



MUNICIPAL PLANNING COMMISSION MEETING AGENDA

Date: Wednesday, February 24, 2021
Time: 9:00 AM
Location: <https://www.rockyview.ca/>

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MUNICIPAL PLANNING COMMISSION MEETING MINUTES

Wednesday, February 10, 2021
9:00 AM

Held Electronically in accordance with the
Meeting Procedures (COVID-19 Suppression) Regulation, Alberta Regulation 50/2020

Present:

Chair J. Gautreau
Vice-Chair A. Schule (present electronically) (arrived at 9:42 a.m.)
Member G. Boehlke (arrived at 9:02 a.m.)
Member K. Hanson (present electronically)
Member D. Henn
Member M. Kamachi (present electronically)
Member K. McKylor (present electronically)
Member S. Wright (present electronically)

Also Present:

A. Hoggan, Chief Administrative Officer
B. Riemann, Executive Director, Operations
T. Cochran, Executive Director, Community Development Services Division
G. Nijjar, Manager, Planning and Development Services
H. McInnes, Supervisor, Planning and Development Services
S. MacLean, Supervisor, Planning and Development Services
O. Newmen, Planner, Planning and Development Services
S. Thompson, Planner, Planning and Development Services
S. Khouri, Development Officer, Planning and Development Services
W. Van Dijk, Development Officer, Planning and Development Services
B. Culham, Development Officer, Planning and Development Services
C. Condo, Development Compliance Officer, Planning and Development Services
K. Tuff, Legislative Officer, Legislative Services
K. Jiang, Legislative Officer, Legislative Services

A Call Meeting to Order

The Chair called the meeting to order at 9:00 a.m. with all members present, with the exception of Vice-Chair Schule and Member Boehlke.

Member Boehlke arrived at the meeting at 9:02 a.m.

The Chair called for a recess at 9:02 a.m. and called the meeting back to order at 9:13 a.m. with all previously mentioned members present.

B Updates/Approval Of Agenda

MOVED by Member Henn that the February 10, 2021 Municipal Planning Commission meeting agenda be accepted as presented.

Carried



C-1 January 27, 2021 Municipal Planning Commission Minutes

MOVED by Member Henn that the January 27, 2021 Municipal Planning Commission meeting minutes be approved as presented.

Carried

D-1 Division 1 - Residential Subdivision

MOVED by Member Kamachi that Subdivision Application PL20200135 be approved with the conditions noted in Attachment 'A'.

- A. The application to create a ± 0.12 hectare (± 0.29 acre) parcel (Lot 1) and a ± 0.12 hectare (± 0.29 acre) parcel (Lot 2) at Lot 1, Block D, Plan 3052JK, having been evaluated in terms of Section 654 of the *Municipal Government Act* and Section 7 of the Subdivision and Development Regulations, and having considered adjacent landowner submissions, is approved as per the Tentative Plan for the reasons listed below:
1. The application is consistent with the Statutory Policy;
 2. The subject lands hold the appropriate land use designation;
 3. The technical aspects of the subdivision proposal have been considered and are further addressed through the conditional approval requirements.
- B. The Applicant/Owner is required, at their expense, to complete all conditions attached to and forming part of this conditional subdivision approval prior to Rocky View County (the County) authorizing final subdivision endorsement. This requires submitting all documentation required to demonstrate each specific condition has been met, or agreements (and necessary securities) have been provided to ensure the conditions will be met, in accordance with all County Policies, Standards, and Procedures, to the satisfaction of the County, and any other additional party named within a specific condition. Technical reports required to be submitted as part of the conditions must be prepared by a qualified professional, licensed to practice in the province of Alberta within the appropriate field of practice. The conditions of this subdivision approval do not absolve an Applicant/Owner from ensuring all permits, licenses, or approvals required by Federal, Provincial, or other jurisdictions are obtained.
- C. Further, in accordance with Section 654 and 655 of the *Municipal Government Act*, the application shall be approved subject to the following conditions of approval:

Survey Plans

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

Transportation and Access

- 2) *The Owner shall construct a new gravel approach on Park Place in order to provide access to Lot 2.*



Stormwater and Developability

- 3) The Owner is to provide and implement a Site Specific Stormwater Management Plan conducted and stamped by a professional engineer that is in accordance with the Bragg Creek Master Drainage Plan and the County Servicing Standards. Implementation of the Stormwater Management Plan shall include:
 - i) If the recommendations of the Stormwater Management Plan require improvements, then a Site Improvements / Services Agreement or Development Agreement shall be entered into;
 - ii) Registration of any required easements and / or utility rights of way;
 - iii) Necessary Alberta Environment licensing documentation for the stormwater infrastructure system;

Site Servicing

- 4) The Owner shall construct appropriately sized & designed water and wastewater utilities main connections & service connections. All work shall be done in accordance with the County Servicing Standards and the Water & Wastewater Utilities Bylaw (C-8009-2020), including:
 - i) The Applicant/Owner shall submit engineered design drawings of the connections for review by the County. Written approval of the design drawings shall be obtained from the Manager of Utility Services prior to construction commencement;
 - ii) The Applicant/Owner shall provide the necessary security for the tie-in to the existing water distribution system and the sanitary collection system, based on an estimated construction cost prepared by a qualified professional; and,
- 5) The Owner is to enter into a Deferred Services Agreement with the County to be registered on title for each proposed Lot(s) 1 and 2, indicating:
 - i) Each future Lot Owner is required to connect to County piped stormwater systems at their cost when such services become available;
 - ii) Requirements for decommissioning and reclamation once County servicing becomes available;
- 6) Utility Easements, Agreements and Plans are to be provided and registered to the satisfaction of ATCO Gas.

Site Construction

- 7) The Owner is to provide a Construction Management Plan prepared by a qualified professional which is to include, but not be limited to, noise, sedimentation and erosion control, construction waste management, firefighting procedures, evacuation plan, hazardous material containment; construction and
 - i) Weed management during the construction phases of the project;
 - ii) Traffic accommodation;
 - iii) Management of storm water during construction; and,
 - iv) Any other relevant construction management detail.



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 in accordance with Bylaw C-8007-2020 prior to subdivision endorsement. The County shall calculate the total amount owing;
 - i) from the total gross acreage of lot 1 as show on the Plan of Survey.
- 10) The Owner shall pay the Water and Wastewater Off-Site Levy in accordance with Bylaw C-8009-2020 prior to subdivision endorsement.

Taxes

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

D. SUBDIVISION AUTHORITY DIRECTION:

- 1) Prior to final endorsement of the subdivision, 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

D-2 Division 4 - Residential, Rural District (R-RUR)

Presenter: Paul Schneider, the Applicant

MOVED by Member Boehlke that proposed condition 5 for subdivision application PL20190112 as noted in Attachment 'B' of Administration's report be deleted in its entirety.

Carried

MOVED by Member Boehlke that Subdivision Application PL20190112 be approved with the conditions noted in Attachment 'B' as amended.

- A. The application to create a ≥ 1.60 hectare (≥ 3.95 acre) parcel with a ± 6.69 hectare (± 16.52 acre) remainder, within Block 2, Plan 628 LK, SE-5-23-28-W4M, having been evaluated in terms of Section 654 of the *Municipal Government Act* and Section 7 and 14 of the Subdivision and Development Regulations, and having considered adjacent landowner submissions, is recommended to be approved.



- 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 dedicate, by Plan of Survey, a 5.0 metres wide portion of land for road widening along the eastern boundary of Lots 1 & 2, as shown on the approved Tentative Plan.

Transportation and Access

- 3) The Owner shall construct a new gravel approach accessing Lot 2.

Site Servicing

- 4) The Owner is to enter into a Deferred Services Agreement with the County, to be registered on title for each of the proposed Lots 1-2, indicating the following:
 - a) Requirements for each future Lot Owner to connect to County piped wastewater, potable water, and stormwater systems at their cost when such services become available;
 - b) Requirements for decommissioning and reclamation once County servicing becomes available;

Payments and Levies

- 5) The Owner shall pay the County Subdivision Endorsement fee, in accordance with the Master Rates Bylaw, for the creation of one (1) new lot.

Taxes

- 6) 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

E-1 Division 1 - Communications Facility (Type C)

Member Kamachi declared a pecuniary interest and abstained from the discussion and voting on Development Permit Application PRDP20204027. Member Kamachi left the meeting at 9:41 a.m.

Vice-Chair Schule arrived at the meeting at 9:42 a.m.

Presenter: Brenden Smith, the Applicant

MOVED by Member McKylor that Development Permit Application PRDP20204027 be approved with the conditions noted in Attachment 'A'.

Description:

1. That a *Commercial Communication Facility, Type C*, may be situated on the subject parcel in accordance with the approved Site Plan and details submitted with the application, and includes the following:
 - i. Placement of one monopole self-support telecommunications tower, approximately 43.00 m (141.08 ft.) high; tower base area: 100.00 sq. m (1,076.39 sq. ft.);
 - ii. Placement of an equipment shelter; 7.44 sq. m (80.11 sq. ft.) in area; and
 - iii. Installation of a 2.10 m (6.89 ft.) high security fence.

Permanent:

2. That the Applicant/Owner shall contact County Road Operations with haul details for materials and equipment needed during construction/site development to confirm if Road Use Agreements will be required for any hauling along the County road system and to confirm the presence of County road ban restrictions.
3. That no topsoil shall be removed from the site.
4. That the Commercial Communication Facility shall be neutral in colour and blend with the surroundings, mitigation of the visual aspects of the facility should include painting, decorative fencing, screening, landscaping, and should not clash with the sky or landscape.
5. That should the Commercial Communication Facility become deactivated or unused; the Commercial Communication Facility shall be removed from the parcel within six months of becoming deactivated or unused.



6. That where possible, light shielding shall be considered to minimize the impact of the lighting to adjacent communities.

Advisory:

7. That a Building Permit, if applicable, shall be obtained for the equipment shelter through Building Services, prior to any construction taking place.
8. That any other federal, provincial or County permits, approvals, and/or compliances are the sole responsibility of the Applicant/Owner.
9. That if the development authorized by this Development Permit has not commenced with reasonable diligence within 12 months from the date of issue, and completed within 24 months of the issue, the permit is deemed to be null and void, unless an extension to this permit shall first have been granted by the Development Authority.

Carried
Abstained: Member Kamachi

E-9 Division 4 - Accessory Building

Member Kamachi returned to the meeting at 10:03 a.m.

Presenter: Scotty Volk, the Applicant

MOVED by Vice-Chair Schule that Development Permit Application PRDP20203894 be approved with the conditions noted in Attachment 'A'.

Description:

1. That construction of the accessory building (oversize shop) may commence on the subject parcel in accordance with the site plan provided with the application.
 - i. That the maximum building area shall be relaxed from $\leq 190.00 \text{ m}^2$ (**2, 045.14 ft²**) to **223.00 m² (2,400.00 ft²) in area.**
 - ii. That the maximum building height shall be relaxed from **7.00 m (22.97 ft.)** to **7.92 m (26.00 ft.).**
 - iii. That the maximum accessory building parcel coverage shall be relaxed from **285.00 m² (3,067.71 ft.²)** to **316.00 m² (3,400.00 ft.²).**

Prior to Release:

2. 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 Road Use Agreements will be required for any hauling along the County road system and to confirm the presence of County road ban restrictions.
 - i. Written confirmation shall be received from County Road Operations confirming the status of this condition. Any required agreement or permits shall be obtained unless otherwise noted by County Road Operations



Permanent:

3. That the accessory building shall not be used for residential occupancy or discretionary commercial purposes at any time unless otherwise approved by a Development Permit.
4. That the exterior siding and roofing materials of the Accessory Building 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 accessory building under construction that is used to establish approved final grades, unless a Development Permit has been issued for additional fill.
6. That the Applicant/Owner shall be responsible for rectifying any adverse effect on adjacent lands from drainage alteration.
7. That the Applicant/Owner shall be responsible for rectifying any adverse effect on adjacent lands from drainage alteration.

Advisory:

8. That during construction of the building, 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 at an approved disposal facility.
9. 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*].
10. That a Building Permit and sub-trade permits shall be obtained from Building Services, prior to any construction taking place, using the Accessory Building checklist.
11. 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.
12. That any other federal, provincial or County permits, approvals, and/or compliances, are the sole responsibility of the Applicant/Owner.

Carried

The Chair called for a recess at 10:07 a.m. and called the meeting back to order at 10:12 a.m. with all previously mentioned members present, with the exception of Member McKylor, Member Hanson, and Vice-Chair Schule.



E-2 Division 4 - Dwelling, Single Detached, Accessory Building and Single-lot Regrading

Member McKylor and Vice-Chair Schule returned to the meeting at 10:13 a.m.

Member Hanson returned to the meeting at 10:14 a.m.

MOVED by Vice-Chair Schule that Development Permit Application PRDP20203952 be approved with the conditions noted in the report, as proposed by Administration.

Description:

1. That construction of a dwelling, single detached and the accessory building may commence on the subject land in general accordance with the drawings submitted with application.
 - i. That the single-lot regrading and the placement of clean fill, to a depth of approximately **2.15 m (7.05 ft.)**, may take place on the subject lands.
 - ii. That the maximum building area for the accessory building (pole barn) is relaxed from **190.00 sq. m (2,045.14 sq. ft.) to 297.29 sq. m (3,200.00 sq. ft.)**.
 - iii. That the maximum accessory building parcel coverage is relaxed from **285.00 sq. m (3,067.71 sq. ft.) to 297.29 sq. m (3,200.00 sq. ft.)**.

Prior to Release:

2. That Prior to Release of this permit, the Applicant/Owner shall submit a Site-Specific Stormwater Plan (SSIP), in accordance with County Servicing Standards.
3. That Prior to Release of this permit, the Applicant/Owner shall submit a Deep Fill report, conducted and stamped by a professional geotechnical engineer that provides recommendations on the placement of fill for areas where the fill is greater than 1.20 m (3.93 ft.) in depth, in accordance with County Servicing Standards.
4. That Prior to Release of this permit, the Applicant/Owner shall submit a detailed Erosion and Sedimentation Control/Construction Management Plan, prepared and stamped by a qualified professional that analyzes the pre and post fill grades to determine if there are any impacts to adjacent properties or the public road network. The engineer in both pre and post grading shall confirm conditions associated with site stormwater storage, site releases and offsite drainage. The analysis shall also include recommendations for mitigating measures for Erosion & Sediment Control as a result of the activity, as per County Servicing Standards.
5. That Prior to Release 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.



6. That prior to Release of this permit, the Applicant/Owner shall contact County Road Operations:
 - i. 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;
 - ii. To submit a new Road Approach application and arrange a pre-construction inspection to confirm the approach location and that the approach meets the County Servicing Standards;
7. 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.

Prior to Occupancy:

8. That Prior to Occupancy, the Applicant/Owner shall contact County Road Operations for an interim and post-construction inspection to ensure the approach meets County Servicing Standards.
 - i. Written confirmation shall be received from County Road Operations confirming the final acceptance of the Approach.

Permanent:

9. That the Applicant/Owner shall submit a Compaction Testing Report that verifies that the fill areas greater than 1.2 m in depth were placed in accordance with the Deep Fill Report.
10. That the exterior siding and roofing materials of the accessory building shall be similar to the existing dwelling, single-detached and/or area.
11. That if no future development of the proposed graded area occurs, the proposed graded area shall have a minimum of six inches of topsoil placed on top, which shall then be spread and seeded to native vegetation, farm crop, or landscaped, to the satisfaction of the County.
12. That the accessory building shall not be used for residential occupancy or commercial purposes at any time unless approved by a Development Permit.
13. That the Applicant/Owner shall take whatever means necessary to keep visible dust from blowing from the subject site onto adjacent lands or roadways at all times.
14. That the Applicant/Owner shall be responsible for rectifying any adverse effect on adjacent lands from drainage alteration.
15. 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:

16. 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.
17. That during construction of the accessory building, the Applicant/Owner shall adhere to the County's Noise Bylaw (C-5772-2003) at all times.
18. That Building Permit(s) shall be obtained through Building Services, prior to any construction taking place.
19. 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.
20. That any other government permits, approvals, or compliances are the sole responsibility of the Applicant/Owner.

Carried

E-3 Division 5 - Accessory Building

MOVED by Member McKylor that Development Permit Application PRDP20204219 be approved with the conditions noted in Attachment 'A'.

Description:

1. That construction of the accessory building (oversize pole barn) 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 (pole barn) is relaxed from **190.00 sq. m (2,045.14 sq. ft.) to 297.29 sq. m (3,200.00 sq. ft.)**.
 - ii. That the maximum accessory building parcel coverage is relaxed from **285.00 sq. m (3,067.71 sq. ft.) to 485.10 sq. m (5,200.00 sq. ft.)**.
 - iii. That the minimum side yard setback requirement is relaxed from **15.00 m (49.21 ft.) to 12.19 m (40.00 ft.)**.

Permanent:

2. That the exterior siding and roofing materials of the accessory building shall be similar to the existing dwelling, single-detached and/or area.
3. That the accessory building shall not be used for residential occupancy or commercial purposes at any time unless approved by a Development Permit.
4. That there shall be no more than 2.00 m (6.56 ft.) of excavation or 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 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 the Applicant/Owner shall be responsible for rectifying any adverse effect on adjacent lands from drainage alteration.
7. 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:

8. 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.
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 a Building Permit/Farm Building Exemption, for the accessory building shall be obtained through Building Services, prior to any construction taking place.
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 Officer.
12. That any other government permits, approvals, or compliances are the sole responsibility of the Applicant/Owner.

Carried

E-4 Division 9 - Dwelling, Single detached (existing)

MOVED by Member Hanson that Development Permit Application PRDP20204012 be approved with the conditions noted in Attachment 'A'.

Description:

1. That the dwelling, single detached (existing decks) may remain on the subject parcel, in general accordance with the drawings prepared by ACE Surveys Ltd. and submitted with the application.
 - i. That the total deck area is relaxed from **37.00 sq. m (398.27 sq. ft.) to 54.07 sq. m (582.00 sq. ft.)**.
 - ii. That the minimum rear yard setback requirement is relaxed from **0.60 m (1.97 ft.) to 0.47 m (1.54 ft.)**.



Permanent:

2. That any over government permits, approvals, or compliances are the sole responsibility of the Applicant/Owner.

Carried

E-5 Division 4 - Home-Based Business, Type II

MOVED by Vice-Chair Schule that Development Permit Application PRDP20203885 be approved with the conditions noted in Attachment 'A'.

Description:

- 1) That a Home-Based Business, Type II, for a home-improvement contracting company may operate on the subject parcel in accordance with the approved plans.

Permanent:

- 2) That the operation of this Home-Based Business may generate up to a maximum of eight (8) business-related visits per day.
- 3) That the operation of this Home-Based Business shall be secondary to the residential use of the subject parcel.
- 4) That the Home-Based Business shall not change the residential character and external appearance of the land and buildings.
- 5) That the operation of this Home-Based Business shall not generate excessive or unacceptable increases in traffic within the neighbourhood or immediate area.
- 6) 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.
- 7) That the Home-Based Business shall be limited to the dwelling and accessory building. There shall be no outside storage area related to the business operations.
- 8) That all vehicles, trailers, or equipment that are used in the Home-Based Business shall be kept within a building, in accordance with the approved Site Plan.
- 9) That there shall be no signage, exterior display or advertisement of goods or services discernible from the outside of the building.
- 10) That no off-site advertisement signage associated with the Home-Based Business shall be permitted.
- 11) That this Development Permit shall be valid until **FEBRUARY 10, 2022.**



Advisory:

- 12) That any other Federal, Provincial, or County permits, approvals, and/or compliances, are the sole responsibility of the Applicant/Owner.
- 13) That the County's Noise Bylaw C-5772-2003 shall be adhered to at all times.

Carried

E-6 Division 4 - Accessory Building

MOVED by Vice-Chair Schule that Development Permit Application PRDP20203954 be approved with the conditions noted in Attachment 'A'.

Description:

1. That an accessory building (oversize storage shed) may be constructed on the subject land in general accordance with the submitted application, site plan and design drawings, titled *Floor Plan and Elevations* as prepared by Remuda Buildings.
 - i. That the maximum building area is relaxed from **190.00 sq. m. (2,045.14 sq. ft.)** to **445.93 sq. m (4,800.00 sq. ft.)**
 - ii. That the minimum side yard setback requirement is relaxed from **6.00 m (19.68 ft.)** to **3.00 m (9.84 ft.)**.
 - iii. That the minimum rear yard setback requirement is relaxed from **15.00 m (49.21 ft.)** to **7.00 m (22.96 ft.)**

Permanent:

2. That the accessory building shall not be used for residential occupancy or commercial purposes at any time unless approved through a Development Permit.
3. That the exterior siding and roofing materials of the accessory building shall be similar to the existing dwelling, single-detached and/or area.
4. That there shall be no more than 1.00 m (3.28 ft.) of fill placed or 2.00 m (6.56 ft.) cut/excavated adjacent to or within 15.00 m (49.21 ft.) of the proposed building under construction that is used 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
6. That the Applicant/Owner shall be responsible for rectifying any adverse effect on adjacent lands from drainage alteration.
7. 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:

8. 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.
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 a Building Permit and subtrade permits for the accessory building shall be obtained through Building Services, prior to any construction taking place.
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 Officer.
12. That any other government permits, approvals, or compliance is the sole responsibility of the Applicant/Owner.

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

Carried

E-7 Division 5 - Accessory Building

MOVED by Member Hanson that Development Permit Application PRDP20203989 be approved with the conditions noted in Attachment 'A'.

Description:

1. That an accessory building (oversize storage shed), approximately **222.96 sq. m (2,400 sq. ft.)** in footprint, may be constructed on the subject land in general accordance with the submitted application, site plan and design drawings, titled *Site Plan, Elevations and Floor Plan* as prepared by Remuda Buildings Ltd., dated Oct 21, 2020.
 - i. That the maximum building area is relaxed from **80.00 sq. m (861.11 sq. ft.)** to **222.96 sq. m (2,400.00 sq. ft.)**.
 - ii. That the maximum accessory building parcel coverage relaxed from **120.00 sq. m (1,291.67 sq. ft.)** to **232.25 sq. m. (2,500.00 sq. ft.)**.



Prior to Release

2. That prior to release of this permit, the Applicant/Owner shall submit a limited-scope site-specific stormwater management plan for the subject lands, in accordance with County Servicing Standards. The report shall be stamped by a qualified professional and can be limited to addressing the following:
 - i. The report shall include both pre- and post-development site grading in the vicinity of the work, and shall confirm post-development site run-off characteristics;
 - ii. The report shall evaluate possible impacts the proposed accessory building will have on adjacent lands. The report shall provide mitigating measures, if necessary, for any impacts the work may have on adjacent lands; and
 - iii. The report shall provide Erosion and Sedimentation Control measures for the proposed activities

Permanent:

3. That the accessory building shall not be used for residential occupancy or commercial purposes at any time unless approved through a Development Permit.
4. That the exterior siding and roofing materials of the accessory building shall be similar to the existing dwelling, single-detached and/or area.
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.
6. That there shall be no more than 1.00 m (3.28 ft.) of fill placed or 2.00 m (6.56 ft.) cut/excavated adjacent to or within 15.00 m (49.21 ft.) of the proposed building under construction that is used to establish approved final grades unless a Development Permit has been issued for additional fill.
7. That the Applicant/Owner shall be responsible for rectifying any adverse effect on adjacent lands from drainage alteration.
8. 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 including the required site-specific stormwater management plan.

Advisory:

9. 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.
10. That during construction of the accessory building, the Applicant/Owner shall adhere to the County's Noise Bylaw (C-5772-2003) at all times.
11. That a Building Permit and sub-trade permits for the accessory building shall be obtained through Building Services, prior to any construction taking place.



12. That if the development authorized by this Development Permit is not commenced with reasonable diligence within 12 months from the date of issue, and completed within 24 months of the issue, the permit is deemed to be null and void, unless an extension to this permit shall first have been granted by the Development Officer.
13. That any other government permits, approvals, or compliance is the sole responsibility of the Applicant/Owner.
14. That if this Development Permit is not issued by **August 30, 2021** or the approved extension date then this approval is null and void and the Development Permit shall not be issued.

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

Carried

E-8 Division 4 - Accessory Building

MOVED by Vice-Chair Schule that Development Permit Application PRDP20203847 be approved with the conditions noted in Attachment 'A'.

Description:

1. That the accessory building (existing shed, 6.00 m² (64.00 ft²) in area) shall be permitted to remain in the side yard setback of the property, in accordance with the Real Property Report prepared by Vista Geomatics Ltd., (File No.: 20095436) dated October 22, 2020.
 - i. That the minimum side yard setback requirement **shall be relaxed from 0.60 m (1.96 ft.) to 0.20 m (0.65 ft.).**

Permanent:

2. That any over government permits, approvals, or compliances are the sole responsibility of the Applicant/Owner.

Carried

E-10 Division 1 - Dwelling, Single Detached

MOVED by Member Kamachi that Development Permit Application PRDP20203922 be approved with the conditions noted in Attachment 'A'.

Description:

1. That a dwelling, single detached, may be constructed on the subject land in general accordance with the approved site plan and the drawings submitted by Elemental Design Studios dated November 17, 2020.

Prior to Release:

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



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 Road Use Agreements will be required for any hauling along the County road system and to confirm the presence of County road ban restrictions
 - i. Written confirmation shall be received from County Road Operations confirming the status of this condition. Any required agreement or permits shall be obtained unless otherwise noted by County Road Operations.
4. That prior to release of this permit, the Applicant/Owner shall connect to the Bragg Creek water & wastewater piped services and shall enter into a Customer Services Agreement with the County.
5. That prior to release of this permit, the Applicant/Owner shall submit a Site Specific Implementation Plan (SSIP), conducted and stamped by a professional engineer, that assess and provides storm water management recommendations for the proposed development in accordance with the Bragg Creek Master Drainage Plan and the County Servicing Standards.

Permanent:

6. That it is the Applicant/Owner's responsibility to obtain and display a distinct municipal address in accordance with the County Municipal Addressing Bylaw (Bylaw C-7562-2016), for each dwelling unit located on the subject site, to facilitate accurate emergency response.
7. That Applicant/Owner shall connect the proposed development to the Bragg Creek water distribution and sewer system.
8. That water and wastewater volumes used by the development shall be within the amounts allocated to the subject lands, and all overages shall be billed in accordance with the Master Rates Bylaw and the Water & Wastewater Utilities Bylaw (C-8009-2020).
9. That the existing trees and terrain shall be retained onsite except as required to meet conditions of this permit, to help preserve the character of the area. Any disturbed areas shall be replanted with vegetation similar to existing predevelopment ground cover.
10. That any flood proofing measures shall be followed in accordance with the Alberta Building Code, good engineering practice and recommendations stated in the Greater Bragg Creek Area Structure Plan.
11. That there shall be no more than 2.00 m (6.56 ft.) of excavation or 1.00 m (3.93 ft.) of fill placed adjacent to or within 15.00 m (49.21 ft.) of the proposed dwelling unit under construction, that is used to establish approved final grades unless a Development Permit has been issued for additional fill.
12. 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 including the required SSIP.



Advisory:

13. That during construction of the building, 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 at an approved disposal facility.
14. That during construction, the County's Noise Control Bylaw C-5772-2003 shall be adhered to at all times.
15. That a Building Permit and subtrade permits shall be obtained through Building Services, prior to any construction taking place.
16. 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.
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 be responsible for obtaining all required Alberta Environment & Park (AEP) approvals should the Owner propose development that has a direct impact on any wetlands.
18. That if this Development Permit is not issued by **July 31, 2021** or the approved extension date, then this approval is null and void and the Development Permit shall not be issued.

Carried

E-11 Division 7 - Accessory Dwelling Unit

MOVED by Member Boehlke that Development Permit Application PRDP20204198 be approved with the conditions noted in Attachment 'A'.

Description:

1. That the proposed Accessory Dwelling Unit, located within the basement of the proposed dwelling, single detached, approximately 85.33 m² (919.00 ft²) in area, may be constructed on the subject land in general accordance with the approved Site Plan and submitted plans provided by Inertia on August 26, 2020.

Prior to Release:

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



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

Permanent:

4. That the accessory dwelling unit shall be used for residential purposes only, unless otherwise approved by a Development Permit.
5. That the accessory dwelling unit shall not be used for commercial purposes at any time, unless approved by a Development Permit or if the business meets the criteria for a Home Based Business Type I (HBB I).
6. That the exterior siding and roofing materials of the Accessory Building shall be similar/cohesive to the existing dwelling, single-detached and/or area.
7. That there shall be a minimum of one (1) parking stall maintained on site at all times dedicated to the Accessory Dwelling Unit.
8. That there shall be adequate site servicing provided for the Accessory Dwelling Unit.
9. 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.
10. That the Applicant/Owner shall be responsible for rectifying any adverse effect on adjacent lands from drainage alteration.
11. That there shall be no more than 2.00 m (6.56 ft.) of excavation or 1.00 m (3.28 ft.) of fill may be 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.
12. That it is the Applicant/Owner's responsibility to obtain and display a distinct municipal address in accordance with the County Municipal Addressing Bylaw (Bylaw C-7562-2016), for each dwelling unit located on the subject site, to facilitate accurate emergency response.
13. 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:

14. That during construction of the building, 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 at an approved disposal facility.



15. That a Building Permit and sub-trade permits shall be obtained from Building Services, prior to any construction taking place, using the Single Family Dwelling and Accessory Dwelling Unit checklists.
16. 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.
17. That any other federal, provincial or County permits, approvals, and/or compliances, are the sole responsibility of the Applicant/Owner.

Carried

E-12 Division 6 - Signs (digital freestanding)

MOVED by Member Boehlke that Development Permit Application PRDP20203975 be approved with the conditions noted in Attachment 'A'.

Description:

1. That three (3) freestanding digital signs may be installed on the subject property located at Block:B Plan:7410680, NE-22-28-29-W04M, in accordance with the site plan provided within the application.
 - i. One (1) digital pre-sale board 1.84 m (6.03 ft.) in height by 0.67 m (2.19 ft.) in width, installed at the start of the drive thru.
 - ii. Two (2) digital menu boards 1.84 m (6.03 ft.) in height by 1.84 m (6.03 ft.) in width, installed at the end of the drive thru queue.

Permanent:

2. That the signs shall be kept in a safe, clean and tidy condition at all times.
3. That the LED signs shall not display any moving, flashing or animated images and shall not otherwise give the appearance of animation or movement;
 - i. That any images or transitions between images shall not be displayed using any visible effects, including but not limited to action, motion, fading in and out, dissolving, blinking, intermittent or flashing light, or the illusion of such effects.
 - ii. That any copy displayed on the LED signs shall not be shown in a manner that requires the copy to be viewed or read over a series of sequential copy messages on a single digital display, or sequenced on multiple digital displays
4. A digital display shall not increase the light levels adjacent to the digital display by more than 3.0 LUX above the ambient light level.
5. The LED signs shall at no time display an image or any transition between images in such a way as to be potentially distracting to drivers, the identification of a potentially distracting image or image transition shall be at the sole discretion of the development authority.



6. The light output of the LED signs shall be set in accordance with the following maximum luminance levels when measured from the sign face at its maximum brightness:
 - i. From sunrise to sunset: 7500 Nits.
 - ii. From activation to sunrise: 300 Nits.
 - iii. From sunset to deactivation: 300 Nits.
7. The electrical power supply to the LED Signs shall be provided underground on the subject parcel.
8. That if any component on the signs fails or malfunctions in any way, or fails to operate as indicated on the approved development permit plans, the sign shall be turned off until all components are fixed and operating as approved.

Advisory:

9. That any other government permits, approvals, or compliances are the sole responsibility of the Applicant/Owner.
10. 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.

Carried

F Other Business

G Adjourn the Meeting

MOVED by Member Boehlke that the February 10, 2021 Municipal Planning Commission meeting be adjourned at 10:41 a.m.

Carried

H Next Meeting

February 24, 2021

Chair or Vice Chair

Chief Administrative Officer or Designate

PLANNING AND DEVELOPMENT SERVICES

TO:	Municipal Planning Commission Subdivision Authority	DIVISION: 1
DATE:	February 24, 2021	APPLICATION: PL20200002
FILE:	03901003	
SUBJECT:	Subdivision Item: Residential Subdivision	

APPLICATION: To create two parcels, ± 1.24 hectares (± 3.06 acres) and ± 1.34 hectares (± 3.31 acres) in size, with a ± 5.34 hectare (± 13.20 acre) remainder.

GENERAL LOCATION: Located approximately 1.61 kilometres (1 mile) south of the Hamlet of Bragg Creek, 0.81 kilometres (1/2 mile) west of Highway 22 and on the north side of Boyce Ranch Road.

LAND USE DESIGNATION: Residential Rural District p.4.0 (R-RUR p.4.0) & Residential Country Residential District (R-CRD)

EXECUTIVE SUMMARY: The application is consistent with the relevant policies of the Greater Bragg Creek Area Structure Plan, Land Use Bylaw and the County Plan.

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

OPTIONS:

- Option #1: THAT Subdivision Application PL20200002 be approved with the conditions noted in Attachment 'A'.
- Option #2: THAT Subdivision Application PL20200002 be refused

AIR PHOTO & DEVELOPMENT CONTEXT:





APPLICATION EVALUATION:

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

APPLICABLE POLICY AND REGULATIONS: <ul style="list-style-type: none"> • <i>Municipal Government Act;</i> • Subdivision and Development Regulations; • Municipal Development Plan; • Greater Bragg Creek Area Structure Plan; • Land Use Bylaw; and • County Servicing Standards. 	TECHNICAL REPORTS SUBMITTED: <ul style="list-style-type: none"> • Prepared by Western Water Resources (WWR) Inc. (February 25, 2019); <ul style="list-style-type: none"> ○ Level 3 Model Process Assessment ○ Storm Water Management Plan • Level 2 Groundwater Supply Evaluation prepared by Western Water Resources (WWR) Inc. (February 26, 2019) • Abandoned Well Declaration prepared by Element Land Surveys Inc. (March 6, 2019) • Level 1 Model Process Variation Assessment prepared by Western Water Resources (WWR) Inc. (April 2, 2020) • Site Specific Stormwater Implementation Plan prepared by Western Water Resources (WWR) Inc. (May 19, 2020) • Appraisal prepared by Sage Appraisals (June 3, 2020) • Riparian Setback Assessment prepared by Western Water Resources (WWR) Inc. (October 6, 2020) • Level 4 Model Process Assessment prepared by Western Water Resources (WWR) Inc. (October 14, 2020)
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Payments and Levies

APPLICABLE FEE/LEVY	AMOUNT OWING (ESTIMATE)
TRANSPORTATION OFFSITE LEVY [Base = \$4,595/ac x (3.06ac + 3.31ac) = \$29,270.15]	\$29,270.15
MUNICIPAL RESERVE (\$/ACRE) \$23,505.37 per acre according to the appraisal completed by Sage Appraisals dated December 22, 2019 [19.57 ac X 0.10 = 1.96 ac x \$23,505.37 = \$46,000.00]	\$46,000.00



Additional Review Considerations

Conditions were set based on the following items:

Accessibility to a Road

Access to Lot 3 (remainder) is provided by an existing gravel approach via Boyce Ranch Road. The Applicant/Owner will be required to upgrade the approach to County Servicing Standards. Lots 1 & 2 will be required to construct new approaches either through single approaches or through a mutual approach via Lot 3 with corresponding easement agreements.

The County Servicing Standards require that any rural development that will result in the creation of ten (10) lots or more shall have two separate points of access. Given that there are greater than ten existing parcels accessing Boyce Ranch Road, this requirement is not satisfied however Council has the ability to waive this requirement at their discretion. The provision of secondary access would not be possible as part of this application given the location of the lands along Boyce Ranch Road and lack of frontage on other roadways in the area.

Stormwater

A detailed site-specific stormwater implementation plan (SSIP) was submitted and completed by Western Water Resources Inc. dated May 19, 2020, that identified the development can meet the required release rate as per the Bragg Creek Master Drainage Plan. As a condition of subdivision, the applicant/owner will be required to enter into a Site Improvements/Services Agreement (SISA) with the County, to note the setback of 15.0m according to the Riparian Setback Assessment prepared by Western Water Resources Inc. dated October 6, 2020, and implementation of the recommendations of the SSIP.

Servicing

Lot 3 is currently developed with an existing dwelling, serviced by a well and septic field. A Level 1 PSTS Variation Assessment for the existing PSTS system and water well was required and confirmed that the servicing infrastructure is located within the boundaries of the lot and is in good working order. Additionally, all existing setbacks are in accordance with the Alberta Private Systems Standard of Practice.

Lots 1 and 2 are proposed to be serviced similarly by a well and septic field. A Level 4 PSTS Assessment prepared by Western Water Resources Inc. Dated October 13, 2020 was required and determined soil conditions are suitable for a conventional PSTS system.

As part of redesignation application, the applicant provided a Phase 2 Groundwater Supply Evaluation, prepared by Western Water Resources Inc., dated February 26, 2019. The reports confirmed that there is an adequate water supply for each of the proposed lots, however, the well for Lot 1 produces just over the minimum required flow rate, a condition of approval will require the Site Improvements/Services Agreement (SISA) to note the low producing well on Lot 1 be registered on title.

Municipal Reserve

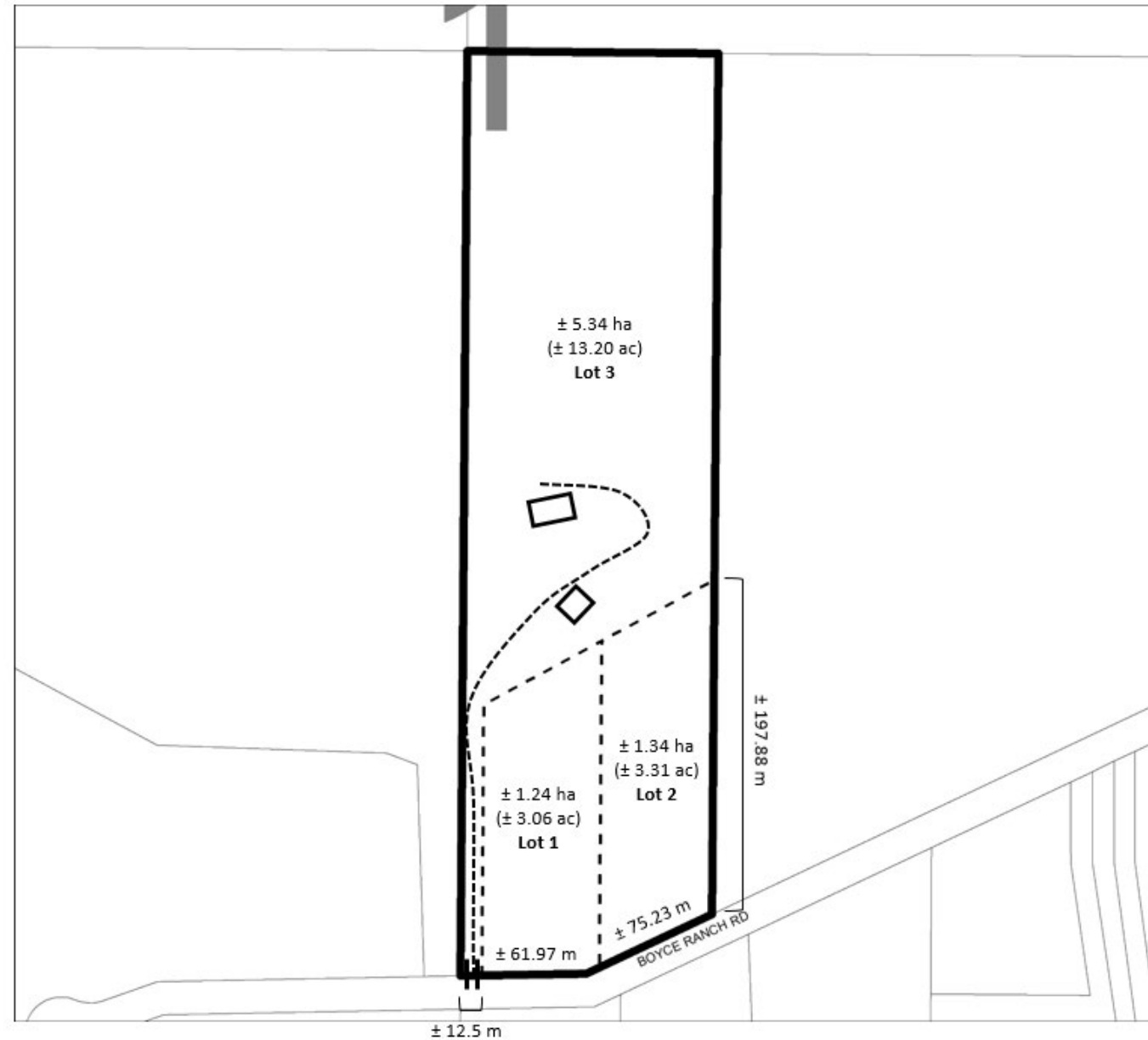
As per the Active Transportation Plan: South County; this location was not identified to support the development of an active transportation network inclusive of pathway or trail development requiring the dedication of reserve lands. Therefore, inclusive of Deferred Reserve Caveat ("874JD"); it is recommended that cash in lieu of reserve dedication is provided for all proposed lots Lot 1, 2 and 3.

Greater Bragg Creek Area Structure Plan

The subject lands falls within the Greater Bragg Creek Area Structure Plan (GBCASP), and therefore the application was evaluated in accordance with the requirements of the ASP and the LUB. The subject lands are located within the south Bragg Creek Policy area and are identified as Infill Residential area within Figure 13 of the GBCASP. The subject lands have legal access provided directly through Boyce



Ranch Road, maintaining direct access to a public road. The subject lands were subdivided in 2002, prior to the adoption of GBCASP. Both proposed lots and the remainder are greater than 2 acres in size, and it is the interpretation of Administration that the subdivision would not adversely impact future subdivision of the adjacent lands.



Tentative Plan

Subdivision Proposal

To create two parcels, ± 1.24 hectares (± 3.06 acres) and ± 1.34 hectares (± 3.31 acres) in size, with a ± 5.34 hectare (± 13.20 acre) remainder.

Legend

Dwelling	
Building	
Water Well	
Wastewater	
Existing Approach	
New Approach	
Driveway	
Road Widening	
Road Acquisition	

Surveyor's Notes:

1. Parcels must meet minimum size and setback requirements of Land Use Bylaw C-8000-2020.
2. Refer to Notice of Transmittal for approval conditions related to this Tentative Plan.

Division: 01
Roll: 03901003
File: PL2020002
Printed: Feb 1, 2021
Legal: Lot:1 Block:9
Plan: 0210189 within SE-01-23-05-W05M



CONCLUSION:

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

Respectfully submitted,

Concurrence,

"Theresa Cochran"

"Al Hoggan"

Executive Director
Community Development Services

Chief Administrative Officer

CL/llt

ATTACHMENTS:

ATTACHMENT 'A': Approval Conditions

ATTACHMENT 'B': Maps and Other Information

ATTACHMENT 'C': Application Referrals

ATTACHMENT 'A': APPROVAL CONDITIONS

- A. The application to create two parcels, ± 1.24 hectares (± 3.06 acres) and ± 1.34 hectares (± 3.31 acres) in size, with a ± 5.34 hectare (± 13.20 acre) remainder at SE-01-23-05-W05M, having been evaluated in terms of Section 654 of the *Municipal Government Act* and Section 7 AND 14 of the Subdivision and Development Regulations, and having considered adjacent landowner submissions, is 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 Applicant/Owner is to enter into a Development Agreement (Site Improvements / Services Agreement) with the County which shall be registered on the title of Lots 1, 2 and 3.
 - a) Identifying a low producing well on Lot 1, referencing the Phase 2 Groundwater Supply Evaluations, prepared by Western Water Resources Inc., dated February 26, 2019.
 - b) Riparian setback of 15.0 m identifying a no build area as per the Riparian Setback Assessment prepared by Western Water Resources Inc. dated October 6, 2020.
 - c) Implement the recommendations of the Site-Specific Stormwater Implementation Plan

Transportation and Access

- 3) The Applicant/Owner shall contact County Road Operations to upgrade the existing road approach to a single paved standard as shown on the Approved Tentative Plan, in order to provide access to Lot 3;
- 4) The Applicant/Owner shall construct a new paved approach on Boyce Ranch Road in order to provide access to Lots 1 and 2. If a mutual approach is constructed, the Owner shall:
 - a) Provide an access right of way plan; and
 - b) Prepare and register respective easements on each title, where required.

Payments and Levies

- 5) The Applicant/Owner shall pay the Transportation Off-Site Levy in accordance with Bylaw C-8007-2020 prior to Subdivision Endorsement. The County shall calculate the total amount owing:
 - a) From the gross acreage of the Lands to be subdivided as shown on the Plan of Survey.
- 6) The Owner shall pay the County Subdivision Endorsement fee, in accordance with the Master Rates Bylaw, for the creation of two (2) new lots.

Municipal Reserve

- 7) The provision of Reserve in the amount of 10 percent of the area of Lots 1, 2 and 3 (the remainder), as determined by the Plan of Survey, is to be provided by payment of cash-in-lieu in accordance with the per acre value as listed in the land appraisal prepared by Sage Appraisals, File# 20200630 dated June 3, 2020, pursuant to Section 666(3) of the *Municipal Government Act*.
 - a) The existing Deferred Reserve Caveat (874JD) shall be discharged.

Utility

- 8) Utility Easements, Agreements, and Plans are to be provided and registered to the satisfaction of Fortis Alberta

Taxes

- 9) 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*.
- 10)



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

ATTACHMENT 'B': MAPS AND OTHER INFORMATION

APPLICANT: Element Land Surveys Inc.	OWNER: Stanislav & Mihaela Anguelov
DATE APPLICATION RECEIVED: January 6, 2020	DATE DEEMED COMPLETE: April 26, 2019
GROSS AREA: ± 7.92 hectares (± 19.57 acres)	LEGAL DESCRIPTION: SE-01-23-05-W5M
APPEAL BOARD: Municipal Government Board	
HISTORY: <p>November 26, 2019: Council approved the redesignation PL20190034 of the subject lands from Agricultural Holdings (AH) to Residential One (R-1) and Residential Three (R-3) under the Land Use Bylaw C-4841-97.</p>	
PUBLIC & AGENCY SUBMISSIONS: <p>The application was circulated to 26 adjacent landowners. 7 letters were received in opposition. The responses have been included in Appendix 'C.'</p> <p>The application was also circulated to a number of internal and external agencies and, where appropriate, conditions of approval have been proposed based on these comments.</p>	

ATTACHMENT 'C': APPLICATION REFERRALS

AGENCY	CIRCULATED	RESPONSE RECEIVED
<i>School Authority</i>		
Rocky View Schools	Y	Y
Calgary Catholic School District	Y	N
Public Francophone Education	Y	N
Catholic Francophone Education	Y	N
<i>Province of Alberta</i>		
Alberta Environment and Parks	Y	N
Alberta Transportation	Y	Y
Alberta Sustainable Development (Public Lands)	N	N
Alberta Culture and Community Spirit (Historical Resources)	Y	N
Energy Resources Conservation Board	Y	N
Alberta Health Services	Y	Y
<i>Public Utility</i>		
ATCO Gas	Y	Y
ATCO Pipelines	Y	N
AltaLink Management	Y	N
FortisAlberta	Y	Y
Telus Communications	Y	Y
TransAlta Utilities Ltd.	Y	N
<i>Adjacent Municipality</i>		
Tsuut'ina Nation	Y	N
<i>Other External Agencies</i>		
EnCana Corporation	Y	N
<i>Rocky View County Boards and Committees</i>		
ASB Farm Members	N	N
<i>Internal Departments</i>		

AGENCY	CIRCULATED	RESPONSE RECEIVED
Recreation, Parks and Community Support	Y	Y
Development Authority	Y	N
GIS Services	Y	N
Building Services	Y	N
Fire Services & Emergency Management	Y	N
Development Compliance	Y	Y
Planning and Development Services (Engineering)	Y	Y
Transportation Services	Y	N
Capital Project Management	Y	N
Utility Services	Y	Y
Agricultural and Environmental Services	Y	Y

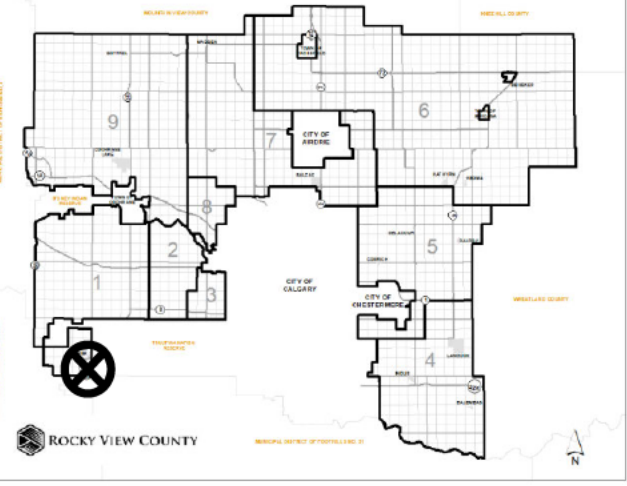
Circulation Period: January 9, 2020 to January 30, 2020. Revised comments received January 2021.

Agencies that were not required for distribution are not listed.

Location & Context

Subdivision Proposal

To create two parcels, ± 1.24 hectares (± 3.06 acres) and ± 1.34 hectares (± 3.31 acres) in size, with a ± 5.34 hectare (± 13.20 acre) remainder.

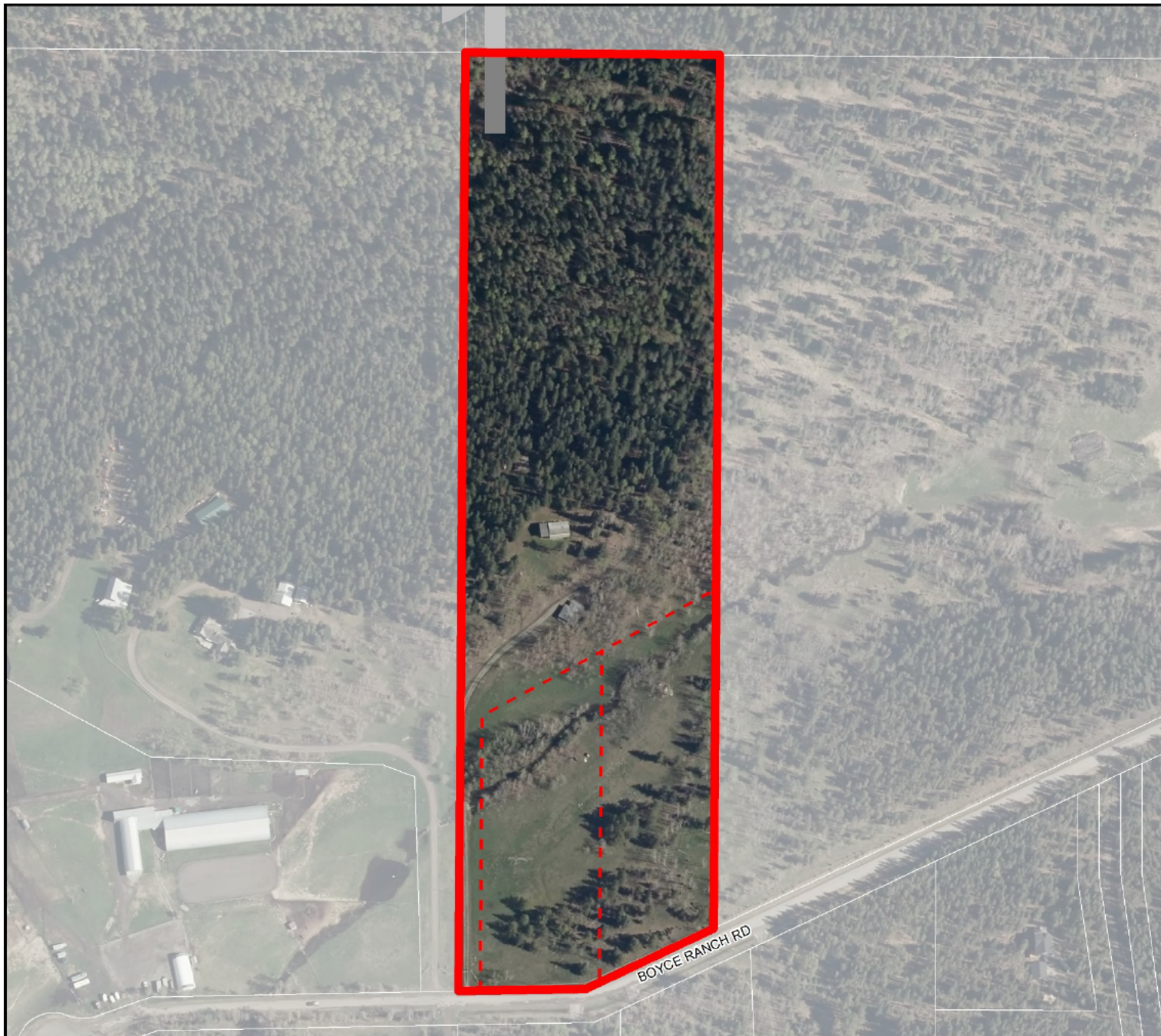


Development Proposal

Subdivision Proposal

To create two parcels, ± 1.24 hectares (± 3.06 acres) and ± 1.34 hectares (± 3.31 acres) in size, with a ± 5.34 hectare (± 13.20 acre) remainder.

Division: 01
Roll: 03901003
File: PL2020002
Printed: Feb 1, 2021
Legal: Lot: 1 Block: 9
Page 37 of 215
PL2020002-01-23-05-W05M



Environmental

Subdivision Proposal

To create two parcels, ± 1.24 hectares (± 3.06 acres) and ± 1.34 hectares (± 3.31 acres) in size, with a ± 5.34 hectare (± 13.20 acre) remainder.

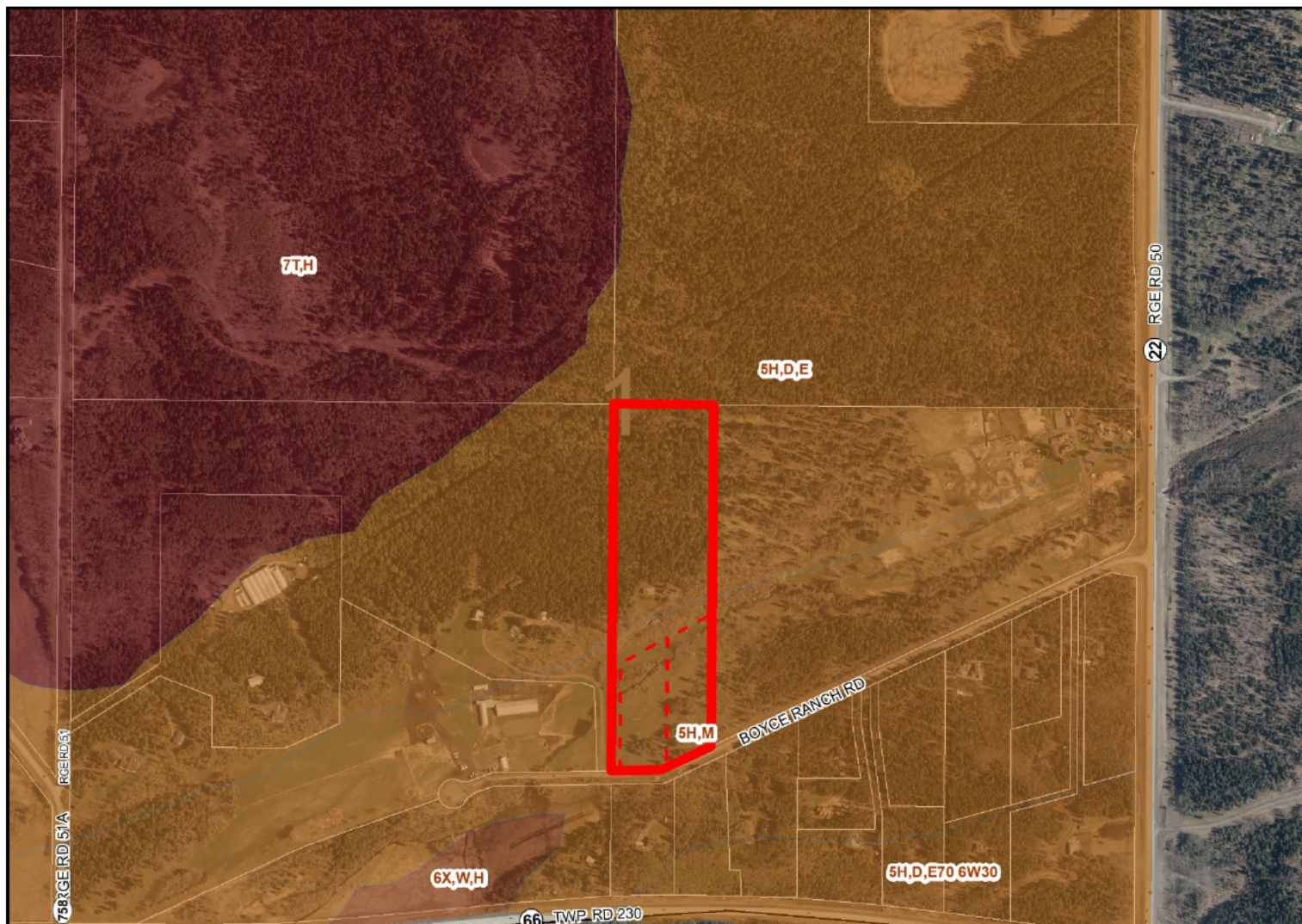


- Subject Lands
- Contour - 2 meters
- Riparian Setbacks
- Alberta Wetland Inventory
- Surface Water

Soil Classifications

Subdivision Proposal

To create two parcels, ± 1.24 hectares (± 3.06 acres) and ± 1.34 hectares (± 3.31 acres) in size, with a ± 5.34 hectare (± 13.20 acre) remainder.



LAND CAPABILITY CLASSIFICATION LEGEND

CLI Class	Limitations	
1 - No significant limitation	B - brush/tree cover	N - high salinity
2 - Slight limitations	C - climate	P - excessive surface stoniness
3 - Moderate limitations	D - low permeability	R - shallowness to bedrock
4 - Severe limitations	E - erosion damage	S - high solidity
5 - Very severe limitations	F - poor fertility	T - adverse topography
6 - Production is not feasible	G - Steep slopes	U - prior earth moving
7 - No capability	H - temperature	V - high acid content
	I - flooding	W - excessive wetness/poor drainage
	J - field size/shape	X - deep organic deposit
	K - shallow profile development	Y - slowly permeable
	M - low moisture holding, adverse texture	Z - relatively impermeable

Tentative Plan

Subdivision Proposal

To create two parcels, ± 1.24 hectares (± 3.06 acres) and ± 1.34 hectares (± 3.31 acres) in size, with a ± 5.34 hectare (± 13.20 acre) remainder.

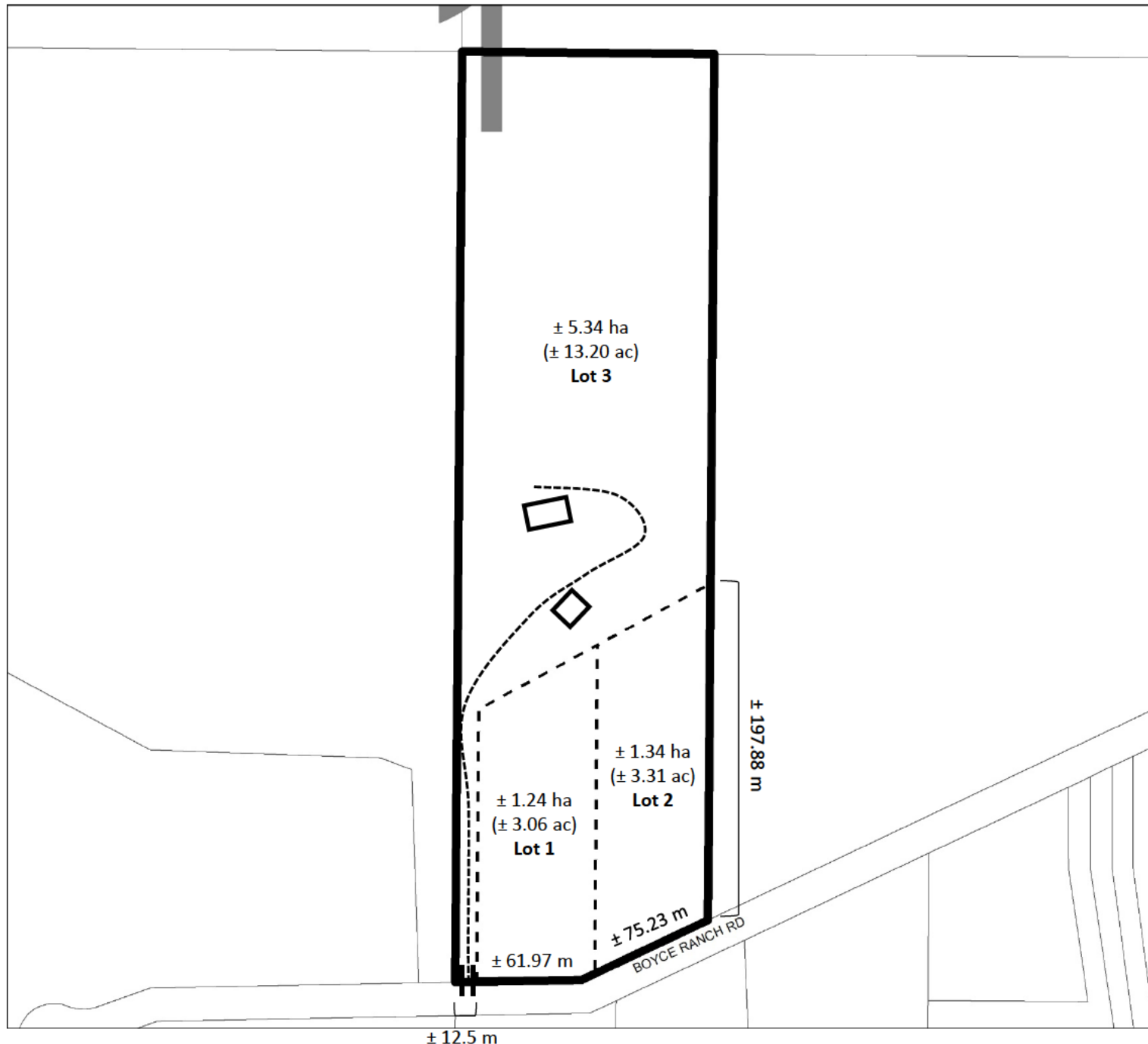
Legend

Dwelling	□
Building	▤
Water Well	✦
Wastewater	⊖
Existing Approach	=
New Approach	⋮
Driveway	▤
Road Widening	▨
Road Acquisition	▩

Surveyor's Notes:

1. Parcels must meet minimum size and setback requirements of Land Use Bylaw C-8000-2020.
2. Refer to Notice of Transmittal for approval conditions related to this Tentative Plan.

Division: 01
Roll: 03901003
File: PL2020002
Printed: Feb 1, 2021
Legal: Lot: 1 Block: 9
Page 49 of 215
PL2020002-01-23-05-W05M



Christina Lombardo

From: Dave [REDACTED]
Sent: Monday, January 27, 2020 9:24 AM
To: Christina Lombardo
Subject: Letter of Objection Subdivision - Application # PL20200002
Categories: CityView Planning Attachment

Letter of Objection Redesignation

File # 03901003

Application # PL20200002

I am writing in objection to the subdivision of the lands in file above.

By allowing the Anguelov's to subdivide this land will put a substantial over load on the area ground water. Adding 2 additional homes with the already existing 2 homes on the property will greatly affect the water table and most likely affect the other wells in the area.

This property is located between 2 active farms, both for horses & cattle. Locating 4 homes between 2 existing farm lands will add unnecessary stress to farm animals and other wild live that habitat the area. Has an Environmental Impact Assessment been conducted to see how this will affect the traditional mating & breed area for the ducks & geese that return to this area annually?

By increasing the traffic load on the already fragile road would require more maintenance & upkeep from the county. Who will be accountable for this? The increased traffic will affect all area residents.

Also, the proposed properties all border a creek (OMITTED ON YOUR MAP)I believe this is the start of Priddis creek and am very concerned to the impact to this creek from the construction activities & septic field placement. Has there been any Environmental impacts assessments conducted on this property? Can this area handle the increased sewage & 4 septic fields? Have any restrictions been put in place to ensure the land is not disturbed to the high-water mark? This land often floods during the spring runoff and any disturbance in this area could impact the fish & cause flooding in other areas.

Overall, I feel the amendment that would allow this to take place is not in the best interest of the citizens of Bragg Creek, and we strongly urge you to reconsider your decision.

Sincerely,

David Buffett

Christina Lombardo

From: Don & Carol [REDACTED]
Sent: Wednesday, January 29, 2020 6:15 PM
To: Christina Lombardo
Subject: File No. 03901003 App.No. PL20200002
Attachments: Flood of 2013.eml

Follow Up Flag: Follow up
Flag Status: Completed

Categories: CityView Planning Attachment

Christina Lombardo

Please refer to our letter of April 23,2019 to Jessica Anderson, Planning Services Department RV County.

We would like to emphasize our MAIN CONCERN is the watershed and natural flow of Priddis Creek, and the possible damage and erosion of the existing watercourse on our road and property.

To support our concern you may want to refer to the pictures taken by the MD of Rocky View Staff of the flooding on property in the spring of 2019. These pictures should be in Your files.

Further we are enclosing pictures of our property during the disastrous flooding of 2013. These are on the immediate west side of the proposed development. The water flooded our road and entire area of the proposed development.

It would be interesting to review if IN fact this is a flood plain.

In case of a flood the thoughts of the damage that could occur to a septic system or well system , not only to our property but east to Dean's then highway 22 to the Tsuu T' ina Nation are very concerning.

The residents of Boyce Ranch Road are deeply concerned about the issues relating to this proposed development.

Please acknowledge receipt of this information and attachments

Yours respectfully,
Don and Carol Boyce

Our Property Description SW1/4 1-23-5-5

January 27, 2020

To: Rocky View County
Att. Christina Lombardo

From: Faith Dean SE1-23-5-W-5

re: File Number 03901003
Application Number PL20200002

To Whom it may concern,

In regards of the proposal to create two new parcels on the subject lands in the application and file referred to above, please find my comments below.

1. In the attached diagram Priddis Creek is either included in the two lots or immediately adjacent. Priddis Creek flows easterly from those two properties directly onto and through the whole length of SE-1-23-5-W-5. I am the owner of that property. I have resided on that property for over 50 years and have had a fair amount of experience with the creek. I have two concerns.

- a. New construction on Flood Plains

The topography of the two parcels is completely flat. Priddis Creek has a long flooding history. The whole area included in the proposal has been underwater many times in the past. There is a reason the area is flat. It is the part of the flood plain of Priddis Creek. This could be problematic for positive future outcomes concerning contamination of the creek and damage to future residential structures. I am hoping we have learned the lessons from the past and are not continuing to build on flood plains. Priddis Creek is fish bearing.

- b. Winter Ice flows.

Rocky View County is very aware of the winter ice flows and flooding on Priddis Creek. The area in the proposed two lots has been under ice and water in the winter months. With a dam that discharges water 365 days of the year less than a kilometre away, when the creek bed freezes the water has to go somewhere and it spreads on flat topography.

2. The shape of the lots.

The proposed lots are long and narrow. In my opinion they do not fit into the agricultural lands that surround them. Unlike the many lots on the south side of Boyce Ranch Road which are all tucked away in dense forest, these lots are treeless and would be out of place in the landscape. They would be surrounded by cattle and horses on all sides. It would seem that the lands held in the remainder agricultural acreage is more suited to subdivision than the lands selected. I am not against subdivision but not sure this proposal has been considered from all perspectives.

Hoping that these concerns will be addressed and a solution found.

Kind regards
Faith Dean

Christina Lombardo

From: [REDACTED]
Sent: Thursday, January 16, 2020 2:52 PM
To: Christina Lombardo
Subject: Anguelov Sub Subdivision
Attachments: 2019-04-23 Comments Anguelov Subdivision.pdf

Importance: High

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: CityView Planning Attachment

File number 03901003
Application # PL20200002
Division 1

Attention: Christina Lombardo

I believe that declining approval of this sub division is in the best interests of the owners and residents down stream of the property.

Please see the attached letter previously submitted.

When the Rocky View tech was taking pictures and doing an onsite survey a couple of weeks ago, she had her truck parked

on Boyce Ranch Road where the flood water would have been at least up to her axles in 2012 and 2013.

We have no objection to the owners sub dividing their property above the lower flood plain as that is the more practical location

and has a view of the mountains as a bonus.

Email re: first application

Good morning,

After having seen a number of our neighbours have issues with damage to their properties by flooding.

Due to applications to build houses and outbuildings in the lower level of the extinct Elbow River valley that is now the path for Priddis Creek.

My wife and I would like to see if we can help to have new neighbours avoid the pitfalls of not being familiar with the area and making poor choices.

Bert Smith, C.E.T. (Life)

Phone: [REDACTED]

Cell: [REDACTED]

Bragg Creek, AB

Christina Lombardo

From: Jane [REDACTED]
Sent: Thursday, January 23, 2020 1:13 PM
To: Christina Lombardo
Subject: File 03901003

Categories: CityView Planning Attachment

Good afternoon

I have lived out in Bragg Creek for 30 years and my husband has lived here for 52 years we have raised our family here. I am opposing this application as there is a creek on the property (Priddis Creek) that needs an environmental study done before anything can be build by the creek, also your map does not show the creek on the property. In the winter the creek dams, and rocky view has to come and steam it out Building two houses on this site will environmental affect the creek, wild life and flow of water.

It will also add extra traffic on Boyce ranch road We are not in favour of this subdivision file no. 03901003 Application PL20200002 Kenneth and Jane Boyce Box 741, Bragg Creek, AB T0L 0K0 Roll number 03901010 SW 1/4 1 23 5 5 I also think that Rocky View should enforce a traffic report for Boyce Ranch road as well as an environmental study on the effects of the Creek and a land assessment of topography for the building site

Sent from my iPad

Herbert & Catherine Smith

50145 Boyce Ranch Road
Bragg Creek, AB T0L 0K0

Jessica Anderson
Planning Services Department
Rocky View County
262075 Rocky View Point
Rocky View County, AB T4A 0X2

Reference:

File Number 03901003
Application Number PL20190034
Division 1

Rezoning parcel to create two residential lots and remainder Agricultural Holdings District

We would like to recommend that the area proposed for the two potential housing parcels not be approved for residential use for the following reasons.

Priddis Creek runs west to east near the base of the north old river bank.

Every winter the creek freezes at the Highway 22 culvert.

The ice dam created causes ice to build up to the west and in a bad winter can freeze up as far as the property west of the subject parcel.

In a bad year the ice can sheet onto the areas of the two proposed parcels.

The Rocky View Grader operator can verify that the ice actually sheeted south west of Highway 22 and got onto the Boyce Ranch Road which is the only access for a number of properties east of the subject parcels.

The 2012 flood (in this valley this flood was worse than the 2013 flood) eroded away around the large culvert under the current driveway and the culvert was carried downstream.

The valley that these properties are on is the extinct Elbow River bed so the soil is not homogeneous but a random mixture of silts, clays, peat, sand, gravel and boulders.

Concerns:

- Any residence would have to be built on a pad to keep it above the potential flooding.
- Any wells located in the lower area would probably be easily contaminated during flooding and there are multiple active livestock sites immediately upstream of the parcels.
- It is questionable if the soil would support septic fields due to the soil conditions that may compromise on site wells and the water source for the ranch and the lot wells downstream due to the wandering old channels.
- Winter flooding due to ice buildup may cause septic fields to freeze up and force fluids to the surface and back into the residence(s)

We would not be concerned if the current lot was subdivided for residential on the northern part of the parcel up the bank and out of the valley floor. We only hope to save the Anguelov's future distress.

Respectfully;



Bert & Cathy Smith

Cell: [REDACTED]

Jan 27 2020

File # 03901003
Application # PL20200002
Division 1

I am writing to object to the subdivision of the above file.

I have lived on the neighboring property for 54 years and am very aware of the problem with the creek that flows thru our property and the applicants property. In the winter the creek will "back up" and overflow the land. The creek is not noted on applicants map. It is the start of "Yiddis Creek" and I feel the impact will be negative to the farm properties that rely on this creek for agriculture horses and cattle that it is zoned for.

By increasing the traffic on "Boyce Ranch Rd" the road already is very fragile with a lot of pot holes and no maintenance.

Because the applicants land is between 2 farms that have been there for over 60 years there will unnecessary stress to farm animals and wildlife. Every year the geese return to the creek with their young.

Sincerely,
Karen Boyce

PLANNING AND DEVELOPMENT SERVICES

TO: Municipal Planning Commission
Development Authority **DIVISION:** 8

DATE: February 24, 2021 **APPLICATION:** PRDP20210030

FILE: 05632030

SUBJECT: Care Facility (Child) / Discretionary use, with Variances

APPLICATION: Care Facility (Child) (within an existing dwelling, single detached) and signage, including parented baby gym classes and summer camps (amendment to PRDP20201014).

GENERAL LOCATION: Located approximately 0.80 km (1/2 mile) south of Burma Rd. and on the west side of Rge. Rd. 24.

LAND USE DESIGNATION: Residential, Rural District (R-RUR).

EXECUTIVE SUMMARY: This is an amendment application for a Care Facility (Child) (within an existing dwelling, single detached) and signage. This previous application (PRDP20201014) was conditionally approved by the Municipal Planning Commission on June 22, 2020. The proposed amendments are as follows:

- Expansion of the days of operation to include Saturdays and Sundays to allow for parented baby gym classes; and
- Including use of the facility for summer camps.

The facility's operating capacity is subject to Provincial licensing requirements and will not be affected by these amendments. Further, Administration has determined that there are no additional technical considerations.

The proposal does not appear to meet Section 323.1 a) of the Land Use Bylaw (C-8000-2020), which states that commercial development shall be accessory to a primary residential use on the parcel. The previous application was approved under the old Land Use Bylaw (C-4841-97) which did not contain this regulation. Administration is of the opinion that the overall intent of the proposal is in keeping with the previous approval and the amendments will not unduly impact adjacent lands. As such, Administration recommends approval.

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

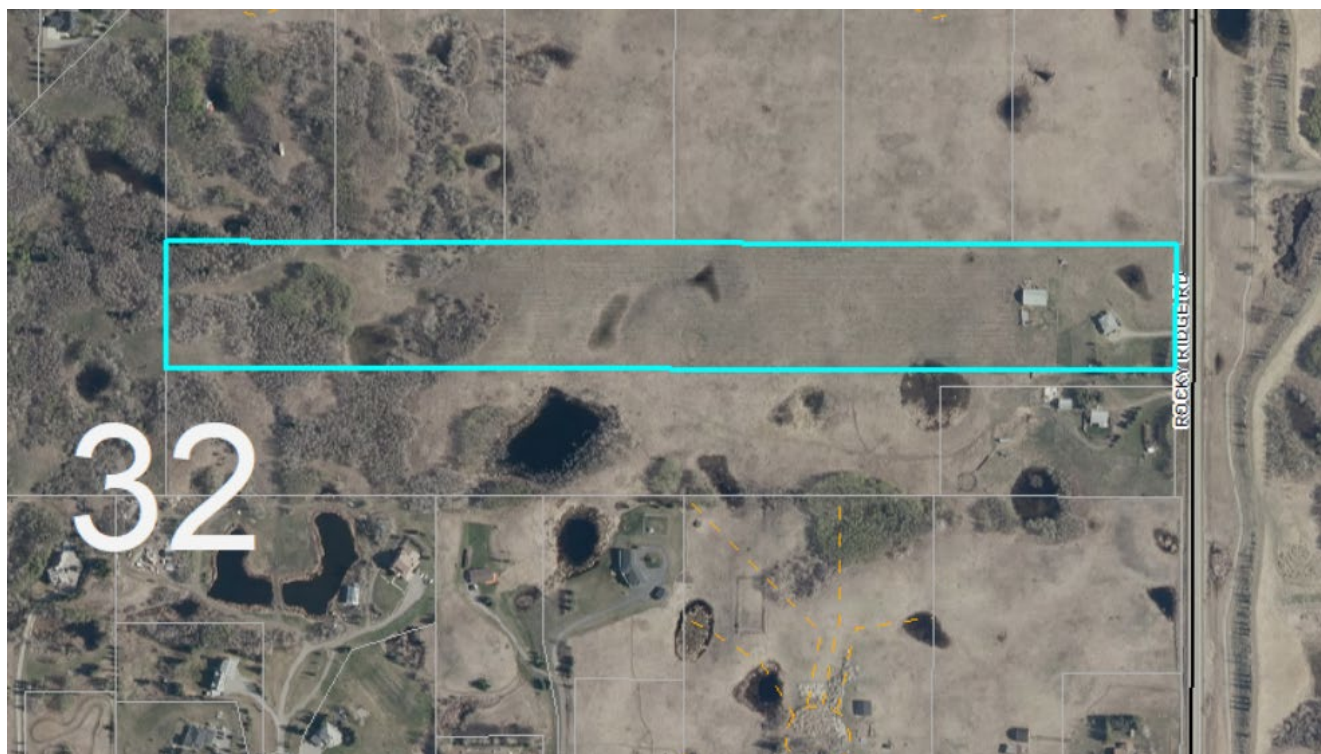
OPTIONS:

- Option #1: THAT Development Permit Application PRDP20210030 be approved with the conditions noted in Attachment 'A'.
- Option #2: THAT Development Permit Application PRDP20210030 be refused.

Administration Resources

Sandra Khouri, Planning & Development Services

AIR PHOTO & DEVELOPMENT CONTEXT:



VARIANCE SUMMARY:

Variance	Requirement	Proposed	Percentage (%)
Commercial Development	Shall be accessory to a residential use	No primary residential use	N/A

APPLICATION EVALUATION:

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

APPLICABLE POLICY AND REGULATIONS: <ul style="list-style-type: none"> • <i>Municipal Government Act</i>; • Subdivision and Development Regulations; • Municipal Development Plan; • City of Calgary Intermunicipal Development Plan • Bearspaw Area Structure Plan • Land Use Bylaw; and • County Servicing Standards. 	TECHNICAL REPORTS SUBMITTED: <ul style="list-style-type: none"> • N/A
PERMITTED USE: Care Facility (Child) is a discretionary use in the R-RUR district	DEVELOPMENT VARIANCE AUTHORITY: Municipal Planning Commission

Payments and Levies

APPLICABLE FEE/LEVY	AMOUNT OWING (ESTIMATE)
TRANSPORTATION OFFSITE LEVY	\$2,445.00

Additional Review Considerations

Conditions were set based on the following items:

Traffic Impact Assessment

As per the information provided from the applicant, the child care facility will have about 24 children and 4 employees. The expected daily visit will be 56 vehicles per day.

Prior to release, the applicant shall submit a Trip Generation Assessment memo, prepared by a qualified professional, to assess the impacts of the proposed development on the surrounding transportation network based on the estimated trip generation. If any upgrades to the local road network are identified, the applicant shall be required to enter into a Development Agreement with the County for implementation of said upgrades.

Parking

Section 236 (C-8000-2020)

Required stalls: Care Facility (Child) 3 stalls per 100.0 sq. m (1076.39 sq. ft.) gross floor area

Required stalls: 7 (including 1 barrier free stall)

Proposed stalls: 6

- Prior to release, the Applicant/Owner shall provide an updated parking plan identifying at least 7 parking stalls including 1 barrier free stall, in accordance with the Land Use Bylaw.

Proposed parking stall dimensions: not provided

- Prior to release, the Applicant/Owner shall provide an updated parking plan identifying minimum parking stall dimensions in accordance with the Land Use Bylaw.



CONCLUSION:

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

Respectfully submitted,

Concurrence,

"Theresa Cochran"

"Al Hoggan"

Executive Director
Community Development Services

Chief Administrative Officer

SK/sl

ATTACHMENTS:

ATTACHMENT 'A': Development Permit Report Conditions

ATTACHMENT 'B': Maps and Other Information

**ATTACHMENT 'A': DEVELOPMENT PERMIT REPORT CONDITIONS****Description:**

1. That a Care Facility (Child) may operate within the existing dwelling, single-detached on the subject property in accordance with the Site Plan, Floor Plans, Parking Plan, Signage Plan, and business details submitted with the application, including:
 - i. A day care facility operating from Monday to Friday;
 - ii. Parented baby gym classes operating Saturday and Sunday; and
 - iii. A summer day camp operating seasonally.

Prior to Release:

2. That prior to release of this permit, the Applicant/Owner shall submit a revised Parking Plan identifying the required minimum number of parking stalls (7) and the required minimum parking stall dimensions, in accordance with Section 236 and 239 of the Land Use Bylaw (C-8000-2020). The Parking Plan shall also include the minimum number of barrier free parking stalls (1), signage, and dimensions in accordance with the Alberta Code Building.
3. That prior to release of this permit, the Applicant/Owner shall submit a Trip Generation Assessment memo, prepared by a qualified professional, to assess the impacts of the proposed development on the surrounding transportation network based on the estimated trip generation, in accordance with County Servicing Standards.
 - i. If any upgrades to the local road network are identified, the Applicant/Owner shall be required to enter into a Development Agreement with the County for implementation of said upgrades.
4. That prior to release of this permit, the Applicant/Owner shall submit payment of the Transportation Offsite Levy, in accordance with Transportation Offsite Levy Bylaw at time of approval, for the total development area associated with proposed Care Facility. The total acreage will be based on the final site plan.

Permanent:

5. That a maximum operational capacity of the Care Facility (Child) shall not exceed 24 children at any one time, or in accordance with Provincial licensing requirements.
6. That there shall be no overnight stays related to the Child Care Facility at any time, including during the summer day camp.
7. That the hours of operation for the Child Care Facility may be Monday to Sunday, from 7:00 a.m. to 6:00 p.m.
8. That all parking shall be restricted to on-site and that no parking shall be permitted within the County road allowance.
 - i. That a minimum of seven (7) parking stalls, including one (1) barrier free stall, shall be maintained on-site at all times.
9. That all lighting shall be located, oriented, and shielded to prevent adverse effects on adjacent properties, be dark-sky compliant with County policies and shall be compatible with the surrounding area.
10. 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:



11. That a Building Permit and applicable sub-trade permits shall be obtained for any additional renovations that may be required to accommodate the Child Care Facility. The application shall include a 3.2.2. Building Code Classification, as the proposed use is considered an A-2 occupancy.
12. That the Applicant/Owner shall contact Rocky View County Fire Services to arrange for an inspection or inspection program.
 - i. That the Applicant/Owner shall adhere to all Building Code and Fire Code requirements for the operation of the Child Care Facility, including the appropriate number of fire extinguishers and smoke detectors and installation of emergency lighting.
13. 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 weatherproof and animal-proof containers, located within the buildings or adjacent to the side or rear of buildings and disposed of at an approved disposal facility.
14. That the County Bylaw C-5772-2003, the "Noise Bylaw", shall be adhered to at all times.
15. That any other federal, provincial or County permits, approvals, and/or compliances are the sole responsibility of the Applicant/Owner.
16. That if the development authorized by this Development Permit has not commenced with reasonable diligence within 12 months from the date of issue, and completed within 24 months of the issue, the permit is deemed to be null and void, unless an extension to this permit shall first have been granted by the Development Authority.
17. That if this Development Permit is not issued by **September 30, 2021** or the approved extension date, then this approval is null and void and the Development Permit shall not be issued.

**ATTACHMENT 'B': MAPS AND OTHER INFORMATION**

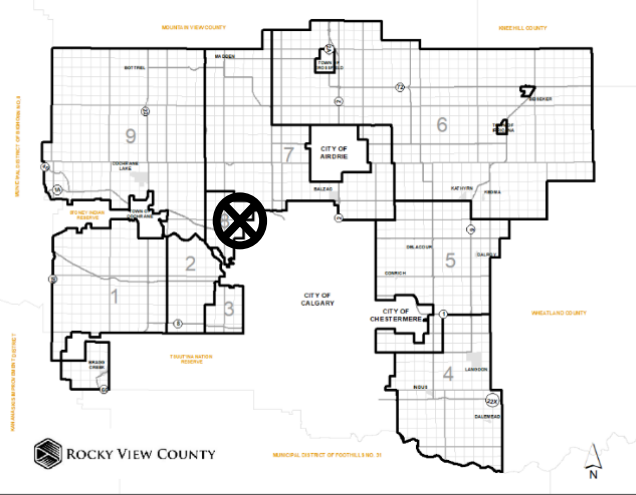
APPLICANT: Franscois van Vuuren	OWNER: Nasir & Ayesha Rahim
DATE APPLICATION RECEIVED: January 5, 2021	DATE DEEMED COMPLETE: January 7, 2021
GROSS AREA: ± 7.95 hectares (± 19.64 acres)	LEGAL DESCRIPTION: Block 7, Plan 731547; NE-32-25-02-W05M
APPEAL BOARD: Subdivision and Development Appeal Board	
HISTORY: <i>June 22, 2020: PRDP20201014;</i> Development Permit for a Child Care Facility was conditionally approved by the Municipal Planning Commission on June 22, 2020	
AGENCY SUBMISSIONS: The application was also circulated to a number of internal and external agencies and, where appropriate, conditions of approval have been proposed based on these comments.	

Location & Context

Development Proposal

Child Care Facility (within an existing dwelling, single detached) and signage, including parented baby gym classes and summer camps (amendment to PRDP20201014)

Division: 08
 Roll: 05632030
 File: PRDP20210030
 Printed: Jan 19, 2021
 Legal: Block:7 Plan:731547
 with Page 52250215M



Site Plan

Development Proposal

Child Care Facility (within an existing dwelling, single detached) and signage, including parented baby gym classes and summer camps (amendment to PRDP20201014)



Division: 08
 Roll: 05632030
 File: PRDP20210030
 Printed: Jan 19, 2021
 Legal: Block: 7 Plan: 731547
 with Page 58 of 215

Sign Details

Development Proposal

Child Care Facility (within an existing dwelling, single detached) and signage, including parented baby gym classes and summer camps (amendment to PRDP20201014)



KASI

Kids Academy for Systemic Inter-telligence

We facilitate the multifaceted cluster of intelligences in children through sensory competency, knowledge, and skill.

www.kasi.world +1(587) 834 8379



Site Photos

Development Proposal

Child Care Facility (within an existing dwelling, single detached) and signage, including parented baby gym classes and summer camps (amendment to PRDP20201014)



PLANNING AND DEVELOPMENT SERVICES

TO: Municipal Planning Commission
Development Authority
DIVISION: 7

DATE: February 24, 2021
APPLICATION: PRDP20204145

FILE: 06307009

SUBJECT: Renewal of a Home-Based Business, Type II / Discretionary use, with Variances

APPLICATION: Renewal of a Home-Based Business, Type II, for automobile maintenance and sales and relaxation of the allowable business use

GENERAL LOCATION: Located approximately 1.21 km (3/4 mile) south of Hwy. 566 and on the east side of Rge. Rd. 290

LAND USE DESIGNATION: Residential, Rural District (R-RUR)

EXECUTIVE SUMMARY: The application is for the renewal of a Home-Based Business, Type II, for automobile sales and minor repairs of used work/service vehicles. The operation includes a 400 sq. m (4,305.56 sq. ft.) outside storage area that is completely screened by trees and bushes. Minor repairs are carried out within a 140.55 sq. m (1,512.87 sq. ft.) shop. The application does not meet section 145 (f) of the Land Use Bylaw (C-8000-2020) which states that automotive related businesses shall not be permitted as a Home-Based Business, Type II. However, the parcel is located within the Balzac East Area Structure Plan area, in close proximity to industrial lands, highlighting the suitability of an automotive Home-Based business in this area.

Further, the business is compliant with all other Home-Based Business regulations and is a renewal application with no prior enforcement concerns. As such, Administration recommends approval.

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

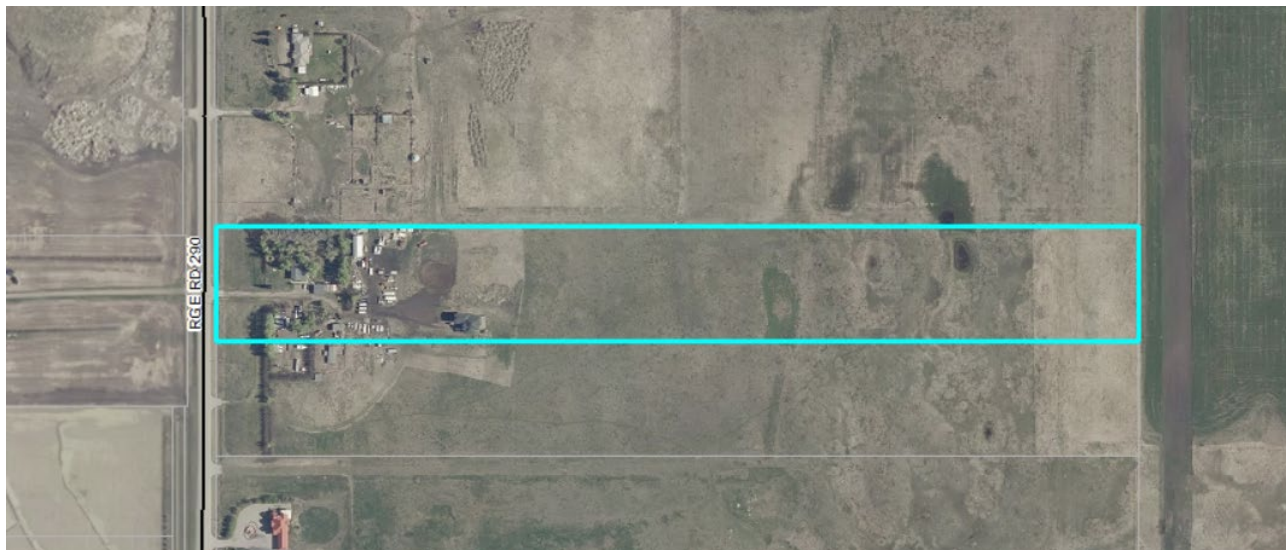
OPTIONS:

- Option #1: THAT Development Permit Application PRDP20204145 be approved with the conditions noted in Attachment 'A'.
- Option #2: THAT Development Permit Application PRDP20204145 be refused.

Administration Resources

Sandra Khouri, Planning & Development Services

AIR PHOTO & DEVELOPMENT CONTEXT:



VARIANCE SUMMARY:

Variance	Requirement	Proposed	Percentage (%)
Automotive Related Business	Not Permitted	Automotive sales and minor repairs of work/service vehicles	N/A

APPLICATION EVALUATION:

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

APPLICABLE POLICY AND REGULATIONS: <ul style="list-style-type: none"> • <i>Municipal Government Act;</i> • Subdivision and Development Regulations; • Municipal Development Plan; • Balzac East Area Structure Plan; and • Land Use Bylaw. 	TECHNICAL REPORTS SUBMITTED: <ul style="list-style-type: none"> • NA
PERMITTED USE: Home-Based Business, Type II is a discretionary use in the R-RUR district	DEVELOPMENT VARIANCE AUTHORITY: Municipal Planning Commission

Additional Review Considerations

There were no technical considerations that warranted additional discussion or conditioning.



CONCLUSION:

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

Respectfully submitted,

Concurrence,

"Theresa Cochran"

"Al Hoggan"

Executive Director
Community Development Services

Chief Administrative Officer

SK/sI

ATTACHMENTS

ATTACHMENT 'A': Development Permit Report Conditions

ATTACHMENT 'B': Maps and Other Information

ATTACHMENT 'A': DEVELOPMENT PERMIT REPORT CONDITIONS**Description:**

1. That a Home-Based Business, Type II, for automobile vehicle maintenance and sales may continue to operate on the subject parcel in accordance with the approved plans and submitted application.
 - a. That the proposed automotive use shall be permitted under a Home-Based Business, Type II.
 - b. That no more than ten (10) vehicles shall be stored on the subject site at any time.

Permanent:

2. That there shall be no non-resident employees 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 shall be secondary to the residential use of the subject parcel.
4. That the Home-Based Business shall not change the residential character and external appearance of the land and buildings.
5. That the operation of this Home-Based Business shall not generate excessive or unacceptable increases in traffic within the neighbourhood or immediate area.
6. That the number of business related vehicle trips shall not exceed four (4) per day.
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 approved outside storage area.
9. That all vehicles, trailers, and 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.
10. 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 **400.00 sq. m (4,305.00 sq. ft.)**.
11. That any non-domestic wastewater, anti-freeze, oils or fuels that accumulate on site shall be held in sealed tanks, the contents of which shall be pumped out and properly disposed of off-site in accordance with the regulations administered by Alberta Environment & Parks.
12. That there shall be no outdoor display areas of any business vehicles.
13. That all vehicles for sale purposes shall be newer or used models. No salvaged or damaged vehicles shall be stored on site.
14. That there shall be no signage, exterior display, or advertisement of goods or services discernible from the outside of the property. Any future signage shall require a separate Development Permit.
15. That no off-site advertisement signage associated with the Home-Based Business shall be permitted.



Advisory:

16. That the County's Noise Bylaw C-5772-2003 shall be adhered to at all times.
17. That any other Federal, Provincial, or County permits, approvals, and/or compliances, are the sole responsibility of the Applicant/Owner.
18. That this Development Permit shall be valid until **October 9, 2022**.

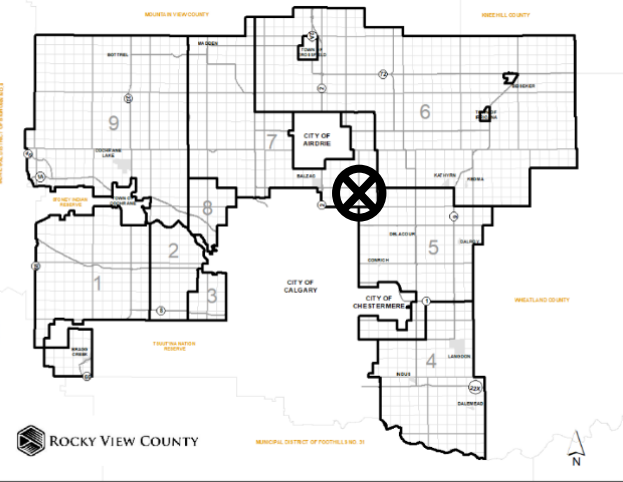
**ATTACHMENT 'B': MAPS AND OTHER INFORMATION**

APPLICANT: Deep Brar	OWNER: Gurdip & Harminder Brar
DATE APPLICATION RECEIVED: December 15, 2020	DATE DEEMED COMPLETE: December 16, 2020
GROSS AREA: ± 8.14 hectares (± 20.11 acres)	LEGAL DESCRIPTION: Block: N1/2A, Plan: 7410080; SW-07-26-28-W04M
APPEAL BOARD: Subdivision and Development Appeal Board	
HISTORY: <i>December 10, 2020:</i> a development permit for a Home-Based Business, Type II, for automobile sales was issued but expired on October 9, 2020. The delay in issuance was due to extension requests for prior to release conditions. <i>August 8, 2017:</i> a development application for a Home-Based Business, Type II, for an automobile dealership was withdrawn by the applicant	
AGENCY SUBMISSIONS: The application was circulated to a number of internal and external agencies and, where appropriate, conditions of approval have been proposed based on these comments.	

Location & Context

Development Proposal

Renewal of a Home-
Based Business, Type II,
for automobile
maintenance and sales

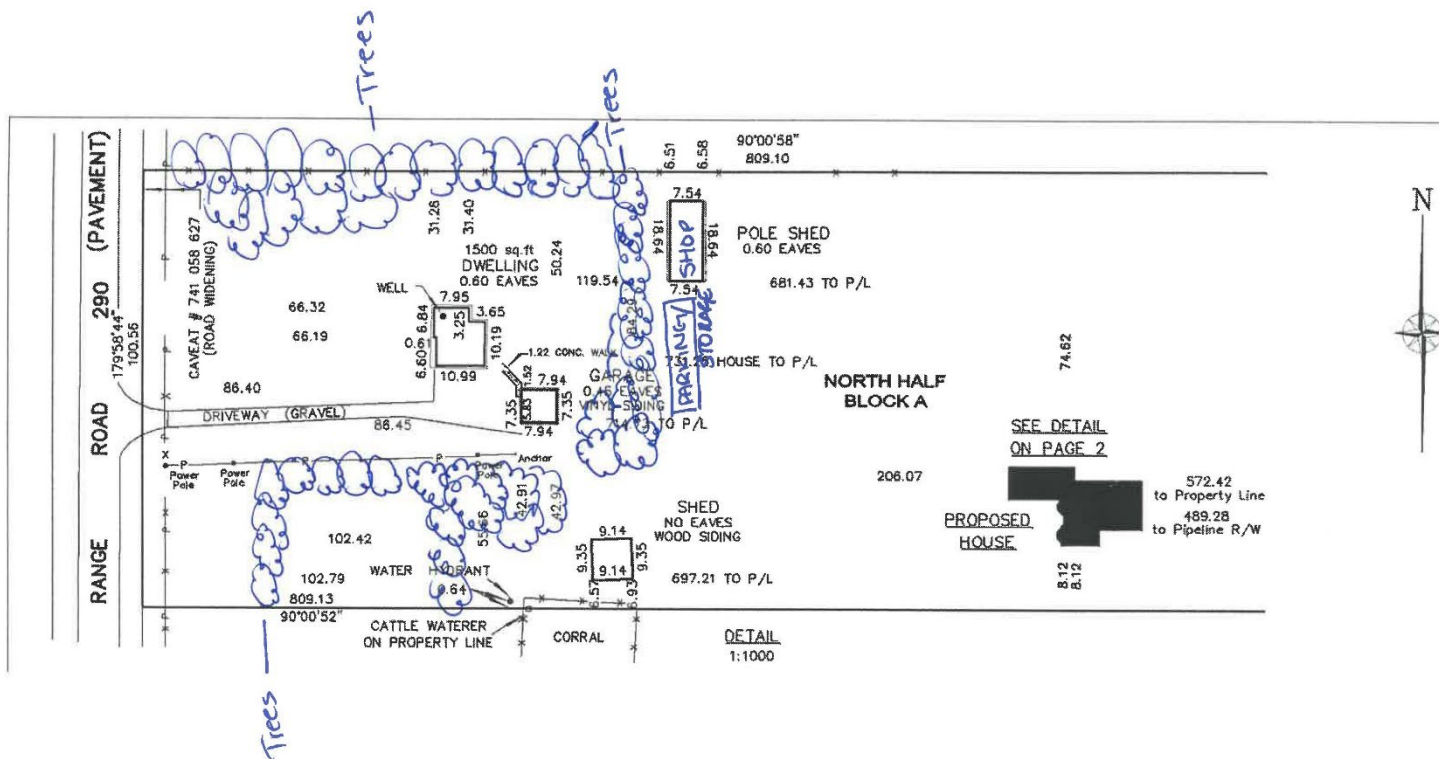


Division: 07
 Roll: 06307009
 File: PRDP20204145
 Printed: Jan 19, 2021
 Legal: Block: N1/2A
 Plan: 26-28-W04M
 Page 6 of 15

Site Plan

Development Proposal

Renewal of a Home-Based Business, Type II, for automobile maintenance and sales



Site Photos

Development Proposal

Renewal of a Home-Based Business, Type II, for automobile maintenance and sales



Site Photos

Development Proposal

Renewal of a Home-Based Business, Type II, for automobile maintenance and sales



PLANNING AND DEVELOPMENT SERVICES

TO:	Municipal Planning Commission Development Authority	DIVISION: 4
DATE:	February 24, 2021	APPLICATION: PRDP20210264
FILE:	03223665	
SUBJECT:	Cannabis Retail Store / Discretionary Use, with Variances	

APPLICATION: Cannabis Retail Store (existing building), tenancy change and signage

GENERAL LOCATION: Located in the hamlet of Langdon

LAND USE DESIGNATION: Direct Control District (DC-2)

EXECUTIVE SUMMARY: The application is to change the existing business tenancy to a Cannabis Retail Store. It will operate seven (7) days a week from 11:00 AM – 9:00 PM with the support of three (3) full-time and two (2) part-time employees. There are sufficient parking stalls to support the proposal. The fascia sign is proposed to be 3.6 m (12 ft.) x 0.61 m (2 ft.) in size and read Nirvana Canna.

However, as the proposed new cannabis store is less than 300 m away from another existing cannabis retail store, and less than 150 m away from a care facility (dental clinic), the proposal does not meet the requirements of the Land Use Bylaw as it relates to cannabis-type businesses.

ADMINISTRATION RECOMMENDATION: Administration recommends refusal in accordance with Option #2.

OPTIONS:

- Option #1: THAT Development Permit Application PRDP20210264 be approved with the conditions noted in Attachment 'A'.
- Option #2: THAT Development Permit Application PRDP20210264 be refused for the following reasons:
1. The proposal does not meet the separation distance requirement of cannabis retail store defined in the Land Use Bylaw.

AIR PHOTO & DEVELOPMENT CONTEXT:





APPLICATION EVALUATION:

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

APPLICABLE POLICY AND REGULATIONS: <ul style="list-style-type: none"> • <i>Municipal Government Act</i>; • Subdivision and Development Regulations; • Municipal Development Plan; • Langdon Area Structure Plan • Direct Control Bylaw (DC-2) • Land Use Bylaw (C-4841-97); and • County Servicing Standards. 	TECHNICAL REPORTS SUBMITTED: <ul style="list-style-type: none"> • N/A
DISCRETIONARY USE: <ul style="list-style-type: none"> • Cannabis Retail Store 	DEVELOPMENT VARIANCE AUTHORITY: <ul style="list-style-type: none"> • The Applicant requests relaxation on separation distance to a care facility and another existing cannabis retail store

Direct Control Bylaw C-4873-98 (DC-2)

Cannabis Retail Store is a discretionary use. Section 4.4.1 states that Parts One, Two, and Three of Land Use Bylaw C-4841-97 are applicable unless otherwise stated in this Bylaw. Therefore, the proposal should also be evaluated in accordance with the Land Use Bylaw C-4841-97.

Land Use Bylaw C-4841-97

Section 20.10 requires that Cannabis Retail Store must have a minimum separation distance of at least 300 m from another Cannabis Retail Store, and at least 150 m from a Health Care Site. In this case, the proposed new cannabis retail store does not meet the above separation distance requirements:

- It is about 140 m away from the recently approved Cannabis Retail Store. That DP application (PRDP20202318) was approved by MPC on September 24, 2020, and the Permit was issued on October 21, 2020. The store is expected to open in March 2021.
- It is about 100 m away from an existing health care site (dental clinic).

Furthermore, this commercial area currently contains one liquor store, one vape store, one smoke store, and one cannabis retail store. The proposed new cannabis restore would further intensify add to these existing uses. It is suggested that the proposed cannabis store be relocated to other areas within the Hamlet of Langdon. Should the Commission choose to approve the application, the proposed separation distance below will need to be relaxed.

Variance Summary:

Variance	Requirement	Proposed	Percentage (%)
Separation Distance to another cannabis retail store	300 m (984.25 ft.)	± 140 m (± 459.32 ft.)	53.33%
Separation Distance to a Care Facility (dental clinic)	150 m (492.13 ft.)	± 100 m (± 328.08 ft.)	33.33%



Statutory Plans:

The land falls within the Langdon Area Structure Plan. There are no specific guidelines regarding the proposed business. Therefore, the proposal was evaluated in accordance with the Land Use Bylaw and Direct Control Bylaw (DC-2).

CONCLUSION:

The proposed new cannabis retail store does not meet the separation distance requirement outlined in the Land Use Bylaw, and might cause intensive uses and un-necessary competition in the area, therefore, Administration recommends refusal. Should the Commission choose to approve the application, conditions of approval are included in Attachment A.

Respectfully submitted,

Concurrence,

"Theresa Cochran"

"Al Hoggan"

Executive Director
Community Development Services

Chief Administrative Officer

XD/llt

ATTACHMENTS

ATTACHMENT 'A': Development Permit Report Conditions
ATTACHMENT 'B': Maps and Other Information
ATTACHMENT 'C': Application Referrals

ATTACHMENT 'A': DEVELOPMENT PERMIT REPORT CONDITIONSOption #1:

APPROVAL, subject to the following conditions:

Description:

1. That a *Cannabis Retail Store* (existing building), tenancy and signage for "Nirvana Canna" may operate on Unit 4 – 708 Centre Street, in general accordance with the submitted Site Plan, application and includes:
 - i. Installation of one (1) storefront, mounted or hanging, facade sign; 3.6 m (12 ft.) x 0.61 m (2 ft.) in size.
2. That the minimum separation distance for the Cannabis Retail Store from another Cannabis Retail Store is relaxed from 300 m (984.25 ft.) to 140 m (459.32 ft.).
3. That the minimum separation distance for the Cannabis Retail Store from a Care Facility is relaxed from 150.00 m (492.12 ft.) to 100 m (328.08 ft.).

Permanent:

4. That no Cannabis shall be consumed in the *Cannabis Retail Store*.
5. That the hours of operation for the *Cannabis Retail Store* shall be between 11:00 a.m. and 9:00 p.m. seven days a week, except on December 25th when the *Cannabis Retail Store* shall be closed.
6. That the sign shall be kept in a safe, clean and tidy condition at all times. The signs shall not be flashing or animated at any time.
7. That no outdoor storage at any time shall be allowed in the front of the property.
8. That all business parking shall be limited to the existing shopping plaza parking stalls.
9. That the entire site shall be maintained in a neat and orderly manner at all times, to the satisfaction of the Development Officer.
10. That any waste containers, garbage or recycling shall be completely screened from view from all adjacent properties and public thoroughfares.
11. That any plan, technical submission, agreement, matter or understanding submitted and approved as part of the application, in response to a prior to issuance or occupancy condition, shall be implemented and adhered to in perpetuity.

Advisory:

12. That any future change in use of the building, including any exterior changes or additions, or change in tenants shall require a Development Permit for the use and signage.
13. That any other government permits, approvals, or compliances are the sole responsibility of the Applicant/Owner.
 - i. That the Applicant/Owner shall obtain any required Alberta Health Services approvals prior to the store opening.
 - ii. That the Applicant/Owner shall obtain any required licensing approvals through Alberta Gaming, Liquor and Cannabis (AGLC), if required, and shall operate in accordance with the provisions of that license.



14. That a Building Permit shall be obtained through Building Services, prior to tenant occupancy and/or interior bay renovations, using the Tenant Bay Development or Renovation Checklist.
15. That if the development authorized by this Development Permit is not commenced with reasonable diligence within twelve (12) months from the date of issue, and completed within twenty-four (24) months of the issue, the permit is deemed to be null and void, unless an extension to this permit shall first have been granted by the Development Officer.
16. That this Development Permit shall be valid until **March 31, 2024**.

**ATTACHMENT 'B': MAPS AND OTHER INFORMATION**

APPLICANT: Puneet Kaushik (Nirvana Canada Inc. & Vita Medical Marihuana Inc.)	OWNER: 2228776 Alberta Ltd.
DATE APPLICATION RECEIVED: January 7, 2021 (Assigned on Jan 27, 2021)	DATE DEEMED COMPLETE: February 1, 2021
GROSS AREA: ± 0.36 hectares (± 0.88 acres)	LEGAL DESCRIPTION: Lot Unit 3, Plan 0011878, NW-23-23-27-W04M
APPEAL BOARD: Subdivision and Development Appeal Board	
HISTORY: PRDP20191054 The DP application was withdrawn, as the proposed grocery store was covered in the original DP (2000-DP-9143). Ownership change does not require a new DP application. 2000-DP-9143 Development Permit for "retail store, convenience and grocery" was issued on February 21, 2001.	
PUBLIC & AGENCY SUBMISSIONS: The application was circulated to a number of internal and external agencies and, where appropriate, conditions of approval have been proposed based on these comments.	



ATTACHMENT 'C': APPLICATION REFERRALS

AGENCY	CIRCULATED	RESPONSE RECEIVED
<i>School Authority</i>		
Rocky View Schools		
Calgary Catholic School District		
Public Francophone Education		
Catholic Francophone Education		
<i>Province of Alberta</i>		
Alberta Environment and Parks		
Alberta Transportation	✓	✓
Alberta Sustainable Development (Public Lands)		
Alberta Culture and Community Spirit (Historical Resources)		
Energy Resources Conservation Board		
Alberta Health Services		
<i>Public Utility</i>		
ATCO Gas		
ATCO Pipelines		
AltaLink Management		
FortisAlberta		
Telus Communications		
TransAlta Utilities Ltd.		
<i>Adjacent Municipality</i>		
The City of Calgary		
Tsuut'ina Nation		
<i>Other External Agencies</i>		
EnCana Corporation		
<i>Rocky View County Boards and Committees</i>		
ASB Farm Members		

AGENCY	CIRCULATED	RESPONSE RECEIVED
<i>Internal Departments</i>		
Recreation, Parks and Community Support		
Development Authority		
GIS Services		
Building Services	✓	✓
Fire Services & Emergency Management	✓	✓
Development Compliance	✓	✓
Planning and Development Services (Engineering)	✓	✓
Transportation Services		
Capital Project Management		
Utility Services		
Agricultural and Environmental Services		

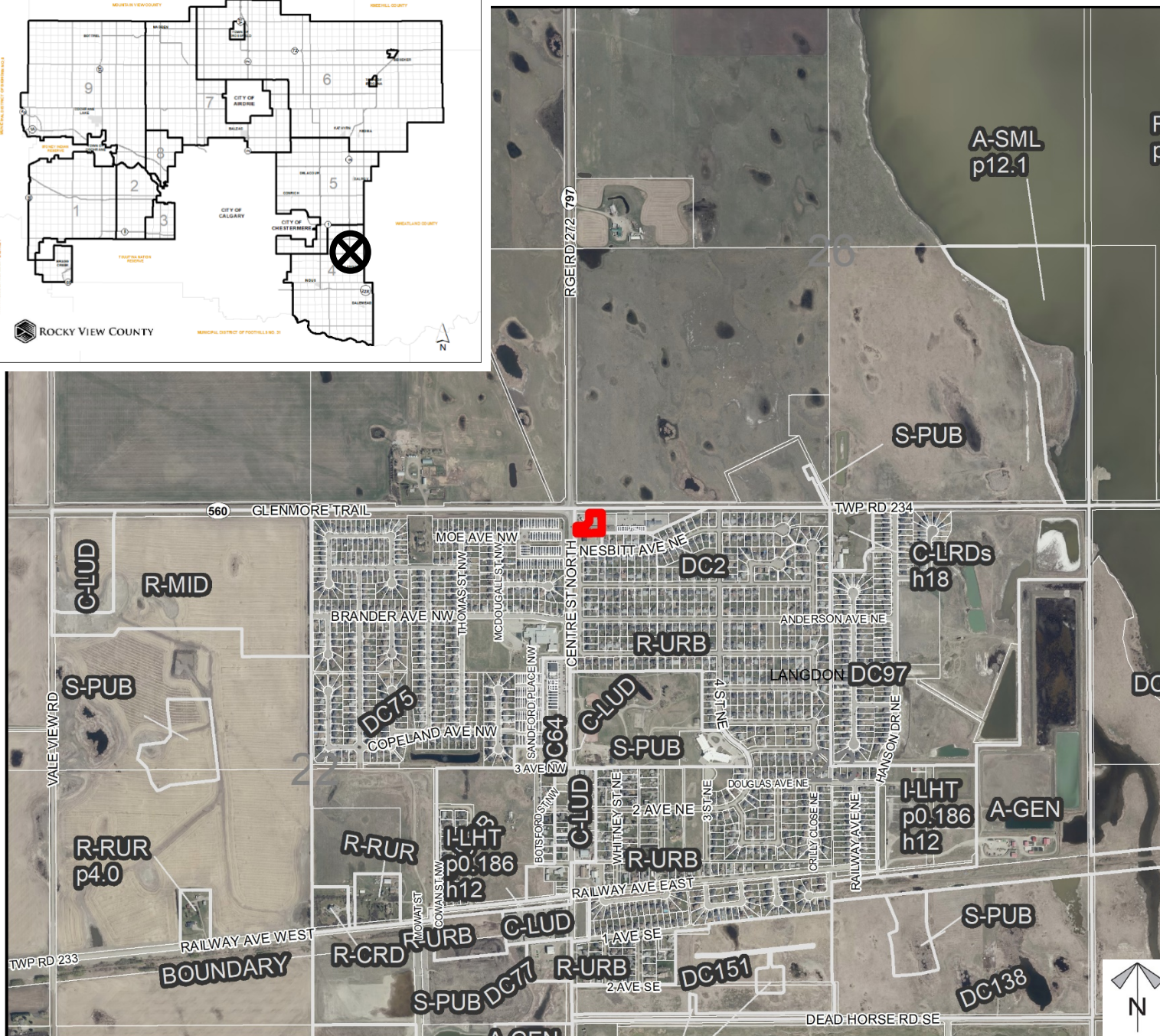
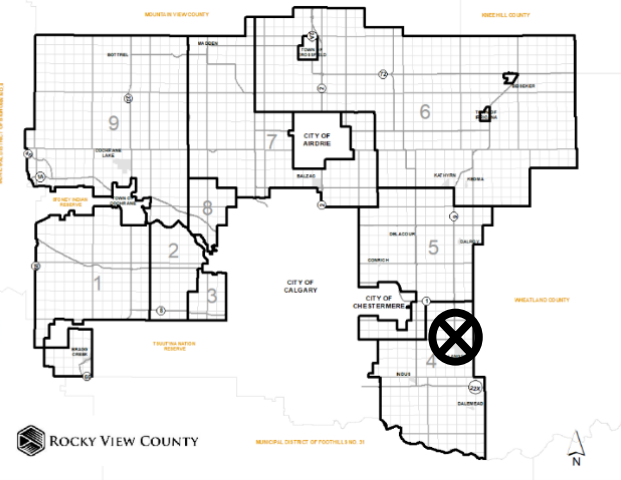
Circulation Period: January 29 to February 19, 2021

Agencies that were not required for distribution are not listed.

Development Permit Proposal

Cannabis Retail Store
(existing building), tenancy
change and signage

Division: 04
Roll: 03223665
File: PRDP20210264
Legal: Lot: UNIT 3
Plan: 0011878
NW 1/4 Sec 28 T42N R15E
Page 28 of 215
Printed: Feb 1, 2021



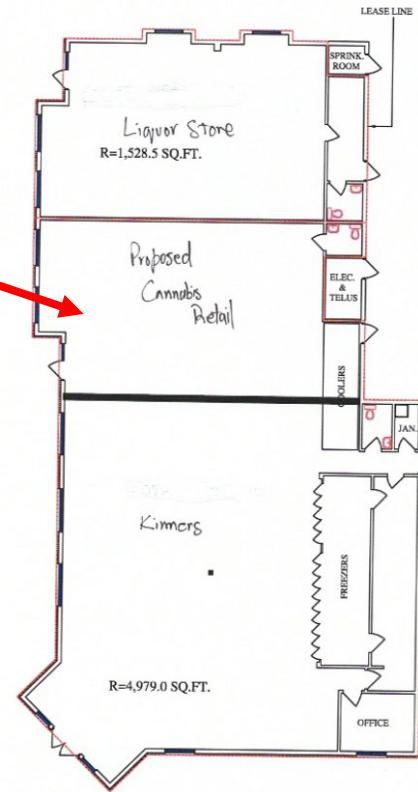
Development Proposal

Development Permit Proposal

Cannabis Retail Store
(existing building), tenancy
change and signage



Proposed New
Cannabis Retail Store



Development Permit Proposal

Cannabis Retail Store (existing building), tenancy change and signage

**Development Permit
 Proposal**

Cannabis Retail Store
 (existing building), tenancy
 change and signage



**Proposed Sign for the store
 (Nirvana Canna)**

Proposed Floor Plan



Development Permit
Proposal

Cannabis Retail Store
 (existing building), tenancy
 change and signage



Division: 04
 Roll: 03223665
 File: PRDP20210264
 Legal: Lot: UNIT 3
 Plan: 0011878
 NP 2021-004215
 Printed: Feb 1, 2021

PLANNING AND DEVELOPMENT SERVICES

TO: Municipal Planning Commission
DATE: February 24, 2021 **DIVISION:** 5
FILE: 04324016 **APPLICATION:** PRDP20203812
SUBJECT: Single-lot Regrading / Discretionary use, with no Variances

APPLICATION: Single-lot regrading and placement of clean topsoil for agricultural purposes.

GENERAL LOCATION: Located approximately 1.21 km (3/4 mile) south of Inverlake Road and on the east side of Rge. Rd. 281.

LAND USE DESIGNATION: Agricultural, Small Parcel District (A-SML) under Land Use Bylaw C-8000-2020.

EXECUTIVE SUMMARY: The Applicant is proposing the placement of topsoil, not exceeding ± 0.30 m (12.00 in) in depth, to enhance land for potential agricultural improvements. The application is consistent with the relevant policies of the Land Use Bylaw. It is the interpretation of the Development Authority that the proposed development on the subject land, in conjunction with the conditions of approval, will not pose any impact to adjacent lands nor impact the enjoyment of value of neighbouring properties.

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

OPTIONS:

- Option #1: THAT Development Permit Application PRDP20203812 be approved with the conditions noted in Attachment 'A'.
- Option #2: THAT Development Permit Application PRDP20203812 be refused for the following reasons:
1. That in the opinion of the Municipal Planning Commission, the development unduly interferes with the amenities of the neighbourhood and materially interferes with and affects the use, enjoyment, and value of neighbouring parcels of land.

Administration Resources

Bronwyn Culham, Planning & Development Services

AIR PHOTO & DEVELOPMENT CONTEXT:



APPLICATION EVALUATION:

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

APPLICABLE POLICY AND REGULATIONS: <ul style="list-style-type: none"> Land Use Bylaw 	TECHNICAL REPORTS SUBMITTED: <ul style="list-style-type: none"> Site Plan
DISCRETIONARY USE: <ul style="list-style-type: none"> Stripping and Grading is a discretionary use within the Land Use Bylaw 	DEVELOPMENT VARIANCE AUTHORITY: <ul style="list-style-type: none"> Municipal Planning Commission

Additional Review Considerations

The proposal is for the single-lot regrading and placement of clean topsoil, for agricultural purposes.

- The Applicant has proposed to regrade a portion of the subject land, approximately ± 31,965 sq. m (±7.89 acres) in size to enhance land for agricultural improvements.
- It is anticipated approximately 10,000.00 cubic meters of material will be brought on site. The applicant has noted this is approximately 740 truckloads.
- The subject land is located along Rge. Rd. 281, surrounded by predominately residential and agricultural parcels. Currently, a single family dwelling and several accessory buildings are located on the subject land.



CONCLUSION:

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

Respectfully submitted,

Concurrence,

“Theresa Cochran”

“Al Hoggan”

Executive Director
Community Development Services

Chief Administrative Officer

BC/sl

ATTACHMENTS:

ATTACHMENT ‘A’: Development Permit Report Conditions

ATTACHMENT ‘B’: Maps and Other Information

ATTACHMENT 'A': DEVELOPMENT PERMIT REPORT CONDITIONSOption #1:

Approval, subject to the following conditions:

Description:

1. That single-lot regrading and the placement of clean topsoil shall be permitted in general accordance with the site plan submitted with the application and includes:
 - i. Total area of approximately $\pm 31,965$ sq. m (± 7.89 acres) and placement of approximately 10,000.00 cubic meters of clean topsoil not exceeding ± 0.30 m (12.00 in) in depth.

Prior to Release:

2. 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 Road Use Agreements will be required for any hauling along the County road system and to confirm the presence of County road ban restrictions.
 - i. Written confirmation shall be received from County Road Operations confirming the status of this condition. Any required agreement or permits shall be obtained unless otherwise noted by County Road Operations.
3. That prior to release of this permit, the Applicant/owner shall submit a limited-scope site-specific storm water management plan for the subject lands, in accordance with County Servicing Standards. The report shall be stamped by a qualified professional and can be limited to addressing the following:
 - i. The report shall include both pre- and post-development site grading in the vicinity of the work, and shall confirm post-development site run-off characteristics;
 - ii. The report shall evaluate possible impacts the proposed placement of fill will have on adjacent lands. The report shall provide mitigating measures, if necessary, for any impacts the work may have on adjacent lands; and
 - iii. The report shall provide Erosion and Sedimentation Control measures for the proposed activities.
4. That prior to release of this permit, the Applicant/Owner shall submit a stamped and endorsed statement from a Professional Agrologist, or Certified Crop Advisor, confirming the soil quality improvements achieved by the proposed addition of topsoil. The anticipated agricultural benefits must be identified.
5. That prior to release of this permit, the Applicant/Owner shall submit a soil testing analysis, completed on the proposed topsoil, that includes where the topsoil originated from. The report and approval shall be to the satisfaction of the County. The soil analysis report will need to confirm that:
 - i. *Texture is balanced and not over 40% clay; and
 - ii. **Organic matter is a minimum of 3%, and equal to or greater than the organic matter of the soil on the application site; and
 - iii. **SAR/EC rating is at least 'good'; and
 - iv. **PH value is in the 'acceptable' range for crop growth.

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 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.
8. That upon completion of the proposed development, the Applicant/Owner shall provide a Deep Fills Report, prepared by a qualified geotechnical professional, indicating the as-built cut and fill areas of the site, and providing compaction testing results of the graded areas.
9. That upon completion of the proposed development, the Applicant/Owners shall submit an as-built survey, confirming that the development proposal and post grades align with the supporting technical submissions for the file.
10. That any material entering to or leaving from the site, shall be hauled on/off in a covered trailer/truck, which will prevent blowing of dust/small rocks onto the road or cause issues with other vehicles on the road.
 - i. That the clean-up of any mud tracking and/or dirt that enters onto any County roads during hauling, shall be the responsibility and cost of the Applicant/Owner for clean-up.
11. That no topsoil shall be removed from the site.
12. That the material shall not contain large concrete, rebar, asphalt, building materials, organic materials, or other metal.
13. 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.
14. That the Applicant/Owners shall be responsible for rectifying any adverse effect on adjacent lands from drainage alteration.
15. 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.
16. That if this permit is not issued by **AUGUST 31, 2021** or the approved extension date, then this approval is null and void and the Development Permit shall not be issued.
17. That once this Development Permit is issued, the proposed development of single-lot regrading and placement of clean fill/topsoil shall be completed within twelve (12) months of the date of issue.

Advisory:

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

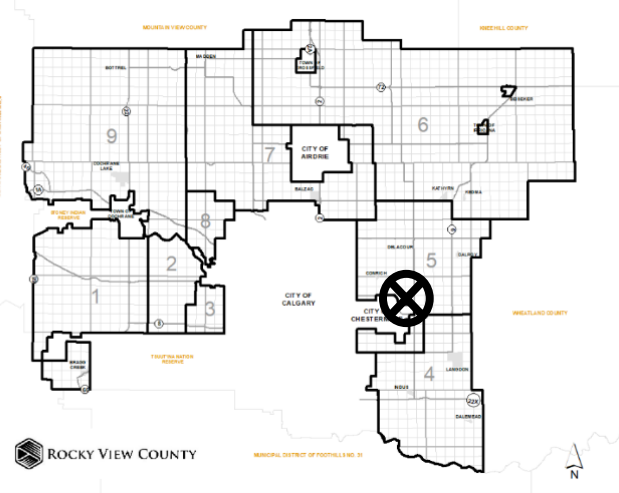
**ATTACHMENT 'B': MAPS AND OTHER INFORMATION**

APPLICANT: Devon Tarrant	OWNER: Mandeep Singh Saini
DATE APPLICATION RECEIVED: November 24, 2020	DATE DEEMED COMPLETE: November 24, 2020
GROSS AREA: ± 8.06 hectares (± 19.94 acres)	LEGAL DESCRIPTION: SW-24-24-28-04 Lot, Block, Plan: 7410485 (243094 Rge Rd 281)
APPEAL BOARD: Subdivision and Development Appeal Board	
HISTORY: <i>Sep 07, 1994:</i> Building Permit, 1994-BP-4256, Accessory Building – Open Application	
PUBLIC & AGENCY SUBMISSIONS: The application was also circulated to internal and external agencies and, where appropriate, conditions of approval have been proposed based on these comments.	

Development Proposal

Single-lot regrading and placement of topsoil, for agricultural purposes.

Division: 05
Roll: 04324016
File: PRDP20203812
Printed: Jan 15, 2021
Legal: Block:3 Plan:7410485
wid: 84-22-2154M
Page 89 of 215



Site Plan

Development Proposal

Single-lot regrading and placement of topsoil, for agricultural purposes.



Division: 05
Roll: 04324016
File: PRDP20203812
Printed: Jan 15, 2021
Legal: Block:3 Plan:7410485
with Page 902 of 2154M

Inspection Photos
January 6, 2021



Inspection Photos
January 6, 2021



Inspection Photos
January 6, 2021



Inspection Photos
January 6, 2021



PLANNING AND DEVELOPMENT SERVICES

TO: Municipal Planning Commission
Development Authority
DIVISION: 2

DATE: February 24, 2021
APPLICATION: PRDP20204174

FILE: 4734008

SUBJECT: Automotive Services (Major) / Discretionary use without Variances

APPLICATION: The proposal is for Automotive Services (Major), tenancy including an officer trailer, storage within an existing accessory building (sea can container), outside storage and signage.

GENERAL LOCATION: located approximately 0.41 km (1/4 mile) east of Rge. Rd. 33 and on the south side of Hwy 1.

LAND USE DESIGNATION: Business, Regional Campus District (B-REG) under Land Use Bylaw C-8000-2020.

EXECUTIVE SUMMARY: The proposed development is located at the eastern portion of 91 Commercial Court. The existing tenant is Christian City Church Calgary, which falls under Religious Assembly. The new tenant, 718801 Alberta Ltd. o/a Matrix Autosales & Leasing will utilize an existing 18.60 sq. m (200.20 sq. ft.) accessory building (sea can storage shed) and a 22.28 sq. m (240.00 sq. ft.) office trailer and approximately 7,400.00 sq. ft. (687.48 sq. m) of outside storage for parking. This will require a change of use to *Automotive Services (Major)*. The application is consistent with the Business, Regional Campus District regulations and the Land Use Bylaw.

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

OPTIONS:

Option #1: THAT Development Permit Application PRDP20204174 be approved with the conditions noted in Attachment 'A'.

Option #2: THAT Development Permit Application PRDP20204174 be refused for the following reasons:

1. That in the opinion of the Municipal Planning Commission, the development unduly interferes with the amenities of the neighbourhood and materially interferes with and affects the use, enjoyment, and value of neighbouring parcels of land.

Administration Resources

Bronwyn Culham, Planning & Development Services

AIR PHOTO & DEVELOPMENT CONTEXT:



APPLICATION EVALUATION:

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

<p>APPLICABLE POLICY AND REGULATIONS:</p> <ul style="list-style-type: none"> • <i>Municipal Government Act;</i> • Municipal Development Plan; • North Springbank Area Structure Plan • Land Use Bylaw; and • County Servicing Standards. 	<p>TECHNICAL REPORTS SUBMITTED:</p> <ul style="list-style-type: none"> • Site Plan
<p>DISCRETIONARY USE:</p> <ul style="list-style-type: none"> • Automotive Services (Major) is a discretionary use in the Business, Regional Campus District 	<p>DEVELOPMENT VARIANCE AUTHORITY:</p> <ul style="list-style-type: none"> • Municipal Planning Commission

Additional Review Considerations

Business Details:

The business includes automotive sales, storage, and leasing of both new and slightly used vehicles. The vehicles are primarily personal cars, light duty trucks and commercial cargo vans up to one (1) ton gross vehicle weight. The business also carries inventory and would require storage for lease returns until they can be remarketed. A maximum of twenty five (25) vehicles will be parked in the outside storage area. There is no onsite mechanical or body work repair of any kind.

Signage:

Two (2) signs are proposed. One (1) sign is requested to be located on the locking access gate and would be approximately 26 by 30 inches in size. The other sign would have the company logo on the side of the sea can with a primarily white background. Details were not provided with the application and will be requested.



CONCLUSION:

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

Respectfully submitted,

Concurrence,

“Theresa Cochran”

“Al Hoggan”

Executive Director
Community Development Services

Chief Administrative Officer

BC/sl

ATTACHMENTS

ATTACHMENT ‘A’: Development Permit Report Conditions

ATTACHMENT ‘B’: Maps and Other Information

ATTACHMENT 'A': DEVELOPMENT PERMIT REPORT CONDITIONSOption #1

APPROVAL, subject to the following conditions:

Description:

- 1) That Automotive Services (Major), tenancy including an office trailer, storage within an existing accessory building (sea can container), outside storage and signage may take place on the subject site in accordance with the Site Plan submitted with the application.

Prior to Release:

- 1) That prior to release of this permit, the Applicant/Owner shall submit signage details for the business, including location and dimensions, in accordance with the Land Use Bylaw and to the satisfaction of the County.
- 2) That prior to release of this permit, that the Applicant/Owner shall submit a revised site plan that identifies the location, size and setbacks of the outside storage area. The outside storage shall be no greater than **7,400.00 sq. ft. (687.48 sq. m)** and shall meet the building setback requirements and be completely screened, as per the requirements of the Land Use Bylaw and to the satisfaction of the County.

Permanent:

- 3) That any plan, technical submission, agreement, matter or understanding submitted and approved as part of the application, in response to a Prior to Release condition or part of the principal development permit onsite, shall be implemented and adhered to in perpetuity, including but not limited to the Noise Impact Assessment.
- 4) That the development shall maintain all parking on-site, in accordance with the approved Parking Plan. That no customer/business parking shall be permitted within the adjacent County Road Allowance.
- 5) That the sign shall be installed in accordance with the signage details and kept in a safe, clean and tidy condition at all times.
 - i. That any future signage, not approved within this permit, shall require separate development permit approval.
- 6) That all outside storage of any vehicles that are a part of the business shall be screened from adjacent lands with a fence, shall meet the minimum setback requirements for buildings, and **shall not exceed 7,400.00 sq. ft. (687.48 sq. m).**
- 7) That all outdoor lighting shall be full cut-off (shielded) light fixtures that direct light downward and designed to minimize light pollution, glare, and light trespass onto adjacent properties, while maintaining night-time, on-site safety and security during evening operating hours.
- 8) 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 located within the building or adjacent to the side or rear of the building and screened from view from all adjacent properties and public thoroughfares. All waste material shall be regularly removed from the property to prevent any debris from blowing onto adjacent property or roadways.
 - i. That any non-domestic wastewater, anti-freeze, oils or fuels that accumulate within the unit shall be held in sealed tanks, the contents of which shall be pumped out and properly disposed of off-site in accordance with the regulations administered by Alberta Environment.



- 9) That there shall be no vehicle or equipment idling on the site at any time.
- 10) That all vehicles stored onsite shall be newer or used models. No salvaged or damaged vehicles shall be brought on site.

Advisory:

- 11) That Building Permit(s) shall be obtained through Building Services, prior to placement or operation onsite for the change of use classification, proposed office trailer and storage container, including:
 - i. As the storage container is considered a building, an A P. Eng. review and letter is required.
- 12) That any other federal, provincial or County permits, approvals, and/or compliances are the sole responsibility of the Applicant/Owner.
- 13) 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.
- 14) That if this Development Permit is not issued by **AUGUST 31, 2021** or an approved extension date, then this approval is null and void and the Development Permit shall not be issued.

ATTACHMENT 'B': MAPS AND OTHER INFORMATION

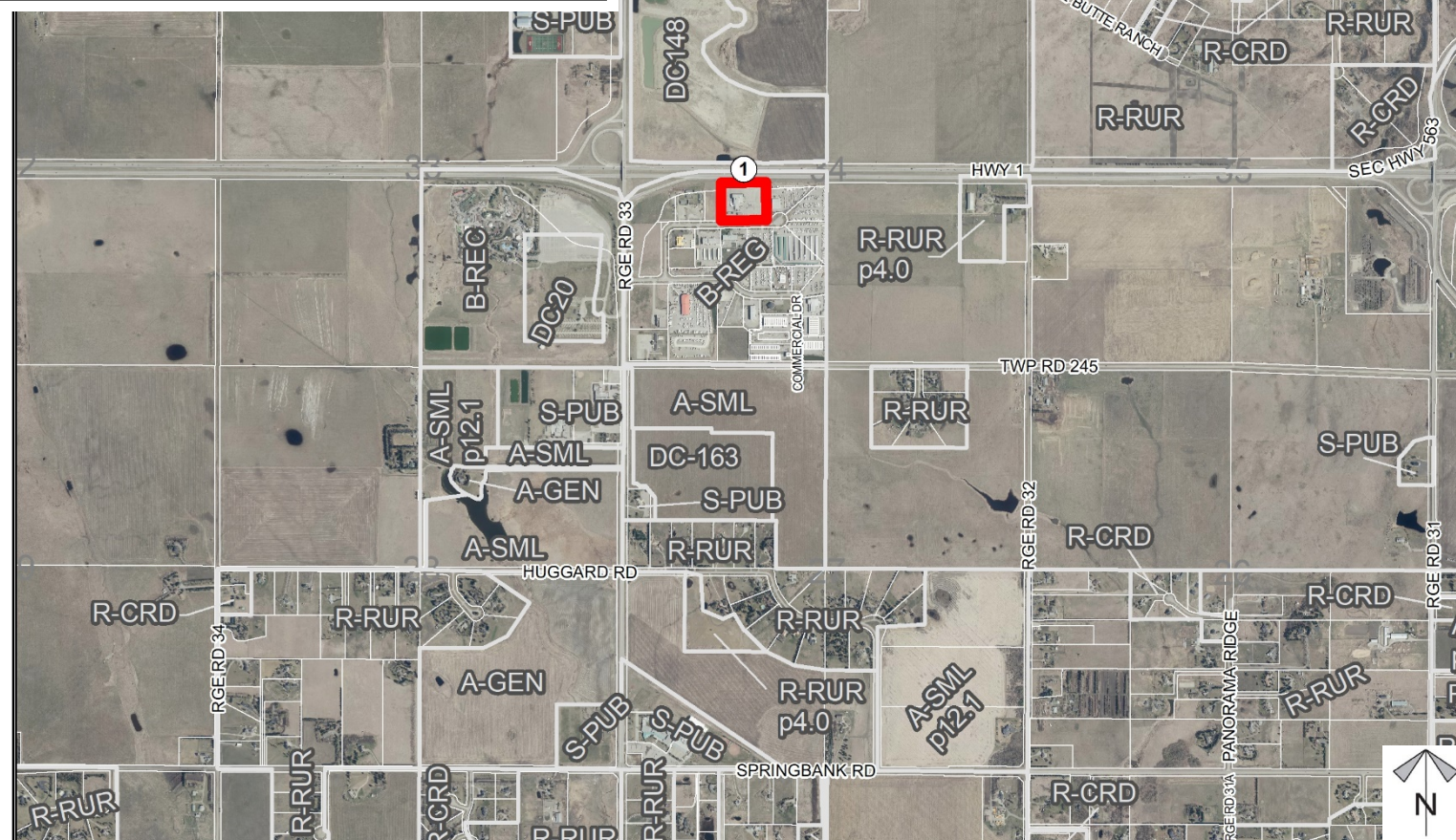
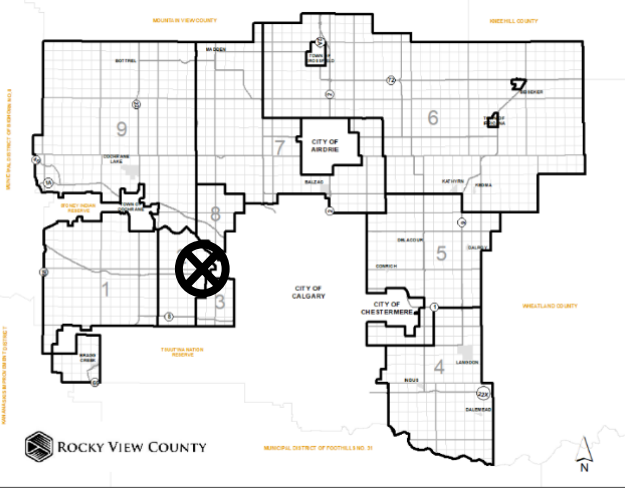
APPLICANT: Stuart Carter (718801 Alberta Ltd. o/a Matrix Autosales and Leasing)	OWNER: Christian City Church Calgary
DATE APPLICATION RECEIVED: December 18, 2020	DATE DEEMED COMPLETE: December 24, 2020
GROSS AREA: ± 2.78 hectares (± 6.89 acres)	LEGAL DESCRIPTION: SW-34-24-03-05 Lot: 4 Block: 8610758 (91 COMMERCIAL COURT)
APPEAL BOARD: Subdivision & Development Appeal Board	
HISTORY: <p>January 25, 2017: Development Permit (PRDP20164368) Existing Religious Assembly, placement of a portable classroom and four (4) storage units – Closed – Approved</p> <p>July 31, 2012: Development Permit (2012-DP-14999) Placement of a portable classroom and two storage containers – Closed - Complete</p> <p>December 7, 2010: Development Permit (2010-DP-14283) existing building, change of use to religious assembly and signage – Closed - Complete</p> <p>October 13, 2009: Development Permit (2009-DP-13716) accommodation and convention services, and restaurant (café), existing building, change of use to convention services (not to operate as a Religious Assembly) – Closed - Complete</p> <p>November 14, 2006: Development Permit (2006-DP-12299) identification signs, (one freestanding and one fascia) – Closed- Complete</p> <p>Apr 23, 2020: Building Permit (PRBD20200880) Temporary tents for Alberta Health Services Covid-19 Screening. Set up for up to six months. (2) 20x20, (1) 20x30, (2) 10x20, (1) 10x10, (1) 15x15 – Waiting for Inspection Request</p> <p>Mar 23, 2016: Building Permit (PRBD20152365) As Built Seacans (1 of 2) – PSR Not in Compliance Expired</p> <p>Jul 03, 2015: Building Permit (PRBD20130432) Portable Sunday School classroom (double wide trailer) PSR Not in Compliance Expired</p> <p>Jun 18, 2015: Building Permit (PRBD20152366) As Built Seacan (2 of 2) PSR Not in Compliance Expired</p> <p>May 01, 2014: Building Permit (PRBD20140880) Interior Renovation to existing Christian City Church – PSR in Compliance</p> <p>Jul 03, 2012: Building Permit (2012-BP-24780) Renovation to Church – PSR Issued Closed</p> <p>Jul 03, 2012: Building Permit (2012-BP-24781) Pumphouse for Church - PSR Not in Compliance No Entry</p> <p>Jan 14, 1993: Building Permit (1993-BP-3191) Commercial Building for RV Service and Sales– Open Application</p>	
PUBLIC & AGENCY SUBMISSIONS: <p>The application was circulated to internal and external agencies and, where appropriate, conditions of approval have been proposed based on these comments.</p>	

Location & Context

Development Proposal

Automotive Services (Major), tenancy including an officer trailer, storage within an existing accessory building (sea can container), outside storage and signage.

Division: 2
 Roll: 04734008
 File: PRDP20204174
 Printed: Feb 2, 2021
 Legal: Lot:4 Plan:8610758
 Page 101 of 215

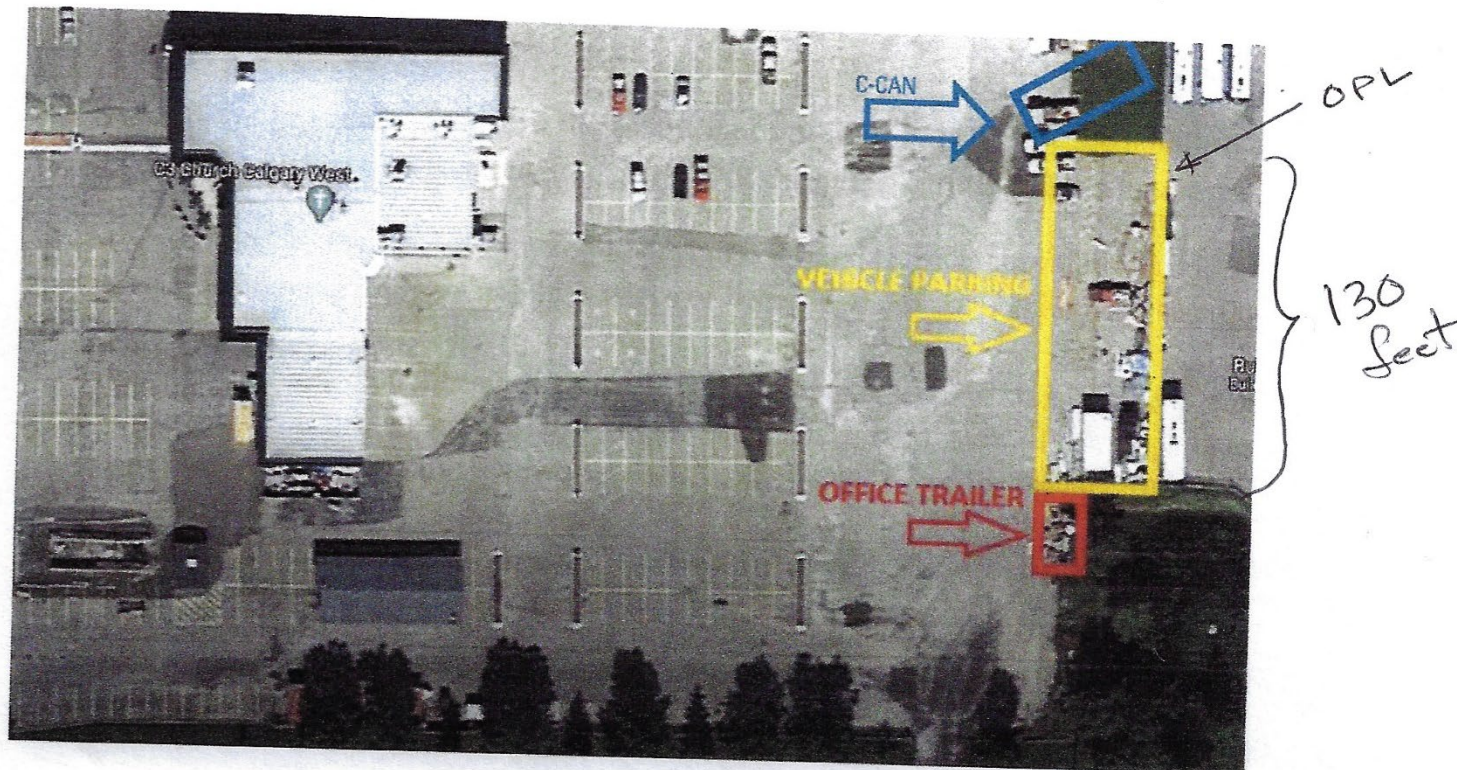


Site Plan

Development Proposal

Automotive Services (Major), tenancy including an officer trailer, storage within an existing accessory building (sea can container), outside storage and signage.

PLAN OF SITE AND ACCESS AREA



Inspection Photos
February 3, 2021



Inspection Photos
February 3, 2021

E-5
10 of 13



Inspection Photos
February 3, 2021



Inspection Photos
February 3, 2021



Inspection Photos
February 3, 2021



PLANNING AND DEVELOPMENT SERVICES

TO: Municipal Planning Commission
DATE: February 24, 2021 **DIVISION:** 3
FILE: 04714176 **APPLICATION:** PRDP20203988
SUBJECT: Single-lot Regrading / Discretionary use, with no Variances

APPLICATION: Single-lot regrading, placement of clean fill and topsoil, for site landscaping.

GENERAL LOCATION: Located approximately 0.81 km (1/2 mile) east of Rg. Rd. 32 and 0.12 km (1/8 mile) south of Lower Springbank Rd.

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

EXECUTIVE SUMMARY: The Applicant is proposing the placement of clean fill and topsoil not exceeding ± 1.00 m (3.28 ft.) in grade change, for site landscaping purposes. This application is the result of an enforcement investigation, DC202009-0218. The application is consistent with the relevant policies of the Land Use Bylaw. It is the interpretation of the Development Authority that the proposed development on the subject land, in conjunction with the conditions of approval, will not pose any impact to adjacent lands nor impact the enjoyment of value of neighbouring properties.

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

OPTIONS:

Option #1: THAT Development Permit Application PRDP20203988 be approved with the conditions noted in Attachment 'A'.

Option #2: THAT Development Permit Application PRDP20203988 be refused for the following reasons:

1. That in the opinion of the Municipal Planning Commission, the development unduly interferes with the amenities of the neighbourhood and materially interferes with and affects the use, enjoyment, and value of neighbouring parcels of land.

AIR PHOTO & DEVELOPMENT CONTEXT:



APPLICATION EVALUATION:

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

<p>APPLICABLE POLICY AND REGULATIONS:</p> <ul style="list-style-type: none"> • Land Use Bylaw • Montebello Conceptual Scheme • Central Springbank Area Structure Plan 	<p>TECHNICAL REPORTS SUBMITTED:</p> <ul style="list-style-type: none"> • Building Grade Slip / prepared by MPE Engineering Ltd. / dated March 5, 2019 • Site satellite image map before Building Construction and Land Grading; • Site Survey map before Building Construction and Land Grading; • House Building and Elevation Plan before Landscaping; • Landscaping Plan / Drawing prepared by Treasure House Building & Renovation Ltd.; • Windhorse Storm Water Management Drainage Plan
<p>DISCRETIONARY USE:</p> <ul style="list-style-type: none"> • Stripping and Grading is a discretionary use within the Land Use Bylaw 	<p>DEVELOPMENT VARIANCE AUTHORITY:</p> <ul style="list-style-type: none"> • Municipal Planning Commission

Additional Review Considerations

The proposal is for the single-lot regrading, placement of clean fill and topsoil for site landscaping. The technical reports are being reviewed and acceptance is pending.

The Applicant has proposed to regrade the subject land, approximately $\pm 7,718$ sq. m (1.90 acres) in size to meet Windhorse Community's Landscaping requirements and the Land Use Bylaw.

- The applicant has indicated they will also use the native topsoil on-site and they will not be removing any material.



ROCKY VIEW COUNTY

- The highest grade change the applicant is proposing is approximately 1.00 m (3.28 ft.) for the Southwest portion of the subject land. The grade change for the rest of the site is approximately 0.5 m (1.64 ft.).
- It is anticipated that approximately 926 cubic meters of material will be brought on site. The applicant has noted this is approximately 150 truckloads.
- The subject land is located in the community of Windhorse, surrounded by residential parcels. Currently, a single family dwelling is located on the subject land.

CONCLUSION:

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

Respectfully submitted,

Concurrence,

“Theresa Cochran”

“Al Hoggan”

Executive Director
Community Development Services

Chief Administrative Officer

BC/sl

ATTACHMENTS:

ATTACHMENT ‘A’: Development Permit Report Conditions
ATTACHMENT ‘B’: Maps and Other Information

**ATTACHMENT 'A': DEVELOPMENT PERMIT REPORT CONDITIONS**Option #1:

Approval, subject to the following conditions:

Description:

1. That single-lot regrading and the placement of clean fill and topsoil shall be permitted in general accordance with the drawings submitted and the application details and includes:
 - i. Total area of approximately $\pm 7,718$ sq. m (1.90 acres) and placement of approximately 926 cubic meters of clean fill and topsoil not exceeding 1.00 m (3.28 ft.) in grade change.

Prior to Release:

2. That prior to release of this permit, the Applicant/Owner shall submit an \$10,000.00 Irrevocable Letter of Credit or Refundable Security deposit to the Rocky View County, to ensure that the conditions of the permit are met. If the conditions are not met, Rocky View County may use the funds, enter onto the described land, and carry out the work necessary to meet the condition.
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 Road Use Agreements will be required for any hauling along the County road system and to confirm the presence of County road ban restrictions
 - i. Written confirmation shall be received from County Road Operations confirming the status of this condition. Any required agreement or permits shall be obtained unless otherwise noted by County Road Operations.
4. That prior to release of this permit, the Applicant/Owner shall submit a grade slip from MPE Engineering verifying that the as-built grading plan is in accordance with the overall development stormwater management plan, to the satisfaction of the County.

Permanent:

5. That the applicant/owner shall provide compaction testing verifying that the fill areas greater than 1.2 m in depth were placed in accordance with the Deep Fills report accepted by the County.
6. That upon completion of the proposed development, the Applicant/Owner shall provide a Deep Fills Report, prepared by a qualified geotechnical professional, indicating the as-built cut and fill areas of the site, and providing compaction testing results of the graded areas.
7. 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 condition shall be implemented and adhered to in perpetuity.
8. That it shall be the responsibility of the Applicant/Owners to ensure the fill has been placed in a safe manner that does not cause slope stability issues, slumping, or any other related safety issues.
9. That upon completion of the proposed development, the Applicant/Owners shall submit an as-built survey, confirming that the development proposal and post grades align with the supporting technical submissions for the file.
10. That any material entering to or leaving from the site, shall be hauled on/off in a covered trailer/truck, which will prevent blowing of dust/small rocks onto the road or cause issues with other vehicles on the road.

- i. That the clean-up of any mud tracking and/or dirt that enters onto any County roads during hauling, shall be the responsibility and cost of the Applicant/Owner for clean-up.
11. That no topsoil shall be removed from the site.
12. That the fill shall not contain large concrete, rebar, asphalt, building materials, organic materials, or other metal.
13. 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.
14. That the Applicant/Owners shall be responsible for rectifying any adverse effect on adjacent lands from drainage alteration.
15. 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.
16. That if this permit is not issued by **AUGUST 31, 2021** or the approved extension date, then this approval is null and void and the Development Permit shall not be issued.
17. That once this Development Permit is issued, the proposed development of single-lot regrading and placement of clean fill/topsoil shall be completed within twelve (12) months of the date of issue.

Advisory:

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

That the Applicant/Owner shall be responsible for all Alberta Environment approvals/compensation, under the Water Act, if any wetland is impacted/disturbed by the proposed development

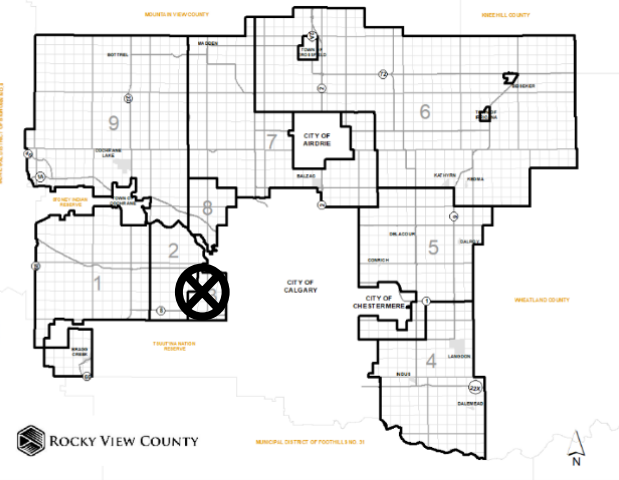
**ATTACHMENT 'B': MAPS AND OTHER INFORMATION**

APPLICANT: Wenyan Cheng	OWNER: Wenyan Cheng
DATE APPLICATION RECEIVED: December 4, 2020	DATE DEEMED COMPLETE: December 23, 2020
GROSS AREA: ± 0.81 hectares (± 2.02 acres)	LEGAL DESCRIPTION: NE-14-24-03-W05M, Lot:21 Block:3 Plan:0914791 (31103 WINDHORSE DRIVE)
APPEAL BOARD: Subdivision and Development Appeal Board	
HISTORY: <i>May 15, 2019:</i> Building Permit (PRBD20191091) New Single Family Dwelling – PSR in Compliance <i>November 28, 2018:</i> Development Permit (PRDP20183934) Construction of a dwelling, single detached, relaxation of the maximum height requirement – Closed- Approved	
PUBLIC & AGENCY SUBMISSIONS: The application was circulated to internal and external agencies and, where appropriate, conditions of approval have been proposed based on these comments.	

Location & Context

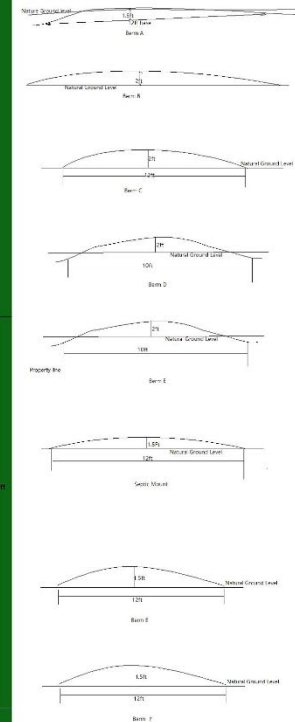
Development Proposal

Single-lot regrading,
 placement of clean fill and
 top soil for site
 landscaping



Division: 03
 Roll: 04714176
 File: PRDP20203988
 Printed: Jan 15, 2021
 Legal: Lot:21 Block:3
 Page 11 of 15
 24-03-W05M

Single-lot regrading,
placement of clean fill and
top soil for site
landscaping



Division: 03
Roll: 04714176
File: PRDP20203988
Printed: Jan 15, 2021
Legal: Lot:21 Block:3
Page 1125 of 215-14-24-03-W05M









PLANNING AND DEVELOPMENT SERVICES

TO: Municipal Planning Commission
Development Authority
DIVISION: 1

DATE: February 24, 2021
APPLICATION: PRDP20203738

FILE: 03902011

SUBJECT: Single-lot regrading / Discretionary Use, with no Variances

APPLICATION: Application is for single-lot regrading and the placement of clean fill, for construction of an access.

GENERAL LOCATION: Located approximately 0.81 km (1/2 mile) north of Twp. Rd. 230 and on the west side of Hwy 758.

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

EXECUTIVE SUMMARY: The Applicant is proposing to construct an access and internal driveway on the subject parcel. The proposed access is approximately 270.00 m (885.87 ft.) in total length, 4.00 m (13.12 ft.) wide and would require up to 1.90 m (6.23 ft.) in depth of fill.

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

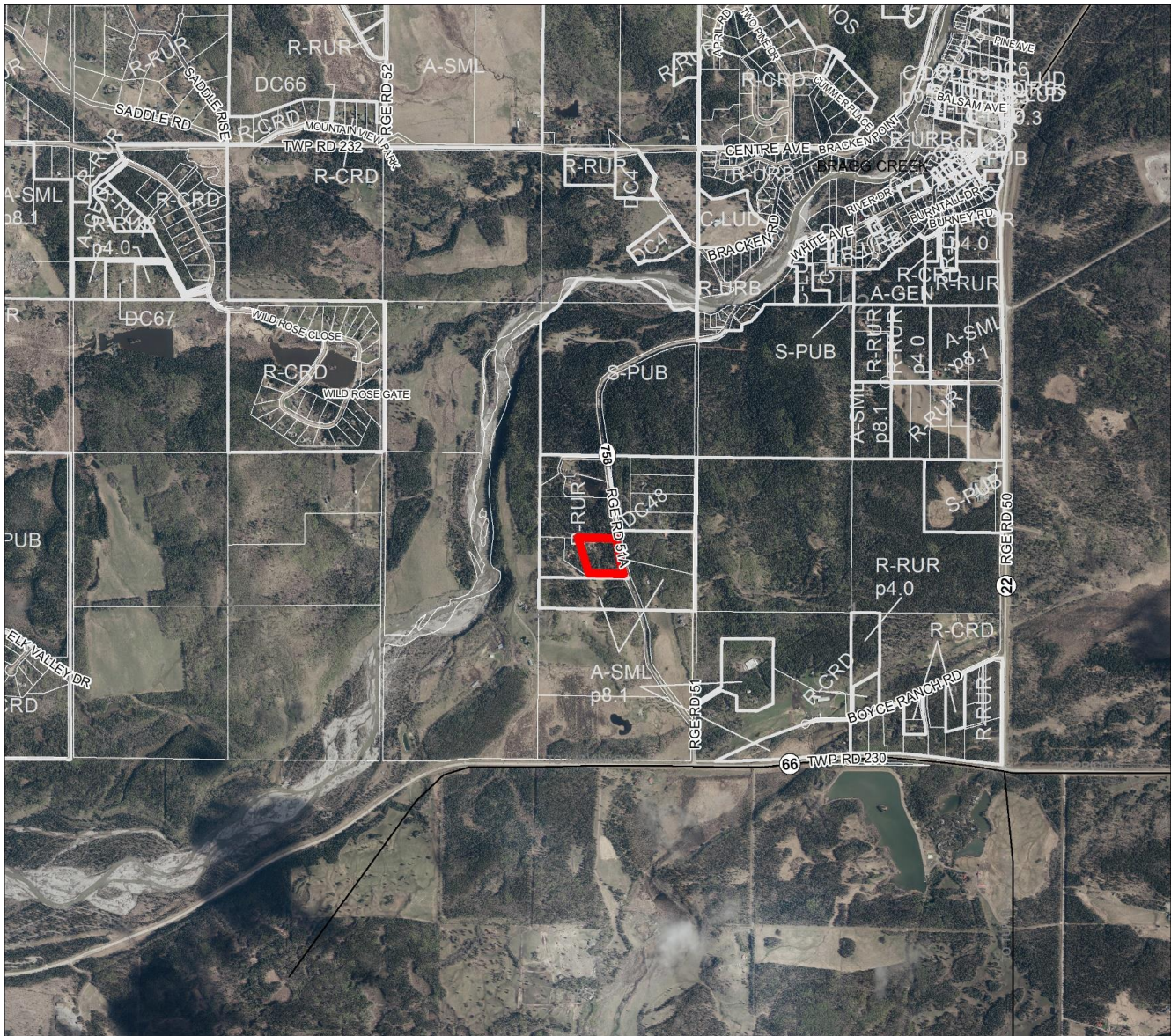
OPTIONS:

- Option #1: THAT Development Permit Application PRDP20203738 be approved with the conditions noted in Attachment 'A'.
- Option #2: THAT Development Permit Application PRDP20203738 be refused for the following reasons:
1. That in the opinion of the Municipal Planning Commission, the development unduly interferes with the amenities of the neighbourhood and materially interferes with and affects the use, enjoyment, and value of neighbouring parcels of land.

Administration Resources

Wayne Van Dijk, Planning and Development

AIR PHOTO & DEVELOPMENT CONTEXT:



APPLICATION EVALUATION:

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

APPLICABLE POLICY AND REGULATIONS: <ul style="list-style-type: none"> • Bragg Creek Area Strucutre Plan • Land Use Bylaw C-8000-2020 	TECHNICAL REPORTS SUBMITTED: <ul style="list-style-type: none"> • Grading Plan
DISCRETIONARY USE: Stripping, Grading, Excavation and Fill is listed as Discretionary Use	DEVELOPMENT VARIANCE AUTHORITY: <ul style="list-style-type: none"> • Municipal Planning Commission



Additional Review Considerations

Alberta Transportation has granted Roadside Development Permit RSD032635.

CONCLUSION:

Subject to the proposed Development Permit conditions, the application is recommended for approval.

Respectfully submitted,

Concurrence,

"Theresa Cochran"

"Al Hoggan"

Executive Director
Community Development Services

Chief Administrative Officer

WV/sI

ATTACHMENTS

ATTACHMENT 'A': Development Permit Report Conditions

ATTACHMENT 'B': Maps and Other Information

**ATTACHMENT 'A': DEVELOPMENT PERMIT REPORT CONDITIONS**Option #1:

Approval, subject to the following conditions:

Description:

- 1) That the single-lot regrading and placement of clean fill, to a depth of approximately **1.90 m (6.23 ft.)** may commence on the subject parcel, in accordance with approved application.

Prior to Release:

- 2) That prior to release of this permit, the Applicant/Owner shall submit a Deep Fill report, conducted and stamped by a professional engineer that provides recommendations on the placement of fill for areas where the fill is greater than 1.20 m (3.93 ft.) in depth, in accordance with County Servicing Standards.
- 3) That prior to release of this permit, the Applicant/Owner shall submit a Grading Plan, prepared and stamped by a qualified professional, that illustrates the original ground profile, identifies the depth of proposed fill, indicates the total amount of soil to be imported/exported from the site and analyzes the pre and post grades to determine if there are any impacts to adjacent properties or the public road network. The engineer shall confirm conditions, in both pre and post grading, associated with site stormwater storage, site releases and offsite drainage. The analysis shall also include recommendations for mitigating measures for Erosion and Sediment control as a result of the activity, as per County Servicing Standards.

Permanent:

- 4) That the Applicant/Owner shall submit a compaction Testing Report that verifies that the fill areas greater than 1.20 m (3.93 ft.) in depth were placed in accordance with the Deep Fill Report.
- 5) That no native topsoil shall be removed from the site.
- 6) 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.
- 7) That the Applicant/Owners shall be responsible for rectifying any adverse effect on adjacent lands from drainage alteration.
- 8) That any plan, technical submission, agreement, or other matter submitted and approved as part of the Development Permit application, or in response to a Prior to Release condition, shall be implemented and adhered to in perpetuity.

Advisory:

- 9) That the Applicant/Owner shall adhere to the County's Noise Bylaw (C-5772-2003) at all times.
- 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.
- 12) That if this Development Permit is not issued by **August 31, 2021** or the approved extension date, then this approval is null and void and the Development Permit shall not be issued.

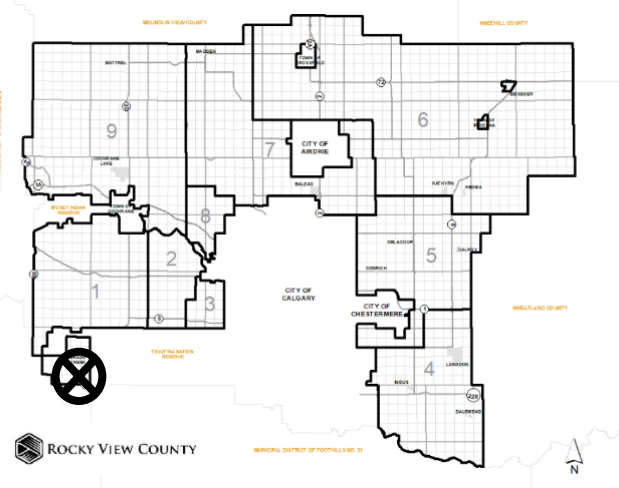
**ATTACHMENT 'B': MAPS AND OTHER INFORMATION**

APPLICANT: Erin Baird	OWNER: Daniel Benwood, Lance Philipott, Erin Baird, Colleen Baird
DATE APPLICATION RECEIVED: November 19, 2020	DATE DEEMED COMPLETE: November 23, 2021
GROSS AREA: ± 3.49 hectares (± 8.62 acres)	LEGAL DESCRIPTION: Lot 2, Block 1, Plan 9011218 NE-02-23-05-W05M
APPEAL BOARD: Subdivision, Development Appeal Board	
HISTORY: No previous Development Permit history.	
PUBLIC & AGENCY SUBMISSIONS: The application was circulated to a number of internal and external agencies and, where appropriate, conditions of approval have been proposed based on these comments.	

Development Proposal

Stripping, Grading and Fill
for access construction

Division: 01
Roll: 03902011
File: PRDP20203738
Printed: Feb 2, 2021
Legal: Lot: 2 Block: 1
Page 1125 of 215
23-05-W05M



Cover Letter

Development Proposal

Stripping, Grading and Fill
for access construction

Dear Rocky View Planning Services:

I am writing in reference to a development permit application in RockyView

Property Owners: Erin Baird, Lance Philpott, Dan Benwood, Colleen Baird

PTN NE ¼-2-23-5-5-White Avenue

Plan: 9011218 Block: 1 Lot: 2

TOLOKO

Hello, We are recent owners of the above property of 8.6 acres just south of Bragg Creek. It is zoned RRUR and the long term plan will be to subdivide into two roughly 4 acre lots as per the zoning. The current plan however is to get road access into the lot and then build a shed and cabin in the spring of 2021.

We applied for and received a permit for access from White Ave (Hwy 758) Permit No.: RSDP032635 from Alberta transportation. There is currently no access to the lot.

From the entry point of the highway we would like to build a road through to the center of the property (see map below). Attached are engineering documents we outsourced to Jouney Engineering to ensure we build the appropriate culvert for stormwater management and our desired grade change from the highway entrance. We also got the company to do up engineering plans IF we decide to change the grade of the N/S road.

The current plan is to NOT change any grade on the N/S section and just stick with grade from the center portion. We would like to see how that goes and if we find we need to change the grade within the development permit approved time then we would proceed with the N/S portion as per engineering drawings. It is possible we will never proceed with that portion with respect to the change of grade at all.

IF we decide to not change grade for the N/S road AND the current development period expires, we understand we would be responsible for a future development permit for changing of grade for that portion.

- Soil handling plan: bringing in material for construction of the road
- Traffic control plan: access off of approach from HWY 758
- Weed management plan: will seed disturbed areas with approved mixture from Rocky View County
- Costs to reclaim: none anticipated as this is a permanent driveway for the parcel
- Methods to control dust and erosion: proper road construction techniques for side ditch and use of gravel to minimize dust

Note: First two digits of the Plan Number indicate the year of subdivision registration.

Plan numbers that include letters were registered before 1973 and do not reference a year.

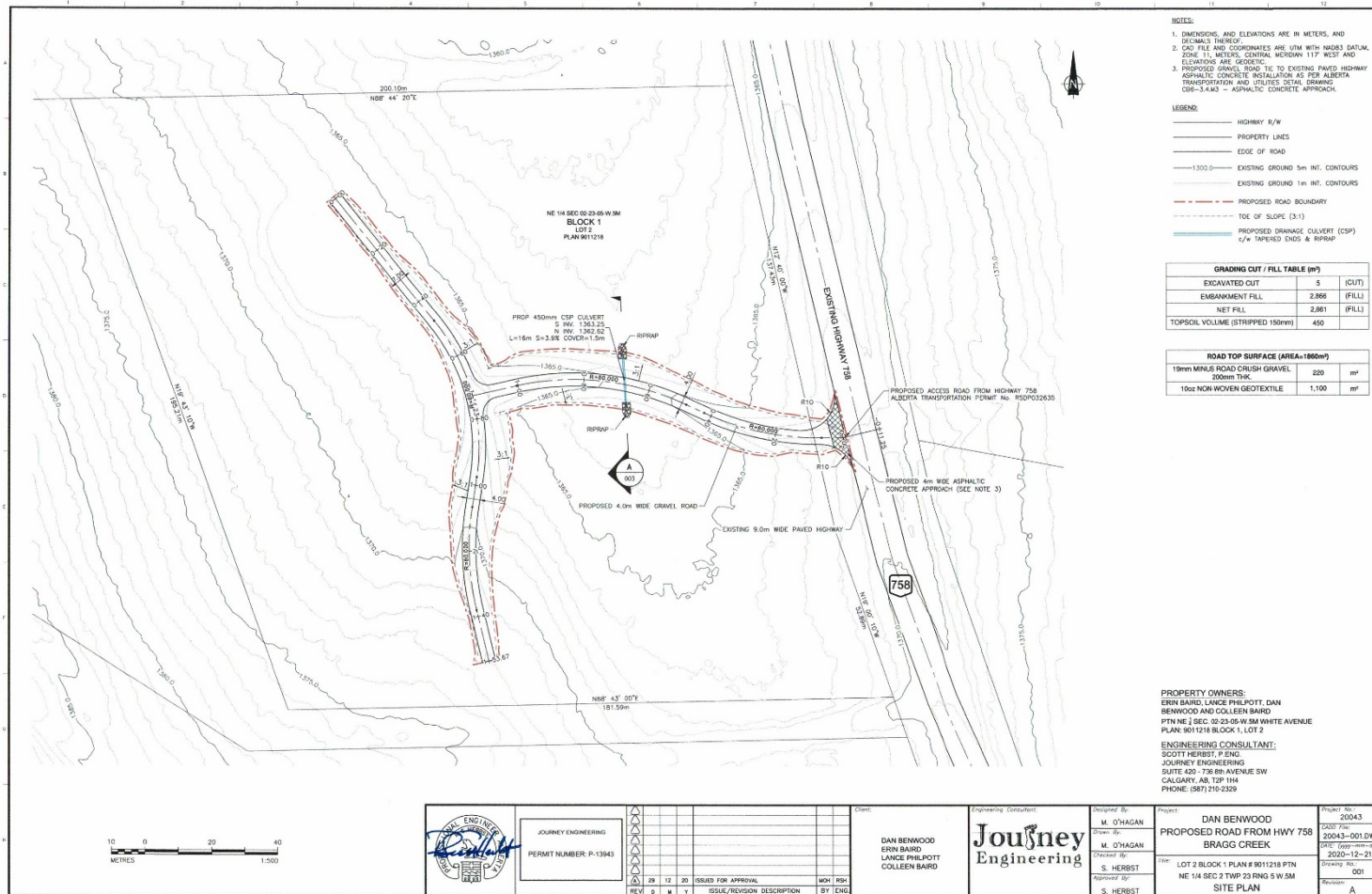


Division: 01
Roll: 03902011
File: PRDP20203738
Printed: Feb 2, 2021
Legal: Lot: 2 Block: 1
Page 11218 of 215-02-
23-05-W05M

Site Plan

Development Proposal

Stripping, Grading and Fill
for access construction



Note: First two digits of the Plan Number indicate the year of subdivision registration.

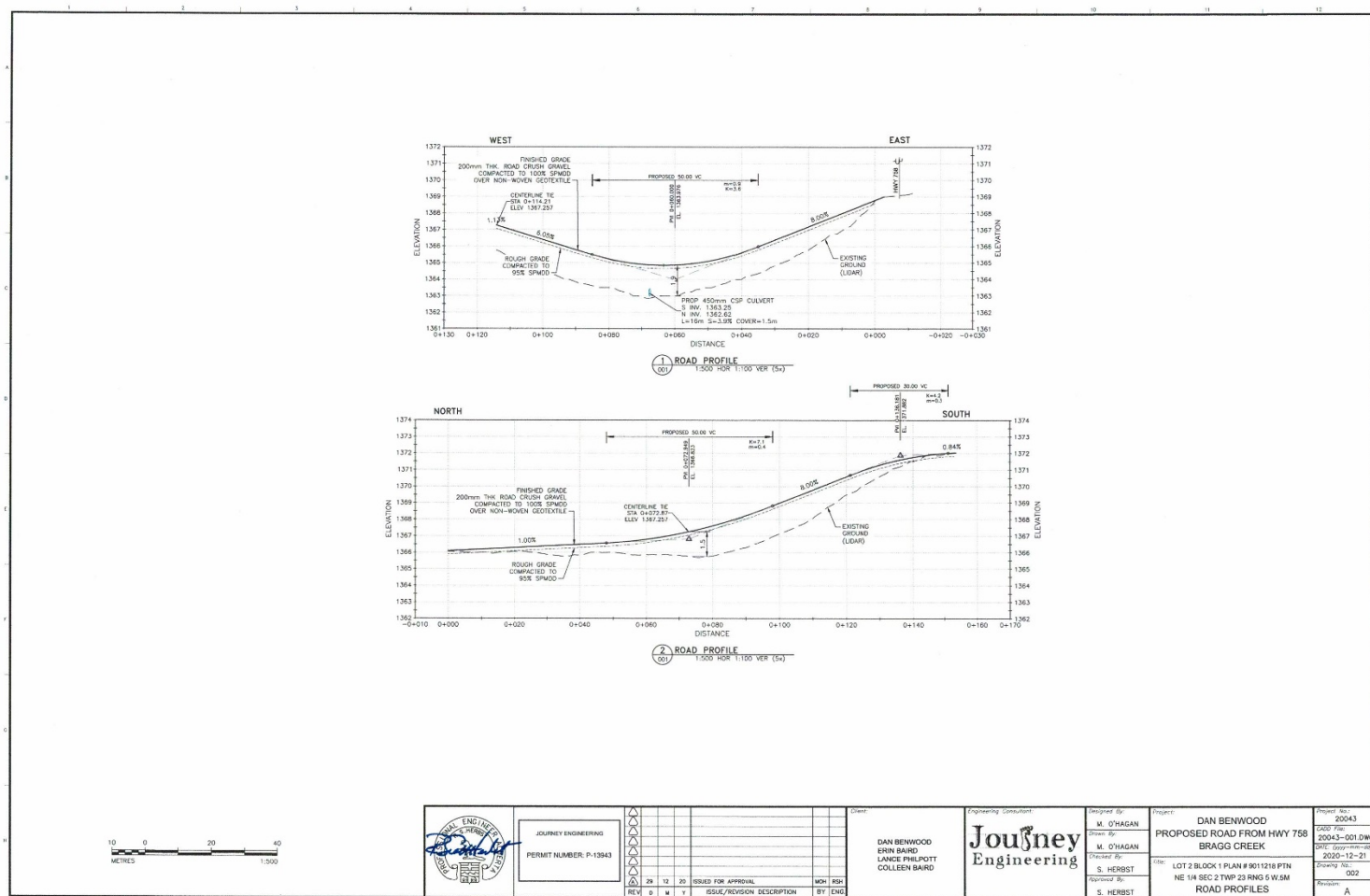
Plan numbers that include letters were registered before 1973 and do not reference a year.

Division: 01
Roll: 03902011
File: PRDP20203738
Printed: Feb 2, 2021
Legal: Lot 2 Block 1
Page 11 of 15
23-05-W05M

Site Plan

Development Proposal

Stripping, Grading and Fill
for access construction



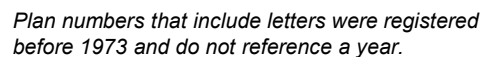
Note: First two digits of the Plan Number indicate the year of subdivision registration.

Plan numbers that include letters were registered before 1973 and do not reference a year.



Division: 01
Roll: 03902011
File: PRDP20203738
Printed: Feb 2, 2021
Legal: Lot 2 Block: 1
Page 9 of 11
23-05-W05M

Stripping, Grading and Fill
for access construction



Site Photos

(Nov. 26, 2020
inspection)

Development Proposal

Stripping, Grading and Fill
for access construction



Note: First two digits of the Plan Number indicate the year of subdivision registration.

Plan numbers that include letters were registered before 1973 and do not reference a year.



*Division: 01
Roll: 03902011
File: PRDP20203738
Printed: Feb 2, 2021
Legal: Lot: 2 Block: 1
Page 11 of 15
Page 11 of 15
23-05-W05M*

PLANNING AND DEVELOPMENT SERVICES

TO: Municipal Planning Commission
Development Authority
DIVISION: 1

DATE: February 24, 2021
APPLICATION: PRDP20210163

FILE: 03913022

SUBJECT: Development in a Flood Fringe Area / Discretionary use, with no Variances

APPLICATION: Application is for the construction of an addition to an existing dwelling, single-detached, in a Flood Fringe Area.

GENERAL LOCATION: Located in the hamlet of Bragg Creek.

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

EXECUTIVE SUMMARY: The Applicant is proposing to construct an addition to an existing dwelling, single-detached. The addition is approximately 25.93 sq. m (279.07 sq. ft.) and is located within a Flood Fringe Area.

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

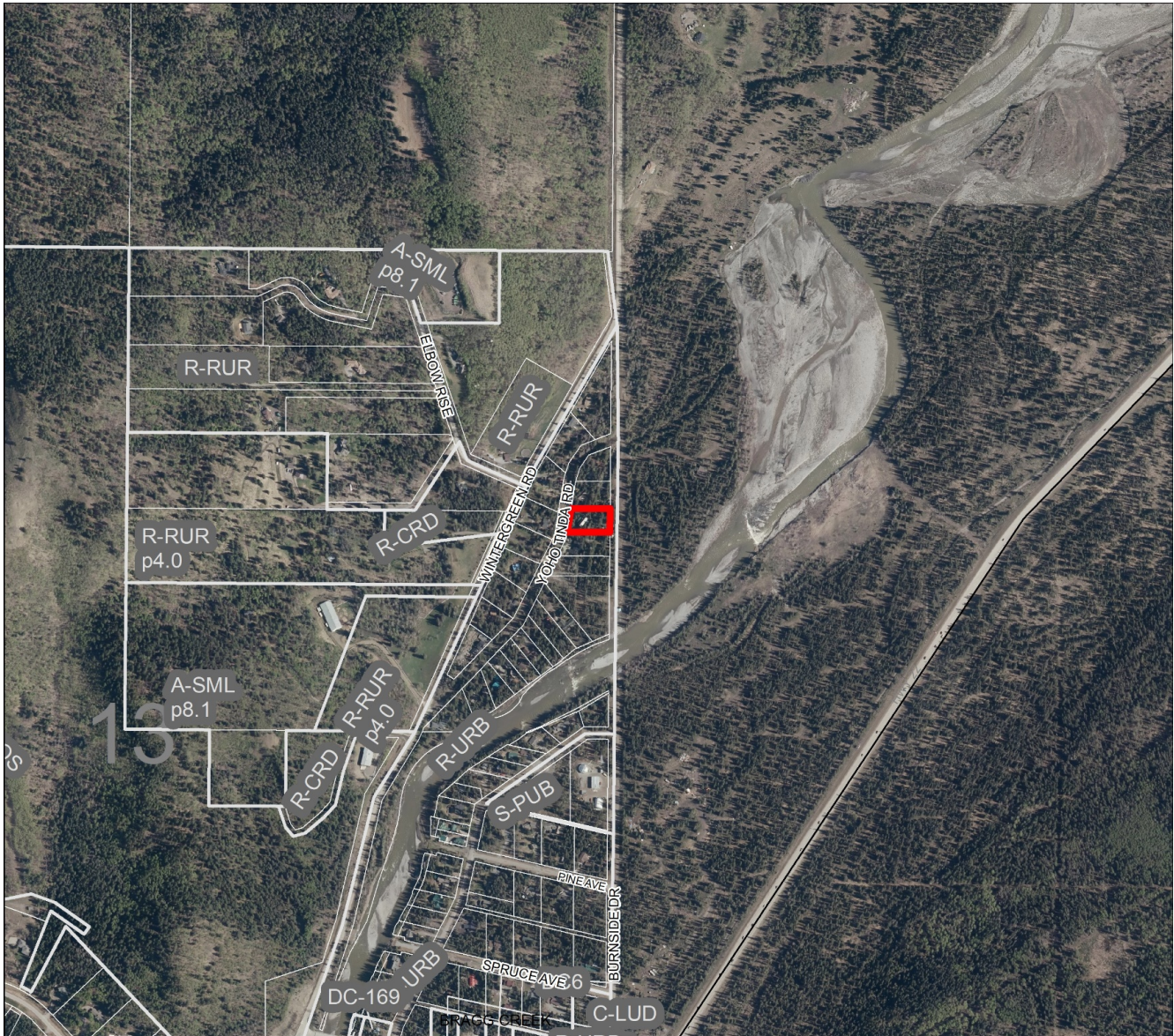
OPTIONS:

- Option #1: THAT Development Permit Application PRDP20210163 be approved with the conditions noted in Attachment 'A'.
- Option #2: THAT Development Permit Application PRDP20210163 be refused for the following reasons:
1. That in the opinion of the Municipal Planning Commission, the development unduly interferes with the amenities of the neighbourhood and materially interferes with and affects the use, enjoyment, and value of neighbouring parcels of land.

Administration Resources

Wayne Van Dijk, Planning and Development

AIR PHOTO & DEVELOPMENT CONTEXT:



APPLICATION EVALUATION:

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

<p>APPLICABLE POLICY AND REGULATIONS:</p> <ul style="list-style-type: none"> • Bragg Creek Area Strucutre Plan • Land Use Bylaw C-8000-2020 	<p>TECHNICAL REPORTS SUBMITTED:</p> <ul style="list-style-type: none"> • None
<p>DISCRETIONARY USE:</p> <p>All development in a Flood Hazard Area is considered Discretionary</p>	<p>DEVELOPMENT VARIANCE AUTHORITY:</p> <ul style="list-style-type: none"> • Municipal Planning Commission



Additional Review Considerations

No additional review considerations.

CONCLUSION:

Subject to the proposed Development Permit conditions, the application is recommended for approval.

Respectfully submitted,

Concurrence,

"Theresa Cochran"

"Al Hoggan"

Executive Director
Community Development Services

Chief Administrative Officer

ATTACHMENTS

ATTACHMENT 'A': Development Permit Report Conditions

ATTACHMENT 'B': Maps and Other Information

WVD/sI

**ATTACHMENT 'A': DEVELOPMENT PERMIT REPORT CONDITIONS****Option #1:**

Approval, subject to the following conditions:

Description:

1. That an addition to the existing dwelling, single-detached, approximately 25.93 sq. m (279.07 sq. ft.), may be constructed on the subject parcel, in general accordance with the submitted application and design drawings.

Prior to Release:

2. That prior to release of this permit, the Applicant/Owner shall submit a Storm Water Memo, prepared by a qualified professional and shall demonstrate the following:
 - i. Minimum building opening elevation;
 - ii. Optimal building envelope location based on flood mapping data; and
 - iii. confirmation that proposed development will not have any negative impacts to drainage and is in accordance with the Bragg Creek Master Drainage Plan and the County Servicing Standards.

Permanent:

3. That any plan, technical submission, agreement, matter, or understanding submitted and approved as part of the application or in response to a Prior to Release condition shall be implemented and adhered to in perpetuity.
4. That any flood proofing measures shall be followed in accordance with the Alberta Building Code, good engineering practice and recommendations stated in the Greater Bragg Creek Area Structure Plan.
5. That no native topsoil shall be removed from the site.
6. That the Applicant/Owners shall be responsible for rectifying any adverse effect on adjacent lands from drainage alteration.
7. That the Applicant/Owner shall ensure that all habitable floor areas are flood-proofed at or above the 1 in 100 flood elevation level inclusive of the 0.5m freeboard. Any construction below the flood level will require flood proofing measures before acceptance by the County.

Note: *The required flood elevation level is 1,299.26 m (as per Alberta Environment and Parks).*

Advisory:

8. 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.
9. That the Applicant/Owner shall adhere to the County's Noise Bylaw (C-5772-2003) at all times.
10. That a Building Permit shall be obtained through Building Services, prior to any construction taking place.
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 Officer.



ROCKY VIEW COUNTY

12. That any other government permits, approvals, or compliances are the sole responsibility of the Applicant/Owner.
13. That if this Development Permit is not issued by **AUGUST 31, 2021** or the approved extension date, then this approval is null and void and the Development Permit shall not be issued.

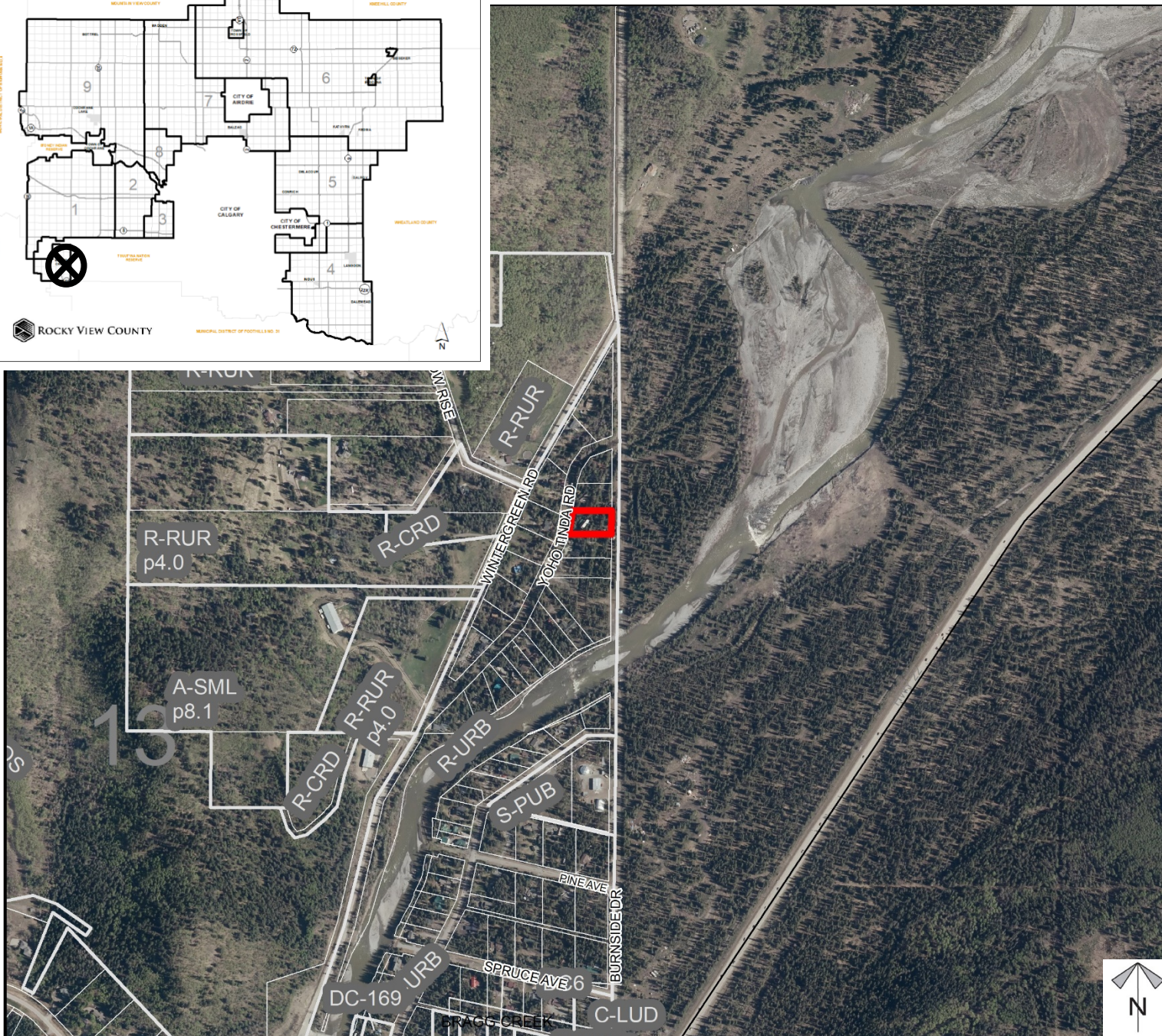
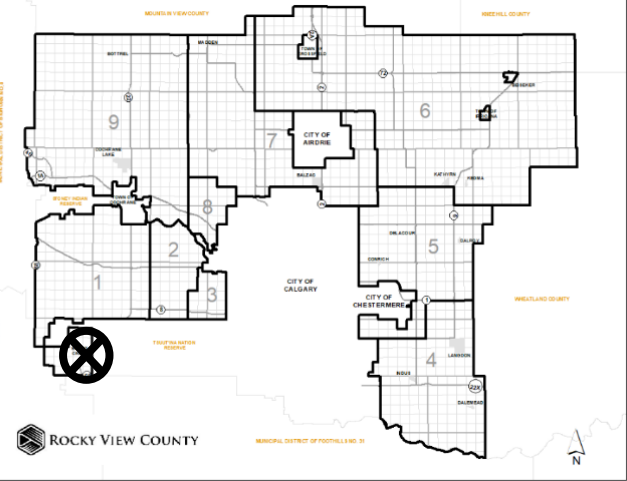
**ATTACHMENT 'B': MAPS AND OTHER INFORMATION**

APPLICANT: Rob Carpenter (Sevin Day Permits)	OWNER: Richard and Pauline Brown
DATE APPLICATION RECEIVED: January 21, 2021	DATE DEEMED COMPLETE: February 11, 2021
GROSS AREA: ± 0.24 hectares (± 0.59 acres)	LEGAL DESCRIPTION: Lot 13, Plan 4135K NE-13-23-05-W05M (56 Yoho Tinda Road)
APPEAL BOARD: Subdivision, Development Appeal Board	
HISTORY: 2009-DP-13453 - construction of a garage, relaxation to the maximum building area.	
PUBLIC & AGENCY SUBMISSIONS: The application was circulated to a number of internal and external agencies and, where appropriate, conditions of approval have been proposed based on these comments.	

Location & Context

Development Proposal

Addition to an existing dwelling, single-detached, in a Flood Fringe Area.

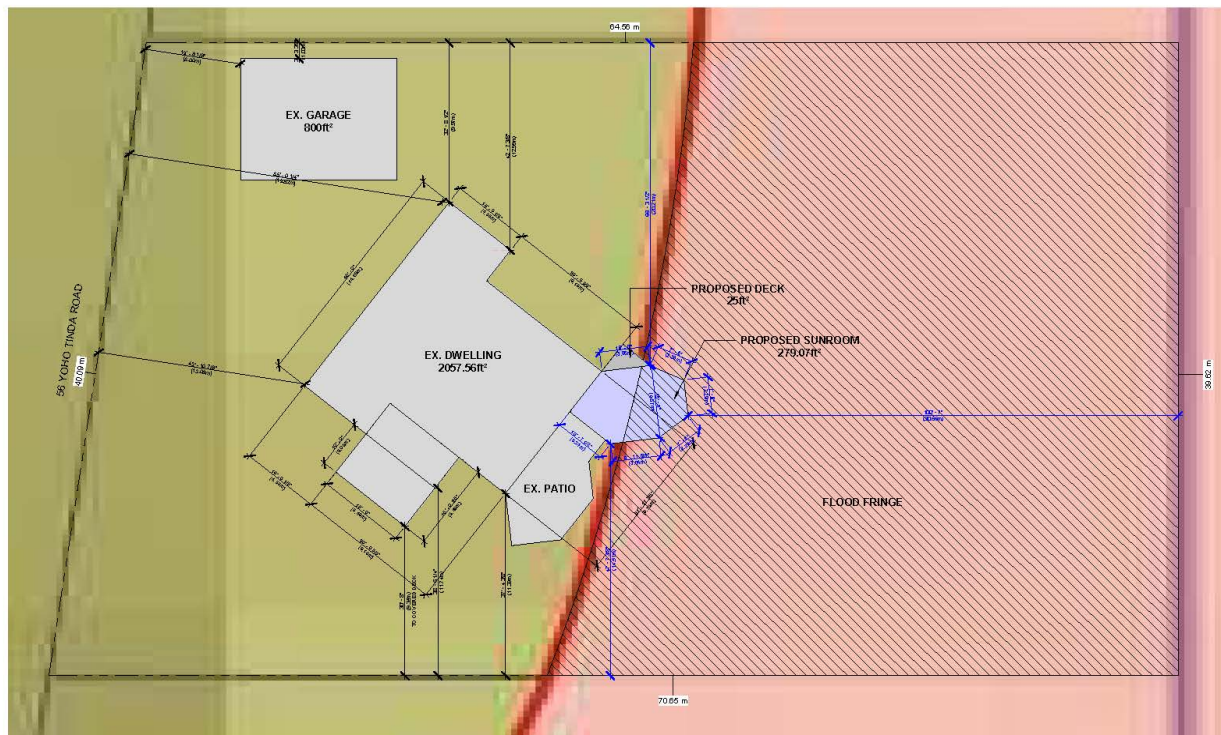


Division: 1
 Roll: 03913022
 File: PRDP20210163
 Printed: Feb 2, 2021
 Legal: Lot: 13 Plan: 4135 JK
 Page 13 of 21

Site Plan

Development Proposal

Addition to an existing dwelling, single-detached, in a Flood Fringe Area.



① Flood Map
 1:150

	SEVEN DAY PERMITS ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE APPROVED SET OF CURRENT MATERIALS, PERFORMANCE AND QUALITY STANDARDS.	ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE APPROVED SET OF CURRENT MATERIALS, PERFORMANCE AND QUALITY STANDARDS.						56 YOHIO TINDA ROAD ROCKY VIEW, MO SUNROOM ADDITION	Flood Map Project: 2020-266 RFC Scale: 1:150 A.1.1
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Note: First two digits of the Plan Number indicate the year of subdivision registration.

Plan numbers that include letters were registered before 1973 and do not reference a year.

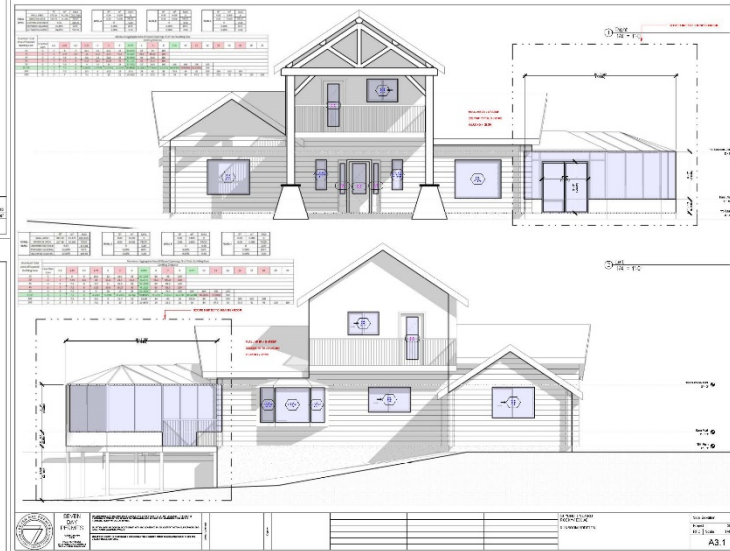
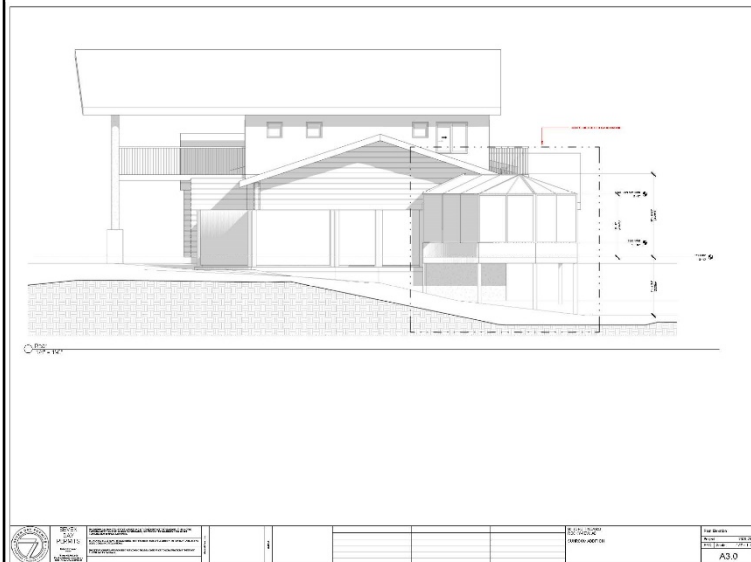
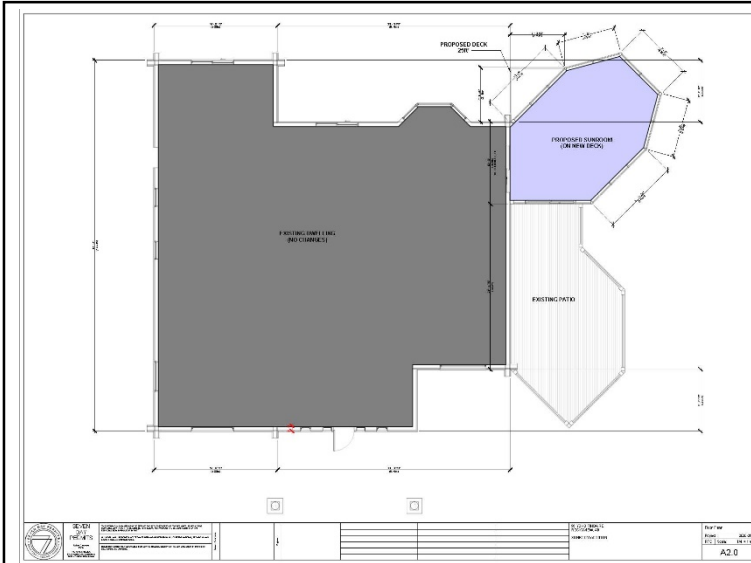


Division: 1
 Roll: 03913022
 File: PRDP20210163
 Printed: Feb 2, 2021
 Legal: Lot:13 Plan:4135 JK
 Page 4 of 11

Site Plan

Development Proposal

Addition to an existing dwelling, single-detached, in a Flood Fringe Area.



Note: First two digits of the Plan Number indicate the year of subdivision registration.

Plan numbers that include letters were registered before 1973 and do not reference a year.

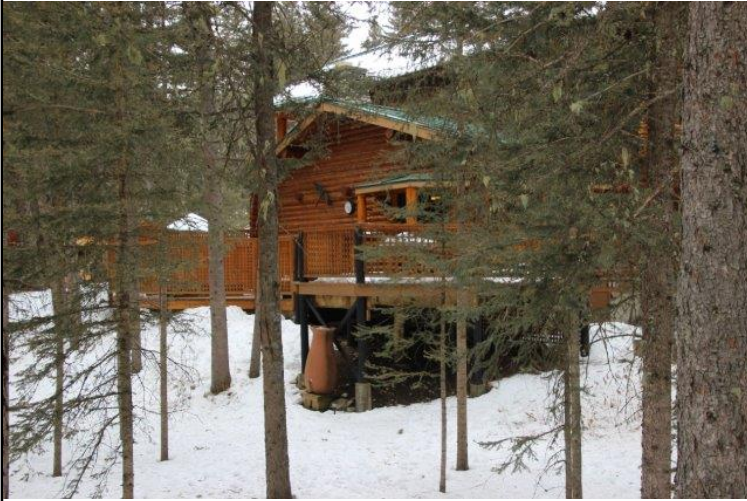


Division: 1
 Roll: 03913022
 File: PRDP20210163
 Printed: Feb 2, 2021
 Legal: Lot:13 Plan:4135 JK
 Page 4 of 11

Site Photos

Development Proposal

Addition to an existing dwelling, single-detached, in a Flood Fringe Area.



Note: First two digits of the Plan Number indicate the year of subdivision registration.

Plan numbers that include letters were registered before 1973 and do not reference a year.



*Division: 1
 Roll: 03913022
 File: PRDP20210163
 Printed: Feb 2, 2021
 Legal: Lot:13 Plan:4135 JK
 Page 4 of 11
 4135 JK 21/5M*

PLANNING AND DEVELOPMENT SERVICES

TO: Municipal Planning Commission
Development Authority
DIVISION: 5

DATE: February 24, 2021
APPLICATION: PRDP20204140

FILE: 05333025

SUBJECT: Accessory Dwelling Unit / Discretionary Use, with no Variances

APPLICATION: Application is for the construction of an addition to an existing dwelling, single detached (garage) including an accessory dwelling unit.

GENERAL LOCATION: Located approximately 0.20 km (1/8 mile) south of Twp. Rd. 260 and 0.40 km (1/4 mile) west of Rge. Rd. 283.

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

EXECUTIVE SUMMARY: The Applicant is proposing to construct an addition (attached garage) approximately 94.34 sq. m (1,015.48 sq. ft.) with an accessory dwelling unit above, approximately 94.34 sq. m (1,015.48 sq. ft.), in gross floor area. The proposed total height of the addition is approximately 7.18 m (23.59 ft.).

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

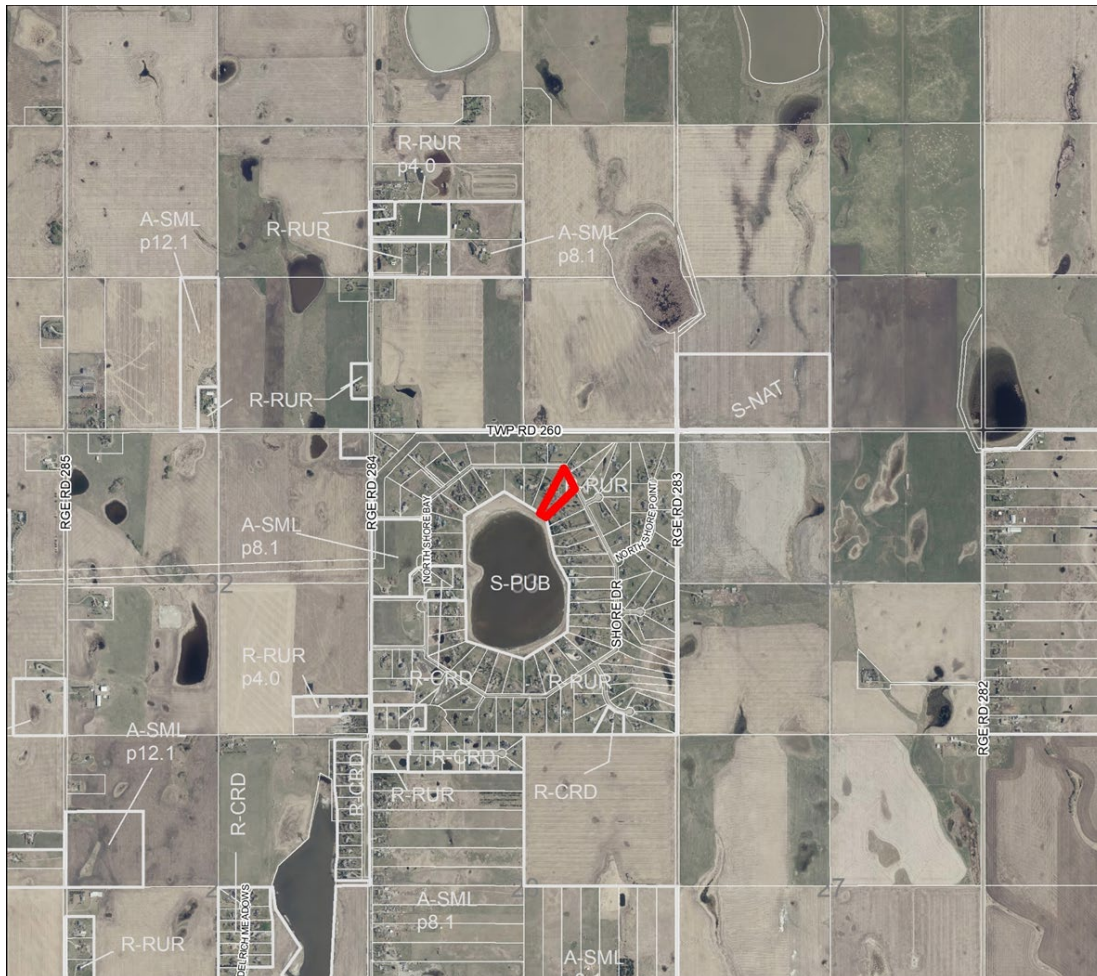
OPTIONS:

- Option #1: THAT Development Permit Application PRDP20204140 be approved with the conditions noted in Attachment 'A'.
- Option #2: THAT Development Permit Application PRDP20204140 be refused for the following reasons:
1. That in the opinion of the Municipal Planning Commission, the development unduly interferes with the amenities of the neighbourhood and materially interferes with and affects the use, enjoyment, and value of neighbouring parcels of land.

Administration Resources

Wayne Van Dijk, Planning and Development

AIR PHOTO & DEVELOPMENT CONTEXT:



APPLICATION EVALUATION:

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

APPLICABLE POLICY AND REGULATIONS: <ul style="list-style-type: none"> Land Use Bylaw C-8000-2020 	TECHNICAL REPORTS SUBMITTED: <ul style="list-style-type: none"> None
PERMITTED and DISCRETIONARY USE: Accessory Dwelling Unit is listed as a Discretionary Use.	DEVELOPMENT VARIANCE AUTHORITY: <ul style="list-style-type: none"> Municipal Planning Commission

Additional Review Considerations

No additional review considerations.



CONCLUSION:

Subject to the proposed Development Permit conditions, the application is recommended for approval.

Respectfully submitted,

Concurrence,

"Theresa Cochran"

"Al Hoggan"

Executive Director
Community Development Services

Chief Administrative Officer

WVD/sI

ATTACHMENTS

ATTACHMENT 'A': Development Permit Report Conditions

ATTACHMENT 'B': Maps and Other Information



ATTACHMENT 'A': DEVELOPMENT PERMIT REPORT CONDITIONS

Option #1:

Approval, subject to the following conditions:

Description:

- 1) That an addition to the existing dwelling, single detached, including an Accessory Dwelling Unit, approximately 94.34 sq. m (1,015.48 sq. ft.) in gross floor area, may be constructed on the subject parcel, in general accordance with the submitted application and design drawings, prepared by Signature Drafting and design Ltd. Dated September 09, 2020.

Prior to Release:

- 2) That prior to release 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 there shall be a minimum of one (1) parking stall maintained on-site at all times dedicated to the Accessory Dwelling Unit.
- 4) That there shall be a distinct municipal address created for each dwelling unit (the dwelling, single detached and the Accessory Dwelling Unit) located on the subject site, to facilitate accurate emergency response.
- 5) That there shall be adequate water servicing provided for the Accessory Dwelling Unit.
- 6) That there shall be adequate sanitary sewer servicing provided for the Accessory Dwelling Unit.
- 7) That the exterior siding and roofing materials of the addition shall be similar to the existing dwelling, single-detached and/or area.

Advisory:

- 8) 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.
- 9) That the Applicant/Owner shall adhere to the County's Noise Bylaw (C-5772-2003) at all times.
- 10) That Building Permit(s) shall be obtained through Building Services, prior to any construction taking place.
- 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 Officer.
- 12) That any other government permits, approvals, or compliances are the sole responsibility of the Applicant/Owner.
- 13) That if this Development Permit is not issued by **August 31, 2021** or the approved extension date, then this approval is null and void and the Development Permit shall not be issued.

**ATTACHMENT 'B': MAPS AND OTHER INFORMATION**

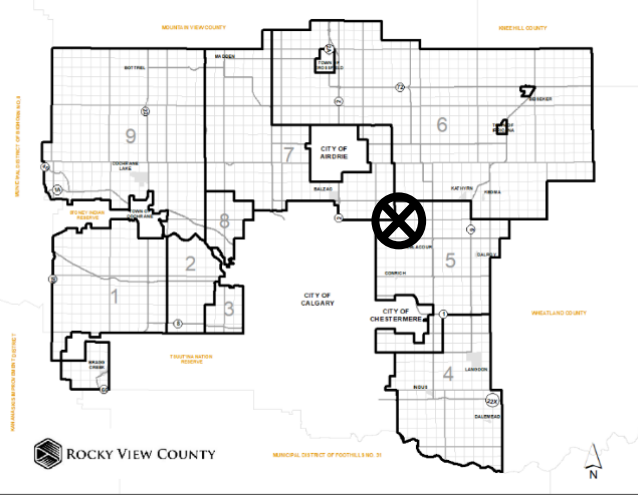
APPLICANT: Colin Hume (Signature Drafting and Design Ltd.)	OWNER: Grenn and Jodie Holden
DATE APPLICATION RECEIVED: December 15, 2020	DATE DEEMED COMPLETE: January 11, 2021
GROSS AREA: ± 1.81 hectares (± 4.46 acres)	LEGAL DESCRIPTION: Lot 19, Plan 731657 NE-33-25-28-W04M (407 Shore Drive)
APPEAL BOARD: Subdivision, Development Appeal Board	
HISTORY: <i>Building Permits:</i> <ul style="list-style-type: none">- 2011-BP-24177 (shed); PSR Not in Compliance January 10, 2017 <i>Assessment History:</i> <ul style="list-style-type: none">- Dwelling, Single Detached with attached Garage 1973- Detached Accessory Building 2011	
PUBLIC & AGENCY SUBMISSIONS: The application was circulated to a number of internal and external agencies and, where appropriate, conditions of approval have been proposed based on these comments.	

Location & Context

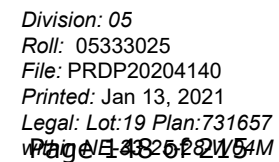
Development Proposal

Construction of an
accessory dwelling unit

Division: 05
 Roll: 05333025
 File: PRDP20204140
 Printed: Jan 13, 2021
 Legal: Lot:19 Plan:731657
 Page 4 of 13
 1/13/2021 2:54M



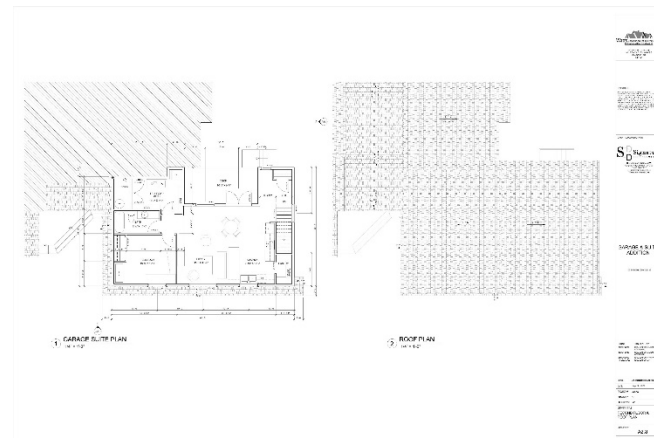
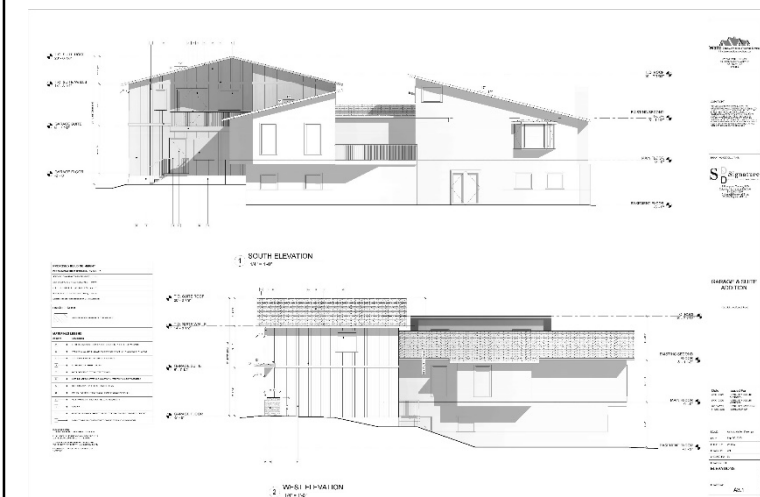
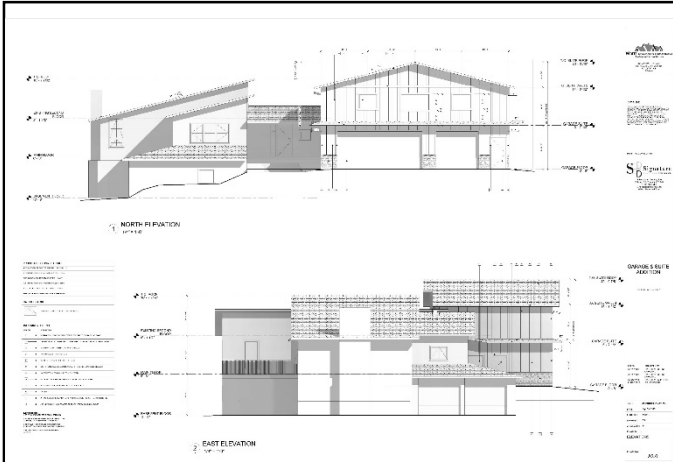
Construction of an
accessory dwelling unit



Building Plan

Development Proposal

Construction of an
 accessory dwelling unit



Note: First two digits of the Plan Number indicate the year of subdivision registration.

Plan numbers that include letters were registered before 1973 and do not reference a year.



Division: 05
 Roll: 05333025
 File: PRDP20204140
 Printed: Jan 13, 2021
 Legal: Lot:19 Plan:731657
 Page 4 of 10
 1/13/21 2:15 PM



Colin Hume

Owner
18 Evergreen Terrace SW
Calgary, AB T2Y 2V8
403-660-7257
c.hume@signaturedd.ca

County of Rocky View

Senior Planning Officer
Development Services
403-230-1401
development@rockyview.ca

December 11, 2020

Dear County of Rocky View,

Please find attached the development permit drawings and required information for the address: 407 Shore Dr. Delacour, AB.

1. Development permit architectural drawings including colour images.
2. New Survey drawing with relevant information included on the architectural site plan.
3. All documents requested by the County of Rocky View.
4. Variance rational below

The land use designation for the property is R/RUL – Residential, Rural. We are proposing an attached addition of a secondary suite over a 3-car garage. The suite is to have its own entrance from the outside as well as separate parking space outside which is located on the site plan. The 3-car garage is to be the primary parking for the existing residence.

We are asking for a variance to the height of the building. The max allowable is 7m. and our average building height is 7.189m due to the fact that the existing house has a walk out basement. We are under the 7m at the front of the addition but because of the slope towards the rear of the addition, the building height is 7.556m at the rear. We are proposing to build up the grade slightly at the rear of the addition to compensate but if we build it up too much, the slope becomes much too steep and we would prefer to keep it under 12%. If we lower the building any further, we would lose our positive drainage at the front which is unacceptable. Due to the large distance from the neighboring properties, we hope that this solution will be acceptable to the County of Rocky View.

We ask that Rocky View County provide the updated title for the property and we are aware of the charge for this service.

The contractor, Watts Renovations & Custom Homes will be providing the development permit fee.

Please contact him at 403-998-4240 for payment.

Please also include the contractor in all communications via their email: sylvain@wattsrenovations.ca

Sincerely,

Colin Hume (Owner) Signature Drafting & Design Ltd.



Note: First two digits of the Plan Number indicate the year of subdivision registration.

Plan numbers that include letters were registered before 1973 and do not reference a year.

Cover Letter

Development Proposal

Construction of an
accessory dwelling unit

Division: 05
Roll: 05333025
File: PRDP20204140
Printed: Jan 13, 2021
Legal: Lot:19 Plan:731657
Page 4 of 5
Printed: 1/13/2021 1:54M



Site Photos

(Jan. 25, 2021
 Inspection)

Development Proposal

Construction of an
 accessory dwelling unit



Note: First two digits of the Plan Number indicate the year of subdivision registration.

Plan numbers that include letters were registered before 1973 and do not reference a year.



*Division: 05
 Roll: 05333025
 File: PRDP20204140
 Printed: Jan 13, 2021
 Legal: Lot:19 Plan:731657
 Page 4 of 51
 1/15/21 10:21 AM*

PLANNING AND DEVELOPMENT SERVICES

TO: Municipal Planning Commission
Development Authority
DIVISION: 7

DATE: February 24, 2021
APPLICATION: PRDP20210215

FILE: 08609003

SUBJECT: Dwelling, Manufactured / Discretionary use, with no Variances

APPLICATION: Application is for the construction/placement of a dwelling, manufactured on the parcel.

GENERAL LOCATION: located at the southeast junction of Twp. Rd. 282 and Rge. Rd. 24.

LAND USE DESIGNATION: Agriculture, General District (A-GEN).

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

EXECUTIVE SUMMARY: The Applicant is proposing to construct/place a dwelling manufactured on the parcel. The dwelling was manufactured in 2008 and is approximately 133.78 sq. m (1,440.00 sq. ft.) in size. The Applicant's daughter and granddaughter will be residing in the dwelling, manufactured.

OPTIONS:

- Option #1: THAT Development Permit Application PRDP 20210215 be approved with the conditions noted in Attachment 'A'.
- Option #2: THAT Development Permit Application PRDP20210215 be refused for the following reasons:
1. That in the opinion of the Municipal Planning Commission, the development unduly interferes with the amenities of the neighbourhood and materially interferes with and affects the use, enjoyment, and value of neighbouring parcels of land.

Administration Resources

Wayne Van Dijk, Planning and Development

AIR PHOTO & DEVELOPMENT CONTEXT:



APPLICATION EVALUATION:

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

APPLICABLE POLICY AND REGULATIONS: <ul style="list-style-type: none"> • <i>Municipal Government Act</i> • Land Use Bylaw C-8000-2020 	TECHNICAL REPORTS SUBMITTED: <ul style="list-style-type: none"> • None
DISCRETIONARY USE: <ul style="list-style-type: none"> • Dwelling, Manufactured 	DEVELOPMENT VARIANCE AUTHORITY: <ul style="list-style-type: none"> • Municipal Planning Commission



ROCKY VIEW COUNTY

Additional Review Considerations

No additional considerations.

CONCLUSION:

Subject to the proposed Development Permit conditions, the application is recommended for approval.

Respectfully submitted,

Concurrence,

“Theresa Cochran”

“Al Hoggan”

Executive Director
Community Development Services

Chief Administrative Officer

WVD/si

ATTACHMENTS:

ATTACHMENT ‘A’: Development Permit Report Conditions

ATTACHMENT ‘B’: Maps and Other Information

ATTACHMENT 'A': DEVELOPMENT PERMIT REPORT CONDITIONS

Option #1:

Approval subject to the following conditions:

Description:

1. That the dwelling, manufactured may be placed on the subject parcel, in general accordance with the approved site plan.

Prior to Release:

2. That Prior to Release 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 the dwelling, manufactured shall not be used for commercial or vacation rental purposes at any time, unless approved by a Development Permit.
4. That it is the Applicant/Owner's responsibility to obtain and display a distinct municipal address in accordance with the County Municipal Addressing Bylaw (Bylaw C-7562-2016), for each dwelling unit located on the subject site, to facilitate accurate emergency response.

Advisory:

5. That any other government permits, approvals, or compliances are the sole responsibility of the Applicant/Owner.
6. That if this Development Permit is not issued by **August 31, 2021** or the approved extension date, then this approval is null and void and the Development Permit shall not be issued.

ATTACHMENT 'B': MAPS AND OTHER INFORMATION

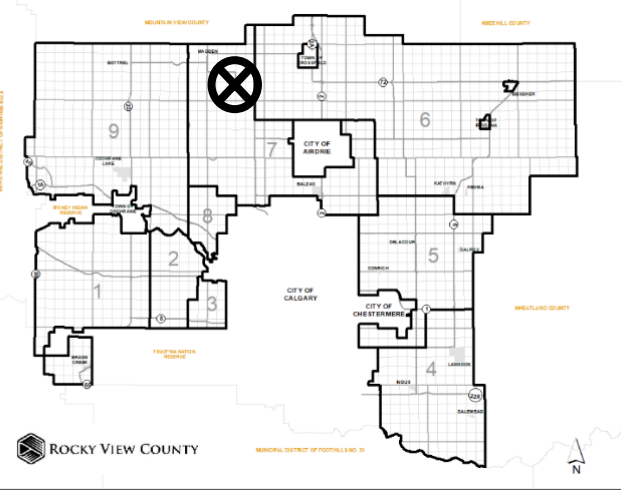
APPLICANT: Roderick and Tammy Craig	OWNER: Roderick and Tammy Craig
DATE APPLICATION RECEIVED: January 14, 2021	DATE DEEMED COMPLETE: January 20, 2021
GROSS AREA: ± 64.51 hectares (± 159.42 acres)	LEGAL DESCRIPTION: NW-09-28-02-W05M (281244 Rge. Rd. 24)
APPEAL BOARD: Subdivision, Development Appeal Board	
HISTORY: No previous Development Permits	
PUBLIC & AGENCY SUBMISSIONS: The application was circulated to a number of internal and external agencies and, where appropriate, conditions of approval have been proposed based on these comments.	



Location & Context

Development Proposal

Dwelling, Manufactured



Division: 07
 Roll: 08609003
 File: PRDP20210215
 Printed: Jan 20, 2021
 Legal: A portion of NW-09-
 2004 of 215

Site Plan

Development Proposal

Dwelling, Manufactured

NW 1/4 9 28 2 W5



Note: First two digits of the Plan Number indicate the year of subdivision registration.

Plan numbers that include letters were registered before 1973 and do not reference a year.

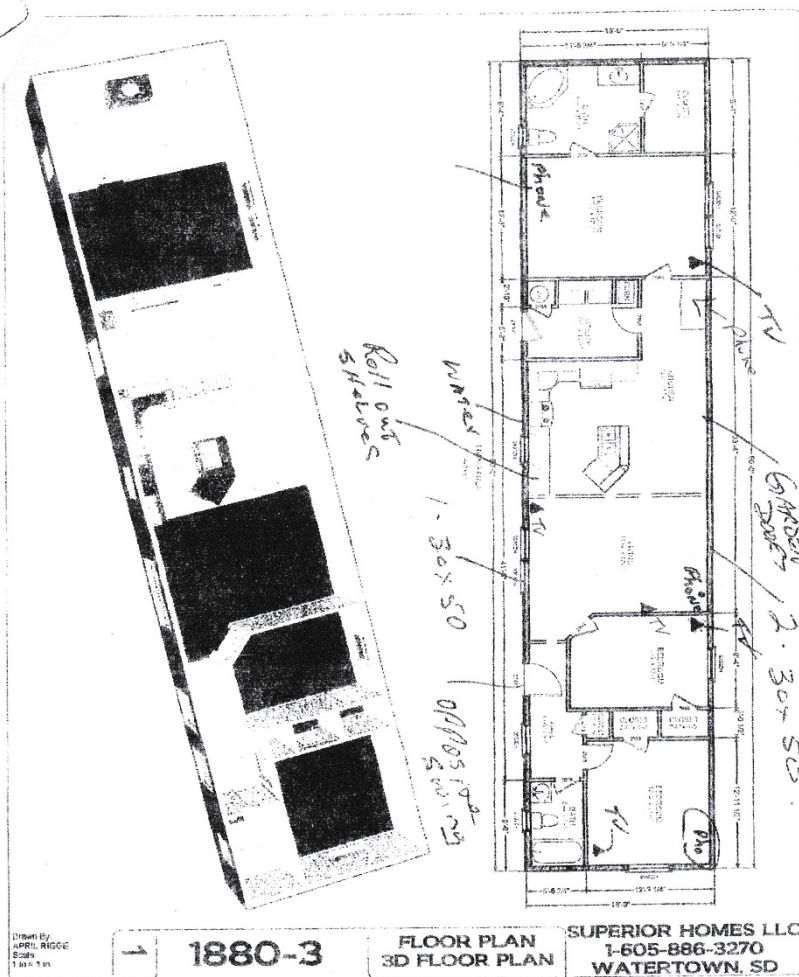


Division: 07
 Roll: 08609003
 File: PRDP20210215
 Printed: Jan 20, 2021
 Legal: A portion of NW-09-28-2-W5
 Page 158 of 215

Site Plan

Development Proposal

Dwelling, Manufactured



Note: First two digits of the Plan Number indicate the year of subdivision registration.

Plan numbers that include letters were registered before 1973 and do not reference a year.



Division: 07
 Roll: 08609003
 File: PRDP20210215
 Printed: Jan 20, 2021
 Legal: A portion of NW-09-2021-150
 Page 150 of 215

Site Photos

(January 25, 2021
Inspection)

Development Proposal

Dwelling, Manufactured



Note: First two digits of the Plan Number indicate the year of subdivision registration.

Plan numbers that include letters were registered before 1973 and do not reference a year.



Division: 07
Roll: 08609003
File: PRDP20210215
Printed: Jan 20, 2021
Legal: A portion of NW-09-2004-130
Page 130 of 215

PLANNING AND DEVELOPMENT SERVICES

TO:	Municipal Planning Commission Development Authority	DIVISION: 1
DATE:	February 24, 2021	APPLICATION: PRDP20204166
FILE:	04802017	
SUBJECT:	Stripping, Grading, Excavation and Fill for driveway/approach / Discretionary use	

APPLICATION: Application is for stripping and grading for the construction of a driveway/approach.

GENERAL LOCATION: Located approximately 0.20 km (1/8 mile) west of Rge. Rd. 41 and 1.21 km (1 1/8 mile) south of Hwy 8.

LAND USE DESIGNATION: Agriculture, Small Parcel District (A-SML).

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

EXECUTIVE SUMMARY: The Applicant is proposing stripping and grading for the construction of a new driveway/approach to a new accessory building. The driveway will be approximately 114.02 m (374.08 ft.) in length, 4.87 m (15.98 ft.) wide and 0.30 m (1 ft.) in depth. The applicant is also proposing to construct a gravel parking pad that is approximately 383.98 sq. m (4,133.13 sq. ft.). The proposed accessory building (shop) is approximately 459.87 sq. m (4,950 sq. ft.) and is a permitted use in Agriculture, Small Parcel District (A-SML).

OPTIONS:

- Option #1: THAT Development Permit Application PRDP20204166 be approved with the conditions noted in Attachment 'A'.
- Option #2: THAT Development Permit Application PRDP20204166 be refused for the following reasons:
1. That in the opinion of the Municipal Planning Commission, the development unduly interferes with the amenities of the neighbourhood and materially interferes with and affects the use, enjoyment, and value of neighbouring parcels of land.

Administration Resources

Wayne Van Dijk, Planning and Development



AIR PHOTO & DEVELOPMENT CONTEXT:



APPLICATION EVALUATION:

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

APPLICABLE POLICY AND REGULATIONS: <ul style="list-style-type: none">• <i>Municipal Government Act</i>• Land Use Bylaw C-8000-2020	TECHNICAL REPORTS SUBMITTED: <ul style="list-style-type: none">• None
DISCRETIONARY USE: <ul style="list-style-type: none">• Stripping, Grading, Excavation and Fill	DEVELOPMENT VARIANCE AUTHORITY: <ul style="list-style-type: none">• Municipal Planning Commission



Additional Review Considerations

No additional considerations.

CONCLUSION:

Subject to the proposed Development Permit conditions, the application is recommended for approval.

Respectfully submitted,

Concurrence,

“Theresa Cochran”

“Al Hoggan”

Executive Director
Community Development Services

Chief Administrative Officer

WV/sl

ATTACHMENTS:

ATTACHMENT ‘A’: Development Permit Conditions

ATTACHMENT ‘B’: Maps and Other Information

ATTACHMENT 'A': DEVELOPMENT PERMIT CONDITIONS

Option #1:

Approval subject to the following conditions:

Description:

1. That construction of a new access/driveway may commence on the subject land, in general accordance with the drawings submitted with application.

Prior to Release:

2. That prior to release of this permit, the Applicant/Owner shall contact County Road Operations to determine requirement for any permit and/or Road Use Agreement is required for/during the construction of the proposed development.

Permanent:

3. 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 Release or Occupancy condition, shall be implemented and adhered to in perpetuity.

Advisory:

4. 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.
5. That during construction of the accessory building, the Applicant/Owner shall adhere to the County's Noise Bylaw (C-5772-2003) at all times.
6. That a Building Permit for the accessory buildings shall be obtained through Building Services, prior to any construction taking place.
7. 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.
8. That any other government permits, approvals, or compliances are the sole responsibility of the Applicant/Owner.

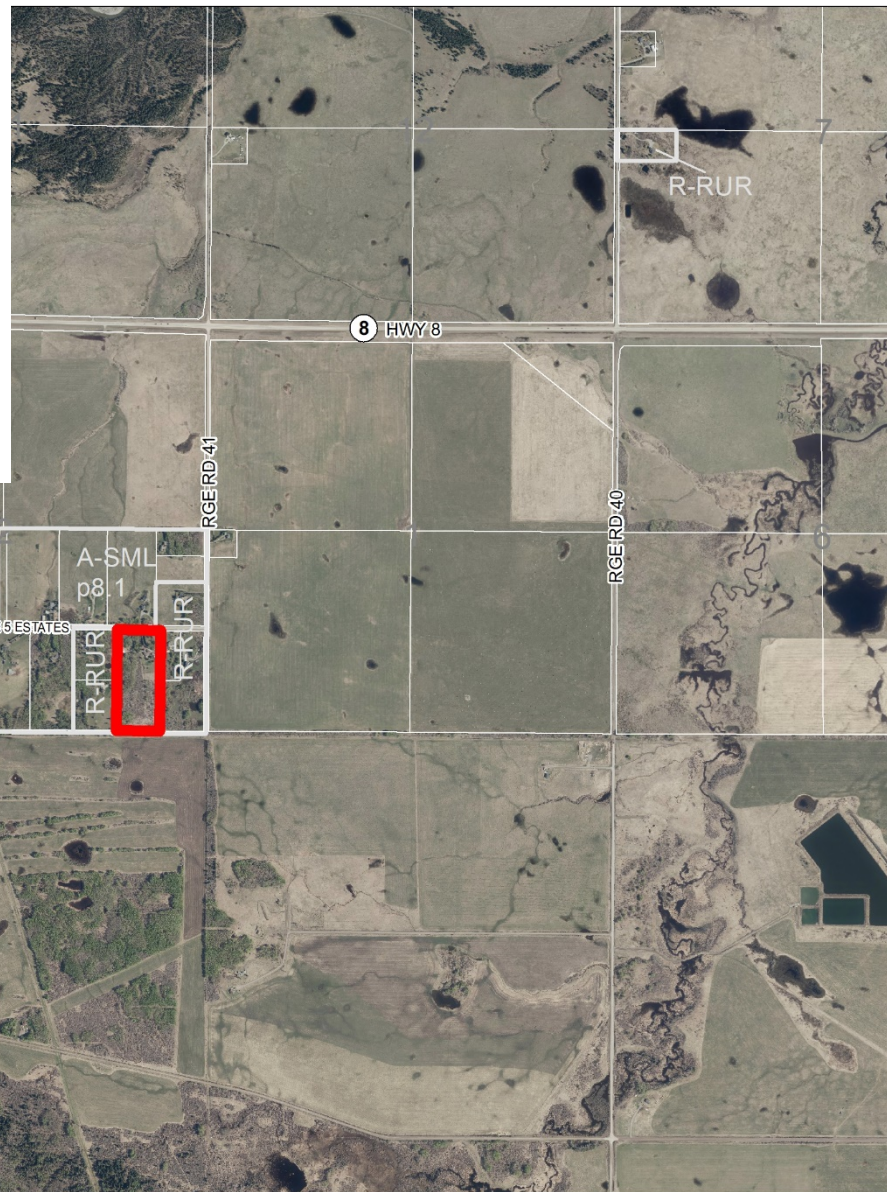
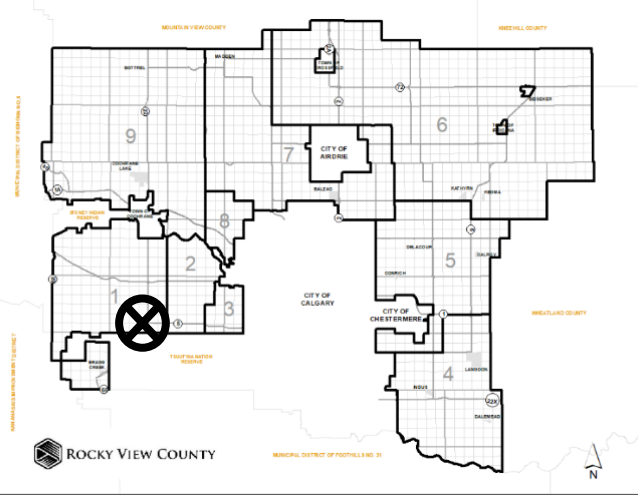
ATTACHMENT 'B': MAPS AND OTHER INFORMATION

APPLICANT: Bruce Summers	OWNER: Christine and Brett Taylor
DATE APPLICATION RECEIVED: December 18, 2020	DATE DEEMED COMPLETE: January 20, 2021
GROSS AREA: ± 6.99 hectares (± 17.27 acres)	LEGAL DESCRIPTION: Lot 8, Block B, Plan 7510238, SE-02-24-04-W05M (41039 Circle 5 Estates)
APPEAL BOARD: Subdivision, Development Appeal Board	
HISTORY: No previous Development Permits	
PUBLIC & AGENCY SUBMISSIONS: The application was circulated to a number of internal and external agencies and, where appropriate, conditions of approval have been proposed based on these comments.	

Location & Context

Development Proposal

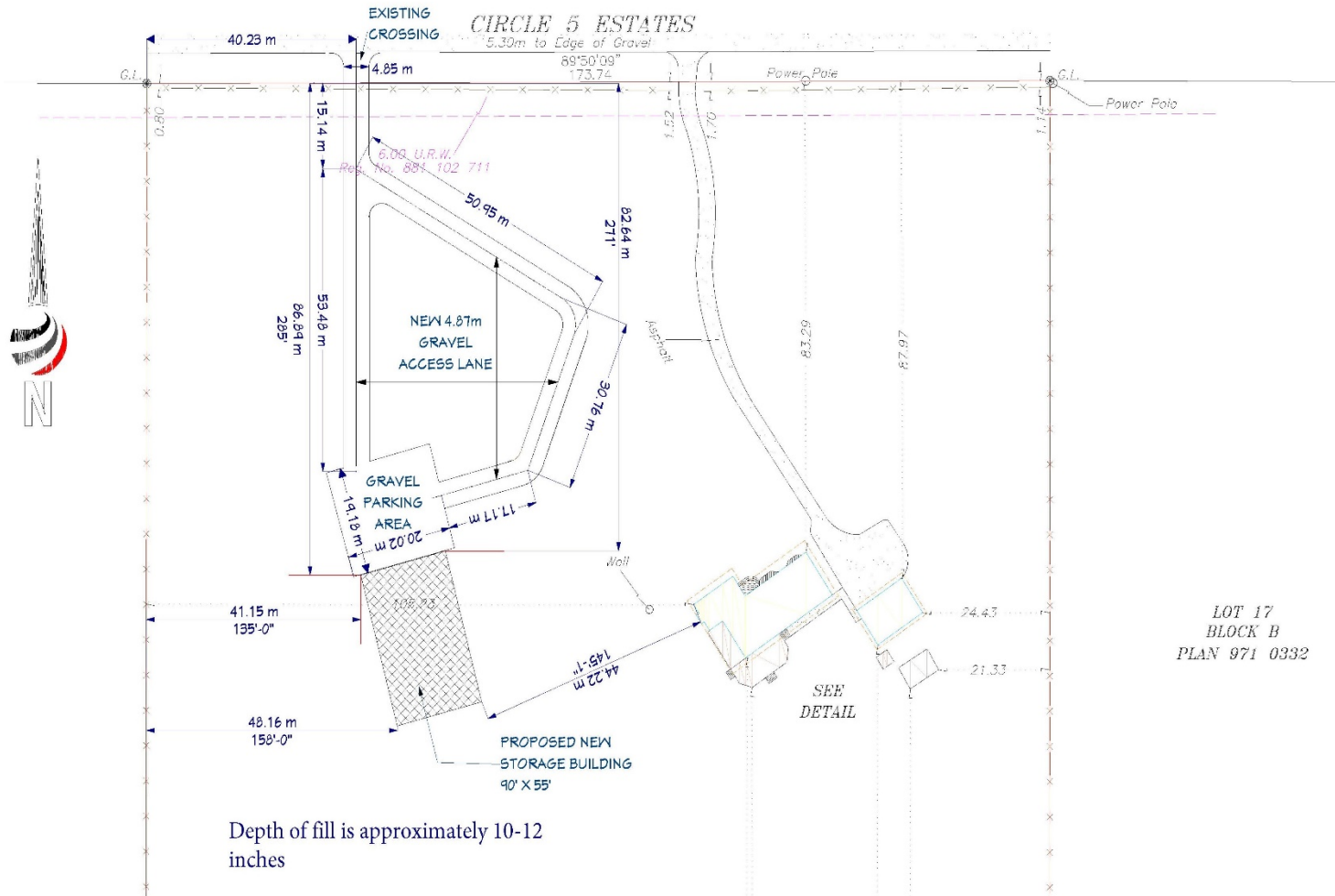
Stripping and /grading
for a driveway/approach



Site Plan

Development Proposal

Stripping and /grading
for a driveway/approach



Depth of fill is approximately 10-12 inches

Note: First two digits of the Plan Number indicate the year of subdivision registration.

Plan numbers that include letters were registered before 1973 and do not reference a year.

Division: 01
Roll: 04802017
File: PRDP20204166
Printed: Jan 13, 2021
Legal: Lot:8 Block: B
Plan:7510238 within SE-02-
Page 167 of 215



Inspection Photos

(January 25, 2021
Inspection)

Development Proposal

Stripping and /grading
for a driveway/approach



Note: First two digits of the Plan Number indicate the year of subdivision registration.

Plan numbers that include letters were registered before 1973 and do not reference a year.



Division: 01
Roll: 04802017
File: PRDP20204166
Printed: Jan 13, 2021
Legal: Lot:8 Block: B
Plan: 7510238 within SE-02-
Page 168 of 215

PLANNING AND DEVELOPMENT SERVICES

TO:	Municipal Planning Commission Development Authority	
DATE:	February 24, 2021	DIVISION: 2
FILE:	04721005	APPLICATION: PRDP20203762
SUBJECT:	Development Permit: Riding Arena / Discretionary Use, with no Variances	

APPLICATION: Riding Arena (existing building).

GENERAL LOCATION: Located approximately 0.41 km (1/4 mile) west of Rge. Rd. 33 and on the south side of Springbank Road.

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

EXECUTIVE SUMMARY: This proposal is for the operation of a Riding Arena, within an existing building. The subject property operates Park Stables, which includes the private training, exercising and boarding of horses. No teaching lessons, horse shows or events are held onsite.

Manure is predominately composted onsite and used as fertilizer year round or harrowed. Occasionally, manure is hauled offsite to local garden sites. The site is divided into pastures for year round grazing. Waterers, bales and infeeders with nets are also available onsite.

The site averages 20 to 30 horses year-round and up to 40 horses from May to October. Currently, there are 20 horses onsite. A second application, PRDP20203966 is related to the permitted number of animal units onsite.

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

OPTIONS:

- Option #1: THAT Development Permit No. PRDP20203762 be approved with the conditions noted in Attachment 'A'.
- Option #2: THAT Development Permit No. PRDP20203762 be refused noted below
1. That in the opinion of the Municipal Planning Commission, the development unduly interferes with the amenities of the neighbourhood and materially interferes with and affects the use, enjoyment, and value of neighbouring parcels of land.



AIR PHOTO & DEVELOPMENT CONTEXT:



APPLICATION EVALUATION:

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

APPLICABLE POLICY AND REGULATIONS:

- *Municipal Government Act;*
- Subdivision and Development Regulations;
- Municipal Development Plan;
- Central Springbank Area Structure Plan;
- Land Use Bylaw C-8000-2020;
- County Servicing Standards.

TECHNICAL REPORTS SUBMITTED:

- Manure Management Plan
- Pasture & Grazing Plan

Administration Resources

Jacqueline Targett, Planning & Development Services



DISCRETIONARY USE: <ul style="list-style-type: none">Riding Arena	DEVELOPMENT VARIANCE AUTHORITY: <ul style="list-style-type: none">Subdivision and Development Appeal Board
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Additional Review Considerations

This application is to bring the Arena operations into compliance with the Land Use Bylaw. An equine operation has been operating on-site from the 1980s and over time has grown out of compliance with the original Development Permit approval and bylaw regulations. The site is developed with a dwelling, single detached and multiple accessory buildings including a garage, barn, arena building, and horse shelters, which appear complaint with district regulations. No site or structural changes are being proposed with the application. There are no technical considerations that warranted additional discussion or conditioning.

CONCLUSION:

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

Respectfully submitted,

Concurrence,

“Theresa Cochran”

“Al Hoggan”

Executive Director
Community Development Services

Chief Administrative Officer

JT/sl

ATTACHMENTS:

ATTACHMENT ‘A’: Development Permit Report Conditions
ATTACHMENT ‘B’: Maps & Other Information

Administration Resources

Jacqueline Targett, Planning & Development Services

ATTACHMENT 'A': DEVELOPMENT PERMIT REPORT CONDITIONS

Option #1:

Approval, subject to the following conditions:

Description:

1. That a Riding Arena and signage may take place on the subject site in accordance with the submitted site plan and details with the application.

Permanent:

2. That any plan, technical submission, agreement, or other matter submitted and approved as part of the Development Permit application or submitted, shall be implemented and adhered to in perpetuity including the pasture and grazing management plan.
3. That the Livestock animals units kept onsite shall be in accordance with the County's Land Use Bylaw Animal Units by Parcel Size Table, unless otherwise permitted through an active Development Permit.
4. That the Riding Arena shall not have any viewing areas or seating/bleacher areas.
5. That the Owner/Occupant may board horses and the boarders may ride their horses in the riding area.
6. That this approval does not allow an Equestrian Centre on the parcel at any time.
7. That all manure shall be collected and disposed of on a continual basis, in accordance with the submitted manure management plan.
 - i. That if there is a deemed excessive build-up of manure, that manure shall be removed immediately.
8. That no liquid waste/water or solid waste from the operation shall be disposed of in any river, stream, canal or slough.
9. That there shall be no spreading or placement of manure within 30m of a common body of water (e.g. irrigation canal, stream, creek, etc.) or 30m of water well, the application of manure should comply with Alberta's Agricultural Operation Practices Act, Standards and Administration Regulation (AR267/2001).
10. That no groundwater or surface water sources shall become polluted due to livestock operations on the subject lands and ensure the potable water source is adequately protected from any run-off, nuisance or contaminants that have the potential to adversely impact human health.
11. That the Riding Arena shall only be used by the Owners/Occupants and non-paying guests of the parcel.
12. That this Riding Arena approval shall not allow an instructor who is hired to show an audience how to train horses where the audience has paid a fee to attend and the audience views the training from the sidelines or stands.

Administration Resources

Jacqueline Targett, Planning & Development Services



13. That the private riding arena shall only be used for the training, exercising and boarding of horses. It shall not be used for horse shows, rodeos, teaching sessions or similar events to which there is a fee to participate in or to use or attend the facilities.
14. That the Owner/Occupant may have an instructor come to the arena to instruct the owner, boarders or non-paying guests in horsemanship and riding skills where the horse and rider are participating in the training.
15. That the Owner/Occupant shall not charge spectators a fee for entry to the facility or for people to participate in an event in the Arena.
16. That the Riding Arena shall not be rented out to persons or groups that are not Owners or residents of the site.
17. That the onsite parking areas shall be available at all times. All parking of vehicles, including trailers and participant/spectator parking, shall be limited to the parking areas. At no time shall there be parking on the County's Road Right of Way.
18. That all outdoor building or site lighting shall use full cut-off (shielded) fixtures that direct the light downward, and that no direct glare shall be visible from adjacent properties, roadways, and highways. All lighting shall be dark-sky compliant in accordance with the County's Dark-Sky principles.
19. That any garbage and waste material on site shall be stored in weatherproof and animal-proof containers located within buildings or adjacent to the side or rear of buildings. The containers shall be screened from view from all adjacent properties and public thoroughfares.
20. That the subject property shall be adequately fenced and maintained at all times when livestock are present. No livestock shall be allowed on unfenced areas.

Advisory:

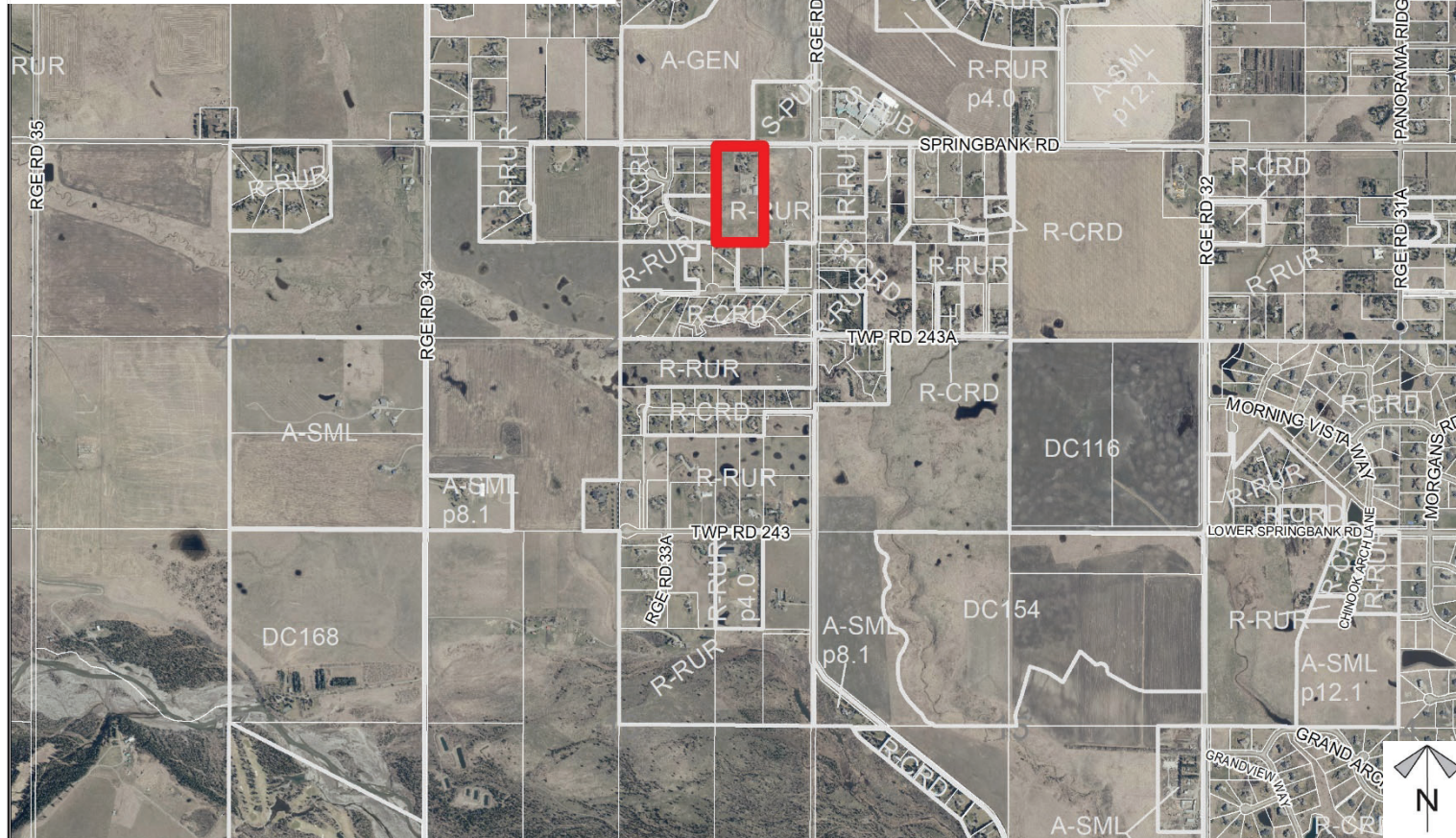
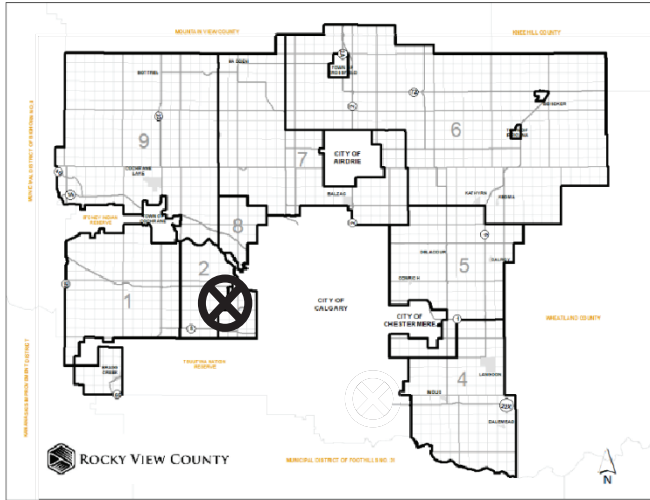
21. That it is recommended that the Applicant/Owner obtain a Premises Identification number, through the Province of Alberta, if not already obtained.
22. That any Building Permit(s) / Farm Building Exemption(s) shall be obtained through Building Services, if required.
23. That any other government permits, approvals, or compliances are the sole responsibility of the Applicant/Owner.

ATTACHMENT 'B': MAPS AND OTHER INFORMATION

APPLICANT: 1241531 Alberta Ltd. (John Gunn)	OWNER: 1241531 Alberta Ltd. (John Gunn)
DATE APPLICATION RECEIVED: November 20, 2020	DATE DEEMED COMPLETE: December 2, 2020
GROSS AREA: ± 8.09 hectares (± 20.00 acres)	LEGAL DESCRIPTION: NE-21-24-03-W05M
APPEAL BOARD: Subdivision and Development Appeal Board	
HISTORY: <i>Development Permits:</i> <ul style="list-style-type: none"> • PRDP20173572; Single-lot regrading and the placement of a Dugout; Issued November 29, 2017 • PRDP20172291; Single-lot regrading and the placement of a clean fill, for construction of a Berm; Issued October 26, 2017 • PRDP20172290; Statutory Declaration for the placement of topsoil; • 1982-DP-82; Accessory Building (60' X 120' Multi-Purpose Farm Building) <i>Building Permits:</i> <ul style="list-style-type: none"> • 1982-BP-9283 (Shed/Barn); No information <i>Assessment History:</i> <ul style="list-style-type: none"> • 1946 Dwelling, Single Detached 	
AGENCY SUBMISSIONS: <p>The application was circulated to internal and external agencies and, where appropriate, conditions of approval have been proposed based on these comments.</p>	

Administration Resources

Jacqueline Targett, Planning & Development Services



Location & Context

Development Proposal

Riding Arena (existing
building)

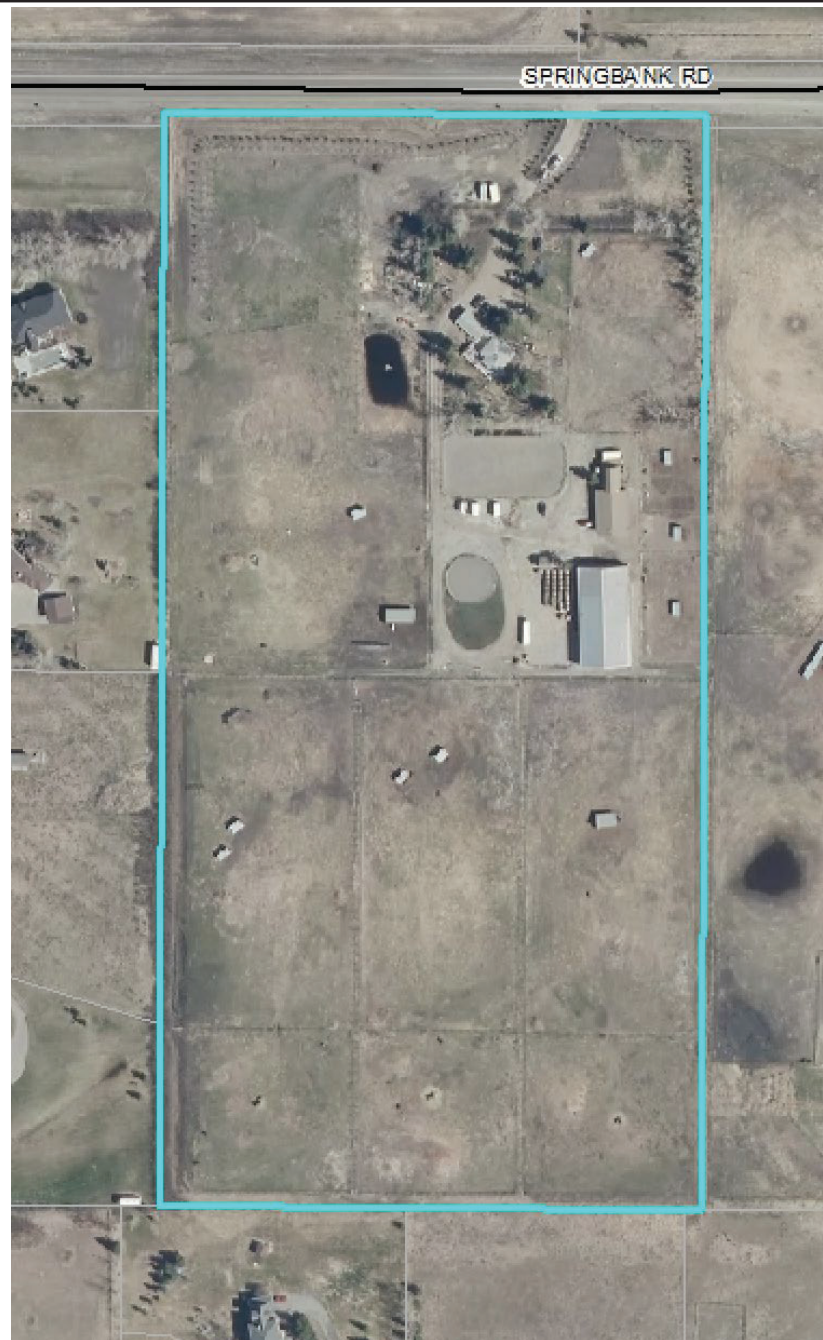
Division: 02
Roll: 04721005
File: PRDP20203762
Printed: Jan 27, 2021
Legal: A portion of NE-21-24-
03-W05M



Location & Context

Development Proposal

Riding Arena (existing
building)



Division: 02
Roll: 04721005
File: PRDP20203762
Printed: Jan 27, 2021
Legal: A portion of NE-21-24-
03-W05M



Site Plan

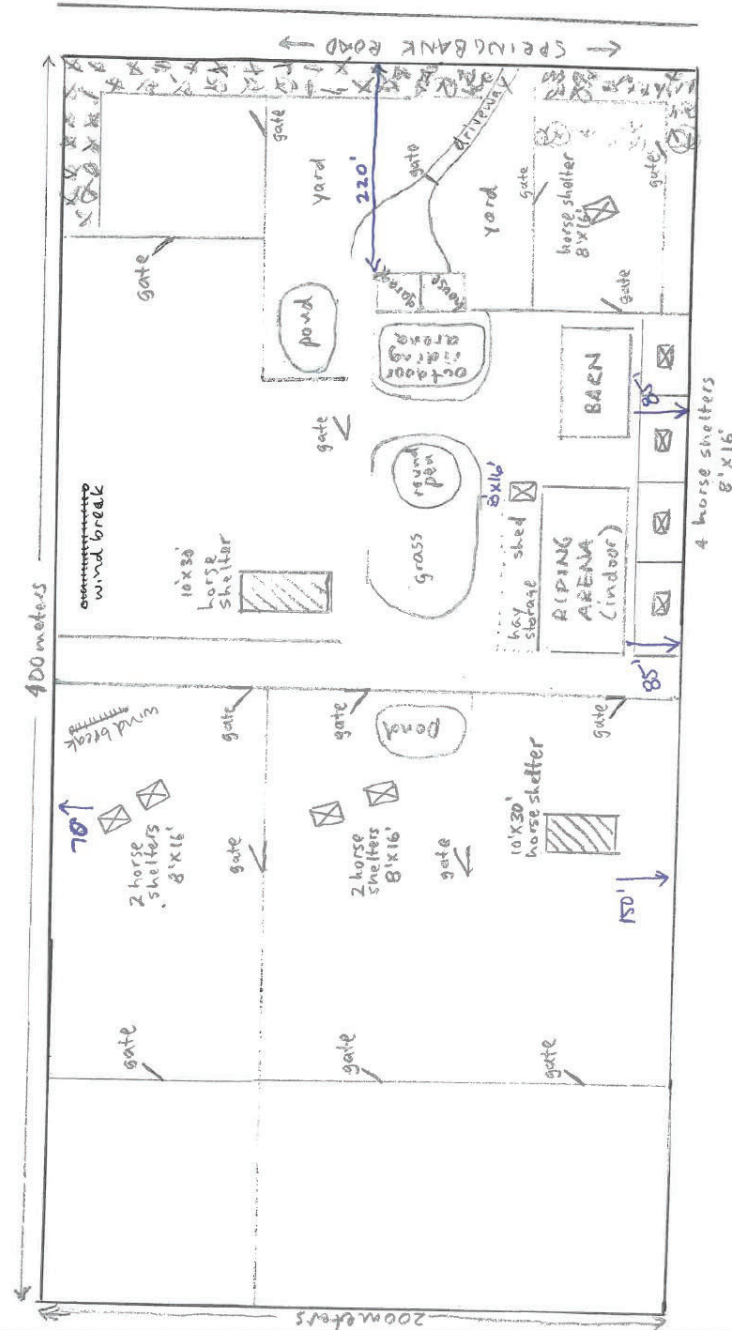
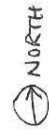
Development Proposal

Riding Arena (existing building)

Division: 02
Roll: 04721005
File: PRDP20203762
Printed: Jan 27, 2021
Legal: A portion of NE-21-24-03-W05M



SITE PLAN
33041 Springbank Road
Calgary, T3Z-3H1
Dec 2020



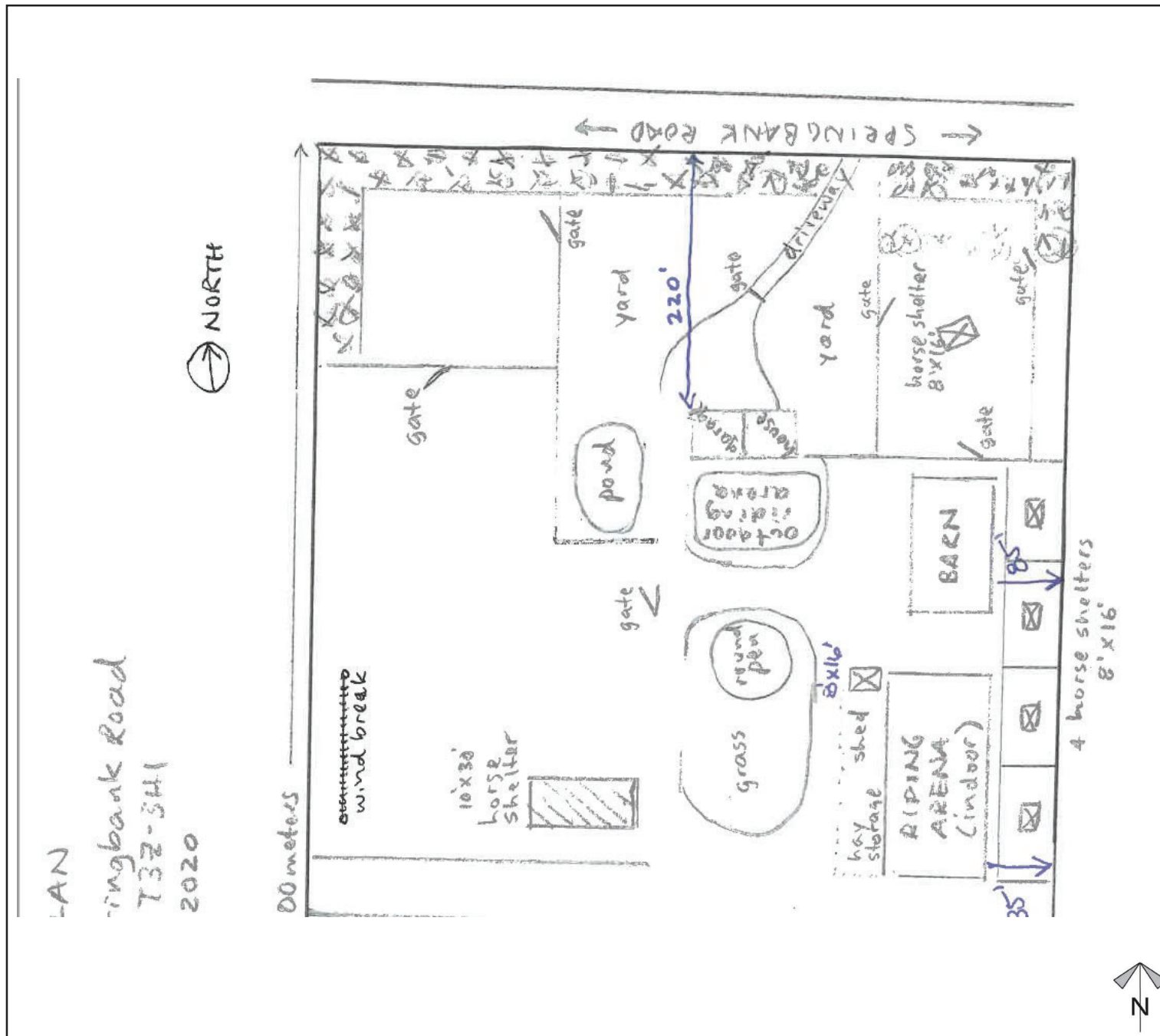
Site Plan

Northern Portion

Development Proposal

Riding Arena (existing building)

Division: 02
Roll: 04721005
File: PRDP20203762
Printed: Jan 27, 2021
Legal: A portion of NE-21-24-03-W05M



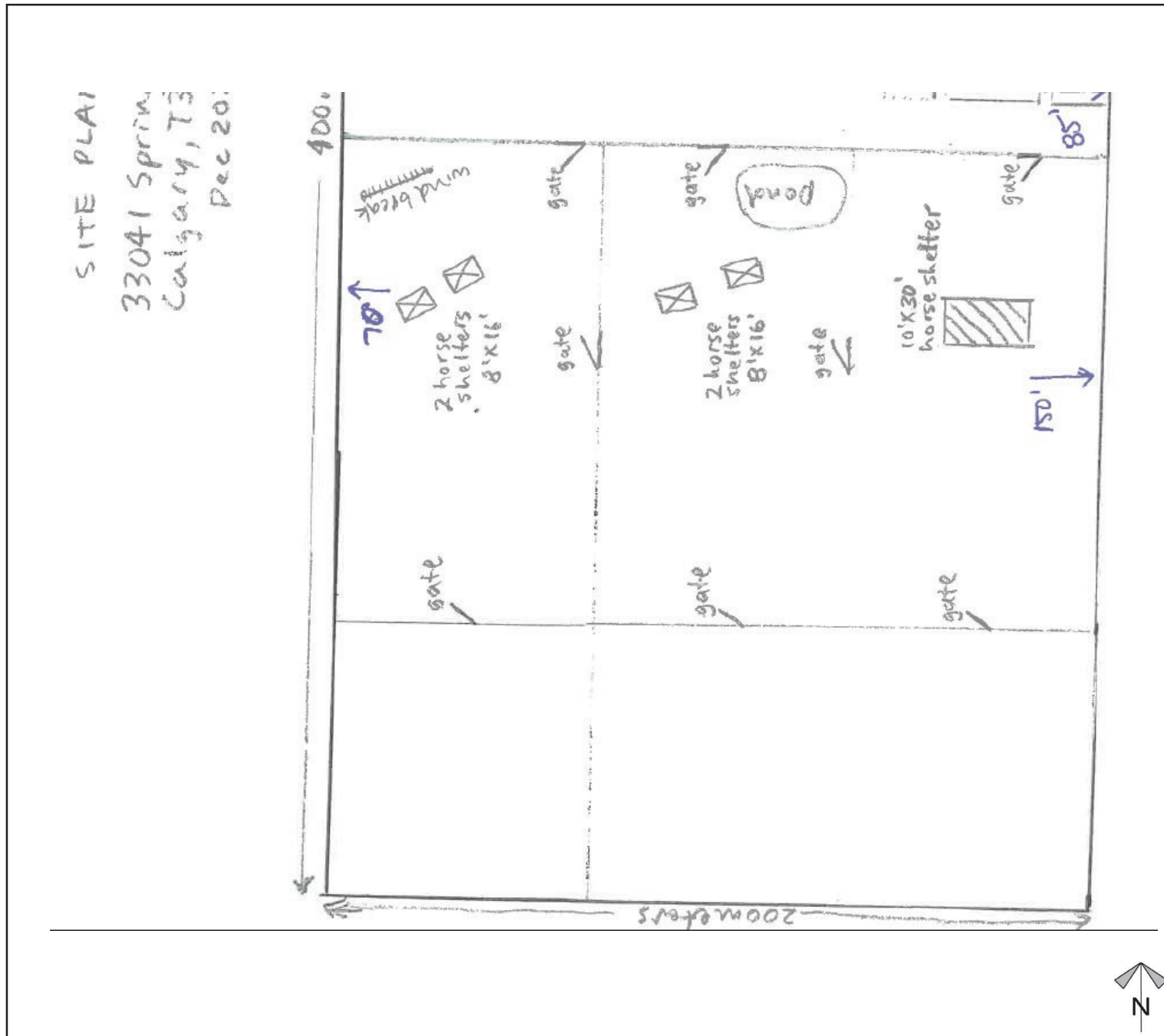


Site Plan
Southern Portion

Development Proposal

Riding Arena (existing building)

Division: 02
Roll: 04721005
File: PRDP20203762
Printed: Jan 27, 2021
Legal: A portion of NE-21-24-03-W05M



INSPECTION PHOTOS
December, 2020



INSPECTION PHOTOS

December, 2020



INSPECTION PHOTOS

December, 2020



INSPECTION PHOTOS

December, 2020



PLANNING AND DEVELOPMENT SERVICES

TO:	Municipal Planning Commission Development Authority	
DATE:	February 24, 2021	DIVISION: 2
FILE:	04721005	APPLICATION: PRDP20203966
SUBJECT:	Development Permit: Keeping of Livestock / Discretionary Use, with Variances	

APPLICATION: Keeping of livestock at densities no greater than two (2) animal unit per 1.40 hectares (3.46 acres), specifically from 9 to 40 animal units (horses).

GENERAL LOCATION: Located approximately 0.41 km (1/4 mile) west of Rge. Rd. 33 and on the south side of Springbank Road.

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

EXECUTIVE SUMMARY: This proposal is for the keeping of livestock (horses). The subject operates a private Riding Arena operation, under PRDP20203762, which includes the training, year-round boarding and exercising of horses.

Manure is predominately composted onsite and used as fertilizer year round or harrowed. Occasionally, manure is hauled offsite to local garden sites. The site is divided into pastures for year round grazing. Waterers, bales and infeeders with nets are also available onsite.

The subject site averages 20 to 30 horses onsite year-round and up to 40 horses from May to October. Currently, there is 20 horses onsite.

The requested animal unit increase is associated to the noted Riding Arena operation, complies with Sections 148 through 150 of the Land Use Bylaw and is proposed to include a three-year time limit.

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

OPTIONS:

- Option #1: THAT Development Permit No. PRDP20203966 be approved with the conditions noted in Attachment 'A'.
- Option #2: THAT Development Permit No. PRDP20203966 be refused noted below
 - 1. That in the opinion of the Municipal Planning Commission, the development unduly interferes with the amenities of the neighbourhood and materially interferes with and affects the use, enjoyment, and value of neighbouring parcels of land.



AIR PHOTO & DEVELOPMENT CONTEXT:



VARIANCE SUMMARY:

Variance	Requirement	Proposed	Percentage (%)
Permitted Livestock Units by Parcel Size	Nine (9)	40	344.44%

APPLICATION EVALUATION:

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

APPLICABLE POLICY AND REGULATIONS:

- *Municipal Government Act;*

TECHNICAL REPORTS SUBMITTED:

- Manure Management Plan

Administration Resources

Jacqueline Targett, Planning & Development Services



ROCKY VIEW COUNTY

<ul style="list-style-type: none"> • Subdivision and Development Regulations; • Municipal Development Plan; • Central Springbank Area Structure Plan; • Land Use Bylaw C-8000-2020; • County Servicing Standards. 	<ul style="list-style-type: none"> • Pasture & Grazing Plan
PERMITTED & DISCRETIONARY USE: <ul style="list-style-type: none"> • Keeping of Livestock 	DEVELOPMENT VARIANCE AUTHORITY: <ul style="list-style-type: none"> • Subdivision and Development Appeal Board

Additional Review Considerations

This application is to bring the current livestock units onsite into compliance with the Land Use Bylaw. As the equine operation has been operating on-site from the 1980s and over time has grown out of compliance with the original Development Permit approval and bylaw regulations including the livestock units. The site is developed with a dwelling, single detached and multiple accessory buildings including a garage, barn, arena building, and horse shelters. No site or structural changes are being proposed with the application. There are no technical considerations that warranted additional discussion or conditioning.

Agricultural Services completed a site inspection in February, 2021 and all concerns have been addressed through the proposed conditions of Attachment 'A'.

CONCLUSION:

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

Respectfully submitted,

Concurrence,

"Theresa Cochran"

"Al Hoggan"

Executive Director
Community Development Services

Chief Administrative Officer

JT/sl

ATTACHMENTS:

ATTACHMENT 'A': Development Permit Report Conditions
ATTACHMENT 'B': Maps & Other Information

Administration Resources

Jacqueline Targett, Planning & Development Services

ATTACHMENT 'A': DEVELOPMENT PERMIT REPORT CONDITIONS

Option #1:

Approval, subject to the following conditions:

Description:

1. That the keeping of livestock at densities no greater than two (2) animal unit per 1.40 hectares (3.46 acres), specifically from 9 to 40 animal units (horses) may be permitted on the subject site, 33041 SPRINGBANK ROAD, at any time.

Permanent:

2. That the Pasture, and Grazing Management Plans, as submitted with the application, shall be practiced at all times.
 - i. That if overgrazing becomes evident on the property, revised grazing procedures may need to be implemented onsite or the number of livestock animal units may need to be decreased, to the satisfaction of the County.
3. That the Manure Management Plan, as submitted with the application, shall be practiced at all times. Manure shall be collected and disposed of on a continual basis, in accordance with the submitted management plan.
 - i. That if there is a deemed excessive build-up of manure, that manure shall be removed immediately.
4. 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:

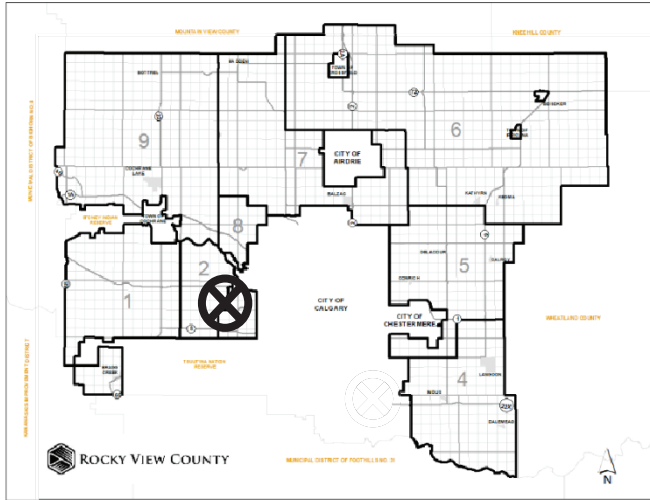
5. That it is recommended that the Applicant/Owner obtain a Premises Identification number, through the Province of Alberta, if not already obtained.
6. That any other government permits, approvals, or compliances are the sole responsibility of the Applicant/Owner.
7. That this Development Permit shall be valid until **MARCH 17, 2023**.

ATTACHMENT 'B': MAPS AND OTHER INFORMATION

APPLICANT: 1241531 Alberta Ltd. (John Gunn)	OWNER: 1241531 Alberta Ltd. (John Gunn)
DATE APPLICATION RECEIVED: November 20, 2020	DATE DEEMED COMPLETE: December 2, 2020
GROSS AREA: ± 8.09 hectares (± 20.00 acres)	LEGAL DESCRIPTION: NE-21-24-03-W05M
APPEAL BOARD: Subdivision and Development Appeal Board	
HISTORY: <i>Development Permits:</i> <ul style="list-style-type: none"> • PRDP20173572; Single-lot regrading and the placement of a Dugout; Issued November 29, 2017 • PRDP20172291; Single-lot regrading and the placement of a clean fill, for construction of a Berm; Issued October 26, 2017 • PRDP20172290; Statutory Declaration for the placement of topsoil; • 1982-DP-82; Accessory Building (60' X 120' Multi-Purpose Farm Building) <i>Building Permits:</i> <ul style="list-style-type: none"> • 1982-BP-9283 (Shed/Barn); No information <i>Assessment History:</i> <ul style="list-style-type: none"> • 1946 Dwelling, Single Detached 	
AGENCY SUBMISSIONS: <p>The application was circulated to internal and external agencies and, where appropriate, conditions of approval have been proposed based on these comments.</p>	

Administration Resources

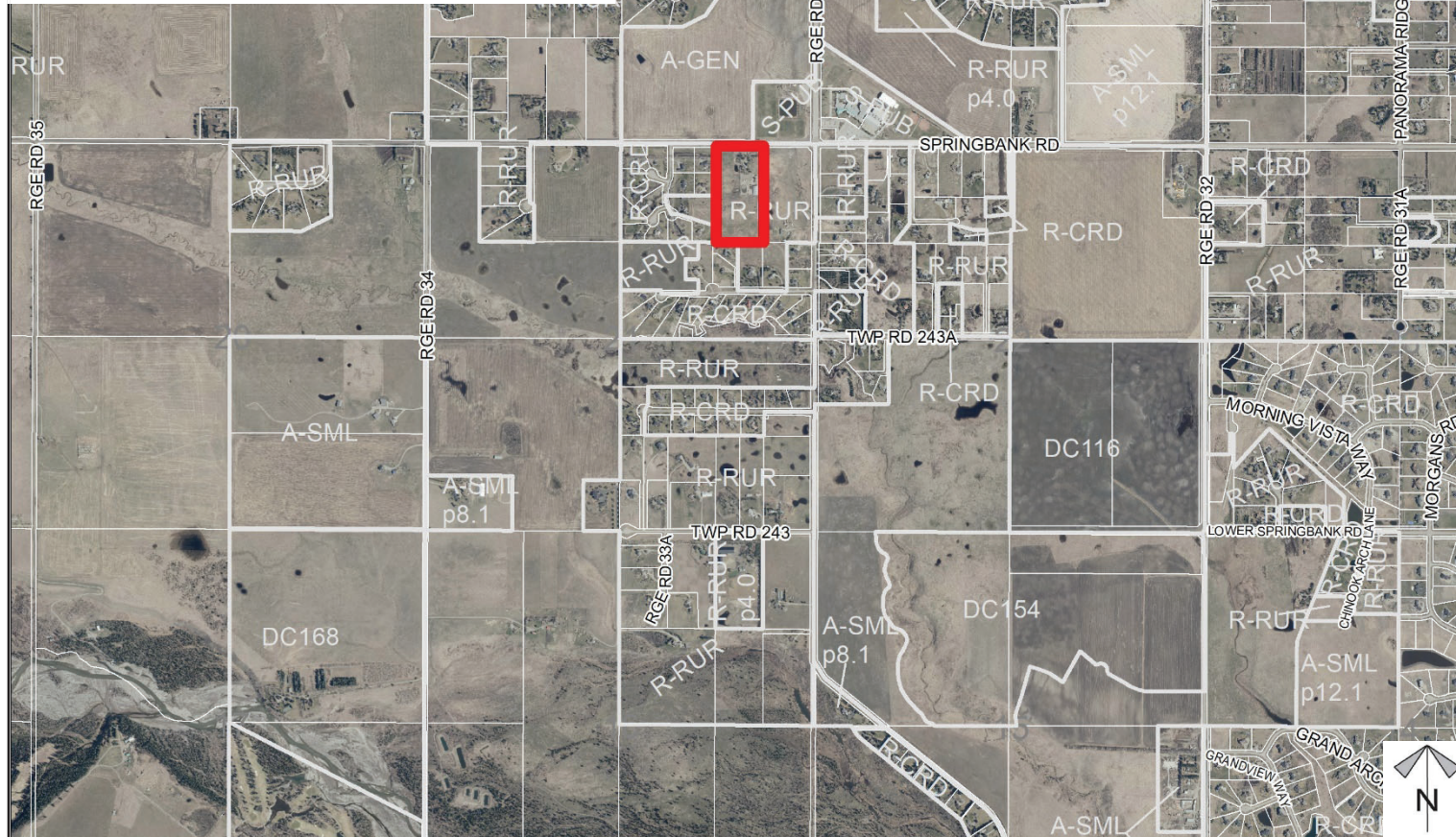
Jacqueline Targett, Planning & Development Services



Location & Context

Development Proposal

keeping of livestock at densities no greater than two (2) animal unit per 1.40 hectares (3.46 acres), specifically from 9 to 40 animal units (horses)



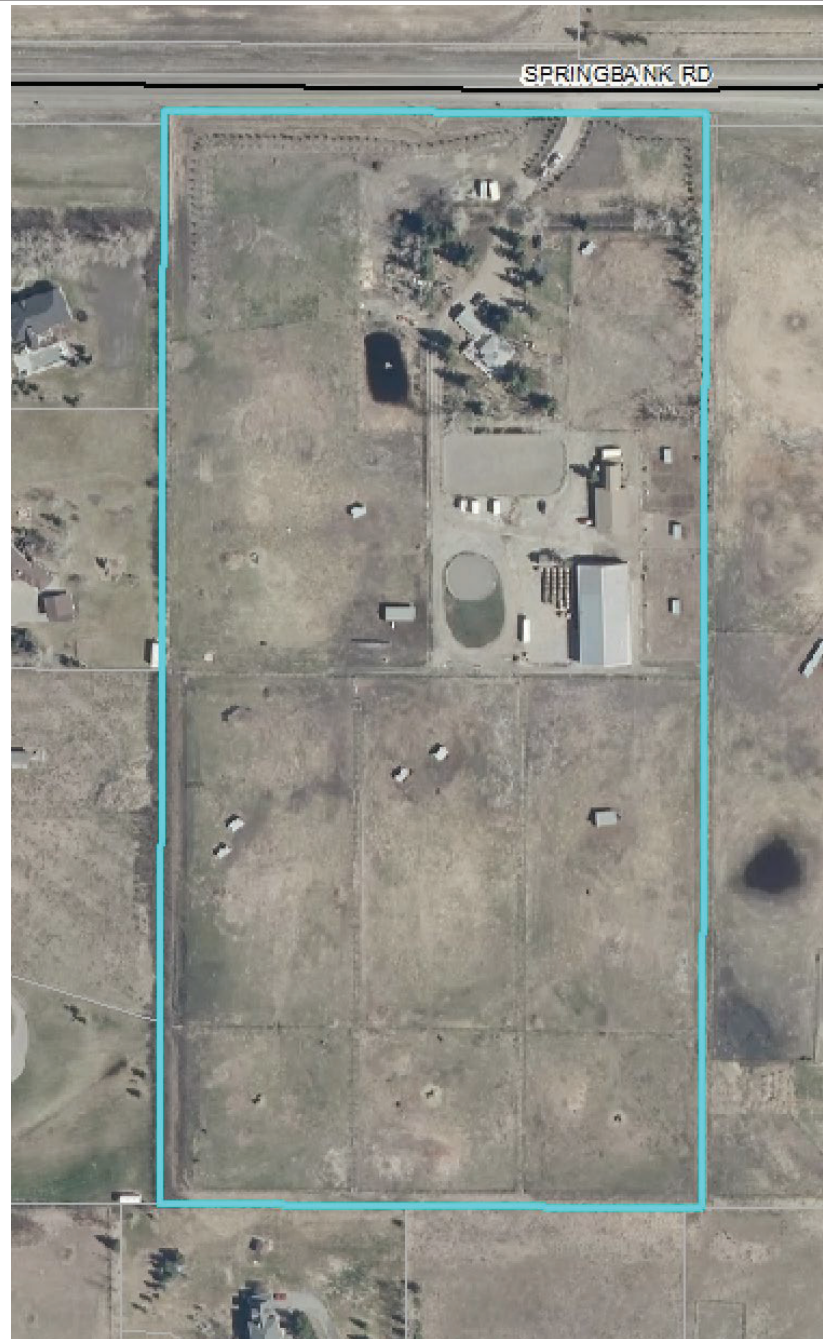
Division: 02
Roll: 04721005
File: PRDP20203762
Printed: Jan 27, 2021
Legal: A portion of NE-21-24-03-W05M



Location & Context

Development Proposal

keeping of livestock at densities no greater than two (2) animal unit per 1.40 hectares (3.46 acres), specifically from 9 to 40 animal units (horses)



Division: 02
Roll: 04721005
File: PRDP20203762
Printed: Jan 27, 2021
Legal: A portion of NE-21-24-03-W05M

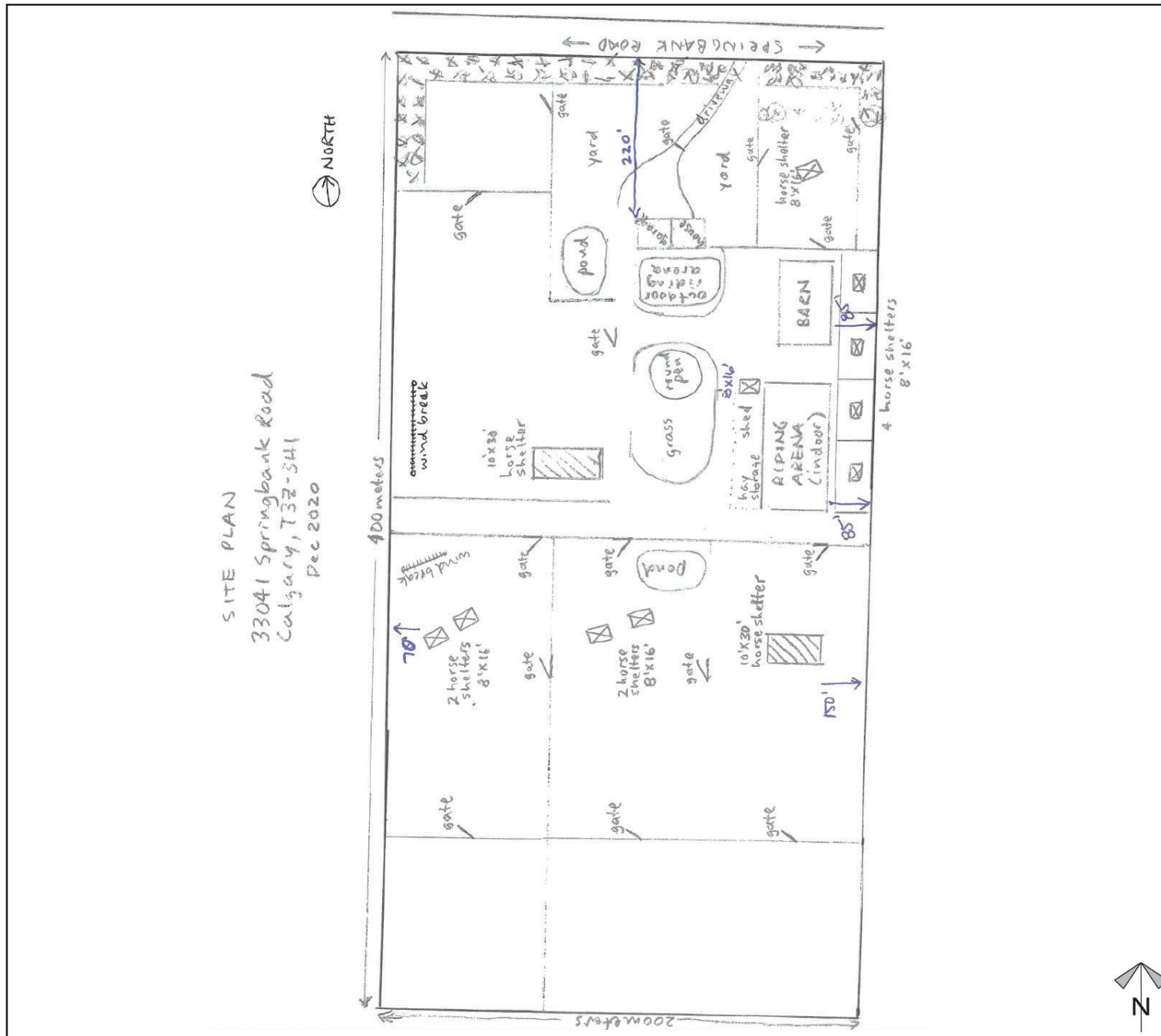


Site Plan

Development Proposal

keeping of livestock at densities no greater than two (2) animal unit per 1.40 hectares (3.46 acres), specifically from 9 to 40 animal units (horses)

Division: 02
Roll: 04721005
File: PRDP20203762
Printed: Jan 27, 2021
Legal: A portion of NE-21-24-03-W05M

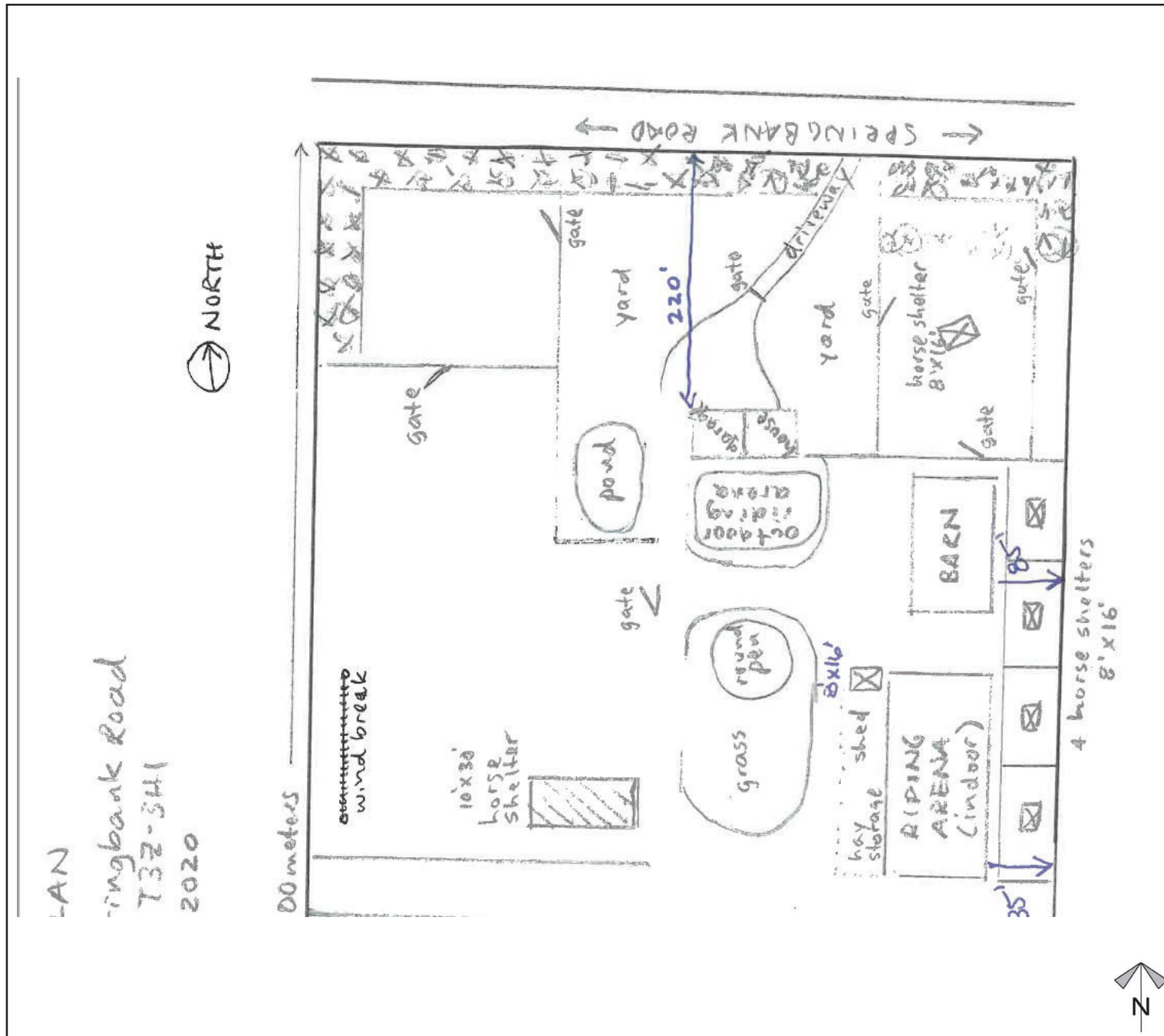




Site Plan Northern Portion

Development Proposal

keeping of livestock at densities no greater than two (2) animal unit per 1.40 hectares (3.46 acres), specifically from 9 to 40 animal units (horses)



Division: 02
Roll: 04721005
File: PRDP20203762
Printed: Jan 27, 2021
Legal: A portion of NE-21-24-03-W05M

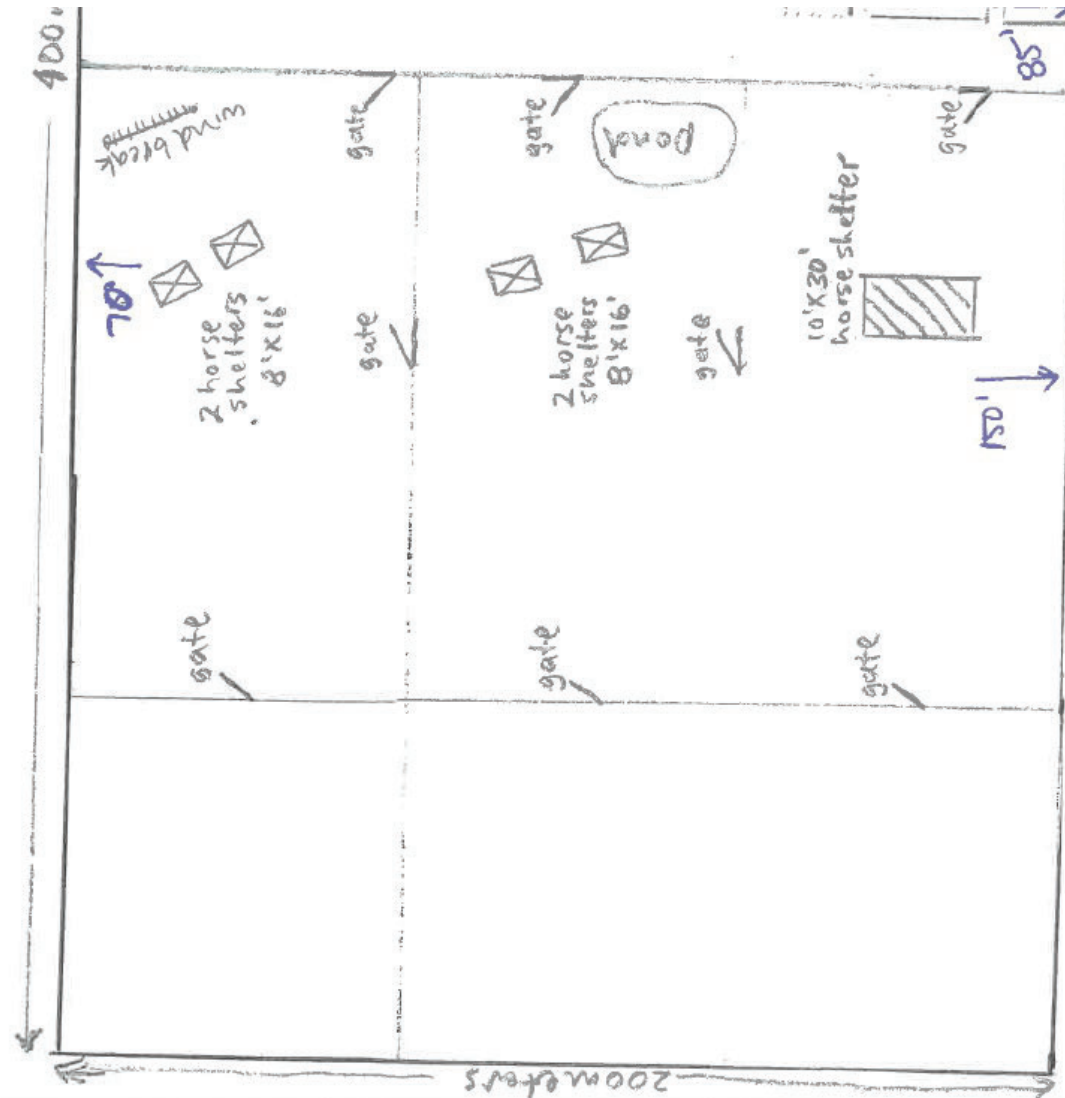
Site Plan

Southern Portion

Development Proposal

keeping of livestock at densities no greater than two (2) animal unit per 1.40 hectares (3.46 acres), specifically from 9 to 40 animal units (horses)

Division: 02
Roll: 04721005
File: PRDP20203762
Printed: Jan 27, 2021
Legal: A portion of NE-21-24-03-W05M



INSPECTION PHOTOS

December, 2020



INSPECTION PHOTOS

December, 2020



INSPECTION PHOTOS

December, 2020



INSPECTION PHOTOS

December, 2020



PLANNING AND DEVELOPMENT SERVICES

TO:	Municipal Planning Commission Development Authority	
DATE:	February 24, 2021	DIVISION: 6
FILE:	06315001	APPLICATION: PRDP20210473
SUBJECT:	Single-lot Regrading / Discretionary Use, with no Variances	

APPLICATION: single-lot regrading and the placement of clean topsoil (loam), for agricultural purposes and site improvements

GENERAL LOCATION: located at the northwest junction of Highway 566 and Range Road 282

LAND USE DESIGNATION: Agricultural, General District (A-GEN), under Land Use Bylaw C-8000-2020.

EXECUTIVE SUMMARY: This proposal is for the phased placement of loam to the subject site for site improvements and agricultural purposes. The subject site is a quarter section of 64.74 hectares [160.00 acres], developed with two dwelling, single detached and multiple accessory buildings.

Over the phased development, a total of 150,000.00 cubic meters will be placed onsite, at a maximum depth of 1.50 m (4.92 ft.), over an area of 42.63 hectares [105.34 acres, 426,300.00 sq. m]. Phased hauling is proposed in periods of time between spring 2021 through Summer 2022, between March through October. Upon completion of material placement, the Owner of the site will re-cultivate the area(s) and seed them for future agricultural use.

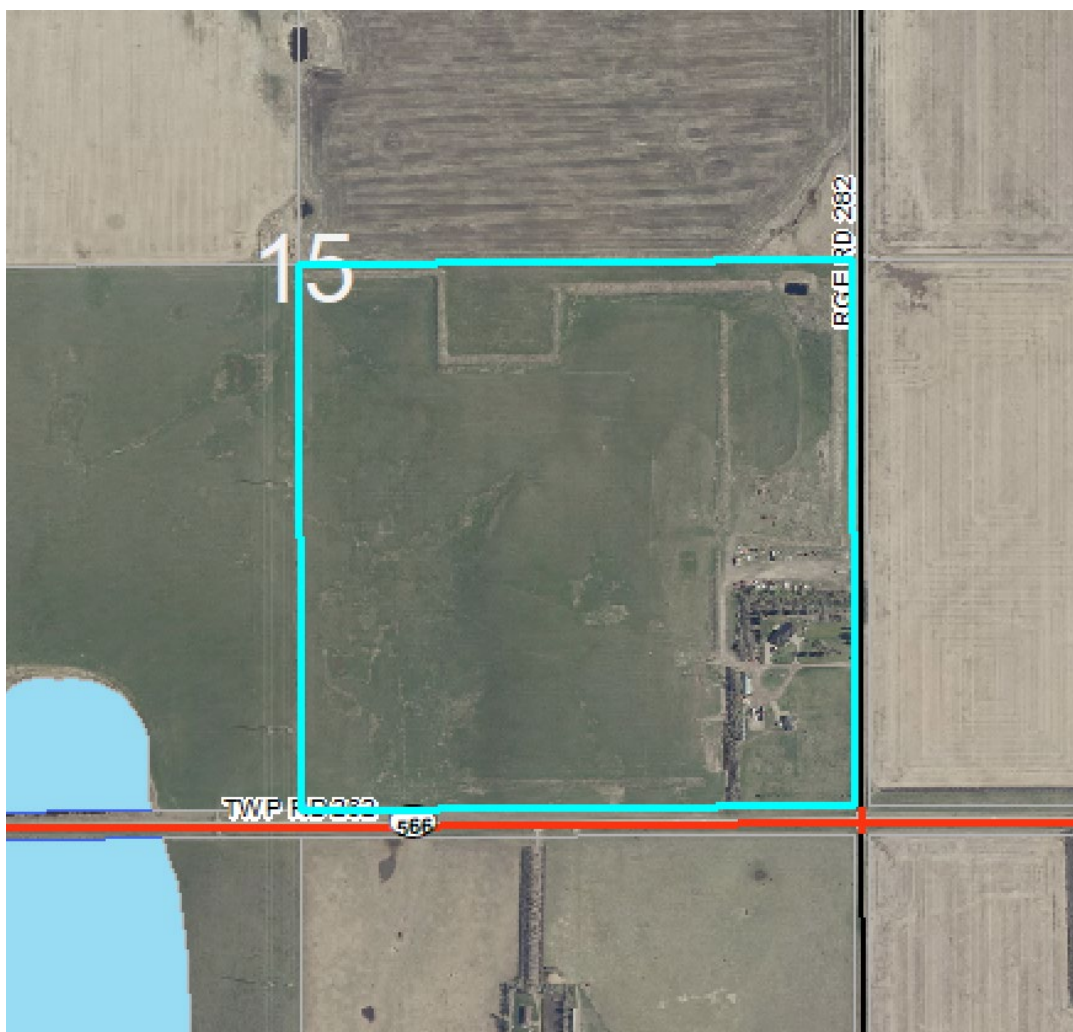
As the proposal will add agricultural benefit to the subject site desired by the Owner, and will assist and accommodate future commercial development within the High Plains Industrial Park, this application is being supported by Administration.

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

OPTIONS:

- Option #1: THAT Development Permit No. PRDP20210473 be approved with the conditions noted in Attachment 'A'.
- Option #2: THAT Development Permit No. PRDP20210473 be refused noted below
1. That in the opinion of the Municipal Planning Commission, the development unduly interferes with the amenities of the neighbourhood and materially interferes with and affects the use, enjoyment, and value of neighbouring parcels of land.

AIR PHOTO & DEVELOPMENT CONTEXT:



APPLICATION EVALUATION:

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

<p>APPLICABLE POLICY AND REGULATIONS:</p> <ul style="list-style-type: none"> • <i>Municipal Government Act;</i> • Subdivision and Development Regulations; • Land Use Bylaw C-8000-2020 [LUB]; • County Servicing Standards. 	<p>TECHNICAL REPORTS SUBMITTED:</p> <ul style="list-style-type: none"> • Construction Management Plan including: <ul style="list-style-type: none"> ○ Sedimentation and Erosion Control Current Requirements & Erosion and Sedimentation Plans ○ Deep Fill Report and Topsoil Erodibility Report ○ Grading Plan ○ Weed Management Plan
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Administration Resources

Jacqueline Targett, Planning & Development Services



DISCRETIONARY USE: <ul style="list-style-type: none">• Stripping, Grading, Fill and Excavation	DEVELOPMENT VARIANCE AUTHORITY: <ul style="list-style-type: none">• Subdivision and Development Appeal Board
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Additional Review Considerations

The application was assessed in accordance the Sections 157 and 158 of the LUB, which required that any Stripping, Grading, Filling or Excavation proposals require a Development Permit. The application appears to comply with the regulations.

The Applicant has submitted supporting technical information that is currently under review with Administration. As the technical information is under review, the proposed conditions of approval have included all technical requirements.

The origin of topsoil is from the High Plains Industrial Park, within the Balzac Regional Business Centre. The materials are required to be exported from the area, in order to support new commercial proposals within the park.

A Roadside Development Permit with Alberta Transportation and a Road Hauling Agreement with the County is required. One gravel approach is proposed off Range Road 282, to accommodate the development proposal.

CONCLUSION:

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

Respectfully submitted,

Concurrence,

“Theresa Cochran”

“Al Hoggan”

Executive Director
Community Development Services

Chief Administrative Officer

JT/sl

ATTACHMENTS:

ATTACHMENT ‘A’: Development Permit Report Conditions

ATTACHMENT ‘B’: Maps & Other Information

Administration Resources

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ATTACHMENT 'A': DEVELOPMENT PERMIT REPORT CONDITIONS

Description:

1. That single-lot regrading and the placement of clean topsoil (loam) shall be permitted in accordance with the drawings submitted with the application, [*as prepared by CIMA Canada Inc., File W758 / C04-00384.02; "Farmers Earthworks Fill," dated February, 2021*] as amended, and includes:
 - i. The placement of approximately 150,000.00 cubic metres;

Prior to Issuance:

2. That prior to release of this permit, the Applicant/Owner shall submit a Construction Management Plan, to the satisfaction of Rocky View County ("the County") in accordance with the County's Servicing Standards, Section 1100. The Construction Management Plan shall:
 - i. Include a Weed Management Plan;
 - ii. Provide details regarding how dust mitigation will be provided onsite, along with a process for how any complaints will be handled;
 - iii. Provide details regarding the supply and use of water for dust suppression; and
 - iv. Provide construction notification sign design including proposed locations for the signs situated on the subject lands, identifying the Owner, Engineer, Contractor and contact information for local resident questions or concerns, in accordance with the County's Servicing Standards.
3. That prior to release of this permit, the Applicant/Owner shall obtain and provide proof of \$5,000,000.00 liability insurance with the County named as an additional insured for the works associated with the permit, to the satisfaction of the County.
4. That prior to release of this permit, the Applicant/Owner shall submit an Erosion Sediment Control Plan, in accordance with the County's Servicing Standards. *Note: based on the size of the disturbed area, a full ESC Report is required.*
5. That prior to release of this permit, the Applicant/Owner shall submit a stamped and endorsed statement from a Professional Agrologist or Certified Crop Advisor, to the satisfaction of the County. The statement shall confirm the soil quality improvements achieved by the proposed addition of topsoil and the anticipated agricultural benefits, to the satisfaction of the County.
6. That prior to release of this permit, the Applicant/Owner submit a soil testing analysis, to the satisfaction of the County, completed on the proposed topsoil, which includes where the topsoil originated from and confirm that:
 - i. Texture is balanced and not over 40.00% clay;
 - ii. Organic matter is a minimum of 3.00%, and equal to or greater than the organic matter of the soil on the application site;
 - iii. SAR/EC rating is at least "good"; and
 - iv. PH value is in the "acceptable" range for crop growth.
7. 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 Road Use Agreements will be required for any hauling along the County road system and to confirm the presence of County road ban restrictions.

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- i. The Applicant shall also discuss and submit a New Approach application to County Road Operations, for the proposed gravel approach off Range Road 282.
 - a. Written confirmation shall be received from County Road Operations, confirming the status of this condition. Any agreement or permit shall be issued by the County, unless otherwise confirmed by County Road Operations.
8. That prior to release of this permit, the Applicant/Owner shall submit a limited scope storm drainage report, prepared by a qualified stormwater management engineering professional, to the satisfaction of the County, confirming:
 - i. Stormwater management requirements and recommendations to accommodate the construction period;
 - ii. Verify that post development site grades will not result in impacts to downstream properties or infrastructure;
 - iii. The report shall include recommendations for any short term or permanent stormwater management facilities on the site.

Permanent:

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 Release condition, shall be implemented and adhered to in perpetuity.
 - i. That if any future development occurs on the subject development graded area, the Applicant/Owner shall obtain any required approvals from the County, with the proper supporting technical documentation approved by the County, prior to commencement.
Note: For future applications, unless otherwise conditioned, the Applicant/Owner shall register a Caveat on title, including a site plan attachment, stating that the identified area may be limited/restricted for future development, with the exception of minor agricultural pursuits.
10. 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.
11. That for any areas with greater than 1.20 m (3.93 ft.) of topsoil placed, a Deep Fill report shall be submitted to County, in accordance with County Servicing Standards, upon completion.
12. That no native topsoil shall be removed from the site.
13. That it shall be the responsibility of the Applicant/Owners to ensure the material has been placed in a safe manner that does not cause slope stability issues, slumping, or any other related safety issues.
14. That the Applicant/Owners shall ensure no organic material is buried and capped in a manner that will cause methane gas related issues.
15. That the material shall not contain large concrete, large rocks, rebar, asphalt, building materials, organic materials, or other metal.
16. 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.
 - i. That no potable water shall be used for grading and/or construction purposes.

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- ii. That water trucks shall be available at all times onsite to control dust blowing from the site and/or roadways.
 - iii. That if at any time the removal/placement of the fill creates a visible dust problem, the removal or handling of the fill shall cease immediately until remedial measures are taken.
17. That any material entering to or leaving from the site, shall be hauled on/off in a covered trailer/truck, to help prevent blowing of dust/small rocks onto the road or cause issues with other vehicles on the road.
- i. That the clean-up of any mud tracking and/or dirt that enters onto adjacent Highway and/or County roads during hauling shall be the responsibility and cost of the Applicant/Owner for clean-up.
18. That the proposed development graded area, as per the approved application, shall be spread and seeded to native vegetation or farm crop, to the satisfaction of the County, upon completion.
19. That if 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 surface reclamation of any or all of the disturbed areas or costs involved in actions necessary to ensure compliance with any other conditions of this permit.
20. That the County staff or agents shall have access to the site at all times.
21. That the Applicant/Owners shall be responsible for rectifying any adverse effect on adjacent lands from drainage alteration.
22. 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.

Advisory:

23. That the Applicant/Owners shall be responsible for all required payments of 3rd party reviews and/or inspections as per the Master Rates Bylaw.

Note: For any 3rd party review work completed prior to Issuance of the Development Permit, the invoices shall be paid prior to the Development Permit being issued. For any work completed after Permit issuance, the invoices shall be paid as per the required deadline.

24. That the subject development shall conform to the County's Noise Bylaw C-5773-2003 in perpetuity.
25. That the site shall adhere to any requirements of Instrument #751 098 545 [Utility Right of Way (UROW)]. Any impact to the UROW, the Applicant/Owner shall contact Rocky View Gas Co-op, prior to commencement.
26. 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*].
27. That any other government permits, approvals, or compliances are the sole responsibility of the Applicant/Owners.

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ROCKY VIEW COUNTY

- i. The Applicant/Owner shall submit a copy of the issued Roadside Development Permit from Alberta Transportation, to the County once obtained, for hauling activities.
28. That if the development authorized by this Development Permit is not completed within 18 months of the date of permit issuance, the permit is deemed to be null and void.
29. That if this Development Permit is not issued by **AUGUST 31, 2021**, or the approved extension date, then this approval is null and void and the Development Permit shall not be issued.

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

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ATTACHMENT 'B': MAPS AND OTHER INFORMATION

APPLICANT: CIMA Canada Inc.	OWNER: Clinton & Beverley Havens
DATE APPLICATION RECEIVED: February 8, 2020	DATE DEEMED COMPLETE: February 16, 2021
GROSS AREA: ± 64.74 hectares (± 160.00 acres) DEVELOPMENT AREA: ± 42.63 hectares (± 105.34 acres)	LEGAL DESCRIPTION: SE-15-26-28-W04M; 262027, 262031 Range Road 282
APPEAL BOARD: Subdivision and Development Appeal Board	
HISTORY: <i>Development Permits:</i> <ul style="list-style-type: none"> • PRDP20180920; Additional Farm Dwelling; Issued May 16, 2018 • PRDP20170718: Commercial Communications Tower, Type C; Issued June 8, 2017 • 2004-DP-10900 through 1990 (1990-Dp-3698): Farm Dwelling, Mobile Home (renewal); Issued June 30, 2004; Closed upon Expiry <i>Building Permits:</i> <ul style="list-style-type: none"> • PRBD20184435; Manufactured Dwelling; PSR with Deficiency April 19, 2019 • 2006-BP-18952; Dwelling; Final inspection December 6, 2006 <i>Assessment History:</i> <ul style="list-style-type: none"> • 2006 Dwelling, Single Detached, with attached garage 	
AGENCY SUBMISSIONS: The application was circulated to internal and external agencies and, where appropriate, conditions of approval have been proposed based on these comments.	

Administration Resources

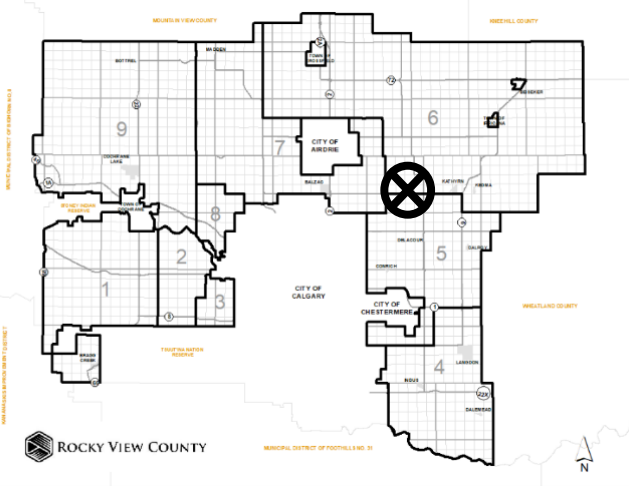
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Location & Context

Development Proposal

*single-lot regrading and
the placement of clean
topsoil, for agricultural
purposes and site
improvements*

Division: 06
Roll: 06315001
File: PRDP20210473
Printed: Feb 16, 2021
Legal: SE-15-26-28-W04M
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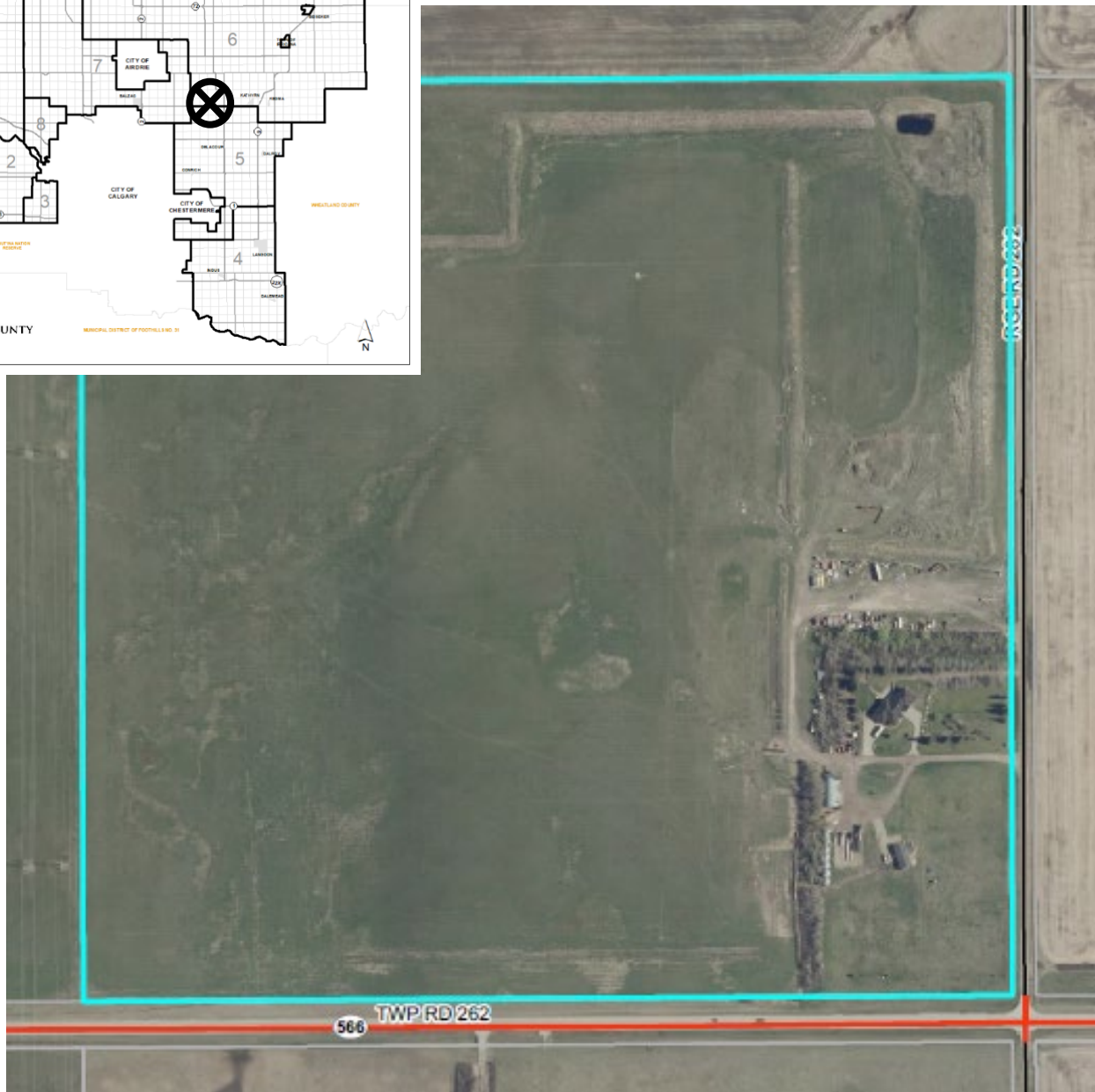
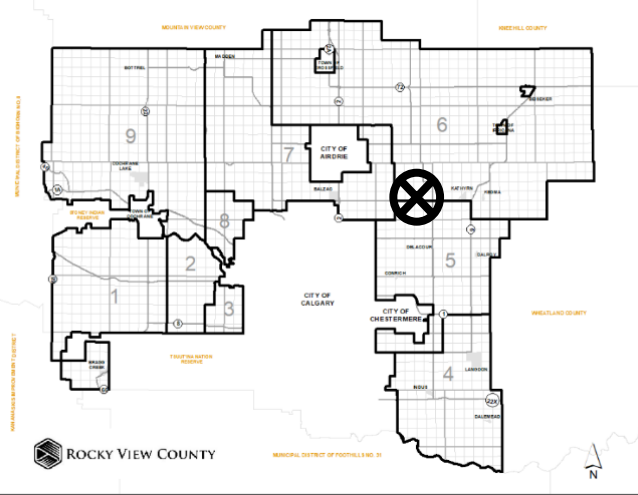


Location & Context

Development Proposal

*single-lot regrading and
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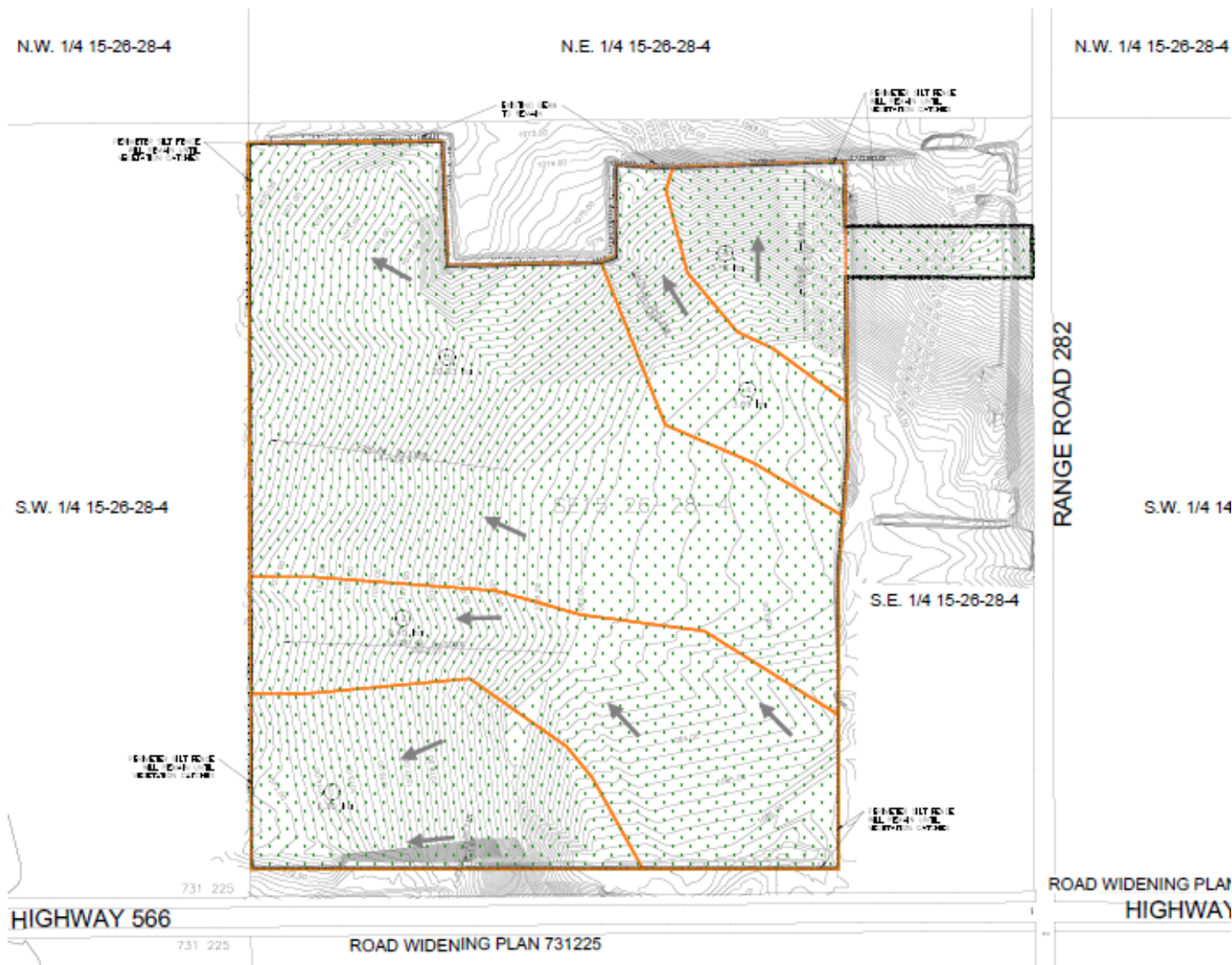
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SITE PLAN

Development Proposal

single-lot regrading and the placement of clean topsoil, for agricultural purposes and site improvements



SITE PHOTOS

Development Proposal

*single-lot regrading and
the placement of clean
topsoil, for agricultural
purposes and site
improvements*



Looking N



Looking S



PLANNING AND DEVELOPMENT SERVICES

TO: Municipal Planning Commission
Development Authority

DATE: February 24, 2021

SUBJECT: 2020 – Year in Review

POLICY DIRECTION: The Municipal Planning Commission (MPC) was created by passing of Bylaw C-7967-2019, and held its first meeting back on February 12, 2020.

All subdivision applications outside of those delegated to Administration under the Subdivision Authority Bylaw C-7546-2015 are considered by the MPC. In regards to Development Permits, an Administrative Directive was created in July of 2020 to determine the application types that were to be decided by the MPC with the remainder being referred to Administration.

EXECUTIVE SUMMARY: A total of 50 subdivision applications were considered by the MPC in 2020. A total of 184 Development Permits were considered by the MPC in 2020. Of the 184 applications, the MPC upheld 174 of the recommendations put forward by Administration for a concurrence rating of 95%. The decisions in regards to the (10) permit decisions that the MPC did not uphold are summarized below.

- Three (3) overturned decisions of which two (2) of which were for single lot grading and one (1) for a home based business that had an automotive component;
- Two (2) which were approved but with a modified set of conditions; and
- Five (5) that were tabled.

Based on the statistics, the MPC decisions for the following permit types were highly consistent with Administrative recommendations.

1. Relaxation of Setbacks either on existing or proposed structures;
2. Additional Dwelling Units (ADUs)
3. Home Based Business Type II that meet the requirements of the Land Use Bylaw, with the exception of an Automotive related business;
4. Accessory Buildings; and
5. Change of Use that triggers a Development Permit, not including commercial or industrial.

The above uses are not considered to be highly complex however, tend to add approximately two (2) additional weeks of processing time to each application due to the requirement for them to be considered by the MPC.

Based on the statistics pulled for 2020, should the MPC consider further amendments to the Administrative Directive in the future, processing timelines would be expedited for these permit types. Furthermore, amendments would better align with Council's strategic initiative to improve customer service while further aligning with the provincial campaign to reduce red tape. An update to the Directive would also reduce the amount of items on each MPC agenda by up to 50% while decreasing wait times for applicants.

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STATISTICS: The following statistics have been derived from the period of February 12, 2020 to December 31, 2020 inclusively.

	2020	%
Total Development Permits Presented to the MPC	184	
Administration Recommendation Upheld	174	95%
Administration Recommendation Overturned/Amended	10	5%
Types of Uses		
Permitted	19	10%
Discretionary	151	82%
Listed DC Use	14	8%
Specific Types of Uses		
Dwelling, Single Detached (setback relaxations)	15	8%
Additional Dwelling Units	7	4%
Home Based Business, Type I	1	1%
Home Based Business, Type II	18	10%
Accessory Buildings	33	18%
Change of Use (within an existing building):		
Cannabis Cultivation	3	21%
Cannabis Retail	1	7%
Cannabis Facility	1	7%
Equestrian Centre	1	7%
Vacation Rental	2	14%
Child Care Facility	2	14%
Commercial Business Tenancy	4	29%

A similar trend has continued into 2021 with regards to the MPC's decisions as it relates to development permits.

ADMINISTRATION RECOMMENDATION: Administration recommends Option #1.

OPTIONS:

Option #1: THAT Administration's report on 2020 – Year in Review in regards to the Municipal Planning Commission be received as information.



ROCKY VIEW COUNTY

THAT the Municipal Planning Commission direct Administration to bring forward amendments to the Administrative Directive that shift simpler uses such as Additional Dwelling Units, Home Based Businesses, Accessory Buildings and change of use to Administration for decision at the March 10, 2021 meeting of the Municipal Planning Commission.

Option #2: THAT alternative direction be provided.

Respectfully submitted,

Concurrence,

“Theresa Cochran”

“Al Hoggan”

Executive Director
Community Development Services

Chief Administrative Officer

HM/sl

ATTACHMENTS:

ATTACHMENT ‘A’: Existing Administrative Directive

ATTACHMENT 'A': CURRENT ADMINISTRATIVE DIRECTIVE**PLANNING AND DEVELOPMENT SERVICES**

TO: Planning and Development Services
DATE: July 30, 2020
SUBJECT: Administrative Directive – Municipal Planning Commission Development Permits

PURPOSE:

The intent of this Administrative Directive is to create guidelines determine which applications are decided by Municipal Planning Commission (MPC) and which by Administration.

ADMINISTRATIVE DIRECTIVE:

The following Development Permit appliaiton decisions should completed by Administration:

- Permitted uses and uses in Direct Control Districts that do not distinguish between Permitted and Discretionary uses where:
 - The application has no variances; or
 - The application has minor variances.
- All Accessory Buildings less than or equal 930 m² (10,010.40 ft²) in Agricultural Districts and all Show Homes where:
 - The application has no variances; or
 - The application has minor variances.
- Minor variances are to be defined as follows:
 - Front and side yard setback variance(s);
 - Abutting a gravel road less than or equal to 25%
 - Abutting a paved road less than or equal to 50%
 - Rear yard setback variance(s) less than or equal to 25%;
 - Height variance(s) less than or equal to 25%;
 - Accessory Building and Accessory Dwelling Unit building area or parcel coverage variance(s) less than or equal to 25%.
- Development Permit renewals (such as Home-Based Business Type II, Gravel Pit, etc.) where:
 - There are no changes are being proposed by the applicant;
 - There are no open enforcement files; and
 - There have been no complaints on the property, regarding the subject Development Permit, since the previous approval.
- Development Permit reapplications of expired applications where there are no changes are being proposed by the applicant.
- Applications that would typically be decided upon by MPC where MPC is unavailable (ex: on break).

The following Development Permit application should forwarded to MPC for decision:

Administration Resources

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ROCKY VIEW COUNTY

- All discretionary uses (with or without variances), except applications specified to be decided by Administration.
- Applications where proposed variance(s) are larger than minor variances.
- Applications where:
 - Administration is of the opinion that the minor variance(s) would have undue detrimental impact on the neighbourhood and/or surrounding properties; or
 - Administration believes that the application would benefit from oversight from MPC.

Where a File Manager requires assistance on determining if a decision on a Development Permit application should be forwarded to MPC or not, they should consult with Management to make the determination.

A handwritten signature in black ink, appearing to read 'Dominic Kazmierczak', written over a horizontal line.

Dominic Kazmierczak
Acting Manager, Planning and Development Services