



MUNICIPAL PLANNING COMMISSION MEETING MINUTES

Wednesday, May 26, 2021
9:00 AM

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

Present: Chair J. Gautreau
Member G. Boehlke
Member K. Hanson (present electronically) (arrived at 9:01 a.m)
Member D. Henn (present electronically)
Member M. Kamachi (present electronically)
Member S. Wright (present electronically)

Absent: Member K. McKylor
Vice-Chair A. Schule

Also Present: B. Riemann, Executive Director, Operations
B. Beach, A/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
J. Lee, Supervisor, Planning and Development Services
S. MacLean, Supervisor, Planning and Development Services
C. Lombardo, Planner, Planning and Development Services
O. Newmen, Planner, Planning and Development Services
S. Thompson, 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 Officer, Legislative Services
T. Andreasen, Legislative Officer, Legislative Services

A Call Meeting to Order

The Chair called the meeting to order at 9:00 a.m. with all members present, with the exception of Councillor Hanson who arrived at 9:01 a.m.

B Updates/Approval of Agenda

MOVED by Member Boehlke that the May 26, 2021 Municipal Planning Commission meeting agenda be accepted as presented.

Carried



C-1 May 12, 2021 Municipal Planning Commission Minutes

MOVED by Member Hanson that the May 12, 2021 Municipal Planning Commission meeting minutes be approved as presented.

Carried

**D-1 Division 5 - Creation of One Residential Lot
File: PL20210029 (05201008)**

MOVED by Member Boehlke that Subdivision Application PL20210029 be approved with the conditions noted in Appendix 'A'.

- A. The application is to create a \pm 2.02 hectare (\pm 5.00 acre) new lot (Lot 1) with a \pm 34.22 hectare (\pm 84.55 acre) remainder (Lot 2) within Block 1, Plan 9511830, SW-01-25-27-W04M, 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 that 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:

Plan of Subdivision

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

Transportation

- 2) The Owner shall enter into an Access Easement Agreement, in order to protect the existing mutual approach. In addition, the Owner is required to:
 - a) Provide an access right-of-way plan; and
 - b) Prepare and register respective easements on each title, where required.



Municipal Reserve

- 3) That ± 2.02 hectares (± 5.00 acres) of Municipal Reserve owing is to be provided by payment of cash-in-lieu in accordance with the value per acre listed in the updated appraisal report provided by Elford Appraisal Services Ltd. dated April 30, 2021, pursuant to Section 666(3) of the *Municipal Government Act*.

Payments and Levies

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

Taxes

- 5) All taxes owing up to and including the year in which the 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 a final endorsement of the subdivision, the Planning Department is directed to present the Applicant/Owners with a Voluntary Recreation Contribution Form and ask them if they will contribute to the Fund in accordance with the contributions prescribed in the Master Rates Bylaw.

Carried

D-2 Division 7 - Creation of One New Industrial Lot with Road Construction **File: PL20210054 (06412027)**

MOVED by Member Henn that Subdivision Application PL20210054 be approved with the conditions noted in Appendix 'A'.

- A. The application to create a ± 8.10 hectares (± 20.02 acres) new lot (Lot 1), an ± 0.71 hectares (± 1.76 acres) internal road, with a ± 14.98 hectares (± 37.02 acres) remainder (Lot 2), within SE-12-26-29-W04M, 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 that 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:

Plan of Subdivision

- 6) 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

- 7) The Owner shall enter into and comply with a Development Agreement pursuant to Section 655 of the *Municipal Government Act* in accordance with the approved tentative plan and shall include the following:
- a) Design and construction of a public road system with associated infrastructure which includes the following:
 - Intersection treatment in accordance with the approved Traffic Impact Assessment (TIA);
 - Extension of High Plains Drive;
 - Temporary cul-de-sac including access easement;
 - Sidewalks/Pathways;
 - b) Design and construction of Landscaping features for all public pathways, and public roadways, in accordance with the approved Landscaping Plan;
 - c) Design and construction of a piped wastewater system with connection to the East Rocky View Wastewater System and related infrastructure;
 - d) A detailed sanitary servicing study is required in order to determine if upgrades or additional lift station capacity is required. All improvements shall be constructed as part of the Development Agreement;
 - e) Design and construction of a piped water distribution system and fire suppression system;
 - f) Detailed hydraulic network analysis is required in order to determine if upgrades or additional infrastructure is required. All improvements shall be constructed as part of the Development Agreement;
 - g) Design and construction of a fire suppression system in accordance with Bylaw C-7259-2013, as amended;
 - h) Design, construction, and implementation of the recommendations of the approved Stormwater Management Plan;
 - i) Dedication of necessary easements and right of ways for utility line assignments;
 - j) Mailboxes are to be located in consultation with Canada Post;
 - k) Installation of power, natural gas, and telephone lines;
 - l) Implementation of the recommendations of the Construction Management Plan;



- m) Implementation of the recommendations of the Geotechnical Report;
- n) Alberta Environment approvals are required for disturbance to any onsite wetlands, prior to the signing of the Development Agreement.
- o) Payment of any applicable off-site levies, at the then applicable rates, as of the date of the Development Agreement.
- p) Payment of all applicable contributions to the County or third parties for oversized or excess capacity infrastructure, roads and/or services;
- q) The construction of any oversized or excess capacity infrastructure, roads and/or services benefitting the Owner's lands and development and other lands.

Transportation

- 8) The Applicant/Owner shall provide a Traffic Impact Assessment (TIA) in accordance with the County Servicing Standards, High Plains Traffic Impact Assessment, and the Balzac Global TIA, to the County's satisfaction. Any improvements identified or road right of way that is required will be at the owner's expense:
 - i) If the recommendation of the TIA requires additional improvements to the existing roadway and intersection network, then the Owner shall enter into a Development Agreement shall address these improvements.

Stormwater

- 9) The Owner shall provide an updated Stormwater Management Report and detailed stormwater servicing design, including any improvements related to water re-use, LID measures, purple pipe system, and an irrigation system for the proposed development in accordance with the County Servicing Standards and any applicable provincial regulations, standards, and/or guidelines.
 - a) All improvements shall be constructed under a Development Agreement.
 - b) Acquiring any related provincial licensing and registration requirements are the responsibility of the developer.
- 10) The Owner shall submit an Erosion and Sediment Control Plan and Report in accordance with the County's Servicing Standards.

Site Servicing

- 11) The Owner shall provide a detailed Potable Water Servicing and Hydraulic Design Study to ensure the pipelines are sized adequately considering existing and future phases. The study shall confirm servicing requirements for this phase are in place and include provision for fire protection in accordance with County Servicing Standards.
 - a) If offsite upgrades or improvements are required, then the Owner shall enter into a Development Agreement to construct the required improvement.



- 12) The Owner shall provide a detailed Sanitary Servicing Study to support Lot 1. The study shall confirm the servicing capacity required for the development of the proposed parcel and determine if offsite upgrades to the regional system are required.
 - a) If offsite upgrades are required, then the Owner shall enter into a Development Agreement to construct the required improvement.
 - b) Improvements that benefit other lands will qualify for cost recovery in accordance with Rocky View County Policy 406.
- 13) The Owner shall enter into a Capacity Allocation Agreement for servicing allocation for Lot 1. The agreement shall be based on the servicing need identified in the potable water servicing and sanitary servicing reports.

Developability

- 14) The Owner shall provide a Geotechnical Investigation in accordance with the Rocky View County 2013 Servicing Standards to verify that the site is suitable for the proposed buildings, site works, and utilities.
 - a) For areas with greater than 1.2 m of fill, a Deep Fill report is required.
- 15) The Owner shall provide a Construction Management Plan which is to include, but not be limited to, noise, sedimentation and erosion control, traffic accommodation, construction waste management, and construction management details. Specific other requirements include:
 - a) Weed management during the construction phases of the project;
 - b) Implementation of the Construction Management Plan recommendations will be ensured through the Development Agreement.

Landscaping

- 16) The Owner shall provide a Landscaping Plan for the Landscaping Easement, as shown on the Tentative Plan.
 - a) Implementation of the approved landscaping plan shall be included within the requirements of the Development Agreement.

Lot Owner's Association

- 17) That an encumbrance or instrument shall be concurrently registered against the title of each new lot created, requiring that each individual Lot Owner is a member of the High Plains Development Association.
- 18) The Owner shall prepare and register a Restrictive Covenant on the title of each new lot created, requiring that each Lot Owner be subject to the development's Architectural Guidelines as listed in the Conceptual Scheme.



Municipal Reserve

- 19) That ± 0.88 hectares (± 2.18 acres) of Municipal Reserve owing is to be provided by payment of cash-in-lieu in accordance with the value per acre listed in the appraisal report provided by Altus Group, dated April 16, 2021, pursuant to Section 666(3) of the Municipal Government Act;
- a) The remaining ± 6.59 hectares (± 16.29 acres) of Municipal Reserve owing is to be deferred by Caveat to the remainder Lot 2, pursuant to Section 669 of the *Municipal Government Act*.
- b) The existing Deferred Reserve Caveat (201 118 037) shall be discharged and replaced with the new one above.

Cost Recovery

- 20) The County will enter into an Infrastructure Cost Recovery Agreement with the Owner to determine the proportionate recovery of infrastructure money spent by the Owner to construct municipal infrastructure that will consequently provide benefit to other lands.

Payments and Levies

- 21) The Owner shall pay the Transportation Off-Site Levy in accordance with the Transportation Off-Site Bylaw C-8007-2020. The County shall calculate the total owing for:
 - a) the total gross area of Lot 1 and the internal road, as shown in the staff report and the Plan of Survey.
- 22) The Owner shall pay the Water and Wastewater Off-Site Levy in accordance with Bylaw C-8009-2020 for Lot 1.
 - a) If required, the Owner shall enter into any related agreements for payment of the Water and Wastewater Off-Site Levy for the subject lands.
- 23) The Owner shall pay the County Subdivision Endorsement fee, in accordance with the Master Rates Bylaw, for the creation of one (1) new lot.
- 24) The Owner shall be responsible for all required payments of third party reviews and/or inspection as per the Master Rates Bylaw, as amended.

Taxes

- 25) All taxes owing up to and including the year in which the 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.

Carried



D-3 Division 9 - Creation of Five Lots and Boundary Adjustment
File: PL20210069 (06704032/041)

The Chair called for a recess at 9:25 a.m. and called the meeting back to order at 9:36 a.m. with all previously mentioned members present.

Vice-Chair Schule arrived to the meeting at 9:36 a.m. and left the meeting at 9:42 a.m.

MOVED by Member Boehlke that proposed condition 4 in Phase 2 for subdivision application PL20210069 as noted in Attachment 'A' in Administration's report be amended to read:

Water is to be supplied by an individual well on Lots 1, 2, 3 and 4 ~~2~~. The subdivision shall not be endorsed ~~the subdivision will not be endorsed~~ until

- a) An Aquifer Testing (Phase II) Report is provided, which is to include aquifer testing and the locations of the new wells on the new remainder lots in accordance with the County's servicing Standards and requirements of the *Water Act*; and
- b) Well Driller's Report confirming a minimum pump rate of 1.0 IGPM for a the new wells is provided.

Carried
Absent: Vice-Chair Schule

MOVED by Member Boehlke that a new condition be added in Phase 1 for subdivision application PL20210069 as noted in Attachment 'A' in Administration's report be amended to read:

Site Servicing

The Owner shall enter into a Deferred Services Agreement with the County to be registered on the title of the proposed new lot (Lot 5), indicating:

- a) Requirements for each future Lot Owner to connect to County piped water, wastewater, and stormwater systems at their cost when such services become available;
- b) Requirements for decommissioning and reclamation of wells, septic systems and stormwater systems once County servicing becomes available.

Carried
Absent: Vice-Chair Schule



MOVED by Member Boehlke that Subdivision Application PL20210069 be approved with the conditions noted in Appendix 'A', as amended.

Phase 1

- A. The application to adjust the boundary between two properties, in order to create a ± 1.62 hectares (± 4.00 acres) parcel (Lot 1), and a ± 27.72 hectares (± 68.49 acres) parcel (Lot 2), within Lot 3 & 4, Block 1, Plan 1212355, NE-04-26-03-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 that 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:

Plan of Subdivision

- 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.

Site Servicing

- 2) The Owner shall enter into a Deferred Services Agreement with the County to be registered on the title of the proposed new lots (Lot 5), indicating:
 - a) Requirements for each future Lot Owner to connect to County piped water, wastewater, and stormwater systems at their cost when such services become available;
 - b) Requirements for decommissioning and reclamation of wells, septic systems and stormwater systems once County servicing becomes available.



Payments and Levies

- 3) The Owner shall pay the County Subdivision Endorsement fee, in accordance with the Master Rates Bylaw, for the boundary adjustment.

Taxes

- 4) All taxes owing up to and including the year in which the 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*.

Phase 2

- A. The application to create a ± 8.46 hectares (± 20.91 acres) parcel (Lot 1), a ± 8.30 hectares (± 20.50 acres) parcel (Lot 2), a ± 4.91 hectares (± 12.14 acres) parcel (Lot 3), and a ± 6.04 hectares (± 14.93 acres) parcel (Lot 4), within 4, Block 1, Plan 1212355, NE-04-26-03-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 that 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:

Plan of Subdivision

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



Transportation

- 2) The Owner shall construct a new gravel mutual approach off Range Road 33 in order to provide access to Lots 1 & 2. In addition, the Owner shall:
 - a) Provide an access right of way plan; and
 - b) Prepare and register Access Easement Agreement on each title.
- 3) The Owner shall construct a new gravel mutual approach off Range Road 33 in order to provide access to Lots 3 & 4. In addition, the Owner shall:
 - a) Provide an access right of way plan; and
 - b) Prepare and register Access Easement Agreement on each title.

Site Servicing

- 4) Water is to be supplied by an individual well on Lots 1, 2, 3 and 4. The subdivision shall not be endorsed until
 - a) An Aquifer Testing (Phase II) Report is provided, which is to include aquifer testing and the locations of the new wells on the new lots in accordance with the County's servicing Standards and requirements of the Water Act; and
 - b) Well Driller's Report confirming a minimum pump rate of 1.0 IGPM for the new wells is provided.
- 5) The Owner shall enter into a Deferred Services Agreement with the County to be registered on the title of the proposed new lots (Lots 1, 2, 3, and 4), indicating:
 - a) Requirements for each future Lot Owner to connect to County piped water, wastewater, and stormwater systems at their cost when such services become available;
 - b) Requirements for decommissioning and reclamation once County servicing becomes available.

Municipal Reserve

- 6) That ± 2.77 hectares (± 6.85 acres) of Municipal Reserve owing is to be deferred by Caveat on Lot 1, Lot 2, Lot 3, and Lot 4, pursuant to Section 669 of the *Municipal Government Act*.

Payments and Levies

- 7) The Owner shall pay the County Subdivision Endorsement fee, in accordance with the Master Rates Bylaw, for the creation of three (3) new lots.

Taxes

- 8) All taxes owing up to and including the year in which the 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
Absent: Vice-Chair Schule

Vice-Chair Schule returned to the meeting at 9:50 a.m.

D-4 Division 9 - Residential Subdivision
File: PL20210023 (07709019)

MOVED by Member Wright that Subdivision Application PL20210023 be approved with the conditions noted in Attachment 'A'.

- A. The application to create a \pm 1.70 hectare (4.0 acre) parcel with a \pm 1.71 hectare (4.22 acre) remainder at Lot: 17 Block: 3 Plan: 0512023 within NW-09-27-03-W05M, having been evaluated in terms of Section 654 of the *Municipal Government Act* and Section 7 of the Subdivision and Development Regulations, and having considered adjacent landowner submissions, is approved as per the Tentative Plan for the reasons listed below:
 1. The application is consistent with the Statutory Policy;
 2. The subject lands hold the appropriate land use designation;
 3. The technical aspects of the subdivision proposal have been considered and are further addressed through the conditional approval requirements.
- B. The Applicant/Owner is required, at their expense, to complete all conditions attached to and forming part of this conditional subdivision approval prior to Rocky View County (the County) authorizing final subdivision endorsement. This requires submitting all documentation required to demonstrate each specific condition has been met, or agreements (and necessary securities) have been provided to ensure the conditions will be met, in accordance with all County Policies, Standards, and Procedures, to the satisfaction of the County, and any other additional party named within a specific condition. Technical reports required to be submitted as part of the conditions must be prepared by a qualified professional, licensed to practice in the province of Alberta within the appropriate field of practice. The conditions of this subdivision approval do not absolve an Applicant/Owner from ensuring all permits, licenses, or approvals required by Federal, Provincial, or other jurisdictions are obtained.
- C. Further, in accordance with Section 654 and 655 of the *Municipal Government Act*, the application shall be approved subject to the following conditions of approval:

Survey Plans

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



Transportation

- 2) The Owner shall construct a new paved approach on Parkscape Rise in order to provide access to Lots 2.
 - i) Written confirmation shall be received from County Road Operations confirming the status of this condition.

Site Servicing

- 3) Water is to be supplied by an individual well on Lot 2. The subdivision shall not be endorsed the subdivision will not be endorsed until
 - i) An Aquifer Testing (Phase II) Report is provided, which is to include aquifer testing and the locations of the new well on the remainder lot in accordance with the County's servicing Standards and requirements of the *Water Act*; and
 - ii) Well Driller's Report confirming a minimum pump rate of 1.0 IGPM for a new well is provided.

Payments and Levies

- 4) The Owner shall pay the County Subdivision Endorsement fee, in accordance with the Master Rates Bylaw, for the creation of 1 new lot.
- 5) The Owner shall pay the Transportation Off-Site Levy in accordance with Bylaw C-8007-2020. The County shall calculate the total amount owing for:
 - i) The total gross acreage of Lot 2 as shown on the Plan of Survey.

Taxes

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

D. SUBDIVISION AUTHORITY DIRECTION:

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

Carried



D-5 Division 9 - Residential Subdivision
File: PL20210001 (06822004)

MOVED by Member Boehlke that condition 3 for subdivision application PL20210001 as noted in Attachment 'A' in Administration's report be amended to read:

The Owner is to enter into a Deferred Services Agreement with the County to be registered on title for each proposed Lots 1 and 2, indicating:

- a) Each future Lot Owner is required to connect to County piped water, wastewater, and stormwater systems at their cost when such services become available;
- b) Requirements for decommissioning and reclamation **of wells, septic systems and stormwater systems** once County servicing becomes available.

Carried

MOVED by Member Boehlke that Subdivision Application PL20210001 be approved with the conditions noted in Attachment 'A', as amended.

- A. The application to create a ± 2.83 hectare (± 7.00 acre) parcel (Lot 1) with a ± 5.19 hectare (± 12.82 acre) remainder (Lot 2) at Lot 5, Plan 7810737, SW-22-26-4-W5M, having been evaluated in terms of Section 654 of the *Municipal Government Act* and Section 7 of the Subdivision and Development Regulations, and having considered adjacent landowner submissions, is approved as per the Tentative Plan for the reasons listed below:
 - 1. The application is consistent with the Statutory Policy;
 - 2. The subject lands hold the appropriate land use designation;
 - 3. The technical aspects of the subdivision proposal have been considered and are further addressed through the conditional approval requirements.
- B. The Applicant/Owner is required, at their expense, to complete all conditions attached to and forming part of this conditional subdivision approval prior to Rocky View County (the County) authorizing final subdivision endorsement. This requires submitting all documentation required to demonstrate each specific condition has been met, or agreements (and necessary securities) have been provided to ensure the conditions will be met, in accordance with all County Policies, Standards, and Procedures, to the satisfaction of the County, and any other additional party named within a specific condition. Technical reports required to be submitted as part of the conditions must be prepared by a qualified professional, licensed to practice in the province of Alberta within the appropriate field of practice. The conditions of this subdivision approval do not absolve an Applicant/Owner from ensuring all permits, licenses, or approvals required by Federal, Provincial, or other jurisdictions are obtained.
- C. Further, in accordance with Section 654 and 655 of the *Municipal Government Act*, the application shall be approved subject to the following conditions of approval:



Survey Plans

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

Transportation and Access

- 3) The Owner shall upgrade the existing road approach to a mutual paved standard as shown on the Approved Tentative Plan, in order to provide access to Lots 1 and 2. In addition, the Owner shall:
 - c) Provide an access right of way plan; and
 - d) Prepare and register respective easements on each title, where required.

Site Servicing

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

Municipal Reserves

- 5) The provision of Reserve in the amount of 10% of the area of Lot 1, 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 Altus Group, file # 13120.102658.055 dated May 11, 2020, pursuant to Section 666(3) of the *Municipal Government Act*;
 - i) Reserves for Lot 2 are to be deferred with Caveat per the Plan of Survey, pursuant to Section 669(2) of the *Municipal Government Act*.

Payments and Levies

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

Taxes

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

D. SUBDIVISION AUTHORITY DIRECTION:

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

Carried



D-6 Division 5 - Residential Subdivision
File: PL20200138 (03231039)

Member Wright left the meeting at 10:04 a.m.

MOVED by Vice-Chair Schule that Subdivision Application PL20200138 be approved with the conditions noted in Attachment 'A'.

- A. The application is to create a ± 2.03 hectare (± 5.02 acre) parcel with a ± 2.00 hectare (± 4.94 acre) remainder at NE-31-23-27-W4M, having been evaluated in terms of Section 654 of the *Municipal Government Act* and Section 7 and Section 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.
- 2) The Applicant/Owner shall upgrade the existing road approach on Twp Rd 240 in order to provide access to Lots 1 and 2; In addition, the Owner shall:
 - i) Provide an access right of way plan; and
 - ii) Prepare and register respective easements on each title, where required.



Developability

- 3) The Owner shall enter into a Development Agreement (Site Improvements / Services Agreement), registered on Lots 1 & 2 with the County and shall include the following:
 - i) In accordance with the Private Sewage Treatment System Assessment submitted by Osprey Engineering Ltd. (dated November 30, 2020)
- 4) The Owner shall provide a detailed Site-Specific Stormwater Implementation Plan (SSIP), prepared by a qualified professional, which is consistent with the conditions set in the Co-operative Stormwater Management Initiative (CSMI) and County Servicing Standards. Implementation of the SSIP shall include the following:
 - i) Should the SSIP indicate that improvements are required, the Applicant/Owner shall enter into a Development Agreement (Site Improvements/ Services Agreement) with the County for the implementation of the improvements outlined in the SSIP accepted by the county.
 - ii) Should the SSIP indicate that a geotechnical report is warranted for the design of the required improvements; the Owner shall provide a geotechnical report prepared by a qualified professional geotechnical engineer, which provides recommendations and direction on the design and construction of the stormwater infrastructure.
 - iii) Registration of any required easements and/or utility rights of way;
 - iv) Provision of necessary approvals and compensation provided to Alberta Environment and Parks for wetland loss and mitigation; and
 - v) Provision of necessary Alberta Environment and Parks registration documentation and approvals for the stormwater infrastructure system.

Payments and Levies

- 5) The Owner shall pay the Transportation Off-Site Levy in accordance with Bylaw C-8007-2020. The County shall calculate the total amount owing on the total gross acreage of Lot 1 as shown on the Plan of Survey.
- 6) The provision of Reserve in the amount of 10 percent of the area of Lots 1 & 2, 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 # 20201494 / December 14, 2020) pursuant to Section 666(3) of the *Municipal Government Act*:
 - i) The existing Deferred Reserve Caveat, Instrument # 6014KO., is to be partially discharged.
- 7) The Owner shall pay the County Subdivision Endorsement fee, in accordance with the Master Rates Bylaw, for the creation of one (1) new lot.

Utilities

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



Taxes

- 9) All taxes owing up to and including the year in which the 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
Absent: Member Wright

The Chair called for a recess at 10:06 a.m. and called the meeting back to order at 10:11 a.m. with all previously mentioned members present, with the exception of Member Hanson, Member Henn and Member Wright.

Member Hanson and Member Henn returned to the meeting at 10:12 a.m.

E-1 Division 5 - Single-lot Regrading File: PRDP20211321 (04332053)

MOVED by Vice-Chair Schule that Development Permit Application PRDP20211321 be approved with the conditions noted in Attachment 'A'.

Description:

1. That the single-lot regrading, for the relocation of a drainage ditch may commence on the subject parcel in general accordance with the drawings submitted with the application.
 - i. That the stripping and grading of approximately **1,274.00 sq. m (13, 713.22 sq. ft.)**, may take place on the subject lands.

Prior to Release:

2. That prior to release of this permit, the Applicant/Owner shall submit a revised Overland Drainage Right of Way Plan of Survey (and conduct any associated revisions to the associated Overland Drainage Easement Agreement), that accommodates the revised overland drainage path and once approved, it shall be registered on title.

Permanent:

3. 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.
4. That the Applicant/Owner shall be responsible for rectifying any adverse effect on the adjacent lands from drainage alteration.
5. 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.



6. That any plan, technical submission, agreement, or other matter submitted and approved as part of the Development Permit application, or submitted in response to a Prior to Release or Occupancy condition, shall be implemented and adhered to in perpetuity.
7. 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.
8. 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.

Advisory:

9. 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]*.
10. That the Applicant/Owner shall adhere to the County's Noise Bylaw (C-5772-2003) at all times.
11. That any other government permits, approvals, or compliances are the sole responsibility of the Applicant/Owner.

Carried
Absent: Member Wright

E-2 Division 1 - Communications Facility (Type C)
File: PRDP20211823 (04801003)

MOVED by Member Kamachi that Development Permit Application PRDP20211823 be approved with the conditions noted in Attachment 'A'.

Description:

1. That a *Commercial Communication Facility, Type C*, may be situated on the subject parcel in accordance with the approved Site Plan and details submitted with the application, and includes the following:
 - i. Placement of one monopole self-support telecommunications tower, approximately 45.00 m (147.64 ft.) high; tower base area: 225.00 sq. m (2,421.88 sq. ft.);
 - ii. Placement of an equipment shelter; 4.46 sq. m (48.00 sq. ft.) in area; and
 - iii. Installation of a 2.10 m (6.89 ft.) high-security fence.



Permanent:

2. That the Applicant/Owner shall contact County Road Operations with haul details for materials and equipment needed during construction/site development to confirm if Road Use Agreements will be required for any hauling along the County road system and to confirm the presence of County road ban restrictions.
 - i. That Applicant/Owner shall also submit a New Road Approach application to County Road Operations, for the proposed gravel approach off Range Road 41. The approach shall be constructed in accordance with County Servicing Standards and all required inspections completed.
3. That no topsoil shall be removed from the site.
4. That the Commercial Communication Facility shall be neutral in colour and blend with the surroundings, mitigation of the visual aspects of the facility should include painting, decorative fencing, screening, landscaping, and should not clash with the sky or landscape.
5. That should the Commercial Communication Facility become deactivated or unused; the Commercial Communication Facility shall be removed from the parcel within six months of becoming deactivated or unused.
6. That where possible, light-shielding shall be considered to minimize the impact of the lighting to the adjacent landowners.
7. 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.

Advisory:

8. That during construction, all construction and building materials shall be maintained on-site, in a neat and orderly manner. Any debris or garbage shall be stored/placed in garbage bins and disposed of at an approved disposal facility.
9. That a Building Permit, if applicable, shall be obtained for the equipment shelter through Building Services, prior to any construction taking place.
10. That any other federal, provincial, or County permits, approvals, and/or compliances are the sole responsibility of the Applicant/Owner.
 - i. That a Roadside Development Permit be obtained from Alberta Transportation.

Carried
Absent: Member Wright



E-3 Division 4 - Signs - Discretionary & Permitted Uses
File: PRDP20211663 (03222005)

MOVED by Vice-Chair Schule that Development Permit Application PRDP20211663 be approved with the conditions noted in Attachment 'A'.

Description:

1. That one (1) freestanding Pylon Sign and five (5) fascia signs may be placed on the subject parcel in general accordance with the site plan and signage details, as prepared by Priority Permits, and submitted with the application.

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.

Advisory:

4. That any other government permits, approvals, or compliances are the sole responsibility of the Applicant/Owner.
5. 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 date, the permit is deemed to be null and void, unless an extension to this permit shall first have been granted by the Development Officer.

Carried
Absent: Member Wright

E-4 Division 4 - Health Care Services and Dwelling Unit
File: PRDP20211001 (03222114/5)

MOVED by Member Boehlke that Development Permit Application PRDP20211001 be tabled until an Amendment to DC-64 is made to allow for Animal Health Care Services, Small Animal is considered by Council.

Carried
Absent: Member Wright

Member Wright returned to the meeting at 10:34 a.m.



E-5 Division 7 - Communications Facility (Type C)
File: PRDP20211428 (06307004)

MOVED by Member Boehlke that Development Permit Application PRDP20211428 be approved with the conditions noted in Attachment 'A'.

Description:

1. That a Communications Facility (Type C) may be situated on the subject parcel in accordance with the approved Site Plan and details submitted with the application, and includes the following:
 - i. Placement of one self-support telecommunications tower, approximately 76.50 m (250.98 ft.) high, with a tower base area of approximately 306.00 sq. m (3,293.76 sq. ft.);
 - ii. Placement of an equipment shelter, approximately 7.41 sq. m (79.76 sq. ft.) in area; and
 - iii. Installation of an over height chain-link enclosure fence, approximately 2.43 m (7.98 ft.) in height.

Prior to Release:

2. That prior to release of this permit, the Applicant/Owner shall submit confirmation of an Access Easement Agreement between TELUS and the landowner of SE-07-26-28-W04M, inclusive of any required access right-of-way plan.
 - iv. That if access is not permitted over the registered pipeline right-of-way, that the access shall be relocated and approved as per County Standards.

Permanent:

3. That the Communications Facility (Type C) may be located within 2,000.00 m (6,561.68 ft.) of another Communications Facility (Type C).
4. That the Applicant/Owner shall contact County Road Operations with haul details for materials and equipment needed during construction/site development to confirm if Road Use Agreements will be required for any hauling along the County road system and to confirm the presence of County road ban restrictions.
5. That no topsoil shall be removed from the site.
6. That the Communications Facility shall be neutral in colour and blend with the surroundings. Mitigation of the visual aspects of the facility should include painting, decorative fencing, screening, landscaping, and should not clash with the sky or landscape.
7. That should the Communications Facility become deactivated or unused, the Communications Facility shall be removed from the parcel within six months of becoming deactivated or unused.
8. That where possible, light-shielding shall be considered to minimize the impact of the lighting to adjacent communities.



9. That if the development authorized by this Development Permit has 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 Authority.

Advisory:

10. That a Building Permit, if applicable, shall be obtained for the equipment shelter through Building Services, prior to any construction taking place.
11. That any other federal, provincial, or County permits, approvals, and/or compliances are the sole responsibility of the Applicant/Owner.

Carried

E-6 Division 7 - Communications Facility (Type C)
File: PRDP20211415 (08603005)

MOVED by Member Hanson that Development Permit Application PRDP20211415 be approved with the conditions noted in Attachment 'A'.

Description:

1. That a Communications Facility (Type C) may be situated on the subject parcel in accordance with the approved Site Plan and details submitted with the application, and includes the following:
 - i. Placement of one self-support telecommunications tower, approximately 45.00 m (147.64 ft.) high, with a tower base area of approximately 225.00 sq. m (2,421.88 sq. ft.);
 - ii. Placement of an equipment shelter, approximately 4.46 sq. m (48.00 sq. ft.) in area; and
 - iii. Installation of an over height chain-link enclosure fence, approximately 2.43 m (7.98 ft.) in height.

Permanent:

2. That the Communications Facility (Type C) may be located within 500.00 m (1,640.41 ft.) of an existing dwelling.
3. That the Applicant/Owner shall contact County Road Operations with haul details for materials and equipment needed during construction/site development to confirm if Road Use Agreements will be required for any hauling along the County road system and to confirm the presence of County road ban restrictions.
4. That no topsoil shall be removed from the site.
5. That the Communications Facility shall be neutral in colour and blend with the surroundings. Mitigation of the visual aspects of the facility should include painting, decorative fencing, screening, landscaping, and should not clash with the sky or landscape.
6. That should the Communications Facility become deactivated or unused, the Communications Facility shall be removed from the parcel within six months of becoming deactivated or unused.



7. That where possible, light-shielding shall be considered to minimize the impact of the lighting on adjacent communities.
8. That if the development authorized by this Development Permit has 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 Authority.

Advisory:

9. That a Building Permit, if applicable, shall be obtained for the equipment shelter through Building Services, prior to any construction taking place.
10. That any other federal, provincial, or County permits, approvals, and/or compliances are the sole responsibility of the Applicant/Owner.

Carried

E-7 Division 6 - Commercial Development
File: PRDP20210963 (08112001)

Presenter: Derrick Bentley, the Applicant

MOVED by Member Boehlke that proposed condition 38 for development application PRDP20210963 as noted in Attachment 'A' of Administration's report be deleted in its entirety;

AND THAT a new Prior to Release condition be added that reads:

That prior to release of this permit, the Applicant/Owner shall enter into and register on title, an Access Easement Agreement with the Village of Beiseker, for direct access through the subject lands (NE-12-28-26-W4M) to access Plan: 8792 HK and the remainder of NW-07-28-25-W4M.

Carried

MOVED by Member Boehlke that Development Permit No. PRDP20210963 be approved with the conditions noted in Attachment 'A'.

Description:

1. That Station (Gas/Electric), Retail (Small), Establishment (Eating) including Drive-Through(s) of three commercial buildings may be constructed on the subject site, in accordance with the Site Plan and Drawing package, *as prepared by Rick Balbi Architect; Job No. 20-126, dated February 3 & March 5, 2021*, subject to the amendments required in accordance with the conditions of this approval and shall including the following:
 - i. Construction of one Gas Station/Convenience Store; approximately 871.32 sq. m (9,378.81 sq. ft.) in footprint, including gas canopy area.
 - a. That the minimum front yard setback requirement for the building, including the station canopy fueling area, is **relaxed from 60.00 m (196.85 ft.) to 51.29 m (168.27 ft.)**.



- ii. Construction of one Establishment (Eating), including a Drive-Through; approximately 230.14 sq. m (2,477.20 sq. ft.) in area.
 - a. That the minimum front yard setback requirement for the building is relaxed from **60.00 m (196.85 ft.) to 15.08 m (49.48 ft.)**.
- iii. Construction of one Establishment (Eating), including a Drive-Through; approximately 211.02 sq. m (2,271.40 sq. ft.) in area.
 - a. That the minimum front yard setback requirement for the building is relaxed from **60.00 m (196.85 ft.) to 15.97 m (52.42 ft.)**.
- iv. Signage including 12 fasciae, two Digital Drive-Through Menu Boards, ancillary graphic paneling, window vinyl, and onsite wayfinding (*as per floor plan and elevation drawings*).
- v. Site Grading (as required for excavation and final site surfacing, temporary stockpiling)

Prior to Release:

- 2. That prior to release of this permit, the Applicant/Owner shall submit model details on any proposed mounted building lighting on the subject site, to ensure compliance with Sections 227 through 230 of the County's Land Use Bylaw C-8000-2020 (LUB).
- 3. That prior to release of this permit, the Applicant/Owner shall submit a revised Parking plan:
 - i. That includes the minimum barrier-free access aisle length, in accordance with Section 3.8.3.22 of the Alberta Building Code (ABC),
 - ii. That includes the minimum loading area dimensions, in accordance with Section 246 of the LUB.
- 4. That prior to release of this permit, the Applicant/Owner shall submit signage details, to ensure compliance with the County's LUB. The signage details shall include:
 - i. Fascia sign details for the proposed sign(s) projection from all three buildings, in accordance with Section 215
 - ii. The digital display drive-through boards for Building B & Building C, to ensure compliance with Section 212, including display transition time and light output.
- 5. That prior to release of this permit, the Applicant/Owner shall submit a Stormwater Management Plan in accordance with County Servicing Standards for review and acceptance by the County. Implementation of the Stormwater Management Plan shall include the following:
 - i. Registration of any required easements and / or utility rights-of-way;
 - ii. Any necessary Alberta Environment licensing documentation/approvals.
- 6. That prior to release of this permit, the Applicant/Owner shall address all fire suppression requirements for the proposed development in accordance with the requirements of NFPA 1142 and all applicable County standards and bylaws.



7. That prior to release of this permit, the Applicant/Owner shall submit payment of the Transportation Offsite Levy (TOL), as per the applicable TOL bylaw at time of Development Permit issuance. The Applicant shall confirm the development area of the proposal.
 - i. The development area refers to the portion of lands utilized directly for development purposes, and includes: the driveway access; all structures (buildings), the storage and display areas directly associated to the use; and the required parking area (as defined in the Land Use Bylaw)
8. That prior to release of this permit, the Applicant/Owner shall obtain a Roadside Development Permit or waiver from Alberta Transportation (AT), indicating the acceptance of the development proposal, including the proposed approach design and intersection improvements onto Highway 9.
9. That prior to release of this permit, the Applicant/Owner shall submit a construction management plan, addressing noise mitigation measures, traffic accommodation, sedimentation and dust control, management of stormwater during construction, erosion and weed control, construction practices, waste management, firefighting procedures, evacuation plan, hazardous material containment, and all other relevant construction management details.
 - i. That the Applicant/Owner shall be responsible to dedicate all necessary easements and Right-of-Ways for utility line assignments and provide for the installation of all underground shallow utilities with all necessary utility providers, to the satisfaction of the County.

Prior to Occupancy:

10. That prior to release of this permit, the Applicant/Owner shall enter into and register on title, an Access Easement Agreement with the Village of Beiseker, for direct access through the subject lands (NE-12-28-26-W4M) to access Plan: 8792 HK and the remainder of NW-07-28-25-W4M.
11. That prior to occupancy of the site, all landscaping, final site surfaces, parking, lighting, addressing and signage shall be completed.
 - i. That should permission for occupancy of the site be requested during the months of October through May inclusive, occupancy may be allowed without landscaping and final site surface completion provided that an Irrevocable Letter of Credit in the amount of 150.00% of the total cost of completing all the landscaping and final site surfaces shall be placed with Rocky View County to guarantee the works shall be completed by the 30th day of June immediately thereafter.
12. That prior to site occupancy of the site, the Applicant/Owner shall submit as-built drawings certified by a professional engineer licensed to practice in the Province of Alberta. The as-built drawings shall include verification of as-built sanitary infrastructure, as-built water infrastructure, as-built stormwater infrastructure and any other information that is relevant to the Stormwater Management Report.
 - i. Following receiving the as-built drawings, the County shall complete an inspection of the site to verify all infrastructure has been completed as per the stamped examined drawings.



13. That prior to site occupancy of the site, Construction Completion Certificates (CCCs) shall be issued for all of the road improvement works and site access associated with the Development Agreement, for the approach and intersection upgrade at Highway 9, to the satisfaction of the County and AT.

Permanent:

14. That the entire site shall be maintained in a neat and orderly manner at all times, to the satisfaction of the County.
15. That the Station (Gas/Electric) includes 12 covered gas pumps, four (4) diesel pumps, and two (2) electric charging stations.
16. That any dirt removed from the site during construction shall be hauled off in a covered trailer/truck that will prevent blowing of dust/small rocks onto the road or issues with other vehicles on the road.
 - i. That the clean-up of any mud tracking and/or dirt that enters onto adjacent Highway during construction shall be the responsibility and cost of the Owner.
17. That the temporary stockpile, the volume of 4,500.00 sq. m, placed onsite during construction, shall include silt perimeter fencing and shall include hydroseed and mulch upon removal or re-spreading for landscaping purposes.
18. That no temporary signs shall be placed on the site at any time except any temporary signs required during development or building construction.
19. That any future business signage, including pylon/entry signage, shall require separate Development Permit approval and shall adhere to any Signage Guidelines of the LUB.
20. That two digital display Drive-Through menu board may be located within 300.00 m (984.25 ft.) of Building B and Building C.
21. That all installed signage onsite shall have no exposed wiring or bulbs. All signage shall be safely and securely attached to the building or anchored to the ground.
22. That any proposed business fencing, shall be 2.00 m (6.56 ft.) in height or less and be similar in design and character to the existing development.
23. That there shall be no food establishment or related activity located within the 300.00 m (984.25 ft.) setback restriction of the working area of the operating wastewater lagoon area.
24. That all on site lighting shall meet Sections 227-230 of the LUB and all private lighting including site security lighting and parking area lighting should be designed to conserve energy, reduce glare, and reduce uplight. No flashing, strobe, or revolving lights shall be installed on any structure, which may impact the safety of motorists using adjacent public roadways.
25. That the garbage containers shall be screened from view from all adjacent properties and public thoroughfares in perpetuity. The garbage and waste shall be stored in weatherproof and animal proof containers and be in a location easily accessible to containerized garbage pickup, in accordance with Dwg. DP 1.0 – 1.2, as prepared by Rick Balbi Architect, Job No.219283, February 3 & March 5, 2021].
26. That a minimum of 41 parking stalls and shall be maintained on site at all times.



27. That there shall be no customer or business parking at any time along the adjacent Highway Road Right-of-Way. All customer and business parking shall be on the subject property.
28. That all landscaping elements shall be installed and maintained, in accordance with the approved Landscaping Plan, Dwg. DP 1.0 – 1.2, as prepared by Rick Balbi Architect, Job No. 219283, February 3 & March 5, 2021].
 - i. That the quality and extent of the landscaping shall be maintained over the life of the development and any deceased vegetation shall be replaced within 30 days or before June 30th of the next growing season.
29. 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 commercial buildings located on the subject site, to facilitate accurate emergency response.

The municipal address for Building A is 260211 TWP RD 281
The municipal address for Building B is 260225 TWP RD 281
The municipal address for Building C is 260217 TWP RD 281
30. That water conservation strategies shall be implemented and maintained at all times.
31. That any future tenant(s) of the buildings, not proposed within the application details, shall require an application for tenancy (use) and signage or a New Business tenancy Change of Use approval.
32. 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.
33. 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 36 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.
34. That if the Development Permit is not issued by **February 28, 2022**, or the approved extension date, then this approval is null and void and the Development Permit shall not be issued.

Advisory:

35. 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.
36. That during construction, the dust control shall be maintained on the site and that the Applicant/Owner shall take whatever means necessary to keep visible dust from blowing onto adjacent lands.
37. That the subject development shall conform to the County's Noise Bylaw C-5773-2003 & Road Use Agreement Bylaw C-8065-2020, in perpetuity.
38. That the site shall remain free of restricted or noxious weeds, in accordance with the Weed Control Act [*Statutes of Alberta, 2008 Chapter W-5.1; Current as of December 15, 2017*].



ROCKY VIEW COUNTY

39. That wherever possible, parking areas should incorporate Low Impact Development (LID) stormwater management principles such as permeable pavement, on-site stormwater detention & treatment areas, rainwater capture/re-use, and vegetated swales to implement 'source control' stormwater best management practices to reduce volume and improve surface drainage quality prior to its release into the roadside ditch system.
40. That a Building Permit and all applicable sub-trade permits shall be obtained, through Building Services, prior to any construction taking place, using the Commercial/Industrial/Institutional checklist and shall include a 3.2.2 Building Code Analysis and the corrections noted from Building Code Circulation Comments Letter, dated April 12, 2021.

Note: The Development shall conform to the National Energy Code 2011.

41. That any other government permits, approvals, or compliances are the sole responsibility of the Applicant/Owner.
- i. That a copy of the issued Roadside Development Permit, issued through Alberta Transportation, shall be submitted to the County.

Note: The Applicant/Owner shall be responsible for all Alberta Environment and Park (AEP) approvals for any impact to any wetland areas for the proposed development or for the approval to discharge stormwater to the Rosebud River tributary.

Carried


G Adjourn the Meeting

MOVED by Member Hanson that the May 26, 2021 Municipal Planning Commission meeting be adjourned at 10:57 a.m.

Carried

H Next Meeting

June 9, 2021



Chair or Vice Chair



Chief Administrative Officer or Designate