

# Municipal Planning Commission Meeting Agenda



ROCKY VIEW COUNTY

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

April 27, 2020

9:00 a.m.

**A CALL MEETING TO ORDER**

**B UPDATES/APPROVAL OF AGENDA**

**C APPROVAL OF MINUTES**

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**D SUBDIVISION APPLICATIONS**

1. Division 2– File PL20200021 (5705006) – Other subdivision

Staff Report Page 24

**E DEVELOPMENT APPLICATIONS**

1. Division 9 – File PRDP20200382 (10013121) – Dwelling, single detached (existing decks)

Staff Report Page 46

2. Division 5 – File PRDP20200527 (04306051) – Single lot regrading

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3. Division 9 – File PRDP20200492 (07829004) – Bed and breakfast

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4. Division 5 – File PRDP20200307 (05332012) – Horticultural development

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5. Division 1 – File PRDP20200444 (03909027) – Single lot regrading

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6. Division 4 – File PRDP20200603 (03214035) – Accessory building (existing)

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7. Division 2 – File PRDP20200546 (05705027) – Dwelling

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9:00 a.m.

**8. Division 1 – File PRDP20200448 (04823001) – Farm dwelling, mobile home**

Staff Report

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**9. Division 9 – File PRDP20200531 (06705023) – Home-based business, type II**

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**10. Division 4 – File PRDP20200335 (04209011) – Home-based business, type II**

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**F OTHER BUSINESS**

None

**G ADJOURN MEETING**

**H NEXT MEETING: May 11, 2020**



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A regular meeting of the Rocky View County Municipal Planning Commission was held electronically in accordance with the Meeting Procedures (COVID-19 Suppression) Regulation, Alberta Regulation 50/2020 on April 6, 2020 commencing at 9:10 a.m.

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

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
- C. Satink, Municipal Clerk, Municipal Clerk's Office
- T. Andreasen, Deputy Municipal Clerk, Municipal Clerk's Office
- S. MacLean, Planning Supervisor, Planning and Development Services
- N. Mirza, Municipal Engineer, Planning and Development Services
- K. Tuff, Appeals Coordinator, Municipal Clerk's Office
- J. Targett, Development Officer, Planning and Development Services

**Call to Order**

The Chair called the meeting to order at 9:10 a.m. with all members present via video conference call.

**2020-04-06-01 (B-1)**

**Updates/Acceptance of Agenda**

MOVED by Member McKylor that the April 6, 2020 Municipal Planning Commission meeting agenda be approved as presented.

Carried

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

**Approval of Minutes**

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

Carried

**2020-04-06-03 (D-1)**

**Division 4 – Subdivision Item – Other subdivision**

**File: PL20190154 (03222687/03222685/03222206)**

MOVED by Member Schule that Subdivision Application PL20190154 be approved with the conditions noted in Appendix 'B':

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

- 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)

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municipal reserve (MR), and  $\pm 16.09$  hectare ( $\pm 39.75$  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*.

Carried

2020-04-06-04 (D-2)

Division 2 – Subdivision Item – Other subdivision  
PL20190076 (05711004)

MOVED by Member Schule that Subdivision Application PL20190076 be approved with the conditions noted in Appendix 'B':

- A. The application to create ten residential parcels ranging from  $\geq 0.80$  ha (1.98 acres) in size to  $\pm 1.25$  ha (3.08 acre), a  $\pm 0.24$  ha (0.6 acre) common property unit; and a  $\pm 0.51$  ha (1.25 acre) internal

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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*

- 4) 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*

- 5) 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;

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- 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*

- 6) 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.
- 7) The Owner shall obtain approval for a road name by way of application to, and consultation with, the County.

*Site Servicing*

- 8) 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.
- 9) 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.
- 10) 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*

- 11) 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

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- c) Provision of necessary Alberta Environment and Parks registration documentation and approvals for the stormwater infrastructure system;
  - 12) 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.
  - 13) 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;
  - 14) 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;
  - 15) 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*

- 16) 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*

- 17) 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.
- 18) 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.
- 19) 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*

- 20) 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;
- 21) 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:

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- 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;
- 22) The Applicant/Owner shall provide a Landscaping and Weed Management Plan, to be prepared by a qualified professional.
- 23) 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.
- 24) 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*

- 25) 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.
- 26) The Owner shall pay the County Subdivision Endorsement fee, in accordance with the Master Rates Bylaw, for the creation of 11 new lots.

*Taxes*

- 27) 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

The Chair called for a recess at 9:29 a.m. and called the meeting back to order at 9:36 a.m. with all previously mentioned members present.

**2020-04-06-05 (D-3)**

**Division 7 – Subdivision Item – Other subdivision**

**File: PL20200007(06412003/06412004)**

MOVED by Member Boehlke that Subdivision Application PL20200007 be approved with the conditions noted in Appendix 'B':

- A. The application to create  $\pm 69.58$  ac (Lot 1), an internal road, and a remainder lot ( $\pm 240.47$  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

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- 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;

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- 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;
  - 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.



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- 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*.

*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

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*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.

Carried

**2020-04-06-06 (E-1)**

**Division 7 – Development Item – Distribution warehouse**

**File: PRDP20200199 (06412003/06412004)**

MOVED by Member Boehlke that Development Permit Application PRDP20200199 be approved with the suggested conditions noted in the report:

**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  $\pm$  2.44 m (8.00 ft.) to  $\pm$  3.96 m (13.00 ft.);
  - 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).

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**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.*

*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

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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.

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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.

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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.
  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.

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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 3<sup>rd</sup> 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.

Carried

2020-04-06-07 (E-2)  
Division 4 – Development Item – Religious assembly (existing building)  
File: PRDP20194369 (03219028)

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MOVED by Member McKylor that condition 5 for development permit PRDP20194369 as noted in the development permit report be amended to read:

“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, **but in any event no roadside sign shall be on after 11:00 p.m.**”

Carried

MOVED by Member Schule that Development Permit Application PRDP20194369 be approved with the conditions noted in the report, as amended:

**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, but in any event no roadside sign shall be on after 11:00 p.m.
- 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)*



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- 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 30<sup>th</sup> 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.

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- 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.

Carried

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**2020-04-06-08 (E-3)**

**Division 5 – Development Item – Home-based business, type II**

**File: PRDP20200038 (05328023)**

MOVED by Member Schule that Development Permit Application PRDP20200038 be refused for the reasons noted in the report:

1. The intensity of the proposed development is significantly greater than that of a Home-Based Business and therefore does not meet the definition of a Home-Based Business as outlined in section 8 of the *Land Use Bylaw*. Due to the intensity of the business operations, the use is better suited the definition of Contractor, General as outlined in section 8 of the *Land Use Bylaw*;
2. The proposed use does not meet the definition of a Home-Based Business and should be classified as a Contractor, General and therefore does not meet the purpose and intent of the Agricultural Holdings District, as outlined in section 46.1 of the *Land Use Bylaw*. Section 12.6(b) of the *Land Use Bylaw* requires the Development Authority to refuse a development permit for a discretionary use that does not meet the purpose and intent of the land use district; and
3. The proposed development exceeds the Home-Based Business, Type II regulations as outlined in sections 21.3(c), 21.3(d), 21.3(e), and 21.3(g) of the *Land Use Bylaw*.

Carried

**2020-04-06-09 (E-4)**

**Division 6 – Development Item – Gravel pit (renewal)**

**File: PRDP20200083 (08109005)**

MOVED by Member Boehlke that condition 3 for development permit PRDP20200083 as noted in the development permit report be amended to read:

“That the Applicant/Owner shall be required to provide payment of the Community Aggregate Payment (CAP) Levy in accordance with ~~C-6214-2006~~ **Bylaw C-7748-2018**, in the amount of ~~\$0.25~~ **\$0.40** per ton of aggregate extracted and removed.”

Carried

MOVED by Member Boehlke that condition 15 for development permit PRDP20200083 as noted in the development permit report be moved from advisory to be a permanent condition.

Carried

MOVED by Member Boehlke that Development Permit Application PRDP20200083 be approved with the conditions noted in the report, as amended:

**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.).

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**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-7748-2018, in the amount of \$0.40 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.
15. That the site shall remain free of restricted or noxious weeds.

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**Advisory:**

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.

Carried

**2020-04-06-10 (F-1)**

**Division N/A– Other business – Development permits for Municipal Planning Commission consideration**

**File: N/A**

MOVED by Member Boehlke that the report from Planning and Development be received as information

Carried

**Adjournment**

MOVED by Member McKylor that the April 6, 2020 Municipal Planning Commission meeting be adjourned at 10:21 a.m.

Carried

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Chair or Vice Chair

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Chief Administrative Officer or Designate

## PLANNING AND DEVELOPMENT SERVICES

**TO:** Subdivision Authority  
**DIVISION:** 02  
**SUBJECT:** Subdivision Item - Creation of One Parcel

**DATE:** April 27, 2020  
**APPLICATION:** PL20200021

**APPLICATION:** To create a  $\pm 14.16$  acres parcel (Lot 1) to facilitate the development of recreational facilities and open space, with a  $\pm 108.77$  acres remainder (Lot 2).

**GENERAL LOCATION:** Located within the Harmony community, approximately 1.5 miles north of Highway 1 and south of Harmony Circle.

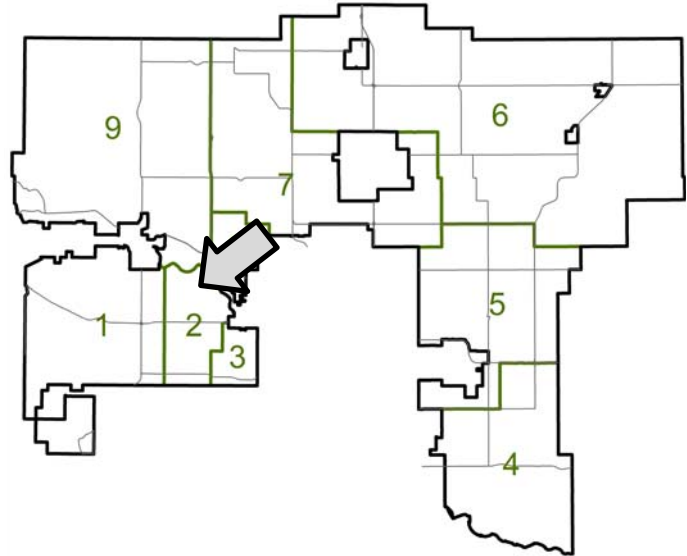
**LAND USE DESIGNATION:** Direct Control District (DC-129)

### ADMINISTRATION RECOMMENDATION:

Administration recommends approval in accordance with Option #1.

### OPTIONS:

- Option #1: THAT Subdivision Application PL20200021 be approved with the conditions noted in Appendix 'B'.
- Option #2: Motion #1: THAT Subdivision Application PL20200021 be approved with the conditions noted in Appendix 'C'
- Motion #2 THAT Municipal Planning Commission recommends to Council that the Transportation Offsite Levy be deferred.
- Option #3: THAT Subdivision Application PL20200021 be refused as per the reasons noted.



### AIR PHOTO & DEVELOPMENT CONTEXT:

#### Administration Resources

Xin Deng and Jorie McKenzie, Planning and Development Services



**APPLICANT:** Stantec Geomatics Ltd.

**OWNER:** Harmony Development Inc. and Mickelson National GC of Canada Inc.

**APPLICATION EVALUATION:**

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

<p><b>APPLICABLE POLICY AND REGULATIONS:</b></p> <ul style="list-style-type: none"> <li>• <i>Municipal Government Act;</i></li> <li>• Subdivision and Development Regulations;</li> <li>• County Plan;</li> <li>• Direct Control Bylaw (DC-129)</li> <li>• Land Use Bylaw; and</li> <li>• County Servicing Standards.</li> </ul>	<p><b>TECHNICAL REPORTS SUBMITTED:</b></p> <ul style="list-style-type: none"> <li>• Biophysical Impact Assessment and Environmental Protection Plan (EnviroConsult Inc. March 2006)</li> <li>• Phase 1 Environmental Site Assessment (The Pinchin Group. May 14, 2014)</li> <li>• Geotechnical Evaluation (McIntosh Lalani Engineering Ltd. June 2000)</li> <li>• Harmony Staged Master Drainage Plan (Urban Systems. September 2008)</li> <li>• Harmony Water Treatment and Wastewater Treatment Facilities Capacities (Corix Utilities Inc. August 28, 2017)</li> </ul>
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*Transportation:*

The Applicant proposes to build one paved approach and one pedestrian access off Harmony Circle to access Lot 1, and the remainder parcel will be access through a new approach in a later phase.

*Water and Wastewater:*

The purpose of Lot 1 is to provide a place for outdoor activities such as open space and recreational facilities for the residents in the community. The Applicant provided a letter indicating that there will be water and wastewater capacity for Phase 1-3. Any new buildings proposed on Lot 1 would obtain potable water servicing from the Harmony Advanced Water Systems Corporation (HAWSCO) Potable Water Treatment and Distribution System. Wastewater would be handled through the Harmony Advanced Water Systems Corporation (HAWSCO) Sanitary Collection and treatment system in accordance with the terms of the Franchise Agreement. The detailed services will be addressed at the future Development Permit stage.

*Stormwater:*

The Applicant/Owner would be required to provide and implement a Storm Water Management Plan that meets the requirements outlined in the Springbank Master Drainage Plan, the Harmony Staged Master Drainage Plan, the Integrated Water Systems Master Plan, and the Stage 1 Master Drainage Plan.

*Municipal Reserves:*

The proposed Lot 1 is a private open space and would be owned and managed by the existing Homeowner's Association. As the proposed Lot 1 is part of original golf course parcel where MR was deferred through subdivision application 2011-RV-083; no further requirement at this time.

<p>Total MR Dedication Required for Harmony Project: ± 160 ac</p> <ul style="list-style-type: none"> <li>• MR dedicated so far: ± 54.938 ac</li> <li>• MR owing so far: ± 105.062 ac</li> </ul>
---

*Payments and Levies:*

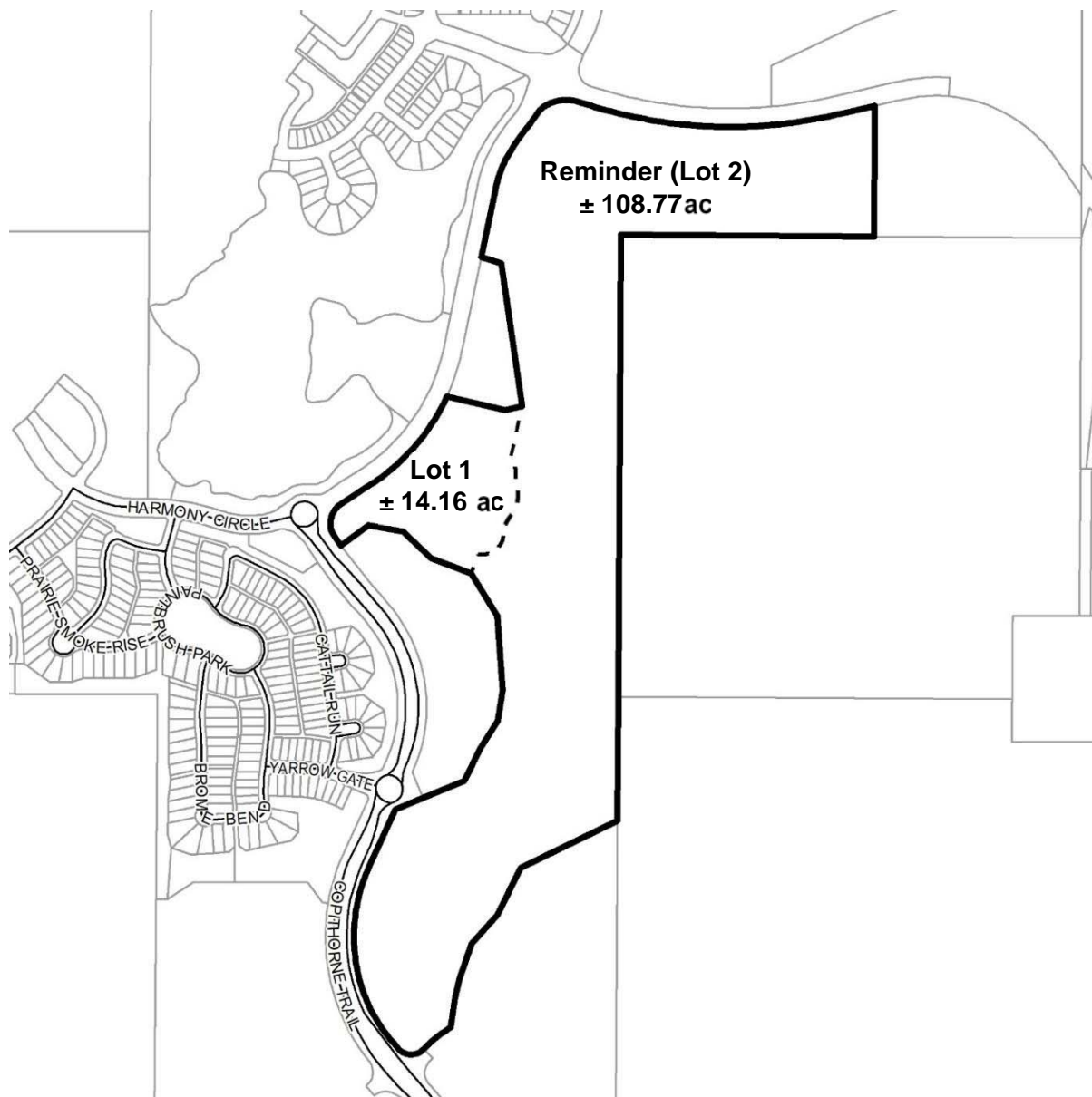
The Owner would be required to pay \$226,206 Transportation Off-Site Levy (TOL) for the 14.16 acres new lot. The Owner submitted a letter requesting TOL be waived. The applicant's request is based on that the proposed lot would be a community open space. However, this situation is not exempted in the Transportation Off-Site Levy Bylaw (C-7356-2014). Administration recommends that the TOL be deferred rather than waive. Should Municipal Planning Commission support the waiving the TOL, Option #2 is available.

<b>APPLICABLE FEE/LEVY</b>	<b>AMOUNT OWING (ESTIMATE)</b>
TRANSPORTATION OFFSITE LEVY (TOL)	<p>\$226,206</p> <p>Base Levy = \$4,595/acre x 14.16 acres = \$65,065.2</p> <p>Special Area 4 Levy = \$11,380/acre x 14.16 acres = \$161,140.8</p> <p>Total Estimated TOL payment = \$226,206</p>





**Subdivision Proposal:** To create a  $\pm 14.16$  acres parcel (Lot 1) to facilitate the development of recreational facilities and open space, with a  $\pm 108.77$  acres remainder (Lot 2).



**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**

**N**

**Lot 2, Block 2, Plan 1413398, NW-05-25-03-W05M**

**CONCLUSION:**

Subject to the proposed conditions of approval, the application is recommended for approval in accordance with Option #1. Should the Subdivision Authority believe that Transportation Offsite Levy should be deferred, Option #2 is available.

Respectfully submitted,

Concurrence,

“Theresa Cochran”

“Al Hoggan”

---

Executive Director  
Community Development Services

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Chief Administrative Officer

XD/llt

**APPENDICES:**

APPENDIX ‘A’: Maps and Other Information

APPENDIX ‘B’: Approval Conditions

APPENDIX ‘C’: Approval Conditions

APPENDIX ‘D’: Owner’s Letter

**APPENDIX 'A': MAPS AND OTHER INFORMATION**

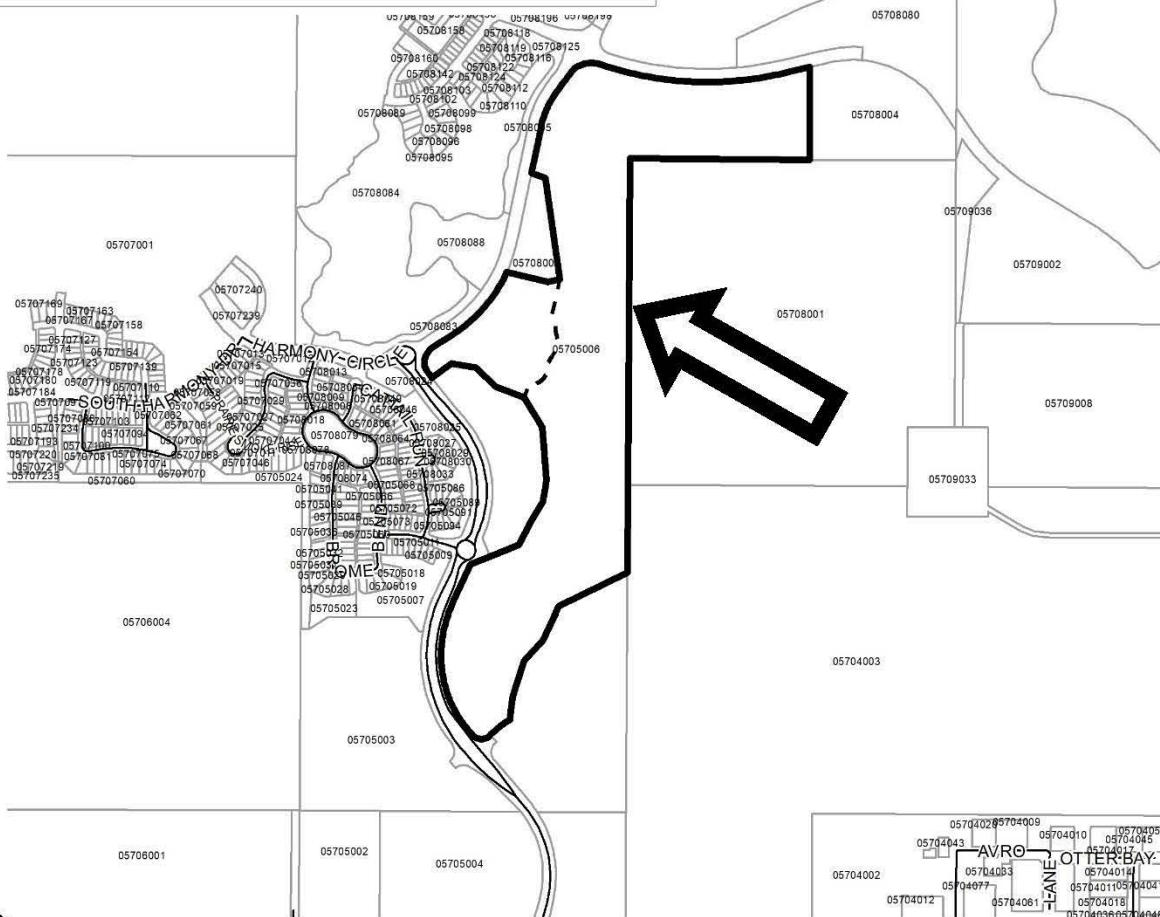
<b>DATE APPLICATION RECEIVED:</b> February 11, 2020	<b>DATE DEEMED COMPLETE:</b> February 11, 2020
<b>GROSS AREA:</b> ± 122.93 acres	<b>LEGAL DESCRIPTION:</b> Lot 2, Block 2, Plan 1413398, NW-05-25-03-W05M
<b>APPEAL BOARD:</b> Development and Subdivision Appeal Board	
<b>HISTORY:</b> <p><i>June 11, 2019: Subdivision application (PL20190001) was approved for Harmony Stage 1, Phase 5 Re-subdivision, in order to create 10 residential parcels with a ± 4,492 m<sup>2</sup> open space lot, and a ± 58,383 m<sup>2</sup> Municipal School Reserve remainder from SE-07-25-03-W05M.</i></p> <p><i>June 11, 2019: Subdivision application (PL20190005) was approved for Harmony Stage 2, Phase 10 Re-subdivision, in order to create 47 residential parcels from Lot 1, Block 2, Plan 1112762 within W-08-25-03-W05M.</i></p> <p><i>September 27, 2018: Subdivision application (PL20180034) was approved for Harmony Phase 4 Re-subdivision, in order to create 3 residential lots with a remainder.</i></p> <p><i>May 8, 2018: Subdivision application (PL20170156) was approved for Harmony Stage 1, Phase 10, in order to create 119 single detached residential lots, 4 townhouse lots, 2 MR lots, 7 open space lots, 1 beach club/multi-family lot, an internal road and a remainder parcel.</i></p> <p><i>April 20, 2018: Subdivision application (PL20170126) was approved for Harmony Stage 1 through phase 4-9 phases, in order to create 141 single detached residential lots, 26 semi-detached residential lots, 2 business/employment use lots, 2 village core lots, 5 MR lots, 1 MSR, private open space.</i></p> <p><i>May 9, 2017: Stage 2 Neighbourhood Plan (Bylaw C-7670-2017) and Stage 3 Neighbourhood Plan (Bylaw C-7672-2017) were approved, providing a detailed framework for land use, subdivision and development of the easterly portion and westerly portion of the Harmony Conceptual Scheme area.</i></p> <p><i>July 3, 2012: Subdivision application (2011-RV-165) was approved to subdivide the land into nine development phases, in order to create 370 single detached residential lots, 54 semi-detached residential lots, 1 multi-family townhouse lot, 2 business/employment use lots, 2 village core lots, 5 MR lots, 1 MSR, private open space, 2 utility lots.</i></p> <p><i>January 10, 2012: Subdivision application (2011-RV-083) was approved to create a ± 125.84 ac parcel (Lot 1), a ± 214.51 ac parcel (Lot 2), a ± 4.35 ac parcel (Lot 3) with a ± 121.15 ac remainder and a ± 258.29 ac remainder. The subject land in this application is part of Lot 1.</i></p> <p><i>October 7, 2008: Direct Control Bylaw (DC-129) was approved for the area.</i></p> <p><i>October 7, 2008: Stage 1 Neighbourhood Plan (Bylaw C-6687-2008) was approved, providing a detailed framework for land use, subdivision and development of the easterly portion of the Harmony Conceptual Scheme area</i></p>	

*February 13, 2007: Harmony Conceptual Scheme (Bylaw C-6411-2007) was approved, which set out a vision and framework for the development of the Harmony community*

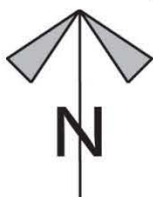
**PUBLIC & AGENCY SUBMISSIONS:**

The application was circulated to 229 adjacent landowners. No letters 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.



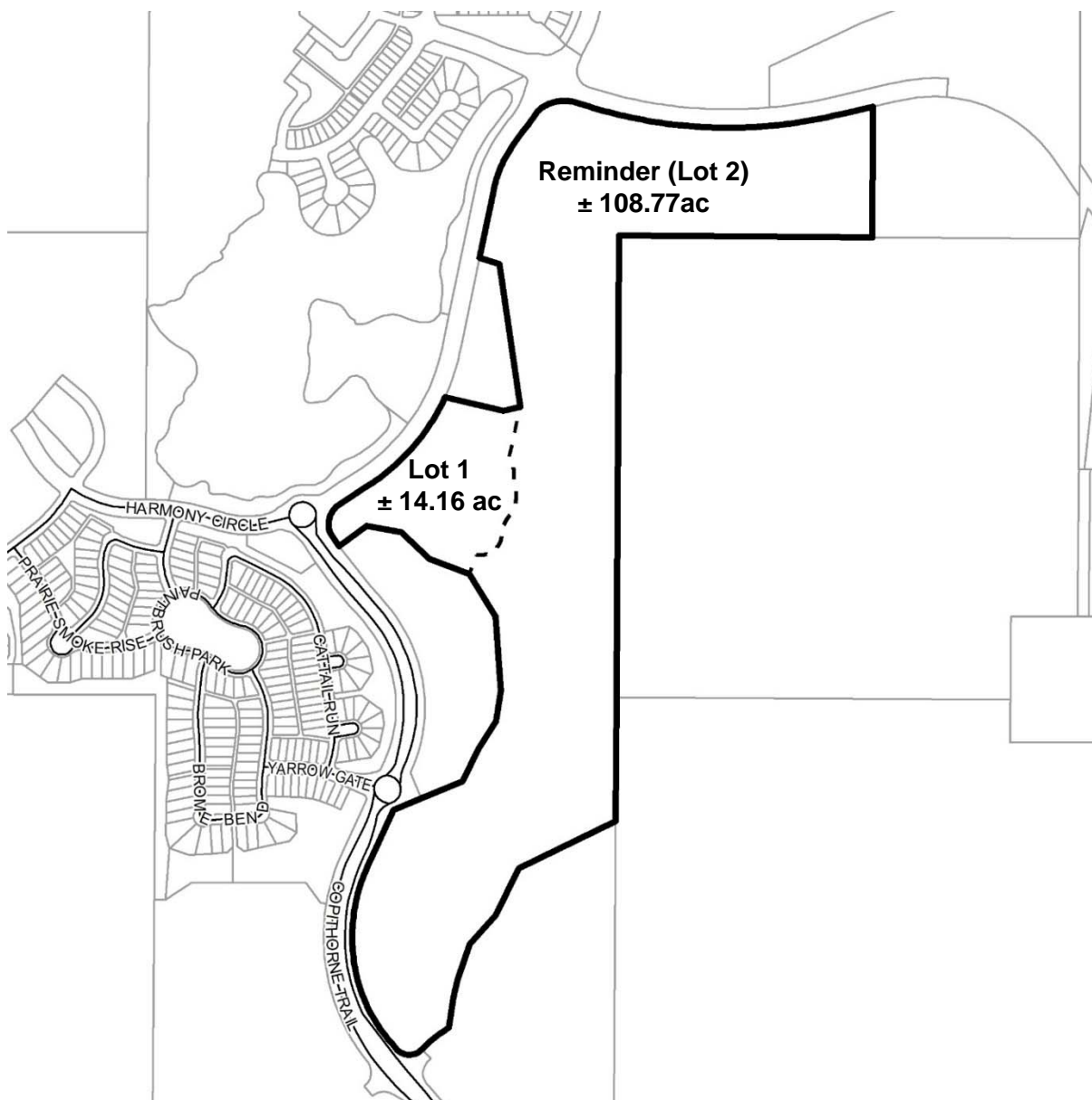
## LOCATION PLAN



**Lot 2, Block 2, Plan 1413398, NW-05-25-03-W05M**

**Date: February 11, 2020      Division # 2      File: PL20200021 - 05705006**

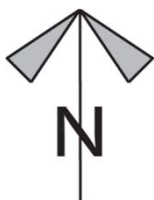
**Subdivision Proposal:** To create a  $\pm 14.16$  acres parcel (Lot 1) to facilitate the development of recreational facilities and open space, with a  $\pm 108.77$  acres remainder (Lot 2).



**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**



**Lot 2, Block 2, Plan 1413398, NW-05-25-03-W05M**

Date: February 11, 2020

Division # 2

File: PL20200021 - 05705006

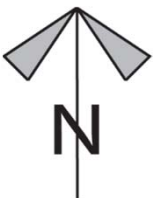




Note: Post processing of raw aerial  
photography may cause varying degrees  
of visual distortion at the local level.

**AIR PHOTO**

*Spring 2018*



**Lot 2, Block 2, Plan 1413398, NW-05-25-03-W05M**

Date: February 11, 2020

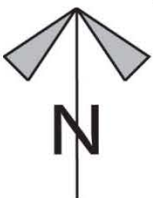
Division # 2

File: PL20200021 - 05705006



## PROPOSED SITE PLAN

(may subject to change at Development stage )



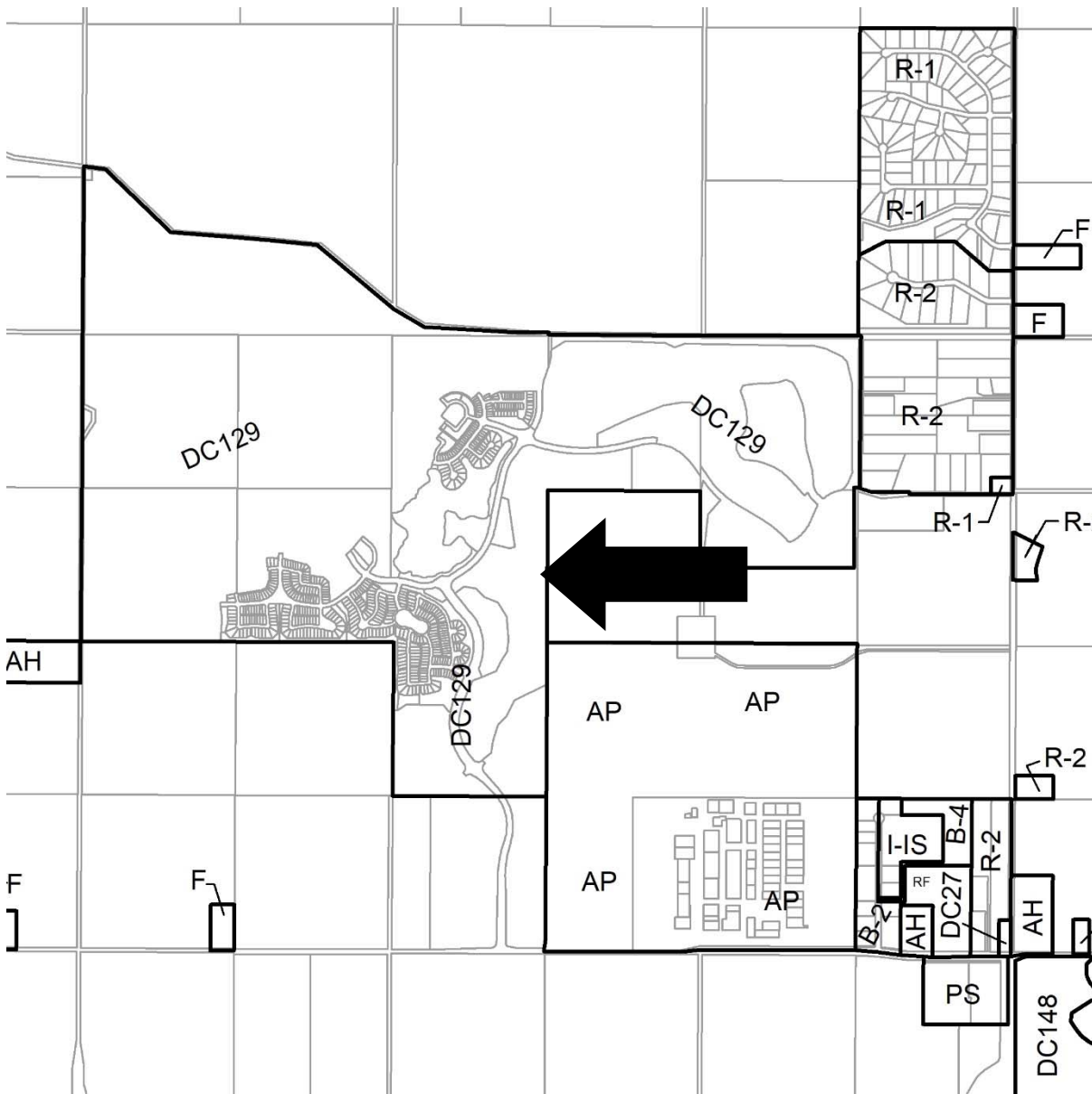
**Lot 2, Block 2, Plan 1413398, NW-05-25-03-W05M**

Date: February 11, 2020

Division # 2

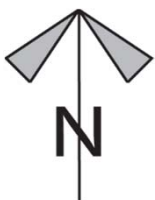
File: PL20200021 - 05705006





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



**Lot 2, Block 2, Plan 1413398, NW-05-25-03-W05M**

Date: February 11, 2020

Division # 2

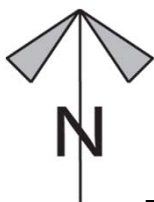
File: PL20200021 - 05705006



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**

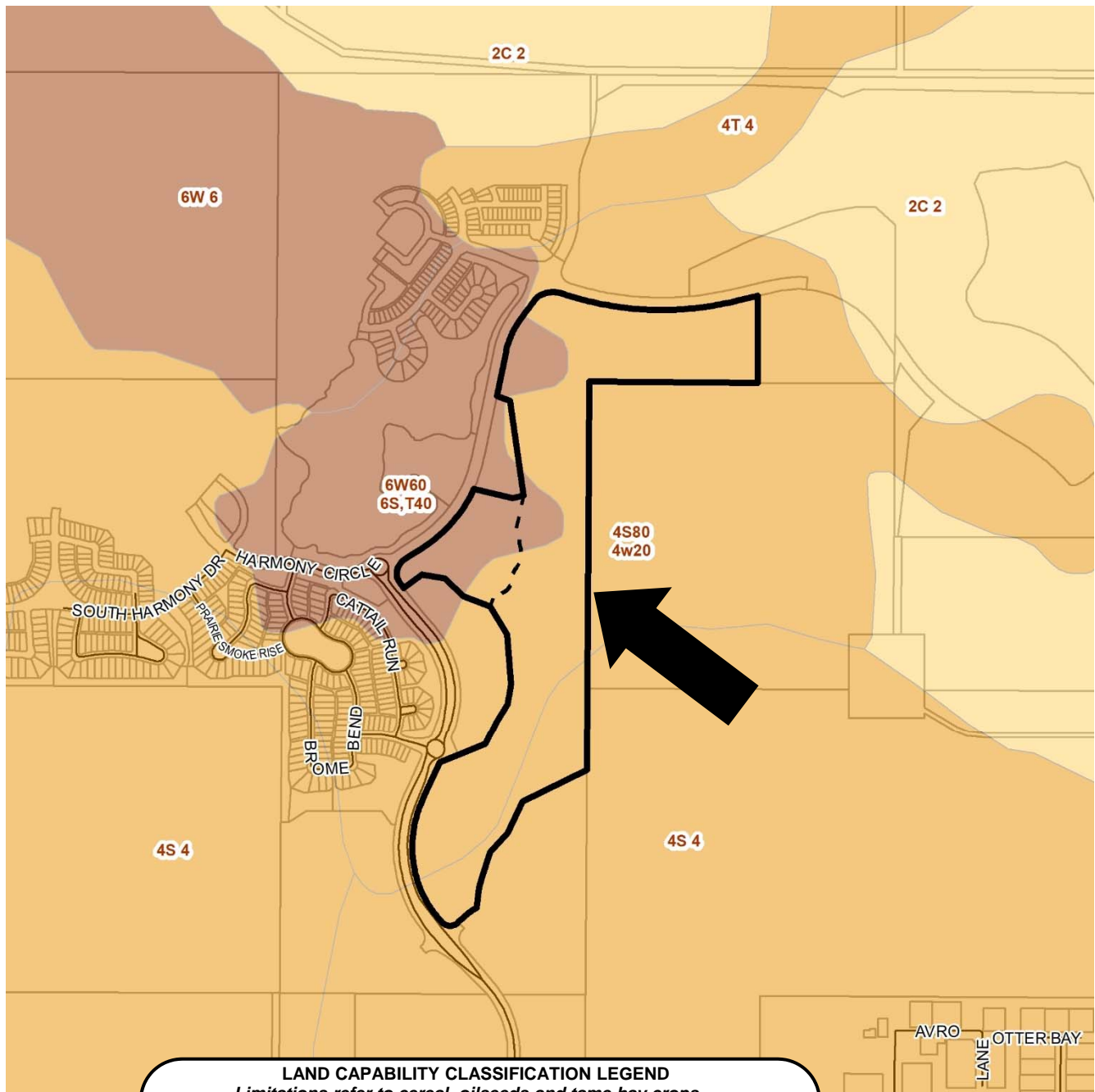


**Lot 2, Block 2, Plan 1413398, NW-05-25-03-W05M**

**Date: February 11, 2020**

## Division # 2

**File: PL20200021 - 05705006**



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

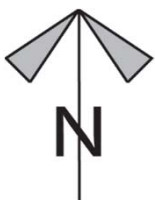
**CLI Class**

- 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**



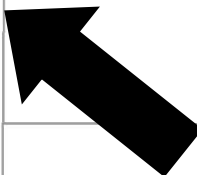
**Lot 2, Block 2, Plan 1413398, NW-05-25-03-W05M**

Date: February 11, 2020

Division # 2

File: PL20200021 - 05705006





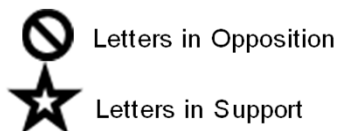
- First two numbers of the Plan Number indicate the year of subdivision registration.
- Plan numbers that include letters were registered before 1973 and do not reference a year

**Lot 2, Block 2, Plan 1413398, NW-05-25-03-W05M**

**Date: February 11, 2020**

## Division # 2

**File: PL20200021 - 05705006**



### Legend

### Circulation Area

## Subject Lands

**Lot 2, Block 2, Plan 1413398, NW-05-25-03-W05M**

**Date: February 11, 2020**

## Division # 2

**File: PL20200021 - 05705006**

**APPENDIX 'B': APPROVAL CONDITIONS**

- A. The application to create a  $\pm$  14.16 acres parcel (Lot 1) to facilitate the development of recreational facilities and open space with a  $\pm$  108.77 acres remainder (Lot 2) at Lot 2, Block 2, Plan 1413398, NW-05-25-03-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 that 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.

**Stormwater**

2. The Owner shall provide and implement a Stormwater Management Plan that meets the requirements outlined in the Springbank Master Drainage Plan, the Harmony Staged Master Drainage Plan, the Integrated Water Systems Master Plan, and the Stage 1 Master Drainage Plan. Implementation of the Stormwater Management Plan shall include:
  - a. Registration of any required easements and/or utility rights-of-way
  - b. Provision of necessary Alberta Environment and Parks registration documentation and approvals for the stormwater infrastructure system, as required
  - c. Should the Stormwater Management Plan indicate that improvements are required, the Owner shall enter into a Development Agreement with the County

**Homeowners'/Landowners' Association**

3. The Owners Association of Harmony governance and associated agreements and registration shall specify the future maintenance and operations of Harmony lands for public and private parks, open spaces and other amenity lands including onsite pathways, community landscaping and other features associated with these lands.



#### *Solid Waste Management Plan*

4. The Owner shall prepare a Solid Waste Management Plan that will outline the responsibility of the Developer and/or Owners Association of Harmony for management of solid waste.
5. The Waste Management Plan shall also identify how construction waste will be controlled and diverted to landfill.

#### *Emergency Response Plan*

6. The Owner shall 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.

#### *Airport Proximity*

7. 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 reaching airport and associated impacts.

#### *Payments and Levies*

8. The Owner shall pay the Transportation Off-Site Levy in accordance with Bylaw C-7356-2014, prior to endorsement of the subdivision. The County shall calculate the total amount owing on the new lot, as shown on the Plan of Survey.
9. The Owner shall pay the County Subdivision Endorsement fee, in accordance with the Master Rates Bylaw, for the creation of one (1) new lot.

#### *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

**APPENDIX 'C': APPROVAL CONDITIONS**

- A. The application to create a  $\pm$  14.16 acres parcel (Lot 1) to facilitate the development of recreational facilities and open space with a  $\pm$  108.77 acres remainder (Lot 2) at Lot 2, Block 2, Plan 1413398, NW-05-25-03-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 that 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.

**Stormwater**

2. The Owner shall provide and implement a Stormwater Management Plan that meets the requirements outlined in the Springbank Master Drainage Plan, the Harmony Staged Master Drainage Plan, the Integrated Water Systems Master Plan, and the Stage 1 Master Drainage Plan. Implementation of the Stormwater Management Plan shall include:
  - a. Registration of any required easements and/or utility rights-of-way
  - b. Provision of necessary Alberta Environment and Parks registration documentation and approvals for the stormwater infrastructure system, as required
  - c. Should the Stormwater Management Plan indicate that improvements are required, the Owner shall enter into a Development Agreement with the County

**Homeowners'/Landowners' Association**

3. The Owners Association of Harmony governance and associated agreements and registration shall specify the future maintenance and operations of Harmony lands for public and private parks, open spaces and other amenity lands including onsite pathways, community landscaping and other features associated with these lands.





#### *Solid Waste Management Plan*

4. The Owner shall prepare a Solid Waste Management Plan that will outline the responsibility of the Developer and/or Owners Association of Harmony for management of solid waste.
5. The Waste Management Plan shall also identify how construction waste will be controlled and diverted to landfill.

#### *Emergency Response Plan*

6. The Owner shall 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.

#### *Airport Proximity*

7. 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 reaching airport and associated impacts.

#### *Payments and Levies*

8. Unless otherwise directed by Council, the Owner shall pay the Transportation Off-Site Levy in accordance with Bylaw C-7356-2014, prior to endorsement of the subdivision. The County shall calculate the total amount owing on the new lot, as shown on the Plan of Survey.
9. The Owner shall pay the County Subdivision Endorsement fee, in accordance with the Master Rates Bylaw, for the creation of one (1) new lot.

#### *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

April 8, 2020

Via: Email

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

Attention: Members of the Municipal Planning Commission

**Reference: Harmony Subdivision Application PL20200021**

Dear Honourable Members of Council,

Thank you for considering our application to create a +/- 14.16 acres parcel to facilitate an Owners Association of Harmony Activity Zone within Harmony. With this letter we are respectfully requesting members of the Municipal Planning Commission to waive the Transportation Offsite Levy totaling \$226,206 to facilitate the development of a community recreational facility. In support of this request we are providing the following reasons:

- 1) The parcel will be owned by the Owners Association of Harmony, a not for profit corporation which owns and operate community parks and facilities and operates and maintains Rocky View County parks within Harmony.
- 2) While the park will be publicly accessible, the vast majority of the traffic will be generated from within Harmony for which the levies should not apply. Harmony Developments Inc. has already constructed all the necessary internal roads to an acceptable standard or has L.C.'s in place to do so.
- 3) To date, Harmony Developments Inc. has contributed \$4,635,273.88 in Transportation Offsite Levies to-date, which represents HDI's contribution for Harmony residents and guests utilizing external road networks. As such with likely no additional traffic generation occurring, the necessary Levies have already been accounted for.
- 4) We have requested subdivision of this parcel to protect it for the Owners Association of Harmony well into the future. The main parcel which we are applying to subdivide out of is under option with our golf course operator, Mickelson National Golf Club of Canada and therefore creates potential for conflict in the future when the golf course lands develop should it not be subdivided out.

- 5) The parcel being created is strictly as an amenity parcel for the Owners Association of Harmony and generates no revenue for HDI. Ultimately, this area will be an amenity for all to enjoy with a projected total invest of approximately \$8 million dollars. Having to pay \$226,206 to build an amenity which will not contribute to revenue, particularly in these times, would be unjustifiable for HDI.

For the above reasons we hope you will agree and support our request to waive the Transportation Offsite Levies for this application. We are available to answer any specific question you may have regarding this application.

Sincerely,



Birol Fisekci

On Behalf of Harmony Development Inc.

CC: Xin Deng  
Jorie McKenzie  
Johnson Kwan  
Cary Kientz  
Mark Woychuk

## PLANNING AND DEVELOPMENT SERVICES

**TO:** Municipal Planning Commission

**DATE:** April 27, 2020

**DIVISION:** 09

**APPLICATION:** PRDP20200382

**SUBJECT:** Development Item: Dwelling, Single Detached (existing decks)

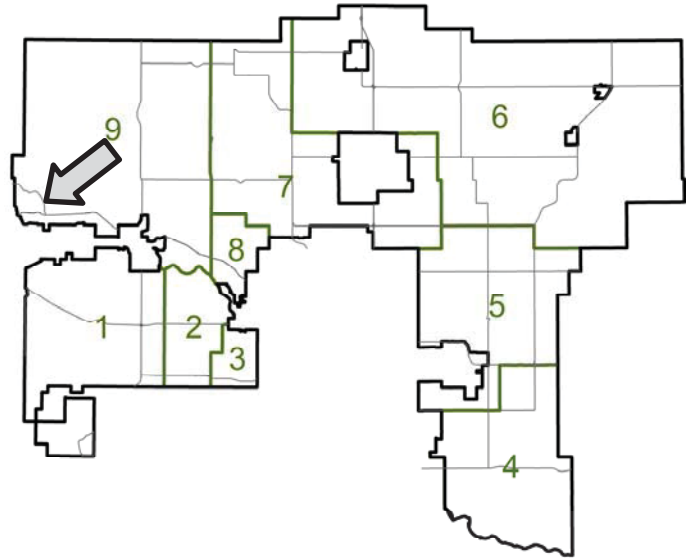
**USE:** Listed DC Use, with Variances

**APPLICATION:** dwelling, single detached (existing), relaxation of the maximum floor area requirement for the main and upper floor decks

**GENERAL LOCATION:** Located approximately 0.5 km (1/3 mile) south of Hwy. 1A and 0.5 km (1/3 mile) west of Rge. Rd. 60

**LAND USE DESIGNATION:** Direct Control 123 (DC 123, Cell A)

**ADMINISTRATION RECOMMENDATION:**  
 Administration recommends refusal in accordance with Option #2.



### VARIANCE SUMMARY:

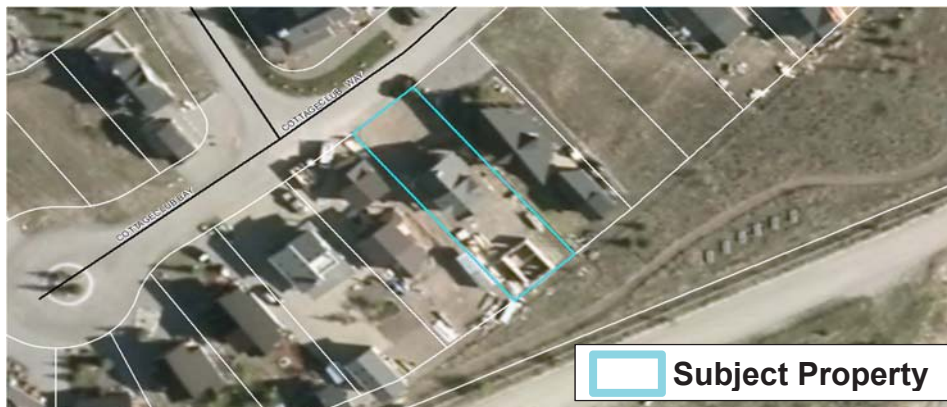
Variance	Requirement	Proposed/Existing	Percentage (%)
Lower deck area	<b>37.00 sq. m</b> (400.00 sq. ft.)	<b>53.42 sq. m</b> (575.00 sq. ft.)	<b>44.4%</b> (16.42 sq. m)
Upper loft deck area	<b>3.7 sq. m</b> (40.00 sq. ft.)	<b>31.22 sq. m</b> (336.00 sq. ft.)	<b>743.7%</b> (27.52 sq. m)

### OPTIONS:

Option #1: THAT Development Permit Application PRDP20200382 be approved with the conditions noted in the Development Permit Report, attached.

Option #2: THAT Development Permit Application PRDP20200382 be refused as per the reasons noted.

### AIR PHOTO & DEVELOPMENT CONTEXT:



 **Subject Property**

### Administration Resources

Sangeeta Vishwakarma - Planning and Development Services



## DEVELOPMENT PERMIT REPORT

<b>Application Date:</b> February 20, 2020	<b>File:</b> 10013121
<b>Application:</b> PRDP20200382	<b>Applicant:</b> Steve Kurylo <b>Owner:</b> Alberta Maid Services Ltd.
<b>Legal Description:</b> UNIT 118, Plan 1111762; NE-13-26-06-W05M (361 Cottage Club Way)	<b>General Location:</b> Located approximately 0.5 km (1/3 mile) south of Hwy. 1A and 0.5 km (1/3 mile) west of Rge. Rd. 60
<b>Land Use Designation:</b> Direct Control District (DC123, Cell A - Residential)	<b>Gross Area:</b> 0.07 hectare (0.17 acres)
<b>File Manager:</b> Sangeeta Vishwakarma	<b>Division:</b> 09

### PROPOSAL:

- Relaxation of total area of lower existing deck from 37.00 sq. m. (400.00 sq. ft.) to 53.42 sq. m. (575.00 sq. ft.)

**Variance Requested:** 16.42 sq. m (176.74 sq. ft.) – **44.4%** of Section 5.11.0, DC123

- Relaxation of total area of upper existing deck from 3.7 sq. m. (40.00 sq. ft.) to 31.22 sq. m. (336.00 sq. ft.)

**Variance Requested:** 27.52 sq. m (296.00 sq. ft.) - **743.7%** of Section 5.12.0, DC123

Deck Type	Details	Size	Area
Lower (rear)	<ul style="list-style-type: none"> <li>- Level with main floor of dwelling</li> <li>- Material: Wood</li> <li>- Not encroaching within required setbacks</li> <li>- No railings, approx. 2 ft. from grade</li> <li>- Unenclosed &amp; portion covered by upper deck</li> <li>- Connected to lower patio at rear</li> </ul>	23 ft. x 25 ft.	575 sq. ft.
Upper (rear)	<ul style="list-style-type: none"> <li>- Level with second floor loft of dwelling</li> <li>- Material: Wood</li> <li>- Not encroaching within required setbacks</li> <li>- Railing will be provided</li> <li>- Supported by piles</li> </ul>	16 ft. x 21 ft.	336 sq. ft.

### Notes on Site and Application:

- Subject parcel is adjacent to internal road and the Bow River on the south east side
- Residential parcels adjacent to subject site on all sides within the same district
- Lower deck and patio connect the dwelling with the detached accessory building (garage) that is located at the rear on site.
- Enforcement History:** Neighbour complaint received regarding oversized deck. Building Services conducted site inspection on October 22, 2019 and identified oversized upper and lower decks constructed without development approval. Enforcement action taken by Building Services and Compliance. Application made due to Development Compliance notice.

**Variance Rationale:**

**Applicant stated (February 12, 2020):** “The upper deck from our walk out bedroom loft is 16 x 21. As the lot next door was sold and a home was constructed that completely blacked out our mountain view, we built the deck to just get a peek at the mountains if our chairs were right tight against the rail, and not infringing on anyone else’s view. The lower deck is 23 x 25. Our cabin is located on the outer perimeter of the extreme south rim of the complex and our backyard faces south. We do not have a backyard neighbor nor do we obstruct the view of the neighbor to the east or west. I did not realize there were rules regarding deck construction and I'm hoping I'm allowed to keep what we have.”

**APPLICABLE DIRECT CONTROL (DC 123) REGULATIONS:**

- Section 5.11.0     *The total area of any deck shall not exceed 37 m<sup>2</sup> (400 ft<sup>2</sup>) and may be attached and/or detached from a Dwelling, Single detached. The maximum height of a deck (not including railings) shall not exceed the height of the Dwelling, Single detached. Main Floor elevation.*
- Section 5.12.0     *Notwithstanding 5.11.0, an additional deck incidental to a Loft Area of a Dwelling, Single detached may be permitted, provided it does not exceed 3.7 m<sup>2</sup> (40 ft<sup>2</sup>). The maximum height of this deck (not including railings) shall not exceed the maximum height of the Dwelling, Single detached Loft Area Floor elevation*
- Section 5.13.0     *In all cases, a deck may be covered, but shall not be enclosed, and shall not encroach into any required yard setback.*

**APPLICABLE LAND USE BYLAW (Amended Bylaw C-7968-2019) REGULATIONS:**

- Section 67.5     *DC Direct Control Variances*
- Where a development does not comply with the approved DC Direct Control regulations for the site, the Development Authority may, if satisfied that the proposed variance will not unduly interfere with the amenities of the neighborhood nor materially interfere with or affect the use, enjoyment, or value of neighboring properties, issue a Development Permit granting a variance.*

**STATUTORY PLANS:**

The site does not fall within an Area Structure Plan or an Intermunicipal Development Plan. Cottage Club Ghost Lake Conceptual Scheme is established for this area; however, the plan does not provide guidance on applications of this nature. Application assessed in accordance with relevant sections of the Direct Control Bylaw (DC 123).

**INSPECTOR’S COMMENTS:**

Inspection not completed at the time of this report:

- Note by Development Compliance stated: Inspection and photos were taken by Building Services on October 22, 2019. The inspector notes that upper deck is well above the 40 sq. ft. that is permitted, and the lower deck connects the house and the accessory structure. Facing the south there is no neighbour, leads to access road to waterfront. Aside from the decks, there are no concerns with the application at this time.

**CIRCULATIONS:**

Alberta Transportation (March 16, 2020)

- The proposed development will not cause any concern for ongoing highway operation or future highway expansion.

- Pursuant to Section 25(3)(c) of the Highways Development and Protection Regulation, Alberta Transportation issues an exemption from the permit requirements to Alberta Maid Services Ltd for the development listed above.

#### Building Services Review (March 31, 2020)

- Other than typical building permitting for the deck/balcony, no other comments from building services are required.

#### Development Compliance Review (March 12, 2020)

- Recommend that any relaxation of variances does not negatively impact neighbouring properties.

### **RECOMMENDATION:**

Based on assessment of the application details, variance rationale, site photos, site inspection results, and impact to adjacent properties, Development Authority recommends **Option # 2**.

### **Assessment notes:**

- Both decks were built without development approval and exceed allowable deck size limits beyond what has been approved for the Cottage Club community historically by Council.
- Enforcement History: Compliant was received from a neighbour regarding size of upper decks as they were aware of deck regulations. During Building Services site inspection in October 2019, it was identified that the decks were oversized and not entirely completed, and required a development permit. Enforcement action was taken notifying the owners to obtain development approval prior to completion of the decks.
- The dwelling adjacent to the northeast of the subject property has a higher roof elevation and a greater covered lower deck area. The dwelling to the southwest of the subject property appears to line up with the upper deck projection proposed under this application.
- The upper and lower decks face the detached garage on site located at the rear. There are no developments southeast as the parcel is adjacent to an internal road bordering the Bow River.
- If approved by the Municipal Planning Commission, prior-to issuance condition will reflect requirement of double fees in accordance with the Master Rates Bylaw 2020 that was not charged at the time of application.
- Circulation comments yielded no concerns with the oversized decks.

### **OPTIONS:**

Option #1: (this would approve the proposed development)

APPROVAL subject to the following conditions:

### **Description:**

1. That the lower deck (oversized) and the upper loft deck (oversized) attached to the rear of the existing *Dwelling, Single Detached* may remain on the subject property, in accordance with the submitted application details and site plan, as follows:
  - i. That the maximum total area of the lower deck is relaxed from **37.00 sq. m. (400.00 sq. ft.) to 53.42 sq. m. (575.00 sq. ft.)**; and
  - ii. That the maximum total area of the upper loft deck is relaxed from **3.70 sq. m. (40.00 sq. ft.) to 31.22 sq. m. (336.00 sq. ft.)**.

### **Advisory:**

2. That Building Permit(s) shall be obtained through Building Services for the decks, if required.

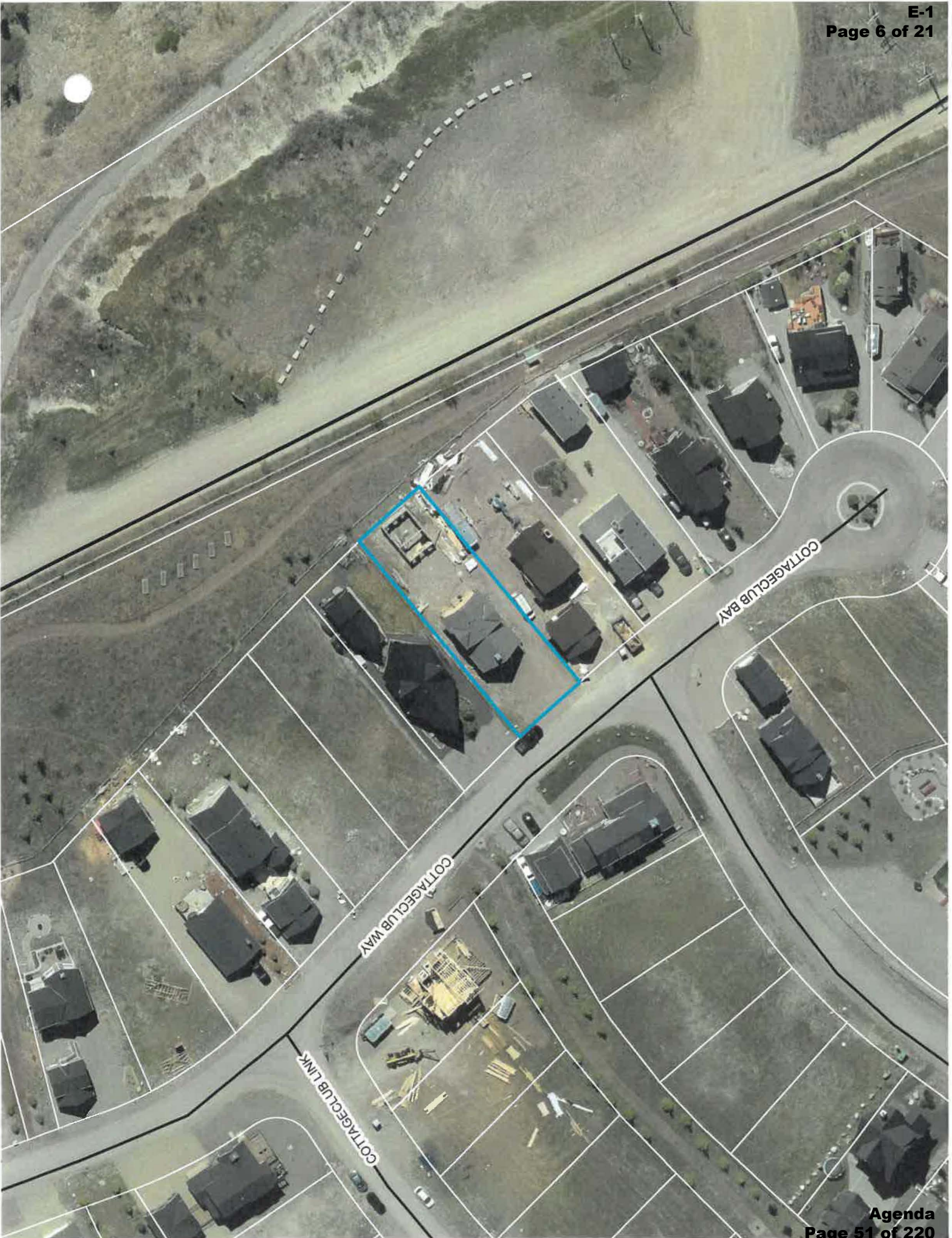
3. That any other government permits, approvals, or compliances are the sole responsibility of the Applicant/Owner.

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

REFUSAL as per 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 upper and lower decks are not compatible in size and area with neighbouring developments of the community.









13





ROCKY VIEW COUNTY  
Cultivating Communities

20200382

# APPLICATION FOR A DEVELOPMENT PERMIT

FOR OFFICE USE ONLY

Fee Submitted \$330.00	File Number 10013121
Date of Receipt Feb 20, 2020	Receipt # 2020023582

Name of Applicant ALBERTA MAID SERVICES LTD. Email STEVE@MAGNUMCORP.CA

Mailing Address P.O. BOX 3292

SHERWOOD PARK, AB. Postal Code T8H 2T2

Telephone (B) 780-464-7230 (H) [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 NE ¼ Section 13 Township 26 Range 6 West of 5 Meridian

b) Being all / parts of UNIT 118 Block \_\_\_\_\_ Registered Plan Number 1111762

c) Municipal Address 361 COTTAGE CLUB WAY

d) Existing Land Use Designation \_\_\_\_\_ Parcel Size \_\_\_\_\_ Division \_\_\_\_\_

## 2. APPLICATION FOR

CONSTRUCTED DECK REAR OF HOUSE

## 3. ADDITIONAL INFORMATION

- a) Are there any oil or gas wells on or within 100 metres of the subject property(s)? Yes \_\_\_\_\_ No ☒
- b) Is the proposed parcel within 1.5 kilometres of a sour gas facility?  
(Sour Gas facility means well, pipeline or plant) Yes \_\_\_\_\_ No ☒
- c) Is there an abandoned oil or gas well or pipeline on the property? Yes \_\_\_\_\_ No ☒
- d) Does the site have direct access to a developed Municipal Road? Yes ☒ No \_\_\_\_\_

## 4. REGISTERED OWNER OR PERSON ACTING ON HIS BEHALF

I STEVE KURYLO hereby certify that \_\_\_\_\_ 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 Nov. 18 / 19

Owner's Signature \_\_\_\_\_

Date \_\_\_\_\_

## 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, STEVE KURYLO, 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



Date



November 19, 2019

Rocky View County  
262075 Rocky View Point  
Email: [building@rockyview.ca](mailto:building@rockyview.ca)

RE: Alberta Maid Service  
361 Cottage Club Way  
Unit 118 Plan 1111762

Att: Mr. Steve Usher

Dear Mr. Usher:

As requested through our telephone discussions, please find an Application for a Development Permit for the deck that exists in the rear of the above described property. Although I do not have exact dimensions I have attached two photos which I hope will demonstrate the construction.

Although I have carefully looked at your permit rate schedule I was unable to determine what the fee will be so I'm hoping you will calculate it and charge the credit card form attached.

Mr. Usher I know that you are aware of the difficulties my wife and I have experienced as we assumed responsibility for the building and tried to balance legislation with County regulations and condo board demands and preserve our savings. We are in our 70,s and would like nothing more than to have this home to enjoy peacefully. I'm working through the rules of becoming a private builder and finding warranty coverage. As a point of importance please note that all construction of this building was performed by certified tradesman familiar with your building codes and standards.

Please direct me as to where we should go from here and thank you for your assistance.

Best regards

Steve and Joan Kurylo

PO Box 3292 Sherwood Park, AB. T8H 2T2 Office 780-464-7230 FAX 780-449-1909

**Evan Neilsen**

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**From:** Steve Kurylo <steve@magnumcorp.ca>  
**Sent:** Wednesday, February 12, 2020 5:20 PM  
**To:** Evan Neilsen  
**Cc:** PAA\_Development; [REDACTED]  
**Subject:** 361 Cottage Club Way

Dear Mr. Neilsen, it was just in the last few days that I was able to go to our cabin at Ghost Lake and determine the size of our deck. The upper deck from our walk out bedroom loft is 16 x 21. As the lot next door was sold and a home was constructed that completely blacked out our mountain view we built the deck to just get a peek at the mountains if our chairs were right tight against the rail, and not infringing on anyone else's view.

The lower deck is 23 x 25 . Our cabin is located on the outer perimeter of the extreme south rim of the complex and our back yard faces south. We do not have a back yard neighbor nor do we obstruct the view of the neighbor to the east or west. I did not realize there were rules regarding deck construction and I'm hoping I'm allowed to keep what we have.



Best regards  
Steve

**Steve Kurylo | President / CEO**

Magnum Mortgage and Realty Corp. [MMRC.ca](http://MMRC.ca)

T: (780) 467-6393 | F: (780) 449-1909 | C: (780) 915-2829 | E: [steve@magnumcorp.ca](mailto:steve@magnumcorp.ca)

#50, 1000 Alder Avenue, Sherwood Park AB T8A 2G2



LAND TITLE CERTIFICATE

S  
LINC                      SHORT LEGAL                      TITLE NUMBER  
0034 812 248           1111762;118           171 056 321

LEGAL DESCRIPTION  
CONDOMINIUM PLAN 1111762  
UNIT 118  
AND 28 UNDIVIDED ONE TEN THOUSANDTH SHARES IN THE COMMON PROPERTY  
EXCEPTING THEREOUT ALL MINES AND MINERALS

ESTATE: FEE SIMPLE  
ATS REFERENCE: 5;6;26;13;NE

MUNICIPALITY: ROCKY VIEW COUNTY

REFERENCE NUMBER: 151 163 599

REGISTERED OWNER(S)				
REGISTRATION	DATE (DMY)	DOCUMENT TYPE	VALUE	CONSIDERATION
171 056 321	09/03/2017	ORDER	\$247,000	SEE INSTRUMENT

OWNERS

ALBERTA MAID SERVICES LTD.  
OF PO BOX 3292  
SHERWOOD PARK  
ALBERTA T8H 2T2

ENCUMBRANCES, LIENS & INTERESTS

REGISTRATION NUMBER	DATE (D/M/Y)	PARTICULARS
091 321 142	26/10/2009	CAVEAT RE : EASEMENT
091 321 153	26/10/2009	EASEMENT OVER AND FOR BENEFIT OF: SEE INSTRUMENT
091 331 112	03/11/2009	RESTRICTIVE COVENANT
111 129 837	26/05/2011	ORDER AFFECTS INSTRUMENT: 091321153

( CONTINUED )



ENCUMBRANCES, LIENS & INTERESTS

PAGE 2  
# 171 056 321

REGISTRATION

NUMBER	DATE (D/M/Y)	PARTICULARS
111 129 846	26/05/2011	EASEMENT OVER AND FOR BENEFIT OF: SEE INSTRUMENT
111 129 847	26/05/2011	CAVEAT RE : RESTRICTIVE COVENANT PURSUANT TO MUNICIPAL GOVERNMENT ACT CAVEATOR - ROCKY VIEW COUNTY. 911 - 32ND AVENUE NE CALGARY ALBERTA T2E6X6
111 219 337	26/08/2011	CAVEAT RE : RESTRICTIVE COVENANT
121 227 965	04/09/2012	CAVEAT RE : PURCHASERS INTEREST CAVEATOR - COTTAGECLUB GHOST LAKE INC. C/O MABBOTT & COMPANY #5, 201 GRAND BLVD COCHRANE ALBERTA T4C2G4 AGENT - ANNA-MARIE JOUBERT
141 280 902	16/10/2014	ORDER AFFECTS INSTRUMENT: 091321153

\* ADDITIONAL REGISTRATIONS MAY BE SHOWN ON THE CONDOMINIUM ADDITIONAL  
PLAN SHEET

TOTAL INSTRUMENTS: 009

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN  
ACCURATE REPRODUCTION OF THE CERTIFICATE OF  
TITLE REPRESENTED HEREIN THIS 20 DAY OF  
FEBRUARY, 2020 AT 02:44 P.M.

ORDER NUMBER: 38861014

CUSTOMER FILE NUMBER: prdp20200382



\*END OF CERTIFICATE\*

( CONTINUED )



PAGE 3  
# 171 056 321

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## PLANNING AND DEVELOPMENT SERVICES

**TO:** Municipal Planning Commission

**DATE:** April 27, 2020

**DIVISION:** 05

**APPLICATION:** PRDP20200527

**SUBJECT:** Development Item: Contractor, General; Storage Area; and Single-lot regrading

**USE:** Listed DC Use, no Variances

**APPLICATION:** Contractor, General, Storage Area, and single-lot regrading for a storage yard for industrial/business service materials, goods, equipment, and vehicles.

**GENERAL LOCATION:** Located approximately 0.41 km (1/4 mile) east of Rge. Rd. 285 and on the north side of Twp. Rd. 240

**LAND USE DESIGNATION:** Direct Control 133 (DC 133)

### ADMINISTRATION RECOMMENDATION:

Administration recommends approval in accordance with Option #1.

### VARIANCE SUMMARY:

### OPTIONS:

Option #1: THAT Development Permit Application PRDP20200527 be approved with the conditions noted in the Development Permit Report, attached.

Option #2: THAT Development Permit Application PRDP20200527 be refused as per the reasons noted.

### AIR PHOTO & DEVELOPMENT CONTEXT:



### Administration Resources

Sangeeta Vishwakarma & Nathan Madigan - Planning and Development Services

## DEVELOPMENT PERMIT REPORT

<b>Application Date:</b> March 3, 2020	<b>File:</b> 04306051
<b>Application:</b> PRDP20200527	<b>Applicant:</b> Steve Wheatcroft (ULS Landscaping) <b>Owner:</b> Saguaro Investments Inc.
<b>Legal Description:</b> SE-06-24-28-W04M; Lot 17, Block 2, Plan 1113710 <b>Municipal Address:</b> 240099 Frontier Crescent	<b>General Location:</b> Located approximately 0.40 km (1/4 mile) east of Rge. Rd. 285 and on the north side of Twp. Rd. 240
<b>Land Use Designation:</b> Direct Control DC 133	<b>Gross Area:</b> ± 3.85 hectares (± 9.51 acres)
<b>File Manager:</b> Sangeeta Vishwakarma	<b>Division:</b> 05

### PROPOSAL:

- Single lot re-grading for a **Contractor, General industrial/ business Storage Area** land uses
  - Re-grading of site (cut-to-fill, common excavation) for industrial/ business storage yard
  - New stormwater storage pond at south portion of site
  - Proposed gravel for parking and topsoil for landscaped areas only
- No variances, buildings, or new signage proposed (existing sign not within property).

### Application Details:

<b>Purpose</b>	<ul style="list-style-type: none"> <li>• Storage yard for industrial/ business service support and services which require land for the storage of materials, goods, equipment, or vehicles</li> <li>• Supports business use located at east adjacent parcel</li> </ul>
<b>Fencing/ Landscaping/ Lighting/ Signage</b>	In accordance with submitted Landscape Plan (ULS Landscaping): <ul style="list-style-type: none"> <li>• <b>Landscaping at 10% of Site Area (3,848 sq. m.) provided</b> along northeast corner, north and west property boundaries (including 84 new trees)</li> <li>• 3m high fence surrounding property</li> <li>• Existing light pole located on east property line</li> <li>• Existing sign located at entry to be relocated (not within property)</li> <li>• Existing trees at east property line to remain</li> </ul>
<b>Setbacks</b>	Identified on submitted Site and Landscape Plan as follows: <ul style="list-style-type: none"> <li>• North East corner (front yard access): 15m</li> <li>• West property line (side yard): 6m</li> <li>• South property line: 15m – no site access</li> <li>• No structures proposed on site</li> </ul>
<b>Re-grading/ Pond</b>	In accordance with Preliminary Grading Plan: <ul style="list-style-type: none"> <li>• <b>Re-grading height:</b> ± 1-2 m cut to fill (common excavation)</li> <li>• <b>Area of grading:</b> 3.85 hectares (9.51 acres) entire width and length of site</li> <li>• Gravel quantity: 750 truck loads</li> <li>• Gravel for parking purposes and topsoil for landscaped area only</li> </ul>



	<ul style="list-style-type: none"> <li>Applicant indicates topsoil/ gravel does not contain rubble/ hazardous substances</li> </ul>
<b>Supporting Documents</b>	<p>Submitted:</p> <ul style="list-style-type: none"> <li>Site Plan (Sedulous Engineering)</li> <li>Preliminary Grading Plan (Sedulous Engineering)</li> <li>Landscaping Plan (ULS Landscaping)</li> <li>Geotechnical Report (E2K Engineering Ltd.)</li> </ul> <p>Forthcoming:</p> <ul style="list-style-type: none"> <li>Stormwater Management Plan (Westhoff Engineering Resources, Inc.)</li> </ul>

#### **SITE INFORMATION:**

- Access to site from northeast corner facing internal road – no approach installed per inspection
- Site contains two waterbodies (marshes), potentially within riparian area (not shown on aerials)
- Soil samples contains variation of clay, sand and gravel contents per E2K geotechnical report
- No sour gas lines pass the site
- Surrounding parcels contain industrial/ business uses
- East adjacent site contains landscaping business (ULS Landscaping)
- West parcel contains existing stormwater pond

#### **DIRECT CONTROL BYLAW [DC133 (B-IC)]**

##### *Section 2.2.0 Purpose and Intent*

*To accommodate a wide range of industrial and associated uses which are compatible with each other, do not adversely affect the surrounding land use and may be located in areas with limited or full services.*

##### *2.3.0 Uses: Contractor, General and Storage Area*

##### *2.4.0 Minimum Parcel Size 0.61 hectares (1.5 acres). Setbacks for buildings only.*

#### **LAND USE BY LAW (C-7968-2019)**

*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 onsite 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;*

*STORAGE AREA means the area of a building or site set aside for the storage of products, goods, vehicles, or equipment;*

#### **STATUTORY PLANS:**

**Janet Area Structure Plan (ASP):** Sections 10.3 and 10.4 - The plan supports commercial, industrial, other business uses that do not have significant offsite nuisance impacts, those that are compatible with industrial uses, have minimal impact on the local infrastructure, and do not generate large retail traffic volumes appropriate for industrial areas. Note that the quarter section containing the subject parcel within the plan was removed from the previous Shepard Plan ASP in accordance with Bylaw C-7418-2014.

**City of Calgary Intermunicipal Development Plan (IDP):** The plan provides general guidance within municipal boundaries but does not provide specific policies for single-lot re-grading and land uses proposed. Further, City of Calgary responded with no objections to development under this application.

## **NON-STATUTORY PLAN:**

### **Frontier Industrial Park (Phase II) Conceptual Scheme:**

The following development guidelines and policies among others are relevant to applications of this nature:

#### **3.6 Environmental Considerations, Policy 3.6.1**

Wetland Assessment conducted by Westhoff Engineering Resources, Inc Phase II area in May 2007. Numerous wetlands were identified on the site. Policy states that “the Developer shall apply to Alberta Environment to determine the required wetland compensation and make appropriate application under the Water Act.”, site area identified to have certain ecological functions, wetlands being utilized for “spring melt storage/retention area and infiltration sites” and development on sites should maintain and integrate wetlands to overall site plan.



#### **4.4 Development concept**

Envisioned a variety of uses including: smaller parcels for “businesses as landscaping companies, single owner truckers, and limited manufacturing companies” and larger lots for “companies requiring larger facilities and/or storage areas for their businesses.”

#### **4.3 Land Use**

The plan supports industrial and business land uses, including outdoor uses, that are compatible with other land uses and that does not cause significant nuisance or environmental factors such as noise, appearance, or odour beyond the boundaries of the site.

#### **6.1 Stormwater Management Plan**

*To be provided in accordance with the policies/ standards outlined within the plan.*

#### **6.6 Site Grading**

*To be provided in accordance with Policy 6.6.1, 6.6.2, and 6.6.3, including submission of preliminary grading plan, erosion and sediment control plan and report (ESC), Stormwater Management Plan, Construction Management Plan. Grading must consider existing topography and no topsoil shall be removed without prior approvals from the County.*

#### **10.2 & 10.3 Construction Management Plan & Performance Standards**

*Construction Management Plan and management of potential nuisances to be provided in accordance to outlines policies and guidelines within (includes Weed Control Management Plan).*

#### **10.4 Development Guidelines**

Access, signage, lighting, outdoor storage, fencing and landscaping to be provided in accordance with the plan. Identified “storage of trucks, trailers and large vehicles should not be located within required setbacks. Screened from residential uses. Screening required for storage areas, equipment for security, security fencing to identify property lines.” And “on-site fencing shall only be permitted when it is being used to screen outside storage areas, garbage enclosures or pieces of equipment for security purposes.”

**INSPECTOR'S COMMENTS** (March 23, 2020):

- Land is barren with some garbage strewn in sporadic places
- Approach has not been installed
- Site grading uneven with pools of water in lower areas
- Site grading is approximately 1 meter or less, lower than the road elevation
- Few trees along the east property line
- No concerns at the time of inspection

**CIRCULATIONS:**Alberta Environment and Parks:

- No comments received.

Agricultural Services, Rocky View County (April 9, 2020)

- No agricultural concerns. 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.

City of Calgary (April 9, 2020)

- No objections to the proposal.

Development Compliance, Rocky View County (April 8, 2020)

- Development Compliance does not and has not had any files open with respect to this property. No issues.

Planning and Development Services – Engineering, Rocky View County (March 20, 2020)**General:**

- All development must be in accordance with Frontier Phase 2 Conceptual Scheme and By-law C-6766-2009.
- In accordance with the Conceptual Scheme, Engineering encourages LID initiatives which could consist of the implementation some of following: green roof systems, rainwater harvesting, consumptive re-use of stormwater for irrigation, wash-water, or process water.
- Prior to issuance, the applicant shall submit a design from qualified professional engineer to verify that the site is to be connected to the fire suppression water main system in accordance with the overall engineering plans, RVC Fire Hydrant Water Suppression bylaw and City of Calgary hydrant specifications.

**Geotechnical:**

- Prior to issuance, the applicant shall submit a water table analysis report prepared for this site. The water table analysis report shall evaluate soil characteristics and existing groundwater conditions and be based on test holes drilled at a maximum spacing of 150m radius throughout the proposed Development in accordance with the County Servicing Standard. A minimum of two (2) test holes must be drilled for each proposed Development.
- Should a liner be required for the stormwater management pond, the report shall provide design and construction related details.

**Transportation:**

- Prior to issuance of the permit, the applicant shall provide a security in the amount of \$10,000 for each road approach proposed.





- Road approaches shall be constructed in accordance with the County Servicing Standards and to the same or better standard than the roads in Frontier Industrial Park. Therefore, the minimum design requirement for the approaches is as follows:
  - 40mm City of Calgary B mix asphalt
  - 90mm City of Calgary A mix asphalt
  - 300mm of Class 2 - Des 20 Crushed Granular Base
  - The geometric design of the approach shall be based on the type of vehicles using the access and the actual pavement structural design shall be based on a soaked CBR certified by a professional engineer.
- Prior to occupancy, the County will perform an inspection of the site to verify that the road approaches have been installed in accordance with the County Servicing Standards and approved plans. Any portion of the ditch that has been disturbed as a result of the approach construction or other activities on site must be restored to the original subdivision grades and adequately top soiled & seeded, to the satisfaction of the County. The security will be returned to the Developer upon a successful prior to occupancy inspection.

***Sanitary/Waste Water:***

- Sanitary sewage shall be contained in pump out tanks and transported off-site to an approved waste water receiving facility for disposal in accordance with Policy 6.3.1. of the Conceptual Scheme.

***Water Supply and Waterworks:***

- Water will either be trucked into the plan area and stored in cisterns or obtained from individual wells in accordance with Policy 6.4 of the Conceptual Scheme.
- In accordance with the Provincial Water Act, lot owners shall obtain a License to Divert Water from Alberta Environment prior to extracting water for commercial purposes should water be obtained from individual wells on-site.
- Engineering requires that the Development Permit be worded such that irrigation and landscaping water shall only be supplied by the re-use of stormwater.

***Stormwater Management:***

- Prior to issuance, the applicant will be required to provide payment of the stormwater levy in accordance with Bylaw C-7535-2015 Stormwater Off-Site Levy Bylaw (\$5488/acre). The levy is applicable to the gross acreage of the lands proposed to be developed under the DP.
- Prior to issuance, the applicant shall submit a Site-Specific Stormwater Implementation Plan. The engineer must title the report "On Site Storm Water Management Plan" to reflect the stormwater Access Agreement on the title of the lot. Engineering requires that the SSIP describes the on-site facilities, operation and maintenance thereof:
  - The plan must identify the annual quantities of stormwater that will have to be removed from the storm pond by the end of the year (October 31) and how this water will be removed (see Technical Memorandum No. 3, 84th Street Study Area – A Report on Drainage Issues, Westhoff Engineering Resources, January 2005 for information related to stormwater disposal volumes).
  - This plan must accommodate the runoff resulting from a 1:100 volume as determined by continuous simulation (at a minimum shall account for the period between 1960 and 2010).





- This plan must design for zero off-site discharge. Disposal of water may only be accounted for by evaporation, stormwater re-use or other low impact development techniques.
- Infiltration cannot be used for calculations and modeling for disposal of water. The report must include a geotechnical component identifying clay liner components required to ensure a permeability coefficient in the order of  $1 \times 10^{-6}$  cm/s.
- For the purposes of modeling and calculations, this plan shall be based on an assumption that the lot will be 90% impervious (i.e., 90% of the lot will be covered with a 100% impervious surface).
- This plan shall include all relevant operational descriptions of the on-site stormwater system components to ensure that the landowner is clearly advised of their perpetual operational obligations for the stormwater management system.
- Please see Staged Master Drainage Plan for Frontier Industrial Park Phase 2 – FINAL REPORT, Westhoff Engineering Resources, September 2011.
- Detailed engineering drawings are to be submitted in conjunction with the SSIP.
- Prior to occupancy, Engineering requires Built to Design Certificates and As-built drawings certified by a professional engineer. The as-built drawings shall include: verification of as-built pond volumes, liner verification, irrigation systems and any other information that is relevant to the SSIP. Following receiving the as-built drawings from the consulting engineer, Engineering shall make an inspection of the site to verify stormwater has been completed.
- Engineering requires a permanent condition stating that the owner will have their stormwater detention infrastructure empty/at the NWL by the end of the irrigation season.
- Engineering requires a permanent condition stating that the owner shall operate the site in accordance with the examined SSIP in perpetuity.

### ***Irrigation***

- As per the conceptual scheme, the consulting engineer is encouraged to implement LID initiatives which could consist of the implementation some of, but not limited to: green roof systems; rainwater harvesting; consumptive re-use of stormwater for irrigation, wash-water, or process water.
- Prior to issuance, the applicant shall submit an irrigation plan that complies with the recommendations of the SSIP.
- Engineering requires the landscaping plan show a minimum of 300mm of topsoil will be used.
- The vegetation type has to endure the irrigation from May to September.

### ***Lot Grading & Erosion and Sediment Control***

- Prior to issuance and stripping and grading of the site, an ESC report is required.
- Prior to issuance, Engineering requires that as a separate condition of any Development Permit that there is a condition for a lot grading plan. Corner grades shall conform to the Lot Grading Plan prepared by Urban Systems drawing no. C04-2092.0023.02. The lot shall be shaped such that the entire lot drains to the on-site pond such that if the owner fails to maintain their stormwater system will pond and trap low on site and will NOT adversely affect adjacent lands. Building elevations should be placed above the high-water level.

### **Utility Services, Rocky View County (April 10, 2020):**

- No Concerns.

**RECOMMENDATION:**

Development Authority recommends **Option #1: Approval.**

The application details, plans, and documents meet several of the policies outlined within relevant statutory and non-statutory plans and land use regulations of the Direct Control Bylaw DC133. Site inspection observations and circulation comments noted no significant impact to adjacent development with the proposed uses and re-grading of the site.

Requirements to bring the proposed uses, grading, and stormwater plan to compliance are provided as prior-to issuance and permanent conditions if approved by the Municipal Planning Commission.

**OPTIONS:**

Option #1: (this would approve the proposed development)

APPROVAL subject to the following conditions:

**Description:**

1. That *Contractor General, Storage Area and single lot re-grading* over approximately 38,485.60 sq. m (9.51 acres), may take place on the subject lands, SE-06-24-28-W04M; Lot 17, Block 2, Plan 1113710, in accordance with the submitted Site, Landscaping, and Grading Plan, and includes:
  - i. Gravel fill for purposes of a storage yard for industrial service materials, goods, equipment and vehicles;
  - ii. Topsoil for approved landscaped areas; and
  - iii. Stormwater pond in accordance with the approved technical reports; and
  - iv. Over height perimeter fencing, 3.00 m (9.84 ft.) in height.

**Prior to Issuance:**

2. That prior to issuance of this permit, the Applicant/Owner shall submit payment of the stormwater levy in accordance with Bylaw C-7535-2015 Stormwater Off-Site Levy Bylaw (\$5488 per acre). The levy shall be applicable to the gross acreage of the lands proposed to be developed under the development permit.
3. 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.
4. That prior to issuance of this permit, the Applicant/Owner shall submit a limited-scope Site-specific Stormwater Implementation Plan (SSIP) for the subject lands, in accordance with County Servicing Standards. The report shall be titled as "On Site Storm Water Management Plan" to reflect the stormwater Access Agreement on the title of the subject property. The SSIP must describe the on-site facilities, operation and maintenance thereof:
  - i. This plan must identify the annual quantities of stormwater that will have to be removed from the storm pond by the end of the year (October 31, 2020) and how this water will be removed (see Technical Memorandum No. 3, 84th Street Study Area – A Report on



Drainage Issues, Westhoff Engineering Resources, January 2005 for information related to stormwater disposal volumes).

- ii. This plan must accommodate the runoff resulting from a 1:100 volume as determined by continuous simulation (at a minimum shall account for the period between 1960 and 2010).
  - iii. This plan must design for zero off-site discharge. Disposal of water may only be accounted for by evaporation, stormwater re-use or other low impact development techniques.
  - iv. Infiltration cannot be used for calculations and modeling for disposal of water. The report must include a geotechnical component identifying clay liner components required to ensure a permeability coefficient in the order of  $1 \times 10^{-6}$  cm/s.
  - v. For the purposes of modeling and calculations, this plan shall be based on an assumption that the lot will be 90% impervious (i.e., 90% of the lot will be covered with a 100% impervious surface).
  - vi. This plan shall include all relevant operational descriptions of the on-site stormwater system components to ensure that the landowner is clearly advised of their perpetual operational obligations for the stormwater management system.
  - vii. Please see Staged Master Drainage Plan for Frontier Industrial Park Phase 2 – FINAL REPORT, Westhoff Engineering Resources, September 2011.
  - viii. Detailed engineering drawings are to be submitted in conjunction with the SSIP.
5. That prior to issuance of this permit, the Applicant/Owner shall submit a refundable security in the amount of \$10,000 for the proposed road approach.
  6. That prior to issuance of this permit, the Applicant/Owner shall submit a design from qualified professional engineer to verify that the site is to be connected to the fire suppression water main system in accordance with the overall engineering plans, RVC Fire Hydrant Water Suppression bylaw and City of Calgary hydrant specifications.
  7. That prior to issuance of this permit, the Applicant/Owner shall submit a water table analysis report prepared for this site. The water table analysis report shall evaluate soil characteristics and existing groundwater conditions and be based on test holes drilled at a maximum spacing of 150m radius throughout the proposed Development in accordance with the County Servicing Standard. *Note: A minimum of two (2) test holes must be drilled for each proposed Development.*
  8. That prior to issuance of this permit, the Applicant/Owner shall submit a revised landscaping plan and/or details :
    - i. that confirm the total area for the gravel fill;
    - ii. that identify a minimum of 300mm of topsoil; and
    - iii. that the proposed vegetation type can endure irrigation from May to September annually.
  9. That prior to issuance of the permit and stripping and grading of the site, the Applicant/Owner shall submit an erosion and sediment control report (ESC) and plan, in accordance with County Servicing Standards.
  10. That prior to issuance of the permit, the Applicant/Owner shall submit a lot grading plan including the following:
    - i. Corner grades shall conform to the Lot Grading Plan prepared by Urban Systems drawing no. C04-2092.0023.02;



- ii. The lot shall be shaped such that the entire lot drains to the on-site pond such that if the owner fails to maintain their stormwater system will pond and trap low on site and will NOT adversely affect adjacent lands;
- iii. Building elevations should be placed above the high-water level.

**Prior to Occupancy:**

11. That prior to occupancy of the site, 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 pond volumes, liner verification, irrigation systems and any other information that is relevant to the SSIP.
  - i. Following receiving the as-built drawings from the consulting engineer, Engineering Services shall conduct an inspection of the site to verify stormwater has been completed.
12. That prior to occupancy of the site, all landscaping, site surfacing and fencing shall be implemented onsite.
  - 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.
13. That prior to occupancy of the site, the County shall perform an inspection of the site to verify that the road approach has been installed in accordance with the County Servicing Standards and approved plans. Note, any portion of the ditch that has been disturbed as a result of the approach construction or other activities on site must be restored to the original subdivision grades and adequately top soiled & seeded, to the satisfaction of the County.
  - i. Upon final acceptance of the approach, the refundable security shall be released to the Applicant/Owner.

**Permanent:**

14. 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.
15. That water shall be trucked into the plan area and stored in cisterns or obtained from individual wells in accordance with Policy 6.4 of the Conceptual Scheme.
16. That the Applicant/Owner shall submit an *Application for Road Approach*, through County Road Operations, prior to start of construction.
17. That any proposed Road approaches shall be constructed in accordance with the County Servicing Standards and to the same or better standard than the roads in Frontier Industrial Park. Therefore, the minimum design requirement for the approaches is as follows:
  - i. 40mm City of Calgary B mix asphalt
  - ii. 90mm City of Calgary A mix asphalt
  - iii. 300mm of Class 2 - Des 20 Crushed Granular Base



- iv. The geometric design of the approach shall be based on the type of vehicles using the access and the actual pavement structural design shall be based on a soaked CBR certified by a professional engineer.
- 18. That the Owner shall obtain a License to Divert Water from Alberta Environment prior to extracting water for commercial purposes should water be obtained from individual wells on-site in accordance with the Provincial Water Act.
- 19. That irrigation and landscaping water shall only be supplied by the re-use of stormwater.
- 20. That the Owner shall have their stormwater detention infrastructure empty/at the NWL by the end of the irrigation season.
- 21. That the subject development must be in accordance with Frontier Phase 2 Conceptual Scheme and By-law C-6766-2009.
- 22. That sanitary sewage shall be contained in pump out tanks and transported off-site to an approved waste water receiving facility for disposal in accordance with Policy 6.3.1. of the Frontier Conceptual Scheme.
- 23. That the Applicant/Owner shall not screen and/or sell the excess topsoil to others without written approval from the County, as there is potential for additional off-site impacts.
- 24. That any topsoil 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.
- 25. That 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.
- 26. That the Applicant/Owner shall take effective measures to control dust in the re-grading area of the Lands, 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 topsoil creates a visible dust problem, the removal or handling of topsoil shall cease immediately until remedial measures are taken.
- 27. That the Applicant/Owner shall be responsible for rectifying any adverse effect on adjacent lands from drainage alteration.
- 28. That all on-site lighting shall be dark sky, including site security lighting and parking area lighting. The lighting shall be designed to conserve energy, reduce glare, and reduce uplight. All development shall demonstrate lighting design that reduces the extent of spill-over glare, and eliminates glare as viewed from nearby residential properties.
- 29. That the topsoil 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.
- 30. That the County may draw upon the Letter of Credit, without recourse to the Applicant/Owner, to cover the costs in surface reclamation of any or all of the disturbed areas or costs involved in actions necessary to ensure compliance with any other conditions of this permit.
- 31. That the entire site shall be maintained in a neat and orderly manner at all times to the satisfaction of the Development Authority.



32. 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.

**Advisory:**

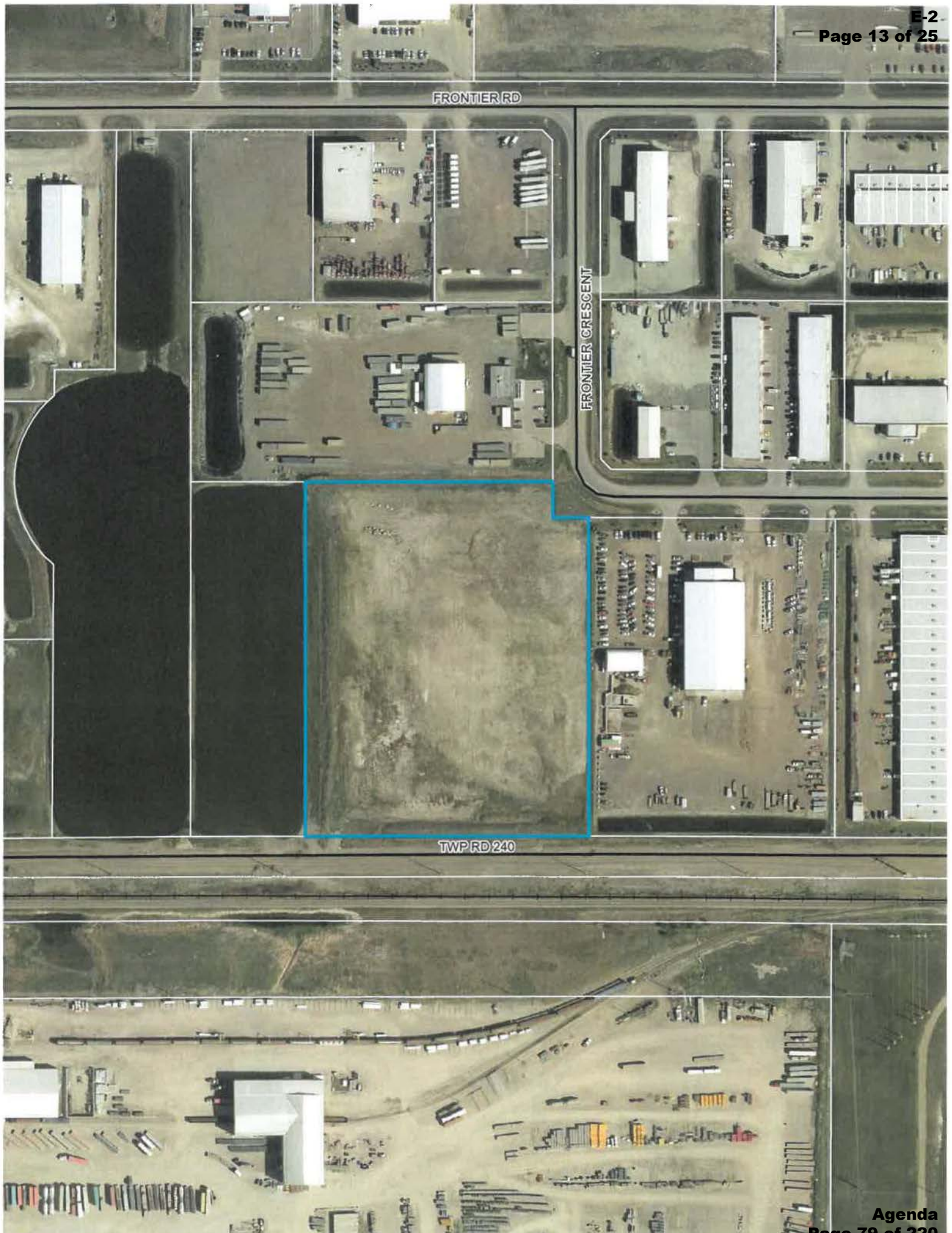
33. That the County encourages Low-Impact Development (LID) initiatives, which could consist of the implementation some of following: green roof systems, rainwater harvesting, consumptive re-use of stormwater for irrigation, wash-water, or process water.
34. That the Applicant/Owner shall be responsible for onsite 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.
35. That the subject development shall conform to the County's Noise *Bylaw C-5773-2003* in perpetuity.
36. That all new signage on site shall obtain approval from Development Authority prior to installation.
37. That any other government permits, approvals, or compliances are the sole responsibility of the Applicant/Owner.
  - i. That the Applicant/Owner shall be responsible for all Alberta Environment and Parks (AEP) approvals/ compensation for existing waterbodies/ riparian areas/ tributary/ stream on site that may be impacted by the proposed development activities.
38. That the grading activities shall be completed 18 months from the date of issuance of this permit.
39. 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.

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

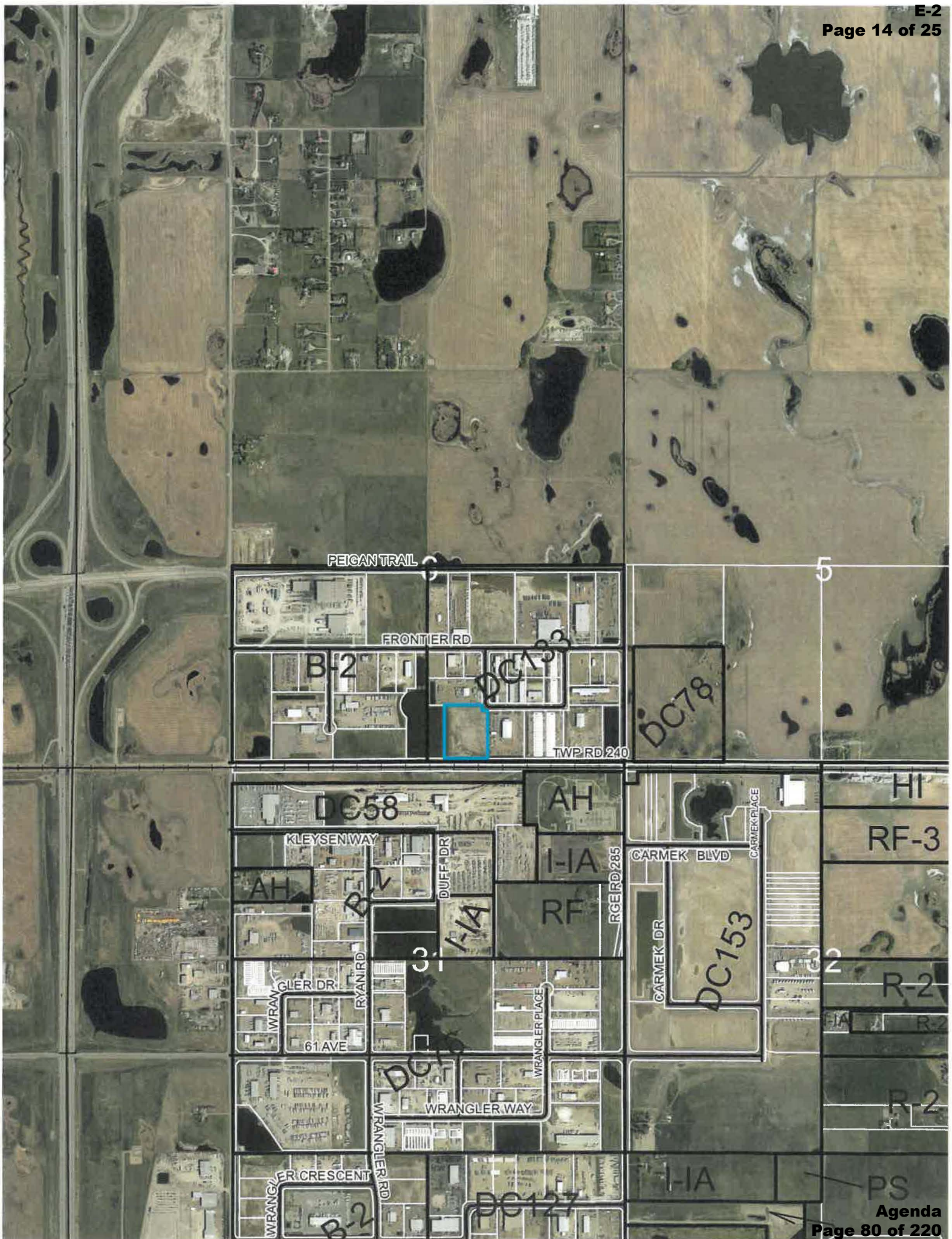
REFUSAL as per the following reasons:

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

20200527

## APPLICATION FOR A DEVELOPMENT PERMIT

FOR OFFICE USE ONLY	
Fee Submitted \$4,384.76	File Number 04306051
Date of Receipt MAR 3, 2020	Receipt # 2020023663

Name of Applicant Steve Wheatcroft Email swheatcroft@ulslandscaping.com  
Mailing Address 240085 Frontier Crescent, Rocky View County, AB cc: rdeverell@sedhouseengineering.com  
Postal Code T1X 0W2  
Telephone (B) 403.616.0861 (H) \_\_\_\_\_ Fax \_\_\_\_\_  
For Agents please supply Business/Agency/ Organization Name ULS Landscaping

Registered Owner (if not applicant) Saguaro Investments Inc.

Mailing Address 340-440, 10816 MACLEOD TRAIL SE CALGARY, AB

Postal Code T2J 5N8  
Telephone (B) \_\_\_\_\_ (H) \_\_\_\_\_ Fax \_\_\_\_\_

### 1. LEGAL DESCRIPTION OF LAND

- a) All / part of the SE  $\frac{1}{4}$  Section 6 Township 24 Range 28 West of 4 Meridian  
b) Being all / parts of Lot 17 Block 2 Registered Plan Number 1113710  
c) Municipal Address 240099 FRONTIER CRESCENT  
d) Existing Land Use Designation DC 133 (B-IC) Parcel Size 3.848 ha Division \_\_\_\_\_  
9.51 (acres)

### 2. APPLICATION FOR

Gravel yard for industrial/business service support and services which require land for the storage of materials, goods, equipment, or vehicles (CONTRACTOR, GENERAL & STORAGE AREA) & RE-GRADING

### 3. ADDITIONAL INFORMATION

- a) Are there any oil or gas wells on or within 100 metres of the subject property(s)? Yes \_\_\_\_\_ No ☒  
b) Is the proposed parcel within 1.5 kilometres of a sour gas facility? Yes \_\_\_\_\_ 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 ☒  
d) Does the site have direct access to a developed Municipal Road? Yes \_\_\_\_\_ No ☒

### 4. REGISTERED OWNER OR PERSON ACTING ON HIS BEHALF

I SAGUARO INVESTMENTS INC hereby certify that ☒ 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 Steve Wheatcroft  
Date MAR 3 2020

Owner's Signature Walter J  
Date FEB 28 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.

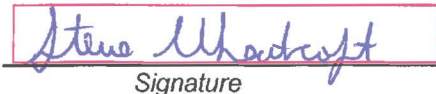
STEVE WHEATCROFT



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, STEVE WHEATCROFT, 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  
Date



ROCKY VIEW COUNTY  
Cultivating Communities

## STRIPPING, FILLING, EXCAVATION AND GRADING

FOR OFFICE USE ONLY	
Fee Submitted	File Number
Date of Receipt	Receipt #

Name of Applicant Steve Wheatcroft

Address of Applicant

Telephone (C) \_\_\_\_\_ (H) \_\_\_\_\_ (Fax) \_\_\_\_\_

### 1. NATURE OF THE APPLICATION

Type of application (Please check off all that apply):

- |  |   |
|--|---|
| <input type="checkbox"/> Site stripping                            | <input type="checkbox"/> Re-contouring  |
| <input type="checkbox"/> Filling                                   | <input type="checkbox"/> Stockpiling  |
| <input type="checkbox"/> Excavation (including removal of topsoil) | <input type="checkbox"/> Construction of artificial water bodies and/or dugouts |
| <input checked="" type="checkbox"/> Grading                        | <input type="checkbox"/> Other _____  |

### 2. PURPOSE

What is the intent of the proposal? This is a supplement information sheet to PRDP20200527. Grading is site grading to create a gravel storage yard - it is common excavation (cut to fill within site). There is no "Fill" required, however, gravel will need to be hauled in to surface the parking lot. Topsoil will be hauled in to topsoil landscaped areas.

Indicate the effect(s) on existing drainage patterns or environmentally sensitive areas (i.e. riparian, wetland, waterbodies) (if applicable) \_\_\_\_\_

N/A

☒ The fill does not contain construction rubble or any hazardous substances (please check)

### 3. TYPE

Height <u>+/- 1-2 m of cut to fill (common excavation)</u>	Volume <u>20,000m<sup>3</sup> common excava-</u> meters cubed
Width <u>grading will cover width of site</u>	Truckload <u>750 gravel</u> (approximately)
Length <u>grading will length width of site</u>	Slope Factor <u>n/a</u> (if applicable)
Area <u>3.8 ha</u> square metres	

*\* Please show all measurements in detail on your site plan.*

### 4. TERMS AND CONDITIONS

(a) General statement about conditions:

1. The Development Authority may include any condition necessary to satisfy a Land Use Bylaw provision, a County Plan, Area Structure Plan, Conceptual Scheme, Master Site Development Plan policy and/or County Servicing Standard.
2. Where on-site works are proposed the County may, by condition, require the provision of a Construction Management Plan and/or Stormwater Management Plan.
3. The Development Authority may impose any condition to meet a requirement of the Municipal Government Act or Subdivision and Development Regulation.
4. As a condition of development approval, the Development Authority may include the requirement to update technical reports submitted with the application.



5. The Development Authority shall impose relevant requirements for the payment of levies associated with Bylaws for transportation, wastewater, water supply and stormwater:
  - i. Transportation Offsite Levy Bylaw;
  - ii. Water and Wastewater Offsite Levy Bylaw; and
  - iii. Such other Bylaws as may be in force or come into force and be applicable to development or activities on or services provided to the subject land from time to time.
6. The Development Authority shall determine any oversizing requirements for services and infrastructure required to be constructed as part of the proposed development. The County will determine Cost Recovery arrangements through preparation and execution of documents prior to endorsement of a plan of survey for registration.

(b) *Technical reports* are defined as any report or any information regarding a matter identified in the Municipal Government Act, Subdivision and Development Regulations, Statutory Plan, County Policy, Servicing Standards or Bylaw.

(c) General statement about technical reports:

1. Additional technical reports may be required after the time of application, based upon the ongoing assessment of the application.

(e) All costs of development are borne by the landowner / applicant including, but not limited to, all on and off-site construction works, infrastructure development, securities, levies, contributions, additional fees associated the preparation and review of reports and technical assessments, endorsement fees imposed by the County, registration fees and such other costs as may be associated with the development of the land. Further, that it is the landowner / applicant responsibility to identify and consider all costs of development.

(f) The applicant and landowner acknowledge that not providing the information required in this form or failing to provide accurate information may prejudice the assessment of the application.

(g) The applicant and landowner acknowledge that the County including individual staff members have not provided an advisory role with respect to the preparation and making of this application and that the decision to make the application is entirely that of the applicant and landowner.

(h) It should be noted that while every effort is made to ensure the applicants are provided with clear information regarding the requirement for application, that over the course of the application assessment process, particularly following a full technical review and also following submissions from agencies, additional technical information may be required. In addition to the requirement for further technical information, further justification regarding the merits of a development proposal may also be required.

## 5. ADDITIONAL INFORMATION



STEVE WHEATCROFT

(Print Full Name)

hereby certify that

☐ I am the registered owner

☒ I am authorized to act on behalf  
of the registered owner

and that the information given on this form and the material provided with this application is full and complete and is, to the best of my knowledge, a true statement of the facts relating to this application for subdivision approval. Further, I have read, understood and accept the contents, statements and requirements contained and referenced in this document – **STRIPPING, FILLING, EXCAVATION AND GRADING.**

**PLEASE PROVIDE ALL OF THE ABOVE INFORMATION. THANK YOU.**



TEL 403-454-8487  
FAX 403-454-8478

## PROJECT CORRESPONDENCES

Unit 105, 10555 48 ST. SE | Calgary, AB | T2C 2B7  
www.sedulousengineering.ca

March 3, 2020

SEI File #: SEI.20.003

Rocky View County  
VIA: Hand Delivery

**RE: DEVELOPMENT PERMIT SUPPORT LETTER**

To whom it may concern,

Sedulous Engineering is assisting Mr. Steve Wheatcroft of ULS Landscaping and Mr. Warren Graumann of Saguaro Investments with this Development Permit application. We have prepared this Cover Letter on their behalf.

This DP application pertains to Lot 17, Block 2, Plan 1113710. The lot is currently vacant and was rough graded by Remington Development Corporation as part of the overall subdivision and Development Agreement process. According to the County Atlas, the current land use is DC133 (B-IC: INDUSTRIAL CAMPUS BUSINESS).

This DP is for creating a gravel surfaced industrial storage yard with appurtenant fencing and landscaping. There is no building proposed. The yard will be used for industrial/business service support and services which require land for the storage of materials, goods, equipment, or vehicles.

The land will be graded in accordance with a grading plan and in accordance with a stormwater management plan. ULS Landscaping has prepared the Landscape Plan (attached). The preliminary grading plan is being prepared by Sedulous Engineering (attached). The stormwater management plan is currently being prepared by Westhoff Engineering Resources, Inc and will be submitted later under separate cover.

Yours Truly,  
Sedulous Engineering Inc,  
Per:

A handwritten signature in blue ink, appearing to read "R Deverell".

Rob Deverell

**Attachment:**

- DP Application paperwork
- E2K Geotechnical Report
- Sedulous Engineering Grading Plans (2 sheets)
- ULS Landscaping Landscape Plan

---

*Civil and Municipal Engineering Professionals,  
Showing Diligence and Dedication.*



## LAND TITLE CERTIFICATE

S

LINC

SHORT LEGAL

TITLE NUMBER

0035 063 288

1113710;2;17

141 230 180

## LEGAL DESCRIPTION

PLAN 1113710

BLOCK 2

LOT 17

EXCEPTING THEREOUT ALL MINES AND MINERALS

AREA: 3.848 HECTARES (9.51 ACRES) MORE OR LESS

ESTATE: FEE SIMPLE

ATS REFERENCE: 4;28;24;6;SE

MUNICIPALITY: ROCKY VIEW COUNTY

REFERENCE NUMBER: 111 332 166 +13

REGISTERED OWNER(S)				
REGISTRATION	DATE (DMY)	DOCUMENT TYPE	VALUE	CONSIDERATION
141 230 180	29/08/2014	TRANSFER OF LAND	\$3,233,400	\$3,233,400

## OWNERS

SAGUARO INVESTMENTS INC.

OF 340-440, 10816 MACLEOD TRAIL SE

CALGARY

ALBERTA T2J 5N8

## ENCUMBRANCES, LIENS &amp; INTERESTS

## REGISTRATION

NUMBER	DATE (D/M/Y)	PARTICULARS
111 332 168	20/12/2011	UTILITY RIGHT OF WAY

GRANTEE - ENMAX POWER CORPORATION.

GRANTEE - TELUS COMMUNICATIONS INC.

GRANTEE - ATCO GAS AND PIPELINES LTD.

GRANTEE - ROCKY VIEW COUNTY.

GRANTEE - FRONTIER INDUSTRIAL PARK LTD.

AS TO PORTION OR PLAN:1113711

( CONTINUED )

## ENCUMBRANCES, LIENS &amp; INTERESTS

PAGE 2

# 141 230 180

## REGISTRATION

NUMBER	DATE (D/M/Y)	PARTICULARS
--------	--------------	-------------

111 332 173 20/12/2011 CAVEAT

RE : EASEMENT

111 332 175 20/12/2011 CAVEAT

RE : DEFERRED SERVICES AGREEMENT

CAVEATOR - ROCKY VIEW COUNTY.

911 - 32ND AVENUE NE

CALGARY

ALBERTA T2E6X6

111 332 176 20/12/2011 RESTRICTIVE COVENANT

111 332 177 20/12/2011 ENCUMBRANCE

ENCUMBRANCEE - FRONTIER INDUSTRIAL PARK

ASSOCIATION.

300, 200 QUARRY PARK BOULEVARD SE

CALGARY

ALBERTA T2C5E3

(DATA UPDATED BY: TRANSFER OF ENCUMBRANCE  
141032456)

111 332 178 20/12/2011 RESTRICTIVE COVENANT

TOTAL INSTRUMENTS: 006

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN  
ACCURATE REPRODUCTION OF THE CERTIFICATE OF  
TITLE REPRESENTED HEREIN THIS 25 DAY OF  
FEBRUARY, 2020 AT 03:51 P.M.

ORDER NUMBER: 38888680

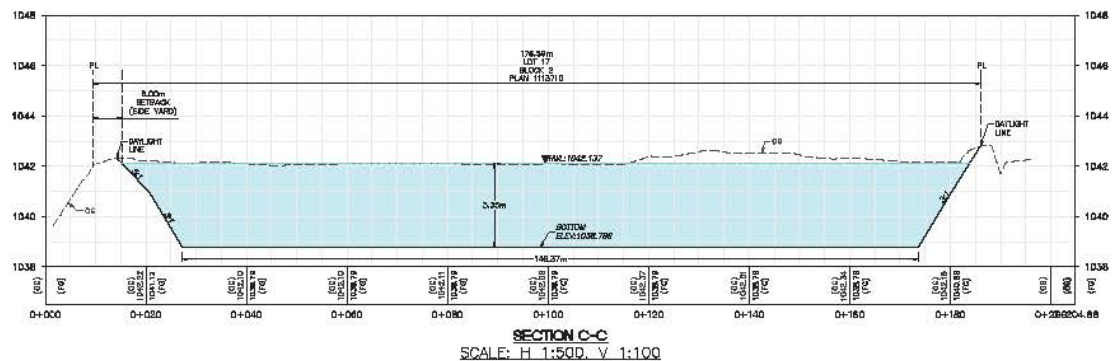
CUSTOMER FILE NUMBER:



\*END OF CERTIFICATE\*

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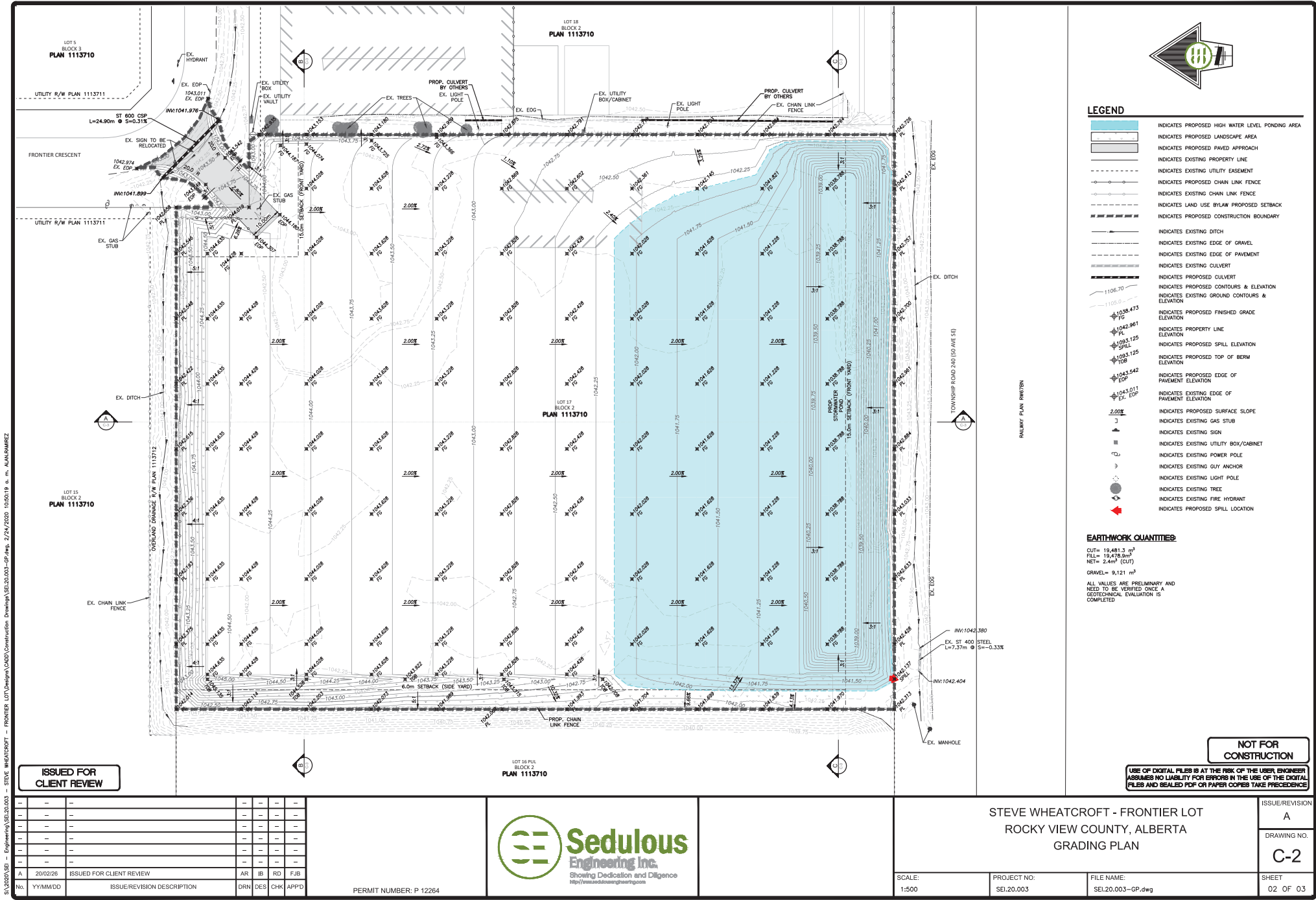
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OR TECHNICAL EXPERTISE FOR THE BENEFIT OF CLIENT(S).

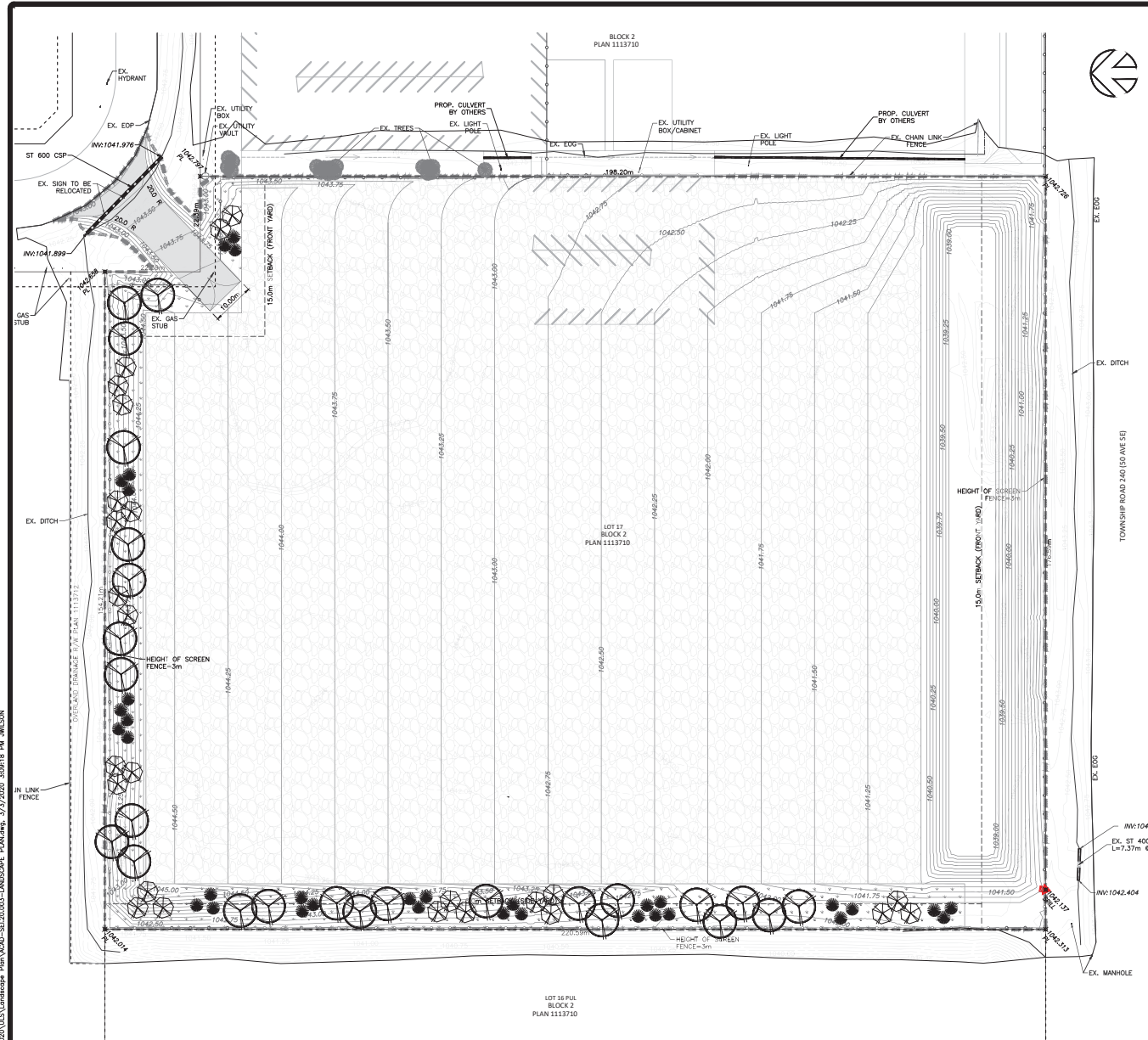


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A	J06G09	ISSUED FOR CLIENT REVIEW		AR	R	R/R
No.	YNNB00	ISSUANCE DESCRIPTION		DGR	DGB	CHK APPD









Plant Schedule				
Symbol	QTY	Botanical Name	Common Name	Size
Deciduous Trees				
	25	Fraxinus pennsylvanica 'Heuer'	Foothills Green Ash	60mm
	25	Populus tremuloides	Trembling Aspen	60mm
Coniferous Trees				
	34	Pinus contorta 'Latifolia'	Lodgepole Pine	2m

LANDSCAPE REQUIREMENTS

SITE AREA:	36,485m <sup>2</sup>
REQUIRED:	
LANDSCAPE AREA:	3,846m <sup>2</sup> (36,485 X 10% = 3,848m <sup>2</sup> )
TREES:	84 (3,848m <sup>2</sup> / 46m <sup>2</sup> = 84)
CONIFEROUS TREES:	34 (84 X 40% = 34)
DECIDUOUS TREES:	50 (84 - 34 = 50)

PLANTING NOTES

1. ALL PLANT MATERIAL SHALL BE IRRIGATED BY A LOW WATER USE IRRIGATION SYSTEM.
2. ALL PLANT MATERIAL WILL BE GROWN TO CNLA STANDARDS IN THE SAME ZONE AS PLANTED.
3. ALL PLANT MATERIAL SHALL BE GROWN TRUE FORM, SINGLE STEM (UNLESS OTHERWISE SPECIFIED), SHALL BE FREE OF DISEASE WITHOUT DAMAGED BARK OR BRANCHES. CONSULTANT RESERVES THE RIGHT TO REJECT ANY PLANT MATERIAL NOT MEETING THESE STANDARDS.
4. CONTRACTOR SHALL OBTAIN APPROVAL OF CONSULTANT BEFORE SUBSTITUTING ANY PLANT MATERIAL.
5. ALL BEDS SHALL HAVE 75 MM DEPTH OF BARK MULCH.

LEGEND

- INDICATES PROPOSED GRAVEL SURFACE
- INDICATES PROPOSED HYDROSEED TO BE INSTALLED OVER 100MM DEPTH SCREENED LOAM
- INDICATES PROPOSED PAVED APPROACH
- INDICATES PROPOSED CONTOURS & ELEVATION
- INDICATES EXISTING GROUND CONTOURS & ELEVATION
- INDICATES EXISTING PROPERTY LINE
- INDICATES EXISTING UTILITY EASEMENT
- INDICATES PROPOSED CHAIN LINK FENCE
- INDICATES EXISTING CHAIN LINK FENCE
- INDICATES LAND USE BYLAW PROPOSED SETBACK
- INDICATES PROPOSED CONSTRUCTION BOUNDARY
- INDICATES EXISTING DITCH
- INDICATES EXISTING EDGE OF GRAVEL
- INDICATES EXISTING EDGE OF PAVEMENT
- INDICATES EXISTING CULVERT
- INDICATES PROPOSED CULVERT
- INDICATES PROPERTY LINE ELEVATION
- INDICATES PROPOSED SPILL ELEVATION
- INDICATES EXISTING GAS STUB
- INDICATES EXISTING SIGN
- INDICATES EXISTING UTILITY BOX/CABINET
- INDICATES EXISTING POWER POLE
- INDICATES EXISTING GUY ANCHOR
- INDICATES EXISTING LIGHT POLE
- INDICATES EXISTING TREE
- INDICATES EXISTING FIRE HYDRANT
- INDICATES PROPOSED SPILL LOCATION

NOT FOR CONSTRUCTION

NOTE TO USER:  
DO NOT SCALE DRAWINGS  
ALL DRAWINGS REMAIN THE PROPERTY OF ULS  
MAINTENANCE AND LANDSCAPING, & SHALL NOT BE  
REPRODUCED OR REUSED WITHOUT WRITTEN  
PERMISSION

No.	YYMMDD	ISSUE/REVISION DESCRIPTION	DRN	DES	CHK	APP'D
A	20/02/26	ISSUED FOR CLIENT REVIEW	AR	IB	RD	FJB

PERMIT NUMBER: P 12264

**Sedulous**  
Engineering Inc.  
Showing Dedication and Diligence  
http://www.sedulousengineering.com

ULS Maintenance & Landscaping Inc.  
2402055 Frontier Crescent  
Rocky View, Alberta  
T1X 0N2  
Tel: (403) 235-5353  
www.ulslandscaping.com

STEVE WHEATCROFT - FRONTIER LOT  
ROCKY VIEW COUNTY, ALBERTA  
LANDSCAPE PLAN

SCALE: 1:500	PROJECT NO: SEL.20.003	FILE NAME: ACAD-SEL.20.003-LANDSCAPE PLAN.dwg	ISSUE/REVISION A
			DRAWING NO. L-1
			SHEET 01 OF 01



PROJECT DESCRIPTION: CONTRACTOR, GENERAL  
LEGAL DESCRIPTION: PLAN 1113710 BLOCK 2 LOT 17  
MUNICIPAL ADDRESS: SE 1/4 SEC 6 TWP 24 RGE 26 W4M  
ZONING: C-133 (C-6767-2009)  
PROPOSED LAND USE: CONTRACTOR, GENERAL  
LOT SIZE: +/- 3.848 HA / 9.51 ACRES  
LANDSCAPE AREA REQUIRED: 3.848 SQ. M  
LANDSCAPE AREA PROVIDED: 3.848 SQ. M  
TOTAL NUMBER OF PARKING STALLS REQUIRED:  
TOTAL NUMBER OF PARKING STALLS PROVIDED:

LEGEND

- INDICATES PROPOSED GRAVEL SURFACE
- INDICATES PROPOSED LANDSCAPE AREA
- INDICATES PROPOSED PAVED APPROACH
- INDICATES PROPOSED CONTOURS & ELEVATION
- INDICATES EXISTING GROUND CONTOURS & ELEVATION
- INDICATES EXISTING PROPERTY LINE
- INDICATES EXISTING UTILITY EASEMENT
- INDICATES PROPOSED CHAIN LINK FENCE
- INDICATES EXISTING CHAIN LINK FENCE
- INDICATES LAND USE BYLAW PROPOSED SETBACK
- INDICATES PROPOSED CONSTRUCTION BOUNDARY
- INDICATES EXISTING DITCH
- INDICATES EXISTING EDGE OF GRAVEL
- INDICATES EXISTING EDGE OF PAVEMENT
- INDICATES EXISTING CULVERT
- INDICATES PROPOSED CULVERT
- INDICATES PROPERTY LINE
- INDICATES PROPOSED SPILL ELEVATION
- INDICATES EXISTING GAS STUB
- INDICATES EXISTING SIGN
- INDICATES EXISTING UTILITY BOX/CABINET
- INDICATES EXISTING POWER POLE
- INDICATES EXISTING GUY AND/OR
- INDICATES EXISTING LIGHT POLE
- INDICATES EXISTING TREE
- INDICATES EXISTING FIRE HYDRANT
- INDICATES PROPOSED SPILL LOCATION

NOTES  
LANDSCAPE AREA = 10% OF LAND AREA = 3.848 SQ. M

NOT FOR  
CONSTRUCTION

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STEVE WHEATCROFT - FRONTIER LOT  
ROCKY VIEW COUNTY, ALBERTA  
SITE PLAN

ISSUE/REVISION  
A

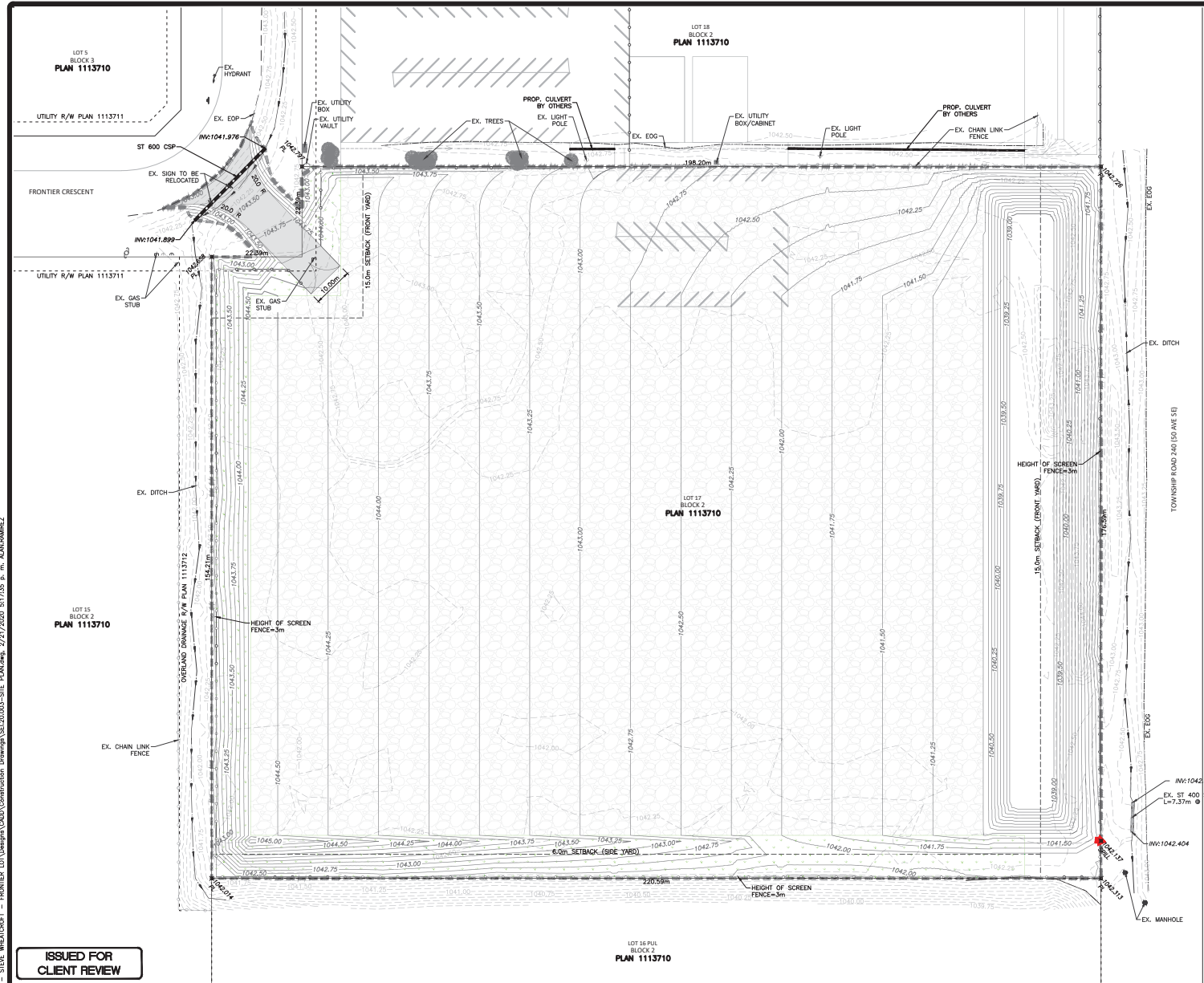
DRAWING NO.  
C-1

SHEET  
01 OF 03

SCALE:  
1:500

PROJECT NO:  
SEI.20.003

FILE NAME:  
SEI.20.003-SITE PLAN.dwg



ISSUED FOR  
CLIENT REVIEW

LOT 16 PUL  
BLOCK 2  
PLAN 1113710



No.	YYMMDD	ISSUE/REVISION DESCRIPTION	DRN	DES	CHK	APPD
A	20/02/26	ISSUED FOR CLIENT REVIEW	AR	IB	RD	FJB

PERMIT NUMBER: P 12264



## PLANNING AND DEVELOPMENT SERVICES

**TO:** Municipal Planning Commission  
**DIVISION:** 09  
**SUBJECT:** Development Item: Bed & Breakfast Home  
**USE:** Discretionary, with no Variances

**DATE:** April 27, 2020  
**APPLICATION:** PRDP20200492

**APPLICATION:** Bed & Breakfast Home

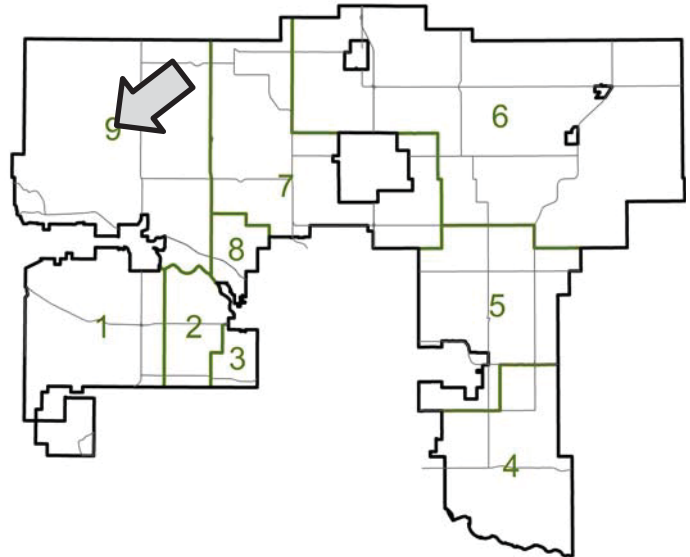
**GENERAL LOCATION:** located approximately 0.41 km (1/4 mile) west of Rge. Rd. 44 and on the north side of Twp. Rd. 274

**LAND USE DESIGNATION:** Agricultural Holdings (AH)

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

### OPTIONS:

- Option #1: THAT Development Permit Application PRDP20200492 be approved with the conditions noted in the Development Permit Report, attached.
- Option #2: THAT Development Permit Application PRDP20200492 be refused as per the reasons noted.



### AIR PHOTO & DEVELOPMENT CONTEXT:



**Administration Resources**  
 Christina Lombardo - Planning and Development Services

**DEVELOPMENT PERMIT REPORT**

<b>Application Date:</b> March 2, 2020	<b>File:</b> 07829004
<b>Application:</b> PRDP20200492	<b>Applicant/Owner:</b> Gord & Tracy Baker
<b>Legal Description:</b> Lot 1, Block 1, Plan 0310188; SE-29-27-04-W05M	<b>General Location:</b> Located approximately 0.41 km (1/4 mile) west of Rge. Rd. 44 and on the north side of Twp. Rd. 274
<b>Land Use Designation:</b> Agricultural Holding (AH)	<b>Gross Area:</b> ± 12.14 hectares (± 30.00 acres)
<b>File Manager:</b> Christina Lombardo	<b>Division:</b> 09

**PROPOSAL:**

The proposal is for the development of a Bed & Breakfast Home within an existing building.

- This application for a Bed and Breakfast Home was evaluated in accordance with Section 22 of the Land Use Bylaw.
- Signage for a B&B is required to be in accordance with Section 35.11 of the LUB; however, the applicant stated that signage will not be required. No signage is proposed for the B&B operation.
- The B&B will be operated from 2,800.00 sq. ft. dwelling. The B&B portion totals 500.00 sq. ft. There are four (4) bedrooms in the residence. Guests may occupy one (1) of the bedrooms.
- Parking is available in the driveway and yard area, and the applicant estimates one (1) vehicle per week.
- There will be two (2) part-time employee (the Applicant), who reside in the dwelling.
- The B&B will be available to guests Monday to Sunday 24 hours a day.

**STATUTORY PLANS:**

The subject lands do not fall under any Area Structure Plans or Conceptual Schemes and therefore is evaluated in accordance with the Land Use Bylaw.

**INSPECTOR'S COMMENTS:**

March 25, 2020

- Locked electrical gate
- Home is primary residence with suite used in basement for Bed & Breakfast
- Separate washroom, bedroom and living room
- There are parking spots in the driveway loop and one adjacent to the garage.
- Suite has a primary exit at the back of the house leading to the backyard, with an additional communal exit at the front door of the house
- No other issues.

**CIRCULATIONS:**

Alberta Health Services (March 12, 2019)

- The applicant must ensure the facility meets all applicable requirements, including:





- i. Food Regulations (AR 31/2006), Part 6 pertaining to Bed and Breakfasts;
- ii. Swimming Pool Regulation (AR 204/2014) and the Pool Standards, July 2019 (Amended January-2019) – if the applicant plans to provide a swimming pool or hot tub on site for guest use;
- iii. Housing Regulation (AR 173/99) and the Minimum Housing and Health Standards.

Development Compliance Review (March 11, 2019)

- Recommend that any business activity does not adversely impact neighbouring properties
- Recommend adequate parking space for visiting traffic

Building Services (March 31, 2020)

- Permits for renovations are required (If proposed).

Planning and Development –Engineering Services (March 25, 2020)

**General:**

- The review of this file is based upon the application submitted. These conditions/recommendations may be subjected to change to ensure best practices and procedures.

**Geotechnical:**

- No new construction is proposed.
- Engineering has no requirements at this time.

**Transportation:**

- Access to the parcel is present from an approach off Township Road 274
- As per the application, there will be 2 part-time employees on site for the proposed development. This is unlikely to increase traffic on local road network; Traffic Impact Assessment will not be required.
- As this is a renewable permit, Transportation Off-site levy will be deferred at this time.
- Engineering have no requirements at this time.

**Sanitary/Waste Water:**

- No information was provided.
- Engineering has no requirements at this time.

**Water Supply And Waterworks:**

- No information was provided.
- As an advisory condition, applicant shall be required to obtain all necessary water well licenses from Alberta Environment for commercial water uses.
- Engineering have no requirements at this time.

**Storm Water Management:**

- No new impervious areas are proposed.
- Engineering has no requirements at this time.



**Environmental:**

- No land disturbance is proposed.
- Engineering has no requirements at this time.

Utility Services (March 19, 2020)

- No concerns

**OPTIONS:**

Option #1 (this would approve the development)

APPROVAL, subject to the following conditions:

**Description:**

- 1) That a Bed and Breakfast Home may operate on the subject parcel (44092 TWP RD 274) in accordance with the approved site plan and floor plans and the conditions of this permit.

**Permanent:**

- 2) That there shall be no non-resident employees at any time.
- 3) That the Bed and Breakfast Home shall be limited to the dwelling unit.
- 4) That the operation of the Bed and Breakfast Home shall be subordinate and incidental to the principal use of the dwelling unit as an owner-occupied residence.
- 5) That a maximum of one (1) bedrooms may be used for the Bed and Breakfast Home at any time.
- 6) That the only meal to be provided to registered guests shall be breakfast. No food preparation or cooking for or by guests shall be conducted within any bedroom made available for rent.
- 7) That no off-site advertisement signage associated with the Bed and Breakfast Home shall be permitted.
- 8) That all customer parking shall be on the Owner's property.
- 9) That a maximum stay of fourteen (14) days per person shall be permitted.
- 10) That the operation of this Bed and Breakfast Home shall not generate noise, smoke, dust, fumes, glare, or refuse matter considered offensive or excessive by the Development Authority and at all times the privacy of adjacent residential dwellings shall be preserved. The Bed and Breakfast Home shall not, in the opinion of the Development Authority, unduly offend or otherwise interfere with neighbouring or adjacent residents.
- 11) That minimal exterior modification of the structure or grounds shall be made and shall be compatible with the character of the area or neighbourhood.
- 12) 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 dwelling unit located on the subject site, to facilitate accurate emergency response.
- 13) That this development permit does not include approval of an *Accommodation Unit*.

**Advisory:**

- 14) That the Applicant/Owner shall contact Building Services, to discuss a Change of Use Building Permit application or arrange for a building inspection. The inspection shall ensure life safety/health requirements of the Alberta Building Code are met for proposed use, such as Smoke Alarms/Co Alarms, emergency egress window sizes bedrooms, washroom facilities.

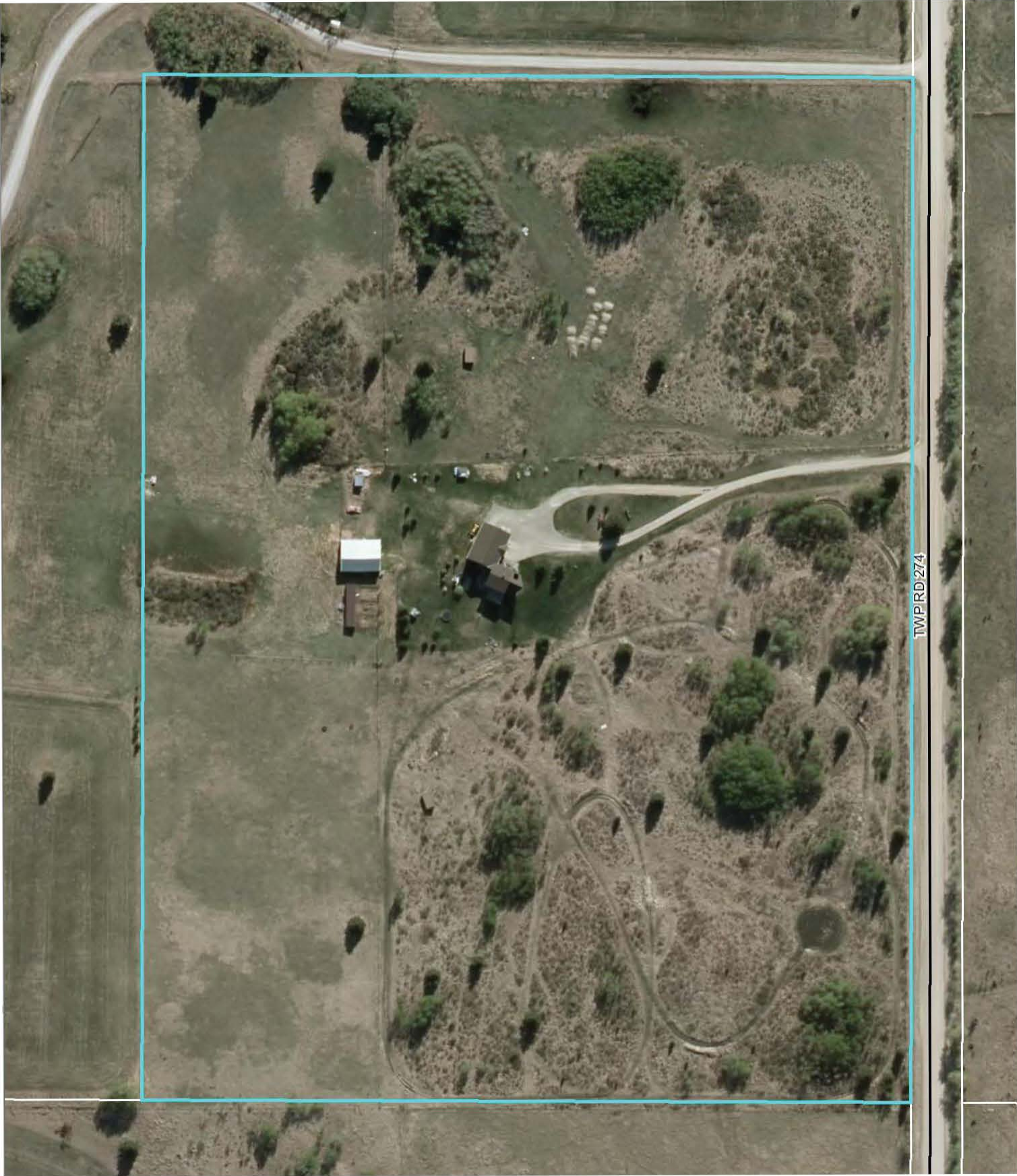


- a) Should any deficiencies be identified, the Applicant/Owner shall remediate said deficiencies with any appropriate building or sub-trade permits/inspections as directed by the Building Services.
- 15) That any other government permits, approvals, or compliances are the sole responsibility of the Applicant/Owner including:
  - a) That the Applicant/Owner shall obtain a Food Establishment Permit from Alberta Health Services and meet any requirements of the Public Health Act Food Regulation as it pertains to Bed & Breakfasts, prior to operation.
  - b) That the Applicant/Owner shall be required to obtain all necessary water well licenses from Alberta Environment for any commercial water uses, if required.
- 16) That his Development Permit shall be valid until **May 27, 2022**

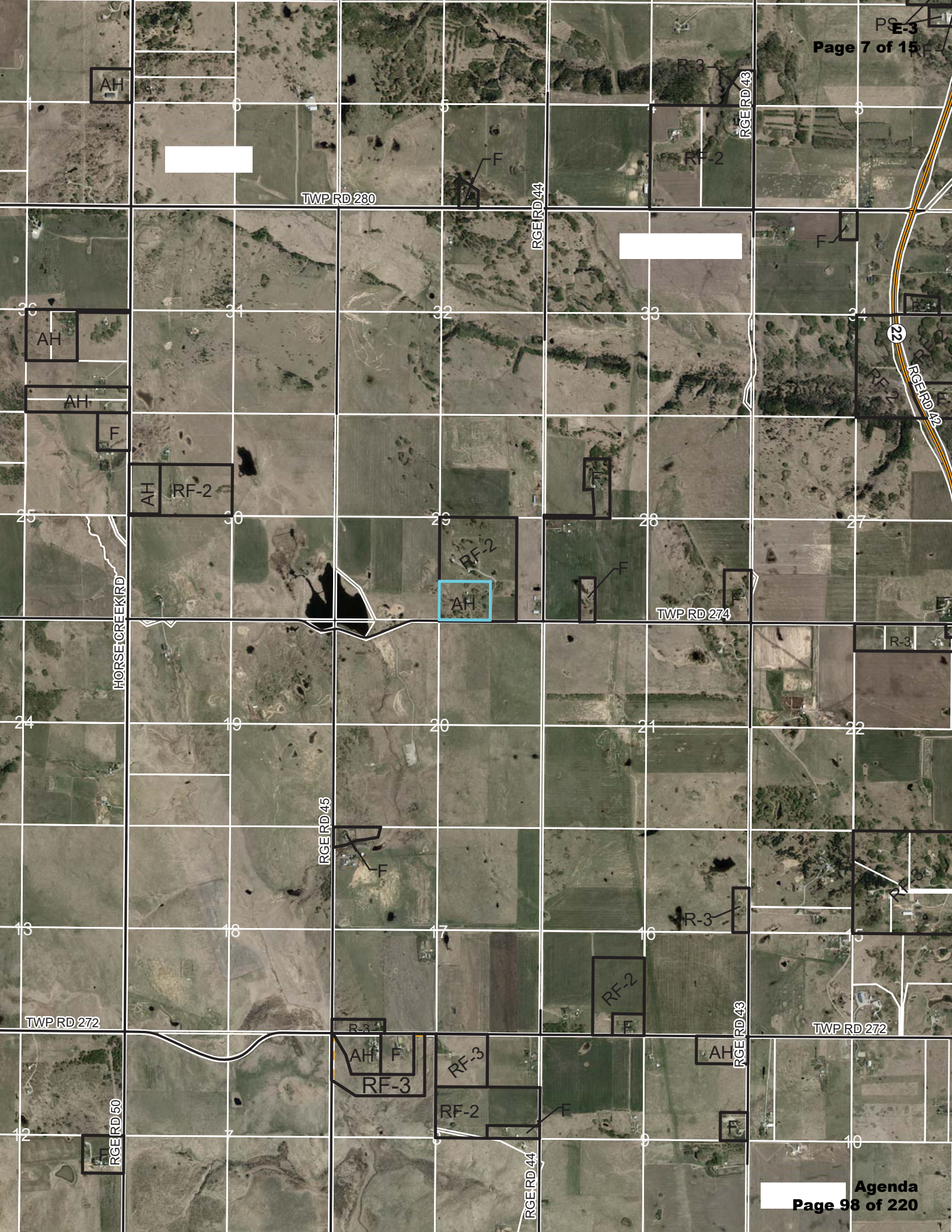
Option #2 (this would not allow the development)

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 the neighbouring parcels of land.











ROCKY VIEW COUNTY  
Cultivating Communities

20200492

# APPLICATION FOR A DEVELOPMENT PERMIT

FOR OFFICE USE		Page 8 of 15
Fee Submitted	File Number	
\$585.00	07629004	
Date of Receipt	Receipt #	
03/02/2020	20200734	

Name of Applicant Gord & Tracy Baker Email [REDACTED]

Postal Code [REDACTED]

Telephone (B) [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 SE  $\frac{1}{4}$  Section 29 Township 27 Range 04 West of 5 Meridian
- b) Being all / parts of Lot 1 Block 1 Registered Plan Number 0310188
- c) Municipal Address #44092 TWP RD 274
- d) Existing Land Use Designation Agriculture Parcel Size 30 Division \_\_\_\_\_

## 2. APPLICATION FOR

Bed & Breakfast

## 3. ADDITIONAL INFORMATION

- a) Are there any oil or gas wells on or within 100 metres of the subject property(s)? Yes \_\_\_\_\_ No ☒
- b) Is the proposed parcel within 1.5 kilometres of a sour gas facility? Yes \_\_\_\_\_ 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 ☒
- d) Does the site have direct access to a developed Municipal Road? Yes ☒ No \_\_\_\_\_

## 4. REGISTERED OWNER OR PERSON ACTING ON HIS BEHALF

I Tracy & Gord Baker hereby certify that ☒ 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 Baker

Date Feb 12/20

Owner's Signature [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, Tracy & Gord Baker hereby consent to the public release and disclosure of all information contained within this application and supporting documentation as part of the development process.

 Feb 12/20  
Signature Date





**ROCKY VIEW COUNTY**  
Cultivating Communities

## APPLICATION TO OPERATE A BED AND BREAKFAST

FOR OFFICE USE ONLY	
Fee Submitted	File Number
Date of Receipt	Receipt #

Name of Bed and Breakfast Baker's Acres Country B & B  
 Address of Bed and Breakfast Box 18 Site 7 RRI Cochrane AB T4C 1A1  
 Postal Code T4C 1A1  
 Telephone (513) 403-630-3132 (H) \_\_\_\_\_ Fax \_\_\_\_\_

### 1. PROPERTY INFORMATION

- a) Total floor area of dwelling 2800 sq ft  
 b) Total floor area to be used for the Bed and Breakfast 500 sq ft  
 c) Total number of bedrooms Four  
 d) Total number of bedrooms to be occupied by guests one

*\*Please note: A detailed sketch of your floor plan for each floor is required with your application.*

### 2. PARKING

- a) Where is customer parking? In the yard  
 b) How many customer vehicles will be coming to your house? Per day? \_\_\_\_\_ Per week? one

*\*Please note: A detailed Site Plan showing your home location, amount of parking, and all accessory buildings is required.*

### 3. EMPLOYEES

- a) Including the Applicant, how many people are employed by the Bed and Breakfast?  
 (An employee is a person who attends the site more than once in a seven (7) day period for business purposes).  
 Full Time Employees \_\_\_\_\_ Part Time Employees two  
 b) Including the Applicant, how many of the above persons live on this property?  
 Full Time Employees two Part Time Employees \_\_\_\_\_  
 c) How many permanent residents occupy the subject home? three

### 4. OPERATION

- a) What are your days of operation? Mon - Sun  
 b) What are your hours of operation? 24 hours

### 5. SIGNAGE

- a) Will a sign be required? Yes/No No

*If yes - Please provide detailed sketches of the proposed sign on a separate sheet.*

### 6. ADDITIONAL INFORMATION

Signature of Applicant Baker [Signature] Date: 26/12/20

**PLEASE PROVIDE ALL OF THE ABOVE INFORMATION, EVEN IF THIS IS A RENEWAL. THANK YOU**



February 12, 2020

Development Permit

Rocky View County

RE: Lot 1 Block 1 Plan 0310188 SE ¼ TWP 27 Range 04 W5M

Please find the application for a permit allowing us to run a bed and breakfast in our home. We'll be allowing the basement bedroom, washroom and living space to be used for guests. There is availability for 3 guests with all needed smoke, CO2 detectors and a fire extinguisher for safety. We'll be providing breakfasts for the guests.

This space would be available throughout the year as our personal schedule permits.

*Baker*  
*Tracy Baker*

  
  
GORDON BAKER



LAND TITLE CERTIFICATE

S  
LINC                      SHORT LEGAL                      TITLE NUMBER  
0029 759 768           0310188;1;1           171 054 354

LEGAL DESCRIPTION  
PLAN 0310188  
BLOCK 1  
LOT 1  
EXCEPTING THEREOUT ALL MINES AND MINERALS  
AREA: 12.14 HECTARES (30 ACRES) MORE OR LESS

ESTATE: FEE SIMPLE  
ATS REFERENCE: 5;4;27;29;SE

MUNICIPALITY: ROCKY VIEW COUNTY

REFERENCE NUMBER: 131 235 156

REGISTERED OWNER(S)				
REGISTRATION	DATE(DMY)	DOCUMENT TYPE	VALUE	CONSIDERATION
171 054 354	07/03/2017	TRANSFER OF LAND	\$979,000	NOMINAL

OWNERS

TRACY BAKER

AND

GORDON BAKER

BOTH OF:



AS JOINT TENANTS

ENCUMBRANCES, LIENS & INTERESTS

REGISTRATION NUMBER	DATE (D/M/Y)	PARTICULARS
751 076 646	23/07/1975	UTILITY RIGHT OF WAY GRANTEE - COCHRANE LAKE GAS CO-OP LTD.

( CONTINUED )

ENCUMBRANCES, LIENS & INTERESTS

PAGE 2  
# 171 054 354

REGISTRATION

NUMBER DATE (D/M/Y) PARTICULARS

031 025 582 22/01/2003 CAVEAT  
RE : DEFERRED RESERVE  
CAVEATOR - THE MUNICIPAL DISTRICT OF ROCKY VIEW NO.  
44.  
911-32 AVE NE  
CALGARY  
ALBERTA T2E6X6

181 208 120 26/09/2018 MORTGAGE  
MORTGAGEE - THE TORONTO DOMINION BANK.  
500 EDMONTON CITY CENTRE E  
10205-101 ST, 5 FL  
EDMONTON  
ALBERTA T5J5E8  
ORIGINAL PRINCIPAL AMOUNT: \$865,000

TOTAL INSTRUMENTS: 003

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN  
ACCURATE REPRODUCTION OF THE CERTIFICATE OF  
TITLE REPRESENTED HEREIN THIS 2 DAY OF MARCH,  
2020 AT 12:09 P.M.

ORDER NUMBER: 38917345

CUSTOMER FILE NUMBER:



\*END OF CERTIFICATE\*

THIS ELECTRONICALLY TRANSMITTED LAND TITLES PRODUCT IS INTENDED  
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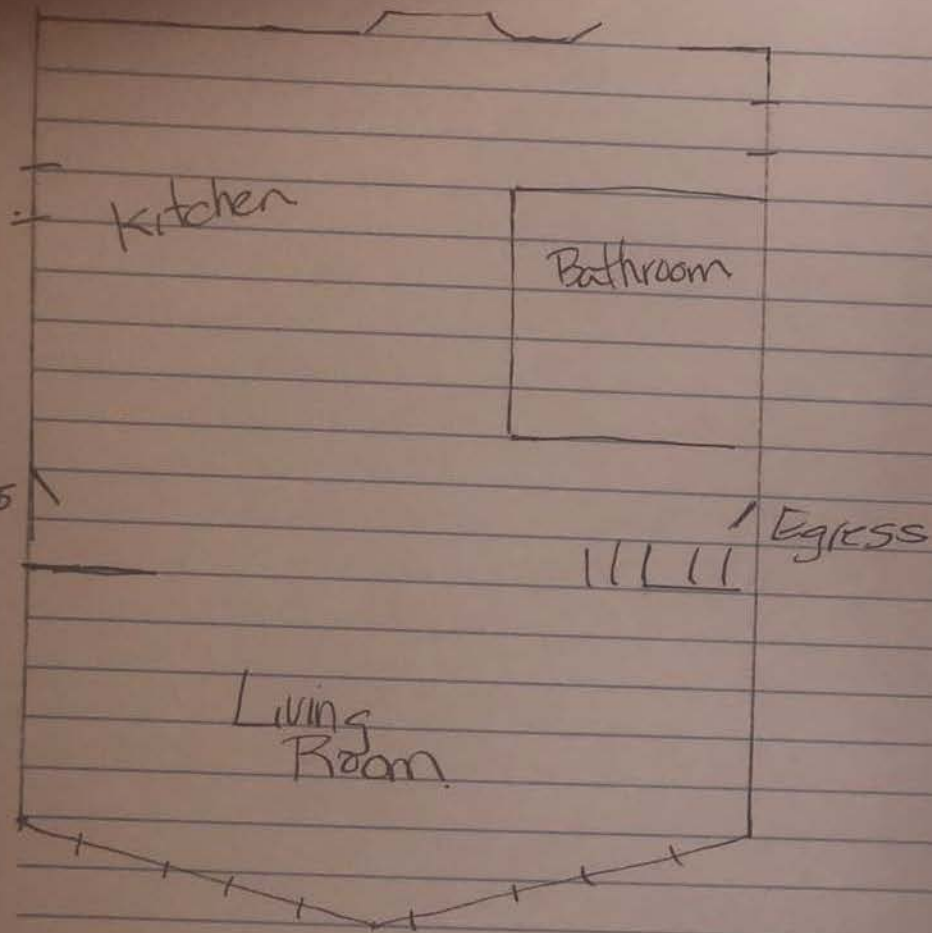


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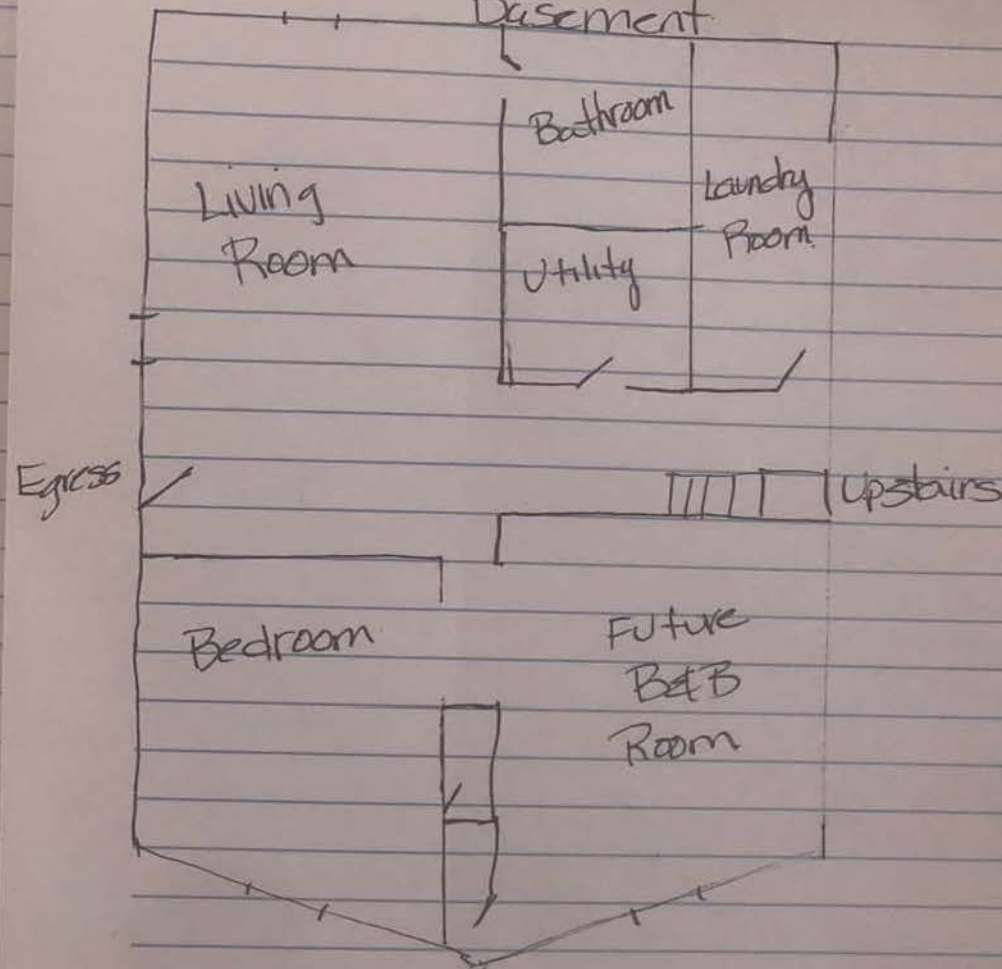
- ① Access from Twp 274 onto #44372
- ② Available parking
- ③ Egress - front home entrance
- ③A Egress - walk out basement separate access for the basement suite



# Main Floor



# Basement



## PLANNING AND DEVELOPMENT SERVICES

**TO:** Municipal Planning Commission

**DATE:** April 27, 2020

**DIVISION:** 05

**APPLICATION:** PRDP20200307

**SUBJECT:** Development Item: Horticultural Development (Greenhouses)

**USE:** Discretionary, with no Variances

**APPLICATION:** Horticultural Development, construction of five greenhouses.

**GENERAL LOCATION:** Located approximately 0.20 km (1/8 mile) south of Twp. Rd. 260. and on the west side of Rge. Rd. 284

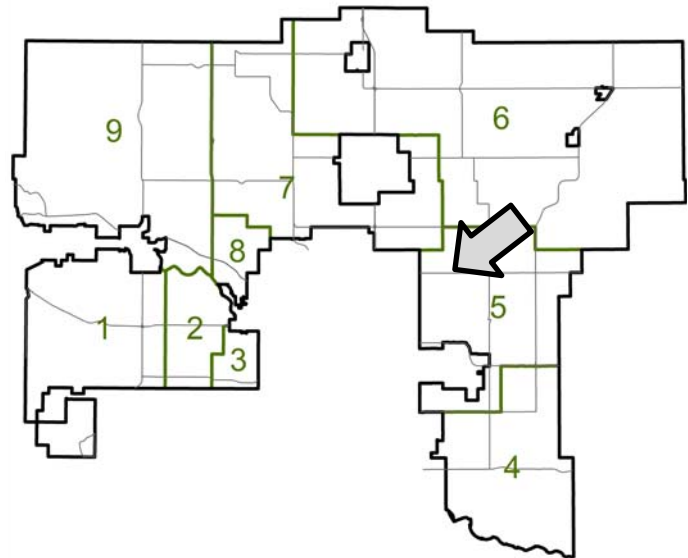
**LAND USE DESIGNATION:** Ranch and Farm District (RF)

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

### OPTIONS:

Option #1: THAT Development Permit Application PRDP20200307 be approved with the conditions noted in the Development Permit Report, attached.

Option #2: THAT Development Permit Application PRDP20200307 be refused as per the reasons noted.



### AIR PHOTO & DEVELOPMENT CONTEXT:



### Administration Resources

Oksana Newmen—Planning and Development Services

**DEVELOPMENT PERMIT REPORT**

<b>Application Date:</b> February 10, 2020	<b>File:</b> 05332004
<b>Application:</b> PRDP20200307	<b>Applicant/Owner:</b> Abdullah Chybli
<b>Legal Description:</b> NE-32-25-28-W04M	<b>General Location:</b> Located approximately 0.20 km (1/8 mile) south of Twp. Rd. 260 and on the west side of Rge. Rd. 284
<b>Land Use Designation:</b> Ranch and Farm District (RF)	<b>Gross Area:</b> ± 53.50 hectares (± 132.19 acres)
<b>File Manager:</b> Oksana Newmen	<b>Division:</b> 05

**PROPOSAL:**

The proposal is for a Horticultural Development, construction of five greenhouses and outside storage.

Development Components

The applicant proposes to construction five greenhouses, each measuring 197.33 sq. m (2,124.00 sq. ft.), for a total 986.65 sq. m (10,620.21 sq. ft.). In addition, the Applicant will have a 100.00 sq. m (1,076.39 sq. ft.) of fenced outside storage. The operation intends to grow squash, fava beans, lettuce, radish, and spinach. The employees include the applicant and his wife only. Hours of operation are weather dependent, but generally 9:00 a.m. to 9:00 p.m., with operations to include planting, watering, and harvest.

The greenhouses will be constructed of metal frames and include a 3mm transparent plastic cover and sides. All units were purchases from a greenhouse operator. As the greenhouses are Agricultural in appearance, additional screening methods are not being applied.

Three parking spaces have been identified on the site plan. Deliveries are anticipated to occur on Friday and weekends, once per day at maximum, though not necessarily every day or every weekend. Outbound deliveries will occur as harvest is ready.

Access

There is an existing access from Range Road 284, which will be developed into a driveway to access the greenhouses.

Servicing

The applicants have indicated there is a well on site, and they would also be drilling a new well.

Regarding waste water, the applicants have indicated they do not expect any. For personal use, a camper trailer will be brought on site daily for the applicants, and removed in the evening. Any waste generated would then be disposed of at an approved facility.

Land Use

*Section 43 RANCH AND FARM DISTRICT (RF)*

*43.10 REGULATIONS FOR LARGE PARCELS GREATER THAN OR EQUAL TO 8.10 HECTARES (20.00 ACRES) IN SIZE*

*Uses, Discretionary*

*Horticulture Development*



## Section 8 DEFINITIONS

**Horticultural Development:** *The intensive growing of specialized crops, either enclosed or not, and without restricting the generality of the above, may include:*

- a) **Greenhouses;**
- b) Nurseries;
- c) Tree farms;
- d) Market gardens;
- e) Mushroom growing; and
- f) Other similar uses.

**Greenhouse:** *means a building constructed primarily of glass or other transparent material used for cultivation of plants, but does not include Cannabis Cultivation or Cannabis Facility;*

## Section 43.12 MINIMUM REQUIREMENTS

- Yard, Front (east)
  - Required: 45.00 m (147.64 ft.)
  - Proposed: 45.00 m (147.64 ft.)
- Yard, Side (south)
  - Required: 6.00 m (19.69 ft.)
  - Proposed: lots
- Yard, Side (north)
  - Required: 45.00 m (147.64 ft.) & 6.00 m (19.69 ft.)
  - Proposed: 45.00 m (147.64 ft.)
- Yard, Rear (west)
  - Required: 15.00 m (49.21 ft.)
  - Proposed: lots

### Height

- Required: N/A
- Proposed: 3.66 m (12.00 ft.)

## Section 30 PARKING

The applicants will be providing three parking stalls for use during the operation of the greenhouses. As there are no external employees, nor retail sales, the provided number of stalls is sufficient for the operation.

## Section 27 LIGHTING

The applicants have not provided any details regarding lighting. Any lighting will be required to comply with the Land Use Bylaw.



**Section 35 SIGN REGULATIONS**

The applicant has not requested any signs. Any future signs will require a Development Permit.

**STATUTORY PLANS:**

The subject property is not located within any ASP or IDP. As such, the application was evaluated in accordance with the Land Use Bylaw.

**INSPECTOR'S COMMENTS** (February 27, 2020):

- RF parcel is clear w/ no development. Proposed approach is there but fenced off and no driveway.
- On the R-2 parcel where there was a previous enforcement issue there is material to construct the greenhouses.
- The open fenced off area in the site plan is also located on the R-2 parcel on the north-eastern corner. Would recommend getting clarification.

**CIRCULATIONS:**Alberta Environment and Protection

- No response received.

Building Services (March 26, 2020)

- No objection, subject to farm location permits

Enforcement Services Review (February 26, 2020)

- I had a previous compliance issue with the small 5.16 acre parcel on the North-Eastern part of the quarter section. The applicant had put a single greenhouse up during the summer months of 2019 and we had someone put in a compliance request for it. I managed to get the greenhouse removed in October of 2019 and the parcel has remained vacant.
- At this time Development Compliance has no concerns with this application.

Fire Services & Emergency Management Review

- No response received

Geographic Information Systems

- No response received

Planning and Development Services - Engineering Review (March 3, 2020)**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 concerns at this time.

**Transportation:**

- Engineering has no concerns at this time.



- Access to the parcel is currently provided by a paved approach off Range Road 284. As this development will generate an insignificant amount of traffic no upgrade to the access will be required.
- The Transportation Offsite Levy is not required at this time as the proposed development is in a designated agriculture land use district and is unlikely to result in an increase in traffic on the local road network.

**Sanitary/Waste Water:**

- The applicant indicated that they plan to utilize a camper trailer for sanitary servicing, which will be transported off-site for disposal.
- As a condition to DP, the applicant is required to provide a wastewater-servicing plan.
  - The County supports the use of holding tanks with trucked service for commercial purposes.

**Water Supply And Waterworks:**

- The applicant indicated that they would be drilling a new well to service the development.
- The applicant is responsible for ensuring proper potable water servicing is provided to the subject land.
- As an advisory condition to DP, if a groundwater well is being used for commercial purposes, the applicant is required to obtain a commercial water license from AEP.

**Stormwater Management:**

- At this time Engineering feels that a Storm Water Management Plan is not warranted for this proposal as the development will cause minimal effects to drainage patterns.

**Environmental:**

- The County Wetland inventory shows that active wetlands exist on this property. The applicant will be responsible for obtaining the required approvals from AEP should any disturbance to wetlands be proposed.

Operations Division:

Utility Services (February 26, 2020):

- No Concerns, although there has been no details provided as far as water or wastewater servicing.

Capital Projects (February 25, 2020):

- No concerns

Transportation

- No response received.

Agricultural Services (March 13, 2020)

- No agricultural concerns



OPTION #1: (this would allow the development to proceed)

APPROVAL, subject to the following conditions:

**Description:**

1. That a Horticultural Development may take place on the subject site, in accordance with the submitted Site Plans and includes:
  - a. construction of five greenhouses, approximately 197.33 sq. m (2,124 sq. ft.) in area individually; and
  - b. Fenced outside storage, 100.00 sq. m (1,076.39 sq. ft.) in area, 1.82 m (6.00 ft.) in height.

**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.
3. That prior to issuance of this permit, the Applicant/Owner shall contact County Road Operations, to confirm that the existing approaches are adequate for the proposed development and meet County Servicing Standards.
  - a. If the approaches are not adequate to accommodate the proposed development, the Applicant/Owner shall submit a Road Approach application and complete all requirements/upgrades.
    - i. Written confirmation shall be received from County Road Operations, confirming the status of this condition.
4. That prior to issuance of this permit, the Applicant/Owner(s) shall contact County Road Operations to determine if a Road Use Agreement and/or any Road Data Permits are required for the importing of fill and topsoil, removal of any excess fill, and for the mobilization and demobilization of any construction equipment to and from the subject site utilizing any County Roads.
  - a. 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:**

5. 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.
6. 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.
  - a. 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.
7. That dust control shall be maintained on the site during construction and during operation of the business, and that the developer shall take whatever means necessary to keep visible dust from blowing onto adjacent lands.



8. 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 demonstrate lighting design that reduces the extent of spill-over glare and eliminates glare as viewed from nearby residential properties.
9. That any garbage containers shall be screened from view from all adjacent properties and public thoroughfares. All garbage and waste shall be stored in weatherproof and animal proof containers and be in a location easily accessible to containerized garbage pickup.
10. That the outside storage area shall be constructed as per the approved site plan, include wood fencing and shall be erected at all times, to completely screen any outside storage materials related to the Horticultural Development, from adjacent properties.
11. 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) to facilitate accurate emergency response.
12. That no temporary signs shall be placed on the site at any time except any temporary signs required during development or building construction.
13. That any future signage, related to the development, will require separate Development Permit approval and shall adhere to Section 35 of the County's Land Use Bylaw.
14. That there shall be business parking at any time along the adjacent County Road or Provincial Road Systems.

**Advisory:**

15. That the site shall conform to the County's Noise Bylaw C-5773-2003 in perpetuity.
16. 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*].
17. That any other government permits, approvals, or compliances are the sole responsibility of the Applicant/Owner.
  - a. That if the Applicant/Owner wishes to use a groundwater well in the future, Alberta Environment and Parks (AEP) approval shall be obtained prior to commencement.
18. 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.
19. That if this Development Permit is not issued by **NOVEMBER 30, 2020**, or by an approved extension date, then this approval is null and void and the Development Permit shall not be issued.

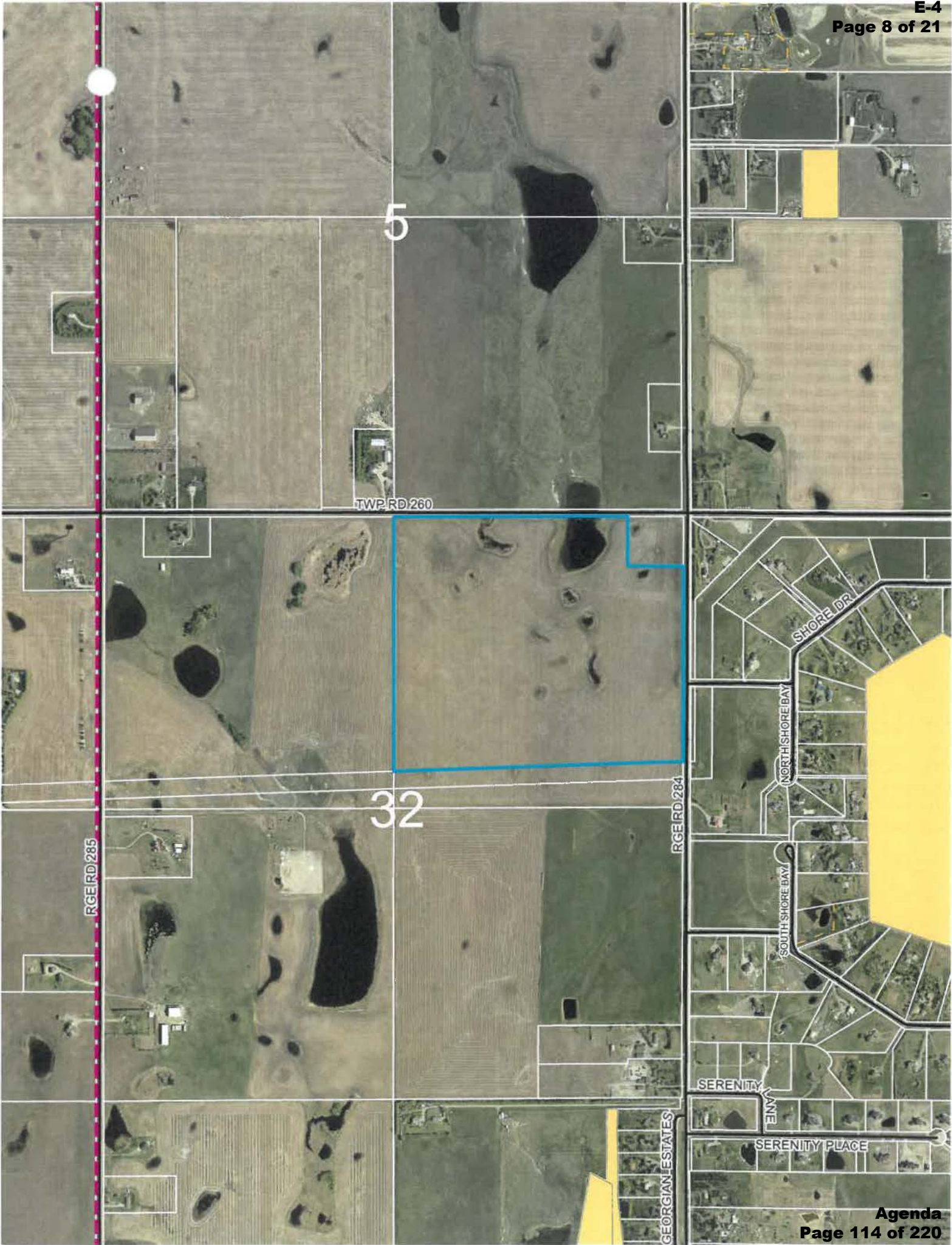
**Note: The Applicant/Owner shall be responsible for all Alberta Environment approvals/compensation if any wetland is impacted by the proposed development.**

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

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

20200307

## APPLICATION FOR A DEVELOPMENT PERMIT

FOR OFFICE USE ONLY	
Fee Submitted \$280.00	File Number 05332004
Date of Receipt Feb 10/20	Receipt # 2020 023454

Name of Applicant Abdullah Chybi Email [REDACTED]  
Mailing Address [REDACTED]

Postal Code [REDACTED](H) [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 NE  $\frac{1}{4}$  Section 3a Township 25 Range 28 West of 28 <sup>4M</sup> Meridian  
b) Being all / parts of Lot \_\_\_\_\_ Block \_\_\_\_\_ Registered Plan Number 0311002  
c) Municipal Address \_\_\_\_\_  
d) Existing Land Use Designation RF Parcel Size 132.19 Division \_\_\_\_\_

### 2. APPLICATION FOR

HORTICULTURE DEVELOPMENT - "Discretionary Use"

### 3. ADDITIONAL INFORMATION

- a) Are there any oil or gas wells on or within 100 metres of the subject property(s)? Yes \_\_\_\_\_ No ☒  
b) Is the proposed parcel within 1.5 kilometres of a sour gas facility? Yes \_\_\_\_\_ 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 ☒  
d) Does the site have direct access to a developed Municipal Road? Yes ☒ No \_\_\_\_\_

### 4. REGISTERED OWNER OR PERSON ACTING ON HIS BEHALF

I ABDULLAH CHYBI hereby certify that ☒ 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 ASDate FEB 3 2020Owner's Signature ASDate FEB 3 2020



**FOR OFFICE USE ONLY**

File Number

Receipt #

Feb 10/20

ABOULAH CHYBLI

Email

Postal Code

(H)

Fax

	Bylaw	Proposed
Accessory building size maximum	—	10,620 sq ft
Accessory building height	22.96 ft.	13 ft.
Number of existing accessory buildings on site		0
Total size of all accessory buildings		10,620 sq ft

a) Building materials METAL FRAMES PLASTIC 3mm COVERS

b) Exterior colour Clear

c) Please include why relaxations for buildings are needed (location, storage needs, tidy property, etc.)

d) Date when building permits were issued for existing buildings

e) If no permits were issued - list age of buildings

Horticulture Development - Discretionary Use

**The following items must be provided in addition to your application:**

- ☒ Elevation drawing(s) / floor plan(s)  
☐ Site plan(s) showing all dimensions and setbacks

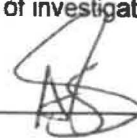
Date:

Feb 3 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

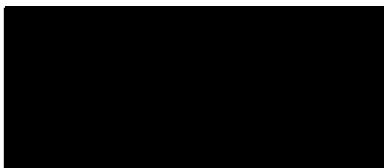
*Please note that all information provided by the Applicant to the County that is associated with the application, including technical studies, will be treated as public information in the course of the municipality's consideration of the development permit application, pursuant to the Municipal Government 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, ABDULLAH CHYBLI, 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

Feb 3 2020  
Date

Abdullah Chybli



February 10 2020

Rockyview County

Thank you for your time in reviewing this application.

Regarding NE 32 25 28 4 roll number 05332004

I am looking to erect 5 green houses on my parcel located east of Calgary on Range Road 284 and town ship road 260. Horticulture development for DISCRETIONARY use.

The size of each (connectable) greenhouse is 18 feet wide, 118 feet in length and 12 feet high.

The design, character and appearance of the greenhouses are professional. We purchased them from a green house operator in Medicine Hat. Metal frames and 3mm transparent plastic cover and sides. (Plans are attached in the application).

#### Traffic Impact

There will be no major or minor impact on traffic in the area. The farmer will be driving one vehicle to and from farm daily.

There are no delivery trucks of any kind that will come to pick up or deliver product. The farmer himself loads his own product and takes it off site.

There is no current plan to sell product on site.

#### Parking:

There are two entrances to the site. One off range road 284, and one off town ship road 260. The preferred entrance is off range road 260 as you see in the parking site plan.

Parking will be allowed at each entrance as we do not have and will not be putting in roads.

There was question of storm water impact or other types of impact on neighbors mentioned however I believe there will be NO impact from storm water as there is no land change taking place.

Setbacks:

The green houses will be erected 45 meters from roadways and 45 meters from the attached 5 acre parcel that I own as well.

I am looking forward to your approval.

Abdullah Chybli

## Oksana Newmen

---

**From:** Abdullah Chybli [REDACTED]  
**Sent:** Tuesday, February 25, 2020 6:02 PM  
**To:** Oksana Newmen  
**Subject:** Re: PRDP20200307 - horticultural development

Hello Oksana

See below for answers.

Abdullah  
Sent from my iPhone

On Feb 25, 2020, at 10:41 AM, ONewmen@rockyview.ca wrote:

Abdullah,

Hello – I'm the file manager for this application. I have a few questions regarding your proposed operation:

1. How are you providing water for the plants?

There is a well onsite as well we would be drilling a new well once approved.

2. What types of plants will be grown?

Vegetables like squash, fava beans, lettuce, radish, spinach.

3. How many employees will there be?

One farmer and his wife.

4. What are the days and hours of operation?

Depending on weather 9-9 ish.

Operation is planting and watering and picking.

5. How will waste water be dealt with?

What is waste water? We are only using fresh water to feed crops. I don't anticipate any wasted water. If you mean toilet water, we plan to bring a camper trailer on-site daily and remove in the evening. The waste water would be drained at a facility that allows that.

6. You indicate that you will be the only person making deliveries – how many trips a day do you anticipate? And what kind of truck will you be using for this?



Fridays and weekends. Once per day but not everyday or every weekend.

Based on harvest being ready deliveries will take place.

7. You will be required to provide garbage and recycling enclosure – please indicate where this will be located on the site plan.

Does This enclosure need to be covered or simply fenced?

If fenced we can place an 6x6 meter squared fenced area directly west of the most west greenhouse.

I think that covers my questions for now.

Thank you for getting in touch. We are anxious to get started.

Warm regards,  
~Oksana

**OKSANA NEWMEN**  
Planner | Planning Services

**ROCKY VIEW COUNTY**  
262075 Rocky View Point | Rocky View County | AB | T4A 0X2  
Phone: 403-520-7265  
[ONewmen@rockyview.ca](mailto:ONewmen@rockyview.ca) | [www.rockyview.ca](http://www.rockyview.ca)



LAND TITLE CERTIFICATE

S		
LINC	SHORT LEGAL	TITLE NUMBER
0029 852 688	4;28;25;32;NE	141 268 380 +1

LEGAL DESCRIPTION

MERIDIAN 4 RANGE 28 TOWNSHIP 25  
SECTION 32  
THAT PORTION OF THE NORTH EAST QUARTER  
WHICH LIES NORTH OF TRANSMISSION LINE RIGHT OF WAY ON PLAN 7611162  
CONTAINING 55.6 HECTARES (137.35 ACRES) MORE OR LESS  
EXCEPTING THEREOUT:  

PLAN	NUMBER	HECTARES	(ACRES)	MORE OR LESS
SUBDIVISION	0311002	2.09	5.16	

EXCEPTING THEREOUT ALL MINES AND MINERALS  
AND THE RIGHT TO WORK THE SAME

ESTATE: FEE SIMPLE

MUNICIPALITY: ROCKY VIEW COUNTY

REFERENCE NUMBER: 031 109 727 +1

REGISTERED OWNER(S)				
REGISTRATION	DATE (DMY)	DOCUMENT TYPE	VALUE	CONSIDERATION
141 268 380	03/10/2014	TRANSFER OF LAND		SEE INSTRUMENT

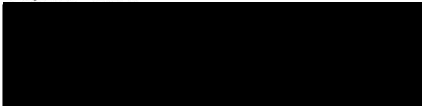
OWNERS

ABDULLAH CHYBLI

AND

ELIZABETH CHYBLI

BOTH OF:



AS JOINT TENANTS

( CONTINUED )

ENCUMBRANCES, LIENS & INTERESTS

PAGE 2  
# 141 268 380 +1

REGISTRATION

NUMBER DATE (D/M/Y) PARTICULARS

4770N . RESTRICTIVE COVENANT  
"SUBJECT TO THE RIGHTS AND CONDITIONS RESERVED IN  
TRANSFER"

TOTAL INSTRUMENTS: 001

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN  
ACCURATE REPRODUCTION OF THE CERTIFICATE OF  
TITLE REPRESENTED HEREIN THIS 10 DAY OF  
FEBRUARY, 2020 AT 08:45 A.M.

ORDER NUMBER: 38792043

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).

2/6/2020

Google Maps

Google Maps

- PARKING

- ROAD

SITE PLAN

Township Rd 240

Township Rd 240

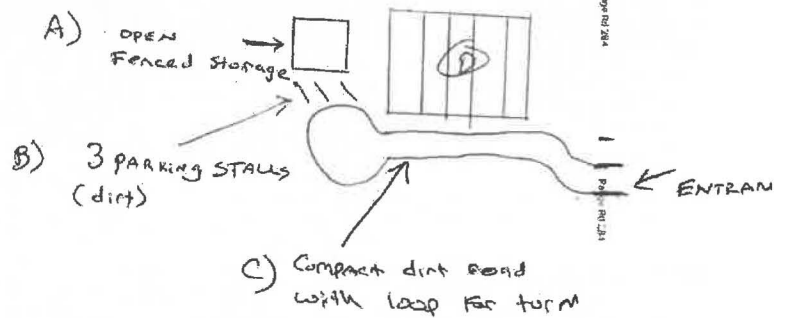
Township Rd 240

Township Rd 240

Township Rd 240

Township Rd 240

Township Rd 240



Google

Township Rd 240

Map data ©2020 NOT TO SCALE  
50m

D) proposed Green houses  
(see green house site plan)

A) - Fenced Storage area 10meters X 10meters

B) - 3 PARKING STALLS on(dirt compacted)  
each stall 3meters X 6meters

C) - Compact dirt Road 90meters in length plus  
10 meter loop. total length of Road 100meters

<https://www.google.com/maps/@51.1807018,-113.8737788,17z>

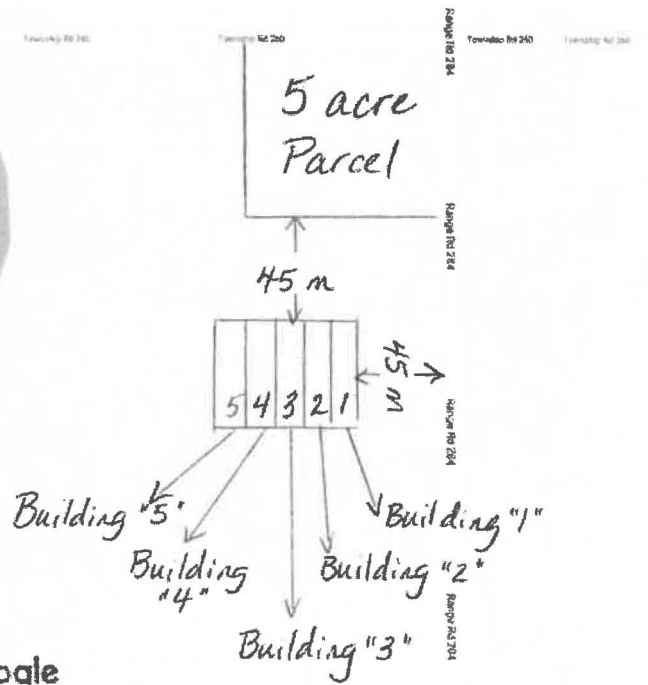


11/1/19

Google Maps

Google Maps

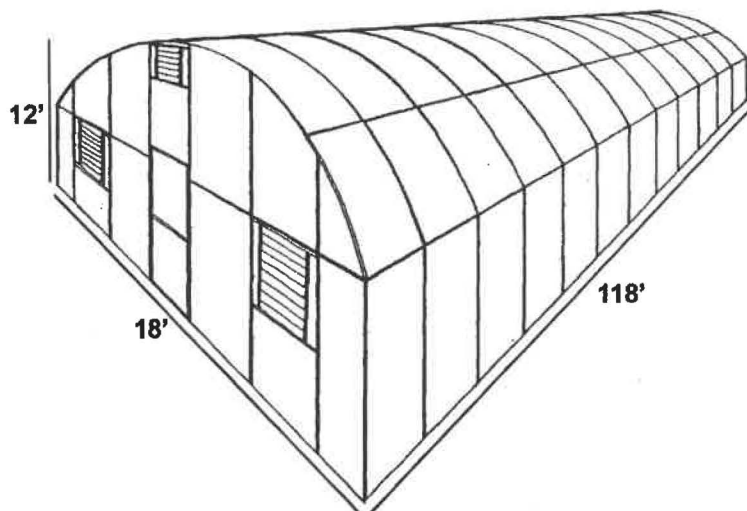
# SITE PLAN "1" for Greenhouses



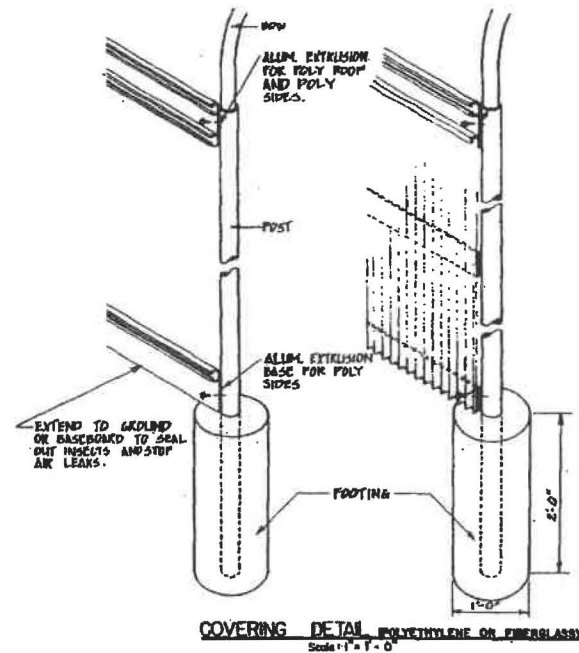
Google

Map data ©2019 20 m

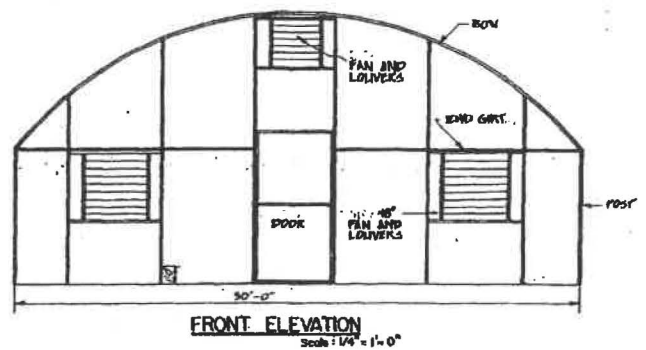
- Building "1" = 45 m from property line
- Building "2" = 54 m from property line
- Building "3" = 63 m from property line
- Building "4" = 72 m from property line
- Building "5" = 81 m from property line



PERSPECTIVE OF QUONSET GREENHOUSE



COVERING DETAIL (POLYETHYLENE OR FIBERGLASS)  
Scale: 1" = 1'-0"



FRONT ELEVATION  
Scale: 1/4" = 1'-0"

## PLANNING AND DEVELOPMENT SERVICES

**TO:** Municipal Planning Commission  
**DIVISION:** 01  
**SUBJECT:** Development Item: Single-lot regrading  
**USE:** Discretionary, with no Variances

**DATE:** April 27, 2020  
**APPLICATION:** PRDP20200444

**APPLICATION:** The proposal is for the single-lot regrading and excavation, for the construction of a pond.

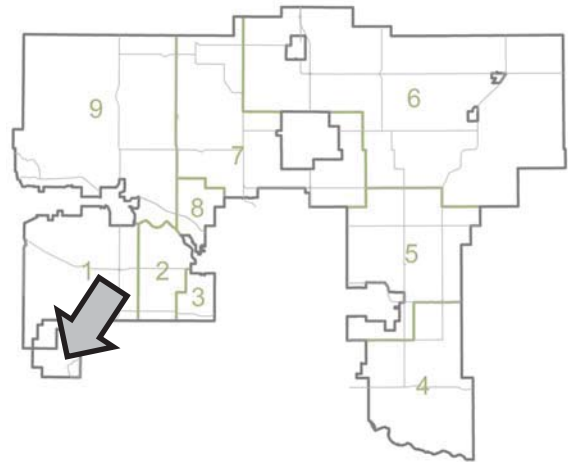
**GENERAL LOCATION:** located approximately 2.42 km (1.5 miles) south of Twp. Rd. 232 and 0.41 km (1/4 mile) east of Rge. Rd. 54

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

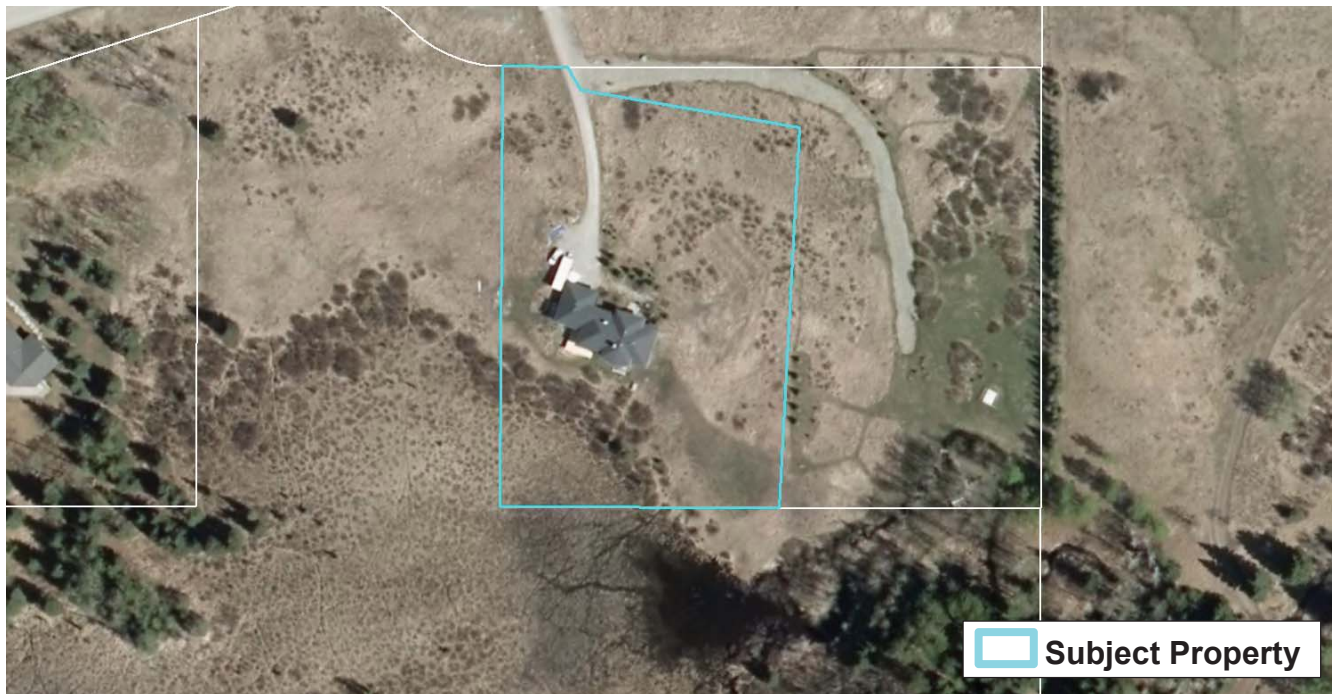
**ADMINISTRATION RECOMMENDATION:**  
 Administration recommends approval in accordance with Option #1.

### OPTIONS:

- Option #1: THAT Development Permit Application PRDP20200444 be approved with the conditions noted in the Development Permit Report, attached.
- Option #2: THAT Development Permit Application PRDP20200444 be refused as per the reasons noted.



### AIR PHOTO & DEVELOPMENT CONTEXT:



### Administration Resources

Jacqueline Targett & Bianca Duncan, Planning and Development Services

## DEVELOPMENT PERMIT REPORT

<b>Application Date:</b> February 25, 2020	<b>File:</b> 03909027
<b>Application:</b> PRDP20200444	<b>Applicant/Owner:</b> Kiss, Vince & Jessie
<b>Legal Description:</b> Lot 5, Block 2, Plan 0613078, SW-09-23-05-05	<b>General Location:</b> located approximately 2.42 km (1.5 miles) south of Twp. Rd. 232 and 0.41 km (1/4 mile) east of Rge. Rd. 54
<b>Land Use Designation:</b> Residential One District (R-1)	<b>Gross Area:</b> 0.80 hectares (2.00 acres)
<b>File Manager:</b> Jacqueline Targett	<b>Division:</b> 01

### PROPOSAL:

The proposal is for the single-lot regrading and excavation, for the construction of a pond.

The Applicant is wanting to construct a pond at the rear of the dwelling for aesthetics purposes and to help manage surface water on the property. Any excess water will exit on the east side of the pond, through a culvert, or by natural means. Water pooling is occurring in the proposed location during springtime. The pond will not include any perimeter berming or fencing, however, there will be a raised walking area around the pond.

There will be no fill or topsoil brought or removed from the property. The proposed pond is 10.00 m (32.81 ft.) wide by 20.00 m (65.61 ft.) long by 1.20 m (3.93 ft.) in depth.

### Surrounding Factors:

- The southeast corner of the property falls within the 30.00 m (98.42 ft.) riparian area for an intermittent Stream, as the soil type is glacial till. However, the proposed development is located well away and would not appear to impact this area.
- There is an Environmental Reserve, located immediately adjacent (southwest) to the subject property.

### Property History:

#### Development Permits:

- No history;

#### Building Permits:

- 2004-BP-17353 (Dwelling); Final occupancy issued January 27, 2006

#### Planning Applications:

- 2005-RV-429 (Subdivision); *To create a +/- 2 acre parcel with a +/- 2 acre remainder*, Issued May 2, 2005

### Land Use Bylaw:

- *Section 33.1 Site stripping, filling, excavation, grading, and/or re-contouring (including construction of artificial water bodies and dugouts) require a Development Permit.*



- Section 33.1 (a)(ii) Notwithstanding Section 33.1, the following uses do not require a Development Permit: *Ponds under 0.60 m (1.97 ft.) in depth;*
  - As the proposed pond exceeds this depth requirement, this regulation does not apply to this application.
- Section 33.4 *Where, in the process of development, areas require levelling, filling, or grading, the topsoil shall be removed before work commences, stockpiled, and replaced following the completion of the work.*
  - Any stripped topsoil will be re-spread through the property, approximately 0.60.m (2.00 ft.) on the house side of the pond, which will also include a small retaining wall.

**STATUTORY PLANS:**

The subject lands fall within the Bragg Creek Area Structure Plan (BEASP); however, this plan provides minimal guidance on the nature of the application, and it was therefore evaluated in accordance with the Land Use Bylaw.

**INSPECTOR'S COMMENTS:**

Inspection: March 6, 2020

- No signs of construction materials in the area of the proposed pond or property
- No adjacent property or no development appears;
- Relatively flat property

**CIRCULATIONS:**Development Compliance Officer Review (March 3, 2020)

- Recommend that dust control measures be required;
- Recommend that the county noise control bylaw be adhered to during excavation work;
- 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.

Agricultural Services Review (March 13, 2020)

- No concerns but if the applicant intends to alter or fill in any wetlands they will need to obtain the proper approvals from Alberta Environment.

Engineering Services Review (March 03, 2020)**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 requirements at this time.
- There appears to be no steep slopes on the subject lands.

**Transportation:**

- The subject lands are accessible via road approach off of Elk Willow Road. The road approaches appears to be constructed out of gravel while Elk Willow Road is a paved road. Prior to issuance,

the applicant/owner is required to contact Road Operations to inspect the existing approach to verify whether upgrades are warranted to the existing approach. Should upgrades be warranted, the applicant/owner shall conduct the required upgrades and contact County Road Operations for an interim-construction inspection and a post-construction inspection for final acceptance.

- *Note, in conversation with Road Operations, the existing residential approach was constructed as per County Servicing Standards.*
- The applicant will not be required to pay the transportation offsite levy, as per the applicable TOL bylaw at time of DP issuance, since the proposed development is located within a residential land use district and is not expected to increase traffic to the local road network.

#### **Sanitary/Waste Water:**

- Prior to issuance, the applicant/owner is required to verify how the existing dwelling is being serviced for wastewater. Should the wastewater servicing include the use of a treatment field, the applicant/owner will be required to specify the type of treatment field being used as per the Alberta SOP and will be required to meet any setback requirements between the treatment field and proposed dug out in accordance with the Alberta SOP.
  - *Note, the proposed site has a Private Septic field, approved under 2004-PS-1308. The private septic field proposal was approved by Davis Inspections. Upon completion of the field, the system was found to be in compliance with all regulations and passed inspection on June 18, 2004*

#### **Water Supply And Waterworks:**

- Engineering has no requirements at this time.

#### **Storm Water Management:**

- The applicant indicated that a stormwater management plan was completed by Jubilee Consultants Ltd. dated 2006. At this time, the applicant/owner is required to provide the stormwater management plan.
- Prior to issuance, the applicant/owner will be required to submit an SSIP conducted and stamped by a professional engineer that supports the proposed development.

#### **Environmental:**

- The applicant provided the Water Act approval from AEP for the proposed dug out. As an advisory condition the applicant/owner shall ensure the approval is up to date and for acquiring any renewals for the proposed development.
- Prior to issuance, the applicant will be required to submit an erosion and sediment control plan to outline ESC measures (i.e. silt fence, stabilization, seeding of topsoil, etc.) to be implemented during the construction of the proposed development and in perpetuity, since the proposed development is located in close proximity to a riparian setback.
- Should the owner propose development that has a direct impact on any wetlands, the applicant will be responsible for obtaining all required AEP approvals.

#### **Municipal Lands Review (March 5, 2020)**

- Please be advised the lot subject to this application shares a common boundary with a County owned Environmental Reserve.
- Use of ER is governed and directed by the Municipal Government Act.

- Enforcement of the ER shall be done in accordance with the terms of the *Reserves Bylaw (RVC Bylaw C-5759-2003)*.
- At no time shall the ER be made available or encroached upon by any private party associated with the construction activities identified in this permit application.
- This includes, but is not exclusive of vehicular movement; equipment storage; stockpiling of excavation materials; crossing or otherwise.
- Further, as standard practice, suitable erosion and sediment control is to be utilized to mitigate migration of sediment onto the ER resulting from construction activities associated with this application.

Utility Services Review (March 3, 2020):

- No Concerns.

Capital Projects Review (March 12, 2020)

- Has no concerns.

**OPTIONS:**

Option 1: (this would allow the proposed development)

APPROVAL, for the following reasons:

**Description:**

1. That single-lot regrading and excavation, for the construction of a pond shall be permitted in general accordance with the application and drawings submitted with the application and includes:
  - i. a Pond, approximately 200.00 sq. m (2,152.78 sq. ft.) in area [10.00 m (32.81 ft.) wide x 20.00 m (65.61 ft.) long x 1.20 m (3.93 ft.) in depth];
  - ii. Retaining Wall;

**Prior to Issuance:**

2. That prior to issuance of this permit, the Applicant/Owner shall submit a copy of the Stormwater Management Plan, referenced in the application (completed by Jubilee Consultants Ltd. dated 2006) for review by the County, to ensure that the proposed development would align with the overall plan, in accordance with County's Servicing Standards.

or

That prior to issuance of this permit, the Applicant/Owner shall submit an updated Stormwater Implementation Plan, for the subject site, in accordance with the County's Servicing Standards, conducted and stamped by a professional engineer, which supports the proposed development.

3. That prior to issuance of this permit, the Applicant/Owner shall submit an erosion and sediment control (ESC) plan, in accordance with the County's Servicing Standards, to outline ESC measures (i.e. silt fence, stabilization, seeding of topsoil, etc.) to be implemented during the construction of the proposed development and in perpetuity, as the proposed development is located in close proximity to a riparian protection area of the Stream and the County's Environmental Reserve property.

**Permanent:**

4. That no native topsoil shall be removed from the site.
5. That it shall be the responsibility of the Applicant/Owners to ensure the fill has been placed in a safe manner that does not cause slope stability issues, slumping, or any other related safety issues.
6. That the Applicant/Owners shall ensure no organic material is buried and capped in a manner that will cause methane gas related issues.
7. That the topsoil shall not contain large concrete, large rocks, rebar, asphalt, building materials, organic materials, or other metal.
8. That the Applicant/Owners shall take effective measures to control dust on the parcel so that dust originating therein shall not cause annoyance or become a nuisance to adjoining property owners and others in the vicinity.
9. 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.
  - 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.
10. That upon request of the County, the Applicant/Owners shall submit an as-built survey, confirming that the development proposal and post grades align with the supporting technical submissions for the file.
11. That the proposed development graded area, including excess topsoil, as per the approved site plan, shall be spread and seeded to native vegetation, farm crop, or landscaped to the satisfaction of the County.
12. That the Applicant/Owners shall be responsible for rectifying any adverse effect on adjacent lands from drainage alteration.
13. That the Applicant/Owners shall ensure that site drainage is not directed to the existing Private Septic Treatment System as a result of the proposed Development Activity.
14. That the subject land shall be maintained in a clean and tidy fashion 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.
15. That at no time shall the adjacent Environmental Reserve (ER) be made available or encroached upon by the Owner of the property or by any parties associated with any construction activities for the subject development proposal.
  - i. This includes, but is not exclusive to vehicular movement; equipment storage; stockpiling of excavation materials; crossing or otherwise;
  - ii. Any required enforcement of the ER shall be commenced in accordance with the terms of the County's *Reserves Bylaw (RVC Bylaw C-5759-2003)*.
16. 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 Construction Management Plan and Stormwater Grading analysis.



**Advisory:**

17. That the subject development shall conform to the *County's Noise Bylaw C-5773-2003* in perpetuity.
18. 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*].
19. That any other government permits, approvals, or compliances are the sole responsibility of the Applicant/Owner.
  - i. That the Applicant/Owner shall ensure that the submitted Water Act approval remains valid with the Province.
20. That if the development authorized by this Development Permit is not completed within 18 months of the date of issuance, the permit is deemed to be null and void.
21. That if this Development Permit is not issued by **DECEMBER 30, 2020**, or the approved extension date, then this approval is null and void and the Permit shall not be issued.

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

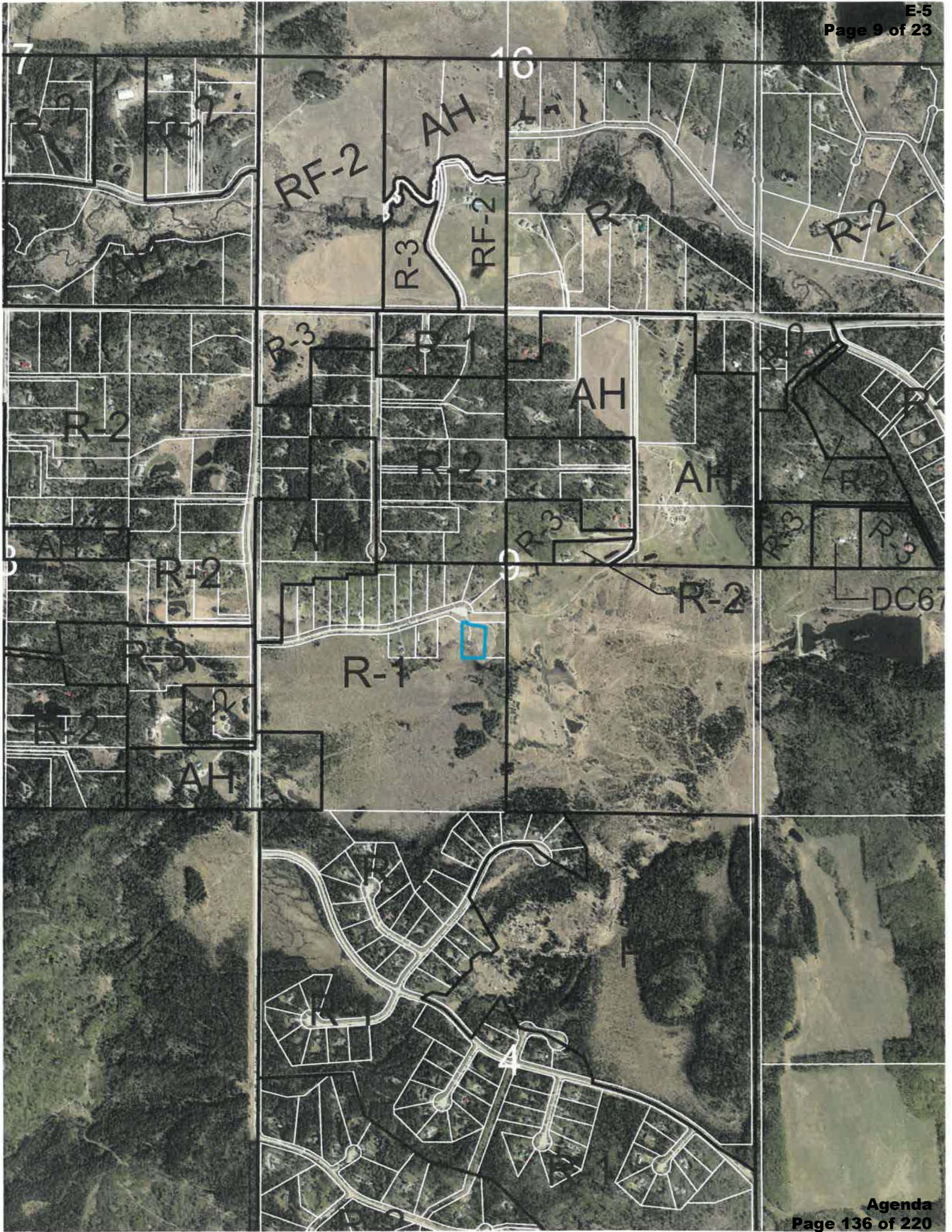
Option 2: (this would not allow the proposed development)

REFUSAL, for the following reasons:

1. 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.











**ROCKY VIEW COUNTY**  
Cultivating Communities

20200444

## APPLICATION FOR A DEVELOPMENT PERMIT

FOR OFFICE USE ONLY	
Fee Submitted \$450.00	File Number 03909027
Date of Receipt Feb 25/20	Receipt # 2020 023513

Name of Applicant VINCENT KISS Email [REDACTED]  
 Mailing Address [REDACTED] Postal Code [REDACTED]  
 Telephone (B) [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 9 Township 23 Range 5 West of 5 Meridian  
 b) Being all / parts of Lot 5 Block 2 Registered Plan Number 0613078  
 c) Municipal Address 119 ELK WILLOW ROAD  
 d) Existing Land Use Designation Countryside Residential Parcel Size 2 acres Division \_\_\_\_\_

### 2. APPLICATION FOR

POND stripping & grading

### 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 ✓ No \_\_\_\_\_

### 4. REGISTERED OWNER OR PERSON ACTING ON HIS BEHALF

I VINCENT KISS 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**

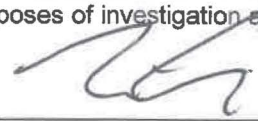
Applicant's Signature [Signature]  
 Date February 25/2020

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, Vincent Kiss, 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

February 25/2020  
Date



**ROCKY VIEW COUNTY**  
Cultivating Communities

20200444

## STRIPPING, FILLING, EXCAVATION AND GRADING

FOR OFFICE USE ONLY	
Fee Submitted	File Number
Date of Receipt	Receipt #

Name of Applicant Vincent Emery Kiss  
 Address of Applicant [REDACTED]  
 Telephone (C) [REDACTED] (Fax) [REDACTED]

### 1. NATURE OF THE APPLICATION

Type of application (Please check off all that apply):

- ☐ Site stripping  
☐ Filling  
☒ Excavation (including removal of topsoil) →  
☐ Grading
- ☐ Re-contouring  
☐ Stockpiling  
☒ Construction of artificial water bodies and/or dugouts  
☐ Other \_\_\_\_\_

### 2. PURPOSE

What is the intent of the proposal? Create a small pond

Indicate the effect(s) on existing drainage patterns or environmentally sensitive areas (i.e. riparian, wetland, waterbodies) (if applicable) Very high water table in area. This dugout would fill naturally & have little impact local area. Would drain through an already existing creek on east side of property. Pond would be adjacent to wetland area.

☐ The fill does not contain construction rubble or any hazardous substances (please check)

### 3. TYPE

Height 1.2m Volume \_\_\_\_\_ meters cubed  
 Width 10m Truckload \_\_\_\_\_ (approximately)  
 Length 20m Slope Factor \_\_\_\_\_ (if applicable)  
 Area \_\_\_\_\_ square metres

**\* Please show all measurements in detail on your site plan.**

### 4. TERMS AND CONDITIONS

(a) General statement about conditions:

1. The Development Authority may include any condition necessary to satisfy a Land Use Bylaw provision, a County Plan, Area Structure Plan, Conceptual Scheme, Master Site Development Plan policy and/or County Servicing Standard.
2. Where on-site works are proposed the County may, by condition, require the provision of a Construction Management Plan and/or Stormwater Management Plan.
3. The Development Authority may impose any condition to meet a requirement of the Municipal Government Act or Subdivision and Development Regulation.
4. As a condition of development approval, the Development Authority may include the requirement to update technical reports submitted with the application.

5. The Development Authority shall impose relevant requirements for the payment of levies associated with Bylaws for transportation, wastewater, water supply and stormwater:
- Transportation Offsite Levy Bylaw;
  - Water and Wastewater Offsite Levy Bylaw; and
  - Such other Bylaws as may be in force or come into force and be applicable to development or activities on or services provided to the subject land from time to time.
6. The Development Authority shall determine any oversizing requirements for services and infrastructure required to be constructed as part of the proposed development. The County will determine Cost Recovery arrangements through preparation and execution of documents prior to endorsement of a plan of survey for registration.
- (b) *Technical reports* are defined as any report or any information regarding a matter identified in the Municipal Government Act, Subdivision and Development Regulations, Statutory Plan, County Policy, Servicing Standards or Bylaw.
- (c) General statement about technical reports:
- Additional technical reports may be required after the time of application, based upon the ongoing assessment of the application.
- (e) All costs of development are borne by the landowner / applicant including, but not limited to, all on and off-site construction works, infrastructure development, securities, levies, contributions, additional fees associated the preparation and review of reports and technical assessments, endorsement fees imposed by the County, registration fees and such other costs as may be associated with the development of the land. Further, that it is the landowner / applicant responsibility to identify and consider all costs of development.
- (f) The applicant and landowner acknowledge that not providing the information required in this form or failing to provide accurate information may prejudice the assessment of the application.
- (g) The applicant and landowner acknowledge that the County including individual staff members have not provided an advisory role with respect to the preparation and making of this application and that the decision to make the application is entirely that of the applicant and landowner.
- (h) It should be noted that while every effort is made to ensure the applicants are provided with clear information regarding the requirement for application, that over the course of the application assessment process, particularly following a full technical review and also following submissions from agencies, additional technical information may be required. In addition to the requirement for further technical information, further justification regarding the merits of a development proposal may also be required.

## 5. ADDITIONAL INFORMATION

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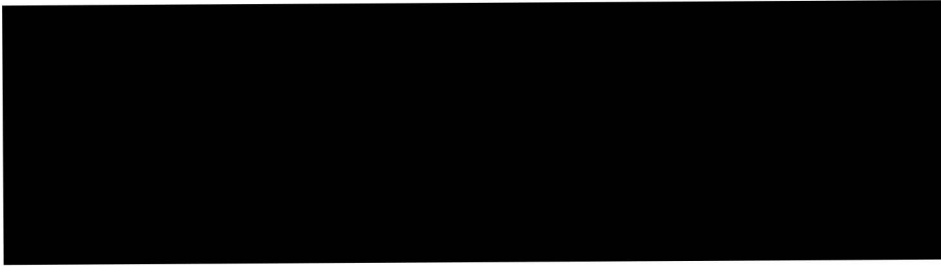
I Vincent Kiss hereby certify that  
(Print Full Name)

- ☒ I am the registered owner  
☐ I am authorized to act on behalf  
of the registered owner

and that the information given on this form and the material provided with this application is full and complete and is, to the best of my knowledge, a true statement of the facts relating to this application for subdivision approval. Further, I have read, understood and accept the contents, statements and requirements contained and referenced in this document – **STRIPPING, FILLING, EXCAVATION AND GRADING.**

**PLEASE PROVIDE ALL OF THE ABOVE INFORMATION. THANK YOU.**

Vincent and Jessie Kiss



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**Development Permit Application**  
**Stripping, Filling, Excavation and Grading**

To whom it concern;

Please accept the following development permit application for 119 Elk Willow Road. With the permit I would like to build a small pond on the south side of the property as outlined in the property report provided. This is a country residential home in which my family and I have been living since September of 2018.

There is a copy of a "Storm Water Management Plan" completed by Jubilee Engineering Consultants Ltd." in 2006, commissioned by the original owners. Upon contacting them about updating the plan they said it was not necessary if nothing had changed on the lot. Since the completion of the report in 2006, nothing has changed on the property.

I have also included an approval document from 'Alberta Environment' dated back to 2006 when the original owners were granted approval to dig a pond in the same location I have also decided on. I realize the approval does not carry over to 2020 but nonetheless thought it would be a consideration in your decision.

The environment and its management have always been a personal and ongoing responsibility. In the creation of this pond I will make it as non-invasive and natural as possible to not only add beauty to the local environment, but also support a healthy biodiverse ecosystem.

I appreciate you taking the time to review my application and welcome any questions and or concerns.

Thank you.

Vincent and Jessie Kiss





LAND TITLE CERTIFICATE

S  
LINC SHORT LEGAL TITLE NUMBER  
0031 870 439 0613078;2;5 181 219 154

LEGAL DESCRIPTION  
PLAN 0613078  
BLOCK 2  
LOT 5  
EXCEPTING THEREOUT ALL MINES AND MINERALS  
AREA: 0.808 HECTARES (2 ACRES) MORE OR LESS

ESTATE: FEE SIMPLE  
ATS REFERENCE: 5;5;23;9;SW

MUNICIPALITY: ROCKY VIEW COUNTY

REFERENCE NUMBER: 101 258 634

REGISTERED OWNER(S)				
REGISTRATION	DATE (DMY)	DOCUMENT TYPE	VALUE	CONSIDERATION
181 219 154	10/10/2018	TRANSFER OF LAND	\$855,000	\$855,000

OWNERS

VINCE KISS

AND

JESSIE KISS

BOTH OF:



AS JOINT TENANTS

ENCUMBRANCES, LIENS & INTERESTS

REGISTRATION NUMBER	DATE (D/M/Y)	PARTICULARS
751 118 823	23/10/1975	UTILITY RIGHT OF WAY GRANTEE - CANADIAN WESTERN NATURAL GAS COMPANY LIMITED.

( CONTINUED )

ENCUMBRANCES, LIENS & INTERESTS

PAGE 2  
# 181 219 154

REGISTRATION

NUMBER DATE (D/M/Y) PARTICULARS

061 353 170 29/08/2006 EASEMENT  
AS TO PORTION OR PLAN:0613079  
OVER AND FOR BENEFIT OF: SEE INSTRUMENT.

181 219 155 10/10/2018 MORTGAGE  
MORTGAGEE - BANK OF MONTREAL.  
9608 MACLEOD TRAIL & 94TH  
CALGARY  
ALBERTA T2J0P7  
ORIGINAL PRINCIPAL AMOUNT: \$200,000

201 019 232 28/01/2020 MORTGAGE  
MORTGAGEE - THE BANK OF NOVA SCOTIA.  
4 KING STREET WEST,2ND FL  
TORONTO  
ONTARIO M5H1B6  
ORIGINAL PRINCIPAL AMOUNT: \$250,000

TOTAL INSTRUMENTS: 004

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN  
ACCURATE REPRODUCTION OF THE CERTIFICATE OF  
TITLE REPRESENTED HEREIN THIS 12 DAY OF  
FEBRUARY, 2020 AT 02:17 P.M.

ORDER NUMBER: 38815495

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).







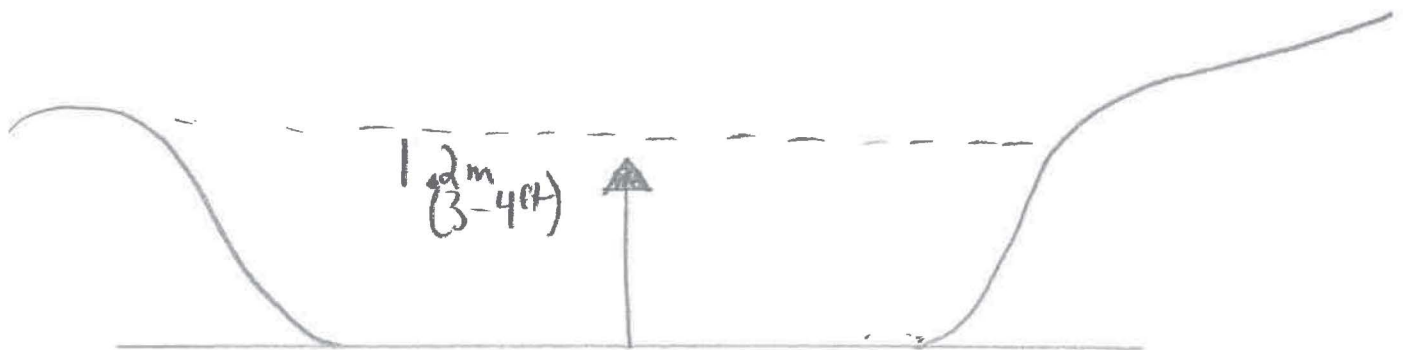
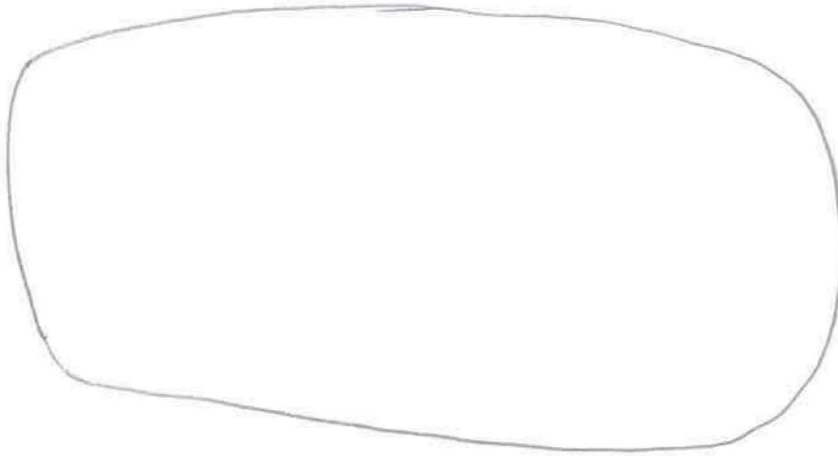








POND  
10m x 20m x 1.2m (depth)



CESS

EDGE OF ASPHALT



0.30 DIA. CULVERT

TRANSFORMER

ONE CONTIGUOUS AC AREA=1.10 acres

PROPOSED LOT DIVISION LINE

EX GRAVEL DRIVEWAY

WELL

LOT 1

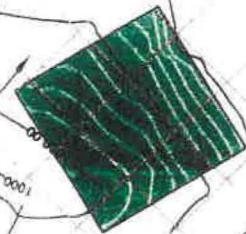
EX DWELLING

FILL AREA

(10)

EDGE OF LOW WET AREA

GENTLE ROLLING SMALL SCRUB BL



EX POND

Pond Size  
20x10m  
Depth  
3-4ft  
Excess Fill  
to be spread largely North towards house.





S.E. 1/4 SEC. 9-23-5-5

**NOTES**

1. TWO FOOTPRINTS ARE SHOWN FOR POSSIBLE BUILDING LOCATIONS.

**LEGEND**

→	DRAINAGE DIRECTION
~100~	CONTOURS
□	CONTIGUOUS ACRE
■	PROPOSED BUILDING FOOTPRINT
○	EX DRAINAGE TRAPLOYS

3		
4		
5		
6		
7		
8		
9		
10		

No.	DATE	DESCRIPTION	BY
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			

**PERMIT**

PERMIT TO PRACTICE  
JANET ENGINEERING CONSULTANTS LTD.

Signature \_\_\_\_\_  
Date \_\_\_\_\_

PERMIT NUMBER: P 3550  
The Association of Professional Engineers,  
Geologists and Geophysicists of Alberta

**STAMP**

PROFESSIONAL ENGINEER  
JANET ENGINEERING CONSULTANTS LTD.

**CLIENT**

BRYAN THOMAS

**TITLE**

BRAGG CREEK  
STORMWATER MANAGEMENT PLAN  
LOT 3 BLOCK 2 PLAN 8010270  
CONTIGUOUS ACRE & FOOT PRINTS

**JANET ENGINEERING CONSULTANTS LTD.**

DESIGN BY: H.B.  
DRAWN BY: C.M.E.  
CHECKED BY: H.M.  
DATE: JAN. 2008

SCALE: 1:400

JOB NUMBER: 05-025

DRAWING NUMBER: A

2004-2005-2006-2007-2008-2009-2010-2011-2012-2013-2014-2015-2016-2017-2018-2019-2020-2021-2022-2023-2024-2025-2026-2027-2028-2029-2030-2031-2032-2033-2034-2035-2036-2037-2038-2039-2040-2041-2042-2043-2044-2045-2046-2047-2048-2049-2050-2051-2052-2053-2054-2055-2056-2057-2058-2059-2060-2061-2062-2063-2064-2065-2066-2067-2068-2069-2070-2071-2072-2073-2074-2075-2076-2077-2078-2079-2080-2081-2082-2083-2084-2085-2086-2087-2088-2089-2090-2091-2092-2093-2094-2095-2096-2097-2098-2099-2100-2101-2102-2103-2104-2105-2106-2107-2108-2109-2110-2111-2112-2113-2114-2115-2116-2117-2118-2119-2120-2121-2122-2123-2124-2125-2126-2127-2128-2129-2130-2131-2132-2133-2134-2135-2136-2137-2138-2139-2140-2141-2142-2143-2144-2145-2146-2147-2148-2149-2150-2151-2152-2153-2154-2155-2156-2157-2158-2159-2160-2161-2162-2163-2164-2165-2166-2167-2168-2169-2170-2171-2172-2173-2174-2175-2176-2177-2178-2179-2180-2181-2182-2183-2184-2185-2186-2187-2188-2189-2190-2191-2192-2193-2194-2195-2196-2197-2198-2199-2200-2201-2202-2203-2204-2205-2206-2207-2208-2209-2210-2211-2212-2213-2214-2215-2216-2217-2218-2219-2220-2221-2222-2223-2224-2225-2226-2227-2228-2229-2230-2231-2232-2233-2234-2235-2236-2237-2238-2239-2240-2241-2242-2243-2244-2245-2246-2247-2248-2249-2250-2251-2252-2253-2254-2255-2256-2257-2258-2259-2260-2261-2262-2263-2264-2265-2266-2267-2268-2269-2270-2271-2272-2273-2274-2275-2276-2277-2278-2279-2280-2281-2282-2283-2284-2285-2286-2287-2288-2289-2290-2291-2292-2293-2294-2295-2296-2297-2298-2299-2300-2301-2302-2303-2304-2305-2306-2307-2308-2309-2310-2311-2312-2313-2314-2315-2316-2317-2318-2319-2320-2321-2322-2323-2324-2325-2326-2327-2328-2329-2330-2331-2332-2333-2334-2335-2336-2337-2338-2339-2340-2341-2342-2343-2344-2345-2346-2347-2348-2349-2350-2351-2352-2353-2354-2355-2356-2357-2358-2359-2360-2361-2362-2363-2364-2365-2366-2367-2368-2369-2370-2371-2372-2373-2374-2375-2376-2377-2378-2379-2380-2381-2382-2383-2384-2385-2386-2387-2388-2389-2390-2391-2392-2393-2394-2395-2396-2397-2398-2399-2400-2401-2402-2403-2404-2405-2406-2407-2408-2409-2410-2411-2412-2413-2414-2415-2416-2417-2418-2419-2420-2421-2422-2423-2424-2425-2426-2427-2428-2429-2430-2431-2432-2433-2434-2435-2436-2437-2438-2439-2440-2441-2442-2443-2444-2445-2446-2447-2448-2449-2450-2451-2452-2453-2454-2455-2456-2457-2458-2459-2460-2461-2462-2463-2464-2465-2466-2467-2468-2469-2470-2471-2472-2473-2474-2475-2476-2477-2478-2479-2480-2481-2482-2483-2484-2485-2486-2487-2488-2489-2490-2491-2492-2493-2494-2495-2496-2497-2498-2499-2500-2501-2502-2503-2504-2505-2506-2507-2508-2509-2510-2511-2512-2513-2514-2515-2516-2517-2518-2519-2520-2521-2522-2523-2524-2525-2526-2527-2528-2529-2530-2531-2532-2533-2534-2535-2536-2537-2538-2539-2540-2541-2542-2543-2544-2545-2546-2547-2548-2549-2550-2551-2552-2553-2554-2555-2556-2557-2558-2559-2560-2561-2562-2563-2564-2565-2566-2567-2568-2569-2570-2571-2572-2573-2574-2575-2576-2577-2578-2579-2580-2581-2582-2583-2584-2585-2586-2587-2588-2589-2590-2591-2592-2593-2594-2595-2596-2597-2598-2599-2600-2601-2602-2603-2604-2605-2606-2607-2608-2609-2610-2611-2612-2613-2614-2615-2616-2617-2618-2619-2620-2621-2622-2623-2624-2625-2626-2627-2628-2629-2630-2631-2632-2633-2634-2635-2636-2637-2638-2639-2640-2641-2642-2643-2644-2645-2646-2647-2648-2649-2650-2651-2652-2653-2654-2655-2656-2657-2658-2659-2660-2661-2662-2663-2664-2665-2666-2667-2668-2669-2670-2671-2672-2673-2674-2675-2676-2677-2678-2679-2680-2681-2682-2683-2684-2685-2686-2687-2688-2689-2690-2691-2692-2693-2694-2695-2696-2697-2698-2699-2700-2701-2702-2703-2704-2705-2706-2707-2708-2709-2710-2711-2712-2713-2714-2715-2716-2717-2718-2719-2720-2721-2722-2723-2724-2725-2726-2727-2728-2729-2730-2731-2732-2733-2734-2735-2736-2737-2738-2739-2740-2741-2742-2743-2744-2745-2746-2747-2748-2749-2750-2751-2752-2753-2754-2755-2756-2757-2758-2759-2760-2761-2762-2763-2764-2765-2766-2767-2768-2769-2770-2771-2772-2773-2774-2775-2776-2777-2778-2779-2780-2781-2782-2783-2784-2785-2786-2787-2788-2789-2790-2791-2792-2793-2794-2795-2796-2797-2798-2799-2800-2801-2802-2803-2804-2805-2806-2807-2808-2809-2810-2811-2812-2813-2814-2815-2816-2817-2818-2819-2820-2821-2822-2823-2824-2825-2826-2827-2828-2829-2830-2831-2832-2833-2834-2835-2836-2837-2838-2839-2840-2841-2842-2843-2844-2845-2846-2847-2848-2849-2850-2851-2852-2853-2854-2855-2856-2857-2858-2859-2860-2861-2862-2863-2864-2865-2866-2867-2868-2869-2870-2871-2872-2873-2874-2875-2876-2877-2878-2879-2880-2881-2882-2883-2884-2885-2886-2887-2888-2889-2890-2891-2892-2893-2894-2895-2896-2897-2898-2899-2900-2901-2902-2903-2904-2905-2906-2907-2908-2909-2910-2911-2912-2913-2914-2915-2916-2917-2918-2919-2920-2921-2922-2923-2924-2925-2926-2927-2928-2929-2930-2931-2932-2933-2934-2935-2936-2937-2938-2939-2940-2941-2942-2943-2944-2945-2946-2947-2948-2949-2950-2951-2952-2953-2954-2955-2956-2957-2958-2959-2960-2961-2962-2963-2964-2965-2966-2967-2968-2969-2970-2971-2972-2973-2974-2975-2976-2977-2978-2979-2980-2981-2982-2983-2984-2985-2986-2987-2988-2989-2990-2991-2992-2993-2994-2995-2996-2997-2998-2999-3000-3001-3002-3003-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## PLANNING AND DEVELOPMENT SERVICES

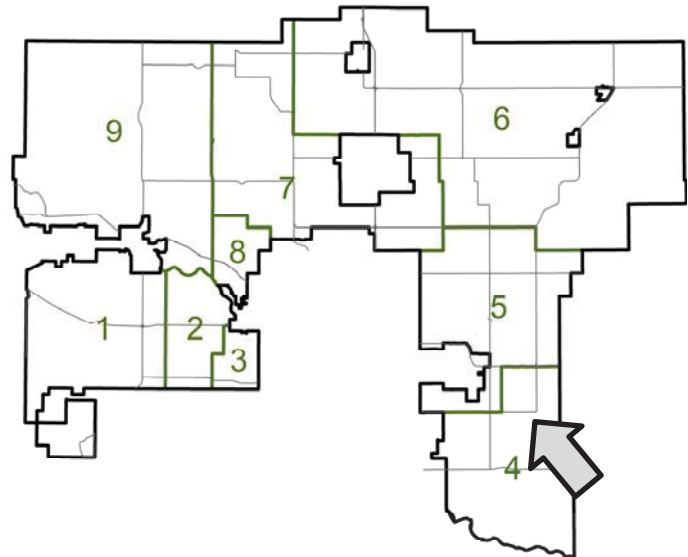
<b>TO:</b>	Municipal Planning Commission	<b>DATE:</b> April 27, 2020
<b>DIVISION:</b>	04	<b>APPLICATION:</b> PRDP20200603
<b>SUBJECT:</b>	Development Item: Accessory Building (existing)	
<b>USE:</b>	Permitted, with Variances	

**APPLICATION:** accessory building (existing), relaxation of the minimum side yard setback requirement

**GENERAL LOCATION:** located in the hamlet of Langdon

**LAND USE DESIGNATION:** DC85 Cell 1

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



**VARIANCE SUMMARY:**

Variance	Requirement	Proposed	Percentage (%)
Side yard setback	0.60 metres	0.17 metres	72%

**OPTIONS:**

Option #1: THAT Development Permit Application PRDP20200603 be approved with the conditions noted in the report, as proposed by Administration.

Option #2: THAT Development Permit Application PRDP20200603 be refused

**AIR PHOTO & DEVELOPMENT CONTEXT**





## DEVELOPMENT PERMIT REPORT

<b>Application Date:</b> March 11, 2020	<b>File:</b> 03214035
<b>Application:</b> PRDP20200603	<b>Applicant/Owner:</b> Jeffery V. Kahane
<b>Legal Description:</b> Lot 23, Block 2 Plan 0610551; NE-14-23-27-W04M	<b>General Location:</b> Located .in the hamlet of Langdon
<b>Land Use Designation:</b> DC85, Cell 1	<b>Gross Area:</b> ± 0.07 hectares (± 0.19 acres)
<b>File Manager:</b> Scott Thompson	<b>Division:</b> 05

### PROPOSAL:

accessory building (existing), relaxation of the minimum side yard setback requirement from 0.60 m (1.97 ft.) to 0.17 m (0.55 ft.)

**Variance Requested:** 0.43 m (71.6%) of Section 59.5 (d)(iii)(2.), LUB C-7968-2019

The proposed development is a result of a Certificate of Compliance request, which noted the deficiency. The site is constructed with a dwelling, single detached and the noted accessory building (shed). The property complies with all other regulations of the DC 85 and the Land Use Bylaw except as noted in this application.

### APPLICABLE DC85 REGULATIONS: (Amended per Bylaw C-5783-2003):

*Section 2.0.0 Land Use Regulations – Hamlet Residential Single Family Residential Development Cell 1*

*Section 2.2.1. Section 55 Hamlet Residential Single Family District (HR-1) of Land Use Bylaw C-4841-97 are applicable to this development cell unless otherwise stated in this Bylaw.*

*Section 2.5.2. Accessory Buildings are not permitted within the Front Yard or Side Yard of any Dwelling Unit.*

- The accessory building is located in the rear of the property

### APPLICABLE LAND USE BYLAW REGULATIONS: (Amended per Bylaw C-7968-2019):

*Section 59.2 Uses, Permitted*

*Accessory buildings less than 65.00 sq. m (699.65 sq. ft.) buildings area*

- The accessory building (shed) is 5.49 sq. m (59.13 sq. ft.) in area

*Section 59.5 Minimum and Maximum Requirements*

*(c)(i) Yard, Front – 6.00.00 m (19.68 ft.) from any road, internal subdivision or road, service*

- Proposed/Existing (accessory building): Well away

*(e)(ii)(2) Yard, Side all other – 0.60 m (1.96 ft.);*

- Proposed/Existing (accessory building): [north] Well away
- Proposed/Existing (accessory building): [south] **0.17 m (0.55 ft.)**



(f)(ii)(2) 1.00 m (3.28 ft.)

- Proposed/Existing (accessory building): Well away

Additional Information:

Building Permit History:

2006-BP-19886: a single family dwelling.

**STATUTORY PLANS:**

This property is located within the Langdon Structure Plan. The ASP does not provide any feedback regarding accordance, therefore the application was evaluated in accordance with the Land Use Bylaw with variances.

**INSPECTOR'S COMMENTS (March 27, 2020):**

- Shed is located on the southern corner of the parcel
- It is several inches from the property line/fence.
- Adjacent properties have similar placements of their sheds
- Shed is well built and sided to look similar to the main dwelling
- No immediate concerns with application at this time.

**CIRCULATIONS:**

Utility Services (March 24, 2020)

- No concerns.

Building Services

- No response.

Development Compliance, Rocky View County

- No response

Fire Services

- No response

Alberta Transportation

- The proposed development does not fall within the control distance of a provincial highway as outlined in the Highways Development and Protection Act / Regulation, and will not require a roadside development permit from Alberta Transportation.

Langdon Community Centre

- No response

**RECOMMENDATION:**

Based on assessment of the application details, submitted Real Property Report, and impact to adjacent properties, Development Authority recommends approval.

- There were no direct impacts visible during site inspection – the shed faced an internal yard and the existence of the shed is consistent with other yards in the area.
- The structure was built/ designed to be compatible with the existing dwelling on the site with similar use of materials and exterior colors.
- Circulation comments yielded no concerns with the setback variances requested.
- No historical enforcement activity/complaints for the site.





**OPTIONS:**

Option 1: (this would allow the proposed development)

APPROVAL, for the following reasons:

**Description:**

1. That the *Accessory Building (Shed)*, may remain on the subject property as shown on the Real Property Report prepared by Vista Geomatics Ltd. (File # 19055243), dated October 1, 2019.
  - i. That the minimum side yard setback requirement for the *Accessory Building (Shed)* be relaxed from **0.60 m (1.96 ft.)** to **0.17 m (0.55 ft.)**.

**Advisory:**

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

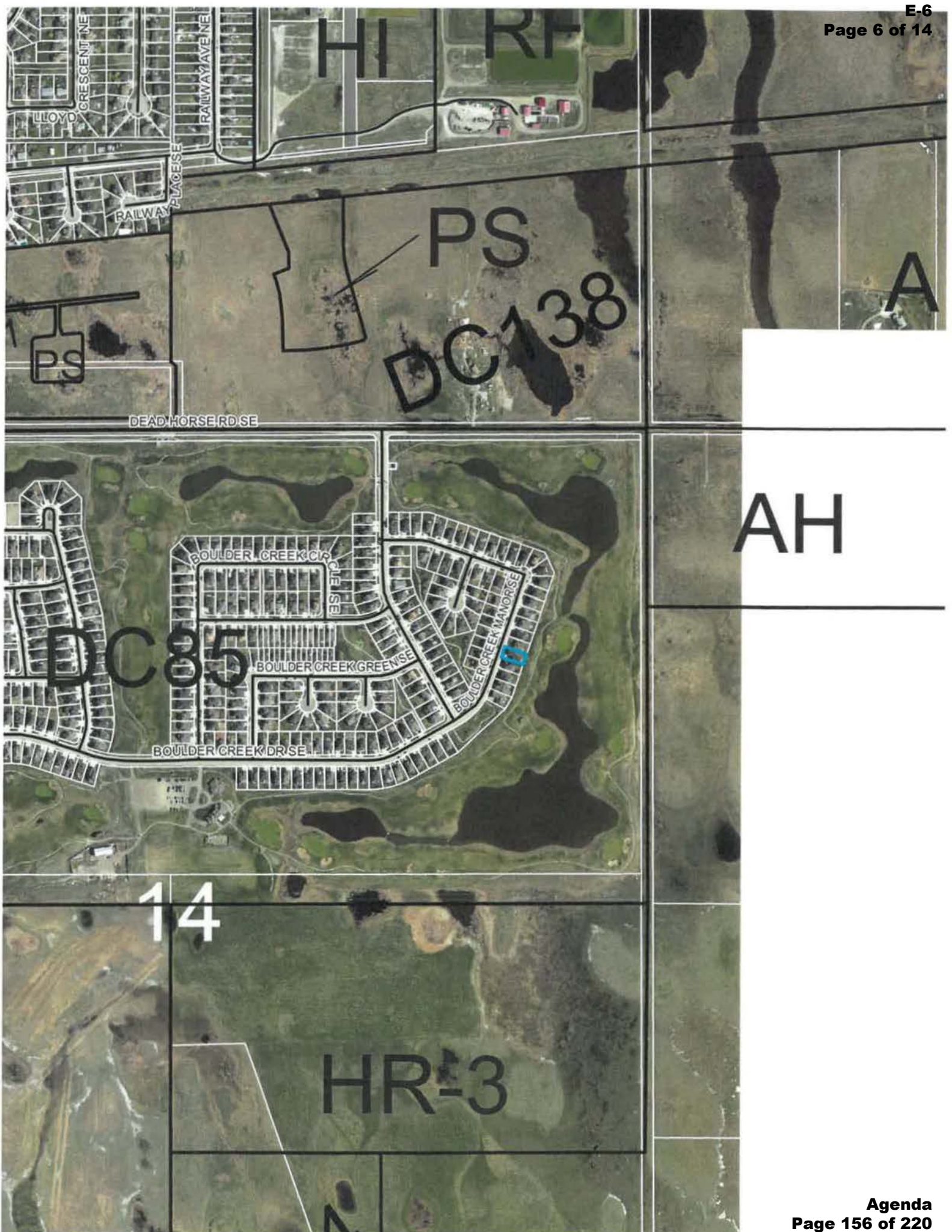
Option 2: (this would not allow the proposed development)

REFUSAL, for the following reasons:

1. 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.











**ROCKY VIEW COUNTY**  
Cultivating Communities

## APPLICATION FOR A DEVELOPMENT PERMIT

FOR OFFICE USE ONLY	
Fee Submitted \$265.00	File Number 03214035
Date of Receipt 03/11/2020	Receipt # 2020023717

20200603

Name of Applicant Jeffrey V. Kahane Email sfallon@kahane-law.com  
 → Mailing Address 7309 Flint Road SE  
Calgary AB Postal Code T2H 1G3  
 Telephone (B) 403 2150 4376 (H) \_\_\_\_\_ Fax 403 225-8289  
 For Agents please supply Business/Agency/ Organization Name Kahane Law Office  
 Registered Owner (if not applicant) Ross McGowan and Lisa McGowan  
 Mailing Address \_\_\_\_\_  
 \_\_\_\_\_ Postal Code \_\_\_\_\_  
 Telephone (B) \_\_\_\_\_

- LEGAL DESCRIPTION OF LAND**
- a) All / part of the \_\_\_\_\_ 1/4 Section \_\_\_\_\_ Township \_\_\_\_\_ Range \_\_\_\_\_ West of \_\_\_\_\_ Meridian  
 b) Being all / parts of Lot 23 Block 2 Registered Plan Number 0610551  
 c) Municipal Address 33 Boulder Creek Manor Langdon AB T0J 1X3  
 d) Existing Land Use Designation DC46 Parcel Size 0.19 Division \_\_\_\_\_

**APPLICATION FOR:** Development Permit for Accessory Building (Plastic Shed)

- ADDITIONAL INFORMATION**
- a) Are there any oil or gas wells on or within 100 metres of the subject property(s)? Yes \_\_\_\_\_ No ☒  
 b) Is the proposed parcel within 1.5 kilometres of a sour gas facility? Yes \_\_\_\_\_ 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 ☒  
 d) Does the site have direct access to a developed Main Road? Yes \_\_\_\_\_ No ☒

I Jeffrey V. Kahane hereby certify that \_\_\_\_\_ 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.

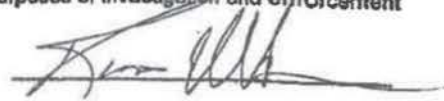
Affix Corporate Seal  
 here if owner is listed  
 as a named or  
 numbered company

Applicant's Signature \_\_\_\_\_  
 Date Mar 2 2020

Owner's Signature [Signature]  
 Date 11/5/2019



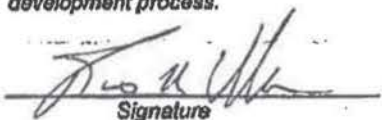
I hereby authorize Rocky View County to enter the above parcel(s) of land for purposes of investigation and enforcement related to this Development Permit application.



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, Ross Ian McGloan, hereby consent to the public release and disclosure of all information contained within this application and supporting documentation as part of the development process.

  
Signature11/5/2019  
Date



LAND TITLE CERTIFICATE

S  
LINC                      SHORT LEGAL                      TITLE NUMBER  
0031 578 199           0610551;2;23           191 099 731

LEGAL DESCRIPTION  
PLAN 0610551  
BLOCK 2  
LOT 23  
EXCEPTING THEREOUT ALL MINES AND MINERALS

ESTATE: FEE SIMPLE  
ATS REFERENCE: 4;27;23;14;NE

MUNICIPALITY: ROCKY VIEW COUNTY

REFERENCE NUMBER: 101 228 678

REGISTERED OWNER(S)				
REGISTRATION	DATE (DMY)	DOCUMENT TYPE	VALUE	CONSIDERATION
191 099 731	28/05/2019	TRANSFER OF LAND	\$515,000	\$515,000

OWNERS

ROSS MCGLOAN

AND

LISA MCGLOAN

BOTH OF:

AS JOINT TENANTS

ENCUMBRANCES, LIENS & INTERESTS

REGISTRATION NUMBER	DATE (D/M/Y)	PARTICULARS
061 070 396	15/02/2006	UTILITY RIGHT OF WAY GRANTEE - THE MUNICIPAL DISTRICT OF ROCKY VIEW NO. 44. 311 32 AVENUE N.E

( CONTINUED )

ENCUMBRANCES, LIENS & INTERESTS

PAGE 2  
# 191 099 731

REGISTRATION NUMBER	DATE (D/M/Y)	PARTICULARS
------------------------	--------------	-------------

		CALGARY
		ALBERTA T2E6X6
		GRANTEE - FORTISALBERTA INC.
		700, 801 - 7 AVE SW
		CALGARY
		ALBERTA T2P3P7
		GRANTEE - ATCO GAS AND PIPELINES LTD.
		909 11 AVE SW
		CALGARY
		ALBERTA T2R1L8
		GRANTEE - TELUS COMMUNICATIONS INC.
		C/O RIGHT OF WAY DEPARTMENT
		SULLIVAN STATION
		1ST FLOOR
		15079- 64 AVENUE
		SURREY
		BRITISH COLUMBIA V3S1X9
		GRANTEE - PERSONA COMMUNICATIONS CORP.
		4881 MAIN ST
		PO BOX 220
		OXFORD
		NOVA SCOTIA B0M1P0
		AS TO PORTION OR PLAN:0610552
		(DATA UPDATED BY: CHANGE OF ADDRESS 171087215)

061 070 397 15/02/2006 RESTRICTIVE COVENANT

061 090 213 02/03/2006 RESTRICTIVE COVENANT

061 090 214 02/03/2006 RESTRICTIVE COVENANT

TOTAL INSTRUMENTS: 004

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN  
ACCURATE REPRODUCTION OF THE CERTIFICATE OF  
TITLE REPRESENTED HEREIN THIS 27 DAY OF  
FEBRUARY, 2020 AT 11:37 A.M.

ORDER NUMBER: 38900858

CUSTOMER FILE NUMBER:



\*END OF CERTIFICATE\*

( CONTINUED )

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).





ROCKY VIEW COUNTY

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

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

## LETTER OF AUTHORIZATION

I, (We) ROSS MCGLOAN and LISA MCGLOAN being the owner (s) of

Lot 23 Block 2 Plan 0616551


**Legal:**

NW/NE/SE/SW Section \_\_\_\_\_ Township \_\_\_\_\_ Range \_\_\_\_\_ W \_\_\_\_\_ M

give Jeffrey Kahane @ Kahane Law Office permission to act on my

(our) behalf in applying for a Development Permit for the above subject property.

  
\_\_\_\_\_  
Signature

  
\_\_\_\_\_  
Signature

February 28, 2020  
\_\_\_\_\_  
Date

# KAHANE LAW OFFICE

Barristers and Solicitors

March 2, 2020  
File #1-32637-19sf

Rocky View County  
Development Permit Department  
262075 Rocky View Point  
Rocky View County, Alberta T4A 0X2

Attention: Scott Thompson

Dear Sir:

**Re: DEVELOPMENT PERMIT**  
**Roll Number 03214035**  
**33 Boulder Creek Manor, Langdon, Alberta**

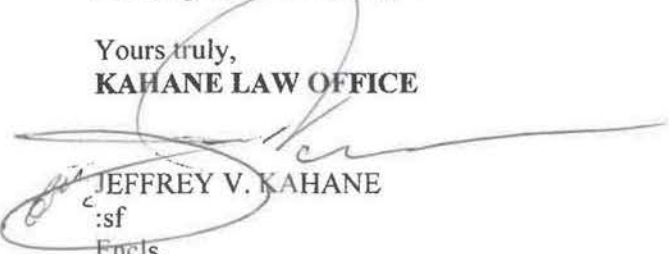
Further to the above captioned property and our correspondences last year, enclosed please find:

1. Our firm trust cheque in the sum of \$265.00 representing Rocky View County's fees for our application for a Development Permit;
2. Current Copy of Title;
3. Registered Instrument Number 061070396 URW;
4. Registered Instrument Number 061070397 RC;
5. Registered Instrument Number 061090213 RC;
6. Registered Instrument Number 061090214 RC;
7. Copy of the letter of Authorization from the current owners;
8. Copy of the Application for a Development Permit;

We are applying for a Development Permit as the Accessory Building (Plastic Shed) located on the SW side of the site, does not meet minimum 1.5m side yard setback requirements of the DC85 By-Law. The shed encroaches by 1.33m, shown as located 0.17m from the SW property line. We wish to apply for a development permit for a setback variance in order to comply with the real estate purchase contract between the previous owners Shawn Cochlan and Michelle Cochlan and the new owners Ross McGloan and Lisa McGloan.

Should you have any questions, please contact Sherry Fallon of our office at (403) 450 4376 or [sfallon@kahanelaw.com](mailto:sfallon@kahanelaw.com).

Yours truly,  
**KAHANE LAW OFFICE**

  
JEFFREY V. KAHANE  
:sf  
Encls.

300, 7309 Flint Road SE, Calgary Alberta T2H 1G3  
Telephone: 403-225-8810 Fax: 403-225-8289  
Toll Free Telephone: 877-225-8817 Toll Free Fax: 877-225-8818

# ALBERTA LAND SURVEYOR'S REAL PROPERTY REPORT

Conc. Curbing Encroaches  
into U.R.W. and Road  
By 0.57m and 2.50m



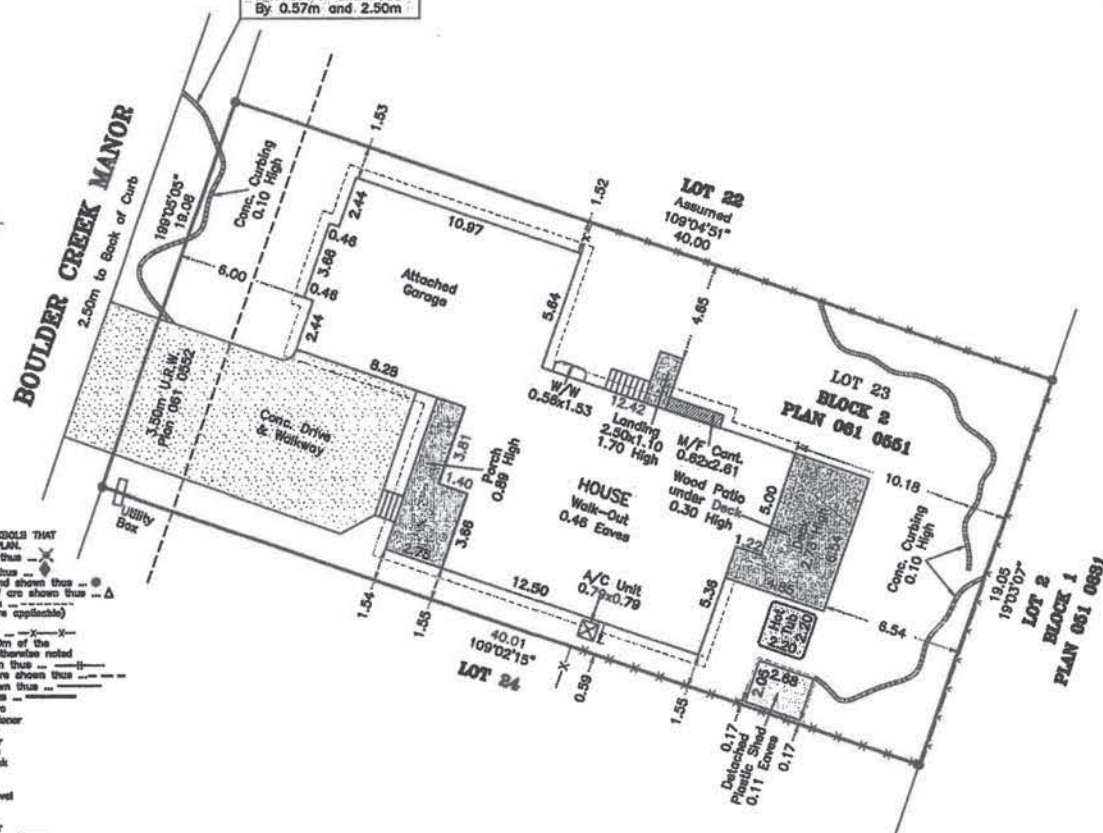
**BOULDER CREEK MANOR**  
2.50m to Back of Curb

## LEGEND

ABBREVIATIONS AND SYMBOLS THAT  
MAY APPEAR ON THIS PLAN.  
Drill Hole found shown thus — X —  
Stationary iron rod found shown thus — • —  
Delta (Central) angle of arc shown thus — Δ —  
Eave Profile shown thus — — — — —  
Eave (Overhanging) (where applicable)  
are to line of Facade  
Fences are shown thus — X — X —  
Fences are within 0.30m of the  
Property Line unless otherwise noted  
Line not to scale shown thus — — — — —  
Utility Right-of-Way are shown thus — — — — —  
Building foundation shown thus — — — — —  
Property line shown thus — — — — —  
A denotes Length of Arc  
A/C denotes Air Conditioner  
Bk. denotes Block  
Cant. denotes Cantilever  
Cms. denotes Concrete  
c.m. denotes Centimetre  
E. denotes East  
F.d. denotes Found  
G.L. denotes Ground Level  
m denotes Metres  
Mk. denotes Mark  
M/F denotes Main Floor  
M.A. denotes Maintenance Access  
Mts. denotes Metres  
N. denotes North  
O.D. denotes Overland Drainage  
P/L denotes Property Line  
R denotes Radius of Arc  
Reg. No. denotes Registration Number  
Ret. Wall denotes Retaining Wall  
R.O.W. denotes Right-Of-Way  
2/F denotes Second Floor  
S. denotes South  
U. denotes Utility  
W. denotes West  
W/W denotes Window Well

Note: No Eaves for Cant. Unless Otherwise Noted

© Copyright Vista Geomatics Ltd. 2019



**VISTA GEOMATICS LTD.**

Bay 1, 2135 - 32nd Ave. N.E.  
Calgary, Alberta T2E 6Z3  
Phone (403) 270-4048  
E-mail: admin@vistageomatics.com

## DESCRIPTION OF PROPERTY

Lot(s) 23  
Block 2  
Plan 061 0551

- I, Iain Douglas, Alberta Land Surveyor do hereby certify that this report was prepared and performed under my personal supervision and in accordance with the Manual of Standard Practice of the Alberta Land Surveyors' Association and supplements thereto. Accordingly within those standards and as of the date of this report, I am in the opinion that:
- The Plan illustrates the boundaries of the Property, the improvements as defined in Part D, Section 8.5 of the Alberta Land Surveyors' Association's Manual of Standard Practice, registered easements and right-of-way affecting the extent of the title to the property;
- The improvements are entirely within the boundaries of the property, except as shown;
- No visible encroachments exist on the Property from any improvement situated on an adjacent property, except as shown; and;
- No visible encroachments exist on registered easements or rights-of-way affecting the extent of the property, except as shown;
- Title information is based on a title search dated May 21st, A.D. 2019 C. of T. No. 101 228 678;
- The dimensions shown relate to distances from Property boundaries to foundation walls at time of survey.
- Distances are in metres and decimals thereof.
- This document is not valid unless it bears an original signature (in blue ink) and a red Vista Geomatics Ltd. permit stamp.
- Purpose: This Report has been prepared for the benefit of the Property owner, subsequent owners and any of their agents for the purpose of a real estate transaction. Copying is permitted only for the benefit of these parties. Where applicable, registered easements and utility rights of way affecting the extent of the property have been shown on the plan. Unless shown otherwise, property corner markers have not been placed during the survey for this report. The plan should not be used to establish boundaries due to the risk of misinterpretation or measurement error by the user. The information on this Real Property Report reflects the status of this property as of the date of survey only. Users are encouraged to have the Real Property Report updated for future requirements.
- This survey was performed between the dates of: January 8th, 2007 and May 28th, 2019.
- Property is subject to Utility Right-Of-Way Reg. No. 061 070 396 Re: As to Portion or Plan 061 0552
- Property is subject to Restrictive Covenant Reg. No. 061 070 397
- Property is subject to Restrictive Covenant Reg. No. 061 090 213
- Property is subject to Restrictive Covenant Reg. No. 061 090 214
- This survey is an update of Ref. Job No. 10085642

Dated this 28th day of May A.D. 2019.

MUNICIPAL ADDRESS:  
33 Boulder Creek Manor  
Rocky View County, Alberta

*Iain Douglas*  
Iain Douglas, A.L.S.

CLIENT Kahane Law Office

FILE NO.

Drawn: CAR Checked: ID

SCALE 1: 200

V.G. FILE NO. 19055243



## PLANNING AND DEVELOPMENT SERVICES

**TO:** Municipal Planning Commission

**DATE:** April 27, 2020

**DIVISION:** 02

**APPLICATION:** PRDP20200546

**SUBJECT:** Development Item: Relaxation of Front Yard Setback

**USE:** Discretionary, with Variances

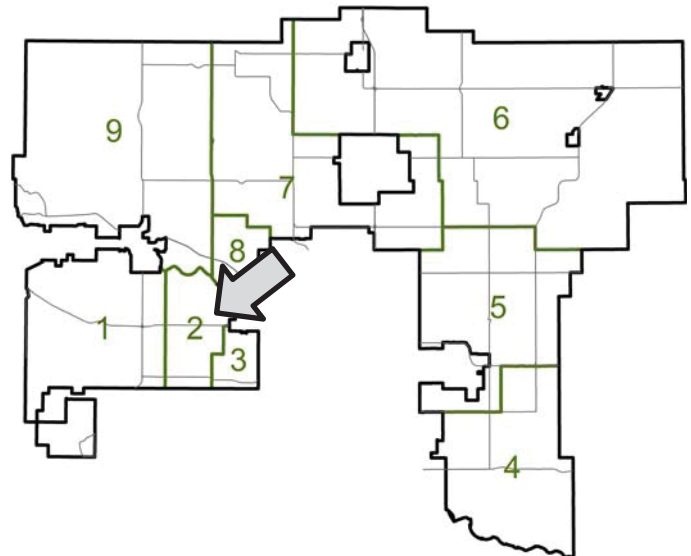
**APPLICATION:** Relaxation of Front Yard Setback (existing building).

**GENERAL LOCATION:** Located approximately 1.4 km (3/4 mile) north of Twp. Rd. 250 and 1.7km (1 mile) east of Rge. Rd. 40, in the community of Harmony

**LAND USE DESIGNATION:** DC 129 (VR1)

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

**VARIANCE SUMMARY:**



Variance	Requirement	Proposed	Percentage (%)
Front Yard Setback	6.00 m (19.69 ft.)	5.90 m (19.36 ft.)	1.7%

**OPTIONS:**

- Option #1: THAT Development Permit Application PRDP20200546 be approved with the conditions noted in the Development Permit Report, attached.
- Option #2: THAT Development Permit Application PRDP201200546 be refused as per the reasons noted.

**AIR PHOTO & DEVELOPMENT CONTEXT:**



**Administration Resources**

Jacqueline Targett - Planning and Development Services





## DEVELOPMENT PERMIT REPORT

<b>Application Date:</b> March 5, 2020	<b>File:</b> 05705027
<b>Application:</b> PRDP20200546	<b>Applicant/Owner:</b> Nuvista Homes Ltd
<b>Legal Description:</b> Lot 21, Block 2, Plan 161676; NW 05-25-3W5M	<b>General Location:</b> Located approximately 1.4 km (3/4 miles) north of Twp. Rd. 250 and 1.61 km (1 mile) east of Rge. Rd. 40
<b>Land Use Designation:</b> DC 129 Village Residential 1 (VR-1)	<b>Gross Area:</b> ± 0.27 hectares (± 0.67 acres)
<b>File Manager:</b> Wayne Van Dijk	<b>Division:</b> 02

### PROPOSAL:

The proposal is for a dwelling, single detached (existing), relaxation of the minimum front yard setback requirement. The subject land is located in Direct Control District 129, within the Village Residential 1 Development Cell (VR-1). The proposal is a result of a Certificate of Compliance request from a Real Property Report that was completed by Vista Geomatics (file No. 68006).

The application was evaluated in accordance with Direct Control Bylaw 129 (C-7641-2017) and the Land Use Bylaw (C-4841-97)

#### Direct Control Bylaw 129 (C-7641-2017)

##### *Section 1.0.0 General Regulations*

- 1.1.0 Parts 1, 2 and 3 of the Land Use Bylaw C-4841-97 shall apply to all uses contemplated by this Bylaw except where noted otherwise in this Bylaw.*

##### *Section 3.0.0 Development Regulations*

- 3.1.0 Except where specifically noted that Council approval is required, the Development Authority shall consider and decide on applications for Development Permits for all uses listed by this Bylaw, provided the provisions of all Sections contained herein are completed in form and substance.*
- 3.2.0 Notwithstanding provisions elsewhere, the following uses are deemed approved without requirement for a Development Permit when all other criteria of this Bylaw are met: a) Dwelling, Single-Detached; b) Dwelling, Semi-Detached; and c) Accessory Building.*

##### *Section 8.0.0 Land Use Regulations – Village Residential 1 Development Cell (VR-1)*

- 8.2.0 Dwelling, single-detached is listed uses in VR-1.*

- *As per Table 1 (8.5.1) Village Residential 1*

*Lot width: 18.29 m (60.00 ft.)*

- *Front Access Lot*

- *Minimum Front yard setback: 6.00 m (19.69 ft.)*
- *Minimum Rear yard setback: 9.00 m (29.53 ft.)*
- *Minimum Side yard setback: 5.48 m (18.00 ft.) total/3.35 m (11.00 ft.) on one side*
- *Maximum lot coverage: 35%*

Land Use Bylaw Requirements:Section 67     *Direct Control Bylaws*

- 67.5     *Where a building constructed pursuant to County approvals does not comply with the approved DC Direct Control regulations for the site, the Development Authority may, if satisfied that the proposed variance will not unduly interfere with the amenities of the neighborhood nor materially interfere with or affect the use, enjoyment, or value of neighboring properties, issue a Development Permit granting a variance.*

Setback Requirements**Principal building (dwelling, single-detached)**

- Front yard setback:
  - **Permitted:** 6.00 m (19.69 ft.);
  - **Proposed:** 5.90 m (19.36 ft.).
    - A variance of 1.7% or 0.10 m (0.33 ft.) is required for the Front Yard setback.
    - The Development Authority may grant a variance to Front Yard setback in accordance with Section 67.5 of the Land Use Bylaw.
    - The requested relaxation is within the discretion of the Development Authority, the use is keeping within the purpose and intent of the land use district and there are no concerns with the potential offsite impacts
- Side yard setback:
  - **Permitted:** 5.48 m (18.00 ft.) total: 3.35 m (11.00 ft.) one side, 1.53 m (5.02 ft.) other.
  - **Proposed:** 5.71 m (18.73 ft.) & 5.44 m (17.85 ft.) total: 3.57 m (10.83 ft.) & 3.30 m (10.82 ft.) [cantilever] west side, 2.14 m (7.02 ft.) east side.
    - As Section 1.1.0 allows the LUB to apply unless noted, Section 38.1 may apply to this site, which permits an cantilever to encroach up to 0.60 m (2.00 ft.) into the side yard setback or less than 30% of the length of the wall. In this case, the cantilever projects 0.05 m (0.16 ft.) and is acceptable.
- Rear yard setback:
  - **Permitted:** 9.00 m (29.53 ft.)
  - **Proposed:** 10.76 m (35.30 ft.); 9.01 m (29.56 ft.) [deck]

**STATUTORY PLANS:**

- The subject property is located within the Harmony Conceptual Scheme Bylaw C-6411-2007. This plan does not provide guidance on applications of this nature but supports residential living. As such, the application was evaluated in accordance with the Land Use Bylaw (C-4841-97) and Direct Control Bylaw 129 (C-7641-2017).

**INSPECTOR'S COMMENTS:**

- Inspection photos taken but no concerns at time of inspection;

**CIRCULATIONS:**Planning and Development Services - Engineering Review

No comments received

Development Compliance Officer Review

- Recommend that any setback relaxations do not adversely impact neighboring properties;

**OPTIONS:**

Option 1: (this would allow the proposed development)

APPROVAL, for the following reasons:

**Description:**

1. That the existing dwelling, single detached may remain on the subject parcel in general accordance with the drawings prepared by Vista Geomatics Ltd. V.G. File No. 19015113, 2020, File No.68006; dated December 20, 2019, and conditions noted herein:
  - i. That the minimum front yard setback requirement for the dwelling, single-detached is relaxed from **6.00 m (19.69 ft.) to 5.90 m (19.36 ft.)**.

**Advisory:**

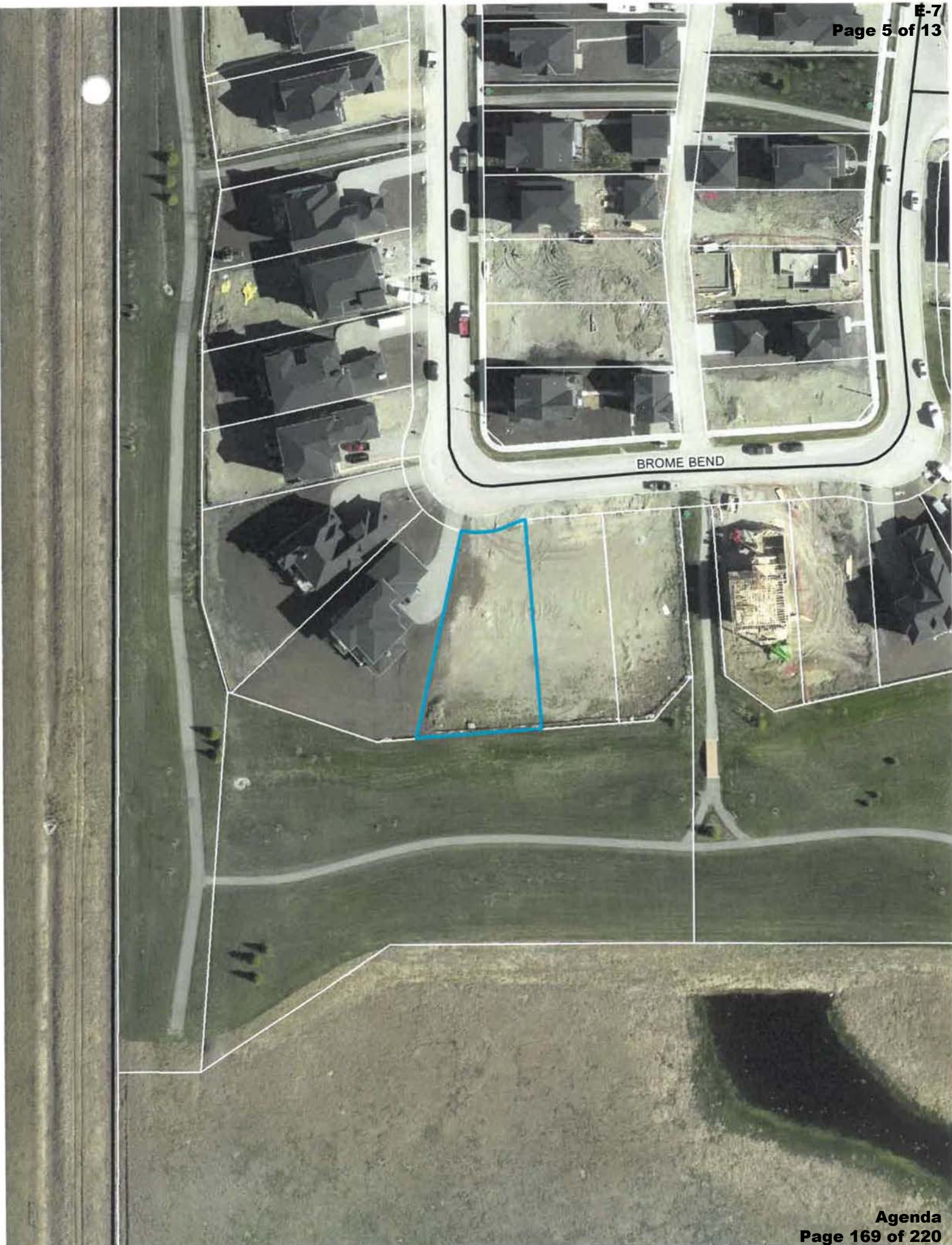
2. That any over government permits, approvals, or compliances are the sole responsibility of the Applicant/Owner.

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

REFUSAL, for the following reasons:

1. 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.













ROCKY VIEW COUNTY  
Cultivating Communities

20200546

# APPLICATION FOR A DEVELOPMENT PERMIT

FOR OFFICE USE ONLY	
Fee Submitted 265.00	File Number 05705076
Date of Receipt 03/06/2020	Receipt # 202002309

Name of Applicant Nu VISTA Homes LTD Email JULIE@NUVISTAHOMES.COM

Mailing Address #115-5709-2ST SE, CALGARY AB

Postal Code T2H 2W4

Telephone (B) 403-212-6383 (H) \_\_\_\_\_ Fax 403-212-6382

For Agents please supply Business/Agency/ Organization Name \_\_\_\_\_

Registered Owner (if not applicant) ROBERT & ALICE FOOTE

Mailing Address \_\_\_\_\_

Telephone (B) \_\_\_\_\_

## 1. LEGAL DESCRIPTION OF LAND

a) All / part of the NW ¼ Section 5 Township 25 Range 3 West of 5 Meridian

b) Being all / parts of Lot 21 Block 2 Registered Plan Number 1612676

c) Municipal Address 75 BROME BEND

d) Existing Land Use Designation \_\_\_\_\_ Parcel Size \_\_\_\_\_ Division \_\_\_\_\_

## 2. APPLICATION FOR

DP for Relaxation - FRONT YARD SETBACK IS NOW -  
COMPLIANT

## 3. ADDITIONAL INFORMATION

- a) Are there any oil or gas wells on or within 100 metres of the subject property(s)? Yes \_\_\_\_\_ No ✓
- b) Is the proposed parcel within 1.5 kilometres of a sour gas facility? Yes \_\_\_\_\_ 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 ✓
- d) Does the site have direct access to a developed Municipal Road? Yes \_\_\_\_\_ No ✓

## 4. REGISTERED OWNER OR PERSON ACTING ON HIS BEHALF

I JULIE LEE hereby certify that \_\_\_\_\_ 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 Julie Lee  
Date 03/03/2020

Owner's Signature Robert Foote  
Date 2/28/2020

DocuSigned by: Alice Foote  
D0E12F35DDAE45C...

**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.

DocuSigned by: <i>Robert Foote</i> 505AE8E67FE7485...	DocuSigned by: <i>Alice Foote</i> D0E12F35DDAE45C...
---	--

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, *Robert Foote* *Alice Foote*, hereby consent to the public release and disclosure of all information contained within this application and supporting documentation as part of the development process.

DocuSigned by: <i>Robert Foote</i> 505AE8E67FE7485...	DocuSigned by: <i>Alice Foote</i> 2/28/2020 D0E12F35DDAE45C...
Signature	Date



LAND TITLE CERTIFICATE

S		
LINC	SHORT LEGAL	TITLE NUMBER
0037 396 736	1612676;2;21	191 253 766

LEGAL DESCRIPTION  
 PLAN 1612676  
 BLOCK 2  
 LOT 21  
 EXCEPTING THEREOUT ALL MINES AND MINERALS

ESTATE: FEE SIMPLE  
 ATS REFERENCE: 5;3;25;5;NW

MUNICIPALITY: ROCKY VIEW COUNTY

REFERENCE NUMBER: 171 161 929

-----				
REGISTERED OWNER(S)				
REGISTRATION	DATE (DMY)	DOCUMENT TYPE	VALUE	CONSIDERATION
-----				
191 253 766	13/12/2019	TRANSFER OF LAND	\$1,360,664	SEE INSTRUMENT

OWNERS

ROBERT FOOTE

AND

ALICE FOOTE

BOTH OF:



AS JOINT TENANTS

-----  
 ENCUMBRANCES, LIENS & INTERESTS

REGISTRATION		
NUMBER	DATE (D/M/Y)	PARTICULARS
-----		
761 141 577	17/11/1976	ZONING REGULATIONS SUBJECT TO SPRINGBANK AIRPORT ZONING REGULATIONS
161 135 580	13/06/2016	RESTRICTIVE COVENANT

( CONTINUED )



## ENCUMBRANCES, LIENS &amp; INTERESTS

PAGE 2  
# 191 253 766

REGISTRATION NUMBER	DATE (D/M/Y)	PARTICULARS
161 135 582	13/06/2016	CAVEAT RE : DEVELOPMENT AGREEMENT PURSUANT TO MUNICIPAL GOVERNMENT ACT CAVEATOR - ROCKY VIEW COUNTY. 911 - 32ND AVENUE NE CALGARY ALBERTA T2E6X6
161 135 583	13/06/2016	CAVEAT RE : DEVELOPMENT AGREEMENT PURSUANT TO MUNICIPAL GOVERNMENT ACT CAVEATOR - ROCKY VIEW COUNTY. 911 - 32ND AVENUE NE CALGARY ALBERTA T2E6X6
161 135 584	13/06/2016	CAVEAT RE : DEVELOPMENT AGREEMENT PURSUANT TO MUNICIPAL GOVERNMENT ACT CAVEATOR - ROCKY VIEW COUNTY. 911 - 32ND AVENUE NE CALGARY ALBERTA T2E6X6
161 277 395	21/11/2016	CAVEAT RE : DEVELOPMENT AGREEMENT PURSUANT TO MUNICIPAL GOVERNMENT ACT CAVEATOR - ROCKY VIEW COUNTY. 911 - 32ND AVENUE N.E. ALBERTA T2E6X6
161 279 561	22/11/2016	UTILITY RIGHT OF WAY GRANTEE - FORTISALBERTA INC. AS TO PORTION OR PLAN:1612677
161 279 563	22/11/2016	UTILITY RIGHT OF WAY GRANTEE - SHAW CABLESYSTEMS LIMITED. AS TO PORTION OR PLAN:1612677
161 279 565	22/11/2016	UTILITY RIGHT OF WAY GRANTEE - ATCO GAS AND PIPELINES LTD. AS TO PORTION OR PLAN:1612677
161 281 178	23/11/2016	RESTRICTIVE COVENANT
161 281 179	23/11/2016	CAVEAT RE : EASEMENT AND RESTRICTIVE COVENANT
161 281 180	23/11/2016	EASEMENT OVER AND FOR BENEFIT OF: SEE INSTRUMENT

( CONTINUED )

ENCUMBRANCES, LIENS & INTERESTS

PAGE 3  
# 191 253 766

REGISTRATION NUMBER	DATE (D/M/Y)	PARTICULARS
161 283 470	25/11/2016	ENCUMBRANCE ENCUMBRANCEE - OWNERS ASSOCIATION OF HARMONY. SUITE 100, 5709 - 2ND STREET SE CALGARY ALBERTA T2H2W4
161 284 660	28/11/2016	RESTRICTIVE COVENANT
161 284 664	28/11/2016	RESTRICTIVE COVENANT
171 022 006	25/01/2017	CAVEAT RE : AGREEMENT CHARGING LAND CAVEATOR - OWNERS ASSOCIATION OF HARMONY. C/O QUALICO COMMUNITIES SUITE 100,5709 2 STREET SE CALGARY ALBERTA T2H2W4 AGENT - SEAL.

TOTAL INSTRUMENTS: 016

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN  
ACCURATE REPRODUCTION OF THE CERTIFICATE OF  
TITLE REPRESENTED HEREIN THIS 2 DAY OF MARCH,  
2020 AT 09:35 A.M.

ORDER NUMBER: 38914609

CUSTOMER FILE NUMBER: 11969-18



\*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).



ROCKY VIEW COUNTY

262075 Rocky View Point  
Rocky View County, AB, T4A 0X2403-230-1401  
questions@rockyview.ca  
www.rockyview.ca

## LETTER OF AUTHORIZATION

I, (We) ROBERT + ALICE FOOTE being the owner (s) of  
Lot 21 Block 2 Plan 2676

**Legal:**

NW/NE/SE/SW Section 5 Township 25 Range 3 W 5 M  
give JULIELEE OF NUVISTA HOMES LTD. permission to act on my  
(our) behalf in applying for a Development Permit for the above subject property.

DocuSigned by:

Robert Foote

5D5AE8E07FE7485...

Signature

DocuSigned by:

Alice Foote

D0E12F36DDAE450...

Signature

2/28/2020

Date



68006

# ALBERTA LAND SURVEYOR'S REAL PROPERTY REPORT



**VISTA GEOMATICS LTD.**  
Bay 1, 2135 - 32nd Ave. N.E.  
Calgary, Alberta T2E 6Z3  
Phone (403) 270-4048  
E-mail: admin@vistageomatics.com

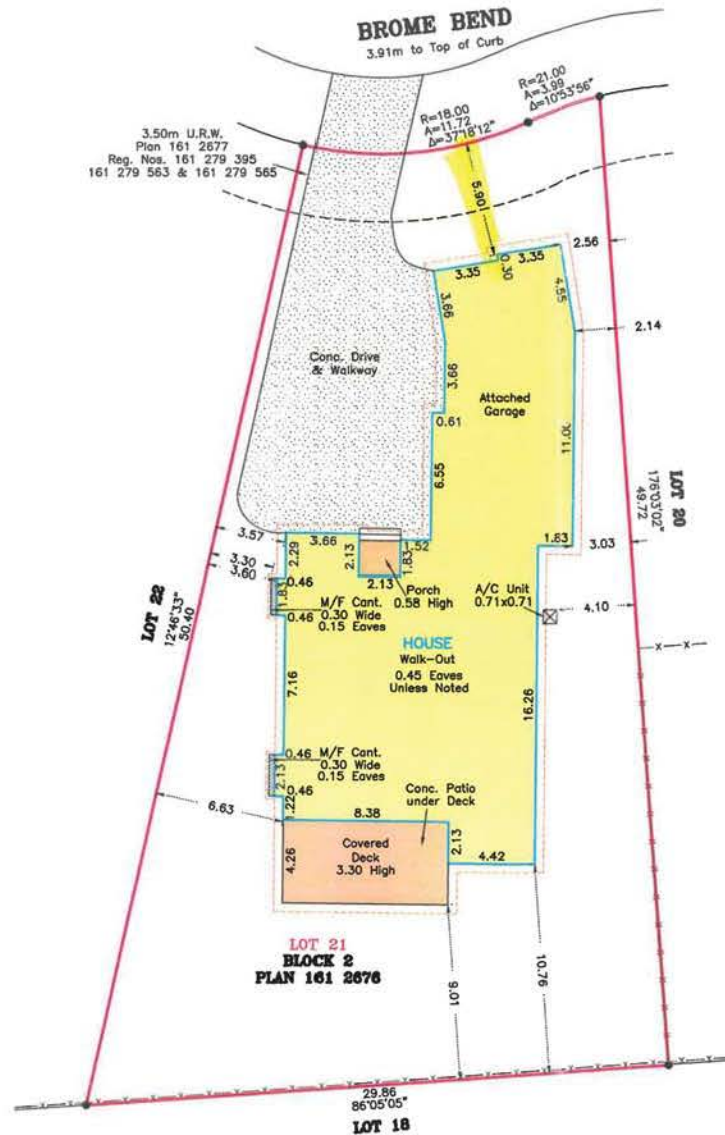
## DESCRIPTION OF PROPERTY

Lot(s) 21  
Block 2  
Plan 161 2676

I, Jody E. Clarke, Alberta Land Surveyor do hereby certify that this report was prepared and performed under my personal supervision and in accordance with the Manual of Standard Practice of the Alberta Land Surveyors' Association and supplements thereto. Accordingly within those standards and as of the date of this report, I am in the opinion that:

- The Plan illustrates the boundaries of the Property, the improvements as defined in Part D, Section 8.5 of the Alberta Land Surveyors' Association's Manual of Standard Practice, registered easements and right-of-way affecting the extent of the title to the property;
- The improvements are entirely within the boundaries of the property, except nil;
- No visible encroachments exist on the Property from any improvement situated on an adjacent property, except nil; and;
- No visible encroachments exist on registered easements or rights-of-way affecting the extent of the property, except nil;
- Title information is based on a title search dated November 13th A.D. 2019 C. of T. No. 171 161 929
- The dimensions shown relate to distances from Property boundaries to foundation walls at time of survey.
- Distances are in metres and decimals thereof.
- This document is not valid unless it bears an original signature (in blue ink) and a red Vista Geomatics Ltd. permit stamp.
- Purpose:** This Report has been prepared for the benefit of the Property owner, subsequent owners and any of their agents for the purpose of a real estate transaction. Copying is permitted only for the benefit of these parties. Where applicable, registered easements and utility rights of way affecting the extent of the property have been shown on the plan. Unless shown otherwise, property corner markers have not been placed during the survey for this report. The plan should not be used to establish boundaries due to the risk of misinterpretation or measurement error by the user. The information on this Real Property Report reflects the status of this property as of the date of survey only. Users are encouraged to have the Real Property Report updated for future requirements.
- This survey was performed between the dates of: January 31st, 2019 and November 8th, 2019.
- Property is subject to Springbank Airport Zoning Regulations Reg. No. 761 141 577
- Property is subject to Restrictive Covenant Reg. Nos. 161 135 580, 161 281 178, 161 284 660 & 161 284 664
- Property is subject to Caveat Reg. Nos. 161 135 582, 165 135 583, 165 135 584 & 161 277 395  
Re: Development Agreement Pursuant to Municipal Government Act
- Property is subject to Caveat Reg. No. 161 281 179  
Re: Easement and Restrictive Covenant
- Property is subject to Easement Reg. No. 161 281 180  
Dated this 20th day of December A.D. 2019.

**LEGEND**  
ABBREVIATIONS AND SYMBOLS THAT MAY APPEAR ON THIS PLAN:  
Drill Hole found shown thus ... X  
Iron Bar found shown thus ... X  
Statutory Iron Post found shown thus ... X  
Delta (Central) angle of arc shown thus ... Δ  
Eave Fascia shown thus ...  
Eave Dimensions (where applicable) are to line of Fascia  
Fences are shown thus ... X-X  
Fences are within 0.20m of the Property Line unless otherwise noted  
Line not to scale shown thus ...  
Utility Rights-Of-Way are shown thus ...  
Building foundation shown thus ...  
Property line shown thus ...  
A denotes Length of Arc  
A/C denotes Air Conditioner  
Blk. denotes Block  
Cant. denotes Cantilever  
Conc. denotes Concrete  
c.s. denotes Countersunk  
E. denotes East  
Fd. denotes Found  
G.L. denotes Ground Level  
m denotes Metres  
Mk. denotes Mark  
M/F denotes Main Floor  
M.A. denotes Maintenance Access  
Mks. denotes Marks  
N. denotes North  
O.D. denotes Overland Drainage  
P/L denotes Property Line  
R denotes Radius of Arc  
Reg. No. denotes Registration Number  
Ret. Wall denotes Retaining Wall  
R.W. denotes Right-Of-Way  
2/F denotes Second Floor  
S. denotes South  
U. denotes Utility  
W. denotes West  
W/W denotes Window Well  
Note: No Eaves for Cant. Unless Otherwise Noted



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MUNICIPAL ADDRESS: 75 Brome Bend Rocky View County, Alberta			
CLIENT NuVista Homes Ltd.		Jody E. Clarke, A.L.S.	
FILE NO. 68006		Drawn/	CAR Checked: JC
SCALE 1: 250		V.G. FILE NO.	19015113



## PLANNING AND DEVELOPMENT SERVICES

**TO:** Municipal Planning Commission

**DATE:** April 27, 2020

**DIVISION:** 01

**APPLICATION:** PRDP2020448

**SUBJECT:** Development Item: Renewal of a farm dwelling, mobile home

**USE:** Discretionary, with no Variances

**APPLICATION:** renewal of a farm dwelling, mobile home

**GENERAL LOCATION:** located approximately 0.81 km (1/2 mile) south of Springbank Road and on the west side of Rge. Rd. 41

**LAND USE DESIGNATION:** Ranch and Farm (RF)

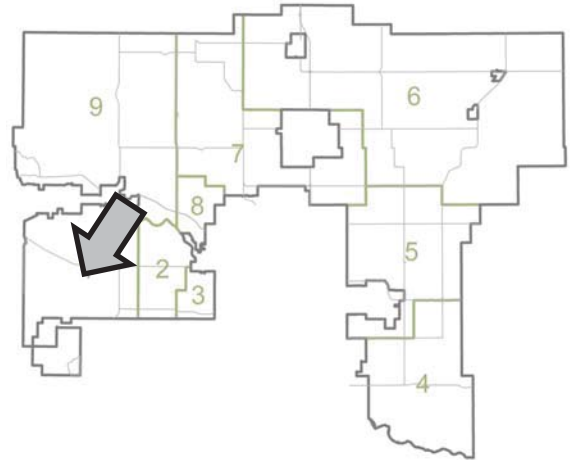
**ADMINISTRATION RECOMMENDATION:**

Administration recommends approval in accordance with Option #1.

**OPTIONS:**

Option #1: THAT Development Permit Application PRDP20200448 be approved with the conditions noted in the Development Permit Report, attached.

Option #2: THAT Development Permit Application Prdp20200448 be refused as per the reasons noted.



**AIR PHOTO & DEVELOPMENT CONTEXT:**



**Administration Resources**

Evan Neilsen, Planning and Development Services

## DEVELOPMENT PERMIT REPORT

<b>Application Date:</b> February 13, 2020	<b>File:</b> 04823001
<b>Application:</b> PRDP20200448	<b>Applicant/Owner:</b> Matthew & Kimberley Copithorne/ Alan Copithorne
<b>Legal Description:</b> SE-23-24-04-W05M	<b>General Location:</b> Located approximately 0.81 km (1/2 mile) south of Springbank Rd and on the west side of Rge. Rd. 41
<b>Land Use Designation:</b> Ranch and Farm (RF)	<b>Gross Area:</b> ± 64.75 hectares (± 160.00 acres)
<b>File Manager:</b> Evan Neilsen	<b>Division:</b> 01

### PROPOSAL:

The renewal is for the continued use of a dwelling, mobile home for farm help assisting with the existing 259.00 ha (640.00 ac) cattle ranching operation. This is the third renewal.

#### Farming Details:

- Cattle farming (Hereford Cattle)
- Subject Parcel: ±64.75 hectares (±160 acres)
  - Grazing: ±60.70 hectares (±150.0 acres)
  - Animals Onsite: 80 Cattle

**Note:** This has changed since the last renewal, where 100 animals were farmed onsite.
- Total Farming Operation: 259 hectares (±640.0 acres)
  - Grazing: 259 hectares (±640.0 acres)
  - Animals: 160
- There are two (2) single family dwellings onsite
  - Dwelling #1 was built prior to 1985
  - Dwelling #2 was built in 1994

#### Setback Details

Setback	Required (m)	Proposed (m)
Front	45.0	Not identified in application, appears to exceed requirements
Side (Side 1/Side 2)	3.0/3.0	155.0/Not identified in application, appears to exceed requirements
Rear	7.0	195.0



Mobile Home Details:

- Standard United Homes Canada Unit; 139.80 sq. m (1,504.80 sq. ft.) in area.
- The farm help will work full time: four (4) hours a day, five (5) days a week, twelve (12) months a year.
- There will be two (2) adults and two (2) children occupying the mobile home.

Property History:

Building Permits:

- The following building permits were taken-out to support the original construction of the dwelling, mobile home:
  - o 2012-PS-3231
  - o 2012-BP-24677
  - o 2012-EP-12231
  - o 2012-GP-12591
  - o 2012-BP-3910

Development Permits:

This application is the third renewal for this permit, and the application/renewal timeline is below:

- Initial application (DP 14837) was approved on February 29, 2012; Exp.: February 28, 2013
- 1<sup>st</sup> renewal application (DP 15261) was approved on March 6, 2013; Exp.: February 28, 2015
- 2<sup>nd</sup> renewal application (PRDP20150320) was approved March 17<sup>th</sup> 2015; Exp. February 28, 2020
  - o There are no changes being requested for this renewal application.

**STATUTORY PLANS:**

This property does not fall under any approved Area Structure Plan or Intermunicipal Development Plan. The application was evaluated in accordance with the Land Use Bylaw.

**INSPECTOR'S COMMENTS** (March 24, 2020)

- At 12:10 PM on Tuesday March 24<sup>th</sup>. The farm dwelling appeared to not have any additions to the front, rear or side. No commercial vehicles on site at this time.

**CIRCULATIONS:**

Development Compliance (March 27, 2020)

- Recommend previous conditions apply if no changes in circumstance

Building Services (March 27, 2020)

- No Comments as permit is a renewal

**CIRCULATIONS:**

Agency circulation for this application was not required.



**OPTIONS:**

Option 1: (this would allow the proposed development)

APPROVAL, for the following reasons:

**Description:**

- 1) That the farm dwelling, mobile home may remain on the parcel in accordance with the approved site plan and the minimum setback requirements of the Land Use Bylaw.

**Permanent:**

- 2) That the use of the farm dwelling, mobile home shall be for a residence for full-time farm help.
- 3) That within thirty (30) days of the farm dwelling, mobile home not being required as a residence for full-time farm help, the farm dwelling, mobile home shall be removed from the parcel.
- 4) 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.

**Advisory:**

- 5) That any other government permits, approvals, or compliances are the sole responsibility of the Applicant/Owner.
- 6) That any required Building Permit and applicable sub trade permit for the farm dwelling, mobile home shall be submitted through Building Services.
- 7) That this permit shall be valid until **February 28, 2025**.

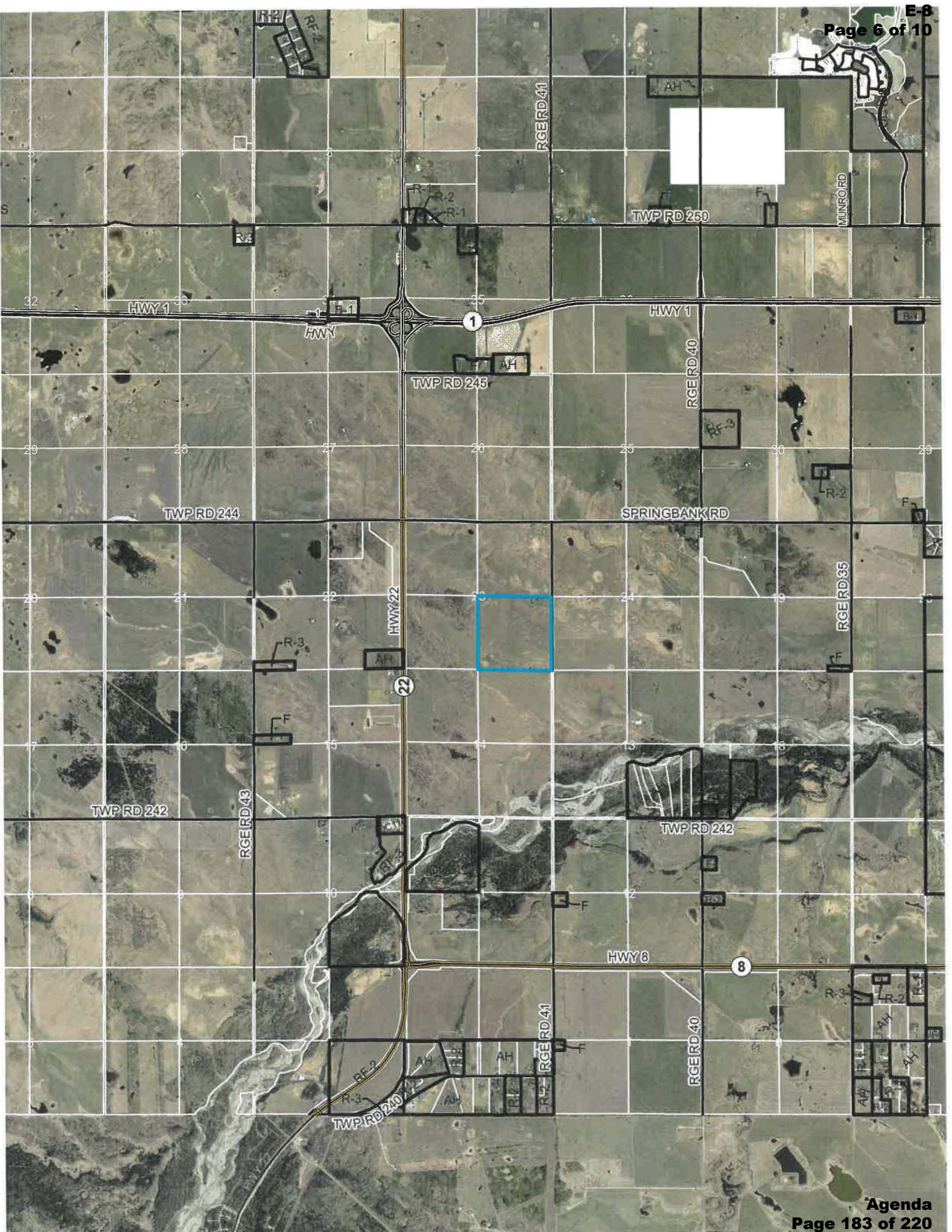
Option 2: (this would not allow the proposed development)

REFUSAL, for the following reasons:

- 1) 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.











**ROCKY VIEW COUNTY**  
Cultivating Communities

20200448

## APPLICATION FOR A DEVELOPMENT PERMIT

FOR OFFICE USE ONLY	
Fee Submitted \$200.00	File Number 04823001
Date of Receipt Feb 13 / 2020	Receipt # 2020 023580

Renewal of PRDP20150320

Name of Applicant Matthew & Kimberley Copithorne Email [REDACTED]

Mailing Address [REDACTED]

Telephone (B) [REDACTED]

For Agents please supply Business/Agency/ Organization Name \_\_\_\_\_

Registered Owner (if not applicant) Alan Copithorne

Mailing Address [REDACTED]

Postal Code [REDACTED]

Telephone (B) \_\_\_\_\_ (H) \_\_\_\_\_ Fax \_\_\_\_\_

### 1. LEGAL DESCRIPTION OF LAND

- a) All / part of the SE ¼ Section 23 Township 24 Range 04 West of 05 Meridian
- b) Being all / parts of Lot \_\_\_\_\_ Block \_\_\_\_\_ Registered Plan Number \_\_\_\_\_
- c) Municipal Address 243023 Range Road 41
- d) Existing Land Use Designation RF Parcel Size 160 ac. Division \_\_\_\_\_

### 2. APPLICATION FOR

Dwelling, Mobile Home for Farm Help

Renewal of PRDP20150320

### 3. ADDITIONAL INFORMATION

- a) Are there any oil or gas wells on or within 100 metres of the subject property(s)? Yes \_\_\_\_\_ No ☒
- b) Is the proposed parcel within 1.5 kilometres of a sour gas facility?  
(Sour Gas facility means well, pipeline or plant) Yes \_\_\_\_\_ No ☒
- c) Is there an abandoned oil or gas well or pipeline on the property? Yes \_\_\_\_\_ No ☒
- d) Does the site have direct access to a developed Municipal Road? Yes ☒ No \_\_\_\_\_

### 4. REGISTERED OWNER OR PERSON ACTING ON HIS BEHALF

I ALAN COPITHORNE hereby certify that ☒ 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 Alan CopithorneDate February 11, 2020Owner's Signature Alan CopithorneDate Feb. 12, 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, Matthew Copithorne, 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

February 19, 2020  
Date



ROCKY VIEW COUNTY  
Cultivating Communities

## APPLICATION FOR DWELLING, MOBILE HOME FOR FARM HELP

FOR OFFICE USE ONLY	
Fee Submitted	File Number
Date of Receipt	Receipt #

### 1. FARMING

What type of farming is being carried out on this parcel? Cattle

How many acres of this parcel are planted in:

Cereal \_\_\_\_\_ Crops \_\_\_\_\_ Hay \_\_\_\_\_ Grazing ✓ 160 Other \_\_\_\_\_

How many animals are involved on this parcel? 80

What breed(s) of animals? Hereford Cattle

How many acres do you farm in total? 640

Of your **TOTAL** farming operation, how many acres are planted in:

Cereal \_\_\_\_\_ Crops \_\_\_\_\_ Hay \_\_\_\_\_ Grazing 640 Other \_\_\_\_\_

How many animals are involved at your other locations (parcels)? 80

What breed(s) of animals are involved? Hereford Cattle

### 2. DWELLINGS

How many dwellings **NOT** including mobile homes, are on this parcel? 2 How many dwellings not including mobile homes, are on all the land that you farm? 2

### 3. OCCUPANTS

Will an occupant of the mobile home be farm help? (Yes)/No

If yes how many:

Hours per day? 4 Days per week? 5 Months per year? 12

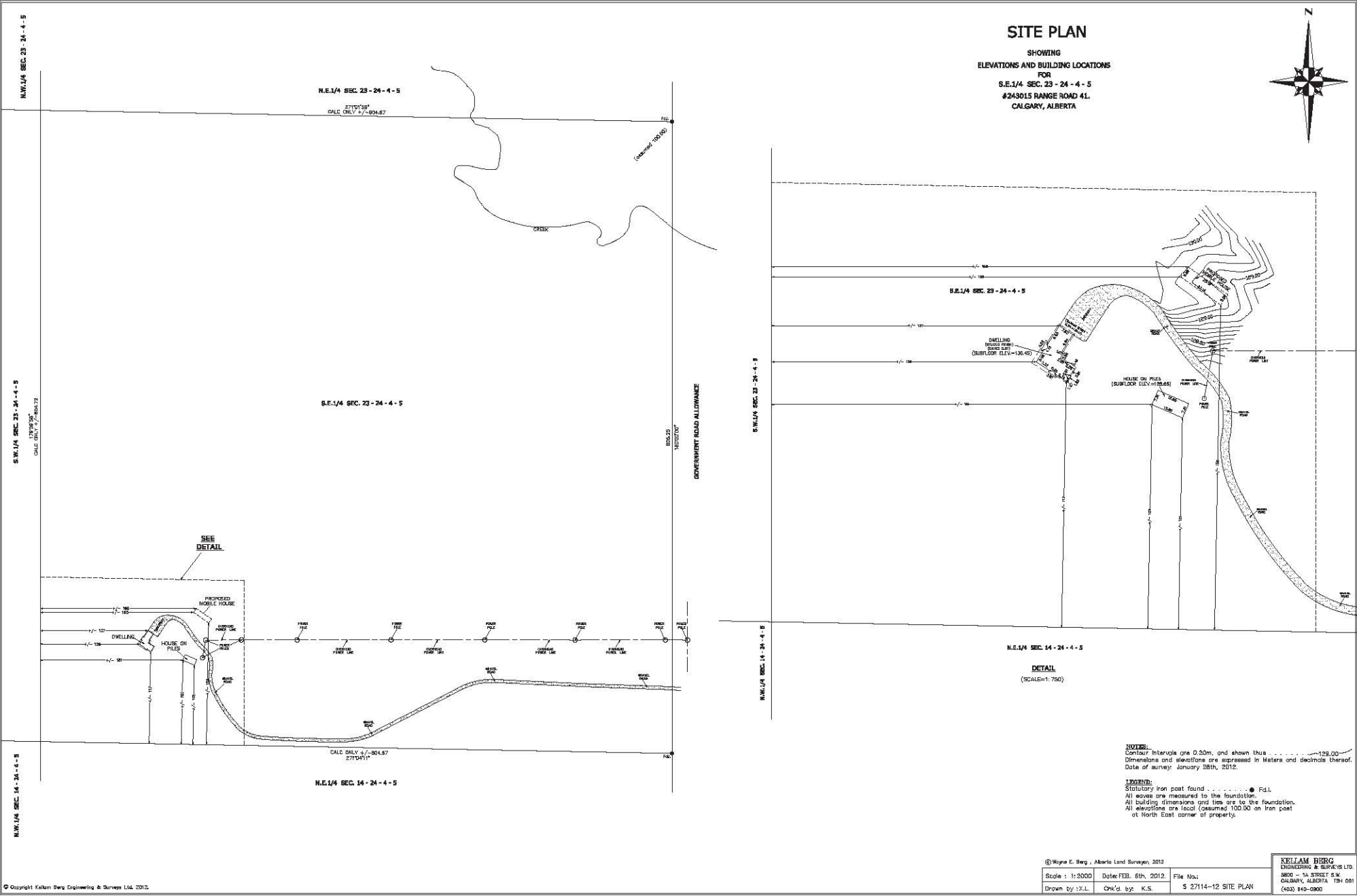
Number of adults occupying mobile home? 2 Number of children occupying mobile home? 2

Signature of Applicant [Signature] Date February 11, 2020

\*Please be advised that on a new mobile home application, plumbing, gas and electrical permits are required from Rocky View County, Building Services Dept. prior to occupancy of the mobile home.

PLEASE PROVIDE ALL OF THE ABOVE INFORMATION EVEN IF THIS IS A RENEWAL. THANK YOU





## PLANNING AND DEVELOPMENT SERVICES

<b>TO:</b>	Municipal Planning Commission	<b>DATE:</b>	April 27, 2020
<b>DIVISION:</b>	09	<b>APPLICATION:</b>	PRDP20200531
<b>SUBJECT:</b>	Development Item: Renewal of a Home-based Business, Type II		
<b>USE:</b>	Discretionary, with no Variances		

**APPLICATION:** renewal of a Home-Based Business, Type II, for an indoor cat boarding facility

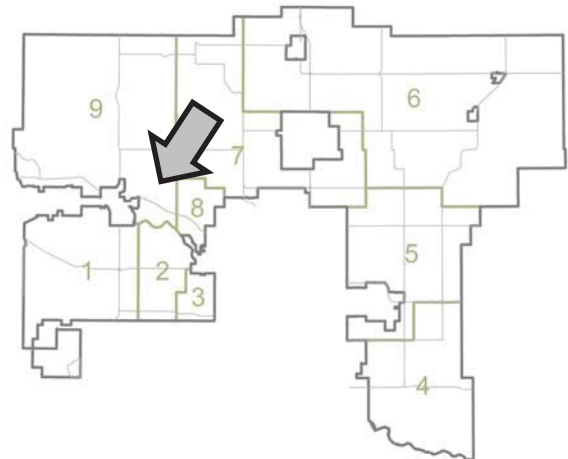
**GENERAL LOCATION:** located approximately 0.41 km (1/4 mile) north of Hwy. 1A and 1.21 km (3/4 mile) east of Rge. Rd. 35.

**LAND USE DESIGNATION:** Residential Two (R-2)

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

### OPTIONS:

- Option #1: THAT Development Permit Application PRDP20200531 be approved with the conditions noted in the Development Permit Report, attached.
- Option #2: THAT Development Permit Application PRDP20200531 be refused as per the reasons noted.



### AIR PHOTO & DEVELOPMENT CONTEXT:



<b>Application No.</b>	PRDP20200531	<b>File Manager</b>	Althea Panaguiton
<b>District</b>	R-2	<b>Gross Area (ha)</b>	4.05
<b>Proposed Business</b>	Cat boarding facility (renewal)		

Use and District Intent Check	Yes/No
Is the proposed development a listed use?	Yes
Does the proposed development meet the use definition?	Yes
Does the proposed business meet the Purpose and Intent? - 12.3(b)	Yes

Comments
Yes, listed as a discretionary use;

Compatibility Check	Yes/No
22.1 (c) Variation in parcel appearance or character?	no
(d) Excessive or unacceptable traffic?	no
(f) Offensive or excessive noise, smoke, steam, odour, dust, fumes, exhaust, vibration, heat, glare or refuse matter?	no
21.3 (a) Include structures other than SDD or Acc. Buildings?	no
(c) Secondary to the residential use?	yes
(d) Variation in parcel appearance or character?	no
(f) Include a general store?	no
(g) Outdoor storage screened from adjacent lands?	Yes

Regulation	Max	Proposed	Δ	Variance
21.3 (b) Business Trips	4.00	3.00	-1.00	
(e) Non-Resident Employees	2.00	1.00	-1.00	
35.11 (a) No. of Signs	1.00	1.00	0.00	
(b) Sign length	1.00	0.91	-0.09	
(b) Sign width	0.60	0.60	0.00	

Comments
This is a renewal application; the file is long standing and does not have any active compliance file.

Comments
No issues.

Outdoor Storage Calculation (m <sup>2</sup> ) - 21.3(g)					
1% of Parcel:	405.00	Over 400m <sup>2</sup> ?	TRUE	Max Area Permitted:	400
Proposed Outdoor Storage Area (m <sup>2</sup> )			Δ	Variance	
0.00			-400.00		
Does Proposed Outdoor Storage Area Meet District Setbacks?					
Front		Side 1	Side 2		Rear

Comments
Outside storage area is not requested.



Proposed Operations			
<b>Days Open</b>	7 days/week	<b>Hours</b>	9:00 - 11:00 am and 5:00 - 7:00pm

Comments
Complies with the Land Use Bylaw.

Does the proposed development (including variances):	Yes/No
Unduly interfere with the amenities of the neighbourhood?	No
Materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land?	No

Comments
Renewal is long standing, no compliance file since 2007. All business activities are within an enclosed accessory building.

Doc Type	Policy Name	Applicable Policies?	Compliance with Policies
IGP	Interim Growth Plan	Yes	Yes
IDP	n/a	N/A	N/A
MDP	County Plan	Yes	Yes
ASP	Bearspaw	N/A	Yes
CS	n/a	N/A	N/A

Comments
No policy guidance relating to home-based business applications - renewal assessed according to the Land Use Bylaw.

<b>BP/DP History</b>	<b>Development Permit:</b> 1999-DP-8225 - Home-based Business, Type II for Indoor Cat Boarding business has been renewed subsequently and the last approved development permit application was PRDP20170573, which was issued on April 19, 2017 and expired on March 30, 2020. 1999-DP-8226 - Construction of an accessory building 2010-DP-14308 - Construction of an accessory dwelling unit, (suite within an existing accessory building) <b>Building Permit:</b> 1990-BP-1902 (Barn): Occupancy Granted 1990-BP-2033 (SFD): Occupancy Granted 1999-BP-12871 (Accessory Building - HBB): Occupancy Granted 2010-BP-23740 (New Accessory Dwelling Unit): Occupancy Granted
<b>Inspector Comments</b>	Inspection date: March 31, 2020 Home-based business structure located on the South end of parcel. Met with property owner on site who told me they use the main floor/upstairs for the operation of the business. No current employees for the business as they had to lay off all non-resident employees due to virus. No outside storage, one small sign indicating the business at the entrance to the property. No other signage on property. No issues with this property at this time.

<b>Overall Assessment</b>	Application proposal is a renewal of a long standing development permit for a Home-based business. The site appears to be well kept as shown on the site inspection photographs and there are no active development compliance file. No issues were brought up during the circulation period. The application does not require variances beyond the Land Use Bylaw requirements. There are no issue with approving the application.
<b>Non-Standard Conditions</b>	None as there are no changes to this renewal application.

**HOME BASED BUSINESS TYPE II CONDITIONS PRDP20200531**

Option 1: (this would allow the proposed development)

APPROVAL, for the following reasons:

**Description:**

- 1) That a Home-Based Business, Type II, for a cat boarding facility may continue to operate on the subject parcel in accordance with the approved site plan.

**Permanent:**

- 2) That the number of non-resident employees shall not exceed one at any time.
  - a) That an employee in this home-based business is a person who attends on the property more than once in a seven day period for business purposes.
- 3) That the Home-Based Business shall not change the residential character and external appearance of the land and buildings.
- 4) That the operation of this Home-Based Business shall not generate excessive or unacceptable increases in traffic within the neighbourhood or immediate area.
- 5) That 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, and at all times the privacy of the adjacent residential dwellings shall be preserved. The Home-Base Business use shall not, in the opinion of the Development Authority, unduly offend or otherwise interfere with neighbouring or adjacent residents.
- 6) That the Home-Based Business shall be limited to the dwelling and its accessory buildings.
- 7) That there shall be no outside storage of goods, materials, commodities, or finished products.
- 8) That all vehicles, trailers, or equipment used in the Home-Based Business shall be kept within a building.
- 9) That a 2' x 3' identification sign may remain on the Applicant's property, for identification purposes only, in keeping with the general appearance of the area, as approved by the Development Authority.
- 10) That no off-site advertisement signage associated with the Home-Based Business shall be permitted.
- 11) That the operation of this Home-Based Business may generate up to a maximum of four business-related visits per day.
- 12) That the operation of this Home-Based Business shall be secondary to the residential use of the subject parcel.
- 13) That all cats shall be kept indoors at all times.
- 14) That this Development Permit shall be valid until **March 30, 2023**.

**Advisory:**

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

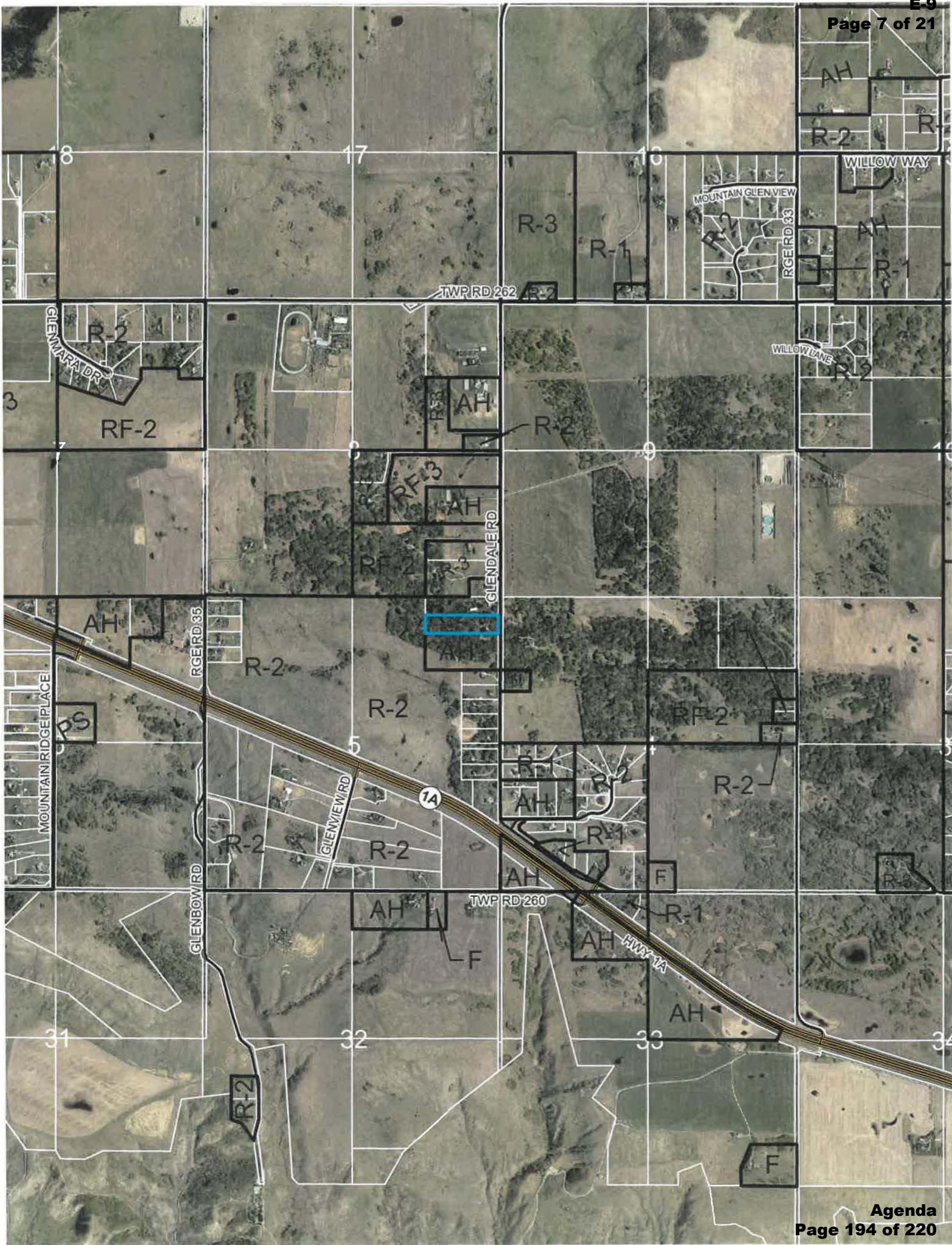




Option 2: (this would not allow the proposed development)

REFUSAL, for the following reasons:

- 1) 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.











ROCKY VIEW COUNTY  
Cultivating Communities

20200531

# APPLICATION FOR A DEVELOPMENT PERMIT

FOR OFFICE USE ONLY	
Fee Submitted 200.00	File Number 06705023
Date of Receipt MAR 04/20	Receipt # 202002352
RENEWAL OF PROPOSAL 20170575	

Name of Applicant Joshua Goertzen

Email [REDACTED]

Mailing Address [REDACTED]

Telephone (B) [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 NE  $\frac{1}{4}$  Section 5 Township 26 Range 3 West of 5 Meridian
- b) Being (parts) of Lot 2 Block 1 Registered Plan Number 9310550
- c) Municipal Address 260227 Glendale Road
- d) Existing Land Use Designation R-2 Parcel Size 10.01 Division \_\_\_\_\_

## 2. APPLICATION FOR

renewal of a Home-Based Business, Type II, for an indoor cat boarding facility

## 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 JOSHUA GOERTZEN 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 \_\_\_\_\_

Date

March 3, 2020

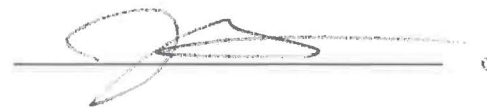
Owner's Signature \_\_\_\_\_

Date

March 3, 2020

**5. RIGHT OF ENTRY**

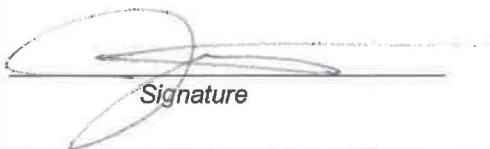
I hereby authorize Rocky View County to enter the above parcel(s) of land for purposes of investigation and enforcement related to this Development Permit application.



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, Joshua Goertzen, 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

March 3, 2020  
Date



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 Bearspaw Cat Boarding Inc  
 Address of Business 260227 Glendale Road  
Site 16 Box 28 RR2 Cochrane Postal Code T4C 1A2  
 Telephone (B) 403 932 9953 (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 100 Accessory Building 800 Outdoors 0

## 2. VEHICLES

How many vehicles come to your home/property Per day 3 Per week 20  
 Please describe the number and type of vehicles used in the business no vehicles are specifically used for the business - customers drop-off and pick-up their cats  
 Where will these vehicle(s) be parked? on the large driveway between the buildings  
 \* 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 \_\_\_\_\_ Part Time 4  
 Including the Applicant, how many of the above persons live on this property?  
 Full Time Employees \_\_\_\_\_ Part Time Employees 3

## 4. OPERATION

What are your days of operation? 7 days a week What are your hours of operation? office hours 9-11 am and 5-7 pm

## 5. STORAGE AND SIGNAGE

Is outside storage requested? YES ☒ NO ☒ If yes - how many square feet? \_\_\_\_\_  
 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: March 3, 2020

**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**



**Bearspaw Cat Boarding Inc.**

(403) 932-9953

[www.bearspawcatboarding.com](http://www.bearspawcatboarding.com)

Site 16 Box 28 RR2

Cochrane, AB

T4C 1A2

To whom it may concern,

As per our application to renew our home-based business this cover letter provides a detailing of the nature of our business.

We provide boarding services for cat owners who require short-term care for their cat while they leave on vacation or for other reasons. We only board cats, no other animals. On average we would have no more than 3 customer vehicles visit for pick-up or drop-off of their cat per day. Visits are typically between 5-10 mins each. The facility is completely indoor with no cats being outside. We have three part time staff who live on the property and one who works part time on weekdays from Cochrane.

Please let me know if you need any more details to renew our business.

Regards,

Josh Goertzen

Bearspaw Cat Boarding



March 3, 2020























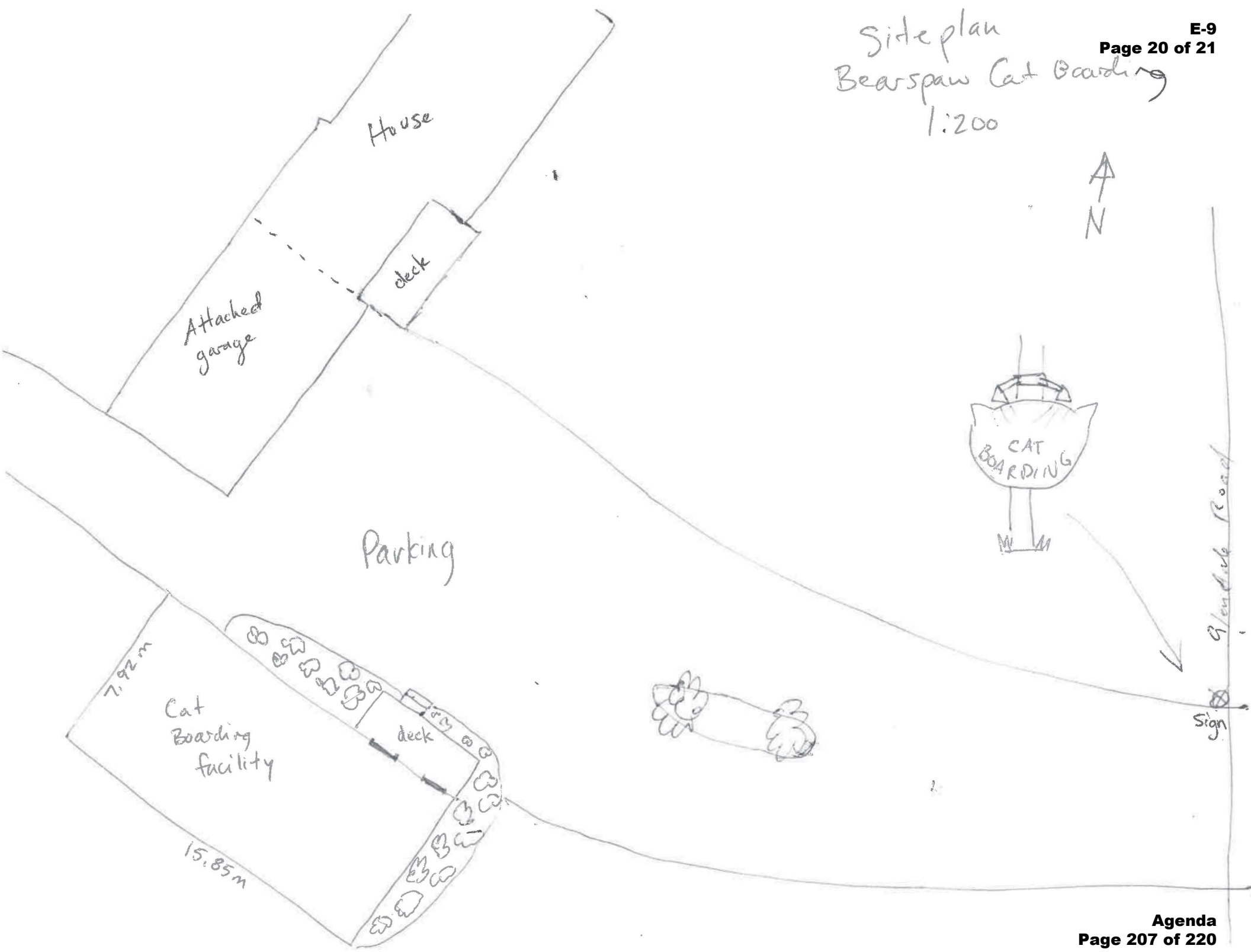
31 03 2020



31 03 2020



Side plan  
Bears paw Cat Boarding  
1:200





# ALBERTA LAND SURVEYOR'S REAL PROPERTY REPORT



**GLOBAL SURVEYS GROUP INC.**

210, 4954 Richard Road S.W.

Calgary, Alberta T3E 6L1

Phone (403) 283-5455

E-mail: admin@theglobalgroup.ca

## DESCRIPTION OF PROPERTY

Lot(s) 2  
Block 1  
Plan 931 0550

I, Robert M. Wallace, Alberta Land Surveyor do hereby certify that this Report and related survey, was prepared and performed under my personal supervision and in accordance with the Manual Of Standard Practice of the Alberta Land Surveyors' Association and supplements thereto. Accordingly, within those standards as of the date of this Report, I am of the opinion that:

- The Plan illustrates the boundaries of the Property, the improvements as defined in Part D, Section 7.5 of the Alberta Land Surveyors' Association's Manual of Standard Practice, registered easements and rights-of-way affecting the extent of the title to the property;
- The improvements are entirely within the boundaries of the property unless otherwise noted;
- No visible encroachments exist on the Property from any improvement situated on an adjacent property unless otherwise noted, and;
- No visible encroachments exist on registered easements or rights-of-way affecting the extent of the property, unless otherwise noted.
- Title information is based on a title search dated April 16th, A.D. 2007 C of T. No. 951 198 503
- Date of Survey April 20th, 2007
- Unless otherwise specified the dimensions shown relate to distances from Property boundaries to foundation walls at time of survey.
- Distances are in metres and decimals thereof.
- This document is not valid unless it bears an original signature (in blue ink) and a red Global Surveys Group permit stamp.
- Purpose: This Report has been prepared for the benefit of the Property owner, subsequent owners and any of their agents for the purpose of a real estate transaction. Copying is permitted only for the benefit of these parties. Where applicable, registered easements and utility rights of way affecting the extent of the property have been shown on the plan. Unless shown otherwise, property corner markers have not been placed during the survey for this report. The plan should not be used to establish boundaries due to the risk of misinterpretation or measurement error by the user. The information on this Real Property Report reflects the status of this property as of the date of survey only. Users are encouraged to have the Real Property Report updated for future requirements.
- Property is subject to Caveat Reg. No. 3106 KY.
- Property is subject to Utility Right-Of-Way Reg. No. 741 077 373.
- The buildings constructed on the lands described above have been constructed within the height restrictions and in accordance with the requirements set forth in the Springbank Airport Zoning Regulations registered against the title as 751 141 577.
- Property is subject to Caveat Reg. No. 901 031 406.
- Re: Agreement under Planning Act
- Property is subject to Caveat Reg. No. 931 058 243.
- Re: Acquisition of Land

Dated this 24th day of April A.D. 2007.

MUNICIPAL ADDRESS:

260227 Glendale Road  
M.D. of Rocky View No.44, Alberta

Robert M. Wallace, A.L.S.

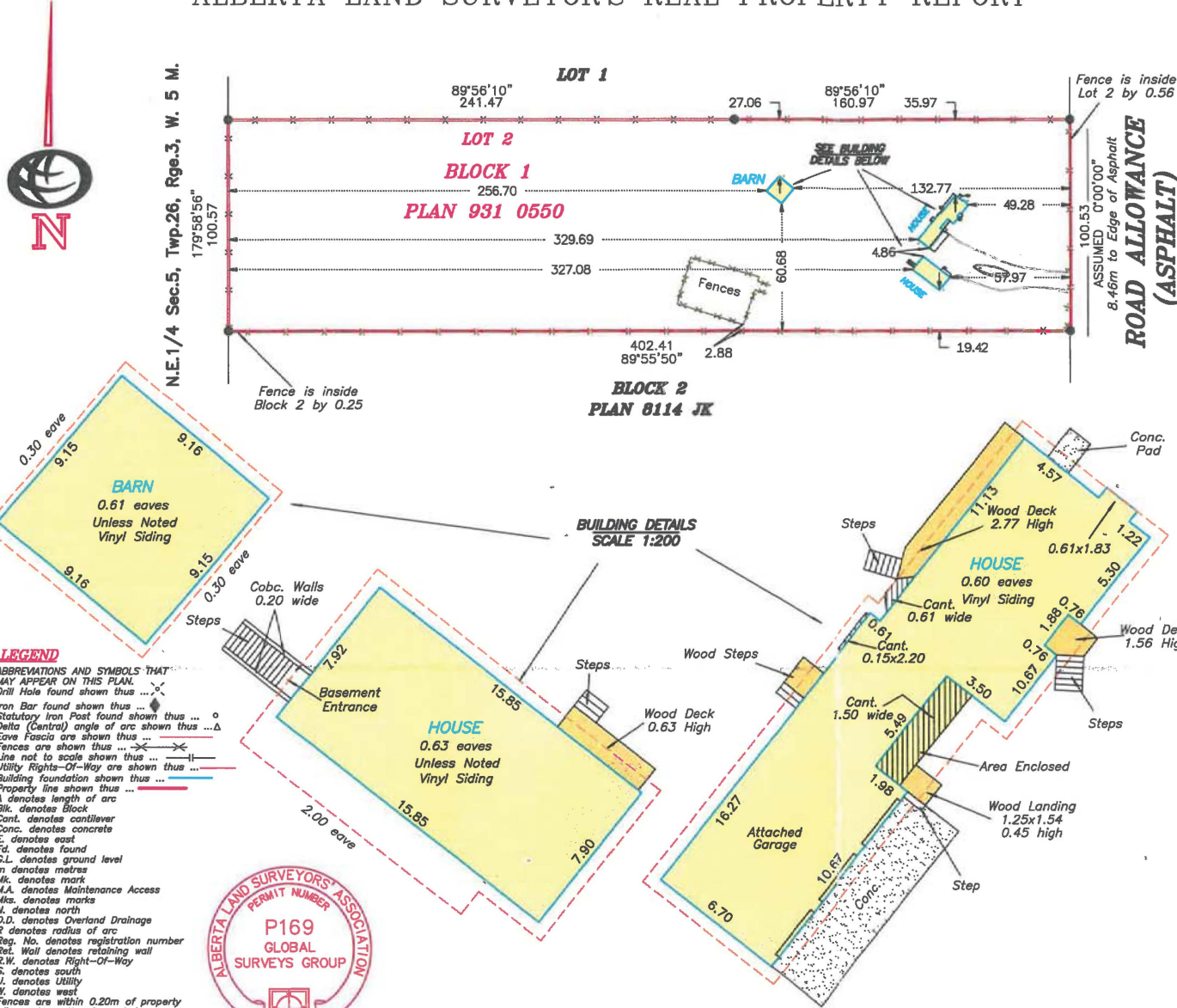
CLIENT Ted Bain

FILE NO.

Drawn by: P. Tremblay

SCALE 1: 2000

G.S.G. FILE NO. 07R041333



## PLANNING AND DEVELOPMENT SERVICES

**TO:** Municipal Planning Commission

**DATE:** April 27, 2020

**DIVISION:** 04

**APPLICATION:** PRDP20200335

**SUBJECT:** Development Permit: renewal of Home Based Business, Type II

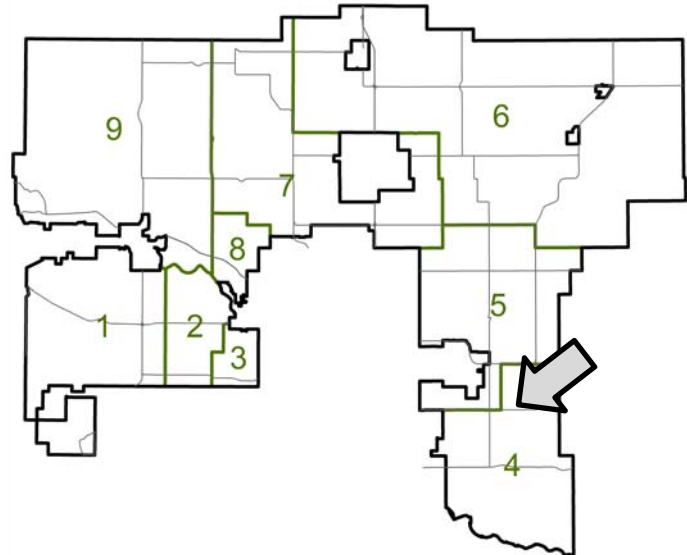
**USE:** Discretionary, with Variances

**APPLICATION:** renewal of a Home-Based Business, Type II, for a machine shop company and relaxation of the maximum outside storage area.

**GENERAL LOCATION:** Located approximately 1.21 km (3/4 mile) south of Hwy. 1 and 1.61 km (1 mile) west of Hwy. 797

**LAND USE DESIGNATION:** Residential Two District (R-2)

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



### VARIANCE SUMMARY:

Variance	Requirement	Proposed	Percentage (%)
Outside storage	162.00 sq. m	400.00 sq. m	147%

### OPTIONS:

- Option #1: THAT Development Permit Application PRDP20200335 be approved with the conditions noted in the Development Permit Report, attached.
- Option #2: THAT Development Permit Application PRDP20200335 be refused as per the reason noted.

### AIR PHOTO & DEVELOPMENT CONTEXT:


 **Subject Property**

**Administration Resources**  
 Natalie Robertson – Planning and Development Services

<b>Application No.</b>	PRDP20200335 (Roll 04209011)	<b>File Manager</b>	Natalie Robertson
<b>District</b>	R-2	<b>Gross Area (ha)</b>	1.62
<b>Proposed Business</b>	Renewal of Home-Based Business, Type II, for a machine shop		

<b>Use and District Intent Check</b>	<b>Yes/No</b>
Is the proposed development a listed use?	Yes
Does the proposed development meet the use definition?	Yes
Does the proposed business meet the Purpose and Intent? - 12.3(b)	Yes

<b>Comments</b>
HBB Type II business operates as "Phase Tech Industries Ltd." and meets purpose, intent, and regulations of Section 21 of the Land Use Bylaw.

Compatibility Check					Yes/No	
22.1	(c)	Variation in parcel appearance or character?			No	
	(d)	Excessive or unacceptable traffic?			No	
	(f)	Offensive or excessive noise, smoke, steam, odour, dust, fumes, exhaust, vibration, heat, glare or refuse matter?			No	
21.3	(a)	Include structures other than SDD or Acc. Buildings?			No	
	(c)	Secondary to the residential use?			Yes	
	(d)	Variation in parcel appearance or character?			No	
	(f)	Include a general store?			No	
	(g)	Outdoor storage screened from adjacent lands?			Yes	
Regulation		Max	Proposed	Δ	Variance	
21.3	(b)	Business Trips	4.00	3.00	-1.00	-25.00%
	(e)	Non-Resident Employees	2.00	2.00	0.00	0.00%
35.11	(a)	No. of Signs	1.00	0.00	-1.00	-100.00%
	(b)	Sign length	1.00	0.00	-1.00	-100.00%
	(b)	Sign width	0.60	0.00	-0.60	-100.00%

<b>Comments</b>
The business has asked for roughly 400 sq. m of outside storage area noted on the revised site plan submitted on April 3, 2020. Proposed outdoor storage does not include two business vehicles. These business vehicles are shared with personal use and are parked in the driveway/in garage. Multiple vehicles (7) plus an RV and a small flatbed trailer were located onsite during inspection. Outside storage of materials found outside

<b>Comments</b>
Up to 2-3 business visits per day and 5 per week are proposed. Pickup vehicles are parked within outdoor storage. 2 resident employees operate the business.; No signage

<b>Outdoor Storage Calculation (m<sup>2</sup>) - 21.3(g)</b>					
1% of Parcel:	162.00	Over 400m <sup>2</sup> ?	FALSE	Max Area Permitted:	162.00
<b>Proposed Outdoor Storage Area (m<sup>2</sup>)</b>		<b>Δ</b>	<b>Variance</b>		
400.00		238.00	146.91%		

**VARIANCE**

<b>Comments</b>
Applicant revised application info and Site Plan at a meeting on March 12, 2020 to identify outdoor storage areas. Satellite image emailed and agreed to on April 3,



Does Proposed Outdoor Storage Area Meet District Setbacks?			
Front	Side 1	Side 2	Rear
Yes	Yes	Yes	Yes

Proposed Operations			
Days Open	Monday - Friday	Hours	8am - 5pm

Does the proposed development (including variances):	Yes/No
Unduly interfere with the amenities of the neighbourhood?	No
Materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land?	No

<p>2020. The outdoor storage area is located outside of minimum setback regulations per Residential Two district.</p> <p>The parcel size is 1.62 hectares (4.00 acres), or 16,187.4 sq. m. so 1% of the parcel is approximately 162.00 sq. m. Therefore, the maximum permitted amount of outside storage is 162.00 sq. m. (1,743.75 sq. ft.).</p> <p>The renewal application's revised site plan identifies an area less than 400.00 sq. m (4305.56 sq. ft.) of outside storage; however, because the applicant mentioned that outdoor storage is often used for delivery/shipping of supplies and/or products, a relaxation of the total allowable outdoor storage space is requested to accommodate this occasional variance in addition to employee parking. This would require a variance of approximately 147%;</p> <p>The outside storage area visible from the road is primarily used for employee parking for non-resident employees, the rest of the proposed storage is screened from adjacent lands either by related accessory buildings and/or trees.</p>
--

Comments
Hours of operation extended to 5pm. No other changes proposed.

Comments
There is no enforcement activity or complaints received for activities on parcel. The outdoor storage and property is well screened by trees from all sides, existing buildings and minor fencing.

Doc Type	Policy Name	Applicable Policies?	Compliance with Policies
IGP	Interim Growth Plan	No	N/A
IDP	none	No	N/A
MDP	County Plan	No	N/A
ASP	none	No	N/A
CS	none	No	N/A

Comments
The site does not fall within an IDP, ASP or Conceptual Scheme area. The County plan does not provide specific guidance on Home-Based Businesses, therefore the use was evaluated per the Land Use Bylaw, HBB Type II Section 21.

<b>BP/DP History</b>	This is the 9th renewal application for the proposed HBB, Type II business: Original: 2004-DP-11228 issued Feb 23, 2005 for a one year term, no outdoor storage was visible at the time Accessory buildings on site are primarily related to Home-Based Business Type II.
<b>Inspector Comments</b>	Inspection March 3, 2020: Could only see 1 vehicle related to the business. All other vehicles on site are personal/have license + registration. Large main shop north-west of SFD. On NW half of building is where a sea can is placed as some kind of office structure. To the west of the main shop is a Quonset, cannot determine whether it was for personal use or for business. Outside storage scattered around the site close to the shop. Front storage area is neat. Could not see employees around but judging by the vehicles present, there are at least 2.
<b>Overall Assessment</b>	There are no significant changes proposed to the Home-Based Business, Type II operation except for the Outside storage area variance. The applicant's request is to add outdoor storage beyond the 1% maximum of 162.00 sq. m. to 400.00 sq. m. The proposed request seems acceptable as the site includes screening, has had no compliance history and the additional storage area will have keep the property organized.  Compliance issued the following comments: "Recommend that noise controls be implemented during hours of business; Recommend that the county noise control bylaw be adhered to at all times; Recommend that all outside storage be concentrated in one location and screened; Recommend all previous conditions apply if no changes to the business."  A 3-year renewal may be grant per above assessment.
<b>Non-Standard Conditions</b>	All permanent conditions to remain. Variance condition for Outside Storage area; Condition for screening on all sides will be emphasized

## HOME BASED BUSINESS TYPE II CONDITIONS PRDP20200335

### OPTIONS:

Option #1 (this would approve the development)

APPROVAL, subject to the following conditions:

### Description:

- 1) That a Home-Based Business, Type II, for a machine shop, may continue to operate on the subject parcel in accordance with the approved Site Plan, application, and conditions of this permit.
  - i) That the maximum permitted outside storage area is relaxed from **162.00 sq. m (1,740.00 sq. ft.) to 400.00 sq. m (4,305.56 sq. ft.)**.

### Permanent:

- 2) 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.
- 3) That the operation of this Home-Based Business shall be secondary to the residential use of the subject parcel.
- 4) That the Home-Based Business, Type II shall not change the residential or agricultural character and external appearance of the land and buildings.
- 5) 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.
- 6) 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.
- 7) Stockpiling of materials associated with the Home-Based Business shall only be located within the outside storage area in accordance with the revised Site Plan. Any stockpiling outside of the approved outside storage area shall require an additional development permit.
- 8) That the Home-Based Business shall be limited to the dwelling, accessory building and the outside storage area in accordance with the revised Site Plan.
- 9) 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 revised Site Plan.
- 10) 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 revised Site Plan.
- 11) That there shall be no signage, exterior display or advertisement of goods or services discernible from the outside of the building.





- 12) That no off-site advertisement signage associated with the Home-Based Business shall be permitted
- 13) That this Development Permit shall be valid until **March 22, 2023**.

**Advisory:**

- 14) That the County's Noise Bylaw C-5772-2003 shall be adhered to at all times.
- 15) That all other government compliances and approvals are the sole responsibility of the Applicant/Owner.

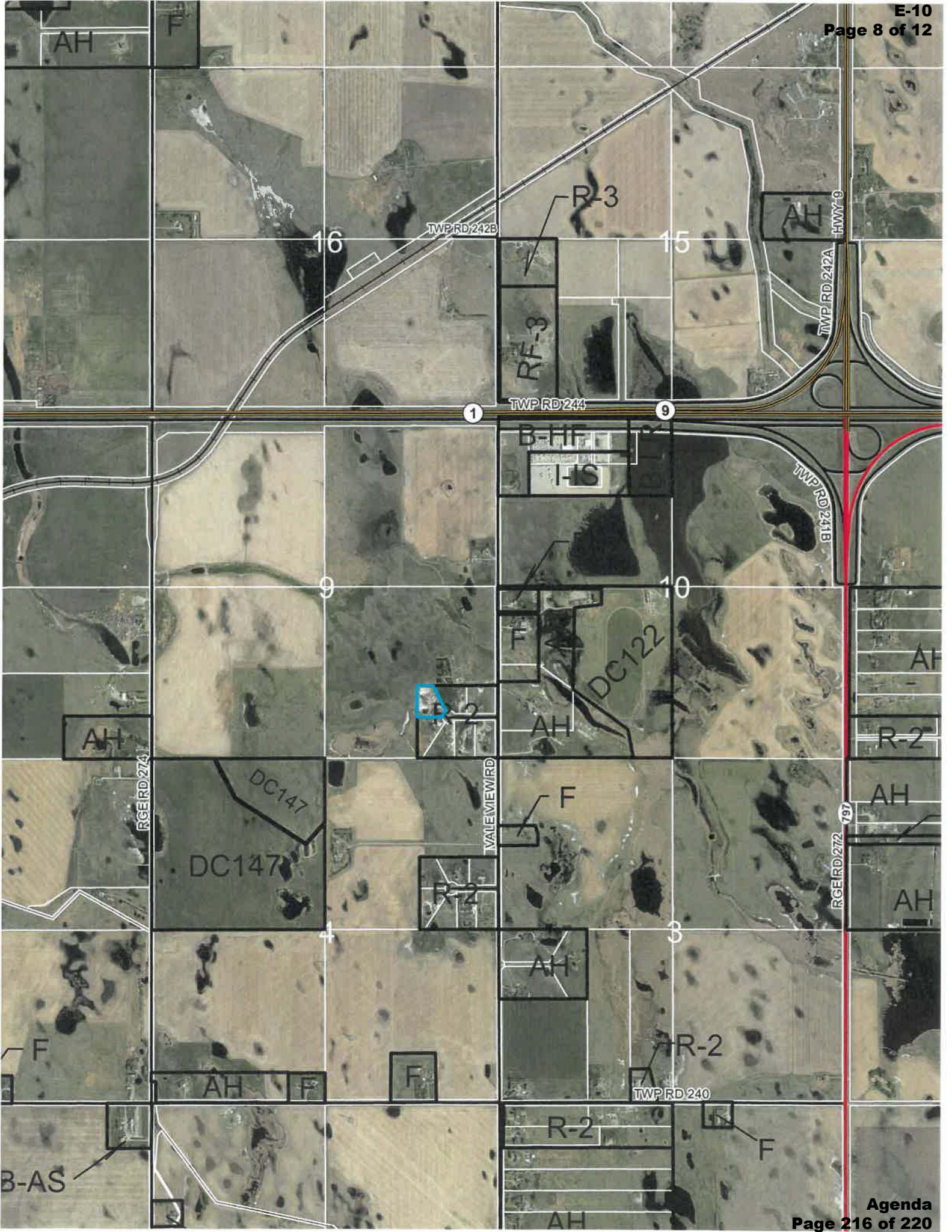
Option #2 (this would not allow the development)

REFUSAL, for the following reason:

- 1) That the outside storage area for exceeds the maximum permitted in accordance with Section 21.3(g) of the Land Use Bylaw C-4841-97.
- 2) 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.











ROCKY VIEW COUNTY  
Cultivating Communities

20200335

## APPLICATION FOR A DEVELOPMENT PERMIT

FOR OFFICE USE ONLY	
Fee Submitted \$200.00	File Number 04209011
Date of Receipt Feb 18/20	Receipt # 023516

Name of Applicant Ross & Mary Larson Email [REDACTED]

Mailing Address [REDACTED]

Telephone (B) [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 SE  $\frac{1}{4}$  Section 09 Township 24 Range 27 West of 04 Meridian
- b) Being all / parts of Lot 5 Block 1 Registered Plan Number 771 1088
- c) Municipal Address 11 Willow View Estate
- d) Existing Land Use Designation R-2 Parcel Size 4a Division 1

### 2. APPLICATION FOR

Renewal of PRDP20170372

### 3. ADDITIONAL INFORMATION

- a) Are there any oil or gas wells on or within 100 metres of the subject property(s)? Yes \_\_\_\_\_ No ☒
- b) Is the proposed parcel within 1.5 kilometres of a sour gas facility? Yes \_\_\_\_\_ 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 ☒
- d) Does the site have direct access to a developed Municipal Road? Yes ☒ No \_\_\_\_\_

### 4. REGISTERED OWNER OR PERSON ACTING ON HIS BEHALF

I MARY LARSON hereby certify that ☒ 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 Mary Larson

Date Feb 6/20

Owner's Signature Mary Larson

Date Feb 6/20

**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.

Mary Larson

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

Mary Larson  
Signature

Feb 6 / 20  
Date



ROCKY VIEW COUNTY  
Cultivating Communities

20200335

# APPLICATION TO OPERATE A HOME-BASED BUSINESS

FOR OFFICE USE ONLY	
Fee Submitted	File Number
Date of Receipt	Receipt #

Name of Business Phase Tech Industries Ltd.  
 Address of Business Box 35 RR7 Site 4 Calgary  
AB Postal Code T2P 2G7  
 Telephone (B) 403-668-6274 [REDACTED] Fax 403-776-8590

## 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 100 Accessory Building seacan + 2400 (340sqft) Outdoors 378sqft.

## 2. VEHICLES

How many vehicles come to your home/property Per day 2 Per week 14

Please describe the number and type of vehicles used in the business \_\_\_\_\_

Where will these vehicle(s) be parked? outside the house - personal vehicles used p/t for business.  
 \* 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 \_\_\_\_\_

Including the Applicant, how many of the above persons live on this property?

Full Time Employees 2 Part Time Employees \_\_\_\_\_

## 4. OPERATION

What are your days of operation? Mon-Fri What are your hours of operation? 8:00-4:00

## 5. STORAGE AND SIGNAGE

Is outside storage requested? ☒ YES/ If yes - how many square feet? 378sqft.

Will a sign be required? YES/NO ☒ If yes - Please provide detailed sketches of the proposed sign on a separate sheet

## 6. ADDITIONAL INFORMATION

Machine Shop

Signature of Applicant Mary Larson Date: Feb 6 / 20

**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**



