

THIS IS NOT A DEVELOPMENT PERMIT

Please note that the appeal period *must* end before this permit can be issued and that any
Prior to Release conditions (if listed) *must* be completed.

NOTICE OF DECISION

Scheffer Andrew Ltd. (Kyle Easton)

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Tuesday, June 2, 2026

Roll: 02336009

RE: Development Permit #PRDP20261779

Lot 3, Block 1, Plan 1510565; NE-36-22-28-04; (38 FULTON DRIVE)

The Development Permit application for Industrial (Heavy), construction of an office/shop building, tenancy for an asphalt business; relaxation to the maximum fence height requirement and relaxation to the minimum outside storage rear yard setback requirement has been **conditionally-approved** by the Development Officer subject to the listed conditions below (**PLEASE READ ALL CONDITIONS**):

Description:

1. That Industrial (Heavy), construction of an office/shop building may take place on the subject lands in accordance with the approved site plan and application drawing package, as prepared by *Inch Carpentry (Project No.: 00031), dated February 9, 2026 & Scheffer Andrew Ltd. (ENG DWG No.: 176001)* as amended for conditions of this permit. The approval includes:
 - i. Construction of an office/shop building, approximately $\pm 1,233.72$ sq. m ($\pm 13,279.65$ sq. ft.) in footprint;
 - a. Including a mezzanine area, approximately ± 222.97 sq. m ($\pm 2,400.00$ sq. ft.).
 - ii. Outdoor storage area in accordance with the approved site plan;
 - a. Recycled Asphalt Product storage approximately $\pm 10,000.00$ sq. m ($107,639.10$ sq. ft.) in area to a maximum height of 5.00 m (16.40 ft.).
 - iii. Relaxation to the minimum outside storage rear yard setback requirement from **15.00 m (49.21 ft.) to 6.00 m (19.69 ft.)**;
 - iv. Relaxation to the maximum fence height from **2.00 m (6.56 ft.) to 2.13 m (7.00 ft.)**;
 - a. Installation of a board and timber fence along the front yard and a chain-link fence with a barbwire topper and black vinyl slats on the side and rear yard.
 - v. Site grading, as required per the approved onsite technical drawings; and
 - vi. Tenancy for *LBL Ranches Ltd. (LeDuc Asphalt Milling)*.

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Prior to Release:

2. That prior to release of this permit, the Applicant/Owner shall submit a detailed lighting plan completed by a qualified professional and schedule that includes spec model and details indicating the location of all exterior lights, a description of any measures taken to shield direct glare onto adjacent properties, and the projected light patterns in relation to adjacent properties, roadways, and developments in accordance with Section 227 – 231 of the County's *Land Use Bylaw C-8000-2020* (LUB) and Policy 6.2 of the *Fulton Industrial Conceptual Scheme* (CS).
3. That prior to release 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 a Road Use Agreement or a Roadata Heavy Haul/Overweight/Overdimension Permit shall be required for any hauling along the County road system and to confirm the presence of County Road ban restrictions.
 - i. The Applicant/Owner shall answer all questions from the County Road Operations Road Use Agreement Questionnaire (Bylaw C-8323-2022) and send the information to roaduse@rockyview.ca;
 - ii. Any required agreements or a Roadata/Heavy Haul/Overweight/Overdimension Permit shall be obtained unless otherwise noted by County Road Operation;
 - iii. If a road use agreement is required, the Applicant/Owner shall be required to provide a refundable security to the County pursuant to the *Road Use Agreement Bylaw C-8323-2022*; and
 - iv. Written confirmation shall be received from County Road Operations confirming the status of this condition.
4. That prior to release of this permit, the Applicant/Owner shall provide payment of the *Community Recreation Off-Site Levy Bylaw C-8550-2024*, calculated based on the development area.
5. That prior to release of this permit, the Applicant/Owner shall submit a Construction Management Plan in accordance with the County's Servicing Standards. The plan shall address noise mitigation measures, sedimentation and dust control, management of stormwater during construction, weed control, weed growth during construction and grading, construction best management practices, temporary stormwater management, waste management, firefighting procedures, evacuation plan, hazardous material containment and all other relevant construction management details.
6. That prior to release of this permit, the Applicant/Owner shall submit a revised Site-Specific Stormwater Management Plan (SSIP), prepared by a qualified professional storm water engineer. The SSIP must include a grading plan that illustrates the original ground profiles; the depth of proposed fill; and an analysis of the pre- and post-construction grades considering site stormwater storage, site release and offsite drainage to ensure there are no impacts to adjacent properties or the County's public road network, in accordance with the Policy 9.5 of the CS, the *Fulton Industrial Storm Water Management Plan*, dated 2008, and the County's Servicing Standards and includes the following revision:
 - i. The revised SSIP shall replace "pond" with "traplow".
7. That prior to release of this permit, the Applicant/Owner shall submit a Refundable Security of \$20,000.00 for the two (2) approaches, to secure the construction of the new approach from Fulton Drive to the subject lands in accordance with *Policy C-407* and Section 112 of the LUB.

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8. That prior to release of this permit, the Applicant/Owner shall submit confirmation details including 3.2.2 Building Code Classification for all fire suppression requirements for the proposed development in accordance with the requirements of NFPA 1142 / NFPA 13, and all applicable County standards and bylaws, to the satisfaction of the County.

Prior to Occupancy:

9. That prior to site and building occupancy, all required development components including final site surfaces shall be in place prior to occupancy of the site and/or buildings.
 - i. That prior to site and building occupancy, all required fence slating shall be installed in accordance with the approved fencing and screening plan. Written confirmation shall be provided by the Applicant/Owner, or a site inspection shall be completed by the Development Authority; and
 - ii. That should permission for occupancy of the site be requested during the months of October through May inclusive, occupancy may be allowed without all development components completion, provided that an Irrevocable Letter of Credit or refundable security in the amount of 150.00% of the total cost of completing all the landscaping and final site surfaces shall be placed with the County to guarantee the works shall be completed by the 30th day of June immediately thereafter.
10. That prior to site and building occupancy, the County shall perform an inspection of the site to verify that the road approach has been constructed in accordance with the County's Servicing Standards.
 - i. The refundable security shall be returned upon final acceptance obtained through Road Operations.
11. That prior to site and building occupancy, Built to Design Certificates and as-built drawings certified by a professional engineer, shall be submitted. The as-built drawings shall include (where applicable) verification of the constructed site-servicing infrastructure and stormwater infrastructure relevant to the SSIP.
 - i. Following receipt of the as-built drawings, the County shall complete an inspection of the site to verify the infrastructure has been completed as per the approved as-built drawings.

Permanent:

12. That if the prior to release conditions have not been met by **DECEMBER 31, 2026**, or through an approved extension date, then this approval is null and void and the Development Permit shall not be issued.
13. That any plan, technical submission, agreement, matter or understanding submitted and approved as part of the application or in response to a prior to release or occupancy condition, shall be implemented and adhered to in perpetuity, including:
 - i. Trip Generation Letter prepared by Scheffer Andrew Ltd. (File No.: 176001 2.6), dated March 20, 2026;
 - ii. Erosion and Sediment Control Report and Drawing Application prepared by Scheffer Andrew Ltd. (File No.: 176001-2.6), dated March 2026;
 - iii. LBL Ranches Ltd. Dust Management Plan;



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- iv. Limited Scope Site-Specific Stormwater Implementation Plan prepared by Scheffer Andrew Ltd. (File No.: 1760-01 2.6), dated May 4, 2026; and
 - v. Fulton Phase 1 Environmental Site Assessment and Biophysical Impact Assessment prepared by Sabatini Earth Technologies, dated November/December 2007.
14. That there shall be no crushing, grinding or heat added processes of asphalt at anytime. That the screening of Recycled Asphalt Product may occur onsite.
15. That the Recycled Asphalt Product storage base shall be compacted recycled asphalt with a minimum depth of 300 mm.
16. That any external generators shall be completely enclosed or muffled and appropriately screened, to the satisfaction of the County.
17. That the Applicant/Owner shall be solely financially responsible for rectifying any adverse effect on adjacent lands from drainage alteration, including stormwater implications from the proposed development. Post-development drainage shall not exceed pre-development drainage.
 - i. That any lot regrading and excavation is not to direct any additional overland surface drainage nor negatively impact existing drainage patterns in any road right-of-way; and
 - ii. That upon completion of the proposed development, the County may request the Applicant/Owner submit an as-built survey, confirming the post-development drainage does not exceed pre-development drainage and is in compliance with any matter submitted and approved as part of the of the Development Permit application, or in response to a Prior to Release condition.
18. That the site shall be maintained in a neat and orderly fashion at all times.
19. That no outdoor display areas, storage areas, parking or marshalling yards shall be allowed within any landscaped yards.
20. That all landscaping and topsoil placement shall be in accordance with the landscaping details provided in the Landscape Plan, as amended.
 - i. That the Applicant/Owner shall be responsible for irrigation and maintenance of all landscaped areas, including the replacement of any deceased trees, shrubs, or plants, within 30 days, or by June 30th of the next growing season;
 - ii. The vegetation type must endure the irrigation from May to September;
 - iii. That no potable water shall be utilized for landscaping or irrigation purposes;
 - iv. That all plantings should be placed in a minimum of 6.00 inches depth of landscaping soil; and,
 - v. That all landscaping and screening elements shall be maintained onsite in perpetuity.
21. That any approved road approach shall be constructed and maintained in accordance with the County Servicing Standards.
22. That no topsoil shall be removed from the site.
23. That any dirt imported or removed from the site during construction shall be hauled off in a covered trailer/truck that will prevent the blowing of dust/small rocks onto the road or issues with other vehicles on the road.

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24. That the Applicant/Owner shall take whatever means necessary to prevent visible dust associated with the development from escaping the site and having adverse effects on adjacent roadways and properties.
 - i. That water truck(s) should be available at all times on-site and utilized to control dust blowing from the site and/or roadways;
25. That there shall be a minimum of 17 parking stalls, including two (2) barrier-free, maintained on site at all times, in accordance with the approved Site Plan.
 - i. All customer and employee parking shall be restricted to the subject site.
26. That any future business signage not included within this development permit shall require separate Development Permit approval prior to placement onsite.
 - i. That any onsite wayfinding or directional signage is permitted and does not require development permit approval.
27. That the entire site shall be maintained in a neat and orderly manner at all times. All garbage and waste material shall be deposited and confined in weatherproof and animal-proof containers in accordance with the approved site plan. All waste material shall be regularly removed from the property to prevent any debris from blowing onto adjacent property or roadways.
28. That office/shop building shall be serviced via a pump out holding tank and potable water cistern.
29. That if the conditions of this permit are not satisfied, the County may draw upon the Letter of Credit or Refundable Security, once registered with the County, without recourse to the Applicant/Owner, to cover the costs in site remediation of any or all of the disturbed areas or costs involved in actions necessary to ensure compliance with any other conditions of this permit.
30. That all lighting including private, site security and parking area lighting, shall be designed to conserve energy, reduce glare, and reduce uplight, in accordance with Sections 225-231 of the LUB and Section 6.0 of the CS. All lighting shall be full cut-off (shielded) and be located and arranged so that no direct rays of light are directed at any adjoining properties, that may interfere with the use and enjoyment of neighbouring lands or interfere with the effectiveness of any traffic control devices or the vision/safety of motorists.
31. 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.

Advisory:

- That it is the Applicant/Owner's responsibility to obtain and display a distinct municipal address in accordance with the County's *Municipal Addressing Bylaw* (Bylaw C-7562-2016), for the principal building located on the subject site, to facilitate accurate emergency response. *The municipal address for this site is 38 Fulton Drive.*
- That any lot parking and outside storage areas should use Low Impact Development (LID) principles and use permeable paving, on site stormwater storage, and bioswales to manage on site stormwater runoff to the development storm system, where possible, in accordance with Section 6.0 of the CS.

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- That green building products shall be utilized where possible, in accordance with Section 6.0 of the CS.
- That the subject development shall conform to the County's *Noise Bylaw C-8067-2020* and *Road Use Agreement Bylaw C-8323-2022*, in perpetuity.
- That there shall be no business parking or business signage placed in the adjacent road right-of-way (Fulton Drive).
- 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.
- That the subject business shall implement an Emergency Management Plan in accordance with Section 10.3 & Policy 10.3.1 of the CS.
- That a Building Permit and all applicable sub-trade permits are required through the County's Building Services department, prior to any construction taking place. Compliance with the *National Energy Code* is also required.
- That any future change in tenants will be required to apply for a New Business Tenant (No Change of Use) or a Change of Use (Land or Existing Building) Development Permit prior to tenancy.
- That the Applicant/Owner shall be responsible for all Ministry of Environment and Protected Areas (EPA) approvals for any impact to any wetlands area from the proposed development.
- That the site shall remain free of Regulated, Prohibited Noxious or Noxious weeds in accordance with the *Alberta Weed Control Act [Statutes of Alberta, 2008 Chapter W-5.1, December 7, 2023]*.
- That any other government permits, approvals, or compliances are the sole responsibility of the Applicant/Owner.

If Rocky View County does not receive any appeal(s) from you or from an adjacent/nearby landowner(s) by **Tuesday, June 23, 2026**, a Development Permit may be issued, unless there are specific conditions which need to be met prior to release. If an appeal is received, then a Development Permit will not be issued unless and until the decision to approve the Development Permit has been determined by the County's Subdivision and Development Appeal Board.

Regards,



Development Authority
Phone: 403-520-8158
Email: development@rockyview.ca

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