



ROCKY VIEW COUNTY

# SHIPPING CONTAINER

## USE AGREEMENT (AGRICULTURAL PARCEL)

FOR OFFICE USE ONLY	
ROLL NO.	
DISTRICT	
PARCEL SIZE	
DATE OF RECEIPT	
ACCEPTED BY	

Applicant Name:		Email:	
Address:		Postal Code:	
Telephone (Primary)		Alternative:	
Number of proposed Shipping Container(s):		Number of existing Shipping Container(s), if any:	

### APPLICATION CHECKLIST

- SITE PLAN**, shall include:
  - Subject parcel and Land Use Districts of adjacent parcels - [Rocky View County Atlas](#)
  - Identification of setback distances from all property lines to the Shipping Container(s);
  - Identification of setback distances from dwellings on adjacent parcels to the Shipping Container(s);
  - Design measures and/or landscaping features if the Shipping Container(s) is located within 76.20m from a dwelling unit present the adjacent parcel, if applicable;
- PHOTOGRAPHS:**
  - Four (4) photographs of each Shipping Container(s) showing all sides;
  - Photographs of the existing dwelling(s) and any building(s) on the parcel.
- FARM BUILDING EXEMPTION / DECLARATION OF USE FORM**
  - If the Shipping Container is to be used for Agricultural Purposes, please fill out the attached Farm Building Exemption Form ONLY;
  - If the Shipping Container is to be used for NON Agricultural Purposes, please fill out the attached Declaration of Use Form ONLY (Please note: The use of a Shipping Container for Non Agricultural Purposes requires a Building Permit through the County's Building Services department).

I, \_\_\_\_\_, (**Applicant**) am proposing a Shipping Container(s) at the above-noted parcel and agree to the terms listed below: *(Initial all)*

**Section 150.1 Shipping Container shall:**

- \_\_\_\_\_ be cohesive and similar to the surrounding site and adjacent properties, in color and appearance.
- \_\_\_\_\_ not display any logos, brand names, signage or graffiti, and shall be maintained in good order for the period that the Shipping Container(s) is placed on site.
- \_\_\_\_\_ not have any materials stored on top of the Shipping Container(s).
- \_\_\_\_\_ not be stacked and/or attached, in any way, to a building.

**Section 150.2 Site Requirements Shipping Container shall:**

- \_\_\_\_\_ be placed at least 50.0m (164.04 ft.) away from a parcel holding an Agricultural or Residential designation where a dwelling unit is present, and comply with the required setbacks from County roads, Highways and Service Roads in any District, whichever is greater.
- \_\_\_\_\_ be treated with additional designal measures and/or landscaping features if it is placed within 76.20m (250.00ft.) of any dwelling units that is present on adjacent parcels, if applicable.
- \_\_\_\_\_ have no more than the permitted number of Shipping Container(s) be placed on the subject parcel.
  - Maximum of Two (2) on parcels ≤ 80.0 ac; Maximum of Four (4) on parcels > 80.0 ac.

**If at any time, the County discovers that the Shipping Container(s) on the above mentioned parcel does not comply with the above terms, this use agreement shall be null and void. The County shall require a development permit for a Shipping Container(s) on the subject parcel to be in compliance with Land Use Bylaw, C-8000-2020.**

**Applicant Signature** \_\_\_\_\_

Rocky View County acknowledges the above noted parcel may have a Shipping Container(s) and has no objections or concerns providing the placement of the Shipping Container(s) in accordance with the rules and regulations of the Land Use Bylaw C-8000-2020.

**Approval Date** \_\_\_\_\_ **Development Authority Signature** \_\_\_\_\_



**FARM BUILDING EXEMPTION**

**Application Date (Month/Day/Year):** \_\_\_\_\_ **Development Permit # (if applicable):** \_\_\_\_\_

Property Owner Name(s): \_\_\_\_\_  
Mailing Address: \_\_\_\_\_  
City: \_\_\_\_\_ Prov: \_\_\_\_\_ Postal Code: \_\_\_\_\_  
Phone: \_\_\_\_\_ Cell: \_\_\_\_\_ Email: \_\_\_\_\_

**Project Location and Building Information:**

Municipal Address: \_\_\_\_\_  
Legal Address: Part of: \_\_\_\_\_ Section: \_\_\_\_\_ Township: \_\_\_\_\_ Range: \_\_\_\_\_ West of: \_\_\_\_\_  
Subdivision Name (if applicable): \_\_\_\_\_ Lot: \_\_\_\_\_ Block: \_\_\_\_\_ Plan: \_\_\_\_\_  
Land Use Designation: \_\_\_\_\_ Parcel Size (no. of acres): \_\_\_\_\_  
Building Size: \_\_\_\_\_  Feet  Metres Building Height : \_\_\_\_\_  Feet  Metres  
Number of Floors in Building: \_\_\_\_\_ Building Construction Material: (e.g. combustible or non-combustible): \_\_\_\_\_  
Estimated Construction Value of Building: \$ \_\_\_\_\_ Use of Building: \_\_\_\_\_  
Amount of Grading: \_\_\_\_\_  Feet  Metres  
*Maximum 1.00m change from existing grade unless approved by a Development Permit*

*If the farm building has installation of sub-trade works, then complete permit application(s) must be submitted with the Farm Building Exemption application. Please check all that apply:*

**Electrical  Plumbing  Gas  Private Sewage Treatment System  Not Applicable**

**I hereby certify** that the building described herein will be of low human occupancy. Used for the housing of livestock, and/or the storage, sorting, grading of agricultural products that have not undergone secondary processing and/or the storage or maintaining of machinery, equipment or vehicles that are used in connection with the growing of farm crops or the care of farm animals on the above described land.

**I hereby certify** that the building shall only be used for an agricultural operation further defined by the *Agricultural Operation Practices Act*, and have verified the agricultural operation by signing a declaration of use for the building, which shall be a condition of this permit.

**I further certify** that I will not use the building for any other use without first obtaining a Building Permit and/or a Development Permit if necessary from Rocky View County, and that on the sale of the described land, I will endeavor to inform the purchaser that the building shall only be used as a farm building.

Owners and/or agents are responsible for ensuring that construction will not damage or interfere with any utility, or any utility right of way or easement.

Owners and/or agents are responsible for ensuring the work being carried out complies with all applicable Land Use Bylaws, Subdivision requirements and/or Developers or Homeowners Associations Requirements.

Consent is granted to authorized persons of Rocky View County to enter the above parcel of land for purposes of investigation and enforcement related to this permit application.

\_\_\_\_\_  
Registered Landowner (Print Name) Registered Landowner Signature Date

*The personal information provided as part of this application is collected under the Safety Codes Act and the Municipal Government Act and in accordance with the Freedom of Information and Protection of Privacy Act. The information is required and will be used for issuing permits, safety codes compliance verification and monitoring and property assessment purposes. The name of the permit holder and the nature of the permit is available to the public upon request. If you have any questions about the collection or use of the personal information provided, please contact the municipality.*

## DECLARATION OF USE – Shipping Container (Sea Can)

Intermodal shipping containers or “sea-cans” are used for the transport of goods from one place to another. These containers are designed to be packed with goods and lifted, stacked, handled, and moved by one mode of transportation or another. However, their availability, capacity, and strength make them desirable for many other uses.

Location for use will subject them to several requirements applicable to the construction and fire safe operation of buildings. A building as defined by the NBC(AE) means any structure used or intended for supporting or sheltering any use or occupancy, and includes an addition built to an existing structure and, where applicable, the land adjoining a structure. Because shipping containers do not meet the prescriptive requirements found in the NBC(AE), the municipality may request an engineering review and submission of plans certified by a registered engineering professional prior to issuing a building permit.

**Details of the shipping container occupancy (choose yes if applicable):**

<b>Permanent placement shipping container– accessory building– building permit required.</b>		
Will the shipping container be occupied? (# of people/occupant load): _____	Yes	No
Will the shipping container be modified?	Yes	No
Will the shipping container be used to store dangerous/hazardous materials?	Yes	No
Provide a brief description of the items to be stored in the shipping container:		

\_\_\_\_\_   
Municipal Address

\_\_\_\_\_   
Print Name

\_\_\_\_\_   
Signature

\_\_\_\_\_   
Date

## DECLARATION OF USE – FARM BUILDING EXEMPTION

Farm buildings shall meet and adhere to all the definitions and exemptions within the National Building Code (AE), *Safety Codes Act*, *Agricultural Operation Practices Act*, and the *Land Use Bylaw*.

**Details of the farm building occupancy (choose yes if applicable):**

What is the total occupant load? (# of people): _____		
Low Human Occupancy – Less than one person per 40 m <sup>2</sup> (430.6 sf)	Yes	No
Housing livestock, the storage of feed for livestock	Yes	No
Storing, sorting, grading, or growing agricultural products associated with the agricultural operation	Yes	No
Secondary processing of agricultural products (e.g. producing a new product)	Yes	No
Storing or maintaining machinery and/or equipment associated with the agricultural operation	Yes	No
Horse riding arena, exercise or training facility not used by the public (Private riding arena)	Yes	No
Will the building be open to the public or provide retail sales to the public?	Yes	No
Provide a brief description of the use of the building:		

**Details of the farm building occupancy to support an agricultural operation (choose yes if applicable):**

Cultivating land	Yes	No
Raising livestock, including diversified livestock animals within the meaning of the Livestock Industry Diversification Act and poultry	Yes	No
Raising fur-bearing animals, pheasants, or fish	Yes	No
Producing agricultural field crops	Yes	No
Producing fruit, vegetables, sod, trees, shrubs, and other specialty horticultural crops	Yes	No
Producing eggs and milk	Yes	No
Producing honey	Yes	No
Operating agricultural machinery and equipment, including irrigation pumps	Yes	No
Applying fertilizers, insecticides, pesticides, fungicides, and herbicides, including application by ground and aerial spraying, for agricultural purposes	Yes	No
Collecting, transporting, storing, applying, using, transferring, and/or disposing manure, composting materials, and/or compost	Yes	No
Abandoning and reclaiming confined feeding operations and manure storage facilities	Yes	No
Cannabis cultivation including growing, harvesting and packaging of base product (no processing)	Yes	No
Cannabis processing including growing, harvesting and /or processing and packaging	Yes	No

I understand and confirm that the building shall not be used for any other occupancy without first obtaining a Building Permit and/or Development permit from Rocky View County, and that this declaration is a condition of the Farm Building Exemption.

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

## DEFINITIONS

### NATIONAL BUILDING CODE – ALBERTA EDITION

1.1.1.1. Application of this Code 5) This Code does not apply to a) a building of low human occupancy associated with the operation of the farm or acreage on which it is located, where the building is used for the i) housing of livestock, ii) storage or maintenance of equipment, or iii) storage of materials or produce,

**A-1.1.1.1.(5)(a) Farm and Acreage Buildings.** Farm and acreage buildings include, but are not limited to, produce storage facilities, livestock and poultry housing, milking centers, manure storage facilities, grain bins, silos, feed preparation centers, farm workshops, and horse riding, exercise and training facilities not used by the public.

### SAFETY CODES ACT - PERMIT REGULATION

**Farm building** means a building located on agricultural land as defined in the *Agricultural Operation Practices Act* that is occupied for an agricultural operation as defined in the *Agricultural Operation Practices Act*, including, but not limited to, (i) housing livestock, (ii) storing, sorting, grading or bulk packaging of agricultural products that have not undergone secondary processing, and (iii) housing, storing or maintaining machinery that is undertaken in the building.

### AGRICULTURAL OPERATION PRACTICES ACT

**Agricultural land** means (i) land the use of which for agriculture is either a permitted or discretionary use under the land use bylaw of the municipality or Metis settlement in which the land is situated or is permitted pursuant to section 643 of the *Municipal Government Act*, (ii) land that is subject to an approval, registration or authorization, or (iii) land described in an ALSA regional plan, or in a conservation easement, conservation directive or TDC scheme as those terms are defined in the *Alberta Land Stewardship Act*, that is protected, conserved or enhanced as agricultural land or land for agricultural purposes.

**Agricultural operation** means an agricultural activity conducted on agricultural land for gain or reward or in the hope or expectation of gain or reward, and includes (i) the cultivation of land, (ii) the raising of livestock, including diversified livestock animals within the meaning of the *Livestock Industry Diversification Act* and poultry, (iii) the raising of fur-bearing animals, pheasants or fish, (iv) the production of agricultural field crops, (v) the production of fruit, vegetables, sod, trees, shrubs and other specialty horticultural crops, (vi) the production of eggs and milk, (vii) the production of honey, (viii) the operation of agricultural machinery and equipment, including irrigation pumps, (ix) the application of fertilizers, insecticides, pesticides, fungicides and herbicides, including application by ground and aerial spraying, for agricultural purposes, (x) the collection, transportation, storage, application, use, transfer and disposal of manure, composting materials and compost, and (xi) the abandonment and reclamation of confined feeding operations and manure storage facilities.