



## MUNICIPAL PLANNING COMMISSION MEETING AGENDA

Date: Wednesday, March 10, 2021  
Time: 9:00 AM  
Location: <https://www.rockyview.ca/>

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**F. OTHER BUSINESS**

**G. ADJOURN THE MEETING**

**H. NEXT MEETING**

March 24, 2021





**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

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Present: Chair J. Gautreau  
Vice-Chair A. Schule (present electronically)  
Member G. Boehlke  
Member K. Hanson (present electronically)  
Member D. Henn (present electronically)  
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  
K. Robinson, Executive Director, Corporate Services  
T. Cochran, Executive Director, Community Development Services Division  
G. Nijjar, Manager, Planning and Development Services  
J. Fleischer, Manager, Agricultural and Environmental Services  
H. McInnes, Supervisor, Planning and Development Services  
S. MacLean, Supervisor, Planning and Development Services  
C. Lombardo, Planner, Planning and Development Services  
X. Deng, Planner, Planning and Development Services  
J. Targett, Senior Development Officer, Planning and Development Services  
B. Culham, Development Officer, Planning and Development Services  
S. Khouri, Development Officer, Planning and Development Services  
W. Van Dijk, Development Officer, Planning and Development Services  
K. Tuff, Legislative Officer, Legislative Services  
M. Mitton, Legislative Coordinator, Legislative Services

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**A Call Meeting to Order**

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

**B Updates/Approval of Agenda**

MOVED by Member Boehlke that the February 24, 2021 Municipal Planning Commission meeting agenda be accepted as presented.

Carried



**C-1 February 10, 2021 Municipal Planning Commission Minutes**

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

Carried

**D-1 Division 1 - Other Subdivision  
File: PL20200002 (03901003)**

Presenter: Stan Anguelov, the Applicant

The Chair called for a recess at 9:23 a.m. and called the meeting back to order at 9:28 a.m. with all previously mentioned members present.

MOVED by Member Boehlke that proposed condition 7 for subdivision application PL20200002 as noted in Attachment 'A' in Administration's report be amended to read:

- 7) The provision of Reserve in the amount of 10 percent of the area of Lots 1, ~~and 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; ~~and~~
  - b) ~~Reserves for Lot 3 are to be deferred with Caveat, pursuant to Section 669(2) of the Municipal Government Act.~~

Defeated

MOVED by Member McKylor that Subdivision Application PL20200002 be approved with the conditions noted in Attachment 'A'.

- A. The application to create two parcels,  $\pm 1.24$  hectares ( $\pm 3.06$  acres) and  $\pm 1.34$  hectares ( $\pm 3.31$  acres) in size, with a  $\pm 5.34$  hectare ( $\pm 13.20$  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.
  - i) 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.
  - ii) 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.
  - iii) 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.
  - i) 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*.

**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 8 - Child Care Facility**  
**File: PRDP20210030 (05632030)**

MOVED by Member Boehlke that a new Advisory proposed condition 18 for development application PRDP20210030 as noted in Administration's report be amended to read:

- 18) That this Development Permit shall be valid for two years after all Prior To Release conditions are met.

Carried

MOVED by Member Boehlke that Development Permit Application PRDP20210030 be approved with the conditions noted in Attachment 'A', as amended.

**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.
18. That this Development Permit shall be valid for two years after all Prior To Release conditions are met.

Carried

The Chair called for a recess at 10:00 a.m. and called the meeting back to order at 10:06 a.m. with all previously mentioned members present.



**E-2 Division 7 - Home-Based Business, Type II**  
**File: PRPD20204145 (06307009)**

MOVED by Member Boehlke that proposed condition 18 for development application PRDP20204145 as noted in Administration's report be amended to read:

18) That this Development Permit shall be valid until **October 9, 2022 2025**

Carried

MOVED by Member Henn that Development Permit Application PRDP20204145 be approved with the conditions noted in Attachment 'A', as amended.

**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, 2025**.

Carried

**E-3    Division 4 - Cannabis Retail Store**  
**File: PRDP20210264 (03223665)**

Presenter:    Puneet Kaushik, the Applicant

MOVED by Member McKylor that Development Permit Application PRDP20210264 be approved with the conditions noted in Attachment 'A'.

**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**.

Carried



**E-4     Division 5 - Single-lot Regrading**  
**File: PRDP20203812 (04324016)**

The Chair called for a recess at 11:01 a.m. and called the meeting back to order at 11:12 a.m. with all previously mentioned members present.

MOVED by Member Boehlke that Development Permit Application PRDP20203812 be tabled until the March 10 Municipal Planning Commission meeting, and direct Administration to return with detailed conditions related to soil transfer on this item.

Carried

**MOTION ARISING**

MOVED by Member Hanson that the Municipal Planning Commission recommends to Council to direct Administration to create a detailed policy / servicing standard related to soil transfer.

Carried

**E-5     Division 2 - Automotive Services**  
**File: PRDP20204174 (04734008)**

MOVED by Member McKylor that PRDP20204174 be tabled until the end of the meeting.

Carried

**E-6     Division 3 - Single-lot Regrading**  
**File: PRDP20203988 (04714176)**

MOVED by Member Hanson that Development Permit Application PRDP20203988 be approved with the conditions noted in Attachment 'A'.

**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.***

Carried

**E-5    Division 2 - Automotive Services**  
**File: PRDP20204174 (04734008)**

MOVED by Member McKylor that PRDP20204174 be lifted from the table.

Carried

MOVED by Member Boehlke that Development Permit Application PRDP20204174 be approved with the conditions noted in Attachment 'A'.

**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:**

- 2) 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.



- 3) 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 screened, as per the requirements of the Land Use Bylaw and to the satisfaction of the County.

**Permanent:**

- 4) 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.
- 5) 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.
- 6) 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.
- 7) 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).
- 8) 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.
- 9) 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.
- 10) That there shall be no vehicle or equipment idling on the site at any time.
- 11) That all vehicles stored onsite shall be newer or used models. No salvaged or damaged vehicles shall be brought on site.

**Advisory:**

- 12) 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.



- 13) That any other federal, provincial or County permits, approvals, and/or compliances are the sole responsibility of the Applicant/Owner.
- 14) 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.
- 15) 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.

Carried

**E-7    Division 1 - Single-lot Regrading**  
**File: PRDP20203738 (03902011)**

MOVED by Member Kamachi that Development Permit Application PRDP20203738 be approved with the conditions noted in Attachment 'A'.

**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.

Carried

**E-8    Division 1 - Dwelling, Single Detached**  
**File: PRDP20210163 (03913022)**

Presenter:     Robert Carpenter, the Applicant

MOVED by Member Kamachi that Development Permit Application PRDP20210163 be approved with the conditions noted in Attachment 'A'.

**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.
- 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.

Carried

**E-9 Division 5 - Accessory Dwelling Unit**  
**File: PRDP20204140 (05333025)**

MOVED by Member Hanson that Development Permit Application PRDP20204140 be approved with the conditions noted in Attachment 'A'.

**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.

Carried

**E-10 Division 7 - Dwelling, Manufactured**  
**File: PRDP20210215 (08609003)**

MOVED by Member Boehlke that Development Permit Application PRDP20210215 be approved with the conditions noted in Attachment 'A'.

**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.

Carried

**E-11 Division 1 - Single-lot Regrading**  
**File: PRDP20204166 (04802017)**

Presenter: Brett Taylor, the Applicant

MOVED by Member McKylor that Development Permit Application PRDP20204166 be approved with the conditions noted in Attachment 'A'.

**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.

Carried



**E-12 Division 2 - Private Riding Arena**  
**File: PRDP20203762 (04721005)**

Vice-Chair Schule left the meeting at 11:47 a.m. and returned to the meeting at 11:49 a.m.

MOVED by Member McKylor that Development Permit No. PRDP20203762 be approved with the conditions noted in Attachment 'A'.

**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.



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 complaint 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.

Carried

**E-13 Division 2 - Keeping of Livestock**  
**File: PRDP20203966 (04721005)**

MOVED by Member McKylor that Development Permit No. PRDP20203966 be approved with the conditions noted in Attachment 'A'.

**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**.

Carried

**E-14 Division 6 - Single-lot Regrading**  
**File: PRDP20210473 (06315001)**

Presenter: Adrian Munro, the Applicant

MOVED by Member Boehlke that THAT Development Permit No. PRDP20210473 be approved with the conditions noted in Attachment 'A'.

Defeated

MOVED by Member Henn that Development Permit Application PRDP20210473 be tabled until the March 10 Municipal Planning Commission meeting, and direct Administration to return with detailed conditions related to soil transfer on this item.

Carried

The Chair called for a recess at 12:27 p.m. and called the meeting back to order at 12:34 p.m. with all previously mentioned members present.



**F-1    2020 - Year in Review**

MOVED by Member Wright that Administration's report on 2020 – Year in Review in regards to the Municipal Planning Commission be received as information.

Carried

MOVED by Member Wright 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.

Carried

**G        Adjourn the Meeting**

MOVED by Member Boehlke that the February 24, 2021 Municipal Planning Commission meeting be adjourned at 12:43 p.m.

Carried

**H        Next Meeting**

March 10, 2021

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Chair or Vice Chair

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Chief Administrative Officer or Designate

## PLANNING AND DEVELOPMENT SERVICES

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**TO:** Municipal Planning Commission  
Development Authority  
**DIVISION:** 4

**DATE:** March 10, 2021  
**APPLICATION:** PRDP20210306

**FILE:** 03219004

**SUBJECT:** Home Based Business, Type II and Accessory Buildings / Permitted & Discretionary use,  
with no Variances

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**APPLICATION:** Application is for a Home Based Business, Type II (firewood sales) and 3 accessory buildings (sea-cans).

**GENERAL LOCATION:** Located approximately 0.81 km (1/2 mile) south of Hwy 560 and west of Rge. Rd. 275.

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

**EXECUTIVE SUMMARY:** The Applicant is proposing to operate a Home Based Business, Type II for a firewood sales business (Black Dragon Industries) from the subject parcel. The business receives, stores and distributes palletized firewood. The Applicant states the business would operate Monday to Friday, 9:00 am – 3:00 pm and there are 2 employees, 1 employee is a resident of the parcel. The Applicant is proposing to utilise approximately 139.35 sq. m (1500.00 sq. ft.) of an existing accessory building (barn) for storage and staging of product (palletized firewood). The Applicant is proposing to place 3 accessory buildings (sea-cans), each approximately 29.73 sq. m (320.00 sq. ft.), which is a permitted use.

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

### OPTIONS:

- Option #1: THAT Development Permit Application PRDP20210306 be approved with the conditions noted in Attachment 'A'.
- Option #2: THAT Development Permit Application PRDP20210306 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.

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### Administration Resources

Wayne Van Dijk, Planning and Development



**AIR PHOTO & DEVELOPMENT CONTEXT:**



**VARIANCE SUMMARY:**

Variance	Required	Proposed	Percentage
Maximum Accessory Building Parcel Coverage	285.00 sq. m (3,067.71 sq. ft.)	411.29 sq. m (4,427.09 sq. ft.)	44.31%

**APPLICATION EVALUATION:**

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

<b>APPLICABLE POLICY AND REGULATIONS:</b> <ul style="list-style-type: none"> <li><i>Municipal Government Act</i></li> <li>Land Use Bylaw C-8000-2020</li> </ul>	<b>TECHNICAL REPORTS SUBMITTED:</b> <ul style="list-style-type: none"> <li>None</li> </ul>
<b>DISCRETIONARY USE:</b> <ul style="list-style-type: none"> <li>Home-Based Business, Type II is listed as a Discretionary use</li> <li>Accessory Building &lt; 930.00 sq. m (10,010.40 sq. ft.) is listed as a Permitted Use</li> </ul>	<b>DEVELOPMENT VARIANCE AUTHORITY:</b> <ul style="list-style-type: none"> <li>Municipal Planning Commission</li> </ul>

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"

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Executive Director  
Community Development Services

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Chief Administrative Officer

WV/ilt

**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 a Home-Based Business, Type II, for firewood sales, may operate on the subject parcel and that three (3) accessory buildings (sea-can) may be placed on the subject parcel in accordance with the approved site plan and conditions of this permit.

**Permanent:**

2. That the number of non-resident employees shall not exceed two (2) at any time.
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, Type II 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-Base 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 its accessory buildings.
8. That no off-site advertisement signage associated with the Home-Based Business shall be permitted.
9. That the operation of this Home-Based Business may generate up to a maximum of eight (8) business-related visits per day.
10. That the operation of this Home-Based Business shall be secondary to the residential use of the subject parcel.
11. That the accessory buildings (sea-cans) shall be painted to match the existing structures within 6 months from date of permit issuance.

**Advisory:**

12. That a Building Permit shall be obtained through Building Services, for the accessory buildings (sea cans) and for the change of use/occupancy required for the existing farm building (barn), prior to any development taking place.
13. That any other government permits, approvals, or compliances are the sole responsibility of the Applicant/Owner.
14. That this Development Permit shall be valid until **April 7, 2022**.

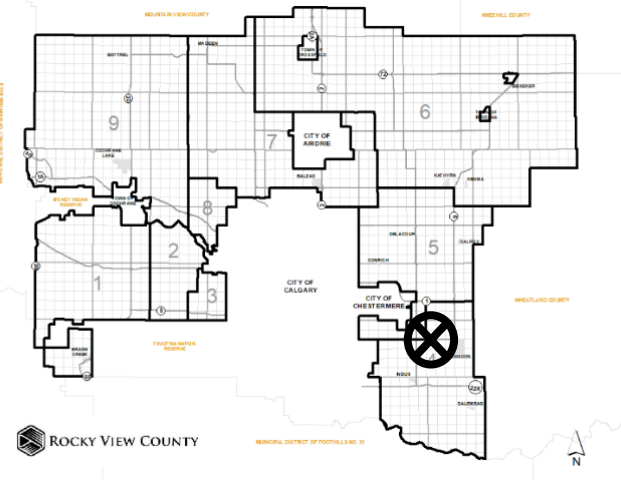
**ATTACHMENT 'B': MAPS AND OTHER INFORMATION**

<b>APPLICANT:</b> Shane Robinson	<b>OWNER:</b> Shane & Cindy Robinson
<b>DATE APPLICATION RECEIVED:</b> January 25, 2021	<b>DATE DEEMED COMPLETE:</b> February 8, 2021
<b>GROSS AREA:</b> ± 2.27 hectares (± 5.61 acres)	<b>LEGAL DESCRIPTION:</b> Lot 1, Plan 9610191, NE-19-23-27-W04M (233131 Rge. Rd. 275)
<b>APPEAL BOARD:</b> Subdivision, Development Appeal Board	
<b>HISTORY:</b> <ul style="list-style-type: none"><li>• 2012-DP-15144: Existing accessory building (barn)</li><li>• 2002-DP-9785: Existing Accessory building</li></ul>	
<b>PUBLIC &amp; AGENCY SUBMISSIONS:</b> <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

Home Based Business,  
 Type II (firewood sales)  
 and accessory buildings (3  
 sea-cans)







## Cover Letter

### Development Proposal

Home Based Business,  
Type II (firewood sales)  
and accessory buildings (3  
sea-cans)

To whom it may concern,

Please find enclosed all of the required documents in order for my application for a Type II Home based Business Permit. I have been laid off due to COVID and there is no work available for me. I am making an offer to buy an existing wood distribution business and move it out to my location so I can earn some income for my family. Currently this business is operating in Calgary in a ¼ acre lot using 3 40-ft containers and a 5500 sq-ft storage/staging area in an existing structure.. My application evolves around buying this business and moving/operating it on my property. I will be creating a delivery job for someone as well as a job for myself. I pray that you please keep this in mind as you are considering this application.

Each morning an in house driver will load up and deliver orders to customers. The number of product deliveries we receive varies depending on the season. We can get anywhere from 1-4 53-ft van deliveries of skidded firewood each week. This product will be stored in 3 40-ft ocean containers, and will be unloaded with a forklift.

In order to operate this business I will be utilizing 1500sq-ft of an existing building for a storage/staging area for packing and loading product., 3 40-ft ocean containers to store skidded firewood (approx 40'x24' footprint). The only change required to my property would be the addition of 3 ocean containers on the south side of the property.

I have a preexisting parking pad in front of my barn for the equipment required to run this business, and the expected customer pick up traffic . I have a solid road and lots of space for a 53-ft van to pull into, and turn around. I would have a very small footprint as I would require very little of my property to run this business, all infrastructure is in place.

Sales are done mostly online and by phone, and approx. 75% of all sales are delivered to the customer. Pick Up customers will be required to book a pick up time using our online pick up scheduler. We expect approx. 15-20 pickup customers per week.

Business Hours are 9 AM – 3 pm Monday-Friday. In order to run this business I would require a Cube van delivery truck, a 1 ton cargo van with a deck, a ½ ton pickup truck, and a forklift.

I have provided all of the documents required for the application to proceed, please let me know if you require anything else.

Best Regards,

Shane Robinson



Division: 4  
Roll: 03219004  
File: PRDP20210306  
Printed: Feb 2, 2021  
Legal: Lot:1 Plan:9610191  
with Page 3 of 10  
Page 3 of 10  
Page 3 of 10  
Page 3 of 10



## Aerial Image

### Development Proposal

Home Based Business,  
 Type II (firewood sales)  
 and accessory buildings (3  
 sea-cans)



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: 4  
 Roll: 03219004  
 File: PRDP20210306  
 Printed: Feb 2, 2021  
 Legal: Lot:1 Plan:9610191  
 with Page 3 of 244M

**Site Photos**  
 (February 10, 2021  
 Inspection)

**Development Proposal**

Home Based Business,  
 Type II (firewood sales)  
 and accessory buildings (3  
 sea-cans)



*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: 4  
 Roll: 03219004  
 File: PRDP20210306  
 Printed: Feb 2, 2021  
 Legal: Lot:1 Plan:9610191  
 with Page 3 of 24*



## **PLANNING AND DEVELOPMENT SERVICES**

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**TO:** Municipal Planning Commission  
Development Authority  
**DIVISION:** 9

**DATE:** March 10, 2021  
**APPLICATION:** PRDP20210331

**FILE:** 06929010

**SUBJECT:** Stripping, Grading, Excavation and Fill / Discretionary use, with no Variances

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**APPLICATION:** Application is for single-lot regrading and placement of clean fill for the construction of a pond and berm.

**GENERAL LOCATION:** located approximately 2.36 km (1 ½ mile) north of Hwy 1A and on the east side of Hwy 40 (Forestry Trunk Road).

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

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

**EXECUTIVE SUMMARY:** The Applicant is proposing to construct a pond approximately 400.00 sq. m (4,305.56 sq. ft.) and 6.00 m (19.69 ft.) deep. The excavated pond material is proposed to be utilized for the construction of a privacy berm, approximately 10.00 m (32.81 ft.) wide, 100.00 m (328.08 ft.) long and 2.50 m (8.20 ft.) high. The Applicant proposes the pond and privacy berm for recreation, beautification and privacy on the subject parcel.

### **OPTIONS:**

Option #1: THAT Development Permit Application PRDP20210331 be approved with the conditions noted in Attachment 'A'.

Option #2: THAT Development Permit Application PRDP20210331 be refused for the following reasons:

1. That is 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.

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### **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.

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

### Additional Review Considerations

No additional considerations.

## CONCLUSION:

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



ROCKY VIEW COUNTY

Respectfully submitted,

Concurrence,

“Theresa Cochran”

“Al Hoggan”

---

Executive Director  
Community Development Services

---

Chief Administrative Officer

WV/ilt

**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 for the construction of a pond and berm may commence on the subject land in general accordance with the drawings submitted with application.
  - i. That the excavation of approximately **10.00 m (32.81 ft.) wide, 40.00 m (131.23 ft.) long and 6.00 m (19.69 ft.) in depth**, may take place on the subject lands.
  - ii. That the placement of clean fill approximately **10.00 m (32.81 ft.) wide, 100.00 m (328.08 ft.) long and 2.50 m (8.20 ft.) high** may take place on the subject lands.

#### **Prior to Release:**

2. That Prior to Release of this permit, the Applicant/Owner shall provide a stormwater memo, prepared by a qualified professional, confirming whether the proposed developments conforms with the overall stormwater management strategy for the subject land without any adverse impacts to neighboring properties and/or the public road network. Should further improvements be necessary, the applicant will be required to provide a site specific stormwater management report, prepared by a qualified professional, addressing the necessary improvements to be implemented on the subject land to support the proposed development in accordance with County servicing standards.
3. That Prior to Release of this permit, the Applicant/Owner shall submit a Erosion and Sedimentation Control 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 and includes recommendations for mitigation measures for Erosion & Sediment Control as a result of the proposed development to the satisfaction of the County..

#### **Permanent:**

4. That the Applicant/Owner shall submit a Deep Fill Report, conducted and stamped by a professional geotechnical engineer for the placement of fill for areas where the fill is greater than 1.20 m (3.93ft) in depth, in accordance with County Servicing Standards..
5. That the Applicant/Owner shall ensure the excavation and fill has been completed in a safe manner that does not cause slope stability issues, slumping, or any adverse impacts on drainage.
6. That the Applicant/Owner shall be responsible for rectifying any adverse effect on the adjacent lands form drainage alteration.
7. 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.
8. That 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 or landscaped, to the satisfaction of the County.
9. 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:**

10. 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*].
11. That the Applicant/Owner shall adhere to the County's Noise Bylaw (C-5772-2003) at all times.
12. That if the development authorized by this Development Permit is not commenced with reasonable diligence within 6 months from the date of issue, and completed within 12 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 if this Development Permit is not issued by **September 31, 2021** or the approved extension date, then this approval is null and void and the Development Permit shall not be issued.
14. That any other government permits, approvals, or compliances are the sole responsibility of the Applicant/Owner.



## ATTACHMENT 'B': MAPS AND OTHER INFORMATION

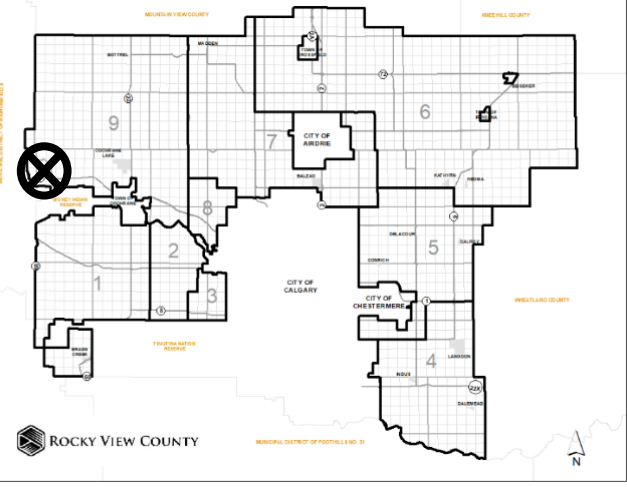
<b>APPLICANT:</b> Tyler Williscroft	<b>OWNER:</b> Tyler & Holly Williscroft
<b>DATE APPLICATION RECEIVED:</b> January 27, 2021	<b>DATE DEEMED COMPLETE:</b> February 8, 2021
<b>GROSS AREA:</b> ± 4.94 hectares (± 12.21 acres)	<b>LEGAL DESCRIPTION:</b> Lot 1, Plan 8911821, SW-29-26-05-W05M
<b>APPEAL BOARD:</b> Subdivision, Development Appeal Board	
<b>HISTORY:</b> <ul style="list-style-type: none"> <li>No previous development permit history</li> </ul>	
<b>PUBLIC &amp; AGENCY SUBMISSIONS:</b> 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, Grading,  
 Excavation and Fill for  
 construction of a pond and  
 berm



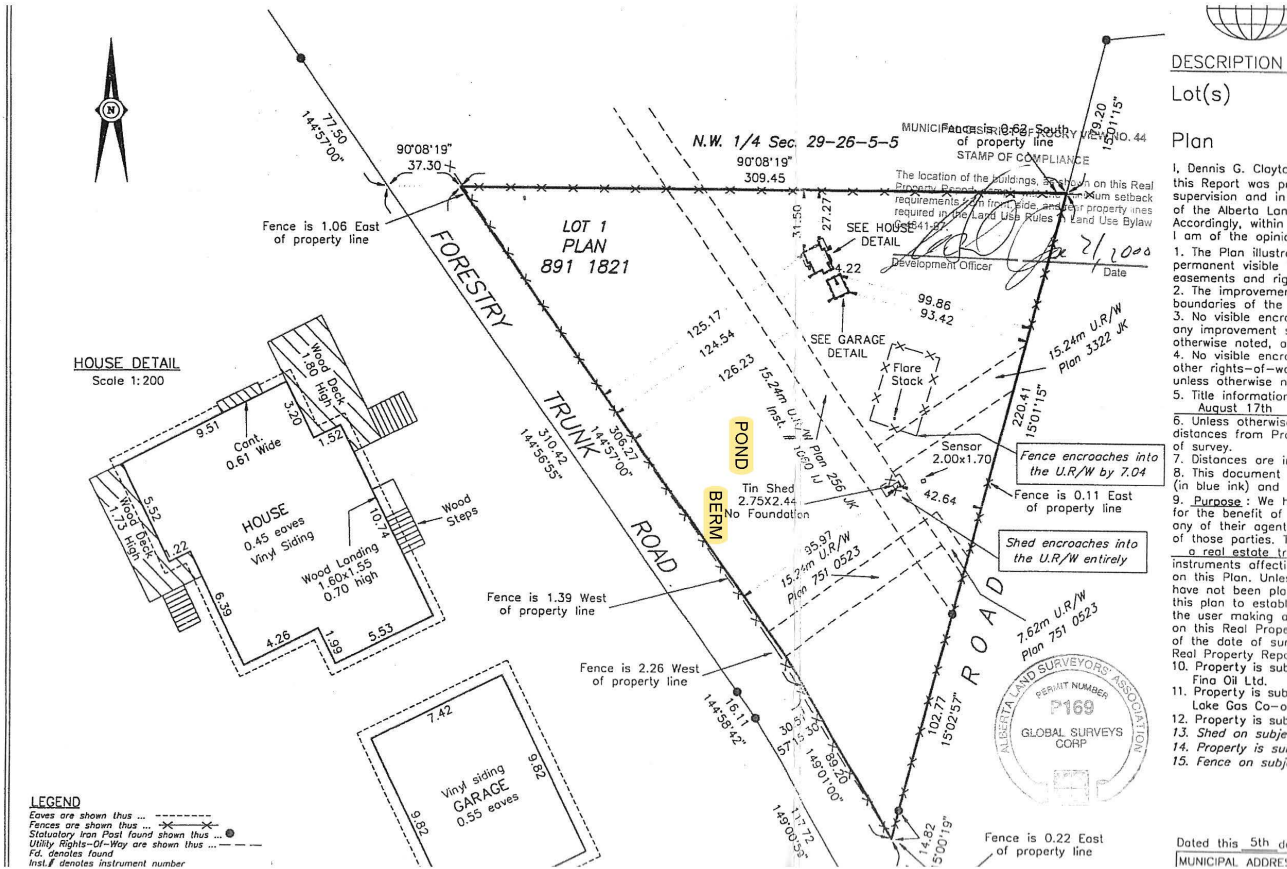
Division: 9  
 Roll: 06929010  
 File: PRDP20210331  
 Printed: Feb 2, 2021  
 Legal: Lot:1 Plan:8911821  
 with Page 41 of 2445M



## Site Plan

## Development Proposal

Stripping, Grading,  
Excavation and Fill for  
construction of a pond and  
berm



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: 9  
Roll: 06929010  
File: PRDP20210331  
Printed: Feb 2, 2021  
Legal: Lot:1 Plan:8911821  
with Page 42 of 2445M

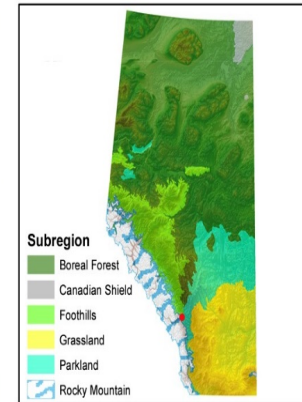




## Site Plan

### Development Proposal

Stripping, Grading,  
Excavation and Fill for  
construction of a pond and  
berm



### Legend

#### Contours (1 m)

- Contour
- Fifth Contour
- Property Boundary

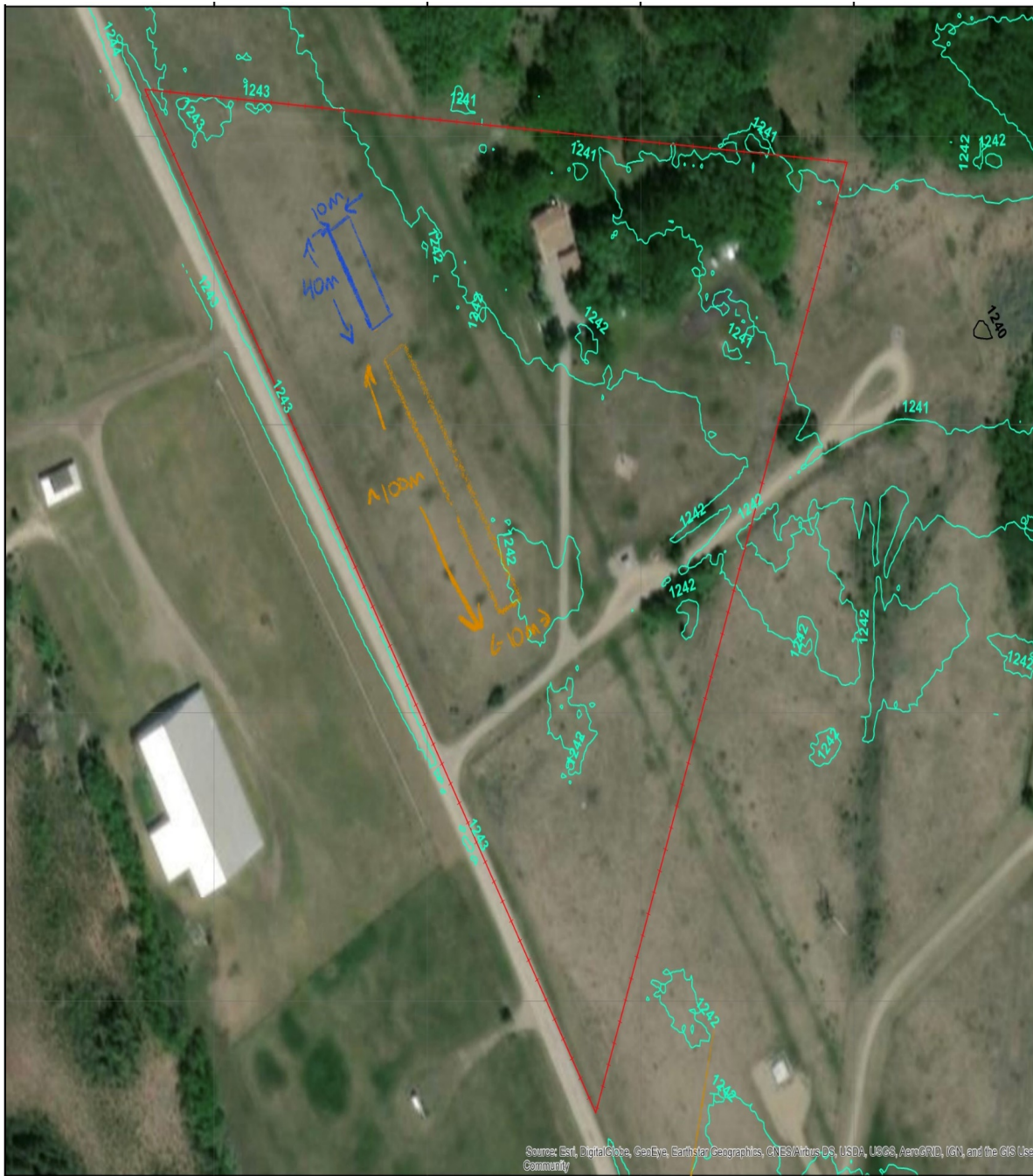
**Project Description:**  
 Tyler Williscroft  
 Elevation Contours  
 Scale = 1 : 1500  
 Grid Spacing = 100 m



Author: Brent Smith  
 Date: 2020-10-11  
 Coordinate System:  
 NAD 1983 UTM Zone 12N

Disclaimer: The information on this map was derived from digital databases accessed from international, federal, provincial, and municipal governments. Care was taken in the creation of this map; however, the User accepts responsibility for errors, omissions, or issues relating to data accuracy.

Division: 9  
 Roll: 06929010  
 File: PRDP20210331  
 Printed: Feb 2, 2021  
 Legal: Lot:1 Plan:8911821  
 with Page 43 of 2445M

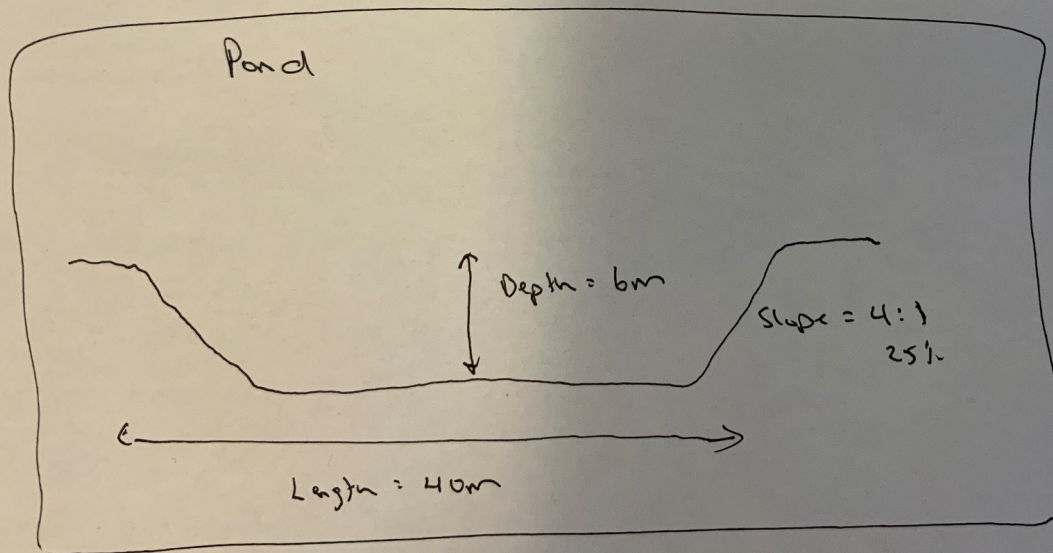
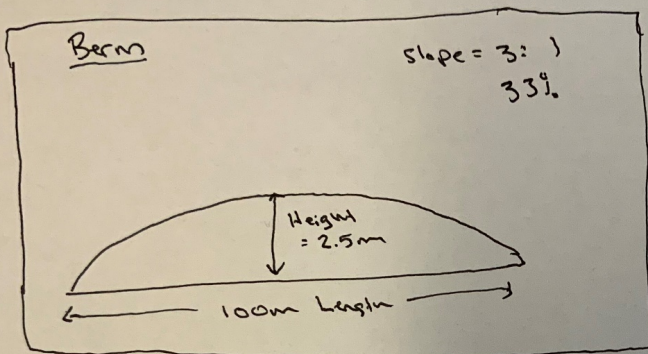


Source: Esri, DataCite, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

## Site Plan

### Development Proposal

Stripping, Grading,  
 Excavation and Fill for  
 construction of a pond and  
 berm



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: 9  
 Roll: 06929010  
 File: PRDP20210331  
 Printed: Feb 2, 2021  
 Legal: Lot:1 Plan:8911821  
 with SW/44-26-02-445M  
 Page 44 of 54



Rockyview County Planning and Development  
Development Permit Proposal  
development@rockyview.ca

January 26, 2021

## Cover letter

### Development Proposal

Stripping, Grading,  
Excavation and Fill for  
construction of a pond and  
berm

To Whom It May Concern,

Please find attached a landscape design proposal for your consideration. We wish to develop our acreage property at 264106 Forestry Trunk Road. Specifically, we wish to dig a large pond for recreation, beautification and use for a future market garden. We plan to use the resulting materials to build a berm to provide privacy, wind break and further beautification to the property. It will also act as a visual blocker to the large quonset directly across the highway. We also wish to use the rocks we unearth for further landscaping and permaculture projects around the property.

Due to the 60 meter setback requirement from the highway and the setback from the utility right of way, we would like to request authorization to place the berm and a portion of the proposed pond within the setback from our west property boundary.

Thank you for your consideration of our application. We look forward to your response.

Sincerely,  


Tyler and Holly Willis



Division: 9  
Roll: 06929010  
File: PRDP20210331  
Printed: Feb 2, 2021  
Legal: Lot:1 Plan:8911821  
with Page 45 of 244  
Page 45 of 244

**Site Photos**  
 (February 10, 2021  
 Inspection)

**Development Proposal**

Stripping, Grading,  
 Excavation and Fill for  
 construction of a pond and  
 berm



*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: 9  
 Roll: 06929010  
 File: PRDP20210331  
 Printed: Feb 2, 2021  
 Legal: Lot:1 Plan:8911821  
 with SW 46 26 of 2 44 5M  
 Page 46 of 244

**PLANNING AND DEVELOPMENT SERVICES**

---

**TO:** Municipal Planning Commission  
Development Authority  
**DIVISION:** 2

**DATE:** March 10, 2021  
**APPLICATION:** PRDP20210471

**FILE:** 04723121

**SUBJECT:** Accessory Building / Discretionary use, with Variances

---

**APPLICATION:** Application is for the construction of an accessory building (oversize garage), relaxation to the maximum accessory building area and relaxation to the maximum accessory building height.

**GENERAL LOCATION:** located approximately 0.20 km (1/8 mile) west of Rge. Rd. 31 and 0.20 km (1/8 mile) north of Lower Springbank Rd.

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

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

**EXECUTIVE SUMMARY:** The Applicant is proposing to construct an accessory building, detached garage with hobby shop, approximately 108.60 sq. m (1,168.96 sq. ft.). The proposed height of the accessory building is approximately 7.56 m (24.80 ft.). Requires relaxation to the maximum accessory building size and the maximum accessory building height.

**OPTIONS:**

Option #1: THAT Development Permit Application PRDP20210471 be approved with the conditions noted in Attachment 'A'.

Option #2: THAT Development Permit Application PRDP20210471 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.

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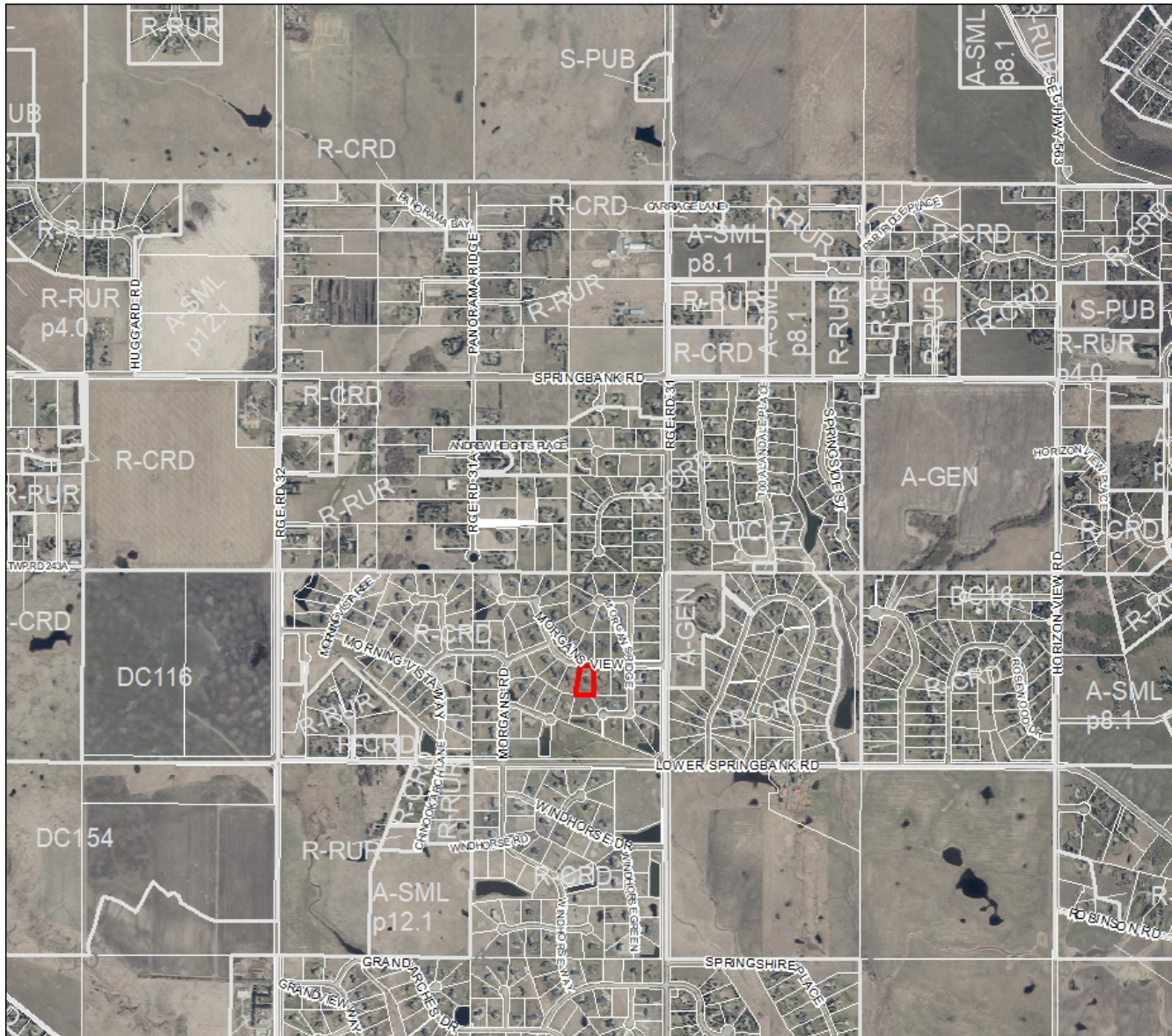
**Administration Resources**

Wayne Van Dijk, Planning and Development





ROCKY VIEW COUNTY

**AIR PHOTO & DEVELOPMENT CONTEXT:****VARIANCE SUMMARY:**

Variance	Requirement	Proposed	Percentage
Maximum Accessory Building Size	80.00 sq. m (861.11 sq. ft.)	108.60 sq. m (1,168.96 sq. ft.)	35.75%
Maximum Accessory Building Height	7.00 m (22.97 ft.)	7.56 m (24.80 ft.)	8.00%



**APPLICATION EVALUATION:**

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

<b>APPLICABLE POLICY AND REGULATIONS:</b> <ul style="list-style-type: none"> <li>• <i>Municipal Government Act</i></li> <li>• Central Springbank Area Structure Plan</li> <li>• Murray Lands Conceptual Scheme</li> <li>• Land Use Bylaw C-8000-2020</li> </ul>	<b>TECHNICAL REPORTS SUBMITTED:</b> <ul style="list-style-type: none"> <li>• None</li> </ul>
<b>DISCRETIONARY USE:</b> <ul style="list-style-type: none"> <li>• Accessory Building Area &gt; 80 sq. m (861.11 sq. ft.)</li> </ul>	<b>DEVELOPMENT VARIANCE AUTHORITY:</b> <ul style="list-style-type: none"> <li>• Municipal Planning Commission</li> </ul>

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/lt

**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 construction of an accessory building (oversize garage) may commence on the subject land in general accordance with the drawings submitted with application.
  - i. That the maximum accessory building area shall be relaxed from **80.00 sq. m (861.11 sq. ft.) to 108.61 sq. m (1,168.96 sq. ft.)**.
  - ii. That the maximum accessory building height shall be relaxed from **7.00 m (22.97 ft.) to 7.56 m (24.80 ft.)**.

#### **Permanent:**

2. That the color of the exterior siding and roofing materials of the proposed accessory building (garage) shall be similar/cohesive to the existing dwelling, single detached and/or surrounding area.
3. That the Applicant/Owner shall be responsible for rectifying any adverse effect on adjacent lands from drainage alteration.

#### **Advisory:**

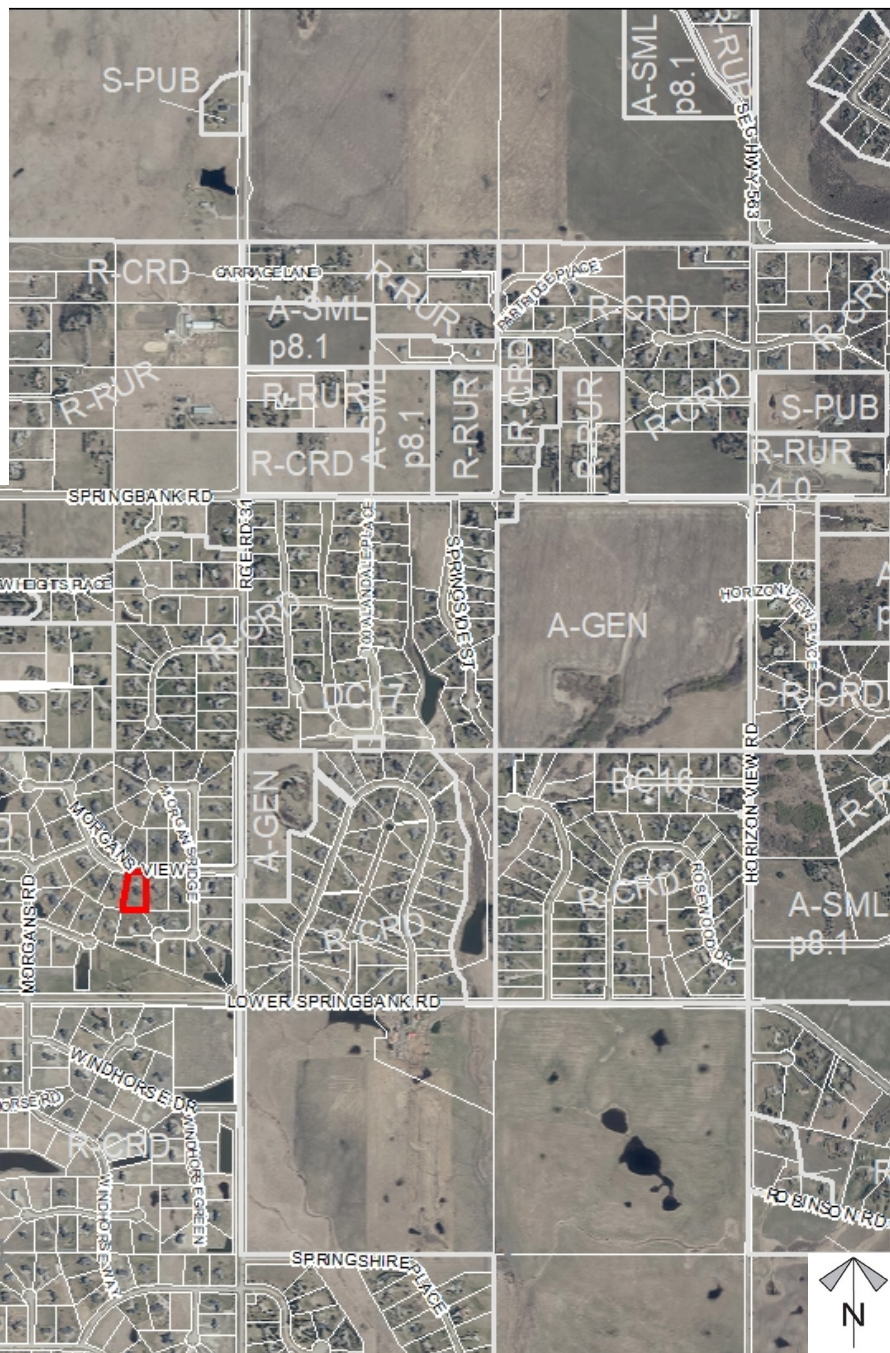
4. That a Building Permit shall be obtained, prior to any construction taking place.
5. That during construction of the building, all construction and building materials shall be maintained on-site, in a neat and orderly manner. Any debris or garbage shall be stored/placed in garbage bins and disposed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



## ATTACHMENT 'B': MAPS AND OTHER INFORMATION

<b>APPLICANT:</b> Bruce Abugov	<b>OWNER:</b> Bruce Abugov
<b>DATE APPLICATION RECEIVED:</b> February 4, 2021	<b>DATE DEEMED COMPLETE:</b> February 8, 2021
<b>GROSS AREA:</b> ± 0.83 hectares (± 2.05 acres)	<b>LEGAL DESCRIPTION:</b> Lot 47, Block 1, Plan 0514055, SE-23-24-03-W05M (31053 Morgans View)
<b>APPEAL BOARD:</b> Subdivision, Development Appeal Board	
<b>HISTORY:</b> <ul style="list-style-type: none"> <li>No previous development permit history</li> </ul>	
<b>PUBLIC &amp; AGENCY SUBMISSIONS:</b> 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.	

### Accessory Building

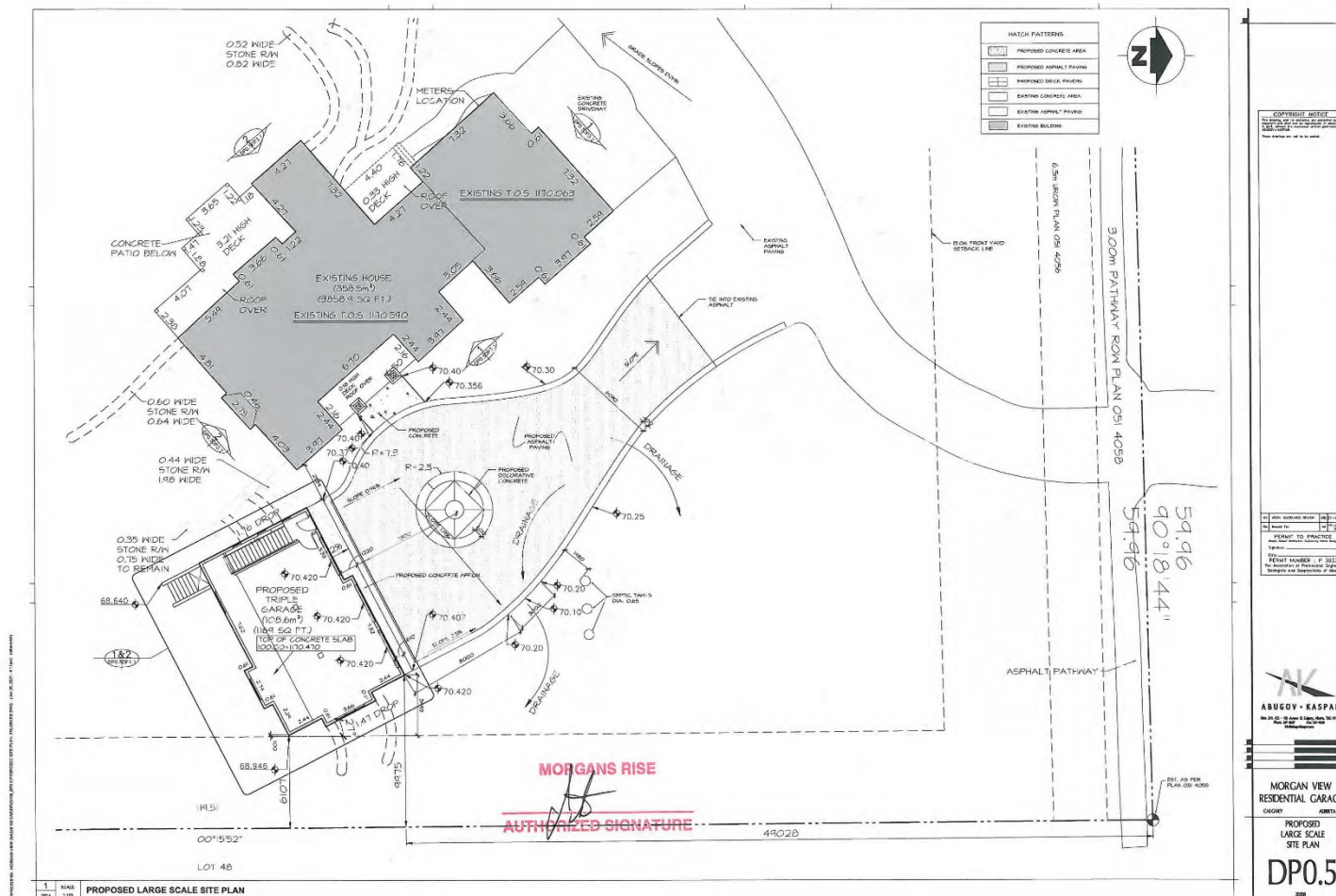




# Site Plan

## Development Proposal

### Accessory Building



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: 2  
Roll: 04723121  
File: PRDP20210471  
Printed: February 9, 2021  
Legal: Lot:47 Block:1  
Page: 6 of 24  
24-03-W05M

# Site Plan

## Development Proposal

### Accessory Building



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**PERMIT TO PRACTICE**  
 I hereby certify that the undersigned is a duly qualified and licensed professional engineer in the State of Alberta, and is authorized to practice the profession of engineering in the Province of Alberta.

**PERMIT NUMBER** 10123  
 The Registrar of Professional Engineers  
 Engineering and Geomatics in Alberta



**DP3.4**

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: 2  
 Roll: 04723121  
 File: PRDP20210471  
 Printed: February 9, 2021  
 Legal: Lot:47 Block:1  
 Plan: 04723121-23-24-03-W05M



# Site Plan

## Development Proposal

### Accessory Building



## Cover Letter

### Development Proposal

#### Accessory Building

**Rocky View County**  
 26 2075 Rocky View Point  
 Rockyview County, AB T4A 0X2

**Attn: Planning Services**

Dear Sir/Madam,

**Re: DP Application 31053 Morgans View**

Please find attached a development permit application for a detached 3-car garage for my personal residence. The garage is designed to match the existing house in scale, form and exterior finish. The location of the garage and associated driveway is intended to create a greater sense of arrival with emphasis on the main front entry of the house. The garage was designed as a freestanding building so as not to disturb the existing home and mature landscaping. The lower level is a hobby/workshop area.

The floor area is 108.6 sq.m which exceeds the 90 sq.m allowed as a permitted use but is less than the 120 sq.m allowed as a discretionary use.

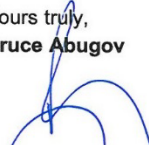
The garage is the exact same height as the existing garage which is 6.75m. However, as the existing grade drops toward the rear, the rear height is 8.3m for an average height of 7.56m. As such we are asking for a variance of 0.56m. This will ensure the scale and proportions match the existing house and garage.

I have met with both adjacent homeowners to review the plans. Both are supportive of the project.

In addition, I am attaching a copy of the drawings which have been reviewed and approved by the Morgans Rise Architectural Review Committee for compliance with the Morgans Rise Architectural Guidelines.

Please contact the undersigned at [REDACTED] for payment of any application fees as well as any additional information if required.

Yours truly,  
**Bruce Abugov**



Principal  
 C, LEED AP

*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: 2  
 Roll: 04723121  
 File: PRDP20210471  
 Printed: February 9, 2021  
 Legal: Lot:47 Block:1  
 Plan: 054-055 of 248  
 Page 10 of 12  
 24-03-W05M

## Site Photos (artists rendering)

### Development Proposal

Accessory Building



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: 2  
 Roll: 04723121  
 File: PRDP20210471  
 Printed: February 9, 2021  
 Legal: Lot:47 Block:1  
 Plan: 054-057 of 248  
 24-03-W05M



## Site Photos

### Development Proposal

Accessory Building



*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: 2  
 Roll: 04723121  
 File: PRDP20210471  
 Printed: February 9, 2021  
 Legal: Lot:47 Block:1  
 Plan: 24-03-W05M  
 Page 12 of 12

## **PLANNING AND DEVELOPMENT SERVICES**

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**TO:** Municipal Planning Commission  
Development Authority  
**DIVISION:** 1

**DATE:** March 10, 2021  
**APPLICATION:** PRDP20210414

**FILE:** 03912182

**SUBJECT:** Accessory Building (existing) / Discretionary use, with Variances

---

**APPLICATION:** Application is for an accessory building (existing), relaxation of the minimum side yard setback requirement and to allow the accessory building within the front yard of the property.

**GENERAL LOCATION:** located in the hamlet of Bragg Creek.

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

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

**EXECUTIVE SUMMARY:** The Applicant has constructed an accessory building located in the front yard and approximately 0.21 m (0.69 ft.) from the side property boundary. The accessory building has been in place for approximately 20 years. The application is the result of a Real Property Report request and requires variances.

### **OPTIONS:**

- Option #1: THAT Development Permit Application PRDP20210414 be approved with the conditions noted in Attachment 'A'.
- Option #2: THAT Development Permit Application PRDP20210414 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.

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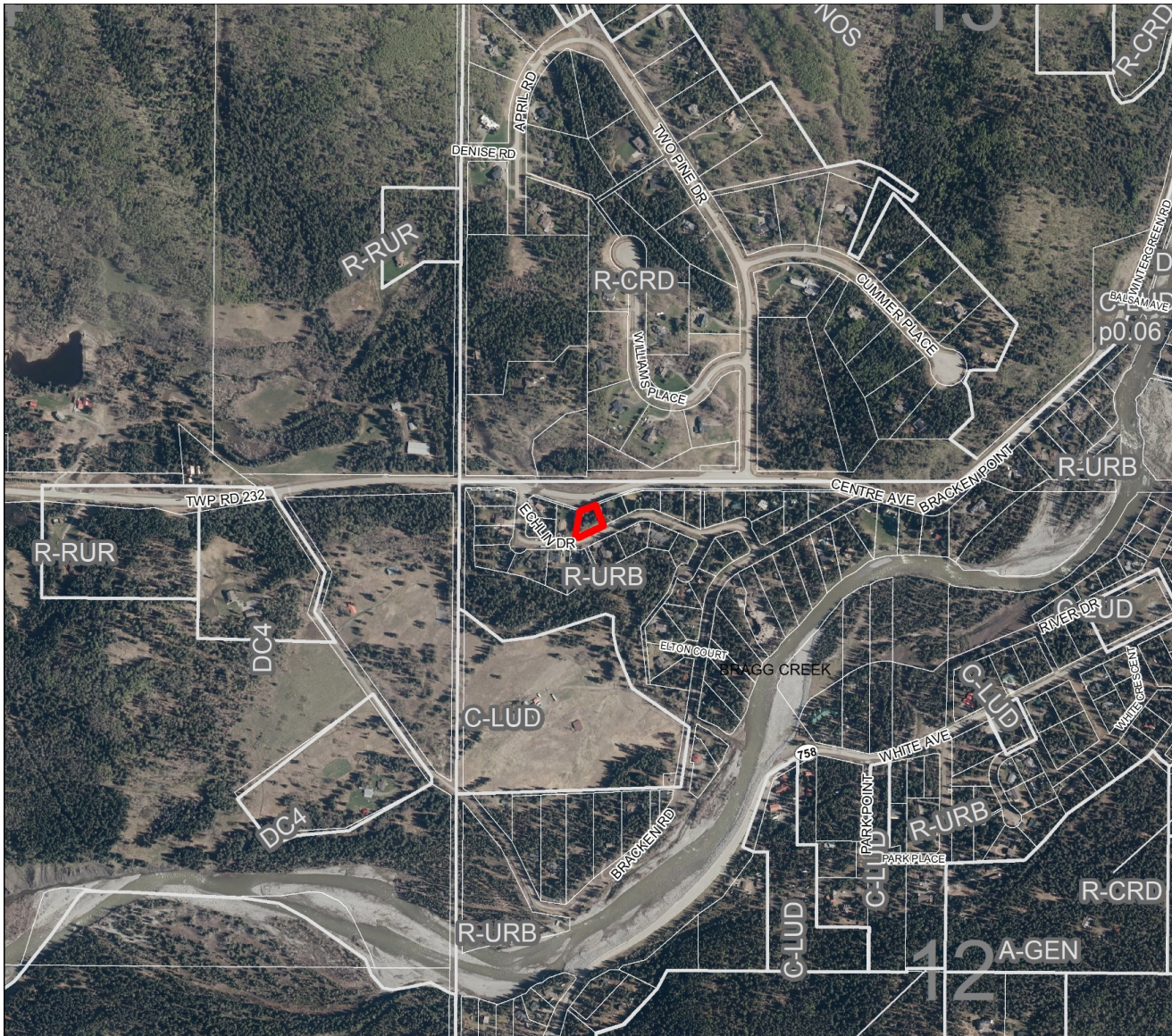
### **Administration Resources**

Wayne Van Dijk, Planning and Development





# AIR PHOTO & DEVELOPMENT CONTEXT:



## VARIANCE SUMMARY:

Variance	Requirement	Proposed	Percentage
Accessory Building located in Front Yard	Accessory buildings not permitted in front yard	Accessory building located in front yard	100.00 %
Side Yard Setback	0.60 m (1.97 ft.)	0.47 m (1.54 ft.)	21.67%



**APPLICATION EVALUATION:**

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

<b>APPLICABLE POLICY AND REGULATIONS:</b> <ul style="list-style-type: none"> <li>• <i>Municipal Government Act</i></li> <li>• Bragg Creek Area Structure Plan</li> <li>• Land Use Bylaw C-8000-2020</li> </ul>	<b>TECHNICAL REPORTS SUBMITTED:</b> <ul style="list-style-type: none"> <li>• None</li> </ul>
<b>DISCRETIONARY USE:</b> <ul style="list-style-type: none"> <li>• Accessory Buildings not permitted in front yard</li> <li>• Side yard setback 0.60 m (1.97 ft.)</li> </ul>	<b>DEVELOPMENT VARIANCE AUTHORITY:</b> <ul style="list-style-type: none"> <li>• Municipal Planning Commission</li> </ul>

Additional Review Considerations

The applicant has stated the shed has remained in location since purchasing the property in 2001.

**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/ilt

**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 accessory building (existing shed) may remain on the subject parcel, in general accordance with the drawings prepared by Lovse Surveys Ltd. and submitted with the application.
  - i. That the accessory building shall be permitted to remain in the front yard of the parcel.
  - ii. That the minimum side yard setback requirement is relaxed from **0.60 m (1.97 ft.)** to **0.21 m (0.69 ft.)**.

**Permanent:**

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



## ATTACHMENT 'B': MAPS AND OTHER INFORMATION

<b>APPLICANT:</b> Kimberley McMullen	<b>OWNER:</b> Kimberley McMullen
<b>DATE APPLICATION RECEIVED:</b> February 2, 2021	<b>DATE DEEMED COMPLETE:</b> February 12, 2021
<b>GROSS AREA:</b> ± 0.05 hectares (± 0.12 acres)	<b>LEGAL DESCRIPTION:</b> Lot 28, Block 1, Plan 1226LK, NW-12-23-05-W05M (111 Centre Street)
<b>APPEAL BOARD:</b> Subdivision, Development Appeal Board	
<b>HISTORY:</b> <ul style="list-style-type: none"> <li>No previous development permit history</li> </ul>	
<b>PUBLIC &amp; AGENCY SUBMISSIONS:</b> 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.	

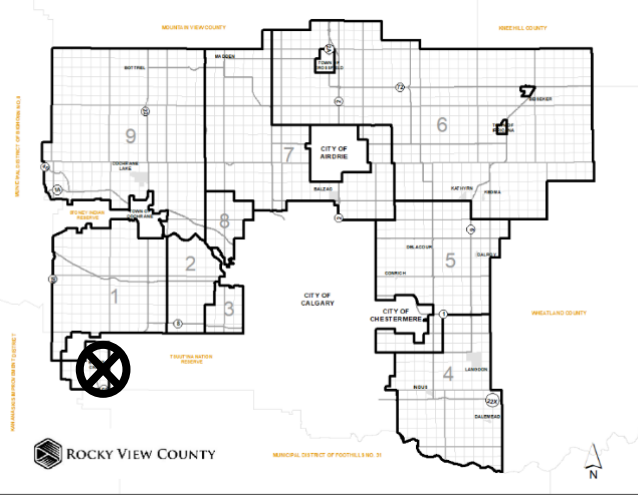




## Location & Context

### Development Proposal

Accessory Building  
(existing shed) with  
variance to side yard  
setback



Division: 1  
 Roll: 03912182  
 File: PRDP20210414  
 Printed: Feb 12, 2021  
 Legal: Lot:28 Block:1  
 Plan: 2021-12-23-05-W05M



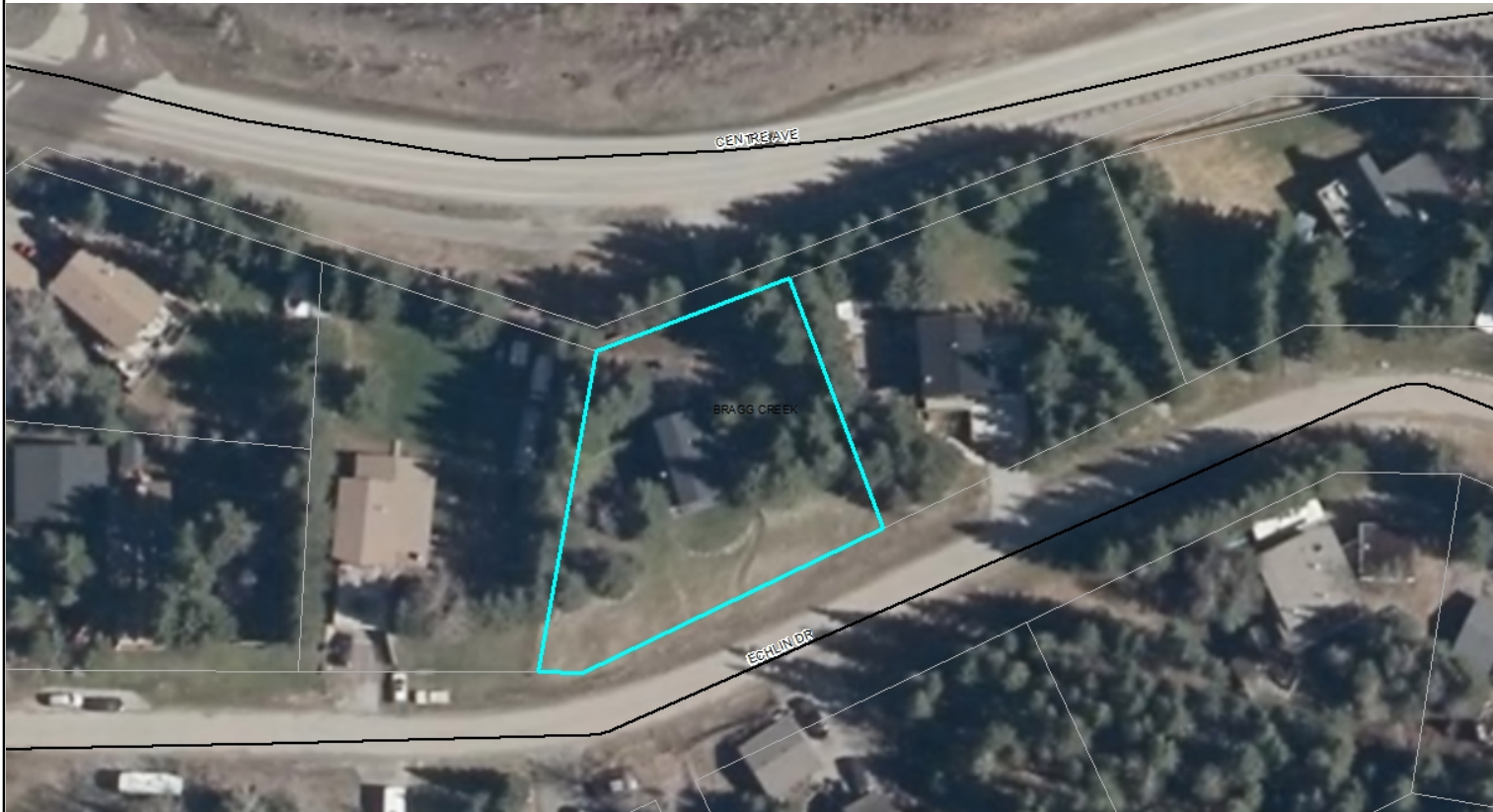
Division: 1  
Roll: 03912182  
File: PRDP20210414  
Printed: Feb 12, 2021  
Legal: Lot:28 Block:1  
Page 65 of 244  
23-05-W05M



## Site Plan

### Development Proposal

Accessory Building  
 (existing shed) with  
 variance to side yard  
 setback



*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: 03912182*  
*File: PRDP20210414*  
*Printed: Feb 12, 2021*  
*Legal: Lot:28 Block:1*  
*Page 66 of 244*  
*23-05-W05M*

## Cover Letter

### Development Proposal

Accessory Building  
(existing shed) with  
variance to side yard  
setback

I recently had a RPR done as I'm planning to sell my house. When I submitted my new RPR it came back as not in compliance due to the shed placement on the property. The shed was in the exact same location (it's a permanent shed) as when I purchased the house in 2001 at which time I received a RPR with a Rockyview stamp of compliance dated Aug 2001. I know the shed was there at the time the RPR was done because I'd been living in the house since 1999 as a rental and the shed was always there. I will explain why the shed is in the most logical place based upon my neighborhood layout and ask for an exception/variance or whatever is needed to keep the shed where it is and to have a RPR stamp of compliance issued.

Reasons I was told the RPR did not receive a stamp of compliance:

1. **The shed is located in the front yard, and sheds are not permitted in front yard.**  
My property as well as those around me are bordered by 2 roads (Echlin Rd and Centre Ave). All the houses in our development have their driveways on Echlin Dr., except mine is the only property to have a driveway from Centre Ave. (sketch attached). My "RPR" front yard/back yard designation is thus reversed from everyone else's. My front yard in practicality (and to match the flow and neighborhood aesthetics) really is the backyard. Centre Rd is against everyone else's backyard and all of their front yards are on Echlin Drive, thus all other sheds etc are at the back by Centre Ave like mine. My neighbor recently put a shed at the back of her property very near mine but on her side of the fence. Even though they are very near each other, hers is considered to be in the backyard, mine is considered to be in the front yard. I'm sure my whole neighborhood would prefer I keep my shed hidden at the back of my property where it has always been and not up front near Echlin Rd where everyone has their open front lawns and where their driveways are. As you can see on the sketch if I were to put the shed in my "designated back yard" it would be very out of place, would not align with the front/back yard positions of the properties next to me and would be an eyesore for my neighbors across from me on Echlin.

2. **The shed encroaching into the side yard setback.**  
The shed is in the exact same location as it was when I purchased the property in 2001. It is near the back fence at the corner of the property. On my compliance request I was told the shed is encroaching the side property set-back. I measured the distance from my neighbors actual fence and it's about 2meters at the front, almost 3 meters at the back (the shed is placed slightly off center). It looks like the fence is a little off from the actual property line as detailed on the RPR. That may explain why the shed had been placed a bit too close to the set-back. Since the shed is 100% on my property, and 2 meters from my neighbors actual fence I'd like approval to keep the shed where it is. To try to move the shed a couple of inches to match the survey/setback would probably destroy the shed and make no difference to my neighbor or anyone else in my neighborhood.

I've attached pictures showing my shed and also the neighbors across from me on Echlin to show putting a shed on the Echlin side of the property would not make any sense (our lots are 1/2 acre so it was difficult to get full pictures). Please email or call if you need any additional information.

Thank- You.  
Kim McMullen

*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: 03912182  
File: PRDP20210414  
Printed: Feb 12, 2021  
Legal: Lot:28 Block:1  
Page 67 of 244  
23-05-W05M



## Site Photos

### Development Proposal

Accessory Building  
 (existing shed) with  
 variance to side yard  
 setback



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

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Division: 1  
 Roll: 03912182  
 File: PRDP20210414  
 Printed: Feb 12, 2021  
 Legal: Lot:28 Block:1  
 Plan: 23-05-W05M  
 Page 68 of 244

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**PLANNING AND DEVELOPMENT SERVICES**

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<b>TO:</b>	Municipal Planning Commission Development Authority	<b>DIVISION:</b> 8
<b>DATE:</b>	March 10, 2021	<b>APPLICATION:</b> PRDP20202427
<b>FILE:</b>	05630010	
<b>SUBJECT:</b>	Installation of Three (3) Digital Sign Displays / Discretionary use, with no Variances	

---

**APPLICATION:** Application is for Signs, installation of three (3) Digital Display signage.

**GENERAL LOCATION:** located approximately 0.20 km (1/8 mile) north of Twp. Rd. 254 and 0.20 km (1/8 mile) east of Bearspaw Rd.

**LAND USE DESIGNATION:** Commercial, Highway District (C-HWY) under Land Use Bylaw C-8000-2020

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

**EXECUTIVE SUMMARY:** The Applicant is proposing to replace two (2) current signs, 1 pre-sell board and 1 menu board for drive-thru, with digital displays and also add one (1) additional pre-sell board, for Tim Horton's. The current signs were approved by the Subdivision and Development Appeal Board Order 42-15 on October 7, 2015. The proposed replacement signs are the same dimensions as the existing signs.

**OPTIONS:**

- Option #1: THAT Development Permit Application PRDP20202427 be approved with the conditions noted in Attachment 'A'.
- Option #2: THAT Development Permit Application PRDP20202427 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.

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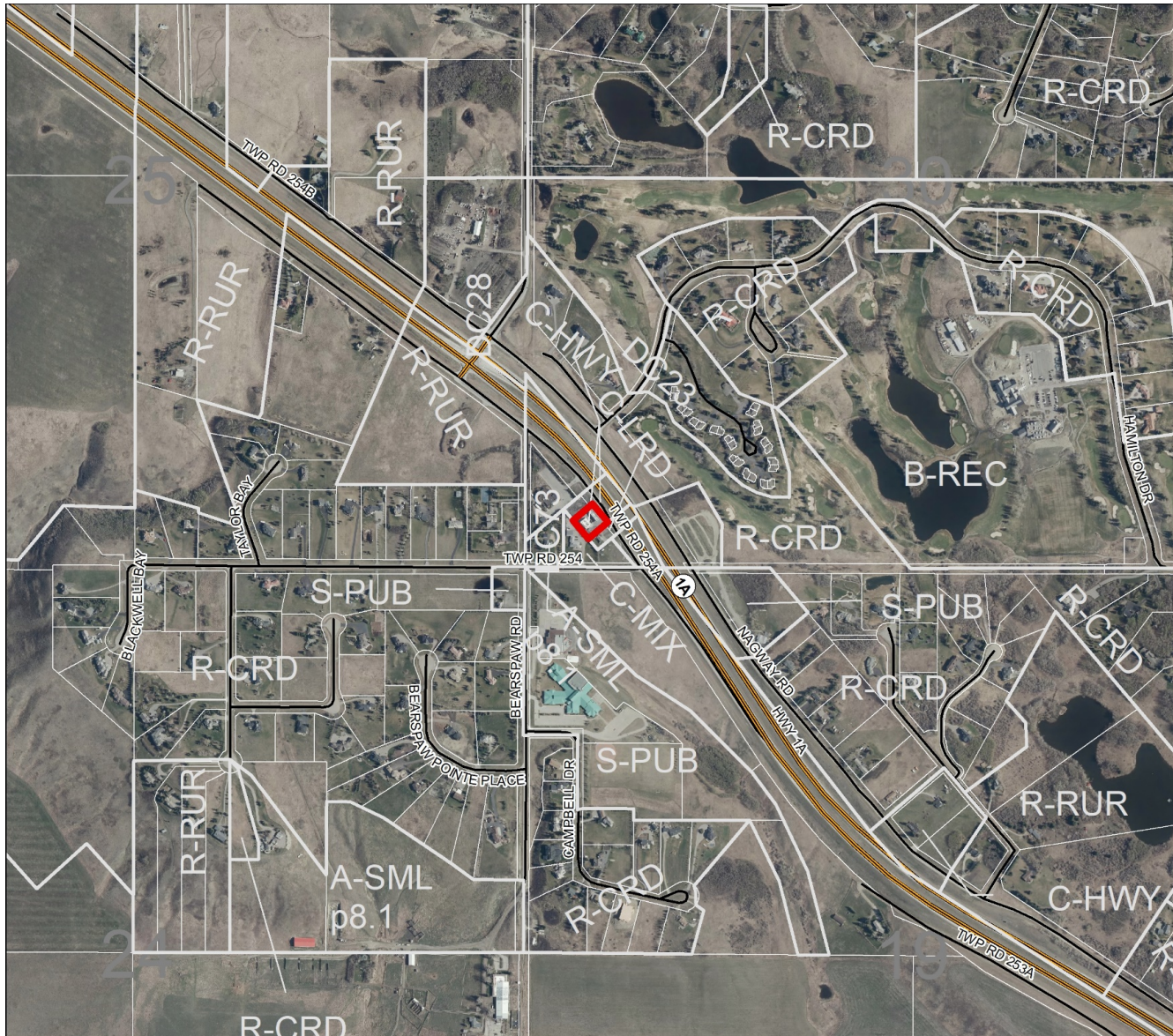
**Administration Resources**

Wayne Van Dijk, Planning and Development





ROCKY VIEW COUNTY

**AIR PHOTO & DEVELOPMENT CONTEXT:****APPLICATION EVALUATION:**

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

<b>APPLICABLE POLICY AND REGULATIONS:</b> <ul style="list-style-type: none"> <li>• <i>Municipal Government Act</i></li> <li>• City of Calgary Intermunicipal Development Plan</li> <li>• Bearspaw Area Structure Plan</li> <li>• Land Use Bylaw C-8000-2020</li> </ul>	<b>TECHNICAL REPORTS SUBMITTED:</b> <ul style="list-style-type: none"> <li>• None</li> </ul>
<b>DISCRETIONARY USE:</b> <ul style="list-style-type: none"> <li>• Freestanding &amp; Digital Signs</li> </ul>	<b>DEVELOPMENT VARIANCE AUTHORITY:</b> <ul style="list-style-type: none"> <li>• Municipal Planning Commission</li> </ul>





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

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Chief Administrative Officer

WV/lt

**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 installation of three (3) freestanding, digitally illuminated signs *Signs*, may be placed on the subject property in general accordance with the submitted application and drawings, as prepared by Pride Signs:
  - i. Three freestanding signs; all digitally illuminated. The Pre-sale signs approximately 0.67 sq. m (7.17 sq. ft.) in area and the menu board approximately Area: 2.00 sq. m (7.17 sq. ft.).
    - a) LED digital signs shall not be more than 300 nits from sunrise to sunset.
    - b) Digital sign shall be multi-colour, full colour board;
    - c) Digital signs to have static cop withhold time of a minimum of six seconds or more; no moving or flashing images.

#### **Permanent:**

2. That the signs shall be kept in a safe, clean and tidy condition at all times.
3. That the signs shall be maintained in accordance with the design drawings and site plan as submitted with the application.
4. The LED signs shall be equipped with an ambient light detector.
5. That the LED signs shall be multi-colour boards.
6. 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.
7. That 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.
8. That the LED signs shall at no time display an image or transition between images in such a manner 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.
9. That 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..
10. That the electrical power supply to the LED signs shall be provided underground.



11. 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 the components are repaired and operating as approved.
12. That the hours of operation for the digital LED signs will be between 5:00 am to 10:00 pm; the sign will be deactivated or set to emit 0.0 lux between the hours of 10:01 pm to 4:59 am.

**Advisory:**

13. That any other government permits, approvals, or compliances are the sole responsibility of the Applicant/Owner.
14. 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.



## ATTACHMENT 'B': MAPS AND OTHER INFORMATION

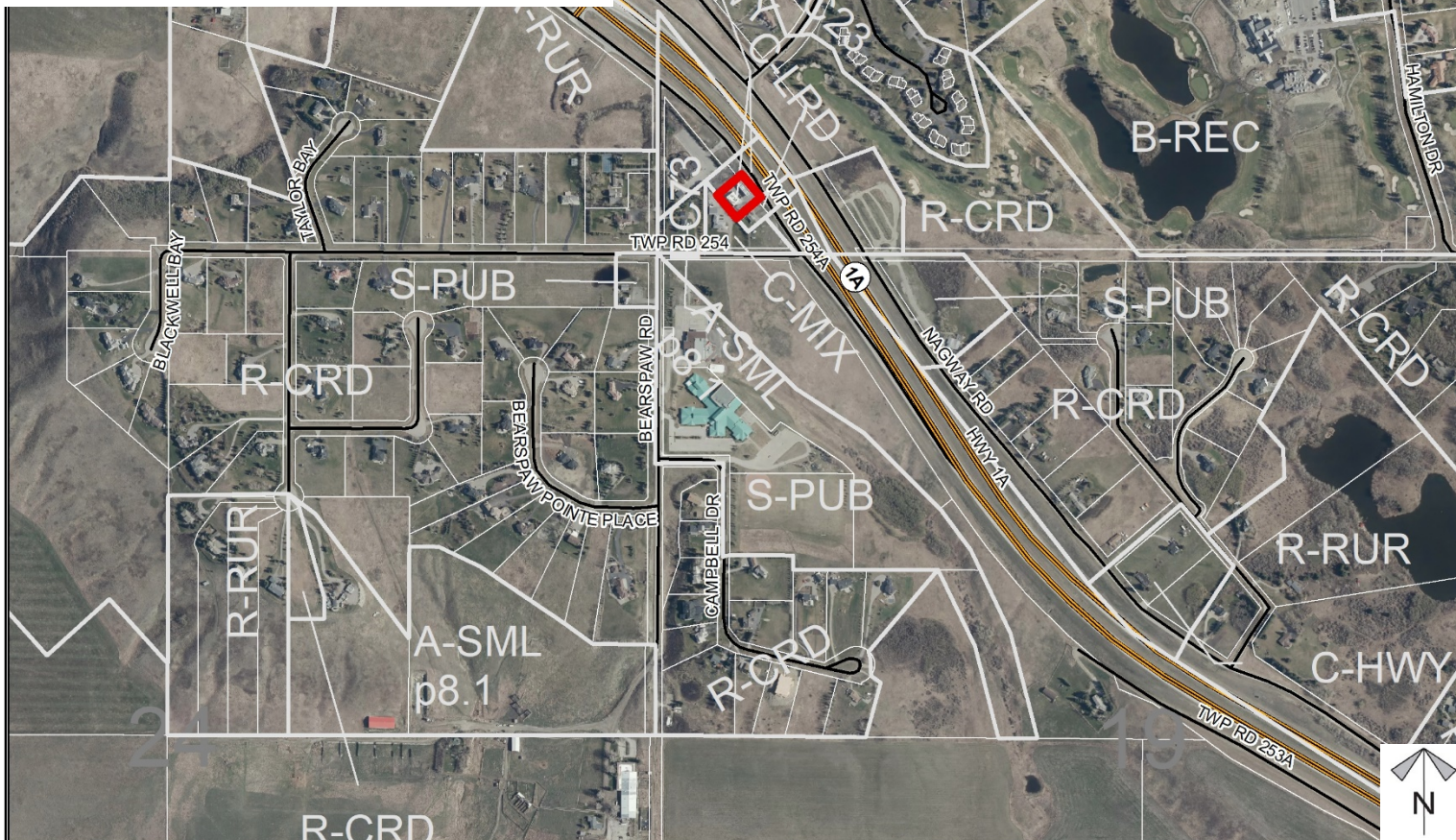
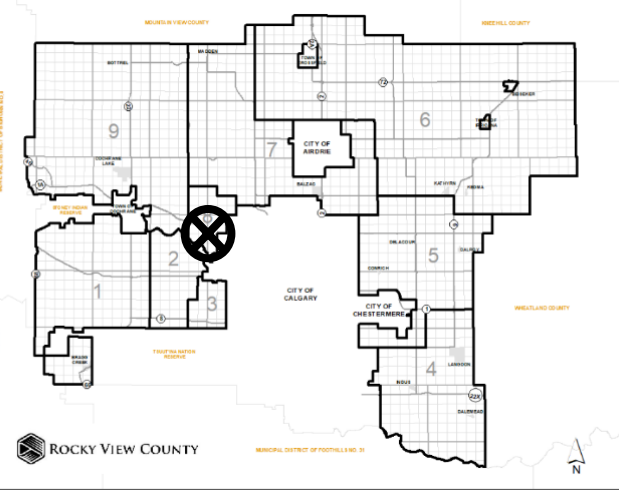
<b>APPLICANT:</b> Isabella Cerelli (Pride Signs)	<b>OWNER:</b> 650273 Alberta Ltd.
<b>DATE APPLICATION RECEIVED:</b> August 19, 2020	<b>DATE DEEMED COMPLETE:</b> September 14, 2020
<b>GROSS AREA:</b> ± 0.27 hectares (± 0.66 acres)	<b>LEGAL DESCRIPTION:</b> Lot 4, Block C, Plan 1310550, SW-30-25-02-W05M (A-25238 Twp. Rd. 254A, Tim Horton's)
<b>APPEAL BOARD:</b> Subdivision, Development Appeal Board	
<b>HISTORY:</b> <ul style="list-style-type: none"> <li>No previous development permit history</li> </ul>	
<b>PUBLIC &amp; AGENCY SUBMISSIONS:</b> 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

Freestanding Signs

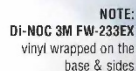


Division: 8  
 Roll: 05630010  
 File: PRDP20202427  
 Printed: October 14, 2020  
 Legal: SW-30-25-02-W05M  
 Lot 4 Block C Plan 1310550  
 Page 75 of 244





Scale:  $3/4" = 1'-0"$



1. Internal frame materials: Steel, powder coated Pantone 425 ( Matte Grey )
2. External covers: Aluminum power coated Pantone 2479CP ( Matte Black )
3. External perimeter trim: Aluminum power coated Pantone 425 ( Matte Grey )
4. Digital display equipment: Samsung outdoor display model OH46F

1. Power supply: 120v Single Phase 60HZ 20A
2. Data feed: CAT6 cable with RJ45 Termination

—As per structural drawing ( Site Specific )



—As per structural drawing ( Site Specific )

### Electrical Requirements

### Electrical Requirements

**Structural Reference:**  
TIMS -MB107435.150A1

**Structural Reference:**  
TIMS -MB107435.150A1

 Preliminary Artwork  
 Approved for Production

Approved for Production



THIS artwork is the property of PRIDE SIGNS LTD AND MAY NOT BE USED IN WHOLE OR IN PART WITHOUT WRITTEN CONSENT FROM PRIDE SIGNS LTD. © 2019  
255 PINEBUSH ROAD CAMBRIDGE ONTARIO CANADA TEL: 519.622.4040 FAX: 519.622.4031 WWW.PRIDESIGNS.COM



sacace



**DRAWN BY:** B. Guse  
**DATE:** February 19, 2021

**DRAWN BY:** B. Guse  
**DATE:** February 19, 2021

Graphic rendition is representative of specific signs. Colour / dimensions / material details should be verified using reference drawing specifications. Profile Signs Ltd. is not responsible for inherent variations caused by digital and/or print variations.

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



Division: 8  
Roll: 05630010  
File: PRDP20202427  
Printed: October 14, 2020  
Legal: SW-30-25-02-W05M  
Lot: 4 Block: C Plan: 1310550  
Page 77 of 244

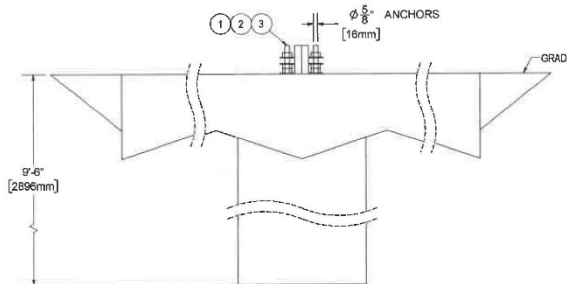
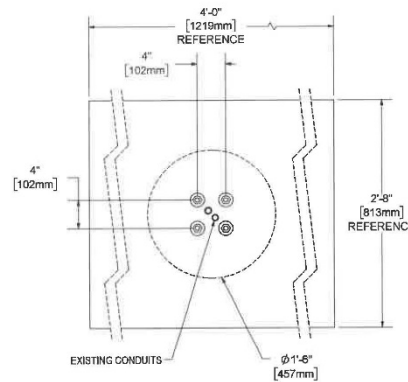
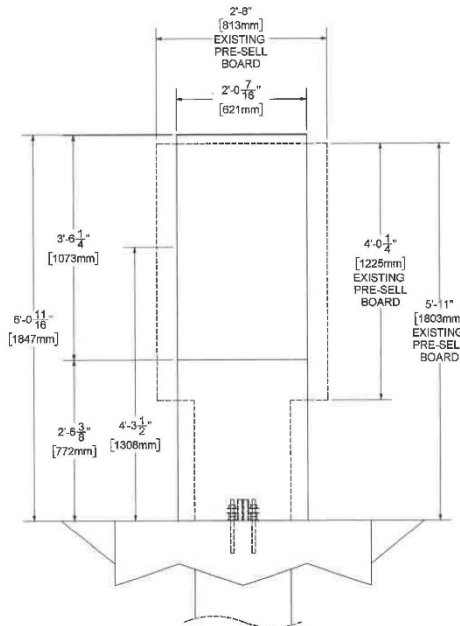
# Design Drawings

## Development Proposal

### Freestanding Signs

TIMS-MB107435.150 A1				
SHEET #: 1 OF 1				
#	PART	QTY	DESCRIPTION	LENGTH
1	BOLT147	4	5/8"x10" WEDGE BOLT	
2	NUT049	12	5/8" STEEL HEX NUT - GRADE 5	
3	WASH056	12	Ø5/8" STEEL WASHER	
4	PLY002	1	ROUTED PLYWOOD PATTERN	1'-8"
ITEM #4 NOT SHOWN				

EXISTING PRE-SELL BOARD AREA = 13.61 SF  
NEW PRE-SELL BOARD AREA = 12.42 SF



### EXISTING CONCRETE BASE / NEW WEDGE BOLTS

### WEDGE BOLT INSTALLATION PROCEDURE

- CUT ANY EXISTING BOLTS FLUSH TO GRADE
- DRILL Ø5/8" HOLE - 7" INTO EXISTING CONCRETE
- USING PLYWOOD PATTERN PROVIDED
- BLOW OUT HOLE / CLEAN HOLE
- PLACE WEDGE BOLTS INTO DRILLED HOLES
- PLACE WASHER AND NUT
- TIGHTEN INTO PLACE - MIN 4" ABOVE GRADE
- MINIMUM EMBEDMENT OF 5.625" BELOW TOP OF BASE

DESIGN NOTES:  
LOADS AS PER ABC - 2014 FOR  
CALGARY, AB AREA:

WIND  $q(1/50) = 0.48 \text{ kPa}$   
SNOW  $S_s = 1.1 \text{ kPa}$   
 $S_r = 0.1 \text{ kPa}$



DRAWN BY: D. HARTMAN 06-Aug-20  
CHECKED BY:  
TOTAL AMP DRAW: -

TIM HORTONS  
25238 TOWNSHIP ROAD 254A  
CALGARY, AB

### ODMB, 46" SINGLE PRE-SELL DISPLAY

01 RELEASED FOR PERMITS D. HARTMAN 06-Aug-20  
CUT FILE: WEIGHT: 291 LBS

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.



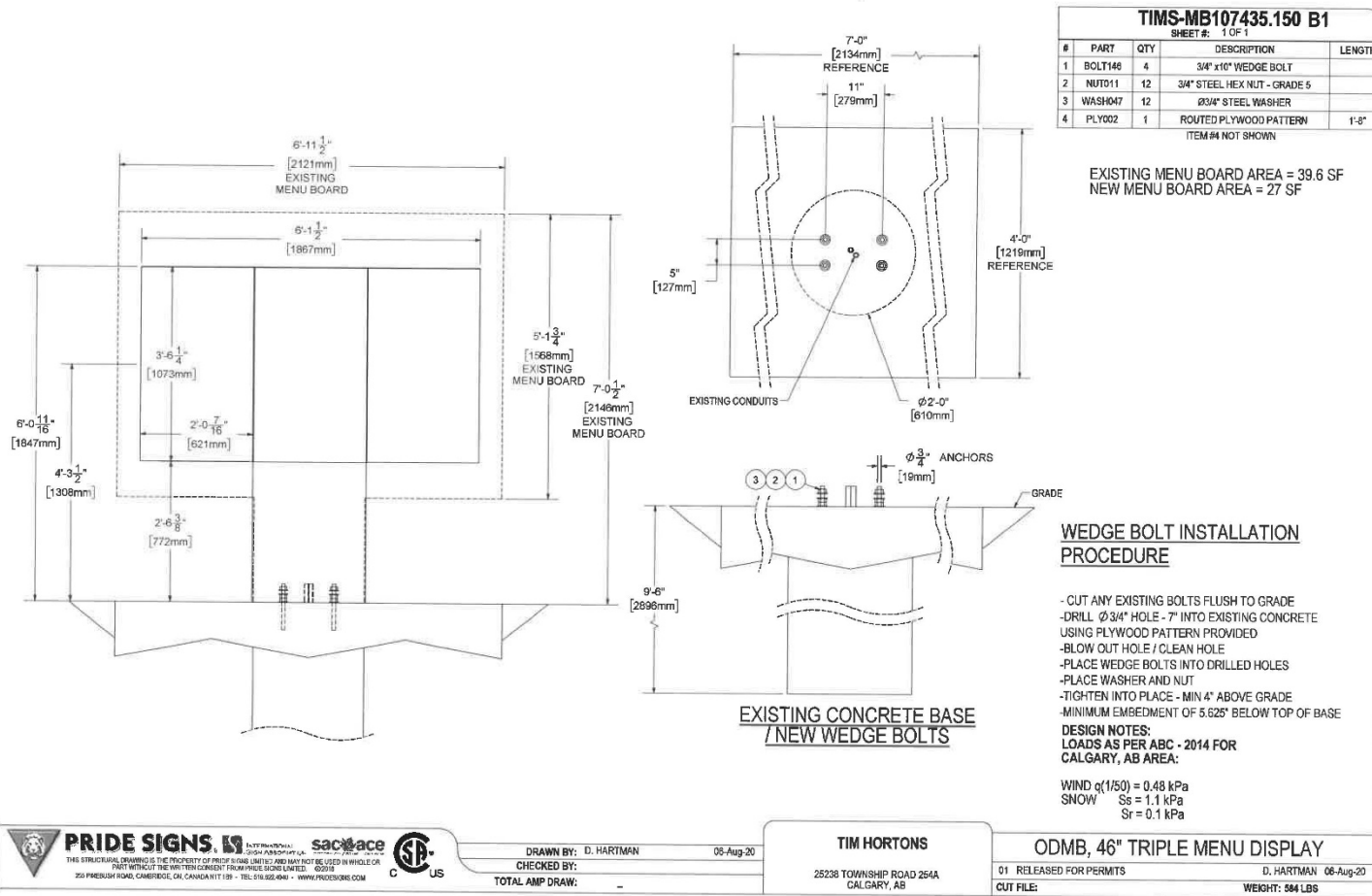
Division: 8  
Roll: 05630010  
File: PRDP20202427  
Printed: October 14, 2020  
Legal: SW-30-25-02-W05M  
Lot: 4 Block: C Plan: 1310550  
Page 78 of 244



# **Design Drawings**

## **Development Proposal**

### **Freestanding Signs**



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

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 File: PRDP20202427  
 Printed: October 14, 2020  
 Legal: SW-30-25-02-W05M  
 Lot: 4 Block: C Plan: 1310550  
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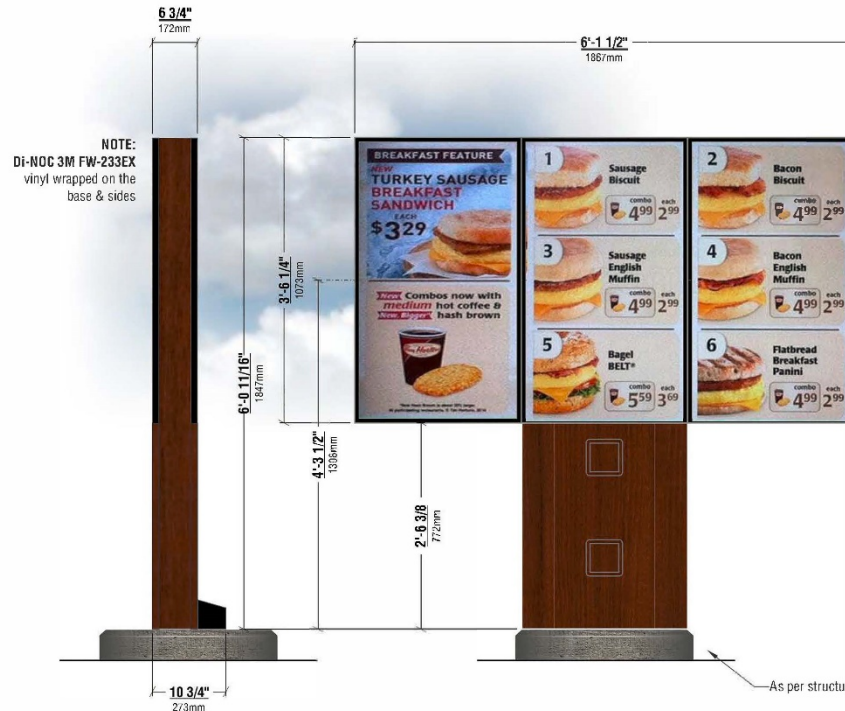


## Design Drawings

### Development Proposal

#### Freestanding Signs

**S/s Digital Menu Board**  
 Scale: 3/4" = 1'-0"



Drawing No.  
**0M46F - Triple Display**

Electrical Requirements  
**120V**

**Sign 2**

Structural Reference:  
**TIMS\_-MB107435.150B1**

#### Material Specifications

1. Internal frame materials: Steel, powder coated Pantone 425 ( Matte Grey )
2. External covers: Aluminum power coated Pantone 2479CP ( Matte Black )
3. External perimeter trim: Aluminum power coated Pantone 425 ( Matte Grey )
4. Digital display equipment: Samsung outdoor display model OH46F (3)

#### Power & Data Requirements

1. Power supply: 120v Single Phase 60HZ 20A
2. Data feed: CAT6 cable with RJ45 Termination

**TOTAL CABINET AREA = 2.00m<sup>2</sup>**

☒ Preliminary Artwork

☐ Approves for Production:



**DRAWN BY:** B. Guse  
**DATE:** February 19, 2021

Graphic rendition is representative of specific signage. Color, dimensions, material details should be verified with reference drawing specifications. Pride Signs Ltd. is not responsible for improper installation caused by display and/or print variations.

**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: 8  
 Roll: 05630010  
 File: PRDP20202427  
 Printed: October 14, 2020  
 Legal: SW-30-25-02-W05M  
 Lot: 4 Block: C Plan: 1310550  
 Page 80 of 244

## Site Photos

### Development Proposal

#### Freestanding Signs



*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: 8  
 Roll: 05630010  
 File: PRDP20202427  
 Printed: October 14, 2020  
 Legal: SW-30-25-02-W05M  
 Lot 4 Block C Plan: 1310550  
 Page 81 of 244*

## PLANNING AND DEVELOPMENT SERVICES

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<b>TO:</b>	Municipal Planning Commission Development Authority	<b>DIVISION:</b> 1
<b>DATE:</b>	March 10, 2021	<b>APPLICATION:</b> PRDP20210168
<b>FILE:</b>	04818004	
<b>SUBJECT:</b>	Renewal of Natural Resource Extraction/Processing / Discretionary use, with no Variances	

---

**APPLICATION:** Renewal of Natural Resource Extraction/Processing, including screening and crushing (up to 10 acres of active mining)

**GENERAL LOCATION:** located approximately 0.81 km (1/2 mile) west of Rge. Rd. 45 and on the north side of Twp Rd. 242

**LAND USE DESIGNATION:** Special, Natural Resources (S-NAT)

**EXECUTIVE SUMMARY:** This application is for the renewal of Phase 1 of a gravel pit on SW-18-24-04-W05M. This pit is adjacent to a County operated pit that has been provincially licensed for approximately 30 years. This renewal is consistent with the previous approval (PRDP20151800) for active mining on a maximum of 4.05 hectares (10.00 acres). The remaining 0.81 hectares (2.00 acres) of the gravel pit was mined prior to the original permit and therefore is not included within the noted active mining area. The Applicant/Owner has no plans to expand to Phase 2 until some reclamation of Phase 1 has occurred. By keeping the gravel pit under 5.00 hectares (12.36 acres) in size, it is able to retain its Class II status. Class II pits are not required to register with Alberta Environment and Parks and do not need to follow the Code of Practice for Pits. However, Class II pit operators are required to reclaim their gravel pits and they must follow the Environmental Protection Guidelines for Pits and all components of the Water Act.

On the first Development Permit, a condition of approval required that the Applicant/Owner enter into a Development Agreement (DA) to upgrade the intersection of Highway 22 and Township Road 242 to a Type III (b) intersection. The DA was signed August 1, 2017 and allowed two years for completion of the work, which was later extended to August 1, 2021. As the improvement was to be constructed within the road allowance of Highway 22, a Roadside Development Permit was also issued by Alberta Transportation (DP #2511-1357) with a required completion date of August 1, 2021, aligning with the County's completion timelines.

On September 9, 2020, the Applicant submitted an updated Traffic Impact Assessment (TIA), which concluded that an intersectional improvement at this location would not be warranted. On October 27, 2020, Council granted their support of the updated TIA and Administration sent a letter to Alberta Transportation asking them for their support. On December 8, 2020, Alberta Transportation acknowledged that the location of the proposed development falls outside of Alberta Transportation's control limits and that any conditions assigned to this development permit approval would be at the sole discretion of the County. It is recommended that the decision of Municipal Planning Commission be consistent with that of Council. As such, Administration recommends approval in accordance with Option #1, which does not include the DA as a condition.

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

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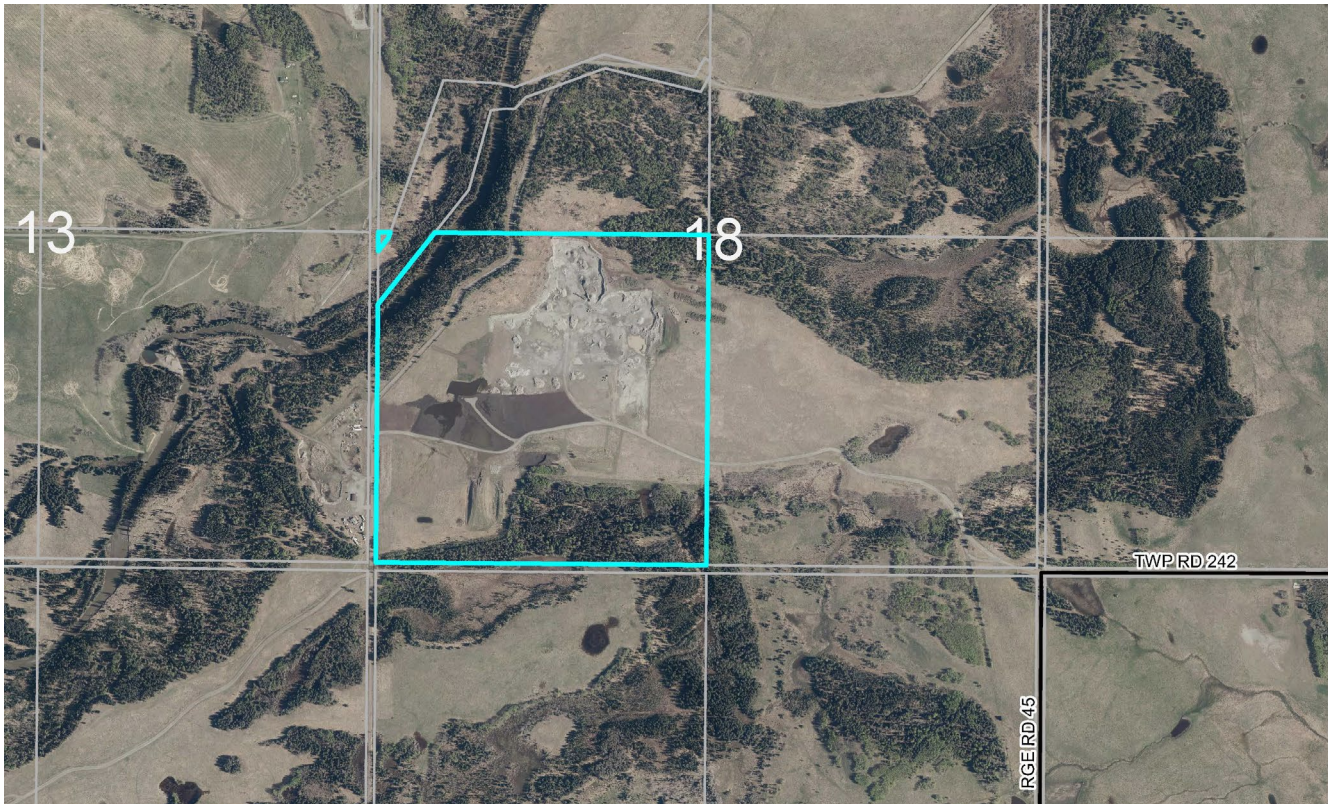
### Administration Resources

Sandra Khouri, Planning & Development Services



**OPTIONS:**

- Option #1: THAT Development Permit Application PRDP20210168 be approved with the conditions noted in Attachment 'A'.
- Option #2: THAT Development Permit Application PRDP20210168 be approved with the conditions noted in Attachment 'B'.
- Option #3: THAT Development Permit Application PRDP20210168 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:**

- *Municipal Government Act*;
- Subdivision and Development Regulations;
- Municipal Development Plan;
- Land Use Bylaw; and
- County Servicing Standards.

**TECHNICAL REPORTS SUBMITTED:**

- Transportation Impact Assessment, prepared by Bunt & Associates (August 2020)



<b>PERMITTED USE:</b> Natural Resource Extraction/Processing is a discretionary use in the S-NAT district	<b>DEVELOPMENT VARIANCE AUTHORITY:</b> Municipal Planning Commission
--	---

*Payments and Levies*

The Applicant/Owner will be required to provide payment of the Community Aggregate Payment (CAP) Levy in accordance with Bylaw C-7748-2018. The payment amount is based on the amount of aggregate extracted and removed which shall be reported to the County on an annual basis.



**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/llt

**ATTACHMENTS**

ATTACHMENT 'A': Development Permit Report Conditions #1

ATTACHMENT 'B': Development Permit Report Conditions #2

ATTACHMENT 'C': Maps and Other Information

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

*(This does not include the Development Agreement)*

**Description:**

1. That the Natural Resource Extraction/Processing for gravel extraction, processing, crushing, and sales may continue on the subject site in accordance with the approved Site Plan submitted with the application.
  - a. That the total area of the gravel pit is 4.86 hectares (12.00 acres); and
  - b. That the active mining area of the gravel pit shall not exceed 4.05 hectares (10.00 acres) at any time.

**Prior to Release:**

2. That prior to release of this permit, the Applicant/Owner shall contact County Road Operations with haul details associated with the use of Township Road 242 as a haul route to and from the gravel pit to confirm if a Road Use Agreement will be required pursuant to Rocky View County's Road Use Agreement Bylaw C-8065-2020.
  - a. Written confirmation shall be received from County Road Operations confirming the status of this condition. Any required agreement or permits shall be obtained unless otherwise noted by County Road Operations.
3. That prior to release of this permit, the Applicant/Owner shall submit all available annual reports from previous years to the County. The annual reports shall be comprised of Site Plan showing extraction activities and all reclamation activities during the year and a Sound Monitoring Report outlining operating and baseline or ambient noise levels for the site.

**Permanent:**

4. That any plan, technical submission, or agreement submitted and approved as part of this application or part of PRDP20151800 shall be implemented and adhered to in perpetuity, including but not limited to:
  - a. The Site Specific Stormwater Implementation Plan and Erosion and Sediment Control, prepared by Westhoff Engineering Resources Inc., dated November 30, 2016; and
  - b. The updated Traffic Impact Assessment (TIA), prepared by Bunt & Associates, dated August 26, 2020.
5. That the area of the site that is open and not reclaimed shall not exceed 4.86 hectares (12.00 acres) at any time.
6. That no water may be used for washing of gravel unless and until written approval has been received from Alberta Environment.
7. That no wash water shall be discharged off of the site or into any water channel.
8. That no topsoil shall be removed from the site.
9. That there shall not be any storage of any materials or vehicles on the property that are not directly related to the operation of the sand and gravel pit.
10. That this approval does not include any blasting, asphalt, or concrete operations.
11. That the berms, overburden stockpiles, and similar earthworks shall be seeded and maintained using erosion control measures as outlined in the Erosion and Sediment Control plan.





12. That the hours of operation of the gravel pit including aggregate excavating, hauling, crushing, stock piling, sales, and stripping of overburden, shall be as follows:
  - a. Hauling is permitted only from 7:00 a.m. to 5:00 p.m. on Monday through Saturday, closed Sundays and Statutory Holidays;
  - b. Crushing is permitted only from 7:00 a.m. to 7:00 p.m. on Monday through Saturday, closed Sundays and Statutory Holidays;
  - c. Closed on Sundays and Statutory Holidays.
13. That the Applicant/Owner shall not use engine retarder brakes and is responsible to post signage on Township Road 242 and Range Road 45 to this effect.
14. That the Applicant/Owner is responsible to annually apply calcium chloride on Township Road 242 and Range Road 45, in accordance with Rocky View County standards and at their own expense.
15. That only on-site extraction material may be processed on site, except on occasions whereby blend materials from off-site are required to bring products to specification.
16. That all sanitary sewage and water services shall be supplied in accordance with Alberta Safety Codes Act and Alberta Environment.
17. That the 4.80 km long section of Township Road 242 west off Highway 22 is to be used as the designated "Haul Route" to and from the proposed gravel pit in accordance with the findings of the TIA.
18. That the Applicant/Owner shall submit an annual report to the County starting on April 1, 2022. The annual report shall be comprised of an updated Site Plan showing extraction activities and all reclamation activities during the previous year and a Sound Monitoring Report outlining operating and baseline or ambient noise levels for the site.
19. That dust control measures shall be utilized for all vehicles during mining and transport of material and dust control measures applied to haul and access roads so that no visible dust is allowed on adjacent lands from the site.
20. That in the case of any spillage of hazardous materials, Alberta Environment and the County shall be notified immediately, and the appropriate clean-up procedures shall be implemented.
21. That noise control measures that limit noise to 55 dba and 60 dba at the nearest residence, shall be followed including the crusher to be enclosed for noise attenuation.

**Advisory:**

22. 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].
23. That the Applicant/Owner shall be required to provide payment of the Community Aggregate Payment (CAP) Levy in accordance with Bylaw C-7748-2018, in the amount of \$0.40 per ton of aggregate extracted and removed.
24. That the development shall conform to the County's Noise Bylaw (C-5773-2003) in perpetuity.
25. That extraction shall not occur below the water table. Should operations negatively impact groundwater on adjacent parcels, groundwater testing may be required by the County and/or Alberta Environment.
26. That fire suppression and abatement measures shall be followed to the satisfaction of the County.



## ROCKY VIEW COUNTY

27. That any other government permits, approvals, or compliances are the sole responsibility of the Applicant/Owner.
28. That if this Development Permit is not issued by **November 30, 2021** or the approved extension date, then this approval is null and void and the Development Permit shall not be issued.
29. That this Development Permit, if and when issued, shall be valid until **April 30, 2026** or until Phase 1 of the gravel pit has been completely mined, whichever is the lesser.

**ATTACHMENT 'B': DEVELOPMENT PERMIT REPORT CONDITIONS #2***(This includes the Development Agreement)***Description:**

1. That the Natural Resource Extraction/Processing for gravel extraction, processing, crushing, and sales may continue on the subject site in accordance with the approved Site Plan submitted with the application.
  - a. That the total area of the gravel pit is 4.86 hectares (12.00 acres); and
  - b. That the active mining area of the gravel pit shall not exceed 4.05 hectares (10.00 acres) at any time.

**Prior to Release:**

2. That prior to release of this permit, the Applicant/Owner shall contact County Road Operations with haul details associated with the use of Township Road 242 as a haul route to and from the gravel pit to confirm if a Road Use Agreement will be required pursuant to Rocky View County's Road Use Agreement Bylaw C-8065-2020.
  - a. Written confirmation shall be received from County Road Operations confirming the status of this condition. Any required agreement or permits shall be obtained unless otherwise noted by County Road Operations.
3. That prior to release of this permit, the Applicant/Owner shall submit all available annual reports from previous years to the County. The annual reports shall be comprised of Site Plan showing extraction activities and all reclamation activities during the year and a Sound Monitoring Report outlining operating and baseline or ambient noise levels for the site.

**Permanent:**

4. That any plan, technical submission, or agreement submitted and approved as part of this application or part of PRDP20151800 shall be implemented and adhered to in perpetuity, including but not limited to:
  - a. The Development Agreement (Road Right of Way Construction Agreement) between the Applicant/Owner and the County, signed on August 1, 2017;
  - b. The Site Specific Stormwater Implementation Plan and Erosion and Sediment Control, prepared by Westhoff Engineering Resources Inc., dated November 30, 2016; and
  - c. The updated Traffic Impact Assessment, prepared by Bunt & Associates, dated August 26, 2020.
5. That the area of the site that is open and not reclaimed shall not exceed 4.86 hectares (12.00 acres) at any time.
6. That no water may be used for washing of gravel unless and until written approval has been received from Alberta Environment.
7. That no wash water shall be discharged off of the site or into any water channel.
8. That no topsoil shall be removed from the site.
9. That there shall not be any storage of any materials or vehicles on the property that are not directly related to the operation of the sand and gravel pit.
10. That this approval does not include any blasting, asphalt, or concrete operations.



11. That the berms, overburden stockpiles, and similar earthworks shall be seeded and maintained using erosion control measures as outlined in the Erosion and Sediment Control plan.
12. That the hours of operation of the gravel pit including aggregate excavating, hauling, crushing, stock piling, sales, and stripping of overburden, shall be as follows:
  - a. Hauling is permitted only from 7:00 a.m. to 5:00 p.m. on Monday through Saturday, closed Sundays and Statutory Holidays;
  - b. Crushing is permitted only from 7:00 a.m. to 7:00 p.m. on Monday through Saturday, closed Sundays and Statutory Holidays;
  - c. Closed on Sundays and Statutory Holidays.
13. That the Applicant/Owner shall not use engine retarder brakes and is responsible to post signage on Township Road 242 and Range Road 45 to this effect.
14. That the Applicant/Owner is responsible to annually apply calcium chloride on Township Road 242 and Range Road 45, in accordance with Rocky View County standards and at their own expense.
15. That only on-site extraction material may be processed on site, except on occasions whereby blend materials from off-site are required to bring products to specification.
16. That all sanitary sewage and water services shall be supplied in accordance with Alberta Safety Codes Act and Alberta Environment.
17. That the 4.80 km long section of Township Road 242 west off Highway 22 is to be used as the designated "Haul Route" to and from the proposed gravel pit in accordance with the findings of the TIA.
18. That the Applicant/Owner shall submit an annual report to the County starting on April 1, 2022. The annual report shall be comprised of an updated Site Plan showing extraction activities and all reclamation activities during the previous year and a Sound Monitoring Report outlining operating and baseline or ambient noise levels for the site.
19. That dust control measures shall be utilized for all vehicles during mining and transport of material and dust control measures applied to haul and access roads so that no visible dust is allowed on adjacent lands from the site.
20. That in the case of any spillage of hazardous materials, Alberta Environment and the County shall be notified immediately, and the appropriate clean-up procedures shall be implemented.
21. That noise control measures that limit noise to 55 dba and 60 dba at the nearest residence, shall be followed including the crusher to be enclosed for noise attenuation.

**Advisory:**

22. 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].
23. That the Applicant/Owner shall be required to provide payment of the Community Aggregate Payment (CAP) Levy in accordance with Bylaw C-7748-2018, in the amount of \$0.40 per ton of aggregate extracted and removed.
24. That the development shall conform to the County's Noise Bylaw (C-5773-2003) in perpetuity.





## ROCKY VIEW COUNTY

25. That extraction shall not occur below the water table. Should operations negatively impact groundwater on adjacent parcels, groundwater testing may be required by the County and/or Alberta Environment.
26. That fire suppression and abatement measures shall be followed to the satisfaction of the County.
27. That any other government permits, approvals, or compliances are the sole responsibility of the Applicant/Owner.
28. That if this Development Permit is not issued by **November 30, 2021** or the approved extension date, then this approval is null and void and the Development Permit shall not be issued.
29. That this Development Permit, if and when issued, shall be valid until **April 30, 2026** or until Phase 1 of the gravel pit has been completely mined, whichever is the lesser.



## ATTACHMENT 'C': MAPS AND OTHER INFORMATION

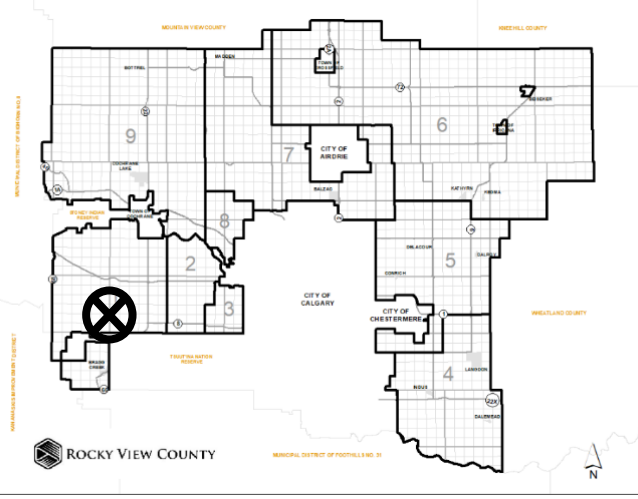
<b>APPLICANT:</b> Roy & Judy Copithorne	<b>OWNER:</b> Roy & Judy Copithorne
<b>DATE APPLICATION RECEIVED:</b> January 11, 2021	<b>DATE DEEMED COMPLETE:</b> January 15, 2021
<b>GROSS AREA:</b> ± 63.42 hectares (± 156.71 acres)	<b>LEGAL DESCRIPTION:</b> SW-18-24-04-W05M
<b>APPEAL BOARD:</b> Subdivision and Development Appeal Board	
<b>HISTORY:</b> <p><b>October 27, 2020:</b> Council grants support for the recommendation of the updated TIA</p> <p><b>September 9, 2020:</b> Applicant/Owner submitted an updated TIA that recommended no intersection upgrades are required</p> <p><b>March 26, 2019:</b> Council granted an approval to extend the deadline for the Development Agreement under PRDP20151800</p> <p><b>September 16, 2015:</b> Development Permit (PRDP20151800) was approved by SDAB</p> <p><b>August 17, 2015:</b> Development Permit (PRDP20151800) was appealed</p> <p><b>August 4, 2015:</b> Development permit (PRDP20151800) was conditionally approved for a gravel pit</p> <p><b>July 23, 2010:</b> Development Permit (2008-DP-13362) was closed as conditions were not met</p> <p><b>January 20, 2009:</b> Development Permit (2008-DP-13362) was conditionally approved for a gravel pit</p> <p><b>October 22, 2008:</b> Development Permit (2007-DP-12433) was closed as a new application was applied for (2008-DP-13362)</p> <p><b>May 30, 2007:</b> Development Permit (2007-DP-12433) was tabled sine die by SDAB</p> <p><b>March 20, 2007:</b> Development Permit (2007-DP-12433) was conditionally approved for a gravel pit</p>	
<b>PUBLIC &amp; AGENCY SUBMISSIONS:</b> <p>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.</p>	

## Location & Context

### Development Proposal

Renewal of Natural  
Resource  
Extraction/Processing,  
including screening and  
crushing (up to 10 acres of  
active mining)

Division: 01  
 Roll: 04818004  
 File: PRDP20210168  
 Printed: Feb 17, 2021  
 Legal: SW-18-24-04-W05M  
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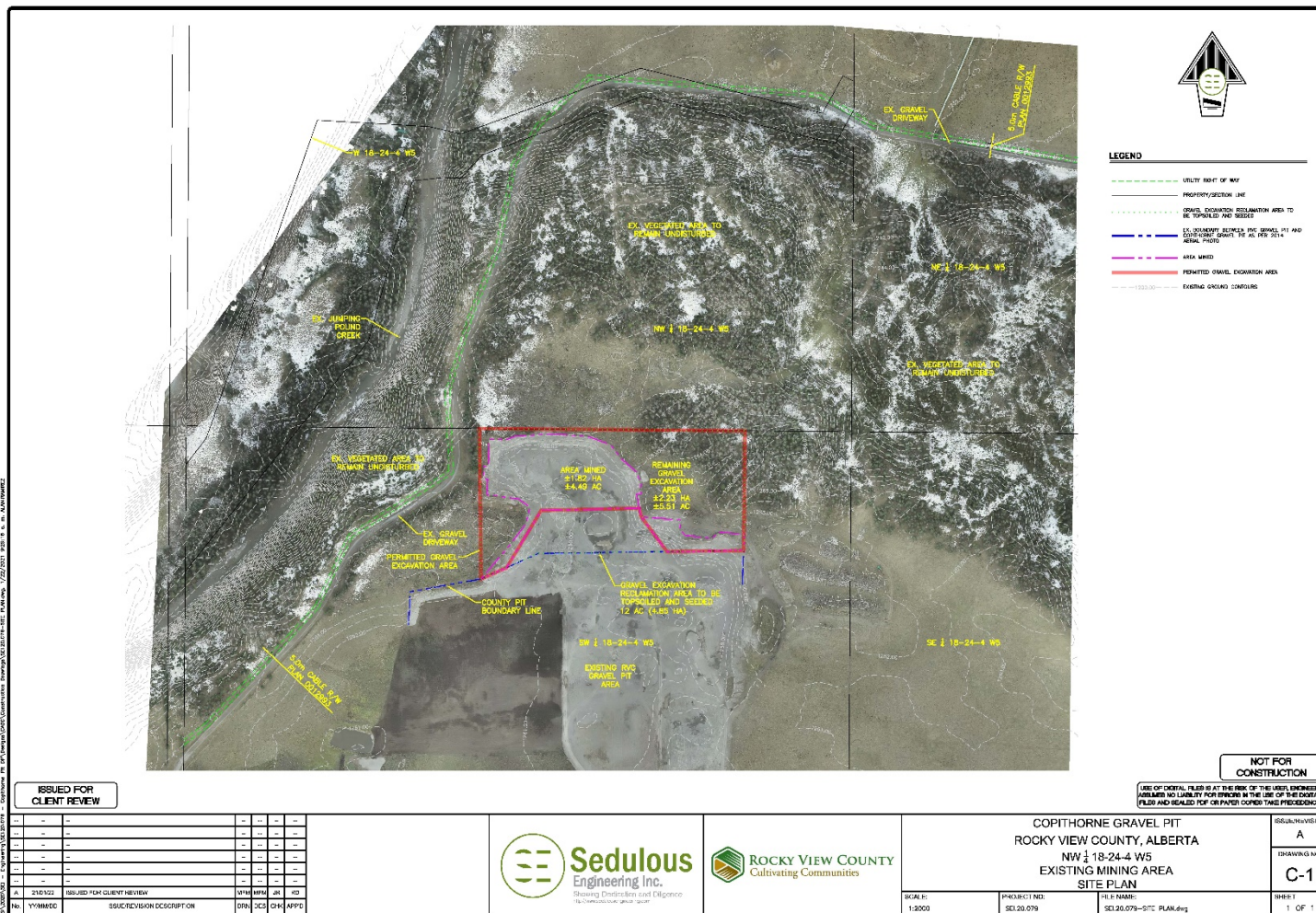




## Site Plan

### Development Proposal

Renewal of Natural Resource Extraction/Processing, including screening and crushing (up to 10 acres of active mining)



Division: 01  
 Roll: 04818004  
 File: PRDP20210168  
 Printed: Feb 17, 2021  
 Legal: SW-18-24-04-W05M  
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## PLANNING AND DEVELOPMENT SERVICES

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<b>TO:</b>	Municipal Planning Commission Development Authority	<b>DIVISION:</b> 5
<b>DATE:</b>	March 10, 2021	<b>APPLICATION:</b> PRDP20210208
<b>FILE:</b>	04332012	
<b>SUBJECT:</b>	Special Function Business / Discretionary use, with no Variances	

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**APPLICATION:** Special Function Business (within an existing private riding arena), for a wedding ceremony venue to operate 15 days of the calendar year.

**GENERAL LOCATION:** located approximately 0.40 km (1/4 mile) south side of TWP RD 250 and 0.40 km (1/4 mile) west of Conrich RD.

**LAND USE DESIGNATION:** Agricultural, Small Parcel District (A-SML)

**EXECUTIVE SUMMARY:** The application is for a Special Function Business for a wedding ceremony venue that will operate out of an existing private riding arena, which is approximately 873.39 sq. m (9,401.09 sq. ft.) in size. The number of ceremonies will be limited to 15 days in a calendar year. There will be no overnight events and all ceremonies will be held during the day only. The business hours will be 8:00 am to 5:00 pm, including set up and take down. The venue is proposed to accommodate anywhere between 100 to 500 guests at a time. The proposal meets the definition of a Special Function Business in the Land Use Bylaw and conditions to mitigate visual impact of the parking area and dust generated by traffic have been included in the proposed condition set.

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

### OPTIONS:

- Option #1: THAT Development Permit Application PRDP20210208 be approved with the conditions noted in Attachment 'A'.
- Option #2: THAT Development Permit Application PRDP20210208 be refused.

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### Administration Resources

Sandra Khouri, 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><b>APPLICABLE POLICY AND REGULATIONS:</b></p> <ul style="list-style-type: none"> <li>• <i>Municipal Government Act;</i></li> <li>• Subdivision and Development Regulations;</li> <li>• Municipal Development Plan;</li> <li>• City of Calgary Intermunicipal Development Plan</li> <li>• Conrich Area Structure Plan</li> <li>• Land Use Bylaw; and</li> <li>• County Servicing Standards.</li> </ul>	<p><b>TECHNICAL REPORTS SUBMITTED:</b></p> <ul style="list-style-type: none"> <li>• N/A</li> </ul>
<p><b>PERMITTED USE:</b></p> <p>Special Function Business is a discretionary use in the A-SML district</p>	<p><b>DEVELOPMENT VARIANCE AUTHORITY:</b></p> <p>Municipal Planning Commission</p>



## ROCKY VIEW COUNTY

### Additional Review Considerations

Conditions were set based on the following items:

#### *Transportation*

The Applicant has estimated that the traffic generated from his proposed business is between 100 to 500 guests. This volume of traffic over a “concentrated” period of time has the potential to create dust issue along the gravel surfaced Twp Rd 245A.

#### Prior to Release:

The Applicant/Owner to confirm how they intend to mitigate the potential dust issue.

#### *Parking*

Parking Requirement, Religious Assembly: 7.5 per 100.00 sq. m of gross floor area

Private Riding Arena = 873.39 sq. m

Required number of stalls = 66

Proposed number of stalls = 86

A gravel parking area is proposed on the east side of the property to accommodate up to 86 vehicles with overflow parking space available to the south. This parking area is immediately adjacent to the neighbour's property and does not appear to have any trees for screening.

#### Prior to Release:

The Applicant/Owner submit a revised parking plan with either an alternate location or with added screening to minimize visual impact to adjacent landowners.

### **CONCLUSION:**

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

Respectfully submitted,

Concurrence,

“Theresa Cochran”

“Al Hoggan”

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Executive Director  
Community Development Services

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Chief Administrative Officer

SK/llt

### **ATTACHMENTS:**

ATTACHMENT ‘A’: Development Permit Report Conditions

ATTACHMENT ‘B’: Maps and Other Information



## ATTACHMENT 'A': DEVELOPMENT PERMIT REPORT CONDITIONS

### Description:

1. That a Special Function Business, for a wedding ceremony venue may operate on the subject parcel in accordance with the approved Site Plan, application, and conditions of this permit and includes:
  - i. An indoor wedding ceremony space within the existing private riding arena, approximately 873.39 sq. m (9,401.09 sq. ft.) in area; and
  - ii. A maximum guest attendance not to exceed **500 guests** per event.

### Prior to Release:

2. That prior to release of this permit, the Applicant/Owner shall submit a revised parking plan that identifies the following:
  - i. Either relocation of the proposed parking area to an alternative location on the subject parcel so that the parked vehicles are less visible to adjacent landowners; **or**
  - ii. Implementation of screening around the proposed parking area to help mitigate the visual impact of the parked vehicles from adjacent lands, either by way of fencing or landscaping.
3. That prior to release of this permit, the Applicant/Owner shall submit a revised parking plan identifying a minimum of four (4) accessible parking stalls, in accordance with the Alberta Building Code.
4. That prior to release of this permit, the Applicant/Owner shall contact the County's Road Operations department to discuss how they intend to mitigate the potential dust on Township Road 245A that would be generated by the increased traffic during events. Any dust mitigation measures should be to the satisfaction of the County's Road Operations Department and shall be adhered to in perpetuity.
  - 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:

5. 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.
6. That no off-site advertisement signage associated with the Special Function Business shall be permitted.
7. That if any onsite or offsite signage is required, a separate development permit shall be applied for, excluding onsite wayfinding signage (such as parking identification or directions).
8. That there shall be a minimum of 86 parking stalls, 4 of which are accessible stalls, available onsite during operation of the Special Function Business.
9. That the existing private sewage treatment system shall not be used for events. Wastewater supply and treatment shall be restricted to portable facilities or other acceptable methods in accordance with the County's Servicing Standards.





10. That the existing water well shall not be used for events. Potable water supply shall be provided through a holding tank and cistern or other acceptable methods in accordance with the County's Servicing Standards.
11. That the Special Function Business shall not operate on the subject property for more than 15 cumulative days in a calendar year, excluding the time used to erect or dismantle any temporary structures.
  - i. The time taken to erect or dismantle any temporary structures shall be no sooner or later than **7 days** before or after a scheduled Special Function event.
12. That the operation of the Special Function Business shall not generate excessive or unacceptable increases in traffic within the neighbourhood or immediate area.
13. That the Special Function 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 resident dwellings shall be preserved. The Special Function Business use shall not, in the opinion of the Development Authority, unduly offend or otherwise interfere with neighbouring or adjacent residents.
14. That all on-site lighting shall be dark sky, and all private lighting, including site security lighting and parking area lighting, shall be designed to conserve energy, reduce glare, and reduce uplight. All development shall demonstrate lighting design that reduces the extent of spill-over glare, and eliminates glare as viewed from nearby residential properties.
15. That if this permit is not issued by **October 31, 2021** or the approved extension date, then this approval is null and void and the Development Permit shall not be issued.
16. That this Development Permit, once issued, shall be valid until **April 30, 2022**.

**Advisory:**

17. That the County's Noise Bylaw C-5772-2003 shall be adhered to at all times.
18. That Building Permit(s) shall be obtained from Building Services prior to the erection of any temporary event tents and prior to occupancy of the existing private riding arena for special event purposes, as required under the Alberta Building Code.
19. That all other government compliances and approvals are the sole responsibility of the Applicant/Owner.
  - i. That the Applicant/Owner shall obtain any required Alberta Health Services requires for events and food handling onsite, prior to commencement of operation.
  - ii. That if the water well is to be used for potable water for events, the Applicant/Owner shall obtain a commercial water well license from Alberta Environment and Parks prior to commencement of the operation.



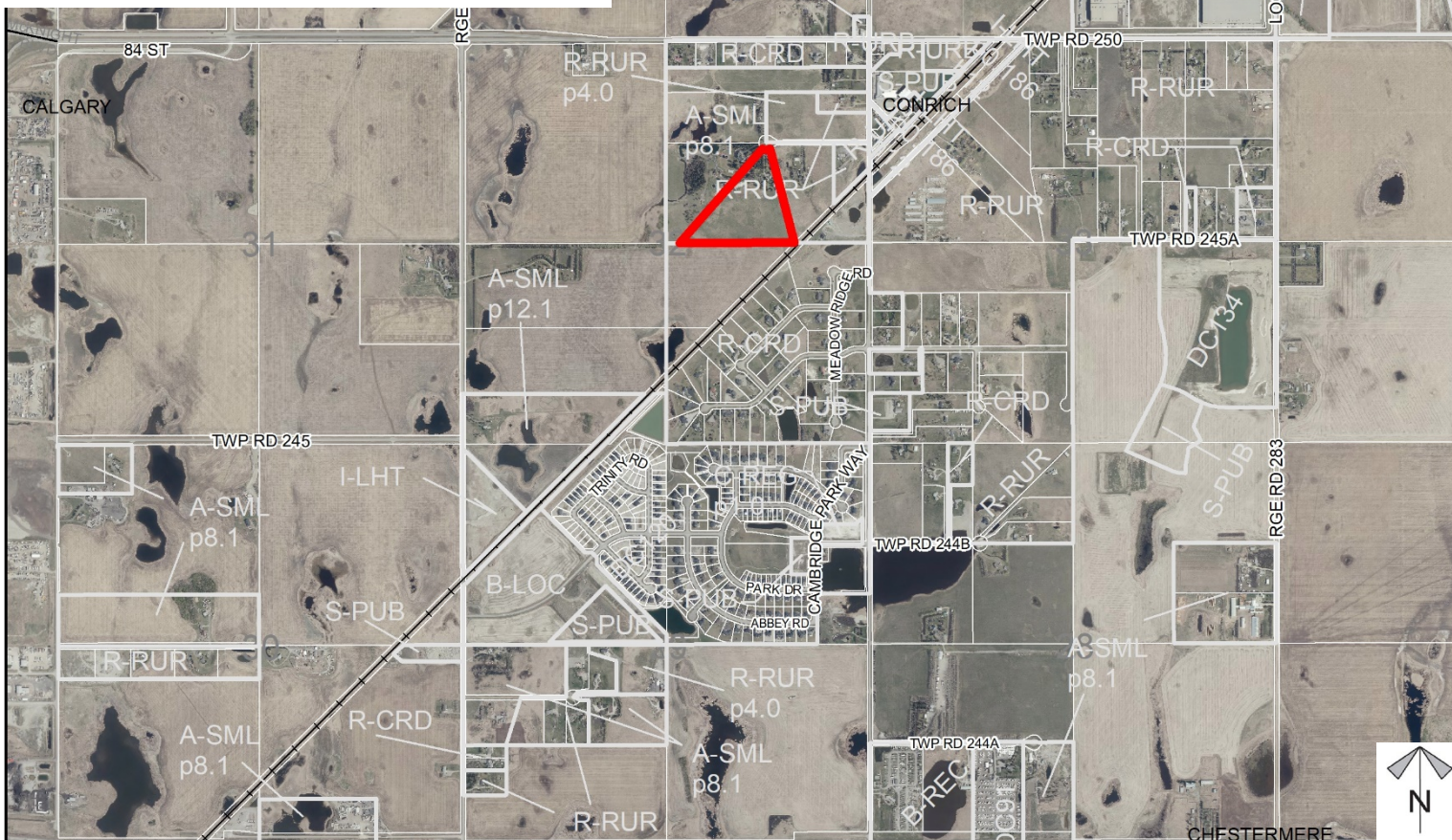
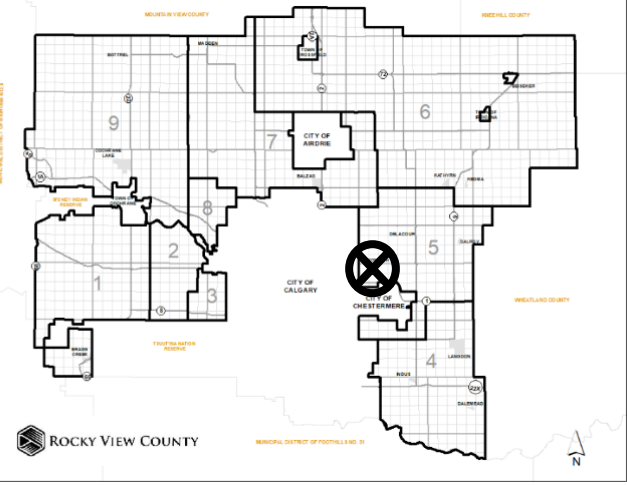
## ATTACHMENT 'B': MAPS AND OTHER INFORMATION

<b>APPLICANT:</b> Steven Ho Architecture Inc.	<b>OWNER:</b> Laura Penikett
<b>DATE APPLICATION RECEIVED:</b> January 15, 2021	<b>DATE DEEMED COMPLETE:</b> January 18, 2021
<b>GROSS AREA:</b> ± 9.19 hectares (± 22.71 acres)	<b>LEGAL DESCRIPTION:</b> Block:4 Plan:5710 JK; NE-32-24-28-W04M
<b>APPEAL BOARD:</b> Subdivision and Development Appeal Board	
<b>HISTORY:</b> <i>April 27, 2001:</i> Farm Building Location Permit issued for a private riding arena <i>February 13, 2001:</i> Development Permit (1999-DP-8228) issued for a private riding arena	
<b>PUBLIC &amp; AGENCY SUBMISSIONS:</b> <p>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.</p>	

## Location & Context

### Development Proposal

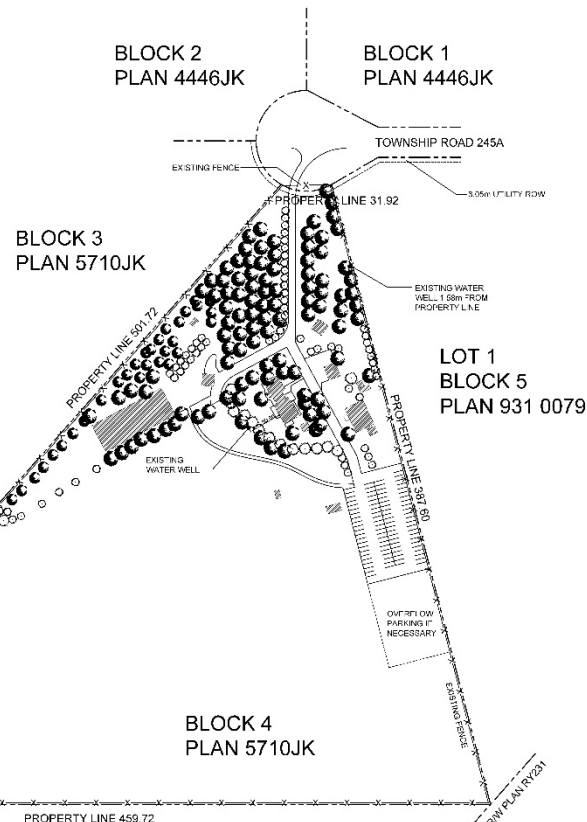
Special function business  
 (within an existing private  
 riding arena), for a  
 wedding ceremony venue  
 to operate 15 days of the  
 calendar year



Division: 05  
 Roll: 04332012  
 File: PRDP20210208  
 Printed: Feb 18, 2021  
 Legal: Block: 4 Plan: 5710 JK  
 Page: 1 of 11



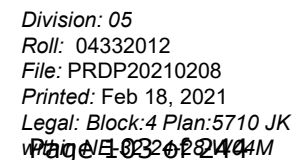
Special function business (within an existing private riding arena), for a wedding ceremony venue to operate 15 days of the calendar year



Division: 05  
Roll: 04332012  
File: PRDP20210208  
Printed: Feb 18, 2021  
Legal: Block: 4 Plan: 5710 JK  
Page: 1-322 of 244



Special function business (within an existing private riding arena), for a wedding ceremony venue to operate 15 days of the calendar year



## Site Photos

### Development Proposal

Special function business (within an existing private riding arena), for a wedding ceremony venue to operate 15 days of the calendar year



Division: 05  
 Roll: 04332012  
 File: PRDP20210208  
 Printed: Feb 18, 2021  
 Legal: Block: 4 Plan: 5710 JK  
 Page: 10 of 11  
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## Site Photos

### Development Proposal

Special function business (within an existing private riding arena), for a wedding ceremony venue to operate 15 days of the calendar year



Division: 05  
 Roll: 04332012  
 File: PRDP20210208  
 Printed: Feb 18, 2021  
 Legal: Block: 4 Plan: 5710 JK  
 Page: 11 of 11  
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## PLANNING AND DEVELOPMENT SERVICES

<b>TO:</b>	Municipal Planning Commission Development Authority	<b>DIVISION:</b> 4
<b>DATE:</b>	March 10, 2021	<b>APPLICATION:</b> PRDP20210293
<b>FILE:</b>	03215020	
<b>SUBJECT:</b>	Dwelling, Single Detached / Permitted use, with Variances	

**APPLICATION:** Construction of a dwelling, single detached, relaxation of the minimum side yard setback requirement

**GENERAL LOCATION:** Located in the hamlet of Langdon

**LAND USE DESIGNATION:** Residential, Small Lot Distract (R-SML)

**EXECUTIVE SUMMARY:** The subject property is located within Phase 1 of the Bridges of Langdon subdivision. This application is for a variance to the east side yard setback of proposed new dwelling, single detached. The subdivision is in the early stages of development and the lot is presently undeveloped. Several other lots in Phase 1 have been approved similar variances to accommodate the building design layouts of the Developer/Builder. As the application is keeping with the intent of the development and surrounding sites, Administration supports the approval of the application.

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

**OPTIONS:**

- Option #1: THAT Development Permit Application PRDP20210293 be approved with the conditions noted in Attachment 'A'.
- Option #2: THAT Development Permit Application PRDP20210293 be refused.

**AIR PHOTO & DEVELOPMENT CONTEXT:**



**Administration Resources**  
Sandra Khouri, Planning & Development Services



**VARIANCE SUMMARY:**

Variance	Requirement	Proposed	Percentage (%)
Side Yard Setback (East) Requirement	3.00 m (9.84 ft.)	1.50 m (4.92 ft.)	50.00%

**APPLICATION EVALUATION:**

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

<b>APPLICABLE POLICY AND REGULATIONS:</b> <ul style="list-style-type: none"> <li>• <i>Municipal Government Act</i>;</li> <li>• Langdon Area Structure Plan;</li> <li>• Bridges of Langdon Conceptual Scheme;</li> <li>• Land Use Bylaw; and</li> <li>• County Servicing Standards.</li> </ul>	<b>TECHNICAL REPORTS SUBMITTED:</b> <ul style="list-style-type: none"> <li>• N/A</li> </ul>
<b>PERMITTED USE:</b> Dwelling, Single Detached is a permitted use but when variances are required becomes discretionary	<b>DEVELOPMENT VARIANCE AUTHORITY:</b> Municipal Planning Commission

Additional Review Considerations

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

**CONCLUSION:**

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

Respectfully submitted,

Concurrence,

“Theresa Cochran”

“Al Hoggan”

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Executive Director  
Community Development Services

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Chief Administrative Officer

SK/llt

**ATTACHMENTS:**

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

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

1. That the construction of a dwelling, single detached may commence on the subject property, in accordance with the site plan submitted with the application.
  - i. That the minimum side yard setback requirement for the dwelling is relaxed from **3.00 m (9.84 ft.)** to **1.50 m (4.92 ft.)**.

**Permanent:**

2. That it is the responsibility of the Applicant/Owner to obtain approval from Rocky View County Road Operations for any new construction, installation or alterations of any driveways/approaches, prior to commencing any work on the driveways/approaches.
3. That the Dwelling, Single Detached shall be used for residential purposes only, unless otherwise 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 and/or topsoil placed adjacent to or within 15.00 m (49.21 ft.) of the proposed dwelling under construction that is used to establish approved final grades unless a Development Permit has been issued for additional fill and topsoil.
5. That no topsoil shall be removed from the subject property.
6. That the Applicant/Owners shall be responsible for rectifying any adverse effect on adjacent lands from drainage alteration.
7. That it is the Applicant/Owner's responsibility to obtain and display a distinct municipal address in accordance with the County Municipal Addressing Bylaw (Bylaw C-7562-2016), for the dwelling unit located on the subject site, to facilitate accurate emergency response.
8. That the Applicant/Owner shall provide adequate frost protection for the dwelling, single detached as per the Geotechnical Report provided by GTECH Earth Sciences Corp. dated March 14, 2017, approved for the subdivision.
9. That the dwelling, single detached shall be serviced via the Bridges of Langdon Lift Station.
10. 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.
  - i. That the Applicant/Owner shall adhere to the approved building grade plan for the Bridges of Langdon Subdivision.

**Advisory:**

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



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.

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

<b>APPLICANT:</b> Sunstar Homes Inc.	<b>OWNER:</b> Pollyco (Langdon North) Developments Ltd.
<b>DATE APPLICATION RECEIVED:</b> January 22, 2020	<b>DATE DEEMED COMPLETE:</b> January 22, 2020
<b>GROSS AREA:</b> ± 0.07 hectares (± 0.18 acres)	<b>LEGAL DESCRIPTION:</b> Lot 11, Block 1, Plan 2011558; NE-15-23-27-W04M
<b>APPEAL BOARD:</b> Subdivision and Development Appeal Board	
<b>HISTORY:</b>  N/A	
<b>PUBLIC &amp; AGENCY SUBMISSIONS:</b>  The application was circulated to internal and external agencies and, where appropriate, conditions of approval have been proposed based on these comments.	

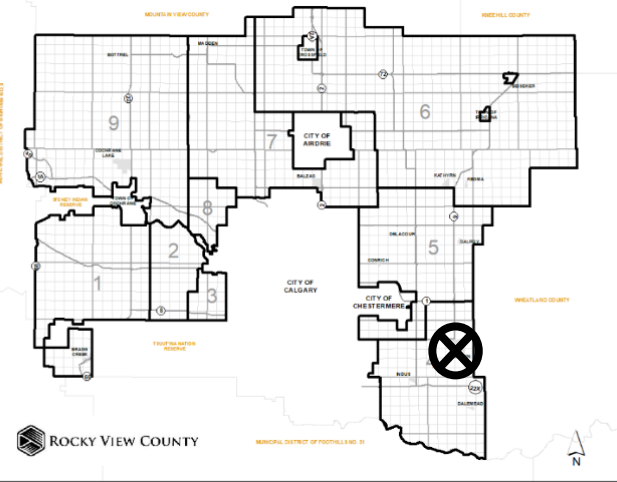




## Location & Context

### Development Proposal

construction of a Dwelling,  
Single Detached,  
relaxation of the minimum  
side yard setback  
requirement

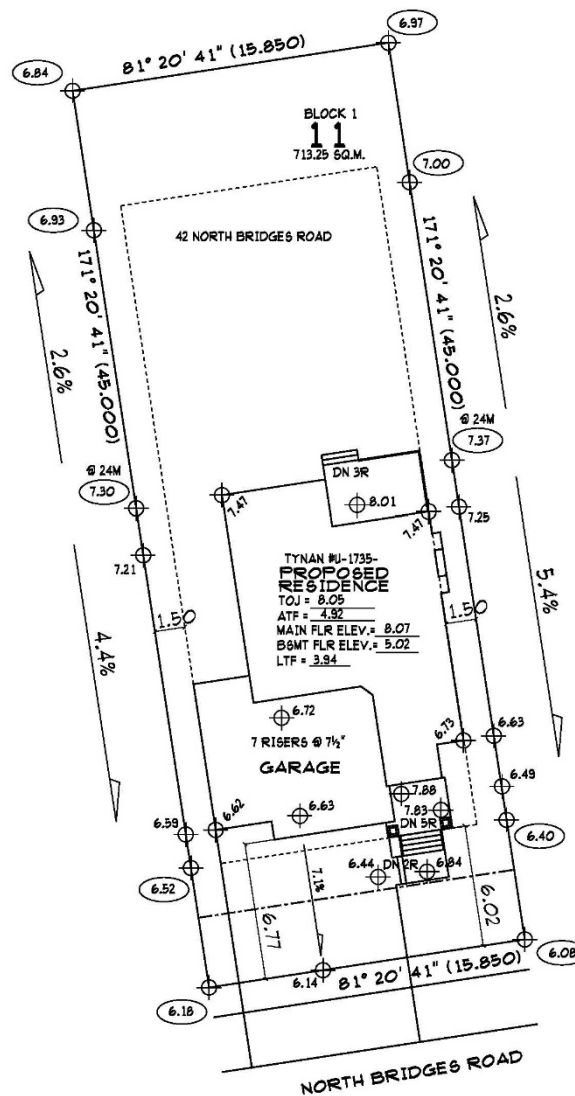


Division: 04  
 Roll: 03215020  
 File: PRDP20210293  
 Printed: Feb 17, 2021  
 Legal: Lot:11 Block:1  
 Page 1158 of 2445  
 23-27-W04M

## Site Plan

### Development Proposal

construction of a Dwelling,  
 Single Detached,  
 relaxation of the minimum  
 side yard setback  
 requirement

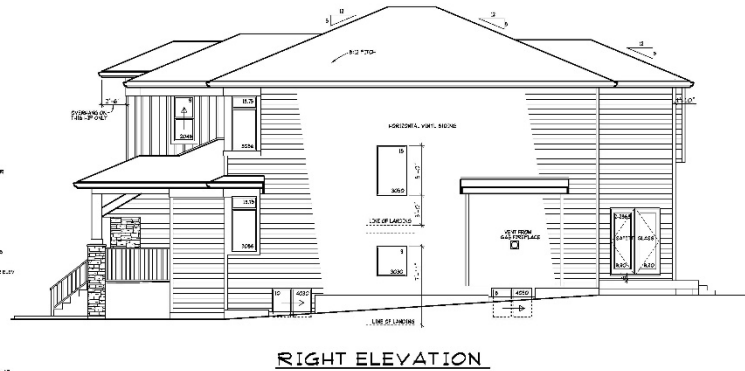
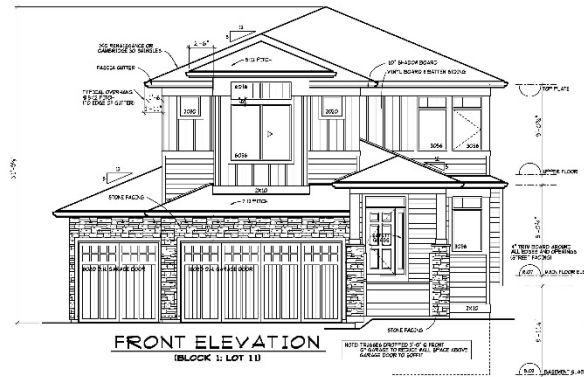


Division: 04  
 Roll: 03215020  
 File: PRDP20210293  
 Printed: Feb 17, 2021  
 Legal: Lot:11 Block:1  
 Page 1152 of 244  
 23-27-W04M

## Elevations

## Development Proposal

construction of a Dwelling,  
Single Detached,  
relaxation of the minimum  
side yard setback  
requirement





## Site Photos

### Development Proposal

construction of a Dwelling,  
Single Detached,  
relaxation of the minimum  
side yard setback  
requirement



Division: 04  
Roll: 03215020  
File: PRDP20210293  
Printed: Feb 17, 2021  
Legal: Lot:11 Block:1  
Page 1154 of 2445  
23-27-W04M



## **PLANNING AND DEVELOPMENT SERVICES**

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**TO:** Municipal Planning Commission **DIVISION:** 7  
**DATE:** March 10, 2021 **APPLICATION:** PRDP20210284  
**FILE:** 06630005  
**SUBJECT:** Home-Based Business Type II / Discretionary Use, with Variances

---

**APPLICATION:** The proposal is for the renewal of a Home Based Business Type II for a vacuum truck service, with a relaxation of the total allowable number of non-resident employees.

**GENERAL LOCATION:** Located at the northeast junction of Twp. Rd. 264 and Bearspaw Rd.

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

**EXECUTIVE SUMMARY:** This application is for the renewal of a Vacuum truck service business (Rockyview Aqua LTD), which has been renewed since 2013. For this renewal, the Applicant has requested a variance to the number of non-resident employees be relaxed from two (2) employees to three (3) employees. The trucks are stored indoors with outside storage for a fuel tank remaining as per the previous renewals.

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

### **OPTIONS:**

Option #1: THAT Development Permit Application PRDP20210284 be approved with the conditions noted in Attachment 'A'.

Option #2: THAT Development Permit Application PRDP20210284 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 area and materially interferes with and affects the use, enjoyment, and value of neighbouring parcels of land.

---

### **Administration Resources**

Camilo Conde, Planning and Development Services



## AIR PHOTO & DEVELOPMENT CONTEXT:



## VARIANCE SUMMARY:

Variance	Requirement	Proposed	Percentage (%)
Relaxation to total number of non-resident employees	2	3	66.00 %

## APPLICATION EVALUATION:

The application was evaluated based on the site plan submitted with the application and the Land Use Bylaw C-8000-2020.

<b>APPLICABLE POLICY AND REGULATIONS:</b> <ul style="list-style-type: none"> <li><i>Municipal Government Act</i></li> <li>Land Use Bylaw C-8000-2020</li> </ul>	<b>TECHNICAL REPORTS SUBMITTED:</b> <ul style="list-style-type: none"> <li>Site plan</li> </ul>
<b>DISCRETIONARY USE:</b> <ul style="list-style-type: none"> <li>Home Based Business Type II</li> </ul>	<b>DEVELOPMENT VARIANCE AUTHORITY:</b> <ul style="list-style-type: none"> <li>Municipal Planning Commission (MPC)</li> </ul>

## Additional Review Considerations

The application was reviewed under the regulations pertaining to Sections 145 to 147 of Land Use Bylaw C-8000-2020.

## CONCLUSION:

Subject to the assessment of the application, the application is recommended for APPROVAL.



ROCKY VIEW COUNTY

Respectfully submitted,

Concurrence,

"Theresa Cochran"

"Al Hoggan"

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Executive Director  
Community Development Services

---

Chief Administrative Officer

CC/llt

**ATTACHMENTS:**

ATTACHMENT 'A': Development Permit Report Conditions

ATTACHMENT 'B': Maps and Other Information



### ATTACHMENT 'A': DEVELOPMENT PERMIT REPORT CONDITIONS

Option #1 (this would allow the proposed development to remain)

APPROVAL, subject to the following conditions:

#### Description

1. That a Home-Based Business, Type II, for renewal of a vacuum truck service may continue to operate on the subject parcel in accordance with the approved plans.
  - a. That the number of non-resident employees be **relaxed from two (2) to three (3)**.

#### Permanent:

2. That the number of non-resident employees shall not exceed two (3) at any time.
  - a. That an employee in this Home-Based Business is a person who attends on the property more than once in a seven (7) day period for business purposes.
3. That the operation of this Home-Based Business may generate up to a maximum of four (4) business-related visits per day.
4. That the operation of this Home-Based Business shall be secondary to the residential use of the subject parcel.
5. That the Home-Based Business shall not change the residential character and external appearance of the land and buildings.
6. That the operation of this Home-Based Business shall not generate excessive or unacceptable increases in traffic within the neighbourhood or immediate area.
7. That the Home-Based Business shall not generate noise, smoke, steam, odour, dust, fumes, exhaust, vibration, heat, glare, or refuse matter considered offensive or excessive by the Development Authority and at all times the privacy of the adjacent residential dwellings shall be preserved and the Home-Based Business use shall not, in the opinion of the Development Authority, unduly offend or otherwise interfere with neighbouring or adjacent residents.
8. That the Home-Based Business shall be limited to the dwelling, accessory building and the outside storage area.
9. That all outside storage that is a part of the Home-Based Business, Type II shall be completely screened from adjacent lands, shall meet the minimum setback requirements for buildings, and shall not exceed **200.00 sq. ft. (18.58 sq. m.)**.
10. That all vehicles, trailers, or equipment that are used in the Home-Based Business shall be kept within a building or the storage area in accordance with the approved Site Plan.
11. That there shall be no signage, exterior display or advertisement of goods or services discernible from the outside of the building.
12. That no off-site advertisement signage associated with the Home-Based Business shall be permitted.
13. That this Development Permit shall be valid until **March 24, 2025**.





## ATTACHMENT 'B': MAPS AND OTHER INFORMATION

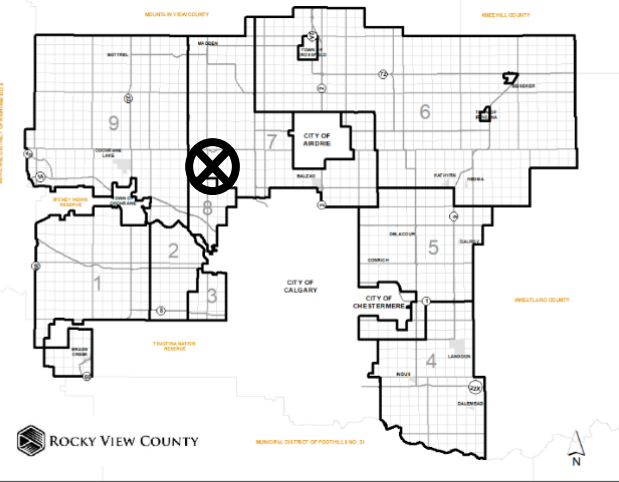
<b>APPLICANT:</b> Albert Rakowski	<b>OWNER:</b> Kraig Rakowski
<b>DATE APPLICATION RECEIVED:</b> January 19, 2021	<b>DATE DEEMED COMPLETE:</b> January 20, 2021
<b>GROSS AREA:</b> ± 1.61 hectares (± 4.00 acres)	<b>LEGAL DESCRIPTION:</b> SW-30-26-02-W05M
<b>APPEAL BOARD:</b> Subdivision and Development Appeal Board	
<p>Planning Applications</p> <ul style="list-style-type: none"> <li>• There are no Planning related application on file for this parcel</li> </ul> <p>Development Permits</p> <ul style="list-style-type: none"> <li>• PRDP20193374 (Home Based Business Renewal)</li> <li>• PRDP20180558(Construction of two accessory buildings)</li> <li>• PRDP20162997 (Home Based Business Renewal)</li> <li>• PRDP20151717 (existing accessory building- oversize shop)</li> <li>• PRDP20141060 (addition to existing dwelling)</li> <li>• 2013-DP-15567 (Home Based Business renewal)</li> <li>• 2011-DP-14727 (Home Based Business application)</li> <li>• 2010-DP-14199 (Home Based Business application)</li> <li>• 2009-DP-13747 (Home Based Business application)</li> <li>• 2008-DP-13279 (Construction of accessory shop – relaxation of side yard setback)</li> <li>• 2008-DP-13280 (construction of two berms)</li> <li>• 2008-DP-13186</li> <li>• 2008-DP-13201</li> </ul> <p>Building Permits</p> <ul style="list-style-type: none"> <li>• PRBD20192284 (Oversize Accessory Building- in compliance)</li> <li>• PRBD20181427 (Farm building location – closed complete)</li> <li>• PRBD20153426</li> <li>• PRBD20140954</li> <li>• 2009-BP-21968</li> </ul>	
<p><b>PUBLIC &amp; AGENCY SUBMISSIONS:</b></p> <p>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.</p>	



## Location & Context

### Development Proposal

Renewal of a Home Based Business Type II, Vacuum truck service.

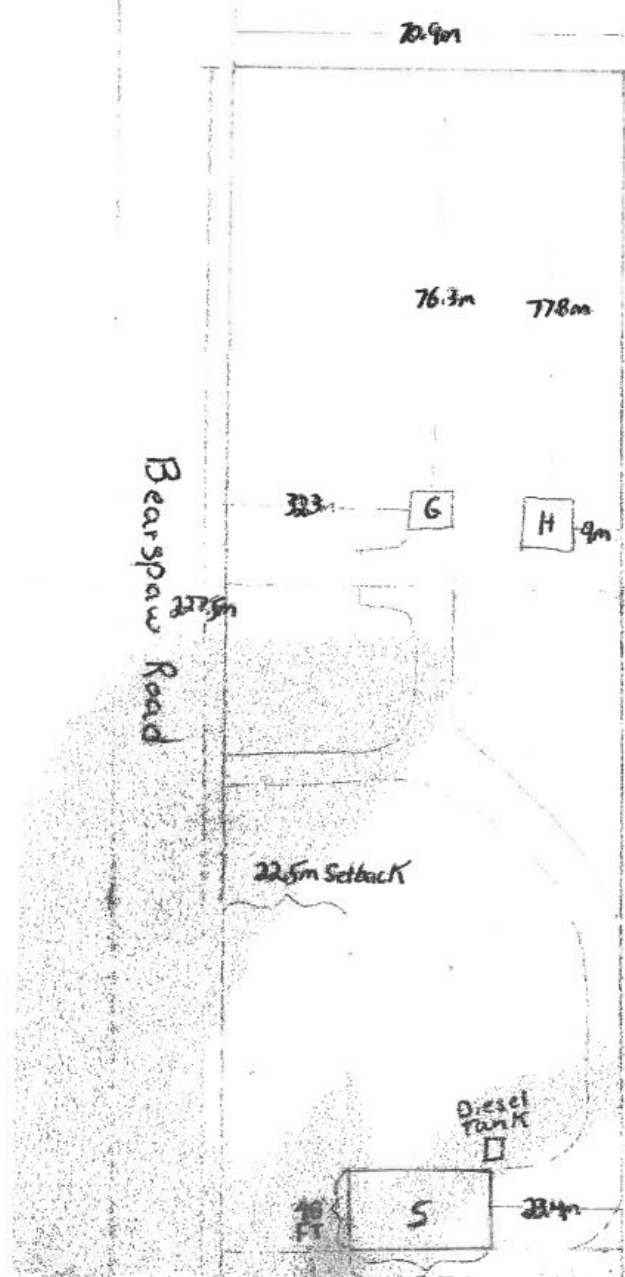


Division: 7  
 Roll: 06630005  
 File: PRDP20210284  
 Printed: February 2, 2021  
 Legal: Block:1 Plan:6708 JK;  
 Page 6 of 24

## Site Plan

### Development Proposal

Renewal of a Home  
Based Business Type II,  
Vacuum truck service.



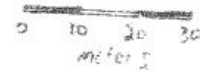
### Legend

G = Garage

H = House

S = Shop

Scale = 1:1000







264018

For Package  
Delivery  
Please Use  
Dropbox To  
The Right Side

**Purolator/Deliveries**

Kraig and Danielle Rakowski  
authorize deliveries to be  
put in the lockable box on  
the right side of the  
driveway









## PLANNING AND DEVELOPMENT SERVICES

**TO:** Municipal Planning Commission **DIVISION:** 9  
**DATE:** March 10, 2021 **APPLICATION:** PRDP202100932  
**FILE:** 07936009  
**SUBJECT:** Dwelling, Manufactured / Discretionary Use, with no Variances

**APPLICATION:** The proposal is for the placement of a dwelling, manufactured on the subject lands.

**GENERAL LOCATION:** Located approximately 0.81 km (1/2 mile) south of Twp. Rd. 280 and on the west side of Horse Creek Rd.

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

**EXECUTIVE SUMMARY:** This application is for the placement of a dwelling, manufactured on the subject lands to provide a residence for the applicant's family. The applicant wishes to have a country residential living while being close to amenities in Cochrane.

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

### OPTIONS:

- Option #1: THAT Development Permit Application PRDP20210093 be approved with the conditions noted in Attachment 'A'.
- Option #2: THAT Development Permit Application PRDP20210093 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 area and materially interferes with and affects the use, enjoyment, and value of neighbouring parcels of land.

### AIR PHOTO & DEVELOPMENT CONTEXT:



### Administration Resources

Camilo Conde, Planning and Development

**APPLICATION EVALUATION:**

The application was evaluated based on the site plan submitted with the application and the Land Use Bylaw C-8000-2020.

<b>APPLICABLE POLICY AND REGULATIONS:</b> <ul style="list-style-type: none"> <li>• <i>Municipal Government Act</i></li> <li>• Land Use Bylaw C-8000-2020</li> </ul>	<b>TECHNICAL REPORTS SUBMITTED:</b> <ul style="list-style-type: none"> <li>• Site plan</li> <li>• Building drawings</li> <li>• Real Property Report</li> </ul>
<b>DISCRETIONARY USE:</b> <ul style="list-style-type: none"> <li>• Dwelling, manufactured</li> </ul>	<b>DEVELOPMENT VARIANCE AUTHORITY:</b> <ul style="list-style-type: none"> <li>• Municipal Planning Commission (MPC)</li> </ul>

Additional Review Considerations

The application was reviewed under the regulations pertaining to Sections 311 to 315 of Land Use Bylaw C-8000-2020.

**CONCLUSION:**

Subject to the assessment of the application, the application is recommended for Approval.

Respectfully submitted,

Concurrence,

“Theresa Cochran”

“Al Hoggan”

---

Executive Director  
Community Development Services

---

Chief Administrative Officer

CC/ltt

**ATTACHMENTS:**

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



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

Option #1 (this would allow the proposed development to remain)

APPROVAL, subject to the following conditions:

**Description**

1. That the construction/placement of a Dwelling, Manufactured may commence on the subject property, in accordance with approved site plan, application details, and conditions of this permit.

**Permanent:**

2. That the Dwelling, Manufactured shall not be used for *commercial* or *vacation rental* purposes at any time, unless approved by a Development Permit.
3. That it is the Applicant/Owner's responsibility to obtain and display a distinct municipal address [50166 TWP RD 280] in accordance with the County Municipal Addressing Bylaw (Bylaw C-7562-2016), for the dwelling unit located on the subject site, to facilitate accurate emergency response.

**Advisory:**

4. That during construction/placement of the structure, the County's Noise Control Bylaw C-5772-2003 shall be adhered to at all times.
5. That during construction/ placement, 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.
6. That a Building Permit and sub-trade permits shall be obtained through Building Services, prior to any construction taking place.
7. That any over government permits, approvals, or compliances are the sole responsibility of the Applicant/Owner.
8. That if the development authorized by this Development Permit is not commenced with reasonable diligence within 12 months from the date of issue, and completed within 24 months of the issue, the permit is deemed to be null and void, unless an extension to this permit shall first have been granted by the Development Officer.

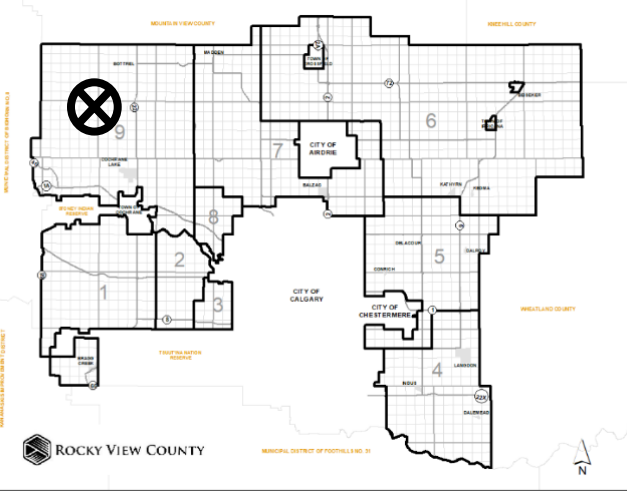
**ATTACHMENT 'B': MAPS AND OTHER INFORMATION**

<b>APPLICANT:</b> Nathan Androsoff	<b>OWNER:</b> Nathan Androsoff
<b>DATE APPLICATION RECEIVED:</b> January 7, 2021	<b>DATE DEEMED COMPLETE:</b> January 7, 2021
<b>GROSS AREA:</b> ± 8.48 hectares (± 20.95 acres)	<b>LEGAL DESCRIPTION:</b> SE-36-27-05-W05M
<b>APPEAL BOARD:</b> Subdivision and Development Appeal Board	
<p>Planning Applications</p> <ul style="list-style-type: none"> <li>• There are no Planning related application on file for this parcel</li> </ul> <p>Development Permits</p> <ul style="list-style-type: none"> <li>• There are no previous Development Permits on file for this parcel</li> </ul> <p>Building Permits</p> <ul style="list-style-type: none"> <li>• There are no previous Building Permits on file for this parcel</li> </ul>	
<p><b>PUBLIC &amp; AGENCY SUBMISSIONS:</b></p> <p>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.</p>	

## Location & Context

### Development Proposal

Placement of a Dwelling,  
manufactured on a vacant  
parcel.



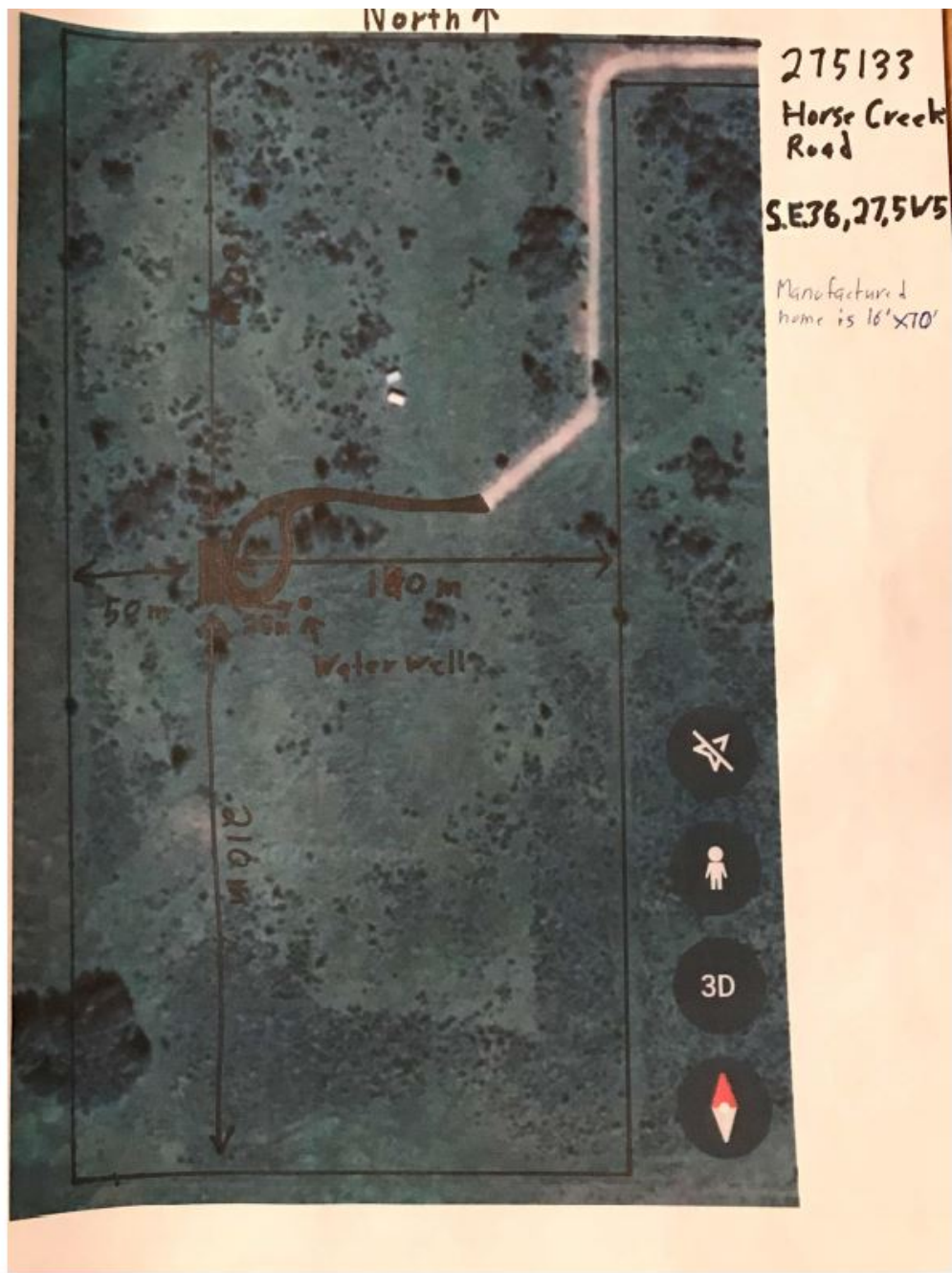




## Site Map

### Development Proposal

Placement of a Dwelling, manufactured on a vacant parcel.





## Manufactured Home

### Development Proposal

Placement of a Dwelling, manufactured on a vacant parcel.



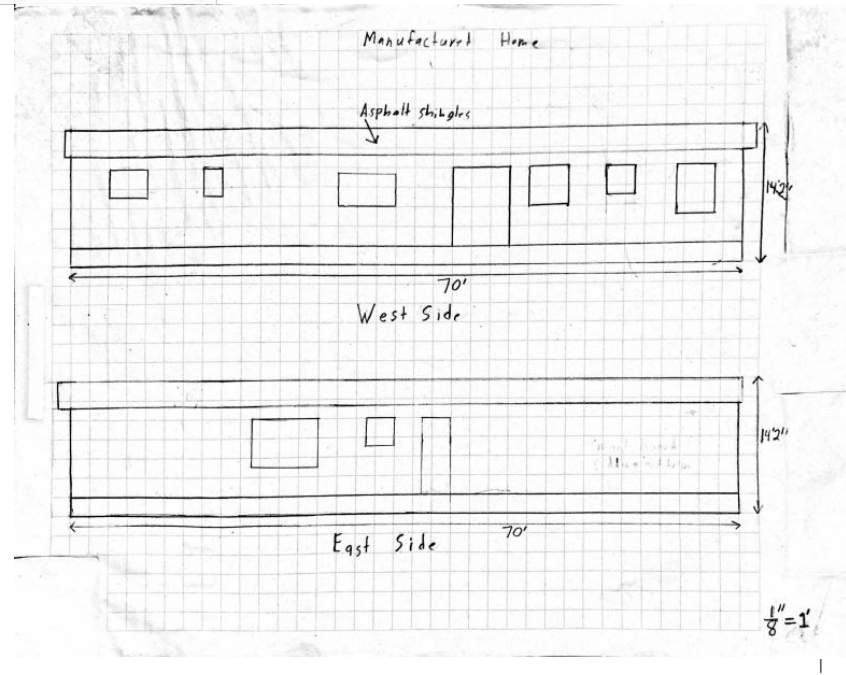
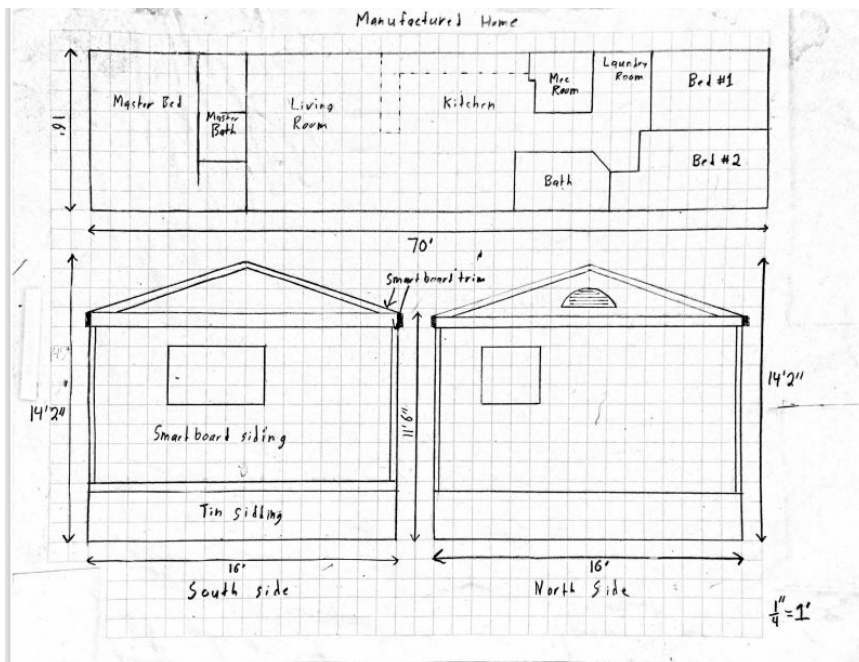
Division: 9  
Roll: 07936009  
File: PRDP20210093  
Printed: February 2, 2021  
Legal: Lot:1 Block:3  
Page 1157 of 248  
27-05-W05M



## Elevations/ Internal Dimensions

### Development Proposal

Placement of a Dwelling,  
manufactured on a vacant  
parcel.



A photograph of a wooden fence post with a green sign reading '275133'. The sign is mounted on the post and is partially obscured by a horizontal barbed wire. To the left of the post is a vertical metal pole and an orange diagonal pole. The background is a clear blue sky and a blurred field.

**275133**





## PLANNING AND DEVELOPMENT SERVICES

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<b>TO:</b>	Municipal Planning Commission	<b>DIVISION:</b> 8
<b>DATE:</b>	March 10, 2021	<b>APPLICATION:</b> PRDP20210073
<b>FILE:</b>	05631121	
<b>SUBJECT:</b>	Accessory Dwelling Unit / Discretionary with no Variances	

---

**APPLICATION:** The proposal is for the construction of an accessory dwelling unit within the basement of a dwelling, single detached with no variances.

**GENERAL LOCATION:** Located approximately 0.81 km (1/2 mile) south of Burma Rd. and 0.81 km (1/2 mile) east of Bearspaw Rd.

**LAND USE DESIGNATION:** Rural, Country Residential District (R-CRD)

**EXECUTIVE SUMMARY:** This application is for the creation of a 65.00 m<sup>2</sup> (700.00 ft<sup>2</sup>) accessory dwelling unit within the basement of a dwelling, single detached. The dwelling unit will contain all standard components such as bedrooms and cooking facilities.

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

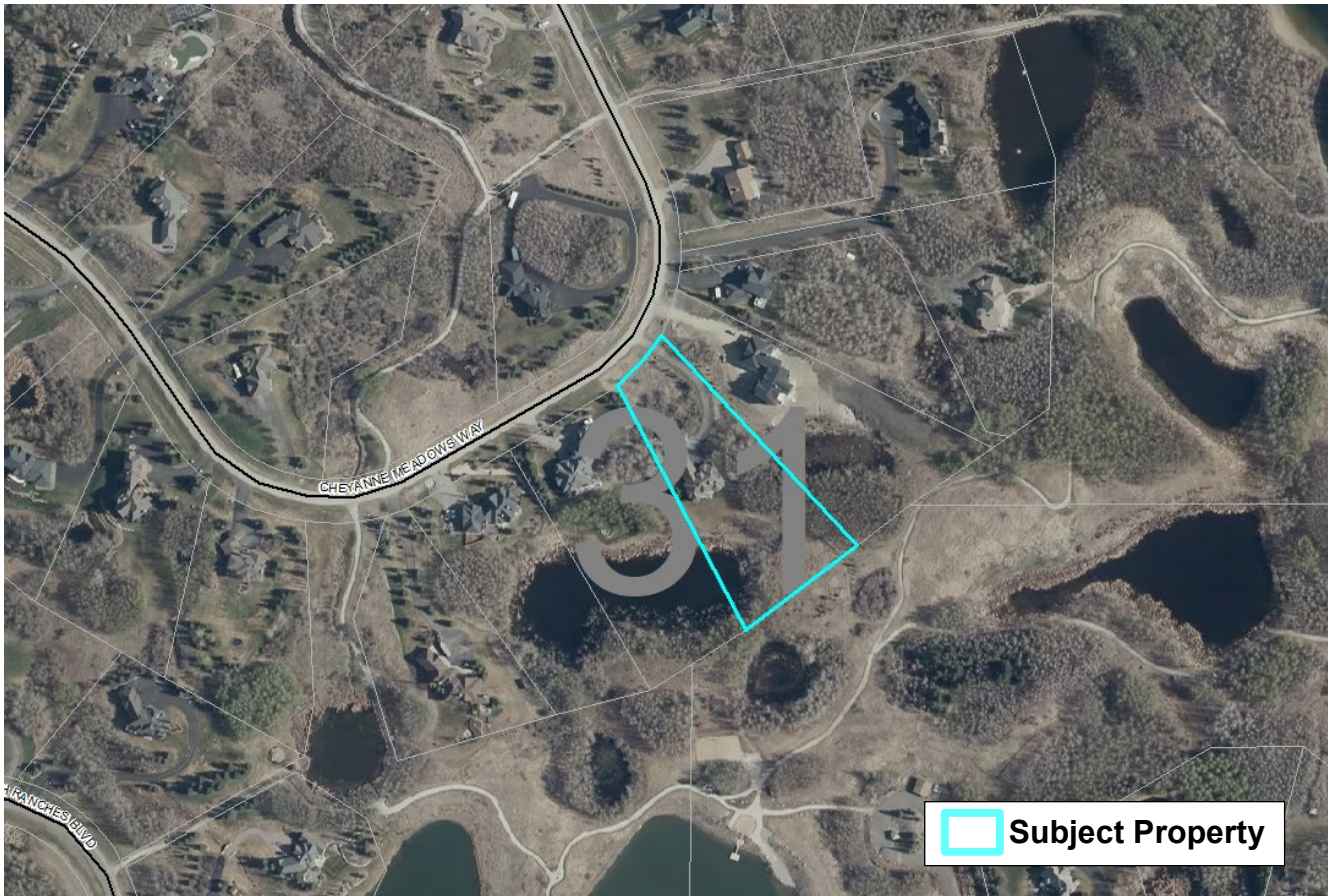
### OPTIONS:

- Option #1: THAT Development Permit Application PRDP20210073 be approved with the conditions noted in Attachment 'A'.
- Option #2: THAT Development Permit Application PRDP20210073 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 area and materially interferes with and affects the use, enjoyment, and value of neighbouring parcels of land.

---

### Administration Resources

Camilo Conde, Planning and Development Services

**AIR PHOTO & DEVELOPMENT CONTEXT:**

  Subject Property

**APPLICATION EVALUATION:**

The application was evaluated based on the site plan submitted with the application and the Land Use Bylaw C-8000-2020.

<b>APPLICABLE POLICY AND REGULATIONS:</b> <ul style="list-style-type: none"> <li>• <i>Municipal Government Act</i></li> <li>• Land Use Bylaw C-8000-2020</li> <li>• Bearspaw Area Structure Plan</li> </ul>	<b>TECHNICAL REPORTS SUBMITTED:</b> <ul style="list-style-type: none"> <li>• Site plan</li> </ul>
<b>DISCRETIONARY USE:</b> <ul style="list-style-type: none"> <li>• Accessory Dwelling Unit</li> </ul>	<b>DEVELOPMENT VARIANCE AUTHORITY:</b> <ul style="list-style-type: none"> <li>• Municipal Planning Commission (MPC)</li> </ul>

Additional Review Considerations

The application was reviewed under the regulations pertaining to Sections 324 to 330 of Land Use Bylaw C-8000-2020.

**CONCLUSION:**

Subject to the assessment of the application, the application is recommended for APPROVAL.



ROCKY VIEW COUNTY

Respectfully submitted,

Concurrence,

“Theresa Cochran”

“Al Hoggan”

---

Executive Director  
Community Development Services

---

Chief Administrative Officer

CC/llt

**ATTACHMENTS:**

ATTACHMENT ‘A’: Development Permit Report Conditions

ATTACHMENT ‘B’: Maps and Other Information



## ATTACHMENT 'A': DEVELOPMENT PERMIT REPORT CONDITIONS

Option #1 (this would allow the proposed development to remain)

APPROVAL, subject to the following conditions:

### Description

1. That the proposed Accessory Dwelling Unit, located within the basement of the dwelling, single detached, approximately 65.00 m<sup>2</sup> (700.00 ft<sup>2</sup>) in area, may be constructed on the subject land in general accordance with the approved Site Plan and submitted application plans.

### 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.

### Permanent:

3. That the accessory dwelling unit shall be used for residential purposes only, unless otherwise approved by a Development Permit.
4. 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).
5. That there shall be a minimum of one (1) parking stall maintained on site at all times dedicated to the Accessory Dwelling Unit.
6. That there shall be adequate site servicing provided for the Accessory Dwelling Unit.
7. That it is the Applicant/Owner's responsibility to obtain and display a distinct municipal address in accordance with the County Municipal Addressing Bylaw (Bylaw C-7562-2016), for each dwelling unit located on the subject site, to facilitate accurate emergency response.
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.

### Advisory:

9. 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.
10. That a Building Permit and sub-trade permits shall be obtained from Building Services, prior to any construction taking place, using the Accessory Dwelling Unit 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.
13. 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.



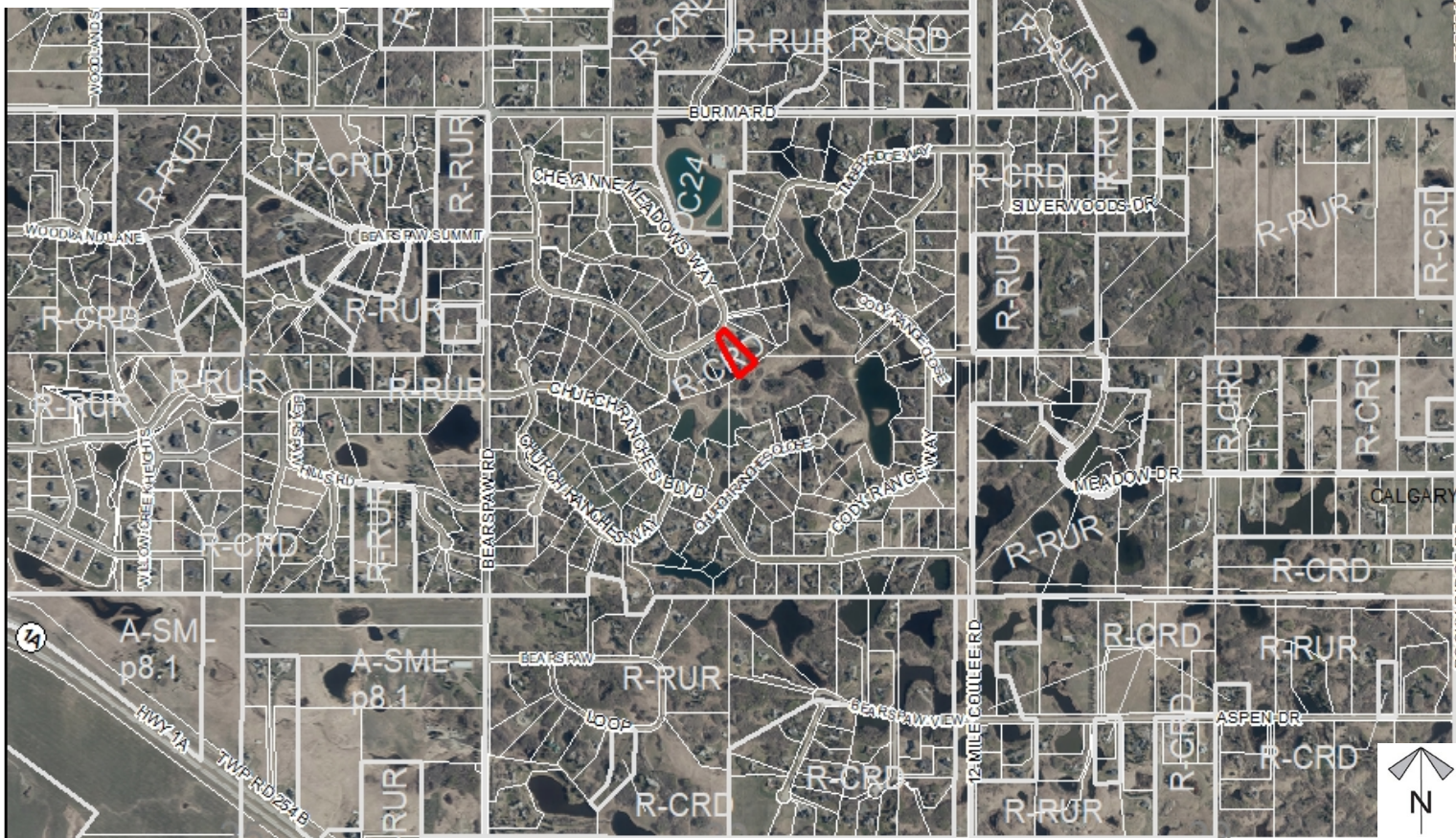
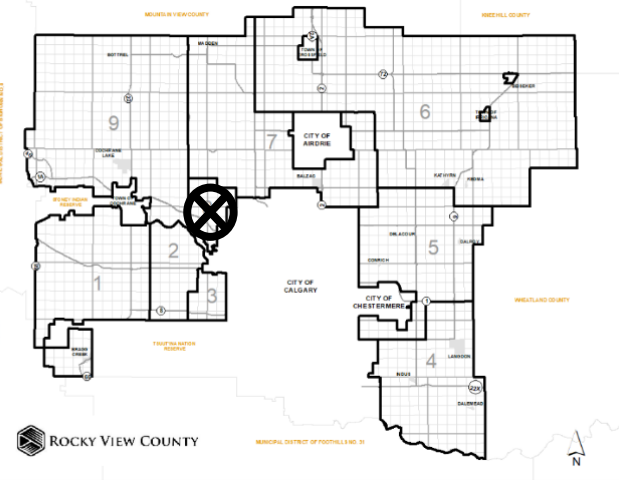


## ATTACHMENT 'B': MAPS AND OTHER INFORMATION

<b>APPLICANT:</b> Sean Biggins	<b>OWNER:</b> James & Janice Sanford
<b>DATE APPLICATION RECEIVED:</b> January 6, 2021	<b>DATE DEEMED COMPLETE:</b> January 6, 2021
<b>GROSS AREA:</b> ± 0.83 hectares (± 2.07 acres)	<b>LEGAL DESCRIPTION:</b> -31-25-02-W05M
<b>APPEAL BOARD:</b> Subdivision and Development Appeal Board	
<p>Planning Applications</p> <ul style="list-style-type: none"> <li>There are no Planning related application on file for this parcel</li> </ul> <p>Development Permits</p> <ul style="list-style-type: none"> <li>PRDP20180566 Closed-Refused (Applicant withdrew their appeal)</li> </ul> <p>Building Permits</p> <ul style="list-style-type: none"> <li>PRBD20190800 New Single Family Dwelling (In compliance)</li> </ul>	
<p><b>PUBLIC &amp; AGENCY SUBMISSIONS:</b></p> <p>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.</p>	

## Development Proposal

Accessory Dwelling Unit,  
Basement Suite.



## Site Plan

### Development Proposal

Accessory Dwelling Unit,  
Basement Suite.



Division: 8  
Roll: 05631121  
File: PRDP20210073  
Printed: February 2, 2021  
Legal: Lot:25 Block:3  
Page 11 of 13  
Page 11 of 13  
02-W05M



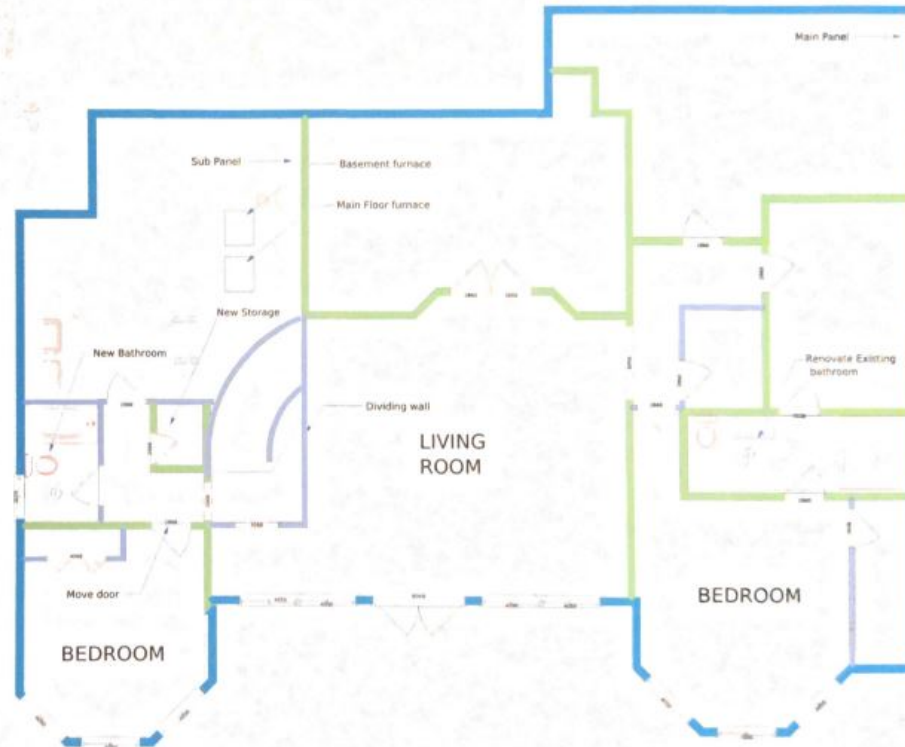
## Interior Plan

### Development Proposal

Accessory Dwelling Unit,  
 Basement Suite.

### Proposed Floor plan

No changes to windows  
 Not deleting and structure walls  
 Adding one bathroom  
 Adding a wall  
 To be added after development permit









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## PLANNING AND DEVELOPMENT SERVICES

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<b>TO:</b>	Municipal Planning Commission Development Authority	<b>DIVISION:</b> 6
<b>DATE:</b>	March 10, 2021	<b>APPLICATION:</b> PRDP20210345
<b>FILE:</b>	06122007	
<b>SUBJECT:</b>	Accessory Building / Discretionary Use, with Variances	

---

**APPLICATION:** Accessory Building (existing garage), construction of an addition, relaxation to the maximum building area, relaxation to the maximum parcel coverage, and relaxation to the minimum side yard setback requirement.

**GENERAL LOCATION:** Located approximately 1.61 km (1 mile) west of Rge. Rd. 262 and on the south side of Twp. Rd. 264.

**LAND USE DESIGNATION:** Residential, Country Residential District (R-CRD)

**EXECUTIVE SUMMARY:** This application is for the addition of a 97.54 m<sup>2</sup> (1,050.00 ft<sup>2</sup>) to an existing detached garage, for the purposes of storage and personal recreation. The total building area proposed is 218.13 m<sup>2</sup> (2348.00 ft<sup>2</sup>). Although the applicant has requested various variances, there is no immediate impact to adjacent properties due to the screening/separation between the accessory building and the neighbouring dwelling.

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

### OPTIONS:

Option #1: THAT Development Permit Application PRDP20210345 be approved with the conditions noted in Attachment 'A'.

Option #2: THAT Development Permit Application PRDP20210345 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 area and materially interferes with and affects the use, enjoyment, and value of neighbouring parcels of land.

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### Administration Resources

Camilo Conde, Planning and Development Services

**AIR PHOTO & DEVELOPMENT CONTEXT:****VARIANCE SUMMARY:**

Variance	Requirement	Proposed	Percentage (%)
Permitted building area	79.99 m <sup>2</sup> (861.11ft <sup>2</sup> )	218.13 m <sup>2</sup> (2,348.00 ft <sup>2</sup> )	272.00%
Maximum parcel coverage	120.00 m <sup>2</sup> (1,291.67 ft <sup>2</sup> )	218.13 m <sup>2</sup> (2,348.00 ft <sup>2</sup> )	181.00%
Side Yard Setback	3.00 m (9.81 ft.)	1.51 m (5.00 ft.)	50.30%

**APPLICATION EVALUATION:**

The application was evaluated based on the site plan submitted with the application and the Land Use Bylaw C-8000-2020.

<b>APPLICABLE POLICY AND REGULATIONS:</b> <ul style="list-style-type: none"> <li><i>Municipal Government Act</i></li> <li>Land Use Bylaw C-8000-2020</li> </ul>	<b>TECHNICAL REPORTS SUBMITTED:</b> <ul style="list-style-type: none"> <li>Site plan</li> </ul>
<b>DISCRETIONARY USE:</b> <ul style="list-style-type: none"> <li>Accessory Building</li> </ul>	<b>DEVELOPMENT VARIANCE AUTHORITY:</b> <ul style="list-style-type: none"> <li>Municipal Planning Commission (MPC)</li> </ul>

Additional Review Considerations

The application was reviewed under the regulations pertaining to Sections 324 to 330 of Land Use Bylaw C-8000-2020.



**CONCLUSION:**

Subject to the assessment of the application, the application is recommended for APPROVAL.

Respectfully submitted,

Concurrence,

“Theresa Cochran”

“Al Hoggan”

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Executive Director  
Community Development Services

---

Chief Administrative Officer

CC/llt

**ATTACHMENTS:**

ATTACHMENT ‘A’: Development Permit Report Conditions

ATTACHMENT ‘B’: Maps and Other Information





## ATTACHMENT 'A': DEVELOPMENT PERMIT REPORT CONDITIONS

Option #1 (this would allow the proposed development to remain)

APPROVAL, subject to the following conditions:

### Description

1. That the proposed addition to the accessory building (detached garage), approximately 97.54 m<sup>2</sup> (1,050.00 ft<sup>2</sup>), be allowed to be constructed as per the site plan and submitted application and includes:
  - i. That the maximum building area of the accessory building shall be relaxed from **79.99 m<sup>2</sup> (861.11 ft<sup>2</sup>) to 218.13 m<sup>2</sup> (2,348.00 ft<sup>2</sup>)**.
  - ii. That the maximum parcel coverage shall be relaxed from **120.00 m<sup>2</sup> (1,291.67 ft<sup>2</sup>) to 218.13 m<sup>2</sup> (2,348.00 ft<sup>2</sup>)**.
  - iii. That the minimum side yard setback requirement shall be relaxed from **3.00 m (9.81 ft.) to 1.51 m (5.00 ft.)**.

### Permanent:

2. That the accessory building shall be used for residential purposes only, unless otherwise approved by a Development Permit.
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 Issuance or Occupancy condition, shall be implemented and adhered to in perpetuity.
4. That there shall be no more than 1.00 m (3.28 ft.) of fill placed adjacent to or within 15.00 m (49.21 ft.) of the proposed building under construction, which is used to establish approved final grades unless a Development Permit has been issued for additional fill and topsoil.
5. That the exterior siding and roofing materials of the Accessory Building (detached garage) shall be similar/cohesive to the existing dwelling, single detached.

### Advisory:

6. That during the 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 of at an approved disposal facility.
7. 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.
8. 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.
9. That any other federal, provincial or County permits, approvals, and/or compliances, are the sole responsibility of the Applicant/Owner.



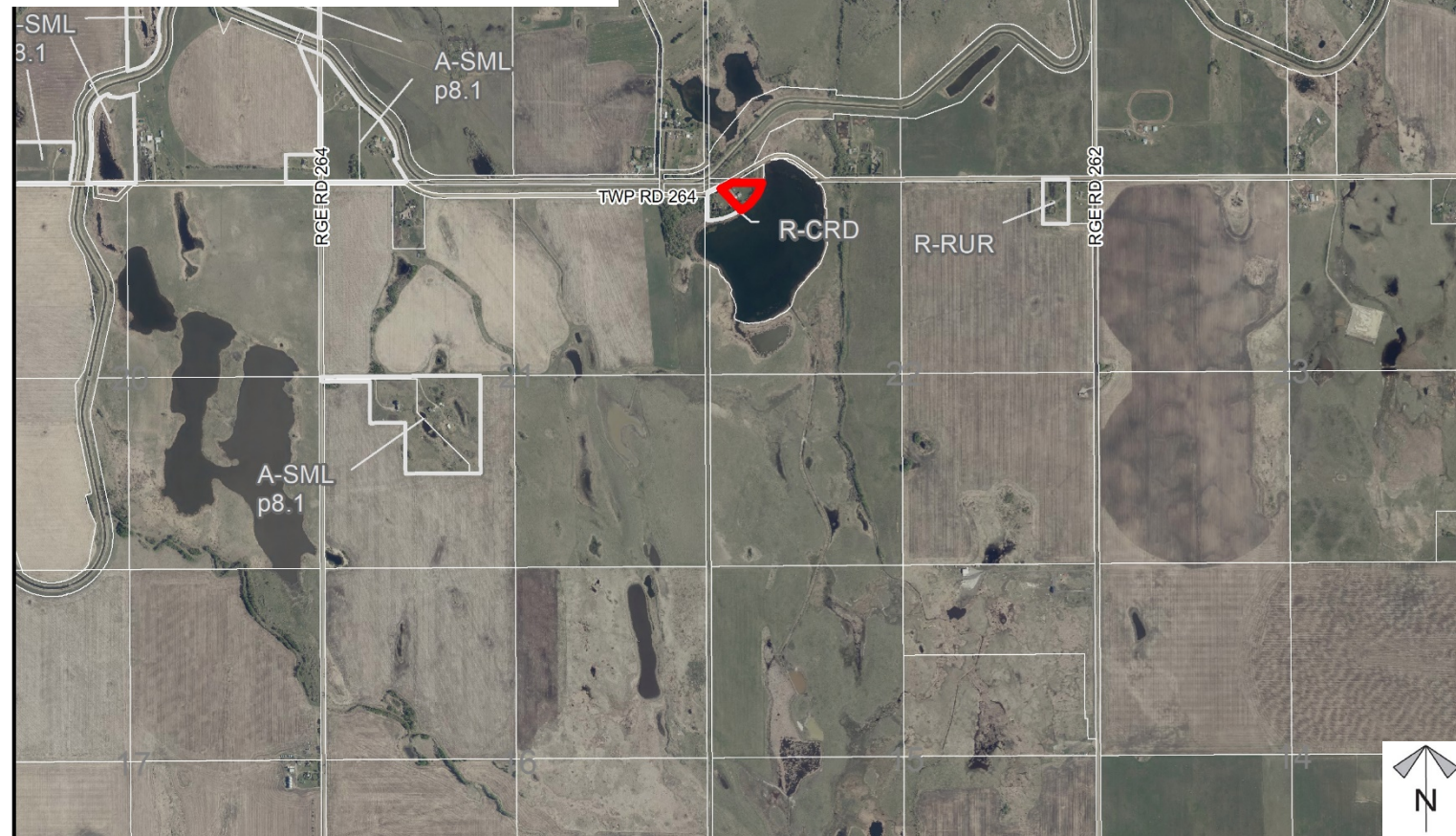
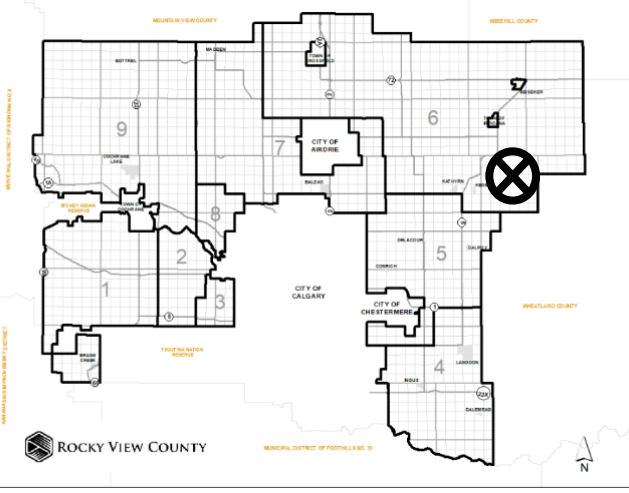
## ATTACHMENT 'B': MAPS AND OTHER INFORMATION

<b>APPLICANT:</b> Anthony Cress	<b>OWNER:</b> Anthony Cress
<b>DATE APPLICATION RECEIVED:</b> January 25, 2021	<b>DATE DEEMED COMPLETE:</b> January 25, 2021
<b>GROSS AREA:</b> ± 1.17 hectares (± 2.89 acres)	<b>LEGAL DESCRIPTION:</b> NW-22-26-26-W04M
<b>APPEAL BOARD:</b> Subdivision and Development Appeal Board	
<p>Planning Applications</p> <ul style="list-style-type: none"> <li>There are no Planning related application on file for this parcel</li> </ul> <p>Development Permits</p> <ul style="list-style-type: none"> <li>There are no other Development Permits on file for this parcel at this time.</li> </ul> <p>Building Permits</p> <ul style="list-style-type: none"> <li>1989-BP-1303 (Open application) Dwelling, Single Detached</li> <li>1991-BP-2084 (Occupancy Granted) Dwelling, Single Detached, detached garage</li> </ul>	
<p><b>PUBLIC &amp; AGENCY SUBMISSIONS:</b></p> <p>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.</p>	

## Location & Context

### Development Proposal

**Accessory Structure  
(Existing garage),  
extension to the  
structure with variances.**

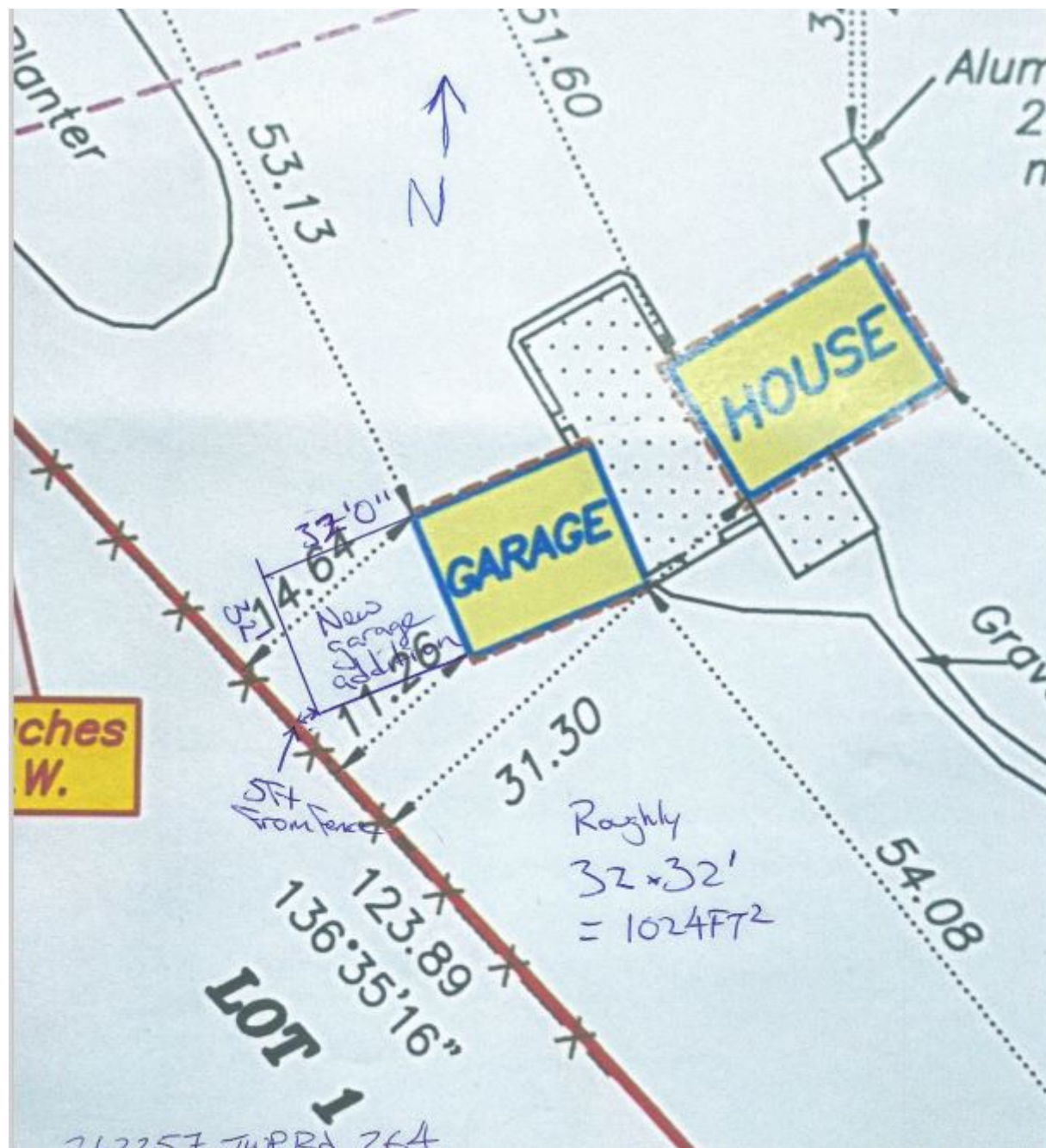




## Site Plan

### Development Proposal

Accessory Structure  
 (Existing garage),  
 extension to the  
 structure with variances.





## Elevations

### Development Proposal

Accessory Structure  
(Existing garage),  
extension to the  
structure with variances.



262257 TWP Rd 264

Garage addition  
Wood frame. Aluminum siding + roof





262257









## PLANNING AND DEVELOPMENT SERVICES

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<b>TO:</b>	Municipal Planning Commission	<b>DIVISION:</b>	8
<b>DATE:</b>	March 10, 2021	<b>APPLICATION:</b>	PRDP20204018
<b>FILE:</b>	05630044		
<b>SUBJECT:</b>	Accessory Dwelling Unit with Variances		

---

**APPLICATION:** The proposal is for the construction of an accessory building (oversize garage), including an Accessory Dwelling Unit, relaxation of the maximum accessory building area and relaxation to the maximum building height.

**GENERAL LOCATION:** Located approximately 0.41 km (1/4 mile) west of 12 Mile Coulee Road and 0.61 km (1/2 mile) north of Township Road 254.

**LAND USE DESIGNATION:** Rural, Country Residential District (R-CRD)

**EXECUTIVE SUMMARY:** This application is for the creation of a 119.66 m<sup>2</sup> (1288.00 ft<sup>2</sup>) accessory dwelling unit within a proposed accessory building (garage). The second level of the building will include an uncovered deck, 24. 52 sq. m (265.00 sq. ft.) in area. The building has been designed to be cohesive to the existing dwelling, single detached. The subject parcel includes a screened area to the north-west, that provides for buffering from the adjacent property.

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

### OPTIONS:

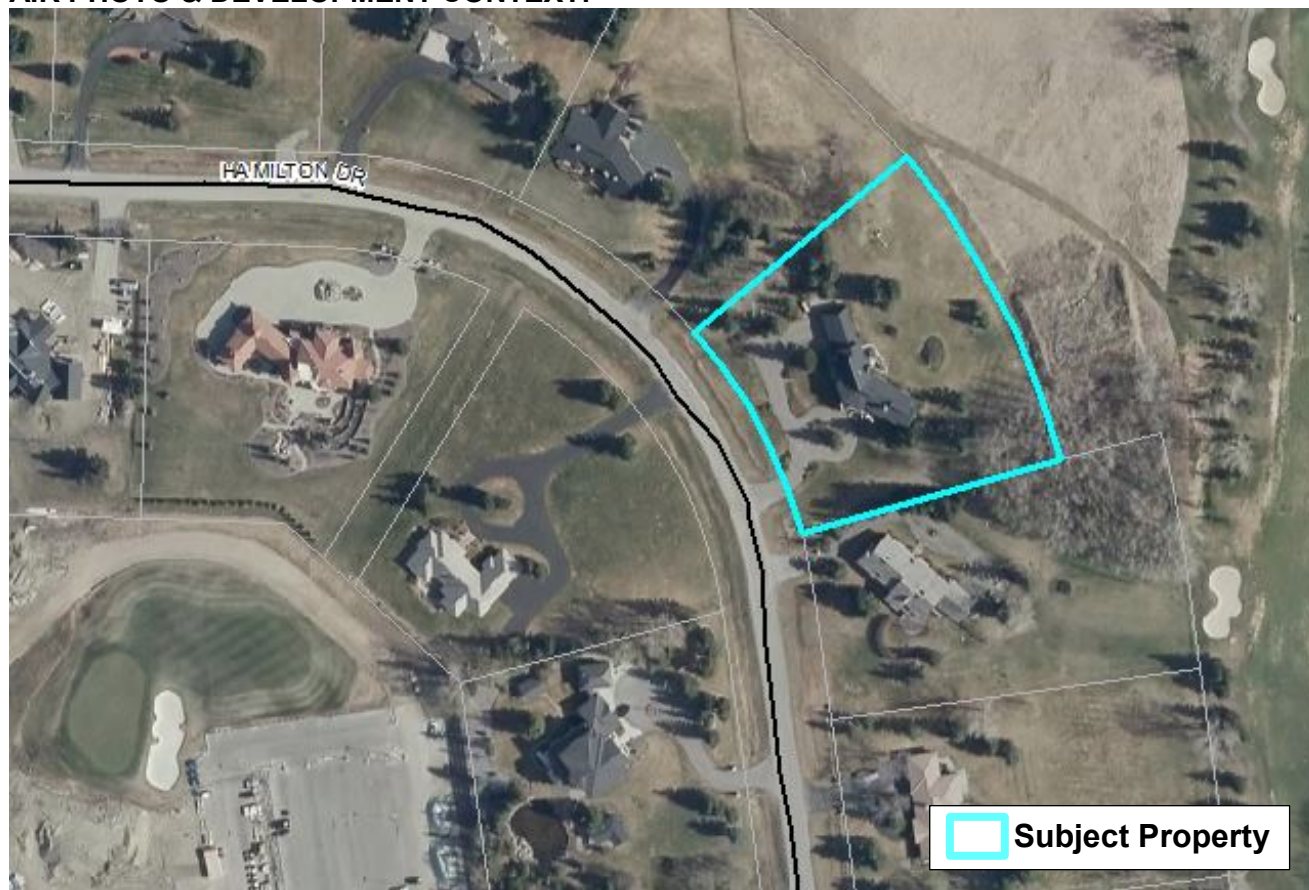
- Option #1: THAT Development Permit Application PRDP20204018 be approved with the conditions noted in Attachment 'A'.
- Option #2: THAT Development Permit Application PRDP20204018 be refused for the following reasons:
1. That in the opinion of the Municipal Planning Commission, the development unduly interferes with the amenities of the area and materially interferes with and affects the use, enjoyment, and value of neighbouring parcels of land.

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### Administration Resources

Camilo Conde, Planning and Development Services

**AIR PHOTO & DEVELOPMENT CONTEXT:**



**VARIANCE SUMMARY:**

Variance	Requirement	Proposed	Percentage (%)
324 Permitted Building Area	80.00 m <sup>2</sup> (861.11ft <sup>2</sup> )	119.66 m <sup>2</sup> (1288.06 ft <sup>2</sup> )	49.58%
329 (a) Maximum building height	7.00 m (22.96 ft.)	8.23 m (27.00 ft.)	17.53%

**APPLICATION EVALUATION:**

The application was evaluated based on the site plan submitted with the application and the Land Use Bylaw C-8000-2020.

<b>APPLICABLE POLICY AND REGULATIONS:</b> <ul style="list-style-type: none"> <li>• <i>Municipal Government Act</i></li> <li>• City of Calgary Intermunicipal Development Plan</li> <li>• Bearspaw Area Structure Plan</li> <li>• Land Use Bylaw C-8000-2020</li> </ul>	<b>TECHNICAL REPORTS SUBMITTED:</b> <ul style="list-style-type: none"> <li>• Site plan</li> <li>• Technical Drawings</li> <li>• Elevation Plans</li> </ul>
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<b>DISCRETIONARY USE:</b> <ul style="list-style-type: none"><li>• Accessory Building</li><li>• Accessory Dwelling Unit</li></ul>	<b>DEVELOPMENT VARIANCE AUTHORITY:</b> <ul style="list-style-type: none"><li>• Municipal Planning Commission (MPC)</li></ul>
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Additional Review Considerations

The application was reviewed under the regulations pertaining to Sections 324 to 330 of Land Use Bylaw C-8000-2020.

**CONCLUSION:**

Subject to the assessment of the application, the application is recommended for APPROVAL.

Respectfully submitted,

Concurrence,

"Theresa Cochran"

"Al Hoggan"

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Executive Director  
Community Development Services

---

Chief Administrative Officer

CC/llt

**ATTACHMENTS:**

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





## ATTACHMENT 'A': DEVELOPMENT PERMIT REPORT CONDITIONS

Option #1 (this would allow the proposed development to remain)

APPROVAL, subject to the following conditions:

### Description

1. That the proposed accessory building (garage) and accessory dwelling unit, located above the garage [approximately 119.06 m<sup>2</sup> (1,280.01 ft<sup>2</sup>) in area], may be constructed on the subject land in general accordance with the approved site plan and submitted plans provided by the applicant.
  - i. That the maximum building area of the accessory building (oversize garage) shall be relaxed from **80.00 sq. m (861.11 sq. ft.) to 119.66 sq. m (1,288.00 sq. ft.)**.
  - ii. That the maximum accessory building height shall be relaxed from **7.00 m (22.96 ft.) to 8.22 m (26.99 ft.)**.

### 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 submit a stormwater memo, prepared by a qualified professional, confirming whether the addition of the proposed building conforms with the overall stormwater management strategy for the subject land without any adverse impacts to neighboring properties or further improvements are required.
  - i. Should improvements be necessary, the applicant will be required to provide a site-specific stormwater management report, prepared by a qualified professional, addressing the necessary improvements to be implemented on the subject land to support the proposed building in accordance with Bearspaw Master Drainage Plan and County Servicing Standards.

### Permanent:

4. That the accessory building and accessory dwelling unit shall be used for residential purposes only, unless otherwise approved by a Development Permit.
5. That there shall be a minimum of one (1) parking stall maintained on site at all times dedicated to the Accessory Dwelling Unit.
6. That there shall be adequate site servicing provided for the Accessory Dwelling Unit.
7. That the color of the exterior siding and roofing materials of the proposed accessory building (garage) shall be similar/cohesive to the existing dwelling, single detached and/or surrounding area.
8. 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.
9. That the Applicant/Owner shall be responsible for rectifying any adverse effect on adjacent lands from drainage alteration.
10. 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 including the noted Stormwater memo and grading drawings.

**Advisory:**

11. 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.
12. That a Building Permit and sub-trade permits shall be obtained from Building Services, prior to any construction taking place, using the Accessory Dwelling Unit checklist.
13. 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.
14. That any other federal, provincial or County permits, approvals, and/or compliances, are the sole responsibility of the Applicant/Owner.
15. That if this Development Permit is not issued by **July 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

<b>APPLICANT:</b> Jeremy Gukert	<b>OWNER:</b> John and Jodi Gergely
<b>DATE APPLICATION RECEIVED:</b> December 8, 2020	<b>DATE DEEMED COMPLETE:</b> December 14, 2020
<b>GROSS AREA:</b> ± 0.82 hectares (± 2.06 acres)	<b>LEGAL DESCRIPTION:</b> SE-30-25-02-W05M
<b>APPEAL BOARD:</b> Subdivision and Development Appeal Board	
<p>Planning Applications</p> <ul style="list-style-type: none"> <li>There are no Planning related application on file for this parcel</li> </ul> <p>Development Permits</p> <ul style="list-style-type: none"> <li>There are no previous Development Permit Applications for this parcel</li> </ul> <p>Building Permits</p> <ul style="list-style-type: none"> <li>1982-BP-9194 Single Family Dwelling (Closed)</li> <li>2008-BP-21690 PSR-Not in compliance (No entry)</li> </ul>	
<p><b>PUBLIC &amp; AGENCY SUBMISSIONS:</b></p> <p>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.</p>	

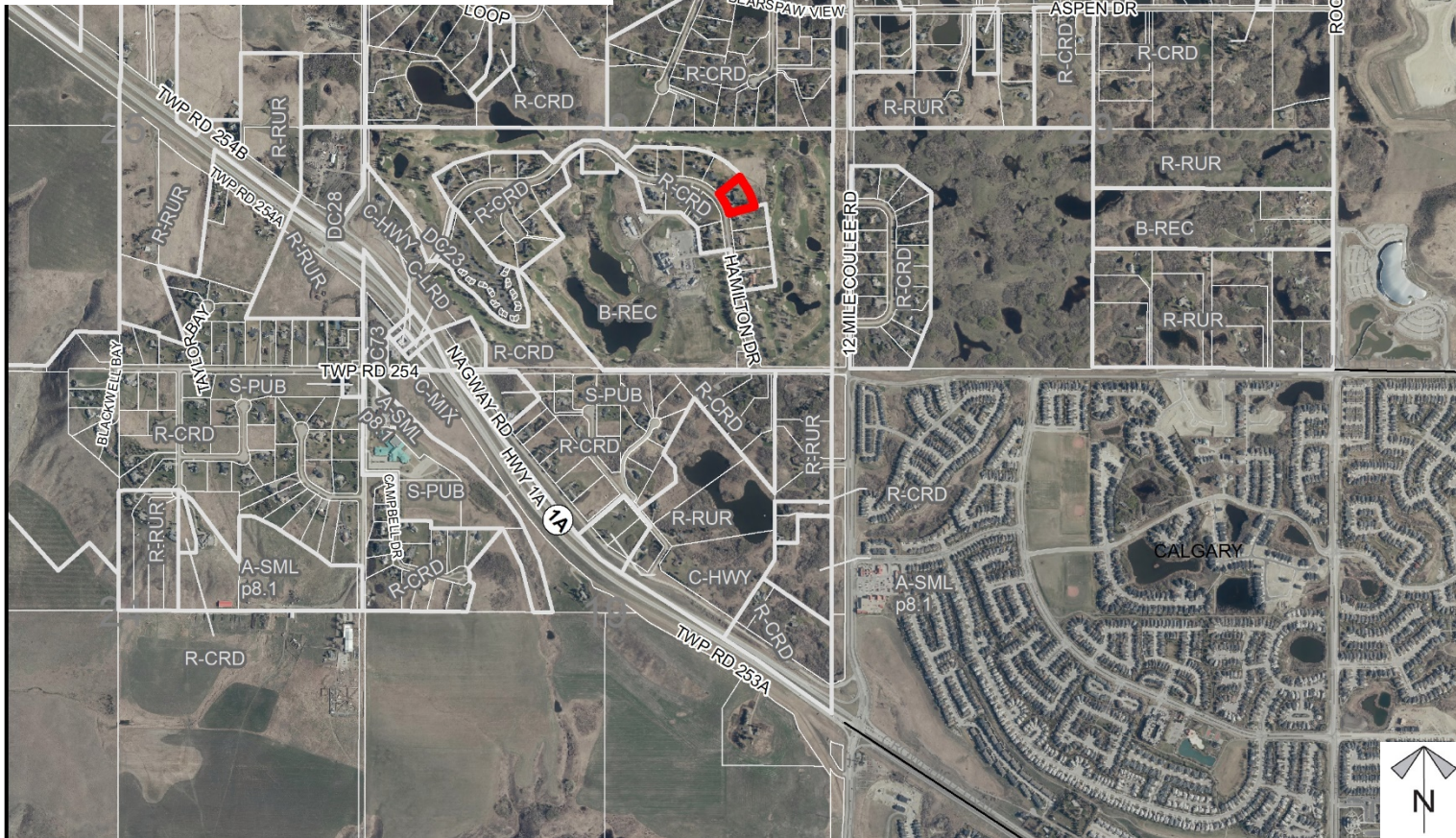
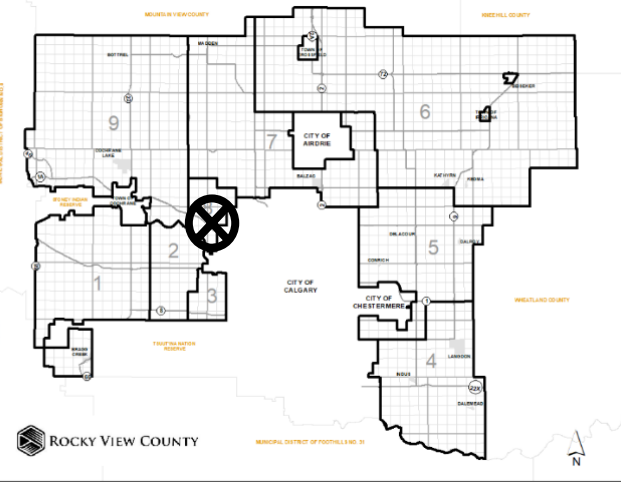




## Location & Context

### Development Proposal

construction of an accessory building (oversize garage), including an Accessory Dwelling Unit, relaxation of the maximum accessory building area and relaxation to the maximum building height

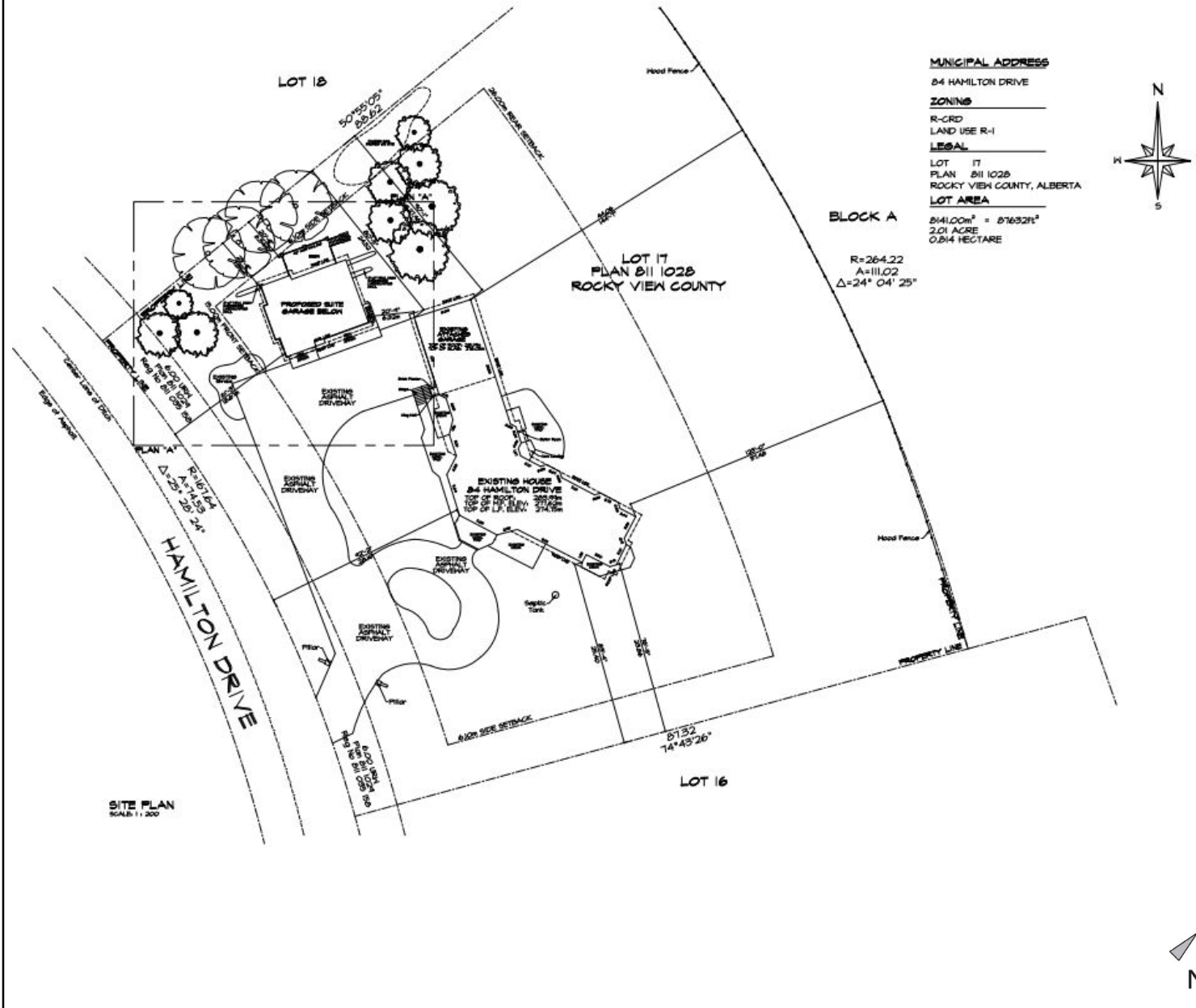


Division: 8  
Roll: 05630044  
File: PRDP20204018  
Printed: Feb 25, 2021  
Legal: Lot:17 Plan:8111028  
Page 18 of 24



## Development Proposal

construction of an accessory building (oversize garage), including an Accessory Dwelling Unit, relaxation of the maximum accessory building area and relaxation to the maximum building height

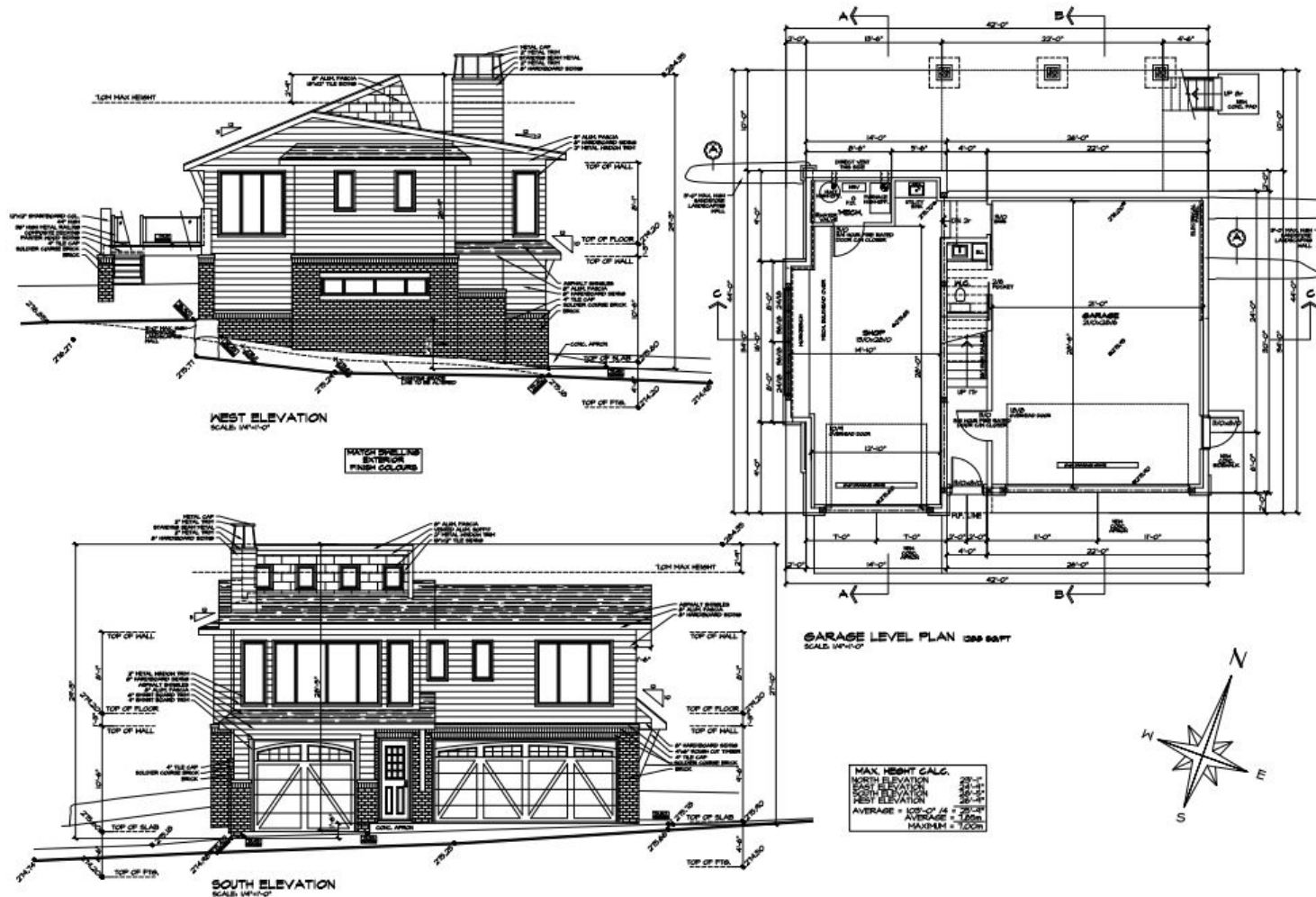


Division: 8  
Roll: 05630044  
File: PRDP20204018  
Printed: Feb 25, 2021  
Legal: Lot:17 Plan:8111028  
Page 1 of 245

## Elevation Drawing

### Development Proposal

construction of an accessory building (oversize garage), including an Accessory Dwelling Unit, relaxation of the maximum accessory building area and relaxation to the maximum building height



## Current Site

### Development Proposal

construction of an accessory building (oversize garage), including an Accessory Dwelling Unit, relaxation of the maximum accessory building area and relaxation to the maximum building height





## JGDesign & Drafting Inc.

19 SILVERDALE CRES NW ♦ CALGARY, AB ♦ T3B 3P1 ♦ 403-805-2570 ♦ [jeremy@jgdesign.ca](mailto:jeremy@jgdesign.ca)

**84 HAMILTON DRIVE**

Nov. 24 2020





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## PLANNING AND DEVELOPMENT SERVICES

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**TO:** Municipal Planning Commission  
Development Authority

**DATE:** March 10, 2021 **DIVISION:** 1

**FILE:** 03913031 **APPLICATION:** PRDP20210276

**SUBJECT:** Dwelling, Single Detached / Discretionary Use, with no Variances

---

**APPLICATION:** construction of a Dwelling, Single Detached, located within a flood hazard area

**GENERAL LOCATION:** Located within the hamlet of Bragg Creek

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

**EXECUTIVE SUMMARY:** This proposal is for the construction of a dwelling, single detached within the Hamlet of Bragg Creek. The property is located in an identified flood hazard area and is within the flood fringe of the Elbow River. The existing dwelling, single detached and foundation will be demolished and the proposed dwelling unit will be constructed in the same location onsite, which will help reduce development impact to the property. The combined floor area of the dwelling, single detached is 170.00 sq. m (1,834.00 sq. ft.).

The subject property is located outside of the hamlet servicing area. Therefore, the property is proposing to use existing site servicing of water well and private treatment sewage system.

The application has been assessed against the regulations of applicable County policy and Administration has no concerns.

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

### OPTIONS:

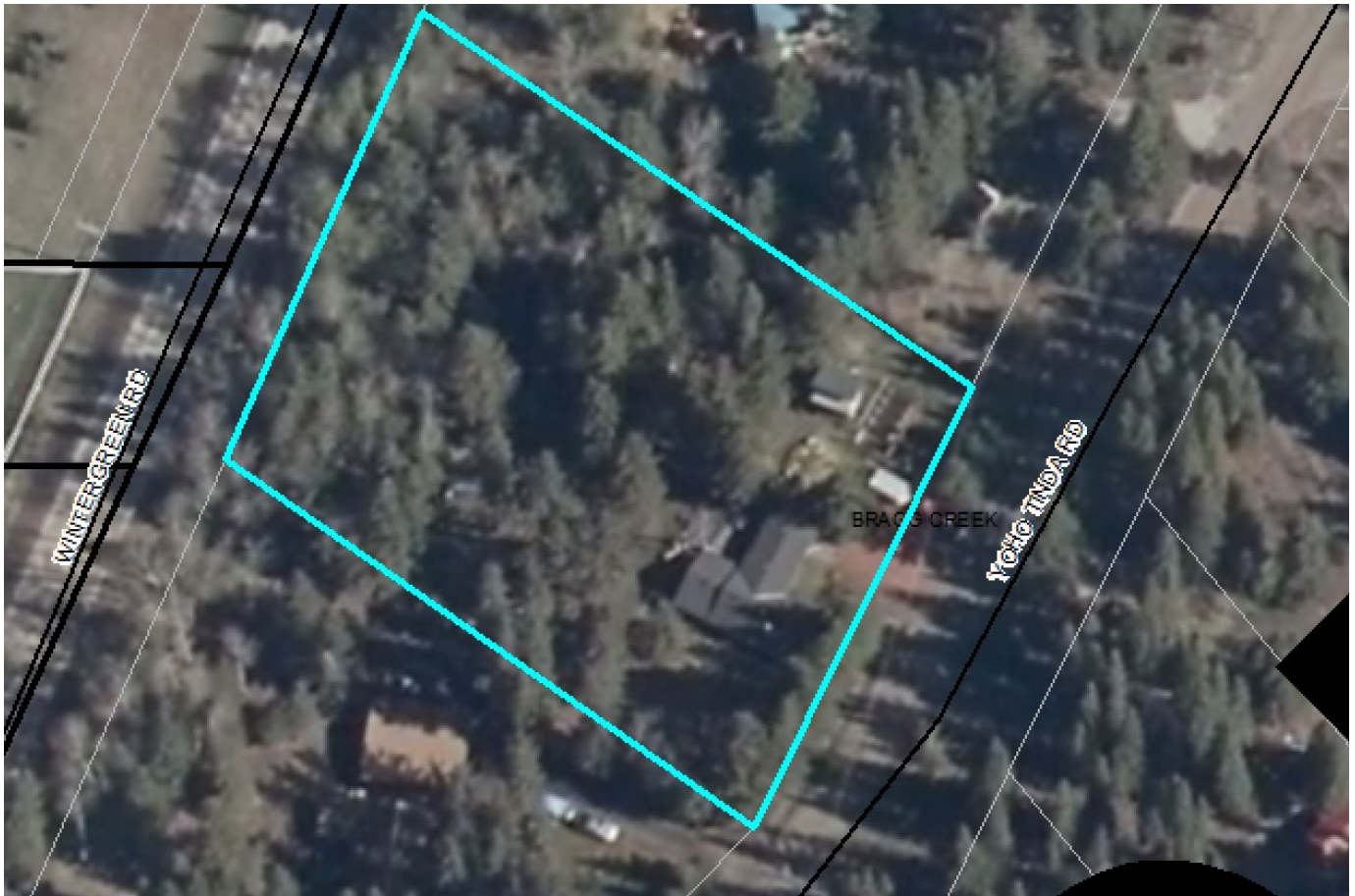
Option #1: THAT Development Permit No. PRDP20210276 be approved with the conditions noted in Attachment 'A'.

Option #2: THAT Development Permit No. PRDP20210276 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><b>APPLICABLE POLICY AND REGULATIONS:</b></p> <ul style="list-style-type: none"> <li>• <i>Municipal Government Act;</i></li> <li>• Subdivision and Development Regulations;</li> <li>• Municipal Development Plan;</li> <li>• Greater Bragg Creek Area Structure Plan (GBCASP);</li> <li>• Land Use Bylaw C-8000-2020;</li> <li>• County Servicing Standards.</li> </ul>	<p><b>TECHNICAL REPORTS SUBMITTED:</b></p> <ul style="list-style-type: none"> <li>• Architectural Drawings</li> </ul>
<p><b>DISCRETIONARY USE:</b></p> <ul style="list-style-type: none"> <li>• Dwelling, Single Detached</li> </ul>	<p><b>DEVELOPMENT VARIANCE AUTHORITY:</b></p> <ul style="list-style-type: none"> <li>• Municipal Planning Commission</li> </ul>

**Administration Resources**

Jacqueline Targett, Planning & Development Services



Additional Review Considerations

Within the GBCASP, the plan includes regulations on Flooding and Servicing for residential development within the plan area. Under flooding, the regulations state that development within the flood fringe should only be permitted when minimal negative impact to the Elbow River's drainage system can be demonstrated and if considered, appropriate flood proofing measures should be provided for all buildings.

The servicing regulations advise that all developments are required to connect to the municipally-owned and operated water and wastewater utility systems if available. If servicing is not available, interim potable water supply and wastewater collection and treatment systems shall be provided.

As per the Land Use Bylaw, Section 340 Exceptions (b), all dwellings and accessory buildings are discretionary uses within the hamlet of Bragg Creek. Any development within a flood hazard area is also a discretionary use. Section 201-211 discusses Flood Fringe Areas and Riparian Protection Areas regulations.

**CONCLUSION:**

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

Respectfully submitted,

Concurrence,

"Theresa Cochran"

"Al Hoggan"

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Executive Director  
Community Development Services

---

Chief Administrative Officer

JT/lt

**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**

**Description:**

1. That construction of a dwelling, single detached, within a flood hazard area (flood fringe), may commence on the subject site, in accordance with the approved application and drawings, as prepared by Flechas Architecture, Project Number 2009; dated January 14, 2021, Dwgs. A0.1, A1.1-A1.3, A2.1-A2.4, A3.1-3.2; as amended, and conditions of approval.

**Prior to Issuance:**

2. That prior to release of this permit, the Applicant/Owner shall submit a geotechnical report conducted and stamped by a professional geotechnical engineer, that confirms that there is a minimum contiguous developable area suitable for the development and recommend any flood mitigation measures to reduce potential damage from a flood event, in accordance with Section 203 of the Land Use Bylaw.
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.

**Permanent:**

4. That the first floor of the proposed dwelling, single detached shall be located at or above the 1:100 year flood level plus 0.50 m (1.64 ft.) freeboard and that any mechanical or electrical equipment within the dwelling, single detached shall be located at or above the designated flood level. *Note: the current Flood Elevation Level for the property is 1291.01 m.*
5. That until Municipal waste and water servicing within the hamlet service area is available, there shall be interim potable water (i.e. well or cistern) and wastewater servicing (i.e. collection or treatment systems) provided by the Applicant/Owner to the subject site.
6. 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.
7. That minimal tree clearing shall occur within any part of the riparian setback and minimal vegetation shall be disturbed within a minimum of 10.00 m (32.81 ft.) from the top of bank or furthest extent of a wetted area. Any existing trees and terrain shall be retained onsite except as included within the development permit approval or required to meet conditions of this permit.
  - i. Any disturbed areas shall be replanted with vegetation similar to existing pre-development ground cover upon development completion.
8. That there shall be no more than 2.00 m (6.56 ft.) of excavation or 1.00 m (3.28 ft.) of fill adjacent to or within 15.00 m (49.21 ft.) of the proposed dwelling under construction, unless a separate Development Permit has been issued for additional fill.
9. That the Applicant/Owner shall be responsible for rectifying any adverse effect on adjacent lands from drainage alteration.
10. 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.

---

**Administration Resources**

Jacqueline Targett, Planning & Development Services





11. 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:**

12. That the Applicant/Owner shall contact County Road Operations and submit application for approval for any new installation or alteration of any driveway/approach for the subject property, prior to commencing any work on the driveway/approach, if required.
13. That during construction, any required temporary fencing should be erected no more than 3.00 m (9.84 ft.) from the proposed building, to help prevent disturbance of the existing trees and vegetation.
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 the Applicant/Owner shall incorporate best management practices for erosion and sedimentation control onsite. These practices shall be followed for all construction activities performed on the site to minimize impacts to adjacent lots and nearby water courses.
16. 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].
17. That it is recommended that the Applicant/Owner test the water quality of the existing groundwater, to ensure a safe, adequate supply of potable water.
18. 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 checklist and shall include written submission from a professional engineer, addressing design flood proofing measures for the structure.
  - i. That the roofing material shall be constructed of fire resistant materials in compliance with the Alberta Building Code.
19. That flood proofing measures shall be followed in accordance with the Alberta Building Code, good engineering practice and recommendations stated in the Bragg Creek Areas Structure Plan.
20. 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.
21. That any other federal, provincial or County permits, approvals, and/or compliances, are the sole responsibility of the Applicant/Owner.
22. That if this Development Permit is not issued by **JUNE 30, 2021** or the approved extension date, then this approval is null and void and the Development Permit shall not be issued.

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

---

**Administration Resources**

Jacqueline Targett, Planning & Development Services



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

<b>APPLICANT:</b> Geoffrey Porter & Shayne Radford	<b>OWNER:</b> Geoffrey Porter
<b>DATE APPLICATION RECEIVED:</b> January 21, 2021	<b>DATE DEEMED COMPLETE:</b> January 25, 2021
<b>GROSS AREA:</b> ± 0.31 hectares (± 0.77 acres)	<b>LEGAL DESCRIPTION:</b> Lot 23, Plan 7710476; NE-13-23-05-W5M
<b>APPEAL BOARD:</b> Subdivision and Development Appeal Board	
<b>HISTORY:</b> <i>Development &amp; Building Permits:</i> <ul style="list-style-type: none"> <li>• No recent history</li> </ul> <i>Assessment History:</i> <ul style="list-style-type: none"> <li>• 1955 Cottage</li> </ul>	
<b>AGENCY SUBMISSIONS:</b> <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**

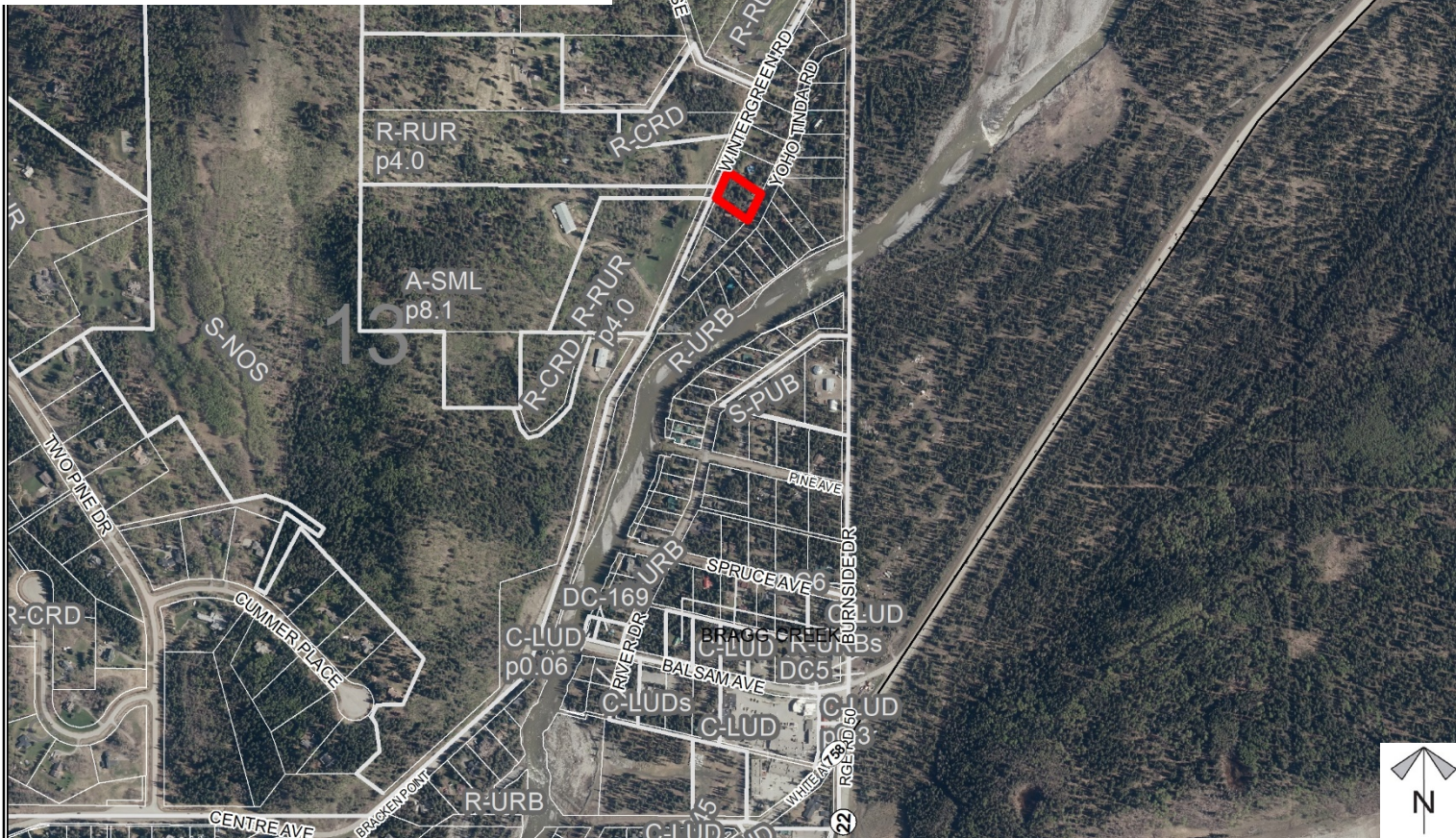
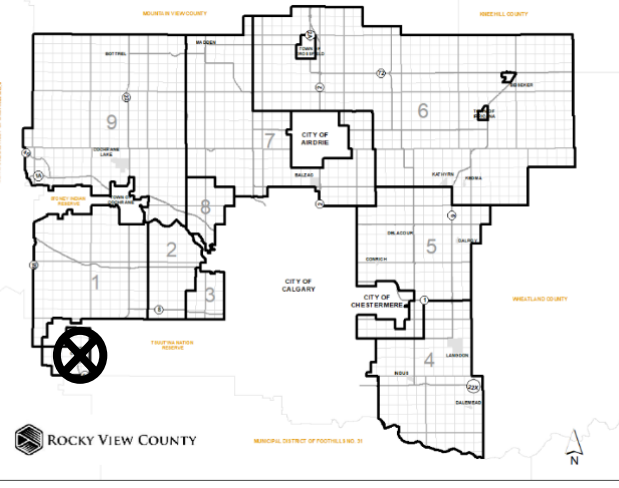
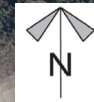
Jacqueline Targett, Planning & Development Services



## Development Proposal

*construction of a Dwelling,  
Single Detached, located  
within a flood hazard area*

Division: 1  
Roll: 03913031  
File: PRDP20210276  
Printed: Feb 16, 2021  
Legal: Lot:23 Plan:7710476  
Page 1 of 1812005245M

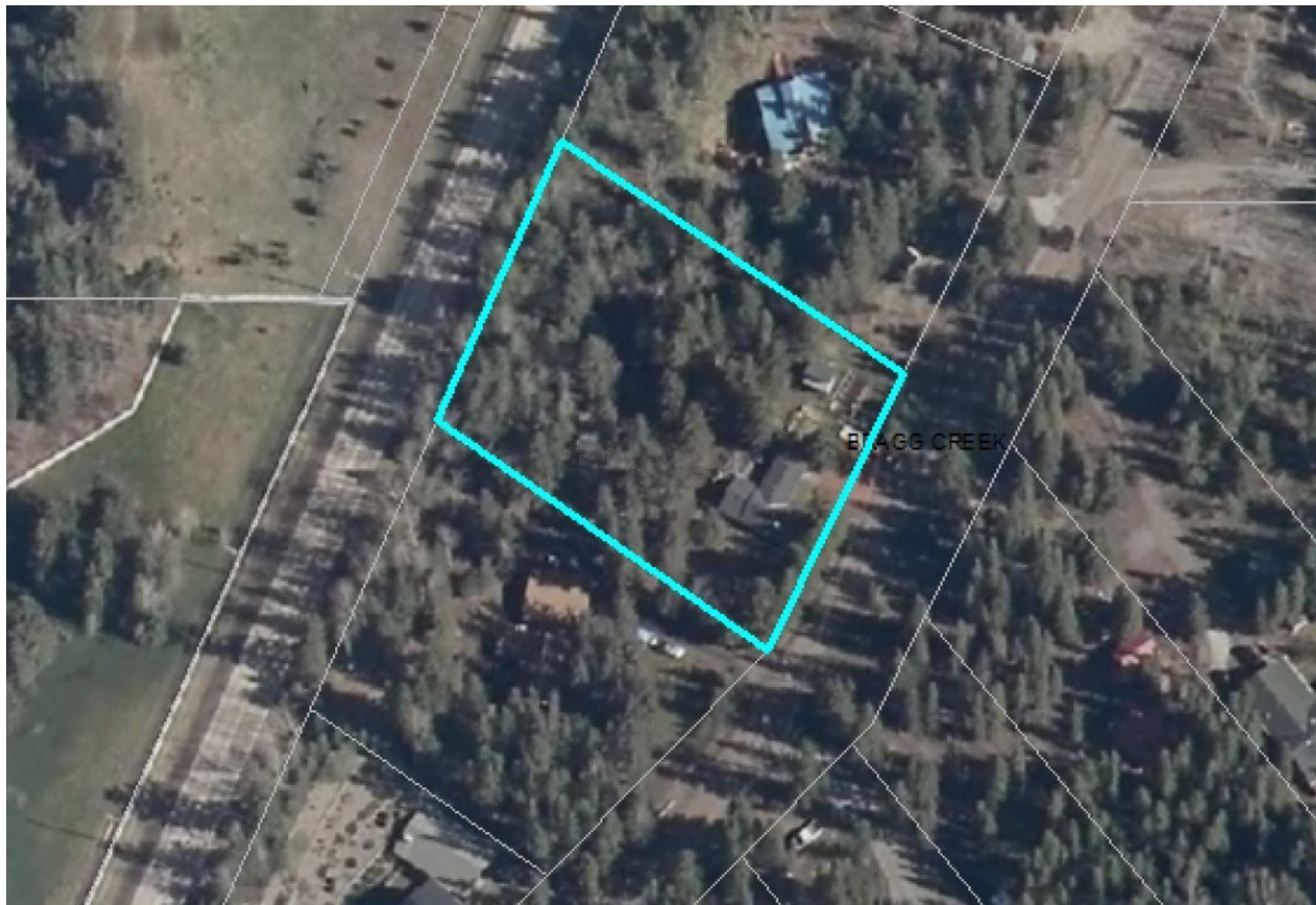




## Location

### Development Proposal

*construction of a Dwelling,  
Single Detached, located  
within a flood hazard area*



Division: 1  
Roll: 03913031  
File: PRDP20210276  
Printed: Feb 16, 2021  
Legal: Lot:23 Plan:7710476  
Page 8 of 12

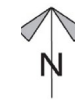
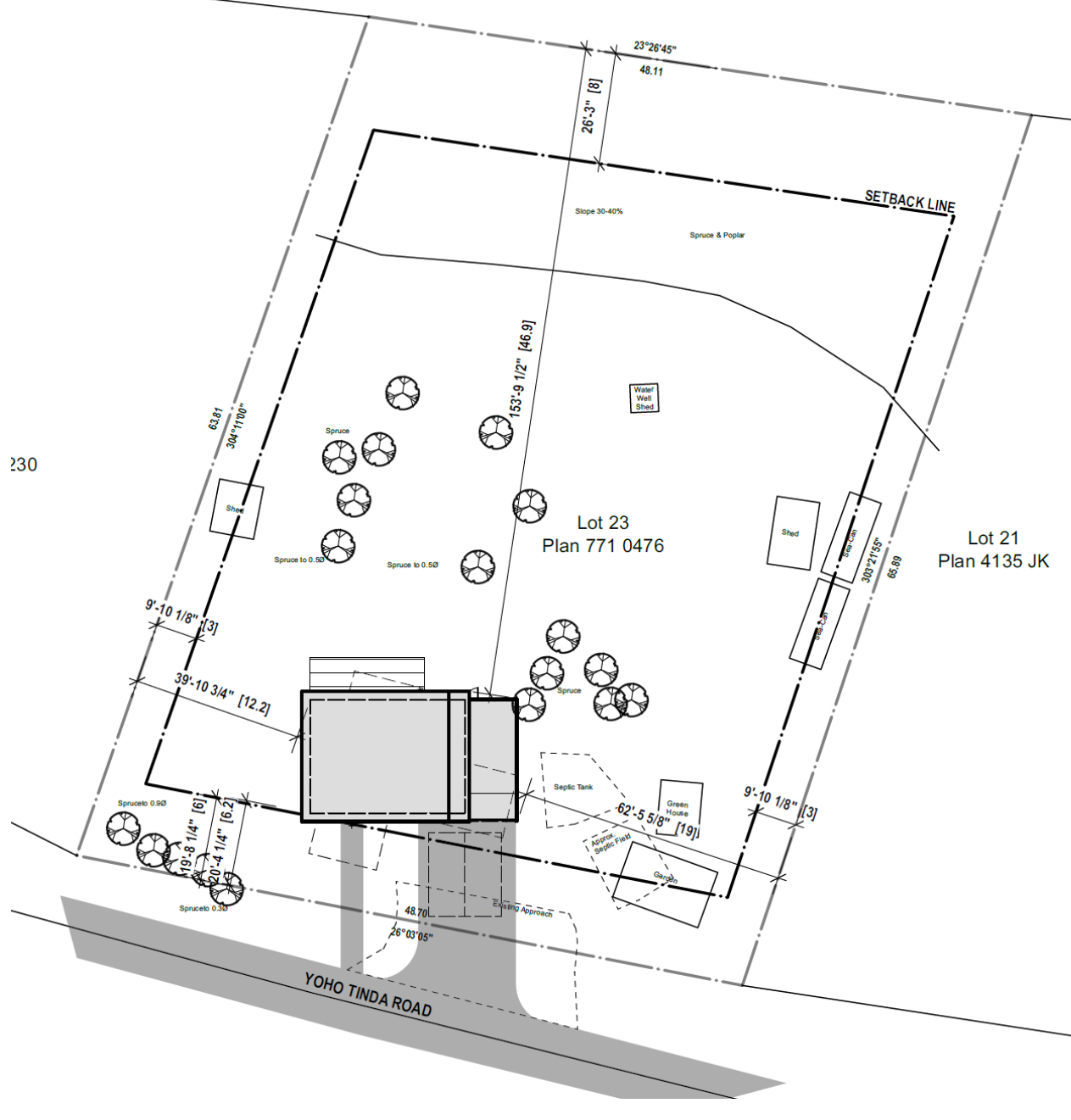


## Site Plan

### Development Proposal

*construction of a Dwelling,  
 Single Detached, located  
 within a flood hazard area*

230

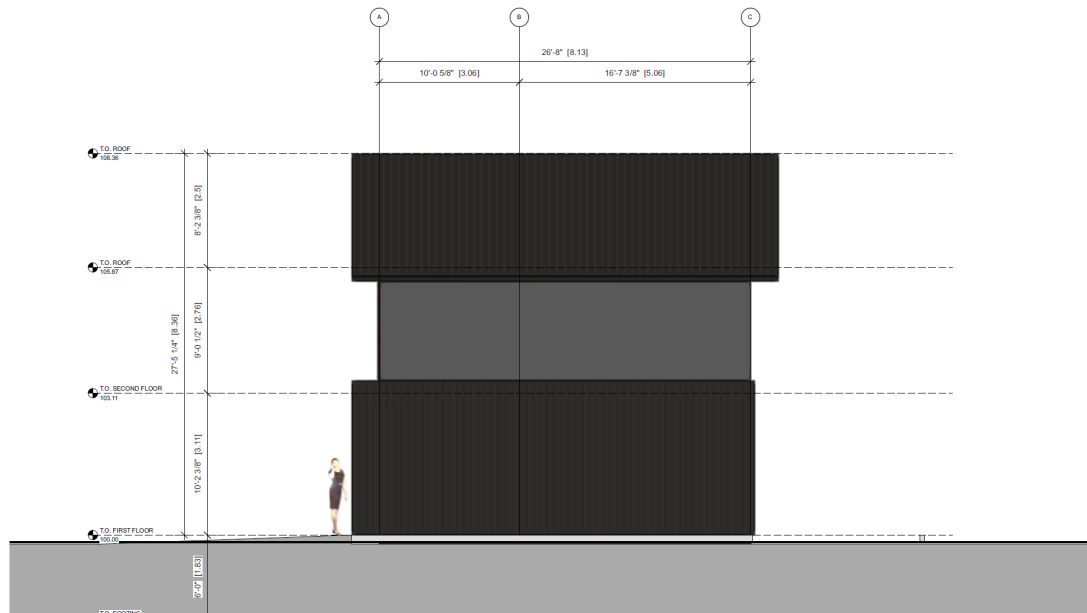
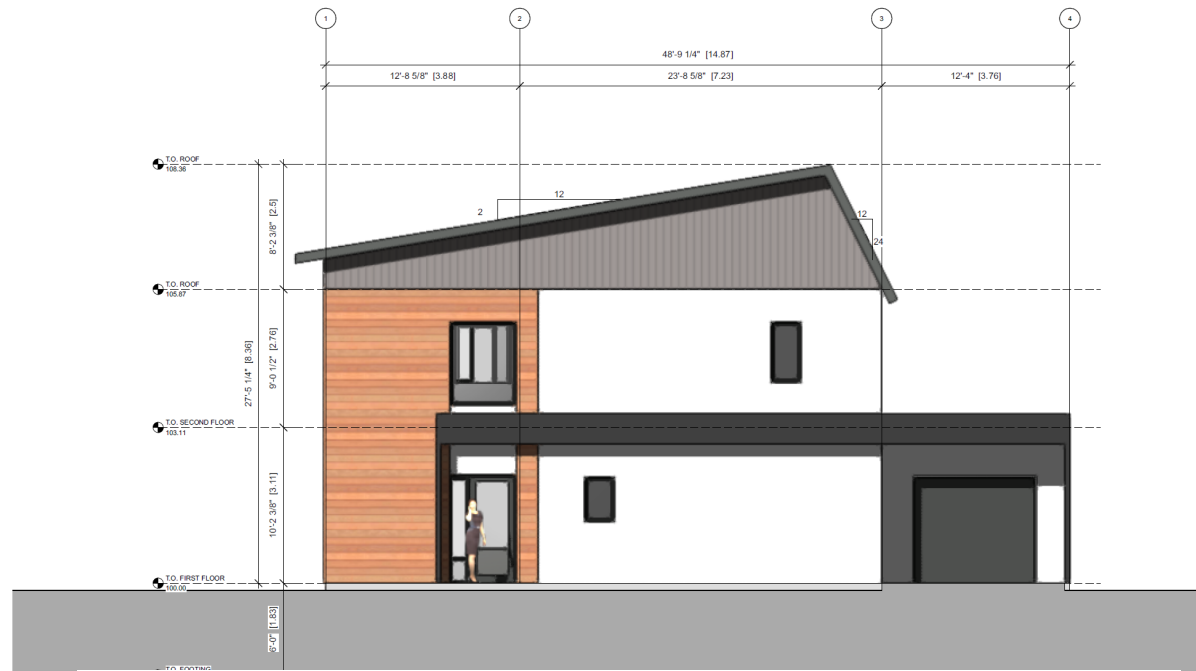


Division: 1  
 Roll: 03913031  
 File: PRDP20210276  
 Printed: Feb 16, 2021  
 Legal: Lot:23 Plan:7710476  
 Page: 9 of 12

## Elevations

### Development Proposal

construction of a Dwelling,  
 Single Detached, located  
 within a flood hazard area



Division: 1  
 Roll: 03913031  
 File: PRDP20210276  
 Printed: Feb 16, 2021  
 Legal: Lot:23 Plan:7710476  
 Page: 10 of 12

## Elevations

### Development Proposal

construction of a Dwelling,  
 Single Detached, located  
 within a flood hazard area



Division: 1  
 Roll: 03913031  
 File: PRDP20210276  
 Printed: Feb 16, 2021  
 Legal: Lot:23 Plan:7710476  
 Page 11 of 12

**Site Inspection**  
*January, 2021*

**Development Proposal**

*construction of a Dwelling,  
Single Detached, located  
within a flood hazard area*



Division: 1  
Roll: 03913031  
File: PRDP20210276  
Printed: Feb 16, 2021  
Legal: Lot:23 Plan:7710476  
Page 12 of 2445M



## PLANNING AND DEVELOPMENT SERVICES

<b>TO:</b>	Municipal Planning Commission Development Authority	<b>DIVISION:</b> 4
<b>DATE:</b>	March 10, 2021	<b>APPLICATION:</b> PRDP20204199
<b>FILE:</b>	03215086	
<b>SUBJECT:</b>	Single Family Dwelling / Permitted Use, with Variances	

**APPLICATION:** Construction of a dwelling, single detached, relaxation of the minimum side yard setback requirement.

**GENERAL LOCATION:** Located in the hamlet of Langdon.

**LAND USE DESIGNATION:** Residential, Small Lot District (R-SML) and under Land Use Bylaw C-8000-2020.

**EXECUTIVE SUMMARY:** The application is for the construction of a dwelling, single detached, relaxation of the minimum side yard setback requirement. The applicant is requesting a relaxation from 3.00 m (9.84 ft.) to 1.52 m (4.98 ft.), which is a variance of 49.33%. The application complies with all other Residential, Small Lot District regulations.

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

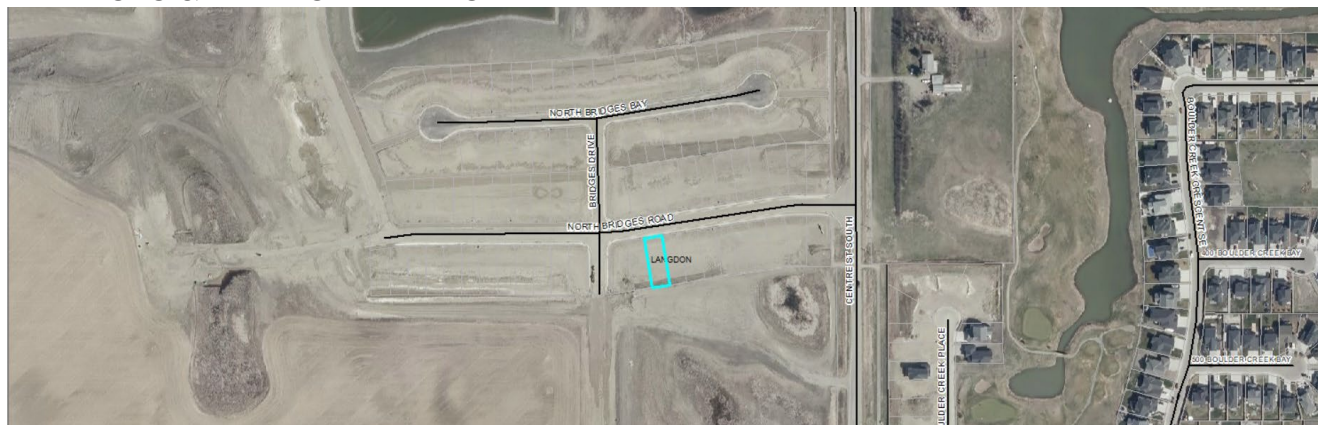
### OPTIONS:

Option #1: THAT Development Permit Application PRDP20204199 be approved with the conditions noted in Attachment 'A'.

Option #2: THAT Development Permit Application PRDP20204199 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:



### Administration Resources

Bronwyn Culham, Planning and Development Services

**VARIANCE SUMMARY:**

Variance	Requirement	Proposed	Percentage (%)
Side Yard Setback Requirement	3.00 m (9.84 ft.)	1.52 m (4.98 ft.)	49.33%

**APPLICATION EVALUATION:**

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

<b>APPLICABLE POLICY AND REGULATIONS:</b> <ul style="list-style-type: none"> <li>• <i>Municipal Government Act</i></li> <li>• Langdon Area Structure Plan</li> <li>• Bridges of Langdon Conceptual Scheme</li> <li>• Land Use Bylaw</li> </ul>	<b>TECHNICAL REPORTS SUBMITTED:</b> <ul style="list-style-type: none"> <li>• Site Plan / prepared by Ace Surveys Ltd. / Dated December 2020</li> <li>• Elevations / prepared by DH Contract Drafting &amp; Design/ dated December 2020</li> <li>• Cross Section / prepared by DH Contract Drafting &amp; Design / dated December 2020</li> <li>• Floor Plan/ prepared by DH Contract Drafting &amp; Design / dated December 2020</li> </ul>
<b>PERMITTED USE:</b> <ul style="list-style-type: none"> <li>• A Dwelling, Single Detached is permitted use in the Residential, Small Lot District (R-SML)</li> </ul>	<b>DEVELOPMENT VARIANCE AUTHORITY:</b> <ul style="list-style-type: none"> <li>• Municipal Planning Commission</li> </ul>

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”

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Executive Director  
Community Development Services

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Chief Administrative Officer

BC/llt

**ATTACHMENTS:**

ATTACHMENT ‘A’: Development Permit Report Conditions

ATTACHMENT ‘B’: Maps and Other Information



## ATTACHMENT 'A': DEVELOPMENT PERMIT REPORT CONDITIONS

### Description:

1. That construction of a dwelling, single detached may commence on the subject parcel, in general accordance with the site plan prepared by Ace Surveys Ltd. dated December 2020, and conditions noted herein:
  - i. That the minimum side yard setback requirement for the dwelling, single-detached, shall be relaxed from **3.00 m (9.84 ft.) to 1.52 m (4.98 ft.)**

### Permanent:

2. That it is the responsibility of the Applicant/Owner to obtain approval from Rocky View County Road Operations for any new construction, installation or alterations of any driveways/approaches, prior to commencing any work on the driveways/approaches.
3. That there shall be no more than 2.00 m (6.56. ft.) of excavation or 1.00 m (3.28 ft.) of fill and/or topsoil placed adjacent to or within 15.00 m (49.21 ft.) of the proposed dwelling under construction that is used to establish approved final grades unless a Development Permit has been issued for additional fill and topsoil.
4. That no topsoil shall be removed from the subject property.
5. That the Applicant/Owners shall be responsible for rectifying any adverse effect on adjacent lands from drainage alteration.
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 the dwelling unit located on the subject site, to facilitate accurate emergency response.

### Advisory:

7. That a Building Permit and sub-trade permits shall be obtained through Building Services, for construction of the dwelling, single detached.
8. That during construction of the dwelling, all construction and building materials shall be maintained onsite, in a neat and orderly manner. Any debris or garbage shall be stored/placed in garbage bins and disposed of at an approved disposal facility.
9. That any over 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 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.





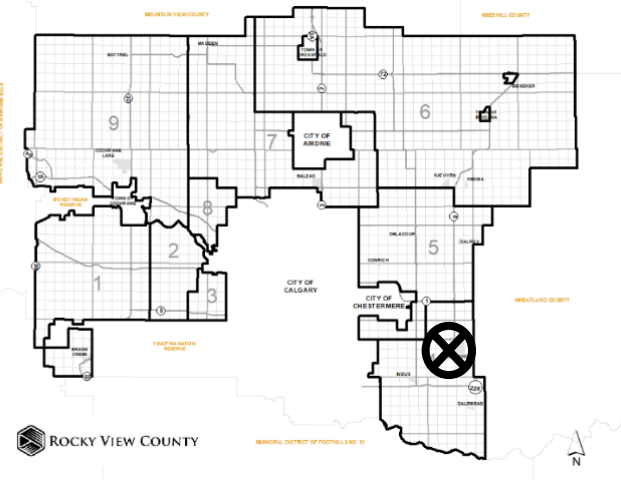
## ATTACHMENT 'B': MAPS AND OTHER INFORMATION

<b>APPLICANT:</b> Kelly Wenstrom (Kelly Kustom Homes Ltd.)	<b>OWNER:</b> Pollyco (Langdon North) Developments Ltd.
<b>DATE APPLICATION RECEIVED:</b> December 22, 2020	<b>DATE DEEMED COMPLETE:</b> December 22, 2020
<b>GROSS AREA:</b> ± 0.07 hectares (± 0.18 acres)	<b>LEGAL DESCRIPTION:</b> NE-15-23-27-04 Lot:10 Block:2 Plan:2011558 (39 NORTH BRIDGES RD SW)
<b>APPEAL BOARD:</b> Subdivision and Development Appeal Board	
<b>HISTORY:</b> <ul style="list-style-type: none"> <li>• There are no related planning applications</li> <li>• There are no related building permits</li> <li>• There are no related development permits</li> </ul>	
<b>PUBLIC &amp; AGENCY SUBMISSIONS:</b> The application was also circulated to internal and external agencies and, where appropriate, conditions of approval have been proposed based on these comments.	

## Location & Context

### Development Proposal

Construction of a dwelling,  
 single detached, relaxation  
 of the minimum side yard  
 setback requirement.

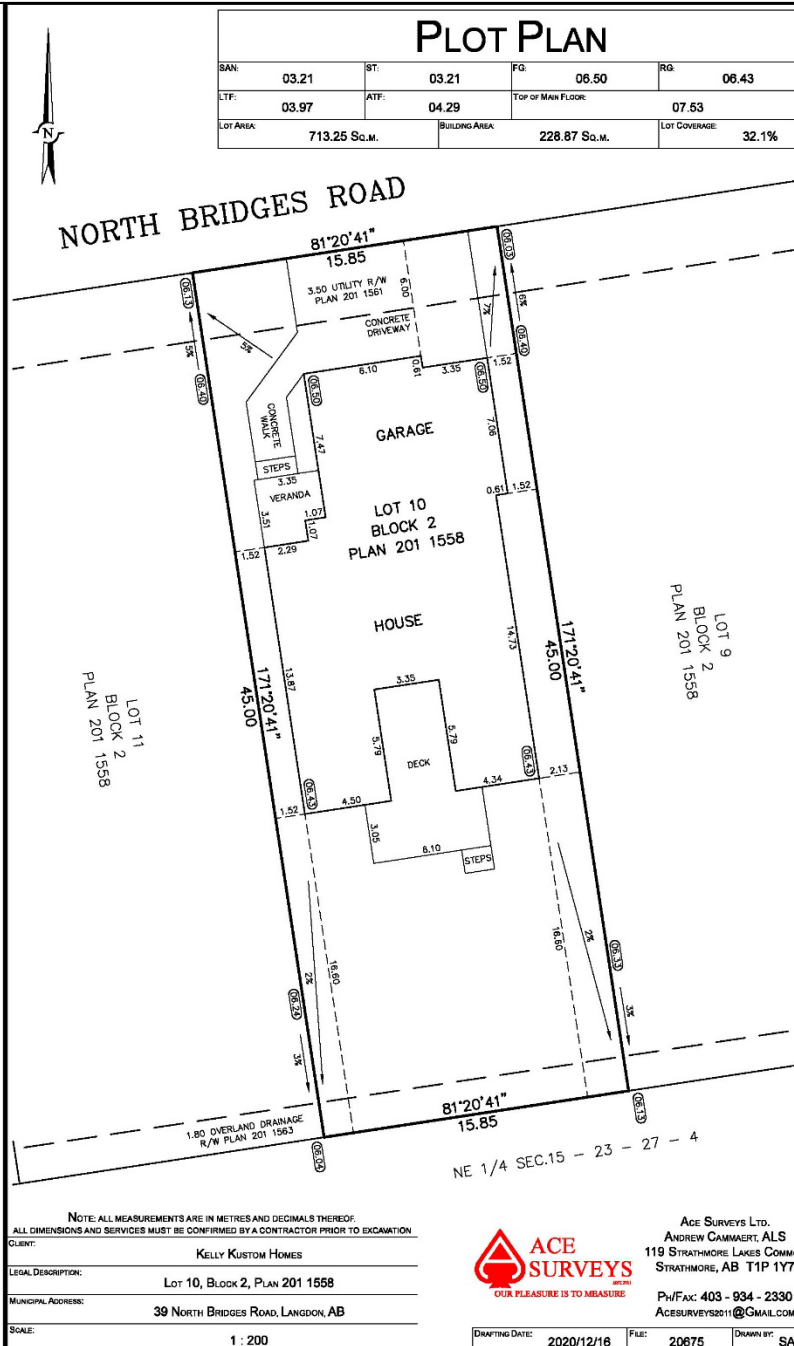


Division: 4  
 Roll: 03215086  
 File: PRDP20204199  
 Printed: Feb 3, 2021  
 Legal: Lot:10 Block:2  
 Page 11 of 24  
 23-27-W04M

## Site Plan

### Development Proposal

Construction of a dwelling, single detached, relaxation of the minimum side yard setback requirement.



Division: 4  
 Roll: 03215086  
 File: PRDP20204199  
 Printed: Feb 3, 2021  
 Legal: Lot:10 Block:2  
 Page 1153 of 244  
 23-27-W04M

**Inspection Photo**  
February 3, 2021





## PLANNING AND DEVELOPMENT SERVICES

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<b>TO:</b>	Municipal Planning Commission Development Authority	<b>DIVISION:</b> 4
<b>DATE:</b>	March 10, 2021	<b>APPLICATION:</b> PRDP20210160
<b>FILE:</b>	03222188	
<b>SUBJECT:</b>	Accessory Buildings / Listed DC use, with Variances	

---

**APPLICATION:** Accessory buildings (existing sheds), relaxation of the minimum side yard setback requirements.

**GENERAL LOCATION:** Located in the hamlet of Langdon.

**LAND USE DESIGNATION:** Direct Control District 75 (DC-75) and under Land Use Bylaw (C-4841-97)

**EXECUTIVE SUMMARY:** The application is for accessory buildings (existing sheds), relaxation of the minimum side yard setback requirements. The accessory building (wood shed), approximately 14.88 sq. m in size, is located 0.96 m from the north property line and the accessory building (plastic shed), approximately 7.71 sq. m in size, is located 1.05 m from the south property line. A Real Property Report was submitted for a stamp of compliance and it was noted that the accessory buildings are encroaching on the side yard setbacks. There are two variances requested and the application appears compliant with Direct Control District 75 (DC-75) regulations.

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

**OPTIONS:**

- Option #1: THAT Development Permit Application PRDP20210160 be approved with the conditions noted in Attachment 'A'.
- Option #2: THAT Development Permit Application PRDP20210160 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.

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**Administration Resources**

Bronwyn Culham, Planning & Development Services



## AIR PHOTO & DEVELOPMENT CONTEXT:



## VARIANCE SUMMARY

Variance	Requirement	Proposed	Percentage (%)
Side Yard Setback Requirement (Wood Shed)	1.52 m (4.98 ft.)	0.96 m (3.14 ft.).	36.84%
Side Yard Setback Requirement (Plastic Shed)	1.52 m (4.98 ft.)	1.05 m (3.44 ft.)	30.92%

## APPLICATION EVALUATION:

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

<b>APPLICABLE POLICY AND REGULATIONS:</b> <ul style="list-style-type: none"> <li><i>Municipal Government Act;</i></li> <li>Langdon Area Structure Plan</li> <li>Langdon Crossing West Conceptual Scheme</li> <li>Land Use Bylaw (C-4841-97)</li> </ul>	<b>TECHNICAL REPORTS SUBMITTED:</b> <ul style="list-style-type: none"> <li>Site Plan / prepared by Arc Surveys Ltd., (File No.: 203321) / dated December 1, 2020.</li> </ul>
<b>DISCRETIONARY USE:</b> <ul style="list-style-type: none"> <li>Accessory Building is a listed use in DC-75</li> </ul>	<b>DEVELOPMENT VARIANCE AUTHORITY:</b> <ul style="list-style-type: none"> <li>Municipal Planning Commission</li> </ul>

## 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,

"Theresa Cochran"

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Executive Director  
Community Development Services

Concurrence,

"Al Hoggan"

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Chief Administrative Officer

BC/lt

**ATTACHMENTS**

ATTACHMENT 'A': Development Permit Report Conditions

ATTACHMENT 'B': Maps and Other Information

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

1. That the accessory buildings (existing sheds) shall be permitted to remain in the side yard setbacks of the property, in accordance with the Real Property Report prepared by Arc Surveys Ltd., (File No.: 203321) dated December 1, 2020.
  - i. That the minimum side yard setback requirement is relaxed from **1.52 m (4.98 ft.)** to **0.96 m (3.14 ft.)**.
  - ii. That the minimum rear yard setback requirement is relaxed from **1.52 m (4.98 ft.)** to **1.05 m (3.44 ft.)**

**Advisory:**

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





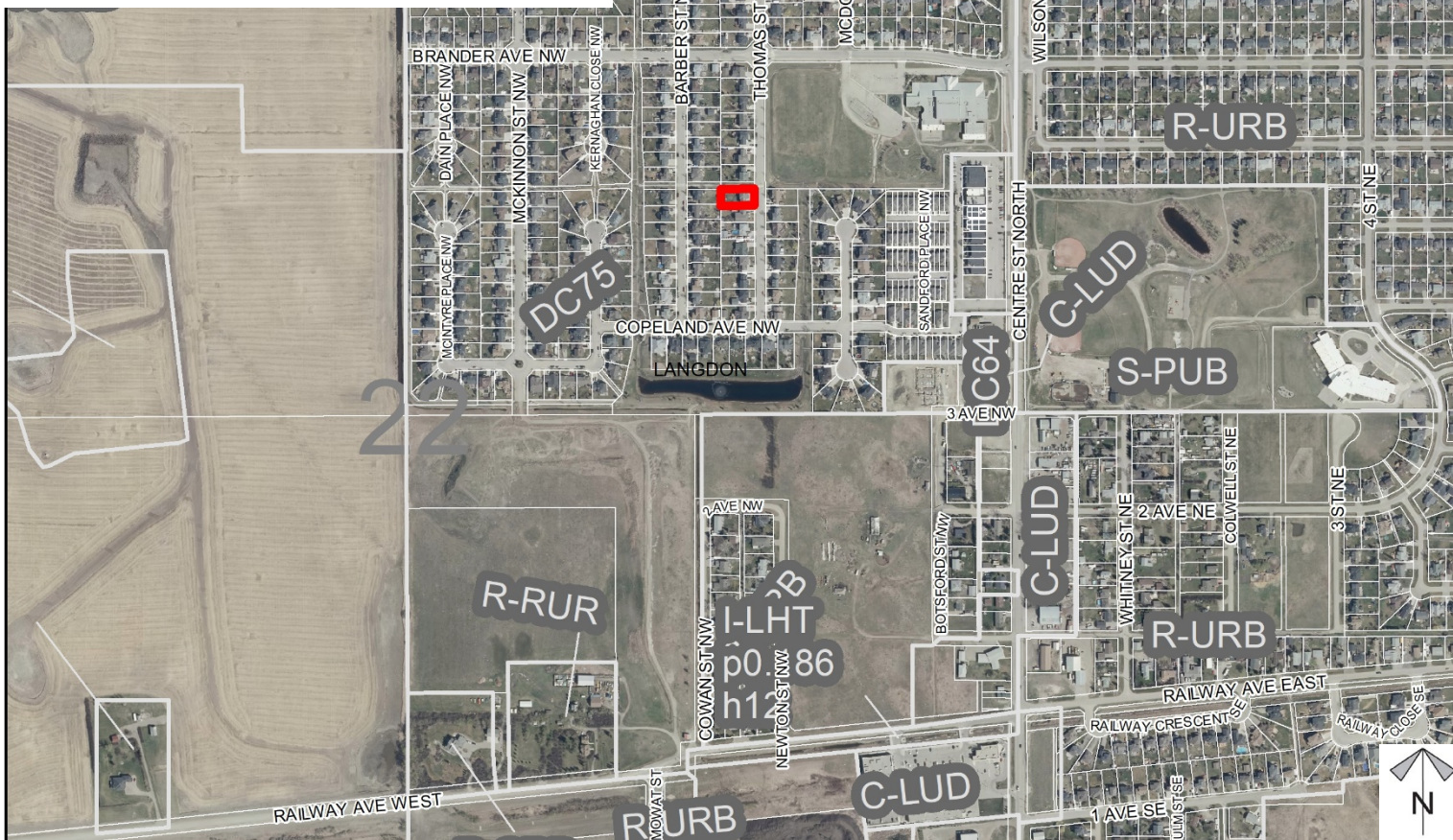
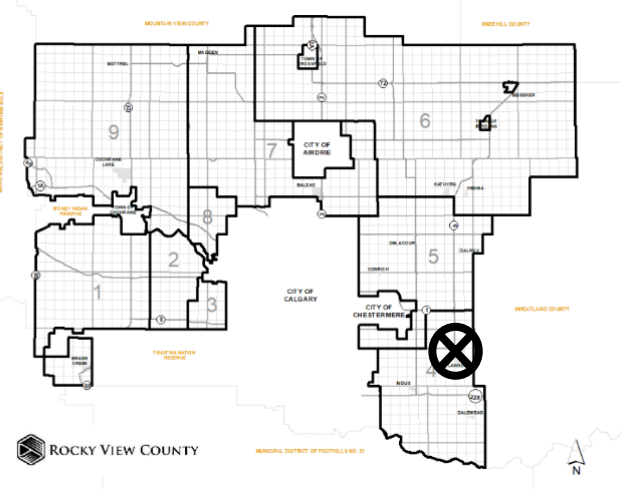
## ATTACHMENT 'B': MAPS AND OTHER INFORMATION

<b>APPLICANT:</b> Summit Legal Group (Jeanie Penner)	<b>OWNER:</b> Ellen Sansregrett
<b>DATE APPLICATION RECEIVED:</b> January 12, 2021	<b>DATE DEEMED COMPLETE:</b> January 12, 2021
<b>GROSS AREA:</b> ± 0.10 hectares (± 0.25 acres)	<b>LEGAL DESCRIPTION:</b> NE-22-23-27-W04M (45 THOMAS ST NW)
<b>APPEAL BOARD:</b> Subdivision and Development Appeal Board	
<b>HISTORY:</b> <i>Jun 23, 2003:</i> Building Permit (2003-BP-16529) Single Family Dwelling – Occupancy Granted	
<b>PUBLIC &amp; AGENCY SUBMISSIONS:</b> 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

Accessory buildings  
 (existing sheds), relaxation  
 of the minimum side yard  
 setback requirements.



Division: 4  
 Roll: 03222188  
 File: PRDP20210160  
 Printed: Feb 3, 2021  
 Legal: Lot:9 Block:6  
 Page 200 of 244  
 23-27-W04M

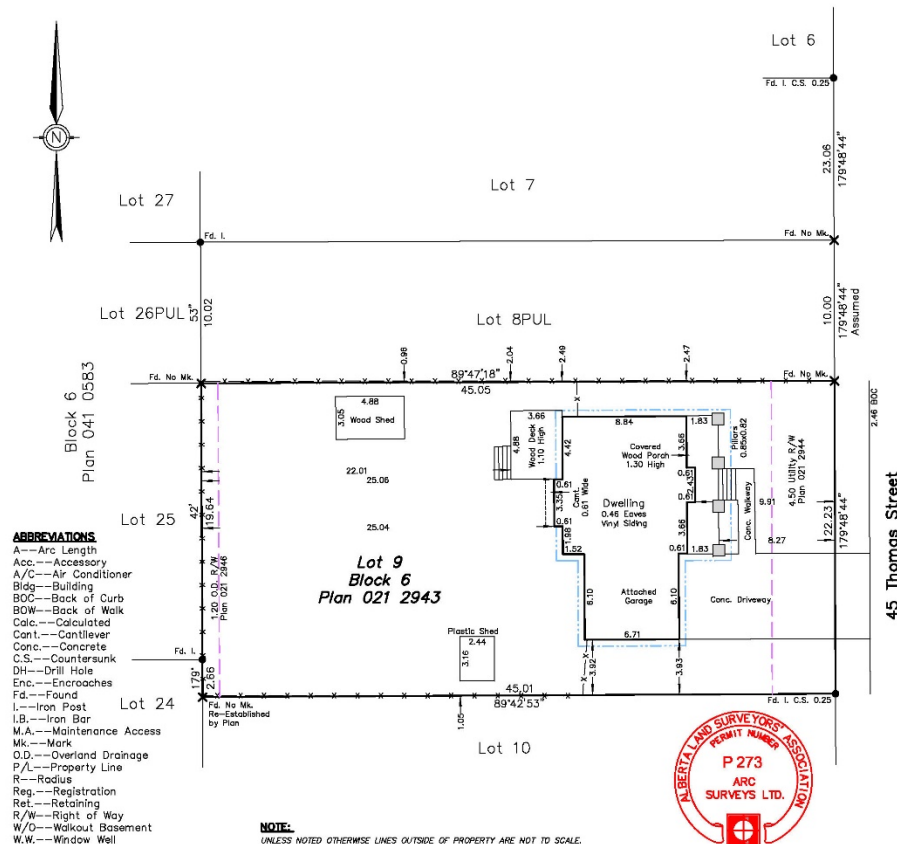


# Site Plan

## Development Proposal

Accessory buildings  
(existing sheds), relaxation  
of the minimum side yard  
setback requirements.

## ALBERTA LAND SURVEYOR'S REAL PROPERTY REPORT



### LEGAL DESCRIPTION:

Lot 9  
Block 6  
Plan 021 2943

### MUNICIPAL ADDRESS:

45 Thomas Street, Langdon  
Rocky View County, Alberta

**DATE OF SURVEY:** November 24th, 2020.

### LEGEND

Distances are in metres and decimals thereof.

Found Iron Posts are shown thus:   
Drill Holes are shown thus:   
Found Iron Bars are shown thus:   
Found Concrete Nails are shown thus:   
Calculation points are shown thus:   
Pillars and posts are shown thus:   
Property lines are shown thus:   
Utility Right of Ways are shown thus:   
Eaves are shown thus:   
Fences are shown thus:

All fences are within 0.2 metres of the property lines unless otherwise shown.  
All eaves are measured to fascia unless otherwise shown.

### PURPOSE:

The Report and attached plan have been prepared for the benefit of the Property owner, subsequent owners and any of their agents for the purpose of a land conveyance, support of a subdivision application, a mortgage application, or a submission to the municipality for the compliance certificate, etc. Copying is permitted only for the benefit of these parties, and only if the plan remains attached. Where applicable, registered easements and utility rights of way affecting the extent of the property have been shown on the attached plan. Unless shown otherwise, property corner markers have not been placed. The attached plan should not be used to establish boundaries due to the risk of misinterpretation or measurement error by the user. The information shown on this Real Property Report reflects the status of this property as of the date of survey only. Users are encouraged to have the Real Property Report updated for future requirements.

### NOTE:

Title information is based on the C. of T. 131 073 730 which was searched on the 1st day of December, 2020, and is subject to:  
Caveat No.: 731 000 982, 021 314 076  
Utility Right of Way No.: 021 314 074

### CERTIFICATION:

I hereby certify that this report, which includes the attached plan and related survey, was prepared and performed under my personal supervision and in accordance with the Alberta Land Surveyors' Association Manual of Standard Practice and supplements thereto. Accordingly within those standards and as of the date of this Report, I am of the opinion that:

1. the Plan illustrates the boundaries of the Property, the improvements as defined in Part D, Section 8.5 of the Alberta Land Surveyors' Association's Manual of Standard Practice, registered easements, and rights-of-way affecting the extent of the title to the property;
2. the improvements are entirely within the boundaries of the Property
3. no visible encroachments exist on the Property from any improvements situated on an adjoining property
4. no visible encroachments exist on registered easements or rights-of-way affecting the extent of the Property
5. unless otherwise specified, the dimensions shown relate to the distances from property boundaries to the foundation walls of buildings at the date of survey.

Dated at Calgary, Alberta on this  
1st day of December, 2020.

Jarrod Garein, A.L.S.

This document is not valid unless it bears an original or digital signature in blue ink and an Arc Surveys Ltd. permit stamp in red ink.

**Arc Surveys Ltd.**  
#202, 337 41 Avenue N.E.  
Calgary, Alberta T2E 2N4  
Ph.: 403-277-1272 www.arcsurveys.ca  
Fax: 403-277-1275 info@arcsurveys.ca

Surveyed: KK Drawn: QM/QM Scale: 1:250 File No.: 203321

Division: 4  
Roll: 03222188  
File: PRDP20210160  
Printed: Feb 3, 2021  
Legal: Lot: 9 Block: 6  
Plan: 021 2943 of 244-22-  
23-27-W04M

**Inspection Photos**  
February 4, 2021





**Inspection Photos**  
February 3, 2021





**Inspection Photos**  
February 3, 2021





**Inspection Photos**  
February 3, 2021



## PLANNING AND DEVELOPMENT SERVICES

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<b>TO:</b>	Municipal Planning Commission Development Authority	<b>DIVISION:</b> 6
<b>DATE:</b>	March 10, 2021	<b>APPLICATION:</b> PRDP20204175
<b>FILE:</b>	07104003	
<b>SUBJECT:</b>	Cannabis Cultivation, Discretionary use, with no Variances	

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**APPLICATION:** The proposal is for Cannabis Cultivation, and construction of an accessory building (greenhouse).

**GENERAL LOCATION:** Located at the northeast junction of Rg. Rd. 264 and Hwy 9.

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

**EXECUTIVE SUMMARY:** The proposal is for Cannabis Cultivation, and construction of an accessory building (greenhouse). The site is developed with a dwelling, single detached and multiple accessory buildings. The proposed accessory building (greenhouse) is 6,154.68 sq. ft. (571.78 sq. m) in gross floor area. The facility will include 6-10 parking stalls and two full/part time employees (master grower and bud tender). Operating hours of the facility will be from 10:00 am to 5:00 pm (Monday to Sunday). No industrial lighting or signage is proposed. The proposed cultivation of cannabis appears to be compatible with adjacent agricultural uses.

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

### OPTIONS:

- Option #1: THAT Development Permit Application PRDP20204175 be approved with the conditions noted in Attachment 'A'.
- Option #2: THAT Development Permit Application PRDP20204175 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.

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### 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><b>APPLICABLE POLICY AND REGULATIONS:</b></p> <ul style="list-style-type: none"> <li>• <i>Municipal Government Act;</i></li> <li>• Municipal Development Plan;</li> <li>• Land Use Bylaw; and</li> <li>• County Servicing Standards.</li> </ul>	<p><b>TECHNICAL REPORTS SUBMITTED:</b></p> <ul style="list-style-type: none"> <li>• Site Plan / prepared by Horizon Land Surveys Inc., / dated January 7, 2021</li> <li>• Main Floor Code Plan / prepared by 4 Trees Cannabis Building LTD.</li> </ul>
<p><b>DISCRETIONARY USE:</b></p> <ul style="list-style-type: none"> <li>• Cannabis Cultivation is a discretionary use in the A-GEN District</li> </ul>	<p><b>DEVELOPMENT VARIANCE AUTHORITY:</b></p> <ul style="list-style-type: none"> <li>• Municipal Planning Commission</li> </ul>

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”

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Executive Director  
Community Development Services

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Chief Administrative Officer

BC/lt

**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 *Cannabis Cultivation* may commence on the subject lands in general accordance with the submitted application, Site Plan and Floor Plan and includes:
  - i. Construction of a Greenhouse, approximately 6,154.68 sq. ft. (571.78 sq. m.) in area.

**Prior to Release:**

2. That prior to release of this permit, that the Applicant/Owner shall submit a revised site plan that identifies the location and size of the parking area.
3. That prior to release of this permit, the Applicant/Owner shall contact County Road Operations:
  - i. To discuss any upgrades to the existing approach off Range Rd 264 to an industrial/commercial standard as per county servicing standards.
  - ii. To determine the need for a Road Use Agreement or permits for the site construction, for any hauling along the County road system and to confirm the presence of County road ban restrictions.
    - a. Written confirmation shall be received from County Road Operations confirming the status of this condition. Any required agreement or permits shall be obtained unless otherwise noted by County Road Operations.
4. That prior to release of this permit, the Applicant/Owner shall pay the transportation offsite levy, as per the applicable TOL bylaw. The Applicant/Owner shall submit a site plan identifying the gross development area as per Bylaw C-8007-2020.

**Prior to Occupancy:**

5. That prior to building occupancy, an inspection and approval of the road approach by County Road Operations shall be completed and confirmed.
6. That prior to building occupancy, the Applicant/Owner shall ensure that a municipal address for the building is posted.
7. That prior to building occupancy, the Applicant/Owner shall submit confirmation of commercial water license from Alberta Environment & Parks.

**Permanent:**

8. That Cannabis shall not be consumed in the Cannabis facility at any time.
9. That this approval does not include a Cannabis Retail Store.
10. That the hours of operation for the Cannabis facility shall be 7 hours a day, seven days a week throughout the year, 10:00 am to 5:00 pm (Monday to Sunday).
11. That the subject property shall be shaped so that the entire property drains to the on-site storage facilities and that no water is discharged off site.
12. That the facility shall maintain and display a distinct municipal address in accordance with the County Municipal Addressing Bylaw (Bylaw C-7562-2016), for the facility, to facilitate accurate emergency response.
13. That sewage disposal shall be by a pump-out holding tank that is hauled off-site to an approved sewage disposal site or by connection to a piped collection system.



14. That all on-site lighting shall be dark sky, and all private lighting, including site security lighting and parking area lighting, shall be designed to conserve energy, reduce glare, and reduce uplight. All development shall demonstrate lighting designs that reduces the extent of spill-over glare, and eliminates glare as viewed from nearby residential properties.
15. That no signage shall be placed on the subject property, related to the approved *Cannabis Cultivation* use. Any future signage related to the development shall require separate development permit approval.
16. That no outdoor storage shall be allowed at any time for business use.
17. That six (6) parking stalls shall be maintained on site at all times for staff.
18. That the entire site shall be maintained in a neat and orderly manner at all times, to the satisfaction of the Development Officer.
19. That any waste containers, garbage or recycling shall be completely screened from view from all adjacent properties and public thoroughfares.
20. 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:**

21. That the site shall be maintained in compliance with County Bylaw No. C-7690-2017, the "Nuisance and Unsightly Property Bylaw", at all times. Any debris or garbage generated on the site shall be stored/placed in garbage bins and disposed of at an approved disposal facility.
22. That the County Bylaw C-5772-2003, the "Noise Bylaw", shall be adhered to at all times.
23. 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*].
24. 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.
25. That a Building Permit/Farm Building Exemption and applicable sub-trade permits shall be obtained through Building Services, prior to any construction taking place. *Note: That the subject development shall conform to the National Energy Code 2017, with documentation/design at Building Permit:*
26. That any other federal, provincial or County permits, approvals, and/or compliances, are the sole responsibility of the Applicant/Owner.
  - a. That if a groundwater well is being used for commercial purposes, it is the applicant responsibility to obtain a commercial water license from Alberta Parks & Environment (AEP).
  - b. That should the Applicant/Owner propose development that has a direct impact on any wetlands, the applicant will be responsible for obtaining all required AEP approvals.
  - c. That the Applicant/Owner shall obtain a Roadside Development Permit from Alberta Transportation for the proposed Development and installation of the new approach.
  - d. That the Applicant/Owner shall obtain any required Alberta Health Services approval(s) or licensing approvals through Alberta Gaming & Licensing Commission, if required.
27. 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





## ROCKY VIEW COUNTY

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.

28. That if this Development Permit has not been issued by **September 30, 2021** then this approval is null and void and the Development Permit shall not be issued.

29. That this Development Permit, once issued, shall be valid until **March 31, 2022**.

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



## ATTACHMENT 'B': MAPS AND OTHER INFORMATION

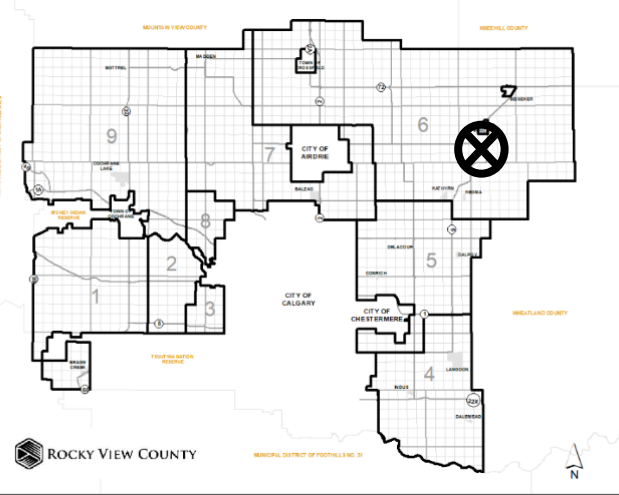
<b>APPLICANT:</b> Lei Wang (Horizon Land Surveys Inc.)	<b>OWNER:</b> Archibald Franklin Bushfield
<b>DATE APPLICATION RECEIVED:</b> December 18, 2020	<b>DATE DEEMED COMPLETE:</b> December 24, 2020
<b>GROSS AREA:</b> ± 5.67 hectares (± 14.07 acres)	<b>LEGAL DESCRIPTION:</b> SW-04-27-26-04; Block 1 Plan 9810869, (270064 RGE RD 264)
<b>APPEAL BOARD:</b> Subdivision & Development Appeal Board	
<b>HISTORY:</b> <i>Oct 20, 1993:</i> Building Permit (1993-BP-3719) Accessory Building (Machine Shed) – Occupancy Granted	
<b>PUBLIC &amp; AGENCY SUBMISSIONS:</b> 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

Cannabis Cultivation, and construction of an accessory building (greenhouse).

Division: 6  
 Roll: 07104003  
 File: PRDP20204175  
 Printed: Feb 2, 2021  
 Legal: Block:1 Plan:9810869  
 Page 12 of 27  
 2-11-2021





## Site Plan

Development Proposal

Cannabis Cultivation, and construction of an accessory building (greenhouse).

## SITE PLAN

MUNICIPAL ADDRESS:  
270084 Range Road 264  
Rocky View County, Alberta

LEGAL DESCRIPTION:  
Block 1  
Plan 981 0869

PREPARED FOR: Ocean Homes Construction

DATE OF SURVEY: September 16th, 2019.

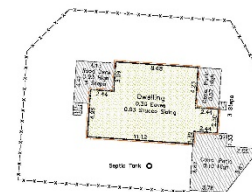
SCALE: 1:1000

## LEGEND:

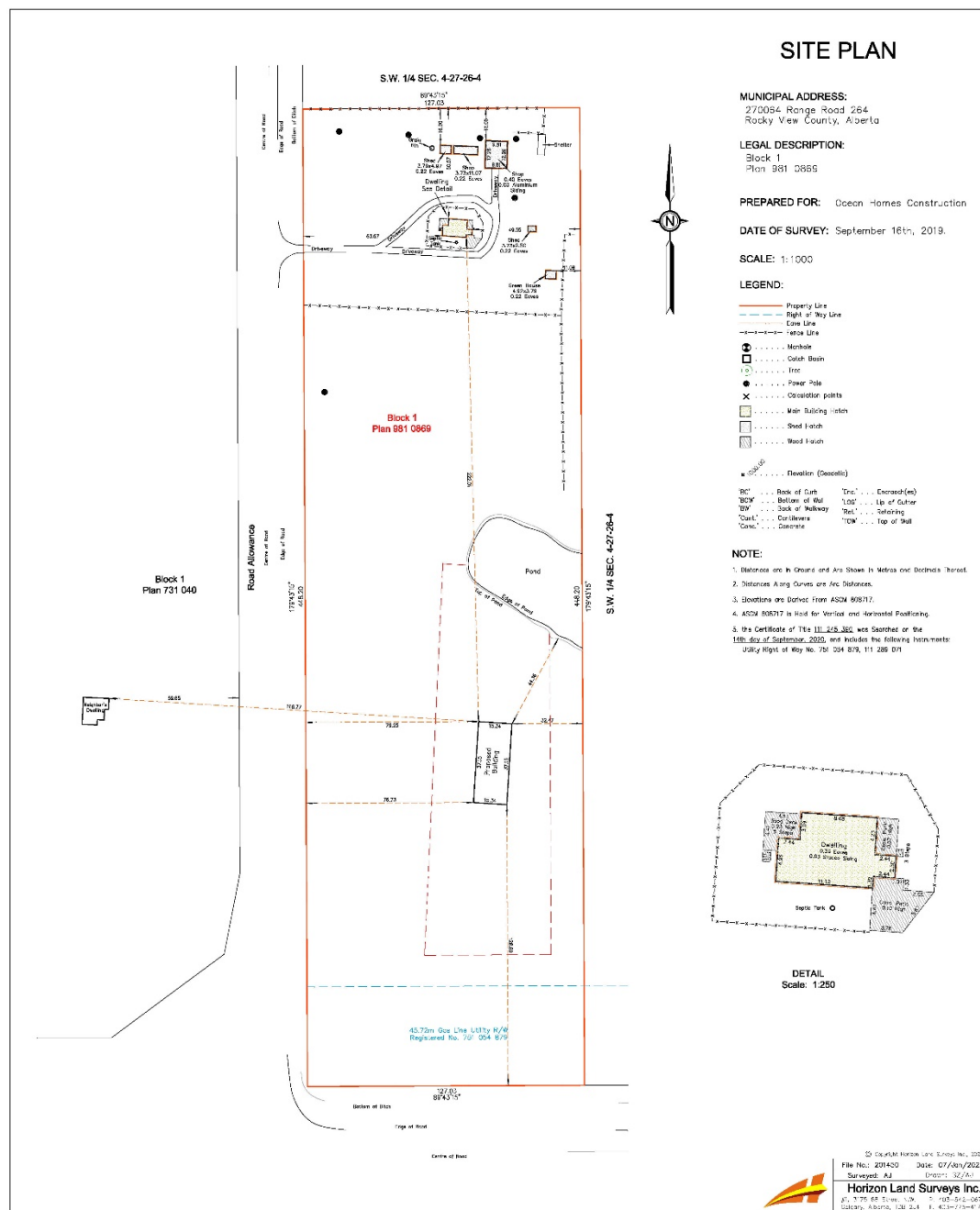
- Property Line
- - - Right of Way Line
- Core Line
- - - - - Centre Line
- Manhole
- Catch Basin
- Irrator
- Power Pole
- × Occupation points
- ▭ Main Building Footprint
- ▭ Shed Footprint
- ▭ Wood Finish
- ▲ Elevation (Geomatic)
- BC' .. Back of Curb .. Encroachment
- BB' .. Bottom of Bulb .. Up of Culver
- BN' .. Back of Noddy .. Siding
- CC' .. Carrieways .. Top of Bulb
- CC' .. Concrete .. Top of Bulb

## NOTE:

1. Distances are in Meters and are shown in Meters and Bothards' Notes.
2. Distances Along Curves are in Meters.
3. Stationing are Derived from ASCM 808/77.
4. ASCM 808/77 is used for Vertical and Horizontal Positioning.
5. The Certificate of Title [11-125-362] was Searched on the 16th day of September, 2020, and included the following information:  
Utility Right of Way No. 751 254 879, 111 285 071



DETAIL  
Scale: 1:250



© 2021 Horizon Land Surveys Inc., 2020

File No.: 201420 Date: 07/09/2021

Surveyed: AJ (Project: 32/20)



Horizon Land Surveys Inc.

1175 4th St. NW, Suite 101, Calgary, Alberta, T2N 2L4 T: 403-275-4444

Division: 6  
Roll: 07104003  
File: PRDP20204175  
Printed: Feb 2, 2021  
Legal: Block:1 Plan:9810869  
Page 12 of 24

















## PLANNING AND DEVELOPMENT SERVICES

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**TO:** Municipal Planning Commission  
Development Authority

**DATE:** March 10, 2021 **DIVISION:** 6

**FILE:** 06315001 **APPLICATION:** PRDP20210473

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

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**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.

This file was presented to the Municipal Planning Commission on February 24, 2021 and was tabled to the current Commission meeting.

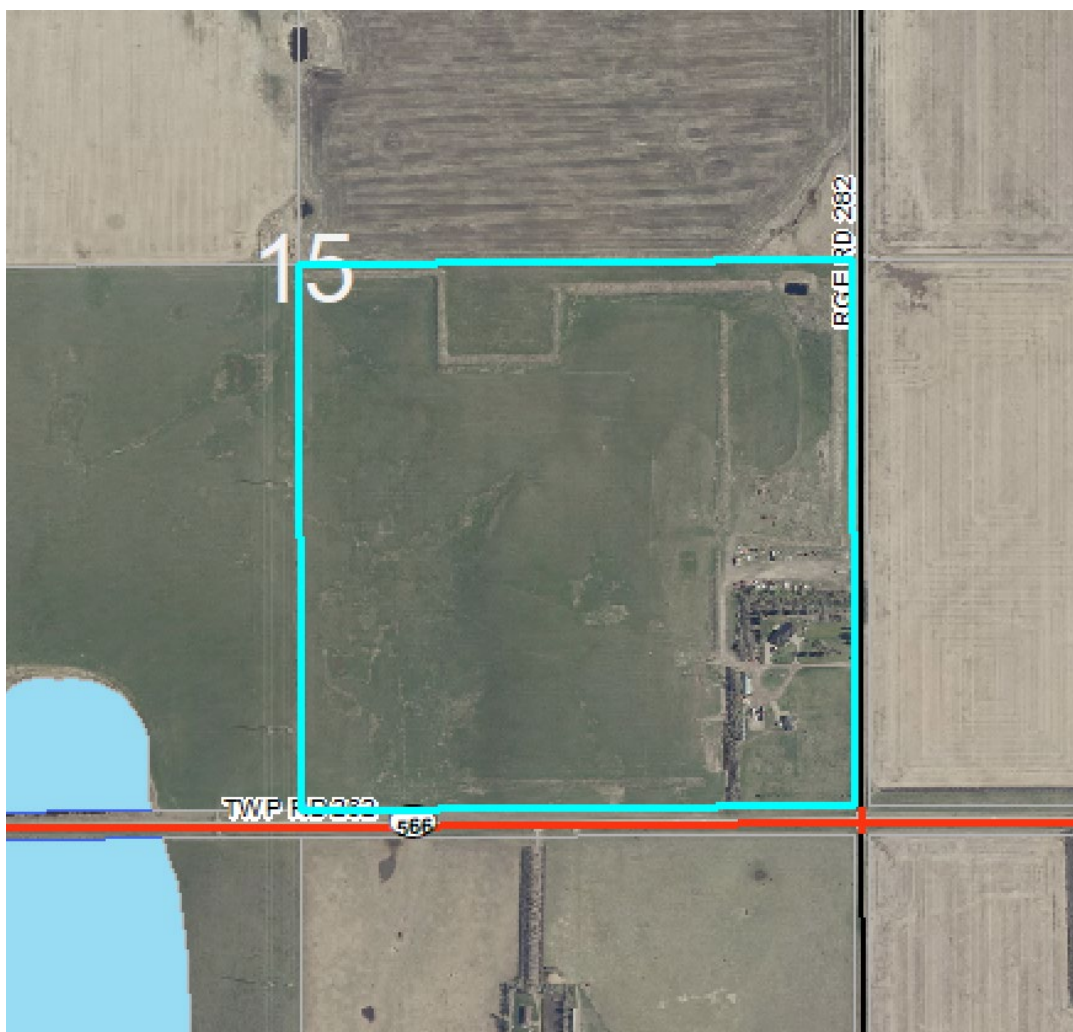
**ADMINISTRATION RECOMMENDATION:** Administration recommends approval in accordance with Option #1.

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

Jacqueline Targett, Planning & Development Services



<b>DISCRETIONARY USE:</b> <ul style="list-style-type: none"> <li>Stripping, Grading, Fill and Excavation</li> </ul>	<b>DEVELOPMENT VARIANCE AUTHORITY:</b> <ul style="list-style-type: none"> <li>Subdivision and Development Appeal Board</li> </ul>
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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”

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Executive Director  
Community Development Services

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Chief Administrative Officer

JT/ltt

**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**

**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 submit 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 proof of \$2,000,000.00 commercial vehicle insurance, for the commercial truck hauling related to the works associated with the permit.
5. That prior to release of this permit, the Applicant/Owner(s) shall submit a Letter of Credit or refundable security in accordance with the County Policy C-407. The requirement shall be \$1,250.00/disturbed acre of the development area.
6. 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.*
7. 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.
8. 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;

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**Administration Resources**

Jacqueline Targett, Planning & Development Services





- iii. SAR/EC rating is at least “good”; and
  - iv. PH value is in the “acceptable” range for crop growth.
- 9. 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. The Applicant shall also discuss and submit a New Approach application to County Road Operations, for the proposed gravel approach off Range Road 282.
  - ii. 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.
- 10. 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:**

- 11. 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.*
- 12. 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.
- 13. 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.
- 14. That the Applicant/Owner shall conduct a completion soil testing, by a qualified professional, at the destination location of the topsoil material, at a frequency of 1 test per 10,000 cu. m. (with standard processing times).
  - i. Texture is balanced and not over 40.00% clay;

**Administration Resources**

Jacqueline Targett, Planning & Development Services



- 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.

The results shall be recorded and summarized to confirm compliance within the standards specified above. Once completed, the recorded results shall be submitted to the County, for review and acceptance. Should the results not be within tolerance of the standards specified above, the County reserves the right to suspend all hauling activities and not permit further material to be placed at the destination location.

- 15. 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.
- 16. That no native topsoil shall be removed from the site.
- 17. 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.
- 18. That the Applicant/Owners shall ensure no organic material is buried and capped in a manner that will cause methane gas related issues.
- 19. That the material shall not contain large concrete, large rocks, rebar, asphalt, building materials, organic materials, or other metal.
- 20. 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.
  - 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.
- 21. 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.
- 22. 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.
- 23. That the County staff or agents shall have access to the site at all times.
- 24. That the Applicant/Owners shall be responsible for rectifying any adverse effect on adjacent lands from drainage alteration.
- 25. 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

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**Administration Resources**

Jacqueline Targett, Planning & Development Services



regularly removed from the property to prevent any debris from blowing onto adjacent property or roadways.

**Advisory:**

26. That the Applicant/Owners shall be responsible for all required payments of 3<sup>rd</sup> 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.*

27. That the subject development shall conform to the County's Noise Bylaw C-5773-2003 in perpetuity.
28. 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.
29. 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*].
30. That any other government permits, approvals, or compliances are the sole responsibility of the Applicant/Owners.
- 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.

***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.***

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

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

**Administration Resources**

Jacqueline Targett, Planning & Development Services

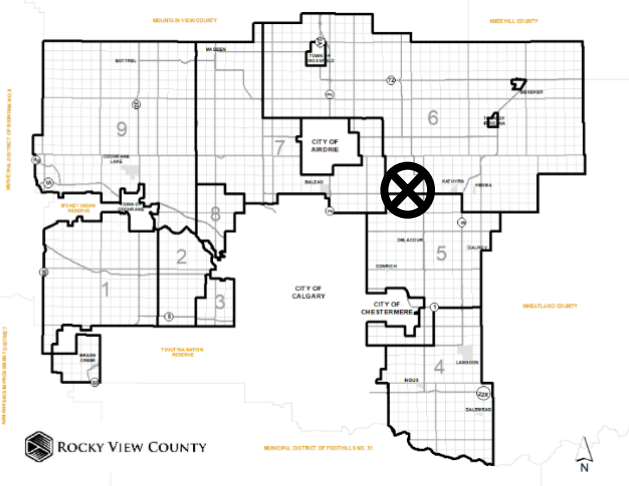


## Location & Context

### Development Proposal

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

Division: 6  
 Roll: 06315001  
 File: PRDP20210473  
 Printed: Feb 16, 2021  
 Legal: SE-15-26-28-W04M  
 Page 227 of 244



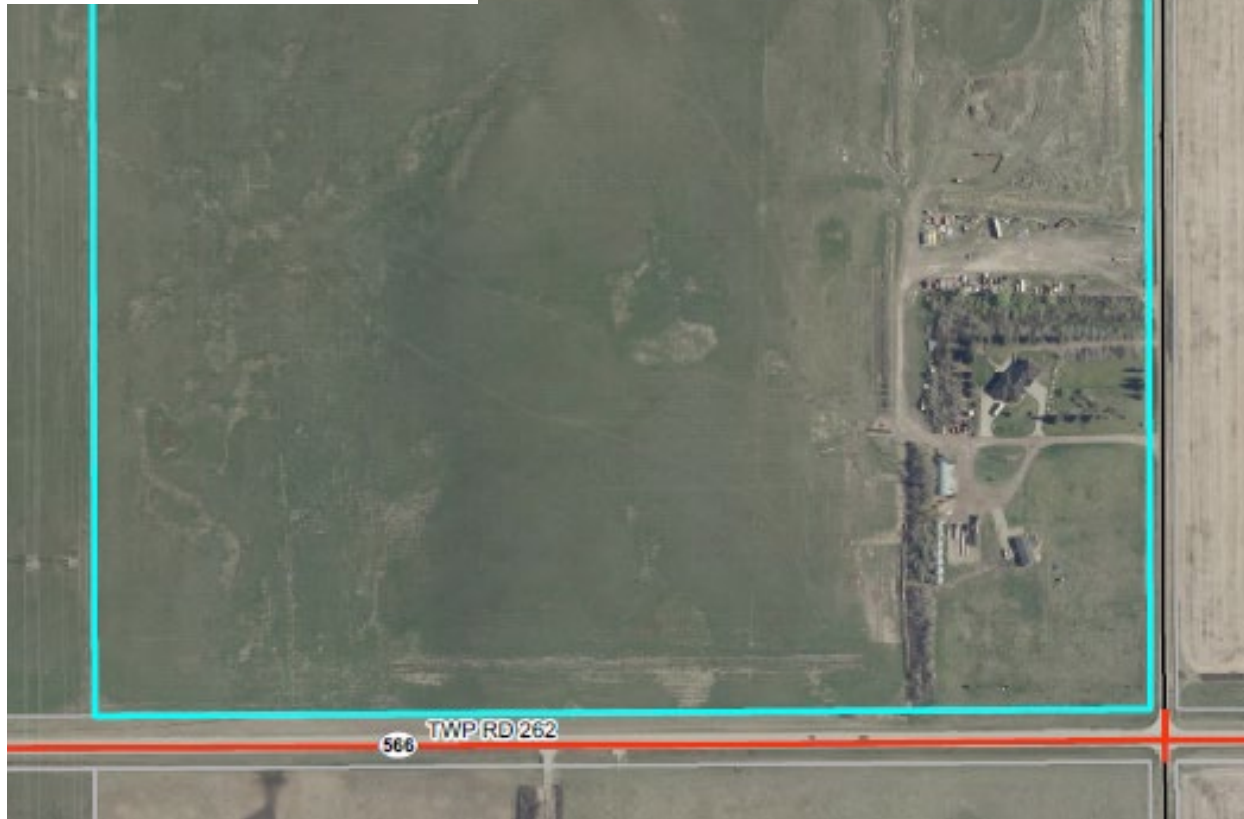
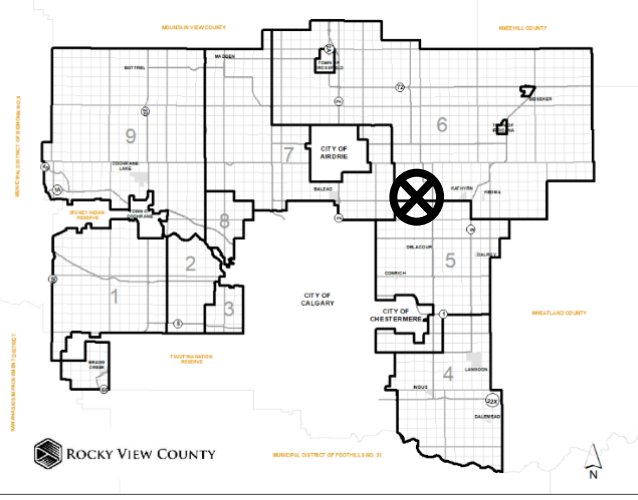


## Location & Context

### Development Proposal

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

Division: 6  
 Roll: 06315001  
 File: PRDP20210473  
 Printed: Feb 16, 2021  
 Legal: SE-15-26-28-W04M  
 Page 228 of 244











## 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

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**TO:** Municipal Planning Commission  
**DATE:** March 10, 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  $\pm 0.30$  m (12.00 in) in depth, over an area of  $\pm 7.89$  acres, 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.

This file was presented to the Municipal Planning Commission on February 24, 2021 and was tabled to the current Commission meeting.

**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.

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### Administration Resources

Bronwyn Culham, Planning & Development Services

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

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

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  $\pm 31,965$  sq. m ( $\pm 7.89$  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.

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



ROCKY VIEW COUNTY

Respectfully submitted,

Concurrence,

“Theresa Cochran”

“Al Hoggan”

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Executive Director  
Community Development Services

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Chief Administrative Officer

BC/It

**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 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 ( $\pm 7.89$  acres) and placement of approximately 10,000.00 cubic meters of clean topsoil not exceeding  $\pm 0.30$  m (12.00 in) in depth.

**Prior to Release:**

2. That prior to release of this permit, the Applicant/Owner shall submit proof of \$2,000,000.00 commercial vehicle insurance, for the truck hauling related to the works associated with the permit.
3. That prior to release of this permit, the Applicant/Owner(s) shall submit a Letter of Credit or refundable security in accordance with County Policy C-407. The requirement shall be \$5,000.00/disturbed acre of the development area.
4. 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.
5. 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.
6. 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.
7. 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:**

- 8. That any plan, technical submission, agreement, matter, or understanding submitted and approved as part of the application or in response to a Prior to Release condition, shall be implemented and adhered to in perpetuity.
- 9. 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.
- 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 the Applicant/Owner shall conduct a completion soil testing, by a qualified professional, at the destination location of the topsoil material, at a frequency of 1 test per 10,000 cu. m. (with standard processing times).
  - 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.

The results shall be recorded and summarized to confirm compliance within the standards specified above. Once completed, the recorded results shall be submitted to the County, for review and acceptance. Should the results not be within tolerance of the standards specified above, the County reserves the right to suspend all hauling activities and not permit further material to be placed at the destination location.

- 12. 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.
- 13. That no native topsoil shall be removed from the site.
- 14. 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.
- 15. That the Applicant/Owners shall ensure no organic material is buried and capped in a manner that will cause methane gas related issues.
- 16. That the material shall not contain large concrete, large rocks, rebar, asphalt, building materials, organic materials, or other metal.
- 17. 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 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.
- 18. 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.
- 19. 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.
- 20. That the Applicant/Owners shall be responsible for rectifying any adverse effect on adjacent lands from drainage alteration.
- 21. 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.
- 22. 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.
- 23. 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:**

- 24. 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*].
- 25. That the subject development shall conform to the County's Noise Bylaw C-5773-2003 in perpetuity.
- 26. That any other government permits, approvals, or compliances are the sole responsibility of the Applicant/Owner.



## ATTACHMENT 'B': MAPS AND OTHER INFORMATION

<b>APPLICANT:</b> Devon Tarrant	<b>OWNER:</b> Mandeep Singh Saini
<b>DATE APPLICATION RECEIVED:</b> November 24, 2020	<b>DATE DEEMED COMPLETE:</b> November 24, 2020
<b>GROSS AREA:</b> ± 8.06 hectares (± 19.94 acres)	<b>LEGAL DESCRIPTION:</b> SW-24-24-28-04 Lot, Block, Plan: 7410485 (243094 Rge Rd 281)
<b>APPEAL BOARD:</b> Subdivision and Development Appeal Board	
<b>HISTORY:</b> Sep 7, 1994: Building Permit, 1994-BP-4256, Accessory Building – Open Application	
<b>PUBLIC &amp; AGENCY SUBMISSIONS:</b> The application was also circulated to internal and external agencies and, where appropriate, conditions of approval have been proposed based on these comments.	

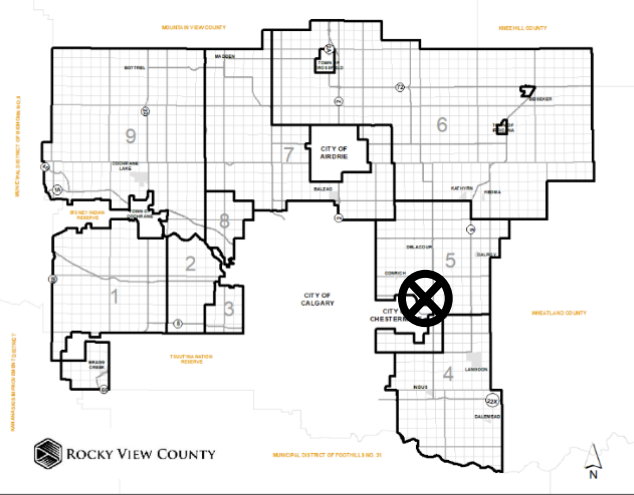


## Location & Context

### Development Proposal

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

Division: 5  
 Roll: 04324016  
 File: PRDP20203812  
 Printed: Jan 15, 2021  
 Legal: Block:3 Plan:7410485  
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## Site Plan

### Development Proposal

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



Division: 5  
Roll: 04324016  
File: PRDP20203812  
Printed: Jan 15, 2021  
Legal: Block:3 Plan:7410485  
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January 6, 2021





**Inspection Photos**

January 6, 2021







Inspection Photos  
January 6, 2021

