

# Municipal Planning Commission Meeting Agenda



ROCKY VIEW COUNTY

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

September 24, 2020

9:00 a.m.

**A CALL MEETING TO ORDER**

**B UPDATES/APPROVAL OF AGENDA**

**C APPROVAL OF MINUTES**

1. September 3, 2020 Municipal Planning Commission Meeting Minutes  
Page 4

**D SUBDIVISION APPLICATIONS**

1. Division 2 – File: PL20200032 (04723198) – Residential Subdivision  
Staff Report  
Page 26
2. Division 2 – File: PL20190105 (04710003) – Residential Subdivision  
Staff Report  
Page 50
3. Division 9 – File: PL20200043 (06822004) – Residential Subdivision  
Staff Report  
Page 66
4. Division 5 – File: PL20200027 (04319202 / 004) – Boundary Adjustment and  
Creation of Three New Parcels  
Staff Report  
Page 82
5. Division 9 – File: PL20200035 (07706005) – New or Distinct Agricultural Use  
Staff Report  
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**E DEVELOPMENT APPLICATIONS**

1. Division 2 – File: PRDP20201862 (05715001) – Utility – Commercial  
Communication (CC) Facilities, Type C  
Staff Report  
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2. **Division 5 – File: PRDP20201265 (04222018) – Single-lot regrading and placement of clean topsoil**  
  
Staff Report Page 208
3. **Division 4 – File: PRDP20202318 (03223798) – Cannabis Retail Store**  
  
Staff Report Page 227
4. **Division 8 – File: PRDP20202027 (05618038) – Single-lot Regrading and Placement of Clean Fill**  
  
Staff Report Page 242
5. **Division 1 – File: PRDP20202140 (03913173) – Single-lot Regrading**  
  
Staff Report Page 264
6. **Division 2 – File: PRDP20201691 (05710015) – Single-lot Regrading**  
  
Staff Report Page 288
7. **Division 5 – File: PRDP20202228 (05336001) – Accessory Building**  
  
Staff Report Page 307
8. **Division 5 – File: PRDP20202260 (04312094) – Accessory Building**  
  
Staff Report Page 327
9. **Division 1 – File: PRDP20202337 (03913093) – Child Care Facility**  
  
Staff Report Page 348
10. **Division 2 – File: PRDP20202367 (04728010) – Single-lot Regrading**  
  
Staff Report Page 367
11. **Division 9 – File: PRDP20202393 (06828006) – Kennel**  
  
Staff Report Page 389



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9:00 a.m.

## 12. Division 5 – File: PRDP20202433 (03329035) – Accessory Building

Staff Report Page 404

## 13. Division 3 – File: PRDP20202231 (04606136) – Accessory Building

Staff Report Page 419

## 14. Division 5 – File: PRDP20202224 (04312096) – Accessory Building

Staff Report Page 434

## 15. Division 5 – File: PRDP20202128 (04227004) – Home-Based Business, Type II

Staff Report Page 467

## 16. Division 4 – File: PRDP20200842 (03323008) – Home-Based Business, Type II

Staff Report Page 493

F OTHER BUSINESS  
- None

G ADJOURN MEETING

H NEXT MEETING: October 8, 2020

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A regular meeting of Rocky View County Municipal Planning Commission was held in the Council Chambers of the County Hall, 262075 Rocky View Point, Rocky View County, Alberta on September 3, 2020 commencing at 9:02 a.m.

Present:	Division 5	Chair J. Gautreau (participated electronically)
	Division 4	Vice-Chair A. Schule (presided over the meeting)
	Division 1	Member M. Kamachi
	Division 2	Member K. McKylor
	Division 3	Member K. Hanson
	Division 6	Member G. Boehlke (left the meeting at 9:22 a.m.)
	Division 8	Member S. Wright
	Division 9	Member C. Kissel

Also Present:

- A. Hoggan, Chief Administrative Officer
- T. Cochran, Executive Director, Community Development Services Division
- B. Riemann, Executive Director, Operations
- C. Satink, Municipal Clerk, Municipal Clerk's Office
- S. MacLean, Planning Supervisor, Planning and Development Services
- J. Kwan, Senior Planner, Planning and Development Services
- S. Kunz, Senior Planner, Planning and Development Services
- O. Newmen, Planner, Planning and Development Services
- J. Targett, Development Officer, Planning and Development Services
- C. Lombardo, Development Officer, Planning and Development Services
- S. Khouri, Development Officer, Planning and Development Services
- S. Vishwakarma, Development Officer, Planning and Development Services
- W. Van Dijk, Development Officer, Planning and Development Services
- K. Tuff, Appeals Coordinator, Municipal Clerk's Office
- E. Neilsen, Development Assistant, Planning and Development Services

**Call to Order**

The Chair called the meeting to order at 9:02 a.m. with all members present.

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

**Updates/Acceptance of Agenda**

MOVED by Member McKylor that the September 3, 2020 Municipal Planning Commission meeting agenda be amended as follows:

- That item D-1 be removed from the agenda.

Carried

MOVED by Member Kissel that the September 3, 2020 Municipal Planning Commission meeting agenda be accepted as amended.

Carried

**2020-09-03-02 (C-1)**

**Approval of Minutes**

MOVED by Member McKylor that the July 30, 2020 Municipal Planning Commission meeting minutes be approved as presented.

Carried

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

**Division 5 – Subdivision Item – Commercial subdivision – Cambridge Estates**

**File: PL20190089 (04329003)**

Presenter: Bela Syal, the Applicant

MOVED by Member Gautreau that Subdivision Application PL20190089 be approved with the conditions noted in Appendix 'B':

- A. The application to create 6 business lots ranging from  $\pm 4.20$  ac to  $\pm 7.44$  ac, as well as one 5.07 ha (12.53 ac) Public Utility parcel (PUL); and  $\pm 9.97$  acres of municipal reserve lands (MR) at NW-29-24-28-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;
  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 a Special Improvement Development Agreement and be responsible for the approvals, design, upgrading, right-of-way acquisition and construction for all off-site infrastructure related to:
  - i) Construction of the necessary off-site improvements as identified in the final approved TIA to the satisfaction of the County and Alberta Transportation, as indicated in the June 2019 Cambridge Park Phase 4 Traffic Impact Assessment prepared by Bunt and Associates;
  - ii) Extending the County's sanitary services to service the proposed development, and each parcel created by the subdivision.
- 3) The Owner is required to enter into a Development Agreement pursuant to Section 655 of the *Municipal Government Act* respecting provision of the following:

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- a) Upgrade of the existing Cambridge Park Boulevard to an Industrial/Commercial Standard – 400.6 and complete any necessary easement agreements, as shown on the Tentative Plan, in accordance with the County Servicing Standards;
  - b) Design and construction of Landscaping features for all Municipal Reserve lands, Public Utility Lots, public pathways, and public roadways, in accordance with the approved Landscaping Plan;
  - c) Construction of the pressurized central fire suppression system to the satisfaction of the County;
  - d) 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 Storm Water Management Plan, all to the satisfaction of the County and Alberta Environment and Parks;
  - e) Construction of a piped potable water and raw water distribution system as required (including the registration of necessary easements), connection to the potable water treatment plant, and service connections to each lot;
  - f) Construction of a piped sanitary collection system (including the registrations of necessary easements), connection to the wastewater treatment plant, and service connections to each lot;
  - g) Implementation of the recommendations of the Construction Management Plan and Weed Management Plan;
  - h) Dedication of necessary easements and right of ways for utility line assignments;
  - i) Implementation of the recommendations of the Geotechnical Report;
  - j) Implementation of the recommendations of the Biophysical Impact Assessment and/or Wetland Impact Assessment;
  - k) Mailbox locations are to be located in consultation with Canada Post to the satisfaction of the County;
  - l) Installation of Street Lighting (Dark Sky);
  - m) Installation of power, natural gas, and communication utilities;
  - n) Obtain all necessary approvals from AEP for the loss of wetlands, prior to the signing of the Development Agreement;
  - o) Obtain all necessary approvals from AEP for the use of stormwater for irrigation purposes;
  - p) Obtain all necessary approvals from Alberta Culture & Tourism under the Historical Resources Act;
  - q) Payment of any applicable off-site levies, at the then applicable rates, as of the date of the Development Agreement;
  - r) Implementation of the recommendations of the approved ESC plan.
- 4) The owner shall enter into a Special Improvements Development Agreement for extension of County potable water services from the Conrich Reservoir to the proposed development in accordance with the requirements of the County Servicing Standards.

Or

Should the County proceed to extend potable water infrastructure from the Conrich Reservoir, the Owner shall enter into a cost contribution agreement with the County to provide the applicable cost contribution for the extension of potable water infrastructure that is directly beneficial to the proposed development. The County shall calculate the total amount owing from the gross acreage as shown on

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the Plan of Survey submitted for endorsement and all other relevant studies prepared to support of the project.

Should the owner not enter into a Special Improvements Development Agreement for the extension of potable water infrastructure, the execution of the cost contribution agreement shall be satisfactory to meet this condition.

*Site Servicing*

- 5) The Owner is to provide a detailed water servicing analysis for potable water, raw water irrigation, and fire suppression, building off of the Franchise Agreement and the Integrated Water Systems Master Plan, to determine:
  - i. Pipe type and sizes;
  - ii. Water treatment plant capacity and reservoir storage requirements.
- 6) The Owner is to provide confirmation of the tie-in for connections to the potable water system for lots as shown on the approved Tentative Plan. This includes providing the following information:
  - i) Confirmation from the water supplier that an adequate and continuous piped water supply is available for the proposed new lots;
  - ii) Documentation proving that water supply has been purchased for proposed lots;
  - iii) Documentation providing that water supply infrastructure requirements, including servicing to the property, have been installed, or that installation is secured between the developer and water utility, to the satisfaction of the water utility and the County;
  - iv) Documentation proving all necessary paperwork has been completed, to the County's satisfaction;
- 7) The Owner is to provide confirmation of the tie-in for connections to the waste-water system for lots as shown on the approved Tentative Plan. This includes providing the following information:
  - i) Confirmation from the wastewater supplier that an adequate and continuous piped water supply is available for the proposed new lots;
  - ii) Documentation proving that wastewater supply has been purchased for proposed lots;
  - iii) Documentation providing that wastewater supply infrastructure requirements, including servicing to the property, have been installed, or that installation is secured between the developer and wastewater utility, to the satisfaction of the waste-water utility and the County;
  - iv) Documentation proving all necessary paperwork has been completed, to the County's satisfaction;
- 8) The County will enter into an Infrastructure Cost Recovery Agreement with the Owner to provide a cost recovery payment for the use of the Conrich West Lateral Lift Station in accordance with the active Cost Recovery Agreement with Sage Properties Ltd. for the total gross wastewater capacity needed to service the proposed development.
- 9) 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 which will also provide benefit to other lands.
  - i) This Agreement shall apply to: offsite transportation infrastructure, offsite water/wastewater infrastructure;
  - ii) Cost Recovery Agreement for water servicing infrastructure will be subject to the conditions of the Special Improvement Development Agreement or the Cost Contribution Agreement.

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- 10) The Owner is to provide and implement a detailed Stormwater Management Plan. Implementation of the Stormwater Management Plan shall include:
    - i) If the recommendations of the Stormwater Management Plan require improvements, then a Development Agreement shall be entered into;
    - ii) Registration of any required easements and / or utility rights of way;
    - iii) Necessary approvals and compensation provided to Alberta Environment for wetland loss and mitigation;
    - iv) Necessary Alberta Environment licensing documentation for the stormwater infrastructure system;
  - 11) The Owner shall provide a detailed Erosions and Sediment Control plan, prepared by a qualified professional, in accordance with the County Servicing Standards and best management practices.
  - 12) Utility Easements, Agreements and Plans are to be provided and registered to the satisfaction of ATCO Gas.
  - 13) The Owner shall comply with ATCO Pipelines requirements, including requiring existing lands rights to be carried forward in kind on all newly created lots and pipeline alteration.
  - 14) The Owner shall design a central water fire suppression distribution system including fire hydrants for fire fighting purposes;
    - i) Construction of the fire suppression collection system shall be included within the Development Agreement;
  - 15) The Owner is to enter in to a Cost Contribution and Capacity Allocation Agreement for the purchase and allocation of water and wastewater capacity (off-site levies) for the parcels created.
  - 16) The Owner is to provide detailed construction drawings, based on the potable water servicing study, for a water distribution and fire suppression system (including the registration of necessary easements), connection to the water treatment plant, and service connections to each lot;

*Transportation*

- 17) The Applicant/Owner shall receive approval for a road naming application from the County.
- 18) The County shall discharge the caveat for the Restrictive Covenant, on roll 04329003 (instrument number 171 069 815), regarding 45m right-of-way setback from future road right-of-way.

*Site Construction*

- 19) The Owner is to provide a Construction Management Plan which 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. Specific other requirements include:
  - a) Weed management during the construction phases of the project;
  - b) Management and mitigation of environmentally significant features as identified in the approved Biophysical Assessment;
  - c) Implementation of the Construction Management Plan recommendations will be ensured through the Development Agreement;

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*Developability*

- 20) The Owner will be required to conduct an onsite geotechnical evaluation, conducted by a qualified geotechnical professional, to assess the onsite subsurface (soil and groundwater) conditions to develop appropriate geotechnical recommendations for the design and construction of the proposed development.
- 21) The Owner shall obtain all Water Act approvals from AEP for the disturbance and loss to the on site wetland areas prior to entering into the Development Agreement with the County.

*Municipal Reserves*

- 22) The provision of Reserve is to be provided by the dedication of lots 8, 9, 10, and 11, totaling  $\pm 4.03$  hectares ( $\pm 9.97$  acres) of land, to be determined by a Plan of Survey, as indicated on the approved Tentative Plan. Deferred reserve caveat 171 069 816 shall be released, in order to satisfy 6.6318 acres municipal reserves to be provided, pursuant to Section 666 of the Municipal Government Act.

*Landscaping*

- 23) The Owner is to provide a Landscaping Plan for all Municipal Reserves, and road right of ways in accordance with the South Conrich Conceptual Scheme, Appendix D;
  - i) Development of the approved landscaping plan shall be included within the requirements of the Development Agreement;
- 24) The Owner shall prepare and register a Restrictive Covenant on the title of each new lot created, requiring that each Lot Owner be subject to the development's Architectural Controls, which require exterior building criteria, water conservation strategies, solid waste management, and landscaping maintenance provisions.

*Lot Owners Association*

- 25) The Owner shall legally establish a Lot Owners Association (LOA), and an encumbrance or instrument shall be concurrently registered against the title of each new lot created, requiring that each individual Lot Owner is a member of the Lot Owner's Association;
  - i) The LOA agreement shall specify the future maintenance obligations of the homeowners association for on-site pathways and community landscaping, solid waste management, stormwater facilities located on private lands, weed control, municipal reserve lands maintenance and operations, and public utility lots;
  - ii) The Owner is to provide and implement a Waste Management Strategy that will outline the responsibility of the Developer and/or Lot Owners Association for management of solid waste.

*Architectural Controls*

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

*Payments and Levies*

- 27) The Owner shall pay the Transportation Off-Site Levy in accordance with Bylaw C-8007-2020 prior to entering into the Development Agreement. The County shall calculate the total amount owing;
  - i) from the total gross acreage of the Lands to be subdivided as shown on the Plan of Survey
- 28) The Owner shall pay the Wastewater Off-Site Levy in accordance with Bylaw C-8009-2020. The County shall calculate the total amount owing;

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- i) from the total gross acreage of the Lands to be subdivided as shown on the Plan of Survey; minus lands included within Environmental Reserves, Municipal Reserves, and / or road rights of way.

- 29) The Owner shall pay the Stormwater Off-Site Levy in accordance with Bylaw C-8008-2020.
- 30) The Owner shall pay the County Subdivision Endorsement fee, in accordance with the Master Rates Bylaw, for the creation of 11 new lots.

**Taxes**

- 31) 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

Member Boehlke left the meeting at 9:22 a.m. and did not return.

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

**Division 1 – Subdivision Item – Agricultural First Parcel Out Subdivision**

**File: PL20200080 (04817002)**

Presenter: Ray Nicoll, the Applicant

MOVED by Member McKylor that Subdivision Application PL20200080 be tabled sine die pending Administration's investigation into the airstrip.

Carried

**2020-09-03-05 (D-4)**

**Division 4 – Subdivision Item – Residential Two District subdivision**

**File: PL20190112 (03305007)**

Presenter: Paul Schneider, the Applicant

MOVED by Member Hanson that Subdivision Application PL20190112 be tabled pending submission of a Level 4 Private Sewage Treatment System Assessment and adjustment of road access condition.

Defeated

MOVED by Member Hanson that Subdivision Application be refused as per the reasons noted.

Defeated

Vice-Chair Schule called for a recess at 10:04 a.m. and called the meeting back to order at 10:15 a.m. with all previous members present, with the exception of Member Boehlke.



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MOVED by Member McKylor that condition 3 for Subdivision Application PL20190122 as noted in Administration's report be amended to read:

The Owner shall construct a new gravel approach accessing Lot 2. ~~as shown on the approved Tentative Plan.~~

Carried

MOVED by Member McKylor that Subdivision Application PL20190122 be tabled as amended sine die pending the submission of a Level 4 Private Sewage Treatment System Assessment.

Carried

Vice-Chair Schule called for a recess at 10:23 a.m. and called the meeting back to order at 10:27 with all previous members present, **with the exception of Member Boehlke.**

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

**Division 8 – Development Item – Accessory Building**

**File: PRDP20201813 (05736023)**

MOVED by Member Wright that Development Permit Application PRDP20201813 be approved with the conditions noted in the Development Permit Report, attached:

**Description:**

1. That construction of an accessory building (oversized garage) may commence on the subject site in accordance with the Site Plan and Elevation Drawings prepared by RWA Architecture (dated June 22, 2020), as submitted with the application.
  - i. That the maximum size of the accessory building is relaxed from **80.27 sq. m (864.01 sq. ft.) to 275.90 sq. m (2,969.76 sq. ft.)**.
  - ii. That the total building area for the all accessory buildings is relaxed from **120.00 sq. m (1,291.67 sq. ft.) to 347.05 sq. m. (3,735.61 sq. ft.)**.
  - iii. That the maximum height of the accessory building is relaxed from **7.00 m (22.96 ft.) to 9.40 m (30.83 ft.)**.

**Permanent:**

2. That the accessory building (oversized garage) shall not be used for commercial purposes at any time, except for a Home-Based Business Type I.
3. That the accessory building (oversized garage) shall not be used for residential occupancy at any time.
4. That there shall be no more than 1.00 m (3.28 ft.) of fill/topsoil placed adjacent to or within 15.00 m (49.21 ft.) of the proposed accessory building under construction in order to establish approved final grades unless a Development Permit has been issued for additional fill.
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.

**Advisory:**

6. That a Building Permit shall be obtained through Building Services, for the accessory building (oversized garage, prior to construction commencement.
7. That 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

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required for any hauling along the County road system and to confirm the presence of County road ban restrictions, in accordance with the Road Use Agreement Bylaw C-8065-2020.

8. 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.
9. That during construction of the accessory building, the Applicant/Owner shall adhere to the County's Noise Bylaw (C-5772-2003) at all times.
10. That any other government permits, approvals, or compliances are the sole responsibility of the Applicant/Owner.
11. That if the development authorized by this Development Permit is not commenced with reasonable diligence within 12 months from the date of issue, and completed within 24 months of the issue, the permit is deemed to be null and void, unless an extension to this permit shall first have been granted by the Development Authority.

Carried

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

**Division 2 – Development Item – Cannabis Cultivation and Cannabis Facility**

**File: PRDP20201670 (05704069)**

MOVED by Member Kissel that condition 1 for development application PRDP20201670 as noted in Administration's report be amended to read:

That *Cannabis Cultivation and Cannabis Facility*, may operate within ~~190.13 sq. m. (2,046.51 sq. ft.)~~ **179.76 sq. m. (1,934.87 sq. ft.)** of Unit H (existing Building #6) on the subject lands in accordance with the submitted application, operational details, site plan and conditions noted below.

Carried

MOVED by Member Kissel that Development Permit Application PRDP20201670 be approved with the conditions noted in the Development Permit Report, attached, as amended:

**Description:**

1. That *Cannabis Cultivation and Cannabis Facility* may operate within 179.76 sq. m. (1,934.87 sq. ft.) of Unit H (existing Building #6) on the subject lands in accordance with the submitted application, operational details, site plan and conditions noted below.

**Prior-to Issuance:**

2. That prior to issuance of the permit, the Applicant shall confirm any additional servicing requirements for the proposed development, besides the existing building servicing of a water cistern and holding tank, to the satisfaction of the County.

**Permanent:**

3. That this approval does not include a *Cannabis Retail Store*.
4. That the facility shall maintain and display a distinct municipal address in accordance with the County Municipal Addressing Bylaw (Bylaw C-7562-2016), for the facility, to facilitate accurate emergency response.

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5. That the Applicant/Owner shall contact County Road Operations to determine if any Road Data permits are required for transport of products, using the County road system for the proposed development, prior to operation.
6. That no signage shall be placed on the subject property, related to the approved *Cannabis Cultivation and Cannabis Facility* use. Any future signage related to the development shall require separate development permit approval.
7. That any future change in use of the building, including any exterior changes or additions, or change in tenants shall require a Development Permit for the use and signage.
8. That no outdoor storage shall be allowed at any time for business use.
9. That two (2) parking stalls shall be maintained on-site at all times for staff.
10. That the entire site shall be maintained in a neat and orderly manner at all times, to the satisfaction of the County.
11. That any plan, technical submission, agreement, matter or understanding submitted and approved as part of the application, in response to a prior to issuance or occupancy condition, shall be implemented and adhered to in perpetuity.
12. That this development permit, once issued, shall be valid until **September 30, 2023**.

**Advisory:**

13. That the Applicant/Owner will be required to obtain a commercial water license from Alberta Environment and Parks (AEP) if a groundwater well is proposed to service the development.
14. That the site shall be maintained in compliance with County Bylaw No. C-7690-2017, the "Nuisance and Unsightly Property Bylaw", at all times. Any debris or garbage generated on the site shall be stored/placed in garbage bins and disposed of at an approved disposal facility.
15. That the County Bylaw C-5772-2003, the "Noise Bylaw", shall be adhered to at all times.
16. That a Building Permit and applicable sub trade permits, for the change of use, shall be obtained through Building Services at the building permit stage.
  - i. That the development shall comply with an occupancy requirements under the National Building Code.
17. That any other federal, provincial or County permits, approvals, and/or compliances, are the sole responsibility of the Applicant/Owner.
  - i. That the Applicant/Owner shall obtain any required Health Canada and Alberta Health Services approval(s).
  - ii. That all cannabis waste shall be managed in accordance with Alberta Cannabis Waste Management Fact Sheet.

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

Carried

2020-09-03-08 (E-3)  
Division 9 – Development Item – Accessory Building  
File: PRDP20201968 (06705023)

MOVED by Member Kissel that Development Permit Application PRDP20201968 be approved with the conditions noted in the Development Permit Report, attached:

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**Description:**

1. That construction of an addition to an accessory building (existing barn), approximately **185.78 sq. m. (1,999.72 sq. ft.)** in area, may commence on the subject land in general accordance with the drawings submitted with application.
  - i. That the maximum building area for the accessory building (barn/garage) is relaxed from **150.00 sq. m (1,614.59 sq. ft.) to 269.59 sq. m (2,901.79 sq. ft.)**.
  - ii. That the total building area for all accessory buildings is relaxed from **225.00 sq. m (2,421.88 sq. ft.) to 395.12 sq. m (4,253.03 sq. ft.)**.
  - iii. That the maximum height requirement for the proposed garage is relaxed from **7.00 m (22.96 ft.) to 8.50 m (27.89 ft.)**.

**Permanent:**

2. That the accessory building shall not be used for residential occupancy or commercial purposes at any time.
3. That the accessory building (oversized barn/garage) shall not be used for residential occupancy at any time.
4. That there shall be no more than 1.00 m (3.28 ft.) of fill/topsoil placed adjacent to or within 15.00 m (49.21 ft.) of the proposed accessory building under construction in order to establish approved final grades unless a Development Permit has been issued for additional fill.
5. That 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, in accordance with the Road Use Agreement Bylaw C-8065-2020.
6. 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.

**Advisory:**

7. That during construction of the building, all construction and building materials shall be maintained on-site, in a neat and orderly manner. Any debris or garbage shall be stored/placed in garbage bins and disposed of at an approved disposal facility.
8. That during construction of the accessory building, the Applicant/Owner shall adhere to the County's Noise Bylaw (C-5772-2003) at all times.
9. That a Building Permit/Farm Building Location Permit, for the accessory building shall be obtained through Building Services, prior to any construction taking place.
10. 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.
11. That any other government permits, approvals, or compliances are the sole responsibility of the Applicant/Owner.

Carried

2020-09-03-09 (E-4)  
Division 6 – Development Item – Cannabis Cultivation  
File: PRDP20201515 (07108004)

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MOVED by Member McKylor that Development Permit Application PRDP20201515 be approved with the development conditions noted in the report.

**Description:**

1. That *Cannabis Cultivation*, within an existing accessory building (Garage), may commence on the subject lands in general accordance with the application and site plans submitted with the application.
  - i. That the maximum building area for the existing accessory building (Garage) is relaxed from **223.0 sq. m (2,400.35 sq. ft.) to 233.41 sq. m (2,512.40.00 sq. ft.)**.
  - ii. That the minimum rear yard setback requirement for the existing accessory building (Garage) is relaxed from **15.00 m (49.21 ft.) to 7.80 m (25.59 ft.)**.

**Prior to Issuance:**

2. That prior to issuance of this permit, the Applicant/owner shall submit confirmation of Sanitary and Water Servicing for the proposed development, to the satisfaction of the County.
3. That prior to Issuance of this permit, the Applicant/Owner shall submit a Fencing Plan in accordance with Section 42 of the Land Use Bylaw C-4841-97, to the satisfaction of the County.

**Permanent:**

4. That this approval does not include a *Cannabis Retail Store or Cannabis Facility*.
5. That the facility shall maintain and display a distinct municipal address in accordance with the County Municipal Addressing Bylaw (Bylaw C-7562-2016), for the facility, to facilitate accurate emergency response.
6. That the Applicant/Owner shall contact County Road Operations to determine if any Road Data permits are required for transport of products, using the County road system for the proposed development, prior to operation.
7. That all on-site lighting shall be dark sky (fully shielded or cut-off), 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 designs that reduces the extent of spill-over glare, and eliminates glare as viewed from nearby residential properties.
8. That no signage shall be placed on the subject property, related to the approved *Cannabis Cultivation* use. Any future signage related to the development shall require separate development permit approval.
9. That any future change in use of the building, including any exterior changes or additions, or change in tenants shall require a Development Permit for the use and signage.
10. That no outdoor storage shall be allowed at any time for business use.
11. That a minimum of two parking stalls shall be maintained on-site at all times for staff.
12. That the entire site shall be maintained in a neat and orderly manner at all times, to the satisfaction of the County.
13. That any plan, technical submission, agreement, matter or understanding submitted and approved as part of the application, in response to a prior to issuance or occupancy condition, shall be implemented and adhered to in perpetuity.
14. That this Development Permit shall be valid until **September 30, 2023**.

**Advisory:**

15. That the Applicant/Owner shall be responsible for obtaining a commercial water license from Alberta Environment for the well water use, prior to use and operation.

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16. That the site shall be maintained in compliance with County Bylaw No. C-7690-2017, the "Nuisance and Unsightly Property Bylaw", at all times. Any debris or garbage generated on the site shall be stored/placed in garbage bins and disposed of at an approved disposal facility.

17. That the County Bylaw C-5772-2003, the "Noise Bylaw", shall be adhered to at all times.

18. That the site shall remain free of restricted and noxious weeds and maintained in accordance with the Alberta Weed Control Act [Statutes of Alberta, 2008 Chapter W-5.1, December 2017].

19. That a Building Permit/Farm Building Location Permit and applicable subtrade permits, for the change of use, shall be obtained through Building Services, prior to any construction taking place.

*Note: That the subject development shall conform to the National Energy Code 2017, with documentation/design at Building Permit, if applicable. A Declaration of Use must be filled out and signed under a New Farm Location Permit, or a Building Permit will be required.*

20. That any other federal, provincial or County permits, approvals, and/or compliances, are the sole responsibility of the Applicant/Owner.

- i. That the Applicant/Owner shall obtain any required Health Canada and Alberta Health Services approval(s).
- ii. That all cannabis waste shall be managed in accordance with Alberta Cannabis Waste Management Fact Sheet.

21. That if the development authorized by this Development Permit is not commenced with reasonable diligence within twelve (12) months from the date of issue, and completed within twenty-four (24) months of the issue, the permit is deemed to be null and void, unless an extension to this permit shall first have been granted by the Development Officer.

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

Carried

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

**Division 2 – Development Item – Liquor Sales**

**File: PRDP20202100 (04734116)**

Presenter: Chris Flory, the Applicant

MOVED by Member McKylor that proposed prior to issuance condition 2 in Administration's report be deleted in its entirety.

AND THAT proposed prior to issuance condition 3 in Administration's report be deleted in its entirety.

AND THAT proposed permanent condition 10 in Administration's report be amended to read:

That all business parking shall be limited to the ~~assigned unit's parking stalls or communal site stalls or~~ communal site stalls.

AND THAT condition 7 for development permit application PRDP20202100 as noted in Administration's report be amended to read:

That there shall be at least ~~eight (8)~~ **four (4)** parking stalls, maintained onsite at all times, for business and customer use ~~unless otherwise stated in the Trip Generation Memo and/or a Transportation Impact Assessment.~~

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Carried

MOVED by Member McKylor that Development Permit Application PRDP20202100 be approved with the development conditions noted in the report, as attached, as amended:

**Description:**

1. That Liquor Sales (existing building), tenancy and signage for a liquor store may take place at 3-135 COMMERCIAL DRIVE (UNIT 3 Plan:1812070; SW-34-24-03-W05M) in general accordance with the plans submitted with the application including:
  - i. Installation of one (1) fascia sign; *"Roving Spirits and Wine"*.

**Permanent:**

2. That all conditions of Development Permit (2006-DP-12213) shall remain in effect.
3. That no outside storage shall be allowed in the front of the property at any time. All outdoor storage for the business shall occur within the designated 116.13 sq. m. (1,250.00 sq. ft.) outdoor storage area, located at the rear of the building, as indicated on the approved site plan.
4. That no off-site advertisement signage associated with the business shall be permitted.
5. That there shall be at least four (4) parking stalls, maintained onsite at all times, for business and customer use.
6. That no off-site parking is permitted on the adjacent County road system at any time.
7. That the display or placement of signage for the business shall be in accordance with Section 35 of Land Use Bylaw C-4841-97. The signage shall be kept in a safe, clean and tidy condition at all times.
8. That all business parking shall be limited to the communal site stalls.
9. That the entire site shall be maintained in a neat and orderly manner at all times, to the satisfaction of the Development Officer.
10. That if this Development Permit is not issued by **APRIL 30, 2021** or the approved extension date, then this approval is null and void and the Development Permit shall not be issued.

**Advisory:**

11. That any future change in use of the building (or tenants) may require a Development Permit for use and signage.
12. That a Building Permit shall be obtained through Building Services, for the change of use (if required), prior to tenant occupancy and/or building renovations.
13. That any other government permits, approvals, or compliances are the sole responsibility of the Applicant/Owner.

Carried

Vice-Chair Schule called for a recess at 11:08 a.m. and called the meeting back to order at 11:15 a.m. with all previous members present, with the exception of Member Boehlke.

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

**Division 1 – Development Item – Automotive, Equipment & Vehicle Services / Retail Shop**

**File: PRDP20202131 (03913040)**

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Presenter: Lorraine Hutchinson, the Applicant

MOVED by Member Kamachi that Development Permit Application PRDP20202131 be approved in accordance with the condition set 1 noted within the report.

Carried

**2020-09-03-12 (E-10)**

**Division 7 – Development Item – Farmer’s Market**

**File: PRDP20201845 (06524006)**

Presenter: Cody Sheperd, the Applicant

MOVED by Member McKylor that permanent condition 4 for development application PRDP20201845 as noted in Administration’s report be amended to read:

That the hours of operation for the Farmer’s Market are Saturdays from ~~11:00 a.m. and 1:00 p.m.~~ **8:00 a.m. to 5:00 p.m.** only, during the months of May to October.

Carried

MOVED by Member McKylor that Development Permit Application PRDP20201845 be approved with the development conditions noted in the report, as amended:

**Description:**

1. That a seasonal Farmer’s Market may take place on the subject land in general accordance with the site plan submitted with the application, and includes:
  - i. An outdoor market area, approximately 667.81 sq. m (7,188.30 sq. ft.) in size;
  - ii. A parking area to the north of the existing kennel building, approximately 796.22 sq. m (8,570.40 sq. ft.) in size;
  - iii. Minor grading and tree clearing required for walkway establishment; and
  - iv. One (1) freestanding temporary sign, details to be submitted prior to installation.

**Prior to Issuance:**

2. That prior to issuance of this permit, the Applicant/Owner shall submit a revised Site Plan showing a minimum of two (2) of barrier free parking stalls with signage and dimensions, in accordance with the Alberta Building Code.
3. That prior to issuance of this permit, the Applicant/Owner shall submit signage details in accordance with Section 27 of the County’s Land Use Bylaw C-4841-97, to the satisfaction of the County.

**Permanent:**

4. That the hours of operation for the Farmer’s Market are Saturdays from 8:00 a.m. to 5:00 p.m. only, during the months of May to October.
5. That the site shall be maintained in a neat and orderly fashion at all times.
6. That there shall be a minimum of twenty-five (25) parking stalls including two (2) barrier free stalls maintained onsite at all times.
7. That there shall be no parking within a County road allowance at any time.



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8. That all signage shall be located on the subject property and shall not be located within the County's Right of Way.
  9. That dust control shall be maintained on the site at all times and that the Applicant/Owner shall take whatever means necessary to keep visible dust from blowing onto adjacent lands.
  10. That the garbage and waste material onsite shall be stored in weatherproof and animal-proof containers located within buildings or adjacent to the side or rear of buildings. The garbage and waste material shall be screened from view from all adjacent properties.
  11. That all garbage and refuse shall be removed from the parking area and market areas after each Farmers Market day to ensure debris is not blowing onto adjacent properties.
  12. That any 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.
  13. That potable water, if required onsite, shall be provided by a piped source, licensed and approved for commercial use by Alberta Environment, or hauled to the site and stored in cisterns, as approved by the County.
  14. That disposal of wastewater shall be subject to all requirements of Alberta Environment and/or Alberta Municipal Affairs and all County approvals. Portable toilets may be placed where required on site.
  15. That any plan, technical submission, agreement, matter or understanding submitted and approved as part of the application, in response to a prior to issuance or occupancy condition, shall be implemented and adhered to in perpetuity.

**Advisory:**

16. That the site shall conform to the County's Noise Bylaw C-5773-2003 in perpetuity.
17. That the Applicant/Owner shall obtain Building Permits, for Vendor Tents prior to installation onsite, through Building Services, unless the tents:
  - i. are at least 3.00 m (9.84 ft.) apart;
  - ii. do not exceed 60.00 sq. m (645.83 sq. ft.) in area; and
  - iii. do not contain any commercial cooking equipment
18. That any fire protection measures onsite shall be in accordance with the Alberta Fire Code.
19. That if this Development Permit is not issued by **APRIL 30, 2021**, or the approved extension date, then this approval is null and void and the Development Permit shall not be issued.
20. That any other government permits, approvals, or compliances are the sole responsibility of the Applicant/Owner.
21. 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.

Carried

**2020-09-03-13 (E-7)**

**Division 2 – Development Item – Single-lot Regrading and Placement of Clean Fill**

**File: PRDP20202106 (05716086)**

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MOVED by Member McKylor that Development Permit Application PRDP20202106 be approved with the development conditions noted in the report:

**Description:**

1. That single-lot regrading and the placement of approximately 800 cubic metres of clean fill, including construction of a berm and swales, shall be permitted in general accordance with the drawings submitted with the application and the conditions of this permit.

**Prior to Issuance:**

2. That prior to issuance of this permit, the Applicant/Owner shall submit a Construction Management Plan, addressing noise mitigation measures, traffic accommodation, sedimentation and dust control, management of stormwater during construction, erosion and weed control, construction practices, waste management, firefighting procedures, evacuation plan, hazardous material containment and all other relevant construction management details, in accordance with the County Servicing Standards.
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. That the Applicant/Owner shall also confirm with County Road Operations if a temporary road approach is required to access the site during development. All approvals shall be obtained by the Applicant/Owner, if required.
  - ii. 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 Site-Specific Implementation Plan (SSIP), conducted and stamped by professional stormwater engineer, to confirm that the placement of fill is in accordance with the Springbank Master Drainage Plan, the Springbank Creek Catchment Plan, and the County Servicing Standards.
5. That prior to issuance of this permit, the Applicant/Owner shall submit a grading plan, conducted and stamped by a professional engineer, which provides pre-development and post-development grades and is in accordance with the recommendations of the SSIP, as accepted by the County.
  - i. Should there be any areas of fill that are greater than 1.20 m (3.93 ft.) in depth, the Applicant/Owner shall submit a Deep Fills report, conducted by a professional geotechnical engineer for all areas of fill greater than 1.20 m (3.93 ft.) in depth.

**Permanent:**

6. 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.
7. That upon completion of the proposed development, should there be areas of fill that are greater than 1.20 m (3.93 ft.) in depth, the Applicant/Owner shall submit compaction testing verifying that the fill areas greater than 1.20 m (3.93 ft.) in depth were placed in accordance with the Deep Fills report accepted by the County.
8. 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.

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9. That upon completion of the proposed development, 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.
  10. 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.
  11. That the clean-up of any mud tracking and/or dirt that enters onto any County roads during hauling, shall be the responsibility and cost of the Applicant/Owner for clean-up.
  12. That no topsoil shall be removed from the site.
  13. That the Applicant/Owners shall ensure no organic material is buried and capped in a manner that will cause methane gas related issues.
  14. That the fill shall not contain large concrete, rebar, asphalt, building materials, organic materials, or other metal.
  15. 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.
  16. That if no future development of the proposed graded area occurs, the proposed graded area shall have a minimum of six (6) inches of topsoil placed on top, which shall then be spread and seeded to native vegetation, farm crop, or landscaped to the satisfaction of the County.
  17. That the Applicant/Owners shall be responsible for rectifying any adverse effect on adjacent lands from drainage alteration.
  18. 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. That all garbage and waste shall be stored in weatherproof and animal proof containers and be in a location easily accessible to containerized garbage pickup.

**Advisory:**

19. That any other government permits, approvals, or compliances are the sole responsibility of the Applicant/Owner.
20. That the subject development shall conform to the County's Noise Bylaw C-5773-2003 in perpetuity.
21. That the site shall remain free of restricted and noxious weeds and maintained in accordance with the *Alberta Weed Control Act*.
22. That if the development authorized by this Development Permit is not completed within twelve (12) months of the date of issuance, the permit is deemed to be null and void.
23. That if this Development Permit is not issued by **APRIL 30, 2021** or the approved extension date, then this approval is null and void and the Development Permit shall not be issued.

Carried

**2020-09-03-14 (E-8)**

**Division 4 – Development Item – Accessory Building & Signs, for a Religious Assembly**

**File: PRDP20202020 (03219028)**

MOVED by Member Kissel that prior to issuance condition 3 for development application PRDP20202020 as noted in Administration's report be deleted in its entirety.

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Carried

MOVED by Member Kissel that Development Permit Application PRDP20202020 be approved with the development conditions noted in the report, as amended:

**Description:**

- 1) That the construction of an accessory building (gazebo) and placement of a Sign (Buddha statue), ancillary to the existing Religious Assembly, may take place on the subject property in general accordance with the approved site plan and details submitted with the application.

**Prior to Issuance:**

- 2) That prior to issuance of this permit, the Applicant/Owner shall submit a revised Site Lighting Plan that includes model types, location, and height of any proposed site or building lighting. All proposed lighting shall be in accordance with the County's dark sky regulations.

**Permanent:**

- 3) That the statue shall be placed in accordance with the drawings and site plan submitted with the application.
- 4) That the statue shall be kept in a safe, clean and tidy condition at all times.
- 5) That the proposed Accessory Building (gazebo) shall not be used for residential occupancy purposes at any time.
- 6) That the exterior siding and roofing materials of the Accessory Building (gazebo) shall be similar/cohesive to the existing Buddhist Temple and/or area.
- 7) 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 accessory building under construction, which is used to establish approved final grades unless a Development Permit has been issued for additional fill and topsoil.
- 8) 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.
- 9) That if this Development Permit is not issued by **APRIL 30, 2021** or the approved extension date, then this approval is null and void and the Development Permit shall not be issued.

**Advisory:**

- 10) That any other Federal, Provincial, or County permits, approvals, and/or compliances, are the sole responsibility of the Applicant/Owner.
- 11) That during construction of the Accessory Building and installation of the Sign, 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.
- 12) That the County's Noise Bylaw C-5772-2003 shall be adhered to at all times.
- 13) That a Building Permit shall be obtained through Building Services, prior to any construction taking place.

Carried

2020-09-03-15 (E-9)  
Division 4 – Development Item – Dwelling, Single Detached  
File: PRDP20202237 (03222095)

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MOVED by Member Gautreau that Development Permit Application PRDP20202237 be approved with the development conditions noted in the report:

**Description:**

1. That construction of a dwelling, single detached may commence on the subject parcel, in general accordance with the drawings prepared by TKL Construction Ltd., revisions dated July 6, 2020, as amended and conditions noted herein:
  - i. That the maximum site coverage requirement for the dwelling, single-detached, is relaxed from **25.00% to 33.32%**.

**Prior to Issuance:**

2. That prior to issuance of this permit the Applicant 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 \$800, calculated at \$800.00 for each new residential unit.

**Permanent:**

3. That it is the responsibility of the Applicant/Owner to obtain approval from Rocky View County Road Operations for any new construction, installation or alterations of any driveways/approaches, prior to commencing any work on the driveways/approaches.
4. That there shall be no more than 1.00 m (3.28 ft.) of fill and/or topsoil placed adjacent to or within 15.00 m (49.21 ft.) of the proposed dwelling under construction that is used to establish approved final grades unless a Development Permit has been issued for additional fill and topsoil.
5. That no topsoil shall be removed from the subject property.
6. That the Applicant/Owners shall be responsible for rectifying any adverse effect on adjacent lands from drainage alteration.
7. 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.

**Advisory:**

8. That a Building Permit and subtrade permits shall be obtained through Building Services, for construction of the dwelling, single detached.
9. That during construction of the dwelling, 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.
10. That any over government permits, approvals, or compliances are the sole responsibility of the Applicant/Owner.
11. That if the development authorized by this Development Permit is not commenced with reasonable diligence within 12 months from the date of issue, and completed within 24 months of the issue, the permit is deemed to be null and void, unless an extension to this permit shall first have been granted by the Development Authority.
12. 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

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

**Division 7 – Development Item – Accessory Building**

**File: PRDP20201842 (06105006)**

MOVED by Member Hanson that Development Permit Application PRDP20201842 be approved with the conditions noted in the report:

**Description:**

1. That the construction of an accessory building (detached garage), approximately 44.96 sq. m (484.00 sq. ft.) in area, may be constructed on the subject land in general accordance with the approved plans and includes:
  - i. That the minimum front yard setback requirement for the garage is relaxed from **45.00 m (147.63 ft.) to 44.00 m (144.35 ft.)**.
  - ii. That the total building area for all accessory buildings is relaxed from **225.00 sq. m (2,421.87 sq. ft.) to 405.00 sq. m. (4,359.38 sq. ft.)**.
  - iii. That the maximum number of accessory buildings is relaxed from **three (3) to six (6)**.

**Permanent:**

2. That the proposed Accessory Building (detached garage) shall not be used for commercial purposes at any time, except for a Home-Based Business, Type I.
3. That the proposed Accessory Building (detached garage) shall not be used for residential occupancy purposes at any time.
4. That the exterior siding and roofing materials of the Accessory Building (detached garage) shall be similar/ cohesive to the existing dwelling, single-detached and/or area.
5. That there shall be no more than 1.00 m (3.28 ft.) of fill placed adjacent to or within 15.00 m (49.21 ft.) of the proposed building under construction, which is used to establish approved final grades unless a Development Permit has been issued for additional fill and topsoil.
6. That if the development authorized by this Development Permit is not commenced with reasonable diligence within 12 months from the date of issue, and completed within 24 months of the issue, the permit is deemed to be null and void, unless an extension to this permit shall first have been granted by the Development Authority.

**Advisory:**

7. That any other Federal, Provincial, or County permits, approvals, and/or compliances, are the sole responsibility of the Applicant/Owner.
8. That during construction of the Accessory Building, all construction and building materials shall be maintained on site, in a neat and orderly manner. Any debris or garbage shall be stored/placed in garbage bins and disposed of at an approved disposal facility.
9. That the County's Noise Bylaw C-5772-2003 shall be adhered to at all times.
10. That a Building Permit and sub-trade permits shall be obtained through Building Services, prior to any construction taking place.

Carried

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**Adjournment**

MOVED by Member McKylor that the September 3, 2020 Municipal Planning Commission meeting be adjourned at 11:55 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:** 2  
**SUBJECT:** Subdivision Item: Residential Subdivision

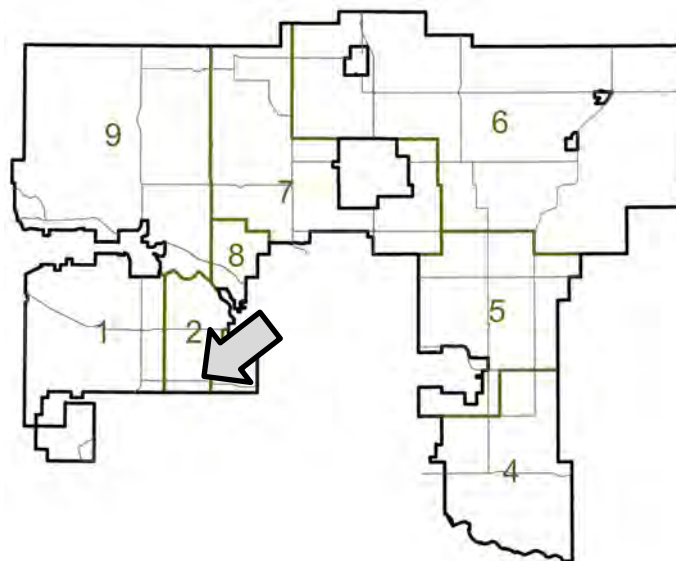
**DATE:** September 24, 2020  
**APPLICATION:** PL20200032

**APPLICATION:** To create a  $\pm 0.81$  hectare ( $\pm 2.00$  acre) parcel (Lot 1) with a  $\pm 0.81$  hectare ( $\pm 2.00$  acre) remainder (Lot 2).

**GENERAL LOCATION:** Located approximately 0.41 kilometres (1/4 mile) south of Springbank Road and on the east side of Range Road 32, approximately 4.0 miles west of the city of Calgary.

**LAND USE DESIGNATION:** Residential, Country Residential District (R-CRD) under Land Use Bylaw C-8000-2020.

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



### OPTIONS:

- Option #1: THAT Subdivision Application PL20200032 be approved with the conditions noted in Appendix 'C' [Tentative Plan #1 Applicant preferred option].
- Option #2: THAT Subdivision Application PL20200032 be tabled pending submission of a Level 4 PSTS Assessment and a revised subdivision layout in accordance with Tentative Plan #2 and with the conditions noted in Appendix 'B'.
- Option #3: THAT Subdivision Application PL20200032 be refused as per the reasons noted.

### AIR PHOTO & DEVELOPMENT CONTEXT:



### Administration Resources

Jessica Anderson, Planning and Development Services





**APPLICANT:** Ryan Buckley

**OWNER:** Lance Incorporated

**APPLICATION EVALUATION:**

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

<b>APPLICABLE POLICY AND REGULATIONS:</b>	<b>TECHNICAL REPORTS SUBMITTED:</b>
<ul style="list-style-type: none"> <li>• <i>Municipal Government Act;</i></li> <li>• Subdivision and Development Regulations;</li> <li>• Municipal Development Plan;</li> <li>• Central Springbank Area Structure Plan;</li> <li>• Buckley Conceptual Scheme;</li> <li>• Land Use Bylaw; and</li> <li>• County Servicing Standards.</li> </ul>	<ul style="list-style-type: none"> <li>• Site-Specific Stormwater Implementation Plan (SSIP) prepared by Osprey Engineering Inc. (April 29, 2020);</li> <li>• Level 3 PSTS Assessment prepared by Groundwater Information Technologies Ltd. (March 3, 2015);</li> <li>• Phase 1 Supply Evaluation prepared by Groundwater Information Technologies Ltd. (December 23, 2014).</li> </ul>

*Payments and Levies*

Reserves and applicable levies are outstanding.

<b>APPLICABLE FEE/LEVY</b>	<b>AMOUNT OWING</b>
<i>TRANSPORTATION OFFSITE LEVY</i>	Previously provided
<i>MUNICIPAL RESERVE (\$/ACRE)</i>	Previously provided

*Accessibility to a Road:*

The parcel is currently served by an existing approach off Range Road 32. Lot 2 is proposed to be landlocked (no frontage onto a developed County road). Administration does not support the proposal of a landlocked parcel as both legal and physical access are required in accordance with the Subdivision and Development Regulations and County Servicing Standards. At the time of adoption of the Buckley Conceptual Scheme, a policy was added as follows:

*Policy 3.1      The proposed layout shall be revised as required to ensure each proposed parcel has adequate frontage onto a developed County road in accordance with the County Servicing Standards. Final subdivision design and access provisions shall be determined at subdivision stage.*

Therefore, Administration has prepared an alternative subdivision design (Tentative Plan #2) to provide adequate access to the proposed new lot.

The Transportation Off-Site Levy has been previously provided for these lands.

*Servicing*

With respect to wastewater servicing, the existing home (Lot 2) is serviced by an existing Private Septic System. A Level 4 PSTS Assessment for the proposed new lot (Lot 1) was required at redesignation stage; however, the Applicant declined to provide the necessary report. Therefore, a Level 4 PSTS Assessment is required to be submitted.



The Level 4 PSTS is critical to ensure that further development of the lands is possible without causing undue negative impact on adjacent lots and the local environment. Should Municipal Planning Commission decide to approve the application in accordance with Option #1, the requirement for a Level 4 PSTS Assessment is included as a condition of subdivision. However, it should be noted that Option #1 presents the risk of creating an undevelopable parcel on the lands.

A Deferred Servicing Agreement shall be registered on title for connection to a decentralized or regional system once available. As a condition of subdivision, the Applicant/Owner is to enter into a Site Improvements / Services Agreement with the County, which shall be registered on title of Lot 2 to ensure that the septic system is installed per the approved Assessment.

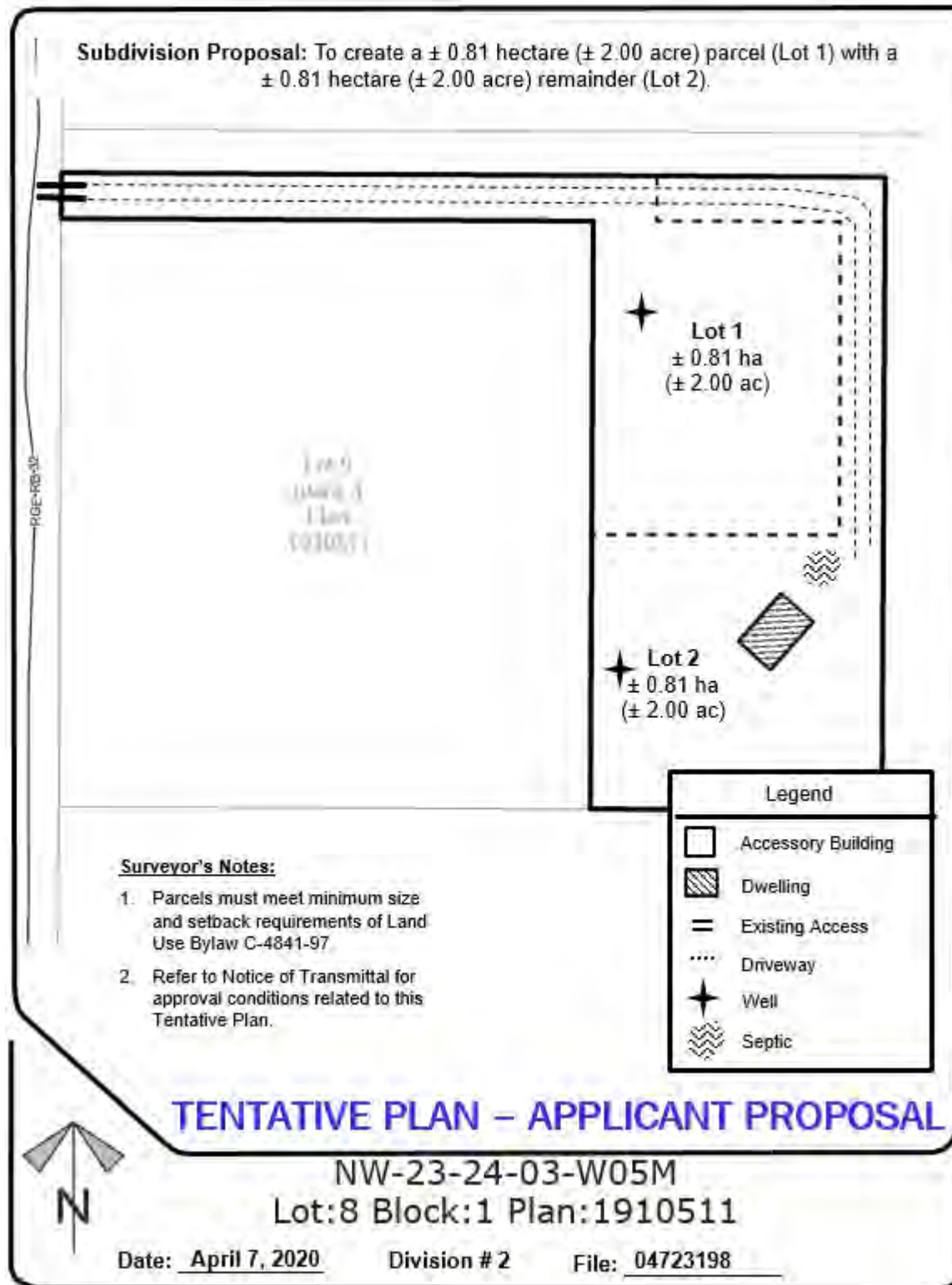
With respect to water servicing, the existing home (Lot 1) is currently serviced by a well. The Applicant is required to submit a Level 1 Variation Assessment confirming that setback requirements between the existing septic system/treatment field and proposed property lines in accordance with the Alberta Standard of Practice.

As a condition of subdivision, the Applicant/Owner shall drill a new well on Lot 2 and provide a Phase 2 Aquifer Testing Report that includes Well Driller's reports confirming that the flow exceeds or is equivalent to 1 igpm.



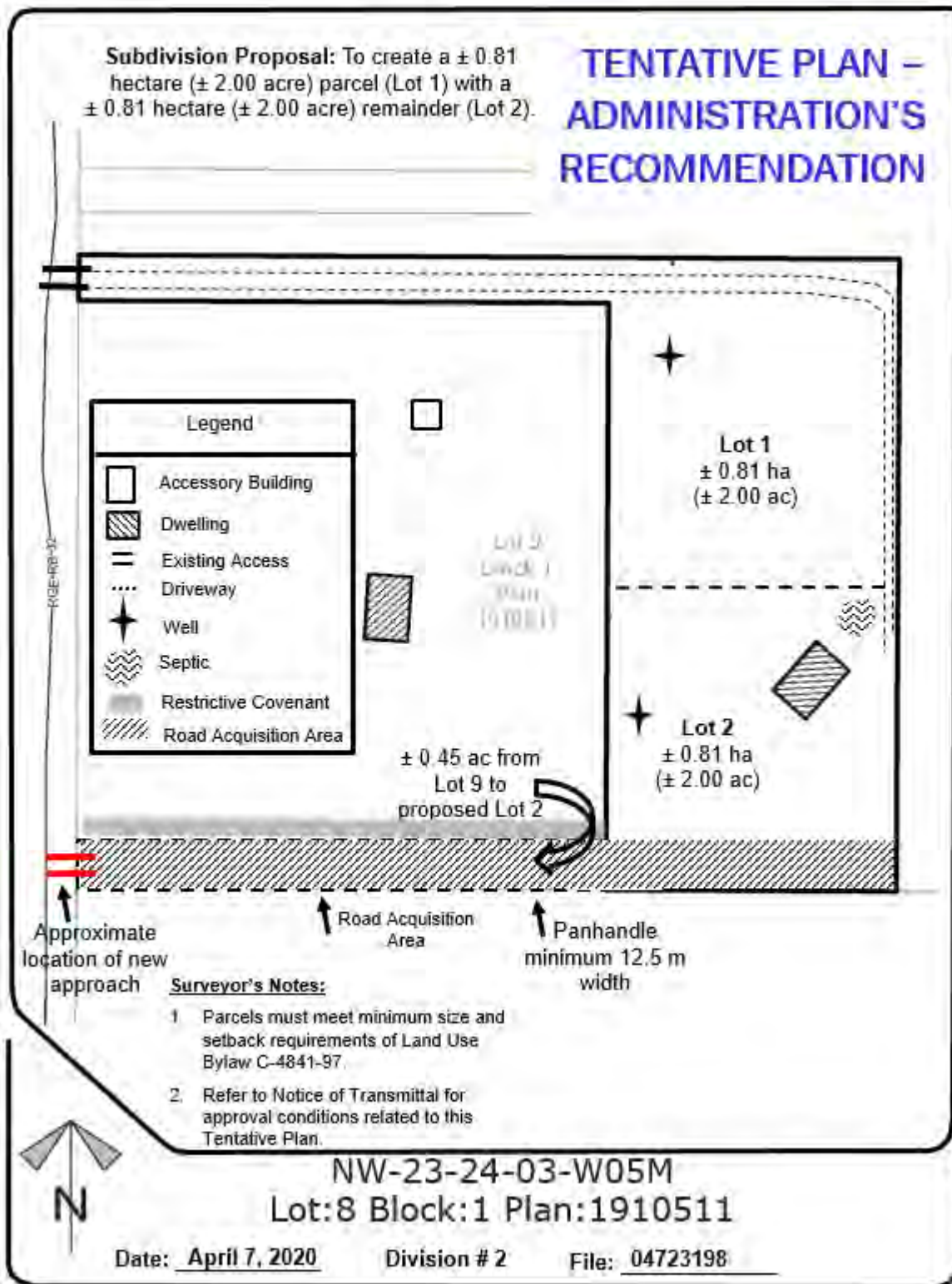
ROCKY VIEW COUNTY

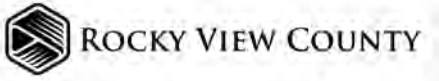
## Tentative Plan #1 – Applicant Proposal





*Tentative Plan #2 – Administration's Recommended Option*





**CONCLUSION:**

Subject to the proposed conditions of approval, the application is recommended to be tabled pending submission of a Level 4 Private Sewage Treatment System Assessment.

Respectfully submitted,

Concurrence,

"Theresa Cochran"

"Al Hoggan"

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Executive Director  
Community Development Services

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Chief Administrative Officer

JA/lt

**APPENDICES:**

APPENDIX 'A': Maps and Other Information

APPENDIX 'B': Approval Conditions – Administration's Recommendation

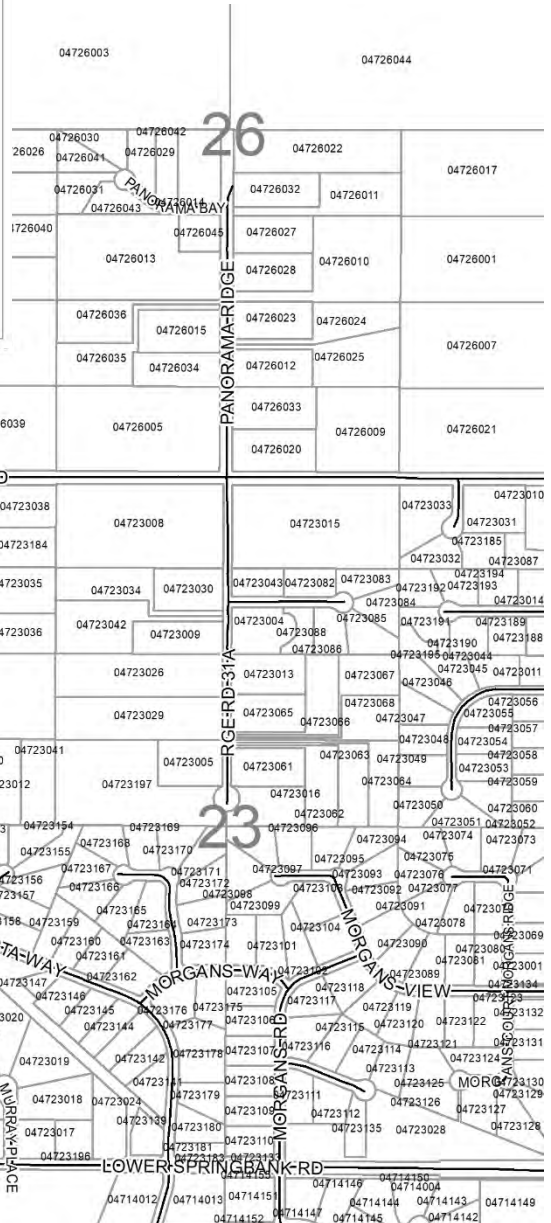
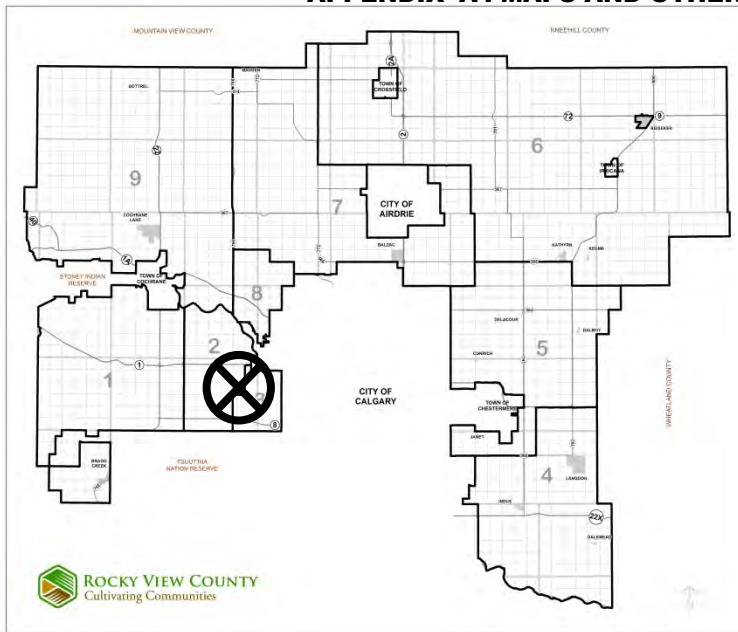
APPENDIX 'C': Approval Conditions – Applicant Preferred Option

APPENDIX 'D': Letters



## APPENDIX 'A': MAPS AND OTHER INFORMATION

<b>DATE APPLICATION RECEIVED:</b> March 11, 2020	<b>DATE DEEMED COMPLETE:</b> March 11, 2020
<b>GROSS AREA:</b> ± 1.62 hectares (± 4.00 acres)	<b>LEGAL DESCRIPTION:</b> Lot 8, Block 1, Plan 1910511 within NW-23-24-03-W05M
<b>APPEAL BOARD:</b> Subdivision and Development Appeal Board	
<b>HISTORY:</b> <p>September 1, 2020 Council approved the Buckley Conceptual Scheme (PL20200004) and a redesignation to Residential, Country Residential District (R-CRD) (PL20200003).</p> <p>March 13, 2019 Plan 1910511 was registered creating the subject ± 2.43 hectares (± 6.00 acres) and ± 1.62 hectares (± 4.00 acres) parcels.</p> <p>October 2, 2001 The CSASP was adopted.</p>	
<b>PUBLIC &amp; AGENCY SUBMISSIONS:</b> <p>The application was circulated to ninety six (96) adjacent landowners to which two (2) responses were received.</p> <p>The application was also circulated to a number of internal and external agencies and, where appropriate, conditions of approval have been proposed based on these comments.</p>	



# LOCATION PLAN

## NW-23-24-03-W05M

### Lot: 8 Block: 1 Plan: 1910511

Date: April 7, 2020

Division # 2

File: 04723198

AGENDA

Page 33 of 516



**Subdivision Proposal:** To create a  $\pm 0.81$  hectare ( $\pm 2.00$  acre) parcel (Lot 1) with a  $\pm 0.81$  hectare ( $\pm 2.00$  acre) remainder (Lot 2).

RGE-RD-32

Lot 9  
Block 1  
Plan  
1910511



**Lot 1**  
 $\pm 0.81$  ha  
( $\pm 2.00$  ac)



**Lot 2**  
 $\pm 0.81$  ha  
( $\pm 2.00$  ac)



### Legend



Accessory Building



Dwelling



Existing Access



Driveway



Well



Septic

### 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 – APPLICANT PROPOSAL

NW-23-24-03-W05M

Lot: 8 Block: 1 Plan: 1910511



Date: April 7, 2020

Division # 2

File: 04723198

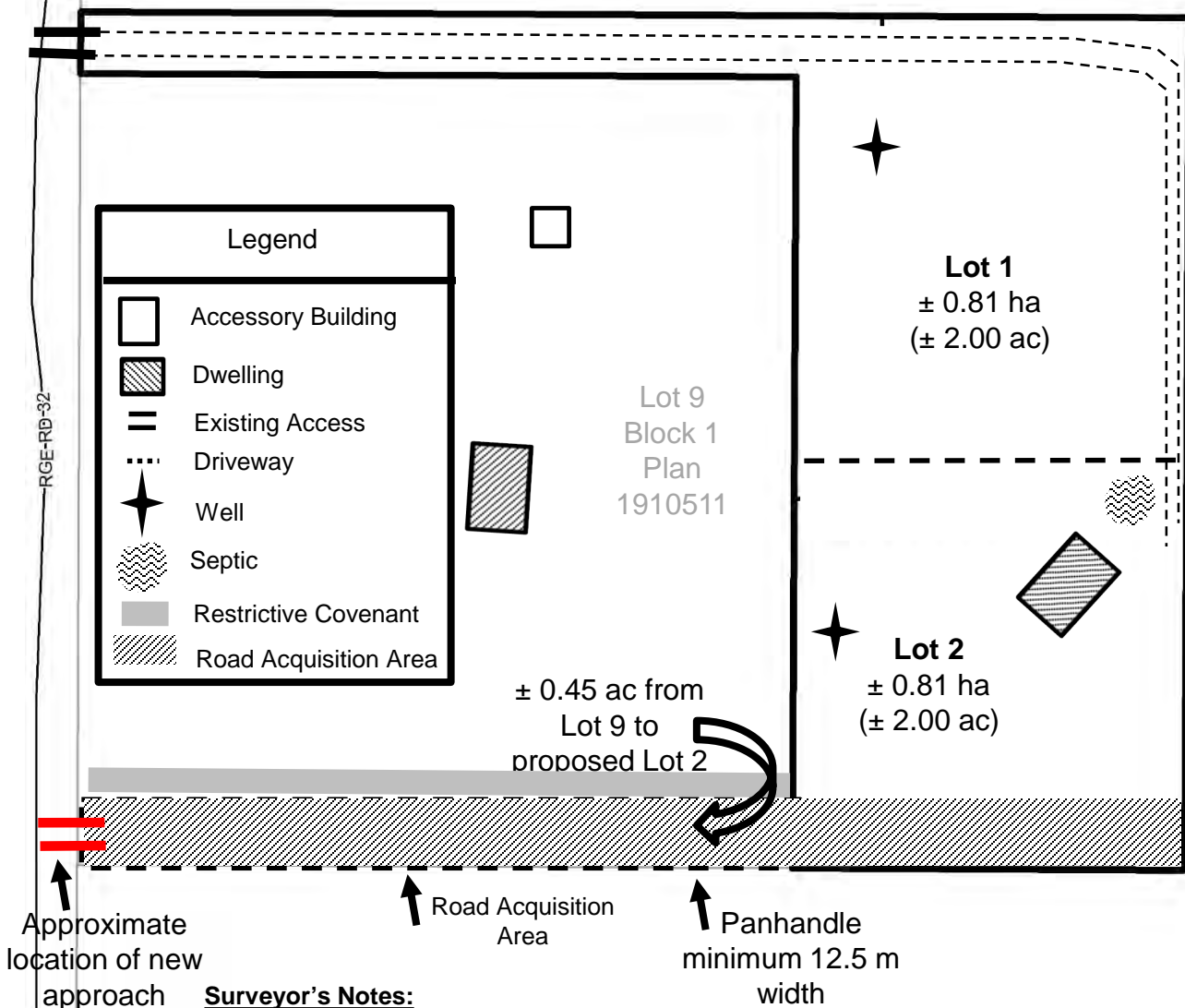
**AGENDA**

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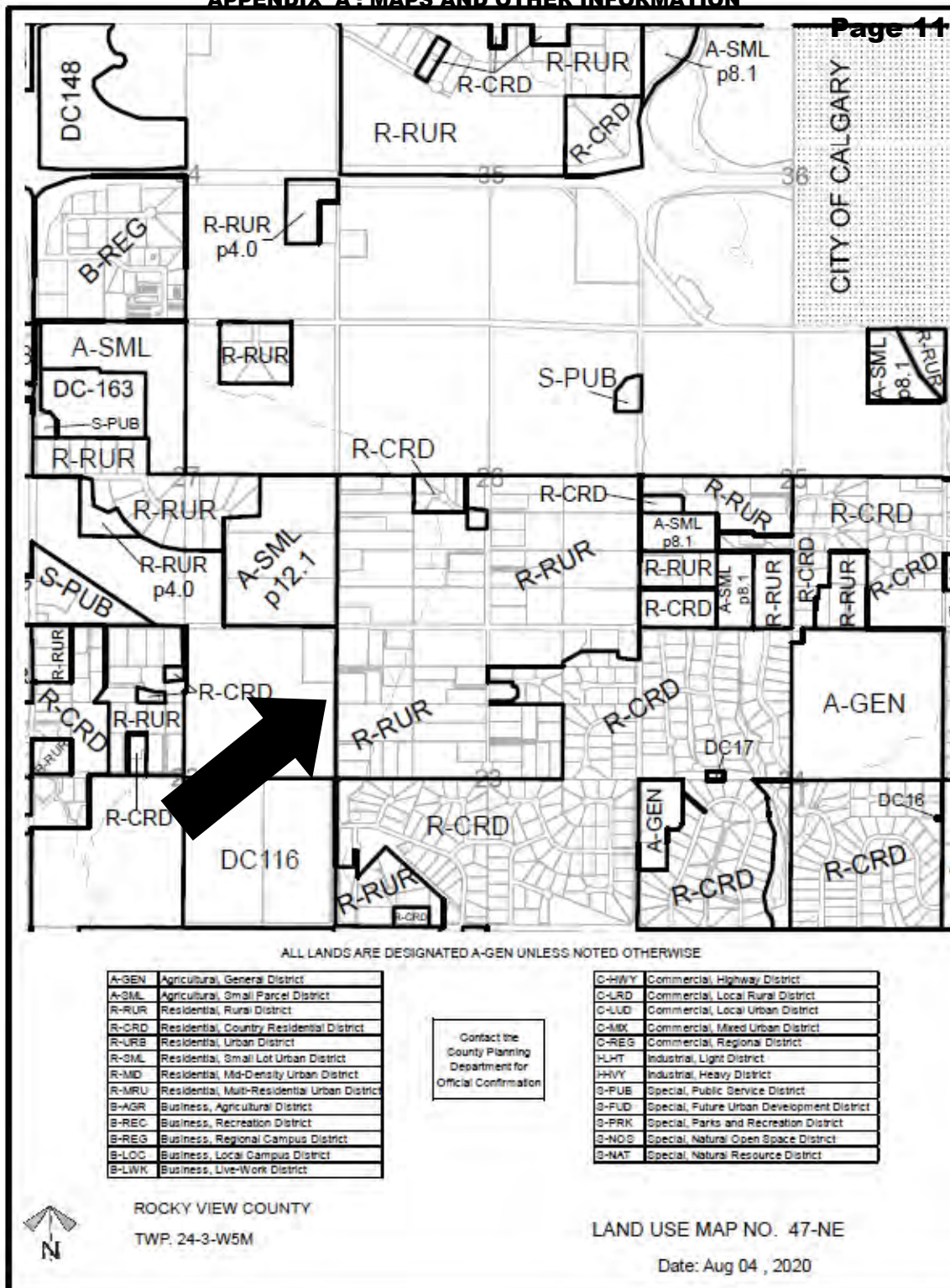
**Subdivision Proposal:** To create a  $\pm 0.81$  hectare ( $\pm 2.00$  acre) parcel (Lot 1) with a  $\pm 0.81$  hectare ( $\pm 2.00$  acre) remainder (Lot 2).

# TENTATIVE PLAN - ADMINISTRATION'S RECOMMENDATION



NW-23-24-03-W05M

Lot: 8 Block: 1 Plan: 1910511



## LAND USE MAP

NW-23-24-03-W05M

Lot: 8 Block: 1 Plan: 1910511





# TOPOGRAPHY

*Contour Interval 2 M*



NW-23-24-03-W05M  
Lot: 8 Block: 1 Plan: 1910511





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

**AIR PHOTO**

*Spring 2018*

NW-23-24-03-W05M

Lot: 8 Block: 1 Plan: 1910511

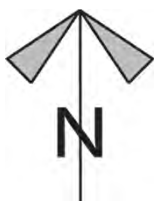
Date: April 7, 2020

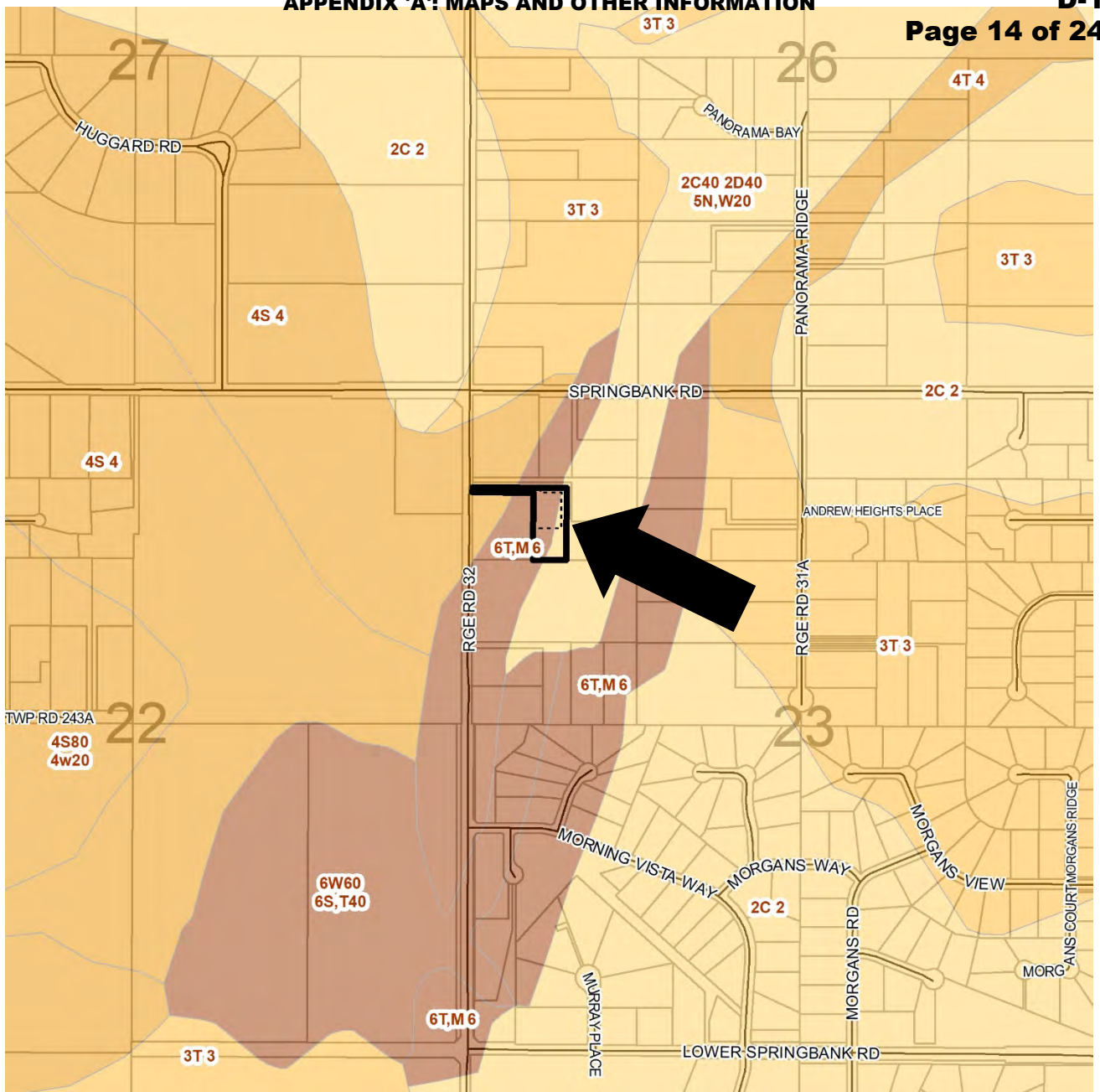
Division # 2

File: 04723198

**AGENDA**

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### 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

NW-23-24-03-W05M

Lot: 8 Block: 1 Plan: 1910511

Date: April 7, 2020

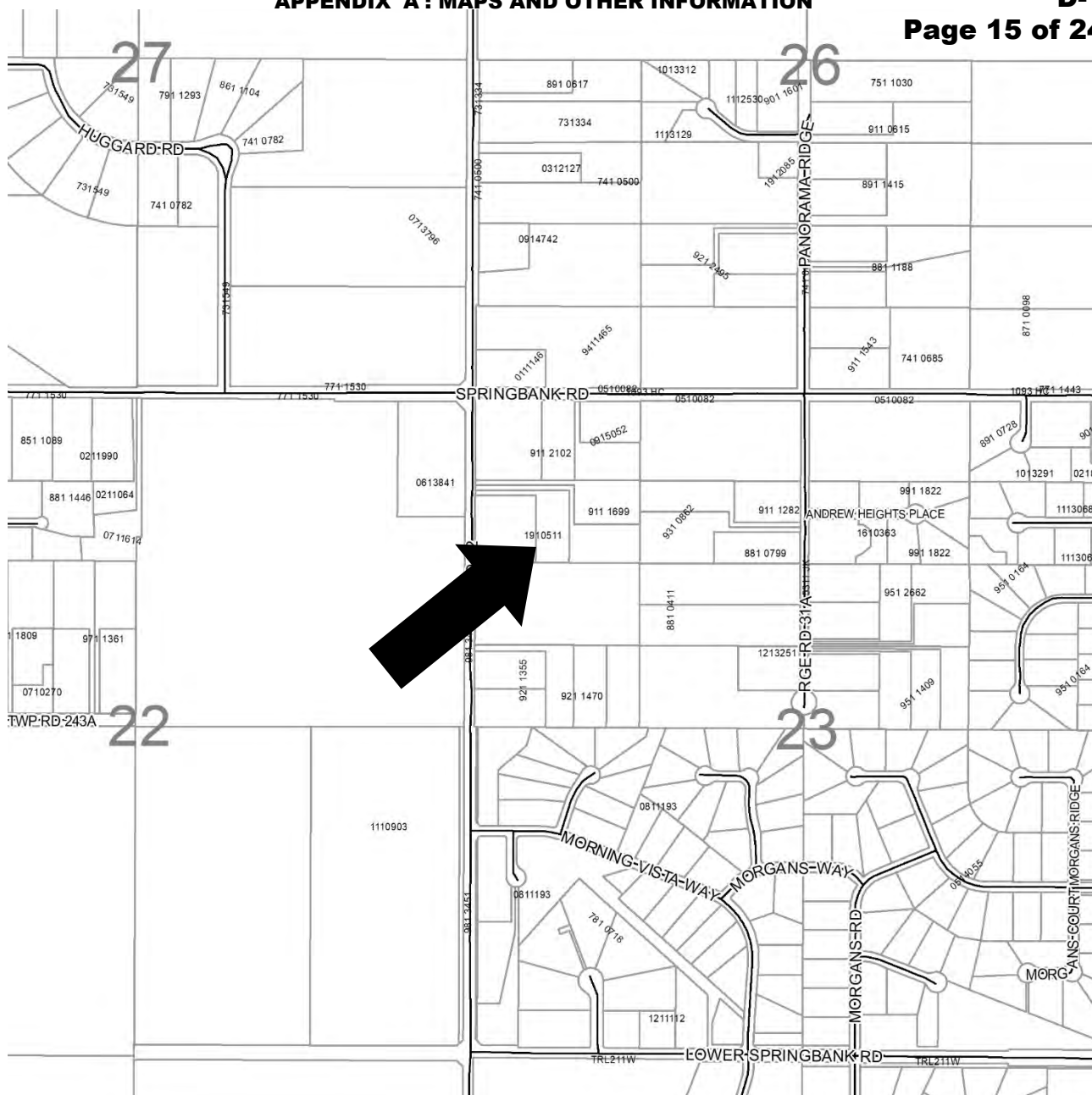
Division # 2

File: 04723198

**AGENDA**

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**Legend – Plan numbers**

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

**HISTORIC SUBDIVISION MAP**

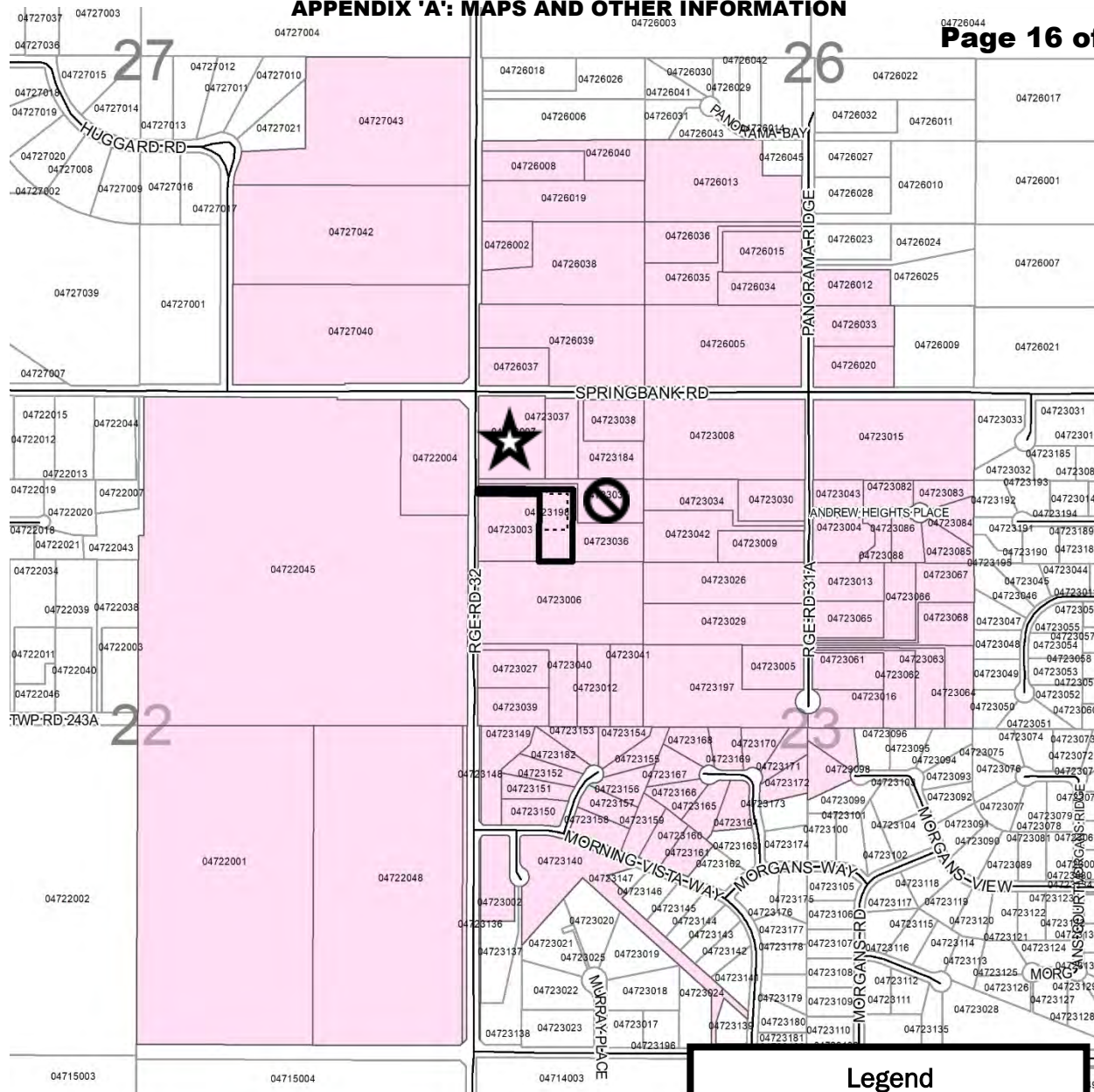
NW-23-24-03-W05M



Lot: 8 Block: 1 Plan: 1910511

Date: April 7, 2020

Division # 2

File: 04723198**AGENDA****Page 40 of 516**



 Letters in Opposition  
 Letters in Support

## Legend



Circulation Area

Subject Lands

## LANDOWNER CIRCULATION AREA

NW-23-24-03-W05M

Lot: 8 Block: 1 Plan: 1910511

Date: April 7, 2020

Division # 2

File: 04723198

AGENDA

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## APPENDIX B: SUBDIVISION APPROVAL CONDITIONS ADMINISTRATION'S RECOMMENDATION

- A. The application to create a  $\pm 0.81$  hectare ( $\pm 2.00$  acre) parcel (Lot 1) with a  $\pm 0.81$  hectare ( $\pm 2.00$  acre) remainder (Lot 2) on Lot 8, Block 1, Plan 1910511, within NW-23-24-03-W05M, having been evaluated in terms of Section 654 of the *Municipal Government Act* and Section 7 and 14 of the Subdivision and Development Regulations, and having considered adjacent landowner submissions, is recommended to be tabled for the reasons listed below:
1. The technical items required to make an accurate assessment of the subdivision application have not been provided; and,
  2. Approval of the proposed subdivision may result in negative impact to adjacent landowners.
- 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.

### *Transportation & Access*

- 2) The Owner shall construct a new paved approach on Range Road 32 in order to provide access to Lot 2 in general accordance with the approved Tentative Plan. The Owner shall contact County Road Operations to arrange a pre-construction inspection to confirm proposed approach location and the County Servicing Standards to which the approach is to be built. The Owner shall also contact County Road Operations for an interim-construction inspection and a post-construction inspection for final acceptance.
- 3) The Owner is to enter into a Road Acquisition Agreement with the County, to be registered by caveat on the title of Lot 2, to serve as notice that those lands are intended for future development as a County road, as per the approved Tentative Plan. The Agreement shall include:
  - a) The provision of 230 m ( $\pm 0.71$  ac) road acquisition along the entire south boundary of Lot 2;
  - b) Land is to be purchased for \$1 by the County;
- 4) The Owner is to enter into a Restrictive Covenant, to be registered by Caveat prepared by the County, on the title of Lot 2 that restricts the erection of any structure on or within 15 metres of a future road right-of-way, as shown on the approved Tentative Plan;





ROCKY VIEW COUNTY

*Developability*

- 5) The Applicant/Owner shall provide a revised Site-Specific Stormwater Implementation Plan (SSIP) conducted by a professional engineer that is in accordance with the County Servicing Standards.
  - a. If onsite improvements are required, the Owner shall enter into a Site Improvements / Services Agreement (SISA) with the County for the construction of the improvements as per the SSIP accepted by the County, which shall be registered on title.
  - b. Should the on-site improvements involve the use of a stormwater pond, the Applicant/Owner shall enter into a Development Agreement with the County for the construction of storm water 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.

*Servicing*

- 6) Water is to be supplied by an individual well on Lot 1. The subdivision shall not be endorsed until:
  - a. A Phase 2 Aquifer Testing Report that includes Well Driller's reports is provided confirming that the flow in each well exceeds or is equivalent to 1 igpm; and,
  - b. If the results of the testing do not meet the requirements of the *Water Act*, the subdivision shall not be endorsed or registered.
- 7) The Owner is to provide a Level 4 Assessment in accordance with the Model Process Reference Document for Lot 1 in accordance with the County Servicing Standards;
  - a. In accordance with Policy 449, a Packaged Sewage Treatment System that meets the Bureau de Normalisation du Quebec (BNQ) standards will be required on the future lots as the proposed lots are less than 4 acres in size.
- 8) The Owner shall provide a Level 1 Variation Assessment for Lot 2 that demonstrates that the proposed development meets the setbacks requirements in accordance with the Alberta Standard of Practice.
- 9) The Owner is to enter into a Development Agreement (Site Improvements / Services Agreement) with the County for Lot 1 and shall include the following:
  - a. For the construction of a Packaged Sewage Treatment System which meet Bureau de Normalisation du Quebec (BNQ) standards for treatment in accordance with Policy 449;
- 10) The Owner is to enter into a Deferred Services Agreement with the County to be registered on title for Lot(s) 1 and 2, indicating:
  - a. Each future Lot Owner shall connect the proposed lots to a regional or decentralized water, wastewater and stormwater systems once available;

*Payments and Levies*

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



ROCKY VIEW COUNTY

*Taxes*

- 12) 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: SUBDIVISION APPROVAL CONDITIONS

### APPLICANT PREFERRED OPTION

- A. The application to create a  $\pm 0.81$  hectare ( $\pm 2.00$  acre) parcel (Lot 1) with a  $\pm 0.81$  hectare ( $\pm 2.00$  acre) remainder (Lot 2) on Lot 8, Block 1, Plan 1910511, within NW-23-24-03-W05M, having been evaluated in terms of Section 654 of the *Municipal Government Act* and Section 7 and 14 of the Subdivision and Development Regulations, and having considered adjacent landowner submissions, is recommended to be tabled for the reasons listed below:
1. The technical items required to make an accurate assessment of the subdivision application have not been provided; and,
  2. Approval of the proposed subdivision may result in negative impact to adjacent landowners.
- 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.

#### *Transportation & Access*

- 2) The Owner shall upgrade the existing paved approach on Range Road 32 in order to provide access to Lots 1 and 2. The Owner shall contact County Road Operations to arrange a pre-construction inspection to verify that the existing approach location meets current standards and to confirm the County Servicing Standards to which the approach is to be upgraded to. The Owner shall also contact County Road Operations for an interim-construction inspection and a post-construction inspection for final acceptance.

#### *Developability*

- 3) The Applicant/Owner shall provide a revised Site-Specific Stormwater Implementation Plan (SSIP) conducted by a professional engineer that is in accordance with the County Servicing Standards.
  - a. If onsite improvements are required, the Owner shall enter into a Site Improvements / Services Agreement (SISA) with the County for the construction of the improvements as per the SSIP accepted by the County, which shall be registered on title.
  - b. Should the on-site improvements involve the use of a stormwater pond, the Applicant/Owner shall enter into a Development Agreement with the County for the construction of storm water facilities in accordance with the recommendations of an



ROCKY VIEW COUNTY

approved Stormwater Management Plan and the registration of any overland drainage easements and/or restrictive covenants as determined by the Stormwater Management Plan.

#### *Servicing*

- 4) Water is to be supplied by an individual well on Lot 1. The subdivision shall not be endorsed until:
  - a. A Phase 2 Aquifer Testing Report that includes Well Driller's reports is provided confirming that the flow in each well exceeds or is equivalent to 1 igpm; and,
  - b. If the results of the testing do not meet the requirements of the *Water Act*, the subdivision shall not be endorsed or registered.
- 5) The Owner is to provide a Level 4 Assessment in accordance with the Model Process Reference Document for Lot 1 in accordance with the County Servicing Standards;
  - a. In accordance with Policy 449, a Packaged Sewage Treatment System that meets the Bureau de Normalisation du Quebec (BNQ) standards will be required on the future lots as the proposed lots are less than 4 acres in size.
- 6) The Owner shall provide a Level 1 Variation Assessment for Lot 2 that demonstrates that the proposed development meets the setbacks requirements in accordance with the Alberta Standard of Practice.
- 7) The Owner is to enter into a Development Agreement (Site Improvements / Services Agreement) with the County for Lot 1 and shall include the following:
  - a. For the construction of a Packaged Sewage Treatment System which meet Bureau de Normalisation du Quebec (BNQ) standards for treatment in accordance with Policy 449;
- 8) The Owner is to enter into a Deferred Services Agreement with the County to be registered on title for Lot(s) 1 and 2, indicating:
  - a. Each future Lot Owner shall connect the proposed lots to a regional or decentralized water, wastewater and stormwater systems once available;

#### *Payments and Levies*

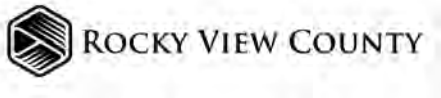
- 9) The Owner shall pay the County Subdivision Endorsement fee, in accordance with the Master Rates Bylaw, for the creation of one (1) new lot.

#### *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



2 letters received

**APPENDIX 'C': LETTERS**

**From:** [REDACTED]  
**To:** [Jessica Anderson](#)  
**Subject:** [EXTERNAL] - Re: File Number 04723198, Application Number PL20200032  
**Date:** April 26, 2020 12:41:47 PM

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Do not open links or attachments unless sender and content are known.

To Jessica Anderson  
Planning Services Department, Rocky View County  
262075 Rockyview Point,  
Rocky View County, AB T4A 0X2

Regarding the proposed development, Application Number PL20200032, File Number 04723198:

We are opposed to the subdivision of land because it is contrary to the minimum 4 acre parcels throughout this entire area.

This is an unacceptable precedent.

Peter and Deloraine Flach  
243224 Range Road 32  
Calgary, AB T3Z 2E3

From: [REDACTED]  
To: [Jessica Anderson](#)  
Subject: [EXTERNAL] - File # 04723198, Subdivision Application # PL20200032  
Date: May 25, 2020 3:31:42 PM

---

Do not open links or attachments unless sender and content are known.

Hi Jessica,

Regarding your April 22nd notification letter on the subject File and Application numbers, I am writing to provide my support to the subdivision proposal of Ryan Buckley. I was sent your notification letter because I am an adjacent landowner immediately to the north of the proposed subdivision. Should you have any questions of me, please do not hesitate to contact me.

Regards,  
Kim Beloglowka  
[REDACTED]



## PLANNING AND DEVELOPMENT SERVICES

**TO:** Subdivision Authority  
**DIVISION:** 2  
**SUBJECT:** Subdivision Item: Residential

**DATE:** September 24, 2020  
**APPLICATION:** PL20190105

**APPLICATION:** To create a  $\pm$  8.46 acre parcel with a  $\pm$  143.54 acre remainder.

**GENERAL LOCATION:** Approximately  $\frac{1}{2}$  mile north of Hwy 8 and on the east side of Rge Rd 22.

**LAND USE DESIGNATION:** Agricultural, General District (A-GEN) under Land Use Bylaw C-8000-2020.

**ADMINISTRATION RECOMMENDATION:** Administration recommends refusal in accordance with Option #3.

- OPTIONS:**
- Option #1: THAT if the Subdivision Authority considers Subdivision Application PL20190105 to be a first parcel out, the Application be approved with the conditions noted in Appendix 'B'.
- Option #2: THAT Subdivision Application PL20190105 be tabled pending redesignation and submittal of a market appraisal report.
- Option #3: THAT Subdivision Application PL20190105 be refused as per the reasons noted.

### AIR PHOTO & DEVELOPMENT CONTEXT:



### Administration Resources

Andrea Bryden, Planning and Development Services





**APPLICANT:** Barrett Gervan

**OWNER:** 2056598 AB Ltd.

**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>• Municipal Development Plan;</li> <li>• City of Calgary / Rocky View County Intermunicipal Development Plan;</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>• Level IV PSTS Assessment prepared by Osprey Engineering Inc. (October 15, 2019)</li> </ul>
--	--

*Parcel History*

The land title indicates that a portion of the quarter section to the north east of the Elbow River, containing 3.24 hectares (8.00 acres), was subdivided out as shown on the Township Plan dated February 16, 1920. The historical township plan indicates this separation may have occurred in 1884. The separated lot was further subdivided in the 1970s as part of the Mountain River Estates subdivision.

*Parcel Constraints*

With the exception of the proposed Lot 1, the majority of the subject land is located within the floodway or flood fringe of the Elbow River, leaving the remained (Lot 2) undevelopable.

*County Plan*

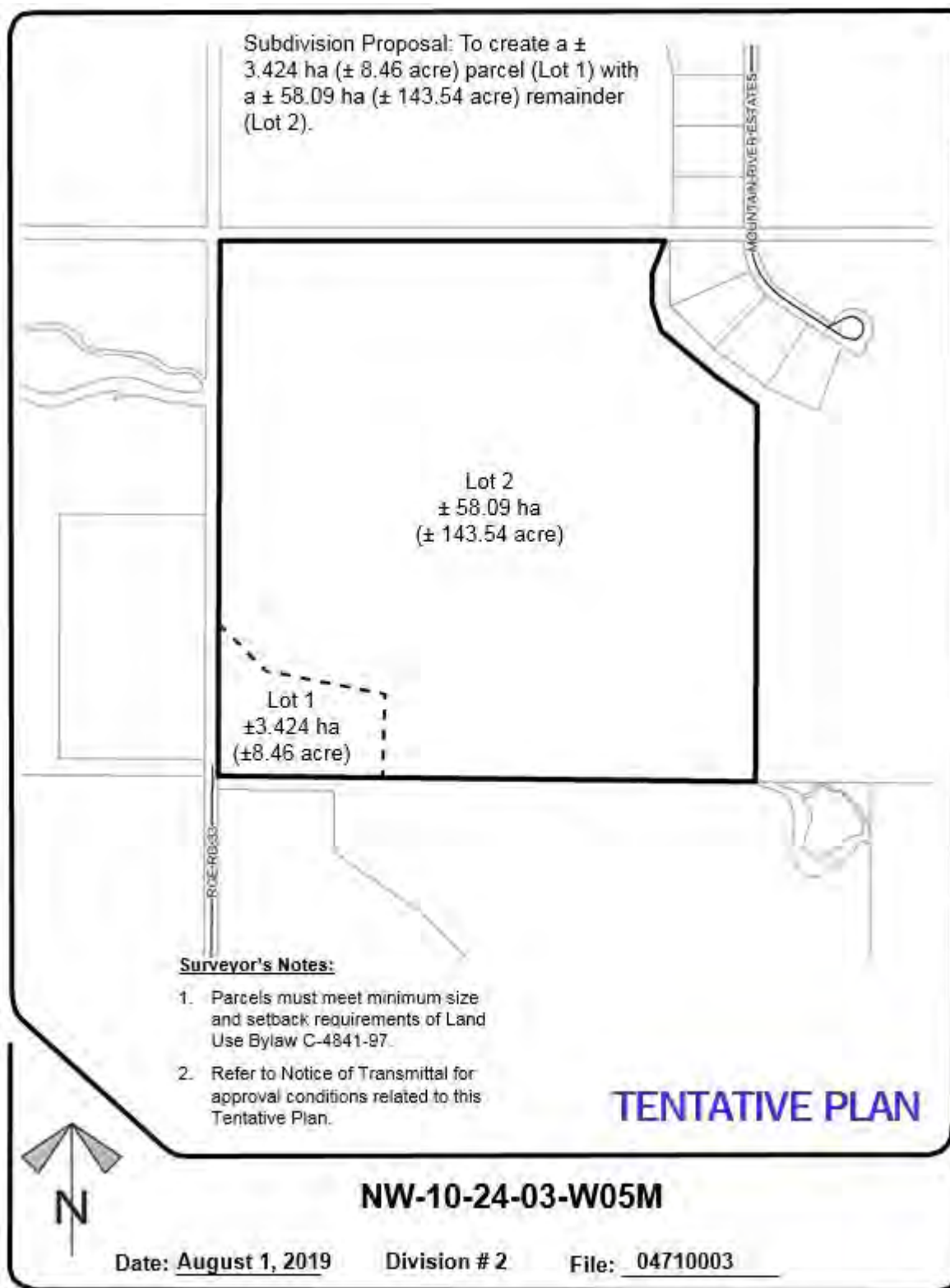
The previous subdivision within the north-east portion of the quarter section restricts the parcel from meeting the definition of an unsubdivided quarter section. Therefore, the proposal does not meet the definition of a first parcel out and cannot be supported under section 8.17 of the County Plan.

*Road Access*

The subject parcel is currently accessed from Range Road 33. Due to topographical constraints, it would be difficult to extend Range Road 33 to provide access to the proposed Lot 2. Lot 2 is undevelopable due to the floodway restrictions and through the development of the proposed Highway 8 Area Structure Plan, there is the potential for Lot 2 to be used as a riverside park; therefore, it is recommended access to Lot 2 be provided through an access easement agreement and right of way plan.

*Municipal Reserves*

As Administration does not consider this a first parcel out, we would typically require reserves to be paid on Lot 1 and deferred on the remainder. However; the applicant has not provided an appraisal report to support this application. As per Section 667 of the *Act*, "if money is required to be provided in place of municipal reserve, school reserve or municipal and school reserve, the subdivision authority must specify the amount of money required to be provided at the same time that subdivision approval is given". If the Municipal Planning Commission considers this application to be a first parcel out, Administration recommends deferral on both Lot 1 and the remainder, in accordance with conditions presented in Option #1.

*Tentative Plan*

**CONCLUSION:**

As the proposal is not considered a first parcel out and doesn't meet the policies of the County Plan, the application is recommended for refusal.

Respectfully submitted,

Concurrence,

"Theresa Cochran"

"Al Hoggan"

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Executive Director  
Community Development Services

---

Chief Administrative Officer

AB/lt

**APPENDICES:**

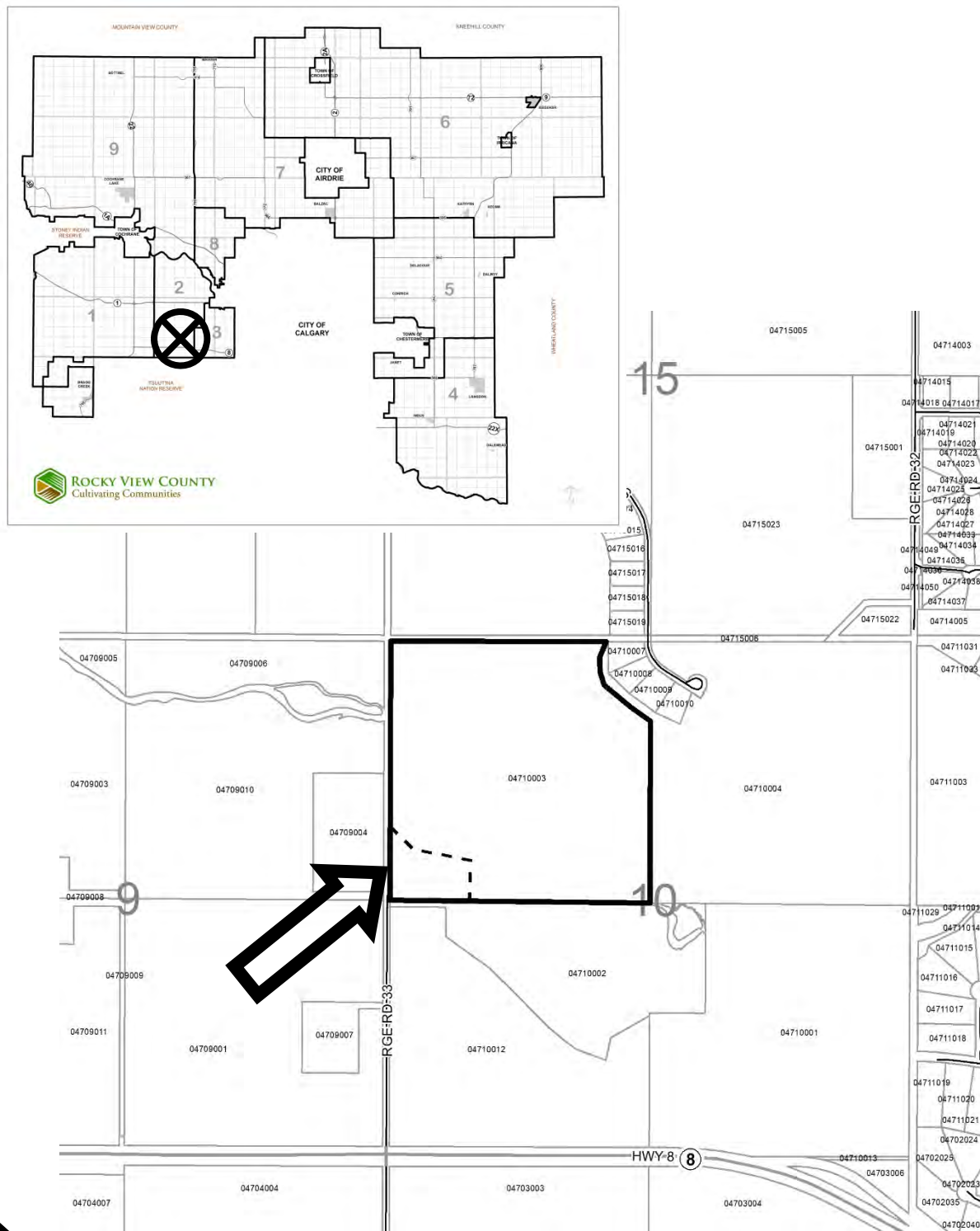
APPENDIX 'A': Maps and Other Information

APPENDIX 'B': Approval Conditions



## APPENDIX 'A': MAPS AND OTHER INFORMATION

<b>DATE APPLICATION RECEIVED:</b> July 26, 2019	<b>DATE DEEMED COMPLETE:</b> October 15, 2019
<b>GROSS AREA:</b> ± 61.51 hectares (± 152.00 acres)	<b>LEGAL DESCRIPTION:</b> NW-10-24-03-W05M
<b>APPEAL BOARD:</b> Municipal Government Board	
<b>HISTORY: 1970</b> – Mountain River Estates subdivision was registered under Plan 618LK affection a portion of SW ¼ Sec. 15 & N. 1/2 Sec. 10 Twp. 24, Rge. 3 W. 5 <sup>th</sup> M.	
<b>PUBLIC &amp; AGENCY SUBMISSIONS:</b> <p>The application was circulated to 31 adjacent landowners and no letters were received in response.</p> <p>The application was also circulated to a number of internal and external agencies and, where appropriate, conditions of approval have been proposed based on these comments.</p>	



## LOCATION PLAN



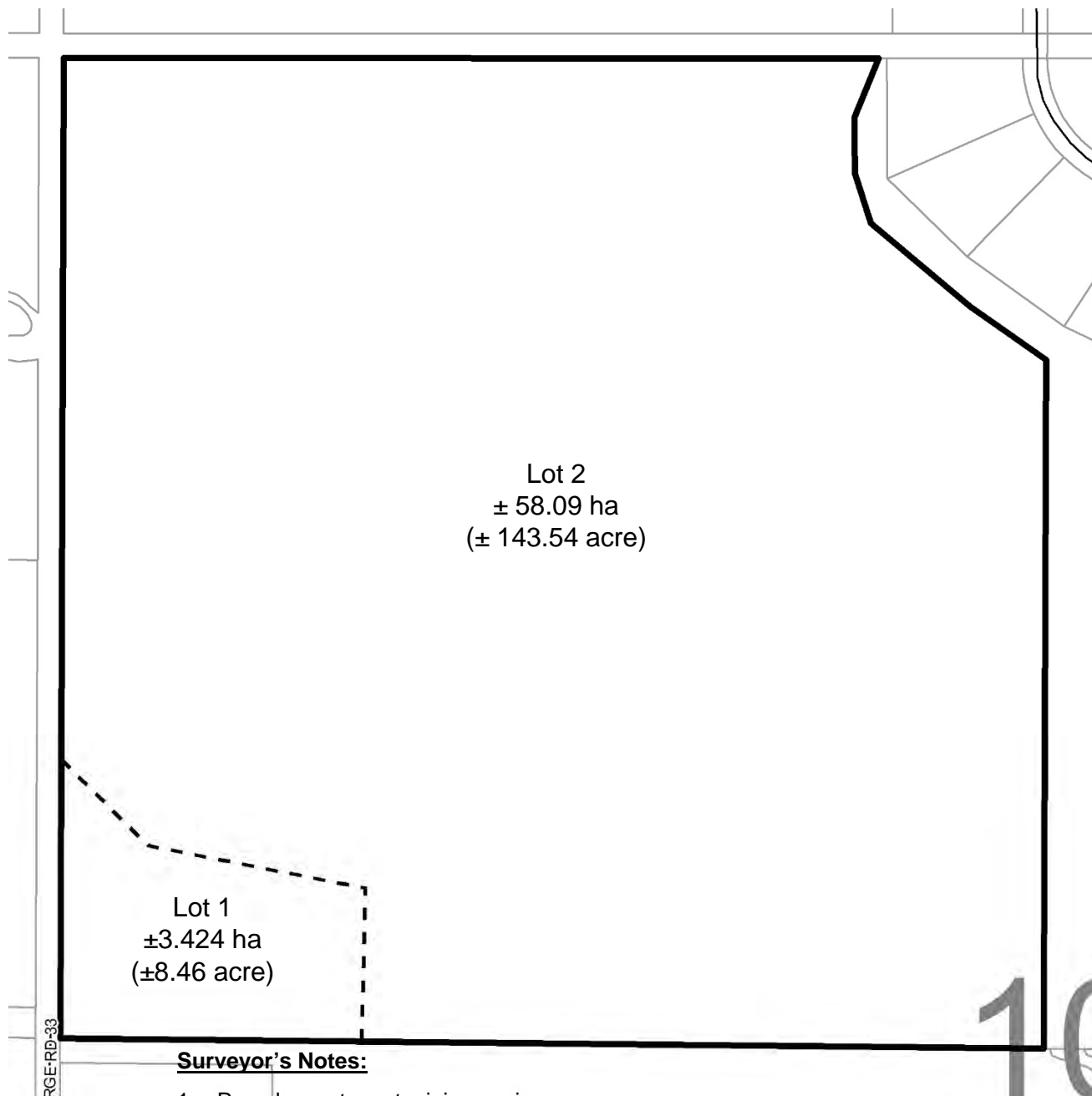
**NW-10-24-03-W05M**

**Date: August 11, 2020**

## Division # 2

File: 04710003

**Subdivision Proposal:** To create a  $\pm 3.424$  ha ( $\pm 8.46$  acre) parcel (Lot 1) with a  $\pm 58.09$  ha ( $\pm 143.54$  acre) 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**

**NW-10-24-03-W05M**

Date: August 11, 2020

Division # 2

File: 04710003



**FLOOD MAPPING**



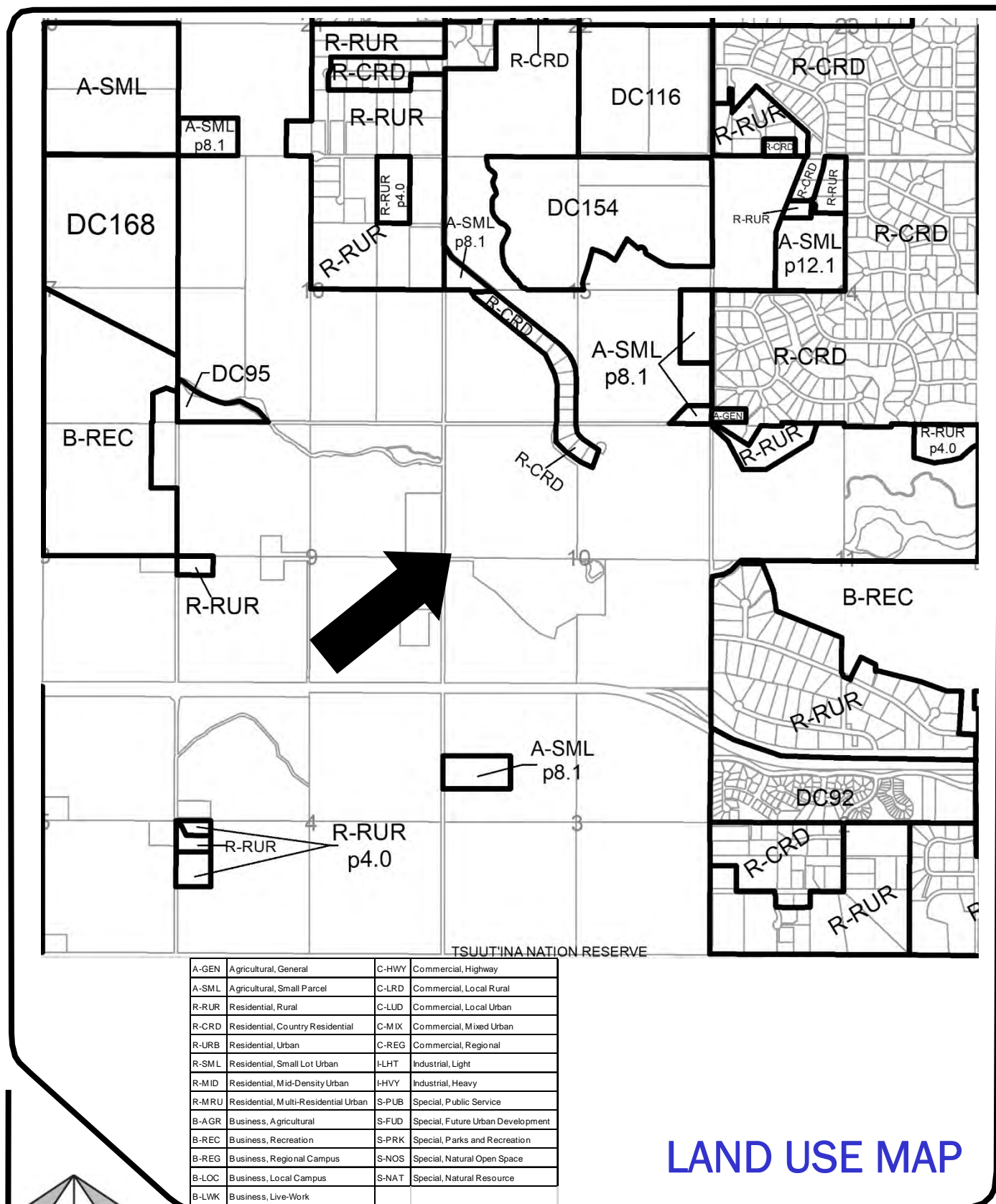
**NW-10-24-03-W05M**

Date: August 11, 2020

Division # 2

File: 04710003





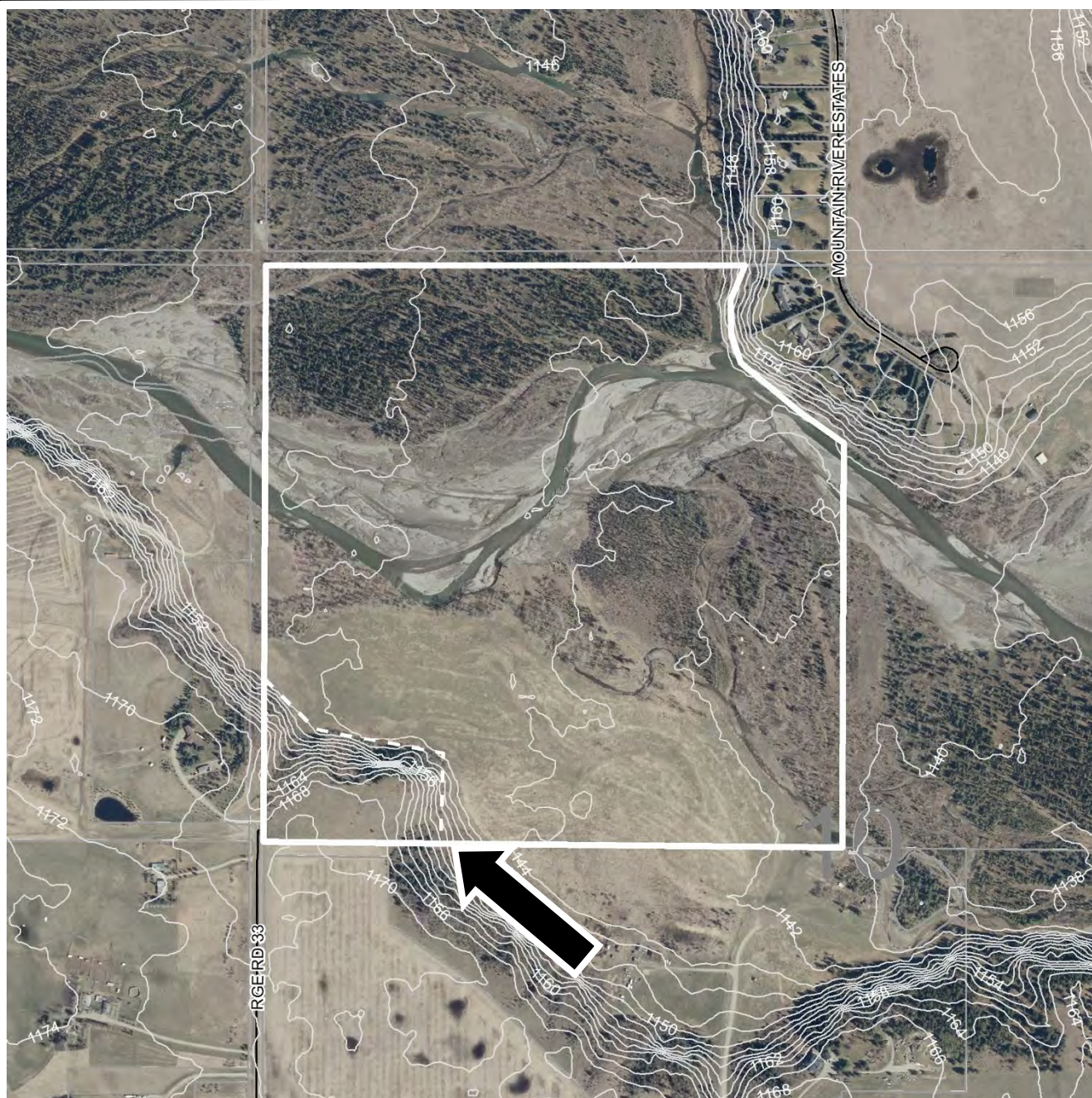
NW-10-24-03-W05M

Date: August 11, 2020

Division # 2

File: 04710003

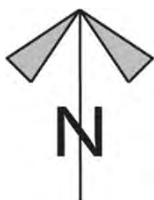




Contours are generated using 10m grid points, and depict general topographic features of the area. Detail accuracy at a local scale cannot be guaranteed. They are included for reference use only.

## TOPOGRAPHY

**Contour Interval 2 M**



**NW-10-24-03-W05M**

**Date:** August 11, 2020

## Division # 2

**File:** 04710003

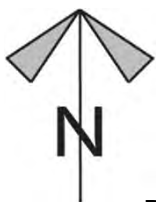




Note: Post processing of raw aerial photography may cause varying degrees of visual distortion at the local level.

**AIR PHOTO**

*Spring 2020*



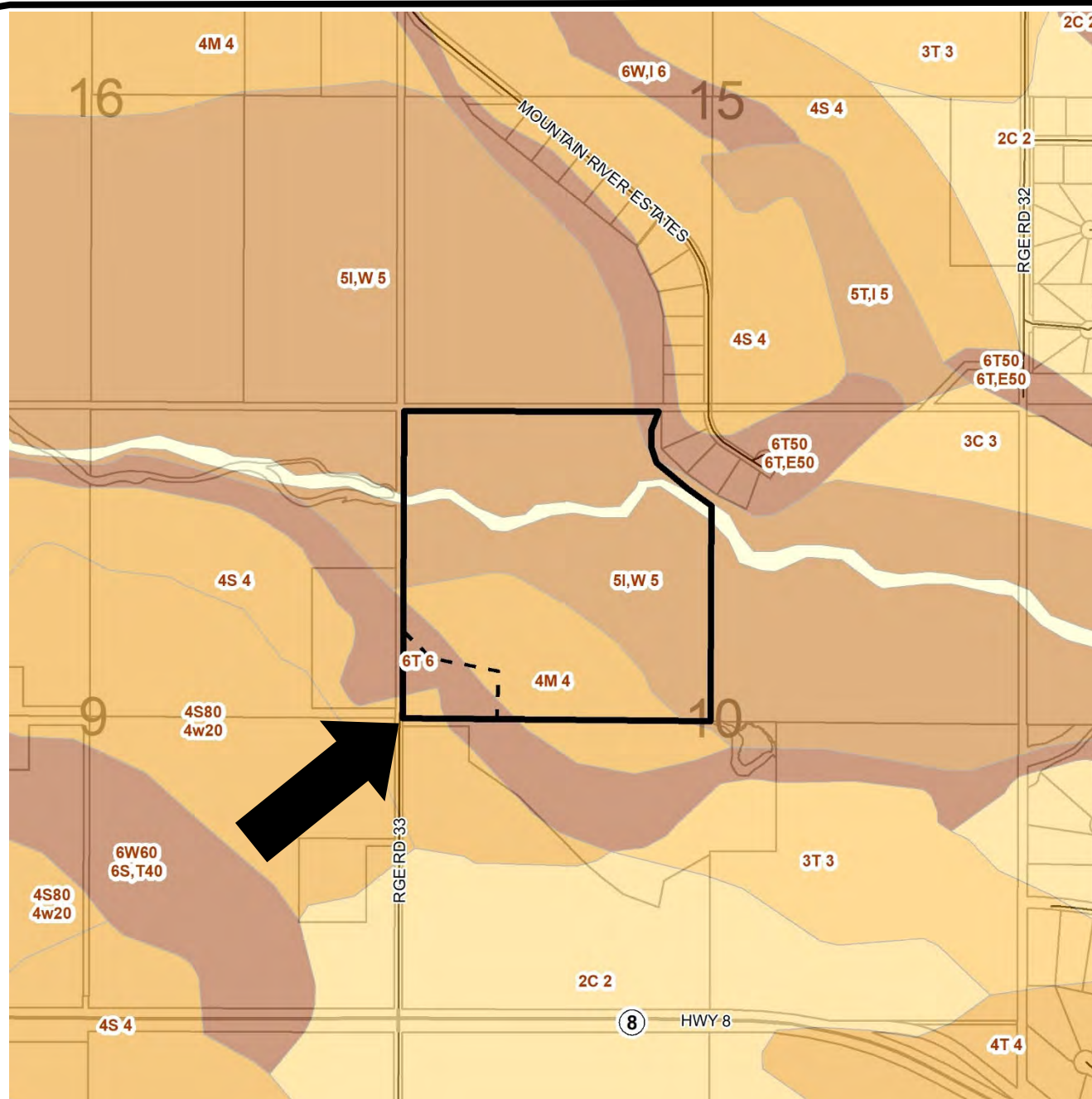
**NW-10-24-03-W05M**

Date: August 11, 2020

Division # 2

File: 04710003





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

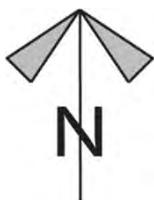
**CLI Class**

- 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**



**NW-10-24-03-W05M**

Date: August 11, 2020

Division # 2

File: 04710003

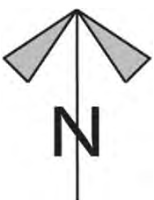


### Legend – Plan numbers

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

# HISTORIC SUBDIVISION MAP

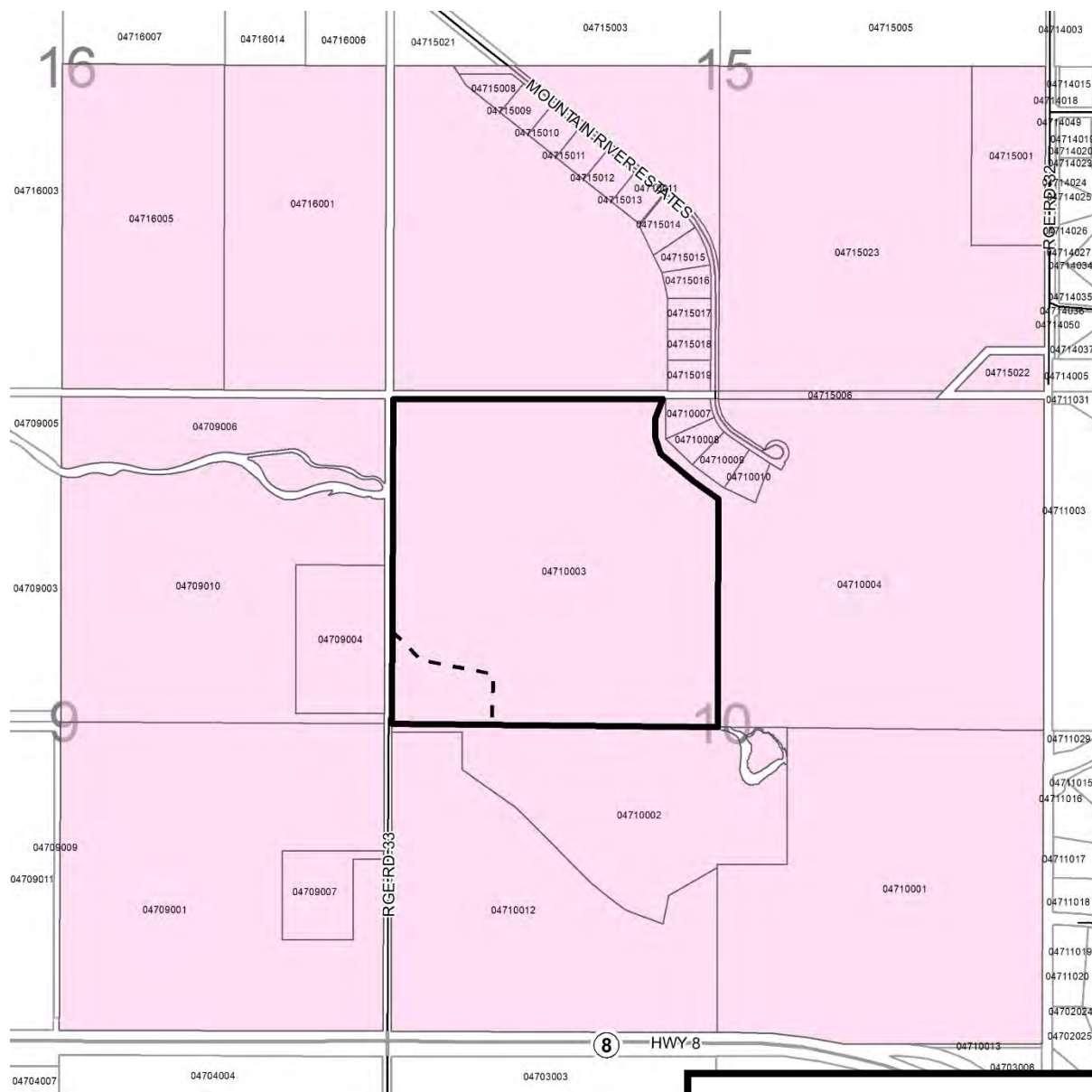
**NW-10-24-03-W05M**



**Date: August 11, 2020**

## Division # 2

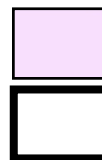
File: 04710003



Letters in Opposition

Letters in Support

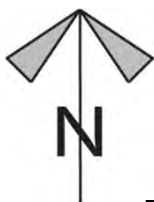
## Legend



Circulation Area

Subject Lands

## LANDOWNER CIRCULATION AREA



NW-10-24-03-W05M

Date: August 11, 2020

Division # 2

File: 04710003



## APPENDIX 'B': APPROVAL CONDITIONS

- A. The application to create a  $\pm 3.424$  hectare (8.46 acre) parcel with a  $\pm 58.09$  hectare (143.54 acre) remainder at NW-10-24-03-W05M, having been evaluated in terms of Section 654 of the *Municipal Government Act* and Section 7 and Section 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 subject lands hold the appropriate land use designation.
  2. 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.

*Transportation and Access*

- 2) The Applicant/Owner shall provide an access right-of-way plan in order to provide access to Lot 2 from a developed road; and
  - a) Prepare and register respective easements on each title, where required.

*Site Servicing*

- 3) The Applicant/Owner shall enter into a Development Agreement (Site Improvements Services Agreement) with the County and shall include the following:
  - a) In accordance with the Level 4 PSTS Assessment, prepared by Osprey Engineering Inc., dated October 15, 2019; and
  - b) The Construction of a packaged sewage treatment system meeting Bureau de Normalisation du Quebec (BNQ) standards.
- 4) Water is to be supplied by an individual well on Lot 1. The subdivision shall not be endorsed until:
  - a) Verification is provided ensuring that each well is located within each respective proposed lot's boundaries.
  - b) It has been demonstrated that the new well is capable of supplying a minimum of one (1) IGPM of water for household purposes.



- 5) Utility Easements, Agreements, and Plans are to be provided and registered to the satisfaction of ATCO Gas.

#### *Developability*

- 6) The Applicant/Owner is to provide a Slope Stability Analysis, addressing the suitability of the land for the development proposal:
  - a) The Owner shall provide for the implementation of the recommendation of the Slope Stability Analysis;
  - b) Registration of any required easements and / or Restrictive Covenants; and
  - c) The Owner shall enter into a Development Agreement (Site Improvements / Services Agreement) with the County, if required.

#### *Municipal Reserves*

- 7) The provision of Reserve, in the amount of 10% of Lot(s) 1 & 2, is to be deferred by caveat proportionately to Lot(s) 1 & 2, pursuant to Section 669(2) of the *Municipal Government Act*;

#### *Payments and Levies*

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

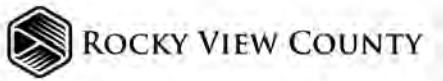
#### *Taxes*

- 9) 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





## PLANNING AND DEVELOPMENT SERVICES

**TO:** Subdivision Authority  
**DIVISION:** 9  
**SUBJECT:** Subdivision Item: Residential

**DATE:** September 24, 2020  
**APPLICATION:** PL20200043

**APPLICATION:** To create a  $\pm 9.91$  acre parcel (Lot 1) with a  $\pm 9.91$  acre remainder (Lot 2).

**GENERAL LOCATION:** Located on the east side of Range Road 43 approximately 1.21 kilometres (3/4 mile) south of Cochrane Lake West.

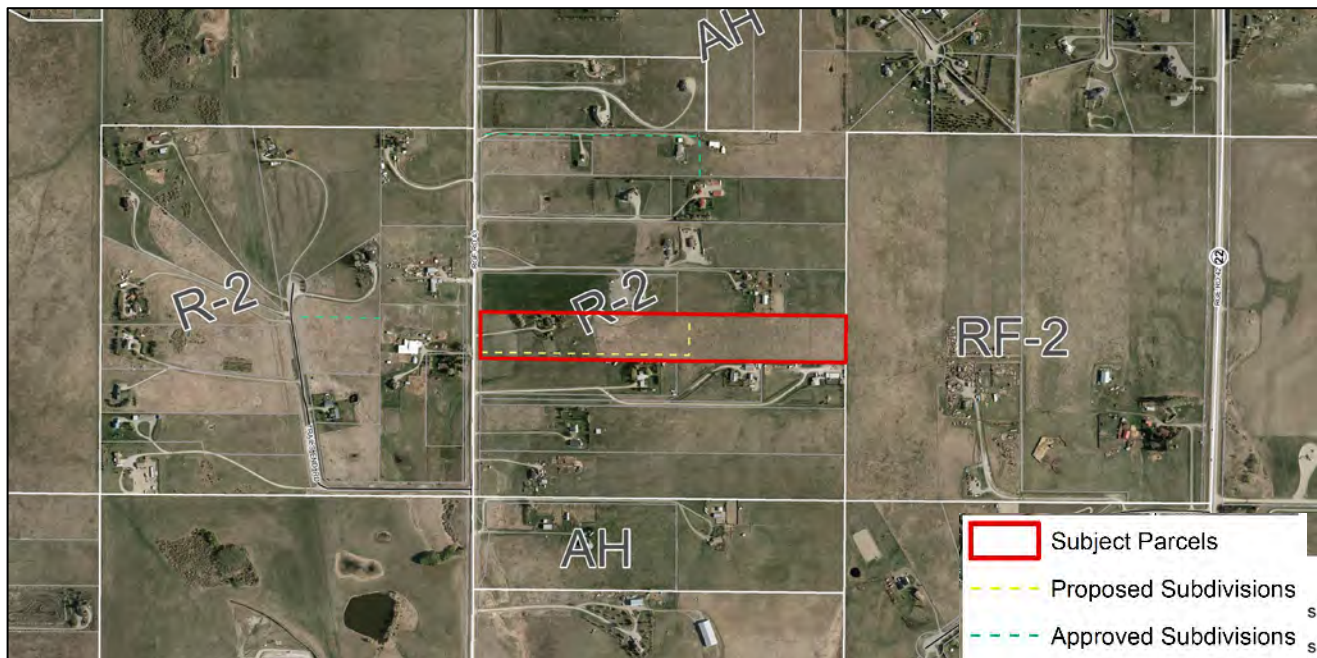
**LAND USE DESIGNATION:** Residential Two District (R-2) (Land Use Bylaw C-4841-97)

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

### OPTIONS:

- Option #1: THAT Subdivision Application PL20200043 be approved with the conditions noted in Appendix 'B'.
- Option #2: THAT Subdivision Application PL20200043 be refused as per the reasons noted.

### AIR PHOTO & DEVELOPMENT CONTEXT:



**Administration Resources**  
 Oksana Newmen, Planning and Development Services





**APPLICANT:** Stormwater Solutions (Paul Jacobs)

**OWNER:** Judy and Ross Rogers

**APPLICATION EVALUATION:**

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

<b>APPLICABLE POLICY AND REGULATIONS:</b>	<b>TECHNICAL REPORTS SUBMITTED:</b>
<ul style="list-style-type: none"> <li>• <i>Municipal Government Act;</i></li> <li>• Subdivision and Development Regulations;</li> <li>• Municipal Development Plan;</li> <li>• Cochrane North Area Structure Plan</li> <li>• Land Use Bylaw (C-4841-97); and</li> <li>• County Servicing Standards.</li> </ul>	<ul style="list-style-type: none"> <li>• Phase 1 Groundwater Supply Evaluation prepared by Solstice Environmental Management (March 3, 2020)</li> <li>• Level 1 Private Sewage Treatment Systems Assessment prepared by Solstice Environmental Management (March 19, 2020)</li> <li>• Level 2 Private Sewage Treatment System Assessment prepared by Solstice Environmental Management (March 20, 2020)</li> </ul>

*Transportation and Access*

There is an existing access for Lot 1, and a proposed access along a 25 metre wide panhandle to Lot 2 will require construction of a new paved approach.

*Site Servicing*

Lot 1, containing the existing home, serves the site via well and septic. The proposed Lot 2 will be served in this way as well, as the technical studies support servicing through these methods.

*Cochrane North Area Structure Plan*

The subject site is located in Residential Infill Site C, meets appropriate policies, and exceeds the four acre minimum required. As such, the application is consistent with the ASP. As only one lot is being proposed, Administration believes a conceptual scheme would not be of benefit.

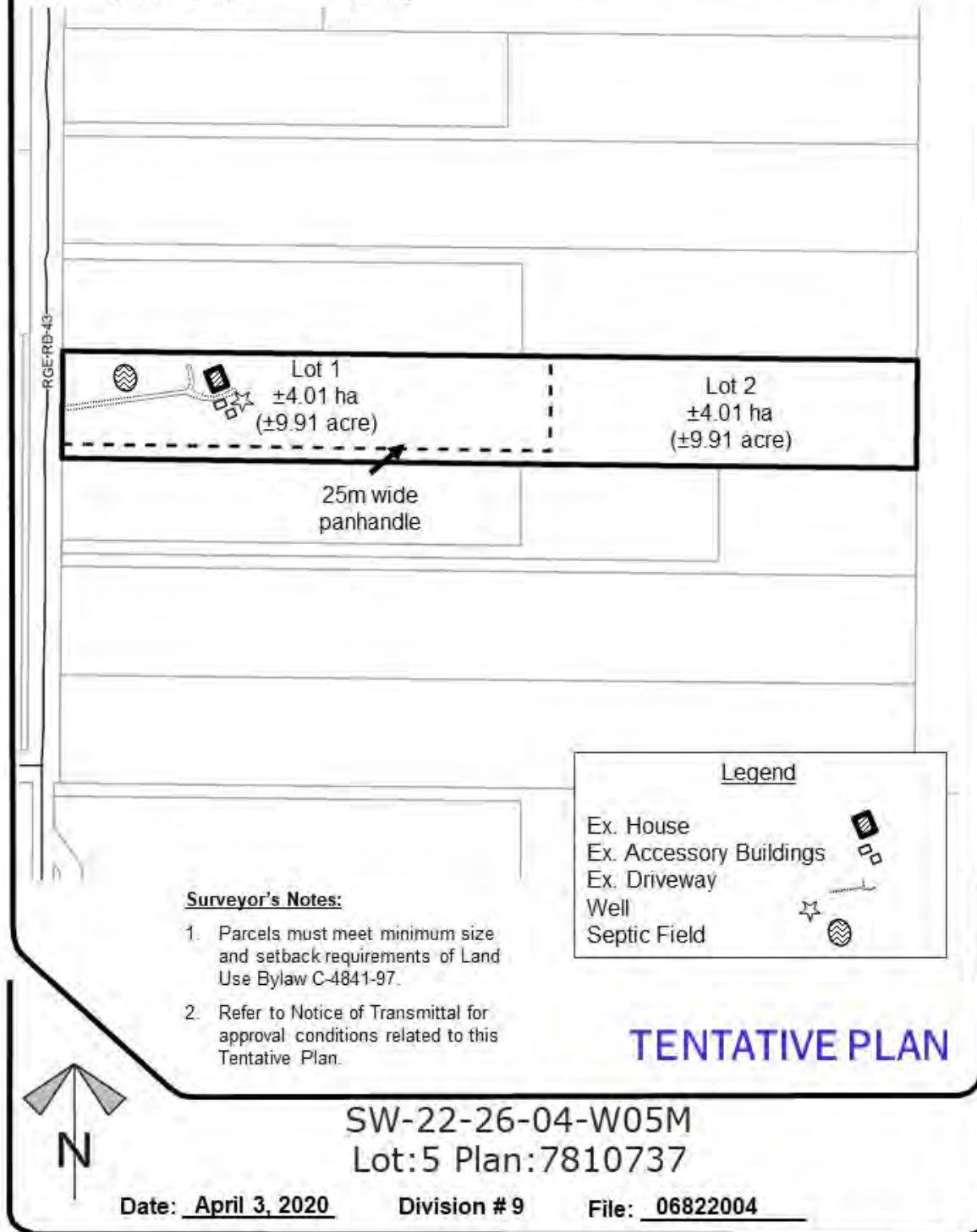
<b>APPLICABLE FEE/LEVY</b>	<b>AMOUNT OWING (ESTIMATE)</b>
<i>TRANSPORTATION OFFSITE LEVY</i>	Not required
<i>MUNICIPAL RESERVE (\$30,000/ACRE)</i> <i>0.991 ac x \$30,000 (Lot 1)</i> <i>MR to be deferred by caveat on Lot 2</i>	\$29,730

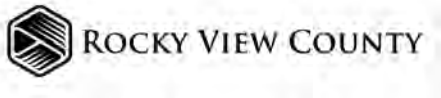


ROCKY VIEW COUNTY

Tentative Plan

**Subdivision Proposal:** To create a  $\pm 4.01$  hectare ( $\pm 9.91$  acre) parcel (Lot 1) with a  $\pm 4.01$  hectare ( $\pm 9.91$  acre) remainder (Lot 2).





**CONCLUSION:**

Subject to the proposed conditions of approval, the application is recommended for approval in accordance with Option #1.

Respectfully submitted,

Concurrence,

"Theresa Cochran"

"Al Hoggan"

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Executive Director  
Community Development Services

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Chief Administrative Officer

ON/It

**APPENDICES:**

APPENDIX 'A': Maps and Other Information

APPENDIX 'B': Approval Conditions

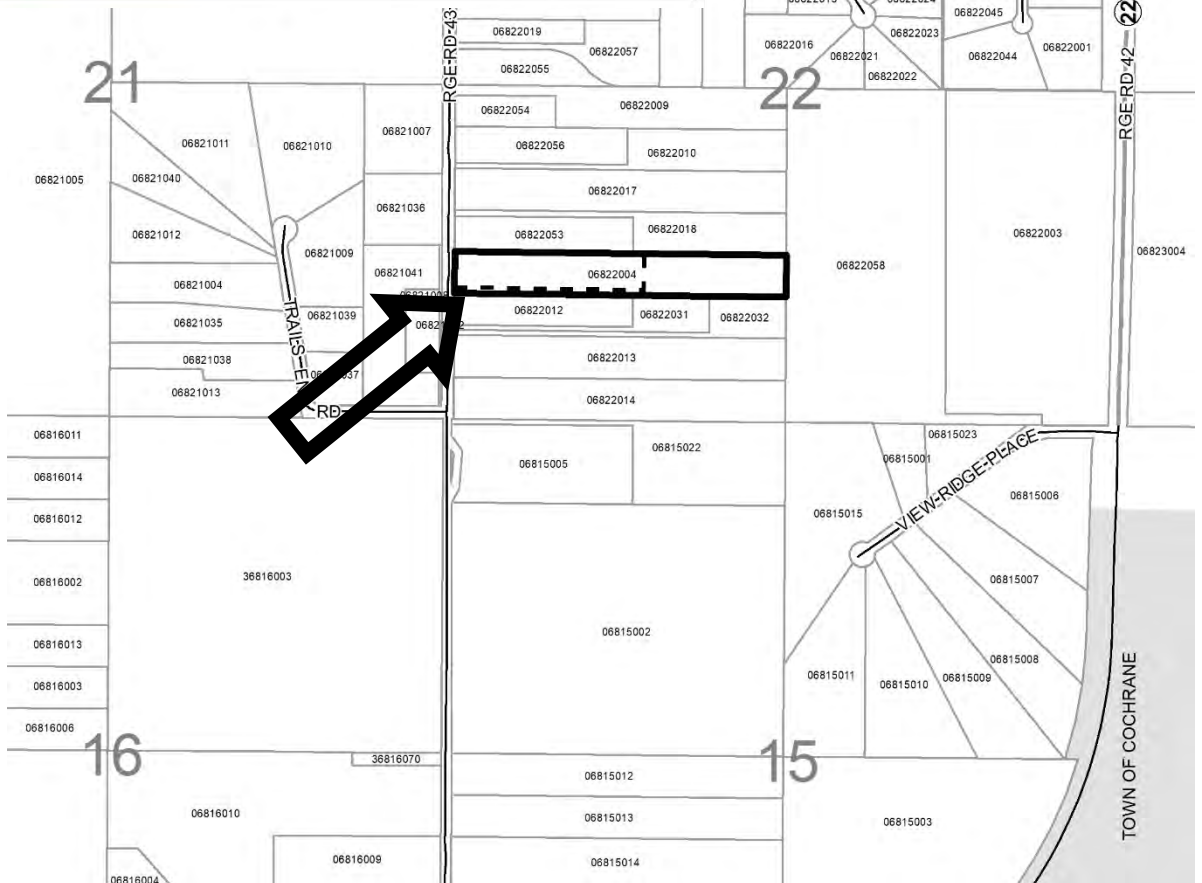
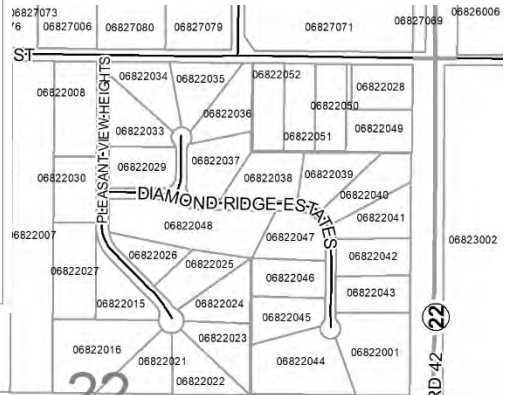
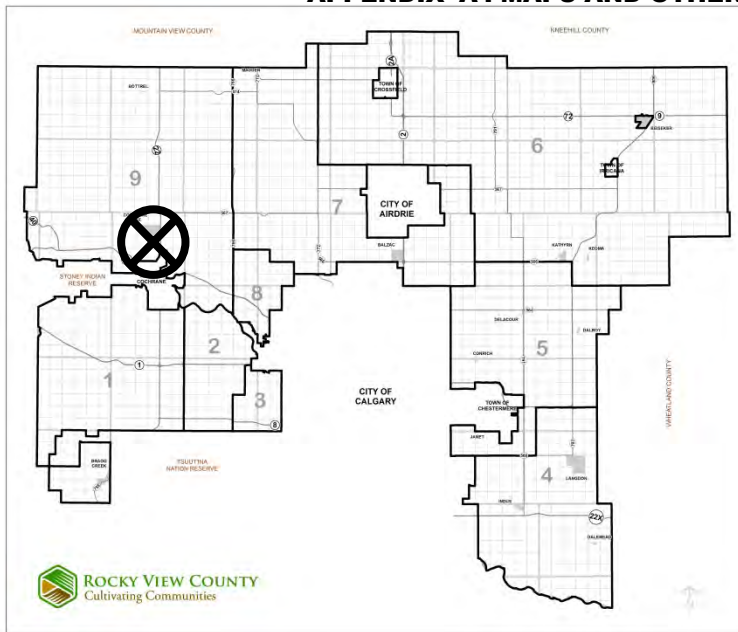
APPENDIX 'C': Letters



ROCKY VIEW COUNTY

## APPENDIX 'A': MAPS AND OTHER INFORMATION

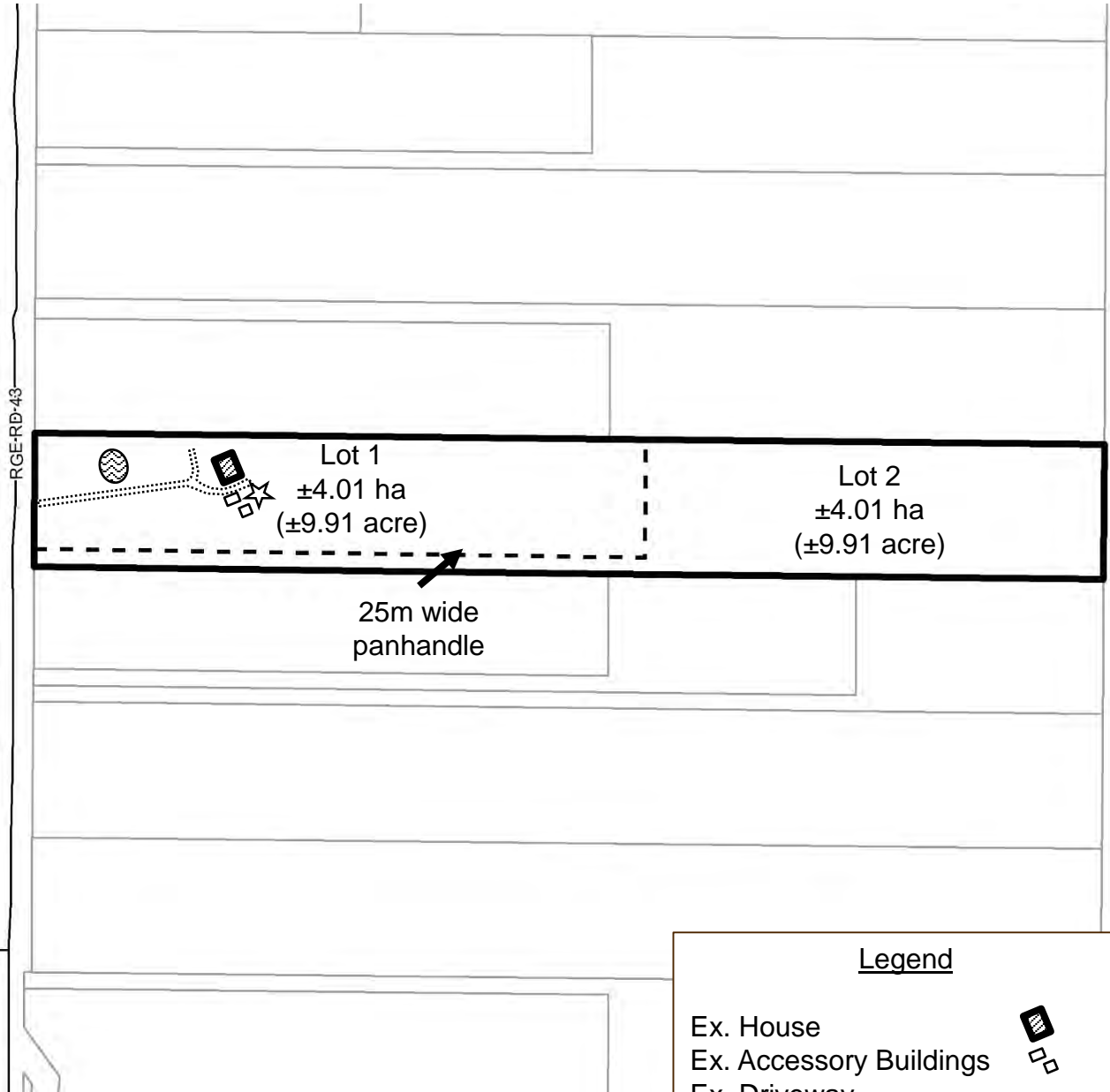
<b>DATE APPLICATION RECEIVED:</b> April 1, 2020	<b>DATE DEEMED COMPLETE:</b> April 1, 2020
<b>GROSS AREA:</b> ± 8.02 HECTARES (± 19.82 ACRES)	<b>LEGAL DESCRIPTION:</b> Lot 5, Plan 7810737, SW-22-26-4-W5M
<b>APPEAL BOARD:</b> SUBDIVISION AND DEVELOPMENT APPEAL BOARD	
<b>HISTORY:</b> <i>June 1978</i> Subject property registered at land titles as a result of subdivision (Lot 5, Plan 781 0737; 19.82 acres)	
<b>PUBLIC &amp; AGENCY SUBMISSIONS:</b> The application was circulated to 70 adjacent landowners. One response was received. The responses have been included in Appendix 'C.'  The application was also circulated to a number of internal and external agencies and, where appropriate, conditions of approval have been proposed based on these comments.	



LOCATION PLAN

SW-22-26-04-W05M  
 Lot: 5 Plan: 7810737

**Subdivision Proposal:** To create a  $\pm 4.01$  hectare ( $\pm 9.91$  acre) parcel (Lot 1) with a  $\pm 4.01$  hectare ( $\pm 9.91$  acre) 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**

SW-22-26-04-W05M

Lot: 5 Plan: 7810737

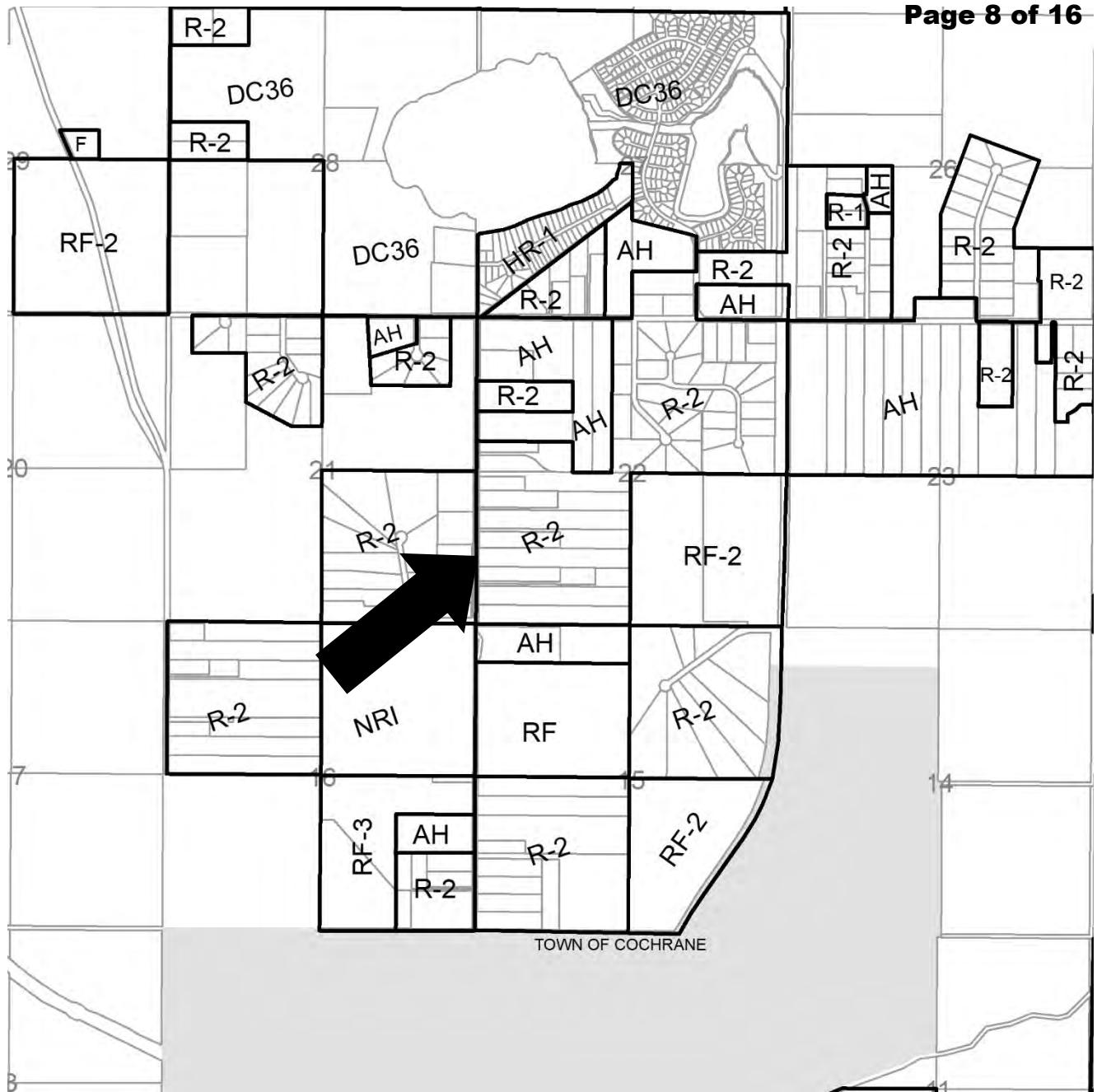
Date: April 3, 2020

Division # 9

File: 06822004

**AGENDA**

Page 72 of 516



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

## LAND USE MAP

SW-22-26-04-W05M

Lot: 5 Plan: 7810737

Date: April 3, 2020

Division # 9

File: 06822004

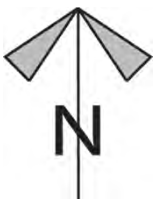
**AGENDA**

Page 73 of 516



# TOPOGRAPHY

*Contour Interval 2 M*



SW-22-26-04-W05M  
Lot: 5 Plan: 7810737





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

**AIR PHOTO**

*Spring 2018*

SW-22-26-04-W05M

Lot: 5 Plan: 7810737

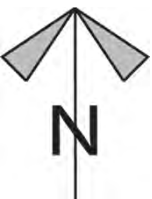
Date: April 3, 2020

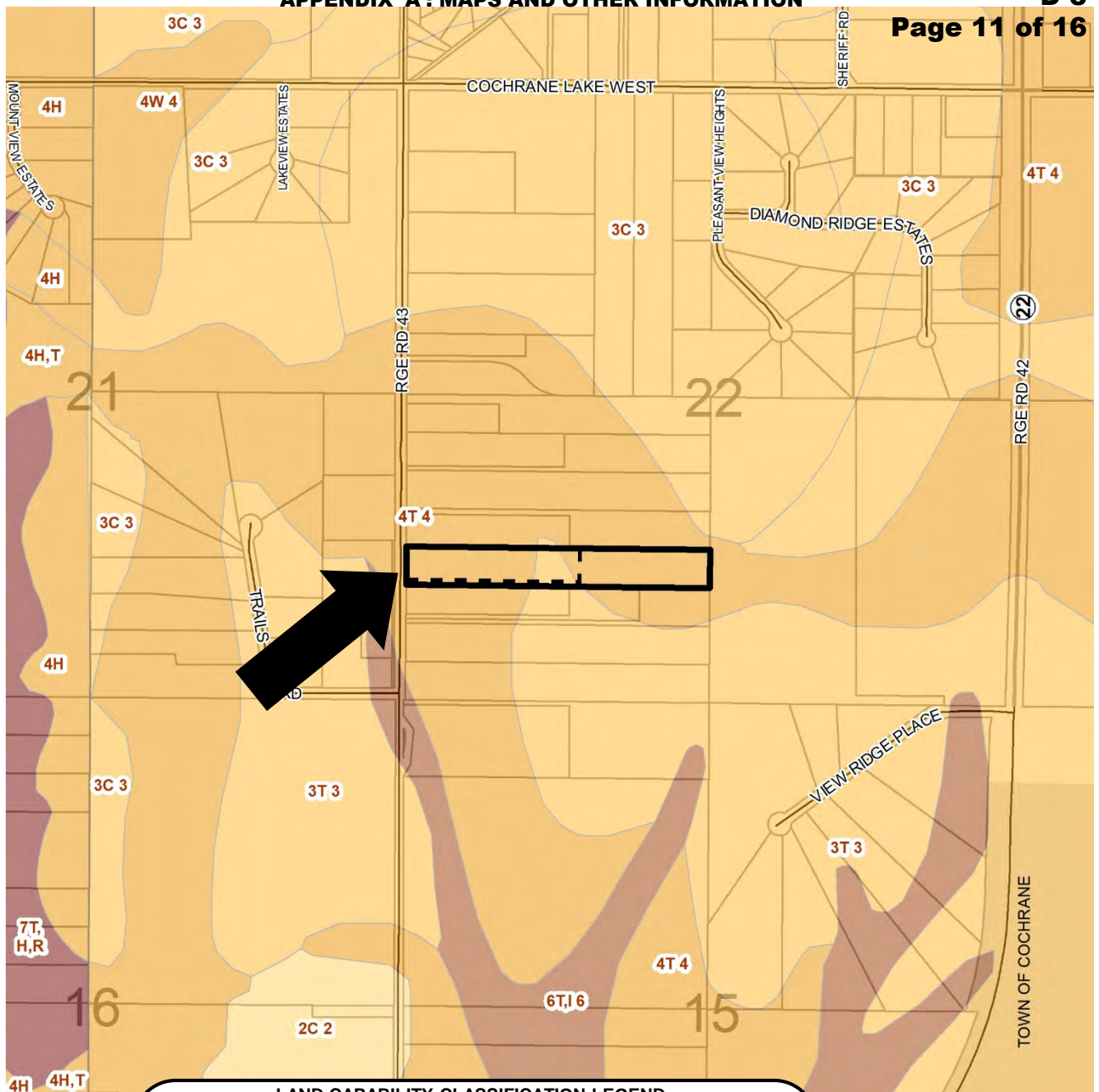
Division # 9

File: 06822004

**AGENDA**

**Page 75 of 516**



**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
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- 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**

SW-22-26-04-W05M

Lot: 5 Plan: 7810737

Date: April 3, 2020

Division # 9

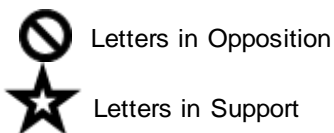
File: 06822004**AGENDA****Page 76 of 516**



- 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

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10

## Subject Lands

SW-22-26-04-W05M  
Lot: 5 Plan: 7810737

Page 78 of 516



ROCKY VIEW COUNTY

## APPENDIX 'B': APPROVAL CONDITIONS

- A. The application to create a  $\pm 9.91$  acre parcel (Lot 1) with a  $\pm 9.91$  acre remainder (Lot 2) at Lot 5, Plan 7810737, SW-22-26-4-W5M, having been evaluated in terms of Section 654 of the *Municipal Government Act* and Section 7 of the Subdivision and Development Regulations, and having considered adjacent landowner submissions, is approved as per the Tentative Plan for the reasons listed below:
1. The application is consistent with the Statutory Policy;
  2. The subject lands hold the appropriate land use designation;
  3. The technical aspects of the subdivision proposal have been considered and are further addressed through the conditional approval requirements.
- B. The Applicant/Owner is required, at their expense, to complete all conditions attached to and forming part of this conditional subdivision approval prior to Rocky View County (the County) authorizing final subdivision endorsement. This requires submitting all documentation required to demonstrate each specific condition has been met, or agreements (and necessary securities) have been provided to ensure the conditions will be met, in accordance with all County Policies, Standards, and Procedures, to the satisfaction of the County, and any other additional party named within a specific condition. Technical reports required to be submitted as part of the conditions must be prepared by a qualified professional, licensed to practice in the province of Alberta within the appropriate field of practice. The conditions of this subdivision approval do not absolve an Applicant/Owner from ensuring all permits, licenses, or approvals required by Federal, Provincial, or other jurisdictions are obtained.
- C. Further, in accordance with Section 654 and 655 of the *Municipal Government Act*, the application shall be approved subject to the following conditions of approval:

*Survey Plans*

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

*Transportation and Access*

- 2) The Owner shall construct a new paved approach on Range Road 43 in order to provide access to Lot 2. The owner shall contact County Road Operations to arrange a pre-construction inspection to confirm the proposed approach location and County Servicing standards to which the approach is to be built. The owner shall also contact County Road Operations for an interim-construction inspection and a post-construction inspection for final acceptance. If a mutual approach is constructed, the Owner shall:
  - a) Provide an access right of way plan; and
  - b) Prepare and register respective easements on each title, where required.

*Site Servicing*

- 3) The Owner is to enter into a Deferred Services Agreement with the County to be registered on title for each proposed Lot(s) 1 and 2, indicating:
  - a) Each future Lot Owner is required 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;



## ROCKY VIEW COUNTY

- 4) Water is to be supplied by an individual well on Lot 2. The subdivision shall not be endorsed until:
  - a) The Owner has provided a Well Driller's Report to determine whether an adequate supply of water is available for Lot 2.
  - b) Verification is provided that each new well is located within each respective proposed lot boundaries.
  - c) It has been demonstrated that the new well is capable of supplying a minimum of one (1) IGPM of water for household purposes;

*Municipal Reserves*

- 5) The provision of Reserve in the amount of 10% of the area of Lot 1, as determined by the Plan of Survey, is to be provided by payment of cash-in-lieu in accordance with the per acre value as listed in the land appraisal prepared by Altus Group, file # 13120.102658.055 dated May 11, 2020, pursuant to Section 666(3) of the Municipal Government Act;
  - a) Reserves for Lot 2 are to be deferred with Caveat per the Plan of Survey, pursuant to Section 669(2) of the Municipal Government Act;

*Payments and Levies*

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

*Taxes*

- 7) 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

Barry and Susan Morgan  
263042 Range Road 43  
Cochrane AB  
T4C 2B1

May 6<sup>th</sup>, 2020

File Number                      06822004  
Application Number              PL20200043

Attn of Planning Services Department  
Rocky View County

Good Afternoon,

We were notified of an application to sub divide the land adjacent to our property on the east side of Range Road 43.

Our concerns regarding this application are: - location of the access road to the rear property and materials used for this access road, as we are currently experiencing huge dust clouds from existing access roads around us from neighbouring properties. This results in increased wear and tear on our property and additional cleaning inside and out.

With regards to the septic field, the property falls towards ours, so we need to be certain that location of any new septic system on the new parcel, does not affect our well/ water system. With the gradient of the land having been altered in the last year by the current owners of that property and the property to the north of them, this is now of greater concern to us. Another concern will be the effect on our water supply and if this will decrease our pressure/ flow.

We Thank-you for your consideration on these comments.

Regards

Barry & Susan Morgan



## PLANNING AND DEVELOPMENT SERVICES

**TO:** Subdivision Authority

**DATE:** September 24, 2020

**DIVISION:** 5

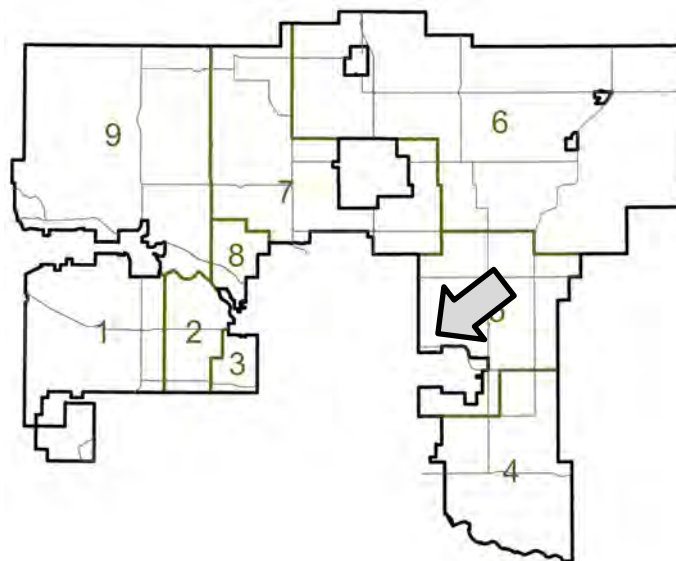
**APPLICATION:** PL20200027

**SUBJECT:** Subdivision Item – Boundary Adjustment and Creation of Three New Parcels

**APPLICATION:** To adjust boundaries between a  $\pm 4.7$  acre parcel and a  $\pm 50.38$  acre parcel in order to create a  $\pm 5.89$  acre parcel (Lot 3), and facilitate the creation of a  $\pm 9.02$  acre parcel (Lot 1), a  $\pm 5.10$  acre parcel (Lot 2), a  $\pm 33.09$  acre remainder and an internal subdivision road.

**GENERAL LOCATION:** Located at the southwest junction of Highway 1 and Garden Road, and immediately north of Luther Rose Boulevard.

**LAND USE DESIGNATION:** Special, Public Service District (S-PUB), Direct Control District (DC-79), and Direct Control District (DC-11) under Land Use Bylaw C-8000-2020.



### ADMINISTRATION RECOMMENDATION:

Administration recommends approval in accordance with Option #1.

### OPTIONS:

Option #1: THAT Subdivision Application PL20200027 be approved with the conditions noted in Appendix 'B'.

Option #2: THAT Subdivision Application PL20200027 be refused as per the reasons noted.

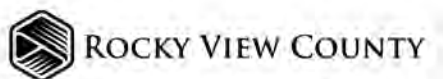
### AIR PHOTO & DEVELOPMENT CONTEXT:



### Administration Resources

Xin Deng, Planning and Development Services





**APPLICANT:** IBI Group

**OWNER:** Sage Properties Corporation

**APPLICATION EVALUATION:**

The policy application (PL20200026) to amend the existing Prince of Peace Master Site Development Plan was approved by Council on September 1, 2020. Therefore, this subdivision application (PL20200027) is able to proceed to Municipal Planning Commission (MPC) for consideration.

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-79);</li> <li>• Direct Control Bylaw (DC-11)</li> <li>• Land Use Bylaw; and</li> <li>• Prince of Peace Master Site Development Plan</li> <li>• County Servicing Standards</li> </ul>	<p><b>TECHNICAL REPORTS SUBMITTED:</b></p> <ul style="list-style-type: none"> <li>• Prince of Peace TIA Update (Bunt &amp; Associates, July 2020)</li> <li>• Existing Water and Sanitary Sewer Infrastructure Assessment (IBI Group, July 2020)</li> <li>• Appraisal Report (Altus Group, August 19, 2020)</li> </ul>
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*Transportation:*

The existing road would be upgraded to a paved Country Collector Road with cul-de-sac bulb to access the proposed three parcels and the remainder. As a condition of subdivision, the Owner would be required to enter into a Development Agreement for construction of road and illumination installation at the site access and Garden Road as per the recommendations in the TIA.

*Water and Wastewater:*

In the long term, the proposed three parcels would be serviced by county piped water system, and would continue to be serviced by piped wastewater system.

The County is currently working with Prince of Peace on an agreement that would extend County potable water services to the development. As part of these negotiations, the County has agreed to take over the Prince of Peace internal water and wastewater systems if Prince of Peace can bring these systems to an acceptable level of service. In this effort, the Applicant prepared the Prince of Peace Existing Water and Sanitary Sewer Infrastructure Assessment Report, which detailed several repairs to the system that will bring it to an acceptable level of service for the County to take over ownership. This would be included as a Development Agreement condition to ensure there are proper inspections of improved systems prior to the County taking ownership of these systems.

*Stormwater:*

A Stormwater Management Plan was submitted as part of Prince of Peace Master Site Development Plan application. As a condition of subdivision, the Owner is required to provide a limited scope stormwater management report which determines if the existing system has enough capacity for the upgraded internal road system.

*Municipal Reserves:*

Municipal Reserves are outstanding on the subject land. As the Prince of Peace Master Site Development Plan intends to set up a condominium development, future pathways and open spaces



would be privately owned and maintained by the future Condominium Corporation. When the land is subdivided, Subdivision Authority could collect Municipal Reserves Owing. In this case,  $\pm 17.3$  acres of land would be subdivided from the subject land (04319004), and thus, Administration recommends that Municipal Reserves owing be provided by cash-in-lieu payment. The reserves owing on the remainder will be deferred to the remainder.

Total MR Dedication Required for Prince of Peace Development:  $\pm 8.22$  ac

- MR owing to be paid by cash in lieu through this subdivision:  $\pm 1.73$  ac
- MR owing and deferred to the remainder:  $\pm 6.49$  ac  
(Block 1 & Block 2, Plan 9712096, NE-19-24-28-W04M):

#### *Payments and Levies:*

Transportation Offsite Levy was previously paid on the subject land, there are no further requirement at this time. Payment for TOL on the remainder of Prince of Peace development (Block 2, Plan 9712096, NE-19-24-28-W4M, 04319009) would be deferred at the future subdivision stage. The Owner is required to pay Wastewater Off-Site Levy and Stormwater Offsite Levy. The Owner has already purchased 300m<sup>3</sup>/d of capacity, which is supposed to service all phases of the future development. However, should the future development require more water, the Applicant would be required to purchase more at that time.

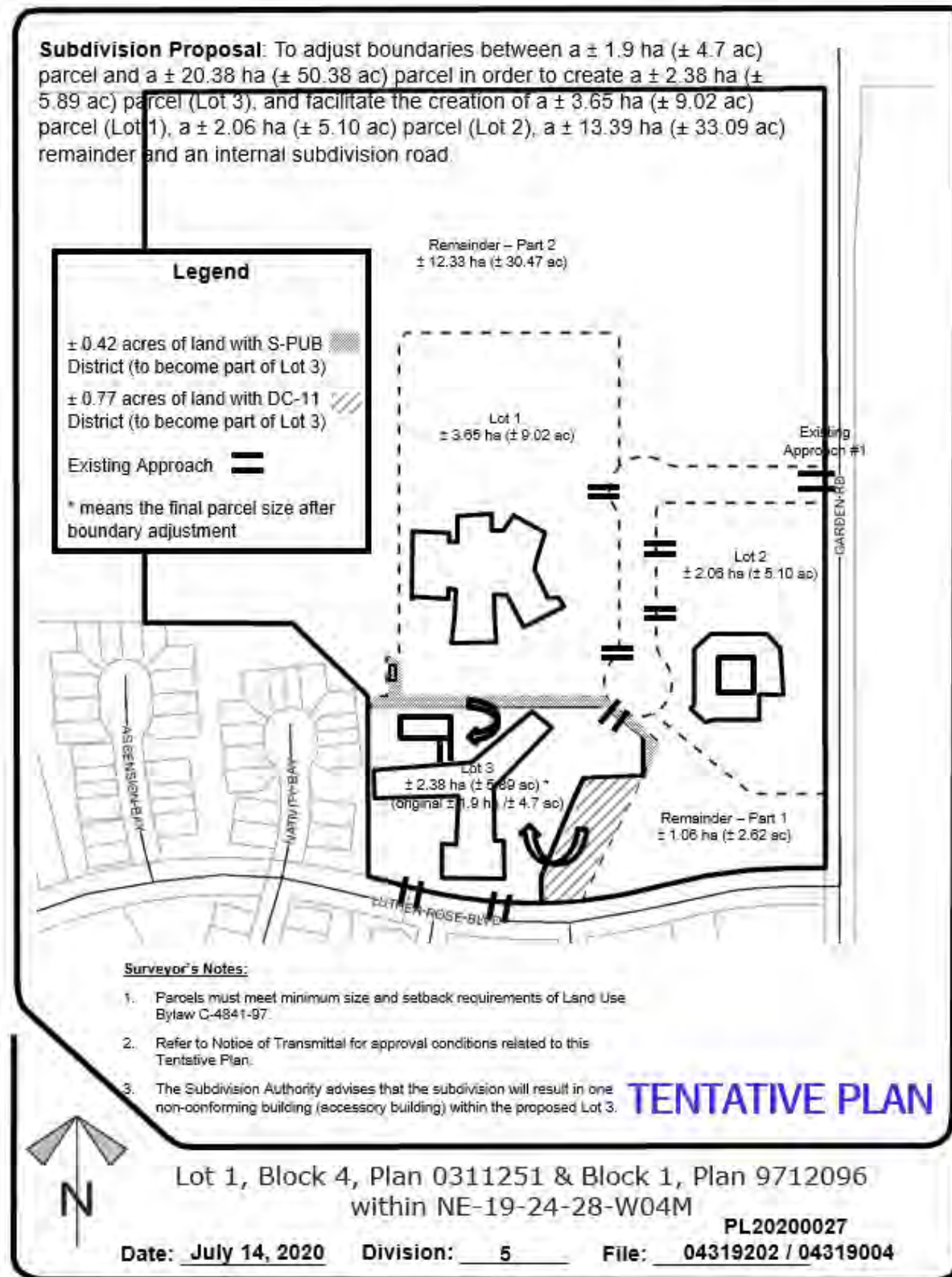
APPLICABLE FEE/LEVY	AMOUNT OWING (ESTIMATE)
Wastewater Off-Site Levy	<p>\$801,864.50</p> <p>2019 applicant average daily use 114 m<sup>3</sup>/day – currently applicant allocated daily capacity 64 m<sup>3</sup>/day = 50 m<sup>3</sup>/day (capacity to be purchased)</p> <p>50 m<sup>3</sup>/day X \$16,037.29 m<sup>3</sup>/day = \$801,864.50</p>
Stormwater Off-Site Levy	<p>\$103,661.6</p> <p>\$5,992/ac x <math>\pm 17.3</math> ac (lands to be subdivided from the subject land) = \$103,661.60</p>
<p>Municipal Reserve</p> <p>(cash in lieu payment for MR owing)</p>	<p>\$75,545.64</p> <p>\$43,668 /ac (market value in the Appraisal Report) x <math>\pm 17.3</math> acres (lands to be subdivided from the subject land) x 10% = \$75,545.64</p>

#### *Land Use Bylaw and Direct Control Bylaws*

The existing Manor is designated Direct Control District (DC-79). The proposed Lot 3 requires additional lands to be consolidated from the east and north, in order to expand the parcel to allow overflow parking or a new building. The proposed 5.89 acres Lot 3 would consist of the existing 4.7 acres Manor site with designation of DC-79, 0.77 acres of land with designation of DC-11 from the east, and 0.42 acres of land with designation of Special, Public Service District from the north. The proposed Lot 3 would contain three different land use designations (DC-79, DC-11 and S-PUB). Administration understands that the purpose of this subdivision is to create interim ownership. This arrangement provides flexibility to the future buyer of Lot 3, who could further amend land uses to facilitate their development.



## Tentative Plan



**CONCLUSION:**

Subject to the proposed conditions of approval, the application is recommended for approval in accordance with Option #1.

Respectfully submitted,

Concurrence,

“Theresa Cochran”

“Al Hoggan”

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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’: Adjacent Landowner Letters



## APPENDIX 'A': MAPS AND OTHER INFORMATION

<b>DATE APPLICATION RECEIVED:</b> March 5, 2020	<b>DATE DEEMED COMPLETE:</b> August 19, 2020
<b>GROSS AREA:</b> ± 55.08 ac	<b>LEGAL DESCRIPTION:</b> Lot 1, Block 4, Plan 0311251 & Block 1, Plan 9712096 within NE-19-24-28-W04M
<b>APPEAL BOARD:</b> Development and Subdivision Appeal Board	
<b>HISTORY:</b>	
September 1, 2020	Council approved policy application (PL20200026) to amend the existing Prince of Peace Master Site Development Plan, in order to facilitate the future subdivision.
March 29, 2018	Subdivision application (PL20218035) was received to subdivide the existing three buildings (Prince of Peace Lutheran School, Prince of Peace Manor and Prince of Peace Harbor) with individual land title. The Applicant was advised that the existing Prince of Peace Master Site Development Plan needs to be amended. The applicant withdrew the application.
December 9, 2014	Council approved application (2012-RV-174) to adopt the Prince of Peace Master Site Development Plan to guide the future redesignation, subdivision and development of a portion of NE-19-24-28-W4M.
December 4, 2007	Council approved redesignation application (2007-RV-298) to amend Direct Control Bylaw 79 (DC-79) in order to allow for 35 additional assisted living residents within the Supported Living Facility (Prince of Peace Manor) and new ancillary uses.
September 25, 2001	Council approved redesignation application (2001-RV-086) to redesignate a portion of the subject land from Public Service District to Direct Control District (DC-11), in order to facilitate the subdivision of a ± 5 acre lot for the development of a community, Administration and Supported Living Facility within the Prince of Peace Village. (The development for senior assisting living is now called Prince of Peace Manor)
July 31, 2001	Council approved the subdivision application (2001-RV-109) to create 14 additional dwelling units being the Prince of Peace Village. (The development is Prince of Peace Village today, containing 174 duplex units in total)
August 5, 1997	Council approved the subdivision application (1996-RV-165) to create one hundred and sixty-one dwelling units within common areas to be registered as a bare land condominium plan, and a +55 acre parcel to accommodate the existing church/school site, with a +30 acre remainder to accommodate the sewage lagoon. (The development is Prince of Peace Village today, containing 174 duplex units)
August 15, 1995	Council approved the redesignation application (1994-RV-217) to redesignate a portion the quarter section from Public and Quasi-Public District to Direct Control District (Bylaw C-4439-95) to accommodate the future development.

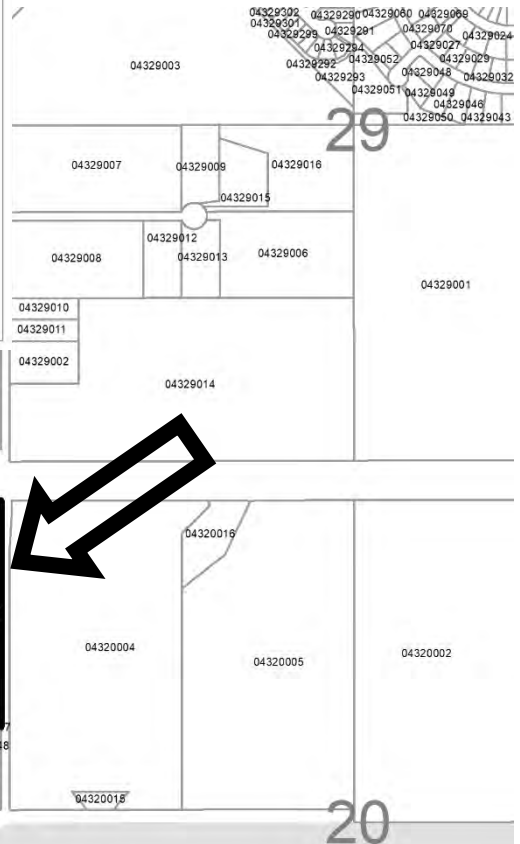
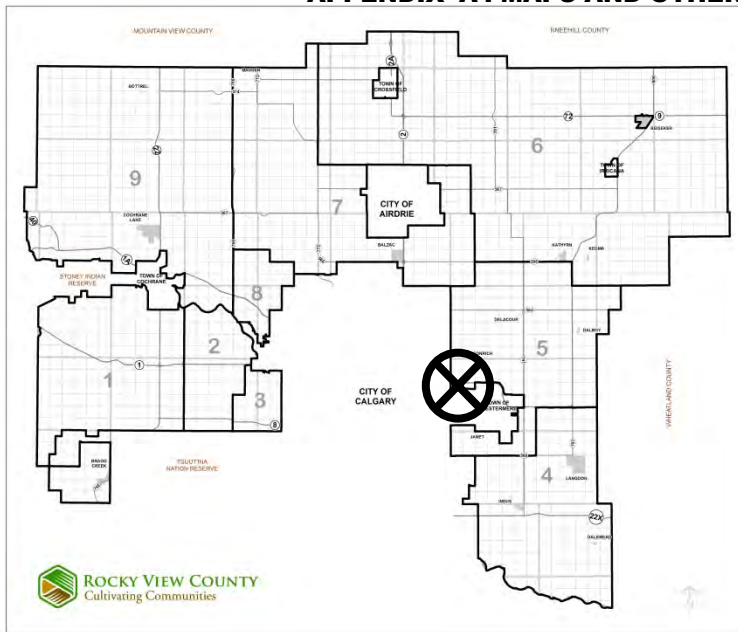


September 7, 1993	Council approved the redesignated application (1993-RV-185) to redesignate the land from Agricultural Conservation (1) District to Public and Quasi-Public District to facilitate the development of a church, private school, recreation facilities and sewage lagoon. (The development is the Prince of Peace Lutheran School today)
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**PUBLIC & AGENCY SUBMISSIONS:**

The application was circulated to 276 adjacent landowners. Residents within the Prince of Peace Village sent many emails with questions and concerns. As their questions have been answered and they were satisfied with the administration's responses, their emails are not included. In addition, letters from 5 residents in the village and one letter from the Prince of Peace Village Condominium Corporation were received and included in Appendix C.

The application was also circulated to a number of internal and external agencies and, where appropriate, conditions of approval have been proposed based on these comments.



## LOCATION PLAN

Lot 1, Block 4, Plan 0311251 & Block 1, Plan 9712096  
within NE-19-24-28-W04M

PL20200027

Date: July 14, 2020

Division: 5

File: 04319002 / 04319004

AGENDA  
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**Subdivision Proposal:** To adjust boundaries between a  $\pm 1.9$  ha ( $\pm 4.7$  ac) parcel and a  $\pm 20.38$  ha ( $\pm 50.38$  ac) parcel in order to create a  $\pm 2.38$  ha ( $\pm 5.89$  ac) parcel (Lot 3), and facilitate the creation of a  $\pm 3.65$  ha ( $\pm 9.02$  ac) parcel (Lot 1), a  $\pm 2.06$  ha ( $\pm 5.10$  ac) parcel (Lot 2), a  $\pm 13.39$  ha ( $\pm 33.09$  ac) remainder and an internal subdivision road.

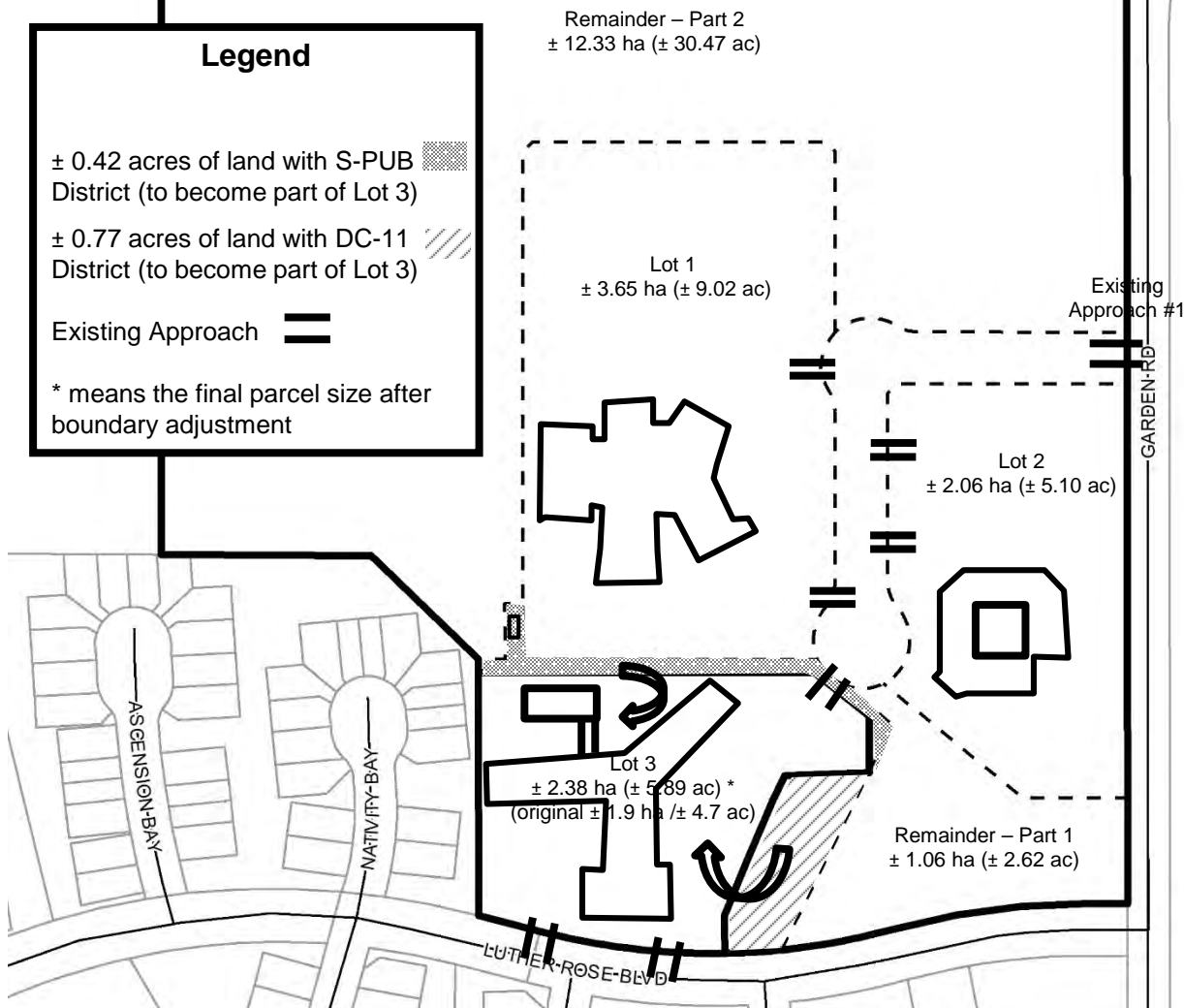
### Legend

$\pm 0.42$  acres of land with S-PUB District (to become part of Lot 3)

$\pm 0.77$  acres of land with DC-11 District (to become part of Lot 3)

Existing Approach =

\* means the final parcel size after boundary adjustment



### 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.
3. The Subdivision Authority advises that the subdivision will result in one non-conforming building (accessory building) within the proposed Lot 3.

## TENTATIVE PLAN

Lot 1, Block 4, Plan 0311251 & Block 1, Plan 9712096  
within NE-19-24-28-W04M

PL20200027

Date: July 14, 2020

Division: 5

File: 04319202 / 04319054

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

**AIR PHOTO**

*Spring 2018*

Lot 1, Block 4, Plan 0311251 & Block 1, Plan 9712096  
within NE-19-24-28-W04M

PL20200027

Date: July 14, 2020

Division: 5

File: 04319202 / 04319064

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## PRINCE OF PEACE MASTER SITE DEVELOPMENT PLAN AMENDMENT (Approved by Council on Sept 1, 2020)



Lot 1, Block 4, Plan 0311251 & Block 1, Plan 9712096  
within NE-19-24-28-W04M

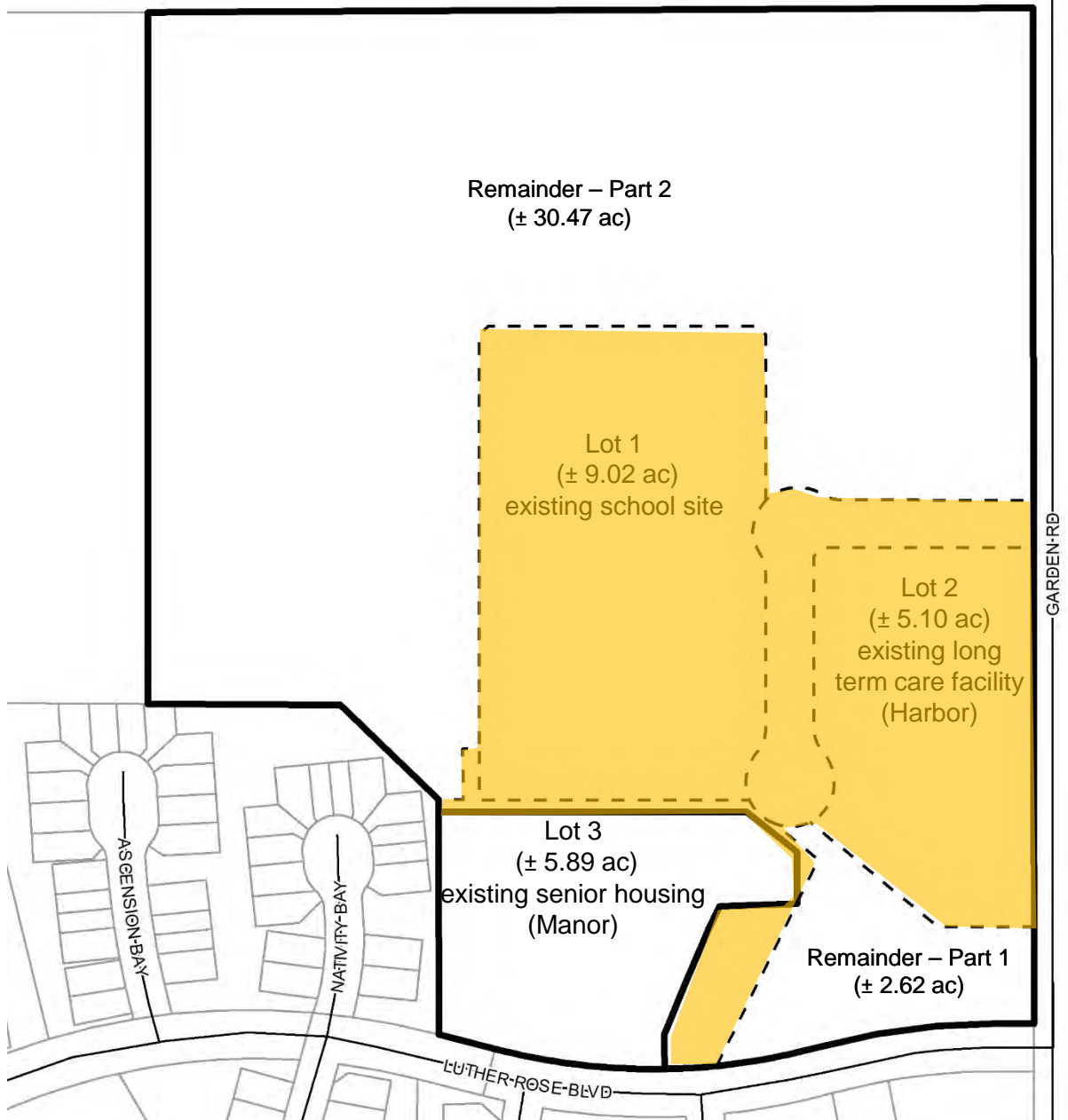
Date: July 14, 2020

Division: 5

File: 04319202 / 04319064

PL20200027

**AGENDA**  
**Page 92 of 516**



**± 17.3 acres of land to be subdivided (in yellow)  
(subject to MR cash in lieu payment)**



Lot 1, Block 4, Plan 0311251 & Block 1, Plan 9712096  
within NE-19-24-28-W04M

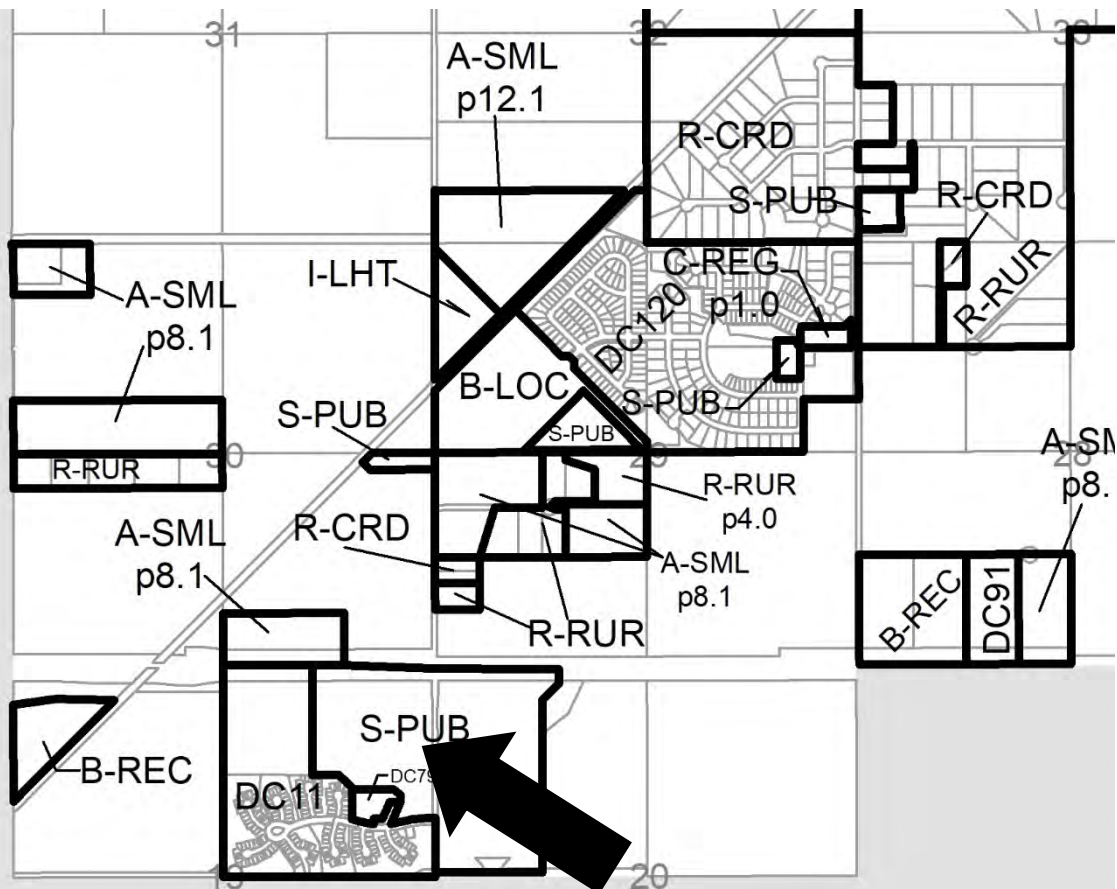
Date: July 14, 2020

Division: 5

File: 04319202 / 04319054

PL20200027

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A-GEN	Agricultural, General	C-HWY	Commercial, Highway
A-SML	Agricultural, Small Parcel	C-LRD	Commercial, Local Rural
R-RUR	Residential, Rural	C-LUD	Commercial, Local Urban
R-CRD	Residential, Country Residential	C-MIX	Commercial, Mixed Urban
R-URB	Residential, Urban	C-REG	Commercial, Regional
R-SML	Residential, Small Lot Urban	I-LHT	Industrial, Light
R-MID	Residential, Mid-Density Urban	I-HVY	Industrial, Heavy
R-MRU	Residential, Multi-Residential Urban	S-PUB	Special, Public Service
B-AGR	Business, Agricultural	S-FUD	Special, Future Urban Development
B-REC	Business, Recreation	S-PRK	Special, Parks and Recreation
B-REG	Business, Regional Campus	S-NOS	Special, Natural Open Space
B-LOC	Business, Local Campus	S-NAT	Special, Natural Resource
B-LWK	Business, Live-Work		

## LAND USE MAP

Lot 1, Block 4, Plan 0311251 & Block 1, Plan 9712096  
within NE-19-24-28-W04M

PL20200027

Date: July 14, 2020

Division: 5

File: 04319202 / 04319064

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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 1, Block 4, Plan 0311251 & Block 1, Plan 9712096  
within NE-19-24-28-W04M

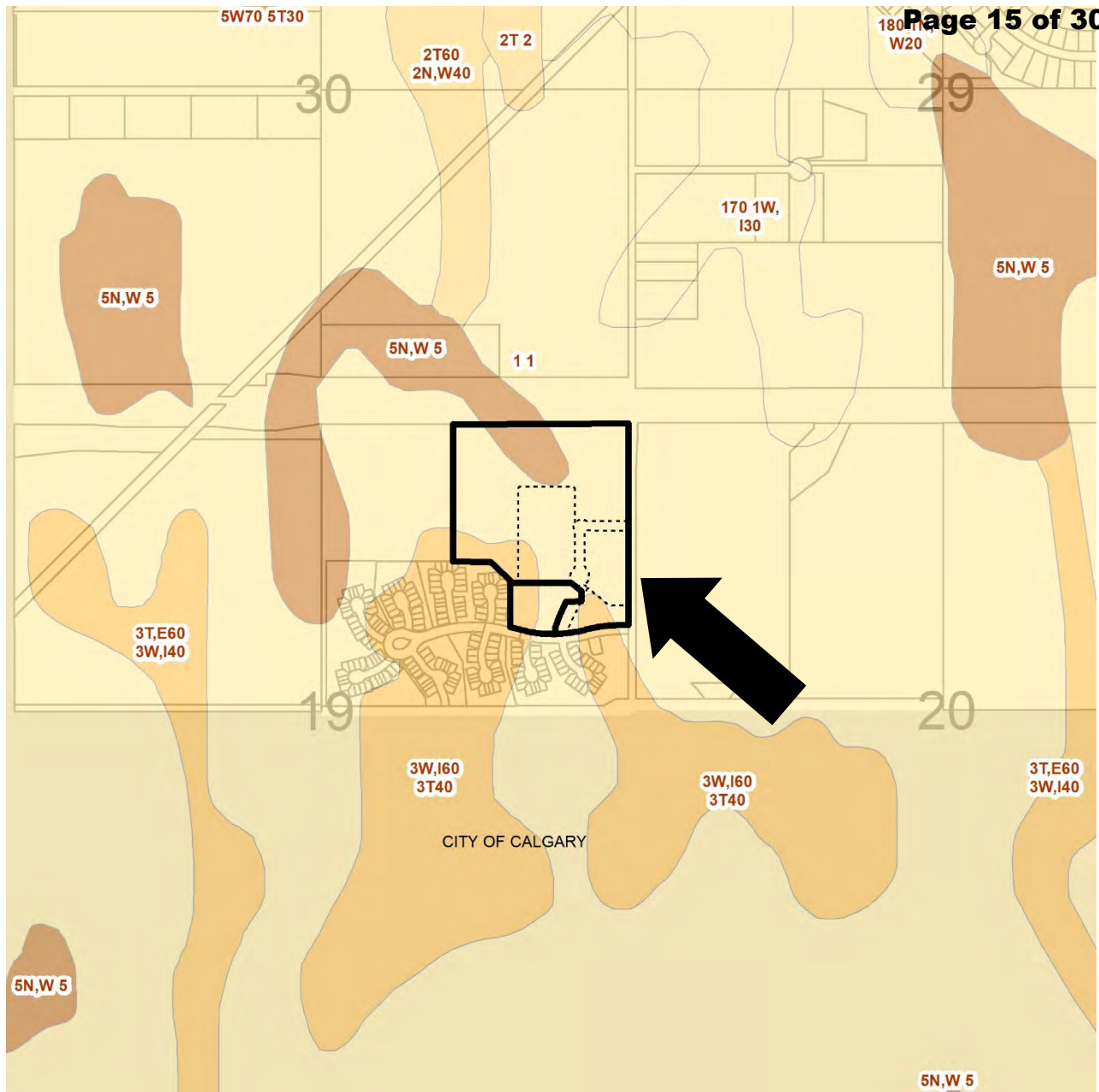
Date: July 14, 2020

Division: 5

File: 04319202 / 04319064

PL20200027

**AGENDA**  
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**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 1, Block 4, Plan 0311251 & Block 1, Plan 9712096  
within NE-19-24-28-W04M

Date: July 14, 2020Division: 5File: 04319202 / 04319064

PL20200027

AGENDA

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CITY OF CALGARY

CITY OF CHESTERMERE

10

## Subject Lands

## Letters with concerns

## Letters in Opposition

## Letters in Support

## LANDOWNER CIRCULATION AREA

Lot 1, Block 4, Plan 0311251 & Block 1, Plan 9712096  
within NE-19-24-28-W04M

PL20200027

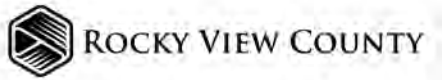
**Date: July 14, 2020**

Division: 5

**File: 04319202 / 04319004 AGENDA**

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## AGENDA



## APPENDIX 'B': APPROVAL CONDITIONS

- A. The application is to adjust boundaries between a  $\pm 4.7$  acre parcel and a  $\pm 50.38$  acre parcel in order to create a  $\pm 5.89$  acre parcel (Lot 3), and facilitate the creation of a  $\pm 9.02$  acre parcel (Lot 1), a  $\pm 5.10$  acre parcel (Lot 2), a  $\pm 33.09$  acre remainder and an internal subdivision road within Lot 1, Block 4, Plan 0311251 & Block 1, Plan 9712096, NE-19-24-28-W04M, having been evaluated in terms of Section 654 of the *Municipal Government Act* and Section 7 and 14 of the Subdivision and Development Regulations, and having considered adjacent landowner submissions, is approved as per the Tentative Plan for the reasons listed below:
1. The application is consistent with the Statutory Policy;
  2. The subject lands hold the appropriate land use designation;
  3. The technical aspects of the subdivision proposal have been considered and are further addressed through the conditional approval requirements.
- B. The Applicant/Owner is required, at their expense, to complete all conditions attached to and forming part of this conditional subdivision approval prior to Rocky View County (the County) authorizing final subdivision endorsement. This requires submitting all documentation required to demonstrate 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 Plan*

- 1) Subdivision 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.

*Geotechnical Investigation*

- 2) The Owner shall conduct an onsite geotechnical investigation, conducted by a qualified geotechnical professional, to determine the site's suitability to support the pavement structure design for the internal subdivision road.

*Development Agreement*

- 3) The Owner shall enter into a Development Agreement for all off-site transportation infrastructure required for the development, including the following:
  - a) Design and construction of a paved Country Collector road (400.6) including:
    - i. cul-de-sac bulb;
    - ii. paved approaches to each new lot;
    - iii. culverts below all approaches and the internal road;
    - iv. ditches;
    - v. Signage
    - vi. Delineation lighting at the Site Access and Garden Road





- b) Design and construction of the necessary stormwater management infrastructure identified in the required to service the proposed subdivision in accordance with the recommendations of the approved Stormwater Management Plan including the registration of any overland drainage easements and/or restrictive covenants as determined by the Stormwater Management Plan;
- c) Onsite grading;
- d) Installation of power, natural gas, and all other shallow utilities;
- e) Dedication of necessary easements and rights-of-way for utility line assignments;
- f) Mailboxes are to be located in consultation with Canada Post;
- g) Implementation of the recommendations of the Erosion and Sediment Control (ESC) Plan;
- h) Implementation of the recommendations of the Construction Management Plan; and
- i) Installation of power, natural gas, telephone lines, and all other shallow utilities;
- j) Completion of all recommended repairs in accordance with the Prince of Peace Existing Water and Sanitary Sewer Infrastructure Assessment Report, to the satisfaction of the County.

#### *Site Servicing*

- 4) The Owner shall enter into a Special Improvements Development Agreement for extension of County potable water services from the Conrich Reservoir to the proposed development in accordance with the requirements of the County Servicing Standards.

Or

Should the County proceed to extend potable water infrastructure from the Conrich Reservoir, the Owner shall enter into a cost contribution agreement with the County to provide the applicable cost contribution for the extension of potable water infrastructure that is directly beneficial to the proposed development. The County shall calculate the total amount owing from the gross acreage as shown on the Plan of Survey submitted for endorsement and all other relevant studies prepared to support of the project.

Should the Owner not enter into a Special Improvements Development Agreement for the extension of potable water infrastructure, the execution of the cost contribution agreement shall be satisfactory to meet this condition.

- 5) The Owner shall allocate the necessary water for each proposed parcel (Lots 1-3), taking into consideration the overall water capacity purchased from the County for the overall Prince of Peace development and the allocation necessary for the existing users.
  - a) Should additional potable water capacity be needed to support the proposed development, the Applicant/Owner will be required to purchase the additional capacity in accordance with County Bylaw No. C-8009-2020.
- 6) The Owner shall allocate the necessary wastewater for each proposed parcel (Lots 1-3), taking into consideration the overall wastewater treatment capacity purchased from the County for the overall Prince of Peace development and the allocation necessary for the existing users
  - a) Should additional wastewater treatment capacity be needed to support the proposed development, the Applicant/Owner will be required to purchase the additional capacity in accordance with County Bylaw No. C-8009-2020.



## ROCKY VIEW COUNTY

- b) In the event that the Langdon Wastewater Treatment Plant does not have sufficient capacity to service the development at the time, the Applicant/Owner is required to enter into an agreement with the County for the actual costs for the required upgrades to the Langdon Wastewater Treatment Plant as described in Schedule "C-1" of the Rocky View County Bylaw No. C-8009-2020, inclusive of excess capacity within the Stage 1B upgrades (the "Excess Capacity")

*Stormwater*

- 7) The Owner shall provide and implement a limited scope Stormwater Management Plan, which meets the requirements outlined in the Conrich Master Drainage Plan. Implementation of the Stormwater Management Plan shall include:
  - a) The capacity of the existing stormwater system.
  - b) The increase in runoff due to the construction of the internal road network.
  - c) Any required upgrades to the existing stormwater system due to the internal road network.
  - d) Should any upgrades be required, the Owner will be required to enter into a DA with the County for the stormwater facility improvements
  - e) Registration of any required easements and / or utility rights-of-way;
  - f) Necessary approvals and compensation provided to Alberta Environment for wetland loss and mitigation; and
  - g) Any necessary Alberta Environment licensing documentation for the stormwater infrastructure system.

*Site Construction*

- 8) The Owner shall provide a Construction Management Plan which 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. Specific other requirements include:
  - a) Implementation of the Construction Management Plan recommendations, which will be ensured through the Development Agreement.
- 9) The Owner shall provide an Erosion and Sedimentation Control Plan prepared by a qualified professional in accordance with the County Servicing Standards.

*Municipal Reserve*

- 10) The provision of Municipal Reserve, in the amount of 10% of land to be subdivided from Block 1, Plan 9712096, NE 19-24-28-W4M (04319004) as determined by the Plan of Survey, is to be provided by payment of cash-in-lieu, in accordance with the per acre value as listed in the land appraisal prepared by Altus Group, dated August 19, 2020, pursuant to Section 666(3) of the *Municipal Government Act*.
  - a) ± 6.49 acres of Municipal Reserve owing is to be deferred by Caveat to the remainder land of Block 1 & 2, Plan 9712096 within NE-19-24-28-W04M, pursuant to Section 669 of the *Municipal Government Act*.

*Payments and Levies*

- 11) The Owner shall pay the Stormwater Off-Site Levy Bylaw in accordance with Bylaw C-8008-2020. The County shall calculate the total amount owing from the total gross acreage to be subdivided from Block 1, Plan 9712096, NE 19-24-28-W4M (04319004) as shown on the Plan of Survey.



ROCKY VIEW COUNTY

- 12) The Owner shall pay the Water and Waste Off-Site Levy Bylaw in accordance with Bylaw C-8009-2020.
- 13) The Owner shall pay the County subdivision Endorsement Fee for boundary adjustment for Lot 3 and the remainder, and creation of two new lots (Lot 1 & 2), in accordance with the Master Rates Bylaw.

*Taxes*

- 14) All taxes owing, up to and including the year in which subdivision is to be registered, are to be paid to the 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.

July 28, 2013

Planning & Development Department  
Rocky View County  
911 - 32nd Ave. NE  
Calgary, Alberta  
T2E 6X6

RE: File Number: 04319004/009/2012-RV-174  
Master Site Development Plan (Prince of Peace Development)

To whom it may concern, *Xin Deng*

After experiencing flooding this year in June at the Prince of Peace Village, where we have lived for the past four years, we are requesting a review for EnCharis Community Housing and Services' planned development and expansion north of The Village. We are located in low lying land with many sloughs in the surrounding areas. There is no water drainage. There is danger of flooding and the development of more buildings, roads and parking lots would make the situation worse with potentially disastrous consequences. With the unpredictable weather in Calgary, increased rain and recent flooding in Southern Alberta, there needs be carefully thought into how these lands are developed.

For two weeks in June of this year, Prince of Peace Village had to pump water from Serenity Lake (north of the Village) which was overflowing into the streets and properties of Prince of Peace Village. The water was being pumped into a field west of The Village until that field was full and it was then pumped to a field south of The Village. The Prince of Peace Lutheran School's gymnasium was flooded and the fire department pumped the water from there back into Serenity Lake for many days and nights. The gymnasium was also being sand-bagged to prevent more flooding.

In addition to the flooding issue, there is one access road planned for the large development north of The Village and north of our home. This one access road is planned to be only a few metres from our house and our backyard. This would be extremely disruptive and would affect our standard of living greatly. The plan clearly shows that this road could be placed in other areas where it would be less disruptive to the residents of this village, retired residents who wish to enjoy the quiet neighborhood, the reason for moving to this village.

For these very important reasons and legitimate concerns, we kindly request a thorough review of the "Prince of Peace Development" plans.

Jan & Helena Novotny  
911 Nativity Bay  
Calgary, Alberta  
T1X 1R1

*Helena Novotny*  
*Jan Novotny*

## Subdivision

~~September 29, 2013~~~~Mr. Ben Mercer  
Rocky View County  
Planning & Development  
911 - 32 Ave. NE  
Calgary, AB T2E 6X6~~

RE: File Number 04330001  
Application 2013-RV-089 (Subdivision)  
Division 5

Dear Mr. ~~Mercer~~, *Xin Deng*

We are very concerned about this potential subdivision adjacent to our property for many reasons. The first and main reason for this concern is the lack of storm water drainage in this area. We have experienced severe flooding this June at our residence in Prince of Peace Village. The roads and pathways in the village were flooded for the entire month of June, as well as the gymnasium at the adjacent school. For three weeks, the village had to pump water from Serenity Lake into neighboring farm land. The next reason is that the property next to the proposed subdivision (file 04330009) was flooded and had to be pumped 24 hours a day for two months to finally drain it. Flooding of that property, which is next to Highway #1, was the reason why the village was also so severely flooded. There is no storm water drainage. More buildings and roads will create more problems. To pump water from one land to another is not a solution. Conrich road is a good example of what subdivisions can do.

Just south of us, we see the new construction of a shopping centre where the City of Calgary ensures that the first thing they do is create underground drainage of stormwater and provide drinking water and disposal of sewage which is the proper way of creating a safe environment for everyone. I would be very concerned about any new development in this area until there is proper infrastructure in place to support it, which includes infrastructure be put in place to support the existing developments.

Thank you for your time and consideration of these comments.

Kindest regards,

Jan & Helena Novotny  
911 Nativity Bay  
Calgary, AB T1X 1R1

*Jan + Helena Novotny*

May 5, 2020

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

To: Mister Xin Deng

Re: Sage Master Site Development Plan

File Number: 04319009/9004/9202

Application Numbers: PL20200026 (MSDP Amendment) and PL20200027 Subdivision

Division: 5

As an owner of a condominium in Prince of Peace Village, I am very concerned about the above applications and possible impact of traffic on Luther Rose Boulevard if these applications are approved for future development, and the plan for access to the triangular property between Lot 2 and Lot 3.

Luther Rose Boulevard is and always has been owned by Prince of Peace Village, and must continue to be used by Prince of Peace residents ONLY. If the above developments are approved, Sage or the new owners must be required to build their own roadway access to the construction sites; no construction vehicles to be allowed access to Luther Rose Blvd. Also any future developments must have their own permanent access road for use by the public – NO access via Luther Rose Blvd.

Sincerely,

Eileen Dagenais  
805 Ascension Bay  
Prince of Peace Village

*Eileen Dagenais  
805 - Ascension Bay  
Prince of Peace Village*



May 5, 2020

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



To: Mister Xin Deng

Re: Sage Master Site Development Plan

File Number: 04319009/9004/9202

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Sincerely,

Nino and Marianne Campitelli  
535 Epiphany Bay  
Prince of Peace Village

**Xin Deng**

---

**From:** Ronald Pieters [REDACTED]  
**Sent:** April 23, 2020 2:22 PM  
**To:** Xin Deng  
**Subject:** [EXTERNAL] - Rocky View County/Sage Master Site Plan Letter

**Follow Up Flag:** Flag for follow up  
**Flag Status:** Flagged

Do not open links or attachments unless sender and content are known.

Dear Mister Xin Deng,

My Name is Ronald Pieters and I live in the Prince of Peace Village at 123 Covenant Bay, my main concern is that in the plans for the Chestermere – Calgary Corridor it was indicated that the Garden Road would be closed off and all traffic of our Village and later from the new developments must go via the Garden Road to the extended Memorial Drive and from there to the 16<sup>th</sup> Ave NE.

If that happens, we need traffic lights at Luther Rose Boulevard to get in and out of the Village.

Also, I must remind you that there is no public transportation anywhere close to this area, unless you walk over 8<sup>th</sup> Ave NE to 84<sup>th</sup> Street NE to catch the 440, which serves Chateau Estates/Franklin. At a certain age and with possible disabilities when you are not allowed to drive anymore, everyone in this situation relies then on neighbours or family to bring them some where.

Thanks for your effort in this matter,  
Ronald Pieters.

Sent from [Mail](#) for Windows 10

May 7, 2020

Jacob and Leona Janzen  
507 Epiphany Bay  
Calgary, Ab.  
T1X 1G6

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

**Re: File Number 04319009/9004/9202**  
**Application Number PL20200026 and PL20200027**

**Attn: Xin Deng**

While not opposed to the subject applications in principle, we do have concerns regarding Application PL20200027.

**Subdivision PL20200027**

**A separate access road to access the proposed Lots 1 & 2 and the expanded Lot 3 must be a requirement for the subdivision approval.** In 2003 a subdivision of 4.7 acres (a portion of Lot 3) was created to accommodate the construction of the Prince of Peace Manor. At that time the MD of Rocky View required an access from the new parcel to a municipal road and the easement 031143480 was placed on the adjacent property to access 100 St and Luther Rose Blvd. to meet that requirement.

At that time all the lands comprising the Prince of Peace Village (Condominium Plan No. 9812469) and the lands for which subdivisions have now been applied for were in direct ownership of the Lutheran Church of Canada Alberta British Colombia District and were subsequently transferred to Encharis, a newly formed arm of the church. It is apparent to have been assumed the ownership of the entire community would remain as such with no consideration given to possible changes in ownership as the village was a Life Lease community owned and operated by them. However, in 2009 the holders of the Life Leases were given the opportunity to take Freehold Titles (ownership) with somewhat more than 50% availing themselves of the offer. Transfers were completed in 2010 and the number increased as Leasehold properties changed hands and others chose to take title.. Subsequently when Encharis (virtually the LCC Alberta BC District) declared "Insolvency" the remaining holders of

Life Leases were required to assume title to their homes. This has resulted in a 100% ownership of the village now being in the name of individuals. This has changed the dynamics of the original village community whereby it became an entirely separate entity with no affiliation to the original owners and now the new owners, Sage Properties. This has become troublesome in the last 2/3 years as they are the supplier of water and sewer services.

With this application the new owners of the property are proposing an expansion of Lot 3 from 4.7 acres to 5.91 acres to accommodate the possible construction of another senior facility or an expansion of the existing manor. Such an expansion will create a significant increase in traffic on Luther Rose Blvd. which is on Prince of Peace Village property and is owned and maintained by the Village owners. When a new County Access road to the expanded Lot 3 is constructed, the Village should no longer be required by way of an easement to supply and maintain an access in perpetuity to that parcel. **Therefore, easement 031143480 should be removed as a condition of the subdivision.**

The Prince of Peace Village is occupied entirely by seniors of which many are elderly women living alone. The security of the village is becoming a worrisome issue for many residents and in the not too distant future the residents may want to create a gated community. This would be difficult if not impossible to achieve if this access easement is not removed. If the Luther Rose Blvd. access was gated the emergency accessibility would have to be maintained. It is my understanding a proposal was put forward to Sage Properties that if the existing access easement was removed an agreement could be put in place for the owners of Lot 3 to continue to use Luther Rose Blvd. for an emergency access.

It should be also be noted that over the years subdivision approvals have been granted access to municipal roads by way of pan handles, municipal road leases, easements, etc. and many times years later when situations change these access agreements cause problems. The easement Sage currently holds on Luther Rose Blvd. is certainly one of those troublesome agreements.

Thank you, Jacob and Leona Janzen



Condominium Corporation No: 9812469  
285030 Luther Rose Blvd., Calgary, AB T1X 1M9

Via email to [xdeng@rockyview.ca](mailto:xdeng@rockyview.ca)

Xin Deng  
**Rocky View County**  
262075 Rocky View Point  
Rocky View County, AB T4A 0X2

May 7, 2020

**Re: File Number 04319009/9004/9202**  
**Application Numbers PL20200026 (MSDP Amendment) and**  
**PL20200027 (Subdivision)**

Dear Ms. Deng,

Please accept this letter from the Board of Condominium Corporation No. 9812469 (the "Prince of Peace Village"), which owns property adjacent to the subject property. For these Applications, the Board also represents our condominium unit owners.

We write to support the Applications, and to request specific adjustments.

#### **Landlocked Manor Lot – Easement**

Luther Rose Boulevard is a private road. It was created to serve our property. In 2003, the original Manor Lot was created by subdivision. Because it was landlocked, the County imposed a condition requiring an easement agreement giving the Manor Lot access over part of Luther Rose Boulevard.

#### **Problematic Traffic**

Unfortunately, in waves through the day, fast-driving parents from the School on the subject property cut through the Manor Lot. This traffic, plus the Manor Lot's large vehicle traffic, endangers our elderly pedestrians. The weight of the large vehicles also causes excess wear and tear to the pavement on Luther Rose Boulevard.

We seek the County's help in bringing these unwelcome uses to an end.



**New Manor Lot**

Our goal is to now separate our property and the subject property as much as possible. The Tentative Plan replaces the Manor Lot with a larger New Manor Lot. It will have access to a new internal public road. As the New Manor Lot will no longer be landlocked, access to Luther Rose Boulevard is not needed. We ask the Subdivision Authority to:

1. Close the accesses from the New Manor Lot to Luther Rose Boulevard.
2. In the alternative, close one access, and restrict the other to emergency vehicles.

**New Public Road – Interface to Garden Road**

To ensure parents, delivery drivers and new traffic from future development are not tempted to use Luther Rose Boulevard, we ask the Subdivision Authority to mandate *very convenient interface* between the new public road and Garden Road. Please require a separate left turning lane, and pay particular attention to stacking and signal timing.

**Cost**

We have borne all costs for Luther Rose Boulevard to date. This is not sustainable. Should the Subdivision Authority require any access from the New Manor Lot to Luther Rose Boulevard, we ask for a subdivision condition requiring registration of a new easement agreement providing for:

1. Contributions from the New Manor Lot to the repair, maintenance and insurance of Luther Rose Boulevard.
2. Restrictions on the use of Luther Rose Boulevard to reduce damage to the pavement (e.g.: seasonal restrictions, restrictions on vehicle type and weight).

**Pond Lot**

The Tentative Plan shows a standalone Pond Lot at the south-east corner of the subject property. It should access only the new public road.

**Closing**

Thank-you for considering our submissions and requests. Kindly keep us apprised of hearings on these Applications so that we may attend to make submissions in person.

Yours truly,

Allan Brausse

## PLANNING AND DEVELOPMENT SERVICES

**TO:** Subdivision Authority

**DATE:** September 24, 2020

**DIVISION:** 9

**APPLICATION:** PL20200035

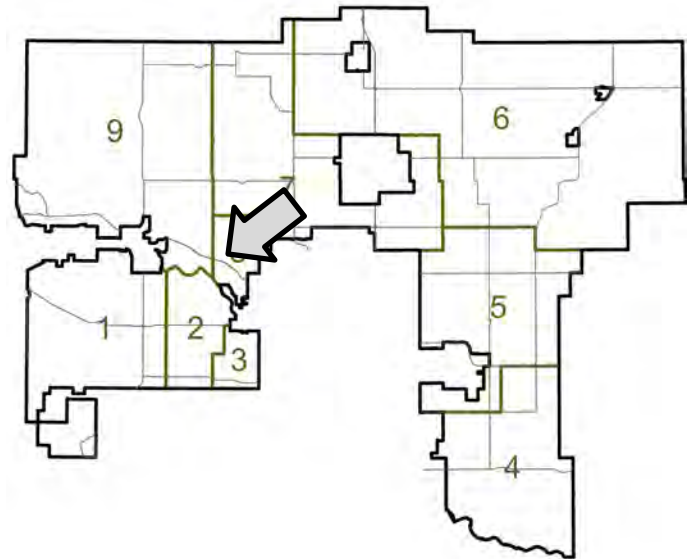
**SUBJECT:** Subdivision Item: New or Distinct Agricultural Use

**APPLICATION:** To subdivide  $\pm 8.38$  ha ( $\pm 20.70$  ac) parcel with a  $\geq 20.17$  ha ( $\geq 49.84$  ac) remainder.

**GENERAL LOCATION:** Located approximately 0.80 km (0.5 mile) east of Range Road 40 and north of Highway 567; 5.6 km (3.5 miles) north of the Town of Cochrane.

**LAND USE DESIGNATION:** Agricultural, Small Parcel District (A-SML)

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



### OPTIONS:

Option #1: THAT Subdivision Application PL20200035 be approved with the conditions noted in Appendix 'B'.

Option #2: THAT Subdivision Application PL20200035 be refused as per the reasons noted.

### AIR PHOTO & DEVELOPMENT CONTEXT:



### Administration Resources

Althea Panaguiton, Planning and Development Services



**APPLICANT:** Township Planning + Design Inc. (Kristi Beunder)

**OWNER:** Stoneman, Corey & Inger

**APPLICATION EVALUATION:**

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

APPLICABLE POLICY AND REGULATIONS:	TECHNICAL REPORTS SUBMITTED:
<ul style="list-style-type: none"> <li>• <i>Municipal Government Act;</i></li> <li>• Subdivision and Development Regulations;</li> <li>• Municipal Development Plan;</li> <li>• Land Use Bylaw; and</li> <li>• County Servicing Standards.</li> </ul>	<ul style="list-style-type: none"> <li>• Level 1 Private Sewage (PSTS) Assessment by Osprey Engineering Inc.</li> </ul>

The application is for a new or distinct agricultural use where the lands are designated Agricultural, Small Parcel District (A-SML) and Agricultural, Small Parcel District with a modifier (A-SML p8.1) relating to the minimum parcel size. A-SML p8.1 is proposed for small-scale livestock and hobby farming operations while the remaining A-SML portion with the existing residence and outbuildings would continue to be used for occasional grazing.

The A-SML parcel appears to not meet the minimum parcel size of 20.20 ha (49.92 ac) as per the Land Use Bylaw. The variance request to the minimum parcel size appears to be minor in nature requiring a relaxation of less than 1%, therefore, complies with 654 (2) of the MGA.

The parcel is surrounded by large agricultural parcels, with some small pockets of smaller agricultural land use districts, and various Special, Natural Resources (S-NAT) parcels directly south of the subject lands.

The small-scale livestock operation and hobby farm appears to be an acceptable agricultural operation meeting the intent of the County Plan while also being compatible with the adjacent agricultural lands in the area. Though the proposed operation can still be conducted with the current land use zoning, the application appears to still meet the applicable policy requirements.

APPLICABLE FEE/LEVY	AMOUNT OWING
TRANSPORTATION OFFSITE LEVY	N/A
MUNICIPAL RESERVE (\$9,000/ACRE)	Approximately \$18,630.00

*Municipal Reserve*

Municipal Reserve is outstanding and comprised of 10% of the subject land. Recreation, Parks and Community Support commented that this location has not been identified for future Municipal Reserve acquisition to support a public park, open space, or development of an active transportation network inclusive of pathway or trail development. Therefore, it is recommended that applicable reserve dedication to be provided by cash-in-lieu of land for Lot 1.

*Accessibility to a Road*

There is an existing road approach from Big Hills Spring Road (Hwy 567) that provides access to the existing parcel as well as the adjacent land on the northeast through an access easement agreement (Instrument # 911 141 331). The applicant proposes to upgrade the existing approach



to a mutual standard to provide access to the proposed lots without affecting the current access easement agreement. As a condition of subdivision the applicant will be required to upgrade the existing road approach to a mutual standard.

Access to the Lot 1 parcel requires an access easement agreement between Lot 1 and Lot 2 which is to be registered as a condition of subdivision.

Alberta Transportation was circulated and anticipates minimal impact on the highway from this proposal. For future access management requirement, a service road is required and will be registered by caveat. As a condition of subdivision, a 30-metre wide service road right of way is to be dedicated by caveat across the highway frontage of the proposed Lot 1 and 2 parcels.

Should the right of way to be acquired in the future, it results in the following lot sizes:

- Lot 1: Approximately 8.33 ha (20.59 ac)
- Lot 2: Approximately 18.81 ha (46.49 ac)

#### *Servicing*

The applicant has provided a Level 1 PSTS assessment stating suitability for all treatment mound and field type system. As a condition of subdivision, the applicant/owner will be required to enter into a site improvements / services agreement with the County in accordance to the Level 1 PSTS Assessment, and for the construction of the treatment mound and field system.

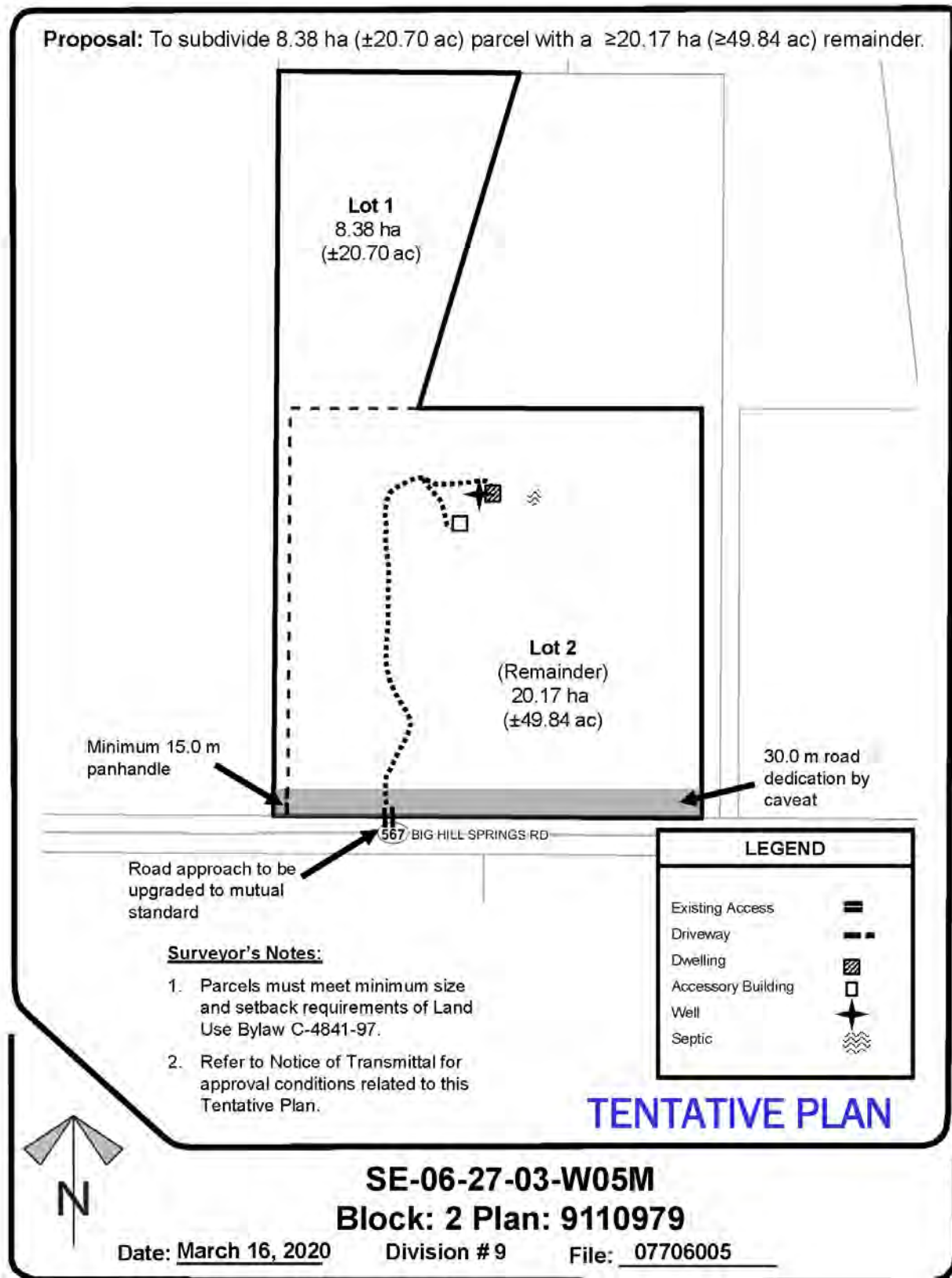
The proposed subdivision will be serviced by groundwater well and as a condition of subdivision, the Owner shall provide a Well Driller's Report in accordance with County's servicing standards to demonstrate that an adequate supply of water is available for proposed lot 1.

Proposed Lot 2 has an existing dwelling on site which is serviced by a well and septic field.



ROCKY VIEW COUNTY

Tentative Plan







ROCKY VIEW COUNTY

**CONCLUSION:**

Subject to the proposed conditions of approval, the application is recommended for approval in accordance to option #1.

Respectfully submitted,

Concurrence,

“Theresa Cochran”

“Al Hoggan”

---

Executive Director  
Community Development Services

---

Chief Administrative Officer

AP/lt

**APPENDICES:**

APPENDIX ‘A’: Maps and Other Information

APPENDIX ‘B’: Approval Conditions

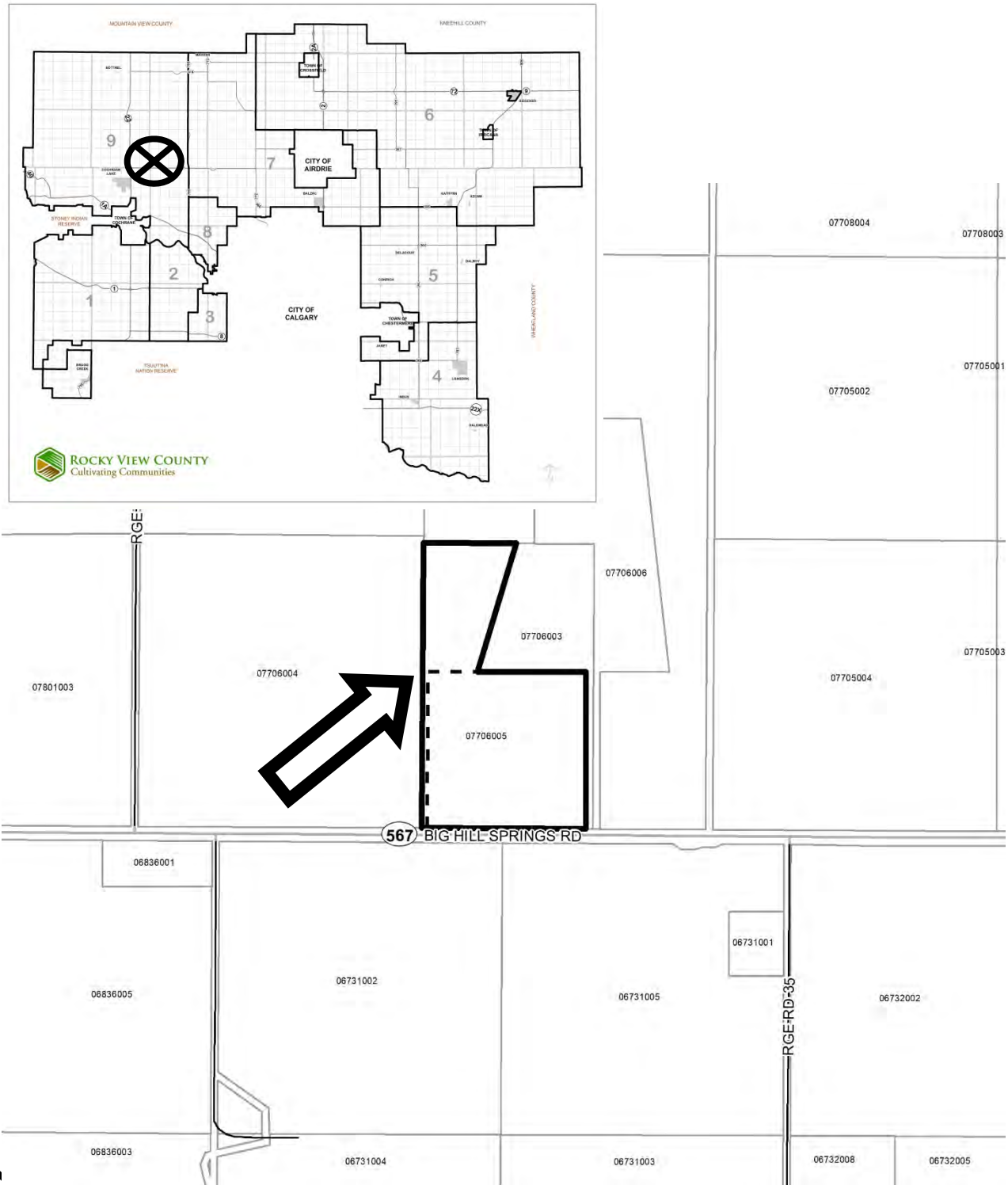
APPENDIX ‘C’: Letter of Opposition

APPENDIX ‘D’: Response to the Letter of Opposition



## APPENDIX 'A': MAPS AND OTHER INFORMATION

<b>DATE APPLICATION RECEIVED:</b> February 18, 2020	<b>DATE DEEMED COMPLETE:</b> March 24, 2020
<b>GROSS AREA:</b> ± 28.62 HECTARES (± 70.71 ACRES)	<b>LEGAL DESCRIPTION:</b> Block 2, Plan 9110979; SE-06-27-03-W05M
<b>APPEAL BOARD:</b> Municipal Government Board	
<b>HISTORY:</b> <p><b>January 14, 2020</b> Redesignation of the subject land from Ranch and Farm District (RF) to Agricultural Holdings District (AH) and Ranch and Farm Two District (RF-2) was approved.</p> <p><b>October 1, 2013</b> County Plan was adopted.</p> <p><b>October 31, 1997</b> Subdivision Plan 9712129 was registered at Land Title adjusting the boundaries between the subject land (Block 2) and the adjacent property (Block 5).</p> <p><b>May 25, 1995</b> Subdivision Plan 9511250 was registered at Land Title creating Block 4 (48.03 ac) to the north east of the subject land.</p> <p><b>May 16, 1991</b> Subdivision Plan 9110980 was registered at Land Title creating Block 3 (26.99 ac) just north of the subject land.</p> <p><b>May 16, 1991</b> Subdivision Plan 9110979 was registered at Land Titles creating two parcels (Block 1 at 164.3 ac and Block 2 at 161.54 ac).</p>	
<b>PUBLIC &amp; AGENCY SUBMISSIONS:</b> <p>The application was circulated to 14 adjacent landowners. One letter of opposition was received and has been included in Appendix 'C.' Additionally, the applicant has provided a formal response to the letter of opposition which has been included as Appendix 'D'.</p> <p>The application was also circulated to a number of internal and external agencies and, where appropriate, conditions of approval have been proposed based on these comments.</p>	



## LOCATION PLAN



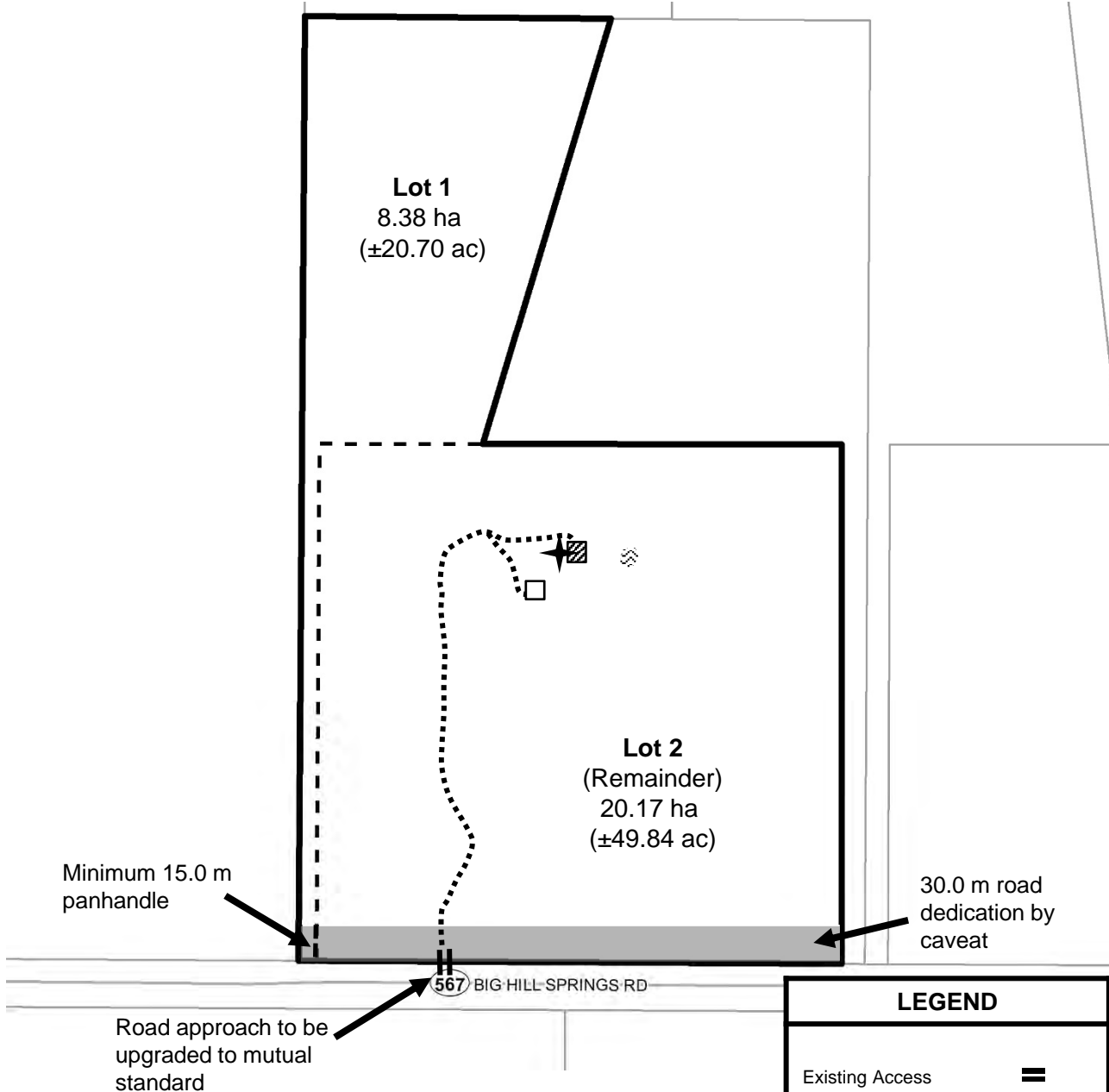
**SE-06-27-03-W05M**  
**Block: 2 Plan: 9110979**

Date: March 16, 2020

Division # 9

File: 07706005

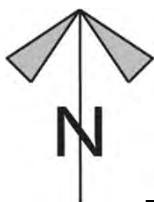
**Proposal:** To subdivide 8.38 ha ( $\pm 20.70$  ac) parcel with a  $\geq 20.17$  ha ( $\geq 49.84$  ac) remainder.



**Surveyor's Notes:**

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

**TENTATIVE PLAN**



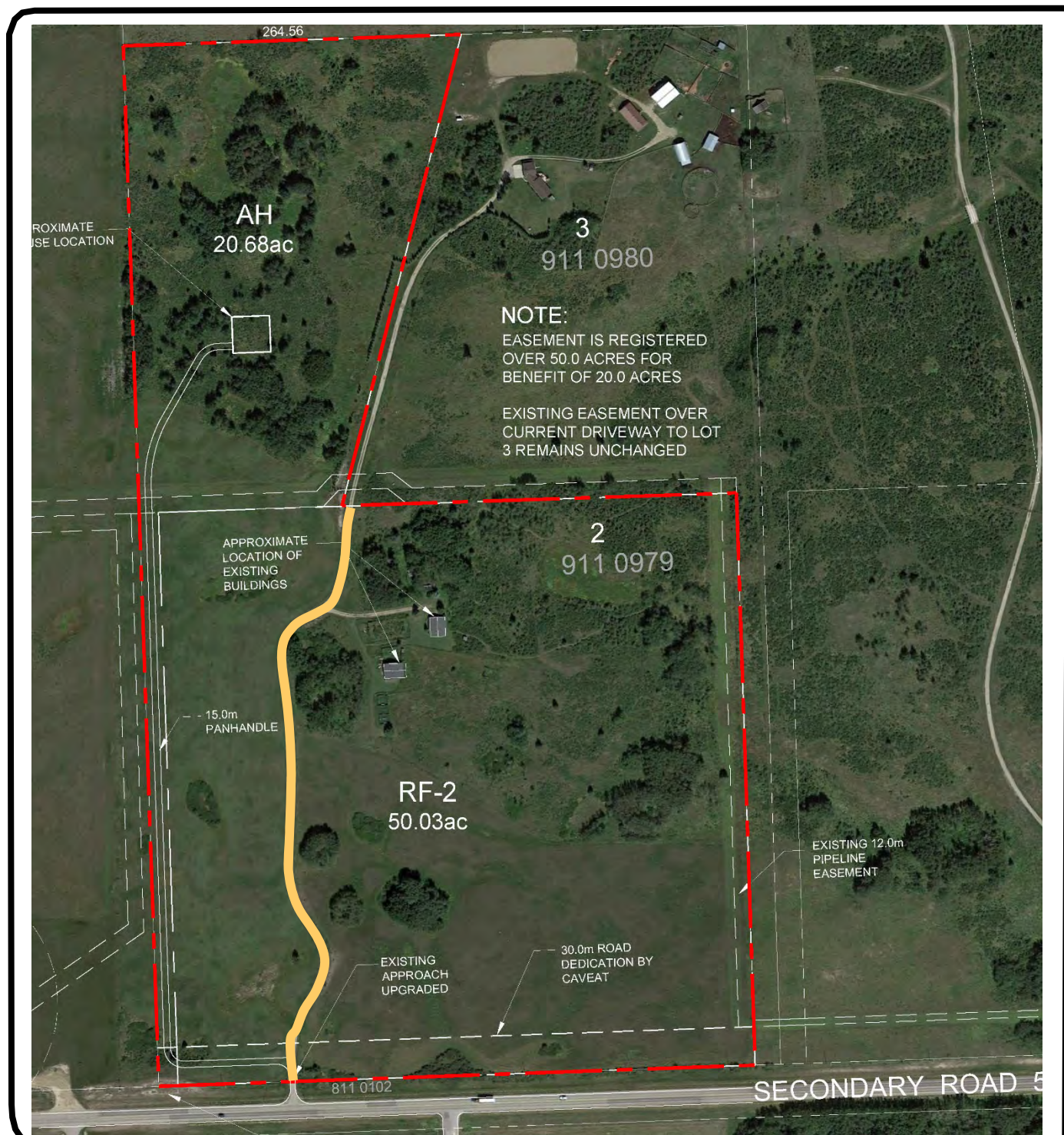
**SE-06-27-03-W05M**  
**Block: 2 Plan: 9110979**

Date: March 16, 2020

Division # 9

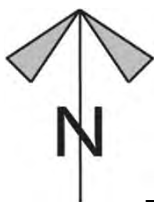
File: 07706005





— Access Easement Area (Instrument # 911 141 331)

Existing Access Easement Area



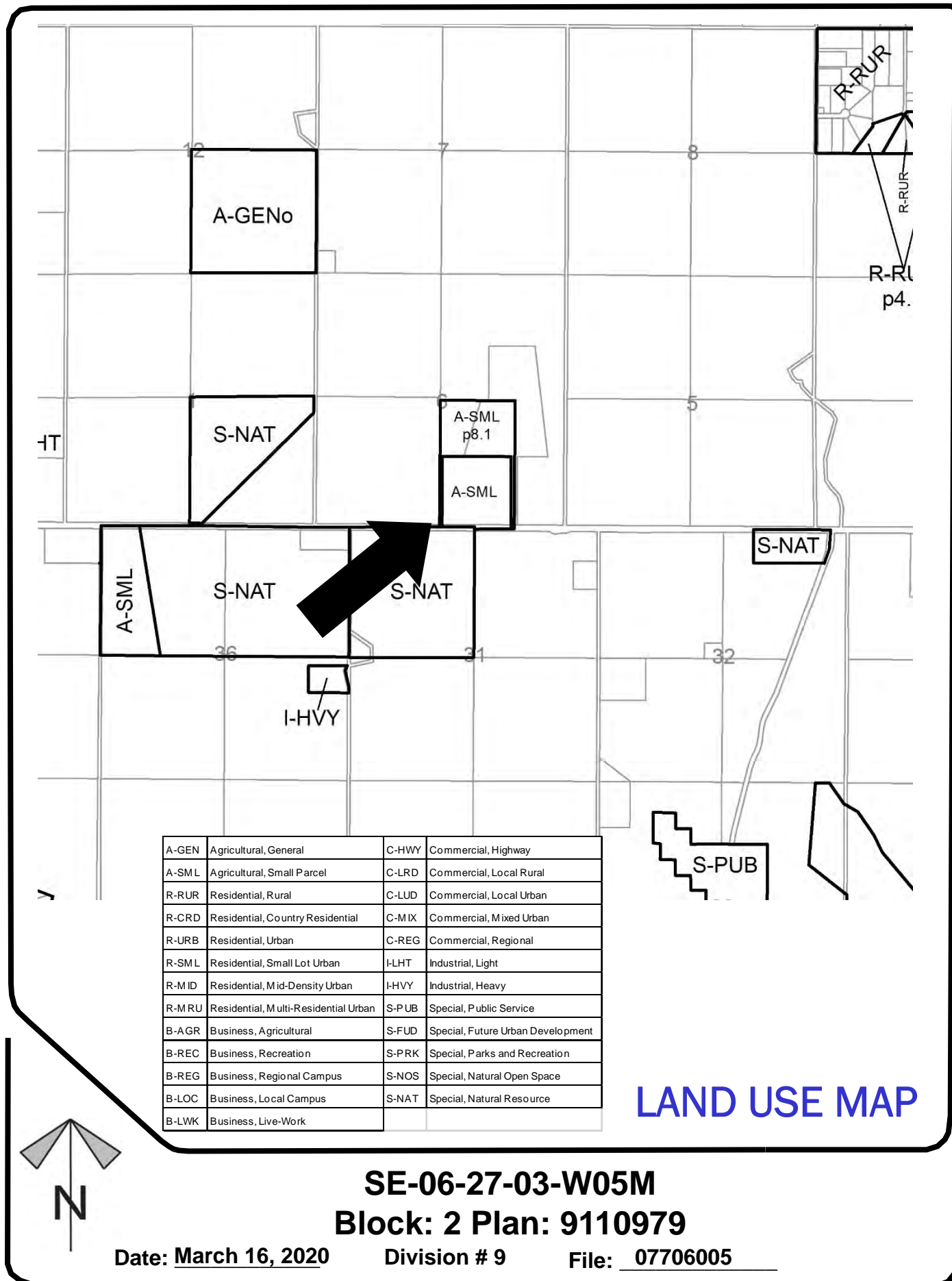
**SE-06-27-03-W05M**  
**Block: 2 Plan: 9110979**

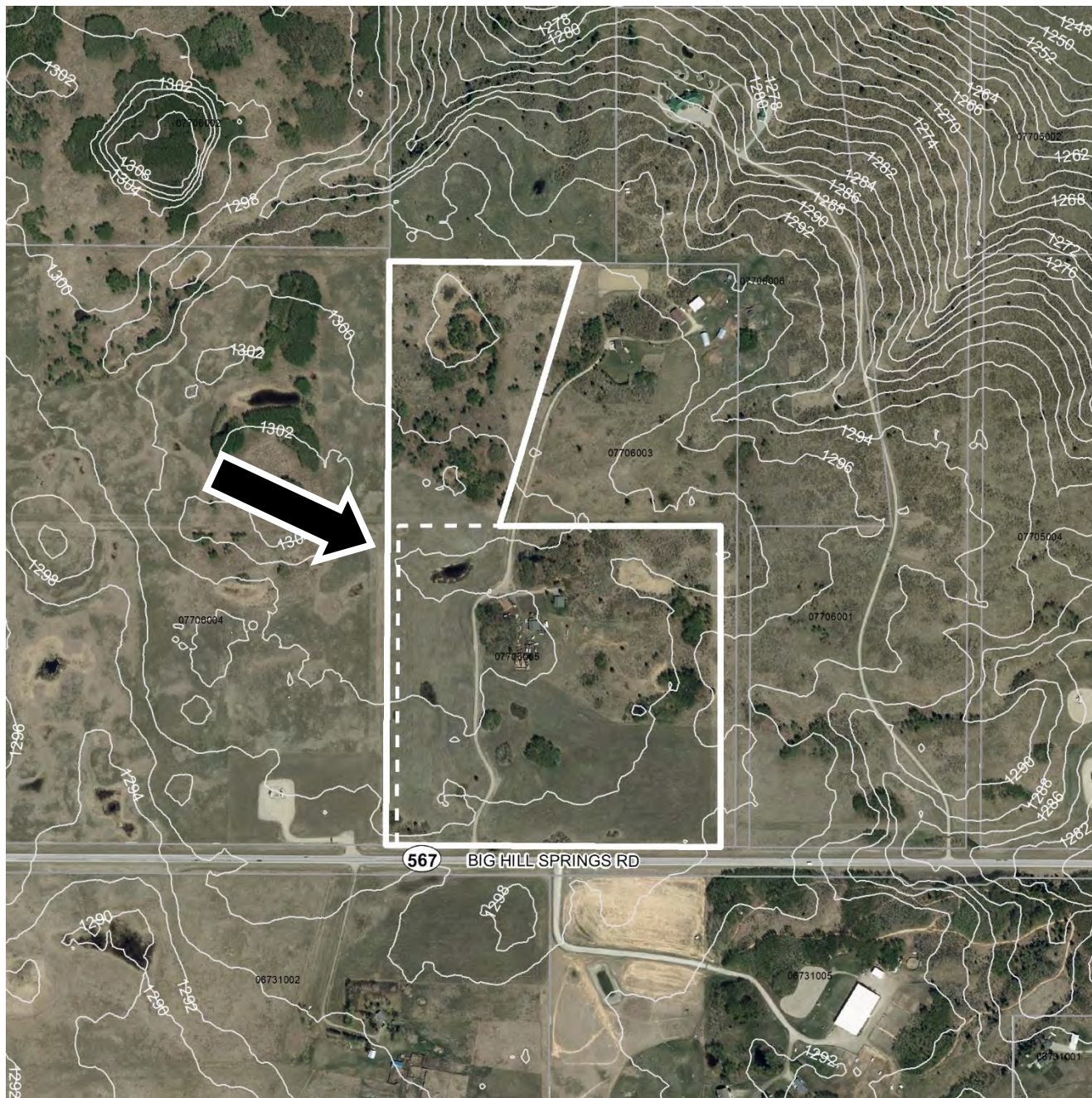
Date: March 16, 2020

Division # 9

File: 07706005



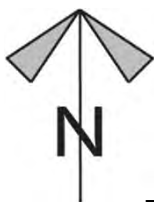




Contours are generated using 10m grid points, and depict general topographic features of the area. Detail accuracy at a local scale cannot be guaranteed. They are included for reference use only.

## TOPOGRAPHY

*Contour Interval 2 M*



**SE-06-27-03-W05M**  
**Block: 2 Plan: 9110979**

Date: March 16, 2020

Division # 9

File: 07706005

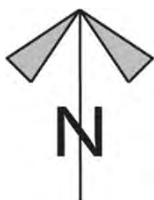




Note: Post processing of raw aerial  
photography may cause varying degrees  
of visual distortion at the local level.

**AIR PHOTO**

*Spring 2018*

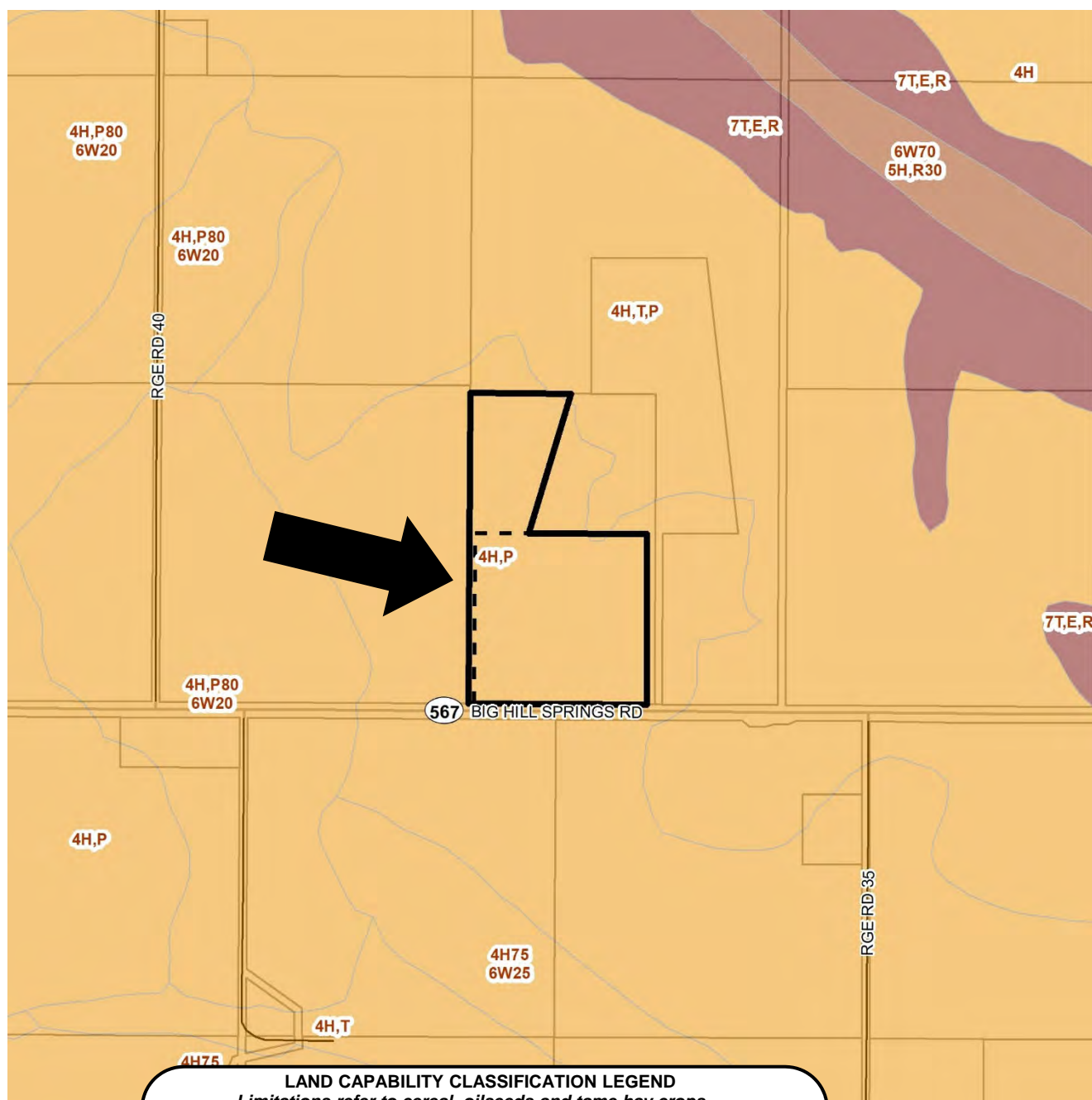


**SE-06-27-03-W05M**  
**Block: 2 Plan: 9110979**

Date: March 16, 2020

Division # 9

File: 07706005



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

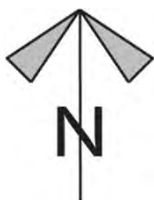
**CLI Class**

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

**Limitations**

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

**SOIL MAP**

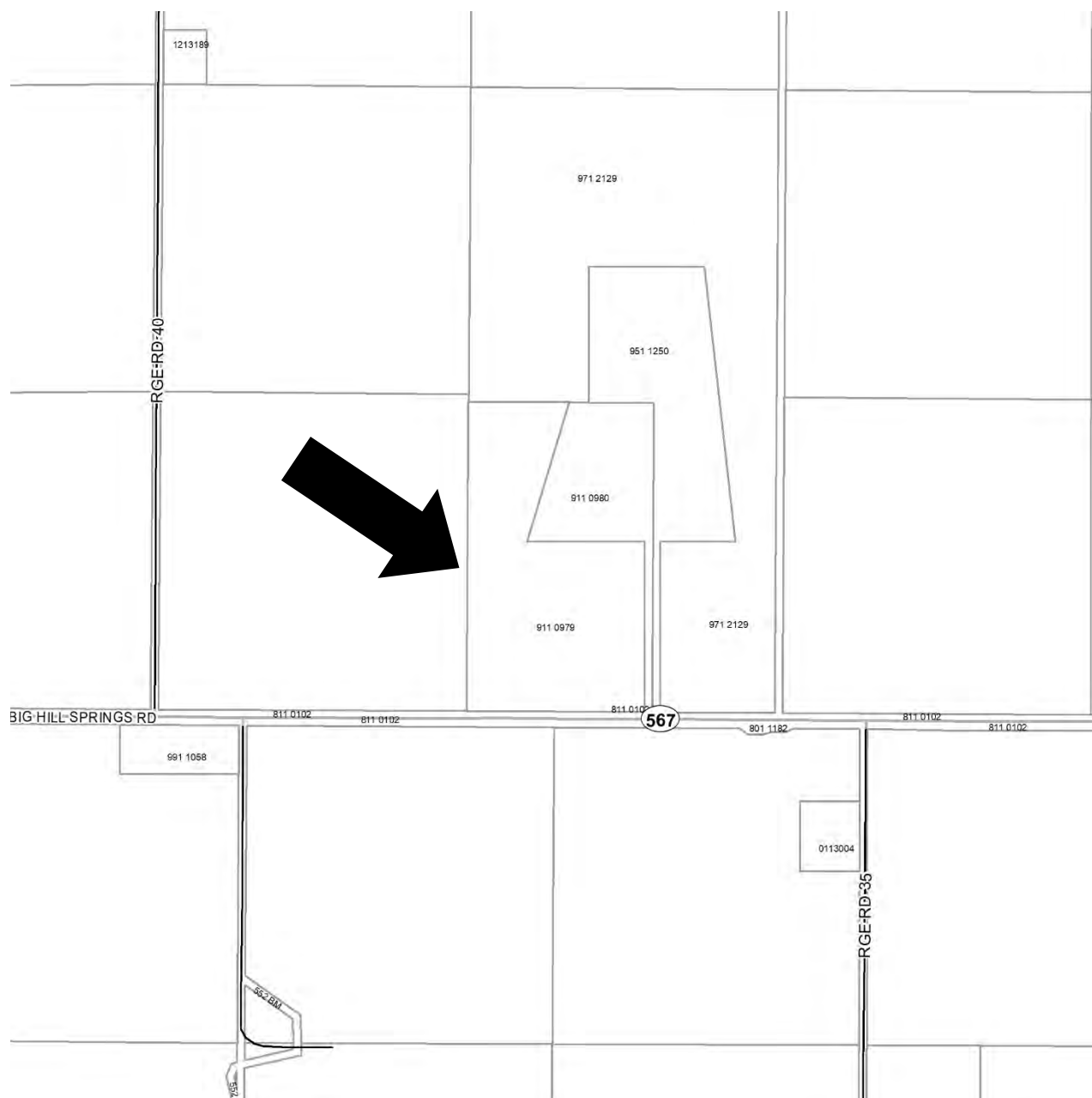


**SE-06-27-03-W05M**  
**Block: 2 Plan: 9110979**

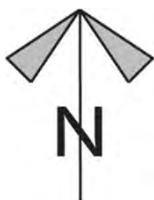
Date: March 16, 2020

Division # 9

File: 07706005

**Legend – Plan numbers**

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



**HISTORIC SUBDIVISION MAP**

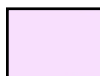

**SE-06-27-03-W05M**  
**Block: 2 Plan: 9110979**

Date: March 16, 2020Division # 9File: 07706005

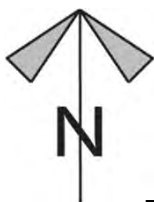




 Letters in Opposition  
 Letters in Support

Legend	
	Circulation Area
	Subject Lands

## LANDOWNER CIRCULATION AREA



**SE-06-27-03-W05M**  
**Block: 2 Plan: 9110979**

Date: March 16, 2020

Division # 9

File: 07706005



## APPENDIX 'B': APPROVAL CONDITIONS

- A. The application to create an  $\pm 8.38$  ha ( $\pm 20.70$  ac) parcel with a  $\geq 20.17$  ha ( $\geq 49.84$  ac) remainder at Block: 2 Plan: 9110979 SE-06-27-03-W05M, having been evaluated in terms of Section 654 of the *Municipal Government Act* and Section 7 and Section 14 of the Subdivision and Development Regulations, and having considered adjacent landowner submissions, is approved as per the Tentative Plan for the reasons listed below:
  1. The application is consistent with the Statutory Policy;
  2. The subject lands hold the appropriate land use designation;
  3. The technical aspects of the subdivision proposal have been considered and are further addressed through the conditional approval requirements.
- B. The Applicant/Owner is required, at their expense, to complete all conditions attached to and forming part of this conditional subdivision approval prior to Rocky View County (the County) authorizing final subdivision endorsement. This requires submitting all documentation required to demonstrate each specific condition has been met, or agreements (and necessary securities) have been provided to ensure the conditions will be met, in accordance with all County Policies, Standards, and Procedures, to the satisfaction of the County, and any other additional party named within a specific condition. Technical reports required to be submitted as part of the conditions must be prepared by a qualified professional, 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.

*Access*

- 2) The Owner/Applicant shall upgrade the existing approach on Big Hills Spring Road (HWY 567) to a mutual standard in order to provide access to Lot 1.
  - a. The Owner/Applicant shall enter into Roadside Development Permit to upgrade the existing approach off Highway 567 to a mutual standard as required by Alberta Transportation
- 3) The Owner/Applicant is to enter into an Access Easement Agreement for the mutual driveway between Lot 1 and 2 as shown in the approved Tentative Plan, which shall include:
  - a. Registration of the applicable access right of way plan;
- 4) The Owner/Applicant shall dedicate by Caveat, a 30.0 m wide portion of land along the southern boundary of Lot 1 and Lot 2 to accommodate future service road along Highway 567.

*Servicing*

- 5) The owner is to enter into a Site Improvements / Services Agreement with the County, which shall be registered on proposed lot 1 and shall be:
  - a. In accordance with the Level 1 PSTS Assessment prepared by Osprey Engineering Inc. (Dated: June 12, 2020)



ROCKY VIEW COUNTY

- b. For the construction of treatment mound and field system.
- 6) The Owner/Applicant shall provide a Well Driller's Report in accordance with County's servicing standards to demonstrate that an adequate supply of water is available for proposed lot 1 including
  - a. A verification that the well is wholly located within proposed lot 1 boundaries and the new well is capable of supplying a minimum of one (1) IGPM of water for household purposes.
- 7) Utility Easements, Agreements and Plans are to be provided and registered to the satisfaction of FortisAlberta.

#### *Municipal Reserve*

- 8) The provision of Municipal Reserve for the proposed Lot 1, as shown on the Plan of Survey, is to be provided by payment of cash-in-lieu, in accordance with the value as listed in the land appraisal prepared by Altus Group, effective date: April 16, 2020, Project No.: 13120.102658.053, pursuant to Section 666(3) of the Municipal Government Act.
  - a. Municipal Reserves for the remainder parcel, Lot 2 are to be deferred by Caveat, pursuant to Section 669 of the Municipal Government Act.

#### *Payments and Levies*

- 9) The Owner shall pay the County Subdivision Endorsement fee, in accordance with the Master Rates Bylaw, for the creation of 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

Monday, August 10, 2020

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

**Attn: Althea Panaguiton**

**Re: Subdivision Application (File Number: 07706005, Application Number: PL20200035)**

For health reasons, we sought a lifestyle change by moving from Calgary, Alberta to an agricultural property in the Rocky View County (RVC). We were very selective in choosing a suitable property that would enable us to begin a new journey of farming and raising animals as we wanted to be located in an area where agricultural activity would not be disrupted. Presently, we are actively farming by growing vegetables, haying, raising chickens, bees, and horses.

We purchased our Rocky View County (RVC) agricultural property in August 2018 (see 9110980 on attached PL20200035\_Proposal.pdf) which is immediately adjacent to the property owned by Corey & Inger Stoneman (Applicant) who have submitted a subdivision proposal under the application number PL20200035.

Our property is land-locked with access to Hwy 567 only available via a shared access road on the Applicant's parcel. An Easement and Right-Of-Way was registered by means of a Caveat (see attached Caveat\_Easement\_911141331.pdf) by the original landowner. To date, the various landowners of these parcels have peacefully co-existed with this arrangement over the past 29 years since the caveat was registered on July 3, 1991. As our property is land-locked we can be impacted by any proposed developments, land-use re-designations or subdivisions submitted by our adjacent neighbour as is the case with the original application PL20180097 and the revised application PL20200035.

For some relevant context, the Applicant previously applied for an industrial development (see attached PL20180097\_Proposal.pdf) to which we wrote a letter of opposition for due to their development being right over the access road we share which is protected by way of Caveat. This application was withdrawn only after Albert Transportation would not approve the application without an Area Structure Plan in place. In the Applicant's withdrawal letter, they specifically reserved their intention to develop the front parcel at a later time by *"transitioning the 50-acre parcel away from grazing / agricultural uses"*. Which we would be opposed to given this is an agricultural zoned area of the Rocky View County.

During both proposals, the Applicant has taken an entitled and un-neighbourly approach throughout the process as there was no communication with us regarding their plans despite both proposals targeting the removal of the protected access road we share.

The Applicant then applied to re-designate their land from Ranch and Farm District to Agricultural Holdings District and Ranch and Farm Two District which we were not opposed to as we felt this was just a minor change in the land usage and would not impact our access road.

Incidentally, we found out about the Applicant's subdivision request by people trespassing on our land on May 6 and May 7, 2020, locating gas lines and preparing to dig for samples. When asked why they were on our land they mentioned they were doing pre-work for the Applicant in preparation of the subdivision request. We kindly asked them to provide permits for their work which they were unable to produce. After this breach of privacy we contacted the RVC planning department to inquire what was happening. We were informed a letter was sent out, but due to COVID-19, we had not checked our mailbox and did not receive the letter dated April 8, 2020 from RVC until May 8, 2020. Once we reviewed the letter, we were again concerned about the Applicant's plans and lack of communication. The RVC planning department was most helpful and provided us with updated information on the proposal which confirmed our concerns. We wrote a formal letter of opposition and only upon doing that did the Applicant's development consultant, Ms. Kristi Buender, reach out to us.

Through discussion with Ms. Buender, we were able to resolve some of our concerns around impacts to the shared access road, but many significant concerns were unable to be resolved and we are again formally expressing our opposition to the proposed plan PL20200035 requesting subdivision for the following reasons:

1. The Applicant does not reside in Rocky View County but rather in Calgary, Alberta, and is using the parcel as an income property by renting it out. The proposed development is motivated by profit and not for the benefit of the agricultural area or residents of Rocky View County. This is evident for the following reasons:
  - a. The Applicant's approach of no direct communication with us via applications PL20180097 and PL20200035 show they aren't concerned about peaceful relations with neighbouring properties and taking into account our serious concerns.
  - b. PL20180097 was a significant industrial development proposal of the lower 50 acres with the Applicant claiming they would build a new residence for the 20 acre parcel and reside there. However, this raised serious doubts as no genuine agricultural resident would choose to live next to a major industrial development when the primary focus of the area is agricultural.
  - c. The proposed 20 acre parcel has a significant portion of ecological sensitive land that is not conducive to agricultural use without considerable disruption to the wetlands that exist there. The Applicant was not transparent in their application of identifying this and bringing it to the attention of RVC so that a proper review could be done up front. We raised this concern with Ms. Buender and her reply was "It is ephemeral and non-permanent and fluctuates, it does not convey a high wetland rating according to Alberta Geospatial wetland inventory mapping." This dismissive attitude again shows a lack of concern for the area and the wildlife that live in this ecological sensitive area. It is worth noting that this wetland has existed for at least 2 years since we have been moved into the adjoining property in August 2018, has shown no signs of dissipating, and is home to a variety of aquatic wildlife.
  - d. We discussed our access road concerns with Ms. Buender and due to our registered caveat easement preventing the Applicant's from disrupting our access road, they did have to change their previously submitted plan (see attached 120011arw-20200512.pdf). Had this been approved it would have resulted in us having to abandon our gated entrance on the existing shared access road and connect to a new access road on the south boundary of the 20 acre parcel. This plan was presented to RVC without any consultation with us despite the fact that it would require an incredible investment on our part to develop a new road, install a new gate, re-locate our bee apiary and re-fence the impacted property line. This again shows the Applicant's lack of concern for impacted landowners which is an indication that the development is for profit purposes as relationships do not take precedence.



- e. We also asked Ms. Buender via email why the current access road was not being used as part of the subdivision plan to gain access to the proposed 20 acre residence?

Their reply was: *"We are obligated to utilize the existing access location, however, we are not obligated to use the existing driveway, Mr. Stoneman's personal preference is to access the 20.0 acre lot where his new home will be via a new driveway. In order to gain access to the panhandle associated with the 20 acre parcel we must use the existing access location and then Mr. Stoneman's preference is to head west to the panhandle."*

Leveraging the existing access road would indicate that the Applicant is attempting to work within the existing structure of the parcels that has been in place since 1991. This would also be the most economical and least impactful way to proceed with a subdivision. While the Applicant's attempt to create a new access road appears benign, we feel there are ulterior motives behind this request in order to seek future development of the 50 acre parcel once the existing access road that is in the way of their current plans is bypassed.

2. Under PL20180097, the Applicant's requested "To redesignate the subject land from Ranch and Farm District to Agricultural Holdings District and Ranch and Farm Two District to facilitate future subdivision of the subject land." We did not oppose this redesignation of the land usage nor are we opposed to a new residence being constructed. However, we are opposed to breaking up the parcel in order to facilitate the building of a new residence as the proposed residence could be developed and accessed by forking off the existing shared access road without any need to subdivide or upgrade the access point on Highway 567.

As per the RVC Land Use Bylaws, the zonings that exist in this area are to ensure agricultural activities fulfill the primary land use and for residential pursuits to be accessory to the agricultural use. As the surrounding landowners are all currently using the land for agricultural purposes we want to ensure this remains. Therefore we are opposed to having the Applicant's land subdivided for the following reasons:

- a. This would create two smaller parcels that would significantly reduce the agricultural effectiveness of the current 70 acre parcel by breaking up the agricultural footprint.
- b. Subdivision is not required in order for the Applicant to pursue their hobby farm as this can be done via the current zoning of the 70 acre parcel. Under the PL20180097 Minutes Appendix A: Application Referrals, comments provided by Agriculture & Environmental Services clearly state "It appears the applicant intends to use the smaller parcel for a new agricultural pursuit but the proposed agricultural operation could also be carried out under the current land use designation."
- c. Subdivision is not required in order for the Applicant to build a new residence. It is worth noting that the existing residence dwelling on the 70 acre parcel is a temporary structure as it has no permanent foundation. Under the existing zoning bylaws this building could be reclassified in order for the applicant to build their desired new residence on the 70 acre parcel without subdivision.
- d. The proposed subdivision would include significant future construction in an agricultural area that would cause noise and air pollution thus impacting the adjacent landowners and animals.

- e. Allowing the subdivision and subsequent development in this area will set a precedence that will encourage other unwanted development in an agricultural area. Further, this will entice other developers living outside of RVC with the goal of making a profit to bring forward development proposals such as the Applicant has been consistently attempting.
3. In speaking with Mr. Gerry Benoit from Alberta Transportation (AT) their approval would require a 30-metre wide service road right of way parallel and adjacent to Highway 567 across the highway frontage of the proposed parcels as per Section 15 of the Subdivision and Development Regulation. This right of way would be registered on the Applicant's title via a caveat and would create an overlapping and competing interest to the existing Easement and Right-Of-Way we have registered on the Applicant's title (see attached Caveat\_Easement\_911141331.pdf).

One purpose of the service road right of way is to give AT future flexibility for Highway expansion or relocation/reduction of access points by connecting a service road to existing pan handles. As previously mentioned, due to our property being land-locked, the Easement and Right-Of-Way we hold guarantees us as the Grantee, "access right-of-way in, over and through the Servient Lands" by means of a surveyed access road Right-Of-Way. The creation of an access road parallel to Highway 567 would create the risk that at a future time we would need to develop our panhandle at our own expense in order to access our property. Further as our property has been designed with use of the shared access road since it came into effect in 1991, having to develop a new access to our property would require cutting through our existing pasture which would impact our ability to raise our animals which is a key source of our income and livelihood.

In conclusion, given the above reasons, we are opposed to having the existing 70 acre parcel subdivided for the purpose of adding additional density to the area while at the same time reducing the agricultural footprint in the area. We have tried working with the Applicant to address our concerns with their proposal but have been unable to find common ground. Therefore, we respectfully ask the Municipal Planning Commission to reject the application for subdivision as presented. Removing the proposed subdivision component of the application would address all of our concerns while still providing the Applicant the ability to build a new residence and start a hobby farm. If their 70 acre property is too large for their agricultural needs then we would respectfully suggest the Applicants find a smaller more suitable property rather than attempt to break up a fully functioning agricultural parcel just to meet their desire of downsizing.

It is also worth mentioning again that the Applicants are not residents on the property, thus they would not face the same negative impact of living through the proposed development which would affect both the adjacent landowners and their livestock for a considerable length of time.

We would like to respectfully request the option to speak before the Municipal Planning Commission to answer any questions they may have and to be able to express our concerns in person.

Sincerely,



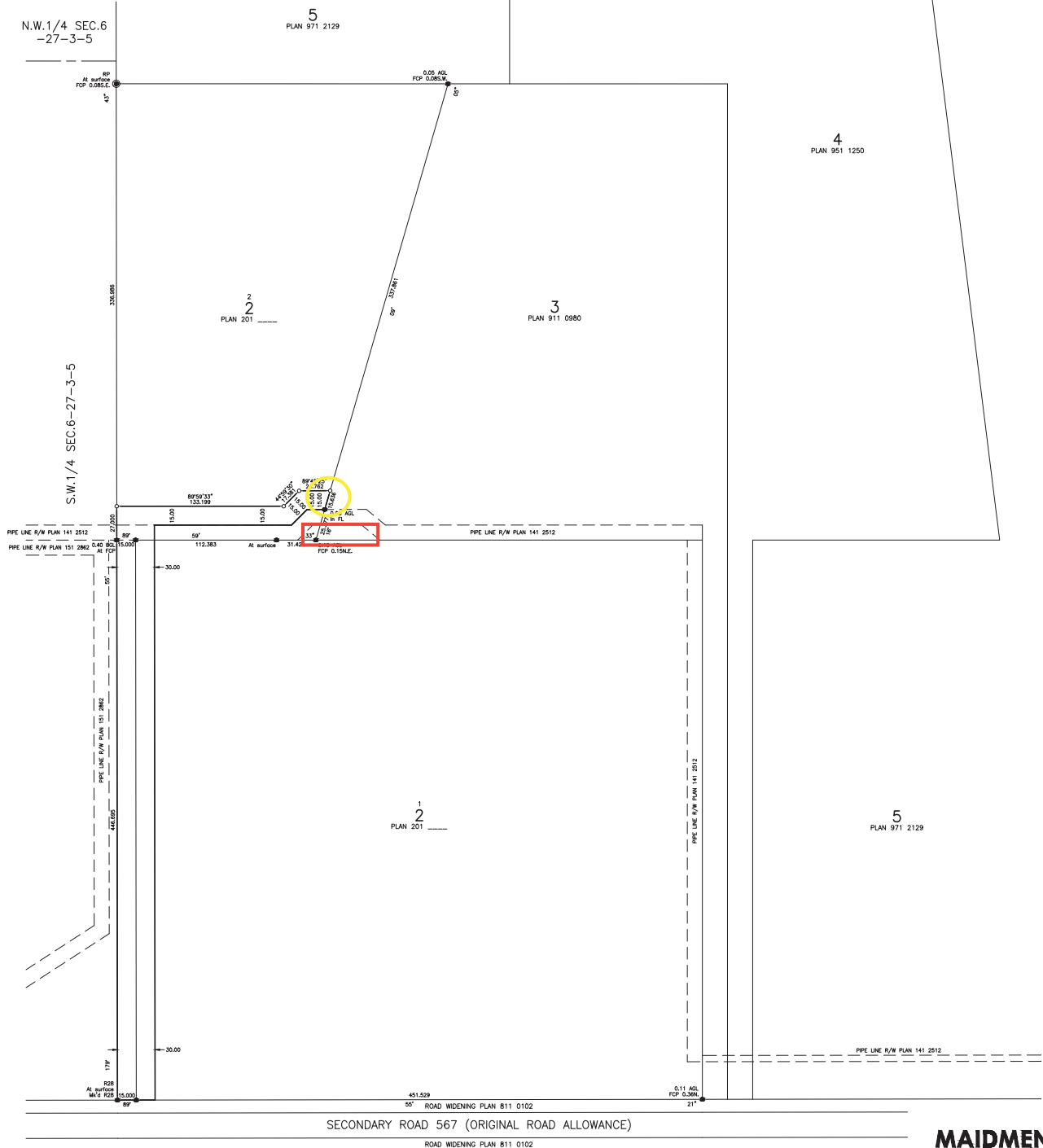
Kelsey & Sarah Krokis  
Box 10, Site 7, RR2  
Cochrane, Alberta T4C 1A2

/encl

ROCKY VIEW COUNTY  
PLAN SHOWING SURVEY OF  
ACCESS RIGHT OF WAY  
AFFECTING  
LOTS 1 & 2, BLOCK 2, PLAN 201  
WITHIN THE  
S.E.1/4 SEC.6, TWP.27, RGE.3, W.5M.  
SCALE: 1:1500  
B.M. WILSON, ALS 2020

## LEGEND

1. AREA AFFECTED BY THIS PLAN OUTLINED THUS: AND CONTAINS: 1.636 ha.
  2. STATUTORY IRON POSTS SHOWN THUS: FOUND PLACED (MARKED "P196")
  3. FOUND STATUTORY IRON POST, USED AS REFERENCE POINT SHOWN THUS: RP
  4. DISTANCES ARE IN METRES
  5. BEARINGS ARE DERIVED FROM GNSS OBSERVATIONS.
  6. THE PROJECTION IS UNIVERSAL TRANSVERSE MERCATOR, THE DATUM IS NAD83 (CSRS 2002), THE REFERENCE MERIDIAN IS 117° WEST LONGITUDE, AND THE COMBINED SCALE FACTOR IS 0.999799.
  7. GRID COORDINATES ARE DERIVED FROM GNSS PPP OBSERVATIONS WITH THE FOLLOWING COORDINATES FOR THE REFERENCE POINT:  
NORTHING = 5483844.324, EASTING = 488037.879.
  8. RIGHT OF WAYS ARE 30.00 METRES IN PERPENDICULAR WIDTH UNLESS SHOWN OTHERWISE.
- |                                     |   |
|-------------------------------------|---|
| ALS . . . . . ALBERTA LAND SURVEYOR | ML . . . . . MARK                                 |
| SEC. . . . . SECTION                | ML'd . . . . . MARKED                             |
| TWP. . . . . TOWNSHIP               | ML'd . . . . . MARKER POST                        |
| RGE. . . . . RANGE                  | NAD83 . . . . . NORTH AMERICAN DATUM OF 1983      |
| M. . . . . MERIDIAN                 | CSRS . . . . . CANADIAN SPATIAL REFERENCE SYSTEM  |
| ha . . . . . HECTARE                | GNSS . . . . . GLOBAL NAVIGATION SATELLITE SYSTEM |
| N. . . . . NORTH                    | PPP . . . . . PRECISE POINT POSITIONING           |
| S. . . . . SOUTH                    | RP . . . . . REFERENCE POINT                      |
| E. . . . . EAST                     | R/W . . . . . RIGHT OF WAY                        |
| W. . . . . WEST                     | AGL . . . . . ABOVE GROUND LEVEL                  |
| FCP . . . . . FENCE CORNER POST     | BGL . . . . . BELOW GROUND LEVEL                  |



## SURVEYOR

BRENT M. WILSON, ALS 2020  
SURVEYED BETWEEN THE DATES OF JANUARY 27 AND \_\_\_\_\_, 2020  
IN ACCORDANCE WITH THE PROVISIONS OF THE SURVEYS ACT.

## REQUESTED BY

COREY EDWARD STONEMAN  
INGER KATARINA STONEMAN



## REGISTRAR

ALBERTA LAND TITLE

PLAN NO. \_\_\_\_\_

ENTERED AND REGISTERED

ON \_\_\_\_\_

INSTRUMENT NO. \_\_\_\_\_

A.D. REGISTRAR

**ALBERTA GOVERNMENT SERVICES  
LAND TITLES OFFICE**

IMAGE OF DOCUMENT REGISTERED AS:

**911141331**

**ORDER NUMBER: 29557329**

**ADVISORY**

This electronic image is a reproduction of the original document registered at the Land Titles Office. Please compare the registration number on this coversheet with that on the attached document to ensure that you have received the correct document. Note that Land Titles Staff are not permitted to interpret the contents of this document.

Please contact the Land Titles Office at (780) 422-7874 if the image of the document is not legible.

911141331 REGISTERED 1991 07 03  
CAVE - CAVEAT  
DOC 1 OF 1 DRRH: 2461309 ADR/GVELJI  
LINC/S: 0018249797 0018249789

I certify that the within instrument  
is duly Entered and Registered in the Land  
Titles Office for the South Alberta Land  
Registration District at Calgary.

*Keith Stong* A. D. Registrar  
SALRD





DOCUMENT REGISTRATION REQUEST

LAND TITLES OFFICE

BOX 7575  
CALGARY, ALBERTA  
T2P 2R4PLEASE RETURN TO  
EDMONTON LAND TITLES OFFICE

NAME TF Pontin TO CALL BOX E03 ACCOUNT NUMBER 1867 CASH June 11/91

ADDRESS Barb MAIL June 11/91 DATE June 11/91

POSTAL CODE 482-5541 TELEPHONE 482-5541 SIGNATURE Barb

CUSTOMER'S SPECIAL INSTRUCTIONS AND LEGAL DESCRIPTION

Plan 911 0979 Block 2 Plan 911 0980 Block 3 My/ok attached

July 2, 1991 BARB PONTIN was informed to change O.R.R. to caveat instead of easement

☐ D.C.T. ENCLOSED - PLEASE RETURN

DOCUMENTS IN ORDER OF PRIORITY	EXTRA TITLES/ REFS	REGISTRATION FEES	OTHER SERVICES DESCRIPTION	FEES	REGISTRATION NUMBER
1 <u>CAVEAT Easement</u>		5 15	<u>CCT</u>	8	1
2					2
3					3
4					4
5					5
SUB-TOTAL		\$ 20	SUB-TOTAL		\$ 8
L.T.O. USE ONLY			TOTAL FEES		\$ 28

☐ D.C.T. Enclosed☐ D.C.T. Not Enclosed

JUL 3 1991

19

SUSAN ELLIOTT

A.D. Registrar

## REASONS FOR REJECTION

PLEASE RE-SUBMIT DOCUMENTS WITH THIS FORM AND ☐ Duplicate Certificate of Title ☐ Registration Fee

- ☐ 1. Require \$ \_\_\_\_\_ for registration.
- ☐ 2. Require duplicate certificate of title
- ☐ 3. Require foreign ownership of land declaration.
- ☐ 4. Require address for \_\_\_\_\_
- ☐ 5. Incorrect legal description.
- ☐ 6. Require evidence re infants (section 120, Land Titles Act).
- ☐ 7. Caveat must claim an interest in land
- ☐ 8. Caveat must state nature of interest claimed and grounds on which claim is founded (section 131, Land Titles Act).
- ☐ 9. Title also subject to \_\_\_\_\_
- ☐ 10. General Register search reveals attached registrations
- ☐ 11. Require discharge of tax notification or consent of taxing authority.
- ☐ 12. Sign, seal, swear, complete or correct \_\_\_\_\_

13. Comments and other reasons for rejection.

Register Easement by  
way of Caveat or  
Register plan of survey  
to define Easement  
location - sketch not  
acceptable

Susan Elliott  
A.D. Registrar

Team # Survey

June 24 91  
19

## D.R.R. REJECTION NOTICE

TO THOMAS F. PONTIN PROF CORP

VIA CALL BOX

EDMONTON  
LAND TITLESEDMONTON  
LAND TITLES

JUN 26 91 AM

A

S.A.L.R.D.

BOX 7575  
CALGARY, AB  
T2P 2R4

CUSTOMER FILE NBR: 1867/STRANGE

RE: D.R.R. NUMBER: 2461309

CALL BOX: E103

ACCOUNT NUMBER: ~~REDACTED~~

REJECTION DATE: 1991/06/24

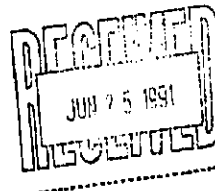
DOCUMENT TYPE

EASEMENT

1. REGISTER EASEMENT BY WAY OF CAVEAT OR REGISTER PLAN OF SURVEY TO DEFINE EASEMENT LOCATION - SKETCH NOT ACCEPTABLE.
2. PLEASE RETURN THE DRR REJECTION NOTICE WITH YOUR DRR AND DOCUMENTS TO ENSURE FASTER SERVICE.  
IF ANY QUESTION, PLEASE CONTACT WAYNE JOHNSON AT 297-6529.

CALGARY L.T.O.

JUN 28 1991

F  
Edmonton

*Re-Submitted  
June 26/91*

\*\* PLEASE RE-SUBMIT DOCUMENT(S) WITH THIS FORM FOR FASTER PROCESSING. \*\*

ADR/SELLIOTT

PAGE: 1

## D.R.R. REJECTION NOTICE

S.A.L.R.D.

TO THOMAS F. PONTIN PROF CORP  
#108, 2841 - 109 STREET  
EDMONTON  
ALBERTA

T6J 6B7

BOX 7575  
CALGARY, AB  
T2P 2R4

CUSTOMER FILE NBR: 1867/STRANGE

RE: D.R.R. NUMBER: 2461309

CALL BOX: E103  
ACCOUNT NUMBER: ~~XXXXXX~~  
REJECTION DATE: 1991/06/13

DOCUMENT TYPE

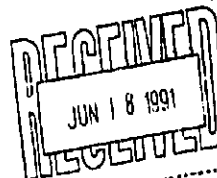
EASEMENT

1. EASEMENT DOCUMENT NOT REGISTERABLE.  
WE REQUIRE DOMINANT AND SERVIENT TENEMENT  
TO REGISTER AN EASEMENT.
2. PLEASE RETURN THE DRR REJECTION NOTICE WITH  
YOUR DRR AND DOCUMENTS TO ENSURE FASTER  
SERVICE.  
IF ANY QUESTION, PLEASE CONTACT WAYNE JOHNSON  
AT 297-6529

PLEASE RE-SUBMIT DOCUMENT WITH  
THIS FORM FOR FASTER PROCESSING

THANKS DISTRIBUTION

*Re-submitted  
June 18/91*



\*\* PLEASE RE-SUBMIT DOCUMENT(S) WITH THIS FORM FOR FASTER PROCESSING. \*\*

ADR/ ~~XXXXXX~~

PAGE: 1

## CAVEAT

TO THE REGISTRAR OF THE SOUTH ALBERTA LAND REGISTRATION DISTRICT

TAKE NOTICE THAT RONALD G. STRANGE AND JOYCE I. STRANGE of Cochrane, in the Province of Alberta ("the Caveator") do claim an interest under and by virtue of an Easement and Access Right-of-Way dated May 27, 1991 between Ronald I. Strange and Joyce I. Strange as Grantor and Ronald I. Strange and Joyce I. Strange as Grantee, a copy of which is attached hereto, in the land described as follows:

PLAN 911 0979  
BLOCK 2  
EXCEPTING THEREOUT ALL MINES AND MINERALS.


PLAN 911 0980  
BLOCK 3  
EXCEPTING THEREOUT ALL MINES AND MINERALS.

standing in the register in the name of RONALD G. STRANGE AND JOYCE I. STRANGE, AND THE CAVEATOR FORBIDS the registration of any person as transferee or owner of, or of any instrument affecting the said estate or interest, unless the instrument or certificate of title, as the case may be, is expressed to be subject to this claim.

THE CAVEATOR DESIGNATES the following address as the place which notices and proceedings relating hereto may be served:

RONALD G. STRANGE AND JOYCE I. STRANGE  
[REDACTED]

DATED this 25th day of June, 1991.

  
THOMAS F. PONTIN - Agent

-2-

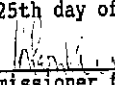
## AFFIDAVIT IN SUPPORT OF CAVEAT

CANADA  
PROVINCE OF ALBERTA  
TO WIT:


I, THOMAS F. PONTIN,  
of Edmonton, in the Province  
of Alberta, MAKE OATH AND SAY:

1. That I am agent for the above named Caveator.
2. That I believe that the said Caveator has a good and valid claim upon the said lands and I say that this Caveat is not being filed for the purpose of delaying or embarrassing any person interested in or proposing to deal therewith.

SWORN BEFORE ME at Edmonton,  
in the Province of Alberta,  
this 25th day of June, 1991.

  
A Commissioner for Oaths in and  
for the Province of Alberta

BARBARA PONTIN  
MY COMMISSION EXPIRES  
MARCH 2, 1992

  
THOMAS F. PONTIN



THE LAND TITLES ACTEASEMENT

THIS EASEMENT made this 27th day of May, A.D. 1991

BETWEEN:

RONALD G. STRANGE AND JOYCE I. STRANGE  
(hereinafter referred to as the "Grantor")

OF THE FIRST PART

- and -

RONALD G. STRANGE AND JOYCE I. STRANGE  
(hereinafter referred to as the "Grantee")

OF THE SECOND PART.

WHEREAS the Grantor is the registered owner of an estate in fee simple, subject however to such encumbrances, liens and interests as are notified by memorandum underwritten, in all that certain tract of land in the Municipal District of Rocky View No. 44, in the Province of Alberta, and more particularly described as:

PLAN 9110979  
BLOCK TWO (2)  
EXCEPTING THEREOUT ALL MINES AND MINERALS  
(hereinafter referred to as "the Servient Lands")

AND WHEREAS the Grantee is the registered owner of an estate in fee simple, subject however to such encumbrances, liens and interests as are notified by memorandum underwritten, in all that certain tract of land in the Municipal District of Rocky View No. 44, in the Province of Alberta, and more particularly described as:

PLAN 911 0980  
BLOCK THREE (3)  
EXCEPTING THEREOUT ALL MINES AND MINERALS  
(and more particularly described as "the Dominant Lands")

-2-

AND WHEREAS the Grantee is desirous of obtaining from the Grantor an easement and an access right-of-way in, over and through the Servient Lands.

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the sum of One (\$1.00) Dollar paid to the Grantor, the receipt whereof is hereby acknowledged, and in consideration of the covenants and conditions herein contained, the Grantor and the owners and occupiers for the time being and from time to time of the Servient Lands, their agents, employees, servants and workmen, grants, transfers, conveys and confirms to the Grantee, being the registered owner of the Dominant Lands, an easement within the area outlined in red on the attached Schedule 'A' hereto for access right-of-way in, over and through the Servient Lands.

1. The said easement and access right-of-way, shall be for as long a period as the Grantee, its successors and assigns may desire to exercise the same.
2. The Grantee shall have the right to do whatever may be requisite for the enjoyment of the rights herein granted.
3. Upon the execution of these presents and at all times hereafter, the Grantee, its successors and assigns, may enter upon and occupy the right-of-way with its agents, employees and contractors, and with or without vehicles, machinery and equipment, for the purposes aforesaid.
4. The Grantee by performing and observing the covenants and conditions herein contained shall peaceably hold and enjoy all rights, privileges, liberties and covenants hereby granted without hinderance, molestation or interruption from the grantor or any person claiming through, under or for the Grantor.

-3-

5. The Grantee will at all times hereafter indemnify and keep the Grantor indemnified against all actions, claims and demands that may be lawfully brought or made against the Grantor by reason of anything done by the Grantee, its agents or contractors, in the exercise or purported exercise of the easement and access right-of-way hereby granted.

6. This easement is and shall be of the same force and effect to all intents and purposes as a covenant running with the lands and these presents, including all the covenants herein contained, shall extend to and be binding upon, and enure to the benefit of the executors, administrators, successors and assigns of the Grantor respectively; and wherever the singular or masculine is used the same shall be construed as meaning the plural or feminine, or a body corporate, where the context or the parties so require.

IN WITNESS WHEREOF the parties hereto have hereunto caused to be affixed their signatures by their duly authorized signing authority and seal this day and year first above written.

Witness

Witness

Witness

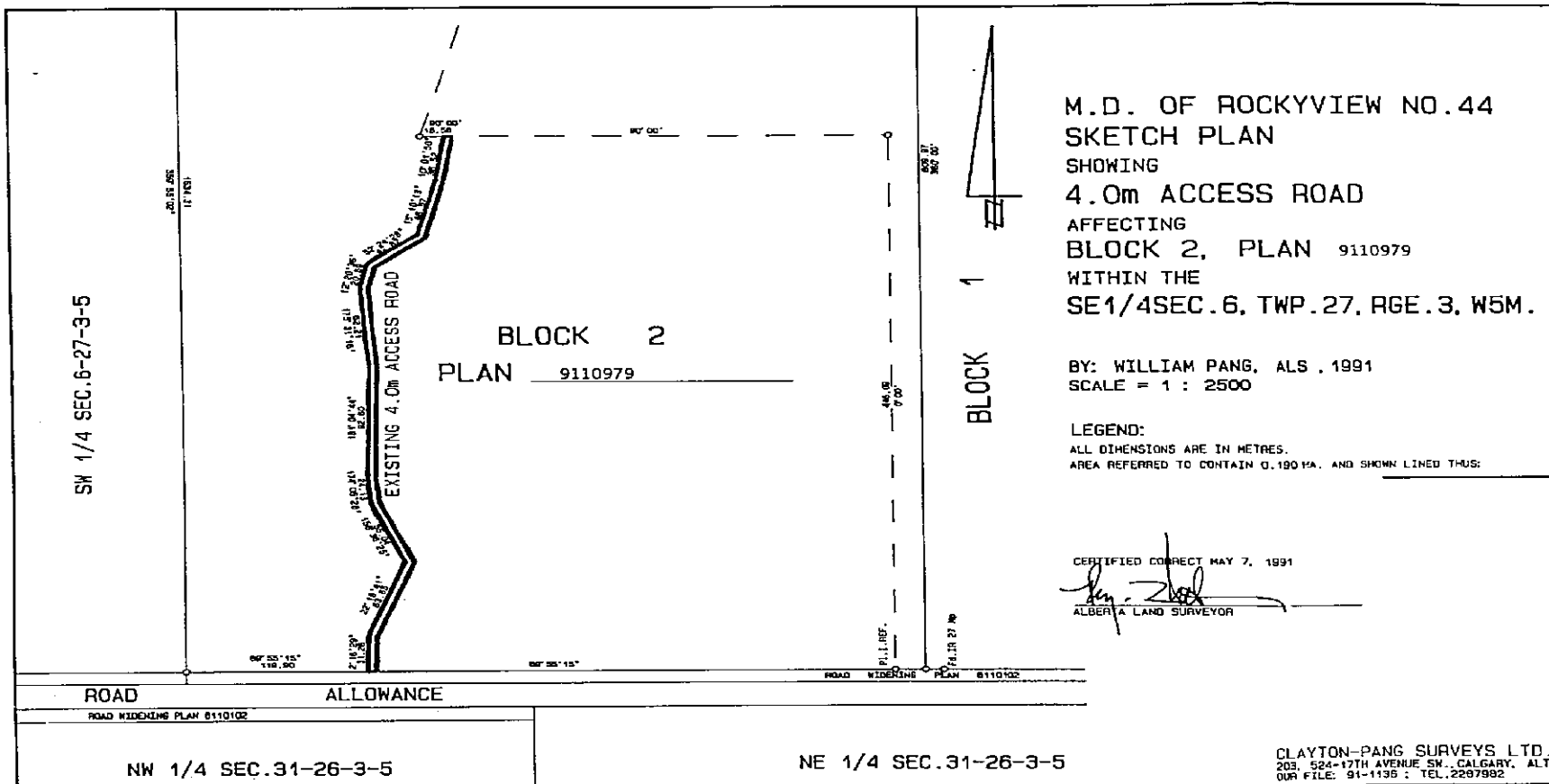
Witness

RONALD G. STRANGE (Grantor)

JOYCE I. STRANGE (Grantor)

RONALD G. STRANGE (Grantee)

JOYCE I. STRANGE (Grantee)



## AFFIDAVIT OF EXECUTION

CANADA ) I, Thomas F. Pontin  
 )  
 PROVINCE OF ALBERTA ) Edmonton  
 ) of the City of Calgary,  
 )  
 TO WIT: ) in the Province of Alberta,  
 )  
 ) Lawyer (Occupation)

## MAKE OATH AND SAY THAT:

1. I WAS PERSONALLY present and did see RONALD G. STRANGE AND JOYCE I. STRANGE named in the within (or annexed) Instrument, who are personally known to me to be the persons named therein, duly sign and execute the same for the purposes named therein.

2. THAT THE SAME was executed at the City of Calgary, in the Province of Alberta, and that I am the subscribing witness thereto.

3. THAT I KNOW the said RONALD G. STRANGE AND JOYCE I. STRANGE and they are, in my belief, of the full age of eighteen years.

SWORN BEFORE me at the City of )  
 Calgary, in the Province of )  
 Alberta, this 10 day of )  
June, A.D. 1991 )

Barbara Pontin  
 A Commissioner for Oaths in and  
 for the Province of Alberta

BARBARA PONTIN  
 MY COMMISSION EXPIRES  
 MARCH 2, 1992







To redesignate the subject land from Ranch and Farm District to

- Industrial - Industrial Activity District ( $\pm 22.41$  acres),
- Industrial - Industrial Storage District ( $\pm 5.60$  acres), and
- Agricultural Holdings District ( $\pm 42.7$  acres)

to facilitate future employment area development.

Proposed Employment Area Site Plan



## DEVELOPMENT PROPOSAL DETAILS



SE-06-27-03-W05M  
Block:2 Plan:9110979

Date: October 18, 2018 Division # 9 File: 07706005



**TOWNSHIP**  
planning + design inc.

CLIENT  
STONEMAN

PROJECT NUMBER  
17-036

LEGAL ADDRESS  
SE 06-27-03 W5M  
PLAN 9110979  
BLOCK 2

AREA  
+/- 70.71ac (+/- 28.6 ha)

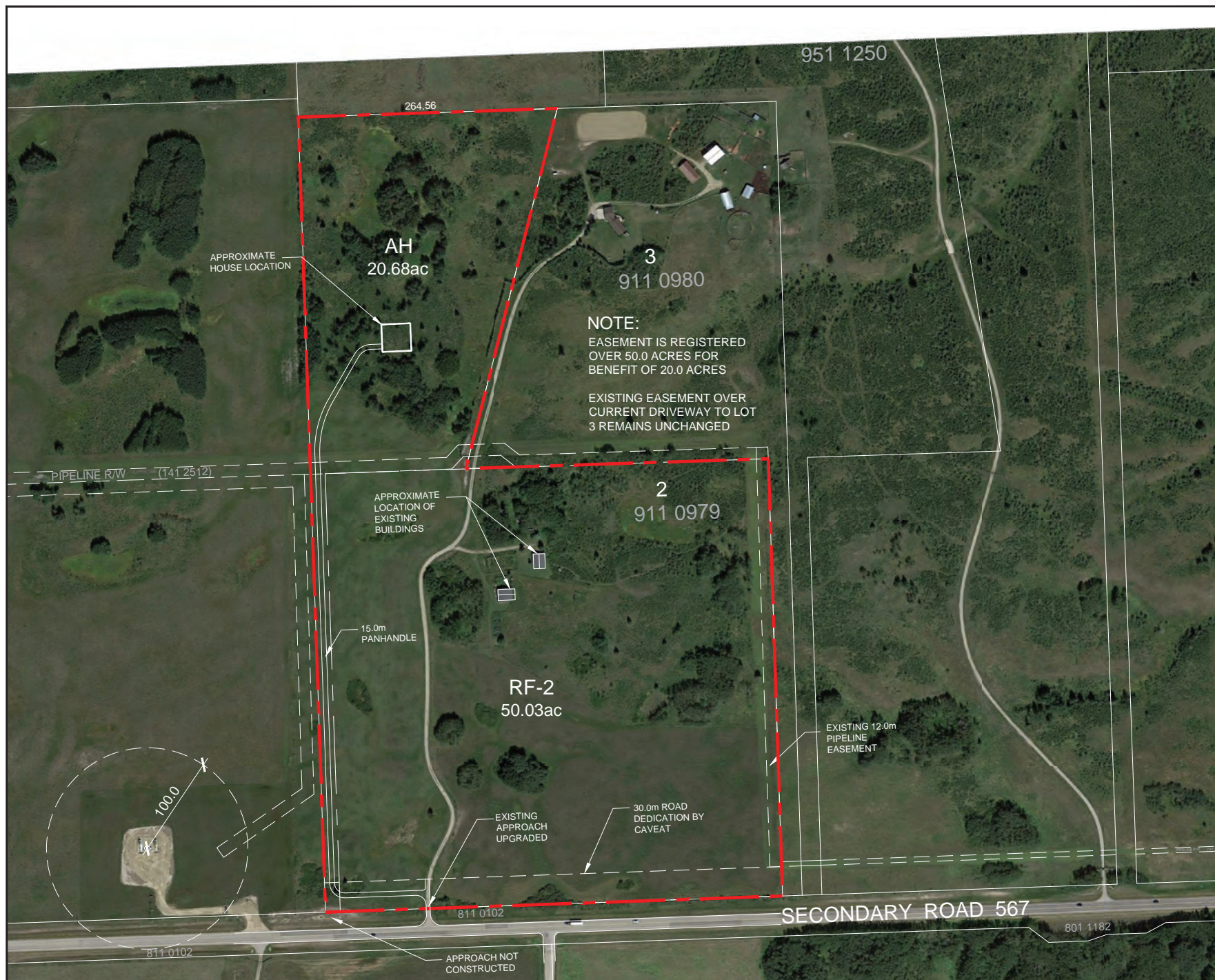
DATE  
2020-06-01

PROPOSED LOTTING  
LAND USE REDESIGNATION

SCALE  
2500

SHEET

**S1**  
SITE PLAN : PROPOSED LOTTING



103 Shawbrooke Crescent SW  
Calgary, Alberta T2Y 3B3

Phone: 403.880.8921  
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Rocky View County  
262075 Rocky View Point  
Rocky View County, AB T4A 0X2

21 August 2020

**ATTN: Members of the Municipal Planning Commission**

**RE: Stoneman Subdivision - Block 2, Plan 9110979 within SE 06-27-03 W5M**

Dear Members of MPC,

Thank you for your consideration of this response. I am disappointed that we could not alleviate all of Mr. Krokis' concerns, changes to the application were made specifically to address his concerns over his access. However, it seems Mr. Krokis does not want to see the subdivision occur and Mr. and Mrs. Stoneman (landowners) do require the physical separation of title for the construction of their new house. We require the subdivision in order to allow for construction of a new house because you cannot have more than one house on a parcel of less than 80-acres. The objection of Mr. Krokis is not to the house, it is to the subdivision and we cannot build the house without the subdivision. The only real concern seems to be the access easement, which remains unaffected, and the zoning which is in place. There is no prejudice to Mr. Krokis by allowing this subdivision – the zoning remains unchanged, and Mr. Krokis' access remains unchanged. The subdivision would not negatively affect Mr. Krokis in any manner.

The home on the 50-acre parcel is not adequate for the Stoneman family. Mr. Stoneman additionally, has a home occupation permit for the site allowing him to undertake heavy equipment repairs. Mr. Stoneman is a heavy-duty mechanic at Spray Lakes Sawmills and also repairs heavy duty machines in the garage on the property. Despite not living here presently, he is on the property frequently undertaking his work and wishes to retain the garage/shop in place for this purpose. There is an existing house on the parcel which Mr. Stoneman currently rents. The subdivision will help Corey and Inger build a new house for their family to reside and it is close to his work at Spray Lakes and provides flexibility to them should they need to sell the 50-acre parcel going forward. Mr. Stoneman has provided a letter to Council at the land use stage underscoring his need for the new title and the desire to undertake small scale agricultural pursuits on the site. The proposed 50-acre parcel, the 20-acre parcel and Mr. Krokis' parcel now all fall under the same land use designation Agricultural, Small Parcel District.

With regard to consultation, we did make an effort to consult when we realized that the Krokis' had an objection. We held a community wide Open House on 3 May 2018, for which we did a wide community mail out, advertising and prepared a "What We Heard" report. Mr. Krokis did not own the land at that time and therefore would not have received notice. At the land use stage, the application was circulated to 27 adjacent property owners, the Krokis' did receive the public hearing notice as two text messages by Kelsey Krokis and Sarah Krokis were sent to the Stoneman's asking if the 50-acre parcel was for sale as their friends were interested (please see attached). They raised no objection and did not attend the public hearing at the land use stage. There were objections at the land use stage and Mr. Keith Koebish did attend and voiced concerns. The land use was adopted unanimously by Council on 14 January 2020. We received the inquiry for the sale of the land by the Krokis' in November of 2019, we viewed that positively. We didn't receive any objections or concerns, nor did they attend the public hearing, therefore how were we to know that they were upset with the application as it was submitted? Had this been indicated at the land use stage we would have had the conversation earlier. However, Mr. Krokis does not appreciate or understand that Mr. Stoneman must subdivide his land in order to be allowed to build his new residence.



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With regard to the wetland, I was simply stating the factual wetland classification information that we discovered when we checked with the Alberta Wetland Inventory. I was not intending to slight Mr. Krokis. The wetland on the property was not requested to be protected by ER or ERE by Rocky View County, nor was it considered crown claimable by Public Lands. Mr. Stoneman has prepared his PSTS test and will be locating his new residence to ensure adequate setbacks for these ephemeral wetlands and he will retain and steward them responsibly and sustainably.

With regard to the trespass by Alberta One Call, we needed the pipeline marked in order to conduct backhoe testing for the PSTS test. Alberta One Call inadvertently entered the Krokis property unbeknownst to us. I apologized to Mr. Krokis for this unintended trespass as Alberta One Call should not have entered his property. In the attached text message string, you will note Mr. Stoneman apologized to Mr. and Mrs. Krokis as well. Mr. Stoneman is upset with the characterization of our communications as "unneighbourly and entitled". We have attached a series of communications where Mr. Stoneman has gone out of his way to assist the Krokis family.

Mr. Krokis states his parcel is "land-locked". This is not totally accurate. He has a panhandle which touches Big Hill Spring's Road (Highway 567) and it is not developed. This panhandle satisfies the "legal" access requirements of the Subdivision and Development Regulations, his "direct and physical" access is by way of easement through the Stoneman property. We worked to ensure that Mr. Krokis' easement remains in place and is unaffected. We do not require a consent from Mr. Krokis to register this subdivision plan as proposed. His easement remains unaffected. Please refer to the attached letter from Mr. Brent Wilson, P.Eng., ALS, describing how the easement remains unaffected. We additionally verified this information with Alberta Land Titles Office.

The 30 m road widening caveat is a requirement by Alberta Transportation in order to retain the existing approach on Highway 567, as Mr. Krokis requested. This would not have been the case if we had moved the access to the west. Alberta Transportation would not have required the road widening caveat if we moved the access to the west and a roadside development permit was issued for the access relocation on May 13, 2020 (RSDP030230). However, Mr. Krokis stated his concerns about moving the access and we therefore retained the existing access and were required to provide the road widening caveat. This is quite a standard request from Alberta Transportation, and they may never exercise this road widening caveat, but they do want them in place in case they ever need them. The road widening is a taking with no compensation that comes at the cost of Mr. Stoneman but he is willing to accept this cost in order to ensure Mr. Krokis that the current access will remain unchanged.

The subdivision is agricultural and keeps the land as agriculture. The purpose statements of both Ranch and Farm Two (RF-2) and Agricultural Holdings (AH) (now called Agricultural, Small Parcel District in the new land use bylaw) is to:

"provide for a range of mid-sized parcels for agricultural uses. To accommodate traditional and emerging trends in agriculture which may successfully be developed on smaller parcels." Pg. 57 LUB

The proposed subdivision conforms with the use prescribed for that land in the land use bylaw.

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This land is redesignated to A-SML, this subdivision application does comply with the land use bylaw, therefore, Section 654(2) of the Municipal Government Act does not apply and the application should be evaluated against Section 654 (1), which states:

RSA 2000 MUNICIPAL GOVERNMENT ACT Chapter M-26

Approval of application

654(1) A subdivision authority must not approve an application for subdivision approval unless

- (a) the land that is proposed to be subdivided is, in the opinion of the subdivision authority, suitable for the purpose for which the subdivision is intended,

(We submit the application is consistent with use intended for the Agricultural, Small Parcel District and the subdivision retains the Agricultural use on the property and is consistent with purpose statement for the district.)

- (b) the proposed subdivision conforms to the provisions of any growth plan under Part 17.1, any statutory plan and, subject to subsection (2), any land use bylaw that affects the land proposed to be subdivided,

(we submit the application is consistent with the Interim Growth Management Strategy and the Municipal Development Plan objectives, as defined New or Distinct Agricultural Operations are as follows:

- New agricultural operations are distinctly different from the existing use of the land in terms of agricultural products, livestock, and/or facilities.
- Distinct operations are where two or more different agricultural uses are established on a single agriculture parcel for a period of 5 years or more. Such uses may include agricultural products, livestock, and/or facilities.

The Stoneman's submitted a letter describing the intent of the proposed agricultural land use redesignation. The proposed 20-acre (former Agricultural Holdings District) portion would be used for small-scale livestock and hobby farming operations. The remaining 50-acre (former Ranch and Farm Two District) portion with the existing residence and outbuildings would continue to be used for occasional grazing.)

- (c) the proposed subdivision complies with this Part and Part 17.1 and the regulations under those Parts, and

(we comply with Part 17, Part 17.1 and the associated regulations to the Act)

- (d) all outstanding property taxes on the land proposed to be subdivided have been paid to the municipality where the land is located or arrangements satisfactory to the municipality have been made for their payment pursuant to Part 10.

(there are no arrears on taxes)



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- (1.1) Repealed 2018 c11 s13.
- (1.2) If the subdivision authority is of the opinion that there may be a conflict or inconsistency between statutory plans, section 638 applies in respect of the conflict or inconsistency.
- (the statutory plan in place affecting this parcel is the MDP and there are no inconsistencies as there is no other statutory plan in effect for this area)

- (2) A subdivision authority may approve an application for subdivision approval even though the proposed subdivision does not comply with the land use bylaw if, in its opinion,

(the application complies with the land use bylaw, therefore section 654 (2) does not apply)

(a) the proposed subdivision would not

(i) unduly interfere with the amenities of the neighbourhood, or

(ii) materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land,

and

(b) the proposed subdivision conforms with the use prescribed for that land in the land use bylaw.

- (3) A subdivision authority may approve or refuse an application for subdivision approval.

(We submit respectfully that the existing access is retained, and the existing easement is unaffected and therefore, we cause no material interference with the use, enjoyment or value of neighbouring parcels of land. The ephemeral wetlands on the property will be retained and stewarded as an asset by the Stoneman family. There is an intended agricultural use and the land will to remain in agriculture. The proposed new home is situated in a location that does not cause any interference to the neighbouring parcels. The parcel sizes are consistent with those achieved by other area landowners.)

Myself and Mr. Paddy Marshall, P.Eng, ALS will be in attendance at the MPC meeting and we are available for any questions of clarification the subdivision approving authority may have.

Respectfully submitted,

**Township Planning + Design Inc.**



Kristi Beunder, B.A., M.E.Des.

Senior Planner + Principal RPP, MCIP

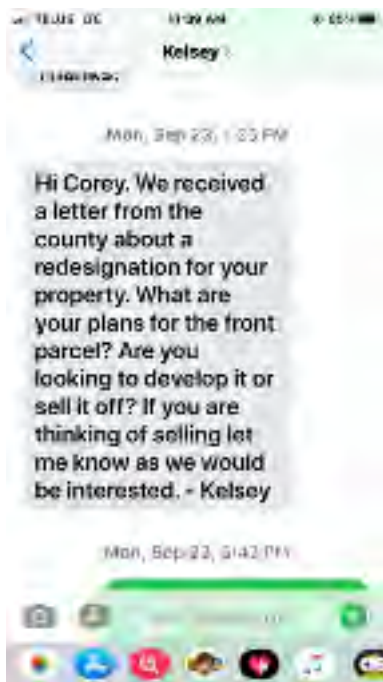
CC: *Mr. Corey Stoneman & Mrs. Inger Stoneman, Landowners*  
*Mr. Lev Kramer BCom, JD Barrister & Solicitor, Masuch Law*

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Text Messages confirming receipt of land use redesignation notice:

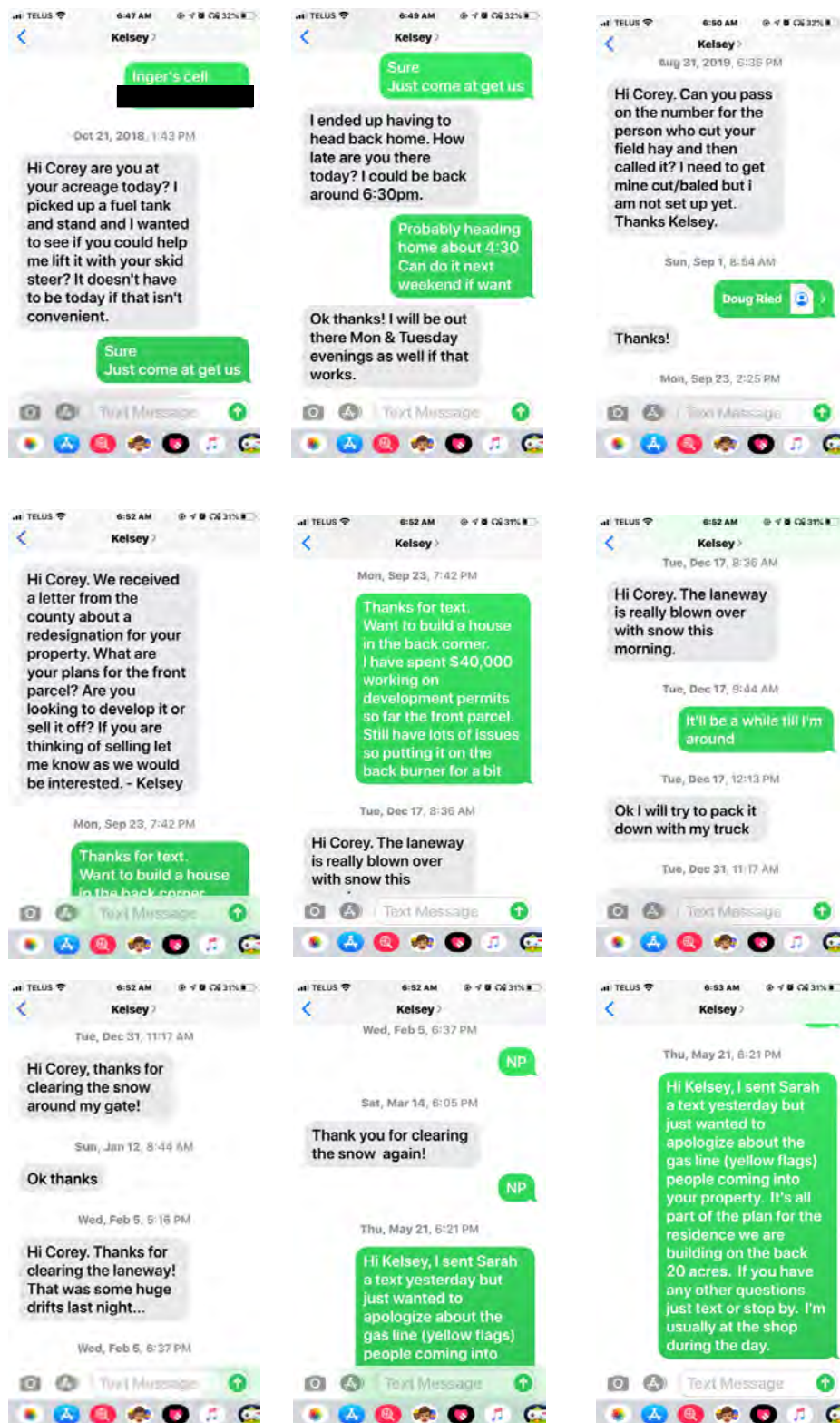


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Text Messages of additional communications for context:



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MAIDMENT  
LAND SURVEYS LTD.

10, 141 Commercial Drive  
Calgary, AB T3Z 2A7

403.286.0501  
maidment.ca



June 9, 2020

120011

**Township Planning + Design Inc.**  
Email: kristi@twppanning.com

**Attention: Kristi Beunder**

**Re: Two Lot Subdivision, Stoneman – Caveat Re: Easement instrument 911 141 331**  
Affecting Block 2 Plan 911 0979

Further to your request for clarification of recent emails provided to me respecting Caveat Re: Easement instrument 911 141 331, pursuant to the Alberta Land Titles Act, Section 85 (2)(b) neither a Consent nor “opening up of Caveat” is required to complete the registration of the currently proposed two lot subdivision of Block 2 Plan 911 0979 as there is no dedication of land for public purpose. Attached and highlighted in yellow is the relevant section of the Land Titles Act for your reference.

Upon registration of the proposed Subdivision, the Caveat will simply carry forward without amendment or alteration of its current form onto the titles of the newly subdivided lots.

Please feel free to call with any questions or concerns

Thank you,

**Maidment Land Surveys Ltd.**

**Brent Wilson, ALS, CLS, P.Eng.**

BMW/bmw





## PLANNING AND DEVELOPMENT SERVICES

**TO:** Municipal Planning Commission

**DATE:** September 24, 2020

**DIVISION:** 2

**APPLICATION:** PRDP20201862

**SUBJECT:** Development Item: Utility

**USE:** Commercial Communication (CC) Facilities, Type C

**APPLICATION:** Commercial Communication (CC) Facilities, Type C and associated equipment shelter

**GENERAL LOCATION:** Located 0.81 km (1/2 mile) east of Rge. Rd. 33 and on the north side of Twp. Rd. 251A

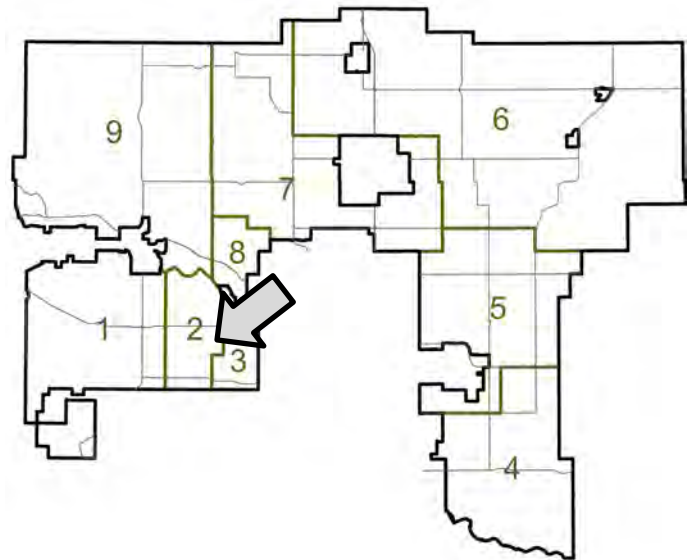
**LAND USE DESIGNATION:** Ranch and Farm District (RF) under Land Use Bylaw C-4841-97.

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

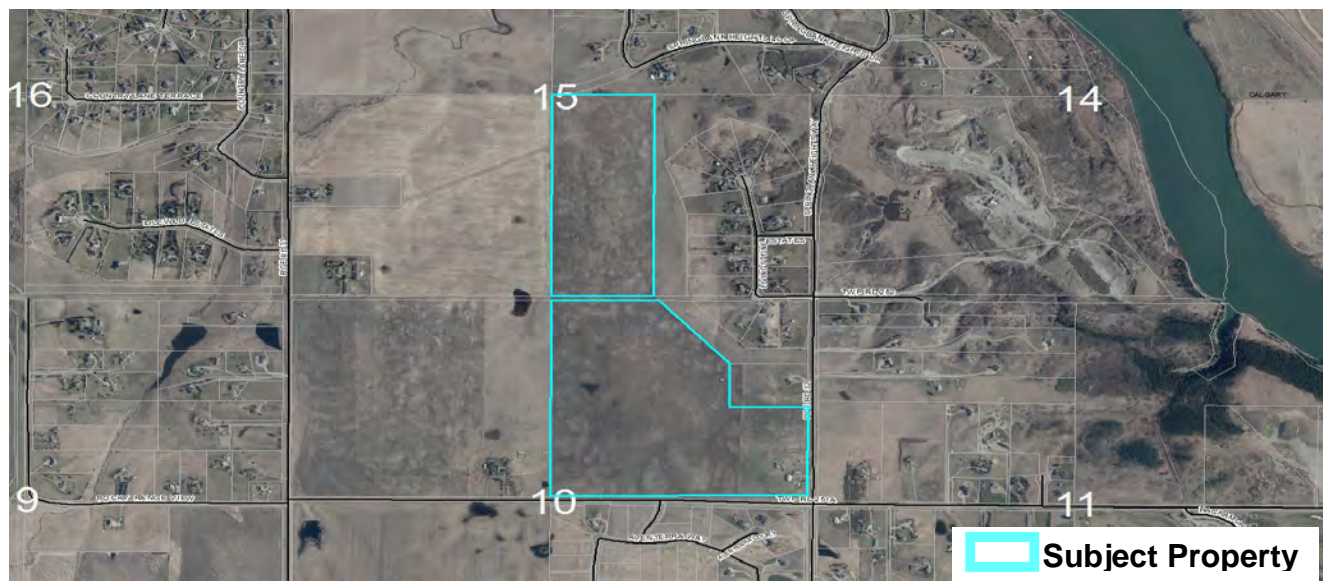
### OPTIONS:

Option #1: THAT Development Permit Application PRDP20201862 be approved with the conditions noted in the report.

Option #2: THAT Development Permit Application PRDP20201862 be refused as per the reasons noted.



### AIR PHOTO & DEVELOPMENT CONTEXT:



### Administration Resources

Andrea Bryden - Planning and Development Services





## DEVELOPMENT PERMIT REPORT

<b>Application Date:</b> July 8, 2020	<b>File:</b> 05715001
<b>Application:</b> PRDP20201862	<b>Applicant/Owner:</b> Brenden Smith (LandSolutions LP)/ Elmar Augart
<b>Legal Description:</b> Block D, Plan 7910461; SE-15-25-03-W05M	<b>General Location:</b> Located immediately north of Twp. Rd. 251A and 0.81 km (1/2 mile) east of Rge. Rd. 33
<b>Land Use Designation:</b> Ranch and Farm District	<b>Gross Area:</b> ± 74.66 hectares (± 184.47 acres)
<b>File Manager:</b> Andrea Bryden	<b>Division:</b> 2

### PROPOSAL:

The proposal is for a Commercial Communication Facility, Type C and associated equipment shelter. *Note, the application was assessed in accordance with Land Use Bylaw C-4841-97, as the application was received prior to September 8, 2020.*

LandSolutions LP, on behalf of Rogers, is proposing to construct a 45.00 m, lattice-style, self-support tower with projecting antennas, a 1.60 m by 2.40 m (3.84 sq. m [41.33 sq. ft.]) walk-in cabinet and chain-link fence surrounding a 400.00 sq. m tower compound. The proposed tower will be located in the southwest corner of the property, with access off of Township Road 251A (gravel surface). An AltaLink transmission line, with a 15.24 m wide right-of-way, is located to the north of the proposed tower location.

The existing site context of the subject parcel includes access off of Range Road 32 (paved surface), with the southeast corner developed with a dwelling, single detached, a farm dwelling, mobile home, and several accessory buildings and the remainder of the parcel remaining as undeveloped agricultural lands.

The Federal Minister of Industry is the approving authority for telecommunication antenna structures and requires that the local land use authority and the public be consulted for input regarding the proposed placement of these structures. The County reviews proposed and a development permit (concurrence) or refusal (non-concurrence) is issued. The County cannot prevent a proponent from ultimately gaining permission from Industry Canada to install a telecommunications antenna on any lands; privately held, County owned, or otherwise.

### Land Use Bylaw:

#### *Definitions:*

**Commercial Communications (CC) Facilities** means facilities that are used for transmission of wireless communication signals. These facilities include telecommunication towers, antennas, and the buildings that house their supporting equipment. These facilities are used to transmit radio-frequency signals, microwave signals or other communications energy. The Land Use Bylaw defines three types of CC facilities:

- **Type C facilities** means: either tower or pole structures greater than 20.00 meters (65.62 feet) in height, to which antennae are mounted for the purpose of telecommunications broadcast or signal transmission.

**Section 43**    *Ranch and Farm District (RF)***43.4**    *Uses, Discretionary**Commercial Communications Facilities, Type “C”***43.6**    *Minimum and Maximum Requirements:***(a)**    *Yard, Front:***(i)**    *45.00 m (147.64 ft.) from County Roads*

Proposed: 56.23 m (184.48 ft.)

**(b)**    *Yard, Side:***(i)**    *45.00 m (147.64 ft.) from County Roads*

Proposed: Lots

**(iv)**    *3.00 m (9.84 ft.) all other*

Proposed: 9.44 m (30.97 ft.)

**(c)**    *Yard, Rear:***(ii)**    *7.00 m (11.96 ft.) from other parcels*

Proposed: Lots

**Assessment:**

The Applicant completed a public notification for properties within a 1,600 metre radius with the previous development permit application (PRDP20191527) which lasted 30 days and public submission were submitted to the County. The Application was assessed in accordance with the previous Council policy and good planning practice.

The site of the proposed tower abuts a parcel to the west, with a dwelling approximately 150.00 m away. There is also a dwelling south of Township Road 251A, which is approximately 200.00 m away, with other undeveloped lots within the subdivision that at some point in the future will likely include dwellings that are within a 500.00 m range.

There is an existing Type C facility (Telus) approved under 2013-DP-15297, which is located to the northwest of the proposed facility location and measuring from parcel to parcel, is approximately 1,000.00 m away.

The Applicant indicated co-location was considered on this facility; however, the facility only has room for additional antennas at an elevation of 9.00 m below and mounting antennas at that height would not meet Rogers' network requirements and would not enhance coverage and capacity for the community.

The renderings provided with the application depict the tower as standard grey and would require painting and lighting typically facilitated through Transport Canada approvals. The Applicant has not identified any specific design features to limit the overall visual impact to the area. Aesthetic concerns were identified by the Applicant:

- Tower height is needed for optimum antenna placement and broadcast of radio communication. Decreasing the height of the tower would impact the ability to enhance wireless service in the area and result in the need for additional telecommunication facilities to be developed in the future.

- Proposed location was an attempt to provide a buffer to the most nearby residential properties and situated close to comparable, existing infrastructure (transmission tower). Intended to minimize the aesthetic impact that a tall tower would have upon adjacent low-height residences. The tower is set back from the road as much as possible to decrease the visual impact, while maintaining setbacks to the nearby transmission lines.
- Tower design is a lattice-style, self-support tower, which provides space between the structure elements of the tower and allows for a narrower tower at higher elevations. The proposed tower design offers less visual obstruction at higher elevations and allows light to pass through the individual structural elements, while mimicking comparable, existing infrastructure in the area.

There is an existing powerline transmission tower in the area (on the subject land). The Applicant has identified Rogers has explored co-location on similar structures in the past and has found co-location is not feasible for the following reasons:

- Powerlines conflict with possible antenna mounting locations.
- Mounting antennas close to powerlines is unsafe, unless the powerlines are de-energized. In the past, de-energizing powerlines resulted in significant delays to Rogers. De-energizing may negatively impact provision of electricity to surrounding communities and may not be possible if there is not a secondary power connection available.
- Future maintenance of antennas may be impacted, as it could not be done safely.

**STATUTORY PLANS:**

The subject land falls within the Central Springbank Area Structure Plan which provides the following direction on the proposed use:

**2.8.4 Shallow Utilities**

*An attractive feature of living in the Central Springbank area is the 'dark sky'. The 'dark sky' is unencumbered by light pollution such as site-lighting or streetlights. Preservation of this dark sky environment is desired within the community, and requires consideration in future development.*

- e) *Wherever possible the location of cellular or telecommunication facilities should be incorporated into a common facility or concentrated on limited sites*

**INSPECTOR'S COMMENTS:**

- Site (location of proposed tower) is empty except for a small shack;
- Adjacent neighbours screened by a row of shelter belt trees;
- Neighbour to the south is undeveloped farm land;
- Site is relatively flat.

**CIRCULATIONS:**Agricultural Services

It may be of benefit to the applicant to create a Weed Management Plan and have a contractor available (or be personally prepared) to control any regulated weeds. The application will need to ensure compliance with the Alberta Weed Control Act.

Building Services

No concerns with communication facility.

Planning and Development Services – Engineering Review**General**

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

**Geotechnical** - Section 300.0 requirements:

- Engineering has no requirements at this time.
- There appears to be no steep slopes on the subject land.

**Transportation** - Section 400.0 requirements:

- There appears to be two road approaches off of Range Road 32 providing access to the subject land.
- The applicant/owner will not be required to pay the transportation offsite levy, as per the applicable TOL bylaw at time of DP issuance, as the development is located within an agricultural land use district and is not expected to cause an increase in traffic.

**Sanitary/Waste Water** - Section 500.0 requirements:

- Engineering has no requirements at this time.

**Water Supply And Waterworks** - Section 600.0 & 800.0 requirements:

- Engineering has no requirements at this time.

**Storm Water Management** – Section 700.0 requirements:

- Engineering has no requirements at this time.
- The proposed development is expected to have a minimal impact to existing drainage conditions.

**Environmental** – Section 900.0 requirements:

- Engineering has no requirements at this time.
- The applicant/owner will be responsible to obtain all required AEP approvals should the proposed development impact any wetlands.

Transportation Services

Applicant to 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.

Utility Services

No concerns.

Calgary Airport Authority – Springbank Airport**Airport Operations**

- The location proposed is under the fixed wing circuit path of Runway 08-26 and has potential to impact airport operations.

### Structure Height and Use of Cranes

- The highest point above sea level of any building, structure or object is to be used when calculating the final height of the development. This includes parapets, rooftop equipment, antennas, and other objects. The applicant must ensure there is adequate room for all object to ensure conformity with the Springbank Airport Zoning Regulations. It is also important to note that use of construction equipment such as cranes may also have an impact on Airport Zoning and cannot violate the regulations during the construction of these buildings.

### Springbank Airport Zoning Regulations

- The proposed development is located within the Outer Surface as defined in the Springbank Airport Zoning Regulations and is therefore subject to regulated height restrictions. The maximum height for any structure in the area is 1243.58 m above sea level.
- The applicant must contact Transport Canada directly for a thorough review and determination of any restrictions on their proposal, for both the building and cranes that may be used during construction.

### Electronic Zoning Regulations

- The proposed development is affected by the Electronic Facilities Protection Area Zoning Plan, and is located within the critical area of the Transmitter/Receiver of the Springbank Airport. Structure height limits exist in the area.
- The applicant must contact Nav Canada directly for a thorough review and determination of any restrictions on their proposal, for both the building and any cranes that may be used during construction.

### **OPTIONS:**

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

APPROVAL, subject to the following conditions:

#### **Description:**

1. That a Commercial Communication Facility, Type C, may be situated on the subject parcel in accordance with the approved Site Plan and details submitted with the application, and includes the following:
  - i. Placement of one self-supporting telecommunications tower, approximately 45.00 metres high; and
  - ii. Placement of a walk-in cabinet.

#### **Permanent:**

2. That 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.
3. That no topsoil shall be removed from the site.
4. That the Commercial Communication Facility shall be neutral in colour and blend with the surroundings, mitigation of the visual aspects of the facility should include painting, decorative fencing, screening, landscaping, and should not clash with the sky or landscape.





5. That should the Commercial Communication Facility become deactivated or unused; the Commercial Communication Facility shall be removed from the parcel within six months of becoming deactivated or unused.
6. That where possible, light shielding shall be considered to minimize the impact of the lighting to adjacent communities.

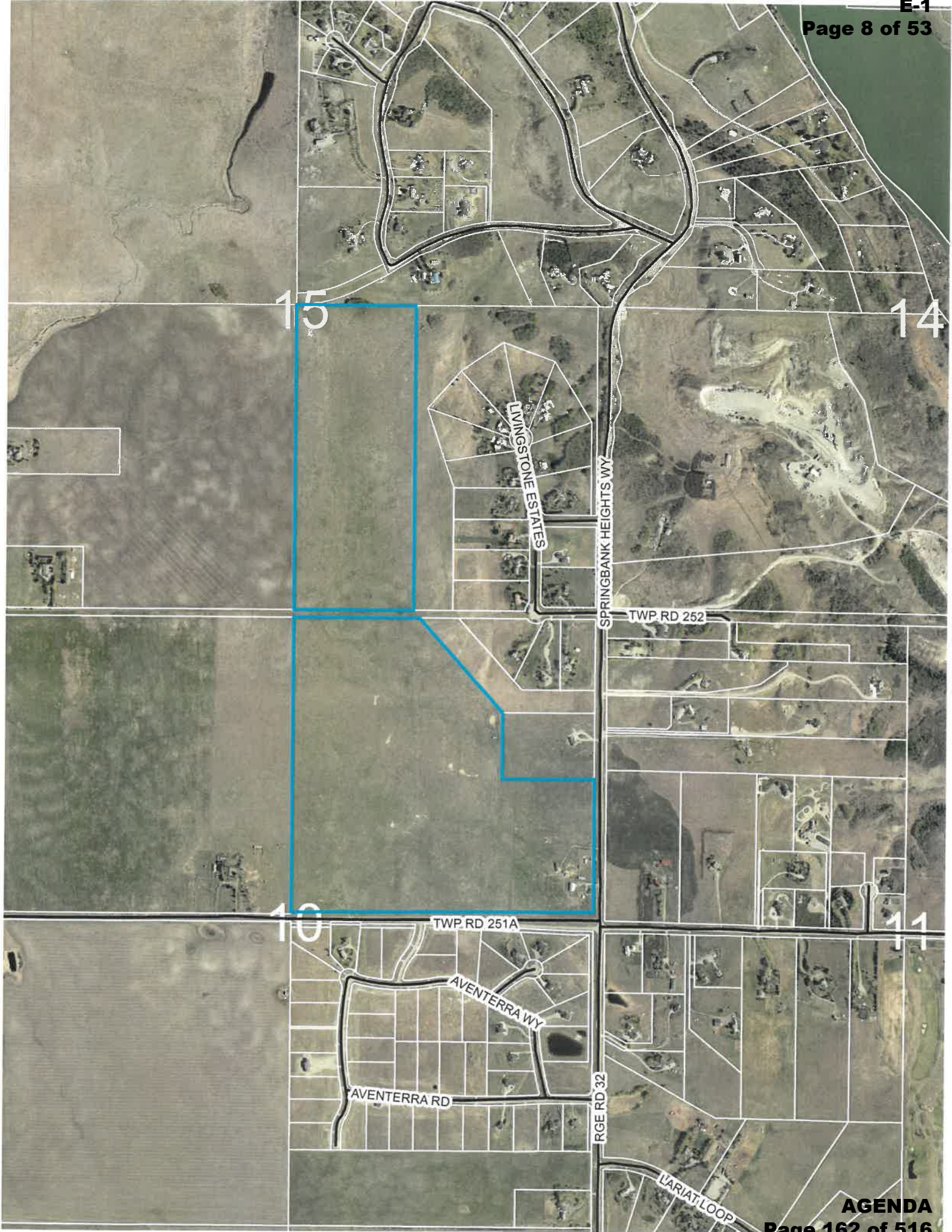
**Advisory:**

7. That a Building Permit, if applicable, shall be obtained through Building Services, prior to any construction taking place.
8. That any other federal, provincial or County permits, approvals, and/or compliances are the sole responsibility of the Applicant/Owner.
9. That if the development authorized by this Development Permit has not commenced with reasonable diligence within 12 months from the date of issue, and completed within 24 months of the issue, the permit is deemed to be null and void, unless an extension to this permit shall first have been granted by the Development Authority.

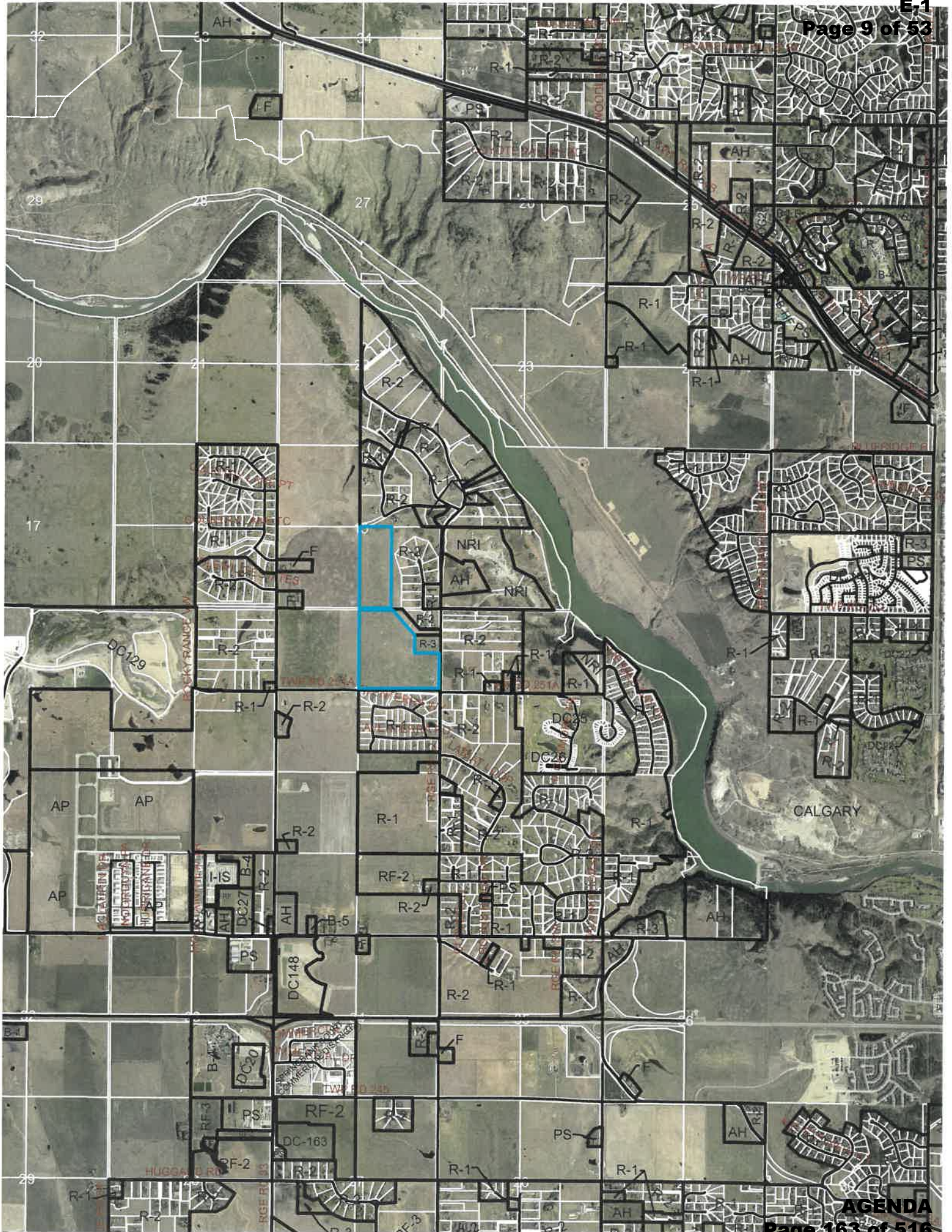
Option #2: (this would not allow the development to proceed)

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.











**ROCKY VIEW COUNTY**  
Cultivating Communities

20201862

# APPLICATION FOR A DEVELOPMENT PERMIT

FOR OFFICE USE ONLY	
Fee Submitted \$2150.00	File Number 05715001
Date of Receipt July 9, 2020	Receipt # 2020024049

Rogers Communications Canada Inc. c/o LandSolutions LP  
Name of Applicant \_\_\_\_\_ Email brendensmith@landsolutions.ca

For Agents please supply Business/Agency/ Organization Name Brenden Smith, LandSolutions LP

Registered Owner (if not applicant) Elmar Augart (Rancher)

## 1. LEGAL DESCRIPTION OF LAND

- a) All / part of the \_\_\_\_\_ ¼ Section \_\_\_\_\_ Township \_\_\_\_\_ Range \_\_\_\_\_ West of \_\_\_\_\_ Meridian  
b) Being all / parts of Lot \_\_\_\_\_ Block D Registered Plan Number 7910461  
c) Municipal Address 251147 and 251161 Rge. Rd. 32  
d) Existing Land Use Designation RF Parcel Size 74.65HA Division 2

## 2. APPLICATION FOR

45m Lattice-style Self-Support Telecommunications Facility (Commercial Communications Facility Type C)

## 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 X No \_\_\_\_\_  
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 Brenden Smith hereby certify that \_\_\_\_\_ I am the registered owner  
(Full Name in Block Capitals)

X I am authorized to act on the owner's behalf

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

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

Applicant's Signature \_\_\_\_\_

Date July 7, 2020

Owner's Signature See attached Letter of Authorization

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.

See attached Letter of Authorization

---

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, Brenden Smith, 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





## Inspection Request

Roll #: 05715001 DP #: PRDP20201862

Applicant/Owner: Brenden Smith (LandSolutions LP)  
Legal Description: Lot Block D Plan 7910461, SE-15-25-03-05  
Municipal Address: 251147 RGE RD 32, Rocky View County AB251161 RGE RD 32,  
Rocky View County AB  
Land Use: RF  
Reason for Inspection: construction of a Commercial Communications Facility, Type C

### Inspection Report

Date of Inspection: 07/23/2020

Permission granted for entrance? YES

#### Observations:

- SITE IS EMPTY EXCEPT FOR A SMALL SHARK
- ADJACENT NEIGHBOURS SCREENED BY A ROW OF SHELLER BELT TREES
- NEIGHBOUR TO THE SOUTH IS UNDEVELOPED FARM LAND
- SITE IS RELATIVELY FLAT

Signature: \_\_\_\_\_

























Rogers Communications Canada Inc.  
Final Submission Cover Letter  
45m Self-Support Telecommunications Facility  
July 7, 2020

Rocky View County  
Planning Services  
262075 Rocky View Point  
Rocky View County, AB T4A 0X2  
Attention: Ms. Andrea Bryden, Municipal Planner

Dear Ms. Bryden,

LandSolutions LP, on behalf of Rogers Communications Canada Inc. (Rogers), is pleased to submit to you the captioned package for your review and processing.

**SECOND SUBMISSION – Commercial Communications (Type C) Facility Application and Request for Concurrence**

<b>Rogers File:</b>	W5613A Springbank Heights
<b>Legal Land Description:</b>	Plan 7910461; Block D (NE 10-25-03 W5M)
<b>Address:</b>	251147 and 251161 Range Road 32, Rocky View County, Alberta
<b>Coordinates:</b>	Latitude: 51.118592° N, Longitude: 114.338596° W

Following issuance of non-concurrence for our first proposal on November 13, 2019 (2019-SDAB-055, PRDP20191527), Rogers reviewed the area and finding no alternative locations or options has decided to resubmit for concurrence. Despite the previous issuance of non-concurrence, Rogers respectfully requests that the County reconsider its position and issue concurrence for this site, so that Rogers can provide enhanced wireless telecommunication services to the community.

LandSolutions LP is following Rocky View County's Policy and Procedure Guidelines to Evaluate Commercial Communications Facilities (POL/PRO-#308) and Innovation and Science and Economic Development Canada's Radiocommunication and Broadcasting Antenna Systems CPC-2-0-03-i5. Per Rocky View County protocols, area landowners within 1,600 meters of a proposed Type C Facility were notified. In addition, we have notified the Springbank Community Association. Please review the attached consultation summary for further details as to the feedback received and our formal responses.

Please note that payment of \$2,150 will be provided separately, and it is our preference to pay with credit card if possible.

The following attachments are included in this submission package:

- Summary of Proposed Commercial Communications Facility
- Commercial Communications Facility Application
- Preliminary design drawings
- Additional Details, including site photos, maps showing active and abandoned wells and pipelines
- Public Notification Package
- Certificate of Title and all non-financial instruments
- Letter of Authorization
- Consultation summary
- Copies of correspondence received from area residents
- Copy of our formal response to the public's concerns, including rationale why co-location was not possible
- Copies of my emails verifying response letters sent to residents on July 19, 2019
- Copy of the final version of the public notification sent by Rocky View County staff on June 12, 2019
- Copy of cover letter sent to Springbank Community Association June 8, 2019
- Photo-simulations (2)
- Response from TELUS regarding the co-location interest letter sent by Rogers
- Preliminary Information Package (PIP) provided by TELUS, regarding space for co-location of Rogers' antennas





Rogers Communications Canada Inc.  
Final Submission Cover Letter  
45m Self-Support Telecommunications Facility  
July 7, 2020

Sincerely,

**LandSolutions LP for Rogers Communications Inc.**

A handwritten signature in blue ink, appearing to read 'Brenden Smith', written over a light blue horizontal line.

**Brenden Smith, RPP/MCIP**

*Site Acquisition and Municipal Affairs Specialist*

**LandSolutions LP**

600, 322 11th Avenue SW Calgary, Alberta, T2R 0C5

T. (403) 290-0008 | F. (403) 290-0050 | E. [brendens@landsolutions.ca](mailto:brendens@landsolutions.ca)



LAND TITLE CERTIFICATE

S  
LINC                      SHORT LEGAL                      TITLE NUMBER  
0033 804 964           7910461;D                      091 059 846 +1

LEGAL DESCRIPTION

PLAN 7910461  
BLOCK D  
CONTAINING 79.3 HECTARES ( 195.96 ACRES) MORE OR LESS  
EXCEPTING THEREOUT:

	HECTARES	(ACRES)	MORE OR LESS
A) PLAN 0911338    SUBDIVISION	4.648	11.49	

EXCEPTING THEREOUT ALL MINES AND MINERALS

ATS REFERENCE: 5;3;25;10;NE  
ATS REFERENCE: 5;3;25;15;SE  
ESTATE: FEE SIMPLE

MUNICIPALITY: ROCKY VIEW COUNTY

REFERENCE NUMBER: 801 159 233

REGISTERED OWNER(S)				
REGISTRATION	DATE (DMY)	DOCUMENT TYPE	VALUE	CONSIDERATION
091 059 846	04/03/2009	SUBDIVISION PLAN		

OWNERS

ELMAR AUGART (RANCHER)  
OF [REDACTED]

ENCUMBRANCES, LIENS & INTERESTS

REGISTRATION	DATE (D/M/Y)	PARTICULARS
2175EU .	28/04/1939	UTILITY RIGHT OF WAY GRANTEE - ALTALINK MANAGEMENT LTD.

( CONTINUED )

-----  
**ENCUMBRANCES, LIENS & INTERESTS**  
-----

PAGE 2  
# 091 059 846 +1

**REGISTRATION**

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

			2611 - 3 AVE SE CALGARY ALBERTA T2A7W7 "DATA UPDATED BY: TRANSFER OF UTRW NO. 1333FR NE 1/4 SEC 10" (DATA UPDATED BY: TRANSFER OF UTILITY RIGHT OF WAY 021164247) (DATA UPDATED BY: CHANGE OF ADDRESS 091124391)
731 085 663	27/12/1973	SURFACE RIGHTS BOARD ORDER IN FAVOUR OF - CANADIAN WESTERN NATURAL GAS COMPANY LIMITED. "PORTION OUTLINED IN GREEN IN PLAN ATTACHED, ORDER 7344 UNDER THE SURFACE RIGHTS BOARD (INST. TYPE CORRECTED 13/3/91 BY 911053423) "	
761 141 577	17/11/1976	ZONING REGULATIONS SUBJECT TO SPRINGBANK AIRPORT ZONING REGULATIONS	
791 047 749	29/03/1979	UTILITY RIGHT OF WAY GRANTEE - HYHIL LAND LTD. AS TO PORTION OR PLAN: 7910462 "DISCHARGED EXCEPT AS TO RW, BY 791177178, 23 10 1979"	
871 031 174	27/02/1987	UTILITY RIGHT OF WAY GRANTEE - NORTH SPRINGBANK WATER CO-OP LIMITED. AS TO PORTION OR PLAN: 8710265 (DATA UPDATED BY: TRANSFER OF UTILITY RIGHT OF WAY 141121951)	
901 179 968	11/07/1990	CAVEAT RE : SEE CAVEAT CAVEATOR - ALTALINK MANAGEMENT LTD. 2611 - 3 AVE SE CALGARY ALBERTA T2A7W7 (DATA UPDATED BY: TRANSFER OF CAVEAT 021225045) (DATA UPDATED BY: CHANGE OF ADDRESS 091058691)	
071 055 803	02/02/2007	CAVEAT RE : UTILITY RIGHT OF WAY CAVEATOR - ATCO GAS AND PIPELINES LTD. 909 ELEVENTH AVE SW CALGARY ALBERTA T2R1L8 AGENT - SEAL.	
191 199 173	30/09/2019	CAVEAT	

( CONTINUED )

ENCUMBRANCES, LIENS & INTERESTS

PAGE 3  
# 091 059 846 +1

REGISTRATION

NUMBER DATE (D/M/Y) PARTICULARS

RE : LEASE INTEREST UNDER 20 ACRES  
CAVEATOR - ROGERS COMMUNICATIONS INC.  
ONE MOUNT PLEASANT ROAD, 2ND FL  
ATTN MANAGER REAL ESTATE  
TORONTO  
ONTARIO M4Y2Y5  
AGENT - LAND SOLUTIONS GP INC.

TOTAL INSTRUMENTS: 008

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN  
ACCURATE REPRODUCTION OF THE CERTIFICATE OF  
TITLE REPRESENTED HEREIN THIS 8 DAY OF JULY,  
2020 AT 07:46 A.M.

ORDER NUMBER: 39656576

CUSTOMER FILE NUMBER: W5613

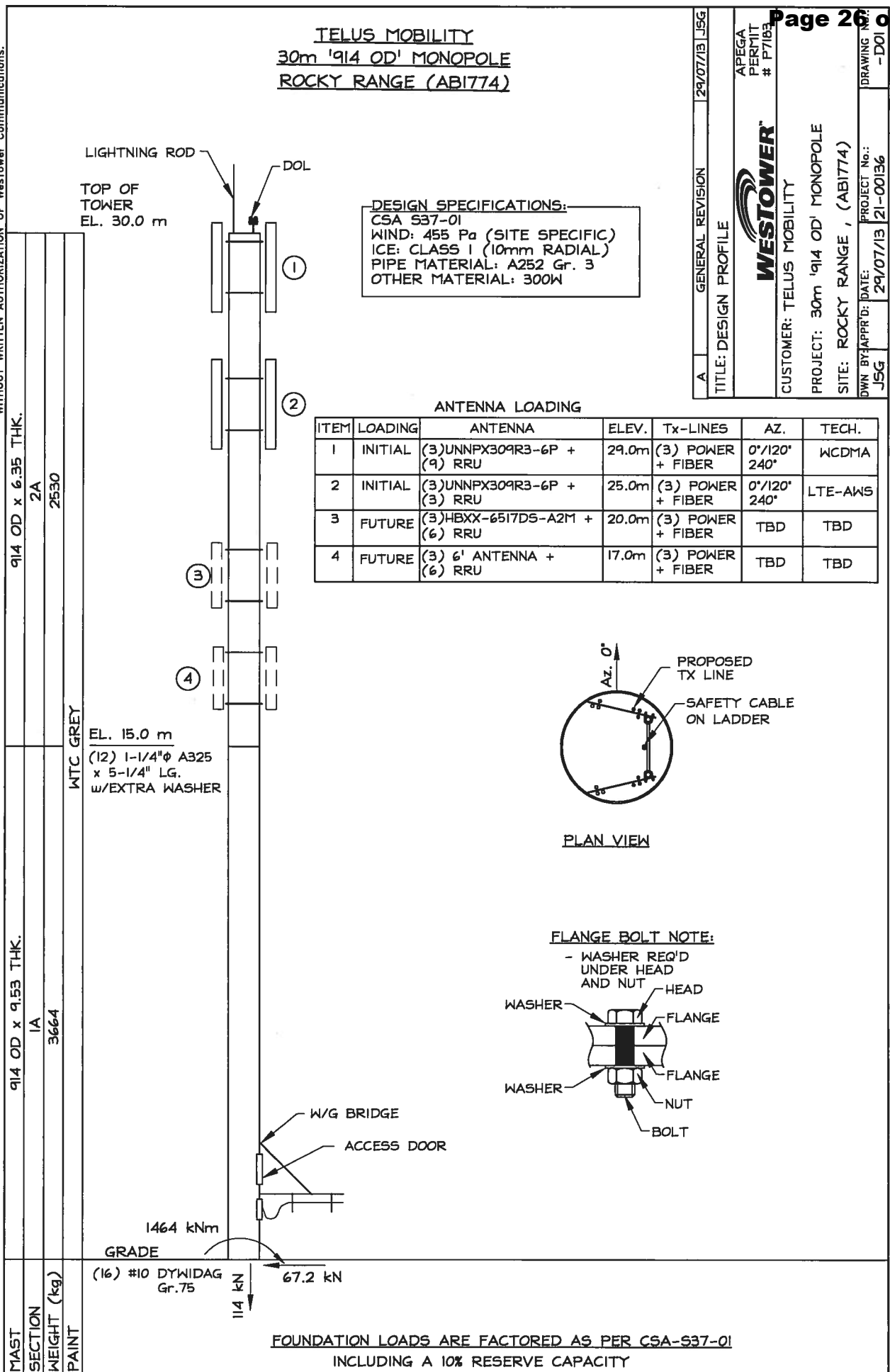


\*END OF CERTIFICATE\*

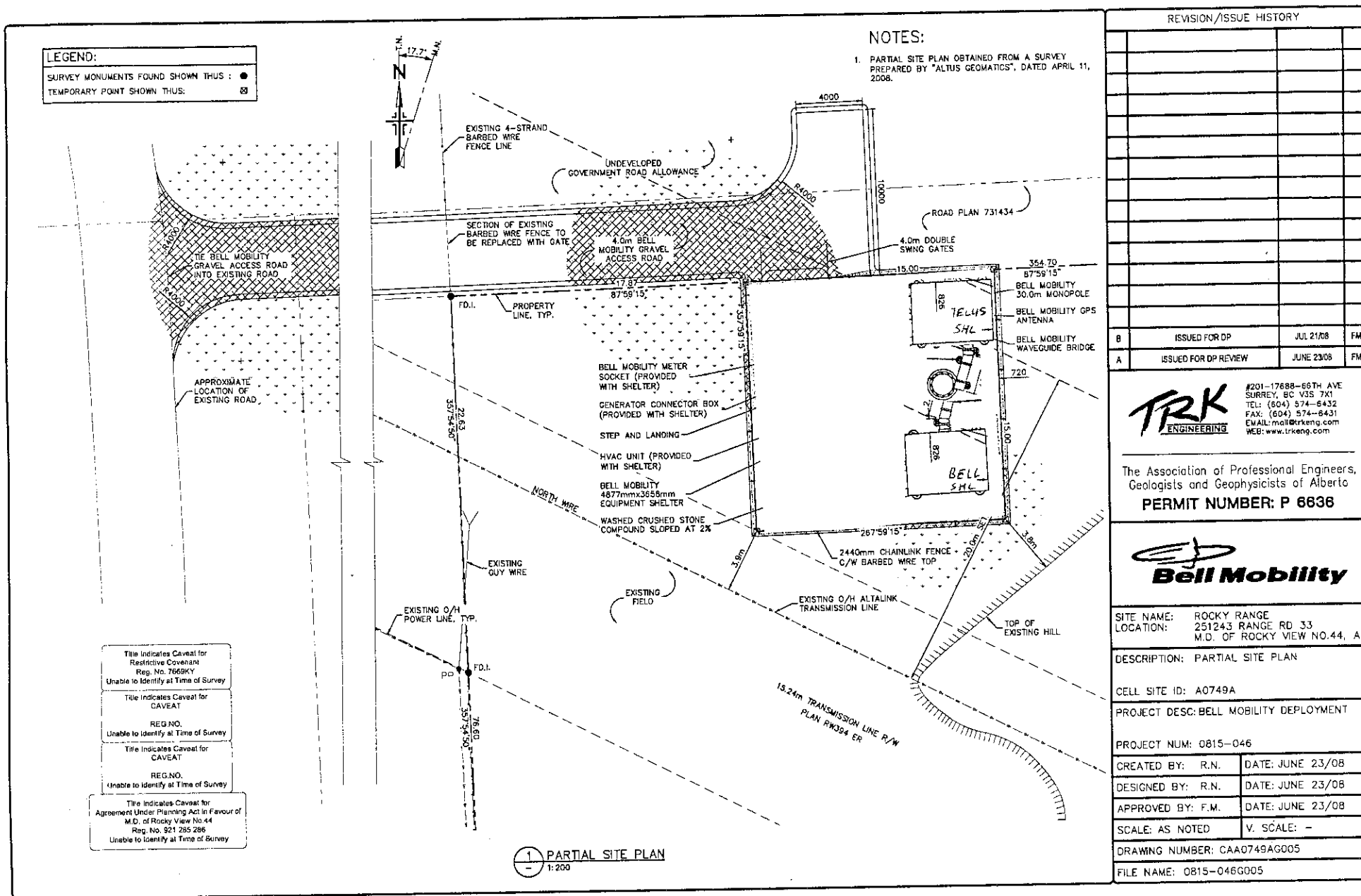
THIS ELECTRONICALLY TRANSMITTED LAND TITLES PRODUCT IS INTENDED  
FOR THE SOLE USE OF THE ORIGINAL PURCHASER, AND NONE OTHER,  
SUBJECT TO WHAT IS SET OUT IN THE PARAGRAPH BELOW.

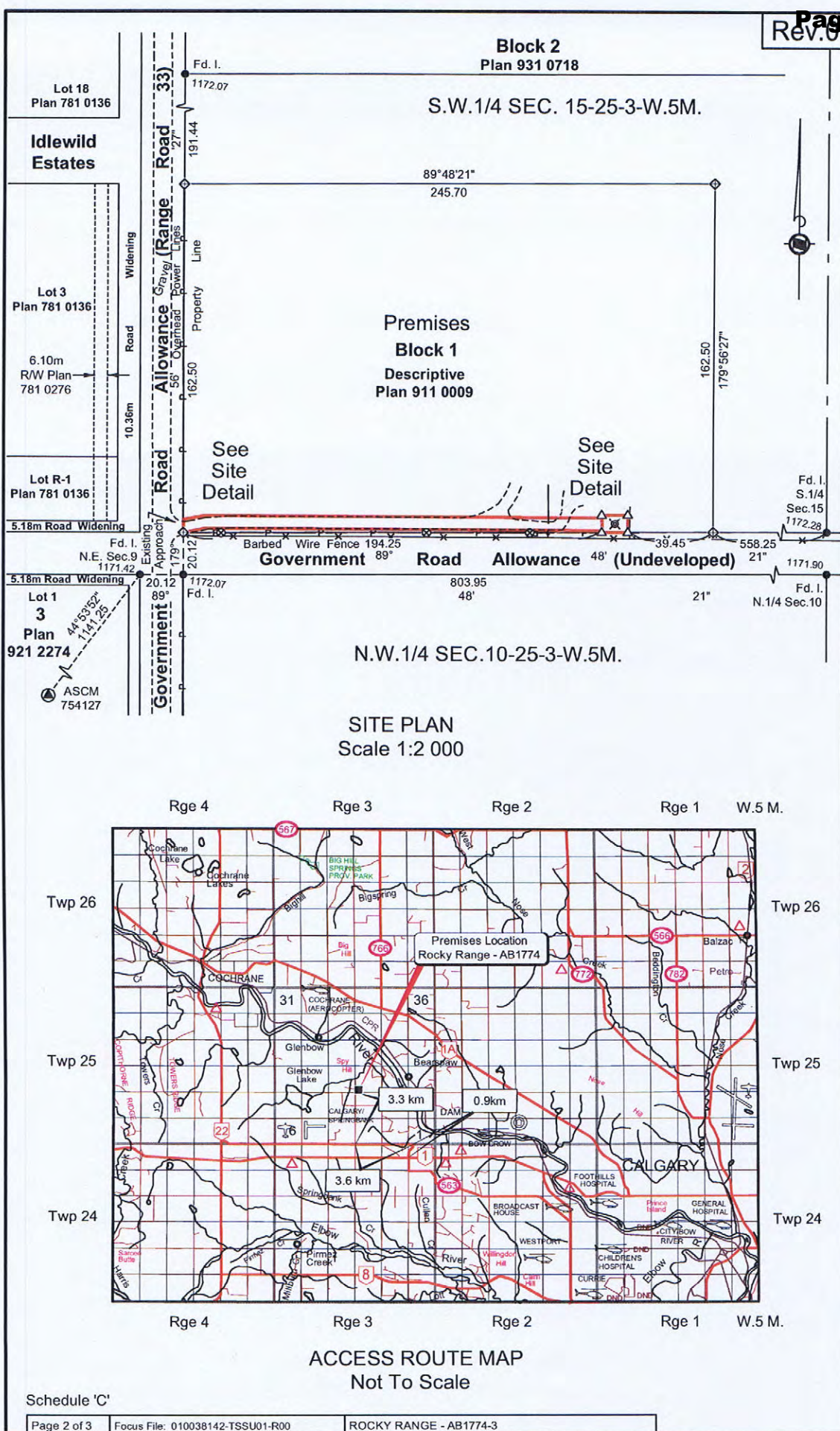
THE ABOVE PROVISIONS DO NOT PROHIBIT THE ORIGINAL PURCHASER FROM  
INCLUDING THIS UNMODIFIED PRODUCT IN ANY REPORT, OPINION,  
APPRAISAL OR OTHER ADVICE PREPARED BY THE ORIGINAL PURCHASER AS  
PART OF THE ORIGINAL PURCHASER APPLYING PROFESSIONAL, CONSULTING  
OR TECHNICAL EXPERTISE FOR THE BENEFIT OF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

COPYRIGHT: DUPLICATION, RECORDING, USE OR DISCLOSURE PROHIBITED  
WITHOUT WRITTEN AUTHORIZATION OF WestTower Communications.













SITE DETAIL  
Scale 1:1000

Page 3 of 3	Focus File: 010038142-TSSU01-R00	ROCKY RANGE - AB1774-3
-------------	----------------------------------	------------------------

**PHOTO-SIMULATION –  
BEFORE IMAGE**  
VIEW TO THE NORTH  
ALONG TOWNSHIP ROAD  
251  
+/- 71 meter distance to  
proposed tower site





**PHOTO-SIMULATION –  
AFTER IMAGE**  
VIEW TO THE NORTH  
ALONG TOWNSHIP ROAD  
251  
+/- 71 meter distance to  
proposed tower site

**ARTIST'S RENDERING**





**PHOTO-SIMULATION –  
BEFORE IMAGE**

VIEW TO THE WEST ALONG  
TOWNSHIP ROAD 251  
FROM EXISTING APPROACH  
ONTO SUBJECT LANDS  
+/- 149 meter distance to  
proposed tower site

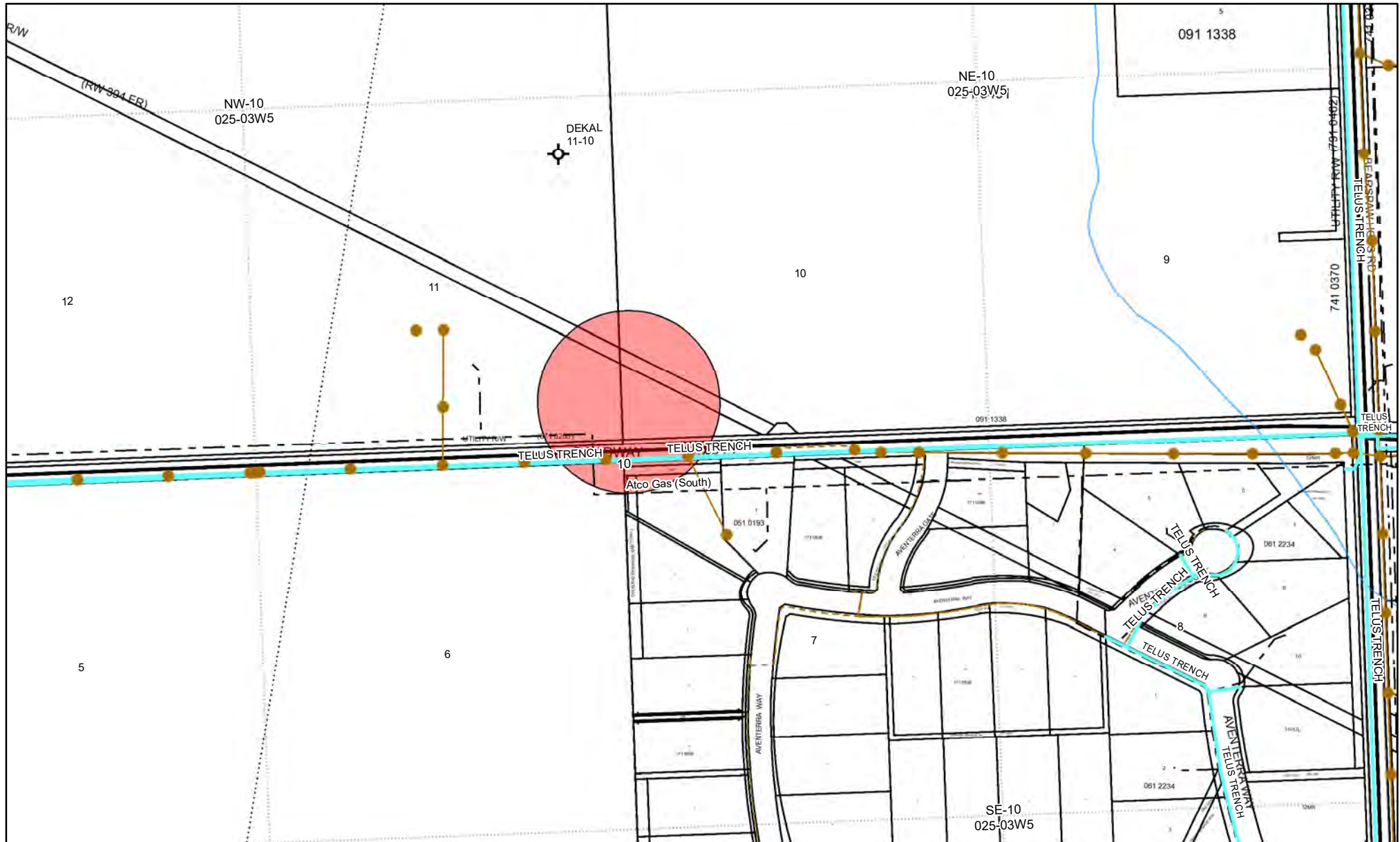


**PHOTO-SIMULATION –  
AFTER IMAGE**

VIEW TO THE WEST ALONG  
TOWNSHIP ROAD 251  
FROM EXISTING APPROACH  
ONTO SUBJECT LANDS  
+/- 149 meter distance to  
proposed tower site

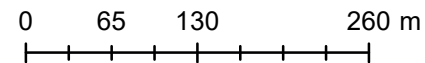
**ARTIST'S RENDERING**



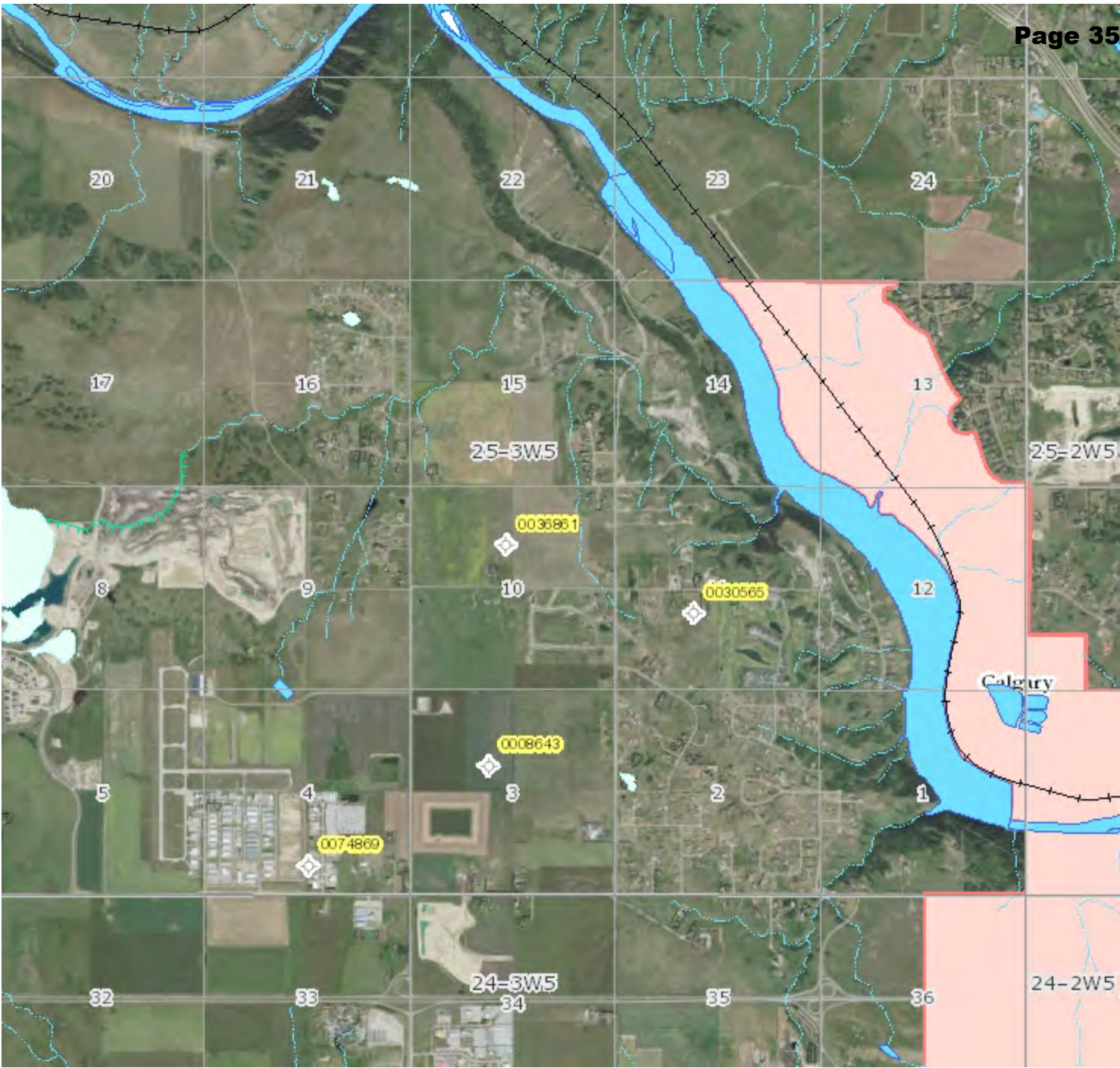


Tuesday, May 7, 2019

1:5,726







Abandoned Well Map	Base Data provided by: Government of Alberta	
	Author      XXX	Printing Date:    5/7/2019
	Date Date (if applicable)	
	<div>The Alberta Energy Regulator (AER) has not verified and makes no representation or warranty as to the accuracy, completeness, or reliability of any information or data in this document or that it will be suitable for any particular purpose or use. The AER is not responsible for any inaccuracies, errors or omissions in the information or data and is not liable for any direct or indirect losses arising out of any use of this information. For additional information about the limitations and restrictions applicable to this document, please refer to the AER Copyright &amp; Disclaimer webpage: <a href="http://www.aer.ca/copyright-disclaimer">http://www.aer.ca/copyright-disclaimer</a>.</div> <div>Scale:      72,223.82 1:10    Kilometers      0 </div> <div>Projection and Datum: WGS84 Web Mercator Auxiliary Sphere</div> <div> <b>AGENDA</b></div>	
<div>Legend</div> <div> Abandoned Well (Large Scale)</div> <div> Revised Well Location (Large Scale)</div> <div> Revised Location Pointer</div> <div> Road Paved</div> <div> Road Gravel</div> <div> Road Other</div> <div> Unimproved Road</div> <div> Winter Road; Truck Trail</div> <div><b>Rail Line</b></div> <div> Rail Line</div> <div> Abandoned Rail Line</div>		

**SITE CANDIDATE INFORMATION PACKAGE**

**SITE PHOTOGRAPHS**

W5613A – Springbank Heights

PHOTOGRAPH # 1

From Site center facing North



PHOTOGRAPH # 2

From Site center facing East





**SITE CANDIDATE INFORMATION PACKAGE**

**SITE PHOTOGRAPHS**

PHOTOGRAPH # 3

From Site center facing South



PHOTOGRAPH # 4

From Site center facing West



**SITE CANDIDATE INFORMATION PACKAGE**

**SITE PHOTOGRAPHS**

PHOTOGRAPH # 5

**Facing North at Site**



PHOTOGRAPH # 6

**Facing East at Site**





**SITE CANDIDATE INFORMATION PACKAGE**

**SITE PHOTOGRAPHS**

PHOTOGRAPH # 7

**Facing South at Site**



PHOTOGRAPH # 8

**Facing West at Site**



**SITE CANDIDATE INFORMATION PACKAGE**

**SITE PHOTOGRAPHS**

PHOTOGRAPH # 9

**From Access facing South at existing Approach**



PHOTOGRAPH # 10

**From existing Approach facing North along Access**





**SITE CANDIDATE INFORMATION PACKAGE**

**SITE PHOTOGRAPHS**

PHOTOGRAPH # 11

**Facing West along Access**



PHOTOGRAPH # 12

**Facing East along Access**





**SITE CANDIDATE INFORMATION PACKAGE**

**SITE PHOTOGRAPHS**

PHOTOGRAPH # 13

Facing North along Access



PHOTOGRAPH # 14

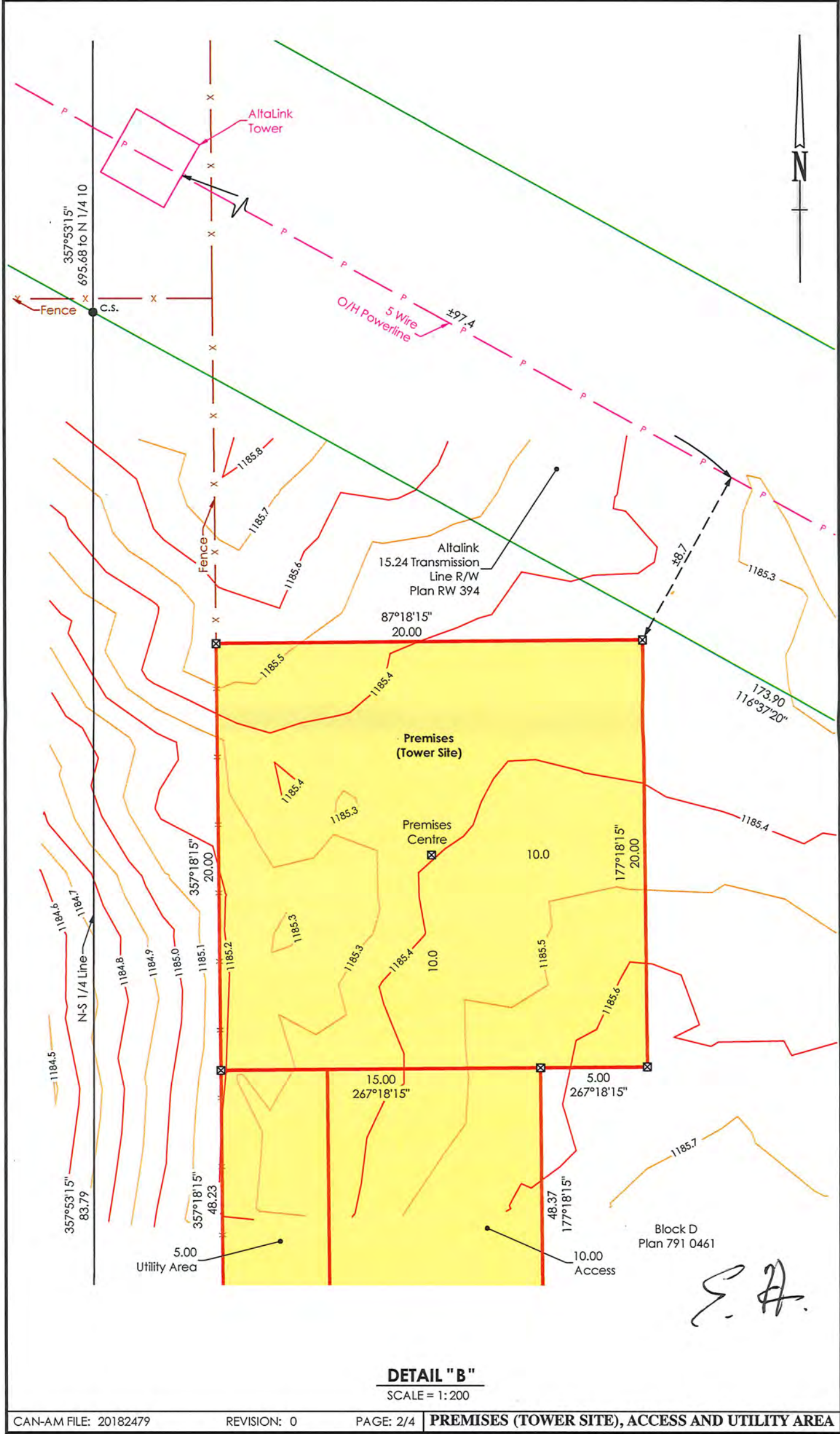
Overhead power located approx. 90 meters Southwest of Site









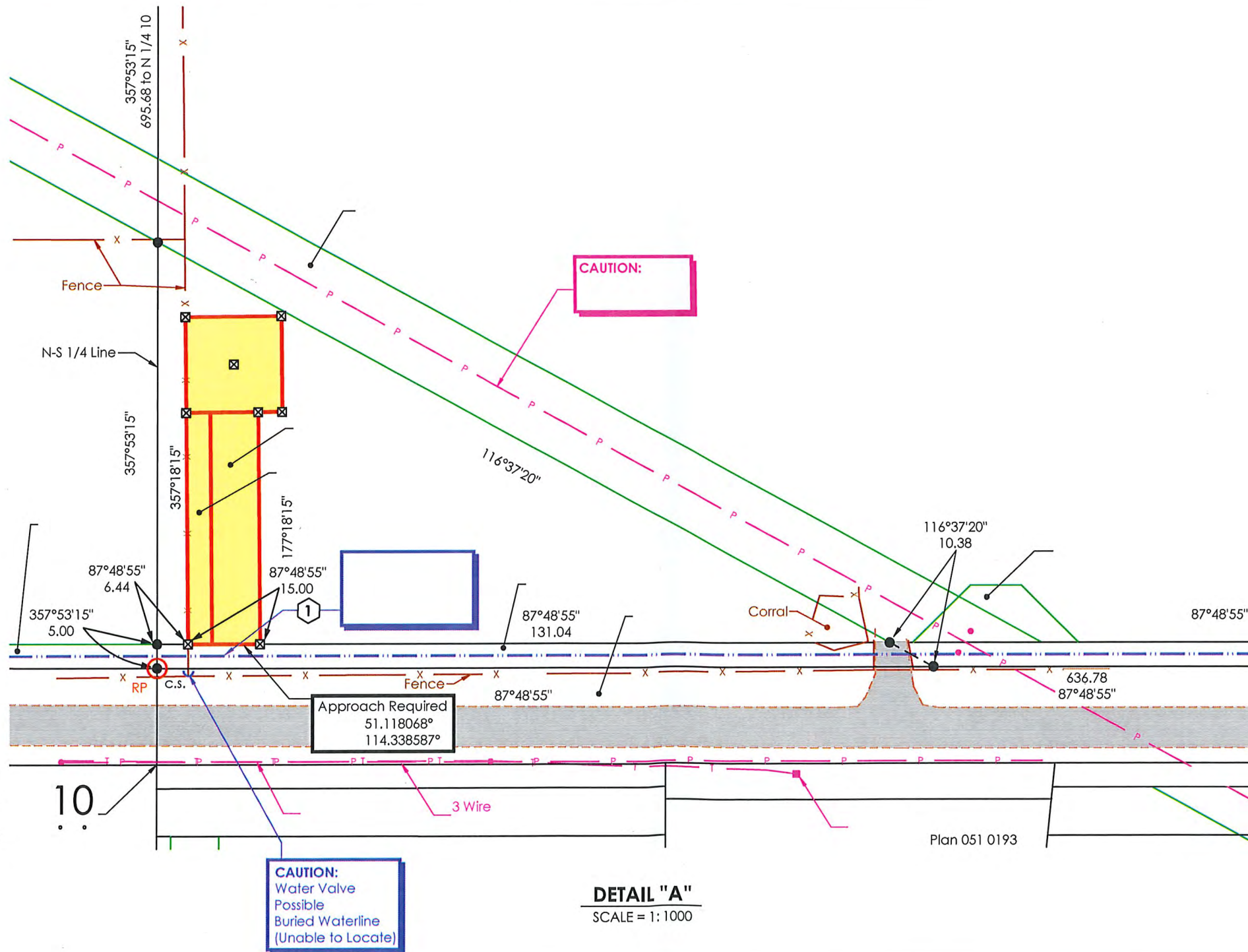


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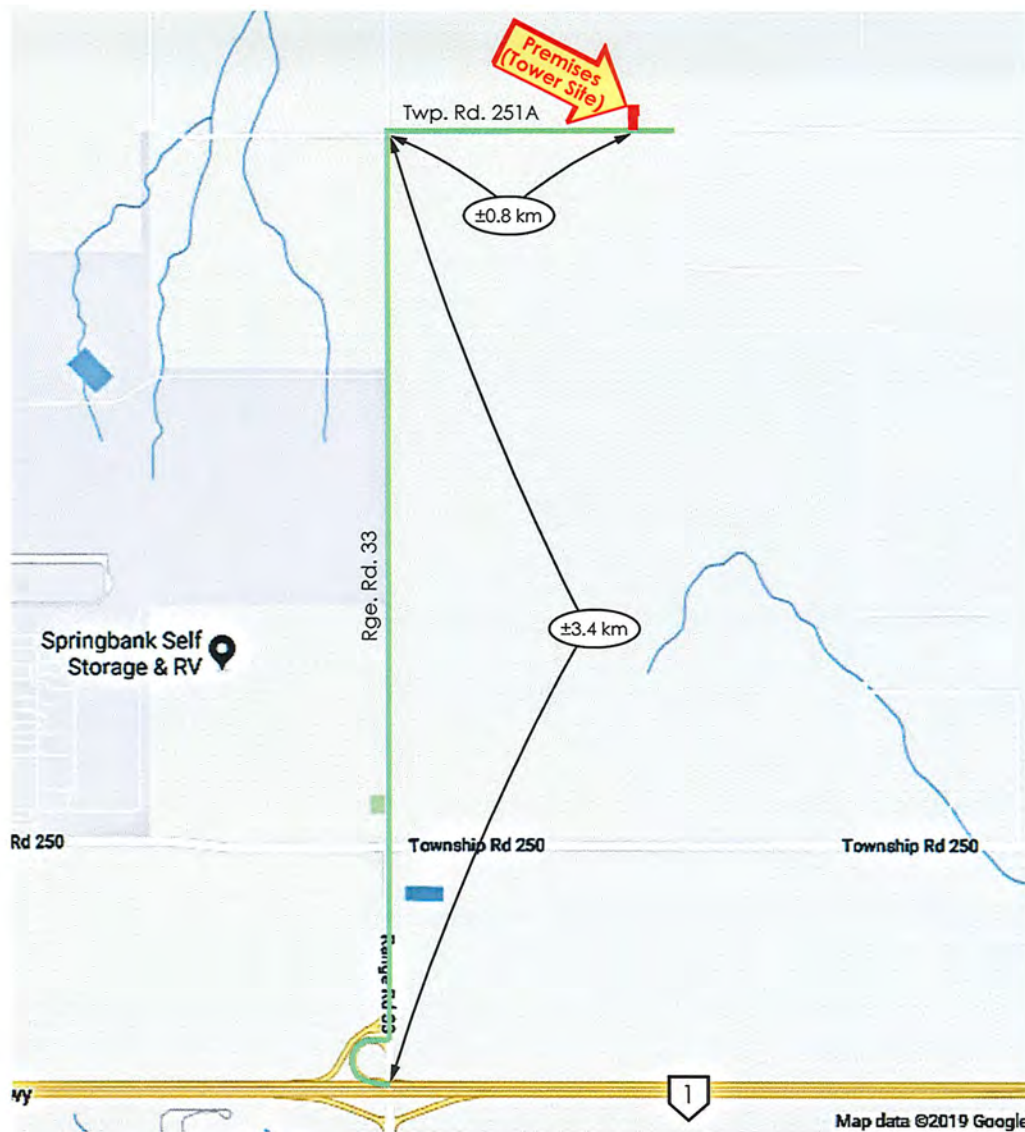
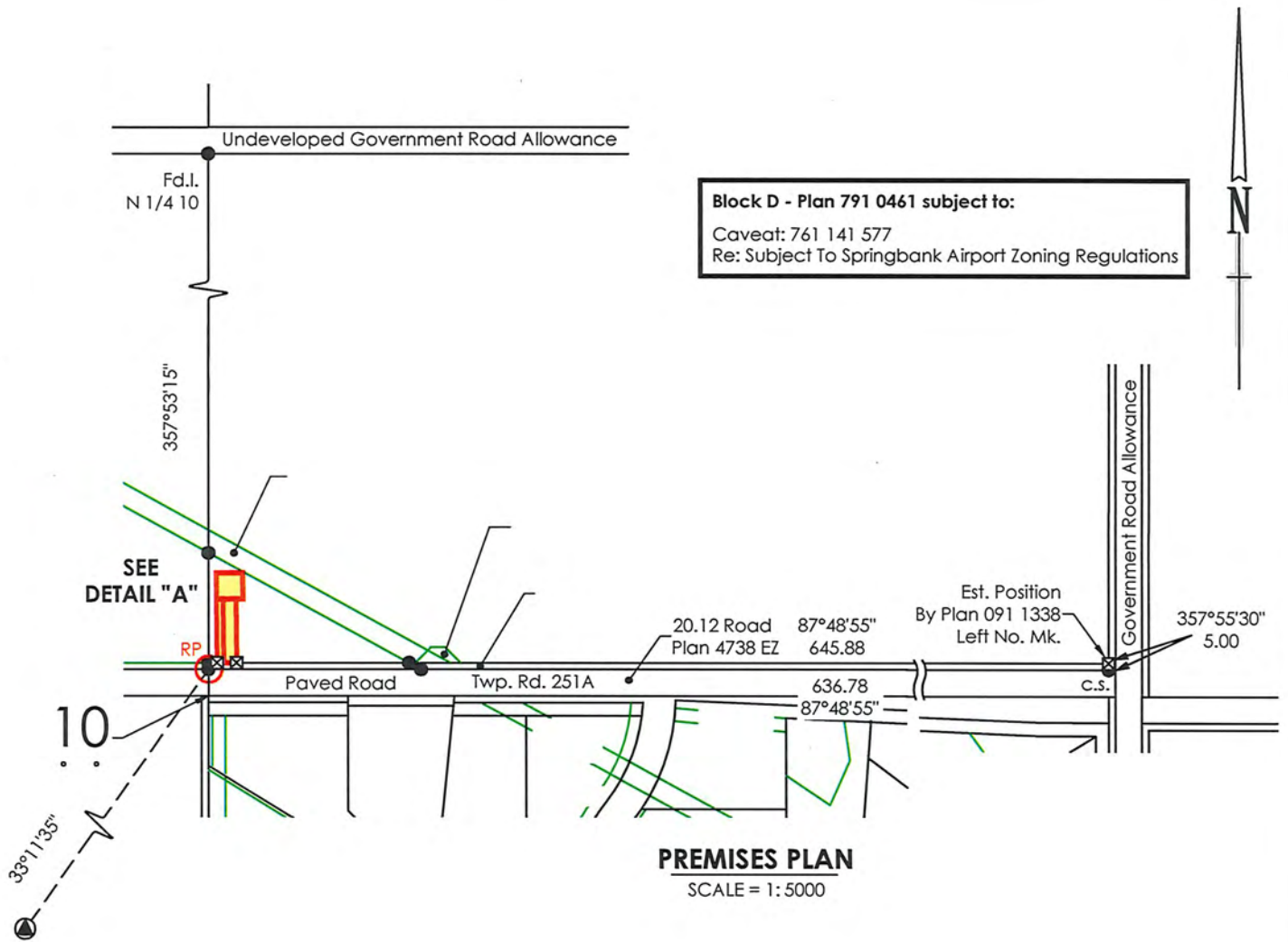
REVISION: 0

PAGE: 3/4

PREMISES (TOWER SITE), ACCESS AND UTILITY AREA







**ACCESS SKETCH**

NOT TO SCALE

Access Route

E.A.





**LANDSOLUTIONS**  
*by the experts*

REV	DATE	DRWN	CHK'D	DESCRIPTION
0	11MAR19	JPS	LTE	PRELIMINARY
1	27MAR19	JPS	LTE	PRELIMINARY



LOCATION MAP ©2019 GOOGLE

COORDINATES:  
LATITUDE: N 51° 07' 06.930"  
LONGITUDE: W 114° 20' 18.945"

GROUND ELEVATION:  
1185.39m

[illegible]

ROGERS SITE #:	W5613
ROGERS SITE NAME:	SPRINGBANK HEIGHTS
APPLICATION FILE #:	TBD
PROJECT DESCRIPTION:	PROPOSED TELECOMMUNICATIONS SITE
STRUCTURE TYPE:	45m SELF-SUPPORT
SITE ADDRESS:	PTN. NE 10-25-3 W5M & SE 15-25-3 W5M CALGARY, AB T3Z 1E4
JURISDICTION:	CITY OF CALGARY
AREA OF COMPOUND:	400.0 SQ. METERS
CURRENT ZONING:	WEST / AB / CALGARY URBAN
CURRENT LANDUSE:	AGRICULTURAL

PROJECT INFORMATION

ALL WORK AND MATERIALS SHALL BE PERFORMED AND  
INSTALLED IN ACCORDANCE WITH THE CURRENT EDITIONS OF  
THE FOLLOWING CODES. NOTHING IN THESE PLANS IS TO BE  
CONSTRUED TO PERMIT WORK NOT CONFORMING TO THE  
LATEST EDITIONS OF THE FOLLOWING:

1. CSA-S16-09
2. CSA-S37-13
3. CANADIAN ELECTRIC CODE
4. ALBERTA BUILDING CODE

## CODE COMPLIANCE

ROGERS CONSTRUCTION MANAGER  
NAME: MATTHEW DOWNTON  
CONTACT: MATTHEW.DOWNTON@RCI.ROGERS.COM

LANDSOLUTIONS LP ADMINISTRATOR

NAME: DAVID ZACHER  
CONTACT: (403)-290-3575

CIVIL ENGINEER

NAME: VM STRUCTURAL ENGINEERING  
CONTACT: EUGEN VERESIU P. Eng, P. E.  
PHONE: (519)-767-6500 EXT: 301

LTE PROJECT MANAGER

NAME: LONG TELECOM ENGINEERING  
CONTACT: DAN LONG  
PHONE: 780-907-8162

PROPERTY OWNER

NAME: RANCHER  
CONTACT: ELMAR AUGART  
PHONE: 403-286-1157

## CONTACT INFORMATION

APPROVAL	SIGNATURE	DATE
RADIO		
CONSTRUCTION		
MICROWAVE		
REAL ESTATE		

## APPROVALS

## GEOGRAPHIC LOCATION

FROM CALGARY INTERNATIONAL AIRPORT:

- HEAD WEST ON AIRPORT RD NE 0.03KM
- SLIGHT LEFT TO STAY ON AIRPORT RD NE 0.80KM
- CONTINUE STRAIGHT 0.35KM
- CONTINUE STRAIGHT ONTO AIRPORT RD NE 0.19KM
- CONTINUE ONTO BARLOW TRAIL NE N 0.60KM
- TURN LEFT ONTO 36 AVE NE / AIRPORT TRAIL NE W 1.90KM
- KEEP LEFT TO STAY ON 36 AVE NE / AIRPORT TRAIL NE W. FOLLOW SIGNS FOR AB-2 S / CITY CENTRE / DEERFOOT TRAIL 0.75KM
- USE THE LEFT 2 LANES TO TURN LEFT TO MERGE ONTO AB-2 S 3.10KM
- USE THE RIGHT LANE TO TAKE EXIT 263 FOR 64 AVENUE N 0.50KM
- TURN RIGHT ONTO 64 AVE NE W 2.70KM
- TURN LEFT ONTO 14 ST NW 4.80KM
- USE THE RIGHT LANE TO TAKE TRANS CANADA HWY / 16 AVENUE N RAMP
- MERGE ONTO TRANS-CANADA HWY / AB-1 W 9.40KM
- KEEP LEFT TO CONTINUE ON 16 AVE NW / TRANS-CANADA HWY / AB-1 W. FOLLOW SIGNS FOR BANFF 5.50KM
- TAKE EXIT 172 FOR OLD BANFF COACH RD 15KM
- MERGE ONTO OLD BANFF COACH RD / RANGE RD 31 0.70KM
- TURN LEFT ONTO TOWNSHIP RD 250 1.90KM
- TURN RIGHT ONTO RANGE RD 32 1.90KM

## DRIVING DIRECTIONS

SEAL:

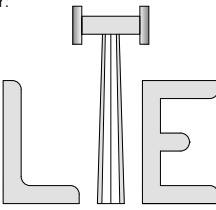
DWG.#:

T-1

PROJ.#:

19011

PREPARED BY:



**Long Telecom Engineering**  
A division of 1811724 Alberta Ltd.

PROJECT:

W5613  
SPRINGBANK HEIGHTS  
PTN. NE 10-25-3 W5M & SE 15-25-3 W5M  
CALGARY, AB  
T3Z 1E4

CONSULTANT:



REV	DATE	DRWN	CHKD	DESCRIPTION
0	11MAR19	JPS	LTE	PRELIMINARY

SEAL:

TITLE:

AREA PLAN

DWG.:

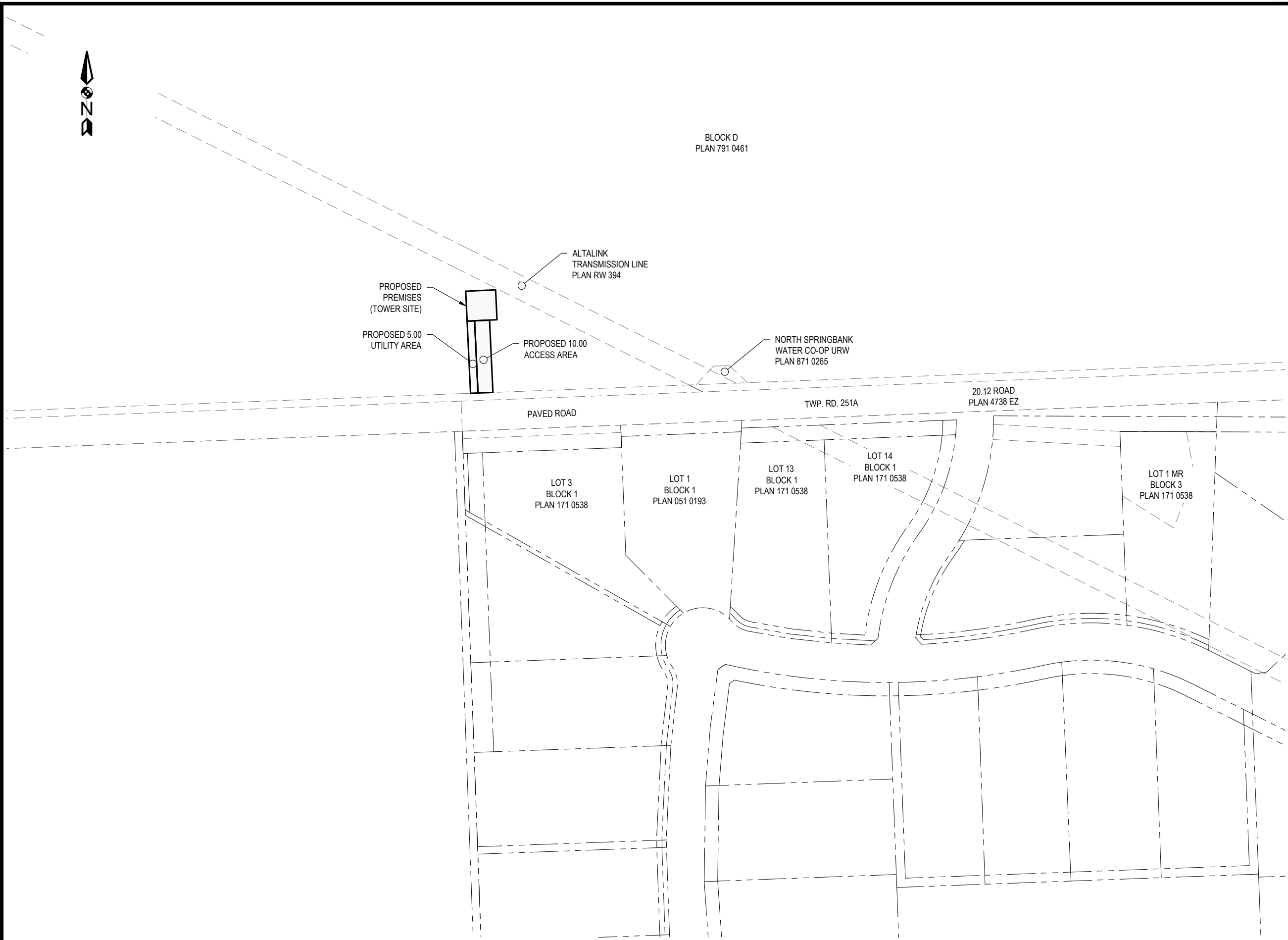
C-1

PROJ.:

19011

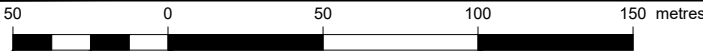
AGENDA

LAST UPDATE: 2019-03-12

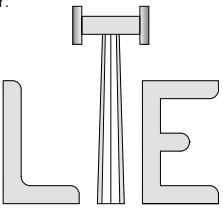


PLAN VIEW

SCALE - 1:2500



PREPARED BY:



**Long Telecom Engineering**  
A division of 1811724 Alberta Ltd.

PROJECT:

W5613  
SPRINGBANK HEIGHTS  
PTN. NE 10-25-3 W5M & SE 15-25-3 W5M  
CALGARY, AB  
T3Z 1E4

CONSULTANT:



REV	DATE	DRWN	CHKD	DESCRIPTION
0	11MAR19	JPS	LTE	PRELIMINARY
1	27MAR19	JPS	LTE	PRELIMINARY

SEAL:

TITLE:

SITE PLAN

DWG.:

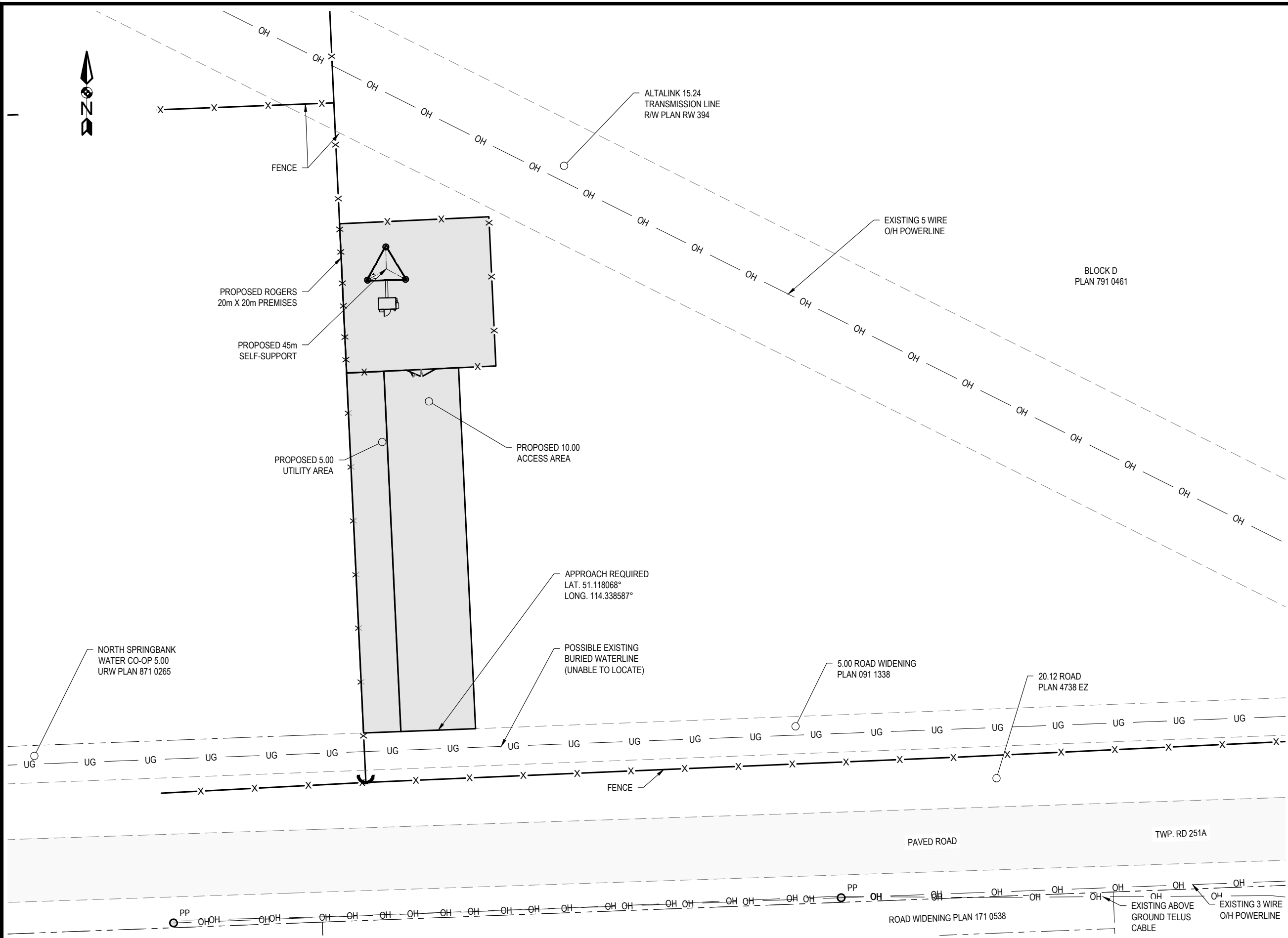
C-2

PROJ.:

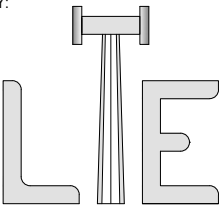
19011

AGENDA

LAST UPDATE: 2019-03-27



PREPARED BY:



**Long Telecom Engineering**  
A division of 1811724 Alberta Ltd.

PROJECT:

W5613  
SPRINGBANK HEIGHTS  
PTN. NE 10-25-3 W5M & SE 15-25-3 W5M  
CALGARY, AB  
T3Z 1E4

CONSULTANT:



REV	DATE	DRWN	CHKD	DESCRIPTION
0	11MAR19	JPS	LTE	PRELIMINARY
1	27MAR19	JPS	LTE	PRELIMINARY

SEAL:

TITLE:

COMPOUND LAYOUT

DWG.:

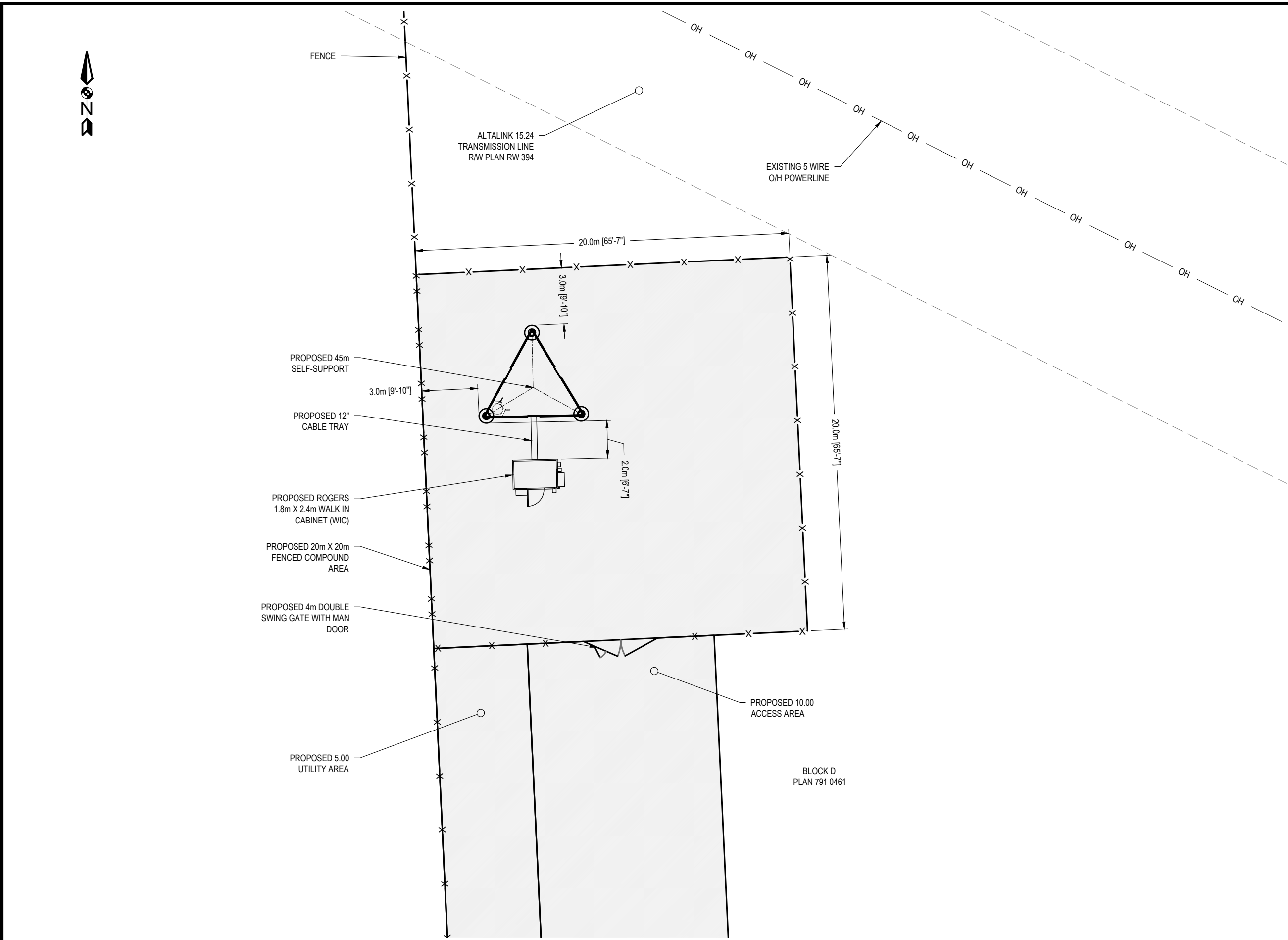
C-3

PROJ.:

19011

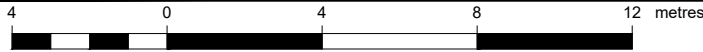
AGENDA

LAST UPDATE: 2019-03-27



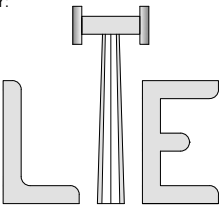
PLAN VIEW

SCALE - 1:200





PREPARED BY:



**Long Telecom Engineering**  
A division of 1811724 Alberta Ltd.

PROJECT:

W5613  
SPRINGBANK HEIGHTS  
PTN. NE 10-25-3 W5M & SE 15-25-3 W5M  
CALGARY, AB  
T3Z 1E4

CONSULTANT:



REV	DATE	DRWN	CHKD	DESCRIPTION
0	11MAR19	JPS	LTE	PRELIMINARY
1	27MAR19	JPS	LTE	PRELIMINARY

SEAL:

TITLE:

TOWER PROFILE, PLAN &  
ANTENNA DETAILS

DWG.#:

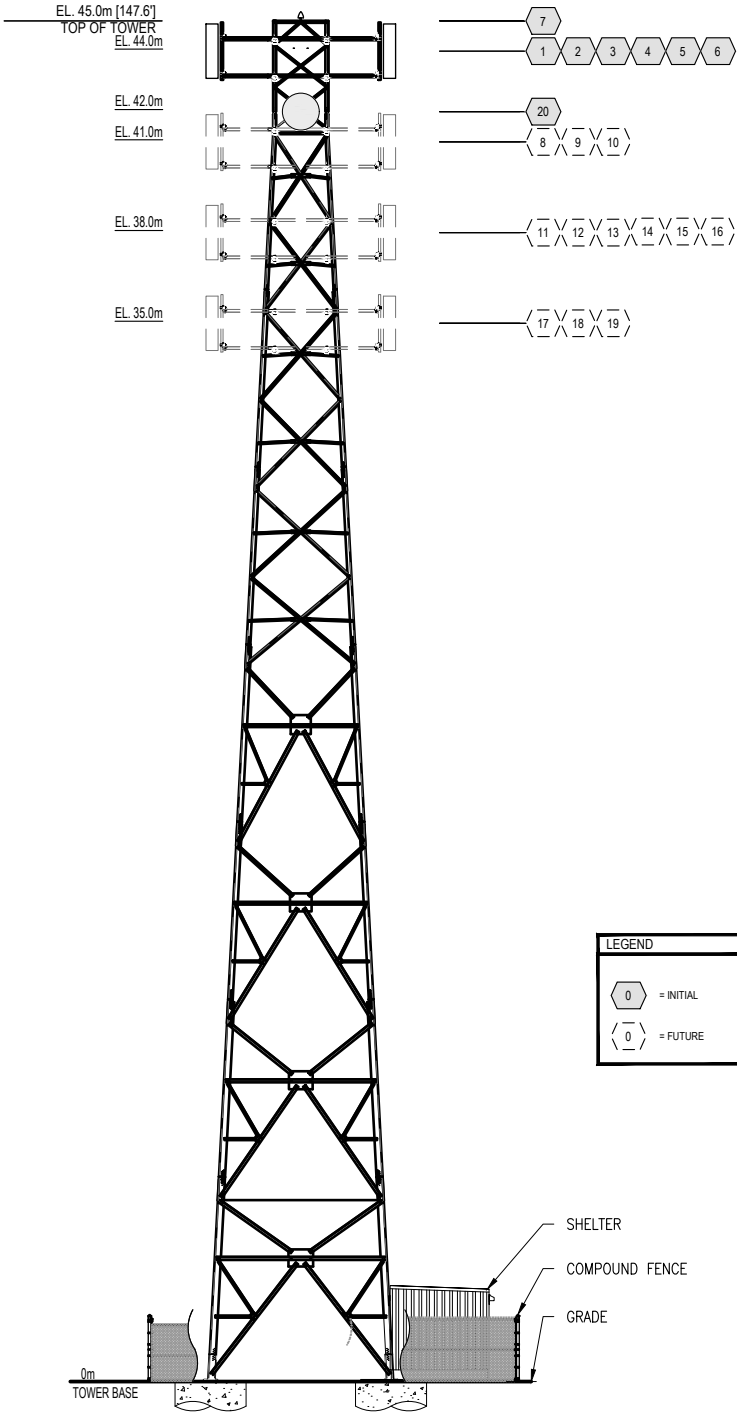
C-4

PROJ.#:

19011

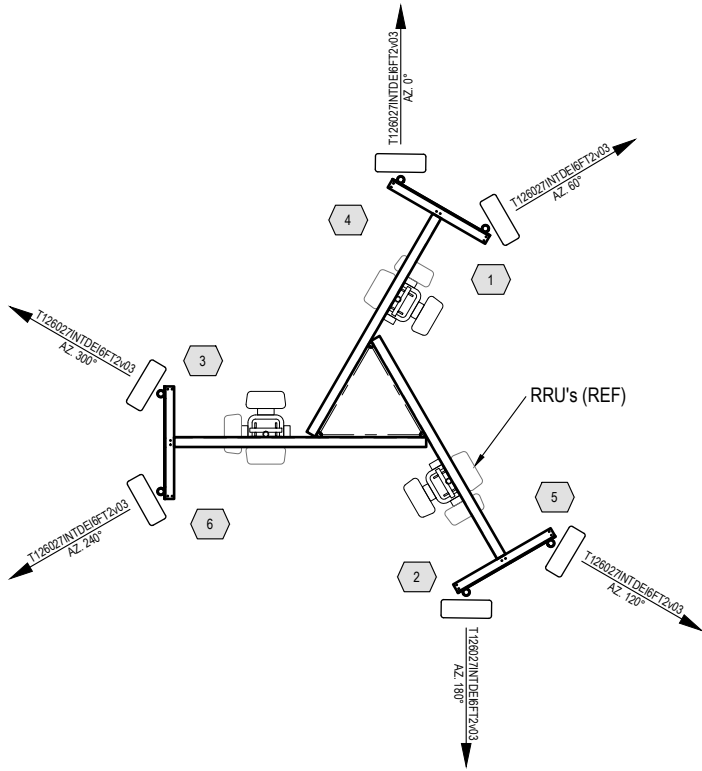
AGENDA

LAST UPDATE: 2019-03-27



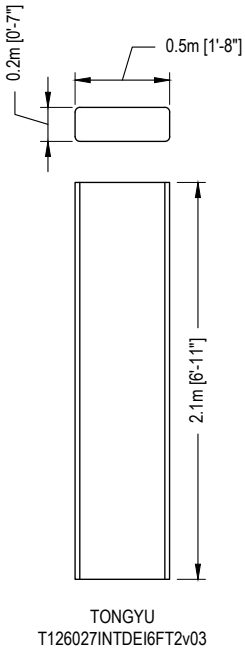
TOWER ELEVATION

SCALE - 1:250



PLAN VIEW

SCALE - 1:75



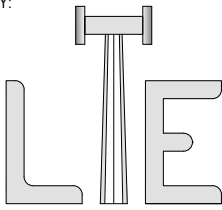
ANTENNA DETAILS

SCALE - 1:40

ANTENNA/COAX SHEDULE											
#	ANTENNA		MANUFACTURER (MODEL #)	MOUNTING HEIGHT (m) *	AZIMUTH ° (TN)	# OF RRUS		CABLE TYPES	CABLE LENGTH (m)	MECH. D-TILT	STATUS
	TECHNOLOGY	LABEL				TOWER LOADING	INITIAL INSTALL				
1	LTE	LTE-1	T126027INTDEI6FT2v03	44	60	4	3	H&S	<5	0	INITIAL
2	LTE	LTE-2	T126027INTDEI6FT2v03	44	180	4	3	H&S	<5	0	INITIAL
3	LTE	LTE-3	T126027INTDEI6FT2v03	44	300	4	3	H&S	<5	0	INITIAL
4	LTE OFFSET	OFFSET-1	T126027INTDEI6FT2v03	44	0	4	2	H&S	<5	0	INITIAL
5	LTE OFFSET	OFFSET-2	T126027INTDEI6FT2v03	44	120	4	2	H&S	<5	0	INITIAL
6	LTE OFFSET	OFFSET-3	T126027INTDEI6FT2v03	44	240	4	2	H&S	<5	0	INITIAL
7	GPS	GPS-1	GLONASS-36-N-S	45	-	-	-	TBD	-	-	INITIAL
8-10	3.5GHz	TBD	AIR 6488	41	TBD	TBD	TBD	TBD	TBD	-	FUTURE
11-16	2.5GHz	TBD	TBD	38	TBD	TBD	TBD	TBD	TBD	TBD	FUTURE
17-19	TBD	TBD	TBD	35	TBD	TBD	TBD	TBD	TBD	TBD	FUTURE
20	MICROWAVE	TBD	UHX4-107 (TR)	42	70.42	-	-	2XLDF2-50	TBD	-	INITIAL

\* CENTRE: FOR PANEL ANTENNA; BOTTOM FOR WHIP ANTENNA

PREPARED BY:



Long Telecom Engineering  
A division of 1811724 Alberta Ltd.

PROJECT:

W5613  
SPRINGBANK HEIGHTS  
PTN. NE 10-25-3 W5M & SE 15-25-3 W5M  
CALGARY, AB  
T3Z 1E4

CONSULTANT:



REV	DATE	DRWN	CHKD	DESCRIPTION
0	11MAR19	JPS	LTE	PRELIMINARY
1	27MAR19	JPS	LTE	PRELIMINARY

SEAL:

TITLE:

ANTENNA AND  
COAX SCHEDULE

DWG.#:

C-5

PROJ.#:

19011

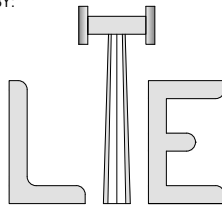
AGENDA

LAST UPDATE : 2019-03-27

TABLE

SCALE - N.T.S.

PREPARED BY:



**Long Telecom Engineering**  
A division of 1811724 Alberta Ltd.

PROJECT:

W5613  
SPRINGBANK HEIGHTS  
PTN. NE 10-25-3 W5M & SE 15-25-3 W5M  
CALGARY, AB  
T3Z 1E4

CONSULTANT:



REV	DATE	DRWN	CHKD	DESCRIPTION
0	11MAR19	JPS	LTE	PRELIMINARY

SEAL:

TITLE:

WALK IN CABINET (WIC)

DWG.#:

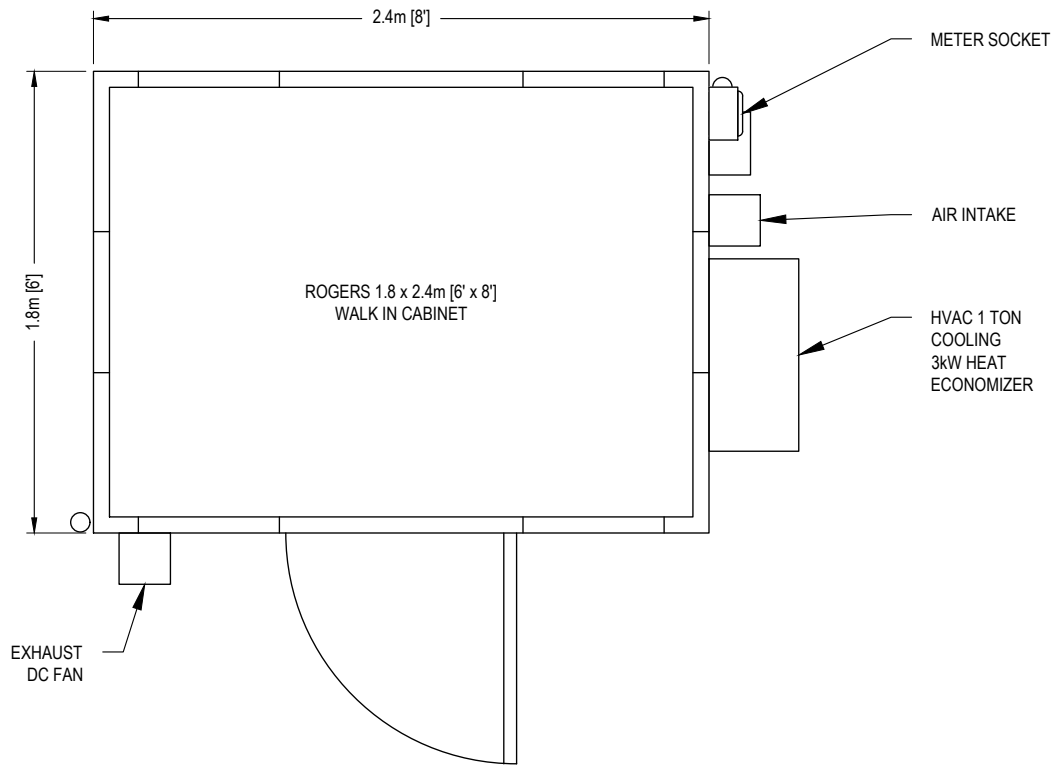
C-6

PROJ.#:

19011

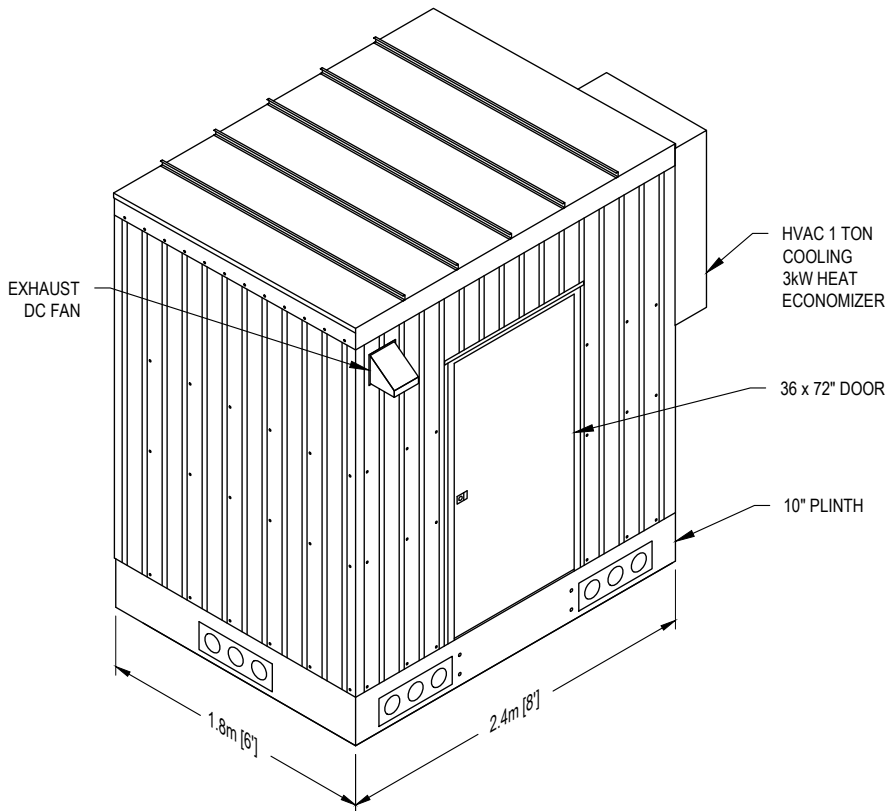
AGENDA

LAST UPDATE: 2019-03-11



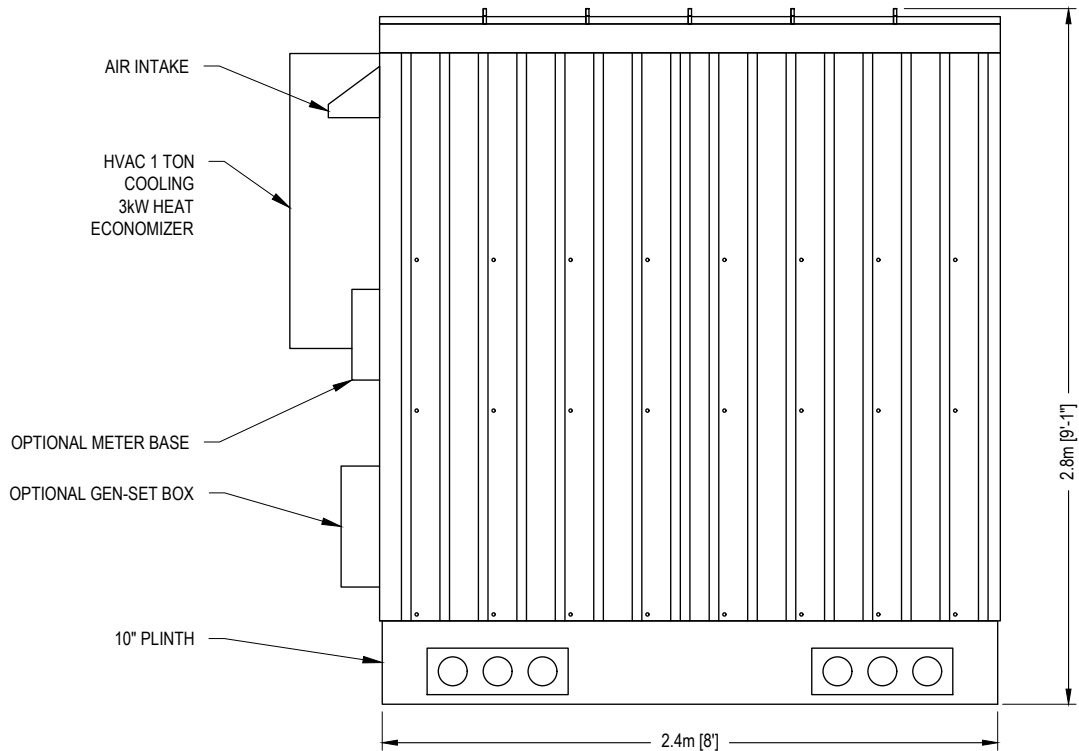
PLAN VIEW

SCALE - 1:30



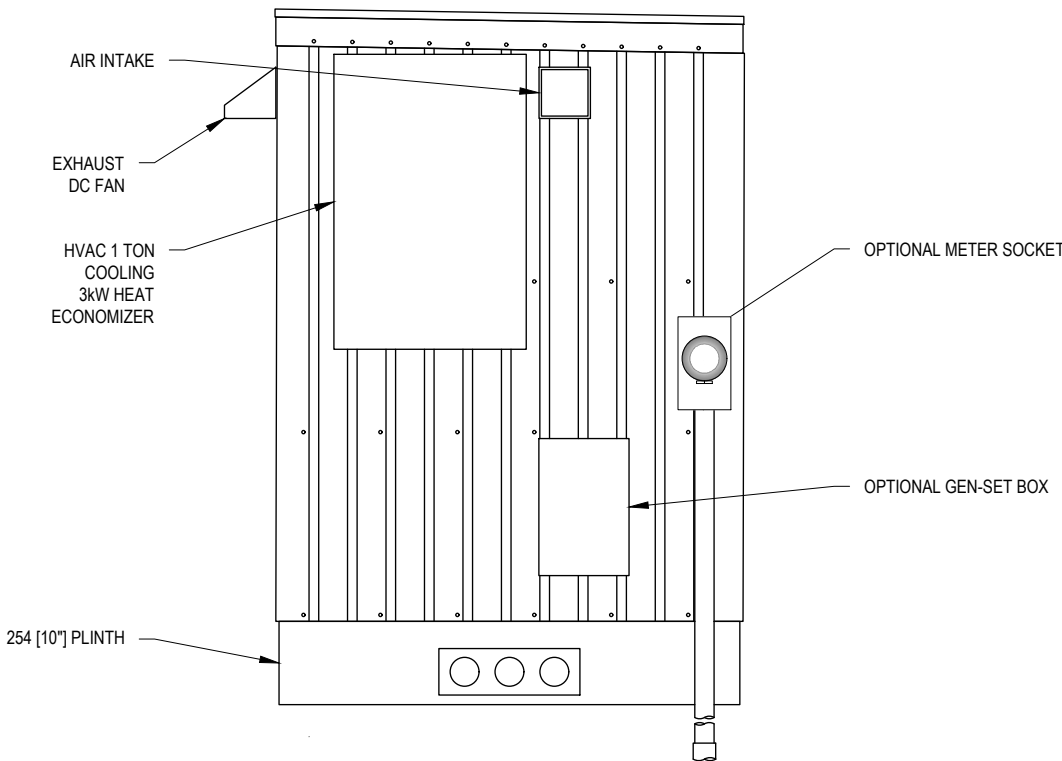
ISOMETRIC

SCALE - 1:50



BACK VIEW

SCALE - 1:30



SIDE VIEW

SCALE - 1:30

## PLANNING AND DEVELOPMENT SERVICES

**TO:** Municipal Planning Commission

**DATE:** September 24, 2020

**DIVISION:** 5

**APPLICATION:** PRDP20201265

**SUBJECT:** Development Item: *Single-lot regrading and placement of clean topsoil*

**USE:** Discretionary use, with no Variances

**APPLICATION:** Single-lot regrading and placement of clean topsoil, for agricultural purposes.

**GENERAL LOCATION:** Located at the southwest junction of Inverlake Road and Highway 9

**LAND USE DESIGNATION:** Agricultural Holdings (AH) under Land Use Bylaw C-4841-97.

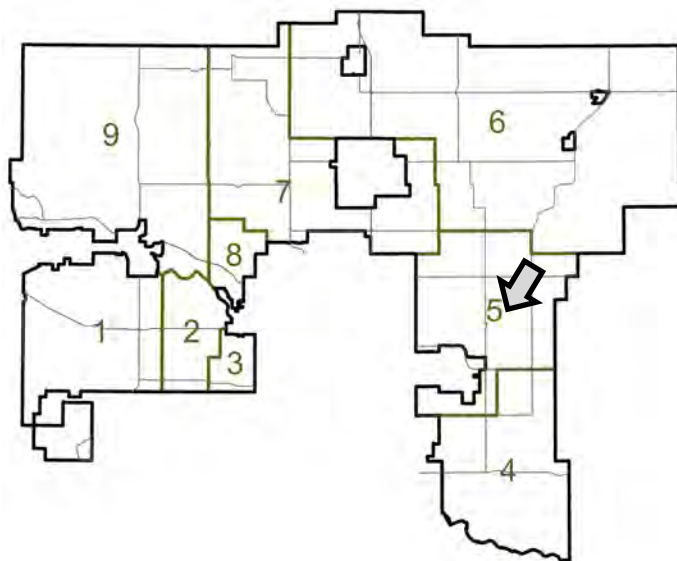
**ADMINISTRATION RECOMMENDATION:** Administration recommends REFUSAL in accordance with Option #2.

### OPTIONS:

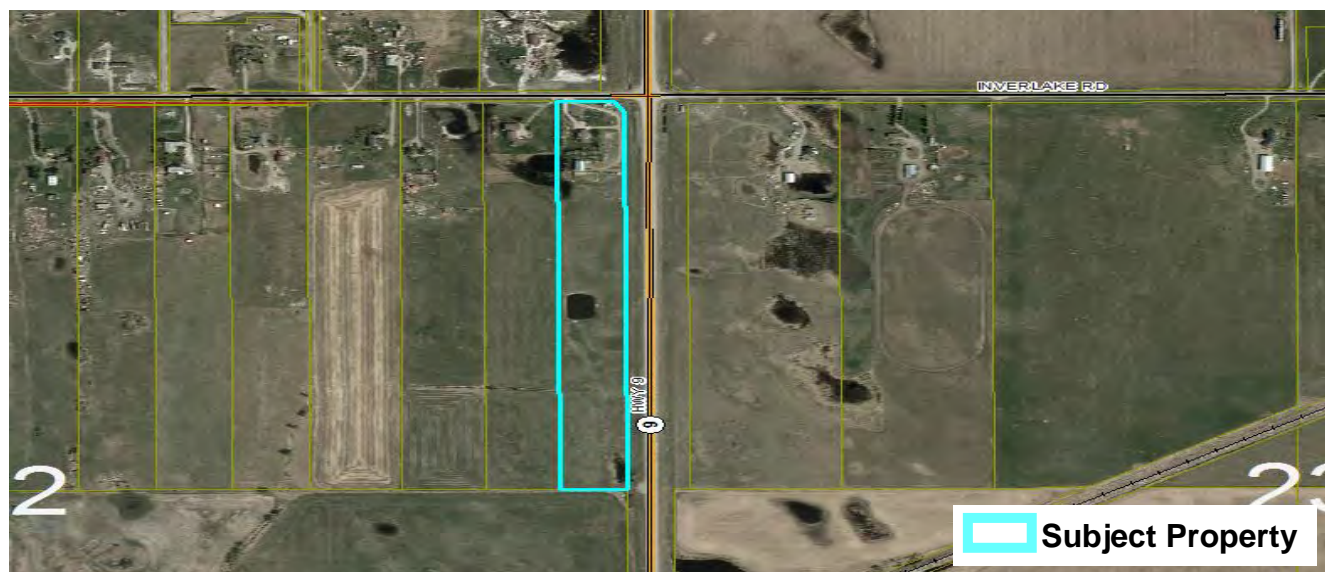
Option #1: THAT Development Permit Application PRDP20201265 be approved with the conditions noted within the report.

Option #2: THAT Development Permit Application PRDP20201265 be refused as per the reasons noted within the report.

Option #3: THAT Development Permit Application PRDP20201265 be tabled until the Site Specific Implementation Plan has been reviewed by Administration.



### AIR PHOTO & DEVELOPMENT CONTEXT:



### Administration Resources

Oksana Newmen - Planning & Development Services



## DEVELOPMENT PERMIT REPORT

<b>Application Date:</b> May 26, 2020	<b>File:</b> 04222018
<b>Application:</b> PRDP20201265	<b>Applicant:</b> Horizon Excavating Ltd. <b>Owner:</b> Michael and Dawn Tessemaker.
<b>Legal Description:</b> NE-22-24-27-W4M <b>Municipal Address:</b> 272013 Inverlake Road	<b>General Location:</b> Located at the southwest junction of Inverlake Road and Highway 9.
<b>Land Use Designation:</b> Agricultural Holdings District (AH)	<b>Gross Area:</b> ± 6.41 hectares (± 15.84 acres)
<b>File Manager:</b> Oksana Newmen	<b>Division:</b> 5

### PROPOSAL:

The application is for single-lot regrading and placement of clean topsoil for agricultural purposes. *Note, the application was assessed in accordance with Land Use Bylaw C-4841-97, as the application was received prior to September 8, 2020.*

As shown on the submitted Site Plan dated June 20, 2020, includes:

- Topsoil Placement Area: Deposition of clean topsoil on approximately 13.49 acres of a 15.84 acre parcel.
  - Excludes wetland areas
  - 54,600 sq. m (587,709.51 sq. ft.)
  - Depth of up to 0.61m (2.00 ft.)
  - Two to three months hauling
  - Approximately 2,500 truck loads
- Volume: Approximately 40,000 cubic meters of topsoil
- The proposed topsoil placement is to enhance the land for farming purposes

This file was presented to the Municipal Planning Commission (MPC) on July 30, 2020, where the Commission tabled the item, directing the Applicant to prepare technical studies to support the application and return to MPC by September 30, 2020. The Applicant submitted two studies on September 10, 2020, however Administration was unable to review the Site Specific Implementation Plan (SSIP) in advance of the writing of this report. The agricultural and soils reports were reviewed and forms the basis for Administration's recommendation. MPC may consider tabling the item to a future date pending review of the SSIP, or render a decision on the file based on the information currently available.

### SITE INFORMATION:

- Existing wetlands on site
- Adjacent lands – Agricultural (Farmstead and Ranch and Farm districts)



**LAND USE BYLAW (C-4841-97):**

Section 33 – *Stripping, Filling, Excavation and Grading* of the Land Use Bylaw is applicable to the proposed use for the land, specifically subsections 33.2, 33.3, 33.6 - *Placing of Fill*.

**STATUTORY PLANS:**

The site does not fall within an Area Structure Plan, Intermunicipal Development Plan, or a Conceptual Scheme area. As such, it was evaluated in accordance with the County's Land Use Bylaw C-4841-97.

**INSPECTOR'S COMMENTS:** (August 5, 2020)

- No grading at time of visit
- Land appears used for pasture with 2 horses present at time of visit
- Site immediately adjacent to Hwy 9 and photos taken from road
- One small pond on site.

**CIRCULATIONS:**

Alberta Environment and Parks:

- No comments received.

Alberta Transportation (June 29, 2020)

- In reviewing the application, the proposed development falls within the control distance of a provincial highway as outlined in the *Highways Development and Protection Act / Regulation*, and will require a roadside development permit from Alberta Transportation.
- The application form and instructions can be obtained from the department's website at <https://www.alberta.ca/roadside-development-permits.aspx>

Agricultural and Environmental Services, Rocky View County (September 11 and June 25, 2020)

*Comments from September 11, 2020:*

- The soil quality report and statement from the Agrologist meets our requirements. There is still a concern with regards to the amount of topsoil that the applicant is requesting to put on the land. Adding a few inches of topsoil could increase productivity and resilience of the soil but topsoil reclamation research has shown diminished or negligible positive responses from 6 inches or more of topsoil.

*Comments from June 25, 2020:*

- The applicant/owner shall provide a stamped and endorsed statement from a Professional Agrologist, or Certified Crop Advisor, confirming the soil quality improvements achieved by the proposed addition of topsoil. The anticipated agricultural benefits must be identified.
- The applicant also needs to provide a soil testing analysis, completed on the proposed topsoil, that includes where the topsoil originated from. The report and approval shall be to the satisfaction of the County's Agricultural Services Staff (See attached).
- There is a concern with regards to the amount of topsoil that the applicant is requesting to put on the land. Adding a few inches of topsoil could increase productivity and resilience of the soil but topsoil reclamation research has shown diminished or negligible positive responses from 6 inches or more of topsoil. If the applicant intends to alter or fill in any wetlands they will need to obtain the proper approvals from Alberta Environment.



- Lastly, the applicant will need to ensure compliance with the Alberta Weed Control Act. It may be of benefit to the applicant to create a Weed Management Plan and have a contractor available (or be personally prepared) to control any regulated weeds.
- The soil analysis report will need to confirm that:
  - \*Texture is balanced and not over 40% clay; and
  - \*\*Organic matter is a minimum of 3%, and equal to or greater than the organic matter of the soil on the application site; and
  - \*\*SAR/EC rating is at least 'good'; and
  - \*\*PH value is in the 'acceptable' range for crop growth.

Development Compliance, Rocky View County (June 23, 2020)

- Development Compliance has no comments or concerns with respect to the attached application.

Planning and Development Services – Engineering Review - Rocky View County (July 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.
- Prior to issuance, the applicant/owner will be required to submit a construction management plan addressing noise mitigation measures, traffic accommodation, sedimentation and dust control, management of stormwater during construction, erosion and weed control, construction practices, waste management, firefighting procedures, evacuation plan, hazardous material containment and all other relevant construction management details.
- The application will need to be circulated to Alberta Transportation for review and comment since the proposed development is located adjacent to Highway 9.

**Geotechnical:**

- Should the grading plan accepted by the County propose any areas of fill that are greater than 1.2 m in depth, prior to issuance, the applicant/owner will be required to provide a deep fills report conducted by a professional geotechnical engineer for all areas of fill greater than 1.2 m in depth.
- As a permanent condition, the applicant/owner shall provide compaction testing verifying that the fill areas greater than 1.2 m in depth were placed in accordance with the Deep Fills report accepted by the County.

**Transportation:**

- Access to the subject land is provided via a road approach off of Inverlake Road.
- Prior to the issuance, the applicant is required to contact County Road Operations to determine if any permits or if a Road Use Agreement is required (dependent on the quantity of the fill) during the construction of the proposed development.
- The applicant/owner will not be required to pay the transportation offsite levy, as per the applicable TOL bylaw at time of DP approval, since the subject land is located within an agricultural land use district and the development is not expected to increase traffic to the local road network.



**Sanitary/Waste Water:**

- Engineering has no requirements at this time.

**Water Supply and Waterworks:**

- Engineering has no requirements at this time.

**Stormwater Management:**

- Prior to issuance, the applicant/owner will be required to provide a detailed Site-Specific Stormwater Implementation Plan (SSIP) conducted and stamped by a professional engineer that is in accordance with the conditions set by the CSMI and the County Servicing Standards, to the satisfaction of the County.
  - Note: A Drainage Review Analysis was submitted with the application but was deemed inadequate for the subject proposal by Administration.
- Prior to issuance, the applicant/owner will be required to submit a grading plan drawing that is in accordance with the SSIP accepted by the County that shows pre-development and post-development grades.

**Environmental:**

- There are wetlands on the subject land that appear to potentially be impacted by the proposed development. Should the wetlands be directly impacted by the proposed development, prior to issuance, the applicant/owner will be required to provide a Biophysical Impact Assessment (BIA) conducted by a qualified professional that assesses the existing wetland and the impacts as well as provides recommendations on mitigation and compensation measures to address the impacts.
- The applicant/owner will be responsible to obtain all required AEP approvals should the proposed development impact any wetlands.

Transportation Services, Rocky View County:

- No response received.

Utility Services, Rocky View County (June 22, 2020):

- No Concerns.

**OPTIONS:**

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

APPROVAL subject to the following conditions:

**Description:**

1. That single-lot regrading and placement of clean topsoil, for agricultural purposes, over a total area of approximately 54,600 sq. m (13.49 acres) may take place on the subject lands, in accordance with the submitted Site Plan, cover report, supporting documents, and conditions of this permit including the following:
  - i. Topsoil Depth up to 0.61 m (2.00 ft.)
  - ii. Topsoil Volume up to 40,000.00 cu. m

**Prior to Issuance:**

2. That prior to issuance of this permit, the Applicant/Owner shall submit an Irrevocable Letter of Credit or Refundable Security, in the amount of \$20,000, to be deposited with the County to





ensure that conditions of this permit are met. If conditions of this permit are not met, the County may use the funds, enter onto the described land, and carry out the work necessary to meet the conditions.

3. That prior to issuance of this permit, the Applicant/Owner shall submit a detailed site-specific Stormwater Implementation Plan (SSIP) for the subject lands, in accordance with County Servicing Standards. The report shall be stamped by a qualified professional and should address the following:
  - i. The report shall include both pre- and post-development site grading in the vicinity of the work, and shall confirm post-development site run-off characteristics;
  - ii. The report shall evaluate possible impacts the proposed placement of topsoil will have on adjacent lands and adjacent County and Provincial road right of ways. The report shall provide mitigating measures, if necessary, for any impacts the work may have on adjacent lands; and
  - iii. The report shall provide erosion and sedimentation control measures for the proposed activities.
4. That prior to issuance of this permit, the Applicant/Owner shall contact County Road Operations with haul details for materials and equipment needed during construction/site development to confirm if Road Use Agreements will be required for any hauling along the County road system and to confirm the presence of County road ban restrictions.
  - i. Written confirmation shall be received from County Road Operations confirming the status of this condition. Any required agreement or permits shall be obtained unless otherwise noted by County Road Operations.
5. That prior to issuance of this permit, the Applicant/Owner shall submit written confirmation that the existing wetlands onsite shall not be impacted by the proposed development, to the satisfaction of the County.
  - i. That should the wetlands be directly impacted by the proposed development, the Applicant/Owner shall submit a Biophysical Impact Assessment (BIA) conducted by a qualified professional that assesses the existing wetland and the impacts as well as provides recommendations on mitigation and compensation measures to address the impacts.
6. That prior to the issuance of this permit, the Applicant/Owner shall submit a construction management plan addressing noise mitigation measures, traffic accommodation, sedimentation and dust control, management of stormwater during construction, erosion and weed control, construction practices, waste management, firefighting procedures, evacuation plan, hazardous material containment and all other relevant construction management details, in accordance with County Servicing Standards.

**Permanent:**

7. That upon completion of the proposed development, the Applicant/ Owner shall submit an as-built survey, confirming that the development proposal and post grades align with the supporting technical submissions for the file.
8. That for all areas where over 1.20 m (3.93 ft.) of topsoil is placed, the Applicant/Owner shall provide a Deep Fill Report, prepared by a qualified professional, providing the compaction testing of the topsoil and general recommendations for the suitability of different types of building foundations as there is potential that future landowners could construct a structure over the filled area.



9. 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.
10. That any material 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.
11. 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.
12. That the Applicant/Owner shall take effective measures to control dust in the regrading 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.
13. That the Applicant/Owner shall be responsible for rectifying any adverse effect on adjacent lands from drainage alteration.
14. That any grading areas shall have a minimum of six inches of topsoil placed on top, which shall then be spread and seeded to native vegetation, farm crop, or landscaped, to the satisfaction of the County.
15. 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.
16. 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.
17. That the entire site shall be maintained in a neat and orderly manner at all times to the satisfaction of the Development Authority.
18. 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:**

19. 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.
20. That the subject development shall conform to the County's Noise *Bylaw C-5773-2003* in perpetuity.
21. That any other government permits, approvals, or compliances are the sole responsibility of the Applicant/ Owner.
  - i. That the Applicant/Owner shall apply for the required Roadside Development Permit with Alberta Transportation before commencing any work.



22. That the grading activities shall be completed within twelve (12) months from the date of issuance of this permit.
23. That if this Development Permit is not issued by **April 30, 2021** or the approved extension date, then this approval is null and void and the Development Permit shall not be issued.

***Note: That the Applicant/ Owner shall be responsible for all Alberta Environment and Parks (AEP) approvals/ compensation for existing waterbodies/ riparian areas/ tributary/ stream on site that may be impacted by the proposed placement of topsoil.***

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.

Option #3: (this would table the proposed development to a future date)

TABLED as per the following reasons:

1. That the application be tabled to a future date until Administration has reviewed the Site Specific Implementation Plan provided on September 10, 2020.

27

26

AH

R-3

R-2

B-2

R-2

INVERLAKE RD

AH

22

23

HWY 9  
6





ROCKY VIEW COUNTY  
Cultivating Communities

20201265  
APPLICATION FOR A  
DEVELOPMENT PERMIT

FOR OFFICE USE ONLY	
Fee Submitted 1015.00	File Number 04222018
Date of Receipt 05/25/2020	Receipt #

Name of Applicant Horizon Excavating Ltd. Email todd@horizonexcavating.com

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

Registered Owner (if not applicant) Michael / Dawn Tessemaker

1. LEGAL DESCRIPTION OF LAND

- a) All / part of the NE  $\frac{1}{4}$  Section 22 Township 24 Range 27 West of 04 Meridian
- b) Being all / parts of Lot — Block — Registered Plan Number —
- c) Municipal Address 272013 LIVERLAKE ROAD
- d) Existing Land Use Designation AM Parcel Size 15.84 Division 05

2. APPLICATION FOR

Add Topsoil for Agriculture Enhancement

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 ✓ No \_\_\_\_\_

4. REGISTERED OWNER OR PERSON ACTING ON HIS BEHALF

I Todd Slaney 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 Todd Slaney  
Date Mar. 24, 2020

Owner's Signature D Tessemaker  
Date MAR. 25/20

**5. RIGHT OF ENTRY**

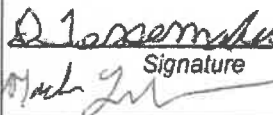
I hereby authorize Rocky View County to enter the above parcel(s) of land for purposes of investigation and enforcement related to this Development Permit application.



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, Michael / Dawn Tessemaker, 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

Mon 25/20  
Date



**ROCKY VIEW COUNTY**  
Cultivating Communities

## STRIPPING, FILLING, EXCAVATION AND GRADING

Name of Applicant Horizon Excavating LTD

### FOR OFFICE USE ONLY

Fee Submitted <u>1015</u>	File Number <u>0422-2018</u>
Date of Receipt <u>05/15/2020</u>	Receipt #

### 1. NATURE OF THE APPLICATION

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

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

### 2. PURPOSE

What is the intent of the proposal? To add topsoil to land to enhance farming.

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

\* see attached over land drainage Plan.

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

### 3. TYPE

Height 0.61m (2ft)

Volume 40,000 +/- meters cubed

Width \_\_\_\_\_

Truckload \_\_\_\_\_ (approximately)

Length \_\_\_\_\_

Slope Factor \_\_\_\_\_ (if applicable)

Area 54600 square metres

\* Please show all measurements in detail on your siteplan.

### 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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Michael (Dawn) Tassemaier 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.



IBI GROUP  
3rd Floor – 227-11 Avenue SW  
Calgary AB T2R 1R9 Canada  
tel 403 270 5600 fax 403 270 5610  
ibigroup.com

March 23, 2020

Ms. Sherry Baers  
Manager Planning  
Planning and Community Services  
Rocky View County  
911 32<sup>nd</sup> Avenue NE  
Calgary, AB T2E 6X6

Dear Mrs. Baers:

**RE: TESSEMAKER PROPERTY  
NE-22-24-27-04  
HWY 9 / INVERLAKE ROAD  
DRAINAGE REVIEW ANALYSIS**

As per your request, we have reviewed the proposed topsoil placement operation located at the captioned property location.

Attached is Sheet C1.0-Drainage Review Analysis which presents the existing and proposed conditions for the site.

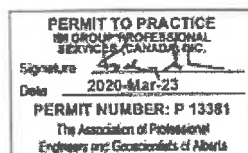
The existing overland drainage for the Tessemaker property is split from the centre to the southeast and northwest onto the adjoining lots. The proposed work will retain these existing conditions and will not affect any other neighboring property.

Silt fence will be installed around the existing low area in the south east of the lot and in the northwest corner of the loaming operation as well as around the existing dug out area in the centre of the site, to protect the existing depression and off-site areas from sedimentation during stormwater runoff.

I trust the above is sufficient as per your request. Should you have any questions, or require further information, please do not hesitate to contact the undersigned at (403) 270-5600.

Yours truly,

IBI GROUP



Rod Sieker, P. Eng.  
Director

cc: File No. 33946.4

\\canwest.ibigroup.com\U:\CA\33946\_Hrzn\Hrzn\2.2 Corres-External\CT\Baers\_Tessemaker\_Drainage\_Review\_Analysis\_2020-03-23.docx

IBI Group Professional Services (Canada) Inc. is a member of the IBI Group of companies



May 25th, 2020

**HORIZON EXCAVATING LTD.**



To Whom It May Concern:

We are hereby applying for a Development Permit to haul topsoil to a farmer's field for the purpose of agricultural enhancement. The mentioned property is located at HWY 9/Inverlake Road, Calgary, Alberta.

Please find attached the following ... Completed Application Form, Letter of Authorization from the landowner, Certificate of Title, Excavation & Grading details, as well as the Overland Drainage Report.

Please let us know if there are any other details that would help review this application.

Yours Truly,

Horizon Excavating Ltd.

A handwritten signature in black ink, appearing to read "Kent Knudson", written over a horizontal line.

Kent Knudson



LAND TITLE CERTIFICATE

S  
LINC                      SHORT LEGAL                      TITLE NUMBER  
0035 661 628            4;27;24;22;NE            131 242 101

LEGAL DESCRIPTION

THE EASTERLY 97.840 METRES OF THE NORTH EAST QUARTER OF  
SECTION TWENTY TWO (22)  
TOWNSHIP TWENTY FOUR (24)  
RANGE TWENTY SEVEN (27)  
WEST OF THE FOURTH MERIDIAN  
CONTAINING 7.872 HECTARES (19.45 ACRES) MORE OR LESS  
EXCEPTING THEREOUT:

PLAN	NUMBER	HECTARES	ACRES	MORE OR LESS
PUBLIC WORKS	1311188	1.459	3.61	(ROAD)

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

ESTATE: FEE SIMPLE

MUNICIPALITY: ROCKY VIEW COUNTY

REFERENCE NUMBER: 131 099 183 +15

REGISTERED OWNER(S)				
REGISTRATION	DATE(DMY)	DOCUMENT TYPE	VALUE	CONSIDERATION
131 242 101	25/09/2013	TRANSFER OF LAND	\$669,000	\$669,000

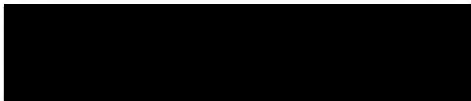
OWNERS

MICHAEL L TESSEMAKER

AND

DAWN L M TESSEMAKER

BOTH OF:



AS JOINT TENANTS

## ENCUMBRANCES, LIENS &amp; INTERESTS

PAGE 2

# 131 242 101

## REGISTRATION

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

1010FI .		RESTRICTIVE COVENANT
2371KQ .	20/01/1970	AGREEMENT DEFERRED RESERVE COVENANT "DEFERRED RESERVE COVENANT"
741 079 034	16/08/1974	UTILITY RIGHT OF WAY GRANTEE - CANADIAN WESTERN NATURAL GAS COMPANY LIMITED.
881 192 350	25/10/1988	UTILITY RIGHT OF WAY GRANTEE - ALBERTA GOVERNMENT TELEPHONES. AS TO PORTION OR PLAN:6277HX
131 242 102	25/09/2013	MORTGAGE MORTGAGEE - THE TORONTO DOMINION BANK. WESTERN BANKING SERVICES 500 EDMONTON CITY CENTRE EAST EDMONTON ALBERTA T5J5E8 ORIGINAL PRINCIPAL AMOUNT: \$652,976

TOTAL INSTRUMENTS: 005

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN  
ACCURATE REPRODUCTION OF THE CERTIFICATE OF  
TITLE REPRESENTED HEREIN THIS 26 DAY OF MAY,  
2020 AT 01:27 P.M.

ORDER NUMBER: 39372746

CUSTOMER FILE NUMBER:

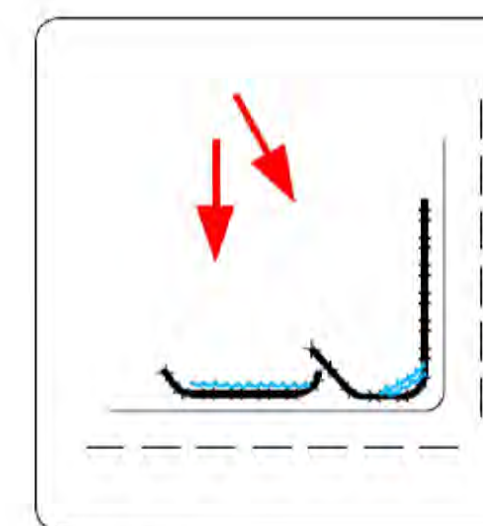
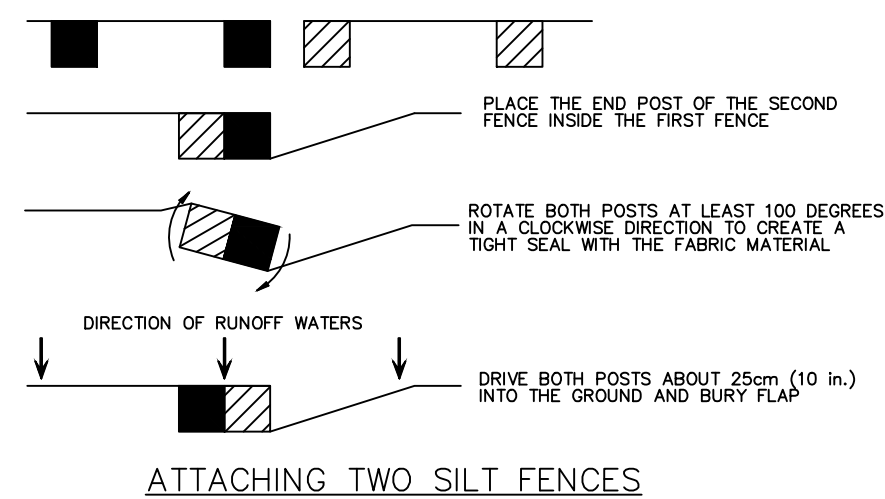


\*END OF CERTIFICATE\*

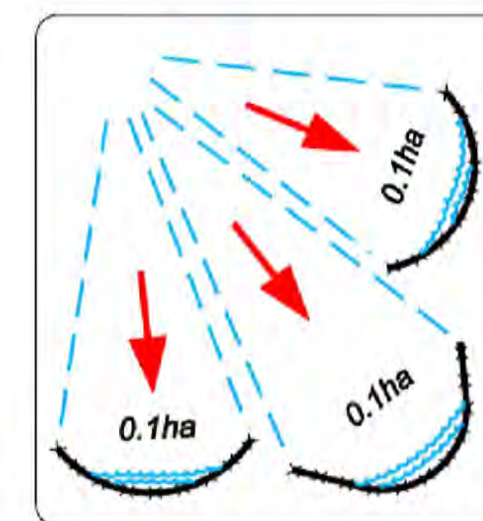
THIS ELECTRONICALLY TRANSMITTED LAND TITLES PRODUCT IS INTENDED  
FOR THE SOLE USE OF THE ORIGINAL PURCHASER, AND NONE OTHER,  
SUBJECT TO WHAT IS SET OUT IN THE PARAGRAPH BELOW.

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).

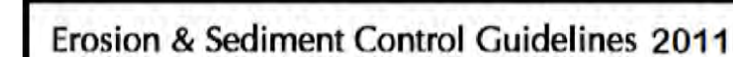
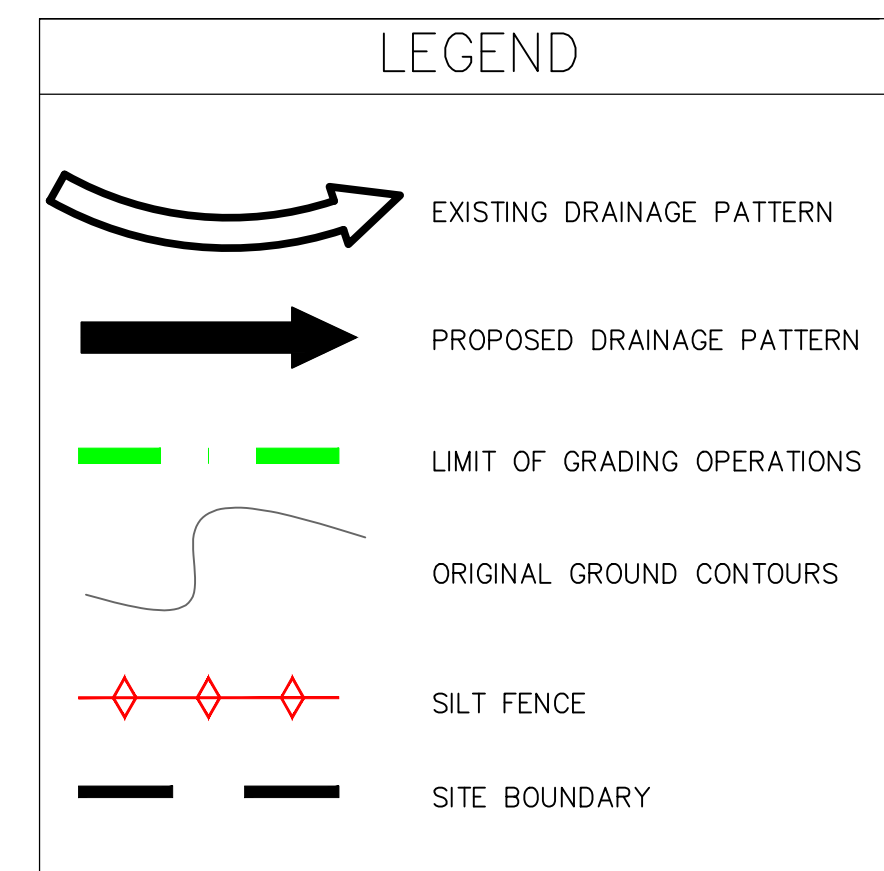




**Correct**  
**Install J-hooks**

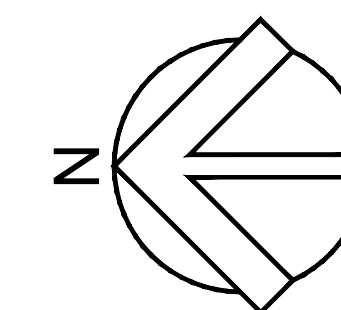
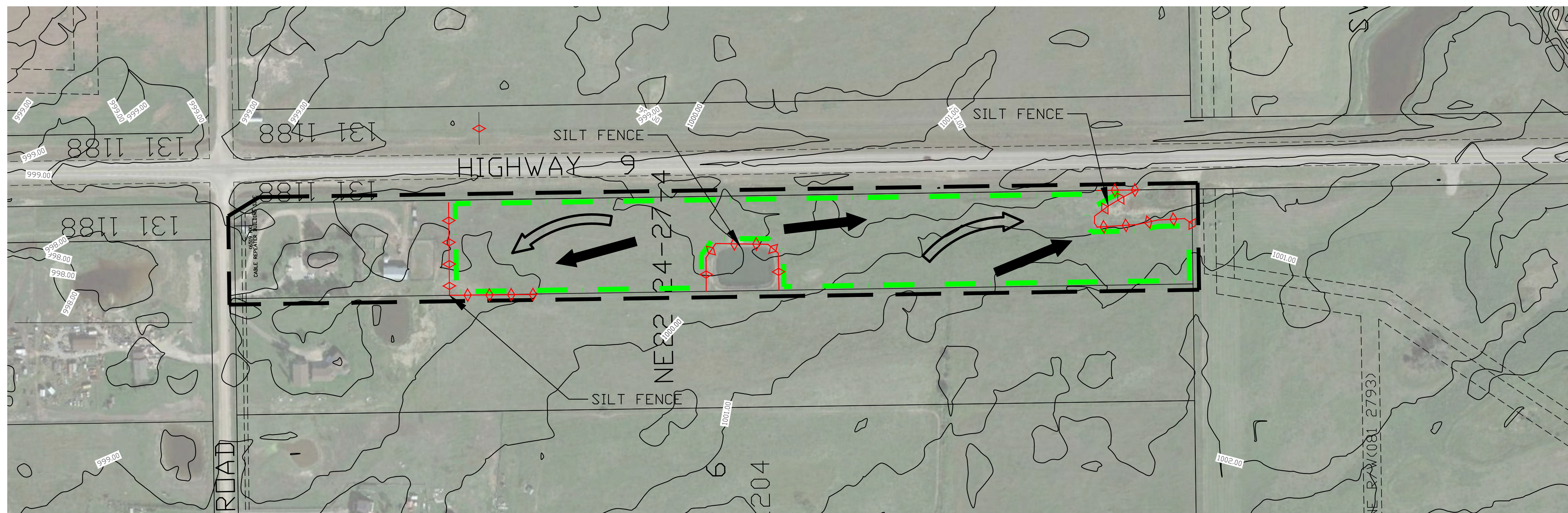


*Discreet segments of silt fence, installed with J-hooks or 'smiles' will be much more effective.*




Source: Salix Applied Earthcare - Erosion Draw 5.0  
© 2001 JOHN McCULLAH FILE: sf-perimeter\_control.dgn

DETAIL 'A'  
J-HOOK  
NOT TO SCALE

[illegible]

7				G		
6				F		
5				E		
4				D		
3				C		
2	2020-06-03	MK	REVISION AS PER COUNTY COMMENTS	B		
1	2020-03-10	MK	DRAINAGE REVIEW ANALYSIS	A		
No.	DATE	APPR.	DESCRIPTION	No.	DATE	DESCRIPTION
REVISONS				ISSUES		

CLIENT  
TESSEMAKER  
NE-22-24-27-4  
HWY 9

PROJECT	 <b>IBI GROUP</b> 3rd Floor – 227 11 Avenue SW Calgary AB T2R 1R9 Canada tel 403 270 5600 fax 403 270 5610 <a href="http://ibigroup.com">ibigroup.com</a>	
		PROJECT NO: 33946
		DRAWN BY: MK
		CHK'D BY: MSW
		SCALE: 1:2000
DATE: JUNE 20, 2020		

SHEET TITLE

# DRAINAGE REVIEW ANALYSIS

## C1.0

SHEET 1 OF 1







## PLANNING AND DEVELOPMENT SERVICES

**TO:** Municipal Planning Commission  
**DIVISION:** 4  
**SUBJECT:** Development Item – *Cannabis Retail Store*  
**USE:** Listed DC Discretionary use, with Variances

**DATE:** September 24, 2020  
**APPLICATION:** PRDP20202318

**APPLICATION:** *Cannabis Retail Store*  
 (existing building), tenancy and signage

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

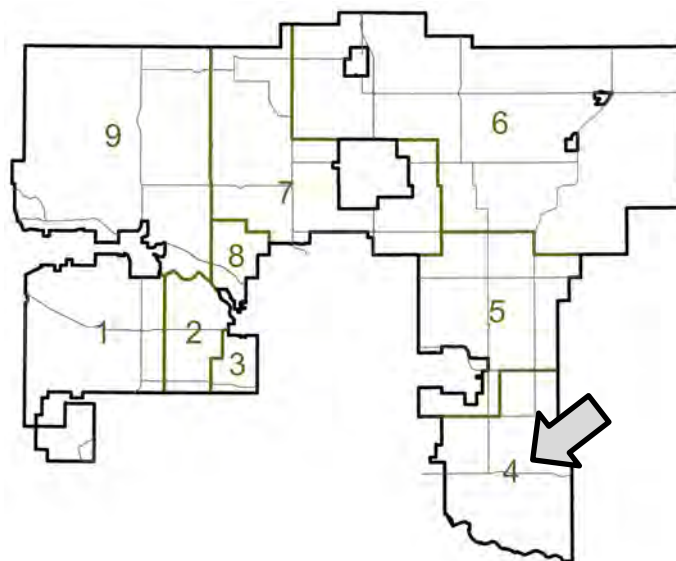
**LAND USE DESIGNATION:** Direct Control Bylaw (DC-2) and under Land Use Bylaw C-4841-97.

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

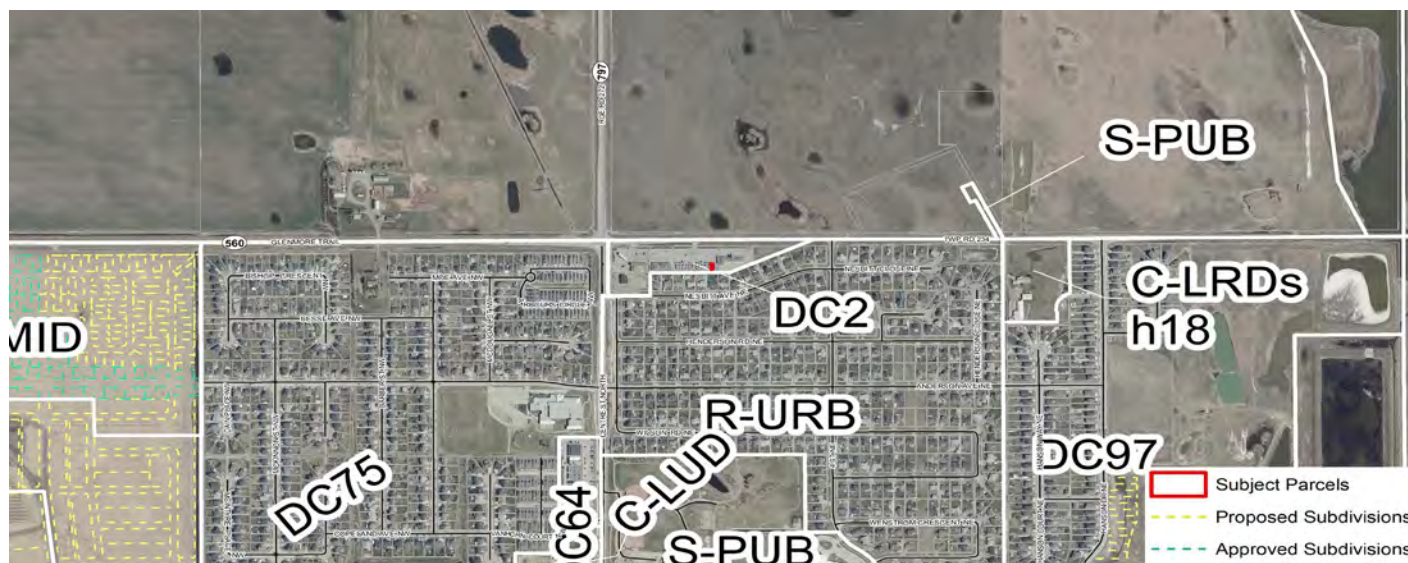
### OPTIONS:

Option #1: THAT Development Permit Application PRDP20202318 be approved with the conditions noted in the report.

Option #2: THAT Development Permit Application PRDP20202318 be refused as per the reasons noted.



### AIR PHOTO & DEVELOPMENT CONTEXT:



### Administration Resources

Xin Deng, Planning and Development Services

## DEVELOPMENT PERMIT REPORT

<b>Application Date:</b> August 12, 2020	<b>File:</b> 03223798
<b>Application:</b> PRDP20202318	<b>Applicant/Owner:</b> Jaspal Lall / Jaswinder Lall
<b>Legal Description:</b> Lot Unit 15, Plan 0711729, NW-23-23-27-W04M	<b>General Location:</b> Located in the hamlet of Langdon
<b>Land Use Designation:</b> Direct Control District (DC-2)	<b>Gross Area:</b> ± 0.008 hectares (± 0.02 acres)
<b>File Manager:</b> Xin Deng	<b>Division:</b> 4

### PROPOSAL:

The proposal is for the Retail Stores [Cannabis] (existing building), tenancy and signage.

- The subject land is one of the bays within a strip shopping mall in the Hamlet of Langdon. The mall is accessed through an existing access off Township Road 234.
- The current business is an Electronic Communication Store; The Applicant proposes to change the retail use to selling of Cannabis.
- The address is Unit 5 – 724 Centre Street.

### Business Information:

Name:	Highway 560 Cannabis Inc.
Description:	To sell and store cannabis that is approved by Alberta Gaming, Liquor and Cannabis (AGLC), as AGLC IS their only legal supplier
Unit space:	The store contains a show room (to exhibit cannabis products), vault (to store inventory), storage room (to store cannabis products), coffee room and washroom
Hours of Operation:	This business will operate Monday to Sunday, 10:00 a.m. to 9:00 p.m.
Employees:	There will be 6 full-time employees and 4 part-time employees
Parking on site:	3 parking lots are assigned in front of the store; overflow parking will go to the common parking area for the mall.
Outside Storage:	No outside storage is proposed at this time
Signage:	The applicant proposes a new façade sign to replace the existing sign on the top of the store.

### DIRECT CONTROL BYLAW DC-2 (C-4873-98)

*Section 3 That the Development Officer shall be responsible for the issuance of Development Permit(s) for the lands subject to this Bylaw.*

- Municipal Planning Commission will act as Development Authority to review and approve this application, in accordance with the current Administrative Directive.



*Section 4.3 List of Discretionary Uses*

*4.3.11 Cannabis Retail Store*

- The Applicant applied, under Redesignation application (PL20190150), to amend DC-2 in order to include *Cannabis Retail Store* as a listed use. That application was approved by Council on July 21, 2020. *Cannabis Retail Store* is a listed discretionary use within the DC.

*Section 4.4 General Land Use Regulations*

*4.4.1 Parts One, Two, and Three of Land Use Bylaw C-4841-97, as amended, are applicable unless otherwise stated in this Bylaw.*

- Therefore, this proposal is evaluated in accordance with the old Land Use Bylaw (C-4841-97).

**LAND USE BYLAW (C-4841-97)**

*Section 8 Definitions*

*CANNABIS RETAIL STORE means a building or a portion thereof that is licensed by the Province of Alberta for the sale of cannabis and cannabis accessories for consumption off the premises;*

*Section 12.2 Uses, Discretionary Applications*

*The Development Authority, in making a decision on a Development Permit application for: (ii) May approve the application, with or without conditions, if the proposed development does not conform with the Bylaw, if:*

*(1) The proposed development would not:*

- (A) Unduly interfere with the amenities of the neighbourhood, or*
- (B) Materially interfere with or affect the use, enjoyment, or value of neighbouring parcels of land*

*Section 20.10 Cannabis Retail Stores*

*(c) Cannabis Retail Stores must have a minimum separation distance of:*

*i. At least 300 m from another Cannabis Retail Store;*

*ii. At least 150 m from a Health Care Site or School Site.*

*iii. At least 100.0 m from a parcel that is designated as a school reserve on title*

- It should be noted that there is a dental clinic and a day home located within the 150 m (492.13 ft.) distance from the proposed store. This issue was brought up when the proposed redesignation application (PL20190150) was presented at the Council meeting. Council understood that the proposed cannabis retail store does not meet the distance requirement; however, the chance to interfere with the operation of dental clinic and day home is minimum. The redesignation application (PL20190150) was approved by Council on July 21, 2020.
- Given the approval of redesignation application and Section 12.2 above, Development Authority may approve the proposed cannabis retail store, even though it does not meet the setback requirement.



### Section 53 Signage Regulations

- The Applicant provided the required information: The sign is 0.61 m (2.00 ft.) x 2.44 m (8.00 ft.) in size, which is the standard size of other businesses in the mall. It reads "HIGHWAY 560 CANNABIS" with a logo on the left. The sign is in white background with "HIGHWAY 560" in red, "CANNABIS" in black and logo in green. The sign is made of plexiglass and will be mounted on the top of the store without illumination.

#### Additional Information:

#### Development Requirements:

- 2009-DP-13849: Development Permit for "retail store, (existing building) tenancy and signage for an electronic communications business" was issued on February 3, 2010.
- 2008-DP-13386: Development Permit for "eating establishments, (existing building), tenancy and signage for a take-out pizza restaurant" was issued on December 24, 2008.

#### Building Tenancies:

- 2010-BP-22924: Building Permit for "Alternation and improvement for the retail store" was issued on March 3, 2010.

### STATUTORY PLANS:

The land falls within the Langdon Area Structure Plan. There are no specific guidelines regarding the proposed business. Therefore, the proposal was evaluated in accordance with the Land Use Bylaw and Direct Control Bylaw (DC-2).

### INSPECTOR'S COMMENTS:

- The store is currently operating as Electronic Communication Store.
- No renovation or changes are made.

### CIRCULATIONS:

#### Alberta Transportation

- No responses were received during the report preparation.

#### Fire Services & Emergency Management, Rocky View County

- No responses were received during the report preparation.

#### Building Services, Rocky View County

- No concerns with change of use, subject to BP. Professional involvement review is required if the interior of the space is being changed.

#### Planning and Development Services – Development Compliance, Rocky View County

- No comments or concerns.

**OPTIONS:**

Option 1: (this would allow the development to proceed)

APPROVAL, subject to the following conditions:

**Description:**

1. That a *Cannabis Retail Store* (existing building), tenancy and signage for “HIGHWAY 560 CANNABIS” may operate on Unit 5 – 724 Centre Street, in general accordance with the submitted Site Plan, application and includes:
  - i. Installation of one (1) storefront, mounted or hanging, facade sign; 0.61 m (2.00 ft.) x 2.44 m (8.00 ft.) in size.
2. That the minimum separation distance for the Cannabis Retail Store from a Health Care Site is relaxed from **150.00 m (492.12 ft.) to 40.00 m (131.23 ft.)** and from a School Site from **150.00 m (492.12 ft.) to 85.00 m (278.71 ft.)**.

**Permanent:**

3. That no Cannabis shall not be consumed in the *Cannabis Retail Store*.
4. That the hours of operation for the *Cannabis Retail Store* shall be between 10:00 a.m. and 9:00 p.m. seven days a week, except on December 25th when the *Cannabis Retail Store* shall be closed.
5. That the development shall be operated in perpetuity in accordance with the On-site Stormwater Management Plan approved for this site.
6. That the sign shall be kept in a safe, clean and tidy condition at all times. The signs shall not be flashing or animated at any time.
7. That no storage at any time shall be allowed in the front of the property.
8. That all business parking shall be limited to the existing shopping plaza parking stalls.
9. That the entire site shall be maintained in a neat and orderly manner at all times, to the satisfaction of the Development Officer.
10. That any waste containers, garbage or recycling shall be completely screened from view from all adjacent properties and public thoroughfares.
11. That any plan, technical submission, agreement, matter or understanding submitted and approved as part of the application, in response to a prior to issuance or occupancy condition, shall be implemented and adhered to in perpetuity.

**Advisory:**

12. That any future change in use of the building, including any exterior changes or additions, or change in tenants shall require a Development Permit for the use and signage.
13. That any other government permits, approvals, or compliances are the sole responsibility of the Applicant/Owner.
  - i. That the Applicant/Owner shall obtain any required Alberta Health Services approvals prior to the store opening.
  - ii. That the Applicant/Owner shall obtain any required licensing approvals through Alberta Gaming, Liquor and Cannabis (AGLC), if required, and shall operate in accordance with the provisions of that license.





14. That a Building Permit shall be obtained through Building Services, prior to tenant occupancy and/or interior bay renovations, using the Tenant Bay Development or Renovation Checklist.
15. That if the development authorized by this Development Permit is not commenced with reasonable diligence within twelve (12) months from the date of issue, and completed within twenty-four (24) months of the issue, the permit is deemed to be null and void, unless an extension to this permit shall first have been granted by the Development Officer.
16. That this Development Permit shall be valid until **October 21, 2023**.

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 neighborhood and materially interferes with and affects the use, enjoyment, and value of neighboring parcels of land.

DC

TWP RD 234

DC2

NESBITT AVE NE

LANGDON

HENDERSON RD NE





ROCKY VIEW COUNTY  
Cultivating Communities

20202318

# APPLICATION FOR A DEVELOPMENT PERMIT

FOR OFFICE <b>Page 8 of 15</b>	
Fee Submitted \$830.00	File Number D3228798
Date of Receipt Aug 12, 2020	Receipt # 2020028042

Name of Applicant JASPAL S. LALL Email [REDACTED]

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

Registered Owner (if not applicant) JASWINDER K. LALL

## 1. LEGAL DESCRIPTION OF LAND

- a) All / part of the N.W ¼ Section 23 Township 23 Range 27 West of 4 Meridian
- b) Being all / parts of Lot \_\_\_\_\_ Block \_\_\_\_\_ Registered Plan Number \_\_\_\_\_
- c) Municipal Address #5-724 CENTRE ST LANGDON AB. T0J 1X1
- d) Existing Land Use Designation \_\_\_\_\_ Parcel Size \_\_\_\_\_ Division \_\_\_\_\_

## 2. APPLICATION FOR

CANNABIS RETAIL STORE

## 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 JASPAL S. LALL 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 2021/09/11

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

Date 2020/08/11

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.

Jaswinder Lall

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

Jaswinder Lall  
Signature

2020/08/11  
Date

Jaspal Lall



August 11, 2020

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

To whom it may concern,

Having been a business owner in the community of Langdon for 10 years, I have had the privilege of getting know the community and its people very well. I am passionate about the safe retail sale of recreational cannabis in the Langdon area. Located directly off Glenmore Trail (HWY 560, TWP 234), my commercial property is in a busy, prime retail complex, alongside many successful businesses.

The primary benefit of a cannabis dispensary is to help decrease and discourage the sale of illegal cannabis due to negative community impacts, including potentially harmful substances such as laced cannabis, and sale of cannabis to minors. Furthermore, divert profits out of the black market, and into the tax-contributing economy. This allows for tax-payer resources to be adequately funded and prioritized. In effort to achieve the above, it is crucial that the County of Rocky View ensure that surrounding areas of metropolitan cities have the option to purchase regulated, safe, and local cannabis, in their community.

Since its legalization, cannabis revenue has increased significantly. Assets in Canada's cannabis market have increased from \$704 million in 2017, to \$4.2 billion as of April 2019, according to StatsCan. Furthermore, the cannabis space has seen an increase of workers from 1438, in 2017 to 9200 as of August of 2019. This business provides the County of Rocky View with a prime opportunity for economic growth.

Highway 560 Cannabis Inc. will be Langdon's very first retail store for recreational cannabis. We will operate Monday to Sunday, from 10 a.m. to 9 p.m. The business will be staffed by 10 employees. 6 will work full-time and 4 part-time. The store will occupy the existing Unit 5 – 724 Centre St. NE. Minor interior renovations will be required to provide an optimal customer and working experience. The floor plan has been attached to the application.

Should any further information be required, please feel free to contact me at [REDACTED] Thank you for your time in reviewing this development permit for myself, and the community of Langdon.

Warm Regard,

X 

Jaspal Lall  
President & CEO. Highway 560 Cannabis Inc.





## LAND TITLE CERTIFICATE

S  
 LINC                      SHORT LEGAL                      TITLE NUMBER  
 0032 343 832           0711729;15           141 017 530

LEGAL DESCRIPTION  
 CONDOMINIUM PLAN 0711729  
 UNIT 15  
 AND 204 UNDIVIDED ONE TEN THOUSANDTH SHARES IN THE COMMON PROPERTY  
 EXCEPTING THEREOUT ALL MINES AND MINERALS

ESTATE: FEE SIMPLE  
 ATS REFERENCE: 4;27;23;23;NW

MUNICIPALITY: ROCKY VIEW COUNTY

REFERENCE NUMBER: 101 012 731

REGISTERED OWNER(S)				
REGISTRATION	DATE (DMY)	DOCUMENT TYPE	VALUE	CONSIDERATION
141 017 530	20/01/2014	TRANSFER OF LAND	\$150,000	NOMINAL

## OWNERS

JASWINDER K LALL  
 OF [REDACTED]  
 [REDACTED]

## ENCUMBRANCES, LIENS &amp; INTERESTS

REGISTRATION NUMBER	DATE (D/M/Y)	PARTICULARS
3898GD	.	RESTRICTIVE COVENANT
761 005 944	16/01/1976	UTILITY RIGHT OF WAY GRANTEE - CANADIAN WESTERN NATURAL GAS COMPANY LIMITED.
951 254 205	06/11/1995	RESTRICTIVE COVENANT
961 113 790	27/05/1996	RESTRICTIVE COVENANT

( CONTINUED )

ENCUMBRANCES, LIENS & INTERESTS

PAGE 2  
# 141 017 530

REGISTRATION

NUMBER	DATE (D/M/Y)	PARTICULARS
961 192 481	22/08/1996	RESTRICTIVE COVENANT

961 192 482	22/08/1996	CAVEAT RE : DEVELOPMENT AGREEMENT PURSUANT TO MUNICIPAL GOVERNMENT ACT CAVEATOR - THE MUNICIPAL DISTRICT OF ROCKY VIEW NO. 44. 911 - 32ND AVENUE N E CALGARY ALBERTA T2M4L6
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961 192 484	22/08/1996	CAVEAT RE : EASEMENT AND RESTRICTIVE COVENANT
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971 005 117	06/01/1997	CAVEAT RE : EASEMENT AND RESTRICTIVE COVENANT
-------------	------------	--

001 246 731	31/08/2000	UTILITY RIGHT OF WAY GRANTEE - LANGDON WATERWORKS LIMITED.
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071 238 636	16/05/2007	RESTRICTIVE COVENANT
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\* ADDITIONAL REGISTRATIONS MAY BE SHOWN ON THE CONDOMINIUM ADDITIONAL  
PLAN SHEET

TOTAL INSTRUMENTS: 010

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN  
ACCURATE REPRODUCTION OF THE CERTIFICATE OF  
TITLE REPRESENTED HEREIN THIS 12 DAY OF AUGUST,  
2020 AT 04:26 P.M.

ORDER NUMBER: 39904631

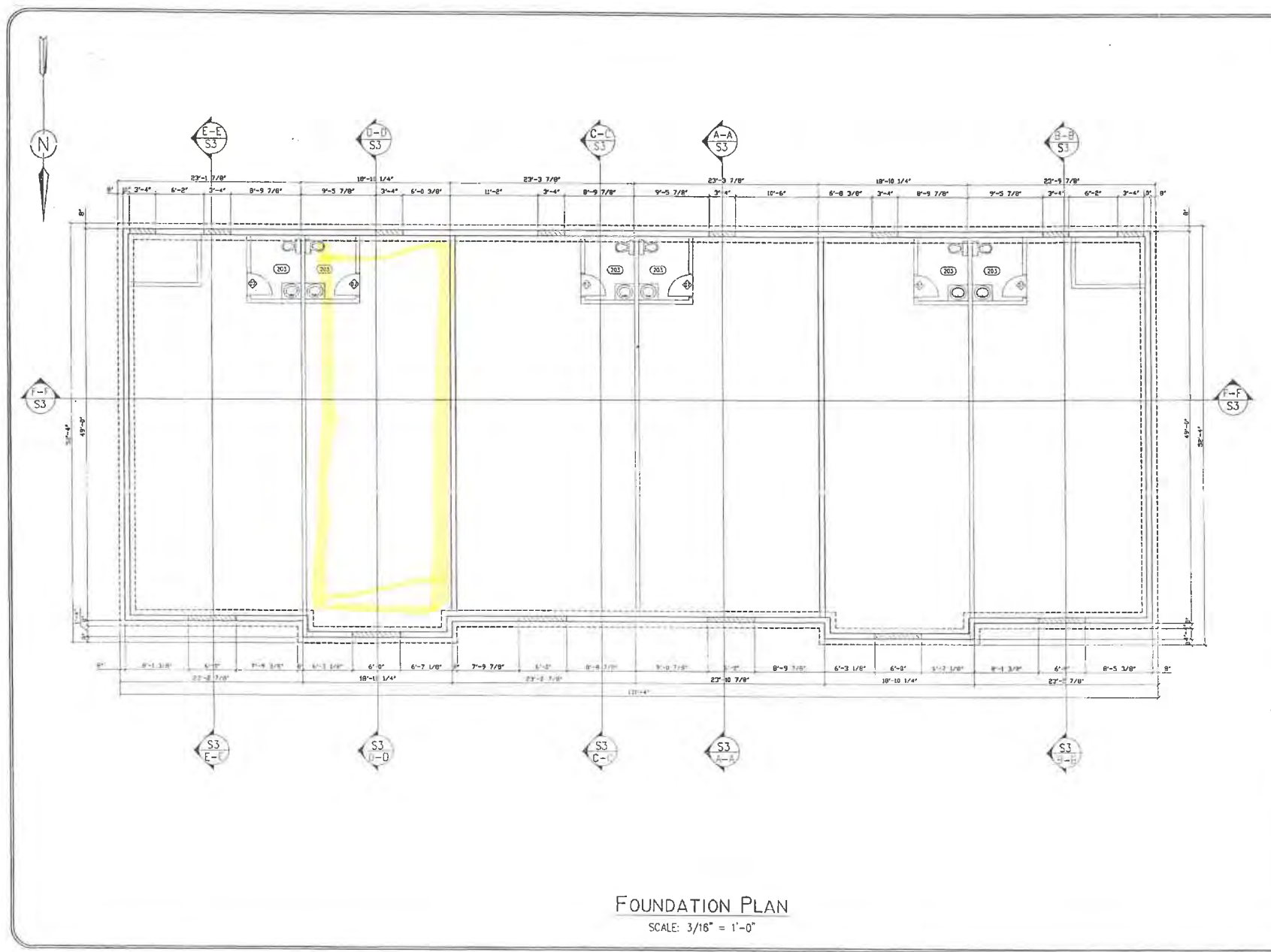
CUSTOMER FILE NUMBER: PRDP20202318



\*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).



**PERMIT TO PRACTICE**  
 RICHARDS CONSULTING AND ASSOCIATES LTD.  
 Signature \_\_\_\_\_  
 Date \_\_\_\_\_  
 PERMIT NUMBER: P 8515  
 The Association of Professional Engineers,  
 Geologists and Geoscientists of Alberta

STAMPS			
1	ISSUED FOR CONSTRUCTION	04-08-21	C.F.
2	FOR REVIEW BY CLIENT	04-08-21	C.F.
3	ISSUED FOR STUDY	04-08-21	C.F.
4	ISSUED FOR DEVELOPMENT PERMIT	04-08-21	C.F.
NO.	REVISION	DATE	BY

**RICHARDS CONSULTING & ASSOCIATES LIMITED**  
 R.R. #3  
 RED DEER, ALBERTA  
 T4N 5E3  
 PHONE: 866-2815 FAX: 866-2733  
 CUSTOMER: PLATINUM INVESTMENTS  
 PROJECT: LANGDON STRIP MALL RETAIL #5  
 LOCATION: LANGDON, ALBERTA

DRAWING TITLE		
FOUNDATION PLAN		
SCALE: 3/16" = 1'-0"		
DESIGNED BY	DATE	
M. RICHARDS	05 07 23	
DRAWN BY	DATE	
M. RICHARDS	05 07 23	
CHECKED BY	DATE	
M. RICHARDS	05 07 23	
JOB NUMBER	PAGE NUMBER	REVISION
24513	S2	4

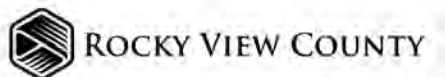


## Storage Space



# HIGHWAY 560 CANNABIS





## PLANNING AND DEVELOPMENT SERVICES

**TO:** Municipal Planning Commission **DATE:** September 24, 2020  
**DIVISION:** 8 **APPLICATION:** PRDP20202027  
**SUBJECT:** Development Item: *Single-lot Regrading and Placement of Clean Fill*  
**USE:** Discretionary use, with no Variances

**APPLICATION:** The proposal is for the single-lot regrading and placement of clean fill, for construction of a berm and two infiltration trench.

**GENERAL LOCATION:** Located approximately 1.21 km (3/4 mile) north of Twp. Rd. 252 and on the east side of Bears paw Village Rd.

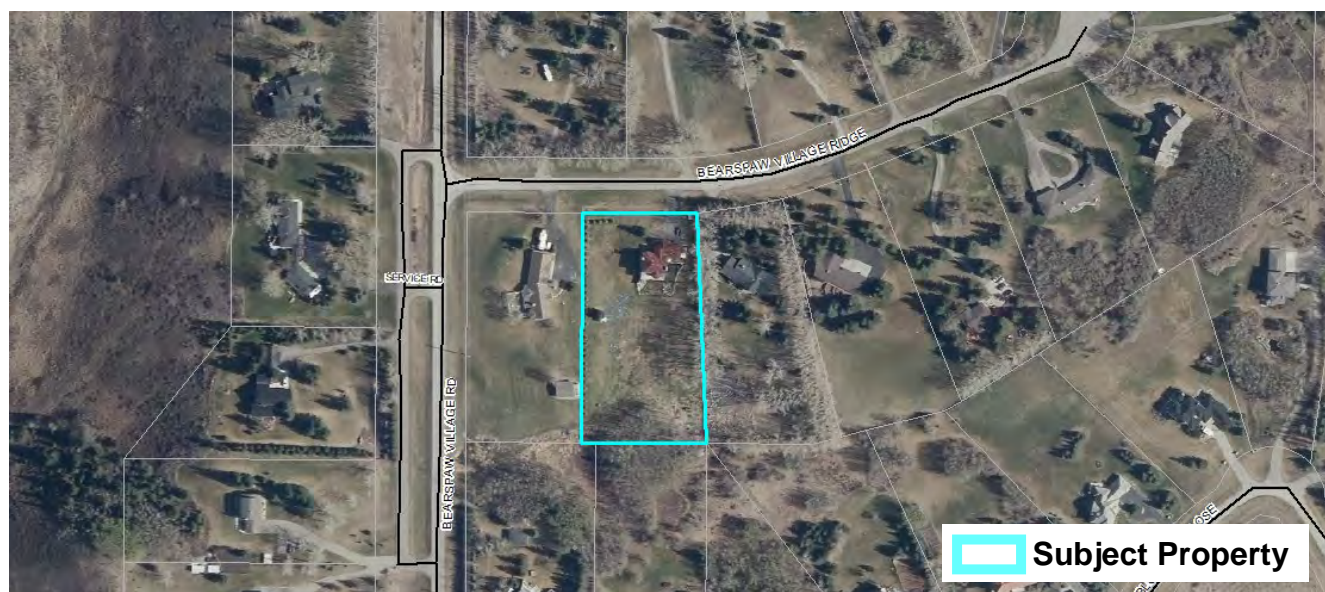
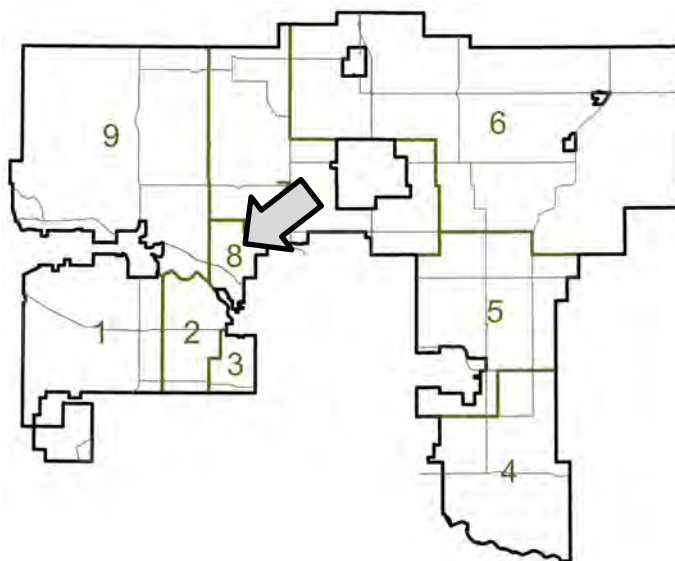
**LAND USE DESIGNATION:** Residential One (R-1) District under Land Use Bylaw C-4841-97.

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

### OPTIONS:

- Option #1: THAT Development Permit Application PRDP20202027 be approved with the conditions noted in the Development Permit Report, attached.
- Option #2: THAT Development Permit Application PRDP20202027 be refused as per the reasons noted.

### AIR PHOTO & DEVELOPMENT CONTEXT:



### Administration Resources

Althea Panaguiton - Planning and Development Services



## DEVELOPMENT PERMIT REPORT

<b>Application Date:</b> July 20, 2020	<b>File:</b> 05618038
<b>Application:</b> PRDP20202027	<b>Applicant/Owner:</b> Ogden, Robert & Laurette
<b>Legal Description:</b> Lot 1, Block 1, Plan 8911460, NW-18-25-02-05	<b>General Location:</b> Located approximately 1.21 km (3/4 mile) north of Twp. Rd. 252 and on the east side of Bearspaw Village Rd.
<b>Land Use Designation:</b> Residential One (R-1) District	<b>Gross Area:</b> 0.84 ha (2.08 acres)
<b>File Manager:</b> Althea Panaguiton	<b>Division:</b> 8

### PROPOSAL:

The proposal is for the single-lot regrading and placement of clean fill, construction of a berm and two infiltration trenches. *Note, this application was assessed in accordance with Land Use Bylaw C-4841-97, as the application was submitted prior to September 8, 2020.*

Application details:

#### Trench # 1:

- Located on the NW side of the subject lands – 8.00 m (26.24 ft.) from the front property line and 8.0 m from the west property line.
- Dimensions:
  - Width: 3.00 m (9.84 ft.)
  - Length: 6.00 m (19.68 ft.)
  - Height: 1.00 m (3.28 ft.)
  - Area: 18.00 sq. m. (193.75 sq. ft.)
  - Volume: 18.00 cu m. of drainage gravel; approximately 1-2 truckloads.
- Applicant states that this trench will hold localized pooling water as it infiltrates the soil beneath. The excavated soil and clay will be used for the berm construction.

#### Trench # 2:

- Located on the SE portion of the subject lands – 3.00 m (9.84 ft.) from the rear property line and 1.0 m from the east property line.
- Dimensions:
  - Width: 10.00 m (32.81 ft.)
  - Length: 30.00 m (98.42 ft.)
  - Height: 0.40 m (1.31 ft.)
  - Area: 300.00 sq. m. (3,229.17 sq. ft.)
  - Volume: 120.00 cu m. of drainage gravel; approximately 11 truckloads.
- Applicant states that this trench will prevent water from pooling on the surface as it infiltrates the soil beneath.



### Berm

- Located on the SW portion of the subject lands –1.00 m (3.28 ft.) away from the Utility Right of Way. ATCO (Canadian Western Natural Gas Company Ltd.) was circulated and stated no concerns on the proposed development.
- Dimensions:
  - Width: 2.00 m (6.56 ft.)
  - Length: 21.00 m (68.89 ft.)
  - Height: 0.80 m (at peak) (2.62 ft.)
  - Area: 42.00 sq. m. (452.08 sq. ft.)
  - Volume: 16.80 cu m. of soil; approximately 1-2 truckloads.
- Proposed berm is intended to keep water away from the subject property from an adjacent land.

### Development History:

- No history of previous issued development permits.

### Building Permits:

- 1990-BP-1819: Single Family Dwelling – Closed
- 2011-BP-24179: Kitchen Renovations – PSR-Not in Compliance No Entry

### Land Use Bylaw (C-4841-97) Requirements:

#### Section 8 Definitions

**Development** means (a) an excavation, stockpile, or the creation of them.

**Filling** means the import and placement of natural uncontaminated earth or aggregate materials (e.g. clay, silt, sand, gravel) on a parcel for the purposes of altering/modifying grades, drainage, or building up a site for a proposed building or development, but does not include the import and placement of dry-waste or land fill waste materials, and does not include the placing of topsoil;

**Topsoil** means the uncontaminated uppermost part of the soil profile (A or Ap horizons) that is ordinarily moved during tillage, containing a balance of clay, silt, and sand, with an organic matter content of at least 3%, a SAR/RC rating of 'good', and PH values in an 'acceptable' range for crop growth;

#### Section 33 Stripping, Grading, & Filling

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

#### Section 48 Residential One District (R-1)

- The district regulations do not apply to the nature of this application.

### **STATUTORY PLANS:**

- Property is located in the Bearspaw Area Structure Plan (ASP) however the ASP does not have direction on the nature of the application.
- At the time of application, Land Use Bylaw C-4841-97 was in effect therefore, the application was assessed in accordance to this Land Use Bylaw as noted.



### **INSPECTOR'S COMMENTS:**

- August 14, 2020
  - Very tidy property, well kept, meticulous
  - No evidence of digging or fill or stock piling of gravel
  - One vehicle, licensed
  - Two small dogs

### **CIRCULATIONS:**

#### Agricultural Services

- No agricultural concerns.

#### Alberta Transportation

- Alberta Transportation has no requirements with respect to this proposal.

Please be advised that the proposed development is outside of Alberta Transportation's development control distance being 300 metres from the highway right of way, and greater than 800 metres from the centre point of a public road intersection with a highway.

#### ATCO Gas

- ATCO Gas has no objection to the proposed development permit.

#### City of Calgary

- No comments received.

#### Alberta Environment and Parks

- No comments received.

#### Planning and Development - Development Compliance Officer Review

- Development Compliance has no comments or concerns with respect to the attached application.

#### Planning and Development - Engineering Services Review

### **General**

Engineering has concerns with the approval of this application for the placement of clean fill with the following comments:

- Engineering has no concerns with the infiltration trenches proposed on the property.
- Engineering has concerns with the location of the proposed SW berm as it is currently located next to a pipeline right of way (Plan 8911461). Construction and disturbance in proximity of an existing gas line will require approval from Canadian Western Natural Gas Company Limited.

### **Geotechnical - Section 300.0 requirements:**

- The applicant indicated that fill depth does not exceed 1.2 m, and therefore Engineering has no requirement at this time. However, as an advisory comment, a Deep Fills report will be required for any areas of fill that is greater than 1.2 m in depth.





**Transportation** - Section 400.0 requirements:

- The subject parcel currently has access from Bearspaw Village Ridge, all conditions are to remain status quo.
- 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 within an existing Residential District and does not result in an increase of traffic generated in relation to the land, as per Bylaw C-8007-2020

**Sanitary/Waste Water** - Section 500.0 requirements:

- No servicing is required.

**Water Supply And Waterworks** - Section 600.0 & 800.0 requirements:

- No servicing is required.

**Storm Water Management** – Section 700.0 requirements:

- Engineering has concerns with the SW berm planned to stop the runoff from adjacent properties. The existing topography provide a natural drainage low spot between adjacent properties including the subject site and changes or modification of the low-lying area will require confirmation that the improvement proposed will not adversely impact the adjacent landowners.
- As a condition to DP issuance, the applicant is required to provide pre- and post-development site drainage drawings and confirmation from a qualified professional that the proposed construction of the SW berm will not have negative offsite impacts to the adjacent landowners with regards to drainage.

**Environmental** – Section 900.0 requirements:

- Engineering has no requirements at this time.

Transportation Services

- No comments received.

Utility Services Review

- No Concerns.

**OPTIONS:**

Option 1: (this would allow the development to proceed)

APPROVAL, subject to the following conditions:

**Description:**

1. That single-lot regrading and the placement of approximately 154.80 cubic metres of clean fill, to include the construction of a berm and trenches, shall be permitted in general accordance with the drawings submitted with the application and the conditions of this permit.

**Prior to Issuance:**

2. That prior to issuance of this permit, the Applicant/Owner shall contact County Road Operations with haul details for materials and equipment needed during construction/site development to confirm if Road Use Agreements will be required for any hauling along the County road system and to confirm the presence of County road ban restrictions.



**ROCKY VIEW COUNTY**

- 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.
3. That prior to issuance of this permit, the Applicant/Owner shall submit a site grading plan, complete with pre and post-development impact assessment due to regrading and filling of the site. The assessment shall be completed by a Professional Engineer, in accordance with the County Servicing Standards.

**Permanent:**

4. 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.
5. That upon completion of the proposed development, for any areas that exceed 1.20 m (3.93 ft.) in depth, the Applicant/Owner shall provide a deep fill report, in accordance with the requirements of the County Servicing Standards, summarizing compaction testing results.
6. 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.
7. That until vegetation is established in the fill area, the Applicant shall implement good housekeeping practices and typical Erosion and Sediment Control measures to ensure dust and sediment are controlled onsite and do not become a nuisance to adjacent properties.
8. That the berm shall include a minimum of six inches of topsoil placed on top, which shall be spread and seeded to native vegetation or landscaped, to the satisfaction of the County.
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 any County roads during hauling, shall be the responsibility and cost of the Applicant/Owner for clean-up.
10. That no topsoil shall be removed from the site.
11. That the Applicant/Owners shall ensure no organic material is buried and capped in a manner that will cause methane gas related issues.
12. That the fill shall not contain large concrete, rebar, asphalt, building materials, organic materials, or other metal.
13. That the Applicant/Owner 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.
14. That the Applicant/Owners shall be responsible for rectifying any adverse effect on adjacent lands from drainage alteration.
15. That if there are changes requested to the approved Development Permit, all work in the proposed developed area shall cease until an approved or revised Development approval is in place.



**Advisory:**

16. That any other government permits, approvals, or compliances are the sole responsibility of the Applicant/Owner.
  - i. That the Applicant/Owner shall contact ATCO Gas ([southlandadmin@atcogas.com](mailto:southlandadmin@atcogas.com)) to obtain consent prior to work commencing, as there is a pipeline right of way on the subject property.
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 maintained in accordance with the *Alberta Weed Control Act*.
19. That if the development authorized by this Development Permit is not completed within twelve (12) months of the date of issuance, the permit is deemed to be null and void.
20. That if this Development Permit is not issued by **March 31, 2021** or the approved extension date, then this approval is null and void and the Development Permit shall not be issued.

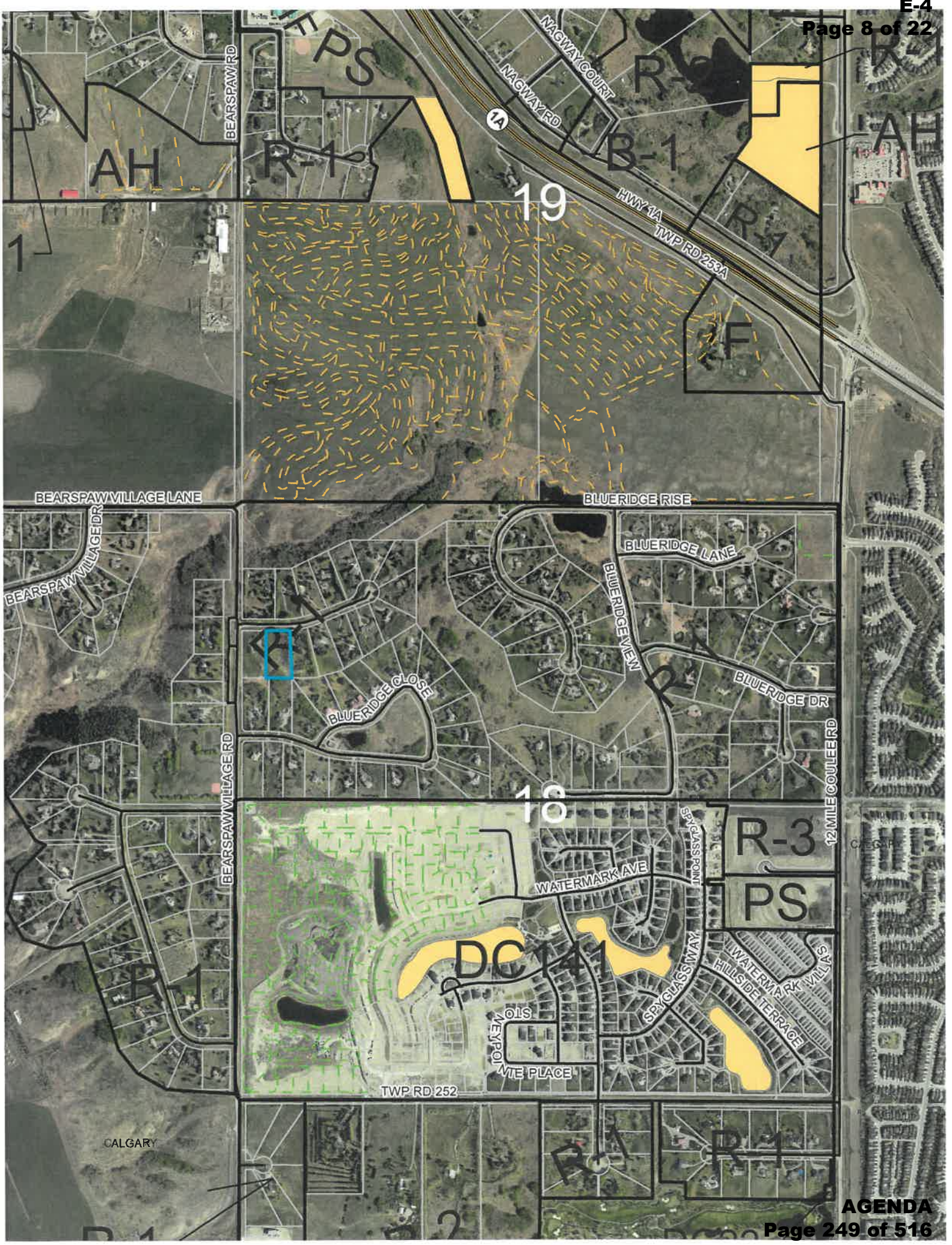
***Note: That the Applicant/Owner shall be responsible for all Alberta Environment & Park approvals and permits and/or compensation if any wetland is impacted, including any impacts due to the stormwater management of the parcel, by the proposed earthworks prior to commencement.***

Option #2\_(this would not allow the development to commence)

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.







SERVICE RD

BEARSPAW VILLAGE RD

BLUERIDGE CLOSE





ROCKY VIEW COUNTY  
Cultivating Communities

20202027

# APPLICATION FOR A DEVELOPMENT PERMIT

FOR OFFICE USE ONLY	
Fee Submitted 465.00	File Number 05618038
Date of Receipt 07/20/2020	Receipt #

Name of Applicant Rob and Laurie Ogden

Email [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 NW  $\frac{1}{4}$  Section 18 Township 25 Range 02 West of 05 Meridian
- b) Being all / parts of Lot 1 Block 1 Registered Plan Number 891 1460
- c) Municipal Address 514 Bears paw Village Ridge
- d) Existing Land Use Designation Residential Parcel Size 2.08 acres Division \_\_\_\_\_

## 2. APPLICATION FOR

Excavation and Berm additions

## 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 ROB AND LAURIE OGDEN 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 \_\_\_\_\_

Owner's Signature [Signature]

Date July 20/20


**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.

  
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, Rob & Laurie Ogden, 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

July 20/20  
Date

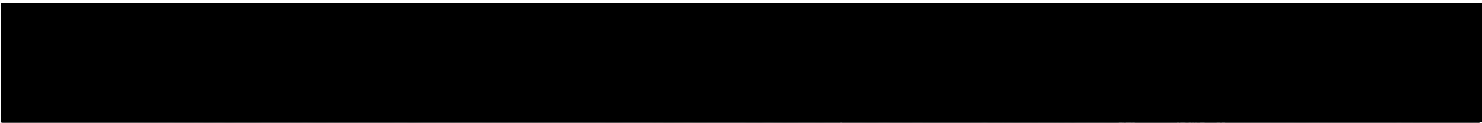


**ROCKY VIEW COUNTY**  
Cultivating Communities

## STRIPPING, FILLING, EXCAVATION AND GRADING

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

Name of Applicant Rob and Laurie Ogden



### 1. NATURE OF THE APPLICATION

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

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

### 2. PURPOSE

What is the intent of the proposal? SW Berm - to prevent adjacent swamp from over flowing onto our property.

SE Trench - to allow pooling water to infiltrate

NW Trench - to allow pooling water to infiltrate

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

as above

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

### 3. TYPE

Height <u>per attached drawing</u>	Volume _____ meters cubed
Width _____	Truckload _____ (approximately)
Length _____	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:

- 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.
- Where on-site works are proposed the County may, by condition, require the provision of a Construction Management Plan and/or Stormwater Management Plan.
- The Development Authority may impose any condition to meet a requirement of the Municipal Government Act or Subdivision and Development Regulation.
- 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

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I ROB AND LAURIE OGDEN 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.

Rob and Laurie Ogden  
514 Bearspaw Village Ridge  
Rocky View County  
T3L 2P1

RE: Application for Development Permit

Dear Rocky View Country Planning Department,

Please refer to attached application for a development permit to allow us to build a berm and two infiltration trenches in order to control the flooding in our yard.

We have attached copies of the application and print out of the site plan displaying the locations of the berm and infiltration trenches.

We can be reached at [REDACTED] for any clarifications or additional information required.

Regards

Rob and Laurie Ogden

**Althea Panaguiton**

---

**From:** Rob Ogden [REDACTED]  
**Sent:** July 29, 2020 4:19 PM  
**To:** Althea Panaguiton  
**Subject:** [EXTERNAL] - Re: PRDP20202027 - Development Application 514 Bearspaw Village Ridge  
**Attachments:** Rob Ogden.pdf

Do not open links or attachments unless sender and content are known.

Hi Althea,

Thanks very much for reviewing our DP application.

Attached please find Detail 1 for the NW Trench. This will essentially be a dry well filled with 18 cubic meters of drainage gravel which is one or two truckloads. The drainage gravel will hold localized pooling water as it infiltrates the soil beneath. The excavated soil/clay will be used in the SW berm construction.

Attached Detail 2 is for the SE Fill area. We plan to fill a low area with 0.4 meters of drainage gravel to prevent water from pooling on the surface as it infiltrates the soil beneath. This would be 120 cubic meters or approximately 8 truckloads.

The SW berm is shown in details 3 and 4. We are aware of the URW and plan to maintain one meter clearance. The berm will be 21m long, 2m wide at the base, and 0.8m at its deepest point. The berm is intended to keep water from a swamp on an adjoining property from overflowing onto our property. 16 cubic meters of soil will be brought in which is one or two truckloads.

Also attached is an updated site plan showing all setbacks from property lines.

I think we have provided all info requested below but please advise if something is missing or if you require further info or clarification.

Thanks,  
Rob Ogden  
[REDACTED]

On Mon, Jul 27, 2020 at 2:54 PM <[APanaguiton@rockyview.ca](mailto:APanaguiton@rockyview.ca)> wrote:

Good afternoon Rob and Laurie,

I've been assigned your application for the construction of a berm and 2 trenches at [514 Bearspaw Village Ridge](#) – please see the receipt of application for your records.

After completing an initial review of the application, I noted the following items that are still outstanding:



## LAND TITLE CERTIFICATE

S

LINC

SHORT LEGAL

TITLE NUMBER

0011 584 530

8911460;1;1

181 007 806

## LEGAL DESCRIPTION

PLAN 8911460

BLOCK 1

LOT 1

EXCEPTING THEREOUT ALL MINES AND MINERALS

AREA: 0.843 HECTARES (2.08 ACRES) MORE OR LESS

ESTATE: FEE SIMPLE

ATS REFERENCE: 5;2;25;18;NW

MUNICIPALITY: ROCKY VIEW COUNTY

REFERENCE NUMBER: 991 163 372

REGISTERED OWNER(S)				
REGISTRATION	DATE (DMY)	DOCUMENT TYPE	VALUE	CONSIDERATION
181 007 806	11/01/2018	TRANSFER OF LAND	\$1,060,000	CASH & MORTGAGE

## OWNERS

ROBERT OGDEN

AND

LAURETTE OGDEN

BOTH OF:

AS JOINT TENANTS

## ENCUMBRANCES, LIENS &amp; INTERESTS

## REGISTRATION

NUMBER	DATE (D/M/Y)	PARTICULARS
791 091 550	12/06/1979	UTILITY RIGHT OF WAY GRANTEE - CANADIAN WESTERN NATURAL GAS COMPANY LIMITED.

( CONTINUED )



## ENCUMBRANCES, LIENS &amp; INTERESTS

Page 17 of 22

PAGE 2

# 181 007 806

## REGISTRATION

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

891 211 167	16/10/1989	RESTRICTIVE COVENANT
-------------	------------	----------------------

891 211 169	16/10/1989	UTILITY RIGHT OF WAY GRANTEE - TWELVE MILE COULEE WATER CO-OP LTD. GRANTEE - THE MUNICIPAL DISTRICT OF ROCKY VIEW NO. 44. AS TO PORTION OR PLAN:8911461
-------------	------------	---

901 286 782	20/11/1990	CAVEAT RE : AMENDING AGREEMENT CAVEATOR - TOM KELTER CAVEATOR - ROBERT W HOLINSKI CAVEATOR - DARLENE G HOLINSKI CAVEATOR - DONNA HAGUE CAVEATOR - BIAGIO OLIVERIO CAVEATOR - JOSEPHINE OLIVERIO CAVEATOR - ACADIA DEVELOPMENTS LTD. CAVEATOR - HOMES BY WALLACE LTD. CAVEATOR - NICK A TADDEO CAVEATOR - SHARON TADDEO CAVEATOR - 366432 ALBERTA LTD. CAVEATOR - JOHN JAGER CAVEATOR - RON BUCHHOLZ CAVEATOR - KIMBERLY LEWIS BUCHHOLZ CAVEATOR - GARY R LAVINSKAS CAVEATOR - JOLANTA LAVINSKAS CAVEATOR - DONALD KENNETH BRUCE FENWICK CAVEATOR - SHEILA GRACE FENWICK CAVEATOR - EDIGER CONSTRUCTION INC. ALL OF : C/O COOK, DUKE, COX 1700 CASCADE TOWER 645-7 AVE SW CALGARY ALBERTA AGENT - PATRICIA L DAUNAIS
-------------	------------	--

181 007 807	11/01/2018	MORTGAGE MORTGAGEE - BANK OF MONTREAL. 865 HARRINGTON COURT BURLINGTON ONTARIO L7N3P3 ORIGINAL PRINCIPAL AMOUNT: \$738,500
-------------	------------	---

TOTAL INSTRUMENTS: 005

( CONTINUED )

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN  
ACCURATE REPRODUCTION OF THE CERTIFICATE OF  
TITLE REPRESENTED HEREIN THIS 20 DAY OF JULY,  
2020 AT 01:56 P.M.

ORDER NUMBER: 39746919

CUSTOMER FILE NUMBER:

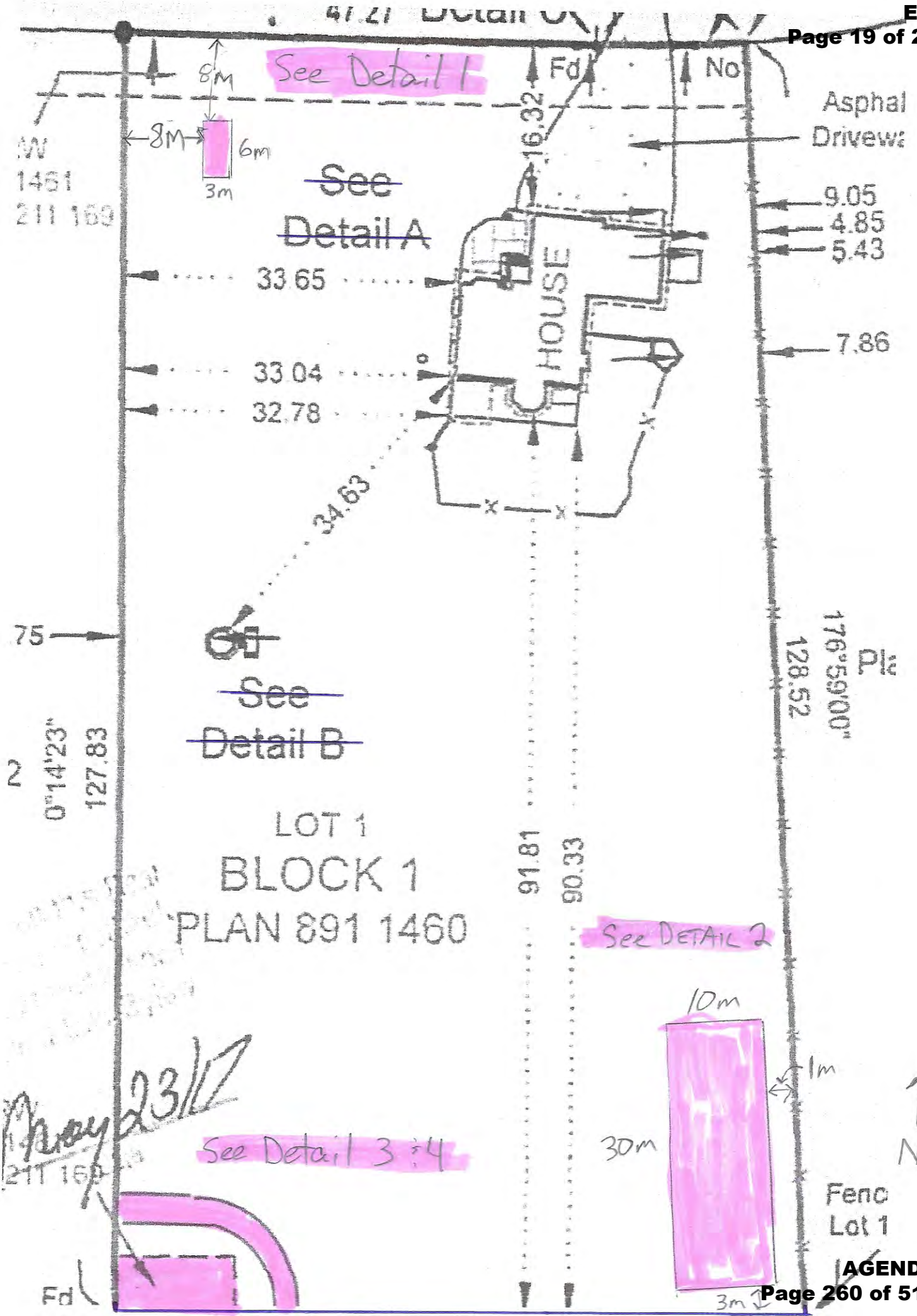


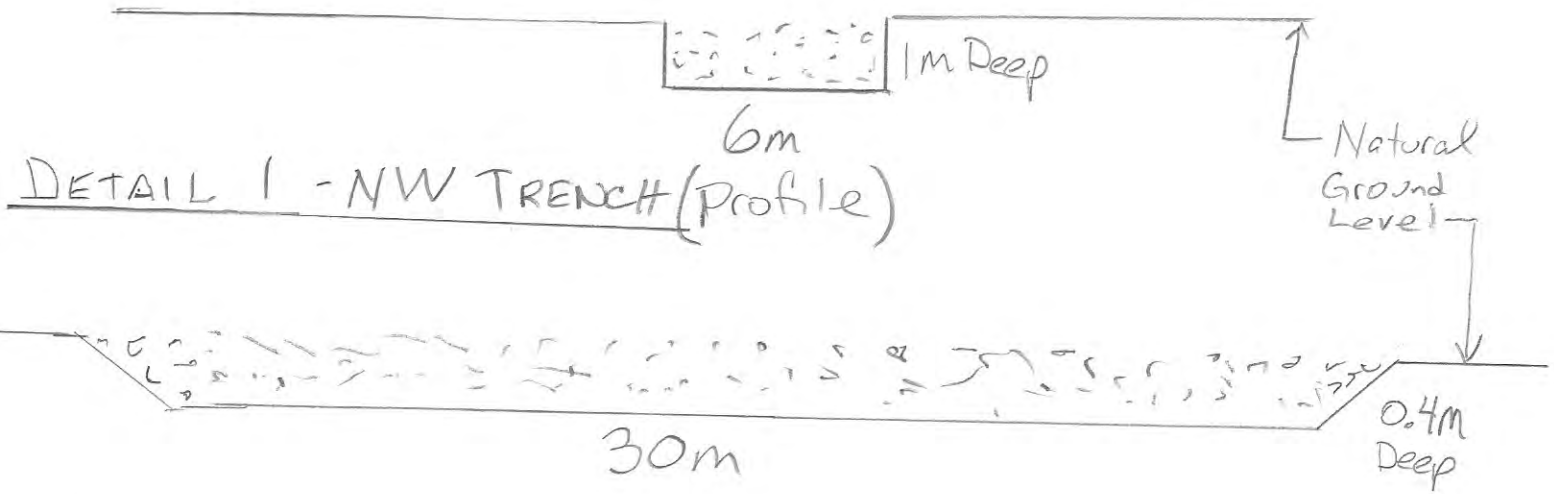
\*END OF CERTIFICATE\*

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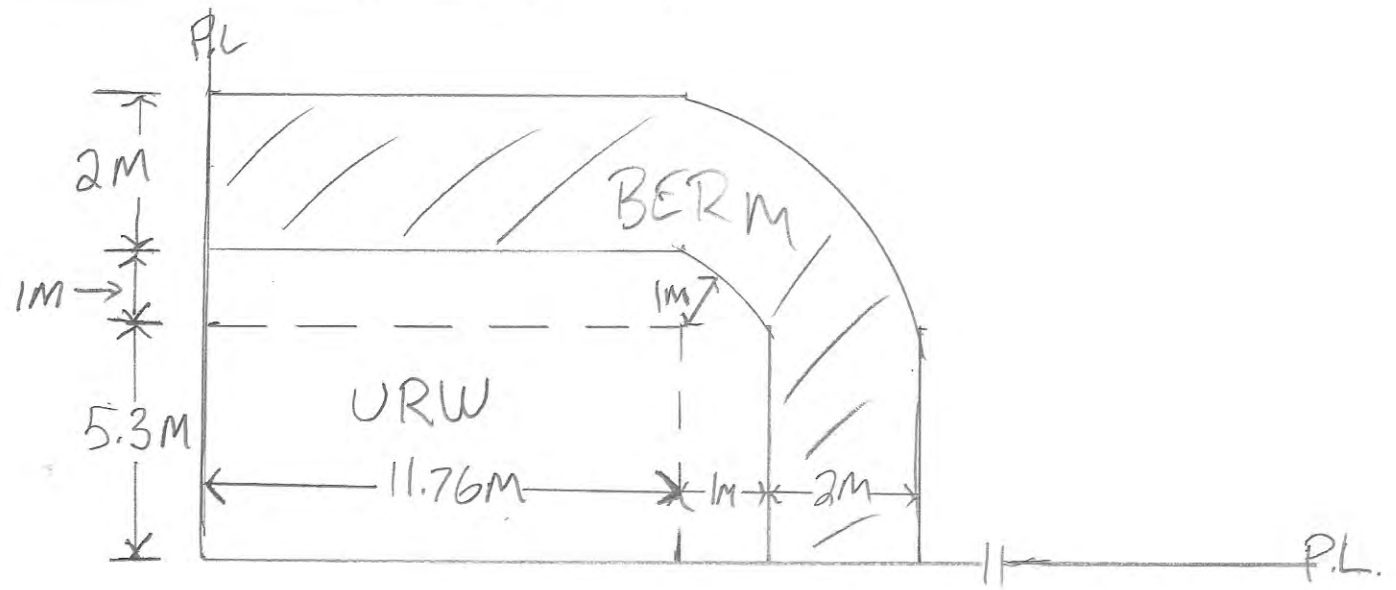
THIS ELECTRONICALLY TRANSMITTED LAND TITLES PRODUCT IS INTENDED  
FOR THE SOLE USE OF THE ORIGINAL PURCHASER, AND NONE OTHER,  
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PART OF THE ORIGINAL PURCHASER APPLYING PROFESSIONAL, CONSULTING  
OR TECHNICAL EXPERTISE FOR THE BENEFIT OF CLIENT(S).



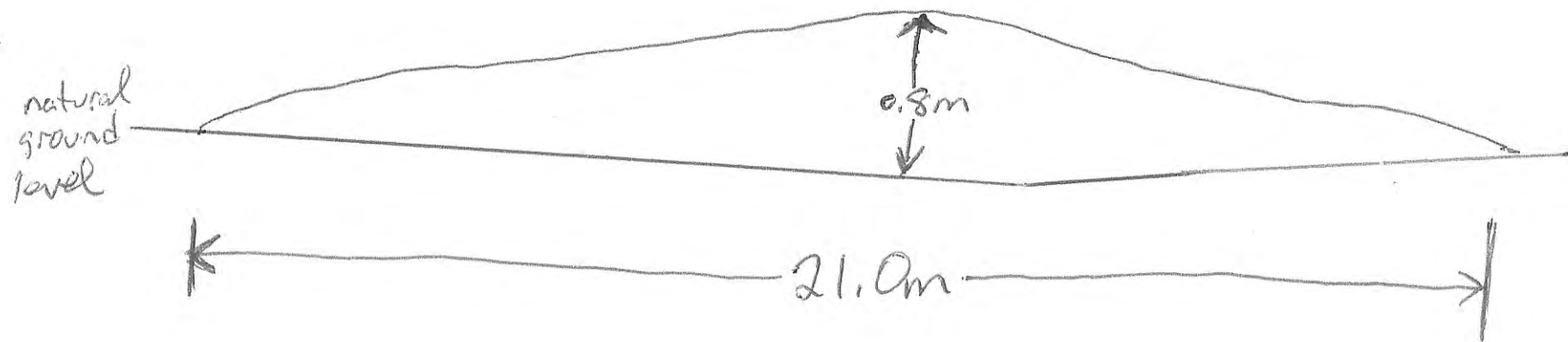


DETAIL 2 - SE FILL (Profile)

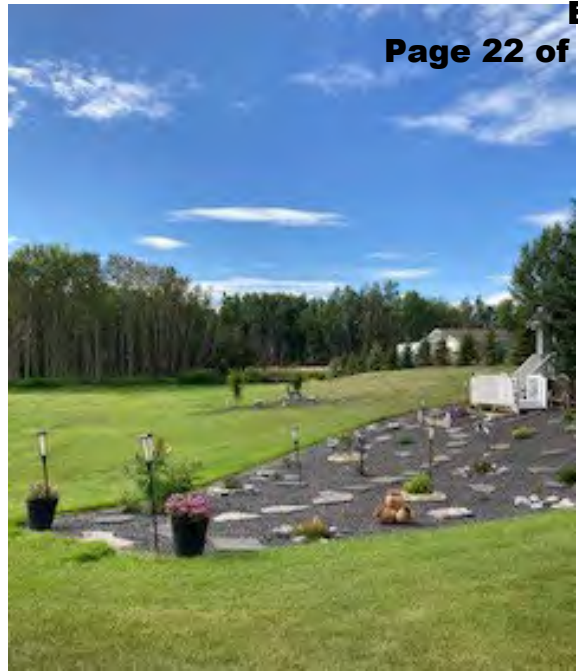


DETAIL 3 - SW BERM (Plan)





DETAIL 4 - SW BERM Profile





## PLANNING AND DEVELOPMENT SERVICES

**TO:** Municipal Planning Commission  
**DIVISION:** 1  
**SUBJECT:** Development Item: Single-lot Regrading  
**Use:** Discretionary use, with no Variances

**DATE:** September 24, 2020  
**APPLICATION:** PRDP20202140

**APPLICATION:** Single-lot regrading, for the installation of a Stormceptor System.

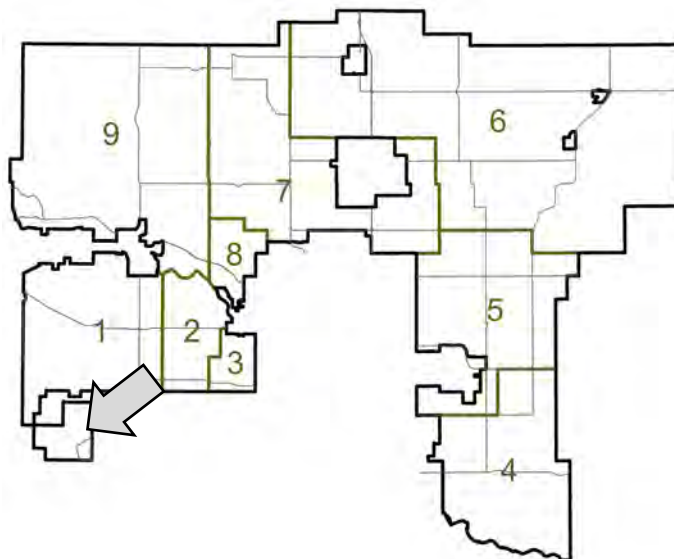
**GENERAL LOCATION:** Located in the hamlet of Bragg Creek.

**LAND USE DESIGNATION:** Hamlet Commercial District (HC) under Land Use Bylaw C-4841-97.

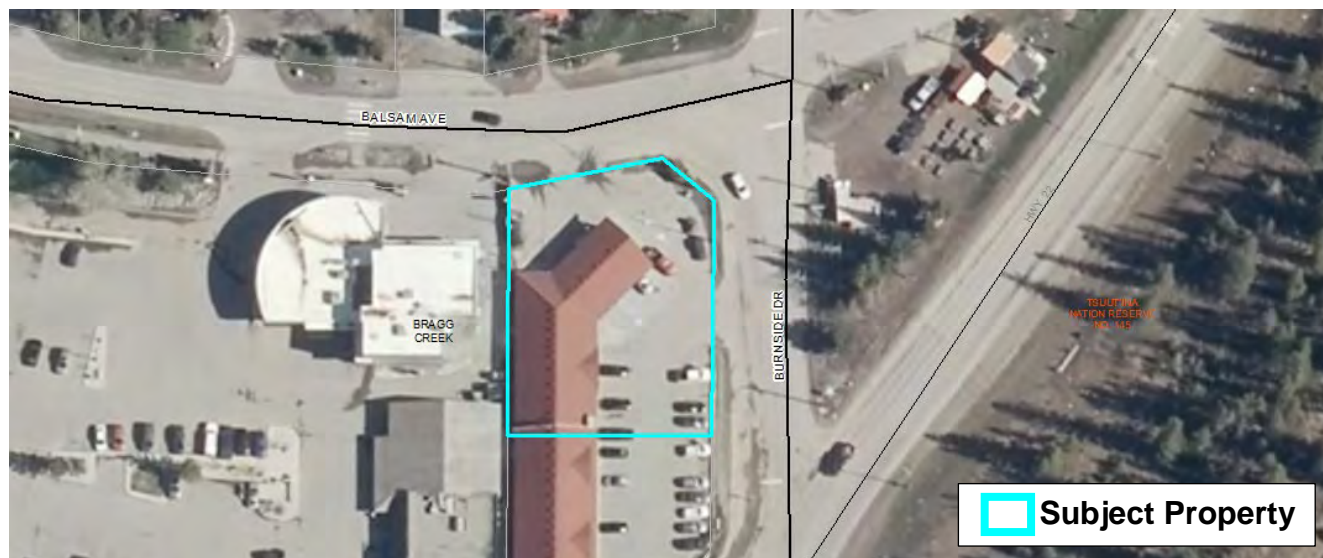
**ADMINISTRATION RECOMMENDATION:** Administration recommends approval in accordance with Option #1.

### OPTIONS:

- Option #1: THAT Development Permit Application PRDP20202140 be approved with the suggested conditions noted in the report.
- Option #2: THAT Development Permit Application PRDP20202140 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> July 27, 2020	<b>File:</b> 03913173
<b>Application:</b> PRDP20202140	<b>Applicant/Owner:</b> B.Dean & Associates Inc / Bragg Creek Trading Post Ltd.
<b>Legal Description:</b> Lot 1A (N. Ptn), Plan 1459 FR within SE-13-23-05-W05M	<b>General Location:</b> Located in the hamlet of Bragg Creek.
<b>Land Use Designation:</b> Hamlet Commercial District (HC)	<b>Gross Area:</b> ± 0.15 hectares (± 0.38 acres)
<b>File Manager:</b> Christina Lombardo	<b>Division:</b> 1

### PROPOSAL:

The proposal is for Single-lot regrading, for the installation of a Stormceptor System: *Note: This application was assessed in accordance with Land Use Bylaw C-4841-97 as this application was received prior to September 8, 2020.*

- The Applicant proposes to strip and grade a portion of the subject land, approximately ± 0.004 hectares (± 0.01 acres) in size. This area is to accommodate a Dry Well, a Manhole/Catchbasin with an Emergency Shut Off Valve, and a Stormceptor;
- The entire parcel is located within the Flood Fringe as identified by Alberta Environment and Parks. This application was circulated to them for comment; and they did not reply with any comments.
- Approximately 15.0 cubic meters of material will be excavated from the area and stockpiled on site for approximately 5 days. A portion of fill will be utilized as backfill around the new installations and the remaining will be tested and disposed of in an appropriate landfill. No outsource fill would be required. The excavation and fill will require approximately 1-2 truckloads.

### Land Use Bylaw Requirements:

The application has been evaluated in accordance with Section 33 Stripping, Filling, Excavation, and Grading of the Land Use Bylaw.

*Section 33.2 A Development Permit application for site stripping, filling, excavation, grading, and/or re-contouring (including construction of artificial water bodies and dugouts) shall include the following information:*

- a) location and area of the site on which the development is proposed;*
- b) existing land use and vegetation;*
- c) type of excavation, stripping, or grading proposed, showing the dimensions of the operation or the area of the land and depth to which the topsoil is to be removed, and the effect on existing drainage patterns;*
- d) location on the lot where the excavation, stripping, or grading is to be made on the lot; and*
- e) condition in which the excavation, stripping, or grading is to be left when the operation is complete (including submission of Site Grading or Re-contouring Plans if required by the Development Authority), or the use of the area from which the topsoil is removed.*





The Applicant provided drawings and studies that meet the above requirements and facilitate evaluation. The drawings show existing conditions, current and proposed grading plans, and locations of the wells and stormceptor.

### **STATUTORY PLANS:**

The subject land falls within the Greater Bragg Creek ASP, under the section relating to Rivers, Streams and Riparian Areas, Section 5.1.3 quotes within the hamlet, Land Use Bylaw regulations shall regulate development within the riparian buffer by requiring development permits for all developments within the riparian buffer, and by regulating site design, coverage and grading, as well as tree removal, landscaping, land use, setbacks, and flood proofing, so as to promote the protection and enhancement of the riparian buffer's natural qualities. Land Use Bylaw regulations, which apply to the riparian buffer within the hamlet, may take the form of new land use district(s). This development is to install a stormwater system where there previously has not been a system in place. This application will increase stormwater capacity within the parcel and area.

### **INSPECTOR'S COMMENTS:**

Aug 18, 2020

- No construction at the time of inspection
- No other concerns

### **CIRCULATIONS:**

#### Alberta Transportation (August 19, 2020):

In reviewing the application, the proposed development falls within the control distance of a provincial highway as outlined in the Highways Development and Protection Act / Regulation. The proposed development, however, 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 Bragg Creek Trading Post Ltd. For the development listed above.

If you have any questions about the exemption or conditions, please contact the undersigned Development and Planning Technologist.

#### Development Compliance (August 6, 2020):

No concerns.

#### Planning and Development Services - Engineering Review, Rocky View County (August 8, 2020):

##### **General:**

- The review of this file is based upon the application submitted. Should the submission material be altered or revised at subsequent development stages these conditions/recommendations may be subject to change to ensure best practices and procedure.

##### **Geotechnical:**

- Engineering has no requirements at this time.

##### **Transportation Services:**

- Engineering has no requirements at this time.
- The subject land is accessible via a paved road approach off Burnside Drive.



## ROCKY VIEW COUNTY

- The applicant/owner will not be required to pay the transportation offsite levy, as per the applicable TOL bylaw at time of issuance.

### Sanitary/Waste Water:

- Engineering has no requirements at this time.

### Water Supply and Waterworks:

- Engineering has no requirements at this time.

### Stormwater Management:

- Engineering has no requirements at this time.
- The applicant/owner submitted a stamped engineering drawing set of the proposed development conducted by Dean Associates Inc. dated August 7, 2020.
- A stormwater report is not required at this time since development permit is for an already existing development and the proposed development will be improving existing drainage conditions on the subject land.

### Environmental:

- As an advisory condition, it is the responsibility of the applicant/owner to obtain all AEP approvals and registrations (including approvals under the Water Act) required for the proposed development.

### Fire Services & Emergency Management (August 28, 2020)

If there are any alterations to the tanks or the pumping equipment, then the Safety Codes Council needs to be notified.

### Safety Codes Council (September 1, 2020)

I do not see any requirement for an alteration permit based on the description of work, drawings, and notes.

Please reach out if the circumstances change based on design or if the site presents unforeseen challenges and we can revisit.

### Utility Services (August 6, 2020):

No concerns

### OPTIONS:

Option #1 (this would allow the development to proceed)

APPROVAL, subject to the following conditions:

### Description:

1. That the proposed Single-lot regrading, for the installation of a Stormceptor System (approximately 0.004 hectares [0.01 acres]), with approximately 15.00 cubic meters of excavation and fill, may commence on the sites in general accordance with the approved application drawings (Project C21562, signed August 2020) and information submitted with the application.

### Permanent:

2. 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.



3. That the Applicant/Owner shall take effective measures to control dust in the stripping and grading areas of the subject properties, so that dust originating therein shall not cause annoyance or become a nuisance to adjoining property owners and others in the vicinity.
4. That any fill 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.
5. That approximately 15.00 cubic meters of topsoil shall be kept and maintained onsite. All excess topsoil shall be removed from the site(s).
6. That with the removal of topsoil, the Applicant shall take whatever means necessary to avoid the transfer of dirt onto public roadways.
  - i. That if at any time the removal or handling of the topsoil creates a visible dust problem, the removal or handling of the topsoil shall cease immediately until remedial measures are taken.
7. That the Applicant/Owner shall be responsible for rectifying any adverse effect on adjacent lands from drainage alteration.
8. That 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.
9. That the entire site shall be maintained in a neat and orderly manner at all times to the satisfaction of the Development Officer.
10. That any plan, technical submission, agreement, matter or understanding submitted and approved as part of the application, shall be implemented by the Applicant/Owner and adhered to in perpetuity.

**Advisory:**

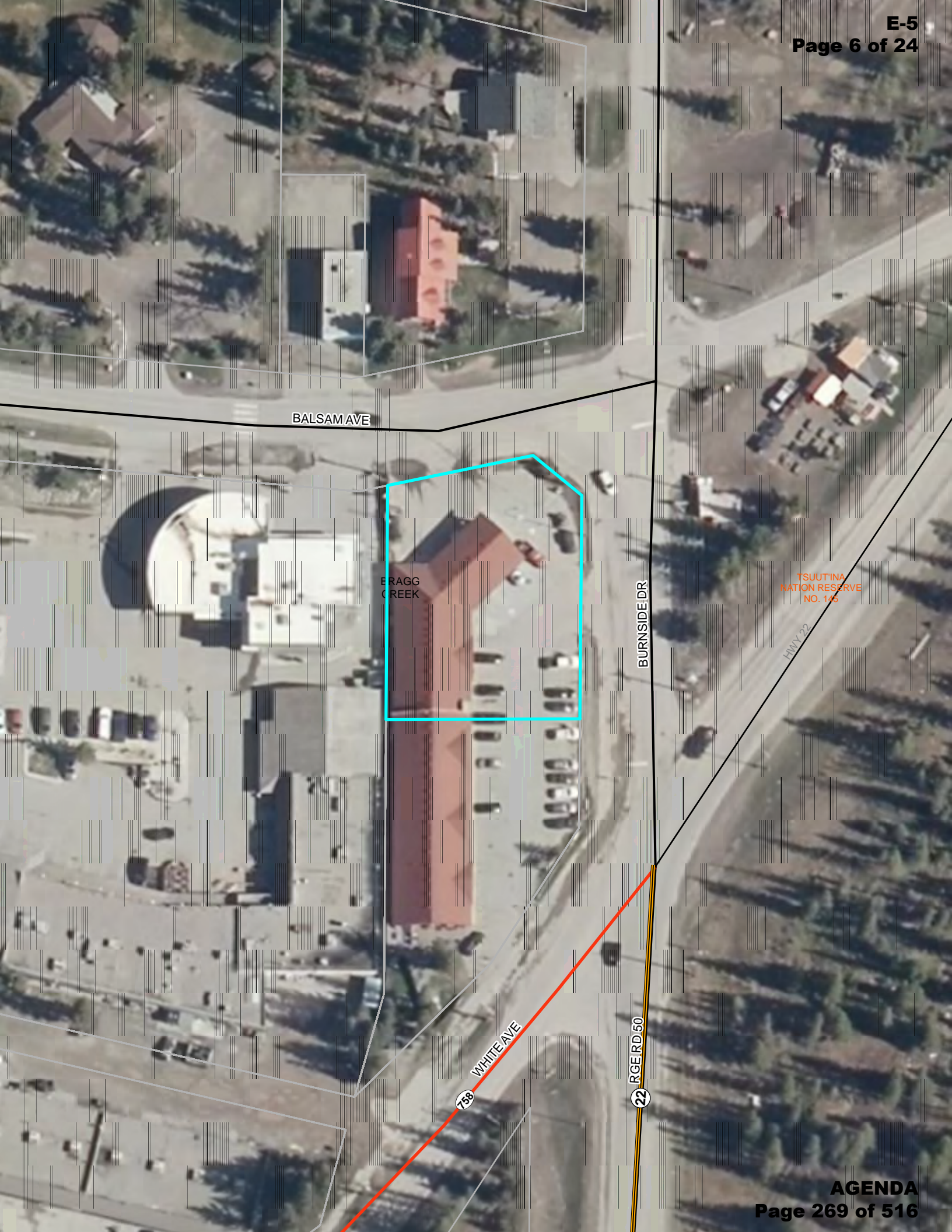
11. That the site shall adhere to the approved Weed Management Plan and shall remain free of restricted and noxious weeds and be maintained in accordance with the Alberta Weed Control Act [*Statutes of Alberta, 2008 Chapter W-5.1; Current as of December 15, 2017*].
12. That any other government permits, approvals, or compliances are the sole responsibility of the Applicant/Owner.
13. That the hauling of fill and site grading shall be completed within 12 months from the date of issuance of this permit.

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

Option #2 (this would not allow the development 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.



BALSAM AVE

BRAGG CREEK

BURNSIDE DR

TSUUT'INA  
NATION RESERVE  
NO. 145

HWY 22

WHITE AVE  
158

22 RGE RD 50





TSUUT'INA  
NATION RESERVE  
NO. 145





ROCKY VIEW COUNTY  
Cultivating Communities

20202140

# APPLICATION FOR A DEVELOPMENT PERMIT

FOR OFFICE USE ONLY	
Fee Submitted 450.00	File Number 08913173
Date of Receipt 07/27/2020	Receipt #

Name of Applicant B. DEAN & ASSOCIATES INC. Email Sylvie.Cauchon@shell.com  
Grahame@deanltd.com

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

Registered Owner (if not applicant) BRAGG CREEK TRADING POST LTD

## 1. LEGAL DESCRIPTION OF LAND

- a) All / part of the SE ¼ Section 13 Township 23 Range 5 West of 5 Meridian
- b) Being all / parts of Lot 14 Block 1 Registered Plan Number 1459 FR
- c) Municipal Address 17 BURNSIDE RD, BRAGG CREEK, AB T0L 0K0
- d) Existing Land Use Designation \_\_\_\_\_ Parcel Size \_\_\_\_\_ Division \_\_\_\_\_

## 2. APPLICATION FOR

INSTALLATION OF STORMCEPTOR SYSTEM

## 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 BARBARA TEGHTMEYER 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 \_\_\_\_\_

Owner's Signature B. Teghtmeyer  
Date July 27, 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, BARBARA TEGTMEYER, 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

July 27/20  
Date



August 04, 2020

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

To: Whom it may Concern

Email: [CLombardo@rockyview.ca](mailto:CLombardo@rockyview.ca); [SThompson@rockyview.ca](mailto:SThompson@rockyview.ca)

We would like to make application for the addition of a Stormceptor System at the Shell located in Bragg Creek. The Scope of Work for the Stormceptor installation project at Bragg Creek Shell is:

- All excavation areas to be line located before excavation.
- Supply/Install Asphalt speed bumps on the Northwest end of Apron about 3m, and then also on the Southeast side of the regular tank starting about halfway down the tank and heading to the east. Both Speed bumps to be approx. 2" H x 12" W.
- Supply/Install Stormceptor c/w emergency shut off (winter will be shutoff) in Northeast corner of the lot by the Tire Inflator approx. 3m deep and 1.5m in width based off the calculations when approved. Approx. 1.5m from both property lines.
- Stormceptor will then drain to the Infiltration well with a slope of 2.5% with a 150 mm pipe.
- Supply/Install Infiltration basin in the North entrance on the North side of the Asphalt speed bump. Approx. 3m deep and 1m in width to allow for proper infiltration into the ground. Approx. 1.5m off the property line.
- Excavated material (15m<sup>3</sup>) to be stockpiled on site for approximately 5 days. Some will be used as backfill around the new installation. Remaining to be tested and disposed of in appropriate landfill.
- Patch all Asphalt where piping installed to match existing grades.

The completed application form and appropriate drawings have been provided along with the \$450.00 payment required.

Best Regards,



Grahame Booth, Project Manager

201, 1289 Highfield Crescent SE., Calgary, Alberta T2G 5M2

Phone (403) 256-9791 Fax (403) 254-8649





LAND TITLE CERTIFICATE

S		
LINC	SHORT LEGAL	TITLE NUMBER
0026 947 978	1459FR;;1A	971 007 785

LEGAL DESCRIPTION

PLAN 1459FR  
 THAT PORTION OF LOT 1A WHICH LIES NORTH  
 OF A STRAIGHT LINE DRAWN FROM A POINT ON  
 THE WEST BOUNDARY OF SAID LOT, 42.06 METRES  
 SOUTHERLY THEREON FROM THE NORTHWEST CORNER  
 THEREOF TO A POINT ON THE EAST BOUNDARY OF SAID  
 LOT, 19.07 METRES NORTHERLY THEREON FROM THE  
 SOUTHEAST CORNER THEREOF  
 CONTAINING 0.154 HECTARES (0.38 ACRES) MORE OR LESS  
 EXCEPTING THEREOUT ALL MINES AND MINERALS  
 AND THE RIGHT TO WORK THE SAME

ATS REFERENCE: 5;5;23;13;SE  
 ESTATE: FEE SIMPLE

MUNICIPALITY: ROCKY VIEW COUNTY

REFERENCE NUMBER: 971 007 683  
 961 092 512

REGISTERED OWNER(S)				
REGISTRATION	DATE(DMY)	DOCUMENT TYPE	VALUE	CONSIDERATION
971 007 785	08/01/1997	CONSOLIDATION - PARCELS		

OWNERS

BRAGG CREEK TRADING POST LTD.  
 OF 2200, 411-1 ST SE  
 CALGARY  
 ALBERTA T2G 5E7

( CONTINUED )

## ENCUMBRANCES, LIENS &amp; INTERESTS

PAGE 2

# 971 007 785

## REGISTRATION

NUMBER	DATE (D/M/Y)	PARTICULARS
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1460FR .	20/06/1947	CAVEAT CAVEATOR - DIRECTOR OF TOWN PLANNING.
432HM .	10/02/1958	UTILITY RIGHT OF WAY GRANTEE - FORTISALBERTA INC. 320-17 AVE SW CALGARY ALBERTA T2S2V1 (DATA UPDATED BY: TRANSFER OF UTILITY RIGHT OF WAY 001280739) (DATA UPDATED BY: CHANGE OF NAME 041479920)
971 007 824	08/01/1997	PARTY WALL AGREEMENT
971 166 851	11/06/1997	CAVEAT RE : LEASE CAVEATOR - SHELL CANADA PRODUCTS LIMITED. LEGAL DEPT., BOX 100, STN. 'M', CALGARY ALBERTA T2P2H5 AGENT - GREG A VOGELI
181 157 907	26/07/2018	CAVEAT RE : LEASE INTEREST , ETC. CAVEATOR - SHELL CANADA LIMITED. LAW DEPARTMENT 400 - 4 AVENUE SW P.O. BOX 100, STATION M CALGARY ALBERTA T2P2H5 AGENT - DANIEL MAH

TOTAL INSTRUMENTS: 005

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN  
ACCURATE REPRODUCTION OF THE CERTIFICATE OF  
TITLE REPRESENTED HEREIN THIS 23 DAY OF JULY,  
2020 AT 12:22 P.M.

ORDER NUMBER: 39781572

CUSTOMER FILE NUMBER:



\*END OF CERTIFICATE\*

( CONTINUED )

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- CONTRACTOR TO CHECK/VERIFY ALL DIMENSIONS PRIOR TO COMMENCEMENT OF WORK. ALL DISCREPANCIES TO BE REPORTED TO THE PROJECT DESIGNER.
- DO NOT SCALE DRAWINGS

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Revisions

REV.	DESCRIPTION	DRAWN	APP'D.	DATE
1	CREATED FROM SURVEY	GMB		18 JAN 28

Issue Table

TO	FOR	DATE

CONSULTANT



DRAWING TITLE:

EXISTING  
SITE GRADING PLAN

PROJECT:

**RETAIL FACILITY**  
**BRAGG CREEK TRADING POST**  
BRAGG CREEK, ALBERTA

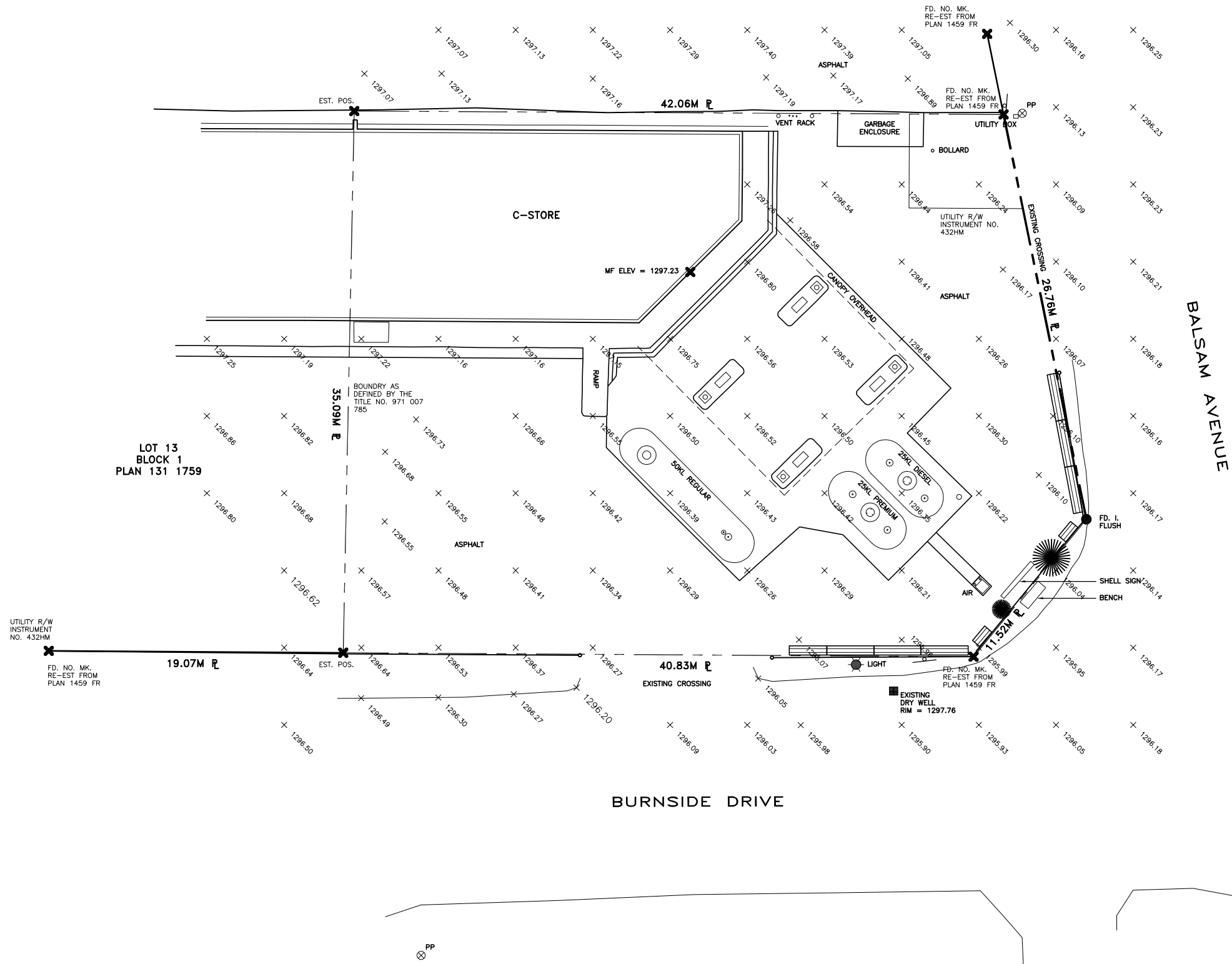
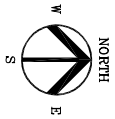
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GMB	SITE_GRADING_SGO
DATE DRAWN:	CAD FILE No.
19 JUN 03	SITE_GRADING_SGO
DRAWING SCALE:	PLOT SCALE
1:150	1:150
CHECKED BY:	PLOT DATE
	19 JUN 03
APPROVED BY:	PLOT PARAMETERS
	D_JET

PROJECT FILE	SHEET No.
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C21562

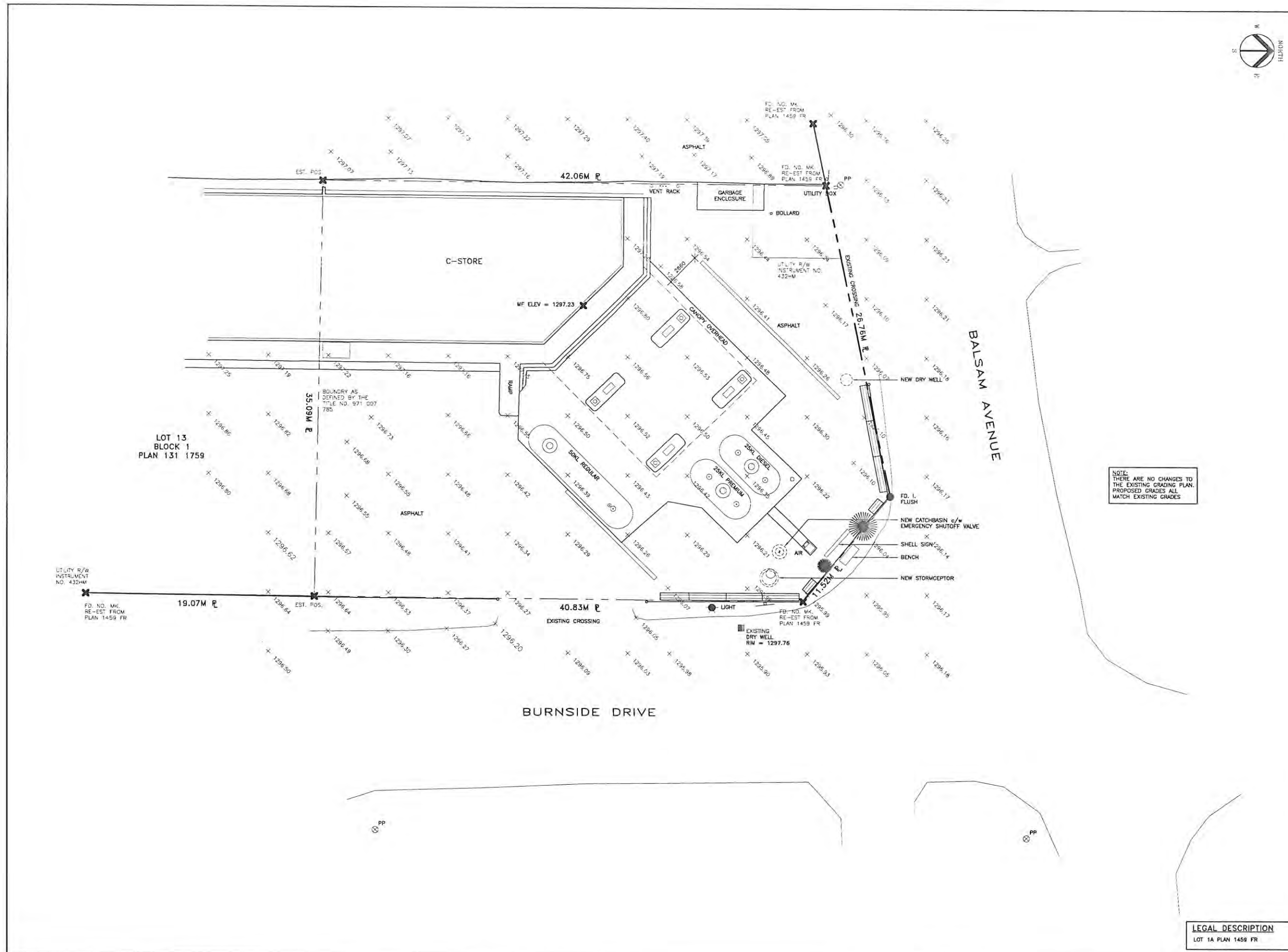
SGO

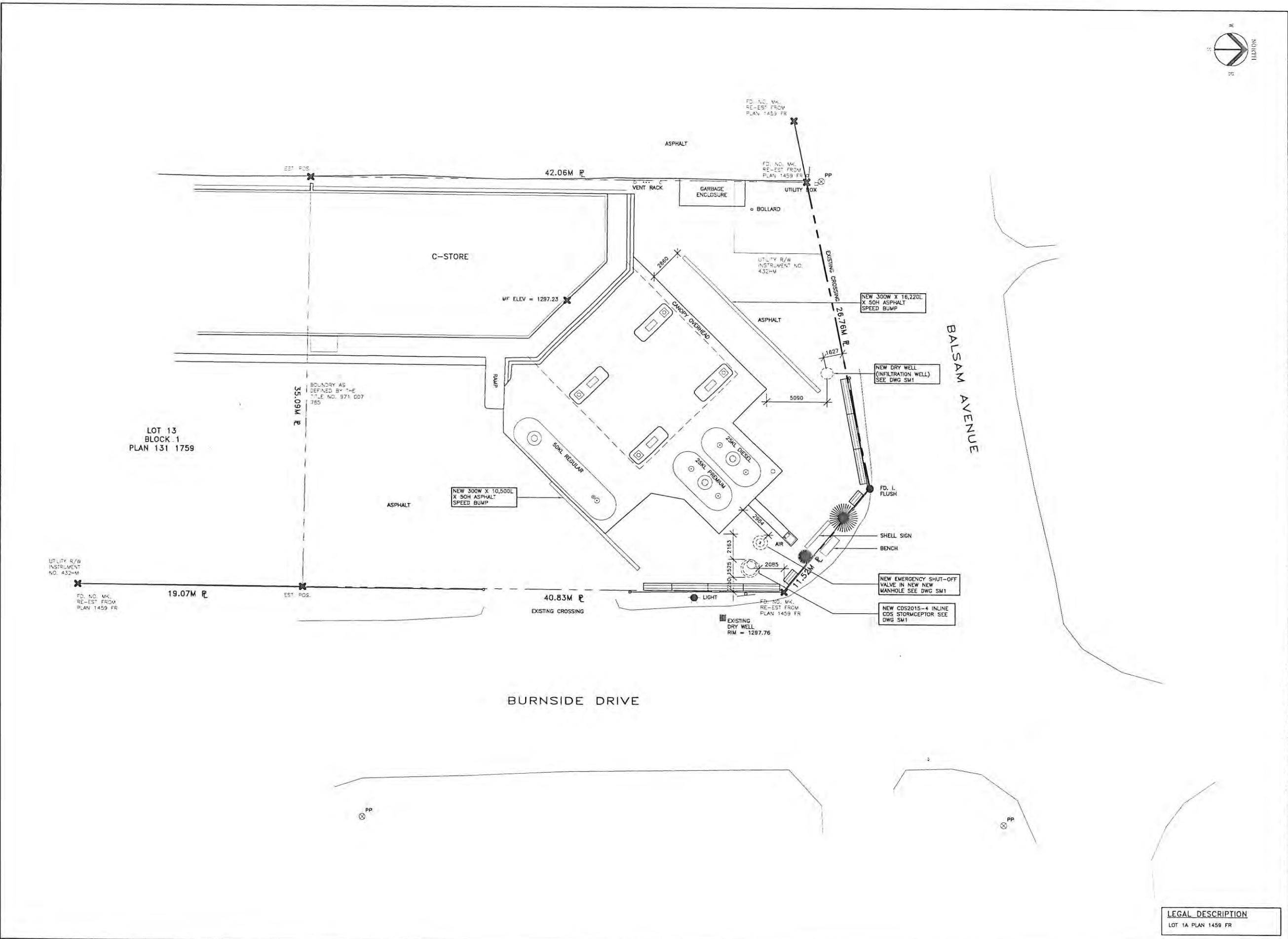
AGENDA



LEGAL DESCRIPTION  
LOT 1A PLAN 1459 FR



[illegible]



**Metric**

- ALL DIMENSIONS ARE IN METRES U.N.D.
- CONTRACTOR TO CHECK/VERIFY ALL DIMENSIONS PRIOR TO COMMENCEMENT OF WORK. ALL DISCREPANCIES TO BE REPORTED TO THE PROJECT DESIGNER.
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**Issue Table**

TO	FOR	DATE
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CONSULTANT

DRAWING TITLE:

**PROPOSED SITE LAYOUT**

PROJECT:

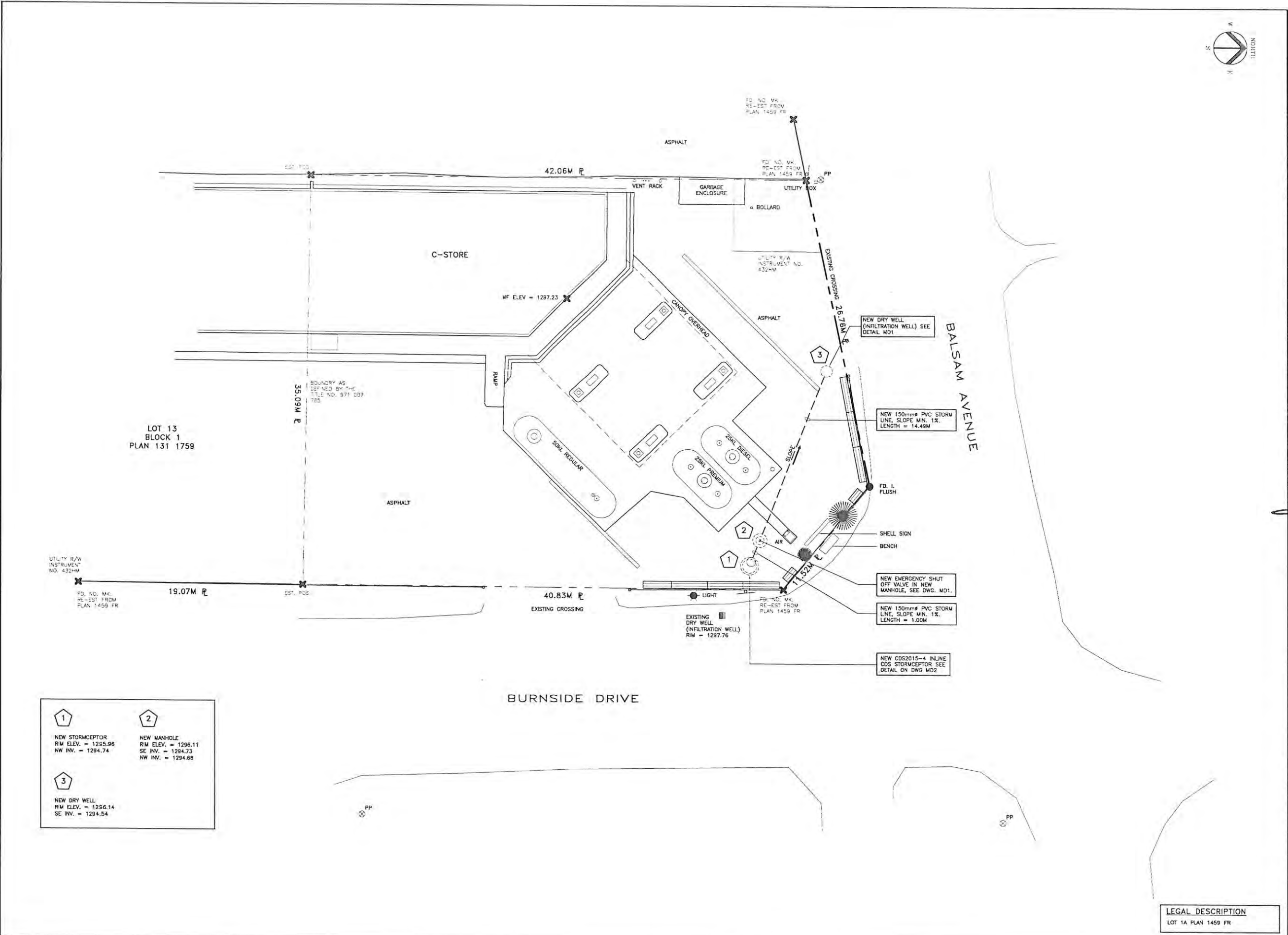
**RETAIL FACILITY  
BRAGG CREEK TRADING POST**  
BRAGG CREEK, ALBERTA

DRAWN BY:	CLIENT FILE No.
GMB	SITE_LAYOUT_L1
DATE DRAWN:	CAD FILE No.
19 JAN 28	SITE_LAYOUT_L1
DRAWING SCALE:	PLOT SCALE
1:150	1:150
CHECKED BY:	PLOT DATE
	19 JAN 28
APPROVED BY:	PLOT PARAMETERS
	DJET

PROJECT FILE	SHEET No.
<b>C21562</b>	<b>L1</b>

LEGAL DESCRIPTION  
LOT 1A PLAN 1459 FR





**Metric**

• ALL DIMENSIONS ARE IN METRES U.N.O.  
• CONTRACTOR TO CHECK/VERIFY ALL DIMENSIONS PRIOR TO COMMENCEMENT OF WORK. ALL DISCREPANCIES TO BE REPORTED TO THE PROJECT DESIGNER.  
• DO NOT SCALE DRAWINGS

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**Revisions**

REV.	DESCRIPTION	DRAWN	APP'D.	DATE
1	CREATED FROM SURVEY	GMB		18 JAN 28

**Issue Table**

TO	FOR	DATE
----	-----	------

CONSULTANT

**DRAWING TITLE:**

**PROPOSED  
SITE MECHANICAL  
PLAN**

**PROJECT:**

**RETAIL FACILITY  
BRAGG CREEK TRADING POST**  
BRAGG CREEK, ALBERTA

DRAWN BY:	CLIENT FILE No.
GMB	PROPOSED_MECH
DATE DRAWN:	CAD FILE No.
19 MAR 06	PROPOSED_MECH
DRAWING SCALE:	PLOT SCALE
1:150	1:150
CHECKED BY:	PLOT DATE
	19 MAR 06
APPROVED BY:	PLOT PARAMETERS
	DJET

PROJECT FILE	SHEET No.
<b>C21562</b>	<b>SM1</b>







- ALL DIMENSIONS ARE IN MILLIMETRES U.N.O.  
• CONTRACTOR TO CHECK/VERIFY ALL DIMENSIONS PRIOR TO COMMENCEMENT OF WORK. ALL DISCREPANCIES TO BE REPORTED TO THE PROJECT DESIGNER.  
• DO NOT SCALE DRAWINGS

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## Revisions

REV.	DESCRIPTION	DRAWN	APP'D.
			DATE

## Issue Table

TO	FOR	DATE

CONSULTANT



DRAWING TITLE:

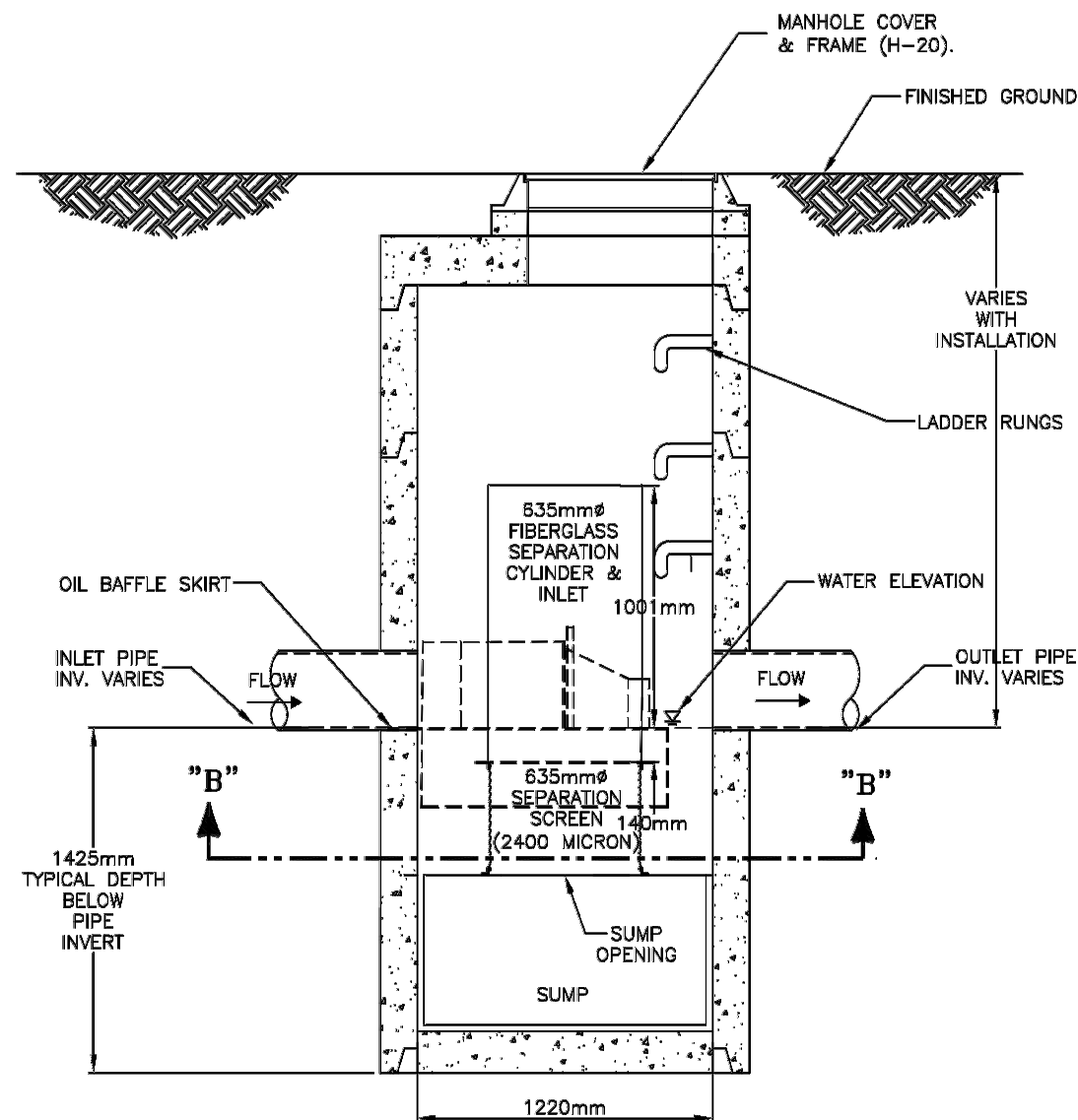
## MISCELLANEOUS DETAILS

PROJECT:

**RETAIL FACILITY**  
**BRAGG CREEK TRADING POST**  
BRAGG CREEK, ALBERTA

DRAWN BY:	CLIENT FILE No.
GMB	C21562MD2
DATE DRAWN:	CAD FILE No.
19 MAY 10	
DRAWING SCALE:	PLOT SCALE
1:15	1:15
CHECKED BY:	PLOT DATE
	19 MAY 10
APPROVED BY:	PLOT PARAMETERS
	D_JET

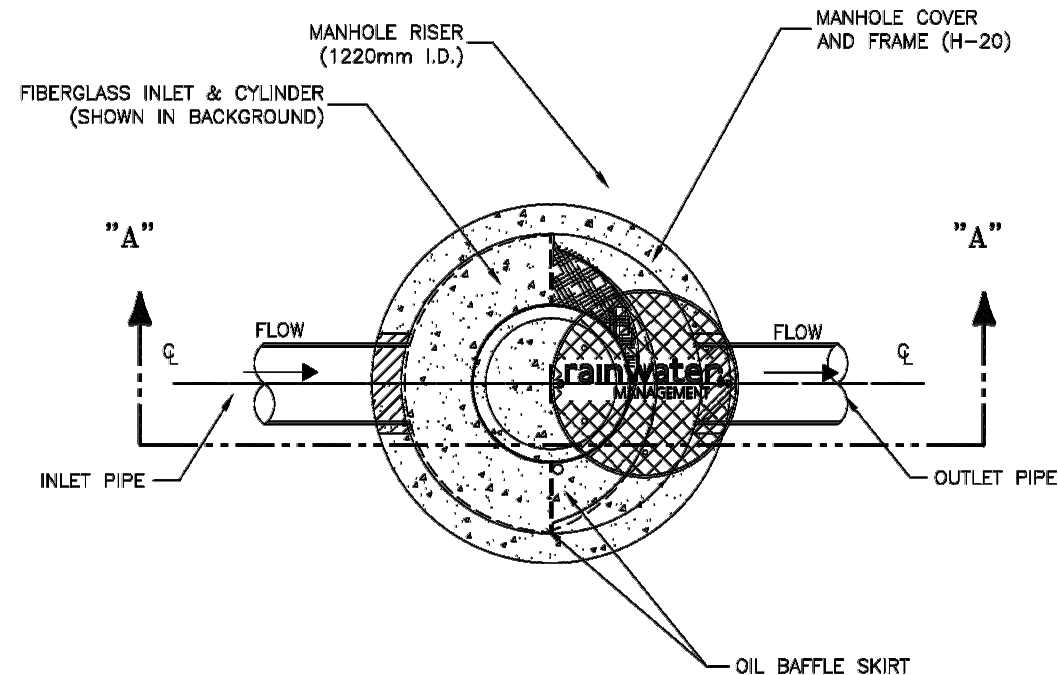
PROJECT FILE	SHEET No.
<b>C21562</b>	<b>MD2</b>



## ELEVATION VIEW

"A"- "A"

NOT TO SCALE



## PLAN VIEW

"B"- "B"

NOT TO SCALE

## DESIGN NOTES

1. THE STANDARD CDS2015-4 CONFIGURATION IS SHOWN. ALTERNATE CONFIGURATIONS ARE AVAILABLE, PLEASE CONTACT RAINWATER MANAGEMENT. SOME CONFIGURATIONS MAY BE COMBINED TO SUIT SITE REQUIREMENTS.
2. THE CDS UNIT CAN HANDLE MULTIPLE INLET PIPES, TOP INLET AND CAN ACCOMMODATE INLET PIPES AT AN ANGLE TO THE OUTLET.

## GENERAL NOTES

1. RAINWATER MANAGEMENT TO PROVIDE ALL MATERIALS UNLESS NOTED OTHERWISE.
2. ALL DIMENSIONS ARE SHOWN IN MILLIMETERS.
3. FOR FABRICATION DRAWINGS WITH DETAILED STRUCTURE DIMENSIONS AND WEIGHTS, PLEASE CONTACT YOUR RAINWATER MANAGEMENT PRODUCTS REPRESENTATIVE. [www.rainwatermanagement.ca](http://www.rainwatermanagement.ca)
4. CDS WATER QUALITY STRUCTURE SHALL BE IN ACCORDANCE WITH ALL DESIGN DATA AND INFORMATION CONTAINED IN THIS DRAWING.
5. STRUCTURE AND CASTINGS SHALL MEET HS20 LOAD RATINGS, ASSUMING GROUNDWATER ELEVATION AT, OR BELOW THE OUTLET PIPE INVERT ELEVATION. ENGINEER OF RECORD TO CONFIRM ACTUAL GROUNDWATER ELEVATION.
6. MANHOLE MANUFACTURED TO ASTM 478 SPECIFICATIONS.

## INSTALLATION NOTES

1. ANY SUB-BASE, BACKFILL DEPTH, AND/OR ANTI-FLOTATION PROVISIONS ARE SITE-SPECIFIC DESIGN CONSIDERATIONS AND SHALL BE SPECIFIED BY THE ENGINEER OF RECORD.
2. CONTRACTOR TO PROVIDE EQUIPMENT WITH SUFFICIENT LIFTING AND REACH CAPACITY TO LIFT AND SET THE CDS MANHOLE STRUCTURE (LIFTING CLUTCHES PROVIDED). HEAVIEST LIFT TO PLAN FOR IS 3000kg.
3. CONTRACTOR TO ADD GASKETS OR JOINT SEALANT BETWEEN ALL STRUCTURE SECTIONS, AND ASSEMBLE STRUCTURE.
4. CONTRACTOR TO PROVIDE, INSTALL, AND GROUT PIPES, MATCH PIPE INVERTS WITH ELEVATIONS SHOWN.
5. CONTRACTOR TO TAKE APPROPRIATE MEASURES TO ASSURE UNIT IS WATER TIGHT, HOLDING WATER TO FLOWLINE INVERT MINIMUM. IT IS SUGGESTED THAT ALL JOINTS BELOW PIPE INVERTS ARE GROUTED.



## SITE SPECIFIC DATA REQUIREMENTS FOR CDS2015-4

STRUCTURE ID		PIPE DATA:	I.E.	MATERIAL	DIAMETER	ANIT-FLOTATION BALLAST	WIDTH	HEIGHT
WATER QUALITY FLOW RATE (L/S)	*	INLET PIPE 1	*	*	*	NOTES / SPECIAL REQUIREMENTS	*	*
PEAK FLOW RATE (L/S)	*	INLET PIPE 2	*	*	*			
RETURN PERIOD OF PEAK FLOW (YRS)	*	OUTLET PIPE	*	*	*			
SCREEN APERTURE (2400)	*	RIM ELEVATION	*					
						* PER ENGINEER OF RECORD		

**rainwater**  
**MANAGEMENT**  
[www.rainwatermanagement.ca](http://www.rainwatermanagement.ca)  
TEL : 604-944-9265

**CDS2015-4**  
**INLINE CDS**  
**STANDARD DETAIL**























## PLANNING AND DEVELOPMENT SERVICES

**TO:** Municipal Planning Commission  
**DIVISION:** 2  
**SUBJECT:** Development Item: *Single-lot Regrading*  
**USE:** Discretionary use, with no Variances

**DATE:** September 24, 2020  
**APPLICATION:** PRDP20201691

**APPLICATION:** single-lot regrading and placement of clean fill, for modifications to an existing stormwater pond

**GENERAL LOCATION:** located at the southwest junction of Twp. Rd. 251A and Rge. Rd. 32

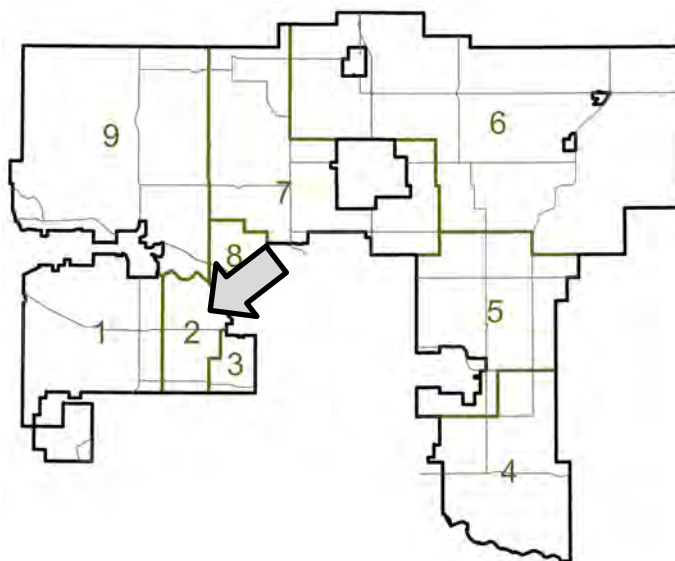
**LAND USE DESIGNATION:** Residential One District (R-1) under Land Use Bylaw C-4841-97

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

### OPTIONS:

- Option #1: THAT Development Permit Application PRDP20201691 be approved with the conditions noted in the Development Permit Report, attached.
- Option #2: THAT Development Permit Application PRDP20201691 be refused as per the reasons noted.

### AIR PHOTO & DEVELOPMENT CONTEXT:



## DEVELOPMENT PERMIT REPORT

<b>Application Date:</b> June 25, 2020	<b>File:</b> 05710015
<b>Application:</b> PRDP20201691	<b>Applicant/Owner:</b> Goswami, Manashi & Arup
<b>Legal Description:</b> Lot 6, Block 3, Plan 0612234, SE-10-25-03-05	<b>General Location:</b> located at the southwest junction of Twp. Rd. 251A and Rge. Rd. 32
<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> 2

### PROPOSAL:

The proposal is for the single-lot regrading and placement of clean fill, for modifications to an existing stormwater pond. *Note, this application was assessed in accordance with the County's Land Use Bylaw C-4841-1997 (LUB), as the application was received prior to September 8, 2020.*

Site stripping, filling, excavation, grading, and/or re-contouring (including construction of artificial water bodies and dugouts) is considered discretionary as per Section 33.1 of the LUB.

The application is to re-contour an existing stormwater pond, located on the north side of the property, (parallel to (ROAD) for esthetic purposes. After a culvert installation by the County in 2016, the pond was reduced in size. The Applicant is looking to increase the overall pond depth by 1.52 m (5.00 ft.) and install a new 24" CSP culvert, to help maintain the overland water flow from the adjacent property. However, there is a registered utility right-of-way, for drainage, owned by the County. Through prior to issuance conditions, the Applicant will have to ensure there is no impact to the County drainage easement.

#### *Details:*

- Height Change: 1.50 m (4.92 ft.)
- Length, Width, and Area: As per application drawings
- Volume: 300.00 cu. m.

#### **Property History:**

Planning Applications, Development Permits,

- No property history

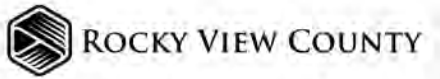
Building Permits:

- 2013-BP-26088 (dwelling, single detached); Final Occupancy issued: March 2, 2016

### STATUTORY PLANS:

The subject property falls under the North Springbank Area Structure Plan, which gives no guidance to the specific nature of this application. The application was also evaluated in accordance with the Land Use Bylaw.





### INSPECTOR'S COMMENTS:

Inspection: July 23, 2020

- Area of regrading overgrown with grass
- Is a low lying area of the parcel, as all the dwellings are at the top of the sloped area
- Some areas of the rear appear to be shifted, with a small plastic culvert running into the effected area

### CIRCULATIONS:

Development Compliance Officer Review (July 14, 2020)

- Development Compliance has no comments or concerns with the attached application.

Agricultural Services Review (July 16, 2020)

- No agricultural concerns.

Planning and Development Services Engineering Review (July 22, 2020)

#### General

- The review of this file is based upon the application submitted. Should the submission material be altered or revised at subsequent development stages these conditions/recommendations may be subject to change to ensure best practices and procedure.
- **Prior to issuance**, the applicant will be required to submit a construction management plan addressing noise mitigation measures, traffic accommodation, sedimentation and dust control, management of stormwater during construction, erosion and weed control, construction practices, waste management, firefighting procedures, evacuation plan, hazardous material containment and all other relevant construction management details.

#### Geotechnical - Section 300.0 requirements:

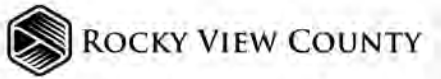
- **Prior to issuance**, the applicant/owner is required to provide a Deep Fills report conducted by a professional geotechnical engineer for all areas of fill greater than 1.2 m in depth.
- **As a permanent condition**, the applicant/owner shall provide compaction testing verifying that the fill areas greater than 1.2 m in depth were placed in accordance with the Deep Fills report accepted by the County.

#### Transportation - Section 400.0 requirements:

- **Prior to issuance**, the applicant is required to contact County Road Operations to determine if any permits or if Road Use Agreement is required for the transport of fill material during the construction of the proposed development.
- There is an existing paved road approach off of Aventerra Court providing access to the subject land.
- The applicant/owner will not be required to pay the transportation offsite levy, as per the applicable TOL bylaw at time of DP issuance.

#### Sanitary/Waste Water - Section 500.0 requirements:

- Engineering has no requirements at this time.



**Water Supply And Waterworks** - Section 600.0 & 800.0 requirements:

- Engineering has no requirements at this time.

**Storm Water Management** – Section 700.0 requirements:

- **Prior to issuance**, the applicant/owner is required to submit a Site-Specific Stormwater Implementation Plan (SSIP), conducted and stamped by a professional engineer, that demonstrates that the proposed grading work is in accordance with the stormwater management strategy that was accepted by the County for the Aventerra Phase 1 subdivision.
- **Prior to issuance**, the applicant/owner is required to submit a formal grading plan, conducted and stamped by a professional engineer, that shows pre-development and post-development grades and is in accordance with the SSIP accepted by the County.

**Environmental** – Section 900.0 requirements:

- Engineering has no requirements at this time.
- The applicant/owner will be responsible to obtain all required AEP approvals should the proposed development impact any wetlands.

**Operations Division Review**

- Utility Services (July 14, 2020): No Concerns
- Capital Projects (July 16, 2020):
  - This infrastructure is located within a registered easement for the purpose of providing stormwater attenuation for community and County assets. As part of the approval, the Applicant is expected to:
    1. Maintain current inverts for all existing culverts.
    2. Demonstrate that there is no reduction in pond capacity.
    3. Either:
      - a. Ensure that stormwater remains contained within the existing registered easement
      - b. Provide an updated easement to ensure County access for maintenance / operation

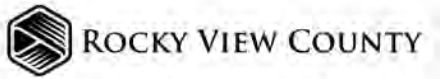
**OPTIONS:**

Option 1: (this would allow the proposed development)

APPROVAL, for the following reasons:

**Description:**

1. That single-lot regrading and placement of clean fill, for modifications to an existing stormwater pond, shall be permitted in general accordance with the drawings submitted with the application, as amended through conditions, and includes:
  - i. Re-contouring of the stormwater pond;
  - ii. Placement of clean fill/topsoil (as required).



### Prior to Issuance:

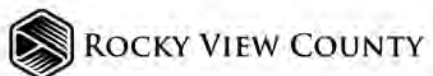
2. That prior to issuance of this permit, the Applicant/Owner shall contact County Road Operations with haul details for materials and equipment needed during construction/site development to confirm if Road Use Agreements will be required for any hauling along the County road system and to confirm the presence of County road ban restrictions.
  - i. Written confirmation shall be received from County Road Operations confirming the status of both components of this condition. Any required agreement or permits shall be obtained unless otherwise noted by County Road Operations.
3. That prior to issuance of this permit, the Applicant/Owner shall submit a Construction Management Plan, to the satisfaction of Rocky View County ("the County") in accordance with the County's Servicing Standards, Section 1100. The plan shall include noise mitigation measures, traffic accommodation, sedimentation and dust control, management of stormwater during construction, erosion and weed control, construction practices, waste management, firefighting procedures, evacuation plan, hazardous material containment and all other relevant construction management details.
4. That prior to issuance of this permit, the Applicant/Owners shall submit a Deep Fills report conducted by a professional geotechnical engineer, for all areas of fill greater than 1.20 m in depth, in accordance with County Servicing Standards.
5. That prior to issuance of this permit, the Applicant/Owner shall submit a Site-Specific Stormwater Plan (SSIP), that demonstrates that the proposed grading work is in accordance with the stormwater management strategy that was accepted by the County for the Aventerra Phase 1 subdivision, to the satisfaction of the County.
  - i. The SSIP shall also confirm that all current inverts for all existing culverts are maintained, that there is no reduction in pond capacity and/or that all stormwater remains contained with the existing registered County easement.
    - a. That if the stormwater retention, after the proposed development, will be located outside of the existing easement area, the registered easement shall be updated to ensure that the County access for maintenance and operation of the of the stormwater attenuation for the Community and County assets remains in place.
6. That prior to issuance of this permit, the Applicant/Owner shall submit a formal grading plan, conducted and stamped by a professional engineer, that shows pre-development and post-development grades and is in accordance with the SSIP accepted by the County.

### Site Completion:

7. That upon completion of the proposed development, the Applicant/Owners shall submit an as-built drawings, stamped by a professional engineer, confirming that the final grading plan and constructed stormwater infrastructure align with the supporting technical submission approvals for the file.
8. That upon completion of the proposed development, the Applicant/Owner shall submit compaction test results that demonstrate that the areas of fill greater than 1.2 m0 (ft.) in depth, were placed in accordance with the requirements of the deep fills report, accepted by the County.

### Permanent:

9. That it shall be the responsibility of the Applicant/Owners to ensure that any fill placed onsite, has been placed in a safe manner that does not cause slope stability issues, slumping, or any other related safety issues.



10. That the Applicant/Owners shall ensure no organic material is buried and capped in a manner that will cause methane gas related issues.
11. 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.
12. 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.
13. That the Applicant/Owners shall be responsible for rectifying any adverse effect on adjacent lands or road infrastructure from drainage alteration.
14. That the subject land shall be maintained in a clean and tidy manner at all times, and all waste material shall be deposited and confined in an appropriate enclosure. All waste material shall be regularly removed from the property to prevent any debris from blowing onto adjacent property or roadways.
15. That any plan, technical submission, agreement, matter, or understanding submitted and approved as part of the application or in response to a Prior to Issuance or Occupancy condition shall be implemented and adhered to in perpetuity.

#### Advisory:

16. That the subject development shall conform to the County's Noise Bylaw C-5773-2003 in perpetuity.
17. 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*].
18. That any other government permits, approvals, or compliances are the sole responsibility of the Applicant/Owner.
19. That if the development authorized by this Development Permit is not completed within 12 months of the date of issuance, the permit is deemed to be null and void.
20. That if this Development Permit is not issued by **AUGUST 31, 2021**, or the approved extension date, then this approval is null and void and the Development Permit shall not be issued.

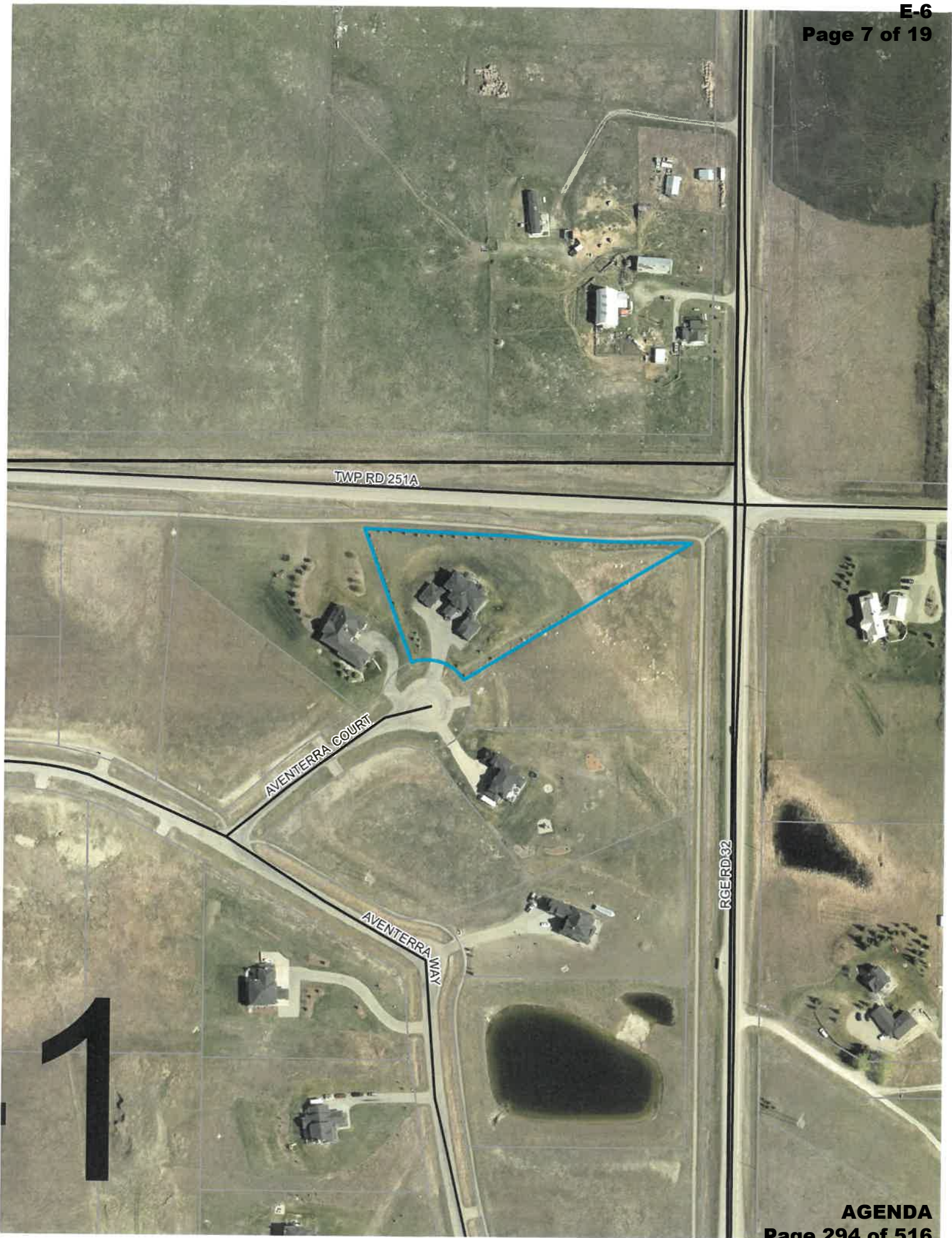
**Note: The Applicant/Owner shall be responsible for all Alberta Environment approvals/compensation if any wetland is impacted by the proposed development.**

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

2020 1691

# APPLICATION FOR A DEVELOPMENT PERMIT

FOR OFFICE USE ONLY	
Fee Submitted 450.00	File Number 05710015
Date of Receipt 06/25/2010	Receipt # 202004810

Name of Applicant

ARUP GOSWAMI

Email

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 ¼ Section 10 Township 25 Range 3 West of 5 Meridian

b) Being all / parts of Lot 6 Block 3 Registered Plan Number 06 | 2234

c) Municipal Address 116 Arenterra Court

d) Existing Land Use Designation RI Parcel Size 2 Acre Division 2

## 2. APPLICATION FOR

Reshaping of the existing pond.

### 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 1  
(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 ARUP GOSWAMI 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**

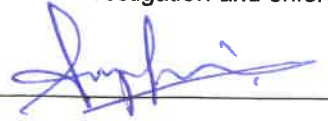
Date \_\_\_\_\_

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, ARUP GOSWAMI, 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

June  
11 May 25, 2020

  
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 ARUP GOISWAMI

### 1. NATURE OF THE APPLICATION

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

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

### 2. PURPOSE

What is the intent of the proposal?

Re shaping of the existing pond for esthetic purpose.

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

No change to the existing runoff from that area.

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

### 3. TYPE

Height 1.5 m

Volume 300 approx meters cubed

Width \_\_\_\_\_

Truckload \_\_\_\_\_ (approximately)

Length As per attached

Slope Factor \_\_\_\_\_ (if applicable)

Area Drawing square metres

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

### 4. TERMS AND CONDITIONS

(a) General statement about conditions:

- 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.
- Where on-site works are proposed the County may, by condition, require the provision of a Construction Management Plan and/or Stormwater Management Plan.
- The Development Authority may impose any condition to meet a requirement of the Municipal Government Act or Subdivision and Development Regulation.
- 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

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I ARUP GOSWAMI 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.**

From: **Arup Goswami, P.Eng., PMP.**

Date: July 24 2020

Add: 116 Aventerra Court,  
Rocky View County, Alberta, T3Z 0A9.  
Tel: ( ) (R), ( ) (C)

To The Planning and Development Services,  
262075 Rocky View Point,  
Rocky View County, AB, T4A 0X2.

Sub: Application for re-shaping of existing pond

Dear Sir / Madam,

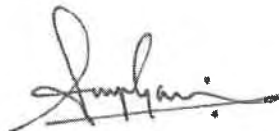
With reference to the above subject, I would like to request for a Building Permit to reshape the existing small pond at my back yard. Building permit for the house at 116 Aventerra Court was issued in 2013.

Originally there was bigger pond in my back yard and extending to the adjacent lot. But in 2016 (I think) a new culvert was installed by Rocky View at a lower level reducing the size of the pond. Now I want to re-shape and increasing the depth the pond by about 5 feet (1.52m) only within my property. There is a drainage right-of-way Plan 061 2236 as shown in the attached site plan. Attached a marked up plan and a marked up photo showing the present pond and the proposed extent of the work. A new 24" diameter CSP culvert has been proposed to maintain the overland water flow from the adjacent property. No changes will be done to the existing culvert installed by Rocky View on the North property line. Hence there will be no change to the overland water flow of the surface runoff.

So, I would like to request Planning and Development Services department to issue a building permit for the proposed re-shaping of the pond. Necessary application and documents has been attached herewith for your kind consideration.

If you need any more information, please let me know.

Sincerely,



( Arup Goswami )



HISTORICAL LAND TITLE CERTIFICATE  
CURRENT TITLE WITH HISTORICAL DATA

S		
LINC	SHORT LEGAL	TITLE NUMBER
0031 760 465	0612234;3;6	141 073 569

LEGAL DESCRIPTION  
PLAN 0612234  
BLOCK 3  
LOT 6  
EXCEPTING THEREOUT ALL MINES AND MINERALS  
AREA: 0.809 HECTARES (2 ACRES) MORE OR LESS

ESTATE: FEE SIMPLE  
ATS REFERENCE: 5;3;25;10;SE

MUNICIPALITY: ROCKY VIEW COUNTY

REFERENCE NUMBER: 121 285 851

REGISTERED OWNER(S)				
REGISTRATION	DATE (DMY)	DOCUMENT TYPE	VALUE	CONSIDERATION
141 073 569	25/03/2014	TRANSFER OF LAND	\$400,000	SEE INSTRUMENT

OWNERS

MANASHI GOSWAMI

AND

ARUP GOSWAMI

BOTH OF:

[REDACTED]

AS JOINT TENANTS

ENCUMBRANCES, LIENS & INTERESTS

REGISTRATION		
NUMBER	DATE (D/M/Y)	PARTICULARS
2588ET	09/02/1938	UTILITY RIGHT OF WAY GRANTEE - ALTALINK MANAGEMENT LTD. 2611 - 3 AVE SE

( CONTINUED )



## ENCUMBRANCES, LIENS &amp; INTERESTS

PAGE 3

# 141 073 569

## REGISTRATION

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

061 257 813	27/06/2006	CAVEAT RE : DEVELOPMENT AGREEMENT PURSUANT TO MUNICIPAL GOVERNMENT ACT CAVEATOR - THE MUNICIPAL DISTRICT OF ROCKY VIEW NO. 44. 911-32 AVE NE CALGARY ALBERTA T2E6X6
061 257 814	27/06/2006	CAVEAT RE : DEFERRED SERVICES AGREEMENT CAVEATOR - THE MUNICIPAL DISTRICT OF ROCKY VIEW NO. 44. 911-32 AVE NE CALGARY ALBERTA T2E6X6
061 257 815	27/06/2006	ENCUMBRANCE ENCUMBRANCEE - AVENTERRA ESTATES HOMEOWNERS' ASSOCIATION. 88 WHITAKER CLOSE N.E. CALGARY ALBERTA T1Y5K3
091 111 939	28/04/2009	CHANGE OF ADDRESS FOR SERVICE RE: ALTALINK MANAGEMENT LTD. 2611 - 3 AVE SE CALGARY ALBERTA T2A7W7 AFFECTS INSTRUMENT: 2588ET .
121 151 673	19/06/2012	CAVEAT RE : AGREEMENT CHARGING LAND CAVEATOR - AVENTERRA ESTATES HOMEOWNERS' ASSOCIATION. R. BRICKARD RATCLIFFE, 220 3016 19 ST NE CALGARY ALBERTA T2E6Y9 AGENT - RENEE NAHAL
141 073 570	25/03/2014	MORTGAGE MORTGAGEE - THE TORONTO DOMINION BANK. 500 EDMONTON CITY CENTRE EAST EDMONTON ALBERTA T5J5E8 ORIGINAL PRINCIPAL AMOUNT: \$900,000

TOTAL INSTRUMENTS: 012

( CONTINUED )

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN  
ACCURATE REPRODUCTION OF THE CERTIFICATE OF  
TITLE REPRESENTED HEREIN THIS 24 DAY OF JUNE,  
2020 AT 02:48 P.M.

ORDER NUMBER: 39573426

CUSTOMER FILE NUMBER:



\*END OF CERTIFICATE\*

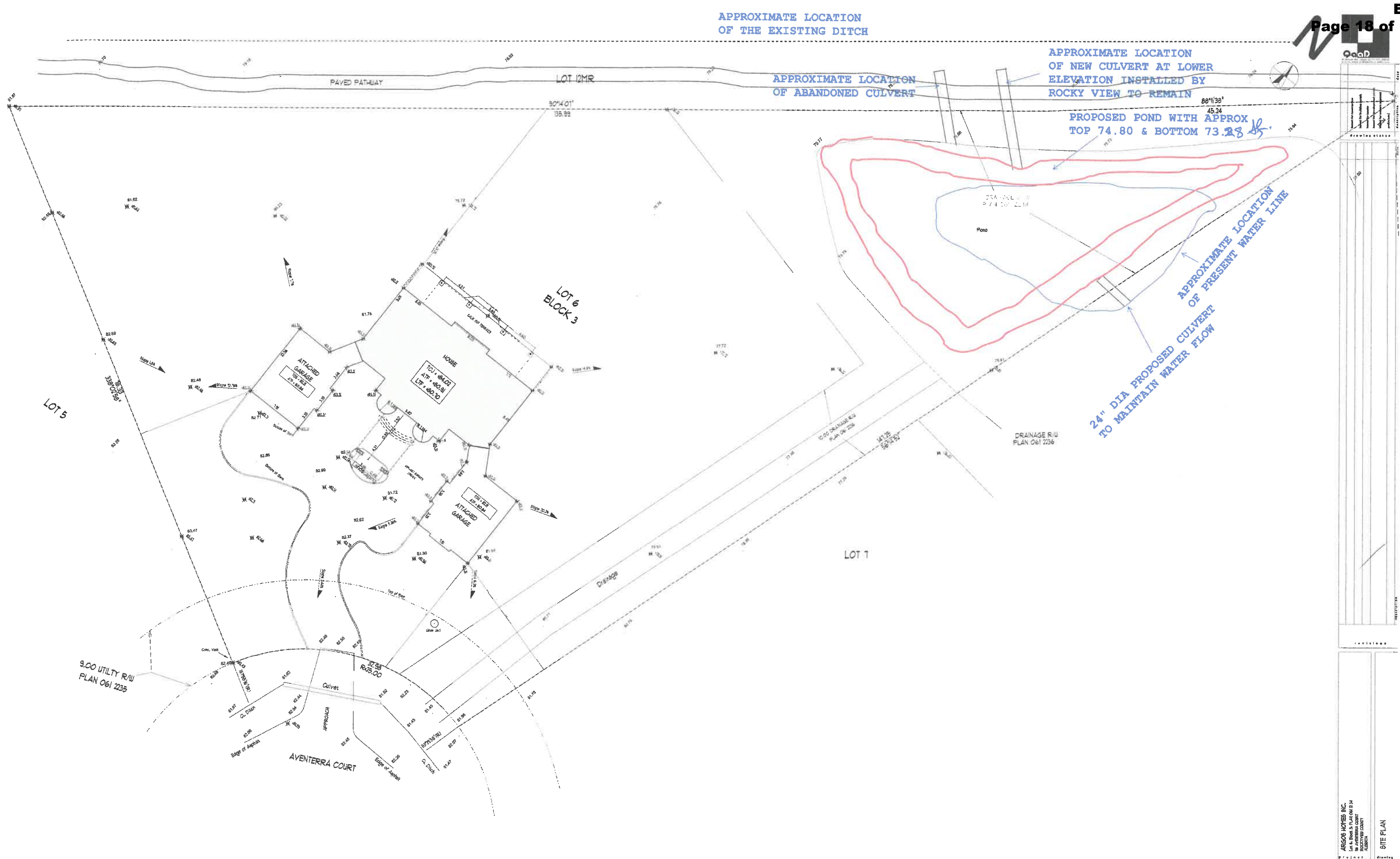
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THIS ELECTRONICALLY TRANSMITTED LAND TITLES PRODUCT IS INTENDED  
FOR THE SOLE USE OF THE ORIGINAL PURCHASER, AND NONE OTHER,  
SUBJECT TO WHAT IS SET OUT IN THE PARAGRAPH BELOW.

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).





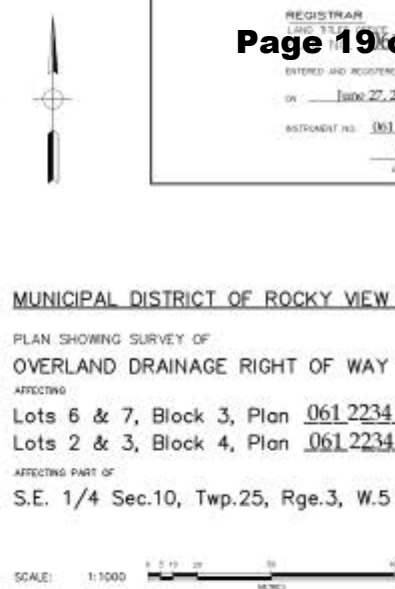


1 Site Plan  
SCALE: 1 : 200

ARGOS HOMES INC.  
Lot 6 Block 3 PLAN 061 2235  
IN AVENTERRA COURT  
AUSTIN  
SITE PLAN

2018-0-018  
2018-0-018  
2018-0-018





**LEGEND**

Distances shown on curved boundaries are for distances  
Measuring from Point to nearest line. Road is placed  
on established profiles for the State and shown there.  
The area affected by vegetation of this plot is elevated blue  
and contains 0.721 ha (0.18 Ac.)

Headings are Grid derived from GPS

The Coordinate System used for this plan is:

StatePlane - North American Datum 1983

Projection - UTM Zone 17

Reference Meridian - 117° West Longitude

Combined Factor - 0.99999999

[illegible]

SURVEYOR  
NAME: ADZ M. DHARMASU, A.L.S.  
SURVEYED BETWEEN THE DATES of June 5, 2005 AND  
March 3, 2006 IN ACCORDANCE WITH THE PROVISIONS OF THE  
SURVEYS ACT

**REGISTERED OWNERS**  
 3554022 ALBERTA LTD.

OVERLAND DRAINAGE RIGHT OF WAY REQUESTED BY:  
MOUNTAIN AEROSTAR, LTD.





## PLANNING AND DEVELOPMENT SERVICES

**TO:** Municipal Planning Commission  
**DIVISION:** 5  
**SUBJECT:** Development Item: Accessory Building

**DATE:** September 24, 2020

**APPLICATION:** PRDP20202228

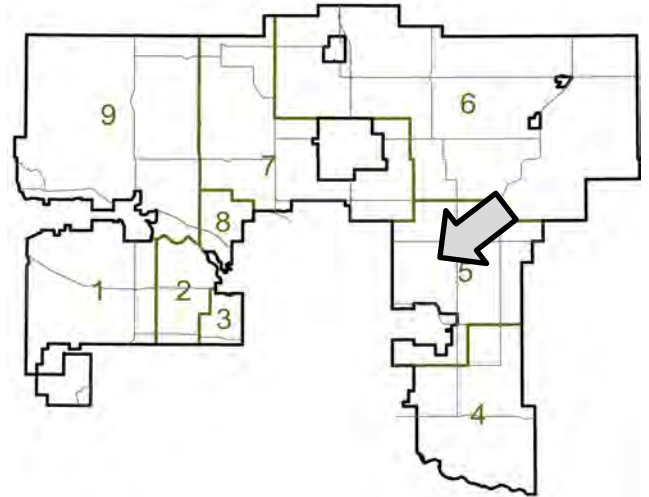
**USE:** Discretionary use, with Variances

**APPLICATION:** construction of an accessory building (oversize shop)

**GENERAL LOCATION:** located approximately 0.81 km (1/2 mile) of Twp. Rd. 260 and on the west side of Hwy. 791.

**LAND USE DESIGNATION:** Ranch and Farm (RF) under Land Use Bylaw C-4841-97.

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



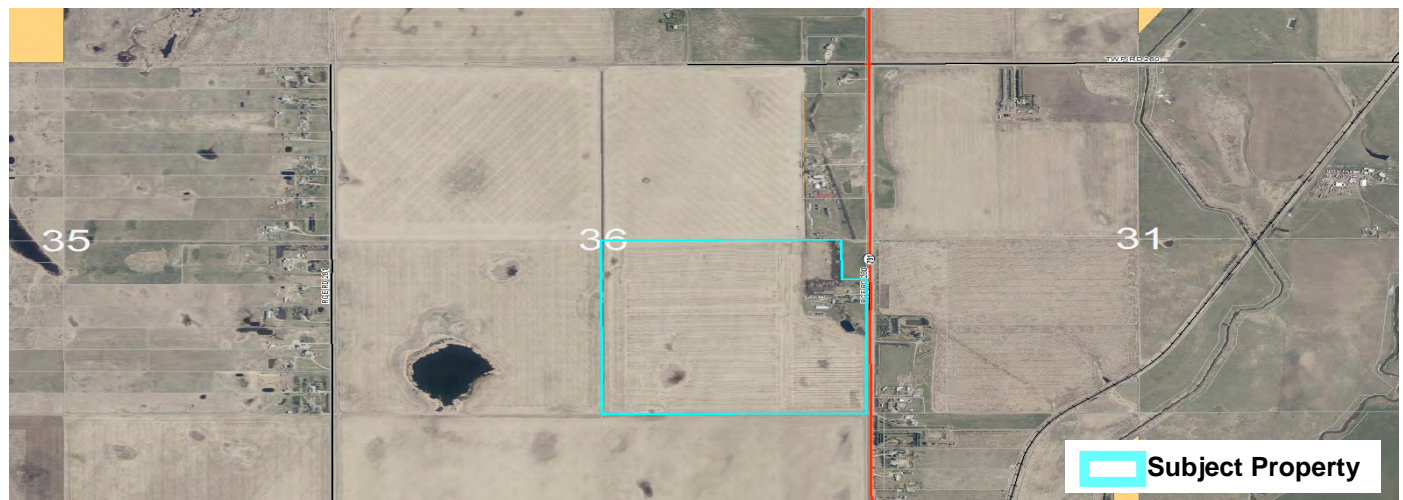
### VARIANCE SUMMARY:

Regulation	Requirement	Proposed
43.10 Accessory Building greater than 500.00 sq. m. (5,381.95 sq. ft.)	500.00 sq. m (5,381.95 sq. ft.)	1,872.93 sq. m (20,160.00 sq. ft.)

### OPTIONS:

- Option #1: THAT Development Permit Application PRDP20202228 be approved with the conditions noted in the report.
- Option #2: THAT Development Permit Application PRDP20202228 be refused as per the reasons noted.

### AIR PHOTO & DEVELOPMENT CONTEXT:



### Administration Resources

Wayne Van Dijk - Planning and Development Services



## DEVELOPMENT PERMIT REPORT

<b>Application Date:</b> August 6, 2020	<b>File:</b> 05336001
<b>Application:</b> PRDP20202228	<b>Applicant/Owner:</b> SBB Holdings (Rafiq Raja)
<b>Legal Description:</b> SE36-25-28 W04M	<b>General Location:</b> located approximately 0.81 km (1/2 mile) south Twp. Rd. 260 and on the west side of Hwy. 791,.
<b>Land Use Designation:</b> Ranch and Farm (RF)	<b>Gross Area:</b> ± 63.37 hectares (±156.59 acres)
<b>File Manager:</b> Wayne Van Dijk	<b>Division:</b> 5

### PROPOSAL:

The proposal is for the construction of an accessory building (oversize shop). *Note, the application was assessed in accordance with Land Use Bylaw C-4841-97, as the application was received prior to September 8, 2020.*

This accessory building is for storage of farm equipment. The parcel currently contains a dwelling, single detached and five (5) accessory buildings and this proposed, oversized accessory building is designed to replace four (4) of those existing buildings. The applicant has plans to remove four (4) of the current accessory buildings, due to age and current state of disrepair.

The proposed accessory building is 1,872.64 sq. m (20,160.00 sq. ft.) in size. The dimensions are 25.60 m x 73.15 m (84.00 ft. x 240.00 ft.) and 10.00 m (32.8 ft.) high. The proposed accessory building complies with the minimum land setbacks for the district.

A variance is required for the maximum accessory building size. Ranch and Farm District (RF), for large parcels greater than or equal to 8.10 hectares (20.01 acres) in size, lists the maximum size of an accessory building as 500.00 sq. m (5,381.95 sq. ft.).

### PERMIT HISTORY:

- No previous DP's on file

### LAND USE BYLAW:

#### Section 43 Ranch and Farm District (RF)

##### 43.10 Uses, Discretionary

- *Accessory Buildings greater than 500.00 sq. m. (5,381.95 sq. ft.)*

Proposed accessory building is:

- 25.60 m (84 ft.) x 73.15 m (240 ft.) = 1872.93 sq. m. (20,160.00 sq. ft.).
- Variance required: **1,372.93 sq. m (14,778.05 sq. ft.) 274.59%**

### Assessment Rationale:

- The proposed accessory building is located in an area that is not close to any adjacent landowner and will be screened, by trees, from the adjacent property to the north;

- The applicant has stated that the proposed accessory building will replace 4 of the current accessory buildings that are located on the parcel;
- It is the opinion of the Development Authority that approving this variance would not unduly interfere with the amenities of the neighbourhood or materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land.

**STATUTORY PLANS:**

- This property falls does not fall within any Area Structure Plan and/or Statutory Plan. This application was assessed in accordance with the Land Use Bylaw C-4841-97.

**INSPECTOR'S COMMENTS:**

- Buildings shown (to be removed) on site plan are to be removed. Applicant could not verify date for removal but it is dependant upon proposed accessory building construction. Property well kept and tidy,
- Proposed site for the accessory building is screened with trees. Some trees, especially on north, are to remain;
- No concerns at time of inspection.

**CIRCULATIONS:**Utility Services

- No concerns

Planning and Development Services - Engineering Review

- No comments. It will need to be circulated to AT as they have direct access from Highway 791. You may want to ask the application if operations are changing in anyway (ie: more vehicles) or if everything will remain the same.

Development Compliance

- Development Compliance has no comments or concerns with respect to the attached application.

Building Services

- No concerns with accessory building. Farm Location Permit application is required to determine type of use.
- If a building permit is required, then water supply for fire fighting is required.

Alberta Transportation

- In reviewing the application, the proposed development falls within the control distance of a provincial highway as outlined in the Highways Development and Protection Act / Regulation, and will require a roadside development permit from Alberta Transportation.

No other comments received at time of report writing

**OPTIONS:**

Option 1: (this would allow the proposed development)

APPROVAL, subject to the following conditions:



**Description:**

1. That construction of an accessory building/farm building (oversize shop), approximately **1, 872.93 sq. m. (20,160.00 sq. ft.)** in area, may commence on the subject land in general accordance with the drawings submitted with application.

**Permanent:**

2. That the accessory building shall not be used for residential occupancy or commercial purposes at any time.
3. That the Applicant/Owner shall contact County Road Operations, to detail 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.
4. That there shall be no more than 1.00 m (3.28 ft.) of fill/topsoil placed adjacent to or within 15.00 m (49.21 ft.) of the proposed accessory building under construction in order to establish approved final grades unless a Development Permit has been issued for additional fill.
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.

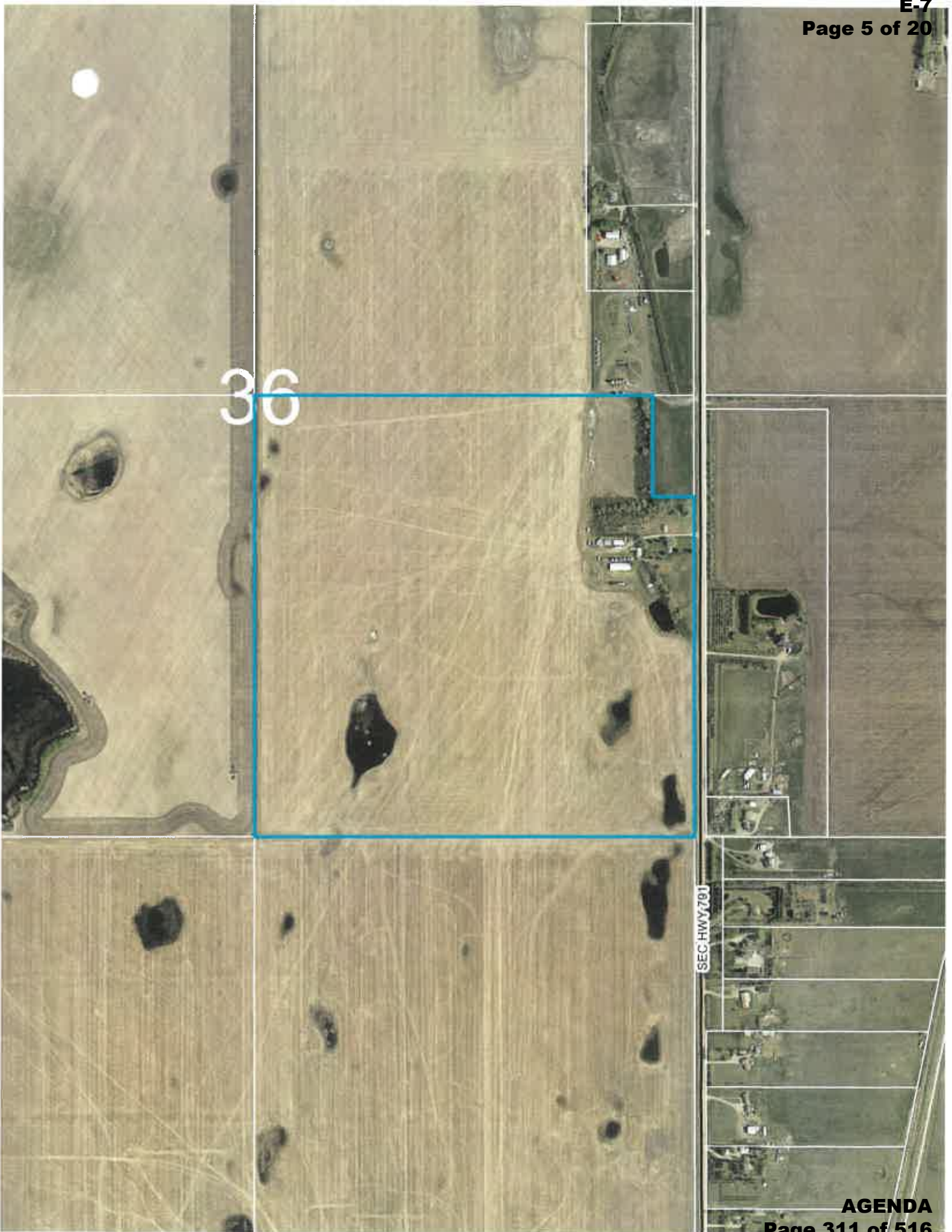
**Advisory:**

6. That during construction of the building, all construction and building materials shall be maintained on-site, in a neat and orderly manner. Any debris or garbage shall be stored/placed in garbage bins and disposed of at an approved disposal facility.
7. That during construction of the building, the Applicant/Owner shall adhere to the County's Noise Bylaw (C-5772-2003) at all times.
8. That a Building Permit/Farm Building Location Permit, for the accessory building shall be obtained through Building Services, prior to any construction taking place.
9. 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.
10. That any other government permits, approvals, or compliances are the sole responsibility of the Applicant/Owner

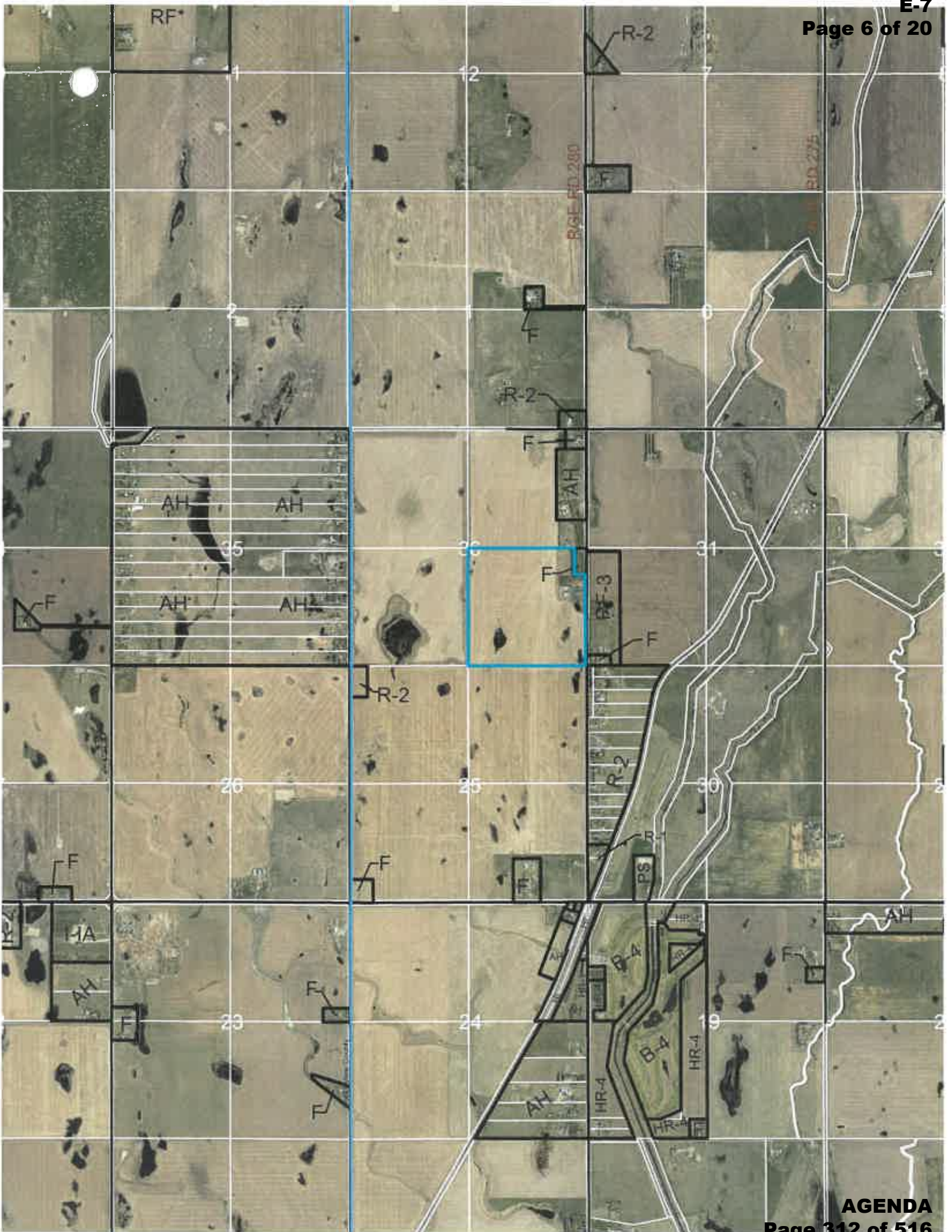
Option 2: (this would not allow the proposed development)

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

20202228

# APPLICATION FOR A DEVELOPMENT PERMIT

FOR OFFICE USE ONLY	
Fee Submitted \$2800	File Number 15336001
Date of Receipt Aug 4, 2020	Receipt # 2020024949

Name of Applicant

Email

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 ¼ Section 36 Township 25 Range 28 West of 4M Meridian
- b) Being all / parts of Lot \_\_\_\_\_ Block \_\_\_\_\_ Registered Plan Number \_\_\_\_\_
- c) Municipal Address 255091 Rangs Road 280 Rocky View
- d) Existing Land Use Designation RE Parcel Size 156.59 Division \_\_\_\_\_

## 2. APPLICATION FOR

A Building Storing Farm Equipment.

## 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? (X) Yes \_\_\_\_\_ No \_\_\_\_\_

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

I RAFIQ RAJ hereby certify that (X) I am the registered owner  
(Full Name in Block Capitals)

(X) I am authorized to act on the owner's behalf

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

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

Applicant's Signature

Date

Owner's Signature

Date





**ROCKY VIEW COUNTY**  
Cultivating Communities

## APPLICATION FOR AN ACCESSORY BUILDING

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

Name of Applicant SBB Holding Ltd Email \_\_\_\_\_

### 1. DETAILS OF ACCESSORY BUILDING

	Bylaw	Proposed
Accessory building size maximum		20,160
Accessory building height		33
Number of existing accessory buildings on site		5
Total size of all accessory buildings		Not Known

#### Description of Accessory Buildings:

- a) Building materials Hay Storage
- b) Exterior colour \_\_\_\_\_
- c) Please include why relaxations for buildings are needed (location, storage needs, tidy property, etc.)  
Large Building for Ag equipment storage
- d) Date when building permits were issued for existing buildings Not Known
- e) If no permits were issued - list age of buildings 40 years

### 2. DESCRIBE THE USE OF THE ACCESSORY BUILDING

Storage of farm equipment

### 3. ADDITIONAL REQUIREMENTS

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

Signature of Applicant \_\_\_\_\_

Date: 4 August 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, RAEIO RASIT, 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

4 August 2020  
Date



LAND TITLE CERTIFICATE

S  
LINC                      SHORT LEGAL                      TITLE NUMBER  
0027 739 689            4;28;25;36;SE                      131 259 551

LEGAL DESCRIPTION

MERIDIAN 4 RANGE 28 TOWNSHIP 25  
SECTION 36  
QUARTER SOUTH EAST  
CONTAINING 64.7 HECTARES (160 ACRES) MORE OR LESS  
EXCEPTING THEREOUT:  
PLAN                      NUMBER                      HECTARES                      (ACRES)                      MORE OR LESS  
DESCRIPTIVE            9813338                      1.38                      3.41  
EXCEPTING THEREOUT ALL MINES AND MINERALS  
AND THE RIGHT TO WORK THE SAME

ESTATE: FEE SIMPLE

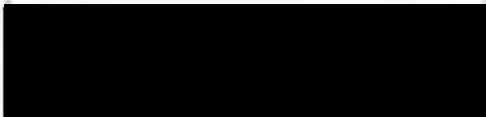
MUNICIPALITY: ROCKY VIEW COUNTY

REFERENCE NUMBER: 071 120 587

REGISTERED OWNER(S)				
REGISTRATION	DATE (DMY)	DOCUMENT TYPE	VALUE	CONSIDERATION
131 259 551	09/10/2013	TRANSFER OF LAND	\$2,700,000	\$2,700,000

OWNERS

MOHINDER KAUR SANDHU



ENCUMBRANCES, LIENS & INTERESTS		
REGISTRATION	DATE (D/M/Y)	PARTICULARS
751 054 581	05/06/1975	UTILITY RIGHT OF WAY GRANTEE - ROCKYVIEW GAS CO-OP LTD.
161 116 168	18/05/2016	MORTGAGE

( CONTINUED )

ENCUMBRANCES, LIENS & INTERESTS

PAGE 2  
# 131 259 551

REGISTRATION

NUMBER DATE (D/M/Y) PARTICULARS

MORTGAGEE - CONNECT FIRST CREDIT UNION LTD.  
BOX 1137  
BROOKS  
ALBERTA T1R1B9  
ORIGINAL PRINCIPAL AMOUNT: \$1,300,000

161 116 169 18/05/2016 CAVEAT  
RE : ASSIGNMENT OF RENTS AND LEASES  
CAVEATOR - CONNECT FIRST CREDIT UNION LTD.  
BOX 1137  
BROOKS  
ALBERTA T1R1B9  
AGENT - B ADAM E BRENER

171 133 606 20/06/2017 MORTGAGE  
MORTGAGEE - HILLSBORO VENTURES INC.  
927-7A ST NW  
CALGARY  
ALBERTA T2M3J4  
ORIGINAL PRINCIPAL AMOUNT: \$4,500,000

171 133 607 20/06/2017 CAVEAT  
RE : ASSIGNMENT OF RENTS AND LEASES  
CAVEATOR - HILLSBORO VENTURES INC.  
927-7A ST NW  
CALGARY  
ALBERTA T2M3J4  
AGENT - TRAVIS MCARTHUR

181 126 985 19/06/2018 WRIT  
CREDITOR - MACROE WATER & SEWER INC.  
C/O BENETT JONES LLP  
3200, 10020-100 ST  
EDMONTON  
ALBERTA T5J0N3  
DEBTOR - MOHINDER KAUR SANDHU  
15 ABBEY ROAD  
ROCKY VIEW  
ALBERTA T1Z0A1  
AMOUNT: \$686,434 AND COSTS IF ANY  
ACTION NUMBER: 1803 01374

191 209 030 11/10/2019 CERTIFICATE OF LIS PENDENS  
AFFECTS INSTRUMENT: 161116168

TOTAL INSTRUMENTS: 007

( CONTINUED )



PAGE 3

# 131 259 551

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN  
ACCURATE REPRODUCTION OF THE CERTIFICATE OF  
TITLE REPRESENTED HEREIN THIS 6 DAY OF AUGUST,  
2020 AT 10:39 A.M.

ORDER NUMBER: 39854529

CUSTOMER FILE NUMBER: PRDP20202228



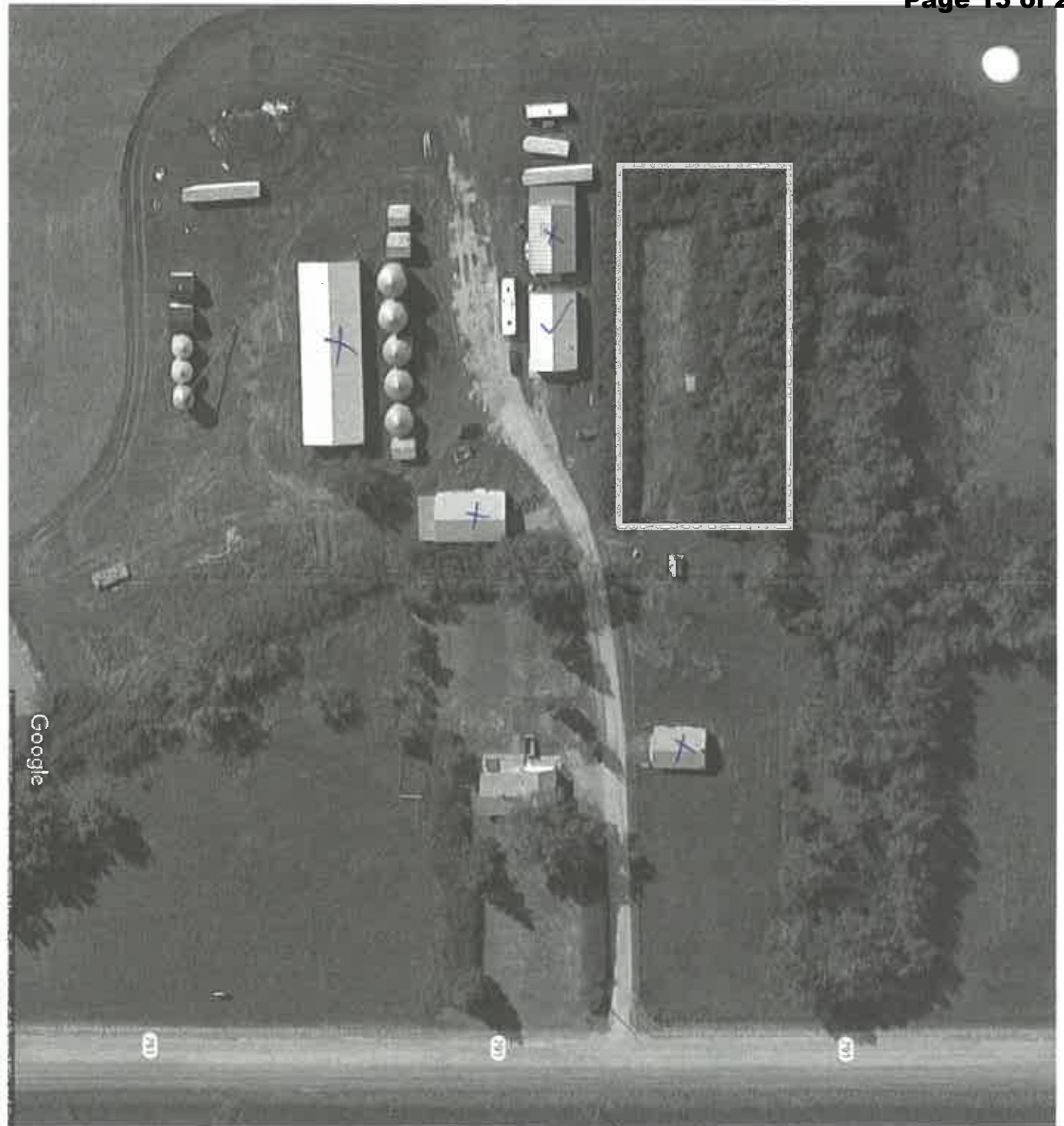
\*END OF CERTIFICATE\*

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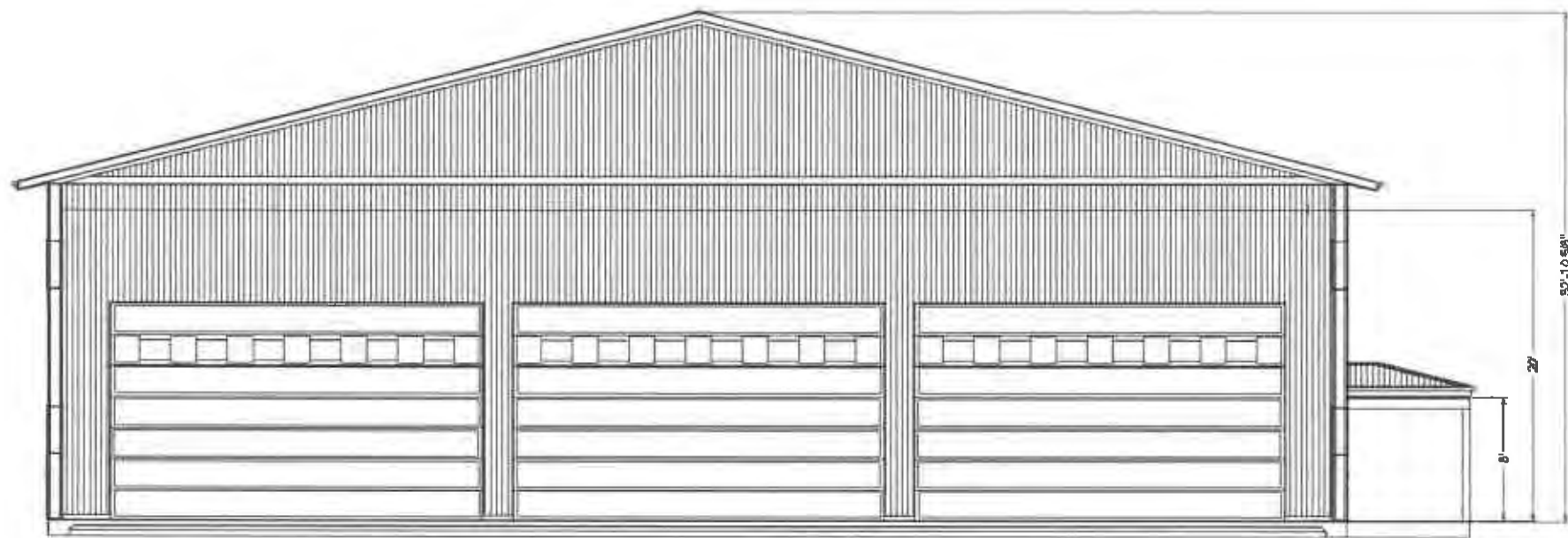
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OR TECHNICAL EXPERTISE FOR THE BENEFIT OF CLIENT(S).

(X) will Be taken  
Down Because  
of AGE of  
the Buildings

(V) will Be staying



CROSS SECTION -- Elevation



NOT FOR CONSTRUCTION USE

NOT FOR CONSTRUCTION OR PERMITS. HOME CONCEPT INTENDED FOR BASIC DESIGN & BUDGETARY ESTIMATION. CONCEPT MAY NOT COMPLETELY REFLECT ACTUAL BUILDING.

**NEW BUILDING CONCEPT**

CUSTOMER NAME: SBB Holdings  
CONCEPT #: Q34020

**REMU DA BUILDING**

     
Box 36, Site 27, RR7  
Calgary, AB T2P 2G7  
[remudabuilding.com](http://remudabuilding.com)

PAGE 7

DOLL HOUSE – INTERIOR



NOT FOR CONSTRUCTION USE

NOT FOR CONSTRUCTION OR PERMITS. HOME CONCEPT INTENDED FOR BASIC DESIGN & BUDGETARY ESTIMATION. CONCEPT MAY NOT COMPLETELY REFLECT ACTUAL BUILDING.

NEW  
BUILDING  
CONCEPT

CUSTOMER

CUSTOMER NAME: SBB Holdings  
CONCEPT #: Q34020

 REMUDA  
BUILDING

 Box 36, Site 27, RR7  
Calgary, AB T2P 2G7  
[remudabuilding.com](http://remudabuilding.com)

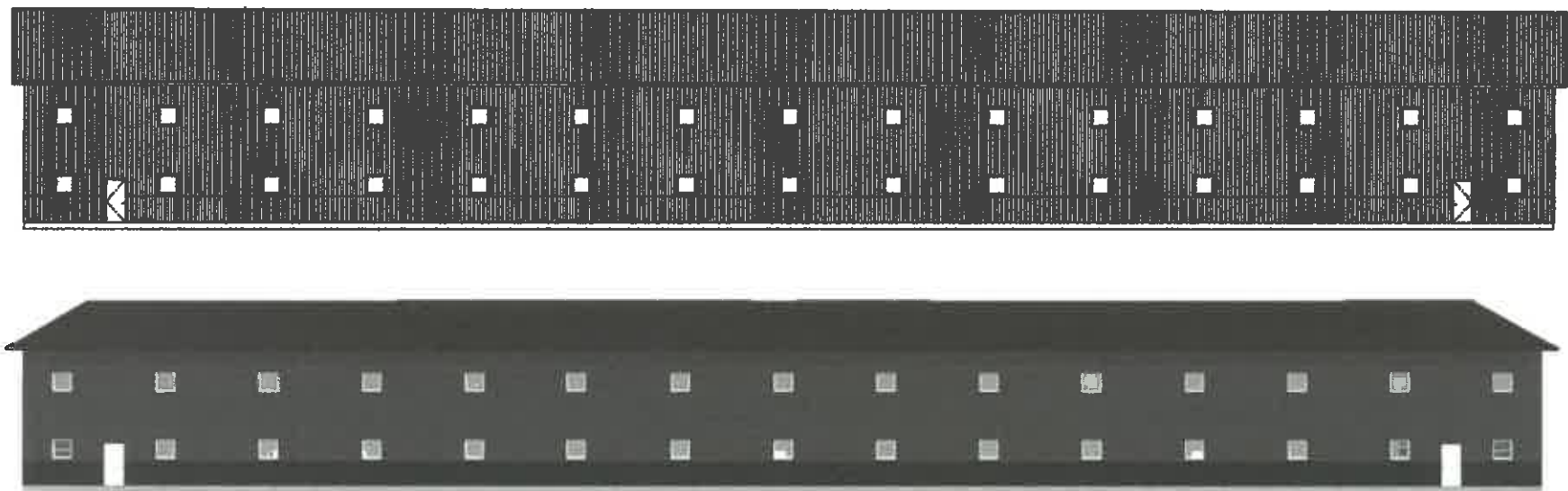
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6

AGENDA

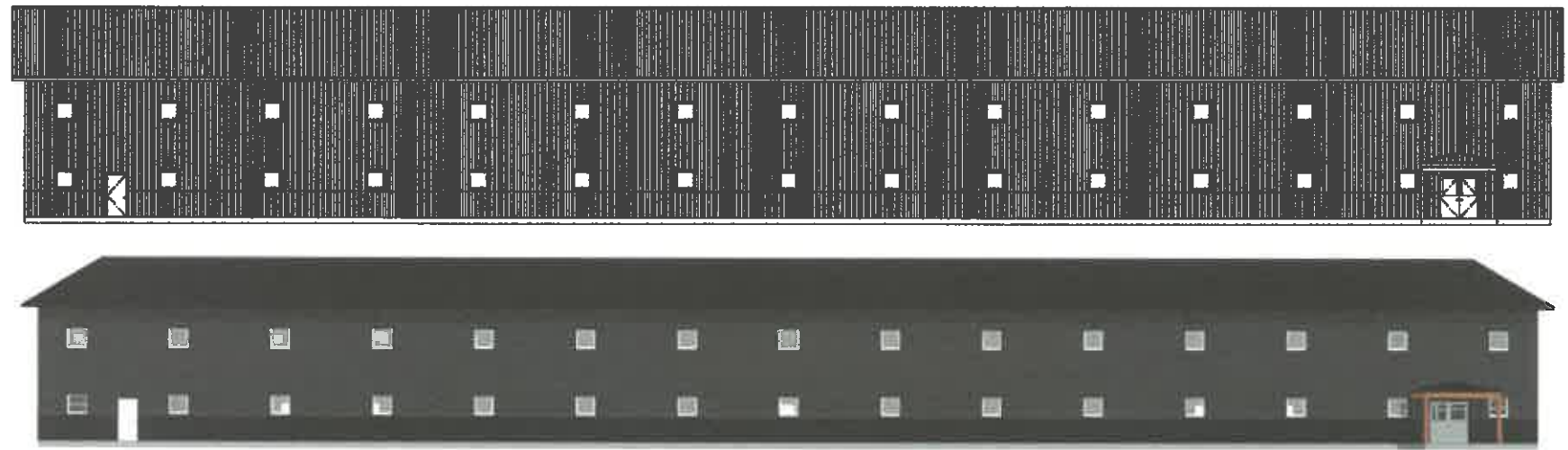
Page 321 of 516



RIGHT ELEVATION



LEFT ELEVATION



NOT FOR CONSTRUCTION USE

NOT FOR CONSTRUCTION OR PERMITS. HOME CONCEPT INTENDED FOR BASIC DESIGN & BUDGETARY ESTIMATION. CONCEPT MAY NOT COMPLETELY REFLECT ACTUAL BUILDING.

NEW  
BUILDING  
CONCEPT

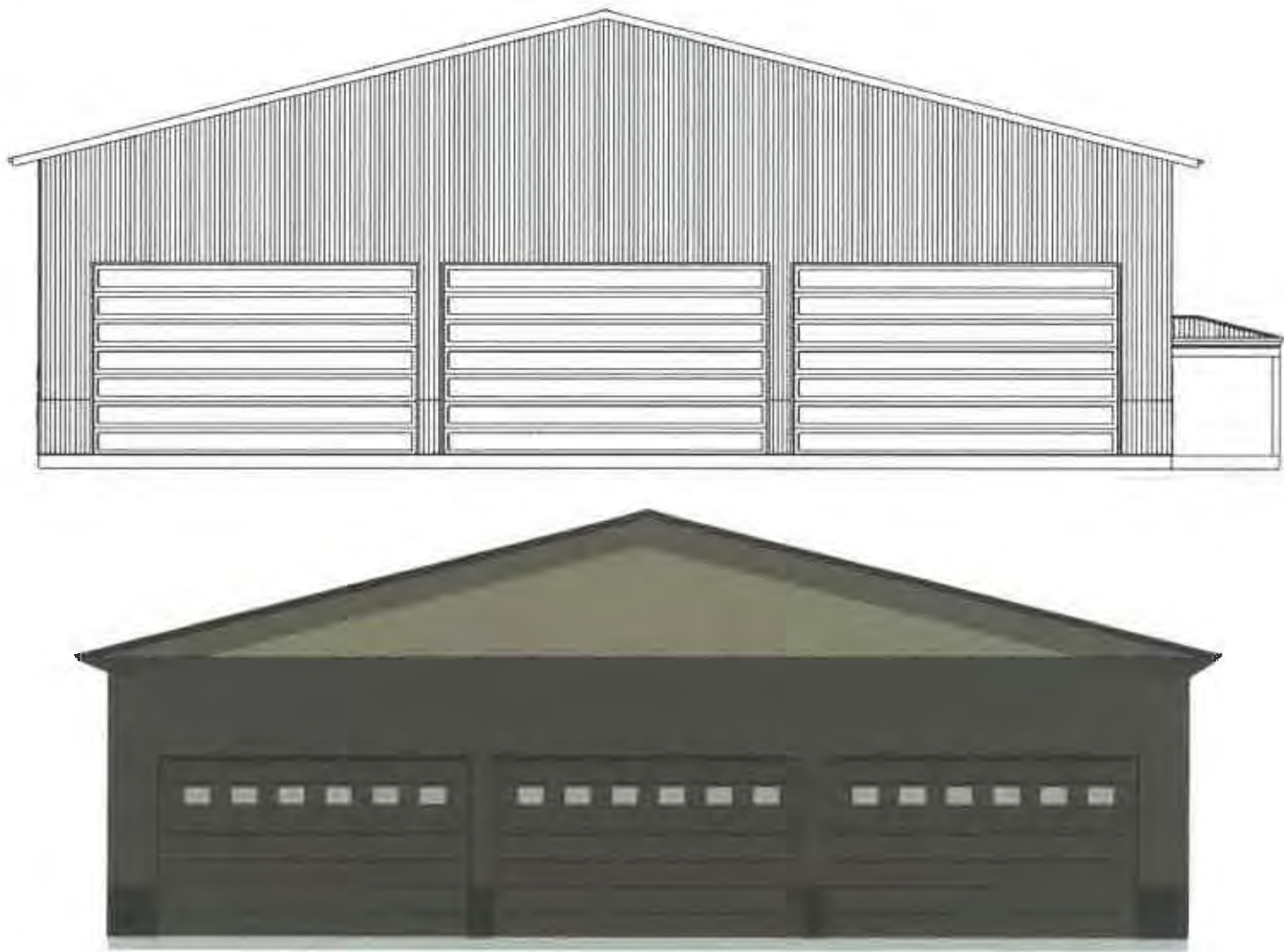
CUSTOMER NAME: SBB Holdings  
CONCEPT #: Q34020

**REMU DA**  
BUILDING

     
Box 36, Site 27, RR7  
Calgary, AB T2P 2G7  
[remudabuilding.com](http://remudabuilding.com)

PAGE  
5

REAR ELEVATION



NOT FOR CONSTRUCTION USE

NOT FOR CONSTRUCTION OR PERMITS. HOME CONCEPT INTENDED FOR BASIC DESIGN & BUDGETARY ESTIMATION. CONCEPT MAY NOT COMPLETELY REFLECT ACTUAL BUILDING.

NEW  
BUILDING  
CONCEPT

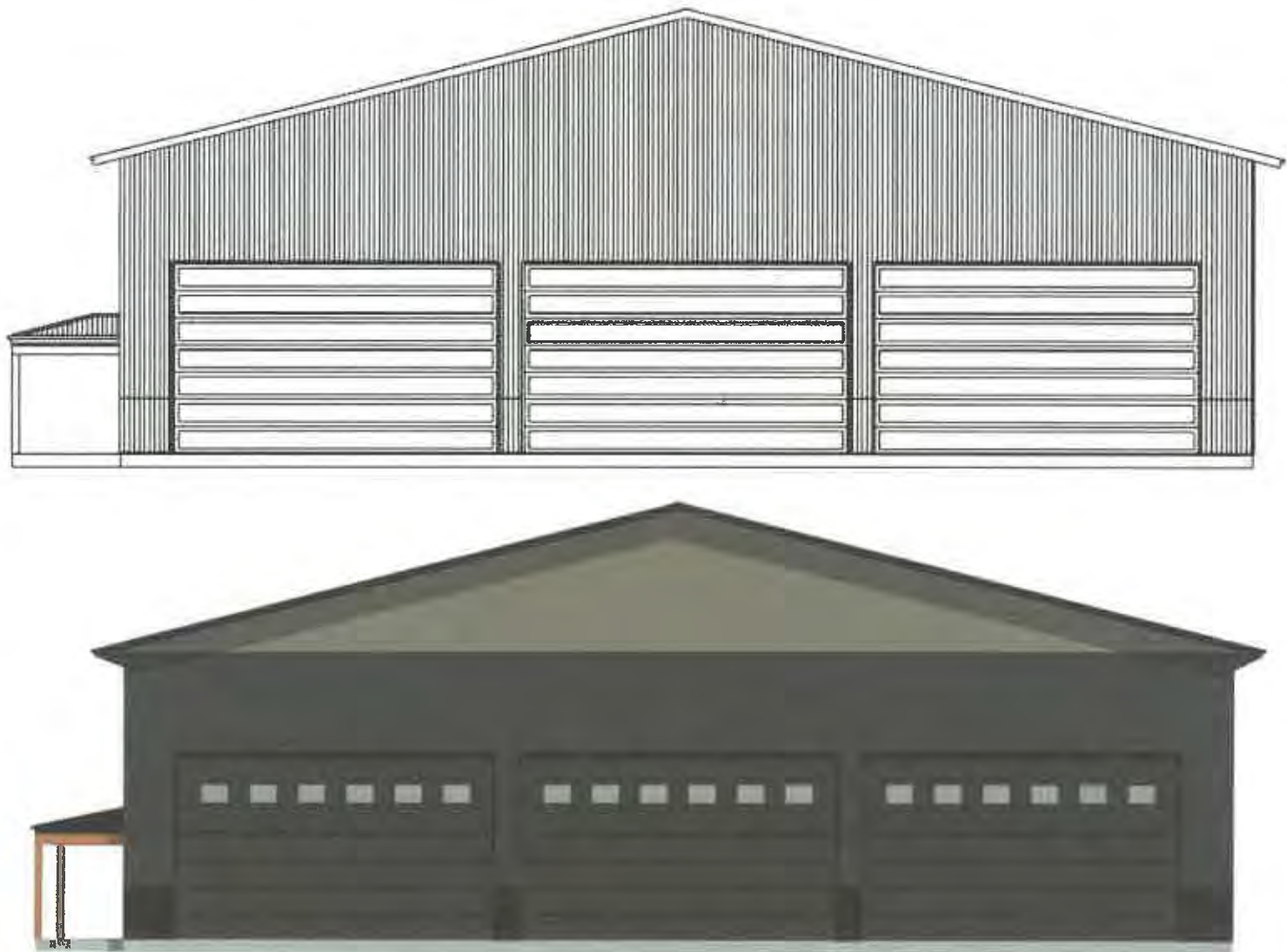
CUSTOMER NAME: SBB Holdings  
CONCEPT #: Q34020

 **REMUDA**  
BUILDING

  
Box 36, Site 27, RR7  
Calgary, AB T2P 2G7  
[remudabuilding.com](http://remudabuilding.com)

PAGE  
**4**

FRONT ELEVATION



NOT FOR CONSTRUCTION USE

PAGE  
3

  
Box 36, Site 27, RR7  
Calgary, AB T2P 2G7  
[remudabuilding.com](http://remudabuilding.com)

 **REMUDA**  
BUILDING

CUSTOMER  
CUSTOMER NAME: SBB Holdings  
CONCEPT #: Q34020

NEW  
BUILDING  
CONCEPT







20,160 SQ FT Equipment Storage

PREPARED FOR:  
SBB Holdings

PROJECT SUMMARY:

- Dimensions: 84' x 240' x 20'
- Ceiling Height: 20'
- Total Developed Area: 20,160
- Colours Shown:
  - Walls: Carbon
  - Roof, Wainscoting and Trim: Black
  - Upper Gable Walls: Buckskin



NOT FOR CONSTRUCTION USE

PAGE  
1



CUSTOMER NAME: SBB Holdings  
CONCEPT #: Q34020

NEW  
BUILDING  
CONCEPT

NOT FOR CONSTRUCTION OR PERMITS. HOME CONCEPT INTENDED FOR BASIC DESIGN & BUDGETARY ESTIMATION. CONCEPT MAY NOT COMPLETELY REFLECT ACTUAL BUILDING.



## PLANNING AND DEVELOPMENT SERVICES

**TO:** Municipal Planning Commission  
**DIVISION:** 5  
**SUBJECT:** Development Item: Accessory Building  
**USE:** Discretionary use, with Variances

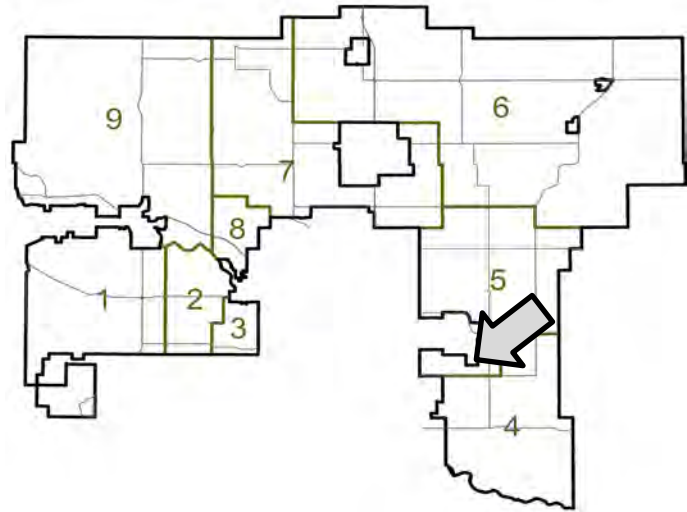
**DATE:** September 24, 2020  
**APPLICATION:** PRDP20202260

**APPLICATION:** construction of an accessory building (oversize shop), relaxation of the maximum building height, relaxation of the total building area for all accessory buildings and relaxation to the number of accessory buildings

**GENERAL LOCATION:** located approximately 0.41 km (1/4 mile) south of Twp. Rd. 241A and 0.41 km (1/4 mile) west of Hwy. 791.

**LAND USE DESIGNATION:** Residential One (R-1) under Land Use Bylaw C-4841-97.

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



### VARIANCE SUMMARY:

Bylaw	Permitted	Proposed	Variance
<b>48.3</b> Accessory Buildings greater than 80.27 sq. m (864.01 sq. ft.) and less than 120.00 sq. m (1,291.76 sq. ft.)	120.00 sq. m (1,291.76 sq. ft.)	205.11 sq. m (2,207.79 sq. ft.)	<b>70.90%</b>
<b>48.7</b> Maximum height of buildings	7.00 m (22.96 ft.)	7.37 m (24.20 ft.)	<b>5.00%</b>
<b>48.9</b> Maximum total building area for all accessory buildings	120.00 sq. m (1,291.67 sq. ft.)	222.28 sq. m (2,392.80 sq. ft.)	<b>85.20%</b>
<b>48.10</b> Maximum number of accessory buildings	Two (2)	Three (3)	<b>50.00%</b>

### OPTIONS:

- Option #1: THAT Development Permit Application PRDP20202260 be approved with the conditions noted in the report.
- Option #2: THAT Development Permit Application PRDP20202260 be refused as per the reasons noted.

### Administration Resources

Wayne Van Dijk - Planning and Development Services

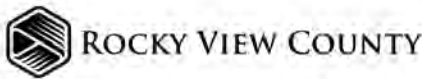


### AIR PHOTO & DEVELOPMENT CONTEXT:



## Administration Resources

Wayne Van Dijk - Planning and Development Services



## DEVELOPMENT PERMIT REPORT

<b>Application Date:</b> August 6, 2020	<b>File:</b> 04312094
<b>Application:</b> PRDP20202260	<b>Applicant/Owner:</b> Michael Cooper
<b>Legal Description:</b> SE12-24-28 W4M (228 High Point Estates)	<b>General Location:</b> located approximately 0.41 km (1/4 mile) south of Twp. Rd. 241A and 0.41 km (1/4 mile) west of Hwy. 791.
<b>Land Use Designation:</b> Residential One (R-1)	<b>Gross Area:</b> ± 0.80 hectares (±1.97 acres)
<b>File Manager:</b> Wayne Van Dijk	<b>Division:</b> 5

### PROPOSAL:

The proposal is for the construction of an accessory building (oversize shop), relaxation to the maximum building area, relaxation to the maximum height requirement, relaxation to the number of permitted accessory buildings and relaxation to the maximum permitted area for all accessory buildings. *Note, the application was assessed in accordance with Land Use Bylaw C-4841-97, as the application was received prior to September 8, 2020.*

The proposed accessory building is for storage of equipment and vehicles as well as shop space to perform hobby activities, such as wood and metal working and to help tidy and provide additional security for the landowner. The parcel currently contains two (2) accessory buildings;

- shed 2.44 m x 3.69 m (8.00 ft. x 12.11 ft.) and;
- playhouse 2.44 m x 3.35 m (8.00 ft. x 10.99 ft.)

The current accessory buildings are to remain and the proposed accessory building is supplemental to those existing buildings.

The proposed accessory building is 205.11 sq. m (2,208.00 sq. ft.) in size. The dimensions are 14.02 m x 14.63 m (46.00 ft. x 48.00ft.) and 7.38 m (24.20 ft.) high. The proposed accessory building complies with the minimum land setbacks for the district.

Variances are required for the maximum accessory building height, size, total building area for all accessory buildings, and number of accessory buildings. Residential One District (R-1), lists the maximum size of an accessory building as 120.00 sq. m (1,291.67 sq. ft.); maximum height of accessory buildings as 7.00 m (22.96 ft.); maximum total building area for all accessory buildings as 120.00 sq. m (1,291.67 sq. ft.); maximum number of accessory buildings as two (2).

### PERMIT HISTORY:

- No previous DP's on file

### LAND USE BYLAW:

#### Section 48 Residential One District (R-1)

##### 48.3 Uses, Discretionary

*Accessory Buildings greater than 80.27 sq. m. (864.01 sq. ft.) building area and less than 120.00 sq. m (1,291.76 sq. ft.) building area*



- Proposed accessory building is:
  - 14.02 m (46 ft.) x 14.63 m (48.00 ft.) = 205.11 sq. m. (2,207.79 sq. ft.).
  - **Variance required: 85.11 sq. m (916.12 sq. ft.) 70.90%**

*48.7 Maximum height of buildings*

*(b) accessory building – 7.00 m (22.96 ft.)*

- Proposed accessory building is:
  - 7.37 m (24.20 ft.)
  - **Variance required: 0.37 m (1.21 ft.) 5.00%**

*48.9 Maximum total building area for all accessory buildings – 120.00 sq. m (1,291.67 sq. ft.)*

- Proposed total building area for accessory buildings:
  - Playhouse: 2.44 m x 3.35 m (8.00 ft. x 10.99 ft.) = 8.17 sq. m (87.94 sq. ft.)
  - Shed: 2.44 m x 3.69 m (8.00 ft. x 12.11 ft.) = 9.00 sq. m (96.88 sq. ft.)
  - Proposed accessory building: 14.02 m (46 ft.) x 14.63 m (48 ft.) = 205.11 sq. m (2,207.79 sq. ft.)
  - Total: 222.28 sq. m (2,392.80 sq. ft.)
  - **Variance required: 102.28 sq. m (1,100.94 sq. ft.) 85.20%**

*48.10 Maximum number of accessory buildings – Two (2)*

- Proposed number of accessory buildings:
  - three (3)
  - **Variance required: 150%**

**Assessment Rationale:**

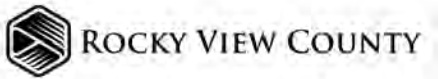
- The proposed accessory building is well screened from adjacent landowners;
- The applicant has stated that the accessory building will be utilized to store vehicles and equipment and to help keep property tidy and secure;
- It is the opinion of the Development Authority that approving this variance would not unduly interfere with the amenities of the neighbourhood or materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land.

**STATUTORY PLANS:**

- This property falls does not fall within any Area Structure Plan and/or Statutory Plan. This application was assessed in accordance with the Land Use Bylaw.

**INSPECTOR'S COMMENTS:**

- Property is well kept and maintained,
- Proposed location appears to meet setback requirements and is well-screened from adjacent landowners,
- Landowner/applicant present during inspection. Applicant stated the new accessory building (will be 3<sup>rd</sup> accessory building on parcel) will be utilized to store equipment and vehicles and to help tidy the property,
- No concerns at time of inspection



## **CIRCULATIONS:**

### Utility Services

- No concerns

### Planning and Development Services - Engineering Review

- No comments. Technically it should be circulated to AT because the property is within 1.6 km of Highway 791 but I think they would have very little to say. No need for Road Approach to provide comments as the approach will not be modified in anyway.

### Planning and Development Services - Development Compliance Review

- Development Compliance has no comments or concerns with respect to the attached application.

### Building Services

- No concerns with addition, subject to BP.

No other comments received at time of report writing

## **OPTIONS:**

Option 1: (this would allow the proposed development)

APPROVAL, subject to the following conditions:

### **Description:**

1. That construction of an accessory building (oversize shop), may commence on the subject land in general accordance with the drawings submitted with application.
  - i. That the maximum building area for the accessory building is relaxed from **120.00 sq. m (1,291.76 sq. ft.) to 205.11 sq. m (2,207.79 sq. ft.)**.
  - ii. That the maximum height of the accessory building be relaxed from **7.00 m (22.96 ft.) to 7.37 m (24.20 ft.)**.
  - iii. That the total building area for all accessory buildings is relaxed from **120.00 sq. m (1,291.67 sq. ft.) to 222.28 sq. m (2,392.80 sq. ft.)**.
  - iv. That the maximum number of accessory buildings be relaxed from **Two (2) to Three (3)**.

### **Permanent:**

2. That the accessory building shall not be used for residential occupancy or commercial purposes at any time.
3. That the Applicant/Owner shall contact County Road Operations, to detail 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.
4. That there shall be no more than 1.00 m (3.28 ft.) of fill/topsoil placed adjacent to or within 15.00 m (49.21 ft.) of the proposed accessory building under construction in order to establish approved final grades unless a Development Permit has been issued for additional fill.
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.

**Advisory:**

6. That during construction of the building, all construction and building materials shall be maintained on-site, in a neat and orderly manner. Any debris or garbage shall be stored/placed in garbage bins and disposed of at an approved disposal facility.
7. That during construction of the building, the Applicant/Owner shall adhere to the County's Noise Bylaw (C-5772-2003) at all times.
8. That a Building Permit for the accessory building shall be obtained through Building Services, prior to any construction taking place.
9. 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.
10. 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.





791

RF\*

**AGENDA**  
**Page 334 of 516**



**ROCKY VIEW COUNTY**  
Cultivating Communities

20202260

# APPLICATION FOR A DEVELOPMENT PERMIT

FOR OFFICE USE ONLY **Page 9 of 21**

Fee Submitted <u>265.00</u>	File Number <u>04312092</u>
Date of Receipt <u>08/06/2020</u>	Receipt # <u>2520024992</u>

Name of Applicant Michael Cooper

Email [REDACTED]

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

Registered Owner (if not applicant) Same as applicant

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

Postal Code \_\_\_\_\_

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

(H) \_\_\_\_\_

Fax \_\_\_\_\_

## 1. LEGAL DESCRIPTION OF LAND

- a) All / part of the SE  $\frac{1}{4}$  Section 12 Township 24 Range 28 West of 04 Meridian
- b) Being all / parts of Lot 5 Block 3 Registered Plan Number 9711229
- c) Municipal Address 19 East Ridge Blvd. , Rocky View County
- d) Existing Land Use Designation R-1 Parcel Size 1.977 Acres Division 5

## 2. APPLICATION FOR

Accessory Building - 46' x 48' = 2208 sq ft, 24' 2" height

## 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 MICHAEL WALTER COOPER 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 MW Cooper

Date AUG 6, 2020

Owner's Signature MW Cooper

Date AUG 6, 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, MICHAEL COOPER, 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

AUG 6, 2020  
Date



ROCKY VIEW COUNTY  
Cultivating Communities

FOR OFFICE USE ONLY

Fee Submitted

File Number

Date Received

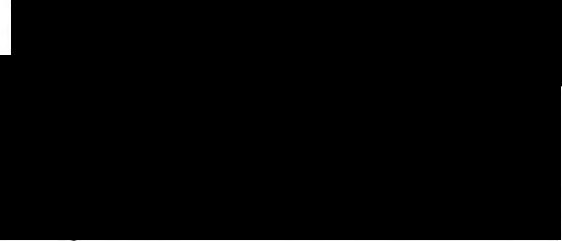
Receipt #

## APPLICATION FOR AN ACCESSORY BUILDING

Name of Applicant

MICHAEL COOPER

Email



### 1. DETAILS OF ACCESSORY BUILDING

	Bylaw	Proposed
Accessory building size maximum	1,291.67 ft	2208 FT <sup>3</sup>
Accessory building height	22.96 ft	24' 2"
Number of existing accessory buildings on site	Two (2)	3
Total size of all accessory buildings	1,291.67 ft	2392 FT <sup>3</sup>

#### Description of Accessory Buildings:

- a) Building materials POST FRAME STEEL SIDING TO MATCH HOUSE
- b) Exterior colour "BROWN" TO MATCH HOUSE COLOR
- c) Please include why relaxations for buildings are needed (location, storage needs, tidy property, etc.)  
TIDY PROPERTY STORAGE, FREE UP ATTACHED GARAGE
- d) Date when building permits were issued for existing buildings TO PROTECT VEHICLE FROM  
NONE - GARDEN SHED + PLAYHOUSE 96 FT<sup>3</sup> + 88 FT<sup>3</sup> TRAIL
- e) If no permits were issued - list age of buildings 20 YEARS

### 2. DESCRIBE THE USE OF THE ACCESSORY BUILDING

1. STORE HOLIDAY TRAILER IN DOOR, TOOLS, ACREAGE EQUIPMENT TO KEEP
2. SECURITY - HIDE HIGH VALUE ITEMS DETERING OPPORTUNISTIC TIDY
3. MOVE HOBBY SPACE FROM EXISTING ATTACHED GARAGE SO THEFT.

### 3. ADDITIONAL REQUIREMENTS

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

Signature of Applicant

M. Cooper

Date:

AUG 6 / 2020

SEE COVER  
LETTER



August 5, 2020

Rocky View County  
262075 Rocky View Point  
Rocky View County, Alberta  
T4A 0X2  
Attn: Development Services

Re: DP application for Accessory building

SE-12-24-28-04  
Lot 5, block 3, plan 9711229

Development Services;

For your consideration, please find a Development Permit application attached. The intent of this Development Permit application is to initiate the relaxation of the appropriate Rocky View County land use bylaws through the appeal process to permit the construction of an oversize accessory building.

The reason for the request for an oversize accessory building is to meet several specific goals:

1. The building size would allow me to house my acreage maintenance equipment, RV trailer, ATV, tools and materials out of the weather and out of sight to tidy the property.
2. The oversize building would improve security by relocating higher value items currently stored outdoors, to a secure and concealed indoor area; deterring opportunistic criminal activity.
3. The accessory building would allow the relocation of my hobby space (wood and metal working) from the existing residential attached garage to the proposed accessory building, thereby providing parking inside the existing attached garage to protect my vehicles from extreme weather (specifically hail which has severely damaged several of my vehicles as well as my RV trailer in multiple hail events). By parking my vehicles in the existing attached garage, I also hope to reduce exposure to car prowling which is becoming more prevalent in our rural areas. Admittedly, being able to park my cars in the existing heated attached garage will also free me from having to scrape my car windows through yet another winter!

4. I want to be a good neighbor and keep the visual appearance of my property high, rather than use unsightly and non-permitted storage solutions. I believe a Development Permit decision allowing for an oversize accessory building is preferable to the options used by some property owners in Rocky View County that are utilizing intermodal shipping containers (C-cans), and decommissioned road transport trailers as ad-hoc and often unsightly storage solutions on their property.

My wish is to have a legally permitted accessory building that meets the majority of my needs, improves the tidiness and security of my property and does not negatively impact my neighbour's use or enjoyment of their own properties.

Your consideration of this Development Permit Application is appreciated.

Sincerely;



Michael Cooper  
19 East Ridge Blvd., Rocky View County, AB.





LAND TITLE CERTIFICATE

S		
LINC	SHORT LEGAL	TITLE NUMBER
0027 104 694	9711229;3;5	191 227 651

LEGAL DESCRIPTION  
 PLAN 9711229  
 BLOCK 3  
 LOT 5  
 EXCEPTING THEREOUT ALL MINES AND MINERALS

ESTATE: FEE SIMPLE  
 ATS REFERENCE: 4;28;24;12;SE

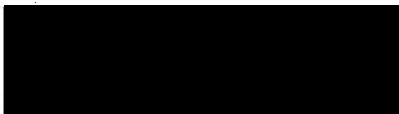
MUNICIPALITY: ROCKY VIEW COUNTY

REFERENCE NUMBER: 991 244 945

-----				
REGISTERED OWNER(S)				
REGISTRATION	DATE (DMY)	DOCUMENT TYPE	VALUE	CONSIDERATION
-----				
191 227 651	07/11/2019	AFFIDAVIT OF SURVIVING JOINT TENANT		

OWNERS

MICHAEL WALTER COOPER



-----  
 ENCUMBRANCES, LIENS & INTERESTS

REGISTRATION		
NUMBER	DATE (D/M/Y)	PARTICULARS
-----		
961 224 747	26/09/1996	UTILITY RIGHT OF WAY GRANTEE - CANADIAN WESTERN NATURAL GAS COMPANY LIMITED.
961 240 821	15/10/1996	CAVEAT RE : SEE CAVEAT CAVEATOR - EAST RIDGE ESTATES COMMUNITY ASSOCIATION.

( CONTINUED )

-----  
ENCUMBRANCES, LIENS & INTERESTS  
-----

PAGE 2  
# 191 227 651

REGISTRATION

NUMBER      DATE (D/M/Y)      PARTICULARS

-----

		652 EAST CHESTERMERE DRIVE CHESTERMERE ALBERTA T1X1A5 AGENT - MANJIT DUHRA
971 191 324	03/07/1997	CAVEAT RE : EASEMENT AND RESTRICTIVE COVENANT
971 191 325	03/07/1997	UTILITY RIGHT OF WAY GRANTEE - ALTALINK MANAGEMENT LTD. 2611 - 3 AVE SE CALGARY ALBERTA T2A7W7 GRANTEE - AMAR DEVELOPMENTS LTD. 652 E CHESTERMERE DRIVE CHESTERMERE ALBERTA T1X1A5 GRANTEE - THE MUNICIPAL DISTRICT OF ROCKY VIEW NO. 44. 911 - 32ND AVENUE N E CALGARY ALBERTA T2M4L6 GRANTEE - TELUS COMMUNICATIONS INC. 10020 - 100 STREET EDMONTON ALBERTA T5J0N5 GRANTEE - CANADIAN WESTERN NATURAL GAS COMPANY LIMITED. 909-11 AVE SW CALGARY ALBERTA T2P1L8 GRANTEE - SHAW CABLESYSTEMS LIMITED. 2001-27TH AVENUE N.E. CALGARY ALBERTA T2A6T9 AS TO PORTION OR PLAN:9711230 "DATA UPDATED BY: CHANGE OF NAME 021448686" (DATA UPDATED BY: TRANSFER OF UTILITY RIGHT OF WAY 021197949) (DATA UPDATED BY: CHANGE OF ADDRESS 091112268)
971 191 326	03/07/1997	CAVEAT RE : RESTRICTIVE COVENANT
971 191 327	03/07/1997	EASEMENT OVER AND FOR BENEFIT OF SEE INSTRUMENT (AS TO PLAN 9711232)
971 338 023	13/11/1997	CAVEAT

( CONTINUED )



-----  
ENCUMBRANCES, LIENS & INTERESTS

PAGE 3  
# 191 227 651

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

RE : PURCHASE AGREEMENT  
CAVEATOR - AMAR DEVELOPMENTS LTD.  
BOX 15, SITE 5, RR 6  
CALGARY  
ALBERTA T2M4L5  
AGENT - ELAINE J LAMBERT

981 347 489 05/11/1998 EASEMENT  
AS TO PORTION OR PLAN:9813054  
OVER BLOCK B ON PLAN 7510553 & LOT 21 IN BLOCK 3  
ON PLAN 9711229 FOR BENEFIT OF LOTS 1 TO 15 &  
LOTS 19 TO 25 IN BLOCK 3 ON PLAN 9711229

TOTAL INSTRUMENTS: 008

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN  
ACCURATE REPRODUCTION OF THE CERTIFICATE OF  
TITLE REPRESENTED HEREIN THIS 6 DAY OF AUGUST,  
2020 AT 02:06 P.M.

ORDER NUMBER: 39857692

CUSTOMER FILE NUMBER:



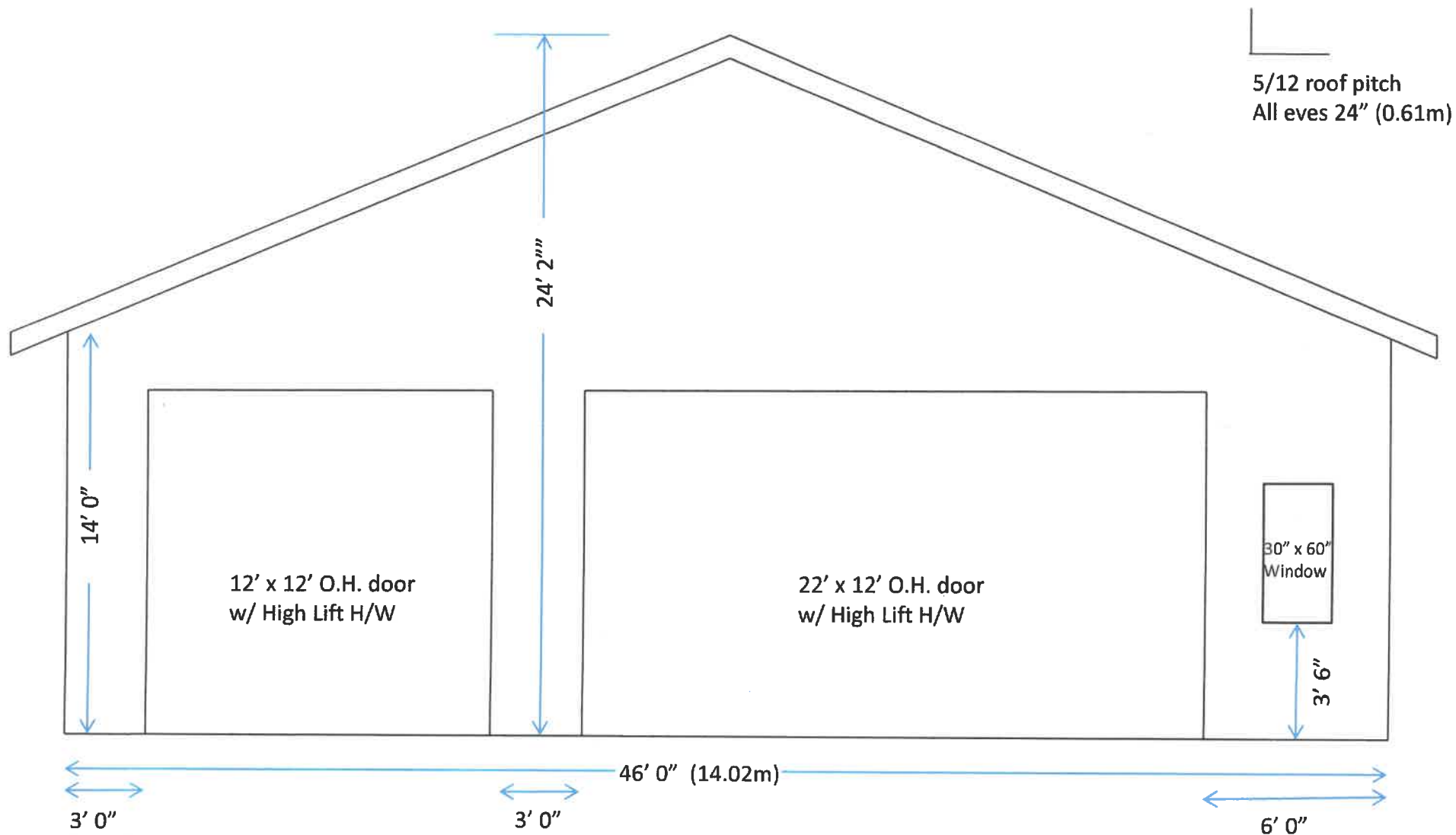
\*END OF CERTIFICATE\*

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.

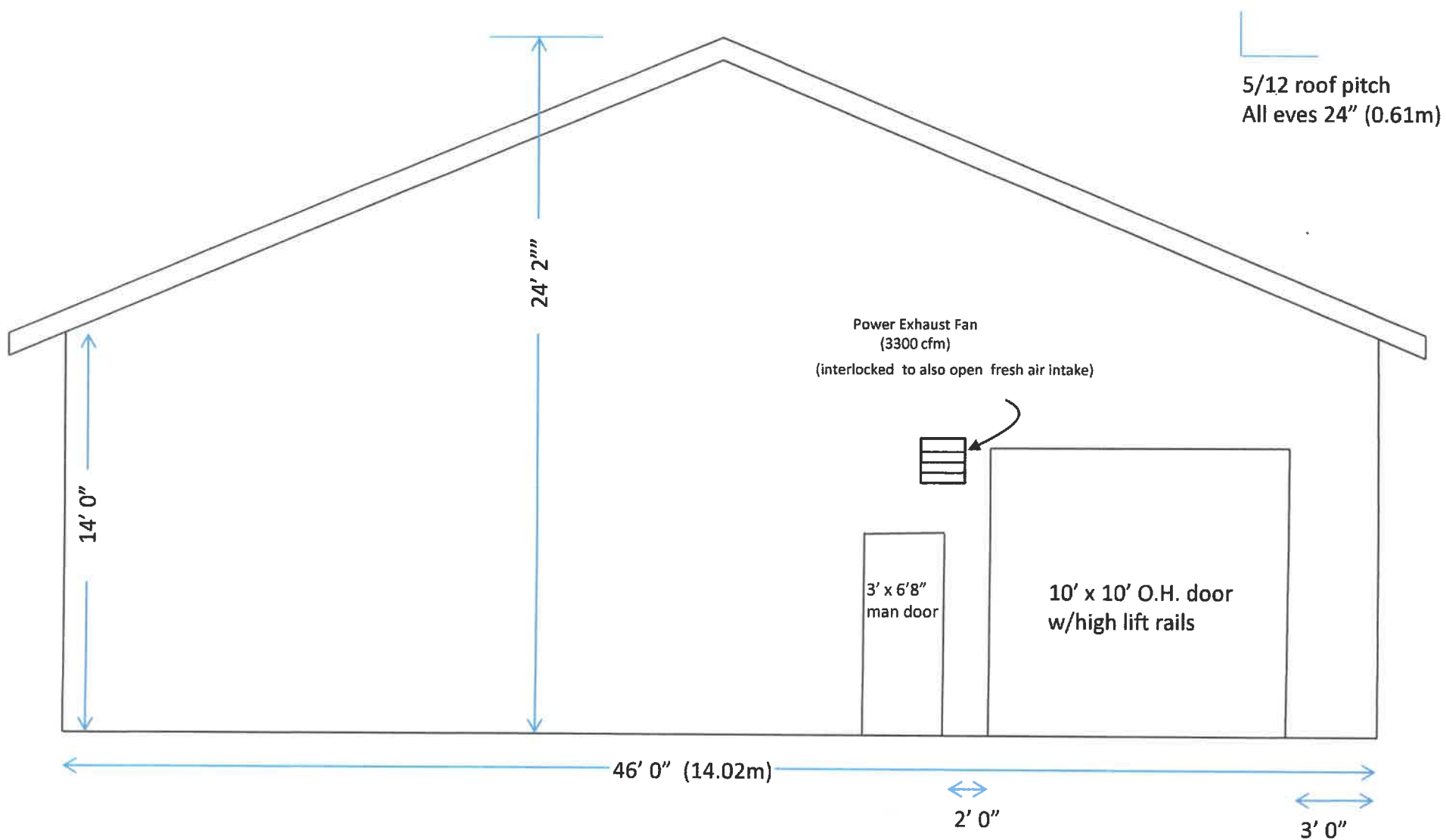
THE ABOVE PROVISIONS DO NOT PROHIBIT THE ORIGINAL PURCHASER FROM  
INCLUDING THIS UNMODIFIED PRODUCT IN ANY REPORT, OPINION,  
APPRAISAL OR OTHER ADVICE PREPARED BY THE ORIGINAL PURCHASER AS  
PART OF THE ORIGINAL PURCHASER APPLYING PROFESSIONAL, CONSULTING  
OR TECHNICAL EXPERTISE FOR THE BENEFIT OF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



East Face  
Front Elevation

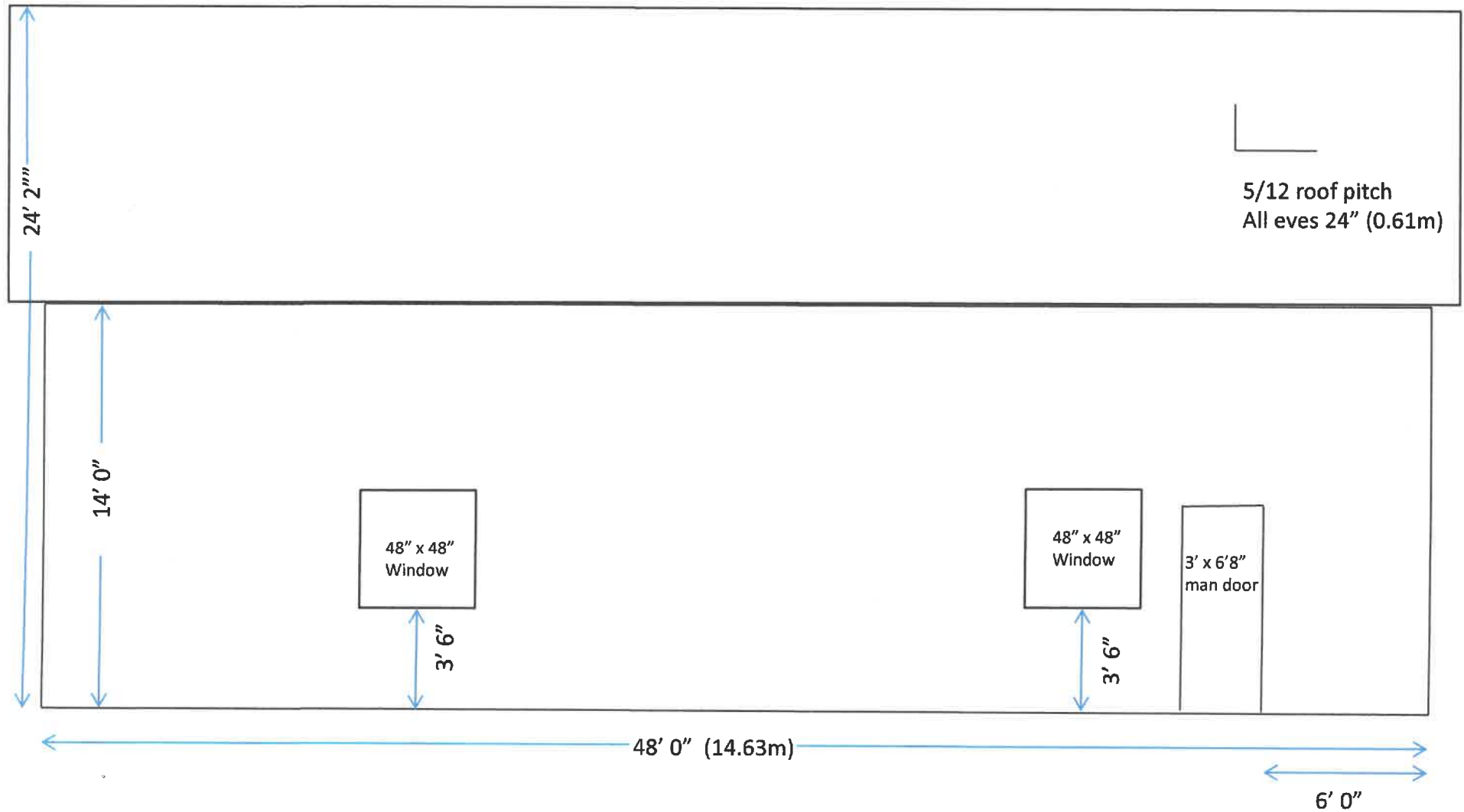


# West Face Rear Elevation

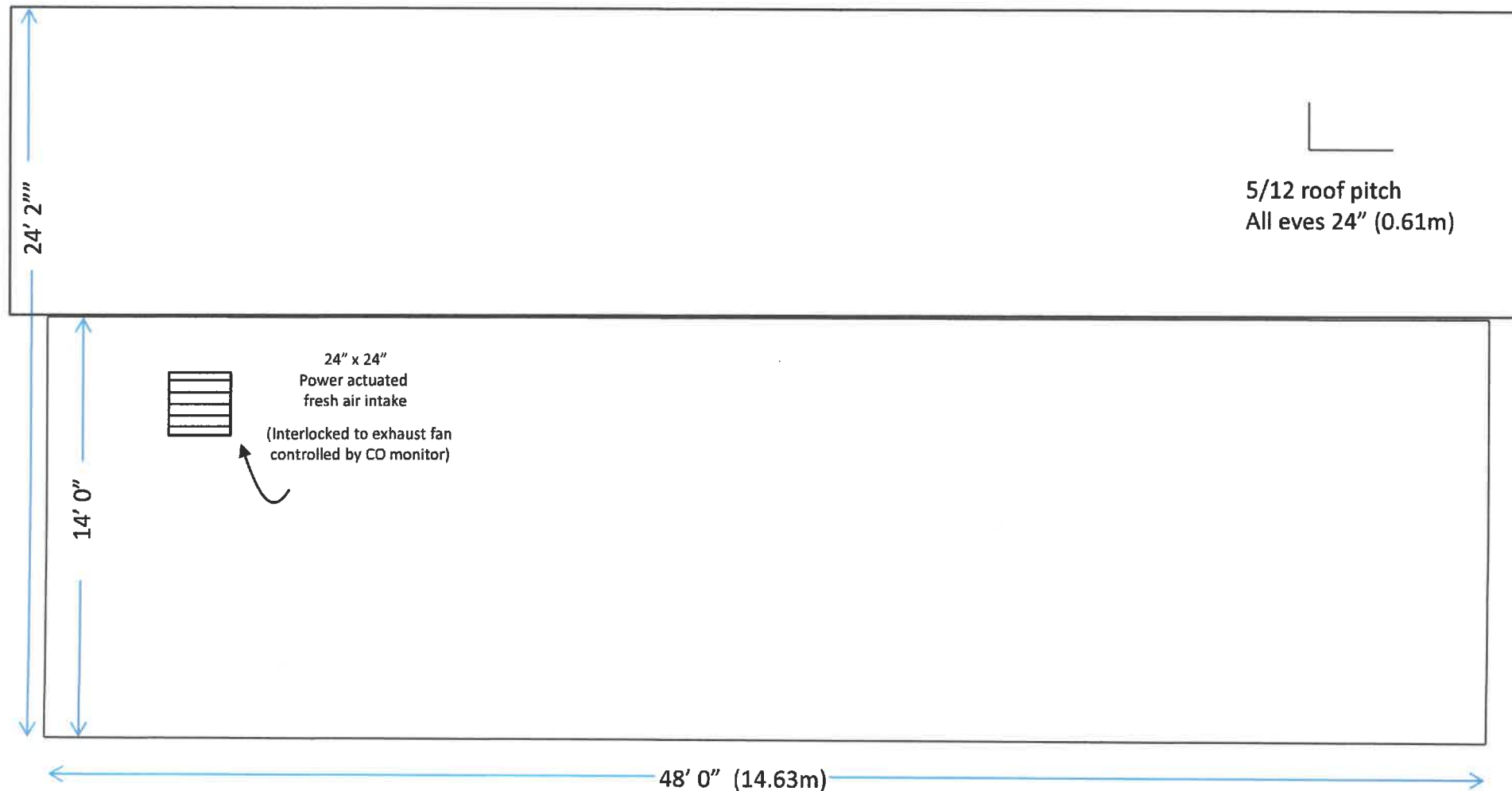


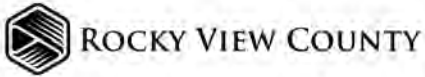


South Face  
Left Elevation



# North Face Right Elevation





## PLANNING AND DEVELOPMENT SERVICES

**TO:** Municipal Planning Commission  
**DIVISION:** 1  
**SUBJECT:** Development Item: Child Care Facility

**DATE:** September 24, 2020  
**APPLICATION:** PRDP20202337

**USE:** Discretionary Use, with no Variances  
**APPLICATION:** Child Care facility (existing building), tenancy and signage.

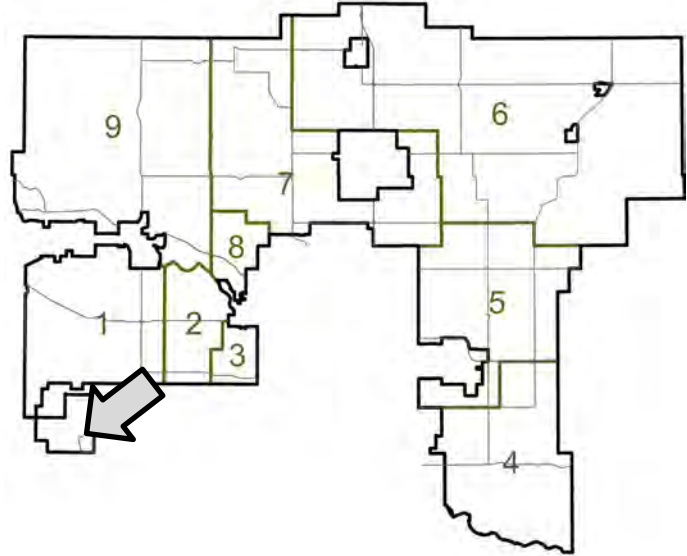
**GENERAL LOCATION:** Located in the hamlet of Bragg Creek.

**LAND USE DESIGNATION:** Hamlet commercial District (HC) under Land Use Bylaw C-4841-97.

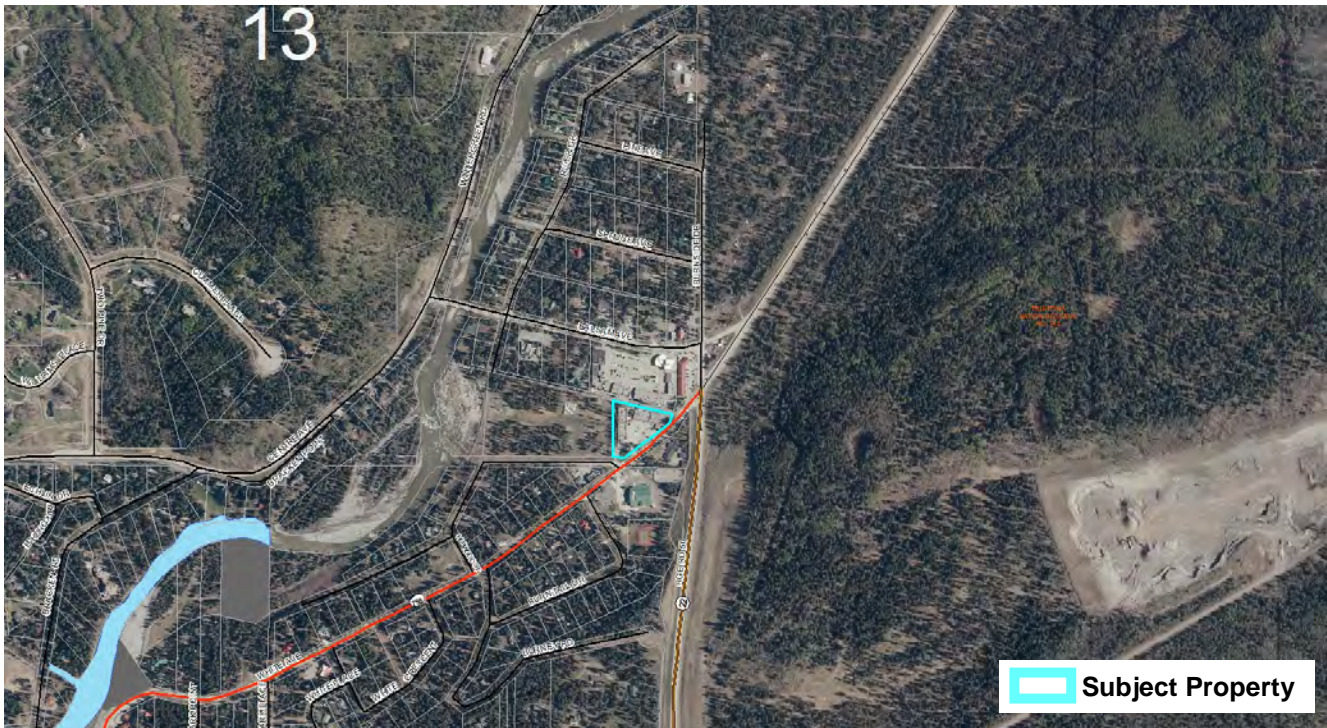
**ADMINISTRATION RECOMMENDATION:** Administration recommends Approval in accordance with Option #1.

Option #1: THAT Development Permit Application PRDP20202337 be approved with the conditions noted in the report.

Option #2: THAT Development Permit Application PRDP20202337 be refused as per the reasons noted.

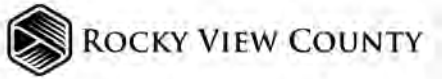


### AIR PHOTO & DEVELOPMENT CONTEXT:



### Administration Resources

Wayne Van Dijk - Planning and Development Services



## DEVELOPMENT PERMIT REPORT

<b>Application Date:</b> August 13, 2020	<b>File:</b> 03913002
<b>Application:</b> PRDP20202337	<b>Applicant/Owner:</b> Catherine Watson
<b>Legal Description:</b> Lot 8, Block 1, Plan 2571 JK, SE-13-23-05-W05M	<b>General Location:</b> Located in the hamlet of Bragg Creek.
<b>Land Use Designation:</b> Hamlet Commercial District (HC)	<b>Gross Area:</b> ± 0.89ha (± 2.20 acres)
<b>File Manager:</b> Wayne Van Dijk	<b>Division:</b> 1

### PROPOSAL:

The proposal is for change of use/tenancy within an existing building, development of a childcare facility. The childcare facility will occupy Unit 20, located at 4 16 White Avenue, in Bragg Creek.

*Note, the application was assessed in accordance with Land Use Bylaw C-4841-97, as the application was received prior to September 8, 2020.*

The proposed child care facility will occupy approximately 232.26 sq. m (2,500.00 sq. ft.). There are no proposed changes to the exterior and/or interior of the unit.

The facility is scheduled to operate from 8:45 am to 3:30 pm, Monday to Friday. There are three (3) full time staff and three (3) part-time staff. No outside storage is requested and 1 sign, mounted in the window, is proposed.

#### *Application Details*

- Business Details:
  - "The Little Schoolhouse";
  - Childcare facility for children aged 3 to 5 years.
  - Development area
    - Unit 20: 232.26 sq. m (2,500.00 sq. ft.)

#### *Site Operations:*

- Employees:
  - 3 Full-time, 3 part-time;
- Hours of Operation:
  - Monday to Friday, 8:45 am to 3:30 pm;
- Storage:
  - Not requested
- Visits per day
  - Application states anticipated 15-20 parent drop-offs and pick-ups





### Signage

- One (1) window sign requested.

### Parking

- According to the *Child Care Facility* requirements in Schedule 5 of the LUB C-4841-97, 3 per 100.0 sq. m (1,076.39 sq. ft.).
  - 232.26 sq. m (2,500.00 sq. ft.) = 6.96 → 7
  - The development includes 67 parking stalls in total. Adequate parking is available on site and the current parking is under-utilized. With people only dropping off and picking up children, long-term parking is not required and therefore, parking is deemed to be adequate.

### Other

- *Child Care Facilities* is a listed discretionary use within the Hamlet Commercial District (HC) and all uses within the hamlet core of Bragg Creek are considered discretionary.

**CHILD CARE FACILITY** means the use of a building or portion thereof for the provision of care, instruction, maintenance or supervision of seven or more children under the age of 13 years, by persons other than one related by blood or marriage, for periods not exceeding 24 consecutive hours and includes all day-care centres, early childhood services, nurseries and after-school or baby-sitting programs which meet this definition;

### STATUTORY PLANS:

- Greater Bragg Creek Area Structure Plan

### INSPECTOR'S COMMENTS:

- Sign in the window but not yet operating.
- No concerns at time of inspection.

### CIRCULATIONS:

#### Building Services

- Prior to Issuance - Provide 3.2.2 Building Code analysis from Architect. Appears to be an A-2 occupancy, therefore the roof and supporting members will require a minimum 45 min. fire rating.
- Advisory Condition – Architectural, Mechanical, and Electrical stamped drawings with schedules are required for “Change of Use and Renovation.”
- Advisory Condition - Fire alarm may be required if more than 40 occupants.

#### Utility Services

- No concerns

#### Alberta Transportation

- No comments received



## Planning and Development Services - Engineering Review

### **General**

- The review of this file is based upon the application submitted. Should the submission material be altered or revised at subsequent development stages these conditions/recommendations may be subject to change to ensure best practices and procedure.

### **Geotechnical** - Section 300.0 requirements:

- Engineering has no requirements at this time.
- There are no steep slopes within the subject land. The proposed development is within an already developed area.

### **Transportation** - Section 400.0 requirements:

- Prior to the issuance, the applicant/owner will be required to provide a trip generation memo conducted and stamped by a professional engineer that assesses the traffic generated by the proposed development and provides a sensitivity analysis and determines whether a Traffic Impact Assessment (TIA) is warranted.
  - Prior to issuance, should the Trip Generation Memo warrant a TIA, the applicant/owner will be required to provide a TIA conducted and stamped by a professional engineer that assesses the impacts the proposed development will have on the local road network and identifies triggers for upgrades and provides recommendations on any required upgrades.
  - Prior to issuance, the applicant/owner shall enter into a Road Right of Way Construction Agreement to construct any upgrades that are warranted by the TIA accepted by the County.
- The applicant/owner will not be required to pay the transportation offsite levy, as per the applicable TOL bylaw at time of DP issuance.

### **Sanitary/Waste Water** - Section 500.0 requirements:

- Engineering has no requirements at this time.

### **Water Supply And Waterworks** - Section 600.0 & 800.0 requirements:

- Engineering has no requirements at this time.

### **Storm Water Management** – Section 700.0 requirements:

- Engineering has no requirements at this time.
- The proposed development is not expected to impact existing drainage conditions since the proposed development is within an already developed area.

### **Environmental** – Section 900.0 requirements:

- Engineering has no requirements at this time.

### **OPTIONS:**

Option #1 (this would allow the development to commence)

APPROVAL, subject to the following conditions:

### **Description:**

1. That *Child Care Facilities (Child Care Facility)* (within an existing building) may commence on the subject site, within Unit 20, in accordance with the submitted application and site plan.



- i. Installation of one (1) fascia sign; Details to be submitted prior to installation.

**Prior to Issuance:**

2. The prior to issuance of this permit, the Applicant/Owner shall submit a trip generation memo, conducted and stamped by a professional engineer that assess the traffic generated by the proposed development and provides a sensitivity analysis and determines if a Traffic Impact Assessment (TIA) is warranted, in accordance with County Servicing standards.
  - i. Should the Trip Generation memo warrant a TIA, the Applicant/Owner shall submit a TIA conducted and stamped by a professional engineer that assesses the impacts the proposed development will have on the local road network and identifies triggers for upgrades and provides recommendations for any upgrades.
  - ii. Should the TIA require any upgrades, the Applicant/Owner shall enter into a Road Right of Way Construction Agreement with the County, to construct any upgrades.

**Permanent:**

3. That all the conditions of 2000-DP-9072 shall remain in effect unless otherwise specified within this permit.
4. That all staff and clientele parking shall be restricted onsite only. There shall be no parking permitted within the adjacent County road allowances at any time.
5. That the entire site shall be maintained in a neat and orderly manner at all times.
6. That all garbage and waste for the site shall be stored in weatherproof and animal proof containers and screened from view by all adjacent properties and public thoroughfares.
7. That this permit is for tenant-occupancy only and would not include any new construction to the site that would result in additional imperious surfaces, unless required by a condition of this permit.
8. That the minimum parking stalls for the development shall be maintained on-site at all times.
9. 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.

**Advisory:**

10. That a Building Permit and all applicable sub-trade permits for tenant occupancy, shall be obtained through Building Services, prior to tenant occupancy and/or interior bay renovations and shall include:
  - i. A 3.2.2. Building Code Analysis for Change of Use and reclassification to "A-2 Assembly Major Occupancy";
  - ii. Architectural, Structural, Mechanical, and Electrical stamped drawings with schedules;
  - iii. That a working Fire alarm may be required if more than 40 occupants.

*Note: A fire separation from floor to roof deck is required, min. 45 minute.*
11. That any other government permits, approvals, or compliances are the sole responsibility of the Applicant/Owner including any Alberta Health Services requirements.
12. 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.



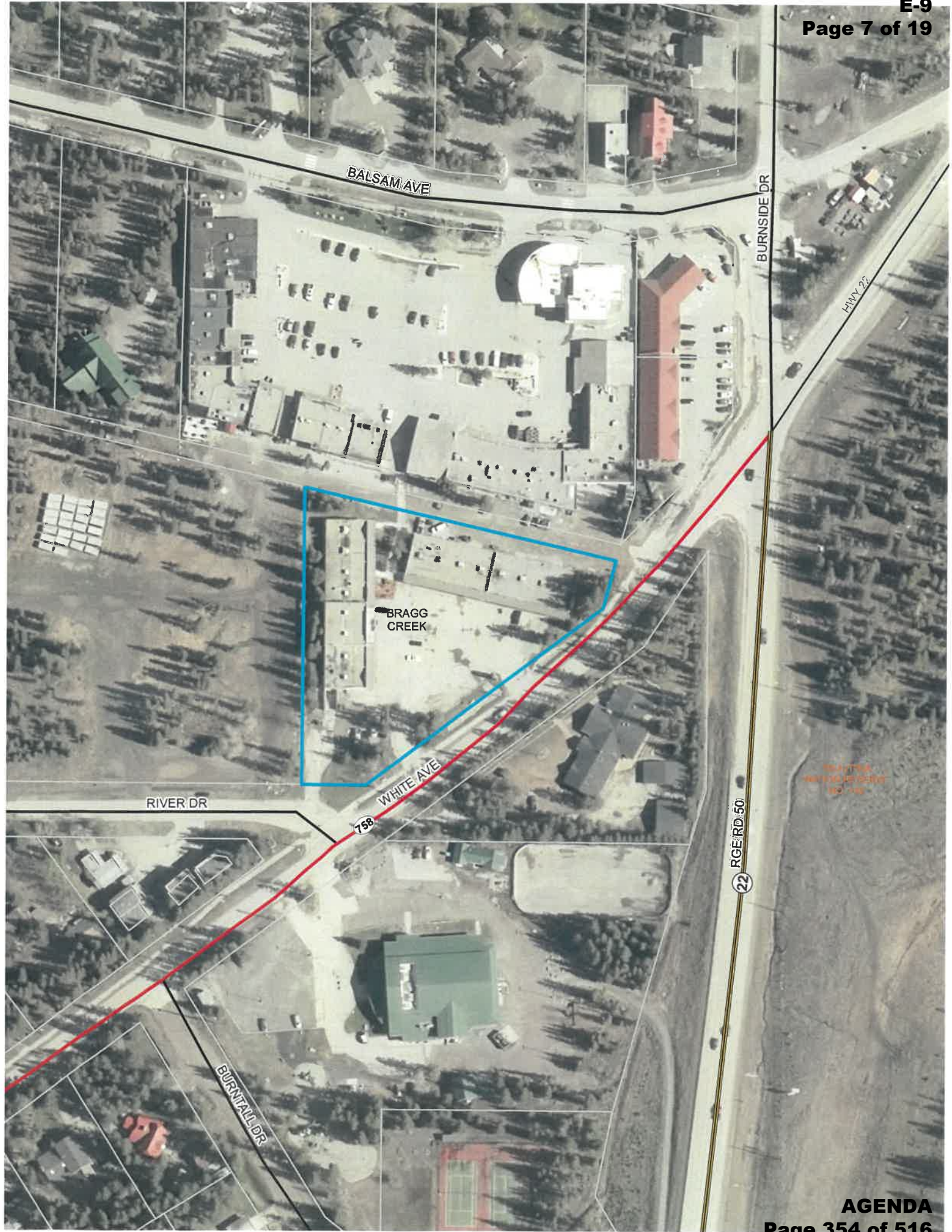
13. That if this Development Permit is not issued by **APRIL 30, 2021** or the approved extension date, then this approval is null and void and the Development Permit shall not be issued.

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

REFUSAL, 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

20202337

# APPLICATION FOR A DEVELOPMENT PERMIT

FOR OFFICE USE ONLY	
Fee Submitted \$545.00	File Number 03913002
Date of Receipt	Receipt #

Name of Applicant Catherine Watson

Email admin@thelittleschoolhouse.ca

For Agents please supply Business/Agency/ Organization Name Bragg Creek Education Services Association

Registered Owner (if not applicant) Bragg Creek Income Partnership Inc.

## 1. LEGAL DESCRIPTION OF LAND

- a) All / part of the portion of 1/4 Section 13 Township 23 Range 5 West of 5 Meridian
- b) Being all / parts of Lot 8 Block 1 Registered Plan Number 2571 JK
- c) Municipal Address 20 White Avenue.
- d) Existing Land Use Designation H/C Parcel Size 2.2 A Division 1

## 2. APPLICATION FOR

Preschool / Kindergarten program

## 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 TREVOR SKINNER

(Full Name in Block Capitals) hereby certify that: ☒ I am the registered owner

☐ 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.

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

Applicant's Signature Catherine Watson  
Date July 29, 2020

Owner's Signature [Signature]  
Date July 30, 2020



ROCKY VIEW COUNTY  
Cultivating Communities

## CHANGE OF USE OF LAND OR AN EXISTING BUILDING

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

Business Name: Bragg Creek Education Services Association

Business Details: Preschool / Kindergarten Program

What is the current approved use? Art Gallery

Will you be making any changes to the building and/or land? YES ☐ NO ☒

If YES – Please describe: \_\_\_\_\_

### 1. PARKING

How many daily customer visits are anticipated? 15-20

How many assigned parking spaces are there? 67 stalls

How will overflow of parking be managed? parents will be dropping/picking up children at designated times in morning/afternoon

### 2. EMPLOYEES

How many people are employed by the business? 3 Full Time: \_\_\_\_\_ Part Time: 3

### 3. OPERATION

Total area of business: 2500 (sq. ft. / sq. m)

What are your days and hours of operation? Days: Monday to Friday Hours: 8:45am to 3:30pm

### 4. STORAGE AND SIGNAGE

Is outside storage required? YES ☐ NO ☒ If YES – Total outside storage area \_\_\_\_\_ (sq. ft. / sq. m)

Will any sign(s) be required? YES ☒ NO ☐

If YES – Number of sign(s) required: 1 Type of sign(s) required: school name on signage  
material outlined in the lease agreement

### 5. ADDITIONAL INFORMATION

☒ Site Plan ☒ Sign Details ☒ Cover Letter

Signature of Applicant: Catherine Watson Date: July 29, 2020



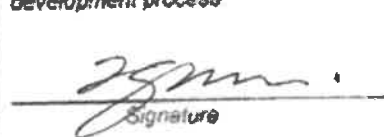
5. RIGHT OF ENTRY

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, Uwe Schunne 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      July 30, 2020 Date

# Bragg Creek Education Services Association

Box 226, Bragg Creek, AB T0L 0K0 • 403-949-3939 • [www.braggcreekeducationservices.com](http://www.braggcreekeducationservices.com)

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July 29, 2020

To Whom It May Concern,

Due to the effects of the global pandemic on early childhood education, Bragg Creek Education Services is looking to obtain a second location. In order to comply with childcare licensing, health guidelines and cohort requirements as outlined by the provincial ministries we are seeking a second operational space. Bragg Creek Education Services currently provides preschool and kindergarten programs to children residing in Bragg Creek and surrounding areas.

This location will be set up as a preschool/kindergarten classroom. Children ages three to five years-old will attend our developmentally appropriate programs. Our program provides a safe, secure and independent early childhood learning environment where teachers, parents and community members strive to meet the individual growth and development needs of each student. This program will be a multi-aged preschool and kindergarten, following the Early Learning Framework and Alberta Education Curriculum. Our program will be staffed with certified childcare providers and early childhood educators.

The interior space will be well organized, set up with furniture designed for young children and safe for exploration of materials within the space. There will be minimal traffic flow, parents will drop off and pick up at designated times.

The space will be cleaned daily and regularly maintained with ongoing health, childcare licensing and fire inspections.

Kind Regards,

*Catherine Watson*

Catherine Watson, B.Ed.  
Director of Education  
Bragg Creek Education Services Association (BCESA)  
[admin@thelittleschoolhouse.ca](mailto:admin@thelittleschoolhouse.ca)



LAND TITLE CERTIFICATE

S  
LINC                      SHORT LEGAL                      TITLE NUMBER  
0014 956 908           2571JK;1;8           101 357 586

LEGAL DESCRIPTION  
PLAN 2571JK  
BLOCK 1  
LOT 8  
EXCEPTING THEREOUT ALL MINES AND MINERALS  
AND THE RIGHT TO WORK THE SAME

ESTATE: FEE SIMPLE  
ATS REFERENCE: 5;5;23;13;SE

MUNICIPALITY: ROCKY VIEW COUNTY

REFERENCE NUMBER: 851 092 688

REGISTERED OWNER(S)				
REGISTRATION	DATE (DMY)	DOCUMENT TYPE	VALUE	CONSIDERATION
101 357 586	09/12/2010	TRANSFER OF LAND	\$4,400,000	\$4,400,000

OWNERS

BRAGG CREEK INCOME PROPERTY INC.  
OF 300, 1032 17TH AVENUE SW  
CALGARY  
ALBERTA T2T 0A5  
(DATA UPDATED BY: CHANGE OF NAME 191059126)

ENCUMBRANCES, LIENS & INTERESTS

REGISTRATION		
NUMBER	DATE (D/M/Y)	PARTICULARS
191 059 127	25/03/2019	MORTGAGE MORTGAGEE - ROYAL BANK OF CANADA. 36 YORK MILLS ROAD, 4TH FLOOR TORONTO TORONTO ONTARIO M2P0A4 ORIGINAL PRINCIPAL AMOUNT: \$2,200,000

( CONTINUED )

ENCUMBRANCES, LIENS & INTERESTS

PAGE 2  
# 101 357 586

REGISTRATION

NUMBER DATE (D/M/Y) PARTICULARS

191 059 128 25/03/2019 CAVEAT  
RE : ASSIGNMENT OF RENTS AND LEASES  
CAVEATOR - ROYAL BANK OF CANADA.  
36 YORK MILLS ROAD, 4TH FLOOR  
TORONTO  
ONTARIO M2P0A4  
AGENT - JONATHAN D WARREN.

191 059 129 25/03/2019 CAVEAT  
RE : LEASE INTEREST  
CAVEATOR - ROYAL BANK OF CANADA.  
36 YORK MILLS ROAD, 4TH FLOOR  
TORONTO  
ONTARIO M2P0A4  
AGENT - JONATHAN D WARREN.

191 102 770 31/05/2019 CAVEAT  
RE : AMENDING AGREEMENT  
CAVEATOR - ROYAL BANK OF CANADA.  
36 YORK MILLS ROAD, 4TH FLOOR  
TORONTO  
ONTARIO M2P0A4  
AGENT - MATTHEW K KACHUR

201 095 320 26/05/2020 BUILDER'S LIEN  
LIENOR - TROTTER AND MORTON FACILITIES SERVICES  
INC.  
C/O GARY J GREENAN  
1330 FORNTENAC AVE SW  
CALGARY  
ALBERTA T2T1B8  
AGENT - MIKE HIGDEN  
AMOUNT: \$5,697

TOTAL INSTRUMENTS: 005

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN  
ACCURATE REPRODUCTION OF THE CERTIFICATE OF  
TITLE REPRESENTED HEREIN THIS 13 DAY OF AUGUST,  
2020 AT 09:10 A.M.

ORDER NUMBER: 39906520

CUSTOMER FILE NUMBER: PRDP20202337



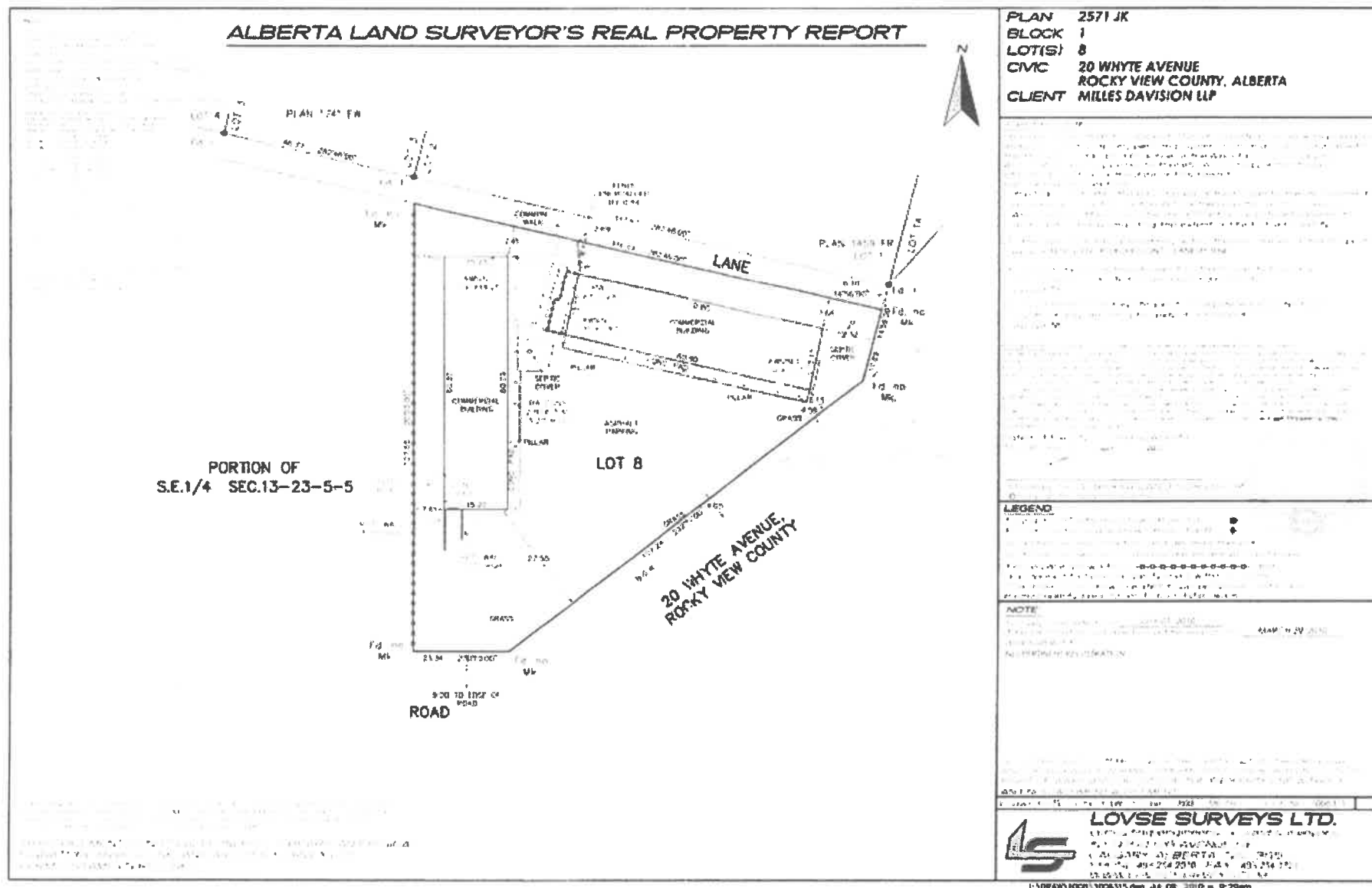
\*END OF CERTIFICATE\*

( 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.

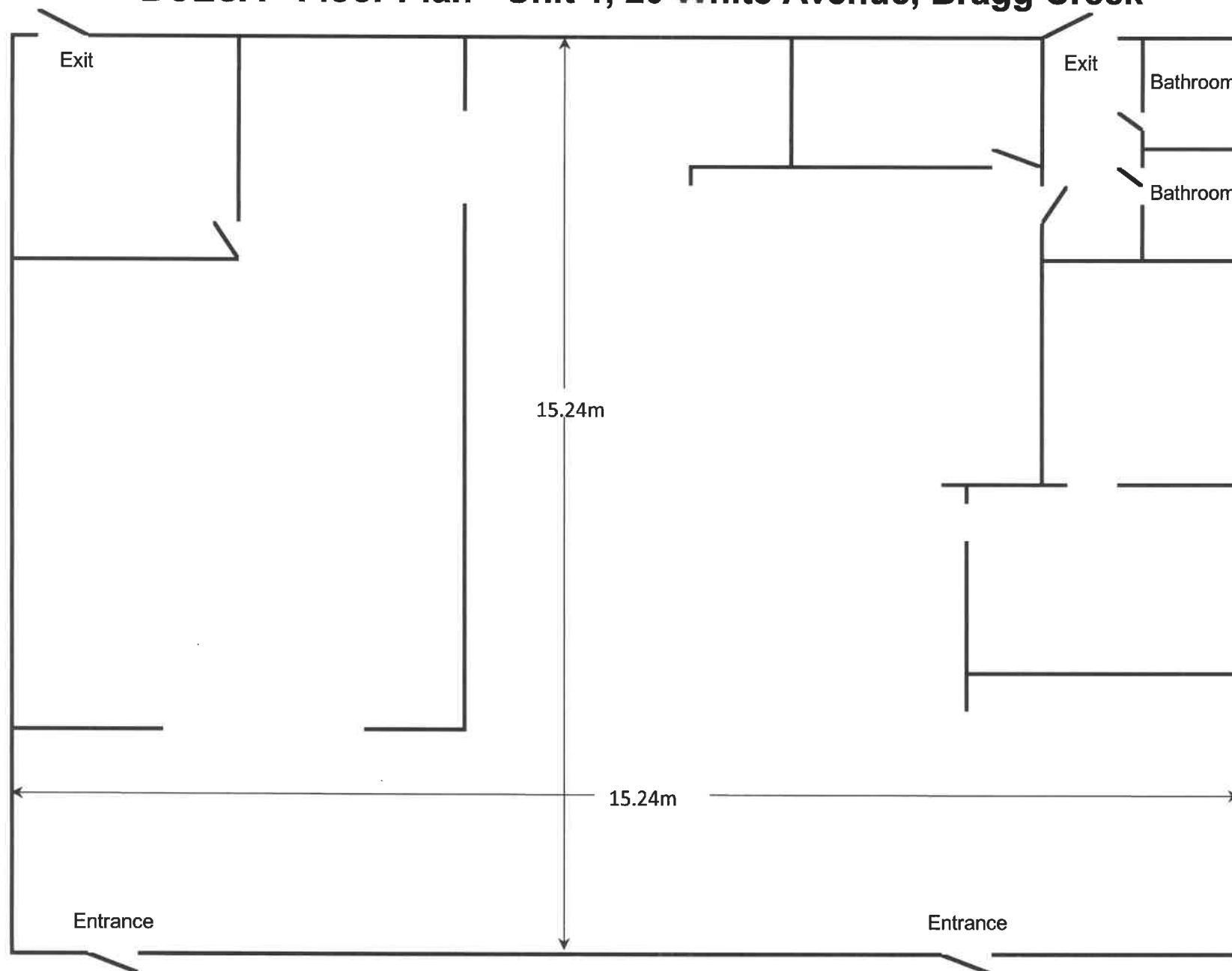
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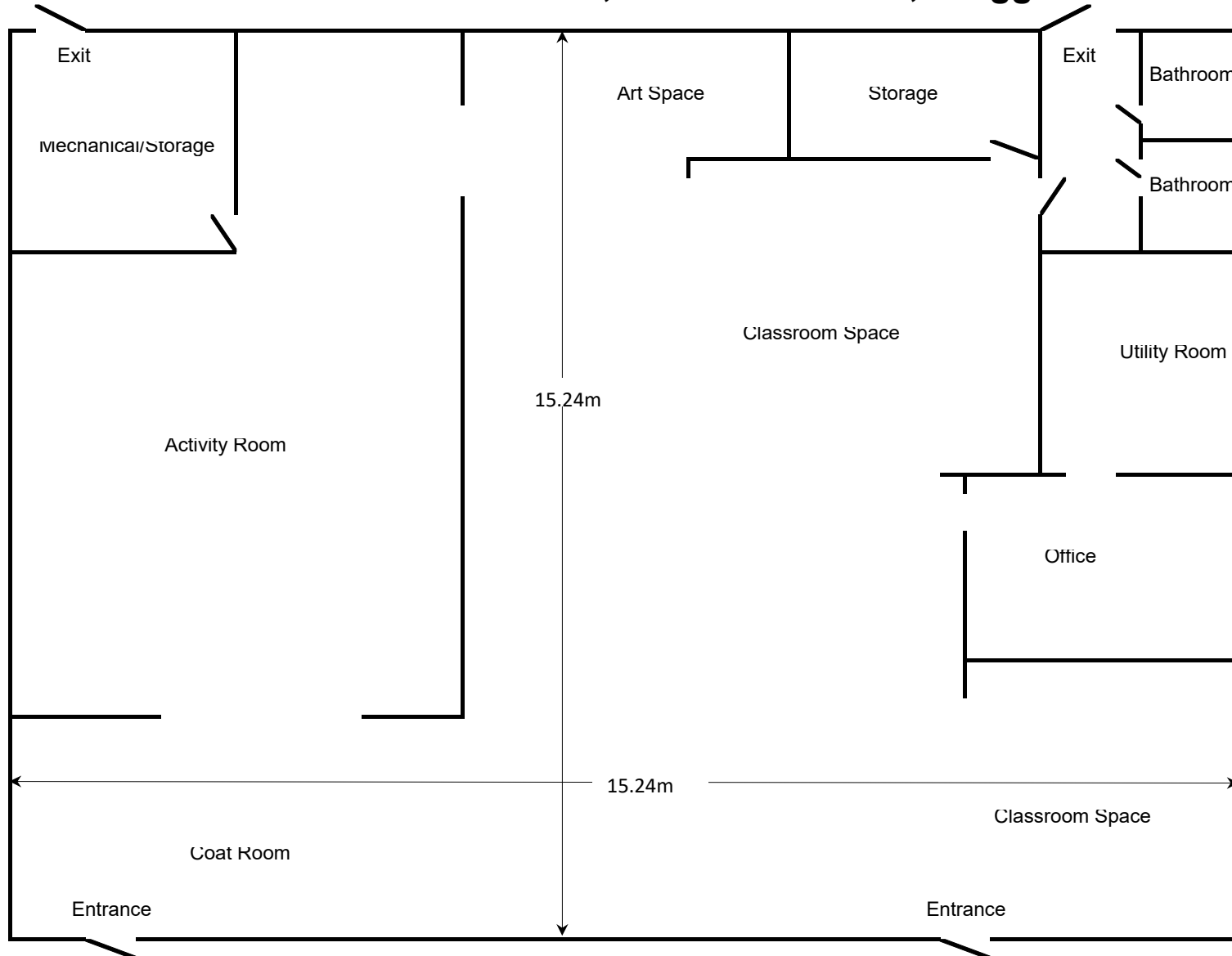
# BCESA Floor Plan of Unit 1, 20 White Avenue, Bragg Creek

## BCESA - Floor Plan - Unit 1, 20 White Avenue, Bragg Creek





BCESA - Floor Plan - Unit 1, 20 White Avenue, Bragg Creek



## PLANNING AND DEVELOPMENT SERVICES

**TO:** Municipal Planning Commission  
**DIVISION:** 2  
**SUBJECT:** Development Item: Single-lot Regrading  
**USE:** Discretionary use, with no Variances

**DATE:** September 24, 2020  
**APPLICATION:** PRDP20202367

**APPLICATION:** single-lot regrading, to reclaim existing stormwater ponds

**GENERAL LOCATION:** located approximately 0.81 km (1/2 mile) south of Hwy. 1 and on the west side of Rge. Rd. 33

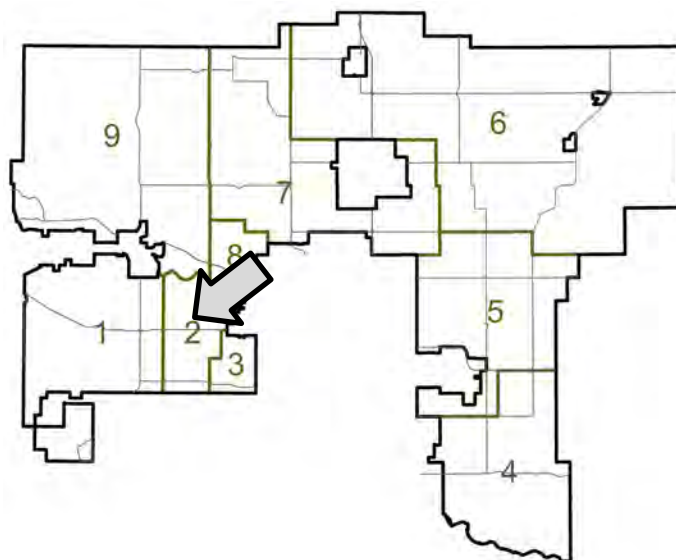
**LAND USE DESIGNATION:** Public Services district (PS) under Land Use Bylaw C-4841-97.

### ADMINISTRATION RECOMMENDATION:

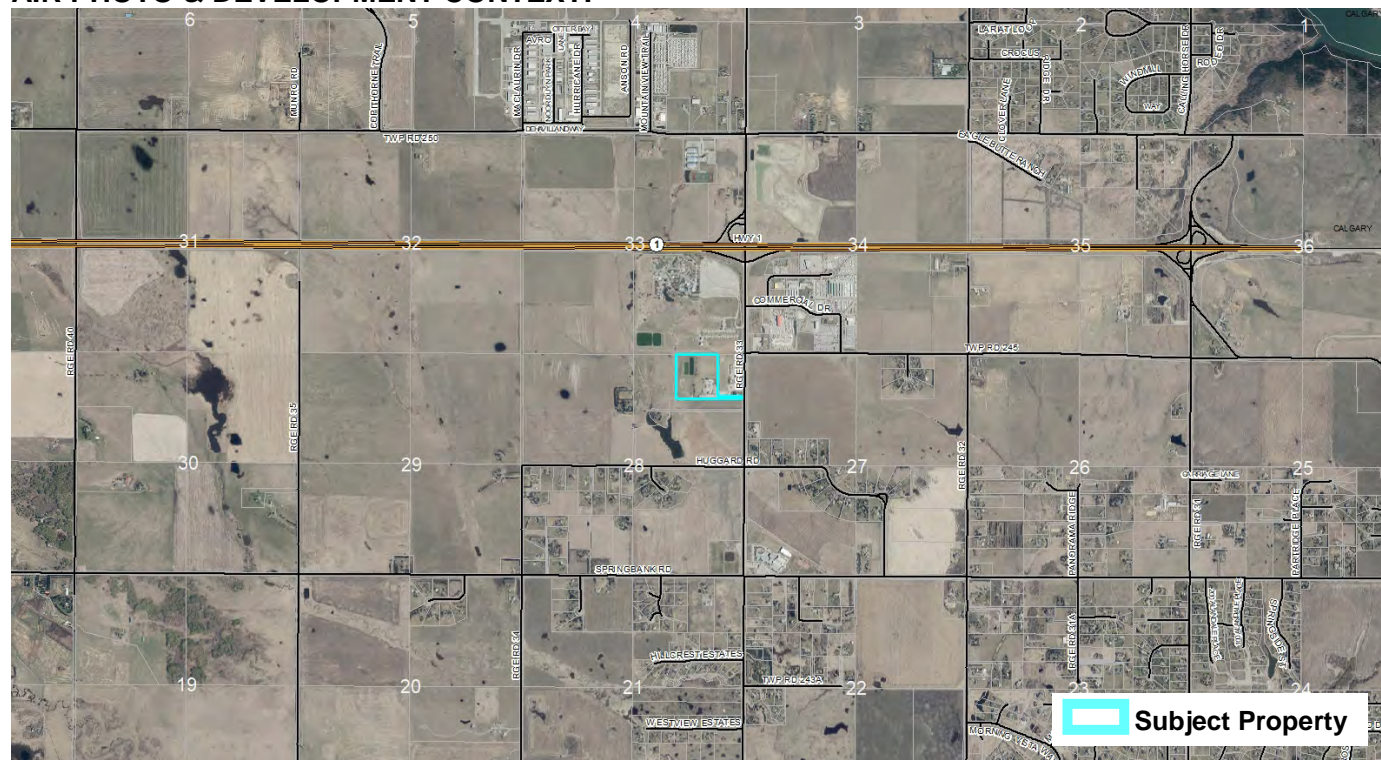
Administration recommends Approval in accordance with Option #1.

Option #1: THAT Development Permit Application PRDP20202367 be approved with the conditions noted in the report.

Option #2: THAT Development Permit Application PRDP20202367 be refused as per the reasons noted.



### AIR PHOTO & DEVELOPMENT CONTEXT:



### Administration Resources

Wayne Van Dijk, Planning and Development Services



## DEVELOPMENT PERMIT REPORT

<b>Application Date:</b> August 14, 2020	<b>File:</b> 04728010
<b>Application:</b> PRDP20202367	<b>Applicant/Owner:</b> CIMA+ (Laurent Blais)/Rocky View Schools
<b>Legal Description:</b> NE-28-24-03-W5M (244209 Rge. Rd. 33)	<b>General Location:</b> located approximately 0.81 km (1/2 mile) south of Hwy. 1 and on the west side of Rge. Rd. 33.
<b>Land Use Designation:</b> Public Services District (PS)	<b>Gross Area:</b> ±10.20 hectares (±25.20 acres)
<b>File Manager:</b> Wayne Van Dijk	<b>Division:</b> 2

### PROPOSAL:

The proposal is for the single-lot regrading, to reclaim existing stormwater ponds. *Note, the application was assessed in accordance with Land Use Bylaw C-4841-97, as the application was received prior to September 8, 2020.*

The stormwater ponds are located adjacent to the Elbow Valley Elementary School and are no longer in service.

The applicant proposes to complete site grading to restore the approximate pre-development contours and vegetation cover of the area. Topsoil is to be stripped from the area outside of the lagoons and the wastewater drainage infrastructure removed. The 1.65 ha (4.08 acre) area will be regraded utilizing the stockpile of approximately 8,500 cubic meters of fill. Application states that no fill will be imported to complete grading.

### PERMIT HISTORY:

- 2005-DP-11268      2 portable classrooms,
- 2005-DP-11713      2 portable classrooms,
- 5438-94              4 attached portable classrooms,
- 4853-93              4 attached portable classrooms,
- 4403-92              1 portable classroom,
- 4353-92              4 portable classrooms.

### LAND USE BYLAW:

#### Section 8, Definitions

*FILLING means the import and placement of natural uncontaminated earth or aggregate materials (e.g. clay, silt, sand, gravel) on a parcel for the purposes of altering/modifying grades, drainage, or building up a site for a proposed building or development, but does not include the import and placement of dry-waste or land fill waste materials, and does not include the placing of topsoil;*

#### Sections 33 Stripping, Filling, Excavating and Grading

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

**Fill Details:**

- Maximum Height: 2.40 m (7.87 ft.)
- Total Area: 26,967.63 sq. m (290,277.15 sq. ft.)
- Total Volume of fill: Common 8,500 m<sup>3</sup> (300,174.70 cu. ft.)

**Assessment Rationale:**

- The proposed stripping and grading is being done to reclaim and return the lands to pre-disturbance conditions.
- It is the opinion of the Development Authority that approving this application would not unduly interfere with the amenities of the neighbourhood or materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land.

**STATUTORY PLANS:**

- This property falls within the Central Springbank Area Structure Plan. This plan does not provide guidance for applications such as this one. This application was assessed in accordance with the Land Use Bylaw C-4841-97.

**INSPECTOR'S COMMENTS:**

- No inspection completed at time of report writing

**CIRCULATIONS:****Agriculture Services**

- It may be of benefit to the applicant to create a Weed Management Plan and have a contractor available (or be personally prepared) to control any regulated weeds. The applicant will need to ensure compliance with the Alberta Weed Control Act.

**Development Compliance**

- Development Compliance has no comments or concerns with respect to the attached application.

**Building Services**

- No comments at time of report writing.

**Utility Services**

- No concerns

**Planning and Development Services - Engineering Review****General**

- The review of this file is based upon the application submitted. Should the submission material be altered or revised at subsequent development stages these conditions/recommendations may be subject to change to ensure best practices and procedure.
- Prior to issuance, the applicant will be required to submit a construction management plan addressing noise mitigation measures, traffic accommodation, sedimentation and dust control, management of stormwater during construction, erosion and weed control, construction practices, waste management, firefighting procedures, evacuation plan, hazardous material containment and all other relevant construction management details.



- Prior to issuance, the applicant/owner will be required to provide reclamation security of \$5,000 per disturbed acre as per the County Servicing Standards.
- Prior to issuance, the applicant/owner will be required to provide proof of liability insurance (\$5 M) as per the County Servicing Standards.

Note: A security or proof of liability will not be taken on this site, as it is proposed by Rocky View School Division.

**Geotechnical** - Section 300.0 requirements:

- Prior to issuance, the applicant/owner is required to provide a deep fills report conducted by a professional geotechnical engineer for all areas of fill greater than 1.2 m in depth.
- As a permanent condition, the applicant/owner shall provide compaction testing verifying that the fill areas greater than 1.2 m in depth were placed in accordance with the Deep Fills report accepted by the County.

**Transportation** - Section 400.0 requirements:

- Prior to the issuance, the applicant/owner is required to contact County Road Operations to determine if any permits or if a Road Use Agreement is required (dependent on the quantity of the fill) during the construction of the proposed development.
- The applicant/owner will not be required to pay the transportation offsite levy, as per the applicable TOL bylaw *at time of DP issuance*.

**Sanitary/Waste Water** - Section 500.0 requirements:

- Engineering has no requirements at this time.

**Water Supply And Waterworks** - Section 600.0 & 800.0 requirements:

- Engineering has no requirements at this time.

**Storm Water Management** – Section 700.0 requirements:

- Prior to issuance, the applicant/owner will be required to submit a Site-Specific Implementation Plan (SSIP) conducted and stamped by a professional engineer that demonstrates that the proposed development is in accordance with and meets the stormwater targets outlined in the Springbank Master Drainage Plan, Springbank Creek Catchment Drainage Study, and the County Servicing Standards.

**Environmental** – Section 900.0 requirements:

- A portion of the riparian setback for a natural drainage course overlaps with the subject land.
  - Prior to issuance, the applicant/owner will be required to submit a Biophysical Impact Assessment (BIA) and demonstrate that the impacts meet AEP's Stepping Back from the Water guide should the proposed development directly impact the riparian setback.
- Prior to issuance, the applicant/owner will be required to provide an Erosion and Sedimentation Control (ESC) plan conducted and stamped by a qualified professional that provides sediment and erosion control measures and protects the natural drainage course from sediment caused by the proposed development.
- As an advisory condition, the applicant/owner shall be responsible for obtaining all required AEP approvals associated with the reclamation of the lagoons.

No other comments received at time of report writing

**OPTIONS:**

Option 1: (this would allow the proposed development)

APPROVAL, subject to the following conditions:

**Description:**

1. That single-lot regrading, for the decommissioning of an existing wastewater lagoon and site reclamation may commence in accordance with the Drawings (A, A-1, A-2, A-3,), as prepared by CIMA+, dated August 2020, Project Name: Springbank Wastewater Lagoon Reclamation, as submitted with the application.

**Prior to Issuance:**

2. That prior to issuance of this permit, the Applicant/Owner shall submit a construction management plan, addressing noise mitigation measures, traffic accommodation, sedimentation and dust control, management of stormwater during construction, erosion and weed control, construction practices, waste management, firefighting procedures, evacuation plan, hazardous material containment and all other relevant construction management details, in accordance with County Servicing Standards.
3. That prior to issuance of this permit, the Applicant/Owner shall submit an Erosion and Sedimentation Control (ESC) plan, conducted and stamped by a qualified professional, that provides sediment and erosion control measures and protects the natural drainage course from sediment caused by the proposed development, in accordance with County Servicing Standards.
4. That prior to issuance of this permit, the Applicant/Owner submit a deep fills, report conducted by a professional geotechnical engineer for all areas of fill greater than 1.2 m in depth, in accordance with County Servicing Standards.
5. That prior to issuance of this permit, the Applicant/Owner shall contact County Road Operations with haul details for materials and equipment needed during construction/site development to confirm if Road Use Agreements will be required for any hauling along the County road system and to confirm the presence of County road ban restrictions.
  - i. Written confirmation shall be received from County Road Operations confirming the status of this condition. Any required agreement or permits shall be obtained unless otherwise noted by County Road Operations.
6. That prior to issuance of this permit, the Applicant/Owner shall submit a Site-Specific Implementation Plan (SSIP), conducted and stamped by a professional engineer, that demonstrates that the proposed development is in accordance with and meets the stormwater targets outlined in the Springbank Master Drainage Plan, Springbank Creek Catchment Drainage Study, and the County Servicing Standards.
7. That prior to issuance of this permit, the Applicant/Owner shall confirm any impact to the proposed riparian protection area, related to the subject development, to the satisfaction of the County.
  - i. If any impact is confirmed, the Applicant/Owner shall submit a Biophysical Impact Assessment (BIA) and demonstrate that the impacts meet Alberta Environment and Park's Stepping Back from the Water guide should the proposed development directly impact the riparian setback, to the satisfaction of the County.

**Permanent:**

8. That any plan, technical submission, agreement, matter or understanding submitted and approved as part of the application, in response to a prior to issuance or occupancy condition, shall be implemented and adhered to in perpetuity.
9. That upon completion, the Applicant/Owner shall provide compaction testing, verifying that the fill areas greater than 1.20 m (3.93 ft.) in depth were placed in accordance with the Deep Fills report accepted by the County.
10. That dust control shall be maintained on the site during construction and that the Applicant/Owner shall take whatever means necessary to keep visible dust from blowing onto adjacent lands.
11. That if no future development of the proposed graded area occurs, the proposed graded area shall have a minimum of six inches of topsoil placed on top, which shall then be spread and seeded to native vegetation, farm crop, or landscaped, to the satisfaction of the County.
12. The Applicant/Owner shall implement erosion and sedimentation control measures and ensure that the drainage in the area is not negatively impacted.
13. That the entire site shall be maintained in a neat and orderly manner at all times to the satisfaction of the County.

**Advisory:**

14. 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*].
15. That 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.
16. That the Applicant/Owner shall adhere to the County's Noise Bylaw (C-5772-2003) at all times.
17. 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.
18. That any other government permits, approvals, or compliances are the sole responsibility of the Applicant/Owner
  - i. That the Applicant/Owner shall obtain and conform to all required environmental approvals and regulations, including EPEA and the Code of Practice of Wastewater Systems Using a Wastewater Lagoon.
19. That if this Development Permit is not issued by **MAY 31, 2021** 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, 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.

COMMERCIAL COURT

COMMERCIAL DR

TWP RD 245

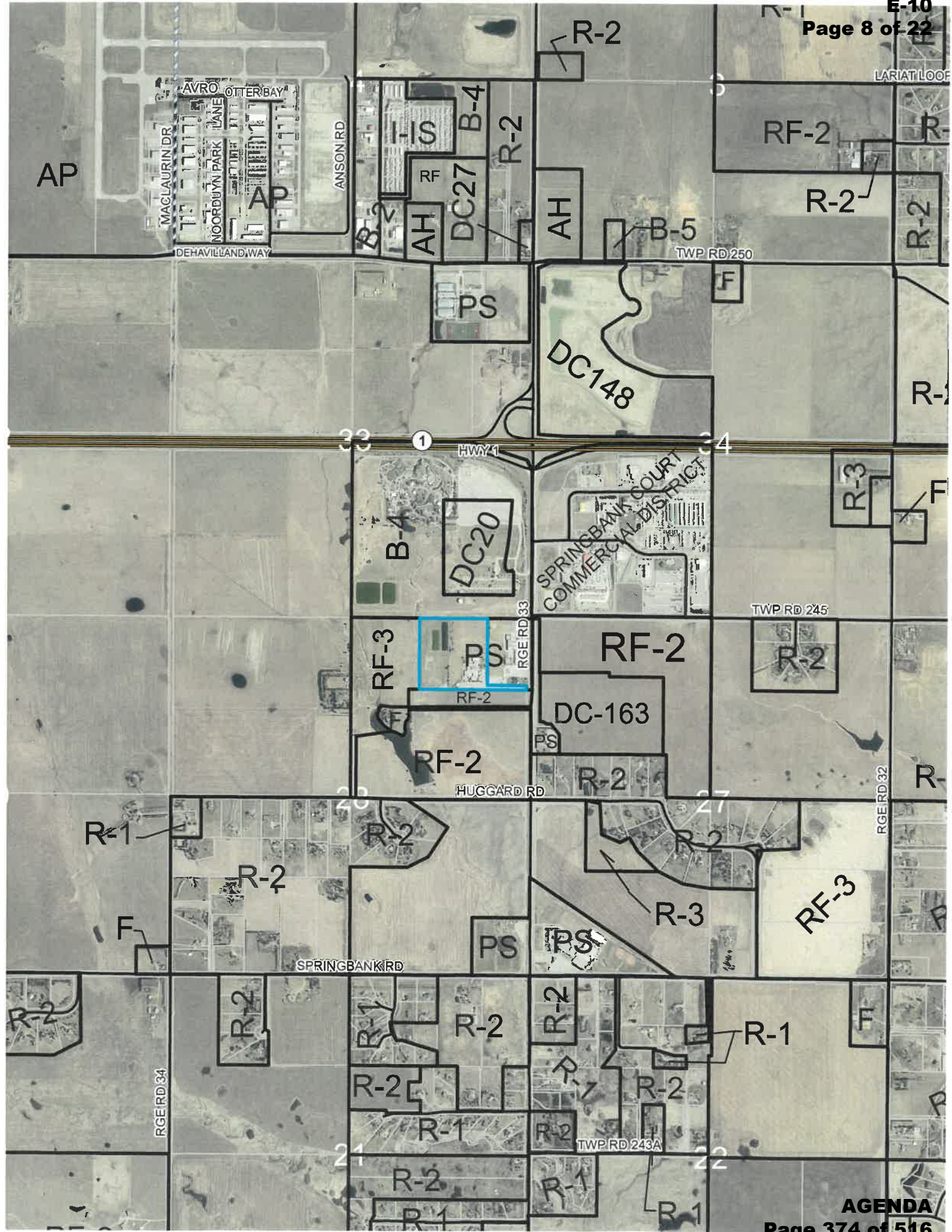
RGE RD 33

HUGGARD RD

AGENDA

8







**ROCKY VIEW COUNTY**  
Cultivating Communities

20202367

# APPLICATION FOR A DEVELOPMENT PERMIT

FOR OFFICE USE ONLY	
Fee Submitted \$1000.00	File Number 04728010
Date of Receipt Aug 14, 2020	Receipt # 2020025084

Name of Applicant

Laurent Blais

Email

Laurent.Blais@cima.ca

For Agents please supply Business/Agency/ Organization Name CIMA Canada Inc.

Registered Owner (if not applicant) Rocky View Schools

## 1. LEGAL DESCRIPTION OF LAND

- a) All / part of the NE ¼ Section 28 Township 24 Range 3 West of 5 Meridian
- b) Being all / parts of Lot \_\_\_\_\_ Block 1MSR Registered Plan Number 841 0502
- c) Municipal Address 244209 Range Road 33
- d) Existing Land Use Designation PS Parcel Size 10.2 ha Division 2

## 2. APPLICATION FOR

Development Permit to complete Stripping and Grading to reclaim the wastewater lagoons at Elbow Valley Elementary School that have ceased operation

## 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 LAURENT BLAIS hereby certify that \_\_\_\_\_ I am the registered owner  
(Full Name in Block Capitals)

X I am authorized to act on the owner's behalf

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

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

Applicant's Signature

*Laurent Blais*

Date

August 14, 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, Laurent Blais, 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

August 14, 2020

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 Laurent Blais

### 1. NATURE OF THE APPLICATION

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

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

### 2. PURPOSE

What is the intent of the proposal? The site grading proposed with this application will restore the approximate pre-development

contours and vegetation cover of the area. Topsoil will be stripped from the area outside of the lagoons and the wastewater drainage

infrastructure (pipes, valves, manholes) within the site will be removed. The 1.65 ha area will then be graded which will involve the onsite

common excavation of approximately 8,500m<sup>3</sup> of fill. No engineered fill will be imported to the site to complete the grading.

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

The existing drainage pattern of the area was altered with the construction of the wastewater lagoons. The proposed reclamation will restore the approximate pre-development contours of the area. ESC measures shown on the plan will be installed to prevent runoff of sediment from the site.

A 20m wide buffer of existing grass cover will be left undisturbed on the lower side of the site between the grading area and property line.

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

### 3. TYPE

Height 2.4m Max Fill Volume 8,500 meters cubed  
 Width 115m (Cross Section A) Truckload \_\_\_\_\_ (approximately)  
 Length 168m (Cross Section D) Slope Factor \_\_\_\_\_ (if applicable)  
 Area 16,565 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

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I Laurent Blais 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.**

**Laurent Blais**

---

**From:** ASmith@rockyview.ca  
**Sent:** Wednesday, August 12, 2020 10:44 AM  
**To:** Laurent Blais  
**Cc:** SJewison@rockyview.ca; ABryden@rockyview.ca; DKazmierczak@rockyview.ca; APanaguiton@rockyview.ca; kRobinson@rockyview.ca; TCochran@rockyview.ca  
**Subject:** RE: [EXTERNAL] - Letter of Authorization - Elbow Valley Elementary - Grading Permit Application

Good morning Laurent,

This email serves as consent on behalf of the County to apply for the development permit referenced below. A letter is not required.

Sincerely,

**ANN SMITH, SCMP**  
Acting Manager | Legal and Land Administration

**ROCKY VIEW COUNTY**  
262075 Rocky View Point | Rocky View County | AB | T4A 0X2  
Phone: 403-520-8181  
[asmith@rockyview.ca](mailto:asmith@rockyview.ca) | [www.rockyview.ca](http://www.rockyview.ca)

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

**From:** Laurent Blais <Laurent.Blais@cima.ca>  
**Sent:** August 11, 2020 2:16 PM  
**To:** Ann Smith <ASmith@rockyview.ca>  
**Subject:** RE: [EXTERNAL] - Letter of Authorization - Elbow Valley Elementary - Grading Permit Application

Good afternoon Ann,

Can you please let me know when you think the letter of authorization will be available so I can plan when I can submit the application.

Thank you,

---

**LAURENT BLAIS, B.Sc., P.Eng**  
Project Engineer / Infrastructure

Cell: 403-829-3428  
Deerfoot Atria North 300, 6815 - 8 Street NE Calgary (Alberta) T2E 7H7  
CANADA



August 14, 2020

HAND SUBMISSION

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

**Subject: Springbank Wastewater Lagoons Decommissioning and Reclamation  
Rocky View Schools  
C04-00350.01**

On behalf of our Client, Rocky View Schools, we are submitting an application for a Development Permit to complete Stripping and Grading to reclaim the wastewater lagoons at Elbow Valley Elementary School that have ceased operation. The stripping and grading of the area will follow the decommissioning of the two lagoons, where the effluent, sludge and liner will be removed and disposed offsite. A sludge survey has been completed by Lambourne Environmental and we anticipate the survey report shortly which they will use to determine the disposal methods/locations. The site grading proposed with this application will restore the approximate pre-development contours, drainage pattern and vegetation cover of the area. A reclamation plan is also being submitted to AEP.

The lagoons are located at Elbow Valley Elementary School.

244209 Range Road 33  
Block 1MSR, Plan 841 0502  
NE-28-24-3-W5M

The above property is designated as Public Service District with one School, play structures, sports fields and the wastewater lagoon area and wastewater lift station. The property is jointly owned by Rocky View Schools and Rocky View County with letters of authorization from both included in this application.

Currently there are two remaining wastewater lagoons on the site that provided service to three schools, an RVC recreation centre, community hall and caretakers residence. A wastewater lift station and forcemain have been constructed to replace the wastewater lagoons and wastewater no longer flows to the lagoons. The EPEA registration for the wastewater collection system has been amended to reflect the removal of the lagoons from the system.

Following the removal of the lagoon effluent, sludge and liner, topsoil will be stripped from the area outside of the lagoons and the wastewater drainage infrastructure (pipes, valves, manholes) within the site will be removed. The 1.65 ha area will then be graded which will involve the onsite common excavation of approximately 8,500m<sup>3</sup> of fill. No engineered fill will be imported to the site to complete the grading. Site plans showing existing contours, design contours and a cut/fill comparison are included with the application.

Fill depths up to 2.4m are proposed so the grading work will be supervised by a Geotechnical Engineer and a deep fills report will be submitted following construction.

The boreholes drilled in undisturbed ground adjacent to the lagoons shows that the existing topsoil thickness in the area is very thin with trace amounts of organics identified. To ensure prompt revegetation of the area, a minimum thickness of 7.5cm of topsoil will be placed and seeded. We assume approximately 1,000m<sup>3</sup> of imported topsoil will be required with the balance from the existing stockpile. We will require the contractor to source the import topsoil from within RVC and soil testing for suitability in comparison to the Alberta Tier 1 Soil Remediation Guidelines will be required prior to import.

Following reclamation, the lagoon area will remain fenced off and the area will remain separate from the school yard accessible to students. It is anticipated that RVS grounds keepers will maintain the reclaimed area in the same manner as currently done for the area surrounding the lagoons.

Please feel free to contact the undersigned with any questions or to request clarification.

Yours sincerely,



Laurent Blais, B.Sc., P.Eng.  
Project Engineer / Infrastructure

LB/er

cc Willie Quinn, Rocky View Schools (email only: [wquinn@rockyview.ab.ca](mailto:wquinn@rockyview.ab.ca))





LAND TITLE CERTIFICATE

S  
LINC                      SHORT LEGAL                      TITLE NUMBER  
0014 632 681           8410502;1MSR           841 076 527

LEGAL DESCRIPTION  
PLAN 8410502  
BLOCK 1MSR (MUNICIPAL AND SCHOOL RESERVE)  
EXCEPTING THEREOUT ALL MINES AND MINERALS  
AREA: 10.2 HECTARES (25.2 ACRES) MORE OR LESS

ESTATE: FEE SIMPLE  
ATS REFERENCE: 5;3;24;28;NE

MUNICIPALITY: ROCKY VIEW COUNTY

REGISTERED OWNER(S)				
REGISTRATION	DATE (DMY)	DOCUMENT TYPE	VALUE	CONSIDERATION
841 076 527	03/05/1984			NOT ESTABLISHED

OWNERS

ROCKY VIEW COUNTY.  
OF 911 - 32ND AVENUE NE  
CALGARY  
ALBERTA T2E 6X6

AND

THE ROCKY VIEW SCHOOL DIVISION NO 41.  
OF 911 - 32 AVENUE N.E.  
CALGARY  
ALBERTA T2E 6X6

(DATA UPDATED BY: CHANGE OF NAME 151013622)

ENCUMBRANCES, LIENS & INTERESTS

REGISTRATION NUMBER	DATE (D/M/Y)	PARTICULARS
761 141 577	17/11/1976	ZONING REGULATIONS SUBJECT TO SPRINGBANK AIRPORT ZONING REGULATIONS

TOTAL INSTRUMENTS: 001

( CONTINUED )

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN  
ACCURATE REPRODUCTION OF THE CERTIFICATE OF  
TITLE REPRESENTED HEREIN THIS 21 DAY OF JULY,  
2020 AT 10:23 A.M.

ORDER NUMBER: 39754854

CUSTOMER FILE NUMBER:



\*END OF CERTIFICATE\*

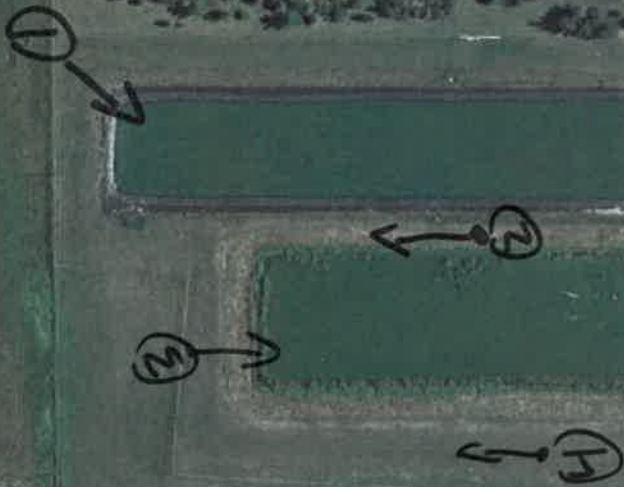
THIS ELECTRONICALLY TRANSMITTED LAND TITLES PRODUCT IS INTENDED  
FOR THE SOLE USE OF THE ORIGINAL PURCHASER, AND NONE OTHER,  
SUBJECT TO WHAT IS SET OUT IN THE PARAGRAPH BELOW.

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).

Google

© 2020 Google

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Site Photos



Photo 1









Photo 3

E-10  
Page 21 of 22



AGENDA  
Page 387 of 516



Photo 4







## PLANNING AND DEVELOPMENT SERVICES

**TO:** Municipal Planning Commission

**DATE:** September 24, 2020

**DIVISION:** 9

**APPLICATION:** PRDP20202393

**SUBJECT:** Development Item: Kennel

**USE:** Discretionary Use, with no Variances

**APPLICATION:** Kennel (private dog park) and signage

**GENERAL LOCATION:** Located approximately 2.41 km (1.5 mile) south of Weedon Trail and on the east side of Rge. Rd. 44.

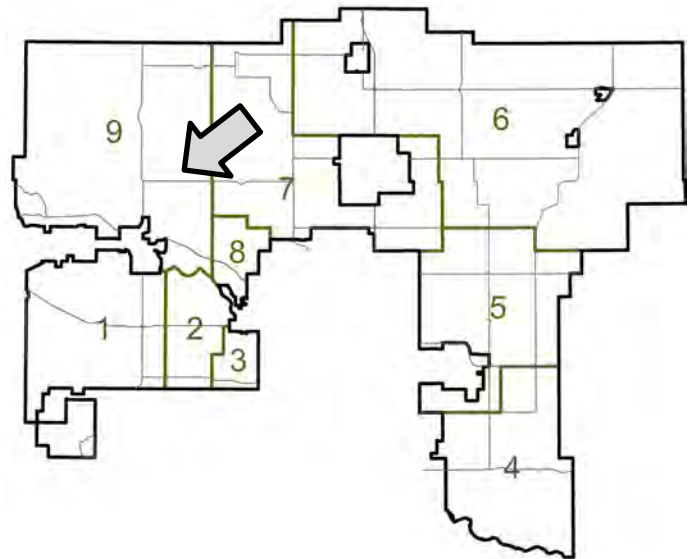
**LAND USE DESIGNATION:** Residential, Rural District (R-RUR) under Land Use Bylaw C-8000-2020.

**ADMINISTRATION RECOMMENDATION:**

Administration recommends Approval in accordance with Option #1.

Option #1: THAT Development Permit Application PRDP20202393 be approved with the conditions noted in the report.

Option #2: THAT Development Permit Application PRDP20202393 be refused as per the reasons noted.



**AIR PHOTO & DEVELOPMENT CONTEXT:**



**Administration Resources**

Wayne Van Dijk - Planning and Development Services





## DEVELOPMENT PERMIT REPORT

<b>Application Date:</b> August 18, 2020	<b>File:</b> 06828006
<b>Application:</b> PRDP20202393	<b>Applicant/Owner:</b> Sylwia Andersen
<b>Legal Description:</b> NW-28-26-04-W5M	<b>General Location:</b> Located approximately 2.41 km (1.5 m) south of Weedon Trail and on the east side of Rge. Rd. 44.
<b>Land Use Designation:</b> Residential- Rural District R-RUR	<b>Gross Area:</b> ± 4.05 hectares (± 10.01 acres)
<b>File Manager:</b> Wayne Van Dijk	<b>Division:</b> 9

### PROPOSAL:

This application is for a *Kennel*, for a private off-leash dog and signage. *Note, the application was assessed in accordance with Land Use Bylaw C-8000-2020. The application was received prior to September 8, 2020 but a written request was received by the Applicant, requesting to be assessed in accordance with the current Land Use Bylaw.*

- The private off-leash dog area/kennel is for a dog walking park.
- Commercial kennel and signage: a private off-leash dog training park.
- No dogs will be boarded overnight. All breeds and sizes of dogs are welcome and there is 1 client/dog permitted per hour.
- Hours of Operation: from 8:00 am to 8:00 pm, 7 days per week.
- The training/dog area is fenced with heavy duty page wire fence measuring 1.52 m (5.00 ft.) in height and a large 1.83 m (6.00 ft.) wooden, privacy fence separates the adjacent property on the north property line.
- Total of 1 employee and they are a resident on the property.
- 1 sign is requested in relation to the kennel.
- Solid waste is to be collected and properly disposed.

No waste water is anticipated.

### Land Use Bylaw Requirements:

#### *Part 8 Definitions*

*KENNELS means a facility for the keeping, breeding, boarding, caring, or training of dogs and/or other domestic pets over three months of age, excluding livestock.*

*R-RUR Residential, Rural District*

*318 Uses, Discretionary*

*Kennels*

*323 Minimum Requirements*

- **Required:** yard, front setback: 45.00 m (147.64 ft.) from County Road;



- **Required:** yard, side setback: 6.00 m (19.69 ft.) from all others;
- **Required:** yard, rear setback: 15.00 m (49.21 ft.) from all others;
- **Proposed:** No proposed buildings.

Table 5: Parking Minimums

- **Required:** Kennel: 1 per 100.0 m<sup>2</sup> (1,076.39 sq. ft.) gross floor area
- **Proposed:** As this kennel operation does not include a proposed building, this regulation is not applicable as kennel operations are exclusively outside. All proposed parking will be within the existing parking area. However, as a commercial use, minimum parking is required to be demonstrated, to accommodate business traffic. The Applicant proposed 1 person per hour. A revised site plan will be requested to confirm parking area(s) for clientele and/or a minimum of 2 stalls.

### STATUTORY PLANS:

The property does not fall within an Area Structure Plans or Intermunicipal Development Plan. Therefore, the application was evaluated in accordance with the Land Use Bylaw C-8000-2020.

### INSPECTOR'S COMMENTS:

Inspection Date: August 25, 2020

- Site is clean, neat and tidy
- Well-screened to the north and south
- No concerns at time of inspection

### CIRCULATIONS:

Development Compliance:

- This application is the result of an enforcement issue. However, we have no further comments or concerns at this time.

Utility Services:

- No Concerns

No other comments received at time of report writing.

### OPTIONS:

Option # 1\_(this would allow the development to proceed)

APPROVAL, subject to the following conditions:

#### Description:

1. That a *Kennel* (private dog park) may operate on the subject property in accordance with the approved site plan submitted with the application and the following details:
  - i. Outside dog enclosures/dog runs enclosed by a 1.20 m (3.94 ft.) high chain link fence (or equivalent); and
  - ii. Signage, one identification sign, in accordance with the approved Signage plan.



### Prior to Issuance:

2. That prior to issuance of this permit, the Applicant/Owner shall submit a revised site plan, identifying the proposed minimum parking stalls (of 2 stalls) or parking area, for the proposed Kennel clientele, to the satisfaction of the County.

### Permanent:

#### Operational:

3. That a maximum of 10 dogs may be allowed on the subject site at any one time.
4. That all dogs will be removed from the property by 9:00pm to 8:00am on the weekdays and 9:00pm to 9:00am on weekends.
5. That any signage approved within the Signage plan shall be kept in a safe, clean, and tidy condition at all times. It shall not be flashing, electronic or animated at any time.
6. That all on-site lighting shall be dark sky, and all private lighting, including site security lighting and parking area lighting, shall be designed to conserve energy, reduce glare, and reduce uplight. All development shall demonstrate lighting design that reduces the extent of spill-over glare, and eliminates glare as viewed from nearby residential properties.
7. That all business parking shall be onsite. At no time shall any parking be permitted within the County Road allowance.

#### Fencing & Enclosures:

8. That the kennel area shall be enclosed with fencing, which shall be maintained at all times.
9. That all outside runs or fencing shall be a minimum of 1.20 m (3.94 ft.) in height.

#### Servicing:

10. That all waste shall be stored in a dry state in metal or plastic containers, and shall be disposed of off-site in a manner satisfactory to the County.

### Advisory:

11. That the Applicant/Owner shall adhere to the County's Animal Control Bylaw [C-5758-2003] and the Noise Bylaw [C-5772-2003] at all times.
12. That any personally-owned dogs of the Applicant/Owner, shall be registered and licensed with Rocky View County, as per the Master Rates Bylaw.
13. That any other government permits, approvals, or compliances are the sole responsibility of the Applicant/Owner.
14. 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.
15. That if this Development Permit is not issued by **APRIL 30, 2021** 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 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



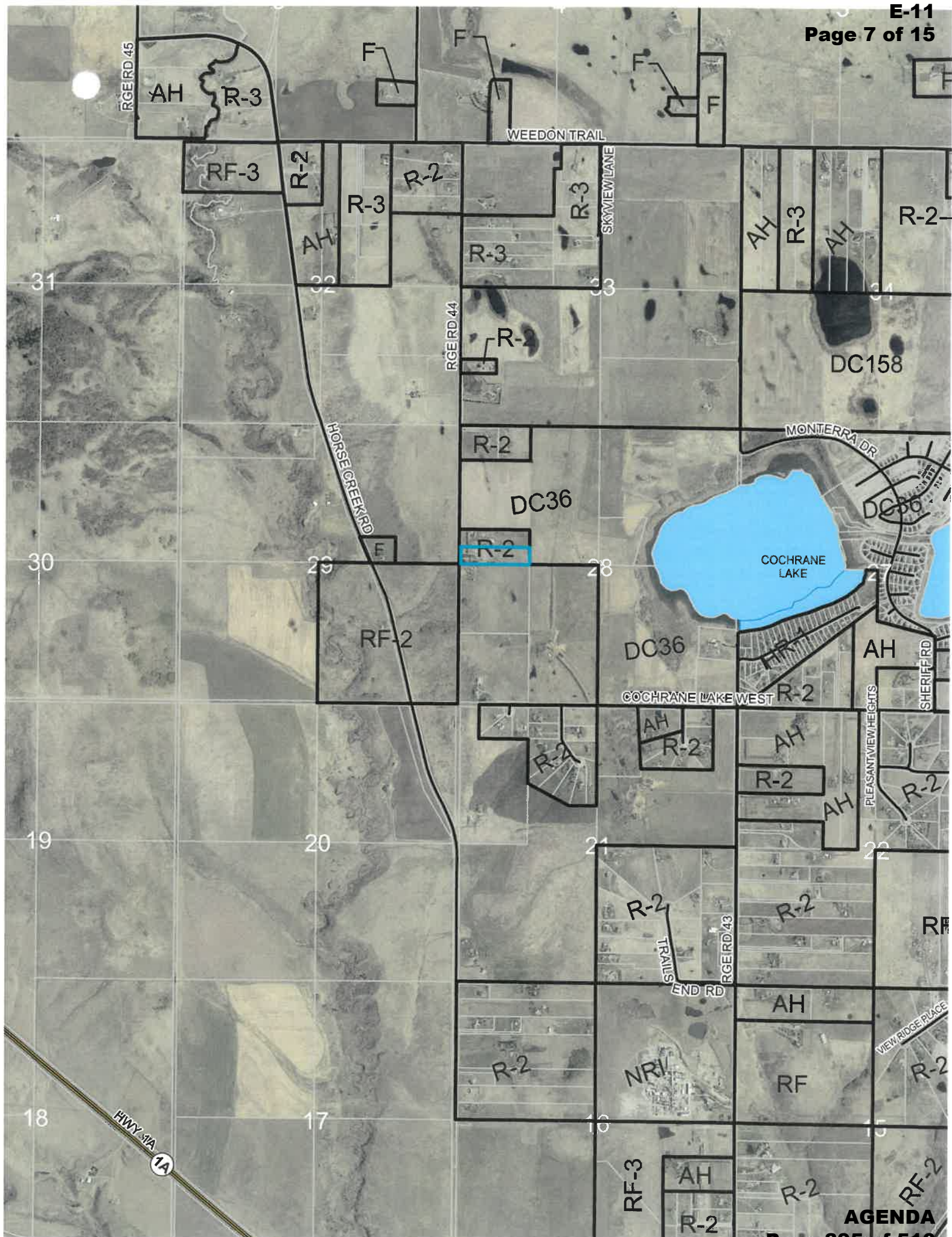


COCHRANE  
LAKE

RGE RD 44









ROCKY VIEW COUNTY  
Cultivating Communities

20202393

# APPLICATION FOR A DEVELOPMENT PERMIT

FOR OFFICIAL USE ONLY	
Fee Submitted \$625.00	File Number 06828006
Date of Receipt Aug 18, 2020	Receipt # 2020025099

Name of Applicant SYLVIA CIEZAR ANDERSEN Email \_\_\_\_\_

For Agents please supply Business/Agency/ Organization Name Unleashed

Registered Owner (if not applicant) N/A

## 1. LEGAL DESCRIPTION OF LAND

- a) All / part of the NW ¼ Section 28 Township 26 Range 04 West of 05 Meridian
- b) Being all / parts of Lot 2 Block \_\_\_\_\_ Registered Plan Number Lot 2 Plan 9010809
- c) Municipal Address 264136 RGE RD 44
- d) Existing Land Use Designation R-2 Parcel Size 10.01 Acres Division 09

## 2. APPLICATION FOR

Private off-leash dog run / Kennel

## 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 (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? (X) Yes No \_\_\_\_\_

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

I SYLVIA CIEZAR ANDERSEN 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 \_\_\_\_\_

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, SYLWIA CIEZAR ANDERSEN, 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

August 18, 2020  
Date



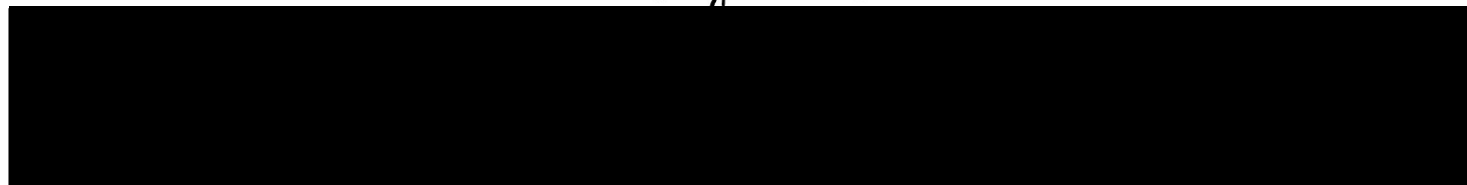


ROCKY VIEW COUNTY  
Cultivating Communities

APPLICATION FOR  
**KENNELS (COMMERCIAL AND HOBBY)**

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

Name of Business Unleashed Dog Park



1. KENNEL DETAILS

- a. Name of kennel? Unleashed Dog Park  
 b. Type of kennel (e.g. boarding, breeding, training, hobby) training/hobby  
 c. Number of dogs to be boarded 0 dogs will stay overnight; 1 client/hour  
 d. Breed? (only if breeding kennel) all breeds  
 e. Size of animals? Small/Medium/Large ALL sizes

2. OPERATION

What are your days of operation? 7 days/week What are your hours of operation? 8AM-8pm

3. EMPLOYEES

Total number of employees 1 Number of residential employees 1 Number of non-residential employees 0

4. SIGNAGE

Will a sign be required? Yes No If yes - Please provide detailed sketches of the proposed sign on a separate sheet  
Please see attached

5. ADDITIONAL INFORMATION REQUIRED

How will you soundproof the kennel building(s)? The sound will be minimal with only one client allowed at a time. Tree line and privacy fence on North side will also help.

Method of solid waste disposal? garbage - to pay for disposal

Method of waste water disposal no waste water aside from muddy water, will be disposed of on property

Signature of Applicant [Signature] Date August 18/2020

PLEASE SEE REVERSE FOR ADDITIONAL INFORMATION

To Whom It May Concern:

Thank you for taking the time to review the attached application for Development Permit. The purpose is to ensure that a private off-leash dog run (agility park) can be set up on our private property. I would like you to consider the proposal under the new land use bylaw C-8000-2020. The application is for a kennel for private dog park measuring 0.66 acres.

To mitigate traffic and potential noise in the area, only one dog owner (one vehicle) will be allowed to use the park at a time (for one hour), as previously arranged with the property owner. Additionally, the significant amount of tree lines around the property will further reduce noise, if any. I am confident that the proposed plan will enhance the accessibility of dog owners in the Cochrane area to a private fully fenced park with agility training equipment. The feedback and support from neighbours and community members has been overwhelmingly positive, when the idea was introduced. Thank you for your consideration.

Sincerely,



Sylwia Andersen



LAND TITLE CERTIFICATE

S  
 LINC                      SHORT LEGAL                      TITLE NUMBER  
 0013 576 393           9010809;;2           191 165 768

LEGAL DESCRIPTION  
 PLAN 9010809  
 LOT 2  
 EXCEPTING THEREOUT ALL MINES AND MINERALS  
 AREA: 4.05 HECTARES (10.01 ACRES) MORE OR LESS

ESTATE: FEE SIMPLE  
 ATS REFERENCE: 5;4;26;28;NW

MUNICIPALITY: ROCKY VIEW COUNTY

REFERENCE NUMBER: 101 360 581

REGISTERED OWNER(S)				
REGISTRATION	DATE (DMY)	DOCUMENT TYPE	VALUE	CONSIDERATION
191 165 768	16/08/2019	TRANSFER OF LAND	\$715,000	\$715,000

OWNERS

PATRICK W ANDERSEN

AND

SYLWIA CIEZAR ANDERSEN

BOTH OF:



AS JOINT TENANTS

ENCUMBRANCES, LIENS & INTERESTS

REGISTRATION NUMBER	DATE (D/M/Y)	PARTICULARS
751 092 453	27/08/1975	UTILITY RIGHT OF WAY GRANTEE - COCHRANE LAKE GAS CO-OP LTD.
901 111 745	04/05/1990	CAVEAT

( CONTINUED )

ENCUMBRANCES, LIENS & INTERESTS

PAGE 2  
# 191 165 768

REGISTRATION

NUMBER DATE (D/M/Y) PARTICULARS

RE : ROADWAY  
CAVEATOR - THE MUNICIPAL DISTRICT OF ROCKY VIEW NO.  
44.  
911 - 32ND AVENUE N E  
CALGARY  
ALBERTA T2M4L6

971 380 025 19/12/1997 UTILITY RIGHT OF WAY  
GRANTEE - FORTISALBERTA INC.  
PORTION AS DESCRIBED  
(DATA UPDATED BY: TRANSFER OF UTILITY RIGHT  
OF WAY 021243610)  
(DATA UPDATED BY: CHANGE OF ADDRESS 091112598)  
(DATA UPDATED BY: TRANSFER OF UTILITY RIGHT  
OF WAY 191072288)

191 165 769 16/08/2019 MORTGAGE  
MORTGAGEE - ROYAL BANK OF CANADA.  
10 YORK MILLS ROAD  
3RD FLOOR  
TORONTO  
ONTARIO M2P0A2  
ORIGINAL PRINCIPAL AMOUNT: \$560,000

TOTAL INSTRUMENTS: 004

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN  
ACCURATE REPRODUCTION OF THE CERTIFICATE OF  
TITLE REPRESENTED HEREIN THIS 30 DAY OF JULY,  
2020 AT 01:37 P.M.

ORDER NUMBER: 39823843

CUSTOMER FILE NUMBER: walk-in



\*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.

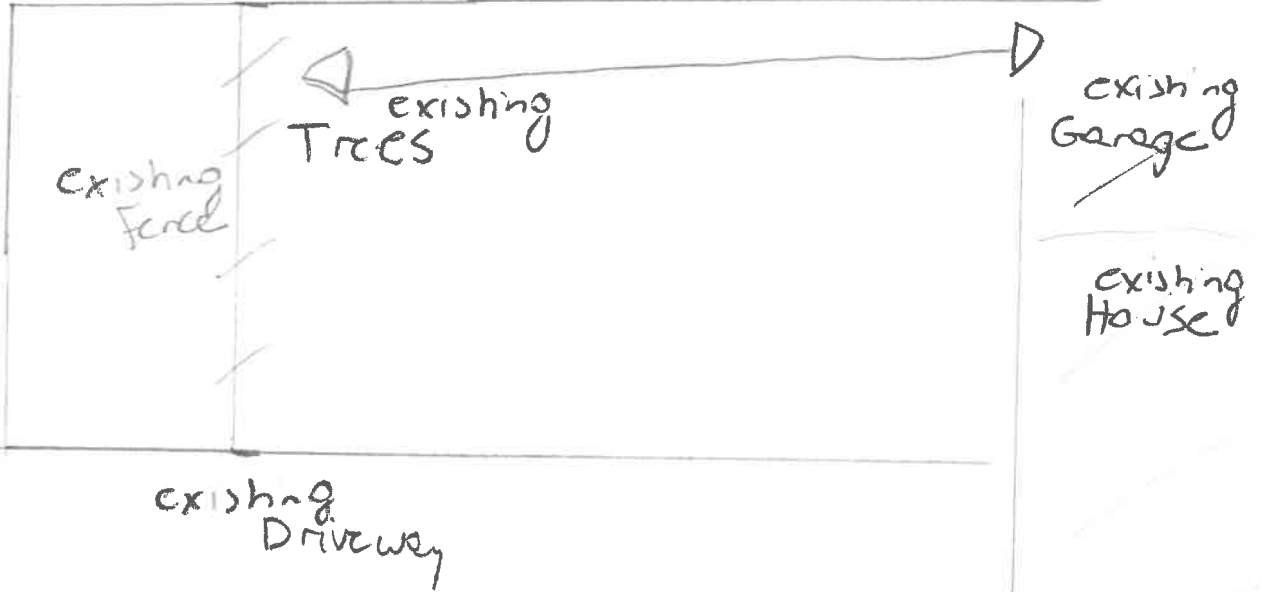
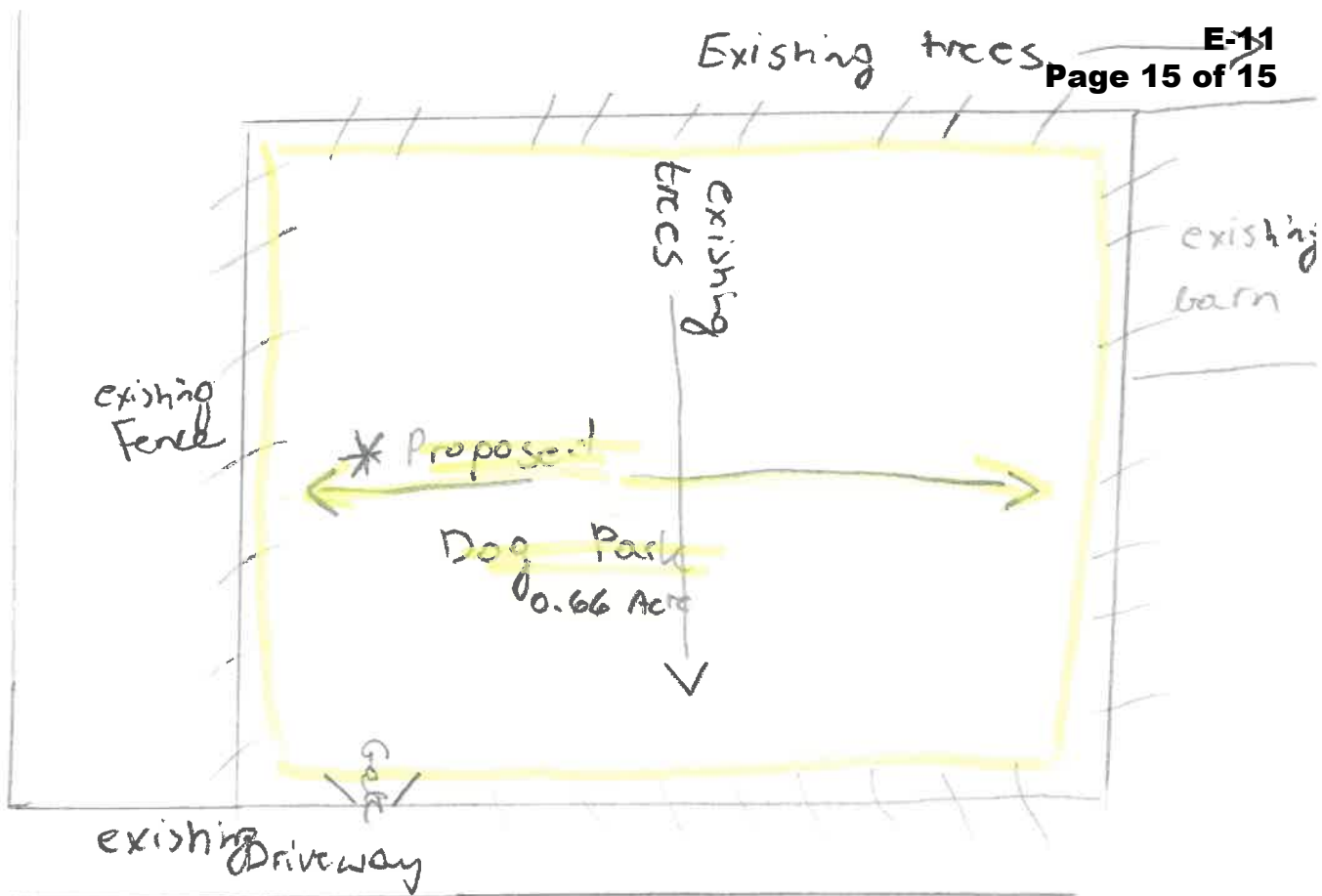
THE ABOVE PROVISIONS DO NOT PROHIBIT THE ORIGINAL PURCHASER FROM  
INCLUDING THIS UNMODIFIED PRODUCT IN ANY REPORT, OPINION,  
APPRAISAL OR OTHER ADVICE PREPARED BY THE ORIGINAL PURCHASER AS  
PART OF THE ORIGINAL PURCHASER APPLYING PROFESSIONAL, CONSULTING  
OR TECHNICAL EXPERTISE FOR THE BENEFIT OF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





# Unleashed Dog Park.ca

Happiness Unleashed





## PLANNING AND DEVELOPMENT SERVICES

**TO:** Municipal Planning Commission  
**DIVISION:** 5  
**SUBJECT:** Development Item: Accessory Building  
**USE:** Permitted use, with Variances

**DATE:** September 24, 2020  
**APPLICATION:** PRDP20202433

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

**GENERAL LOCATION:** located approximately 0.61 km (1/2 mile) north of Hwy. 560 and 0.41 km (1/4 mile) east of Rge. Rd. 285.

**LAND USE DESIGNATION:** Residential One District (R-1) under Land Use Bylaw C-4841-97.

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

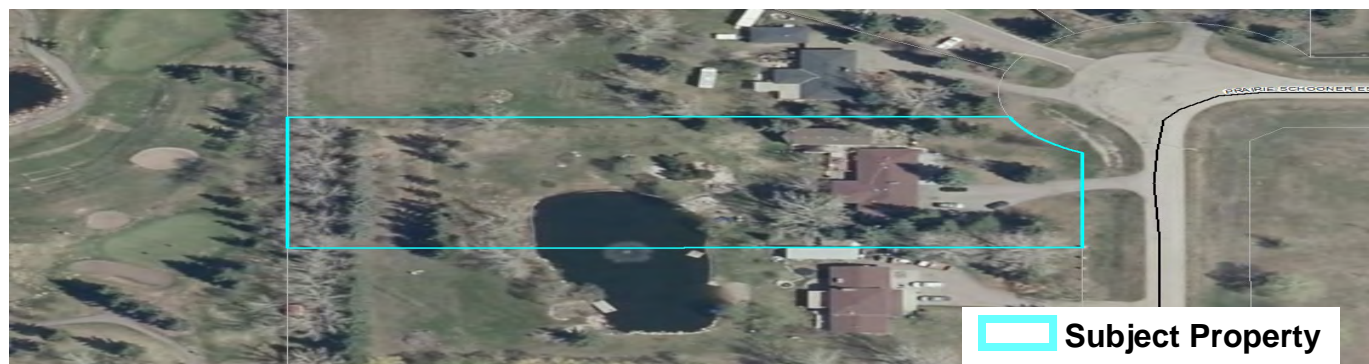
### VARIANCE SUMMARY:

Regulation	Requirement	Proposed	Variance
Side Yard Setback	3.00 m (9.84 ft.)	0.69 m (2.26 ft.)	77.00%

### OPTIONS:

- Option #1: THAT Development Permit Application PRDP20202433 be approved with the conditions noted in the report.
- Option #2: THAT Development Permit Application PRDP20202433 be refused as per the reasons noted.

### AIR PHOTO & DEVELOPMENT CONTEXT:



Subject Property

### Administration Resources

Natalie Robertson, Planning and Development Services



## DEVELOPMENT PERMIT REPORT

<b>Application Date:</b> August 20, 2020	<b>File:</b> 03329035
<b>Application:</b> PRDP20202433	<b>Applicant/Owner:</b> Williams, Vicky
<b>Legal Description:</b> Lot 11, Block 2, Plan 731402, SE-29-23-28-04	<b>General Location:</b> Located approximately 0.81 km (1/2 mile) east of Rge. Rd. 265 and on the north side of Twp. Rd. 260.
<b>Land Use Designation:</b> Residential One District (R-1)	<b>Gross Area:</b> ± 0.80 hectares (2.00 acres)
<b>File Manager:</b> Natalie Robertson	<b>Division:</b> 5

### PROPOSAL:

The proposal is for an accessory building (existing shed), relaxation of the minimum side yard setback requirement. *Note, the application was assessed in accordance with Land Use Bylaw C-4841-97, as the application was received prior to September 8, 2020.*

This application is to obtain a certificate of compliance.

- The required setback is 3.00 m (9.84 ft.) and the wood shed is currently located 0.69 m (2.26 ft.) from the south property line.

The other accessory building on the property is an Accessory Dwelling Unit (103.30 sq. m [1,111.80 sq. ft.]). Note, there is an existing accessory building (metal shed, [6.72 sq. m (72.33 sq. ft.)] in area), that is proposed to be removed from the subject property.

### LAND USE BYLAW:

*Residential One District (R-1)*

Requirements				
Section	Regulation	Required (m)	Proposed (m)	Variance
48.2	Uses, Permitted	Accessory buildings <864.01 sq. m	12.17 sq. m (130.99 ft.)	0%
48.5 (b)	Yard, Front – from a road, internal	15.00 m (49.21 ft.)	43.40 m (142.38 ft.)	0%
48.5 (c)	Yard, Side – all other (wood shed)	3.00 m (9.84 ft.)	0.69 m (2.26 ft.) / lots	77.00%
48.5 (d)	Yard, Rear – all other	6.00 m (19.68 ft.)	lots	0%
48.7 (b)	Height of Buildings –	7.00 m (22.96 ft.)	N/A	0%



	(accessory building)			
48.9	Total building area for all accessory buildings	120.00 sq. m (1,291.16 sq. ft.)	115.47 sq. m (1,242.90 sq. ft.)	0%
48.10	Maximum number of accessory buildings	Two (2)	Two (2)	0%

#### Permit History

<b>Permit Number</b>	<b>Permit Type</b>	<b>Status</b>
1992-BP-3111	Building	Occupancy Granted
PRDP20144316	Accessory Dwelling Unit	Complete
PRBD20145159	Building	Occupancy Granted

#### **STATUTORY PLANS:**

The subject property is located within the Janet Area Structure Plan. The application was also evaluated in accordance with the Land Use Bylaw C-4841-97.

#### **INSPECTOR'S COMMENTS (August 25, 2020):**

- Shed is built and has been in place for some time
- Yard is fenced
- Well-screened
- No concerns at time of inspection

#### **CIRCULATIONS:**

##### Building Services Review

- No comments received.

##### Development Compliance Officer Review

- No comments received.

##### Utility Services

- No concerns.

#### **OPTIONS:**

Option #1 (this would allow the development to commence)

APPROVAL, subject to the following conditions:

#### **Description:**

1. That the minimum side yard setback requirement for the accessory building (existing wood shed), approximately 12.17 sq. m (130.99 sq. ft.) in area, is relaxed from **3.00 m (9.84 ft.) to 0.69 m (2.26 ft.)**, as noted on the approved site plan as submitted with the application.

**Permanent:**

2. That the existing Accessory Building (metal shed), approximately 6.72 sq. m (72.33 sq. ft.), shall be removed from the subject property, within 30 days of permit issuance.

**Advisory:**

3. 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 development to commence)

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.



PRAIRIE SCHOONER ESTATES



R-2

I-IA

PS

F

DC161

DC136

29

RGE RD 285

B-4

R-1

B-AS

PRAIRIE SCHOONER ESTATES

GLENMORE TRAIL

560

CALGARY





**ROCKY VIEW COUNTY**  
Cultivating Communities

2020 2433

# APPLICATION FOR A DEVELOPMENT PERMIT

FOR OFFICE USE ONLY	
Fee Submitted \$330.00	File Number 03329035
Date of Receipt Aug 20, 2020	Receipt # 2020025185

Name of Applicant VICKY WILLIAMS Email \_\_\_\_\_

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 29 Township 23 Range 28 West of 4 Meridian

b) Being all / parts of Lot 11 Block 2 Registered Plan Number 731402

c) Municipal Address 79 Prairie Schooner Est. Rocky View, AB T1X 0J8

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

## 2. APPLICATION FOR

Development permit to get relaxation on shed setback.

## 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 VICKY WILLIAMS 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 \_\_\_\_\_

Owner's Signature V Williams

Date Aug 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.

N Williams

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

N Williams      Aug      2020  
Signature      Date

## Development Permit Checklist

The following information **including digital copies** must be included with your application. Without it, your application will be considered incomplete, and will not be processed until it has been supplied.

☒ **APPLICATION FORM(S)**

All forms **must** be completed and signed by the registered owner and/or the person authorized to act on their behalf (if any).

☒ **APPLICATION FEE**

Refer to Planning and Development Fee Schedule located in the Master Rates Bylaw

☒ **CURRENT COPY OF THE CERTIFICATE OF TITLE INCLUDING DIGITAL NON-FINANCIAL CAVEATS AND COVENANTS REGISTERED ON THE TITLE**

Searched within 30 days prior to the application, the copy of the title may be obtained from any Provincial Registry Office.

☒ **AUTHORIZATION FROM REGISTERED OWNER ON TITLE**

☐ **INDIVIDUALS NAME ON TITLE**

Attach a Letter of Authorization signed by the owner (every individual on title) giving the applicant authorization.

**OR**

☐ **COMPANY NAME ON TITLE**

An affidavit or Company Seal is required when the registered owner shown on the title is listed as a Company. If you do not have a Company Seal, provide an affidavit Commissioned (stamped and signed by a Commissioner of Oaths), granting you authorization to legally act on behalf of the Company. If you have a Company Seal, please affix said seal to every place that your signature is required.

☒ **COVER LETTER**

A cover letter, detailing the nature of the application and description of uses, **must** accompany all applications.

☒ **SITE PLAN OF THE PROPOSED DEVELOPMENT**

Showing all dimensions, setbacks and slopes steeper than 15% – refer to page 2

☐ **OTHER DOCUMENTATION**

To determine the documents required specific to the Development Permit proposal, please visit [www.rockyview.ca](http://www.rockyview.ca). Additional information may be required upon receipt and review of the application, depending on the nature.

### FOR OFFICE USE ONLY

- ☒ **Proposed Development** Shed (4.91 x 2.45) setback, relaxation ☒ **Land Use Designation** R-1
- ☒ **Concept Plan / ASP Info.** Janice ASP / City of Calgary ☒ **Parcel Information / Land Use Maps / Air Photo**

	Road Type	Bylaw	Proposed
Front Yard Setback Minimum			
Side Yard Setback Minimum			
Rear Yard Setback Minimum			
Height Maximum			
Principal Building Size			

Comments \_\_\_\_\_

☒ **APPLICATION IS COMPLETE**

Staff Signature



LAND TITLE CERTIFICATE

S  
LINC                      SHORT LEGAL                      TITLE NUMBER  
0016 580 153           731402;2;11           011 239 825

LEGAL DESCRIPTION  
PLAN 731402  
BLOCK 2  
LOT 11  
EXCEPTING THEREOUT ALL MINES AND MINERALS

ESTATE: FEE SIMPLE  
ATS REFERENCE: 4;28;23;29;S

MUNICIPALITY: ROCKY VIEW COUNTY

REFERENCE NUMBER: 921 284 095

-----  
REGISTERED OWNER(S)  
REGISTRATION      DATE (DMY)      DOCUMENT TYPE      VALUE      CONSIDERATION  
-----  
011 239 825      21/08/2001      TRANSFER OF LAND      \$345,000      \$345,000

OWNERS

PAUL WILLIAMS

AND

VICKY WILLIAMS

BOTH OF:

AS JOINT TENANTS

(DATA UPDATED BY: CHANGE OF ADDRESS 081220945)

-----  
ENCUMBRANCES, LIENS & INTERESTS

REGISTRATION  
NUMBER      DATE (D/M/Y)      PARTICULARS  
-----  
731 058 897      03/10/1973      UTILITY RIGHT OF WAY  
GRANTEE - CANADIAN WESTERN NATURAL GAS COMPANY  
LIMITED.  
"20 FOOT STRIP"

( CONTINUED )



-----  
ENCUMBRANCES, LIENS & INTERESTS

PAGE 2  
# 011 239 825

REGISTRATION

NUMBER	DATE (D/M/Y)	PARTICULARS
731 062 105	15/10/1973	CAVEAT RE : RESTRICTIVE COVENANT CAVEATOR - HESLIP HOLDINGS LTD.
741 011 360	06/02/1974	CAVEAT RE : EASEMENT CAVEATOR - THE CITY OF CALGARY. ATTN: DAN JONES P O BOX 2100, STATION M CALGARY ALBERTA T2P2M5 AGENT - DAN JONES (DATA UPDATED BY: TRANSFER OF CAVEAT 971188586)
151 111 317	01/05/2015	MORTGAGE MORTGAGEE - ROYAL BANK OF CANADA. 10 YORK MILLS ROAD 3RD FLOOR TORONTO ONTARIO M2P0A2 ORIGINAL PRINCIPAL AMOUNT: \$713,000
191 118 892	20/06/2019	CAVEAT RE : AGREEMENT CHARGING LAND CAVEATOR - HER MAJESTY THE QUEEN IN RIGHT OF ALBERTA AS REPRESENTED BY MINISTER OF SENIORS AND HOUSING THE OFFICE OF THE SENIORS PROPERTY TAX DEFERRAL PROGRAM PO BOX 1200 STN MAIN EDMONTON ALBERTA T5J2M4 AGENT - BEVERLY ROWLANDS
201 113 298	25/06/2020	CAVEAT RE : AGREEMENT CHARGING LAND CAVEATOR - HER MAJESTY THE QUEEN IN RIGHT OF ALBERTA AS REPRESENTED BY MINISTER OF SENIORS AND HOUSING THE OFFICE OF THE SENIORS PROPERTY TAX DEFERRAL PROGRAM PO BOX 1200, STN MAIN EDMONTON ALBERTA T5J2M4 AGENT - BEVERLY ROWLANDS

TOTAL INSTRUMENTS: 006

( CONTINUED )

PAGE 3

# 011 239 825

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN  
ACCURATE REPRODUCTION OF THE CERTIFICATE OF  
TITLE REPRESENTED HEREIN THIS 20 DAY OF AUGUST,  
2020 AT 02:29 P.M.

ORDER NUMBER: 39952633

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).





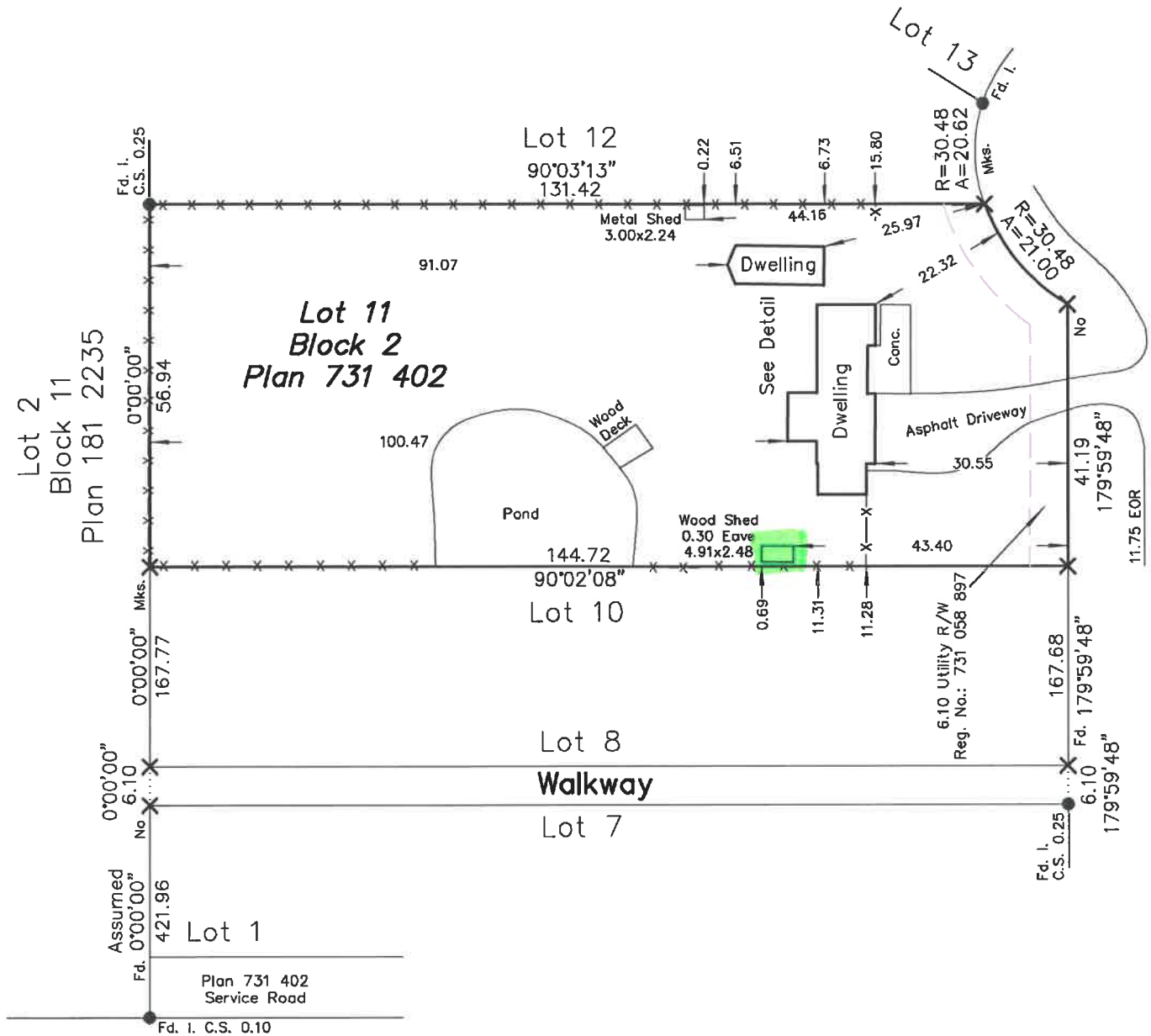






## ALBERTA LAND SURVEYOR'S

79 Prairie Schooner Estates



## ABBREVIATIONS

A---Arc Length	EOR---Edge of Road
Acc.---Accessory	Fd.---Found
A/C---Air Conditioner	I.---Iron Post
Bldg---Building	I.B.---Iron Bar
BOC---Back of Curb	M.A.---Maintenance Access
BOW---Back of Walk	Mk.---Mark
Calc.---Calculated	O.D.---Overland Drainage
Cont.---Cantilever	P/L---Property Line
Conc.---Concrete	Reg.---Registration
C.S.---Countersunk	Ret.---Retaining
DH---Drill Hole	R/W---Right of Way
Enc.---Encroaches	W/O---Walkout Basement
EOA---Edge of Asphalt	W.W.---Window Well

**NOTE:**

UNLESS NOTED OTHERWISE LINES OUTSIDE OF PROPERTY ARE NOT TO SCALE



## PLANNING AND DEVELOPMENT SERVICES

**TO:** Municipal Planning Commission  
**DIVISION:** 3  
**SUBJECT:** Development Item: Accessory Building  
**USE:** Permitted use, with Variances

**DATE:** September 24, 2020

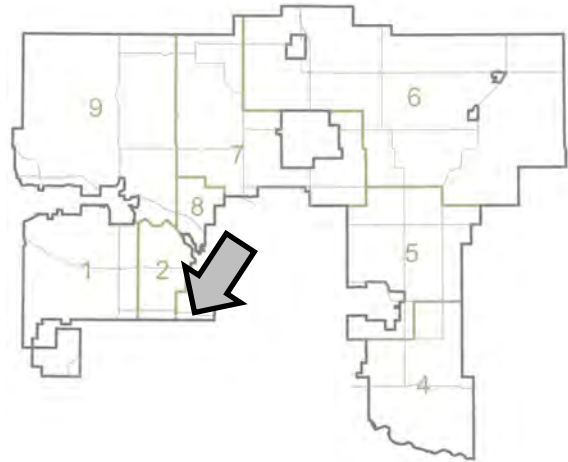
**APPLICATION:** PRDP20202231

**APPLICATION:** This application is for the relaxation of the required minimum building separation distance for an existing accessory building.

**GENERAL LOCATION:** Located approximately 0.20 km (1/8 mile) south of Hwy. 8 and 0.20 km (1/8 mile) east of Lott Creek Drive.

**LAND USE DESIGNATION:** Direct Control District (DC-13, Cell 2) and under Land Use Bylaw C-1725-84 and C-4841-97.

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



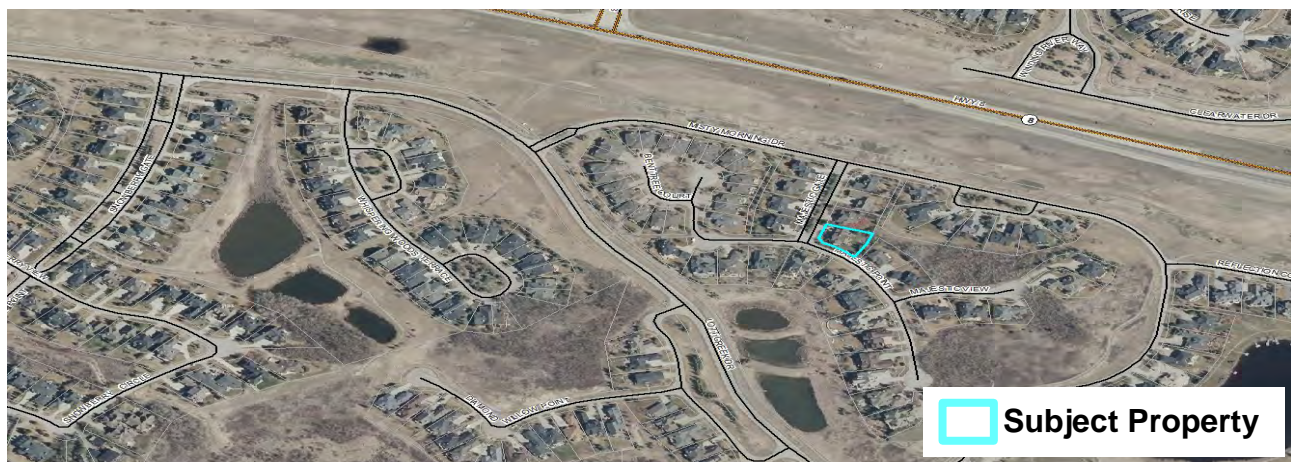
### VARIANCE SUMMARY:

Variance	Requirement	Proposed	Percentage (%)
Minimum Building Separation Distance	2.00 m (6.56 ft.)	0.03 m (0.01 inch)	99.99%

### OPTIONS:

- Option #1: THAT Development Permit Application PRDP20202231 be approved with the conditions noted in the Development Permit Report, attached.
- Option #2: THAT Development Permit Application PRDP20202231 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> July 31, 2020	<b>File:</b> 04606136
<b>Application:</b> PRDP20202231	<b>Applicant/Owner:</b> Lisa McFadyen
<b>Legal Description:</b> Lot: UNIT 93 Plan:9813459; 16 MAJESTIC GATE	<b>General Location:</b> Located approximately 0.21 km (1/8 mile) south of Hey. 8 and 0.21 km (1/8 mile) east of Lott Creek Drive.
<b>Land Use Designation:</b> DC-13, Cell 2	<b>Gross Area:</b> ± 0.11 hectares (± 0.26 acres)
<b>File Manager:</b> Evan Neilsen	<b>Division:</b> 3

### PROPOSAL:

This application is an accessory building (existing), relaxation of the minimum building separation requirement. *Note: This application was assessed in accordance with the Land Use Bylaw C-4841-97 as this application was received prior to September 8, 2020 and Land Use Bylaw C-1725-84.*

The structure is used for residential storage which is accessory to the principal use and is 3.08 sq. m. (33.23 sq. ft.) in area. The structure was identified to be encroaching on this requirement during a review of a real property report submitted on July 21<sup>st</sup>, 2020 and the applicant has submitted this application for the purposes of receiving a stamp of compliance. Section 1.10.0 of DC-13 requires that accessory buildings constructed within the district conform to Section 8.6.0 of C-1725-84 (Rocky View County's Land Use Bylaw from 1984). This section stipulates that: *"All accessory buildings shall be located at least 2 m (6.56 feet) from any principal building."*

In order to relax this requirement, the applicant is seeking to have this required distance relaxed from 2.00 m to 0.03 m – a relaxation of 99.99%. The parcel does not contain any additional accessory buildings and is otherwise compliant with the zoning requirements of DC-13. This parcel is also located outside of any floodway, flood fringe, or identified riparian area and the accessory building appears to be architecturally similar to the existing dwelling.

### STATUTORY PLANS

#### Elbow Valley Area Structure Plan

- There are no policies that directly address the construction of accessory buildings within the plan area, however policy 4.3.iv appears to tangentially support this proposal.

### INSPECTORS COMMENTS

- Neat and tidy
- No concerns at time of inspection

### CIRCULATIONS

#### Development Compliance:

- Development Compliance has no comments or concerns with the attached application.



Building Services:

- No concerns with shed, would not require a BP as it is under 10 sq. meters.

Operations Division:

- No comments received.

City of Calgary:

- No comments Received.

**RECOMMENDATION:**

Administration believes that there is negligible impact from this existing accessory building. The structure is quite minor, is well-screened by trees, and blends in well with the principal dwelling; consequently, Administration recommends approval based on the conditions identified below.

**OPTIONS:**

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

APPROVAL, subject to the following conditions:

**Description**

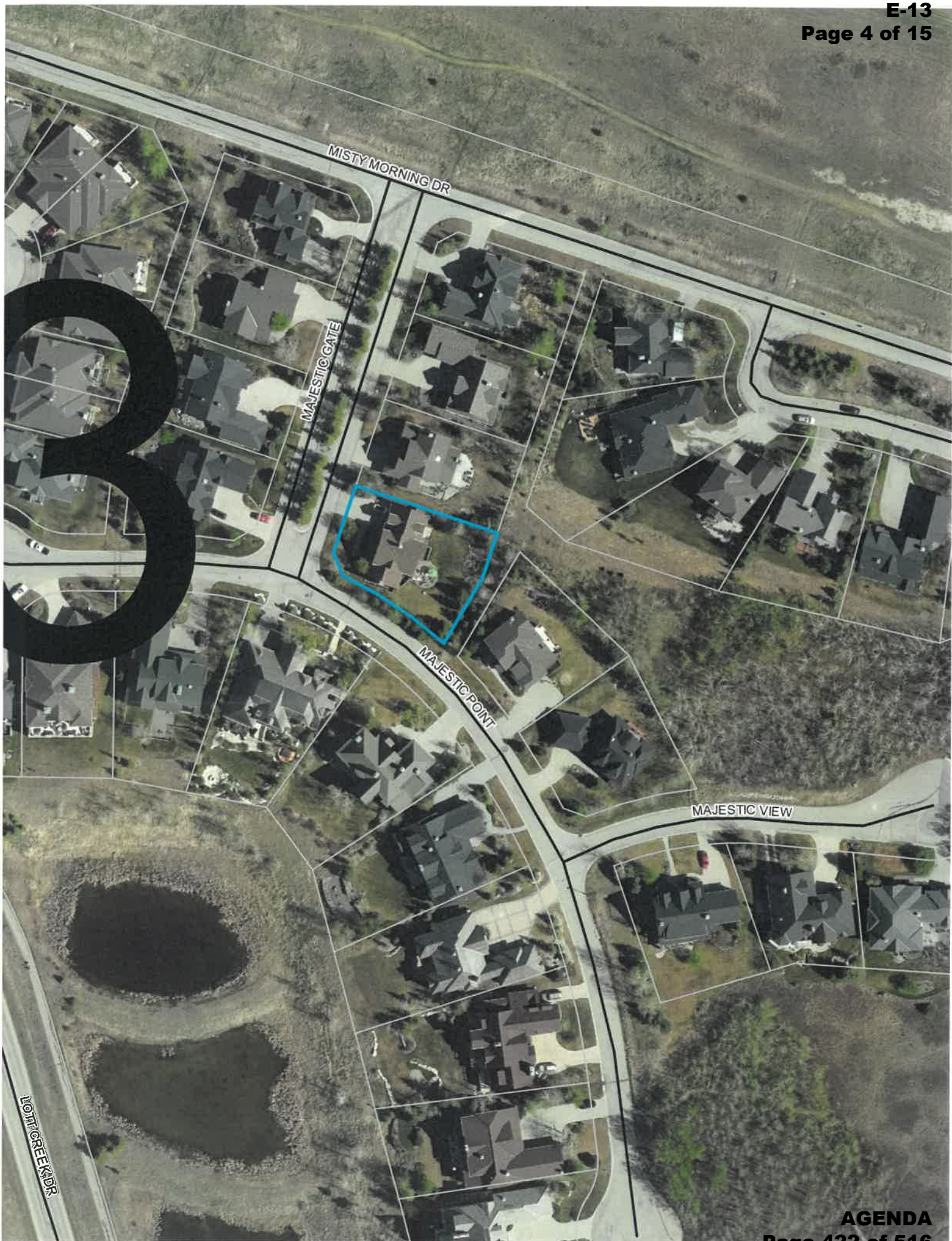
1. That an existing accessory building (shed), approximately **3.08 sq. m. (33.23 sq. ft.)** in area, may continue to exist on the parcel in accordance with the approved site plan and application.
  - i. That the minimum required building separation is relaxed from **2.00 m (6.56 ft.)** to **0.03 m (0.09 ft.)**.
2. That any other government permits, approvals, or compliances are the sole responsibility of the Applicant/Owner.

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

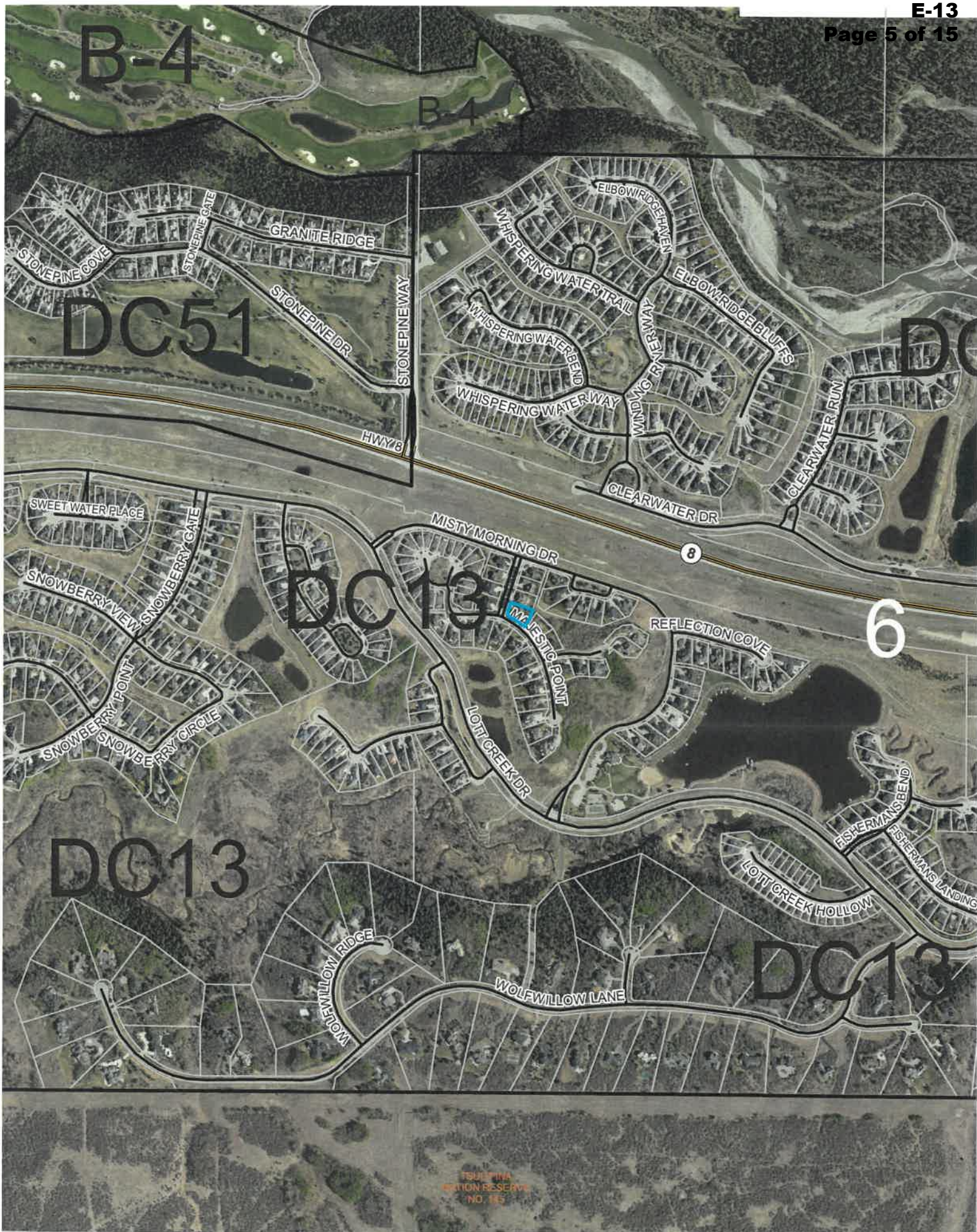
REFUSAL, for the following reasons:

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.













ROCKY VIEW COUNTY  
Cultivating Communities

20202231

# APPLICATION FOR A DEVELOPMENT PERMIT

FOR OFFICE USE ONLY	
Fee Submitted 265.00	File Number 0460636
Date of Receipt 07/31/2020	Receipt #

Name of Applicant Lisa McFadyen Email \_\_\_\_\_

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 NW ¼ Section 6 Township 24 Range 2 West of 5th Meridian

b) Being all / parts of Lot Unit 93 Block \_\_\_\_\_ Registered Plan Number 981-3459

c) Municipal Address 16 Majestic Gate Calgary AB T323A7

d) Existing Land Use Designation DC13 Parcel Size 0.26ac Division 3

## 2. APPLICATION FOR

Accessory Bldg - Shed - relaxation of setback

## 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 Lisa McFadyen 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 L. McFadyen

Date Aug. 1 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, Lisa McFadyen, hereby consent to the public release and disclosure of all information contained within this application and supporting documentation as part of the development process.

Lisa McFadyen      Aug. 1 2020  
Signature                      Date





ROCKY VIEW COUNTY  
Cultivating Communities

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

## APPLICATION FOR AN ACCESSORY BUILDING

Name of Applicant Lisa McFadyen Email [REDACTED]

### 1. DETAILS OF ACCESSORY BUILDING

	Bylaw	Proposed
Accessory building size maximum	69.7m <sup>2</sup> area	3m <sup>2</sup>
Accessory building height	5m	3m
Number of existing accessory buildings on site	-	1
Total size of all accessory buildings	69.7m <sup>2</sup> area	3m <sup>2</sup>

#### Description of Accessory Buildings:

- a) Building materials Shed - Wood side, Asphalt shingles
- b) Exterior colour beige (same as house)
- c) Please include why relaxations for buildings are needed (location, storage needs, tidy property, etc.)  
Storage needs
- d) Date when building permits were issued for existing buildings -
- e) If no permits were issued - list age of buildings 6 years

### 2. DESCRIBE THE USE OF THE ACCESSORY BUILDING

Small Shed used for lawn mower and winter tires

### 3. ADDITIONAL REQUIREMENTS

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

- see RPR

Signature of Applicant L. McFadyen Date: Aug. 1 2020



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

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

## Inspection Request

Roll #: 04606136

SW -Evan  
Circ. ends Sept 3rd.  
DP #: PRDP20202231

Applicant/Owner: Allchurch, Derek & Shelley  
Legal Description: Lot UNIT 93 Block Plan 9813459, NW-06-24-02-05  
Municipal Address: 16 MAJESTIC GATE, Rocky View County AB  
Land Use: DC13C234  
Reason for Inspection: Accessory building, with a relaxation of the building setbacks.

### Inspection Report

Date of Inspection: Aug. 18/20

Permission granted for entrance? Yes

Observations:

- neat and tidy.
- no concerns at time of inspection.

Signature: 

4-5 photos





























## PLANNING AND DEVELOPMENT SERVICES

**TO:** Municipal Planning Commission  
**DIVISION:** 5  
**SUBJECT:** Development Item: Accessory Building  
**USE:** Discretionary use, with Variances

**DATE:** September 24, 2020

**APPLICATION:** PRDP20202224

**APPLICATION:** construction of an accessory building (oversized shop), relaxation of the maximum building area, relaxation of the maximum permitted area for all accessory buildings and relaxation of the maximum number of accessory buildings.

**GENERAL LOCATION:** Located approximately 1.21 km (3/4 mile) south of Hwy. 1 and 0.41 km (1/4 mile) west of Hwy. 791.

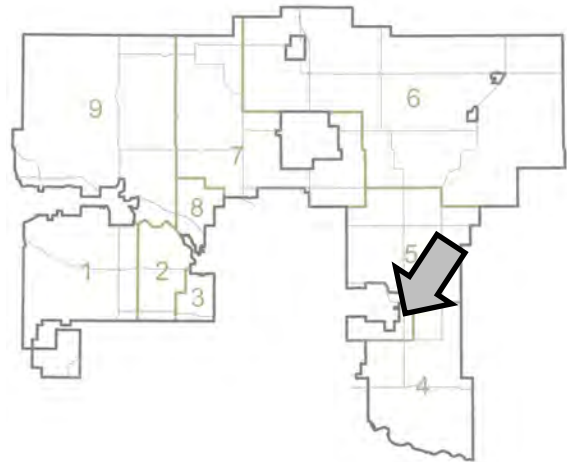
**LAND USE DESIGNATION:** Residential One District (R-1) under Land Use Bylaw C-4841-97.

### ADMINISTRATION RECOMMENDATION:

Administration recommends Approval in accordance with Option #1.

### VARIANCE SUMMARY:

Variance	Requirement	Proposed	Percentage (%)
Maximum Accessory Building Area	80.27 sq. m (864.01 sq. ft.)	150.50 sq. m 1,620.00 ft.	187.49%
Total # of accessory buildings	2	3	50.00%
Total Accessory Building area	120.00 sq. m (1,291.67 sq. ft.)	235.97 sq. m (2,540.00 sq. ft.)	196.64%



### OPTIONS:

- Option #1: THAT Development Permit Application PRDP20202224 be approved with the conditions noted in the Development Permit Report, attached.
- Option #2: THAT Development Permit Application PRDP20202224 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> August 4, 2020	<b>File:</b> 04312096
<b>Application:</b> PRDP20202224	<b>Applicant/Owner:</b> Lane & Laura Graham
<b>Legal Description:</b> Lot:7 Block:3 Plan:9711229; SE-12-24-28-W04M; 27 EAST RIDGE BOULEVARD	<b>General Location:</b> Located approximately 1.21 km (3/4 mile) south of Hwy. 1 and 0.41 km (1/4 mile) west of Hwy. 791..
<b>Land Use Designation:</b> Residential One District (R-1)	<b>Gross Area:</b> ± 0.79 hectares (± 1.97 acres)
<b>File Manager:</b> Evan Neilsen	<b>Division:</b> 5

### PROPOSAL:

This proposal is for the construction of an accessory building (oversized shop), relaxation of the maximum permitted building area, relaxation of the permitted area for all accessory buildings and relaxation of the maximum number of accessory buildings. *Note: the application was assessed in accordance with Land Use Bylaw C-4841-97, as the application was received prior to September 8, 2020.*

The proposed accessory building is 150.50 sq. m. (1,620.00 sq. ft.) and will be constructed 3.00 m (9.84 ft.) from the northernmost, side property line. The parcel currently holds ten accessory buildings of varying sizes and an outdoor personal storage area of approximately 724.64 sq. m. (7,800.00 sq. ft.). The applicant is seeking to construct this building to reduce the total number of accessory buildings and the total amount of land used for outdoor storage.

<b>Requirement</b>	<b>Required</b>	<b>Proposed</b>	<b>% Relaxation Required</b>
<i>Front Setback</i>	15.00 m (49.21 ft.)	<i>lots</i>	0%
<i>Side setbacks(north)/(south)</i>	3.00 m (9.84 ft.)/ 3.00 m (9.84 ft.)	3.00 m/ <i>lots</i>	0%
<i>Rear setback</i>	7.00 m (22.96 ft.)	<i>lots</i>	0%
<i>Height</i>	7.00 m (22.96 ft.)	5.35 m (17.58 ft.)	0%
<i>Maximum Accessory Building Area</i>	80.27 sq. m (864.01 sq. ft.)	150.50 sq. m (1,620.00 ft.)	187.49%
<i>Total # of accessory buildings</i>	2	3	50.00%
<i>Total Accessory Building area</i>	120.00 sq. m (1,291.67 sq. ft.)	235.97 sq. m (2,540.00 sq. ft.)	196.64%



**STATUTORY PLANS:**

- Conceptual Scheme/Area Structure Plan: none/none
- County Plan: Policy 10.3 appears to support this application.

**INSPECTORS COMMENTS:**

- Neat & tidy
- Owner present and stated accessory building is proposed to help clean property and store vehicles and equipment out of site (sic).
- Well screened from adjacent land owner.
- No concerns at time of inspection.

**CIRCULATIONS:**

Building Services:

- No concerns with Accessory Building, subject to BP.

Planning and Development Services – Compliance Review:

- Development Compliance has no comments or concerns with respect to the attached application.

TELUS:

- TELUS Communications has no objections to the mentioned circulation.

City of Calgary:

- No response received

Altalink:

- No response received

ATCO:

- ATCO Gas has no objection with the proposed development permit.

City of Chestermere:

- We've reviewed the circulation file and have no concerns.

Shaw Communications:

- No response received

**OPTIONS:**

Option #1 (this would allow the development to commence)

APPROVAL, subject to the following conditions:

**Description**

1. That an accessory building (oversize shop) may be constructed on the parcel in accordance with the approved site plan and application.
  - i. That the maximum building area for the proposed accessory building is relaxed from **80.27 sq. m (864.01 sq. ft.) to 150.50 sq. m. (1,620.00 sq. ft.)** in area.
  - ii. That the total building area for all accessory buildings is relaxed from **120.00 sq. m. (1,291.67 sq. ft.) to 235.97 sq. m. (2,540.00 sq. ft.)**.



- iii. That the maximum number of accessory buildings is relaxed from **two (2) to three (3)**.

**Permanent**

2. That the exterior siding and roofing materials of the accessory building shall be similar to the existing dwelling, single-detached and/or area.
3. That the accessory building shall not be used for commercial purposes at any time, except for a home-based business, type I.
4. That the accessory building shall not be used for residential occupancy purposes at any time.
5. That there shall be no more than 1.00 m (3.28 ft.) of fill placed adjacent to or within 15.00 m (49.21 ft.) of the proposed accessory building under construction that is used to establish approved final grades unless a Development Permit has been issued for additional fill.

**Advisory**

6. That during construction of the accessory building, all construction and building materials shall be maintained on-site, in a neat and orderly manner. Any debris or garbage shall be stored/placed in garbage bins and disposed of at an approved disposal facility.
7. That during construction of the accessory building, the Applicant/Owner shall adhere to the County's Noise Bylaw (C-5772-2003) at all times.
8. That any required Building Permits shall be obtained through Building Services, prior to construction commencement, using the Accessory Building checklist.
9. 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.
10. That any other government permits, approvals, or compliances are the sole responsibility of the Applicant/Owner.

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

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.











**ROCKY VIEW COUNTY**  
Cultivating Communities

20202224

# APPLICATION FOR A DEVELOPMENT PERMIT

FOR OFFICE USE ONLY	
Fee Submitted \$250.00	File Number 04312096
Date of Receipt Aug 5, 2020	Receipt # 20200241043

Name of Applicant LANE & LAURA GRAHAM Email [REDACTED]  
Mailing Address [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 12 Township 24 Range 28 West of W4 Meridian  
b) Being all / parts of Lot 7 Block 3 Registered Plan Number 971-1229  
c) Municipal Address 27 EAST RIDGE BLVD.  
d) Existing Land Use Designation R1 Parcel Size 0.800 ha. Division 5

## 2. APPLICATION FOR

OVERSIZE ACCESSORY BUILDING

## 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 X

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

I LANE & LAURA GRAHAM 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] Owner's Signature [Signature]  
Date August 4, 2020 Date August 4, 2020





**ROCKY VIEW COUNTY**  
Cultivating Communities

FOR OFFICE USE ONLY

Fee Submitted

File Number

Date Received

Receipt #

## APPLICATION FOR AN ACCESSORY BUILDING

Name of Applicant LANE & LAURA GRAHAM

Email [REDACTED]

Mailing Address [REDACTED]

Postal Code T2P 2G7

Telephone (B) [REDACTED]

### 1. DETAILS OF ACCESSORY BUILDING

	Bylaw	Proposed
Accessory building size maximum	1296/864 f <sup>2</sup>	1620 f <sup>2</sup> → 150.5 m <sup>2</sup>
Accessory building height	7m (22.96 f)	5.3m (17.7 fcd)
Number of existing accessory buildings on site	1	2
Total size of all accessory buildings	80.27 m <sup>2</sup> (864 f <sup>2</sup> )	150.5 m <sup>2</sup> (1620 f <sup>2</sup> )

#### Description of Accessory Buildings:

- a) Building materials wood & metal
- b) Exterior colour beige & black (to match the house)
- c) Please include why relaxations for buildings are needed (location, storage needs, tidy property, etc.)  
Storage, and yes, tidy up our property
- d) Date when building permits were issued for existing buildings DECEMBER 2, 1997
- e) If no permits were issued - list age of buildings N/A

### 2. DESCRIBE THE USE OF THE ACCESSORY BUILDING

To store lawn equipment, aluminum enclosed trailer so it doesn't get hail damage, store kids stuff, & Christmas and halloween decorations, & lawn furniture.

### 3. ADDITIONAL REQUIREMENTS

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

Signature of Applicant

[Signature]  
Laura Graham

Date:

August 4, 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, LANE : LAURA GRAHAM, hereby consent to the public release and disclosure of all information contained within this application and supporting documentation as part of the development process.

 August 4, 2020  
Signature Date

Lane & Laura Graham



27 East Ridge Blvd.  
Calgary, Alberta  
T2P 2G7

August 4, 2020

Rocky View County  
262027 Rocky View Point  
Rocky View County, Alberta  
T4A 0X2

To Whom It May Concern:

This letter is to inform the County of Rocky View of our application for a development permit for an accessory building on our property, this would then be our second accessory building.

Our main purpose for this building will be for storage only. We need indoor storage for our aluminum enclosed trailer, so it doesn't get hail damage, summer lawn furniture, Christmas decorations, halloween decorations, and summer yard equipment. We also have a lot of our two, grown childrens' items stored here because they do not have the space for their things at their places. Overall, this building will enable us to keep our property very neat and tidy.

The development permit application and other documents illustrating measurements, and appearance are to follow this letter.

Thank you for your consideration,

A handwritten signature in purple ink that reads "Laura Graham".

Lane & Laura Graham



LAND TITLE CERTIFICATE

S  
LINC                      SHORT LEGAL                      TITLE NUMBER  
0027 104 710           9711229;3;7           981 064 932

LEGAL DESCRIPTION  
PLAN 9711229  
BLOCK 3  
LOT 7  
EXCEPTING THEREOUT ALL MINES AND MINERALS

ESTATE: FEE SIMPLE  
ATS REFERENCE: 4;28;24;12;SE

MUNICIPALITY: ROCKY VIEW COUNTY

REFERENCE NUMBER: 971 366 700

REGISTERED OWNER(S)				
REGISTRATION	DATE (DMY)	DOCUMENT TYPE	VALUE	CONSIDERATION
981 064 932	03/03/1998	TRANSFER OF LAND	\$249,900	\$249,900

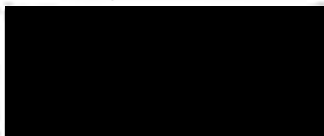
OWNERS

LANE GRAHAM

AND

LAURA GRAHAM

BOTH OF:



AS JOINT TENANTS

ENCUMBRANCES, LIENS & INTERESTS

REGISTRATION NUMBER	DATE (D/M/Y)	PARTICULARS
961 224 747	26/09/1996	UTILITY RIGHT OF WAY GRANTEE - CANADIAN WESTERN NATURAL GAS COMPANY LIMITED.

( CONTINUED )

ENCUMBRANCES, LIENS & INTERESTS

PAGE 2  
# 981 064 932

REGISTRATION

NUMBER DATE (D/M/Y) PARTICULARS

961 240 821 15/10/1996 CAVEAT  
RE : SEE CAVEAT  
CAVEATOR - EAST RIDGE ESTATES COMMUNITY  
ASSOCIATION.  
652 EAST CHESTERMERE DRIVE  
CHESTERMERE  
ALBERTA T1X1A5  
AGENT - MANJIT DUHRA

971 191 324 03/07/1997 CAVEAT  
RE : EASEMENT AND RESTRICTIVE COVENANT

971 191 325 03/07/1997 UTILITY RIGHT OF WAY  
GRANTEE - ALTALINK MANAGEMENT LTD.  
2611 - 3 AVE SE  
CALGARY  
ALBERTA T2A7W7  
GRANTEE - AMAR DEVELOPMENTS LTD.  
652 E CHESTERMERE DRIVE  
CHESTERMERE  
ALBERTA T1X1A5  
GRANTEE - THE MUNICIPAL DISTRICT OF ROCKY VIEW NO.  
44.  
911 - 32ND AVENUE N E  
CALGARY  
ALBERTA T2M4L6  
GRANTEE - TELUS COMMUNICATIONS INC.  
10020 - 100 STREET  
EDMONTON  
ALBERTA T5J0N5  
GRANTEE - CANADIAN WESTERN NATURAL GAS COMPANY  
LIMITED.  
909-11 AVE SW  
CALGARY  
ALBERTA T2P1L8  
GRANTEE - SHAW CABLESYSTEMS LIMITED.  
2001-27TH AVENUE N.E.  
CALGARY  
ALBERTA T2A6T9  
AS TO PORTION OR PLAN:9711230  
(DATA UPDATED BY: TRANSFER OF UTILITY RIGHT  
OF WAY 021197949)  
(DATA UPDATED BY: CHANGE OF ADDRESS 091112268)

971 191 326 03/07/1997 CAVEAT  
RE : RESTRICTIVE COVENANT

971 191 327 03/07/1997 EASEMENT  
OVER AND FOR BENEFIT OF SEE INSTRUMENT

( CONTINUED )



ENCUMBRANCES, LIENS & INTERESTS

PAGE 3  
# 981 064 932

REGISTRATION  
NUMBER DATE (D/M/Y) PARTICULARS

(AS TO PLAN 9711232)

981 347 489 05/11/1998 EASEMENT  
AS TO PORTION OR PLAN:9813054  
OVER BLOCK B ON PLAN 7510553 & LOT 21 IN BLOCK 3  
ON PLAN 9711229 FOR BENEFIT OF LOTS 1 TO 15 &  
LOTS 19 TO 25 IN BLOCK 3 ON PLAN 9711229

001 269 995 21/09/2000 CAVEAT  
RE : UTILITY RIGHT OF WAY  
CAVEATOR - AMAR DEVELOPMENTS LTD.  
2200, 736-6 AVE SW  
CALGARY  
ALBERTA T2P3T7  
AGENT - TIM BARDSLEY

091 102 591 20/04/2009 MORTGAGE  
MORTGAGEE - THE TORONTO DOMINION BANK.  
500 EDMONTON CITY CENTER EAST, 5TH FL, 10205-101  
ST  
EDMONTON  
ALBERTA T5J5E8  
ORIGINAL PRINCIPAL AMOUNT: \$335,000

091 102 592 20/04/2009 MORTGAGE  
MORTGAGEE - THE TORONTO DOMINION BANK.  
500 EDMONTON CITY CENTER EAST, 5TH FL, 10205-101  
ST  
EDMONTON  
ALBERTA T5J5E8  
ORIGINAL PRINCIPAL AMOUNT: \$159,000

TOTAL INSTRUMENTS: 010

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN  
ACCURATE REPRODUCTION OF THE CERTIFICATE OF  
TITLE REPRESENTED HEREIN THIS 5 DAY OF AUGUST,  
2020 AT 11:39 A.M.

ORDER NUMBER: 39846968

CUSTOMER FILE NUMBER: PRDP20202224

\*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

## Inspection Request

Roll #: 04312096

Evan - SE  
Circ Ends Aug 31  
DP #: PRDP20202224

Applicant/Owner: Graham, Lane & Laura  
Legal Description: Lot 7 Block 3 Plan 9711229, SE-12-24-28-04  
Municipal Address: 27 EAST RIDGE BOULEVARD, Rocky View County AB  
Land Use: R-1  
Reason for Inspection: construction of an oversized accessory building, relaxation of the maximum permitted building size, relaxation of the maximum permitted area for all accessory buildings.

### Inspection Report

Date of Inspection: Aug. 18/20

Permission granted for entrance? Yes

#### Observations:

- neat + tidy
- owner present and stated accessory building is proposed to help clean ~~the~~ property and store vehicles and equipment out of site.
- well screened from adjacent land owners.
- no concerns at time of inspection

Signature: [Signature]

































**REMUDA**  
**BUILDING**

**1,620 SQ FT SHOP**

PREPARED FOR:  
Lane and Laura Graham

**PROJECT SUMMARY:**

- Dimensions: 30' x 54' x 12' building
- Ceiling Height: 12'
- Total Developed Area: 1,620
- Colours Shown
  - Walls: Wicker
  - Roof: Carbon
  - Trim: Bright White



NOT FOR CONSTRUCTION USE

NOT FOR CONSTRUCTION OR PERMITS. HOME CONCEPT INTENDED FOR BASIC DESIGN & BUDGETARY ESTIMATION. CONCEPT MAY NOT COMPLETELY REFLECT ACTUAL BUILDING.

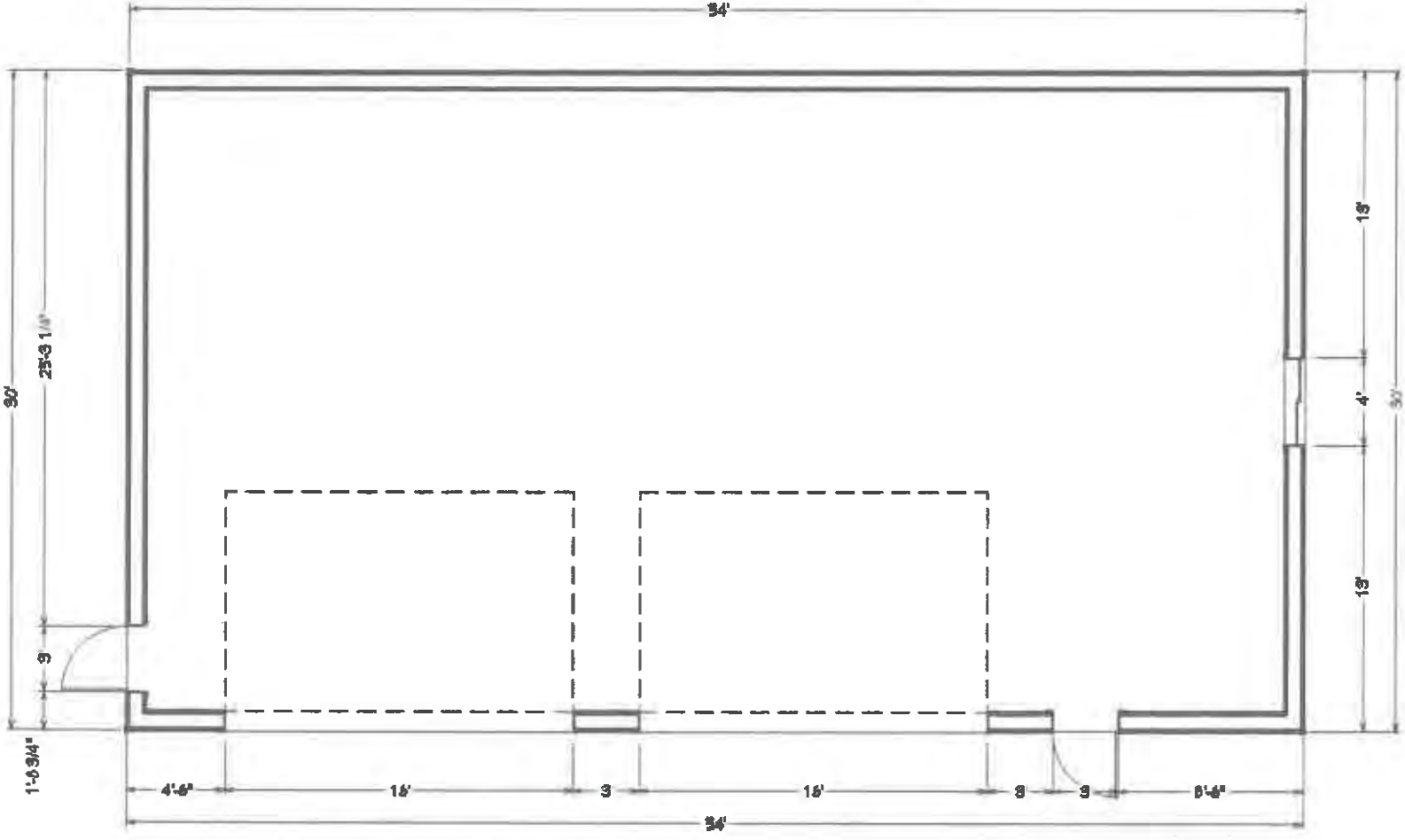
**NEW BUILDING CONCEPT**

**CUSTOMER**  
CUSTOMER NAME: Lane and Laura Graham  
CONCEPT #: P10207

**REMUDA BUILDING**

**PAGE 1**  
  
Box 36, Site 27, RR7  
Calgary, AB T2P 2S7  
[remudabuilding.com](http://remudabuilding.com)

FLOORPLAN - LEVEL 1



NOT FOR CONSTRUCTION USE

NOT FOR CONSTRUCTION OR PERMITS. HOME CONCEPT INTENDED FOR BASIC DESIGN & BUDGETARY ESTIMATION. CONCEPT MAY NOT COMPLETELY REFLECT ACTUAL BUILDING.

NEW  
BUILDING  
CONCEPT

CUSTOMER  
CUSTOMER NAME: Lane and Laura Graham  
CONCEPT #: P10207



Box 36, Site 27, RR7  
Calgary, AB T2P 2G7  
[remudabuilding.com](http://remudabuilding.com)

PAGE  
2



SOUTH ELEVATION



NOT FOR CONSTRUCTION USE

NOT FOR CONSTRUCTION OR PERMITS. HOME CONCEPT INTENDED FOR BASIC DESIGN & BUDGETARY ESTIMATION. CONCEPT MAY NOT COMPLETELY REFLECT ACTUAL BUILDING.

NEW  
BUILDING  
CONCEPT

CUSTOMER  
CUSTOMER NAME: Lane and Laura Graham  
CONCEPT #: P10207

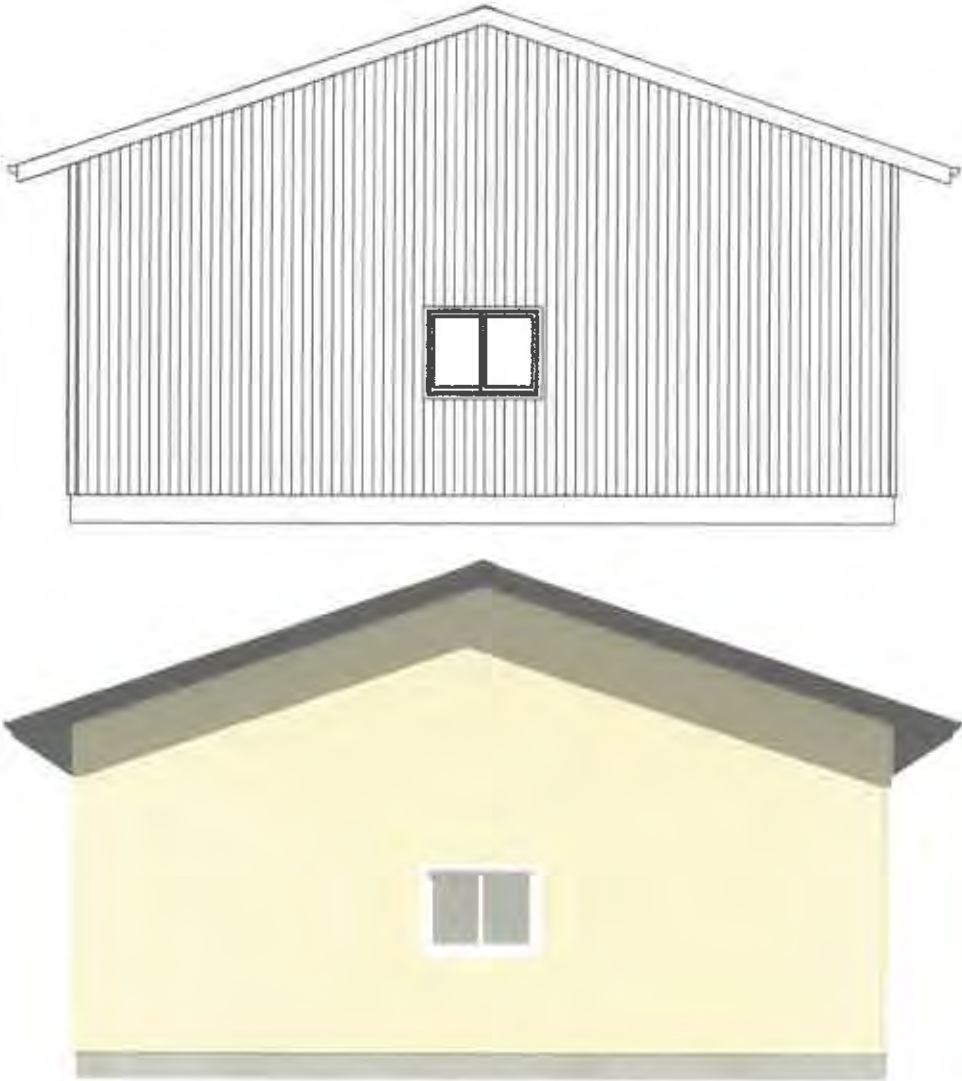


RE M U D A  
BUILDING

Box 36, Ste 27, RR7  
Calgary, AB T2P 2G7  
remudabuilding.com

PAGE  
3

EAST ELEVATION



NOT FOR CONSTRUCTION USE

NOT FOR CONSTRUCTION OR PERMITS. HOME CONCEPT INTENDED FOR BASIC DESIGN & BUDGETARY ESTIMATION. CONCEPT MAY NOT COMPLETELY REFLECT ACTUAL BUILDING.

NEW  
BUILDING  
CONCEPT

CUSTOMER  
CUSTOMER NAME: Lane and Laura Graham  
CONCEPT #: P10207

 REMUDA  
BUILDING

 Box 36, Site 27, RR7  
Calgary, AB T2P 2G7  
[remudabuilding.com](http://remudabuilding.com)

PAGE  
4

NORTH ELEVATION



NOT FOR CONSTRUCTION USE

NOT FOR CONSTRUCTION OR PERMITS. HOME CONCEPT INTENDED FOR BASIC DESIGN & BUDGETARY ESTIMATION. CONCEPT MAY NOT COMPLETELY REFLECT ACTUAL BUILDING.

NEW  
BUILDING  
CONCEPT

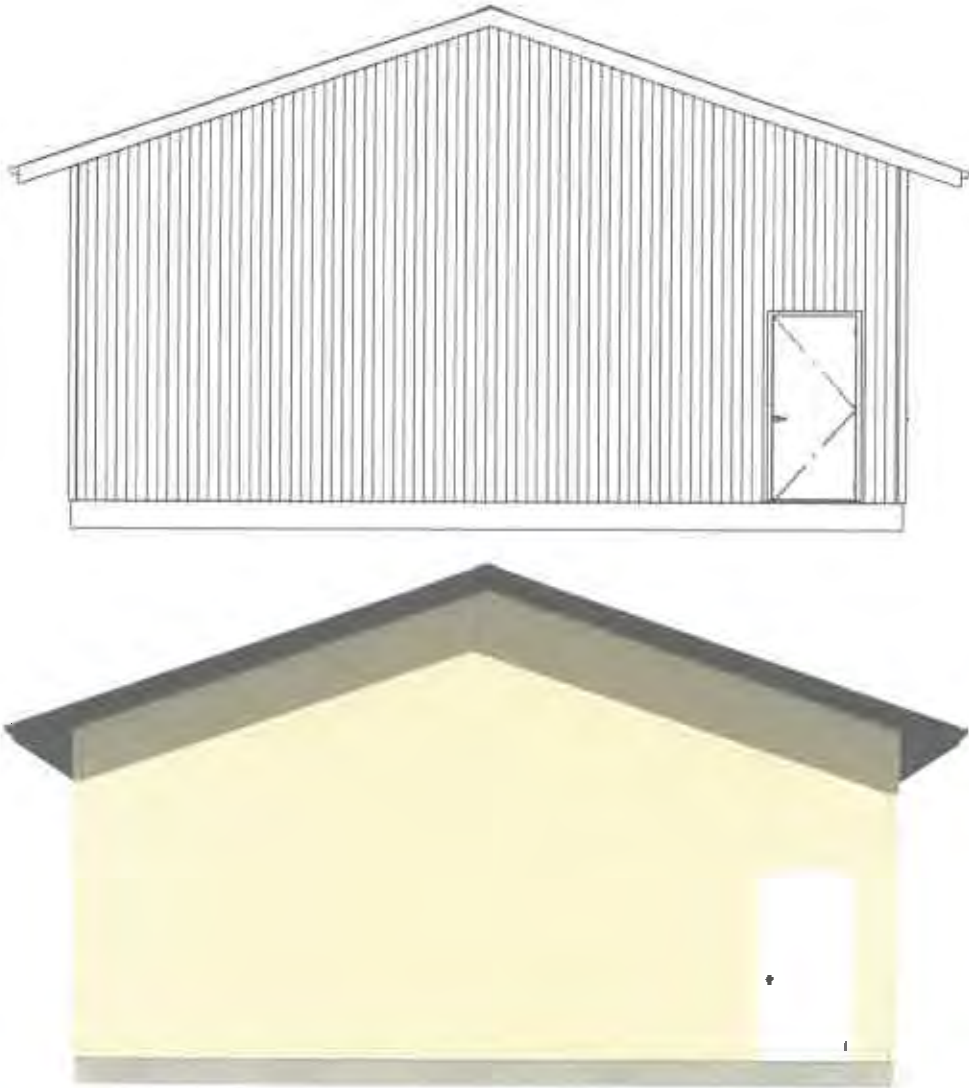
CUSTOMER  
CUSTOMER NAME: Lana and Laura Graham  
CONCEPT #: P10207



Box 36, Site 27, RR7  
Calgary, AB T2P 2G7  
[remudabuilding.com](http://remudabuilding.com)

PAGE  
5

WEST ELEVATION



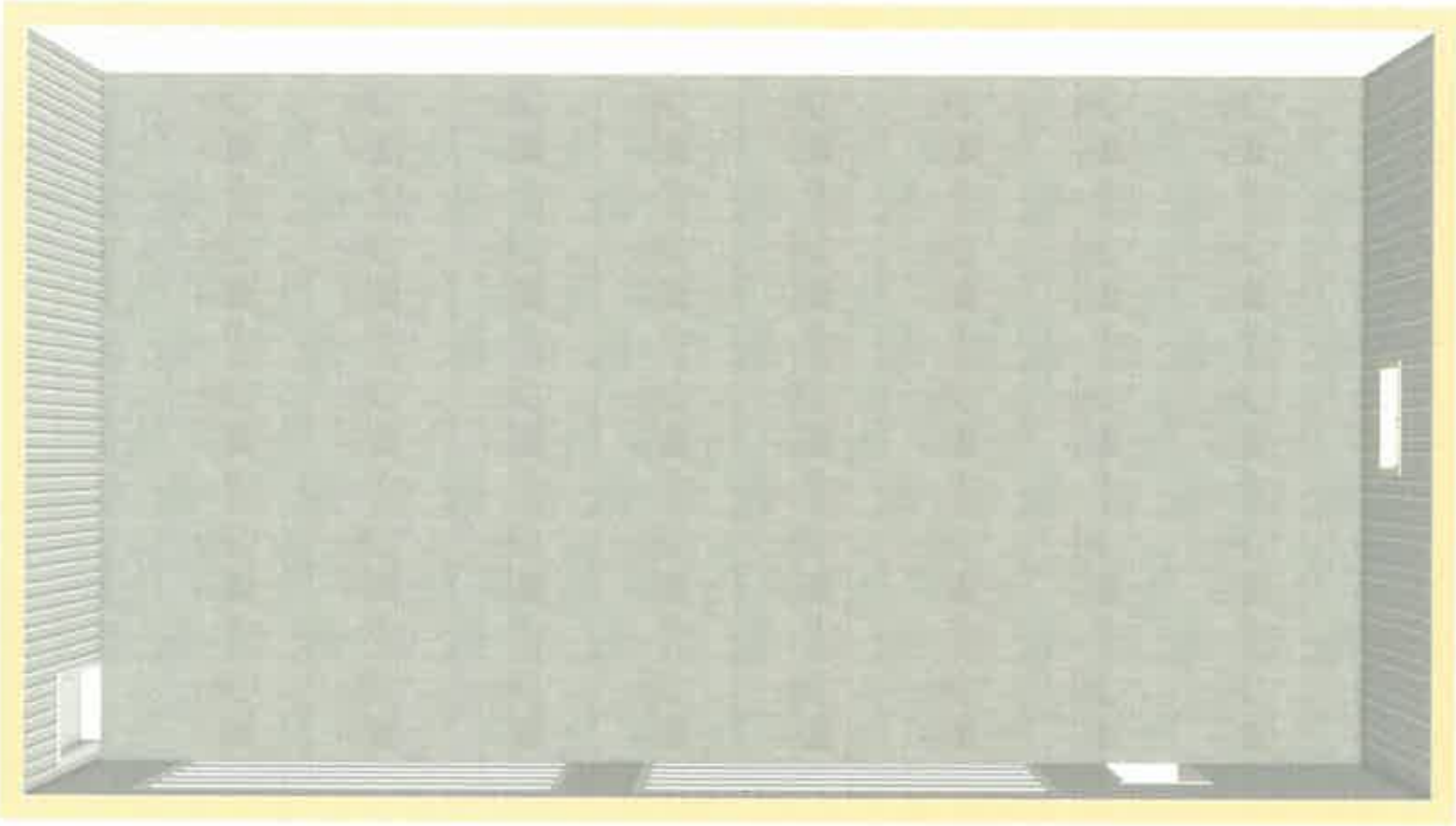
NOT FOR CONSTRUCTION USE

NOT FOR CONSTRUCTION OR PERMITS. HOME CONCEPT INTENDED FOR BASIC DESIGN & BUDGETARY ESTIMATION. CONCEPT MAY NOT COMPLETELY REFLECT ACTUAL BUILDING.

NEW BUILDING CONCEPT	CUSTOMER CUSTOMER NAME: Lane and Laura Graham CONCEPT #: P10207	REMU BUILDING	Box 36, Site 27, RR7 Calgary, AB T2P 2G7 <a href="http://remudabuilding.com">remudabuilding.com</a>	PAGE 6
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DOLL HOUSE VIEW – LEVEL ONE



NOT FOR CONSTRUCTION USE

NOT FOR CONSTRUCTION OR PERMITS. HOME CONCEPT INTENDED FOR BASIC DESIGN & BUDGETARY ESTIMATION. CONCEPT MAY NOT COMPLETELY REFLECT ACTUAL BUILDING.

NEW  
BUILDING  
CONCEPT

CUSTOMER

CUSTOMER NAME: Lane and Laura Graham

CONCEPT #: P10207

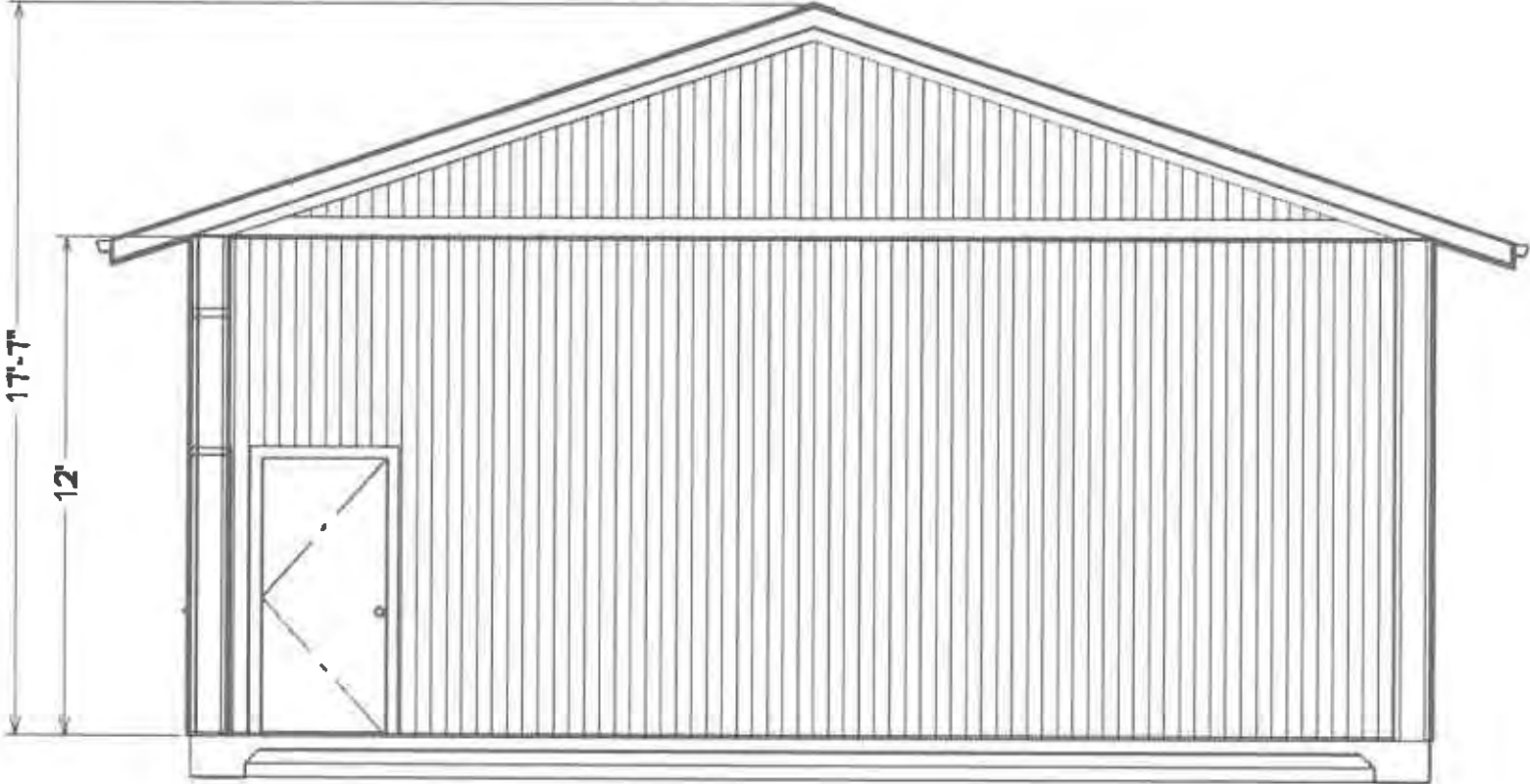
REMU  
BUILDING

Box 36, Site 27, RR7  
Calgary, AB T2P 2G7

remudobuilding.com

PAGE  
7

CROSS SECTION ELEVATION



NOT FOR CONSTRUCTION USE

NOT FOR CONSTRUCTION OR PERMITS. HOME CONCEPT (INTENDED FOR BASIC DESIGN & BUDGETARY ESTIMATION). CONCEPT MAY NOT COMPLETELY REFLECT ACTUAL BUILDING.

**NEW BUILDING CONCEPT**

**CUSTOMER**  
CUSTOMER NAME: Lane and Laura Graham  
CONCEPT #: P10207

**RENUDA BUILDING**

  
Box 36, Site 27, RR7  
Calgary, AB T2P 2G7  
[remudabuilding.com](http://remudabuilding.com)

**PAGE 8**

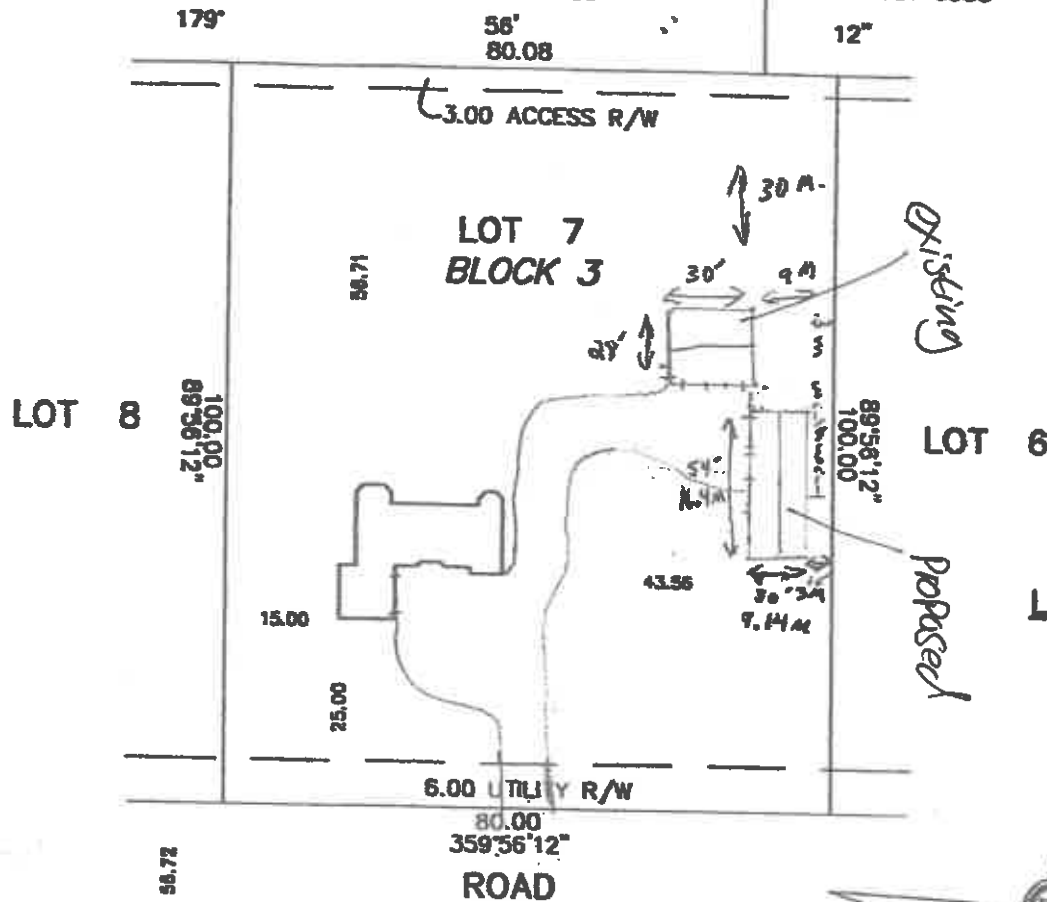
## PLOT PLAN

**ALBERTA LAND SURVEYORS**

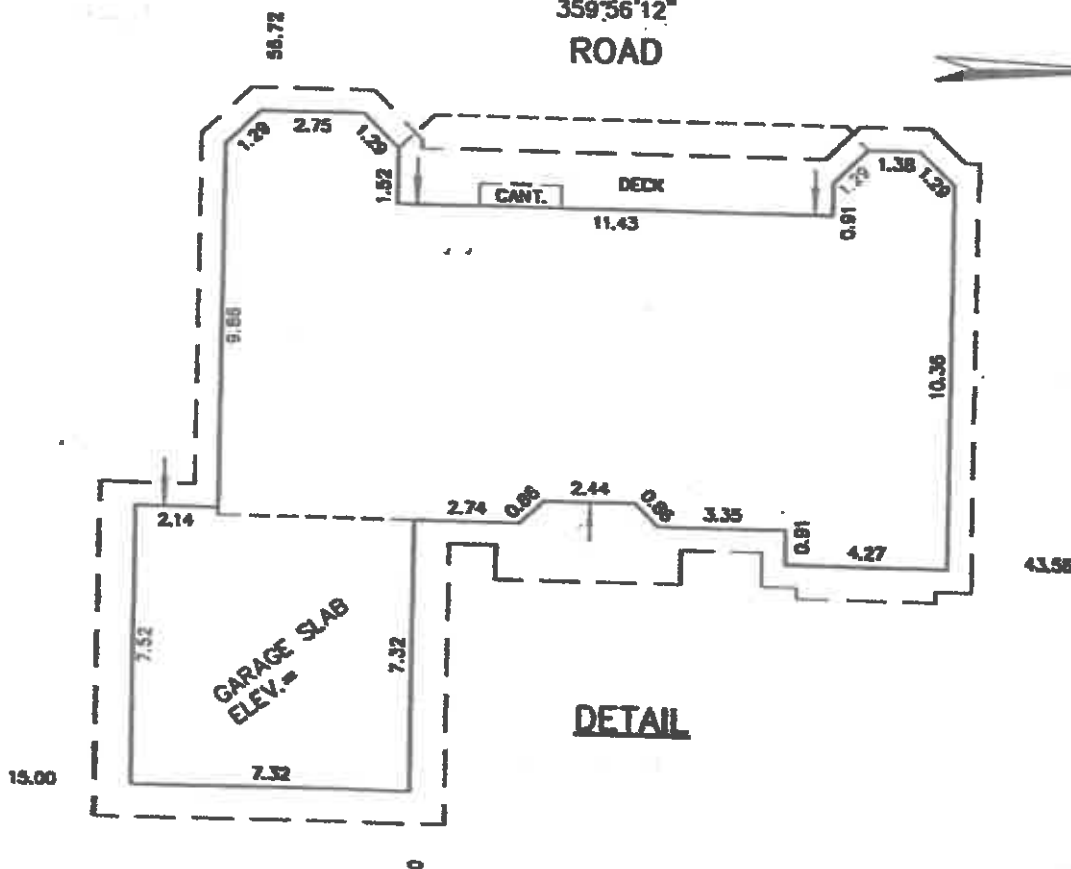
**BLOCK B**  
**PLAN 751 0553**

**LOT 9**  
**BLOCK 2**  
**PLAN 751 0553**

**911-32nd Avenue N.E.  
Calgary, Alberta T2E 6X6  
(403)276-9078  
Fax(403)230-2667**



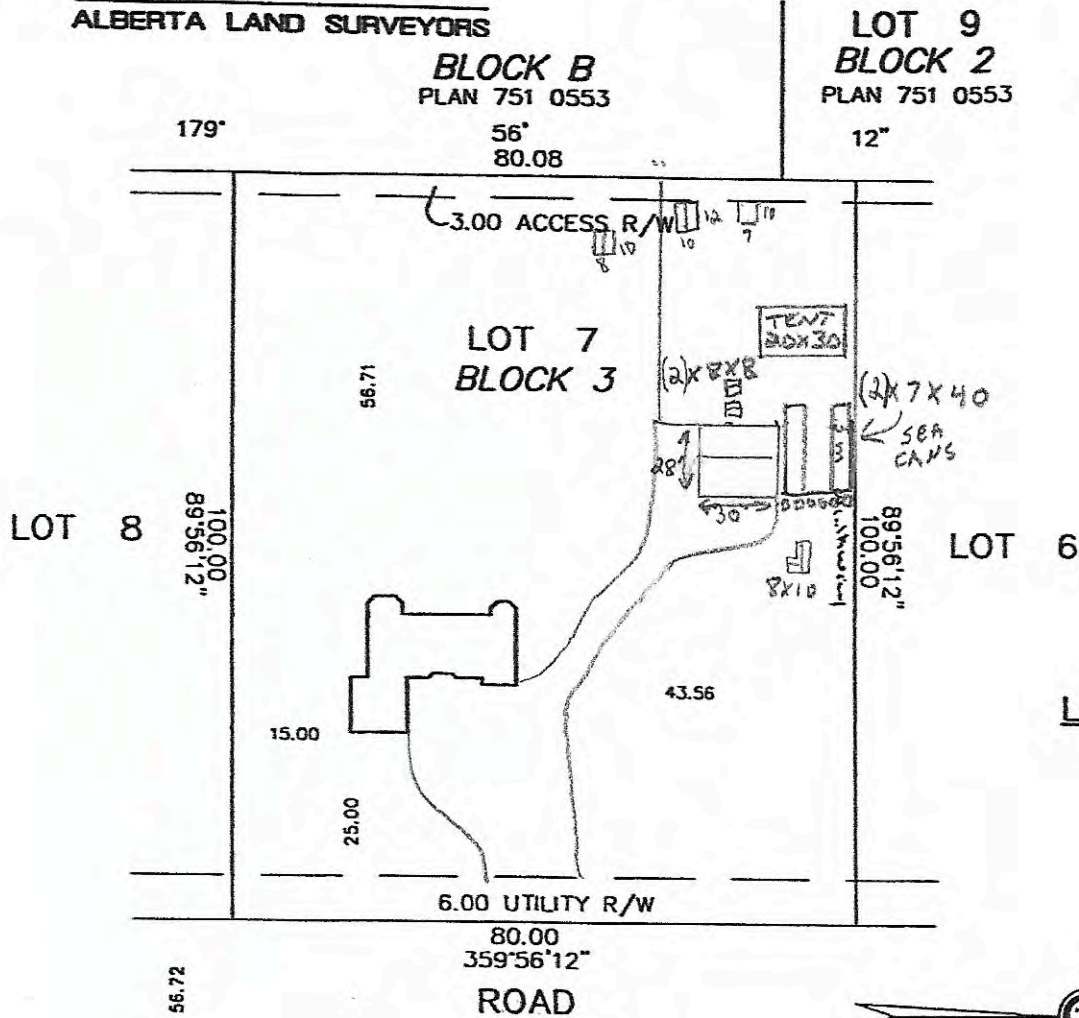
**LOCATION PLAN**  
**SCALE= 1:1000**



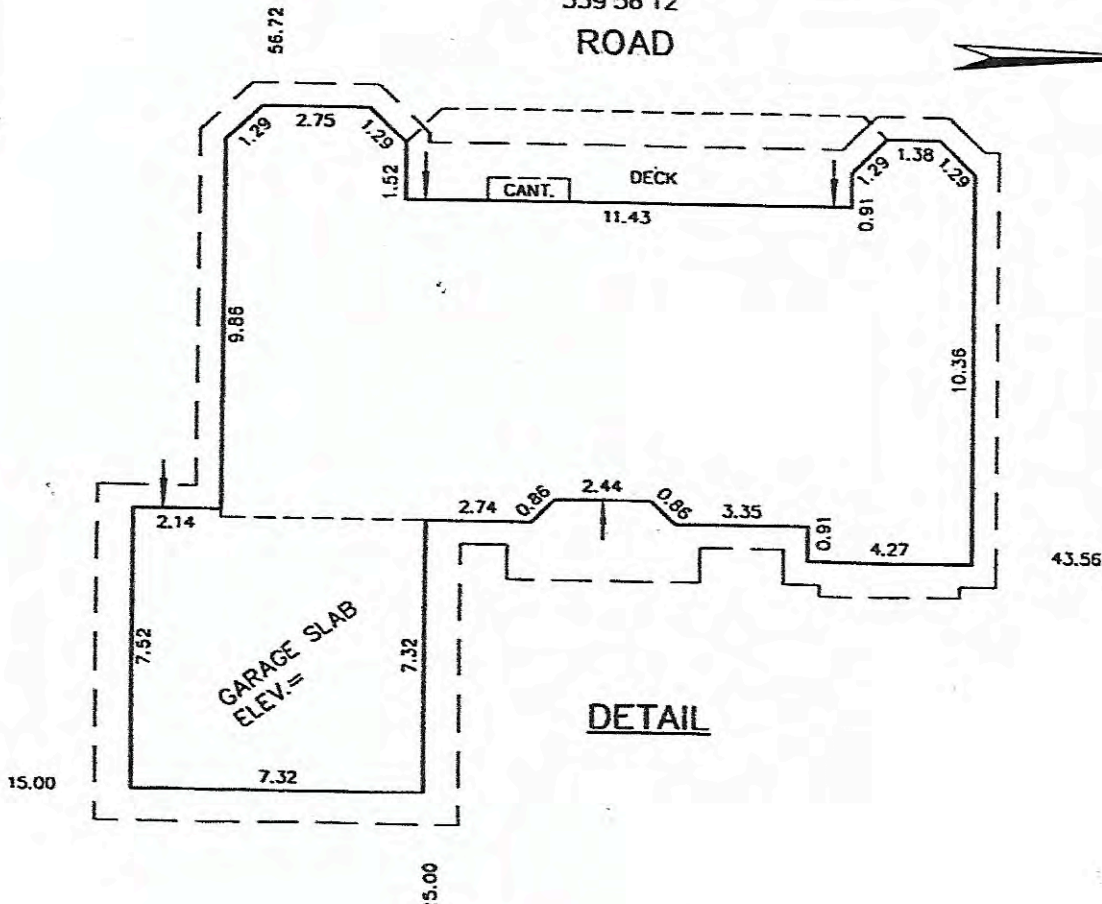
## DETAIL

**LOEPPKY  
MATTHYSSEN  
& ASSOCIATES**  
ALBERTA LAND SURVEYORS

# **PLOT PLAN**



**LOCATION PLAN**  
SCALE= 1:1000

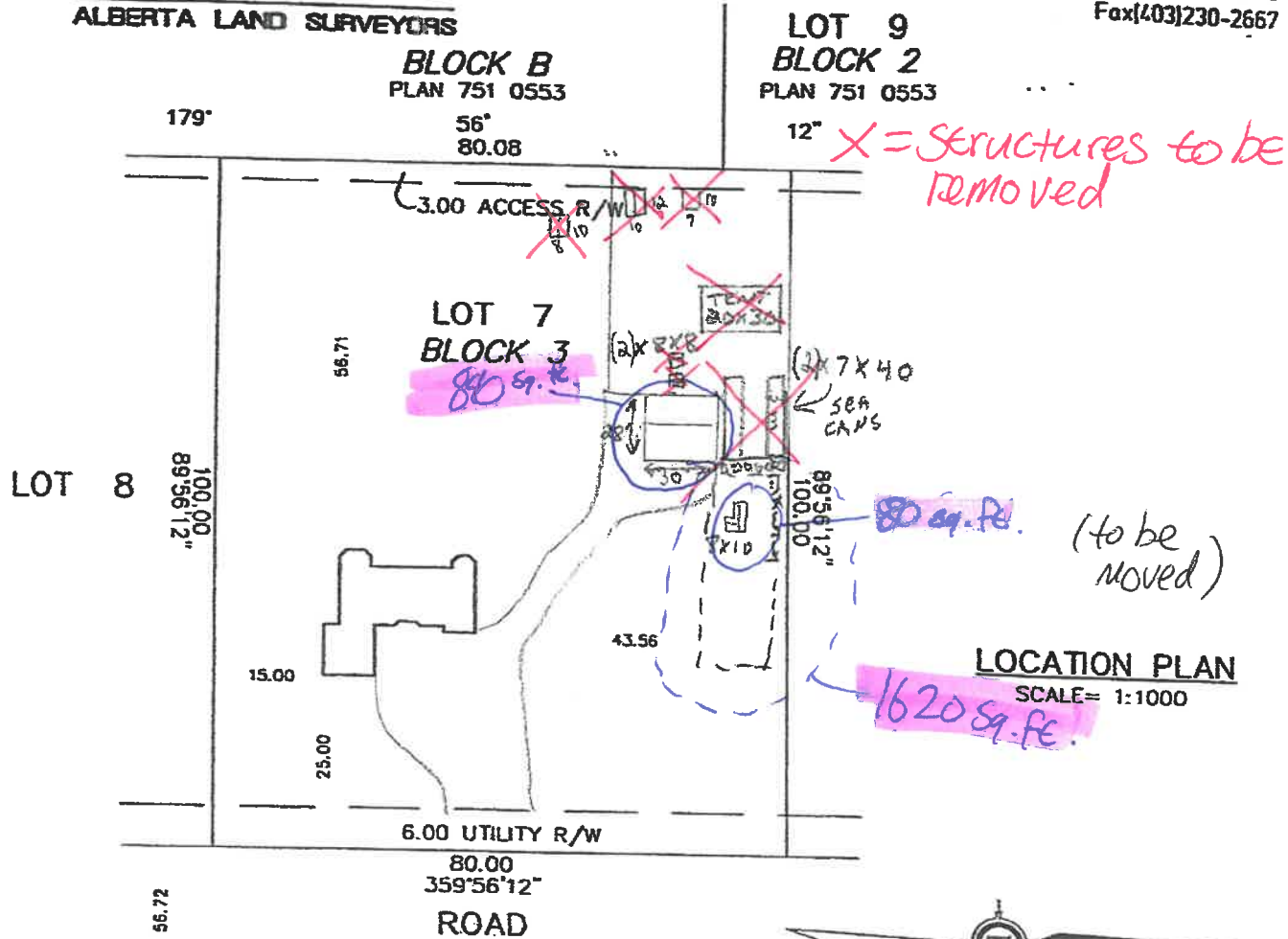




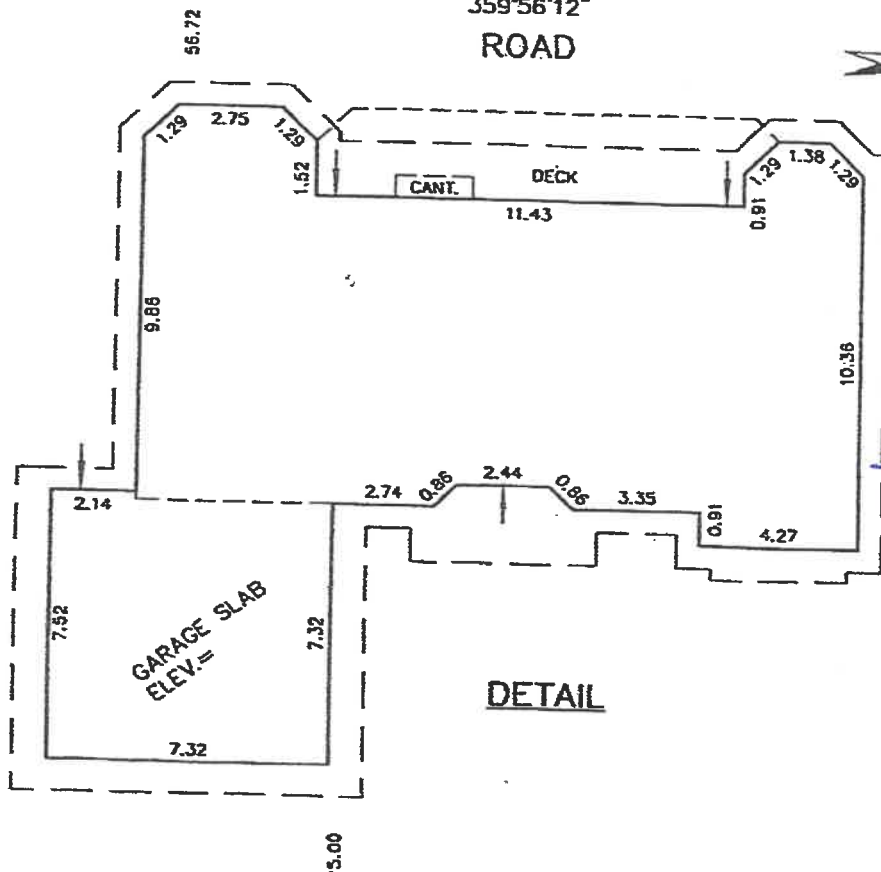
**LOEPPKY  
MATTHYSSEN  
& ASSOCIATES**  
ALBERTA LAND SURVEYORS

# **PLOT PLAN**

911-32nd Avenue N.E.  
Calgary, Alberta T2E 6X6  
(403)276-9078  
Fax(403)230-2667



**LOCATION PLAN**  
SCALE = 1:1000



Total existing  
accessory building  
area = 920 sq. ft.

Total Proposed  
accessory building  
area = 1620 sq. ft.

Overall accessory  
building area  
Post-Construction =  
2540 sq. ft.

## PLANNING AND DEVELOPMENT SERVICES

**TO:** Municipal Planning Commission

**DATE:** September 24, 2020

**DIVISION:** 5

**APPLICATION:** PRDP20202128

**SUBJECT:** Development Item: Home-Based Business, Type II

**USE:** Discretionary use, with no Variances

**APPLICATION:** This proposal is for the renewal of a home-based business, type II, for auto body and hail damage repair business.

**GENERAL LOCATION:** located approximately 1.81 km (1/2 mile) north of Inverlake Rd., and 0.20 km (1/8 mile) west of Hwy. 9.

**LAND USE DESIGNATION:** Ranch and Farm (RF) under Land Use Bylaw C-4841-97

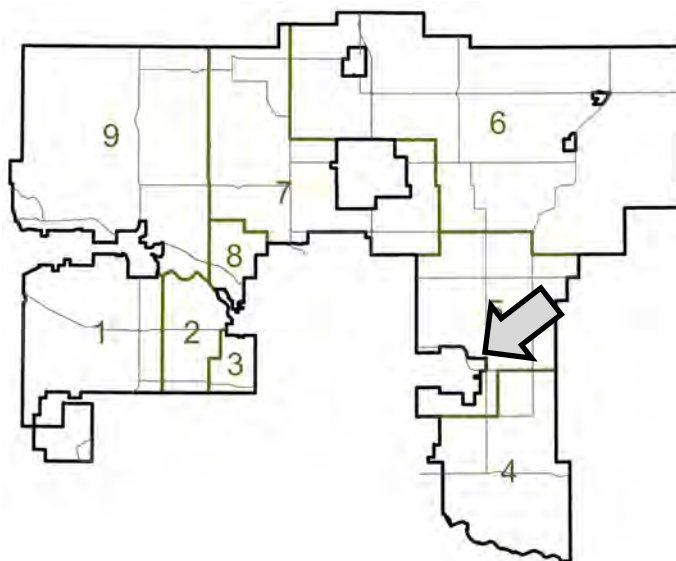
**ADMINISTRATION RECOMMENDATION:**  
Administration recommends approval in accordance with Option #1.

### OPTIONS:

Option #1: THAT Development Permit Application PRDP20202128 be approved with the conditions noted in the Development Permit Report, attached.

Option #2: THAT Development Permit Application PRDP20202128 be refused as per the reasons noted.

### AIR PHOTO & DEVELOPMENT CONTEXT:



### Administration Resources

Scott Thompson, Planning and Development Services

<b>Application No.</b>	PRDP20202128	<b>File Manager</b>	Scott Thompson
<b>District</b>	RF	<b>Gross Area (ha)</b>	13.30
<b>Proposed Business</b>	Home-Based Business, Type II, for an auto body and hail damage repair business.		

<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

*Note, the application was assessed in accordance with Land Use Bylaw C-4841-97, as the application was received prior to September 8, 2020.*

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	8.00	2.00	-6.00	
	(e)	Non-Resident Employees	2.00	0.00	-2.00	
35.11	(a)	No. of Signs	1.00	0.00	-1.00	
	(b)	Sign length	1.00	0.00	-1.00	
	(b)	Sign width	0.60	0.00	-0.60	

Outdoor Storage Calculation (m <sup>2</sup> ) - 21.3(g)					
1% of Parcel:	1,330.00	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

<b>Comments</b>
The development proposal falls under a Home-Based Business, Type II which is a listed discretionary use within the district. The overall business appears to align with the purpose and intent of the district.

<b>Comments</b>
Some noise will be generated as part of the application, however the applicant anticipates this will be negligible.
The proposal appears to be secondary to site and no variation in the overall site appearance is expected.

<b>Comments</b>
As most of the work will be conducted off site as part of this application, the applicant anticipates 1-2 business trips per day for this application.

<b>Comments</b>
No outdoor storage is being requested as part of this application.

Proposed Operations			
<b>Days Open</b>	Monday to Friday	<b>Hours</b>	9:00 am to 6:00 pm

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

Doc Type	Policy Name	Applicable Policies?	Compliance with Policies
IGP	Interim Growth Plan	No	N/A
IDP			
MDP	County Plan	No	N/A
ASP			
CS			

Comments

Comments
The application would appear to not negatively impact adjacent parcels.

Comments
The subject parcel does not fall within a IDP, ASP or CS. The County Plan does not provide any guidance on these applications, so this application was analyzed under the Land Use Bylaw.

<b>BP/DP History</b>	1981-BP-8673: A building permit issued for the building of a single family home.
<b>Inspector Comments</b>	Site is being cleaned up when inspected. Well screened to adjacent parcel. Site cleanup is expected to be completed within coming weeks. No concerns at this time.
<b>Overall Assessment</b>	The Home-Based Business appears to be minor nature and would be ancillary to the residential use of the parcel. No variances were requested as part of the application. Based on the description of the business, it would cause limited impact on surrounding parcels. Based on the site inspection, the site is being cleaned up by the new occupant. A development permit for one year should be issued to monitor the amount of activity on site.
<b>Non-Standard Conditions</b>	No additional conditions required.





## **HOME BASED BUSINESS TYPE II CONDITIONS PRDP20202128**

### **Options:**

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

APPROVAL subject to the following conditions:

### **Description:**

1. That a Home-Based Business, Type II, for an auto body and hail damage repair business, may operate on the subject parcel in accordance with the approved plans and submitted application.

### **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 may generate up to a maximum of four (4) business-related visits per day.
4. That the operation of this Home-Based Business shall be secondary to the residential use of the subject parcel.
5. That the Home-Based Business shall not change the residential character and external appearance of the land and buildings.
6. That the operation of this Home-Based Business shall not generate excessive or unacceptable increases in traffic within the neighbourhood or immediate area.
7. 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 and the Home-Based Business use shall not, in the opinion of the Development Authority, unduly offend or otherwise interfere with neighbouring or adjacent residents.
8. That the Home-Based Business shall be limited to the dwelling and accessory buildings.
9. That all vehicles, trailers, or equipment that are used in the Home-Based Business shall be kept within a building.
10. That there shall be no signage, exterior display or advertisement of goods or services discernible from the outside of the building.
11. That no off-site advertisement signage associated with the Home-Based Business shall be permitted.
12. That this Development Permit shall be valid until **October 21, 2021**.

### **Advisory:**

13. That any other Federal, Provincial, or County permits, approvals, and/or compliances, are the sole responsibility of the Applicant/Owner.
14. That the County's Noise Bylaw C-5772-2003 shall be adhered to at all times.



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

REFUSAL as per the following reasons:

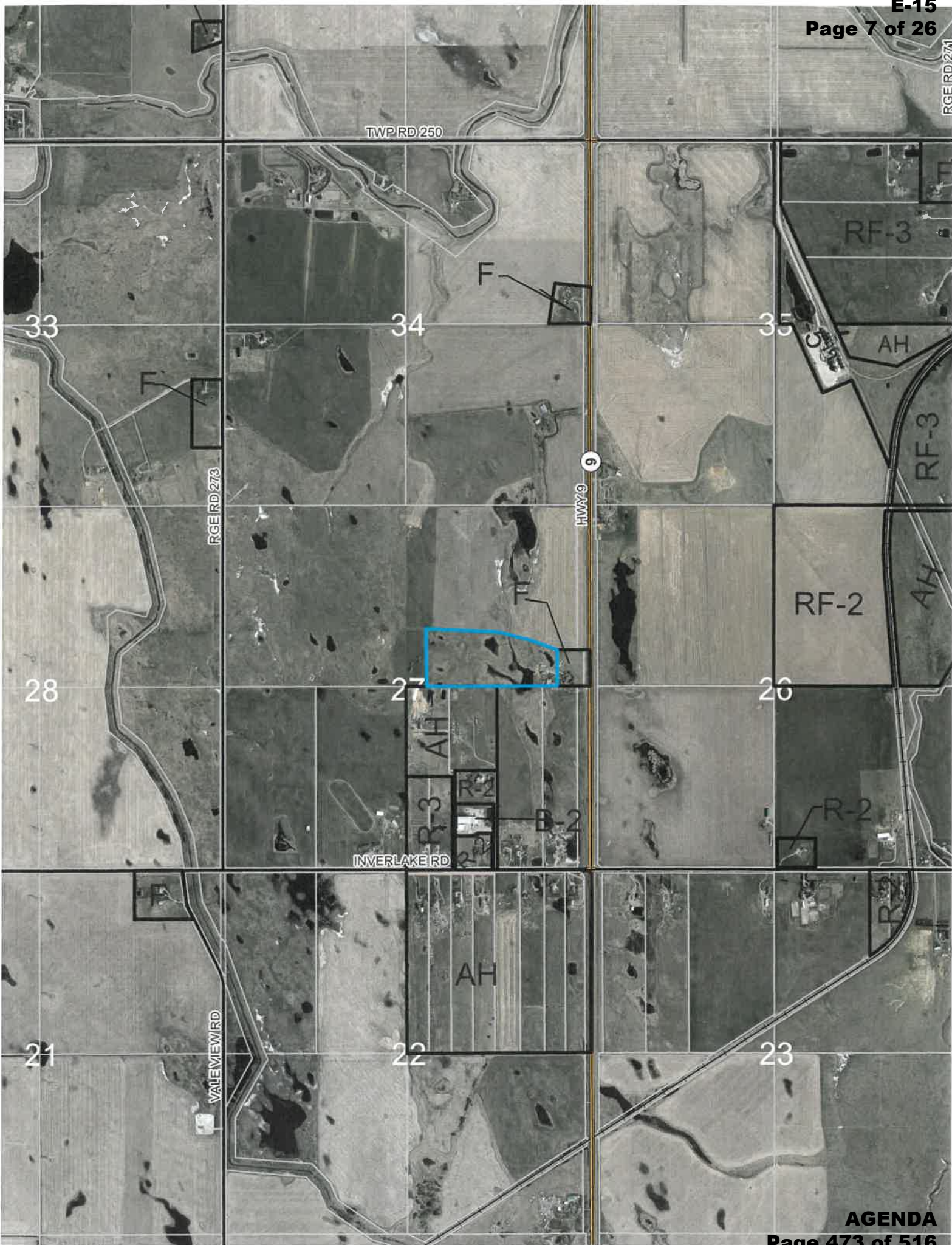
1. That in the opinion of the Municipal Planning Commission, the development unduly interferes with the amenities of the neighbourhood and materially interferes with and affects the use, enjoyment, and value of neighbouring parcels of land.



HWY 9

27









ROCKY VIEW COUNTY  
Cultivating Communities

20202128

## APPLICATION FOR A DEVELOPMENT PERMIT

FOR OFFICE USE ONLY	
Fee Submitted \$600.00	File Number 01227004
Date of Receipt July 24 2020	Receipt # 024984

Name of Applicant Timothy Bryan Haight

Tim@haightercustoms.com

Mailing Address 979 Rundlecairn way NE

Postal Code T1Y2W7

Telephone (B) 5872223941

(H) \_\_\_\_\_

Fax \_\_\_\_\_

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

Haighter Customs

Registered Owner (if not applicant) \_\_\_\_\_

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

Postal Code \_\_\_\_\_

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

(H) \_\_\_\_\_

Fax \_\_\_\_\_

### 1. LEGAL DESCRIPTION OF LAND

- a) All / part of the \_\_\_\_\_ ¼ Section \_\_\_\_\_ Township \_\_\_\_\_ Range \_\_\_\_\_ West of \_\_\_\_\_ Meridian
- b) Being all / parts of Lot 23 Block 32 Registered Plan Number 9110434
- c) Municipal Address 244131 Range rd 272 rocky view county . T0J 1Y0
- d) Existing Land Use Designation RF Parcel Size 32.87 Division 5

### 2. APPLICATION FOR

Moving to this property and bringing my business with me, application seeking permission

### 3. ADDITIONAL INFORMATION

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

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

I Timothy Bryan Haight

hereby certify that \_\_\_\_\_

I am the registered owner

(Full Name in Block Capitals)

Yes \_\_\_\_\_

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 \_\_\_\_\_

*T. Haight*

Verified by PDFFiller  
07/24/2020

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

Date july 24/2020

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** Haighter Customs

Address of Business 979 Rundlecairn way NE

Postal Code T1Y 2W7

Telephone (B) 587 222 3941

(H)

Fax

## 1. PROPERTY INFORMATION

Is this on your property? ☒ yes      At your customers locations? ☒ Yes      Both? ☒ Yes

How many square feet are being used for business purposes in the following:

House	135	Accessory Building	738.76	Outdoors
-------	-----	--------------------	--------	----------

## 2. VEHICLES

How many vehicles come to your home/property      Per day      1-2      Per week      5-10

**Please describe the number and type of vehicles used in the business**

One - personalf350

Where will these vehicle(s) be parked? my personal truck will be in the garage or driveway

**\* 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

Including the Applicant, how many of the above persons live on this property?

### Full Time Employees

### Part Time Employees

## 4. OPERATION

What are your days of operation? monday-friday What are your hours of operation? 9am-6pm

## 5. STORAGE AND SIGNAGE

Is outside storage requested? NO

If yes - how many square feet?

Will a sign be required? NO If yes - Please provide detailed sketches of the proposed sign on a separate sheet

## 6. ADDITIONAL INFORMATION

**Signature of Applicant**

T. Haight



Verified by PDFFiller  
07/24/2020

Date: july 24 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**

## Development Permit Checklist

The following information including digital copies must be included with your application. Without it, your application will be considered incomplete, and will not be processed until it has been supplied.

- ☒ **APPLICATION FORM(S)**  
All forms **must** be completed and signed by the registered owner and/or the person authorized to act on their behalf (if any).
- ☒ **APPLICATION FEE**  
Refer to Planning and Development Fee Schedule located in the [Master Rates Bylaw](#)
- ☒ **CURRENT COPY OF THE CERTIFICATE OF TITLE INCLUDING DIGITAL NON-FINANCIAL CAVEATS AND COVENANTS REGISTERED ON THE TITLE**  
Searched within 30 days prior to the application, the copy of the title may be obtained from any Provincial Registry Office.
- ☒ **AUTHORIZATION FROM REGISTERED OWNER ON TITLE**
  - ☒ **INDIVIDUALS NAME ON TITLE**  
Attach a Letter of Authorization signed by the owner (every individual on title) giving the applicant authorization.
  - OR**
  - ☐ **COMPANY NAME ON TITLE**  
An affidavit or Company Seal is required when the registered owner shown on the title is listed as a Company. If you do not have a Company Seal, provide an affidavit Commissioned (stamped and signed by a Commissioner of Oaths), granting you authorization to legally act on behalf of the Company. If you have a Company Seal, please affix said seal to every place that your signature is required.
- ☒ **COVER LETTER**  
A cover letter, detailing the nature of the application and description of uses, **must** accompany all applications.
- ☒ **SITE PLAN OF THE PROPOSED DEVELOPMENT**  
Showing all dimensions, setbacks and slopes steeper than 15% – refer to page 2
- ☐ **OTHER DOCUMENTATION**  
To determine the documents required specific to the Development Permit proposal, please visit [www.rockyview.ca](http://www.rockyview.ca). Additional information may be required upon receipt and review of the application, depending on the nature.

### FOR OFFICE USE ONLY

- ☒ Proposed Development HBB, Type II
- ☒ Land Use Designation RF
- ☐ Concept Plan / ASP Info. \_\_\_\_\_
- ☒ Parcel Information / Land Use Maps / Air Photo

	Road Type	Bylaw	Proposed
Front Yard Setback Minimum			
Side Yard Setback Minimum			
Rear Yard Setback Minimum			
Height Maximum			
Principal Building Size			

Comments \_\_\_\_\_

☐ **APPLICATION IS COMPLETE**

\_\_\_\_\_  
Staff Signature

## 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.

  Verified by PDFFiller  
07/24/2020

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

  Verified by PDFFiller  
07/24/2020

Signature \_\_\_\_\_ Date July 24 2020





LAND TITLE CERTIFICATE

S  
LINC                      SHORT LEGAL                      TITLE NUMBER  
0011 342 268           8911318;1           181 182 466

LEGAL DESCRIPTION  
PLAN 8911318  
BLOCK 1  
EXCEPTING THEREOUT ALL MINES AND MINERALS  
AREA: 13.3 HECTARES (32.87 ACRES) MORE OR LESS

ESTATE: FEE SIMPLE  
ATS REFERENCE: 4;27;24;27;NE

MUNICIPALITY: ROCKY VIEW COUNTY

REFERENCE NUMBER: 151 088 677

REGISTERED OWNER(S)				
REGISTRATION	DATE(DMY)	DOCUMENT TYPE	VALUE	CONSIDERATION
181 182 466	28/08/2018	TRANSFER OF LAND	\$575,000	CASH & MORTGAGE

OWNERS

AZARNOSH AZARAKHSH

AND

EHSANULLAH AZARAKHSH

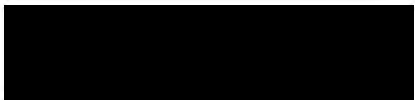
AND

ZEBA AZARAKHSH

AND

GHULAM AZARAKHSH

ALL OF:



ALL AS JOINT TENANTS

( CONTINUED )

ENCUMBRANCES, LIENS & INTERESTS

PAGE 2  
# 181 182 466

REGISTRATION

NUMBER	DATE (D/M/Y)	PARTICULARS
1933BX .	22/12/1917	RESTRICTIVE COVENANT SUBJECT TO RIGHTS AND RESERVATIONS CONTAINED IN TRANSFER
6871FL .	26/03/1946	RESTRICTIVE COVENANT SUBJECT TO RIGHTS AND RESERVATIONS CONTAINED IN TRANSFER
741 112 852	10/12/1974	UTILITY RIGHT OF WAY GRANTEE - CANADIAN WESTERN NATURAL GAS COMPANY LIMITED.
881 221 147	02/12/1988	EASEMENT OVER BLOCK 1, PLAN 8811627 (SOUTH 10 METERS)
171 015 882	18/01/2017	CAVEAT RE : AGREEMENT CHARGING LAND CAVEATOR - ROSEMARIE MCGINN PO BOX 179 WELWYN SASKATCHEWAN S0A4L0 AGENT - RANDAL JARVIS
181 182 468	28/08/2018	MORTGAGE MORTGAGEE - FRED BROKOP 176024 186 AVE W FOOTHILLS ALBERTA T1S2S9 ORIGINAL PRINCIPAL AMOUNT: \$555,000

TOTAL INSTRUMENTS: 006

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN  
ACCURATE REPRODUCTION OF THE CERTIFICATE OF  
TITLE REPRESENTED HEREIN THIS 24 DAY OF JULY,  
2020 AT 02:43 P.M.

ORDER NUMBER: 39792291

CUSTOMER FILE NUMBER:



\*END OF CERTIFICATE\*

( CONTINUED )



## LETTER OF AUTHORIZATION

I, (We) AGARNOSH AZARAKHSH being the owner (s) of  
Lot 23 Block 32 Plan 9110434

**Legal:**

NW/NE/SE/SW Section \_\_\_\_\_ Township \_\_\_\_\_ Range \_\_\_\_\_ W \_\_\_\_\_ M  
give Timothy Haight permission to act on my  
(our) behalf in applying for a Development Permit for the above subject property.

  
Signature

\_\_\_\_\_  
Signature

July 10, 2020  
Date

## **Haighter Customs – Cover letter**

To get started my name is Timothy Haight & I am a red seal Journeyman Autobody technician, achieved at SAIT Calgary. Since graduating I have chosen to keep the skills but leave behind the Bodyshop career to become a Hail repair Specialist using Paintless Dent Repair (PDR).

Now to describe different aspects of my business Haighter Customs & Paintless dent repair

### **Description**

Hail repair or paintless dent repair involves 3 things. Pulling the metal up with glue pulling, pushing the metal from behind using a variety of metal rods that slide in access holes to get behind the metal and then doing knockdowns on the high spots to smooth the metal and push it back into place.

Most of this work is done mobile at a customer's home or by contracting work within bodyshops / other hail repair locations.

### **Noise/Disturbance**

Noise is kept to a minimum and negligible due to the nature of the work. There are no power tools required with the loudest part of the operation being the knockdowns. Running a decibel meter inside the workshop it barely registered. The highest reading I was able to achieve was 70-75 and that will be rare. There is no hearing protection required as it is well in the safe range under the 80-90 decibel (Most power tools would far exceed this reading)

Therefore, that's the basics of the noise generated. The building will be fully Heat insulated & to further soundproof my work environment I use acoustic barriers that eliminate reverberation. Combining these materials they almost eliminate any sound escaping the workspace.

There are no chemicals required to provide repairs, the work is clean and tidy with no dust or pollutants created.



### **Traffic/visitors**

1-2 visitors per day is all that will be needed. One job will normally take me multiple days so the amount of traffic I will generate is also negligible. All quotes are done Via photo messaging or mobile in person quotes.

### **Location**

Worksite will be in the double garage located at the back left corner of the property, 172 feet from the front gate of the property and over 250 feet from the one neighbor. With the properties residential house being in between those two locations. No other neighbor's exist

### **Summary**

Previously this land had been let go. I am in works with the land owner to restore the property and make it beautiful again as no one as lived there for quite some time. Also the agricultural land on the left side has stored vehicles and junk along our fence line which I will be taking the necessary steps to report & help improve the visual aesthetics of the land from the highway.

I would be a great addition to rocky view county, looking to follow the rules and not bother anybody. Would like to restore the land and maintain it during my stay with the hopes to buy a ranch of my own in rocky view county one day. Hopefully my business and I will be welcomed to the family



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

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

Scott - NE  
Report Due: September 1

### Inspection Request

Roll #: 04227004 DP #: PRDP20202128

Applicant/Owner: Timothy Haight  
Legal Description: Lot Block 1 Plan 8911318, NE-27-24-27-04  
Municipal Address: 244131 RGE RD 272, Rocky View County AB  
Land Use: RF  
Reason for Inspection: application for a Home-based Buisness Type II, hail damage repair

#### Inspection Report

- Please check for adjacent screening of the neighbours
- The overall condition of the site (tidyness).
- Any physical environment concerns.

Date of Inspection: Aug. 18/20

Permission granted for entrance?

#### Observations:

- site being cleaned up, when inspected.
- well-screened to adjacent parcel
- site clean-up is expected to be completed within coming weeks.
- no concerns at time of inspection.

Signature: 





























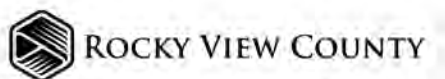












## PLANNING AND DEVELOPMENT SERVICES

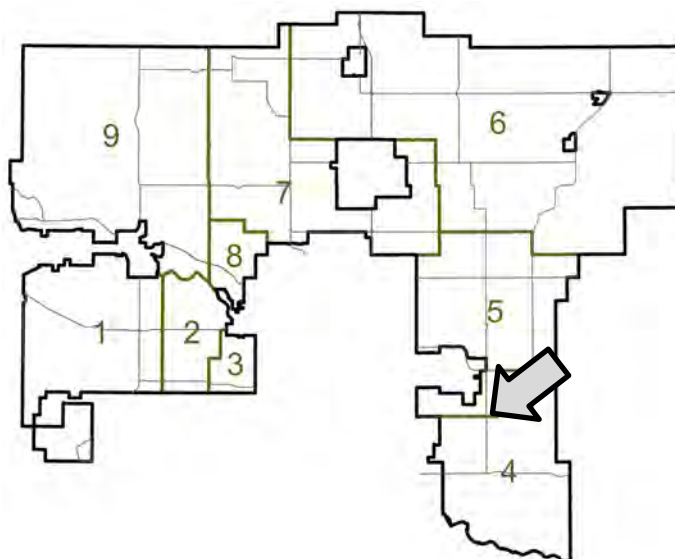
**TO:** Municipal Planning Commission **DATE:** September 24, 2020  
**DIVISION:** 4 **APPLICATION:** PRDP20200842  
**SUBJECT:** Development Item: Home Based Business, Type II  
**USE:** Discretionary, with Variances

**APPLICATION:** This proposal is for the renewal of a home-based business, type II, for a Truck Dispatch business and relaxation of the maximum outside storage area.

**GENERAL LOCATION:** located approximately 1.21 km (3/4 mile) south of Hwy. 560 and on the east side of Rge. Rd. 282

**LAND USE DESIGNATION:** Live-Work District (L-W) under Land Use Bylaw C-4841-97

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



### VARIANCE SUMMARY:

Variance	Requirement	Proposed	Percentage
Outside Storage Area	400.00 sq. m. (4,305.56 sq. ft.)	3,400.00 sq. m. (36,597.30 sq. ft.)	750.00%

### OPTIONS:

- Option #1: THAT Development Permit Application PRDP20200842 be approved as a *Home-Based Business, Type II*, with the conditions noted in the Development Permit Report, attached.
- Option #2: THAT Development Permit Application PRDP20200842 be tabled sine die, to allow a Development Permit Application, for a *commercial use* be applied for by the Applicant/Owner in its place.
- Option #3: THAT Development Permit Application PRDP20200842 be refused as per the reasons noted.

### AIR PHOTO & DEVELOPMENT CONTEXT:



### Administration Resources

Scott Thompson - Planning and Development Services

<b>Application No.</b>	PRDP20200842 (Roll 03323008)	<b>File Manager</b>	Scott Thompson
<b>District</b>	Live-Work District (LW)	<b>Gross Area (ha)</b>	5.43 ha
<b>Proposed Business</b>	Renewal of Home-Based Business, Type II, for a Truck Dispatch business and relaxation of the maximum outside storage area		

*Note: This application was assessed in accordance with the Land Use Bylaw C-4841-97, as this application was received prior to September 8, 2020*

<b>Use and District Intent Check</b>		<b>Yes/No</b>	<b>VARIANCE</b>	<b>Comments</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>VARIANCE</b>	<p>This application was tabled by the Municipal Planning Commission on June 8, 2020, as the property had an active land use amendment application. The application, to change the land use from Agricultural Holdings to Live-Work District, was approved by Council on July 28, 2020. As a result, the application is now being assessed under the Live-Work District.</p> <p>A HBB, Type II is a listed discretionary use for the zoning under section 81.3. The intent of this district is to provide a combination of residential and light industrial or commercial activity, with residential as the primary use. As this application would appear to fall outside of the definition of a home-based business and as there are variance requests, it would appear that the business exceeds the purposes and intent of a home-based business, is no longer primary residential and would appear to be more suited towards a commercial use.</p>

Compatibility Check					Yes/No	
22.1	(c)	Variation in parcel appearance or character?			No	
	(d)	Excessive or unacceptable traffic?			Yes	
	(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?			No	
	(d)	Variation in parcel appearance or character?			No	
	(f)	Include a general store?			No	
	(g)	Outdoor storage screened from adjacent lands?			No	
Regulation		Max	Proposed	Δ	Variance	
21.3	(b)	Business Trips	8.00	2.00	-6.00	-75.00%
	(e)	Non-Resident Employees	2.00	1.00	-1.00	-50.00%
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%

**VARIANCE**
**VARIANCE**
**VARIANCE**
**VARIANCE**
**VARIANCE**

Comments
Based on the site inspection photos, the site would appear to have a large amount of trucks that occupy the outside storage yard. It was noted 25 trucks on the property, as well as other equipment around the accessory buildings. Trucks onsite would appear to vary from 2 to 25.

Comments
The Applicant has indicated that there will only be 2 trips per day. However, there has been compliance complaints, stating that there are 10-15 trucks coming in per day. The Applicant has indicated that there is one non-resident employee. No signage is proposed.

Outdoor Storage Calculation (m <sup>2</sup> ) - 21.3(g)					
1% of Parcel:	641.02	Over 400m <sup>2</sup> ?	TRUE	Max Area Permitted:	400
Proposed Outdoor Storage Area (m <sup>2</sup> )			Δ	Variance	
3,400.00			3000.00	750.00%	
Does Proposed Outdoor Storage Area Meet District Setbacks?					
Front		Side 1	Side 2		Rear
Yes		Yes	Yes		Yes

**VARIANCE**

Comments
The Applicant has not noted an outside storage area on this renewal application. However, the estimated outside storage area is 3,400 sq. m (36,597.30 sq. ft.). The outside storage area would appear to be inadequately screened, but would meets all required setbacks.

Proposed Operations			
Days Open	Monday - Friday	Hours	8:00AM - 4:00 pm

Comments
The hours are consistent with the hours indicated in their previous application (PRDP20184721).However, there are



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

REFUSAL

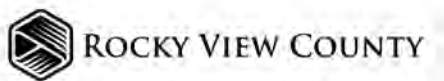
REFUSAL

Comments
There have been noted compliance issues with this property. This includes reports of trucks being working on throughout the night, with compressors and impact guns. There is no screening provided to neighbours from equipment.

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

Comments

<b>BP/DP History</b>	PRDP20184721 was an application for a farm building, that was already in place that did not meet the setback requirement. The application was refused.
<b>Inspector Comments</b>	(April 27, 2020) Trucking dispatch storage area located to the north and east sections of the parcel. One employee was seen on site, as well as 25 commercial trucks and trailers. The property owners live on site in the house. There is a Quonset and a detached garage on the eastern boulder of the property where equipment is stored.
<b>Overall Assessment</b>	There have been several compliance issues with the applicant operating outside of the parameters of a home-based business, type II. Based on the site inspection photos and requested outside storage area variance, it appears as though the residential character of the property is not secondary to the business. The storage area would appear much larger than the area that the Applicant has indicated. It is the interpretation of Administration, that this application exceeds the definition of a Home-Based Business, Type II and is no longer primarily residential. The business would appear commercial in nature and would be better regulated under a commercial land use within the district.
<b>Non-Standard Conditions</b>	New non-standard conditions have been applied. Previous conditions has also been updated in accordance with this application;



## PRDP20200842 DEVELOPMENT PERMIT OPTIONS

### OPTIONS:

Option # 1: (this would allow the proposed development, as a Home-Based Business, Type II)

APPROVAL, subject to the following conditions:

#### Description:

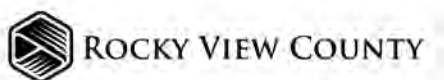
1. That a Home-Based Business, Type II, for a truck dispatch business, may continue to operate on the subject parcel in accordance with the approved Site Plan and submitted application.
  - i. That the maximum permitted outside storage area is relaxed **from 400.00 sq. m (4,305.56 sq. ft.) to 3,400.00 sq. m (36,597.29 sq. ft.)**.

#### Prior to Issuance:

2. That prior to issuance of this permit, the Applicant/Owner shall submit a screening and fencing plan for the outside storage area. The screening plan shall include solid screening elements, such as landscaping or wood fencing, to ensure that the outside storage area is completely screened and creating a visual barrier from adjacent properties.
  - i. Once the screening plan is approved, the Applicant/Owner shall install/implement the screening onsite.
  - ii. Upon installation completion, a site inspection/confirmation shall be completed by the County, to ensure the adequate screening is in place, as per the approved Screening Plan.

#### Permanent:

3. That there shall be no more than two (2) non-resident employees at any time.
  - i. That an employee in this Home-Based Business, Type II is a person who attends the property more than once in a seven-day period for business purposes.
4. That the operation of this Home-Based Business shall be secondary to the residential use of the subject parcel.
5. That the Home-Based Business, Type II shall not change the residential character and external appearance of the land and buildings.
6. 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.
7. 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.
8. That the Home-Based Business shall be limited to the dwelling, accessory building and the outside storage area.
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.
10. That all outside storage that is a part of the Home-Based Business, Type II shall be completely screened from adjacent lands, shall meet the minimum setback requirements for buildings, and **shall not exceed 3,400.00 sq. m (36,597.29 sq. ft.)**.
11. That one (1) identification sign shall be permitted, up to a 1.00 m long x 0.60 m high [as per Section 35.11(b) of the Land Use Bylaw], located in the front yard, adjacent to the property line or mounted on a building, may be installed onsite for the subject business.
  - i. Signage shall be no greater than 0.60 sq. m (6.46 sq. ft.) as allowed under Section 35.11(b) of the Land Use Bylaw (C-4841-97).
12. That no off-site advertisement signage associated with the Home-Based Business shall be permitted.
13. That there shall be no vehicle/truck trailers idling at any time, associated with the business operations.
14. That all vehicles/truck trailers associated with the business operations shall be newer or used models. No salvaged vehicles / truck trailers shall be brought on site.



**Advisory:**

15. That the subject development shall conform to the *County's Noise Bylaw C-5773-2003* in perpetuity.
  - i. That no truck activity, including back-up alarms, or business activity, including the use of equipment shall occur outside of the *Noise Bylaw* regulations.
16. That all other government compliances and approvals are the sole responsibility of the Applicant/Owner.
17. That if this Development Permit is not issued by **MAY 31, 2021** or the approved extension date, then this approval is null and void and the Development Permit shall not be issued.
18. That this Development Permit, once the prior to issuance conditions have been satisfied, shall be valid until **April 16, 2021**.

Option #2: (this would place the proposed application on hold)

*TABLED, for the following reasons:*

1. The application to be tabled, so that a use that is more appropriate to the business operations may be applied for under the Live-Work District such as Outdoor storage, truck trailer or General Industry, Type II.

*Note: If a separate development permit is issued, this application would expire and not be required.*

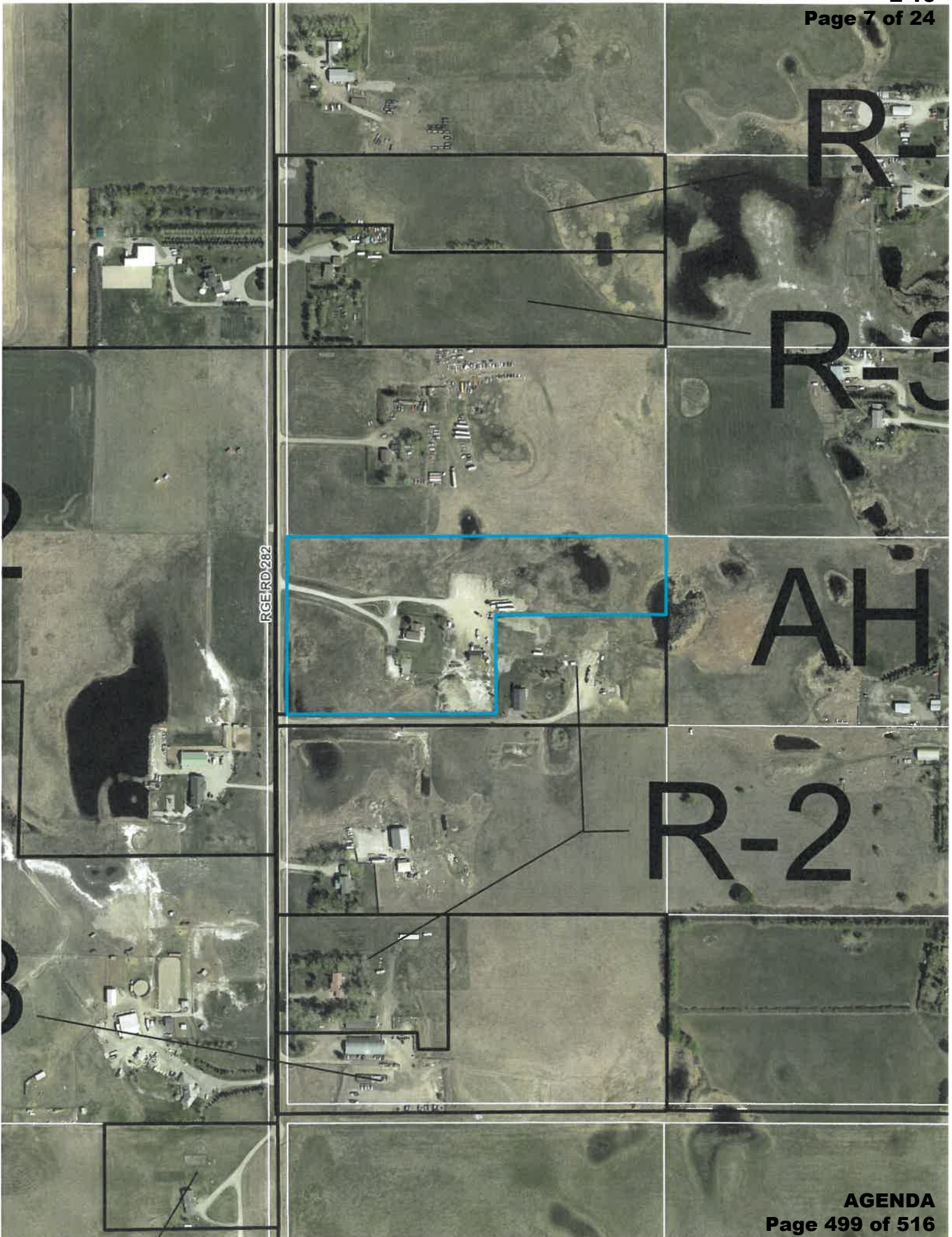
Option #3: (this would not allow the development to proceed)

REFUSAL, for the following reasons:

2. The amount of outside storage exceeds the maximum amount permitted which is in contravention of Section 21.3(g) of Land Use Bylaw C-4841-97.

**(Permitted outside storage – 400.0 sq. m (4,305.7 sq. ft.);  
Proposed/existing outside storage: 3,400.00 sq. m (36,597.29 sq. ft.)**
3. The residence would appear to be a secondary use to the home based business as defined in Section 21.3(c) of Land Use Bylaw C-4841-97.
4. The business would appear to change the residential character and appearance of the land as defined in Section 21.3(e) of Land Use Bylaw C-4841-97.
5. This business is considered more commercial in nature, which should be approved under a commercial land use, listed within the Live-Work District.
6. 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.









ROCKY VIEW COUNTY  
Cultivating Communities

**20200842**  
APPLICATION TO OPERATE A  
**HOME-BASED BUSINESS**

FOR OFFICE USE ONLY	
Fee Submitted 200.00	File Number 03823008
Date of Receipt 04/16/2020	Receipt #

Name of Business AMANAT TRANSPORT LTD  
Address of Business 233090 RANWICK RD 282  
ROCKY VIEW - AB Postal Code T1X 0H2  
Telephone (B) 403-474-8054 (H) \_\_\_\_\_ Fax 403-474-8053

### 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 ✓ Accessory Building \_\_\_\_\_ Outdoors ✓

### 2. VEHICLES

How many vehicles come to your home/property Per day 2 Per week 10

Please describe the number and type of vehicles used in the business \_\_\_\_\_

Where will these vehicle(s) be parked? OUTSIDE

\* 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 \_\_\_\_\_

Including the Applicant, how many of the above persons live on this property?

Full Time Employees 3 Part Time Employees 0

### 4. OPERATION

What are your days of operation? MON TO FRI What are your hours of operation? 8-4

### 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 Amanat Date: 04/16/2020

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



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

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

Scott - SE

### Inspection Request

Roll #: 03323008 DP #: PRDP20200842

Applicant/Owner: Bhullar, Amandeep  
Legal Description: Lot 1 Block Plan 9710996, SW-23-23-28-04  
Municipal Address: 233090 RGE RD 282, Rocky View County AB  
Land Use: AH  
Reason for Inspection: a Home-Based Business, Type II, for a Truck Dispatch business

#### Inspection Report

Date of Inspection: 2020-04-27

Permission granted for entrance?

#### Observations:

Trucking dispatch storage area located to the North and East Sections of the parcel. I saw 1 employee and counted about 25 commercial trucks and trailers. The property owners live on site in the house. There is a quonset and a detached garage on the Eastern boundary of the property where equipment is stored.

Signature: [Signature]





26 04 2020





26 04 2020





26 04 2020





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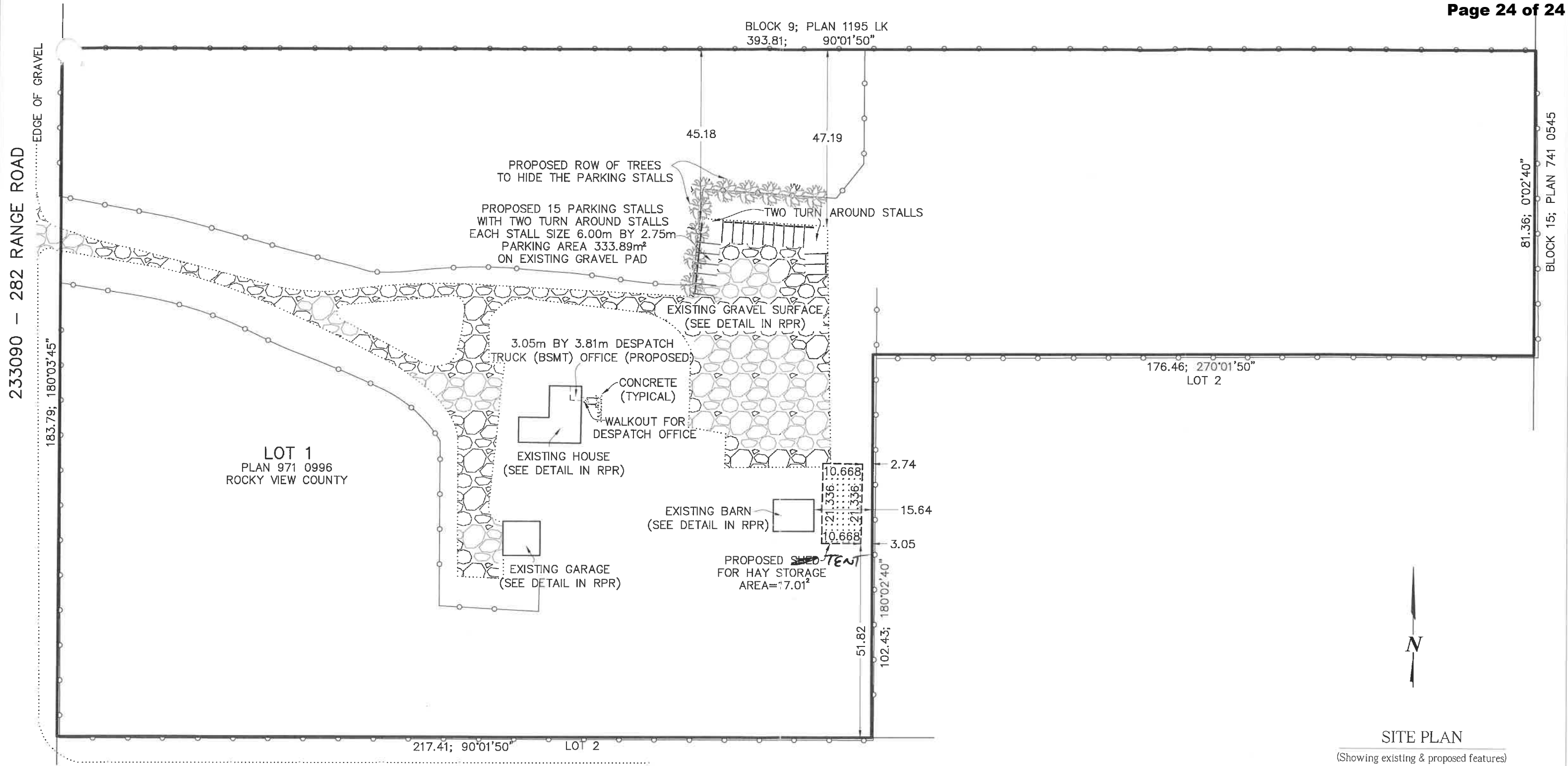
26 04 2020





26 04 2020





**LEGEND**

All distances are in metres and decimals thereof.

Sidyard dimensions to the exterior features

Outline of Subject Property is shown thus: ———

Edge of concrete or gravel shown thus: .....

Edge of Eaves are shown thus: .....

Foundation Walls are shown thus: ———

Proposed outline for the feature: - - - - -

Fences are shown thus: —○—○—○—

Retaining Walls are shown thus: R/W

Edges of Asphalt are shown thus: EOA

Drawing scale in metric: 1:1000