

ROCKY VIEW COUNTY
MUNICIPAL PLANNING COMMISSION MEETING MINUTES
February 12, 2020

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 February 12, 2020 commencing at 9:00 a.m.

Present:

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

Also Present:

- A. Hoggan, Chief Administrative Officer
- T. Cochran, Executive Director, Community Development Services Division
- B. Reimann, Executive Director, Operations
- C. Satink, Municipal Clerk, Municipal Clerk's Office
- M. Wilson, Manager, Planning and Development
- S. MacLean, Planning Supervisor, Planning and Development Services
- N. Mirza, Municipal Engineer, Planning and Development Services
- K. Tuff, Appeals Coordinator, Municipal Clerk's Office
- J. Kwan, Senior Planner, Planning and Development Services
- O. Newmen, Planner, Planning and Development Services
- A. Panaguiton, Planner, Planning and Development Services
- X. Deng, Planner, Planning and Development Services
- C. Lombardo, Planner, Planning and Development Services

Call to Order

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

2020-02-12-01

Updates/Acceptance of Agenda

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

Carried

2020-02-12-02 (J-1)

Division 7 – Subdivision Item – Balzac East

File: PL20190121

The Chair called for a recess at 9:20 a.m. and called the meeting back to order at 9:27 a.m with all previously mentioned members present.

MOVED by Member Boehlke that condition 9 of Appendix 'B' be amended to read as follows:

“the MPC recommends to Council that Special Areas Levy be deferred and also recommends to Council that the base levy only be collected on three acres on newly created parcel and remainder of base levy to be deferred.”

Carried

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MOVED by Member Boehlke that Subdivision Application PL20190121 be approved with the conditions noted in Appendix 'B', as amended:

- A. The application to create a two ± 9.55 acre lots at Block 1, Plan 8911822 within SE-15-26-29-W04M having been evaluated in terms of Section 654 of the *Municipal Government Act* and Section 7 and 14 of the Subdivision and Development Regulations, and having considered adjacent landowner submissions, is approved as per the Tentative Plan for the reasons listed below:
- 1) The application is consistent with the Statutory Policy;
 - 2) The subject lands hold the appropriate land use designation; and
 - 3) The technical aspects of the subdivision proposal have been considered and are further addressed through the conditional approval requirements.
- B. The Applicant/Owner is required, at their expense, to complete all conditions attached to and forming part of this conditional subdivision approval prior to Rocky View County (the County) authorizing final subdivision endorsement. This requires submitting all documentation required to demonstrate each specific condition has been met, or agreements (and necessary securities) have been provided to ensure the conditions will be met, in accordance with all County Policies, Standards, and Procedures, to the satisfaction of the County, and any other additional party named within a specific condition. Technical reports required to be submitted as part of the conditions must be prepared by a qualified professional, licensed to practice in the province of Alberta within the appropriate field of practice. The conditions of this subdivision approval do not absolve an Applicant/Owner from ensuring all permits, licenses, or approvals required by Federal, Provincial, or other jurisdictions are obtained.
- C. Further, in accordance with Section 654 and 655 of the *Municipal Government Act*, the application shall be approved subject to the following conditions of approval:

Survey Plans

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

Access

- 3) The Owner shall upgrade the existing road approach to a mutual standard as shown on the Approved Tentative Plan, in order to provide access to Lots 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.

Servicing

- 4) The Owner is to provide confirmation of the tie-in for connection to the East Balzac Water Transmission main for Lots 1 and 2, as shown on the Approved Tentative Plan. This includes providing the following information:
 - a) Confirmation from the water supplier that an adequate and continuous piped water supply is available for the proposed new Lot(s);
 - b) Documentation proving that water supply has been purchased for proposed Lot(s) 1 and 2;
 - c) Documentation proving that water supply infrastructure requirements including servicing to the property have been installed or installation is secured between the developer and water supplier, to the satisfaction of the water supplier and the County.
- 5) The Owner shall submit a Level 3 Private Sewage Treatment System (PSTS) Assessment, prepared by a qualified professional to the satisfaction of the County.
 - a) If the recommendations of the Model Process Assessment indicate improvements are required, the Owner shall enter into a Site Improvements/Services Agreement with the County.

Stormwater Management

- 6) The Owner is to provide and implement a Site Specific Stormwater Implementation Plan (SSIP) in accordance with the Nose Creek Watershed Water Management Plan.

Utility Easements

- 7) Utility Easements, Agreements, and Plans are to be provided and registered prior to registration to the satisfaction of ATCO Gas;

Payments and Levies

- 8) The Owner shall pay the County Subdivision Endorsement fee, in accordance with the Master Rates Bylaw, for the creation of one new lot.
- 9) The Owner shall pay the Transportation Off-Site Levy as determined by Rocky View County Council in accordance with Bylaw C-7356-2014 prior to subdivision endorsement. The Municipal Planning Commission recommends to Council that Special Areas Levy be deferred and also recommends to Council that the base levy be collected on three acres on the newly created parcel and the remainder of the base levy be deferred.

Taxes

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

D. SUBDIVISION AUTHORITY DIRECTION:

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

Carried

2020-02-12-03 (D-1)

Division 7 – Development Item – Construction of a Private Riding Arena

File: PRDP20194484 (7711005)

MOVED by Member Boehlke that condition 12 for development permit PRDP20194484 as noted in the development permit report be deleted in its entirety.

Carried

MOVED by Member McKylor that Development Permit Application PRDP20194484 be approved with the amended conditions noted in the Development Permit Report, attached:

Description:

- 1) That the proposed Private Riding Arena may be constructed on the subject site; in general accordance with the Site Plan and submitted drawings (dated September 2019, dwgs. #01-07), as submitted with the application, including:
 - a) Construction of a Private Riding Arena, approximately $\pm 1,367.53$ sq. m ($\pm 14,720$ sq. ft.) in building area;
- 2) That the minimum parcel area is relaxed from 6.00 hectares (14.83 acres) to 5.17 hectares (12.78 acres).

Prior to Issuance:

Fees:

- 3) That prior to the issuance of this permit, the Applicant/Owner shall confirm acceptance of or refusal to participate in the Voluntary Recreation Contribution for Community Recreation Funding on the form provided by the County and that the contribution, if accepted, is \$10,224.00, calculated at \$800.00 per acre for 12.78 acres.

Development:

- 4) That prior to issuance of this permit, the Applicant/Owner shall submit Elevation drawings, for the private riding arena, to the satisfaction of the County. The drawings shall include elevations from grade to peak, with matching scaling. The drawings shall also include a list of building materials and colour schemes used for the building.
- 5) That prior to issuance of this permit, the Applicant/Owner shall submit a revised Grading Plan, identifying pre and post grade elevations of the development area, in accordance with County Servicing Standards.

Technical:

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

Permanent:

- 7) That any plan, technical submission, agreement, matter or understanding submitted and approved as part of the application, in response to a Prior to Issuance or Occupancy condition, shall be implemented and adhered to in perpetuity, including any recommendations of the SSIP.
- 8) That the entire site shall be maintained in a neat and orderly manner at all times to the satisfaction of the Development Officer.
- 9) That if any soil is removed from the site, it is to be hauled off in a covered trailer/truck. This will prevent the blowing of dust/small rocks onto the road, or the causing of issues with other vehicles on the road, and shall be done so in accordance with the County Servicing Standards.
- 10) That the number of animal units maintained onsite shall be in accordance with the Land Use Bylaw or approved Development Permit to increase the permitted number of animal units.
 - a) If a Development Permit to increase the permitted number of animal units is not active, or valid, the Applicant/Owner shall remain in accordance with the Land Use Bylaw.
- 11) That water conservation strategies shall be implemented and maintained at all times.
- 12) That dust control shall be maintained on the site at all times. The Applicant/Owner shall take whatever means necessary to keep visible dust from blowing onto adjacent lands.
- 13) That there shall be no more than 1.00 m (3.28 ft.) of fill excavated or placed adjacent to or within 15.00 m (49.21 ft.) of the proposed building under construction, that is used to establish final grades, unless a Development Permit has been issued for additional fill.
- 14) That all garbage and waste for the site shall be stored in weatherproof and animal proof containers in the garbage bins, and screened from view by all adjacent properties and public thoroughfares.
- 15) That all on site lighting shall be "dark sky" and all private lighting including site security lighting and parking area lighting shall be designed to conserve energy, reduce glare, and reduce uplight. All development shall be required to demonstrate lighting design that reduces the extent of spill-over glare and eliminates glare as viewed from nearby residential properties.
- 16) That the Applicant/Owner shall adhere to the submitted Manure Management Plan at all times. If there is a build-up of manure, said manure shall be removed immediately.
- 17) That no liquid waste/water or solid waste from a livestock operation shall be disposed of in any river, stream, canal or slough.
- 18) That the private riding arena shall only be used by the Applicant/Owners/Occupants and non-paying guests of the parcel, and be associated only to the principle use of the property.
- 19) That the private riding arena shall only be used for the training, exercising, breeding and rehabilitation of horses, and shall not be used for horse shows, rodeos, or similar events to which there is a fee to participate, or to use or attend the facilities.
- 20) That the private riding arena shall not be rented out to persons or groups that are not owners of the site.
- 21) That the private riding arena shall not have any mezzanines or viewing areas.
- 22) That the property shall maintain proper fencing at all times when horses are present, and no horses shall be allowed on unfenced parcels.

Advisory:

- 23) 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.
- 24) That the site shall adhere to the Rocky View County Noise Bylaw (C-5772-2003) at all times.
- 25) 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*].
- 26) That a Farm Building Location Permits shall be obtained, through Building Services, prior to any construction taking place.
 - a) That water supply for fire suppression and emergency vehicle access shall be provided in accordance with Alberta Building Code.
- 27) That if the development authorized by the Development Permit is not commenced with reasonable diligence within 12 months from the date of issue, and completed within 24 months of issue, the permit is deemed to be null and void, unless an extension to this permit shall first have been granted by the Development Officer.
- 28) That any other government permits, approvals, or compliances are the sole responsibility of the Applicant/Owner.
- 29) That if this Development Permit is not issued by JULY 31, 2020 or the approved extension date, then this approval is null and void and the Development Permit shall not be issued.

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

Carried

2020-02-12-04 (D-2)

Division 7 – Development Item – Keeping of Livestock

File: PRDP20194586 (7711005)

MOVED by Member McKylor that Development Permit Application PRDP20194586 be approved with the conditions noted in the Development Permit Report, attached:

Description:

- 1) That the keeping of livestock at densities no greater than two animal units per 1.60 hectares (3.95 acres) may be permitted on the subject property (SW-11-27-03-W5M) at any time.
- 2) That the maximum number of animal units (horses) on the subject property shall not exceed six at any time.

Permanent:

- 3) That the Manure and Grazing Management Plan as submitted with the application shall be practiced at all times.
 - a) If overgrazing becomes evident on the property, revised grazing procedures may need to be implemented by the Applicant or the number of animal units may need to be decreased, upon request from the County.

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- 4) That all manure shall be collected and disposed of off-site or worked into the fields on a continual basis at least once a month.
 - 5) That if there is a build-up of manure, that manure shall be removed immediately.
 - 6) That the Applicant/Owner shall ensure the property contains adequate livestock fencing, to ensure all livestock units (horses) remain on the subject property at all times.

Advisory:

- 7) That any other government permits, approvals, or compliances are the sole responsibility of the Applicant/Owner.
- 8) That this development permit shall be valid until March 11, 2021.

Carried

2020-02-12-05 (D-3)

Division 5 – Development Item – Accessory Buildings and Side Yard Setback

File: PRDP20194136 (5335012)

MOVED by Member Schule that Development Permit Application PRDP20194136 be approved with the suggested conditions noted in the staff report:

Description:

- 1) That the existing Accessory Buildings (oversize Quonset [approximately 281.90 sq. m (3,034.34 sq. ft.) in area]), wood shed, and two sheds) may remain on the subject land in general accordance with the approved site plan, as prepared by Jones Geomatics, Job No. NP21751-17, dated June 2017.
 - a) That the minimum side yard setback requirement for the accessory building (shed #1 [as referenced on the site plan]) is relaxed from 6.00 m (19.68 ft.) to 2.52 m (8.26 ft.).

Permanent:

- 2) That the existing Accessory Buildings (Quonset, wood shed, and two sheds) shall not be used for commercial purposes at any time, except for a Home-Based Business, Type I or an approved Home-Based Business, Type II.
- 3) That the existing Accessory Buildings (Quonset, wood shed, and two sheds) shall not be used for residential occupancy purposes at any time.

Advisory:

- 4) That any other Federal, Provincial, or County permits, approvals, and/or compliances, are the sole responsibility of the Applicant/Owner.
- 5) That the accessory buildings (Gazebo and four horse shelters [#5, #7, #10 and #11 as referenced on the site plan]) shall be removed from the subject property and/or relocated to comply with the County's current Land Use Bylaw requirements.
- 6) That Building Permits shall be obtained, through Building Services, for any buildings over 107.63 sq. ft. in area, if no building permits were obtained.
- 7) That the County's Noise Bylaw C-5772-2003 shall be adhered to at all times.

Carried

2020-02-12-06 (D-4)

**Division 3 – Development Item – Single Detached Dwelling, Single-Lot Regrading, and Placement of Clean Fill
File: PRDP20194357 (4619131)**

MOVED by Member McKylor that Development Permit Application PRDP20194357 be approved with the conditions noted in the Development Permit Report attached:

Description:

- 1) That the proposed construction of a dwelling, single detached, relaxation of the maximum height requirement and single-lot regrading may take place on the subject site, in general accordance with the submitted site plan and application drawings as prepared by Shade Tree Design, dated November 20 2019.
 - a) That the maximum height requirement for the dwelling, single detached, as shown on the application drawings labeled A3.1 and A3.2, prepared by Shade Tree Design, dated November 20, 2019, is relaxed from 10.00 m (32.81 ft.) to 11.85 m (38.88 ft.).
- 2) That the proposed single-lot regrading and placement of clean fill, for a grade change up to a maximum of 3.66m (12.01 ft.) may commence as shown on the proposed application drawings labeled A1.2, prepared by Shade Tree Design, dated November 20, 2019.

Prior to Issuance:

- 3) That prior to issuance of this permit, the Applicant shall contact County Road Operations to further discuss the Applicants/Owner's request for relaxation to County Standards for the approach grade.
 - a) Written confirmation shall be received from County Road Operations confirming the status of this condition. Any required agreement or permits shall be obtained unless otherwise noted by County Road Operations.
- 4) That prior to issuance of this permit, the Applicant/Owner shall contact County Road Operations with haul details for materials and equipment needed during construction/site development to confirm if Road Use Agreements will be required for any hauling along the County road system and to confirm the presence of County road ban restrictions
 - a) Written confirmation shall be received from County Road Operations confirming the status of this condition. Any required agreement or permits shall be obtained unless otherwise noted by County Road Operations.
- 5) That prior to issuance of this permit, the Applicant/Owner shall submit a Deep Fill Report, prepared by a qualified professional, for any grade areas where the depth change exceeds 1.20 m (3.94 ft.), in accordance with County Servicing Standards.
- 6) That prior to issuance of this permit, the Applicant/Owner shall submit a Site-Specific Stormwater Plan (SSIP), conducted by a professional engineer that provides recommendations on managing stormwater flows, that are in accordance with the Springbank Master Drainage Plan. The SSIP shall include a revised grading plan that delineates the proposed area to be graded and identifies pre-development and post-development grades that is stamped and verified by a professional engineer for conformance with the subdivision stormwater management report (Osprey Engineering Inc., April 5, 2017).

Permanent:

- 7) That it is the Applicant/Owner's responsibility to obtain and display a distinct municipal address, in accordance with the County Municipal Addressing Bylaw (Bylaw C-7562-2016), for the dwelling unit located on the subject site, to facilitate accurate emergency response.

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- 8) That any plan, technical submission, agreement, matter or understanding submitted and approved as part of the application or in response to a Prior to Issuance or Occupancy condition shall be implemented and adhered to in perpetuity including any recommendations of the SSIP and Grading plan.
 - 9) 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.
 - 10) That no topsoil shall be removed from the site. All topsoil shall be retained on-site and shall be seeded after building construction is complete, as part of site restoration.
 - 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 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.
 - 13) That the Applicant/Owners shall be responsible for rectifying any adverse effect on adjacent lands from drainage alteration.
 - 14) That upon request of the County, the Applicant/Owner shall submit as-built grading survey, to confirm that post grades align with final grades as approved with the application.

Advisory:

- 15) That a Building Permit and subtrade permits shall be obtained through Building Services, for the construction of the dwelling, single detached on the subject property.
- 16) That the site shall remain free of restricted and noxious weeds and be maintained in accordance with the Alberta Weed Control Act [*Statutes of Alberta, 2008 Chapter W-5.1; Current as of December 15, 2017*].
- 17) That 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.
- 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 commenced with reasonable diligence within twelve (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.
- 20) That if this Development Permit is not issued by JULY 31, 2020, or the approved extension date, then this approval is null and void and the Development Permit shall not be issued.

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

Carried

2020-02-12-07 (D-5)

Division 3 – Development Item – Accessory Building with Relaxations

File: PRDP20194359 (4619131)

MOVED by Member Schule that Development Permit Application PRDP20194359 be approved with the conditions noted in the Development Permit Report attached:

Description:

- 1) That an accessory building (oversized garage) may be constructed on the subject land in general accordance with the site plan and drawings submitted with the application and the conditions set below.
 - a) That the maximum building area for the proposed accessory building (oversized garage) is relaxed from 80.00 sq. m (861.11 sq. ft.) to 149.34 sq. m (1,607.50 sq. ft.).
- 2) That the total building area for all accessory buildings is relaxed from 120.00 sq. m (1,291.67 sq. ft.) to 149.34 sq. m (1,607.50 sq. ft.).

Prior to Issuance:

- 3) That prior to issuance of this permit, Development Permit for the dwelling, single detached under PRDP20194357, shall be issued.
- 4) That prior to issuance of this permit, the Applicant/Owner shall submit a Deep Fill Report, prepared by a qualified professional, for any grade areas where the depth change exceeds 1.20 m (3.94 ft.), in accordance with County Servicing Standards.
- 5) That prior to issuance of this permit, the Applicant/Owner shall provide a Site-Specific Stormwater Plan (SSIP), conducted by a professional engineer that provides recommendations on managing stormwater flows that is in accordance with the Springbank Master Drainage Plan. The SSIP shall include a revised grading plan that delineates the proposed area to be graded and identifies pre-development and post-development grades that is stamped and verified by a professional engineer for conformance with the subdivision stormwater management report (Osprey Engineering Inc., April 5, 2017).

Permanent:

- 6) That the accessory building shall not be used for commercial purposes at any time, except for the Home-Based Business, Type I.
- 7) That the accessory building shall not be used for residential occupancy at any time.
- 8) That the exterior siding and roofing materials of the proposed accessory shall be similar to the existing dwelling, single-detached.
- 9) 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.
- 10) That any plan, technical submission, agreement, matter or understanding submitted and approved as part of the application or in response to a Prior to Issuance or Occupancy condition shall be implemented and adhered to in perpetuity including any recommendations of the SSIP and Grading plan.

Advisory:

- 11) That during construction, the County's Noise Control Bylaw C-5772-2003 shall be adhered to at all times.

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- 12) 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.
 - 13) That a Building Permit and Sub-trade permits shall be obtained through Building Services, prior to any construction taking place.
 - a) That final occupancy for the proposed accessory building (oversized garage) shall not be granted prior to the issuance of final occupancy of the dwelling, single detached.
 - 14) That any other government permits, approvals, or compliances are the sole responsibility of the Applicant.
 - 15) That if the development authorized by this Development Permit is not commenced with reasonable diligence within 12 months from the date of issue, and completed within 24 months of the 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 if this Development Permit is not issued by JULY 31, 2020, or the approved extension date, then this approval is null and void and the Development Permit shall not be issued.

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

Carried

2020-02-12-08 (D-6)

**Division 2 – Development Item – Single Detached Dwelling, Accessory Building, and Side Yard Setback
File: PRDP20194661 (5705069)**

MOVED by Member McKylor that Development Permit Application PRDP20194661 be approved with the suggested conditions noted in the staff report:

Description:

- 1) That the minimum side yard setback requirement for the existing dwelling, single detached, in accordance with the Real Property Report, as prepared by Lovse Surveys Ltd.; File #1907015RPR, dated October 16, 2019, is relaxed from 1.52 (4.98 ft.) to 1.47 m (4.82 ft.).
- 2) That the minimum side yard setback requirement for the accessory building (garage), in accordance with the Real Property Report, as prepared by Lovse Surveys Ltd.; File #1907015RPR, dated October 16, 2019, is relaxed from 1.52 (4.99 ft.) to 1.44 m (4.72 ft.).

Advisory:

- 3) That the Applicant/Owner is advised to contact Building Services, to discuss the requirements of a Building Permit, to upgrade the fire protection measures of the cantilever, as per sentence 9.10.15.5.7 of the National Building Code 2019 AE.
- 4) That any other government permits, approvals, or compliances are the sole responsibility of the Applicant/Owner.

Carried

The Chair called for a recess at 9:54 a.m. and called the meeting back to order at 10:01 a.m with all previously mentioned members present.

2020-02-12-09 (D-7)

Division 8 – Development Item – Home-Based Business, Type II, For a Yoga Studio

File: PRDP20194584 (5735070)

Presenter: The applicant, Rod Potrie of Planning Protocol Inc.

MOVED by Member Schule that Development Permit Application PRDP20194584 be approved with the suggested conditions noted in the staff report:

Description:

- 1) That a Home-Based Business, Type II, for a Yoga Studio may operate on the subject parcel in accordance with the approved Site Plan and submitted application.

Prior to Issuance

- 2) That prior to issuance of this permit, the Applicant/Owner shall provide the proposed signage details to the county's satisfaction.

Permanent:

- 3) That an employee in this Home-Based Business, Type II is a person who attends the property more than once in a seven-day period for business purposes.
- 4) That the operation of this Home-Based Business shall be secondary to the residential use of the subject parcel.
- 5) That the Home-Based Business, Type II shall not change the residential character and external appearance of the land and buildings.
- 6) That the operation of this Home-Based Business, Type II shall not generate excessive or unacceptable increases in traffic within the neighbourhood or immediate area.
- 7) That the Home-Based Business, Type II shall not generate noise, smoke, steam, odour, dust, fumes, exhaust, vibration, heat, glare, or refuse matter considered offensive or excessive by the Development Authority, and at all times the privacy of the adjacent resident dwellings shall be preserved. The Home-Based Business, Type II use shall not in the opinion of the Development Authority, unduly offend or otherwise interfere with neighbouring or adjacent residents.
- 8) That the Home-Based Business shall be limited to the dwelling, accessory building and the outside area.
- 9) That all vehicles, trailers, or equipment that is used in the Home-Based Business, Type II shall be kept within the dwelling, accessory building, or storage area.
- 10) That no off-site advertisement signage associated with the Home-Based Business shall be permitted.

Advisory:

- 11) That all other government compliances and approvals are the sole responsibility of the Applicant/Owner.
- 12) That if this Development Permit is not issued by June 30, 2020 or the approved extension date, then this approval is null and void and the Development Permit shall not be issued.
- 13) That this Development Permit shall be valid until January 28, 2021

Carried

2020-02-12-10 (D-8)

Division 7 – Development Item – Home-Base Business, Type II, For a Construction Company

File: PRDP20194254 (6518007)

MOVED by Member Boehlke that condition 13 for development permit PRDP20194254 as noted in the development permit report be amended to be valid until December 19, 2025.

Carried

MOVED by Member Boehlke that Development Permit Application PRDP20194254 be approved with the amended conditions noted in the Development Permit Report attached:

Description:

- 1) That a Home-Based Business, Type II, for a concrete construction company (storage and parking only) may continue to operate on the subject parcel in accordance with the approved plans.

Permanent:

- 2) That the number of non-resident employees shall not exceed two (2) at any time.
 - a) That an employee in this Home-Based Business is a person who attends on the property more than once in a seven (7) day period for business purposes.
- 3) That the operation of this Home-Based Business may generate up to a maximum of four (4) business-related visits per day.
- 4) That the operation of this Home-Based Business shall be secondary to the residential use of the subject parcel.
- 5) That the Home-Based Business shall not change the residential character and external appearance of the land and buildings.
- 6) That the operation of this Home-Based Business shall not generate excessive or unacceptable increases in traffic within the neighbourhood or immediate area.
- 7) That the Home-Based Business shall not generate noise, smoke, steam, odour, dust, fumes, exhaust, vibration, heat, glare, or refuse matter considered offensive or excessive by the Development Authority and at all times the privacy of the adjacent residential dwellings shall be preserved and the Home-Based Business use shall not, in the opinion of the Development Authority, unduly offend or otherwise interfere with neighbouring or adjacent residents.
- 8) That the Home-Based Business shall be limited to the accessory building and the outside storage area.
- 9) That all outside storage that is a part of the Home-Based Business, Type II shall be completely screened from adjacent lands, shall meet the minimum setback requirements for buildings, and shall not exceed 162.00 sq. m. (1,740.00 sq. ft.).
- 10) That all vehicles, trailers, or equipment that are used in the Home-Based Business shall be kept within a building or the storage area in accordance with the approved Site Plan.
- 11) That there shall be no signage, exterior display or advertisement of goods or services discernible from the outside of the building.
- 12) That no off-site advertisement signage associated with the Home-Based Business shall be permitted.
- 13) That this Development Permit shall be valid until December 19, 2025.

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Advisory:

- 14) That it is advised, Sunset Ridge Drive includes a road ban of 90% year-round and 75% during Spring (March to June). The Applicant/Owner shall adhere to Road Ban restrictions for any vehicles or equipment related to the Home-Based Business.
- 15) That any other Federal, Provincial, or County permits, approvals, and/or compliances, are the sole responsibility of the Applicant/Owner.
- 16) That the County's Unsightly Bylaw C-7690-2017 and County's Noise Bylaw C-5772-2003 shall be adhered to at all times.

Carried

2020-02-12-11 (D-9)

Division 5 – Development Item – Home-Based Business, Type II, For an Automobile Repair Shop and Setback Relaxation

File: PRDP20194329

MOVED by Member McKylor that the Commission move into closed session at 10:12 a.m. to deliberate development permit application PRDP20194329 pursuant to section 197(2.1) of the *Municipal Government Act* and section 24 (advice from officials) of the *Freedom of Information and Protection of Privacy Act*.

Carried

The Commission held the closed session with the following people in attendance:

Rocky View County: M. Wilson, Manager, Planning and Development Services

MOVED by Member McKylor that the Commission move into open session at 10:27 a.m.

Carried

MOVED by Member McKylor that condition 3 for development permit PRDP20194329 as noted in the development permit report be amended to generate up to a maximum of 16 business-related visits per day.

Carried

MOVED by Member McKylor that Development Permit Application PRDP20194329 be approved with the amended conditions noted in the Development Permit Report, attached:

Description:

- 1) That a Home-Based Business, Type II, for an automobile repair shop and relaxation of the outside storage minimum setback requirement may continue to operate on the subject parcel in accordance with the approved application plans.

Permanent:

- 2) That the number of non-resident employees shall not exceed three (2) at any time.
 - a) That an employee in this Home-Based Business is a person who attends on the property more than once in a seven (7) day period for business purposes.
- 3) That the operation of this Home-Based Business may generate up to a maximum of sixteen (16) business-related visits per day.

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- 4) That the operation of this Home-Based Business shall be secondary to the residential use of the subject parcel.
 - 5) That the Home-Based Business shall not change the residential character and external appearance of the land and buildings.
 - 6) That the operation of this Home-Based Business shall not generate excessive or unacceptable increases in traffic within the neighbourhood or immediate area.
 - 7) That the Home-Based Business shall not generate noise, smoke, steam, odour, dust, fumes, exhaust, vibration, heat, glare, or refuse matter considered offensive or excessive by the Development Authority and at all times the privacy of the adjacent residential dwellings shall be preserved and the Home-Based Business use shall not, in the opinion of the Development Authority, unduly offend or otherwise interfere with neighbouring or adjacent residents.
 - 8) That the Home-Based Business shall be limited to the dwelling, accessory building and the outside storage area.
 - 9) That all outside storage that is a part of the Home-Based Business, Type II shall be adequately screened from adjacent lands, and shall not exceed 376.26 sq. m. (4,050.00 sq. ft.).
 - a) That the minimum outside storage area setback requirement, along the west property line, is relaxed from 15.00 m (49.21 ft) to 0.00 m (0.00 ft).
 - b) Additional screening requirements may be required to be implemented upon request from County and/or reviewed at the time of permit renewal.
 - 10) That all vehicles, equipment, or materials that are used in the Home-Based Business shall be kept within a building or the defined storage area, in accordance with the approved Site Plan.
 - 11) That there shall be no signage, exterior display or advertisement of goods or services discernible from the outside of the building.
 - 12) That no off-site advertisement signage associated with the Home-Based Business shall be permitted.
 - 13) That this Development Permit shall be valid until December 14, 2023.

Advisory:

- 14) That any other Federal, Provincial, or County permits, approvals, and/or compliances, are the sole responsibility of the Applicant/Owner.
- 15) That a Building Permit shall be obtained through Building Services for all Accessory Buildings on the subject parcel.
- 16) That the County's Noise Bylaw C-5772-2003 shall be adhered to at all times.

Carried

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Adjournment

MOVED by Member McKlylor that the February 12, 2020 Municipal Planning Commission meeting be adjourned at 10:30 a.m.

Carried



Chair or Vice Chair



Chief Administrative Officer or Designate