

ROCKY VIEW COUNTY
MUNICIPAL PLANNING COMMISSION MEETING MINUTES
September 3, 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 September 3, 2020 commencing at 9:02 a.m.

Present:

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

Also Present:

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

Call to Order

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

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

Updates/Acceptance of Agenda

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

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

Carried

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

Carried

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

Approval of Minutes

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

Carried

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

Division 5 – Subdivision Item – Commercial subdivision – Cambridge Estates

File: PL20190089 (04329003)

Presenter: Bela Syal, the Applicant

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

- A. The application to create 6 business lots ranging from ± 4.20 ac to ± 7.44 ac, as well as one 5.07 ha (12.53 ac) Public Utility parcel (PUL); and ± 9.97 acres of municipal reserve lands (MR) at NW-29-24-28-W4M, having been evaluated in terms of Section 654 of the *Municipal Government Act* and Section 7 of the Subdivision and Development Regulations, and having considered adjacent landowner submissions, is approved as per the Tentative Plan for the reasons listed below:
 1. The application is consistent with the Statutory Policy;
 2. The subject lands hold the appropriate land use designation;
 3. The technical aspects of the subdivision proposal have been considered and are further addressed through the conditional approval requirements.
- B. The Applicant/Owner is required, at their expense, to complete all conditions attached to and forming part of this conditional subdivision approval prior to Rocky View County (the County) authorizing final subdivision endorsement. This requires submitting all documentation required to demonstrate each specific condition has been met, or agreements (and necessary securities) have been provided to ensure the conditions will be met, in accordance with all County Policies, Standards, and Procedures, to the satisfaction of the County, and any other additional party named within a specific condition. Technical reports required to be submitted as part of the conditions must be prepared by a qualified professional, licensed to practice in the province of Alberta within the appropriate field of practice. The conditions of this subdivision approval do not absolve an Applicant/Owner from ensuring all permits, licenses, or approvals required by Federal, Provincial, or other jurisdictions are obtained.
- C. Further, in accordance with Section 654 and 655 of the *Municipal Government Act*, the application shall be approved subject to the following conditions of approval:

Survey Plans

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

Development Agreement

- 2) The Owner is to enter into a Special Improvement Development Agreement and be responsible for the approvals, design, upgrading, right-of-way acquisition and construction for all off-site infrastructure related to:
 - i) Construction of the necessary off-site improvements as identified in the final approved TIA to the satisfaction of the County and Alberta Transportation, as indicated in the June 2019 Cambridge Park Phase 4 Traffic Impact Assessment prepared by Bunt and Associates;
 - ii) Extending the County's sanitary services to service the proposed development, and each parcel created by the subdivision.
- 3) The Owner is required to enter into a Development Agreement pursuant to Section 655 of the *Municipal Government Act* respecting provision of the following:

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

Or

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

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

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

Site Servicing

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

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

Transportation

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

Site Construction

- 19) The Owner is to provide a Construction Management Plan which is to include, but not be limited to, noise, sedimentation and erosion control, construction waste management, fire fighting procedures, evacuation plan, hazardous material containment; construction and management details. Specific other requirements include:
 - a) Weed management during the construction phases of the project;
 - b) Management and mitigation of environmentally significant features as identified in the approved Biophysical Assessment;
 - c) Implementation of the Construction Management Plan recommendations will be ensured through the Development Agreement;

Developability

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

Municipal Reserves

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

Landscaping

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

Lot Owners Association

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

Architectural Controls

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

Payments and Levies

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

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

29) The Owner shall pay the Stormwater Off-Site Levy in accordance with Bylaw C-8008-2020.

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

Taxes

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

D. SUBDIVISION AUTHORITY DIRECTION:

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

Carried

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

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

Division 1 – Subdivision Item – Agricultural First Parcel Out Subdivision

File: PL20200080 (04817002)

Presenter: Ray Nicoll, the Applicant

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

Carried

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

Division 4 – Subdivision Item – Residential Two District subdivision

File: PL20190112 (03305007)

Presenter: Paul Schneider, the Applicant

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

Defeated

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

Defeated

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

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

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

Carried

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

Carried

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

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

Division 8 – Development Item – Accessory Building

File: PRDP20201813 (05736023)

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

Description:

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

Permanent:

2. That the accessory building (oversized garage) shall not be used for commercial purposes at any time, except for a Home-Based Business Type I.
3. That the accessory building (oversized garage) shall not be used for residential occupancy at any time.
4. That there shall be no more than 1.00 m (3.28 ft.) of fill/topsoil placed adjacent to or within 15.00 m (49.21 ft.) of the proposed accessory building under construction in order to establish approved final grades unless a Development Permit has been issued for additional fill.
5. That any plan, technical submission, agreement, or other matter submitted and approved as part of the Development Permit application, or submitted in response to a Prior to Issuance or Occupancy condition, shall be implemented and adhered to in perpetuity.

Advisory:

6. That a Building Permit shall be obtained through Building Services, for the accessory building (oversized garage, prior to construction commencement.
7. That the Applicant/Owner shall contact County Road Operations with haul details for materials and equipment needed during construction/site development to confirm if Road Use Agreements will be

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

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

Carried

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

Division 2 – Development Item – Cannabis Cultivation and Cannabis Facility

File: PRDP20201670 (05704069)

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

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

Carried

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

Description:

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

Prior-to Issuance:

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

Permanent:

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

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

Advisory:

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

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

Carried

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

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

Description:

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

Permanent:

2. That the accessory building shall not be used for residential occupancy or commercial purposes at any time.
3. That the accessory building (oversized barn/garage) shall not be used for residential occupancy at any time.
4. That there shall be no more than 1.00 m (3.28 ft.) of fill/topsoil placed adjacent to or within 15.00 m (49.21 ft.) of the proposed accessory building under construction in order to establish approved final grades unless a Development Permit has been issued for additional fill.
5. That the Applicant/Owner shall contact County Road Operations with haul details for materials and equipment needed during construction/site development to confirm if Road Use Agreements will be required for any hauling along the County road system and to confirm the presence of County road ban restrictions, in accordance with the Road Use Agreement Bylaw C-8065-2020.
6. That any plan, technical submission, agreement, or other matter submitted and approved as part of the Development Permit application, or submitted in response to a Prior to Issuance or Occupancy condition, shall be implemented and adhered to in perpetuity.

Advisory:

7. That during construction of the building, all construction and building materials shall be maintained on-site, in a neat and orderly manner. Any debris or garbage shall be stored/placed in garbage bins and disposed of at an approved disposal facility.
8. That during construction of the accessory building, the Applicant/Owner shall adhere to the County's Noise Bylaw (C-5772-2003) at all times.
9. That a Building Permit/Farm Building Location Permit, for the accessory building shall be obtained through Building Services, prior to any construction taking place.
10. That if the development authorized by this Development Permit is not commenced with reasonable diligence within 12 months from the date of issue, and completed within 24 months of the issue, the permit is deemed to be null and void, unless an extension to this permit shall first have been granted by the Development Officer.
11. That any other government permits, approvals, or compliances are the sole responsibility of the Applicant/Owner.

Carried

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

Description:

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

Prior to Issuance:

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

Permanent:

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

Advisory:

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

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16. That the site shall be maintained in compliance with County Bylaw No. C-7690-2017, the "Nuisance and Unsightly Property Bylaw", at all times. Any debris or garbage generated on the site shall be stored/placed in garbage bins and disposed of at an approved disposal facility.
 17. That the County Bylaw C-5772-2003, the "Noise Bylaw", shall be adhered to at all times.
 18. That the site shall remain free of restricted and noxious weeds and maintained in accordance with the Alberta Weed Control Act [*Statutes of Alberta, 2008 Chapter W-5.1, December 2017*].
 19. That a Building Permit/Farm Building Location Permit and applicable subtrade permits, for the change of use, shall be obtained through Building Services, prior to any construction taking place.
Note: That the subject development shall conform to the National Energy Code 2017, with documentation/design at Building Permit, if applicable. A Declaration of Use must be filled out and signed under a New Farm Location Permit, or a Building Permit will be required.
 20. That any other federal, provincial or County permits, approvals, and/or compliances, are the sole responsibility of the Applicant/Owner.
 - i. That the Applicant/Owner shall obtain any required Health Canada and Alberta Health Services approval(s).
 - ii. That all cannabis waste shall be managed in accordance with Alberta Cannabis Waste Management Fact Sheet.
 21. That if the development authorized by this Development Permit is not commenced with reasonable diligence within twelve (12) months from the date of issue, and completed within twenty-four (24) months of the issue, the permit is deemed to be null and void, unless an extension to this permit shall first have been granted by the Development Officer.

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

Carried

2020-09-03-10 (E-5)
Division 2 – Development Item – Liquor Sales
File: PRDP20202100 (04734116)

Presenter: Chris Flory, the Applicant

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

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

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

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

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

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

Carried

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

Description:

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

Permanent:

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

Advisory:

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

Carried

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

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

Division 1 – Development Item – Automotive, Equipment & Vehicle Services / Retail Shop
File: PRDP20202131 (03913040)

Presenter: Lorraine Hutchinson, the Applicant

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

Carried

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

Division 7 – Development Item – Farmer’s Market

File: PRDP20201845 (06524006)

Presenter: Cody Sheperd, the Applicant

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

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

Carried

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

Description:

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

Prior to Issuance:

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

Permanent:

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

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

Advisory:

16. That the site shall conform to the County's Noise Bylaw C-5773-2003 in perpetuity.
17. That the Applicant/Owner shall obtain Building Permits, for Vendor Tents prior to installation onsite, through Building Services, unless the tents:
 - i. are at least 3.00 m (9.84 ft.) apart;
 - ii. do not exceed 60.00 sq. m (645.83 sq. ft.) in area; and
 - iii. do not contain any commercial cooking equipment
18. That any fire protection measures onsite shall be in accordance with the Alberta Fire Code.
19. That if this Development Permit is not issued by **APRIL 30, 2021**, or the approved extension date, then this approval is null and void and the Development Permit shall not be issued.
20. That any other government permits, approvals, or compliances are the sole responsibility of the Applicant/Owner.
21. That if the development authorized by this Development Permit is not commenced with reasonable diligence within 12 months from the date of issue, and completed within 24 months of the issue, the permit is deemed to be null and void, unless an extension to this permit shall first have been granted by the Development Officer.

Carried

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

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

File: PRDP20202106 (05716086)

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

Description:

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

Prior to Issuance:

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

Permanent:

6. That any plan, technical submission, agreement, matter or understanding submitted and approved as part of the application or in response to a Prior to Issuance condition shall be implemented and adhered to in perpetuity.
7. That upon completion of the proposed development, should there be areas of fill that are greater than 1.20 m (3.93 ft.) in depth, the Applicant/Owner shall submit compaction testing verifying that the fill areas greater than 1.20 m (3.93 ft.) in depth were placed in accordance with the Deep Fills report accepted by the County.
8. That it shall be the responsibility of the Applicant/Owners to ensure the fill has been placed in a safe manner that does not cause slope stability issues, slumping, or any other related safety issues.

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9. That upon completion of the proposed development, the Applicant/Owners shall submit an as-built survey, confirming that the development proposal and post grades align with the supporting technical submissions for the file.
 10. That any material entering to or leaving from the site, shall be hauled on/off in a covered trailer/truck, which will prevent blowing of dust/small rocks onto the road or cause issues with other vehicles on the road.
 11. That the clean-up of any mud tracking and/or dirt that enters onto any County roads during hauling, shall be the responsibility and cost of the Applicant/Owner for clean-up.
 12. That no topsoil shall be removed from the site.
 13. That the Applicant/Owners shall ensure no organic material is buried and capped in a manner that will cause methane gas related issues.
 14. That the fill shall not contain large concrete, rebar, asphalt, building materials, organic materials, or other metal.
 15. That the Applicant/Owners shall take effective measures to control dust on the parcel so that dust originating therein shall not cause annoyance or become a nuisance to adjoining property owners and others in the vicinity.
 16. That if no future development of the proposed graded area occurs, the proposed graded area shall have a minimum of six (6) inches of topsoil placed on top, which shall then be spread and seeded to native vegetation, farm crop, or landscaped to the satisfaction of the County.
 17. That the Applicant/Owners shall be responsible for rectifying any adverse effect on adjacent lands from drainage alteration.
 18. That the subject land shall be maintained in a clean and tidy fashion at all times and all waste material shall be deposited and confined in an appropriate enclosure. All waste material shall be regularly removed from the property to prevent any debris from blowing onto adjacent property or roadways. That all garbage and waste shall be stored in weatherproof and animal proof containers and be in a location easily accessible to containerized garbage pickup.

Advisory:

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

Carried

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

Division 4 – Development Item – Accessory Building & Signs, for a Religious Assembly
File: PRDP20202020 (03219028)

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

Carried

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

Description:

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

Prior to Issuance:

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

Permanent:

- 3) That the statue shall be placed in accordance with the drawings and site plan submitted with the application.
- 4) That the statue shall be kept in a safe, clean and tidy condition at all times.
- 5) That the proposed Accessory Building (gazebo) shall not be used for residential occupancy purposes at any time.
- 6) That the exterior siding and roofing materials of the Accessory Building (gazebo) shall be similar/cohesive to the existing Buddhist Temple and/or area.
- 7) That there shall be no more than 1.00 m (3.28 ft.) of fill placed adjacent to or within 15.00 m (49.21 ft.) of the proposed accessory building under construction, which is used to establish approved final grades unless a Development Permit has been issued for additional fill and topsoil.
- 8) That if the development authorized by this Development Permit is not commenced with reasonable diligence within 12 months from the date of issue, and completed within 24 months of the issue, the permit is deemed to be null and void, unless an extension to this permit shall first have been granted by the Development Officer.
- 9) That if this Development Permit is not issued by **APRIL 30, 2021** or the approved extension date, then this approval is null and void and the Development Permit shall not be issued.

Advisory:

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

Carried

2020-09-03-15 (E-9)

Division 4 – Development Item – Dwelling, Single Detached

File: PRDP20202237 (03222095)

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

Description:

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

Prior to Issuance:

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

Permanent:

3. That it is the responsibility of the Applicant/Owner to obtain approval from Rocky View County Road Operations for any new construction, installation or alterations of any driveways/approaches, prior to commencing any work on the driveways/approaches.
4. That there shall be no more than 1.00 m (3.28 ft.) of fill and/or topsoil placed adjacent to or within 15.00 m (49.21 ft.) of the proposed dwelling under construction that is used to establish approved final grades unless a Development Permit has been issued for additional fill and topsoil.
5. That no topsoil shall be removed from the subject property.
6. That the Applicant/Owners shall be responsible for rectifying any adverse effect on adjacent lands from drainage alteration.
7. That it is the Applicant/Owner's responsibility to obtain and display a distinct municipal address in accordance with the County Municipal Addressing Bylaw (Bylaw C-7562-2016), for the dwelling unit located on the subject site, to facilitate accurate emergency response.

Advisory:

8. That a Building Permit and subtrade permits shall be obtained through Building Services, for construction of the dwelling, single detached.
9. That during construction of the dwelling, all construction and building materials shall be maintained onsite, in a neat and orderly manner. Any debris or garbage shall be stored/placed in garbage bins and disposed of at an approved disposal facility.
10. That any over government permits, approvals, or compliances are the sole responsibility of the Applicant/Owner.
11. That if the development authorized by this Development Permit is not commenced with reasonable diligence within 12 months from the date of issue, and completed within 24 months of the issue, the permit is deemed to be null and void, unless an extension to this permit shall first have been granted by the Development Authority.
12. That if this Development Permit is not issued by **DECEMBER 31, 2020** or the approved extension date, then this approval is null and void and the Development Permit shall not be issued.

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

Division 7 – Development Item – Accessory Building

File: PRDP20201842 (06105006)

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

Description:

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

Permanent:

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

Advisory:

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


Carried

ROCKY VIEW COUNTY
MUNICIPAL PLANNING COMMISSION MEETING MINUTES
September 3, 2020

Adjournment

MOVED by Member McKylor that the September 3, 2020 Municipal Planning Commission meeting be adjourned at 11:55 a.m.

Carried



Chair or Vice Chair



Chief Administrative Officer or Designate