

Municipal Planning Commission Meeting Agenda



ROCKY VIEW COUNTY

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

October 8, 2020

9:00 a.m.

A CALL MEETING TO ORDER

B UPDATES/APPROVAL OF AGENDA

C APPROVAL OF MINUTES

1. September 24, 2020 Municipal Planning Commission Meeting Minutes
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D SUBDIVISION APPLICATIONS

1. Division 2 – File: PL20190008 (05715034 / 038) – Residential Subdivision
Staff Report
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2. Division 1 – File: PL20200055 (03913064) – Residential Subdivision
Staff Report
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E DEVELOPMENT APPLICATIONS

1. Division 8 – File: PRDP20202312 (06609005) – Dwelling Unit, accessory to the principal use
Staff Report
Page 65
2. Division 1 – File: PRDP20202123 (03925049) – Accessory Building
Staff Report
Page 88
3. Division 7 – File: PRDP20201966 (07723013 / 07726004) – Single-lot Regrading
Staff Report
Page 108
4. Division 5 – File: PRDP20202248 (04222009) – Home-Based Business, Type II
Staff Report
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ROCKY VIEW COUNTY

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

October 8, 2020

9:00 a.m.

5. Division 8 – File: PRDP20202309 (05736151) – Single-lot Regrading

Staff Report

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6. Division 4 – File: PRDP20202416 (03214054) – Dwelling, Single Detached

Staff Report

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7. Division 3 – File: PRDP20202342 (04714170) – Single-lot Regrading

Staff Report

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F OTHER BUSINESS
- None

G ADJOURN MEETING

H NEXT MEETING: October 29, 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 24, 2020 commencing at 9:00 a.m.

Present:	Division 5	Chair J. Gautreau
	Division 4	Vice-Chair A. Schule
	Division 1	Member M. Kamachi
	Division 3	Member K. Hanson
	Division 6	Member G. Boehlke
	Division 8	Member S. Wright
	Division 9	Member C. Kissel

Absent:	Division 2	Member K. McKylor
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Also Present:

- A. Hoggan, Chief Administrative Officer
- T. Cochran, Executive Director, Community Development Services Division
- G. Nijjar, Manager, Planning and Development Services
- J. Fleischer, Manager, Agriculture and Environmental Services
- S. Seryoa, Manager, Utility Services
- S. MacLean, Planning Supervisor, Planning and Development Services
- A. Bryden, Senior Planner, Planning and Development Services
- J. Anderson, Senior Planner, Planning and Development Services
- B. Duncan, Municipal Engineer, Planning and Development Services
- A. Panaguiton, Planner, Planning and Development Services
- C. Lombardo, Planner, Planning and Development Services
- O. Newmen, Planner, Planning and Development Services
- X. Deng, Planner, Planning and Development Services
- J. Targett, Senior Development Officer, Planning and Development Services
- W. Van Dijk, Development Officer, Planning and Development Services
- K. Tuff, Appeals Coordinator, Municipal Clerk's Office
- M. Mitton, Legislative Coordinator, Municipal Clerk's Office
- E. Neilsen, Development Assistant, Planning and Development Services
- N. Robertson, Development Assistant, Planning and Development Services
- S. Thompson, Development Assistant, Planning and Development Services

Call to Order

The Chair called the meeting to order at 9:00 a.m. with all members present.

2020-09-24-01 (B-1)

Updates/Acceptance of Agenda

MOVED by Member Schule that the September 24, 2020 Municipal Planning Commission meeting agenda be accepted as presented.

Carried

2020-09-24-02 (C-1)

Approval of Minutes

MOVED by Member Boehlke that the September 3, 2020 Municipal Planning Commission meeting minutes be approved as presented.

Carried

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2020-09-24-03 (D-1)

Division 2 – Subdivision Item – Residential Subdivision

File: PL20200032 (04723198)

MOVED by Member Kissel to allow the applicant to speak.

Carried

Presenter: Ryan Buckley, the Applicant

MOVED by Member Kissel 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'.

Lost

MOVED by Member Boehlke that condition 2 for subdivision application PL20200032 as noted in Appendix B of Administration's report be amended to read:

~~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.~~

The Applicant/Owner shall provide an access right of way plan and prepare and register respective easements on each title to provide access to Lot 2 through Lot 1.

Carried

MOVED by Member Boehlke that condition 7 for subdivision application PL20200032 as noted in Appendix B of Administration's report be amended to read:

~~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.~~

Carried

MOVED by Member Boehlke that Subdivision Application PL20200032 be approved with the conditions noted in Appendix 'B' [Tentative Plan #2 Administration preferred option], as amended:

- A. The application to create a ± 0.81 hectare (± 2.00 acre) parcel (Lot 1) with a ± 0.81 hectare (± 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.

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- 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 and prepare and register respective easements on each title to provide access to Lot 2 through Lot 1.
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 (+/- 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

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,

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- 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. 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.

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.

Carried

2020-09-24-04 (D-2)

Division 2 – Subdivision Item – Residential Subdivision

File: PL20190105 (04710003)

Presenter: Barrett Gervan, the Applicant

MOVED by Member Boehlke that Subdivision Application PL20190105 be tabled pending redesignation and submittal of a market appraisal report.

Carried

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2020-09-24-05 (D-3)

Division 9 – Subdivision Item – Residential Subdivision

File: PL20200043 (06822004)

Presenter: Paul Jacobs (Stormwater Solutions), the Applicant

MOVED by Member Kissel that Subdivision Application PL20200043 be approved with the conditions noted in Appendix 'B':

- A. The application to create a ± 9.91 acre parcel (Lot 1) with a ± 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:

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- 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.
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.

Carried

2020-09-24-06 (D-4)

Division 5 – Subdivision Item – Boundary Adjustment and Creation of Three New Parcels

File: PL20200027 (04319202 / 004)

MOVED by Member Schule that Subdivision Application PL20200027 be approved with the conditions noted in Appendix 'B':

- A. The application is to adjust boundaries between a ± 4.7 acre parcel and a ± 50.38 acre parcel in order to create a ± 5.89 acre parcel (Lot 3), and facilitate the creation of a ± 9.02 acre parcel (Lot 1), a ± 5.10 acre parcel (Lot 2), a ± 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:

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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;

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- 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.
 - 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.

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- 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) \pm 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.
- 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:

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

2020-09-24-07 (D-5)

Division 9 – Subdivision Item – New or Distinct Agricultural Use

File: PL20200035 (07706005)

The Chair called for a recess at 10:13 a.m. and called the meeting back to order at 10:22 a.m. with all previously mentioned members present.

MOVED by Member Kissel that Subdivision Application PL20200035 be approved with the conditions noted in Appendix 'B':

- A. The application to create an ± 8.38 ha (± 20.70 ac) parcel with a ≥ 20.17 ha (≥ 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.

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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)
 - 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 Fortis Alberta.

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*.

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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

Chair Gautreau left the meeting at 10:32 a.m. and Vice-Chair Schule assumed the position of the Chair.

2020-09-24-15 (E-8)

Division 5 – Development Item – Accessory Building

File: PRDP20202260 (04312094)

MOVED by Member Kamachi that Development Permit Application PRDP20202260 be approved with the development conditions noted in the report:

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.

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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.

Carried
Absent: Chair Gautreau

2020-09-24-21 (E-14)

Division 5 – Development Item – Accessory Building

File: PRDP20202224 (04312096)

MOVED by Member Boehlke that Development Permit Application PRDP20202224 be approved with the conditions noted in the Development Permit Report, attached:

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.

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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.

Carried
Absent: Chair Gautreau

The Chair called for a recess at 10:43 a.m. and called the meeting back to order at 10:46 a.m. with all previously mentioned members present.

Chair Gautreau returned to the meeting at 10:46 a.m. and resumed the position of Chair.

2020-09-24-08 (E-1)

Division 2 – Development Item – Utility – Commercial Communication (CC) Facilities, Type C
File: PRDP20201862 (05715001)

Presenter: Brenden Smith (LandSolutions LP), the Applicant

MOVED by Member Hanson Development Permit Application PRDP20201862 be approved with the conditions noted in the report.

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.

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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.

Carried

2020-09-24-09 (E-2)

Division 5 – Development Item – Single-lot regrading and placement of clean topsoil

File: PRDP20201265 (04222018)

Presenter: Michael Tessemaker, the Applicant

MOVED by Vice-Chair Schule that Development Permit Application PRDP20201265 be refused as per the reasons noted within the report.

Carried

2020-09-24-10 (E-3)

Division 4 – Development Item – Cannabis Retail Store

File: PRDP20202318 (03223798)

Member Hanson left the meeting at 11:27 a.m.

MOVED by Member Boehlke that Development Permit Application PRDP20202318 be approved with the conditions noted in the report:

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.

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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**.

Carried
Absent: Member Hanson

2020-09-24-11 (E-4)

Division 8 – Development Item – Single-lot Regrading and Placement of Clean Fill

File: PRDP20202027 (05618038)

Member Hanson returned to the meeting at 11:29 a.m.

MOVED by Member Wright that Development Permit Application PRDP20202027 be approved with the conditions noted in the Development Permit Report, attached:

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.

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Prior to Issuance:

2. That prior to issuance of this permit, the Applicant/Owner shall contact County Road Operations with haul details for materials and equipment needed during construction/site development to confirm if Road Use Agreements will be required for any hauling along the County road system and to confirm the presence of County road ban restrictions.
 - i. Written confirmation shall be received from County Road Operations confirming the status of this condition. Any required agreement or permits shall be obtained unless otherwise noted by County Road Operations.
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.

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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) 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.

Carried

2020-09-24-12 (E-5)

Division 1 – Development Item – Single-lot Regrading

File: PRDP20202140 (03913173)

MOVED by Member Kamachi that Development Permit Application PRDP20202140 be approved with the suggested conditions noted in the report:

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.

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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.

Carried

2020-09-24-13 (E-6)

Division 2 – Development Item – Single-lot Regrading

File: PRDP20201691 (05710015)

MOVED by Member Boehlke that Development Permit Application PRDP20201691 be approved with the conditions noted in the Development Permit Report, attached:

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.

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- 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.

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- 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.

Carried

2020-09-24-14 (E-7)

Division 5 – Development Item – Accessory Building

File: PRDP20202228 (05336001)

MOVED by Member Kamachi that Development Permit Application PRDP20202228 be approved with the conditions noted in the report:

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

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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.

Carried

2020-09-24-16 (E-9)

Division 1 – Development Item – Child Care Facility

File: PRDP20202337 (03913093)

MOVED by Member Kamachi that Development Permit Application PRDP20202337 be approved with the conditions noted in the report:

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.

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- 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 impervious 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.

Carried

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2020-09-24-17 (E-10)

Division 2 – Development Item – Single-lot Regrading

File: PRDP20202367 (04728010)

MOVED by Member Boehlke that Development Permit Application PRDP20202367 be approved with the conditions noted in the report:

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.

ROCKY VIEW COUNTY
MUNICIPAL PLANNING COMMISSION MEETING MINUTES
September 24, 2020

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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.

Carried

The Chair called a recess at 11:51 a.m. and called the meeting back to order at 11:56 a.m. with all previously mentioned members present.

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MUNICIPAL PLANNING COMMISSION MEETING MINUTES
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2020-09-24-18 (E-11)

Division 9 – Development Item – Kennel

File: PRDP20202393 (06828006)

Presenter: Sylwia Andersen, the Applicant

MOVED by Member Kissel that Development Permit Application PRDP20202393 be approved with the conditions noted in the report:

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.

ROCKY VIEW COUNTY
MUNICIPAL PLANNING COMMISSION MEETING MINUTES
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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.

Carried

2020-09-24-19 (E-12)

Division 5 – Development Item – Accessory Building

File: PRDP20202433 (03329035)

Member Kissel left the meeting at 12:08 p.m. and did not return to the meeting.

MOVED by Vice-Chair Schule that Development Permit Application PRDP20202433 be approved with the conditions noted in the report:

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.

Carried

Absent: Member Kissel

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MUNICIPAL PLANNING COMMISSION MEETING MINUTES
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2020-09-24-20 (E-13)

Division 3 – Development Item – Accessory Building

File: PRDP20202231 (04606136)

MOVED by Member Hanson that Development Permit Application PRDP20202231 be approved with the conditions noted in the Development Permit Report, attached:

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.

Carried
Absent: Member Kissel

2020-09-24-22 (E-15)

Division 5 – Development Item – Home-Based Business, Type II

File: PRDP20202128 (04227004)

MOVED by Member Boehlke that condition 12 for development application PRDP20202128 as noted in Administration's report be amended to read:

That this Development Permit shall be valid until October 21, ~~2024~~ **2026**.

MOVED by Member Boehlke that Development Permit Application PRDP20202128 be approved with the conditions noted in the Development Permit Report, as amended, attached:

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.

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-
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, 2026**.

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.

Carried
Absent: Member Kissel

2020-09-24-23 (E-16)
Division 4 – Development Item – Home-Based Business, Type II
File: PRDP20200842 (04227004)

MOVED by Vice-Chair Schule 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.

Carried
Absent: Member Kissel

Adjournment

MOVED by Vice-Chair Schule that the September 24, 2020 Municipal Planning Commission meeting be adjourned at 12:21 p.m.

Carried
Absent: Member Kissel

Chair or Vice Chair

Chief Administrative Officer or Designate

PLANNING AND DEVELOPMENT SERVICES

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

DATE: October 8, 2020
APPLICATION: PL20190008

APPLICATION: To create three new parcels, two ± 0.80 hectares (± 1.98 acres) in size (Lots 3 & 4) and one ± 0.93 hectares (± 2.29 acres) in size (Lot 2), with two remainder parcels ± 0.99 hectares (± 2.45 acres) and ± 0.80 hectares (± 1.98 acres) in size (Lots 1 & 5).

GENERAL LOCATION: Located in the north Springbank community, immediately south of Springbank Heights Loop and northwest of Springbank Heights Way.

LAND USE DESIGNATION: Residential, Country Residential District

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

OPTIONS:

- Option #1: THAT Subdivision Application PL20190008 be approved with the conditions noted in Attachment 'B'.
- Option #2: THAT Subdivision Application PL20190008 be refused as per the reasons noted.

AIR PHOTO & DEVELOPMENT CONTEXT:



Administration Resources
Stefan Kunz, Planning and Development Services



APPLICANT: Carswell Planning – Bart Carswell

OWNER: Dennis & Irene Maillot

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"> • <i>Municipal Government Act</i>; • Subdivision and Development Regulations; • County Plan; • Central Springbank Area Structure Plan; • Rocky View/Calgary IDP; • Land Use Bylaw; and • County Servicing Standards. 	<ul style="list-style-type: none"> • Geotechnical Developable Areas Assessment and Riparian Setback Assessment (Western Water Resources, 2019) • Phase 1 Groundwater Supply Evaluation (Western Water Resources, 2016) • Level 1 Model Process Assessment (Western Water Resources, 2016) • Level 3 Model Process Assessment (Western Water Resources, 2016) • Stormwater Management Plan (Western Water Resources, 2017) • Site-Stormwater Management Plan (Western Water Resources, 2019) • Slope Stability Assessment (Western Water Resources, 2019)

APPLICABLE FEE/LEVY	AMOUNT OWING (ESTIMATE)
<i>TRANSPORTATION OFFSITE LEVY</i>	\$98,700.58
<i>MUNICIPAL RESERVE</i>	Municipal Reserves were previously provided on Plan 741 0359

Transportation Off-Site Levy (TOL)

The TOL is owing on the balance of the lands. As a portion of the lands are required to register an Environmental Reserve Easement, that area of the site has been deducted from the levy calculation in accordance with 6.a.iv of the TOL Bylaw.

Riparian Protection

The lands contain a portion of a tributary draining to the Bow River, which passes through proposed Lot 1. In order to limit the extent of environmental degradation adjacent to the drainage course, an Environmental Reserve Easement (ERE) is required. Given the proximity to Bearspaw Reservoir, a City of Calgary potable water source, protection of the drainage course is critical. Past subdivisions in the area have been required to provide similar protections to the drainage course.

The applicant provided a Geotechnical Developable Areas Assessment and Riparian Setback Assessment in order to determine the extent of the riparian protection area. The report recommends a setback based on 1:100-year floodwater level, approximately ± 0.51 ha (± 1.26 acres) in size, pursuant to Section 664 of the *Municipal Government Act*. The exact amount of lands to be included within the ERE



area is to be determined by the approved Contiguous Developable Area Plan within Lot 1 in accordance with the Geotechnical Developable Areas Assessment and Riparian Setback Assessment. The applicant/owner shall implement the setback recommendations of the Geotechnical Developable Areas Assessment and Riparian Setback Assessment.

Topography

Lot 1 contains slopes in excess of 30% and greater than 3m in vertical height. Development of lands greater than 15% is not supported. The Applicant submitted a Slope Stability Assessment in support of the application, which indicates that the slopes are stable and well drained. The report did not observe slope instability indicators within proposed Lots 1 and 5.

Tentative Plan

Subdivision Proposal

To create three new parcels, two ± 0.80 hectares (± 1.98 acres) in size and one ± 0.93 hectares (± 2.29 acres) in size, with two remainder parcels ± 0.99 hectares (± 2.45 acres) and ± 0.80 hectares (± 1.98 acres) in size

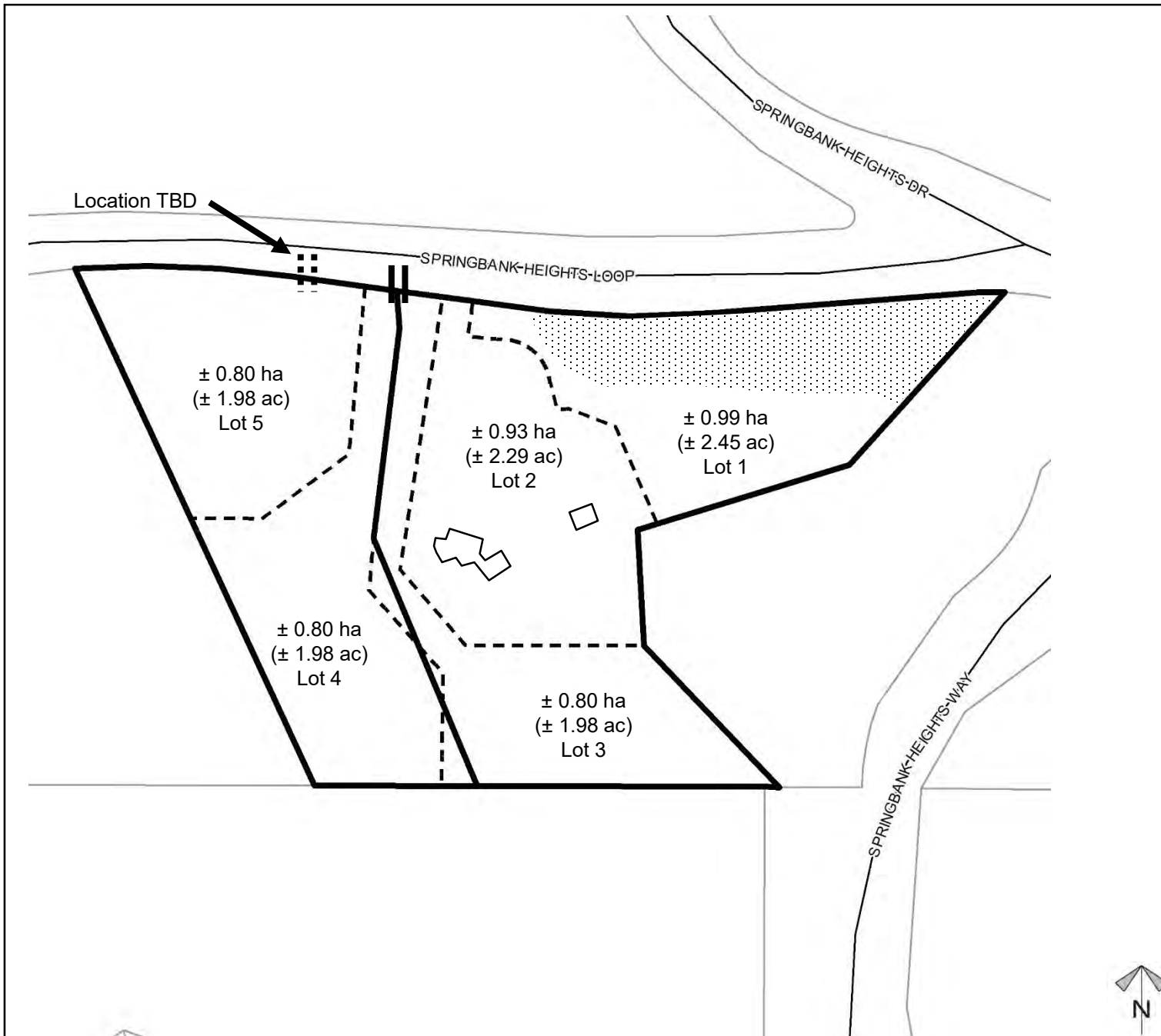
Legend

Building	
Existing Approach	
New Approach	
Environmental Reserve Easement	

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. Panhandles shall have a minimum width of 12.5 metres

Division: 2
 Roll: 05715034/8
 File: PL20190008
 Printed: September 17, 2020
 Legal: Lot 26, Plan 9210971
 & Lot 28, Blk 15-25-3-W5M





ROCKY VIEW COUNTY

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”

Executive Director
Community Development Services

Chief Administrative Officer

SK/MP/Ilt

ATTACHMENTS:

ATTACHMENT ‘A’: Maps and Other Information

ATTACHMENT ‘B’: Approval Conditions

ATTACHMENT ‘C’: Letters



ROCKY VIEW COUNTY

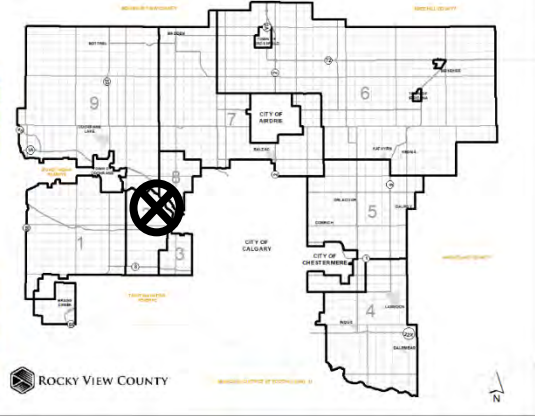
ATTACHMENT 'A': MAPS AND OTHER INFORMATION

DATE APPLICATION RECEIVED: January 18, 2019	DATE DEEMED COMPLETE: November 14, 2019
GROSS AREA: ± 4.32 hectares (± 10.67 acres)	LEGAL DESCRIPTION: Lot 28, Block 4, Plan 0310255 & Lot 26, Plan 9210971 within NE-15-25-3-W5M
APPEAL BOARD: Municipal Government Board	
HISTORY: <p>2017 Council approved redesignation application PL20170038, resulting in the designation of the lands to Residential, Country Residential District.</p> <p>2001 Council approved Bylaw C-5414-2001 redesignating land east of the subject property from Agricultural Holdings District to Residential Two District. The corresponding subdivision was endorsed in 2002.</p> <p>1992 Subdivision Plan 9210971 was registered at Land Titles for a single lot subdivision creating the subject lands as one ± 4.32 hectare (±10.67 acre) parcel.</p> <p>1974 Subdivision Plan 7410359 was registered with Land Titles creating lots to form Springbank Heights Loop and Springbank Heights Drive. Municipal reserves were provided through the provision of four (4) MR lots.</p>	
PUBLIC & AGENCY SUBMISSIONS: <p>The application was circulated to 75 adjacent landowners. One response was received, and has been included in Attachment 'C.'</p> <p>The application was also circulated to a number of internal and external agencies and, where appropriate, conditions of approval have been proposed based on these comments.</p>	

Location & Context

Subdivision Proposal

To create three new parcels, two ± 0.80 hectares (± 1.98 acres) in size and one ± 0.93 hectares (± 2.29 acres) in size, with two remainder parcels ± 0.99 hectares (± 2.45 acres) and ± 0.80 hectares (± 1.98 acres) in size



Development Proposal

Subdivision Proposal

To create three new parcels, two ± 0.80 hectares (± 1.98 acres) in size and one ± 0.93 hectares (± 2.29 acres) in size, with two remainder parcels ± 0.99 hectares (± 2.45 acres) and ± 0.80 hectares (± 1.98 acres) in size



Division: 2
 Roll: 05715034/8
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 Printed: September 17, 2020
 Legal: Lot 26, Plan 9210971
 & Lot 28, Block 15
 NE-15-25-3-W5M

Environmental

Subdivision Proposal

To create three new parcels, two ± 0.80 hectares (± 1.98 acres) in size and one ± 0.93 hectares (± 2.29 acres) in size, with two remainder parcels ± 0.99 hectares (± 2.45 acres) and ± 0.80 hectares (± 1.98 acres) in size



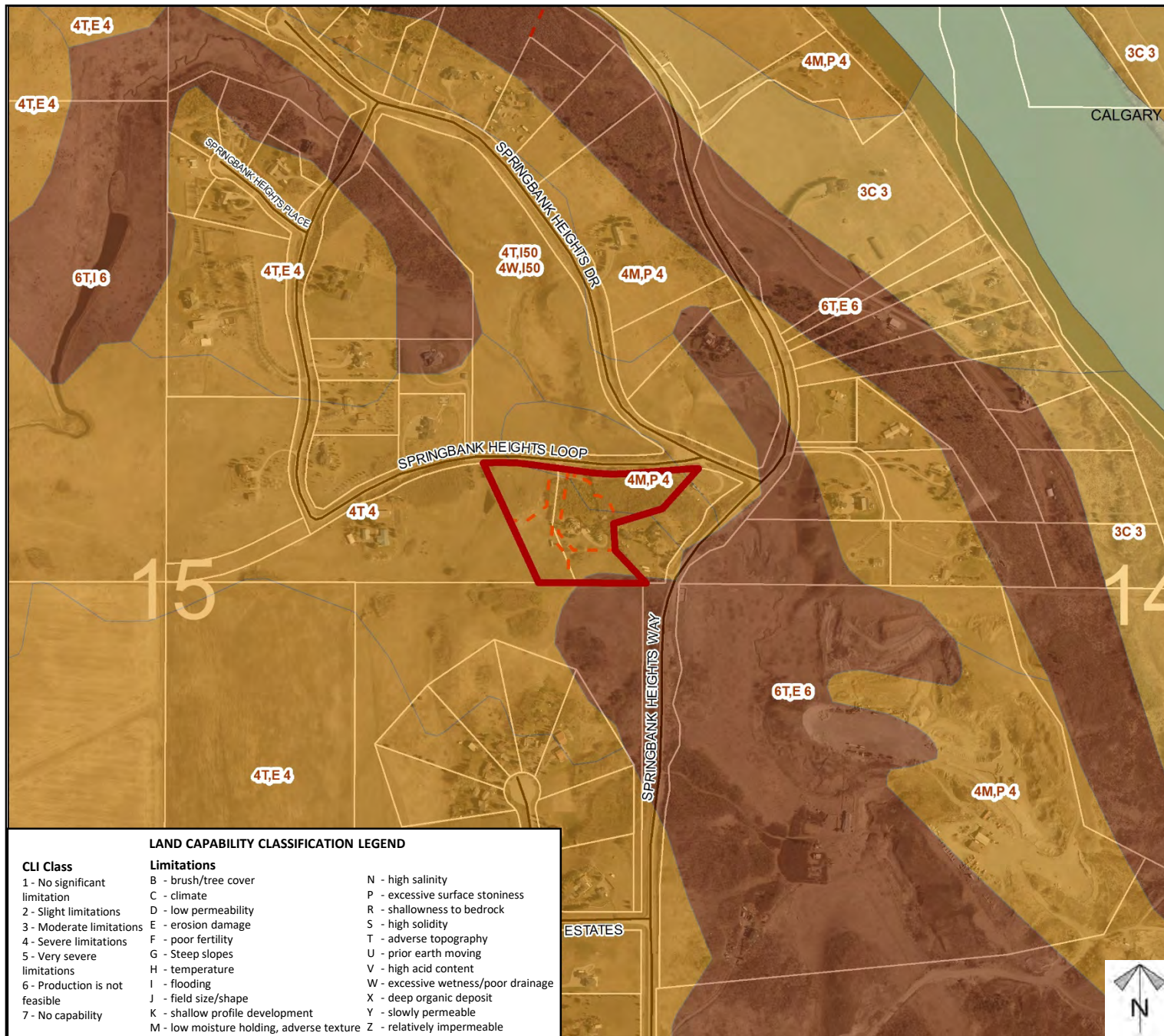
- Subject Lands
- Contour - 2 meters
- Riparian Setbacks
- Alberta Wetland Inventory
- Surface Water

Division: 2
 Roll: 05715034/8
 File: PL20190008
 Printed: September 17, 2020
 Legal: Lot 26, Plan 9210971
 & Lot 28, Block 15, NE-15-25-3-W5M
AGENDA
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Soil Classifications

Subdivision Proposal

To create three new parcels, two ± 0.80 hectares (± 1.98 acres) in size and one ± 0.93 hectares (± 2.29 acres) in size, with two remainder parcels ± 0.99 hectares (± 2.45 acres) and ± 0.80 hectares (± 1.98 acres) in size



Landowner Circulation Area

Subdivision Proposal

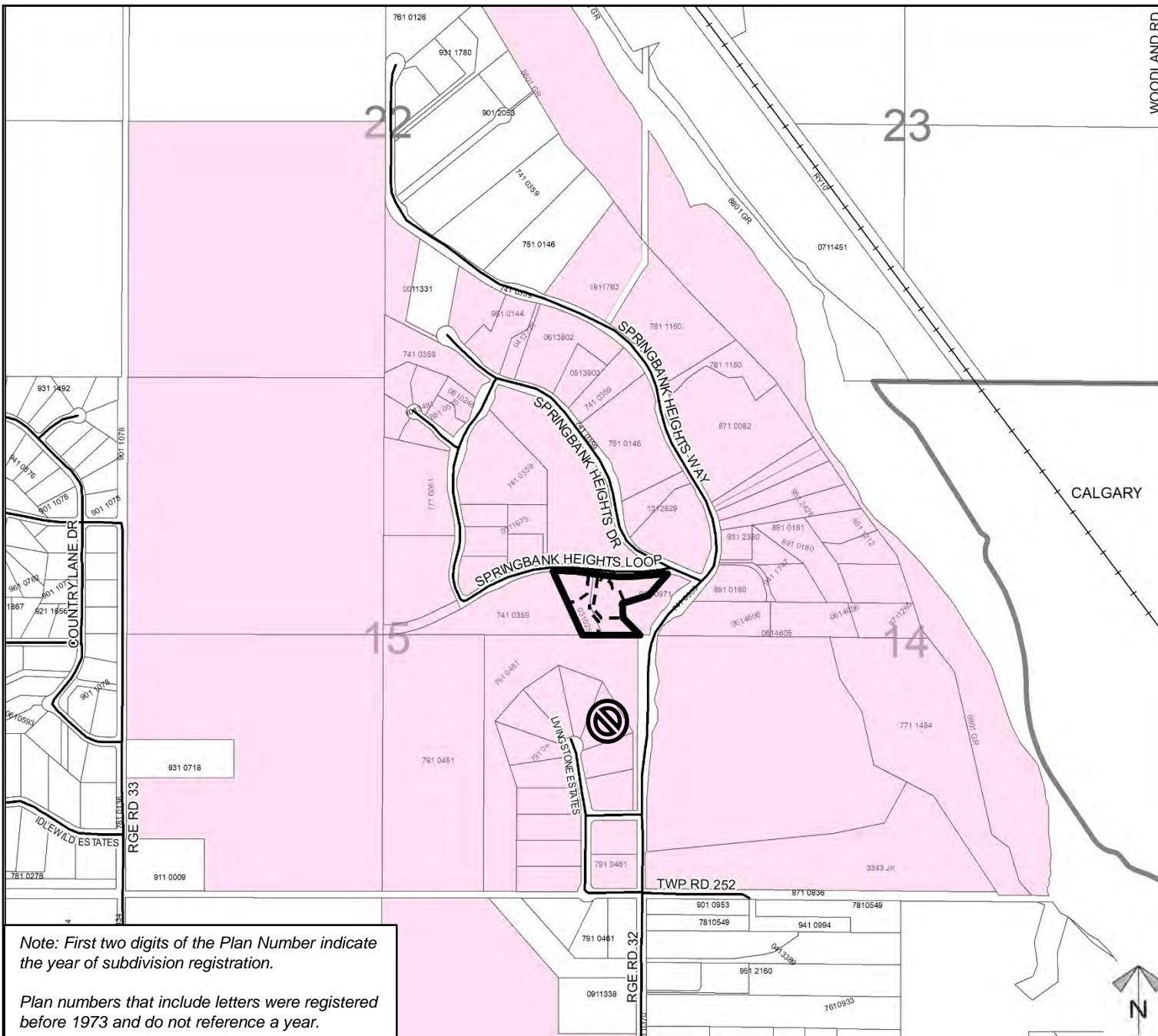
To create three new parcels, two ± 0.80 hectares (± 1.98 acres) in size and one ± 0.93 hectares (± 2.29 acres) in size, with two remainder parcels ± 0.99 hectares (± 2.45 acres) and ± 0.80 hectares (± 1.98 acres) in size

Legend

Support



Opposition



Note: First two digits 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.

Division: 2
 Roll: 05715034/8
 File: PL20190008
 Printed: September 17, 2020
 Legal: Lot 26, Plan 9210971
 & Lot 28, Block 15-25-3 W5M
AGENDA
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ATTACHMENT 'B': APPROVAL CONDITIONS

- A. That the application to create three new parcels, two ± 0.80 hectares (± 1.98 acres) in size and one ± 0.93 hectares (± 2.29 acres) in size, with two remainder parcels ± 0.99 hectares (± 2.45 acres) and ± 0.80 hectares (± 1.98 acres) in size from Lot 28, Block 4, Plan 0310255 & Lot 26, Plan 9210971 within NE-15-25-3-W5M has been evaluated in terms of Section 654 of the *Municipal Government Act* and Sections 7 and 14 of the *Subdivision and Development Regulations*, and having considered adjacent landowner submissions, it is recommended that the application be 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 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 condition 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 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*, that the application be approved subject to the following conditions of approval:

Plan of Subdivision

- 1) Subdivision is to be effected by a Plan of Survey, pursuant to Section 657 of the *Municipal Government Act*, or such other means satisfactory to the Registrar of the South Alberta Land Titles District;
- 2) The Owner is to provide a Site Plan, prepared by an Alberta Land Surveyor, which illustrates the following in relation to the new property lines:
 - a) All existing buildings and structures are to conform to the setback requirements in relation to the new property line, as described in the Residential One Land Use District, as per the Land Use Bylaw C-4841-97, as amended.
 - b) The Site Plan is to confirm that all existing private sewage treatment systems are located within the boundaries of Lot 2, in accordance with the The Alberta Private Sewage Systems Standard of Practice 2009;
 - c) The Site Plan is to confirm that all water wells are located within the boundaries of Lot 2;

Transportation and Access

- 3) The Owner shall upgrade the existing road approach to a mutual paved standard as shown on the Approved Tentative Plan, in order to provide access to Lots 1, 2, 3, & 4. In addition, the Owner shall:
 - a) Provide an access right of way plan; and
 - b) Prepare and register respective easements on each title, where required.



ROCKY VIEW COUNTY

- 4) The Owner shall construct a new paved approach on Springbank Heights Loop in order to provide access to Lot 5.

Fees and Levies

- 5) The Owner shall pay the Transportation Off-Site Levy in accordance with Bylaw C-8007-2020 prior to endorsement. The County shall calculate the total amount owing:
 - a) from the total gross acreage of the lands as shown on the Plan of Survey.
- 6) The Owner shall pay the County subdivision endorsement fee, in accordance with the Master Rates Bylaw, for the creation of three new lots.

Site Servicing/Developability

- 7) The Owner is to enter into a Development Agreement (Site Improvements / Services Agreement) with the County, for each proposed lot, that includes the following:
 - a) The installation of packaged sewage treatment systems meeting BNQ or NSF 40 Standards, in accordance with the findings of the Private Sewage Treatment System Assessment and Site Evaluation prepared by Western Water Resources (March 25, 2016).
 - b) For the construction of a trap lows and grass swales in accordance with the Site-specific Stormwater Implementation Plan, prepared by Western Water Resources Inc. (November 14, 2019);
 - c) Implementation of recommendations of the Slope Stability Assessment, prepared by Western Water Resources (May 7, 2020);
 - d) Registration of any required easements and / or utility rights-of-way;
 - e) Provision of necessary Alberta Environment and Parks registration documentation and approvals for the stormwater infrastructure system.
- 8) Water is to be supplied by new individual wells on proposed Lots 1, 3, 4, & 5. The subdivision shall not be endorsed until:
 - a) An Aquifer Testing (Phase II) Report is provided, which is to include aquifer testing and the locations of the wells on each lot; and
 - b) The results of the aquifer testing meet the requirements of the Water Act; if they do not, the subdivision shall not be endorsed or registered.
- 9) The Owner is to enter into a Deferred Services Agreement with the County, to be registered on title for Lots 1-5, indicating:
 - a) Requirements for each future Lot Owner to connect to County piped water, wastewater, and stormwater systems at their cost when such services become available;
 - b) Requirements for decommissioning and reclamation once County servicing becomes available.
- 10) The Owner shall enter into an Environmental Reserve Easement for the protection and enhancement of the environment in accordance with Section 664 of the *Municipal Government Act*;
 - a) The easement area is applicable to those lands identified in the Geotechnical Developable Areas Assessment and Riparian Setback Assessment, prepared by Western Water Resources Inc., dated November 14, 2019;
 - b) The easement shall meet the requirements of Section 664(3) of the MGA.



ROCKY VIEW COUNTY

Taxes

- 11) 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, Administration is directed to present the Owner with a Voluntary Recreation Contribution Form and to ask them if they will contribute to the Fund in accordance with the contributions prescribed in the Master Rates Bylaw.

Stefan Kunz

From: John Hersey [REDACTED]
Sent: Monday, February 11, 2019 9:36 PM
To: Tyler Andreasen
Cc: PAA_ LegislativeServices; Dominic Kazmierczak; Stefan Kunz
Subject: File 05715034/038 Application PL20190008

I guess this all started in 2016 and keeps coming back. Our views have not changed and are stated at the bottom of this email.

On Nov 2, 2017, at 8:43 AM, TAndreasen@rockyview.ca wrote:

Hi John,

Thanks for your comments. Your previous comments were kept on file and will be included in the agenda package for this application. The reason why you've been notified about this application multiple times now is that it was originally scheduled to be heard at the October 24th council meeting but was pulled and rescheduled for the November 28th Council meeting. We send out notifications for each Council meeting which is why there have been multiple notifications.

Regards,

Tyler Andreasen

Legislative Clerk | Legislative & Legal Services

Rocky View County

911 - 32 Avenue NE | Calgary | AB | T2E 6X6

Phone: 403-520-8197

tandreasen@rockyview.ca | www.rockyview.ca

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From: John Hersey [REDACTED]
Sent: Wednesday, November 01, 2017 7:56 PM
To: PAA_ LegislativeServices
Subject: Bylaw "C-7600-2016"

I assume my and other residents submissions the last time around will be carried forward into this repeat. Why is this happening? I think this is the third time we have been asked about this proposal. Anyway to be certain I have included my previous comments which still stand.

Begin forwarded message:

From: John Hersey [REDACTED]
Subject: Bylaw "C-7600-2016"
Date: October 6, 2017 at 10:38:09 PM MDT
To: legislativeservices@rockyview.ca

We oppose this change in zoning. Application PL20160038

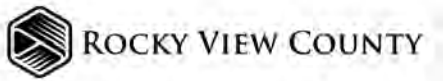
We are residents that look directly over the land in this application. When we bought the house we understood that the zoning was R2 and that would be in keeping with the majority of the houses in this local area. There are other developments where they have been zoned R1 and so let those cater to people who want the smaller lots. This changes the character of the local area and is a precedent.

The only person gaining from this is the developer and no-one else.

Please leave the zoning as is and let this developer find an area already zoned at R1.

Thank you

John and Christine Hersey
19 Livingstone Estates
Calgary
T3Z1E1



PLANNING AND DEVELOPMENT SERVICES

TO: Municipal Planning Commission
DIVISION: 1
SUBJECT: Subdivision Item: Residential Subdivision

DATE: October 8, 2020
APPLICATION: PL20200055

APPLICATION: To create two parcels, ± 0.25 acres and ± 0.25 acres in size, with a ± 0.56 acre remainder.

GENERAL LOCATION: Located in the Hamlet of Bragg Creek, at the northeast junction of River Drive and Spruce Avenue.

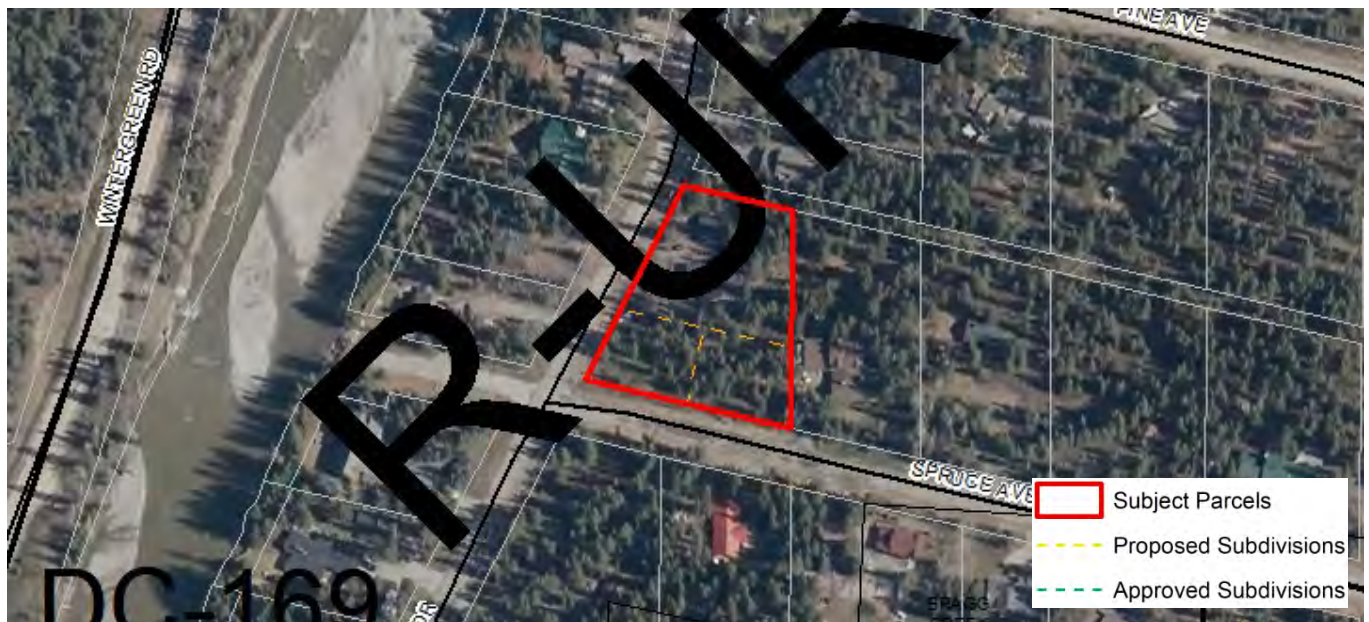
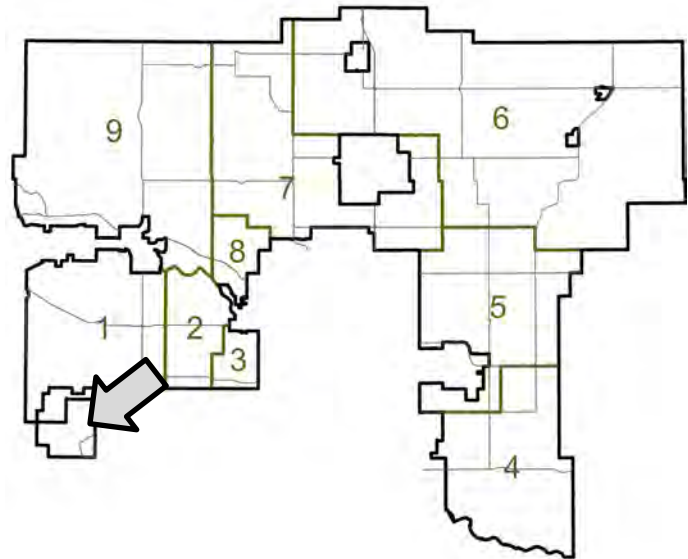
LAND USE DESIGNATION: Residential, Urban District (R-URB)

ADMINISTRATION RECOMMENDATION:
Administration recommends Approval in accordance with Option #1

OPTIONS:

- Option #1: THAT Subdivision Application PL20200055 be approved with the conditions noted in Attachment 'B'.
- Option #2: THAT Subdivision Application PL20200055 be refused as per the reasons noted.

AIR PHOTO & DEVELOPMENT CONTEXT:





ROCKY VIEW COUNTY

APPLICANT: Mark Fawcett & Suzanne Ross**OWNER:** Mark Fawcett & Suzanne Ross**APPLICATION EVALUATION:**

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

APPLICABLE POLICY AND REGULATIONS: <ul style="list-style-type: none"> • <i>Municipal Government Act;</i> • Subdivision and Development Regulations; • Municipal Development Plan; • Bragg Creek ASP • Land Use Bylaw; and • County Servicing Standards. 	TECHNICAL REPORTS SUBMITTED: <ul style="list-style-type: none"> • Stormwater Management Letter by Veritas Development Solutions (April 23, 2020)
--	--

APPLICABLE FEE/LEVY	AMOUNT OWING (ESTIMATE)
<i>TRANSPORTATION OFFSITE LEVY (C-8007-2020)</i> <ul style="list-style-type: none"> • <i>The applicant will be required to provide payment of the TOL for the total gross acreage of the lands to be confirmed by the Plan of Survey</i> • <i>Base levy \$4,595.00 per gross acre x 1.06 acres = \$4,870.70</i> 	Approximately \$4,870.70 to be confirmed by Plan of Survey
<i>MUNICIPAL RESERVE</i>	N/A

Accessibility to a Road:

Access to the remainder is provided by an existing gravel approach via River Drive on the north side of the parcel. No upgrades are required. However, the secondary approach on the south end of the subject lands will need to be removed and inspected by Road Operations. Lot 1 will be required to upgrade the existing approach to County Servicing Standards and Lot 2 will be required to construct a new approach.

Servicing:

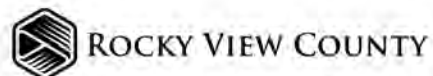
The remainder lot is connected to the Bragg Creek municipal water and wastewater utility systems. As a condition to the subdivision Lots 1 and 2 will be required to connect to both wastewater and potable water services in the Hamlet.

Policy Analysis:

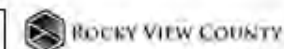
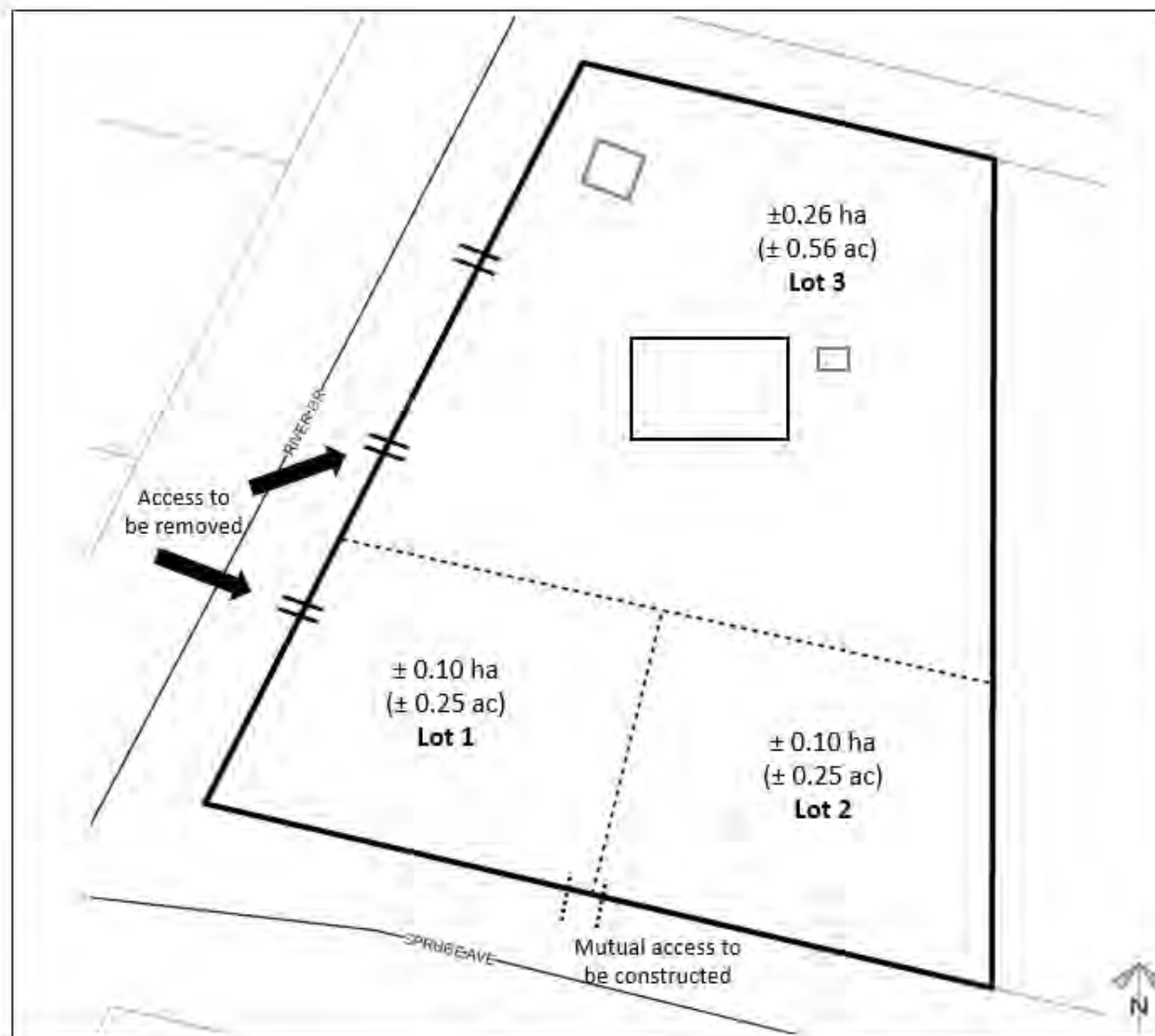
The subject lands are located within the Hamlet boundaries as established by the ASP. Generally, these lands are considered appropriate for the residential infill development. The Greater Bragg Creek ASP references that subdivisions should limit the removal of existing vegetation. This policy is intended to maintain the characteristics of the Hamlet, and to maintain as much of the forest cover as possible, while ensuring safe integration of the development into the natural environment. The applicant has provided a site plan indicating the proposed location of the dwellings, and it appears there will need to be some vegetation removed in order to facilitate the development.

**ROCKY VIEW COUNTY**

The lands are within the Flood Fringe of the Elbow River, meet the intent of the Design Standards for the Hamlet of Bragg Creek and are in accordance with minimum parcel sizes as directed by the Land Use Bylaw.



Tentative Plan



Tentative Plan

Subdivision Proposal

To create two parcels, ± 0.10 hectares (± 0.25 acres) and ± 0.10 hectares (± 0.25 acres) in size, with a ± 0.23 hectare (± 0.56 acre) remainder.

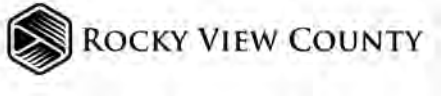
Legend

Dwelling	
Building	
Existing Approach	
New Approach	
Driveway	

Surveyor's Notes:

1. The subdivision will result in one non-conforming building on the Lot 3.
2. Refer to Notice of Transmittal for approval conditions related to this Tentative Plan.

Division: 1
 Roll: 03913064
 File: PL20200055
 Printed: Sept 18, 2020
 Legal: SE-13-23-05-W05M



CONCLUSION:

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

Respectfully submitted,

Concurrence,

"Theresa Cochran"

"Al Hoggan"

Executive Director
Community Development Services

Chief Administrative Officer

CL/BD/llt

ATTACHMENTS:

ATTACHEMENT 'A': Maps and Other Information

ATTACHEMENT 'B': Approval Conditions

ATTACHEMENT 'C': Letters



ATTACHMENT 'A': MAPS AND OTHER INFORMATION

DATE APPLICATION RECEIVED: April 29, 2020	DATE DEEMED COMPLETE: April 30, 2020
GROSS AREA: ± 0.43 HECTARES (± 1.06 ACRES)	LEGAL DESCRIPTION: SE-13-23-5-W5M
APPEAL BOARD: Municipal Government Board	
HISTORY: <i>December 4, 2019 – PRDP20193526 – Construction of an Accessory Building (Garage), located in the Flood Fringe</i>	
PUBLIC & AGENCY SUBMISSIONS: <p>The application was circulated to 57 adjacent landowners. One letter was submitted in support of the application and one letter was submitted in opposition and one letter submitted in support. The responses have been included in Attachment 'C.'</p> <p>The application was also circulated to a number of internal and external agencies and, where appropriate, conditions of approval have been proposed based on these comments.</p>	

Location & Context

Subdivision Proposal

To create two parcels, ± 0.10 hectares (± 0.25 acres) and ± 0.10 hectares (± 0.25 acres) in size, with a ± 0.23 hectare (± 0.56 acre) remainder.

Division: 1
Roll: 03913064
File: PL20200055
Printed: Sept 16, 2020
Legal: SE-13-23-05-W05M
Lot: 5, Block **AGENDA** W



Development Proposal

Subdivision Proposal

To create two parcels, ± 0.10 hectares (± 0.25 acres) and ± 0.10 hectares (± 0.25 acres) in size, with a ± 0.23 hectare (± 0.56 acre) remainder.

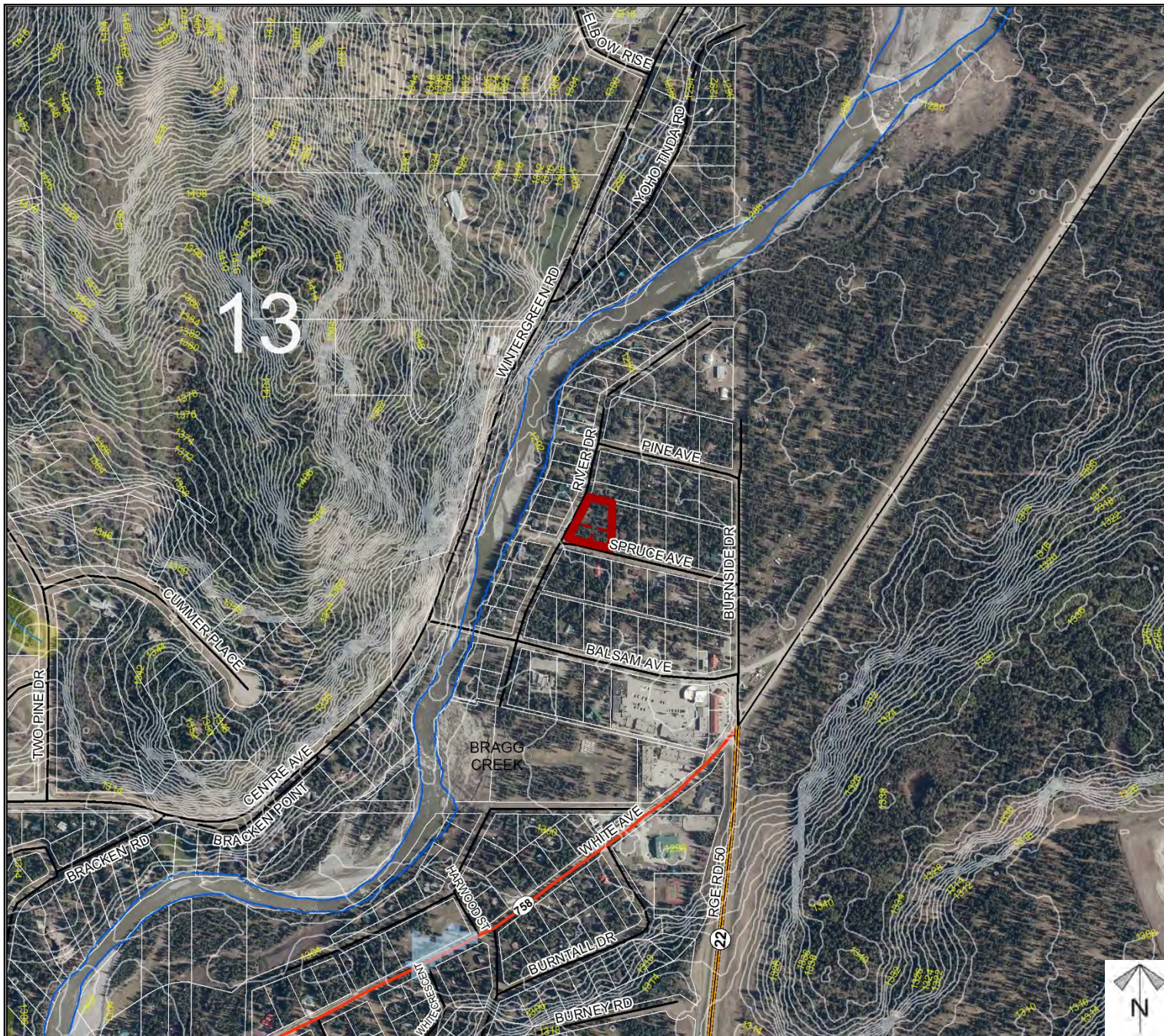


Division: 1
 Roll: 03913064
 File: PL20200055
 Printed: Sept 16, 2020
 Legal: SE-13-23-05-W05M
 Lot: 5, Block 1, Subdivision 1

Environmental

Subdivision Proposal

To create two parcels, ± 0.10 hectares (± 0.25 acres) and ± 0.10 hectares (± 0.25 acres) in size, with a ± 0.23 hectare (± 0.56 acre) remainder.



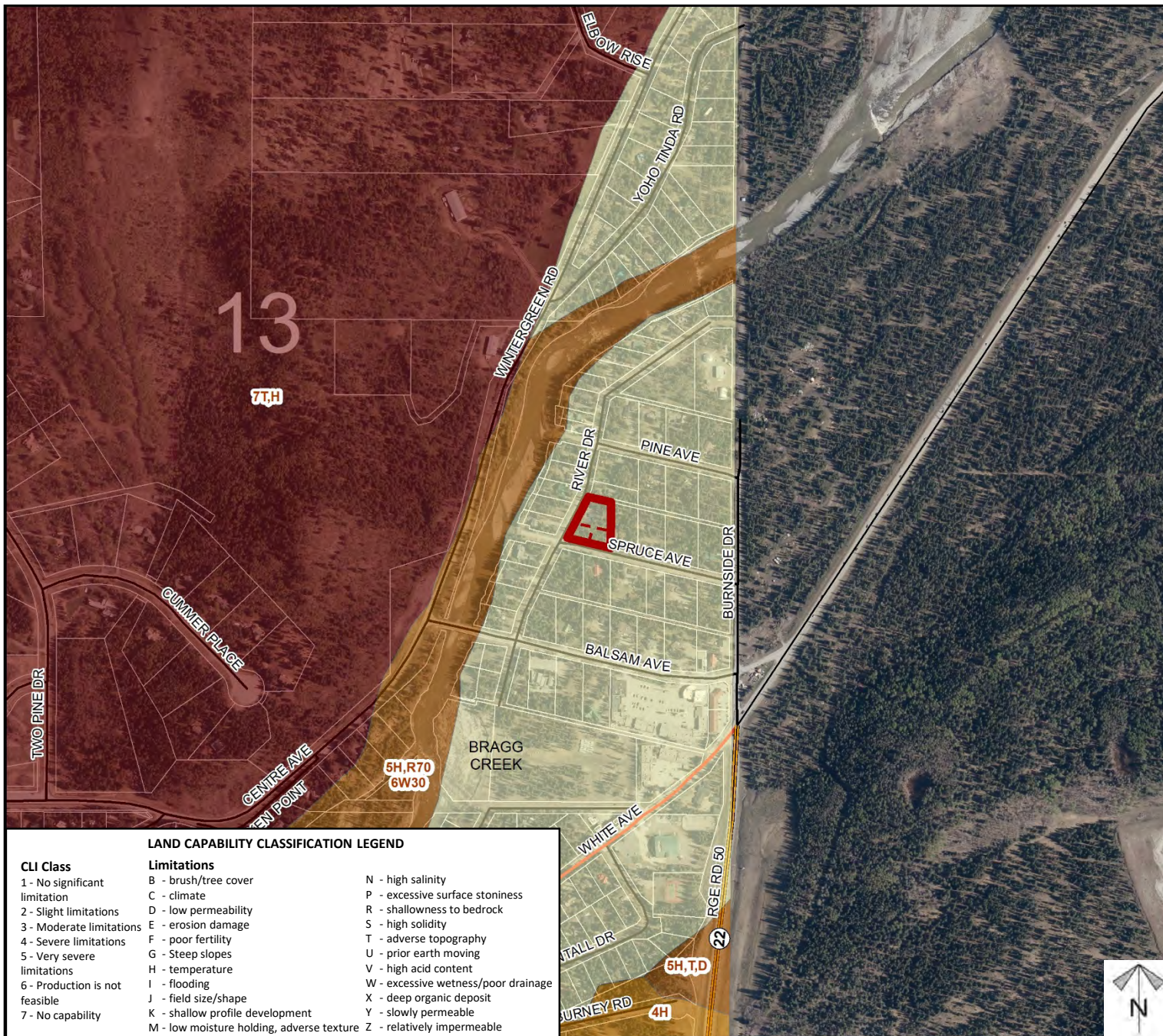
- Subject Lands
- Contour - 2 meters
- Riparian Setbacks
- Alberta Wetland Inventory
- Surface Water

Division: 1
 Roll: 03913064
 File: PL20200055
 Printed: Sept 16, 2020
 Legal: SE-13-23-05-W05M
 Lot: 5, Block 1

Soil Classifications

Subdivision Proposal

To create two parcels, ± 0.10 hectares (± 0.25 acres) and ± 0.10 hectares (± 0.25 acres) in size, with a ± 0.23 hectare (± 0.56 acre) remainder.








Tentative Plan

Subdivision Proposal

To create two parcels, ± 0.10 hectares (± 0.25 acres) and ± 0.10 hectares (± 0.25 acres) in size, with a ± 0.23 hectare (± 0.56 acre) remainder.

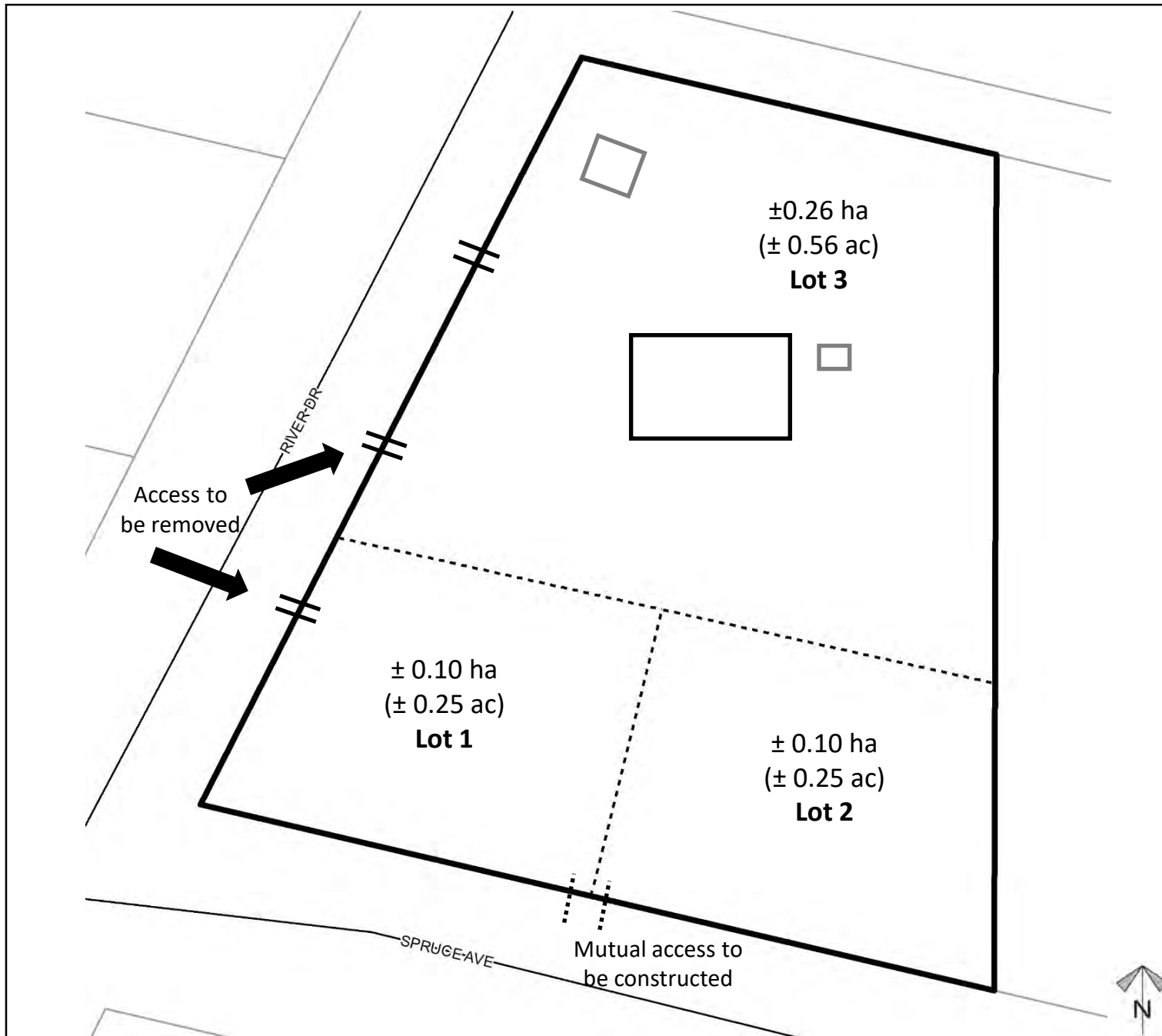
Legend

<i>Dwelling</i>	
<i>Building</i>	
<i>Existing Approach</i>	
<i>New Approach</i>	
<i>Driveway</i>	

Surveyor's Notes:

1. The subdivision will result in one non-conforming building on the Lot 3.
2. Refer to Notice of Transmittal for approval conditions related to this Tentative Plan.

Division: 1
Roll: 03913064
File: PL20200055
Printed: Sept 16, 2020
Legal: SE-13-23-05-W05M
Lot: 5, Block A, Easement





ATTACHMENT 'B': APPROVAL CONDITIONS

- A. The application to create two parcels, ± 0.10 hectares (± 0.25 acres) and ± 0.10 hectares (± 0.25 acres) in size, with a ± 0.23 hectare (± 0.56 acre) remainder from Lot 5, Block 3, Plan 1741 EW, SE-13-23-5-W5M has been evaluated in terms of Section 654 of the *Municipal Government Act* and Sections 7 and 14 of the Subdivision and Development Regulations, and having considered adjacent landowner submissions, it is recommended that the application be 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 remove and reclaim the existing two (2) approaches, as shown on the approved Tentative Plan to the satisfaction of the County;
- 3) The Applicant/Owner shall construct a new mutual approach on Spruce Ave in order to provide access to Lot(s) 1 and 2; In addition, the Owner shall:
 - a) Provide an access right of way plan; and
 - b) Prepare and register respective easements on each title, where required.

Developability

- 4) The Applicant/Owner shall construct appropriately sized & designed water and wastewater utilities main connections & service connections. All work shall be done in accordance with the County Servicing Standards and the Water & Wastewater Utilities Bylaw (C-7662-2017), including:
 - a) The Applicant/Owner shall submit engineered design drawings of the connections for review by the County. Written approval of the design drawings shall be obtained from the Manager of Utility Services prior to construction commencement



ROCKY VIEW COUNTY

- b) The Applicant/Owner shall provide the necessary security for the tie-in to the existing water distribution system and the sanitary collection system, based on an estimated construction cost prepared by a qualified professional.
- 5) The Applicant/Owner is to enter into a Customer Service Agreement with the County in accordance with the approved Tentative Plan for Lot(s) 1 and 2, to provide waste water serving and water servicing to the proposed lots.
- 6) The Applicant/Owner is to provide a detailed Site Specific Stormwater Implementation Plan, prepared by a qualified professional in accordance with the Bragg Creek Master Drainage Plan and County Servicing Standards. Implementation of the Stormwater Management Plan shall include:
 - a) Should the Stormwater Implementation Plan indicate that improvements are required, the Applicant/Owner shall enter into a Development Agreement (Site Improvements / Services Agreement) with the County for the implementation of the improvements outlined in the Site Specific Stormwater Implementation Plan accepted by the County;
 - b) Registration of any required easements, utility rights of way, and utility right-of-way agreements;
 - c) Provision of necessary approvals and compensation provided to Alberta Environment and Parks for wetland loss and mitigation; and
 - d) Provision of necessary Alberta Environment and Parks registration documentation and approvals for the stormwater infrastructure system.

Site Construction

- 7) The Applicant/Owner shall submit an Erosion and Sediment Control Plan in accordance with the County's Servicing Standards.
- 8) The Applicant/Owner shall submit a Construction Management Plan, to the satisfaction of the County. The Plan shall be prepared by a qualified professional, addressing noise mitigation measures, traffic accommodation, sedimentation and dust control, management of storm water during construction, erosion and weed control, construction practices, waste management, firefighting procedures, evacuation plan, and all other relevant construction management detail.

Payments and Levies

- 9) The Applicant/Owner shall pay the Transportation Off-Site Levy in accordance with the Transportation Off-Site Bylaw C-8007-2020.
- 10) The Applicant/Owner shall pay the Water and Wastewater Off-Site Levy in accordance with the Water and Wastewater Off-Site Bylaw C-8009-2020.
- 11) The Applicant/Owner shall pay the County Subdivision Endorsement fee, in accordance with the Master Rates Bylaw, for the creation of two (2) new Lot(s).

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.

**ROCKY VIEW COUNTY****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

Michelle Mitton

From: Robert Hughes [REDACTED]
Sent: June 10, 2020 10:25 AM
To: Christina Lombardo
Subject: [EXTERNAL] - Reference: File #03913064, Application #PL20200055

Categories: CityView Planning Attachment

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

Christina:

As defenders of the natural integrity of Bragg Creek and the habitat of its many animal and bird species, we have never been in favour of allowing subdivisions smaller than 0.5 acres. To most of us, who live here, our property is our sanctuary, where we can look out and appreciate our forest and wildlife. By allowing postage stamp lots for development, most of the vegetation will have to be removed to allow for construction leaving city-like lots to blight the area. This does nothing to enhance what Bragg Creek is famous for, rather only enhancing the pocketbooks of Rocky View and the developers. We are not in favor of these 0.25 acre subdivisions.

Regards,

Robert & Brenda Hughes

16 Spruce Avenue, Bragg Creek
[REDACTED]

Michelle Mitton

From: Brett Schönekeess [REDACTED]
Sent: June 11, 2020 11:07 AM
To: Christina Lombardo
Subject: [EXTERNAL] - Application Number PL20200055

Categories: CityView Planning Attachment

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

Hello,

I am in favour of the proposal to subdivide the lot identified in the above referenced proposal. Increase development and densification is an important aspect of building the hamlet and the Bragg Creek community.

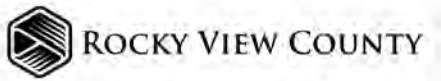
Sincerely,

Brett Schönekeess MBA, PhD
Co-founder, Director, CFO, Distiller
Two Pine Ventures Inc.
Office: 587.997.9394



www.twopineventures.com www.snoday.ca www.firehalldistillers.ca www.braggcreekdistillers.ca

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PLANNING AND DEVELOPMENT SERVICES

TO: Municipal Planning Commission **DATE:** October 8, 2020
DIVISION: 8 **APPLICATION:** PRDP20202312
SUBJECT: Development Item: Dwelling Unit, accessory to the principal use
USE: Discretionary use, with no Variances

APPLICATION: construction of a Dwelling Unit, accessory to the principal use.
(Religious Assembly)

GENERAL LOCATION: Located on the northwest junction of Rge. Rd. 23 and Twp. Rd. 261A.

LAND USE DESIGNATION: Special, Public Service District (S-PUB) under Land Use Bylaw C-8000-2020.

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

OPTIONS:

- Option #1: THAT Development Permit Application PRDP20202312 be approved with the conditions noted in the Development Permit Report, attached.
- Option #2: THAT Development Permit Application PRDP20202312 be refused as per the reasons noted.

AIR PHOTO & DEVELOPMENT CONTEXT:



Administration Resources
Evan Neilsen - Planning and Development Services



DEVELOPMENT PERMIT REPORT

Application Date: August 11, 2020	File: 06609005
Application: PRDP20202312	Applicant/Owner: Middle Path Buddhist Temple
Legal Description: NE-09-26-02-W05M, 23034 TWP RD 261A	General Location: Located on the northwest junction of Rge. Rd. 23 and Twp. Rd. 261A
Land Use Designation: Special, Public Service District (S-PUB)	Gross Area: 8.09 hectares (20.00 acres)
File Manager: Evan Neilsen	Division: 8

PROPOSAL:

Note: this application was assessed in accordance with Land Use Bylaw C-8000-2020 at the request of the Applicant, despite being received prior to September 8, 2020.

This proposal is for the construction of a dwelling accessory to the principal religious facility use for an existing Religious Assembly (Buddhist Temple). The Religious Assembly was approved under Development Permit #20164964 and issued on May 15, 2018.

The dwelling will be used to house monks who will be tasked with maintaining the daily operations of the site. The dwelling will connect into the servicing from the religious facility and will contain four bedrooms upstairs – including two master bedroom suites with dedicated bathrooms, a shared communal kitchen and one communal bathroom. The basement will contain one guest bedroom and one communal bathroom. The dwelling will be constructed on a permanent foundation and will have two parking stalls.

Requirement	Required	Proposed	% Relaxation Required
<i>Front Setback</i>	30.00 m (98.43 ft)	125.46 m (411.61 ft.)	0.00%
<i>Side setbacks(north)/(south)</i>	6.00 m (19.69 ft) / 15.00 m (49.21 ft)	lots/ lots	0.00%
<i>Rear setback</i>	15.00 m (49.21 ft)	lots	0.00%
<i>Height</i>	7.00 m (22.97 ft)	6.50 m (21.32 ft.)	0.00%

STATUTORY PLANS:

City of Calgary/ Rocky View County Inter-municipal Development Plan (IDP):

- Parcel is outside of a residential or industrial growth corridor.
- Parcel is outside of a “key focus area”
- No policies that specifically address this type of development.



MDP:

- The County Plan does address institutional land uses however, there are no policies that specifically address uses accessory to institutional land uses.

Bearspaw Area Structure Plan (ASP)

- The Bearspaw ASP does address institutional land uses however, there are no policies that specifically address uses accessory to institutional land uses.

INSPECTORS COMMENTS (Sept 2, 2020)

- 1 building in place.
- Parking lot built.
- Neat & tidy.
- No concerns at time of inspection.
- Proposed building not constructed.

CIRCULATIONS:

ATCO:

Ground disturbances and surface works within 30 meters require prior written approval from ATCO Pipelines before commencing any work.

- Municipal circulation file number must be referenced; proposed works must be compliant with ATCO Pipelines' requirements as set forth in the company's conditional approval letter.
- Contact ATCO Pipelines' Land Department at 1-888-420-3464 or landadmin@atco.com for more information.

Road crossings are subject to Engineering review and approval.

- Road crossing(s) must be paved and cross at a perpendicular angle.
- Parallel roads are not permitted within ATCO Pipelines' right(s)-of-way.
- If the road crossing(s) requires a pipeline alteration, the cost will be borne by the developer/owner and can take up to 18 months to complete.

Parking and/or storage is not permitted on ATCO Pipelines' pipeline(s) and/or right(s)-of-way.

Encroachments are not permitted on ATCO Pipelines' facility(s) and/or right(s)-of-way.

ATCO Pipelines recommends a minimum 15 meter setback from the centerline of the pipeline(s) to any buildings.

Any changes to grading that alter drainage affecting ATCO Pipelines' right-of-way or facilities must be adequate to allow for ongoing access and maintenance activities.

- If alterations are required, the cost will be borne by the developer/owner.

Any revisions or amendments to the proposed plans(s) must be re-circulated to ATCO Transmissions for further review.

City of Calgary: No response received at the time of this report.

Fire Services & Emergency Management: No Response received at the time of this report.

Building Services:

Advisory Conditions

- Fire alarm system is required if occupant load is more than 10 (sleeping accommodation).



ROCKY VIEW COUNTY

- Fire rated separations are required between sleeping rooms if there are more than 8 lodgers.
- Fire rated public corridor will also be required for exiting.
- Fire rated exit will be required from the basement out to the exterior of the building.
- Floor will require a fire separation, all penetrations require smoke/fire dampers, fire stopping systems, etc.
- Barrier-free path of travel and access is required in the building.

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

Rocky View Water Co-Op: No Response received.

Planning and Development Services – Engineering Review:

General:

- Engineering has no concerns with the approval of this application for the construction of an accessory building with the following comments:

Geotechnical - Section 300.0 requirements:

- Engineering has no requirement at this time as no significant slopes are exceeding 15% have been identified for the location of the proposed accessory building.
- The applicant has not provided information on any grade changes and as such Engineering assumed that all existing grades are to remain as is.
- Engineering has no requirements at this time.

Transportation - Section 400.0 requirements:

- Access to the subject land is provided by the driveway on Twp Rd 261A, no other access have been proposed at this time.
- 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 directly associated with the construction of an accessory building as per Bylaw C-8007-2020
- Engineering has no requirements at this time.

Sanitary/Waste Water - Section 500.0 requirements:

- As per the application, services will be connected to the existing septic holding tank.
- Engineering as no requirement at this time.

Water Supply And Waterworks - Section 600.0 & 800.0 requirements:

- As per the application, services will be extended from the main building to the accessory building. Water is currently supplied by Rocky View Water Co-op Ltd.
- Engineering has no requirement at this time.

Storm Water Management – Section 700.0 requirements:

- No significant increase in site runoff is expected as a result of the proposed development or impact to adjacent landowners.
- Engineering has no requirement at this time.



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 a Dwelling Unit, accessory to the principal religious facility use may be constructed on the parcel in accordance with the site plan and architectural drawings dated September 11, 2020 and updated on September 18, 2020 (Drawings A2 and A3) and updated on September 23, 2020 (Drawing A1) which include the following:
 - a. Construction of a 320.62 sq. m. (3,451.16 sq. ft.) dwelling unit, consisting of an approximately 160.31 sq. m. (1,725.58 sq. ft.) main floor and a 160.31 sq. m. (1,725.58 sq. ft.) basement constructed on a permanent foundation.

Prior-to-Issuance

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

Permanent

3. That at least 2 parking stalls shall be maintained onsite, adjacent to the dwelling unit, for residential parking only, as illustrated on the updated site plan on sheet A1, dated September 23, 2020.
4. That it is the Applicant/Owner's responsibility to obtain and display a distinct municipal address in accordance with the County Municipal Addressing Bylaw (Bylaw C-7562-2016), for each dwelling unit located on the subject site, to facilitate accurate emergency response.
5. That there shall be no more than 1.00 m (3.28 ft.) of fill adjacent to or within 15.00 m (49.21 ft.) of the proposed development under construction unless a Development Permit has been issued for additional fill.

Advisory

6. That during construction, the County's Noise Control Bylaw C-5772-2003 shall be adhered to at all times.
7. That during construction, all construction and building materials shall be maintained onsite, in a neat and orderly manner. Any debris or garbage shall be stored/placed in garbage bins and disposed of at an approved disposal facility.
8. 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]*.
9. That a Building Permit and sub-trade permits shall be obtained through Building Services, prior to any construction taking place and shall include:
 - a. A fire alarm system is required if the Occupant load is greater than 10 (sleeping accommodation).



ROCKY VIEW COUNTY

- b. Fire rated separations are required between sleeping rooms if there are more than 8 lodgers. A fire-rated public corridor will also be required for exiting.
 - c. A fire-rated exit will be required from the basement out to the exterior of the building.
 - d. The floor will require a fire separation, all penetrations will require smoke/fire dampers, fire stopping systems, and other fire suppression infrastructure as required.
 - e. A barrier-free path of travel and barrier-free access is required within the building interior.
10. That any other government permits, approvals, or compliances are the sole responsibility of the Applicant/Owner.
- a. That the Applicant/Owner shall adhere to any requirements of ATCO Gas Pipeline Instruments registered on title.
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 **APRIL 30, 2021** or the approved extension date, then this approval is null and void and the Development Permit shall not be issued.

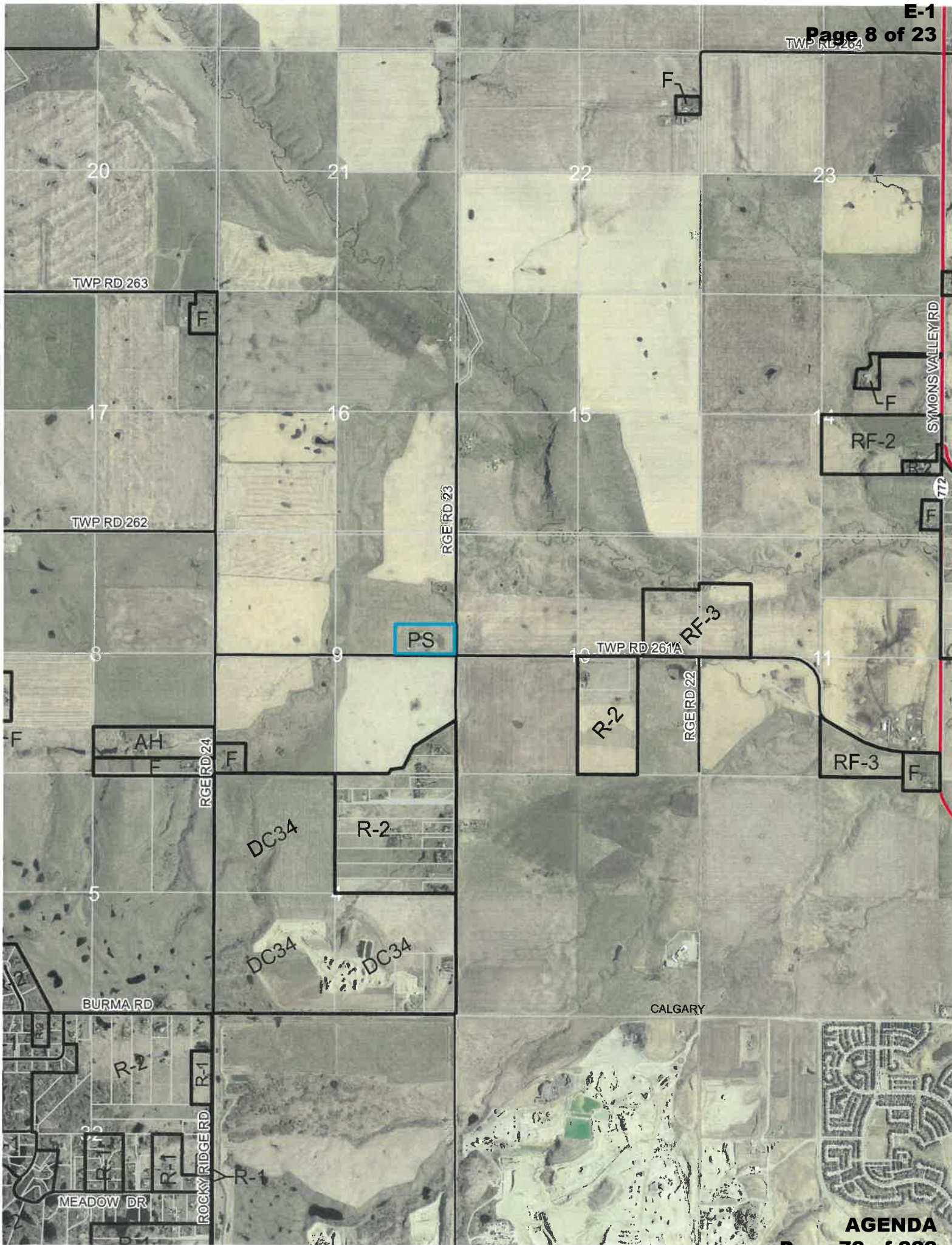
Option #2 (this would not allow the development to commence)

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.

Development Authority







ROCKY VIEW COUNTY
Cultivating Communities

20202312

APPLICATION FOR A DEVELOPMENT PERMIT

FOR OFFICE USE ONLY	
Fee Submitted \$315.00	File Number 08669005
Date of Receipt Aug 11, 2020	Receipt # 2020025030

Name of Applicant Paul Lee Email _____

For Agents please supply Business/Agency/ Organization Name _____

Registered Owner (if not applicant) Euli Sheng

1. LEGAL DESCRIPTION OF LAND

- a) All / part of the NE ¼ Section 9 Township 26 Range 2 West of 5 Meridian
- b) Being all / parts of Lot _____ Block _____ Registered Plan Number _____
- c) Municipal Address 23034 Township Road 261 A
- d) Existing Land Use Designation _____ Parcel Size _____ Division _____

2. APPLICATION FOR

Dwelling

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 PAUL LEE hereby certify that _____ I am the registered owner
(Full Name in Block Capitals)

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

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

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

Applicant's Signature _____

Date _____

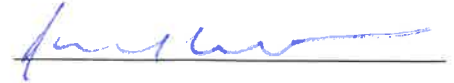
Aug 10, 2020

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


SignatureAug 10, 2020
Date

Date: Aug 11, 2020

Evan Neilsen
Development Assistant
Planning and Development Services
262075 Rocky View Point
Rocky View County, AB T4A 0X2

RE: Development Permit application for Middle Path Buddhist Temple of Calgary

This is to confirm the usage of the new building is the living quarters for the monks who look after the day-to-day operations of the existing temple. Water for the new building will be extended from the existing temple that is supplied by Rocky View Water Co-op Ltd. Gas, and electricity will also be extended from the existing temple. Waste will be connected to the existing septic holding tank that services the temple.

The use of the building will be the living quarter for the monks and will be occupied full-time so that the daily operations of the temple can be maintained.

Yours truly,



Paul Lee, P.Eng., B.Comm., M.B.A.



LAND TITLE CERTIFICATE

S
LINC SHORT LEGAL TITLE NUMBER
0021 239 851 5;2;26;9;NE 141 342 163

LEGAL DESCRIPTION

MERIDIAN 5 RANGE 2 TOWNSHIP 26
SECTION 9
THE SOUTH 660 FEET OF THE EAST 1320 FEET
OF THE NORTH EAST QUARTER
CONTAINING 8.09 HECTARES (20 ACRES) MORE OR LESS
EXCEPTING THEREOUT ALL MINES AND MINERALS

ESTATE: FEE SIMPLE

MUNICIPALITY: ROCKY VIEW COUNTY

REFERENCE NUMBER: 091 264 402

REGISTERED OWNER(S)				
REGISTRATION	DATE (DMY)	DOCUMENT TYPE	VALUE	CONSIDERATION
141 342 163	16/12/2014	TRANSFER OF LAND	\$975,000	CASH & MORTGAGE

OWNERS

MIDDLE PATH BUDDHIST TEMPLE OF CALGARY.
OF 107 EDGEHILL COURT NW
CALGARY
ALBERTA T3A 2X3

ENCUMBRANCES, LIENS & INTERESTS

REGISTRATION NUMBER	DATE (D/M/Y)	PARTICULARS
1035IQ	04/12/1962	CAVEAT RE : RIGHT OF WAY AGREEMENT CAVEATOR - CANADIAN WESTERN NATURAL GAS COMPANY LIMITED. "EAST 800 FEET"
781 145 144	12/09/1978	UTILITY RIGHT OF WAY

(CONTINUED)

ENCUMBRANCES, LIENS & INTERESTS

PAGE 2
141 342 163

REGISTRATION

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

GRANTEE - CANADIAN WESTERN NATURAL GAS COMPANY
LIMITED.

841 184 790 09/11/1984 UTILITY RIGHT OF WAY
GRANTEE - CANADIAN WESTERN NATURAL GAS COMPANY
LIMITED.
"NORTH 6.1 METRES OF EAST 170.7 METRES"

191 251 330 10/12/2019 MORTGAGE
MORTGAGEE - KEB HANA BANK CANADA.
100,1222-11 AVENUE SW
CALGARY
ALBERTA T3C0M4
ORIGINAL PRINCIPAL AMOUNT: \$300,000

191 251 331 10/12/2019 CAVEAT
RE : ASSIGNMENT OF RENTS AND LEASES
CAVEATOR - KEB HANA BANK CANADA.
SUITE 206,1333-8TH STREET SW
CALGARY
ALBERTA T2R1M6
AGENT - WESLEY B MAH.

TOTAL INSTRUMENTS: 005

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN
ACCURATE REPRODUCTION OF THE CERTIFICATE OF
TITLE REPRESENTED HEREIN THIS 11 DAY OF AUGUST,
2020 AT 03:47 P.M.

ORDER NUMBER: 39895647

CUSTOMER FILE NUMBER: PRDP20202312



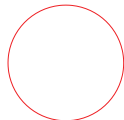
END OF CERTIFICATE

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).



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No.	Revisions / Issued	Date
1	Building Height	17/09/2020

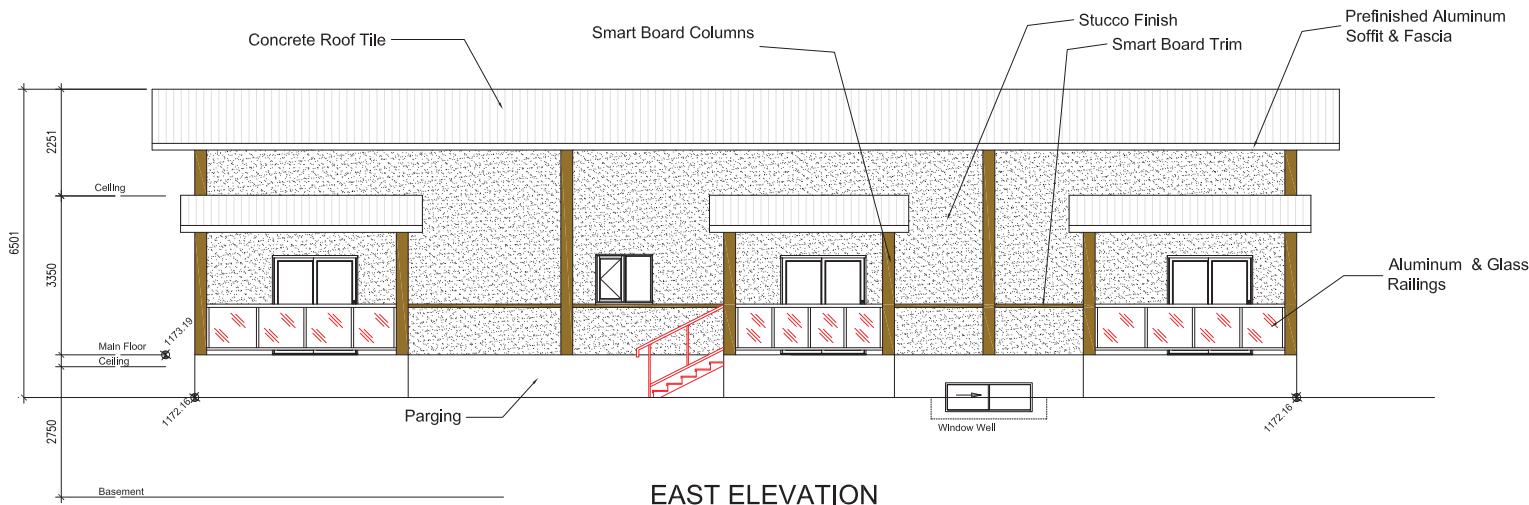
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2	2. Sheet Number Where Required
3	3. Sheet Number Where Details

PROJECT TITLE
Middle Path Phase 2

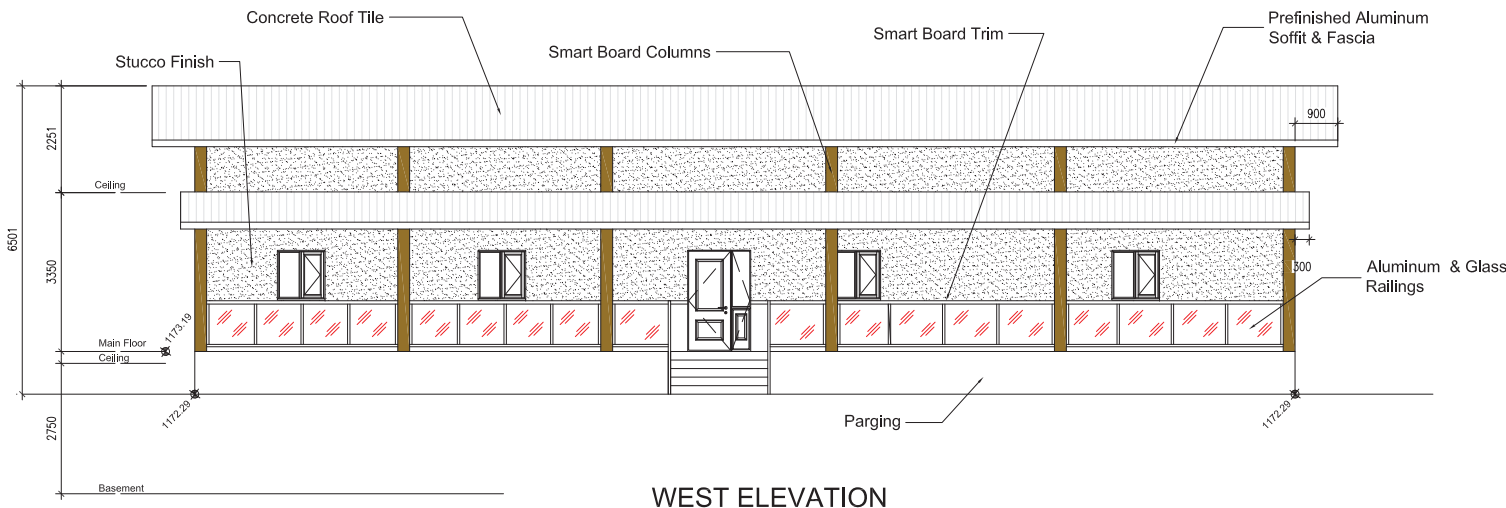
DRAWING TITLE
EAST & WEST ELEVATION

SCALE: 1/4" = 1'-0"
DRAWN BY:
CHECKED BY:
PROJECT NO:
DATE:

A2



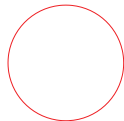
EAST ELEVATION



WEST ELEVATION



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No	Revisions / Issued	Date
1	Building Height	17/09/2020

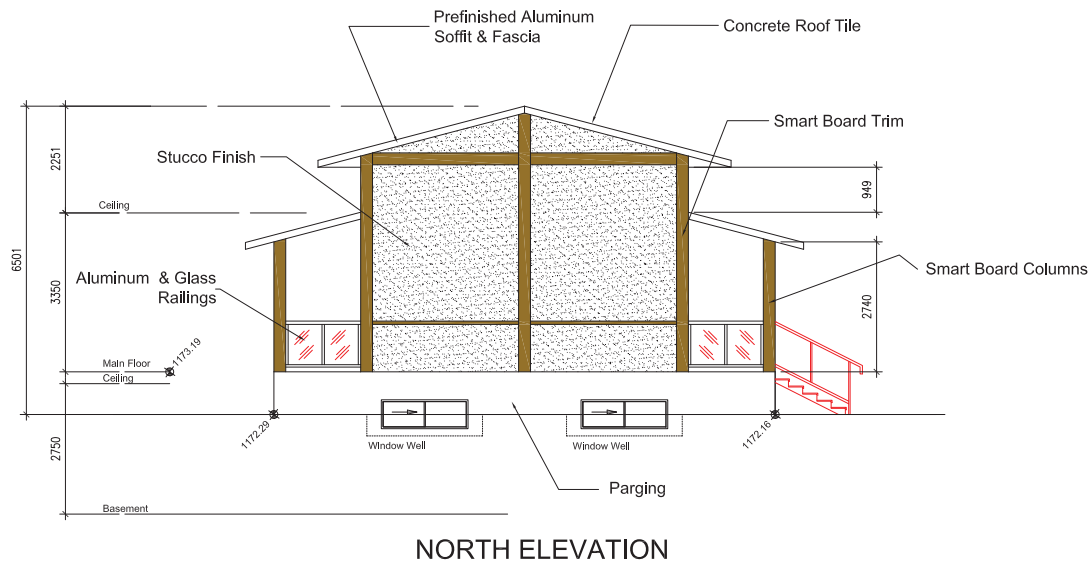
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2	2. Sheet Number Where Required
3	3. Sheet Number Where Detail

PROJECT TITLE
Middle Path Phase 2

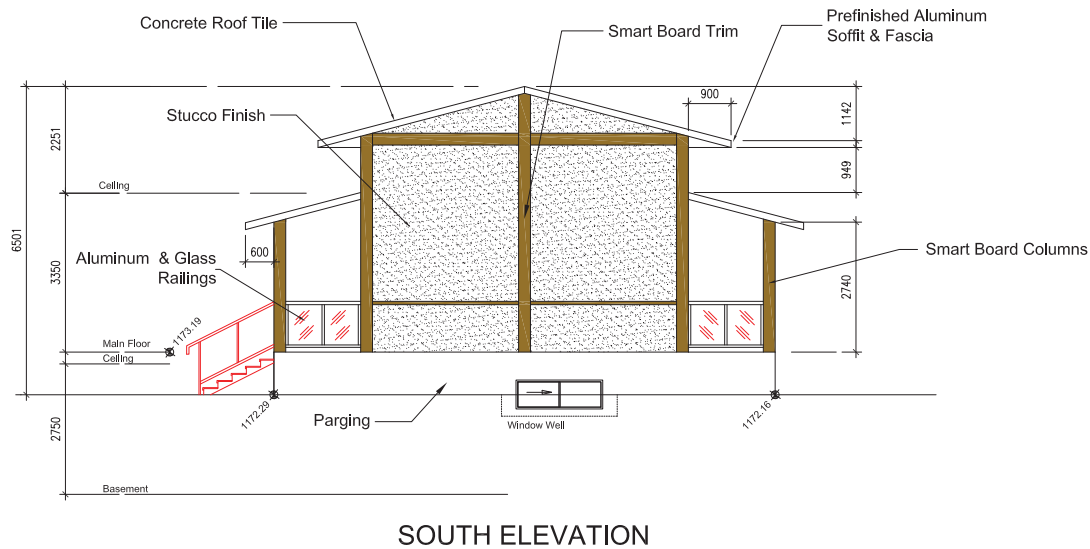
DRAWING TITLE
NORTH & SOUTH ELEVATION

SCALE: 1/4" = 1'-0"
DRAWN BY:
CHECKED BY:
PROJECT NO:
DATE:

A3



NORTH ELEVATION



SOUTH ELEVATION



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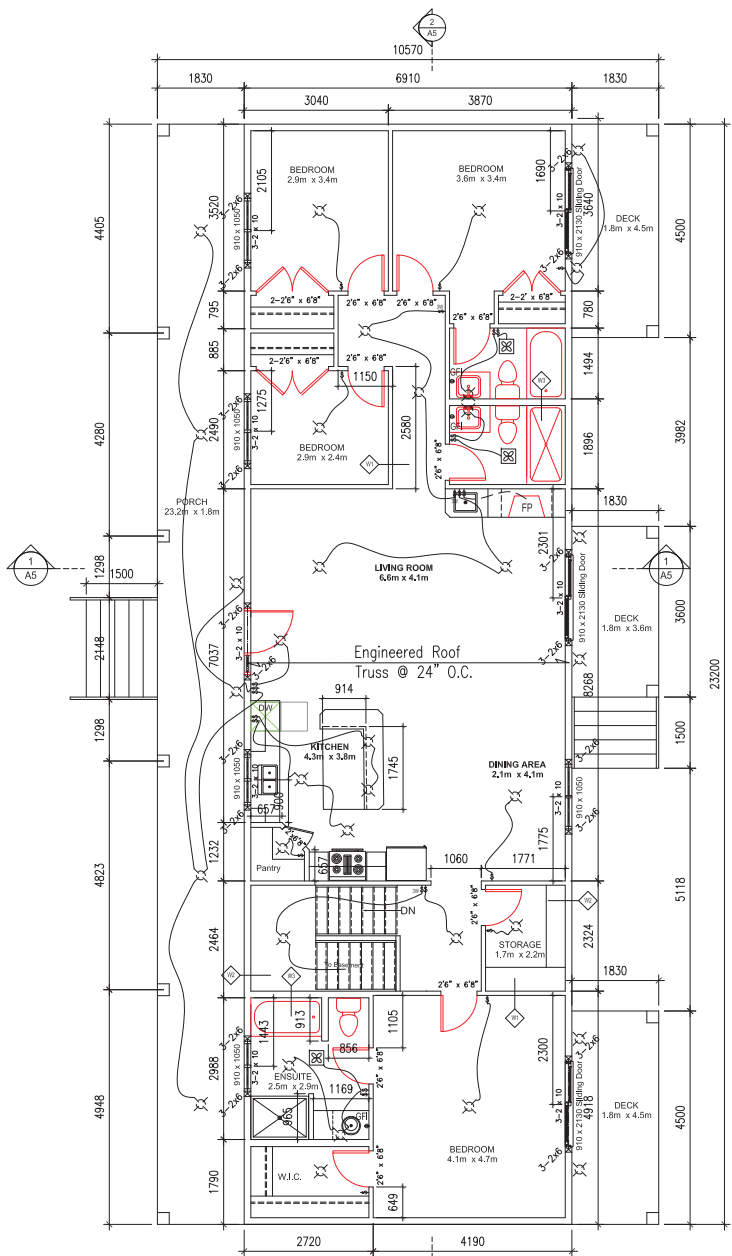
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2	2. Sheet Number Where Required
3	3. Sheet Number Where Details

PROJECT TITLE
Middle Path Phase 2

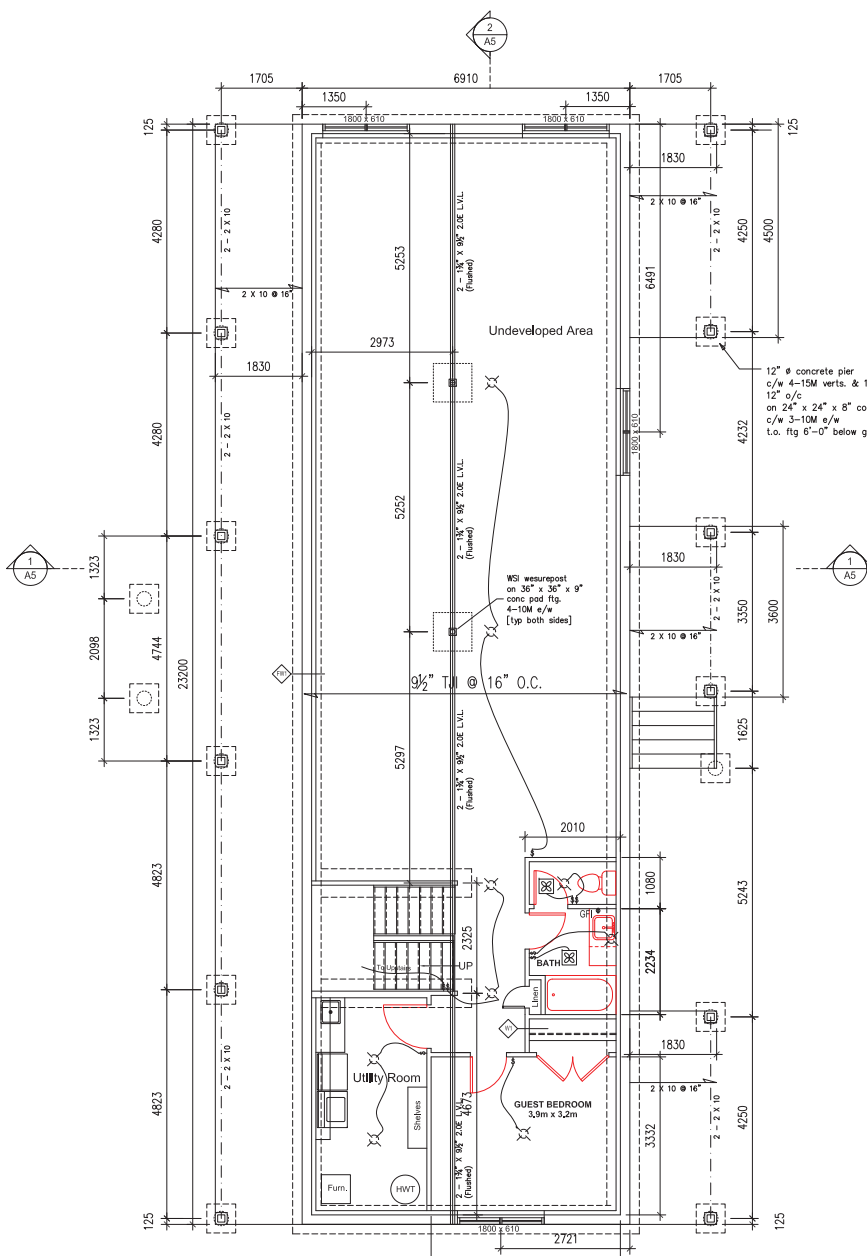
DRAWING TITLE
MAIN & BASEMENT PLAN

SCALE: 1/4" = 1'-0"
DRAWN BY:
CHECKED BY:
PROJECT NO:
DATE:

A4



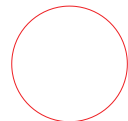
MAIN FLOOR PLAN
SCALE: 1/4" = 1'-0"
MAIN FLOOR AREA = 180 m²



BASEMENT FLOOR PLAN
SCALE: 1/4" = 1'-0"
LOWER FLOOR AREA = 37.1 m²



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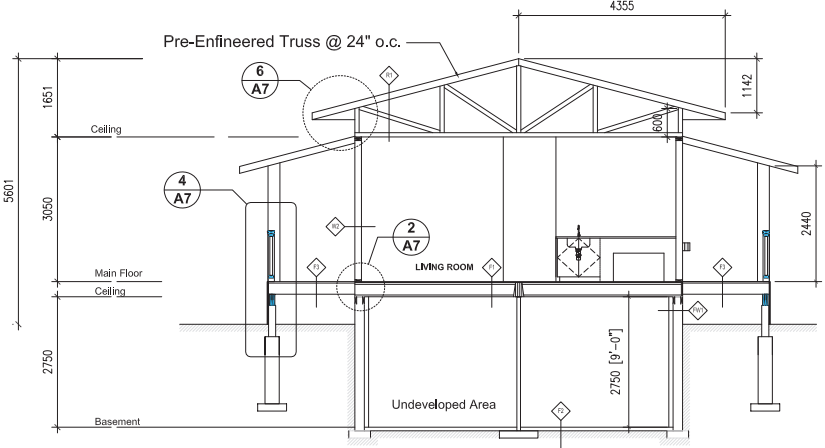
No.	Revisions / Issued	Date

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2	2. Sheet Number Where Required
3	3. Sheet Number Where Details

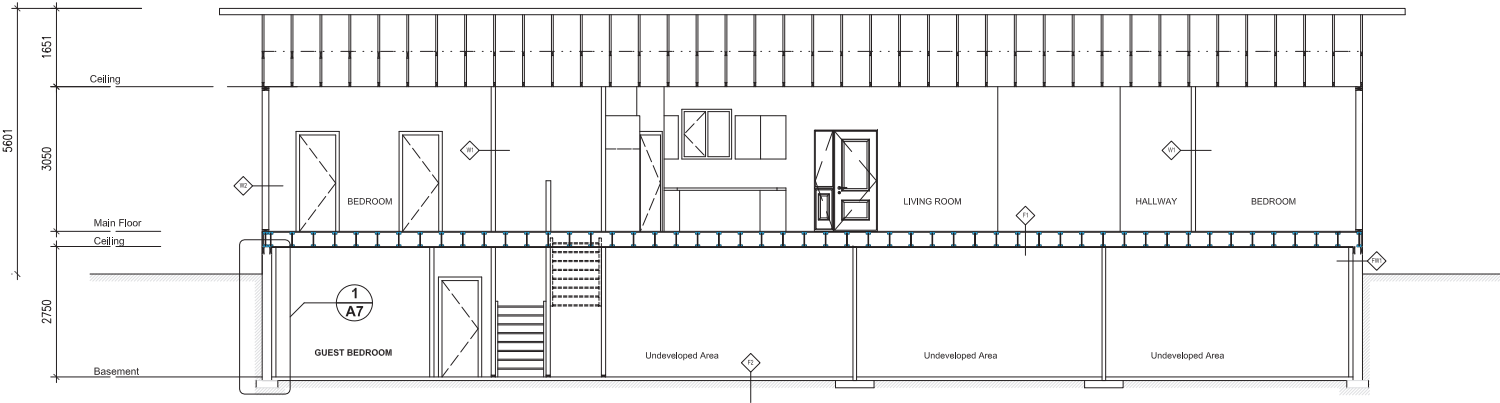
PROJECT TITLE
Middle Path Phase 2

DRAWING TITLE
BUILDING SECTIONS

SCALE: 1/4" = 1'-0"
DRAWN BY:
CHECKED BY:
PROJECT NO:
DATE:



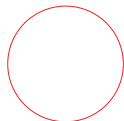
Building Section 1-1



Building Section 2-2



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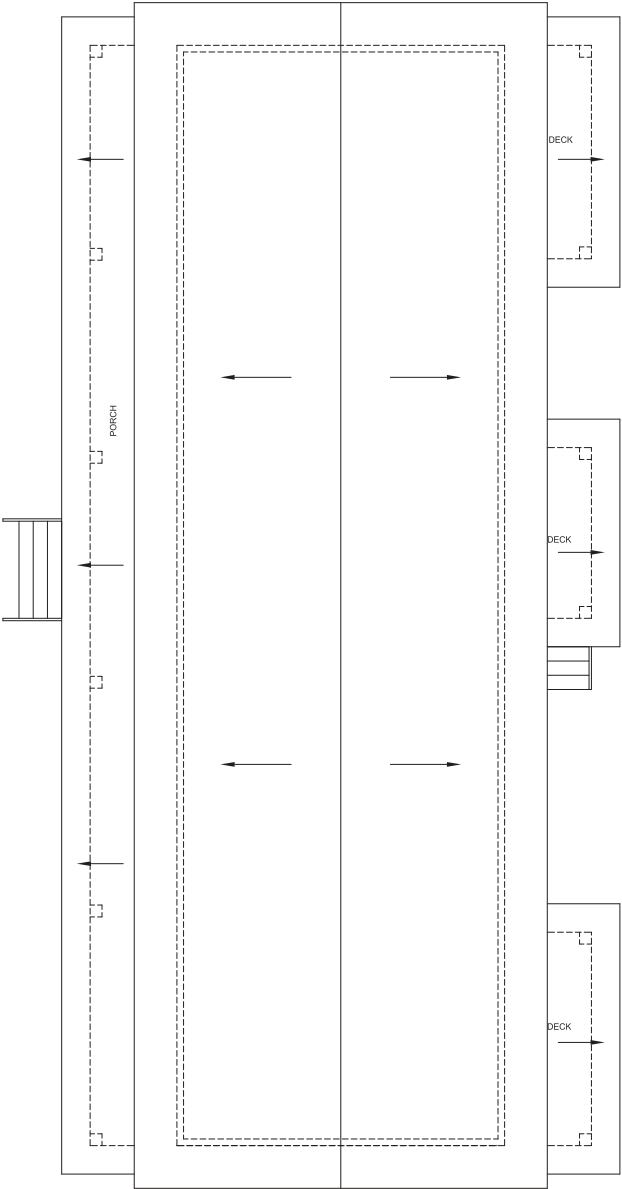
1	1. Detail, Section or Elevation Number
2	2. Sheet Number Where Required
3	3. Sheet Number Where Details

PROJECT TITLE
Middle Path Phase 2

DRAWING TITLE
ROOF PLAN & NOTES

SCALE: 1/4" = 1'-0"
DRAWN BY:
CHECKED BY:
PROJECT NO:
DATE:

A6



ROOF PLAN

SCALE: 1/4" = 1'-0"

GENERAL NOTES:

ALL CONC. TO BE 3000 P.S.I. @ 28 DAYS.
ALL SOFFITS TO BE PREFIN. VENTED ALUMINUM.
ALL FASCIA BDS TO BE PREFIN. ALUMINUM
ALL FRAMING TO BE S.P.F. # 2 OR BETTER AS PER PLAN.

ALL LINTELS OVER OPENINGS IN EXTERIOR WALLS TO BE 2- 2 X10'S UNLESS NOTED OTHERWISE ON PLANS.

FOOTINGS TO REST ON NATIVE, UNDISTURBED SOIL HAVING AN ALLOWABLE BEARING PRESSURE OF 144 Kpa ASSUMED.

5" 26 Ga G.I. EAVESTROUGHING C/W DOWNSPOUTS & COVERING (FOR LEAVES).

4" DIA. WEEPING TILE C/W 6" LOOSE GRAVEL COVER AT PERIMETER OF FOUNDATION AS REQ'D.

PROVIDE BUILT-UP STUDS UNDER BUILT UP BEAMS
TO MATCH NUMBER OF LAMINATIONS IN BEAM.
(Eg. 3- 2 X 6 REQ'D UNDER 3- 2 X10 BEAM)

DO NOT SCALE DRAWINGS
READ ALL DIMENSIONS
REPORT ALL DISCREPANCIES TO THE ARCHITECT

CONSTRUCTION NOTES:

WALLS

FW1 TYPICAL FOUNDATION WALL:
1/2" DRYWALL TAPED & FILLED
6 MIL. POLY. VAPOUR BARRIER
2 x 4 STUDS @ 16" O/C
R-12 BATT INSULATION

8" CONCRETE WALL
C/W 2 - 15M TOP & BOTTOM
VERTS DOWELLED TO FTG. W/ 10M x 24" LONG @ 24" O/C
PARGE ABOVE GRADE AND DAMPPROOF BELOW GRADE WHERE APPLICABLE.)
ON 8" X 24" CONT. CONC. FOOTING W/ 2-15M AT BOTTOM.; 2 x 4 SHEAR KEY

W1 TYPICAL 4" INTERIOR WALL
2 x 4 STUDS @ 16" O/C
1/2" DRYWALL TAPED & FILLED on each side
(1/2" "TILE BACKER" AROUND TUB, TAPED & FILLED)

W2 TYPICAL EXTERIOR WALL
EXTERIOR FINISH - AS PER ELEVS.
BUILDING PAPER
1/2" EXTERIOR GRADE PLYWOOD SHEATHING
2 x 6 FRAMING @ 16" O/C
R-20 BATT INSULATION
6 MIL. POLY V.B.
1/2" DRYWALL TAPED & FILLED

W3 TYPICAL 6" INTERIOR PLUMBING WALL
2 x 6 STUDS @ 16" o.c.
1/2" DRYWALL TAPED & FILLED on each side
(1/2" "TILE BACKER" AROUND TUB, TAPED & FILLED)

ROOF

R1 2-PLY ROOFING MEMBRANE
ROOFING UNDERLAYMENT
3/4" PLYWOOD SHEATHING C/W H-CLIPS
PRE-ENGINEERED ROOF TRUSSES @ 24" O.C.
R-40 BATT INSUL
6 MIL. POLY V.B.
1/2" DRYWALL CEILING TAPED & FILLED
NOTE: VENTED TO CODE

FLOORS

F1 FINISH FLOORING:
3/8" PLY. SUBFLOOR
3/4" PLY. SHEATHING
(SHEATHING GLUED & SCREWED TO JOISTS)
FLOOR JOISTS AS PER PLAN C/W
CROSS-BRIDGING @ 7'-0" O/C MAX.
1/2" DRYWALL CEILING, TAPED & FILLED

*SUBFLOOR TO HAVE A WATER RESISTANCE MEMBRANE
IN W/R, KITCHEN, LAUNDRY & ENTRY

F2 SLAB ON GRADE:
4" CONC. SLAB W/ 6 X 6 10/10 WWM
DOWELLED TO FNDN. W/10M @ 16" 3" INTO WALL
ON 6" COMPACTED GRAVEL FILL.

F3 PORCH:
3/4" PLYWD. SHEATHING
(SHEATHING GLUED & SCREWED TO JOISTS)
FLOOR JOISTS AS PER PLAN C/W
CROSS-BRIDGING @ 7'-0" O/C MAX.



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No	Revisions /	Issued	Date

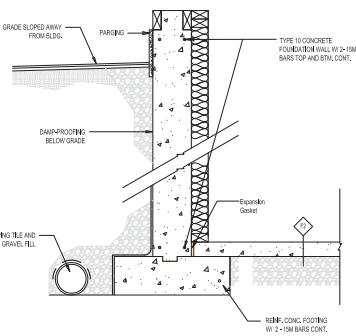
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2	2. Sheet Number Where Required
3	3. Sheet Number Where Details

PROJECT TITLE
Middle Path Phase 2

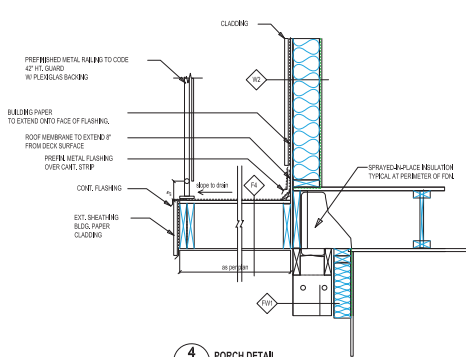
DRAWING TITLE
DETAILS

SCALE: 1/4" = 1'-0"
DRAWN BY:
CHECKED BY:
PROJECT NO:
DATE:

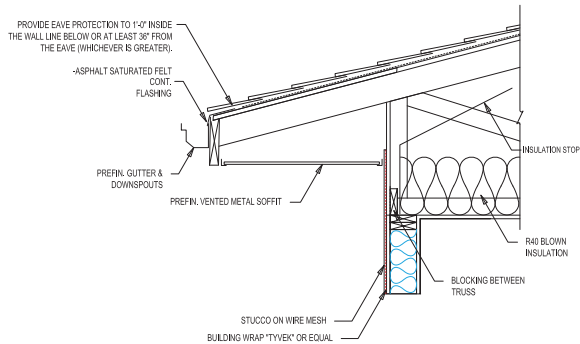
A7



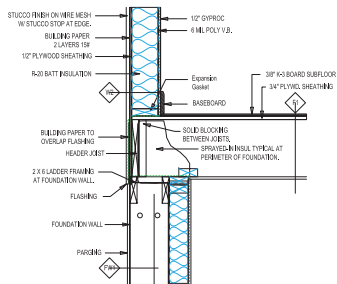
1
A7 TYPICAL FOUNDATION WALL DETAIL
SCALE: 1" = 1'-0"



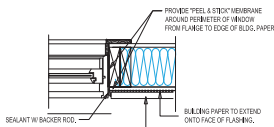
4
A7 PORCH DETAIL
SCALE: 1" = 1'-0"



6
A7 TYPICAL EAVE DETAIL
SCALE: 1" = 1'-0"

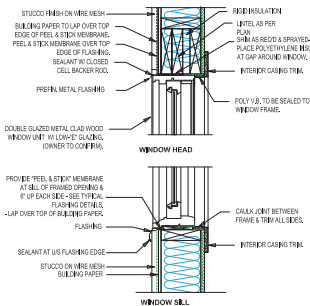


2
A7 FLOOR AT FOUNDATION DETAIL
SCALE: 1" = 1'-0"

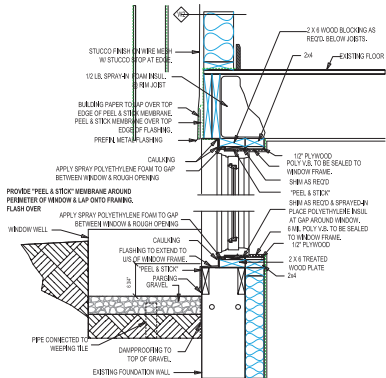


WINDOW JAMB

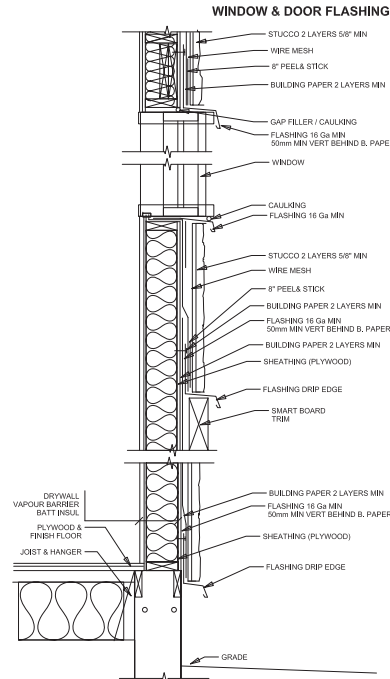
NOTE AT WINDOW AND DOOR OPENINGS:
PRESS TO WINDOW AND DOOR INSTALLATION ENSURE
THAT OPENING IS COVERED WITH BLUESHIELD
ATTACHED TO WINDOW VAPOR BARRIER AND
EXTENDING A MINIMUM OF 4" AROUND OPENING.



5
A7 WINDOW DETAILS AT STUCCO FINISH
SCALE: 1" = 1'-0"



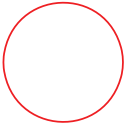
3
A7 WINDOW AT FOUNDATION WALL DETAIL
SCALE: 1" = 1'-0"



STUCCO, SMART BOARD & WINDOW
FLASHING



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No	Revisions / Issued	Date

1	1. Detail, Section or Elevation Number
2	2. Sheet Number Where Required
3	3. Sheet Number Where Details

PROJECT TITLE
Middle Path Phase 2

DRAWING TITLE
SITE PLAN

SCALE: 1 : 300
DRAWN BY:
CHECKED BY:
PROJECT NO:
DATE:

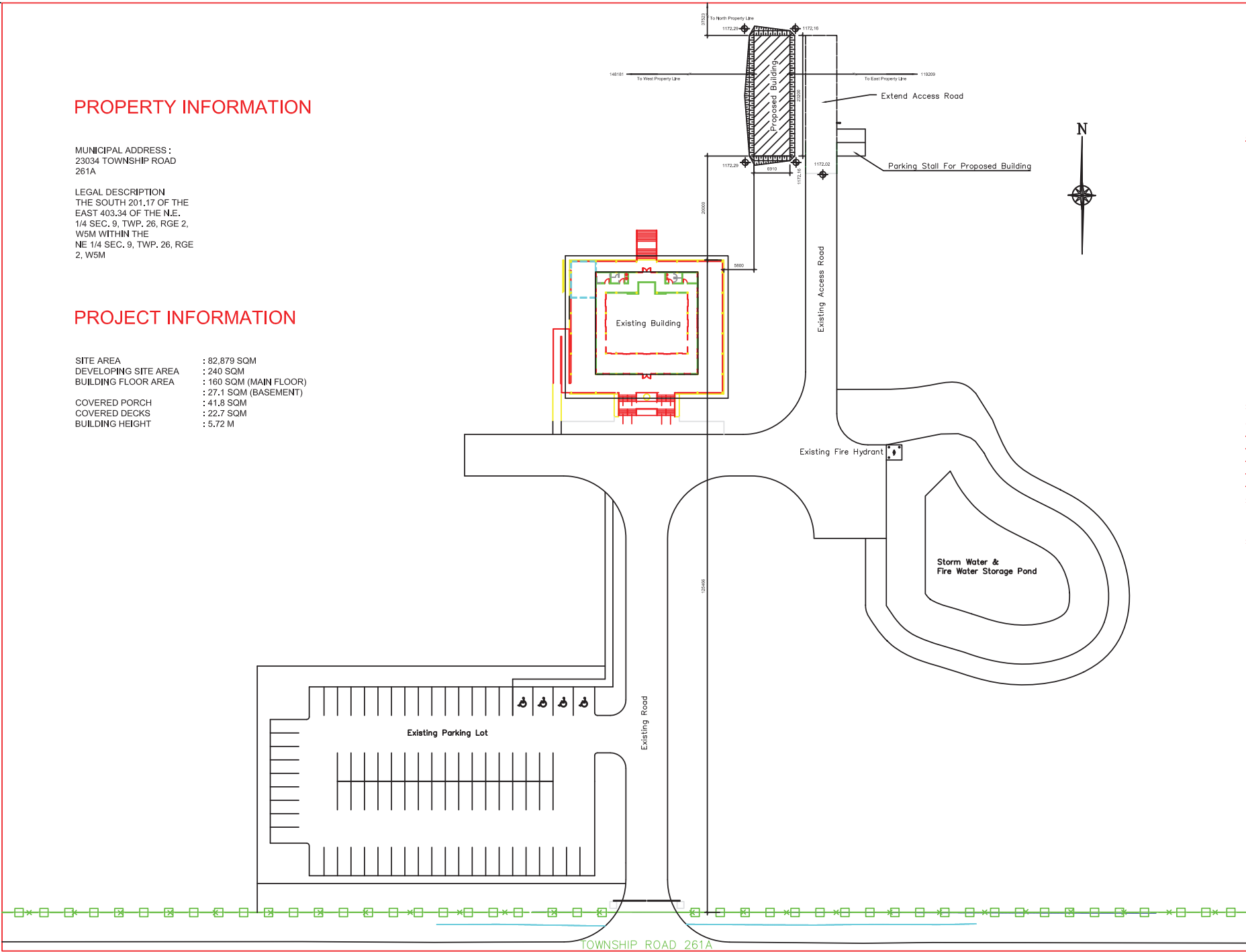
PROPERTY INFORMATION

MUNICIPAL ADDRESS :
23034 TOWNSHIP ROAD
261A

LEGAL DESCRIPTION
THE SOUTH 201.17 OF THE
EAST 403.34 OF THE N.E.
1/4 SEC. 9, TWP. 26, RGE 2,
W5M WITHIN THE
NE 1/4 SEC. 9, TWP. 26, RGE
2, W5M

PROJECT INFORMATION

SITE AREA : 82,879 SQM
DEVELOPING SITE AREA : 240 SQM
BUILDING FLOOR AREA : 160 SQM (MAIN FLOOR)
: 27.1 SQM (BASEMENT)
COVERED PORCH : 41.8 SQM
COVERED DECKS : 22.7 SQM
BUILDING HEIGHT : 5.72 M



TOWNSHIP ROAD 261A







PLANNING AND DEVELOPMENT SERVICES

TO: Municipal Planning Commission
DIVISION: 1
SUBJECT: Development Item: Accessory Building
USE: Permitted use, with Variances

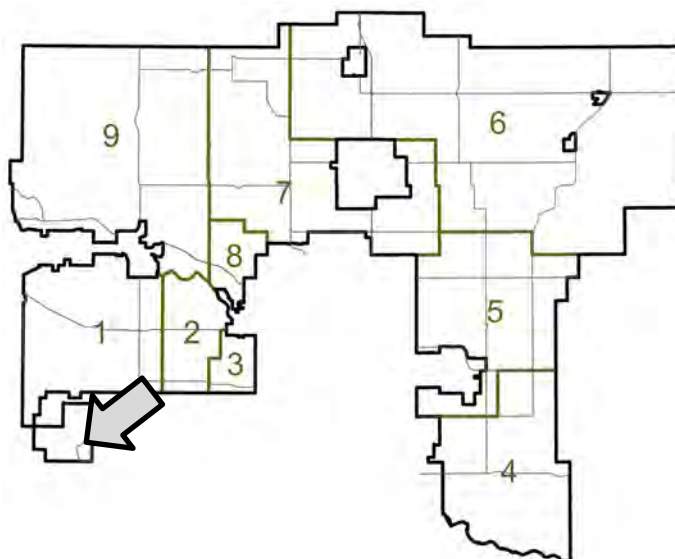
DATE: October 8, 2020
APPLICATION: PRDP20202123

APPLICATION: accessory building (existing greenhouse), relaxation of the minimum rear yard setback requirement.

GENERAL LOCATION: Located approximately 1.21 km (3/4 mile) north of Twp. Rd. 234, and 0.81 km (1/2 mile) west of the Tsuut'ina reserve

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.



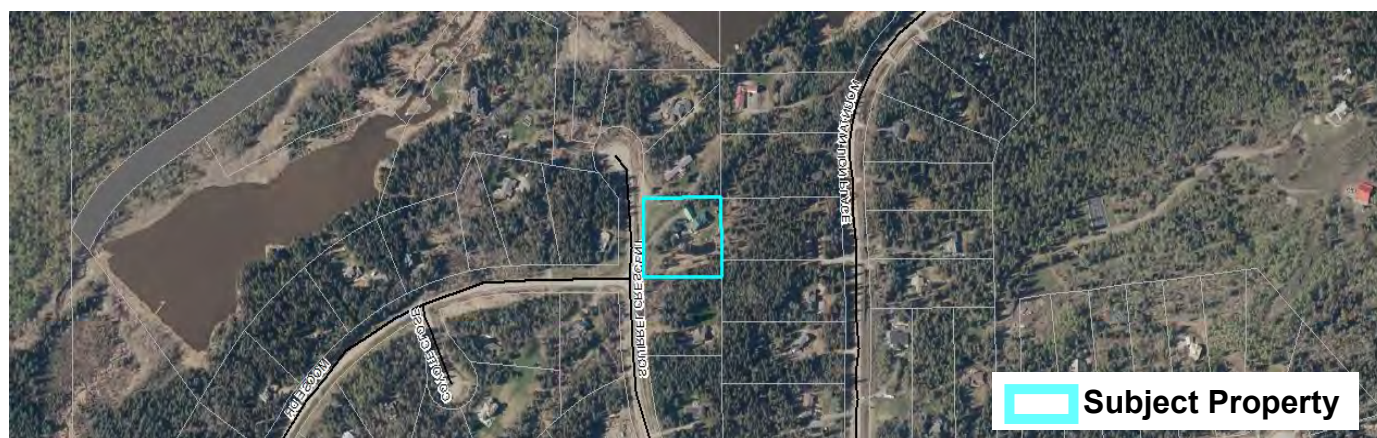
VARIANCE SUMMARY:

Variance	Requirement	Proposed	Percentage (%)
Rear Yard Setback Requirement	7.00 m (22.96 ft.)	4.07 m (13.35 ft.)	41.86%

OPTIONS:

- Option #1: THAT Development Permit Application PRDP20202123 be approved with the conditions noted in the Development Permit Report, attached.
- Option #2: THAT Development Permit Application PRDP20202123 be refused as per the reasons noted.

AIR PHOTO & DEVELOPMENT CONTEXT:



Administration Resources
 Scott Thompson - Planning and Development Services

Application No.	PRDP20202123	File Manager	Scott Thompson
District	Residential One (R-1)	Gross Area (ha)	0.81
Use	accessory building (existing greenhouse), relaxation of the minimum rear 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.

Use and District Intent Check	Yes/No
Is the proposed development a listed use?	Yes
Does the proposed development meet the use definition?	Yes
Does the proposed development meet the Purpose and Intent?	Yes

Comments
The proposed use is a permitted use within the district. It is 7.94 sq. m (85.40 sq. ft.) and it is used as a personal greenhouse.

Area property lines adjacent to a paved road?					
Front Yard	Yes	Side Yard 1	No	Side Yard 2	No

Comments
The property fronts onto Squirrel Crescent

		Regulation	Min/Max	Proposed	Δ	Variance
Principal Building:	48.5 (b)	Front Yard Setback (m)	15.00	47.81	32.81	
	(c)	Side Yard Setback (m)	3.00	49.32	46.32	
	(c)	Side Yard Setback (m)	3.00	5.96	2.96	
	(d)	Rear Yard Setback (m)	7.00	14.60	7.60	
	48.6	Habitable Floor Area (m ²)			0.00	
	48.7	Building Height (m)			0.00	
	20.3	SDD/lot	1		-1.00	
Acc. Bld #1	48.5 (b)	Front Yard Setback (m)	15.00	33.57	18.57	
	(c)	Side Yard Setback (m)	3.00	49.46	46.46	
	(c)	Side Yard Setback (m)	3.00	40.00	37.00	
	(d)	Rear Yard Setback (m)	7.00	40.00	33.00	
	48.7 (b)	Building Height (m)			0.00	
	48.2	Single Acc. Bld Area (m ²)			0.00	
Acc. Bld #2	48.5 (b)	Front Yard Setback (m)	15.00	15.00	0.00	
	(c)	Side Yard Setback (m)	3.00	12.78	9.78	
	(c)	Side Yard Setback (m)	3.00	60.00	57.00	
	(d)	Rear Yard Setback (m)	7.00	4.07	-2.93	41.86% VARIANCE
	48.7 (b)	Building Height (m)			0.00	
	48.2	Single Acc. Bld Area (m ²)			0.00	

Comments
No Issues with the principal dwelling; it meets all required setbacks. Constructed in 1997 (1997-BP-11574).
Accessory building #1 is a detached garage built in 2013 (2013-BP-25599). Meets all required setbacks. Accessory building #2 is the noted greenhouse
A variance is required for a rear yard setback, in order to bring the property into compliance and to stamp the Real property Report.

General Accessory Building Regulations					
20.3	ADU/lot	1	0	-1.00	
48.9	Total Acc. Bld Area (m ²)	120.00	75.60	-44.40	
48.10	No. Acc. Bld	2.00	2	0.00	

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	
IDP	N/A		
MDP	County Plan	No	Yes
ASP	Greater Bragg Creek	No	N/A
CS	N/A		

Comments
There are two accessory buildings on the parcel; both meet the allowable total area

Comments
The greenhouse is located at the back of the property and is well screened from adjacent neighbours.

Comments
The parcel falls under the Greater Bragg Creek Area Structure Plan. The plan gives no guidance on applications of this nature, so the application was evaluated using the Land Use Bylaw (C-4841-97).

BP/DP History	1997-BP-11574 issued for a Single-Family Dwelling, 2007-BP-20251 for an addition to the house, 2013-BP-25599 for an accessory building (detached garage), and 2013-BP-25599 for an addition to the Single-Family Dwelling.
Inspector Comments	Inspection Date: September 8, 2020 Site is neat and tidy. Very well-screened from adjacent landowner. No concerns with proximity to pond. No concerns at time of inspection.
Overall Assessment	Based on site inspection and aerial photography, this development is minor in nature. The building is located at the back of the property and well screened from the North, West and South by trees and in the East by the Single Family Dwelling. The building looks to be in average condition based on site inspection photos. Administration has no concerns with this application.
Non-Standard Conditions	Not applicable

DEVELOPMENT PERMIT #PRDP20202123 CONDITION SET**OPTIONS:**

Option #1 (this would allow the proposed development [accessory building] to remain)

APPROVAL, subject to the following conditions:

Description:

1. That an Accessory Building (greenhouse), approximately 7.94 sq. m. (85.40 sq. ft.), may remain on the subject land in general accordance with the approved Site Plan and submitted application.
 - i. That the minimum rear yard setback requirement shall be relaxed from **7.00 m (22.96 ft.) to 4.07 m (13.35 ft.)**.

Advisory:

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

Option #2 (this would not allow the proposed development [accessory building] to remain)

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

20202123

APPLICATION FOR A DEVELOPMENT PERMIT

FOR OFFICE USE ONLY	
Fee Submitted 265.00	File Number 03925049
Date of Receipt July 23	Receipt # 2020 024835

ZACHARY G. DAVIS

Name of Applicant

Mailing Address

Telephone (B)

For Agents please supply Business/Agency/ Organization Name

Registered Owner (if not applicant)

Brett + Lisa Layden

1. LEGAL DESCRIPTION OF LAND

- a) All / part of the N/A 1/4 Section N/A Township N/A Range N/A West of N/A Meridian
- b) Being all / parts of Lot 3 Block 2 Registered Plan Number 81/0189
- c) Municipal Address 11 Spindell Crescent, Rocky Creek, AB T0L 1K0
- d) Existing Land Use Designation Residential R-1 Parcel Size unknown Division unknown

2. APPLICATION FOR

relaxation of rear yard setback from 7m to 4.07m
for compliance of 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 ☒
- 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 ZACHARY G. DAVIS 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.

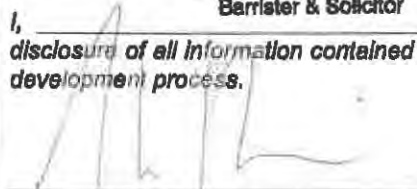


Applicant's/Owner's Signature

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: 403-520-8189

ZACHARY G. DAVIS
Barrister & Solicitor

I, _____, 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 23, 2020

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 Zachary Davis Email [REDACTED]

1. DETAILS OF ACCESSORY BUILDING

	Bylaw	Proposed
Accessory building size maximum	10.00 sq.m	7.936 m sq.
Accessory building height	2.40 m sq.	1.829 m.
Number of existing accessory buildings on site	?	2
Total size of all accessory buildings	?	145.599 m sq.

Description of Accessory Buildings:

- a) Building materials Plastic Corrugated Panels
- b) Exterior colour Opaque
- c) Please include why relaxations for buildings are needed (location, storage needs, tidy property, etc.)
Building located too close to fence - building req'd. to keep property in good order
- d) Date when building permits were issued for existing buildings
N/A
- e) If no permits were issued - list age of buildings
Erected in 2019.

2. DESCRIBE THE USE OF THE ACCESSORY BUILDING

Greenhouse.

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 Copy of RPR Attached.

Signature of Applicant

Zachary Davis
ZACHARY G. DAVIS
Barrister & Solicitor

Date:

July 21, 2020

File No. 1-1467-20-st
VIA Courier

July 21, 2020

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

Whom it Concerns,

**Re: Application for an Accessory Building—11 Squirrel Crescent, Bragg Creek,
AB T0L 0K0**

Please find enclosed an Application for Accessory Building on behalf of my client, Ms. Susan Norrie. Ms. Norrie's Letter of Authorization, authorizing me to complete this application on her behalf, is enclosed herewith.

I've also enclosed a copy of the Real Property Report land survey for your ease of reference.

Should you require anything in addition to the above, please reach out to me directly at your earliest convenience. My direct line is (587) 885-2207, and my email address is zdavis@west-legal.ca.

Sincerely,
WEST LEGAL

Zachary G. Davis
Barrister & Solicitor

ZGD/st



LAND TITLE CERTIFICATE

S
LINC SHORT LEGAL TITLE NUMBER
0012 464 046 8110189;2;3 201 065 604

LEGAL DESCRIPTION
PLAN 8110189
BLOCK 2
LOT 3
EXCEPTING THEREOUT ALL MINES AND MINERALS

ESTATE: FEE SIMPLE
ATS REFERENCE: 5;5;23;25;E

MUNICIPALITY: ROCKY VIEW COUNTY

REFERENCE NUMBER: 041 304 233

REGISTERED OWNER(S)				
REGISTRATION	DATE(DMY)	DOCUMENT TYPE	VALUE	CONSIDERATION
201 065 604	03/04/2020	TRANSFER OF LAND	\$882,500	CASH & MTGE

OWNERS

BRETT THOMAS LAYDEN

AND

LISA ANN LAYDEN

BOTH OF:



AS JOINT TENANTS

(DATA UPDATED BY: CHANGE OF ADDRESS 201092591)

ENCUMBRANCES, LIENS & INTERESTS

REGISTRATION		
NUMBER	DATE (D/M/Y)	PARTICULARS
811 028 162	13/02/1981	RESTRICTIVE COVENANT
811 028 163	13/02/1981	UTILITY RIGHT OF WAY GRANTEE - LYON DEVELOPMENTS LTD.

(CONTINUED)

ENCUMBRANCES, LIENS & INTERESTS

PAGE 2
201 065 604

REGISTRATION
NUMBER DATE (D/M/Y) PARTICULARS

AS TO PORTION OR PLAN: 8110190

201 065 605 03/04/2020 MORTGAGE
MORTGAGEE - THE TORONTO DOMINION BANK.
500 EDMONTON CITY CENTRE EAST
EDMONTON
ALBERTA T5J5E8
ORIGINAL PRINCIPAL AMOUNT: \$666,250

TOTAL INSTRUMENTS: 003

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 02:57 P.M.

ORDER NUMBER: 39784256

CUSTOMER FILE NUMBER:

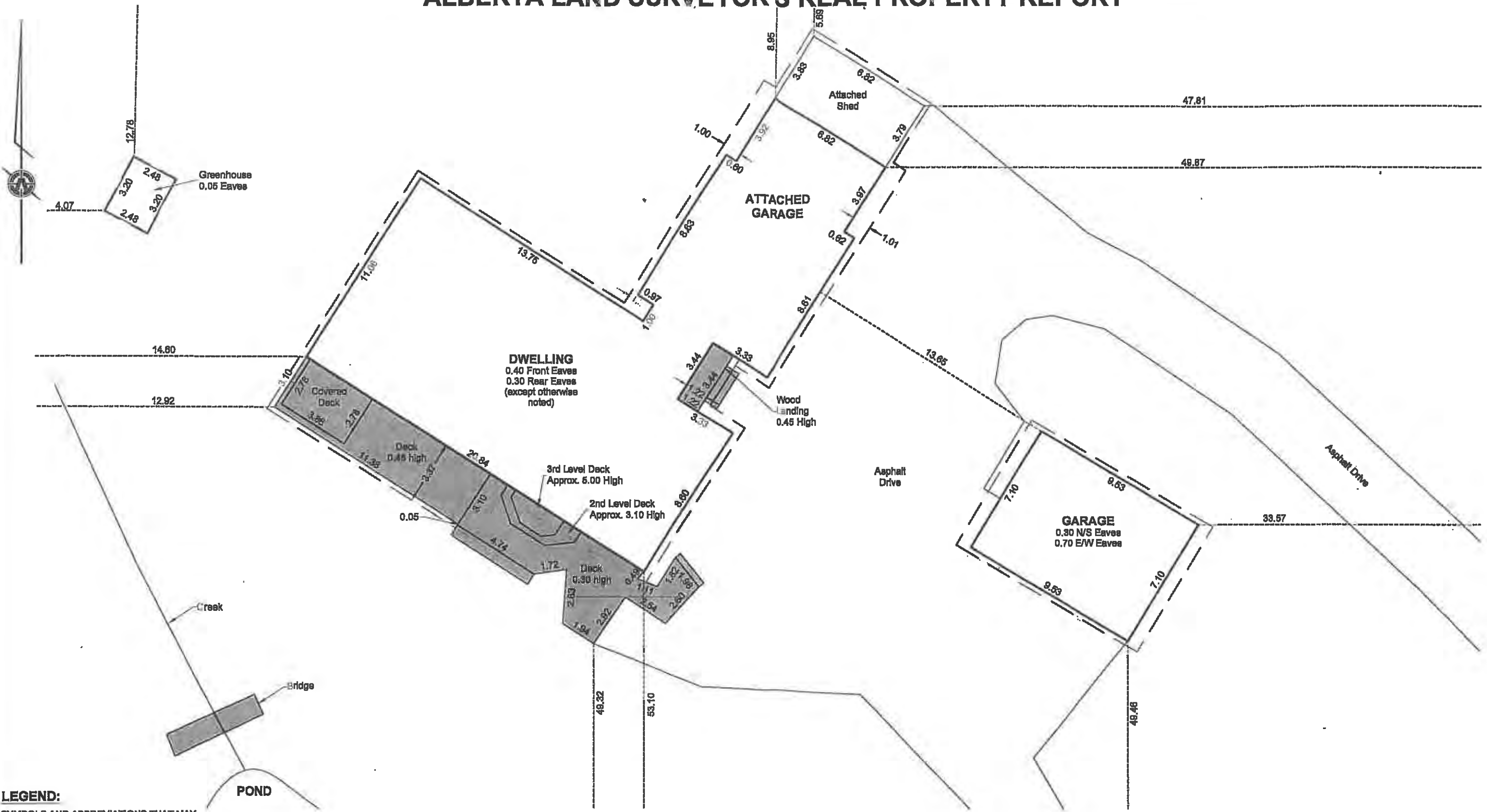


END OF CERTIFICATE

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 REAL PROPERTY REPORT



LEGEND:

SYMBOLS AND ABBREVIATIONS THAT MAY APPEAR ON THIS PLAN.

- Iron Post found: [Symbol]
- Iron Bar found: [Symbol]
- Drill Hole found: [Symbol]
- Calculated Position: [Symbol]
- Boundary of Subject Property: [Symbol]
- Right-of-Way: [Symbol]
- Exterior Wall: [Symbol]
- Eave: [Symbol]
- Fence: [Symbol]

- A Arc
- A/C Air Conditioner
- A.G. Above Ground
- AR/W Access Right-of-Way
- Calc Calculated
- Cent. Cantilever
- Conc. Concrete
- o.s. Countersunk
- Fd. Found
- Fl. Floor
- G.L. Ground Level
- I. Iron Post
- m metre
- Mk. Mark
- OD Overland Drainage
- P/L Property Line
- R. Radius or Radial
- Rest. Restored
- Ret. Retaining
- R/W Right-of-Way
- UR/W Utility Right-of-Way
- WW Window Well



THIS IS PAGE 2 OF AN ALBERTA LAND SURVEYOR'S REAL PROPERTY REPORT AND IS INEFFECTIVE IF NOT ACCOMPANIED BY PAGE 1

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REV.	Issued	DATE	INITIALS
0		Feb. 14, 2020	PA/MD/TR
	COMMENT		
		CAD File : 20-0027RPR	
		Job No. : 20-0027	
		Page 99 of 222	



69 Elma Street West
Okotoks, Alberta T1S 1J8
Office: 587-757-0834

LOT 5
BLOCK 1
PLAN 771 1384

2°36'57" Fd.I.
1.00 Fd.I.

LOT 4

91°10'20"
84.57

SUBJECT PROPERTY:

LOT 3, BLOCK 2, PLAN 811 0189

11 SQUIRREL CRESCENT, BRAGG CREEK, ALBERTA

ALBERTA LAND SURVEYOR'S CERTIFICATION:

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

1. the plan illustrates the boundaries of the Property, the Improvements as defined Part D, Section 8.5 of the Alberta Land Surveyors' Association's Manual of Standard Practice and registered easements and right-of-ways affecting the extent of the title of the Property,
2. the improvements are entirely within the boundaries of the Property;
3. no visible encroachments exist on the property from any improvements situated on an adjoining property;
4. no visible encroachments exist on registered easements or right-of-ways affecting the extent of the Property.

PURPOSE OF REPORT:

This report has been prepared for the benefit of the Property owner, subsequent owners and any of their agents for the purpose of (a land conveyance, support of a subdivision application, a mortgage application, a submittal to the municipality for a compliance certificate, etc). Copying is permitted only for the benefit of those parties.

Where applicable, registered easements and utility right-of-ways affecting the extent of the Property have been shown on the plan.

Unless shown otherwise, property corner markers have not been placed during the survey for this report. The plan should not be used to establish boundaries because of the risk of misinterpretation or measurement error by the user.

The information shown on this report reflects the status of this property as of the date of the survey only. Users are encouraged to have the Real Property Report updated for future requirements.

NOTES :

- Title Information is based on a title search dated January 30, 2020, C. of T. No. 041 304 233.
- The survey was performed on February 12, 2020.
- Ties to the property lines are at right angles or radial to the curve and are from the exterior walls unless otherwise shown.
- Fences are within 0.20 metres of the property line unless otherwise noted.
- Eaves are dimensioned to the line of fascia.
- All measurements are in metres.
- Property is subject to the following instruments:

- 811 028 162 - Restrictive Covenant
- 811 028 163 - Utility R/W - Plan 811 0190

Dated at Okotoks, Alberta,
February 14, 2020.

Tyler Robinson, A.L.S.

This document is not valid unless it bears a signature (in blue ink) and an Absolute Surveys Inc. permit stamp (in red ink).



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0	Issued	Feb. 14, 2020	PA/MD/TR
REV.	COMMENT	DATE	INITIALS



**ABSOLUTE
SURVEYS INC**

**69 Elma Street West
Okotoks, Alberta T1S 1J8
Office: 587-757-0634**

CAD File :
20-00










8	Job No.: 20-0027
---	---------------------

AGENDA

Page 100 of 222

LEGEND:

**SYMBOLS AND ABBREVIATIONS THAT MAY
APPEAR ON THIS PLAN.**

Iron Post found:	
Iron Bar found:	
Drill Hole found:	
Calculated Position:	
Boundary of Subject Property:	
Right-of-Way:	
Exterior Wall:	
Eave:	
Fence:	

A	.....	Aro	I	.....	Iron Post
A/C	.....	Air Conditioner	m	.....	metre
A.G.	.....	Above Ground	Mk.	.....	Mark
AR/W	.....	Access Right-of-Way	OD	.....	Overland Drainage
Calc	.....	Calculated	P/L	.....	Property Line
Cent.	.....	Centerline	R.	.....	Radius or Radial
Conc.	.....	Concrete	Rest.	.....	Restored
c.s.	.....	Countersunk	Ret.	.....	Retaining
Fd.	.....	Found	R/W	.....	Right-of-Way
Fl	.....	Floor	UR/W	.....	Utility Right-of-Way
GL	.....	Grading Level	W/W	.....	Window Well

SCALE 1:500





ROCKY VIEW COUNTY

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

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

Scott - SW
AD Date: Oct 6

Inspection Request

Roll #: 03925049 DP #: PRDP20202123

Applicant/Owner: Zachary Davis / West Legal
Legal Description: Lot 3 Block 2 Plan 8110189, NE-25-23-05-05
Municipal Address: 11 SQUIRREL CRESCENT, Rocky View County AB
Land Use: R-1
Reason for Inspection: relaxation of rear yard setback from 7 m to 4.07 m for compliance

Inspection Report

Date of Inspection: Sept. 8 / 20

Permission granted for entrance?

- Please look for impacts of shed on surrounding neighbours, the quality of the shed, screening form adjacent impacts and any impact on the environment (there is a pond close by).

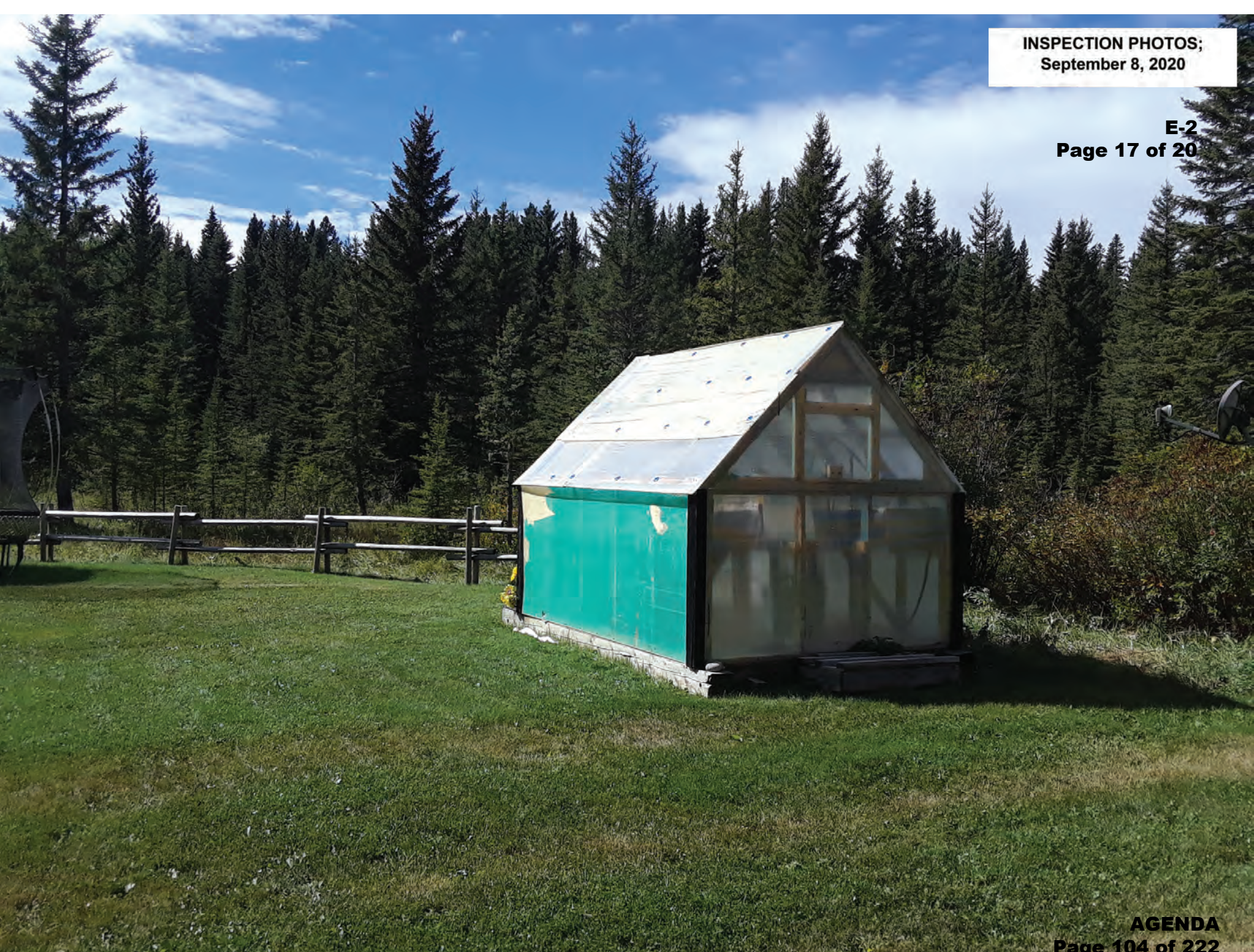
Observations:

- very neat & tidy.
- very well-screened from adjacent landowners
- no concerns with proximity to pond.
- no concerns at time of inspection

Signature: 











ALBERTA LAND SURVEYOR'S REAL PROPERTY REPORT

LOT 5
BLOCK 1
PLAN 771 1384

2°38'57"
1.00 Fd.I.

LOT 4
BLOCK 1
PLAN 771 1384

180°13'28"
70.00

LOT 3
BLOCK 1
PLAN 771 1384

178°59'20"
16.80

LEGEND:

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Iron Post found:
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Drill Hole found:
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Exterior Wall:
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A A/c Air Conditioner
A.G. Above Ground
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FL Floor
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I Iron Post
m metre
Mk Mark
OD Overland Drainage
P/L Property Line
R Radius or Radial
Rest Restored
Ret Retaining
R/W Right-of-Way
UR/W Utility Right-of-Way
WW Window Well

SCALE 1:500

0 10 20 30 40 Metres

LOT 3
BLOCK 2
PLAN 811 0189

84.83
289°59'02"
LOT 2

LOT 4

91°10'20"
84.57

Fd.I.
c.s. 0.10

SQUIRREL CRESCENT

SUBJECT PROPERTY:

LOT 3, BLOCK 2, PLAN 811 0189

11 SQUIRREL CRESCENT, BRAGG CREEK, ALBERTA

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- Eaves are dimensioned to the line of fascia.
- All measurements are in metres.
- Property is subject to the following instruments:

- 811 028 162 - Restrictive Covenant
- 811 028 163 - Utility R/W - Plan 811 0190

Dated at Okotoks, Alberta,
February 14, 2020.

Tyler Robinson

Tyler Robinson, A.L.S.

This document is not valid unless it bears a signature (in blue ink) and an Absolute Surveys Inc. permit stamp (in red ink).



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REV.	Issued	DATE	PA/MD/TR
0		Feb. 14, 2020	
	COMMENT	DATE	INITIALS



**ABSOLUTE
SURVEYS INC.**

89 Elma Street West
Okotoks, Alberta T1S 1J8
Office: 587-757-0634

CAD File :
20-0027RPR
Job No.:
20-0027
Page:
1 of 2

PLANNING AND DEVELOPMENT SERVICES

TO: Municipal Planning Commission

DATE: October 8, 2020

DIVISION: 7

SUBJECT: Development Item: Single-lot Regrading

APPLICATION: PRDP20201966

USE: Discretionary use, with no Variances

APPLICATION: Single-lot regrading, for the construction of an access road to a parcel without access

GENERAL LOCATION: Located approximately 0.80 km (1/2 mile) east of Hwy. 766 and on the north side of Twp. Rd. 274

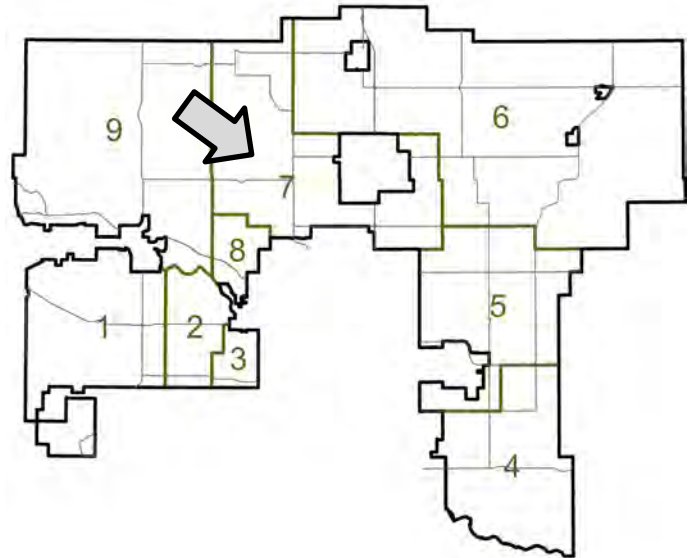
LAND USE DESIGNATION: Ranch and Farm Two District (RF-2) under Land Use Bylaw C-4841-97

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

OPTIONS:

Option #1: THAT Development Permit Application PRDP20201966 be approved with the conditions noted in the report.

Option #2: THAT Development Permit Application PRDP20201966 be refused as per the reasons noted.



AIR PHOTO & DEVELOPMENT CONTEXT:



Administration Resources

Sandra Khouri – Planning and Development Services

DEVELOPMENT PERMIT REPORT

Application Date: July 14, 2020	File: 07723013 / 07726004
Application: PRDP20201966	Applicant/Owner: Williamson, Clifford & Stacy
Legal Description: Block 2, Plan 9911453, NE-23-27-03-05	General Location: Located approximately 0.80 km (1/2 mile) east of Hwy. 766 and on the north side of Twp. Rd. 274
Land Use Designation: Ranch and Farm Two District (RF-2) under Land Use Bylaw C-4841-97	Gross Area: 26.40 hectares (65.24 acres)
File Manager: Sandra Khouri	Division: 7

PROPOSAL:

The proposal is for the single-lot regrading, for the construction of an access road to a parcel without access. *Note: the application was assessed in accordance with Land Use Bylaw C-4841-97, as the application was received prior to September 8, 2020.*

Application Details:

The proposed road construction on the subject land (NE-23-27-03-W05M) is for the benefit of the Applicant's land – the quarter section to the north (SE-26-27-03-W05M) – which is not currently abutting a public or private roadway. The only public roadway that the parcel abuts is an undeveloped road right-of-way (ROW) for Range Road 31. Rather than developing the ROW to County standards, the Applicant is proposing to construct a private road through the eastern portion of the subject land to facilitate access to Township Road 274. To do so, the Applicant and the owner of the subject land have registered a 15.00 m wide access easement on title. The easement area will need to be cleared of vegetation and regraded in order to be suitable for road construction.

The Township Road 274 ROW is being leased by the Applicant for grazing purposes. Road Operations will issue a consent letter to the Applicant for the access road construction through the ROW. As per Engineering and Road Operations, a Development Agreement is not required as the portion constructed on the ROW is very minor. This will be noted as a ***prior to issuance condition***.

A main cause of concern from the County's Engineering group is the encroachment of the access easement into an existing Alberta Environment wetland. As a ***prior to issuance condition***, the Applicant will be required to move the easement further east away from the wetland.

Dimensions:

Re-grading required for road construction:

- **Height:** 0.30-0.91 m (1.00-3.00 ft.)
- **Width:** 3.66 m (12.00 ft.)
- **Length:** 90.00 m (295.28 ft.)
- **Area:** 330.00 sq. m (3,552.09 sq. ft.)
- **Volume:** 197.00 m³ (6,956.99 ft.³)



- **Truckloads:** 40
- **Slope factor:** unknown

Land Use Bylaw:

- As per Section 33.1 of the Land Use Bylaw, all stripping, filling, excavation, grading and/or re-contouring requires a Development Permit.
- As per Section 36.1 of the Land Use Bylaw, this parcel is considered a *parcel without access*.
- As per Section 36.3 of the Land Use Bylaw, all uses in a land use district for a *parcel without access* are considered discretionary, with the exception of Agriculture, General.
 - The Applicant's land is undeveloped and is currently being used for agricultural purposes but any future development would be discretionary.
- As per Section 36.1 (a) of the Land Use Bylaw, if the application is approved and a private roadway is constructed, the parcel would be considered a *parcel having access*.
 - A private roadway is not subject to a Cost Recovery Agreement.

Development Permit History:

No history

Recommendation Rationale:

Given that an access easement has been registered on title, it can be assumed that the owner of the subject land has no concerns with the private roadway on their property.

The Applicant's land is undeveloped and currently being used for agricultural purposes, therefore large volumes of traffic are not anticipated. Any future commercial development would trigger a road upgrade of the ROW in accordance with the County's Servicing Standards.

As such, Administration has reviewed the application and recommends that it be conditionally approved with prior to issuance conditions in place to deal with the location of the easement and consent from Road Operations.

STATUTORY PLANS:

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

INSPECTOR'S COMMENTS:

No inspection completed at the time this report was written.

CIRCULATIONS:

Alberta Transportation

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

The department does expect that the municipality will mitigate the impacts of traffic generated by developments approved on the local road connection to the highway system, pursuant to Policy 7 of the Provincial Land Use Policies and Section 648(2)(c.2) of the *Municipal Government Act*.

Alberta Environment and Parks

No comments provided.

Development Compliance Officer Review

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

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

Engineering has concerns with the approval of this application for the construction of road approach to access the parcel without access with the following comments:

- The registered access easement provide by the Application is encroaching on the marsh boundary identified by the Alberta Wetland Inventory.
- The Applicant has licensed the undeveloped road right-of-way from the County for the purposes of grazing.

Geotechnical:

- Prior to issuance of the DP, the Applicant 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.

Transportation:

- Road Operations provided the approval for a road approach construction under Policy 402, dated June 17, 2020 for the Applicant to gain access from Twp Rd 274. The Applicant is proposing to build the road through the NE-23-27-03-W5M to gain access to the SE-26-27-03-W5M parcel. The proposed road will be constructed on an easement located on private property as such it is considered as minor work and therefore a Development Agreement will not be needed at this time.
- Prior to issuance of the DP, Road Operations will issue a consent letter to the Applicant for the access road construction through the undeveloped County road right-of-way.
- 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 directly associated with the construction of an access and does not result in an increase of traffic being generated in relation to the lands.

Sanitary/Waste Water:

- Engineering as no requirement at this time.

Water Supply And Waterworks:

- Engineering has no requirement at this time.

Storm Water Management:

- No significant increase in site runoff is expected as a result of the proposed development.
- Engineering has no requirement at this time.

Environmental:

- As a condition of the development permit, the Application shall be responsible for adjusting the access easement further east to protect the marsh boundary as identified in the Alberta Wetland Inventory.

Utility Services

No Concerns.

Agricultural Services

No agricultural concerns.

OPTIONS:

Option #1 (this would allow the development to commence)

APPROVAL, subject to the following conditions:

Description:

1. That single-lot regrading and the placement of approximately 197.00 cubic metres of clean fill, for construction of an access road to a parcel without access, 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 grading plan, conducted and stamped by a professional engineer, which provides pre-development and post-development grades.
 - i. That 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.
3. That prior to issuance of this permit, the Applicant/Owner shall contact County Road Operations with haul details for materials and equipment needed during construction/site development to confirm if Road Use Agreements will be required for any hauling along the County road system and to confirm the presence of County road ban restrictions
 - i. Written confirmation shall be received from County Road Operations confirming the status of this condition. Any required agreement or permits shall be obtained unless otherwise noted by County Road Operations.
4. That prior to issuance of this permit, the Applicant/Owner shall contact County Road Operations and obtain a consent letter for the access road construction through the undeveloped County road right-of-way.
 - i. Written confirmation shall be received from County Road Operations confirming the status of this condition. Consent shall be obtained unless otherwise noted by County Road Operations.
5. That prior to issuance of this permit, the Applicant/Owner shall submit a revised survey plan identifying the following:
 - i. The access easement has been moved further east so that no portion of the easement is encroaching into the marsh boundary as identified in the Alberta Wetland Inventory; and
 - ii. The access easement has been reduced to 12.50 m (41.01 ft.) in width.
 - iii. Once the revised survey plan has been reviewed and approved by the County, written confirmation shall be submitted by the Applicant/Owner confirming that the revised easement has been registered with land titles.

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.
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.
 - 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.
11. That no topsoil shall be removed from the site.
12. That the Applicant/Owners shall ensure no organic material is buried and capped in a manner that will cause methane gas related issues.
13. That the fill shall not contain large concrete, rebar, asphalt, building materials, organic materials, or other metal.
14. 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.
15. That the Applicant/Owners shall be responsible for rectifying any adverse effect on adjacent lands from drainage alteration.
16. 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:

17. That any other government permits, approvals, or compliances are the sole responsibility of the Applicant/Owner.
18. That the subject development shall conform to the County's Noise Bylaw C-5773-2003 in perpetuity.
19. 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*].

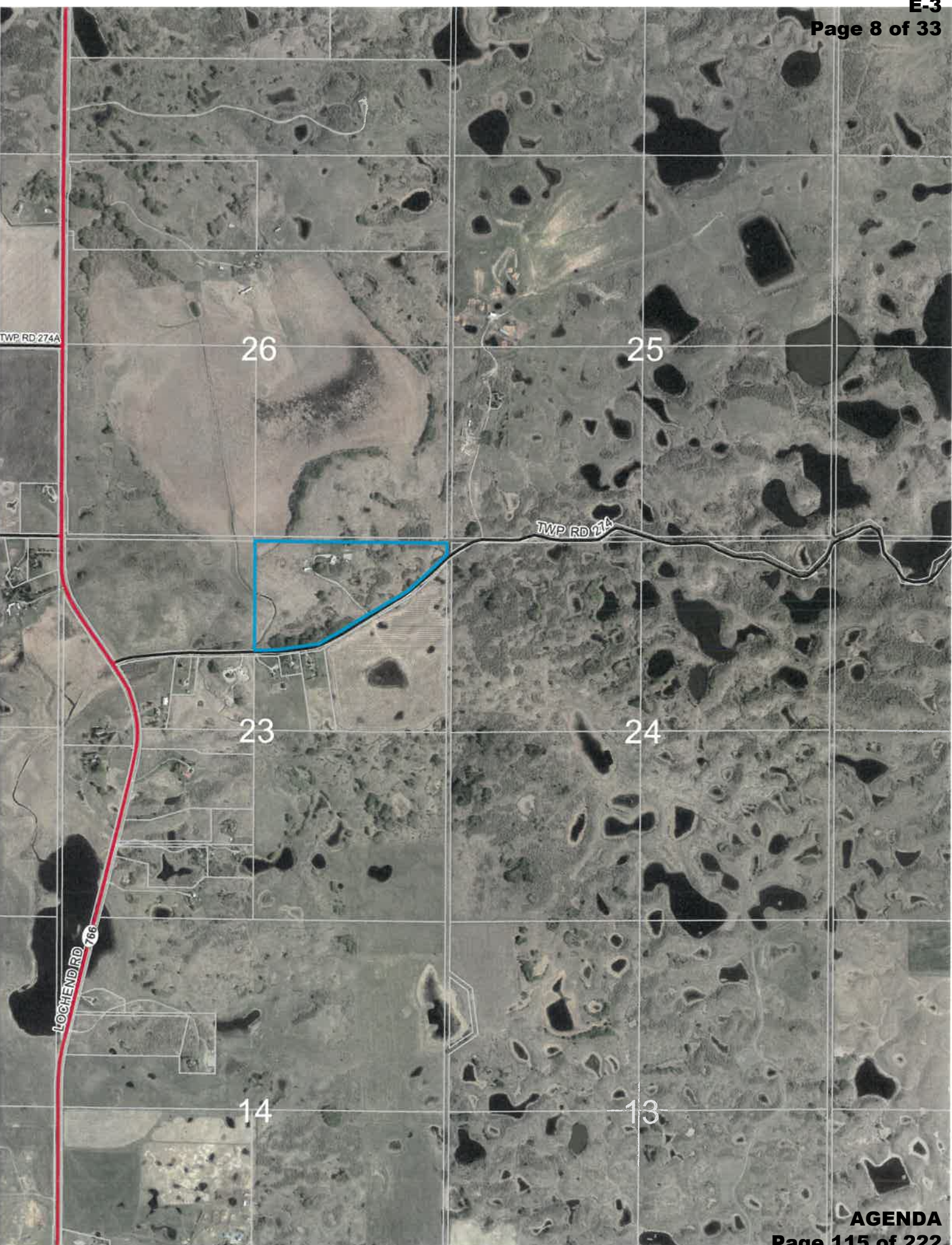


20. That if the development authorized by this Development Permit is not completed within twelve (12) months of the date of issuance, the permit is deemed to be null and void.
21. That if this Development Permit is not issued by **APRIL 30, 2021** or the approved extension date, then this approval is null and void and the Development Permit shall not be issued.

Option #2 (this would not allow the development to 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.



26

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TWP RD 77A

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ROCKY VIEW COUNTY
Cultivating Communities

20201966

APPLICATION FOR A DEVELOPMENT PERMIT

FOR OFFICE USE ONLY	
Fee Submitted 460.00	File Number 07-726 004
Date of Receipt 07/14/2020	Receipt # 2020024761

Name of Applicant CLIFFORD JAMES WILLIAMSON 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 SE ¼ Section 26 Township 27 Range 3 West of 5 Meridian
- b) Being all / parts of Lot _____ Block _____ Registered Plan Number _____
- c) Municipal Address _____
- d) Existing Land Use Designation PASTURE Parcel Size 160 ACRES Division _____

2. APPLICATION FOR

BUILDING A ROAD TO ACCESS PASTURE.

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 CLIFF WILLIAMSON 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 Cliff Williamson

Date 7-13-2020

Owner's Signature Cliff Williamson

Date 7-13-2020

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.

С.Д. М.В.

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

WPMH 7-13-2020
Signature Date



STRIPPING, FILLING, EXCAVATION AND GRADING

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

Name of Applicant CLIFF WILLIAMSON

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 checked="" 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 checked="" type="checkbox"/> Grading | <input type="checkbox"/> Other _____ |

2. PURPOSE

What is the intent of the proposal? TO BUILD A ROAD TO ACCESS PASTURE.

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

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

3. TYPE

Height <u>1-2 FEET</u>	Volume <u>197</u> meters cubed
Width <u>12 FT</u>	Truckload <u>40</u> (approximately)
Length <u>90 METERS</u>	Slope Factor _____ (if applicable)
Area <u>330 METERS</u> 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

I CLIFF WILLIAMSON 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.

July 14 2020

To whom it may concern:

I am applying for a permit to build a road to gain access to my quarter of pasture land.

Respectfully,

Cliff Williamson

ROAD RIGHT OF WAY AGREEMENT

MEMORANDUM OF AGREEMENT made in Duplicate this 22 day of February, 2020.

BETWEEN:

THE DOMINANT TENEMENT:

CLIFFORD JAMES WILLIAMSON
[REDACTED]

being the registered owners of and in:

MERIDIAN 5 RANGE 3 TOWNSHIP 27
SECTION 26
QUARTER SOUTH EAST
EXCEPTING THEREOUT ALL MINES AND MINERALS
AND THE RIGHT TO WORK THE SAME
AREA: 64.7 HECTARES (160 ACRES) MORE OR LESS

(Hereinafter referred to as the “Grantees”, the “Dominant Tenement” or the
“Dominant Lands”)

OF THE FIRST PART,

AND:

THE SERVIENT TENEMENT:

WENDY IRENE POIRIER
[REDACTED]

being the registered owners of and in:

DESCRIPTIVE PLAN 9911453
BLOCK 2
EXCEPTING THEREOUT ALL MINES AND MINERALS
AREA: 26.4 HECTARES (65.24 ACRES) MORE OR LESS

(Hereinafter referred to as the “Grantors”, the “Servient Tenement” or the
“Servient Lands”)

OF THE SECOND PART.

WHEREAS, the Grantor and Grantee are the legal and beneficial registered owners of the aforementioned lands respectively, and

WHEREAS, the Grantors and Servient Tenement, has agreed to grant to the Grantees and Dominant Tenement this access agreement over, across and through a portion of the Servient Lands for the benefit of the Dominant Lands to construct, use and maintain an access road on and over that portion of the Servient Lands hereinafter described and outlined in red on the attached Schedule "A".

NOW THEREFORE and in consideration of the payment of one dollar in cash (\$1.00)(the receipt and adequacy of which the Grantors doth hereby acknowledge) and to satisfy a condition of subdivision; the GRANTORS DO HEREBY GRANT TO THE GRANTEES the right and privilege of an access agreement, in, over, across and through that portion of the Servient Lands as outlined in red on the attached Schedule "A" for the purpose of constructing, using and maintaining an access road to and from the Dominant Lands.

This said right, privilege, and agreement being subject to the following terms and conditions:

1. the Grantees and Dominant Tenement, its tenants, employees, clients, customers, contractors, agents, invitees, assigns, workmen and any others requiring access to and from the Dominant Lands for any purpose and time whatsoever; shall have the full and free right and liberty to pass and repass on the lands as shown outlined in red as shown on the attached Schedule "A" either on foot or by means of vehicles for the purpose of obtaining access to and from the Dominant Lands, and to remain on the said lands for the purpose of construction and maintaining this access road. Further to the above, the Grantee, on or before ten (10) years after the date of this agreement or such time as a legal survey is completed by the Grantee for the purposes of the Dominant lands, whichever comes first, shall provide a copy of the legal survey plan and shall be substituted to this agreement.
2. the rights herein granted are not exclusive to the Grantees. The Grantor reserves the right to use this joint access road and to grant similar rights to others without the consent of or the need to notify the Grantees.
3. the Grantors and Servient Tenement, its tenant and assigns, covenant they will not build, erect or maintain nor permit or suffer to be build, erected or maintained any building, structure, fence, landscaping, storage or parking on or over the said lands, that would or could prevent or hinder the exercise of the Grantees's rights herein granted.
4. the Grantees and Dominant Tenement, its tenant and assigns, covenant they will not build, erect or maintain nor permit or suffer to be build, erected or maintained any building, structure, fence, landscaping, storage or parking on or over the said lands, that would or could prevent or hinder the reasonable use of the said lands by the Grantor.


5. the cost of constructing and maintaining this access road shall be the sole responsibility of the Grantees and Dominant Tenement.
6. the Grantees will indemnify and save harmless the Grantors from and against all claims, damages, debts, dues, suits, actions and causes of actions, costs or sums of money that the grantor may suffer or be put to by reason of anything done by the Grantees or other persons authorized by this agreement in the exercise of rights and privileges herein granted.
7. this easement and the rights and privileges contained herein are not exclusive to the grantees and shall be for such length of time as required by the Grantees. At such time as the access road and the rights herein granted are no longer required, the Grantee will, as soon as is reasonably practical under the circumstances, remove any part of the access road and its associated appurtenances located within the demised premises and restore to the same condition, to the extent the restoration is practical, as it was prior to entry thereon and use thereof by the Grantee.
8. this agreement herein granted and the covenants herein agreed shall be covenants and conditions running with the land and shall extend to and be binding upon the Grantee, the Grantor and their successors and assigns in title as the case may be.

IN WITNESS WHEREOF, the parties of this document have subscribed their names to indicate their agreement to the terms and conditions contained herein as of the day herein first written on page one of this agreement.

**SIGNED AND DELIVERED
BY THE GRANTOR**


WENDY IRENE POIRIER

IN THE PRESENCE OF:


TOM MORGAN

**SIGNED AND DELIVERED
BY THE GRANTEE**


CLIFFORD JAMES WILLIAMSON

IN THE PRESENCE OF:


TOM MORGAN

**DOWER
CONSENT OF SPOUSE
(Grantor, Servient Tenement, Servient Lands)**

I, **MARK DAHLMAN** being married to the within named **WENDY IRENE POIRIER** do hereby give my consent to the disposition of our homestead, made in the annexed instrument, and I have executed this document for the purpose of giving up my life estate and other dower rights in the said property given to me by the Dower Act, to the extent necessary to give effect to the said disposition.

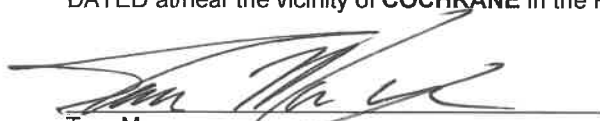


MARK DAHLMAN

CERTIFICATE OF ACKNOWLEDGMENT BY SPOUSE

1. This document was acknowledged before me by **MARK DAHLMAN** apart from her husband/his wife.
2. **MARK DAHLMAN** Acknowledged to me that she/he:
 - (a) Is aware of the nature of the agreement.
 - (b) Is aware that the Dower Act gives her/him a life estate in the homestead and the right to prevent disposition of the homestead by withholding consent.
 - (c) Consents to the agreement for the purpose of giving up the life estate and other dower rights in the homestead given to her/him by the Dower Act to the extent necessary to give effect to the said agreement.
 - (d) Is executing the document freely and voluntarily without any compulsion on the part of her husband/his wife.

DATED at/near the vicinity of **COCHRANE** in the Province of Alberta this 22 day of **FEBRUARY**, A.D. 2020.



Tom Morgan
A Commissioner for Oaths or Notary Public
Appointment Expires: January 8, 2022

AFFIDAVIT
(Grantor, Servient Tenement, Servient Lands)

I, **WENDY IRENE POIRIER** of **COCHRANE** in the Province of Alberta _____ make oath and say:

(Occupation)

1. THAT I am the Grantor named in the annexed instrument.
 2. THAT I am not married.
- (or) 2. THAT neither myself nor my spouse has resided on the within mentioned land at any time since our marriage.

SWORN BEFORE ME at/near the vicinity of

COCHRANE in the Province of

Alberta this _____ day of

FEBRUARY A.D. 2020.

WENDY IRENE POIRIER

Tom Morgan

A Commissioner for Oaths or Notary Public
Appointment Expires: January 8, 2022

AFFIDAVIT OF EXECUTION

CANADA

I, TOM MORGAN of

PROVINCE OF ALBERTA

the CITY OF AIRDRIE,

TO WIT: in the Province of Alberta

LAND AGENT
(Occupation)

MAKE OATH AND SAY THAT:

1. I was personally present and did see **WENDY IRENE POIRIER** who is/are known to me to be the person(s) named in the within (or annexed) instrument, duly sign the instrument;

or

~~I was personally present and did see **WENDY IRENE POIRIER**, who on the basis of the identification provided to me, I believe to be the person(s) named in the within (or annexed) instrument, duly sign the instrument;~~

2. The instrument was signed at/near the vicinity of **COCHRANE**, in the Province of Alberta and I am the subscribing witness thereto;
3. I believe the person whose signature I witnessed is at least eighteen (18) years of age.

SWORN BEFORE ME at the

City
of Calgary in the Province
of Alberta, this 24th day
of FEBRUARY, A.D. 2020

Sydney Laine White

Sydney Laine White
A Commissioner for Oaths
in and for Alberta

My Commission Expires: October 14, 2020



TOM MORGAN

AFFIDAVIT OF EXECUTION

CANADA

I, **TOM MORGAN** of

PROVINCE OF ALBERTA

the **CITY OF AIRDRIE**,

TO WIT: in the Province of Alberta

LAND AGENT
(Occupation)

MAKE OATH AND SAY THAT:

1. I was personally present and did see **CLIFFORD JAMES WILLIAMSON** who is/are known to me to be the person(s) named in the within (or annexed) instrument, duly sign the instrument;

or

~~I was personally present and did see **CLIFFORD JAMES WILLIAMSON**, who on the basis of the identification provided to me, I believe to be the person(s) named in the within (or annexed) instrument, duly sign the instrument;~~ ✓

2. The instrument was signed at/near the vicinity of **MADDEN**, in the Province of Alberta and I am the subscribing witness thereto;
3. I believe the person whose signature I witnessed is at least eighteen (18) years of age.

SWORN BEFORE ME at the

City
of Calgary in the Province
of Alberta, this 24th day
of FEBRUARY A.D. 2020

Sydney Laine White

Sydney Laine White
A Commissioner for Oaths
in and for Alberta

My Commission Expires: October 14, 2020


TOM MORGAN











LAND TITLE CERTIFICATE

S

LINC

SHORT LEGAL

TITLE NUMBER

0027 938 976

9911453;2

021 351 358

LEGAL DESCRIPTION

DESCRIPTIVE PLAN 9911453

BLOCK 2

EXCEPTING THEREOUT ALL MINES AND MINERALS

AREA: 26.4 HECTARES (65.24 ACRES) MORE OR LESS

ATS REFERENCE: 5;3;27;23;NE

ESTATE: FEE SIMPLE

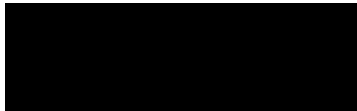
MUNICIPALITY: ROCKY VIEW COUNTY

REFERENCE NUMBER: 991 188 459

REGISTERED OWNER(S)				
REGISTRATION	DATE (DMY)	DOCUMENT TYPE	VALUE	CONSIDERATION
021 351 358	05/10/2002	TRANSFER OF LAND	\$435,000	SEE INSTRUMENT

OWNERS

WENDY IRENE POIRIER



ENCUMBRANCES, LIENS & INTERESTS

REGISTRATION NUMBER	DATE (D/M/Y)	PARTICULARS
821 197 316	18/11/1982	UTILITY RIGHT OF WAY GRANTEE - COCHRANE LAKE GAS CO-OP LTD.
021 351 360	05/10/2002	MORTGAGE MORTGAGEE - FIRST CALGARY SAVINGS & CREDIT UNION LTD. P O BOX 908 CALGARY

(CONTINUED)

ENCUMBRANCES, LIENS & INTERESTS

PAGE 2

021 351 358

REGISTRATION

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

ALBERTA T2P2J6

ORIGINAL PRINCIPAL AMOUNT: \$352,350

051 296 372 16/08/2005 MORTGAGE

MORTGAGEE - FIRST CALGARY SAVINGS & CREDIT UNION LTD.

P.O. BOX 908

CALGARY

ALBERTA T2E1K4

ORIGINAL PRINCIPAL AMOUNT: \$346,914

201 092 988 20/05/2020 CAVEAT

RE : RIGHT OF WAY AGREEMENT

CAVEATOR - CLIFFORD JAMES WILLIAMSON

GENERAL DELIVERY

MADDEN

ALBERTA T0M1L0

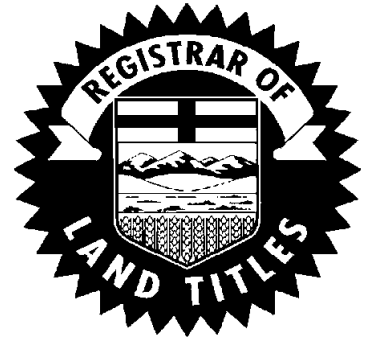
AGENT - LANSOLUTIONS GP INC.

TOTAL INSTRUMENTS: 004

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN
ACCURATE REPRODUCTION OF THE CERTIFICATE OF
TITLE REPRESENTED HEREIN THIS 11 DAY OF AUGUST,
2020 AT 09:34 A.M.

ORDER NUMBER: 39889421

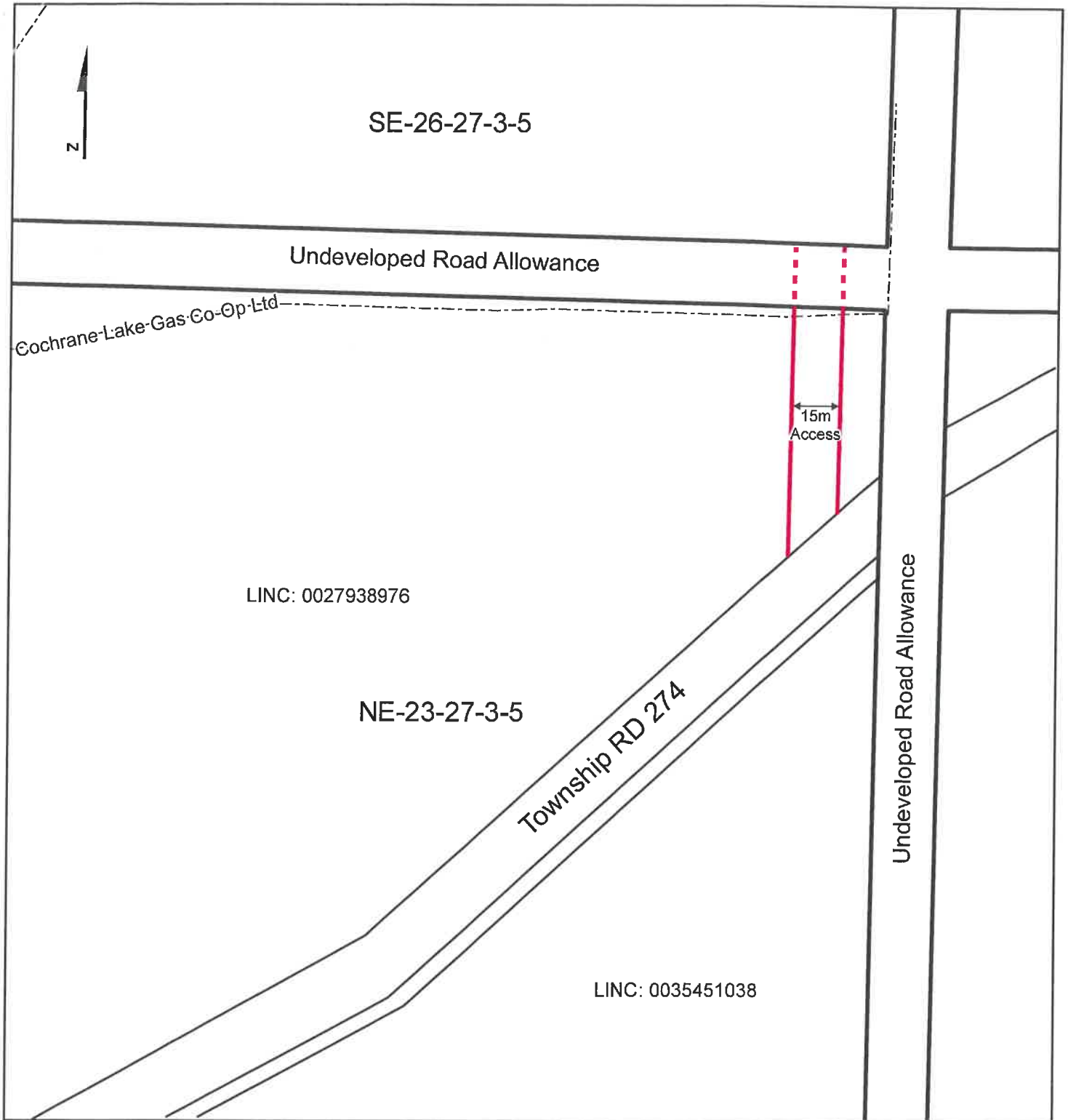
CUSTOMER FILE NUMBER:



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.

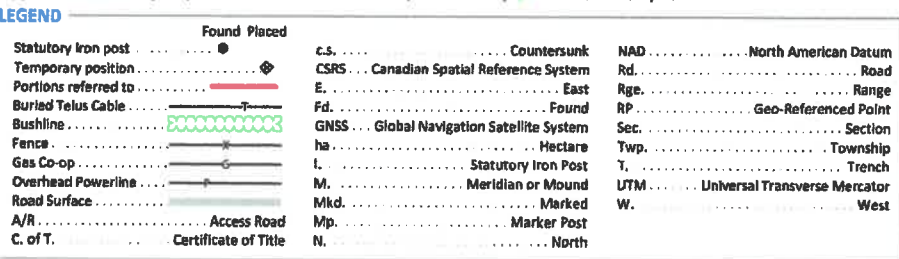
THE ABOVE PROVISIONS DO NOT PROHIBIT THE ORIGINAL PURCHASER FROM
INCLUDING THIS UNMODIFIED PRODUCT IN ANY REPORT, OPINION,
APPRAISAL OR OTHER ADVICE PREPARED BY THE ORIGINAL PURCHASER AS
PART OF THE ORIGINAL PURCHASER APPLYING PROFESSIONAL, CONSULTING
OR TECHNICAL EXPERTISE FOR THE BENEFIT OF CLIENT(S).



Date Modified: 2019-10-11					
I (we) have no objection to the location of the proposed Right-of-Way as shown herein. Dated this <u>20</u> day of <u>February</u> A.D. 20 <u>20</u>					
 DOMINANT TENEMENT		 WITNESS TOM MORGAN		 SERVIENT TENEMENT	
 WITNESS TOM MORGAN		 WITNESS TOM MORGAN		MAP SHOWING: PROPOSED ROAD ACCESS Within NE 23-027-03 W5M ROCKY VIEW COUNTY ALBERTA	
DOMINANT TENEMENT		WITNESS		SERVIENT TENEMENT	
DOMINANT TENEMENT		WITNESS		SERVIENT TENEMENT	


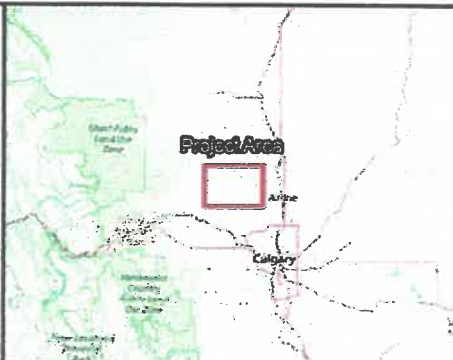


within Block 2, Plan 991 1453
within N.E. 1/4 Sec. 23, Twp. 27, Rge. 3, W.5M.
Rocky View County, Alberta



Rev	Description	Date	Revision
0	Issued	Jun. 16, 2020	0
			Page 1/1



Date Modified: 2019-10-01 0 15 30 60 m I (we) have no objection to the location of the proposed Right-of-Way as shown herein. Dated this _____ day of _____ A.D. 20____		 LAND SOLUTIONS <i>by the experts</i>		OUTLIER ENERGY	
_____ OWNER				_____ WITNESS	
_____ OWNER		_____ WITNESS		MAP SHOWING: PROPOSED ROAD ACCESS NE 23-027-03 W5M ROCKY VIEW COUNTY ALBERTA	

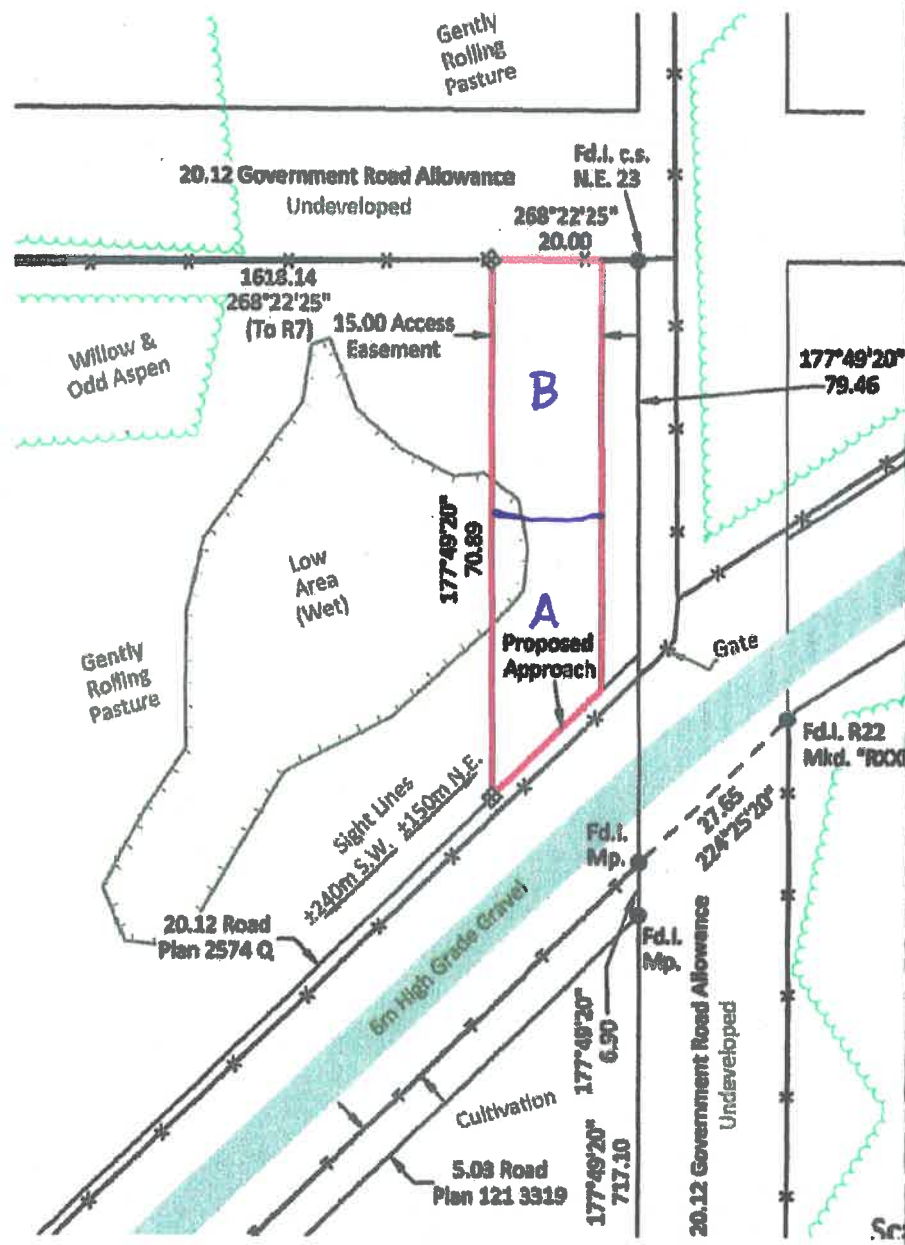
Plan Showing Survey of Access Easement

Instrument No: 201 092 988

within Block 2, Plan 991 1453

within N.E. 1/4 Sec. 23, Twp. 27, Rge. 3, W.5M.

Rocky View County, Alberta



Section A - will require 3ft. of fill

Section B - will require 1 ft. of fill

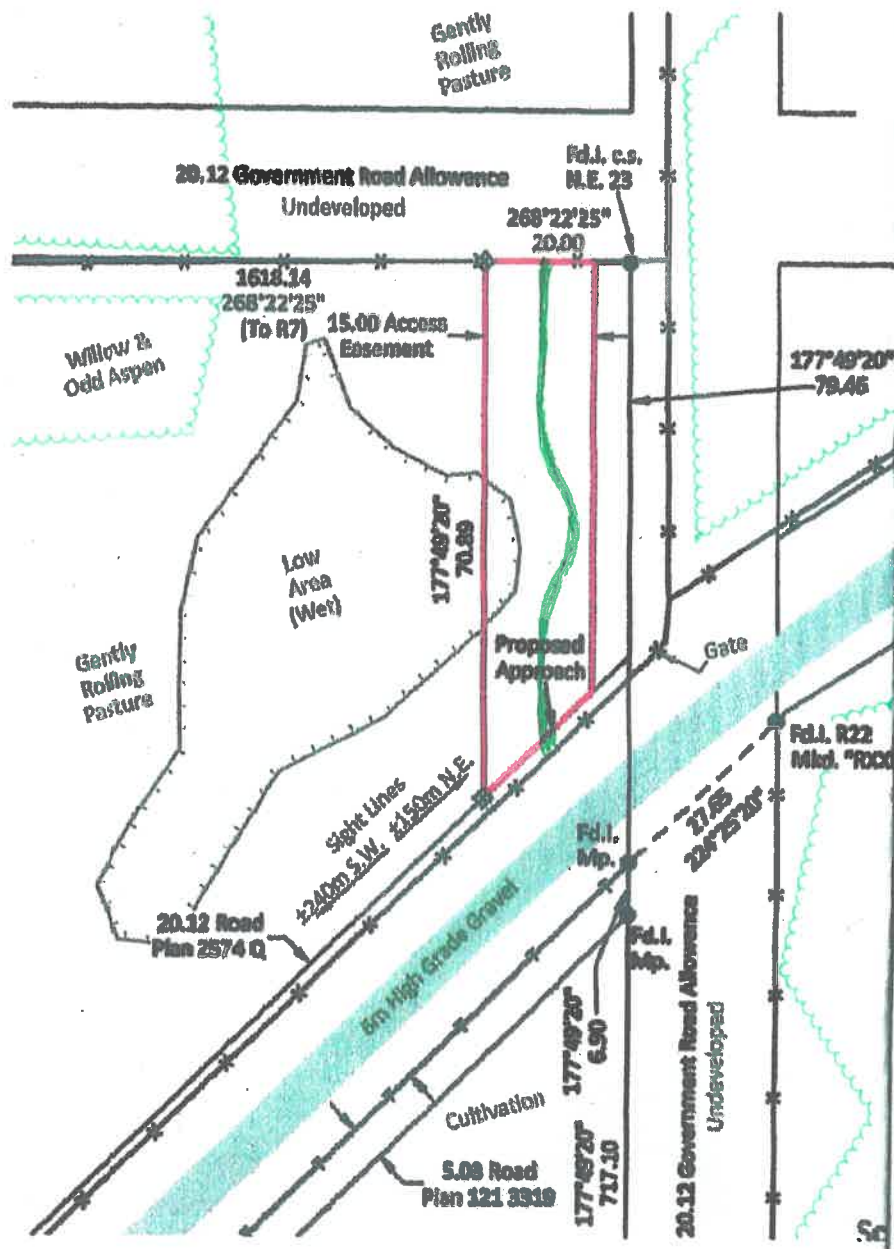
Plan Showing Survey of Access Easement

Instrument No: 201 092 988

within Block 2, Plan 991 1453

within N.E. 1/4 Sec. 23, Twp. 27, Rge. 3, W.5M.

Rocky View County, Alberta



proposed pasture access



PLANNING AND DEVELOPMENT SERVICES

TO: Municipal Planning Commission

DATE: October 8, 2020

DIVISION: 5

SUBJECT: Development Item: Home-Based Business, Type II **APPLICATION:** PRDP20202248

USE: Discretionary use, with Variances

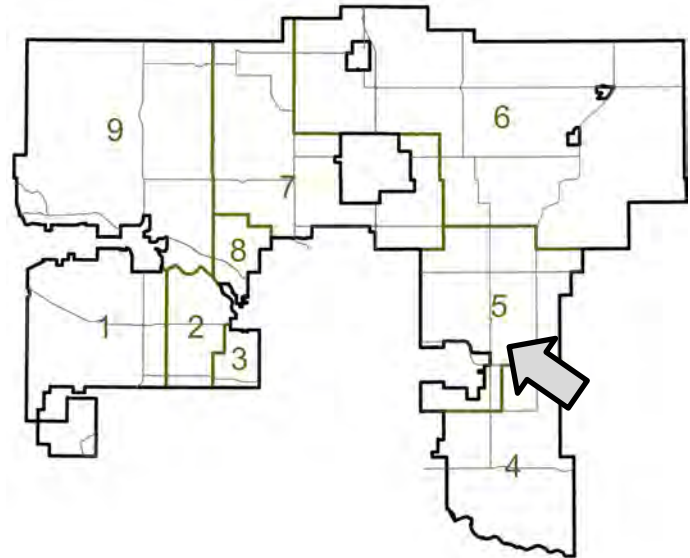
APPLICATION: renewal of a Home-Based Business, Type II, for auto body repair

GENERAL LOCATION: Located approximately 1.61 km (1 mile) north of Hwy. 1 and on the west side of Hwy. 9

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

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

VARIANCE SUMMARY:



Variance	Requirement	Proposed	Percentage (%)
Outside Storage	400.00 sq. m (4,305.56 sq. ft.)	8,639.98 sq. m (93,000.00 sq. ft.)	2,060.00%

OPTIONS:

- Option #1: THAT Development Permit Application PRDP20202248 be approved with the conditions noted in the report, as proposed by Administration.
- Option #2: THAT Development Permit Application PRDP20202248 be approved with the conditions noted in the report, as requested by the Applicant.
- Option #3: THAT Development Permit Application PRDP20202248 be refused as per the reasons noted.

AIR PHOTO & DEVELOPMENT CONTEXT:



Administration Resources

Sandra Khouri – Planning and Development Services

DEVELOPMENT PERMIT REPORT

Application Date: April 5, 2017	File: 04222009
Application: PRDP20202248	Applicant/Owner: Allen & Doreen Gunn
Legal Description: Block 1, Plan 733 JK, SE-22-24-27-04	General Location: Located approximately 1.61 km (1 mile) north of Hwy. 1 and on the west side of Hwy. 9
Land Use Designation: Ranch and Farm District (RF) under Land Use Bylaw C-4841-97	Gross Area: ±11.29 hectares (± 27.91 acres)
File Manager: Sandra Khouri	Division: 5

PROPOSAL:

The proposal is for the renewal of a Home-Based Business, Type II, for an auto body repair, relaxation of the maximum outside storage area 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 is a long standing home-based business – approximately 30 renewals to date.
- The previous development permit, PRDP20171238, was issued on June 14, 2017 and expired on May 10, 2020.

Business Details:

- Name of Business: Astro Auto Body Ltd.
- Hours of operation: Five days a week; 8:00 a.m. – 5:00 p.m.
- Site access from Highway 9.
- There are no environmental constraints on or around the subject parcel such as wetlands.
- There are no oil and gas lines, right of ways, or other restrictions on or around the parcel.
- Subject parcel surrounded by agricultural parcels.

Land Use Bylaw Requirements:**Section 8: Definitions**

HOME-BASED BUSINESS means the operation of a business or occupation within a dwelling and/or its accessory building(s), or on a parcel on which a dwelling is located and where one or more residents of the parcel is/are involved in the occupation or business. Home-Based Business does not include a Licensed Medical Marijuana Production Facility;

- Based on aerial photography, the scale of the development is significantly greater than that of a Home-Based Business. It is the opinion of Administration that the proposed use does not meet the definition of a Home-Based Business and due to the scale and intensity of the business operations, the use is better suited to the definition of *Automotive Services* which is defined in the Land Use Bylaw as:

AUTOMOTIVE SERVICES means a development used for the rental, lease, sale, service, restoration, mechanical repair and the retail sale of parts and petroleum products for motorized vehicles including automobiles, trucks, trailers, motorcycles, and recreation vehicles;

- If this application is approved, the Development Authority must determine that the proposed use does in fact meet the definition of a Home-Based Business.

Section 21 *Home-Based Business*

21.1 *The following general provisions shall apply to all Home-Based Businesses:*

- a) *All home-based businesses, where listed as a use, discretionary, shall require a Development Permit.*
 - A Home-Based Business, Type II, is a discretionary use within the Ranch and Farm district, thus the requirement for this application.
- b) *No outside storage of goods, materials, commodities or finished products shall be permitted except as permitted in a Development Permit.*
 - The outside storage of goods and materials onsite include heavy and light duty equipment and vehicles.
 - If approved, a condition addressing outside storage should be included on the development permit.
- c) *No variation from the external appearance and residential character of land or buildings shall be permitted.*
 - The screening noted on site appears to help retain the residential character of the property.
 - If approved, this should be included as a permanent condition of the development permit.
- d) *The use shall not, in the opinion of the Development Authority, generate excessive or unacceptable increases in traffic within the neighbourhood or immediate area.*
 - With the amount of vehicles seen in the aerial photography, an increase in traffic within the neighbourhood is anticipated.
- e) *The display or placement of signage on the premises of a home-based business shall be in accordance with the sign regulations in Section 35 of this Bylaw, and/or as defined in a Development Permit.*
 - Signage has been approved with previous renewals.
- f) *The home-based business shall not generate noise, smoke, steam, odour, dust, fumes, exhaust, vibration, heat, glare or refuse matter considered offensive or excessive by the Development Authority. At all times, the privacy of the adjacent residential dwellings shall be preserved and the home-based business shall not, in the opinion of the Development Authority, unduly offend or otherwise interfere with neighbouring or adjacent residents.*
 - No enforcement complaints relating to noise, odour, fumes, etc.
 - If approved, this should be included as a permanent condition of the development permit.

Section 21.3 *Home-Based Business, Type II*

- a) *shall be limited to the dwelling and its accessory buildings, and may include outside storage as described in 21.3(g);*
- The application notes that the business uses approximately:
 - 520.25 sq. m (5,600.00 sq. ft.) of an accessory building (shop); and
 - 400.00 sq. m (4,300.00 sq. ft.) of outside storage [see **note** under Section g) below]
- b) *may generate up to eight (8) business-related visits per day in an agricultural district and up to four (4) business-related visits per day in all other districts;*
- The property is in an agricultural district (Ranch and Farm), and is therefore allowed the maximum of eight visits per day;
 - The business has three to six visits per day.
- c) *the business use must be secondary to the residential use of the parcel;*
- As per the site plan, there appears to be a single detached dwelling and multiple accessory buildings.
 - It is the opinion of the Administration that due to the scale and intensity of the operations on site, the business is not secondary to the residential use of the parcel.
 - If approved, the Development Authority should consider granting a variance to this regulation or include a condition on the development permit to address this.
- d) *shall not change the residential character and external appearance of the land and buildings;*
- As per the site inspection photos, the property has natural screening such as hedges, a berm, and trees seen along the front of the property, masking it from the highway. The storage area is also fenced and gated for screening and security.
- e) *the number of non-resident employees shall not exceed two (2) at any time;*
- There are two employees for the home-based business; one part-time and one full-time, both of whom reside on the property.
- f) *does not include general retail stores;*
- No evidence that this business includes a retail store.
- g) *outside storage, if allowed in a condition of a Development Permit, shall be completely screened from adjacent lands, shall meet the minimum setback requirements for buildings, and shall not exceed 1% of the parcel or 400.00 sq. m (4,305.56 sq. ft.), whichever is the lesser;*
- The parcel size is 27.91 acres, or 112,947.7627 sq. m. so 1% of the parcel is 1,129.477627 sq. m. Therefore, the maximum permitted amount of outside storage is 400.00 sq. m. (4,305.56 sq. ft.).
 - The application identifies an area of 400.00 sq. m (4305.56 sq. ft.) of outside storage; however, when the outside storage area identified on the site plan is



measured on 2020 aerials in GIS, it appears to be closer to 8,639.98 (93,000 sq. ft.) This requires a variance of approximately 2,060.00%.

- Upon analysis of aerial photography from the last 10 years, the outside storage area appears to have been paved and significantly expanded, over the years, to this size in 2016.
- Based on site inspection photos, the outside storage area appears to be screened from adjacent lands and the highway. The storage area also appears to meet the minimum setback requirements.
- If approved, the Development Authority should consider granting a variance to this regulation or include a condition on the development permit to address this.
- h) *all vehicles, motor, trailers, or equipment that are used in the home-based business shall be kept within a building or a storage area as described in 21.3(g).*
- The vehicles will be stored in the designated outside storage area.

Enforcement History:

- No enforcement history found in Parcel Information System.

Recommendation Rationale:

Based on the review the application with Land Use Bylaw regulations for outdoor storage related to Home-Based Business, Type II, site inspection results, and submitted application details, Administration recommends **Conditional Approval**:

- The proposed Home-Based Business, Type II complies with Section 21 and 50 of the Land Use Bylaw with respect to maximum number of non-resident employees, maximum number of business-related visits per day, and setback requirements.
- **Outside Storage:** Aerials show that the size of the outside storage area is significant greater than what is permitted in the Land Use Bylaw and would require a relaxation of 2,060%. Administration recommends that the outside storage area be reduced in size to 4,300 sq. ft. as indicated in previous approvals. This would ensure that the scale of the business is appropriate for a Home-Based Business, Type II. Prior to issuance conditions are included in the proposed condition set requesting the Applicant reduce the size of the storage area and provide a revised site plan. A site inspection follow up will also be required.
- **Screening:** The storage area is sufficiently screened to mitigate visual impacts to adjacent lands and the highway.
- **Traffic:** Traffic impacts could be mitigated by reducing the size of the outside storage area as this would limit the number of vehicles being brought to the property for servicing.
- **Development Compliance:** This business has been permitted and active for over 20 years with no enforcement history noted on file.

It is the interpretation of the Development Authority that if the outside storage area of the Home-Based Business, Type II is reduced, it will not unduly affect or interfere with the enjoyment of neighbouring properties and will not detract from the residential character of the subject lands. **A three (3 year) renewal may be granted** upon completion of the prior-to issuance conditions and site inspection confirming all outdoor storage requirements are met.

STATUTORY PLANS:

The subject property is not located within any statutory plans. As such, the application was evaluated in accordance with the Land Use Bylaw C-4841-97.

INSPECTOR'S COMMENTS:

September 2, 2020:

- Storage area fenced, gated, & well screened
- Fairly neat & tidy
- Could not gain access to fenced area, 1 vehicle (no photos) in driveway
- No concerns at time of inspection
- Several vehicles/RVs in storage section - see photos
- Could not gain access to storage area (fenced & locked)

CIRCULATIONS:

Alberta Transportation

No comments received.

Alberta Motor Vehicle Industry Council

No comments received.

Development Compliance Officer Review

Development Compliance has no comments or concerns related to the attached application.

Utility Services

No Concerns.

OPTIONS:

Option #1 (this would approve the development as proposed by Administration)

APPROVAL, subject to the following conditions:

Description:

- 1) That a Home-Based Business, Type II, for auto body repair, may continue to operate on the subject parcel in accordance with the approved Site Plan, application, and conditions of this permit.

Prior to Issuance:

- 2) That prior to issuance of this permit, that the Applicant/Owner shall submit a revised site plan, that identifies the area of outside storage is reduced to no greater than 400.00 sq. m (4,305.56 sq. ft.) and screened from adjacent properties. The outside storage area shall meet the building setback and screening requirements of the Land Use Bylaw.
 - i) That once the outside storage area is reduced and screened onsite, a site inspection shall be completed by the County to confirm that the outside storage area is as per the revised site plan, to the satisfaction of the County.

Permanent:

- 3) 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.
- 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 or agricultural 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 in accordance with the approved Site Plan.
- 9) That all vehicles, trailers, or equipment that is used in the Home-Based Business, Type II shall be kept within the dwelling, accessory building, or storage area in accordance with the approved Site Plan.
- 10) That all outside storage that is a part of the Home-Based Business, Type II shall be completely visually screened from adjacent lands, shall meet the minimum setback requirements for buildings, and **shall not exceed 400.00 sq. m (4,305.56 sq. ft.)**, in accordance with the approved Site Plan.
- 11) That the display or placement of signage for the Home-Based Business shall be in accordance with the following:
 - i. One (1) on-site, commercially produced identification type sign containing either the name of the resident or the name of the home-based business, contact information and logo (no other advertising is permitted) is permitted;
 - ii. Maximum sign dimensions shall be as follows: 1.00 m (3.28 ft.) in length, 0.60 m (1.97 ft.) in height;
 - iii. Sign construction and lettering shall be as follows:
 - a. Sign constructed using 19.00 mm (0.75 in.), high density plywood or 38.0 mm (1.49 in.) solid wood;
 - b. Sign finish consisting of a high density reflective finish or equivalent, with die cut lettering or silk screen lettering;
 - c. Minimum letter size of 10.00 cm (3.93 in.), all upper case, uniform letter style;
 - iv. The sign shall be located in the yard, front adjacent to the front property line and either supported on independent posts or attached to existing fencing in an attractive fashion.
- 12) That no off-site advertisement signage associated with the Home-Based Business shall be permitted



- 13) That if this permit is not issued by **MAY 31, 2020** or the approved extension date, then this approval is null and void and the Development Permit shall not be issued.
- 14) That this Development Permit, once issued, shall be valid until **MAY 31, 2023**.

Advisory:

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

Option #2 (this would approve the development as requested by the Applicant)

APPROVAL, subject to the following conditions:

Description:

- 1) That a Home-Based Business, Type II, for auto body repair, may operate on the subject parcel in accordance with the approved Site Plan, submitted application, and conditions of this permit including the following:
 - i) That the maximum size of the outside storage area is relaxed from **400.00 sq. m (4,305.56 sq. ft.)** to **8,639.98 sq. m (93,000 sq. ft.)**.

Prior to Issuance:

- 2) That prior to issuance of this permit, that the Applicant/Owner shall submit a revised site plan that identifies the location, screening, and size of the outside storage area, which shall be no greater than 8,639.98 sq. m (93,000 sq. ft.). The outside storage area shall meet the building setback requirement and be completely screened, as per the requirements of the Land Use Bylaw and to the satisfaction of the County.
 - i) That once the screening for the outside storage area is installed, a site inspection shall be completed by the County, to confirm that the outdoor storage area is as per the revised site plan, to the satisfaction of the County.

Permanent:

- 3) 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.
- 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 or agricultural 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 in accordance with the approved Site Plan.



- 9) That all vehicles, trailers, or equipment that is used in the Home-Based Business, Type II shall be kept within the dwelling, accessory building, or storage area in accordance with the approved Site Plan.
- 10) That all outside storage that is a part of the Home-Based Business, Type II shall be completely visually screened from adjacent lands, shall meet the minimum setback requirements for buildings, and shall not exceed 400.00 sq. m (4,305.56 sq. ft.), in accordance with the approved Site Plan.
- 11) That the display or placement of signage for the Home-Based Business shall be in accordance with the following:
 - i) One (1) on-site, commercially produced identification type sign containing either the name of the resident or the name of the home-based business, contact information and logo (no other advertising is permitted) is permitted;
 - ii) Maximum sign dimensions shall be as follows: 1.00 m (3.28 ft.) in length, 0.60 m (1.97 ft.) in height;
 - iii) Sign construction and lettering shall be as follows:
 - a. Sign constructed using 19.00 mm (0.75 in.), high density plywood or 38.0 mm (1.49 in.) solid wood;
 - b. Sign finish consisting of a high density reflective finish or equivalent, with die cut lettering or silk screen lettering;
 - c. Minimum letter size of 10.00 cm (3.93 in.), all upper case, uniform letter style;
 - iv) The sign shall be located in the yard, front adjacent to the front property line and either supported on independent posts or attached to existing fencing in an attractive fashion.
- 12) That no off-site advertisement signage associated with the Home-Based Business shall be permitted
- 13) That if this permit is not issued by **May 31, 2020** or the approved extension date, then this approval is null and void and the Development Permit shall not be issued.
- 14) That this Development Permit, once issued, shall be valid until **May 31, 2023**.

Advisory:

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

Option #3 (this would not allow the development permit to be issued)

REFUSAL, for the following reasons:

- 1) The development is not secondary to the residential use of the parcel, which is in contravention of Section 21.3(c) of the Land Use Bylaw (C-4841-97).
- 2) The amount of outdoor storage permitted for a Home-Based Business is 400.00 sq. m (4,305.56 sq. ft.). The amount of outdoor storage required for the auto body business is calculated at 8,639.98 sq. m (93,000.00 sq. ft.), which is in contravention of Section 21.3(g) of the Land Use Bylaw C-4841-97.

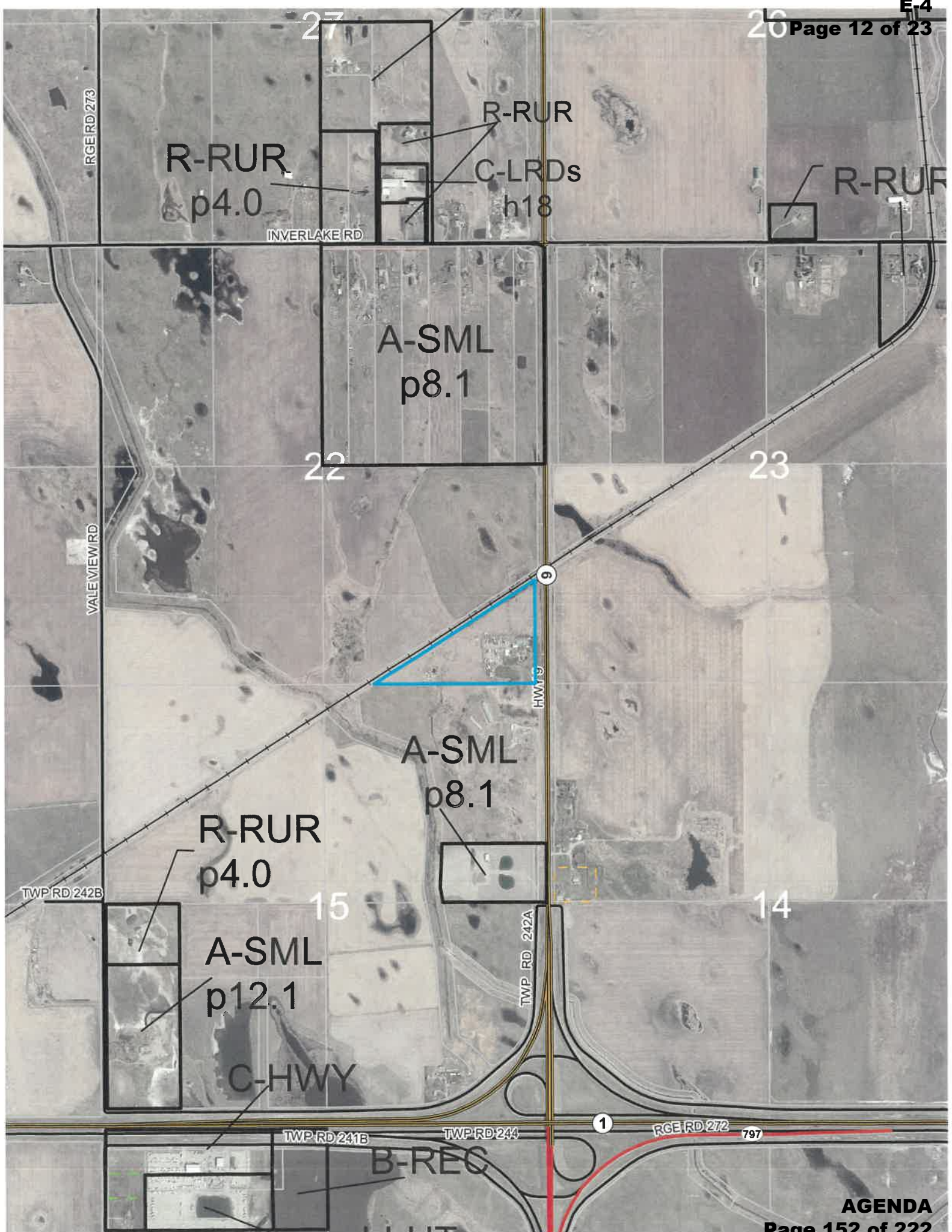


Permitted: 400.00 sq. m (4,305.56 sq. ft.)

Development Authority Analysis: 8,639.98 sq. m (93,000.00 sq. ft.).

- 3) The continued operation of the business may unduly interfere with the amenities of the neighbourhood and materially interferes with and affects the use, enjoyment, and value of neighbouring parcels of land, which is in contravention of Section 12.2(c) of the Land Use Bylaw (C-4841-97).
- 4) That the intensity of the proposed development is appears greater than that of a *Home-Based Business* and therefore does not meet the definition of a Home-Based Business. The proposed development would appear most consistent with an *Automotive Services* use. *Automotive Services* is neither permitted nor discretionary in the Ranch and Farm District.





Aug 04 20, 10:38p

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ROCKY VIEW COUNTY
Cultivating Communities

20202248

APPLICATION FOR A DEVELOPMENT PERMIT

FOR OFFICE USE ONLY	
Fee Submitted \$200.00	File Number 04222009
Date of Receipt Aug 5/20	Receipt # 2580 024979

Renewal To: PRDP 20171238

Name of Applicant

Allen & Doreen Gunn

Email

For Agents please supply Business/Agency/ Organization Name

Registered Owner (if not applicant)

same

Mailing Address

Postal Code

Telephone (B)

(H)

Fax

1. LEGAL DESCRIPTION OF LAND

- a) All / part of the SE $\frac{1}{4}$ Section 22 Township 24 Range 27 West of 4 Meridian
- b) Being all / parts of Lot _____ Block 1 Registered Plan Number 733JK
- c) Municipal Address 243021 - RR 272 - Rocky View County
- d) Existing Land Use Designation farm Parcel Size 2789 acres Division _____

2. APPLICATION FOR

Auto body repair & storage area, HOME-BASED BUSINESS
5yr. renewal requested. TYPE II

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

ALICE
DOREEN GUNN
(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.

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

Applicant's Signature

Doreen Gunn

Date

July 30/2020

Owner's Signature

Doreen Gunn

Date

July 30/2020

Development Permit Application

Page 1 of 2

47 101 #

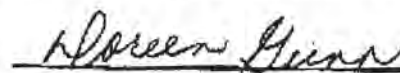
07-25-20:08:42AM:ASTRO TRACKING & EXC LTD

Aug 04 20, 10:38p

p 5

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, Doreen Gunn 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

Aug 04 20, 10:38p

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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

Astro Auto Body Ltd**1. PROPERTY INFORMATION**Is this on your property? ☒ Yes ☐ NoAt your customers locations? ☒ Yes ☐ No☒ Both ☐ Yes ☐ No

How many square feet are being used for business purposes in the following:

House

Accessory Building

5600 sq ft

Outdoors

4300 sq ftrequested(max)**2. VEHICLES**

How many vehicles come to your home/property

Per day

3-5

Per week

20-30

Please describe the number and type of vehicles used in the business

all sorts of heavy

Where will these vehicle(s) be parked?

In front down side & back of shop

* 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

1

Part Time

1

Including the Applicant, how many of the above persons live on this property?

Full Time Employees

1

Part Time Employees

1**4. OPERATION**

What are your days of operation?

5 days/week

What are your hours of operation?

8-5**5. STORAGE AND SIGNAGE**Is outside storage requested? ☒ YES ☐ NO

If yes - how many square feet?

front/back & side ofWill a sign be required? ☒ YES ☐ NO

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

we did have permission for a sign but have taken it**6. ADDITIONAL INFORMATION**down for now. (Front glass area), 3x6' approx (existing sign)* Please renew for 5 years. Our thanks

Signature of Applicant

Doreen Gunn

Date:

July 30/2020

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

Aug 04 20, 10:37p

p.1

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

July 30/2020

ATT: Sangita

As per our discussion regarding
the renewal of the development
permit for Astro Auto Body Ltd
(Allen & Doreen Gurn).

I have spoke to my office
(Jim Gurn / Jami Laposki) &
they have been dealing with
Natalie about this renewal.
She has advised them that
everything is OK & just to
resub the forms & it would
be processed. Please confer
with her & call me so I
know if anything further
is required. My thanks
in advance for your help.

Regards
Doreen Gurn

Forms are being sent with this doc.















PLANNING AND DEVELOPMENT SERVICES

TO: Municipal Planning Commission
DIVISION: 8
SUBJECT: Development Item: Single-lot Regrading
USE: Discretionary use, with no Variances

DATE: October 8, 2020

APPLICATION: PRDP20202309

APPLICATION: Single-lot regrading and placement of clean fill.

GENERAL LOCATION: Located approximately 0.81 km (1/2 mile) north of Hwy. 1A and 0.81 km (1/2 mile) east of Woodland Rd.

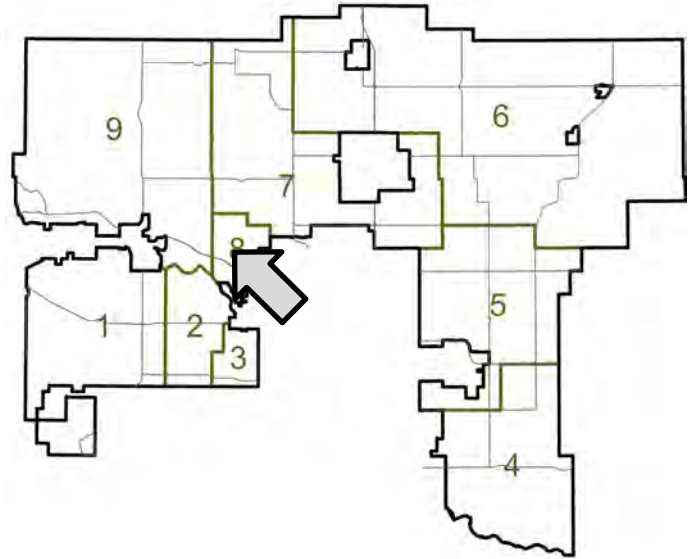
LAND USE DESIGNATION: Residential One District (R-1) under Land Use Bylaw C-4841-97.

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

OPTIONS:

- Option #1: THAT Development Permit Application PRDP20202309 be approved with the conditions noted in the report.
- Option #2: THAT Development Permit Application PRDP20202309 be refused as per the reasons noted.

AIR PHOTO & DEVELOPMENT CONTEXT:



Administration Resources

Sandra Khouri – Planning and Development Services

DEVELOPMENT PERMIT REPORT

Application Date: August 11, 2020	File: 05736151
Application: PRDP20202309	Applicant/Owner: Punj, Rakesh & Saroj
Legal Description: Lot 4, Block 2, Plan 0815746, SW-36-25-03-05	General Location: located approximately 0.81 km (1/2 mile) north of Hwy. 1A and 0.81 km (1/2 mile) east of Woodland Rd.
Land Use Designation: Residential One District (R-1)	Gross Area: ± 0.81 hectares (± 2.01 acres)
File Manager: Sandra Khouri	Division: 8

PROPOSAL:

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

Under Section 33.1 of the Land Use Bylaw, all stripping, filling, excavation, grading and/or re-contouring requires a Development Permit.

The intent of the application is to re-grade the property to level out the slope at the rear to allow for easier maintenance/mowing and potential for tree planting. The work has already been completed as indicated in the inspection photos. The application is the result of an enforcement file with Development Compliance.

Re-grading at the rear of the property:

- **Height:** 0.61 m (2.00 ft.) of fill required to existing grade
- **Width:** 10.00 m (32.81 ft.) - 15.00 m (49.21 ft.)
- **Length:** 10.00 m (32.81 ft.) - 15.00 m (49.21 ft.)
- **Area:** 100.00 sq. m (1,076.39 sq. ft.) - 225.00 sq. m (2,421.87 sq. ft.)
- **Volume:** 200 cubic meters
- **Truckloads:** 25
- **Slope factor:** 4:1

Drainage

There is a caveat on title (081 467 525) for an overland drainage right-of-way that effects the subject land. The right-of-way survey plan (Plan No. 0815750) shows that the drainage infrastructure is not located directly on the property. Regardless, the Applicant has indicated that the existing swale at the rear of the property will not be impacted by the subject proposal. Engineering Services has confirmed that drainage will not be impacted as the direction of water flow will not change so there are no concerns with the proposed work.



Development Permit History:

No history

STATUTORY PLANS:

Calgary / Rocky View County Inter-municipal Development Permit (IDP)

The Application was circulated to the City in accordance with the IDP policies in this plan. No comments were received.

INSPECTOR'S COMMENTS:

September 2, 2020

- Some evidence of ground disturbance (bare ground) see photos
- No water evident at time of inspection
- Undulating topography
- No concerns at time of inspection

CIRCULATIONS:

City of Calgary

No comments received.

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. 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 Rakesh & Siroj Punj for the development listed above.

Development Compliance Officer Review

This application is the result of an enforcement issue. With the application now submitted waiting for review, Development Compliance has no comments to add at this time.

Planning and Development Services - Engineering Review

General

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

Geotechnical:

- As per the application, re-contouring to rear yard is being done to have smooth slopes instead of steep drop. The land shall be filled and graded for a depth up to 3.00 ft (0.91 m).
- As a permanent condition, the applicant will be required to provide compaction testing results, prepared and provided by a qualified professional, for any areas of the site filled greater than 1.2m in depth.
- Engineering has no requirements at this time.

Transportation:

- Access to the parcel is provided off Willow Creek Rise.
- As per the application, approximately 200 m³ of fill is expected to be hauled onto the site. Prior to issuance, the applicant is required to contact County Road Operations to determine if a Road Use Agreement is required for the hauling of the fill to the subject land.
- This is unlikely to increase traffic on local road networks. Traffic Impact Assessment and TOL are not required.

Sanitary/Waste Water:

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

Water Supply and Waterworks:

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

Storm Water Management:

- This is unlikely to change the drainage patterns on site.
- Engineering has no requirements at this time.

Environmental:

- As an advisory, the applicant is responsible for ensuring that proper dust mitigations measures and ESC controls are adhered to on site. Stockpiles shall be seeded if they are proposed to remain for greater than 45 calendar days.

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.

Agricultural Services

No agricultural concerns.

Utility Services

No Concerns.

OPTIONS:

Option #1 (this would allow the development to commence)

APPROVAL, subject to the following conditions:

Description:

1. That single-lot regrading and the placement of approximately 200 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 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.

Permanent:

3. 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.
4. That upon completion of the proposed development, all areas of fill that are greater than 1.20 m (3.93 ft.) in depth, the Applicant/Owner shall submit compaction testing results, prepared by a qualified professional, in accordance with County Servicing Standards.
5. That it shall be the responsibility of the Applicant/Owners to ensure the fill has been placed in a safe manner that does not cause slope stability issues, slumping, or any other related safety issues.
6. That upon request of the County, the Applicant/Owner shall submit an as-built survey, confirming that the development proposal and post grades align with the approved application.
7. 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.
8. That no topsoil shall be removed from the site.
9. That the Applicant/Owners shall ensure no organic material is buried and capped in a manner that will cause methane gas related issues.
10. That the fill shall not contain large concrete, rebar, asphalt, building materials, organic materials, or other metal.
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 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.
13. That the Applicant/Owners shall be responsible for rectifying any adverse effect on adjacent lands from drainage alteration.

14. That the subject land shall be maintained in a clean and tidy fashion at all times and all waste material shall be deposited and confined in an appropriate enclosure. All waste material shall be regularly removed from the property to prevent any debris from blowing onto adjacent property or roadways. 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:

15. That any other government permits, approvals, or compliances are the sole responsibility of the Applicant/Owner.
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 maintained in accordance with the Alberta Weed Control Act [*Statutes of Alberta, 2008 Chapter W-5.1, December 2017*].
18. 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.
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.

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.

WILLOW CREEK CREST

ROCKY BEAR PLACE

WILLOW CREEK GREEN

WILLOW CREEK RISE







ROCKY VIEW COUNTY
Cultivating Communities

20202309

APPLICATION FOR A DEVELOPMENT PERMIT

Fee Submitted 450.00	File Number 05736151
Date of Receipt Aug 11/20	Receipt # 2020 025026

Name of Applicant

Rakesh Punj

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 N/A 1/4 Section N/A Township N/A Range N/A West of N/A Meridian
- b) Being all / parts of Lot 4 Block 2 Registered Plan Number 0815746
- c) Municipal Address 255036 Willow Creek Rise
- d) Existing Land Use Designation Residential R-1 Parcel Size 1.2 acres Division N/A

2. APPLICATION FOR

Landscaping / Light Grading of Rear yard.

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 Rakesh Punj 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

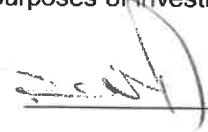
Date

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, Rakesh Puri, 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. 5/20
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 Rakesh Punj

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-contouring rear yard to have nice smooth slopes instead of drop off's that are not mowable. Potential for tree planting in the future.

Indicate the effect(s) on existing drainage patterns or environmentally sensitive areas (i.e. riparian, wetland, waterbodies) (if applicable) No drainage effects, rear yard still has swale that drains towards the rear of the lot.

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

3. TYPE

Height N/A (approx 2ft fill to existing) Volume 200m³ meters cubed
 Width 10-15m Truckload 25 (approximately)
 Length 10-15m Slope Factor max 4/5-1 (if applicable)
 Area approx 100-225 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:
- 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

I Rakesh Punj 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.

Hi

The reasoning for recountouring the existing highpoint of the rear yard. The main reasoning was to add approximately 2 ft of top soil fill to create gentle slopes that are mowable instead of the existing ones that were too steep, and also adding the topsoil to promote tree growth. The existing slopes were approximately 2:1 and the new ones are 3.5-4:1. This creates a nice gentle highpoint that at a later date will be landscaped with a combination of coniferous and deciduous trees. No drainage is effected, and the existing swale has still be maintained as discussed and acknowledged by the rocky view county officer.

Rakesh Punj

[REDACTED]



LAND TITLE CERTIFICATE

S
LINC SHORT LEGAL TITLE NUMBER
0033 676 404 0815746;2;4 161 279 779

LEGAL DESCRIPTION
PLAN 0815746
BLOCK 2
LOT 4
EXCEPTING THEREOUT ALL MINES AND MINERALS
AREA: 0.812 HECTARES (2.01 ACRES) MORE OR LESS

ESTATE: FEE SIMPLE
ATS REFERENCE: 5;3;25;36;SW

MUNICIPALITY: ROCKY VIEW COUNTY

REFERENCE NUMBER: 141 289 260

REGISTRATION	DATE (DMY)	REGISTERED OWNER(S) DOCUMENT TYPE	VALUE	CONSIDERATION
161 279 779	23/11/2016	TRANSFER OF LAND	\$420,000	NOMINAL

OWNERS

SAROJ PUNJ

AND

RAKESH PUNJ

ENCUMBRANCES, LIENS & INTERESTS

REGISTRATION NUMBER	DATE (D/M/Y)	PARTICULARS
081 467 517	19/12/2008	CAVEAT RE : DEVELOPMENT AGREEMENT PURSUANT TO MUNICIPAL

(CONTINUED)

ENCUMBRANCES, LIENS & INTERESTS

PAGE 2
161 279 779

REGISTRATION

NUMBER DATE (D/M/Y) PARTICULARS

		GOVERNMENT ACT
		CAVEATOR - THE MUNICIPAL DISTRICT OF ROCKY VIEW NO. 44.
		911-32 AVE NE
		CALGARY
		ALBERTA T2E6X6
081 467 519	19/12/2008	UTILITY RIGHT OF WAY
		GRANTEE - ENCORE PRIME DEVELOPMENTS CORPORATION.
		GRANTEE - WILLOW CREEK HOMEOWNERS ASSOCIATION LTD.
		GRANTEE - ENMAX POWER CORPORATION.
		GRANTEE - TELUS COMMUNICATIONS INC.
		GRANTEE - SHAW COMMUNICATIONS INC.
		GRANTEE - ATCO GAS AND PIPELINES LTD.
		GRANTEE - THE MUNICIPAL DISTRICT OF ROCKY VIEW NO. 44.
		AS TO PORTION OR PLAN:0815747
081 467 525	19/12/2008	CAVEAT
		RE : RESTRICTIVE COVENANT PURSUANT TO MUNICIPAL GOVERNMENT ACT
		CAVEATOR - THE MUNICIPAL DISTRICT OF ROCKY VIEW NO. 44.
		911-32 AVE NE
		CALGARY
		ALBERTA T2E6X6
081 467 526	19/12/2008	CAVEAT
		RE : DEFERRED SERVICES AGREEMENT
		CAVEATOR - THE MUNICIPAL DISTRICT OF ROCKY VIEW NO. 44.
		911-32 AVE NE
		CALGARY
		ALBERTA T2E6X6
081 467 527	19/12/2008	ENCUMBRANCE
		ENCUMBRANCEE - WILLOW CREEK HOMEOWNERS ASSOCIATION LTD.
		1250, 639 - 5TH AVENUE SW
		CALGARY
		ALBERTA T2P0M9
081 467 528	19/12/2008	RESTRICTIVE COVENANT
171 076 793	10/04/2017	CAVEAT
		RE : AGREEMENT CHARGING LAND
		CAVEATOR - THE TORONTO DOMINION BANK.
		500 EDMONTON CITY CENTRE EAST
		10205- 101ST STREET, 5TH FLOOR

(CONTINUED)

ENCUMBRANCES, LIENS & INTERESTS

PAGE 3
161 279 779

REGISTRATION
NUMBER DATE (D/M/Y) PARTICULARS

EDMONTON
ALBERTA T5J5E8
AGENT - HEATHER HEENAN
SEE CAVEAT FOR INTEREST

TOTAL INSTRUMENTS: 007

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN
ACCURATE REPRODUCTION OF THE CERTIFICATE OF
TITLE REPRESENTED HEREIN THIS 10 DAY OF AUGUST,
2020 AT 02:09 P.M.

ORDER NUMBER: 39884347

CUSTOMER FILE NUMBER:

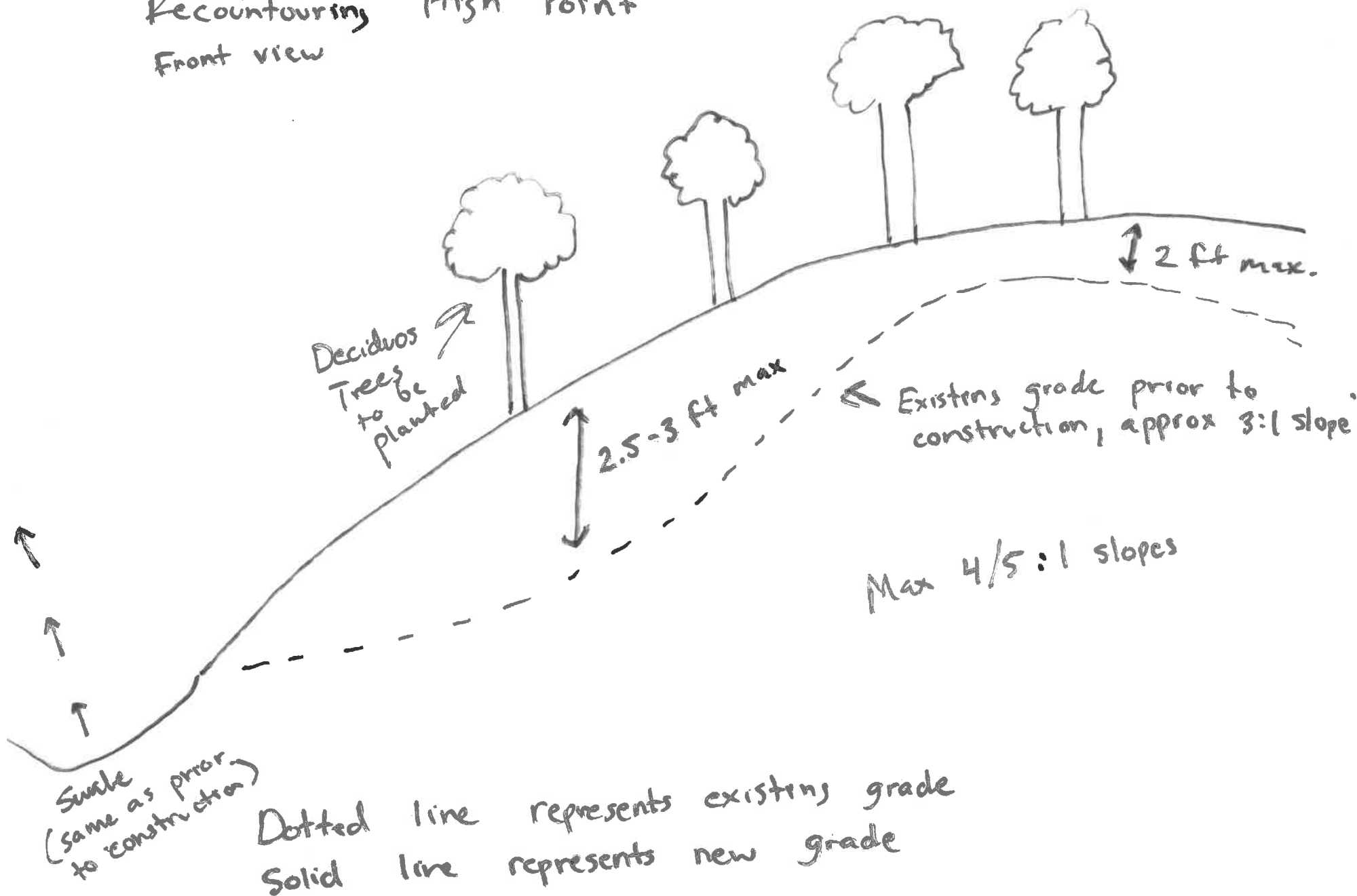


END OF CERTIFICATE

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).

Recountoursing High Point
Front view



PLOT PLAN

LEGAL DESCRIPTION:

Lot 4
Block 2
Plan 081 5746

MUNICIPAL ADDRESS:

255034 Willow Creek Rise
Calgary, Alberta

PREPARED FOR: Modern Drafting & Design

NOTE: GEODESIC GRADES WERE PROVIDED BY SURVEYOR AND BUILDING LAYOUT ARE SUGGESTED ONLY AND ARE SUBJECT TO CHANGE AND APPROVAL. PLOT PLAN MUST BE APPROVED BY THE DEVELOPER AND THE APPROVAL MUNICIPALITY PRIOR TO STAKEOUT. BUILDER ASSUMES ALL RESPONSIBILITY IF FAILURE TO DO SO.

Building Area = 466.68m²
(Area does not include rear deck)
Lot Area = 817.62m²
Lot Coverage = 57%

Footing (A.T.F.) 1290.84 (L.T.F.) N/A
Subfloor 1293.98
Underside of Joist N/A
Finished Grade Front 1293.30
Finished Grade Rear 1290.84
Garage Slab 1293.40
Service Invert S/S1 N/A (Septic Tank)
Setback 61.38m

BOTTOM OF FOOTING = 1290.64
8"x24" FOOTING.

These Plot plan tags
have assumed 12"
all and 8" from
Footings



255034 Willow
Creek Rise

Lot 4
Block 2
Plan 081 5746

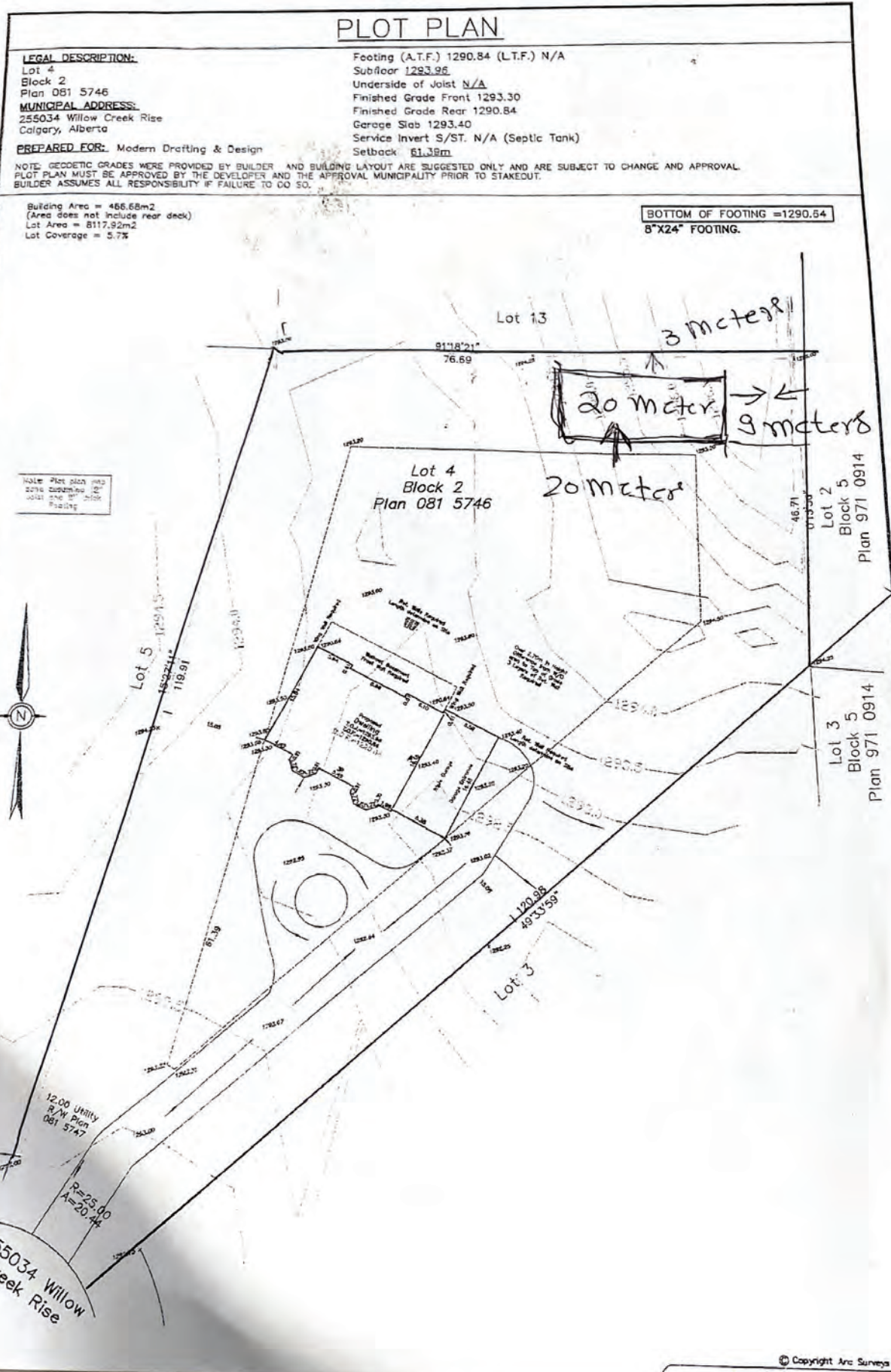
Lot 2
Block 5
Plan 971 0914

Lot 3
Block 5
Plan 971 0914

Lot 5

Arc Surveys Ltd.
2018 38 AVENUE NE, Calgary, AB T2E 3M4
PH: 403-271-1212, Fax: 403-271-1215
www.arcsurveys.ca info@arcsurveys.ca

File No.: 151500 | Scale: 1:500 | Drawn: JW | Date: Aug 10th, 2015

















PLANNING AND DEVELOPMENT SERVICES

TO: Municipal Planning Commission
DIVISION: 4
SUBJECT: Development Item: Dwelling, Single Detached
USE: Permitted use, with Variances

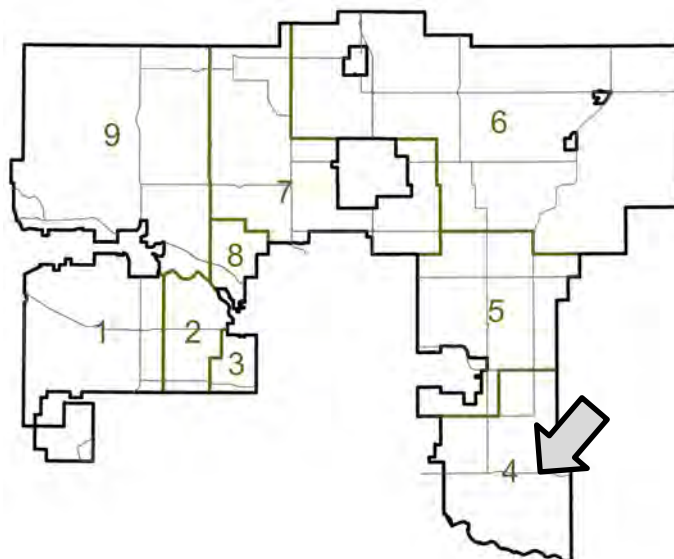
DATE: October 8, 2020
APPLICATION: PRDP20202416

APPLICATION: Dwelling, single detached (existing deck), relaxation of the minimum rear yard setback requirement.

GENERAL LOCATION: Located in the hamlet of Langdon.

LAND USE DESIGNATION: Direct Control Bylaw 85 (DC-85) under Land Use Bylaw C-4841-97.

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



VARIANCE SUMMARY:

Variance	Requirement	Proposed	Percentage (%)
Rear Yard Setback Requirement	8.00 m (26.24 ft.)	4.16 m (13.64 ft.)	48.00%

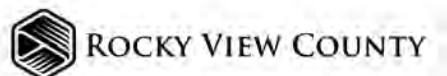
OPTIONS:

- Option #1: THAT Development Permit Application PRDP20202416 be approved with the conditions noted in the Development Permit Report, attached.
- Option #2: THAT Development Permit Application PRDP20202416 be refused as per the reasons noted.

AIR PHOTO & DEVELOPMENT CONTEXT:



Administration Resources
 Sandra Khouri – Planning and Development Services



DEVELOPMENT PERMIT REPORT

Application Date: August 18, 2020	File: 03214054
Application: PRDP20202416	Applicant/Owner: Vista Geomatics (Ashley Sheedy)
Legal Description: Lot 12, Block 3, Plan 0610551, NE-14-23-27-04	General Location: located in the hamlet of Langdon
Land Use Designation: Direct Control District 85 (DC 85, Cell 1) under Land Use Bylaw C-4841-97.	Gross Area: ± 0.07 hectares (± 0.18 acres)
File Manager: Sandra Khouri	Division: 4

PROPOSAL:

The proposal is for a dwelling, single detached (existing deck), relaxation of the minimum rear yard setback requirement to accommodate an existing deck.

A Real Property Report was submitted for a stamp of compliance and it was noted that the dwelling, single detached does not meet the minimum setback requirement due to a rear constructed deck.

DC-85 (C-5783-2003):

The subject land is located within Cell 1, Hamlet Residential Single Family of Direct Control Bylaw (DC-85), in the Boulder Creek Conceptual Scheme. The following sections are relevant to the development.

- 1.2.0 *The General Administration (Part Two) and General Regulations (Part Three) as contained in the Land Use Bylaw (C-4841-97) shall apply unless otherwise specified in this bylaw.*
- 2.0.0 *LAND USE REGULATIONS – HAMLET RESIDENTIAL SINGLE FAMILY DEVELOPMENT CELL 1*
- 2.2.1 *Section 55 Hamlet Residential Single Family District (HR-1) of Land Use Bylaw C-4841-97 are applicable to this development cell unless otherwise stated in this Bylaw.*
- 2.5.2 *Accessory Buildings are not permitted within the Front Yard or Side Yard of any Dwelling Unit.*

Note: there is a 7.44 sq. m (80.08 sq. ft.) plastic shed located in the side yard of the dwelling. The building must be moved to the rear yard in order to be compliant with this regulation. This will be noted as an advisory condition.

Requirements (Dwelling)				
Section	Regulation	Required	Proposed	Variance
59.5 (c) (LUB)	Yard, Front (dwelling)	6.00 m (19.68 ft.)	7.97 m (26.14 ft.)	0%
2.3.2 a) (DC)	Yard, Side – sites without lanes	1.50 m (4.92 ft.)	1.52 m (4.98 ft.) / 3.34 m (10.95 ft.)	0%

59.5 (f) (i) (LUB)	Yard, Rear	8.00 m (26.24 ft.)	9.77 m (32.05) [dwelling] / 4.16 m (13.64 ft.) [deck]	48.00%
2.4.1 a) (DC)	Height of Building	11.00 m (36.08 ft.)	Not provided	N/A
2.4.2 a) (DC)	Maximum total site coverage (all buildings)	35.00%	Not provided	N/A

Requirements (Accessory Building)				
Section	Regulation	Required	Proposed	Variance
59.2 (LUB)	Uses, Permitted	Accessory buildings < 65.00 sq. m (699.65 sq. ft.)	7.44 sq. m (80.08 sq. ft.)	0%
59.5 (c) (LUB)	Yard, Front	6.00 m (19.68 ft.)	lots	0%
59.5 (d) (ii) (LUB)	Yard, Side – sites without lanes	0.60 m (1.96 ft.)	1.34 m (4.39 ft.) / lots	0%
59.5 (f) (ii) (LUB)	Yard, Rear	1.00 m (3.28 ft.)	lots	0%
2.4.1 b) (DC)	Height of Buildings – (accessory building)	4.60 m (15.09 ft.)	Not provided	N/A
2.4.2 b) (DC)	Maximum coverage of accessory buildings	10%	~1%	0%
59.6 (d) (LUB)	Total building area for all accessory buildings	90.00 sq. m (968.75 sq. ft.)	7.44 sq. m (80.08 sq. ft.)	0%
59.6 (e) (LUB)	Maximum number of accessory buildings	2	1	0%

Land Use Bylaw (C-4841-97):

Section 38 *FRONT, SIDE and REAR EXTENSIONS INTO YARDS*

38.2 *Decks shall not extend further than 2.00 m (6.56 ft.) into the required minimum yard, side or rear and the resulting required minimum yard, side or rear shall not be less than 1.20 m (3.94 ft.).*

Section 67 *DIRECT CONTROL DISTRICT (DC)*

67.5 *Variance*

Where a development does not comply with the approved DC Direct Control regulations for the site, the Development Authority may, if satisfied that the proposed variance will

not unduly interfere with the amenities of the neighborhood nor materially interfere with or affect the use, enjoyment, or value of neighboring properties, issue a Development Permit granting a variance.

- The deck is existing and there have been no enforcement concerns. As such Administration is of the opinion that granting this variance would not unduly impact neighbouring properties.

STATUTORY PLANS:

The subject property is located within the Langdon ASP and the Boulder Creek Conceptual Scheme. These plans do not provide guidance on applications of this nature. As such, this application was evaluated in accordance with DC-85 and the Land Use Bylaw.

INSPECTOR'S COMMENTS:

September 2, 2020

- Neat & tidy
- No concerns at time of inspection

CIRCULATIONS:

Building Services Review

No concerns with setback relaxation.

Development Compliance Officer Review

Development Compliance has no comments or concerns related to the attached application.

Utility Services

No Concerns.

OPTIONS:

Option #1 (this would allow the proposed development [deck] to remain)

APPROVAL, subject to the following conditions:

Description:

1. That the dwelling, single detached (existing deck) may remain on the subject parcel, in accordance with the with Real Property Report prepared by Vista Geomatics Ltd., dated June 8, 2020.
 - i. That the minimum rear yard setback requirement for the dwelling, single detached (existing deck), shall be relaxed from **8.00 m (26.25 ft.)** to **4.16 m (13.65 ft.)**.

Advisory:

2. That the accessory building (existing shed, 7.44 sq. m [80.08 sq. ft.] in area) shall be relocated to the rear yard of the property, to be in compliance with Direct Control District 85 Regulation 2.5.2.
3. That any over government permits, approvals, or compliances are the sole responsibility of the Applicant/Owner.

Option #2 (this would not allow the proposed development [deck] to remain)

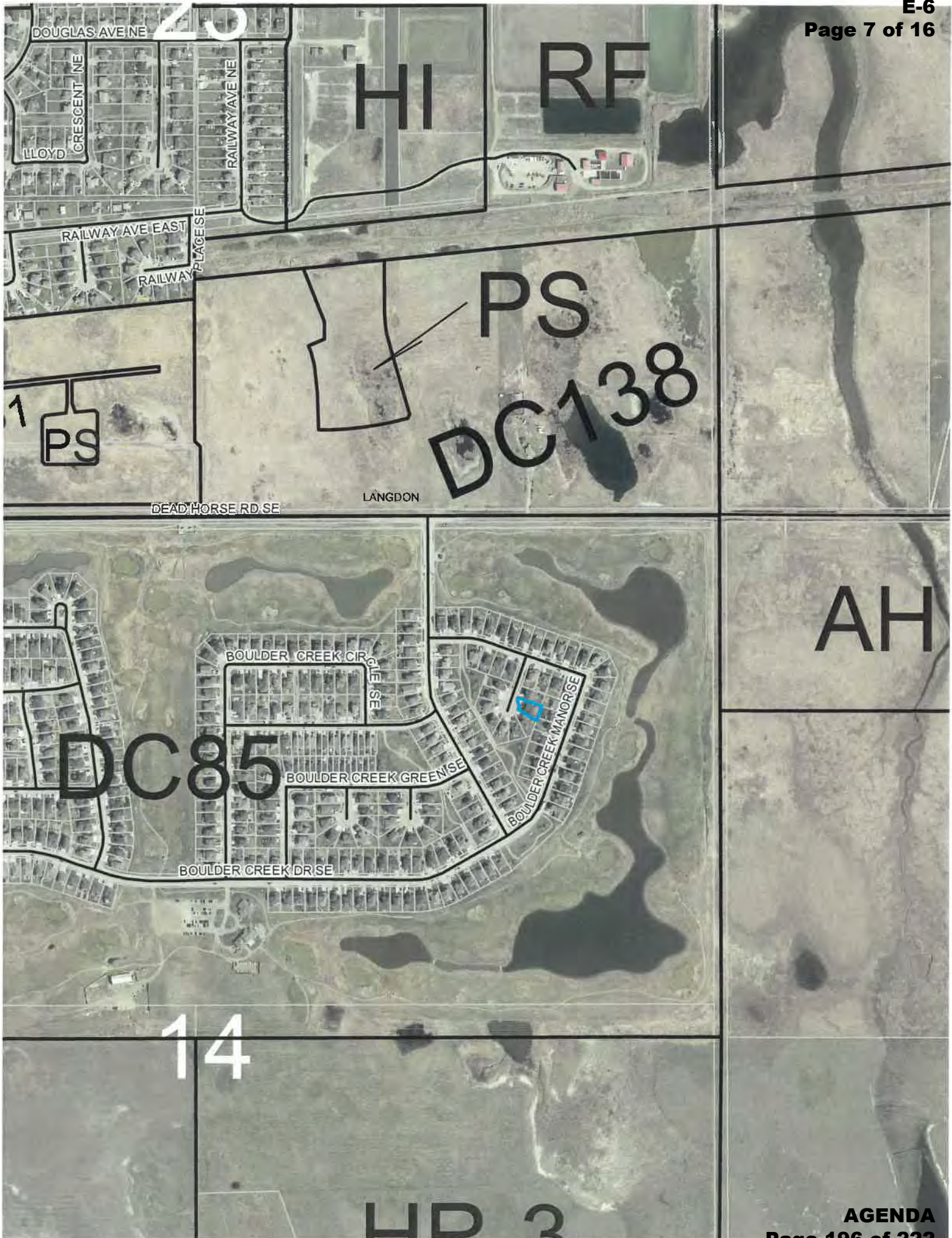
REFUSAL, for the following reasons:

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.

BOULDER CREEK TERRACE SE

LANGDON

BOULDER CREEK MANOR SE





ROCKY VIEW COUNTY
Cultivating Communities

20202416

APPLICATION FOR A DEVELOPMENT PERMIT

FOR OFFICE USE ONLY	
Fee Submitted 315.00	File Number 03214054
Date of Receipt Aug 18	Receipt # 2020 025119

Name of Applicant Ashley Sheedy Email [REDACTED]

For Agents please supply Business/Agency/ Organization Name _____

Registered Owner (if not applicant) Simon and Alycia Wong

Mailing Address 31 Boulder Creek Terrace Langdon, AB

Postal Code T0J 1X3

Telephone (B) 403-863-5610

(H) _____

Fax _____

1. LEGAL DESCRIPTION OF LAND

a) All / part of the 1/4 Section _____ Township _____ Range _____ West of _____ Meridian

b) Being all / parts of Lot 12 Block 3 Registered Plan Number 061 0551

c) Municipal Address 31 Boulder Creek Terrace

d) Existing Land Use Designation DC85 cell (H12-1) Parcel Size .18 acres Division 4

2. APPLICATION FOR

relaxation of rear yard setback from 8m to 4.16m

3. ADDITIONAL INFORMATION

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

4. REGISTERED OWNER OR PERSON ACTING ON HIS BEHALF

I ASHLEY SHEEDY 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 Ashley Sheedy

Date JUNE 24, 2020

Owner's Signature [Signature]

Date June 24, 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, Ashley Sheedy, 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 18 2020
Date



Vista Geomatics Ltd.

ALBERTA LAND SURVEYORS

**#414, 301 - 14TH STREET NW CALGARY, ALBERTA
T2N 2A1**

Phone (403) 270 4048 Fax (403) 270 8283

Ashley Sheedy
June 24th, 2020
403 280 4048
rpr@vista-geomatics.com

To whom it may concern:

On this day of June 24th, 2020 I am requesting a Development Permit on behalf of our client Alycia Wong, for the decking encroaching into the 8.0m back property line set back at 31 Boulder Creek Terrace, Langdon (Lot 12 Block 3 Plan 061 0551)

Thank you,

Ashley Sheedy



LAND TITLE CERTIFICATE

S
LINC SHORT LEGAL TITLE NUMBER
0031 578 371 0610551;3;12 071 095 934

LEGAL DESCRIPTION
PLAN 0610551
BLOCK 3
LOT 12
EXCEPTING THEREOUT ALL MINES AND MINERALS

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

MUNICIPALITY: ROCKY VIEW COUNTY

REFERENCE NUMBER: 061 070 390 +40

REGISTERED OWNER(S)				
REGISTRATION	DATE (DMY)	DOCUMENT TYPE	VALUE	CONSIDERATION
071 095 934	27/02/2007	TRANSFER OF LAND	\$427,064	CASH & MORTGAGE

OWNERS

SIMON WONG

AND

ALYCIA WONG

BOTH OF:

[REDACTED]
[REDACTED]
[REDACTED]

AS JOINT TENANTS

ENCUMBRANCES, LIENS & INTERESTS

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

(CONTINUED)

ENCUMBRANCES, LIENS & INTERESTS

PAGE 2
071 095 934

REGISTRATION

NUMBER DATE (D/M/Y) PARTICULARS

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

061 070 397 15/02/2006 RESTRICTIVE COVENANT

061 090 213 02/03/2006 RESTRICTIVE COVENANT

061 090 214 02/03/2006 RESTRICTIVE COVENANT

151 199 566 11/08/2015 MORTGAGE
MORTGAGEE - ROYAL BANK OF CANADA.
10 YORK MILLS ROAD
3RD FLOOR
TORONTO
ONTARIO M2P0A2
ORIGINAL PRINCIPAL AMOUNT: \$600,000

TOTAL INSTRUMENTS: 005

(CONTINUED)

PAGE 3

071 095 934

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 01:59 P.M.

ORDER NUMBER: 39572608

CUSTOMER FILE NUMBER: 20055058



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 REAL PROPERTY REPORT

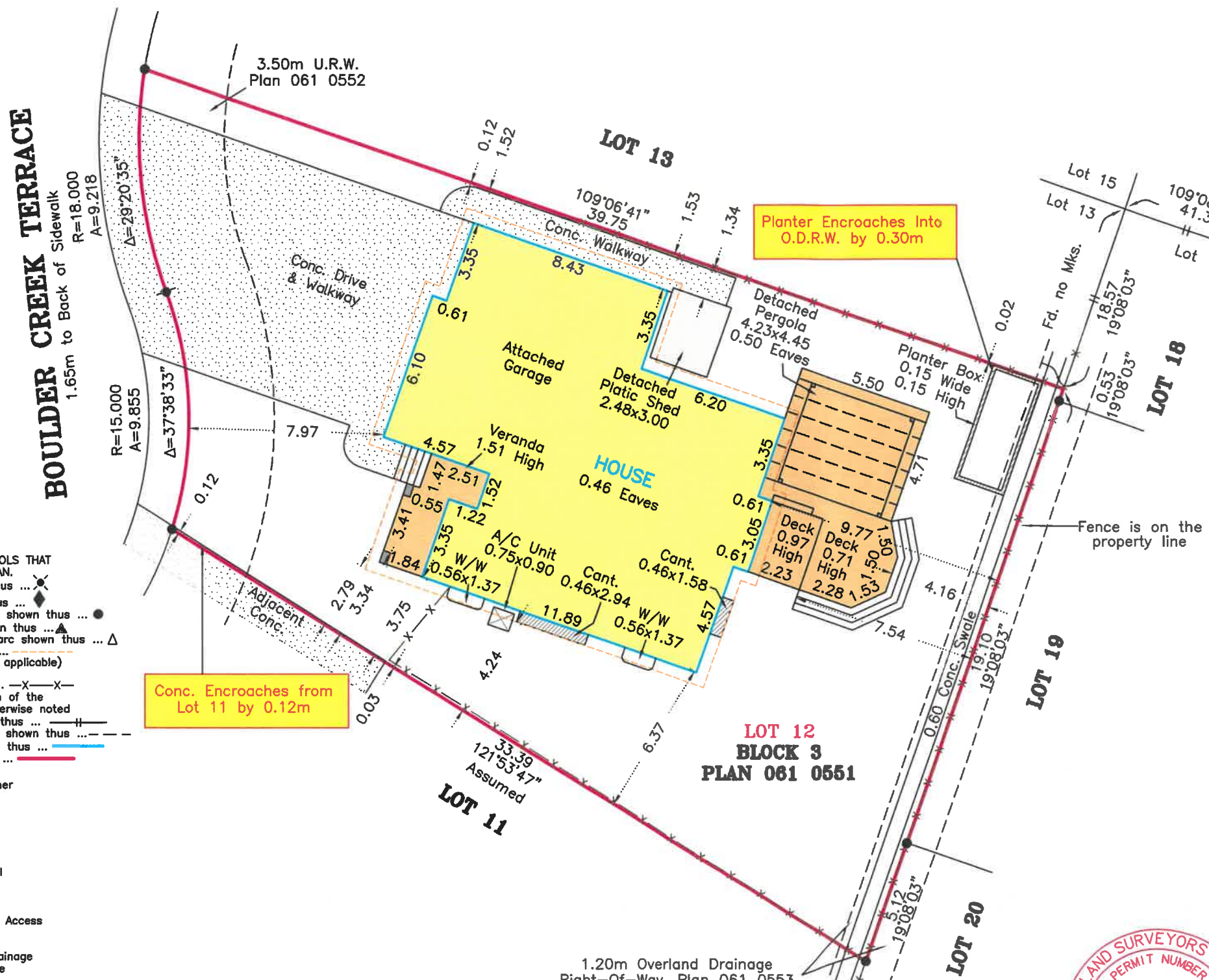


VISTA GEOMATICS LTD.
Bay 1, 2135 - 32nd Ave. N.E.
Calgary, Alberta T2E 6Z3
Phone (403) 270-4048
E-mail: admin@vistageomatics.com

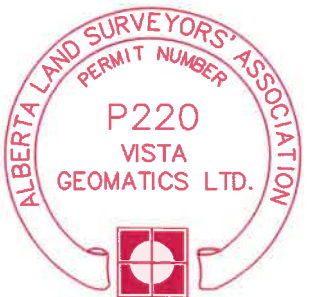
DESCRIPTION OF PROPERTY

Lot(s) 12
Block 3
Plan 061 0551

- I, Dennis G. Clayton, Alberta Land Surveyor do hereby certify that this report was prepared and performed under my personal supervision and in accordance with the Manual of Standard Practice of the Alberta Land Surveyors' Association and supplements thereto. Accordingly within those standards and as of the date of this report, I am in the opinion that:
- The Plan illustrates the boundaries of the Property, the improvements as defined in Part D, Section 8.5 of the Alberta Land Surveyors' Association's Manual of Standard Practice, registered easements and right-of-way affecting the extent of the title to the property;
 - The improvements are entirely within the boundaries of the property, except nil;
 - No visible encroachments exist on the Property from any improvement situated on an adjacent property, except as shown; and;
 - No visible encroachments exist on registered easements or rights-of-way affecting the extent of the property, except as shown;
 - Title information is based on a title search dated May 11th A.D. 2020 C. of T. No. 071 095 934;
 - The dimensions shown relate to distances from Property boundaries to foundation walls at time of survey.
 - Distances are in metres and decimals thereof.
 - This document is not valid unless it bears an original signature (in blue ink) and a red Vista Geomatics Ltd. permit stamp.
 - Purpose: This Report has been prepared for the benefit of the Property owner, subsequent owners and any of their agents for the purpose of a real estate transaction. Copying is permitted only for the benefit of these parties. Where applicable, registered easements and utility rights of way affecting the extent of the property have been shown on the plan. Unless shown otherwise, property corner markers have not been placed during the survey for this report. The plan should not be used to establish boundaries due to the risk of misinterpretation or measurement error by the user. The information on this Real Property Report reflects the status of this property as of the date of survey only. Users are encouraged to have the Real Property Report updated for future requirements.
 - This survey was performed between the dates of: May 18th, 2007 and May 14th, 2020.
 - Property is subject to Utility Right-Of-Way Reg. No. 061 070 396 Re: As to Portion or Plan: 061 0552
 - Property is subject to Restrictive Covenant Reg. No. 061 070 397
 - Property is subject to Restrictive Covenant Reg. No. 061 090 213
 - Property is subject to Restrictive Covenant Reg. No. 061 090 214
 - This survey is an update of Ref. Job No. 06C116018



LEGEND
ABBREVIATIONS AND SYMBOLS THAT MAY APPEAR ON THIS PLAN.
Drill Hole found shown thus ...
Iron Bar found shown thus ...
Statutory Iron Post found shown thus ...
Magnetic Nail found shown thus ...
Delta (Central) angle of arc shown thus ...
Eave Fascia shown thus ...
Eave Dimensions (where applicable) are to line of Fascia
Fences are shown thus ...
Fences are within 0.20m of the Property Line unless otherwise noted
Line not to scale shown thus ...
Utility Rights-Of-Way are shown thus ...
Building foundation shown thus ...
Property line shown thus ...
A denotes Length of Arc
A/C denotes Air Conditioner
Blk. denotes Block
Cant. denotes Cantilever
Conc. denotes Concrete
c.s. denotes Countersunk
E. denotes East
Fd. denotes Found
G.L. denotes Ground Level
m denotes Metres
Mk. denotes Mark
M/F denotes Main Floor
M.A. denotes Maintenance Access
Mks. denotes Marks
N. denotes North
O.D. denotes Overland Drainage
P/L denotes Property Line
R denotes Radius of Arc
Reg. No. denotes Registration Number
Ret. Wall denotes Retaining Wall
R.W. denotes Right-Of-Way
2/F denotes Second Floor
S. denotes South
U. denotes Utility
W. denotes West
W/W denotes Window Well
Note: No Eaves for Cant. Unless Otherwise Noted
© Copyright Vista Geomatics Ltd. 2020



Dated this 8th day of June A.D. 2020.

MUNICIPAL ADDRESS: 31 Boulder Creek Terrace Langdon, Alberta	Dennis G. Clayton, A.L.S.
CLIENT Alycia Wong	
FILE NO. N/A	Drawn: DL Checked: DC
SCALE 1: 200	V.G. FILE NO. 20055058





PLANNING AND DEVELOPMENT SERVICES

TO: Municipal Planning Commission
DIVISION: 3
SUBJECT: Development Item: Single-Lot Regrading
USE: Discretionary use, no Variances

DATE: October 8, 2020
APPLICATION: PRDP20202342

APPLICATION: Single-lot regrading and the placement of clean fill (existing).

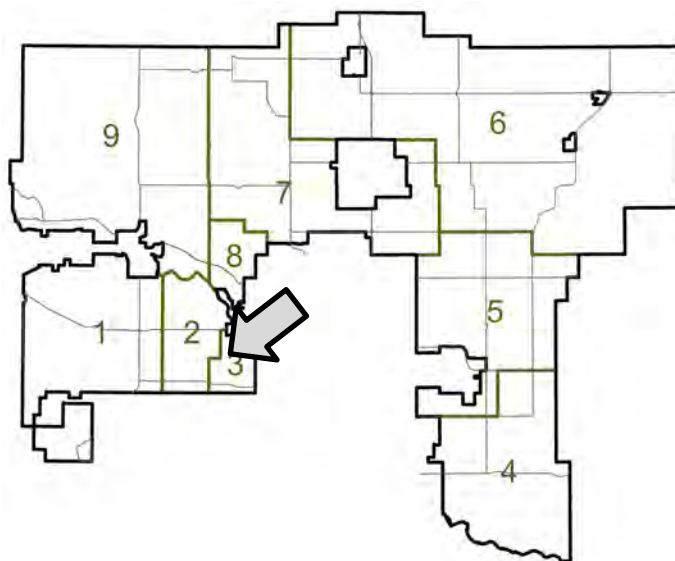
GENERAL LOCATION: Located approximately 0.41 km (1/4 mile) south of Lower Springbank Road and 0.41 km (1/4 mile) west of Rge. Rd. 31.

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

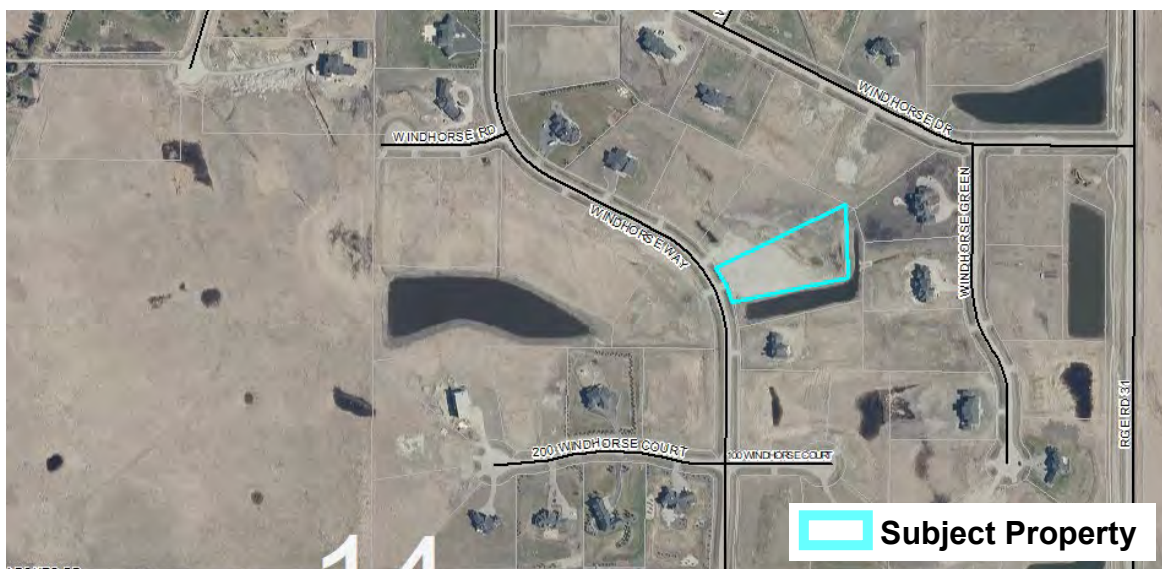
ADMINISTRATION RECOMMENDATION: Administration recommends Approval in accordance with Option #1.

OPTIONS:

- Option #1: THAT Development Permit Application PRDP20202342 be approved with the conditions noted in the Development Permit Report, attached.
- Option #2: THAT Development Permit Application PRDP20202342 be refused as per the reasons noted.



AIR PHOTO & DEVELOPMENT CONTEXT:



 Subject Property

Administration Resources

Johnson Kwan - Planning and Development Services



DEVELOPMENT PERMIT REPORT

Application Date: August 13, 2020	File: 04714170
Application: PRDP20202342	Applicant/Owner: Saran, Baljit & Sukhchain
Legal Description: Lot 15, Block 3, Plan 0914791, NE-14-24-03-05	General Location: Located approximately 0.41 km (1/4 mile) south of Lower Springbank Road and 0.41 km (1/4 mile) west of Rge. Rd. 31.
Land Use Designation: Residential, Country Residential District (R-CRD) under Land Use Bylaw C-8000-2020.	Gross Area: ± 0.81 hectares (± 2.00 acres)
File Manager: Johnson Kwan	Division: 3

PROPOSAL:

The proposal is for the single lot regrading in accordance with the as-built drawing. *Note: the application was assessed in accordance with Land Use Bylaw C-8000-2020 at the request of the Applicant.*

The Applicant previously submitted a Development Permit for re-placement of topsoil with fill, which was approved and issued by the Development Authority in September 2019 (*see History for details - PRDP20192312*). However, the as-built drawing submitted for the permit (*Alpha Geomatics Inc., dated October 29, 2019*) indicates grading changes on the property that were not part of the approved Development Permit.

For this reason, a new Development Permit was required to address the difference in grading onsite.

In accordance with Section 157 of Land Use Bylaw C-8000-2020, site stripping, grading, excavation, or fill is a discretionary use in all land use districts.

HISTORY:

September 26, 2019	Development Permit (PRDP20192312) for single-lot regrading, the re-placement of topsoil with fill that retruned the land to the original grades was approved and issued.
May 7, 2019	The Subdivision and Development Appeal Board issued its decision to deny the appeal and concluded that a development permit shall not be issued and the Lands must be restored to the condition it was in prior to the placement of fill and regarding (<i>Board Order No. 2019-SDAB-022</i>).
April 11, 2019	The Applicant appealed the Development Authority's decision and the application was presented to the Subdivision and Development Appeal Board for consideration.
March 22, 2019	Development Permit (PRDP20183706) for the placement of fill for the construction of a Single Detached Dwelling was refused due to the lack of information after numerous attempts requesting revised drawings.

STATUTORY PLANS:

Central Springbank ASP

- Policy 2.4.4.c of the Central Springbank ASP states:



“Modification to any established landscaping, roadside ditches or any site grading should be done in concert with the prepared Site Implementation Plan.”

Montebello Conceptual Scheme

- The subject lands are located in Cell A of the Montebello Conceptual Scheme. Policy 6.6.8 of the Montebello Conceptual Scheme defers stormwater requirements to the conclusions and recommendations of the Storm Water Management Plan.

INSPECTOR’S COMMENTS:

- The property has been regraded.

CIRCULATIONS: Requested comments by September 22, 2020

Agricultural Services

The applicant must ensure compliance with the Alberta Weed Control Act and have a contractor available (or be personally prepared) to control any regulated weeds.

Development Compliance

Please note that Development Compliance has been involved in receiving a complaint from a neighbouring property. We have not been able to action any enforcement as to date, the applicant has had permits in place allowing for work to be done.

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:

- Engineering has no requirements at this time.
- A deep fills report and compaction testing results were provided as part of a previous development permit.

Transportation:

- Engineering has no requirements at this time.
- 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 directly associated with the construction of a dwelling.

Sanitary/Waste Water:

- Engineering has no requirements at this time.

Water Supply And Waterworks:

- Engineering has no requirements at this time.

Storm Water Management:

- Prior to issuance, the applicant/owner will be required to provide a grade slip from MPE Engineering verifying that the as-built grading plan is in accordance with the overall development stormwater management plan.



Environmental:

- As an advisory condition, the applicant/owner will be required to obtain all applicable AEP approvals.

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.

Existing pathway not be used for staging/access

OPTIONS:

Option 1: (this would approve the proposed development [allow the existing grading on-site as per the as-built drawings to remain])

APPROVAL, subject to the following conditions:

Description:

1. That single-lot regrading and placement of clean fill (existing) can remain on-site as per the as-built drawing prepared by Alpha Geomatics Inc., (*dated October 29, 2019*) and in general accordance with the conditions of this permit.

Prior to Issuance:

2. That prior to issuance of this permit, the Applicant/Owner shall submit a grade slip, from MPE Engineering, verifying that the as-built grading drawing is in accordance with the overall development stormwater management plan and grading slip for the subdivision, in accordance with 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. Written confirmation shall be received from County Road Operations confirming the status of this condition. Any required agreement or permits shall be obtained unless otherwise noted by County Road Operations.

Permanent:

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 if no future development of the proposed regrading area occurs, the proposed regrading 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.
6. That the Applicant/Owners shall be responsible for rectifying any adverse effect on adjacent lands from drainage alteration including the south Public Utility Lot, Lot: 14 PUL, Block 3, Plan 0914791, owned by the County.
7. That the existing pathway/access right of way, registered for the subdivision under Plan No. 0914793, shall not be used at any time for staging or access to the site, for the development purposes.



8. 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:

9. That any other government permits, approvals, or compliances are the sole responsibility of the Applicant/Owners.
10. 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*].
11. That if the development authorized by this Development Permit is not completed within six (6) months of the date of issuance, the permit is deemed to be null and void.
12. That if this Development Permit is not issued by **APRIL 30, 2020** or the approved extension date, then this approval is null and void and the Development Permit shall not be issued.

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

Option #2: (this will not allow the proposed development [to allow the existing grading on-site], and would require the Applicant/Owner to regrade the property as per the original grades approved)

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.



MORGAN RD

LOWER SPRINGBANK RD

WINDHORSE BAY

WINDHORSE DR

WINDHORSE RD

R-CRD

WINDHORSE GREEN

RGE RD 31

200 WINDHORSE COURT

100 WINDHORSE COURT

WINDHORSE WAY

SPRINGSHIRE PLACE

SWIFT CREEK LANE

SPRING GATE ESTATES

4

SWIFT CREEK COVE

SWIFT CREEK GREEN



ROCKY VIEW COUNTY
Cultivating Communities

20202342

APPLICATION FOR A DEVELOPMENT PERMIT

FOR OFFICE USE ONLY	
Fee Submitted 615.00	File Number 04714170
Date of Receipt Aug 13/20	Receipt # 2020 025061

Name of Applicant SUKHCHAIN SARAN

Email

Registered Owner (if not applicant) *SARAN * SUKHCHAIN / BALJIT SINGH

Mailing Address Same as above

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 15 Block 3 Registered Plan Number 0914791
- c) Municipal Address 242162 WINDHORSE WAY
- d) Existing Land Use Designation _____ Parcel Size _____ Division _____

2. APPLICATION FOR

Grading of the land in accordance with the as built in drawings.

3. ADDITIONAL INFORMATION

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

4. REGISTERED OWNER OR PERSON ACTING ON HIS BEHALF

I SUKHCHAIN SARAN 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

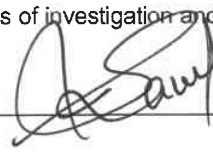
Date

Owner's Signature

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


Signature
Date



ROCKY VIEW COUNTY
Cultivating Communities

STRIPPING, FILLING, EXCAVATION AND GRADING

Name of Applicant SUKHCHAIN SARAN

FOR OFFICE USE ONLY	
Fee Submitted	File Number
Date of Receipt	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? Grading of the land in accordance with the as built in drawings attached to the application no new grading or raising of land.

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

No new work to be done -

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

3. TYPE

Height _____ Volume _____ meters cubed
 Width _____ Truckload _____ (approximately)
 Length _____ Slope Factor _____ (if applicable)
 Area _____ square metres

N/A

* 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

Requesting for approval in accordance with the built in drawings submitted related to PRDP 20192312. As the built in drawings are different from the approved grading plan.

I Sukhchain Saran 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.

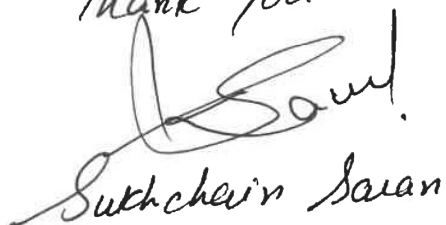
To Whom, it may Concern -


Subject → 242162 Windhorse Way.

Legal description → Lot 15, Block 3, Plan 0914791

Requesting for the approval of grading of the land in accordance with the as built in drawings submitted for PRDR 20192312. Built in drawings submitted for PRDP 20192312 appears to be different from the approved grading plan. Requesting to have approval in accordance with the built in drawings to be compliant for the work done. No new grading or any work to be done at this point of time. Any further questions please feel free to contact undersigned.

Thank you.


Sukhchain Saran


Aug/13/2020



LAND TITLE CERTIFICATE

S
LINC SHORT LEGAL TITLE NUMBER
0034 088 088 0914791;3;15 181 073 478

LEGAL DESCRIPTION
PLAN 0914791
BLOCK 3
LOT 15
EXCEPTING THEREOUT ALL MINES AND MINERALS
AREA: 0.811 HECTARES (2 ACRES) MORE OR LESS

ESTATE: FEE SIMPLE
ATS REFERENCE: 5;3;24;14;NE

MUNICIPALITY: ROCKY VIEW COUNTY

REFERENCE NUMBER: 091 327 335 +33

REGISTERED OWNER(S)				
REGISTRATION	DATE (DMY)	DOCUMENT TYPE	VALUE	CONSIDERATION
181 073 478	12/04/2018	ORDER	\$351,750	\$351,750

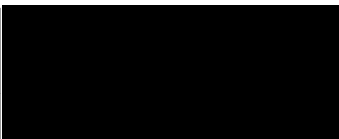
OWNERS

BALJIT SARAN

AND

SUKHCHAIN SARAN

BOTH OF:



ENCUMBRANCES, LIENS & INTERESTS

REGISTRATION NUMBER	DATE (D/M/Y)	PARTICULARS
091 325 193	29/10/2009	UTILITY RIGHT OF WAY GRANTEE - FORTISALBERTA INC.

(CONTINUED)

ENCUMBRANCES, LIENS & INTERESTS			
REGISTRATION			PAGE 2
			# 181 073 478
NUMBER	DATE (D/M/Y)	PARTICULARS	

091 327 337	30/10/2009	UTILITY RIGHT OF WAY GRANTEE - FORTISALBERTA INC. GRANTEE - TELUS COMMUNICATIONS INC. GRANTEE - ATCO GAS AND PIPELINES LTD. GRANTEE - SHAW COMMUNICATIONS INC. GRANTEE - ROCKY VIEW COUNTY. AS TO PORTION OR PLAN:0914792	
091 327 339	30/10/2009	EASEMENT AS TO PORTION OR PLAN:0914793 OVER AND FOR BENEFIT SEE INSTRUMENT	
091 327 344	30/10/2009	CAVEAT RE : DEVELOPMENT AGREEMENT PURSUANT TO MUNICIPAL GOVERNMENT ACT CAVEATOR - ROCKY VIEW COUNTY. 911 - 32ND AVENUE NE CALGARY ALBERTA T2E6X6	
091 327 345	30/10/2009	CAVEAT RE : DEFERRED SERVICES AGREEMENT CAVEATOR - ROCKY VIEW COUNTY. 911 - 32ND AVENUE NE CALGARY ALBERTA T2E6X6	
091 327 346	30/10/2009	CAVEAT RE : EASEMENT	
091 327 347	30/10/2009	ENCUMBRANCE ENCUMBRANCEE - WINDHORSE ESTATES (SPRINGBANK) HOMEOWNERS ASSOCIATION. 1, 5925 12 STREET SW CALGARY ALBERTA T2H2X9 (DATA UPDATED BY: CHANGE OF ADDRESS 181037417)	
091 327 348	30/10/2009	AGREEMENT SEE INSTRUMENT	
111 303 272	22/11/2011	UTILITY RIGHT OF WAY GRANTEE - FORTISALBERTA INC. GRANTEE - TELUS COMMUNICATIONS INC. GRANTEE - SHAW COMMUNICATIONS INC. AS TO PORTION OR PLAN:1113386	
181 073 479	12/04/2018	MORTGAGE MORTGAGEE - ATB FINANCIAL. 1337 MACLEOD TRAIL SE (CONTINUED)	

ENCUMBRANCES, LIENS & INTERESTS

PAGE 3
181 073 478

REGISTRATION

NUMBER DATE (D/M/Y) PARTICULARS

CALGARY
ALBERTA T2G0K5
ORIGINAL PRINCIPAL AMOUNT: \$351,750

201 070 717 15/04/2020 MORTGAGE
MORTGAGEE - THE BANK OF NOVA SCOTIA.
240-8 AVE SW
CALGARY
ALBERTA T2P1B5
ORIGINAL PRINCIPAL AMOUNT: \$260,000

TOTAL INSTRUMENTS: 011

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 11:44 A.M.

ORDER NUMBER: 39909162

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).

