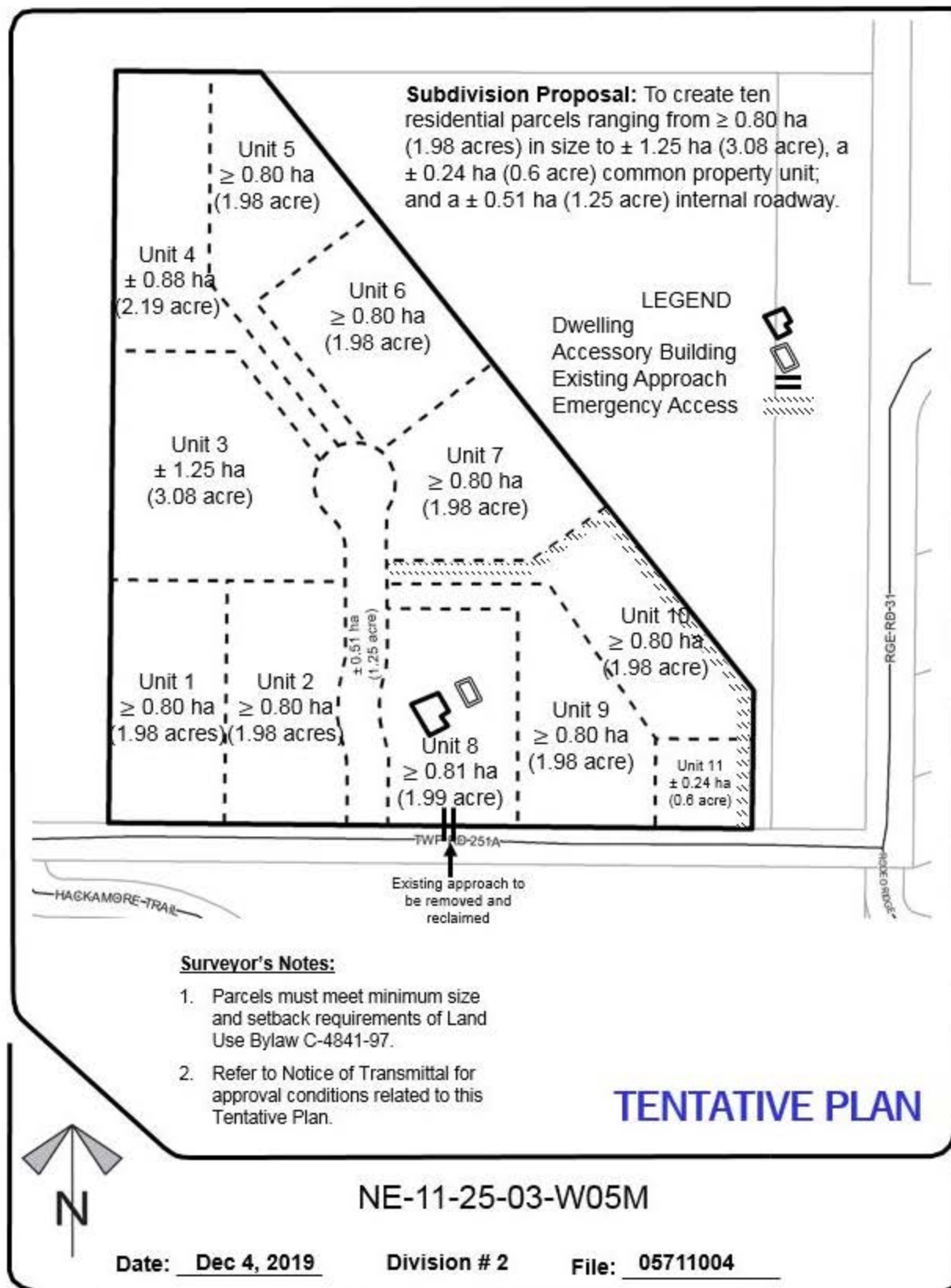
Water and Wastewater Servicing

Council, as the Subdivision Authority, tabled this application at their January 14, 2020, Council meeting to allow time for the Applicant to reach out to the area utility provider to discuss water and wastewater servicing connections. The utility provider indicated they would require conceptual drawings to review prior to setting up a meeting. The Applicant sent a follow up email to the utility provider with some documentation and asked if they could determine capacity and servicing connection costs at this time. The Applicant has not received a response from the utility provider.

APPLICABLE FEE/LEVY	AMOUNT OWING (estimate)
<i>TRANSPORTATION OFFSITE LEVY</i>	\$370,300
<i>MUNICIPAL RESERVE (\$/ACRE)</i>	\$188,000



Tentative Plan





CONCLUSION:

Subject to the proposed conditions of approval, the application is recommended for approval.

Respectfully submitted,

Concurrence,

"Theresa Cochran"

"Al Hoggan"

Executive Director
Community Development Services

Chief Administrative Officer

AB/llt

APPENDICES:

APPENDIX 'A': Maps and Other Information

APPENDIX 'B': Approval Conditions

APPENDIX 'C': Letters

APPENDIX 'D': Letter from Developer to Landowners

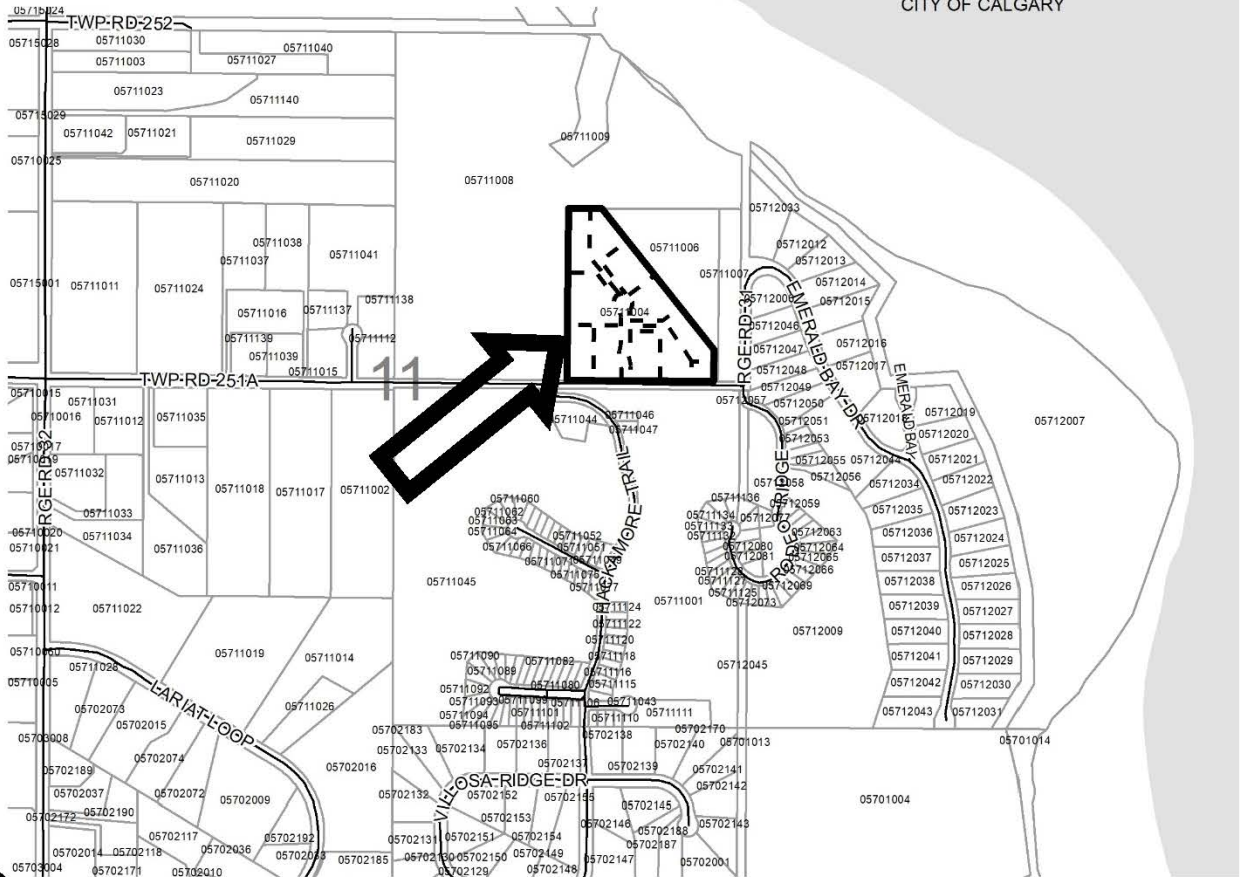
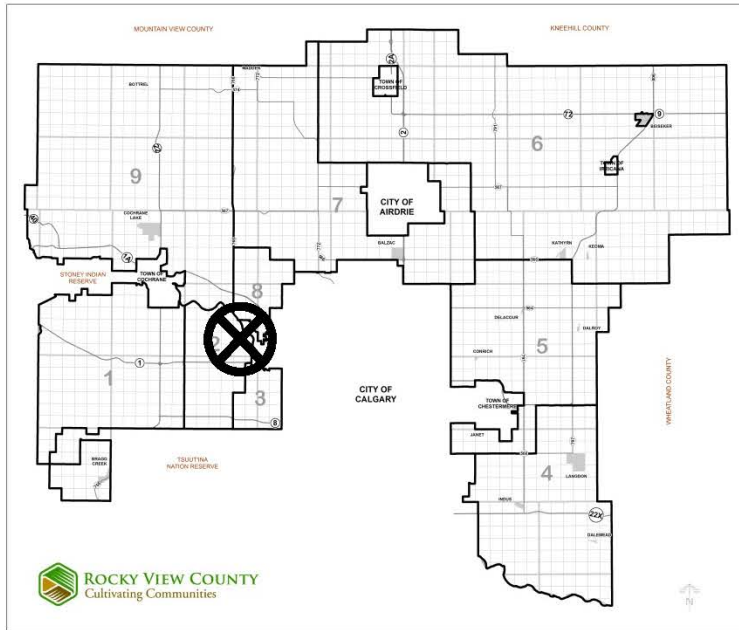
APPENDIX 'E': Email Correspondence between Developer and Utility Provider

APPENDIX 'F': Letter from Developer



APPENDIX 'A': MAPS AND OTHER INFORMATION

DATE APPLICATION RECEIVED: June 14, 2019	DATE DEEMED COMPLETE: November 27, 2019
GROSS AREA: ± 9.38 hectares (± 23.18 acres)	LEGAL DESCRIPTION: NE-11-25-03-W05M
APPEAL BOARD: Subdivision and Development Appeal Board	
HISTORY: <i>January 14, 2020:</i> The subdivision application was brought forward to Council, as the Subdivision Authority. The application was tabled to allow time for the developer and the area utility provider to discuss water and wastewater servicing connections. <i>June 11, 2019:</i> The Devonian Ridge Conceptual Scheme (PL20180120) and application (PL20180121) to redesignate the subject land from Agricultural Holdings District (AH) to Residential One District (R-1) was approved by Council.	
PUBLIC & AGENCY SUBMISSIONS: The application was circulated to 217 adjacent landowners and 17 responses were received. The responses have been included in Appendix 'C.' The application was also circulated to a number of internal and external agencies and, where appropriate, conditions of approval have been proposed based on these comments.	



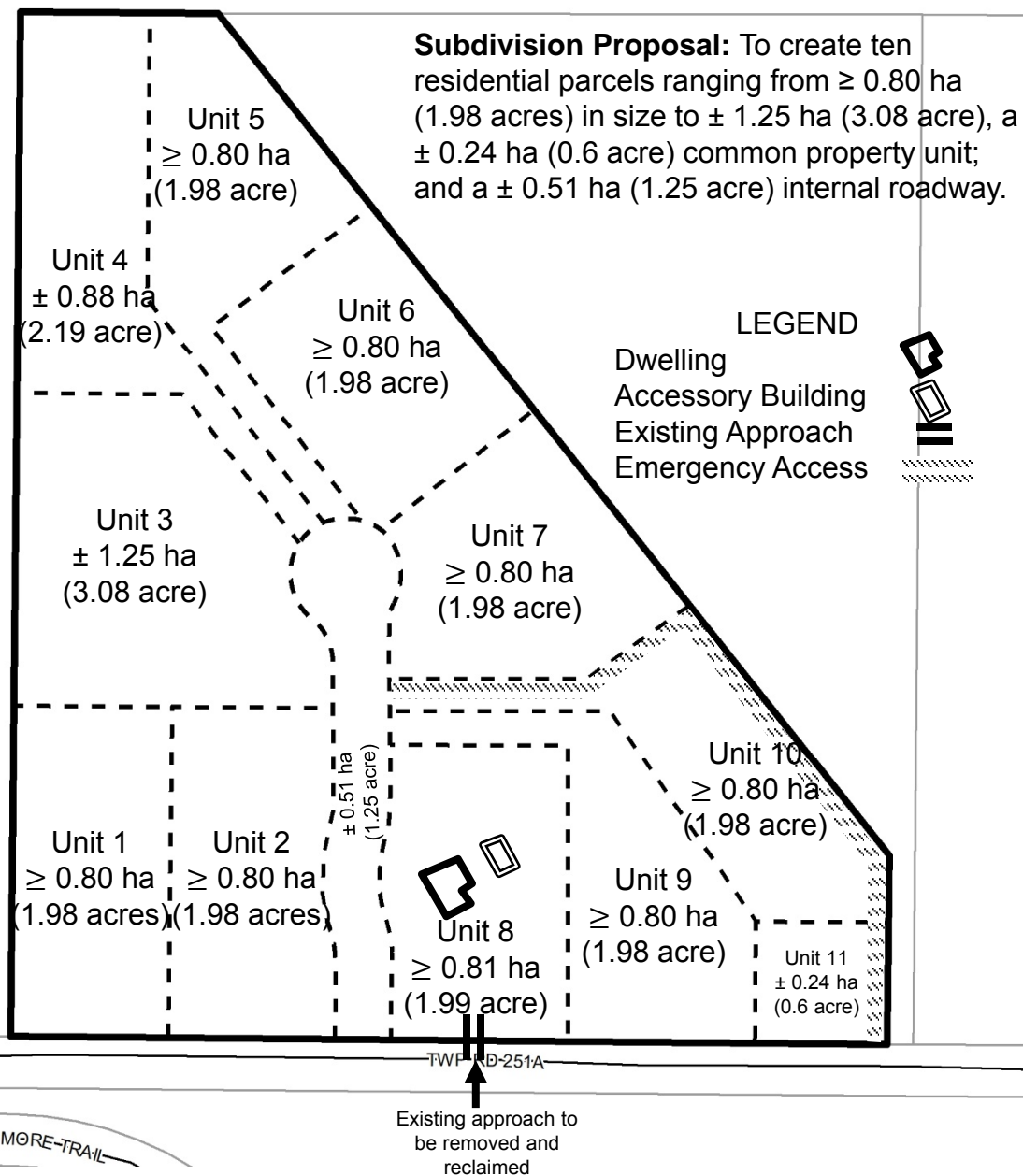
LOCATION PLAN

NE-11-25-03-W05M

Date: Dec 4, 2019

Division # 2

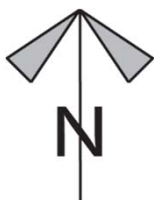
File: 05711004



Surveyor's Notes:

1. Parcels must meet minimum size and setback requirements of Land Use Bylaw C-4841-97.
2. Refer to Notice of Transmittal for approval conditions related to this Tentative Plan.

TENTATIVE PLAN

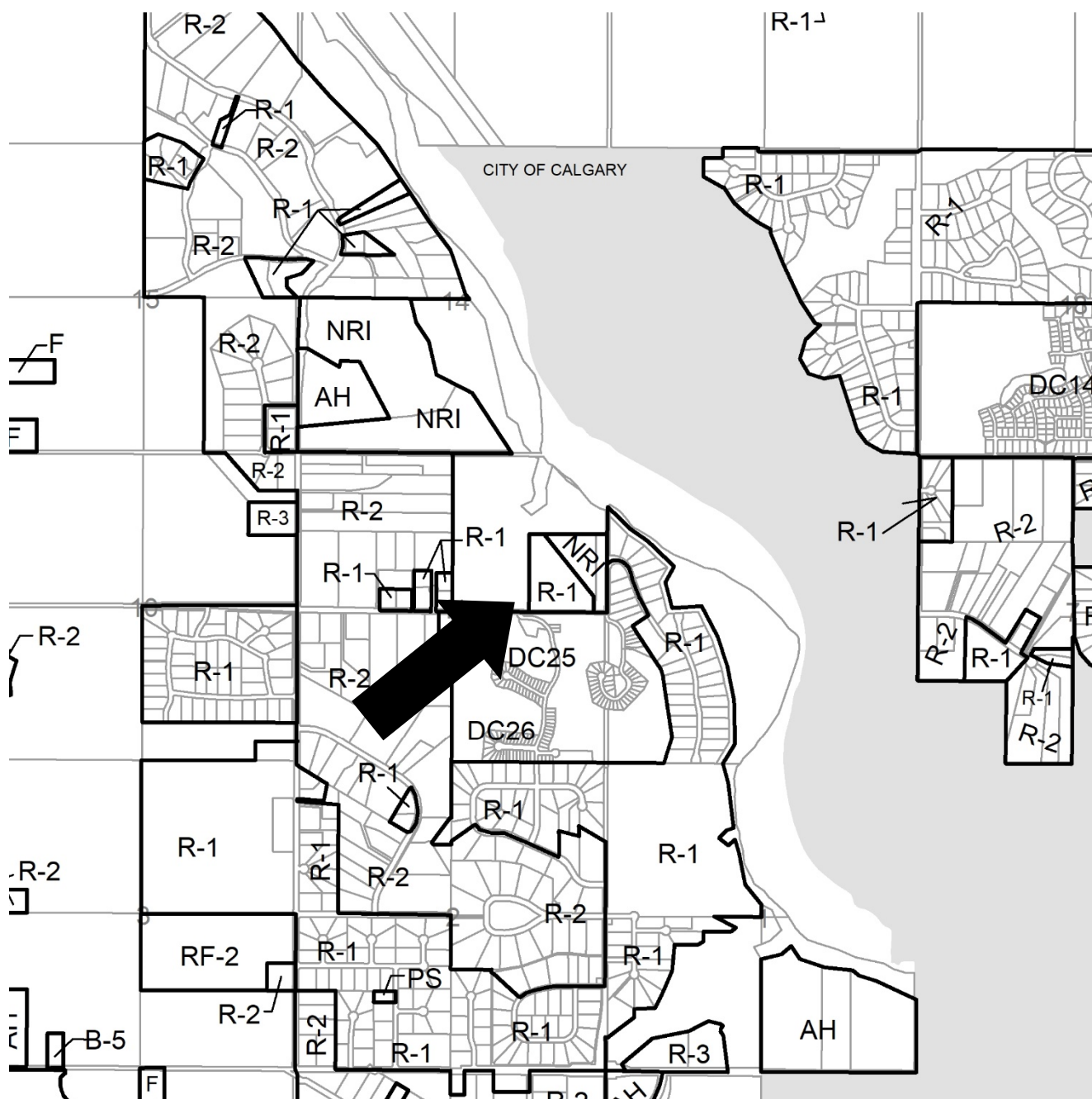


NE-11-25-03-W05M

Date: Dec 4, 2019

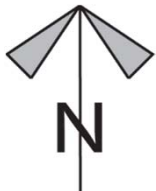
Division # 2

File: 05711004

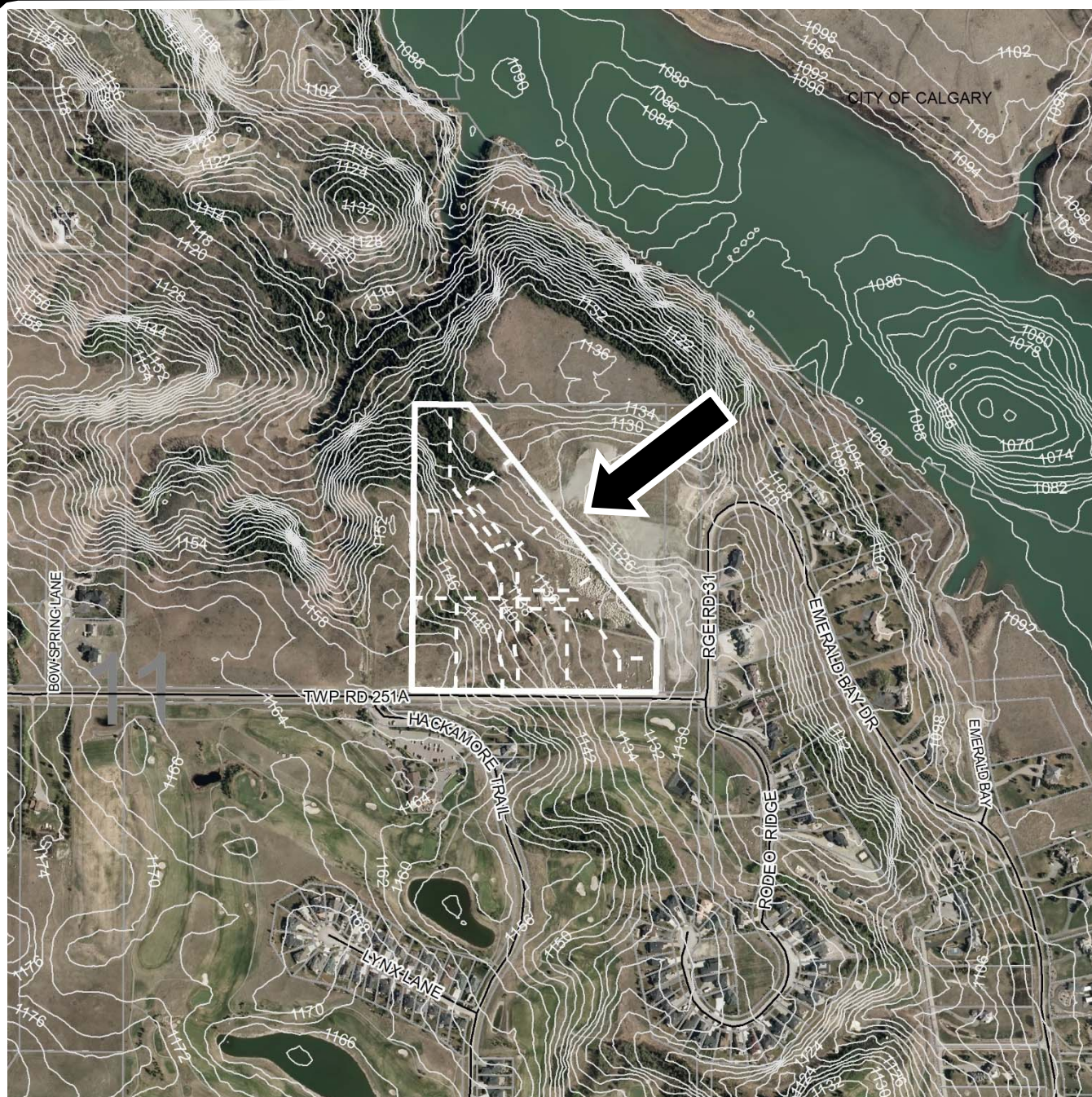


Ranch and Farm	B-1 Highway Business
RF2 Ranch and Farm Two	B-2 General Business
RF3 Ranch and Farm Three	B-3 Limited Business
AH Agricultural Holding	B-4 Recreation Business
F Farmstead	B-5 Agricultural Business
R-1 Residential One	B-6 Local Business
R-2 Residential Two	NRI Natural Resource Industrial
R-3 Residential Three	HR-1 Hamlet Residential Single Family
DC Direct Control	HR-2 Hamlet Residential (2)
PS Public Service	HC Hamlet Commercial
	AP Airport

LAND USE MAP

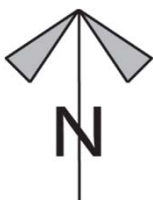


NE-11-25-03-W05M



Contours are generated using 10m grid points, and depict general topographic features of the area. Detail accuracy at a local scale cannot be guaranteed. They are included for reference use only.

TOPOGRAPHY
Contour Interval 2 M



NE-11-25-03-W05M

Date: Dec 4, 2019

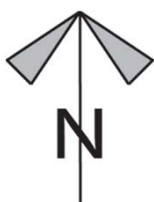
Division # 2

File: 05711004



Note: Post processing of raw aerial
photography may cause varying degrees
of visual distortion at the local level.

AIR PHOTO
Spring 2018

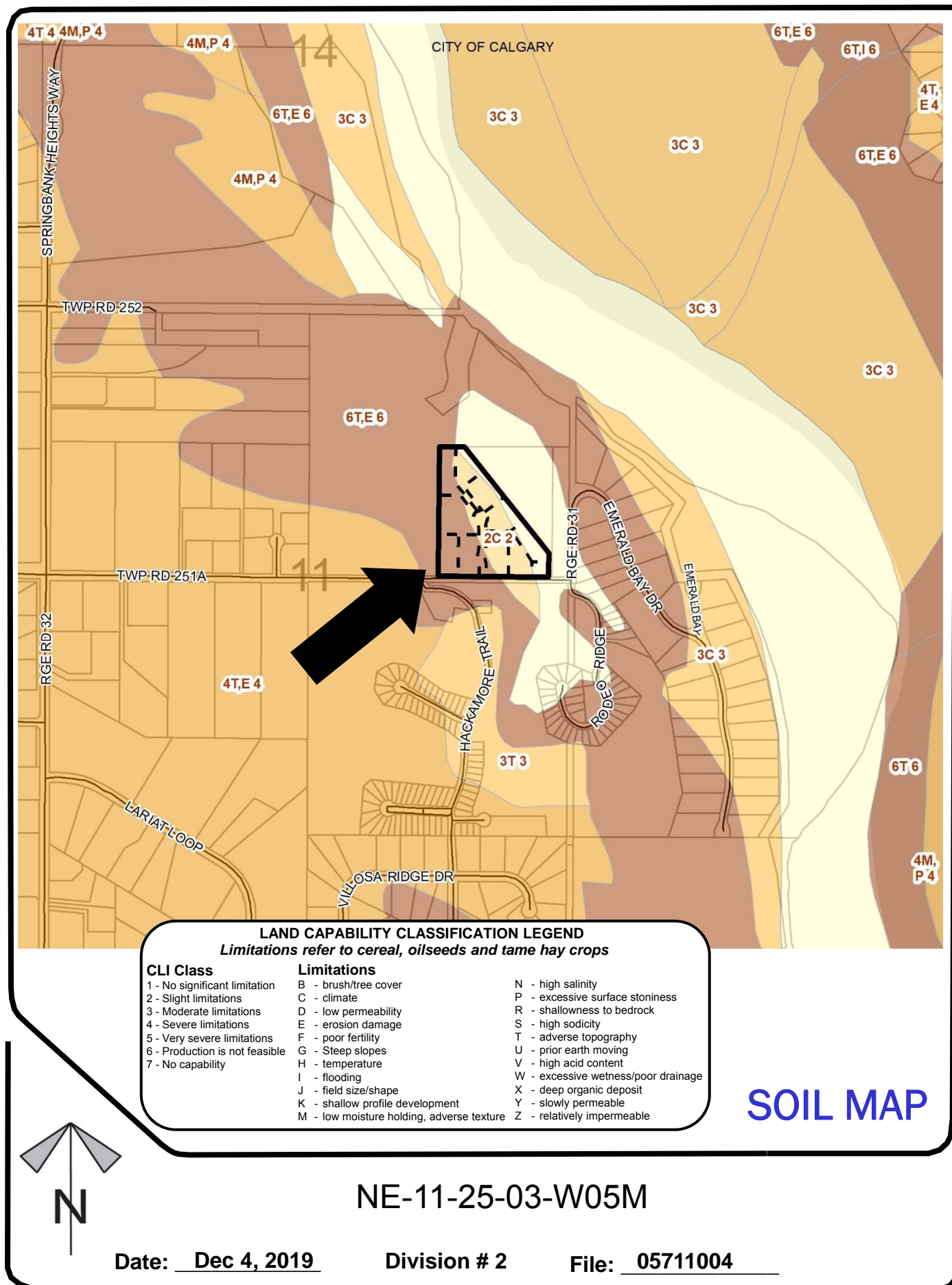


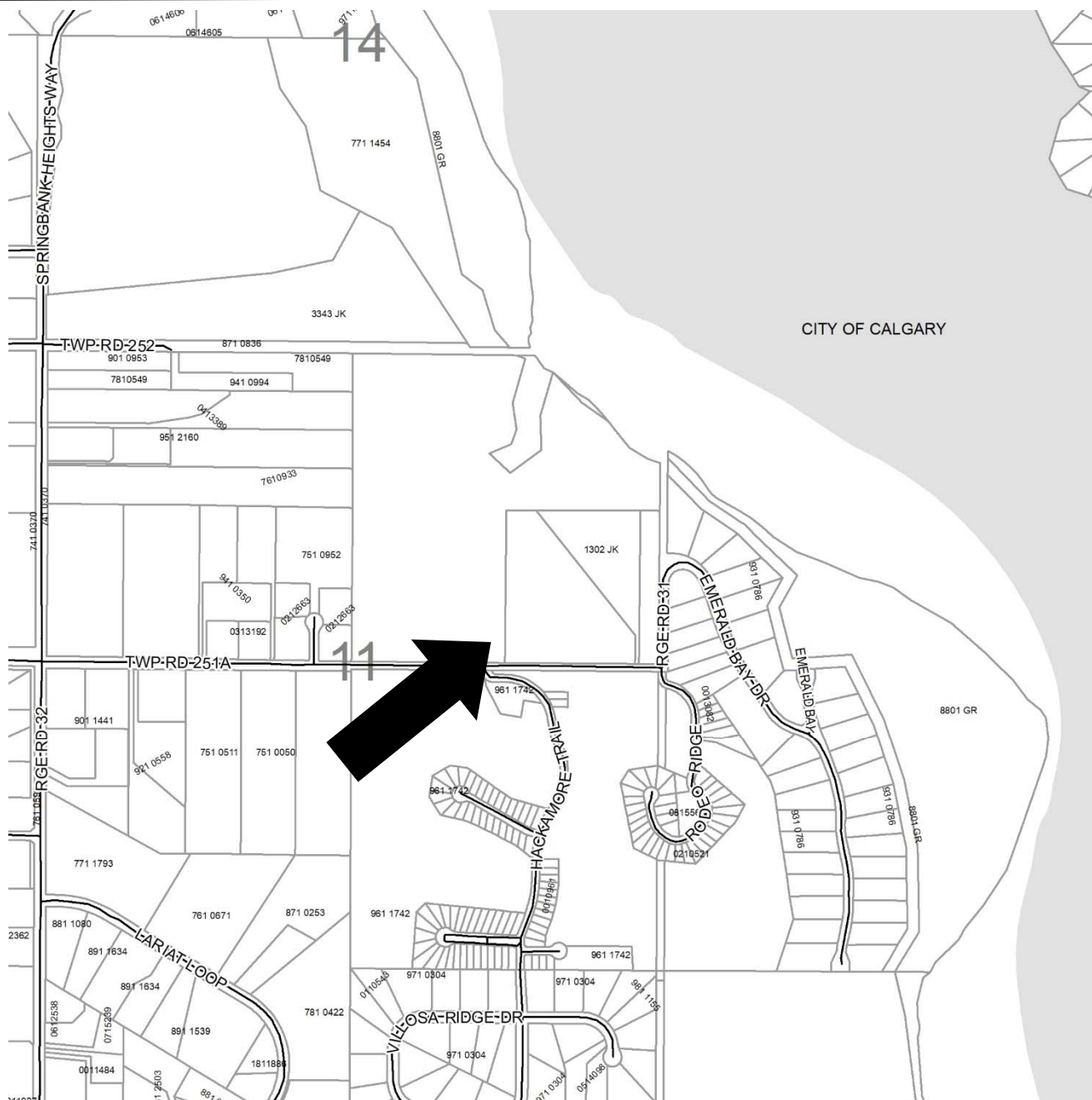
NE-11-25-03-W05M

Date: Dec 4, 2019

Division # 2

File: 05711004

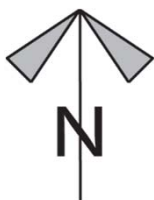




Legend – Plan numbers

- First two numbers of the Plan Number indicate the year of subdivision registration.
- Plan numbers that include letters were registered before 1973 and do not reference a year

HISTORIC SUBDIVISION MAP

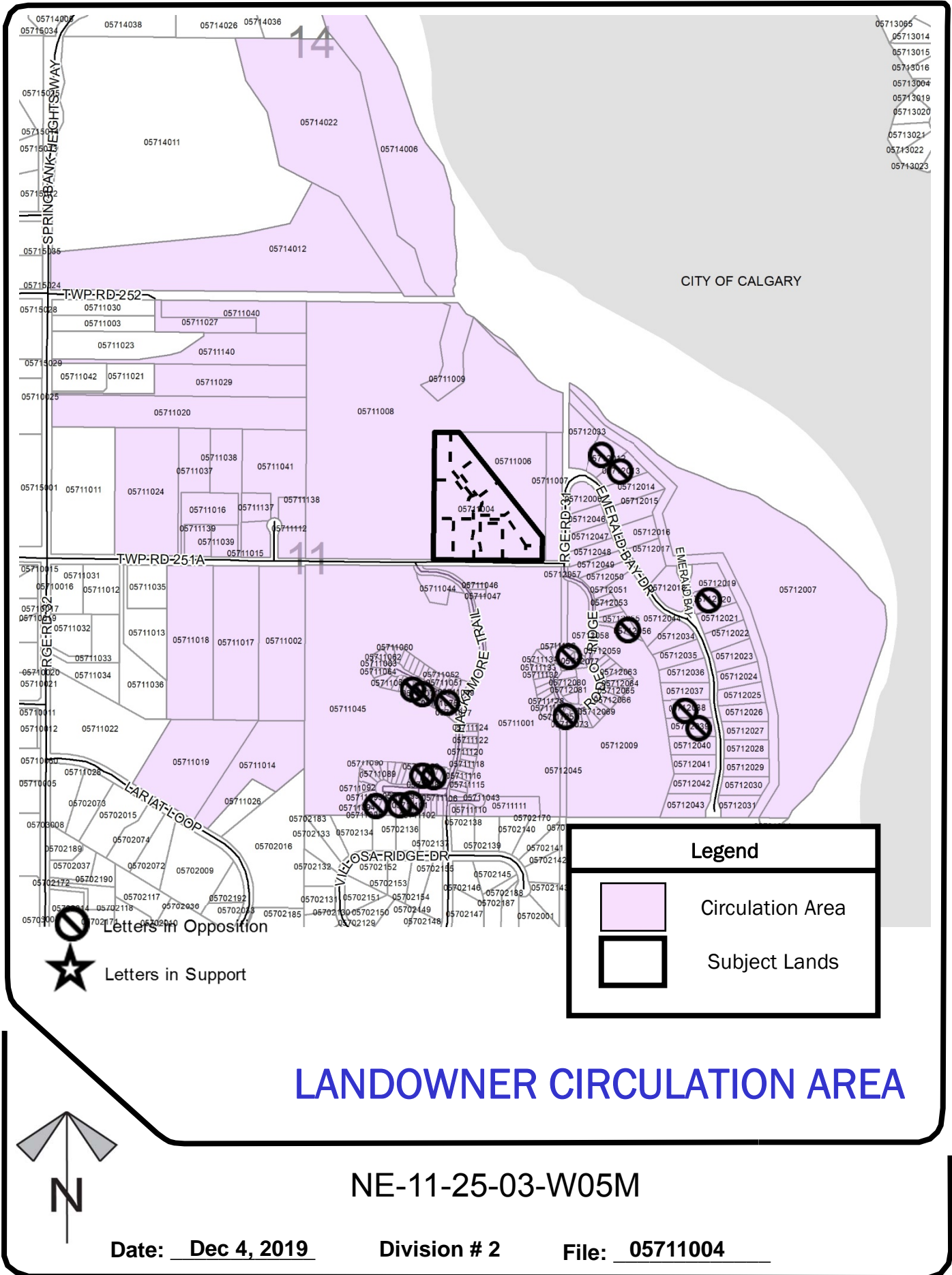


NE-11-25-03-W05M

Date: Dec 4, 2019

Division # 2

File: 05711004



APPENDIX 'B': APPROVAL CONDITIONS

- A. The application to create ten residential parcels ranging from ≥ 0.80 ha (1.98 acres) in size to ± 1.25 ha (3.08 acre), a ± 0.24 ha (0.6 acre) common property unit; and a ± 0.51 ha (1.25 acre) internal roadway at NE-11-25-03-W05M, having been evaluated in terms of Section 654 of the *Municipal Government Act* and Section 7 of the Subdivision and Development Regulations, and having considered adjacent landowner submissions, is approved as per the Tentative Plan for the reasons listed below:
1. The application is consistent with the Statutory Policy;
 2. The subject lands hold the appropriate land use designation;
 3. The technical aspects of the subdivision proposal have been considered and are further addressed through the conditional approval requirements.
- B. The Applicant/Owner is required, at their expense, to complete all conditions attached to and forming part of this conditional subdivision approval prior to Rocky View County (the County) authorizing final subdivision endorsement. This requires submitting all documentation required to demonstrate each specific condition has been met, or agreements (and necessary securities) have been provided to ensure the conditions will be met, in accordance with all County Policies, Standards, and Procedures, to the satisfaction of the County, and any other additional party named within a specific condition. Technical reports required to be submitted as part of the conditions must be prepared by a qualified professional, licensed to practice in the province of Alberta within the appropriate field of practice. The conditions of this subdivision approval do not absolve an Applicant/Owner from ensuring all permits, licenses, or approvals required by Federal, Provincial, or other jurisdictions are obtained.
- C. Further, in accordance with Section 654 and 655 of the *Municipal Government Act*, the application shall be approved subject to the following conditions of approval:

Survey Plans

- 1) Subdivision is to be effected by a Plan of Survey, pursuant to Section 657 of the *Municipal Government Act*, or such other means satisfactory to the Registrar of the South Alberta Land Titles District.

Development Agreement

- 2) The Owner shall enter into a Development Agreement for provision of the following infrastructure and improvements:
 - i. Construction of an internal road (Residential Local Road Standard), in accordance with the County Servicing Standards, as shown on the Tentative Plan, including:
 - a. Cul-de-sac;
 - b. Any necessary easement agreements; and
 - c. Road approaches to Units 1 -10. If a mutual approach is constructed, the Owner shall:
 - i) Provide an access right of way plan; and
 - ii) Prepare and register respective easements on each title, where required.
 - ii. Remove and reclaim the existing approach on Township Road 251A
 - iii. Construction of a new paved approach on Township Road 251A in order to provide access to the internal road;



- iv. Design and construction of a secondary emergency access gravel road, as shown on the Tentative Plan;
- v. Mailbox locations are to be located in consultation with Canada Post, to the satisfaction of the County;
- vi. Construction and implementation of stormwater management facilities, in accordance with the recommendations of an approved Stormwater Management Plan, and the registration of any overland drainage easements and/or restrictive covenants as determined by the Stormwater Management Plan;
- vii. Construction of a drafting hydrant and roadside pullout, in accordance with the County Servicing Standards;
- viii. Implementation of the recommendations of the Construction Management Plan and Erosion and Sedimentation Control Plan;
- ix. Installation of power, natural gas, and telephone lines; and
- x. Installation of dark sky compliant street lighting.

Transportation and Access

- 3) The Owner shall enter into an Access Easement Agreement with the County, to provide County for the emergency access road over Units 10 and Lot 11, as per the approved Tentative Plan, which shall include:
 - a) Registration of the applicable access right of way plan.
- 4) The Owner shall obtain approval for a road name by way of application to, and consultation with, the County.

Site Servicing

- 5) The Owner shall enter into a Development Agreement (Site Improvements Services Agreement) with the County, which shall include the following:
 - a) The construction of packaged sewage treatment systems for Units 1 -10, as recommended in the Level IV PSTS report, prepared by Groundwater Information Technologies Ltd., dated August, 2019.
- 6) Water shall be supplied by an individual well on Units 1-10. The subdivision shall not be endorsed until:
 - a) An Aquifer Testing (Phase II) Report is provided, which is to include aquifer testing and the locations of the wells on each lot; and
 - b) The results of the aquifer testing meet the requirements of the *Water Act*; if they do not, the subdivision shall not be endorsed or registered.
- 7) The Owner shall enter into a Deferred Services Agreement with the County, to be registered on title for each proposed Units 1 - 10, indicating:
 - a) Requirements for each future Lot Owner to connect to County piped water, wastewater, and stormwater systems at their cost when such services become available;
 - b) Requirements for decommissioning and reclamation once County servicing becomes available;

Developability

- 8) The Owner shall provide and implement a detailed stormwater management report, which meets the requirements of the Springbank Master Drainage Plan. Implementation of the Stormwater Management Plan shall include:
 - a) Design and construction of the stormwater pond and any other required improvements;
 - b) Registration of any required easements and/or utility rights-of-way; and
 - c) Provision of necessary Alberta Environment and Parks registration documentation and approvals for the stormwater infrastructure system;
- 9) The Owner is to provide a detailed Erosion and Sedimentation Control Plan, prepared by a qualified professional, in accordance with the County Servicing Standards and best management practices.
- 10) The Owner shall provide a Geotechnical Developable Area Assessment to prove there is a minimum of one contiguous developable acre (1.0 acre) of land for Units 1-10:
 - a) Private Sewage Treatment System testing and analysis, and/or the newly drilled water well, shall be located within the defined contiguous developable acre;
- 11) The Owner shall provide an updated Slope Stability Analysis which shall confirm the proposed post-development slopes are stable, and identify any required setback areas:
 - a) The Owner is to provide for the implementation of the recommendations of the Slope Stability Analysis;
 - b) Registration of any required easements and / or Restrictive Covenants;
- 12) The Owner shall provide an Environmental Protection Plan, as recommended by the Biophysical Impact Assessment, submitted by Westhoff Engineering Resources Inc., December, 2018, in accordance with the County Servicing Standards.

Municipal Reserve

- 13) The provision of Reserve in the amount of 10 percent of the gross area, as determined by the Plan of Survey, is to provide by payment of cash-in-lieu in accordance with the per acre value as listed in the land appraisal (Price Aspinall Appraisals, File #C1-06-051, June 2019), pursuant to Section 666(3) of the *Municipal Government Act*.

Association and Condominium Association

- 14) The Owner shall provide a letter of intent which specifies a condominium board will be established after subdivision registration, pursuant to the *Condominium Property Act*:
 - a) An encumbrance shall be registered on the title of each new lot created, identifying that each Unit Owner, as a member of the Condominium Association, is directly responsible for all maintenance of the internal road and associated infrastructure, landscaping, stormwater facilities, overland drainage system, private sewage treatment systems, and residential solid waste collection.
- 15) The Owner shall prepare and register a Restrictive Covenant on the title of each new lot created, requiring that each Unit Owner be subject to the development's Architectural Controls.
- 16) The Owner is to prepare a Solid Waste Management Plan that outlines the responsibility of the Developer and/or Condominium Board for solid waste management.



Site Construction

- 17) The Owner shall provide a Historical Resources Impact Assessment (HRIA) to the satisfaction of Alberta Community Development.
 - a) If the HRIA identifies that any portion of the subject lands require mitigation or excavation, as directed by Alberta Community Development, the recommendations of the HRIA shall be implemented prior to the stripping and grading of any portion of the site;
- 18) The Owner is to provide a Construction Management Plan that is to include, but not be limited to, noise, sedimentation and erosion control, construction waste management, fire fighting procedures, evacuation plan, hazardous material containment, construction, and management details. Other specific requirements include:
 - a) Weed management during the construction phases of the project;
 - b) Management and mitigation of environmentally significant features as identified in the approved Biophysical Assessment;
 - c) Implementation of the Construction Management Plan recommendations, which will be ensured through the Development Agreement;
- 19) The Applicant/Owner shall provide a Landscaping and Weed Management Plan, to be prepared by a qualified professional.
- 20) The Applicant/Owner shall provide a Landscaping Plan, to be prepared by a qualified professional, to illustrate how the existing tree cover within each new lot will be appropriately maintained in accordance with Section 5.2 of the Devonian Ridge Estates Conceptual Scheme.
- 21) Utility Easements, Agreements, and Plans are to be provided and registered (concurrent with a Plan of Survey or prior to registration), to the satisfaction of ATCO Gas and Telus Communications.

Payments and Levies

- 22) The Owner shall pay the Transportation Off-Site Levy in accordance with Bylaw C-7356-2014, prior to entering into the Development Agreement. The County shall calculate the total amount owing:
 - a) from the total gross acreage of the Lands to be subdivided as shown on the Plan of Survey.
- 23) The Owner shall pay the County Subdivision Endorsement fee, in accordance with the Master Rates Bylaw, for the creation of 11 new lots.

Taxes

- 24) All taxes owing up to and including the year in which subdivision is to be registered are to be paid to Rocky View County prior to signing the final documents pursuant to Section 654(1) of the *Municipal Government Act*.

D. SUBDIVISION AUTHORITY DIRECTION:

- 1) Prior to final endorsement of the subdivision, the Planning Department is directed to present the Applicant/Owners with a Voluntary Recreation Contribution Form and ask them if they will contribute to the Fund in accordance with the contributions prescribed in the Master Rates Bylaw

September 15, 2019

**TO: Planning Services Department
Rocky View County**

**RE: Applicants: 2036122 Alberta Ltd.
File number: 05711004
Application Number: PL20190076**

To Whom It Concerns;

With respect to the above mentioned applicants and application, I wish to submit my concerns as they relate to the provision for water and disposal of sewage, to the proposed development known as Devonian Ridge Estates.

At this time, I have not heard how the developer is going to secure water for the new development and more importantly, I have not heard what the developer's plans are for disposal of waste water. If, as the rumour has it, the plan is to drill a septic field for each of the 11 or 12 new homes, this is absolutely untenable, and must be stopped.

How in this day and age of thoughtful environmental stewardship can anyone contemplate, or condone, the dumping of raw sewage into the ground? By law, I can't dump garbage in my neighbour's yard, so why would you contemplate allowing raw and untreated sewage to be dumped? The negative implications are huge, and the impact upon hundreds of existing homeowners is potentially devastating. If the raw sewage seeps, and it likely will, into our only fresh water aquafer it will pollute the single source of water for the hundreds of families who live here.

The Emerald Bay development in which we live, has a mandated program from Alberta Environment and Parks that stipulates what we can, and cannot do, with our waste water. Why is the Devonian Ridge Estates development not being required by the Rocky View Planning Services Department to abide by the same guidelines?

I urge you to please reconsider the application and request clarification of their plans for a safe and sensible waste water plan that's fair to all, including existing area home owners.

Sincerely,

Adeline Sterling & Family
45 Emerald Bay Drive
[REDACTED]

attach.

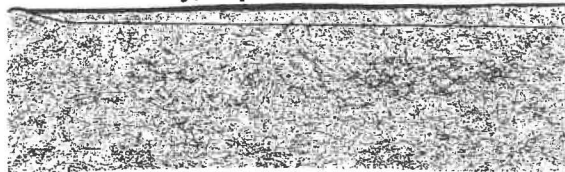


ROCKY VIEW COUNTY

262075 Rocky View Point
Rocky View County, AB, T4A 0X2

403-230-1401
questions@rockyview.ca
www.rockyview.ca

Wednesday, September 04, 2019



File Number: 05711004
Application Number: PL20190076
Division: 2

TO THE LANDOWNER

Take notice that an application(s) has been received by the Planning Services Department of Rocky View County.

Where is the land?

Located approximately 1.20 kilometres (3/4 mile) east of Range Road 32 and 3.21 kilometres (2 miles) north of Highway 1.

What is the applicant proposing?

To create: a ± 0.8 ha (1.98 acre) parcel (Lot 1), ± 0.74 ha (1.83 acre) parcel (Lot 2), a ± 1.42 ha (3.5 acre) parcel (Lot 3), a ± 1.00 ha (2.48 acre) parcel (Lot 4), a ± 0.8 ha (1.98 acre) parcel (Lot 5), a ± 0.8 ha (1.98 acre) parcel (Lot 6), a ± 0.81 ha (2.0 acre) parcel (Lot 7), a ± 0.87 ha (2.16 acre) parcel (Lot 8), a ± 0.81 ha (1.99 acre) parcel (Lot 9), a ± 0.81 ha (2.0 acre) parcel (Lot 10), a ± 0.2 ha (0.6 acre) utility lot (Lot 11), and a ± 0.2 ha (0.49 acre) internal roadway

Please see the map attached to this notice for more information.

How do I comment?

As your property is adjacent to, or in the immediate vicinity of the land subject to the application, we are notifying you in the event that you may wish to provide comments.

If you have any comments, please reference the file number and application number and send your comments to the attention of the Planning Services Department, Rocky View County - 262075 Rocky View Point, Rocky View County, AB, T4A 0X2

PLEASE REPLY PRIOR TO: Wednesday, September 25, 2019

County Contact: Andrea Bryden **E-mail:** abryden@rockyview.ca

Phone: 403.520.7294

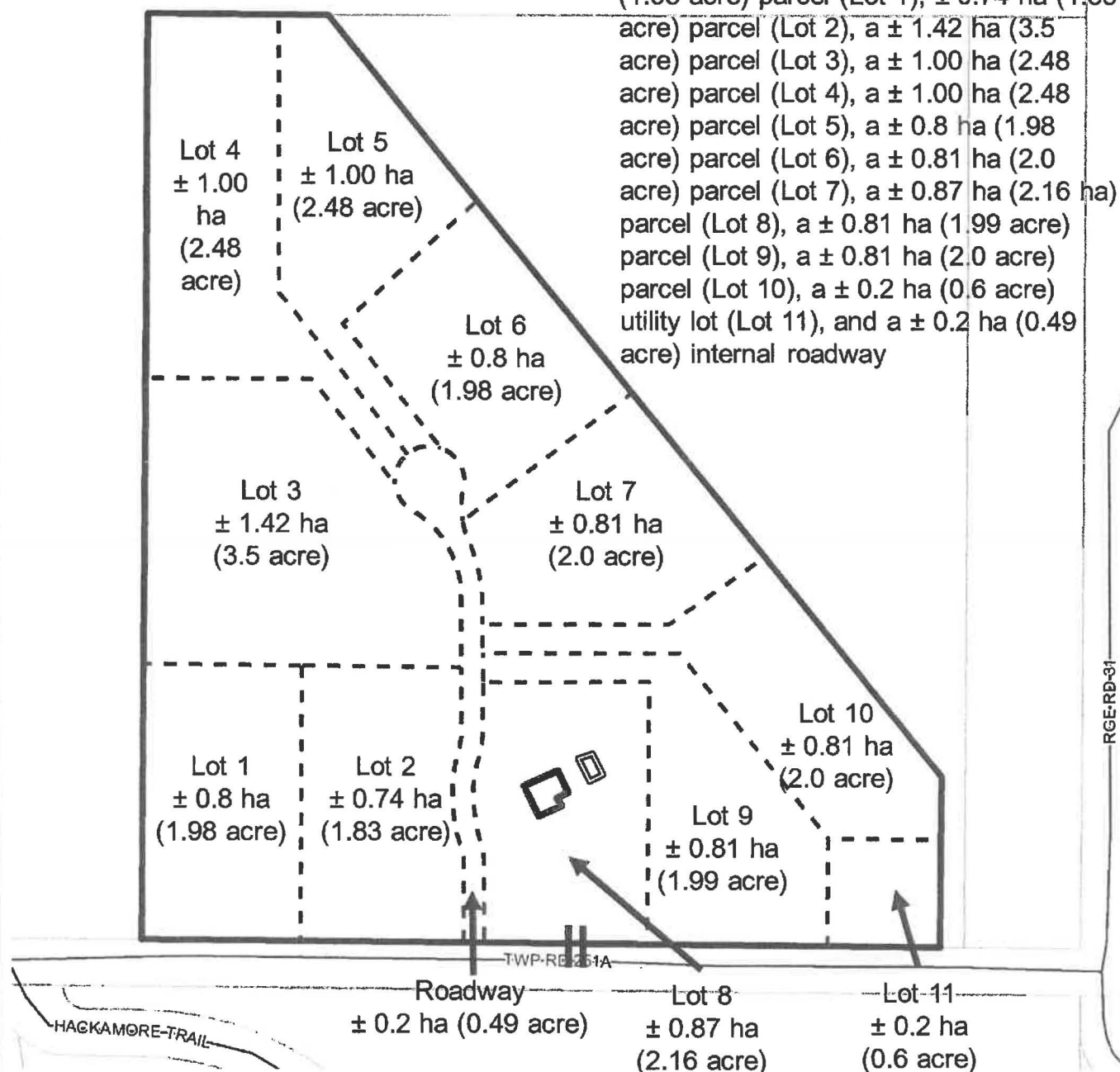
Other application details and notes:

Applicant(s): 2036122 Alberta Ltd
Owner(s): 2036122 Alberta Ltd
Size: ± 9.38 hectares (± 23.18 acres)
Legal: NE-11-25-03-W05M

Notes:

1. Any comments on an area structure plan, conceptual scheme, master site development plan or redesignation application should address whether the proposed use(s) is compatible with the other existing uses in your neighbourhood. Any comments on a subdivision application should address technical matters only, such as parcel size, access, provision of water, disposal of sewage, etc.
2. Please be advised that any written submissions submitted in response to this notification is considered a matter of public record and will become part of the official record. Submissions received may be provided to the applicant, or interested parties, prior to a scheduled council meeting, subject to the provisions of the *Freedom of Information and Protection of Privacy Act*. Please note that your response is considered consent to the distribution of your submission.

Subdivision Plan: To create a ± 0.8 ha (1.98 acre) parcel (Lot 1), ± 0.74 ha (1.83 acre) parcel (Lot 2), a ± 1.42 ha (3.5 acre) parcel (Lot 3), a ± 1.00 ha (2.48 acre) parcel (Lot 4), a ± 1.00 ha (2.48 acre) parcel (Lot 5), a ± 0.8 ha (1.98 acre) parcel (Lot 6), a ± 0.81 ha (2.0 acre) parcel (Lot 7), a ± 0.87 ha (2.16 acre) parcel (Lot 8), a ± 0.81 ha (1.99 acre) parcel (Lot 9), a ± 0.81 ha (2.0 acre) parcel (Lot 10), a ± 0.2 ha (0.6 acre) utility lot (Lot 11), and a ± 0.2 ha (0.49 acre) internal roadway



Surveyor's Notes:

1. Parcels must meet minimum size and setback requirements of Land Use Bylaw C-4841-97.
2. Refer to Notice of Transmittal for approval conditions related to this Tentative Plan.

TENTATIVE PLAN

NE-11-25-03-W05M

Date: June 20, 2019

Division # 2

File: 05711004



File: 05711004

Lori-Lee Turcotte

From: Andre <andre@sinclairsignaturehomes.com>
Sent: Monday, September 23, 2019 1:56 PM
To: Andrea Bryden
Subject: File #05711004 comments

File # 05711004
Application # PL20190076

This letter is in concern to this proposed development. We reside at 53 Emerald Bay below this development. It has come to our attention that this development plans to have septic tanks (raw sewage) disposal upstream of our co-op water supply source. It is also of great concern to hear the complete lack of communication, responses, or engagement with the Emerald Bay Water and Sewer Co-op for any of the numerous times they reached out, from the county. The developer has not engaged in any credible way with any of the residents of Emerald Bay, or the Water Co-op. There seems to be no desire to upgrade our sewer/water system by the developer to hook into our system, and the county has not provided upgrades to infrastructure to allow this expansion either. This seems like an attempt to keep costs the lowest possible, and try to offload any of the potential contamination risks onto someone else. Make no doubt about it though, this would be litigation in the event that happens. In my opinion, the County should be spending a lot more time on assessments and environmental impacts of such a development with such obvious and clear risks to existing infrastructure, especially when those risks have been REPEATEDLY pointed out by Dave Laurie and our Water Co-op. There is no excuse now to say this was never known to be a potential hazard, to have been mitigated at this stage. We are therefore against this development moving forward.

Thanks,

Andre Sinclair|President

The logo for Sinclair Signature Homes features the word "Sinclair" in a large, elegant, cursive script. Below it, the words "SIGNATURE HOMES" are written in a smaller, all-caps, sans-serif font, underlined.

O: 403.455.5133
C: 403.369.9690
E: andre@sinclairsignaturehomes.com

Angela and Russ Kimmett

188 Emerald Bay Drive,

[REDACTED]

Rocky View County

262075 Rocky View Point

Rocky View County, AB T4A0X2

To Andrea Bryden,

RE: File Number 05711004, Application Number PL20190076, Division 2

Further to the above mentioned Application as home owners immediately to the East and more importantly downhill from the proposed development we have significant concerns specifically in regard to provision of water and disposal of sewage. We are not aware of any environmental impact study that has been done. If so, we would request a copy of the study. If there has been no such study we want to know -Why this significant increase in density and the potential corresponding water and sewage issues have not been addressed.

We don't believe that the county should allow this subdivision to be allowed considering that the Emerald Bay Water and Sewage Co-op is directly adjacent to the proposed development and the Developer of the proposed development has chosen not to utilize a proven safe environmental infrastructure. Instead in our view the Developer has chosen to proceed in a manner more consistent with much larger acreages such as 20 acre parcels and "hopes that it works out".

There are springs that come out of the side of the shore in several places directly below the development and run into the reservoir. There are no streams near these springs so the permeability of the land suggests that they could easily be contaminated or in fact may not "percolate". It is our understanding that directly across the river at Links Ridge the septic fields failed and had the sewage system had to be connected to the City of Calgary. Emerald Bay sets in between the proposed development and any potential hook up to City of Calgary infrastructure would be unavailable. In the event this system of septic fields fails and sewage flows downhill onto our property and on to the reservoir – What remedy would be available to both we land owners and also the City of Calgary?

With the increase in population density in the area and continued growth in the future it should be the utmost concern of the county to maintain safety for the residents of our community and other communities.

Sincerely,

Angela and Russ Kimmett

Lori-Lee Turcotte

From: R & B Moore [REDACTED]
Sent: Tuesday, October 01, 2019 10:12 PM
To: Andrea Bryden
Subject: re: File # 05711004 App. # PL20190076

Hello Andrea

re: File # 05711004 App. # PL20190076

We live at 107 Lynx Lane on the Springbank Links Golf Course and are, therefore, members of the Emerald Bay Water & Sewer Coop. We received notice of Devonian Ridge's development plan and have concerns about their septic fields' impact on our potable water system.

Apparently, the Devonian Ridges non- regulated, untreated sewage (from their septic fields) is upstream of our provincially regulated, treated sewage system. We are worried that this close proximity to our water/sewage system will have a direct and negative impact on the quality and quantity of our potable water supply.

We must be opposed to this development for this reason.

Thanks,
Betty and Randy Moore

Lori-Lee Turcotte

From: Constance Button <cbutton@thefamilyoffice.ca>
Sent: Thursday, October 03, 2019 3:15 PM
To: Andrea Bryden
Subject: Subject: File # 05711004 App. # PL20190076

Follow Up Flag: Follow up
Flag Status: Flagged

I live at Emerald Bay Dr. and am a member of the Emerald Bay Water & Sewer Coop. I received notice of Devonian Ridge's development plan. I have concerns about their septic fields impact on our potable water system.

My understanding is that the Devonian Ridges non- regulated, untreated sewage (from their septic fields) is upstream of our provincially regulated, treated sewage system. I fear that this close proximity to our water/sewage system will have a detrimental and direct impact on the quality and quantity of our potable water supply.

I further understand that an environmental study has not been done. Please do not approve until we have all the facts including an impact study on the water supply.

--

THE FAMILY OFFICE

202A, 221-10TH AVE SE
CALGARY, AB T2G-0V9
PHONE: 403.543.1519 #1
FAX: 403.543.1517

CONSTANCE BUTTON CFP,

EMAIL: cbutton@thefamilyoffice.ca
WEB: www.thefamilyoffice.ca

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November 21, 2018

Rocky View County
262075 Rocky View Point
Rocky View County, Alberta T4A 0X2

Dear Sir / Madam:

via electronic mail

Re: RVC File Number 05711004, Application numbers 20180120 and 20180121
- Letter of Objection -

We write this letter to you after receiving a copy of the referenced application proposing 11 new lots directly adjacent to our service area.

The Emerald Bay Water & Sewer Coop is an incorporated not-for-profit utility company servicing 188 customers.

We operate our water system under Alberta Environment and Parks Approval number 1542 – 02 – 00. All potable water for our service area is drawn from groundwater wells which are situated downgradient from the proposed development.

We operate our wastewater system under Alberta Environment and Parks Approval number 18892-01-00. This approval includes an extensive monitoring program to collect data on potential impacts to three (3) local water Coop water wells primarily from surface runoff. This program is very expensive and our source wells would be at great risk of contamination should eleven septic fields (as proposed) be placed upgradient from our water source wells.

As a result, the Emerald Bay Water & Sewer Coop, ***strongly objects*** to the proposed application(s) and will file additional objections to Alberta Environment and Parks should this application proceed.

Please acknowledge receipt of this letter of objection.

Should you have any questions in regard to this statement of concern, please contact me by telephone at 403.888.2849

Sincerely,

David Laurie
Chairman, Emerald Bay Water & Sewer Co-Op Ltd.



May 29, 2019

Rocky View County
262075 Rocky View Point
Rocky View County, Alberta T4A 0X2

Dear Sir / Madam:

via electronic mail

Re: **County File Number PL20180120 (05711004)**
Bylaw C-7889-2019 etc.

The Devonian development has been a concern of ours (EBWSC) for some time now. In November 2018 we sent a letter to RVC Development Officer objecting to **Application numbers 20180120 and 20180121 (see attached)**. To date, we have not had a reply to our November 2018 letter.

The Coop recently learned of a pending Public Hearing by the same applicant to amend the Central Springbank Area Structure plan to include the Devonian Ridge Conceptual Scheme. The Public Notice also explained that this application would include adoption of the Devonian Ridge Conceptual Scheme that would *“provide a policy framework for future redesignation, subdivision and development proposal within NE 11 25 3 5.”*

Given that we are on record as having concerns and objections to this proposal in general and specifically with environmental and health concerns for water and sewer management, the Coop is disappointed that either the applicant or RVC deemed notification to our Coop of the development plans and ASP amendment proposal to be a reasonable exercise. The Coop only learned of this from a resident and notice in the Rocky View Weekly. This is a weak link in the development process currently.

Apart from the usual concerns around changing the ASP and the increased traffic etc., our main concern is with how this proposal would impact the water supply wells for Springbank Links, Emerald Bay Estates, Rodeo Ridge, Villosa Ridge, North Springbank and Calling Horse Estates

If I understand the current Devonian proposal, all sewage generated by the Devonian development will be disposed of via 11 or 12 individual septic fields (pending additional development phases) and all domestic water will be drawn from 11 or 12 new water wells.

I am the Chairman of the Emerald Bay Water & Sewer Coop. Our source water wells, along with source wells that serve North Springbank and Calling Horse Estates (Salt Box Coulee Coop) are directly downstream of the Devonian proposal. The Devonian proposal is being proposed in an area where there is high gravel and sandstone subsurface content which dramatically increases the risk of contaminating our source water supply.



As a result, we are strongly opposed to this development as sewage effluent is very likely to communicate and contaminate the aquifer that we draw our water from. Additionally, it is highly likely that the Devonian proposal will draw water from the same formation or source rock as our source wells. This will adversely affect both the volume and quality of our current supply. We also view this as a major health risk to the existing source water wells and the residents currently being served by them.

Why are we so concerned about water? Those at RVC who were around when an approval was granted for the multi-phased Springbank Links Golf Course development through various RVC Development Approvals may recall. In those Approvals, the Applicant was directed to set up a rural utility to service the various Phases with water and sewerage services. The Applicant's approval from RVC directed that all **treated** effluent from the development(s) would be disposed of by spray irrigation on the golf course lands. This is current practice.

The Applicant complied with these conditions and applied for and received 2 approvals (one for water and one for wastewater) under the Alberta Environmental Protection and Enhancement Act. Shortly after the approvals were issued, the North Springbank Water Coop filed an Appeal through the Alberta Environmental Appeal Board. As a result of this Appeal, the original wastewater approval (18892-00-00) was rescinded and replaced by Approval number 18892-00-03 (now 18892-02-00). In the amended approval, Alberta directed the Emerald Bay Water & Sewer Coop to establish a soil and groundwater monitoring program to gather data on the possible effects of the effluent spray disposal program on the domestic source water wells specifically for the benefit of the North Springbank Water Coop. A Monitoring program was set up along with a Monitoring Committee. For the past 16 years, the entire program has been paid for by the Emerald Bay Water and Sewer Coop to the tune of approximately \$50,000 per year.

In recent years, Alberta Environment and Parks require approval holders to complete a Safe Water Drinking Plan. This plan is designed to have an approval holder assess both internal and external risk factors to the safe supply of potable water. Clearly, new developments add risks.

The Emerald Bay Water & Sewer Coop does not own any land in the area of the Devonian application but is responsible through Alberta Environmental legislation to ensure we are compliant with our own approvals and deliver safe potable water to our 188 customers.

It is therefore logical that the Devonian septic disposal systems will pose significantly higher risk to the water supply wells of North Springbank Water Coop, Emerald Bay Water & Sewer Coop and Salt Box Coulee Coop. Further disposal of **untreated** sewage directly upgradient of our source wells, in an area dominated by subsurface sand, gravel and sandstone will inevitably create communication with our source water supply wells. Further still, any contamination observed in our collective source wells will prejudice our approvals and keep us locked in our



annual (expensive) soil monitoring program. With development pressure in the area currently (Devonian and Caribou) and potentially additional development as contemplated in the Public Notice section of the May 21 edition (attached) of the Rocky View Weekly, as with more development, it will be almost impossible to ascertain the source of any communication between the various waste disposal programs and the source water wells.

The Emerald Bay Water & Sewer Coop water supply and Approval conditions are at increased risk with each new development. This is cause for concern from a legislative and environmental and public health perspective.

It would therefore make logical and reasonable sense that the proposed Devonian development be denied by RVC along with their proposed changes to the ASP for reasons of public health and the adverse effects to the existing supply wells. It would also make logical and reasonable sense that RVC not consider **any** new developments (especially those proposed near the Bearspaw Reservoir) until such time as proper sewer service infrastructure is in place. Springbank will soon be known as Effluentbank if proper disposal systems are not considered/mandated prior to entertaining ASP amendments and approving of new Conceptual Plans in RVC. RVC should also adopt a policy of reviewing new Conceptual Schemes with Alberta Environment and Parks as a pre-condition of new approvals. The current process of weak public involvement guidelines and approval of Conceptual Plans prior to review by Environment sets up the County and local stakeholders to rely of the court to adjudicate new development approvals. This is a cart-before-the-horse scenario that has failed the stakeholders in Springbank and RVC on many occasions historically.

Infrastructure is not in place in this part of RVC to protect current systems/approval holders from environmental and health risks from the Devonian proposal. A synergy group or lobby group should be set up to work with the City of Calgary to properly dispose of sewage prior to approval of new developments. The Emerald Bay Water & Sewer Coop would be interested in participating in such a working group. Alternatively, RVC should embark on an acquisition of existing water coops project to manage new development in the interest of public health.

All effluent from this proposed development should not be disposed by septic systems. Water should not be supplied by water wells here either.

We/I would encourage RVC to deny this application and to establish proper sanitary utility services prior to adopting a change to the ASP or approving septic or effluent systems especially in proximity to existing water supply

Respectfully,
Dave Laurie
Chairman, Emerald Bay Water & Sewer Coop Ltd.
403.888.2849

Lori-Lee Turcotte

From: Evan Neilsen
Sent: Tuesday, September 17, 2019 8:36 AM
To: Andrea Bryden
Subject: FW: Devonian Development Proposal - Water and Sewage

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Andrea,

This email didn't have an application number attached to it, but I'm assuming they're referring to PL20190079/PL20180121.

Please let me know if there are any questions.

Cheers,
EVAN NEILSEN
Planning Call Representative | Planning Services

ROCKY VIEW COUNTY
262075 Rocky View Point | Rocky View County | AB | T4A 0X2
Phone: 403-520-8158
ENeilsen@rockyview.ca | www.rockyview.ca

This e-mail, including any attachments, may contain information that is privileged and confidential. If you are not the intended recipient, any dissemination, distribution or copying of this information is prohibited and unlawful. If you received this communication in error, please reply immediately to let me know and then delete this e-mail. Thank you.

From: Garrett Dueck [REDACTED]
Sent: Monday, September 16, 2019 5:08 PM
To: PAA_Development <Development@rockyview.ca>
Cc: Division 2, Kim McKylor <KMckylor@rockyview.ca>; Emerald Bay <ebwsc.board@gmail.com>
Subject: Devonian Development Proposal - Water and Sewage

Good day,

I have recently been informed that a new development proposal (Devonian) near my community may adversely affect my potable water, water Coop and possible maintenance/service fees. I wish to express my concern that correspondence from my water Coop, that directly affects my water and sewage, has gone unanswered from Rocky View County. This correspondence has reportedly gone unanswered for several months and is unacceptable.

As a tax paying member of Rocky View County, and a concerned resident that may be affected by the development of this area and proposed well and septic field, ***I expect some communication to address these concerns.***

Further to that, I have been informed that the developer has reportedly made minimal efforts to meet with our Coop to perhaps mitigate this concern.

Overall, there appears to be some very concerning municipal, provincial and possibly federal concerns with a development that may impact another communities water and sewage options.

I expect a response from the County to address my concerns and those of my community.

Sincerely,
Garrett.
Rodeo Ridge

September 18, 2019

Attention: Andrea Bryden
Planning Services Department
Rocky View County, 262075 Rocky View Point
Rocky View County, AB T4A 0X2

Re: Devonian Ridge Estates
File: 05711004 App #PL20190076

In response to your notice dated September 4, 2019, I wish to make comments:

I live at Springbank Links and am a member of the Emerald Bay Water & Sewer Co-Op Ltd.

Upon reviewing notice of the Devonian Ridges' Development Plan, I have serious concerns regarding the septic fields as well as the 11 or 12 wells being dug.

Septic Fields Questions:

My understanding is with 11 or 12 septic fields being built with the new homes, their run off into a very porous sub-ground could potentially affect my drinking water as Emerald Bay has 3 wells below the level of this new development. We are all aware that everything tends to flow downhill. What steps has Rocky View County taken to make sure this sewer seepage will not happen?

I am concerned that this development plan was approved without an in-depth investigation. Where is the documentation of your findings and when can the residents of Springbank Links review these?

Water Well Questions:

My understanding is with the creation of these new wells the ramifications of these wells is taking water that could drastically change the water table level causing contaminants from septic fields to flow into the drinking waters?

Are their findings that can support your decisions to move this Development forward if in the future these decisions may have a major impact on the residents of our community?

I am not opposed to new developments in our County if all affected parties have been notified and sources used to make these decisions have been available to address any and all concerns.

As it is now, I am strongly opposed to the Devonian development for the reasons and unanswered questions I have stated above.

Respectfully,

Hugo Frederiksen
11 Palomino Blvd.
Springbank Links

Lori-Lee Turcotte

From: Jay & Jo Lukin [REDACTED]
Sent: Tuesday, October 01, 2019 8:14 PM
To: Andrea Bryden
Subject: File # 05711004 App. # PL20190076

Importance: High

Dear Andrea Bryden

Re: Devonian Ridge's development plan

We live in Springbank Links and being members of the Emerald Bay Water & Sewer Coop, we are very concerned about their septic fields impacting our potable water system and disrupting our lifestyles. We purchased in this neighbourhood and did not realize this could happen otherwise we would not have purchased in the area as we don't want issues like this impacting the safe potable water supply.

We are taken back that this was not sorted out before they were granted the development permit.

Our understanding is that the Devonian Ridges non- regulated, untreated sewage (from their septic fields) is upstream of our provincially regulated, treated sewage system.

We fear that this close proximity to our water/sewage system will have a detrimental and direct impact on the quality and quantity of our potable water supply. We are already limited in our water supply during summer months for watering our trees, etc. We do pay a lot of money for quality and quantity of our potable water supply and do not wish any setbacks

We are **strongly** opposed to this development going forward.

Thank you for your time

Jay & Jo Lukin
95 Palomino Blvd
Springbank Links

Lori-Lee Turcotte

From: Jerry Soltys [REDACTED]
Sent: Tuesday, October 01, 2019 12:58 PM
To: Andrea Bryden
Subject: FW: File # 05711004 App. # PL20190076

Hi Andrea,

We live at Springbank Links and are members of the Emerald Bay Water & Sewer Coop. We received notice of Devonian Ridge's development plan have concerns about this development impacting our potable water system.

Our understanding is that the Devonian Ridges non- regulated, untreated sewage (from their septic fields) is upstream of our provincially regulated, treated sewage system. We fear that this close proximity to our water/sewage system will have a detrimental and direct impact on the quality and quantity of our potable water supply.

We therefore oppose this development for this reason.

Thanks,
Jerry & Linda Soltys
91 Palomino Blvd.
Springbank Links
[REDACTED]

Lori-Lee Turcotte

From: Lisa Lundberg [REDACTED]
Sent: Tuesday, September 17, 2019 12:50 PM
To: Andrea Bryden
Subject: File # 05711004 App. # PL20190076

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Andrea,

I live at Springbank Links and am a member of the Emerald Bay Water & Sewer Coop. I received notice of Devonian Ridge's development plan. I have concerns about their septic fields impact on our potable water system.

My understanding is that the Devonian Ridges non- regulated, untreated sewage (from their septic fields) is upstream of our provincially regulated, treated sewage system. I fear that this close proximity to our water/sewage system will have a detrimental and direct impact on the quality and quantity of our potable water supply.

I am opposed to this development for this reason.

Thanks,
Lisa Lundberg
19 Palomino Blvd.
Springbank Links

Lori-Lee Turcotte

From: llwilcox [REDACTED]
Sent: Tuesday, September 17, 2019 7:25 AM
To: Andrea Bryden
Cc: ebwsc.board@gmail.com
Subject: File 05711004 - Application PL20190076 - Div 2

Attention: Andrea Bryden

Planning Services Department
Rocky View County
262075 Rocky View Point,
Rocky View County, AB T4A 0X2

RE: File # 05711004 – Application # PL20190076 – Division 2

Applicant 2036122 Alberta Ltd
Legal NE-11-25-03-W05M

We are writing in regard to the recent notice on the above application known as Devonian Estates. As property owners on Rodeo Ridge and members of the Emerald Bay Water & Sewer Co-op, we have significant concerns that our water supply will be compromised by the 12 wells and contaminated with the 12 septic fields. Our community pays for strict monitoring of conditions set out by the Alberta Environment and Parks to ensure we have safe and sufficient drinking water. Our community will be in a high risk position as non-regulated and untreated seepage through the sandstone and gravel is inevitable. The topography of the proposed subdivision all slopes downhill towards us and the river. We believe the current proposal will negatively impact our property values and health with this exposure.

In conclusion, we are strongly opposed to Devonian Estates relying on wells and septic fields and not having a suitable water and sewage treatment plant or effective alternative. The EBWSC already sent a letter of concern to the Rocky View County last November as neighbours and residents have discussed their concerns on the situation and risk to us all.

Lorie-Lyn Wilcox & Keith Robson
947716 Alberta Ltd

Lori-Lee Turcotte

From: martincscott [REDACTED]
Sent: Monday, September 16, 2019 12:55 PM
To: Andrea Bryden
Cc: 'Scott, Stacey'; 'Emerald Bay'
Subject: RE: File number 05711004, Application PL20190076

Importance: High

Follow Up Flag: Follow up
Flag Status: Flagged

ATTN: Planning Services Department, Rocky View County

Dear Ms. Andrea Bryden,

As part of the comments you have requested in relation to the subject application, please be aware that the adjacent community, including my address, is wholly against this development as it threatens a delicate balance of aquifer water supply and essential protocols for sewage treatment in the area. **This development is completely incompatible with the neighborhood water and sewage egress.**

The proposed development has no proper sewage treatment and intends on managing each development unit's effluent through septic fields - before any required treatment and dilution is applied. This will undoubtedly contaminate downstream aquifers and related water provisions essential to the existing community of hundreds of inhabitants. This is in part because the proposed septic fields are upstream of the potable water supply wells already in use, and in part due to the nature of the porosity of the sedimentary subsoil protecting these aquifers.

Currently, extensive costs are borne by the community to monitor and manage the ecology in relation to the current sewage treatment. This process is managed professionally by the Emerald Bay Water and Sewage Coop and is part of an elaborate, expensive and extensive treatment and spraying procedure in connection with the Springbank Links Golf Course.

Additionally, the water provisions and supply from the inevitably connected aquifers of the proposed development will add to the already strained capacity to deliver potable water to the adjacent community. Approving this subdivision and development without a required mandate to plan and cooperate with our community's water sourcing and sewage management imperatives will inevitably create a massive issue for hundreds of taxpaying Rocky View Residents.

Please do not approve this development as it is proposed. I would strongly urge Rocky View consultation with the Emerald Bay Water & Sewage Coop (cc'd) so area development plans can be guided to find, expand or participate in the extensive efforts already in place to ensure neighboring populations have a plentiful supply of clean drinking water.

Kind regards,

Martin & Stacey Scott
75 Palomino Blvd.
[REDACTED]

DAN AND Karen Merkosky

116 Emerald Bay Drive,



Rocky View County

262075 Rocky View Point

Rocky View County, AB T4A0X2

To Andrea Bryden,

RE: File Number 05711004, Application Number PL20190076, Division 2

Further to the above mentioned Application as home owners immediately to the East and more importantly downhill from the proposed development we have significant concerns specifically in regard to provision of water and disposal of sewage. We are not aware of any environmental impact study that has been done. If so, we would request a copy of the study. If there has been no such study we want to know -Why this significant increase in density and the potential corresponding water and sewage issues have not been addressed.

We don't believe that the county should allow this subdivision to be allowed considering that the Emerald Bay Water and Sewage Co-op is directly adjacent to the proposed development and the Developer of the proposed development has chosen not to utilize a proven safe environmental infrastructure. Instead in our view the Developer has chosen to proceed in a manner more consistent with much larger acreages such as 20 acre parcels and "hopes that it works out".

There are springs that come out of the side of the shore in several places directly below the development and run into the reservoir. There are no streams near these springs so the permeability of the land suggests that they could easily be contaminated or in fact may not "percolate". It is our understanding that directly across the river at Links Ridge the septic fields failed and had the sewage system had to be connected to the City of Calgary. Emerald Bay sets in between the proposed development and any potential hook up to City of Calgary infrastructure would be unavailable. In the event this system of septic fields fails and sewage flows downhill onto our property and on to the reservoir – What remedy would be available to both we land owners and also the City of Calgary?

With the increase in population density in the area and continued growth in the future it should be the utmost concern of the county to maintain safety for the residents of our community and other communities.

Sincerely,

Dan and Karen Merkosky

Lori-Lee Turcotte

From: Jane and Mike O'Connor [REDACTED]
Sent: Tuesday, September 24, 2019 3:31 PM
To: Division 2, Kim McKylor
Cc: Andrea Bryden
Subject: Development Twp. Road 251 A

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Kim

Re: Development on Township Road 251A (Opposite Springbank Links Golf Course)
Devonian Ridge Estates Development
Rockyview File # 05711004
Location NE-11-25-03W5M

According to the information I have read, regarding the above noted proposed development, each of the lots/home sites are anticipated to have individual water wells and individual septic systems for the disposal of un-treated waste water.

Further, it has been brought to my attention that there is a possibility that these individual septic systems may negatively impact the water wells that currently provide potable water to the Emerald Bay Water and Sewer Coop (I am a member of this water coop). Negative impacts would be due to un-treated effluent contaminating our water source wells and the wells themselves potentially negatively impacting the volume of water in our wells.


I am curious if the subdivision approval process, by Rockyview County, considered the potential negative impact of these water wells and septic systems on other community water sources in the area? If yes, I think it appropriate that the area residents and in particular the Board of the Emerald Bay Water Coop be provided this information for our review.

As an aside, after living in the Springbank area for 20 years and being aware of the many, many water systems already in place, I am curious as to why new and additional individual water and septic systems are approved for construction. Would it not make more sense to have these new developments tie-in to systems already up and running or to build water plants specifically for the development. Further, I am surprised that with the potential for water contamination (think Walkerton, Ontario) I am extremely surprised that not only Rockyview County but the Province of Alberta would be on-side with respect to the approval of these systems.

On September 9, 2019, I received another notification for a development of +/- 32 two acre sites to be built in the Villosa Ridge/Calling Horse Estates area (file # 05701004). While this development is most likely not close enough to negatively impact our community I wonder where this developer plans to get potable water and how they plan to dispose of their waste water and solids? This development should be told/forced to contact the City of Calgary to seek approval to tie-in to water and sewer at Valley Ridge. Failure to do so should equate to a lack of Rockyview County approval for this development.

I would be appreciative of your thoughts and comments on these two developments and in particular how they plan to source potable water, dispose of waste water and solids and on what basis they were approved by Rockyview County Council.

Thank you for your attention to this matter.

Mike O'Connor
91 Lynx Lane

Springbank Links

Lori-Lee Turcotte

From: Carla Mazur [REDACTED]
Sent: Tuesday, October 01, 2019 12:58 PM
To: Andrea Bryden
Subject: File # 05711004 App #PL20190076

Attn: Andrea Bryden
Re: File #05711004 App. #PL20190076

We live on the Springbank Links golf course, in Springbank, Rocky View County and am a member of the Emerald Bay Water & Sewer Coop. We received notice of Devonian Ridge's development plans and have great concerns about their septic fields impact on our potable water system.

Our understanding is that the Devonian Ridge's non-regulated, untreated sewage (from their septic fields) is upstream of our provincially regulated, treated sewage system. We fear that this close proximity to our water/sewage system will have a detrimental and direct impact on the quality and quantity of our potable water supply.

We are opposed to this development for these reasons:

- 12 new water wells drilled into our aquifer will affect water quantity and likely quality, especially since Devonian will water their acreage lots with well water.
- as all Devonian lots will dispose of untreated, unregulated sewage (in a gravel pit) that is situated approximately 200 meters West from our source potable supply wells, the likelihood of contamination to our supply wells is high, chlorination notwithstanding.

Thank you for your attention into this matter.

Regards,
Ned & Carla Mazur
95 Lynx Lane
[REDACTED]

Lori-Lee Turcotte

From: Tom McEachern [REDACTED]
Sent: Wednesday, September 25, 2019 3:53 PM
To: Andrea Bryden
Cc: Emerald Bay
Subject: 05711004 - Application PL20190076 - Div 2

Follow Up Flag: Follow up
Flag Status: Flagged

Attention: Andrea Bryden

Planning Services Department

Rocky View County

262075 Rocky View Point,

Rocky View County, AB T4A 0X2

RE: File # 05711004 – Application # PL20190076 – Division 2

Applicant 2036122 Alberta Ltd

Legal NE-11-25-03-W05M

We are writing in regard to the recent notice on the above application known as Devonian Estates. As property owners on Rodeo Ridge and members of the Emerald Bay Water & Sewer Co-op, we have significant concerns that our water supply will be compromised by the 12 wells and contaminated with the 12 septic fields. Our community pays for strict monitoring of conditions set out by the Alberta Environment and Parks to ensure we have safe and sufficient drinking water. Our community will be in a high risk position as non-regulated and untreated seepage through the sandstone and gravel is inevitable. The topography of the proposed subdivision all slopes downhill towards us and the river. We believe the current proposal will negatively impact our property values and health with this exposure.

In conclusion, we are strongly opposed to Devonian Estates relying on wells and septic fields and not having a suitable water and sewage treatment plant or effective alternative. The EBWSC already sent a letter of concern to the Rocky View County last November as neighbours and residents have discussed their concerns on the situation and risk to us all.

Thank you.

Regards,

Tom McEachern, P.L(Eng)

331 Rodeo Ridge, [REDACTED]

Dear homeowner,

My name is Paul McCormick and I am the developer of Devonian Ridge Estates. I have read your comments on our project and it seems that some people in the neighborhood have been misinformed. I can assure you that we do not plan to dump raw sewage into the ground using traditional septic fields.

Over the last 26 years since EBWSC was created, the advancement in wastewater treatment has improved tremendously. Because of these advancements, we are proposing to use BNQ standard wastewater treatment plants for each individual residence. We have previously held 2 open houses where there was information available on the type of wastewater system we plan to use. We have also done a lot of research and due diligence, such as a Level 4 Private Sewage Treatment System (PSTS) assessment, including a cumulative impact assessment. This study was based on using traditional septic fields and concluded there would be no effect on any of the surrounding ground water sources, homeowners, water coop or the Bearspaw reservoir. Even with this information (which is available with our application at the County) we are still proposing to use the higher standards of BNQ wastewater treatment plants for each individual residence. These systems are recognized worldwide by The Standards Council of Canada (SCC), the International Organization for Standardization (ISO), the World Trade Organization (WTO) and meet Alberta Environment and Parks (AEP) and Rocky View County Standards. Hopefully this will help alleviate your concerns about the wastewater. Implementing this type of system for our development will also put no extra demands on EBWSC.

There were also some concerns about using individual water wells for each home and the impact this might impose on the water supply of the existing users/systems. A Phase 1 Water supply report has shown that an additional 10-11 wells would have no effect on water supply, as the minimum required waterflow by the County is 1 gpm per lot. This study also showed an average production of 23.4 gpm up to a maximum of 575 gallons per day (this report is also available with our application). We want to preserve the natural beauty of the Ridge and strive to integrate the development within the existing topography and landscape, which is another reason we are proposing to do our services this way. Avoiding trenching deep utilities helps us to achieve this goal. We also are confident that a 10 lot subdivision would have the least amount of impact on the neighborhood. With our extensive landscaping, water features, and Homestead Park it will help make this part of Springbank even that more spectacular. My family and I are really looking forward to making Devonian Ridge Estates our new home and become active members of the community.

Paul McCormick

President

DIRECT 403.660.5663

EMAIL dream@devonianridge.ca

WEBSITE www.devonianridge.ca

Andrea Bryden

From: Paul McCormick <paul@greenescapedesigns.ca>
Sent: Wednesday, February 19, 2020 11:34 AM
To: Andrea Bryden; Bianca Duncan
Subject: Fwd: Devonian Ridge Estates
Attachments: Devonian Ridge PSTS study Aug 21 2019.pdf; 20191022_LandUseAirPhotoFig 6.pdf

Follow Up Flag: Follow up
Flag Status: Completed

Hi guys here is some of the emails to EBWSC from Westhoff engineering
I will forward one that I sent with our latest lot layout and I will have you my letter for council by the end of the week

Cheers

----- Forwarded message -----

From: Lotte Veth <lveth@westhoff.ab.ca>
Date: Thu, Feb 13, 2020 at 12:27 PM
Subject: RE: Devonian Ridge Estates
To: board@ebwsc.org <board@ebwsc.org>, [REDACTED]
CC: Paul McCormick <paul@greenescapedesigns.ca>, 227 Paul McCormick <paulgreenescape@gmail.com>, Dennis Westhoff <DWesthoff@westhoff.ab.ca>

Dear Board Members,

Additional to the information provided yesterday, the updated PSTS Level 2 assessment including a cumulative impact assessment is attached to this email as well as the latest conceptual plan figure for your review.

Regards,

Lotte Veth

From: Lotte Veth
Sent: Wednesday, February 12, 2020 4:58 PM
To: board@ebwsc.org; [REDACTED]
Cc: Paul McCormick <paul@greenescapedesigns.ca>, 227 Paul McCormick <paulgreenescape@gmail.com>, Dennis Westhoff <DWesthoff@westhoff.ab.ca>
Subject: Devonian Ridge Estates

Dear Board Members of the EBWSC,

As per the telephone conversation between Paul McCormick and Mr Dave Laurie today on February 12, 2020, we would like to provide you with the following information for your review regarding the Devonian Ridge project proposed in the Springbank Area:

- Conceptual scheme
- Comments from RVC on subdivision
- Preliminary PSTS assessment (Groundwater Technologies Inc)
- Response to comments on Conceptual Plan circulation
- Summary sheet of proposed Norweco Singlair 960-500

If you request more information or have questions/comments, please do not hesitate to contact myself or Paul.

Kind regards,

Lotte Veth, M.Sc.

Water Management Specialist

Westhoff Engineering Resources, Inc.

Land & Water Resources Management Consultants

[Suite 601, 1040 - 7th Avenue S.W.](#)

[Calgary, AB T2P 3G9](#)

Phone: 403 264-9366 ext. 293

Fax: 403 264-8796

Email: lveth@westhoff.ab.ca

This email is confidential and may also be privileged. If you are not the intended recipient, please notify us and delete this message from your system immediately. Any personal data in this email (including all attachments) must be handled in accordance with applicable data protection laws.

Andrea Bryden

From: Paul McCormick <paul@greenescapedesigns.ca>
Sent: Thursday, February 20, 2020 6:10 AM
To: Andrea Bryden; Dennis Westhoff; Lotte Veth; Megan McCormick; Bianca Duncan
Subject: Re: EBWSC and Devonian Ridge Project

Follow Up Flag: Follow up
Flag Status: Flagged

Here is the original email from Dave

Cheers

On Mon, Feb 10, 2020 at 2:28 PM David Laurie [REDACTED] wrote:
Hello Paul

I received some recent correspondence between yourself and Arlene Vermey

I understand that you have been applying to RVC for approval of the various stages of your development

EBWSC has never received a formal request from Devonian to meet with you or your team to discuss this proposal. We therefore feel that the representations to the contrary to RVC are somewhat misleading. We acknowledge some very preliminary email correspondence a few years ago, but do not believe or recall that a serious effort to meet with our Board was ever undertaken by your team

We are not opposed to meeting with you to explore possible synergies if you think there may be some benefit to your development and EBWSC.

This would require a formal request on your letterhead and some conceptual drawings and a summary of your application status be provided prior to setting up a meeting.

Please let us know if that is something that you may be interested in

Sincerely,

Dave Laurie
[REDACTED]

--

Paul McCormick

President | Landscape designer | LGJ

DEVONIAN RIDGE ESTATES

403.660.5663
dream@devonianridge.ca

Paul McCormick
2223 Glenmount Drive SW
Calgary, Alberta
T3E 4C1

devonianridge.ca

March 12, 2020

Andrea Bryden
County Planner
Rocky View County
abryden@rockyview.ca

Re: Devonian Ridge Estates Subdivision

Dear Andrea and Municipal Planning Commission,

As developer of Devonian Ridge Estates, our company is excited to begin construction of Springbank's newest subdivision and we require the county's final conditions to move forward. We have met every condition set out by the county to date, including revised traffic studies, a Phase 4 PSTS Report, with a study on potential wastewater impacts on the Bow River. We have also communicated further with the Emerald Bay Water and Sewer Co-op.

Our Traffic Impact Assessment (Version 2) by Bunt and Associates shows "no external roadway or intersection upgrades are required to accommodate the proposed application." This report, dated Oct. 21, 2019, is on file in the county.

Our Phase 4 PSTS Report concluded that using traditional septic fields would have no impact on any surrounding water supply, including wells, water, co-ops and the Bow River. With the modern BNQ certified systems we will be using, our subdivision wastewater treatment will be world class.

As requested by Rocky View Council at a January 11 meeting, I reopened dialogue with the Emerald Bay Water and Sewer Co-op. I spoke with Mr. David Laurie on February 12, 2020. He spoke of concerns about wastewater impacts on their aquifer, and we discussed the fact that his concerns were based on misinformation about the type of septic systems we will be using and the proximity to EBWSC's aquifer. I have shared all of our subdivision information and technical reports with EBWSC and I look forward to receiving further feedback from the EBWSC, should they wish to provide it.

...2

Included in our documentation sent to EBWSC on February 13, 2020, are:

- Conceptual Scheme and lot layout
- Comments from RVC on subdivision
- Preliminary and Phase 4 PSTS Assessments (Including flows to Bow River)
- Water Well Assessment
- Traffic Impact Study
- Website: devonianridge.ca
- Conditions from RVC

I have been working on this project for more than three years now and am anxious to see my dreams come to life. I know Alberta is going through a rough patch right now, but I believe in our province and its people. We feel our project's location and design will make it a standout venture, even in these turbulent times. As soon as we receive our final conditions, we are prepared to start construction. We have had everything in place to begin work since late 2019 and any more delays could jeopardize our ability to begin this exciting project at this time. I have been working with the the area's foremost engineers, architects and designers to to create a community that will make all of our homeowners, neighbours and county officials proud.

We will employ some of the most modern technologies in subdivision design that are environmentally advanced to protect our natural surroundings and guarantee clean water and state-of-the-art septic plants for each residence. Our plans have always focused on drilling wells for each lot. The design allows for well-water supply that ensures the required minimum of 1 gallon per minute per residence. Water is drawn from wells drilled on site and has no negative affect on surrounding water supplies. Each home will have its own innovative packaged sewer treatment system. These systems meet BNQ Standards and will comply with Alberta Environment and Parks (AEP) and Rocky View County Standards. We have completed a Phase 4 septic analysis by Groundwater Information Technologies Ltd. that shows a traditional septic field would have no adverse affect on surrounding water supplies, the reservoir or properties. The advanced plants in our design are vastly superior to any traditional septic system.

Individual wells and modern wastewater treatment plants mean so much less impact on the environment. Tying into a water co-op, should we get a response from EBWSC on what that would cost, would mean trenching and destruction of more than 4,000 lineal feet of natural environment. Such destruction is not necessary with our house, road and lot designs that include protecting and reusing as much of the land's original plant material as possible.

...3

I would like to reiterate my concern about the registered easements for the road right of way. If the road easements do not remain on private property, there will be an immediate cost to Devonian Ridge of almost \$289,500.00. That's refundable money to people who have already purchased lots.

Another concern we have is the special Area 4 levy for roads in the amount of \$263,788.00. This levy is in addition to the standard subdivision levy of approximately \$102,000. I feel this additional Area 4 levy is excessive and unwarranted for a 10-lot subdivision and request this provision be removed. As homeowners will be responsible for road maintenance, this county provision seems unnecessary.

There has also been mention at council of deep services for water and sewer. We believe this is out of scope for a 10-lot subdivision, investing hundreds of thousands of dollars and disturbing the environment for systems that might only be used decades into the future and likely not at all.

We believe Devonian Ridge Estates will be a one of a kind project and would be disappointed if we had to redesign or eliminate some of our features to offset these unnecessary costs. We are going above and beyond to invest in and create our Homestead Park, with a pond, water features and gazebo showcasing the history of the area and its original homestead owners. This is a de-facto public park that we are investing in with all our residents and neighbours welcome to enjoy its charm. We believe this will be a great asset for the community and the county as a whole.

We have always been open with our neighbours and officials about our plans, including hosting two Open Houses within 10 months, collecting much thoughtful feedback in the process from more than 200 people who attended the events.

Our family can't wait to make Devonian Ridge Estates our home. We are excited to become active members of our new community with our new neighbours.

If you would like more information, please contact me directly or look through our website at devonianridge.ca.

Kind regards,

Paul McCormick

Paul McCormick
President | Landscape Designer | LGJ

PLANNING AND DEVELOPMENT SERVICES

TO: Subdivision Authority

DATE: April 6, 2020

DIVISION: 7

APPLICATION: PL20200007

SUBJECT: Subdivision Item: High Plains Stages 4&5 subdivision

APPLICATION:

To create a ± 69.58 ac parcel (Lot 1), an internal road, and a remainder lot (± 240.47 ac) at NE-12-26-29-W4M and NW-12-26-29-W4M.

GENERAL LOCATION: Located in the Balzac East area, at the south east junction of Highway 566 and Township Road 262 and Range Road 291.

LAND USE DESIGNATION: Industrial – Industrial Activity District (I-IA) and Public Services District (PS)

ADMINISTRATION RECOMMENDATION:

Administration recommends approval in accordance with Option #1.

OPTIONS:

Option #1: THAT Subdivision Application PL20200007 be approved with the conditions noted in Appendix 'B'.

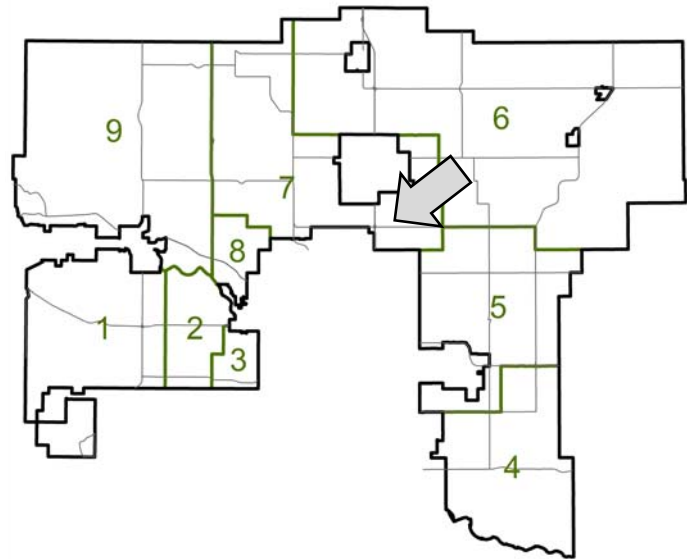
Option #2: THAT Subdivision Application PL20200007 be refused as per the reasons noted.

AIR PHOTO & DEVELOPMENT CONTEXT:



Administration Resources

Johnson Kwan/ Noor Mirza –Planning and Development Services





APPLICANT: IBI Group (Rares Caraba)

OWNER: CLT Developments Ltd.; Highfield Investment Group Inc.; Kidco Shares Ltd.

APPLICATION EVALUATION:

The application was evaluated based on the technical reports submitted with the application and the applicable policies and regulations.

APPLICABLE POLICY AND REGULATIONS: <ul style="list-style-type: none"> • <i>Municipal Government Act;</i> • Subdivision and Development Regulations; • Municipal Development Plan; • Balzac East Area Structure Plan • High Plain Stages 4&5 Outline Plan • Land Use Bylaw; and • County Servicing Standards. 	TECHNICAL REPORTS SUBMITTED: <ul style="list-style-type: none"> • N/A
--	---

ESTIAMTED FEE/LEVY	AMOUNT OWING
TRANSPORTATION OFFSITE LEVY <ul style="list-style-type: none"> • Base Levy for Lot 1 is \$4,595 x 69.58 acres = \$319,720.10 • Special Levy for Lot 1 is \$11,380 x 69.58 acres = \$791,820.40 	\$ 1,111,540.50 for Lot 1. Remaining TOL will be collected at future Subdivision or Development Permit stage for Lot 2 and the Remainder Lot.
WATER AND WASTEWATER OFFSITE LEVY <ul style="list-style-type: none"> • \$37,232.28/m3/day (plus borrowing costs to payment date) of capacity requested for each parcel 	To be confirmed as part of the Cost Contribution and Capacity Allocation Agreement.
MUNICIPAL RESERVE <ul style="list-style-type: none"> • Municipal Reserve will be dedicated along Highway 566, Range Road 290, and Range Road 291 at future subdivision stage as per the approved Outline Plan. • Any remaining Municipal Reserve after the land dedication will be collected via cash in lieu in the future. 	N/A.

Accessibility to a Road:

An internal road will be constructed to provide access to Lot 1 and the remainder Lot (in two parts).

A condition of approval requires that a Traffic Impact Assessment be provided in accordance with the Rocky View County 2013 Servicing Standards and the Balzac Global TIA.

Servicing

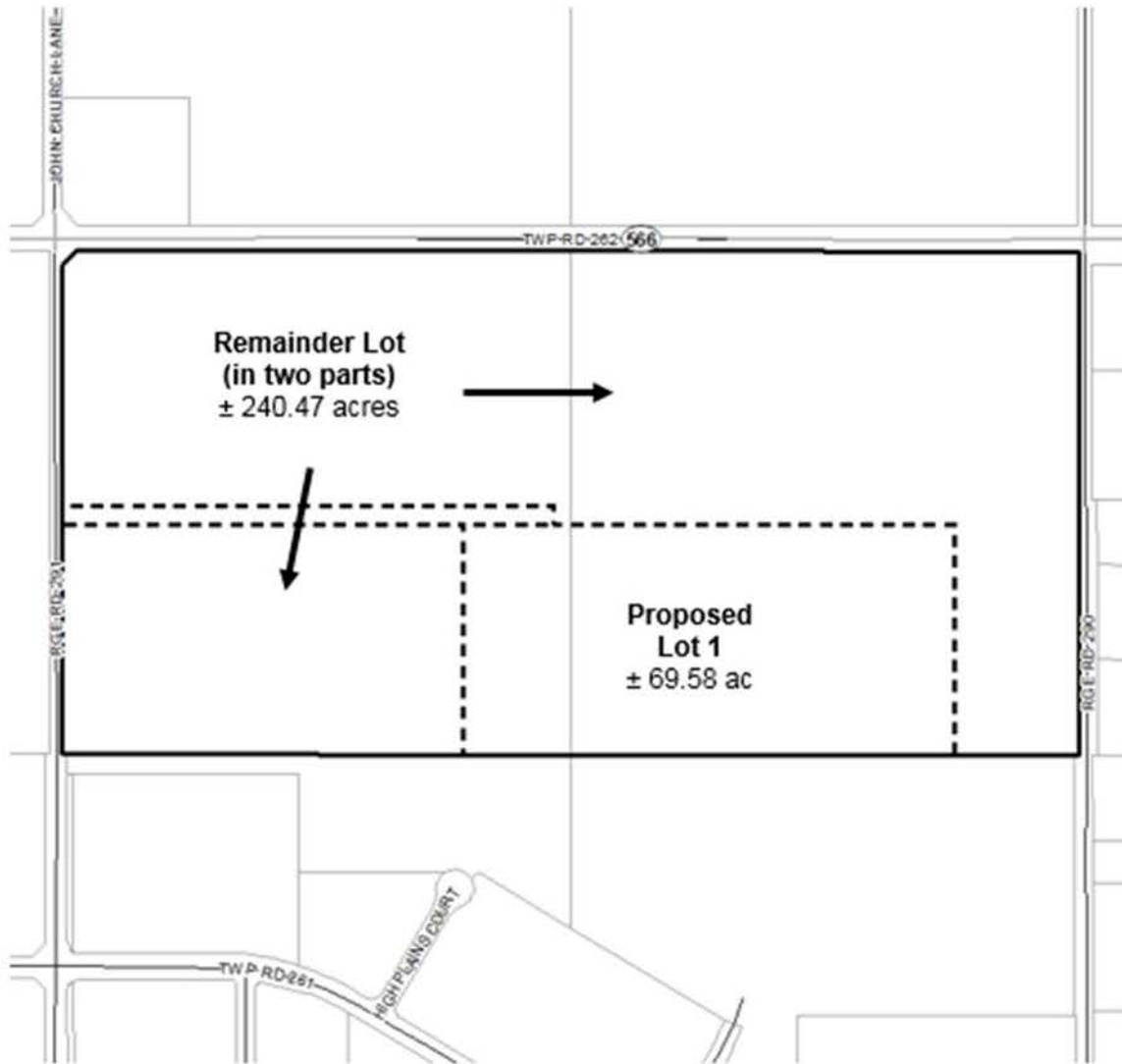
The lands are proposed to be serviced by connection to the East Balzac Water Distribution and Sanitary Systems. A detailed potable water and hydraulic design study and sanitary service study will be required as conditions of approval.



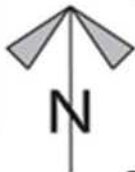
ROCKY VIEW COUNTY

Tentative Plan

Subdivision Proposal: To create a ± 69.58 ac parcel (Lot 1), an internal road, and a remainder lot (± 240.47 ac) at NE-12-26-29-W4M and NW-12-26-29-W4M.

**Surveyor's Notes:**

1. Parcels must meet minimum size and setback requirements of Land Use Bylaw C-4841-97.
2. Refer to Notice of Transmittal for approval conditions related to this Tentative Plan.

TENTATIVE PLAN**NE & NW-12-26-29-W04M**Date: Feb 27, 2020

Division # 7

File: 06412003 + 004



CONCLUSION:

Subject to the proposed conditions of approval, the application is recommended for approval.

Respectfully submitted,

Concurrence,

"Theresa Cochran"

"Al Hoggan"

Executive Director
Community Development Services

Chief Administrative Officer

JKwan/llt

APPENDICES:

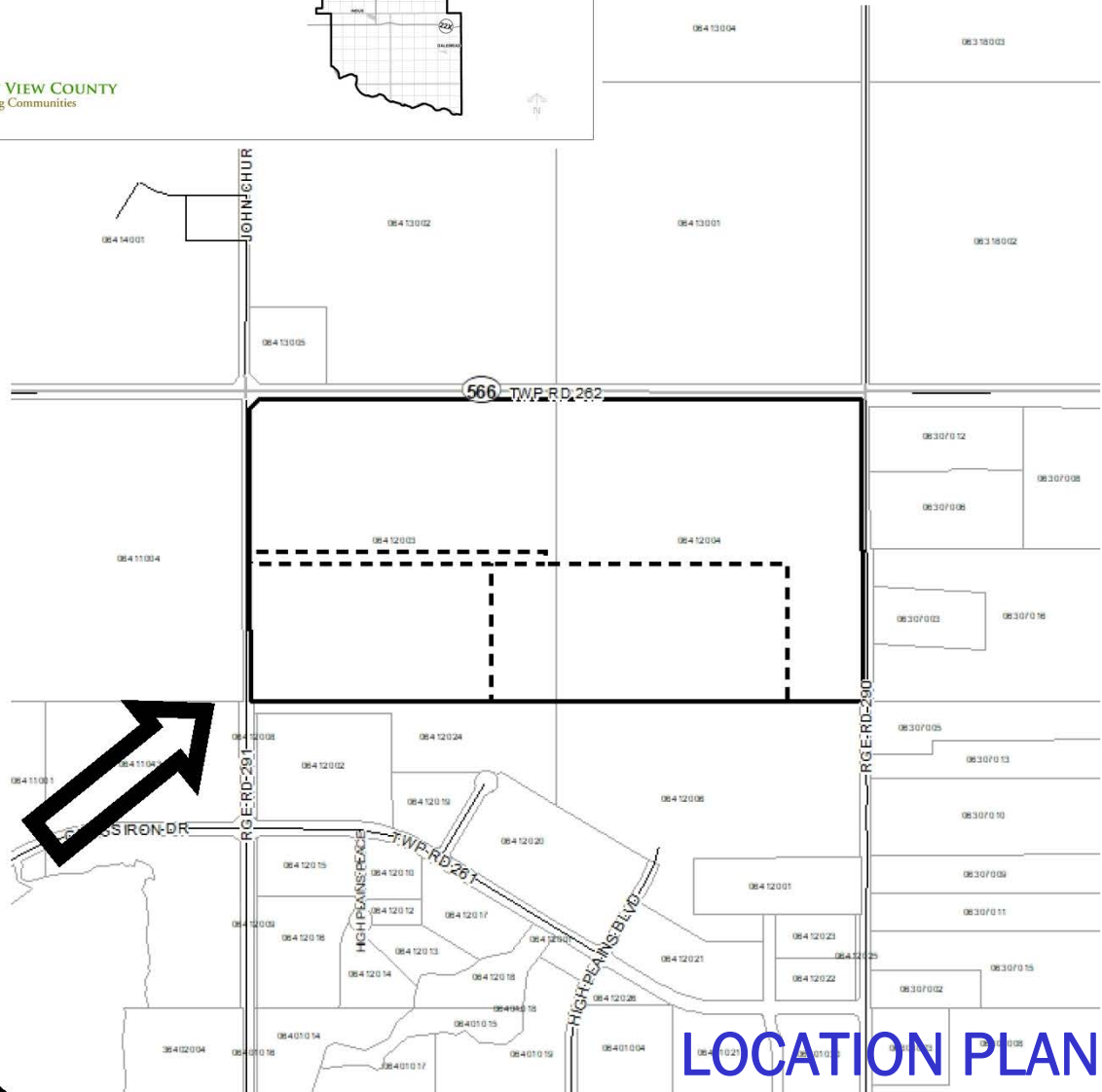
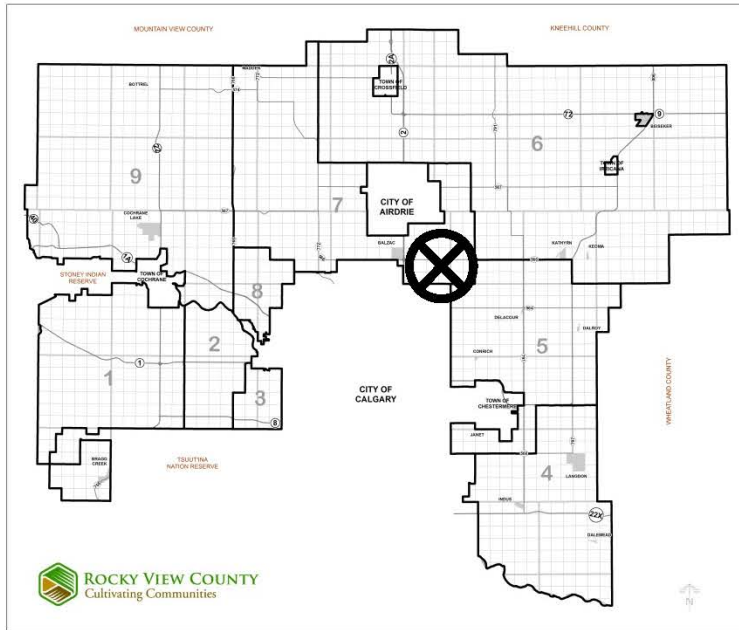
APPENDIX 'A': Maps and Other Information

APPENDIX 'B': Approval Conditions

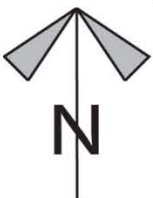
APPENDIX 'C': Letters

APPENDIX 'A': MAPS AND OTHER INFORMATION

DATE APPLICATION RECEIVED: January 17, 2020 Revised on February 5, 2020 Revised on February 26, 2020	DATE DEEMED COMPLETE: February 26, 2020
GROSS AREA: ± 310.05 acres	LEGAL DESCRIPTION: NE-12-26-29-W04M and NW-12-26-29-W04M
APPEAL BOARD: Municipal Government Board.	
HISTORY: June 25, 2018 Council approved the Balzac East Area Structure Plan amendments, the High Plains Stages 4&5 Outline Plan, and the associated land use redesignation (Applications PL20180076, PL20180077, and PL20180078)	
PUBLIC & AGENCY SUBMISSIONS: The application was circulated to 51 adjacent landowners. No letters in support/opposition were received. The application was also circulated to a number of internal and external agencies and, where appropriate, conditions of approval have been proposed based on these comments.	



LOCATION PLAN

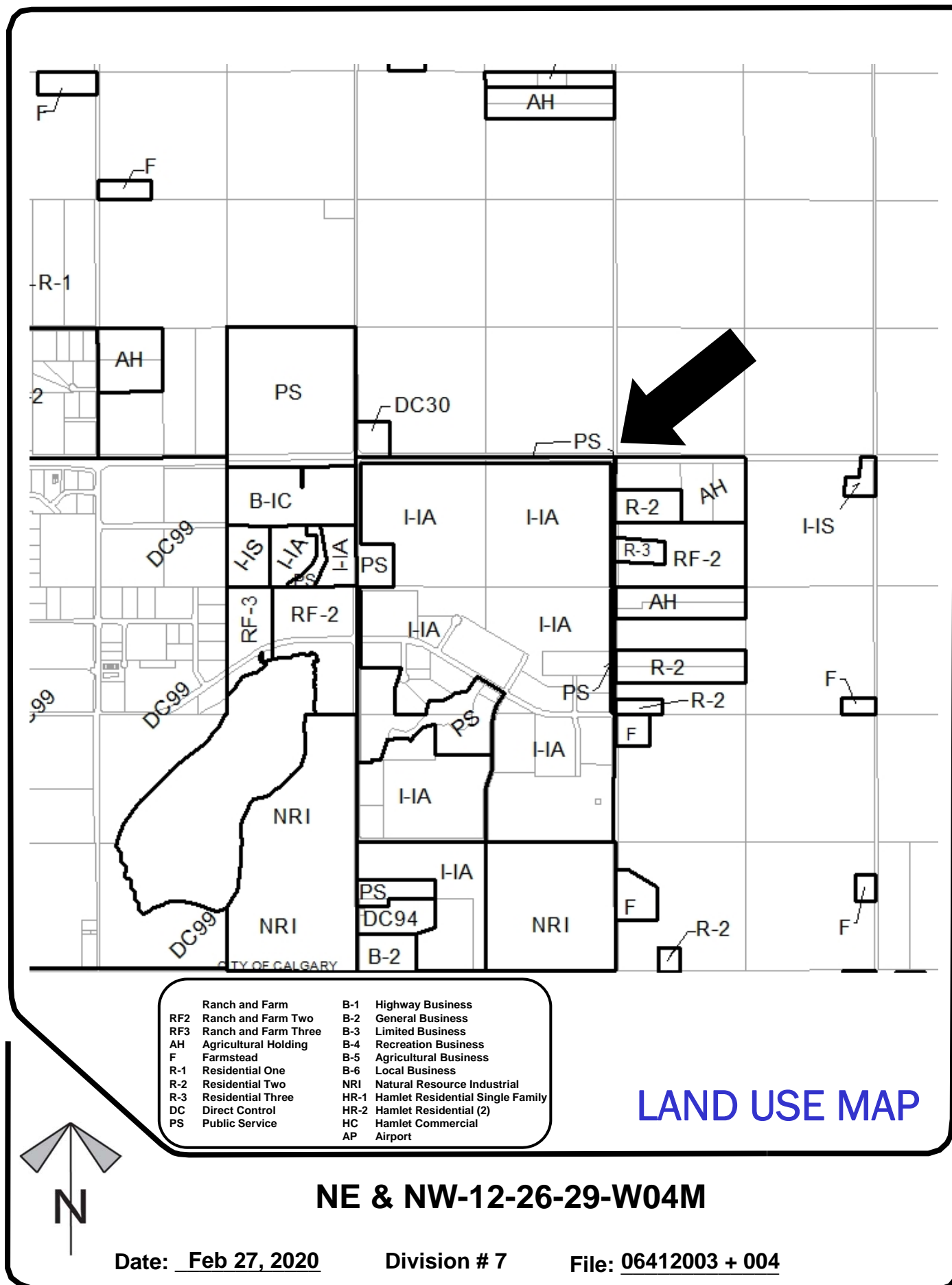


NE & NW-12-26-29-W04M

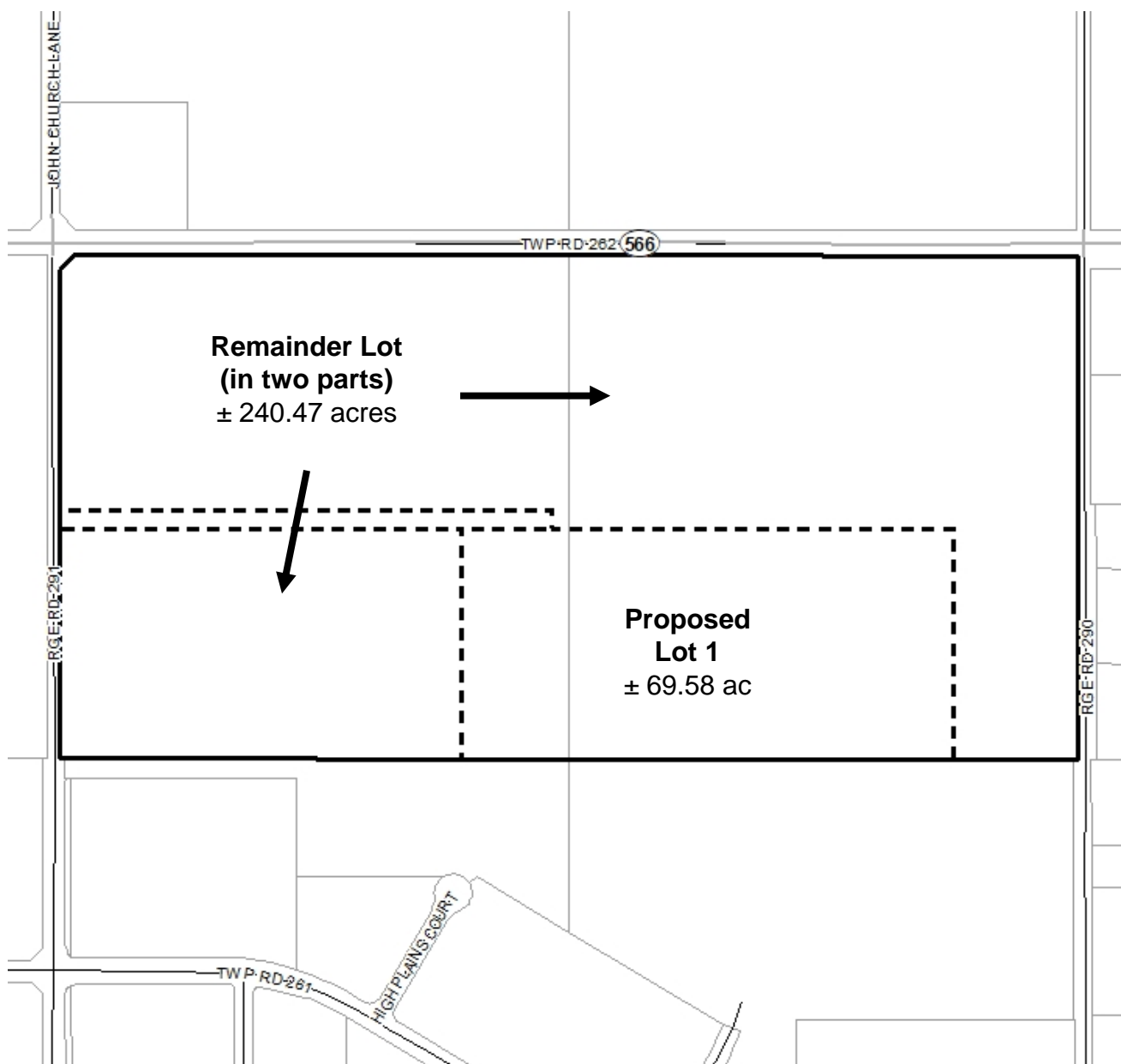
Date: Feb 27, 2020

Division # 7

File: 06412003 + 004



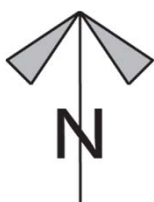
Subdivision Proposal: To create a ± 69.58 ac parcel (Lot 1), an internal road, and a remainder lot (± 240.47 ac) at NE-12-26-29-W4M and NW-12-26-29-W4M.



Surveyor's Notes:

1. Parcels must meet minimum size and setback requirements of Land Use Bylaw C-4841-97.
2. Refer to Notice of Transmittal for approval conditions related to this Tentative Plan.

TENTATIVE PLAN



NE & NW-12-26-29-W04M

Date: Feb 27, 2020

Division # 7

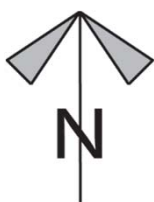
File: 06412003 + 004

Subdivision Proposal: To create a ± 69.58 ac parcel (Lot 1), an internal road, and a remainder lot (± 240.47 ac) at NE-12-26-29-W4M and NW-12-26-29-W4M.



Note: Post processing of raw aerial photography may cause varying degrees of visual distortion at the local level.

AIR PHOTO
Spring 2018



NE & NW-12-26-29-W04M

Date: Feb 27, 2020

Division # 7

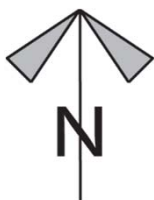
File: 06412003 + 004



Contours are generated using 10m grid points, and depict general topographic features of the area. Detail accuracy at a local scale cannot be guaranteed. They are included for reference use only.

TOPOGRAPHY

Contour Interval 2 M

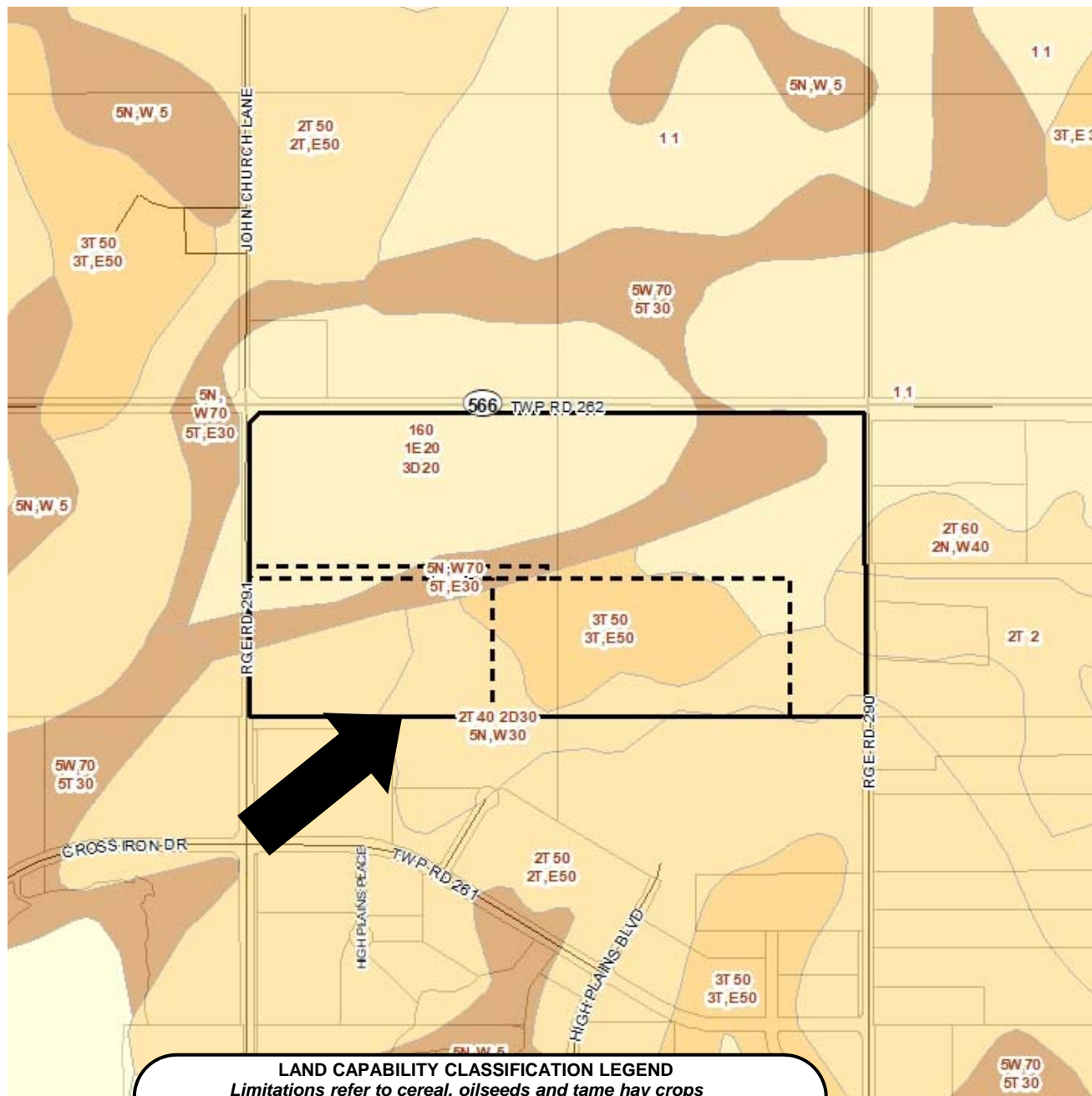


NE & NW-12-26-29-W04M

Date: Feb 27, 2020

Division # 7

File: 06412003 + 004



LAND CAPABILITY CLASSIFICATION LEGEND
Limitations refer to cereal, oilseeds and tame hay crops

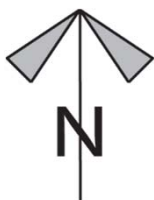
CLI Class

- 1 - No significant limitation
- 2 - Slight limitations
- 3 - Moderate limitations
- 4 - Severe limitations
- 5 - Very severe limitations
- 6 - Production is not feasible
- 7 - No capability

Limitations

- B - brush/tree cover
- C - climate
- D - low permeability
- E - erosion damage
- F - poor fertility
- G - Steep slopes
- H - temperature
- I - flooding
- J - field size/shape
- K - shallow profile development
- M - low moisture holding, adverse texture
- N - high salinity
- P - excessive surface stoniness
- R - shallowness to bedrock
- S - high sodicity
- T - adverse topography
- U - prior earth moving
- V - high acid content
- W - excessive wetness/poor drainage
- X - deep organic deposit
- Y - slowly permeable
- Z - relatively impermeable

SOIL MAP

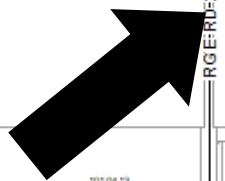


NE & NW-12-26-29-W04M

Date: Feb 27, 2020

Division # 7

File: 06412003 + 004



Legend – Plan numbers

- First two numbers of the Plan Number indicate the year of subdivision registration.
- Plan numbers that include letters were registered before 1973 and do not reference a year

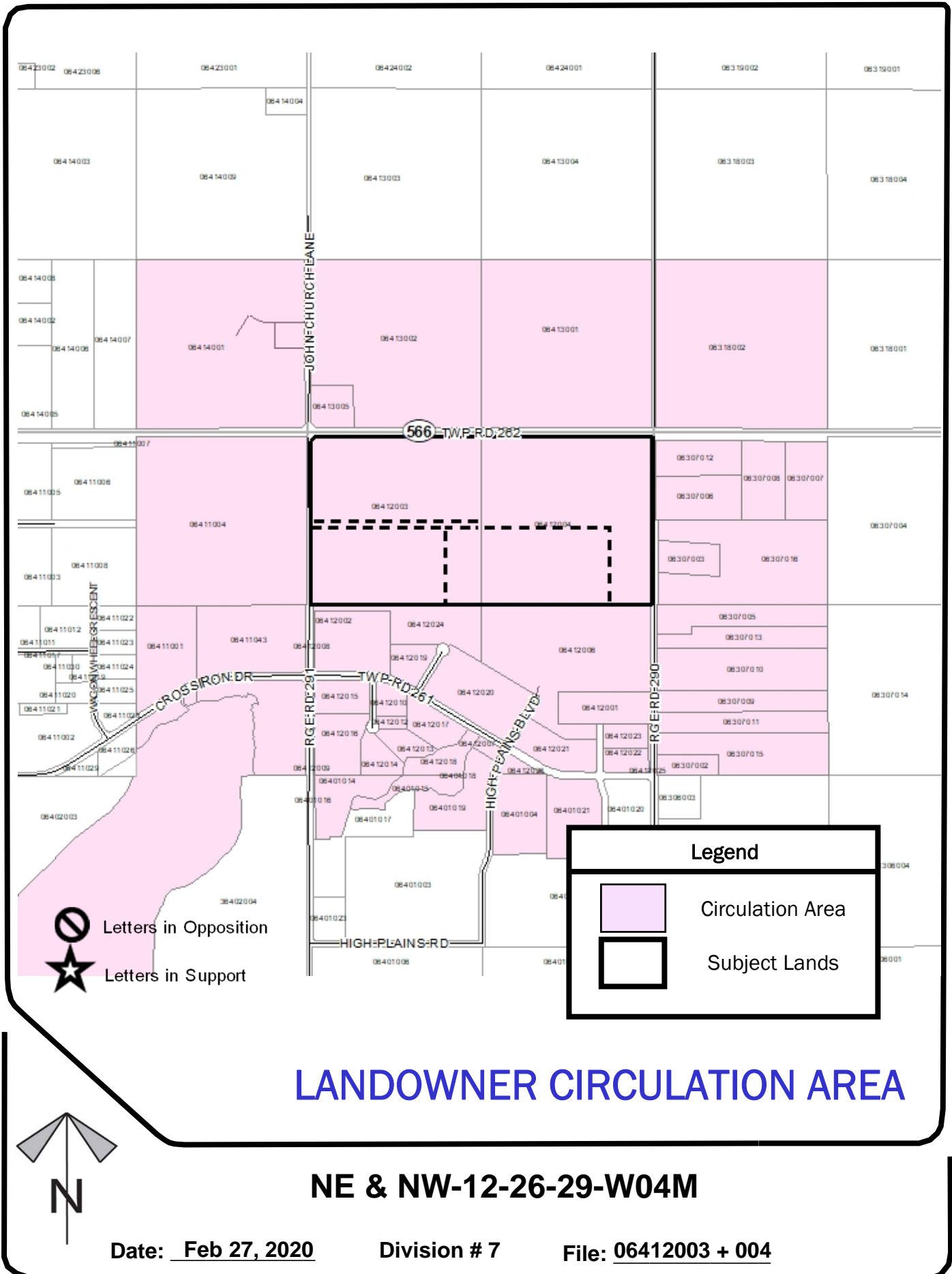
HISTORIC SUBDIVISION MAP

NE & NW-12-26-29-W04M

Date: Feb 27, 2020

Division # 7

File: 06412003 + 004



APPENDIX 'B': APPROVAL CONDITIONS

- A. The application to create ± 69.58 ac (Lot 1), an internal road, and a remainder lot (± 240.47 ac) at NE and NW-12-26-29-W04M having been evaluated in terms of Section 654 of the *Municipal Government Act* and Section 7 & 14 of the Subdivision and Development Regulations, and having considered adjacent landowner submissions, is approved as per the Tentative Plan for the reasons listed below:
1. The application is consistent with the Statutory Policy;
 2. The subject lands hold the appropriate land use designation; and
 3. The technical aspects of the subdivision proposal have been considered and are further addressed through the conditional approval requirements.
- B. The Applicant/Owner is required, at their expense, to complete all conditions attached to and forming part of this conditional subdivision approval prior to Rocky View County (the County) authorizing final subdivision endorsement. This requires submitting all documentation required to demonstrate each specific condition has been met, or agreements (and necessary securities) have been provided to ensure the conditions will be met, in accordance with all County Policies, Standards, and Procedures, to the satisfaction of the County, and any other additional party named within a specific condition. Technical reports required to be submitted as part of the conditions must be prepared by a qualified professional, licensed to practice in the province of Alberta within the appropriate field of practice. The conditions of this subdivision approval do not absolve an Applicant/Owner from ensuring all permits, licenses, or approvals required by Federal, Provincial, or other jurisdictions are obtained.
- C. Further, in accordance with Section 654 and 655 of the *Municipal Government Act*, the application shall be approved subject to the following conditions of approval:

Survey Plans

- 1) Subdivision is to be effected by a Plan of Survey, pursuant to Section 657 of the *Municipal Government Act*, or such other means satisfactory to the Registrar of the South Alberta Land Titles District.

Development Agreement

- 2) The Owner is to enter into and comply with a Development Agreement pursuant to Section 655 of the *Municipal Government Act* in accordance with the approved tentative plan and shall include the following infrastructure and improvements:
 - i. Design and construction of a public road system with associated infrastructure which includes the following:
 - (a) Intersection treatment in accordance with the approved TIA;
 - (b) Approaches to each lot;
 - (c) Temporary Cul-de-sac including access easement;
 - (d) Sidewalks/Pathways;
 - (e) Offsite network improvements, if required, in accordance with the approved TIA.
 - ii. Design and construction of Landscaping features for all public pathways, and public roadways and open space, in accordance with the approved Landscaping Plan;
 - iii. Design and construction of a piped wastewater system with connection to the East Rocky View Wastewater System and related infrastructure;



- iv. A detailed sanitary servicing study is required in order to determine if upgrades or additional lift station capacity is required. All improvements shall be constructed as part of the Development Agreement;
- v. Design and construction of a piped water distribution system and fire suppression system;
- vi. A detailed hydraulic network analysis is required in order to determine if upgrades or additional infrastructure is required. All improvements shall be constructed as part of the Development Agreement;
- vii. Design and construction of a fire suppression system in accordance with Bylaw C-7259-2013, as amended;
- viii. Design, construction and implementation of stormwater management facilities and piped stormwater collection system in accordance with the recommendations of the approved Stormwater Management Plan, and the registration of any overland drainage easements and/or restrictive covenants, as determined by the Stormwater Management Plan, all to the satisfaction of the County and Alberta Environment and Parks;
- ix. Dedication of necessary easements and right of ways for utility line assignments;
- x. Mailboxes are to be located in consultation with Canada Post;
- xi. Installation of power, natural gas and telephone lines;
- xii. Implementation of the recommendations of the Construction Management Plan;
- xiii. Implementation of the recommendations of the Geotechnical Report;
- xiv. Implementation of the recommendations of the Biophysical Impact Assessment and/or Wetland Impact Assessment;
- xv. Alberta Environment approvals are required for disturbance to any onsite wetlands, prior to signing of the Development Agreement.
- xvi. Payment of any applicable off-site levies, at the then applicable rates, as of the date of the Development Agreement.
- xvii. Payment of all applicable contributions to the County or third parties for oversized or excess capacity infrastructure, roads and/or services;
- xviii. The construction of any oversized or excess capacity infrastructure, roads and/or services benefitting the Owner's lands and development and other lands.

As contemplated by and in accordance with Section 650, 655, 651 and 648 of the *Municipal Government Act* and Council policies respecting infrastructure and cost recovery.

Transportation and Access

- 3) The Applicant/Owner shall provide an update to the Stage 4 and 5 Traffic Impact Assessment (TIA) in accordance with the County Servicing Standards and the Balzac Global TIA, to the County's satisfaction. Any improvements identified or road right of way that is required will be at the owner's expense:
 - i. It is noted the 2018 Stage 4 and 5 TIA identified several offsite improvements as being required, including the upgrade of RR291 to a 4 lane cross section, at build-out of Stage 4 and 5 in the 2040 horizon. The TIA update shall confirm the timing for these improvements as it relates to Phase 4 advancing;



ROCKY VIEW COUNTY

- ii. If the recommendation of the Traffic Impact Assessment require additional improvements to the existing roadway and intersection network, then the Development Agreement shall address the design and construction of the required improvements.
- 4) The Applicant/Owner shall obtain approval for road naming by way of application to, and consultation with, the County.

Site Servicing

- 5) The Applicant/Owner shall submit a Detailed Potable Water Servicing and Hydraulic Design Study to ensure the pipelines are sized adequately considering existing and future phases. The study shall confirm servicing requirements for this phase are in place and include provision for fire protection in accordance with County Servicing Standards.
 - i. If upgrades or improvements are identified in the potable water servicing and hydraulic design study, then the Applicant/Owner shall enter into a Development Agreement.
- 6) The Applicant/Owner shall submit a Detailed Sanitary Servicing Study to support this phase of the development. The study shall confirm the servicing capacity required for the development of the proposed parcel and determine if offsite upgrades to the regional system are required.
 - i. If offsite upgrades or additional lift station capacity are required, then all improvement shall be constructed under a Development Agreement.
 - ii. Improvements that benefit other lands will qualify for cost recovery in accordance with Rocky View County Policy 406.
- 7) The Applicant/Owner shall enter into a Capacity Allocation Agreement for servicing allocation to the lot created in this Phase based upon the servicing need identified in the potable water servicing and sanitary servicing reports.

Solid Waste Management

- 8) The Applicant/Owner shall provide and implement a Solid Waste Management Plan, which will outline the responsibility of the Developer and/or Lot Owners' Association for the management of solid waste.

Developability

- 9) The Applicant/Owner shall submit a Stormwater Management Report and detailed stormwater servicing design, including any improvements related water re-use, LID measures, purple pipe system, and irrigation system for the proposed development in accordance with the County Servicing Standards and any applicable provincial regulations, standards, and/or guidelines.
 - i. All improvements shall be constructed under a Development Agreement.
 - ii. Acquiring any related provincial licensing and registration requirements are the responsibility of the developer.
- 10) The Applicant/Owner shall submit an updated Geotechnical Investigation and a Deep Fill Report (for areas where fill exceeds 1.2 m in depth) in accordance with the Rocky View County 2013 Servicing Standards to verify the site is suitable for the proposed buildings, site works, and utilities.

Municipal Reserves

- 11) Municipal Reserve dedication outstanding on NE- 12-26-29-W04M is to be deferred to the Remainder Lot by Caveat pursuant to Section 669 of the *Municipal Government Act*.



ROCKY VIEW COUNTY

Cost Recovery

- 12) The County will enter into an Infrastructure Cost Recovery Agreement with the Owner to determine the proportionate recovery of infrastructure money spent by the Owner to construct municipal infrastructure that will consequently provide benefit to other lands.

Site Construction

- 13) The Owner shall submit a full Erosion and Sediment Control Plan and Report in accordance with the County's Servicing Standards.

Utility Easements

- 14) Utility Easements, Agreements, and Plans are to be provided and registered concurrent with a plan of survey to the satisfaction of ATCO Gas and Telus

Payments and Levies

- 15) The Applicant/Owner shall pay the Transportation Off-Site Levy (including the Base Levy and the Special Area Levy) in accordance with the Transportation Off-Site Bylaw C-7356-2014 prior to entering into the Development Agreement. The County shall calculate the total amount owing:
 - i. From the total gross acreage of Lot 1 and the road right of way as shown on the Plan of Survey.
- 16) The Owner shall pay the County subdivision endorsement fee, in accordance with the Master Rates Bylaw, for the creation of two new lots.

Taxes

- 17) All taxes owing up to and including the year in which subdivision is to be registered are to be paid to Rocky View County prior to signing the final documents pursuant to Section 654(1) of the *Municipal Government Act*.

D. SUBDIVISION AUTHORITY DIRECTION:

- 1) Prior to final endorsement of the subdivision, the Planning Department is directed to present the Applicant/Owners with a Voluntary Recreation Contribution Form and ask them if they will contribute to the Fund in accordance with the contributions prescribed in the Master Rates Bylaw



262075 Rocky View Point
Rocky View County, AB, T4A 0X2

403-230-1401
questions@rockyview.ca
www.rockyview.ca

Wednesday, March 11, 2020

File: PL20200007

IBI Group (Rares Caraba)
3rd Floor, 227, 11 Ave SW
Calgary, AB T2R 1R9

RE: CIRCULATION COMMENT SUMMARY – CONFIRMATION TO PROCEED

Please note your application completed the circulation process on 03/20/2020 and Administration has compiled the following Circulation Comment Summary for your records. We would strongly encourage you to review these comments in detail and understand whether or not there are any outstanding matters related to your application. As the Applicant, it is your responsibility to understand the nature of the comments received from the various agencies and adjacent neighbours, but it is also your responsibility to address any outstanding issues before your application will be able to proceed.

Therefore, should you require any additional assistance from Administration, please do not hesitate to contact us.

Once you have completed your review of the Circulation Comment Summary and if you are satisfied that all outstanding issues have been resolved, we would kindly request that you complete the attached Confirmation to Proceed Letter, and return it to our attention by e-mail within 5 Business Days. Once received by Administration, we will initiate the Staff Report process and work with Legislative Services to schedule the formal consideration of your application by Council. However, should you wish to withdraw your application, you will currently be provided with 50% of your Application Fees in accordance with the Master Rates Bylaw.

Please note, until such time as we have received a confirmation from you, we will not proceed with your application. As such, it is your responsibility to respond to this correspondence and provide Administration with further direction in this regard.

Thank you for your attention to this and should you have any question, please contact Johnson Kwan.

Johnson Kwan
Phone: 403-520-3973
Fax: 403-277-5977
jkwan@rockyview.ca
Planning Services

The following Circulation Comment Summary is based on the circulation of your application which ended 03/20/2020 and the comments received by Rocky View County during this period. Administration's final recommendations to Council, the Subdivision Authority and/or the Development Authority will rely on a full assessment of the merits of your development proposal against the relevant

policy and an assessment of the circulation comments received. As such, it is imperative for all Applicants to understand this information and be prepared to address these matters.

Confirmation to Proceed

I _____ have read and understand the Circulation Comment Summary provided by Rocky View County in relation to my application PL20200007, including Administration's current position on this proposal and believe that all outstanding issues have been addressed. Therefore, I wish to proceed to Council for the formal consideration of my application.

Signature

Date

Request to Withdraw Application

I _____ have read and understand the Circulation Comment Summary provided by Rocky View County in regards to my application (PL20200007), including Administration's current position on this proposal. Given the information provided by Administration, including Administration's current position, I request the formal withdrawal of my application and to be provided a refund of my application fees in accordance with the Master Rates Bylaw.

Signature

Date

PLANNING AND DEVELOPMENT SERVICES

TO: Municipal Planning Commission

DATE: April 6, 2020

DIVISION: 07

APPLICATION: PRDP20200199

SUBJECT: Development item: General Industry Type II, (Distribution Centre)

USE: Discretionary with Variances

APPLICATION: General Industry Type II, construction of a warehouse (Distribution Centre)

GENERAL LOCATION: Located at the south east junction of Hwy. 567 and Rge. Rd. 291

LAND USE DESIGNATION: Industrial – Industrial Activity District (I-IA)

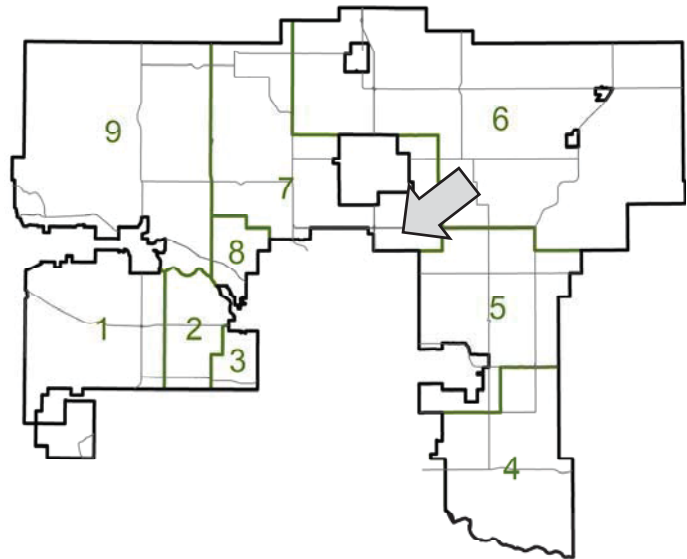
ADMINISTRATION RECOMMENDATION:

Administration recommends approval in accordance with Option #1.

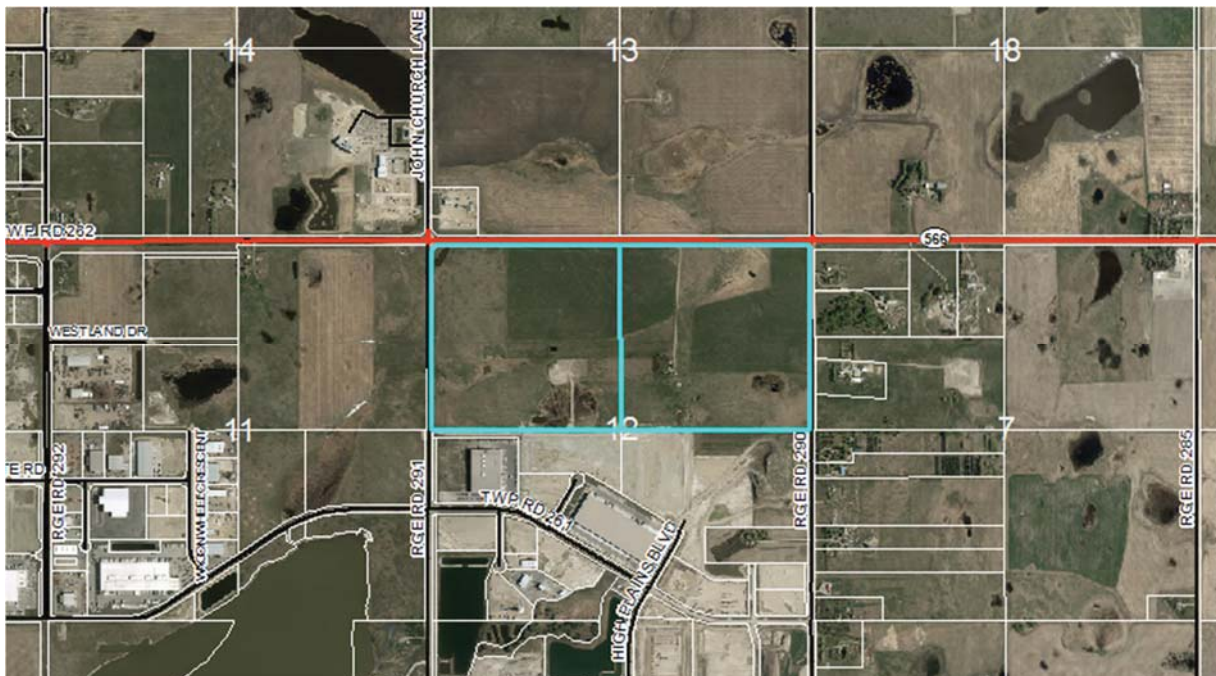
OPTIONS:

Option #1: THAT Development Permit Application PRDP20200199 be approved with the suggested conditions noted in the report.

Option #2: THAT Development Permit Application PRDP20200199 be refused as per the reasons noted.



AIR PHOTO & DEVELOPMENT CONTEXT:



Administration Resources

Johnson Kwan/ Noor Mirza –Planning and Development Services



DEVELOPMENT PERMIT REPORT

Application Date: January 31, 2020 Revised Date: February 26, 2020	File: 06412003/04
Application: PRDP20200199	Applicant/Owner: Lawson Projects (Joe Yeryk)
Legal Description: NE-12-26-29-W04M and NW-12-26-29-W04M	General Location: Located at the south east junction of Hwy. 567 and Rge. Rd. 291
Land Use Designation: Residential Industrial – Industrial Activity District (I-IA)	Gross Area: ± 127.88 hectares (± 316.02 acres) Once subdivided, ± 28.02 hectares (± 69.58 acres)
File Manager: Johnson Kwan	Division: 07

PROPOSAL:

The proposal is for General Industry Type II, construction of a warehouse (distribution centre), overheight fencing, signage and construction of an accessory building (guard house), relaxation of the minimum side yard setback requirement.

The warehouse is located at NW and NE ¼ Section, Twp. 26, Rge 29, W4M, and is approximately 114,660.93 sq. m (1,234,200 sq. ft.) in footprint. PL20200007 is the correlating subdivision application.

The proposed future tenant is Lowes. Based on the information provided from Lowes in regards to staffing and work times, they anticipate to have a staff of ± 500 people working in the facility, possibly over 2 or more shifts, 7 days a week.

Following is an overview of the Building components and areas:

Building Component	Square meters (sq. m)	Square Feet (sq. ft.)
Main office	1,021.93 sq. m	11,000 sq. ft.
Warehouse Office	657.75 sq. m	7,080 sq. ft.
Waste/Recycling	994.06 sq. m	10,700 sq. ft.
Maintenance Shop	520.25 sq. m	5,600 sq. ft.
Battery Charing	1,765.15 sq. m	19,000 sq. ft.
Value/returns/staging	5,759.98 sq. m	62,000 sq. ft.
Mechanical Room	78.03 sq. m	840 sq. ft.
Warehouse	104,521.50 sq. m	1,125,060 sq. ft.
Gross Building Area	115,318.68 sq. m	1,241,280 sq. ft.

Office and other Building Component

- Main Office located at the southwest corner of the building;
- Employee and Visitor Parking on the west side of the property;
- Maintenance (5,600.00 sq. ft.) and Battery Charge area (19,000.00 sq. ft.) are located on west side of the building;
- Warehouse Office (7,080.00 sq. ft.) is located to the south central portion of the building;



- Waste and Recycling (10,700.00 sq. ft.) located on the southeast corner of the building;
- Value Added (11,000.00 sq. ft.), Returns (18,000.00 sq. ft.) and Staging area (33,000.00 sq. ft.) are located on the east side of the building.

Internal Road

- A 7.00 m wide fire lane will be constructed to the north of the warehouse;
- An internal truck ring road around the property with two future access to High Plains Drive to the southeast and the southwest corner.

Trailer parking

- 48 trailer stalls on the east side;
- 368 trailer stalls on the south side;
- 74 exterior truck docks on the south side;

Landscaping Other

- 5.50 m landscape buffer along road frontage to the north;

Signage

- Future externally lighted Ground Sign approximately ± 3.96 m (130.00 ft.) in height and 2.00 m (6.00 ft.; 8.00 inches) wide, located at the north west corner of the property, approximately 10.00 m (32.81 ft.) from the property line and the access point – wording on the proposed sign to be confirm.

Drawings submitted with application

- Application Drawings, as prepared by HK Architecture Services, Project No. 219408, Dwgs A1 to A4 & CLR; dated February 24, 2020.
- Landscape Bylaw Plan, as prepared by Ground Cubed Landscape Architects, Project No. 18.202, Dwgs. DP-L0.01, L1.01 to L105, dated March 15, 2019

SITE AREA:

The subject properties are currently ± 316.02 acres in size (± 157.95 acres at NW-12-26-29-W04M and 158.07 acres at NE-12-26-29-W04M).

The Applicant applied a subdivision application (PL20200007) concurrent with this Development Permit application. The subject parcel would be ± 69.58 ac acres in size when the subdivision is approved and endorsed. Several subdivision conditions are also captured in this development permit to ensure the proposed property is properly serviced (i.e. water and wastewater servicing, stormwater and access).

USE:

- *General Industry Type II, Warehouse, and Accessory Buildings* are listed as permitted uses in the Industrial – Industrial Activity District (Section 75.2).
- The proposed Office, Value Added and Indoor Display Area are considered as supplementary uses that are similar to the permitted uses described in the district.

In accordance with Section 8.1:

- GENERAL INDUSTRY TYPE II means those developments in which all or a portion of the activities and uses are carried on outdoors, without any significant nuisance or environmental factors such as noise, appearance, or odour, extending beyond the boundaries of the site. Any development where the risk of interfering with the amenity of adjacent or nearby sites,



because of the nature of the site, materials or processes, cannot be successfully mitigated shall be considered a General Industry Type III;

- OFFICES means a facility or portion of a building used primarily for the provision of professional, management, administrative, consulting, or financial services. Typical uses include the offices of lawyers, accountants, engineers, architects, real estate, insurance, clerical, secretarial, employment, telephone answering, and office support services;
- WAREHOUSE means the use of a building or portion thereof for the storage and distribution of materials, goods or products, but does not include a warehouse store;

MINIMUM SETBACKS

- Required: 15.00 m (49.21 ft.) on all sides
- Front Proposed: ± 71.32 m (± 234.00 ft.) to the north facing future internal road and the adjacent property (remainder lot in PL20200007)
- Side Proposed: ± 100.00 m (± 330.00 ft.) to the east of the proposed boundary
- Side Proposed: ± 48.77 m (± 160.00 ft.) to the west of the proposed boundary
- Rear Proposed: more than 90.00 m (295.27 ft.) to the south facing future High Plains Drive

Note: the proposed Prefabricated Guardhouse with toilet on Concrete foundation is located ± 6.00 m (19.68 ft.) from the property line to the west. The requested variance of 9.00 m (29.52 ft.) is 60.00%.

The Development Authority has the ability to grant the side yard setback variance, if in the opinion of the Development Authority that the granting of a variance would not:

- i) Unduly interfere with the amenities of the neighbourhood; and
- ii) Materially interfere with or affect the use, enjoyment, or value of the neighbouring properties.

HEIGHT:

- Maximum allowed: 20.00 m (65.61 ft.)
- Proposed height: ± 12.50 m (41.00 ft.) for the warehouse component
- Proposed height: ± 13.70 m (45.00 ft.) for the main office component
- Proposed height: Well under minimum requirement for guard house

SITE COVERAGE:

- 115,318.68 sq. m / 281,580.27 sq. m (± 69.58 acre parcel size)
- ± 40.95 % site coverage after subdivision

LANDSCAPING:

Balzac East Area Structure Plan SECTION 4.4.3 – Development Guidelines

- *Policy 4.4.3 (d) (iii): All remaining areas within the Plan Area that are developed with Business uses shall require a minimum of 10.00% of the lot area to be landscaped, in accordance with a Landscape Plan.*
 - **Required:** 6.958 acres (28,158.05 sq. m)
 - {69.58 acres * 0.10 = 6.958 acres}
 - **Proposed:** 6.99 acres (28,257.00 sq. m) (10.04%) as per landscaping plan prepared by groundcubed landscape architects (Sheet L0.01, project#18.202, dated 2020/02/25).



- *Policy 4.4.3 (d)(iv): Landscaping treatment within the Plan Area means the modification and enhancement of the surface area of a site through the use of any or all of the following elements:*
 - a) *soft landscaping consisting of vegetation such as berms and the planting of trees, shrubs, hedges, grass and ground cover, and*
 - b) *hard landscaping consisting of non-vegetative materials such as brick, stone, concrete, tile and wood, excluding monolithic concrete and asphalt.*
 - The development includes hard landscaping, with a concrete walkway and parking boulevards. Soft landscaping, with landscaped strips and plantings situated around the building, around the perimeter of the site, trash enclosure area and throughout the parking areas.
- *Policy 4.4.3 (d)(v): A maximum of 50.00% of the area required to be landscaped shall be landscaped with hard landscaping.*
 - Hard landscaping has been identified less than 50.00%
- *Policy 4.4.3 (d)(viii): In addition to areas adjacent to Highway 2 and/or Highway 566, landscaped areas should be provided within front yard setback areas, side yards between the front and rear of the principle building when they are not proposed for vehicular movement and located within a strip adjacent to the front of the principle building. Landscaping required for screening purposes should utilize mature or large-growth varieties of trees, plants, and/or shrubs.*
 - Landscaped areas have been proposed around the north and south perimeter of the site, with the planting of trees/shrubs along focused in cluster developments and row plantings. No trees/shrubs have been proposed along the east perimeter. See landscaping plans prepared by Groundcubed landscape architects (Sheet L1.01 to 1.06, project#18.202, dated 2020/02/25).
- *Policy 4.4.3 (d)(ix): Double-frontage parcels may exist in some locations. Landscaping should take these situations into consideration and these areas may require additional landscaping.*
 - The parcel only has double frontage on High Plains Way & TWP RD 261. The perimeter and cluster landscaping plantings are considered adequate due to location and density and perimeter landscaping along the east property line is not required.
- *Policy 4.4.3 (xii): Except for road right-of-ways, trees/shrubs shall be planted and maintained in the overall minimum ratio of one tree/shrub per 45.00 square meters (490.00 square feet) of the soft landscaped area identified in the Landscape Plan. Trees shall comprise at least 50.00% of the tree/shrub mixture used to satisfy this requirement.*
 - **Required:** 626 trees
 - $\{(28,158.05 \text{ sq. m}) / 45.00 \text{ sq. m}\} * 1.00 \text{ tree/shrub} = 626 \text{ trees}\}$
 - $\{626 \text{ trees/shrubs} * 0.50 = 313 \text{ trees} + \text{shrub mixture}\}$
 - **Proposed:** 613 trees; No shrubs proposed;
 - As per landscaping plan prepared by Groundcubed landscape architects (Sheet L0.01, project#18.202, dated 2020/02/25).

Note: A revised landscaping plan will be required to meet the minimum requirement;



- *Policy 4.4.3 (d)(xiii): Coniferous trees shall comprise a minimum portion of one-third (1/3) of all trees planted, and where feasible, trees should be planted in clusters or landscape groupings.*
 - **Required:** 209 coniferous
 - {626 trees * (1/3) = 208.66; 209 coniferous}
 - **Proposed:** 245 coniferous
 - *Note: A revised landscaping plan will be required to show the minimum requirement.*
- *Policy 4.4.3 (d)(xiv): The minimum size for deciduous trees shall be 50.00 mm (2.00 inches) caliper.*
 - **Required:** 50.00 mm (2.00 in.).
 - **Proposed:** 85.00 mm (3.34 in.)
- *Policy 4.4.3 (d)(xv): The minimum size for small coniferous trees shall be a height of 2.00 meters (6.50 feet) and for large coniferous trees, a height of 3.00 meters (9.80 feet).*
 - **Required:** 2.00 m (6.56 ft.); small
 - **Proposed:** 2.00 m (6.56 ft.) small
- *Policy 4.4.3 (d)(xv): Shrubs shall be a minimum height or spread of 600.00 mm at the time of planting.*
 - **Required:** 600.00 mm
 - **Proposed:** None; No shrubs are proposed at this time;

Parking

- *Section 30.1 (b): The minimum number of off-street vehicle, motor parking stalls required for each use class is specified in the Parking Schedule (Schedule 5).*
 - *Schedule 5:*
 - *Offices, Business: 3.40 stalls per 100.00 sq. m (1,076.40 sq. ft.) of gross floor area*
 - *Industrial Warehousing and Storage: 1.00 stalls per 100.00 sq. m (1,076.40 sq. ft.) gross floor area up to 40,000.00 sq. m. (430,057.00 sq. ft.) plus 0.2 per additional 100.00 sq. m (1,076.40 sq. ft.) gross floor area*

Parking Stall Numbers:

- **Required:** 571.68 stalls → 572 stalls
 - Office ((657.75 sq. m * 3.40 stalls) / 100.00 sq. m = 22.36 stalls
 - Warehouse (40,000.00 sq. m * 1.00 stalls) / 100.00 sq. m = 400 stalls
 - Warehouse (74,660.93 sq. m * 0.2 stalls) / 100.00 sq. m = 149.32 stalls
- **Proposed:** 204 stalls with a future area of 200 stalls
 - The Applicant also proposed 416 trailer parking stalls on the south and east side of the warehouse facility (368 on the south side; 48 on the east side).
 - *Note: A revised site plan will be required or a Parking Assessment in accordance with Section 30.1(f) of the Land Use Bylaw*



- *Section 30.1 (h): Parking stall for the disabled: (i) shall be provided in accordance with the Alberta Building Code; (ii) shall be designated as parking stall for the disabled using appropriate signage in accordance with Provincial standards; and (iii) shall be included in the calculation of the applicable minimum parking requirement.*
 - **Required Accessible Stalls: 9**
 - Signage Identification
 - Barrier-Free Access Aisle
 - **Proposed Accessible Stalls: 5**
 - *Note: A revised site plan will be required or a Parking Assessment in accordance with Section 30.1(f) of the Land Use Bylaw*
 - The stalls will be marked by a painted emblem and posted signage
 - Barrier Free Access Aisle

Parking Stall Dimensions:

- *Section 30.1 (k)(i) – Parking Stall Width:*
 - **Required:** 2.59 m (8.50 ft.)
 - **Proposed:** 2.74 m (8.98 ft.)
- *Section 30.1 (k)(i) – Stall Length:*
 - **Required:** 5.48 m (17.98 ft.)
 - **Proposed:** 5.48 m (17.98 ft.)
- *Section 30.1 (l) – Drive Aisle Width:*
 - **Required:** 6.99 m (22.96 ft.)
 - **Proposed:** 13.41 m (44.00 ft.)

Accessible Stall Dimensions:

- *Stall Width (in accordance with Alberta Building Code):*
 - **Required:** 2.40 m (7.87 ft.) with an access aisle 2.40 m (7.87 ft.) wide
 - **Proposed:** 2.74 m (8.98 ft.) with an access aisle 2.40 m (7.87 ft.) wide

Note: The proposed width for the accessible stalls is based off of the existing Land Use Bylaw requirements and the new Alberta Building Code standards must be adhered to.

Loading

- *Section 30.2 (a): The number of off-street loading spaces required for each use class is specified in the Loading Schedule (Schedule 6).*
 - *Schedule 6:*
 - *Industrial Uses: 1.00 loading space per 1,900.00 sq. m or fraction thereof.*
 - **Required:** 1,900.00 sq. m / 115,318.68 sq. m = 60.
 - **Proposed:** 74 exterior truck docks plus 15 stalls for Live Load/Unload



LIGHTING

Balzac East Area Structure Plan SECTION 4.4.3 – Development Guidelines

- Policy 4.4.3 (c): All on-site lighting shall be located, oriented, and shielded to prevent adverse effects on adjacent properties and to protect the safe and efficient function of the Calgary International Airport, Highway 2 and Highway 566.

High Plains Conceptual Scheme SECTION 9

- To help eliminate light pollution, extra care must be used in selecting the lighting for the buildings and for site. In addition to the requirements of the Rocky View County Land Use Bylaw, the following applies:
 1. No external lighting fixtures shall be higher than the closest building parapet height when located adjacent to the building, parking lot lighting excluded.
 2. Lighting should be used to highlight only the area required to receive light. Light spillage, particularly onto adjoining properties or into the sky, must be avoided.
 3. Lighting design, which incorporates flood lighting of large areas of the site or building elevations, will not be permitted.
 4. Adequate lighting shall be provided to ensure traffic safety at key conflict locations.
 5. All pedestrian/public areas are to be well illuminated. Where appropriate pedestrian scaled bollard lighting should be employed.
 6. All light fixtures should be fully shielded to eliminate light pollution. The following exhibit outlines permitted and prohibited fixtures.
- Lighting is downward directed and fully-shielded, with specifications provided in lighting specifications submitted with the application. Thirty (30) mounted wall lights have been identified on drawing E1.01, located around the building. Minimal spillover will occur, as per the photometric distributions identified in the lighting specifications details provided.

OUTDOOR STORAGE

High Plains Industrial Conceptual Scheme SECTION 3.14

- In addition to the requirements of Rocky View County Land Use Bylaw, the following applies: All outside storage areas must be located away from the front entry of the building and shall be visually screened from neighbouring sites and public streets.
 - **Proposed:** There will be minimum product outdoor storage as the site is a distribution centre/warehouse. Proposed outside storage includes the parking of truck trailers and loading docks.

FENCING

Balzac East Area Structure Plan SECTION 4.4.3

- *Policy 4.4.3 (h): In order to avoid the unnecessary use of fencing, which could lead to visually unattractive street design within the industrial areas, the use of fencing on any site should not be permitted, other than for required screening of outside storage, garbage or equipment or for security purposes, provided it is adjacent to the side or rear of buildings.*
 - **Proposed:** Fencing (Chain Link Gate and Corner fence) ranges from ± 2.44 m (8.00 ft.) and ± 3.96 m (13.00 ft.) in height around the east, south and west side (see Sheet No. A1, Building 2, High Plains Building 5, dated February 24, 2020, Project no. 219408, drawn by PJP, by HK Architectural Services).

TRASH ENCLOSURES:*Land Use Bylaw SECTION 30.3 Development Standards*

- (g) Any trash storage or collection area co-existing with any parking or loading area:
 - (i) *shall* be clearly delineated as separate and in addition to required parking and loading spaces;
 - (ii) *shall* be located such that collection vehicles can gain access without undue interference with the operation of the parking or loading area;
 - (iii) *shall* have a *fenced or landscaped screen* (as defined in this *Bylaw*) of length, thickness, and height sufficient to provide substantial interruption
- **Proposed:** Trash Enclosure dimensions ± 2.13 m (± 7.00 ft.) in height and ± 3.05 m (± 10.00 ft.) wide on all side – PC wall panel with smooth finish paint.

Additional Information:

Building Permit History: N/A

Development Permit History:

- PRDP20191073 issued August 14, 2019 for stripping and grading for future development of Stages 4 & 5 of High Plains Industrial Park.

STATUTORY PLANS:

This property falls under the Balzac East Area Structure Plan (ASP) and the County Plan.

Balzac East ASP:

The applicable sections for the ASP, for development, have been referenced through the report. General policies include:

This property is identified under Figure 3, Land Use Strategy as Special Development Area 5, Cell B (SDA5).

4.4.3 Development Guidelines

Development Guidelines are intended to be implemented through the development approval process. Minimum Development Guidelines for Business Land Uses and/or Business Parks contemplated in this Plan

4.7 Special Development Areas; 4.7.5 Special Development Area 5 (SDA5)*County Plan:*

Figure 3 Map: The County Plan identifies the Balzac East area as a Regional Business Centre/Highway Business Area. Section 14 of the County Plan is also applicable to this area.

NON STATUTORY PLANS:

This property falls under the High Plains Industrial Park Conceptual Scheme, Cell C “General Industrial Land Use Area”. The applicable sections of the CS have been referenced through the report.

High Plains Industrial Conceptual Scheme

- A comprehensive mix of business commercial & industrial land uses of varying development intensity situated across the site.



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- High quality, 'campus-style' business park uses situated within the northern portion of the CS area. More intensive and 'heavier' industrial uses within the central and southern portions of the CS area. Industrial developments are anticipated to increase in land use intensity with proximity to the Nexen Sour Gas Plant.
- Implementation of municipal potable water and sanitary sewer services with an overall design that has considered potential enhancements to the County's regional utility systems including such elements as a treated water reservoir and/or peak clipping wastewater surge tanks. Implementation of design guidelines that coordinate the Industrial Park's visual aesthetic with surrounding land uses through the implementation of site specific architectural controls.
- Figure 5, General Land Use Concept, Cell C, General Industrial Land Use Area:
- Cell 'C' – General Industrial Land Use Area will accommodate a wide range of 'general' industrial developments that typically involve larger formats with reduced servicing requirements. The type of uses anticipated in this area may include industrial developments with extensive outside storage requirements which require a variety of lot sizes and parcel configurations. Additionally, Cell 'C' will accommodate a range of 'heavier' industrial processing activities with potential for impacts to adjacent properties through considerations such as visual & noise obtrusions and particle emissions. Any such development will be required to appropriately mitigate off-site impacts in accordance with all municipal, provincial, and/or federal regulation governing same. Business types which can be benefited by access to rail may be accommodated through a spur extension from the existing CP rail line situated southwest of the Nexen Gas Plant.
- Policy 3.2.1 Land uses within the Conceptual Scheme Area shall include a full range of business uses involving commercial and industrial developments which are consistent with the policies of the Balzac East Area Structure Plan.
- Policy 3.2.4 Land uses within Cell 'C' will include 'general' industrial developments with a variety of lot sizes and parcel configurations. Businesses are expected to include large-format operations with extensive outside storage requirements. Heavier industrial processing activities may create potential for impacts to adjacent properties which will be required to demonstrate methods to successfully mitigate and minimize such impacts in accordance with relevant Federal, Provincial and municipal standards, to the satisfaction of the County.

INSPECTOR'S COMMENTS:

- Vacant land.

CIRCULATIONS:

Alberta Environment and Parks

- No comment received at the time of the report

Alberta Transportation

- No comment received at the time of the report

Building Services

- Advisory condition - Building shall conform to the National Energy Code, with documentation/design at Building Permit stage.
<http://www.rockyview.ca/Portals/0/Files/BuildingPlanning/Building/resources/NECB-Submission-Requirements.pdf>



Planning and Development Services - Engineering

General:

- **That prior to issuance**, the applicant is required to pay the development application engineering review fee in accordance with the Master Rates Bylaw.
- **The applicant will be responsible for all required payments of 3rd party reviews and/or inspections as per the Master Rates Bylaw.**
- **That prior to occupancy**, the applicant shall contact Utility Operations for an inspection of the water meter, sanitary sewer service connection, and the sanitary test manhole.
- **As a permanent condition**, 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.
- **As a permanent condition**, 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.
- We note that the bulk of the infrastructure required to service this lot is being constructed under Phase 4 (PL20200007) of the High Plains Development. The subdivision has not yet been conditionally approved, no development agreement is in place and so the file will need to advance in parallel to this permit. The conditions presented herein are intended to support completion of the subdivision and on lot development permit concurrently.
- **That prior to issuance**, a fully secured development agreement shall be signed under subdivision file PL20200007 for constructing the offsite municipal infrastructure required to service this parcel.
- **That prior to occupancy**, all infrastructure required under the subdivision file PL20200007 necessary to service this lot is constructed and that Construction Completion Certificates for the infrastructure have been issued by Rocky View County.

Geotechnical:

- **That prior to issuance**, a Geotechnical Investigation in accordance with the Rocky View County 2013 Servicing Standards is required to verify the site is suitable for the proposed buildings, site works, and deep utilities. For areas (if any) with greater than 1.2 m of fill a Deep Fill report is required.

Transportation:

- **Prior to issuance**, payment of the Transportation Offsite Levy shall have been provided for the subject parcel under subdivision file PL20200007.
- **That prior to issuance**, if site final grading activities require the import or export of soil, the applicant shall enter into a Road Use Agreement with the County regarding use of the County's road system to haul soil off site or onto the site.
- **That prior to issuance**, the applicant shall provide a letter prepared by a transportation engineer to address if the analysis and traffic volumes in the Balzac Global 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's expense. The letter will also need to address if the proposed development is in accordance with the High Plains Industrial Park Traffic Impact Assessment, if not, a TIA will be required for the site to address the potential for off-site impacts.



- If the recommendations of the Traffic Impact Assessment require off-site improvements, then a Development Agreement shall be entered into.
- That site parking be provided to the satisfaction of the development authority. As an advisory condition it is noted that parking is not permitted on the adjacent public road network.
- **That prior to issuance**, the applicant shall submit an access management plan in accordance with the County's 2013 Servicing Standards and Access Management Procedure 410.

Sanitary/Waste Water:

- **That prior to issuance**, payment of the Rocky View County Water and Wastewater Off-Site Levy Bylaw as amended, and signing of a Cost Contribution and Capacity Allocation Agreement is required under the Subdivision PL20200007. This will allocate sanitary servicing capacity to the newly created parcel.
- **That prior to occupancy** and prior to connecting to the offsite waste water main the owner is to enter into a Customer Service Agreement for wastewater for the subject lands. The High Plains Developer will be required to purchase and allocate a sanitary capacity for this lot which will be reflected in the Servicing Agreement. This will be confirmed once the allocation agreement has been signed under file PL20200007. A prior to occupancy condition is required for the applicant to enter into a Customer Servicing Agreement for Water and Wastewater based on projected demands in this facility.
 - Should the applicant require additional servicing capacity then the applicant will be required to provide payment for additional capacity in accordance with the Master Rates Bylaw C-7857-2019, as amended.
- **That prior to issuance**, the applicant shall confirm and demonstrate calculations for water and waste water usage for the development for purposes the above noted service agreement.
- **That prior to issuance**, the applicant shall submit a detailed site wastewater servicing design that will tie into the offsite High Plains Industrial Park wastewater system.
- **That prior to issuance**, the applicant 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. Note, 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. As an advisory note, should the test manhole be located within private property an access easement will be required for monitoring and testing purposes.
- **As a permanent condition**, connections to existing sanitary mains is not permitted without the authorization of Rocky View County's Utility Operations.
- **Prior to occupancy**, Rocky View County requires 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.

Water Supply and Waterworks:

- **That prior to issuance**, payment of the Rocky View County Water and Wastewater Off-Site Levy Bylaw as amended, and signing of a Cost Contribution and Capacity Allocation Agreement is required under the Subdivision PL20200007. This will allocate potable water servicing capacity to the newly created parcel.
- **That prior to occupancy** and prior to connecting to the offsite water main the owner is to enter into a Customer Service Agreement for water service to the subject lands. The High Plains Developer will be required to purchase and allocate water capacity for this lot which will



be reflected in the Servicing Agreement. This will be confirmed once the allocation agreement has been signed under file PL20200007. A prior to occupancy condition is required for the applicant to enter into a Customer Servicing Agreement for Water and Wastewater based on projected demands in this facility.

- Should the applicant require additional servicing capacity then the applicant will be required to provide payment for additional capacity in accordance with the Master Rates Bylaw C-7857-2019, as amended.
- **That prior to issuance**, the applicant shall confirm and demonstrate calculations for water and waste water usage for the development for purposes the above noted service agreement.
- **That prior to issuance** the applicant shall submit a detailed site water servicing design, including adequate fire protection, for the proposed development in accordance with the County Servicing Standards, County Bylaws as amended, that will tie into the High Plains 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 back flow preventer shall be sent to the County's Utility Operations.
- **As a permanent condition**, connections to existing water mains is not permitted without the authorization of Rocky View County's Utility Operations.
- **Prior to occupancy**, Rocky View County requires 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 water infrastructure.
- **As an advisory condition**, no potable water can be used for irrigation purposes, outside hose bibs are not permitted.
- **That prior to issuance**, the applicant shall be required to pay 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.
- **As a permanent condition**, the lot shall obtain potable water from the East Balzac Water Distribution system.

Storm Water Management:

- **Prior to issuance**, the applicant shall submit a site-specific stormwater implementation plan (SSIP) for the subject lands in accordance to the High Plains Stormwater Management Plan 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).
 - **As a permanent condition**, the Development Permit be structured such that it is an ongoing requirement (in perpetuity) of the Development Permit that the Owner operate the site in accordance with the approved SSIP.
 - The applicant is responsible for any related EPEA (and if necessary, Water Act) approvals for the on-site stormwater infrastructure.
 - The plan shall address the need for an oil/grit separator.
- **That prior to issuance** the owner/applicant shall submit a sediment and erosion control plan and report in accordance with County Servicing Standards. We note for the applicants benefit that as this site will be greater than 2ha a full report is required.
- **That prior to issuance**, the applicant shall submit a detailed site grading plan.



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- **Prior to occupancy**, Rocky View County requires 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 pond volumes, liner verification, inverts and any other information that is relevant to SWMP. Following receiving the as-built drawings from the consulting engineer, Rocky View County shall complete an inspection of the site to verify stormwater infrastructure has been completed as per the stamped “examined drawings”.

Utility Services

- Confirmation is required to ensure that the proposed development can be accommodated with the allocation of water and wastewater servicing capacity identified in the Cost Contribution and Capacity Allocation Agreement (CCCAA) in place for the subject parcel. If insufficient allocation is present in the CCCAA agreement, then additional capacity will have to be purchased.
- A Customer Service Agreement for Water and Wastewater Servicing between the owner and the County is required to be entered into **prior to occupancy**.
- Connection to County water and wastewater servicing to the proposed development in accordance with the County’s Water and Wastewater Utilities Bylaw C-7662-2017 as amended, including the provision for a sanitary test manhole.

Park Services

- Tree and shrub selection is satisfactory. Tree and shrub spacing is suitable.
- Tree caliper (85mm) is larger than we typically see (75mm), but still suitable for this application.
- Due to context, exposure and high winds experienced in this region, provision for trees to be staked may be necessary (Staking parameters as per typical standards.)
- Mulch depth is as per standard (750mm). Planting layouts are typical.
- Internal pedestrian interface is suitable to match future regional pathway fronting RR291.

OPTIONS:

Option #1: (this would allow the development)

APPROVAL, subject to the following conditions:

Description:

1. That a General Industry, Type II, for construction a warehouse (Distribution Centre), may be constructed on the subject site, in general accordance with the Site Plan and Drawings, as prepared by HK Architecture Services [Project No. 219408, Dwgs A1-A4; dated February 24, 2020] and Groundcubed landscape architects [Project No. 18.202, Sheets L0.01, L1.01-L1.06, dated February 25, 2020], as amended and shall including the following:
 - i. Construction of a Distribution Centre; approximately 115,318.68 sq. m (1,241,280 sq. ft.) in area;
 - ii. Construction of an accessory building (Guard house);
 - a. That the minimum side yard setback requirement for the accessory building (Guard house) is relaxed from 15.00 m (49.21 ft.) to 6.00 m (19.68 ft.);
 - iii. Outdoor Storage (truck trailers, loading docks etc.);
 - iv. Over height perimeter fencing, varying in height from ± 2.44 m (8.00 ft.) to ± 3.96 m (13.00 ft.);



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- v. Installation of two (2) monument ground signs;
 - a. Details to be submitted to the County prior to installation
- vi. Site Grading (as required for excavation and final site surfacing).

Prior to Issuance

Development Agreement:

- 2. That prior to issuance of this permit, the Applicant/Owner shall sign a fully secured development agreement, under Subdivision #PL20200007, for construction of the offsite municipal infrastructure required to service this parcel.

Water and Sanitary Servicing:

- 3. That prior to issuance of this permit, the Applicant/Owner shall confirm and demonstrate calculations for water and waste water usage for the development for purposes the service agreement, to the County's satisfaction.
- 4. That prior to issuance 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, County Bylaws as amended, that will tie into the High Plains 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 back flow preventer shall be sent to the County's Utility Operations.
- 5. That prior to issuance of this permit, the Applicant/Owner shall submit a detailed site wastewater servicing design that will tie into the offsite High Plains Industrial Park wastewater system, to the County's satisfaction.
- 6. That prior to issuance 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.

Note, 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. Should the test manhole be located within private property, an access easement shall be required and registered for monitoring and testing purposes.

Stormwater Management

- 7. That prior to issuance of this permit, the Applicant/Owner shall submit a site-specific stormwater implementation plan (SSIP) for the subject lands in accordance to the High Plains Stormwater Management Plan and provide for any necessary easements and right-of-ways for drainage. The plan shall include but not be limited to:
 - i. Details regarding any on-site retention, stormwater flow rates offsite into storm sewers/swales and storage volumes;
 - ii. Proposed finished surface/grading plan (corner lot grades);
 - iii. The plan shall address the need for an oil/grit separator.
- 8. That prior to issuance of this permit, the Applicant/Owner shall submit a detailed site grading plan, to the County's satisfaction.
- 9. That prior to issuance of this permit, the Applicant/Owner shall submit a sediment and erosion control plan and report in accordance with County Servicing Standards.

Note: As the subject site is greater than 2.0 hectares; a full report is required.



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Transportation:

10. That prior to issuance 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's/Owner's expense. The letter shall also address if the proposed development is in accordance with the High Plains Industrial Park Traffic Impact Assessment, if not in accordance, a TIA shall be required for the site to address the potential for off-site impacts.
 - i. If the recommendations of the Traffic Impact Assessment require off-site improvements, then the Owner shall enter into a Development Agreement with the County.
11. That prior to issuance of this permit, the Applicant/Owner shall submit an access management plan in accordance with the County Servicing Standards and Access Management Procedure 410, to the County's satisfaction.

Parking:

12. That prior to issuance of this permit, the Applicant/Owner shall submit a revised site plan to demonstrate sufficient parking stalls to be provided in accordance with the Land Use Bylaw, including either:
 - i. A minimum of 572 parking stalls, including accessible stalls to be provided in accordance with the Alberta Building Code
 - or
 - ii. A parking assessment of the parking demand and supply characteristics associated with the proposed development. The assessment shall also include a Parking Lot Plan, prepared by a qualified professional that addresses landscaping, parking design and traffic management in accordance with the Land Use Bylaw.

Note: The Parking Assessment shall be to the County's satisfaction and the County shall not be bound by any recommendations of the submitted Parking Assessment.

Landscaping

13. That prior to issuance of this permit, the Applicant/Owner shall submit a revised Landscaping Plan in accordance with the Balzac East Area Structure Plan Development Guidelines [Policy 4.4.3 (xii) and Policy 4.4.3 (d)(xiii)] and Section 26 of the Land Use Bylaw, demonstrating/confirming the minimum requirements, to the satisfaction of the County.

Road Use

14. That prior to issuance 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 will 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.

Geotechnical

15. That prior to issuance of this permit, the Applicant/Owner shall submit a Geotechnical Investigation in accordance with the County Servicing Standards, to verify the site is suitable



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.

Fees/Levies:

16. That prior to issuance of this permit, the Applicant/Owner shall submit payment of the Transportation Offsite Levy, under Subdivision #PL20200007.
17. That prior to issuance of this permit, the Applicant/Owner shall submit payment of the Rocky View County Water and Wastewater Off-Site Levy Bylaw and signing of a Cost Contribution and Capacity Allocation Agreement, under Subdivision #PL20200007, in order to allocate potable water servicing and sanitary servicing capacity to the newly created parcel.
18. That prior to issuance of this permit, the Applicant/Owner shall pay 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.
19. That prior to issuance of this permit, The Applicant/Owner shall confirm acceptance of or refusal to participate in the Voluntary Recreation Contribution for Community Recreation Funding on the form provided by the County and that the contribution, if accepted is \$55,664.00 calculated at \$800.00 per acre for 69.58 acres.

Prior to Occupancy

20. That prior to occupancy of the site, all infrastructure required under Subdivision #PL20200007 necessary to service this lot, is constructed and that Construction Completion Certificates (CCC's) for the infrastructure have been issued by the County.
21. That prior to occupancy of the site, all landscaping, final site surfaces, parking, lighting, addressing and signage shall be completed.
 - i. That should permission for occupancy of the site be requested during the months of October through May inclusive, occupancy may be allowed without landscaping and final site surface completion provided that an Irrevocable Letter of Credit in the amount of 150.00% of the total cost of completing all the landscaping and final site surfaces shall be placed with Rocky View County to guarantee the works shall be completed by the 30th day of June immediately thereafter.
22. That prior to occupancy of the site, the Applicant/Owner shall contact and received approval from County Utility Operations for an inspection of the water meter, sanitary sewer service connection, and the sanitary test manhole.
23. That prior to occupancy of the site and prior to connecting to the offsite water and waste water main, the Owner shall enter into a Customer Service Agreement based on the projected water and wastewater servicing demands for the proposed facility.
 - i. The Developer shall be required to purchase and allocate water and sanitary capacity for this lot which will be reflected in the Servicing Agreement. This will be confirmed once the allocation agreement has been signed under Subdivision #PL20200007.
 - ii. Should the Applicant/Owner require additional servicing capacity, then the Applicant/Owner shall provide payment for additional capacity in accordance with the County's Master Rates Bylaw C-7857-2019, as amended.
24. That prior to occupancy of the site, 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 water infrastructures, as-built sanitary infrastructures, as-built pond volumes, liner verification, inverts and any other information that is relevant to SSIP.



Note: 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".

Permanent:

25. That any dirt removed from the site during construction shall be hauled off in a covered trailer/truck that will prevent blowing of dust/small rocks onto the road or issues with other vehicles on the road.
26. 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.
27. That the entire site shall be maintained in a neat and orderly manner at all times, to the satisfaction of the County.
28. That any signage approved within this permit, shall be kept in a safe, clean, and tidy condition, and may be required to be renovated or removed if not properly maintained.
29. That no temporary signs shall be place on the site at any time except any temporary signs required during development or building construction.
30. That any future signage will require separate Development Permit approval and shall adhere to the Balzac East Area Structure Plan Development Guidelines, the High Plains Industrial Conceptual Scheme Signage Guidelines and Section 35 of the Land Use Bylaw.
31. That all on site lighting shall be "dark sky" and all private lighting, including site security lighting and parking area lighting, should 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 and eliminates glare as viewed from nearby residential properties.
32. That the garbage containers shall be screened from view from all adjacent properties and public thoroughfares. The garbage and waste shall be stored in weatherproof and animal proof containers and be in a location easily accessible to containerized garbage pickup.
33. That a minimum of 572 parking stalls shall be maintained on site at all times, in accordance with the revised Site Plan submitted with the application and/or in accordance with an approved Parking Assessment.
34. That there shall be no customer or business parking at any time along the adjacent County Road System.
35. That all landscaping shall be in accordance with the approved Landscape Plan
36. 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.
37. 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 each principal unit located on the subject site, to facilitate accurate emergency response.
38. That any outside storage of supplies, equipment and/or materials shall be in accordance with the approved site plan.
39. 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.



ROCKY VIEW COUNTY

40. That the facility shall be subject to water usage/wastewater monitoring by Rocky View County's Utility Operations, in order to ensure compliance with Bylaw C-7662-2017, as amended.
41. That connection to existing sanitary mains, waste mains, and water mains shall not be permitted without the authorization of the County's Utility Operations.
42. That the lot shall obtain potable water from the East Balzac Water Distribution System.
43. That there shall be no potable water used for irrigation and landscaping purposes and that no exterior hose bibs shall be installed.
44. That water conservation strategies shall be implemented and maintained at all times.
45. That any future tenant(s) of the warehouse building shall require a separate Development Permit application for tenancy (use) and signage.
46. That any plan, technical submission, agreement, or other matter submitted and approved as part of the development permit application or submitted in response to a prior to issuance or occupancy condition, shall be implemented and adhered to in perpetuity including the approved Stormwater Implementation Plan (SSIP).

Advisory:

47. That the Applicant/Owner shall be responsible for all required payments of 3rd party reviews and/or inspections as per the Master Rates Bylaw.

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

48. 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.
49. That during construction, the dust control shall be maintained on the site and that the Applicant/Owner shall take whatever means necessary to keep visible dust from blowing onto adjacent lands.
50. That the subject development shall conform to the County's Noise Bylaw C-5773-2003 in perpetuity.
51. That the site shall remain free of restricted or noxious weeds, in accordance with the Weed Control Act [*Statutes of Alberta, 2008 Chapter W-5.1; Current as of December 15, 2017*].
52. 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.
53. 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.

Note: The Development shall conform to the current National Energy Code.

54. That all other government compliances and approvals are the sole responsibility of the Applicant/Owner.



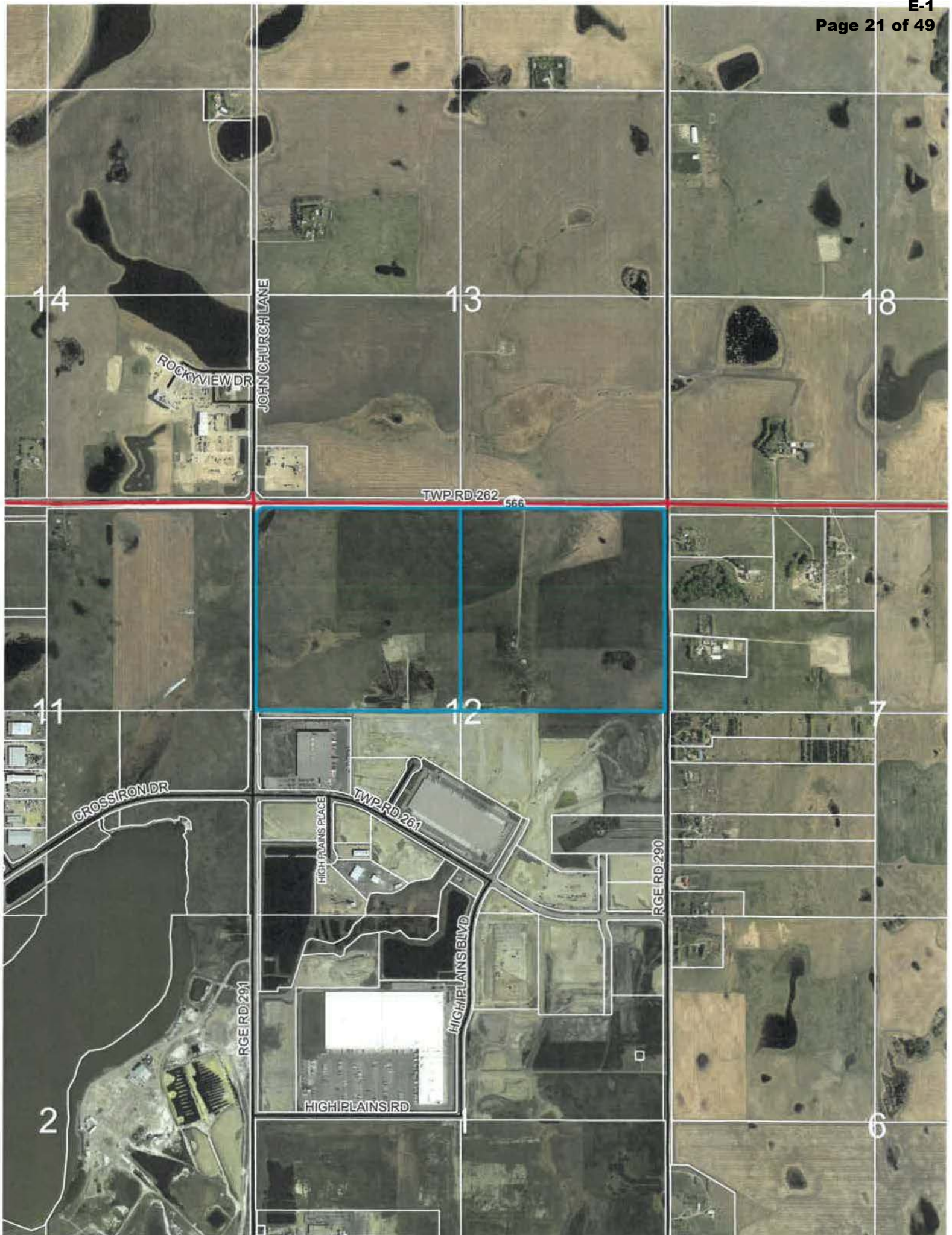
55. That if the development authorized by this Development Permit is not commenced with reasonable diligence within 12 months from the date of issue, and completed within 36 months of the issue, the permit is deemed to be null and void, unless an extension to this permit shall first have been granted by the Development Officer.
56. That if this Development Permit is not issued by **December 31, 2020** or the approved extension date, then this approval is null and void and the Development Permit shall not be issued.

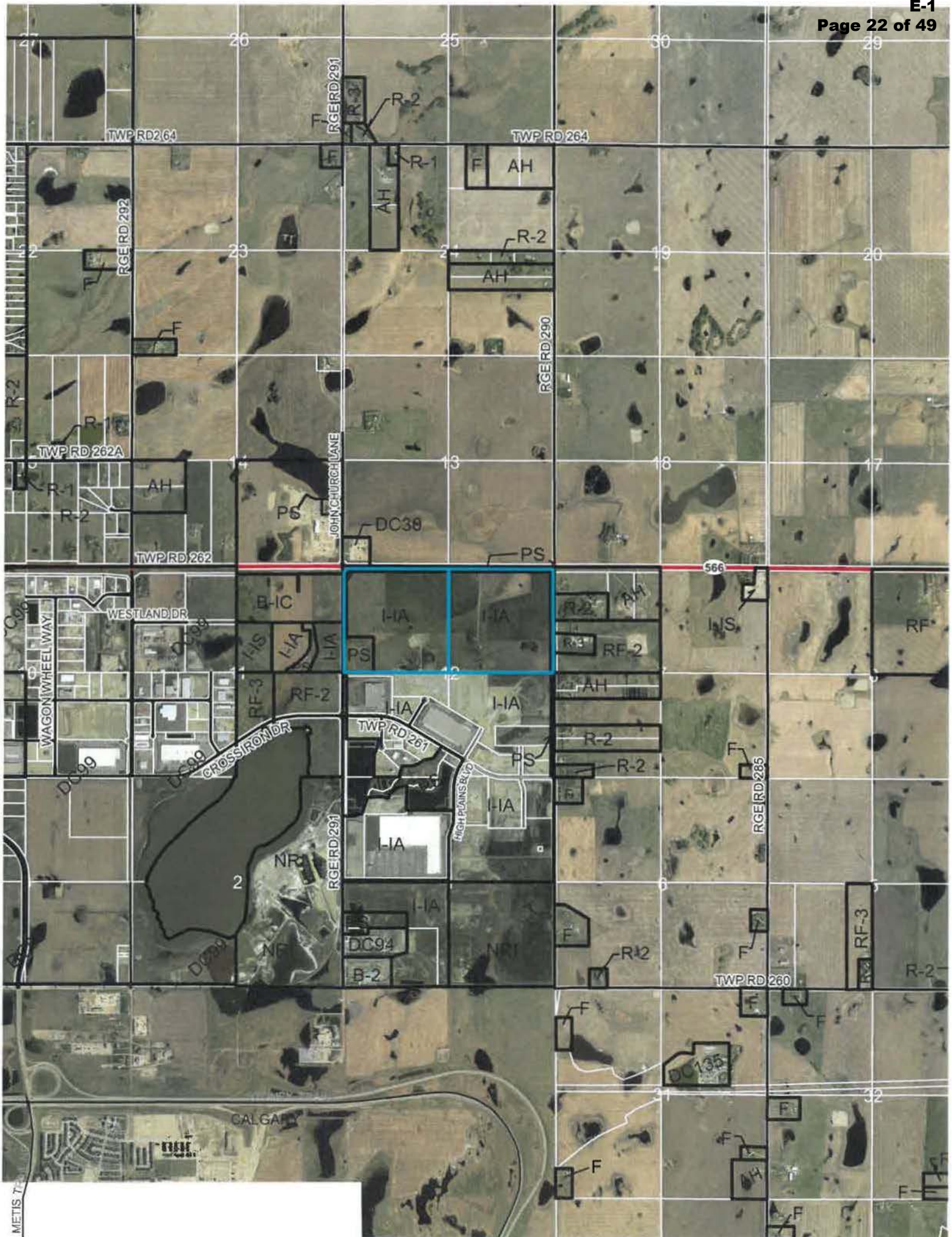
Note: The Applicant/Owner shall be responsible for all Alberta Environment and Park (AEP) approvals for any impact to any wetland areas. The Applicant/Owner shall also be responsible for any related EPEA (and if necessary, Water Act) approvals for the on-site and/or offsite stormwater infrastructure.

Option #2: (this would not allow the development)

REFUSAL, for the following reasons:

1. That in the opinion of the Municipal Planning Commission, the development unduly interferes with the amenities of the neighbourhood and materially interferes with and affects the use, enjoyment, and value of neighbouring parcels of land.







20200199

FOR OFFICE USE ONLY

E-1
Page 23 of 49

APPLICATION FOR COMMERCIAL/OFFICE/INDUSTRIAL DEVELOPMENT PERMITS

Fee Submitted \$ 95,438.00	File Number 06412003/1
Date of Receipt Jan 31/20	Receipt # 2020023393 + 2020023394

Name of Applicant Joe Yeryk Email joe@lawsonprojects.com
Mailing Address: #102, 7101 - 5th Street SE
Calgary, AB Postal Code T2H 2G2
Telephone (B): 403-265-2000 (H) [REDACTED] Fax
For Agents please supply Business/Agency/ Organization Name: Colin Lawson Projects

Registered Owner (if not applicant): Highfield Investment Group – High Plains Building 4
Mailing Address: Suite 18, 11410 – 27th Street SE
Calgary, AB Postal Code T2Z 3R6
Telephone (B): 403-723-2106 (H) N/A Fax: 403-723-2109

1. LEGAL DESCRIPTION OF LAND

- a) All / part of the NW & NE ¼ Section 12 Township 26 Range 29 West of 4 Meridian
b) Being all / parts of Lot 3 Block 7 Registered Plan Number
c) Municipal Address 263110 Buller Hills Way
d) Existing Land Use Designation Industrial - I/A Parcel Size 66.04 acres Division 158.07 and 157.95

2. APPLICATION FOR

INDUSTRIAL DISTRIBUTION CENTRE

3. ADDITIONAL INFORMATION

- a) Are there any oil or gas wells on or within 100 metres of the subject property (s)? Yes No X
b) Is the proposed parcel within 1.5 kilometres of a sour gas facility? Yes X No
(Sour Gas facility means well, pipeline or plant)
c) Is there an abandoned oil or gas well or pipeline on the property? Yes No X
d) Does the site have direct access to a developed Municipal Road? Yes
e) Has the Design Guidelines checklist been completed? Yes X No
f) Has supplementary information been provided? (photos, sketches written descriptions etc.) Yes X No
g) Details of additional information

4. REGISTERED OWNER OR PERSON ACTING ON HIS BEHALF

I JOE YERYK hereby certify that I am the registered owner
(Full Name in Block Capitals)
X I am authorized to act on the owner's behalf

and that the information given on this form is full and complete and is, to the best of my knowledge, a true statement of the facts relating to this application.

**Affix Corporate Seal
here if owner is listed
as a named or
numbered company**

Applicant's Signature [Signature] Owner's Signature
Date Jan 31, 2020

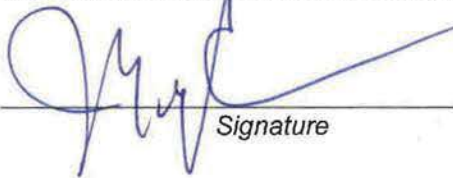
5. RIGHT OF ENTRY

I hereby authorize Rocky View County to enter the above parcel(s) of land for purposes of investigation and enforcement related to this Development Permit application.


Applicant's/Owner's Signature

Please note that all information provided by the Applicant to the County that is associated with the application, including technical studies, will be treated as public information in the course of the municipality's consideration of the development permit application, pursuant to the Municipal Government Act, R.S.A 2000 Chapter M-26, the Land Use Bylaw and relevant statutory plans. By providing this information, you (Owner/Applicant) are deemed to consent to its public release. Information provided will only be directed to the Public Information Office, 262075 Rocky View Point, Rocky View County, AB, T4A 0X2; Phone: 403-520-8199.

I, JOE YERYK, hereby consent to the public release and disclosure of all information contained within this application and supporting documentation as part of the development process.


Signature

Jan 31, 2020
Date

FOR OFFICE USE ONLY

Application: _____

General Location: _____



LAND TITLE CERTIFICATE

S		
LINC	SHORT LEGAL	TITLE NUMBER
0018 378 273	4;29;26;12;NE	191 144 315

LEGAL DESCRIPTION

MERIDIAN 4 RANGE 29 TOWNSHIP 26
SECTION 12
QUARTER NORTH EAST
CONTAINING 64.7 HECTARES (160 ACRES) MORE OR LESS
EXCEPTING THEREOUT:

PLAN	NUMBER	HECTARES	ACRES
ROAD WIDENING	731225	0.781	1.93

EXCEPTING THEREOUT ALL MINES AND MINERALS

ESTATE: FEE SIMPLE

MUNICIPALITY: ROCKY VIEW COUNTY

REFERENCE NUMBER: 151 118 761 +1

REGISTERED OWNER(S)				
REGISTRATION	DATE(DMY)	DOCUMENT TYPE	VALUE	CONSIDERATION
191 144 315	16/07/2019	TRANSFER OF LAND		\$1,580,700

OWNERS

CLT DEVELOPMENTS LTD.
OF PO BOX 1419
DIDSBURY
ALBERTA T0M 0W0
AS TO AN UNDIVIDED 1/3 INTEREST

HIGHFIELD INVESTMENT GROUP INC.
OF 18 11401 27 ST SE
CALGARY
ALBERTA T2Z 3R6
AS TO AN UNDIVIDED 2/3 INTEREST

ENCUMBRANCES, LIENS & INTERESTS

PAGE 2
191 144 315

REGISTRATION

NUMBER DATE (D/M/Y) PARTICULARS

5272IL . 05/07/1962 UTILITY RIGHT OF WAY
GRANTEE - CNOOC PETROLEUM NORTH AMERICA ULC.
PO BOX 2727
STATION "M"
CALGARY
ALBERTA T2P5C1
AGENT - VALERIE N HANSEN
AS TO PORTION OR PLAN:782JK
"TAKES PRIORITY OF CAVEAT 6350IG REGISTERED
03/11/1961"
(DATA UPDATED BY: TRANSFER OF UTILITY RIGHT
OF WAY 951230122)
(DATA UPDATED BY: TRANSFER OF UTILITY RIGHT
OF WAY 001321728)
(DATA UPDATED BY: CHANGE OF NAME 191069386)

8088KG . 18/03/1969 UTILITY RIGHT OF WAY
GRANTEE - FORTISALBERTA INC.
320 - 17 AVENUE S.W.
CALGARY
ALBERTA T2S2Y1
"PORTION DESCRIBED"
(DATA UPDATED BY: TRANSFER OF UTILITY RIGHT
OF WAY 001289992)
(DATA UPDATED BY: CHANGE OF NAME 051013845)

2537KP . 06/01/1970 AGREEMENT
AFFECTS INSTRUMENT: 8088KG .
AFFECTS INSTRUMENT: 5272IL .
RECIPROCAL CROSSING AGREEMENT

841 121 615 17/07/1984 CAVEAT
RE : EASEMENT
CAVEATOR - CNOOC PETROLEUM NORTH AMERICA ULC.
PO BOX 2727
STATION "M"
CALGARY
ALBERTA T2P5C1
AGENT - VALERIE N HANSEN
(DATA UPDATED BY: TRANSFER OF CAVEAT
951230438)
(DATA UPDATED BY: TRANSFER OF CAVEAT
001323328)
(DATA UPDATED BY: CHANGE OF NAME 191086280)

931 178 762 27/07/1993 CAVEAT
RE : PIPELINE RIGHT OF WAY
CAVEATOR - CNOOC PETROLEUM NORTH AMERICA ULC.
PO BOX 2727

(CONTINUED)

ENCUMBRANCES, LIENS & INTERESTS

PAGE 3
191 144 315

REGISTRATION

NUMBER DATE (D/M/Y) PARTICULARS

STATION "M"
CALGARY
ALBERTA T2P5C1
AGENT - VALERIE N HANSEN
(DATA UPDATED BY: TRANSFER OF CAVEAT
001323328)
(DATA UPDATED BY: CHANGE OF NAME 191086480)

051 348 723 20/09/2005 CAVEAT
RE : RIGHT OF WAY AGREEMENT
CAVEATOR - THE MUNICIPAL DISTRICT OF ROCKY VIEW NO.
44.
911-32 AVE NE
CALGARY
ALBERTA T2E6X6
AGENT - AMBER MUNDY

121 077 901 03/04/2012 CAVEAT
RE : BENEFICIAL OWNER
CAVEATOR - WAYNE POFFENROTH
C/O MARTINSON & HARDER LAW OFFICE
1, 5401-49 AVE
OLDS
ALBERTA T4H1G3
AGENT - DANIEL C HARDER

151 132 070 27/05/2015 CAVEAT
RE : PURCHASERS INTEREST
CAVEATOR - HP CALGARY INVESTORS, LLC.
C/O HIGH PLAINS FUND II INVESTMENTS LTD
3090 OLIVE STREET, SUITE 300
DALLAS, TEXAS
75219 USA
AGENT - ELIZABETH RAFFERTY

151 132 071 27/05/2015 CAVEAT
RE : RIGHT OF FIRST REFUSAL
CAVEATOR - HP CALGARY INVESTORS, LLC.
C/O HIGH PLAINS FUND II INVESTMENTS LTD
3090 OLIVE STREET, SUITE 300
DALLAS, TEXAS
75219 USA
AGENT - ELIZABETH RAFFERTY

161 114 668 17/05/2016 CAVEAT
RE : UTILITY RIGHT OF WAY
CAVEATOR - FORTISALBERTA INC.
320-17 AVE SW
CALGARY

(CONTINUED)

ENCUMBRANCES, LIENS & INTERESTS

PAGE 4
191 144 315

REGISTRATION

NUMBER DATE (D/M/Y) PARTICULARS

ALBERTA T2S2V1
AGENT - BETH HERGERT.

171 144 439 30/06/2017 UTILITY RIGHT OF WAY
GRANTEE - ROCKY VIEW COUNTY.
AS TO PORTION OR PLAN:1711392

181 001 638 04/01/2018 CAVEAT
RE : RESTRICTIVE COVENANT

TOTAL INSTRUMENTS: 012

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN
ACCURATE REPRODUCTION OF THE CERTIFICATE OF
TITLE REPRESENTED HEREIN THIS 31 DAY OF
JANUARY, 2020 AT 04:04 P.M.

ORDER NUMBER: 38742774

CUSTOMER FILE NUMBER:



END OF CERTIFICATE

THIS ELECTRONICALLY TRANSMITTED LAND TITLES PRODUCT IS INTENDED
FOR THE SOLE USE OF THE ORIGINAL PURCHASER, AND NONE OTHER,
SUBJECT TO WHAT IS SET OUT IN THE PARAGRAPH BELOW.

THE ABOVE PROVISIONS DO NOT PROHIBIT THE ORIGINAL PURCHASER FROM
INCLUDING THIS UNMODIFIED PRODUCT IN ANY REPORT, OPINION,
APPRAISAL OR OTHER ADVICE PREPARED BY THE ORIGINAL PURCHASER AS
PART OF THE ORIGINAL PURCHASER APPLYING PROFESSIONAL, CONSULTING
OR TECHNICAL EXPERTISE FOR THE BENEFIT OF CLIENT(S).



LAND TITLE CERTIFICATE

S
LINC SHORT LEGAL TITLE NUMBER
0026 362 426 4;29;26;12;NW 191 144 318

LEGAL DESCRIPTION

MERIDIAN 4 RANGE 29 TOWNSHIP 26
SECTION 12
QUARTER NORTH WEST
CONTAINING 64.7 HECTARES (160 ACRES) MORE OR LESS
EXCEPTING THEREOUT:

PLAN	NUMBER	HECTARES	ACRES MORE OR LESS
ROAD	731225	0.797	1.97
ROAD	9510790	0.031	0.077

EXCEPTING THEREOUT ALL MINES AND MINERALS

ESTATE: FEE SIMPLE

MUNICIPALITY: ROCKY VIEW COUNTY

REFERENCE NUMBER: 151 118 819

REGISTERED OWNER(S)				
REGISTRATION	DATE (DMY)	DOCUMENT TYPE	VALUE	CONSIDERATION
191 144 318	16/07/2019	TRANSFER OF LAND		\$1,309,556

OWNERS

CLT DEVELOPMENTS LTD.
OF PO BOX 1419
DIDSBURY
ALBERTA T0M 0W0
AS TO AN UNDIVIDED 27636/100000 INTEREST

HIGHFIELD INVESTMENT GROUP INC.
OF 18 11410 27 ST SE
CALGARY
ALBERTA T2Z 3R6
AS TO AN UNDIVIDED 55274/100000 INTEREST

KIDCO SHARES LTD.
OF 4949 - 76 AVENUE SE
CALGARY
ALBERTA T2C 3C6

(CONTINUED)

PAGE 2
191 144 318

AS TO AN UNDIVIDED 17090/100000 INTEREST

ENCUMBRANCES, LIENS & INTERESTS

REGISTRATION

NUMBER	DATE (D/M/Y)	PARTICULARS
7390IK .	19/07/1962	UTILITY RIGHT OF WAY GRANTEE - CNOOC PETROLEUM NORTH AMERICA ULC. PO BOX 2727, STN "M" CALGARY ALBERTA T2P5C1 AS TO PORTION OR PLAN:1147JK "TAKES PRIORITY OF CAVEAT 6349IG REGISTERED 03/11/1961" (DATA UPDATED BY: TRANSFER OF UTILITY RIGHT OF WAY 951230122) (DATA UPDATED BY: TRANSFER OF UTILITY RIGHT OF WAY 001321728) (DATA UPDATED BY: TRANSFER OF UTILITY RIGHT OF WAY 011280467) (DATA UPDATED BY: CHANGE OF NAME 191095546)
1378KA .	01/08/1967	CAVEAT CAVEATOR - CNOOC PETROLEUM NORTH AMERICA ULC. PO BOX 2727 STATION "M" CALGARY ALBERTA T2P5C1 AGENT - VALERIE N HANSEN (DATA UPDATED BY: TRANSFER OF CAVEAT 951251353) (DATA UPDATED BY: TRANSFER OF CAVEAT 001323327) (DATA UPDATED BY: CHANGE OF NAME 191086765)
8088KG .	18/03/1969	UTILITY RIGHT OF WAY GRANTEE - FORTISALBERTA INC. 320 - 17 AVENUE S.W. CALGARY ALBERTA T2S2Y1 "PORTION DESCRIBED" (DATA UPDATED BY: TRANSFER OF UTILITY RIGHT OF WAY 001289992) (DATA UPDATED BY: CHANGE OF NAME 051013845)
2537KP .	06/01/1970	AGREEMENT AFFECTS INSTRUMENT: 8088KG . AFFECTS INSTRUMENT: 5272IL . RECIPROCAL CROSSING AGREEMENT

(CONTINUED)

ENCUMBRANCES, LIENS & INTERESTS

PAGE 3
191 144 318

REGISTRATION

NUMBER	DATE (D/M/Y)	PARTICULARS
741 009 316	31/01/1974	UTILITY RIGHT OF WAY GRANTEE - CANADIAN WESTERN NATURAL GAS COMPANY LIMITED. "PORTION DESCRIBED"
911 111 991	29/05/1991	CAVEAT RE : PIPELINE RIGHT OF WAY CAVEATOR - CNOOC PETROLEUM NORTH AMERICA ULC. PO BOX 2727 STATION "M" CALGARY ALBERTA T2P5C1 AGENT - VALERIE N HANSEN (DATA UPDATED BY: TRANSFER OF CAVEAT 951243888) (DATA UPDATED BY: TRANSFER OF CAVEAT 001323328) (DATA UPDATED BY: CHANGE OF NAME 191086279)
931 178 762	27/07/1993	CAVEAT RE : PIPELINE RIGHT OF WAY CAVEATOR - CNOOC PETROLEUM NORTH AMERICA ULC. PO BOX 2727 STATION "M" CALGARY ALBERTA T2P5C1 AGENT - VALERIE N HANSEN (DATA UPDATED BY: TRANSFER OF CAVEAT 001323328) (DATA UPDATED BY: CHANGE OF NAME 191086480)
051 348 723	20/09/2005	CAVEAT RE : RIGHT OF WAY AGREEMENT CAVEATOR - THE MUNICIPAL DISTRICT OF ROCKY VIEW NO. 44. 911-32 AVE NE CALGARY ALBERTA T2E6X6 AGENT - AMBER MUNDY
061 021 510	14/01/2006	CAVEAT RE : PIPELINE RIGHT OF WAY CAVEATOR - THE MUNICIPAL DISTRICT OF ROCKY VIEW NO. 44. BOX 3009, STN D CALGARY ALBERTA AGENT - JOANNE KLAUER (DATA UPDATED BY: TRANSFER OF CAVEAT (CONTINUED)

ENCUMBRANCES, LIENS & INTERESTS

PAGE 4
191 144 318

REGISTRATION

NUMBER DATE (D/M/Y) PARTICULARS

091051984)

111 294 155 14/11/2011 CAVEAT
RE : DEFERRED RESERVE
CAVEATOR - ROCKY VIEW COUNTY.
911 - 32ND AVENUE NE
CALGARY
ALBERTA T2E6X6

121 077 901 03/04/2012 CAVEAT
RE : BENEFICIAL OWNER
CAVEATOR - WAYNE POFFENROTH
C/O MARTINSON & HARDER LAW OFFICE
1, 5401-49 AVE
OLDS
ALBERTA T4H1G3
AGENT - DANIEL C HARDER

151 132 070 27/05/2015 CAVEAT
RE : PURCHASERS INTEREST
CAVEATOR - HP CALGARY INVESTORS, LLC.
C/O HIGH PLAINS FUND II INVESTMENTS LTD
3090 OLIVE STREET, SUITE 300
DALLAS, TEXAS
75219 USA
AGENT - ELIZABETH RAFFERTY

151 132 071 27/05/2015 CAVEAT
RE : RIGHT OF FIRST REFUSAL
CAVEATOR - HP CALGARY INVESTORS, LLC.
C/O HIGH PLAINS FUND II INVESTMENTS LTD
3090 OLIVE STREET, SUITE 300
DALLAS, TEXAS
75219 USA
AGENT - ELIZABETH RAFFERTY

171 144 439 30/06/2017 UTILITY RIGHT OF WAY
GRANTEE - ROCKY VIEW COUNTY.
AS TO PORTION OR PLAN:1711392

181 001 638 04/01/2018 CAVEAT
RE : RESTRICTIVE COVENANT

TOTAL INSTRUMENTS: 015

(CONTINUED)

PAGE 5
191 144 318

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN
ACCURATE REPRODUCTION OF THE CERTIFICATE OF
TITLE REPRESENTED HEREIN THIS 31 DAY OF
JANUARY, 2020 AT 04:03 P.M.

ORDER NUMBER: 38742766

CUSTOMER FILE NUMBER:



END OF CERTIFICATE

THIS ELECTRONICALLY TRANSMITTED LAND TITLES PRODUCT IS INTENDED
FOR THE SOLE USE OF THE ORIGINAL PURCHASER, AND NONE OTHER,
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INCLUDING THIS UNMODIFIED PRODUCT IN ANY REPORT, OPINION,
APPRAISAL OR OTHER ADVICE PREPARED BY THE ORIGINAL PURCHASER AS
PART OF THE ORIGINAL PURCHASER APPLYING PROFESSIONAL, CONSULTING
OR TECHNICAL EXPERTISE FOR THE BENEFIT OF CLIENT(S).

Landscape Area Calculations

Landscape area calculations are based on the Rocky View County Land Use Bylaw, Part 3: Section 26, and Part 4: Section 75 Industrial Activity (I-HA).

Per Part 3: Section 26, subsection 26.11 (c) "a minimum of 10% of the development area shall be landscaped, in accordance with the Landscaping Plan approved by the County"

Per Part 3: Section 26, subsection 26.5 (c) "a minimum of one (1) tree for each 46.00 sq. m of any required yard or setback at grade, or as required pursuant to a Landscaping Plan as a condition of a Development Permit"

Per Part 3: Section 26, subsection 26.11 (t) "Up to 50% of the required number of trees may be substituted with shrubs at a ratio of 3 shrubs to 1 tree for deciduous trees, and 4 shrubs to 1 tree for coniferous trees, providing that any associated screening requirements are met to the satisfaction of the County."

required landscape area calculations

total parcel area	= 281,654 m ²
total landscape area required	= 28,165 m ²
total parcel area m ² x 10%	= 28,165 m ²
total landscape area provided	= 28,257 m ²
total trees required	= 613
required (28,165 m ² / 46.0 m ²)	

provided landscape area calculations:

total trees provided	= 613
total trees substituted for shrubs	= 0
coniferous trees provided @ min 2m ht (min 40% of total)	= 245
deciduous trees provided @ 45mm cal (60% of total)	= 368
total shrubs for coniferous tree substitution (0 x 0.4)	= 0 trees
shrubs required for coniferous tree substitution (0 x 4)	= 0 shrubs
total shrubs for deciduous tree substitution (0 x 0.6)	= 0 trees
shrubs required for coniferous tree substitution (0 x 3)	= 0 shrubs
total shrubs required	= 0
total shrubs provided	= 0

max 50% of trees substituted for shrubs

shrubs required for deciduous tree substitution (183 deciduous trees x 3)	= 306
shrubs required for coniferous tree substitution (123 coniferous trees x 4)	= 549
total shrub requirement for maximum substituted trees	= 1,041

Bylaw Legend

symbol	description
	property line
	5m setback line
	unw
	hatch denotes setback landscape area - 34,870 m2
	hatch asphalt drive
	tone denotes pr/w

general notes

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7. all landscaped areas are to be sloped to ensure positive drainage unless noted otherwise
8. all soft landscape to be irrigated by an automatic underground irrigation system utilizing captured storm water per the development guidelines circulated via a designated purple pipe distribution network.



issue	date	no.
issued for	yy/mm/dd	1
issued for draft DP	20/02/19	2
issued for DP	20/02/24	3

revision	date	no.
revised for	yy/mm/dd	a

project
High Plains
Building 5

drawn mg	checked jb	approved js
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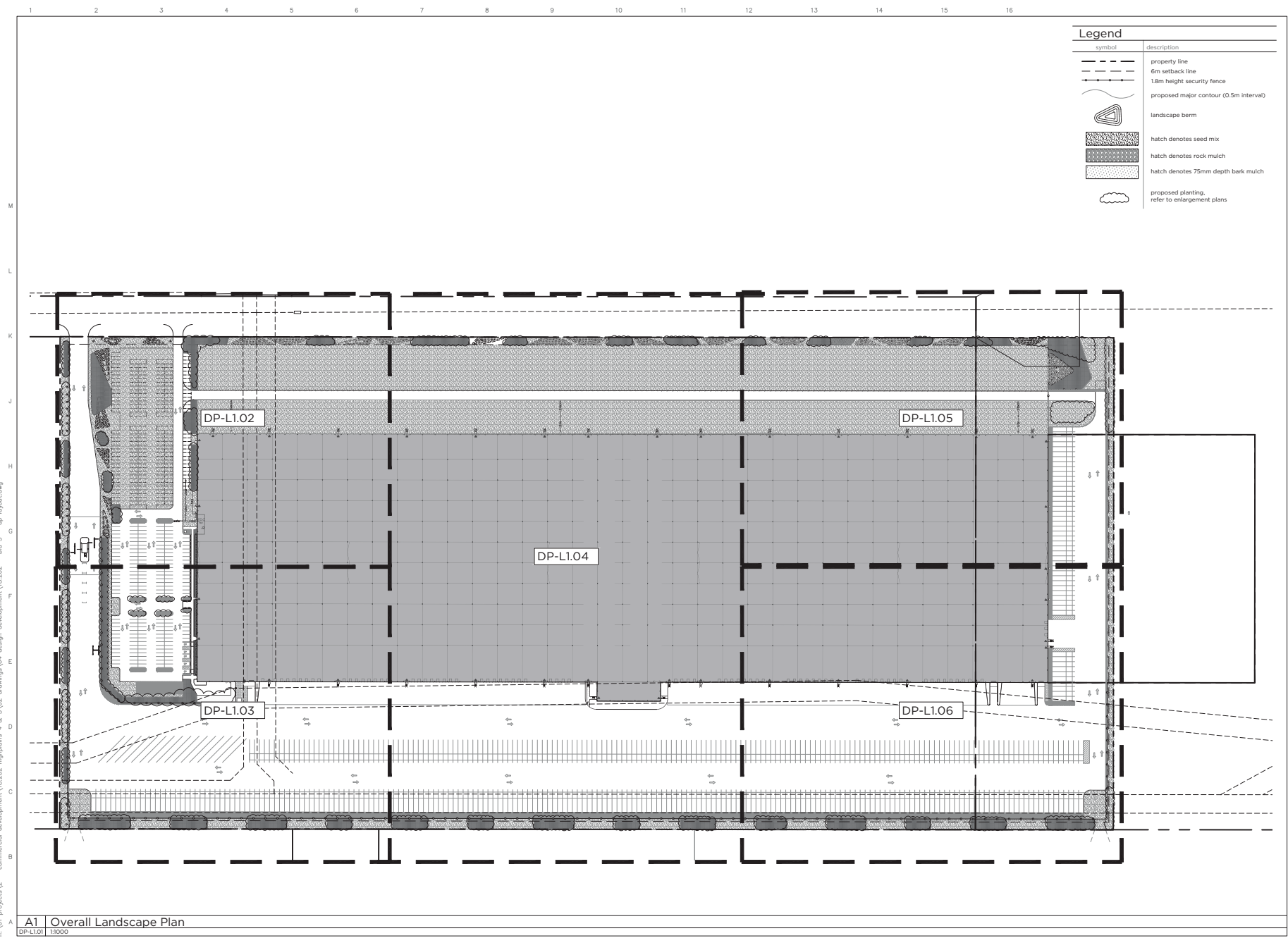
project # 18.202	date 2020/02/25
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drawing
bylaw plan

	sheet L0.01
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A1 Bylaw Plan

DP-1.0.01 11000



general notes

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Legend

symbol	description
---	property line
---	6m setback line
---	1.8m height security fence
---	proposed major contour (0.5m interval)
---	landscape berm
---	hatch denotes seed mix
---	hatch denotes rock mulch
---	hatch denotes 75mm depth bark mulch
---	proposed planting, refer to enlargement plans

groundcubed
landscape architects

issue	date	no.
issued for	yy/mm/dd	1
issued for draft DP	20/02/19	2
issued for DP	20/02/24	3

revision	date	no.

project
High Plains
Building 5

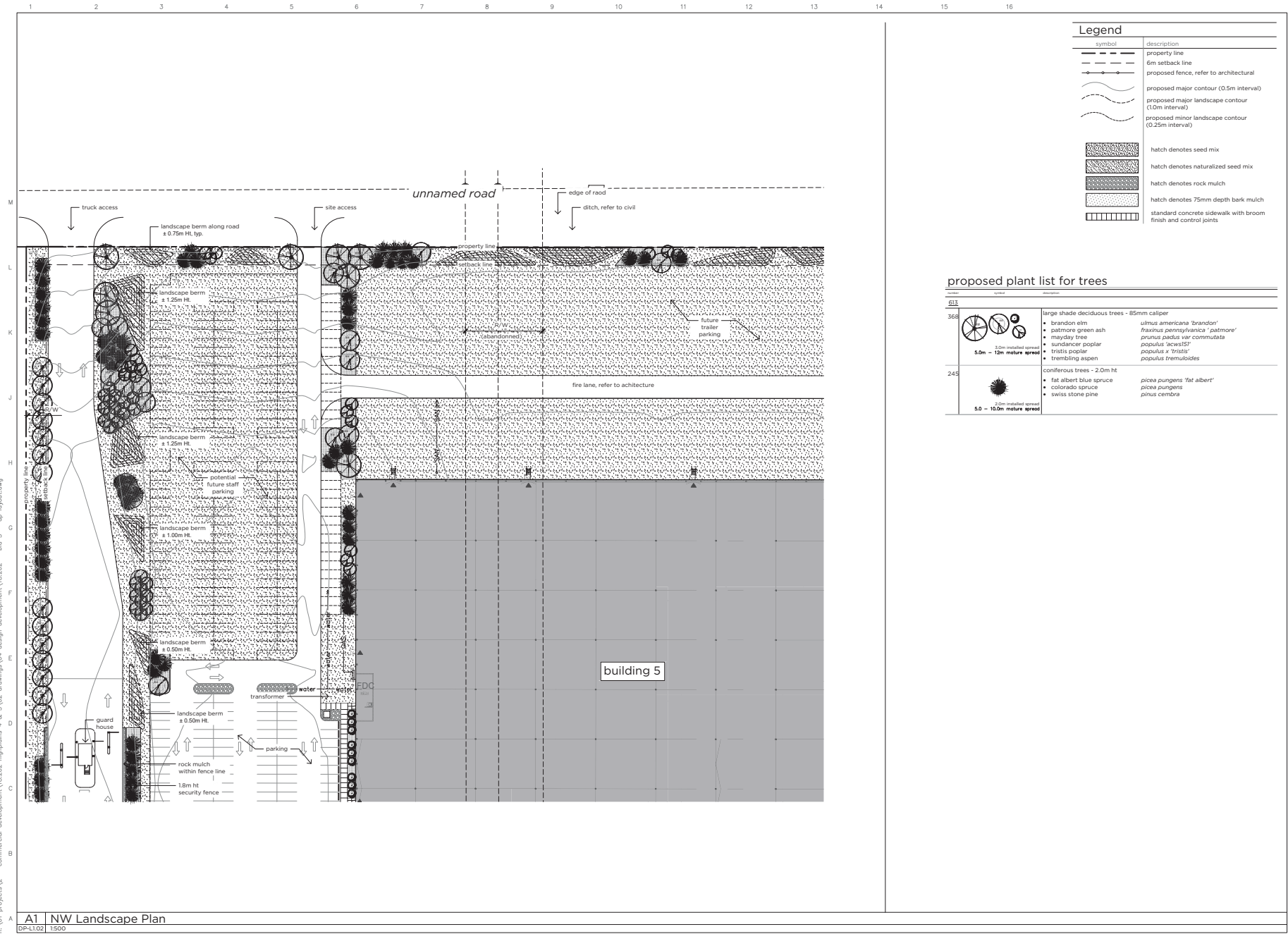
drawn	checked	approved
mg	jb	js

project #
18.202

date
2020/02/25

drawing
overall landscape plan

sheet
L1.01



Legend	
symbol	description
	property line
	6m setback line
	proposed fence, refer to architectural
	proposed major contour (0.5m interval)
	proposed major landscape contour (10m interval)
	proposed minor landscape contour (0.25m interval)
	hatch denotes seed mix
	hatch denotes naturalized seed mix
	hatch denotes rock mulch
	hatch denotes 75mm depth bark mulch
	standard concrete sidewalk with broom finish and control joints

proposed plant list for trees	
number	description
368	large shade deciduous trees - 85mm caliper <ul style="list-style-type: none">• brandon elm• palmere green ash• mayday tree• sundancer poplar• tristis poplar• trembling aspen• ulmus americana 'brandon'• fraxinus pennsylvanica 'palmere'• prunus padus var commutata• populus 'lacepede'• populus x 'tristis'• populus tremuloides
245	coniferous trees - 2.0m ht <ul style="list-style-type: none">• fat albert blue spruce• colorado spruce• swiss stone pine• picea pungens 'fat albert'• picea pungens• pinus cembra

- general notes
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issue	date	no.
issued for	yy/mm/dd	1
issued for draft DP	20/02/19	2
issued for DP	20/02/24	3

revision	date	no.

project	High Plains Building 5
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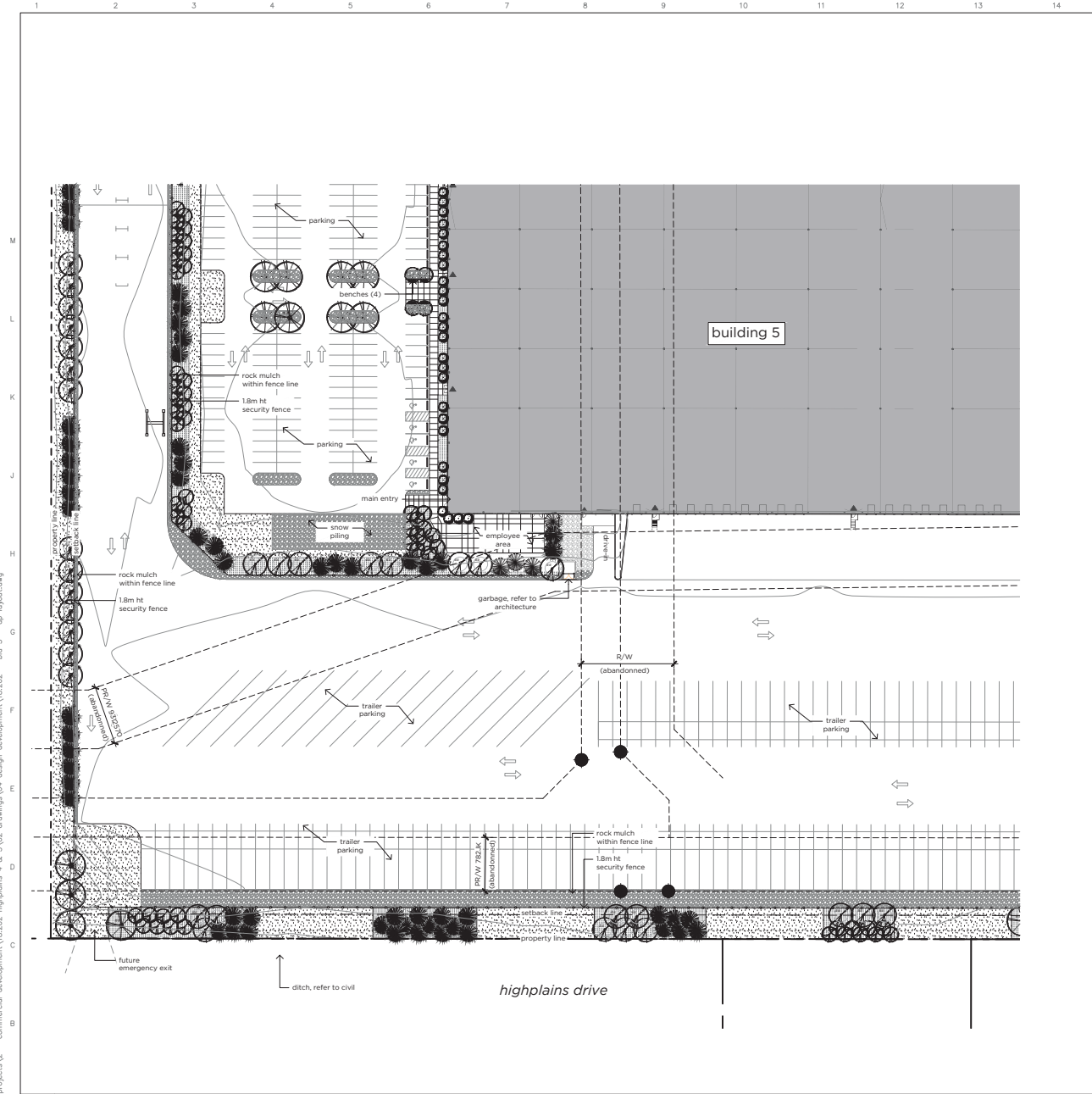
drawn	checked	approved
mg	jb	js

project #	date
18.202	2020/02/25

drawing	nw landscape plan
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	sheet
A1	L1.02

n:\01 projects\2 - commercial development\18.202 highplains 4 & 5\02 drawings\04 design development\18.202 - bid 5 - dp layout.dwg
18.202 highplains 4 & 5\02 drawings\04 design development\18.202 - bid 5 - dp layout.dwg



Legend	
symbol	description
	property line
	6m setback line
	proposed fence, refer to architectural
	proposed major contour (0.5m interval)
	proposed major landscape contour (10m interval)
	proposed minor landscape contour (0.25m interval)
	hatch denotes seed mix
	hatch denotes naturalized seed mix
	hatch denotes rock mulch
	hatch denotes 75mm depth bark mulch
	standard concrete sidewalk with broom finish and control joints

proposed plant list for trees		
number	symbol	description
613		large shade deciduous trees - 85mm caliper
368		ulmus americana 'brandon'
		fraxinus pennsylvanica 'patmore'
		prunus padus var commutata
		populus 'lacepede'
		populus x 'tristis'
		populus tremuloides
245		coniferous trees - 2.0m ht
		fat albert blue spruce
		picea pungens 'fat albert'
		colorado spruce
		picea pungens
		swiss stone pine
		pinus cembra

- general notes
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issue	date	no.
issued for	yy/mm/dd	1
issued for draft DP	20/02/19	2
issued for DP	20/02/24	3

revision	date	no.

project
High Plains
Building 5

drawn
mg

checked
jb

approved
js

project #
18.202

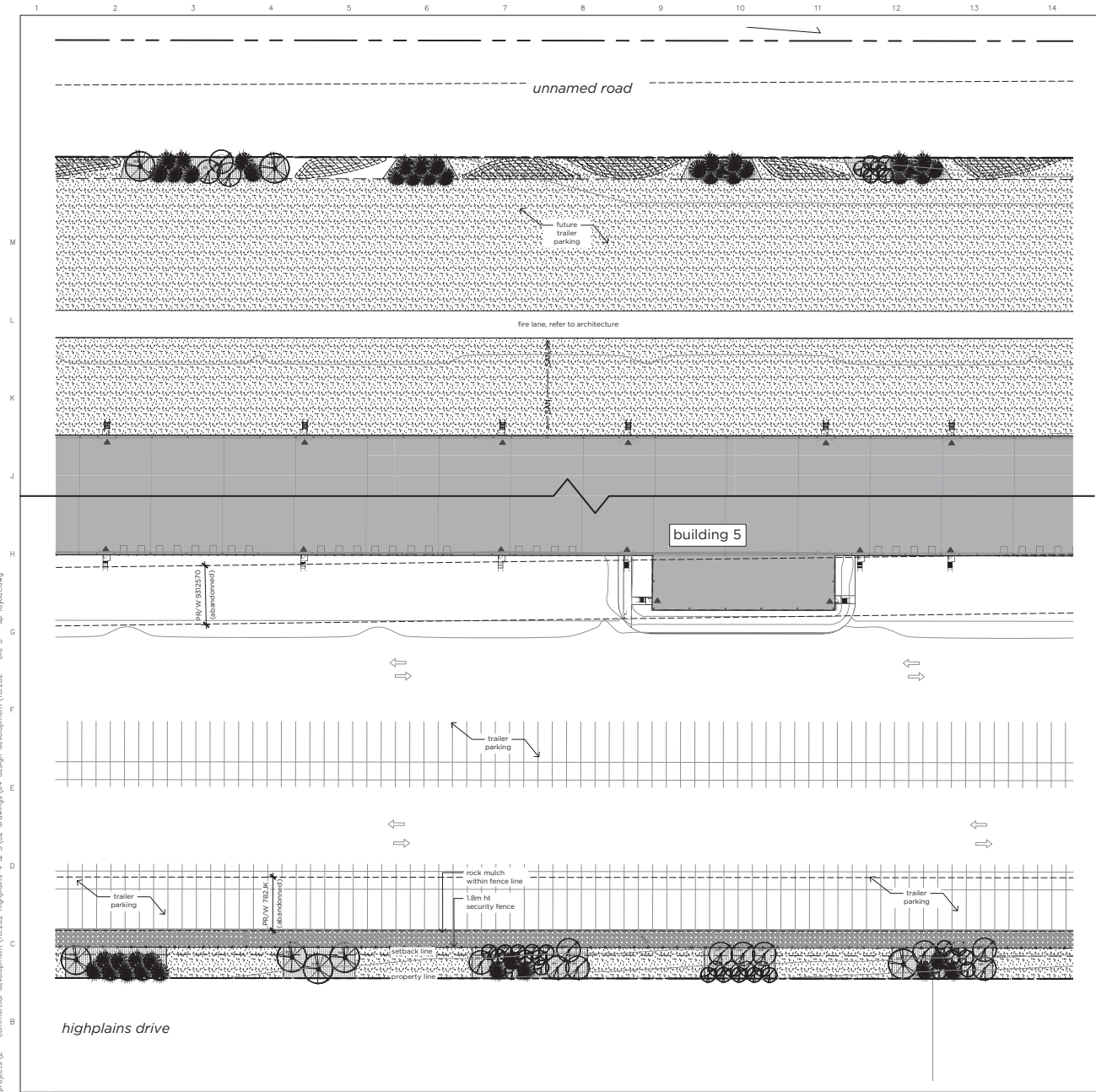
date
2020/02/25

drawing
sw landscape plan



sheet
L1.03

A1 SW Landscape Plan
DP-L1.03 1500



Legend

symbol	description
	property line
	6m setback line
	proposed fence, refer to architectural
	proposed major contour (0.5m interval)
	proposed major landscape contour (10m interval)
	proposed minor landscape contour (0.25m interval)
	hatch denotes seed mix
	hatch denotes naturalized seed mix
	hatch denotes rock mulch
	hatch denotes 75mm depth bark mulch
	standard concrete sidewalk with broom finish and control joints

proposed plant list for trees

number	symbol	description
368		large shade deciduous trees - 85mm caliper <ul style="list-style-type: none">• brandon elm• palmore green ash• mayday tree• sandacer poplar• tristis poplar• trembling aspen• ulmus americana 'brandon'• fraxinus pennsylvanica 'palmore'• prunus padus var commutata• populus 'laceps15'• populus x 'tristis'• populus tremuloides
245		coniferous trees - 2.0m ht <ul style="list-style-type: none">• fat albert blue spruce• colorado spruce• swiss stone pine• picea pungens 'fat albert'• picea pungens• pinus cembra

general notes

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issue	date	no.
issued for	yy/mm/dd	1
issued for draft DP	20/02/19	2
issued for DP	20/02/24	3

revision	date	no.

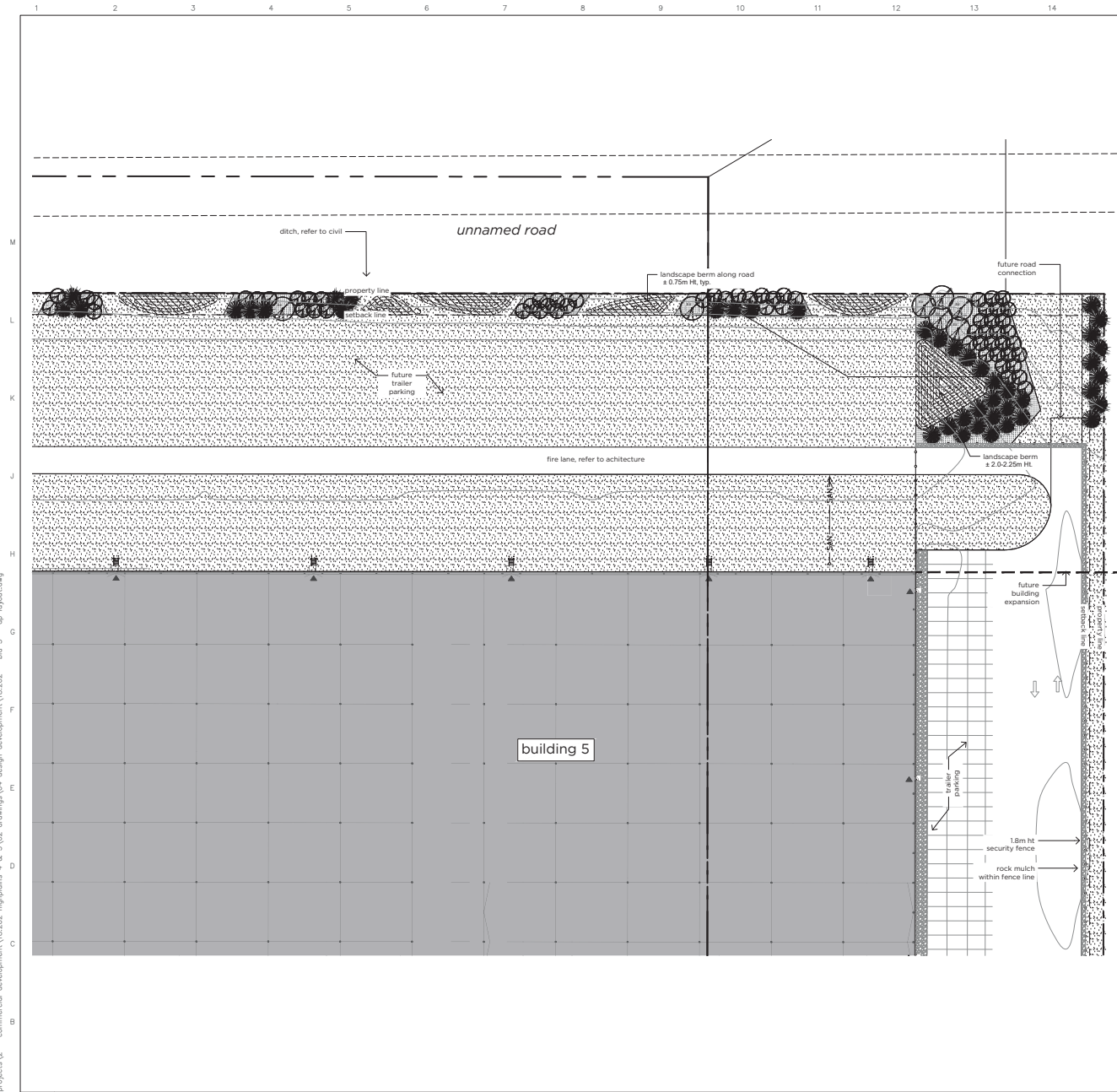
project	High Plains Building 5
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drawn	checked	approved
mg	jb	js

project #	date
18.202	2020/02/25

drawing	mid building landscape plan
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	sheet
	L1.04



Legend

symbol	description
	property line
	6m setback line
	proposed fence, refer to architectural
	proposed major contour (0.5m interval)
	proposed major landscape contour (10m interval)
	proposed minor landscape contour (0.25m interval)
	hatch denotes seed mix
	hatch denotes naturalized seed mix
	hatch denotes rock mulch
	hatch denotes 75mm depth bark mulch
	standard concrete sidewalk with broom finish and control joints

proposed plant list for trees

number	symbol	description
368		large shade deciduous trees - 85mm caliper <ul style="list-style-type: none">• brandon elm• palmere green ash• mayday tree• sundancer poplar• tristis poplar• trembling aspen• ulmus americana 'brandon'• fraxinus pennsylvanica 'palmere'• prunus padus var commutata• populus 'lacepede'• populus x 'tristis'• populus tremuloides
245		coniferous trees - 2.0m ht <ul style="list-style-type: none">• fat albert blue spruce• colorado spruce• swiss stone pine• picea pungens 'fat albert'• picea pungens• pinus cembra

general notes

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issue	date	no.
issued for	yy/mm/dd	1
issued for draft DP	20/02/19	2
issued for DP	20/02/24	3

revision	date	no.

project
High Plains
Building 5

drawn
mg

checked
jb

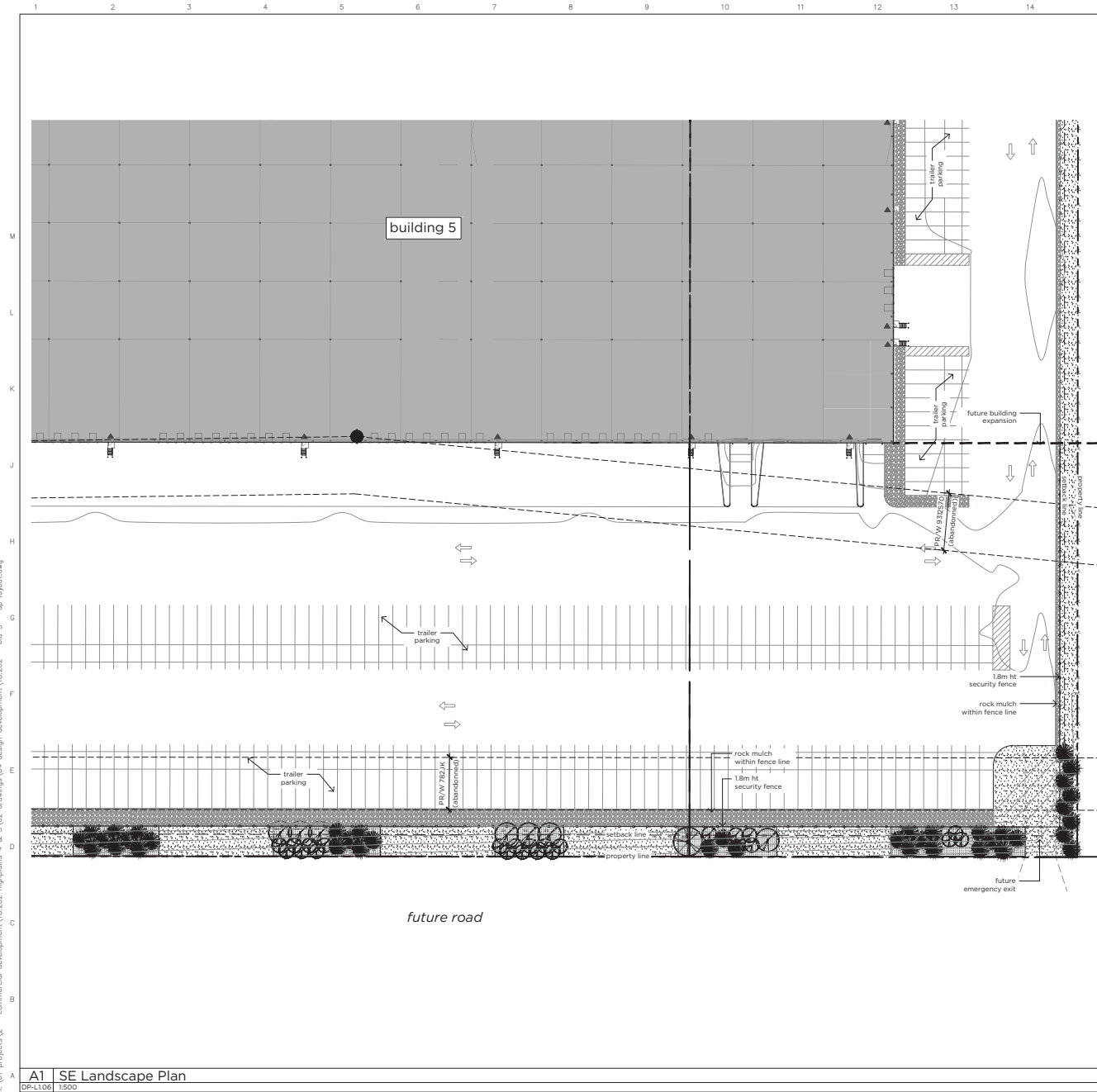
approved
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project #
18.202

date
2020/02/25

drawing
ne landscape plan

sheet
L1.05



Legend

symbol	description
	property line
	6m setback line
	proposed fence, refer to architectural
	proposed major contour (0.5m interval)
	proposed major landscape contour (1.0m interval)
	proposed minor landscape contour (0.25m interval)
	hatch denotes seed mix
	hatch denotes naturalized seed mix
	hatch denotes rock mulch
	hatch denotes 75mm depth bark mulch
	standard concrete sidewalk with broom finish and control joints

proposed plant list for trees

number	symbol	description
368		large shade deciduous trees - 85mm caliper <ul style="list-style-type: none">• brandon elm• palmore green ash• mayday tree• sundancer poplar• tristis poplar• trembling aspen• ulmus americana 'brandon'• fraxinus pennsylvanica 'palmore'• prunus padus var commutata• populus 'lewisii'• populus x 'tristis'• populus tremuloides
245		coniferous trees - 2.0m ht <ul style="list-style-type: none">• fat albert blue spruce• colorado spruce• swiss stone pine• picea pungens 'fat albert'• picea pungens• pinus cembra

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issue	date	no.
issued for	yy/mm/dd	1
issued for draft DP	20/02/19	2
issued for DP	20/02/24	3

revision	date	no.

project
High Plains
Building 5

drawn
mg

checked
jb

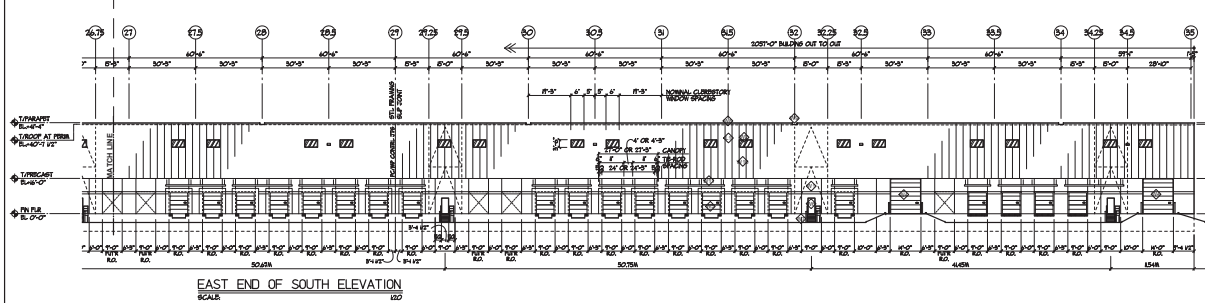
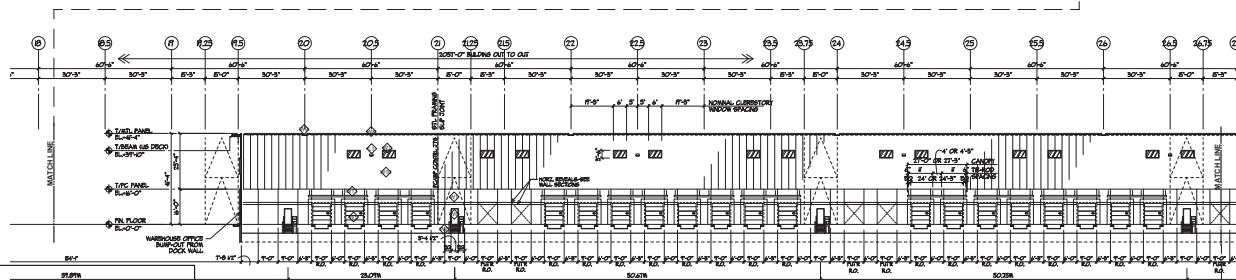
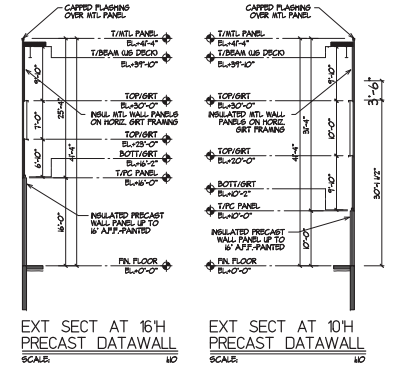
approved
js

project #
18.202

date
2020/02/25

drawing
se landscape plan

sheet
L1.06



CLEAR HT. AND ROOF CALCULATIONS	
CLEAR HEIGHT	36'-0"
JOIST DEPTH (INCLUDES STAGING BAY)	40"
UNDERSIDE OF INT'L DECK	37'-4"
ROOF PITCH USING STEEL FRAMING	6"
W/16 INT'L ROOF DECK AT PERIM./H.	37'-0"
METAL DECK	1"
ROOF INSULATION	8" 1/2"
TOP OF ROOF ELEVATION (AT HIGH POINT AND ROOF PERIMETER)	40'-7 1/2"
TOP OF ROOF ELEVATION (AT ROOF LEAK LOCATIONS)	40'-1 1/2"
T/METAL SIDING PARAPET	41'-4"
T/PRECAST PARAPET AT MAIN ENTRY	45'-0"
JOIST GAGE	5"
JOIST BEARINGS AT LOW POINT	38'-4"
JOIST BEARINGS AT HIGH POINT AND ROOF PERIMETER	39'-5"
ELEVATIONS AND CALCULATION TO BE VERIFIED ONCE STEEL FRAMING PLANS ARE SUBMITTED AND REVIEWED.	
* MINIMUM CLEAR HEIGHT OF 36'-0" DOES NOT APPLY TO THE STEEL BEARING AT THE SOUTH STAGING BAY.	

[illegible][illegible]

SCUPPER OPENING THRU WALL, PANE.

REFRIGERATED, INSULATED UNIT, SANDWICH PANEL CONSTRUCTION. FINISHES, COLORS, TEXTURES AND FINISH TO BE SELECTED BY ARCHITECT.

REFRIGERATED AND VENTED CANOPY OVER THE ROOF TO PRESENT PANE WITH THERMO STAINED FINISHING TO MATCH THE DRAPING. FINISHES, COLORS, TEXTURES AND FINISH TO BE SELECTED BY ARCHITECT.

MECH. RM DEMISING WALL

CONCRETE BLOCK WITH REINFORCING AND INSULATION TO BE SELECTED BY ARCHITECT. TO BE CONSTRUCTED TO UNDERGO OF METAL CLADDING. FINISHES, COLORS, TEXTURES AND FINISH TO BE SELECTED BY ARCHITECT. ELECTRICAL DRAWINGS FOR DETAILS TO BE SUBMITTED BY ARCHITECT.

WALL TO BE UL-94B 2-RK RATED

ROOF

BALLASTED DRAIN MEMBRANE OVER 4" LAYERS OF INSULATION WITH TIGHTEN FASTENERS IN EACH DIRECTION. OVER 1" MINIMUM WARPING TO BE OVER ONE RISED. CORRUPTED METAL CLADDING TO BE SELECTED BY ARCHITECT. FINISHES, COLORS, TEXTURES AND FINISH TO BE SELECTED BY ARCHITECT. ELECTRICAL DRAWINGS FOR DETAILS TO BE SUBMITTED BY ARCHITECT.

SCUPPER RISER AT 1" STEEL TO ROOF HEAD

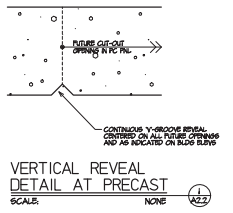
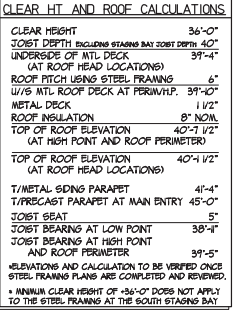
SCUPPER RISER AT 1" STEEL TO ROOF HEAD

EXT. MOUNT LIGHT FIXTURE

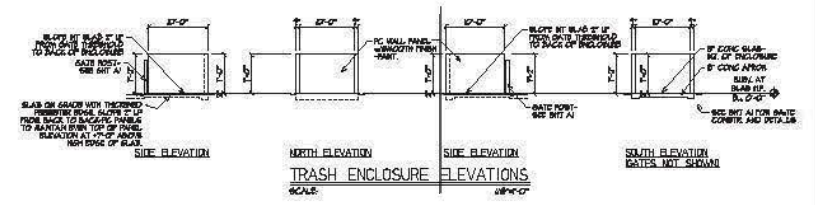
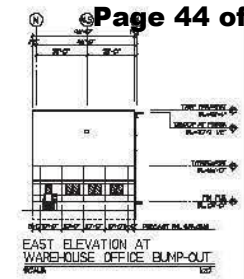
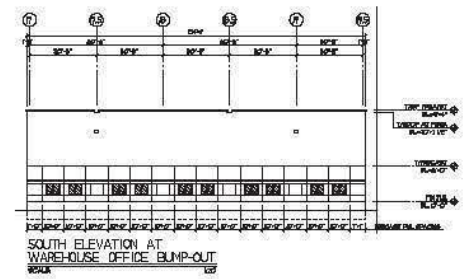
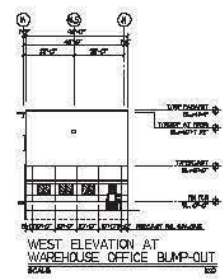
SEE SELECT DRAWING FOR FIXTURE SPEC'S

SEE SELECT DRAWING FOR FIXTURE SPEC'S

[illegible][illegible][illegible][illegible]



CLEAR HT AND ROOF CALCULATIONS	
CLEAR HEIGHT	36'-0"
JOBST DEPTH EXCLUDING STAIRS AND JOINT DEPTH	4'-0"
UNDERLAYS OF INTL DECK	3'-4"
(AT ROOF HEAD LOCATIONS)	
ROOF PITCH USING STEEL BEAMS	6'
1/2" INTL ROOF DECK AT PERIMETER	3'-4"
METAL DECK	1'-2"
ROOF INSULATION	8" NOM
TOP OF ROOF ELEVATION	40'-1 1/2"
(AT HIGH POINT AND ROOF PERIMETER)	
TOP OF ROOF ELEVATION	40'-4 1/2"
(AT ROOF HEAD LOCATIONS)	
T/METAL BEAM PARAPET	4'-0"
T/RECAST PARAPET AT MAIN ENTRY	4'-0"
JOINT BEAT	5'
JOINT BEAMS AT LOW POINT	39'-4"
JOINT BEAMS AT HIGH POINT	
AND ROOF PERIMETER	39'-5"
ELEVATIONS AND CALCULATION TO BE VERIFIED ONCE	
STEEL PLANS ARE COMPLETED AND REVERSED.	
+ MINIMUM CLEAR HEIGHT OF 40'-0" DOES NOT APPLY	
TO THE STEEL BEAMS AT THE SOUTH BEARING BAY	



OWNER
HIGHFIELD INVESTMENT GROUP
HIGH PLAINS BUILDING 5

HKS ARCHITECTURAL SERVICES
TRAVIS C. LUTHERS, ARCHITECT, AIA
4801 GARDEN AVE. SUITE 100, DALLAS, TX 75246
PHONE: 214.241.1111
FAX: 214.241.1112
WWW.HKSARCHITECTS.COM

NEW DISTRIBUTION FACILITY FOR
HIGH PLAINS BUILDING 5
PROJECT VIEW COUNTY, ALBERTA

PROJECT NO.
DRAWN BY
RUP
DATE/REVISED
ELEVATION 5/20/2018

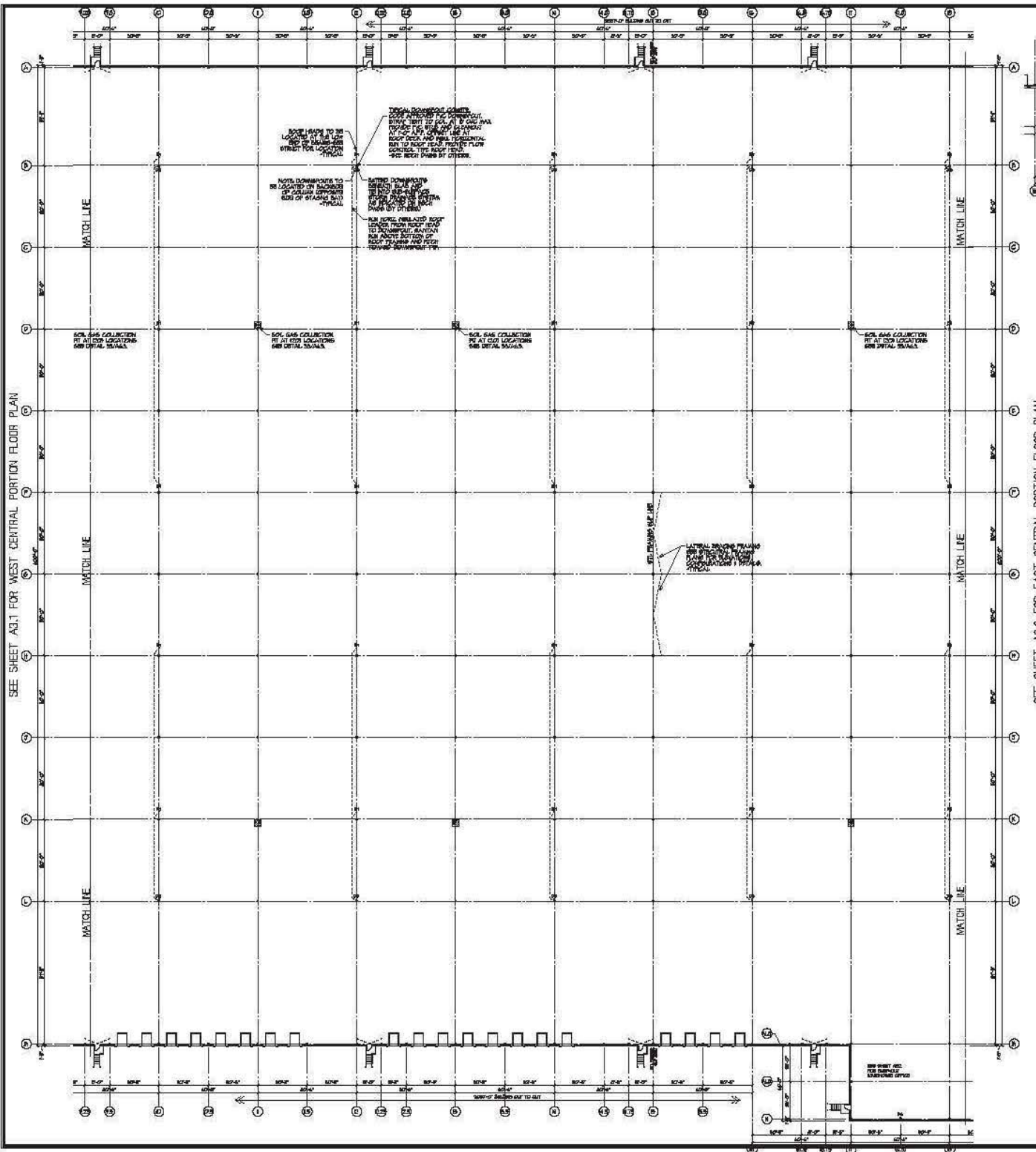
INSET 1:1
A2.3
BUILDING 5



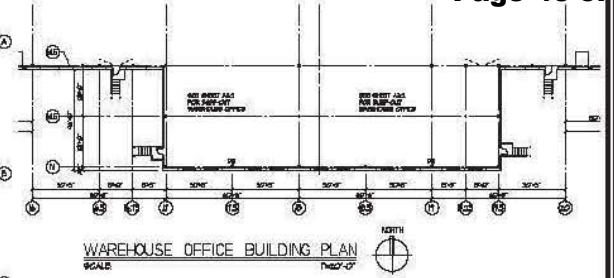


WEST PORTION BUILDING FLOOR PLAN
SCALE: 1/8"=1'-0"



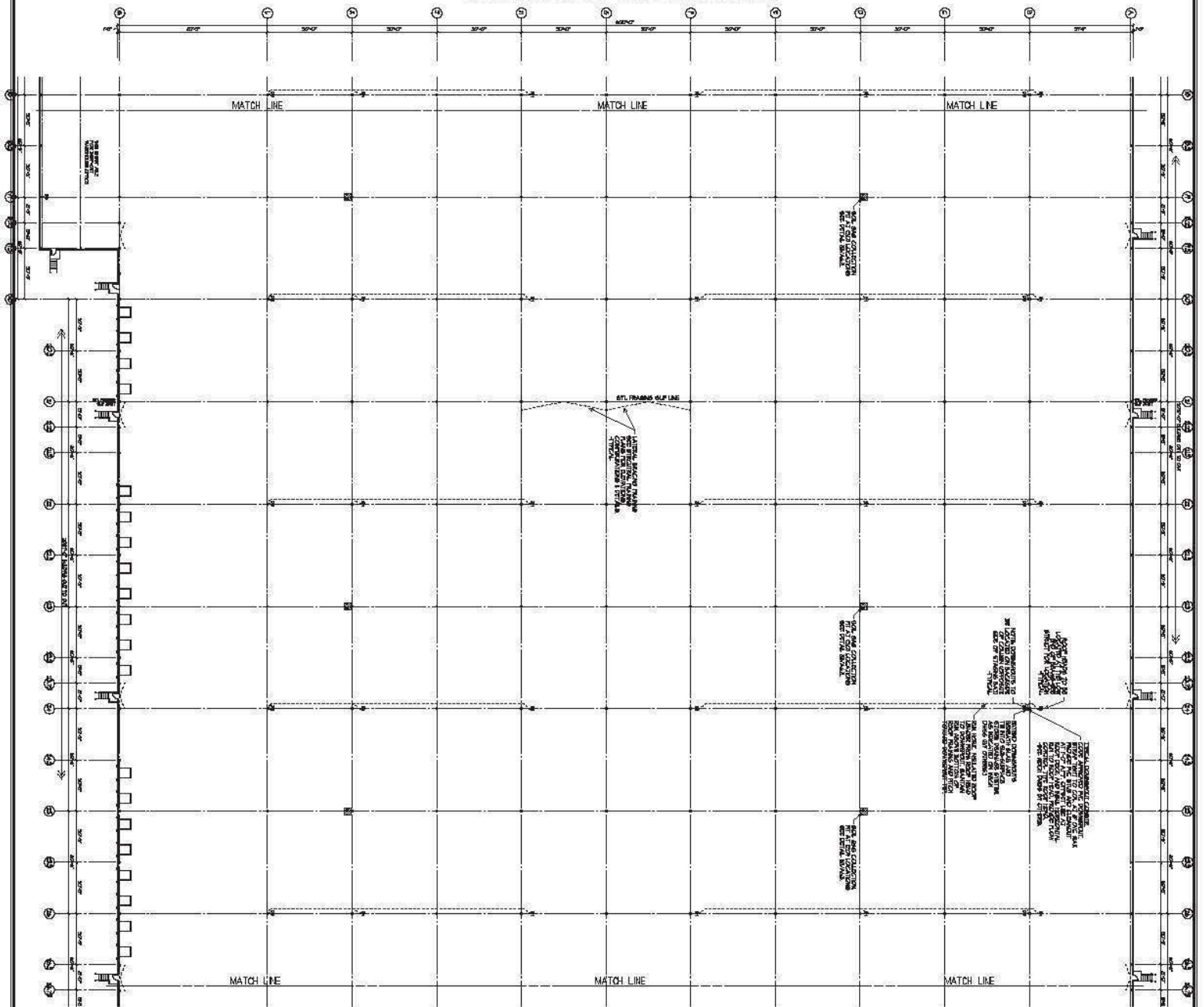


SEE SHEET A3.3 FOR EAST CENTRAL PORTION FLOOR PLAN



WEST CENTRAL BUILDING PLAN
SCALE: 1/4" = 1'-0"

SEE SHEET A3.2 FOR EAST CENTRAL PORTION FLOOR PLAN

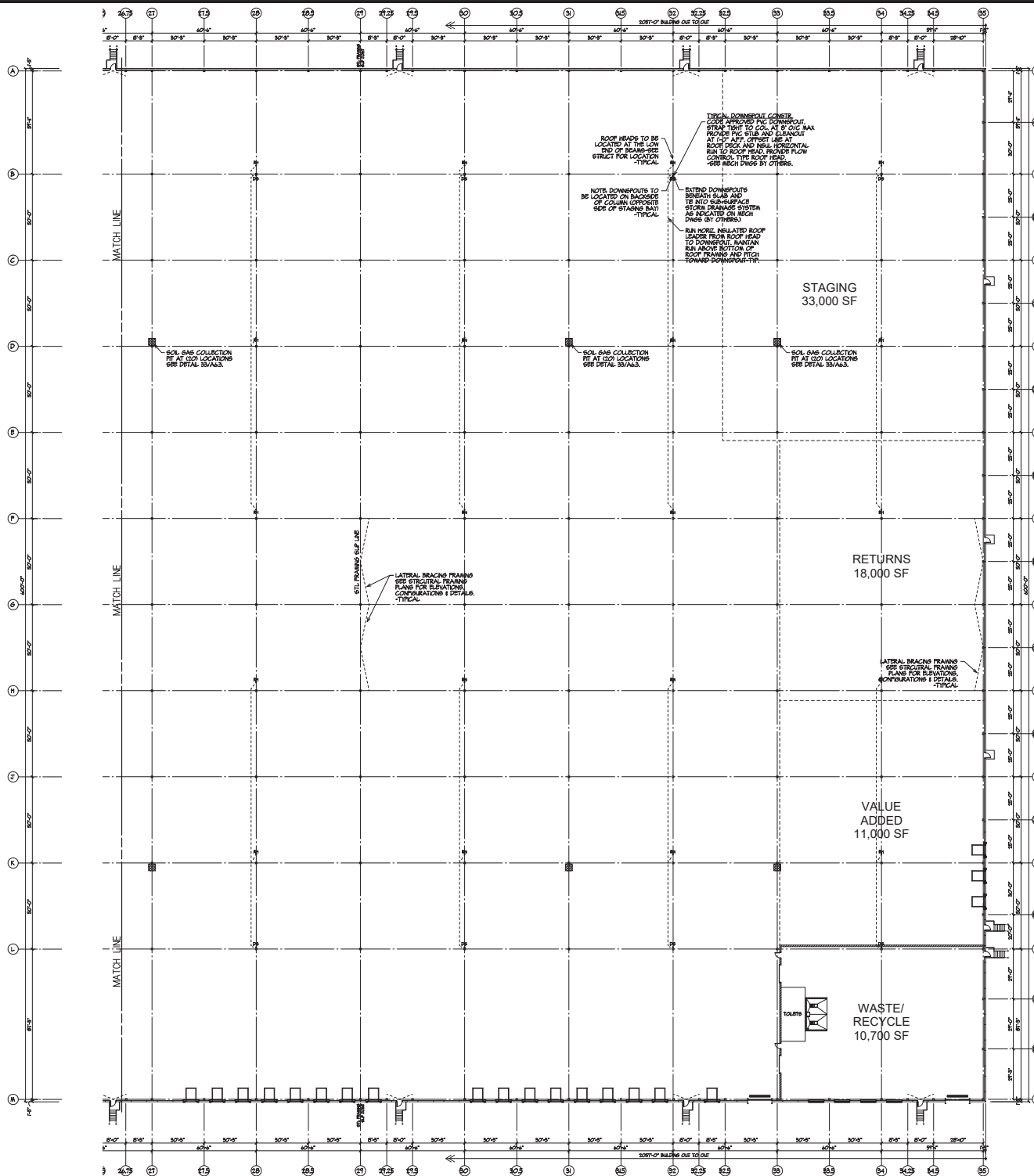


SEE SHEET A3.4 FOR EAST PORTION FLOOR PLAN

EAST CENTRAL BUILDING PLAN



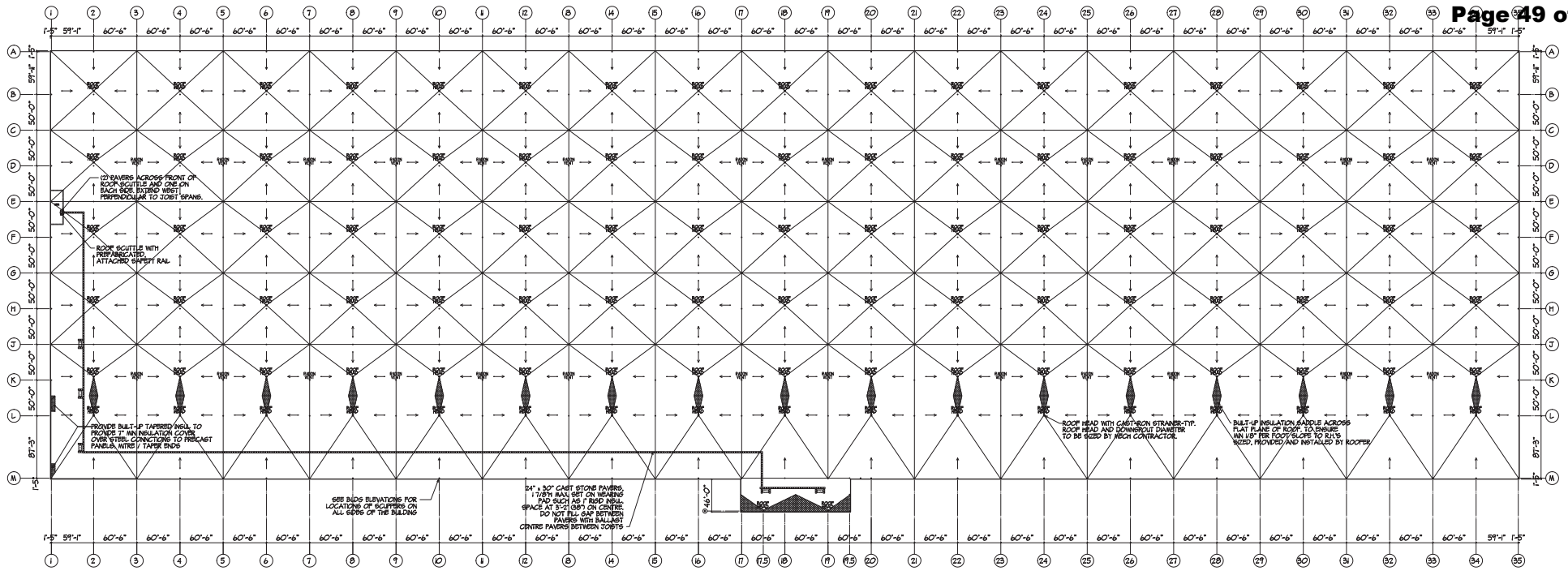
SEE SHEET A3.4 FOR EAST CENTRAL BUILDING PLAN



EAST PORTION BUILDING FLOOR PLAN
SCALE: 1/4"=1'-0"



OWNER HIGHFIELD INVESTMENT GROUP HIGH PLAINS BUILDING 5	
HK ARCHITECTURAL SERVICES PATRICK C. LARMANN ARCHITECT A.A.A. 4801 BARBARA AVE. SUITE 100-108 CALGARY, ALBERTA T2C 1A8 COPYRIGHT © 2008 BY PATRICK C. LARMANN	
NEW DISTRIBUTION FACILITY FOR HIGH PLAINS BUILDING 5 PROJECT NO. 215048 DRAWN BY: JLP DATE: 01/27/09 SHEET NO. A3.4 BUILDING 5	FOR DEVELOPMENT PERMIT FEB 24, 2009

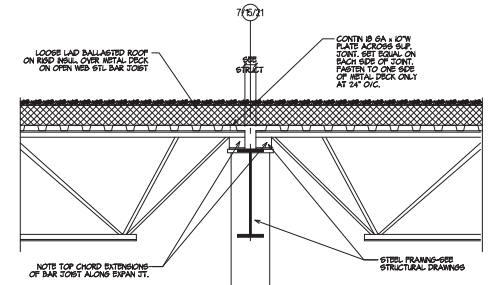


ROOF PLAN
SCALE: NONE



SEE MECHANICAL PLANS FOR ROOF TOP EQUIPMENT LOCATIONS, TYPES AND UTILITY SERVICE LINE RUNS. THIS PLAN IS PROVIDED AS A SCHEMATIC DIAGRAM. DO NOT SCALE OR MEASURE FOR DIMENSIONS OR DISTANCES. ALL ROOF HEADS TO BE LOCATED AT THE LOW POINT OF BEAM CANTILEVER OR RIDGE. PLUMBER TO COORDINATE WITH STEEL FRAMING PLANS.

NOTE: ALL ROOF TOP EQUIPMENT TO BE LOCATED AND SIZED BY MECHANICAL CONTRACTOR AND APPROVED BY OWNER. SO TO PROVIDE STRUCTURAL ENGINEER AND ARCHITECT DIMENSIONS, WEIGHTS AND LOCATIONS FOR STRUCTURAL AND ARCHITECTURAL EVALUATION. ROOF FRAMING, COLUMN SIZES AND FOOTINGS TO BE MODIFIED AS REQUIRED TO RESIST LOADS AND SNOW DRIFTING LOADS IMPARTED BY EQUIPMENT.



ROOF DETAIL AT EXPAN. JT.
SCALE: 1/4\"/>

OWNER
HIGHFIELD INVESTMENT GROUP
HIGH PLAINS BUILDING 5

HK ARCHITECTURAL SERVICES
PATRICK C. CLARKE ARCHITECT A.A.
4801 BARBARA AVE. SUITE 1000-100
EDMONTON, ALBERTA T6C 1A8
CANADA
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NEW DISTRIBUTION FACILITY FOR
HIGH PLAINS BUILDING 5
3000
ROCKY VIEW COUNTY, ALBERTA

FOR DEVELOPMENT PREP
FEB 24, 2020

PROJECT NO.
DRAWN BY
CHECKED BY
DATE
SHEET NO.
A4
BUILDING 5



PLANNING AND DEVELOPMENT SERVICES

TO: Municipal Planning Commission
DIVISION: 04
SUBJECT: Development Item: Religious Assembly
USE: Discretionary, with Variances

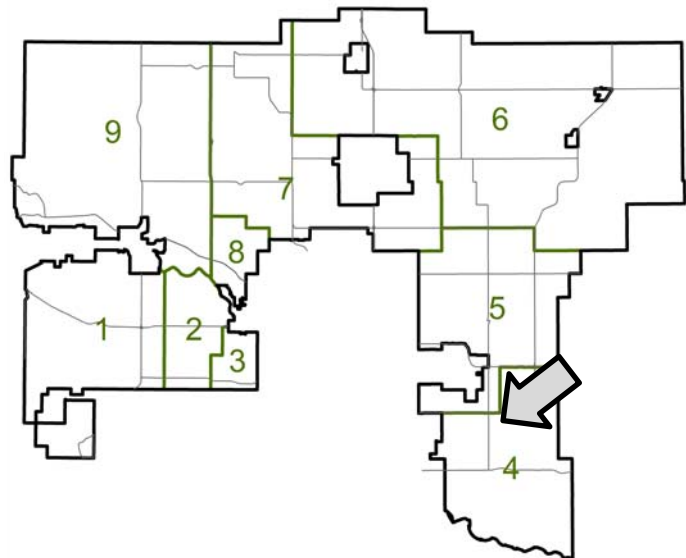
DATE: April 6, 2020
APPLICATION: PRDP20194369

APPLICATION: Religious Assembly (existing building), dwelling unit accessory to the principal use, construction of an addition and accessory building, relaxation of the maximum building area requirement and signage

GENERAL LOCATION: located approximately 0.81 km (1/2 mile) south of Hwy. 560 and on the east side of Hwy. 791

LAND USE DESIGNATION: Public Services District (PS)

ADMINISTRATION RECOMMENDATION:
 Administration recommends approval in accordance with Option #1.

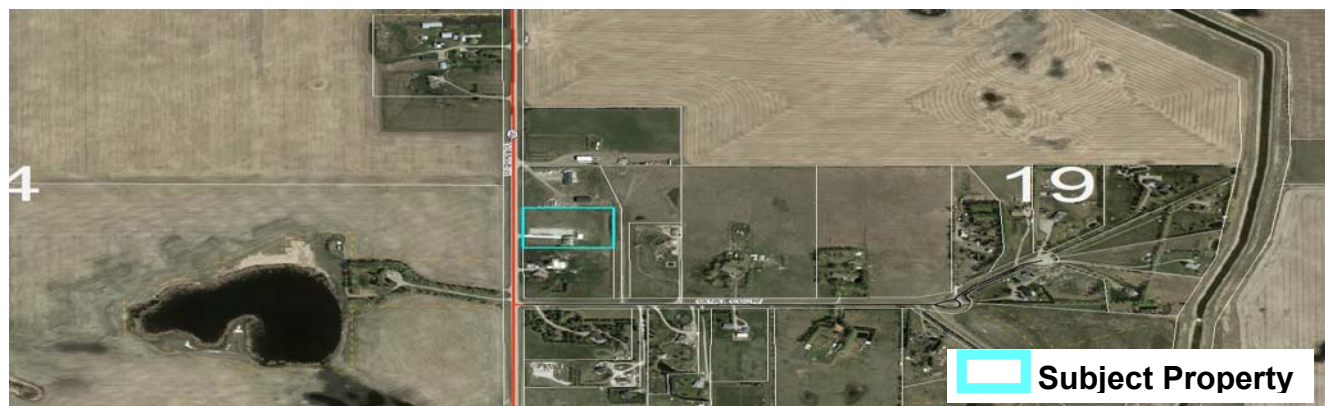


Variance	Requirement	Proposed	Percentage (%)
Maximum Accessory Building Area	90.00 sq. m (968.75 sq. ft.)	109.80 sq. m (1,181.88 sq. ft.)	22.0%

OPTIONS:

- Option #1: THAT Development Permit Application PRDP20194369 be approved with the conditions noted in the report.
- Option #2: THAT Development Permit Application PRDP20194369 be refused as per the reasons noted.

AIR PHOTO & DEVELOPMENT CONTEXT:



DEVELOPMENT PERMIT REPORT

Application Date: November 29, 2019	File: 03219028
Application: PRDP20194369	Applicant: Amphon Phiaxay (Calgary Lao Buddhist Society)
Legal Description: Lot 22, Block 1, Plan 0714198, W1/2-19-23-27-W04M	General Location: 0.8 km (1/2 mile) east of Rge. Rd. 270 on Twp. Rd. 274
Land Use Designation: Public Services District	Gross Area: ± 1.62 hectares (± 4.0 acres)
File Manager: Andrea Bryden	Division: 04

PROPOSAL:

The proposal is for a religious assembly (existing building) [change of use], dwelling unit accessory to the principal use, construction of an addition [approximately ± 59.02 m (± 635.29 sq. ft.)] and accessory building, relaxation of the maximum building area requirement and signage [freestanding monument sign]

The existing building was approved as a single detached dwelling but has been operating as a religious assembly from this location for 10 years, with two monks residing onsite. The appearance of the structure will not be altered with the exception of an addition to the rear of the structure and will be used as an entrance and additional prayer space. The freestanding sign will be located at the front entrance of the property. The accessory building will be used for storage and will be located to the rear of the religious assembly.

Religious Assembly Information:

Name: Calgary Lao Buddhist Society
Hours of Operation: Daily from 9:00 am to 7:00 pm.
Parking on site: Parking available onsite, directly north of the driveway.
Signage: Freestanding monument sign located at the entrance of the property.

Land Use Bylaw:

Section 8 Definitions

Religious Assembly means a development owned by a religious organization used for worship and related religious, philanthropic, or social activities and includes accessory rectories, manses, meeting rooms, classrooms, dormitories, and other buildings. Typical facilities would include churches, chapels, mosques, temples, synagogues, parish halls, convents, and monasteries.

Sign means an object or device intended for the purpose of advertising or calling attention to any person, matter, thing, or event.

Section 65 *Public Services District (PS)*

65.2 *Uses, Permitted*

Accessory buildings less than 90.00 sq. m (968.75 sq. ft.) building area.

- Proposed: 109.8 sq. m (1,181.88 sq. ft.) building area
 - Requires a relaxation of 22 %

65.3 *Uses, Discretionary*

Religious Assembly

Signs

65.5 *Minimum Requirements*

(b) Yard, Front:

(ii) 60.00 m (196.85 ft.) from any road, highway

Existing Dwelling: 61.60 m (202.10 ft.)

Accessory Building: Lots

(c) Yard, Side:

(v) 6.00 m (19.69 ft.) from all other

Existing Dwelling (south): 9.00 m (29.53 ft.)

Existing Dwelling (north): Lots

Accessory Building: Lots on both sides

(d) Yard, Rear

(ii) 15.00 m (49.21 ft.)

Proposed Addition to Dwelling: 62.90 m (206.00 ft.)

Accessory Building: 41.80 m (158.00 ft.)

65.6 *Maximum Requirements*

(a) Maximum Height:

(i) 10.00 m (32.81 ft.) – principal building

(ii) 5.5 (18.04 ft.) – accessory building

Proposed Addition to Dwelling: 3.44 m (11.29 ft.)

Accessory Building: 4.3 m (14.12 ft.)

65.7 *Special Requirements*

A minimum of 10% of the site area shall be landscaped.

- The subject land is 1.62 hectares (4.0 acres); the minimum landscaped area should be 1,618.44 sq. m (10% × 16,187.44 sq. m).
 - Prior to issuance, a detailed landscape plan shall be provided in accordance with Section 26 of the Land Use Bylaw.

Parking:

Section 30 *Parking and Loading*

The Schedule 5 parking schedule lists a number of parking stalls required for land uses. Parking requirements for Religious Assemblies is considered:

Religious Assemblies: 1 per 4 fixed seating spaces, plus 20 per 100 sq. m (1,076.4 sq. ft.) gross floor area used for assembly, recreation, or other ancillary uses.

- $120 \text{ people} * 0.25 = 30 + 190.45 \text{ sq. m} * 20/100 = 38.0$

Total = $30 + 38 = 68$ parking stalls

- **Required = 68**
- **Proposed = 75**

30.1 (h)(i) *Parking stall for the disabled shall be provided in accordance with the Alberta Building Code.*

- Table 3.8.2.2 Designated Parking Spaces of Alberta Building Code (ABC) lists the required disabled parking stalls. For example, 51-100 regular parking stalls will require 4 disabled parking stalls
- Therefore, 4 disabled parking stalls are required.
 - Prior to issuance condition, the Applicant shall provide a revised parking plan showing 68 parking stalls including 4 disabled parking stalls.

30.1 (k)(i) *Each required space shall be minimum of 2.59 m (8.53 ft.) in width and a minimum of 5.48 m (18.04 ft.) in length.*

- Prior to issuance condition, the Applicant shall provide a revised parking plan demonstrating width and length of the parking stall in accordance with Section 30.1 (k)(i) of the Land Use Bylaw.

30.1 (k)(iv) *Disabled parking stalls shall be a minimum of 3.69 m (12.07 ft.) in width.*

- Prior to issuance condition, the Applicant shall provide a revised parking plan showing the disabled parking stalls in accordance with the Alberta Building Code requirements.

Lighting

Section 27.2 a) *Outdoor lighting on any development shall comply with the following provisions:*

- (i) *All developments shall use full cut-off (shielded) outdoor light fixtures that direct the light downward;*
 - (ii) *no light structure shall exceed a height of 7.62 m (25.00 ft.); and no light shall be attached to a structure above a height of 7.62 m (25.00 ft.) along that structure*
- Lighting components were not identified with the application
 - Prior to issuance, a lighting plan will be required to confirm dark-sky compliance with the County regulations

Signage:

Section 35 *Sign Regulations*

The proposed sign is located at the front entrance of the property over the driveway. It will be located approximately 25.0 m from the centerline of the highway or 10.0 m from the front property line. The sign is approximately 6.0 m in height, 8 meters wide, with 7 metered between the posts.

35.7 *No signs of any kind shall be permitted within 0.80 km (0.49 miles) of any road, highway unless the proper approval of Alberta Transportation has been obtained, if required.*

- Prior to issuance, a roadside development permit for the sign shall be issued by Alberta Transportation.

Additional Information:

Building Permit History:

- 2005-DP-18123 Building permit for dwelling.

Land Use Planning History:

September 24, 2019 Applications PL20180126/127 to adopt the Calgary Lao Buddhist Society Master Site Development Plan and redesignation from Residential Two District to Public Services District was approved.

Alberta Transportation Approval:

- RSDP026466-1 Establish a Buddhist Template Issued September 9, 2019

STATUTORY PLANS:

This property falls within the Lao Buddhist Temple Master Site Development Plan and has been evaluated in accordance with this document and the Land Use Bylaw.

INSPECTOR'S COMMENTS:

- House at the end of the driveway with a shrine in front. Parking pad to the north of the house. Behind house is a large tarp Quonset, two RVs parked on the parcel. Behind of house has a covered patio with a large statue. Shed to the south of house and covered deck with glass walls. No signage indicating this place as a place of religious assembly.

CIRCULATIONS:

Alberta Health Services (January 24, 2020)

I would like to confirm that Alberta Health Services, Environmental Public Health has received the above-noted application. At this time, we do not have any concerns with the information as provided.

AHS-EPH notes that plans include the installation of a larger holding tank for potable water as well as the expansion of the septic tank. We would like to remind the Applicant that these changes and all other activities on the property must comply with the *Alberta Public Health Act, Nuisance and General Sanitation Regulation* (AR 243/2003). If they wish to communicate directly with a Public Health inspector regarding the requirements, Applicants can contact Alberta Health Services, Environmental Public Health at (403) 943-2288, or email calgaryzone.environmentalhealth@ahs.ca.

Alberta Transportation (February 7, 2020)

In reviewing the application, the proposed development falls within the control distance of a provincial highway as outlined in the *Highways Development and Protection Act/Regulation*, and will require a roadside development permit from Alberta Transportation.

The application form and instructions can be obtained from the department's website at <https://www.alberta.ca/roadside-development-permits.aspx>.

The department has the following additional comments on the referral:

- The Traffic Report must be revised to incorporate the proposed addition to the building.

Building Services Review (February 10, 2020)

- a) Prior to Issuance- provide 3.2.2 Building Code analysis to Building Services and Fire Services for the assembly use.
- b) Prior to issuance - provide Hydrant location, the hydrant location may apply depending on the 3.2.2 classification chosen, Access Routes location and design and water supply.
- c) Prior to Issuance-development to determine if number of parking stalls will increase and list the number of stalls required to determine any barrier free stall locations.
- d) Advisory condition-dimensioned site plan with dimensions to the hydrant and Siamese connection/front entry, access route design and water supply that conform to the ABC 2014 articles below shall be applicable.
- e) Advisory condition – All Buildings shall conform to the National Energy Code 2011, with documentation/design at Building Permit stage. <http://www.rockyview.ca/Portals/0/Files/BuildingPlanning/Building/resources/NECB-Submission-Requirements.pdf>
- f) Advisory condition- Applicant is required to submit a Building permit application using our industrial/commercial/institutional checklist- https://www.rockyview.ca/Portals/0/Files/BuildingPlanning/Building/checklists/Commercial-Industrial-Institutional_Checklist.pdf
- g) The drawings and information listed in the checklist from items 1-11 (as applicable) shall be submitted as part of the Building permit application in a complete and satisfactory manner.

Development Compliance Officer Review (January 17, 2020)

- Recommend that noise control measures be required during construction work and hours of operation;
- Recommend that applicant be required to provide a report from a qualified professional outlining pre and post work grades in order to confirm compliance with any approvals for the water tank;
- Recommend all road permits that may be required are obtained due to the increase in traffic;
- All signage to comply with the land use bylaw requirements.

Fire Services Review

- Comments not received.

Operations Division Review

Transportation Services:



- Application involves Development along Alberta Transportation Road Allowance. Therefore, recommend applications to be circulated to Alberta Transportation for review and comments.

Utility Service:

- No concerns.

Planning and Development Services - Engineering Review:

General:

- The review of this file is based upon the application submitted. These conditions/recommendations may be subject to change to ensure best practices and procedures.
- As per the application, the applicant is proposing to change use of an existing building to religious assembly as well as, construct an addition to the building.

Geotechnical:

- As per GIS contour information, slopes greater than 15% are not observed.
- Engineering has no requirements at this time.

Transportation:

- Approach to the subject lands is via an access road off Sec Hwy 791.
- Prior to issuance of DP, the applicant will be required to obtain a roadside DP from AT as the subject lands are adjacent to Highway 791
- The applicant will be required to pay the transportation offsite levy (base + special area 7 levy), as per the applicable TOL bylaw at time of DP issuance. The applicant will be required to submit a revised site plan identifying the development area of the proposal.
 - 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 area (as defined in the Land Use Bylaw)
- The applicant has provided a traffic memo prepared by Scheffer Andrew Ltd. in support of the application which indicated the proposed development generates an insignificant amount of traffic. Engineering has no further concerns at this time.

Sanitary/Waste Water:

- Prior to issuance, the applicant will be required to provide detailed wastewater projections and an assessment of the existing PSTS to determine if the existing system is suitable to support the proposed development. Should the PSTS not be suitable, the applicant will be required to install an appropriately sized sewage holding tank support the proposed development in accordance with County Policy 449.

Water Supply and Waterworks:

- The applicant is intending to install an underground water tank (3000 to 4500 L) for use in addition to the existing water well on the property. The County does not have concerns with this proposal as trucked water is the preferred method of water supply for commercial applications.
- The applicant provided a water supply evaluation prepared by Groundwater Information Technologies Ltd. as part of the previous re-designation application (PL20180127) which



indicated a total projected potable water demand of 300 cu. m per year as an estimated requirement. Engineering has no further concerns at this time.

Storm Water Management:

- Prior to issuance, applicant will be required to provide a Stormwater Memorandum completed by a professional Engineer, confirming the overall site drainage pre/post development. The memorandum must also establish that the adjacent properties will not be affected by the resulting storm water drainage from the proposed development.

Environmental:

- As the applicant is not proposing any further redevelopment nor do wetlands appear to exist on the subject lands, Engineering has no further concerns at this time.

OPTIONS:

Option 1: (this would allow the proposed development)

APPROVAL, subject to the following conditions:

Description:

- 1) That a Religious Assembly (existing building), may take place on the subject parcel in accordance with the site plan and drawings submitted with the application and includes:
 - i) a Religious Assembly (with the existing building);
 - ii) Dwelling unit accessory to the principal use;
 - iii) Construction of an addition (to the existing building), approximately \pm 59.02 m (635.29 sq. ft.) in area;
 - iv) Construction of an accessory building (storage building);
 - v) Signage, including one monument freestanding sign;
- 2) That the maximum building area for the accessory building is relaxed from 90.00 sq. m (968.75 sq. ft. to 109.8 sq. m (1,181.88 sq. ft.) in area.

Prior to Issuance:

- 3) That prior to issuance of this permit, the Applicant/Owner shall submit a revised parking plan, identifying a minimum of 68 parking stalls, including 4 barrier free stalls and compliance of Section 30 regulations of the Land Use Bylaw.
- 4) That prior to issuance of this permit, the Applicant/Owner shall submit a landscaping plan in accordance with Section 65.7 and Section 26 regulations of the Land Use Bylaw.
- 5) That prior to issuance of this permit, the Applicant/Owner shall submit lighting details for any mounted or site lighting, in accordance with Section 27 regulations of the Land Use Bylaw.
- 6) That prior to issuance 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 will 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.



- 7) That prior to issuance of this permit, the Applicant/Owner shall submit payment of the Transportation Offsite Levy [TOL] (base area + special area 7 levy), as per the County's TOL Bylaw. Note,

i) A revised site plan identifying the development area of the proposal shall be submitted.

Note: 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 area (as defined in the Land Use Bylaw)

- 8) That prior to issuance of this permit, the Applicant/Owner shall submit detailed wastewater projections and an assessment of the existing Private Sewage Treatment System (PSTS) to determine if the existing system is suitable to support the proposed development. Should the PSTS not be suitable, the Applicant will be required to submit detailed drawings and install an appropriately sized sewage holding tank to support the proposed development in accordance with County Policy 449.
- 9) That prior to issuance of this permit, the Applicant/Owner shall submit a Stormwater Memorandum, completed by a professional Engineer, confirming the overall site drainage pre/post development is in accordance with County Servicing Standards. The memorandum must also establish that the adjacent properties will not be affected by the resulting storm water drainage from the proposed development.

Prior to Occupancy:

- 10) That all landscaping and final site surfaces shall be in place prior to occupancy of the site and/or buildings.
- i) That should permission for occupancy of the site be requested during the months of October through May inclusive, occupancy may be allowed without landscaping and final site surface completion provided that an Irrevocable Letter of Credit in the amount of 150.00% of the total cost of completing all the landscaping and final site surfaces shall be placed with Rocky View County to guarantee the works shall be completed by the 30th day of June immediately thereafter.

Permanent:

- 11) That there shall be a minimum of 68 parking stalls maintained on site at all times in accordance with the revised Parking plan.
- 12) That it is the responsibility of the Owner/Applicant to obtain approval from County Road Operations for any new construction, installation or alterations of any driveways/approaches, prior to commencing any work on the driveways/approaches.
- 13) That there shall be no more than 1.00 m (3.28 ft.) of fill placed adjacent to or within 15.00 m (49.21 ft.) of the proposed building under construction, which is used to establish approved final grades, unless a Development Permit has been issued for additional fill.
- 14) 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 each principal use located on the subject site, to facilitate accurate emergency response.
- 15) That the entire site shall be maintained in a neat and orderly manner at all times.
- 16) That all garbage and waste materials shall be storage in weatherproof and animal proof containers and shall be located within the Religious Assembly building or immediately adjacent to the exterior of the building. All waste material shall be regularly removed from the property to prevent any debris from blowing onto adjacent properties or roadways.

- 17) That the freestanding sign shall be maintained onsite and all times and shall be digital or animated at any time.
- 18) That all landscaping shall be maintained on-site in accordance with the approved Landscape Plan for the site.
- 19) That the site shall be serviced by adequate waste servicing and water servicing (underground cistern).
- 20) 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.
- 21) That no potable water shall be used for landscaping or irrigation purposes. Water for irrigation and landscaping shall only be supplied by the re-use of stormwater.
- 22) That all on site lighting shall be "dark sky", and all private lighting, including site security lighting and parking area lighting, shall be designed to conserve energy, reduce glare, and reduce up light. All developments shall demonstrate a lighting design that reduces the extent of spill-over glare and eliminates glare as viewed from nearby residential properties.
- 23) That any plan, technical submission, agreement, or other matter submitted and approved as part of the Development Permit application, or submitted in response to a Prior to Issuance or Occupancy condition, shall be implemented and adhered to in perpetuity, including any recommendations of the Stormwater Memorandum,
 - i) The Applicant/Owner shall adhere to any recommendations of the approved Traffic Review Report, titled "Wat Lao Buddhist Temple, as prepared by Scheffer Andrew Ltd., File #144101, dated June 21, 2018.

Advisory:

- 24) That during construction, all construction and building materials shall be maintained on-site 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.
- 25) That during construction, the dust control shall be maintained on the site, and the Applicant/Owner shall take whatever means necessary to keep visible dust from blowing onto adjacent lands.
- 26) That during construction, the County's Noise Control Bylaw C-5772-2003 shall be adhered to at all times.
- 27) That a Building Permit for a Change of Use shall be obtained through Building Services prior to further commencement of activities onsite and shall include:
 - i) Architectural, Structural, Mechanical, and Electrical stamped drawings with schedules
 - ii) A 3.2.2 Building Code analysis from an Architect
 - iii) Water Supply design for fire-fighting must conform to article 3.2.5.7. ABC 2014.
 - iv) Spatial Separation calculations between buildings and property lines as per subsection 3.2.3. ABC 2014

Building shall conform to the National Energy Code 2011, with documentation/design at Building Permit stage.
- 28) That any other government permits, approvals, or compliances are the sole responsibility of the Applicant/Owner.

- i) That the Roadside Development Permit, RSDP026466-1, through Alberta Transportation, shall remain in effect.

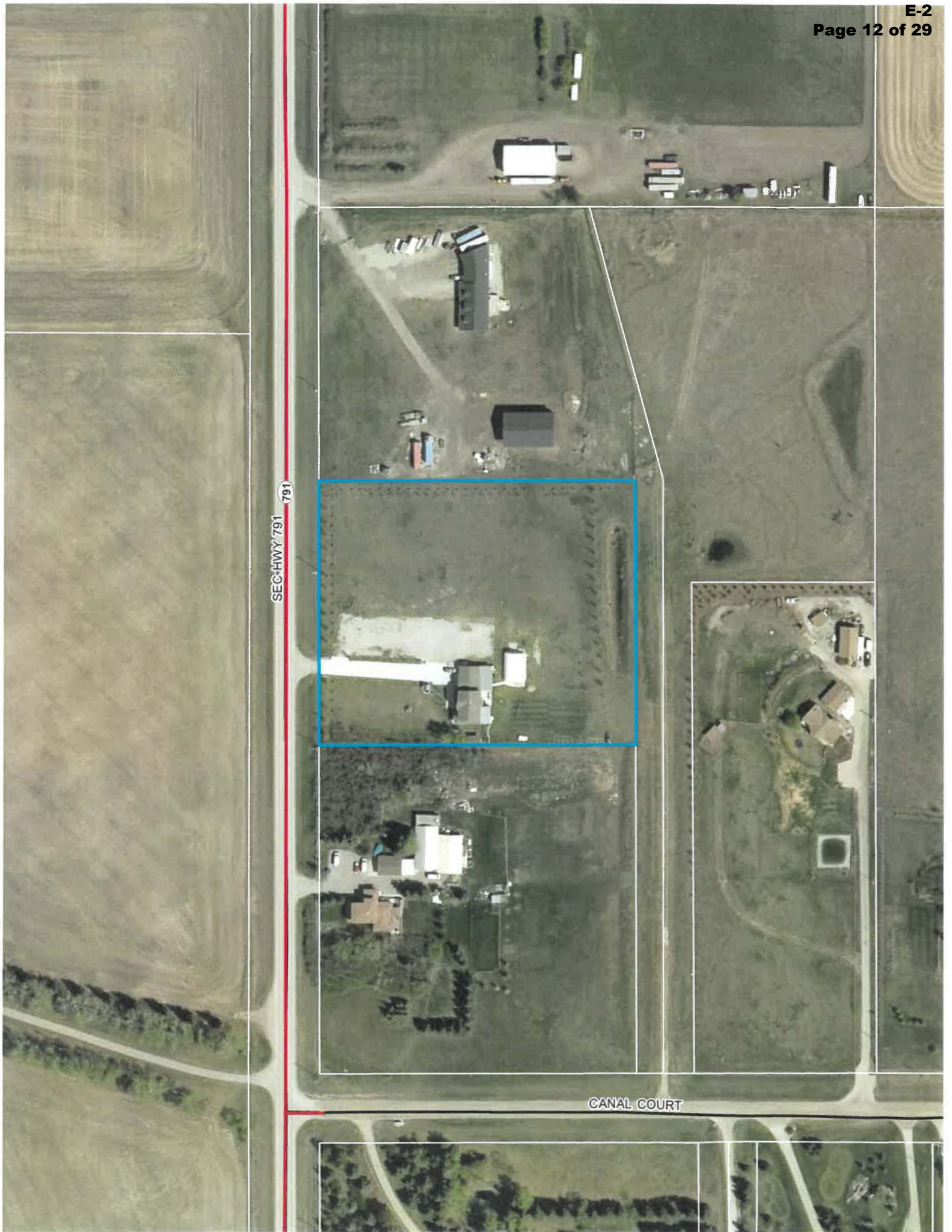
Note, an additional Roadside Development Permit, through Alberta Transportation, shall be obtained prior to placement of the proposed signage.

- 29) 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.
- 30) That if this Development Permit is not issued by **NOVEMBER 30, 2020**, or the approved extension date, then this approval shall become null and void and the Development Permit shall not be issued.

Option 2: (this would not allow the proposed development)

REFUSAL, for the following reasons:

- 1. That in the opinion of the Municipal Planning Commission, the development unduly interferes with the amenities of the neighbourhood and materially interferes with and affects the use, enjoyment, and value of neighbouring parcels of land.
- 2.



SEC-HWY 791

CANAL COURT





ROCKY VIEW COUNTY
Cultivating Communities

20194369

APPLICATION FOR A DEVELOPMENT PERMIT

FOR OFFICE USE ONLY	
Fee Submitted \$1545.00	File Number 03219028
Date of Receipt Nov 29/19	Receipt # 2019022941

Amphon Dhiaxay

Name of Applicant Calgary Lao Buddhist Society Email watlaocalgary@gmail.com

Mailing Address 233104 RANGE ROAD 280, Rocky View, AB

Postal Code T1X 0H5

Telephone (B) 403-936-5018 (H) _____ Fax 403-936-5018

For Agents please supply Business/Agency/ Organization Name _____

Registered Owner (if not applicant) _____

Mailing Address _____

Postal Code _____

Telephone (B) _____ (H) _____ Fax _____

1. LEGAL DESCRIPTION OF LAND

- a) All / part of the SW $\frac{1}{4}$ Section 19 Township 23 Range 27 West of 4 Meridian
- b) Being all / parts of Lot 22 Block 1 Registered Plan Number 0714198
- c) Municipal Address 233104 Highway 791, Alberta
- d) Existing Land Use Designation Public Services Parcel Size 1.619 Hectares Division 4

2. APPLICATION FOR

To use the property for Religious Assembly and meditation *and altering the building footprint*

3. ADDITIONAL INFORMATION

- a) Are there any oil or gas wells on or within 100 metres of the subject property(s)? Yes _____ No X
- b) Is the proposed parcel within 1.5 kilometres of a sour gas facility? Yes _____ No X
(Sour Gas facility means well, pipeline or plant)
- c) Is there an abandoned oil or gas well or pipeline on the property? Yes _____ No X
- d) Does the site have direct access to a developed Municipal Road? Yes X No _____

4. REGISTERED OWNER OR PERSON ACTING ON HIS BEHALF

I AMPHON PHIAXAY hereby certify that ~~X~~ I am the registered owner
(Full Name in Block Capitals)

X I am authorized to act on the owner's behalf

and that the information given on this form is full and complete and is, to the best of my knowledge, a true statement of the facts relating to this application.

knowledge, a true statement

Affix Corporate Seal here if owner is listed as a named or numbered company

Applicant's Signature *Amphon*

Date November 29, 2019

Owner's Signature *Amphon*

Date November 29, 2019

Note: Amphon Phiaxay is the Vice President of Calgary Lao Buddhist Society



5. RIGHT OF ENTRY

I hereby authorize Rocky View County to enter the above parcel(s) of land for purposes of investigation and enforcement related to this Development Permit application.

Applicant's/Owner's Signature

Please note that all information provided by the Applicant to the County that is associated with the application, including technical studies, will be treated as public information in the course of the municipality's consideration of the development permit application, pursuant to the Municipal Government Act, R.S.A 2000 Chapter M-26, the Land Use Bylaw and relevant statutory plans. By providing this information, you (Owner/Applicant) are deemed to consent to its public release. Information provided will only be directed to the Public Information Office, 262075 Rocky View Point, Rocky View County, AB, T4A 0X2; Phone: 403-520-8199.

I, Amphon Phiaxay, hereby consent to the public release and disclosure of all information contained within this application and supporting documentation as part of the development process.

Signature

Nov. 29 / 2019

Date



ROCKY VIEW COUNTY
Cultivating Communities

CHANGE OF USE OF LAND OR AN EXISTING BUILDING

FOR OFFICE USE ONLY	
Fee Submitted	File Number
Date of Receipt	Receipt #

Business Name: Calgary Lao Buddhist Society

Business Details: Religious Assembly and meditation

What is the current approved use? Public Services

Will you be making any changes to the building and/or land? YES ☒ NO ☐
If YES – Please describe: Expand the building for more worship space - 60 square metre more. We will also

install underground water tank (3000 to 4500 litres) and expand the current septic tank

1. PARKING

How many daily customer visits are anticipated? 5

How many assigned parking spaces are there? 75

How will overflow of parking be managed? Park on lawn.

2. EMPLOYEES

How many people are employed by the business? 30 volunteers Full Time: 20 Part Time: 10

3. OPERATION

Total area of business: 2050 sq. ft (sq. ft. / sq. m)
What are your days and hours of operation? Days: Sunday to Saturday Hours: 9am to 7pm

4. STORAGE AND SIGNAGE

Is outside storage required? YES ☒ NO ☐ If YES – Total outside storage area 1000 sq. ft. (sq. ft. / sq. m)

Will any sign(s) be required? YES ☒ NO ☐ Sign (Monument, see cover letter, example)

If YES – Number of sign(s) required: 1 Type of sign(s) required:

5. ADDITIONAL INFORMATION

☒ Site Plan ☒ Sign Details ☒ Cover Letter

Signature of Applicant:  Date: Nov-29/2019

Calgary Lao Buddhist Society
233104 Range Road 280
Rocky View, AB T1X 05H
Phone: 587-899-7664
email: watlaocalgary@gmail.com

November 29, 2019

Johnson Kwan,
Planning and Development Services
Rocky View County
262075 Rocky View Point
Rocky View County, AB, T4A 0X2

Subject: Development Permit

Dear Johnson Kwan:

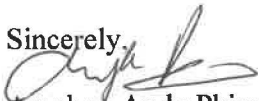
This letter is further explain or clarify the application for Development Permit for the Calgary Lao Buddhist Society property at the above address. We would like to expand our building so that the members or visitors can use the facility with more comfort. Our membership does not grow that much. We have about the same numbers of people coming to our temple in the past 11 years. We don't expect the membership to grow. For the moment, we would like to add another 60 metre square of space to our worship area (Floor plan is attached). The worshippers or visitors sit on the floor to pray or meditate. If the main worship area is full, they can sit in the living room of the building or the deck to pray. We have wired speakers to those areas. Our gravel pad can also have at lease 75 parking stalls. In the summer months we have about 100-120 people attend the once a month gathering. In other seasons, we usually have 70-80 people.

We also will install underground water tank (3000 to 4500 Litres) so that we will have potable water on site for longer period of time. Currently, we bring water from outside for consumption. Also, we don't want to use too much of the well water at the location. We will expand the septic tank as well just in case more waste water goes in there. Again, we never had issue with water supply and septic tank management. We just want to improve our facility.

We would like to put up a sign that is similar to other Buddhist Temples. The sign is like a monument, with two posts supporting the banner. Please see attached pictures for examples. The total height of the posts, banner and monument is about 6 metres, the width is 8 metres. The sign will be made with wood with some bricks and will be located at least 25 metres from the centre of the highway. I have attached the sign specifications as well.

If you have any questions, please contact me at the 587-899-7664 or email watlaocalgary@gmail.com

Sincerely,


Amphon Andy Phiayay
Vice President
Calgary Lao Buddhist Society



LAND TITLE CERTIFICATE

S		
LINC	SHORT LEGAL	TITLE NUMBER
0032 636 565	0714198;1;22	111 015 345

LEGAL DESCRIPTION
 PLAN 0714198
 BLOCK 1
 LOT 22
 EXCEPTING THEREOUT ALL MINES AND MINERALS
 AREA: 1.619 HECTARES (4 ACRES) MORE OR LESS

ESTATE: FEE SIMPLE
 ATS REFERENCE: 4;27;23;19;SW

MUNICIPALITY: ROCKY VIEW COUNTY

REFERENCE NUMBER: 081 142 212

REGISTERED OWNER(S)				
REGISTRATION	DATE (DMY)	DOCUMENT TYPE	VALUE	CONSIDERATION

111 015 345	19/01/2011	TRANSFER OF LAND	\$700,000	NOMINAL

OWNERS

CALGARY LAO BUDDHIST SOCIETY.
 OF 233104 RANGE ROAD 280
 ROCKYVIEW
 ALBERTA T1X 0H5

 ENCUMBRANCES, LIENS & INTERESTS

REGISTRATION		
NUMBER	DATE (D/M/Y)	PARTICULARS

4073P	.	RESTRICTIVE COVENANT "SUBJECT TO THE RIGHTS AND CONDITIONS RESERVED IN TRANSFER"
741 100 537	31/10/1974	UTILITY RIGHT OF WAY GRANTEE - CANADIAN WESTERN NATURAL GAS COMPANY LIMITED.
921 263 390	21/10/1992	EASEMENT

(CONTINUED)

ENCUMBRANCES, LIENS & INTERESTS

PAGE 2
111 015 345

REGISTRATION

NUMBER DATE (D/M/Y) PARTICULARS

OVER LOT 17, PLAN 9212073
FOR BENEFIT OF LOT 18, PLAN 9212073
(THE NORTHERLY 117.35 METRES IN PERPENDICULAR
WIDTH OF THE WESTERLY 15.24 METRES IN
PERPENDICULAR WIDTH THROUGHOUT LOT 17)

991 289 466	05/10/1999	CAVEAT RE : DEVELOPMENT AGREEMENT PURSUANT TO MUNICIPAL GOVERNMENT ACT CAVEATOR - THE MUNICIPAL DISTRICT OF ROCKY VIEW NO. 44. 911 - 32ND AVENUE N.E., BOX 3009, STATION 'B', CALGARY ALBERTA T2M4L6
011 166 790	15/06/2001	EASEMENT OVER LOT 20 FOR THE BENEFIT OF LOT 19 BOTH IN BLOCK 1 ON PLAN 9912798 AS TO PLAN 0111643
021 293 820	22/08/2002	UTILITY RIGHT OF WAY GRANTEE - INDUS WATER INC.
041 277 963	27/07/2004	EASEMENT AS TO PORTION OR PLAN:PORTION OVER PLAN 9212073 LOT 16 FOR BENEFIT OF PLAN 9912798 BLOCK 1 LOT 19
071 418 856	21/08/2007	UTILITY RIGHT OF WAY GRANTEE - TELUS COMMUNICATIONS INC. 10020 - 100 STREET EDMONTON ALBERTA T5J0N5 GRANTEE - ATCO GAS AND PIPELINES LTD. 1500, 909 11TH AVENUE S.W. CALGARY ALBERTA T2R1L8 GRANTEE - FORTISALBERTA INC. 900,801-7 AVENUE S.E. CALGARY ALBERTA T2P3P7

TOTAL INSTRUMENTS: 008

(CONTINUED)

PAGE 3
111 015 345

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN
ACCURATE REPRODUCTION OF THE CERTIFICATE OF
TITLE REPRESENTED HEREIN THIS 29 DAY OF
NOVEMBER, 2019 AT 09:45 A.M.

ORDER NUMBER: 38447191

CUSTOMER FILE NUMBER:



END OF CERTIFICATE

THIS ELECTRONICALLY TRANSMITTED LAND TITLES PRODUCT IS INTENDED
FOR THE SOLE USE OF THE ORIGINAL PURCHASER, AND NONE OTHER,
SUBJECT TO WHAT IS SET OUT IN THE PARAGRAPH BELOW.

THE ABOVE PROVISIONS DO NOT PROHIBIT THE ORIGINAL PURCHASER FROM
INCLUDING THIS UNMODIFIED PRODUCT IN ANY REPORT, OPINION,
APPRAISAL OR OTHER ADVICE PREPARED BY THE ORIGINAL PURCHASER AS
PART OF THE ORIGINAL PURCHASER APPLYING PROFESSIONAL, CONSULTING
OR TECHNICAL EXPERTISE FOR THE BENEFIT OF CLIENT(S).

Site Plan

Development
Permit

Public Service

Property Area
1.619 ha (4 acres)Legal Description
Plan 0714198,
Block 1, Lot 22

SW-19-23-27-W4M

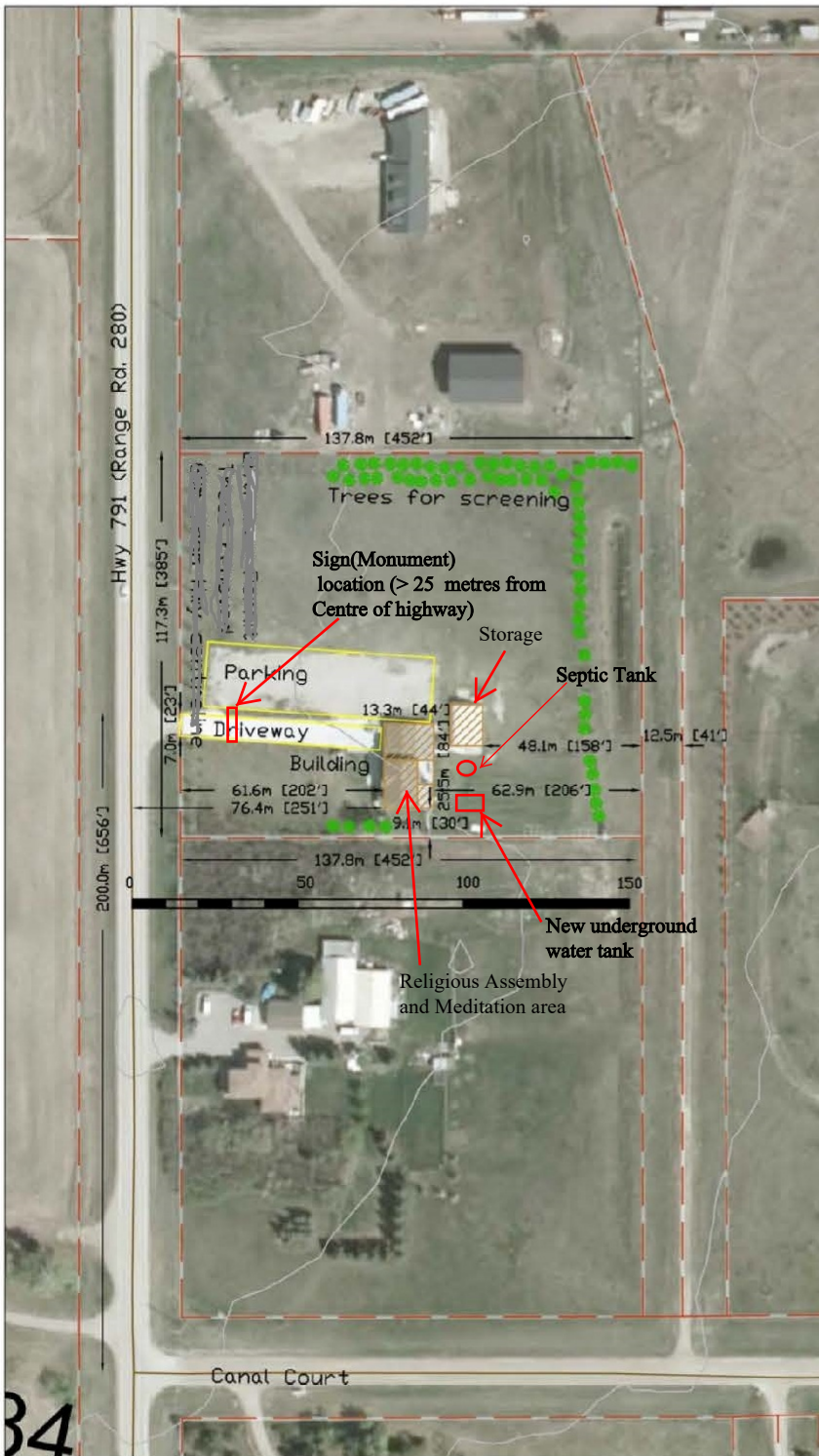
Municipally known as
233104 - Highway 791

No.	Revision/Issue	Date

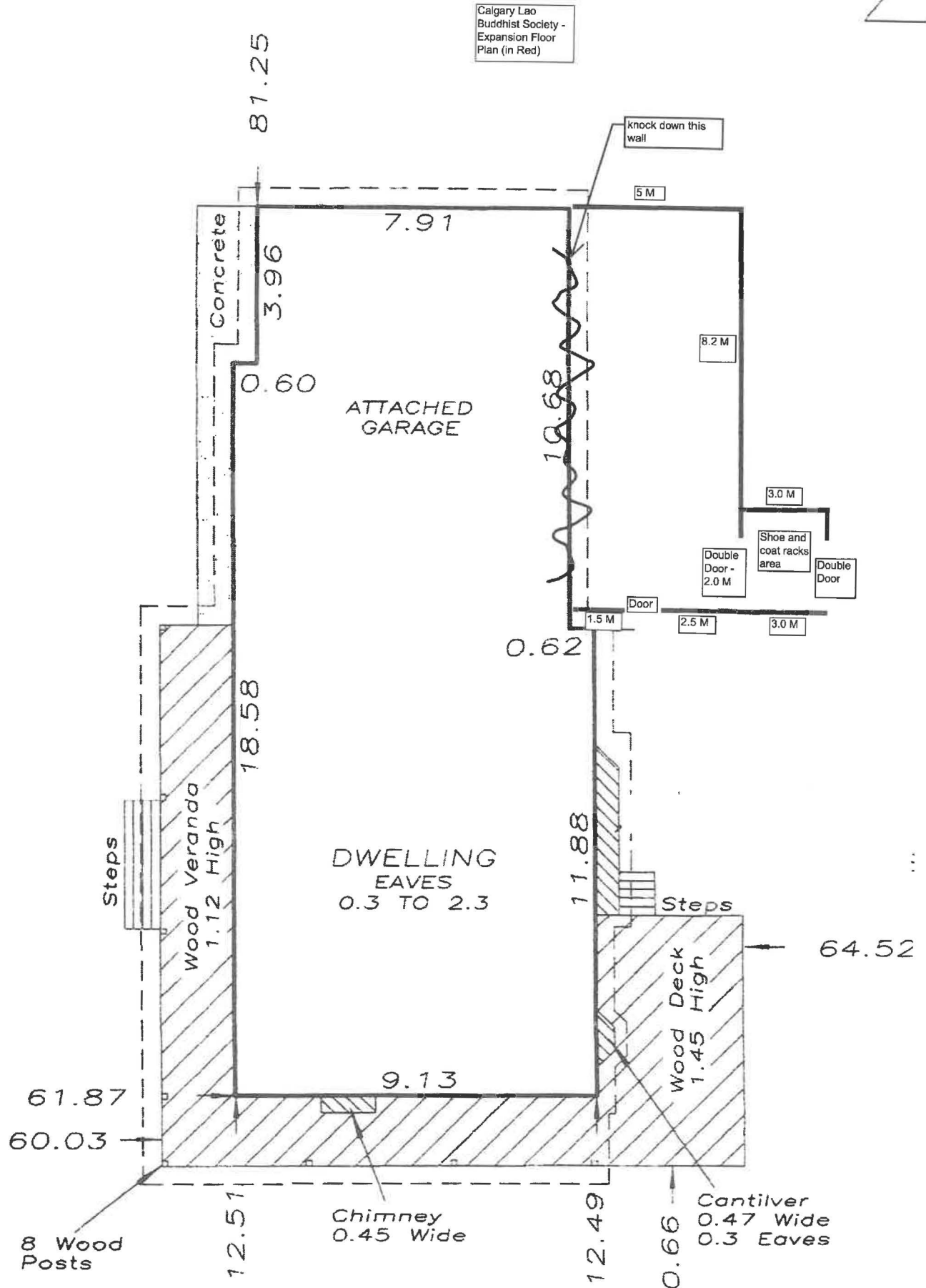
Firm Name and Address:
Amphon Phiaxay,
Vice President
233104 Range Road 280
Rocky View, AB
T1X 0H5

Project Name and Address:
Calgary
Lao Buddhist
Society

Project	Sheet
Date Nov. 6, 2019	
Scale	



34



YOR'S REAL PROPERTY REPORT

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BLOCK
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Date of S

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BLOCK 1

LOT 23

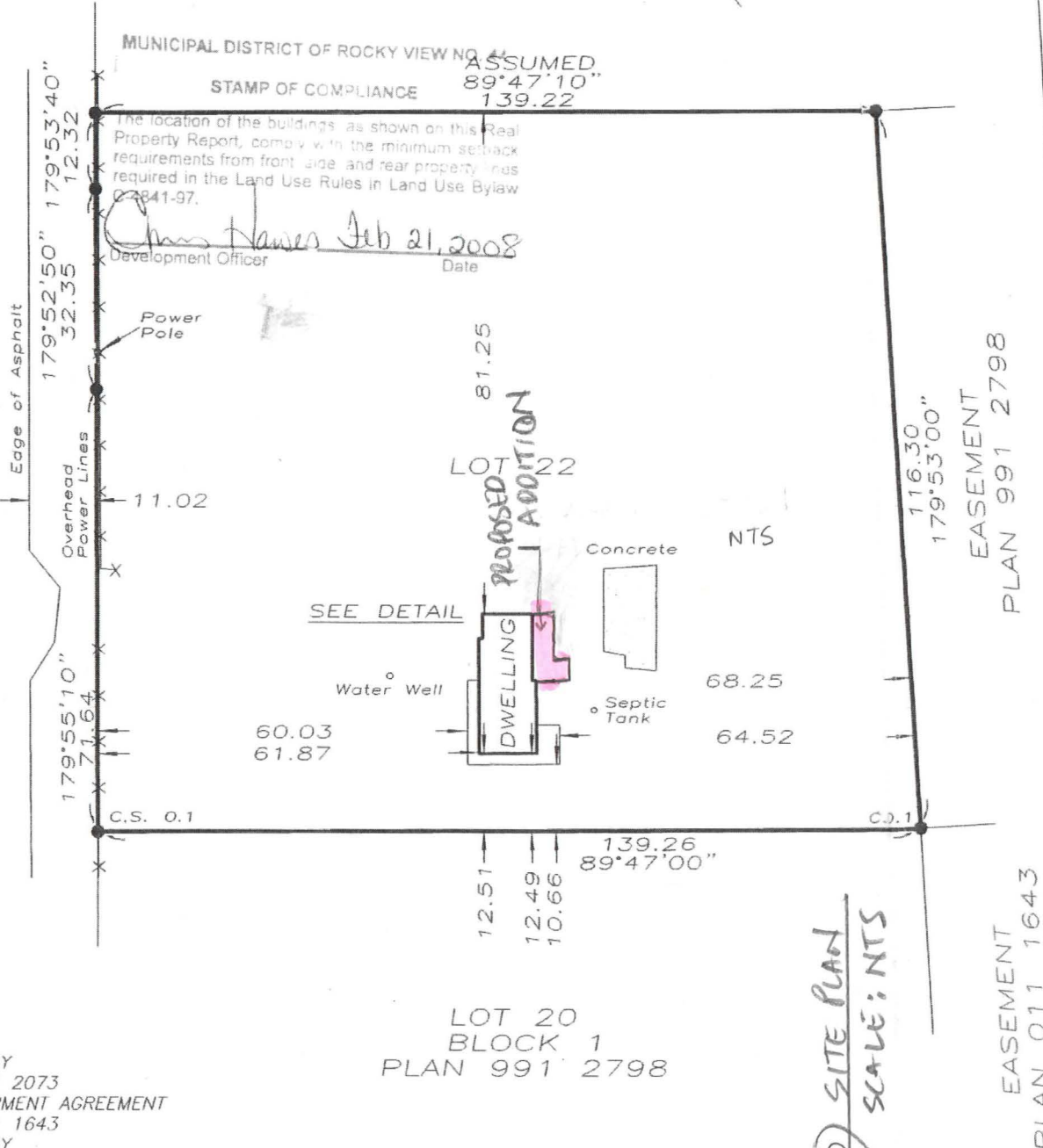
PLAN 07

MUNICIPAL DISTRICT OF ROCKY VIEW NO. 4
ASSUMED
89°47'10"
139.22

The location of the buildings as shown on this Real
Property Report, comply with the minimum setback
requirements from front, side, and rear property lines
required in the Land Use Rules in Land Use Bylaw
02841-97.

Chris Hawes Feb 21, 2008
Development Officer Date

ROAD ALLOWANCE (PLAN 2967 JK)



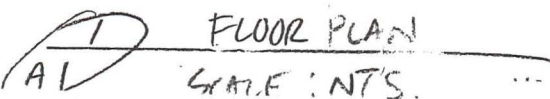
1:
OVENANT
RIGHT OF WAY
JT PLAN 921 2073
RE: DEVELOPMENT AGREEMENT
JT PLAN 011 1643
RIGHT OF WAY
JT PLAN 991 2798
RIGHT OF WAY

LOT 20
BLOCK 1
PLAN 991 2798

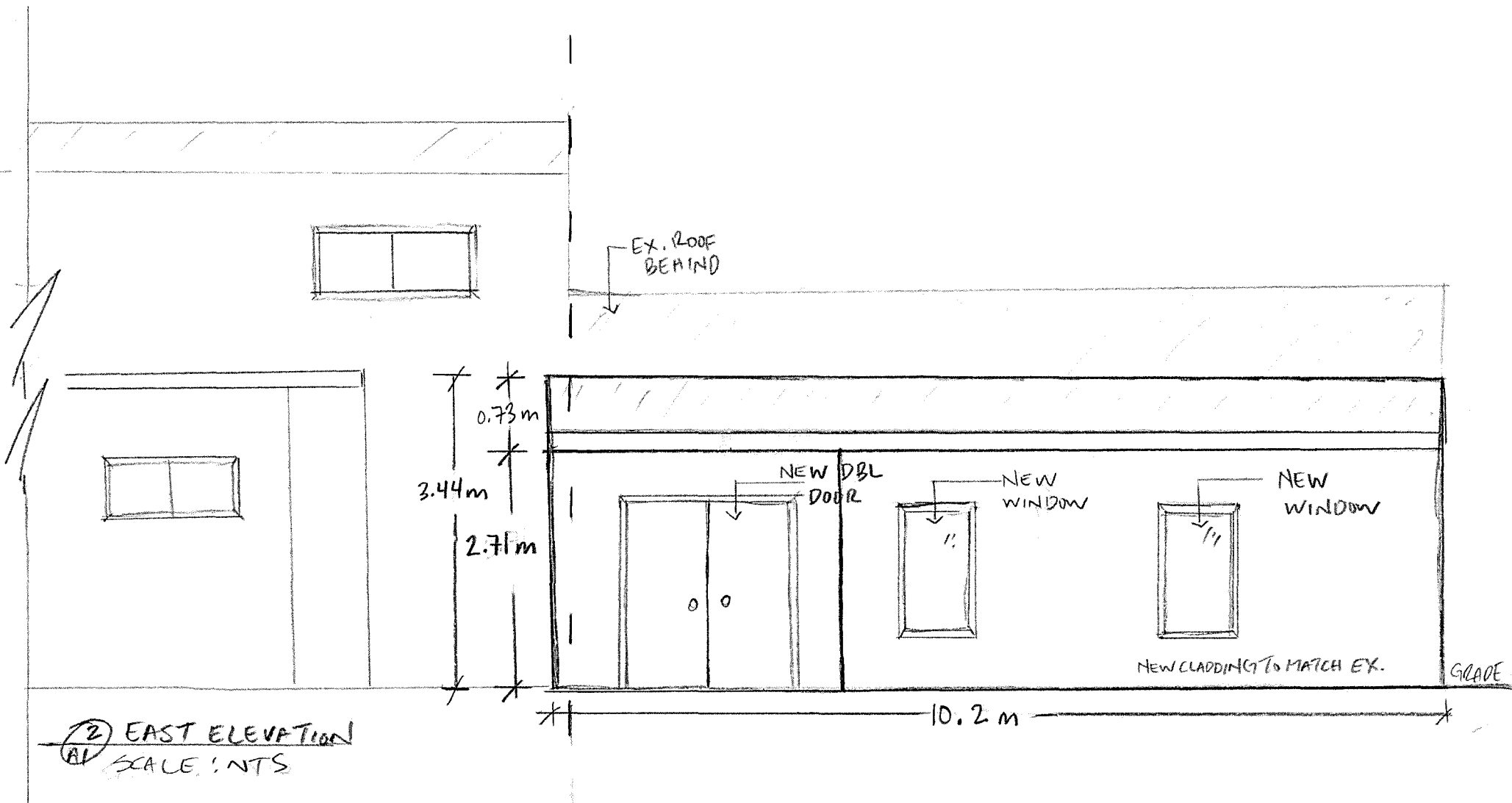
0 SITE PLAN
AI SCALE: NTS

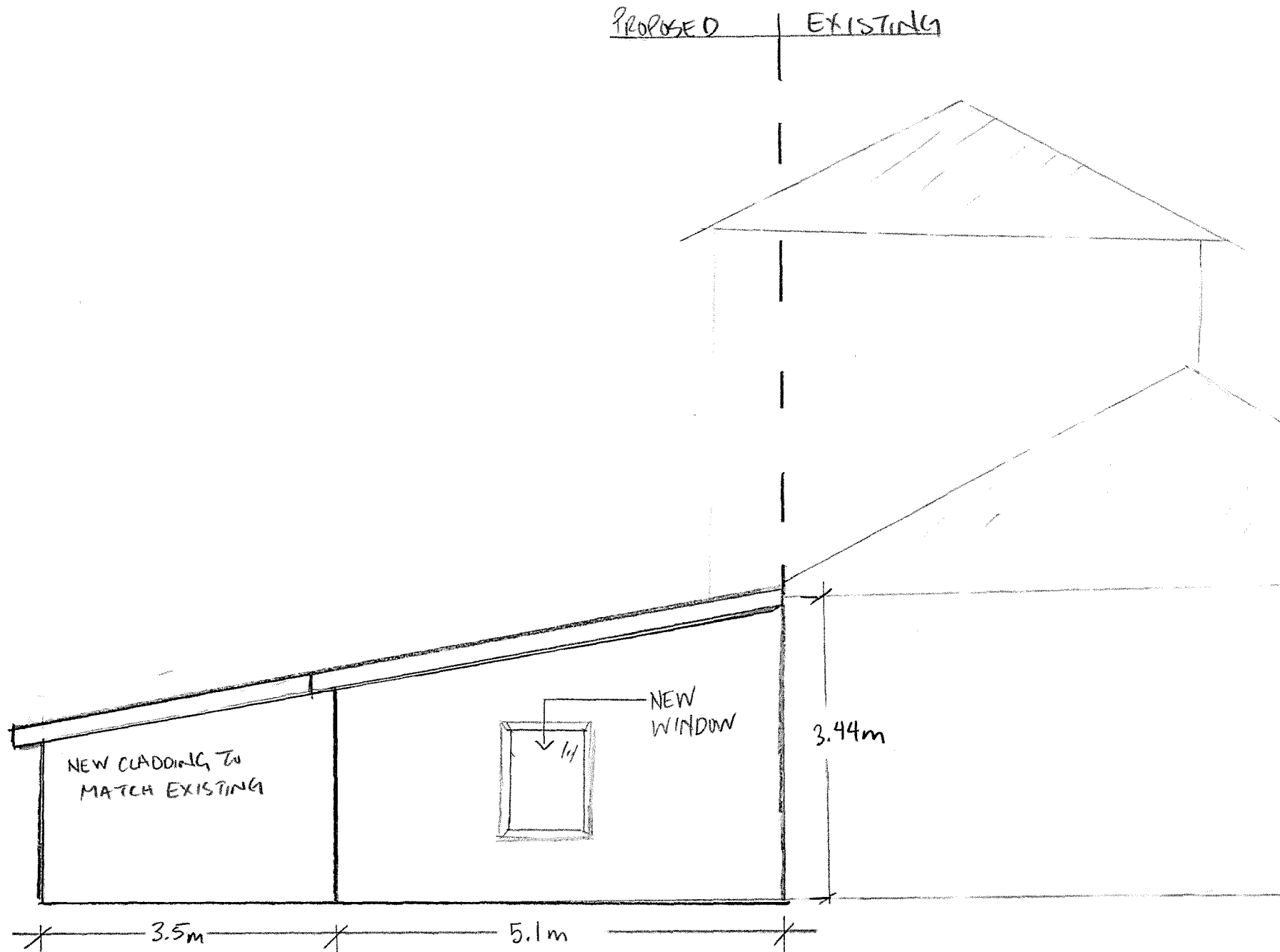
EASEMENT
PLAN 011 1643

EASEMENT
PLAN 991 2798

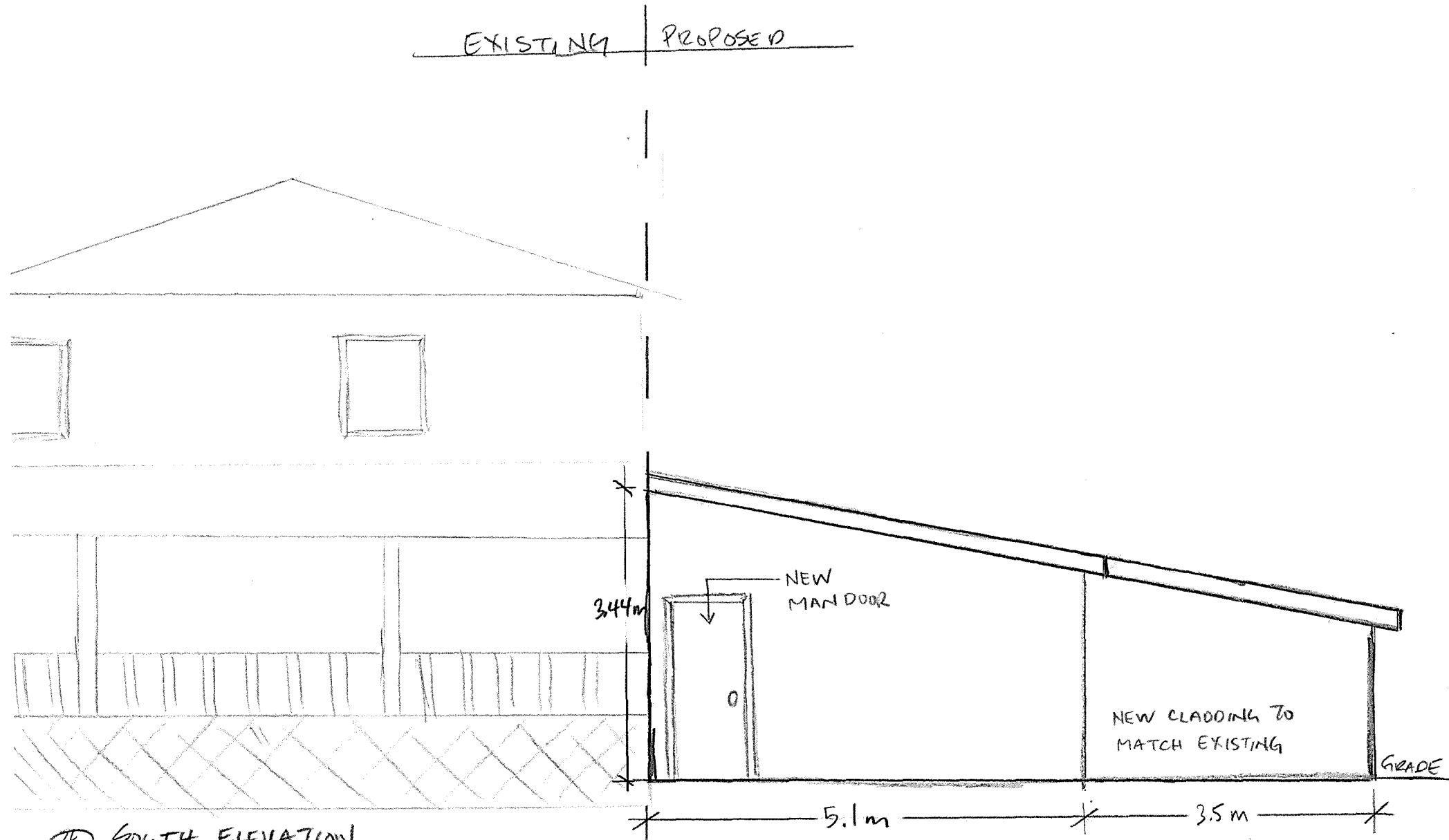


EXISTING | PROPOSED





3
A1 NORTH ELEVATION
SCALE: NTS



④ SOUTH ELEVATION
AI SCALE: NTS

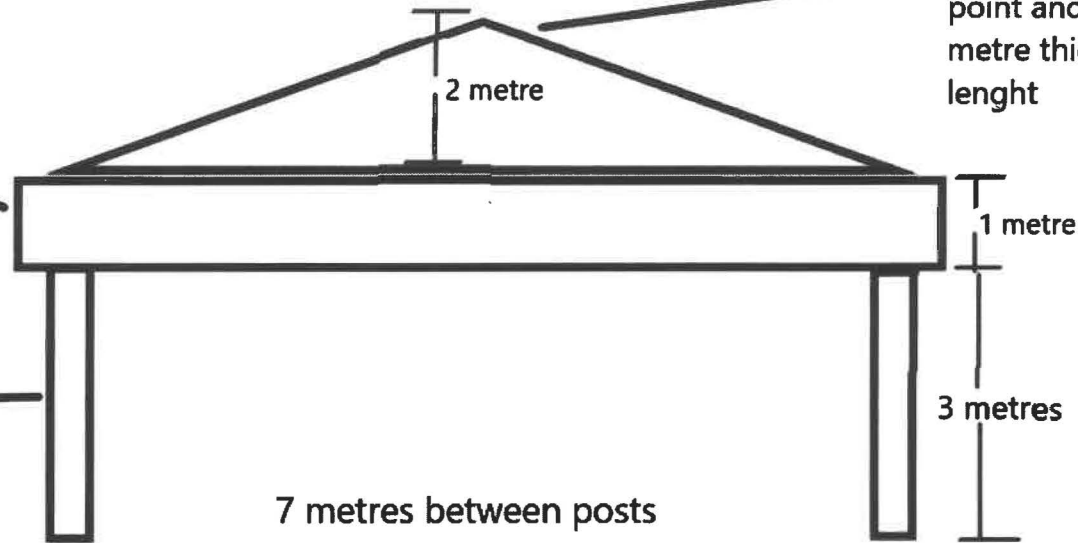


**Sign (Monument)
Specifications**

The banner part will
be 1 metre high, 8
meter in lenght
and .25 metre thick

The top portion for
decoration will be about
2 meter at its highest
point and about .25
metre thick, 7.5 metre in
lenght

each post is
about .38 metre in
each side (square) -
will use 8x8 inch
lumber and bricks
around the lumber



PLANNING AND DEVELOPMENT SERVICES

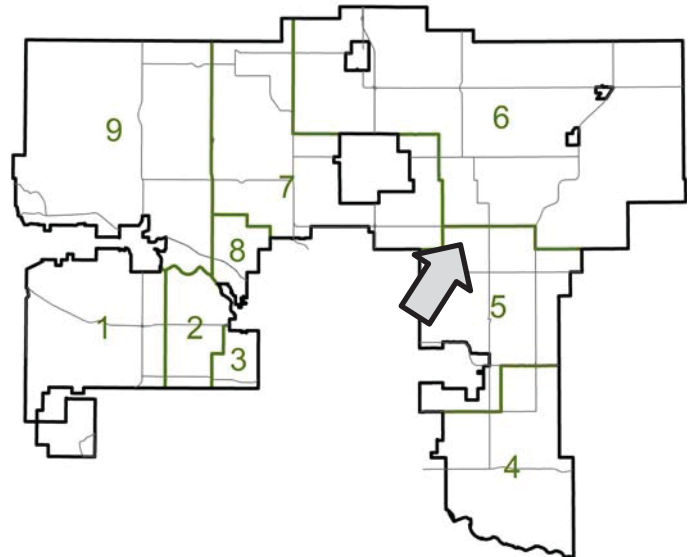
TO:	Municipal Planning Commission	DATE:	April 6, 2020
DIVISION:	05	APPLICATION:	PRDP20200038
SUBJECT:	Development Item: Home-Based Business, Type II		
USE:	Discretionary, with Variances		

APPLICATION: Home-Based Business, Type II, for a landscaping company, relaxation of the maximum permitted outside storage area and relaxation of the total number of non-resident employees.

GENERAL LOCATION: Located approximately 0.21 km (1/8 miles) north of Hwy. 564 and on the east side of Rge. Rd. 284.

LAND USE DESIGNATION: Agricultural Holdings District (AH)

ADMINISTRATION RECOMMENDATION:
 Administration recommends refusal in accordance with Option #3.



VARIANCE SUMMARY:

Variance	Requirement	Proposed	Percentage (%)
Outside Storage	400.00 sq. m	19,140.00 sq. m	4,685%
Number of Employees	2 non-resident employees	4 non-resident employees	100%

OPTIONS:

- Option #1: THAT Development Permit Application PRDP20200038 be approved with the conditions noted in the report, as proposed by Administration
- Option #2: THAT Development Permit Application PRDP20200038 be approved with the conditions noted in the report, as requested by the Applicant.
- Option #3: THAT Development Permit Application PRDP20200038 be refused as per the reasons noted.

AIR PHOTO & DEVELOPMENT CONTEXT



Administration Resources

Sandra Khouri / Nathan Madigan –Planning and Development Services

DEVELOPMENT PERMIT REPORT

Application Date: January 9, 2020	File: 05328023
Application: PRDP20200038	Applicant/Owner: Jeff Jiang Zhicong
Legal Description: Block 14, Plan 1144 LK, SW-28-25-28-04	General Location: located approximately 0.21 km (1/8 miles) north of Hwy. 564 and on the east side of Rge. Rd. 284.
Land Use Designation: Agricultural Holdings District (AH)	Gross Area: ± 8.22 hectares (± 20.30 acres)
File Manager: Sandra Khouri	Division: 05

PROPOSAL:

The proposal is for a Home-Based Business, Type II, for a landscaping company, relaxation of the maximum permitted outside storage area and relaxation of the total number of non-resident employees.

APPLICATION HISTORY:

January 2018	The property is under enforcement action. The Applicant/Owner is advised to apply for a development permit as a result a Court Order from the Court of Queen's Bench.
May 2018	Development permit applications for a Home-Based Business, Type II (PRDP20181968) and single-lot regrading (PRDP20181973) are applied for.
July 9, 2018 & October 1, 2018	Planning & Development Services conduct two site inspections. It is confirmed that the property is not being used as a residence as the dwelling does not appear to be occupied. Additionally, the intensity of the proposed development is significantly greater than that of a Home-Based Business due to the amount of outdoor storage (approximately 19,140 sq. m). Therefore, it is determined that the proposed development does not meet the purpose and intent of the Agricultural Holdings District nor does it meet the definition of a Home-Based Business.
October 3, 2018	Upon discussion with the Applicant, the Applicant is willing to bring the site into compliance and into a state where the proposed development is in alignment with the definition of a Home-Based Business. Therefore, a number of prior to issuance conditions have been added to the Notice of Decision to ensure compliance in a timely manner.
November 20, 2018	PRDP20181968 and PRDP20181973 are conditionally approved with an expiry date of April 30, 2019 to meet Prior to Issuance conditions.

June 26, 2019	Prior to Issuance conditions on both development permits are still outstanding. Both permits contain a condition stipulating that time extensions are not permitted. As such, both files are closed and sent to Development Compliance.
January 9, 2020	A development permit application for the Home-Based Business, Type II is applied for (subject application). To date, no application has been submitted for single-lot regrading. As per Development Compliance, the Applicant/Owner intends to re-apply sometime this year.*
February 28, 2020	Planning & Development Services conducted a site inspection which confirms that a resident does occupy the dwelling on site. However, the outside storage associated with the Home-Based Business exceeds the amount stated on the application. As the scale and intensity of the business still exceeds that of a Home-Based Business, this application is recommended for refusal.

* As Development Permit, PRDP20181973 for Stripping & Grading was not issued and the grading activities have commenced onsite, a condition of approval is proposed to capture the grading activities that have occurred for the proposed for the Outside Storage areas.

APPLICATION DETAILS:

Details	Land Use Bylaw	Proposed	Variance
Business Name	n/a	Rock Rose Landscaping Ltd.	n/a
Area of Business	21.3 a) Shall be limited to the dwelling and its accessory buildings and may include outside storage	The business operations will occur within the dwelling, accessory buildings, and outside storage area	None
Number of Visits	21.3 b) 8 visits per day in agricultural districts	4 visits per day	None
Parking and Vehicles	21.3 h) All vehicles, motors, trailers, or equipment that is used in the home-based business, shall be kept within a building or a storage area.	Two dump trucks, one crane, and one tractor to be parked in storage area	None
Number of Employees	21.3 e) Max. 2 non-resident employees at any time	2 full-time and 2 part-time employees (non-resident), 2 full-time employees (resident)	100%
Hours of Operation	n/a	Monday to Friday, 7:00 am to 5:00 pm	n/a

Storage	21.3 d) Shall not exceed 1% of the parcel or 400.00 sq. m (4,305.56 sq. ft.), whichever is the lesser. 1% of parcel = 809.78 sq. m. Max permitted = 400.00 sq. m.	19,140 sq. m (206,021.25 sq. ft.) outside storage**	4,685%
Signage	35.11 1.00 m x 0.60 m commercially produced sign in front yard	No signage requested	None
Permit Expiry	21.1 g) The term of a Development Permit issued for a Home-Based Business shall not exceed one (1) year	1 year term will be granted since this is the first application	None

** The application identifies an area of 400.00 sq. m (4305.56 sq. ft.) of outside storage; however, during the site inspection conducted on February 28, 2020, it was estimated that the area currently being used for outdoor storage is approximately 19,140 sq. m (206,021.25 sq. ft.).

LAND USE BYLAW:

Section 8 Definitions

HOME-BASED BUSINESS means the operation of a business or occupation within a dwelling and/or its accessory building(s), or on a parcel on which a dwelling is located and where one or more residents of the parcel is/are involved in the occupation or business. Home-Based Business does not include a Licensed Medical Marijuana Production Facility;

- Based on the site inspection conducted on February 28, 2020, the property contains a residence occupied by an employee of the Home-Based Business.
- However, the intensity of the proposed development is significantly greater than that of a Home-Based Business. It is the opinion of Administration that the proposed use does not meet the definition of a Home-Based Business and due to the scale and intensity of the business operations, the use is better suited to the definition of Contractor, General, which is defined in the Land Use Bylaw as:

CONTRACTOR, GENERAL means development used for industrial service support and construction. Typical uses include oilfield support services, laboratories, cleaning and maintenance contractors, building construction, landscaping, concrete, electrical, excavation, drilling, heating, plumbing, paving, road construction, sewer, or similar services of a construction nature which require on-site storage space for materials, construction equipment or vehicles normally associated with the contractor service. Any sales, display, office or technical support service areas shall be accessory to the principal general contractor use; (emphasis added by File Manager)

- Therefore, this will be included as a **Reason for Refusal**.

- If this application is approved, the Development Authority must determine that the proposed use does meet the definition of a Home-Based Business.

Section 46 *Agricultural Holdings District (AH)*

46.1 *Purpose and Intent*

The purpose and intent of this District is to provide for a range of parcel sizes for agricultural uses. This district provides for traditional agricultural pursuits on large parcels of land. It also recognizes the emerging trends towards new agricultural uses, which may be successfully developed, on smaller parcels of land.

Section 12 *Decisions on Development Permit Applications*

12.6 *Application acceptance and decision:*

(b) The Development Authority shall refuse a Development Permit for a use, discretionary if it does not meet the purpose and intent of the Land Use District.

- The Agricultural Holdings District is an agricultural district intended to accommodate new trends in agriculture. As the proposed use does not appear to meet the definition of a Home-Based Business and should be classified as a Contractor, General, the proposed development does not meet the purpose and intent of the Agricultural Holdings District;
- Therefore, this will be included as a **Reason for Refusal**.
- If this application is approved, the Development Authority must determine that the proposed use does meet the purpose and intent of the Agricultural Holdings District.

Section 21 *Home-Based Business*

21.1 *The following general provisions shall apply to all Home-Based Businesses:*

b) All home-based businesses, where listed as a use, discretionary, shall require a Development Permit.

- A Home-Based Business, Type II, is a discretionary use within the Agricultural Holdings District, thus the requirement for this application.

c) No outside storage of goods, materials, commodities or finished products shall be permitted except as permitted in a Development Permit.

- As noted during the site inspection conducted on February 28, 2020, the outside storage of goods and materials onsite include landscaping equipment, vehicles, and stockpiles of gravel.

d) No variation from the external appearance and residential character of land or buildings shall be permitted.

- If approved, this should be included as a permanent condition of the development permit.

e) The use shall not, in the opinion of the Development Authority, generate excessive or unacceptable increases in traffic within the neighbourhood or immediate area.

- There is not anticipated to be a significant increase in traffic within the neighbourhood.



- If approved, this should be included as a permanent condition of the development permit.
- f) *The display or placement of signage on the premises of a home-based business shall be in accordance with the sign regulations in Section 35 of this Bylaw, and/or as defined in a Development Permit.*
 - No signage is proposed.
- g) *The home-based business shall not generate noise, smoke, steam, odour, dust, fumes, exhaust, vibration, heat, glare or refuse matter considered offensive or excessive by the Development Authority. At all times, the privacy of the adjacent residential dwellings shall be preserved and the home-based business shall not, in the opinion of the Development Authority, unduly offend or otherwise interfere with neighbouring or adjacent residents.*
 - The development is not anticipated to generate noise, smoke, steam, odour, dust, fumes, exhaust, vibration, heat, glare, or refuse matter.
 - If approved, this should be included as a permanent condition of the development permit.

21.3 Home-Based Businesses, Type II

- a) *shall be limited to the dwelling and its accessory buildings, and may include outside storage as described in 21.3(g);*
 - The application indicates that business operations will occur within the existing house, accessory buildings, and outside storage area.
 - If approved, this should be included as a permanent condition of the development permit.
- b) *may generate up to eight (8) business-related visits per day in an agricultural district and up to four (4) business-related visits per day in all other districts;*
 - As the property is designated Agricultural Holdings, up to eight (8) business-related visits per day are permitted;
 - The applicant anticipates up to four (4) business-related visits per day.
 - If approved, this should be included as a permanent condition of the development permit.
- c) *the business use must be secondary to the residential use of the parcel;*
 - It is the opinion of Administration that due to the scale and intensity of the operations on site, the business is not secondary to the residential use of the parcel.
 - The Applicant/Owner has not provided rationale for varying this regulation;
 - Therefore, this will be included as a **Refusal Reason**.
 - If approved, the Development Authority should consider granting a variance to this regulation or include a condition on the development permit to address this.
- d) *shall not change the residential character and external appearance of the land and buildings;*



- No variation to the external appearance of the residential structures is proposed;
 - However, the amount of outdoor storage associated with the business is not in keeping with the residential or agricultural character of the land use district.
 - The Applicant/Owner has not provided rationale for varying this regulation;
 - Therefore, this will be included as a **Refusal Reason**.
 - If approved, the Development Authority should consider granting a variance to this regulation or include a condition on the development permit to address this.
- e) *the number of non-resident employees shall not exceed two (2) at any time;*
- The applicant anticipates up to four (4) full-time employees, two (2) of which reside on site, and two (2) part-time non-resident employees;
 - Therefore, there are four (4) non-resident employees.
 - The Applicant/Owner has not provided rationale for varying this regulation;
 - Therefore, this will be included as a **Refusal Reason**.
 - If approved, the Development Authority should consider granting a variance to this regulation or include a condition on the development permit to address this.
- f) *does not include general retail stores;*
- Application does not propose a general retail store.
- g) *outside storage, if allowed in a condition of a Development Permit, shall be completely screened from adjacent lands, shall meet the minimum setback requirements for buildings, and shall not exceed 1% of the parcel or 400.00 sq. m (4305.56 sq. ft.), whichever is the lesser;*
- The parcel size is 8.10 hectares (20.01 acres), or 80,977.60 sq. m. so 1% of the parcel is 809.78 sq. m. Therefore, the maximum permitted amount of outside storage is 400.00 sq. m. (4,305.56 sq. ft.).
 - The application identifies an area of 400.00 sq. m (4305.56 sq. ft.) of outside storage; however, during the site inspection conducted on February 28, 2020, it was estimated that the area currently being used for outdoor storage is approximately 19,140 sq. m (206,021.25 sq. ft.). This would require a variance of approximately 4,685%;
 - The outside storage area does not appear to be screened from adjacent lands to the north and south; and
 - The storage area does not appear to meet the minimum side yard setback requirement from the north and south property lines.
 - The Applicant/Owner has not provided rationale for varying this regulation;
 - Therefore, this will be included as a **Refusal Reason**.
 - If approved, the Development Authority should consider granting a variance to this regulation or include a condition on the development permit to address this.
- h) *all vehicles, motor, trailers, or equipment that are used in the home-based business shall be kept within a building or a storage area as described in 21.3.(g).*



- Based on the site inspection, the vehicles and equipment associated with the business operation are not kept within the outside storage area identified on the site plan.
- If approved, this should be included as a permanent condition of the development permit.

PERMIT HISTORY:

Building Permit History:

PRBD20181441	Shipping Container/Seacan For Storage Use Only (1 of 3) (40' x 8' x 8); issued on April 19, 2018
PRBD20181442	Shipping Container/Seacan For Storage Use Only (2 of 3) (40' x 8' x 8); issued on April 19, 2018
PRBD20181443	Shipping Container/Seacan For Storage Use Only (3 of 3) (40' x 8' x 8); issued on April 19, 2018
2010-BP-23000	As built detached garage (46.45 sq. m); issued on March 19, 2010
2010-BP-22999	As built personal storage building (55.74 sq. m); issued on March 19, 2010

Development Permit History:

PRDP20181968	For a Home-Based Business, Type II, for a landscaping business was conditionally approved on November 20, 2018 and subsequently expired on April 30, 2019
PRDP20181973	For single-lot regrading was conditionally approved on November 20, 2018 and subsequently expired on April 30, 2019
PRDP20174025	For an accessory building (oversize storage shed) and relaxation of the maximum height requirement was approved on November 29, 2017
PRDP20140313	For a placement of clean fill and construction of two berms was approved on May 16, 2014, and subsequently expired on September 31, 2014
2008-DP-13332	For a horticulture development (tree farm operating without permits), construction of two (2) berms placed without permits, construction of two (2) accessory buildings (oversized barns), relaxation of the maximum height requirement and signage was approved on November 24, 2010 and subsequently expired on June 30, 2012.

STATUTORY PLANS:

The subject land does not fall within an Intermunicipal Development Plan, Area Structure Plan and/or Conceptual Scheme. The application was therefore evaluated against the Land Use Bylaw.



INSPECTOR'S COMMENTS:

February 28, 2020

- Several commercial vehicles onsite (approximately 15-20);
- Several stockpiles of dirt, 1 stockpile of trees in baskets (not planted);
- Most vehicles had logos;
- Stockpiles of tires in extreme east of site;
- House currently being occupied
- Outdoor storage area screened from Rge. Rd. 284 by trees/shrubs; and
- No signage

PREVIOUS INSPECTIONS:

June 25, 2018

- Appears there is grading and/or stockpiling of materials onsite;
- Follow-up inspection of the entire site is warranted;
- Potentially started grading prior to approval but need to verify; and
- Heavy vegetation along Range Road 284.

July 9, 2018

- Does not appear anybody resides onsite. Lack of window coverings let me see through the windows and residential unit does not appear occupied (lack of furniture, décor, etc.);
- Numerous seacans, commercial vehicles, and debris onsite;
- Gravel and sand stockpiled on property behind residential unit; and
- Land to rear appears to have significant vegetation planted (coniferous trees) that look to be for farming (i.e. tree farm).

October 1, 2018

- No answer at door at the time of inspection;
- No window coverings on living room front window;
- Based on unobstructed view into living room and kitchen, there is no furniture with the exception of 1 table and 4 chairs stacked on top;
- Based on unobstructed view into living room and kitchen, there are no items typically associated with an occupied home: couch, TV, home décor, pictures, clothing, etc.;
- In the opinion of the inspector, the residential dwelling unit does not appear to be occupied; and
- Material (gravel, machinery, materials, etc.) still located on the property, to the rear of the unoccupied structure.

CIRCULATIONS:

Alberta Transportation

Alberta Transportation previously issued a permit for this Home Based Business. Therefore, in this case nothing further is required from the department.

Development Compliance Officer Review

This application is a result of a compliance file opened up regarding the home based business and a single lot regrading having been done years ago. The single lot regrading application has yet to be done and will allegedly be complete at some point this year. Otherwise, this application is bringing the home based business in compliance.

Planning and Development Services - Engineering Services

General:

- The review of this file is based upon the application submitted. These conditions/recommendations may be subject to change to ensure best practices and procedures.

Geotechnical:

- Engineering has no further concerns at this time.

Transportation:

- As the proposed landscaping business is to generate an insignificant amount of traffic (5 trips per day), a TIA is not warranted for this proposal.
- The applicant has attained a Roadside Development Permit (RSDP022165-2) for the operation of their Home Based Business from AT, as the subject lands are within 800m of Highway 564.

Sanitary/Waste:

- Engineering has no further concerns at this time.

Water Supply And Waterworks:

- Engineering has no further concerns at this time.

Storm Water Management:

- As the proposal is for a home based business with an outside storage area of limited size (approx. 400m²) and no additional buildings nor additional impervious areas are to be added, there are no further concerns.

Environmental:

- Engineering has no further concerns at this time.

Utility Services

No comments provided.

Capital Projects Management

No comments provided.

Agricultural Services

The applicant must ensure compliance with the *Alberta Weed Control Act* and have a contractor available (or be personally prepared) to control any regulated weeds.

Transportation Services

No comments provided.

OPTIONS:

Option #1 (this would approve the development as proposed by Administration)

APPROVAL, subject to the following conditions:

Description:

- 1) That a Home-Based Business, Type II, for a landscaping business, may operate on the subject parcel in accordance with the approved Site Plan, application, and conditions of this permit.

Prior to Issuance:

- 2) That prior to issuance of this permit, the Applicant/Owner shall submit a signed affidavit that confirms the property resident is an employee of the business and that at any time, no more than two (2) non-resident employees will be onsite conducting business operations.
- 3) That prior to issuance of this permit, that the Applicant/Owner shall submit a revised site plan, that identifies the area of outside storage is reduced to no greater than 400.00 sq. m (4,305.56 sq. ft.) and screened from adjacent properties. The outside storage area shall meet the building setback and screening requirements of the Land Use Bylaw.
 - i) That once the outside storage area is reduced and screened onsite, a site inspection shall be completed by the County to confirm that the outside storage area is as per the revised site plan, to the satisfaction of the County.
- 4) That prior to issuance of this permit, the Applicant/Owner shall submit a development permit application for the stripping and grading work that has occurred onsite within the outside storage areas associated with the business. This condition can be considered satisfied only if the stripping and grading permit is approved and issued.

Permanent:

- 5) That the number of non-resident employees shall not exceed two (2) at any time.
 - i) That an employee in this Home-Based Business is a person who attends on the property more than once in a seven (7) day period for business purposes.
- 6) That the operation of this Home-Based Business shall be secondary to the residential use of the subject parcel.
- 7) That the Home-Based Business, Type II shall not change the residential or agricultural character and external appearance of the land and buildings.
- 8) That the operation of this Home-Based Business, Type II shall not generate excessive or unacceptable increases in traffic within the neighbourhood or immediate area.
- 9) That the Home-Based Business, Type II shall not generate noise, smoke, steam, odour, dust, fumes, exhaust, vibration, heat, glare, or refuse matter considered offensive or excessive by the Development Authority, and at all times, the privacy of the adjacent resident dwellings shall be preserved. The Home-Based Business, Type II use shall not, in the opinion of the Development Authority, unduly offend or otherwise interfere with neighbouring or adjacent residents.
- 10) Stockpiling of materials associated with the Home-Based Business shall only be located within the outside storage area in accordance with the approved Site Plan. Any stockpiling outside of the approved outside storage area shall require an additional development permit.
- 11) That the Home-Based Business shall be limited to the dwelling, accessory building and the outside storage area in accordance with the approved Site Plan.
- 12) That all vehicles, trailers, or equipment that is used in the Home-Based Business, Type II shall be kept within the dwelling, accessory building, or storage area in accordance with the approved Site Plan.



- 13) That all outside storage that is a part of the Home-Based Business, Type II shall be completely visually screened from adjacent lands, shall meet the minimum setback requirements for buildings, and shall not exceed 400.00 sq. m (4,305.56 sq. ft.), in accordance with the approved Site Plan.
- 14) That there shall be no signage, exterior display or advertisement of goods or services discernible from the outside of the building.
- 15) That no off-site advertisement signage associated with the Home-Based Business shall be permitted
- 16) That if this permit is not issued by **September 30, 2020** or the approved extension date, then this approval is null and void and the Development Permit shall not be issued.
- 17) That this Development Permit, once issued, shall be valid until **April 22, 2021**.

Advisory:

- 18) That the County's Noise Bylaw C-5772-2003 shall be adhered to at all times.
- 19) That all other government compliances and approvals are the sole responsibility of the Applicant/Owner.

Option #2 (this would approve the development as requested by the Applicant)

APPROVAL, subject to the following conditions:

Description:

- 1) That a Home-Based Business, Type II, for a landscaping business, may operate on the subject parcel in accordance with the approved Site Plan, submitted application, and conditions of this permit including the following:
 - i) That the number of non-resident employees is relaxed from **two (2)** to **four (4)**.
 - ii) That the maximum size of the outside storage area is relaxed from **400.00 sq. m (4,305.56 sq. ft.)** to **19,140.00 sq. m (206,021.25 sq. ft.)**.

Prior to Issuance:

- 2) That prior to issuance of this permit, that the Applicant/Owner shall submit a revised site plan that identifies the location, screening, and size of the outside storage area, which shall be no greater than 19,140.00 sq. m (206,021.25 sq. ft.). The outside storage area shall meet the building setback requirement and be completely screened, as per the requirements of the Land Use Bylaw and to the satisfaction of the County.
 - i) That once the screening for the outside storage area is installed, a site inspection shall be completed by the County, to confirm that the outdoor storage area is as per the revised site plan, to the satisfaction of the County.
- 3) That prior to issuance of this permit, the Applicant/Owner shall submit a development permit application for the stripping and grading work that has occurred onsite within the outside storage areas associated with the business. This condition can be considered satisfied only if the stripping and grading permit has been approved and issued.

Permanent:

- 4) That the number of non-resident employees shall not exceed four (4) at any time.
 - i) That an employee in this Home-Based Business is a person who attends on the property more than once in a seven (7) day period for business purposes.
- 5) That the operation of this Home-Based Business shall be secondary to the residential use of the subject parcel.
- 6) That the Home-Based Business, Type II shall not change the residential or agricultural character and external appearance of the land and buildings.
- 7) That the operation of this Home-Based Business, Type II shall not generate excessive or unacceptable increases in traffic within the neighbourhood or immediate area.
- 8) That the Home-Based Business, Type II shall not generate noise, smoke, steam, odour, dust, fumes, exhaust, vibration, heat, glare, or refuse matter considered offensive or excessive by the Development Authority, and at all times, the privacy of the adjacent resident dwellings shall be preserved. The Home-Based Business, Type II use shall not, in the opinion of the Development Authority, unduly offend or otherwise interfere with neighbouring or adjacent residents.
- 9) Stockpiling of materials associated with the Home-Based Business shall only be located within the outside storage area in accordance with the approved Site Plan. Any stockpiling outside of the approved outside storage area shall require an additional development permit.
- 10) That the Home-Based Business shall be limited to the dwelling, accessory building and the outside storage area in accordance with the approved Site Plan.
- 11) That all vehicles, trailers, or equipment that is used in the Home-Based Business, Type II shall be kept within the dwelling, accessory building, or storage area in accordance with the approved Site Plan.
- 12) That all outside storage that is a part of the Home-Based Business, Type II shall be completely visually screened from adjacent lands, shall meet the minimum setback requirements for buildings, and shall not exceed **19,140.00 sq. m (206,021.25 sq. ft.)**, in accordance with the approved Site Plan.
- 13) That there shall be no signage, exterior display or advertisement of goods or services discernible from the outside of the building.
- 14) That no off-site advertisement signage associated with the Home-Based Business shall be permitted
- 15) That if this permit is not issued by **September 30, 2020** or the approved extension date, then this approval is null and void and the Development Permit shall not be issued.
- 16) That this Development Permit, once issued, shall be valid until **April 22, 2021**.

Advisory:

- 17) That the County's Noise Bylaw C-5772-2003 shall be adhered to at all times.
- 18) That all other government compliances and approvals are the sole responsibility of the Applicant/Owner.

Option #3 (this would not allow the development permit to be issued)

REFUSAL, for the following reasons:

- 1) That due to the scale and intensity of the business operations, the proposed use is not in keeping with the purpose and intent of the Agricultural Holdings District as per Section 46.1 of the Land Use Bylaw C-4841-97.
- 2) The proposed landscaping business varies the external appearance and residential character of the land, which is in contravention of Section 21.1(c) of the Land Use Bylaw C-4841-97.
- 3) The development is not secondary to the residential use of the parcel, which is in contravention of Section 21.3(c) of the Land Use Bylaw (C-4841-97).
- 4) The business has been in operation prior to the application for development permit. As such, the site inspection assessed the amount of storage required for the proposed business as it currently operates. The amount of outdoor storage permitted for a Home-Based Business is 400.00 sq. m. The amount of outdoor storage required for the landscaping business is calculated at 19,140.00 sq. m, which is in contravention of Section 21.3(g) of the Land Use Bylaw C-4841-97.

Permitted: 400.00 sq. m (4,305.56 sq. ft.)

Development Authority Analysis: 19,140.00 sq. m (206,021.25 sq. ft.)

- 5) The requested number of non-resident employees exceeds the maximum number permitted, which is in contravention of Section 21.3(e) of the Land Use Bylaw C-4841-97.

Permitted number of non-resident employees: Two (2)

Requested number of non-resident employees: Four (4)

- 6) The continued operation of the business may unduly interfere with the amenities of the neighbourhood and materially interferes with and affects the use, enjoyment, and value of neighbouring parcels of land, which is in contravention of Section 12.2(c) of the Land Use Bylaw (C-4841-97).
- 7) That the intensity of the proposed development is appears greater than that of a *Home-Based Business* and therefore does not meet the definition of a Home-Based Business. The proposed development would appear most consistent with a *Contractor, General* use. *Contractor General* is neither permitted nor discretionary in the Agricultural Holdings District.

GEORGIANESTATES

RCERD 284

CONRICH RD

564

TWPRD 254

28





ROCKY VIEW COUNTY
Cultivating Communities

20200038

APPLICATION FOR A DEVELOPMENT PERMIT

Fee Submitted \$100.00	File Number 05328023
Date of Receipt Jan 9, 2020	Receipt # 2020023211

Name of Applicant Jeff Jiang Email [REDACTED]

Mailing Address [REDACTED]

Postal Code [REDACTED]

Telephone [REDACTED] Fax [REDACTED]

For Agents please supply Business/Agency/ Organization Name _____

Registered Owner (if not applicant) _____

Mailing Address _____

Postal Code _____

Telephone (B) _____ (H) _____ Fax _____

1. LEGAL DESCRIPTION OF LAND

a) All / part of the SW ¼ Section 28 Township 25 Range 28 West of 4 Meridian

b) Being all / parts of Lot _____ Block 14 Registered Plan Number 1144 LK

c) Municipal Address 254038 RAE RD 284

d) Existing Land Use Designation AH Parcel Size 20 Acres Division _____

2. APPLICATION FOR

Home Base Business TYPE 2.

3. ADDITIONAL INFORMATION

- a) Are there any oil or gas wells on or within 100 metres of the subject property(s)? Yes _____ No X
- b) Is the proposed parcel within 1.5 kilometres of a sour gas facility?
(Sour Gas facility means well, pipeline or plant) Yes _____ No X
- c) Is there an abandoned oil or gas well or pipeline on the property? Yes _____ No X
- d) Does the site have direct access to a developed Municipal Road? Yes X No _____

4. REGISTERED OWNER OR PERSON ACTING ON HIS BEHALF

I Jeff Jiang hereby certify that X I am the registered owner
(Full Name in Block Capitals)

_____ I am authorized to act on the owner's behalf

and that the information given on this form
is full and complete and is, to the best of my knowledge, a true statement
of the facts relating to this application.

**Affix Corporate Seal
here if owner is listed
as a named or
numbered company**

Applicant's Signature [Signature]

Date Jan 09/20

Owner's Signature [Signature]

Date Jan 09/20



ROCKY VIEW COUNTY
Cultivating Communities

APPLICATION TO OPERATE A HOME-BASED BUSINESS

FOR OFFICE USE ONLY

Fee Submitted

File Number

Date of Receipt

Receipt #

Name of Business Rock Rose Landscaping Ltd.

Address of Business 254038 RGE Rd 284

Postal Code _____

Telephone (B) 403 262 0068 (H) [REDACTED] Fax _____

1. PROPERTY INFORMATION

Is this on your property? Yes/No At your customers locations? Yes/No Both? Yes/No

How many square feet are being used for business purposes in the following:

House 1000 Accessory Building 1000 Outdoors 40000

2. VEHICLES

How many vehicles come to your home/property Per day 4 Per week _____

Please describe the number and type of vehicles used in the business ① Mack Dump Truck
② Flightliner Dump truck ③ Flightliner Crane ④ Peterbilt tractor

Where will these vehicle(s) be parked? in back yard

** Please show parking and storage area on your site plan.*

3. EMPLOYEES

Including the Applicant, how many people are employed by the Home-Based Business?

(An employee is a person who attends the site more than once in a seven (7) day period for business purposes)

Full Time 4 Part Time 2

Including the Applicant, how many of the above persons live on this property?

Full Time Employees 2 Part Time Employees 0

4. OPERATION

What are your days of operation? Monday to Friday What are your hours of operation? 7AM - 5PM

5. STORAGE AND SIGNAGE

Is outside storage requested? YES/NO If yes - how many square feet? 4000

Will a sign be required? YES/NO If yes - Please provide detailed sketches of the proposed sign on a separate sheet

6. ADDITIONAL INFORMATION

Signature of Applicant [Signature] Date: Jan 09/10

PLEASE PROVIDE A COVERING LETTER DETAILING THE NATURE OF THE BUSINESS
PLEASE PROVIDE ALL OF THE ABOVE INFORMATION, EVEN IF THIS IS A RENEWAL. THANK YOU

5. RIGHT OF ENTRY

I hereby authorize Rocky View County to enter the above parcel(s) of land for purposes of investigation and enforcement related to this Development Permit application.


Applicant's/Owner's Signature

Please note that all information provided by the Applicant to the County that is associated with the application, including technical studies, will be treated as public information in the course of the municipality's consideration of the development permit application, pursuant to the Municipal Government Act, R.S.A 2000 Chapter M-26, the Land Use Bylaw and relevant statutory plans. By providing this information, you (Owner/Applicant) are deemed to consent to its public release. Information provided will only be directed to the Public Information Office, 262075 Rocky View Point, Rocky View County, AB, T4A 0X2; Phone: 403-520-8199.

I, Jeff Jiang, hereby consent to the public release and disclosure of all information contained within this application and supporting documentation as part of the development process.


Signature

Jan 09/20
Date

Jeff Jiang
[REDACTED]
[REDACTED]
[REDACTED]

January 9, 2020

Dear Rocky View County Planner:

I am applying for a Home Base Business (Type II) on my property at 254038 RGE RD 284. The name of the Home Base business is Rock-Rose Landscaping Ltd. Rock-Rose Landscaping Ltd. is a company providing landscaping services in the Rocky View and Calgary area. The business has only 2 non-resident employees and will only generate 5 business related visits per day. The operation time is Monday to Saturday, from 7:00 a.m. to 5:00 p.m.

My wife and I have three children and the business is very important for me to provide for my family. I hope Rocky View County approves my application and grants me the permit required.

Thank you in advance for your consideration.

Sincerely,



Jeff Jiang













LAND TITLE CERTIFICATE

S
LINC SHORT LEGAL TITLE NUMBER
0019 738 020 1144LK;14 051 040 686

LEGAL DESCRIPTION
PLAN 1144LK
BLOCK 14
EXCEPTING THEREOUT ALL MINES AND MINERALS
AND THE RIGHT TO WORK THE SAME
AREA: 8.21 HECTARES (20.29 ACRES) MORE OR LESS

ESTATE: FEE SIMPLE
ATS REFERENCE: 4;28;25;28;S
ATS REFERENCE: 4;28;25;28;NW

MUNICIPALITY: ROCKY VIEW COUNTY

REFERENCE NUMBER: 001 078 152

REGISTERED OWNER(S)				
REGISTRATION	DATE (DMY)	DOCUMENT TYPE	VALUE	CONSIDERATION
051 040 686	01/02/2005	TRANSFER OF LAND	\$400,000	CASH & MORTGAGE

OWNERS

JEFF ZHICONG JIANG

[REDACTED]
[REDACTED]
[REDACTED]

(DATA UPDATED BY: 051040783)

ENCUMBRANCES, LIENS & INTERESTS

REGISTRATION NUMBER	DATE (D/M/Y)	PARTICULARS
8462KO .	21/08/1970	CAVEAT RE : DEFERRED RESERVE CAVEATOR - THE PROVINCIAL PLANNING DIRECTOR.
814KC .	07/07/1971	UTILITY RIGHT OF WAY GRANTEE - CANADIAN WESTERN NATURAL GAS COMPANY LIMITED.

(CONTINUED)

ENCUMBRANCES, LIENS & INTERESTS

PAGE 2
051 040 686

REGISTRATION
NUMBER DATE (D/M/Y) PARTICULARS

"E 20 FT OF W 53 FT"

111 265 465 14/10/2011 MORTGAGE
MORTGAGEE - THE TORONTO DOMINION BANK.
500 EDMONTON CITY CENTRE EAST
10205- 101ST STREET, 5TH FLOOR
EDMONTON
ALBERTA T5J5E8
ORIGINAL PRINCIPAL AMOUNT: \$264,818

171 245 752 03/11/2017 ORDER
SEE ORDER

181 044 037 23/02/2018 MORTGAGE
MORTGAGEE - JOVICA PROPERTY MANAGEMENT LTD.
400 WEST CHESTERMERE DR
CHESTERMERE
ALBERTA T1X1B3
ORIGINAL PRINCIPAL AMOUNT: \$650,000

181 044 038 23/02/2018 CAVEAT
RE : ASSIGNMENT OF RENTS AND LEASES
CAVEATOR - JOVICA PROPERTY MANAGEMENT LTD.
400 WEST CHESTERMERE DR
CHESTERMERE
ALBERTA T1X1B3
AGENT - YANG BAI.

TOTAL INSTRUMENTS: 006

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN
ACCURATE REPRODUCTION OF THE CERTIFICATE OF
TITLE REPRESENTED HEREIN THIS 9 DAY OF
JANUARY, 2020 AT 12:05 P.M.

ORDER NUMBER: 38616512

CUSTOMER FILE NUMBER: PRDP20200038



END OF CERTIFICATE

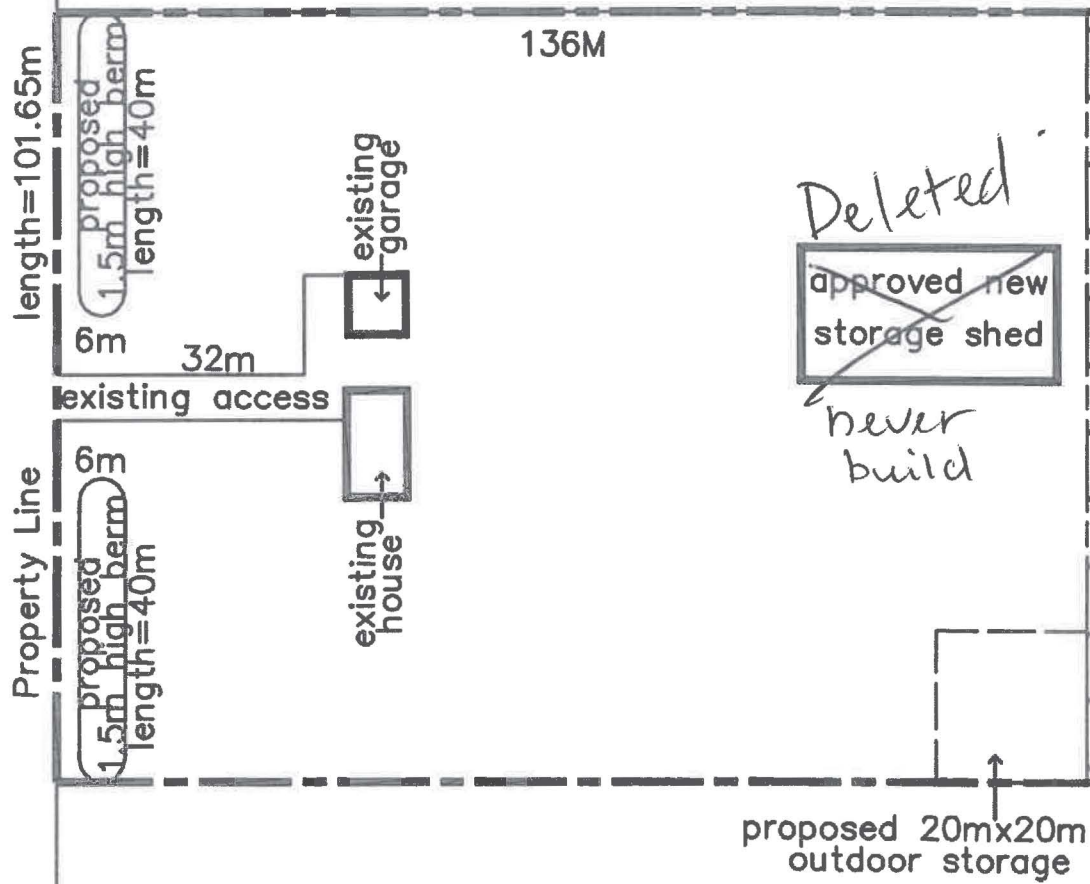
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PAGE 3
051 040 686

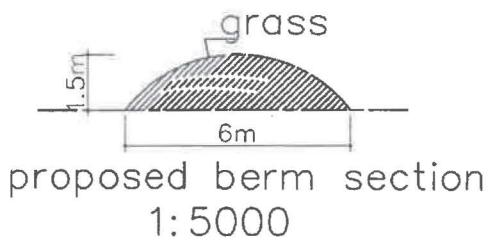
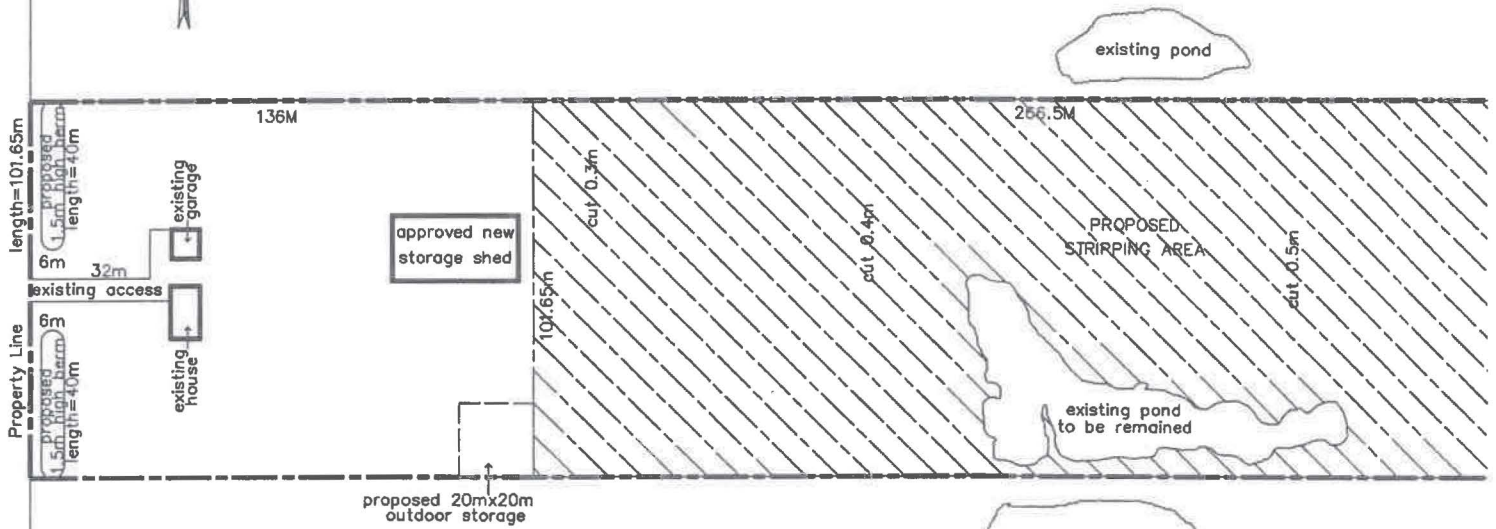
THIS ELECTRONICALLY TRANSMITTED LAND TITLES PRODUCT IS INTENDED FOR THE SOLE USE OF THE ORIGINAL PURCHASER, AND NONE OTHER, SUBJECT TO WHAT IS SET OUT IN THE PARAGRAPH BELOW.

THE ABOVE PROVISIONS DO NOT PROHIBIT THE ORIGINAL PURCHASER FROM INCLUDING THIS UNMODIFIED PRODUCT IN ANY REPORT, OPINION, APPRAISAL OR OTHER ADVICE PREPARED BY THE ORIGINAL PURCHASER AS PART OF THE ORIGINAL PURCHASER APPLYING PROFESSIONAL, CONSULTING OR TECHNICAL EXPERTISE FOR THE BENEFIT OF CLIENT(S).

RANGE ROAD 284



RANGE ROAD 284



RGE RD 204

35m x 30m
= 1,050m²

45m x 50m
= 2,250m²

30m x 30m
= 900m²

166m x 100m - (166m
x 10m road)
= 14,940m²

▨ - Approx. location of outdoor storage
of commercial vehicles, equipment, and
landscaping materials based on
July 9, 2018 inspection

Total:
19,140m²

PLANNING AND DEVELOPMENT SERVICES

TO: Municipal Planning Commission

DATE: April 6, 2020

DIVISION: 06

APPLICATION: PRDP20200083

SUBJECT: Development Item: Natural Resource Extraction/Processing

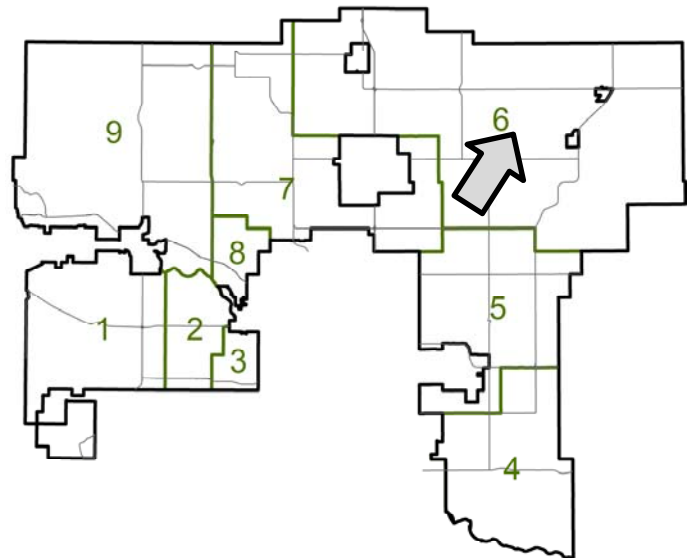
USE: Discretionary, with Variances

APPLICATION: Renewal of Natural Resource Extraction/Processing (expansion of an existing aggregate extraction operation), relaxation of the minimum side yard setback requirement to operations, including excavations and stockpiles.

GENERAL LOCATION: Located approximately 1.41 km (3/4 mile) south of Hwy. 72 and on the east side of Rge. Rd. 264.

LAND USE DESIGNATION: Natural Resource Industrial District (NRI)

ADMINISTRATION RECOMMENDATION:
Administration recommends approval in accordance with Option #1.



Variance	Requirement	Proposed	Percentage (%)
Side Yard Setback	15.00 m (49.21 ft.)	0.00 m (0.00 ft.)	100%

OPTIONS:

Option #1: THAT Development Permit Application PRDP20200083 be approved with the conditions noted in the report.

Option #2: THAT Development Permit Application PRDP20200083 be refused as per the reasons noted.

AIR PHOTO & DEVELOPMENT CONTEXT



Administration Resources

Sandra Khouri / Prabh Sodhi –Planning and Development Services

DEVELOPMENT PERMIT REPORT

Application Date: December 18, 2019	File: 08109005
Application: PRDP20200083	Applicant/Owner: Boots Engineering (Shane LeBouthillier)
Legal Description: Lot 1, Block 1, Plan 1610082, SW-09-28-26-04	General Location: located approximately 1.41 km (3/4 mile) south of Hwy. 72 and on the east side of Rge. Rd. 264
Land Use Designation: Natural Resource Industrial District (NRI)	Gross Area: ± 16.19 hectares (± 40.01 acres)
File Manager: Sandra Khouri	Division: 06

PROPOSAL:

The proposal is for the renewal of Natural Resource Extraction/Processing (expansion of an existing aggregate extraction operation), relaxation of the minimum side yard setback requirement to operations, including excavations and stockpiles.

This application represents an expansion of a previously approved aggregate extraction site that has been in operation for over 40 years. The existing site is quite large, spanning portions of four (4) quarter sections; however, the expansion area encompasses only an additional 40 acres north of the current operation.

The Beiseker Pit Expansion Master Site Development Plan (MSDP) has been approved for this site.

Application History

- This is the first renewal application.
- The previous development permit (PRDP20153576) was issued on December 21, 2016 and expired on November 30, 2019.
- The Applicant has indicated that this portion of the operations will not be mined this year; however, in order to keep the site permitted they have submitted a renewal.

Application Details

Land Use and Development Concept

This aggregate extraction site is intended to be an extension of an existing operation conducted by McNair Sand & Gravel Ltd. Due to market demands, the phasing plan submitted with the development permit application varies slightly from what is outlined in the MSDP. The estimated lifespan of the project is now expected to be fifteen (15) years and undertaken in three (3) phases of five (5) years each. The area of each phase is approximately ± 4.05 hectares (± 10.00 acres) in size.

The MSDP highlights the proposed gravel extraction and processing operation phasing and operational schedule for the production. Phasing is projected to proceed from west to east, and a single Development Permit will be required for all phases of development. In terms of the processing activities onsite, there will be stripping, screening, and stockpiling of material, but no washing of material. This will effectively eliminate the need for potable water supply and any needed for the use of the onsite



portable washroom is proposed to be hauled in. The hours of operation are limited from 7:00 am to 7:00 pm, Monday to Saturday, with Sundays and Holidays off; all of these items will be directly implemented through conditions in the Development Permit.

Reclamation

Reclamation will involve stripping topsoil and overburden from the initial phase and stockpiling it on the adjacent lands to the south adjacent quarter for future reclamation. As Phase 1 ends and Phase 2 is initiated, the topsoil from Phase 2 will be stockpiled to the south, with the overburden used to reclaim Phase 1. It can be assumed that the same will occur upon initiation of Phase 3. Upon completion of Phase 3, all stockpiled topsoil will be used to reclaim the site.

Access Management

Approval of the existing aggregate operation to the south resulted in the upgrade of Range Road 264, which is located to the east of the subject lands. No new direct access to the municipal road network is proposed, rather, the lands will be accessed via the existing pit located immediately to the south. As the lands are located approximately 1.6 km south of Highway 72, it is expected that this corridor will be the primary destination for truck traffic accessing the regional transportation network.

As this application represents an expansion to an existing aggregate operation, there is not expected to be an increase in the volume of vehicle traffic generated by the site. As such, no upgrades or changes are required of the transportation network.

Environmental

The environmental considerations of the development have been considered via the submission of a Groundwater Analysis and a Biophysical Impact Assessment. The Groundwater Analysis has identified that the water table beneath the proposed pit areas is similar to that which exists below the current pits to the south. The report does not foresee any adverse effects to the groundwater table as a result of the proposed extraction.

The Biophysical Impact Assessment has determined that the lands do not contain significant animal habitats, or substantial areas of sensitive vegetation. The lands have previously been cultivated or used for grazing, and as such any native vegetation would have long since been removed.

Wetlands & Stormwater

There are no wetlands contained within the lands proposed to be excavated. There is a wetland just north of the subject parcel on land that is not intended to be extracted. The Biophysical Impact Assessment indicates a requirement to maintain a 200 m buffer from the wetland; however, the lands will remain undisturbed.

According to the Stormwater Management Plan, the proposed gravel operation can effectively manage stormwater onsite. Any additional stormwater overflows produced shall be retained within the existing pit areas to the south. In areas where retention is not possible, use of siltation prevention methods will be employed to ensure that any offsite drainage contains the least amount of silt as possible. It should be noted as well that the general slope of the proposed pits will be designed to flow to the south, towards the existing aggregate operation.

Noise

The nature of aggregate extraction naturally involves some degree of noise generation due to the operation of machinery and other equipment. The initial topsoil removal phase is expected to be the most intrusive, as future operations will be conducted within the pit thereby reducing ambient noise levels. The operations schedule discussed in the *Land Use and Development Concept* section of this report suggests



that the proposed hours of operation are Monday through Saturday, 7:00 am to 7:00 pm. This should result in an avoidance of disruption for nearby residences during peaceful hours. There are no residences located within a 1 km radius of the proposed pit expansion.

Additionally, an anticipated Noise Impact Assessment has been prepared in support of the application. This report has determined that the noise generated by the operation of the site will be in accordance with acceptable levels. Mitigation methods to further reduce noise impacts are included within Policy 3.1 of the MSDP, and include measures such as proper maintenance of vehicles and equipment, prohibition on the use of engine retarder brakes near residences, and through the restriction of operation of sorting equipment to the lower areas of the pits.

Dust

The application identifies the primary dust sources coming from equipment and vehicle travel in the pit. Other dust sources include soil and overburden stockpiles, pit excavation, and pit working. As the primary haul route corridors, Range Road 264 and Highway 72, are paved any dust control measures will reflect onsite dust generation. In order to address these matters, the Applicant/Owner has proposed the following mitigation measures:

- 1) Regular watering and/or treatment with dust suppressant;
- 2) Suspension of operations during dry and windy conditions;
- 3) Seeding of long-term stockpiles to grass to prevent erosion;
- 4) Strategic placement of stockpiled material.

Further, crushing of rock is not proposed in the subject pit, which is usually a major source of dust in other pit operations.

Land Use Bylaw

58.3 Uses, Discretionary

Natural Resource Extraction/Processing

58.4 Setbacks

- Front Yard:

Required: 30.00 m (west property line)

Proposed: 30.00 m

- Side Yards:

Required: 15.00 m (north/south property line)

Proposed: 15.00 m/0.00 m

- **Rationale:** The Applicant is requesting no setback from the south property line in order to allow for a continuous extension of mining operations from NW-04-28-26-W04 into the subject 40 acre parcel. This variance is required in order to incorporate the expansion area into the existing operations. As such, Administration is of the opinion that this variance would be suitable.

- Rear Yard

Required: 15.00 m (east property line)

Rear Yard Proposed: 15.00 m

STATUTORY PLANS:

Beiseker Sand and Gravel Pit Expansion Master Site Development Plan

This MSDP was approved along with an associated land use redesignation on June 9, 2015, and provides guiding policy support for the operation of the aggregate extraction operation on the site. The primary intent of the MSDP is to provide a policy framework that will directly influence future Development Permit applications on the subject lands. The MSDP is intended to be adopted by Council by resolution and is intended to be considered concurrently with the redesignation application to change the land use of the subject lands from Ranch and Farm District (RF) to Natural Resource Industrial District (NRI). The guiding policies of the MSDP were used to evaluate this application.

INSPECTOR'S COMMENTS:

No inspection was completed at the time this report was written.

CIRCULATIONS:

Alberta Environment and Parks

No comments received.

Development Compliance Officer

Development Compliance has the following recommendations regarding this application:

- Recommend that dust control measures be required;
- Recommend the County noise control bylaw be adhered to at all times;
- Recommend that vehicular traffic obey any speed and weight restrictions on local roads;
- Recommend restrictions on hours of operation in order that neighbouring properties are not negatively impacted;
- Recommend any outdoor lighting be dark sky;
- Recommend the land owner contributes resources for the repair and maintenance of Range Road 264.

Planning and Development Services - Engineering

No comments received – this is a renewal application so there are no additional requirements.

Agricultural and Environmental Services

No agricultural Concerns.

Utility Services

No Concerns.

Capital Project Management

No comments received.

Solid Waste & Recycling

No comments received.



Transportation Services

No comments received.

Road Operations

No comments received.

OPTIONS:

Option #1: (this would allow the development)

APPROVAL, subject to the following conditions:

Description:

1. That the Natural Resource Extraction/Processing (expansion of an existing aggregate extraction operation) may operate on the subject site and shall be in accordance with the approved drawings and the Beiseker Sand and Gravel Pit Expansion Master Site Development Plan (MSDP) as prepared by D.A. Badke Enterprises Ltd., dated August 2015, as submitted with the application.
 - i. That the minimum side yard setback (south) requirement to operations, including excavations and stockpiles is relaxed from **15.00 m (49.21 ft.) to 0.00 m (0.00 ft.)**.

Permanent:

2. That any plan, technical submission, agreement, or other matter submitted and approved as part of the Development Permit application or submitted in response to a Prior to Issuance or Occupancy condition, shall be implemented and adhered to in perpetuity and includes:
 - i. That the Applicant/Owner shall be required to implement all noise and dust controls in accordance with the ESC Plan prepared by Osprey Engineering, dated December 4, 2014, approved with the original application (2012-RV-166).
 - ii. That the Applicant/Owner shall be required to implement the recommendations from the Stormwater Management Plan, prepared by Osprey Engineering, dated November 24, 2014. Note, that as part of the previous application (2012-RV-166), the Applicant/Owner provided the County with a letter from the landowner to the south allowing stormwater to be discharged to the existing pond in the existing pit.
 - iii. That the Applicant/Owner shall be required to implement the recommendations from the Erosion & Sedimentation Control (ESC) Plan prepared by Osprey Engineering, dated December 4, 2012 as part of the previous application (2012-RV-166).
3. That the Applicant/Owner shall be required to provide payment of the Community Aggregate Payment (CAP) Levy in accordance with Bylaw C-6214-2006, in the amount of \$0.25 per ton of aggregate extracted and removed.
4. That no stormwater shall leave the subject lands (except as approved with the Stormwater Management Plan) or be directed to County ditches or natural water courses. All run-off contained within the pit shall be retained and stored in the existing stormwater pond on the lands directly to the south.
5. That the operation of the site shall be conducted in accordance with the operational plan stated within the MSDP and phasing plan (as submitted with the application) and access to the regional transportation network shall be conducted in accordance with the provisions of the MSDP.

6. That the Mining Plan provided in the previous application is to be implemented with this approval and the Applicant/Owner shall notify the County of any changes to the Mining Plan in the future.
7. That the area of the site that is open and not reclaimed shall not exceed 10.12 hectares (25.00 acres) at any time.
8. That no topsoil shall be removed from the site, except when in accordance with the reclamation plan outlined in the MSDP.
9. That no water may be used for washing of gravel unless and until written approval has been received from Alberta Environment.
10. That no wash water shall be discharged off of the site or into any water channel.
11. That there shall not be any storage of any materials or vehicles on the property that are not directly related to the operation of the sand and gravel pit.
12. That this approval does not include any blasting or rock crushing.
13. That the berms, overburden stockpiles, and similar earthworks shall be seeded and maintained using erosion control measures as outlined in the MSDP.
14. That the hours of operation of the gravel pit shall be from 7:00 am to 7:00 pm, Monday to Saturday, not including holidays.

Advisory:

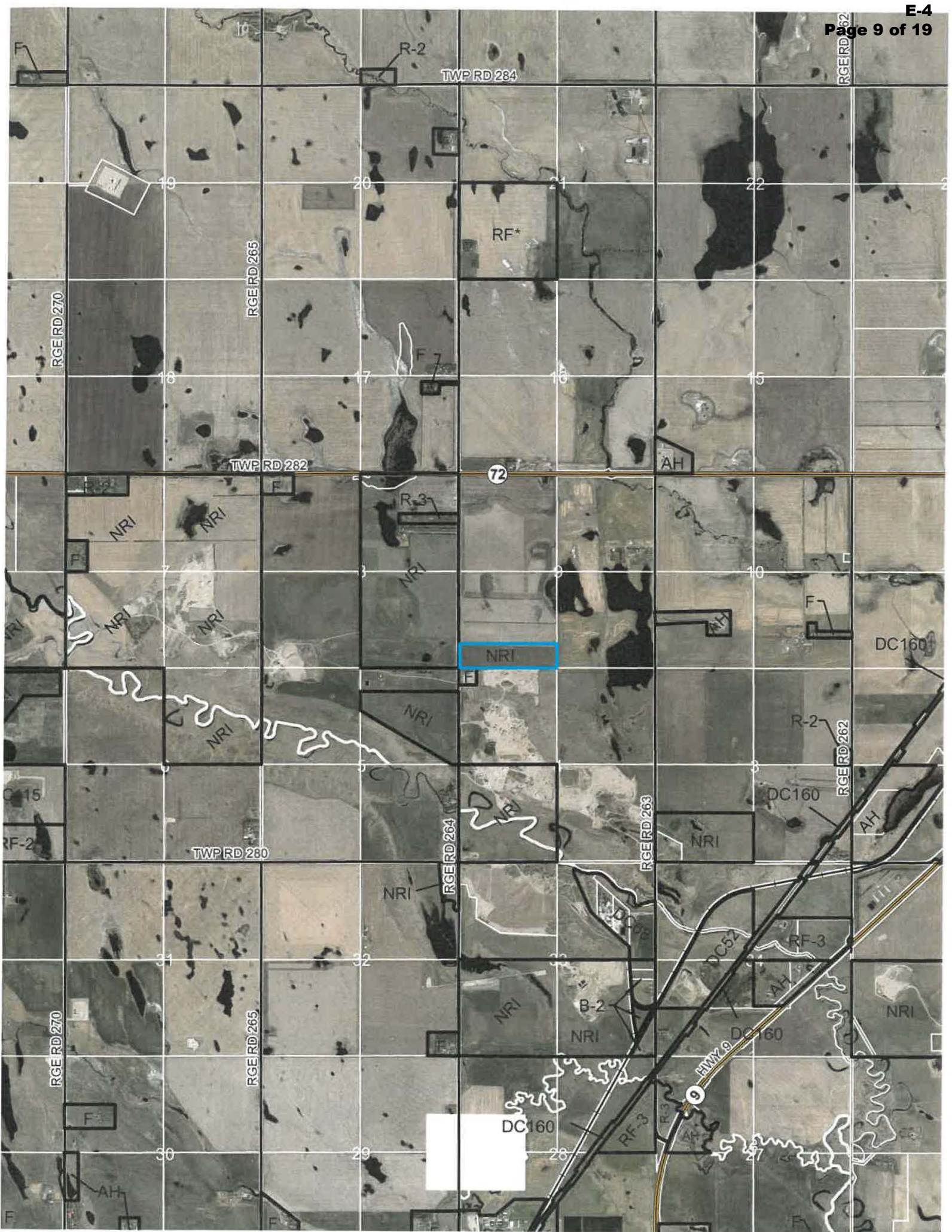
15. That the site shall remain free of restricted or noxious weeds.
16. That any other government permits, approvals, or compliances are the sole responsibility of the Applicant/Owner.
 - i. That all pit registrations shall remain valid with Alberta Environment;
 - ii. That all sanitary sewage and water services shall be supplied in accordance with Alberta Safety Codes Act and Alberta Environment;
 - iii. That fire suppression and abatement measures shall be followed to the satisfaction of the Municipality.
17. That this Development Permit shall be valid until **November 30, 2024** or until Phase 3 is complete, whichever comes first.

Option #2: (this would not allow the development)

REFUSAL, for the following reasons:

1. That in the opinion of the Municipal Planning Commission, the development unduly interferes with the amenities of the neighbourhood and materially interferes with and affects the use, enjoyment, and value of neighbouring parcels of land.
- 2.







ROCKY VIEW COUNTY
Cultivating Communities

20200083

APPLICATION FOR A DEVELOPMENT PERMIT

FOR OFFICE USE ONLY	
Fee Submitted \$6200	File Number 02409005
Date of Receipt Dec 18/19	Receipt # 2020 023314

Name of Applicant Boots Engineering (Shane LeBouthillier) Email boots.engineering@gmail.com

Mailing Address 24 Lake Linnet Close SE Calgary AB T2C 2S1

Postal Code T2C 2S1

Telephone (B) (403) 869-7565 (H) _____ Fax _____

For Agents please supply Business/Agency/ Organization Name Boots Engineering (Shane LeBouthillier)

Registered Owner (if not applicant) McNair Sand & Gravel Ltd.

Mailing Address Box 205 Beiseker AB

Postal Code T0M 0G0

Telephone (B) (403) 947-2233 (H) _____ Fax (403) 947-2237

1. LEGAL DESCRIPTION OF LAND

a) All / part of the SW ¼ Section 09 Township 28 Range 26 West of 4 Meridian

b) Being all / parts of Lot 1 Block 1 Registered Plan Number 1610082

c) Municipal Address _____

d) Existing Land Use Designation NR1 Parcel Size 40.01 Division _____

2. APPLICATION FOR

Renewal of OP # PRDP20153576

3. ADDITIONAL INFORMATION

a) Are there any oil or gas wells on or within 100 metres of the subject property(s)? Yes _____ No X

b) Is the proposed parcel within 1.5 kilometres of a sour gas facility? Yes X No _____
(Sour Gas facility means well, pipeline or plant) → pipeline, wells appear to be > 1.5 km away.

c) Is there an abandoned oil or gas well or pipeline on the property? Yes _____ No X

d) Does the site have direct access to a developed Municipal Road? Yes _____ No X

4. REGISTERED OWNER OR PERSON ACTING ON HIS BEHALF

I SHANE LeBOUTHILLIER hereby certify that _____ I am the registered owner
(Full Name in Block Capitals)

X I am authorized to act on the owner's behalf

and that the information given on this form
is full and complete and is, to the best of my knowledge, a true statement
of the facts relating to this application.

**Affix Corporate Seal
here if owner is listed
as a named or
numbered company**

Applicant's Signature Shane LeBouthillier

Date Dec. 9, 2019

Owner's Signature _____

Date _____

5. RIGHT OF ENTRY

I hereby authorize Rocky View County to enter the above parcel(s) of land for purposes of investigation and enforcement related to this Development Permit application.



Applicant's/Owner's Signature

Please note that all information provided by the Applicant to the County that is associated with the application, including technical studies, will be treated as public information in the course of the municipality's consideration of the development permit application, pursuant to the Municipal Government Act, R.S.A 2000 Chapter M-26, the Land Use Bylaw and relevant statutory plans. By providing this information, you (Owner/Applicant) are deemed to consent to its public release. Information provided will only be directed to the Public Information Office, 262075 Rocky View Point, Rocky View County, AB, T4A 0X2; Phone: 403-520-8199.

I, Shane LeBouthillier, hereby consent to the public release and disclosure of all information contained within this application and supporting documentation as part of the development process.


Signature

Dec. 9, 2019
Date

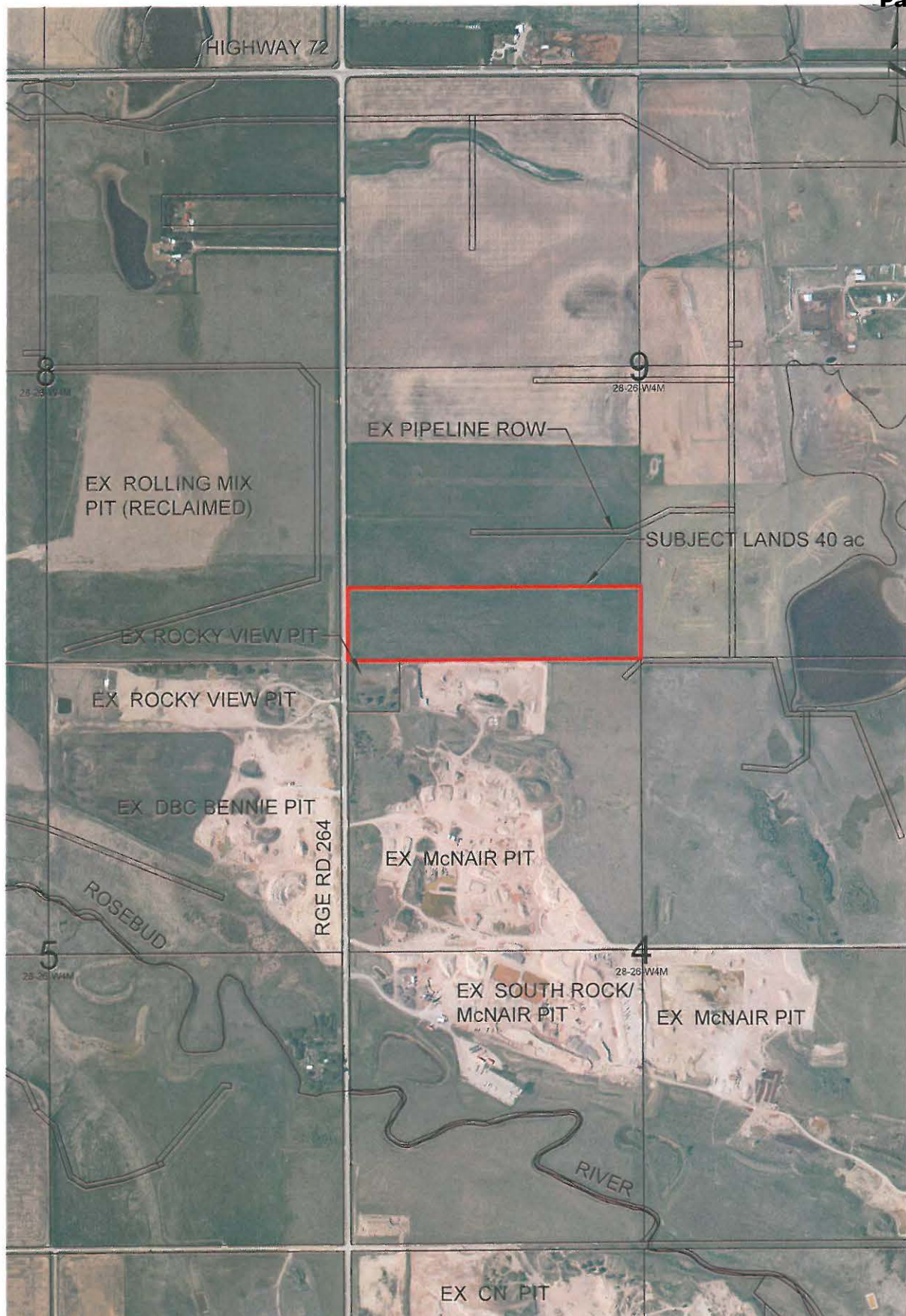
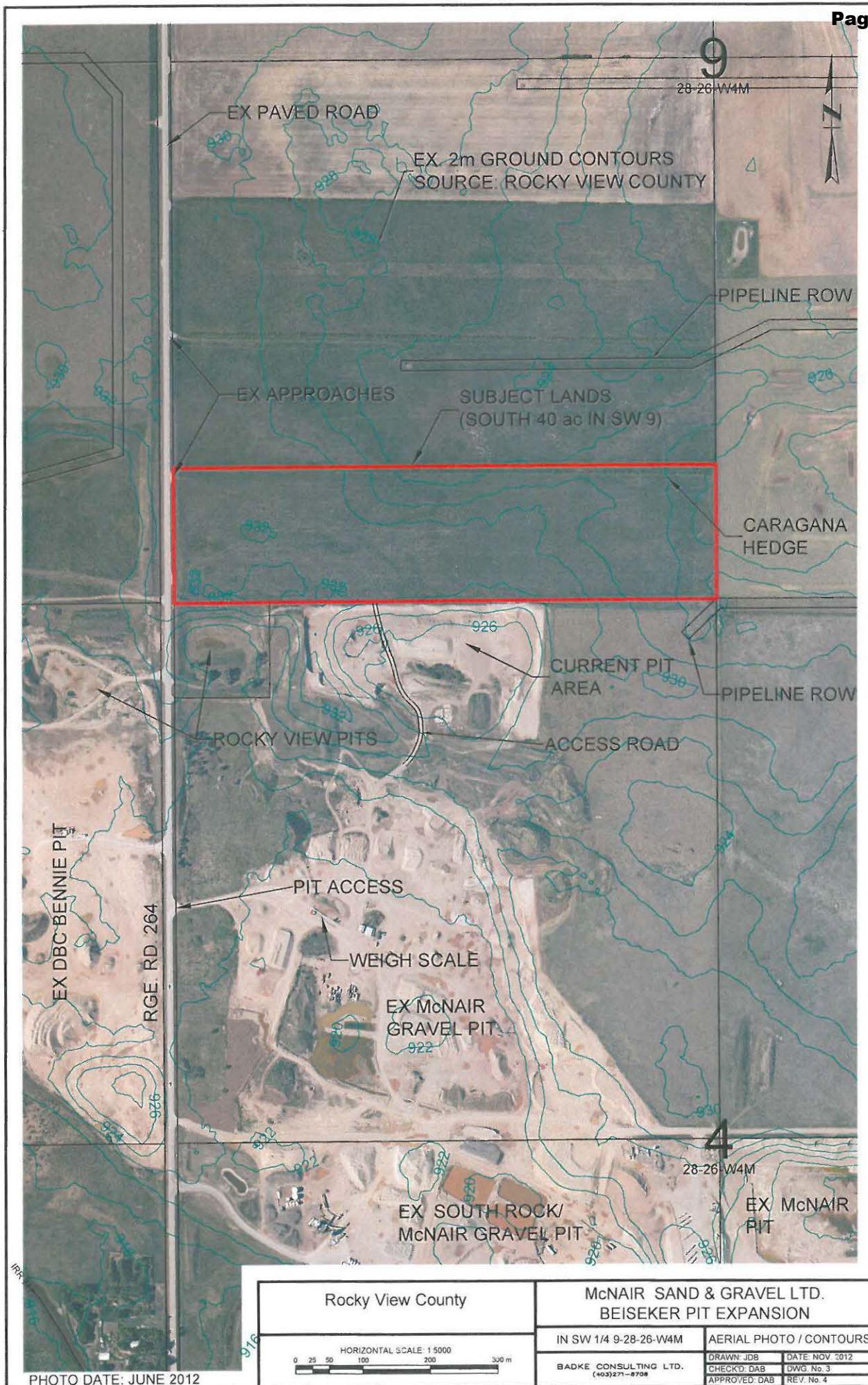


PHOTO DATE: JUNE 2012

Rocky View County		McNAIR SAND & GRAVEL LTD. BEISEKER PIT EXPANSION	
<p>HORIZONTAL SCALE: 1:10000</p> <p>0 50 100 200 400 600 m</p>		IN SW 1/4 9-28-26-W4M	AERIAL PHOTO
BADKE CONSULTING LTD. (403) 271-8708		DRAWN: JDB	DATE: NOV. 2012
		CHECK'D: DAB	DWG No. 1
		APPROVED: DAB	REV No. 4





Rocky View County

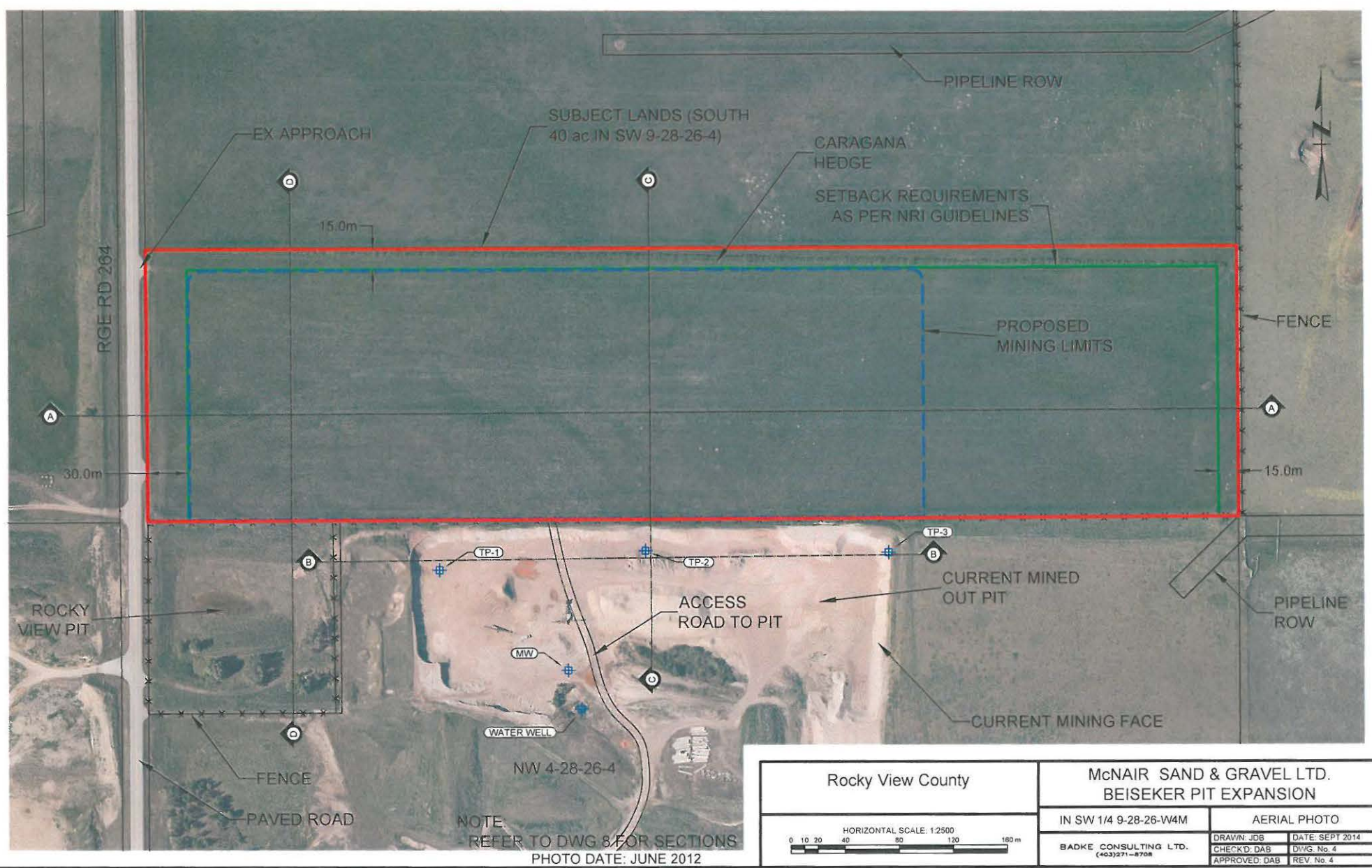
McNAIR SAND & GRAVEL LTD.
BEISEKER PIT EXPANSION

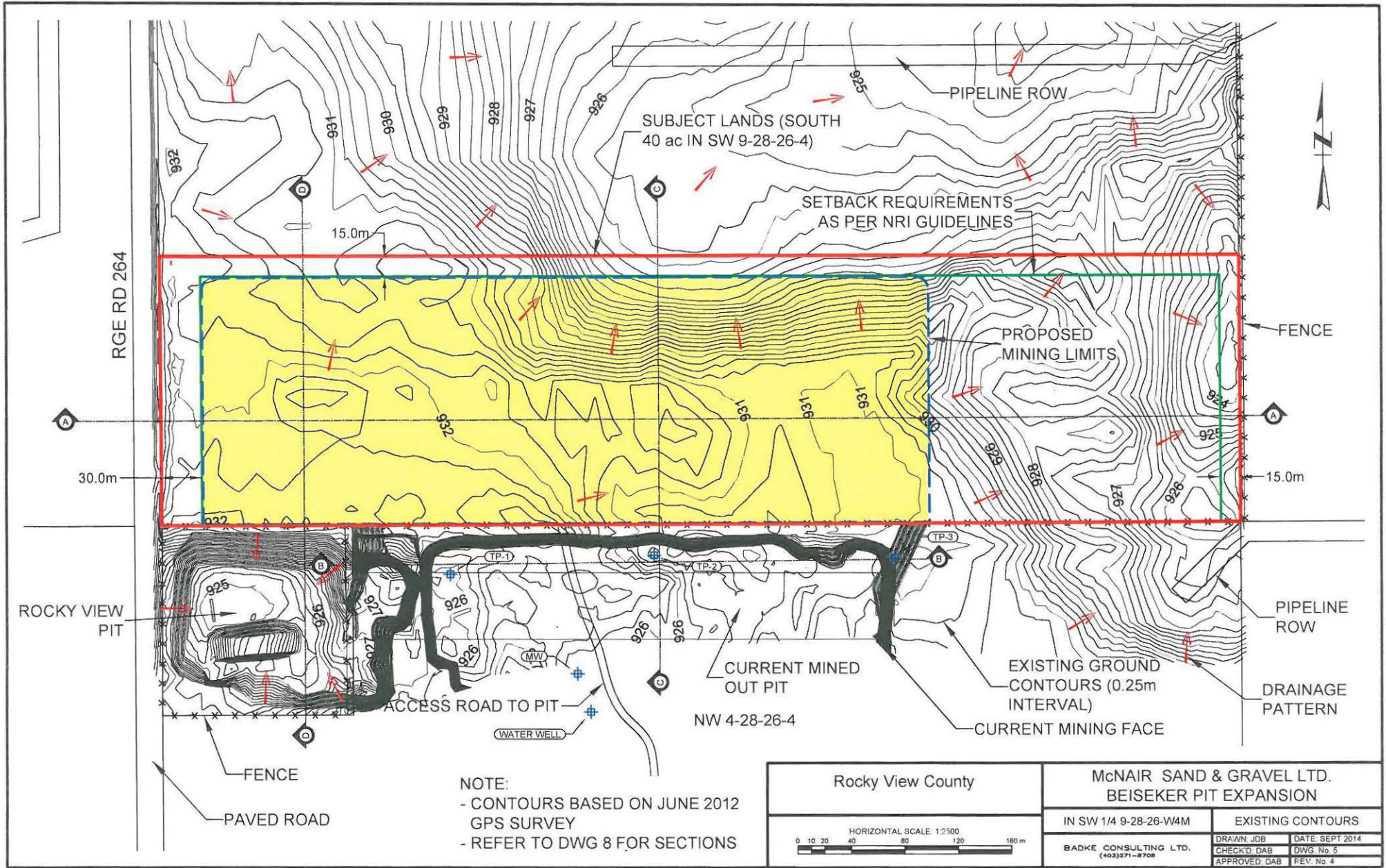
IN SW 1/4 9-28-26-W4M

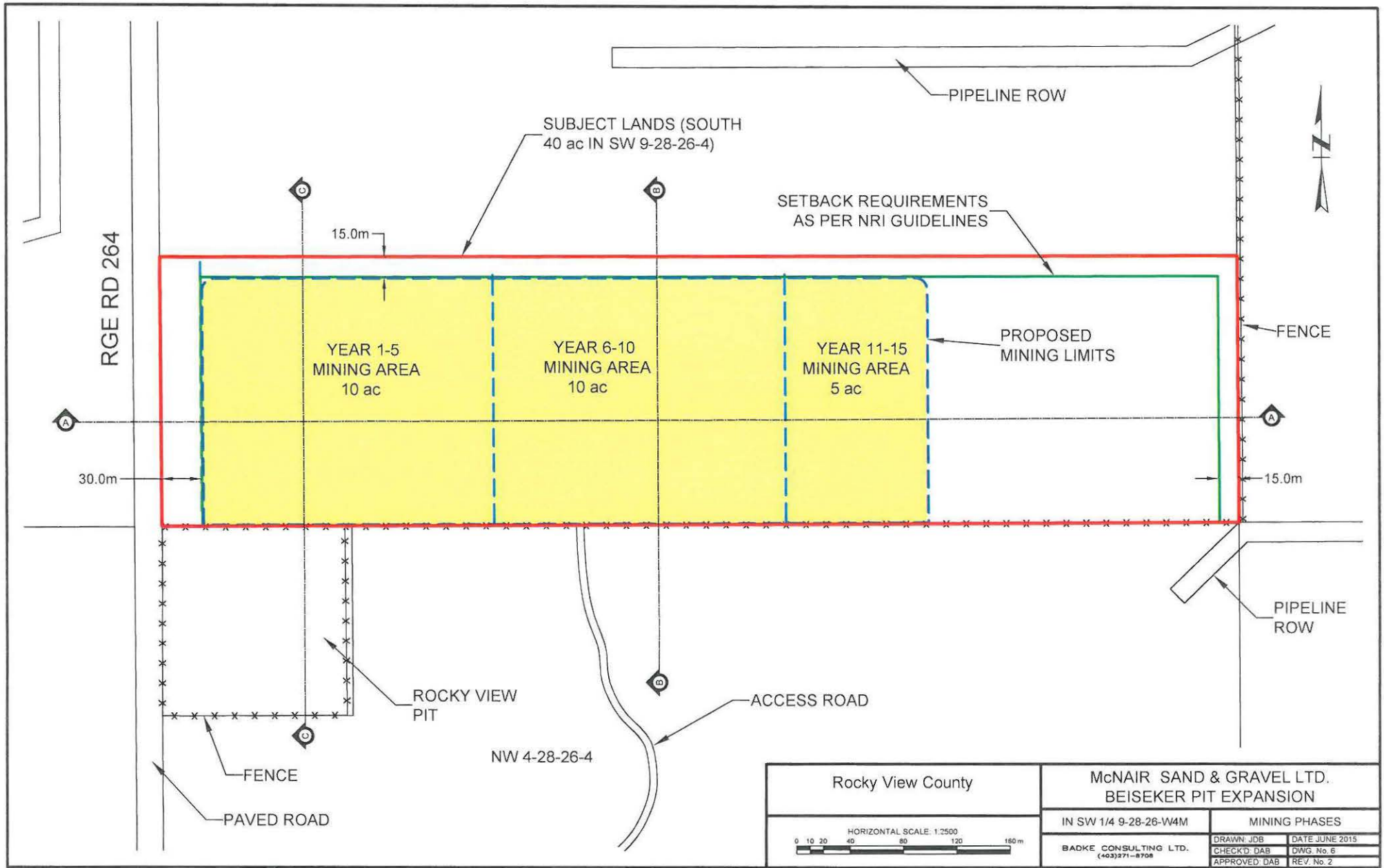
AERIAL PHOTO / CONTOURS

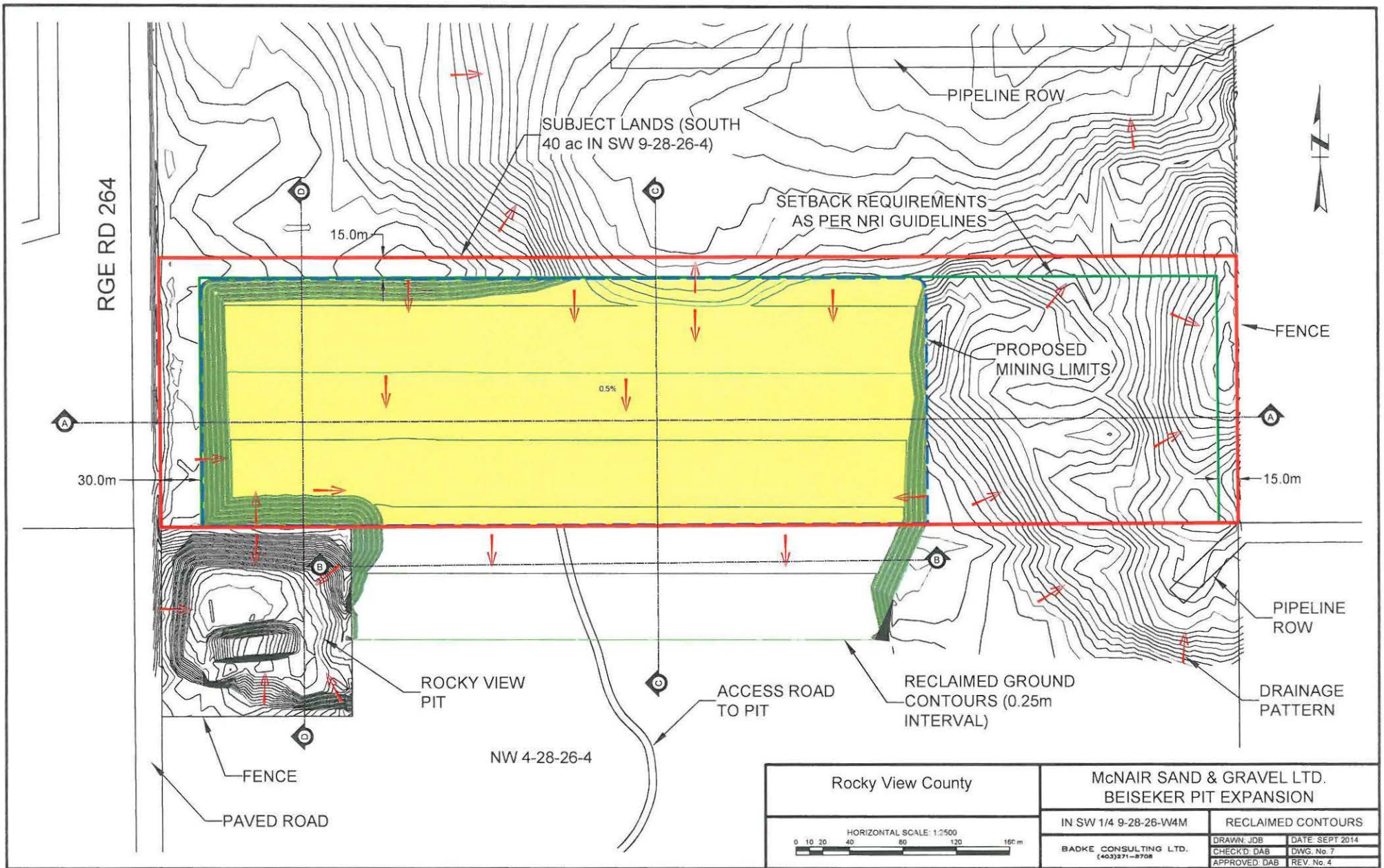
BADKE CONSULTING LTD.
(403) 271-8708

DRAWN: JDB	DATE: NOV. 2012
CHECKED: DAB	DWG. No. 3
APPROVED: DAB	REV. No. 4

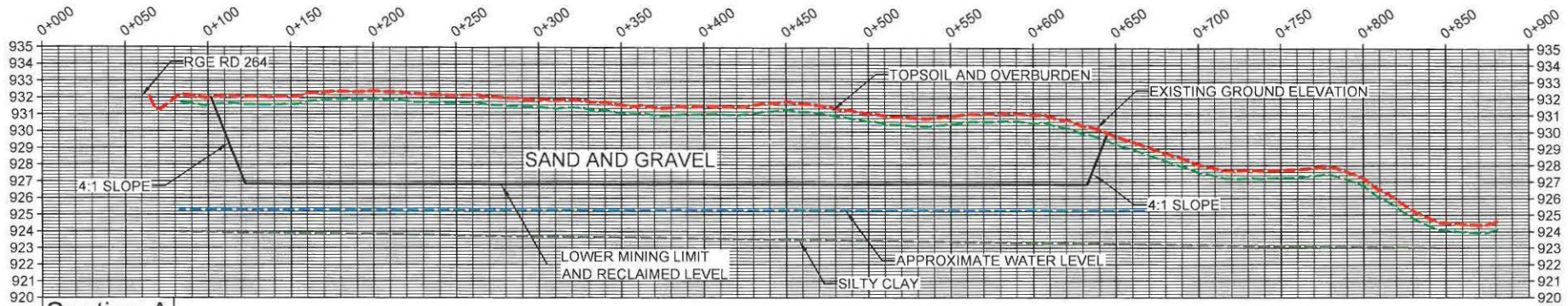




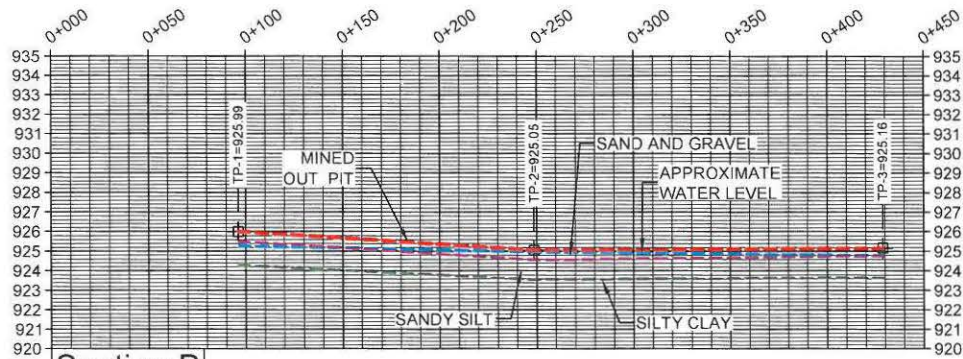




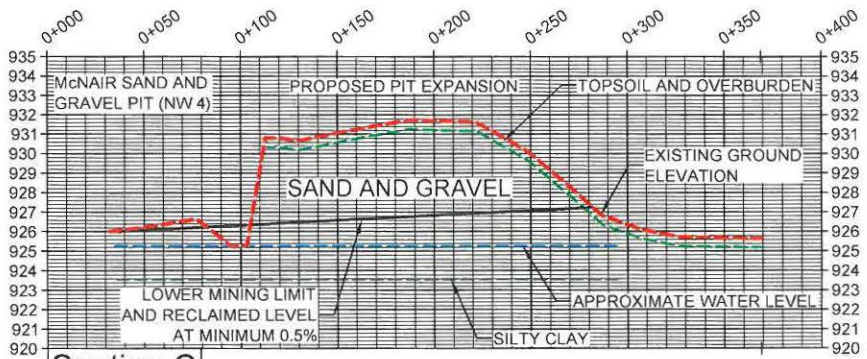
Rocky View County		McNAIR SAND & GRAVEL LTD. BEISEKER PIT EXPANSION	
IN SW 1/4 9-28-26-W4M		RECLAIMED CONTOURS	
BADKE CONSULTING LTD. (403)271-8708		DRAWN: JDB	DATE: SEPT 2014
		CHECKED: DAB	DWG. No. 7
		APPROVED: DAB	REV. No. 4



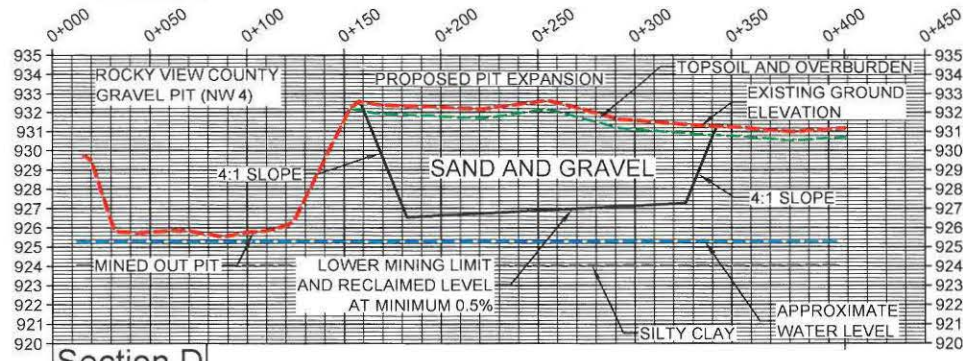
Section A



Section B

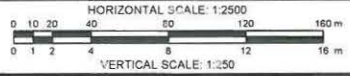


Section C



Section D

Rocky View County		McNAIR SAND & GRAVEL LTD. BEISEKER PIT EXPANSION	
IN SW 1/4 9-28-26-W4M		SECTIONS	
BADKE CONSULTING LTD. (403) 271-8708		DRAWN: JDB	DATE: SEPT 2014
		CHECK'D: DAB	DWG. No. 8
		APPROVED: DAB	REV. No. 4





PLANNING AND DEVELOPMENT SERVICES

TO:	Council	DATE:	March 23, 2020
DIVISION:	All	APPLICATION:	N/A
SUBJECT:	Development Permit Application for Municipal Planning Commission Consideration		

POLICY DIRECTION:

On November 26, 2019, Council approved the *Municipal Planning Commission Bylaw* (C-7967-2019), which states:

4. When acting as the Development Authority, the Municipal Planning Commission exercises the requisite development powers and duties under the *Municipal Government Act* and its applicable regulations. Permitted uses where there is no proposed variance will be administered by Administration whenever possible.

EXECUTIVE SUMMARY:

To provide additional guidance for which Development Authority decides on which types of Development Permit applications, Administration proposes the creation of an administrative directive. The intent of the directive will be to create guidelines that will be used to determine which applications are decided by Municipal Planning Commission (MPC) and which by Administration.

It is Administration's intent that this directive utilize the previous variance restrictions to detail the breakdown between MPC and Administration. The intended breakdown is as follows:

- Development Permit applications decided by Administration
 - Permitted uses without variances
 - Permitted uses with minor variances
 - Minor variances are to be defined as follows:
 - Front and side yard setback variance(s);
 - Abutting a gravel road less than or equal to 25%;
 - Abutting a paved road less than or equal to 50%
 - Rear yard setback variance(s) less than or equal to 25%;
 - Height variance(s) less than or equal to 25%; and
 - Accessory Building and Accessory Dwelling Unit building area or parcel coverage variance(s) less than or equal to 10%.
 - Applications that would typically be heard by MPC where MPC is unavailable (ex: on break)
- Development Permit applications decided by MPC
 - All discretionary uses (with or without variances)
 - Permitted uses where the variance(s) is greater than the definition of a minor variance

Administration Resources

Sean MacLean, Planning and Development Services



- Permitted uses with minor variance(s) where:
 - Administration is of the opinion that the minor variance(s) would have undue detrimental impact on the neighbourhood and/or surrounding properties; or
 - Administration believes that the application would benefit from oversight from MPC.

ADMINISTRATION RECOMMENDATION:

Administration recommends Municipal Planning Commission receive the report as information in accordance with Option #1.

BACKGROUND:

Section 626(3) of the *Municipal Government Act* provides that if a MPC is established, the Bylaw establishing it must provide for procedures to be followed, prescribe the functions and duties of the commission, including but not limited to subdivision and development powers and duties.

The *Municipal Planning Commission Bylaw* is in compliance with legislation; however MPC has expressed an interest in the creation of additional guidelines to determine which Development Permit applications are heard by MPC.

OPTIONS:

- Option #1 THAT this report be received as information.
Option #2 THAT alternative direction be provided.

Respectfully submitted,

Concurrence,

“Theresa Cochran”

“Al Hoggan”

Executive Director
Community Development Services

Chief Administrative Officer

SM/Itt

APPENDICES:

None